NOTICE OF WORK MEETING OF THE CITY COUNCIL
OF THE CITY OF ST. GEORGE,
WASHINGTON COUNTY, UTAH

Public Notice

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a work meeting in the City Council Chambers located in the St. George City Offices at 175 East 200 North, St. George, Utah, on Thursday, June 23, 2022, commencing at 4:00 p.m.

The agenda for the meeting is as follows:

Call to Order
Invocation
Flag Salute

1. **Discussion regarding sponsorship of the Downtown Farmers Market.**

2. **Review and discuss the Planning Commission recommendation for the Water Conservation Ordinance.**

3. **Discussion regarding the Fiscal Year 2022-2023 Budget.**

4. **Reports from Mayor, Councilmembers, and City Manager.**

5. **Request a closed session to discuss litigation, property acquisition or sale or the character and professional competence or physical or mental health of an individual.**

Annette Hansen, Deputy City Recorder

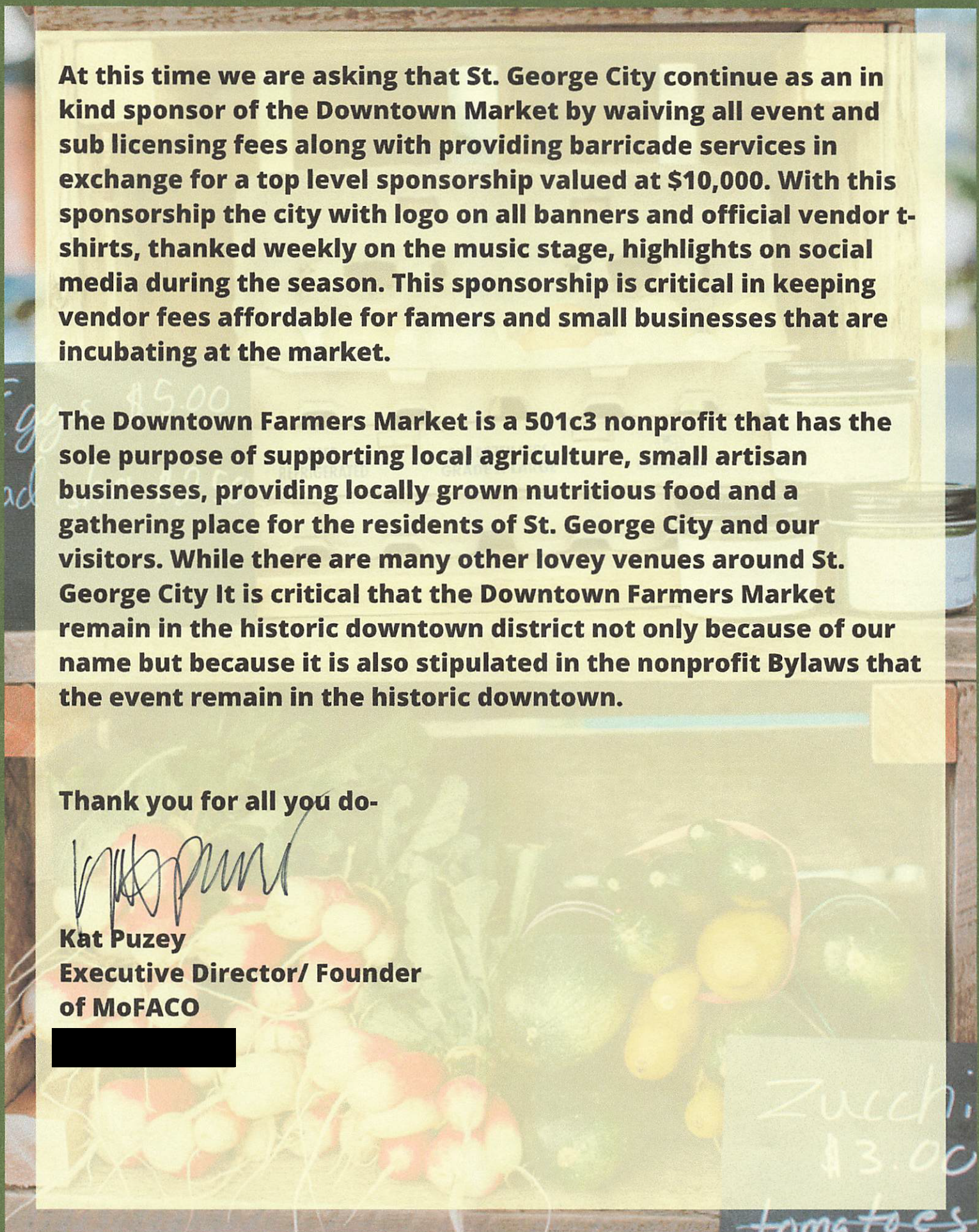
June 22, 2022
Date

REASONABLE ACCOMMODATION: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the Human Resources office at 627-4674, at least 24 hours in advance if you have special needs.

To: Mayor Randall and the St. George City Council members

The Downtown Farmers Market is going into its 15th year in downtown St. George. Owner Kat Puzey has lead the market for the past four years during which time it has tripled in size. The market boasts 50+ vendors that sell fresh produce, prepared food, and hand made goods. The market has outgrown its current location at Ancestor Square and is not asking St. George City for permits to move one block south to Tabernacle Street. At new location the market will be able to accommodate over 100 vendors to make this cornerstone event that is a community favorite bigger and better than ever. This new location is very accessible to all members of the community due increased parking, new public transportation, flat paved surfaces, and is adjacent to kid friendly activities. In addition the Downtown Farmers Market drives over 500+ community members and visitors each Saturday to the heart of downtown St. George. Providing a more visible, easy to find location with additional parking will surely push these numbers up significantly. These are not the only benefits.

- **Farmers markets spur spending at neighboring businesses. A 2010 study of the Easton Farmers Market in Pennsylvania found that 70% of farmers market customers are also shopping at downtown businesses, spending up to an extra $26,000 each week.**
- **Boise, Idaho's Capital City Public Market generated an estimated $4.5 million in economic activity for the local economy in 2011.**
- **Grand Junction which is a similar size to St. George generates 1.8 million a year from agro tourism, which is that fastest growing tourism sector in the US.**



At this time we are asking that St. George City continue as an in kind sponsor of the Downtown Market by waiving all event and sub licensing fees along with providing barricade services in exchange for a top level sponsorship valued at $10,000. With this sponsorship the city with logo on all banners and official vendor t-shirts, thanked weekly on the music stage, highlights on social media during the season. This sponsorship is critical in keeping vendor fees affordable for famers and small businesses that are incubating at the market.

The Downtown Farmers Market is a 501c3 nonprofit that has the sole purpose of supporting local agriculture, small artisan businesses, providing locally grown nutritious food and a gathering place for the residents of St. George City and our visitors. While there are many other lovey venues around St. George City It is critical that the Downtown Farmers Market remain in the historic downtown district not only because of our name but because it is also stipulated in the nonprofit Bylaws that the event remain in the historic downtown.

Thank you for all you do-

Kat Puzey
Executive Director/ Founder
of MoFACO
[redacted]

The Downtown Farmers Market

Hello Wonderful Business Owner-

The Downtown Farmers Market has been running for 15 years and has become a cornerstone event in this community. With the ever increasing awareness of the importance of local and the plethora of industrious makers in Southern Utah we are proposing growing the market to a year around event on Tabernacle. This event will bring 500+ people who love local per week right to your door. If you are in support of this, please sign below and write your business name next to it.

Signature	Business Name
	The Book Bungalow
	Field Study
	Scout and Cloth
	The Gemstudio
	CHIC GENTS CUSTOM CLOTHIER
JUSTIN BREWER [redacted]	GREEN GATE PROPERTY MANAGER (APPROVAL VIA PHONE)

Date Received Application: 6.7.22 Permit No: _____

Insurance Received: _____ Date Issued: _____

APPROVALS:

Asst. City Manager: _____

Date: _____

Fire: _____ Date: _____

Conditions of approval:

_____

_____

Police: Please see the Security Plan Request Application for approval and conditions.

Other Staff Approval: _____

Date: _____ Rev. 10-1-19

SPECIAL EVENT PERMIT APPLICATION

St.George
THE BRIGHTER SIDE

City of St. George Special Events
175 East 200 North
St. George, UT 84770

Phone: 435-627-4712
E-mail: events@sgcity.org

TYPE OF ACTIVITY *(check all that apply):*

- ☐ Cycling
- ☐ 5K
- ☐ Training Event
- ☐ Festival
- ☐ Film Production
- ☐ Parade
- ☐ Sporting
- ☐ 10K
- ☐ Block Party
- ☐ Religious
- ☒ Outdoors Sales
- ☐ Fun Run
- ☐ Dance
- ☐ Other: _____

Please print or type

EVENT NAME: DOWNTOWN FARMERS MARKET

1. **Location of Event:** INFRONT OF 121 W TABERNACLE ST. ST. GEORGE, UT 84770

2. **Name of Organization:** MOFACO

3. **Date(s) of Event:** AUG 6TH - ~~DEC 31ST~~ 2022 DEC 16 CLOSED TILL FEB 10 2023 JULY 30, 2023

4. **EVENT DETAILS:**

Set-up	Date:	AUG-OCT 7:00 AM	NOV-DEC 11:00 AM	Start time:	AUG-OCT 8:00AM	NOV-DEC 12 PM	End time: AUG-OCT 12PM	NOV-DEC 4PM
Event	**Date:**	AUG 6-OCT 29T NOV-DEC 5-31		**Start time:**	8AM	12PM	**End time:** 12PM	4PM
Clean-up	Date:	11	11	Start time:	12PM	4PM	End time: 1PM	5PM
Is this a Recurring Event?	YES		**If yes; daily, weekly or other?**	WEEKLY SATURDAYS				
Is this an Annual Event?			**If yes; same date and place?**					

5. **PARTICIPANTS**

of Participants & Attendees expected: 80 & 350-500 # of Volunteers/Event Staff: 3 VOLUNTEERS / 3 STAFF

- ☒ Open to the Public
- ☐ Private Group/Party

If event is open to the public, is it: ☐ Entrance Fee/Ticketed Event; ☐ Fee for Participants/Racers/Runners Only; ☒ Free.

6. **APPLICANT INFORMATION**

Name of Applicant: KAT PUZEY

Address: [redacted]

Day Phone: **Cell/Other:** [redacted] **E-mail:** [redacted]

Mailing Address (if different):

Event Web Address (if applicable): MOFACOUTAH.COM

Alternate Contact For Event:

Day Phone: **Cell/Other:** **E-mail:**

7. **VENDORS/FOOD/ALCOHOL** *(check all that apply)*

☒ Yes ☐ No **Are Vendors/Merchants selling products or services?**
If yes, Temporary Sales Tax Numbers are required from the Utah State Special Event Tax Division 801-297-6303

☒ Yes ☐ No **Is Food available at the event? Description:** FOR SALE BY VENDOR
If yes, Is the food *(please check all that apply)*
☐ Given away/pre-packaged ☐ Catered by:_____ ☐ Prepared on site
Events which have Food available must contact the SW Utah Health Department for approval 435-986-2580

☐ Yes ☒ No **Will Alcoholic Beverages be available at the event?**
If yes, *please check all that apply*
☐ Beer Stands ☐ Fenced-in Beer Garden
Selling, Serving, Giving Away, Alcohol at an event requires City Council, City Business License and State Of Utah Department of Alcoholic Beverage Licensing approval 801-977-6800

8. **TENTS/STAGES/STRUCTURES** *(include details on site map)*

☒ Yes ☐ No **Tents/Pop-up Canopies?**
How many Tents/Pop-up Canopies will be used for the event? 50
Dimensions of Tents/Pop-up Canopies: 10x10
All large or enclosed tents/canopies require Inspections from the SG Fire Department 435-627-4150

☐ Yes ☒ No **Temporary Stage?** **Dimensions of Stage:** _____

Description of Tents/Canopies/Stage, etc.:

9. **SITE SETUP/SOUND** *(check all that apply - please include details on **site map**)*

☐ **Fencing/Scaffolding**		
☒ **Barricades**		*(must obtain privately)*
☐ **Portable Sanitary Units**		*(must obtain privately)*
☐ **Inflatable/Bounce House(s)**	☐ Generator(s) & ☐ Certificate of Liability Insurance **are required**	*(must obtain privately)*
☒ **Music**	*If yes, check all that apply:* ☐ **Acoustic** ☒ **Amplified**	
☒ **PA/Audio System**	**Type/Description:** SMALL DUOS, SOLOS, & TRIOS FROM 9:30 - 1200PM	
☐ **Fireworks/Fire Performances/Open Flame**		Requires approval from SG Fire Dept. 435-627-4150
☐ **Propane/Gas On-site**		Requires approval from SG Fire Dept. 435-627-4150
☐ **Trash/Recycle Bin coordination On-site**		WCSW 435-673-2813

10. **ROAD & SIDEWALK USE** *(please include details on site map)*

☒ Yes ☐ No **Will Roads & Sidewalks Be Used?**
☒ Yes ☐ No **Are you requesting Road &/or Sidewalk Closures?**
An Encroachment Permit is required for Road Closures and Sidewalk Use.
To obtain the permit, contact SG City Public Works Dept. 435-627-4058 https://www.sgcity.org/encroachment/

☒ **Road Use and Closure**	**Location:** 62 W TABERNACLE TO 121 WEST TABERNACLE	
☐ **Sidewalk Use**	**Location:**	☐ Will stay on sidewalks and follow pedestrian laws.
☐ **Parade**	**Location:**	**Number of Floats:**

11. **SECURITY/OTHER** *(please complete and sign the Security Plan Approval Request Form, for approval of Security)*

12. **Application Fee is based on attendance, and charged per day, as follows:**

☐ **$75.00 for attendance under 300**
☒ **$150.00 for attendance over 300**

Total: $ 150 *(payable to: City of St. George – Attn: Special Events, 175 East 200 North, St. George, UT 84770)*

By submitting a signed application, the applicant certifies that falsifying any information on this application constitutes cause for rejection or revocation of the Permit.

KATHERN PUZEY		06.01.22
Applicant's Name [PRINT]	Applicant's Signature	Date

EVENT DESCRIPTION

PLEASE DESCRIBE YOUR EVENT IN DETAIL; ADD ANY ADDITIONAL INFORMATION OR PAGES.

- *Please be sure to include any elements of your event that will help with the approval of the event.*

WE WANT TO HOST A YEAR AROUND FARMERS MARKET TO SUPPORT ST. GEORGE SMALL BUSINESSES & FOSTER COMMUNITY. WE BELIEVE THE VENUE NEEDS TO BE ACCESIBLE AND PROACTIVE TO ALL MEMBERS OF OUR COMMUNITY. THIS WILL HELP ALL MEMBERS OF ST. GEORGE CITY.
WE ALSO WANT THE BIGGER SPACE TO PROVIDE MUCH NEEDED ASSISTANCE & SUPPORT TO OUR FOOD TRUCKS.


The Book Bungalow
Book store
Shopping mall
Scout and Cloth
Clothing store
Chef Alfredo's St George
Italian • $$
Judd's Store
Ice Cream • $
Bombay
Indian • $
W Tabernacle St
W Tabernacle St
barricade
barricade
barricade
SECURITY
FOOD TRUCKS
ARTISANS
ARTISANS
ARTISANS
BAKERS
BAKERS AND FARMERS
INFO
MUSIC
Washington County
School District
Southwest High School

Date Received Vendor List:_____ Permit No: _____

Payment Received: _____ Date Completed: _____

SUB-LICENSE FEE(S)

St.George
THE BRIGHTER SIDE

Please make check payable to: CITY OF ST. GEORGE

City of St. George Special Events
175 East 200 North
St. George, UT 84770

Phone: 435-627-4712
E-mail: events@sgcity.org

EVENT NAME: KAT PUZEY **CONTACT PHONE:** [redacted]

EVENT DATE(S): AUG 6 - DEC 31 **EVENT LOCATION:** TABERNACLE STREET

VENDOR INFORMATION

Please provide the following information for all vendors. The sub-license fee for each vendor is $5.00.
Special Event Tax Numbers are required for each Vendor, 801-297-6303. Those Vendors selling, giving away, or preparing food on site are required to obtain approval from the Southwest Utah Public Health Department, 435-986-2580.

#	Vendor Name	Vendor Phone #	Product or Service to be offered at Event	Payment $5.00
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Email	First Name	Last Name	Street Adc City	State / Prc Postal / Zi Phone Number	First Name	Last Name	Insurance:
[redacted]	Ariel	Bohman	[redacted]		Ariel	Bohman	I will be purchasing insurance from the DTFM for $25/season.
	Tracy	Yanchunis			Tracy	Yanchunis	I will be purchasing insurance from the DTFM for $25/season.
	Lauryn	McClellan			Lauryn	McClellan	I will be purchasing insurance from the DTFM for $25/season.
	Audra	Thompson			Audra	Thompson	I will be purchasing insurance from the DTFM for $25/season.
	Sharalyn	Green			Sharalyn	Green	I will be purchasing insurance from the DTFM for $25/season.
	Coe	Patton			Coe	Patton	I will be purchasing insurance from the DTFM for $25/season.
	Adriann	perry			Adriann	Perry	I will be purchasing insurance from the DTFM for $25/season.
	Kylie	Kelsch			Kylie	Kelsch	I will be purchasing insurance from the DTFM for $25/season.
	Lyn	Ryan			Lyn	Ryan	I will be purchasing insurance from the DTFM for $25/season.
	Aimee	Beck			Aimee	Beck	I will be purchasing insurance from the DTFM for $25/season.
	Amy	Motta			Amy	Motta	I have my own insurance and will upload proof below
	Tiffany	Yack			Tiffany	Yack	I will be purchasing insurance from the DTFM for $25/season.
	April	McPherson			April	McPherson	I will be purchasing insurance from the DTFM for $25/season.
	Tricia	Pierce			Tricia	Pierce	I will be purchasing insurance from the DTFM for $25/season.
	Yuri	Graves			Yuridia	Graves	I will be purchasing insurance from the DTFM for $25/season.
	Helena	Chamberlain			Helena	Chamberlain	I have my own insurance and will upload proof below
	Yawen	Tang			Yawen	Tang	I will be purchasing insurance from the DTFM for $25/season.
	Lucy	Duke			Lucy	Duke	I will be purchasing insurance from the DTFM for $25/season.
	Portia	Romero			Portia	Romero	I will be purchasing insurance from the DTFM for $25/season.
	Nannette	McDonald			Nannette	McDonald	I will be purchasing insurance from the DTFM for $25/season.
	Linda	Murie			Linda	Murie	I will be purchasing insurance from the DTFM for $25/season.
	Jenny	Roy			Jenny	Roy	I will be purchasing insurance from the DTFM for $25/season.
	Samm	Albright			Samm	Albright	I have my own insurance and will upload proof below
	Lucille	Cook			Lucille	Cook	I have my own insurance and will upload proof below
	Emmie	Comer			Emmie	Comer	I will be purchasing insurance from the DTFM for $25/season.
	Janella	Brady			Janella Ma	Brady	I will be purchasing insurance from the DTFM for $25/season.
	Wendy	Ludlow			Wendy	Ludlow	I have my own insurance and will upload proof below
	Megan	Gentry			Megan	Gentry	I will be purchasing insurance from the DTFM for $25/season.
	Ariel	Faber			Ariel	Faber	I will be purchasing insurance from the DTFM for $25/season.
	Sheryl	Meyers			Sheryl	Meyers	I have my own insurance and will upload proof below
	Leia	Gearhart			Leia	Gearhart	I will be purchasing insurance from the DTFM for $25/season.
	Kathy Jo	Staheli			Kathy Jo	Staheli	I will be purchasing insurance from the DTFM for $25/season.
	Jessica	Green			Jessica	Green	I will be purchasing insurance from the DTFM for $25/season.
	Portia	Romero			Portia	Romero	I will be purchasing insurance from the DTFM for $25/season.
	Lauren	Barber			Lauren	Barber	I will be purchasing insurance from the DTFM for $25/season.
	Mary	Callahan			Katelyn	Hendry	I have my own insurance and will upload proof below
	Priscilla	Francia			Priscilla	Francia	I will be purchasing insurance from the DTFM for $25/season.
	Gina	Ward			Gina	Ward	I will be purchasing insurance from the DTFM for $25/season.
	Kayzha	Chapin			Kayzha	Chapin	I will be purchasing insurance from the DTFM for $25/season.
	Cindy	Oxley			Cindy	Oxley	I will be purchasing insurance from the DTFM for $25/season.
	Kelly	Simmons			Kelly	Simmons	I will be purchasing insurance from the DTFM for $25/season.
	Kimberly	Lee			Kimberly	Lee	I will be purchasing insurance from the DTFM for $25/season.
	Meagan	Stark			Meagan	Stark	I will be purchasing insurance from the DTFM for $25/season.
	LIANA	BISHOP			Liana	Bishop	I will be purchasing insurance from the DTFM for $25/season.
	Kaydee	Emmett			Kaydee	Emmett	I will be purchasing insurance from the DTFM for $25/season.
	Angela	Henry			Angela	Henry	I will be purchasing insurance from the DTFM for $25/season.
	Wil	Adams			Wil	Adams	I will be purchasing insurance from the DTFM for $25/season.
	Nicole	Morrill			Nicole	Morrill	I will be purchasing insurance from the DTFM for $25/season.

[redacted]

Dax	LeBaron
Sheila	Smith
Joe	Solomon
Chris	Tamplin
Elise	WEst

[redacted]

Dax	LeBaron	I will be purchasing insurance from the DTFM for $25/season.
Sheila	Smith	I will be purchasing insurance from the DTFM for $25/season.
Joseph	Solomon	I will be purchasing insurance from the DTFM for $25/season.
Chris	Tamplin	I will be purchasing insurance from the DTFM for $25/season.
Elise	West	I will be purchasing insurance from the DTFM for $25/season.

Date Received: _____ Permit No: _____

Police Approved: _____ Date Issued: _____

Approval with Comments:

SECURITY PLAN APPROVAL REQUEST FORM

St.George
THE BRIGHTER SIDE

Rev. 9-19-19

All questions must be answered completely or application will not be considered. Please allow TEN (10) days for approval. Together with this application, please provide a written Security Plan including names of all security personnel.

EVENT NAME: DOWN TOWN FARMERS MARKET

Event Location: 62 W TABERNACLE TO 121 WEST TABERNACLE ST GEORGE, UT 84770

Type of Event: FARMERS MARKET

Date of Event: AUG 6 – DEC 31 **Hours of Event:** 4 HRS A DAY AUG-OCT 8AM-12PM NOV-DEC 12PM-4PM

Number of Expected Attendance: 350-600 **Occupancy Load:**

Name of Applicant: KAT PUZEY (MOFAC)

Address: 55 N MAIN ST ST. GEORGE, UT

Day Phone: **Cell/Other:** [redacted]

E-mail: [redacted]

- Security Personnel must be 21 years old or older;
- A Security Director must be onsite at all times with a cell phone;
- Shirts or Vests must look the same. "SECURITY" must be stated on the shirt or vest so it is visible to the public and the Police Department.

Please check applicable Security:

The following will allow for the calculation of security required. The calculations will change depending on the type of event.

☐	**Police Officers ($55/hr)**	**2 Police Officers per**	**1 to 300 People**
☐	**Security Officers in Uniform**	**3 Security Officers per**	**1 to 300 People**
☒	**Private Citizens in Security Shirts or Vests**	**4 Private Citizens per**	**1 to 300 People**

Name of On-site Security Director: DANIELLE MCCRACKEN **Cell Number:** [redacted]

E-mail: [redacted]

Comments:

I understand that falsifying any information on this application constitutes sufficient cause for rejection or revocation of the Special Event Permit. I also understand that the Police Department may require additional information as permitted by Ordinance, and also agree to supply the same.

Applicant Signature: [signature] **Date:** 06.01.21

SECURITY PLAN INFORMATION

1. Please list the names of the security personnel, age, and cell phone number:

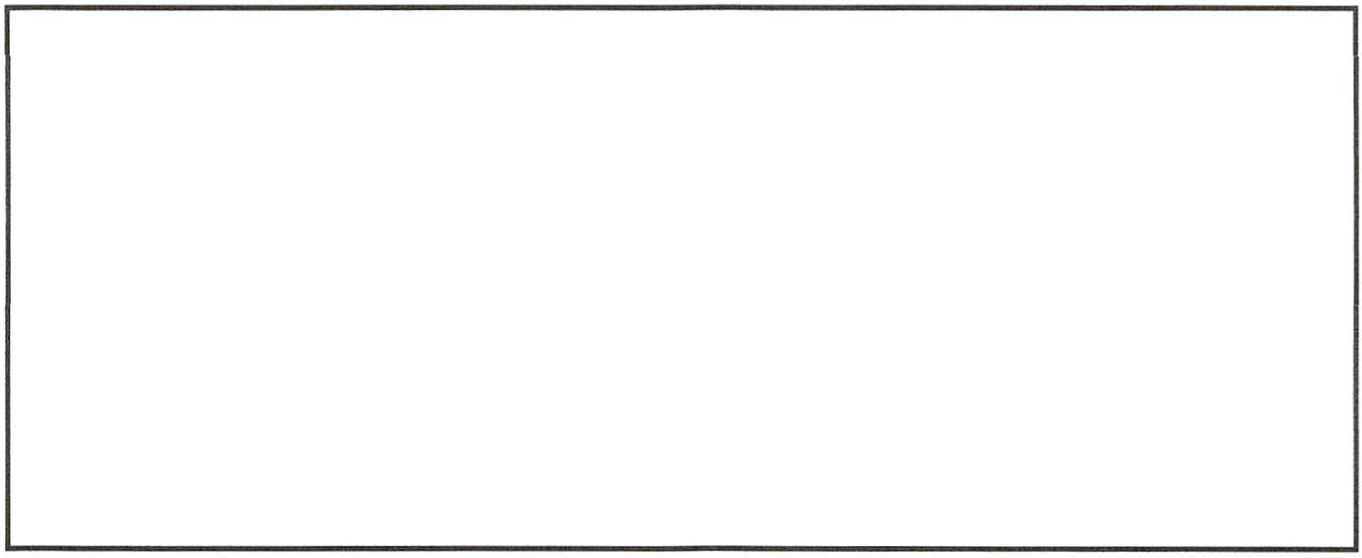
First	Last	Age	Cell Phone Number
LORI	COTTAM	[redacted]	
LACEY ~~MCINTIRE~~	MCINTIRE		
KIRSTEN ~~[illegible]~~	LARSEN		
MONTY ~~PUZEY~~	PUZEY		

2. Please indicate the number of security personnel that will be roaming on the premises of the event: 4.

3. Please provide a detailed Security Plan:

THERE ARE TWO SECURITY TENTS AT EITHER END OF THE MARKET AND 2 SECURITY GUARDS WILL BE AT EACH. 1 WILL REMAIN AS 1 DOES A LAP THEN THEY WILL TRADE OFF. THEY'LL HAVE WALKIE TALKIES AS WELL AS A PHONE.

4. Please mark on the site plan the locations of each security person:




The Book Bungalow
Book store
Shopping mall
Scout and Cloth
Clothing store
Chef Alfredo's St George
Italian · $$
Judd's Store
Ice Cream · $
Bombay
Indian · $
W Tabernacle St
W Tabernacle St
barricade
barricade
FOOD TRUCKS
ARTISANS
ARTISANS
ARTISANS
BAKERS
BAKERS AND FARMERS
INFO
MUSIC
Washington County
School District
Southwest High School

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 3/28/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Sara Shotwell	
Main Street Insurance 780 N 2860 E STE 101 St George UT 84790	PHONE (A/C, No, Ext): (435) 674-2221	FAX (A/C, No): (435) 674-3108
	E-MAIL ADDRESS: sara@msiagency.com	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : AUTO OWNERS INS CO	18988
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED: Down Town Farmers Market St George, 386 E Urie North Dr, Washington UT 84780-2797

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:	Y	Y	57865798	05/16/2021	05/16/2022	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 3,000,000,
							PRODUCTS - COMP/OP AGG	$ 3,000,000
								$
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						[ ] PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of St. George is additionally insured with the respect to Down Town Farmers Market. The City of St. George is Primary & Non-Contributory for ongoing & completed operations; A Waiver of Subrogation applies in the favor of the City of St. George. A 30 day Notice of Cancellation will be provided should any of the above described policies be cancelled before the expiration date.

CERTIFICATE HOLDER

City of St. George

175 East 200 North
St. George UT 84770

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Sara Shotwell

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COVID-19 EVENT MANAGEMENT TEMPLATE

This form is no longer required for event hosts. However, we encourage event hosts to complete this form to help plan and execute a safe event. This form may be helpful for contact tracing purposes if COVID-19 cases are identified at the event.

EVENT DETAILS

Event name: DOWNTOWN FARMERS MARKET

Event location: 62 - 121 W TABERNACLE (Address) | ST GEORGE (City) | 84770 (Zip)

Party responsible for organizational oversight: 55 N MAIN ST (Address) | ST. GEORGE (City) | 84770 (Zip)

[redacted] (Email Address) | [redacted] (Phone)

Event dates: AUG 6 (Start Date) | DEC. 31 (End Date)

Anticipated number of attendees: 350 (Per Day Total) | 7,700 (Grand Total)

Event type

- ❑ Static: *events where the attendees primarily enter, watch and depart*
- ❑ Interactive: *events where attendees create a traffic flow and interact with each other*
- ❑ Participant: *events where attendees primarily participate in an activity or production*
- ❑ Community: *events with many activities and populations centers and likely a random traffic pattern*

Post signage

Please describe how you will post signage that: (1) lists COVID-19 symptoms; (2) asks individuals experiencing COVID-19 symptoms to stay home; (3) provides notice of face mask or physical distancing recommendations.

IF COVID 19 IS AN ISSUE WE ARE REQUIRED TO DEFAULT TO THE UDAF GUIDELINES SEE ATTACHED FORM.

UDAF's COVID-19 Food Establishment Permit Guidelines for Farmers Markets
UPDATE - Issued May 5, 2021

Please be advised that Food Establishment Permits for Farmers Markets do not supersede more restrictive city or county permitting authority or public health orders. Farmers Markets requesting Food Establishment Permits must meet with their local health department before Food Establishment Permits will be issued.

Farmers markets are an essential part of our local food systems providing direct sales outlets for farmers and ranchers to access potential consumers who can purchase safe, local produce and other locally produced agricultural products. Supplemental Nutrition Assistance Program (SNAP) users benefit from shopping at farmers markets as they are able to double the dollar value for fresh food purchases.

Because the Utah Department of Agriculture and Food (UDAF) will continue to issue "Food Establishment Permits" required by Utah farmers markets, we are distributing these guidelines.

For purposes of this directive, a "farmers market" means a market where a producer of a food product sells only a fresh, raw, whole, unprocessed, and unprepared food item UCA 4-5-102 (6). If a farmers market includes the sales of processed or prepared foods such as cheese, meat, or bottled foods, they are required to obtain a Food Establishment Permit from UDAF, and vendors selling processed or prepared foods must also be registered with UDAF, and display their company's Permit at their booth.

While UDAF is committed to affecting the state's most recent COVID-19 guidelines, be aware that these policies may be modified in the interest of public health or at the Governor's direction. Permit holders agree to be bound by the regulations currently in place, or any future guidelines established in the interest of public health or at the Governor's direction, and understand that failure to follow the guidelines may result in the loss of a permit.

Most of the state's restrictions have been lifted, but we believe that our guidelines are prudent and in the interest of public health.

- One handwashing station or hand sanitizer station is **recommended** per every five booths
- Booths **should** be 6' apart
- Farmers markets **should** continue to enforce CDC social distancing recommendations of at least 6' apart
- Farmers markets **should** encourage "tap" or online payment options when possible
- Vendors **should** change gloves and sanitize point-of-sale equipment between transactions
- The wearing of face masks by vendors and shoppers is at the **discretion of** the organization sponsoring the farmers market
- Farmers markets are **encouraged** to maintain their existing nutrition incentive programs (i.e. SNAP, Double-up Food Bucks).
- Vendors who do sell pre-package products are **required to** be registered with the Utah Department of Agriculture and display their company's current Food Establishment Permit at their booth.

- Homemade Food Act vendors are **required** to follow the guidance listed in Utah Code 4-5a, Home Consumption and Homemade Food Act.

For questions regarding these recommendations, please contact Travis Waller at twaller@utah.gov or Tim Lane at tlane@utah.gov or 801.317.7595

Attendee notification

Please describe how within 24 hours of receiving notice that an attendee of the event tested positive for COVID-19, you will notify each attendee who was within six feet of the positive case for more than 15 minutes cumulatively.

