

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled council meeting on Thursday, March 26, 2015, at the Millville City Office, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at 7 p.m. (Please note the time given to each agenda item is an approximate time.)

1. Call to Order / Roll Call – Mayor Michael Johnson.
2. Opening Remarks / Pledge of Allegiance – Councilmember Julianne Duffin.
3. Approval of agenda and time allocation.
4. Approval of minutes of the previous meeting – March 12, 2015.
5. Action Items—
 - A. Youth Council Report – Councilmember Julianne Duffin – 7:05 p.m.
 - B. Millville City Water Audit – Superintendent Gary Larsen – 7:08 p.m.
 - C. PUBLIC HEARING – 7:20 p.m.
The purpose of the hearing is to consider a rezone request on Parcels 03-037-0019, 03-037-0020, 03-037-0055 from Open Space to Residential-1 and to update the proposed Millville City Zoning Map.
 - D. Review Comments regarding the Balph Rezone Request and Continue to Next Council Meeting – Mayor Michael Johnson – 7:25 p.m.
 - E. Report from Cache County Sheriff's Office - Sheriff Chad Jensen – 7:30 p.m.
 - F. Cache County Sheriff's Contract for Law Enforcement Services and Animal Control Services – Mayor Michael Johnson – 7:40 p.m.
 - G. Utah League of Cities and Towns Training / Consideration of Cancelling of Rescheduling the April 9, 2015 Council Meeting – Mayor Michael Johnson.
 - H. Bills to be paid.
6. Discussion Items—
 - A. City Reports.
 1. Roads/Sidewalks – Superintendent Gary Larsen.
 2. City Parks – Superintendent Larsen.
 3. Culinary Water System – Superintendent Larsen.
 - B. Consideration for Establishing a Recycling Market Development Zone – Councilmember Ryan Zollinger.
 - C. Commercial Corridor Development – Development Coordinator Harry Meadows.
 - D. Development on Private Roads – Development Coordinator Harry Meadows.
 - E. City Budget Proposals – Mayor Michael Johnson.
 - F. Councilmember Reports.
 - G. Other items for Future Agendas.
7. Adjournment.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Rose Mary Jones at (435)752-8943 at least three working days prior to the meeting.

Notice was posted on March 23, 2015, a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was sent electronically to the Utah Public Meeting Notices website (<http://www.utah.gov/pmn/index.html>) on March 23, 2015.


Rose Mary A. Jones, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall - 510 East 300 South - Millville, Utah
March 12, 2015

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Harry Meadows, Gary Larsen, Bob Bates, Wendy Wilker, Clay Wilker, JoAnn Thompson, Colby Gill, Carter Gill, Zan Murray, Kelly Arnold, Jason Leishman, Donna Jean Humphreys, Rob Jones, Mike Humphreys

Call to Order/Roll Call

Mayor Michael Johnson welcomed everyone to the Council Meeting calling the meeting to order at 7 p.m. The roll call indicated Mayor Michael Johnson and Councilmembers Michael Callahan, Cindy Cummings, Mark Williams and Ryan Zollinger were in attendance with Councilmember Julianne Duffin excused; also Treasurer Tara Hobbs and Recorder Rose Mary Jones were present.

Opening Remarks/Pledge of Allegiance

Councilmember Williams led all present in the pledge of allegiance.

Approval of agenda and time allocations

The agenda for the City Council Meeting of March 12, 2015 was reviewed. **Councilmember Zollinger moved to approve the agenda as outlined.** Councilmember Williams seconded. Councilmember Callahan, Cummings, Williams, and Zollinger voted yes with Councilmember Duffin absent.

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting held February 26, 2015. **Councilmember Cummings moved to approve the minutes of the February 26, 2015 meeting.** Councilmember Zollinger seconded. Councilmember Callahan, Cummings, Williams, and Zollinger voted yes with Councilmember Duffin absent. (The minutes are included as Attachment "A".)

Request for a Business License for Kathy Kaye Foods, LLC in the Zollinger Complex at 695 West 1700 South Building #30

Tom or Kathy Fecteau requested a business license for Kathy Kaye Foods, LLC in the Zollinger complex at 695 West 1700 South, Building #30. Kelly Arnold represented the Fecteauss at the meeting.

Councilmember Williams moved to approve a business license for Kathy Kaye Foods, LLC. Councilmember Cummings seconded.

There was clarification made that they would be doing some retail sales on the premises, but the majority of the sales are offsite.

Councilmember Callahan, Cummings, Williams, and Zollinger voted yes with Councilmember Duffin absent. (The business license application is included as Attachment "B".)

Presentation on Child Abuse Prevention Month, Child & Family Support Center

Brandy Mourtisen representing the Child and Family Support Center was scheduled to make a presentation regarding April being Child Abuse Prevention Month; however, there she did not attend the meeting.

The Council reviewed the Proclamation as received. **Councilmember Cummings moved to approve the Child Abuse Prevention Month Proclamation.** Councilmember Callahan seconded. Councilmember Callahan, Cummings, Williams, and Zollinger voted yes with Councilmember Duffin absent. A copy of the proclamation is included with the minutes as Attachment "C".

Proposal for Baseball Scheduling

Colby Gill discussed with the Council the desire to use the Millville City baseball field regularly during the next few months. He reported Providence City has taken over the Competitive League as well as the City League. The games are scheduled from April 6 until June 19.

Mr. Gill suggested having a fee of \$35 to \$50 to have a set practice time scheduled at the field. He agreed to do the scheduling. There would also be a \$10 per game charge for the use of the field. The funds will be used to pay for maintenance and supplies. He also volunteered to take care of the maintenance required. He felt the users should be invoiced half way through the season and again at the end. He also stated that if a game is rained out, a makeup game would have precedent over any practice scheduled.

Treasurer Tara Hobbs will be working with Mr. Gill in posting the reservations and schedules. Treasurer Hobbs reported the soccer teams will be using the very south fields and also the north park field.

The teams will try to maintain the area by picking up the trash. The City has supplied garbage cans to help with this in the past.

The consensus of the Council was to have Mr. Gill put together a plan for the Council to review. This will be discussed at the next Council Meeting.

Councilmember Cummings moved to go to Items H [Appointment to Planning Commission] and I [Report on RAPZ Grant Application] and then go back to the Public Hearing. Councilmember Callahan seconded. Councilmember Callahan, Cummings, Williams, and Zollinger voted yes with Councilmember Duffin absent.

Councilmember Duffin arrived at the meeting at this time.

Appointment to Planning Commission

Councilmember Callahan indicated he had talked with Commissioner Jim Hart and he was willing to continue serving on the Planning Commission. **Councilmember Callahan moved to appoint Jim Hart to remain in his position as a Planning Commissioner.** Councilmember Cummings seconded. Councilmember Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Report on RAPZ Grant Application

Development Coordinator Harry Meadows reported the population figure was changed on the RAPZ application and was submitted to the Council on March 6, 2015. The decision on the disbursement of the RAPZ funds will come in a couple of months.

Public Hearing – 7:20 p.m.

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Harry Meadows, Gary Larsen, Bob Bates, Wendy Wilker, Clay Wilker, JoAnn Thompson, Zan Murray, Jason Leishman, Donna Jean Humphreys, Rob Jones, Mike Humphreys

The purpose of the public hearing was to obtain input on the General Plan as drafted.

Engineer Zan Murray provided information to the Council regarding changes that need to be made to the Parks and Trails Master Plan Appendix 1 and wanted the public to be aware that these have been recommended by Lewis Young, as they are updating the impact fees for our City. A copy of this information is included with the minutes as Attachment "D".

Mayor Johnson requested anyone wanting to speak to come to the microphone, stating their name; this is being recorded as required by law.

Written comments were provided to the Council from Frank Smith as requested. A copy of this information is included with the minutes as Attachment "E".

The following are comments made that have been summarized:

Donna Jean Humphreys – has property west of the southwest corner of the City Park; there is a road that is planned to go through her house; asked when and if this will happen

Mayor Johnson – No, the road will not go through house; the road is planned to go through the general area; this was on the Road Master Plan when adopted

Donna Jean Humphreys – questioned if they would have to annex into the City

Mayor Johnson – No; however, there may be a larger property owner that would bring their property into the City limits

Ryan Zollinger – reiterated that their property may come in with another developer; their property is part of the City's annexation declaration boundary

Donna Jean Humphreys – Cache County informed them that because they are in the County, they may be brought in with other developers; they have no water or gas and was informed that the developer would have to pay for their home to go onto City utilities

Ryan Zollinger – would not be able to say if utilities would be paid for by developers; no answer on how services would be paid for

Mayor Johnson – there is a need for a plan for possible future development; that is why the road plan was developed

Donna Jean Humphreys – What if they annexed to the City? Would they be responsible to pay for the services?

Mayor Johnson – yes, that would be correct; would have to bear the cost of installation of the improvements; if they were brought into the City by another developer, he assumed the cost of the roads, etc. would be borne by the developer. The City would take over maintenance of the infrastructure after it was installed.

Michael Humphreys – has a piece of property south of the park that he owns that is in Millville City limits and would like to build on it at some time; cannot build on it yet because it is on a private road

Wendy Wilker – requested a copy of the changes proposed for the Park and Trails Master Plan from Engineer Zan Murray; they have been attending all of the Planning and City

meetings and the Planning Commission Hearing on the General Plan – indicating there were some things approved by the Planning Commission; however, the maps shown are still dated June 2, 2014 – did not know if the recommendations were accepted or not, asked for the Council to discuss this and whether the recommendations would be accepted

Mayor Johnson – the maps were not redrawn yet; the Planning Commission makes recommendations to the Council; this is part of the process; the Council has not taken any action on the plan and there would be no action taken on it at this meeting

Wendy Wilker – questioned whether the General Plan would be discussed at this meeting and whether the decisions would be made on the Planning Commission's recommendations

Ryan Zollinger – questioned what were the specific recommendations made from the Planning Commission and asked if she was in favor or against them

Wendy Wilker – does not have a final copy of the draft of Planning Commission Hearing and meeting; not everything comes forward and is accessible – hard to comment

Recorder Jones – advised to have the draft minutes placed on the TV monitor showing the Planning Commission recommendations are available on the website at millvillecit.org

Wendy Wilker – indicated they are concerned about the fast tract of growth; their property has been affected by the changes around them, which is not what their intent was for living here; their property is effected with all of these lines drawn on their property and others that see them; there are closed sessions where the information discussed is not available and they are not privy to; there has been no consideration or discussion with them as property owners; the process is disheartening; as a property owner not included in any discussion, questioned whether they will just be told what it going to happen with no discussion with them; on another dealing with the City, they were never approached and heavy equipment just showed up; hard to respond to things unknown

Mayor Johnson – responded regarding the executive session, it was for land acquisition where property was purchased; the City is working toward having something to propose to the property owners and they should be approached in the next week

Wendy Wilker – The plans the City has effects them now and in the future; would like to have plans put out there to review; potential plans are looked at by any potential buyer; they effect negotiations now and in the future. A comment in a past meeting, if you don't like growth, then just move. In the past has had dealings with the City – the City Engineer has been given a lot of weight from the City and the dealings have been negative – worried for the future to be forced to deal with this again

Councilmember Cummings – questioned if she had concerns about the Master Plan

Wendy Wilker – indicated the mapping of the road had changed from plan to plan on the drawings – need to have the City Engineer give more detail on what is being proposed, as the residents of Millville are paying him a lot of money – specifically the 450 North Road was her concern

Councilmember Zollinger – the road had been planned in 2005; however, there was not an exactness of where it would go that was determined at that time; still not determined as to the exact properties that will be encroached upon

Wendy Wilker – as maps are drawn and then become common knowledge, it affects the property owners in the area; does not feel the Council understands the affect it has.

- From the Planning Commission Public Hearing and Meeting – concerns expressed, exact words “that you are just screwed” regarding the proposed 450 North Road. There were maps displayed and in particular on the Jones property, they did not like the park overlay on their property, and the Planning Commission indicated they would recommend to have it removed; however on their property, they were told that they were screwed.
- She reviewed the scenario of losing property on the 550 North Road (approximately 1/3 acre) with no compensation, as there was an old map from the 1870s that was found. Even though all previous property owners had paid the taxes on the property, and with the legal description including the entire parcel for all those years, the property was taken by the City. Asked for considerations from the property taken, asked to have the ingress and egress replaced and ditch line replaced so they could continue watering property. They tried working with the City’s engineering company J-U-B; they did not help and Wilkers ended up paying for everything. Questioned how 66 feet would be taken from the 1870 plan, as they would not know the width of the road – the property was just taken. Still putting in requests to J-U-B with no response. Neighbor Stan Hurst requested similar considerations, they were completed. If working with J-U-B Engineering in the future, very worried. Most negative comments came from Zan Murray on her doorstep. Came once with the Mayor and seemed to be professional, but not so at other times.
- Stated the people voted and elected the Mayor and Council to represent the people; requested they should be involved and take action and not the hired engineer that makes a lot of money off of the City. Very worried about future actions. Will there be any negotiations? Concern for road blocks that may occur.

Clay Wilker – concerns about dream home impacted, planned to live there forever. Explained concerns on the property and boundary lines with their property. Tried to resolve the boundary lines with the adjoining property owners, none of them would sit down with them to resolve the issues. Wilkers were sued for the boundary line dispute. Members of the City Council and P&Z went to Utah Power and was told not to put power in; therefore, their house was built with generators. Then their water was tagged and shut off.

- Regarding the 550 North Road, he said there was a friendly meeting near McDonalds regarding the road. The next thing was an arbitrator was contacting him indicating they were willing to go to court and they would win. He indicated they are watching closely a similar scenario in Providence where he thinks it will show that the property was taken from them

wrongly. Issues like this and a road through their property, they would like to be involved in decisions; they understand you have to run a City. However, transparency in government is not too good right now. If government money is used to make transactions, should be in the open and not behind closed doors.

Joann Thompson – co-owner of the Wilker property. She explained, using Rose Mary Jones as an example regarding property owned, stating that ‘Commissioner Hart stated that the Jones property, having paid taxes for years and would lose all of that money and did not want the property designated as a park, should be given consideration to have this changed.’ She stated the City Council approved these recommendations at the last City Council Meeting.

Mayor Johnson – The City Council has taken no action to approve any recommendations from the Planning Commission to date. This is all part of the process.

Joann Thompson – felt that all property owners should be treated the same; any road built on 450 North would really impact them. She cited loss of taxes, green belt lost, destroy their retirement investment with loss of revenue from building lots or estates, as concerns from the roadway proposed. The City Council should represent all of the citizens in a fair and goodwill way. City already taken part of property on north side with no compensation, has list of all property owners, etc. They feel like they are taking a lot of hits from City government, making a plea to consider requests.

Mayor Johnson – greenbelt lost is an assumption; need to wait until approached with the City’s proposal.

Joann Thompson – with property taken for 550 North, the old property was not resurveyed – deeds were changed in the Court House – feel like being bullied by City government.

Rob Jones – told the Council he had read the Master Plan and had several comments on it. Related story of being welcomed to Millville to have home built 39 years ago. A gentleman on the Town Council asked where he was from and was told to go back there, the City didn’t want us.

- The proposed plan is pretty much a cookie cutter proposal for all cities. He questioned the proposal to expand the north park, as the 400 North road is proposed to go down the south side of the park, there would be a road on both sides of the park. What is the plan proposed to expand? He felt the plan should be pretty well thought out and questioned whether it was. There was a concern for open space – however, a couple of big subdivisions had gone into town without provisions for parks. Plan states frontage is 124 feet, has been 108 feet for 40 years. The plan identifies open space but it doesn’t say what it is or where it is coming from. No inner block development was in the plan allowing for open space. The plan states that sidewalks will go down all arterial roads but doesn’t state how that will be paid for. Not specifically personalized for Millville City. Plan is very general and a lot of money was spent where there are other agencies available to help us at little to no cost.

Councilmember Duffin interested in obtaining all of the comments written on his plan.

Bob Bates – related his background and connection with Millville City calling it home. Indicated he had read the master plan, felt it compares Millville to Sandy and Salt Lake. We do not want home to be in that type of a City. Mostly presented thoughts to the Planning Commission. The land use map shows annexation of state land; are we going to be able to annex that property and how would we provide services to it. One of the maps shows a 650 East on the Balph property as future land use. Marty Carlson's property shows roads going through three of his lots and a corner of another one; he indicated to Bob that 'the City will do what they will do'; however, he felt that the representatives should represent the wishes of their constituents. Council was selected to represent all people, the people look to them for guidance and for help, and should remember we want this to be 'Country Living at Its Finest.' The plan is talking about high-density planning, feels that sewer will come up again. The survey is misleading in asking about the cost for sewer because it does not include the connection fees that would be required and the cost of abandoning septic system – costs could range from \$5,000 to \$15,000. Concern for unchecked growth – at one time there was a moratorium on building. Would like to see slow growth come to the community. Real people live here whose lives are affected by the plans proposed.

Rose Mary Jones – declared herself as a resident, property owner, as well as an appointed official. Indicated at the first review by the Council, was not prepared in reading the document; have now completely reviewed the document, comments are numerous. In comparison of the plan from 1995 with the proposed plan, felt that sometimes more is more and more is not always better. The 1995 plan was 48 pages double spaced, the proposed plan is 128 pages single spaced. Looking back 20 years, and ahead for the next 20 years, the City would remain very much the same unless the Council decides to go to sewer. If sewer is part of the plan for the City to grow, the proposed plan would be applicable. If not going to sewer, the City will probably continue to grow at a steady rate of about ten houses a year.

As the City Recorder, the information provided for the public hearing from J-U-B and advertised for the public is flawed; it is not current with corrections made by the Council and did not give the public the information they should have seen. The Affordable Housing Plan has information provided to the public that is not printed with all of the letters; therefore, making it unreadable.

The Goals, Principles, and Best Practices probably are about 20 pages of the proposed draft. These are very generic and suppose they come from a zoning textbook or reference book or another document.

Zan Murray – the committee wrote these goals.

Councilmember Duffin – indicated they were presented by Cindy Gooch to the committee who reviewed them. There was not a lot of comment from the committee on them. In

looking over them again, this is a lot more detailed than what Millville is prepared to follow through with and needs to be changed.

