DRAFT

Agenda Item Number : **1A**

Request For Council Action

Date Submitted	2016-01-13 08:09:32
Applicant	City of St. George
Quick Title	December 2015 Financial Report
Subject	I will upload the report by Friday
Discussion	
Cost	$0.00
City Manager Recommendation	Haven't reviewed the report at the time this is being prepared so I will have comments if any at the meeting.
Action Taken	
Requested by	Deanna Brklacich
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

City of St. George

MONTHLY FINANCIAL REPORT

SIX MONTHS ENDED

DECEMBER 31, 2015

CITY OF ST. GEORGE, UT

MONTHLY FINANCIAL REPORT

SIX MONTHS ENDED DECEMBER 31, 2015

ADMINISTRATIVE DIRECTOR'S COMMENTS:

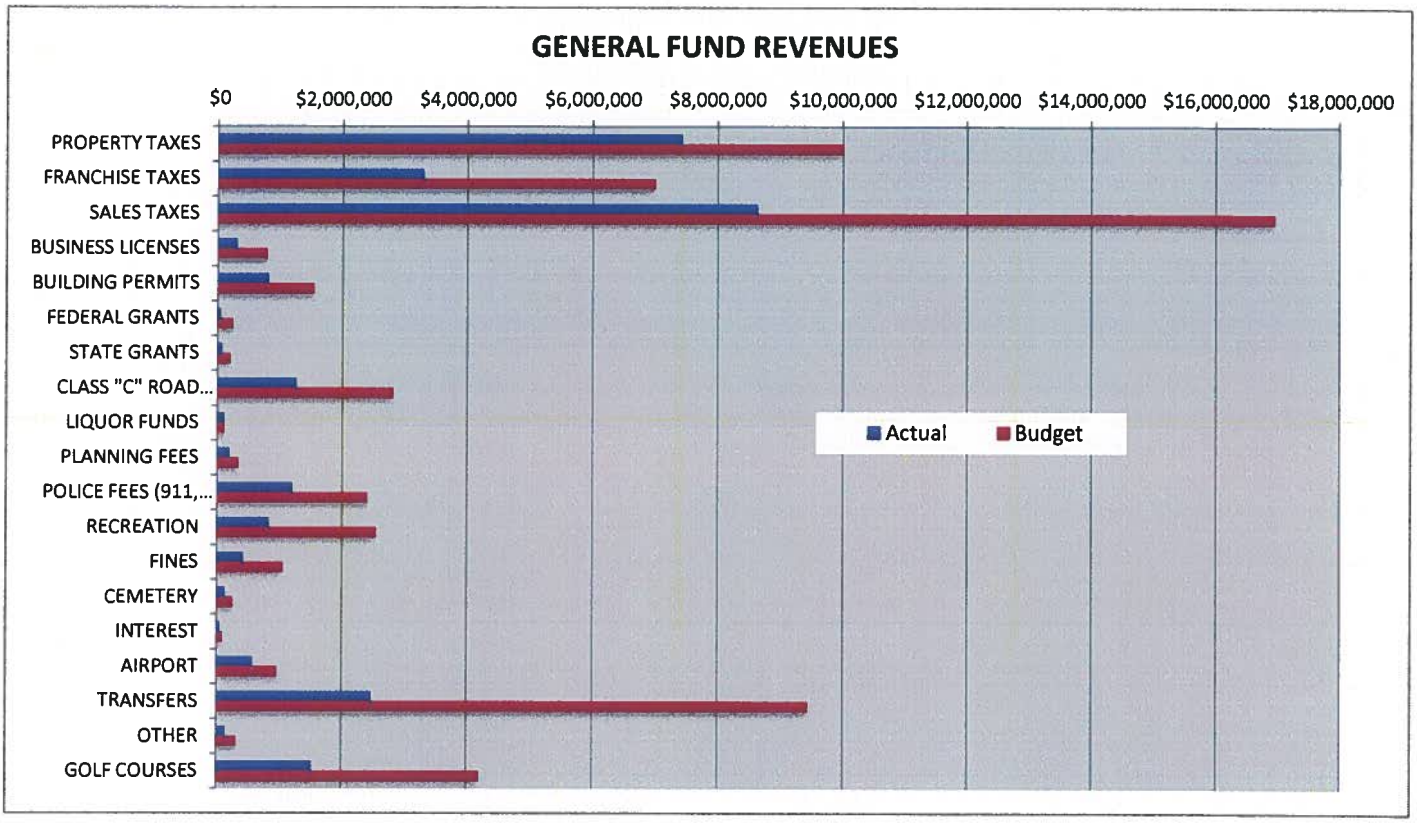
The attached report represents activity in the various city funds for the SIX months ended December 31, 2015. This period represents 50% of the fiscal year.

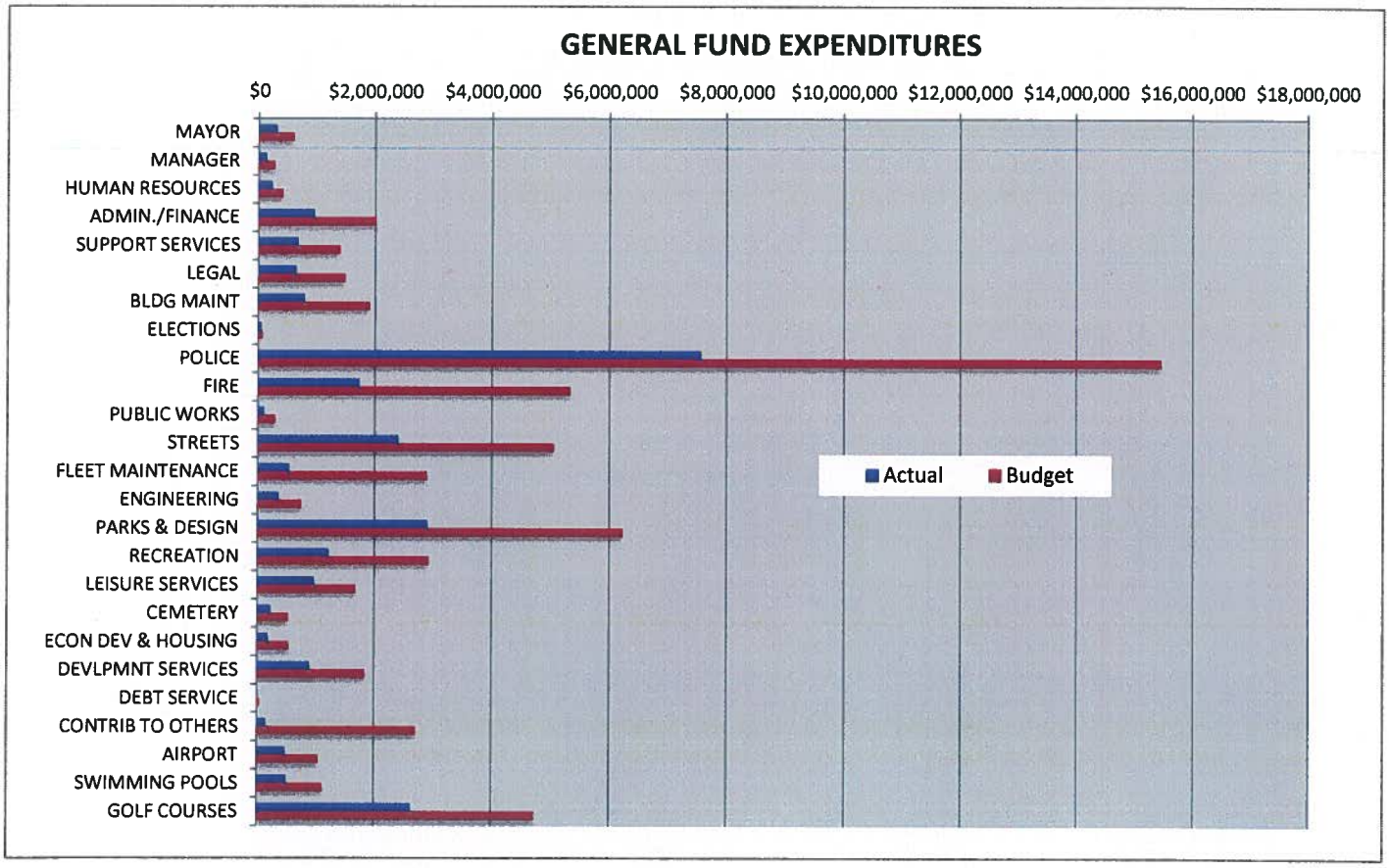
As you can see in reviewing the General Fund revenues and expenditures, each of the golf courses in the general fund is now shown separately.

1) General Fund revenues are at 48.04% of budget. The predominant revenues affecting the overall revenue percentages primarily in the first half of the year are Current Property Taxes, Fees Assessed (Personal Property Taxes) and Delinquent Taxes (Property Taxes) which typically are not received until December, January, and June. December 2015's Property Tax distribution was received and is higher, year-over-year than December 2014's distribution; however, the 2014 property tax Nov. 30th due date fell on a Sunday causing some of last year's distribution to lag into January 2015. After the January 2016 distribution is received, we'll have a better idea as to the year-over-year Property Tax totals and the overall General Fund revenues should be more in line with where we are at, percentage-wise, of the fiscal year.
2) Overall General Fund revenues are up 8.54% over the prior fiscal year. Sales taxes are up 7.69% over last year and franchise taxes are up 3.70% to the prior year. Golf revenues are down 1.48% and now both comparison years should include the snack bars and merchandise sales at the various courses whereas in previous years these were operated by the golf professionals.
3) The attached general fund revenue schedule is good to give you a quick review of how revenues are trending in comparison with the budget.
4) General Fund expenditures are at 43.29% of budget for the year to date. Where we have completed 50% of the fiscal year on the time horizon, as compared to expenditures at 43.29% of the budget, we are continuing to do a good job of spending within the budget.
5) The revenue comparison schedule attached to this report does show a mixed bag. Most fund revenues are up in comparison to prior years, while a few others are down. In addition, some impact fee revenues are up while others are down. Those that are down are likely due to the new impact fee rates which became effective October 2014 and would have affected only part of Fiscal Year 2015, but all of Fiscal Year 2016.
6) The Dixie Center Operations revenues are up noticeably in comparison to the prior year due to receipt of $510,000 from Washington County as a contribution towards the City's economic development activities and programs.
7) The RAP Tax Fund's revenues include the recent bond issuance of $7.9 million. Actual tax revenues receipts to date for this current year total $529,513.
8) The City Treasurer's investment reports beginning with September 2015 will be attached next month.

If there are any questions, comments, or concerns, please feel free to contact me at any time at either deanna.brklacich@sgcity.org or at 627-4004.

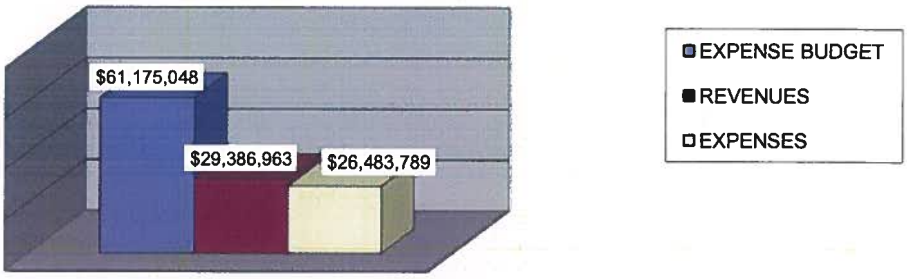
CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
12/31/2015



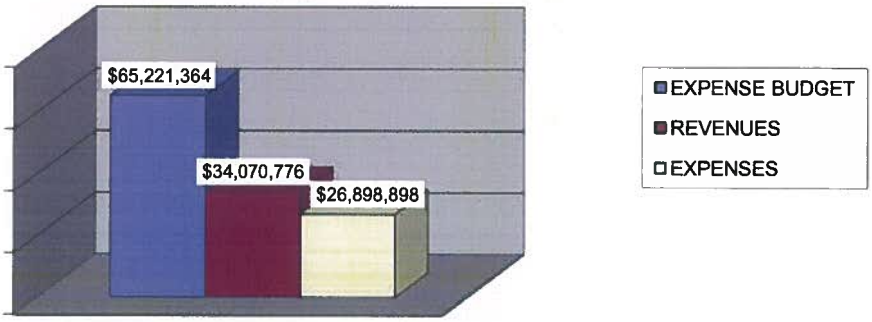


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
12/31/2015

GENERAL FUND

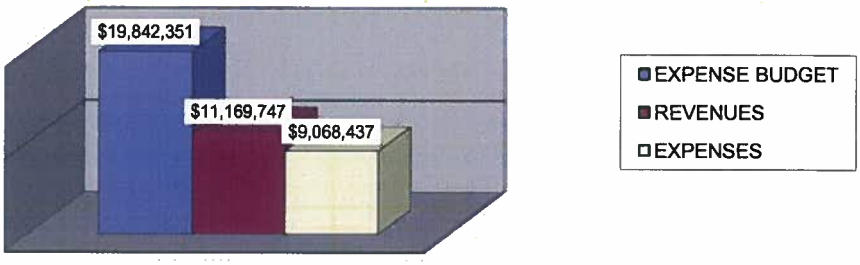


ELECTRIC UTILITY



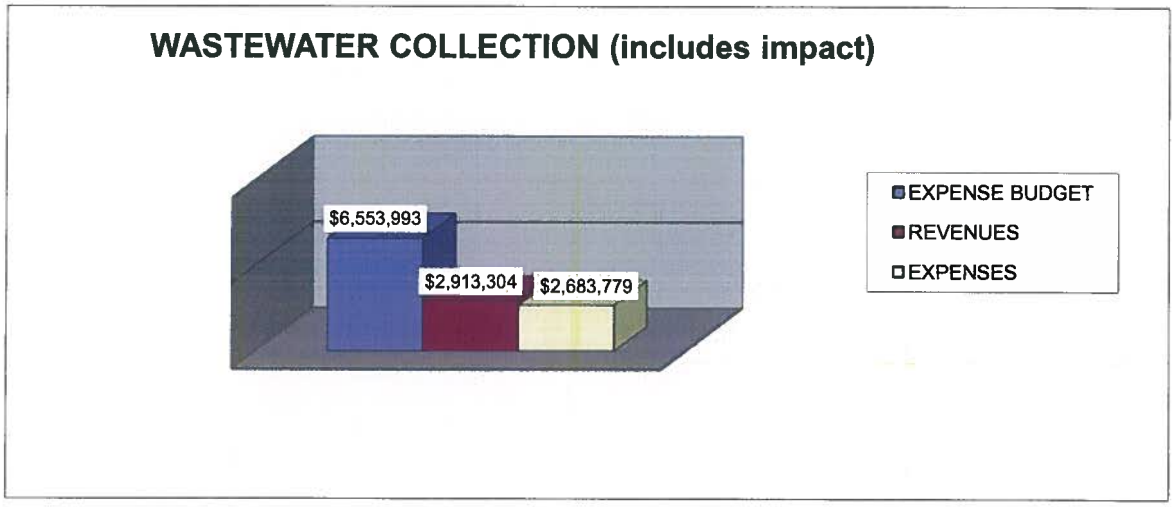
Note: Invoices for power purchases have a one-month lag and therefore expenses are generally understated in comparison to revenues.

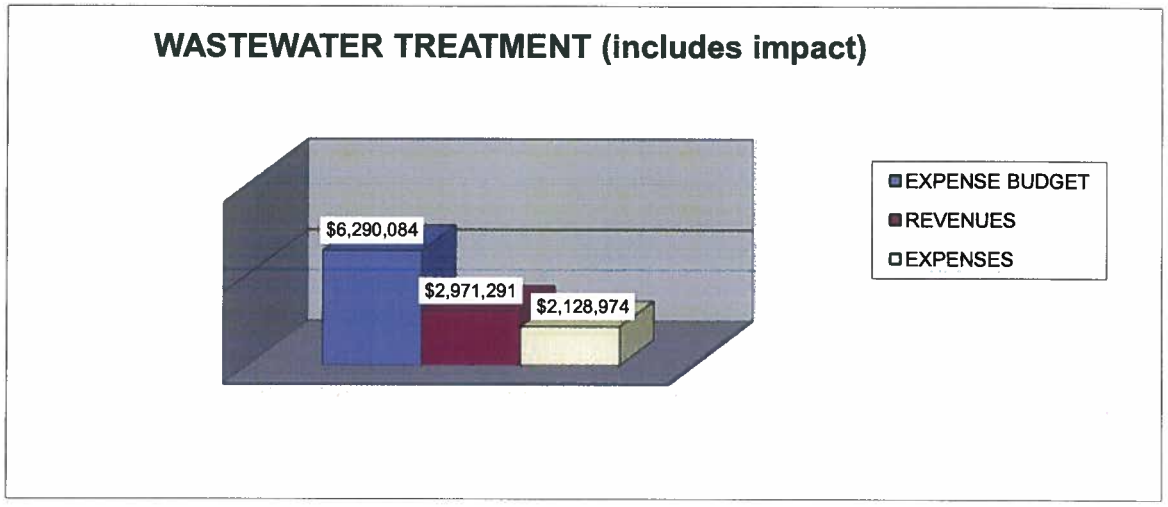
WATER UTILITY



Note: Invoices for water purchases from the Water Conservancy District have a one-month lag and therefore expenses are generally understated in comparison to revenues.

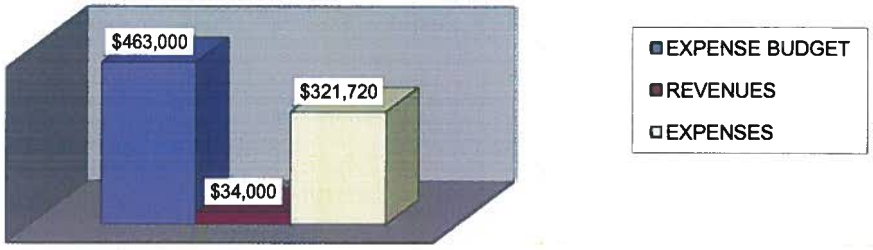
CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
12/31/2015



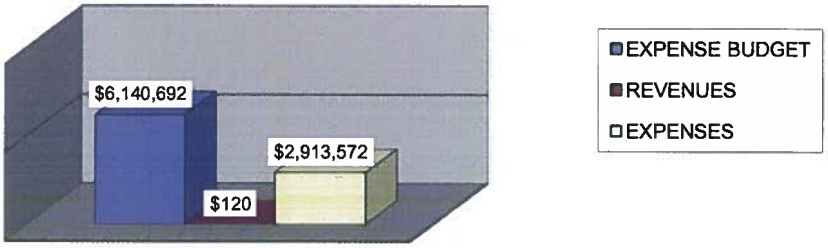


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
12/31/2015

CDBG BLOCK GRANT FUND

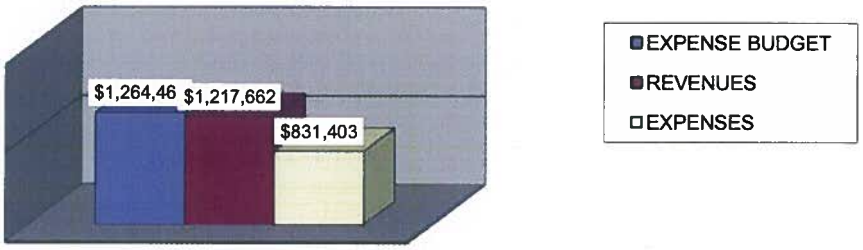


SALES TAX BOND CAP. PROJECT FUND



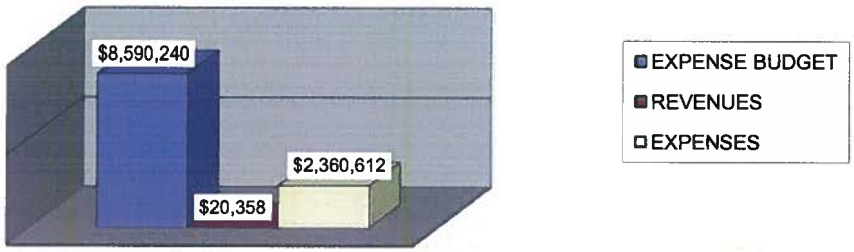
NOTE: Revenues are derived from year-end transfers from other City funds which received a portion of the bond proceeds and therefore participate in making the annual debt services payments.

DIXIE CENTER OPERATIONS

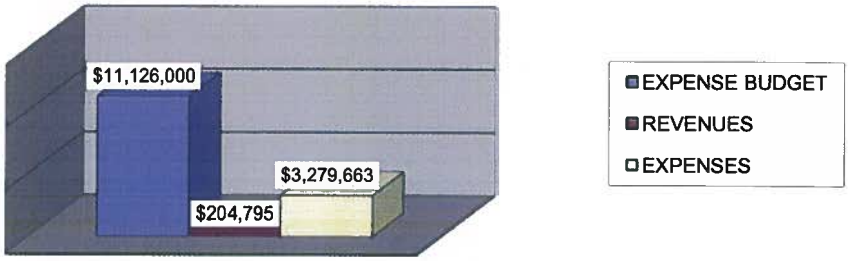


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
12/31/2015

CAPITAL EQUIPMENT FUND

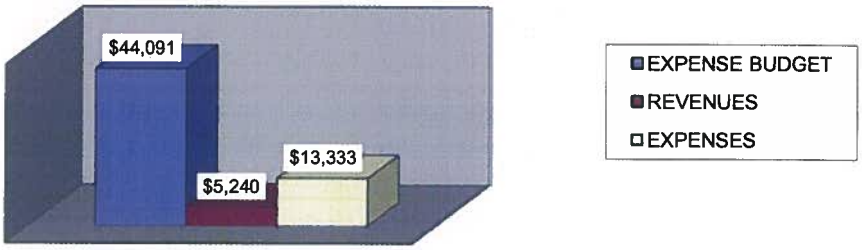


PUBLIC WORKS CAPITAL PROJECTS FUND



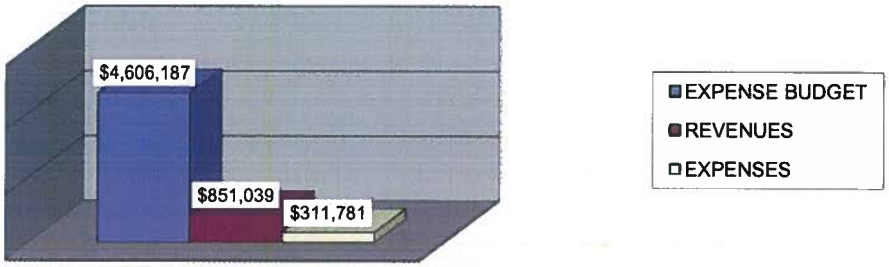
NOTE: Most of the Revenues are derived from year-end transfers from other City funds who collectively participate in funding each project (i.e. Transportation Fund, Street Impact, Drainage Impact, etc.)

REPLACEMENT AIRPORT FUND

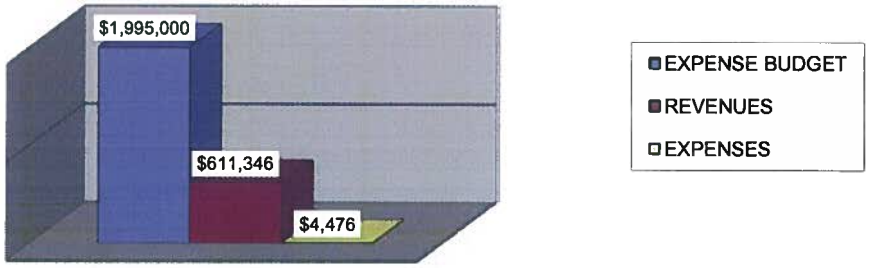


CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
12/31/2015

PARK IMPACT FUND

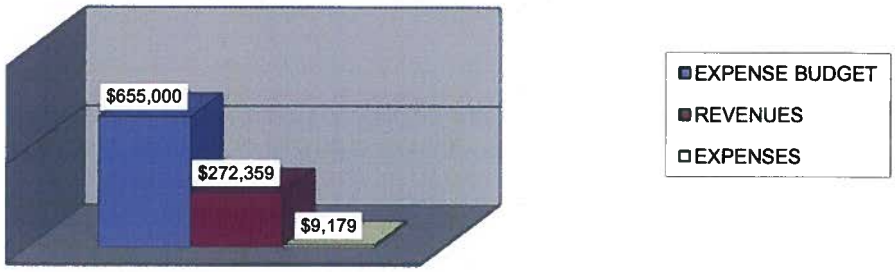


STREET IMPACT FUND



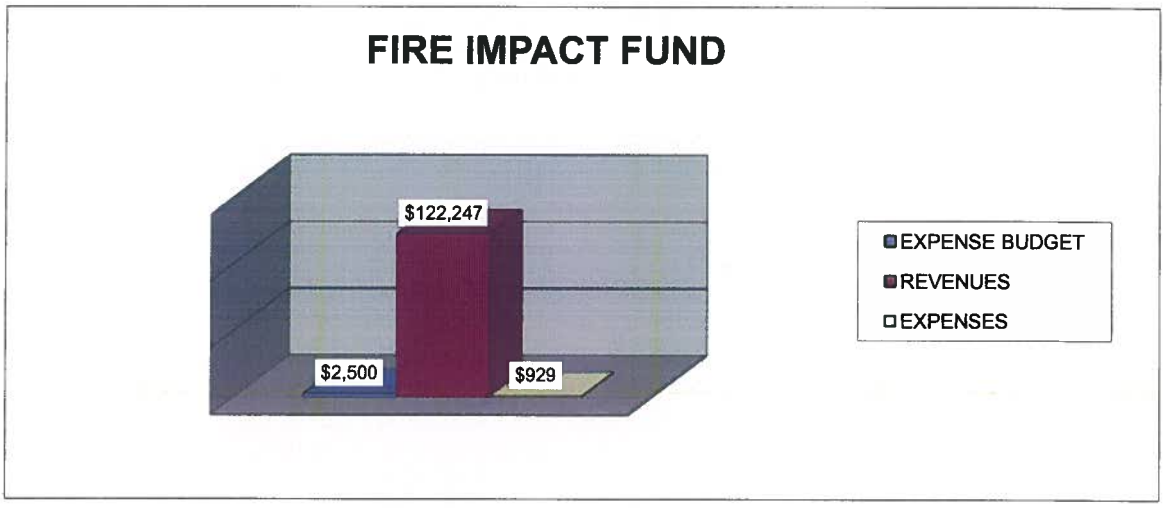
NOTE: Most of the budgeted Expenditures are in the form of a year-end transfer to the Public Works Capital Project Fund (PWCPF) based upon each project's actual costs in the PWCPF.

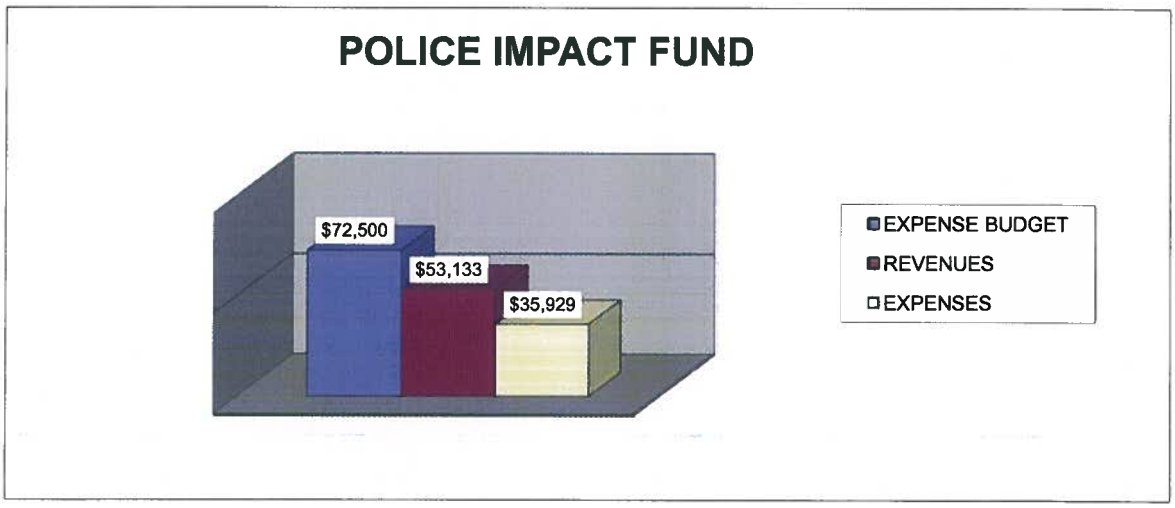
DRAINAGE IMPACT FUND



NOTE: Most of the budgeted Expenditures are in the form of a year-end transfer to the Public Works Capital Project Fund (PWCPF) based upon each project's actual costs in the PWCPF.

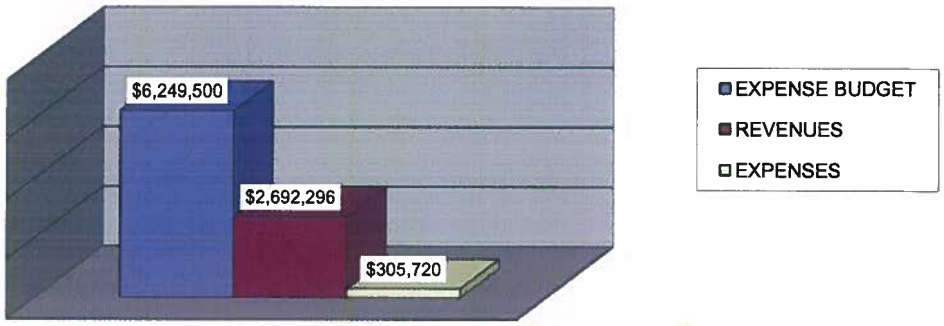
CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
12/31/2015





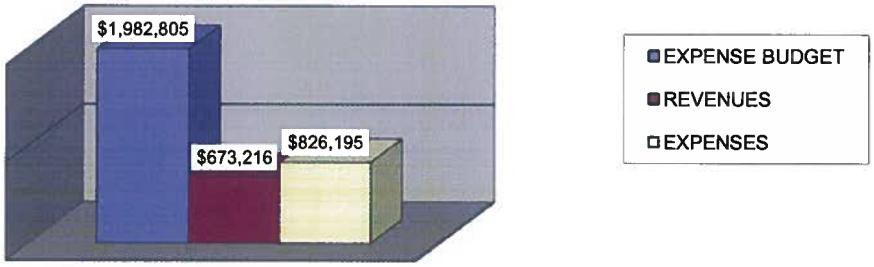
CITY OF ST. GEORGE, UT
MONTHLY FINANCIAL REPORTS - BUDGET VS ACTUAL
12/31/2015

TRANSPORTATION IMPROVEMENT FUND (TIF)

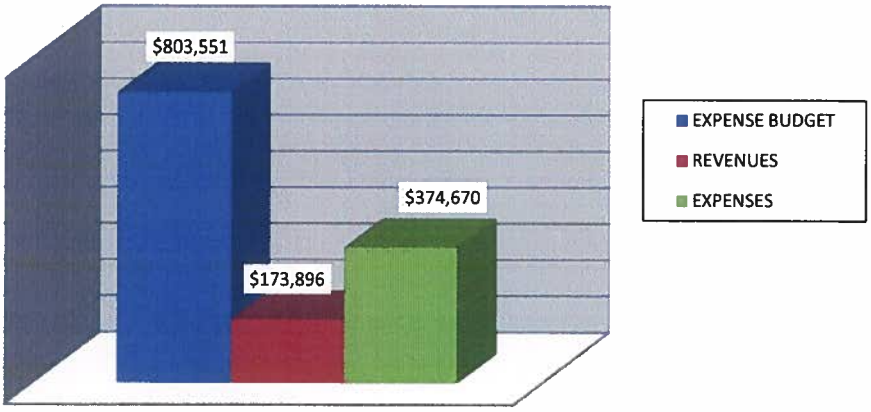


NOTE: Most of the budgeted Expenditures are in the form of a year-end transfer to the Public Works Capital Project Fund (PWCPF) based upon each project's actual costs in the PWCPF.

SUNTRAN TRANSIT FUND



SWITCHPOINT RESOURCE CENTER



CITY OF ST. GEORGE, UT
GENERAL FUND REVENUES
SIX MONTHS ENDED DEC. 31, 2015

50% OF THE BUDGET YEAR

REVENUE SOURCE	ADJUSTED BUDGET	ACTUAL THRU DEC. 31, 2015	PCT RECEIVED
CURRENT PROPERTY TAXES	8,350,000.00	6,926,726.07	82.95%
FEES ASSESSED	1,300,000.00	344,661.52	26.51%
FRANCHISE TAXES	7,000,000.00	3,291,906.72	47.03%
DELINQUENT TAXES	350,000.00	150,429.33	42.98%
GENERAL SALES TAXES	16,950,000.00	8,636,167.42	50.95%
BUSINESS LICENSES	600,000.00	246,967.50	41.16%
LICENSE FEES - RENTAL ORDINANCE	180,000.00	53,995.00	30.00%
ELECTION FILING FEES	0.00	0.00	#DIV/0!
TRUCK-N-GO PERMITS	4,500.00	960.00	21.33%
BUILDING PERMITS	1,500,000.00	794,953.32	53.00%
DOG LICENSES	32,000.00	4,545.00	14.20%
FEDERAL GRANTS	240,543.00	45,577.72	18.95%
STATE GRANTS	198,408.00	64,168.99	32.34%
CLASS C ROAD ALLOTTMENT	2,810,000.00	1,257,942.41	44.77%
LIQUOR FUND ALLOTTMENT	104,000.00	101,627.47	97.72%
RESOURCE OFFICER CONTRIB.	602,932.00	301,466.00	50.00%
PLANNING FEES	300,000.00	174,749.35	58.25%
AIR QUALITY FEES	30,000.00	13,706.75	45.69%
SPECIAL POLICE SERVICES	55,000.00	46,263.64	84.12%
E-911 SERVICES	960,000.00	488,050.64	50.84%
OTHER CITIES DISPATCH FEES	773,198.00	351,292.14	45.43%
POLICE TRAINING CLASSES	2,000.00	6,270.00	313.50%
MUSEUM DONATIONS	475.00	1,323.33	278.60%
MUSEUM ADMISSION FEES	9,000.00	4,009.64	44.55%
NJCAA TOURNAMENT	0.00	0.00	#DIV/0!
COMMUNITY ARTS BLDG RENTALS	1,000.00	780.00	78.00%
OPERA HOUSE PERFORMANCES	1,500.00	0.00	0.00%
ELECTRIC THEATER RENTALS	60,400.00	0.00	0.00%
TRIPAK PASS SALES	0.00	-9.34	#DIV/0!
WALKING TOUR REVENUES	3,000.00	1,669.96	55.67%
SOCIAL HALL RENTALS	20,000.00	7,296.00	36.48%
EXHIBITS - COLLECTIONS	6,000.00	4,437.86	73.96%
NATURE CENTER	22,000.00	5,050.05	22.95%
AQUATIC CENTER	350,000.00	128,182.94	36.62%
YOUTH SPORTS	100,000.00	49,160.00	49.16%
ADULT SPORTS	50,000.00	17,327.00	34.65%
RACES	300,000.00	150,642.41	50.21%
SOFTBALL LEAGUES	360,000.00	163,893.39	45.53%
ARTS FAIR REVENUE	40,000.00	1,373.20	3.43%
SPECIAL COMMUNITY EVENTS	2,600.00	318.00	12.23%
SWIMMING POOL FEES	116,800.00	45,420.64	38.89%

CITY OF ST. GEORGE, UT
GENERAL FUND REVENUES
SIX MONTHS ENDED DEC. 31, 2015

50% OF THE BUDGET YEAR

REVENUE SOURCE	ADJUSTED BUDGET	ACTUAL THRU DEC. 31, 2015	PCT RECEIVED
RECREATION FEES	5,000.00	2,545.50	50.91%
RECREATION CENTER FEES	143,000.00	59,898.41	41.89%
OPERA HOUSE RENTALS	12,000.00	0.00	0.00%
RECREATION FACILITY RENTALS	30,000.00	9,602.50	32.01%
TENNIS CLASSES ETC.	120,000.00	68,049.00	56.71%
MARATHON REVENUES	759,700.00	100,115.87	13.18%
RECREATION CLASS FEES	0.00	1,320.00	#DIV/0!
ST GEORGE CAROUSEL	30,000.00	0.00	0.00%
CEMETERY LOT SALES	120,000.00	67,190.00	55.99%
BURIAL FEES	125,000.00	60,260.00	48.21%
TRAFFIC SCHOOL FEES	45,000.00	20,483.30	45.52%
COURT FINES	940,000.00	371,671.03	39.54%
POLICE WARRANTS	16,000.00	7,950.00	49.69%
ACE PENALTIES	35,000.00	7,023.00	20.07%
ACE COSTS	10,000.00	1,842.00	18.42%
ACE ABATEMENTS	0.00	0.00	#DIV/0!
INTEREST EARNINGS	85,000.00	45,932.41	54.04%
RENTS AND ROYALTIES	30,000.00	8,388.45	27.96%
SALE OF PROPERTY	30,000.00	58,053.75	193.51%
POLICE EVIDENCE IMPOUND	2,500.00	4,287.73	171.51%
MISCELLANEOUS SUNDRY REVENUES	75,000.00	36,074.12	48.10%
ORTHOPHOTOGRAPHY MAPS	500.00	0.00	0.00%
MISS ST GEORGE PRINCESS	0.00	0.00	#DIV/0!
COMPOST SALES - REUSE	30,000.00	7,346.69	24.49%
ROADBASE SALES - REUSE	2,500.00	89.52	3.58%
AIRPORT REVENUES	961,562.00	568,649.45	59.14%
MAINTENANCE AT AIRPORT	7,100.00	3,558.78	50.12%
CONTRIBUTIONS FROM OTHER	100,000.00	500.00	0.50%
TRANSFERS FROM OTHER FUNDS	9,445,330.00	2,466,252.54	26.11%
CONTRIBUTIONS FROM PRIVATE	20,000.00	0.00	0.00%
MEDIAN LANDSCAPE FEES	15,000.00	2,040.00	13.60%
ANIMAL SHELTER DONATIONS	0.00	-222.50	#DIV/0!
ANIMAL TRAINING DONATIONS	0.00	5,013.86	#DIV/0!
POLICE PROJECT LIFESAVER	0.00	7,593.47	#DIV/0!
APPROPRIATED FUND BALANCE			
RED HILLS GOLF COURSE	762,885.00	259,673.51	34.04%
GOLF ADMINISTRATION	49,100.00	42,114.30	85.77%
SOUTHGATE GOLF COURSE	1,188,575.00	435,453.42	36.64%
ST GEORGE GOLF CLUB	697,240.00	211,182.34	30.29%
SUNBROOK GOLF COURSE	1,496,700.00	563,728.75	37.66%
TOTAL GENERAL FUND REVENUES	61,175,048.00	29,386,963.27	48.04%

CITY OF ST. GEORGE, UT
EXPENDITURE STATUS REPORT BY CATEGORY
SIX MONTHS ENDED DEC. 31, 2015

50% OF THE BUDGET YEAR

GENERAL FUND	ADJUSTED BUDGET	ACTUAL THRU DEC. 31, 2015	REMAINING BALANCE	PCT USED
MAYOR & COUNCIL	596,200.00	307,362.88	288,837.12	51.55%
CITY MANAGER	270,803.00	126,515.43	144,287.57	46.72%
HUMAN RESOURCES	412,350.00	221,534.57	190,815.43	53.72%
ADMINISTRATIVE SERVICES (FINANCE)	2,007,015.00	946,342.60	1,060,672.40	47.15%
TECHNOLOGY SERVICES	1,386,412.00	672,997.05	713,414.95	48.54%
LEGAL SERVICES	1,298,092.00	577,182.49	720,909.51	44.46%
BUILDING MAINTENANCE	1,895,754.00	788,355.95	1,107,398.05	41.59%
ELECTIONS	69,000.00	47,727.36	21,272.64	69.17%
PLANNING COMMISSION	12,700.00	4,200.00	8,500.00	33.07%
POLICE	12,455,766.00	6,328,030.90	6,127,735.10	50.80%
HIDTA GRANT	153,573.00	49,359.02	104,213.98	32.14%
POLICE DISPATCH	2,739,282.00	1,152,025.41	1,587,256.59	42.06%
CCJJ GRANT	51,500.00	24,695.12	26,804.88	47.95%
SAFG (State Asset Forfeiture Grant)	49,860.00	11,284.00	38,576.00	22.63%
FIRE DEPARTMENT	5,331,584.00	1,724,176.30	3,607,407.70	32.34%
CODE ENFORCEMENT	182,299.00	60,058.76	122,240.24	32.95%
PUBLIC WORKS ADMINISTRATION	289,605.00	91,888.42	197,716.58	31.73%
STREETS	5,046,072.00	2,396,011.07	2,650,060.93	47.48%
FLEET MAINTENANCE	2,892,190.00	532,316.79	2,359,873.21	18.41%
ENGINEERING	737,188.00	342,597.22	394,590.78	46.47%
PARKS	5,501,420.00	2,523,112.36	2,978,307.64	45.86%
DESIGN	725,420.00	373,817.81	351,602.19	51.53%
NATURE CENTER & YOUTH PROGRAMS	99,086.00	42,590.02	56,495.98	42.98%
SOFTBALL PROGRAMS	358,685.00	107,986.40	250,698.60	30.11%
SPORTS FIELD MAINTENANCE	623,616.00	225,149.98	398,466.02	36.10%
SPECIAL EVENTS & PROGRAMS	319,845.00	140,894.11	178,950.89	44.05%
YOUTH SPORTS PROGRAMS	173,351.00	58,426.76	114,924.24	33.70%
ADULT SPORTS PROGRAMS	150,502.00	60,420.14	90,081.86	40.15%
RECREATION	595,947.00	242,942.17	353,004.83	40.77%
EXHIBITS AND COLLECTIONS	247,694.00	117,991.42	129,702.58	47.64%
COMMUNITY ARTS	301,033.00	131,568.55	169,464.45	43.71%
HISTORIC OPERA HOUSE	84,714.00	36,939.74	47,774.26	43.61%
HISTORIC COURTHOUSE	23,200.00	11,950.44	11,249.56	51.51%
LEISURE SERVICES ADMINISTRATN	333,030.00	151,722.55	181,307.45	45.56%
RECREATION CENTER	600,079.00	326,287.71	273,791.29	54.37%
MARATHON	652,142.00	499,317.89	152,824.11	76.57%
COMMUNITY CENTER	3,300.00	1,268.65	2,031.35	38.44%
ELECTRIC THEATER	29,200.00	7,686.51	21,513.49	26.32%
CEMETERY	516,464.00	215,850.91	300,613.09	41.79%
ECONOMIC DEVELOPMENT & HOUSING	527,128.00	173,265.38	353,862.62	32.87%
DEVELOPMENT SERVICES ADMIN.	1,826,184.00	875,407.04	950,776.96	47.94%
DEBT SERVICE	28,395.00	14,197.50	14,197.50	50.00%
TRANSFERS TO OTHER FUNDS	2,707,127.00	145,015.00	2,562,112.00	5.36%
AIRPORT	1,032,599.00	472,822.05	559,776.95	45.79%
SWIMMING POOL	237,537.00	113,616.10	123,920.90	47.83%
SAND HOLLOW AQUATIC CENTER	872,510.00	387,173.61	485,336.39	44.37%
RED HILLS GOLF COURSE	615,576.00	332,201.07	283,374.93	53.97%
GOLF ADMINISTRATION	362,665.00	76,655.29	286,009.71	21.14%
SOUTHGATE GOLF COURSE	1,058,392.00	664,066.47	394,325.53	62.74%
ST GEORGE GOLF CLUB	1,029,949.00	586,288.91	443,660.09	56.92%
SUNBROOK GOLF COURSE	1,661,013.00	962,494.78	698,518.22	57.95%
TOTAL GENERAL FUND	61,175,048.00	26,483,788.66	34,691,259.34	43.29%

CITY OF ST. GEORGE, UT
REVENUE COMPARISONS
SIX MONTHS ENDED DEC. 31, 2015

GENERAL FUND:	FYE JUNE 2016	FYE JUNE 2015	FY2016 as a % of FY2015
PROPERTY TAXES	7,421,817	6,064,185	122.39%
FRANCHISE TAXES	3,291,907	3,174,505	103.70%
SALES TAXES	8,636,167	8,019,689	107.69%
BUSINESS LICENSES	301,923	333,638	90.49%
BUILDING PERMITS	799,498	722,097	110.72%
FEDERAL GRANTS	45,578	169,460	26.90%
STATE GRANTS	64,169	12,469	514.63%
CLASS "C" ROAD FUNDS	1,257,942	1,211,551	103.83%
LIQUOR FUNDS	101,627	101,658	99.97%
PLANNING FEES	188,456	135,656	138.92%
POLICE FEES (911, ETC.)	1,193,342	1,197,891	99.62%
RECREATION	822,406	818,800	100.44%
FINES	408,969	452,301	90.42%
CEMETERY	127,450	124,838	102.09%
INTEREST	45,932	27,729	165.65%
AIRPORT	568,649	506,488	112.27%
TRANSFERS	2,466,253	2,315,000	106.53%
OTHER	132,724	152,974	86.76%
GOLF COURSES	1,512,152	1,534,798	98.52%
Total General Fund	29,386,963	27,075,726	108.54%
DIXIE CENTER OPERATIONS	$1,217,662	$739,468	164.67%
CDBG BLOCK GRANT FUND	$34,000	$35,476	95.84%
PARK IMPACT FUND	$851,039	$1,181,308	72.04%
STREET IMPACT FUND	$611,346	$506,608	120.67%
DRAINAGE IMPACT FUND	$272,359	$207,407	131.32%
FIRE DEPT IMPACT FUND	$122,247	$124,374	98.29%
POLICE DEPT IMPACT FUND	$53,133	$57,731	92.04%
WATER UTILITY FUND (w/ impact fees)	$11,169,747	$10,508,743	106.29%
WASTEWATER COLLECTION (w/impact fees)	$2,913,304	$3,048,888	95.55%
ELECTRIC UTILITY (w/impact fees)	$34,070,776	$34,550,010	98.61%
REGIONAL WASTEWATER (w/impact fees)	$2,971,291	$2,803,116	106.00%
SUNTRAN TRANSIT FUND	$673,216	$516,644	130.31%
TRANS. IMPROV. FUND	$2,692,296	$2,450,517	109.87%
REPLMNT AIRPORT FUND	$5,240	$0	#DIV/0!
SWITCHPOINT FUND	$173,896	$0	#DIV/0!
RAP TAX FUND	$8,430,575	$0	#DIV/0!

CITY OF ST. GEORGE, UT
MONTHLY COUNCIL REPORT
SIX MONTHS ENDED DEC. 31, 2015

		ADJUSTED EXPENSE BUDGET	REVENUE	EXPENDITURES	
10	GENERAL FUND (includes Golf Courses)	$61,175,048	$29,386,963	$26,483,789	43.29%
53 & 83	ELECTRIC FUND (includes impact)	$65,221,364	$34,070,776	$26,898,898	41.24%
51 & 81	WATER FUND (includes impact)	$19,842,351	$11,169,747	$9,068,437	45.70%
52 & 82	WASTEWATER COLLECT (includes impact)	$6,553,993	$2,913,304	$2,683,779	40.95%
62 & 86	WASTEWATER TREATMNT (includes impact)	$6,290,084	$2,971,291	$2,128,974	33.85%
32	CDBG BLOCK GRANT FUND	$463,000	$34,000	$321,720	69.49%
84	SALES TAX BOND - CAPITAL PROJ FUND	$6,140,692	$120	$2,913,572	47.45%
30	DIXIE CENTER OPERATIONS	$1,264,463	$1,217,662	$831,403	65.75%
40	CAPITAL EQUIPMENT FUND	$8,590,240	$20,358	$2,360,612	27.48%
87	PUBLIC WORKS CAPITAL PROJ FUND	$11,126,000	$204,795	$3,279,663	29.48%
88	REPLACEMENT AIRPORT CONST. FUND	$44,091	$5,240	$13,333	30.24%
44	PARK IMPACT FUND	$4,606,187	$851,039	$311,781	6.77%
45	STREET IMPACT FUND	$1,995,000	$611,346	$4,476	0.22%
47	DRAINAGE IMPACT FUND	$655,000	$272,359	$9,179	1.40%
48	FIRE IMPACT FUND	$2,500	$122,247	$929	37.15%
49	POLICE IMPACT FUND	$72,500	$53,133	$35,929	49.56%
64	SUNTRAN TRANSIT FUND	$1,982,805	$673,216	$826,195	41.67%
27	TRANSPORTATION IMPROV FUND	$6,249,500	$2,692,296	$305,720	4.89%
21	SWITCHPOINT RESOURCE CENTER	$803,551	$173,896	$374,670	46.63%
80	RAP TAX FUND	$9,084,599	$8,430,575	$1,380,672	15.20%

DRAFT

Agenda Item Number : **2A**

Request For Council Action

Date Submitted	2016-01-13 13:20:40
Applicant	C. Hood
Quick Title	Bid Award NPPG Purchasing Agreement
Subject	Loose Equipment and Hurst Extrication Equipment for Fire Department
Discussion	This purchase is through L.N. Curtis off the NPPG Intergovernmental Cooperative Purchasing Agreement which was previously approved by City Council on 12/03/2015o
Cost	$78,219.23
City Manager Recommendation	Recommend approval.
Action Taken	
Requested by	Robert Stoker/Fire
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	The list of equipment purchased will be under the approved budgeted amount.

DRAFT

Agenda Item Number : 2B

Request For Council Action

Date Submitted	2016-01-19 10:30:43
Applicant	Laurie Mangum
Quick Title	Substation Transformer Award of Bid
Subject	To request approval to award a bid for two new substation transformers pending review and approval by the Legal Department.
Discussion	SGESD is requesting approval of a bid submitted by Virgina Transformer Corp for the purchase of two substation transformers in the amount of $309,456 each for a total of $618,912.00. The delivery schedule is 18 - 20 weeks. The low bidder was $13,000 less, however, the deliver date was eight weeks longer.
Cost	$0.00
City Manager Recommendation	
Action Taken	
Requested by	
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	The transformers are needed as substations are reaching their maximum capacity level during peak periods of demand. The transformers allow the substations to maintain an acceptable capacity level at each substation.

DRAFT

Agenda Item Number : 2C

Request For Council Action

Date Submitted	2016-01-20 10:08:31
Applicant	Cameron Cutler
Quick Title	Agreement With JVIATION For Airport Services
Subject	JVIATION will provide engineering services including pavement preservation, airside, landside, runway rehab, design and construction for a parallel taxiway "B", safety area grading, additional rental car parking, design and construct an SRE building, and design and construct additional parking for the terminal building.
Discussion	
Cost	$0.00
City Manager Recommendation	
Action Taken	
Requested by	Shawn Guzman
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

DRAFT

Agenda Item Number : **3A**

Request For Council Action

Date Submitted	2016-01-11 12:01:16
Applicant	HETTSA Group, LLC
Quick Title	Public Hearing, Zone Change, and Ord From M&G to R-1-10
Subject	Consider a zone change request to rezone approximately 3.614 acres from M&G (Mining & Grazing) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) for â€˜Brookfield Estates Phase 2.â€™ The property is located at the logical extension of Shady Springs Drive (beginning at approx. 1069 W Shady Springs drive and extending approx. 420 feet).
Discussion	The property was recently annexed into the City and was part of the Tonaquint Area Land Use Plan. The Land Use Plan indicates the property as LDR and Church. The proposed zoning district is consistent with the surrounding properties and General Plan. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Gubler farm subdivision planned for 3.614 acres which was annexed recently. This zone change if approved would allow the subdivision to go forward. PC recommends approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

Zone Change

PLANNING COMMISSION AGENDA REPORT: **12/22/2015**
CITY COUNCIL SET DATE: **01/07/2016**
CITY COUNCIL MEETING: **01/21/2016**

ZONE CHANGE
Brookfield Estates Ph 3
Case No. 2015-ZC-038

Request: This is a request to consider a zone change from Mining and Grazing (M-G) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size).

Project Name: "Brookfield Estates Ph 3"

Owner: HETTSA Group, LLC

Representative(s): Mr. Steve Hall

Location: The property is generally located 1060 W Shady Springs Drive.

Acreage: 3.614 acres

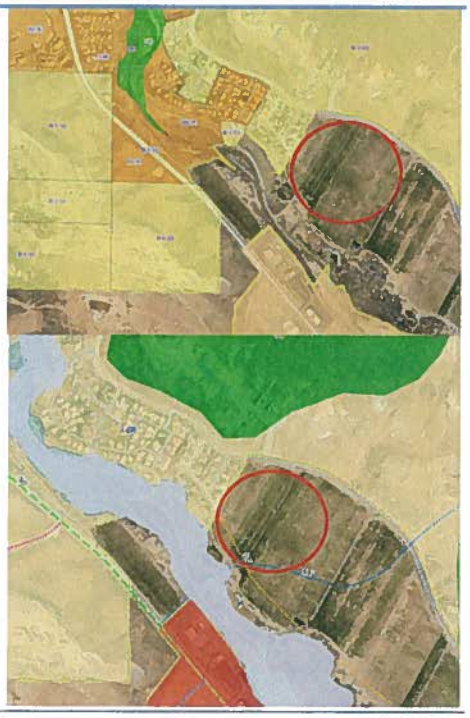
Existing Zoning: Mining and Grazing (M-G). The property was recently annexed into the City. Properties annexed into the city are given the Mining and Grazing zoning, which act as a holding zone.

Requested Zone: The applicant is requesting an R-1-10 zoning designation. If approved, the area will become an additional phase of Brookfield estates and could accommodate approximately 6 to 9 single family lots.

General Plan: LDR (Low Density Residential) (4 du/ac) and Church Site. The property is located in the Tonaquint Area Land Use Plan, which was approved in 2010. The City has completed land use plans for Areas located outside the City Boundaries, which are within the City Annexation Plan. The property was located outside the city limits, however, when annexed, the property became the land use designation that was established with the pre-land use plan. The master plan indicates a Church Site and LDR. The general location of churches are identified on the plan, however, are not specific for location. Any given church could work with a property owner and determine that location/demand for a church in a specific area.

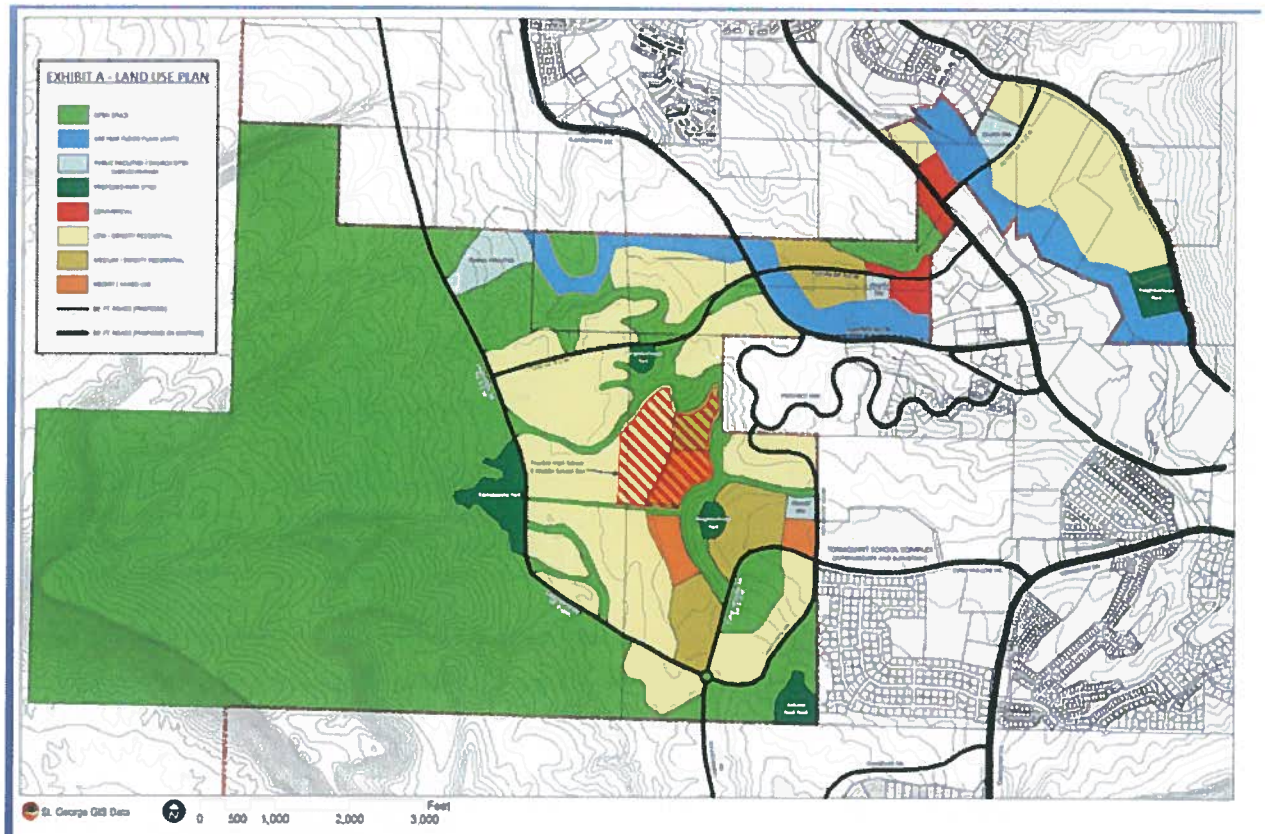
Adjacent zones: The property is adjacent to R-1-10 in the City and A-10 in the county.