Additional safeguards

Please share any additional planned safeguards or measures being enacted at the event

Signature

Please provide the signature of the organizational representative who will be responsible for ensuring event oversight.

KATHERN PUZEY
Printed Name

MARKET MANAGER
Title


Signature

06.01.22
Date



SPONSOR THE FARMERS MARKET 2022

THANK YOU SO MUCH FOR SUPPORTING THE DOWNTOWN FARMERS MARKET, THE ONLY FARMERS MARKET IN THE ST. GEORGE AREA. THIS COMMUNITY EVENT RUNS FOR 26 SATURDAYS HIGHLIGHTING LOCALLY GROWN FOOD, ARTISAN MADE GOODS, FREE MUSIC, AND A PLACE TO CONNECT WITH YOUR COMMUNITY. OUR EVENTS BOAST WEEKLY CROWDS RANGING FROM 300 - 500 PEOPLE ALL EAGER TO SUPPORT ST. GEORGE.
YOU CAN FOLLOW US ON FACEBOOK & INSTAGRAM @DOWTOWNFARMERS FOR MORE INFO.

SATURDAYS 8AM-12PM JULY-OCTOBER
YEAR AROUND MARKET TIMES TBA

PACKAGE INCLUDES	$5,000 RANCHER	$2,500 FARMER	$1,000 HOMESTEADER	$500 GARDENER
COMPANY LOGO ON **ALL** EVENT BANNERS AND OFFICIAL VENDOR TEES	◉			
COMPANY THANKED WEEKLY ON THE MUSIC STAGE AND DURING THE LIVE BROADCASTS	◉	◉		
ONE HIGHLIGHT ARTICLE DURING THE SEASON AND SHOUT OUTS ON OUR SOCIAL MEDIA	◉	◉	◉	
COMPANY LOGO ON INFORMATION BOOTH BANNER	◉	◉	◉	◉
COMPANY LOGO FEATURED ON ALL PRINTED MARKETING AND ON WEBSITE	◉	◉	◉	◉
COMPANY LOGO ON WEEKLY NEWSLETTER WITH +1,500 SUBSCRIBERS	◉	◉	◉	◉

TO COMPLETE YOUR SPONSORSHIP PLEASE EMAIL HELLO@STGFARMERSMARKETS.ORG

2022

DOWNTOWN FARMERS MARKET
St. George, UT

HELLO YOU WONDERFUL SPONSOR-

WE ARE SO THANKFUL FOR YOUR SUPPORT! WE ARE TRULY PASSIONATE ABOUT THIS COMMUNITY AND WHAT WE DO. IT MEANS SO MUCH TO US THAT YOU FEEL THE SAME. FOR 15 YEARS THE DOWNTOWN FARMERS MARKET HAS PROVIDED MANY MEMBERS OF OUR COMMUNITY WITH INVALUABLE SERVICES RANGING FROM MAKING LOCAL ORGANIC FOOD ECONOMICAL WITH THE DOUBLE UP FOOD BUCKS PROGRAM TO FREE KIDS' ACTIVITIES AND MUSIC. YOU'RE SPONSORSHIP MAKES THIS POSSIBLE. SO MUCH GOES INTO RUNNING THESE WEEKLY EVENTS THAT WITHOUT COMMUNITY SUPPORT, WE WOULDN'T BE ABLE TO CONTINUE.
WE ESTIMATE OUR OPENING DATE TO BE JULY 30,2022.

YOUR SPONSORSHIP GOES DIRECTLY TO FUNDING:

STAFFING: 1 FULL-TIME EMPLOYEE AND 3 PART- TIME EMPLOYEES FOR 6 MONTHS EQUATING TO $60,000. THESE GUYS HOST THE EVENTS, SET UP AND TEAR DOWN, COMMUNICATE WITH THE PUBLIC, MANAGE SOCIAL MEDIA, COORDINATE VENDORS, AND MUCH MORE.

ADMINISTRATIVE FEES: YEARLY LEGAL, ACCOUNTING, INSURANCE, MARKET SOFTWARE, LICENSING, WEBSITE MAINTENANCE, AND SNAP PROCESSOR TOTALING TO $10,000. EVEN THOUGH WE ARE A SEASONAL BUSINESS, WE STILL HAVE THE SAME DAILY GRIND AS A REGULAR COMPANY.

EVENT FEES: MARKETING, SIGNAGE, MUSIC PERFORMERS, TENTS, TABLES, BARRICADES, AND OTHER PROGRAM SUPPLIES ROUGHLY TRANSLATES TO $15,000.

AS EFFORTLESS AS WE MAKE OUR EVENTS SEEM, THERE'S A LOT GOING ON BEHIND THE SCENES. SO KNOW WHEN WE SAY WE CANNOT DO THIS WITHOUT INCREDIBLE LOCAL BUSINESSES SUCH AS YOURSELF, WE HONESTLY MEAN THAT. WE WOULD NOT BE ABLE TO HOST 26+ EVENTS EACH YEAR AT THE COST OF $85,000 WITH OUT YOU. THANK YOU FOR ALL THAT YOU DO.

SINCERELY-

KAT PUZEY
MARKET DIRECTOR

St.George
THE BRIGHTER SIDE

SPECIAL EVENT PERMIT CHECKLIST

175 East 200 North, St. George, Utah 84770

Complete applications must be submitted to the City forty-five (45) days before the event is scheduled to take place. Applications submitted to the City less than forty-five (45) days will not be accepted by the City.

- [x] 1. Complete Special Event Permit Application and provide copy of advertisement for event.
- [x] 2. Detailed Event Site Plan. Must include Street Names, Placement of Barricades, Road/Sidewalk Closures, Vendor/Merchant Parking, Vendor Booth Placement, Inflatables, Amusement Devices, Table Placement, Portable Toilet Placement, Fencing, Tent(s) Placement, etc.
- [x] 3. Security Plan. Must provide names of security personnel, ages and contact information.
- [x] 4. Proof of Insurance naming the City of St. George as additional insured.
  Insurance is required when the event is held at a City Facility, Park, Road Closure or Sidewalk Closure.
  (Please see the example insurance certificate for amounts of coverage and language required to be on the insurance certificate.)
- [x] 5. Proof of Insurance for each Vendor naming the City of St. George as additional insured.
  Insurance is required when the Vendor is vending at a City Facility or Park.
  (Please see the example insurance certificate for amounts of coverage and language required to be on the insurance certificate.)
- [ ] 6. Proof of Park Reservation (https://www.sgcity.org/parkreservations/) 435-627-4530 or City Facility Reservation.
- [ ] 7. Encroachment Permit Application and Plan. Submit online application https://www.sgcity.org/encroachment/
  (Required for Road/Sidewalk Closures, 435-627-4058)
- [ ] 8. Written Authorization for Events held on Private Property from the Property Owner.
- [x] 9. Temporary Sales Tax Number for Event and Vendors. Please contact State of Utah Special Event Tax Division - 210 North 1950 West, Salt Lake City, UT 84134, 801-297-6303.
- [x] 10. Health Department Approval for Any Food Provided at the event.
  Please contact Southwest Utah Health Dept. - 620 South 400 East #400, St. George, UT 84770, 435-986-2580.
- [ ] 11. City Use Agreement *(Is required for certain City properties. City will provide the Agreement, if required.)*
- [ ] 12. Applicable Fees.
- [x] 13. Other Requirements: COVID Plan

Review Process Information

The application will be submitted to the event committee for their recommendation of approval. The applicant will be contacted by the City with comments/concerns from the event committee. Comments/concerns of the committee must be resolved by the applicant prior to the Assistant City Manager approving the event permit. City Council approval is required for Single Event Alcohol Permits. Questions, please contact Kala Evans at 435-627-4712 or by e-mail at events@sgcity.org or kala.evans@sgcity.org. Rev. 10-20-21

WATER ORDINANCE BULLET POINTS:

Title 8 (and portions of Title 10):

- Creates water waste provisions, added definitions for clarity.

Title 10

Chapter 1: (General Provisions)

- added requirement for water acknowledgement letters
- moved permit process from chapter 25 to chapter 1
- changed landscape bonding
- added vesting and expiration provisions
- requires will-serve letters from District at final site plan, final plat, building permit, and/or construction drawing approval.

Chapter 2: (Definitions)

- added several new terms primarily landscape related, but also added new terms and amended some terms based upon planning commission comments. One example is that "turfgrass" is now Lawn to be consistent with Utah Code. Also added definition of Amusement Center for clarity.

Chapter 4: (Zoning)

- now requires analysis water at approval and availability prior to any zone change effective date

Chapter 5: (AG zones)

- added "special water standards" for homes
- added landscape standards for AG zones (they are not included in Chapter 23)
- landscape regs don't impact pasture, crops, or livestock watering.

Chapter 7: (Residential zones)

- added requirement for secondary water system infrastructure
- added special water standards for homes
- added landscape standards
- removed private golf course from use chart

Chapter 8: (Commercial and PD zones)

- In 8B added "Amusement Center (without water activity)" to use chart
- In 8D added effective date of zone change ordinances
- In 8D made preliminary plats at time of zone change required rather than optional.
- Did NOT include Amusement Centers with water activity at this time. Staff will look to see if there are special standards that could be imposed in every case prior to allowing this use.

Chapter 11: (Open Space zones)

- added “active recreation area” to use table

Chapter 17 (Standards) specifically 17A (car washes)

- mandates 35 gallons of water or less per car until 2027 at which time it goes to 25 gallons per car
- makes recycling optional (encouraged) rather than mandatory
- also encourages use of secondary water

Chapter 23 (Landscape standards)

- requires landscape documentation package for commercial or large projects
- refers to water waste in Title 8
- sets forth types of plants, watering schedules, etc.
- decorative water features limited to 50 gallon capacity
- Lawn limited to 8% of lot square footage up to 1500 square feet
- Pool surface area sf is included in maximum Lawn area and added that if a pool cover is installed and utilized, that square footage can be reduced by 25%.

Chapter 25 (Subdivisions)

- requires compliance with City Code and District standards (if any)
- requires preliminary plat with zone change
- requires will-serve letters or other written document from District at final site plan, final plat, building permit, and/or construction drawing approval.
- removes ability to subdivide without plats
- allows only 1 year to complete infrastructure improvements and record plats
- adds a draw down or cash escrow bond to forms of assurance.
- requires all approvals within one-year of zone change.

CHAPTER 1
WATER USE AND SERVICE

8-1-1: Definitions
8-1-2: Waterworks System
8-1-3: Rules And Regulations; Authority Of City Council
8-1-4: Rates; Delinquency
~~**8-1-4: Water Record**~~
~~**8-1-5: Assessments**~~
8-1-5: No Development Without Water
8-1-6: Private Water Companies
8-1-7: Right Of Entry On Premises of Water User
8-1-8: ScarCity Of Water
8-1-9: Water Flowing In Streets
8-1-10: Injuring Fixtures Or Befouling Water
8-1-11: Nonliability Of City
8-1-12: Water Waste Prohibited

8-1-1:
DEFINITIONS:

A. Distribution means the delivery of water to three (3) or more customers for a charge in excess of the cost of the water.

B. Domestic Purposes means the residential indoor use of culinary water. It does not include any outdoor use.

C. City means the City of St. George, Utah.

D. Water Services Director means the named department head over the water department for the City of St. George.

E. Water Waste means the use of culinary water whether intentional or unintentional, which exceeds the equivalent residential unit standards established by the City.

F. Waterworks means the sourcing, pumping, piping, treatment, distribution, tanks, and other infrastructure necessary to supply and distribute culinary and secondary water within the City.

8-1-2
WATERWORKS SYSTEM:
The Waterworks ~~constructed under the direction of the City council to supply the City with water shall be designated and known as the "St. George City waterworks." It~~ shall be the

property of the City and shall be under the sole and exclusive control of the City Council, who may, from time to time, direct the construction of such reservoirs, water tanks, water mains, service pipes and fire hydrants, as the necessities of the inhabitants of the City may require.

8-1-3:
RULES AND REGULATIONS; AUTHORITY OF CITY COUNCIL:
The City Council may enact ordinances, rules and regulations for the management and conduct of the City Waterworks ~~system~~.

8-1-4:
RATES; DELINQUENCY:
A. *Water Rates; Owner Of Premises Liable:* The City shall not be required to furnish water for use in any house, tenement, apartment, building, place, premises or lot, whether such water is for the use of the owner or tenant, unless the application for water shall be made in writing, signed by the owner or a duly authorized agent, in which application the owner shall agree to pay for all water furnished such house, tenement, apartment, building, place, premises or lot according to the ordinances, rules and regulations enacted or adopted by the City. In case an application for furnishing water shall be made by a tenant of the owner, the City may require as a condition of granting the application for furnishing water that the application contain an agreement signed by the owner or duly authorized agent, to the effect that in consideration of granting the application, the owner will pay for all water furnished the tenant, or any other occupant of the place named in the application, in case the tenant or the occupant fails to pay for the water according to the ordinances, rules and regulations enacted or adopted by the City.

B. *Failure To Pay Service; Termination:* In case the owner, tenant or occupant of any premises, house, tenement, apartment, building, place, or lot fails to pay for water furnished such owner, tenant, or occupant, according to such ordinances, rules or regulations enacted or adopted, the City may cause the water service to be shut off from such premises, house, tenement, apartment, building, place, or lot. The City shall not be required to turn the service ~~same~~ on again until all arrears for water furnished shall be paid in full.

~~**8-1-4:**~~
~~**WATER RECORD**~~:
~~The city recorder shall make in a book to be kept for that purpose a water record, showing the number of water shares to the use of which the several owners are entitled, and shall distinguish clearly between water shares which entitle the owner to the use of water from the east springs.~~

~~**8-1-5:**~~
~~**ASSESSMENTS:**~~
~~A. *Water Assessment Roll:*~~
~~1. The City recorder shall by examination of the east City springs water abstract, present to the City council on or before the first Saturday in March of each year a water assessment roll.~~

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~~2. Upon receipt of the east City springs assessment roll, the City council, for the purpose of regulating and controlling the east City springs irrigation water, shall during the month of March, by resolution, levy a water assessment upon each and every share. Within two (2) weeks after the adjournment of the City council at which the assessment was made, the City recorder shall compute the assessment against each share. Upon receipt of the water assessment roll, the City treasurer shall proceed to collect the water assessment, and on or before July 1 of each year furnish to the holder of each of the shares or fraction thereof, by mail, postage prepaid, the number of shares of water assessed with the amount of assessment levied and when it becomes due.~~

~~3. All assessments provided for under the provisions of this section shall be due at twelve o'clock (12:00) noon on July 15 in each year, and on August 4 following at twelve o'clock (12:00) noon, all unpaid assessments shall be delinquent.~~

~~B. *Treasurer To Receive Assessments:* The City treasurer shall keep a water assessment account. The City treasurer shall receipt monthly for all water assessments collected, specifying the amount and kinds paid.~~

8-1-5:

NO DEVELOPMENT WITHOUT WATER:

A. Pursuant to the provisions of Utah Code §10-9a-508, any person or property owner wishing ~~it shall be unlawful for persons~~ to develop property within the City ~~in excess of one acre~~ for residential, commercial, or industrial purposes shall notify the City with the application, of ~~unless~~ any and all water rights which may be appurtenant to or used upon and in connection with the property proposed to be developed. All water rights sufficient to meet the needs of the proposed development which are existing and appurtenant to or used upon and in connection with said property, or produced and developed on said property, ~~are~~ shall be transferred to the City to support the project or development. If after sufficient rights have been transferred to support the project, there are excess water rights, the developer may first offer~~ed~~ to the City the ~~for~~ purchase of said excess water rights ~~by the City~~ at the fair market value. Any person seeking to develop property within the City as provided above shall furnish satisfactory evidence to the City that no transfer, sale, lease, or disposal of water rights was consummated after June 1, 1987, contrary to the provisions hereof. No person shall sell, transfer, lease or assign water or water rights that are produced or developed on property within the City where such water will be used for the benefit of property that has not previously benefited therefrom, unless it is determined that future development of the property which has historically benefited from such water would not be feasible under any conditions. Any determination of the transferability of water shall be made by the Water Services Director in writing after a consideration of 1) the impact development of any such property will have upon the City's ability to reasonably supply water to future occupants of the property; 2) the use to be made of water proposed to be transferred; 3) the most efficient utilization of water within the City; 4) the furtherance of conservation practices; and 5) all other relevant circumstances.

B. Any person not in agreement with the Water Services Director's decision affecting property in which that person has an interest may appeal the decision ~~to the water and energy services board~~ within ~~fifteen (~~ten (10~~15~~) calendar days ~~after receipt~~ of the date of any written ~~such~~ determination. Any appeal must be in writing and submitted in person or by email to the City

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Recorder. The procedure thereafter shall be governed by City Code §1-15-1 *et. seq*. ~~by requesting a hearing and setting forth the basis for appeal. Within thirty (30) days after receipt of an appeal, the water and energy services board shall afford the property owner a public hearing, at which time said person may present evidence in opposition to that determination, and the water and energy services board may thereafter affirm, modify or reverse the decision of the water services director.~~

C. No plat shall be approved nor building permit issued in furtherance of the development of any property from which water rights have been transferred in violation hereof. Violation shall constitute an infraction, and upon conviction, subject to penalty as provided in section 1-4-1 of this code, and each day during which a violation exists may be considered a separate offense.

8-1-6:
PRIVATE WATER COMPANIES:

A. Any person or entity engaged in the Distribution of water for culinary or irrigation purposes within the City shall obtain a permit therefor from the water services director. ~~"Distribution" is defined to mean the delivery of water to three (3) or more customers for a charge in excess of the cost of the water.~~ No permit shall be issued except to persons or entities engaged in the Distribution of water prior to the adoption of the ordinance codified herein, or for proposed Distribution that is determined by the director to not interfere with or impact the conservation and effective utilization of water resources through the City water system. Reasonable standards for making such determination shall be formulated by the Water Services Director and adopted by the ~~water and energy services board~~ City Council. Permits shall be issued after a submission of such information and data reasonably requested by the Water Services Director and upon determination by the ~~water and energy services board~~ City Council that the requested Distribution is consistent with the standards adopted, the economy, and best interests of the City, and the need to regulate water resources within the City. Issuance or denial of a permit shall be made by the ~~board~~ City Council within thirty (30) days after the receipt by it of all requested information. ~~Denial of a permit may be appealed in writing to the City council within fifteen (15) days after receipt of denial from the water and energy services board, and the City. council shall afford the appellant a hearing and render a decision approving or reversing the decision of the board within thirty (30) days after receipt of such appeal~~.

B. Any permit issued by the City for private water distribution hereunder shall:

1. Agree to hold the City harmless from all loss sustained by the City on account of any suit, judgment, execution, claim, or demand whatsoever, resulting from negligence on the part of the private water distribution company in the construction, operations or maintenance of its infrastructure and water system. The City shall notify a franchised private water distributor within ten (10) business days after receipt of any notice of claim or demand, either by suit, or otherwise, is made against the City alleging any negligence of the franchised private water distributer.

2. Agree that any franchise rights granted shall take effect and be in force from and after the passage of a resolution by the City Council granting such franchise and upon filing of acceptance by the private water distributor of the franchise with the City Recorder. A franchise so granted shall continue in force and effect for a term of three (3) years thereafter. In the event acceptance by the private water distributor is not filed with the City Recorder within thirty (30) calendar days after passage of the resolution, and/or service has not commenced within sixty (60) calendar days after the acceptance has been filed, any franchise granted shall be deemed null and void.

3. Any private water distributor granted a franchise shall pay to the City an initial franchise fee of one thousand five hundred dollars ($1,500.00) together with an amount which represents the equivalent of two percent (2%) of the gross annual operating revenues taken in and received by the private water distributor on all retail sales of water within the City.

~~be upon those conditions set forth in sections 8-3A-4 through 8-3A-10 of this title, substituting "water" for "electric." The fees payable for such a permit shall correspond to those fees set forth in section 8-3A-12 of this title.~~

4. Failure of a person or entity to comply with the provisions hereof may result in the revocation of a franchise or, permit and all rights thereunder upon written notice from the City and after the expiration of opportunity as provided in such notice for a hearing before the City Council with regard to such violation, failure, or default.

8-1-7:
RIGHT OF ENTRY ON PREMISES OF WATER USER:
All authorized persons connected with the City waterworks shall have the right to enter upon any premises furnished with water by the City to examine the apparatus, the amount of water used and the manner of use, and to make all necessary shutoffs for vacancy, delinquency or violation of the ordinances, rules or regulations concerning utilities enacted or adopted by the City.

8-1-8:
SCARCITY OF WATER:
In the event of a scarcity of water, the mayor may, by proclamation, limit the use of water for any purpose other than domestic purposes to such extent as may be required for the public good in the judgment of the City Council.

8-1-9:
WATER FLOWING IN STREETS:
Any person who willfully or carelessly obstructs, or injures any street, alley, public place, or sidewalk within the City, by permitting flow or seepage of water or who willfully or carelessly permits water under his control to escape in any manner, so as to injure any street, alley, public place or sidewalk shall be deemed guilty of an infraction and, upon conviction, subject to penalty as provided in section 1-4-1 of this code.

8-1-10:
INJURING FIXTURES OR BEFOULING WATER:
A. Any person who shall use the water coming through the ~~water mains~~ Waterworks without first paying all necessary fees or hookup costs, or who shall without authority open any stopcock, valve or other fixtures attached to the system of water supply, or shall in any way injure, deface or impair any part or any appurtenance of the Waterworks; or shall bathe in, or cast anything into any reservoir or tank, shall be deemed guilty of a class B misdemeanor and, upon conviction, subject to penalty as provided in section 1-4-1 of this code.

B. It shall be unlawful for any person to connect to any known water line feeding water from any spring, well or stream to any system which is fed from the City ~~culinary~~ water system.

C. It shall be unlawful for any plumber authorized to make connections in the City under this chapter to connect any private water system to any other system, which is directly connected with any pipes leading directly or indirectly from the City ~~culinary~~ water system.

8-1-11:
NONLIABILITY OF CITY:
The City shall not be held liable for damages to any water taker by reason of a stoppage or interruption of the water supply, caused by scarcity of water, force majeure, accidents to canals, Waterworks or mains, alterations, additions, repairs, or other unavoidable causes.

8-1-12:
WATER WASTE PROHIBITED.

A. It shall be unlawful for any water user to waste water including, but not limited to:

1. Allowing it to be wasted by stops, taps, valves, or leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow;

2. Wastefully running water from hydrants, faucets, or stops or through basins, water closets, urinals, sinks, or other apparatus; or

3. Outdoor watering so that a majority or significant portion of water falls directly onto impervious surfaces rather than onto any plantings and accumulates on the impervious surface to the extent that running water leaves the property and enters gutters, storm drains, ditches, and other conveyances.

B. Notice of Water Waste. The Water Services Director or designee shall be responsible for identifying persons who waste or may be wasting water by reviewing complaints or by reviewing metering information.

1. Whenever any person or entity wastes or may be wasting water, the Water Services Director or designee may give such person or entity verbal or written notice of that fact,

with recommendations as to how the wasting of water can be eliminated. Such recommendations might include, but are not limited to, repairing leaky pipes, valves, or stops, redirection of sprinkler heads, resetting of system timers, addition of devices to prevent water pressure fluctuations, or changes in location of sprinkler systems.

2. Whenever the Water Services Director or designee finds that any person repeatedly or flagrantly wastes water, he or she may serve upon such person a written notice of violation. Such notice shall be served by personal delivery, by mail , or by email, and shall identify the location at which water is being wasted, the manner in which the water is being wasted, and shall specify a time within which the wasting of water shall cease. The notice shall also warn that more severe measures, such as restriction or termination of water service, may be assessed or brought against the person unless the wasting of water ceases within the time provided.

3. The time given to cease wasting water may range from a requirement for immediate compliance up to thirty (30) days, depending upon the facts and circumstances of each case. For instance, if a remedy involves moving a portable hose or sprinkler, immediate compliance may be appropriate; if a remedy involves repairing or replacing a sprinkler head, several days may be required; if the remedy involves more extensive or expensive work, up to thirty (30) days may be necessary.

4. If after receipt of a notice, the user of the City water continues to waste water after the period of time specified in the notice for ceasing such activity, the City may terminate the right of the individual to use City water. Notice of the intention to terminate a water connection shall be given at least fifteen (15) calendar days prior the termination of service. A decision to terminate a water connection may be appealed in writing to the City Manager within 10 calendar days of the date of the notice Appeals must be in writing and served upon the City Recorder in person or by email. Appeals which are not timely filed will not be heard.

CHAPTER 1
GENERAL PROVISIONS

10-1-1: Short Title
10-1-2: Conflict
10-1-3: Land Use Decision Required
10-1-4: Site Plan Required
10-1-5: Inspection
10-1-6: Permits, Licenses to Comply
10-1-7: Public Nuisance
10-1-8: Changes and Amendments
10-1-9: Reconsideration of Denied Amendments
10-1-10: Fees
10-1-11: Annexations
10-1-12: Completion of Landscaping and Public Infrastructure Improvements – Private Site Development Improvements – Improvement Completion Assurance
10-1-13: Land Use Authority
10-1-14: Penalty

10-1-1:
SHORT TITLE:
This title shall be known as the zoning ordinance of the city of St. George, Utah.

10-1-2:
CONFLICT:
The provisions of this title are in addition to all other city ordinances, the laws of the state of Utah, the laws of the United States, and applicable common law. The city does not enforce private restrictive covenants, nor shall any such covenant modify the regulations herein.

10-1-3:
LAND USE DECISION REQUIRED:
A. *Interpretation of Zoning Ordinance:* Any use of land that is not plainly designated as an Allowed Use in the zone is prohibited. A specific land use category supersedes one that is more general or broader in scope. For example, if a land use has been specified (e.g., dry cleaners) in this title, and it has not been listed as a permitted use in a zone, it is prohibited in the zone, even if a use that is more general or broader in scope is permitted (e.g., general commercial) in the zone.

B. *Land Use Decision Required:* No development may commence, or land use changed or expanded, without a final Land Use Decision, which determines that the development, or the change or expansion, is allowed in the zone and complies with all Land Use Regulations.

C. *Water Acknowledgement Required*: all new Land Use Applications must submit with the application, an acknowledgement signed by both the applicant developer and the owner(s) of all real property which are part of the application that:

1. The applicant is responsible for ensuring that the Project or application has sufficient culinary water service; and

2. Approval of any development application by the city does not guarantee that sufficient water will be available to serve the zone, Project, or permit for which the application is submitted; and

3. Prior to receiving final approval for the application, and/or issuing any building permit, the applicant shall provide to the city a guarantee of water service through a Will Serve Letter or other documentation from the District which verifies that there is a sufficient water supply and guarantee of culinary water for the application.

10-1-4:
SITE PLAN REQUIRED:

10-1-5:
INSPECTION:

10-1-6:
PERMITS, LICENSES TO COMPLY:

A. ~~All applications for any development activity, including the modification or expansion of a land use, shall comply with all applicable regulations.~~ *Compliance with Title:* No city officer or employee shall issue any license or permit for Development Activity in violation of the provisions of Utah State law, or any other provisions of this title. Any license or permit issued in conflict with Utah State law, or any other provisions of this Title, is void.

B. All departments, officials, and public employees of the city, vested with authority to make Land Use Decisions and/or issue the permits or licenses provided for herein, shall conform to the Land Use Regulations and shall issue no permit or license for uses, Buildings or purposes where the same would be in conflict with any provision of this title. ~~Any permit or license issued that conflicts with any provision of~~

C. *Conditions for Issuance:* In addition to all other conditions required by law, no Building, development, or subdivision permit for any development or subdivision shall be issued until the following conditions have been met:

1. The proposed development, structure or use is located on a lawfully created Lot or Parcel; or ~~The city has approved the preliminary plat, or the lot layout if the property is exempt from platting requirements, and all conditions have been met for the preliminary plat, and for recording of the final subdivision plat, as set forth in Utah Code and as determined by the community development department and the city attorney;~~

2. The final site plan, final subdivision plat, or Construction Drawings have been formally approved by the city; or

3. The applicant has provided to the city verification that all impact fees required by the District have been paid and/or has provided a Will Serve Letter issued by the District; or

43. All required improvements under chapter 25 of this title are completed, and the city has conducted a final inspection and issued a final approval of the improvements; or

45. Where applicable, the final subdivision plat ~~is~~ has been recorded or been approved for recording ~~recorded~~ in the county recorder's office.

D. Notwithstanding the provisions of subsection C above, if the permitting is for the purpose of installing the Essential Infrastructure for the Project, grading permits may be issued upon approval of final Construction Drawings and prior to the approval or recording of a Final Plat.

F~~D~~. *Occupancy Permit:* Unless otherwise agreed to in writing by the city and applicant, or unless conditioned as part of a development approval, certificates of occupancy shall be issued under the terms of the adopted State and Local Construction Code. ~~For all subdivisions, occupancy will not be granted, and structures shall not be occupied, until the final subdivision plat is recorded and all required improvements are completed and approved by the city. This includes all required addressing and signs.~~

10-1-7:
PUBLIC NUISANCE:

10-1-8:
CHANGES AND AMENDMENTS:

10-1-9:
RECONSIDERATION OF DENIED AMENDMENTS:

10-1-10:
FEES:

10-1-11:
ANNEXATIONS:

10-1-12:
COMPLETION OF LANDSCAPING AND PUBLIC INFRASTRUCTURE IMPROVEMENTS – PRIVATE SITE DEVELOPMENT IMPROVEMENTS – IMPROVEMENT COMPLETION ASSURANCE:

A. The following Infrastructure Improvements are deemed essential for the public health and safety and are required for developments for human occupation: all Infrastructure Improvements required to meet the building code, fire code, Flood and storm water management provisions, street and access requirements, and other applicable public safety improvements adopted in city ordinances or St. George standard specifications for design and construction. Failure to complete all essential improvements may result in the suspension of

the building permit. All essential improvements shall be completed prior to recording an approved subdivision plat, or prior to the issuance of a certificate of occupancy, unless the following requirements are met:

1. The applicant has provided a financial assurance for required and uncompleted Infrastructure Improvements; or

2. The applicant has agreed in a written document to terms acceptable to the city that vary the conditions and timing of issuance of a certificate of occupancy.

B. All required Landscaping improvements shall be completed prior to any Development Activity or the recording of a plat, or issuance of a business license, ~~or~~ unless the applicant ~~shall post~~ has provided a ~~one hundred percent (100%) Improvement Completion Assurance~~ acceptable to the city in an amount representing 110% of the cost of the improvements. The city shall release all but 10% of the assurance once installation has been inspected by the city and shall retain the remaining assurance during the one-year warranty period.

C. All required Private Site Development Improvements shall be completed prior to recording of a plat unless the applicant has entered into a development improvement agreement under terms acceptable to the city and is current in its obligations under that agreement.

D. An Improvement Completion Assurance is required. The two (2) acceptable forms of completion assurance are cash, or an irrevocable letter of credit. Partial release of an Improvement Completion Assurance is permitted only at the following intervals: upon proof by applicant of fifty percent (50%) of improvement completion, and seventy percent (70%) of improvement completion. Final release of the Improvement Completion Assurance shall occur only upon proof by applicant of one hundred percent (100%) of construction completion. The city shall consider applicant's proof of construction completion using objective inspection standards by qualified city employees or appointees knowledgeable in Landscaping, public Infrastructure Improvements, or Private Site Development Improvements, as applicable.

E. Upon the city's acceptance of public Infrastructure Improvements, the applicant shall execute an Improvement Warranty for the Improvement Warranty period. (Ord. 2019-10-002, 10-10-2019)

10-1-13:
LAND USE AUTHORITY:

10-1-14:
PENALTY:

10-1-15
VESTING AND EXPIRATION:

A. Vesting:

1. *Process*: A completed Land Use Application shall be entitled to substantive review and process under the Land Use Regulations in effect at the time the application is complete. A Completed Application requires that all information necessary for a final decision has been provided to the Land Use Authority and all fees have been paid.

2. *Uses and Density*: A Land Use Application shall not be considered formally approved or vested in that approval until the Land Use Authority has approved the final site plan, final Construction Drawings, or Final Plat.

B. Expiration: Recognizing that the length of the planning, building, and engineering review process will vary with the size and complexity of each proposal, applicants must move their applications either to approval or denial in a reasonably expeditious manner. The City may formally close applications which remain inactive for one (1) year or longer due to acts or omissions of the applicant.