Zan Murray – that is good feedback. Just wanted to make sure the process was identified as to how the plan was developed.

Rose Mary Jones – felt that the requirements were outlined and very stringent on the City of our size, did not feel that this would be followed through with unless Millville is proposed to change from “Millville Country Living” to “Millville like Salt Lake City”.

Rose Mary Jones – Parks and Trails Master Plan Map – the trail is shown to go down 400 North; however, Councilmember Duffin indicated that it was to go down 450 North. The way it currently is, it would go right through the north park and would end up in a house. She stated that what we see is what we think we are getting.

Wendy Wilker – asked about getting information requested. She indicated she has requested through the city website for information and a response was generated saying the request is being processed and no response has come back. She will print out emails and provide the information so this can be corrected on the website.

Rose Mary Jones – reviewed the information for agendas including information given to the Council on the City Website. The information shows the minutes after they are approved with all of the attachments of information presented.

Michael Callahan – 180 Center Street owned property for a number of years, reviewed history of employment and working in City government. Concern about plan – need an objective and want to know what the vision is for the community in the next several years and what we want the City to look like. He did not feel this plan takes us to where he feels the residents would want us to be. What is the vision; should review the entire plan to see if the vision is being met. The cost for the plan doesn't matter, needs to go back and do the vision step of the plan. Should realize that everyone is not going to get everything they want, but the plan should meet the vision. Step back, have more public hearings on it. Something close to the vision will happen. It is a big city plan not pointing in the direction where we want to go. Get more public input and have more hearings on it. This doesn't keep a rural atmosphere, doesn't limit growth.

Mayor Johnson – questioned what about 30 acres in the south field, they cannot have 1/3 acre lots?

Michael Callahan – Would want to have 5-acre lots in the south fields.

Mayor Johnson – are you telling people that they are not going to have the same 1/3 acre lots that other parts of the City can have. Have we changed zoning? Sewer coming to Millville

would not change Millville, the Council still has the decision on how to provide for growth. Are we taking away other people's property rights?

Michael Callahan - why are we provisioning for low income housing and high density housing in the plan.

Mayor Johnson – because we must have an Affordable Housing Plan as required by state law.

Michael Callahan – plan for this and make available in the commercial sector. Does not want 1/8 acre lots, no sewer, no high density housing, no trails through middle of his property.

Mayor Johnson – the fact of the matter is, if you don't have a plan then everyone can do whatever they want. A plan is needed.

Councilmember Callahan – just not this plan. This is not what the vision of Millville should be identified as and would not vote for the plan as proposed. That is why the public comment.

Mayor Johnson – not comfortable with plan yet. That is why going through the process.

Councilmember Duffin – felt that this plan will not be identified as an individual plan but must take into consideration all of the desires for the entire community. The vision cannot be geared for any one individual's desires.

Michael Callahan – people around town have concerns; “never did I say it would have to be exactly the way that I want it to be.”

Councilmember Cummings – a lot of people don't own more than 1/3 acre lots and may want something different, the consideration has to be given for everyone.

Donna Jean Humphreys – being in County do not hear this stuff. Need to be involved to know – five generations in Millville know what a lot of people in Millville want; is the Council willing to continue to redraft the plan or just accept it because it is done.

Councilmember Cummings – indicated this is a work in progress; gone through a lot of hours with lots of input into the plan.

Donna Jean Humphreys – questioned what is changing from the plan developed in 2005

Councilmember Duffin – land use, housing, economic development, parks and trails, roads

Councilmember Zollinger – last Master Plan was revised in 2005; ginormous step from what people are used to seeing; it scares people – does this master plan represent what the city is trying to envision, hope it does; as a Councilmember, this is putting a lot of reviews and

requirements that are to be done that he didn't think the City would be able to keep up with. If the Humphreys were ever to be annexed into the City, these things would have an effect on them; you should stay abreast of these things because you are our neighbors

Donna Jean Humphreys – we were told that we were in the County and should “butt out” of anything to do with Millville; how do we find out the information, do not have a computer, but should ask – the plan needs to represent the people; need to use the results of the survey – they took the survey and hope the Council will do the will of the people. Feels Best as Country Living

Councilmember Duffin – asked if she has to go to the Post Office to get mail; need to look at the posting board to obtain information

Mike Humphreys – owns property in Millville City, will be 6th generation; would like to build on property but not allowed to because it is not on a road; would like to have children experience the open space; if the plan goes through and smaller lots may be approved, then dream would be gone and why would I want to live here

Mayor Johnson – does the plan address having smaller lots

Councilmember Zollinger – no it doesn't, but because sewer is being addressed as voluntary in this plan and were to come to Millville, it would guarantee that people will come knocking on door for smaller lots; the City has a safety net that cannot go smaller than 14,000 square feet because we don't have sewer

Mayor Johnson – sometime we may be forced into it

Michael Humphreys – needs to figure out what is wanted and where the citizens of Millville want this to go; needs to have a plan and a target – this plan doesn't work, need to design for what is wanted in Millville City

Clay Wilker – agree should start with a plan – survey could be worked into the plan; he explained his work in managing several plans and each has a budget – so it is not just what do we want it to look like, but what can we sustain and afford; how are we going to impact residents in future and pay for this; if you don't have the development, then taxes and other charges impact residents to maintain these nice things that look and sound good; commercial basis is not there, the general plan drives a lot of work for the engineering firm and others but until it can realistically say here is the plan, here is how it will be financed and identify how it will be worked, then this plan will cause a lot of financial burden on the people. Enjoyed the debate among the Council and applaud for being open.

Zan Murray – wants the public to understand the process of how the plan was obtained to get to this point

Mayor Johnson – explained the last plan was adopted in 1995; in 2005 it was updated with the Transportation Master Plan; recommend it being updated about every five years. Went after grant money, put together a committee of nine people with a cross section of the community, put together survey questions, did survey, tallied the results, a template to look through was provided by J-U-B; explained the need for development and having the master plan completed; committee met for seven meetings; can see things that should probably be done differently; a lot of the plan was to follow recommendations; the general plan went to Planning Commission and held public hearing, now to City Council to hold public hearing, and review comments. A work in progress. Not adopted and there will be changes.

Councilmember Duffin – the draft needs to be compiled with several changes in it and maps updated.

Mayor Johnson – maps were available at the City Celebration; very few people stopped to look at them

Recorder Jones – indicated it was not advertised

Councilmember Duffin – there were 700 people there and the information was available

Mayor Johnson – problem with so little feedback, appreciate those who come

Councilmember Cummings – expressed desire to make everyone happy, do not want to make a burden on any one individual, really appreciate the feedback

Mayor Johnson – explained often tries to be the bad guy to make sure the decisions made would be in the interest of all, good people moving into the community, not necessarily pro-growth but have to look out for everyone's property rights

Michael Humphreys – progression is going to come; Council represents the residents; not seeing a goal – just seeing a plan, what is the final goal, Millville City has limitations with water, taxes, what farmers want to do with land – see the limitations and show the citizens a goal and then work toward it – need to have a plan, doing a great job in defining it

Councilmember Duffin – in 20 years, Millville will look different than now, carefully plan how the City will be

Recorder Jones – doesn't it now revolve around the decision of whether the City will go with a sewer system?

Councilmember Williams – felt the state may force us to go to sewer because of the nitrates in the water and then the water system could be shut down, there is a balance in what everyone wants

Gary Larsen – indicated he thought the City should go to sewer, get rid on an indoor outhouse; at some point, because of the densities, ground water pollution needs to be addressed

Councilmember Callahan – because of the nitrates in the Glen Ridge Well, this may need to be addressed

Mayor Johnson – reviewed the previous process for having sewer come to the City; decided to go to a public vote. Still have control over zoning and what size of lots you have. The sewer is only being talked about for the high school. Because sewer comes, doesn't mean you have to do anything different.

A culmination of discussion regarding sewer and whether and when it should come was continued by those present; it was suggested that the Council may plan to help to defray some of the costs when a sewer comes, should have a vision and plan for it

Clay Wilker – citizens should plan for the cost of sewer when it comes; if it is in the General Plan, people may take you up on it

Zan Murray – most important document in the plan is the vision of the Future Land Use Map that shows the zoning; zoned 1/3 acre lots and has agriculture lands. Committee reviewed the survey and questions; committee recognized that something should have been asked about the connection fees for the sewer; the City has done great future planning when upsizing the Nibley sewer lines; the school coming into the community – how much will be paid for the sewer lines that are going to be laid – they are being paid for with impact fees; the 300 West road was in the roadway master plan is being put in with the impact fee funds from the high school; this is the value of the plans and maps.

Engineer Murray emphasized – looking ahead at planning for the future, the Land Use Map is what will drive the zoning – that is state law and zoning is determined by the adopted land use map. He suggested that the actual zoning map proposed is not much different than what we have now.

Councilmember Duffin moved to close the public hearing. Councilmember Cummings seconded. Councilmember Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Review of Public Comment regarding Draft of General Plan / Consideration for Adoption

Councilmember Zollinger moved to continue this discussion to the next available meeting if the documents are ready as a discussion item. Councilmember Cummings seconded. Councilmember Duffin indicated that several changes need to be made so the Council can review the draft. Councilmember Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Consideration of Rezone Request on Parcels 03-037-0019, 03-037-0020, 03-037-0055 from Open Space to Residential-1 and Proposed Update to Millville City Zoning Map / Public Hearing Set

Mayor Johnson along with the Council reviewed the Zoning Map revision for open space as was directed at the last meeting, showing the open space near the reservoir. This map also identifies the current City Zoning Map with the proposed changes for the rezone as requested by Martha Balph. Superintendent Larsen questioned why the city-owned property was not zoned open space and is zoned R-1, as it is above the service area. Development Coordinator Meadows explained the adopted map from 2010 has the property zoned R-1. The consensus of the Council was to leave the property in R-1 because it is owned by the City and the zoning should not matter. The map is included with the minutes as Attachment "F".

Superintendent Larsen questioned the property owned by Martha Balph being zoned R-1 and why would the 650 East Road not be put on the Master Road Plan map as well. Bob Bates, representing Mrs. Balph, did not know except there is absolutely no plans to develop. It was suggested, the property owner may sell property and the next owner may have a different opinion of how this could be developed.

Councilmember Callahan moved to set a public hearing for consideration to rezone the parcels as requested by Martha Balph at the next Council meeting on March 26, 2015 at 7:20 p.m. Councilmember Williams seconded. Councilmember Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. The information will be sent out to the neighboring property owners and affected entities. Mayor Johnson requested the maps be copied in color.

Interlocal Agreement with Cache County School District/Conditional Use Permit

Mayor Johnson along with Councilmember Duffin reviewed with the Council information regarding the draft Interlocal Agreement with Cache County School District. This is included with the minutes as Attachment "G". There was concern about the analysis for impact fees – questioning who is to determine the District's part and City's part of the cost for the needed infrastructure using the impact fees in payment.

Zan Murray explained the total impact fee cost presented to the school district was \$1.4 million; this was presented to them by the City in the spring of 2014. He explained that the school district's feeling in justifying the costs, perhaps it is not that much; the percent of students from Millville is only 40%, with other communities having students as well.

Councilmember Zollinger explained as the developer, they would be responsible for putting in the infrastructure independent of who would be attending the school.

Engineer Murray indicated the school district has agreed and the general consensus is they will put in additional infrastructure in lieu of paying the City impact fees.

The Council reviewed Exhibit D2, which is included with the minutes as Attachment "H". The school's philosophy is to provide additional amenities instead of paying the City money. There was discussion on Item B in the document – expansion of the road; the question being the numbers presented are all estimated numbers with no actual bid numbers presented. There has not been any amounts balanced to show what the actual costs would be for Millville and the cost for the school district. Other items in Exhibit D2 were also reviewed with the same question.

There was discussion about the roads, sidewalks, the proposed roundabout, and the impact to the 550 North road. Councilmember Zollinger discussed the need to have the school district participate in upgrading the 550 North Road. Engineer Murray indicated the school district did not feel this was an impact they are creating. Engineer Murray also cautioned that impact fees can be challenged; there are some grey areas that are up for interpretation.

It was suggested there should be a monetary accounting showing the costs and how they balance against the impact fees that were proposed. The City does not want to get to the end of the project and have numerous items that still need to be done because the funds are not available for what is needed and required.

Engineer Murray suggested there may be some room for additional negotiation. He proposed having the sewer lines installed on 200 North all the way to 100 West; currently it is proposed to stop before the canal. Also he felt that lateral sewer lines should also be extended to the property lines at this time.

The Council discussed the canal diversion structure/box that will be put in on the corner of 100 West 100 North. There had been a proposal to also install pipe at the cost of \$20,000 to \$30,000 which would help with eliminating the overflow of the canal to a small area in the community. This would allow for water to be piped directly down and into the river in high water years. Superintendent Larsen advised that this should be completed now if it is going to be done. The Council discussed the pros and cons for doing this; it was ultimately decided to not go to the expense of having this pipeline put in.

After considerable deliberation on the items in Exhibit D2, **Councilmember Callahan moved to have Engineer Murray go back to the school district using Exhibit D2 as a guide document and clean up the interlocal agreement having the agreement show the financial obligations between Millville City and the school district is a wash, while having Engineer Murray negotiate a couple more things regarding the sewer system as previously discussed and have the document tied to the construction drawings so they match what is referenced in the document.** Councilmember Williams seconded. There was additional discussion about the roundabout. Councilmembers Callahan, Cummings, Duffin, and Williams voted yes with Councilmember Zollinger voted no.

Proposed Expenditure for Emergency Radio Operations Center

Development Coordinator Meadows reviewed with the Council information for an Emergency Radio Operations Center. The City is in need of purchasing a dual band transceiver, power supplies, antennas, cables and miscellaneous pipes and fittings. The cost to purchase this equipment and supplies should be approximately \$1,500. There is about \$1,000 available in this year's budget. There was discussion about additional funding. The information reviewed is included with the minutes as Attachment "H".

Councilmember Callahan moved to approve the expenditure for the funds for the radio equipment out of this year's budget and budget additional funds next year to complete the purchase. Councilmember Cummings seconded. Councilmember Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Millville City 2014 Water Audit

Superintendent Larsen requested to have this continued to another meeting because of the late night meeting. **Councilmember Zollinger moved to defer this item to another meeting.** Councilmember Duffin seconded. Councilmember Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Bills to be paid

The bills were presented. They are as follows:

Stephanie Eggleston	4.03	General
Tara Hobbs	166.30	Stormwater
Rose Mary Jones	276.16	Road
Julianne Duffin	470.93	Water
Julianne Duffin	51.13	City Celebration
Rocky Mountain Power—		
North Park	144.49	Park
Shop	194.45	Building
Crossing Guard	14.87	Crossing Guard
Ball Park	6.19	Park
North Well	53.05	Water
Park Well	39.17	Water
Water Treatment	72.46	Water
Highline Reservoir	687.89	Water
Public Treasurers Investment Fund	7,667.00	Water
J-U-B Engineering	4,359.52	General/Water/Stormwater
Jones Simkins	79.50	General/Water Consulting
Bear River Health Department	40.00	Water
Wells Fargo Bank	500.00	Water
Cache County Service Area	10,492.45	Sanitation
Cache County Service Area	1,710.00	9-1-1

BILLS (Continued)--

Caselle	125.00	Water
AT&T	52.45	Building
Thomson Electric	72.29	Building
Watkins Printing	138.65	General/City Celebration
Daines & Jenkins	1,320.00	Legal
Olson & Hoggan	105.00	Legal
Cache Valley Publishing	54.41	General
Bridgerland Cache Animal Hospital	71.30	Animal
Maceys	96.45	General/Stormwater
Bennetts	32.99	Building
Riverside Carwash	5.19	Stormwater
Lowe's	138.03	Building
Griffin Fast Lube	93.88	Park
Les Olson Company	340.00	General
Great Western Park and Playground	4,916.00	Park
Ecosystem Research Institute	25.00	Water
Intermountain Sales of Denver	427.54	Water
Utah Association of Public Treasurers	150.00	Water
Abbey Inn	292.50	Water
Cache Mayor's Association	350.00	General
David Dickey	62.50	P&Z
Salary Register	9,985.42	

Councilmember Cummings moved to pay the bills for March 12, 2015. Councilmember Zollinger seconded. There was discussion on the Great Western Park and Playground bill; this is for six picnic tables. Councilmember Callahan, Cummings, Duffin, Williams, and Zollinger voted yes

City Reports

Roads/Sidewalks:

Superintendent Larsen reported the picnic table bill will complete the expenditures for the RAPZ project for last year. Recorder Jones will compile the invoices and submit them to the County requesting the reimbursement for the grant money in the amount of \$25,000.

City Parks:

Superintendent Larsen made no report regarding parks.

Culinary Water System:

Superintendent Larsen explained the transfer of our Garr Spring irrigation water to a municipal use has been filed. There is additional information that the State Engineer is requiring and

requested a list of water share owners and additional information from Garr Springs. This is still in the process.

During the Rural Water Association Conference, the annual Consumer Confidence Report was completed. Superintendent Larsen indicated the report showed the water system to be in good standing. This report will be mailed to all customers with their water bill this month.

Superintendent Larsen introduced the need to have an automated water meter reading system. He explained we are one of the larger cities in the state that has not yet installed this type of system. He is planning to propose about \$150,000 be put in the budget for the upcoming year for this project. There will be more information coming about this at future meetings.

Councilmember Reports

Councilmember Duffin reported there will be a Millville Mini Miss Pageant in conjunction with the Miss Millville Pageant. There is a flyer that will be sent out with the water bills. The Councilmember Reports information is included as Attachment "J".

Other items for Future Agendas

Councilmember Duffin asked for an update regarding the property near the cemetery. There has been no action taken.

Councilmember Zollinger provided a sample copy of a resolution regarding a recycling market development zone. This information will be added for discussion at the next Council Meeting.

Mayor Johnson reported he had received the Sheriff's Contracts for the next year. This will be added on the agenda for the next meeting.

Treasurer Hobbs verified the dates for the Spring Cleanup. The information will go out in the next newsletter which will be on April 15. The dumpsters will be ordered for that time for cleanup to take place. She will also arrange for the metal recycling.