Planning Commission: **PC recommends approval.**

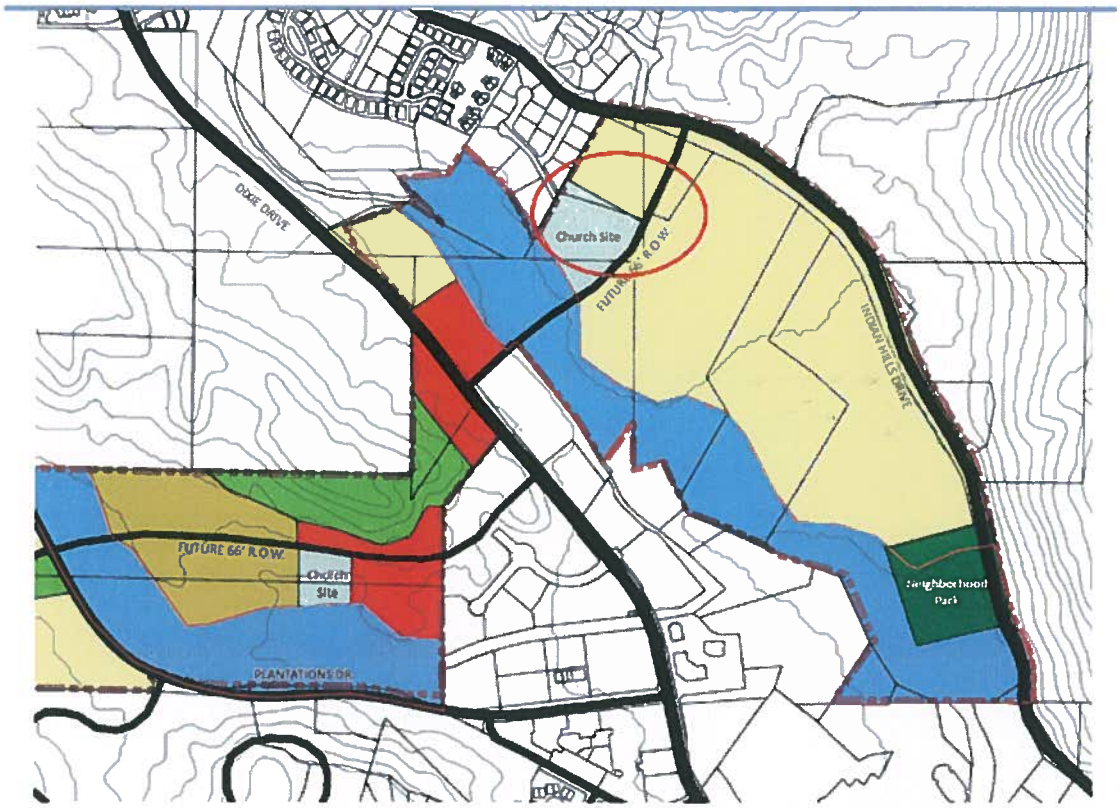


Zoning

General Plan

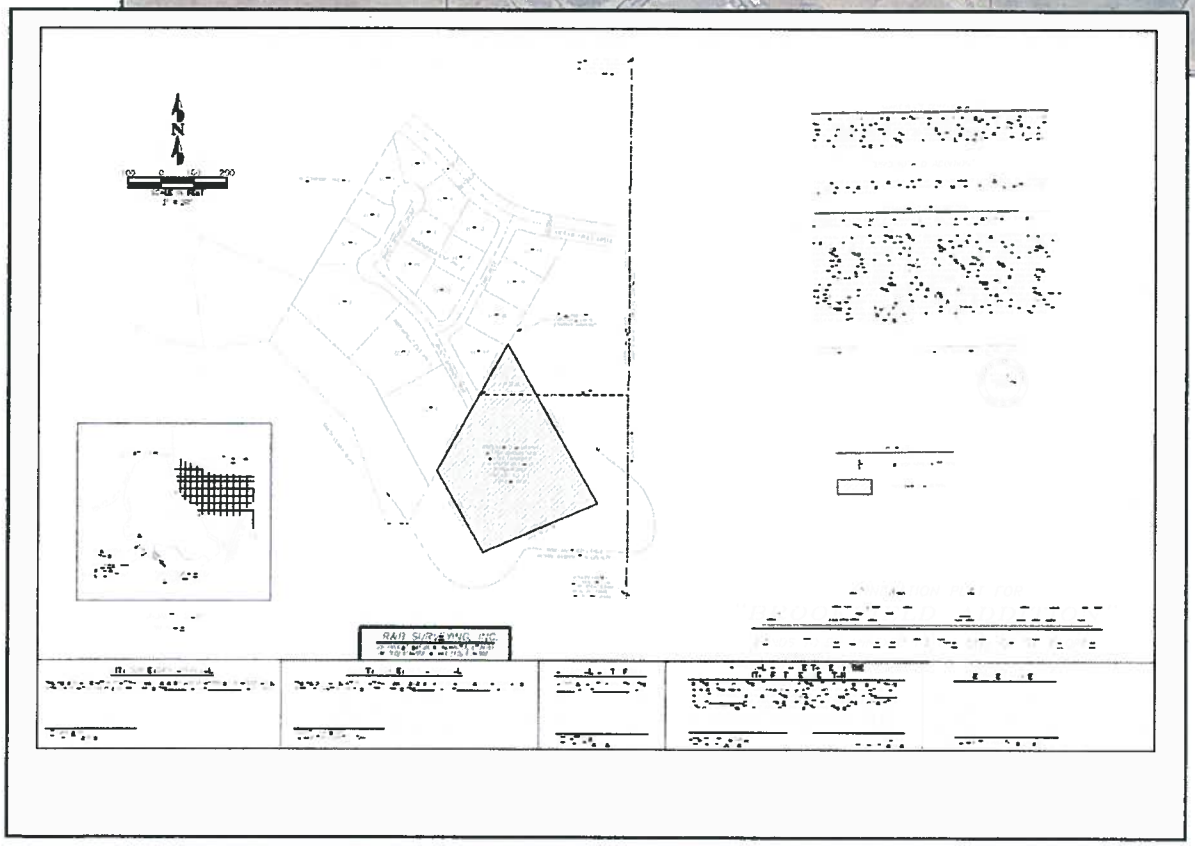


Tonaquint Master Plan


DIXIE DRIVE
Church Site
FUTURE 66' R.O.W.
INDIAN HILLS DRIVE
FUTURE 66' R.O.W.
Church Site
Neighborhood Park
PLANTATIONS DR.

S Straight

INDIAN FALLS DRIVE
SHADY SPRING DRIVE
AREA PROPOSED TO BE
ZONED AS
DOGIE DRIVE
SUNRISE


N

APPLICATION

CITY OF ST GEORGE
REC#: 0148[illegible] 12/03/2015 7:45 AM
TRAN: 150[illegible] PLANNING FEES
OPER: [illegible]
REF#: 104
ZC BROOKFIELD ESTATES PH 3
PLANNING FEES 630.70CR
TENDERED: 630.70 CHECK(S)
APPL TED: 630.70
CHANGE: 0.00

ZONE CHANGE
ALL ZONES (*EXCEPT PD*)
APPLICATION & CHECKLIST

APPLICATION FOR A ZONE CHANGE *EXCEPT* PD (PLANNED DEVELOPMENT)
AS PROVIDED BY THE CITY OF ST. GEORGE ZONING ORDINANCE
CITY OF ST. GEORGE, UTAH

I. PROPERTY OWNER(S) / APPLICANT & PROPERTY INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: HETTSA Group, LLC

MAILING ADDRESS: 20 N. Main, Suite 402, St. George, UT 84770

PHONE: _____ CELL: 435-862-2216 FAX: _____

APPLICANT: [redacted]
(If different than owner)
MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): hettsa.group@gmail.com

CONTACT PERSON / REPRESENTATIVE: [redacted]
(i.e. Developer, Civil Engineer, Arc
MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): _____

A general description of the property location is as follows: (Give approx. street address, general location etc., and attach a vicinity map or property plat showing the subject property and the surrounding areas.) Include a site plan suitable for presentations in public meetings. APN: 7508, Approximately 1060 W. Shady Springs Dr.

The Zone Change becomes effective on the hearing date if approved by the City Council.

***NOTE: NO FEE FOR ACREAGE REZONED TO OPEN SPACE.**

OFFICE STAFF USE ONLY

CASE #: 2015-ZC-038 FILING DATE: 12/3/15 RECEIVED BY: [signature] RECIEPT #: _____

***FEE: $500 (Filing fee and 1st acre) + $50.00 per ac for 2-100 ac and $25 per ac 101-500 and $10.00 per ac 501-plus**

3.614 500+(2.614x50) = 630.70

II. ADDITIONAL INFORMATION

Provide the following information: **(Attach additional sheets if necessary)**

1. What is the present zoning on the property? Mining and Grazing
2. What zone or zones are requested by this application? R-1-10
3. Is the zone change in harmony with the present City General Plan? Yes X No ____
   The property is adjacent to R-1-10.
4. If no, what does the City General Plan propose for the subject property? ____
   (If the application is not in harmony with the City General Plan, a General Plan Amendment hearing will be required prior to the zone change request. General Plan Amendment hearings are held four (4) times per year in January, April, July, and October. A General Plan Amendment application can be obtained from the Community Development Department or online at http://www.sgcity.org/comndev/forms.php)
5. Total acreage of proposed zone change: 3.614 acres
6. Are there deed restrictions against the property that might affect the requested zone change?
   Yes ____ No X
   A copy of the deed restrictions, if any, may be submitted in support of the application and shall be submitted if contrary to the request zone change.
7. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts?
   Yes ____ No X
   ***IF YES**, submit the Traffic Impact Study with the application for review by Traffic Engineering.*
   ***IF NO**, a Traffic Impact Study will be required (if determined necessary at Planning Staff Review) to be submitted with the application and reviewed prior to approval by the City Council.*
8. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes X No ____
   Please describe the projected demand for utility services: There will potentially be 6 residences on the property.

III. SUBMISSION CHECKLIST FOR ZONE CHANGE

(A COMPLETE ZONE CHANGE APPLICATION MUST BE SUBMITTED A MINIMUM OF 3 WEEKS PRIOR TO THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING)

Development/Project Name Brookfield Estates Phase 3
(Project name must be previously approved by the Washington County Recorder & City Planning Department)
Developer/Property Owner HETTSA Group, LLC Phone No. ____
Contact Person/Representative Steven Hall Phone No. 435-862-2216
Licensed Surveyor Roger Bundy Phone No. 435-632-3540

ZONE CHANGE PROCEDURE

Step #1 **Meet with Planning Staff Review (PSR) – Meets every Tuesday at 8:30 a.m. Call Community Development at 627-4206 to be scheduled for this meeting.**
Note: Call at least one day in advance to schedule.

Step #2 **Document Submission Checklist***

Legal Description Documents:
Submit the following documents: (These documents must be prepared by a licensed surveyor)

- ✓ 1. Described bearings on all documents must be rotated to HCN;
- ✓ 2. Legal description prepared on 8-1/2" x 11" sheet and signed by a licensed Surveyor;
- ✓ 3. Minimum size 8-1/2" x 11" graphical representation of Survey Boundary;
- ✓ 4. Legal description and Surveyed Site Plan (Record of Survey) drawing in DWG format on a CD for the GIS Department;
- ✓ 5. 24"x36" Surveyed Site Plan (Record of Survey) drawing sheet(s) for meeting exhibit

Other Submission Documents:

- ✓ 6. This Zone Change application form completed and signed;
- ✓ 7. Appropriate** Filing Fee: **$500 (filing fee and 1st acre) + $50.00 per acre for 2-100 acre and $25 per acre 101-500 and $10.00 per acre 501-plus**
- ✓ 8. County ownership plat with boundary of zone change outlined;
- ✓ 9. List of property owners within 500' and two sets of mailing labels;
- ✓ 10. Site Plan – minimum size 24" x 36" (Arch D). Colored site plans are preferred;
- ✓ 11. 8-1/2" x 11" reduction of the site plan;
- ✓ 12. CD with the above images in JPEG, BMP, TIFF or PDF format.

* ***Note: This application will be considered incomplete without the above documents***

** ***Note: There is NO FEE for acreage rezoned to open space***

Step #3 Planning Commission and City Council Hearings

Planning Commission usually meets the 2nd and 4th Tuesday of the month at 5:00 p.m. All applications, the legal description and surveyed site plan drawing (Record of Survey) must be complete and submitted at least 3 weeks prior to the meeting. Incomplete or inaccurate applications **will not** be accepted or scheduled. City Council sets a public hearing date after a recommendation for approval from the Planning Commission, and then there is a 14-day advertising period prior to the public hearing.

Hearing Dates:

Planning Commission 12/22/15
City Council Set Date 1/7/15
City Council Hearing Date 1/21/15
Council Action

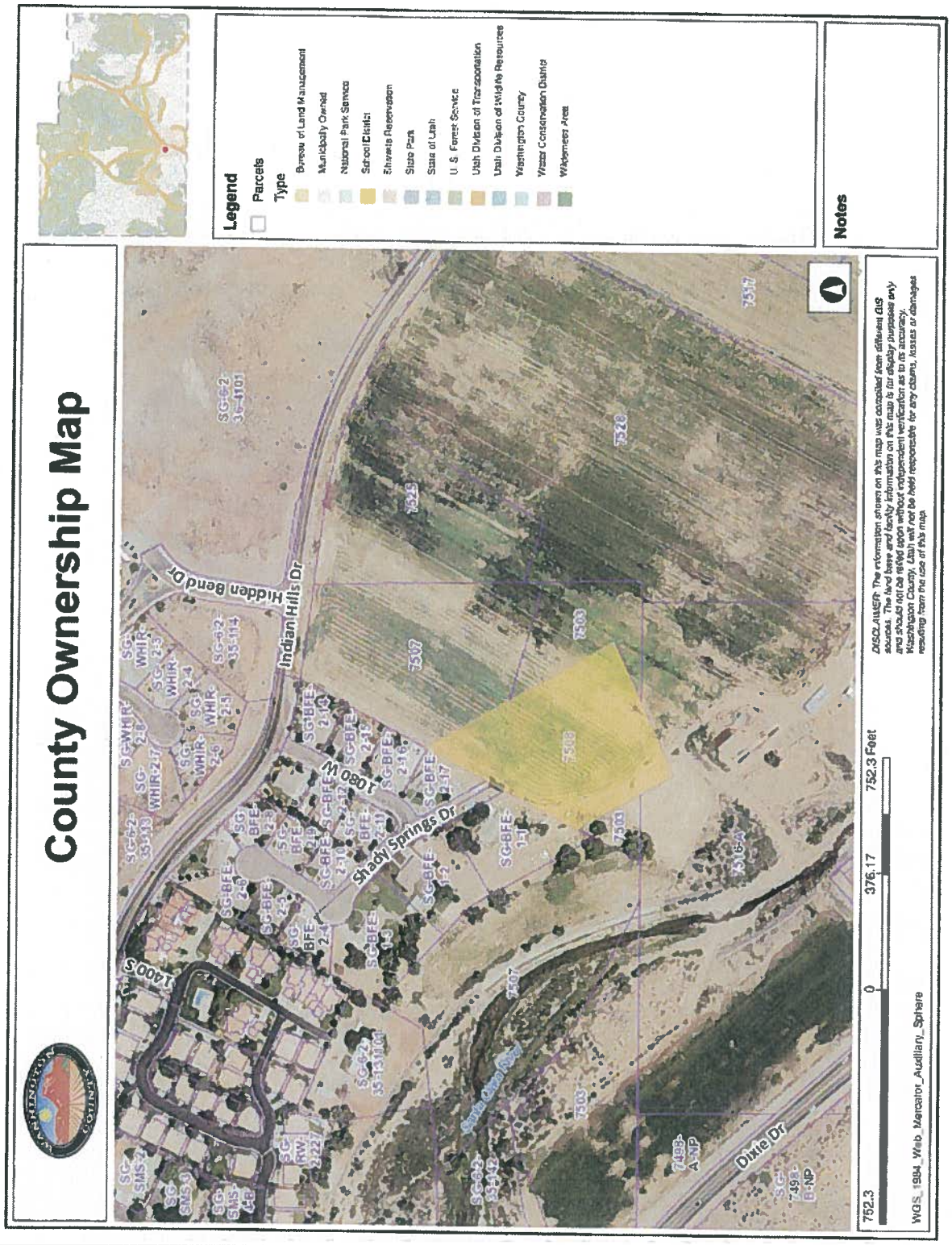
Filing Fee: $500 (filing fee and 1st acre) + $50.00 per acre for 2-100 acre and $25 per acre 101-500 and $10.00 per acre 501-plus • There is NO FEE for acreage rezoned to Open Space

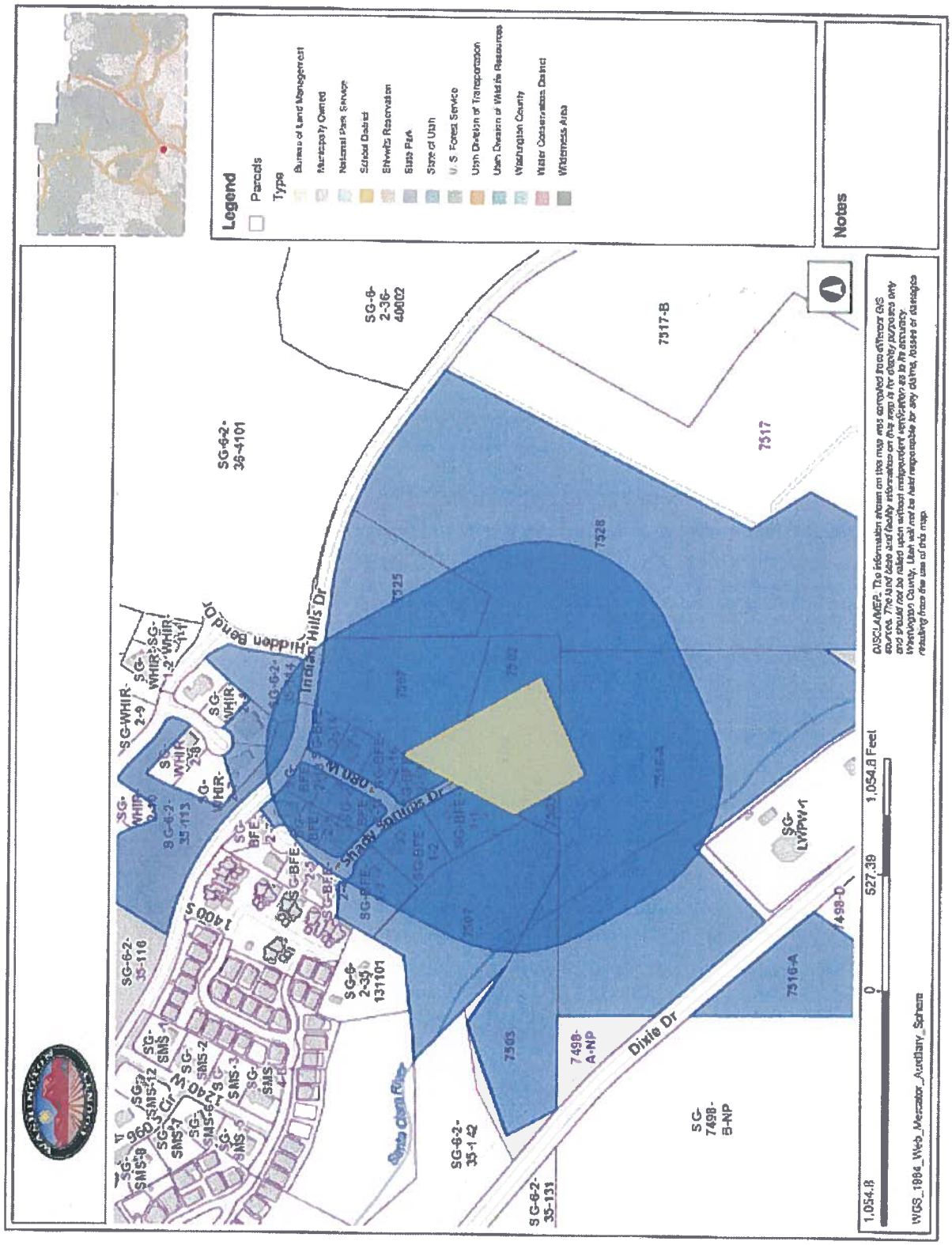
IV. APPLICANT AGREEMENT

We the undersigned applicant(s) _____
(is)(are) the owner(s) _____
or (agent) of the following legally described property and **request the zone change as described above.** (Exact legal description and surveyed site plan (Record of Survey) drawing prepared and stamped by licensed surveyor, and/or property ownership plat must accompany application and must be attached hereto **along with the legal description and the surveyed site plan (Record of Survey) drawing in DWG format on CD.**) The legal description, if separated from the surveyed site plan (Record of Survey) drawing, must be stamped, signed, and dated, and have a firm name or surveyor's name address and phone number. **Note:** Surveyed Site Plan (Record of Survey) drawing and legal description shall comply with the pertinent subdivision Final Plat Checklist requirements.

Stan B. Hall Signature	20 N. Main Suite 402, St. George UT 84770 Address
Signature	Address
Signature	Address

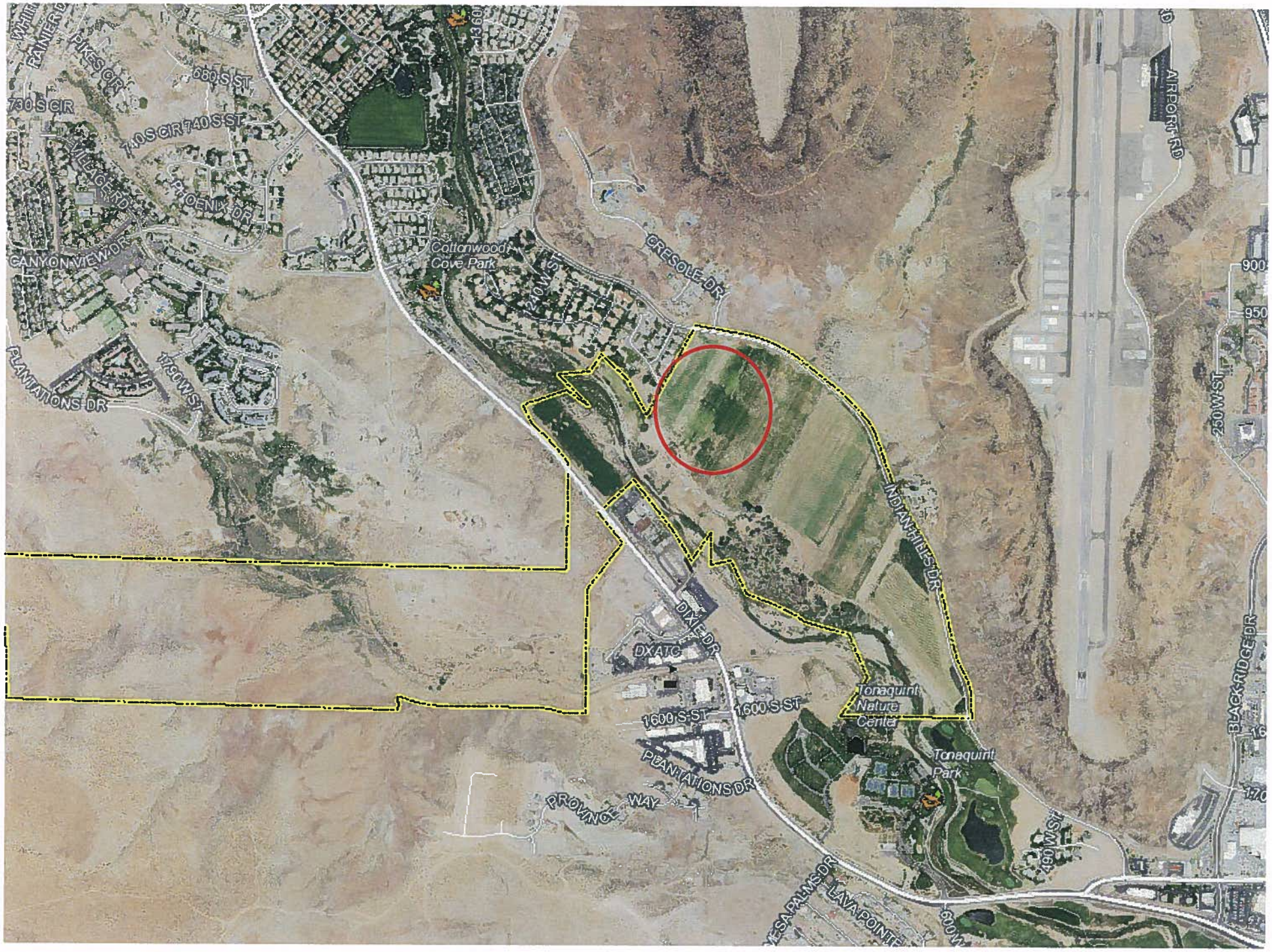
Attach additional sheets if necessary for additional owners.


County Ownership Map
Legend
Parcels
Type
Bureau of Land Management
Municipality Owned
National Park Service
School District
Shivwits Reservation
State Park
State of Utah
U.S. Forest Service
Utah Division of Transportation
Utah Division of Wildlife Resources
Washington County
Water Conservation District
Wilderness Area
Notes
Hidden Bend Dr
Indian Hills Dr
Shady Springs Dr
1400 S
1080 W
Dixie Dr
752.3
0
376.17
752.3 Feet
WGS_1984_Web_Mercator_Auxiliary_Sphere

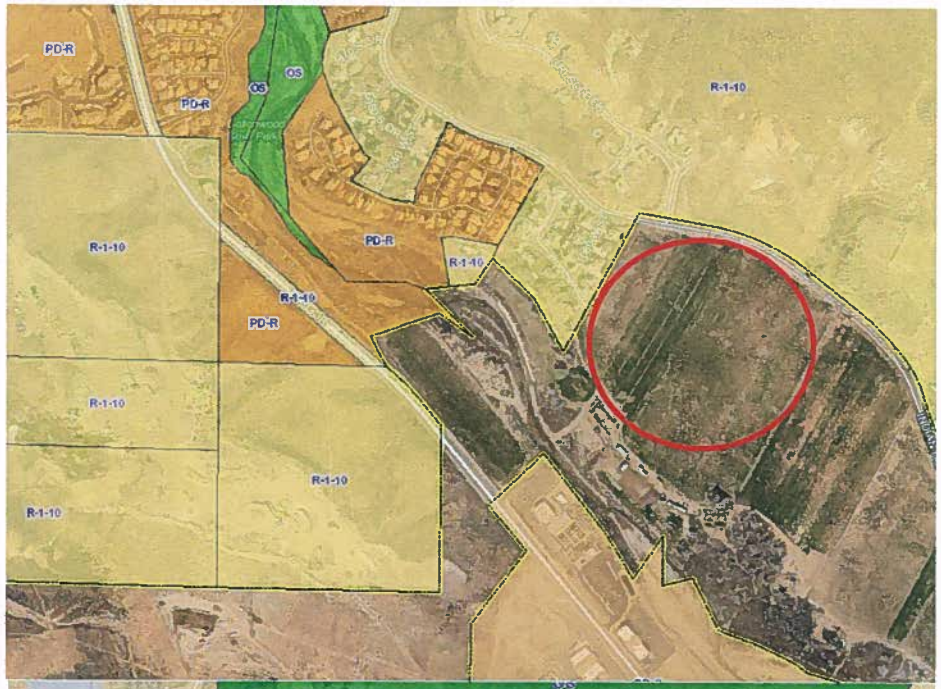

Legend
Parcels
Type
Bureau of Land Management
Municipally Owned
National Park Service
School District
Shivwits Reservation
State Park
State of Utah
U.S. Forest Service
Utah Division of Transportation
Utah Division of Wildlife Resources
Washington County
Water Conservancy District
Wilderness Area
Notes
DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land data and facility information on this map is for county purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.
1,054.8 Feet
0
527.39
1,054.8 Feet
WGS_1984_Web_Mercator_Auxiliary_Sphere
SG-6-2-35-4101
SG-6-2-35-113
SG-6-2-35-116
SG-6-2-35-142
SG-6-2-35-131
SG-6-2-35-144
SG-6-2-40002
SG-6-2-131101
SG-7498-B-NP
7498-A-NP
7498-D
7503
7316-A
7317-B
7317
7328
7325
7307
7302
Indian Hills Dr
Shady Spruce Dr
Dixie Dr
Santa Clara River
1400 S
1240 W
SG-WHIR-2-9
SG-WHIR-2-8
SG-WHIR-1-2
SG-WHIR-4-1
SG-BFE
SG-SMS-1
SG-SMS-2
SG-SMS-3
SG-SMS-4
SG-SMS-5
SG-SMS-6
SG-SMS-7
SG-SMS-8
SG-SMS-9
SG-SMS-12
SG-LVPW-1

Brookfield Estates Ph 3 2015-ZC-038

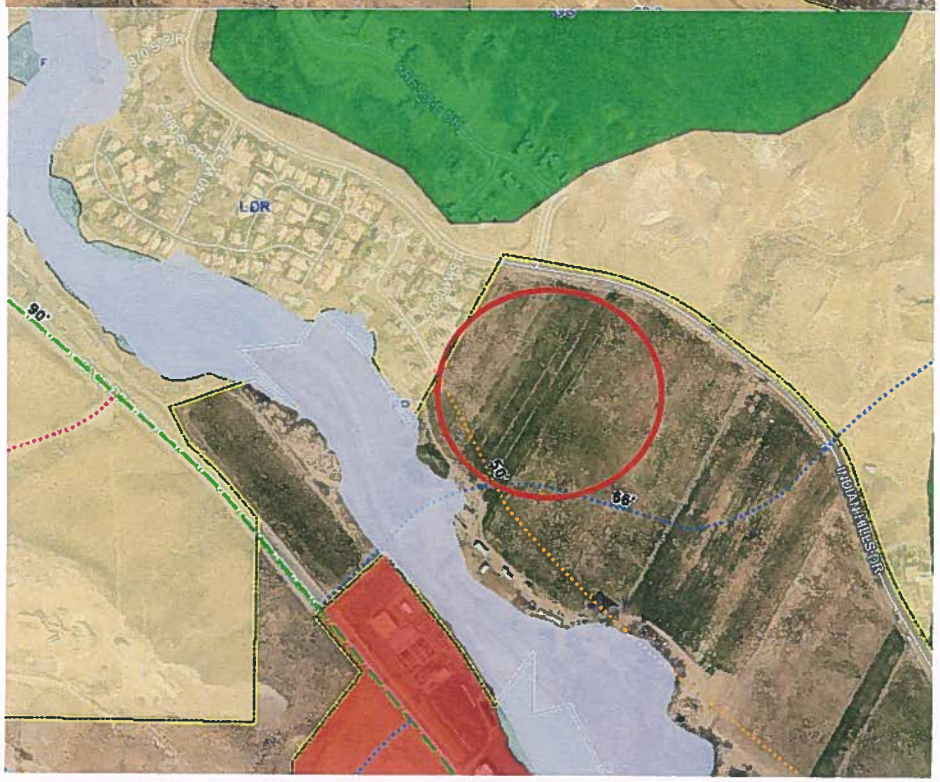
Mining and Grazing to R-1-10

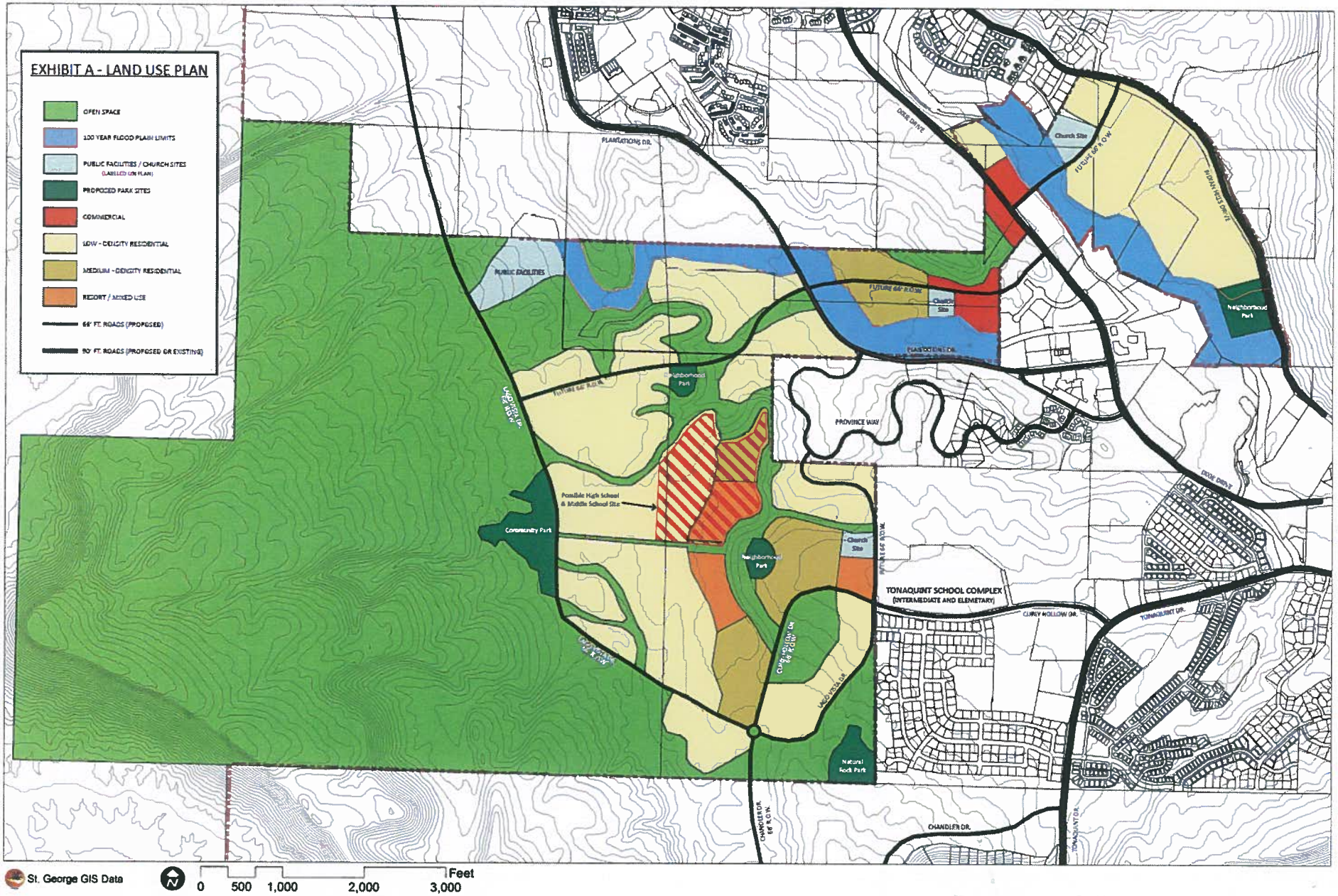

RAINER RD
PIKES CIR
680 S ST
730 S CIR
740 S CIR
740 S ST
VILLAGE RD
PHOENIX DR
CANYON VIEW DR
PLANTATIONS DR
1750 W ST
Cottonwood Cove Park
CRESOLE DR
INDIAN HILLS DR
DIXIE DR
DXATC
1600 S ST
1600 S ST
PLANTATIONS DR
PROVINCE WAY
Tonaquint Nature Center
Tonaquint Park
480 W ST
600 W
LAVA POINTE
AIRPORT RD
250 W ST
BLACK RIDGE DR
900
950

Zoning



General Plan

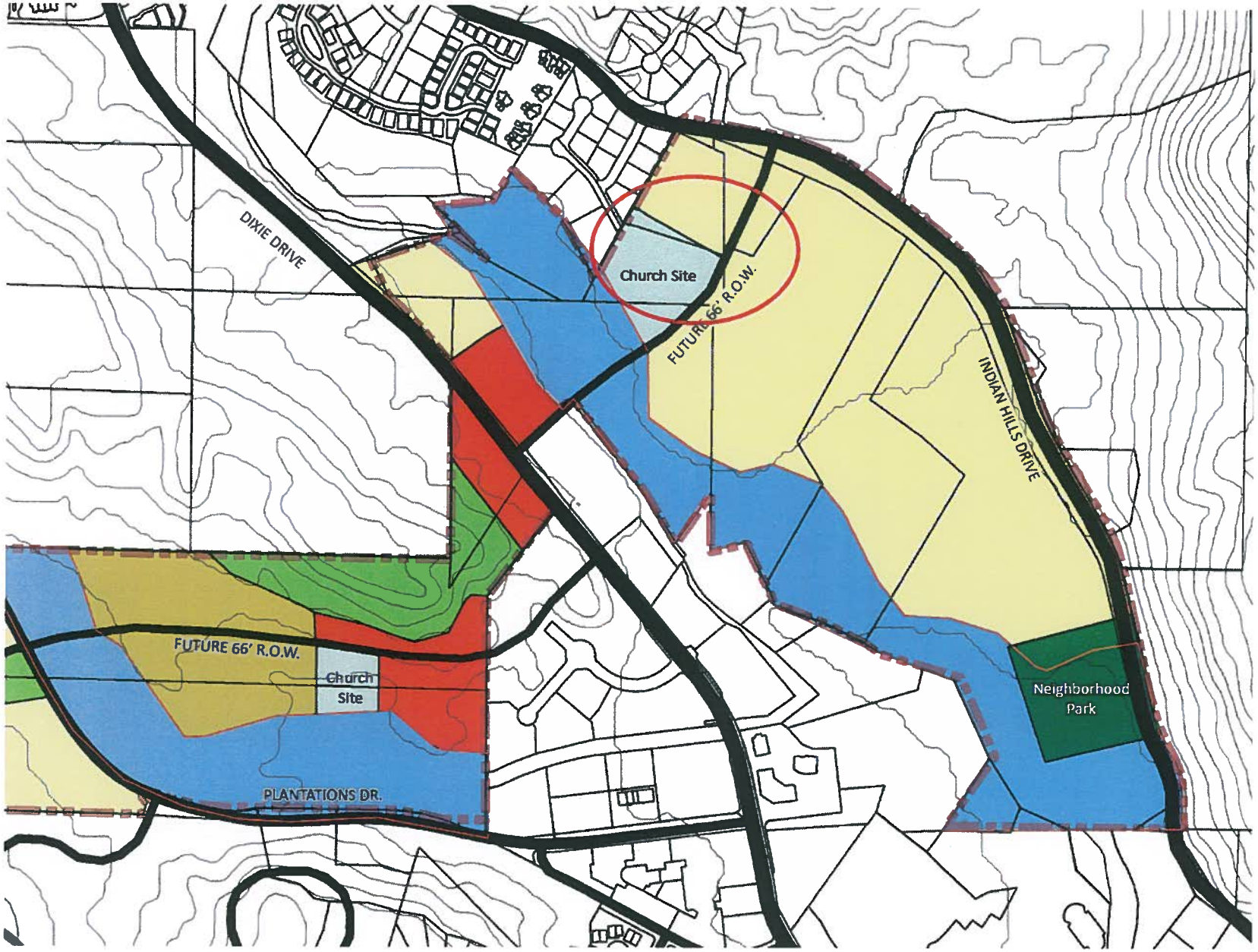


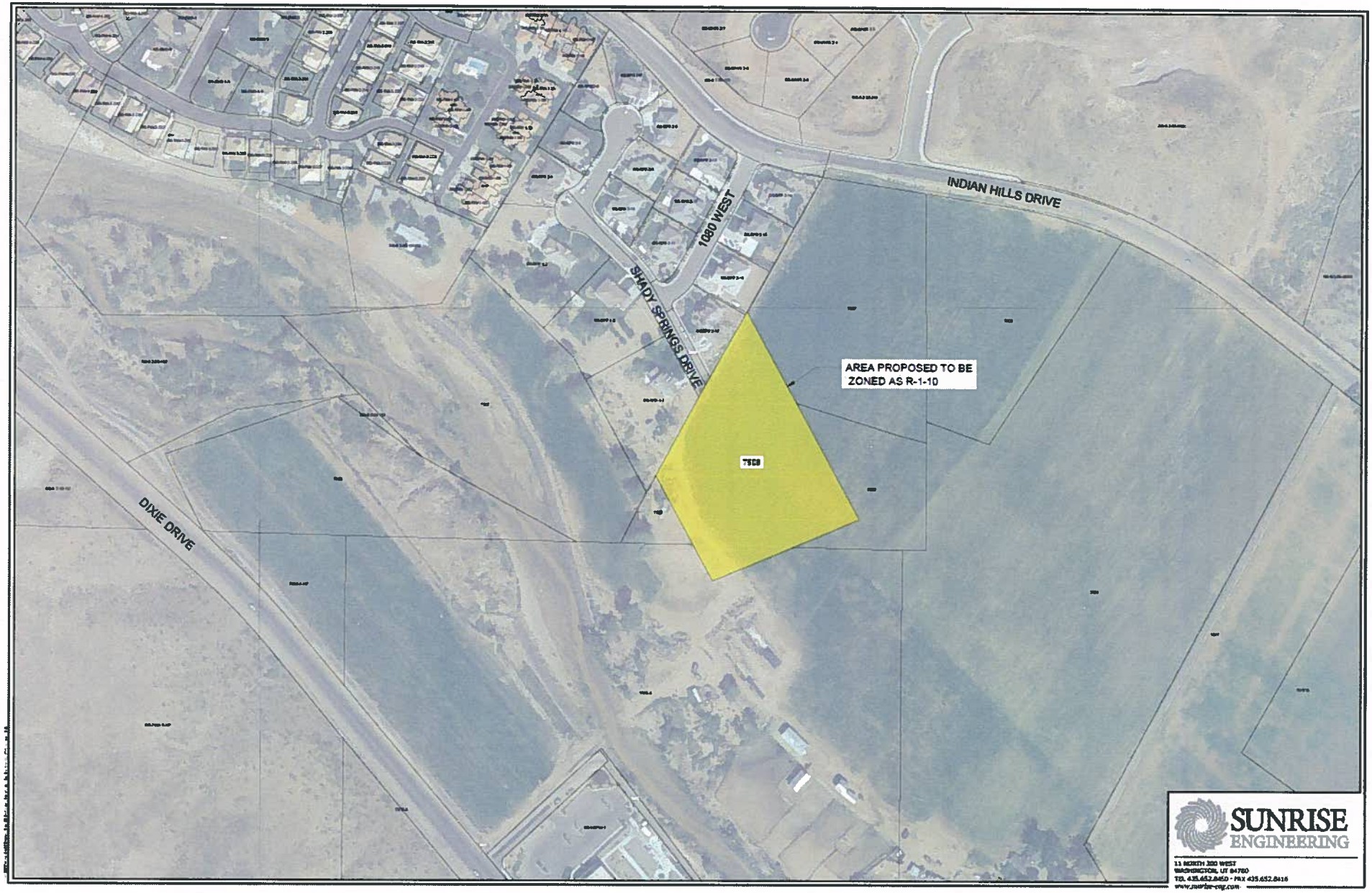


St. George GIS Data

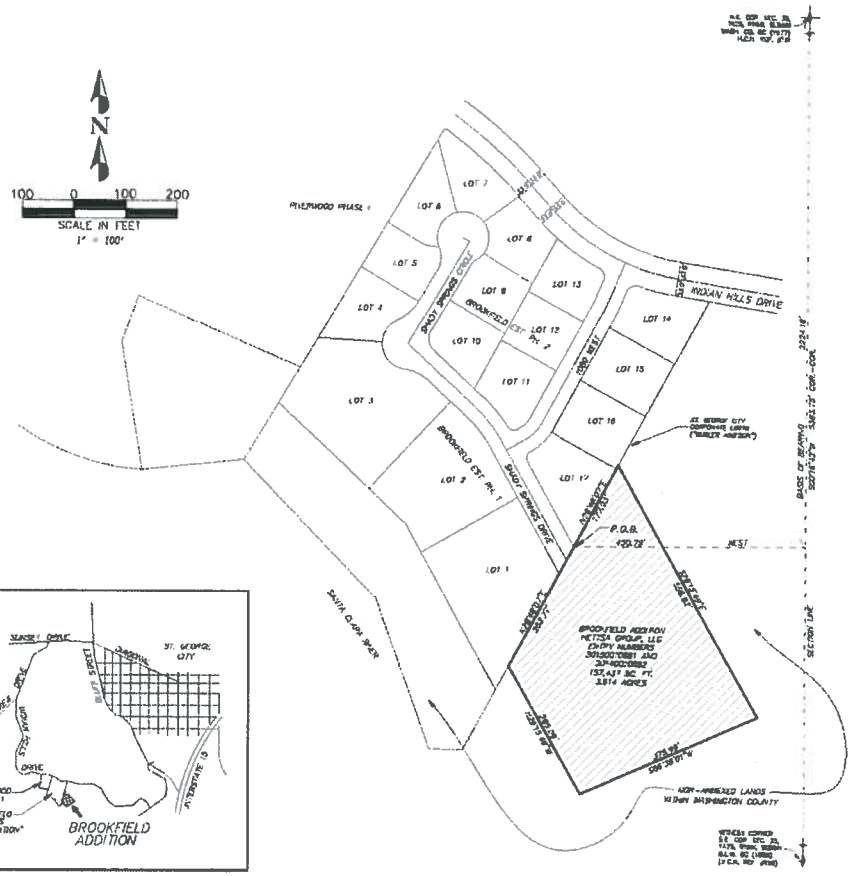
0 500 1,000 2,000 3,000 Feet

Tonaquint Master Plan


DIXIE DRIVE
Church Site
FUTURE 66' R.O.W.
INDIAN HILLS DRIVE
FUTURE 66' R.O.W.
Church Site
Neighborhood Park
PLANTATIONS DR.



Proposed Zoning



VICINITY MAP
NO SCALE

SURVEYOR'S CERTIFICATE

I, ROGER M. BLANDY, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NUMBER 7654 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS MAP CORRECTLY REPRESENTS LANDS TO BE ADDED TO THE CORPORATE LIMITS OF THE CITY OF ST. GEORGE, WASHINGTON COUNTY UTAH, AND IS TO BE KNOWN HEREAFTER AS:

"BROOKFIELD ADDITION"

SAID LANDS LYING IN AND BEING A PART OF THE NORTHEAST 1/4, SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDARY DESCRIPTION

PORTIONS OF LOTS 1 AND 2, OF BLOCK 3, OF O.D. MacARTHUR'S ENTRY AND SURVEY, ACCORDING TO THE RECORDED PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF THE "CUSLER ADDITION" ANNEXATION FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT NO. 917208, SAID POINT BEING S00°19'43"W 2324.16 FEET ALONG THE SECTION LINE, AND WEST 450.78 FEET FROM THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING THE SOUTHERLY CORNER OF LOT 17 OF "BROOKFIELD ESTATES SUBDIVISION PHASE 1" FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT NO. 20141.1, RUNNING THENCE N26°18'07"E 177.93 FEET ALONG THE EASTERLY BOUNDARY OF SAID SUBDIVISION, THENCE S73°15'49"E 326.82 FEET, THENCE S00°19'43"W 373.99 FEET, THENCE N23°15'49"W 385.09 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE "CUSLER ANNEXATION", SAID POINT ALSO BEING ON THE EASTERLY LINE OF LOT 1 OF "BROOKFIELD ESTATES SUBDIVISION PHASE 1" FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT NO. 638831, THENCE N26°18'07"E 262.77 FEET ALONG THE EASTERLY BOUNDARY OF "BROOKFIELD ESTATES PHASE 1" AND THE BOUNDARY OF "BROOKFIELD ESTATES PHASE 1" TO THE POINT OF BEGINNING, CONTAINING 137,637 SQ. FT. OR 3.814 ACRES.

DATE

ROGER M. BLANDY – P.L.S. NO. 7654

RECORDED LAND SURVEYOR 7654 ROGER M. BLANDY STATE OF UTAH

LEGEND

SECTION MONUMENTATION

BROOKFIELD ADDITION

ANNEXATION PLAT FOR "BROOKFIELD ADDITION"

LANDS TO BE ANNEXED TO THE CITY OF ST. GEORGE

R&B SURVEYING, INC.
257 PACULTY PLAT DR • WASHINGTON, UT 84780
PH: (435) 673-2916 • FAX: (435) 673-2916

CITY SURVEYOR'S APPROVAL

THE HEREON ANNEXATION PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE THE _____ DAY OF _____, A.D. 20__.

CITY SURVEYOR
CITY OF ST. GEORGE

COUNTY SURVEYOR'S APPROVAL

THE HEREON ANNEXATION PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE THE _____ DAY OF _____, A.D. 20__.

COUNTY SURVEYOR
WASHINGTON COUNTY, UTAH

APPROVAL AS TO FORM

APPROVED AS TO FORM, THIS THE _____ DAY OF _____, A.D. 20__.

CITY ATTORNEY
CITY OF ST. GEORGE

APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH

WE, THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE HEREON "BROOKFIELD ANNEXATION" AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORDED IN THE MINUTES OF ITS MEETING OF THE _____ DAY OF _____, A.D. 20__, HEREBY ACCEPT SAID "BROOKFIELD ANNEXATION" WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.

ATTEST: CITY RECORDER
CITY OF ST. GEORGE

MAYOR
CITY OF ST. GEORGE

RECORDED NUMBER

WASHINGTON COUNTY RECORDER

S Shady Springs
CHEVROLET

2012
S Indian Hills Dr

ORDINANCE NO._____

AN ORDINANCE AMENDING THE CITY ZONING MAP BY CHANGING THE ZONE FROM MINING AND GRAZING (M-G) TO R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQ. FT. MINIMUM LOT SIZE) ON APPROXIMATELY 3.614 ACRES

WHEREAS, the property owner has requested a zone change on 3.614 acres from Mining and Grazing (M-G) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size); and

WHEREAS, the City Council held a public hearing on this request on January 21, 2016; and

WHEREAS, the Planning Commission held a public hearing and recommends approval of the requested zone change; and

WHEREAS, the City Council has determined that the requested change to the Zoning Map is justified at this time and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to reflect the zone change from M-G to R-1-10 on 3.614 acres generally located at 1060 West Shady Springs Drive and more specifically described on the attached property legal description, Exhibit "A." The project must comply with all conditions, requirements, and restrictions as approved by City Council

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 21st day of January, 2016.

_____
Jonathan T. Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

Exhibit "A"

LEGAL DESCRIPTION FOR ZONE CHANGE APPLICATION
HETTSA GROUP, LLC - APPLICANT
(INCLUDES BROOKFIELD ANNEXATION PROPERTIES ANNEXED TO CITY OF ST. GEORGE)

PORTIONS OF LOTS 1 AND 2, OF BLOCK 3, OF D.D. McARTHUR'S ENTRY AND SURVEY, ACCORDING TO THE RECORDED PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF THE "GUBLER ADDITION" ANNEXATION FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT NO. 517358, SAID POINT BEING S00°16'42"W 2224.18 FEET ALONG THE SECTION LINE, AND WEST 450.79 FEET FROM THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING THE SOUTHERLY CORNER OF LOT 17 OF "BROOKFIELD ESTATES SUBDIVISION PHASE II" FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT NO. 724413, RUNNING THENCE N28°48'07"E 177.93 FEET ALONG THE EASTERLY BOUNDARY OF SAID SUBDIVISION; THENCE S29°15'49"E 556.82 FEET; THENCE S66°38'01"W 375.99 FEET; THENCE N29°15'49"W 285.09 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE "GUBLER ANNEXATION", SAID POINT ALSO BEING ON THE EASTERLY LINE OF LOT 1 OF "BROOKFIELD ESTATES SUBDIVISION PHASE 1" FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT NO. 656621; THENCE N28°48'07"E 262.77 FEET ALONG THE EASTERLY BOUNDARY OF "BROOKFIELD ESTATES PHASE 1" AND THE BOUNDARY OF "BROOKFIELD ESTATES PHASE 1" TO THE POINT OF BEGINNING. CONTAINING 157,437 SQ. FT. OR 3.614 ACRES.

PREPARED BY
R&B SURVEYING, INC.
ROGER M. BUNDY, PLS 7654

STATE OF UTAH
11/27/15
No. 7654
ROGER M.
BUNDY
REGISTERED LAND SURVEYOR

DRAFT

Agenda Item Number : **3B**

Request For Council Action

Date Submitted	2016-01-11 11:45:45
Applicant	Development Solutions Group Inc
Quick Title	Public Hearing, Zone Change, and Ord From A-1 to R-1-10
Subject	Consider a zone change request to rezone approximately 4.62 acres from A-1 (Agriculture) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) for â€˜The Arbors 2.â€™ The property is located at the southeast corner of the intersection at 3589 South and 3000 East Street.
Discussion	The applicant is requesting R-1-10, in order to build a single family residential subdivision. The request is similar to adjacent zones, as well as, meets the General Plan for the property. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Meets the General Plan and Planning Commission recommends approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

Zone Change

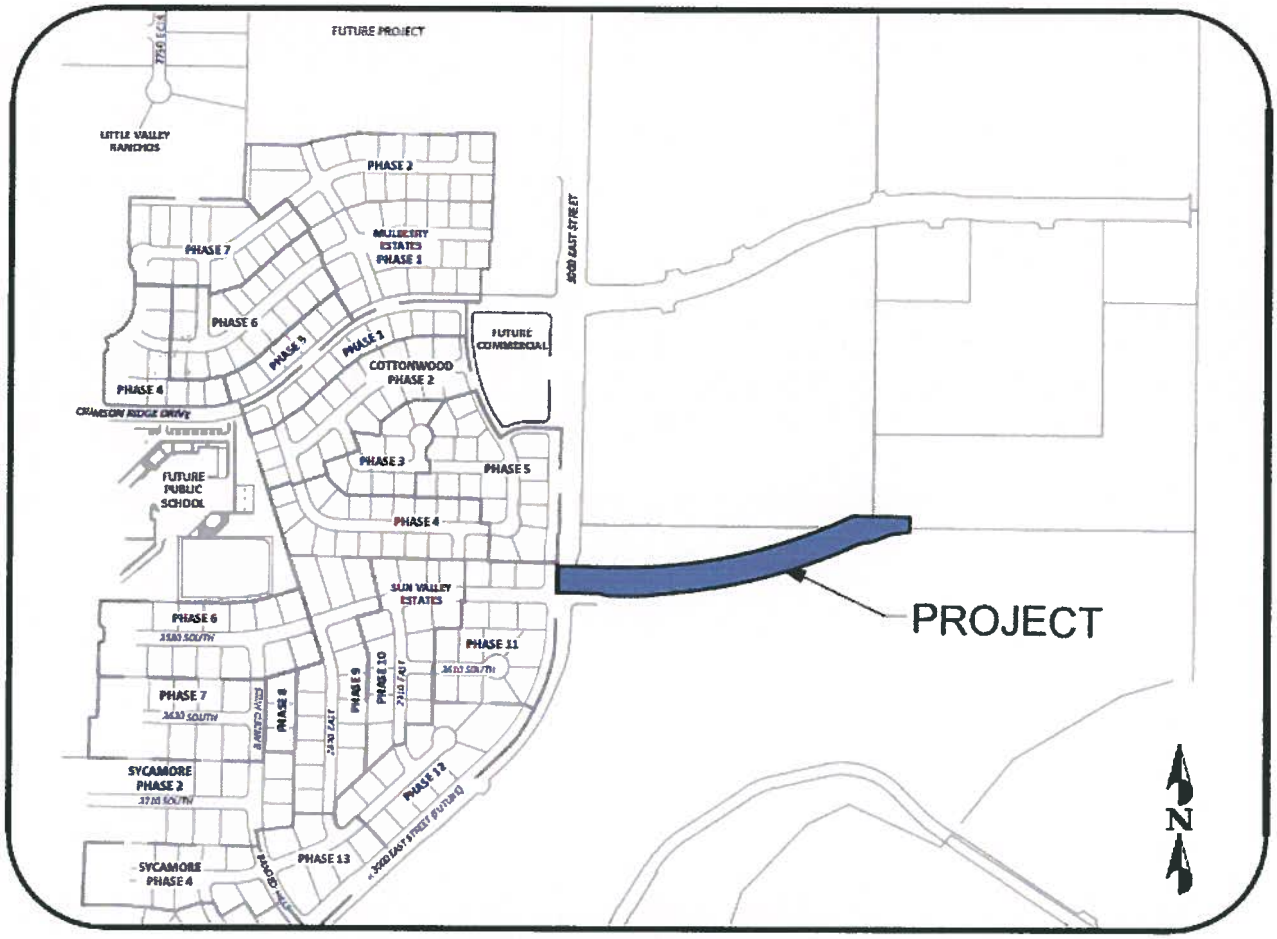
PLANNING COMMISSION AGENDA REPORT:	**12/22/2015**
CITY COUNCIL SET DATE:	**01/07/2016**
CITY COUNCIL MEETING:	**01/21/2016**

ZONE CHANGE AMENDMENT
The Arbors 2
Case No. 2015-ZC-036

Request:	This is a zone change request to change from A-1 (Agriculture) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on 4.62 acres.
Project Name:	The Arbors 2
Owner:	Quality Development LLC
Applicant:	Development Solutions Group Inc
Representative:	Mr. Brad Petersen, Development Solutions Group Inc
Location:	Located at the south east corner of the intersection 3580 South and 3000 East Street. The property runs along the south side of the logical extension of 3580 South Street.
APN:	SG-5-3-15-131
Acreage:	4.62 acres (201,247.20 sq. ft.)
General Plan:	LDR (Low Density Residential)
Existing Zoning:	The existing zoning is A-1 (Agriculture)
Adjacent Zoning:	North = R-1-10 South = A-1 West = R-1-10 East = Existing A-1 (ZC application in process for R-1-8)
Ordinance:	This project is submitted for review in compliance with Section 10-1-11.

Comments: At the December 22nd Planning Commission meeting, this item required 40 minutes of review because approximately 20 residents (*parents and children*) attended to speak and advocate a mountain bike riding park for youth be created in the Little Valley area. Discussions included community growth, general plan, zoning, parks, private property rights, liability, and insurance issues. The Parks Department has been made aware of this matter and was provided contact information for the interested residents who spoke.

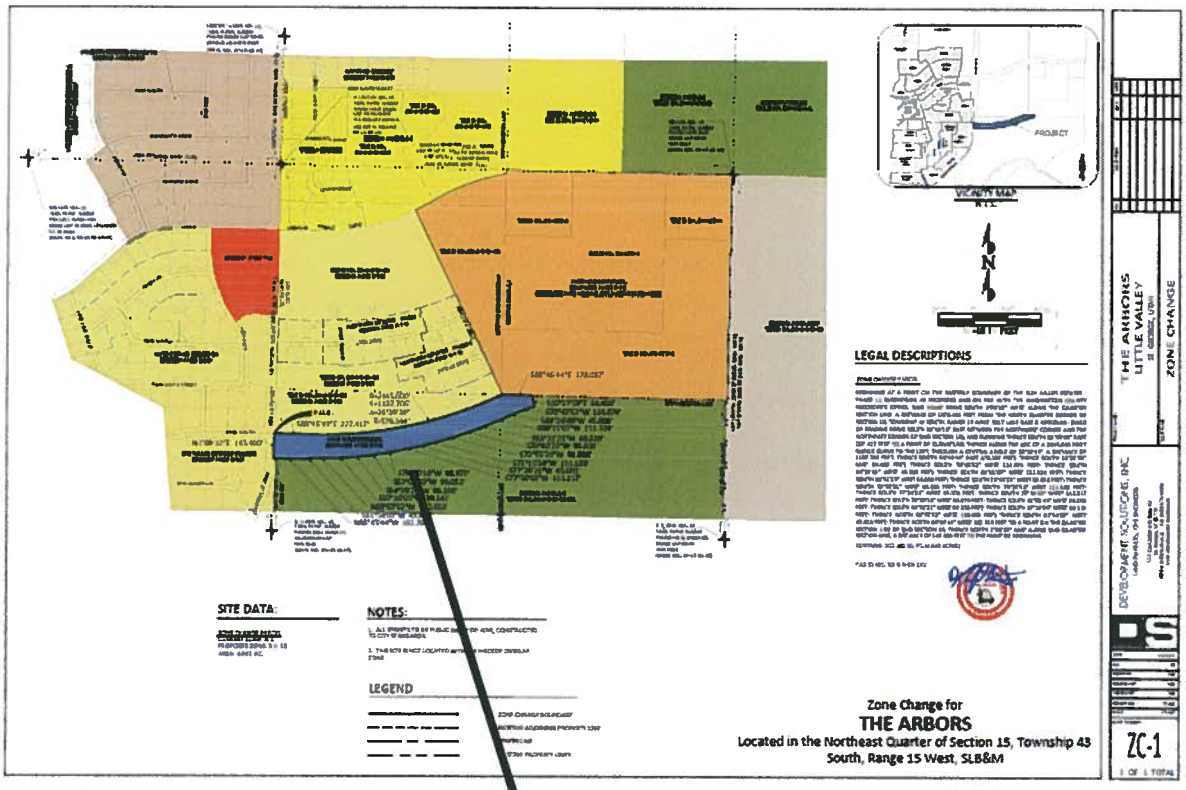
P.C.: The Planning Commission recommends approval to rezone 4.62 acres from A-1 to R-1-10 located in Little Valley area along the south side of the logical extension of 3580 South Street; located at the south east corner of the intersection 3580 South and 3000 East Street.