1. An application shall be deemed inactive and subject to closure on the basis of inactivity if, through the act or omission of the applicant and not the city, one of the following occurs:

a. More than one (1) year has passed since the last substantive contact between staff and the applicant. Sporadic non-substantive contact shall not be sufficient to move an application forward or prevent closure.

b. More than one (1) year has passed since a request for additional information was made by staff, which request has:

i. not been complied with; or

ii. was incomplete or insufficient.

c. The applicant is more than thirty (30) days in default of the payment of any fee assessed or required by ordinance.

d. The applicant has informed the City of its intent to abandon the Project.

2. When the designated planning, building, or engineering staff member determines an application is inactive, the application file may be closed.

a. No application may be closed on the basis of inaction without giving thirty (30) calendar days' written notice to the applicant. Written notice may be delivered in person, by mail or by email. Such notice must state the intent of the respective department to have the Project closed because of inaction and what the applicant must submit in a timely manner in order to maintain an active file status.

b. Applicants who fail to provide a full and complete response shall not prevent closure if the requested information or submissions are insufficient, untimely, or incomplete.

3. Delays caused entirely by internal delays of the staff, planning commission, or city council shall not be a cause for file closure.

4. An applicant may appeal the closure of an application for inaction in the same manner as any other land use appeal as found in City Code §10-3-1 *et. seq*.

5. The expiration of an issued building permit shall be regulated and governed by the State and Local Construction Code adopted by the State of Utah.

CHAPTER 2
DEFINITIONS

10-2-1: Definitions

10-2-1:
DEFINITIONS:
The following terms as used in this title, are defined as follows. Terms used in the present tense include the future tense. Terms defined in the singular number include the plural and the plural the singular. Terms that have not been defined herein but are separately defined in the building code shall be construed as defined therein:

ACCESSORY STRUCTURE: A structure that is incidental and subordinate to a main Building located on the same Lot or Parcel, contains no living space, and is not attached to a main Building.

ACCESSORY USE: An allowed land use that is subordinate and incidental to the main use on the Lot or Parcel.

ACTIVE RECREATION AREA: An area that is dedicated to active play where Lawn may be used as the playing surface. Examples of active recreation areas include sports fields, play areas and other similar uses designated for physical activity.

ADJACENT: Property that is joined, touches, or is directly across a Public Street, Private Street, access easement, or Alley from the subject property, except a freeway, or a constructed or transportation master planned arterial (eighty-foot (80') right-of-way) street or greater.

ADJOINING PROPERTY OWNERS: All owners within one hundred fifty feet (150') in each direction from the Lot or Parcel, as determined from the tax records of the county.

AGRICULTURE: Tilling soil or raising and harvesting crops.

ALLEY: A private paved secondary access constructed to city standards.

ALLOWED USE: A use of land that:

A. Is specifically permitted, or permitted with standards, in the zone;

B. Has received a Conditional Use permit; or

C. Is a valid Nonconforming Use.

AMUSEMENT CENTER: a use in which two (2) or more entertainment stations, activities, or games, are located within a single entrance Building or complex; no one activity is primary over the other; and all activities are available to those who enter and pay the appropriate fee.

APIARY: A property where one (1) or more Bee colonies is kept.

APPEAL AUTHORITY: The administrative hearing officer is the Appeal Authority unless otherwise specified herein.

ARTIFICIAL TURF: A synthetic grass made to look like natural grass and used for sport fields, Landscaping, or In lieu of Lawns.

ARTS DISTRICT: A defined neighborhood or part of the city which the city council has determined to be appropriate for Arts District distinction. Such areas or sites do not have to be contiguous in order to constitute a district.

ATTACHED (STRUCTURE): Sharing a minimum of one (1) common wall and integrated roof, or having portions of a structure, connected with a minimum roof width of twelve feet (12') with the design and materials being consistent.

BACKFLOW PREVENTION ASSEMBLY: A required assembly that prevents the flow of water from the water distribution system back to the culinary water source.

BASEMENT: That portion of a Building that is below the first floor.

BED AND BREAKFAST: A Building in which a full-time, live-in caretaker resides and serves one (1) or more meals per day, and provides overnight accommodations for Short-Term Guests.

BEE: The common honey bee (Apis millifera), or the mason bee (Osmia lignaria). “Bee” does not include the African honey bee (Apis mellifera scutellate), or any hybrid thereof.

BEE COLONY: All bees in a Hive, including queens, workers, or drones.

BEEKEEPER: A person who owns or maintains one (1) or more colonies of bees on their own private property.

BODY PIERCING: Creating a new body opening for jewelry or decoration. This term specifically excludes ear piercing.

BUILDING: Any structure having a roof supported by columns or walls, for the occupancy or enclosure of persons, animals, or chattel.

BUILDING HEIGHT: The vertical distance measured from the average of the midpoint of the two (2) tallest elevations, measured from the Adjacent Grade to the highest point of the Coping of a flat roof, the deck line of a mansard roof, or the midpoint between ridge and eaves of a Sloped roof, as depicted below:

Flat Roof (One (1) Story) *[illustration not included in this draft]*

Flat Roof (Two (2) Story) *[illustration not included in this draft]*

Sloped Roof (One (1) Story) *[illustration not included in this draft]*

Sloped Roof (Two (2) Story) *[illustration not included in this draft]*

(H1 + H2) / 2 = Building Height

BULK PLANT: Wholesale for Class 1 and 2 flammable or combustible liquids or gases.

CALIPER: The diameter of a tree's trunk, taken about 12" above the ground.

CARGO CONTAINER: Any portable, reusable container generally referred to as a sea cargo container, cargo container or shipping container made as a prefabricated metal structure and primarily designed or used for transporting freight by commercial transportation on ships, by rail or mounted on a chassis for movement by a tractor trailer and built in accordance with the U.S. Department of Transportation Standards. "Cargo container" does not include semi-trailers as defined in Section 41-6a-102 Utah Code Annotated and must be free from damage, rust, and exposed metal, painted in one (1) solid muted earth tone color or similar color as a main structure, with no writing, signs, numbers, or logos.

CARPORT: A private garage not completely enclosed by walls and a door.

CASITA: See "Guesthouse."

CENTRAL BUSINESS DISTRICT: The central business district is defined as that area of St. George City described as follows:
Commencing at a brass cap on a granite stone located at the intersection of Tabernacle St. and Main St. (in the round-a-bout), also known as HCN #247, and running 10.01 feet S 01 °32'16" W, and 1382.44 feet S 88°27'44" E to a point in the middle of Tabernacle Street, said point also being the POINT OF BEGINNING; thence S 01 °34'55" W 175.83 feet; thence N 88°25'25" W 160.66 feet, to the middle of 200 East St.; thence S 01 °33'42" W 442.09 feet, to the middle of 100 South St.; thence N 88°28' 17" W 1,857.10 feet, to the middle of 100 West St.; thence N 01 °36'22" E 176.47 feet; thence N 88°26'00" W 1,240.72 feet, to the middle of 300 West St.; thence N 01 °39'41" E 132.09 feet; thence N 88°23'08" W 213.59 feet; thence N 01 °31 '29" E 308.63 feet, to the middle of Tabernacle St.; thence N 88°27'44" W 97.16 feet; thence N 01 °30'55" E 621.55 feet, to the middle of St. George Blvd.; thence N 88°24'47" W 309.44 feet, to the middle of 400 West St.; thence N 01 °24'43" E 619.73 feet, to the middle of 200 North St.; thence S 88°23'16" E 5,484.17 feet; thence S 01 °32'47" W 398.03 feet; thence S 88°55'11" E 90.24 feet, to the middle of 500 East St.; thence S 01 °34'55" W 837.11 feet, to the middle of Tabernacle St.; thence N 88°27'44" W 1,693.53 feet to the POINT OF BEGINNING.

Containing 8,459,970.70 square feet or 194.2142 acres, more or less.
Basis of Bearings = Between said HCN #247 and HCN #251 (ring and lid at Tabernacle St. and 1000 East St.) South 88°24'58" East, a distance of 6180.73.

CERTIFIED WATER AUDITOR: A person who has been certified by the city of St. George, the Washington County Water Conservancy District, the Irrigation Association, or other city-approved certification program.

CHILD CARE: The provision, day or night, of supplemental parental care, instruction and supervision for a nonrelated child or children, on a regular basis, and for less than twenty-four (24) hours a day. The term does not include babysitting services on a casual, nonrecurring nature or in the child's home, nor cooperative, reciprocate childcare by a group of parents in their respective domiciles.

A. Child Care, In-Home Babysitting: The provision of childcare for four (4) or fewer children within a Dwelling;

B. Child Care, Family: The provision of childcare for up to ten (10) children, including the provider's children who are under the age of eighteen (18), within the provider's primary residence.

CHILD CARE CENTER: A structure or Building, including outside play areas, used for the provision of childcare for less than twenty-four (24) hours per day.

CHURCH: See "Religious Facility."

CITY FACILITY: Land, right-of-way, easement, structure, or appurtenances owned by the city or by an agency or corporation wholly controlled by the city.

COMMERCIAL CENTER: A commonly owned or developed Project that shares parking, internal pedestrian circulation and Public Street access with a variety of commercial uses.

COMMON AREA: Land within a development not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. May include recreation structures, Landscaping, and improvements.

COMMON AREA, LIMITED: Land within a development not individually owned or dedicated for public use, which is designed and intended for the use or enjoyment of a specified residence of the development. May include driveways, Landscaping, and improvements.

COMPLETED APPLICATION: An application for Development Activity which includes all information necessary for a final decision by the Land Use Authority and for which all required fees have been paid.

CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or Adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate detrimental impacts.

CONDOMINIUM OR TOWNHOUSE PROJECT: A development designed and approved for separate ownership of a single unit in a multiple-family development, together with an undivided interest in the Common Area and facilities.

CONSTRUCTION DRAWINGS: All plans, specifications, reports, and studies necessary to meet the requirements of this title and other ordinances of the city of St. George in the approval process of a subdivision, and to obtain a building permit. They include, but are not limited to, floor plans, elevations, site plans, utilities and utility design, roadways, drainage, and other infrastructure and improvements.

CONTROLLER: A device used in irrigation systems to automatically control when and how long sprinklers or Drip Irrigation systems operate.

CONTROL VALVE: A device used in irrigation systems to turn on and off sprinklers or Drip Irrigation. Also called an irrigation Valve.

COPING: A protective cap, top, or cover of a wall, parapet, or pilaster; often of stone, terra cotta, concrete, metal, or wood.
CREMATORIUM: A business, properly licensed by the state, that is devoted to cremation and/or embalming of the dead, but does not include facilities for burial, internment, body viewing, or funeral services.

CUESTA: A landform that has a steep ascent in one direction and a gentle descent in the opposite direction as designated on the Ridgeline map. The steep Slope is the cuesta face, an erosion escarpment, and the gentle one is the back Slope of the cuesta.

CUESTA CREST: The Ridgeline formed by the highest elevations of a cuesta.

CUT: Land surface that is reshaped by man through the removal of soil, rock, or other materials.

DAIRY: The processing of milk or milk products (excludes on-site Livestock).

DARK SKY: A nighttime sky that is substantially free of interference from artificial light.

DECORATIVE WATER FEATURE: a body of water used for decorative purposes, such as a fountain, fishpond, or waterfall. Decorative Water Features must comply with the water use limitation of not more than 50 gallons as set forth in this Title.

DEVELOPMENT ACTIVITY:

A. Any construction or expansion of a Building or structure;

B. Any change in use of a Building or structure that creates additional demand and need for public facilities;

C. Any change in the use of land that creates additional demand and need for public facilities; or

D. Grading, Filling, or clearing of land.

DIRECTOR: The St. George City Community Development Director

DISTRIBUTION UNIFORMITY: The measure of the uniformity of irrigation water over an area.

DISTRICT: The Washington County Water Conservancy District.

DRIP EMITTER: A Drip Irrigation fitting that delivers water slowly at the root zone of the plant, usually measured in gallons per hour.

DRIP IRRIGATION: An irrigation system that delivers water by adding water at the plant's base and root zone, usually measured in gallons per hour. Drip Irrigation exhibits a droplet, trickle, umbrella, or short stream pattern, to reduce evaporation, overspray, and water use, and improves water conservation.

DROUGHT TOLERANT PLANT: A plant that can survive without irrigation for an extended period once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance. *See* "Water-Conserving Plants"

DWELLING: Any structure, manufactured home, mobile home, or portion thereof that is used for residential purposes, excluding Short-Term Residential Rental use.

DWELLING, MULTIPLE-FAMILY: A Building arranged or designed to be separately occupied by more than two (2) dwelling units.

DWELLING, SINGLE-FAMILY: A Building designed as a single dwelling unit.

DWELLING, TWO (2) FAMILY : A Building designed as two (2) dwelling units.

DWELLING UNIT: A Building, or separate portion thereof, with sleeping and kitchen facilities for the exclusive use of one (1) Family.

DWELLING UNIT, ACCESSORY : A subordinate residential living area created within a single-family dwelling or a detached Building on the same residential Lot as a single-family dwelling which meets the requirements of chapter 17A of this title.

ELEVATED OPEN FRONT PORCH: An open porch that is at least eight feet (8') wide, four feet (4') deep and extends to at least fifty percent (50%) of the front façade facing any street, is covered by a roof that is integrated into and part of the roof or roof extension and is of the same design and material as the roof, and the floor of which is elevated at least eighteen inches (18") above the sidewalk grade.

EROSION CONTROL: The control and maintenance of land designed to prevent erosion or a degrading of the land from natural elements such as wind and water.

EROSION HAZARD: The hazard associated with the natural process, either sudden or gradual, which moves a river channel.

EROSION HAZARD AREA: An area designated by the erosion hazard boundary maps.

EROSION HAZARD BOUNDARY MAPS: Maps designating the boundary of the erosion hazard area.

ESSENTIAL INFRASTRUCTURE: All infrastructure which is essential for the public health and safety of the community and infrastructure that is required under adopted State and Local Construction Code to support human occupation and habitation of any structure.

FAMILY:

A. An individual; or

B. The immediate family members and up to one (1) additional unrelated person living with them as a single housekeeping unit in a Dwelling unit; or

C. A group of not more than four (4) persons, who need not be immediate family members, living together as a single housekeeping unit in a Dwelling unit; or

D. Two (2) unrelated persons and any children related to either of them living together as a single housekeeping unit.

FENCE: A barrier to limit visibility, provide privacy, define a property line, or prevent ingress or egress, made out of materials such as concrete or masonry block, wood, metal, stone, chain link or vegetation. A Retaining Wall is not a fence.

FENCE HEIGHT: Fence height is measured vertically, from finished grade to the shortest side of the fence.

FILL: The deposit of soil, rock or other materials placed by man.

FILTER: A device used to screen impurities out of water prior to water being delivered to plants. In Drip Irrigation systems, a filter prevents debris from clogging emitters.

FINANCIAL, MEDICAL AND PROFESSIONAL OFFICE: Financial institutions, medical and professional offices/services, limited to daytime hours of operation, and excludes a hospital, payday loan and sexually oriented business.

FIRST FLOOR: The lowest above-grade Story in a structure; provided, the floor level is not more than four feet (4') below final grade for more than fifty percent (50%) of the perimeter. It can include habitable or uninhabitable Floor Area, as depicted below:

FIXED SPRAY: The pattern of spray from an irrigation head Nozzle, which is fixed and nonchanging.

FLOOD, BASE: The Flood event with a one percent (1%) chance of being equaled or exceeded in any given year.

FLOOD INSURANCE RATE MAP (FIRM): The official map on which the Federal Emergency Management Agency has delineated both the areas of special Flood hazard and the risk premium zones.

FLOOD INSURANCE STUDY: The official report provided by the Federal Emergency Management Agency that includes Flood profiles, the Flood boundary Floodway map, and the water surface elevation of the Base Flood.

FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:

A. The overflow of inland waters; and/or

B. The unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD, SPECIAL FLOOD HAZARD: Land subject to a one percent (1%) or greater chance of Flooding in any given year.

FLOODLIGHT: A fixture or lamp designed to “flood” an area with light. A specific form of lamp or fixture designed to direct its output in a specific direction. Such lamps are often designated by the manufacturer and are commonly used for Outdoor Lighting.

FLOODPLAIN: Land that:

A. Is within the one hundred (100) year Floodplain designated by FEMA; or

B. Has not been studied or designated by FEMA but presents a likelihood of experiencing chronic Flooding or a catastrophic Flood event, because the land has characteristics that are similar to those of a one hundred (100) year Floodplain designated by FEMA.

FLOODWAY: The channel of a river or other watercourse and the Adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than one foot (1').

FLOOR AREA: The sum of the gross horizontal areas of each Story of a Building measured from the exterior faces of the exterior walls or from the centerline of party walls. Basement floors, interior balconies and mezzanines, elevator shafts, stairwells and enclosed porches are included. Garage area is not included.

FLOW RATE: The rate at which water flows through pipes and Valves (gallons per minute or cubic feet per second).

FOOT-CANDLE: A unit of measure of the intensity of light falling on a surface, equal to one (1) Lumen per square foot.

FRUIT STAND: A structure that is no more than one thousand (1,000) square feet and is used exclusively for sale during the harvest season of seasonal crops, seedling plants, or garden, farm, or other agricultural produce if the seasonal crops are, seedling plants are, or garden, farm, or other agricultural produce is sold by:

A. The producer of the seasonal crops, seedling plants, or garden, farm, or other agricultural produce;

B. An employee of the producer; or

C. A member of the immediate family of the producer.

FULLY SHIELDED: An outdoor light fixture constructed so in its installed position, all of the light emitted by the fixture is projected below the horizontal plane passing through the lowest light-emitting part of the fixture.

GARAGE, PUBLIC: A Building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor driven Vehicles.

GEOLOGIC OR FLOOD HAZARD AREAS: Any manmade change to improved or unimproved real estate, including, but not limited to, Buildings or other structures, mining, dredging, Filling, grading, paving, excavation, or drilling operations located within the area of special Flood or geologic hazard.

GEOTECHNICAL ENGINEER: A person with a four (4) year degree in civil engineering or engineering geology from an accredited university who, through training and experience, is able to assure that geological factors affecting engineering works are recognized, adequately interpreted, and presented for use in engineering practice and for the protection of the public.

GLARE: Light, originating from a Direct Artificial Light Source, or any light reflected off a reflective surface, that causes visual discomfort or reduced visibility.

GRADE:

A. For Buildings adjoining one (1) street only, the elevation of the sidewalk at the center of that wall adjoining the street;

B. For Buildings adjoining more than one (1) 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.

GRADE, ADJACENT: A reference plane representing the average of finished ground level adjoining the Building at exterior walls. Where the finished ground level Slopes away from the exterior walls, the reference grade shall be established by the lowest points within the area between the Building and the Lot line or, where the Lot line is more than six feet (6') from the Building, between the Building and a point six feet (6') from the Building.

GRADING PLAN: A grading plan shows all finish grades, spot elevations, required drainage (as necessary), and new and existing contours.

GROUND COVER: Live plant material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve inches (12").

GUESTHOUSE (CASITA): A detached living quarters located within a Building that is subordinate to and located on the same Lot or Parcel as the primary Dwelling. A Guesthouse may also be referred to as a "Casita".

HARDSCAPE: Elements of the Landscape constructed from nonliving materials such as concrete, boulders, brick, blacktop, and lumber. Includes patios, decks and paths but does not include driveways and sidewalks.

HILLSIDE REVIEW BOARD: The city of St. George hillside review board created under this title.

HIVE: An artificial or natural receptacle used to house Bees.

HOLIDAY OR FESTIVE LIGHTING: Any low wattage, seasonal decorative Outdoor Lighting.

HOME OCCUPATION: A business, transaction or activity conducted entirely within a Dwelling, and exclusively by persons residing within the Dwelling in a manner that is indiscernible from, and clearly incidental and secondary to, the residential use, without altering the Dwelling site or structure, the character of the neighborhood, the demand for public facilities or services, or creating an unsafe condition or short term residential rental.

HOUSEHOLD PETS: Animals ordinarily permitted in the house and kept for personal use and not for commercial purposes, not including goats or pigs.

HYDROZONE: A portion of Landscape area where plants with similar water needs and rooting depth are grouped. A hydrozone may be irrigated or non-irrigated. If irrigated, each hydrozone is on a separate Valve. ~~The grouping of plants with similar water requirements so each zone can be irrigated with a separate irrigation valve~~.

IMMEDIATE FAMILY: Consists of spouse, parent, children, grandparent or grandchildren and the spouse's parent, children, grandparent, or grandchildren.

IMPROVEMENT COMPLETION ASSURANCE: Means cash, or an irrevocable letter of credit under terms acceptable to the city, to guarantee the proper completion of Landscaping or an Infrastructure Improvement required as a condition precedent to:

A. Recording a subdivision plat; or

B. Development of any property or Project.

IMPROVEMENT WARRANTY: An applicant's unconditional warranty that the applicant's installed and accepted Landscaping or Infrastructure Improvement:

A. Complies with the municipality's written standards for design, materials, and workmanship; and

B. Will not fail in any material respect, as a result of poor workmanship or materials, within the Improvement Warranty period.

IMPROVEMENT WARRANTY PERIOD: A period:

A. No later than one (1) year after acceptance of required Landscaping; or

B. No later than one (1) year after acceptance of required infrastructure, unless the city:

1. Determines for good cause that a one (1) year period would be inadequate to protect the public health, safety, and welfare; and

2. Has substantial evidence, on record:

(a) Of prior poor performance by the applicant; or

(b) That the area upon which the infrastructure will be constructed contains suspect soil, and the municipality has not otherwise required the applicant to mitigate the suspect soil.

INFILTRATION RATE: The rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).

INFRASTRUCTURE IMPROVEMENT: Permanent infrastructure that an applicant must install:

A. Pursuant to published installation and inspection specifications for public improvements; and

B. As a condition of:

1. Recording a subdivision plat; or

2. Development of any property or Project.

IRRIGATION CONTRACTOR (IC): A person who has been certified ~~by a city-approved certification program~~ to install irrigation systems, meets state and local license, insurance, and bonding requirements, and is able to show proof of such upon demand. An irrigation contractor installs, repairs, designs, and maintains irrigation systems.

IRRIGATION DESIGNER: A Landscape Architect or a person who has been certified by the Irrigation Association (IA), ~~the city of St. George~~ or other city-approved certification programs to prepare irrigation system designs.

IRRIGATION MAINLINE: Pipe between the point of connection (water source) and irrigation zone Control Valves.

IRRIGATION PLAN: A plan that shows the components of the irrigation system with Water Meter size, backflow prevention, Precipitation Rates, Flow Rate and operating pressure for each irrigation circuit, together with identification of all irrigation equipment.

IRRIGATION RUNOFF: Irrigation water that is not absorbed by the soil or Landscape area to which it is applied, and which flows onto other areas.

JOINT UTILITY COMMITTEE (JUC): A committee comprised of city staff and representatives from local utility service providers which meets regularly to discuss the engineering, design, placement, and other issues related to utility improvements within the city.

LAND USE APPLICANT: The property owner, or the property owner's designee, who submits Land Use Application regarding the property owner's land.

LAND USE APPLICATION:

A. Means an application submitted by a Land Use Applicant for Development Activity and/or to obtain a Land Use Decision; and

B. Does not mean an application to enact, amend, or repeal a Land Use Regulation.

LAND USE AUTHORITY: Unless otherwise provided herein, the community development director or designee is the land use authority for Land Use Decisions required in this title.

LAND USE DECISION: The final action of a Land Use Authority or Appeal Authority regarding:

A. A Land Use Permit;

B. A Land Use Application; or

C. The enforcement of a Land Use Regulation, Land Use Permit, or development agreement.

LAND USE PERMIT: A permit issued by a Land Use Authority.

LAND USE REGULATION:

A. An ordinance, law, code, map, resolution, specification, fee, or rule that governs the use or development of land; and

B. Does not include:

1. The general plan;

2. A Land Use Decision of the city council, even if the decision is expressed in a resolution or ordinance; or

3. A temporary revision to an engineering specification that does not materially:

(a) Increase a Land Use Applicant's cost of development compared to the existing specification; or

(b) Impact a Land Use Applicant's use of land.

LANDMARK BUILDING OR SITE: Any site (including significant trees or other plant life located thereon) or structure of particular historic or aesthetic significance to the city or state. Such significance shall exist where cultural, political, spiritual, economic, social, or artistic history of the community is reflected or exemplified by the site or structure, or if it is identified with historic personages or with important events, or if the structure or site embodies distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, style or method of construction.

LANDSCAPE ARCHITECT: A person who is licensed by the State of Utah to practice Landscape architecture ~~by the state of Utah~~.

LANDSCAPE OR LANDSCAPING: Any combination of living plants, ~~berms~~, trees, shrubs, vines, Ground Covers, annuals, perennials ~~flowers~~, ornamental grass, Lawn and other plants that are generally not considered to be weeds or noxious plants; natural features such as rock, stone, or wood chips; nonvegetative permeable Ground Cover; and structural features, including, but not limited to, ~~fountains, reflecting pools,~~ swimming pools, outdoor artwork, screen walls, shade structures, arbors, trellises, Retaining Walls, berms, fences or benches that create an attractive and pleasing environment.

LANDSCAPE DOCUMENTATION PACKAGE: The documentation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features prepared by a Landscape Architect to comply with the provisions of this ordinance. The Landscape Documentation Package shall include a Project data sheet, a site plan, a Planting Plan, an Irrigation Plan, construction details, and a Grading Plan.

LANDSCAPE & IRRIGATION INSTALLER: An Irrigation Contractor or other licensed contractor responsible for installing all or portions of an approved Landscape Plan.

LANDSCAPE OR LANDSCAPING MAINTENANCE: Maintaining or keeping any Landscaping or any area required to be Landscaped:

A. In a live and thriving condition, with consideration for normal growth and water needs; and

B. Fertilized, mowed, trimmed, edged, Mulched and free from weeds, dead plants, litter, refuse, or debris in compliance with regionally accepted horticultural practice.

LANDSCAPE PLAN: A plan that clearly and accurately identifies the location and species of new and existing trees, shrubs, Ground Covers, and other plants on a site, and any other Landscape element, and includes an Irrigation Plan.

LANDSCAPED AREA: An entire Parcel of real property less the Building footprint, driveways, non-irrigated portions of Parking Lots, Hardscape (such as decks and patios), and other nonporous areas. Small Decorative Water Features are included in the calculation of the Landscaped Area and must comply with the water use limitation of not more than 50 gallons as set forth in this Title.

LIGHT, DIRECT ARTIFICIAL: “Direct Artificial Light” means any light cast directly to an illuminated area from an Artificial Light Source, as defined by this section, or from any surface on or within the Artificial Light Source’s luminaire that is intended to reflect, refract, or diffuse light from the Artificial Light Source. This does not include light reflected, refracted, or diffused from other surfaces such as nonreflective surfaces on or within the luminaire, or the ground or Adjacent walls; provided, those surfaces are not primarily intended for the reflection, refraction, or diffusion of the Artificial Light Source.

LIGHT POLLUTION: Any artificial light that is emitted either directly or indirectly by reflection that alters the appearance of the nighttime sky; interferes with astronomical observations; or interferes with the natural functioning of native wildlife.

LIGHT SOURCE, ARTIFICIAL: “Artificial Light Source” means the part of a lighting device that produces light.

LIGHT TRESPASS: The projection of any light from a Direct Artificial Light outside the Lot or Parcel boundary or street right-of-way where the Artificial Light Source is located, unless the projection outside the Lot or Parcel boundary or street right-of-way is lawfully permitted.

LIGHTING, OUTDOOR: “Outdoor Lighting” means the illumination of an outdoor area or object by any indoor or outdoor Artificial Light Source.

LIVESTOCK: Large domesticated animals, which are not ordinarily permitted in the house, such as horses, cattle, goats, sheep, llamas, or ostriches, but not hogs or pigs.

LIVESTOCK FEED YARD: A commercial operation to fatten or maintain Livestock prior to their shipment to a stockyard for sale or rendering.

LOT: A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder. The terms “Lot” and “Parcel” are used throughout this title interchangeably.

LOT, CORNER: A Lot having frontage on two (2) or more improved public or Private Streets. If Common Area or Limited Common Area is located between the Lot line and right-of-way, it is considered a Corner Lot.

LOT DEPTH: The minimum distance measured from the front property line to the rear property line of the same Lot.

LOT LINE: Any line defining the boundaries of a Lot.

LOT WIDTH: The distance between the side Lot lines measured at the Front Yard Setback.

LOW FUEL VOLUME AND HIGH-WATER CONTENT PLANTS: Plants that do not produce excessive amounts of leaves and branches that will fuel fires.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including Basement). An unfinished or Flood resistant enclosure, usable solely for parking of Vehicles, Building access or storage, in an area other than a Basement area, is not considered a Building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this title.

LUMEN: Unit of luminous flux; used to measure the amount of light emitted by lamps.

MANUFACTURING, CUSTOM: An establishment primarily engaged in the on-site production of goods by hand manufacturing which involves only the use of hand tools or domestic mechanical equipment not exceeding two (2) horsepower or a single kiln not exceeding eight (8) kilowatts, and the incidental direct sale to customers of only those goods produced on site. Typical uses include ceramic studios, candle making shops or custom jewelry manufacturing.

MANUFACTURING, HEAVY: The converting of raw or partially processed materials into a product used for further processing or distribution. Examples of Heavy Manufacturing include lumber and paper mills, sewage treatment plants, stone, clay, glass product manufacturing, asphalt and concrete batch plants, and similar operations. These uses may be conducted partially or wholly outdoors and usually create noxious byproducts such as dust, fumes, hazardous waste products, noise, vibration, and glare.

MANUFACTURING, LIGHT: An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

MATCH PRECIPITATION RATE (MPR): A term used where the amount of water applied in a given area is uniform. This term is most commonly used in sprinkler applications where all sprinkler heads within an irrigation zone apply water at the same rate.

MULCH: Any organic material such as leaves, bark, wood chips, straw, or inorganic material such as crushed stone or gravel, or other materials left loose and applied to the soil surface for the beneficial purpose of controlling weeds and conserving soil moisture.

NATURAL WATERWAYS: The natural drainage channel along rivers, streams, creeks, springs, gullies, or washes.

NONCOMPLYING BUILDING OR STRUCTURE: A structure that:

A. Legally existed before its current land use designation; and

B. Because of one (1) or more subsequent land use ordinance changes, does not conform to the Setback, height restrictions, or other regulations, excluding those regulations which govern the use of land.

NONCONFORMING USE: A use of land that:

A. Legally existed before its current land use designation;

B. Has been maintained continuously since the land use ordinance that created the nonconformity was enacted; and

C. Because of one (1) or more land use ordinance changes, does not conform to the regulations that currently govern the use of the land.

NOZZLE: A device that applies water in a specific pattern and distance at specified water pressures.

NURSING HOME: An institution providing long-term residence and care for the aged or infirm.

PARCEL: Any real property with a separate tax identification number that is not a Lot created by and shown on a subdivision plat recorded in the office of the county recorder. The terms “Lot” and “Parcel” are used throughout this title interchangeably.

PARCEL, CORNER: A Parcel having frontage on two (2) or more improved public or Private Streets.

PARCEL DEPTH: The minimum distance measured from the front property line to the rear property line of the same Parcel.

PARCEL LINE: Any line defining the boundaries of a Parcel.

PARCEL WIDTH: The distance between the side Parcel lines measured at the Front Yard Setback.

PARK STRIP: A narrow Landscaped Area located between the back-of-curb of a roadway and sidewalk.

PARKING LOT: An area, other than a street, used for parking, whether or not required by ordinance.

PARKING SPACE: Space within a Building, Lot or Parking Lot designated for parking or storing one (1) automobile.

PERMANENT COSMETICS: A mark or design made on or under the skin by a process of pricking or ingraining an indelible pigment, dye, or ink in the skin for masking discolorations or cosmetically enhancing facial features which shall follow the natural line of the feature and shall be limited to eyeliner, eyebrows, lip coloring, and medical reconstruction procedures only.

PERMANENT COSMETICS ESTABLISHMENT: An establishment engaging in permanent cosmetics as a secondary use to an establishment employing cosmetologist/barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under UCA Chapter 58-11a, excluding tattoo establishments and Home Occupations.

PERSONAL CARE SERVICE: An establishment primarily engaged in the provision of frequently recurring needed services of a personal nature. Typical uses include but are not limited to beauty and barber shops, massage therapy, custom tailoring and seamstress shops, esthetician, portrait studios, shoe repair shops, and tanning and nail salons.