Recorder Jones reported on information received from Spring Creek Water Company. As a shareholder, Millville City has a vote as to whether the water company should go into an agreement with Providence City to allow the use of available water during the months of April and October. As the ballot is to be returned by March 26, 2015, Mayor Johnson requested that Superintendent Larsen review this and then back with him regarding the vote from the City. This information is included with the minutes at Attachment "K".

Recorder Jones requested the budget proposals from the Council to be brought to the next Council Meeting.

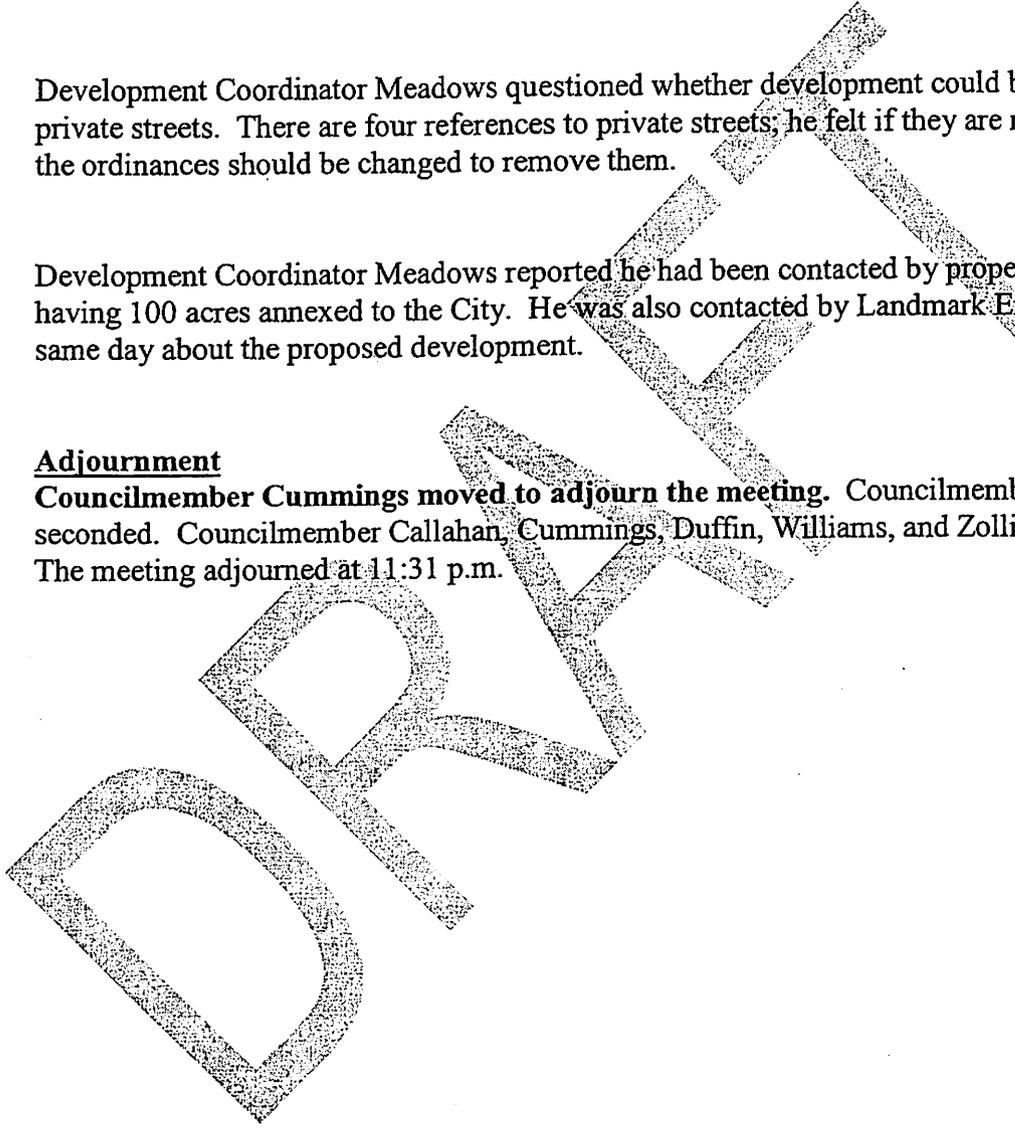
Recorder Jones reported the Animal Control phone number has been disconnected; to contact Animal Control, it is necessary to now contact dispatch at 753-7555.

Development Coordinator Meadows questioned whether development could be allowed on private streets. There are four references to private streets; he felt if they are not to be allowed, the ordinances should be changed to remove them.

Development Coordinator Meadows reported he had been contacted by property owners about having 100 acres annexed to the City. He was also contacted by Landmark Engineering the same day about the proposed development.

Adjournment

Councilmember Cummings moved to adjourn the meeting. Councilmember Zollinger seconded. Councilmember Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. The meeting adjourned at 11:31 p.m.



MILLVILLE CITY WATER AUDIT 2014

Production

	<u>Apr/May</u>	<u>Jun/Jul</u>	<u>Aug/Sep</u>	<u>Total</u>
1. Park Well	10.66	38.24	20.88	69.78 m/g
2. Glenridge Well	-----	7.08	4.8	11.88 m/g
3. Garr Spring	<u>8.86</u>	<u>7.28</u>	<u>7.67</u>	<u>23.81</u> m/g
4. Total	19.52	52.6	33.35	105.47

Sales

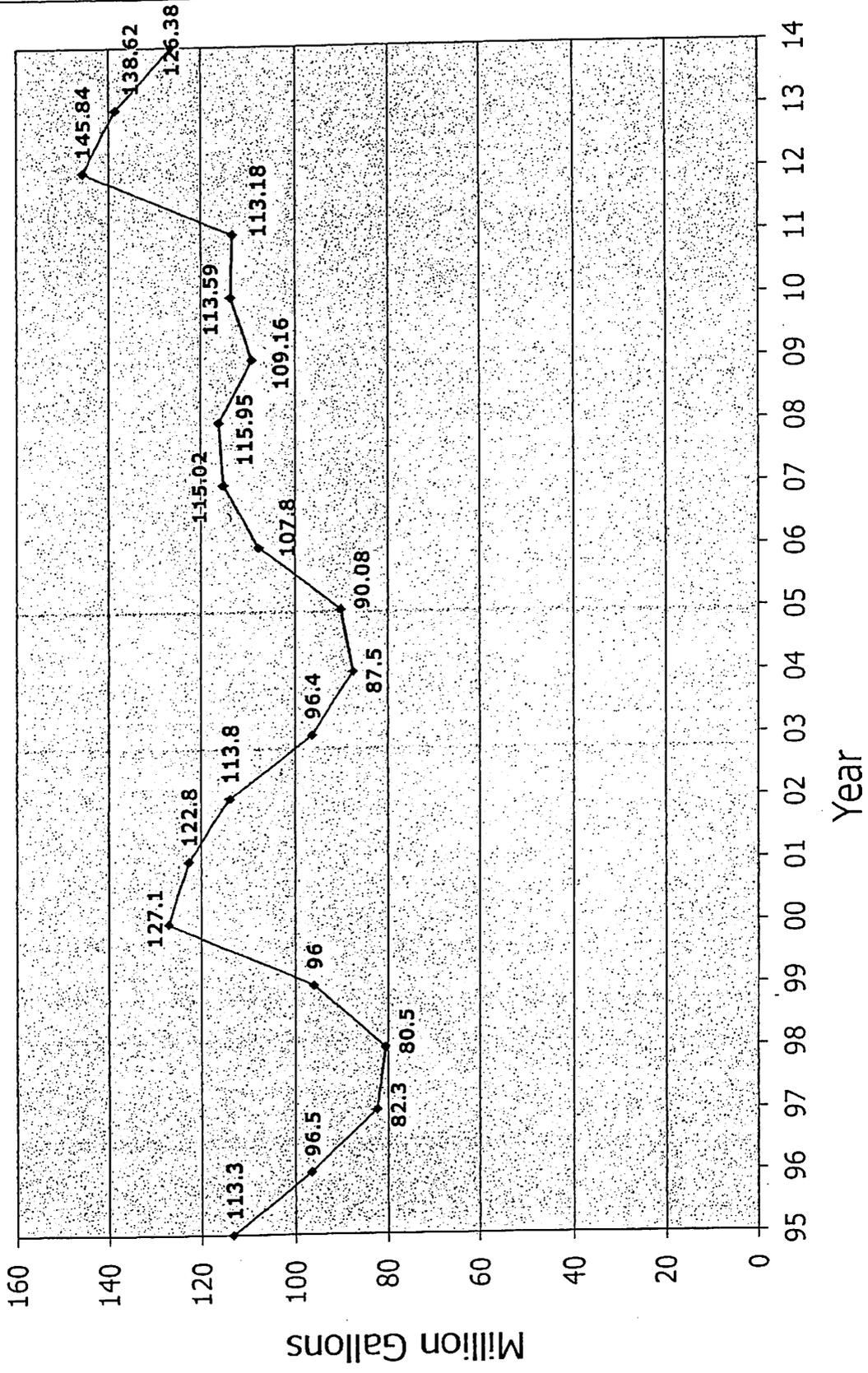
5. Metered	18.02	49.14	30.58	97.74 m/g
5a. % Accounted For	92%	93%	92%	92%
6. Oct 2013 - Mar 2014	Production 44.5 m/g	Metered 28.64 m/g		
6a. Previous Year:	Production 35.92 m/g	Metered 28.57 m/g		
7. Production Change from 2013 (120.09 m/g):			<12%>	
8. Well Pumping Cost - Power only (April - September) (135,605 kwh):			\$15,387	
9. Power Cost per thousand gallons pumped:			\$0.19	
10. Average Daily Use (production) April - September (183 days):			576,338 gpd	
11. Average Daily Use per Connection (production) April - September (560 connections):			1,029 gpd	
October - March:			434 gpd	
12. % July production of total capacity (45.7 m/g)			65%	
12a. Peak Day July 12 (1.19 m/g)			81%	

Booster Pump

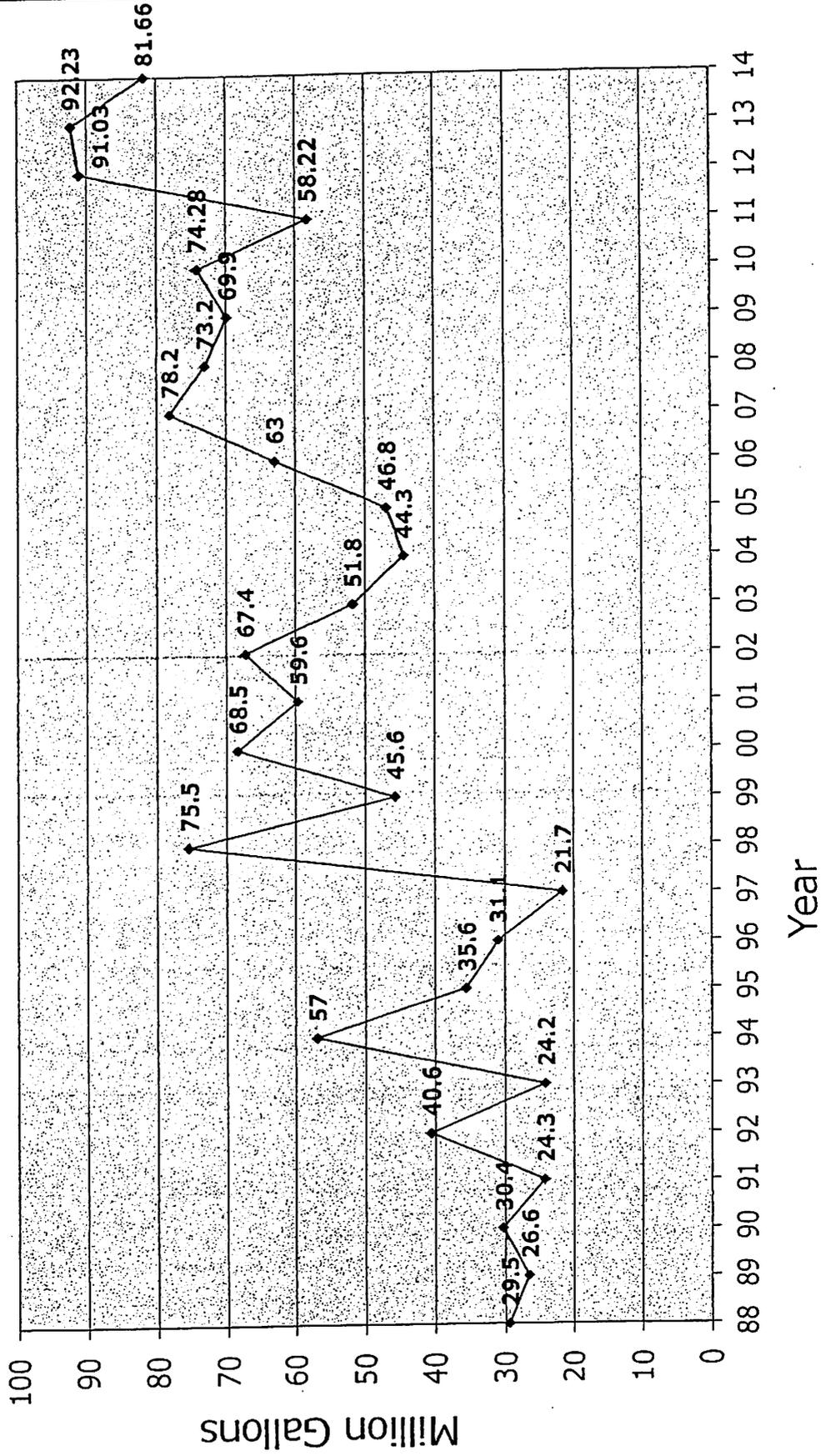
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
13.a. Gallons pumped (m/g)	1.63	1.81	2	2.3	5.99	12.26	15.37	10.49	6.87	2.73	1.34	1.7	64.49
b. Pumping cost	\$834	\$807	\$757	\$763	\$871	\$1,186	\$1,263	\$1,164	\$972	\$710	\$754	\$753	\$10,834
c. KWH													66,547
d. Power cost (per thousand)													\$0.17

14. Total Operating Revenue 2014 \$338,265 2013 \$340,205

Total Metered Sales M/G



Park & Glenridge Wells Pumping Production



DATE 10/23/14

TO: Millville City

FROM: Martha H. Balph

#03-037-

I am petitioning Millville City to have parcels ~~0016, 0019, 0020, 0055~~, rezoned from Open Space
(OS) to Residential (R-1).

Attached are the legal description of the above parcels and a list of all property owners within a 600 foot radius of said parcels as identified on the latest plat in the Cache County recorder's office.

Martha H. Balph

Civil
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

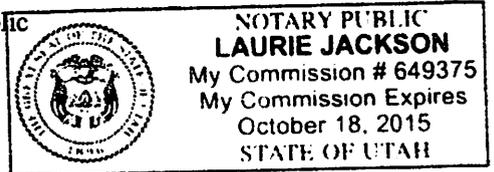
On this 16th day of March , A.D. 2015 personally appeared before me JAIME MAW who being first being duly sworn, deposes and says that (s)he is the Principal Legal Clerk of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same days(s) as publication in said newspaper

Commencing on the following days:
03/15/2015

 _____, Principal Legal Clerk

Subscribed and sworn to before me on this 16th day of March , A.D. 2015

 _____, Notary Public
Commissioned in the State of Utah
My Commission expires 10/18/2015



PUBLIC HEARING

The Millville City Council will hold a public hearing on **Thursday, March 26, 2015, at 7:20 p.m.** at the Millville City Office located at 510 East 300 South in Millville, Utah.

The purpose of the hearing will be to receive public input regarding a request received from Martha H. Balph, property owner, to rezone from Open Space (OS) to Residential (R-1) property parcels 03-37-0019, 03-37-0020, and 03-37-0055 located approximately from 200 South to 500 South and from 550 East to the National Forest boundary in Millville, Utah. If the request is approved, the City Zoning Map would also be revised.

A copy of the information pertaining to the hearing is available for inspection by contacting City Recorder Rose Mary Jones at (435)752-8943, 145 East 300 North, Millville, Utah 84326 or at the City Office, 510 East 300 South, PO Box 308, Millville, Utah 84326. Interested persons are encouraged to attend and make comment or submit written comment prior to the hearing.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Rose Mary Jones at (435)752-8943 at least three working days prior to the meeting.

Publication Date: March 15, 2015



CACHE COUNTY SHERIFF'S OFFICE

D. CHAD JENSEN, SHERIFF

Matt Bilodeau, Chief Deputy
Brian Locke, Lieutenant
Doyle Peck, Lieutenant
Mike Peterson, Lieutenant

EMPATHY FAIRNESS INTEGRITY PROFESSIONALISM RESPECT RESPONSIBILITY TRUSTWORTHINESS

March 2, 2015

Mayor Mike Johnson
435 N 200 E PO Box 366
Millville, UT 84326

Dear Mayor Johnson,

I appreciate the time you have provided me at your council meeting and look forward to meeting with you and your city council in the next few weeks. I am excited about my new role as your elected Sheriff. It has been an exhilarating couple of months and many changes have been made within the Sheriff's Office organization.

Over the span of my career, I have had the opportunity to work with the mayors and city council members, particularly when I was the Patrol Division Commander. I enjoyed the cooperation we had when discussing law enforcement needs in your community and look forward to continuing with those relationships in the future.

Included with this letter is the law enforcement contract for Millville City. There are some differences from last year's contract, specifically the cost per hour for services. With the reduction of some administrative positions and a fresh look at what the actual patrol costs are, the price per hour was slightly reduced.

I look forward to discussing the contracts and services the Sheriff's Office can provide you and your community in the coming year.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Chad Jensen".

D. Chad Jensen, Sheriff

Enclosure

AN INTERLOCAL AGREEMENT BETWEEN
CACHE COUNTY
AND THE
CITY OF MILLVILLE
FOR
LAW ENFORCEMENT SERVICES

This AGREEMENT is made and entered into pursuant to Section 11-13-1, Utah Code Annotated, 1953, as amended, commonly referred to as the Inter-local Cooperation Act, by and between Cache County, a body corporate and politic of the State of Utah, hereinafter referred to as "COUNTY", and City of Millville, a municipal corporation of the State of Utah, hereinafter referred to as "CITY."