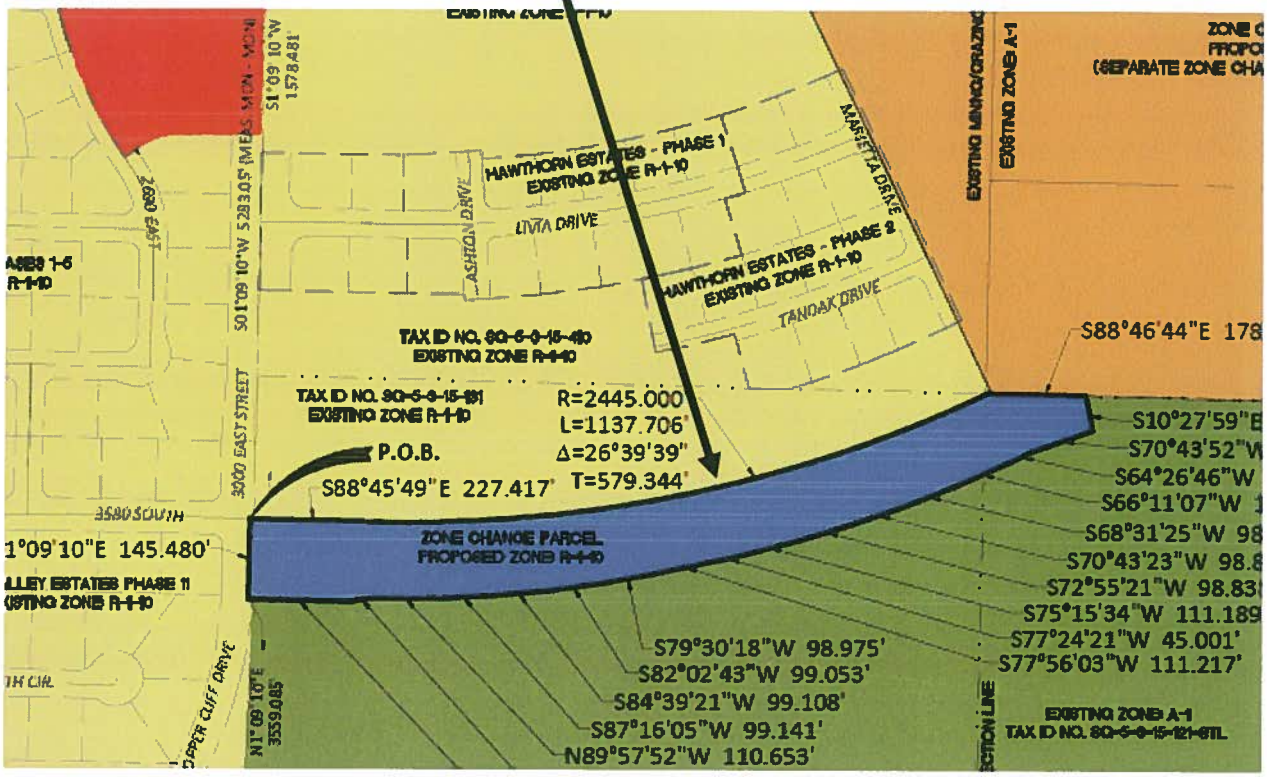


VICINITY MAP

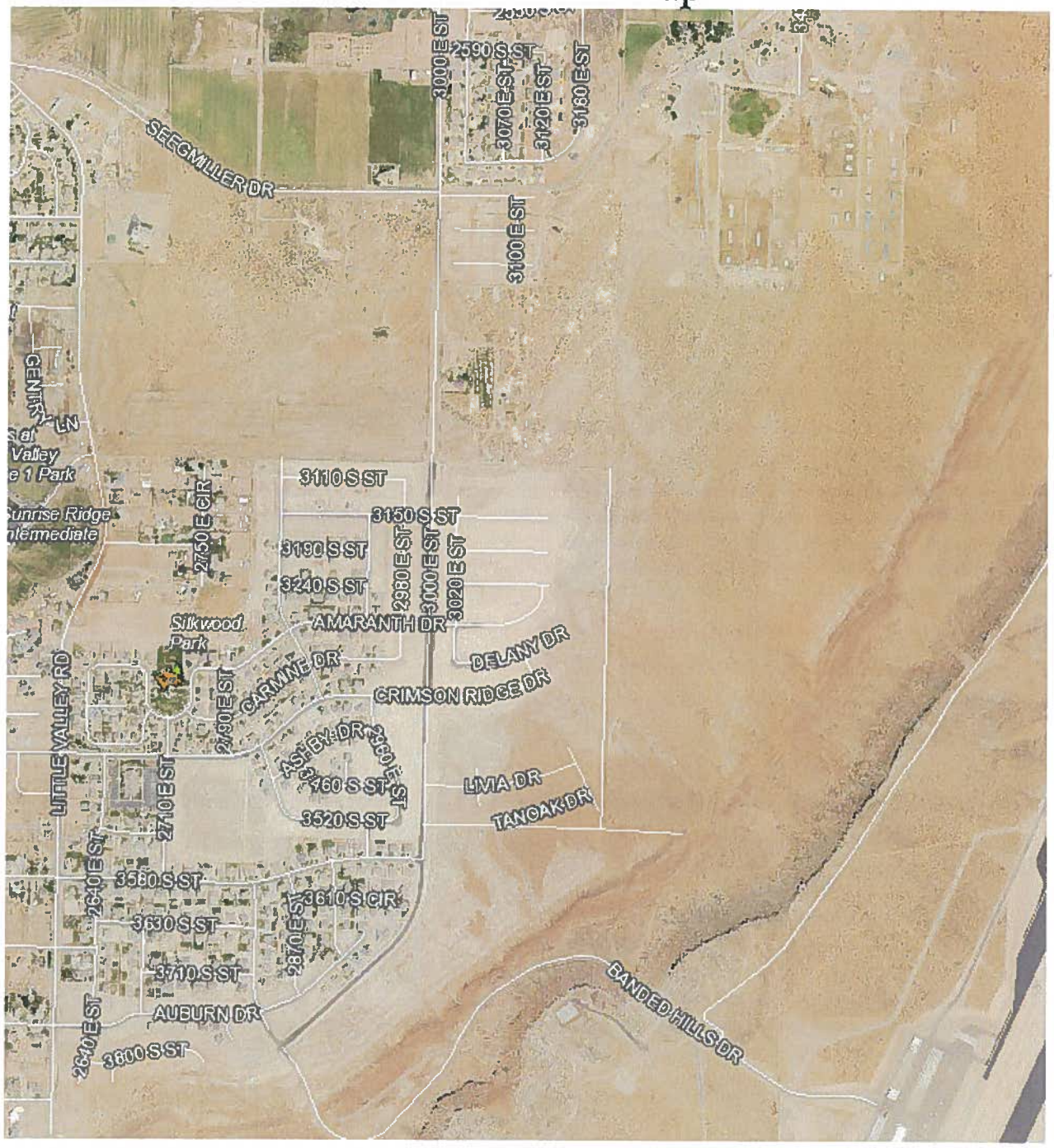
N.T.S.

Zone Change Request

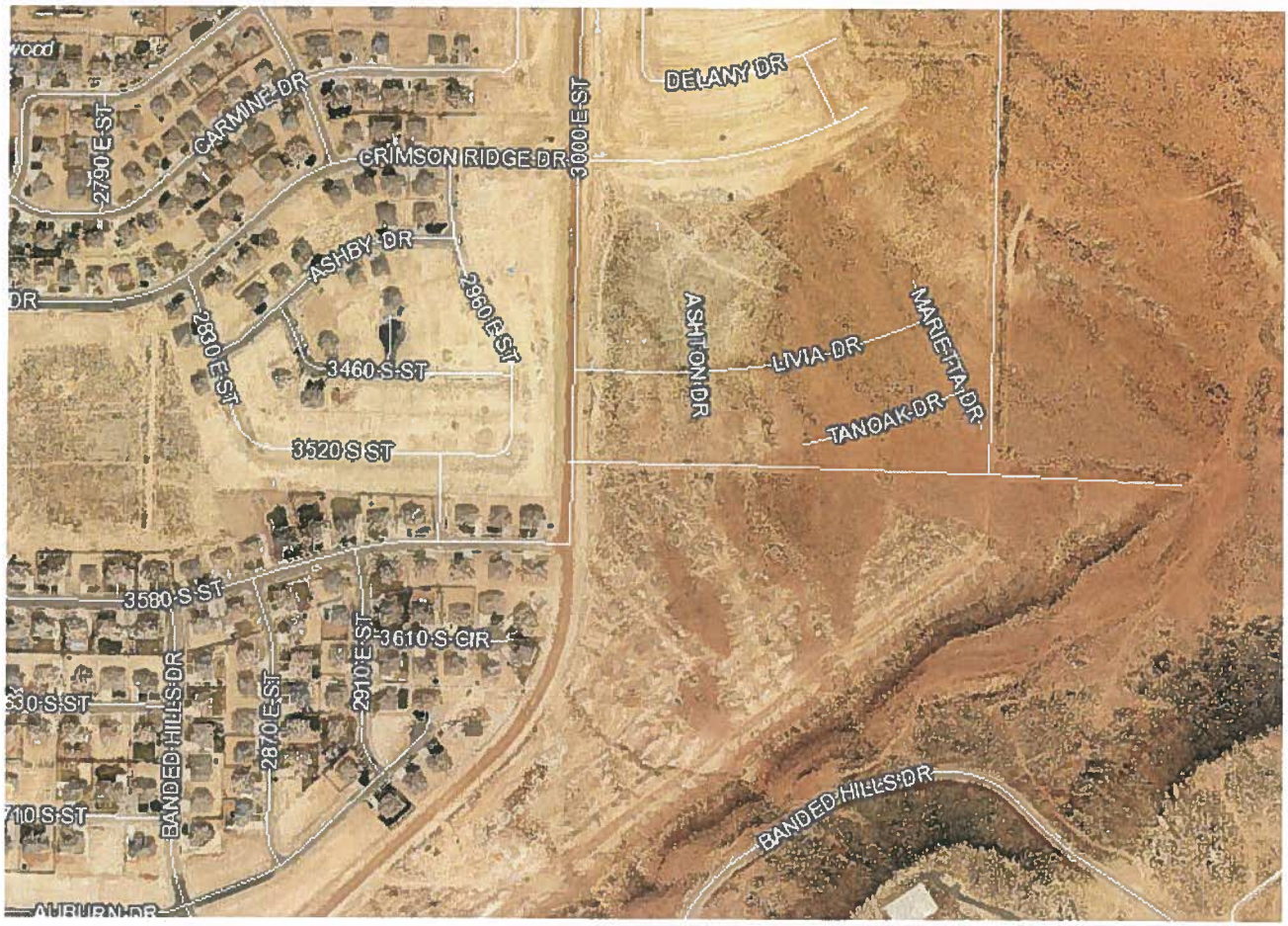




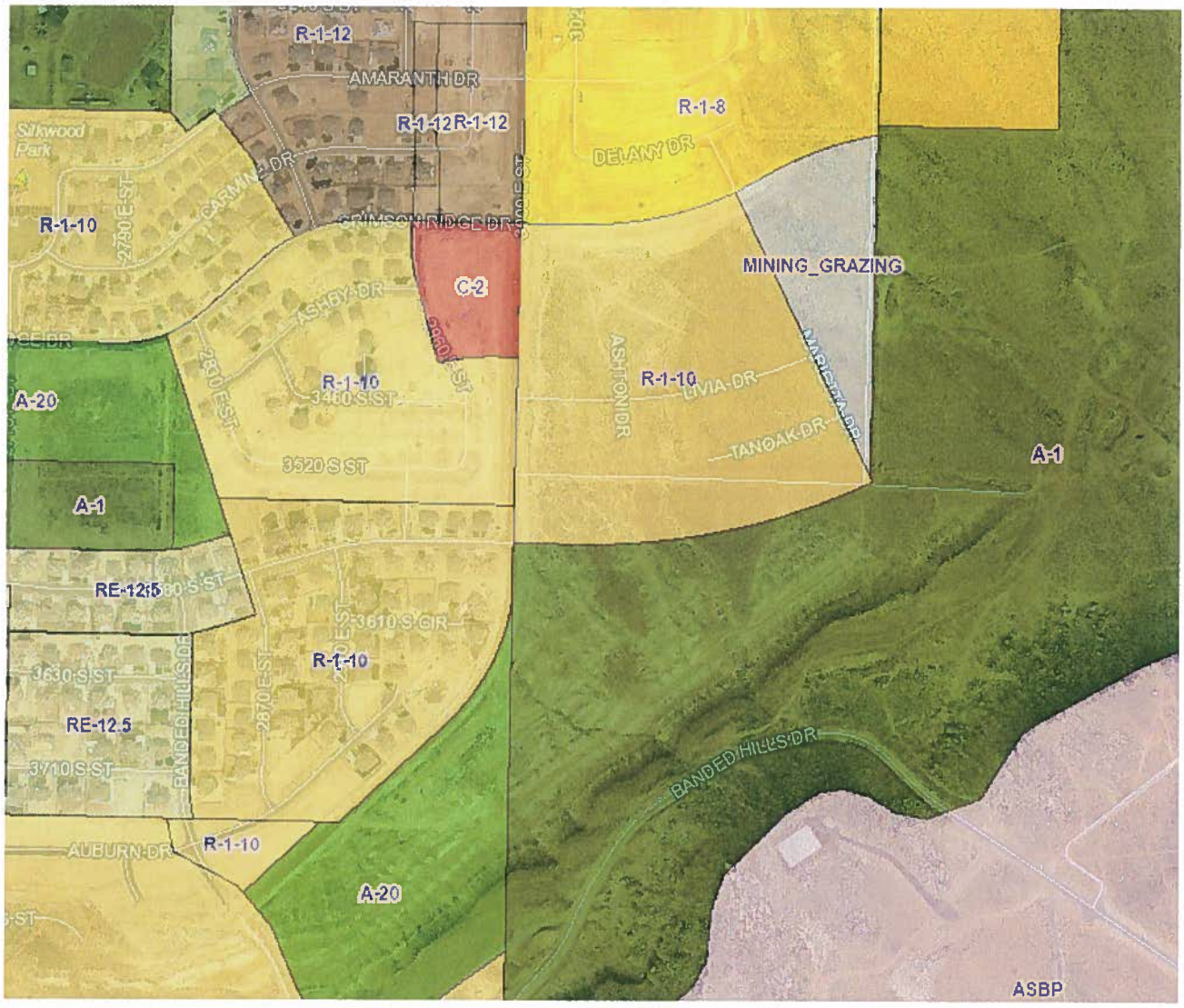
Overall Aerial Map



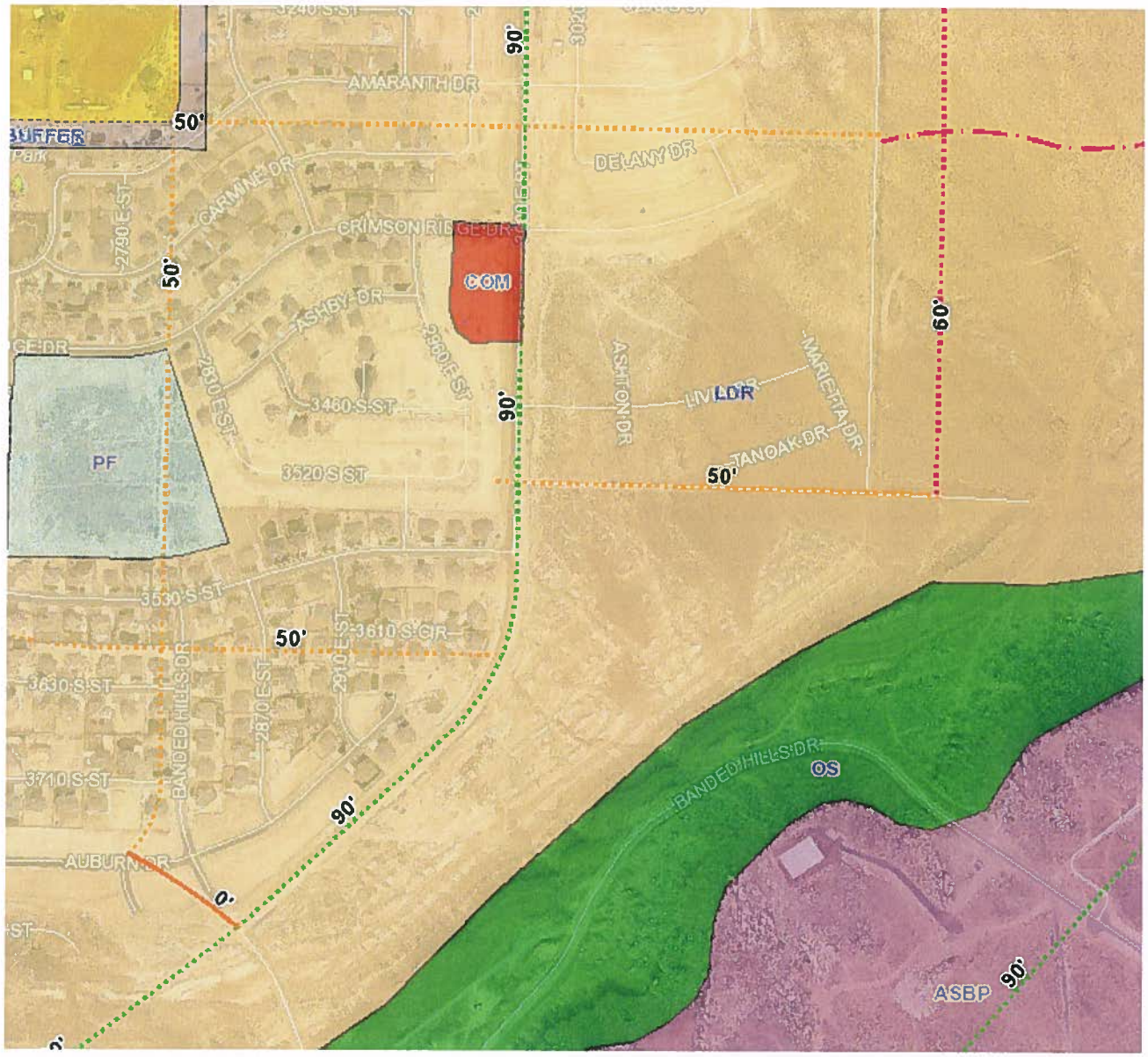
Aerial of Site



Zoning Map


R-1-12
AMARANTH DR
R-1-12
R-1-12
R-1-8
DELANY DR
Silkwood Park
CARMINE DR
R-1-10
2730 E ST
CRIMSON RIDGE DR
C-2
MINING_GRAZING
ASHBY DR
A-20
R-1-10
3460 S ST
R-1-10
LIVIA DR
ASHTON DR
TANOAK DR
3320 S ST
A-1
A-1
RE-12.5
3610 S CIR
R-1-10
3630 S ST
RE-12.5
2870 E ST
3710 S ST
BANDED HILLS DR
AUBURN DR
R-1-10
A-20
ASBP

General Plan Land Use map - LDR



APPLICATION

CITY OF ST GEORGE
RECH: 01483653 11/30/2015 10:11 AM
TRAN: 150.0000 PLANNING FEES
OPER: LIC TERM: 0SG
REF#: [illegible]
ZONE CHANGE: THE ARBORS 2
PLANNING FEES 682.10CR
TENDERED: 682.10 CHECK(S)
APPLIED: 682.10-
CHANGE: 0.00

ZONE CHANGE
ALL ZONES (*EXCEPT PD*)
APPLICATION & CHECKLIST

APPLICATION FOR A ZONE CHANGE *EXCEPT* PD (PLANNED DEVELOPMENT)
AS PROVIDED BY THE CITY OF ST. GEORGE ZONING ORDINANCE
CITY OF ST. GEORGE, UTAH

I. PROPERTY OWNER(S) / APPLICANT & PROPERTY INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: Quality Development, L.L.C., DSG Holdings, L.L.C. and K&D Family, L.L.C.

MAILING ADDRESS: 1472 East 3950 South, St. George, Utah 84790

PHONE: [redacted] CELL: _____ FAX: _____

APPLICANT: Development Solutions Group, Inc
(If different than owner)

MAILING ADDRESS: 120 East St. George, Blvd., St. George, Utah 84770

PHONE: [redacted] CELL: _____ FAX: _____

EMAIL ADDRESS(ES): brad@developmentsolutions.co

CONTACT PERSON / REPRESENTATIVE: Brad Petersen
(i.e. Developer, Civil Engineer, Architect; if different than owner)

MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): _____

A general description of the property location is as follows: (Give approx. street address, general location etc., and attach a vicinity map or property plat showing the subject property and the surrounding areas.) Include a site plan suitable for presentations in public meetings. _____

The Zone Change becomes effective on the hearing date if approved by the City Council.

***NOTE: NO FEE FOR ACREAGE REZONED TO OPEN SPACE.**

OFFICE STAFF USE ONLY

CASE #: 2015-ZC-036 FILING DATE: 11/30/15 RECEIVED BY: [illegible] RECIEPT #: _____

***FEE: $500 (Filing fee and 1st acre) + $50.00 per ac for 2-100 ac and $25 per ac 101-500 and $10.00 per ac 501-plus**

4.642 500+(3.642 x 50) = 682.10

II. ADDITIONAL INFORMATION

Provide the following information: **(Attach additional sheets if necessary)**

1. What is the present zoning on the property? A-1
2. What zone or zones are requested by this application? R-1-10
3. Is the zone change in harmony with the present City General Plan? Yes ___X___ No _____
4. If no, what does the City General Plan propose for the subject property? _____
   *(If the application is not in harmony with the City General Plan, a General Plan Amendment hearing will be required prior to the zone change request. General Plan Amendment hearings are held **four (4) times per year** in January, April, July, and October. A General Plan Amendment application can be obtained from the Community Development Department or online at http://www.sgcity.org/commdev/forms.php)*
5. Total acreage of proposed zone change: 4.642 Acres
6. Are there deed restrictions against the property that might affect the requested zone change?
   Yes _____ No ___X___
   A copy of the deed restrictions, if any, may be submitted in support of the application and shall be submitted if contrary to the request zone change.
7. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts?
   Yes ___X___ No_____
   ***IF YES**, submit the Traffic Impact Study with the application for review by Traffic Engineering.*
   ***IF NO**, a Traffic Impact Study will be required (if determined necessary at Planning Staff Review) to be submitted with the application and reviewed prior to approval by the City Council.*
8. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes ___X___ No _____
   Please describe the projected demand for utility services: _____

III. SUBMISSION CHECKLIST FOR ZONE CHANGE

(A COMPLETE ZONE CHANGE APPLICATION MUST BE SUBMITTED A MINIMUM OF 3 WEEKS PRIOR TO THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING)

Development/Project Name The Arbors 2 (2015-ZC-011 = The Arbors)
*(Project name **must be** previously approved by the Washington County Recorder & City Planning Department)*
Developer/Property Owner Development Solutions Group, Inc. Phone No. (435) 628-2121
Contact Person/Representative Brad Petersen Phone No. (435) 628-2121
Licensed Surveyor Brad Petersen Phone No. (435) 628-2121

ZONE CHANGE PROCEDURE

Step #1 **Meet with Planning Staff Review (PSR) – Meets every Tuesday at 8:30 a.m. Call Community Development at 627-4206 to be scheduled for this meeting.**
Note: Call at least one day in advance to schedule

Step #2 **Document Submission Checklist***

Legal Description Documents:
*Submit the following documents: (These documents **must** be prepared by a licensed surveyor)*

- ✓ 1. Described bearings on all documents must be tied to HCN;
- ✓ 2. Legal description prepared on 8-1/2" x 11" sheet and signed by a licensed Surveyor;
- ✓ 3. Minimum size 8-1/2" x 11" graphical representation of Survey Boundary;
- ✓ 4. Legal description and Surveyed Site Plan (Record of Survey) drawing in DWG format on a CD for the GIS Department;
- ✓ 5. 24"x36" Surveyed Site Plan (Record of Survey) drawing sheet(s) for meeting exhibit

Other Submission Documents:

- ✓ 6. This Zone Change application form completed and signed;
- ✓ 7. Appropriate** Filing Fee: $500 (filing fee and 1st acre) + $50.00 per acre for 2-100 acre and $25 per acre 101-500 and $10.00 per acre 501-plus
- ✓ 8. County ownership plat with boundary of zone change outlined;
- ✓ 9. List of property owners within 500' and **two sets** of mailing labels;
- ✓ 10. Site Plan – minimum size 24" x 36" (Arch D). Colored site plans are preferred;
- ✓ 11. 8-1/2" x 11" reduction of the site plan;
- ✓ 12. CD with the above images in JPEG, BMP, TIFF or PDF format.

* ***Note: This application will be considered incomplete without the above documents***

** ***Note: There is NO FEE for acreage rezoned to open space***

Step #3 Planning Commission and City Council Hearings

Planning Commission usually meets the 2nd and 4th Tuesday of the month at 5:00 p.m. All applications, the legal description and surveyed site plan drawing (Record of Survey) must be complete and submitted at least 3 weeks prior to the meeting. Incomplete or inaccurate applications will not be accepted or scheduled. City Council sets a public hearing date after a recommendation for approval from the Planning Commission, and then there is a 14-day advertising period prior to the public hearing.

Hearing Dates:

Planning Commission_____
City Council Set Date_____
City Council Hearing Date_____
Council Action_____

Filing Fee: $500 (filing fee and 1st acre) + $50.00 per acre for 2-100 acre and $25 per acre 101-500 and $10.00 per acre 501-plus - There is NO FEE for acreage rezoned to Open Space

IV. APPLICANT AGREEMENT

We the undersigned applicant(s) Development Solutions Group, Inc.
(is)(are) the owner(s) Agents
or (agent) of the following legally described property and **request the zone change as described above.** (Exact legal description and surveyed site plan (Record of Survey) drawing prepared and stamped by licensed surveyor, and/or property ownership plat must accompany application and must be attached hereto along with the legal description and the surveyed site plan (Record of Survey) drawing in DWG format on CD.) The legal description, if separated from the surveyed site plan (Record of Survey) drawing, must be stamped, signed, and dated, and have a firm name or surveyor's name address and phone number. Note: Surveyed Site Plan (Record of Survey) drawing and legal description shall comply with the pertinent subdivision Final Plat Checklist requirements.

Signature	120 E. St. George Blvd. #300 Address
Signature	Address
Signature	Address

Attach additional sheets if necessary for additional owners.

PROPERTY OWNERS LIST DECLARATION

City of St. George
175 East 200 North – St. George, UT 84770 – (435) 627-4000 – www.sgcity.org

The property owners listed identifies the owners of properties within a certain distance or radius of the external boundaries of a project or property. The labels may be prepared by the Washington County Recorder's Office, Title Company, or by another approved party. A complete property owners list shall consist of the following:

1. Completed and signed declaration
2. List identifying each property owners name, mailing address, and Assessor's Parcel Number (APN)
3. Typed set of mailing labels for each property owner prepared on 8-1/2"x11" sheets of self-adhesive labels in three column format, as shown on the attached sample. All type shall be in uppercase letters with no punctuation or APN's.
4. Property owner radius map identifying all properties within the required radius. An example radius map is attached.

The property owners list and the required radius shall be based on the application type as described below:

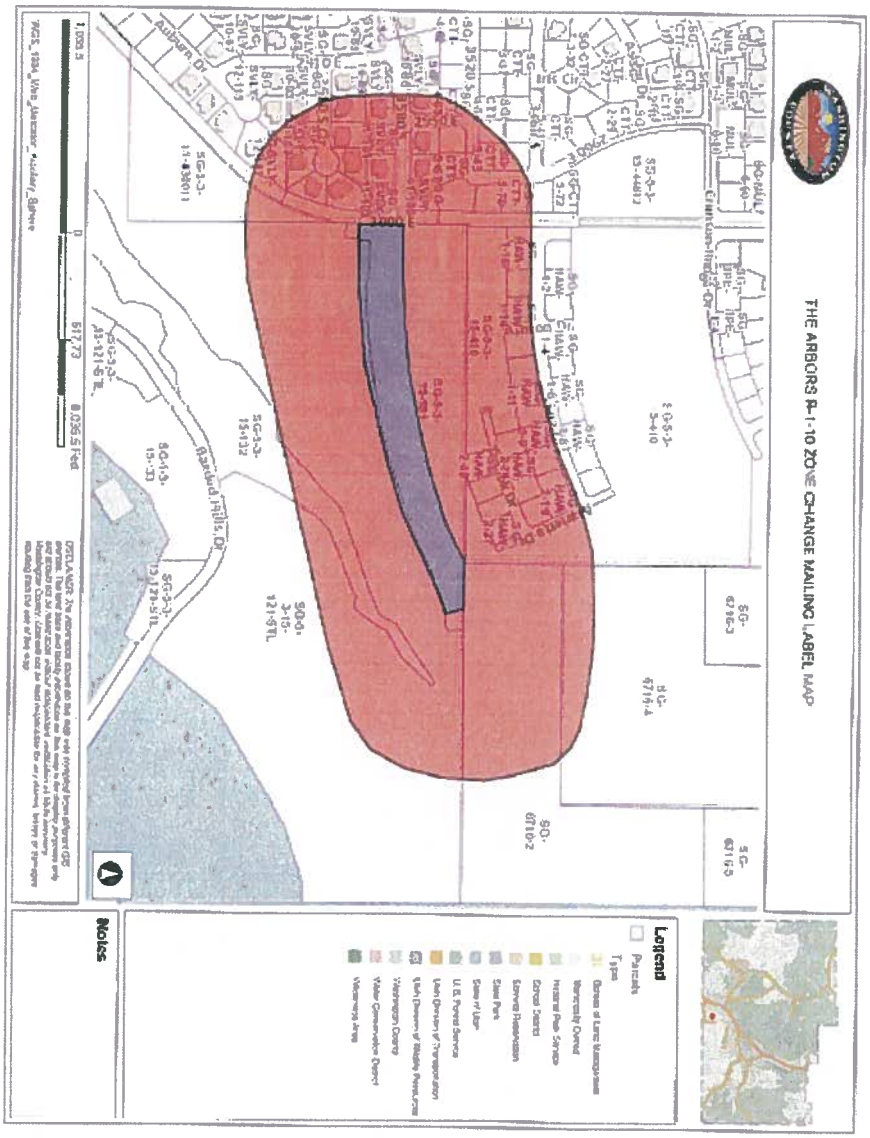
- **Zone Change**
  - ☐ Record owner of each parcel within 500 feet of that property (2 sets)
- **Conditional Use Permit or Variance**
  - ☐ Record owner of each parcel within 300 feet of that property (1 set)
- **Amended Final Plat**
  - ☐ Record owner of each parcel within 300 feet of that property (1set)
    - if each (100%) record owner of the subdivision gives their consent to the amendment, then labels are not required
- **Vacating a Roadway or Abandoning an Easement**
  - ☐ Record owner of each parcel within 300 feet of that property (1 set)

LABELS PREPARED BY:

Development Solutions Group, Inc.
Organization Name

The attached list contains the names and addresses of all persons to whom all property is assessed, and as they appear on the most current County Assessment Roll. This list identifies all properties located within the required area measured from the exterior boundaries of the property legally described by Assessor's Parcel Number(s).

Noticing – 500 Ft Radius



ORDINANCE NO._____

AN ORDINANCE AMENDING THE CITY ZONING MAP BY CHANGING THE ZONE A-1 (AGRICULTURE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQ. FT. MINIMUM LOT SIZE) ON APPROXIMATELY 4.62 ACRES

WHEREAS, the property owner has requested a zone change on 4.62 acres A-1 (Agriculture) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on approximately 4.62 acres; and

WHEREAS, the City Council held a public hearing on this request on January 21, 2016; and

WHEREAS, the Planning Commission held a public hearing and recommends approval of the requested zone change; and

WHEREAS, the City Council has determined that the requested change to the Zoning Map is justified at this time, and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to reflect the zone change from A-1 to R-1-10 on 4.62 acres generally located at the south east corner of the intersection 3580 South and 3000 East Street, the property running along the south side of the logical extension of 3580 South Street, and more specifically described on the attached property legal description, Exhibit "A". The project must comply with all conditions, requirements, and restrictions as approved by City Council

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately on the date executed below.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 21st day of January 2016.

_____
Jonathan T. Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

Exhibit "A"

THE ARBORS

R-1-10 ZONE CHANGE BOUNDARY

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF THE SUN VALLEY ESTATES – PHASE 11 SUBDIVISION AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 1°09'10" WEST ALONG THE QUARTER SECTION LINE, A DISTANCE OF 1578.481 FEET FROM THE NORTH QUARTER CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE & MERIDIAN; (BASIS OF BEARING BEING SOUTH 88°48'18" EAST BETWEEN THE NORTHWEST CORNER AND THE NORTHEAST CORNER OF SAID SECTION 15), AND RUNNING THENCE SOUTH 88°45'49" EAST 227.417 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 2445.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26°39'45", A DISTANCE OF 1137.706 FEET; THENCE SOUTH 88°46'44" EAST 178.087 FEET; THENCE SOUTH 10°27'59" EAST 64.480 FEET; THENCE SOUTH 70°43'52" WEST 114.874 FEET; THENCE SOUTH 64°26'46" WEST 45.000 FEET; THENCE SOUTH 66°11'07" WEST 111.324 FEET; THENCE SOUTH 68°31'25" WEST 98.838 FEET; THENCE SOUTH 70°43'23" WEST 98.838 FEET; THENCE SOUTH 72°55'21" WEST 98.838 FEET; THENCE SOUTH 75°15'34" WEST 111.189 FEET; THENCE SOUTH 77°24'21" WEST 45.001 FEET; THENCE SOUTH 77°56'03" WEST 111.217 FEET; THENCE SOUTH 79°30'18" WEST 98.975 FEET; THENCE SOUTH 82°02'43" WEST 99.053 FEET; THENCE SOUTH 84°39'21" WEST 99.108 FEET; THENCE SOUTH 87°16'05" WEST 99.141 FEET; THENCE NORTH 89°57'52" WEST 110.653 FEET; THENCE SOUTH 81°54'07" WEST 45.608 FEET; THENCE NORTH 88°45'44" WEST 182.765 FEET TO A POINT ON THE QUARTER SECTION LINE OF SAID SECTION 15; THENCE NORTH 1°09'10" EAST ALONG SAID QUARTER SECTION LINE, A DISTANCE OF 145.480 FEET TO THE POINT OF BEGINNING.

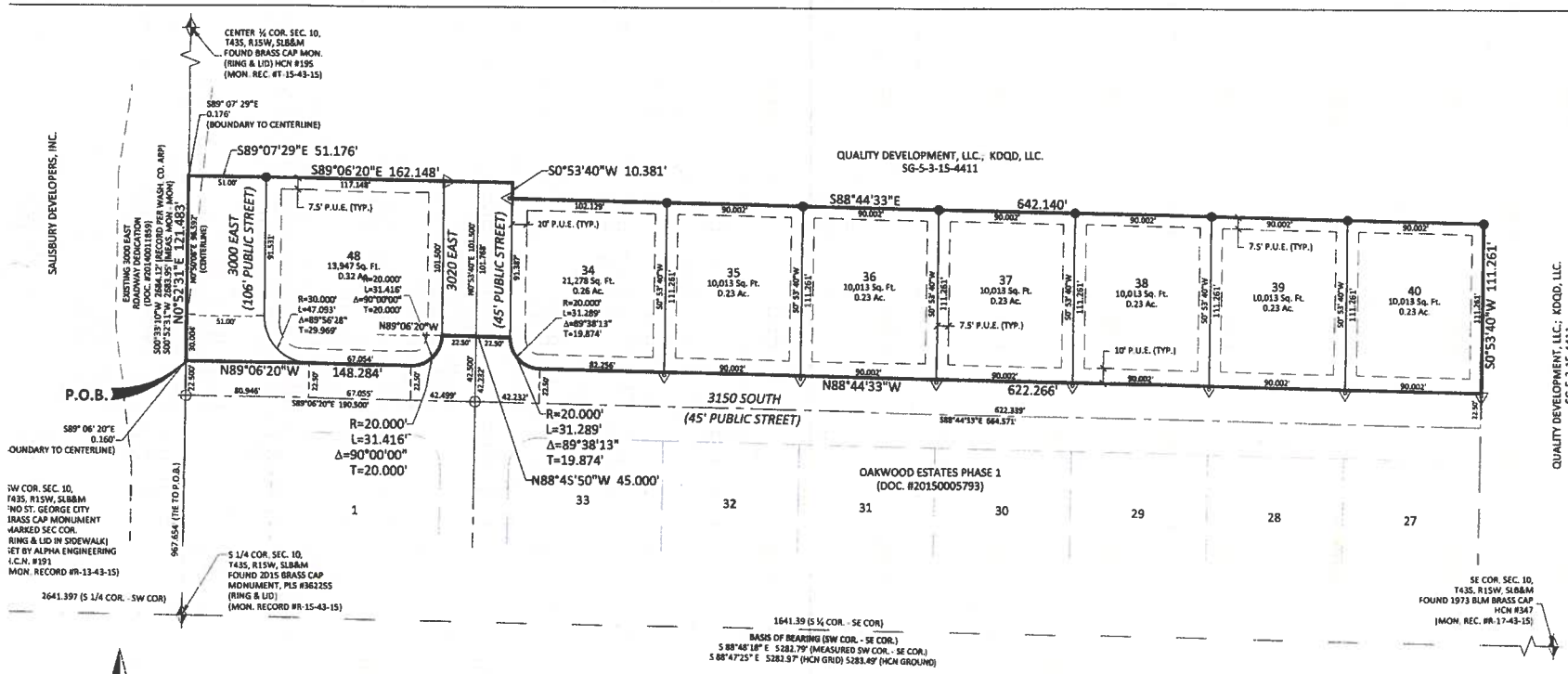
CONTAINS: 202,182 SQ. FT. (4.642 ACRES)

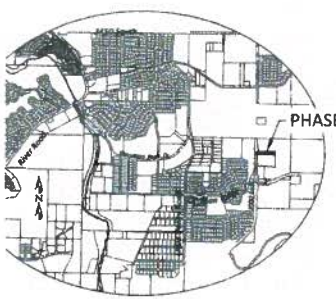
DRAFT

Agenda Item Number : **3C**

Request For Council Action

Date Submitted	2016-01-13 08:45:50
Applicant	Development Solutions
Quick Title	Public Hearing/Ordinance - Easement Vacation
Subject	Consider vacating a temporary Drainage Easement over all of Lot 48 of Oakwood Estates Phase 2.
Discussion	Note 10 as shown as the Final Plat for Oakwood Estates Phase 2 reads as follows..."A temporary drainage easement is dedicated to the City of St. George over all of Lot 48. This temporary easement will automatically vacate when downstream drainage facilities are complete, connected to City storm drain line, and approved by the City of St. George. No building permit will be issued on Lot 48 until this condition is met and approved by the City of St. George. When this temporary easement is vacated it does not affect the standard easement referenced hereon in note 1." Staff has looked at the drainage facilities and is okay with this temporary easement being vacated.
Cost	$0.00
City Manager Recommendation	Appears to meet conditions that were placed on the plat. Staff recommends approval to remove the easement.
Action Taken	
Requested by	Todd Jacobsen
File Attachments	OAKWOOD ESTATES PH 2 1 OF 2 3547.TIF
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	Side note. Easements cannot be automatically vacated. All easements whether they be public or private can only be vacated by approval of whomever owns the easement and a vacation document is recorded in the County Recorder's Office.
Attachments	OAKWOOD ESTATES PH 2 1 OF 2 3547.TIF





GENERAL NOTES AND RESTRICTIONS

1. THERE EXISTS A 20.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL STREET SIDE PROPERTY LINES AND A 7.50 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL SIDE AND BACK LOT LINES UNLESS OTHERWISE NOTED.
2. REBAR & CAP MARKED DSG PLS 362255 TO BE PLACED AT REAR LOT CORNER LOCATIONS. CONCRETE ANCHOR TO BE PLACED IN THE SIDEWALK AT AN EXTENSION OF PROPERTY LINE FROM THE FRONT PROPERTY CORNER LOCATION (SEE LEGEND FOR PLACEMENT OF FRONT PROPERTY CORNERS).
3. LOT 48 SHALL HAVE A 25 FOOT FRONT AND STREET SIDE SETBACK AND A 20 FOOT SETBACK ALONG 3000 EAST. ALL OTHER SETBACKS ON REMAINING LOTS ARE AS FOLLOWS UNLESS OTHERWISE NOTED: 25 FOOT FRONT AND STREET SIDE SETBACKS, 8 FOOT AND 10 FOOT SIDE YARD SETBACK, AND 10 FOOT REAR YARD SETBACK.
4. A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY GEOTECHNICAL TESTING SERVICES, INC. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS, AND EXTERIOR FLATWORK ARE COMPILED IN A REPORT DATED APRIL 4, 2007. THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH THE CITY OF ST. GEORGE. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS RECOMMENDATIONS.
5. CITY OF ST. GEORGE BUILDING DEPARTMENT REQUIRES ALL RESIDENTIAL SUBDIVISION LOT CORNERS TO BE SET WITH A REBAR AND CAP PRIOR TO OBTAINING A BUILDING PERMIT.
6. DUE TO THE SOIL CONDITIONS IN THIS AREA, SPECIAL CONSIDERATION IS REQUIRED FOR LANDSCAPING AND STRUCTURES. REFER TO THE GEOTECHNICAL INVESTIGATION FOR SPECIFIC RECOMMENDATIONS.
7. LOTS 48 SHALL HAVE NO VEHICULAR ACCESS ONTO 3000 EAST STREET AND 3150 SOUTH STREET
8. DOUBLE FRONTING LOTS ALONG 3000 EAST REQUIRE PRIVACY WALLS PLACED AT THE RIGHT-OF-WAY / PROPERTY LINE. (NOTE: A 10 FOOT LANDSCAPE STRIP EXISTS BETWEEN THE PRIVACY WALL AND THE SIDEWALK ALONG 3000 EAST STREET)
9. THIS SUBDIVISION IS LOCATED ADJACENT TO AGRICULTURAL PROPERTIES UPON WHICH LARGE ANIMAL USES MAY OR MAY NOT EXIST. ALL LOT OWNER'S WITHIN THIS SUBDIVISION ARE HEREBY NOTIFIED OF THE POTENTIAL FOR OCCASIONAL ODORS AND OTHER NUISANCES RELATED TO SUCH AGRICULTURAL USES. AGRICULTURAL ACTIVITIES CONDUCTED IN THE NORMAL AND ORDINARY COURSE OF AGRICULTURAL OPERATIONS OR CONDUCTED IN ACCORDANCE WITH SOUND AGRICULTURAL PRACTICES ARE PRESUMED TO BE REASONABLE AND SHALL NOT BE CONSIDERED A NUISANCE, AS PER UTAH CODE 78B-6-1104 OR AS AMENDED.
10. A TEMPORARY DRAINAGE EASEMENT IS DEDICATED TO THE CITY OF ST. GEORGE OVER ALL OF LOT 48. THIS TEMPORARY EASEMENT WILL AUTOMATICALLY VACATE WHEN DOWNSTREAM DRAINAGE FACILITIES ARE COMPLETE, CONNECTED TO CITY STORM DRAIN LINES, AND APPROVED BY THE CITY OF ST. GEORGE. NO BUILDING PERMIT WILL BE ISSUED ON LOT 48 UNTIL THIS CONDITION IS MET AND APPROVED BY THE CITY OF ST. GEORGE. WHEN THIS TEMPORARY EASEMENT IS VACATED IT DOES NOT AFFECT THE STANDARD EASEMENTS REFERENCED HEREON IN NOTE 1.

LEGEND

- SECTION LINE
- PUBLIC UTILITY EASEMENT (P.U.E.)
- CENTER LINE
- ADJOINING LOT LINE
- BOUNDARY LINE
- ADJOINING SUBDIVISION BOUNDARY
- FOUND SECTIONAL MONUMENT AS DESCRIBED HEREON.
- EXISTING CLASS I (RING & LID) MONUMENT FOUND
- DSG REBAR AND CAP LS NO. 362255 SET AT ALL REAR PROPERTY CORNERS
- CONCRETE ANCHOR TO BE SET IN SIDEWALK ON A 2' EXTENSION OF THE PROPERTY LINE FROM THE FRONT PROPERTY CORNER
- TEMPORARY DRAINAGE EASEMENT - SEE NOTE # 10

DEVELOPMENT SOLUTIONS, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
113 East 200 North Suite #2, St. George, UT 84770
Office (435) 628-2121 Fax (435) 674-3553
www.developmentsolutions.com

SURVEYOR'S CERTIFICATE:

I, D. BRADFORD PETERSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAN HOLD CERTIFICATE NO. 362255, IN ACCORDANCE WITH TITLE 58, CHAPTER 2 ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH: I F AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SI DESCRIBED BELOW, HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MO ACCORDANCE WITH SECTION 17-23-17 AND HAVE SUBDIVIDED SAID TRACT OF STREETS, AND EASEMENTS HEREAFTER KNOWN AS:

OAKWOOD ESTATES - PHASE 2

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE LOTS SHOWN ON CURRENT ZONING ORDINANCE.

DATE: June 29, 2015

LEGAL DESCRIPTION:

BEGINNING AT A POINT ON THE CENTER SECTION LINE, SAID POINT BEING ALONG SAID CENTER SECTION LINE, A DISTANCE OF 967.654 FEET FROM CORNER OF SECTION 10, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAK SAID SOUTH QUARTER CORNER BEING SOUTH 88°48'18" EAST ALONG DISTANCE OF 2641.397 FEET FROM THE SOUTHWEST CORNER OF SAID SEC THENCE NORTH 00°52'31" EAST ALONG SAID CENTER SECTION LINE, A DIST THENCE SOUTH 89°07'29" EAST 51.176 FEET; THENCE SOUTH 89°06'2 THENCE SOUTH 0°53'40" WEST 10.381 FEET; THENCE SOUTH 88°44'3 THENCE SOUTH 0°53'40" WEST 111.261 FEET TO A POINT ON THE NOR OAKWOOD ESTATES - PHASE 1 SUBDIVISION, AS RECORDED AND ON FILE W COUNTY RECORDER'S OFFICE, (DOC. #20150005793); THENCE ALON BOUNDARY THE FOLLOWING FIVE (5) COURSES: (1) NORTH 88°44'33" WI POINT CURVATURE; (2) RUNNING NORTHWESTERLY ALONG THE ARC OF CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 89°38'13", A DI NORTH 88°45'50" WEST 45.000 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, (RADIUS POINT BEARS NORTH RUNNING SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH 90°00'00", A DISTANCE OF 31.416 FEET; AND (5(NORTH 89°06'20" WEST POINT OF BEGINNING.

CONTAINS: 96,295 SQ. FT., (1.111 ACRES)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVI STREETS, EASEMENTS, AND RIGHTS-OF-WAY HEREAFTER KNOWN AS:

OAKWOOD ESTATES - PHASE 2

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNE DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE FOR PERPETUAL U PARCELS OF LAND SHOWN ON THIS PLAT AS PUBLIC STREETS, EASEMENTS ALL LOTS, PUBLIC STREETS, EASEMENTS, AND RIGHTS-OF-WAY ARE AS NO OWNERS DO HEREBY WARRANT TO THE CITY OF ST. GEORGE, IT'S SUCC TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREI OF ALL PERSONS. THE LOTS SHOWN ON THIS PLAT ARE SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS OF THE "OAKWOOD RECORDED ON FEBRUARY 23, 2015 AS ENTRY NO. 20150005794 IN WASHINGTON COUNTY RECORDER. SAID DECLARATION OF COVENAN RESTRICTIONS IS HEREBY INCORPORATED AND MADE A PART OF THIS PLAT

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 30th DAY OF

Ed Burgess
QUALITY PROPERTIES, INC.
BY: ED BURGESS, PRESIDENT

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

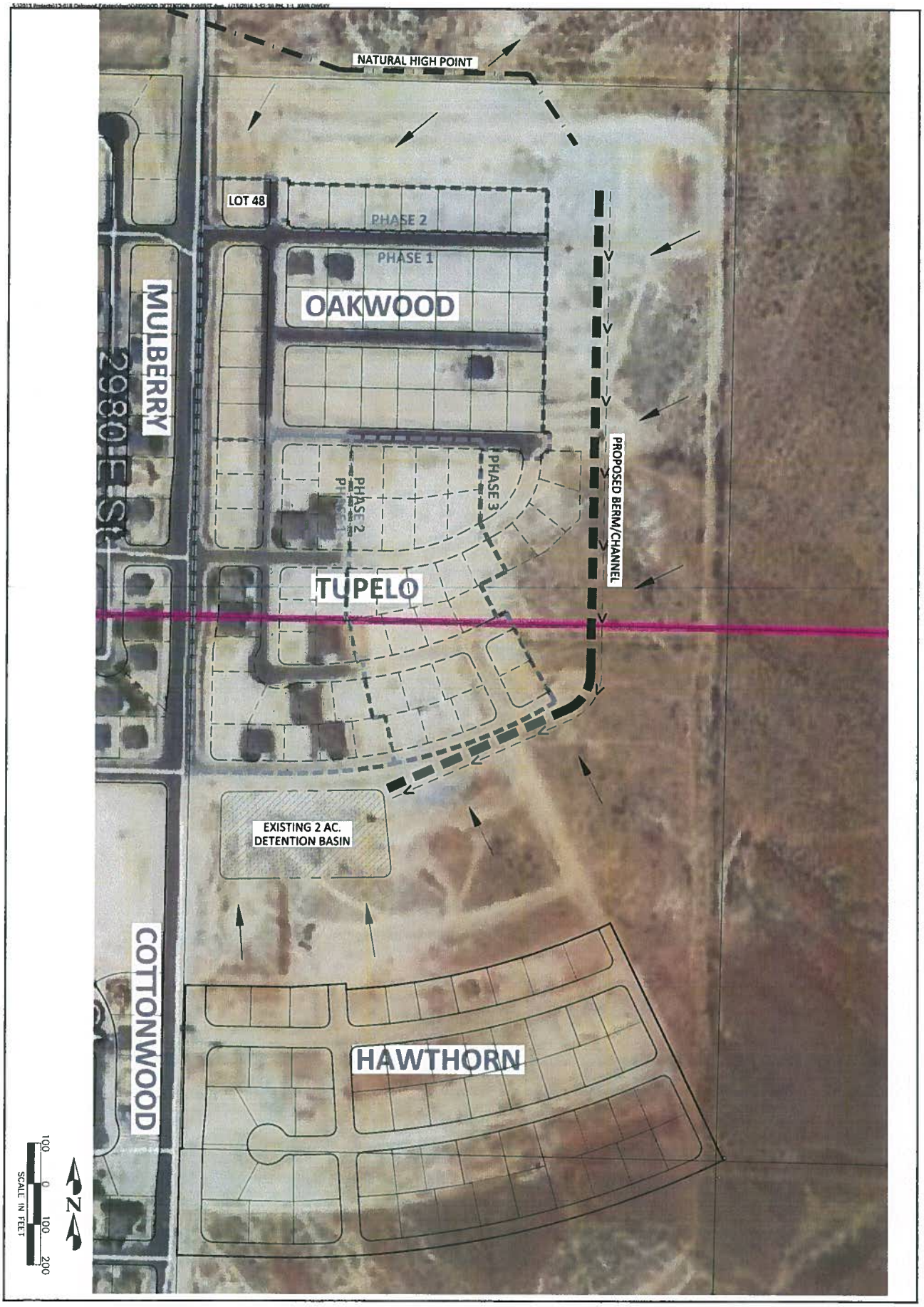
ON THIS 30th DAY OF June, 2015 A.D., PERSONALLY APPEARED WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF QUALI THAT HE EXECUTED THE FOREGOING OWNERS DEDICATION IN BEHALF OF AUTHORITY OF ITS BY-LAWS (OR BY A RESOLUTION OF ITS BOARD OF DIRECT ACKNOWLEDGE TO ME THAT SUCH CORPORATION EXECUTED THE SAME FOR T STATED THEREIN.

NOTARY PUBLIC
NOTARY PUBLIC FULL NAME: Dawn Lee Tietia
COMMISSION NUMBER: 681515
MY COMMISSION EXPIRES: 2/16/19

Subdivision Final Plat for
OAKWOOD ESTATES - PH
Located in the Southeast Quarter of S
Township 43 South, Range 15 West,

S

VAL OF THE PLANNING AND ZONING MANAGER	ENGINEER'S APPROVAL	APPROVAL AS TO FORM	APPROVAL OF THE PLANNING COMMISSION	APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH	TREASURER APPROVAL	RECORDED NUMI
AND ZONING MANAGER FOR THE CITY OF ST. GEORGE, NE 6 DAY OF July A.D. 2015 REVIEWED THE DIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR E BY THE CITY OF ST. GEORGE, UT. ND ZONING MANAGER ORGE	THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS 16th DAY OF JULY, A.D. 20 15. INGINEER CITY OF ST. GEORGE	APPROVED AS TO FORM, THIS THE 6 DAY OF July, A.D. 20 15 CITY ATTORNEY CITY OF ST. GEORGE	ON THIS THE 26th DAY OF May A.D. 20 15 THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT. CHAIRMAN PLANNING COMMISSION CITY OF ST. GEORGE	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL RECORD IN THE MINUTES OF ITS MEETING OF THE 4th DAY OF June A.D. 20 15 HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO. ATTEST: CITY RECORDER CITY OF ST. GEORGE MAYOR CITY OF ST. GEORGE	I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS 21 DAY OF July A.D. 20 15 THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL. WASHINGTON COUNTY TREASURER	DOC # 20150025 Rep (Conveying Property) WASHINGTON COUNTY RECORDER



DEVELOPMENT SOLUTIONS, INC.
LAND PLANNERS, CIVIL ENGINEERS
120 East St. George Blvd Suite #301
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www.developmentsolutions.co

PROJECT NAME
OAKWOOD ESTATES
RESIDENTIAL SUBDIVISION
LOCATED IN ST. GEORGE, UTAH

SHEET NAME
DRAINAGE PLAN

NO.	DESCRIPTION	DATE	APP'D

DATE	1/13/14
PM	SE
DRAWN BY	SE
DESIGNED BY	SE
CHECKED BY	SE
PROJECT NO.	13-043
SCALE	1"=100'
SHEET NUMBER	D-1

1 OF 1 TOTAL

When Recorded Return To:
City of St. George
City Recorder's Office
175 East 200 North
St. George, UT 84770

ORDINANCE NO. _____

Tax ID: SG-OAK-2-48

AN ORDINANCE VACATING AN EASEMENT LOT 48 OF 'OAKWOOD ESTATES PHASE 2' SUBDIVISION LOCATED IN ST. GEORGE, WASHINGTON COUNTY, UTAH

WHEREAS, a Petition has been received by the City Council of the City of St. George requesting that an existing drainage easement, which is more fully described in the attached Exhibit A, which is incorporated herein by reference, which easement belongs to the City of St. George located on Lot 48 of Oakwood Estates Phase 2 Subdivision, as recorded in the Washington County Recorder's Office as Doc. #20150025516, be vacated; and

WHEREAS, the owner of the property traversed by the easement, as well as the City, have consented to this vacation, because alternative, temporary drainage measures immediately will be installed to replace the necessary drainage infrastructure in a different location; and

WHEREAS, it appears that it will not be detrimental to the general public interest and that there is good cause for relinquishing said easement.

NOW, THEREFORE, BE IT RESOLVED by the St. George City Council:

The easement described in 'Exhibit A' is hereby vacated.

This ordinance shall become effective upon adoption and recordation in executed form in the Office of the Washington County Recorder.

PASSED AND ADOPTED by the City Council of the City of St. George, this _____ day of _____, 20___.

CITY OF ST. GEORGE

_____
Jonathan T. Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

APPROVED AS TO FORM:

V. H. Hales 1/21/16
Victoria H. Hales, Assistant City Attorney

EXHIBIT A

All of Lot 48 of Oakwood Estates Phase 2 Subdivision as on file in the Office of the Washington County Recorder

DRAFT

Agenda Item Number : **4A**

Request For Council Action

Date Submitted	2016-01-13 08:34:35
Applicant	
Quick Title	Ordinance Amending Title 1 Chapter 7 Officers and Employees
Subject	
Discussion	
Cost	$0.00
City Manager Recommendation	Shawn is recommending some changes to this ordinance. I have not seen them yet. I believe they are more administrative than structural.
Action Taken	
Requested by	Shawn Guzman
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 1 CHAPTER 7: ELIGIBILITY AND RESIDENCY REQUIREMENTS, APPOINTIVE OFFICERS, OATHS AND BONDS, AND RECEIPTS FOR PAYMENT; TITLE 1 CHAPTER 10 A: DIRECTOR OF FINANCE; AND TITLE 8, CHAPTER 3: RATES, DEPOSITS, BILLINGS AND DELIQUENCY

WHEREAS, the City of St. George has adopted Title 1, Chapter 7, regarding eligibility and residency requirements, oaths and bonds for elected officials and certain appointed officials, and regarding receipts for payment; and

WHEREAS, the City of St. George has adopted Title 1, Chapter 10A, regarding the position of Director of Finance; and

WHEREAS, the City of St. George has adopted Title 8, Chapter 3, regarding rates, deposits, billings and delinquency; and

WHEREAS, the City desires to make changes to the aforementioned Titles and Chapters of the St. George City Ordinances to address changes to residency requirements and the title for certain officers in the City; and

WHEREAS, the City Council has determined that these changes to the ordinances are justified at this time and are in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Enactment. Title 1, Chapter 7, Sections 1-7-2, 1-7-4, 1-7-5, and 1-7C-4; Title 1, Chapter 10A, Section 1; and Title 8, Chapter 3 Section 4 are enacted to read in accordance with Exhibit "A" attached hereto and incorporated herein.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of St. George, this 21st day of January, 2016.