PERSONAL INSTRUCTION SERVICE: An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include but are not limited to art and music schools, driving and computer instruction, handicraft or hobby instruction, health, and fitness studios.

PLANNED DEVELOPMENT: A development that is the subject of a zone-change application, submitted to the planning commission and city council, and, when required, presented with a conceptual plan showing the form, manner, layout, and other parameters of the planned development prior to the preparation of a Preliminary Plat.

PLANTING PLAN: A plan that clearly and accurately identifies the type, size, and locations for new and existing trees, shrubs, planting beds, Ground Covers, grass areas, driveways, sidewalks, Hardscape features, Landscape structures, and fences.

PLAT, FINAL: A plat prepared in accordance with the provisions of this title, which plat is designed to be ~~placed on record~~ recorded in the office of the Washington County R~~r~~ecorder.

PLAT, PRELIMINARY: A plat prepared in accordance with the provisions of this title which plat, and accompanying plans, reports, diagrams, and text, is made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it. The Preliminary Plat is essentially a study plan which, when approved, will serve as a basis for the preparation of the Construction Drawings and Final Plat.

PLATEAU: A flat or predominantly flat area of land, which is raised sharply above Adjacent land on at least one (1) side as designated on the Ridgeline map.

PLATEAU EDGE: The junction of the Plateau and the sharp vertical rise that separates the Plateau from lower Adjacent land.

PRECIPITATION RATE: The depth of water applied to a given area, usually measured in inches per hour.

PRESSURE COMPENSATING: In a Drip Irrigation system, a term used to describe an emitter that maintains the same output of water at varying water inlet pressures.

PRESSURE REGULATING VALVE: A Valve installed in an Irrigation Mainline that reduces a higher supply pressure at the inlet down to a regulated lower pressure at the outlet.

PRIVATE SITE DEVELOPMENT IMPROVEMENT: A required site feature that an applicant must install:

A. As a condition of development of a commercial, industrial, mixed-use, condominium, or multifamily Project; and

B. That is not an Infrastructure Improvement.

PROJECT: The proposed Development Activity contained in any given application.

QUALIFYING STUDENT: A student enrolled in spring or fall classes at Dixie State University in classes awarded eight (8) credits or more for each semester.

RECEIVING AREA: An area within a proposed development that is designated to accept density transferred from a designated Sending Area within the proposed development.

RECREATIONAL VEHICLE: A Vehicle that is:

A. Built on a single chassis;

B. Four hundred (400) square feet or less when measured at the largest horizontal projections;

C. Designed to be self-propelled or permanently towable by a light duty truck; and

D. Designed primarily not for use as a permanent Dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

REHABILITATED LANDSCAPING: Landscape Area in which over 50% percent of existing Landscaping is removed and replaced to reduce water usage. Includes all Landscaping funded in part, or completely, by the District's Landscape conversion program.

RELIGIOUS FACILITY: A meetinghouse, Church, temple, mosque, synagogue, or other permanent structure, used primarily for regular religious worship.

RESIDENTIAL CENTRAL CITY AREA (RCC): The area located between 100 South to 700 South, and between 700 East to Bluff Street or bounded by Bluff Street on the west, Diagonal Street to Main Street and then to St. George Boulevard on the north, and by Interstate 15 on the south and east.

RESIDENTIAL TREATMENT FACILITY: A residence where more than one (1) person with a disability resides and the residence is licensed with the State Department of Human Services or the Department of Health as a residential facility to care for the disabled.

RESTAURANT/CAFÉ: Preparation and sale of food and drink for on-premises public consumption.

RETAINING WALL: Includes any structure designed to resist the lateral displacement of soil or other materials, not including Rockery Walls. An example includes block walls, concrete walls, or a segmented wall designed and approved as a retaining wall.

RETAINING WALL HEIGHT: Retaining Walls shall be measured from the top of the exposed face to finish grade.

RIDGELINE: The junction of a rising Slope and a descending Slope, including a Cuesta Crest and a Plateau edge.

ROCK: A natural solid mineral matter occurring in large masses or fragments.

ROCKERY WALL: A system of stacked rocks constructed to retain soil or rock and include rock-faced Slopes.

ROTOR: A sprinkler that applies water above ground with a rotating stream of water typically used for large Lawn areas.

SECONDARY IRRIGATION WATER: Non-potable water that is either untreated or minimally treated and typically used for irrigation of outdoor Landscaping.

SENDING AREA: An area within a proposed development that is designated to transfer density to a designated Receiving Area within the proposed development.

SETBACK: The minimum distance to a structure from the property lines.

SEXUALLY ORIENTED BUSINESS: See section 3-8-2 which is incorporated by reference herein.

SHORT-TERM GUEST: Guests whose duration of visit is twenty-nine (29) consecutive calendar days or less.

SHORT-TERM RESIDENTIAL RENTAL: Property that is occupied, possessed, or used by any person or entity for transient lodging where the term of occupancy, possession, or use of the property by the person or entity is offered for twenty-nine (29) consecutive calendar days or less, for direct or indirect compensation or other consideration.

SIGNIFICANT HISTORIC BUILDING: A Building or structure that is either:

A. A designated landmark site as approved by the city council; or

B. A residential or commercial Building that meets the requirements of section 10-13E-4A2; or

C. Any Building which meets the criteria for the National Register of Historic Places.

SITE DEVELOPMENT STANDARDS: Minimum Lot areas, yard Setbacks, exceptions, Building Height, Lot coverage, Landscaping, and open space for each zone.

SLOPE: A vertical rise in feet measured over a horizontal distance, expressed as a percentage, measured generally at right angles to contour lines.

SMALL ANIMAL: An animal that, on average, will reach a mature weight of no more than fifteen (15) pounds and does not include ~~rabbits or~~ Urban Hens and Rabbits.

SPRAY HEAD: A sprinkler that applies water above ground with a constant spray typically used for small lawn areas.

SPRINKLER: A device that applies water above ground.

~~SPRINKLER, SPRAY: An irrigation head that sprays water through a nozzle.~~

~~SPRINKLER, STREAM: An irrigation head that projects water through a gear rotor in single or multiple streams.~~

STABLE, PRIVATE: A detached Building designed and used to care for Livestock owned by the residents and not kept for commercial purposes.

STABLE, PUBLIC: A public Building designed and used to care for Livestock.

STATE AND LOCAL CONSTRUCTION CODES: Regulations adopted in or pursuant to the State Construction and Fire Codes Act, UCA Title 15A.

STORAGE RENTAL UNITS: (Also known as MINISTORAGE or SELF-STORAGE): A Building separated into individual spaces for customer storage and retrieval of personal effects, household goods, furniture, or archived materials.

STORY: That portion of a Building between the upper surface of a floor and the upper surface of the next floor or roof above.

STREET, PRIVATE: A private thoroughfare that affords access to property consistent with city standards.

STREET, PUBLIC: A public thoroughfare that affords principal means of access to abutting property.

STREET SIDE: An area located between the side of a structure and a public or Private Street, extending from the Front Yard Setback to the Rear Yard Setback. See also LOT, CORNER, and PARCEL.

STREET TREE: Includes all trees located within the public right-of-way of all streets within the city.

STRUCTURAL ALTERATION: Any change to the support of a structure, such as a bearing wall, column, beam truss or girder.

STRUCTURE: Anything constructed or erected that is attached, on, or below the ground in any manner.

SUBDIVIDER: Any individual, firm, association, syndicate, partnership, corporation, trust, or other legal entity, having legal title to real property for which a subdivision is proposed. A “subdivider” includes an authorized representative of the subdivider who is authorized to represent the subdivider for the purpose of effecting the subdivision of real property, having legal title to real property for which a subdivision is proposed.

SUBDIVIDER’S ENGINEER: A civil engineer licensed in the state of Utah engaged by the Subdivider to prepare a conceptual Planned Development, a Preliminary Plat, Construction Drawings, a Final Plat, or to compile such data as may be required in connection therewith or in accordance with the provisions of this title.

SWING JOINT: An irrigation component that provides a flexible, leak free connection between the emission device (sprinkler) and lateral pipe.

TABLELAND: Land where the Slope in any direction is less than fifteen percent (15%).

TATTOO ESTABLISHMENT: Any location, place, area, structure, or business used for the practice of tattooing or the instruction of tattooing, excluding Permanent Cosmetics establishments.

~~TURF~~LAWN~~: A surface layer of mowed grass~~. Non-agricultural land planted in closely mowed, managed grasses.

UNDISTURBED: An area that remains in a natural, pristine condition and not subject to grading, excavation, or other similar disturbance.

UNPAVED SURFACE: A Parcel of land or portion thereof that is not paved with an approved surfacing material such as asphalt or concrete.

URBAN HENS AND RABBITS: Keeping of chickens (hens only) and rabbits, as an Accessory Use to a single-family Dwelling, to produce food for the Family residing on the subject property.

VALVE: A device used to control the flow of water in an irrigation system.

VEHICLE: Any form of motorized transport or any trailer.

VESSEL: Every type of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

WATER ACTIVITY: an amusement activity involving the use of water such as swimming pools, slides, rides, wave pools, wave riding, tubing, boating, etc.

WATER-CONSERVING PLANT: A plant that can generally survive with available rainfall once established, with possible minimal supplemental irrigation needed or desirable during spring and summer months or during drought periods.

WATER-CONSERVING TREES: Planted trees which are Drip Irrigated, and which meet the standards set forth in section 10-23-1(E) of this Code as well as any standards set forth by the District. Trees which are on an approved list provided by the District, or which comply with the water wise landscaping provisions of Utah Code §10-9a-536 shall be considered water-conserving trees.

WATER METER: A device that measures the amount of water being used at a specific location.

WATER PERFORMANCE AUDIT: A water performance audit is an on-site survey and measurement of irrigation equipment and management efficiency performed by a Certified Water Auditor.

WILL SERVE LETTER: A letter or other written documentation issued by the District that assures culinary water will be provided through a culinary water system.

YARD, FRONT: On a Lot or Parcel with a Building, the area that includes the full width of the Lot or Parcel from the main Building to any Lot line abutting a street, or private right of access. On a vacant Lot or Parcel, the area that includes the full width of the Lot from the depth of the minimum Setback to any Lot line abutting any street. A Corner Lot or Parcel has two (2) Front Yards.

YARD, REAR: On a Lot with a Building, the area that includes the full width of the Lot from the rear façade of the Building to the rear Lot line. On a vacant Lot, the area that includes the full width of the Lot from the rear Setback to the rear Lot line.

YARD, SIDE: On a Lot with a Building, the areas between the side lines of the Building and the sideline of the Lot and extending from the Front Yard line to the Rear Yard line. On a vacant Lot, the areas between the front and rear Setback lines, from each Side Yard Setback line to its closest side Lot line.

CHAPTER 3
APPEALS AND VARIANCES

[Not included]

CHAPTER 4
ZONES

10-4-1: Citywide Zoning
10-4-2: Zone Changes – Water and Utility Sources, Access Required

10-4-1:
CITYWIDE ZONING:
All property within the city is subject to the city's zoning districts. If such zoning is invalidated for any reason, no building permit, subdivision, or approval for any Development Activity may be applied for until the city establishes valid zoning for the property.

10-4-2:
ZONE CHANGES – WATER AND UTILITY SOURCES, ACCESS REQUIRED:
Zone changes shall not be approved unless the applicant can show that the property is or will be served by approved sources and facilities for culinary and Secondary Irrigation Water, power, sewer, and access to a dedicated Public Street. ~~Alternatively~~, It is the property owner's responsibility to construct and connect to such approved sources and facilities and to provide proof of adequate culinary and Secondary Irrigation Water service as required by this title.

CHAPTER 5
AGRICULTURAL ZONES (A-0.5, A-1, A-5, A-10, A-20)

10-5-1: Allowed Uses
10-5-2: Height Regulations
10-5-3: Area, Width and Yard Requirements
10-5-4: Design Criteria
10-5-5: Yards Unobstructed – Exceptions
10-5-6: Curb, Gutter, Sidewalk and Driveway
10-5-7: Utility Requirements
10-5-8: Temporary Buildings
10-5-9: Setbacks along Streets
10-5-10: Related Provisions

10-5-1:
ALLOWED USES:

10-5-2:
HEIGHT REGULATIONS:

10-5-3:
AREA, WIDTH AND YARD REQUIREMENTS:

10-5-4:
DESIGN CRITERIA:
A complete application for single-family occupancy must include a site plan, architectural plans and Construction Drawings of one-quarter (¼) scale, that show Building materials, exterior elevations and floor plans of all proposed structures that meet the following criteria:

A. *HUD Standards, Construction Codes:* All development must comply with the construction codes and, as applicable, the national manufactured housing construction and safety standards and ICC guidelines for manufactured housing installations, that are capable of transferring design dead loads and live loads, and other design loads unique to local home sites, due to wind, seismic, soil and water conditions, that are imposed by or upon the structure into the underlying soil or bedrock without failure.

B. Perimeter footings at least twelve inches (12") below grade.

C. For all Dwellings:

1. Space beneath the structure must be enclosed at the perimeter of the Dwelling in accordance with ICC guidelines and constructed of weather resistant materials aesthetically consistent with concrete or masonry type foundation materials.

2. A minimum landing of thirty-six inches by thirty-six inches (36" x 36") at each exit.

3. All manufactured home running gear, tongues, axles and wheels must be removed and stored off site or in a separately enclosed structure.

D. *Exterior Materials:* Each Dwelling shall have exterior materials of wood, hardwood, brick, concrete, stucco, glass, metal lap, vinyl lap, tile or stone.

E. *Width of Dwelling:* The width of each Dwelling shall not be less than twenty feet (20') at the narrowest point of its first floor, exclusive of any garage, bay window, or appendages.

F. *Minimum Floor Area:* Each Dwelling shall have a minimum Floor Area, exclusive of garage and Basement, of one thousand (1,000) square feet.

G. *Special Water Standards:* The following standards shall apply to all new or remodeled single-family units:

1. Residential Dwelling units shall install hot water recirculation systems unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.

2. Residential Dwelling units shall install WaterSense labeled fixtures, including, but not limited to faucets, showerheads, toilets, and urinals.

3. Residential Dwelling units shall install Energy Star qualified appliances.

10-5-5:
LANDSCAPE STANDARDS:

All new or remodeled construction or development shall meet the following standards:

A. The total Lawn area shall not exceed 8% of the total Lot size, regardless of zoning and in no case shall Lawn exceed 1,500 square feet on any given Lot or Parcel. This does not include any pasture or other types of grasses that are not part of Landscaping.

B. Lawn shall be prohibited in Park Strips, all Landscape areas less than eight feet wide, and on any Slope that exceeds 15%. Areas with soil Slopes greater than 15% shall have Erosion Control measures and may be Landscaped with deep-rooting, Water-Conserving Plants that do not include Lawn.

C. Each single-family Dwelling shall have a minimum of two Water-Conserving Trees with a minimum of one-and-one-half inch (1½") Caliper trunk.

D. The square footage of the surface area of any swimming pool will be included in the allowed amount of Lawn. A twenty-five percent (25%) reduction in the pool surface area square footage may be taken if a cover has been installed and utilized on the pool.

E. Exterior, Decorative Water Features are limited to one Decorative Water Feature with a 50 gallon or less capacity and maintained recirculating pumps.

F. Exceptions: The irrigation of crops and watering of Livestock are not included in the Landscape regulations.

10-5-~~5~~6:
YARDS UNOBSTRUCTED – EXCEPTIONS:

10-5-~~6~~7:
CURB, GUTTER, SIDEWALK AND DRIVEWAY:

10-5-~~7~~8:
UTILITY REQUIREMENTS:

10-5-~~8~~9:
TEMPORARY BUILDINGS:

10-5-~~9~~10:
SETBACKS ALONG STREETS:

10-5-~~10~~11:
RELATED PROVISIONS:

CHAPTER 6
GRAVEL AND GRAZING ZONE (G-G)

[Not included]

CHAPTER 7
RESIDENTIAL ZONES
Residential Estate (RE), Single-Family, Multiple-Family, Mobile Home (MH), Residential Central City (RCC), and Planned Development Zones (PD-R, PD-SH and PD-TNZ)

10-7-1: Yards Unobstructed – Exceptions
10-7-2: Curb, Gutter and Sidewalk – When Required
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10-7-7: Related Provisions
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10-7-1:
YARDS UNOBSTRUCTED – EXCEPTIONS:

10-7-2:
CURB, GUTTER, AND SIDEWALK – WHEN REQUIRED:

10-7-3:
UTILITY REQUIREMENTS:
In all areas of the city, connection shall be made to public culinary and Secondary Irrigation Water, electrical and sewer facilities.~~, unless waived by the city engineer or designee upon a demonstration of an equivalent alternative acceptable to the city.~~ All utilities shall be located underground, unless specifically approved by the city engineer or designee. All construction shall comply with the ~~state building codes~~ State and Local Construction Code and all city standards.

10-7-4:
TEMPORARY BUILDINGS:

10-7-5:
SETBACKS ALONG STREETS:

10-7-6:
DESIGN CRITERIA:

A complete application for single-family occupancy must include a site plan, architectural plans, and Construction Drawings of one-quarter (¼) scale, that show Building materials, exterior elevations and floor plans of all proposed structures that meet the following criteria:

A. *HUD Standards, Construction Codes:* All development must comply with the construction codes and, as applicable, the national manufactured housing construction and safety standards

and ICC guidelines for manufactured housing installations, that are capable of transferring design dead loads and live loads, and other design loads unique to local home sites, due to wind, seismic, soil and water conditions, that are imposed by or upon the structure into the underlying soil or bedrock without failure.

B. Perimeter footings at least twelve inches (12") below grade.

C. For all Dwellings:

1. Space beneath the structure must be enclosed at the perimeter of the Dwelling in accordance with ICC guidelines and constructed of weather-resistant materials aesthetically consistent with concrete or masonry type foundation materials.

2. A minimum landing of thirty-six inches by thirty-six inches (36" x 36") at each exit.

3. All manufactured home running gear, tongues, axles, and wheels must be removed and stored off site or in a separately enclosed structure.

D. *Prohibited Exterior Materials:*

1. Plain concrete block, slump block, weeping mortar.

2. Colored or architectural concrete block.

3. Plywood siding.

4. Metal siding, sheet metal.

5. Untreated metal, or reflective roofing.

E. *Width of Dwelling:* The width of each Dwelling shall not be less than twenty feet (20') at the narrowest point of its first floor, exclusive of any garage, bay window, or appendages.

F. *Minimum Floor Area:*

1. Each Dwelling located on a Lot of seven thousand (7,000) square feet or less in size shall have a minimum Floor Area, exclusive of garages and Basement, of nine hundred (900) square feet.

2. Each Dwelling located on a Lot greater than seven thousand (7,000) square feet in size shall have a minimum Floor Area, exclusive of garage and Basement, of one thousand (1,000) square feet.

G. Any addition to the main structure shall be constructed using the same design, finishes, materials, and colors.

~~H. *Access:* A dead-end street system may not serve more than thirty (30) single-family lots or dwellings, or more than one hundred (100) multifamily dwellings. A second access, compliant~~

~~with all fire and building codes and all engineering standards as currently adopted by the city, shall be provided for additional lots or dwelling units.~~ *Access:* There shall be a minimum of one point of access to a dedicated public road that meets the adopted road standards. All other access requirements shall comply with the current Fire Code as approved by the Fire Marshal.

I. *Special Water Standards:* The following construction standards shall apply to all new or remodeled single or multiple-family units:

1. Single-family or multi-family residential Dwelling units shall install hot water recirculation systems unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.

2. Single-family or multi-family residential Dwelling units shall install WaterSense labeled fixtures, including, but not limited to faucets, showerheads, toilets, and urinals.

3. Single-family or multi-family residential Dwelling units shall install Energy Star qualified appliances.

4. All individually platted multi-family units which are accessed from the ground floor shall be separately metered, sub-metered, or equipped with alternative technology capable of tracking the water use of the individual unit. The separate metering of all multi-family units is encouraged where possible. If not otherwise billed directly to the resident of each unit, if possible, the monthly usage ~~i~~nformation shall be made available to the resident of each unit to monitor water usage. All multi-family Projects shall require separate Water Meters for all outdoor (irrigation) water usage, including Landscaping.

10-7-7:
LANDSCAPE STANDARDS:
All new or remodeled construction or development shall meet the following standards:

A. The total Lawn area shall not exceed 8% of the total Lot size, or Common/Limited Common Areas associated with a private pad, regardless of zoning and in no case shall Lawn exceed 1,500 square feet on any given Lot or attached unit Project.

B. Lawn shall be prohibited in Park Strips, all Landscape areas less than eight feet wide and on any Slope that exceeds 15%. Areas with soil Slopes greater than 15% shall have Erosion Control measures and may be Landscape d with deep-rooting, Water-Conserving Plants that do not include grass.

C. Each single-family Dwelling shall have a minimum of two water-Conserving Trees with a minimum of one-and-one-half inch (1½") Caliper trunk. Each multiple-family or mixed-use development shall comply with Chapter 23 of this title as it relates to number of trees and shrubs required on site.

D. The square footage of the surface area of any swimming pool will be included in the allowed amount of Lawn. A twenty-five percent (25%) reduction in the pool surface area square footage may be taken if a cover has been installed and utilized on the pool.

E. Exterior Decorative Water Features are limited to one with a 50 gallon or less capacity and maintained recirculating pump.

10-7-7:
RELATED PROVISIONS:

ARTICLE A.RESIDENTIAL ESTATE ZONES
(RE-5, RE-12.5, RE-20, RE-37.5)

[Not Included]

ARTICLE B.SINGLE-FAMILY RESIDENTIAL ZONES
(R-1-6, R-1-7, R-1-8, R-1-10, R-1-12, R-1-20, R-1-40)

[Not Included]

ARTICLE C.MULTIPLE-FAMILY RESIDENTIAL ZONES
(R-2, R-3, R-4)

10-7C-1: Allowed Uses
10-7C-2: Height Regulations
10-7C-3: Density Regulations
10-7C-4: Area, Width and Yard Requirements
10-7C-5: Minimum Required Building Separation
10-7C-6: Landscaped Area and Amenity Requirements
10-7C-7: Access to Multiple-Family
10-7C-8: Miscellaneous

10-7C-1:
ALLOWED USES:
Any use not specifically permitted, permitted with standards, or conditionally permitted is prohibited. Only the following uses are allowed:

A. Uses indicated by the letter "P" below are permitted in the designated zone.

B. Uses indicated by the letters "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in chapter 17 of this title.
C. Uses indicated by the letter "C" are Conditional Uses in the designated zone.

		RE-5	RE-12.5	RE-20	RE-37.5
City Facility, primary		P	P	P	P
City Facility Accessory Uses; Accessory Structure and use		P	P	P	P
Commercial Agriculture or Livestock business		P	P	P	P
Communication transmission facilities, including wireless, primary		PS	PS	PS	PS
Communication transmission facilities, including wireless, primary, height over 50'		C	C	C	C
Lot size averaging				P	P
Private country club, ~~golf course~~ and park		P	P	P	P
Public utility facilities, primary		PS	PS	PS	PS
Public utility facilities Accessory Uses; Accessory Structures		P	P	P	P
Religious Facility, primary		P	P	P	P
School, public or charter, primary		P	P	P	P
Short-Term Residential Rental		PS	PS	PS	PS
Single-family Dwelling, primary		P	P	P	P
Single-family Dwelling Accessory Uses:	Accessory Structure and use	P	P	P	P
	Accessory Dwelling unit	PS	PS	PS	PS
	Agriculture	P	P	P	P
	Apiaries/Beekeeping	PS	PS	PS	PS
	Barns and corrals for Agriculture and Livestock – At least 50' from any Dwelling	PS			
	Barns and corrals for Agriculture and Livestock – At least 100' from any Dwelling	PS	PS	PS	PS
	Child Care, in-home babysitting	P	P	P	P
	Child Care, family	P	P	P	P
	Greenhouse, high tower or plant nurseries (no retail)	P	P	P	P
	Guesthouse	PS	PS	PS	PS
	Home Occupation	P	P	P	P
	Livestock – 1 animal per 12,000 sf; 2 per 20,000 sf; 1 additional animal for each additional 10,000 sf over 20,000 sf	P	P	P	P
	Hogs to be raised by resident for purposes of meeting requirements of a youth club - maximum of 2 hogs per 37,500 sf for a maximum of 6 months				PS

		RE-5	RE-12.5	RE-20	RE-37.5
	Hog pen/shelter – Up to 8' tall and 100 sf – Allowed only in Rear Yard at least 100' from any Dwelling; required effective manure management				PS
	Small Animals (not produced for food) up to 8 animals	P	P	P	P
	Sale of homegrown eggs and produce from the residence, subject to the provisions and restrictions in the Home Occupation ordinance	P	P	P	P
	Urban Hens and Rabbits – Up to 6 adult hens and 4 adult rabbits per 1,000 sf of Lot area – No more than 16 animals per Lot, up to 10 rabbits, and up to 1 rooster per 37,500 sf kept at least 50' from any residential zone	PS	PS	PS	PS
	Urban hen/rabbit coop, pen or cage – Up to 8' tall and 200 sf – Allowed only in Rear Yard, at least 20' from Lot line (unless solid perimeter Fence); required effective manure management	P	P	P	P

10-7C-2:
HEIGHT REGULATIONS:

10-7C-3:
DENSITY REGULATIONS:

10-7C-4:
AREA, WIDTH AND YARD REQUIREMENTS:

10-7C-5:
MINIMUM REQUIRED BUILDING SEPARATION:

10-7C-6:
LANDSCAPED AREA AND AMENITY REQUIREMENTS:

A. At a minimum, all developments with five (5) or more units shall provide usable recreation or playground areas in a central location as follows:

1. One thousand (1,000) square feet for the first five (5) units;

2. An additional two hundred (200) square feet for each unit over five (5) units;

3. The average width and length of each usable recreation or playground area shall not be less than twenty feet (20'); and

4. All of the required area shall be usable common space accessible to the entire community.

5. Of the required amenity area, up to 8% of the amenity requirement may be used as an Active Recreation Area.

B. The number of amenities required depends on the size of the development. All amenities shall be approved by the Land Use Authority in accordance with the following:

Units	Amenities
0 – 4	0
5 – 50	1
51 – 100	2
101 – 200	3
201 – 300	4
Add 1 amenity for each 50 additional units or fraction thereof.	

C. The type of amenities required depends on the nature, size, and density of the development. If multiple amenities are required, the type shall vary. All amenities shall be approved by the Land Use Authority in accordance with the following:

1. All required amenities shall be fully constructed, prior to construction of fifty percent (50%) of the total Project units, or in accordance with an executed development agreement with terms acceptable to the city;

2. In addition to amenities, a minimum of thirty percent (30%) of the Lot area shall be maintained in Landscaped Area, and at least fifty percent (50%) of the front Setback area shall be maintained as Landscaped Area.

D. *Table of Amenities:*

Recreation and Enrichment Amenities

Pool – At least 400 square feet
Internal health or fitness facilities
Secured, programmed, children's play areas
In-ground hot tub
Community garden
Perimeter trail

Sport court
Indoor, keyed, bicycle storage for units
Community library, office, or meeting facilities
Exterior social area – At least 400 square feet
Active Recreation Area

E. *Detached or Pad Units*: Multi-family Projects which involve detached housing or pad development shall comply with the Landscape standards in Chapter 23.

~~**10-7C-7:**~~
~~**ACCESS TO MULTIPLE-FAMILY:**~~
~~A multiple-family development with a density of twelve (12) dwelling units per acre or more shall have two (2) separate accesses for ingress and egress via collector or arterial roads, or via a local access road (fifty-foot (50') minimum right-of-way).~~ ~~(Ord. 2019-10-002, 10-10-2019)~~

10-7C-8:
MISCELLANEOUS:

ARTICLE D.MOBILE HOME ZONES
(MH-6, MH-8, MH-10, MH-12, MH-20, MH-40)

[Not Included]

ARTICLE E.RESIDENTIAL CENTRAL CITY ZONE
(RCC, R-1-C)

[Not Included]

ARTICLE F. PLANNED DEVELOPMENT RESIDENTIAL ZONE
(PD-R)

10-7F-1: Allowed Uses
10-7F-2: General Requirements
10-7F-3: Preliminary Plat
10-7F-4: PD-R Planned Residential Development Standards
10-7F-5: Landscaped Area and Amenity Requirements

10-7F-1:
ALLOWED USES:

10-7F-2:
GENERAL REQUIREMENTS:

A. *Application Requirements:* Each application submitted pursuant to this chapter shall include the following:

1. *Documents Required:* All requests shall be accompanied by a colored site development plan, materials, and a written text for the entire property proposed to be developed.

2. *Description of the Proposed Use of Land:* The projected use of land, including percentages of land devoted to various types of land use, such as Building coverage, parking area, Landscaped Area, etc.

3. *Height and Elevations:* The type, character, and proposed height of all Buildings.

4. *Density:* The proposed density in terms of Dwelling units per gross acre of land and proposed Floor Area of nonresidential uses per acre.

5. *Schools, Churches, and Open Spaces:* The location and boundaries of any proposed school site, Church, park or other common or open spaces.

6. *Phasing Plan:* A phasing plan if the development is proposed to be developed in phases.

7. *Topography:* Topography at contour intervals of two feet (2').

8. *Landscape Plan:* A Landscape Plan showing the general location of lawn area and trees (this may be a part of the site or plot plan).

9. *Area Reserved for Landscaping:* The location and amount of land area reserved for Landscaping.

10. *Utilities:* Demonstration that all utilities are underground and transformer equipment is screened from streets and from Adjacent properties.

11. *Refuse Storage Areas:* Refuse storage areas screened so that materials stored within these areas are not visible from access streets, freeways, and Adjacent properties.

12. *Lighting Plan:* A general lighting plan indicating location and luminosity of lights to be installed on the site.

13. *Turning Space:* Safe and convenient turning space for cars, sewer Vehicles, refuse collection Vehicles, firefighting equipment, etc., at the end of private drives and dead-end streets.

14. *Signs:* All signs shall be submitted and approved as part of the PD approval.

B. *Signs and Advertising:* The requirements of the sign ordinance set forth in title 9, chapter 13 of this code apply, unless a variation is specifically approved, and shall not exceed the following:

1. *Freestanding Signs:* Freestanding signs shall be monuments and limited to seventy-five (75) square feet. Monument signs shall be limited to ten feet (10') in height. Only one (1) sign per street frontage is permitted.

2. *Wall Signs:* One (1) wall sign on a multiple-family Project limited to one hundred twenty (120) square feet.

C. *Time Limitation:* For single Lot multi-family Projects, approval of a final site plan, Construction Drawings, and/or b~~B~~uilding permits for construction within Planned Development zones must be approved and obtained within ~~thirty-six (36)~~ one year of the approval of a zone change to Planned Development. For all other multi-family Projects on more than one Lot or Parcel requiring a subdivision of land, the Final Plat must be recorded within one year of the effective date of any zone change. The effective date of any zone change under this title shall be the date of Final Plat approval, recordation and/or final Construction Drawing approval. ~~If thirty-six (36) months elapse without the issuance of building permits for the construction of the approved plans within the planned development zone, the zone shall automatically revert back to the previous zone before the zone change to planned development was approved.~~

D. *Special Water Standards:* The following standards shall apply to all new or remodeled single-family units:

1. Single-family residential Dwelling units shall install hot water recirculation systems unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.

2. Single-family residential Dwelling units shall install WaterSense labeled fixtures, including, but not limited to faucets, showerheads, toilets, and urinals.

3. Single-family residential Dwelling units shall install Energy Star qualified appliances.

4. All individually platted multi-family units which are accessed from the ground floor shall be separately metered, sub-metered, or equipped with alternative technology capable of tracking the water use of the individual unit. The separate metering of all multi-family units is encouraged where possible. If not otherwise billed directly to the resident of each unit, if possible, the monthly usage ~~i~~information shall be made available to the resident of each unit to monitor water usage. All multi-family Projects shall require separate Water Meters for all outdoor (irrigation) water usage, including Landscaping.

10-7F-3:
LANDSCAPE STANDARDS:

All new or remodeled construction or Development Activity shall meet the following standards:

1. The total Lawn area shall not exceed 8% of the total Lot size, regardless of zoning and in no case shall Lawn exceed 1,500 square feet on any given Lot or Parcel.

2. Lawn shall be prohibited in Park Strips, all Landscape areas less than eight feet wide and on any Slope that exceeds 15%. Areas with Slopes greater than 15% shall be Landscape d with deep-rooting, Water-Conserving Plants that do not include grass.