W I T N E S S E T H:

WHEREAS, the CITY is desirous of contracting with the COUNTY for the performance of the hereinafter described law enforcement functions within its boundaries by the County of Cache through the Sheriff thereof; and

WHEREAS, the CITY and the COUNTY have determined that it is mutually advantageous to each party to enter into this Agreement; and

WHEREAS, it is anticipated that the services provided will be compensated by the CITY on a cost basis as hereinafter set forth and the respective entities have determined and agreed that the said amount is a reasonable, fair and adequate compensation for the providing of such services.

NOW, THEREFORE, in consideration of the promises and in compliance with and pursuant to the terms and provisions of the Inter-local Cooperation Act as herein above set forth, the parties hereby agree as follows:

1. The Cache County Sheriff's Office agrees to furnish all necessary law enforcement protection and to enforce State laws and City ordinances (animal control not included, except for emergencies) within the corporate limits of the city of Millville, to the extent and in the manner hereinafter set forth.
2. The rendition of such services, the standards of performance, the discipline of deputies, and other matters incident to the performance of such services and the control of personnel so

employed shall remain in the COUNTY. In the event of a dispute between the parties as to the extent of duties and functions to be rendered hereunder, or the minimum level or manner of performance of such services, the determination thereof made by the Sheriff of the COUNTY shall be final and conclusive as between the parties hereto.

3. Without limiting, and in addition to any and all other legal and equitable remedies, the CITY'S Mayor and Council or other representatives, shall have an opportunity to meet and confer with the Sheriff and/or his designated contract representative to discuss any problems arising from its performance, the types of deputies who will be performing services under this Agreement, and the anticipated costs for renewing this contract for any successive period(s).
4. It is agreed that the Cache County Sheriff's Office will furnish all necessary law enforcement investigation, protection and service 24-hours per day to reasonably enforce all State laws, Federal statutes as far as they are applicable, and city ordinances as follows:
 - A. Municipal type police services provided under this Agreement include city ordinance enforcement (animal control not included, except for emergencies), traffic enforcement, routine patrol and minor crime investigation, responding to calls for service, community policing activities, policing public parades and other special public events.
 - B. It is agreed that the Sheriff's Office shall continue to provide to the CITY as a basic level of county-wide service the following: Investigation Division support (major crime investigation), NOVA program, School Resource program, Reserve Deputy Sheriff Corp support, Civil Division support (civil and criminal process), emergency management, search and rescue functions, and Drug Task Force participation.
 - C. It is agreed that the cost per hour for municipal type law enforcement services shall be determined by the Sheriff and the number of hours of service shall be determined by the CITY. The costs and hours of service are detailed in Exhibit A attached.
 - D. The CITY will insure that all monies allocated to the CITY by the State's Liquor Control Act grant will be forwarded to the COUNTY to be expended on liquor law enforcement activities exclusively within the CITY.

- E. It is agreed that the equipment furnished by the CITY is and shall remain the property of the CITY. If said property is a patrol vehicle it shall be maintained, fueled, by the COUNTY during the period of this Agreement.

- F. The COUNTY will maintain, at the minimum, the following records and provide monthly reports of those records to the CITY pursuant to this agreement:
 - i. The number and type of calls for services (incidents), and
 - ii. The number and type of citations, and
 - iii. The number and type of warnings, and
 - iv. The numbers of hours of service provided.

- 5. For the purpose of performing the services provided herein, the COUNTY shall furnish all necessary labor, administration, equipment, uniforms, insignia, firearms and other equipment necessary and incident to a modern law enforcement agency.

- 6. It is agreed that in all instances where special supplies, stationary, notices, forms, and the like must be issued in the name of the CITY, the same shall be supplied by the CITY at its own expense.

- 7. For the purpose of performing the services and functions pursuant to this agreement;
 - A. For the purpose of giving official status to the performance thereof, every COUNTY sheriff's deputy and employee engaged in performing any such service and function shall be deemed to be officer or employee of the CITY. For purposes of liability, COUNTY deputies or employees shall not be deemed to be CITY officers or employees and the COUNTY shall be completely responsible for them as provided in paragraphs 8 through 11.

 - B. All sheriff's deputies and employees employed by the COUNTY to perform duties under the terms of this Agreement shall be COUNTY employees, and shall have no right to any CITY pension, civil service, or any other CITY benefits for services provided hereunder.

 - C. The sheriff's deputies and employees to be provided under the terms of this Agreement shall be appointed by the Cache County Sheriff's Office under its normal rules and practices of selection and hiring.

8. The CITY shall be responsible for all damages to persons or property that occurs as a result of the negligence or fault of the CITY in connection with the performance of this Agreement. The CITY shall indemnify and save the COUNTY free and harmless from all claims that arise as a result of the negligence or fault of the CITY, its officers, agents or employees.
9. The COUNTY shall be responsible for all damages to persons or property that occurs as a result of the negligence or fault of the COUNTY in connection with the performance of this Agreement. The COUNTY shall indemnify and save the CITY free and harmless from all claims that arise as a result of the negligence or fault of the COUNTY, its officers, agents, and employees.
10. The county shall include within its claims payment program any liability incurred as a result of the performance of this Agreement by COUNTY employees.
11. Except as herein otherwise specified, the CITY shall not be liable for compensation or indemnity to any COUNTY employee for injury or sickness arising out of his employment, and the COUNTY hereby agrees to hold harmless the CITY against any such claim.
12. Unless sooner terminated as provided for herein, this Agreement shall be effective July 1, 2015 and shall run for a one year period. With the consent of the Cache County Council and the Millville City Council, this Agreement may be renewable for successive one year periods. The Sheriff shall be the administrator of this Agreement.
In the event the CITY desires to renew this Agreement for any succeeding one year period, the CITY Council, not later than May 1st next preceding the expiration date of this Agreement, shall notify the Sheriff that it wishes to renew the same, whereupon the County Council, not later than May 15th, may notify said CITY Council of its determination concerning such renewal together with any readjusted rates as provided in paragraph 14 below, otherwise, such agreement shall finally terminate at the end of such one year period. Notwithstanding the provision of this paragraph hereinbefore set forth, either party may terminate this Agreement at any time by giving 60 days prior written notice to the other party.
13. The CITY agrees to pay the amount set forth in Exhibit A, which is attached hereto and incorporated herein by reference, for the services provided pursuant to this Agreement. The rates in Exhibit A may be readjusted to be effective July 1st of each year, if this agreement is renewed, to reflect the cost of such service as determined by the Sheriff.

14. The CITY agrees to remit the contract amount to the Cache County Auditor, 179 North Main Street, Logan, Utah 84321 prior to January 1, 2016, the beginning of Cache County's fiscal year. If such payment is not remitted to the County Auditor's Office when due, the COUNTY is entitled to recover interest thereon at the rate of 1 per cent per calendar month in which the services were rendered.
15. The parties agree that the CITY will provide office space of the CITY's choice located in the CITY building for administrative functions of the deputy sheriffs working in the city. Utilities (except the telephone) and janitorial services necessary to operate the office shall be paid by the CITY. It is further agreed that such quarters may be used by the Sheriff in connection with the performance of his duties outside the CITY and adjacent thereto.

IN WITNESS WHEREOF, the City of Millville, by approval of the Millville City Council, caused this Agreement to be signed by its Mayor and attested by its Clerk, and the County of Cache, by approval of the County Council has caused this Agreement to be signed by the County Executive and Attested by its Clerk and Keeper of the County Seal, all on the day and year appearing below their respective signatures.

Cache County
Approved as to form and as
Compatible with State law:

Craig Buttars, County Executive

ATTEST: (seal)

Clerk

CITY OF Millville

Approved as to form and as
Compatible with State law:

Legal Council

Mayor

ATTEST: (seal)

Clerk

EXHIBIT A

This exhibit details the hours contracted for, the cost of those hours, and when they will be delivered. The time frame of the contract will be from July 1, 2015 through June 30, 2016. The cost to furnish a full-time deputy sheriff equipped to perform law enforcement patrol services to CITY is \$48.53 per hour. State Liquor Control Funds will be expended at \$48.53 per hour. State Liquor funds are not part of the contract dollars as they are pass through funds.

CATEGORY	AMOUNT	HOURS OF SERVICE
Contract Funds	\$ 16,111	332
TOTAL	\$	

State Liquor Funds can be paid to the COUNTY as the CITY receives them. The CITY agrees to meet or exceed the level of State Liquor Funds identified above.

The COUNTY will supply, at the direction of the Sheriff, approximately 628 hours additional patrol coverage as available to the CITY.

The CITY shall be charged for only one deputy when that deputy has an additional deputy in training working with them. Reserve deputies while performing their volunteer function will not charged their time to the CITY of Millville.

AGREEMENT
between
MILLVILLE CITY AND CACHE COUNTY
for
ANIMAL CONTROL SERVICES

This AGREEMENT is made and entered into pursuant to Section 11-13-1, Utah Code Annotated, 1953, as amended, commonly referred to as the Inter-local Cooperation Act, by and between Cache County, a body corporate and politic of the State of Utah, hereinafter referred to as "COUNTY", and Millville City, a municipal corporation of the State of Utah, hereinafter referred to as "CITY."

W I T N E S S E T H:

WHEREAS, the CITY is desirous of contracting with the COUNTY for the performance of the hereinafter described animal control functions within its boundaries by the County of Cache through the Sheriff thereof; and

WHEREAS, the CITY and the COUNTY have determined that it is mutually advantageous to each party to enter into this Agreement; and

WHEREAS, it is anticipated that the services provided will be compensated by the CITY on a cost basis as hereinafter set forth and the respective entities have determined and agreed that the said amount is a reasonable, fair and adequate compensation for the providing of such services.

NOW, THEREFORE, in consideration of the promises and in compliance with and pursuant to the terms and provisions of the Inter-local Cooperation Act as herein above set forth, the parties hereby agree as follows:

1. The Cache County Sheriff's Office agrees to furnish all necessary animal control and to enforce State laws and City ordinances within the corporate limits of Millville City, to the extent and in the manner hereinafter set forth.

2. The rendition of such services, the standards of performance, the discipline of deputies, and other matters incident to the performance of such services and the control of personnel so employed shall remain in the COUNTY. In the event of a dispute between the parties as to the extent of duties and functions to be rendered hereunder, or the minimum level or manner of

performance of such services, the determination thereof made by the Sheriff of the COUNTY shall be final and conclusive as between the parties hereto.

3. Without limiting, and in addition to any and all other legal and equitable remedies, the CITY'S Mayor and Council or other representatives, shall have an opportunity to meet and confer with the Sheriff and/or his designated contract representative to discuss any problems arising from its performance, the types of employees who will be performing services under this Agreement, and the anticipated costs for renewing this contract for any successive period(s).

4. It is agreed that the Cache County Sheriff's Office will furnish all *Emergency* animal control service 24-hours per day *all other animal control services will fall under regular business hours from 8:00 am to 6:00 pm Monday thru Friday* to reasonably enforce all state laws, federal statutes as far as they are applicable, and city ordinances as follows:

- A. Investigate complaints from the public regarding animal bites, nuisance, stray, uncontrolled, dangerous, wild, or diseased *domestic* animals. *Emergency animal control services will include the following: vicious animals, animal bites and traffic hazards involving domestic animals or livestock.*
- B. Patrol assigned areas, responded to calls for service, and issue citations for violations of animal regulations, ordinances, or laws.
- C. Impound stray, vicious, or diseased *domestic* animals or *livestock* according with city or state regulations, ordinance, or laws.
- D. It is agreed that the cost per hour for animal control services shall be determined by the Sheriff and the number of hours of service shall be determined by the CITY. The costs and hours of service are detailed in Exhibit A attached.
- E. It is agreed that the equipment furnished by the CITY is and shall remain the property of the CITY. If said property is a vehicle it shall be maintained, fueled, and insured by the COUNTY during the period of this Agreement.

5. For the purpose of performing the services provided herein, the COUNTY shall furnish all necessary labor, administration, equipment, uniforms, insignia, and other equipment necessary and incident to full fill animal control function.

6. It is agreed that in all instances where special supplies, stationary, notices, forms, and the like must be issued in the name of the CITY, the same shall be supplied by the CITY at its own expense.

7. For the purpose of performing the services and functions pursuant to this agreement;

A. For the purpose of giving official status to the performance thereof, every COUNTY sheriff's deputy and employee engaged in performing any such service and function shall be deemed to be officer or employee of the CITY. For purposes of liability, COUNTY deputies or employees shall not be deemed to be CITY officers or employees and the COUNTY shall be completely responsible for them as provided in paragraphs 8 through 11.

B. All sheriff's deputies and employees employed by the COUNTY to perform duties under the terms of this Agreement shall be COUNTY employees, and shall have no right to any CITY pension, civil service, or any other CITY benefits for services provided hereunder.

C. The sheriff's deputies and employees to be provided under the terms of this Agreement shall be appointed by the Cache County Sheriff's Office under its normal rules and practices of selection and hiring.

8. The CITY shall be responsible for all damages to persons or property that occurs as a result of the negligence or fault of the CITY in connection with the performance of this Agreement. The CITY shall indemnify and save the COUNTY free and harmless from all claims that arise as a result of the negligence or fault of the CITY, its officers, agents or employees.

9. The CITY shall be responsible for any costs associated with the housing of animals under impound.

10. The COUNTY shall be responsible for all damages to persons or property that occurs as a result of the negligence or fault of the COUNTY in connection with the performance of this Agreement. The COUNTY shall indemnify and save the CITY free and harmless from all claims that arise as a result of the negligence or fault of the COUNTY, its officers, agents, and employees.

11. The county shall include within its claims payment program any liability incurred as a result of the performance of this Agreement by COUNTY employees.

12. Except as herein otherwise specified, the CITY shall not be liable for compensation or indemnity to any COUNTY employee for injury or sickness arising out of his employment, and the COUNTY hereby agrees to hold harmless the CITY against any such claim.

13. Unless sooner terminated as provided for herein, this Agreement shall be effective July 1, 2015 and shall run for a one year period. With the consent of the Cache County Council and the Millville City Council, this Agreement may be renewable for successive one year periods. The Sheriff shall be the administrator of this Agreement.

In the event the CITY desires to renew this Agreement for any succeeding one year period, the CITY Council, not later than May 1st next preceding the expiration date of this Agreement, shall notify the Sheriff that it wishes to renew the same, whereupon the County Council, not later than May 15th, may notify said CITY Council of its determination concerning such renewal together with any readjusted rates as provided in paragraph 14 below, otherwise, such agreement shall finally terminate at the end of such one year period.

Notwithstanding the provision of this paragraph hereinbefore set forth, either party may terminate this Agreement at any time by giving 60 days prior written notice to the other party.

14. The CITY agrees to pay the amount set forth in Exhibit A, which is attached hereto and incorporated herein by reference, for the services provided pursuant to this Agreement. The rates in Exhibit A may be readjusted to be effective July 1st of each year, if this agreement is renewed, to reflect the cost of such service as determined by the Sheriff.

15. The CITY agrees to remit the contract amount to the Cache County Auditor, 179 North Main Street, Logan, Utah 84321 within 30 days after the (beginning, middle, or end) of the CITY's fiscal year. If such payment is not remitted to the County Auditor's Office when due, the COUNTY is entitled to recover interest thereon at the rate of 1 per cent per calendar month in which the services were rendered.

16. If the parties agree that the CITY provides office space for administrative functions of animal control, utilities and janitorial services necessary to operate the office shall be paid by the CITY. It is further agreed that such quarters may be used by the Sheriff in connection with the performance of duties outside the CITY and adjacent thereto.

IN WITNESS WHEREOF, the City of Millville, by approval of the City Council of Millville, caused this Agreement to be signed by its Mayor and attested by its Clerk, and the County of Cache, by approval of the County Council has caused this Agreement to be signed by the County Executive and Attested by its Clerk and Keeper of the County Seal, all on the day and year appearing below their respective signatures.

City of Millville

By: _____

Mayor

Date: _____

ATTEST: (Seal)

City Recorder

CACHE COUNTY

By: _____

County Executive

Date: _____

ATTEST: (Seal)

County Clerk

EXHIBIT A

This exhibit details the hours contracted for, the cost of those hours, and when they will be delivered. The time frame of the contract will be from July 1, 2015 through June 30, 2016. The cost to furnish animal control services to Millville City is \$32.00 per hour.

CATEGORY	AMOUNT	HOURS OF SERVICE
Contract Funds	\$ 3776	118
TOTAL	\$	

Mayor Millville City

Cache County Executive

Attest: _____

Attest: _____

City Recorder

Clerk of Cache County

Dated: _____

Dated: _____

RESOLUTION NO. 11-70

**A RESOLUTION ESTABLISHING A RECYCLING MARKET DEVELOPMENT ZONE
FOR TREMONTON CITY CORPORATION**

WHEREAS, the Utah Legislature has established Recycling Market Development Zone program; and

WHEREAS, the Recycling Market Development Zone program will provide certain incentives and benefits for businesses qualifying under the program; and

WHEREAS, there are existing businesses in Tremonton City that will benefit from location in a Recycling Market Development Zone designated area; and

WHEREAS, the City Council of Tremonton City finds that participation in the Recycling Market Development zone program will enhance Tremonton City's ability to retain and recruit recycling and related businesses.

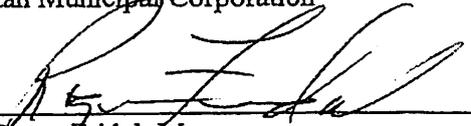
NOW THEREFORE, BE IT RESOLVED by the City Council of Tremonton City, Utah as follows:

SECTION 1. The Mayor is authorized to sign the attached letter as shown in Exhibit "A" in behalf of the City Council, and forward it to the Utah Department of Community and Economic Development.

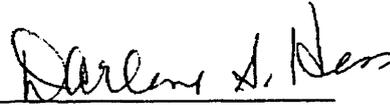
SECTION 2. This Resolution shall take effect immediately upon this adoption.