ATTEST:

_____ _____

Jonathan Pike, Mayor Christina Fernandez, City Recorder

Exhibit A

1-7-2: ELIGIBILITY AND RESIDENCY REQUIREMENTS:

A. Elected Officers: All elective officers shall be chosen by the registered voters of the city.

B. Residency Requirements:

1. Elected Officials:

a. A person filing a declaration of candidacy for mayor or city council shall:

(1) Have been a resident of the city for at least three hundred sixty five (365) consecutive days immediately before the date of the election; and

(2) Meet the other requirements of Utah Code Annotated section 20A-9-203.

b. A person living in an area annexed to the city meets the residency requirement of this subsection if that person resided within the area annexed to the city for at least three hundred sixty five (365) consecutive days before the date of the election.

c. Any elected officer shall be a registered voter in the city.

d. Each elected officer shall maintain residency within the boundaries of the city during the elected officer's term of office.

e. If an elected officer establishes a principal place of residence, as provided in Utah Code Annotated section 20A-2-105, outside the city during the elected officer's term of office, the office is automatically vacant.

f. If an elected officer is absent from the city any time during the elected officer's term of office for a continuous period of more than sixty (60) days without the consent of the governing body, the office is automatically vacant.

2. Appointed Officers: All persons appointed to the following offices or positions of this city must be residents of the city, except that residence in the city at the time of appointment shall not be required as a condition of the appointment, but within one hundred eighty (180) days after reporting for work, the appointee must become and remain a resident of the city during the term of employment unless otherwise approved by the city council:

a. City manager;

b. Chief of police;

c. Fire chief;

~~d. Director of finance;~~

~~e~~d. Director of leisure services;

~~f~~e. Director of public works;

~~g~~f. Director of water services;

~~h~~g. Director of energy services;

~~i~~h. Director of administrative services;

~~j~~i. Director of community development;

~~k~~j. City attorney.

1-7-4: APPOINTIVE OFFICERS:

The mayor, with the advice and consent of the city council, shall appoint on or before the first Monday in February following a municipal election, the following named officers, who shall hold their offices for the term of two (2) years, unless sooner removed by the city council, and until their successors are appointed and qualified: a city attorney, city recorder, city treasurer, ~~police chief~~chief of police, fire chief, ~~finance director,~~ director of leisure services~~ director~~, director of public works director, director of water services,~~ and~~ director of energy services~~power department director~~, director of administrative services ~~director~~ and director of community development ~~director~~, and such other officers and agents as may be provided by law; and in like manner shall fill all vacancies among the same, except as otherwise provided by law.

1-7-5: OATHS AND BONDS:

A. All officers of the city, whether elected or appointed, before they enter upon the duties of their respective offices, shall take, subscribe and file the constitutional oath of office.

B. The city treasurer shall secure a fidelity bond in an amount not less than that established by the state money management council. ~~of two percent (2%) of the budgeted gross revenue for the previous accounting year, but shall not be less than one million five hundred thousand dollars ($1,500,000.00). The fidelity bond required herein shall be issued by a corporate surety licensed to do business in the state and having a current Best's rating of "A" or better. The bond should be effective as of the date the city treasurer assumes the duties of office or is sworn in. The premium charged by a corporate surety for the fidelity bond required herein shall be paid by the city.~~

1-7C-4: RECEIPTS FOR PAYMENT:

The city treasurer shall give or cause to be given to every person paying money to the city treasury, a receipt or other evidence of payment therefor, specifying, as appropriate, the date of payment and upon which account paid and shall file the duplicate of the receipt, a summary report, or other evidence of payment in the office of the director of ~~finance~~ administrative services.

1-10A-1: ~~DIRECTOR OF FINANCE~~DIRECTOR OF ADMINISTRATIVE SERVICES:

A. Created: ~~Pursuant to the provisions of Utah Code Annotated section 10-6-157, as amended, and other pertinent provisions of the laws of the state, t~~There is hereby created the position of ~~director of finance~~director of administrative services.

B. Powers And Duties: The administrative duties of the ~~director of finance~~director of administrative services shall be to:

1. Supervise all financial accounting activities of the city.

2. Advise all chief administrators on matters of fiscal policy.

3. Manage city investments.

4. Manage city debt administration.

5. Prepare internal and annual financial reports.

6. Preaudit all financial claims made against the city to determine if such claims were appropriately processed according to city and state requirements.

7. Assure that proper approval is obtained before any claim against the city is processed for payment.

8. Approve any payroll checks prepared for an authorized city employee hired in accordance with personnel policies established by city ordinance or resolution. The amount paid to any such authorized employee shall also be in agreement to a specific salary assigned to such employee pursuant to a salary schedule adopted by the governing body or a salary amount assigned by resolution of the city council.

9. Approve claims submitted for the payment of routine expenditures, such as utility bills, payroll related expenses, supplies and materials, which were purchased according to authorized purchasing procedures[1] established by ordinance or resolution.

10. Approve any submitted claim which is in accordance with an authorized city contract.

11. Approve claims submitted for capital purchases, which were made pursuant to established purchasing procedures, referenced in the budget document and approved by an appropriation resolution adopted for the current fiscal year budget.

12. Perform such other and further acts consistent with the provisions and intent of this section as may be required by the city manager, the city council or by state statutes.

C. Restrictions On Claim Approval: The above claim approval authority delegated to the ~~director of finance~~director of administrative services is hereby subject to the following restrictions:

1. No claim may be approved by the ~~director of finance~~director of administrative services which is not within the duly and legally adopted or adjusted budget.

2. No claim may be approved which was not made in accordance with personnel and purchasing procedures established by ordinance or resolution.

D. List Of Verified Claims: The above authorization shall not prevent the governing body from approving all or part of a list of verified claims, including a specific claim in an amount in excess of the stated maximum, where certified by the ~~director of finance~~director of administrative services.

E. Preaudit Of Claims: The ~~director of finance~~director of administrative services shall preaudit all claims pursuant to state statute requirements and shall not disburse any payments without appropriate

approval. Procedures shall be established where by documented approval is obtained as authorized by this section. Monthly detail expenditure reports shall also be prepared and made available to the city council.

F. Budgetary And Administrative Procedures: Specific budgetary and administrative procedures consistent with this article may be established by resolution.

G. Annual Financial Report: Within one hundred eighty (180) days after the close of each fiscal period, the ~~director of finance~~director of administrative services shall present to the governing body an annual financial report prepared in conformity with generally accepted accounting principles, as prescribed in the uniform accounting manual for Utah cities. This requirement may be satisfied by presentation of the audit report furnished by the independent auditor, if the financial statements included are appropriately prepared and reviewed with the governing body. Notwithstanding the acceptability of the audit report furnished by the independent auditor in substitution for financial statements prepared by an officer of the city, the governing body has the responsibility for those financial statements. The independent auditor has the responsibility of reporting whether the governing body's financial statements are prepared in conformity with generally accepted accounting principles. Copies of the annual financial report or the audit report furnished by the independent auditor shall be filed with the state auditor and shall be filed as a public document in the office of the city recorder.

Footnote 1: See also chapter 10, article B of this title for purchasing procedures.

8-3-4: RATES, DEPOSITS, BILLINGS AND DELINQUENCY:

A. Rates: The schedule of rates to be charged the consumers of electrical energy and culinary water, as well as the rate paid to consumers under the city net metering policy, shall be calculated from time to time in accordance with the requirements of the utility systems and the best interests of the community. Those rates shall be approved by the mayor and city council.

B. Unified Billing: The finance department will be responsible for the preparation and collection of all utility bills. A system of unified billing shall be utilized whereby charges for electric, water, sewer, drainage and garbage services are combined and billed on a monthly basis. All owners or occupants of premises in the city shall pay for electric and water services on a metered basis as used and for sewer, drainage and garbage on a flat fee basis, utilizing the person or firm designated as official scavenger and garbage collector for the city to collect appropriate garbage and rubbish upon such premises. Such composite billing shall issue in recognition of the public health consideration that all city residents shall not only avail themselves of but provide support for said services provided by the city. Rates charged shall be uniform and equal except that differentiation may be made between residential, commercial and industrial classes of users.

C. Failure To Pay For Municipal Services:

1. If any person shall fail or refuse to pay or have paid on his behalf the charges for any of the available municipal services, the city shall shut off either water or electric service, or both, to the premises occupied by that person. Discontinuance of a service shall be in addition to any other remedy available to the city.

2. Prior to termination of a service for nonpayment, the user of that service shall be given notice of shutoff at the address of the premises served or such alternate address as the user may have furnished for billing purposes. The notice shall inform the user of a right to appeal the shutoff whenever the user has a basis for contending that the billing is unjust or that there is not good cause for a shutoff. Upon request, a hearing before a three (3) person appeal board to be appointed by the city manager shall be

held no sooner than four (4) days after receipt by the user of the notice and not less than twenty four (24) hours before the cessation of any service. Request by the user for an appeal hearing shall be made within three (3) days after the receipt of notice as provided herein, or the right to appeal is considered to be waived.

3. In the event of a determination by the appeal board that the billing is just or that no good cause exists why service should not be terminated, a service charge in such amount as established by resolution of the city council shall be added to the billing to cover the city's expenses in connection with the appeal.

D. Reconnection Fee: In the event it shall become necessary to cease water and/or electric service to premises by reason of the occupant's failure to pay for any service billed pursuant to subsection B of this section, reconnection shall not thereafter be made for the account of that user until a fee in such amount as established by resolution of the city council has been paid as a service fee for reconnection in addition to the amount of the delinquent bill.

E. Deposits:

1. Required: Where residential premises served by utilities are leased by the user, the tenant thereof shall be required to post a deposit in such amount as established by resolution of the city council, guaranteeing payment of charges when due before services will be provided; commercial accounts shall post a deposit at least as great as the cost of utility services for a six (6) week period. All deposits shall accrue interest at an interest rate as determined from time to time by the director of ~~finance~~ administrative services and approved by city council on any unused portion thereof, and interest earned shall be paid to the user upon return of the deposit. If a portion or all of a deposit is used to pay delinquent charges, the user, upon request, shall be required to add a further deposit equal to the amount so used. If after three (3) years it has not been necessary to use any part of a leased residential premises deposit, the city may return the deposit and accrued interest on that residential account and not require further deposit unless there is a subsequent delinquency in the payment of a bill. If after two (2) years it has not been necessary to use any part of a commercial deposit, the city may return the deposit and accrued interest on that commercial account and not require further deposit unless there is a change of owner or subsequent delinquency in the payment of a bill.

2. New Account Where Preexisting Debt: Where application is made to open a new account which will benefit a user who still owes the city for utility service under an old account from which the user benefited, the application shall be rejected and service shall be refused until arrangements are made for payment of the prior indebtedness. It shall constitute an offense of strict liability for a user with outstanding indebtedness for utility service to knowingly permit an account to be opened in another name for utility service from which such user will benefit, and the user who engages in such a practice may be guilty of an infraction and, upon conviction, subject to penalty as provided in section 1-4-1 of this code.

DRAFT

Agenda Item Number : **4B**

Request For Council Action

Date Submitted	2016-01-12 18:33:19
Applicant	
Quick Title	Ordinance Amending Title 3 Chapter 2P Article B Motels
Subject	The amendments to the motel ordinance change the information required for the guest register, removes the ability of the police to inspect the register on demand, and clarifies when an inspection of a motel unit can occur.
Discussion	
Cost	$0.00
City Manager Recommendation	Changes to our ordinance to bring us into compliance with new judicial rulings.
Action Taken	
Requested by	Shawn Guzman
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 3 CHAPTER 2, ARTICLE P, MOTELS

WHEREAS, the City of St. George has adopted Title 3, Chapter 2, Article P regarding the operation of Motels within the City; and

WHEREAS, the City desires to make changes to Title 3, Chapter 2, Article P regarding the guest register, inspections of hotel properties and advertising of rates; and

WHEREAS, the City Council has determined that these changes to the ordinances are justified at this time and are in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Enactment. Title 3, Chapter 2, Article P Motels is enacted to read in accordance with Exhibit "A" attached hereto and incorporated herein.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of St. George, this 21st day of January, 2016.

_____
Jonathan Pike, Mayor

ATTEST:

_____
Christina Fernandez, City Recorder

EXHIBIT A

ARTICLE P. MOTELS

3-2P-1: DEFINITIONS:

3-2P-2: APPLICABILITY:

3-2P-3: OPERATIONAL REQUIREMENTS:

3-2P-4: ADVERTISEMENT OF RATES:

3-2P-5: PENALTY:

3-2P-1: DEFINITIONS:

The following words and phrases used in this article shall have the following meanings unless a different meaning clearly appears from the context:

MOTEL: Any facility, by whatever name designated, providing dwelling units designed for use by transient guests and maintained and held out to the public as accommodations by the day, week or twenty nine (29) days or less, whether a charge is made or not.

3-2P-2: APPLICABILITY:

Every motel within the city limits shall first obtain a license as required by subsection 3-1-4A of this title, and shall be subject to the conditions set out herein.

3-2P-3: OPERATIONAL REQUIREMENTS:

A. Management: Each motel must maintain an office on the motel premises in the charge and under the immediate supervision of a manager or attendant at all times. Such office shall remain continuously open and staffed whenever there are any guests registered or present at the motel and whenever the motel is open to receive guests.

B. Disclosure Of Available Rooms: Each motel shall disclose to the business license officer the current number of rooms available and/or held out for public accommodation:

1. At the time of initial licensure or license renewal; and

2. Within twenty four (24) hours of any change in the number of such available rooms.

C. Display Of License; Guest Register:

1. A current, valid business license shall be posted in a conspicuous place in each motel.

2. A register of the person to whom a motel unit is rented or leased ~~all guests~~ shall be kept at all times ~~on the motel premises~~. The ~~guest~~ register shall contain the following information about the person to whom a motel unit is rented or leased ~~each guest for which the motel affords accommodations~~:

a. Name and permanent address;

b. Dates of arrival at the motel and departure; and

~~c. License plate number, state of licensure, make, type and color of all automobiles; and~~

d. Valid Driver's license or other government issued identification containing a photograph and the name and the address of the person to whom a motel unit is rented or leased, noting the type of identification and the issuing agency. ~~number and state of issuance~~.

~~3. The guest register required by this section shall be kept current and shall be immediately available at all times for inspection upon the demand of police officers or city officials.~~

D. Occupancy: It shall be unlawful for any motel unit to be occupied by a greater number of persons than that which it is designed or furnished to accommodate.

E. Responsibility For Minors: No motel unit shall be rented, leased, or registered to any person under the age of eighteen (18) years. Each person to whom a motel unit is rented, leased, or registered shall be responsible for any minors occupying such unit, and shall remain on the motel premises at all times while there are minors occupying such unit.

F. Length Of Stay; Exception: No person shall occupy any unit or combination of units at any one motel for longer than twenty nine (29) consecutive days, and no motel shall permit any person to occupy any unit or combination of units or allow persons to leave personal items or property in the unit or combination of units on the motel premises for longer than twenty nine (29) consecutive days. This subsection shall not apply to federal, state, or municipal law enforcement or emergency personnel, or to motels renting, leasing, or registering motel units to such personnel.

G. Sanitary Facilities:

1. Each motel unit held out for public accommodation must comply with the minimum rules established by the Utah department of health.

2. It shall be unlawful to rent, lease, or otherwise hold out for public accommodation any motel unit which does not have:

a. A complete operable bathroom, including flush toilet, sink and bath or shower in working order; and

b. For each guest, an adequate daily supply of at least the following sanitary supplies:

(1) Hot and cold running water,

(2) Soap,

(3) Towels,

(4) Toilet paper, and

(5) Clean linen.

3. Each motel unit held out for public accommodation shall be cleaned after the departure of each guest and before the arrival of any subsequent guest. Each occupied motel unit shall be cleaned on a daily basis, and shall be provided with at least the required sanitary supplies listed above on a daily basis.

H. Inspections: Each motel may be subject to ~~shall comply and cooperate with any~~ fire, ~~zoning, code enforcement,~~ building, health, or other inspection conducted by municipal officials.~~, with or without notice.~~ Any such inspection shall:

(1) Occur during reasonable business hours; and

(2) Not be made on any occupied unit in the absence of the owner, manager or attendant on duty or without the written permission of the owner, manager or attendant on duty; and

(3) Comply with Utah law and the fourth amendment of the United States constitution.

I. Duty To Report: Any owner, manager or attendant of any facility covered by this section shall report promptly to the proper authorities any violations of a municipal ordinance or any other violation of law which he or she has reason to believe was or is being committed on the premises.

3-2P-4: ADVERTISEMENT OF RATES:

~~A. Signs~~ Posting and Advertising of Rates: No person owning or operating motels or other establishments intended to accommodate overnight guests for a fee, including their managers, employees and agents, shall advertise or post rates ~~on any outdoor sign or display~~ within the city~~, except in a manner consistent with the provisions of this section.~~ unless the rate for the class or category of unit advertised is available.

~~B. Information Required:~~

~~1. If there is more than one category or class of accommodation available, the sign shall clearly state, separately, each such class or category in letters of equivalent size and prominence.~~

~~2. An exception shall be in the event the establishment wishes to advertise a single category and price, but rent any other class or category of room for the single price advertised if such advertised room is not available. "Single" and "double" shall each be considered as separate categories for purpose of this section, and in the event they are both advertised, this exception shall apply to each. Use of the legend "and up" or other wording shall not affect the restriction imposed by this section.~~

~~3. The rate for each class or category shall be clearly stated in numerals of equal size and prominence.~~

~~4. The availability of accommodations in each class or category shall be clearly stated in conjunction with each class or category by use of the words "vacancy" or "no vacancy" or words of similar import. Deillumination or removal of a particular category and price from the sign or display shall be a suitable alternative to the words "no vacancy" if such type of accommodations are no longer available.~~

~~5. Any wording or phrasing that tends to interfere with the ready understandability of a sign or display shall not be considered to be in compliance with this section.~~

~~C. False Or Misleading Statements Prohibited: No outdoor advertising or display of rates or information regarding accommodations that may be available shall contain any statements or representations that are untrue, false, or that may tend to mislead the public. Failure to keep exterior signs and displays current at all times shall be considered to be a violation of this section. (Ord. 2005-11-003, 11-17-2005)~~

3-2P-5: PENALTY:

Violation of any provision of this article shall be a class B misdemeanor in accordance with section 3-1-21 of this title or section 1-4-1 of this code, and each day that a violation continues shall be considered to be a separate offense. Owners and proprietors may be guilty of violating this article, as well as on

duty employees or agents, if they employ, manage and supervise employees or agents who permit a violation of this article to occur.

DRAFT

Agenda Item Number : **6A**

Request For Council Action

Date Submitted	2016-01-07 12:21:49
Applicant	City of St. George
Quick Title	Appoint City Officers
Subject	Consider appointment of City Officers.
Discussion	Per City code, City Officers shall be appointed on or before the first February following a municipal election.
Cost	$
City Manager Recommendation	City Officers are required to be appointed in January after a municipal election. The current officers are all recommended to remain in their positions.
Action Taken	
Requested by	Christina Fernandez
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

City Recorder	Christina Fernandez
City Treasurer	Aaron Olsen
Chief of Police	Marlon Stratton
Fire Chief	Robert Stoker
Leisure Services	Kent Perkins
Public Works	Cameron Cutler
Water Services	Scott Taylor
Energy Services	Laurie Mangum
Administrative Services	Deanna Brklacich
City Attorney	Shawn Guzman

Deputy City Recorders:

Annette Hansen

Genna Singh

Rene Fleming

DRAFT

Agenda Item Number : **6B**

Request For Council Action

Date Submitted	2016-01-11 12:07:51
Applicant	PC
Quick Title	PC Report from January 12, 2016
Subject	Consider the Planning Commission report from the meeting held on January 12, 2016.
Discussion	The PC meeting had several items on the agenda. However, five of those items the City Council will simply be setting the public hearing dates. The remaining items consisted of a preliminary plat, three final plats, one lot line adjustment, and five conditional use permits (CUP). CUP's are also listed separately on the agenda.
Cost	$0.00
City Manager Recommendation	Setting of public hearings and plat approvals. Several CUP's were heard with three height variances requested.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

PLANNING COMMISSION REPORT: JANUARY 12, 2016
CITY COUNCIL MEETING: JANUARY 21, 2016

1. **PUBLIC HEARINGS TO BE ADVERTISED FOR FEBRUARY 4, 2016**

A. Consider a request to amend the General Plan (GP) **from LDR** (Low Density Residential) **to MDR** (Medium Density Residential) on a total of 20.43 acres. The project is called **"The Joshuas."** The property is generally located on Tonaquint Drive. The proposal is to change the General Plan to correct the land use for existing Phase 1 and 2 (*GP clean-up*) and to allow for the future submittal of a zone change to allow development of a proposed Phase 3. The applicant for Phase 3 is Salisbury Homes and the representative is Bush & Gudgell, Inc. The applicant for Phases 1 & 2 is the City of St George. Case No. 2016-GPA-002 (Staff Ray Snyder)

B. Consider a request to amend the General Plan **from LDR** (Low Density Residential) **to COM** (Commercial) on approximately 10.43 acres. The property is generally located at the intersection of Sugar Leo Road and Pioneer Road (between Pioneer Road and the I-15 Freeway). The applicant is Mr. Denis Lyman. Case No. 2016-GPA-001. (Staff John Willis)

C. Consider a fourth (4th) zone change amendment request to the 'Atkinville Interchange Zone Plan' to add a planned development residential neighborhood within the milepost 2 interchange area to be called **'The Villas at Sun River St George'** on 51.95 acres. The property is located along Interstate 15 to the east, Sun River parkway to the north, a future city park and the Atkinville Wash to the south, and Arrowhead Canyon Drive to the west. The applicant is Sun River St George Development L.C., and the representative is Mr. Scott McCall. Case No. 2016-ZCA-001. (Staff Ray Snyder)

D. Consider a zone change amendment to the Gordon Palmer / Southgate area Planned Development to create a master **sign plan**. The property is located between Blackridge Drive and Hilton Drive and 1470 South and Dixie Drive. The applicant **is Stephen Wade** Auto Group and the representative is Mr. Bill Western. Case No. 2016-ZCA-003. (Staff – Genna Singh)

E. Consider a request to rezone approximately a 0.176 acre parcel from PD-R (Planned Development Residential) to RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The project is called the **'Rocky Point Zone Change'** and the property is located on the south side of Colorado Drive, and generally between 2050 E and Colorado Circle. The owner is Red Cliffs Park LLC and the representative is Mr. James Sullivan, S & S Homes. Case No. 2016-ZC-002. (Staff John Willis)

2. **CONDITIONAL USE PERMITS (CUP)**

A. Consider a conditional use permit request for establishing a **bulk propane business** with a 30,000 gallon tank, protective steel bollards, building, warehouse, loading dock, etc. The applicant is M&C Warren Investments LLC and the representative is Mr. Mark Burgess, Classic Builders. The property is zoned M-1 (Industrial) and is Lot 98 located on Venture Drive in the Ft Pierce Industrial Park. Case No. 2016-CUP-002 (Staff Ray Snyder)

B. Consider a conditional use permit to allow a maximum of 12 children in an established child family support facility (**Respite**) in the RCC (Residential Central City) zone located at 310 W

200 N. The applicant is "The Family Support Center" and the representative is Ms. Laura Bartschi. Case No. 2016-CUP-001 (Staff Ray Snyder)

C. Consider a conditional use permit to construct a detached **accessory structure** with a maximum midpoint height of approximately twenty feet (20') for personal auto and RV storage. The structure will be constructed of colored CMU brick with a tile roof and be 2,400 sq. ft. (60 ft. x 40 ft.). The property is zoned R-1-10 (Single family Residential 10,000 sq. ft. minimum lot size) and is located at **3810 Sugar Leo Road**. The applicant is Mr. Richard Nerwinski, DR Builders Inc. case No. 2016-CUP-003 (Staff John Willis)

D. Consider a conditional use permit to construct a 15,626 sq. ft. single family **residential home** that will exceed thirty five feet (35') and requires a conditional use permit approval. The project **height** measured per ordinance would be approximately **42 feet**. The proposed residence will be located at **2836 South 2300 East Circle** and is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size). The applicant is Mr. Kevin Hafen. Case No. 2016-CUP-004. (Staff John Willis)

E. Consider a conditional use permit to construct a residential **home** that exceeds the allowable **height** of thirty five feet (35') and requires a conditional use permit approval. The project height measured per ordinance would be approximately **48 feet**. The proposed residence would be located at 225 South 1160 West Circle and is zoned PD-R (Planned Development Residential). The applicant is Mr. Carey Blake, C. Blake Homes. Case No. 2016-CUP-005 (Staff John Willis)

3. **PRELIMINARY PLAT (PP)**

Consider approval of a preliminary plat for a eight (8) lot residential subdivision development called the **"Don Cannon"** subdivision. The applicant is Mr. Todd West. The property is zoned R-1-10 (Single family Residential 10,000 sq. ft. minimum lot size) and is located on 750 North Street. Case No. 2016-PP-001. (Staff – Wes Jenkins).

4. **FINAL PLATS (FP)**

A. Consider approval of a final plat for a one (1) lot residential subdivision for "**St George Elementary Subdivision**." The property is zoned RCC (Residential Central City) and is located between 100 South Street and 200 South Street at approximately 300 East (west of the 'Sun Bowl'). The representative is Mr. Scott Woolsey, Alpha Engineering. Case No. 2015-FP-064 (Staff – Wes Jenkins).

B. Consider approval of a final plat for a twelve (12) lot residential subdivision for "**Entrada at Snow canyon 'Chaco West' Phase 3**." The property is zoned PD-R (Planned Development Residential) and is located along the westerly and northerly sides of Tacheene Drive at approximately 2910 West and 2480 North (in Entrada Development). The representative is Mr. Kevin Bundy, Kevin Bundy Surveying Inc. Case No. 2014-FP-034 (Staff Wes Jenkins)

C. Consider approval of a final plat for a nineteen (19) lot residential subdivision for "**Meadow Valley Farms Phase 7**." The property is zoned RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) and is located at approximately 3995 South and Little Valley Road. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-059 (Staff – Wes Jenkins)

5. **LOT LINE ADJUSTMENT (LLA)**

Consider approval of a lot line adjustment on residential property between parcel 1 and 2 for "**Magnolia**" in the Green Valley area. The property is zoned PD-R (Planned Development Residential) and is located near the end of 1790 West Street. The representative is Mr. Eric McFadden, Premier Design and Engineering. Case No. 2015-LRE-033 (Staff – Wes Jenkins)

6. **OTHER BUSINESS**

The PC meeting was very long and required approximately 4 ½ hours (5:00 – 9:30 pm).

General Plans

The general plan amendment for 'The Joshuas' on Tonaquint Drive required 4 minutes while the general plan amendment for LDR to COM on Pioneer Road (Monster Storage) required 41 minutes. Both items are recommended for approval.

Zone Change Amendments (ZCA)

The ZCA for the 4th amendment to the Atkinville Master Plan / The Villas at Sun River' project required 1 ½ hours during which time several residents of Sun River spoke and expressed their concern about increased traffic, golf carts in their neighborhood, dogs on their streets, and the location of the grand entrance roadways (*they questioned if they could instead be placed off of Sun River Parkway and not on Arrowhead Canyon Drive*). The applicants spoke and responded to several concerns and the PC recommends approval with conditions. The ZCA for Stephen Wade signage required 10 minutes and the PC recommends approval.

Zone Change (ZC)

The ZC for 'Rocky Point' required 10 minutes and the PC recommends approval.

Conditional Use Permits (CUP)

Five CUP applications were reviewed. The propane business, respite, accessory structure on Sugar Leo, and the home height for Blake Homes are recommended for approval, but the home height for Hafen is recommended for denial.

Preliminary Plat (PP)

The PP is recommended for approval.

Final Plats (FP)

The three FP are recommended for approval

Lot Line Adjustment (LLA)

The LLA is recommended for approval

TND Discussion

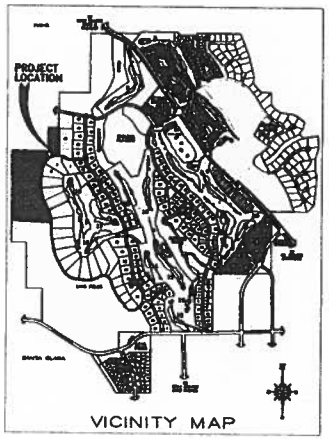
The PC heard a presentation from Development Solutions regarding TND's.

PCR ITEM 4B
Final Plat

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

FINAL PLAT
Entrada at Snow Canyon "Chaco West" Phase 3
Case No. 2014-FP-034

Request:	Approval of a 12 Lot Residential Subdivision Final Plat.
Representative:	Kevan Bundy, Bundy Surveying Inc. 935 North 1300 West #8 St. George, UT 84770
Property:	Located along westerly and northerly sides of Tacheene Dr. at approximately 2910 West and 2480 North (in the Entrada Development)
Zone:	PD-R
Staff Comments:	All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.
P.C.:	The Planning Commission recommends approval.



CONSENT TO PLAT

THE UNDERSIGNED, ENTRADA LAND COMPANY, L.L.C., IS A MANAGER PARTNER OF MOSS FARM INVESTMENTS, A UTAH GENERAL PARTNERSHIP, BY THE AUTHORITY OF THE PARTNERSHIP AGREEMENT OF SAID MOSS FARM INVESTMENTS, BRENT BEESLEY, CO-MANAGER OF ENTRADA LAND COMPANY, L.L.C., A UTAH LIMITED LIABILITY COMPANY, DOES HEREBY CONSENT AND APPROVE OF THE RECORDING OF THE FINAL PLAT OF ENTRADA AT SNOW CANYON "CHACO BENCH" - PHASE 3, THE RECORDING OF ITS COVENANTS, CONDITIONS AND RESTRICTIONS, AND JOINS IN ALL DEDICATIONS CREATED BY SAID RECORDINGS.

MOSS FARM INVESTMENTS, A UTAH GENERAL PARTNERSHIP

ITS: ENTRADA LAND COMPANY, L.L.C.
MANAGING PARTNER

ITS: BRENT BEESLEY, CO-MANAGER — DATE

ACKNOWLEDGMENT OF CONSENT

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF ____, 20____, PERSONALLY APPEARED BEFORE ME, BRENT BEESLEY, WHO BEING PERSONALLY KNOWN BY ME OR SATISFACTORILY PROVED TO ME HIS IDENTITY, DID DULY ACKNOWLEDGE TO ME THAT HE IS CO-MANAGER OF THE ENTRADA LAND COMPANY, L.L.C., WHICH IS THE GENERAL PARTNER OF MOSS FARM INVESTMENTS, A UTAH GENERAL PARTNERSHIP, AND THAT HE EXECUTED THE FOREGOING "CONSENT TO PLAT" ON BEHALF OF SAID PARTNERSHIP AND HE ACKNOWLEDGED BEFORE ME THAT THE PARTNERSHIP EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16) — NOTARY PUBLIC

CONSENT TO PLAT

THE UNDERSIGNED, DOUBLE DRAGON INVESTMENTS, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AS HOLDER OF A TRUST DEED, MORTGAGE, OR OTHER SECURITY INTEREST AGAINST THE PROPERTY SHOWN AND DESCRIBED HEREON, DOES HEREBY CONSENT AND APPROVE OF THE RECORDING OF THE FINAL PLAT OF ENTRADA AT SNOW CANYON "CHACO BENCH" - PHASE 3, THE RECORDING OF ITS COVENANTS, CONDITIONS AND RESTRICTIONS, AND JOINS IN ALL DEDICATIONS CREATED BY SAID RECORDINGS.

DOUBLE DRAGON INVESTMENTS, LLC
A UTAH LIMITED LIABILITY COMPANY

ITS: SCOTT H. KELLER, MANAGER — DATE

ACKNOWLEDGMENT OF CONSENT

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF ____, 20____, PERSONALLY APPEARED BEFORE ME, SCOTT H. KELLER, WHO BEING PERSONALLY KNOWN BY ME OR SATISFACTORILY PROVED TO ME HIS IDENTITY, DID DULY ACKNOWLEDGE TO ME THAT HE IS THE MANAGER OF DOUBLE DRAGON INVESTMENTS, L.L.C. AND THAT HE SIGNED THE FOREGOING "CONSENT TO PLAT" FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16) — NOTARY PUBLIC

OWNERS' ACKNOWLEDGMENT (TRUST)

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF ____, 20____, PERSONALLY APPEARED BEFORE ME, TED W. CHENG, WHO BEING PERSONALLY KNOWN BY ME OR SATISFACTORILY PROVED TO ME HIS IDENTITY, DID DULY ACKNOWLEDGE TO ME THAT HE IS THE TRUSTEE OF THE JANUARY 28, 2005 AMENDMENT AND COMPLETE RESTATEMENT OF THE CHENG FAMILY TRUST DATED MAY 23, 2000, AND THAT HE SIGNED THE FOREGOING OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16) — NOTARY PUBLIC

OWNERS' ACKNOWLEDGMENT (TRUST)

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF ____, 20____, PERSONALLY APPEARED BEFORE ME, JEAN T. CHENG, WHO BEING PERSONALLY KNOWN BY ME OR SATISFACTORILY PROVED TO ME HER IDENTITY, DID DULY ACKNOWLEDGE TO ME THAT SHE IS THE TRUSTEE OF THE JANUARY 28, 2005 AMENDMENT AND COMPLETE RESTATEMENT OF THE CHENG FAMILY TRUST DATED MAY 23, 2000, AND THAT SHE SIGNED THE FOREGOING OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16) — NOTARY PUBLIC

OWNERS' ACKNOWLEDGMENT (TRUST)

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF ____, 20____, PERSONALLY APPEARED BEFORE ME, SANDRA L. FISHER, WHO BEING PERSONALLY KNOWN BY ME OR SATISFACTORILY PROVED TO ME HIS IDENTITY, DID DULY ACKNOWLEDGE TO ME THAT SHE IS THE TRUSTEE OF THE MAY 23, 2000 DECLARATION OF TRUST OF THE "SANDRA L. FISHER TRUST", AND THAT SHE SIGNED THE FOREGOING OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16) — NOTARY PUBLIC

OWNERS' ACKNOWLEDGMENT (INDIVIDUAL)

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF ____, 20____, PERSONALLY APPEARED BEFORE ME, KIMBALL RASMUSSEN, WHO BEING PERSONALLY KNOWN BY ME OR SATISFACTORILY PROVED TO ME HIS IDENTITY, DID DULY ACKNOWLEDGE TO ME THAT HE SIGNED THE FOREGOING OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16) — NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, KEVAN L. BUNDY, DO HEREBY CERTIFY THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS HEREON, THE BOUNDARY HAS BEEN COMPLETED AS SHOWN AND DESCRIBED BELOW AND IS TO BE HEREAFTER KNOWN AS:

ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3

AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO LOTS, EASEMENTS, PRIVATE ROADS AND PRIVATE BUILDING ENVELOPES, AS SHOWN ON THIS PLAT.

KEVAN L. BUNDY, P.L.S.
REGISTRATION NO. 177128

No.177128 KEVAN L. BUNDY

BOUNDARY DESCRIPTION

PARCEL 1: PORTIONS OF SECTIONAL LOTS 1 AND 2, SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 88°22'39" WEST 877.45 FEET ALONG THE SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE SOUTH 15° 00' 00" EAST, 137.40 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF THE ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 2 SUBDIVISION, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, STATE OF UTAH, SAID POINT ALSO BEING ON THE ARC OF A 340.00 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 39° 00' 25" EAST; THENCE ALONG SAID WESTERLY BOUNDARY FOR THE FOLLOWING 6 COURSES: SOUTHWESTERLY, 47.38 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 59' 10" TO THE POINT OF A 440.00 FOOT RADIUS COMPOUND CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 47°39'35" EAST; THENCE SOUTHWESTERLY, 274.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35° 42' 28" TO THE POINT OF TANGENCY; THENCE SOUTH 08° 17' 27" WEST 257.00 FEET TO THE POINT OF AN 880.00 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 81°42'33" EAST; THENCE SOUTHERLY, 300.80 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19° 15' 00" TO THE POINT OF TANGENCY; THENCE SOUTH 23° 05' 32" EAST, 220.07 FEET TO THE POINT OF A 660.00 FOOT RADIUS CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 66°57'28" WEST; THENCE SOUTHERLY, 258.73 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 17' 15"; THENCE LEAVING SAID WESTERLY BOUNDARY RUNNING NORTH 08° 23' 05" WEST, 282.13 FEET; THENCE NORTH 00° 17' 00" EAST, 212.04 FEET; THENCE NORTH 23° 29' 35" WEST, 273.29 FEET TO THE POINT OF A 258.00 FOOT RADIUS CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 55° 30' 15" WEST; THENCE SOUTHWESTERLY, 113.13 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24° 27' 37"; THENCE NORTH 32° 30' 34" WEST, 30.00 FEET; THENCE NORTH 52° 53' 16" WEST, 128.36 FEET; THENCE NORTH 42° 28' 03" WEST, 123.06 FEET; THENCE NORTH 21° 25' 08" WEST, 62.08 FEET; THENCE NORTH 30° 53' 42" WEST, 95.83 FEET; THENCE NORTH 17° 06' 23" WEST, 53.04 FEET; THENCE NORTH 01° 32' 32" WEST, 53.87 FEET; THENCE NORTH 28°57'38" EAST, 222.45 FEET TO A POINT ON THE ARC OF A 165.00 FOOT RADIUS TO THE RIGHT, SAID CURVE HAVING A BEARING TO RADIUS POINT OF NORTH 57°27'17" E; THENCE NORTHERLY 94.62 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°47'54" TO THE POINT OF A 135.00 FOOT RADIUS REVERSE CURVE, SAID CURVE HAVING A BEARING TO RADIUS POINT OF SOUTH 86°32'31" WEST; THENCE NORTHERLY 68.80 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°37'21" TO THE POINT OF A 80.00 FOOT RADIUS COMPOUND CURVE, SAID CURVE HAVING A BEARING TO RADIUS POINT OF SOUTH 82°52'30" WEST; THENCE NORTHWESTERLY 57.86 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 69°24'06" TO THE POINT OF A 80.00 FOOT RADIUS REVERSE CURVE, SAID CURVE HAVING A BEARING TO RADIUS POINT OF NORTH 13°28'36" WEST; THENCE NORTHWESTERLY 88.24 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 105°45'43"; THENCE NORTH 87°27'18" WEST, 4.08 FEET TO THE WEST LINE OF THE EAST 1/2, OF THE EAST 1/2, OF THE NW 1/4, OF THE NE 1/4 OF SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00° 33' 35" EAST, 320.22 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF SAID SECTION 9; THENCE SOUTH 88° 22' 39" EAST, 743.08 FEET TO THE POINT OF BEGINNING. CONTAINING 16.388 ACRES, MORE OR LESS.

PARCEL 2: PORTIONS OF SECTIONAL LOT 8, SECTION 4, AND SECTIONAL LOT 1 SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST BOUNDARY LINE OF THE ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 2 SUBDIVISION, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, STATE OF UTAH, SAID POINT BEING NORTH 88°22'39" WEST, 709.83 FEET ALONG THE SECTION LINE FROM THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE SOUTH 07°20'41" WEST, 94.11 FEET TO THE NORTHERLY BOUNDARY LINE OF THE ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 1 SUBDIVISION, SAID POINT ALSO BEING ON THE ARC OF A 340.00 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 04°38'05" WEST; THENCE WESTERLY 136.36 FEET ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY BOUNDARY LINE THROUGH A CENTRAL ANGLE OF 22°58'47"; THENCE LEAVING SAID NORTHERLY BOUNDARY LINE AND CURVE RUNNING NORTH 20°12'49" WEST, 170.65 FEET; THENCE NORTH 09°29'41" EAST, 437.82 FEET; THENCE NORTH 05°03'14" EAST, 222.51 FEET TO THE WEST BOUNDARY LINE OF SAID "CHACO WEST" - PHASE 2 SUBDIVISION; THENCE SOUTH 00°20'41" WEST 322.51 FEET ALONG SAID WEST BOUNDARY LINE TO THE POINT OF BEGINNING. CONTAINING 2.835 ACRES, MORE OR LESS.

COMBINED PARCELS 1 & 2 CONTAINING 20.260 ACRES, MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED OWNERS OF ALL THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, EASEMENTS AND PRIVATE ROADS, TO BE HEREAFTER KNOWN AS:

ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3

DO HEREBY DEDICATE TO THE OWNERS HEREON, BUT NOT TO THE USE OF THE GENERAL PUBLIC, ALL PRIVATE ROADS SHOWN ON THIS PLAT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF "THE CORRECTIVE THIRD AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS" RECORDED SEPTEMBER 12, 2006 AS DOCUMENT NO. 20060024157. BY REASON OF THE DECLARATION OF AMENDATION DATED _____ AND RECORDED CONCURRENTLY WITH THE PLAT OF ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 1 SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS IS HEREBY AMENDED AND SAID PART OF THIS PLAT, REFERENCE IS MADE TO SAID DECLARATION FOR DETAILS CONCERNING THE RIGHTS AND OBLIGATIONS OF PARTIES MAKING OR ACQUIRING AN INTEREST IN THIS DEVELOPMENT. FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNERS HEREBY GRANT AND CONVEY TO THE CITY OF ST. GEORGE, EASEMENTS OVER, ON, UNDER, AND ACROSS ALL PRIVATE ROADWAYS AND EASEMENTS NOTED AND/OR SHOWN FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES. THE UNDERSIGNED OWNERS DO HEREBY GRANT TO THE CITY OF ST. GEORGE AND ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO USE ALL DEDICATIONS AND CONVEYANCES GRANTED HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

SCOTT H. KELLER, MANAGER
LAVA ROCK PROPERTIES, LLC

G. BOB MARSHAL, MANAGER
MANNOX UTAH, LLC

KIMBALL RASMUSSEN

SANDRA L. FISHER TRUST
SANDRA L. FISHER, TRUSTEE

CHENG FAMILY TRUST
TED W. CHENG, TRUSTEE

CHENG FAMILY TRUST
JEAN T. CHENG, TRUSTEE

OWNERS' ACKNOWLEDGMENT (LLC)

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF ____, 20____, PERSONALLY APPEARED BEFORE ME, SCOTT H. KELLER, WHO BEING PERSONALLY KNOWN BY ME OR SATISFACTORILY PROVED TO ME HIS IDENTITY, DID DULY ACKNOWLEDGE TO ME THAT HE IS THE MANAGER OF LAVA ROCK PROPERTIES, L.L.C. A UTAH LIMITED LIABILITY COMPANY, AND THAT HE SIGNED THE FOREGOING OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16) — NOTARY PUBLIC

OWNERS' ACKNOWLED

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

MANNOX UTAH, L.L.C. A UTAH LIMITED LIABILITY COMPANY, AND THAT HE SIGNED THE FOREGOING OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED THEREIN. — THE IS THE MANAGER OF

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

ENTRADA AT SNOW CANYON "CHACO WEST" - PHASE 3

LOCATED IN:
THE SE 1/4 OF SECTION 4, AND THE NE 1/4 OF SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE CITY BASE & MERIDIAN
SHEET 1 OF 3

BUNDY SURVEYING INCORPORATED
190 WEST 400 SOUTH . ST. GEORGE, UTAH 84770
PHONE: (435) 619-1990

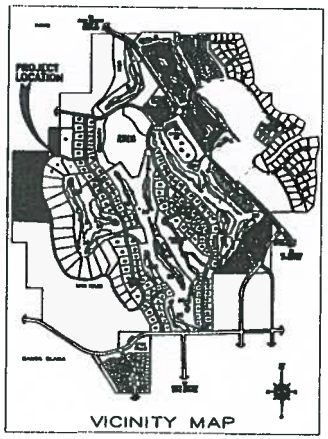
REVISIONS	
NOVEMBER 17, 2015	OWNERSHIP NAMES
NOVEMBER 17, 2015	OWNERS DEDICATION
NOVEMBER 17, 2015	NOTARY PUBLIC

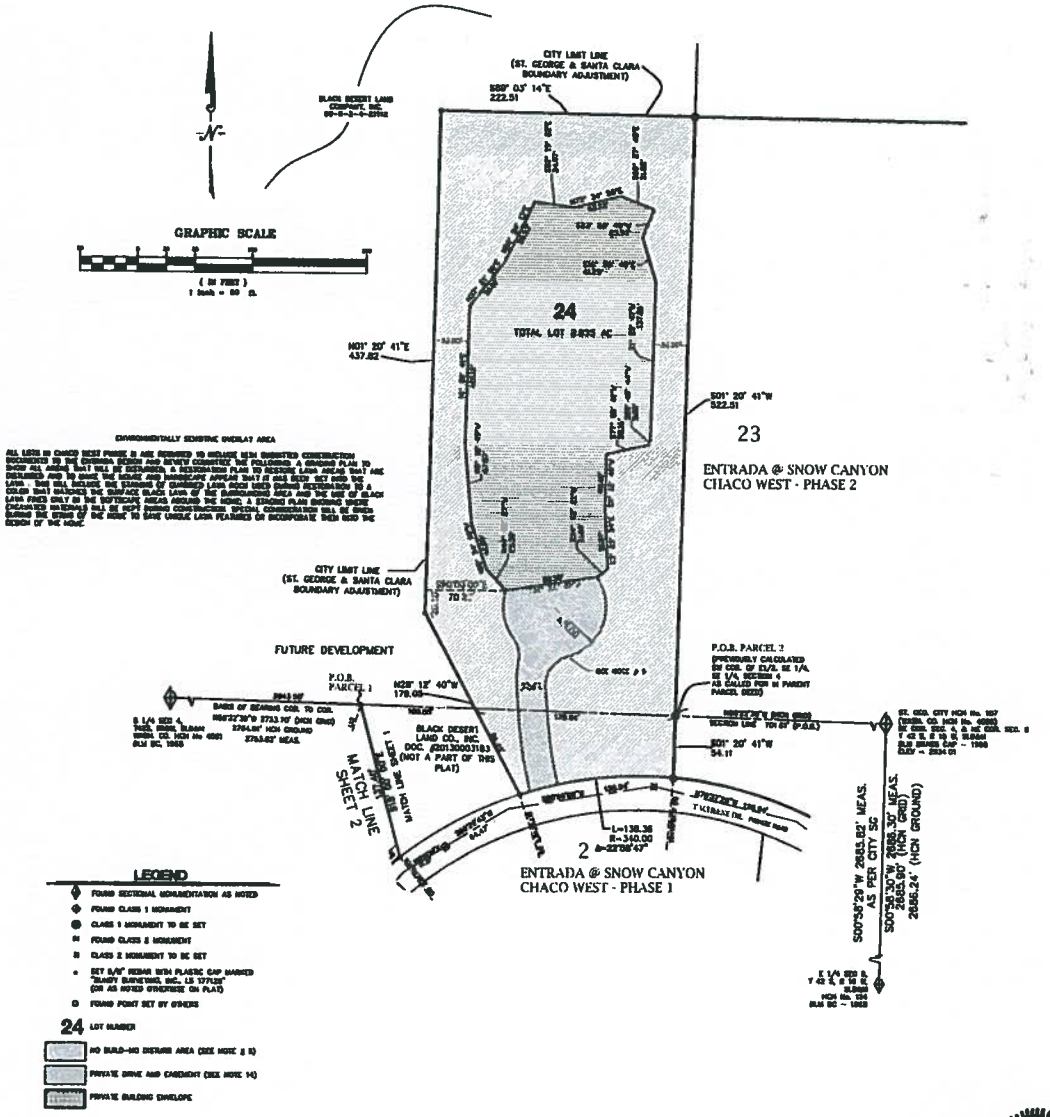
APPROVAL OF THE PLANNING AND ZONING MANAGER	ENGINEER'S APPROVAL	APPROVAL AS TO FORM	APPROVAL OF THE PLANNING COMMISSION	APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH	TREASURER APPROVAL	RECORDED NUMBER
I, PLANNING AND ZONING OFFICIAL FOR THE CITY OF ST. GEORGE, HAVE THIS THE ____ DAY OF _____ A.D. 20____ REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS ____ DAY OF _____ A.D. 20____	APPROVED AS TO FORM, THIS THE ____ DAY OF _____ A.D. 20____	ON THIS THE ____ DAY OF _____ A.D. 20____ THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF ITS MEETING OF THE ____ DAY OF _____ A.D. 20____ HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.	I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ____ DAY OF _____ A.D. 20____ THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.	
PLANNING AND ZONING OFFICIAL CITY OF ST. GEORGE	ENGINEER CITY OF ST GEORGE	CITY ATTORNEY CITY OF ST. GEORGE	CHAIRMAN PLANNING COMMISSION CITY OF ST. GEORGE	ATTEST: CITY RECORDER CITY OF ST. GEORGE — MAYOR CITY OF ST. GEORGE	WASHINGTON COUNTY TREASURER	WASHINGTON COUNTY RECORDER

NOTES AND RESTRICTIONS

1. A 10.00 FOOT PUBLIC UTILITY EASEMENT EXISTS ALONG PRIVATE STREETS AS SHOWN ON ENTRADA AT SNOW CANYON "CHACO WEST – PHASE 1.
2. NOTICE OF HAZARD
   BY PURCHASING PROPERTY WITHIN THIS PLAT, THE PURCHASER ASSUMES ANY AND ALL RISK OF DAMAGE AND PERSONAL INJURY AS AN RESULT OF ITS PROPERTY TO A GOLF COURSE AND DOES INDEMNIFY AND HOLD THE CITY OF ST. GEORGE, THE DEVELOPER AND OWNER, HARMLESS FROM ANY AND ALL CLAIMS OF INJURY, DAMAGE, EXPENSE OR LOSS OF WHATSOEVER NATURE WHICH MAY ARISE AS A DIRECT OR INDIRECT RESULT OF HAZARDS REFERRED TO HEREIN.
3. A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS INCORPORATED (AGEC), ST. GEORGE, UTAH 84770 (435) 673-8586. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS AND EXTERIOR PLANTERS, ARE CONTAINED IN A REPORT DATED APRIL 17, 2006 (PROJECT NO. 6060-06). THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH THE CITY OF ST. GEORGE. OWNERS, BUILDERS, AND PROPERTY OWNERS SHOULD FOLLOW THE REPORT AND COMPLY WITH ITS RECOMMENDATIONS.
4. BUILDING SETBACK REQUIREMENTS
   FROM FRONT PROPERTY LINE: 20' MIN.
   FROM SIDE PROPERTY LINE: 20' MIN.
   FROM REAR PROPERTY LINE: 20' MIN.

   ADDITIONAL BUILDING SETBACKS MAY BE REQUIRED BY THE ENTRADA PROPERTY OWNER'S ASSOC. CC&R'S AS SHOWN ON PLAT.
5. THE AREAS DESIGNATED AS "NO BUILD–NO DISTURB" SHALL BE MAINTAINED IN AN UNDISTURBED AND NATURAL STATE IN PERPETUITY.
6. ALL IMPROVEMENTS MADE TO OR ON ANY LOT, INCLUDING ANY LIMITED BUILD AREA, ARE SUBJECT TO THE APPROVAL OF THE ENTRADA DESIGN REVIEW COMMITTEE, THE ENTRADA PROPERTY OWNER'S ASSOCIATION, AND ANY OTHER APPROVALS AND PERMITS THAT MAY BE REQUIRED BY THE CITY OF ST. GEORGE.
7. ALL SEWER, WATER AND POWER IMPROVEMENTS ARE PUBLIC AND MAINTAINED BY THE CITY OF ST. GEORGE UP TO AND INCLUDING THE METERS. ALL FIRE HYDRANTS AND THEIR APPURTENANCES WITHIN THE SUBDIVISION ARE PUBLIC AND ARE MAINTAINED BY THE CITY OF ST. GEORGE. FIRE LINES TO BUILDINGS (RESIDENCES AND/OR OUT BUILDINGS) ARE PRIVATE AND SHALL BE MAINTAINED BY THE PROPERTY OWNER(S) THEY SERVE.
8. THE CITY OF ST. GEORGE BUILDING DEPARTMENT RESERVES ALL RESIDENTIAL SUBDIVISION LOT CORNERS TO BE SET WITH A REBAR & CAP PRIOR TO ISSUANCE A BUILDING PERMIT.
9. THIS SUBDIVISION CONTAINS PRIVATE STREETS AS LABELED. PRIVATE STREETS ARE NOT OWNED, MAINTAINED OR REPAIRED BY THE CITY OF ST. GEORGE. THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL PRIVATE STREETS WITHIN THIS SUBDIVISION.
10. ALL DRAINAGE IMPROVEMENTS WITHIN THIS SUBDIVISION ARE PRIVATE AND ARE NOT OWNED, MAINTAINED OR REPAIRED BY THE CITY OF ST. GEORGE. THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF DRAINAGE IMPROVEMENTS WITHIN THIS SUBDIVISION UNLESS OTHERWISE APPROVED AND ACCEPTED BY THE CITY OF ST. GEORGE AS PUBLIC.
11. THE ASSOCIATION SHALL BE RESPONSIBLE FOR REPAIRING, RESTORING OR REPLACING PRIVATE STREETS, LANDSCAPING OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE BY THE CITY OF ST. GEORGE IN INSTALLING, MAINTAINING, REPAIRING OR REPLACING PUBLIC WATER, SEWER AND POWER IMPROVEMENTS.
12. IN ADDITION TO ANNUAL, SPECIAL AND SPECIAL ASSESSMENTS FOR MAINTENANCE OF COMMON NON-PUBLIC IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION, THE ASSOCIATION SHALL LEVY SUCH ASSESSMENTS AS MAY BE NECESSARY FROM TIME TO TIME TO REPAIR, RESTORE OR REPLACE PRIVATE STREETS, LANDSCAPING OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE AS DESCRIBED CAUSED BY THE CITY OF ST. GEORGE IN INSTALLING, MAINTAINING, REPAIRING OR REPLACING WATER, SEWER AND POWER IMPROVEMENTS.
13. BY RECORDING THIS SUBDIVISION PLAT, EASEMENTS ARE HEREBY GRANTED WITHIN ALL PRIVATE STREETS WITHIN THIS SUBDIVISION FOR THE INSTALLATION, ACCESS, MAINTENANCE AND REPAIR OF ALL UTILITIES INCLUDING NATURAL GAS, CABLE TV, TELEPHONE, WATER, POWER AND SEWER IMPROVEMENTS.
14. PRIVATE DRIVE (AND WATER SERVICE EASEMENT TO CITY OF ST. GEORGE)
15. NO WALLS, FENCES OR ARCHITECTURAL PROJECTIONS ARE ALLOWED WITHIN THE FRONT (MINIMUM) SETBACK.