3. Each single-family Dwelling shall have a minimum of two Water-Conserving Trees with a minimum of one-and-one-half inch (1½") Caliper trunk. Each multi-family development shall comply with Chapter 23 of this title as it relates to number of trees and shrubs required on site.

4. The square footage of the surface area of any swimming pool will be included in the allowed amount of Lawn. A twenty-five percent (25%) reduction in the pool surface area square footage may be taken if a cover has been installed and utilized on the pool.

5. Exterior Decorative Water Features are limited to one with a 50 gallon or less capacity and maintained recirculating pump.

10-7F-~~3~~4:
PRELIMINARY PLAT:

10-7F-4~~5~~:
PD-R PLANNED RESIDENTIAL DEVELOPMENT STANDARDS:

10-7F-~~5~~6:
LANDSCAPED AREA AND AMENITY REQUIREMENTS:

ARTICLE G.PLANNED DEVELOPMENT – STUDENT HOUSING ZONE (PD-SH)

10-7G-1: Allowed Uses
10-7G-2: General Requirements
10-7G-3: Preliminary Plat
10-7G-4: PD-SH Student Housing Development Standards

10-7G-1:
ALLOWED USES:

10-7G-2:
GENERAL REQUIREMENTS:

A. *Application Requirements:* Each application submitted pursuant to this chapter shall include the following:

1. *Documents Required:* All requests shall be accompanied by a colored site development plan, materials, and a written text for the entire property proposed to be developed.

2. *Description of the Proposed Use of Land:* The projected use of land, including percentages of land devoted to various types of land use, such as Building coverage, parking area, Landscaped Area, etc.

3. *Height and Elevations:* The type, character, and proposed height of all Buildings.

4. *Density:* The proposed density in terms of Dwelling units per gross acre of land and proposed Floor Area of residential and nonresidential uses per acre.

5. *Common Spaces:* The location and boundaries of any proposed common, open, recreation, or amenity areas.

6. *Phasing Plan:* A phasing plan if the development is proposed to be developed in phases.

7. *Topography:* Topography at contour intervals of two feet (2').

8. *Landscape Plan:* A Landscape plan showing the general location of lawn area and trees (this may be a part of the site or plot plan).

9. *Area Reserved for Landscaping:* The location and amount of land area reserved for Landscaping.

10. *Utilities:* Demonstration that all utilities are underground and transformer equipment is screened from streets and from Adjacent properties.

11. *Refuse Storage Areas:* Refuse storage areas screened so that materials stored within these areas are not visible from access streets, freeways and Adjacent properties.

12. *Lighting Plan:* A general lighting plan indicating location and luminosity of lights to be installed on the site.

13. *Turning Space:* Safe and convenient turning space for cars, sewer Vehicles, refuse collection Vehicles, firefighting equipment, etc.
14. *Signs:* All signs shall be submitted and approved as part of the PD approval.

B. *Signs and Advertising:* The requirements of the sign ordinance set forth in title 9, chapter 13 of this code apply, unless a variation is specifically approved, and shall not exceed the following:

1. *Freestanding Signs:* Freestanding signs shall be monuments and limited to seventy-two (72) square feet. Monument signs shall be limited to ten feet (10') in height. One (1) sign per street frontage.

2. *Wall Signs:* One (1) wall sign on a multiple-family Project limited to one hundred and twenty (120) square feet.

C. *Time Limitation:* ~~Building permits for construction within planned development student housing zones must be obtained within thirty-six (36) months of the approval of a zone change to planned development. If thirty-six (36) months elapse without the issuance of building permits for the construction of the approved plans within the planned development zone, the zone shall automatically revert back to the previous zone before the zone change to planned development was approved.~~ (Ord. 2019-10-002, 10-10-2019) For single Lot Projects, a final site plan, Construction Drawings, and b~~B~~uilding permits for construction within any Planned Development zones ~~must~~ be approved and obtained within ~~thirty-six (36) months~~ one year of the effective date ~~approval~~ of a zone change to Planned Development. For all other student housing Projects the Final Plat must be recorded within one year of approval. The effective date of any zone change under this title shall be the date of Final Plat recordation, building permit issuance, and/or final Construction Drawing approval. In no event shall the effective date of a zone change ordinance extend beyond one (1) year from the date of adoption. ~~If thirty-six (36) months elapse without the issuance of building permits for the construction of the approved plans within the planned development zone, the zone shall automatically revert back to the previous zone before the zone change to planned development was approved.~~

10-7G-3:
PRELIMINARY PLAT:

10-7G-4:
PD-SH STUDENT HOUSING DEVELOPMENT STANDARDS:

A. *Minimum Zone Requirements:* Each planned student housing development zone application shall contain a minimum of one (1) acre within the student pedestrian emphasis area.

B. *Height Regulations:* No residential Dwelling shall be erected to a height less than ten feet (10') and no structure shall be greater than fifty-five feet (55'). The city council, after recommendation from the planning commission, may approve increased Building height up to seventy feet (70') upon making a finding, as part of a zone change approval, that the increase in

height will fit harmoniously into the neighborhood, minimizing any negative impacts, after considering the following:

1. Proposed Setbacks provide an appropriate buffer to neighboring properties;

2. Increased Landscaping enhances the Project and reduces any negative impacts;

3. Site layout and design enhance the Project and reduce any negative impacts;

4. The massing and Building scale is appropriate for the location;

5. The proposed height increase is appropriate for the area; and

6. The increase in height is consistent with any applicable master plan.

C. *Area – Coverage – Density – Yard – Common Area and Landscaping Requirements:* The minimum Lot area, maximum density, maximum Lot coverage, yard and common open space/Landscaping requirements are as follows:

[table not included]

D. *Landscape Area and Amenity Requirements:* At a minimum, all developments shall provide usable amenity areas in a central location:

1. Student housing Projects shall provide usable amenity and recreation areas outside the front Setback, with a total minimum area of one hundred (100) square feet for each unit. Fifty percent (50%) of the required area may be in the form of interior recreation facilities;

2. The average width and length of each usable recreation area shall not be less than twenty feet (20');

3. All of the required area shall be usable common space accessible to the entire community; and

4. The number of amenities required depends on the size of the development, and shall be approved by the Land Use Authority in accordance with the following:

[table not included]

5. The type of amenities required depends on the nature, size, and density of the development. If multiple amenities are required, the type shall vary. All amenities shall be approved by the Land Use Authority in accordance with the following:

a. All required amenities shall be fully constructed in the first phase of the Project, in accordance with an approved PD phasing plan, or in accordance with an executed

development agreement with terms acceptable to the city. In every case, all required amenities shall be fully constructed before fifty percent (50%) of the total Project units are constructed;

b. In addition to the amenity and recreation requirement, a minimum of thirty percent (30%) of the Lot area shall be maintained in open green space or Landscaped Area, and at least fifty percent (50%) of the front Setback area shall be maintained as Landscaped Area;

c. *Table of Amenities:*

Recreation and Enrichment Amenities

Pool – At least 400 square feet
Internal health or fitness facilities
Secured, programmed, children's play areas
In-ground hot tub
Community garden
Perimeter trail
Sport court
Indoor, keyed, bicycle storage for units
Community library, office, or meeting facilities
Exterior social area – At least 400 square feet
Active Recreation Area

E. *Standards:* The standards set forth in chapter 7 of this title shall also apply unless otherwise provided in this section.

F. *Design Standards:* Building façades shall have architectural variations such as:

1. Contrasting Building materials and textures;

2. Variations in rooflines, colors, reveals and belt courses;

3. Recessed windows and doors, strongly expressed window mullions, and awnings;

4. Varying Building Setbacks from property lines and alcoves, outdoor sitting areas, and small public plazas;

5. Corner towers, cupolas, corner clock towers, corner spires, balconies, and colonnades;

6. Buildings located on street corners shall have the front façade wrap around the corner

to the full depth of the Building.

G. *Number of Students – Enforcement:* A minimum of seventy-five percent (75%) of the occupants must be enrolled in Dixie State University as Qualifying Students. The property owner shall enter into an agreement with the city in which the property owner acknowledges its responsibility to ensure and monitor compliance for qualified student occupancy. The property owner is responsible for entering into an agreement with the tenant that allows verification and compliance with this section, including waiving any FERPA restrictions for verification purposes. Monitoring requires the property owner to obtain verifiable information from Dixie State University, with evidence that seventy-five percent (75%) of the property occupants are Qualifying Students. The property owner must provide a semiannual (spring and fall) report to the city indicating the number and percentage of tenants who are Qualifying Students at the university. Reporting must be submitted to the city no later than thirty (30) days after the commencement of the associated reporting semester. In addition to those penalties provided in section 10-1-14, if the property owner fails to meet the minimum student occupant requirement for one (1) semiannual report, quarterly reports will be required. If the property owner fails to meet the minimum student occupant requirement at the next quarterly report, such failure will result in a fifty percent (50%) reduction in unit occupancy effective at the following quarterly report. Thereafter, if the property owner can show four (4) consecutive quarterly reports with evidence that seventy-five percent (75%) of property occupants are Qualifying Students, the fifty percent (50%) reduction in unit occupancy will be lifted, and semiannual reporting will be reinstated. It is the duty of the property owner to market and lease to, and maintain the required percentage of, qualified student occupants.

H. *Commercial:* Commercial uses may be considered during the PD-SH approval on the ground floor, and no minimum or maximum commercial use is required in accordance with section 10-8D-8; it must comply with all other mixed-use standards therein.

ARTICLE H.PLANNED DEVELOPMENT – TRADITIONAL NEIGHBORHOOD ZONE (PD-TNZ)

[Not Included]

CHAPTER 8
ADMINISTRATIVE PROFESSIONAL (AP), COMMERCIAL (C), AND MANUFACTURING ZONES (M), AND PLANNED DEVELOPMENT ZONES (PD-AP, PD-C, PD-M AND PD-MU)

10-8-1: Yards Unobstructed – Exceptions
10-8-2: Curb, Gutter and Sidewalk – When Required
10-8-3: Utility Requirements
10-8-4: Temporary Buildings
10-8-5: Temporary Outdoor Events
10-8-6: Pedestrian Circulation Plan
10-8-7: Conflict
10-8-8: Related Provisions
8A Administrative Professional Zone
  10-8A-1: Allowed Uses
  10-8A-2: Height Regulations
  10-8A-3: Area, Width and Yard Requirements
  10-8A-4: Site Development Standards
  10-8A-5: Special Provisions
8B Commercial Zones
  10-8B-1: Allowed Uses
  10-8B-2: Area, Setback and Height Requirements
  10-8B-3: Special Provisions
8C Manufacturing Zones
  10-8C-1: Allowed Uses
  10-8C-2: Site Development Standards
  10-8C-3: Special Provisions
8D Planned Development Zones
  10-8D-1: Allowed Uses
  10-8D-2: General Requirements
  10-8D-3: Preliminary Plat
  10-8D-4: Conflict
  10-8D-5: PD-AP – Planned Development – Administrative Professional Standards
  10-8D-6: PD-C – Planned Development – Commercial Standards
  10-8D-7: PD-M – Planned Development – Manufacturing Standards
  10-8D-8: PD-MU – Planned Development – Mixed-Use Standards

10-8-1:
YARDS UNOBSTRUCTED – EXCEPTIONS:

10-8-2:
CURB, GUTTER AND SIDEWALK – WHEN REQUIRED:

10-8-3:
UTILITY REQUIREMENTS:
In all areas of the city, connection shall be made to public culinary and Secondary Irrigation Water, electrical and sewer facilities, ~~unless waived by the city engineer or designee upon a demonstration of an equivalent alternative acceptable to the city~~. All utilities shall be located underground, unless specifically approved by the city engineer or designee. All construction shall comply with ~~state building codes~~ State and Local Construction Code and all city standards.

10-8-4:
TEMPORARY BUILDINGS:

10-8-5:
TEMPORARY OUTDOOR EVENTS:

10-8-6:
PEDESTRIAN CIRCULATION PLAN:

10-8-7:
CONFLICT:
10-8-8:
RELATED PROVISIONS:

ARTICLE (8)A.ADMINISTRATIVE PROFESSIONAL ZONE AP

ARTICLE (8)B.COMMERCIAL ZONES C-1 (Neighborhood Commercial),C-2 (Highway Commercial),C-3 (General Commercial),C-4 (Central Business District Commercial)

10-8B-1: Allowed Uses
10-8B-2: Area, Setback and Height Requirements
10-8B-3: Special Provisions

10-8B-1:

ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted is prohibited. Only the following uses are allowed:

A. Uses indicated by the letter "P" below are permitted in the designated zone.

B. Uses indicated by the letters "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in chapter 17 of this title.

C. Uses indicated by the letter "C" are conditional uses in the designated zone.

Allowed Uses

	C-1	C-2	C-3	C-4
Alcohol establishments, including the following:				
Bar establishment		C	C	C
Off-premise beer retailer		P	P	P
Microbrewery or micro-winery (with restaurant or bar establishment)		P	P	P
Nightclub, dance hall (with alcohol)		C	C	C
Ambulance service		P	P	
Amusement Centers (with no water activity)				
Indoor		P	P	
Outdoor		C	C	
Animal services, including the following:				
Animal boarding/care for Small Animals only and boarded for less than 30 days a year; provided, conducted completely within enclosed Building		P	P	P
Animal hospital and veterinarian clinic, including overnight care of large animals (no boarding)		PS	PS	
Automobile and Vehicle services, limited to the following uses:				
Automobiles and other similar Vehicle sales Lots		PS	PS	
Automobile parts sales (new parts only); provided, conducted within completely enclosed Building		P	P	P
Automobile rental (Vehicles up to 26' in length)		P	P	
Automobile repair, storage, including paint, body and fender, brake, muffler, upholstery or transmission work; provided, conducted within completely enclosed Building (GVW 14,000 lbs or less)		P	P	P
Tire sales and service; provided, conducted within completely enclosed Building		P	P	P

Financial, medical and professional services	P	P	P	P
Food service establishments, including the following and similar uses:				
Catering establishment		P	P	P
Restaurant	P	P	P	P
Lodging, temporary, limited to the following uses:				
Bed and Breakfast		P	P	P
Hotel/motel		P	P	P
RV parks, long and short term		PS		
Timeshare units		P	P	P
Hospitals			P	P
Counseling center, mental health, alcohol, drugs (nonresidential, less than 24 hours)		P	P	P
Mental health treatment center, with overnight stay		C	C	C
Nursing Home		P	P	
Office	P	P	P	P
Religious Facility	P	P	P	P
Residential, limited to the following use:				
Living quarters for manager or security personnel for business which requires 24-hour assistance or security – Up to 600 sf with occupancy limited to 4 people		PS	PS	PS
Large Floor Area Building or site (20,000 sf or more ground floor aggregate)		C	C	C
Retail shops:				
Antique store		P	P	P
Athletic and sporting goods store		P	P	P
Department store		P	P	P
Drive-through sales (pharmacy, dairy products, etc.)		P	P	P
Furniture and large appliances sales (used)		P	P	
Furniture sales (new) and repair		P	P	P
Household appliance sales and service		P	P	P
Office supply, office machines sales and service		P	P	P
Paint or wallpaper store		P	P	P
Pawnshop		P	P	
Seed and feed store, retail		P	P	
Supermarket/grocery store		P	P	P
Thrift shop/secondhand store/consignment store (no outside storage and no drop-off of items during the hours the business is closed)		P	P	P

Vegetable stand		P	P	P
Payday lending/title loans		P	P	
Retail sale of goods with some operations outdoors, limited to the following uses:				
Building materials sales			P	
Convenience markets with gas pumps/gas station		P	P	
Convenience markets with gas pumps located in the rear of the Building				P
Farm implement sales (outdoor display)		P	P	
Fence, sales and service		P	P	
Garden supplies and plant material sales		P	P	
Greenhouse and nursery; soil and lawn service			P	
Landscape rock sales, ancillary to a permitted use			P	
Service businesses, limited to the following uses:				
Body Piercing, ancillary to a permitted use		P	P	P
Carpet and rug cleaning		P	P	P
Child Care center	P	P	P	P
Communication transmission facilities, including wireless, primary		PS	PS	PS
Communication transmission facilities, including wireless, primary, height over 50'	C	C	C	C
Construction trade services, plumbing shop, electrical shop, etc.			P	
Crematorium, independent human		P	P	
Educational institutions, schools, college, learning centers, trade schools (no residential or 24-hour facilities)		P	P	P
Gunsmith		P	P	P
Janitor service and supply		P	P	P
Locksmith		P	P	P
Mortuary		P	P	P
Permanent Cosmetics, a secondary use to an establishment employing cosmetologist(s)/barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under 58-11a-101 et seq., Utah Code Annotated, 1953, as amended, excluding tattoo establishments and Home Occupations	P	P	P	P
Personal Care Service	P	P	P	P
Personal Instruction Service	P	P	P	P
Pest control and extermination		P	P	P
Pet grooming		P	P	P
Printing, lithographing, publishing or reproduction sales and service			P	P
Psychic, tarot card reader, fortune teller, occult art practitioners, hypnotist		P	P	P

RV storage		PS	PS	
Sign sales		P	P	P
Storage Rental Units		PS	PS	
Tattoo establishment		P	P	P
Taxidermist		PS	PS	
Transportation, limited to the following uses:				
Bus terminal		P	P	P
Taxi/shuttle		P	P	P
Government, public services and facilities, limited to the following uses:				
City, all facilities	P	P	P	P
Public utility facilities, primary		PS	PS	PS

10-8B-2:
AREA, SETBACK AND HEIGHT REQUIREMENTS:

10-8B-3:
SPECIAL PROVISIONS:

ARTICLE (8)C. MANUFACTURING ZONES
(M-1, M-2, M-C)
[Not Included]

ARTICLE (8)D.PLANNED DEVELOPMENT ZONES
(PD-AP, PD-C, PD-M AND PD-MU)

10-8D-1: **Allowed Uses**
10-8D-2: **General Requirements**
10-8D-3: **Preliminary Plat**
10-8D-4: **Conflict**
10-8D-5: **PD-AP – Planned Development – Administrative Professional Standards**
10-8D-6: **PD-C – Planned Development – Commercial Standards**
10-8D-7: **PD-M – Planned Development – Manufacturing Standards**
10-8D-8: **PD-MU – Planned Development – Mixed-Use Standards**

10-8D-1:
ALLOWED USES:

10-8D-2:
GENERAL REQUIREMENTS:

Planned Development AP, C and M shall comply with subsection A of this section, at the time of the initial zone-change application. Planned Development MU shall comply with subsections A and B of this section concurrently at the time of its first submittal of an application.

A. *Planned Development Initial Zone-Change Application Requirements:* Each zone-change application submitted pursuant to this subsection shall ~~An applicant may request the planning commission and city council to consider an initial planned development zone-change application under this subsection which is not accompanied by the secondary application requirements in subsection B of this section, with a development agreement under terms acceptable to the city. Each zone-change application submitted pursuant to subsection A of this section shall~~ include the following:

1. A detailed narrative of the proposed development of the entire property.

2. A detailed list of proposed land uses and proposed densities.

3. A preliminary site plan showing the location of the roads, development areas, open spaces, and phasing plan (if any).

B. *Planned Development Secondary Zone-Change Application Requirements:* Each zone-change application submitted pursuant to this subsection shall include the following:

1. *Initial Documents Required:* All requests shall be accompanied by a colored site development plan, materials, and a written text for the entire property proposed to be developed.

2. *Description of the Proposed Use of Land:* The projected use of land, including percentages of land devoted to various types of land use, such as Building coverage, parking area, Landscaped Area, etc.

3. *Height and Elevations:* The type, character, and proposed height of all Buildings.

4. *Density:* The proposed density in terms of Dwelling units per gross acre of land and proposed Floor Area of nonresidential uses per acre.

5. *Schools, Churches, and Open Spaces:* The location and boundaries of any proposed school site, Church, park or other common or open spaces.

6. *Phasing Plan:* A phasing plan if the development is proposed to be developed in phases.

7. *Topography:* Topography at contour intervals of two feet (2').

8. *Landscape Plan:* A Landscape plan showing the general location of lawn area and trees (this may be a part of the site or plot plan).

9. *Area Reserved for Landscaping:* The location and amount of land area reserved for Landscaping.

10. *Utilities:* Demonstration that all utilities are underground and transformer equipment is screened from streets and from Adjacent properties.

11. *Refuse Storage Areas:* Refuse storage areas screened so that materials stored within these areas are not visible from access streets, freeways and Adjacent properties.

12. *Lighting Plan:* A general lighting plan indicating location and luminosity of lights to be installed on the site, to be more than the lighting ordinance set forth in this title allows.

13. *Turning Space:* Safe and convenient turning space for cars, sewer Vehicles, refuse collection Vehicles, firefighting equipment, etc., at the end of private drives and dead-end streets.

14. *Signs:* All signs shall be submitted and approved as part of the PD approval.

C. *Signs and Advertising:* The requirements of the sign ordinance set forth in title 9, chapter 13 of this code apply, unless a variation is specifically approved, and shall not exceed the following:

1. *Freestanding Signs:* Freestanding signs shall be limited to the standards set forth in section 9-13-4B for major commercial Projects within one thousand five hundred feet (1,500') of a freeway exit.

2. *Monument Signs:* Limited to one (1) monument per Building.

D. Lighting shall comply with the lighting ordinance set forth in this title. Variations may be approved if located along the I-15 freeway and not Adjacent to a residential zone. A variation may be considered for properties Adjacent to a residential zone if, in the opinion of the city council, additional lighting is needed for security, and any impacts to residential are mitigated.

E. Any zone change shall be approved by the adoption of an ordinance by the city council, which ordinance shall not be effective until the recording of a Final Plat, approval of a final site plan or Construction Drawings, or issuance of a building permit. In no event shall the effective date of any zone change ordinance extend beyond one (1) year of the date of adoption.

10-8D-3:
PRELIMINARY PLAT:
For all Planned Development Projects that are proposed to be subdivided, applicant ~~may~~ shall prepare and submit a Preliminary Plat at the same time as the zone-change application for the Planned Development. In order to be considered for concurrent review, the application must contain all Preliminary Plat requirements set forth in chapter 25 of this title, as amended.

10-8D-4:
CONFLICT:

10-8D-5:
PD-AP – PLANNED DEVELOPMENT – ADMINISTRATIVE PROFESSIONAL STANDARDS:

10-8D-6:
PD-C – PLANNED DEVELOPMENT – COMMERCIAL STANDARDS:

10-8D-7:
PD-M – PLANNED DEVELOPMENT – MANUFACTURING STANDARDS:

10-8D-8:
PD-MU – PLANNED DEVELOPMENT – MIXED-USE STANDARDS:

CHAPTER 9 RESERVED

CHAPTER 10
AIRPORT VICINITY ZONES
(ASBP, AVI, C-RM)
[Not Included]

CHAPTER 11
OPEN SPACE
(OS)

10-11-1: Allowed Uses
10-11-2: Height Regulations
10-11-3: Area, Width and Yard Requirements
10-11-4: Related Provisions

10-11-1:
ALLOWED USES:
Any use not specifically permitted, permitted with standards, or conditionally permitted is prohibited. Only the following uses are allowed:

A. Uses indicated by the letter "P" below are permitted in the designated zone.

B. Uses indicated by the letters "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in chapter 17 of this title.

C. Uses indicated by the letter "C" are conditional uses in the designated zone.

Allowed Uses

	OS
Agriculture	P
Barns and corrals for Agriculture and Livestock – At least 100' from any Dwelling	P
Cemetery	P
Urban Hens and Rabbits – Up to 20 animals per acre (min 1 acre Parcel); provided, the coop or pen is at least 100' from any Dwelling and up to 1 rooster per acre is kept at least 50' from any residential zone	P
City Facility	P
Communication transmission facilities, including wireless, primary	PS
Communication transmission facilities, including wireless, primary, height over 50'	C
Hogs to be raised by resident for purposes of meeting requirements of a youth club – Maximum of 2 hogs per 37,500 sf for a maximum of 6 months	PS
Hog pen/shelter – Up to 8' tall and 100 sf – Allowed only in Rear Yard at least 100' from any Dwelling; required effective manure management	PS
Livestock grazing limited to 4 weaned animals per acre or 8 weaned animals per acre for no more than 30 days per year	P
Active Recreation Area	P

10-11-2:
HEIGHT REGULATIONS:

10-11-3:
AREA, WIDTH AND YARD REQUIREMENTS:

10-11-4:
RELATED PROVISIONS:

CHAPTER 12 RESERVED

CHAPTER 13
OVERLAY ZONES
[Not Included]

CHAPTER 14
OUTDOOR LIGHTING
[Not Included]

CHAPTER 15 RESERVED
[Not Included]

CHAPTER 16
NONCONFORMING USES AND NONCOMPLYING STRUCTURES
[Not Included]

CHAPTER 17
PERMITTED WITH STANDARDS AND CONDITIONAL USES

17A Permitted with Standards – General Provisions
- **10-17A-1: Application Requirements**
- **10-17A-2: General Standards**
- **10-17A-3: Accessory Dwelling Unit – Specific Standards**
- **10-17A-4: Apiaries/Beekeeping – Specific Standards**
- **10-17A-5: Automobiles and Other Similar Vehicle Sales Lots – Specific Standards**
- **10-17A-6: Communication Transmission Facilities, Including Wireless, Primary – Specific Standards**
- **10-17A-7: Guesthouse – Specific Standards**
- **10-17A-8: Indoor Shooting Range – Specific Standards**
- **10-17A-9: Public Utility Facilities – Specific Standards**
- **10-17A-10: Residential Treatment Facility – Specific Standards**
- **10-17A-11: RV Parks, Long and Short Term**
- **10-17A-12: RV Storage – Specific Standards**
- **10-17A-13: Short-Term Residential Rental – Specific Standards**
- **10-17A-14: Storage Rental Units – Specific Standards**
- **10-17A-15: Car Wash – Specific Standards**

17B Conditional Use Permit Review
- **10-17B-1: Application Requirements**
- **10-17B-2: Land Use Authority**
- **10-17B-3: Review Criteria**
- **10-17B-4: Conditional Use Permit Standards**
- **10-17B-5: Modification of Conditional Use Permit**
- **10-17B-6: Expansion and Growth of Conditional Use**
- **10-17B-7: Revocation of Conditional Use Permit**
- **10-17B-8: Expiration**
- **10-17B-9: Requirements for Specific Conditional Use Permits**

ARTICLE A.PERMITTED WITH STANDARDS – GENERAL PROVISIONS

- **10-17A-1: Application Requirements**
- **10-17A-2: General Standards**
- **10-17A-3: Accessory Dwelling Unit – Specific Standards**
- **10-17A-4: Apiaries/Beekeeping – Specific Standards**
- **10-17A-5: Automobiles and Other Similar Vehicle Sales Lots – Specific Standards**
- **10-17A-6: Communication Transmission Facilities, Including Wireless, Primary – Specific Standards**
- **10-17A-7: Guesthouse – Specific Standards**
- **10-17A-8: Indoor Shooting Range – Specific Standards**
- **10-17A-9: Public Utility Facilities – Specific Standards**
- **10-17A-10: Residential Treatment Facility – Specific Standards**
- **10-17A-11: RV Parks, Long and Short Term**

10-17A-12: RV Storage – Specific Standards
10-17A-13: Short-Term Residential Rental – Specific Standards
10-17A-14: Storage Rental Units – Specific Standards
10-17A-15: Car Wash – Specific Standards

10-17A-1:
APPLICATION REQUIREMENTS:

10-17A-2:
GENERAL STANDARDS:

10-17A-3:
ACCESSORY DWELLING UNIT – SPECIFIC STANDARDS:

10-17A-4:
APIARIES/BEEKEEPING – SPECIFIC STANDARDS:

10-17A-5:
AUTOMOBILES AND OTHER SIMILAR VEHICLE SALES LOTS – SPECIFIC STANDARDS:

10-17A-6:
COMMUNICATION TRANSMISSION FACILITIES, INCLUDING WIRELESS, PRIMARY – SPECIFIC STANDARDS:

10-17A-7:
GUESTHOUSE – SPECIFIC STANDARDS:

10-17A-8:
INDOOR SHOOTING RANGE – SPECIFIC STANDARDS:

10-17A-9:
PUBLIC UTILITY FACILITIES – SPECIFIC STANDARDS:

10-17A-10:
RESIDENTIAL TREATMENT FACILITY – SPECIFIC STANDARDS:
Residential treatment facilities shall meet the following additional standards:

A. The facility is licensed by the Utah Department of Human Services.

B. The facility operator must provide prior written notice to the police department of each convicted felon to be treated in such facility.

C. Provide at least thirty percent (30%) of the area as open ~~green~~ space or playground and one (1) Parking Space per staff member on the highest shift plus one (1) Parking Space for each five (5) persons housed in the facility. (Ord. 2019-10-002, 10-10-2019)

10-17A-11:
RV PARKS, LONG AND SHORT TERM:

10-17A-12:
RV STORAGE – SPECIFIC STANDARDS:

10-17A-13:
SHORT-TERM RESIDENTIAL RENTAL – SPECIFIC STANDARDS:

10-17A-14:
STORAGE RENTAL UNITS – SPECIFIC STANDARDS:

10-17A-15:
CAR WASH – SPECIFIC STANDARDS:

In order to preserve the limited water resources within the City of St. George, Car washes shall meet the following additional standards:

A. In addition to the applicable Landscaping requirements of chapter 23 of this title, Landscaping for all car washes shall double the number of plantings required in areas Adjacent to the stacking and drive-through areas.

B. Car washes~~, full or self-service,~~ shall use façade materials that produce texture. Such materials include, but are not limited to, split-face block, brick, or stucco and shall utilize more than one such material. All colors shall be muted. Bright or reflective colors shall not be allowed except as an accent, up to ten percent (10%) of each façade. No long, continuous rooflines without a horizontal break shall be permitted.

C. Sides of car wash bays or tunnels facing a residential use or neighborhood zoning district shall be completely enclosed by a wall. Solid windows that do not open, glass block, or other closed material may be used for the wall.

D. Vacuum stations and related equipment shall comply with the Setbacks for the principal structure.

E. Vacuum stations and related equipment are prohibited along any side of a Building facing a residential use or residential zoning district.

~~F. Recycling of water used for vehicle washing is required to be installed and used in perpetuity. The use of recycling water systems and the disposal of water fluids and solids shall comply with applicable state and federal laws, guidelines and/or standards.~~

F. Recycling of all water used in a car wash is encouraged to reduce the amount of fresh culinary water used. All car washes must be plumbed at the time of construction, to provide for water recycling systems for both wash water and reverse osmosis rinse water systems whether installed or not.

G. The site shall provide space sufficient to allow a minimum of five Vehicles to stack while waiting to access the car wash prior to reaching the payment area. All stacking shall be maintained on site and shall not back onto any public right-of-way.

H. *Water Limitations*:

1. All car washes must install systems and equipment sufficient to limit the amount of fresh culinary water used on a per Vehicle basis. From July 1, 2022 until June 30, 2027, no car wash shall be permitted unless it can demonstrate that the system shall not use more than 35 gallons of culinary water per car. Effective July 1, 2027, no car wash shall be permitted unless it can demonstrate that the system shall not use more than 25 gallons of culinary water per car.

2. Systems which recycle water used for Vehicle washing and recycle reverse osmosis reject water are required to be installed and used in perpetuity.

3. The use of Secondary Irrigation Water in the wash cycle may be permitted in lieu of some recycling requirements if approved by the St. George City water department. The use of recycling water systems and the disposal of water fluids and solids shall comply with applicable state and federal laws, guidelines, and standards. Larger storage tanks may be permitted on site in order to capture and reuse water.

ARTICLE B.CONDITIONAL USE PERMIT REVIEW

[Not Included]

CHAPTER 18
WALLS, FENCES AND HEDGES

[Not Included]

CHAPTER 19
OFF-STREET PARKING REQUIREMENTS

[Not Included]

CHAPTER 20
MOTOR VEHICLE ACCESS AND LOADING

[Not Included]

CHAPTERS 21 AND 22 RESERVED

CHAPTER 23
LANDSCAPE STANDARDS

10-23-1: Minimum Landscaping Standards
10-23-2: Additional Requirements for Nonresidential Developments
10-23-3: Landscaping Completion and Maintenance Requirements for Single-Family Residential Zones, Residential Estate Zones, and Single-Family Residences

10-23-1:
MINIMUM LANDSCAPING STANDARDS:

Minimum landscaping standards are required for development within all zones except Agriculture, gravel and grazing, open space, and single-family residential, as follows:

A. *Application:* The requirements of this section apply to all new development and to the remodeling of existing development where there is an increase in the Building's footprint.