PASSED and adopted by the Tremonton City Council on this 6th day of December, 2011

TREMONTON CITY
A Utah Municipal Corporation

By 
Roger Fridal, Mayor

ATTEST:


Darlene S. Hess, City Recorder



Current Post Consumer Waste Collection for Recycling

Tremonton City currently has limited post consumer waste collection for recycling. There are presently two solid waste collection services in the area that provide regular pickup from commercial customers - Quality Recycling & Disposal and Rupp's Trucking. Western Metals offers limited collection of metal scrap on demand. Additionally there are a few independent individuals who provide limited on-site collection of aluminum and other non-ferrous metals. There are several centralized collection bins primarily located on City owned property for paper, cardboard, plastics, and metals. Collection bins located on City owned property are transported to Hillside Recycling owned by Rupp's Trucking where they are sorted and materials are disposed of properly.

There is no residential curbside pickup for recyclable materials in Tremonton. There are several collection centers in Ogden, Logan and Brigham City to which area residents may take such materials.

List of Contributions from Tremonton City

Tremonton City Council is highly supportive of recycling efforts to augment the City's solid waste disposal efforts. They are firmly committed to allow the economics of recycling programs to drive such efforts; therefore, wish to allow the private sector to be the prime driving force behind development of any recycle plan. Hence the natural law of supply and demand will primarily drive which commodities should be collected and processed for recycling.

While wishing to keep an arms length relationship from private development of such efforts, the Council also recognizes the large scope and cooperative nature of any recycling effort. The City desires to offer support in the form of coordination between the public and private sectors to ensure that a recycling effort maximizes public participation, coordination of individual processing or other related operations, and attracts private sector investment and commitment.

The City also recognizes the need for a cooperative effort between Box Elder County, Tremonton, and other communities in the County, due to the nature of recycling programs and the small size of each of the County's communities. Tremonton has immediate potential for developing recycling based on existing industries. As the City firms up details concerning economic development, solid waste, and land use plans, they will be added as an addendum to this application along with individual support commitment statements and authorization letters.

Tremonton City has a number of existing or potential contributions that could be made to provide for business in general and recycling associated businesses in particular. These are described below:

- Potential tax incentives for those locations within a Redevelopment Agency Project Area.

- The City's Building and Planning Department can be a planning resource for new business development and work with potential development to achieve a smooth approval process.

- Tremonton City offers low cost compost material that businesses may obtain to help in landscaping.
- Educating the public of locations for centralized collections bins primarily located on City property.

As the City pursues and implements other incentives and programs in the future these will be reported as they become available.

Recycling Development Plan

Tremonton City feels that any large scale, long term recycling plan depends on the processing of locally collected materials. Transportation over significant distances can virtually kill any economic feasibility for such efforts.

Expected Investment, Commitment from business to participate

There are currently a number of existing businesses in Tremonton that could utilize a zone for improvement of their existing post-consumer waste processing facilities. There are other businesses that have the potential to move into the area of post consumer waste processing.

Examples of businesses that could utilize a recycle zone:

- **Intertape Polymer** manufacturing and distribution of high quality shrink film and related products.
- **Munn's Manufacturing** metal fabrication specializing in steeples, ornamental decor, etc.
- **T&M Manufacturing** metal fabrication for industrial & commercial uses.
- **Malt-O-Meal** manufacturing and distribution of bagged and boxed breakfast cereals.
- **Great Basin Industrial** metal fabrication for industrial & commercial uses.
- **West Liberty Foods** custom slicing, cooking, and packaging of meat products.
- **Several woodworking/cabinet shops** custom cabinets, furniture, for all uses.

Correlation with Tremonton City General Plan

The Tremonton City General Plan was amended and adopted by the City Council in August 2001. Several goals of the plan encourage clean business and industry for a healthy and livable community. It is anticipated that the designation of a Recyclable Market Development Zone in Tremonton will help in accomplishing these goals.

Appropriate Land Use or Zoning support related to businesses planning to participate

Tremonton City proposes Recyclable Market Development Zone status for all areas of Tremonton zoned CD (Central Development), CH (Commercial Highway), CG (Commercial General), CS (Commercial Shopping), MD (Manufacturing Distribution), MG (General Industrial), MD-B (Manufacturing Distribution - Business Park). These zones are compatible with the range of businesses that would take advantage of Recyclable Market Development Zone benefits. The City proposes that Recycling Market Development Zone status be attached to these zoning designations, and that as properties in Tremonton City are rezoned to these designations, the Recycling Market Development Zone status would automatically follow.

Current long term waste management plan, zone's role in supporting plan or plan development.

Wastes collected in Tremonton City are disposed of at Little Mountain landfill open by Box Elder County in August in 1997. Current rates for residential automated pickup by a private vender contracting with the City is \$9.30 a month for a single 90 gallon can, a second residential can is an additional \$6.00 per month. Multi-family units and commercial companies are not provided service through the City and must contract their own refuse through several waste vendors located in the City. Tremonton City Council has explored a mandatory curbside recycling program, but at this time Rupp's Trucking in cooperation with the City has placed collection bins in several locations throughout the City, primarily on City owned property.

Measuring results, effectiveness of plans, and activities within the zone.

The City will report each year on the location and nature of businesses qualifying for tax credits within the Recycling Market Development Zones. Initially, the contact person for such measurement of the plan will be Steve Bench, Zoning Administrator, 102 South Tremont Street, Tremonton, Utah, 84337, phone number 435-257-9510.

Planned commercial manufacturing, processing facilities, processes, improvements, etc. resulting in end user products consisting of 50% or greater recovered materials, of which 25% or greater is post-consumer waste.

While the long term goal of Tremonton City's recycling effort is to establish those manufacturing facilities that produce products or materials consisting of greater than 25% post-consumer waste, the initial plan will concentrate on processes to set recovered materials (including post-consumer) up for immediate use in manufacturing, or to produce them here in Tremonton City. Both manufacturing and processing of collected materials will become key components to both solid waste management and economic development plans within the City. Initially, most items or materials produced are envisioned to be within 50% recovered material. However, due to the large industrial and agricultural base vs. general population of Tremonton and Box Elder County, it is not envisioned that the majority of materials produced from the designated zones would consist of greater than 25% post-consumer waste. A long term City plan would be to utilize an increasing amount of post-consumer material.

Commercial Composting

Tremonton City operates a sludge and green waste composting facility. Residents can bring in green waste for processing at this facility. The current facility a 20 acre site will further expand and enhance this operation.

EXHIBIT "A"



MAYOR: Roger Fridal **COUNCIL:** David Deakin | Diana Doutre | Lyle Holmgren | Jeff Reese | Byron Wood

December 6, 2011

Mr. Les Prall
Utah Recycling Market Development Zone Program
Department of Community and Economic Development
324 South State Street, Suite 500
Salt Lake City, Utah 84414

Mr. Prall:

We, the Mayor and City Council of Tremonton City, formally apply to the State of Utah to be designated as a location for Recycling Market Development Zones. We have several businesses and industries that would benefit to have this designation available to maximize the use of production surplus and waste materials in generating new products.

The areas that Tremonton City would propose within its boundaries are included with the enclosed Recycling Development Plan. We would propose that Recycling Market Development Zone status be attached to these zoning districts, and that as properties in Tremonton City are rezoned to the outline designations, the Recycling Market Development Zone status would automatically follow.

By having this program available, we believe it will encourage greater interest from private sector businesses and manufactures in exploring the possibilities and benefits of recycling.

We will appreciate your favorable consideration for approval of this application.

Sincerely,


Roger Fridal, Mayor

CITY OFFICERS:

City Manager
Shawn Warnke
(435) 257-9504
swarnke@tremontoncity.com

City Recorder
Darlene S. Hess, CMC
(435) 257-9505
dhess@tremontoncity.com

City Treasurer
Sharri Oyler, CMFA
(435) 257-9502
soyler@tremontoncity.com

DEPARTMENTS:

Building Inspector
Steve Bench
(435) 257-9510
sbench@tremontoncity.com

Food Pantry Director
Cathy Newman
(435) 257-9530
cnewman@tremontoncity.com

Fire Chief
Steve Batis
(435) 257-9520
sbatis@tremontoncity.com

Library Director
Kim Griffiths
(435) 257-9525
kgriffiths@tremontoncity.com

Parks & Recreation Director
Marc Christensen
(435) 257-9485
mchristensen@tremontoncity.com

Police Chief
Dave Nance
(435) 257-9555
dnance@tremontoncity.com

Public Works Director
Paul Fulgham
(435) 257-9471
pfulgham@tremontoncity.com

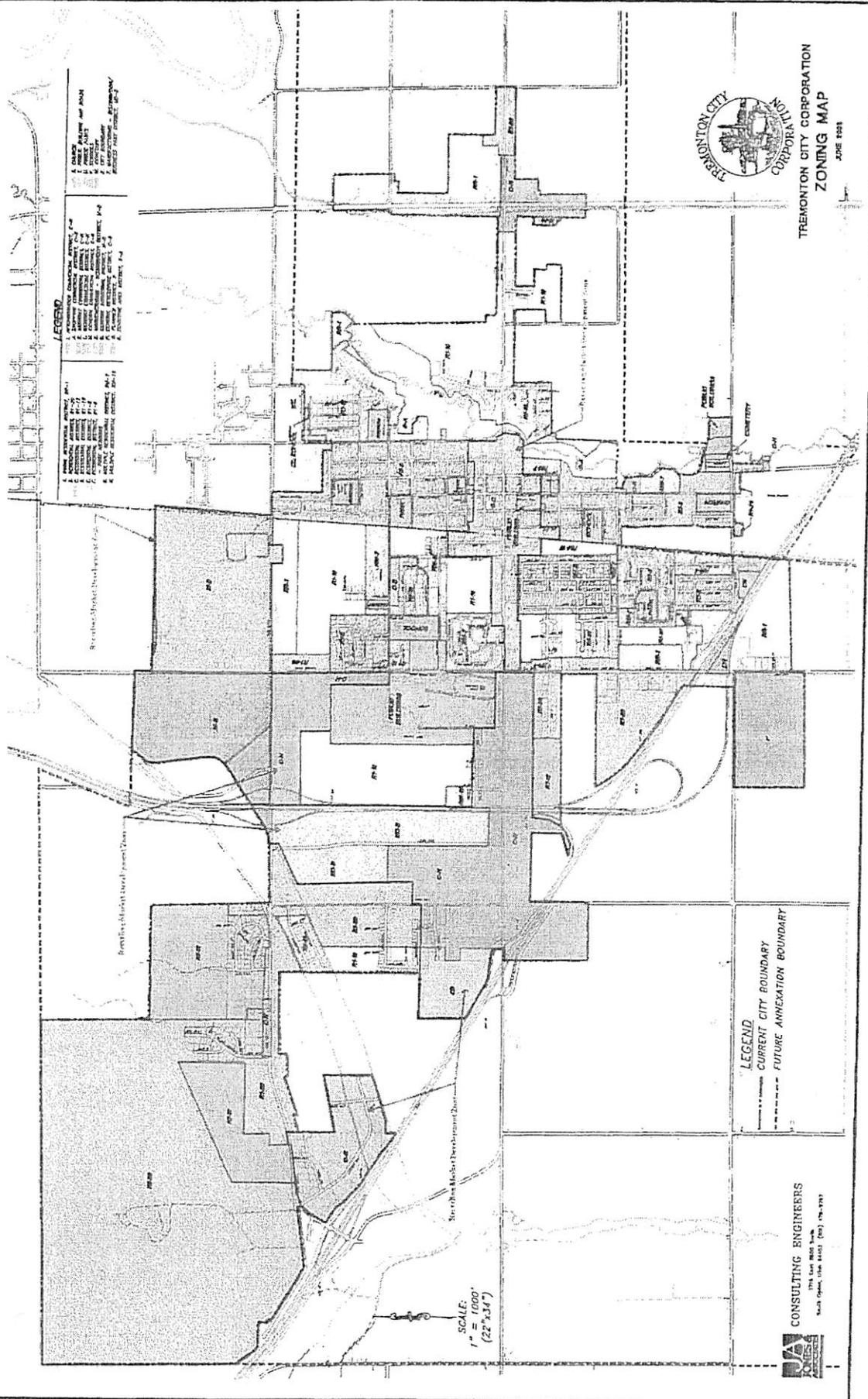
Senior Center Director
Marion Layne
(435) 257-9455
mlayne@tremontoncity.com



TREMONTON CITY CORPORATION
ZONING MAP
JUNE 1981

LEGEND

1. RESIDENTIAL SINGLE-FAMILY (R-1)	11. COMMERCIAL GENERAL (C-1)
2. RESIDENTIAL MEDIUM-DENSITY (R-2)	12. INDUSTRIAL GENERAL (I-1)
3. RESIDENTIAL HIGH-DENSITY (R-3)	13. INDUSTRIAL HEAVY (I-2)
4. BUSINESS PROFESSIONAL (B-1)	14. OFFICE PROFESSIONAL (O-1)
5. BUSINESS GENERAL (B-2)	15. OFFICE PROFESSIONAL (O-2)
6. BUSINESS GENERAL (B-3)	16. OFFICE PROFESSIONAL (O-3)
7. BUSINESS GENERAL (B-4)	17. OFFICE PROFESSIONAL (O-4)
8. BUSINESS GENERAL (B-5)	18. OFFICE PROFESSIONAL (O-5)
9. BUSINESS GENERAL (B-6)	19. OFFICE PROFESSIONAL (O-6)
10. BUSINESS GENERAL (B-7)	20. OFFICE PROFESSIONAL (O-7)



LEGEND
 CURRENT CITY BOUNDARY
 FUTURE ANNEXATION BOUNDARY

SCALE:
 1" = 1000'
 (22" x 34")

CONSULTING ENGINEERS
 1714 East 9000 South
 South Ogden, Utah 84403 (801) 774-7797



20 Mar 2015

Council Members and Mayor

Attached are Logan City Ordinances for Corridor Zones. I would like to adopt something like the attached for our corridor that front's high way 165 and other appropriate streets in the Commercial Service and Commercial Retail Zones.

17.17 is a list of uses for these zones.

17.18 are the development standards. *General*

I think something like this would prevent a mishmash of ugly buildings in those zones.

17.19 Commercial Development Standards

Harry

Chapter 17.17: District and Corridor Zone Uses

§17.17.010. Purpose

Chapter 17.17 sets forth the types of land uses permitted and conditionally permitted within Logan's Districts and Corridors.

§17.17.020. Districts & Corridors Land Use: Classification

- A. Primary Uses. Land use shall conform to the designations in Table 17.13.030 (Use Table). Land uses are designated as follows:
1. Permitted Uses. A "P" indicates that a use is allowed in the respective zoning district. Permitted uses must conform to the applicable requirements of the Land Development Code. Permitted uses requiring a public hearing are subject to the Procedures for Processing Applications contained in Chapter 17.55.
 2. Conditional Uses. A "C" indicates that a use is allowed as a Conditional Use in the respective zoning district. Conditional uses are subject to review and approval under the provisions of Chapter 17.49, Conditional Use Permits, and following the Procedures for Processing Applications contained in Chapter 17.55. Conditional uses must conform to the applicable requirements of Chapter 17.49.
 3. Uses Not Allowed. An "N" indicates that a use is not allowed in the respective zoning district, except where State or Federal law otherwise preempts local land use regulation.
- B. Accessory Uses and Structures. An accessory use or structure may be permitted in compliance with the applicable provisions of the zone in which it is located. An accessory use shall not commence, and no accessory structure shall be constructed, without a primary use first being lawfully established on the subject site.
- C. Temporary Uses. Temporary uses may be permitted for a period not to exceed twelve (12) calendar months in compliance with the provisions of the zone in which it is located and the provisions of Chapter 17.60. The procedures for review and approval of a temporary use are the same as for a permanent use; however, the reviewing authority may waive certain Land Development Code standards, and impose conditions of approval on the temporary use, as it deems necessary, to promote compatibility between the proposed use and adjacent permitted uses.
- D. Non-Conforming Uses. Non-conforming uses and development are subject to the provisions of Chapter 17.59.