LEGEND

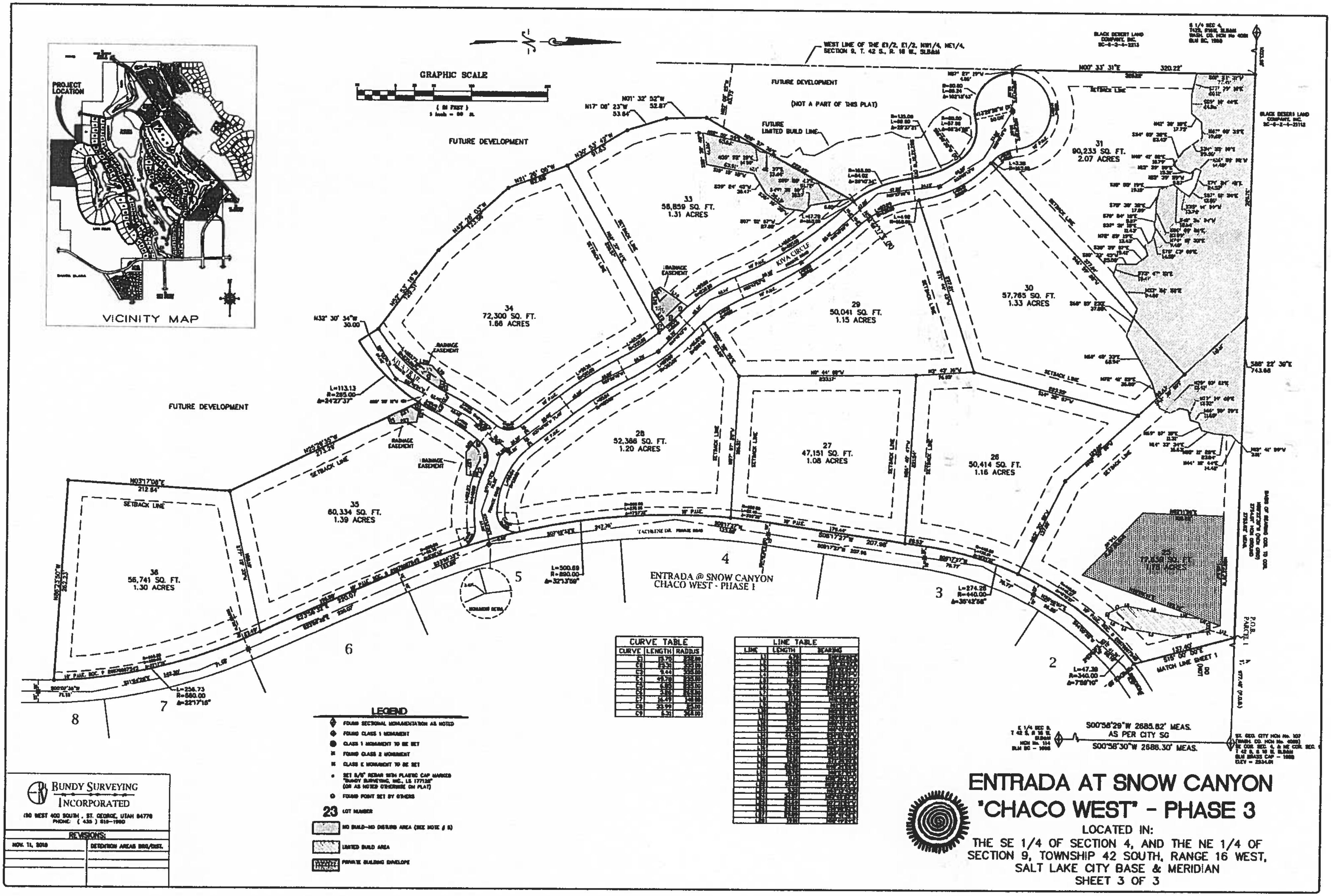
- FOUND SECTIONAL MONUMENTATION AS NOTED
- FOUND CLASS 1 MONUMENT
- CLASS 1 MONUMENT TO BE SET
- FOUND CLASS 2 MONUMENT
- CLASS 2 MONUMENT TO BE SET
- SET 5/8" REBAR WITH PLASTIC CAP MARKED "BUNDY SURVEYING, INC. LS 177120" (OR AS NOTED OTHERWISE ON PLAT)
- FOUND POINT SET BY OTHERS
- 24 LOT NUMBER
- NO BUILD–NO DISTURB AREA (SEE NOTE 5 & 6)
- PRIVATE DRIVE AND EASEMENT (SEE NOTE 14)
- PRIVATE BUILDING ENVELOPE

ENTRADA AT SNOW CANYON
"CHACO WEST" – PHASE 3

LOCATED IN:
THE SE 1/4 OF SECTION 4, AND THE NE 1/4 OF SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE CITY BASE & MERIDIAN
SHEET 2 OF 3

BUNDY SURVEYING INCORPORATED
180 WEST 400 SOUTH, ST. GEORGE, UTAH 84770
PHONE: (435) 628-1260

REVISIONS	
NOVEMBER 13, 2006	PRIVATE ENVELOPE CHGS MADE

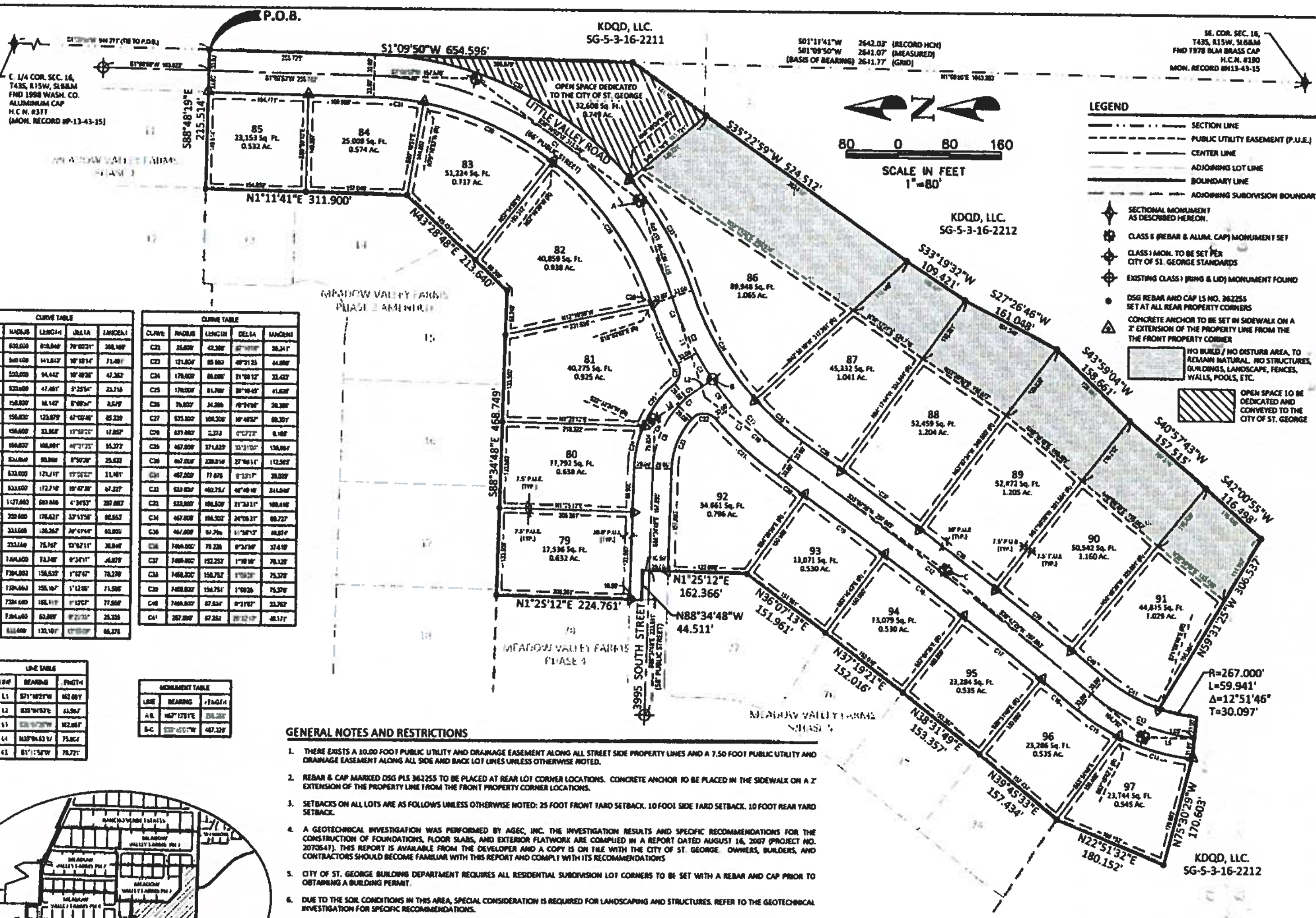

ENTRADA AT SNOW CANYON
"CHACO WEST" - PHASE 3
LOCATED IN:
THE SE 1/4 OF SECTION 4, AND THE NE 1/4 OF
SECTION 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST,
SALT LAKE CITY BASE & MERIDIAN
SHEET 3 OF 3
VICINITY MAP
PROJECT LOCATION
GRAPHIC SCALE
FUTURE DEVELOPMENT
(NOT A PART OF THIS PLAT)
FUTURE LIMITED BUILD LINE
WEST LINE OF THE E1/2, E1/2, NW1/4, NE1/4, SECTION 9, T. 42 S., R. 16 W., SLB&M
N00° 33' 31"E 320.22'
31
90,233 SQ. FT.
2.07 ACRES
30
57,765 SQ. FT.
1.33 ACRES
29
50,041 SQ. FT.
1.15 ACRES
28
52,388 SQ. FT.
1.20 ACRES
27
47,151 SQ. FT.
1.08 ACRES
26
50,414 SQ. FT.
1.16 ACRES
33
58,859 SQ. FT.
1.31 ACRES
34
72,300 SQ. FT.
1.66 ACRES
35
60,334 SQ. FT.
1.39 ACRES
36
56,741 SQ. FT.
1.30 ACRES
KIVA CIRCLE
SETBACK LINE
DRAINAGE EASEMENT
N17° 08' 23"W 53.84'
N01° 32' 52"W 52.87'
N32° 30' 34"W 30.00'
L=113.13 R=265.00 Δ=24°27'37"
N03°17'08"E 212.84'
L=500.69 R=890.00 Δ=32°13'59"
L=274.28 R=440.00 Δ=35°42'56"
L=47.38 R=340.00 Δ=7°58'10"
L=256.73 R=660.00 Δ=22°17'16"
ENTRADA @ SNOW CANYON
CHACO WEST - PHASE I
2
3
4
5
6
7
8
P.O.B. PARCEL 1
MATCH LINE SHEET 1
S00°58'29"W 2685.82' MEAS.
AS PER CITY SG
S00°58'30"W 2686.30' MEAS.
S88° 22' 30"E 743.68
CURVE TABLE
CURVE | LENGTH | RADIUS
LINE TABLE
LINE | LENGTH | BEARING
LEGEND
23 LOT NUMBER
BUNDY SURVEYING INCORPORATED
REVISIONS:

PCR ITEM 4C
Final Plan

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

FINAL PLAT
Meadow Valley Farms Phase 7
Case No. 2015-FP-059

Request:	Approval of a 19 Lot Residential Subdivision Final Plat
Representative:	Brad Petersen, Development Solutions 120 East St. George Blvd, Suite #300 St. George, UT 84770
Property:	Located at approximately 3995 South and Little Valley Road (Little Valley Area)
Zone:	RE-20
Staff Comments:	All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.
P.C.:	The Planning Commission recommends approval.

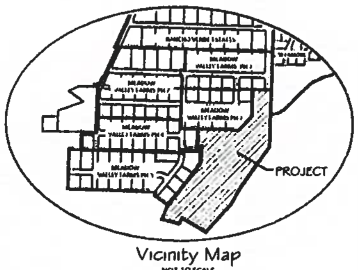


CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C1	633.000'	818.040'	74°03'31"	308.169'
C2	540.000'	141.843'	15°13'14"	[illegible]
C3	500.000'	94.442'	10°49'20"	47.362'
C4	500.000'	47.401'	5°25'54"	23.718'
C5	150.000'	16.147'	6°09'54"	8.077'
C6	150.000'	123.079'	47°00'46"	65.239'
C7	150.000'	33.868'	12°56'13"	17.007'
C8	150.000'	108.801'	41°33'25"	55.373'
C9	500.000'	50.000'	[illegible]	25.022'
C10	533.000'	171.711'	[illegible]	11.101'
C11	533.000'	172.719'	18°34'00"	87.327'
C12	1427.000'	[illegible]	4°24'53"	[illegible]
C13	300.000'	176.621'	33°43'56"	90.953'
C14	333.000'	120.262'	20°41'44"	60.800'
C15	333.000'	75.747'	13°02'11"	38.040'
C16	1464.000'	74.240'	6°34'11"	[illegible]
C17	7394.000'	156.535'	1°12'47"	78.270'
C18	7394.000'	155.167'	1°12'08"	71.585'
C19	7394.000'	155.117'	[illegible]	77.558'
C20	7364.000'	53.887'	[illegible]	25.338'
C21	[illegible]	133.107'	[illegible]	66.376'

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C22	25.000'	42.300'	[illegible]	28.341'
C23	121.000'	85.860	40°31'25"	44.800'
C24	170.000'	64.085'	21°03'12"	32.427'
C25	170.000'	61.780'	20°49'43"	41.620'
C26	70.000'	34.200	40°24'08"	20.305'
C27	533.000'	100.306'	10°46'52"	60.307'
C28	533.000'	2.373	0°12'23"	8.165'
C29	467.000'	271.425'	33°21'00"	130.864'
C30	467.000'	220.816'	27°06'11"	112.565'
C31	467.000'	77.676	9°31'17"	38.009'
C32	533.000'	402.751	43°40'40"	241.040'
C33	533.000'	198.520'	21°23'11"	100.416'
C34	467.000'	196.502	24°06'31"	99.727'
C35	467.000'	97.296	11°56'13"	48.824'
C36	7400.000'	78.228	0°34'07"	37.419'
C37	7400.000'	152.253'	1°10'10"	78.128'
C38	7400.000'	150.752	[illegible]	75.378'
C39	7400.000'	150.751'	1°10'26"	75.378'
C40	7400.000'	67.524'	0°31'07"	33.762'
C41	267.000'	67.252	[illegible]	48.171'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S71°18'23"W	162.091'
L2	S35°14'53"E	33.364'
L3	[illegible]	162.081'
L4	N35°06'43"E	75.36'
L5	E1°1?'39"W	78.72'

MONUMENT TABLE		
LINE	BEARING	LENGTH
A-B	N87°17'01"E	256.28'
B-C	[illegible]	487.32'



Vicinity Map
NOT TO SCALE

GENERAL NOTES AND RESTRICTIONS

1. THERE EXISTS A 10.00 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL STREET SIDE PROPERTY LINES AND A 7.50 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL SIDE AND BACK LOT LINES UNLESS OTHERWISE NOTED.
2. REBAR & CAP MARKED DSG PLS 362255 TO BE PLACED AT REAR LOT CORNER LOCATIONS. CONCRETE ANCHOR TO BE PLACED IN THE SIDEWALK ON A 2' EXTENSION OF THE PROPERTY LINE FROM THE FRONT PROPERTY CORNER LOCATIONS.
3. SETBACKS ON ALL LOTS ARE AS FOLLOWS UNLESS OTHERWISE NOTED: 25 FOOT FRONT YARD SETBACK. 10 FOOT SIDE YARD SETBACK. 10 FOOT REAR YARD SETBACK.
4. A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY AGEC, INC. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS, AND EXTERIOR FLATWORK ARE COMPILED IN A REPORT DATED AUGUST 16, 2007 (PROJECT NO. 2070541). THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH THE CITY OF ST. GEORGE. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS RECOMMENDATIONS.
5. CITY OF ST. GEORGE BUILDING DEPARTMENT REQUIRES ALL RESIDENTIAL SUBDIVISION LOT CORNERS TO BE SET WITH A REBAR AND CAP PRIOR TO OBTAINING A BUILDING PERMIT.
6. DUE TO THE SOIL CONDITIONS IN THIS AREA, SPECIAL CONSIDERATION IS REQUIRED FOR LANDSCAPING AND STRUCTURES. REFER TO THE GEOTECHNICAL INVESTIGATION FOR SPECIFIC RECOMMENDATIONS.
7. THIS SUBDIVISION IS LOCATED ADJACENT TO AGRICULTURAL PROPERTIES UPON WHICH LARGE ANIMAL USES MAY OR MAY NOT EXIST. ALL LOT OWNER'S WITHIN THE MEADOW VALLEY FARMS SUBDIVISION ARE HEREBY NOTIFIED OF THE POTENTIAL FOR OCCASIONAL ODORS AND OTHER NUISANCES RELATED TO SUCH AGRICULTURAL USES. AGRICULTURAL USES, NOISES, AND ODORS ARE CONSIDERED NORMAL AND ARE EXEMPT FROM NUISANCE COMPLAINTS AS PER UTAH CODE 78B-6-1104, OR AS AMENDED.
8. LOTS 82 - 85 ARE TO BE BUILT AS WALKOUT BASEMENTS ONLY UNLESS OTHERWISE APPROVED BY THE CITY OF ST. GEORGE COMMUNITY DEVELOPMENT DEPARTMENT BASED ON A SITE PLAN THAT MEETS ALL APPLICABLE CITY STANDARDS INCLUDING BUT NOT LIMITED TO GRADING AND SETBACK STANDARDS AND REQUIREMENTS.
8. PURSUANT TO LOTS AS SHOWN HEREON, THE HEIGHT OF ANY RETAINING WALL, OR HEIGHT OF ANY COMBINATION OF FENCE ON TOP OF A RETAINING WALL OR ROCKERY WALL IS RESTRICTED BY ST. GEORGE CITY ORDINANCE 10-18-4 AND AS AMENDED. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS ORDINANCE AND COMPLY WITH SUCH.

SURVEYOR'S CERTIFICATE:

I, D. BRADFORD PETERSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 362255, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS SHOWN IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, OPEN SPACE, PUBLIC STREETS, AND EASEMENTS HEREAFTER KNOWN AS:

MEADOW VALLEY FARMS - PHASE 7

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE LOTS SHOWN ON THIS PLAT MEET THE CURRENT ZONING ORDINANCE.

DATE: ______________

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST BOUNDARY CORNER OF THE MEADOW VALLEY FARMS - PHASE 1 SUBDIVISION, AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 1°09'50" WEST ALONG THE SECTION LINE, A DISTANCE OF 944.271 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 01°09'50" WEST ALONG THE SECTION LINE, A DISTANCE OF 654.596 FEET; THENCE SOUTH 35°22'59" WEST 524.511 FEET; THENCE SOUTH 33°19'32" WEST 109.421 FEET; THENCE SOUTH 27°26'46" WEST 161.048 FEET; THENCE SOUTH 43°59'04" WEST 158.661 FEET; THENCE SOUTH 40°57'43" WEST 157.515 FEET; THENCE SOUTH 42°00'55" WEST 116.498 FEET; THENCE NORTH 59°31'25" WEST 306.537 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, (RADIUS POINT BEARS SOUTH 71°09'40" EAST); THENCE ALONG THE ARC OF A 267.000 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°51'46", A DISTANCE OF 59.941 FEET; THENCE NORTH 84°01'26" WEST 66.000 FEET; THENCE NORTH 75°30'29" WEST 170.603 FEET; THENCE NORTH 22°51'32" EAST 180.152 FEET TO THE SOUTHEAST CORNER OF LOT 74, MEADOW VALLEY FARMS - PHASE 5 SUBDIVISION, AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE ALONG THE EASTERLY BOUNDARY OF SAID SUBDIVISION THE FOLLOWING (6) SIX COURSES: (1) NORTH 39°45'33" EAST 157.434 FEET; (2) NORTH 38°31'49" EAST 153.357 FEET; (3) NORTH 37°19'21" EAST 152.016 FEET; (4) NORTH 36°07'13" EAST 151.961 FEET; (5) NORTH 01°25'12" EAST 162.366 FEET; AND (6) NORTH 88°34'48" WEST 44.511 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE MEADOW VALLEY FARMS - PHASE 4 SUBDIVISION, AS RECORDED AND ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE NORTH 01°25'12" EAST ALONG SAID BOUNDARY, A DISTANCE OF 224.761 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF LOT 18, MEADOW VALLEY FARMS - PHASE 1 AMENDED SUBDIVISION; THENCE ALONG THE SOUTHERLY AND EASTERLY BOUNDARY OF SAID SUBDIVISION, THE FOLLOWING (3) THREE COURSES: (1) SOUTH 88°34'48" EAST 468.749 FEET; (2) NORTH 43°28'48" EAST 213.640 FEET; AND (3) NORTH 01°11'41" EAST 311.900 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN SAID MEADOW VALLEY FARMS - PHASE 1 SUBDIVISION; THENCE SOUTH 88°48'19" EAST ALONG SAID SUBDIVISION BOUNDARY, A DISTANCE OF 215.514 FEET TO THE POINT OF BEGINNING

CONTAINS 882,364 SQ. FT. (20.256 ACRES)

OWNER'S DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, OPEN SPACE, PUBLIC STREETS, AND EASEMENTS HEREAFTER KNOWN AS:

MEADOW VALLEY FARMS - PHASE 7

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNERS DO HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS PUBLIC STREETS AND EASEMENTS. OWNERS DO FURTHER HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE, BUT NOT THE USE OF THE PUBLIC, THE OPEN SPACE PARCEL AS SHOWN HEREON. ALL LOTS, OPEN SPACE, PUBLIC STREETS, AND EASEMENTS ARE AS NOTED OR SHOWN. THE OWNERS DO HEREBY WARRANT TO THE CITY OF ST. GEORGE IT'S SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS. LOTS SHOWN ON THIS PLAT ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, OF MEADOW VALLEY FARMS SUBDIVISION, RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER ON THE 14TH DAY OF JUNE, 2012, AS ENTRY NO. 20120019520 SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ARE HEREBY INCORPORATED AND MADE PART OF THIS PLAT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS____DAY OF ______________, 2015.

____
DESERT VALLEY DEVELOPMENT, INC.
BY: ED BURGESS, PRESIDENT

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF ______________, 2015, PERSONALLY APPEARED BEFORE ME, ED BURGESS, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF DESERT VALLEY DEVELOPMENT, INC., A UTAH CORPORATION, AND THAT THE FOREGOING OWNER'S DEDICATION WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BY-LAWS (OR BY A RESOLUTION OF ITS BOARD OF DIRECTORS), AND HE DID DULY ACKNOWLEDGE TO ME THAT SUCH CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: ______________
COMMISSION NUMBER: ______________
MY COMMISSION EXPIRES: ______________
A NOTARY PUBLIC COMMISSIONED IN UTAH
(IF ABOVE INFORMATION IS PROVIDED, NO STAMP REQUIRED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

____
NOTARY PUBLIC

Subdivision Final Plat for

MEADOW VALLEY FARMS - PHASE 7

Located in the Southeast Quarter of Section 16,
Township 43 South, Range 15 West, SLB&M

DEVELOPMENT SOLUTIONS, INC.

SHEET 1 OF 2

APPROVAL OF THE PLANNING AND ZONING MANAGER	ENGINEER'S APPROVAL	APPROVAL AS TO FORM	APPROVAL OF THE PLANNING COMMISSION	APPROVAL AND ACCEPTANCE BY THE CITY OF ST. GEORGE, UTAH	TREASURER APPROVAL	RECORDED NUMBER
I, PLANNING AND ZONING MANAGER FOR THE CITY OF ST. GEORGE, HAVE THIS THE ____ DAY OF ______________ A.D. 20___, REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND RECOMMENDED THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	THE HEREON SUBDIVISION FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS ____ DAY OF ______________, A.D. 20___	APPROVED AS TO FORM, THIS THE ____ DAY OF ______________, A.D. 20___	ON THIS THE ____ DAY OF ______________ A.D. 20___ THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY'S PLANNING ORDINANCES, AND BY AUTHORITY OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF ST. GEORGE, UT.	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, UT, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORD IN THE MINUTES OF ITS MEETING OF THE ____ DAY OF ______________ A.D. 20___ HEREBY ACCEPT SAID FINAL PLAT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.	I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ____ DAY OF ______________ A.D. 20___ THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.	
PLANNING AND ZONING MANAGER CITY OF ST. GEORGE	ENGINEER CITY OF ST. GEORGE	CITY ATTORNEY CITY OF ST. GEORGE	CHAIRMAN PLANNING COMMISSION CITY OF ST. GEORGE	ATTEST: CITY RECORDER CITY OF ST. GEORGE / MAYOR CITY OF ST. GEORGE	WASHINGTON COUNTY TREASURER	WASHINGTON COUNTY RECORDER

NOTIFICATION AND CONSENT TO IMACT FEE OBLIGATION:

THE OWNERS AND MORTGAGEES, BY SIGNING THIS PLAT DO HEREBY CONFIRM THAT, NOTWITHSTANDING ANY SUBSEQUENT INSTRUMENT RECORDED WITH RESPECT TO SAID TRACT, THERE SHALL BE WATER AVAILABILITY FEES DUE AND PATABLT ON THE LOTS WITHIN SAID TRACT UPON THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:

a) THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST THERETO;

b) THE ISSUANCE OF A BUILDING PERMIT FOR CONSTRUCTION ON THE ANY PORTION OF THE TRACT; OR

c) THREE YEARS FROM THE DATE OF THE RECORDING OF THIS PLAT AS SET FORTH IN A PROMISSORY NOTE AND SECURITY AGREEMENT EXECUTED AND RECORDED WITH THIS SUBDIVISION PLAT.

ACKNOWLEDGEMENT BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT:

THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT HEREBY ACKNOWLEDGES THE NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS PLAT.

_____
BARBARA G. HILLE, ASSISTANT GENERAL MANAGER
WASHINGTON COUNTY WATER CONSERVANCY DISTRICT

STATE OF UTAH
WASHINGTON COUNTY } S.S.

ON THE ____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME, BARBARA G. HILLE, PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SIGNED THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED IT VOLUNTARILY FOR ITS STATED PURPOSE.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(IF ABOVE INFORMATION IS PROVIDED,
NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

_____
NOTARY PUBLIC

OWNER'S ACKNOWLEDGEMENT OF WATER IMPACT FEES:

THE UNDERSIGNED, ED BURGESS, PRESIDENT OF DESERT VALLEY DEVELOPMENT, INC., DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE OBLIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

_____
DESERT VALLEY DEVELOPMENT, INC.
BY: ED BURGESS, PRESIDENT

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE ____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, ED BURGESS, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF DESERT VALLEY DEVELOPMENT, INC., A UTAH CORPORATION, AND THAT THE FOREGOING ACKNOWLEDGEMENT OF WATER IMPACT FEES WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BY-LAWS (OR BY A RESOLUTION OF ITS BOARD OF DIRECTORS), AND HE DID DULY ACKNOWLEDGE TO ME THAT SUCH CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(IF ABOVE INFORMATION IS PROVIDED,
NO STAMP REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

_____
NOTARY PUBLIC

MORTGAGEE CONSENT TO RECORD

WE, CACHE VALLEY BANK, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT OF SAID TRACT OF LAND TO BE USED FOR THE USES AND PURPOSES DESCRIBED ON THIS PLAT AND JOIN IN ALL DEDICATIONS.

BY: _____

TITLE: _____

CORPORATE ACKNOWLEDGMENT (CONSENT)

STATE OF UTAH
COUNTY OF WASHINGTON } S.S

ON THIS ____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING BY ME DULY SWORN DID SAY THAT (S)HE IS THE _____ OF CACHE VALLEY BANK AND THAT (S)HE EXECUTED THE FOREGOING MORTGAGEE'S CONSENT TO RECORD ON BEHALF OF SAID CORPORATION BY AUTHORITY OF RESOLUTION OF ITS BOARD OF DIRECTORS AND (S)HE DID ACKNOWLEDGE TO ME THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(IF ABOVE INFORMATION IS PROVIDED,
NO STAMP IS REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

_____
NOTARY PUBLIC

MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES

WE, CACHE VALLEY BANK, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DOES HEREBY CONSENT TO THE OWNER'S CONSENT OF WATER IMPACT FEES FOR THE USES AND PURPOSES STATED THEREIN

BY: _____

TITLE: _____

CORPORATE ACKNOWLEDGMENT (WATER IMPACT FEES)

STATE OF UTAH
COUNTY OF WASHINGTON } S.S

ON THIS ____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, _____, WHO BEING BY ME DULY SWORN DID SAY THAT (S)HE IS THE _____ OF CACHE VALLEY BANK, AND THAT (S)HE EXECUTED THE FOREGOING MORTGAGEE'S CONSENT TO OWNER'S CONSENT OF WATER IMPACT FEES ON BEHALF OF SAID CORPORATION BY AUTHORITY OF RESOLUTION OF ITS BOARD OF DIRECTORS AND (S)HE DID ACKNOWLEDGE TO ME THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(IF ABOVE INFORMATION IS PROVIDED,
NO STAMP IS REQUIRED PER UTAH CODE,
TITLE 46, CHAPTER 1, SECTION 16)

_____
NOTARY PUBLIC

Subdivision Final Plat for

MEADOW VALLEY FARMS - PHASE 7

Located in the Southeast Quarter of Section 16,
Township 43 South, Range 15 West, SLB&M

DEVELOPMENT SOLUTIONS, INC.
CIVIL ENGINEERING, LAND SURVEYING, LAND PLANNING
214 East 200 North Suite B2, St. George, UT 84770
Office (435) 628-3123 - Fax (435) 574-3069
www.developmentsolutions.us

PCR ITEM 5
Lot Line Adjustment

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

LOT LINE ADJUSTMENT
Magnolia
Case No. 2015-LRE-033

Request: Approval of a Lot Line Adjustment on residential property

Representative: Eric McFadden, Premier Design & Engineering
75 East 100 North
Ivins, UT 84738

Property: Located near the end of 1790 West St (Green Valley Area)

Zone: PD-R

Staff Comments: The purpose of this Lot Line Adjustment is to adjust the Lot Line between Parcel 1 and Parcel 2 as shown on the attached exhibit. The cross hatched area belongs to Parcel 1 and will be added to Parcel 2. This is to accommodate the subdivision design and plan for Magnolia in the Green Valley area.

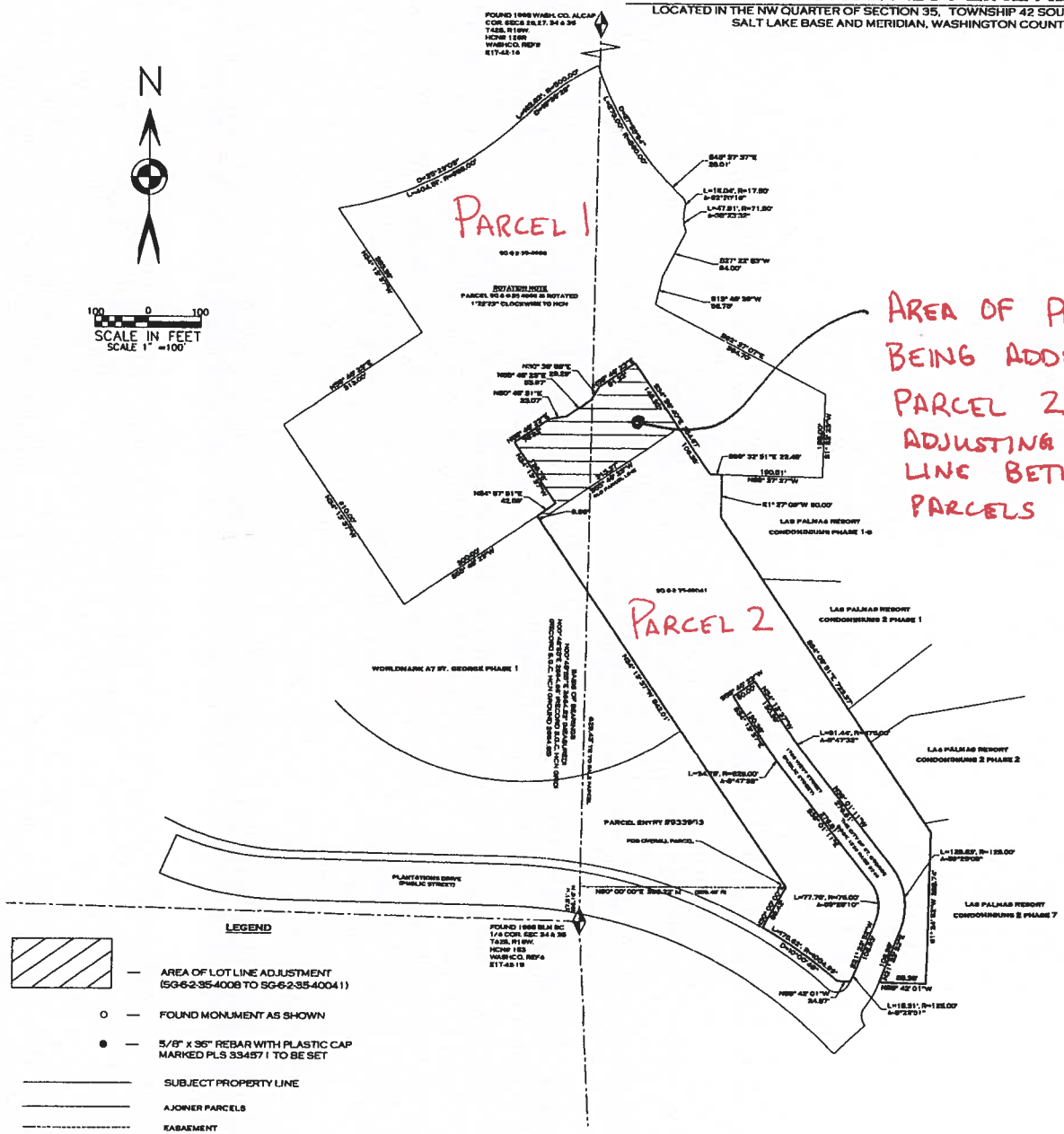
All aspects of this Lot Line Adjustment were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the conditions and approvals.

This Lot Line Adjustment is ready for Planning Commission's consideration for approval.

Recommendation: Recommend APPROVAL to City Council of this Lot Line Adjustment for Magnolia

RECORD OF SURVEY LOT LINE ADJUSTMENT

LOCATED IN THE NW QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST,
SALT LAKE BASE AND MERIDIAN, WASHINGTON COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, MICHAEL W. PURDY A REGISTERED UTAH LAND SURVEYOR DO HEREBY CERTIFY THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, CERTIFICATE NO. 334571. I FURTHER CERTIFY THAT THIS PLAT CORRECTLY SHOWS A SURVEY MADE UNDER MY DIRECT SUPERVISION OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT. AND THAT THIS PLAT IS TRUE AND CORRECT.

12/08/2015

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO RETRACE AND MARK ON THE GROUND THE SUBJECT PARCEL AS SHOWN ON THIS PLAT AND TO ADJUST THE LOT LINE BETWEEN PARCELS SG-6-2-35-4008 AND SG-6-2-35-40041 AT THE REQUEST OF THE CLIENT. ALL CORNERS ARE SET AND FOUND AS SHOWN.THE BASIS OF BEARING FOR THIS SURVEY IS N00°48'55"E BETWEEN FOUND MONUMENTATION AT THE WEST QUARTER CORNER AND THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST SALT LAKE BASE AND MERIDIAN AS PER ST. GEORGE CITY HCN.

OVERALL DESCRIPTION INCLUDES ALL OF SG-6-2-35-40041 AND A PORTION OF SG-6-2-35-4008

BEGINNING AT A POINT N00°48'55"E 67.51 FEET ALONG THE SECTION LINE AND N90°00'00"E 390.22 FEET FROM THE WEST QUARTER CORNER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING AN ANGLE POINT ON THE EAST BOUNDARY OF THE DEEDED PARCEL RECORDED AS ENTRY NUMBER 933953 IN BOOK 1724 PAGE 2655 EXHIBIT "A", AND RUNNING THENCE N34°13'37" W 851.96 FEET ALONG THE EAST BOUNDARY OF SAID DEEDED PARCEL RECORDED AS ENTRY NUMBER 933953 BOOK 1724 PAGE 2655 EXHIBIT "A" AND TO AND ALONG THE EAST LINE OF WORLDMARK, THE CLUB AT ST. GEORGE PHASE 1 THENCE N54°57'51"E 42.59 FEET; THENCE N34°13'37"W 139.76 FEET; THENCE N55°46'23"E 78.82 FEET; THENCE N80°49'31"E 93.07 FEET; THENCE N55°46'23"E 55.97 FEET; THENCE N30°39'58"E 29.29 FEET; THENCE N55°46'23"E 81.32 FEET; THENCE S34°36'40"E 254.67 FEET AND S88°32'51"E 22.48 FEET TO AN ANGLE POINT ON THE THE BOUNDARY OF LAS PALMAS RESORT CONDOMINIUMS - PHASE 1-8, THENCE S01°27'09"W 80.00 FEET ALONG SAID BOUNDARY OF LAS PALMAS RESORT CONDOMINIUMS - PHASE 1-8; THENCE S34°08'51"E 723.37 FEET ALONG SAID BOUNDARY OF LAS PALMAS RESORT CONDOMINIUMS - PHASE 1-8 AND THE BOUNDARIES OF LAS PALMAS RESORT CONDOMINIUMS II - PHASE -1, LAS PALMAS RESORT CONDOMINIUMS II - PHASE -2, LAS PALMAS RESORT CONDOMINIUMS II - PHASE -7 TO AN ANGLE POINT OF SAID LAS PALMAS RESORT CONDOMINIUMS II - PHASE 7; THENCE S01°24'52"W 288.74 FEET ALONG SAID BOUNDARY LINE; THENCE N88°42'01"W 66.39 FEET; THENCE N21°23'52"E 106.38 FEET; TO THE POINT OF CURVATURE OF A 125.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS N08°18'39"W 123.90 FEET); THENCE 129.63 FEET ALONG THE ARC OF SAID CURVE; THENCE N38°01'11"W 276.81 FEET TO THE POINT OF CURVATURE OF A 475.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS N36°07'23"W 31.43 FEET); THENCE 31.44 FEET ALONG THE ARC OF SAID CURVE; THENCE N34°13'37"W 130.39 FEET; THENCE S55°46'23"W 50.00 FEET; THENCE S34°13'37"E 130.39 FEET TO THE POINT OF CURVATURE OF A 525.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS S36°07'25"E 34.74 FEET); THENCE 34.75 FEET ALONG THE ARC OF SAID CURVE; THENCE S38°01'11"E 276.81 FEET TO THE POINT OF CURVATURE OF A 75.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS S08°18'43"E 74.34 FEET); THENCE 77.78 FEET ALONG THE ARC OF SAID CURVE; THENCE S21°23'52"W 106.93 FEET TO THE POINT OF CURVATURE OF A 125.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS S25°35'32"W 18.29 FEET); THENCE 18.31 FEET ALONG THE ARC OF SAID CURVE; THENCE N88°42'01"W 24.87 FEET TO A POINT ON A 1004.99 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (LONG CHORD BEARS N54°59'36"W 175.40 FEET); THENCE NORTHWESTERLY 175.62 FEET ALONG THE ARC OF SAID CURVE TO AN ANGLE POINT OF THE WARRANTY DEED RECORDED AS ENTRY NUMBER 933953, IN BOOK 1724, PAGE 2655, EXHIBIT "A"; THENCE N30°00'00"E 89.42 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING.

CONTAINS 7.451 ACRES OR 324558.2959 SF

No.	Description of Revisions	Date	By

CORNERPOINT
PROFESSIONAL LAND SURVEYS INC.
2075 S. Sir Hall Lane, St. George, Utah, 84770
Cell # 435-313-6028
mike.cpsurveying@gmail.com

RECORD OF SURVEY
LOT LINE ADJUSTMENT

LOCATED IN NW 1/4 SECTION 35
TOWNSHIP 42 SOUTH, RANGE 16 WEST SLB&M

Project :
File :LLA-MAGNOLIA 18
Date DEC.,08, 2015
Drafted by :
Review by MWP
Scale : 1"=100'
Sheet No.

PCR ITEM 3
Preliminary Plat

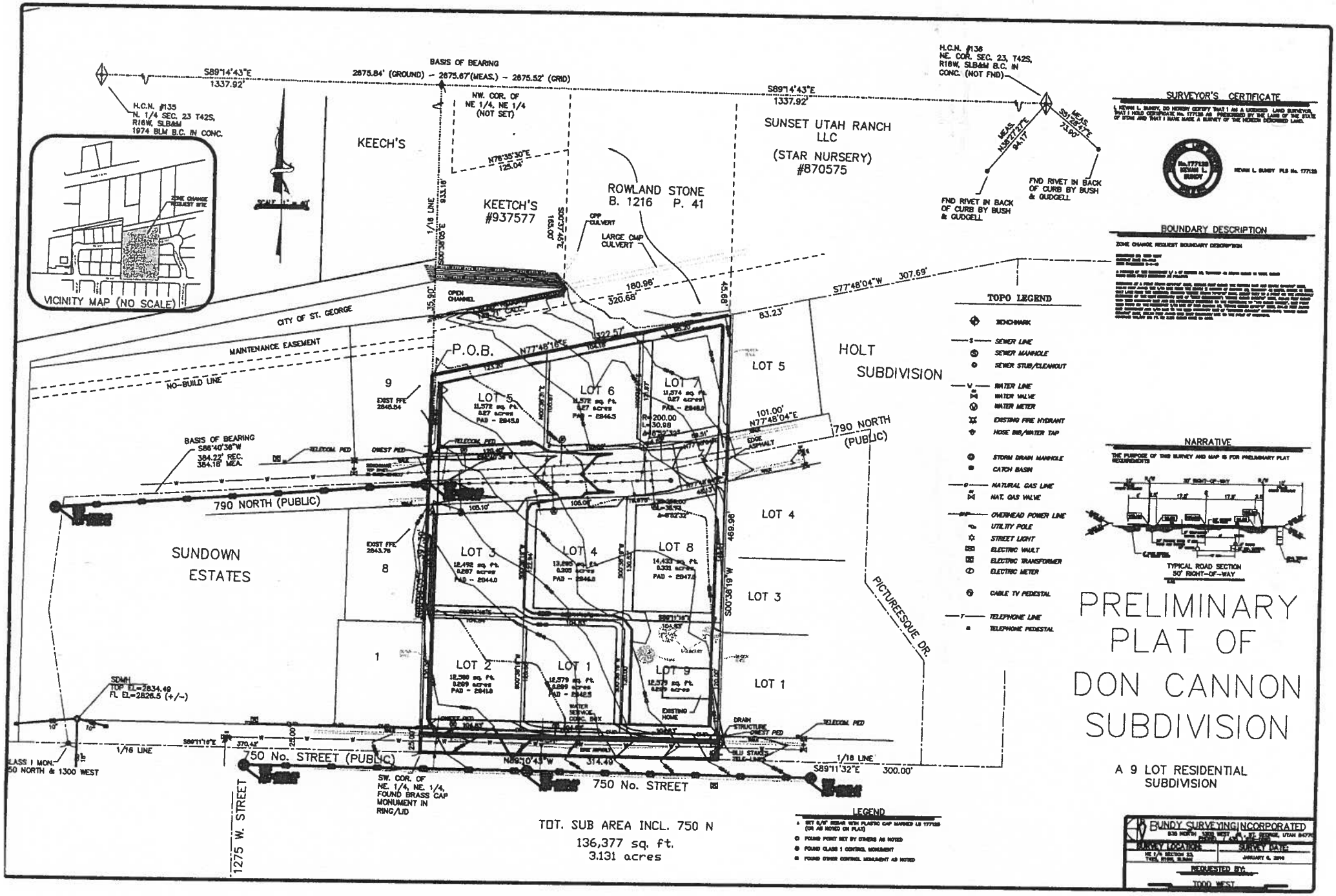
PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

PRELIMINARY PLAT
Don Cannon
Case No. 2016-PP-001

Request:	To approve a preliminary plat for an nine (9) lot residential subdivision
Location:	The site is located along 750 North at approximately 1200 West.
Property:	3.131 acres
Number of Lots:	9
Density:	2.56 du/ac
Zoning:	R-1-10 (Single Family, 10,000 s.f. lot sizes)
Adjacent zones:	This plat is surrounded by the following zones: North – C-3 South – R-1-10 East – R-1-10 West – R-1-10
General Plan:	LDR (Low Density Residential)
Applicant:	Todd West
Representative:	Todd West

Comments:

1. A 6-foot high privacy wall will be required along the north property lines of lots 5 and 6 to separate this residential subdivision from the existing commercial to the north.

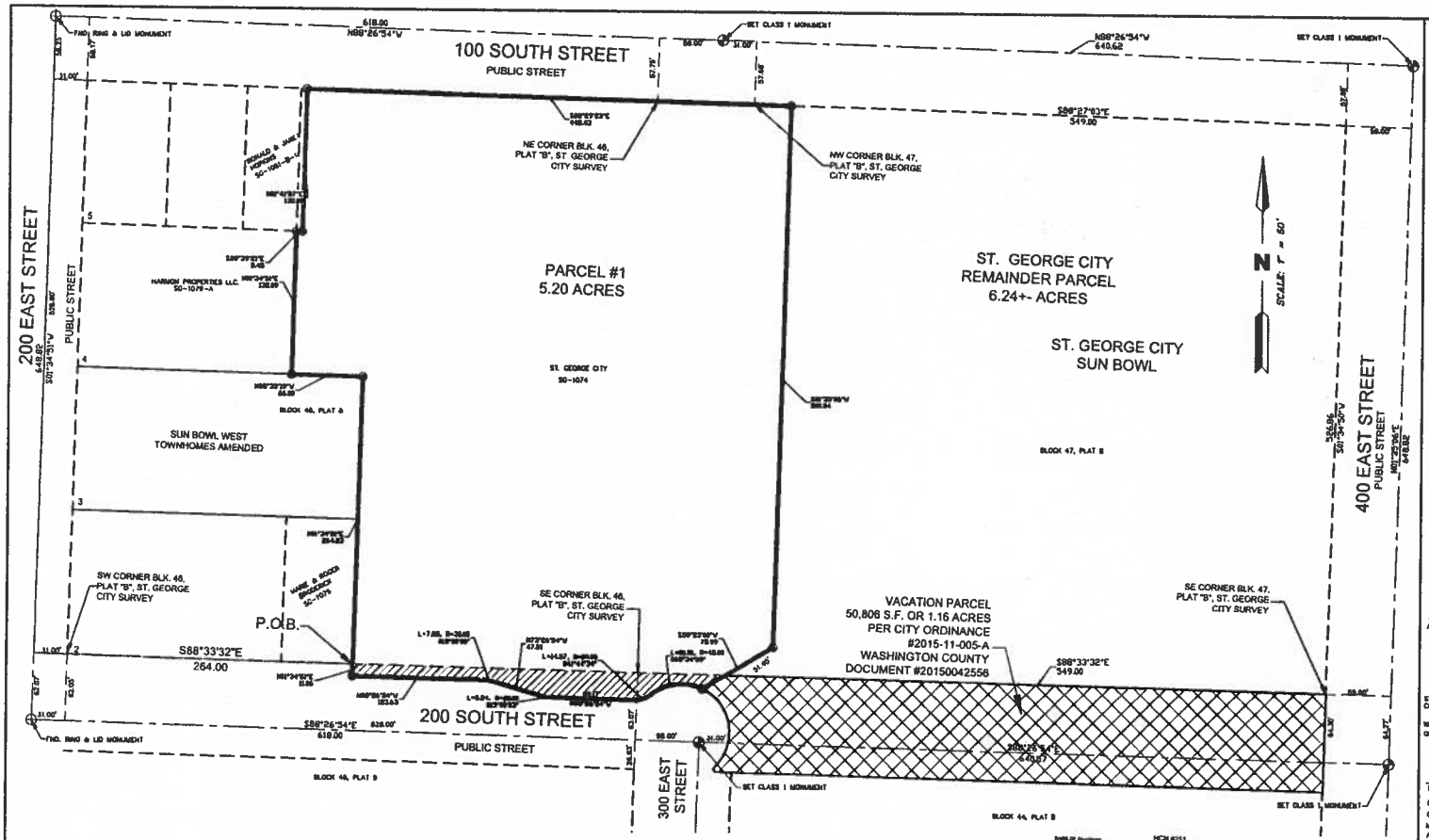

BASIS OF BEARING
2675.84' (GROUND) - 2675.67'(MEAS.) - 2675.52' (GRID)
S89°14'43"E
1337.92'
H.C.N. #135
N. 1/4 SEC. 23 T42S, R16W, SLB&M
1974 BLM B.C. IN CONC.
NW. COR. OF NE 1/4, NE 1/4 (NOT SET)
H.C.N. #136
NE. COR. SEC. 23, T42S, R16W, SLB&M B.C. IN CONC. (NOT FND)
FND RIVET IN BACK OF CURB BY BUSH & GUDGELL
KEECH'S
KEECH'S #937577
ROWLAND STONE B. 1216 P. 41
SUNSET UTAH RANCH LLC
(STAR NURSERY)
#870575
VICINITY MAP (NO SCALE)
CITY OF ST. GEORGE
MAINTENANCE EASEMENT
NO-BUILD LINE
OPEN CHANNEL
LARGE CMP CULVERT
P.O.B.
HOLT SUBDIVISION
LOT 5
LOT 6
LOT 7
LOT 4
LOT 8
LOT 3
LOT 2
LOT 1
LOT 9
790 NORTH (PUBLIC)
PICTUREESQUE DR.
SUNDOWN ESTATES
BASIS OF BEARING S88°40'36"W 384.22' REC. 384.18' MEA.
SDMH TOP EL=2834.49 FL EL=2826.5 (+/-)
CLASS I MON. 50 NORTH & 1300 WEST
750 No. STREET (PUBLIC)
750 No. STREET
1275 W. STREET
SW. COR. OF NE. 1/4, NE. 1/4, FOUND BRASS CAP MONUMENT IN RING/LID
TOT. SUB AREA INCL. 750 N
136,377 sq. ft.
3.131 acres
LEGEND
TOPO LEGEND
SURVEYOR'S CERTIFICATE
BOUNDARY DESCRIPTION
NARRATIVE
TYPICAL ROAD SECTION 50' RIGHT-OF-WAY
PRELIMINARY PLAT OF DON CANNON SUBDIVISION
A 9 LOT RESIDENTIAL SUBDIVISION
BUNDY SURVEYING INCORPORATED
SURVEY LOCATION
SURVEY DATE
REQUESTED BY
TODD WEST

PCR ITEM 4A
Final Plat

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

FINAL PLAT
St. George Elementary Subdivision
Case No. 2015-FP-064

Request:	Approval of a 1 Lot Subdivision Final Plat
Representative:	Scott Woolsey, Alpha Engineering 43 South 100 East #100 St. George, UT 84770
Property:	Located between 100 South St. and 200 South St. at approximately 300 East. (West of the Sun Bowl)
Zone:	RCC
Staff Comments:	All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.
P.C.:	The Planning Commission recommends approval.



LEGEND

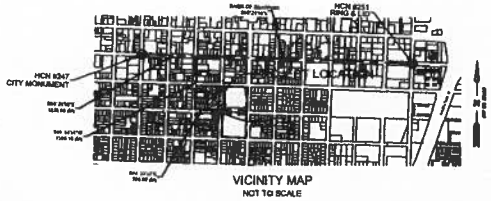
- SPECIFIES SURVEY CONTROL MONUMENT FOUND (CLASS I, RING AND LID)
- SPECIFIES SURVEY CONTROL MONUMENT TO BE SET (CLASS I, RING AND LID)
- SPECIFIES PROPERTY CORNER MONUMENT TO BE SET (ALPHA ENG. REBAR & CAP PLS. 174919)
- SURVEY CONTROL LINE
- BOUNDARY LINE
- PARCEL TO REMAIN AS A P.U.E.

GENERAL NOTES & RESTRICTIONS

1. City of St. George building department requires all residential subdivision lot corners to be set with a rebar and cap prior to obtaining a building permit.
2. All Lot Corners to be set with a rebar & plastic cap, PLS. #174919.

BASIS OF BEARING

The basis of bearing for this survey is South 88°26'54" East, between the St. George U.C.N. Monuments #247 and #251, #243 being located at Tabernacle Street and Main Street and Tabernacle Street and 1000 East Streets. Grid distance of 6,189.01 feet and ground distance of 6,189.73 feet. Measured distance of 6,168.70. Rotate plat bearings counter clock-wise 01°20'07" to fit the St. George City lot and block bearings. (See Vicinity Map for ties to control monuments).



VICINITY MAP
NOT TO SCALE

SURVEYOR'S CERTIFICATE

I, SCOTT P. WOOLSEY, PROFESSIONAL UTAH LAND SURVEYOR NUMBER 174919, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HEREBY CERTIFY ALL MEASUREMENTS AND DESCRIPTIONS ARE CORRECT. MONUMENTS HAVE BEEN SET AS REPRESENTED ON THIS PLAT.

ST. GEORGE ELEMENTARY SUBDIVISION

AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO 1 LOT, AND EASEMENTS, AND SAME HAS CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDARY DESCRIPTION

Commencing at the Southwest Corner of Block 46, Plat "B", St. George City Survey; Thence South 88°33'32" East, along the South line of said Block 46, a distance of 264.00 feet, to the Point of Beginning, and point being the Southeast Corner of Lot 2, said Block 46, Thence North 01°39'51" East, along the East line of Lot 2 and Lot 3 of said Block 46, a distance of 264.23 feet, to the Northeast Corner of said Lot 3, Block 46, Thence North 88°35'19" West, along the North line of said Lot 3, a distance of 66.00 feet, Thence North 01°39'51" East, a distance of 132.09 feet, Thence South 89°38'21" East, a distance of 3.45 feet, Thence North 01°41'57" East, a distance of 132.00 feet, to a point on the North line of said Block 46, Thence South 89°29'23" East, along said line, and an extension thereof, a distance of 418.41 feet, Thence South 01°37'06" West, a distance of 506.34 feet, Thence South 59°27'00" West, a distance of 75.99 feet to the beginning of a non-tangent curve to the left, of which the radius point lies South 15°52'33" West, a radial distance of 45.00 feet; thence Westerly along the arc of said curve, through a central angle of 65°34'59", a distance of 51.51 feet to the beginning of a reverse curve to the right having a radius of 20.00 feet and a central angle of 41°47'41"; thence Westerly along the arc of said curve, a distance of 14.57 feet, Thence North 88°28'54" West, a distance of 80.17 feet to the beginning of a non-tangent curve to the right, of which the radius point lies North 01°53'04" East, a radial distance of 20.00 feet; thence Westerly along the arc of said curve, through a central angle of 13°00'05", a distance of 5.24 feet, Thence North 75°26'54" West a distance of 47.11 feet to the beginning of a curve to the left having a radius of 30.00 feet and a central angle of 15°00'00", thence Westerly along the arc of said curve a distance of 7.85 feet. Thence North 88°26'54" West, a distance of 123.63 feet; Thence North 01°39'51" East a distance of 11.06 feet to the Point of Beginning

Containing 5.20 acres, more or less.

No. 174919
SCOTT P. WOOLSEY
STATE OF UTAH

SCOTT P. WOOLSEY, PLS. #174919

DATE

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF ALL THE ABOVE-DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO 1 LOT AND EASEMENTS TO BE HEREAFTER KNOWN AS ST. GEORGE ELEMENTARY SUBDIVISION, DO HEREBY DEDICATE TO THE CITY OF ST. GEORGE, ALL EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE. THE UNDERSIGNED OWNERS DO HEREBY WARRANT TO THE CITY OF ST. GEORGE AND ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO USE ALL EASEMENTS GRANTED HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

IN WITNESS WE HAVE HEREUNTO SET OUR HANDS THIS____DAY OF_____, 20___.

JONATHAN T. PIKE, MAYOR, CITY OF ST. GEORGE

ATTEST: CHRISTINE FERNANDEZ, CITY RECORDER

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THIS____DAY OF _____, 20____ PERSONALLY APPEARED BEFORE ME JONATHAN T. PIKE WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE MAYOR OF THE CITY OF ST. GEORGE, AND THE SIGNER OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE 46-1-16(8)).

A 1 LOT SUBDIVISION LOCATED IN ST. GEORGE CITY, UTAH IN BLOCK 46 & 47, PLAT "B" ST. GEORGE CITY SURVEY WITHIN SECTION 30, TOWNSHIP 42 SOUTH, RANGE 15 WEST SL B&M.

ST. GEORGE ELEMENTARY SUBDIVISION

033-181-FINAL PLAT

ALPHA ENGINEERING
45 South 100 East, Suite 100 • St George, Utah 84770
T. 435.628.6500 • F. 435.628.6553 • alphaengineering.com

Approval of the Planning and Zoning Manager	Engineer's Approval	Approval as to Form	Approval of the Planning Commission	Approval and Acceptance by the City of St. George, Utah	Treasurer Approval	Recorded Number
I, Planning and Zoning Manager for the City of St. George, have this the ____ day of _____, A.D. 20____, reviewed the above Subdivision Plat and recommended the same for acceptance by the City of St. George, Utah.	The hereon Subdivision Plat has been reviewed and is approved in accordance with the information on file in this office this ____ day of _____, A.D. 20____	Approved as to Form, this the ____ day of _____, A.D. 20____	On this the ____ day of _____, A.D. 20____, the Planning Commission of the City of St. George, having reviewed the above Subdivision Plat and having found that it complies with the requirements of the City's Planning Ordinances, and by authority of said Commission hereby approve said Plat for acceptance by the City of St. George, Utah.	We, the Mayor and City Council of the City of St. George, Utah, have reviewed the above Subdivision Plat and by authorization of said City Council, record in the minutes of its meeting of the ____ day of _____, A.D. 20____ hereby accept said Plat with all commitments and obligations pertaining thereto.	I, Washington County Treasurer, certify on this ____ day of _____, A.D. 20____ that all taxes, special assessments, and fees due and owing on this Final Plat have been paid in full.	
Planning and Zoning Manager City of St. George	Engineer City of St. George	City Attorney City of St. George	Chairman Planning Commission City of St. George	Attest: City Recorder City of St. George Mayor City of St. George	Washington County Treasurer	

DRAFT

Agenda Item Number : **6C**

Request For Council Action

Date Submitted	2016-01-11 12:32:04
Applicant	Ms. Laura Bartschi, The Family Support Center
Quick Title	CUP to permit an increase of children at a respite facility
Subject	Consider a conditional use permit to allow a maximum of 12 children in an established child family support facility (Respite) in the RCC (Residential Central City) zone located at 310 W 200 N.
Discussion	The Family Support Center is currently operating and was approved for a CUP in 2008, which allowed up to 8 children. The request is to modify the CUP and allow up to 12 children at the facility. The Center provides respite and is a service for the community. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	PC recommends approval
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

PCR ITEM 2B
CUP - Respite in RCC

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

CONDITIONAL USE PERMIT: Case No. 2016-CUP-001

Request: This conditional use permit is a request for permission to change from allowing a maximum of 8 children to a maximum of 12 children in an established and operating child family support facility (Respite) in the RCC zone (*at 310 W 200 N*). Note: The State allows up to a maximum of 12.

History: Case No. 2007-ZRA-018; on December 6, 2007, the City Council approved a zoning regulation amendment (ZRA) to amend Title 10 Zoning Regulations, Chapter 7 Residential Zones Article "C" Multiple Family Zones (R-2, R-3, R-4), Section 10-7C-3 "Conditional Uses," to allow a residential child family support facility (with conditions listed in code). This allowed the possibility of establishing a 'Respite' in a MF zone (*Note: only in a single family home located in a multi-family zone)*
(Note: at the time, the applicant had expected to establish the respite in a MF zone).

On February 12, 2008, an applicant submitted a CUP for a daytime only crisis child care in the RCC zone. However, the request could not be processed because a day care center operator must be a resident and live in the home per existing code. The code had not yet been changed to allow a respite in the RCC zone.

Case No. 2008-ZRA-002; on April 4, 2008 the City Council approved amending Title 10, Chapter 2 "Definitions" to add a definition of "Respite" to the code. The council also approved amending language to several sections to allow a respite as a conditional use permit; in Sections 10-7F-2 / RCC zone, 10-7A-3 / RE zones, and 10-7B-3 / R-1 zones.

Case No. 2008-CUP-002; on March 20, 2008, the City Council approved a maximum of 8 children in a residential family support facility (respite) at 310 W 200 N.

Respite: By definition a 'respite' is "*a temporary relief facility designed to provide for young children at risk of abuse, maltreatment, and neglect, and to offer an array of support services to the families, caregivers, and primary providers of the children.*"

Reference: Case No. 2008-ZRA-002
Case No. 2008-CUP-002 (*for this same location - 310 W 200 N*)

Applicant: "The Family Support Center" (501c-3)

Rep.: Ms. Laura Bartschi

Property: 310 West 200 North.

Zoning: RCC (Residential Central City).

Parking: In 2008, parking for a Respite in the multiple family zones was determined to be; "Parking shall be 1 space for each staff member, plus 1 space for each 8 children. However, at the January 12, 2016, meeting the Planning Commission discussed parking and determined that 1 space per 1 staff member per 4 children (State requirement – 1:4) was the minimum requirement. This results in a minimum of 3 spaces. This is a residential zone and 'tandem' parking is allowed. By using the garage and the 3 driveway spaces there are 4 spaces available on-site. Although on street may not be counted, it can be used if the required on-site spaces are provided. (*see photos this report*)

Ordinance: 10-7F-2 "Permitted, Conditional, or Accessory Uses." (RCC language)

D. Child family support facility is a conditional use in this district. A child family support facility is a facility that is licensed as a residential support program by the department of human services office of licensing to provide temporary respite, crisis and supplemental care for children from ages zero to eleven (11) at any time of day for no more than thirty (30) days. The use may be conducted only within a single-family dwelling. No multiple-family dwelling may be approved for a child family support facility. The planning commission will determine the maximum number of children to be allowed for overnight stays and the maximum number of children to be allowed for daytime only stays. The facility must comply with all state licensing regulations and guidelines. This use specifically does not include support centers for substance abuse treatment or homeless shelters. The facility would accept children brought and signed in by parents, legal guardians, law enforcement or those entrusted with protective custody such as Utah department of human services and the division of child and family services. Parking shall be one space for each staff member, plus one space for each eight (8) children. The applicant shall provide a narrative and site plan. All other requirements of the zone shall be complied with. A minimum separation of three (3) miles is required between child family support facilities as measured in a straight line from the property line of one facility to the property line of another. (Ord. 2008-04-002, 4-3-2008; amd. Ord. 2009-04-004, 4-2-2009)

Comments: This request is a CUP for a maximum of 12 children.

A narrative by the applicant is attached to this report (*see attached*)

Parking shall be 1 space for each staff member, plus 1 space for each 8 children.

The State requires a ratio of 1:4 (one staff member to 4 children)

All other requirements of the RCC zone shall be complied with.

Findings for a CUP are required *(see below)*

PC: The Planning Commission recommends approval to increase the facility from a maximum of 8 children to 12 with the CUP findings (*see below).*

Findings: The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval:

Yes	N/A	Category	Description
Contain Noise inside building & to site		A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
	X	B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
Contain all odors to meet standards		C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
Existing Bldg	X	D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
	X	E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
PC to Discuss any traffic concerns.		F. Traffic	1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
Existing Bldg	X	G. Height	1. Buildings shall fit into the overall context of the surrounding area. 2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.

Discuss hours of operation *(see narrative)*		H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.
	X	I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.
Ref. 2008-ZRA-002		J. Maintain Character and purpose of zone	1. Uses shall be consistent with the character and purpose of the zone within which they are located.
		K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

Z:\Planning and Zoning\Common\CUP\2016 CUP\2016-CUP-001 Family Support Center\Staff Rpts\CC-2016-CUP-001 respite in RCC 310 W 200 N.doc

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Request change for maximum amount of children in facility

Asking that the amount be changed to 12 instead of 8

12/10/2015

While we are asking that the amount be changed to 12, please note that the center very rarely exceeds 10.