B. *Design:*

1. All Landscape and Irrigation Designers ~~and installers~~ shall have all required state and local licenses, insurance, ~~bonding requirements,~~ and be able to show proof of such.

2. Landscape Plans shall make provisions for Erosion Control on all graded sites. Areas with soil Slopes greater than 15% shall have Erosion Control measures and may be Landscape d with deep-rooting, Water-Conserving Plants that do not include Lawn. ~~Areas with slopes greater than 15% shall be landscaped with deep-rooting, water-conserving plants (not turfgrass) to prevent erosion. No turf shall be planted on slopes greater than thirty percent (30%). Turf should be reserved for areas where it is functional, including high traffic play areas, or areas needing erosion mitigation. Choose turf species with lower water requirements. Choose turf configurations for irrigation efficiency.~~

3. A Landscape Document Package ~~landscape and irrigation plan~~ prepared by a Utah-licensed ~~landscape contractor or~~ Landscape Architect shall be submitted to the city for review at the same time as the drawings and plans are submitted for development of the site. The Landscape document package must be approved prior to the issuance of any building permit. A copy of the approved Landscape Document Package shall be provided to the property owner or site manager. *See* Landscape Document Package submission checklist for what is to be included in the package. This checklist is to be submitted with the Landscape Document Package.

4. Water-Conserving Plants that are well adapted to the St. George-area climate zone or identified by the District shall be used.

5. Plants with similar water needs shall be grouped together in "Hydrozones." Sprinklers ~~Spray heads~~ and Drip Emitters shall not be connected to the same irrigation Valve.

6. ~~Drought-tolerant~~ Water-Conserving Plants with low fuel volume or high moisture content that will blend with the native vegetation shall be used for Projects located at the interface between urban or developed areas and natural (non-irrigated) open space.

7. Open ~~S~~stormwater detention and retention basins shall be Landscaped however, such Landscaping shall not include Lawn unless used as part of an Active Recreation Area.

8. Landscape Plans for Projects proposed for development in multiple phases shall clearly specify the Landscape improvements required in conjunction with each phase.

9. At least fifty percent (50%) of the required Landscaped Area shall be covered with a combination of foliage of shrubs, permitted Lawn and live-vegetative Ground Cover within five (5) years of planting. Water-Conserving Trees and the tree canopy shall not be counted in this fifty percent (50%) requirement. Lawn is limited to 8% of the Landscape d area. In addition to the shrubs, grass, and Ground Cover, one (1) Water-Conserving Tree with a minimum one-and-one-half-inch (1½") Caliper trunk shall be planted for every four thousand (4,000) square feet of Landscape d area with a minimum of one (1) Water-Conserving Tree per property. The trees may be arranged by the Landscape Architect as best fits the plan either in rows or clusters. Water-Conserving Tree species suitable for desert Landscapes are ~~acceptable~~ required to meet this requirement.

10. A plan for ongoing maintenance of right-of-way areas shall be included when Landscape and Irrigation Plans are submitted.

11. Ten percent (10%) of a proposed Project's required landscaping may be located on a rooftop or rooftops

12. Lawn is not permitted outside of an Active Recreation Area. In addition, Lawn is prohibited in Park Strips and all Landscape Areas less than eight feet wide. No Lawn shall be planted on Slopes greater than fifteen percent (15%). Lawn should be reserved for areas where it is functional, including Active Recreation Areas. Choose Lawn species with lower water requirements. Choose Lawn configurations for irrigation efficiency.

13. Park Strips and other Landscaped areas less than eight (8) feet wide shall be Landscaped with Water-Conserving Plants and/or Mulch.

14. All individually platted multi-family or commercial units shall be separately metered, sub-metered or equipped with alternative technology capable of tracking the water use of the individual unit. The information shall be made available to the resident of each unit. Individually platted condominium units are excepted if a property owners' association owns and maintains the water lines and Meters. All multi-family Projects require separate Water Meters for all outdoor water usage, including Landscaping.

15. Outside misting systems shall only operate during the May through September time period where the daily high temperature is 90 degrees Fahrenheit or greater.

16. If Secondary Irrigation Water is available, each Project shall connect to the system for all outdoor water use. A city may make minor exceptions, allowing use of treated water for outdoor plantings in small beautification areas, in its sole discretion.

C. *Installation:*

1. All Landscape and Irrigation Installers shall have all required state and local licenses, insurance, bonding requirements, and be able to show proof of such upon request.

~~1~~2. Landscaping and irrigation installation shall be completed as outlined in section 10-1-12.

~~2~~3. Landscape and Irrigation Installers shall follow the plans found in the Project's Landscape Documentation Package that have been signed and approved by the city.

~~3~~4. Landscaping shall follow the city of St. George access management policy to properly define the safe-sight distances for intersections or driveways and follow height limitations and zoning requirements.

~~4~~5. The city may inspect landscaping improvements and require corrective measures regarding the installation of site landscaping and irrigation-system improvements found not to comply with the approved Landscape Plan.

~~5~~6. Soil preparation shall be provided to assure healthy growing conditions for the plants.

~~6~~7. The Landscape contractor or Irrigation Contractor shall provide the city with a letter certifying that all improvements have been installed in accordance with the approved Landscape Documentation Package ~~plan~~ and specifications prior to issuance of a certificate of occupancy.

~~7~~8. All Irrigation Installers shall be supervised by an Irrigation Contractor.

D. *Irrigation:*

1. Landscape Areas shall be provided with a permanent, fixed automatic irrigation system installed by a licensed Landscape contractor.

2. The distribution uniformity shall be sixty percent (60%) for all fixed-spray systems and seventy percent (70%) for all Rotor systems.

3. Decorative Water Features ~~such as pools, ponds and waterfalls~~ used in Landscaped Areas shall have a water recirculation system and not have a capacity of more than 50 gallons of water.

4. A Water Performance Audit shall be conducted by a Certified Water Auditor within thirty (30) days following the installation of the irrigation system. A minimum of ten percent (10%) of the irrigation zones shall be audited at the discretion of the auditor.

5. A backflow-prevention assembly shall be properly installed and tested to meet city requirements and meet all state and local health safety laws and ordinances.

6. A Pressure Regulating Valve shall be installed by the builder or developer, and maintained by the owner, if the static service pressure exceeds 90 pounds per square inch (psi). The pressure-regulating Valve shall be located between the Water Meter and the first point of water use, or first point of division in the pipe, and shall be set at the manufacturer's recommended pressure for the irrigation system.

7. It is required that Landscaped Areas use a WaterSense labeled smart irrigation Controller, which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All Controllers shall be equipped with automatic rain delay or rain shut-off capabilities and have memory retention capability to retain pre-programmed irrigation schedules. Sites are not exempt from water waste prohibitions.

8. Each Control Valve shall irrigate a Landscape area, or Hydrozone, with a similar site, Slope and soil conditions, and plant materials with similar watering needs. Lawn, Water-Conserving Trees and plants in non-Lawn~~grass~~ areas shall be irrigated on separate Valves. Drip Emitters and sprinklers shall be placed on separate Valves.

9. Low-volume irrigation equipment (i.e., Drip Emitters, bubblers) shall be provided for each tree with the appropriate distribution for healthy tree growth.

10. Drip Irrigation shall be used to irrigate plants in non-grass areas. Spray head to drip conversion for rehabilitated Landscape sites may be acceptable with city approval of the Landscape Documentation Package.

11. High conservation efficiency spray Nozzles are required for sprinkler applications.

12. Sprinkler heads shall have Matched Precipitation Rates with each Control Valve circuit.

13. Sprinkler heads shall be attached to rigid lateral lines with flexible material (Swing Joints) to reduce potential for breakage.

14. Check Valves are required. Pressure Compensating Valves and sprinklers are required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.

15. Filters and end-flush Valves shall be provided for Drip Irrigation lines.

16. Landscape watering with potable (treated) water is prohibited from 10 a.m. to 8 p.m., from June 1 to September 1 , to maximize irrigation efficiency.

17. Water waste is prohibited. Water waste includes overwatering, irrigating during a precipitation event, water that sprays or flows off the originating property, failure to comply with drought restrictions, and/or a failure to repair irrigation system leaks and/or malfunctions in a timely manner. The city shall notify any person or entity believed to be

wasting water pursuant to the provisions of title 8, chapter 1 of this code (which is incorporated by reference herein).

A. Water waste shall include overwatering outside of the following schedule:

- Winter (Nov – Feb) – sprinkler and Drip Irrigation up to 1 day a week. irrigation is typically not needed in December and January
- Spring (Mar – April) – sprinkler irrigation up to 2 days a week and Drip Irrigation up to 2 days a week
- Summer (May – Aug) – sprinkler irrigation up to 3 days a week and Drip Irrigation up to 3 days a week
- Fall (Sept – Oct) – sprinkler irrigation up to 3 days a week and Drip Irrigation up to 2 days a week

B. Irrigation systems shall be programed for multiple repeat cycles to reduce runoff on Slopes and for soils with slow infiltration rates.

E. *Trees:*

1. All Street Trees shall be planted and maintained in accordance with title 7, chapter 4 of this code.

2. All healthy trees within ten feet (10') of the right-of-way having a trunk Caliper of at least four inches (4") at one foot (1') above the ground shall be preserved during construction unless removal is approved by the shade tree board.

3. Preserved trees shall be credited toward the satisfaction of the tree planting requirements.

4. Trees to be preserved shall be protected and watered during construction with the following:

a. A tree-protection barrier (Fence) shall be installed before any demolition, grading or construction begins, and shall not be removed until final completion of the Project.

b. The tree-protection barrier shall be erected around the tree with a radius of no less than seven feet (7') unless otherwise directed or approved by the Land Use Authority.

c. The tree-protection barrier shall be constructed of any material substantial enough to protect the roots, trunk, and the crown of the tree, such as:

(1) Three-foot (3') high orange safety fencing on metal posts.

(2) Three-foot (3') high silt fencing staked with flagging.

5. Trees or shrubs that are planted under or near power lines shall not grow above twenty-five feet (25') in height at maturity. Tree trunks and branches shall not encroach within ten

feet (10') of power lines when fully grown as required by applicable state and federal regulations.

6. Trees shall not be planted within three feet (3') horizontal distance of electric or gas lines.

7. The city may remove any tree that is interfering with power lines.

8. Trees in~~on~~ the approved Landscape Documentation Package shall not be removed without permission from the city.

9. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. Water-Conserving Trees shall be suited for water-efficient Landscapes. Trees shall be selected and planted in accordance with the following city guidance:

a. Broad canopy trees shall be selected where shade or screening of tall objects is desired;
b. Select trees from which lower branches can be trimmed to maintain a healthy growth habit where visual clearance and natural surveillance is a concern;
c. Narrow or columnar trees shall be selected for small spaces, or where awnings or other Building features limit growth, or where greater visibility is desired between Buildings and the street for natural surveillance;
d. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees, Retaining Walls, foundations, flatwork, above and below ground utilities, lighting, and other obstructions;
e. One (1) tree with a minimum one-and-one-half-inch (1-1/2") Caliper trunk shall be planted for every four thousand (4,000) square feet of Landscape d area;
f. Where applicable, must meet title 7, chapter 4 of this code which is incorporated by reference herein; and
g. Trees shall be irrigated on a separate Hydrozone from all other plant materials to allow for wearing of tress under drought conditions when watering restrictions for other plant material may be in effect.

F. *Maintenance:*

1. Landscaping of detention/retention basins shall be maintained by the property owner. If the detention/retention basin is in a Common Area, then an owners' association (OA) shall own and maintain the detention/retention basin. If an owners' association is dissolved, maintenance becomes the joint and several responsibility of the individual property owners.

2. An owners' association shall own and maintain all Common Areas including Park Strips between the street and any privacy walls. If an owners' association is dissolved, maintenance becomes the joint and several responsibility of the individual property owners.

3. It shall be unlawful for any person owning real property within the city to:

a. Fail to provide landscaping and irrigation in all areas where it is required to exist. This shall apply to all real property throughout the city regardless of the age of the development, zone or status.

b. Fail to install, maintain, replace or repair Landscaping and irrigation systems in all areas where it is required to exist or does exist.

c. Modify an approved Landscape and Irrigation Plan, Landscape Document Package, or approved site plan without permission from the city. "Modifying the plan" means changing the type of large plant greater than six feet (6') tall at maturity; or decreasing the plant quantities or the size of the Landscape area. Minor adjustments required to suit field conditions are permitted. Replacing a plant with the same type of plant is considered maintenance, not modification.

10-23-2:
ADDITIONAL REQUIREMENTS FOR NONRESIDENTIAL DEVELOPMENTS:

10-23-3:
LANDSCAPING COMPLETION AND MAINTENANCE REQUIREMENTS FOR SINGLE-FAMILY RESIDENTIAL ZONES, RESIDENTIAL ESTATE ZONES, AND SINGLE-FAMILY RESIDENCES:

A. *Applicability:* The requirements of this section ~~to complete the front yard and street-side yard and install landscaping~~ shall apply to all new development, and to the remodeling of existing Dwelling units when a Dwelling unit's footprint increases for single-family residential zones, residential estate zones, and all other single-family residences. Completion and maintenance of landscaping shall apply to all residential properties.

B. *Landscaping Requirements:*

1. A minimum of thirty percent (30%) of the overall Front Yard area shall be Landscaped. At least one-half (½) of the Landscape d area shall contain live vegetation.

2. Total Lawn area on a residential Lot shall not exceed 8% of the total gross Lot size and in no case shall cumulative Lawn areas exceed 1,500 square feet. The square footage of the surface area of any swimming pool will be included in the allowed amount of Lawn. A twenty-five percent (25%) reduction in the pool surface area square footage may be taken if a cover has been installed and utilized on the pool.

3. Lawn shall be prohibited in Park Strips, all Landscape areas less than eight feet wide, and on any Slope that exceeds 15%.

4. Each single-family Dwelling shall have a minimum of two Water-Conserving Trees with a minimum one-and-one-half-inch (1½") Caliper trunk.

C. *Completion Requirements:* Landscaping shall be completed within one (1) year of the issuance of a certificate of occupancy, or the final inspection of a remodeled Dwelling unit.

D. A minimum of one (1) Water-Conserving Tree with at least a one-and-one-half-inch (1½") Caliper shall be planted in the Front Yard. The tree may be a desert tree variety.

E. The use of native plants and other ~~low-water-use~~ Water-Conserving Plants ~~plants (xeriscape)~~ is required ~~encouraged~~ to promote water conservation.

F. *Requests for Modification of Landscaping Requirement:* The community development director or designee may approve "landscaping," as defined in this section, that covers less than thirty percent (30%) of the Front Yard area in Landscape where the shape of the Lot imposes a hardship in meeting the thirty percent (30%) requirement. If such a modification is granted, all other Landscaping requirements outlined in this section shall still apply and may not be waived or modified.

G. *Maintenance of Owners' Association Property:* A property owners' association shall own and diligently maintain all Common Areas, including Park Strips between the street and any privacy walls. If a property owners' association is dissolved, maintenance of the Common Area becomes the joint and several responsibility of the individual owners of property that once formed the dissolved property owners' association.

H. It shall be unlawful for any person owning a single-family residence to:

1. Fail to provide landscaping and irrigation in all areas where landscaping is required or exists, regardless of the age of the development, zone, or status.

2. Fail to install, maintain, replace, or repair landscaping and irrigation systems in all areas where it is required to exist or does exist.

3. Modify an approved Landscape and Irrigation Plan, Landscape Documentation Package, or approved site plan without prior written permission from the city. "Modifying an approved Landscape and Irrigation Plan or approved site plan" means changing the type of large plant (greater than six feet (6') tall at maturity), decreasing the plant quantities, or decreasing the size of the Landscape area. Minor adjustments required to suit field conditions are permitted. Replacing a plant with the same type of plant is considered maintenance and not modification.

CHAPTER 24 RESERVED

CHAPTER 25
SUBDIVISION REGULATIONS

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- **10-25A-1: Purpose**
- **10-25A-2: Applicability**
- **10-25A-3: Procedure**

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- **10-25B-1: Conformance to Applicable Rules and Regulations**
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25D Improvements
- **10-25D-1: Drawings**
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ARTICLE A.GENERAL PROVISIONS

[Not Included]

ARTICLE B.ADMINISTRATION AND ENFORCEMENT

10-25B-1: Conformance to Applicable Rules and Regulations

10-25B-2: Self-Imposed Restrictions
10-25B-3: Special Conditions
10-25B-4: Coordination of Planned Development Applications
10-25B-5: Building on Single Lots – Merging Lots
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10-25B-11: Recording without Approval Void
10-25B-12: Metes and Bounds' Description Applicable
10-25B-13: Final Subdivision Plat Recorded Prior to Approval Unlawful
10-25B-14: Penalty

10-25B-1:
CONFORMANCE TO APPLICABLE RULES AND REGULATIONS:
In addition to the requirements established herein, all subdivision plats shall comply with the applicable laws, plans and regulations, including, but not limited to:

A. The zoning ordinance of the city of St. George, standard specifications for design and construction and all other applicable ordinances of the city.

B. The official city general plan, including all streets, drainage and utility systems and parks shown in the general plan, as adopted.

C. Requirements of the Utah Department of Transportation, Utah Department of Health, and other appropriate state agencies.

D. The standards, regulations and policies adopted by the city, including all boards, commissions, agencies, and officials of the city who may be authorized to adopt the same.

E. The standards and requirements for culinary water service adopted by the District.

10-25B-2:
SELF-IMPOSED RESTRICTIONS:

10-25B-3:
SPECIAL CONDITIONS:

10-25B-4:
COORDINATION OF PLANNED DEVELOPMENT APPLICATIONS:
A. At the time an application for a Planned Development (PD) Project is submitted to the city, the owner or Subdivider shall submit an application to change the proposed development

property's zoning designation to Planned Development (PD). Simultaneous with filing a Planned Development application, the Subdivider or Subdivider's authorized representative shall:

1~~A~~. Apply to change the zoning designation to Planned Development (PD) for the real property on which the proposed development will be located;

2~~B~~. Submit all information required by this code for a Planned Development (PD) zone, including, but not limited to, a general conceptual plan if it is anticipated to be built in phases, a preliminary site plan and/or Preliminary Plat for one or more phases, and Construction Drawings when required; and

3~~C~~. Meet with city staff to discuss the proposed development.

B. No change to the zoning designation shall be made without the simultaneous approval of a Preliminary Plat.

10-25B-5:
BUILDING ON SINGLE LOTS – MERGING LOTS:

10-25B-6:
FEES:

10-25B-7:
ENFORCEMENT:

~~**10-25B-8:**~~
~~**PERMITS AND CERTIFICATES:**~~

~~A. *Compliance with Title:* No city officer or employee shall issue any license or permit for the use of any land, or the construction or alteration of any building or structure, in violation of the provisions of Utah State law, or any other provisions of this title. Any license or permit issued in conflict with Utah State law, or any other provisions of this title, is void.~~

~~B. *Building Permits – Conditions for Issuance:* In addition to all other conditions required by law for the issuance of a building permit, no building permit for any development or subdivision shall be issued until the following conditions have been met:~~

~~1. The city has approved the preliminary plat, or the lot layout if the property is exempt from platting requirements, and all conditions have been met for the preliminary plat, and for recording of the final subdivision plat, as set forth in Utah Code and as determined by the community development department and the city attorney;~~

~~2. The construction drawings are stamped "approved for construction" by the city;~~

~~3. All required improvements under chapter 25 of this title are completed, and the city has conducted a final inspection and issued a final approval of the improvements;~~

4. The final subdivision plat is recorded in the county recorder's office.

C. *Occupancy Permit:* For all subdivisions, occupancy will not be granted, and structures shall not be occupied, until the final subdivision plat is recorded and all required improvements are completed and approved by the city. This includes all required addressing and signs.

10-25B-9:
COMPLIANCE WITH TITLE:

10-25B-10:
SUBDIVISION CREATED PURSUANT TO PROVISIONS:

10-25B-11:
RECORDING WITHOUT APPROVAL VOID:

10-25B-12:
METES AND BOUNDS' DESCRIPTION APPLICABLE:

10-25B-13:
FINAL SUBDIVISION PLAT RECORDED PRIOR TO APPROVAL UNLAWFUL:

10-25B-14:
PENALTY:

ARTICLE C.PLATS AND PLANS

10-25C-1: General Procedures
10-25C-2: Planning Discussion
10-25C-3: Preliminary Plat
10-25C-4: Final Subdivision Plat
10-25C-5: Exemption from Plat Requirement
10-25C-6: Vacating, Altering or Amending a Subdivision Plat

10-25C-1:
GENERAL PROCEDURES:

10-25C-2:
PLANNING DISCUSSION:
Prior to submitting a Planned Development zone-change application or a Preliminary Plat for any type of development or zone, the Subdivider shall meet with the city.

10-25C-3:
PRELIMINARY PLAT:

A. Preparation of Preliminary Plat: It is anticipated that as long as the Preliminary Plat complies with all requirements under this title, upon final approval of the Preliminary Plat, the Preliminary Plat shall be the basis for the Construction Drawings and Final Plat. Prior to preparing the Preliminary Plat, the Subdivider shall meet with the planning staff to discuss the subdivision proposal and review the Preliminary Plat and the requirements for the required plans, Construction Drawings, studies, and reports. The general requirements as to the layout of streets, street improvements, traffic impact studies, drainage, sewerage, fire protection, availability of existing services, and similar matters shall be discussed. The planning staff may also advise or direct the Subdivider, when appropriate, to discuss the proposed subdivision or portions thereof with those officials who must eventually approve certain aspects of the subdivision plat or portions thereof within their jurisdiction, including, but not limited to, the fire marshal, Joint Utility Commission, Hillside Review Board, and city staff. Where special issues or conditions exist which require resolution by the commission or city council, resolution of such matters shall be obtained prior to consideration of the Preliminary Plat by the planning staff.

B. *Preliminary Plat Requirements:* The Preliminary Plat shall be clear and legible, be labeled and dimensioned, and be of sufficient scale to adequately describe the conditions of this title. The preliminary subdivision plat and plan shall be accompanied by a Completed Application form provided by the city, and show the following information:

1. *Title Block:*

    a. The name and type of subdivision, which name the Subdivider must have approved by the county recorder and community development director or designee.

    b. The location and dimensions of the subdivision.

    c. The name of the Subdivider.

2. *General Plans:*

    a. North arrow and scale.

    b. The boundary and phasing plan of the subdivision.

    c. Existing and proposed contour lines at vertical intervals of not greater than five feet (5') when requested by the city engineer or designee.

3. *Existing Conditions:*

    a. Location, width and names of all streets and driveways within two hundred feet (200') of the subdivision.

    b. All Public Streets, rights-of-way, easements, parks, other public open spaces, and all section and city boundary lines within or Adjacent to the proposed subdivision.

c. Sewers, water mains, power lines, storm drains, or other facilities within and Adjacent within one hundred feet (100') of the proposed subdivision.

d. Ditches, drainage channels, waterways, and major washes.

e. The location of the Floodplain and Floodway, and elevations as designated by FEMA. Also, the location of the erosion hazard boundary for property Adjacent to the Virgin and Santa Clara Rivers and Ft. Pearce Wash.

f. Exceptional topography.

g. Air traffic approaches when requested by the city engineer or designee.

h. Information required by the ordinance, if the proposed subdivision is within the hillside overlay area, a Geologic Hazard Area, an adverse construction condition area, or Flood or erosion hazard area.

i. Vicinity map.

4. *Proposed Plan:*

a. The layout of streets, driveways, public parks and trails, and utility easements showing identification and dimensions. Where double frontage Lots are proposed, the general design of the privacy wall shall be shown.

b. The layout, number, and typical dimensions of Lots. The following shall apply to numbering Lots:

(i) Lots shall be numbered consecutively under a definite system. Numbering shall continue throughout the subdivision with no omissions or duplications.

(ii) Multiple phases within the same subdivision name shall be identified as phase 1, then phase 2 and so forth. Lots within different phases shall also be distinctly numbered as 101, 102, 103 (within phase 1), and 201, 202, 203 (within phase 2), and so forth.

(iii) Lettering of Building Lots is not permitted.

(iv) Areas not designated as a Building Lot or right-of-way on the plat shall be designated by capital letters and be designated in sequence within a subdivision starting with the letter “A.”

(v) Plat amendments shall be named and numbered in a form acceptable to the office of the Washington County recorder and Utah State Code as amended.

c. Parcels of land intended to be dedicated for public use or set aside for use of property owners in the subdivision as common or Limited Common Areas.

d. A drainage plan by which the Subdivider proposes to handle storm water drainage for the subdivision, including proposed realignment or regrading of existing drainageways upstream, within and downstream of the subdivision. All residential drainage shall be conveyed from each Lot to the street. Shared drainage is not permitted unless it is located in common or Limited Common Area, owned and maintained by a property owners' association.

e. A general plan for primary water, Secondary Irrigation Water, sewer, power systems, and related utilities.

f. A Grading Plan by which the Subdivider proposes to handle elevation changes, Retaining Walls, and other related design issues as requested by the city.

C. *Application Procedure and Requirements:*

1. The Subdivider shall file the Preliminary Plat along with a Preliminary Plat review application on forms provided by the city.

2. At the time of filing the application, the ~~Subdivider~~ applicant shall schedule an appointment with the city. The city shall review the application for completeness and ~~may~~ shall require ~~request~~ that the ~~Subdivider~~ applicant and owner (if different) provide an acknowledgement that they are responsible for obtaining culinary water service from the District as set forth in chapter 1 of this title. The city may request that the applicant also present additional information to assist in determining the adequacy, quality, and characteristics of the subdivision proposal.

3. Once the application has been considered and determined to be complete, the application shall be reviewed according to the procedure set forth in this section. If the city finds that the application is not complete, the application shall be rejected, returned to the Subdivider, and the Subdivider shall submit a complete application.

4. *Approval Procedure:*

a. The community development department shall concurrently transmit the Preliminary Plat, and Preliminary Plat review application, along with all accompanying plans, reports, and studies to the appropriate city officials and other official agencies or bodies as deemed necessary or as required by law, to allow such persons to review the Preliminary Plat and Preliminary Plat review application.

b. After the Preliminary Plat review application is found to meet the requirements of this title, and all comments have been received from those to whom a request to review was made, the community development director or designee shall cause the Preliminary Plat to be placed on the next available planning commission agenda, and shall notify the Subdivider of the date, time, and place of the meeting at which the Preliminary Plat shall be reviewed.

c. The planning commission shall only approve a Preliminary Plat which it finds to be in accordance with the standards and criteria set forth by the city in this title and all other ordinances, plans, and policies of the city. The planning commission may conditionally approve a Preliminary Plat, imposing such conditions as it may require in order to bring the Preliminary Plat into compliance with the requirements of the city's ordinances, plans, and policies.

d. After reviewing the Preliminary Plat, the planning commission shall make a recommendation to the city council that the Preliminary Plat be approved, conditionally approved, or disapproved. The Preliminary Plat will then be placed on the next available city council agenda, after all legally required notification requirements have been complied with, and the city shall advise the Subdivider of the date, time, and place of the meeting at which the Preliminary Plat shall be reviewed. After review, the city council shall approve, conditionally approve, or disapprove the Preliminary Plat.

e. Upon approval of the Preliminary Plat, and approval of Construction Drawings, a permit may be issued which allows the applicant to begin construction at their own risk, of the Infrastructure Improvements required for the subdivision prior to the Final Plat approval. Issuance of a permit to construct infrastructure prior to Final Plat approval does not constitute a vesting of development rights.

f~~e~~. If the final subdivision plat, or phase thereof, is not approved by the city within one (1) year after city council approval of the Preliminary Plat, all approvals shall be deemed expired and void. If eligible, the Subdivider may ~~shall~~ submit for approval a new Preliminary Plat in accordance with this subsection, ~~unless it~~. If it is determined by the community development director or designee that substantial progress toward completion of the final subdivision plat has been done, and the Final Plat cannot be submitted due to reasons beyond the control of the Subdivider, ~~In such case,~~ the community development director or designee may agree to a single reasonable extension of time to complete the final subdivision plat, but no longer than one (1) year.

g~~f~~. Approval of the Preliminary Plat does not constitute full approval of the development nor vest any development rights as additional requirements may be imposed that are a result of more detailed and thorough review of all plans, specifications, reports, investigations, etc.

10-25C-4:
FINAL SUBDIVISION PLAT:

A. After the Preliminary Plat has been approved by the city council, and all conditions are complied with, a final subdivision plat shall be prepared and submitted to the community development department. The Land Use Authority shall approve the Final Plat upon a finding that:

1. The development has received written approval from the District indicating that water is available to all Lots within the subdivision; and

2. The Final Plat conforms to all prior approvals, conditions, and regulations imposed by the city.

The Final Plat shall be signed by the community development director or designee, the city attorney or designee, the city engineer or designee, the Land Use Authority, and the county treasurer prior to the Final Plat being recorded. The Final Plat shall be recorded within one (1) year of final approval by the community development department, or the plat is void.

B. All applications to subdivide real property shall comply with the requirements of Utah Code Title 10, Chapter 9a, of the Utah Land Use and Development Management Act, as amended.

C. A Final Plat must be recorded with the office of the County Recorder within one year of the date of city approval. A Final Plat which has not been recorded within one year, shall be deemed void and all land use approvals associated with the Final Plat shall be considered void *ab initio*. Prior to expiration, a Subdivider may request a one-time six-month extension of the approval from the Community Development Director. No extension will be granted unless an assurance that culinary water service from the District is still available and shall require a new "will serve" letter from the District. The city shall give written notice to the District of any Final Plat which has been voided prior to recordation under this section.

~~**10-25C-5:**~~
~~**EXEMPTION FROM PLAT REQUIREMENT:**~~
~~If the requirements of Utah Code Title 10, Chapter 9a, as amended, this title, and all other applicable laws and regulations are satisfied, and the Subdivider has obtained written approval from the city council, following the planning commission's recommendation, a person may submit to the county recorder's office for recording a document that subdivides property by metes and bounds into less than ten (10) lots, without the necessity of recording a plat. (Ord. 2019-10-002, 10-10-2019)~~

10-25C-6:
VACATING, ALTERING OR AMENDING A SUBDIVISION PLAT:

A. *Vacating, Altering or Amending Subdivision Plat:* All applications for vacating, altering or amending a subdivision plat shall comply with the requirements of Utah Code Title 10, Chapter 9A, as amended.

B. *Lot Mergers:* All applications seeking to merge Lots, Parcels, sites, units, plots or other division of land shall comply with the requirements for the adjustment of Lot lines as set forth in Utah Code Title 10, Chapter 9A, as amended.

C. *Vacating a Street, Right-of-Way, or Easement:* All applications for vacating a platted street, right-of-way, or easement shall comply with the requirements of Utah Code Title 10, Chapter 9A, as amended.

ARTICLE D.IMPROVEMENTS

10-25D-1: Drawings
10-25D-2: Completion or Improvement Completion Assurance Prior to Recording Final Subdivision Plat or Developing Real Property – Acceptance Process
10-25D-3: Improvements Required
10-25D-4: Layout of Lots
10-25D-5: Improvement Completion Assurance and Warranty

10-25D-1:
DRAWINGS:

10-25D-2:
COMPLETION OR IMPROVEMENT COMPLETION ASSURANCE PRIOR TO RECORDING FINAL SUBDIVISION PLAT OR DEVELOPING REAL PROPERTY – ACCEPTANCE PROCESS:

10-25D-3:
IMPROVEMENTS REQUIRED:

The design, installation, connection, and construction of all improvements required by this section shall comply with the city of St. George standard specifications for design and construction and shall be approved by the city before work begins. The improvements required to be completed before issuance of a building permit under this title shall include, but are not limited to, the following:

A. *Utilities and Services:*

1. Required utilities and services include, but are not limited to, the following: power, culinary water, Secondary Irrigation Water, sewer, fire protection, lighting, telephone, and cable conduits, signing and addressing, all-weather fire and emergency access, and other utilities and services as required by the city or by law.

2. All subdivision Lots shall be served by ~~the~~ public utility systems. Proof of water service in the form of a Will Serve Letter or other written documentation from the District shall be required at the time of Final Plat recordation. ~~of the city unless otherwise approved by the city council.~~

3. All utility improvements, including street lighting, shall comply with all official standards of the city.

4. All electrical, telephone, and television cable shall be installed underground, except as otherwise directed by the city council.