Table 17.17.030: Allowed Uses in District and Corridor Zones

Land Use	Districts & Corridors							
	TC	COM	MU	CC	GW	CS	IP	AP
Residential Uses								
Assisted Living Center	C	C	C	C	N	N	N	N
Nursing Home, Convalescent Home	C	C	C	C	N	N	N	N
Caregiver, Certified NA or CA	P	P	P	P	N	N	N	N
Group Home where care, training, or treatment IS provided on-site.	C	C	C	C	N	N	N	N
Group Home where care, training, or treatment IS NOT provided on-site.	N	N	N	N	N	N	N	N
Dormitories, Fraternities, Sororities	C	C	C	N	N	N	N	N
Residential occupancy of a dwelling unit by a family, or no more than three unrelated individuals. *One caretaker or security guard may be permitted to live on-site as an accessory use with a Conditional Use Permit.	P ¹	P ¹	P ¹	P ¹	N	N*	N*	N
Public/Institutional Uses								
Colleges, University or Technical College	C	C	C	N	C	N	C	C
Trade, vocational, or commercial schools	C	C	C	N	C	N	C	C
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	C	P	P	C	P	C	C	C
Family Day Care/Preschool (1-8 Clients) Family Group Day Care/Preschool (9-16 Clients)	P	P	P	P	N	N	N	N
Commercial Day Care (17 or more clients)	C	C	C	C	C	C	N	N
Hospitals	N	P	P	N	P	N	N	N
Parks and Open Space	P	P	P	C	P	P	P	P
Religious Institutions	C	C	C	C	C	C	N	N
Clubs, Lodges, similar uses	C	C	C	C	C	N	N	N
Libraries, Museums, Community Centers	C	C	C	C	C	N	N	N
Public Safety Services	C	P	P	C	P	P	P	P
Public School (K-12)	State law supersedes local zoning regulations.							
Private Schools (K-12)	C	C	C	C	C	N	N	N
Utility Uses								
Wireless Telecommunication Facilities	P	P	P	N	P	P	P	P
Radio, television, or microwave towers	C	C	C	N	C	C	C	C
Amateur radio towers	C	C	C	N	C	C	C	C
Utilities, basic service delivery and laterals	P	P	P	P	P	P	P	P
Utilities, distribution network	N	N	N	N	N	N	N	N
Utilities, structures, physical facilities (Regional Facilities)	C	P	C	C	P	P	P	P
Municipal water well, reservoir, or storage tank	C	C	C	N	C	C	C	C
Commercial Uses								
Entertainment Event (Major)	C	C	C	N	C	C	C	C
Office – General business, government, professional, medical, or financial	P	P	P	C	P	P	C	C
Bank, savings and loans, or credit union	P	P	P	C	N	P	N	N
Clinic, medical, dental, or optical	P	P	C	C	P	P	C	C

17.17: District and Corridor Zones Uses

Land Use	Districts & Corridors							
	TC	COM	MU	CC	GW	CS	IP	AP
Laboratory, scientific or research	P	P	C	N	P	P	P	P
Wholesale office	N	P	P	N	N	P	C	C
Bed and breakfast	P	P	P	C	N	P	N	N
Hotel, Motel	P	P	P	N	N	P	P	P
Commercial Parking	C	P	C	N	N	C	P	P
Recreational vehicle and vehicle storage parking	N	C	N	N	N	C	P	P
Truck storage, outdoor	N	C	N	N	N	P	P	P
Recreation and Entertainment (Outdoor Facility)	N	P	N	N	N	N	P	N
Golf course	N	N	N	N	P	N	N	C
RV Parks short term occupancy (less than 30 calendar days)	N	N	N	N	N	C	C	N
RV Parks long term occupancy (more than 30 calendar days)	N	N	N	N	N	C	C	N
Non-vehicle camping (tents) in RV Park	N	N	N	N	N	C	C	N
Tent Campground	N	N	N	N	N	C	C	N
Miniature golf course and accessory recreation	N	P	N	N	N	N	P	N
Indoor Commercial Shooting Range	N	C	N	N	N	C	C	N
Sales and Service								
Firms involved in the sale, lease or rent of new or used products to the general public. These firms may also provide personal services or entertainment, or provide product repair or services for consumer and business goods	P	P	P	C	N	C	N	N
Sales and service, large, footprint greater than 100,000 sq. ft.	N	P	N	N	N	C	N	N
Adult oriented business	N	N	N	N	N	N	C	N
Amusement, commercial indoor	N	P	C	N	N	P	P	N
Animal clinic or pet hospital, No outdoor pens	N	P	C	C	N	P	N	N
Animal clinic or pet hospital, with outdoor pens	N	N	N	N	N	C	C	N
Antique or collectible shop	P	P	P	C	N	N	N	N
Art supply store	P	P	P	C	N	P	N	N
Barber or beauty shop	P	P	P	C	N	N	P	N
Bakery or confectionery shop, retail sales	P	P	P	C	N	P	P	N
Camera shop	P	P	P	C	N	N	N	N
Carpet, Retail	P	P	P	N	N	P	N	N
Carpet, Wholesale	N	N	N	N	N	P	P	N
Carwash	N	P	N	N	N	P	P	N
Clothing	P	P	P	C	N	N	N	N
Convenience Market (no gasoline)	P	P	P	C	N	P	P	P
Copy Center	P	P	P	C	P	P	P	P
Dairy products or ice cream	P	P	P	C	N	N	N	N
Dancehall or nightclub	P	P	P	N	N	N	N	N
Department or discount store	P	P	P	N	N	N	N	N
Drug store or pharmacy	P	P	P	C	N	N	N	N
Dry cleaner	P	P	P	C	N	P	P	N

17.17: District and Corridor Zones Uses

Land Use	Districts & Corridors							
	TC	COM	MU	CC	GW	CS	IP	AP
Florist shop	P	P	P	C	N	N	N	N
Furniture or appliance store	P	P	P	N	N	P	N	N
Garden shop, plant sales, nursery	P	P	P	C	N	P	N	N
Grocery store	P	P	P	C	N	N	N	N
Handicraft and art object sale	P	P	P	C	N	N	N	N
Hardware store	P	P	P	C	N	P	N	N
Hobby shop	P	P	P	C	N	P	N	N
Kennel	N	N	N	N	N	C	C	N
Laundromat	P	P	P	C	N	N	N	N
Locksmith or key shop	P	P	P	C	N	P	P	N
Maintenance or repair service for buildings	N	P	N	N	N	P	P	N
Medical supplies	N	P	N	N	N	P	P	N
Mortuary	N	P	N	N	N	P	N	N
Music store	P	P	P	C	N	N	N	N
Package liquor store	State law supersedes local zoning regulations							
Pawn shop	N	P	N	N	N	P	N	N
Paint Sales	P	P	P	N	N	P	N	N
Personal services such as milliner, tailor, etc.	P	P	P	C	N	N	N	N
Pet shop for small animals, bird, fish	P	P	P	C	N	N	N	N
Plumbing Shop	P	P	P	N	N	P	P	N
Provisioning and recreational sporting goods sales	P	P	P	C	N	N	N	N
Radio or television transmitting stations, commercial	N	P	N	N	C	P	P	N
Railroad or bus passenger station	P	P	P	N	P	P	P	P
Repair of appliances, TV, radios	N	P	N	N	N	P	P	N
Restaurant, Brew	P	N	N	N	N	N	N	N
Restaurant, Fast Food	P	P	P	C	P ¹	P	P	P
Restaurant, General	P	P	P	C	P ¹	P	P	P
Shoe, boot, or other leather goods sale and repair	P	P	P	C	N	P	P	N
Storage warehouse	N	N	N	N	C	P	P	N
Studio, health& fitness	P	P	P	C	N	P	P	N
Studio, photographer, artist, music, dance, and drama	P	P	P	C	N	P	N	N
Tavern	P	P	P	N	N	P	P	N
Tennis, swimming or other recreation, private indoor	N	P	N	N	N	P	P	N
Theaters	P	P	P	N	N	P	N	N
Trailer and mobile home sales	N	N	N	N	N	C	P	N
Vehicle parts sales, new or reconditioned	N	P	N	N	N	P	P	N
ATVs, Motorcycle, and Snowmobile sales and rental	N	N	N	N	N	C	P	C

¹ Must be accessory to the primary use and contained within the walls of the primary structure.

17.17: District and Corridor Zones Uses

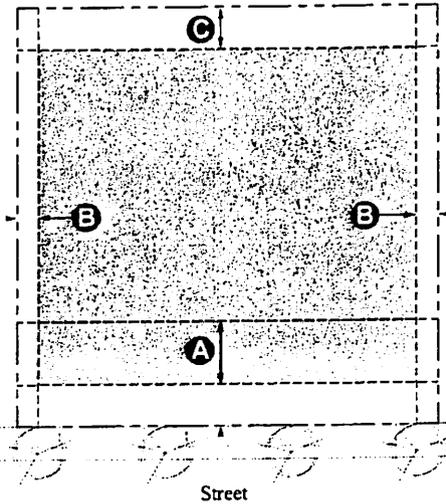
Land Use	Districts & Corridors							
	TC	COM	MU	CC	GW	CS	IP	AP
Heavy truck sales, rental and service and equipment	N	N	N	N	N	C	P	C
Vehicle & equipment sales & rental	N	C	N	N	N	P	N	N
Welding or machine shop	N	P	N	N	N	P	P	P
Uses providing storage for the owner of the property	N	N	N	N	N	C	C	N
Commercial storage unit	N	N	N	N	N	N	C	N
Outdoor Storage	N	N	N	N	N	N	C	N
Vehicle Repair	N	N	N	N	N	P	P	N
Vehicle Service	N	P	N	N	N	P	P	N
Gasoline service station	N	P	N	N	N	P	P	N
Gasoline, petroleum products storage (home heating exempt) (See Uniform Fire Code Section 7902)	N	P	N	N	N	N	P	N
Electric fueling facilities for vehicles (not petroleum) in conjunction with a primary use	N	P	N	C	P	P	P	N
Truck Stop	N	N	N	N	N	P	P	N
Industrial Uses								
Firms engaged in the repair or servicing of business or consumer machinery, equipment, products or by-products	N	N	N	N	N	P	P	N
Industrial machinery storage (indoor), sales, repair	N	N	N	N	N	N	P	N
Contractor supply store	N	N	N	N	N	P	P	N
Contractor supply store with outdoor storage	N	N	N	N	N	C	C	N
Firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	N	N	N	N	N	N	P	N
Light manufacturing	N	N	N	N	N	P	P	N
Warehouse, Freight Movement	N	N	N	N	N	N	P	P
Contractors storage yard of heavy equipment	N	N	N	N	N	N	C	N
Lumberyard	N	N	N	N	N	P	P	N
Storage of sand, gravel, earth or stone	N	N	N	N	N	N	P	N
Waste Related Uses	N	N	N	N	N	C	P	N
Enclosed Wrecking or Salvage Facilities	N	C	N	N	N	C	C	N
Open Wrecking or Salvage Facilities	N	N	N	N	N	N	N	N
Wholesale Sales and Service	N	N	N	N	N	P	P	N
Other Uses								
Agriculture	N	N	N	N	P	P	P	P
Air Passenger Terminals	N	N	N	N	N	N	N	P
Detention Facilities	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²
Residential Programs for Drug & Alcohol Treatment	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²
Alternative or Post Incarceration Facilities	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²
Mining or extraction of mineral or aggregate resources from the ground for off-site use	N	N	N	N	N	N	N	N
Railroad tracks and lines for the movement of trains	C	C	C	C	C	C	C	C

¹ Must be accessory to the primary use and contained within the walls of the primary structure.

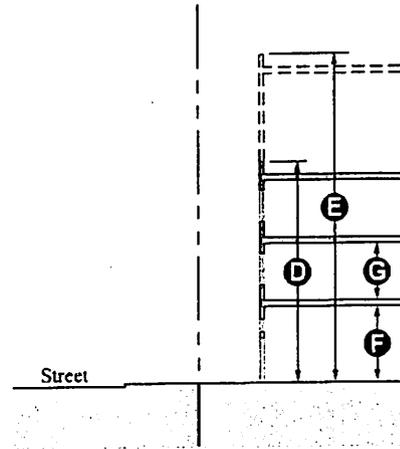
² Indicates use may be allowed where State or Federal law preempts local zoning.

17.19: Specific Development Standards: District and Corridor Zones

17.19.070: Commercial (COM) Development Standards



Site Plan Diagram



Site Section Diagram

Residential Density

Units/acre (max) 30

Site

Lot coverage (max) 60%

Building Frontage

% at front setback (min) 50%

Setbacks

- A** Front (min) 10'
- B** Side (min) 5'
- C** Rear (min) 10'
- Parking (min) 15'

See §17.14.050 for additional setback requirements if adjacent to a residential zone.

Parking

Residential (min-max) 1/Unit - 2/Unit
 Commercial (min) Varies by use
 See §17.38.040
 Commercial (max) See §17.38.050
 Location Rear or Side

Land Set Asides (17.35.020)

Open Space 10%
 Useable Outdoor Space 10%

Building Form

Building Heights

Stories (min) NA
D Height (max) 38'

Floor Heights (floor to ceiling)

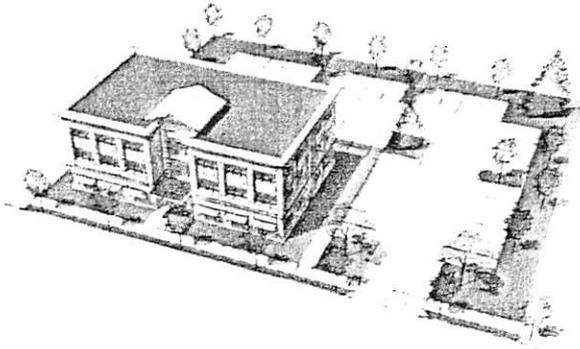
F Ground Floor (min) 12'
G Upper Floors (min) 9'

Transparency (Fenestration)

Ground Floor (frontage) 30%
 Ground Floor (exposed sides) 30%
 Upper Floors (frontage) 20%

Entrances

A functioning entrance, open during business hours, is required along each frontage. Buildings with two frontages may substitute an angled entrance at the corner. See also Section 17.18.030, Building Orientation and Entries.

Commercial (COM) Development Standards**Building Form (Continued)****Elevations**

Blank lengths of wall exceeding 30 linear feet are prohibited on all exposed building facades. Acceptable breaks include transparent or lightly tinted windows, balconies, horizontal building modulation (e.g. recess), and/or changes in color or material.

Weather Protection

Required for ground floor entrances (awnings, canopies, colonnades, marquees, building overhang)

Building Design

See Section 17.18.020, Building Design

Accessory Structures

Shall be architecturally consistent with the principal structure in materials, color, roof pitch, and detailing.

Other**Compliance with Other Standards**

Compliance with all other applicable sections of the Logan Land Development Code is required.

Chapter 17.18: General Development Standards: District and Corridor Zones

§17.18.010. General Development Standards

A. Purpose.

The purpose of Chapter 17.18 is to provide unified development standards for Logan's Districts and Corridors, to promote streamlining of development review, to ensure consistency, and to provide flexibility in site design.

B. Applicability.

Chapter 17.18 applies to all development proposals in Logan's Districts and Corridors. Some Sections of 17.18 may not be applicable to certain types of development in certain locations of the City due to unique site conditions, neighborhood compatibility, access issues or some other technical consideration. The Director or the applicable decision making body (depending upon the review process) shall make the interpretation of applicability during the design review process.

C. Design Review and Decision Criteria.

Development proposals which comply with the standards in this Title that do not require any adjustment or modification to a specific standard shall be reviewed as Track 1 Design Review decisions. Development proposals which require adjustments or deviations from the standards identified in this Chapter, or include requests requiring a public hearing, shall be reviewed as Track 2 Design Review decisions.

D. Site Design.

1. Site plans shall be coordinated with adjoining projects to take advantage of landscape screening, common access, or similar features.
2. Site planning shall employ sustainable practices where feasible including:
 - a. Integrating water quality features such as bioswales and bio-retention basins in a cohesive and logical manner and to take advantage of site topography, orientation and visibility.
 - b. Utilizing impervious paving materials in lieu of pervious paving for circulation areas for automobiles and light duty trucks and by reducing the amount of paving to the minimum necessary to accomplish site circulation and parking needs.
 - c. Using recycled products for driveway and parking lot base material.
3. Location of Accessory Facilities.
 - a. Accessory facilities such as mechanical equipment, trash collection, storage areas, and vehicle service areas shall be adequately screened and shall be located in areas that are not visible from public roadways.
4. Circulation, Parking and Loading (see Chapter 17.38).
 - a. As a general design guideline for new projects, the following is the preferred approach for locating parking areas: parking facilities shall be located to the side or the rear of the primary building and not between the front of the primary building and the street providing primary access. On corner lots, parking shall not be located between the primary building and any street creating the corner lot. In certain circumstances, parking may be located between the front of the primary building and the street due to unique site and design conditions or constraints, neighborhood character and compatibility, shared access, property interconnectivity or some other technical consideration.

17.18: General Development Standards: District and Corridor Zones

- b. Pedestrian access to primary building entrances shall be separated from auto access by walkways.
 - c. Driveway access along streets shall be aligned with existing or planned driveways on the opposite side of the street or aligned with existing or future street median breaks. Driveways shall be located to avoid arterial streets, street corners, adjacent driveways, and areas with restricted visibility.
 - d. In order to minimize interference with street circulation, a minimum driveway length of twenty feet is required between the property line and the first parking stall, unless a greater distance is required herein.
 - e. Parking, delivery, service, and loading facilities on each site shall be sufficient to serve its businesses without the need to park, load or back onto adjacent streets. Shared parking areas with other uses are encouraged.
 - f. Parking lot design shall include landscape planters, sidewalks, or other separators at the end of parking bays. All parking, loading and driveway areas shall be separated from landscaped areas by concrete curbs as specified in Chapter 17.39.
 - g. Provisions shall be made for required access and circulation of emergency vehicles.
5. Landscape Design (see Chapter 17.39).
- a. A combination of trees, shrubs, groundcover and landscaped berms shall be used to provide variety and to reduce the apparent mass of large, blank facades.
 - b. Landscaping, berms, and/or low fencing shall be used to reinforce circulation patterns while screening and shading parking and loading areas.
 - c. Street trees shall be provided along all public and private streets with a minimum of one tree installed for each thirty feet of frontage. One dominant species of street tree shall be selected for each street as approved by the City Forester.
 - d. Plant, shrub and tree species shall be appropriate to Logan's climate and will require minimal water and care. New trees shall be uniform in appearance and be wind tolerant. Large visible slopes shall be landscaped with trees, shrubs and groundcover. Disturbed slopes shall also be hydro-seeded/mulched where feasible with a perennial ground cover for erosion control.
 - e. Live plant materials shall be used for all ground cover areas. Wood chip mulch or similar material will be used for weed prevention.
 - f. An automatic irrigation system shall be provided. Where drought-resistant landscape materials are planted, only temporary irrigation is needed until the landscaping is established.
 - g. Landscaping shall be provided around the perimeter of a building to minimize the "hard edge" that is created where a building meets the ground or pavement.

17.18: General Development Standards: District and Corridor Zones

6. Fencing and Screening.
 - a. All exterior mechanical equipment, utility meters and valves, refuse storage and containers, and aboveground storage tanks shall be located and screened in a manner which is compatible with the design of the project and nearby development.
 - b. Outdoor storage of merchandise, materials or equipment shall be located and screened in a manner which is compatible with the design of the project and nearby development.
 - c. New fencing along public rights-of-way shall be softened with landscaping along the entire outside fence line, shall not impair traffic safety by obscuring views, and shall not consist of chain link or barb-wire.
 - d. Fencing shall be designed for compatibility with nearby building and landscape materials. Fences shall be constructed of highly durable materials. Use of wood, ornamental iron, and masonry is encouraged.
7. Lighting.
 - a. Exterior lighting type, brightness, height and fixture design shall be appropriate to the building design, its function and location.
 - b. Light bulbs or tubes shall not be exposed. Generally, exterior lighting shall be shielded and be non-glare. Lights must not emit direct light into adjacent streets or neighboring properties.
 - c. Security lighting shall be indirect, diffused, shielded, and/or directed away from an adjacent Neighborhood district.