NARRATIVE

Dedicated to Protecting Children & Strengthening Families

310 W. 200 N.
St. George, Utah 84770
Phone # 435-674-5133

24 HOUR CRISIS HOTLINE # 435-773-0585 OR 435-703-4666

www.thefamilysupportcenter.com

Dear Parents,

Welcome to the Family Support Center of Washington County's crisis and respite care nursery. We are delighted to have your children spend time with us. Attached is our Parent Handbook. Our services are designed to provide your children with a safe and enjoyable time with us. This will help make your time away from them worry free.

Please keep this information available for your own reference and never hesitate to call with any questions or concerns. Our phone number is 435-674-5133. This number will also connect you to our 24 hour crisis hotline in case of emergency situations.

The Family Support Center is founded on a set of principles designed to maintain the dignity and rights of all persons. Policies have been established which are conducive to both individual well-being and program achievement.

We will not discriminate based on race, religion, natural origin, age, gender, or disability. We will provide services to anyone who meets the guidelines of our program and for whom we are licensed to provide services to. We will treat all clients with respect and dignity and ask that you give us the same courtesy. Thank you for trusting us with your children.

The Family Support Center of Washington County reserves the right to refuse services to anyone who has been uncooperative, abusive, or neglectful in dealing with Center staff and or/policies. We reserve the right to refuse services to children who have a history of violence, sexually reactive behaviors, may attempt to run away, or who are at risk of harming other children or themselves.

What services does the Family Support Center provide?

~ Respite Care ~

Respite Care is designated for children ages birth through eleven. Respite Care is typically scheduled in advance no more than 3 hours per week unless there are extenuating circumstances in which those times will need to be approved by the family support center Director.

We can schedule children for almost any reason EXCEPT for care related to parents attending work or school. Some of the reasons parents schedule their children for respite care include: medical or therapy appointments, support groups (AA, NA, Grief, DV, etc.) parenting skills classes, job search & other DWS meetings, generic "Stress Breaks" (Date Nights, Alone Time, etc).

~ Crisis Care ~

Crisis Care is also designated for children ages birth through eleven. This service is available seven days a week, 24 hours per day. Parents can have their children signed in for Crisis Care for up to 72 consecutive hours (3 full days). We cannot take children for more than 72 hours straight regardless of the crisis situation. Any single crisis stay longer than 72 hours may be subject to scrutiny if the center believes the parent(s) are taking advantage of the center's services.

It is requested that you schedule as far in advance as possible for crisis care although we understand that this is rarely possible in emergency situations. Some of the reasons parents may consider leaving their children for crisis care include: emergency medical situations, birth of a sibling, serving jail time, struggling with family emergencies, overwhelming grief or mental distress, etc. Crisis care can be requested for any time the child may be put into an unsafe situation.

Other available services:

~ visitation exchange ~
~ Parent support services ~
~ Adoption Support Respite ~

***Please note:** Children are scheduled on a "First scheduled, First Served" basis for respite care BUT children requiring crisis care will always take priority over any other scheduling. Please understand that we will call you if we need to cancel scheduled respite care appointments for your children to make room for children in crisis. If possible, we will attempt to reschedule the respite care to another date and time available.

HEALTH CARE AND GUIDELINES

Children who are ill are not allowed to be at the Center due to risk of infecting others. The following are standard guidelines to go by when trying to determine whether you should bring your child in to the Center. **A child will not be accepted with:**

- **Fever (Child must be fever free for 24 hours before returning)**
- **Diarrhea**
- **Vomiting**
- **Mouth Sores**
- **Rash (Bleeding & increased pain which causes crying)**
- **Eye Infections (Child must be treated for 24 hours before returning)**
- **Infestation (Lice, Pinworm, Scabies, etc,)**
- **Impetigo (Infectious Sores)**
- **Strep-Throat**
- **Ringworm Infections**
- **Green Runny Nose**
- **Uncontrolled coughing**
- **Chicken Pox (Child & exposed siblings may not return until all lesions have dried & crusted)**
- **Any other illness that may cause pain or prolonged crying that should be soothed by a parent.**

1. **The Center reserves the right to deny any child that staff members feel have any of the above symptoms or is obviously too sick to be at the Center.**
2. **A child will not be allowed to return until the Center staff feels that the child is well enough. A note from the physician may be requested.**
3. **If a child experiences signs of illness while at the Center the parent <u>WILL</u> be contacted to pick up their children immediately.**

DAYS CLOSED:

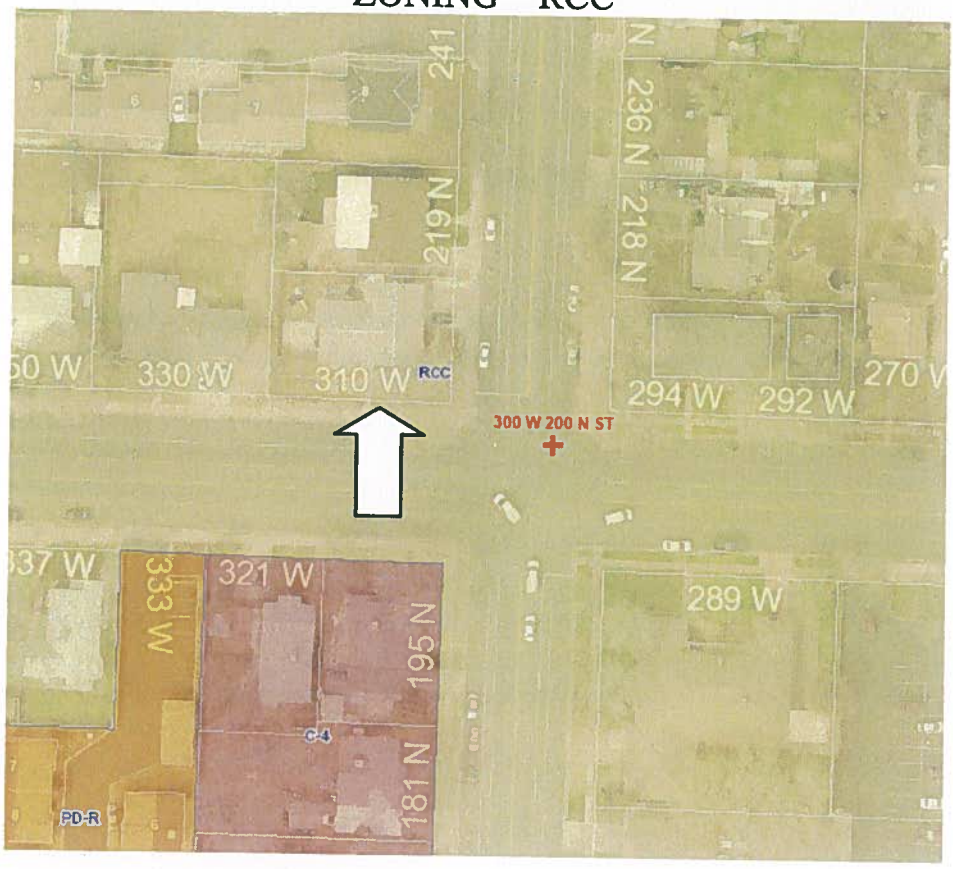
New Years Eve ½ day
New Years Day
Martin Luther King Day
Presidents Day
Memorial Day
4th of July
24th of July
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
Day after thanksgiving
Christmas Eve
Christmas Day
Day after Christmas

Operating Hours:

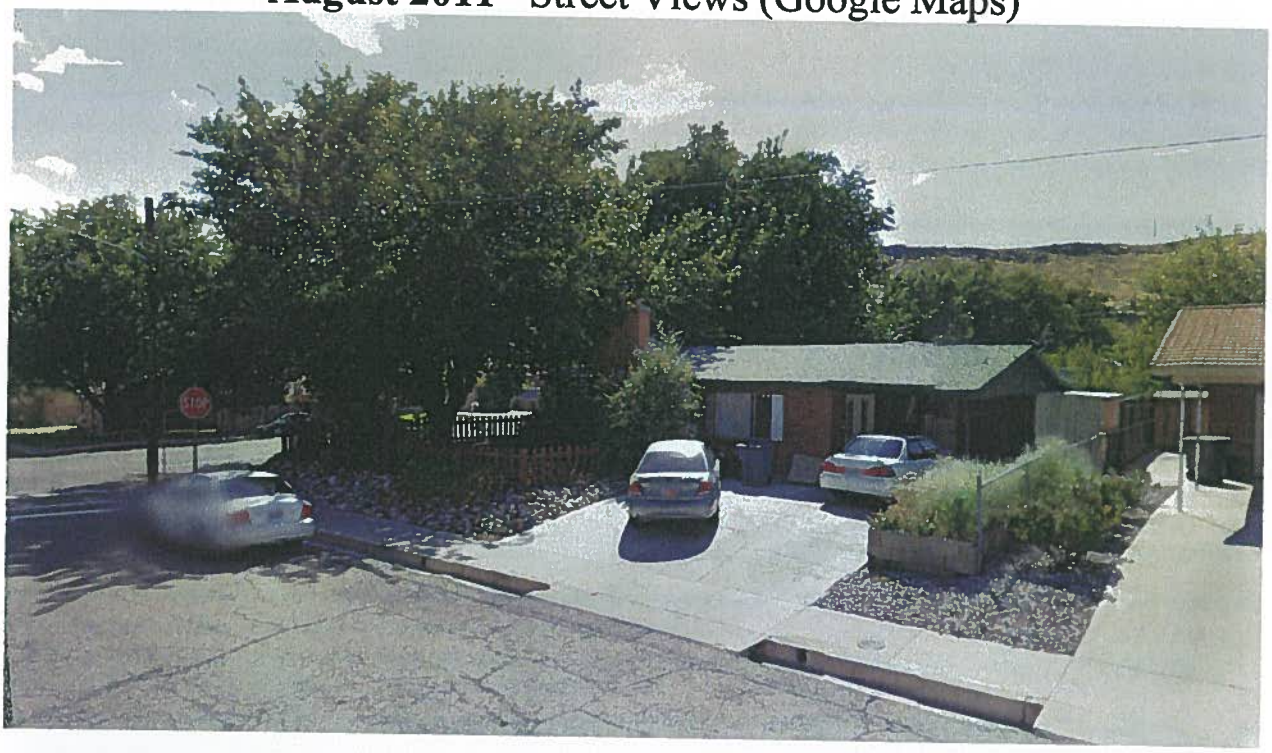
MONDAY	9a.m.-6p.m.
TUESDAY	9a.m.-6p.m.
WEDNESDAY	12-8p.m.
THURSDAY	9a.m.-6p.m.
FRIDAY	12-8p.m.

AERIAL

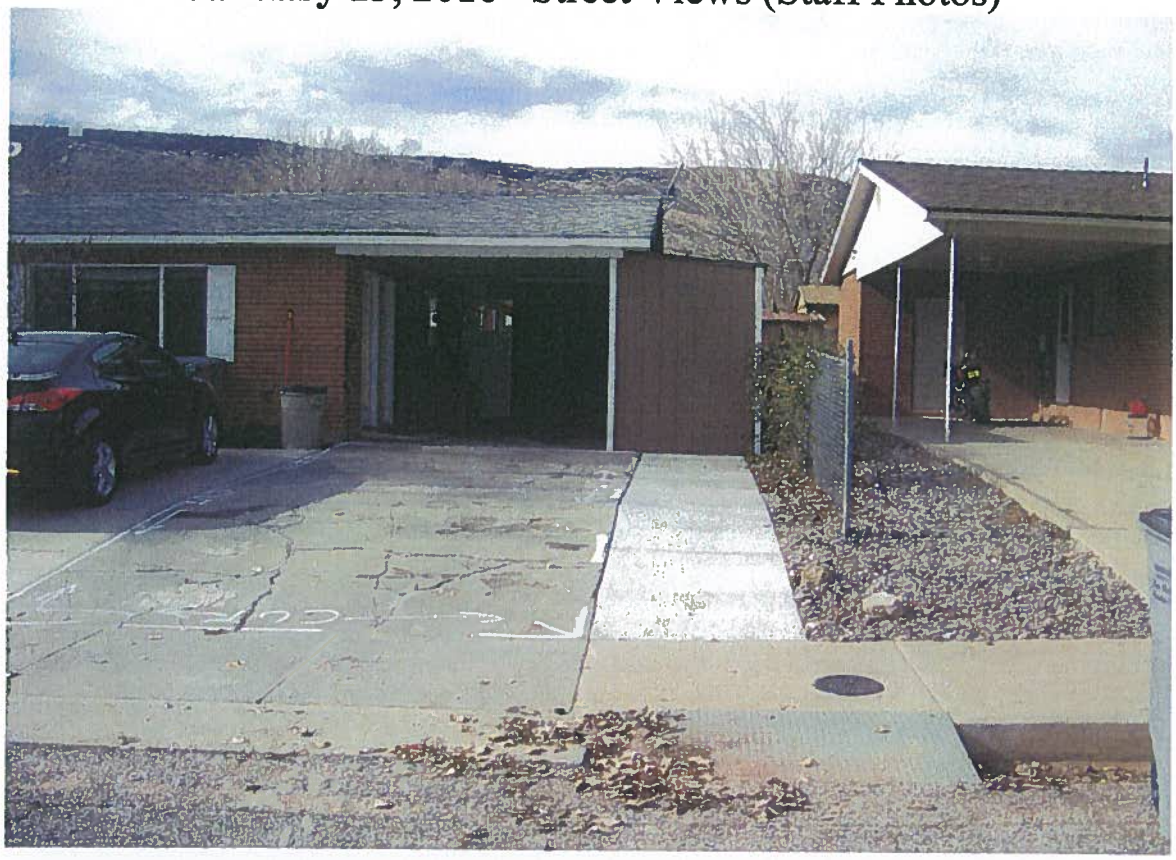
ZONING = RCC

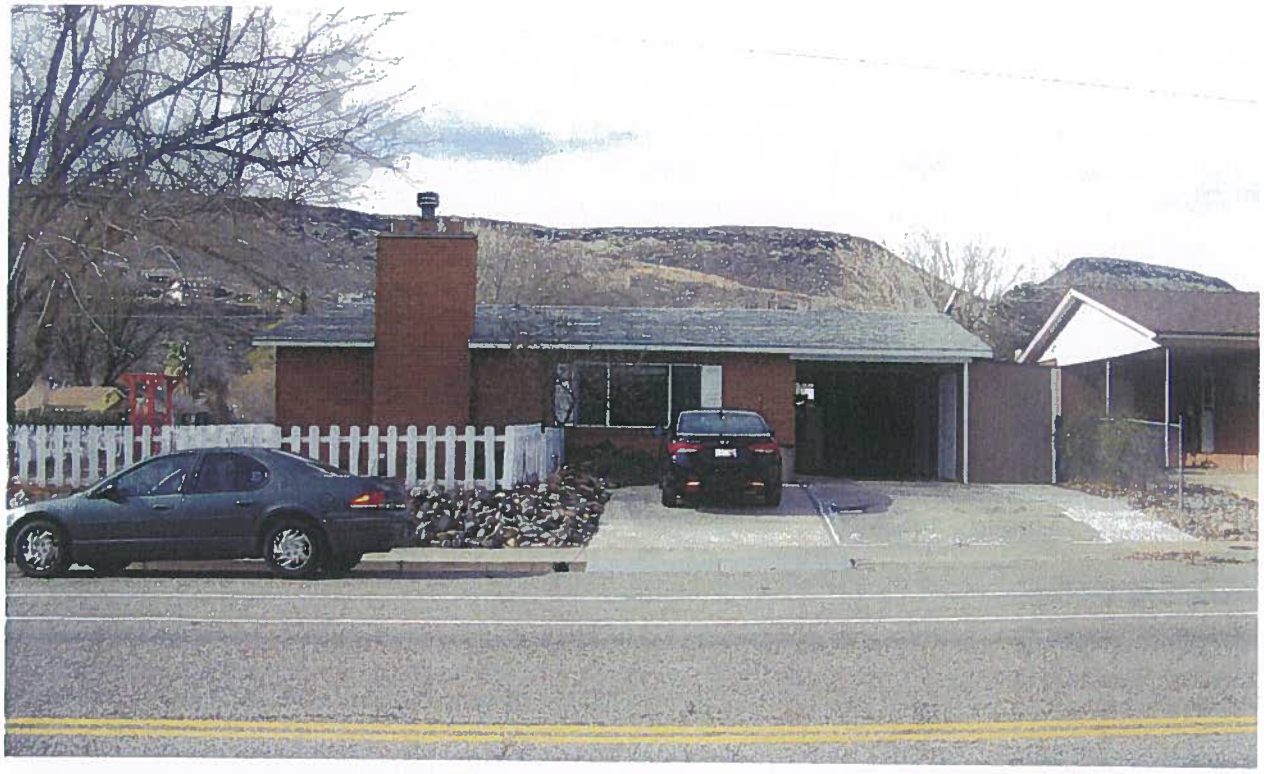


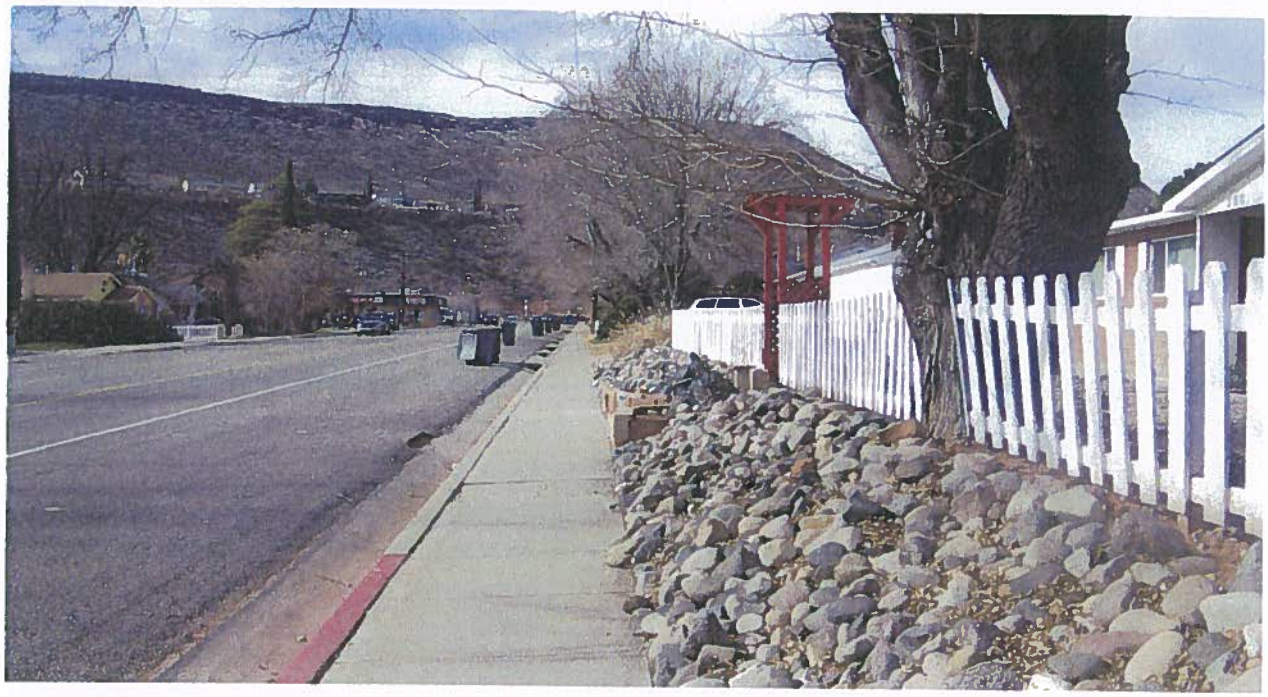
August 2011 - Street Views (Google Maps)

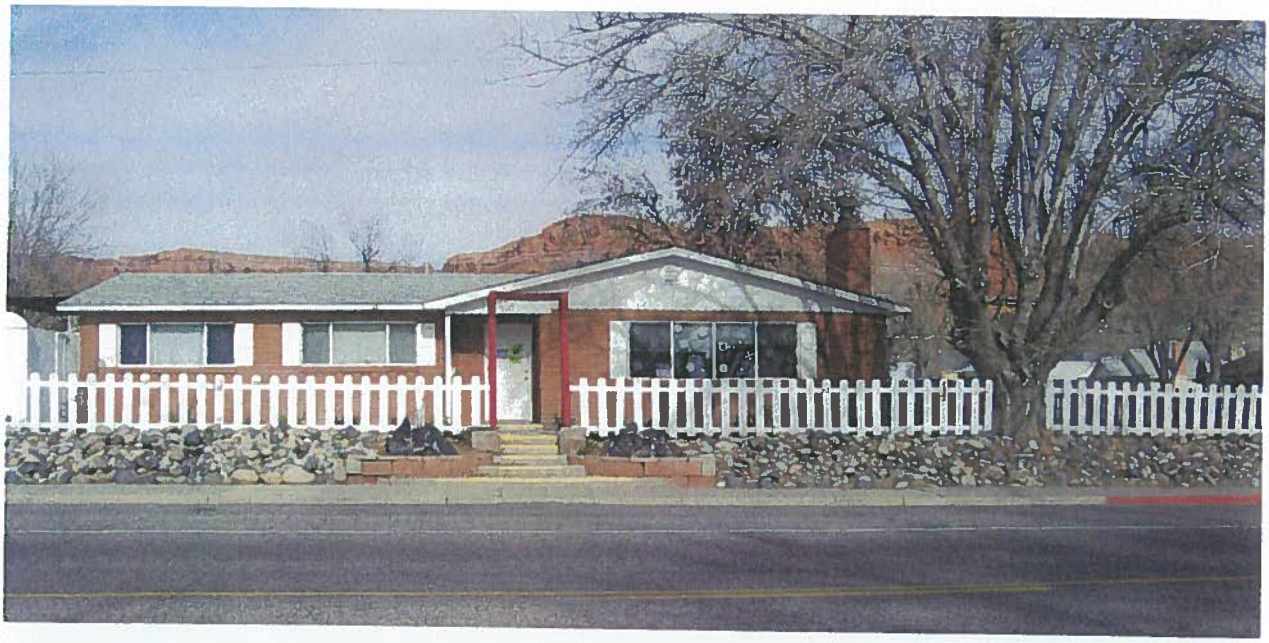


January 13, 2016 - Street Views (Staff Photos)









BUSINESS HOURS
MONDAY
TUESDAY
WEDNESDAY
THURSDAY
FRIDAY
SATURDAY CLOSED
SUNDAY CLOSED
Family Support
AVAILABLE SERVICES

APPLICATION

CITY OF ST GEORGE
RECN: 01493791 12/18/2015 1:17 PM
TRAN: 100.0000 PLANNING FEES
OPER: LIC TERM 035
REF#: 04 CITY OF ST GEORGE
CR FAMILY SUPPORT CENTER
PLANNING FEES 300.00CR
TENDERED: 300.00 1 CHECK(S)
APPLIED: 300.00
CHANGE: 0.00

CONDITIONAL USE PERMIT
APPLICATION & CHECKLIST

I. PROPERTY OWNER(S) / APPLICANT INFORMATION

APPLICANT: The Family Support Center
(If different than owner)
MAILING ADDRESS: 310 W 200 N. St George UT 84770

PHONE: [redacted]2 FAX:
E-MAIL ADDRESS: famsupportofwc@gmail.com
LOCATION OF SUBJECT PROPERTY:

CONTACT PERSON / REPRESENTATIVE (if applicable): Laura Bartschi
(If different than owner)
MAILING ADDRESS: N/A

PHONE: – CELL: – FAX:
E-MAIL ADDRESS: –

II. PROPERTY INFORMATION

ZONING: RCC SUBDIVISION: –

TAX I.D. NUMBER (PARCEL SERIAL NUMBER):

EXISTING USE:
Use of property and/or Buildings

PROPOSED USE:
Use of property and/or Buildings.

OFFICE STAFF USE ONLY

CASE NO. 2016 -CUP-001 FILING DATE: 12/18/15 RECEIVED BY: RECIEPT:

FEE: $300.00 – PAYABLE BY CHECK OR MONEY ORDER. CASH WILL NOT BE ACCEPTED

PROPERTY OWNERS LIST DECLARATION

City of St. George

175 East 200 North – St. George, UT 84770 – (435) 627-4000 – www.sgcity.org

The property owners listed identifies the owners of properties within a certain distance or radius of the external boundaries of a project or property. The labels may be prepared by the Washington County Recorder's Office, Title Company, or by another approved party. A complete property owners list shall consist of the following:

1. Completed and signed declaration
2. List identifying each property owners name, mailing address, and Assessor's Parcel Number (APN)
3. Typed set of mailing labels for each property owner prepared on 8-1/2"x11" sheets of self-adhesive labels in three column format, as shown on the attached sample. All type shall be in capital letters with no punctuation or APN's.
4. Property owner radius map identifying all properties within the required radius. An example radius map is attached.

The property owners list and the required radius shall be based on the application type as described below:

- **Zone Change**
  - ☐ Record owner of each parcel within 500 feet of that property (2 sets)
- **Conditional Use Permit or Variance**
  - ☐ Record owner of each parcel within 300 feet of that property (1 set)
- **Amended Final Plat**
  - ☐ Record owner of each parcel within 300 feet of that property (1set)
    - if each (100%) record owner of the subdivision gives their consent to the amendment, then labels are not required
- **Vacating a Roadway or Abandoning an Easement**
  - ☐ Record owner of each parcel within 300 feet of that property (1 set)

LABELS PREPARED BY:

_____

Organization Name

The attached list contains the names and addresses of all persons to whom all property is assessed, and as they appear on the most current County Assessment Roll. This list identifies all properties located within the required area measured from the exterior boundaries of the property legally described by Assessor's Parcel Number(s).

_____ Date: _____

Legal Owner/Agent of property

*The list of property owners shall be submitted with the application applying for.

III. SUBMITTAL CHECKLIST

- ☐ 1. General Information Form - completed. (*This application-first page*)
- ☐ 2. Mailing Labels - Property Owner's (*The mailing labels can be obtained from the Washington County Recorder's Office*)
- ☐ 3. Radius Map – Property Owner's- identifying all properties within the required 300 ft. radius. (*The radius map can be obtained from the Washington County Recorder's Office*).
- ☐ 4. Narrative - minimum one (1) page of proposed use. (*ALL projects*).
- ☐ 5. Two (2) copies of the Subdivision Plat.
- ☐ 6. Two (2) copies of the Site Plan – minimum size 22" x 34" (ANSI D).
- ☐ 7. Two (2) copies of the Elevation(s) – minimum size 22" x 34" (ANSI D) for building height requests
- ☐ 8. One (1) copy (each) - 8-1/2" x 11" reduction of the subdivision plat and site plan.
- ☐ 9. One (1) copy - 8-1/2" x 11" reduction of the elevation(s) for building height requests.
- ☐ 10. Color and Materials Board (*or approved equivalent as required*).
- ☐ 11. Payment of $300.00 filing fee by Check or Money Order .

IV. SITE PLAN REQUIRED INFORMATION CHECKLIST

- ☐ 1. Current address of project, County Assessor's parcel number(s), and the applicant's and plan preparer's name, address, email address, phone and fax numbers.
- ☐ 2. North Arrow and scale.
- ☐ 3. Property Lines, with dimensions, and the location, width and description of any easements.
- ☐ 4. Existing and proposed streets, including names, centerlines, widths, and future rights of way and improvements.
- ☐ 5. Show existing fire hydrants within 300 feet of the project site.
- ☐ 6. Show proposed Fire Department access lane(s) *(if applicable)*.
- ☐ 7. Show and dimension all existing and proposed buildings and structures;
  - Show distances between existing and/or proposed buildings.
  - Show distances from existing and/or proposed buildings to property line.
  - Show all required and proposed building setback lines.
  - Show any nearby buildings, proposed or existing, within 30 feet of the subject property lines.
  - Show proposed walls, fences, trash enclosures, accessory buildings, etc.
- ☐ 8. Show proposed and existing parking, driveways and on-site access points (where applicable show any off-site parking within the vicinity). Indicate width of driveways and drive aisles, and show distances between driveways. Show parking space dimensions, handicapped accessible spaces, and indicate one-way and two-way drive aisles.
- ☐ 9. Show any significant natural features such as rock outcroppings and water courses.
- ☐ 10. Show proposed landscaping, including quantity and, locations; a separate landscaping plan may be substitutes instead of showing information on the site plan.
- ☐ 11. Show locations and dimensions of pedestrian access ways, loading areas, and access to service

5. Are there any deed restrictions affecting the use of the property involved? Give the expiration date of these restrictions, if applicable.

_____

_____

6. Required site improvements such as pavement for parking areas, curb and gutter, privacy walls, landscaping, storm drain facilities, and all other improvements required under City Ordinance shall be completed prior to the issuance of a certificate of occupancy or approval for permanent electric power service. In the event such improvements cannot be completed prior to receiving permanent or a certificate due to weather conditions or other unusual circumstances, a financial guarantee in the form of a cashiers check, bond, escrow, or other financial guarantee acceptable to the City attorney shall be provided to the City guaranteeing that such improvements will be fully completed within ninety (90) days of the issuance of permanent power and/or a certificate of occupancy.

VII. APPLICANT AGREEMENT

I (we) have read and understood the requirements of this application and all information is true and accurate to the best of my (our) abilities.

Sam Barker 12-18-15

Signature Date

_____

Signature Date

			2. Uses shall not locate within the 100-year flood plain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
		F. Traffic	1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
		G. Height	1. Buildings shall fit into the overall context of the surrounding area. 2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.
		H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.
		I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas
		J. Maintain Character and purpose of zone	1. Uses shall be consistent with the character and purpose of the zone within which they are located.
		K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

VI. COMMENTS

1. Please be aware that, if determined necessary by City staff, additional information and/or special studies may be required to review the project. These studies may include, but not be limited to: a soils report, hydrology report, traffic study, etc.

_____

2. Until the following information is submitted, your application will be considered incomplete:

_____

_____

3. The applicant has the ability and intention **to utilize said CONDITIONAL USE PERMIT within twelve (12) months from date of final approval** by the City Council; and the applicant understands this CONDITIONAL USE PERMIT application, if granted, becomes null and void and of no effect if unused within twelve (12) months from the date of filing the application, or if any time after granting the use is discontinued for a period of twelve (12) months, or developed by someone other than the applicant

4. A CONDITIONAL USE PERMIT approval does not eliminate the necessity of obtaining a building permit, which is required for construction of all buildings in the project.

- ☐ 12. Show proposed lighting fixtures in parking areas, adjacent to walkways, and on buildings, and indicate type.

- ☐ 13. Show all existing and proposed public improvements, including water, sewer, catch basins, curbs, gutters, sidewalks, street lights, signals, power lines, utility vaults, and utility poles.

- ☐ 14. Show existing contour lines and proposed contour lines indicating finished grade on the site; a grading plan may be substituted instead of showing contours on the plan, if desired.

- ☐ 15. Show location of on-site and off-site drainage, both existing and proposed.

- ☐ 16. Provide a **legend** (data box) on the site plan that includes:
    a. Current Zoning
    b. Total lot square footage
    c. Total building square footage
    d. Percentage of Lot Coverage
    e. Setbacks (Existing and/or Proposed)
    f. Building Height (Proposed)
    g. Parking (show calculations)
    h. Open Space
    i. Landscaping (show calculations and % of coverage)
    j. Proposed Use (e.g. restaurant, retail, office, etc.)(show square footage allocated to each use within building(s).
    k. For multiple family residential projects; include unit type, number of bedrooms, square footage per unit, unit mix, etc.
    l. Indicate the intended occupancy type of all buildings.
    m. Identify building sprinkled and/or non-sprinkled

V. GENERAL STANDARDS FOR APPROVAL OF CONDITIONAL USES (Section 10-17-7)

The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval: *(if category applies, attach a separate sheet with explanation)*

Yes	N/A	Category	Description
		A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
		B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
		C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
		D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
		E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rock fall, erosion, flooding, fire, hazardous materials, or related problems.

City Council Item #6C
(Respite) (2016-cup-001)

Jan. 15, 2016

RECEIVED
JAN 21 2016
BY: RS

Ray Snyder, Planner II
City of St. George

Re: Conditional Use Permit, 310 W 200 North

I feel that this request should be granted to increase the number of children from 8 to 12 on the above referenced property. This facility has been an asset to the neighborhood and we hardly know they are in residence because the children are so quiet. The grounds are well cared for and continually upgraded which means that the people who run the establishment care about what they do and have the staff/volunteers to take on the responsibility of more children.

As I stated to Gloria Shakespeare when she fought this home being bought for the use of children who needed protection, I would rather have a business that will take care of the home and grounds than have it turn into a dump or possible drug home. This has been the case, and as I said, the children have not presented any problem. Four more children who can be taken out of abusive environments is a very good idea.

Beverly G. Bundy
Evan ale Bundy

Beverly Bundy
254 N 300 West
St. George, UT 84770

CC: 310 W 200 North

City Council Item #6C
(Respite) (2016-CUP-001)

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Beverly J. Bundy
Evan ale Bundy

Beverly Bundy
254 N 300 West
St. George, UT 84770

CC: 310 W 200 North

DRAFT

Agenda Item Number : **6D**

Request For Council Action

Date Submitted	2016-01-11 12:23:55
Applicant	M&C Warren Investments LLC
Quick Title	CUP for a bulk propane business
Subject	Consider a conditional use permit request for establishing a bulk propane business with a 30,000 gallon tank. The property is zoned M-1 (Industrial) and is Lot 98 located on Venture Drive in the Ft Pierce Industrial Park.
Discussion	The property is located in a M-1 zone, which requires a CUP for a bulk propane business. The applicant is proposing to install protective steel bollards, a building, warehouse, and loading dock on the site. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	PC recommends approval
Action Taken	
Requested by	John Willis
File Attachments	

Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

PCR ITEM 2A
CUP – Propane Business

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

CONDITIONAL USE PERMIT:
Case # 2016-CUP-002

Request:	Consider a request for a conditional use permit for establishing a bulk propane business with a 30,000 gallon tank, protective steel bollards, building, warehouse, loading dock, trash enclosure, parking, landscaping, etc.
Location:	This property is located on Lot 98 in the Ft Pierce Industrial Park on Venture Drive.
APN:	SG-5-3-20-437
Property:	1.99 acres (86,881 sq, ft.)
Building:	14,400 sq. ft. (16.6% of site) Office area = 1,590 sq. ft. Warehouse area = 12,810 sq. ft.
Building Height:	25'-6"
Applicant:	M & C Warren Investments LLC
Representative:	Mr. Mark Burgess, Classic Builders
Zoning:	M-1 (Industrial)
Setbacks Required:	F = 60 ft., S =10 ft., R = 10 ft.
Setbacks Proposed:	F (North) = 92 ft., S (West) = Varies 130 - 150 ft., S (East) = 58 ft., R (South) = 58 ft.
Landscape Area:	6,991 sq. ft. (8 % of site)
Parking:	Office area = 6.4 spaces (1:250) (1,590/250) Warehouse area = 12.8 spaces (1:1,000) (12,810/1,000) Required = 19.2 Provided = 23

Storage Yard: The rear storage yard will be located behind a solid block wall with two (2) rolling fence gates (as seen from Venture Drive). The sides and rear will have open chain link (allowed per code).

Tank: A 30,000 gallon propane gas tank; 65 ft. lg. x 10 ft. diameter set back at 50 feet from the west and south property line. Surrounded by prot4ective steel bollards at 5 ft. maximum spacing.

Ordinance: A conditional use permit is required for a bulk plant in the M-1 zone; Shown below is a portion of Section 10-11-2

10-11-2: USES:

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated with the letter "C" are allowed on a conditional use basis. Uses designated as "N" will not be permitted in that zone.

	M-1	M-2
ATVs and parts sales and repair (indoor only)	N	P
Auto salvage yard, storage yards for wrecked or partially dismantled vehicles	C	N
Automobile repair shop	P	N
Body piercing establishment	P	N
Building materials sales	P	N
Bulk plants (class 1 and 2 flammable liquids and gases)	C	C
Caretaker's residence, incidental to the use of the land for industrial purposes	C	C
Carpenter, electrical, plumbing or heating shops	P	P

PC: The Planning Commission recommends approval with conditions:

1. Facility; the site plan and elevations as presented for a bulk plat are recommended for approval to the City Council.

2. Fencing; install a solid block wall as seen from Venture Drive with chain link on sides and rear (as presented in site plan).

3. Safety; Steel bollards shall be installed at a maximum of 5 ft. spacing around the proposed 30,000 gallon propane gas storage tank. Comply with all applicable City, State, and Federal requirements. Meet all applicable fire codes.

4. Landscaping; the landscaping shall comply with Title 10 Chapter 25.

5. SPR; Submit a SPR (Site Plan Review) application along with the required civil engineering plans for staff review and processing.

6. A letter from the Ft Pierce Owners Association shall be provided before development plans are approved.

7. A copy of the cross access agreement shall be provided to the City (for review & case file).

Findings:

The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval:

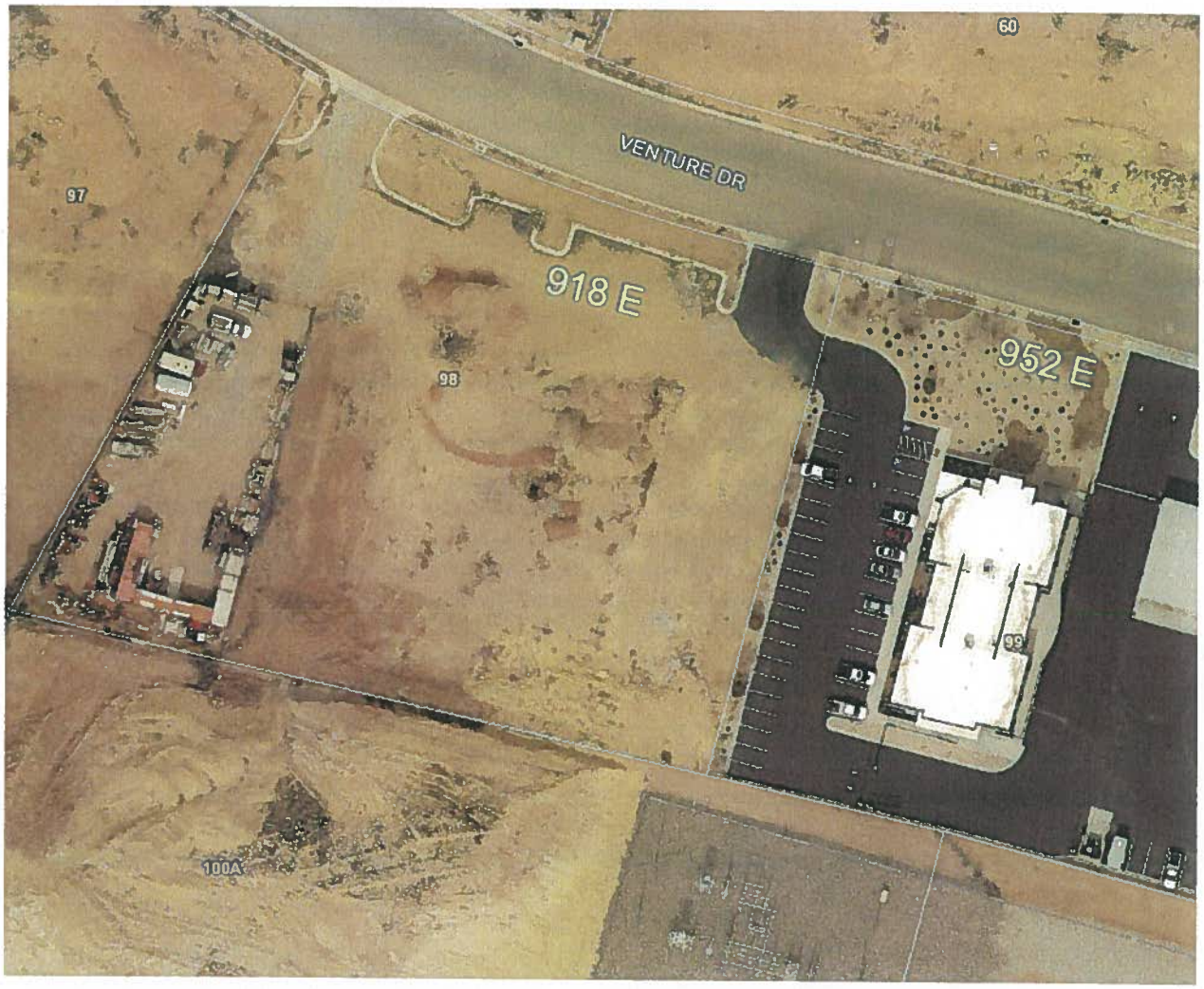
Yes	N/A	Category	Description
Contain all noise on site		A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
Mitigate all dust during construction.		B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.

Meet all applicable codes		C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
Landscaping and fencing shall be used to mitigate site aesthetics		D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
Meet all applicable fire codes Fencing shall prevent site access by non-employees		E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
	X	F. Traffic	1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
Single story and shall comply with approved elevations and rendering	X	G. Height	1. Buildings shall fit into the overall context of the surrounding area. 2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.
		H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.

	X	I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas
Obtain Ft Pierce association approval and City approval		J. Maintain Character and purpose of zone	1. Uses shall be consistent with the character and purpose of the zone within which they are located.
Meet all applicable state requirements		K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

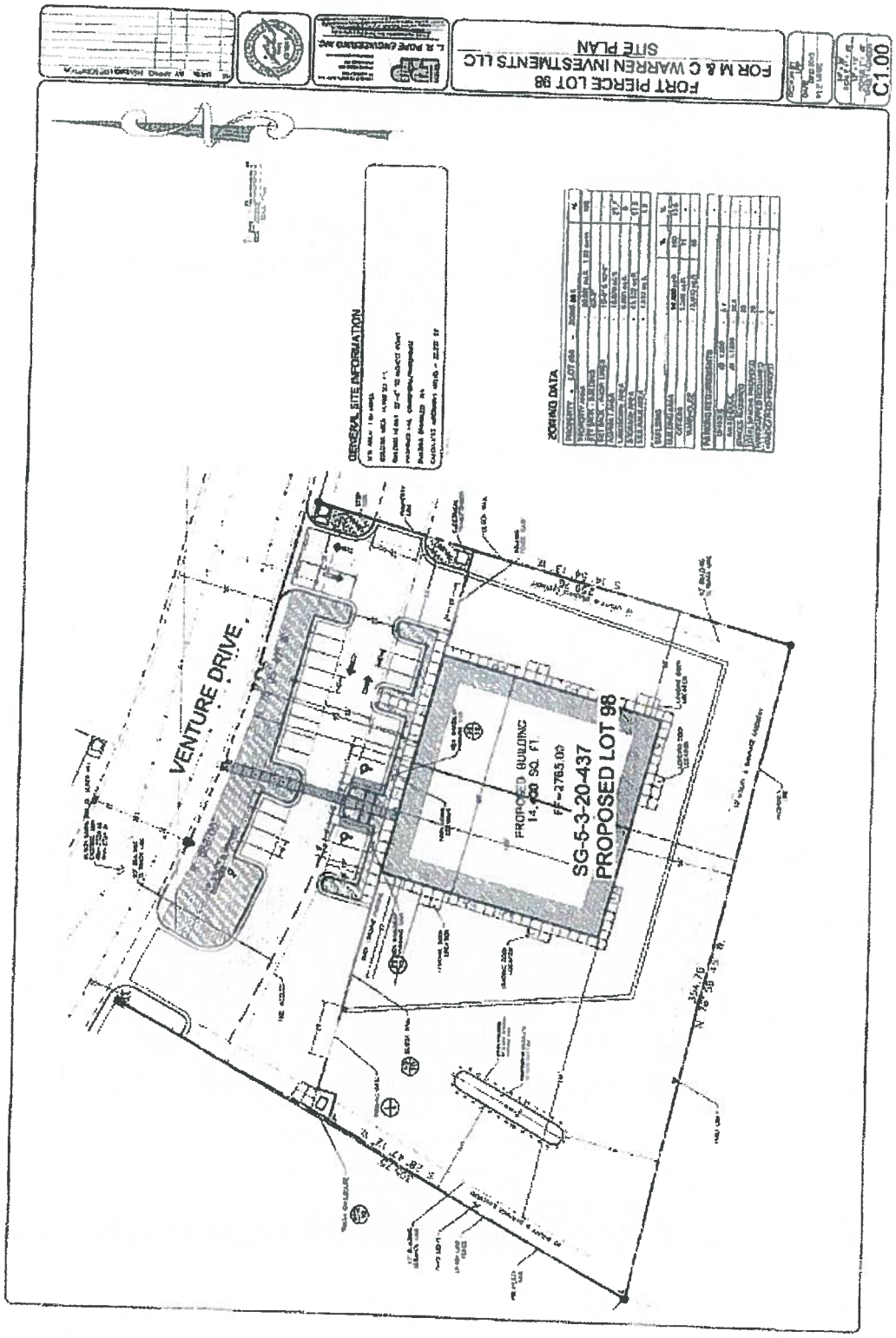
Aerial - Vicinity

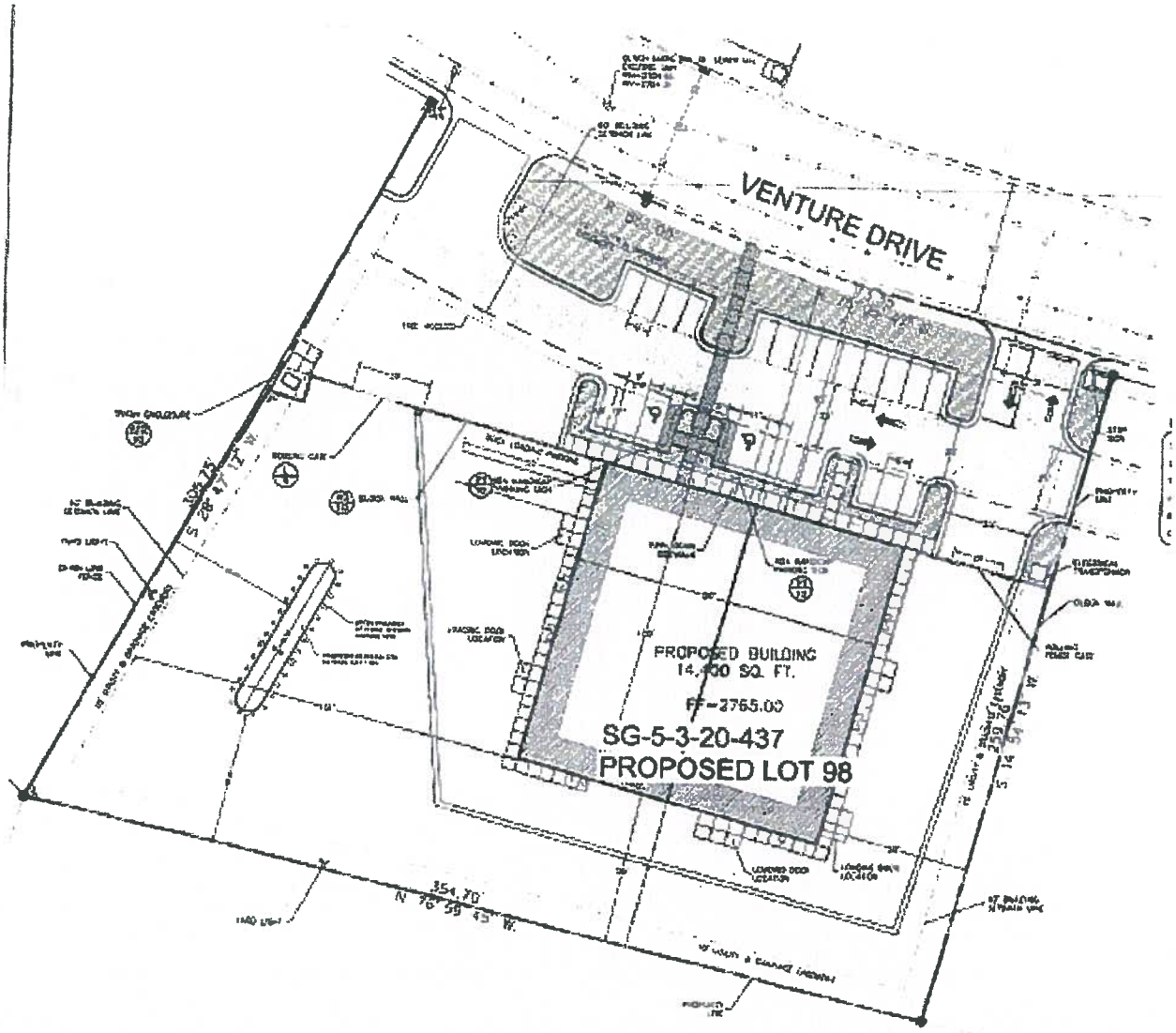
Lot 98 - Vacant Property



Google Maps – Street Views

Site Plan


FORT PIERCE LOT 98
FOR M & C WARREN INVESTMENTS LLC
SITE PLAN
C1.00
GENERAL SITE INFORMATION
ZONING DATA
VENTURE DRIVE
PROPOSED BUILDING
14,400 SQ. FT.
SG-5-20-437
PROPOSED LOT 98


VENTURE DRIVE
PROPOSED BUILDING
14,000 SQ. FT.
FF=2765.00
SG-5-3-20-437
PROPOSED LOT 98
354.70'
N 76° 58' 43" W.

Ray Snyder

From: Mark Burgess [classicbuildersinc@yahoo.com]
Sent: Friday, December 18, 2015 1:23 PM
To: Ray Snyder
Subject: Fort Pierce Industrial Park lot 98 Conditional Use permit request
Attachments: IMG_1472.JPG; A3.10.pdf

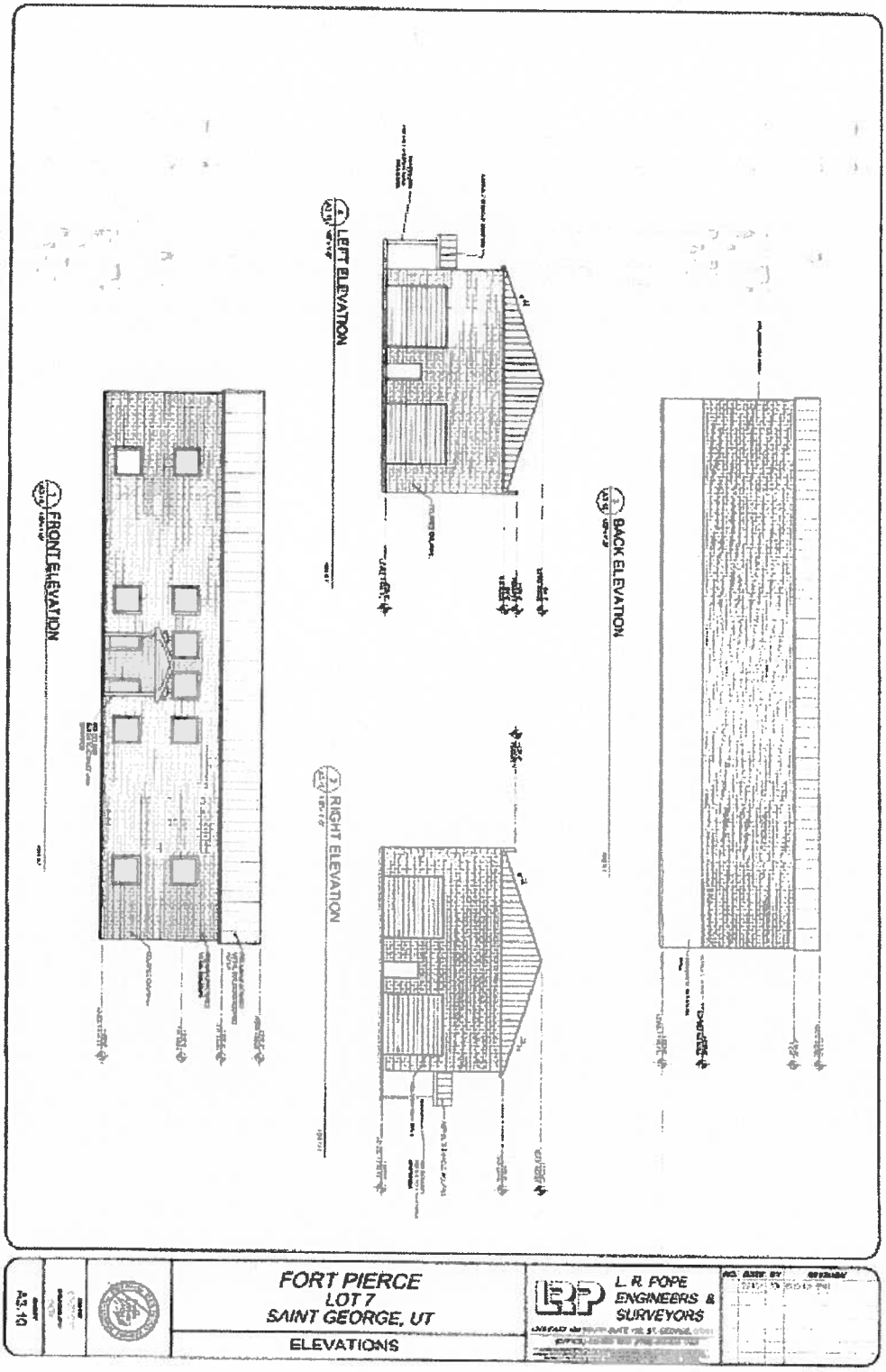
Ray,

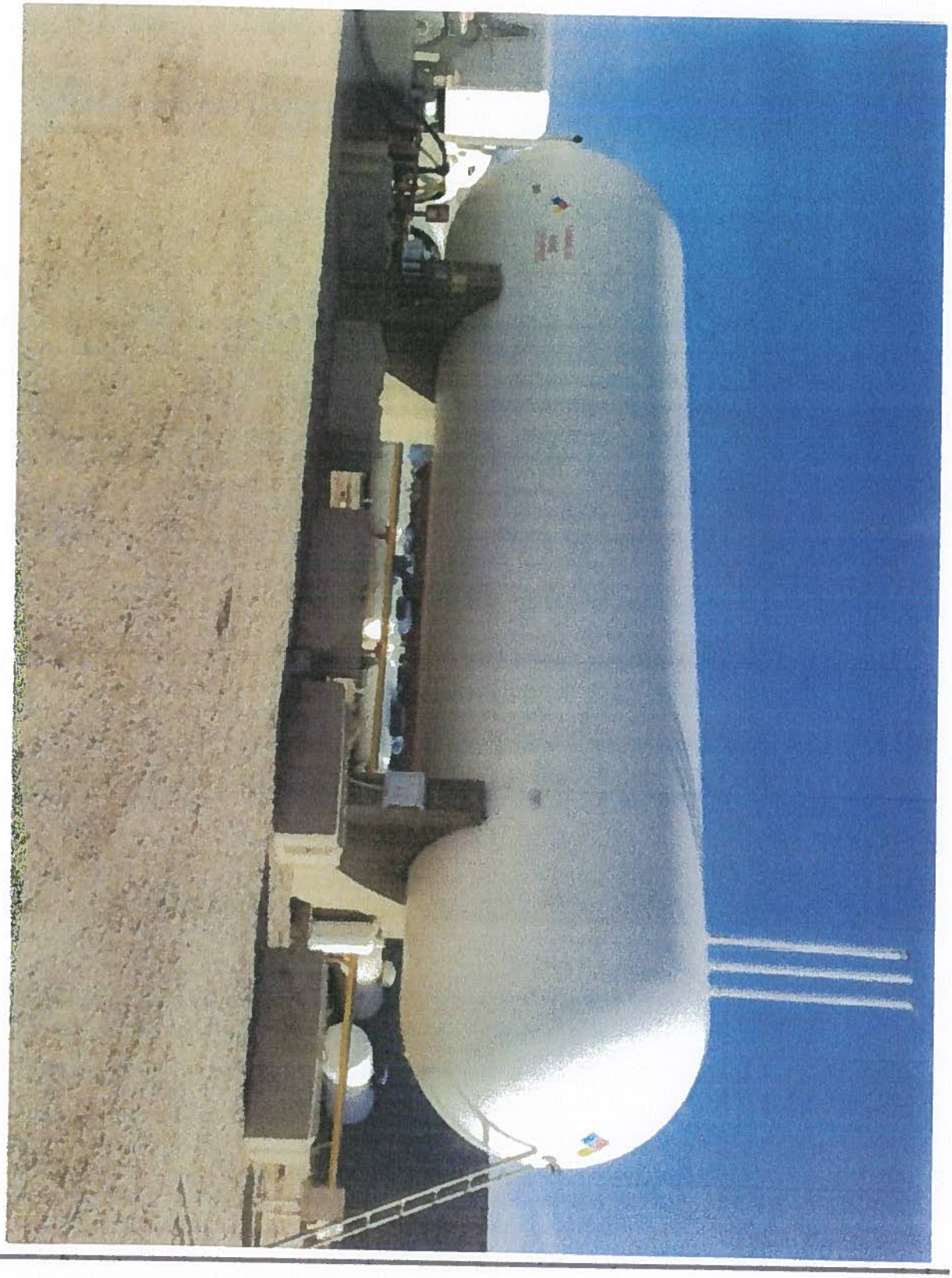
Here is a picture of an existing tank found in the Fort Pierce Industrial park of the exact size as the one we are proposing to install.

Also, I have attached a copy of building elevations of a similar building built in the park. The front and back elevations are 120 feet in width but the sides are only fifty in this elevation. We would increase the width of the building to 120 feet also to make the building 14,400 sq. ft. in size or slightly smaller. Building we are proposing would be a combination of masonry and metal.

Reference: Similar Building on Lot 7 is proposed for Lot 98

(Actual plans will be submitted with a SPR (Site Plan Review)





Re: Ft Pierce Property Owners Association

December 18, 2015

Fort Pierce Lot 98 Conditional Use Permit Application

Dear Ray,

I have met with Gilbert Jennings of the Fort Pierce Industrial Park review Board on the proposed 30,000 gallon tank placement on lot 98 in the park. Mike Warren also has talked with Steve Jennings and sent him information on the tank.

Gilbert Jennings indicated verbally that he didn't see a reason to oppose the tank as long as the State Fire marshal and the local Fire Marshal approved the proposed tank placement on the lot. However, he did indicate that the board would have to review and approve the site plan to make sure that it met the park requirements.

He indicated that the board would review the request If and when the city had reviewed and approved the Conditional use permit.

Feel free to contact either Steve or Gilbert with any additional questions or concerns.