B. *Storm Drainage and Nuisance Water Control:* A storm or nuisance water drainage system shall be provided and shall be separate and independent from the sanitary sewer system. Drainage,

Flood control, and adequate erosion protection shall be designed in conformance with the city Flood control master plan and drainage guidelines and hydrology manual as detailed in the city of St. George standard specifications for design and construction.

C. *Street Improvements:*

1. *Required – Exception:* All streets within the city shall be improved with streetlights and pavement bounded by integral concrete curbs, gutters and sidewalks, handicapped ramps, etc. The sole exception shall be in large Lot rural subdivisions where street construction shall conform to large Lot requirements as detailed in the city of St. George standard specifications for design and construction. Property owners of large Lot rural subdivisions shall acknowledge by a recorded certificate that any further subdividing will require full compliance with standard Lot improvement requirements, including streetlights, curb and gutter, sidewalks, and roadway width, etc. Said acknowledgment shall waive the property owners' rights to oppose a special improvement district where necessary to comply with this requirement.

2. *Continuation of Streets:* The arrangement of streets in new subdivisions shall make provision for the continuation of the streets in adjoining areas insofar as such continuation or access shall be deemed necessary by the city engineer or designee. All access roads leading to any subdivision shall be improved as may be determined by the city engineer or designee.

3. *Traffic-Control and Street-Name Signs:* All traffic-control and street-name signs, conforming to the city of St. George standard specifications for design and construction and approved by the city engineer or designee, shall be provided by the Subdivider. When required by the city, mitigation of off-site impacts will be the responsibility of the developer. A traffic impact study may be required to help determine Project impacts.

4. *Frontage:* All subdivision Lots shall have frontage on a dedicated Public Street improved to city standards unless the use of a Private Street has been approved by the council. Private Streets, Alleys, or ways shall not be approved except when the city engineer or designee finds that public dedication is not necessary. Where determined that Public Streets are needed for area circulation, property access, or the overall benefit of the driving public, Private Streets shall not be used. Master-planned roads cannot be private.

5. *Private Streets and Improvements:*

a. In the event Private Streets are used, they shall conform to the city of St. George standard specifications for design and construction as to the quality of construction. Private Streets shall include curb, gutter, sidewalks, or adequate pedestrian facilities, etc. Street width may be adjusted based upon traffic needs and information provided in a traffic impact study (TIS) when required.

b. The city may observe the construction of Private Streets. However, in all cases, the developer shall retain the services of a professional engineer and testing firm to provide adequate inspection services and to submit the proper reports and

certifications to the city. All private developments shall be required to submit to the city the private development improvements certification, on the approved form prior to certificate of occupancy and acceptance of the development.

c. *Continuation of Principal Streets:* The arrangement of streets shall provide for the continuation of principal streets between Adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, and efficient continuation of utilities and where such continuation is in accordance with the transportation element of the city's general plan. If the Adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line and a temporary turnaround shall be provided.

d. *Intersections:* Intersections shall comply with city specifications and access management requirements.

D. *Access to City Street:* No subdivision shall be approved which does not have access to an improved and dedicated city street. Where a subdivision obtains access from a street which does not meet minimum city standards, the access road shall be improved to a minimum width of twenty-five feet (25'), meeting applicable safety standards, including shoulders, and constructed to final grade. Additional road width may be required to meet safety standards.

E. *Improvements to Full Length of Project:* Where a subdivision abuts a master-planned road, utilities or drainage system, the Subdivider shall complete his portion of such improvements the full length of his Project in conformance with the approved city plans, including the general plan.

F. *Mitigation of Off-Site Impacts:* When required by the city, mitigation of off-site impacts, as well as providing adequate public infrastructure to the development, will be the responsibility of the developer. A traffic impact study (TIS) will be required unless otherwise approved by the city engineer or designee. The TIS may aid in the determination of off-site impact mitigation. (Ord. 2019-10-002, 10-10-2019)

10-25D-4:
LAYOUT OF LOTS:

10-25D-5:
IMPROVEMENT COMPLETION ASSURANCE AND WARRANTY:

A. *Improvement Completion Assurance:*

1. *When Required:* The city, in its discretion, may allow a Subdivider to record the Final Plat if the Subdivider guarantees the installation and construction of the required improvements free from defects in material and workmanship and in compliance with all city standards, by providing ~~an~~ financial Improvement Completion Assurance and agreement which guarantees completion of the improvements within 1 year of the date of Final Plat recordation.

2. *Form – Amount:* The Improvement Completion Assurance required under this subsection shall be in the form of cash, cash escrow (draw down) or an irrevocable letter of credit, in a form acceptable to the city, for an amount equal to one hundred percent (100%) of the cost of improvements not previously accepted. The cost of improvements shall be approved by the city. All improvements not completed within one (1) year shall thereafter require an Improvement Completion Assurance.

3. *Release:* The city shall release the Improvement Completion Assurance under this subsection once all improvements are inspected and approved by the city as required by this title and the Subdivider has submitted to the city a warranty in a form acceptable to the city.

B. *Warranty of Improvements:*

1. *Required:* Each Subdivider shall warrant that all improvements required under sections 10-25D-3 and 10-25D-4 shall be free from defects in material and workmanship and that the improvements are in compliance with all city standards. The warranty period shall start on the date the city approves all of the improvements pursuant to section 10-25D-2, and the Subdivider provides the city with a warranty in a form approved by the city.

2. *Form – Amount:* The warranty required by this chapter shall be in the form of cash~~,~~ or an irrevocable letter of credit, ~~or a surety bond acceptable to the city for an amount equal to at least ten percent (10%) of the total improvement value for the warranty period. Any proposed surety bond shall be from a company licensed in Utah with a AAA, AA+, AA, or AA- (Aaa, Aa1, Aa2, Aa3) credit rating or equivalent,~~ under terms acceptable to city.

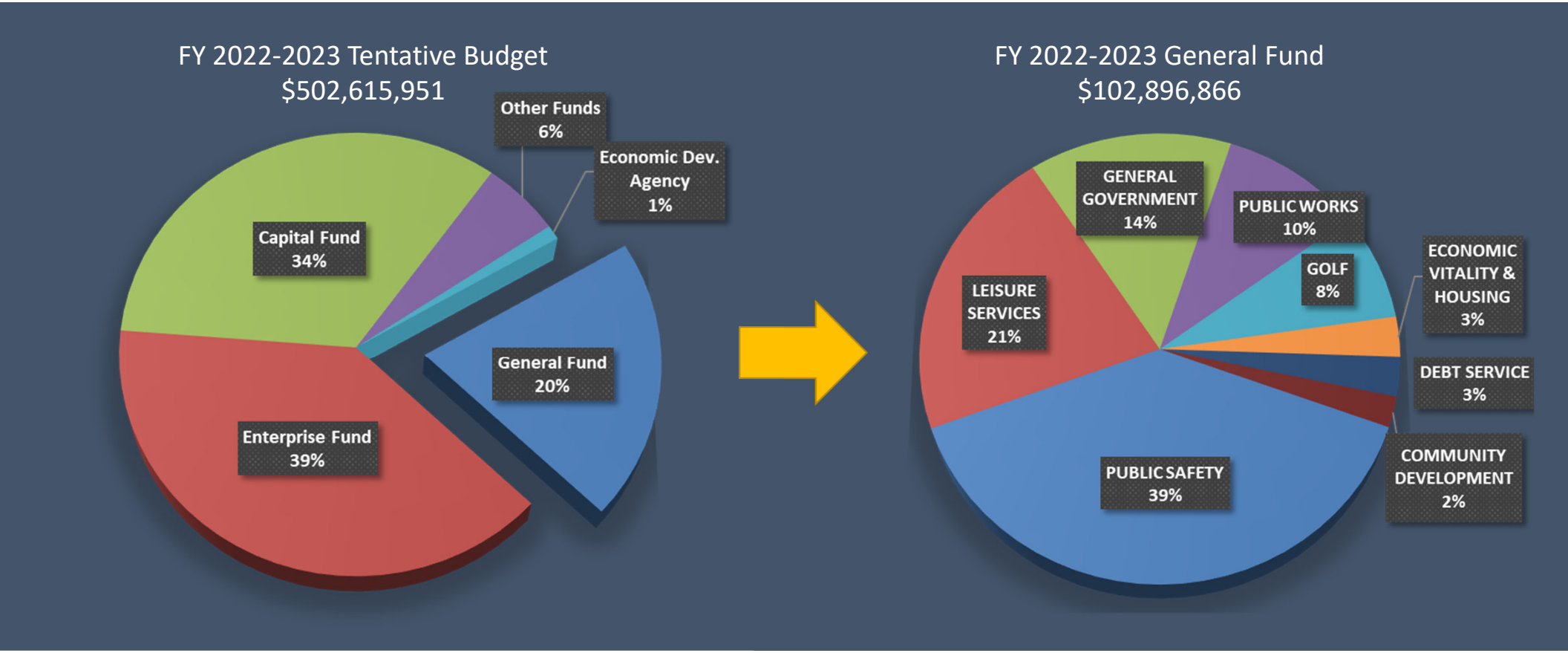
3. *Release:* After the expiration of the warranty period, the city shall release the warranty held by the city under this chapter after the final inspection and acceptance of the improvements pursuant to section 10-25D-2.

C. *Approval of City Attorney:* The form of any Improvement Completion Assurance, agreement, or warranty submitted under this section shall be reviewed and approved by the city attorney or designee before acceptance by the city.

FY 2022-2023 BUDGET

June 23, 2022

FY 2022-2023 GENERAL FUND



FY 2022-2023 AMENDMENT

$102,896,866 Recommended Budget

+$40,332 Net Department Changes (Offset through other revenue)
+$1,051,138 Public Safety Compensation Increase (Property Tax)
+$2,107,862 Year 2 Costs for Safe St. George Adds in Year 1 (Property Tax)
=$3,199,332 Amendments Approved 6/16/22

$106,096,198 Adopted Tentative Budget

THE PRIMARY GOAL OF **SAFE ST. GEORGE** IS TO MAKE A SIGNIFICANT IMPACT FOR PUBLIC SAFETY SERVICES OVER THE NEXT 5 YEARS

(…A Long-Term Investment Beginning Now…)

PUBLIC SAFETY – CHANGES RECENTLY ACCOMPLISHED

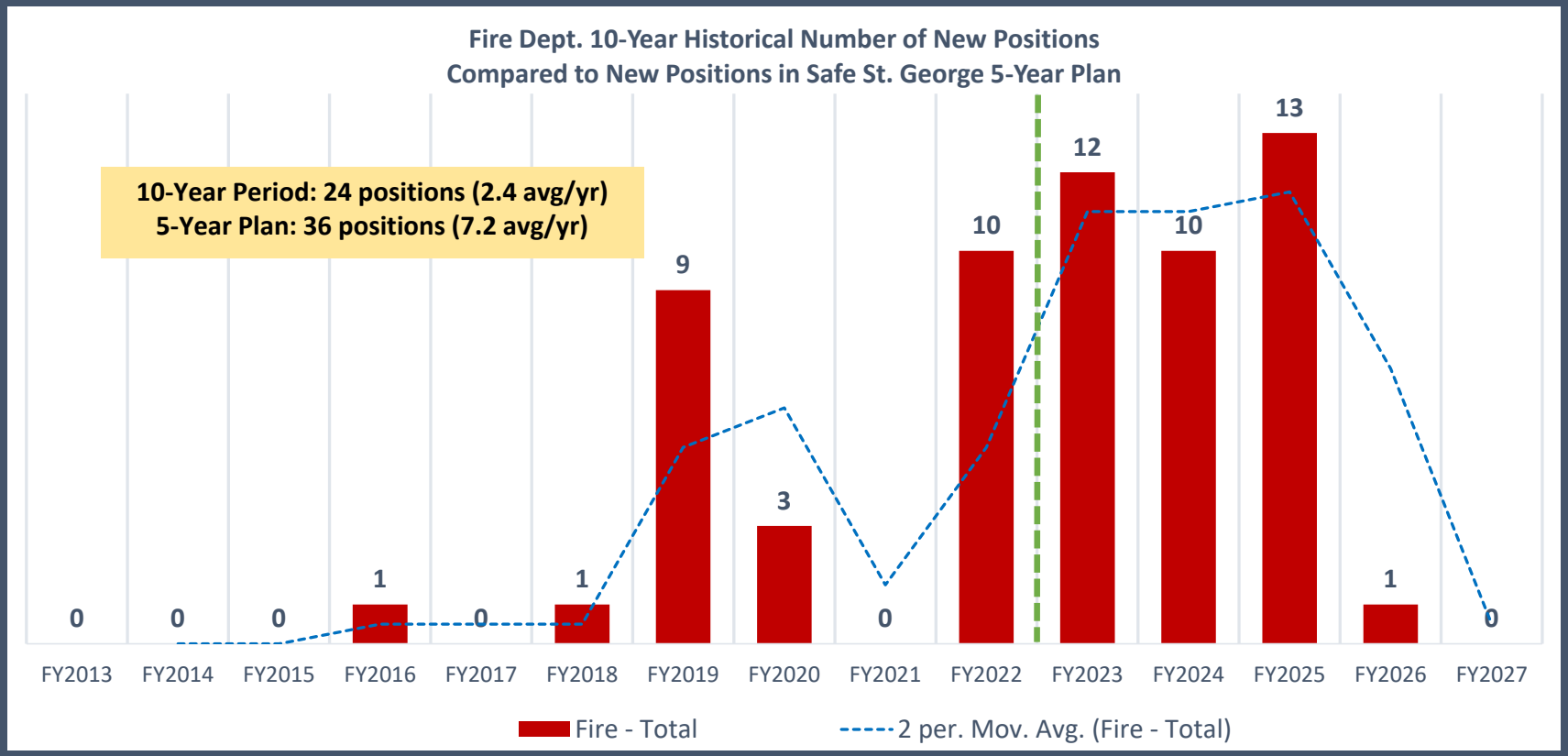
POLICE

- Employees
  - 119 FT Employees FY 2017
  - 146 FT Employees FY 2022
  - **23%** Growth from FY 2017 to FY 2022
- Body Worn Camera – New System
- Tasers – Replaced all Patrol (60)
- Vehicle Replacements
- New Drug Task Force Building

FIRE

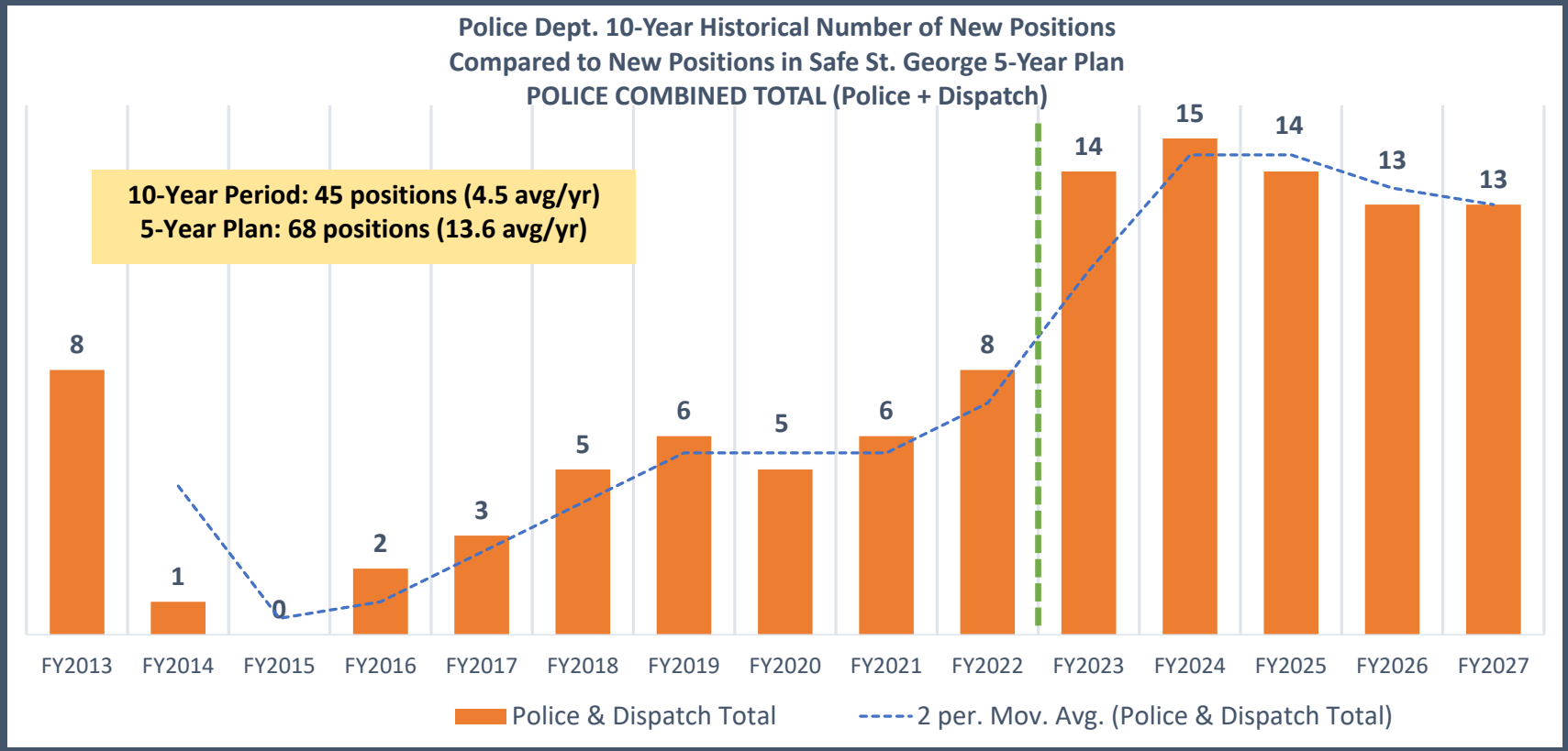
- Employees
  - 33 FT Employees FY 2017
  - 56 FT Employees FY 2022
  - **70%** Growth from FY 2017 to FY 2022
- Reduced Reserve FF from 70 to 40 to fund some of the FT Firefighter positions
- Converted Station 6 (2450 E.) to a Fully Staffed station
- Fire Engine Pumper ($900,000 equipped)
- Little Valley Station and staffed (FF currently acting as Floaters)

THE AVERAGE ANNUAL FULL-TIME POSITIONS ADDED FOR THE FIRE DEPT. WILL INCREASE BY 3X



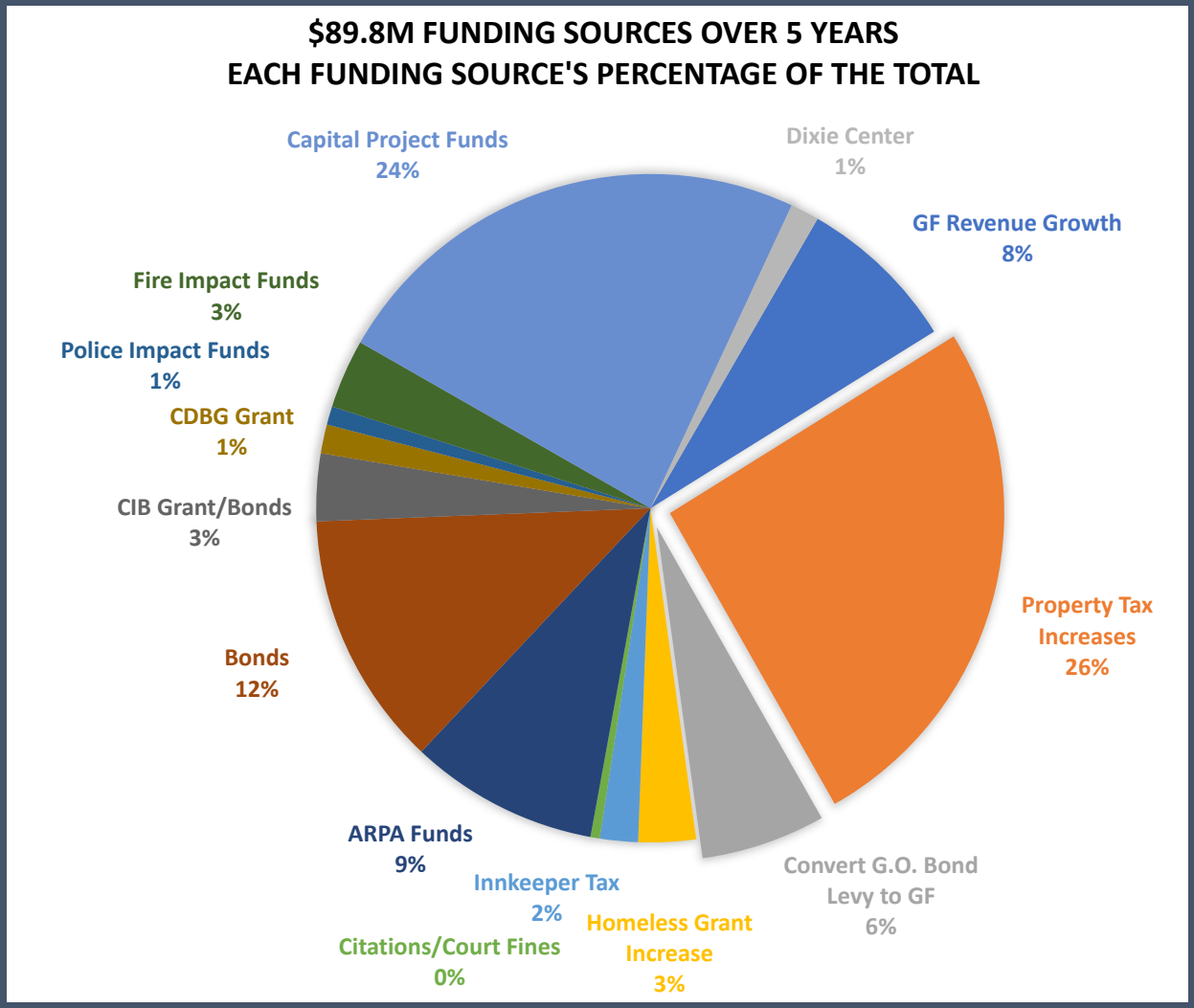
- FY 2019 new positions funded by a 3-Yr SAFER grant (Station 6).
- FY 2020 reduced Reserve FF from 70 to 50 (removed vacant RFF positions to fund 3 new FF).
- FY 2022 Station 9 and reduced Reserve FF from 50 to 40 in FY22 (removed vacant RFF positions).
- **PLUS** fund competitive compensation.

THE AVERAGE ANNUAL FULL-TIME POSITIONS ADDED FOR THE POLICE DEPT. WILL INCREASE BY 3X

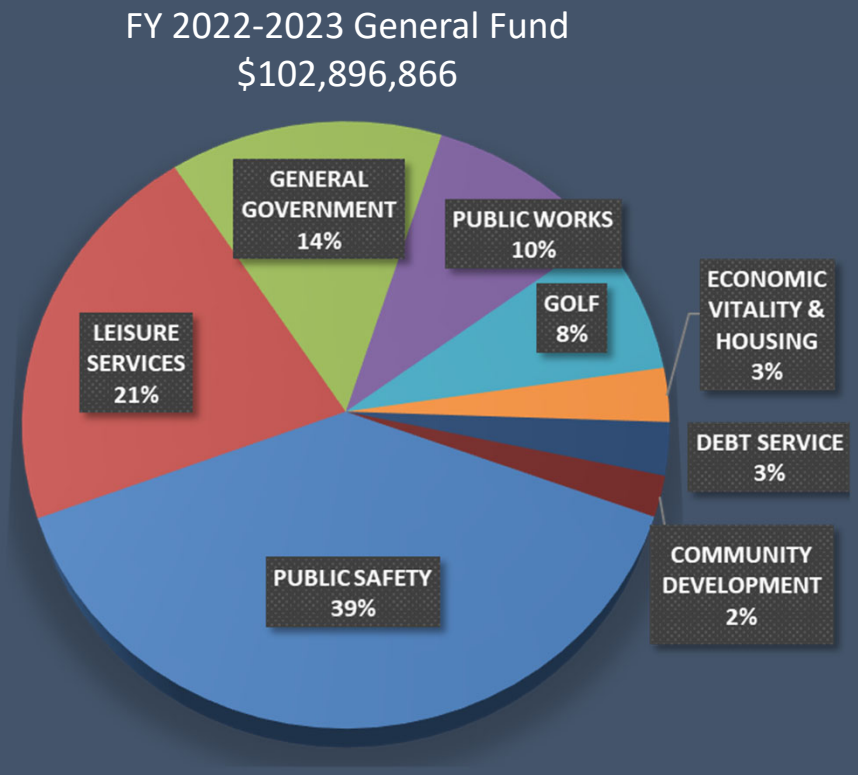


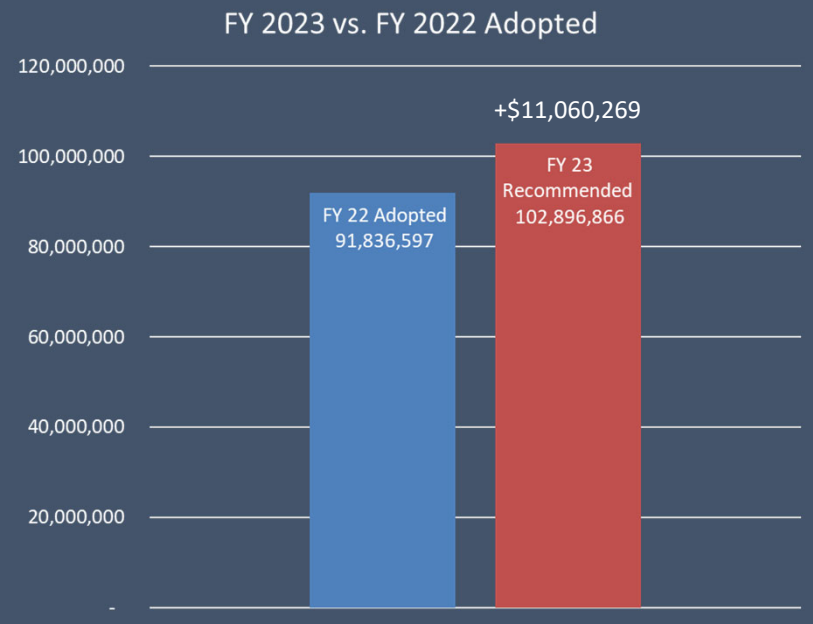
- Sworn positions 3.5x avg.
- Civilian positions 2.8x avg.
- Dispatch positions 1.78x avg. (funded separately)
- Overall positions 3x avg.
- **PLUS** fund competitive compensation.

SOURCES OF FUNDS	(16 SOURCES)	
GF Revenue Growth	7,000,000	7.8%
Property Tax Increases	23,087,570	25.7%
Convert G.O. Bond Levy to GF	5,400,000	6.0%
Homeless Grant Increase	2,500,000	2.8%
Innkeeper Tax	1,650,000	1.8%
Citations/Court Fines	400,000	0.4%
ARPA Funds	8,200,000	9.1%
Bonds	11,092,000	12.3%
CIB Grant/Bonds	2,930,000	3.3%
CDBG Grant	1,250,000	1.4%
Police Impact Funds	800,000	0.9%
Fire Impact Funds	3,000,000	3.3%
Capital Project Funds	21,256,000	23.7%
Grants (OJP, FEMA-SAFER)	0	0.0%
Dixie Center	1,250,000	1.4%
County TRT/TRCC	0	0.0%
Combined SOURCES of Funds	**89,815,570**	**100%**
USES OF FUNDS		
Police - S&B	15,660,992	17.4%
Police - Equipment	8,491,333	9.5%
Police Compensation Adj.	7,565,831	8.4%
Fire - S&B	14,754,118	16.4%
Fire - Operational Costs	550,000	0.6%
Fire - Facilities	31,866,824	35.5%
Fire - Apparatus	8,228,500	9.2%
Bonds - P&I (5 years of 25)	2,600,000	2.9%
Contingency	97,973	0.1%
Combined USES of Funds	**89,815,570**	**100%**
Police	31,718,156	35.3%
Fire	58,097,414	64.7%
Public Safety USES of Funds	**89,815,570**	**100%**