§17.18.020. Building Design Standards – Commercial and Mixed Use Development

A. Purpose.

The purpose of this Section is to promote high quality and aesthetically pleasing commercial and mixed use design and development within the Districts and Corridors.

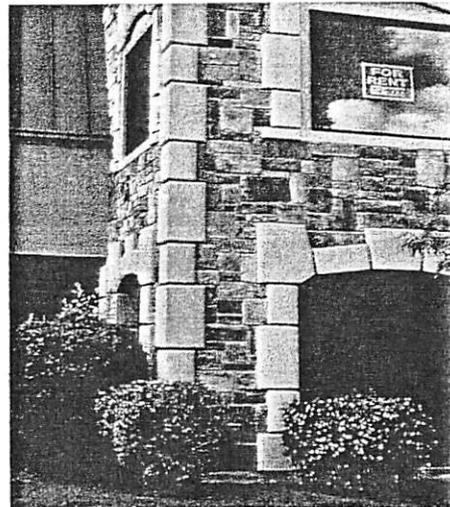
B. Applicability.

The provisions of this Section apply to commercial and mixed use development in District and Corridor zones. Industrial projects in the Commercial Services and Industrial zones shall comply with the building design standards listed in Section 17.18.060 in lieu of Section 17.18.020.

C. Standards.

1. Variation in Front and Street-Facing Elevations.

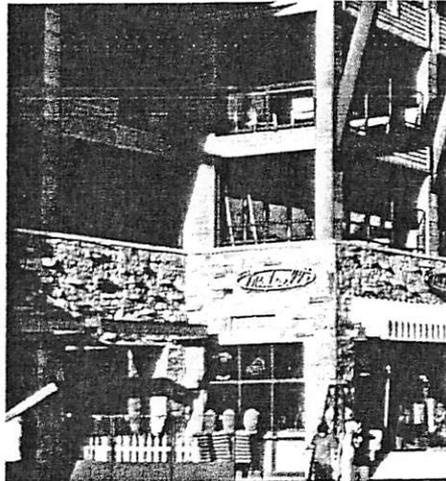
- a. For all new development, no two adjacent buildings may possess the same front/street-facing elevation. This standard is met when building elevations differ by at least three of the following seven criteria:
 1. Mix of Materials;
 2. Articulation;



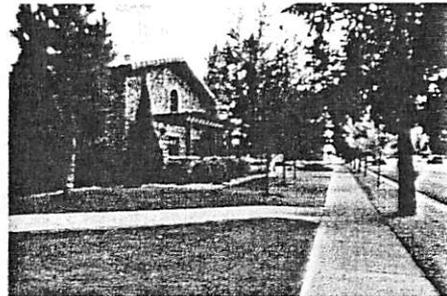
Required: Use a variety of materials and alterations in the façade to clarify entries and reduce the perceived building scale.

17.18: General Development Standards: District and Corridor Zones

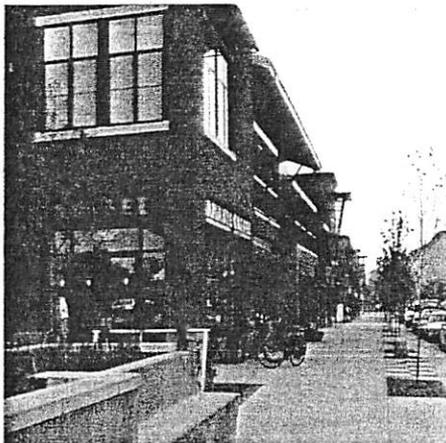
- 3. Roof line;
 - 4. Entry;
 - 5. Fenestration (the arrangement of windows and other openings);
 - 6. Height; or
 - 7. Detailing (including colors and materials and textures for multiple building elements).
- b. All sides of a building that are visible from a public right of way, park, school, sidewalk, etc., shall receive equal architectural design consideration (i.e., windows, doors, architectural treatments, etc). No building shall have a blank, flat wall.



This is a good example of appropriate use of multiple materials. However, too many materials, colors, and textures can create confusion and lack of continuity.



Integrating a variety of forms helps reduce the mass of a building.

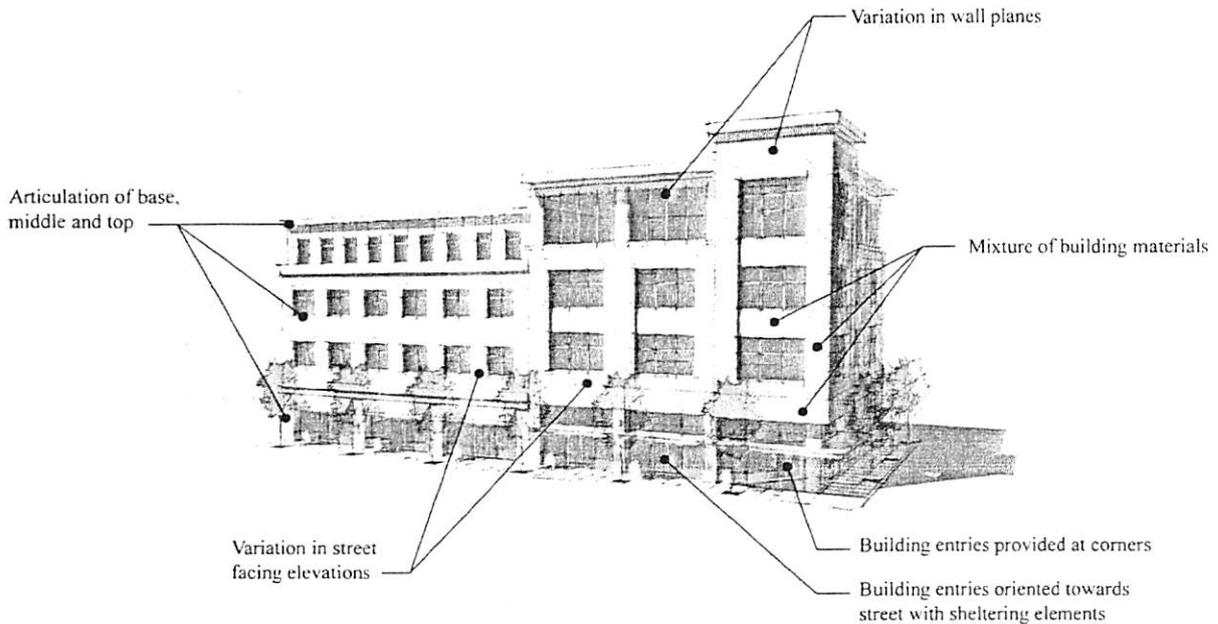


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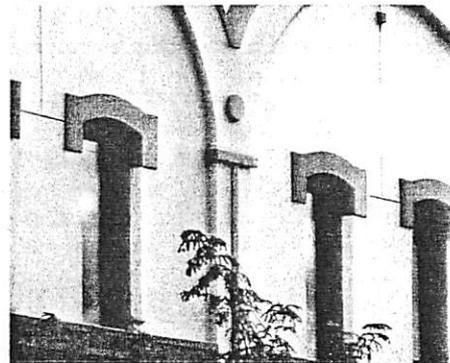
Figure 17.18.020: Town Center, Commercial and Mixed Use Building Design Standards



2. Building Materials Mix.
 - a. Building materials shall be compatible with the architectural style and design of the building.
 - b. A mixture of building materials is required on all building elevations.
 - c. Materials that convey texture, scale, finish and color shall be used. Acceptable building materials include: masonry (brick, stone, imitation stone, rusticated masonry block); stucco; wood; textured concrete fiber cement board; metal; or a combination of these materials. Stucco (EIFS) is only permitted when it is sufficiently detailed to provide interest and surface variation. Scoring is acceptable to achieve the required detailing. Areas between score lines should not exceed 64 square feet.
 - d. The mixture of material(s) used on the front facade must continue or transition on the remaining sides and rear of new buildings, for example by turning a building



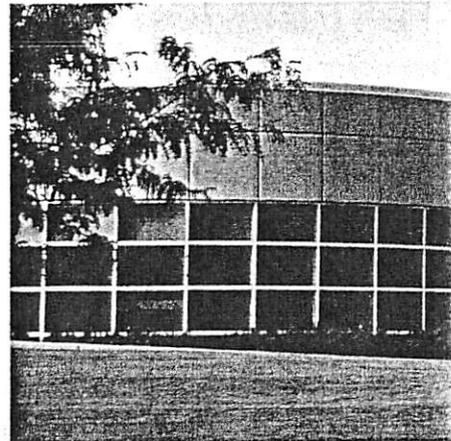
Required: Use building materials that are architecturally compatible with the architectural style and design of the building.



Required: Whenever stucco (EIFS) is used as an exterior material, details shall be introduced into the surface design to provide interest and surface variation.

17.18: General Development Standards: District and Corridor Zones

- e. Large, panelized products shall not be used for portions of a building that are visible from a public street, pedestrian way or any abutting residential uses.
- f. Façade components shall help to establish a human scale. Examples include providing exterior wall treatments that establish rhythms and patterns of windows, columns, and floors of the building. Windows and doors will be similar in scale.



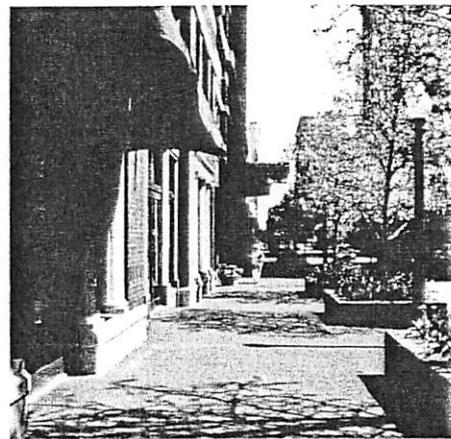
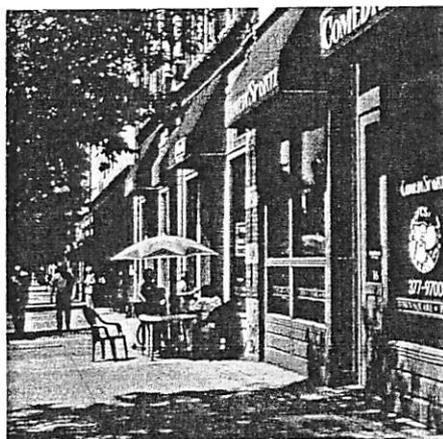
Required: Whenever stucco (EIFS) is used as an exterior material, surface texture must be incorporated in the form of scoring where no surface component exceeds 64 square feet in area.

3. Articulation of Wall Planes.

- a. In the Town Center and Mixed Use zones, building elevations of more than 800 square feet in surface area must be divided into distinct planes of 800 square feet or less. In other Districts and Corridors, the standard is 1,200 square feet. A wall planes is considered distinct from other wall planes when there is a recess or projecting section of the structure that projects or recedes at least 1 foot for a length of at least 6 feet. The purpose of this standard is to promote human-scaled buildings by breaking down larger wall masses into modules and articulated planes.

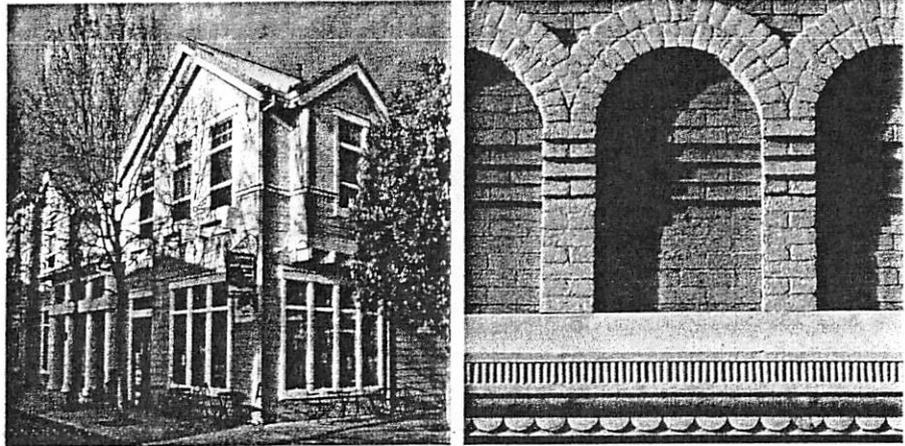


Express façade components using methods that will help convey a human scale. Comparable to this historic building wall, dividing a single development into distinct façade modules is one example of how to accomplish this.



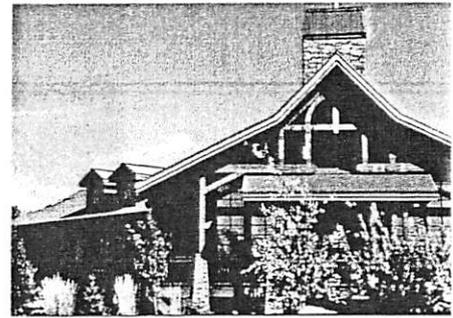
Large storefront windows can help to establish a sense of human scale and provides street-level pedestrian interest.

17.18: General Development Standards: District and Corridor Zones



Select materials and architectural elements that reduce the building's scale.

4. Base, middle, top.
 - a. Building design will provide a clear, distinctive base, an occupied middle, and a top (e.g., an eave, cornice, and/or parapet line) that complement and balance one another.
 - b. A building's facade shall emphasize each floor in the external design. Examples of meeting this standard include use of belt courses or other horizontal shadow producing trim band of contrasting color, relief, and materials, varying materials and using structural elements



Using sloped roof forms can help reduce the perceived scale of a building.

5. Roof.
 - a. Varied roof or parapet forms shall be used to reduce the perceived scale of the building and to conceal roof top equipment from public view.
 - b. Any roof shall have at least one of the following features:
 1. Overhanging eaves of at least 2 feet.
 2. Sloping roof or multiple roof planes.
 3. A parapet concealing a flat roof.
 - c. False roof forms or varying parapet elements shall have depth behind the façade of the building no less than 20% of the depth of the building footprint.



Required: Varied roof forms and depth help to reduce perceived building scale. False roof forms shall have depth behind the façade of the building no less than 25 % of the depth of the building footprint.

17.18: General Development Standards: District and Corridor Zones

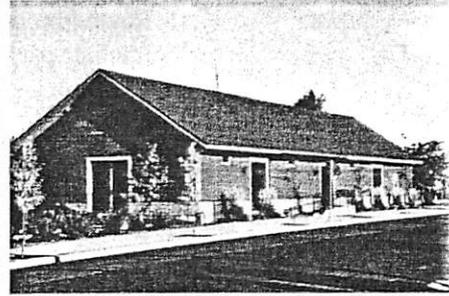
6. Center Street National Historic District.
 - a. All buildings within the Center Street National Historic District must comply with the Center Street National Historic District Design Standards and shall receive a Certificate of Appropriateness where required.
7. Adaptive Reuse.
 - a. Adaptive reuse of buildings shall provide street-level amenities and human scale design.
 - b. Adaptive reuse projects shall remain consistent with traditional building forms and materials.



The adaptive reuse of this historic building is a great example of providing street-level pedestrian interest on the front of retail buildings.



Varied roof forms, heights, design details, and materials can be used to clarify entrances and reduce perceived building scale.



These photos illustrate the importance of adaptive reuse projects remaining consistent with traditional building forms and materials.

§17.18.030. Building Orientation and Entries**A. Purpose.**

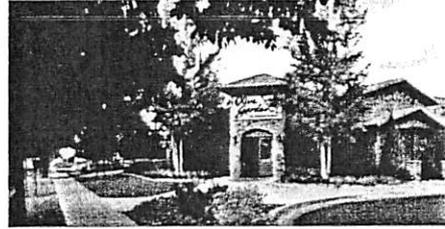
The purpose of this Section is to ensure that primary building entrances are visually prominent and oriented to the street while easily accessible to pedestrians.

B. These standards apply in the following districts:

1. Town Center.
2. Commercial.
3. Mixed Use Center.
4. Community Commercial.

C. Standards.

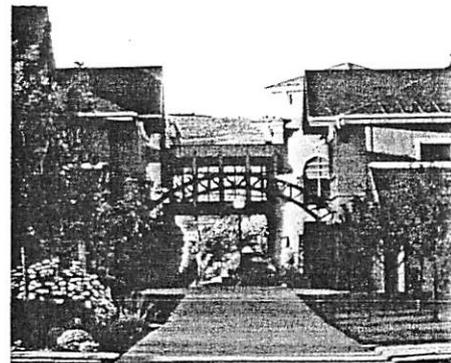
1. Buildings and their primary entrances shall be oriented to streets and must express human scale.
2. Where feasible, corner buildings with two street frontages shall have the primary entrance oriented to the street corner.
3. Primary building entrances shall be immediately accessible by street sidewalks, pedestrian ways, plazas, courtyards, public transit areas, or other civic spaces.
4. Primary building entrances shall include at least one (1) sheltering element matching the scale and design of the building such as awnings, canopies, colonnades, marquees, building overhangs, arcades or porticos extending at least 6-feet over adjoining walks. Additional sheltering elements may be required in some zones, or may be required through design review.
5. Design the primary entrance to be the prominent feature of the building.



Required: A building's primary entrance shall be oriented toward the public street.

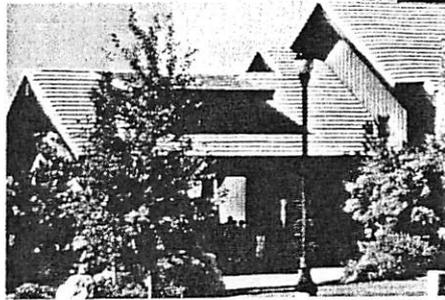


Required: Develop the street level to provide visual interest to pedestrians at the sidewalk edge and to convey a human scale. For example, locating an entrance on the corner can provide street-level interest to the front and side of a building.

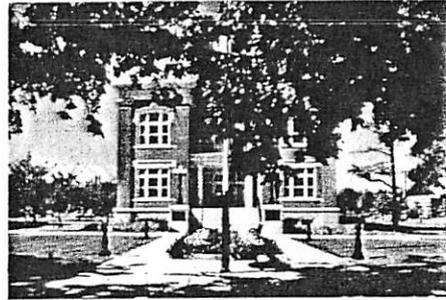


Required: Primary entrances, for all types of development, must express human scale.