Thank You

Mark Burgess

Mark Burgess

Application

CONDITIONAL USE PERMIT
APPLICATION & CHECKLIST

I. PROPERTY OWNER(S) / APPLICANT INFORMATION

APPLICANT: M+C Warren Investments L.C.
(If different than owner)
MAILING ADDRESS: P.O. Box 524 St. George ut 84771

PHONE: CELL: 435-619-1608 FAX: 435-656-3348
E-MAIL ADDRESS: michael.warren@beyondbb.com
LOCATION OF SUBJECT PROPERTY: Lot # 98 Fort Pierce Industrial

CONTACT PERSON / REPRESENTATIVE (if applicable): Mark Burgess (Classic Builders)
(If different than owner)
MAILING ADDRESS: 1483 E. 38505 St George, ut. 84790

PHONE: 435-673-5999 CELL: 435-862-6240 FAX:
E-MAIL ADDRESS:

II. PROPERTY INFORMATION

ZONING: M1 SUBDIVISION: Fort Pierce

TAX I.D. NUMBER (PARCEL SERIAL NUMBER): SG-5-3-20-437

EXISTING USE: Raw Ground
Use of property and/or Buildings

PROPOSED USE: Propane Business / Warehouse
Use of property and/or Buildings

OFFICE STAFF USE ONLY

CASE NO. 2015-CUP-002 FILING DATE: 12/22/15 RECEIVED BY: RS RECIEPT:
FEE: $300.00 PAYABLE BY CHECK OR MONEY ORDER. CASH WILL NOT BE ACCEPTED

III. SUBMITTAL CHECKLIST

- ☐ 1. General Information Form - completed. (*This application-first page*)
- ☐ 2. Mailing Labels - Property Owner's (*The mailing labels can be obtained from the Washington County Recorder's Office*)
- ☐ 3. Radius Map - Property Owner's- identifying all properties within the required 300 ft. radius. (*The radius map can be obtained from the Washington County Recorder's Office*).
- ☐ 4. Narrative - minimum one (1) page of proposed use. (*ALL projects*).
- ☑ NA 5. Two (2) copies of the Subdivision Plat.
- ☑ 6. Two (2) copies of the Site Plan – minimum size 22" x 34" (ANSI D).
- ☐ 7. Two (2) copies of the Elevation(s) – minimum size 22" x 34" (ANSI D) for building height requests
- ☐ 8. One (1) copy (each) - 8-1/2" x 11" reduction of the subdivision plat and site plan.
- ☐ 9. One (1) copy - 8-1/2" x 11" reduction of the elevation(s) for building height requests.
- ☐ 10. Color and Materials Board (*or approved equivalent as required*).
- ☐ 11. Payment of $300.00 filing fee by Check or Money Order .

IV. SITE PLAN REQUIRED INFORMATION CHECKLIST

- ☐ 1. Current address of project, County Assessor's parcel number(s), and the applicant's and plan preparer's name, address, email address, phone and fax numbers.
- ☑ 2. North Arrow and scale.
- ☑ 3. Property Lines, with dimensions, and the location, width and description of any easements.
- ☑ 4. Existing and proposed streets, including names, centerlines, widths, and future rights of way and improvements.
- ☑ 5. Show existing fire hydrants within 300 feet of the project site.
- ☑ 6. Show proposed Fire Department access lane(s) (*if applicable*).
- ☑ 7. Show and dimension all existing and proposed buildings and structures:
  - Show distances between existing and/or proposed buildings.
  - Show distances from existing and/or proposed buildings to property line.
  - Show all required and proposed building setback lines.
  - Show any nearby buildings, proposed or existing, within 30 feet of the subject property lines.
  - Show proposed walls, fences, trash enclosures, accessory
- ☑ 8. Show proposed and existing parking, driveways and on-sit any off-site parking within the vicinity). Indicate width of distances between driveways. Show parking space dimensi indicate one-way and two-way drive aisles.
- ☑ 9. Show any significant natural features such as rock outcrop
- ☑ 10. Show proposed landscaping, including quantity and, locati substitutes instead of showing information on the site plan.
- ☑ 11. Show locations and dimensions of pedestrian access ways, areas.
- ☑ 12. Show proposed lighting fixtures in parking areas, adjacent to walkways, and on buildings, and indicate type.
- ☑ 13. Show all existing and proposed public improvements, including water, sewer, catch basins, curbs, gutters, sidewalks, street lights, signals, power lines, utility vaults, and utility poles.
- ☐ 14. Show existing contour lines and proposed contour lines indicating finished grade on the site; a grading plan may be substituted instead of showing contours on the plan, if desired.
- ☐ 15. Show location of on-site and off-site drainage, both existing and proposed.
- ☑ 16. Provide a legend (data box) on the site plan that includes:
  - a. Current Zoning
  - b. Total lot square footage
  - c. Total building square footage
  - d. Percentage of Lot Coverage
  - e. Setbacks (Existing and/or Proposed)
  - f. Building Height (Proposed)
  - g. Parking (show calculations)
  - h. Open Space
  - i. Landscaping (show calculations and % of coverage)
  - j. Proposed Use (e.g. restaurant, retail, office, etc.)(show square footage allocated to each use within building(s).
  - k. For multiple family residential projects; include unit type, number of bedrooms, square footage per unit, unit mix, etc
  - l. Indicate the intended occupancy type of all buildings.
  - m. Identify building sprinkled and/or non-sprinkled

V. GENERAL STANDARDS FOR APPROVAL OF CONDITIONAL USES (Section 14-17-7)

The following standards must be met to mitigate the reasonably anticipated detrimental effects if imposed as a condition of approval: *(if category applies, attach a separate sheet with explanation)*

Yes	N/A	Category	Description
		A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
		B. Dust	1. Comply with all air quality standards, state, federal and local 2. Use shall not create unusual or obnoxious dust beyond the property line.
		C. Odors	1. Comply with all air quality standards, state, federal and local 2. Use shall not create unusual or obnoxious odors beyond the property line.
		D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
		E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rock fall, erosion, flooding, fire, hazardous materials, or related problems.

			2. Uses shall not locate within the 100-year flood plain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws
		F. Traffic	1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
		G. Height	1. Buildings shall fit into the overall context of the surrounding area. 2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.
		H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area
		I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas
		J. Maintain Character and purpose of zone	1. Uses shall be consistent with the character and purpose of the zone within which they are located.
		K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

VI. COMMENTS

1. Please be aware that, if determined necessary by City staff, additional information and/or special studies may be required to review the project. These studies may include, but not be limited to: a soils report, hydrology report, traffic study, etc.

2. Until the following information is submitted, your application will be considered incomplete:

3. The applicant has the ability and intention to **utilize said CONDITIONAL USE PERMIT within twelve (12) months from date of final approval** by the City Council; and the applicant understands this CONDITIONAL USE PERMIT application, if granted, becomes null and void and of no effect if unused within twelve (12) months from the date of filing the application, or if any time after granting the use is discontinued for a period of twelve (12) months, or developed by someone other than the applicant

4. A CONDITIONAL USE PERMIT approval does not eliminate the necessity of obtaining a building permit, which is required for construction of all buildings in the project.

5. Are there any deed restrictions affecting the use of the property involved? Give the expiration date of these restrictions, if applicable

No

6. Required site improvements such as pavement for parking areas, curb and gutter, privacy walls, landscaping, storm drain facilities, and all other improvements required under City Ordinance shall be completed prior to the issuance of a certificate of occupancy or approval for permanent electric power service. In the event such improvements cannot be completed prior to receiving permanent or a certificate due to weather conditions or other unusual circumstances, a financial guarantee in the form of a cashiers check, bond, escrow, or other financial guarantee acceptable to the City attorney shall be provided to the City guaranteeing that such improvements will be fully completed within ninety (90) days of the issuance of permanent power and/or a certificate of occupancy.

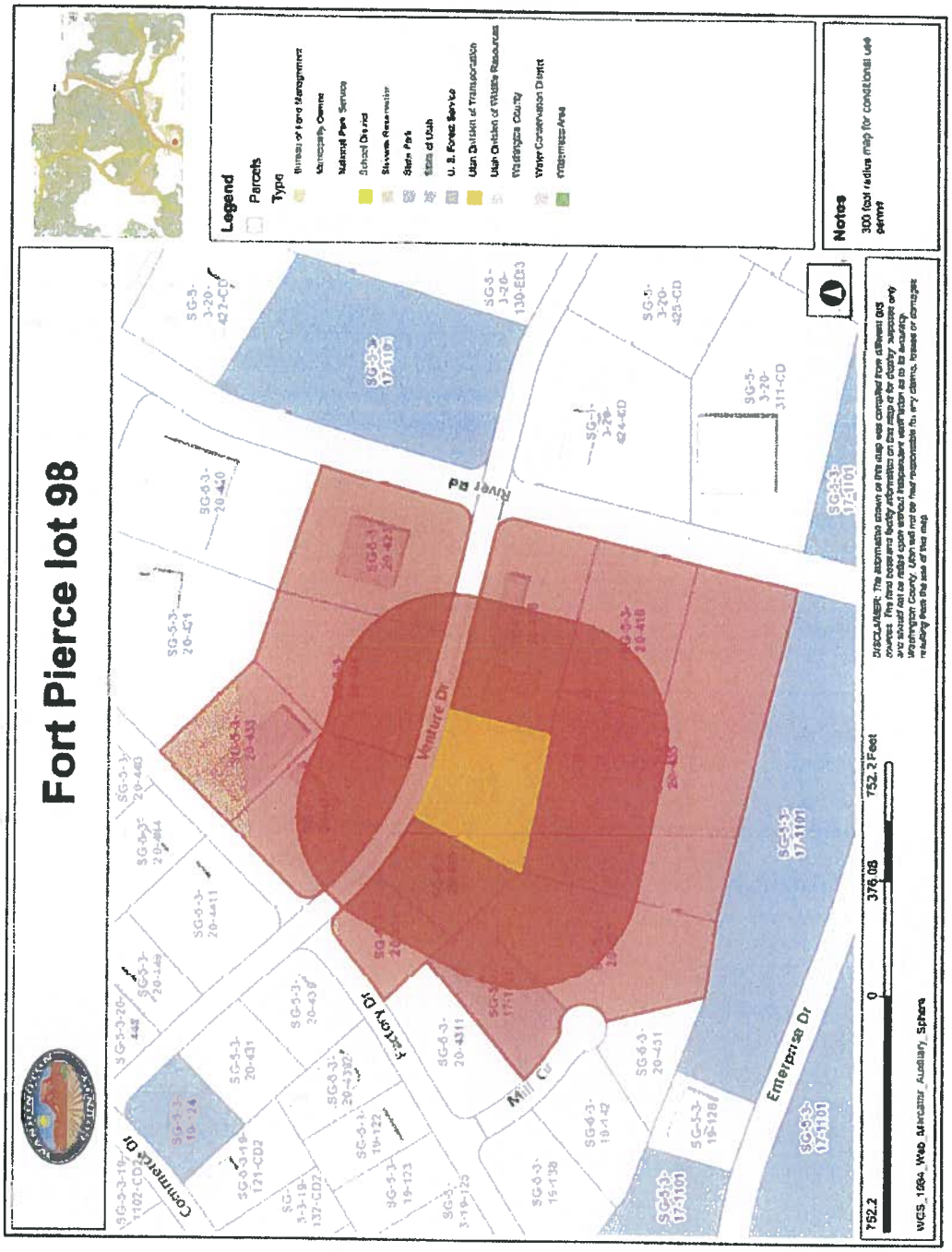
VII. APPLICANT AGREEMENT

I (we) have read and understood the requirements of this application and all information is true and accurate to the best of my (our) abilities.

Mark Burgess — 12-16-15
Signature — Date

Signature — Date

Mailing - Radius List



DRAFT

Agenda Item Number : 6E

Request For Council Action

Date Submitted	2016-01-11 12:37:14
Applicant	Mr. Richard Nerwinski, DR Builders Inc
Quick Title	CUP to construct a detached accessory structure 20' in height
Subject	Consider a conditional use permit to construct a detached accessory structure with a maximum midpoint height of approximately twenty feet (20â€™) for personal auto and RV storage. The structure will be constructed of colored CMU brick with a tile roof and be 2,400 sq. ft. (60 ft. x 40 ft.). The property is zoned R-1-10 (Single family Residential 10,000 sq. ft. minimum lot size) and is located at 3810 Sugar Leo Road.
Discussion	The applicant is requesting a detach garage that is greater than permitted without a CUP. The building will be built using colored CMU bricks, in order to match the existing house. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	PC recommends approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

PCR ITEM 2C
CUP- Height

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

CONDITIONAL USE PERMIT
Case No. 2016-CUP-003

Request: To construct a **detached accessory structure** with a maximum midpointheight of approximately twenty feet (20')for personal auto and RV storage. The structure will be colored CMU brick with a tileroof and be 2,400 sq. ft. (60 ft. x 40 ft.)

Property: The property is located at 3810 S Sugar Leo RD.

Applicant: Richard Nerwinski, DR Builders Inc

Zoning: R-1-10(Single Family Residential)

Ordinance: The Title 10, Chapter 14 "HEIGHT REGULATIONS," Section 10-14-12:6. reads: "*Accessory buildings shall be limited to one story and an overall height of fifteen feet (15') for pitched roofs (i.e., gable end roof) and twelve feet (12') for flat roofs (shed style), unless a conditional use permit is granted for a greater height;*"

The proposed structure is approximately twenty (20') feet in height measured from the mid-point, thus necessitating the purpose of this conditional use permit request.The applicant is proposing a twenty four feet (24') setback from the rear property line and three feet (3') from the side property line. The applicant is proposing to encroach into the side yard easement, therefore, approval from JUC will be required prior to issuance of a permit if the CUP is approved.

The applicant is proposing tile roof and CMU brick, which will be colored similar to the main structure

Adj. Land: Single-family residences and the Virgin River

Notice: Notice letters were sent to property owners within a 300 ft. radius and notice was posted in four (4) public places: the City website, State website, and on two (2) bulletin boards in the City.

Comments:

1. According to the applicant, the garage will be for personal auto and RV storage.

2. The proposed detached structure will be setback 24 ft. from the rear, 3' from theside property line, and 27' from existing home. Proposed side and rear yard setback is in compliance with code.

3. The structure is proposing to encroach into a easement. Must receive approval from JUC prior to issuance of a building permit.

4. The proposed heightto the midpoint of roofis approximately twentyfeet (20') to accommodate an RV.

5. The detached structure will be constructed with CMU brick, which is different than the main structure. However, it will be colored brick to match the house. Tile roof proposed to match the house.

PC: The Planning Commission recommends approval with staff's comments (as conditions) and with findings.

Findings: The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval:

Yes	N/A	Category	Description
	N/A	A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
	N/A	B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
	N/A	C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
The detached structure will be color CMU brick and tile.		D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
	N/A	E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rock fall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.

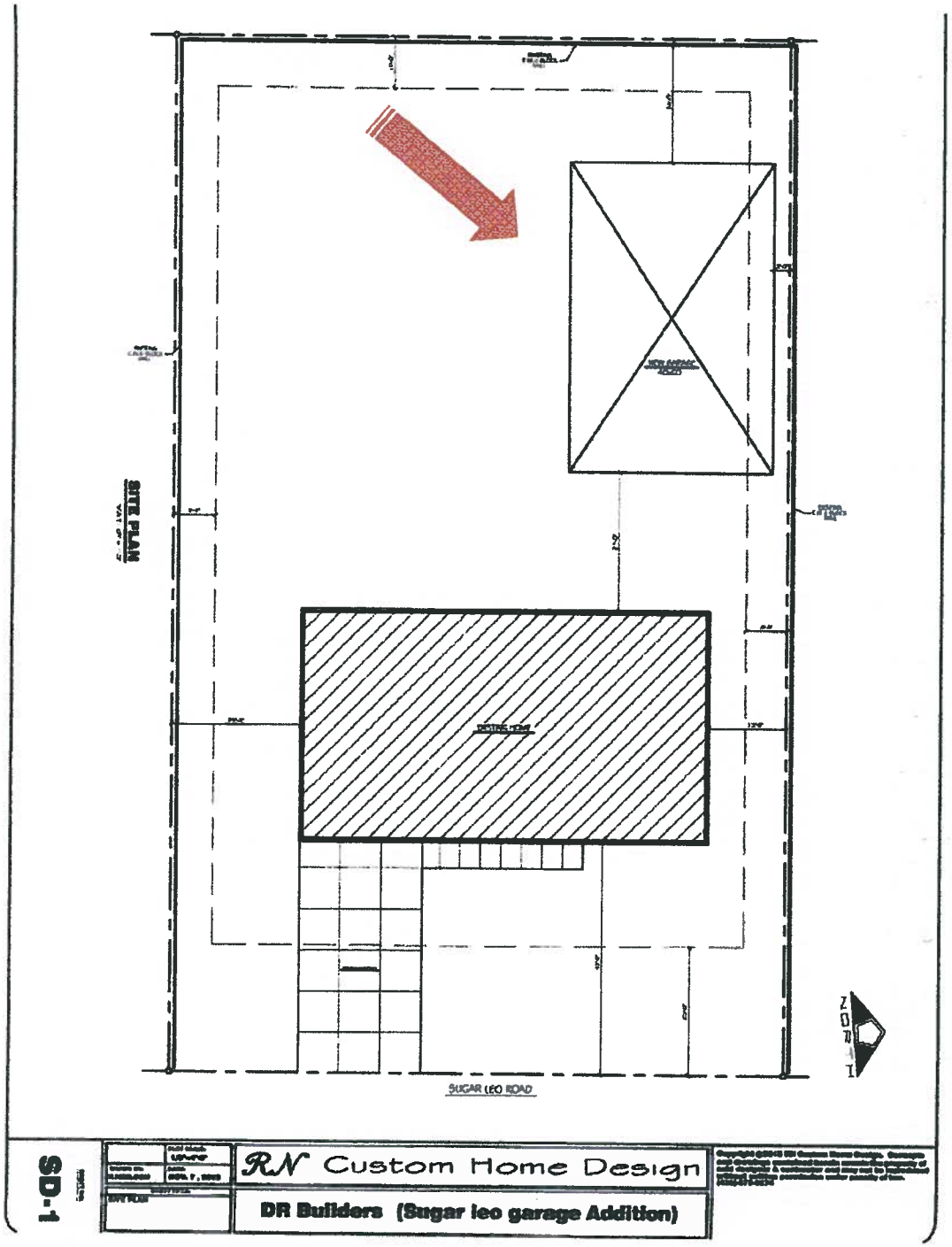
	N/A	F. Traffic	1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
The detached structurewill be approximately 20feet in height.		G. Height	1. Buildings shall fit into the overall context of the surrounding area. 2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.
	N/A	H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.
	N/A	I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.
Thisdetached structureis within the existing character of theresidential estate zone. Several detached garages are located in the area and CUP'shave been approved for increase of height.		J. Maintain Character and purpose of zone	1. Uses shall be consistent with the character and purpose of the zone within which they are located.
	N/A	K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

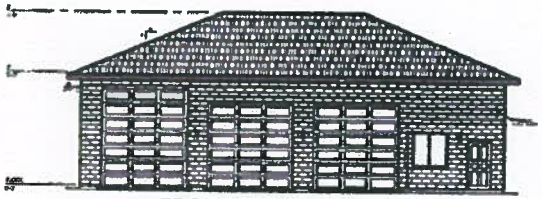
2016-CUP-003

3810 S Sugar Leo

Overhead View

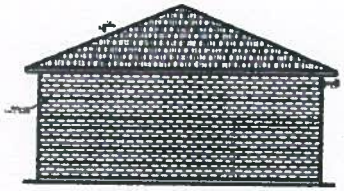
Site Plan


SITE PLAN
SUGAR LEO ROAD
NORTH
SD-1
RN Custom Home Design
DR Builders (Sugar leo garage Addition)



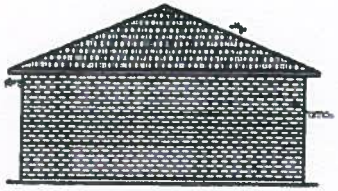
FRONT ELEVATION

SCALE: 1/8" = 1'-0"



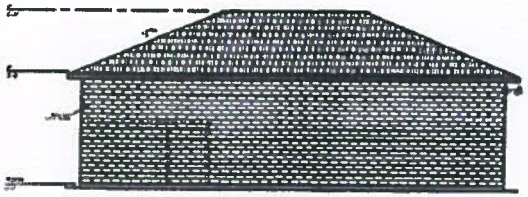
LEFT ELEVATION

SCALE: 1/8" = 1'-0"



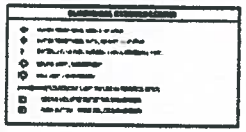
RIGHT ELEVATION

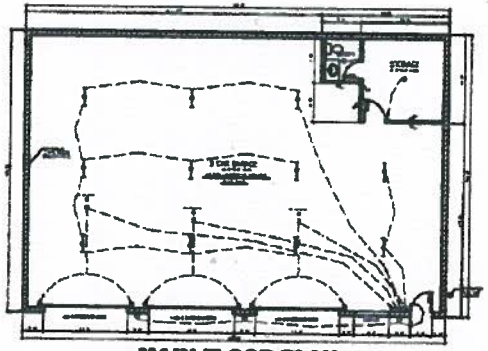
SCALE: 1/8" = 1'-0"



REAR ELEVATION

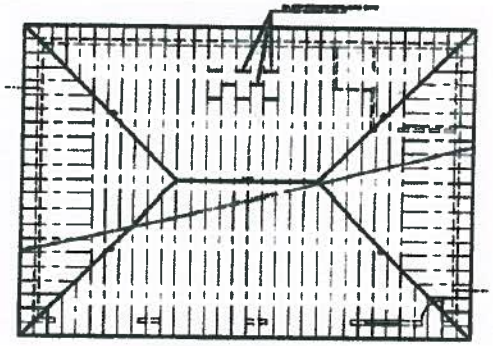
SCALE: 1/8" = 1'-0"





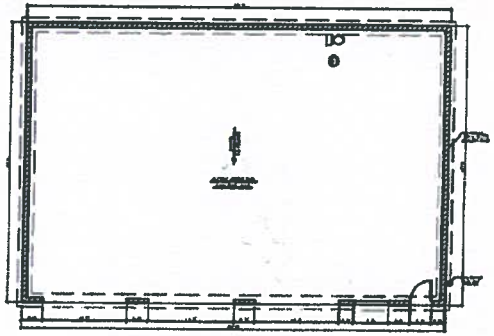
MAIN FLOOR PLAN

9400 SQ.FT. SCALE: 1/8" = 1'-0"



ROOF FRAMING PLAN

SCALE: 1/8" = 1'-0"



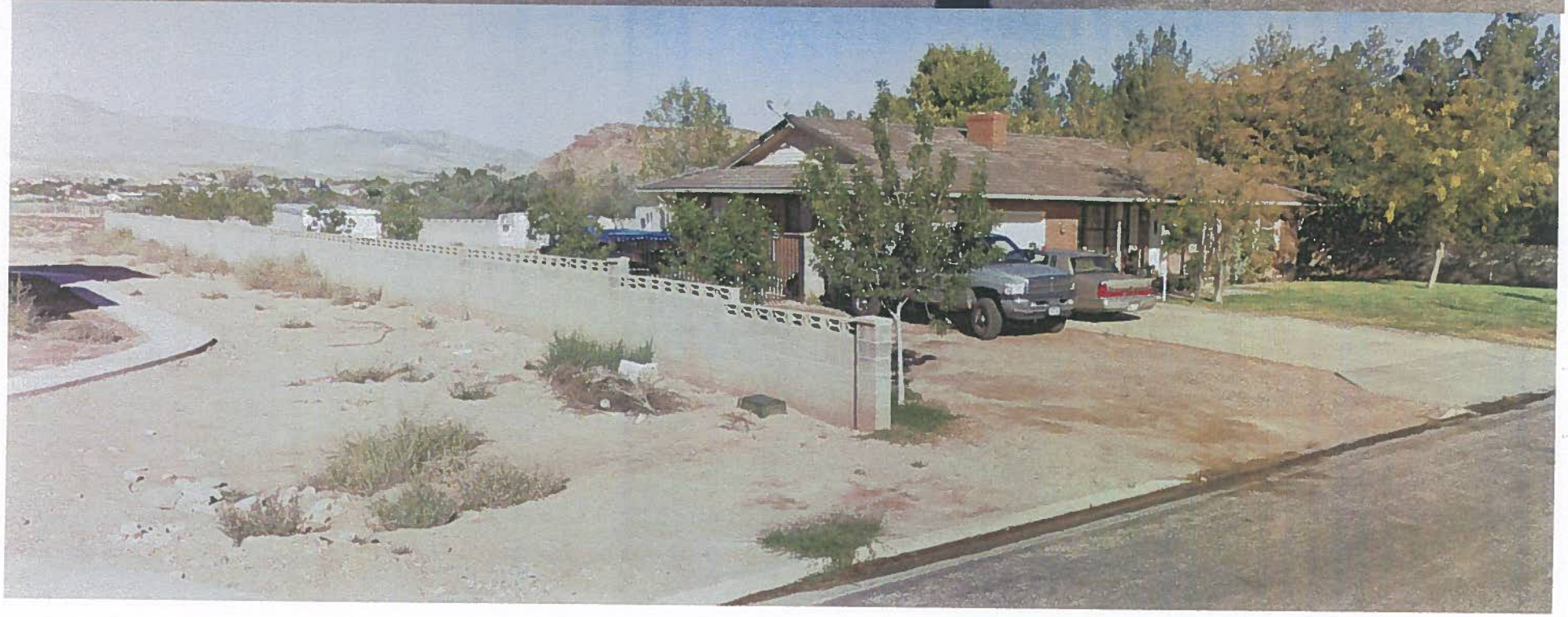
FOUNDATION PLAN

SCALE: 1/8" = 1'-0"

RN Custom Home Design

DR Builders (Sugar leo garage Addition)

A-1



DRAFT

Agenda Item Number : **6F**

Request For Council Action

Date Submitted	2016-01-11 12:43:10
Applicant	Mr. Kevin Hafen
Quick Title	CUP to construct a single family house 42' in height
Subject	Consider a conditional use permit to construct a 15,626 sq. ft. single family residential home that will exceed thirty five feet (35â€™) and requires a conditional use permit approval. The project height measured per ordinance would be approximately 42 feet. The proposed residence will be located at 2836 South 2300 East Circle and is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size).
Discussion	The Zoning Ordinance requires buildings over 35' request a CUP. The applicant is building a single family house that is approximately 42 feet, which exceeds the permitted height without a CUP. The house is located in the middle of a large parcel of land and setbacks that exceed requirements. Planning Commission recommends denial.
Cost	$0.00
City Manager Recommendation	Planning Commission recommended denial finding in their opinion the building height variance was not in harmony with the surrounding neighborhood.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

PCR ITEM 2D

CUP- Height (Single Family Home)

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

CONDITIONAL USE PERMIT
Hafen Single Family Height
Case # 2016-CUP-004

Request: To construct a 15,626 square feet single family residence that will exceed the allowable height of thirty-five (35') feet. The height will exceed 35 ft. and requires a conditional use permit approval. The proposed height measured per ordinance would be approximately 42 feet. The proposed residence will be located at 2836 South 2300 East Circle and is zoned RE-12.5.

Applicant: Mr. Kevin Hafen

Location: 2836 South 2300 East Circle

APN: SG-5-3-9-1320

Zoning: RE-12.5 (Residential Estate Zone)

General Plan: LDR (Low Density Residential)

Project: The applicant is proposing to construct a single family residence

Ordinance(s): Section 10-7A-4: Height Regulations: A. No building shall be erected to a height greater than two and one-half ($2^1/_2$) stories or thirty five feet (35'), whichever is less, unless reviewed by the planning commission and approved by the city council as a conditional use permit.

Section 10-2-1: Zoning Definitions:
BUILDING, HEIGHT OF: The vertical distance from the grade of the average of the midpoint of the walls of the two (2) tallest elevations as measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the main height level between ridge and eaves of a gable, hip, or gambrel roof.

GRADE: A. For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street.

B. For buildings adjoining more than one street, the average of the elevations of the sidewalks at the centers of all walls adjoining the street.
C. For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All

walls approximately parallel to and not more than five feet (5') from a street line are to be considered as adjoining a street.

Setbacks: Setbacks for the zone are as follows:

Front yard: Required: 25' Proposed: 233,
Side yard: Required: 10' Proposed: 119' and 30'
Rear yard: Required: 10' Proposed: 110'

Acreage: 2.96 acres

Layout: See attached site plan and elevations.

Height: Height is determined by averaging the center of the two highest elevations, from grade to midpoint of roof which are 35' and 50', therefore, the height per code is 42.5' in height.

PC: The Planning Commission recommends denial (4-1) with the finding that the height is not in harmony with the neighborhood.

Findings: The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval:

Yes	N/A	Category	Description
Noise only anticipated during construction - control levels to prevent disturbing neighbors.	N/A	A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
Comply with Local, State, and Federal air quality	N/A	B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
Contain odors to meet city and state std.	N/A	C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
		D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
During construction follow all	N/A	E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems.

City, State, & Federal const. req'mts)			2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
	N/A	F. Traffic	1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
Approx. 42' average measured from midpoint		G. Height	1. Buildings shall fit into the overall context of the surrounding area. 2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.
	N/A	H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.
	N/A	I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.
Residential		J. Maintain Character and purpose of zone	1. Uses shall be consistent with the character and purpose of the zone within which they are located.
During const. Comply with City, State, & Federal standards	N/A	K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

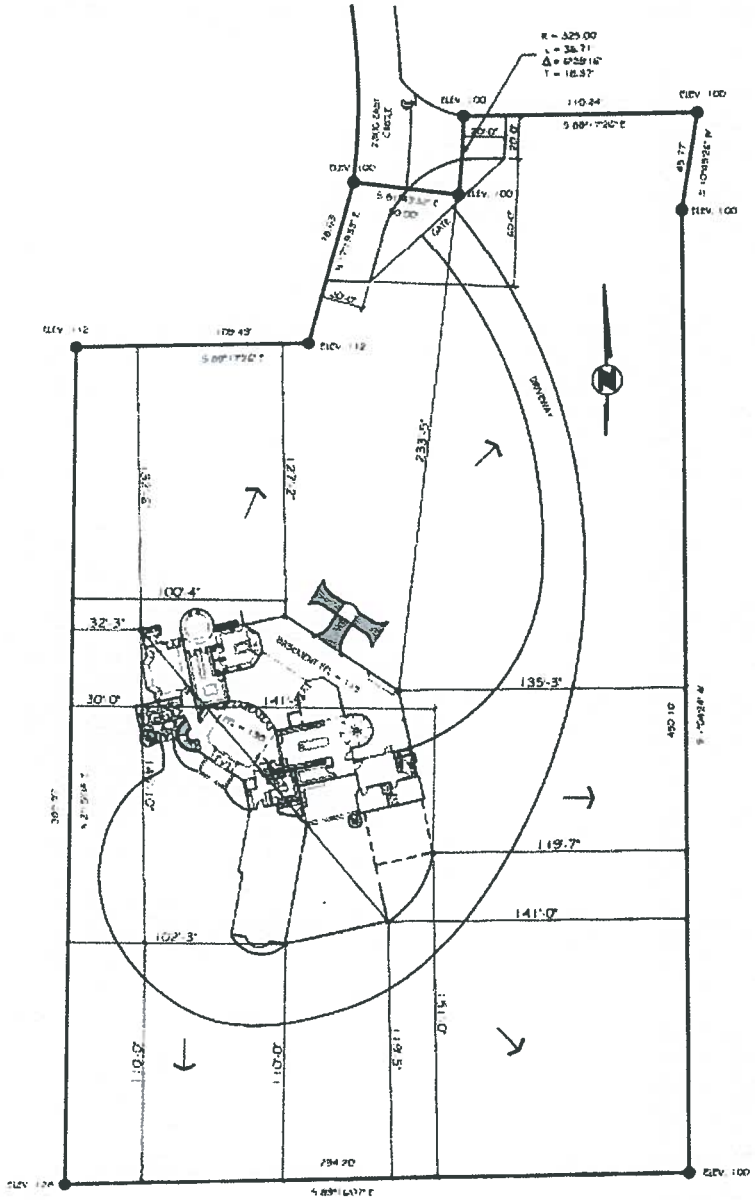
2016-CUP-004

Hafen Single Family Residence Increase in Height CUP Request

COYOTE SPRINGS DR
COYOTE SPRINGS DR
2170 E ST
2220 E ST
2260 E CIR
2320 E CIR
VALLEY SPRINGS DR
2460 E ST
MEADOW MIST CIR
GRASS VALLEY DR
MEADOW MIST WAY
2800 S ST
2810 E CIR
2830 S ST
2020 E CIR
2860 S ST
2860 S CIR
2460 E ST
LEDGE ROCK CIR
RIM CREST DR
MOUNTAIN LEDGE DR
MOUNTAIN LED
SCENIC MOUNTAIN LN
CIRCLE RIDGE DR
LEDGE ROCK DR
LIMESTONE DR
CIRCLE RIDGE DR
SLATE RIDGE CIR
2350 E ST
2960 S CIR
GENTRY LN
3000 S CIR
The Fields at Little Valley Softball
Fields at Little Valley Phase 1 Park

RE-12.5
COYOTE SPRINGS DR
2170 E ST
2180 E CIR
2320 E CIR
A-1
2800 S ST
2410 E CIR
RE-12.5
2350 E ST
2460 E ST
MEADOW MIST WAY
GRASS VALLEY DR
2630 S ST
2023 E CIR
RE-20
2860 S ST
2860 S CIR
MOUNTAIN LEDGE DR
LEDGE ROCK CIR
RIMCREST DR
CIRCLE RIDGE DR
LIMESTONE DR
SLATE RIDGE CIR
2950 E ST
The Fields at Little Valley Softball
2960 S CIR
GENTRY LN
3000 S CIR

Zoning



PLOT PLAN SCALE: 1" = 30'

LEGAL DESCRIPTION

2.96 ACRES
PARCEL NO. SG-5-3-9-1320
2300 EAST 2800 SOUTH
ST. GEORGE, UTAH 84790

NOTES:

- OPEN RISERS ON STAIRS MUST NOT BACKED UP.
- PLUMBING IN CLOSET CONNECTED TO WASTER SUBE MUST MEET ONE OF THE REQUIREMENTS OF SECTION P4005.3 OF THE 2012 IRC
- OWNER MUST PROVIDE ELEVATOR LISTINGS AND SPECIFICATIONS FOR INSPECTION
- FIREPLACE IN BATHROOM AND/OR BATHROOM MUST HAVE PROPER LISTINGS AND SPECIFICATIONS TO BE INSTALLED IN A BATHROOM
- OWNER MUST PROVIDE DETAILS FOR STEAM SHOWER INSTALLATION AND VENTILATION

NOTE:

DREAM HOME DESIGN SHALL NOT BE RESPONSIBLE FOR ACCURACY OF INFORMATION PROVIDED FOR PROPERTY LOT CORNER ELEVATIONS, SEWER PHONE, GAS, ELECTRICAL, POWER, & ALL OTHER UTILITY INFORMATION PROVIDED BY CONTRACTOR/OWNER

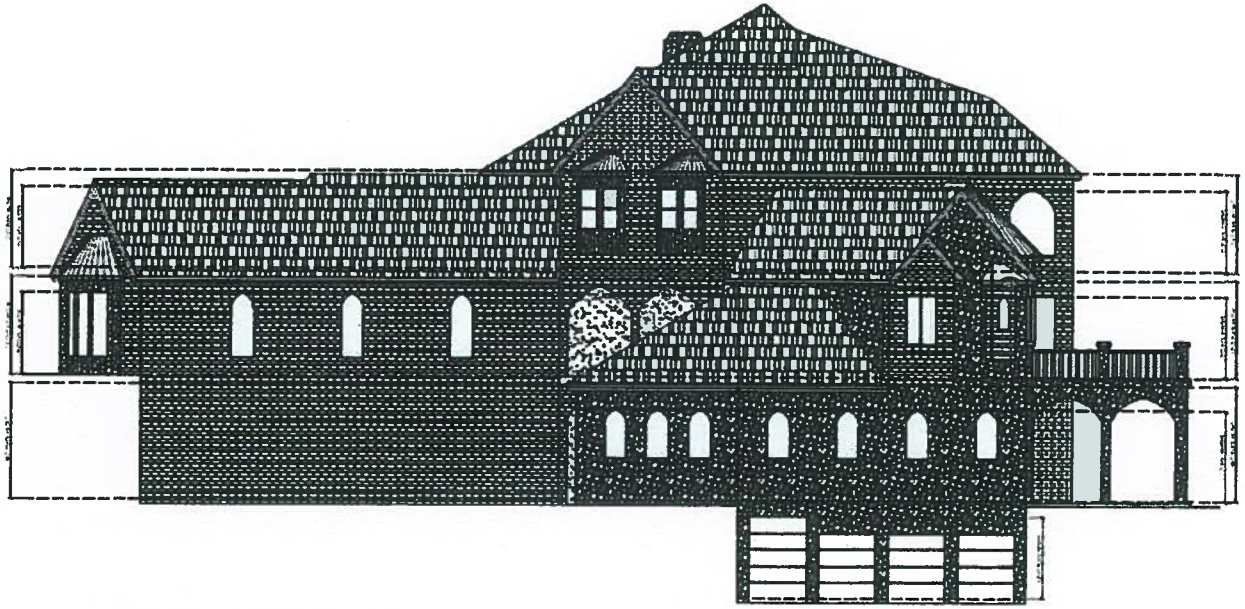
NOTE:

RELATIVE ELEVATIONS OF TOP OF FINISHED FLOOR AND LOT CORNERS AND SITE GRADE/FINISHED GRADES WILL BE PROVIDED BY CIVIL ENGINEER. DRAINAGE SHALL BE AWAY FROM HOUSE AND FOLLOW DRAINAGE PLAN AS SUBMITTED BY CIVIL ENGINEER

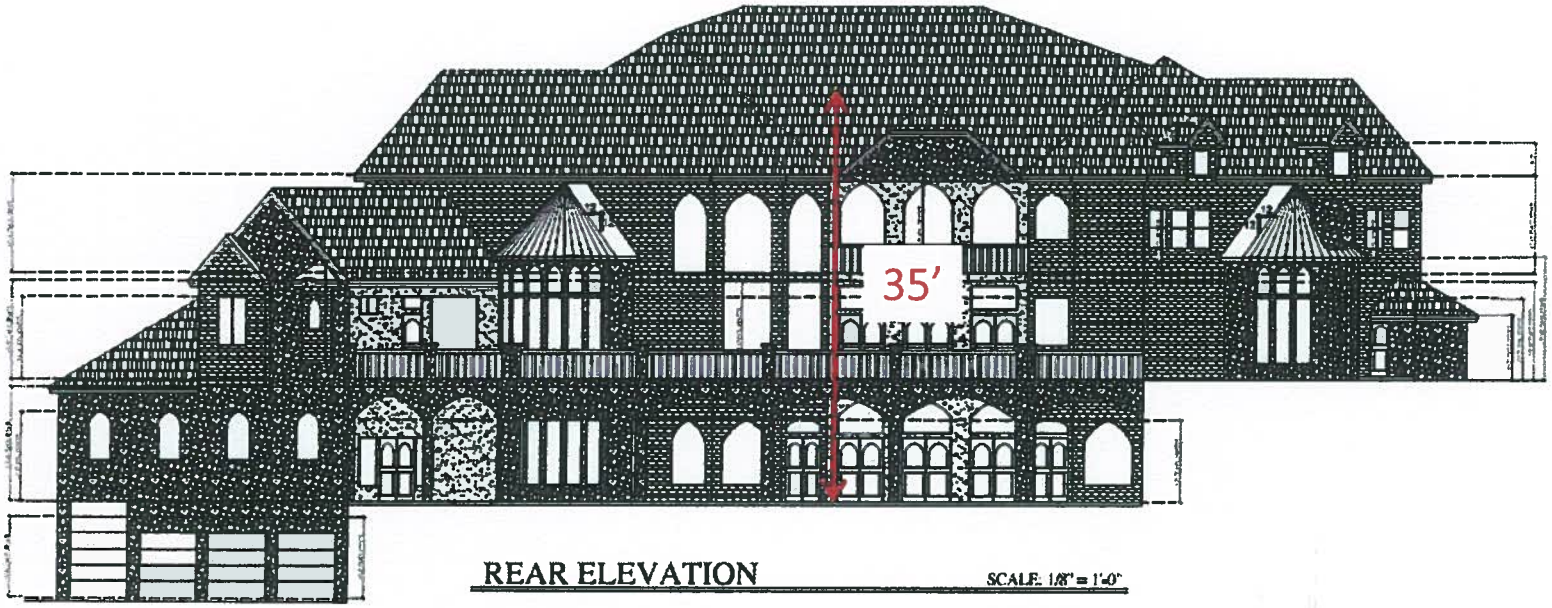
LEFT SIDE ELEVATION SCALE: 1/8" = 1'-0"

FRONT ELEVATION SCALE: 1/8" = 1'-0"

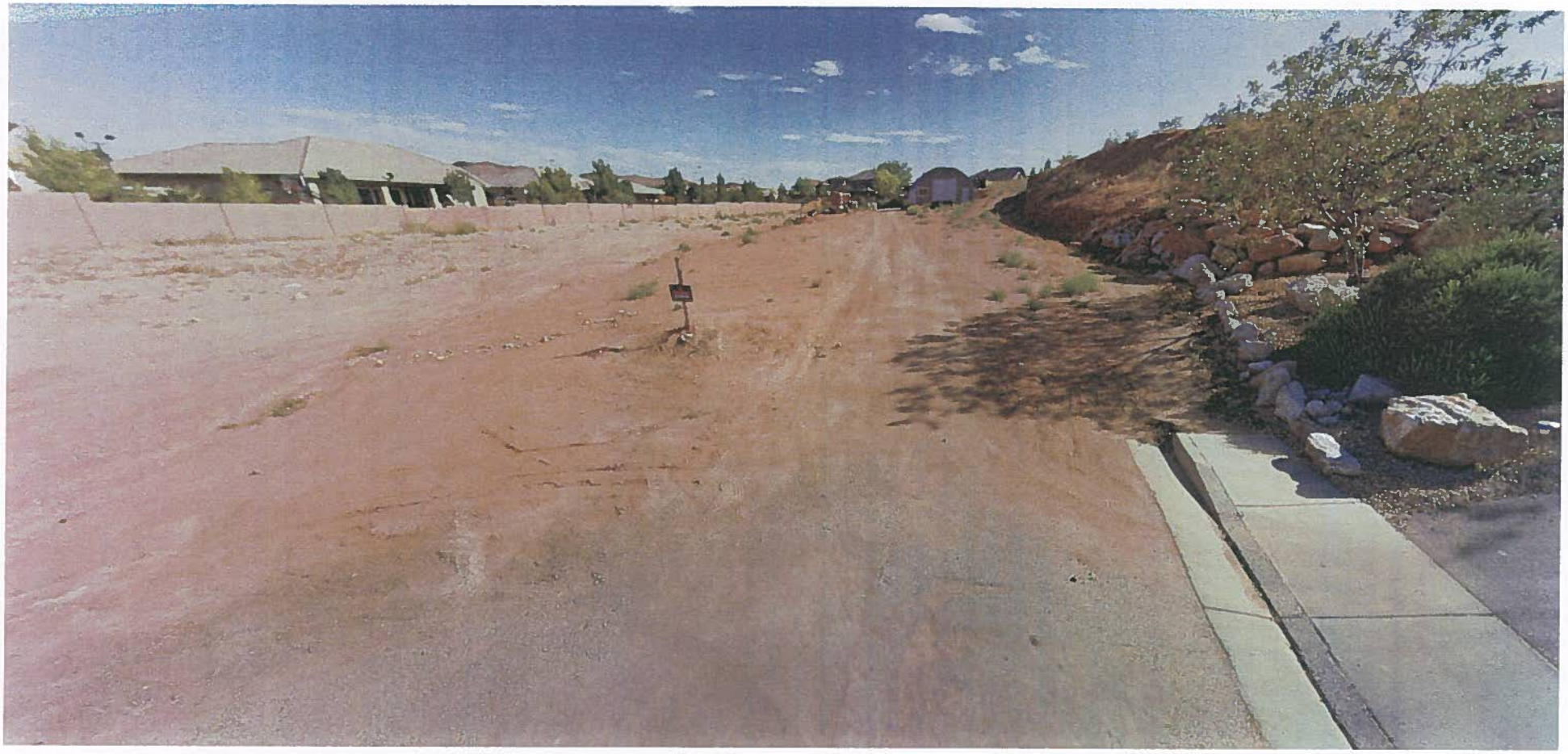
NOTE



RIGHT SIDE ELEVATION SCALE: 1/8" = 1'-0"



REAR ELEVATION SCALE: 1/8" = 1'-0"



2300 E

Dear Planning Commission,

Our names are James and Janel Hood and we own a home at 2840 South 2350 East in Meadow Valley Phase 3 lot 108.

We are writing this in hopes that you will NOT approve the request of Mr. Kevin Hafen for a Conditional Use Permit for a single family residence height that would exceed the allowable limit. Case No. 2016-cup-004

Some of the reasons for our opposition to the request include.

First and for most: According to the findings: Category D. Aesthetics, a house this size does not blend harmoniously with the other houses in the area. This house is to be located behind the homes on the west side of 2350 East and between 2800 to 2860 South. Most of these homes are single level 1/3 acre lots. This lot is 2.96 acres! That is not a good fit!

Based on the size of the lots and homes on the corners of 2800 South and 2300 East Circle, we question if it was ever planned or zoned for a house this size to be built there. We thought it was planned for other 1/3 acre lots to be developed, which would have been phase 1 of Meadow Valley Subdivision.

The grade level for the Hafen home is also located about 16 feet higher in elevation than our home, so it is already going to sit above us. There is one level that will be visible below the grade level. Then you have the 35 ft. height limit. That is a two story home with high roof pitch above the grade level. That would make a total of a three visible levels plus the roof pitch view from our home. Now if they get to add another 7ft. We feel it would just be this huge thing we would have to see from our yard, out our windows and the view from our home. There would be no privacy. We can't build a wall or plant big enough trees to provide enough privacy for my family.

The placement on the lot of this residence is directly behind our home, so when I look out the back of our single level 2300sq foot home all I am going to see is the Hafen's Home. I invite any of you to come make a site visit and see for yourselves what this will do to the view and look of the neighborhood.

We are afraid that having this home (The Hafen's) directly behind our house may affect the value or resale value of our home.

Honestly we wish they would have realized before now that this house will not fit well with the other homes in the area. The home they want to build is better suited for an estate sized neighborhood rather than one huge house built on what should be many other single family residences.

Thank you for consideration.

James and Janel Hood

Genna Singh

From: John Willis
Sent: Tuesday, January 12, 2016 4:05 PM
To: Genna Singh
Subject: Fwd: Hafen code variance request

Sent from my iPhone

Begin forwarded message:

> **From:** Eric Woodward <ewoodward@skywest.com>
> **Date:** January 12, 2016 at 2:45:49 PM MST
> **To:** "john.willis@sgcity.org" <john.willis@sgcity.org>
> **Subject: Hafen code variance request**
>
> John –
>
> I received the notification letter regarding Hafen's request to accept his proposed code/zoning variance on the height of his home. I won't be able to attend the planning meeting tonight. I don't have any other information about Hafen's variance request, other than what included in the letter. Without any additional information, unfortunately, I would need to take a position against the request. It's not my intention to create a conflict with a person's aspirations to build their home, but without any other information, a 7' height variance is something like a 20% variance ask. I don't know exactly where on the property he is proposing to build, but there is a sizable hillside in that area, and depending on where the home is built, the elevation of the ground could amplify how towering the home would be.
>
> Best regards,
>
> Eric Woodward

January 11, 2016

RECEIVED
JAN 11 2016
BY:

Attn: St. George City Planning Commission

Re: Conditional Use Permit request from Mr. Hafen, #2016-CUP-004

We are opposed to the request from Mr. Hafen for a conditional use permit at the address 2836 South 2300 East Circle requesting the allowed new structure height to be changed from 35' to 42' because of the following:

1) the height standard is already established by the City of St. George to maintain uniformity in size and appearance of buildings and we feel this standard should be maintained in neighborhoods
2) the residential area of 2800 South is already established and the existing neighboring residences are of similar height to each other as required by the City ordinance and we feel the additional height would detract from the area
3) the builder and owner of any new residence are expected to be aware of City ordinances from the start of their project and should design their plans accordingly to comply with these ordinances
4) the increased height of the residence will directly affect our property

Thank you for considering our concerns in opposing this conditional use permit.

Stewart & Kelly Bringhurst

Stewart & Kelly Bringhurst
Adjoining lot owners

CITY OF ST GEORGE
RECH: 01499415 1/04/2016 3:21 PM
TRAN: 159.0000 PLANNING FEES
OPER: LIC TERM: 036
REF#: 152
CUP HAFEN
PLANNING FEES 300.00CR
TENDERED: 300.00 1 CHECK(S)
APPLIED: 300.00-
CHANGE: 0.00

CONDITIONAL USE PERMIT
APPLICATION & CHECKLIST

I. PROPERTY OWNER(S) / APPLICANT INFORMATION

APPLICANT: Kevin Hafen
(If different than owner)
MAILING ADDRESS: 1146 W - 2320 S. St. George 84770

PHONE: CELL: [redacted] FAX:
E-MAIL ADDRESS: Kevin Hafen @ Yahoo.com
LOCATION OF SUBJECT PROPERTY: 2836 S. 2300 E St George 84790

CONTACT PERSON / REPRESENTATIVE (if applicable): Kirk Hafen
(If different than owner)
MAILING ADDRESS: 1352 W South Wind Dr. St George UT 84770

PHONE: CELL: [redacted] FAX:
E-MAIL ADDRESS: KSHFamily @ Beyondbb.com

II. PROPERTY INFORMATION

ZONING: SUBDIVISION:

TAX I.D. NUMBER (PARCEL SERIAL NUMBER): SG-5-3-9-1320

EXISTING USE:
Use of property and/or Buildings

PROPOSED USE:
Use of property and/or Buildings.

OFFICE STAFF USE ONLY

CASE NO. 2016-CUP-004 FILING DATE: 1/4/16 RECEIVED BY: SD RECIEPT:

FEE: $300.00 – PAYABLE BY CHECK OR MONEY ORDER. CASH WILL NOT BE ACCEPTED

DRAFT

Agenda Item Number : **6G**

Request For Council Action

Date Submitted	2016-01-11 12:47:53
Applicant	Mr. Cary Blake, C. Blake Homes
Quick Title	CUP to construct a single family house 48 feet in height
Subject	Consider a conditional use permit to construct a residential home that exceeds the allowable height of thirty five feet (35â€™) and requires a conditional use permit approval. The project height measured per ordinance would be approximately 48 feet. The proposed residence would be located at 225 South 1160 West Circle and is zoned PD-R (Planned Development Residential).
Discussion	The applicant is proposing to build a single family house approximately 48 feet in height, which exceeds the permitted 35' without a CUP. The property has substantial elevation change, which increases the height of house. Planning Commission recommends approval.
Cost	$0.00
City Manager Recommendation	Planning Commission felt the request was in harmony with the neighborhood and recommended approval.
Action Taken	
Requested by	John Willis
File Attachments	
Approved by Legal Department?	
Approved in Budget?	**Amount:**
Additional Comments	

PCR ITEM 2E
Single Family Height

PLANNING COMMISSION AGENDA REPORT: **01/12/2016**
CITY COUNCIL MEETING: **01/21/2016**

CONDITIONAL USE PERMIT
Blake Single Family Height
Case # 2016-CUP-005

Request: To construct a 12,226 square feet single family residence that will exceed the allowable height of thirty-five (35') feet. The height will exceed 35 ft. and requires a conditional use permit approval. The proposed height measured per ordinance would be approximately 48 feet. The proposed residence will be located at 225 South 1160 West Circle and is zoned PD-R.

Applicant: Mr. Carey Blake, C. Blake Homes

Location: 225 South 1160 West Circle

APN: SG-SM-8-309

Zoning: PD-R (Planned Development Residential)

Project: The applicant is proposing to construct a single family residence

Ordinance(s): Two sections regulate height for buildings and specify processes for requesting higher buildings. The PD zone allows the request at the time of the zoning approval. Chapter 14 Supplementary and Qualifying Regulations allows for a CUP, in order to increase the height. Given the project has already received zone approval back in 1997, staff is processing the additional height request as a CUP, because they are not making amendments to the PD zone.

10-8-5: RESIDENTIAL DEVELOPMENT STANDARDS
G. Height Regulations: No building shall be erected to a height greater than thirty five feet (35') unless specifically approved as a part of the zone change approval.

10-14-13: HEIGHT REQUIREMENTS; EXCEPTIONS:

A. Additional Height Allowed: Buildings and structures, when authorized in a zoning district, may be erected to a height greater than the height allowed by the district subject to conditional use recommendation by the planning commission and approval by the city council. (1998 Document § 3-11)

Section 10-2-1: Zoning Definitions:
BUILDING, HEIGHT OF: The vertical distance from the grade of the average of the midpoint of the walls of the two (2) tallest elevations as measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the main height level between ridge and eaves of a gable, hip, or gambrel roof.

GRADE: A. For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street.

B. For buildings adjoining more than one street, the average of the elevations of the sidewalks at the centers of all walls adjoining the street.
C. For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All walls approximately parallel to and not more than five feet (5') from a street line are to be considered as adjoining a street.

Setbacks: Setbacks for the zone are as follows:

Front yard: Required: 25'
Side yard: Required: 10'
Rear yard: Required: 10'

Acreage: 28,572 square feet

Layout: See attached site plan and elevations.

Height: Height is determined by averaging the center of the two highest elevations, from grade to midpoint of roof which are approximately 49' and 47'. Therefore, the height per code is approximately 48' in height. The property is located on a hill with changes in elevation from front to rear, which creates several exposed elevations. Other homes on the street have utilized retaining walls to raise the elevation of the building pad, oppose to building to contours of the hill. As such, the overall elevations of the proposed and existing homes appear to be similar.

PC: The Planning Commission recommends approval with findings that the height blends harmoniously with the other homes in the neighborhood.

Findings: The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval:

Yes	N/A	Category	Description
Noise only anticipated during construction - control levels to prevent disturbance of neighbors.	N/A	A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
(Comply with Local, State, and Federal air quality)	N/A	B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
(Contain all odors to meet city and state standards)	N/A	C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
		D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
During construction follow all City, State, & Federal const. req'mts)	N/A	E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
	N/A	F. Traffic	1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
Approx. 42' average measured		G. Height	1. Buildings shall fit into the overall context of the surrounding area. 2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the

from midpoint			surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.
	N/A	H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.
	N/A	I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.
Residential		J. Maintain Character and purpose of zone	1. Uses shall be consistent with the character and purpose of the zone within which they are located.
During const. Comply with City, State, & Federal standards	N/A	K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

CONDITIONAL USE PERMIT
APPLICATION & CHECKLIST

I. PROPERTY OWNER(S) / APPLICANT INFORMATION

APPLICANT: C Blake Hones
(If different than owner)
MAILING ADDRESS: 112 N. Painted Hill Dr.
Ivins UT 84738

PHONE: [redacted] CELL: [redacted] FAX: (435) 688-0350

E-MAIL ADDRESS: cblake@infowest.com

LOCATION OF SUBJECT PROPERTY: 225 South 1160 West Circle
Shadow Mountain, Phase 8, Lot 309

CONTACT PERSON / REPRESENTATIVE (if applicable): Cary Blake
(If different than owner)
MAILING ADDRESS: Same As Above

PHONE: Same CELL: Same FAX: Same

E-MAIL ADDRESS: Same

II. PROPERTY INFORMATION

ZONING: _____ SUBDIVISION: Shadow Mountain

TAX I.D. NUMBER (PARCEL SERIAL NUMBER): SG-SM-8-309

EXISTING USE: Residential Home
Use of property and/or Buildings

PROPOSED USE: Residential Home
Use of property and/or Buildings.

OFFICE STAFF USE ONLY

CASE NO. 20___-CUP-____ FILING DATE:_____ RECEIVED BY: _____ RECIEPT:_____

FEE: $300.00 – PAYABLE BY CHECK OR MONEY ORDER. CASH WILL NOT BE ACCEPTED

2016-CUP-005

C. Blake Homes
Single Family Residence Increase in Height
CUP Request

1210 W CIR
1150 W CIR
309
310
311
312
313
314
315-A
304
305
306
307
308
322
323
324
325
326
327
328
329
330

202 S
205 S
221 S
220 S
207 S
193 S
225 S
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PD-R
R-1-10
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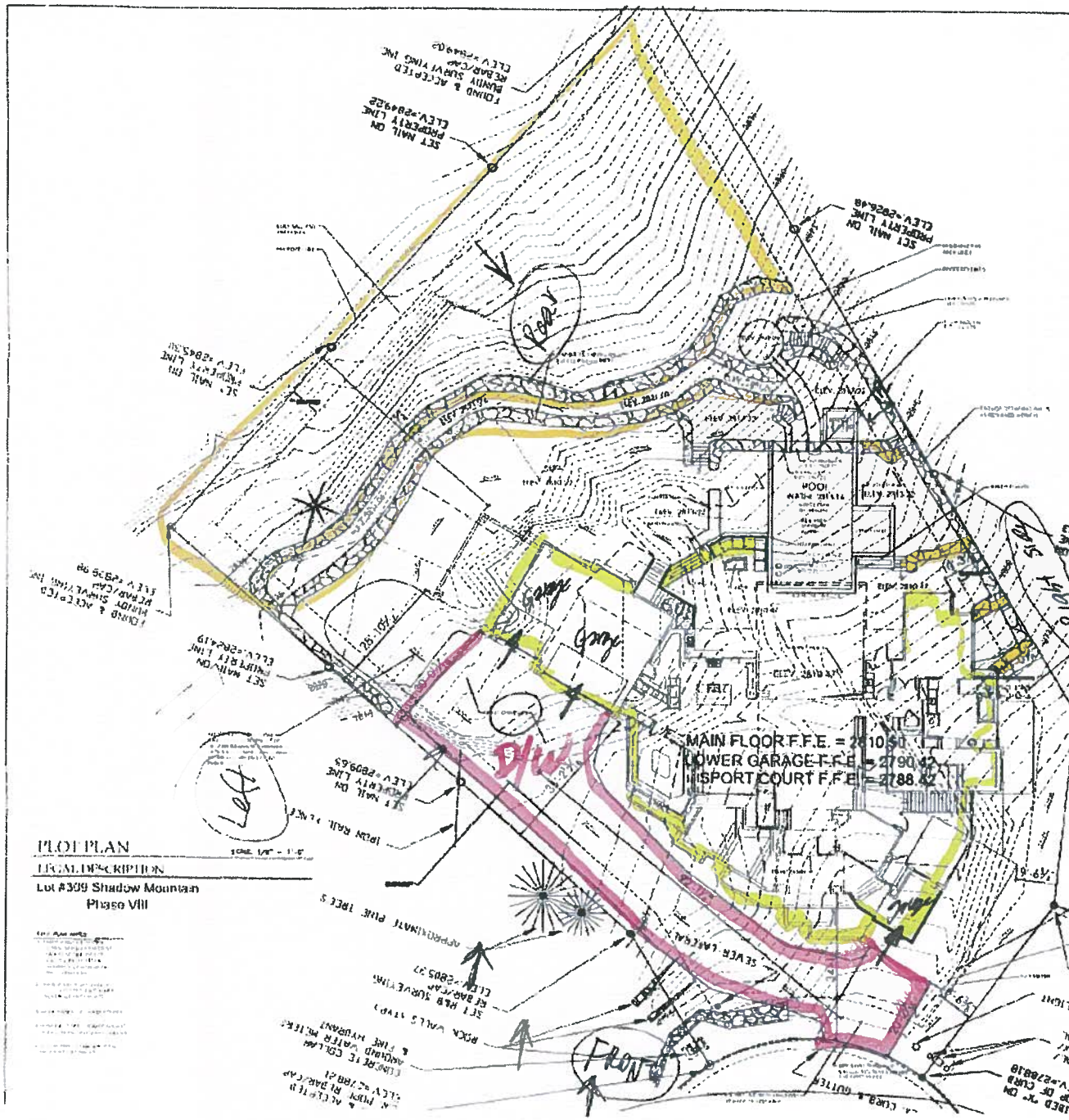
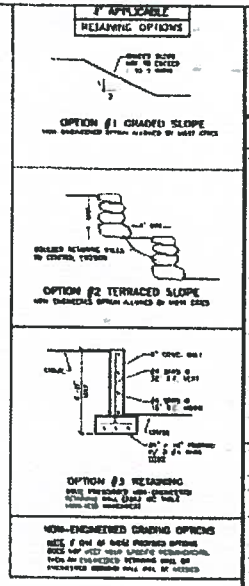
Zoning





Allred Residece

Lot #309 Shadow Mountain
Phase VIII

SHEET INDEX

SHEET	DESCRIPTION
ARCHITECTURAL	
A-1	COVER SHEET & PLOT PLAN & GENERAL NOTES
A-2	BASEMENT PLAN
A-3	MID LEVEL PLAN
A-4	FLOOR PLAN
A-5	UPPER FLOOR PLAN
A-6	ELEVATIONS (FRONT & LEFT SIDE)
A-7	ELEVATIONS (REAR & RIGHT SIDE)
A-8	SECTIONS "A", "B" AND "C"
A-9	FLOOR FRAMING #1 AND #2 PLAN
A-10	FLOOR FRAMING #3 PLAN
A-11	ROOF SCHEMATIC PLAN
A-12	ELECTRICAL (BASEMENT & MID LEVEL)
A-13	ELECTRICAL (MAIN FLOOR PLAN)
A-14	ELECTRICAL (UPPER FLOOR PLAN)
A-15	DETAILS & GENERAL NOTES
TOTAL "A" SHEETS (15)	
STRUCTURAL (TO BE DETERMINED)	
S1	UPPER ROOF FRAMING PLAN
S2	ROOF & FLOOR FRAMING PLAN
S3	ROOF & FLOOR FRAMING PLAN
S4	FLOOR FRAMING PLAN
S5	FLOOR FRAMING PLAN
S6	UPPER SHEAR PLAN
S7	MAIN SHEAR & FOUNDATION PLAN
S8	LOWER SHEAR PLAN
S9	LOWER SHEAR & FOUNDATION PLAN
S10	STRUCTURAL DETAIL SHEET
TOTAL "S" SHEETS = 10	
TOTAL SHEETS IN PLAN = 25	

PROPERTY ANALYSIS

LOT AREA	25,312 SQ. FT. / 0.58 ACRES

SQUARE FOOTAGE BREAKDOWN

MAIN FLOOR PLAN	3,788 SQ. FT.
UPPER FLOOR PLAN	3,028 SQ. FT.
TOTAL LIVING AREA	6,816 SQ. FT.
SPORT COURT AREA	1,116 SQ. FT.
EXERCISE & SPORT LOUNGE	476 SQ. FT.
LOWER GARAGE	382 SQ. FT.
LOWER WORK SPACE	116 SQ. FT.
STORAGE (LW)	120 SQ. FT.
MAIN LEVEL GARAGE	874 SQ. FT.
MAIN LEVEL CARPORT	366 SQ. FT.
PORTICO	154 SQ. FT.
REAR COVERED PATIO	662 SQ. FT.
UPPER REAR BALCONY	172 SQ. FT.
UPPER BED #2 BALCONY	60 SQ. FT.
TOTAL UNDER ROOF	12,226 SQ. FT.
DRIVE DECK	242 SQ. FT.
UPPER FRONT BALCONY	214 SQ. FT.
UPPER BED #4 BALCONY	44 SQ. FT.
TOTAL SQUARE FOOTAGE	12,726 SQ. FT.

PROJECT DATA

OWNER: [illegible]

BLDG. DESCRIPTION: LOT #309 SHADOW MOUNTAIN PHASE VIII, ST. GEORGE, UTAH

BLDG. CLASSIFICATION: SINGLE FAMILY RESIDENCE

TYPE OF CONSTRUCTION: TYPE V-B

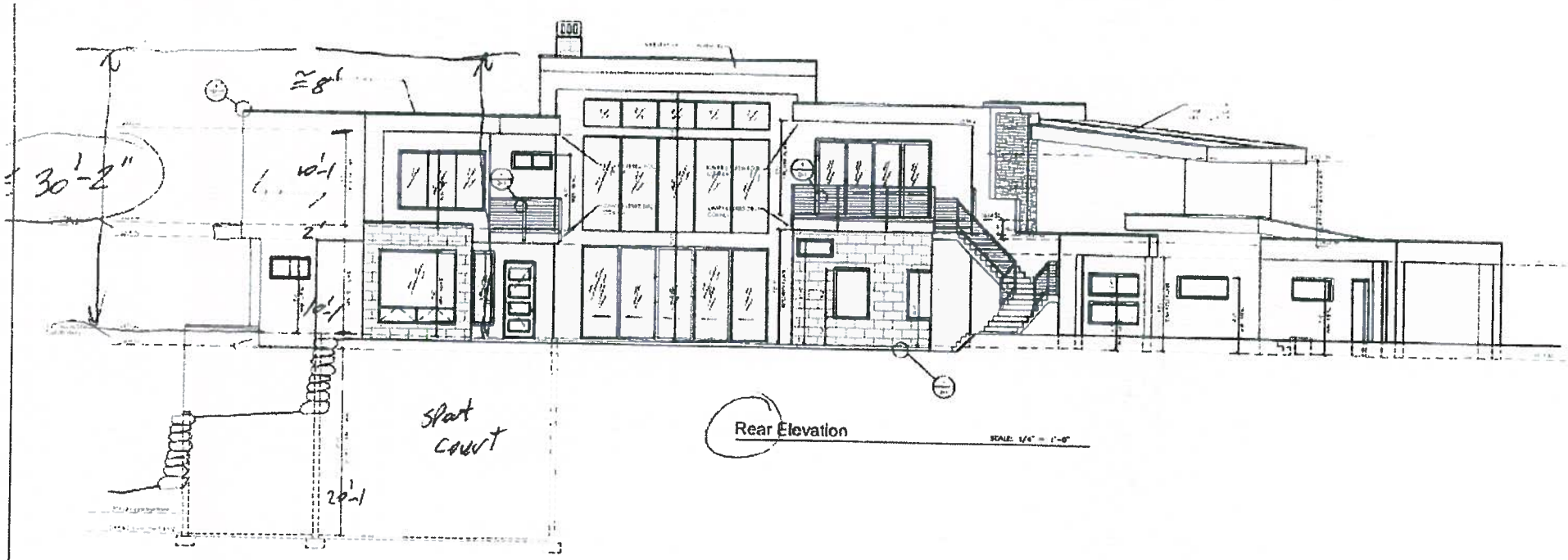
CODES:
HOME SHALL BE CONSTRUCTED TO ALL LOCAL CODE REQUIREMENTS OF WASHINGTON COUNTY
*2012 INTERNATIONAL RESIDENTIAL CODE (12 IRC)
*2012 INTERNATIONAL BUILDING CODE (12 IBC)
*2012 INTERNATIONAL PLUMBING CODE (12 IPC)
*2012 INTERNATIONAL MECHANICAL CODE (12 IMC)
*2012 NATIONAL ELECTRICAL CODE (12 NEC)

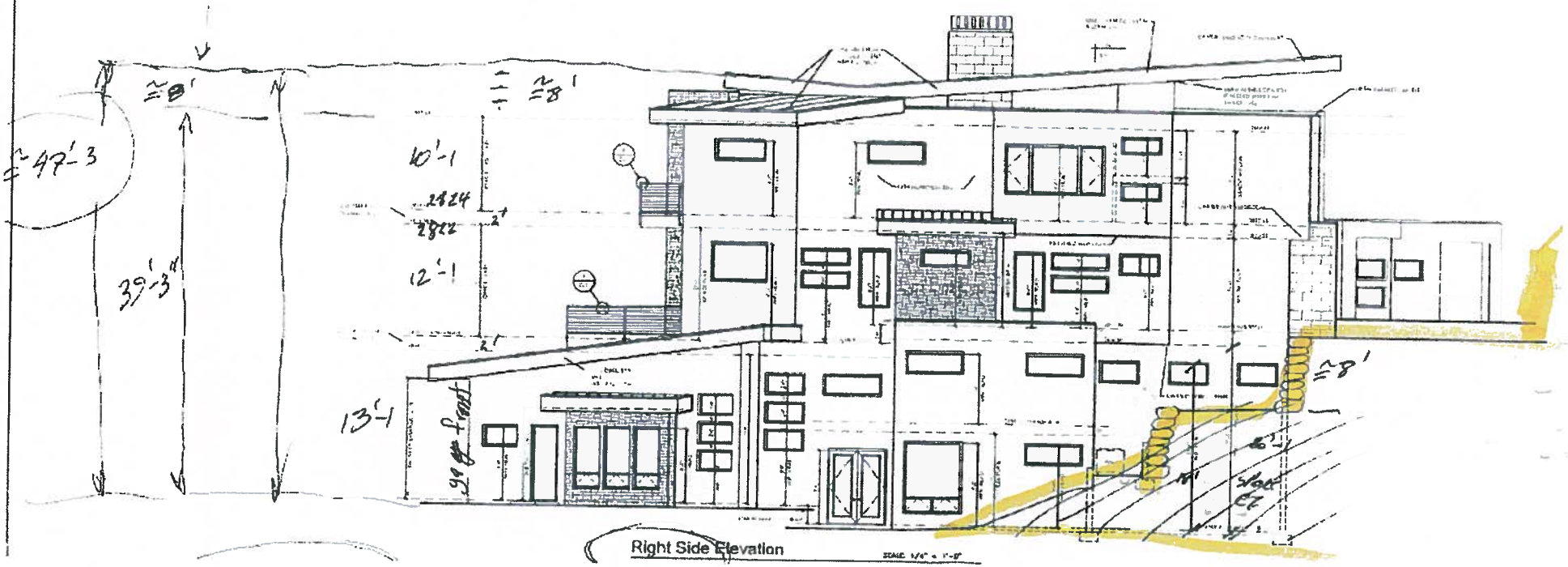
ANDREWS HOME DESIGN GROUP
DESIGNER: JEFF ANDREWS
[illegible]
www.AndrewsHomeDesign.com

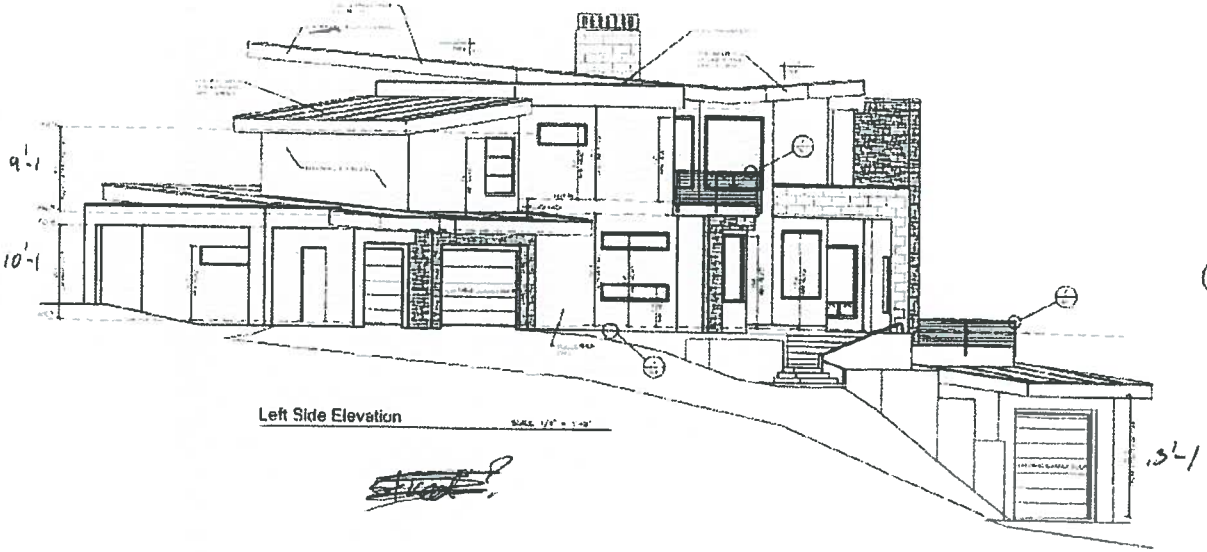
Cover Page & Plot Plan

C.Blake Homes
Allred Residence
[illegible] Shadow Mountain Phase VIII

A-1

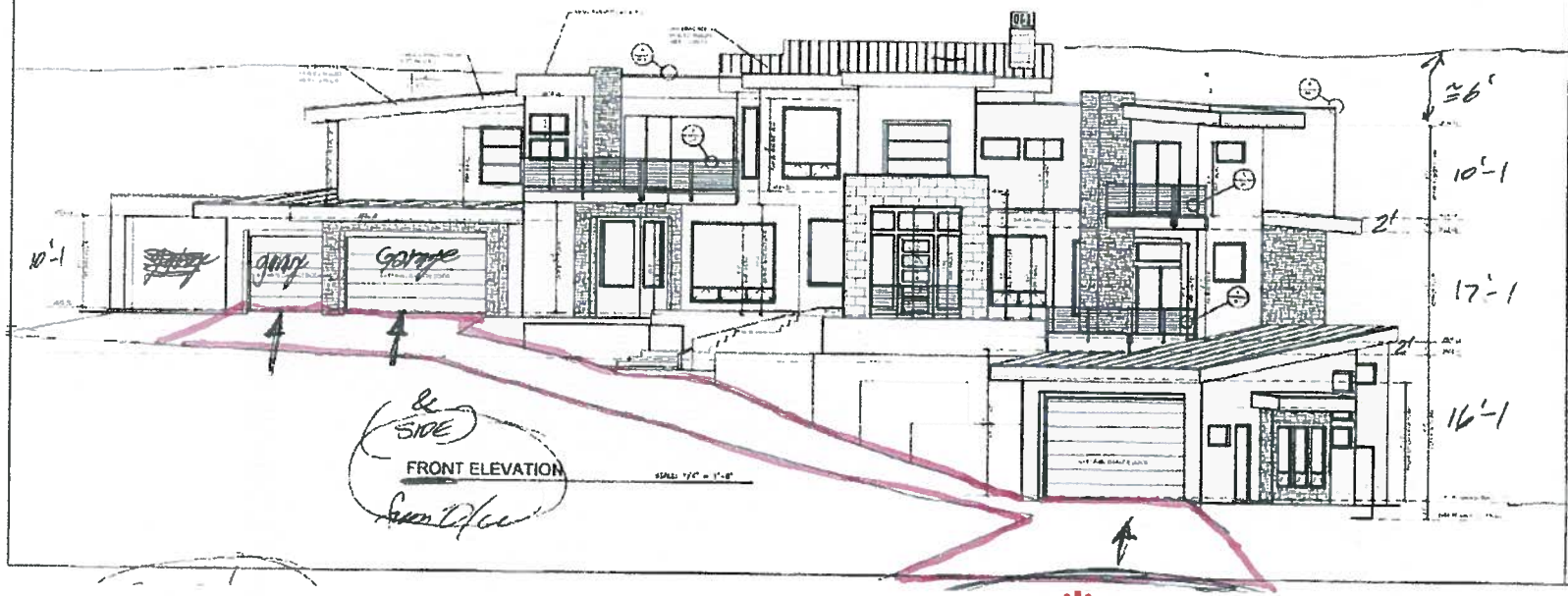

≅8'
30'-2"
10'-1
10'-1
Sport Court
20'-1
Rear Elevation


≅8'
≅8'
≅47'-3
10'-1
12'-1
39'-3"
13'-1
≅8'
Right Side Elevation



Left Side Elevation

49'-3
+ 47'-3
96 – 6" ÷ 2 =
48.25' Avg. height



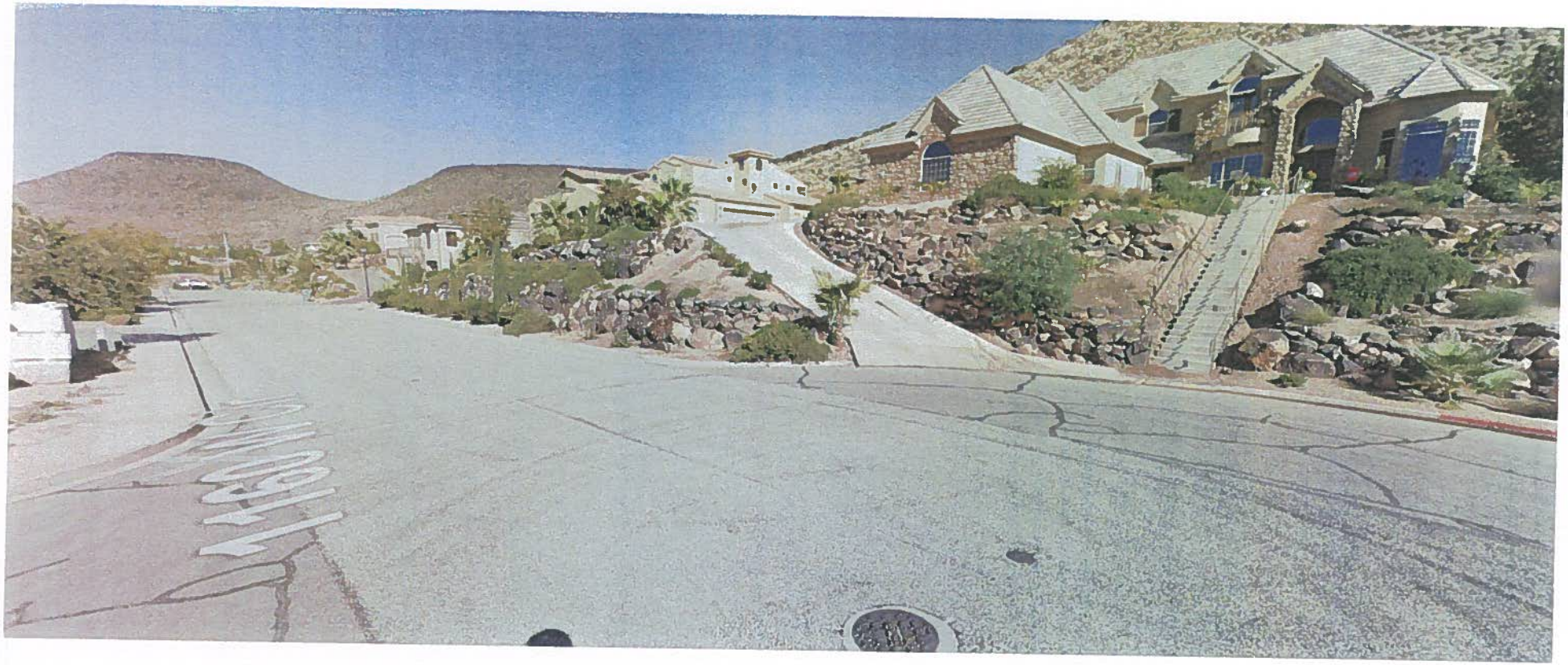
(& SIDE)
FRONT ELEVATION

≅ 49'-3"

ANDREWS HOME DESIGN GROUP
DESIGNER JEFF ANDREWS
www.AndrewsHomeDesign.com

Elevations Page #1
C.Blake Homes
Allred Residence

A-6



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ST. GEORGE CITY COUNCIL MINUTES
WORK MEETING
DECEMBER 10, 2015, 4:00 P.M.
ADMINISTRATIVE CONFERENCE ROOM

PRESENT:

Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Hughes and the invocation was offered by Reverend Alex Wilkie.

Mayor Pike stated that next Thursday will be the last meeting for the year. He reminded those in attendance about the reception for Councilmember Almquist on Thursday, December 17th at 4:00 p.m. and the swearing in for Councilmember Hughes, Councilmember Arial, and Ed Baca on Monday, January 4th at 12:00 p.m. He mentioned the Electric Theater's show starting tonight called Christmas on Broadway.

DISCUSSION REGARDING A PROPOSED CELL TOWER ON THE BLOOMINGTON PARK BASEBALL FIELD:

City Manager Gary Esplin explained that staff has been approached by Verizon regarding a cell tower at the Bloomington Park baseball field. Cell service in Bloomington is not very well. He outlined the proposed location as shown in a photo provided by Verizon. Staff does not feel it is intrusive to the aesthetics of the park.

Leisure Services Director Kent Perkins stated that staff worked with Verizon to determine the best location. Staff's concern is that there are two elements – the pole and the fenced yard around the pole.

Mayor Pike commented that he would prefer have the pole installed near the arena.

Reverend Alex Wilkie asked if the pole will be tall enough for those who use the tower. If not, the proposed location is the wrong location.

Mayor Pike noted that Verizon would not install the pole unless it will help.

Ray Draper, with the Bloomington Community Council stated that their preference is to have the pole near the arena. He commented they are trying to keep Bloomington beautiful. The proposed location would make the pole visible from Man of War. They have a concern with the base of the pole; he suggested they install a block wall around the pole.

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City Manager Gary Esplin advised this is City property therefore, the Council can tell them where to install it.

Mr. Draper asked if any funds received for this can be set aside for improvements at the park.

A discussion took place on possible locations. The consensus of the Council is to have them install the signal on one of the existing light poles to the north, near the arena if the neighbors are okay with it, or in the outfield on the northwest field. Verizon should contact the neighbors. The Council added that they should install a block wall.

DISCUSISON REGARDING THE PHILOSOPHY FOR NAMING STREETS:

City Manager Gary Esplin explained that the current philosophy is to use numbers as much as possible, unless a road is curved. He asked the Council if they wanted to continue naming streets as they are currently. Staff has received requests to change to names rather than numbers.

The Council commented that if they change to street names rather than numbers, they still would like to have to have the numbers, having both alternatives.

Public Works Director Cameron Cutler gave an example of a request for a street name change in the Little Valley area. He explained that emergency services would rather have the coordinate number; the post office would rather have names. This particular request was to change the name of a street in the middle of a subdivision. He noted that most of the streets in that area have more coordinates than names. Staff has talked about changing the policy so that if the street is short, they can use a name rather than the coordinate. Staff is not proposing to change current street names.

Deputy Chief of Police Rich Farnsworth stated that this is a non-issue for their patrol cars.

The consensus of the Council is to continue with the current philosophy. If there is a request and the street is short rather than a major street, they will consider it. Staff can request a name change for historical purposes.

PRESENTATION FROM THE GIS DEPARTMENT:

GIS Administrator Dave Evans showed the Council the system they use in the GIS Department. It shows a base map, City limits and streets. He presented several maps such as maps showing empty lots, building permits, floodways, roads, etc.

City Manager Gary Esplin commented that in the Little Valley area, staff will have to address roads once the MPO study is done. Additionally, staff will return in the future to discuss the SITLA projects in the Bloomington area.

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Mr. Evans showed the maps application on the City's website as well as internal applications.

DISCUSSION REGARDING ROAD IMPROVEMENTS ON 3000 EAST, BETWEEN 1450 SOUTH AND MALL DRIVE:

City Manager Gary Esplin stated this area is where the new Lin's Market is being built. Although City policy states street improvements are paid for by the property owner, if the City doesn't do anything, those wanting to turn into Lin's from the north on 3000 East will be impeding traffic. He explained that funds are put into the budget each year for developer matching projects. He recommends putting in fifteen feet of asphalt in front of the property on the west side to create a turn lane now. Projects such as this is why these funds are in the budget. The impact fees paid by the developer can be used as well. Staff suggests entering into a contract with the current contractor to put the road in while they are already out there.

Public Works Director Cameron Cutler stated that they are paving the section in front of Lins on December 22nd.

The consensus of the Council is to move forward with the City Manager's recommendation.

REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:

Councilmember Almquist mentioned the Historic Preservation Commission meeting he recently attended. They asked about the Potter House on Main Street as they have cut down the tree. Although it was not approved, the owner repaired the roof. The owner stated that he will take the home off the historic home register.

City Attorney Shawn Guzman advised that property is still zone residential.

City Manager Gary Esplin explained that they cannot use the home for anything other than residential unless it has the historic designation.

Councilmember Almquist noted that the Commission made that very clear to him. They would like to have a map showing the homes with the historic designation.

City Attorney Shawn Guzman commented that this is an issue with the Legislators this year because of Salt Lake City. There will be legislation this session that will restrict the ability of a city to create historic districts and restrict property on what they can do on these homes.

Councilmember Almquist explained that a grant was given to City to find the historic homes and make a book. Many of the home owners are grateful for being recognized in the book. He then mentioned the Flood Control Board meeting and explained that the Hillside Review Board discussed the hill on River Road, across from Mr. D's. The Council will have to decide if the hill is significant or if it can be removed. The Board feels the ordinance should be updated and clarified. A motion

was made to approve to tear it down if the Council feels it is okay and it failed. The owners would like the hill gone.

City Manager Gary Esplin stated that there are additional problems with that project. He asked how they propose to remove the hill and where will the dirt go.

Councilmember Almquist commented that there are three developers who would like the dirt.

City Manager Gary Esplin noted that this item was on the Planning Commission meeting agenda earlier in the week.

Councilmember Bowcutt had no reports.

Councilmember Hughes mentioned that a new board member is needed for the St. George Housing Authority. They are currently working on salary comparisons for Director Mike Barben.

Councilmember Arial commented that this year's museum tour was very successful. She mentioned the Administrative Services party she attended last night.

Some of the Councilmembers mentioned the Fire Department's Christmas party.

Mayor Pike reported that he officiated Aa on Metler's wedding.

Councilmember Randall asked Deputy Police Chief Rich Farnsworth to thank Officer Matt Schuman for his heroic efforts in sa ing the lives of two children yesterday.

Councilmember Arial reported that the Children's Museum representatives are very supportive of renting the building; however, they are concerned with security as the back door is sometimes left open when the top floor is rented out.

City Manager Gary Esp in explained this issue was addressed in the fee structure. The fees are such that a staff member can be present if needed.

Councilmember Almquist mentioned that Rusty with the Dinosaur Museum Board is retiring; they have interviewed a possible replacement.

City Manager Gary Esplin stated there are issues at SwitchPoint regarding the shower with the plumbing and leaks. Staff will have to make an emergency expenditure to correct that. He mentioned that citizens can only pay for a business license by check. City Treasurer Aaron Olsen has put together a program allowing credit cards to be used to pay the business license fees. The City will lose approximately $15,000 per year by allowing the use of credit cards; however, the fees can be amended to cover the cost if necessary.

The Council feels that change needs to be made.

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Councilmember Almquist suggested staff look at not requiring renewing business license annually.

City Manager Gary Esplin explained that the fees can differ as it is based upon the number of employees. He then provided an update on the Wastewater Treatment Plan roof. Removing the roof will be completed within two weeks.

The meeting adjourned at approximately 5:50 p.m.

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Christina Fernandez, City Recorder

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ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
DECEMBER 17, 2015, 5:00 P.M.
CITY COUNCIL CHAMBERS

PRESENT:

Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez

EXCUSED:

Councilmember Bette Arial

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Scouts from Troup 534 and the invocation was offered by Reverend Jimi Kestin.

Mayor Pike introduced Frank and Kim Kuhn and Dan and Jill Olsen who have both won the Great Christmas Light Fight on NBC. He then introduced Russ Mitchell with the Kiwanis Club who presented a $5,000 donation for the All Abilities Park.

DONATION OF HISTORICAL ITEMS FOR THE SEEGMILLER FARM PROJECT:

Consider accepting donations of historical items for the Seegmiller Farm project.

Leisure Services Director Kent Perkins advised that staff was approached by the Jennings family who would like to donate historical farm items to the Hela Seegmiller Historic Farm. Additionally, the Gardner family would like to donate historical buildings. He showed pictures of the items, many of which are already on display at the farm.

Councilmember Hughes commented that it will be incredible to have the items at the farm.

MOTION: A motion was made by Councilmember Almquist to accept the donations for Seegmiller Park from the Jennings' and Gardner's.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

FINANCIAL REPORT:

Consider approval of the November, 2015 financial report.

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City Manager Gary Esplin stated that things are continuing to look good. The report shows that property tax is down because the funds are not received until next month. Expenditures are less than expected.

MOTION: A motion was made by Councilmember Randall to approve the financial report for November, 2015.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

AWARD OF BID:
Consider award of bid for the annual crack seal project.

City Manager Gary Esplin explained this is the annual crack seal project as part of the annual pavement management program. Staff recommends the bid be awarded to Superior Asphalt in the amount of $517,825.

Purchasing Manager Connie Hood noted that the prices are 7% lower than previous years.

City Manager Gary Esplin stated the packet includes a diagram of the roads that will be sealed.

MOTION: A motion was made by Bowcutt to award the bid for the annual crack seal project to Superior Asphalt in the amount of $517,825.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

AWARD OF BID:
Consider award of bid for the Virgin River FEMA Mitigation project.

City Manager Gary Esplin explained that this project is part of the FEMA grants received for the 2010 floods. This project will go along the Virgin River along the Dixie Center. He stated that this will be the final project for mitigation efforts for that flood and commended Administrative Services Director Deanna Brklacich for her efforts in working with FEMA.

Purchasing Manager Connie Hood recommended awarding the bid to Spring Creek Landscape in the amount of $156,981.96.

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MOTION: A motion was made by Councilmember Randall to award the bid to Spring Creek Landscape in the amount of $156,981.96 for the Virgin River FEMA mitigation project.

SECOND: The motion was seconded by Councilmember Hughes.

Councilmember Almquist noted that although this contractor is out of Heber City, the bidder closest did not meet the requirement for a local contractor to match the bid.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

SEWER SLIP-LINING PROJECT:

Consider approval of a sewer slip-lining project to rehabilitate approximately 6,000 linear feet of failing sewer line in the Bloomington area.

City Manager Gary Esplin explained this project is for preventative maintenance to the sewer lines in Bloomington. Staff found that the lines were put in a number of years ago and have the potential to fail. The low bid was approximately $653,000. As there are not enough funds in the budget, staff recommends doing some of the work and reducing the per foot basis to $449,176 – that would get the areas staff cannot do. The low bidder is Val Kotter and Sons.

MOTION: A motion was made by Almquist to approve the bid in the amount of $449,176 to Val Kotter and Sons for the replacement lining of sewer lines in the Bloomington area.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/VACATE A PORTION OF POWER EASEMENT/ORDINANCE:

Public hearing to consider vacating a portion of an existing power easement located at approximately 1790 West and 970 South. David Nasal, applicant.

Assistant Public Works Director Wes Jenkins presented the request to vacate a portion of an existing power easement located at approximately 1790 West and 970 South. The easement is not being used; therefore the applicant is requesting it be vacated. He showed a map of the power easement.

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City Manager Gary Esplin commented there are sufficient easements in the area to provide power without this one. The request went through JUC as well.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Hughes to vacate the existing power easement located at approximately 1790 West and 970 South.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/VACATATE A UTILITY AND DRAINAGE EASEMENT/ORDINANCE: Public hearing to consider vacating a utility and drainage easement located at approximately 1050 South Riverside Drive. Advanced Health Care Corporation, applicant.

Assistant Public Works Director Wes Jenkins presented the request to vacate a utility and drainage easement located at approximately 1050 South Riverside Drive. He showed a map of the area and stated that the easement is not in use. The applicant will dedicate a new easement over where the line actually sits.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Randall to vacate of a utility and drainage easement located at approximately 1050 South Riverside Drive.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/AMEND THE HIDDEN VALLEY MASTER PLAN/ORDINANCE: Public hearing to consider amending the Hidden Valley PD Master Plan by relocating the proposed church and school sites. Ivory Homes, applicant.

Planner Ray Snyder presented the request to amend the Hidden Valley PD Master Plan by relocating the proposed church and school sites. He presented a PowerPoint presentation

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as included in the agenda packet, covering the following topics: outline of the request; vicinity map; aerial map, general plan map, zoning map; narrative from Ivory Homes; Exhibit 3.2 (Amended); Exhibit 3.3 (Amended); Exhibit 3.5 (Amended); and photos of the area. He then mentioned and read an email, included in the agenda packet, received from Alpha Engineering pertaining to the concerns of the Washington County School District. These items will be taken care of during the planning process. When the School District has a formal agreement in place, they will provide a letter of support.

City Manager Gary Esplin stated there is a lot of history for this request. At the time the zone change was done, there were discussions on the school and church sites. There was a subsequent request to change the location of the facilities; however, the Council at that time denied the request. Since this is a PD zone, the current Council needs to know that it meets the original requirements. He believes that the biggest concern of the School District had then and now is the elevation of the road, the usability of the properties and the cost. If approved, it would have to be subject to a letter of approval from the School District.

Jair Almaraz with Ivory Homes explained that they are perfectly fine addressing the issues outlined in the email. He addressed the concerns including the width of Hidden Valley Road and the cost of relocating existing utilities. He hopes that they can work through the issues.

Councilmember Almquist commented the current school site has issues with topography and elevation change, a church can fit on that site better. Moving the school further to the west will present fewer difficulties.

Councilmember Bowcutt asked if the width of the road matters to the City.

City Manager Gary Esplin stated that staff is okay with the reduction in the width of the road.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Hughes to approve the zone change and to amend the PD-R as discussed subject to a letter of approval from the School District.

SECOND: The motion was seconded by Councilmember Bowcutt.

Councilmember Almquist asked that the email be included in the official documents or minutes. At least have it referenced.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

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PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider a zone change from RE-37.5 to R-1-10 on approximately 3.131 acres located north of 750 North Street between 1300 West Street and Picturesque Drive. Don Cannon, applicant.

Planner Ray Snyder presented the request for a zone change from RE-37.5 to R-1-10 on approximately 3.131 acres located north of 750 North Street between 1300 West Street and Picturesque Drive. He presented a PowerPoint presentation as included in the agenda packet, covering the following topics: aerial map; record of survey; zoning map; general plan use map; and photos of the area. Planning Commission recommended approval.

Councilmember Randall asked about the palm trees.

A gentleman from the audience stated that they will be removed.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Randall to change the zone from RE-37.5 to R-1-10 on approximately 3.13 acres located north of 750 North Street between 1300 West Street and Picturesque Drive.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/AMEND THE LEDGES PD MASTER PLAN/ORDINANCE:

Public hearing to consider amending The Ledges PD Master Plan to change from Golf Course/Park Open Space to residential and to increase designated short term rental areas on 11.80 acres located near SR-18, south of Winchester Hills. Development Solutions Group, applicant.

Assistant Public Works Director John Willis presented the request for an amendment to The Ledges PD Master Plan to change from Golf Course/Park Open Space to residential and to increase designated short term rental areas on 11.80 acres located near SR-18, south of Winchester Hills. He presented a PowerPoint presentation as included in the agenda packet, covering the following topics: request; aerial map; general plan map; zoning map; existing Ledges Master Plan; Proposed Master Plan; Existing and proposed master plans side by side. Although the White Rocks short term rentals were approved for 64 units, they are requesting 40, so there will be a reduction in the short term rental units. The applicant meets the requirements for short term rentals.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

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MOTION: A motion was made by Councilmember Hughes to approve the zone change and amend the PD-R for The Ledges, including the location swaps.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider a zone change from Mining & Grazing and A-1 to R-1-8 on approximately 47.957 acres located at approximately 3500 South and 3400 East. Development Solutions Group, applicant.

Planner Ray Snyder presented the request to change the zone from Mining & Grazing and A-1 to R-1-8 on approximately 47.957 acres located at approximately 3500 South and 3400 East. He presented a PowerPoint presentation as included in the agenda packet, covering the following topics: vicinity map; aerial map; zoning map; general plan land use map; engineer plans; and photos of the area. Planning Commission recommended approval.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Almquist to approve the zone change from Mining & Grazing and A-1 to R-1-8 on approximately 47.957 acres.

SECOND: The motion was seconded by Councilmember Bowcutt.

Councilmember Hughes noted that this is part of the master plan.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/AMEND GENERAL PLAN/ORDINANCE:

Public hearing to consider amending the General Plan land use map to change the land use designation from Resort, Town Center, Medium Density Residential, High Density Residential and Low Density Residential to Commercial on

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approximately 183.7 acres located at the Ridgetop Complex (former St. George Municipal Airport). City of St. George, applicant.

Planning & Zoning Manager John Willis presented the request to amend General Plan land use map to change the land use designation from Resort, Town Center, Medium Density Residential, High Density Residential and Low Density Residential to Commercial on approximately 183.7 acres located at the Ridgetop Complex (former St. George Municipal Airport). He presented a PowerPoint presentation as included in the agenda packet, covering the following topics: Land use process; aerial map; zoning map; current general plan map; proposed general plan amendment; proposed concept plan; conceptual master plan concept 1; proposed land use; DXATC location map; proposed architecture for DXATC; and photos of the site.

City Manager Gary Esplin commended staff for designing this concept. When thinking about this site, no one ever thought to re-use the runway, making it an asset. The roads that will be used to service the area will come in from the north. There will be another roadway at the bottom that will come off the east side of the old airport hill. He explained that the concept would be to have the trail that goes along the outside the hill would have a ridgeline elevation; therefore, the buildings will not be imposing on the neighbors. To have a complex like this in the downtown area will be a good thing. The DXATC is creating an auditorium to accommodate the companies the City is trying to attract. Although the general plan calls for commercial, the Council instructed staff to do this by Planned Development so that they can see the design of each building.

Councilmember Almquist noted that letters were sent out to neighbors; he only knows of one letter in opposition. He added that this is a brilliant opportunity.

Mayor Pike mentioned an email received which contained points that will be addressed in the future.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Almquist to approve the amendment to the ordinance from Resort, TC, HDR, MDR and LDR to Commercial.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/AMEND TITLE 10 OF CITY ZONING EGULATIONS/ORDINANCE:
Public hearing to consider amending Title 10 of City zoning regulations; sections pertaining to accessory buildings. City of St. George, applicant.

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Planning & Zoning Manager John Willis presented the request to amend Title 10 of City code pertaining to accessory buildings. He presented a PowerPoint presentation, as included in the agenda packet, covering the following: request; proposed amendment – 10-2-1 - Definitions; Chapter 14 – Supplementary and Qualifying Regulations; and Current Code. Staff is proposing to remove the specific language requiring the structure to be measured from the peak; instead it would be measured to the midpoint. He continued with his PowerPoint presentation covering the following topics: 9; 10-14-15: Temporary Buildings; Cargo Containers; 10-14-11: Double Frontage Lots in Residential Zones; 10-14-21: Guesthouses; and Proposal Addresses. He explained how the measurements are approved. The proposed amendments are for temporary structures; if they want a permanent structure, they would be required to go through the correct process. If a developer has an active building permit, staff can approve the temporary structure for a longer period of time without having to come back for an extension. He will look at changing the language to allow that.

City Attorney Shawn Guzman advised that will be okay as long as it is an active construction site with a permit. He mentioned issues that have occurred in the past with residential sites.

Councilmember Hughes inquired about a detached garage with an awning that goes to the property line.

Mr. Willis replied staff would consider that as being part of the accessory structure.

Councilmember Hughes commented that he is concerned with the fact that buildings located in the rear of the main dwelling may be located no less than five feet away from the rear and side property line. He feels there should be the ability for a conditional use permit or to take car ports into consideration. He mentioned a letter the Council received regarding this issue – it may cause some problems.

Mr. Willis stated that it would be easier to determine the setback rather than go through the conditional use permit process.

City Attorney Shawn Guzman explained that the main concern seems to be with drainage. Staff is trying to balance the amount of conditional use permits going before the Council. The ordinance can specify that drainage needs to drain on their own property, away from the neighbors property.

Mayor Pike stated that he would like to give as much flexibility to the property owner as can be. He agreed with Councilmember Hughes, this can create problems.

Councilmember Bowcutt commented that he would like to give staff some responsibility to authorize conditional use permits.

City Manager Gary Esplin explained that the only way to resolve that is to amend the permitted uses. Previous Councils did not want to give staff that authority because neighbors come in and complain for not knowing what was going on.

Councilmember Hughes noted that Mr. Willis has gotten input from container businesses and neighbors as well as Council's concerns.

City Attorney Shawn Guzman asked if the concern is the edge of the roof line from the side.

Councilmember Hughes explained because the size of the some backyards, the home owner can shorten their awning and everything will be fine. These proposed amendments are not giving home owners options.

Mayor Pike opened the public hearing.

Jonathan Zundel, resident, stated that he does not want five feet of dead space in his yard. Drainage issues are already addressed in the ordinance. He does not believe there is a reason to not allow home owners to go to the property line; he would like some flexibility. If the structures are within three feet, he feels the Fire Department should sign off on it.

Paul Blackmore, resident, explained that he believes home owners should be allowed to go right to the property line. The code is quite specific on fire protection if both neighbors want to go to the property line.

Mayor Pike closed the public hearing. He commented that he likes the 0-5 foot setback.

City Attorney Shawn Guzman advised that he will work on language for the active construction permit.

City Manager Gary Esplin explained that every platted subdivision lot has an easement. If home owner builds on the property line, they make the easement useless and will have to go before JUC to amend the plat to do away with the easement. He asked if the adjacent property owner can build on the property line as well, leaving no setbacks between the buildings. The JUC cannot look into the future to determine what may be needed. He noted there are utility lines in some of the back lots that people have built over.

Councilmember Hughes asked Mr. Blackmore in what scenario would a property owner be able to go to the lot line and not hang over the neighbors property.

Mr. Blackmore stated that his neighbor has an awning with its own gutter; it goes right to the lot line. He does not get any of the water from the awning on his property. Pertaining to structural walls, he suggests the code say that they cannot splash water onto the neighbor's property and let the engineers work it out.

MOTION: A motion was made by Councilmember Hughes to approve the amendments to Title 10 zoning regulations regarding accessory buildings, 10-2-1 with a modification to 10-14-8 to say zero (0) from the side or rear of the property line for accessory buildings with the clarification for the length of time for the active permit.

City Attorney Shawn Guzman advised the language in 10-14-15(c)(1)should say provided there is a current building permit with active construction.

SECOND: The motion was seconded by Councilmember Bowcutt.

Councilmember Hughes clarified that water cannot be discharged onto a neighbor's property and structures cannot hang over.

Councilmember Almquist inquired about grandfathering existing non-conforming structures.

City Attorney Shawn Guzman stated that will depend as staff does not know if there was a building permit issued or if they were allowed to encroach onto the easement or if they went to JUC. He explained that if a request goes to JUC, staff will have a document signed and record it on the property.

Councilmember Almquist clarified that he mentioned grandfathering because he does not want the impression left that those who have violated the code are okay.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

Mayor Pike called for a short recess.

SERVICES AGREEMENT WITH DIXIE STATE UNIVERSITY:
Consider approval of a services agreement with Dixie State University for transit services.

City Manager Gary Esplin this agreement would allow for Dixie State University to utilize SunTran services. Additionally, this will generate revenue for the City and be used in the matching grant funds.

MOTION: A motion was made by Councilmember Randall to approve the agreement.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

RESOLUTION AMENDING ANIMAL ADOPTION FEES AT THE ANIMAL SHELTER:
Consider approval of a resolution amending animal adoption fees at the Animal Shelter.

City Manager Gary Esplin staff recommends increasing the fee for dog adoptions $10, from $50 to $60 and put a chip into the dog so they can be tracked.

Mayor Pike mentioned that the shelter occasionally has a sale on animals.

MOTION: A motion was made by Councilmember Almquist to approve the resolution to amend the animal adoption fees.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

RESOLUTION REGARDING DONATIONS FOR THE ALL ABILITIES PARK:
Consider approval of a resolution regarding donations for the All Abilities Park.

City Manager Gary Esplin this item is a resolution allowing staff to set up a separate account for donations to the All Abilities Park.

MOTION: A motion was made by Councilmember Bowcutt of a resolution staff to set up a separate account for donations to the All Abilities Park.
SECOND: The motion was seconded by Councilmember Randall.

Councilmember Almquist commented that there should be a separate column for donations in kind.

City Manager Gary Esplin explained this allows the City to accept donations, whether they are cash or in kind.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

CLASS C BEER LICENSE AND LOCAL CONSENT:
Consider approval of a Class C beer license and local consent for Hank's Riverwalk Grill, LLC located at approximately 4210 Bluegrass Way. Henry F. Moore, applicant.

City Manager Gary Esplin advised the previous owner had the same license; therefore, this will not be an additional license. The application meets all requirements and staff recommends approval.

MOTION: A motion was made by Councilmember Almquist to approve the change in ownership for the alcohol license for Hank's Riverwalk Grill.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

CLASS C BEER LICENSE AND LOCAL CONSENT:

Consider approval of a Class C beer license and local consent for Pizzeria Limone located at 231 North Red Cliff's Drive, #102. Jeff Ralph Whiting, applicant.

City Manager Gary Esplin explained that Pizzeria Limone is located near the old Paradise Bakery. The application meets all requirements.

MOTION: A motion was made by Councilmember Randall to approve the Class C beer license and local consent for Pizzeria Limone.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

SET PUBLIC HEARINGS:

Planner Ray Snyder advised at its meetings held on December 8, 2015, the Planning Commission recommended setting public hearings on January 7, 2016 to consider: 1) a zone change request to rezone 3.64 acres from R-1-10 to PD-C for Boulder Creek Commons North and to rezone 13 acres from R-1-10 to PD-C for Boulder Creek Commons South; and 2) a zone change amendment to change Desert Canyons Planned Development Master Plan from PD-8 to R-1-10 on 5.96 acres located at approximately Rim Runner Drive and Church Rocks Drive.

MOTION: A motion was made by Councilmember Almquist to set the public hearings for January 7, 2016.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit for a proposed natural gas regulator station, an 8' security wall around the site, site development mitigation, landscaping and roadway improvements. The property is located at approximately 2300 South 3210 East. Questar Gas, applicant.

Planner Ray Snyder presented the request for a conditional use permit for a proposed gas regulator station, an 8' security wall around the site, site development mitigation, landscaping and roadway improvements. The property is located at approximately 2300 South 3210 East. He showed a vicinity map, outlined the staff report as listed in the agenda packet and showed an aerial map; zoning map; access roads; revised site plan; initial site plan; and photos of the area. This was discussed for a while at the Planning Commission meeting; they were concerned with the safety of the regulator station. After speaking with Questar and George Washington Academy representatives, the Planning Commission recommended approval with conditions and findings. He outlined the conditions and findings as listed in the agenda packet.

Tim Blackham, representative for Questar Gas, stated the existing road is servicing two homes on that street. They will access the facility approximately twice a month; therefore, paving the road would be quite an expense. Zero landscape is desirable as there is not an existing water line.

Councilmember Bowcutt stated that he is concerned if they have to pave the road without the other home owners along the road having a cost to them.

Mr. Blackham noted that was up to the traffic engineer.

City Manager Gary Esplin commented that as long as it is recorded and neighbors understand that Questar is not going away, at the time future improvements are made to the road, those home owners can cover their share of the frontage.

MOTION: A motion was made by Councilmember Almquist to approve the conditional use permit for the proposed gas regulator with the conditions that were expressed, the option of the traffic engineer with the pavement, the 8' security wall and xeriscaping.

SECOND: The motion was seconded by Councilmember Randall.

City Attorney Shawn Guzman advised there will be a recorded improvement agreement.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval a conditional use permit for a time extension for an expired conditional use permit to construct a 100' high co-locatable wireless tower and to construct related multiple equipment enclosures. The project is Verizon – UT2 Airplane and is located on Riverside Drive. Technology Associates, applicant.

Planner Ray Snyder presented the request for approval a conditional use permit for a time extension for an expired conditional use permit to construct a 100' high co-locatable wireless tower and to construct related multiple equipment enclosures. The project is Verizon – UT2 Airplane and is located on Riverside Drive. He presented a PowerPoint presentation, as included in the agenda packet, covering the following topics: a letter from Technology Associates (applicant); vicinity map; close up of the location; plans; 2014 proposed site layout; 2015 proposed site layout; 2014 tower and control building; 2015 tower and control building; 2014 simulation; 2015 simulation; photos of the area; and a photo simulation.

MOTION: A motion was made by Councilmember Hughes to extend the conditional use permit for 12 months.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

HILLSIDE PERMIT:

Planner Ray Snyder presented the request for a hillside permit to allow the removal of a hill called the Jones Family Hill located at 1923 South River Road; zoning is R-1-10. He presented a PowerPoint presentation covering the following topics: request; applicable ordinance; comments; other projects; aerial map; photos of the area; zoning map; contour; and conceptual plan. The Hillside Board determined the hillside was not significant. They recommended it be removed entirely in a reasonable amount of time. If approved, staff will work with the applicant on the removal. Typically, a large truck can remove 10 cubic yards; therefore, this would take about 20,000 trips. The Hillside Board felt that it would be nice to see the hill gone; but wondered how would they mitigate the dust and noise. He read the comments from the Planning Commission as well as the motion made by the Hillside

Board. Planning Commission recommends approval with conditions as listed in the agenda packet.

Councilmember Bowcutt asked why they would have to tell staff where they are putting the dirt.

Councilmember Almquist stated that they are being asked to remove the hill quickly, and then possibly create a delay for having to find a location for the dirt. He commented there will be traffic concerns on River Road.

City Manager Gary Esplin commented that he believes the removal should be coordinated by staff.

Assistant Public Works Director Wes Jenkins explained that more than likely each site would have to have a grading permit since the sites that will need the dirt are under construction. He commented that there will be a fair amount of blasting.

Dan Tovey, applicant, stated the project as it sits is not nice to look at as most of the hill has been scarred already. He asked about the bonding requirement.

City Manager Gary Esplin advised that it is up to the Council to decide if it should be a cash bond or a normal bond. He explained there needs to be a guarantee the project will be finished once it starts. Each time there has been a project such as this, there was a use for the dirt; however, with this one, there may not be a need for the dirt.

Mr. Tovey noted they met with large excavation companies to coordinate the removal of the dirt. Most of the dirt can be absorbed within a five mile distance; however, they would like the flexibility of having the dirt go to another site if needed. They would like to remove the hill as quickly as possible. These companies have ensured them that this can be done.

Lori Tovey, applicant, explained that they met with rock companies at the site. The professionals should determine the best way to remove the hill as the back may not be the best place to start. She would rather leave it up to them.

Mayor Pike stated that the concern is that they start the project and cannot finish it. Staff and the Council want to make sure it is done right.

Ms. Tovey stated that the excavation companies have stated that they may be able to take the hill down in six months, depending on the removal, but she believes it will take longer. The cost of the bond concerns her; she is worried that the cost will be so high that they cannot do the project.

Mr. Tovey added that the cost to remove the hill is estimated at $500,000 to $1.25 million.

City Attorney Shawn Guzman advised without a cost, it would be difficult to determine the bond amount. Additionally, there will need to be an agreement to allow the City to go onto the property finish the project if necessary.

Mr. Tovey added that mining and loading is a separate cost from delivery. They may incur additional costs if they have to store the rock. If any project were go to unfinished, it would create an undesirable situation.

City Manager Gary Esplin noted that bonds are required for any subdivision.

Councilmember Almquist stated that it could take 10,000 to 20,000 trips to remove the hill. His feeling is at some point, if someone has to take down the rest of the hill, it would be an asset. Excavation companies charge the person they are taking the dirt from as well as the person they are giving it to. He thinks the hill will be gone as there is a demand for dirt.

City Manager Gary Esplin commented that the concern he has is who is going to control who gets the dirt. There is no guarantee that one contractor will remove the hill. He feels that the benefit of getting rid of the stuff on the property is a tradeoff for the impacts of River Road. This is going to be a major project with blasting and air quality issues.

Councilmember Bowcutt commented that he cannot believe those same concerns were not there when the hill was taken down on Bluff Street.

MOTION: A motion was made by Councilmember Bowcutt to approve the hillside permit with the 10 conditions of the Planning Commission.

Councilmember Almquist voiced his concern with condition #8. He believes that is cumbersome for staff to approve where the dirt goes.

Mr. Jenkins explained that on big projects, staff can track that on grading permits.

Councilmember Almquist added that he would like to see that modified to read "any location of under 1,000 cubic yards or more". Regarding the bonding, if they have the permit, they can approach the companies to take it down giving them the estimate to obtain the bonding.

SECOND: The motion was seconded by Councilmember Almquist with modifications to item #8, to say that haul material of 1,000 cubic yards or more must go through Assistant Public Works Director Wes Jenkins and receive a location that the dirt is being placed and with regards to bonding, he would like to have City Attorney Shawn Guzman how to tie that into a future permit.

City Attorney Shawn Guzman explained that if it is tied into a grading permit, he likes the way it is numbered, but would suggest modifying it to say bonding and an agreement that would allow the City, under specified conditions, to enter the property and complete removal according to the plan with a bond to cover that

amount. There will still need to be a written, recordable agreement to have permission to enter the property.

AMENDED SECOND: Councilmember Almquist amended his second to include the suggested modifications by City Attorney Shawn Guzman, noting that there needs to be a geologist present while blasting.

City Manager Gary Esplin stated the applicant will have to submit a plan to show how they will meet the requirements for obtaining a blasting permit.

Councilmember Randall explained that her concern is that the Council will not see this item again.

City Manager Gary Esplin advised that blasting permits are approved by the Fire Department.

Councilmember Hughes voiced his concerns with traffic and blasting as it will have a large impact on neighbors – there needs to be a plan.

City Manager Gary Esplin stated that he sees nothing wrong with approving with removing the hill and ask the applicants to return with a plan which will be required when the grading permit is applied for.

AMENDED MOTION: Councilmember Bowcutt amended his motion to agree to remove the hill under the hillside ordinance based upon the applicant returning with for a grading permit with the conditions of staff and the Planning Commission and see the plan prior to the issuance of the grading permit.

SECOND: The amended motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

FINAL PLAT/LOT LINE ADJUSTMENT:

Assistant Public Works Director Wes Jenkins presented the final plat and lot line adjustment for Intermountain Health Care (IHC) located at 1380 East Medical Center Drive and the surrounding buildings; zoning is PD-C. He showed the final plat and explained the purpose of the lot line adjustment is to create two parcels.

MOTION: A motion was made by Councilmember Bowcutt to approve the final plat and lot line adjustment for IHC.

SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat for South Posse Plaza, a 3-lot commercial subdivision located at 1062 West Sunset Boulevard; zoning is C3. He showed the preliminary plat and explained that the developer will have to do a cross access/maintenance agreement, shared sewer and drainage agreement as well as a shared parking agreement.

MOTION: A motion was made by Councilmember Randall to approve the preliminary plat for South Posse Plaza.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Meadows Edge Phase 2, an 8-lot residential subdivision located at 2100 East 3970 South; zoning is RE-20. He showed the preliminary plat and explained that there is an existing sewer line along the rear of the lots that is located within a 25' easement. In speaking with the developer, they are proposing to dedicate the property from the east boundary line of the sewer easement to the City.

MOTION: A motion was made by Councilmember Almquist to approve the preliminary plat for Meadows Edge Phase 2.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT AMENDMENT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat amendment for The Cove at Little Valley, a 41-lot residential subdivision located on Horseman Park Drive between 2350 East Street and Little Valley Drive; zoning is primarily R-1-12 with a small portion of RE-12.5. He showed the preliminary plat. Staff is concerned with traffic as two of the lots will front Little Valley Elementary School.

City Manager Gary Esplin asked who will pay the cost put in and maintain the landscape strip. They would have to create an HOA for 2 lots. The City is already maintaining the landscaping along Little Valley Road.

Councilmember Almquist suggested landscaping the lots using xeriscaping.

City Manager Gary Esplin mentioned that he just received a copy of a letter from the School District supporting closing off the two lots and not allowing access onto Little Valley Road.

Mayor Pike left the meeting.

Paul Blackmore, representative, explained that lots 40 and 41 match the two lots in The Village at Little Valley. They received a letter from Superintendent Bergeson requesting they reduce traffic in the area. They gain an extra lot if they do not do this; however, this is much safer for children. He mentioned that they will take care of the landscaping if necessary and they have support from the school.

Mr. Jenkins stated that they discussed circular drives on lots 40 and 41; however, it was decided to have the driveways as such that can allow the vehicle to turn around on the lot and pull out thus watching for children.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat amendment for The Cove at Little Valley.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – did not vote
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

CO-OP AGREEMENT WITH UDOT:

Consider approval of a co-op agreement with UDOT for the I-15 Underpass project.

City Manager Gary Esplin advised this request is an agreement with UDOT for the I-15 underpass allowing them to go out for bid. The caveat is that staff has not seen the final

language; therefore it should be approved subject to review by the Legal Department. The amount of $3.7 million is the cost for the agreement with UDOT.

Public Works Director Cameron Cutler explained that UDOT bills the City as they are billed by the contractor.

City Manager Gary Esplin stated that the City will have to do internal financing as the funds will not be accessed for a couple of years. UDOT would like to begin the project early next year.

Mr. Cutler mentioned that the total project is about $26.8 million.

MOTION: A motion was made by Councilmember Hughes to approve of the cooperative agreement with UDOT for the I-15 Underpass project subject to final review by the Legal Department.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pro Tem Almquist called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

PROFESSIONAL SERVICES AGREEMENT:
Consider approval of a professional services agreement for the Wastewater Collections building expansion.

City Manager Gary Esplin explained that this agreement is for the design of an 800-1,000 square feet expansion to the Wastewater Collections building. The funds are included in the current budget.

MOTION: A motion was made by Councilmember Hughes to approve the professional services agreement for the Wastewater Collections building expansion with Campbell and Associates for $35,170.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – did not vote
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

MINUTES:
Consider approval of the minutes from the meeting held on December 11, 2014.

City Attorney Shawn Guzman mentioned that these minutes are just now being approved since there was the possibility of doing a verbatim transcript of the meeting.

MOTION: A motion was made by Councilmember Hughes to approve the minutes from December 11, 2014.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

MINUTES:
Consider approval of the minutes from the meeting held on November 12, 2015.

MOTION: A motion was made by Councilmember Randall to approve the minutes from November 12, 2015.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

MINUTES:
Consider approval of the minutes from the meeting held on November 19, 2015.

MOTION: A motion was made by Councilmember Hughes to approve the minutes from November 19, 2015.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

MINUTES:
Consider approval of the minutes from the meeting held on December 3, 2015.

MOTION: A motion was made by Councilmember Randall to approve the minutes from December 3, 2015.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

ADJOURN TO REDEVELOPMENT AGENCY MEETING:

MOTION: A motion was made by Councilmember Bowcutt to adjourn to the Redevelopment Agency Meeting.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

The meeting reconvened following the Redevelopment Agency meeting.

REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:

No reports were given.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Randall to adjourn to a closed session to discuss property sale.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pro Tem Almquist called for a roll call vote, as follows:

Councilmember Almquist – did not vote
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

ADJOURN:

MOTION: A motion was made by Councilmember Almquist to adjourn.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

The vote was unanimous and the motion carried.

_____

Christina Fernandez, City Recorder

DRAFT