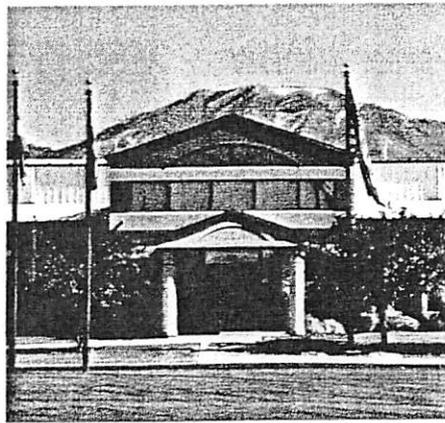
17.18: General Development Standards: District and Corridor Zones



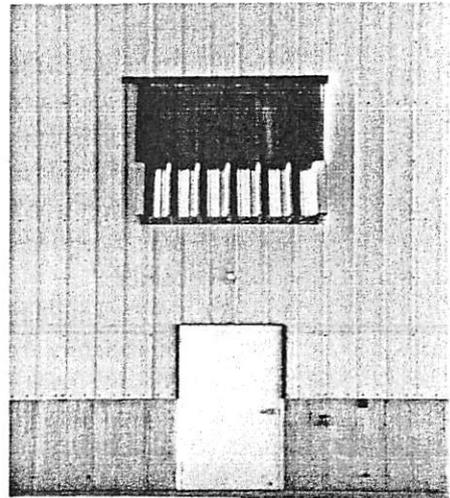
Required: Design the primary entrance to be the prominent feature of the building.



Required: The primary entrance of a building will orient to sidewalks and pedestrian ways.



Required: Primary entrances shall have a sheltering element that matches the scale and design of the building.



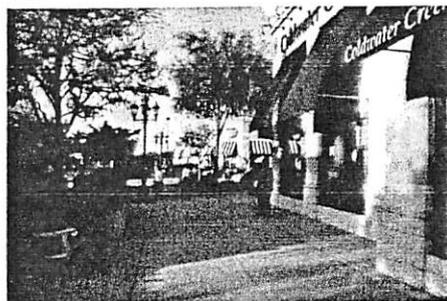
Prohibited: A primary entrance that is not appropriate to the size and design of the building.



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§17.18.040. Transition Areas**A. Purpose.**

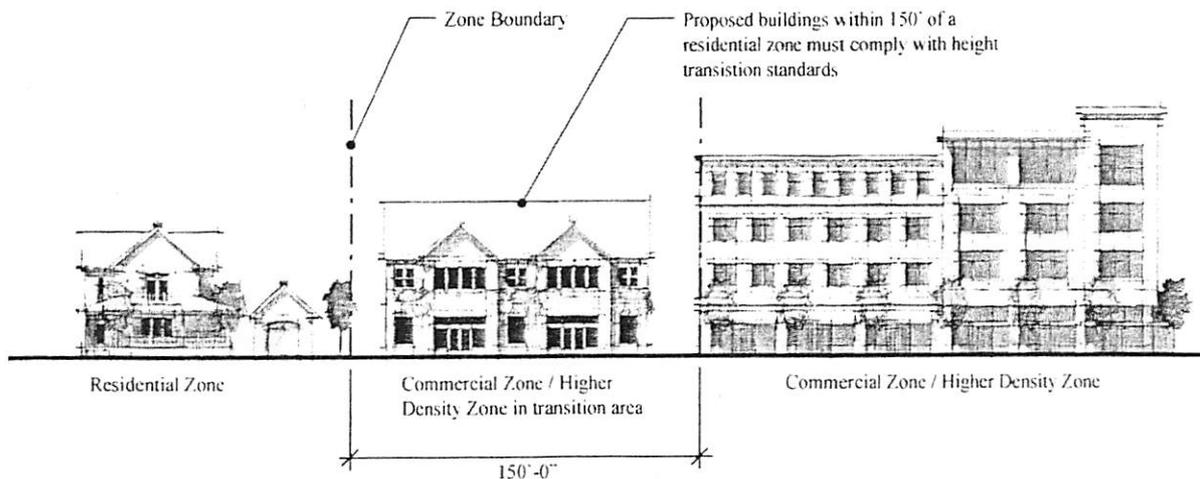
The purpose of this Section is to ensure new infill development is compatible with adjacent neighborhoods. The standards are intended to provide for gradual transitions from shorter to taller structures and consistency in setbacks along streets.

B. Applicability.

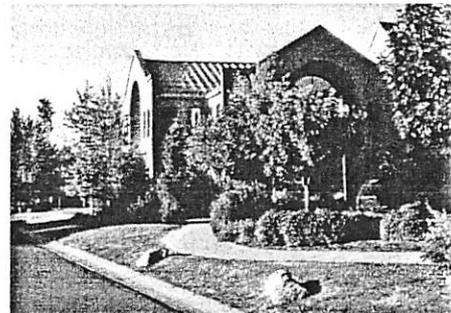
This Section applies to all new commercial, industrial or mixed use structures proposed for construction, addition, or expansion adjacent to, or within 150 feet of, any residential zone.

C. Standards.

1. **Height Transition Standards.** Where a building is to be constructed or expanded, those portions of the building within 150 feet of any residential zone shall meet the minimum height transition requirements listed in Section 17.14.060.
2. **Setback Transition Standards.** New commercial, industrial, or mixed use development either immediately adjacent to, or directly facing (including across a public street), a residential zone shall be subject to the same setback standards as applicable to that residential zone.

Figure 17.18.040.C: Building Height Transition

3. New commercial, industrial or mixed used buildings proposed for placement or expansion adjacent to, or across the street from, a residential zone shall maintain a front yard character similar in nature and context to that of a residential use or neighborhood.
4. When parking lots are located adjacent to residential areas, an additional parking setback of ten (10) feet with landscaping, and other screening techniques are required to produce, at the time of



Required: New commercial buildings in a residential context shall maintain a front yard character.

17.18: General Development Standards: District and Corridor Zones

construction, a total screen of the parking lot from adjacent properties.



This fast food restaurant is a great example of retaining the traditional residential development patterns of its context.



Required: When parking lots are located adjacent to residential areas, additional setbacks, landscaping, and other screening techniques will reduce the visual impact to the neighborhood.

§17.18.050. Buildable Area Extensions

A. Purpose.

The purpose of this Section is to allow, by right, certain encroachments into required setbacks, and exempting certain architectural features from required setbacks and structure height calculations. The intent is to provide flexibility in building design where certain architectural features contribute aesthetically or functionally to a building without changing its floor area, occupancy, or intensity of use. When evaluating adjustments or modifications to buildable area for consistency with the above purpose, the approval body shall consider whether the subject site has unique physical characteristics and/or whether the proposed structure has special operational or functional requirements necessitating the adjustment. Adjustments are also limited by applicable building and fire safety regulations.

B. Applicability.

1. These provisions apply to all development within all Districts and Corridors.

C. Standards.

1. Eaves, balconies, stoops, stairs, overhangs, awnings, bay windows, and similar features may extend beyond the required buildable area by up to 36 inches.
2. Unenclosed porches, balconies and similar structures extending not more than 30 inches above grade shall not be counted against maximum lot coverages.
3. Spires, cupolas, belfries and domes, and similar architectural features not used for human occupancy and covering not more than ten percent (10%) of the ground area covered by the structure to which they are accessory, may exceed height restrictions through design review, except where prohibited by Federal Aviation Regulations, part 77.

§17.18.060. Building Design Standards - Industrial Development

A. Purpose.

The purpose of this Section is to promote high quality and aesthetically pleasing design and development within the Industrial and Commercial Services zones.

B. Applicability.

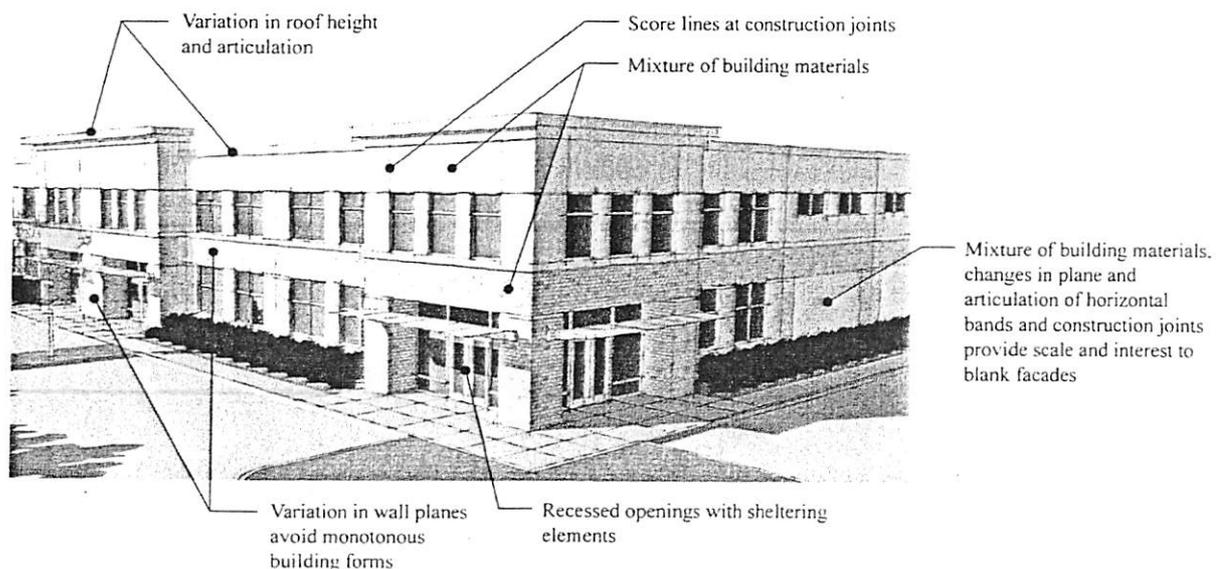
The provisions of this Section apply to industrial development in the Industrial and Commercial Services zones. The applicability of these standards to the expansion of existing buildings may be modified or altered due to existing building configuration, site conditions, processing requirements or other technical considerations provided appropriate mitigation offsetting any identifiable impacts are identified and considered.

17.18: General Development Standards: District and Corridor Zones

C. Standards.

1. Architectural Design.

- a. The architectural design of new buildings and major exterior additions shall relate to neighboring buildings. While specific designs need not be duplicated, the general size, bulk, materials, and colors shall have a complimentary design relationship to other buildings in the vicinity.
- b. Primary buildings in close proximity on the same property shall have harmonious proportions and similar architectural styles. Nearby accessory buildings shall be of a compatible design and treatment.
- c. Variety in roof shapes and forms is encouraged to add diversity, enhance scale, and complement the features of nearby buildings. Where parapet walls are used, they shall be designed as an integral part of the building design.

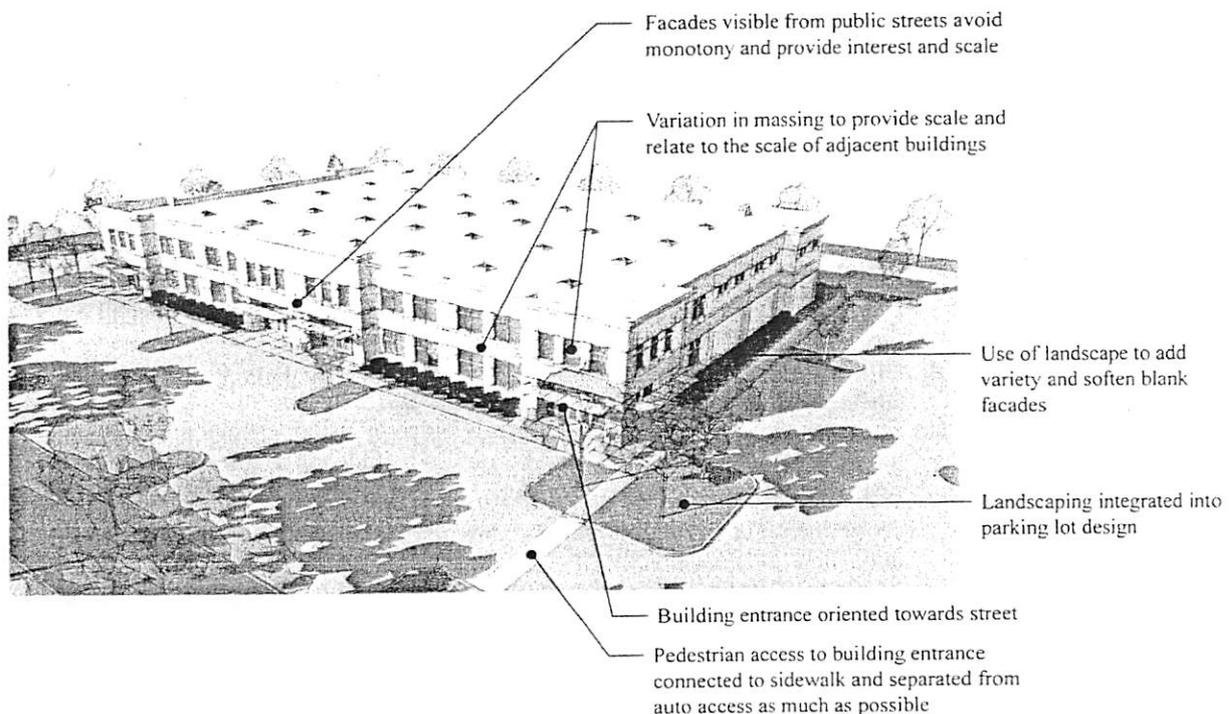
Figure 17.18.060.C1: Industrial Building Articulation and Detailing

- d. Exterior design features including materials, texture, color and trim detailing shall be included on all building elevations visible to adjacent public streets.
- e. The mixing of unrelated architectural styles, materials and details is to be avoided.
- f. Exterior siding materials shall be masonry, plaster, wood, metal, textured concrete, or an approved alternative material. Metal clad buildings shall have baked-on enamel exterior finishes or its equivalent type of finish.
- g. Highly reflective glass shall not cover more than fifty percent of a building surface visible from an adjacent public street.
- h. Monotonous building forms shall be avoided by using various methods to help create interest and reduce scale. Examples include the staggering of vertical walls, recessing openings, providing upper-level roof overhangs, using deep score lines at construction joints, contrasting compatible building materials, and using horizontal bands of compatible colors. A minimum of two of these methods shall be utilized at a minimum of 40-foot intervals along facades visible from adjacent public streets.

17.18: General Development Standards: District and Corridor Zones

- i. Ground-floor entrances on the facades visible from adjacent public streets shall include an off-set of at least four feet in depth and of a sufficient width to easily discern the location of the entrance. Examples of off-sets include recesses, extensions, or other breaks in elevation.
 - j. Exterior walls shall incorporate compatible finishes and colors. Very bright, very light and very dark colors shall be used sparingly as accents, rather than as primary wall colors.
 - k. Utility doors, fire doors, loading docks and other service features shall be designed to blend with the building's architecture.
2. Food Grade Manufacturing and Processing Facilities.
 - a. For facilities governed by Food & Drug Administration (FDA) or U.S. Department of Agriculture (USDA) regulations, the design provisions identified in Chapter 17.18 may be adjusted or waived for the manufacturing and/or processing components of the facility. The project proponent shall provide detailed FDA or USDA guidance and regulations regarding building design related to their specific type of food processing during the application process. The design standards enumerated above will generally not be waived for the office portion of the complex.
 - b. Landscaping requirements enumerated in Section 17.18.10.D.5 and Chapter 17.39 may also be adjusted or waived for the manufacturing and/or processing components of food grade manufacturing and processing facilities governed by FDA or USDA regulations. The project proponent shall provide detailed FDA or USDA guidance and regulations regarding landscaping design relative to their specific type of food processing during the application process. The landscaping requirements will generally not be waived for the office portion of the complex.

Figure 17.18.060.C2: Industrial Building Design Standards



20 Mar 2015

Council Members and Mayor

Attached are the only references to private streets, private roads and private lanes that I can find in our ordinances.

My question is, do we need to develop an ordinances for these types of streets. I have been asked if we allow them. I said I do not know.

I think it would be a bad idea.

Harry

16.08.010 Terms defined

PRIVATE STREET: A street which is not dedicated for public use.

17.08.020 Definition of Terms

FRONTAGE: All property fronting on a public street; the length of the lot line adjacent to a public or **private street**.

17.08.020 Definition of Terms

PRIVATE ROAD: A thoroughfare held in private ownership and controlled and maintained by one or more persons, firms, or corporations, and used or held for use primarily as a means of access to adjoining properties.

16.16.020 Preliminary Plat (F.)

5. Development And Maintenance Responsibility: Three (3) copies of a statement describing the development and maintenance responsibility for any **private streets, ways** or open space, and retention/detention ponds;

17.32.060 Permits

All development on slopes in the hillside development overlay zone, or in a geological hazard area, shall require a hillside development permit granted by the city council prior to any excavation or construction activity. No building construction will be allowed on slopes in the slope class 5 specification, except for streets that are necessary to access buildable areas at a higher elevation. In such circumstances, street grades must comply with slope and width specifications for all other streets, and the city engineer must approve the design. This rule applies to **private lanes, drives** and driveways as well. (Ord. 2002-5 § 1, 2002)

Councilmember Reports

March 26, 2015

Sign into Millville – Mayor Johnson/Councilmember Duffin
Fees in Lieu of Water Rights – Gary Larsen/Bob Fotheringham
Review of Group Residential Facilities – Coordinator Harry Meadows
Volunteerism Always Pays (VAP) Projects provided by Wal-Mart – Mayor Johnson
City Artifacts – Councilmember Callahan
Old Mill Day Committee – Councilmember Duffin
CERT Training Program – Councilmember Cummings
Water Rights Recommendation from Planning Commission – Mayor Johnson
High School – Councilmember Duffin
Schedule for Newsletter Article – April, Councilmember Williams; May, Councilmember Zollinger; June, Mayor Johnson; July, Councilmember Callahan; August, Councilmember Cummings; September, Councilmember Duffin. (To be turned in by the 6th of each month)