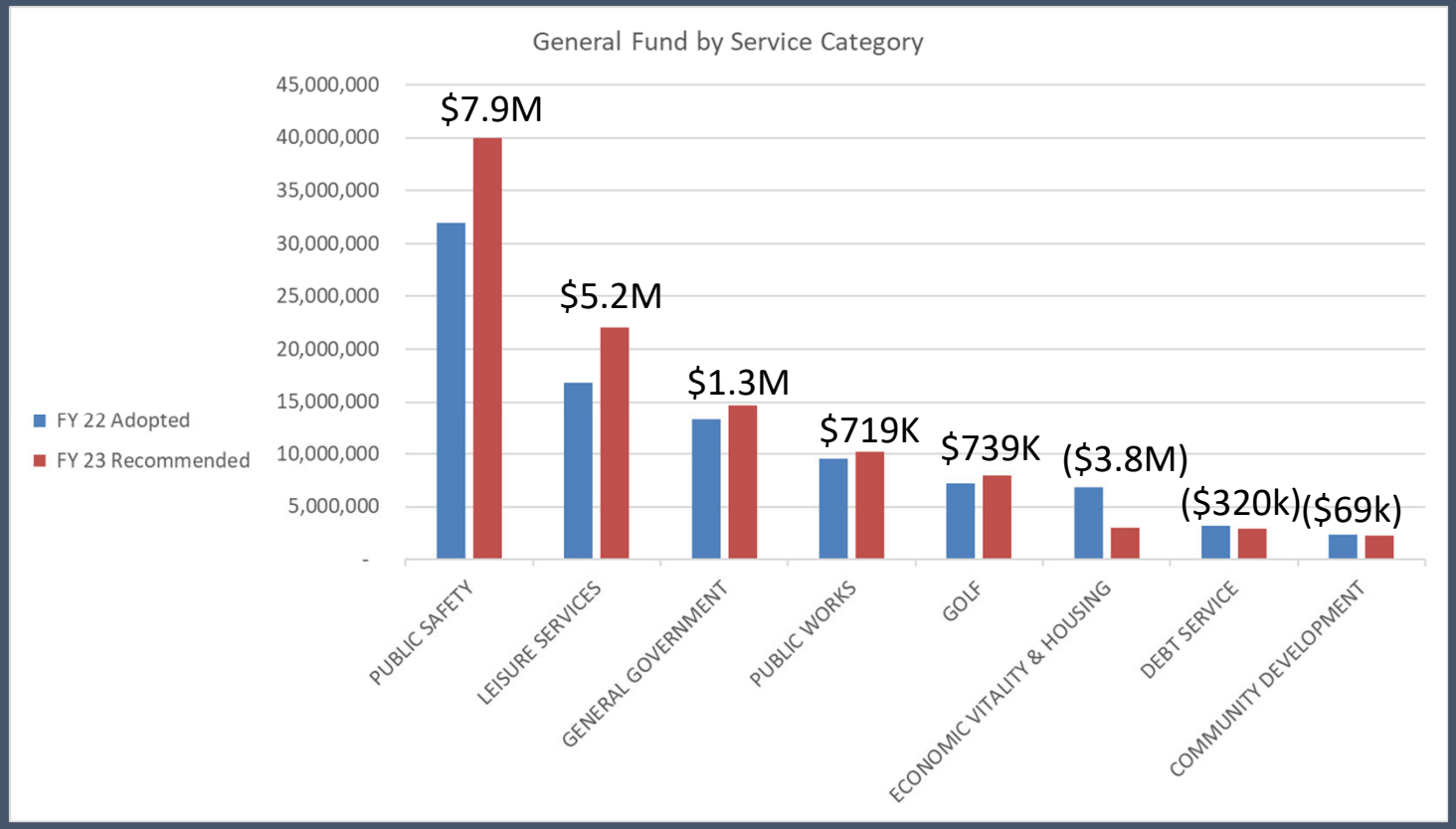


FY 2022-2023 GENERAL FUND OVERVIEW

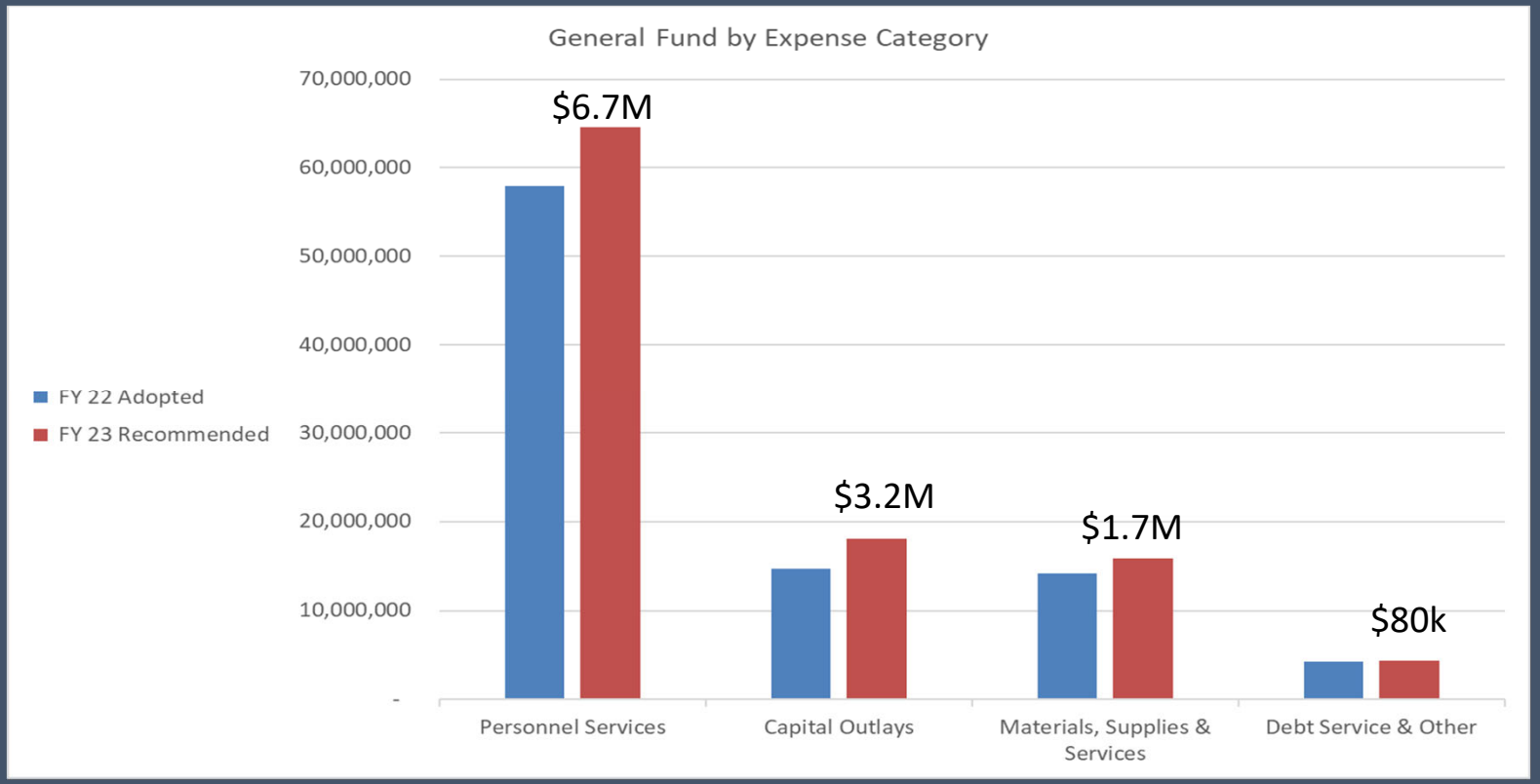




FY 2022-2023 GENERAL FUND OVERVIEW



FY 2022-2023 GENERAL FUND OVERVIEW

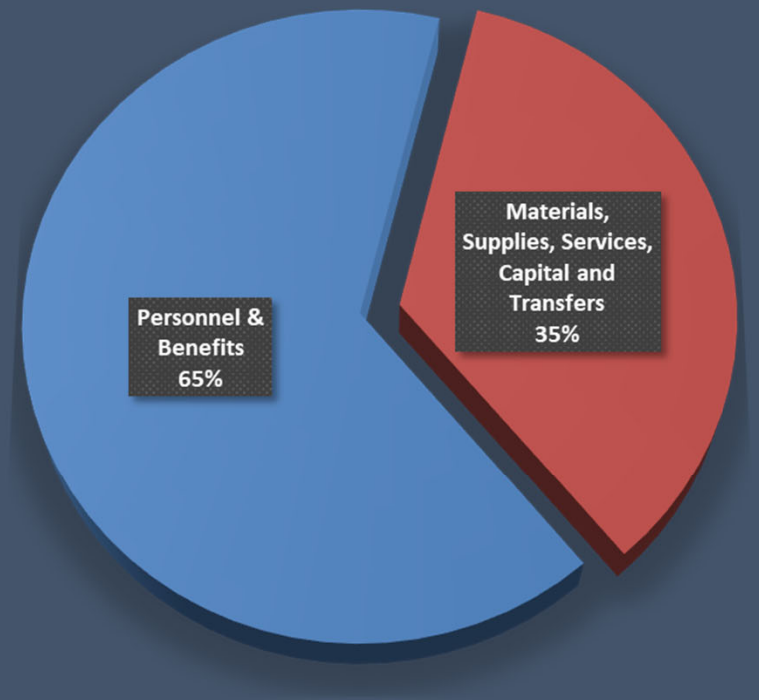


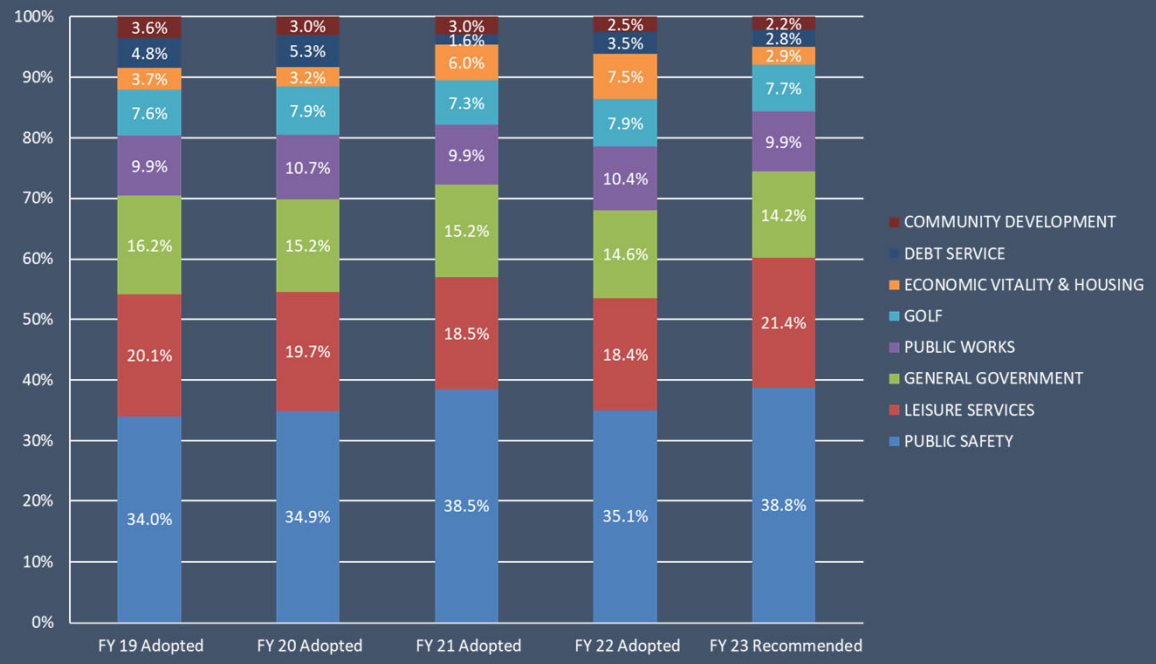
FY 2022-2023 GENERAL FUND OVERVIEW

FY 2022-2023 Budget Highlights:

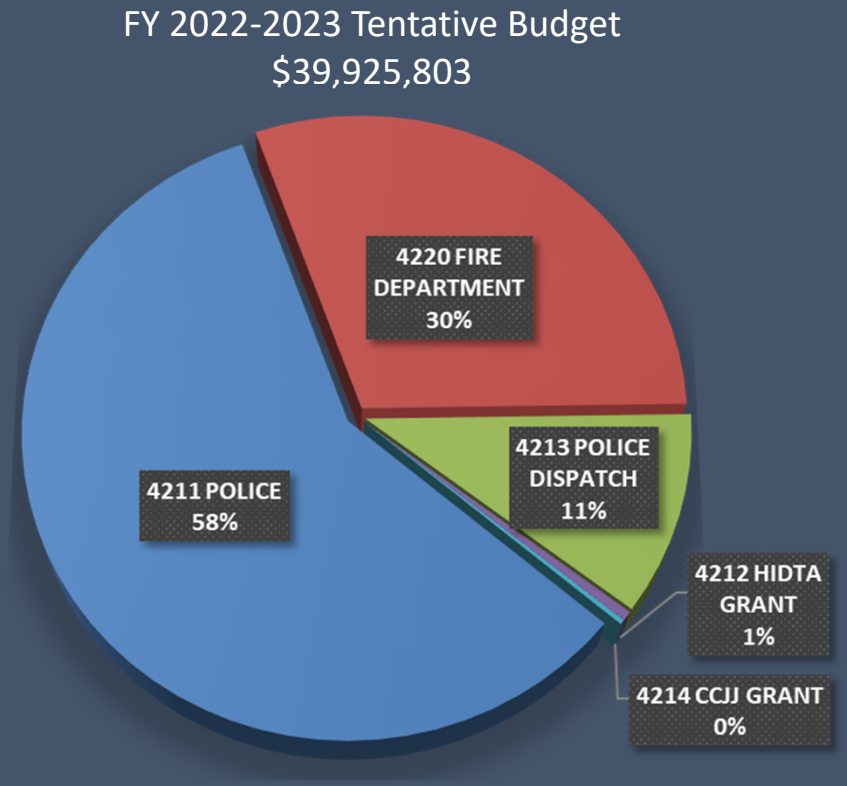
- 35 new positions are included in the General Fund
- Funding for market/merit adjustments to maintain a competitive position in the market ($2,109,443 for 554.2 FT in GF)
- Funding for health insurance increase ($788,032 for 554.2 FT in GF)
- $18 million in capital outlay
- Inflationary impact on the cost of services

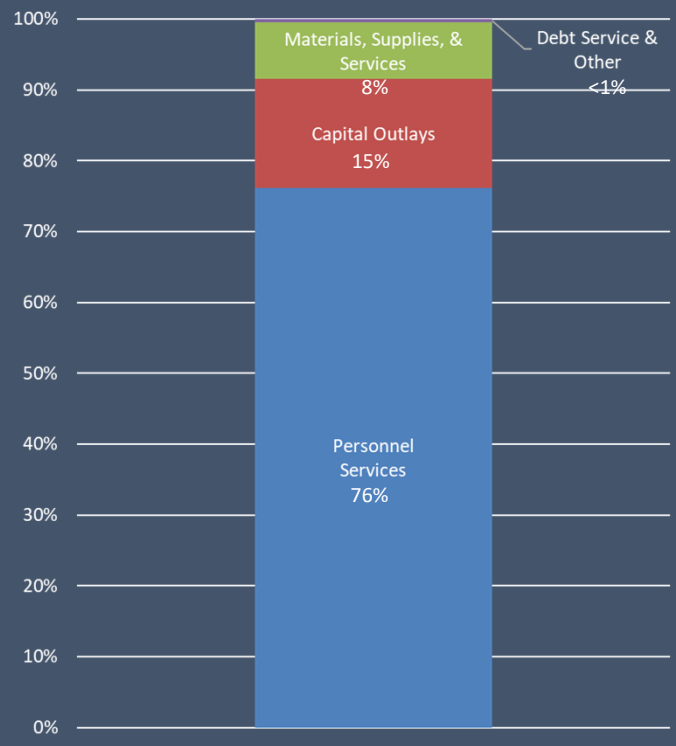
FUNDING PHILOSOPHY



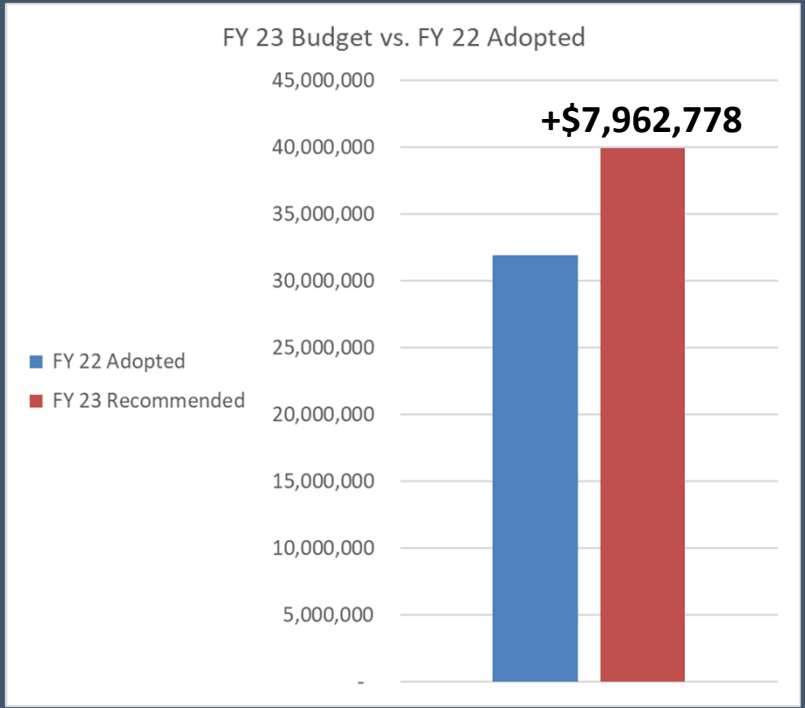


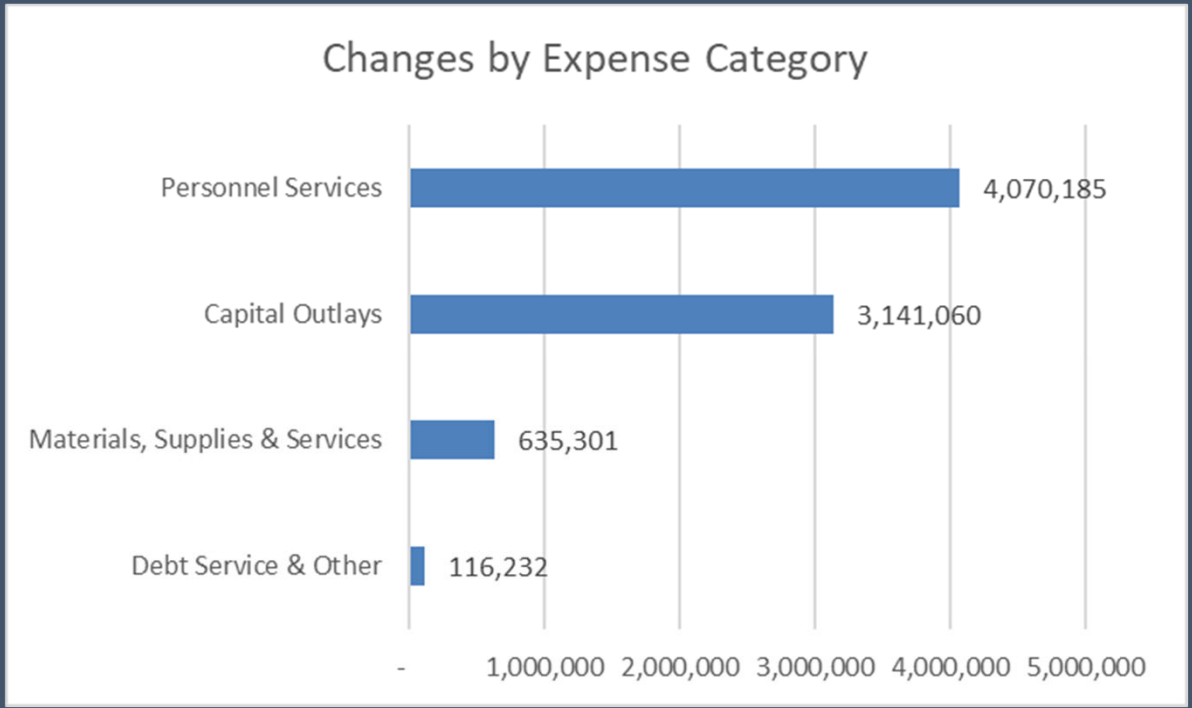
PUBLIC SAFETY OVERVIEW





PUBLIC SAFETY OVERVIEW





PUBLIC SAFETY OVERVIEW

Significant Changes:

$5,251,037 for 26 new positions (S&B, capital, materials & supplies)

$1,421,805 compensation & benefit adjustments for current positions (243 FT)

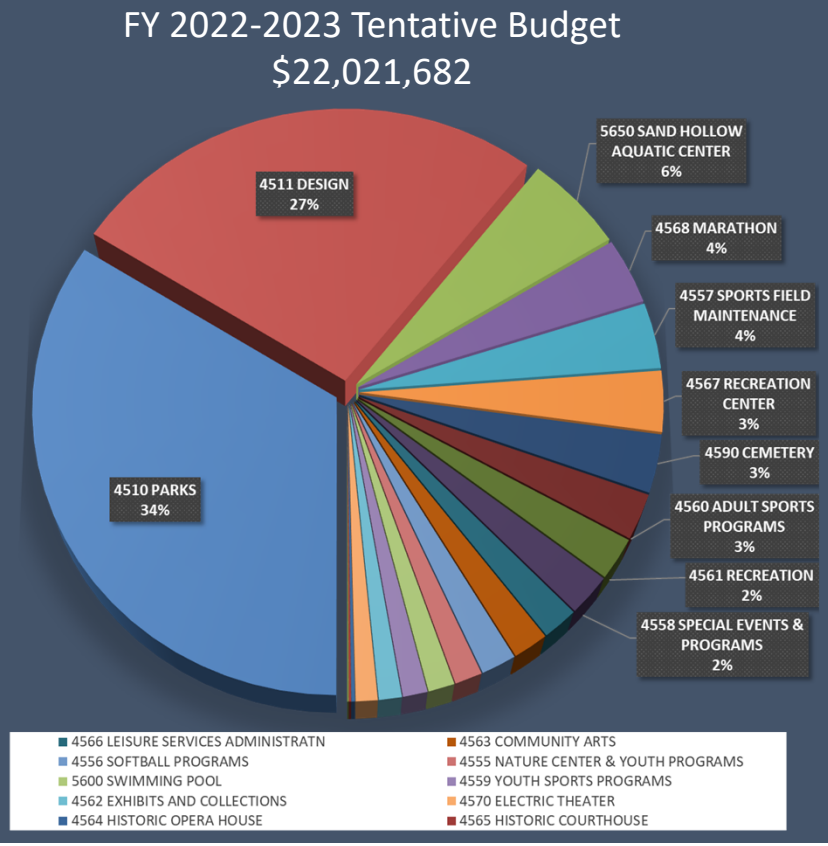
Balance of growth in capital outlay and inflationary impacts in the budget

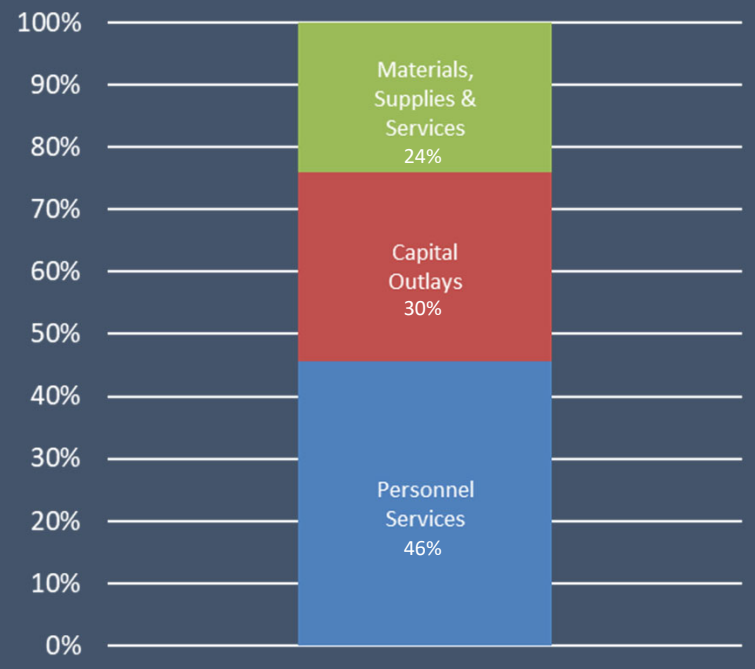
Top Capital Items:

- $1,128,000 (20) Replacement Police Vehicles*
- $579,000 (11) New Police Vehicles for new positions*
- $1,570,733 (1) Aerial Quint / Ladder Truck*
- $1,155,467 (1) Fire Engine / Pumper & Equipment
- $602,480 Two Way Radio Replacements*
- $165,100 Fire PPE Gear
- $150,000 Brush/Wild land Truck

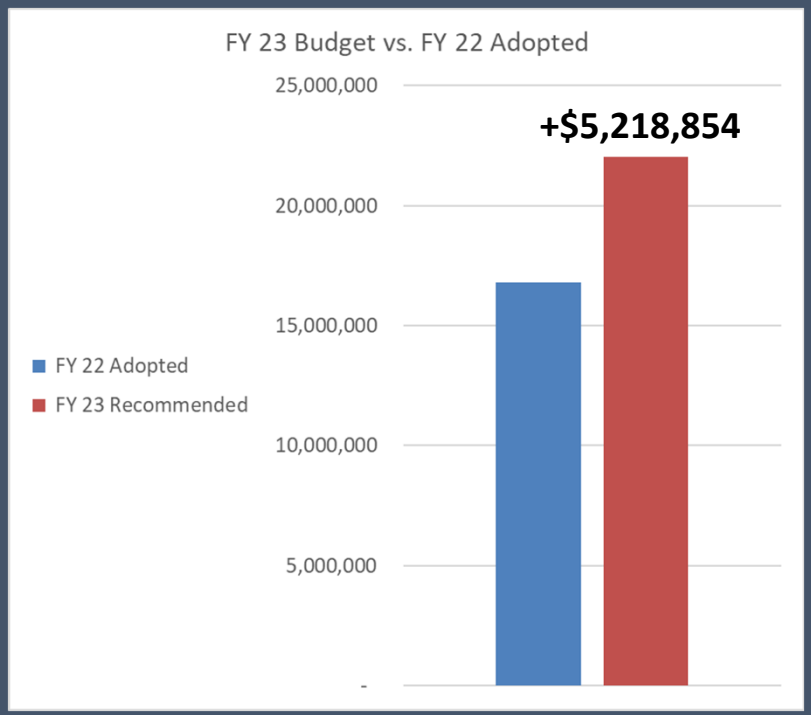
*Item is either fully or partially funded from one-time revenue as detailed in the hand-out.

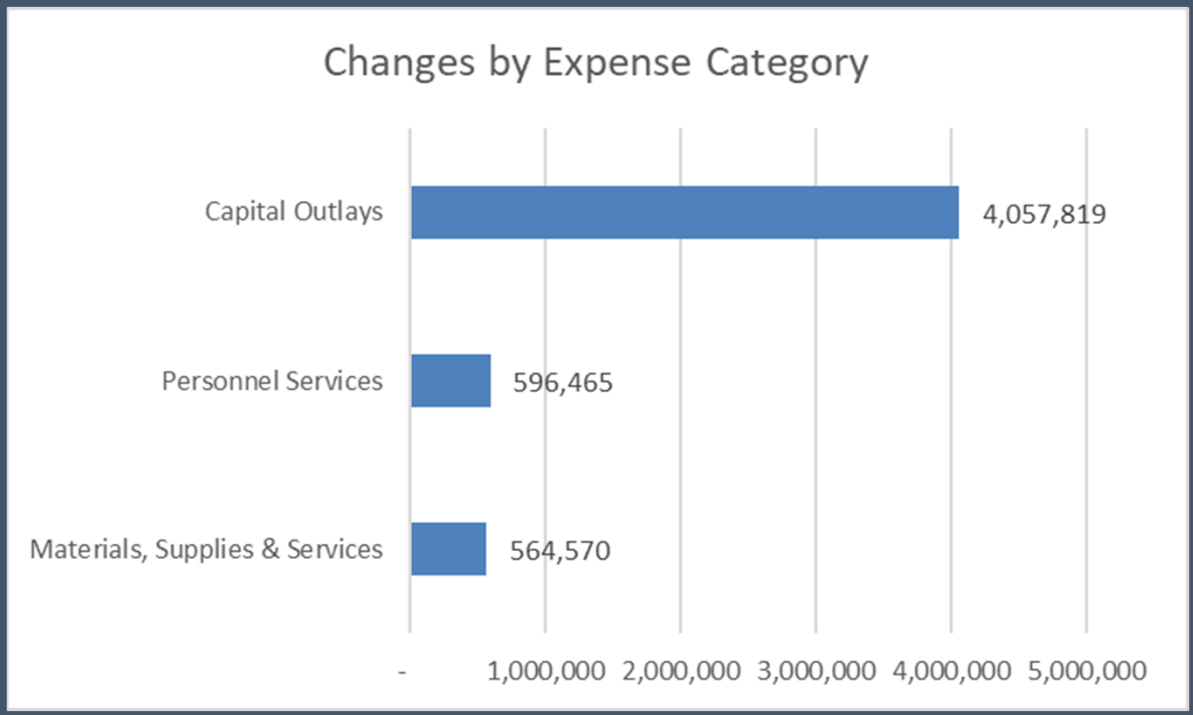
LEISURE SERVICES OVERVIEW





LEISURE SERVICES OVERVIEW





LEISURE SERVICES OVERVIEW

Significant Changes:

$4M increase in capital outlay as detailed

$351,216 compensation & benefit adjustments for current positions (90 FT)

$123,375 for 2 new positions

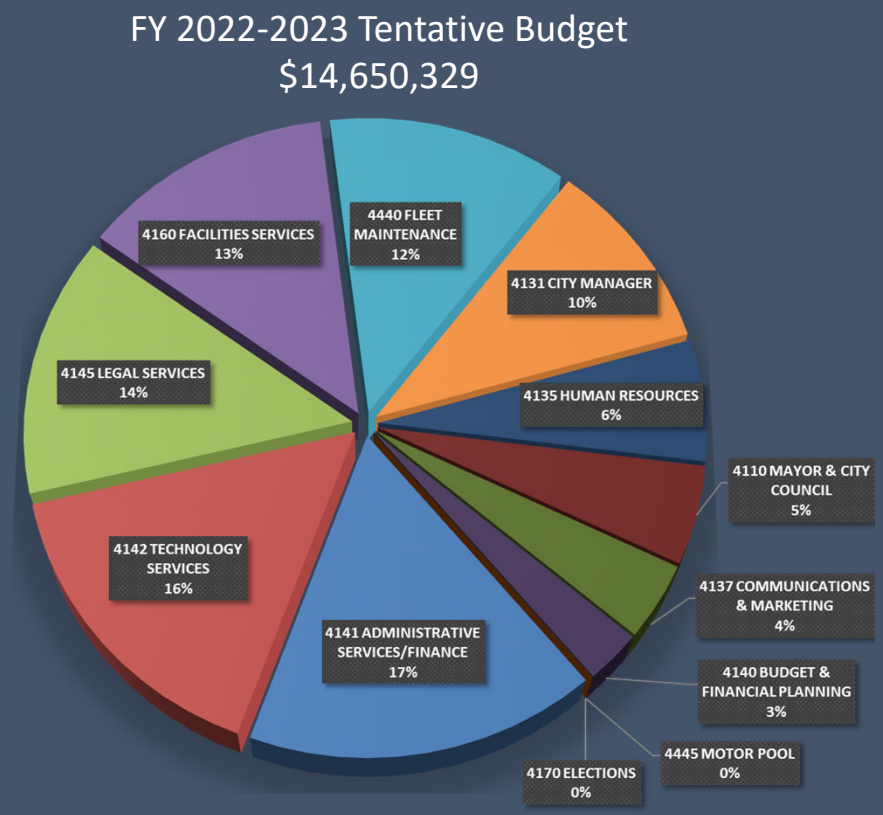
Balance of growth due to inflationary cost impacts

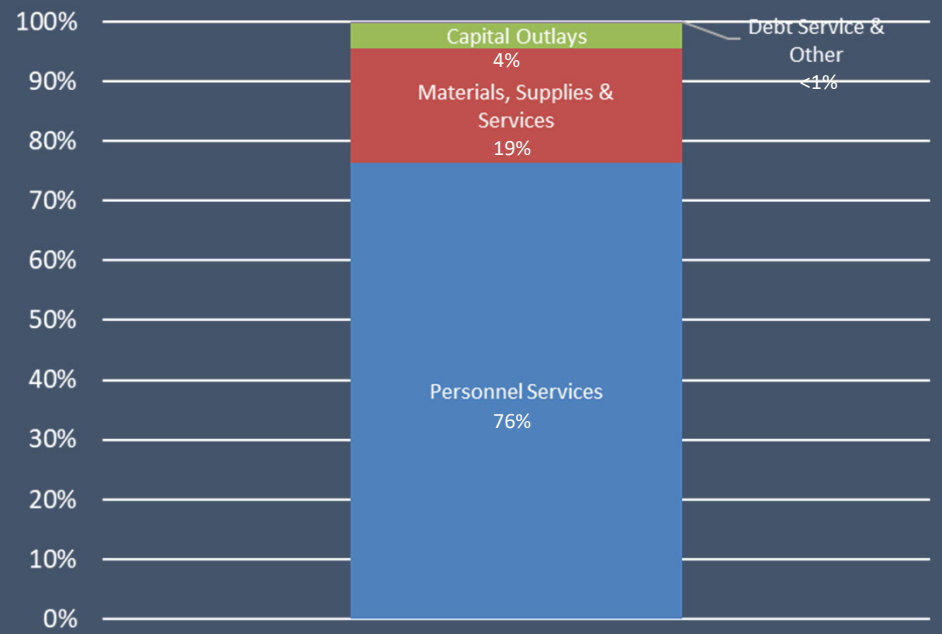
Top Capital Items:

- $3,030,000 for Little Valley Soccer Field conversion to turf fields*
- $850,000 for Sugarloaf interpretive Trail
- $800,000 for Sandtown Park Restroom*
- $500,000 for PH1 Bloomington Hills Park Renovation
- $515,000 for (10) equipment & vehicles*
- $175,000 for SHAC Changing Room Remodel
- $100,000 for Thunder Junction Playground Resurface
- $85,000 for Cemetery Roadway project*
- $68,300 for ticket booth / av booth expansion at Electric Theater*
- $55,000 for Cinderblock wall at Cemetery

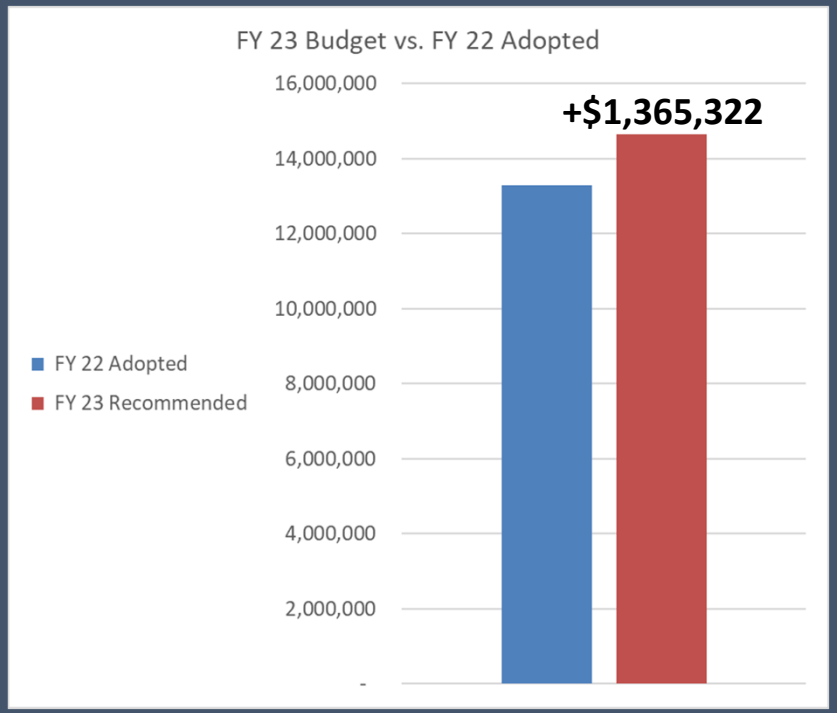
*Item is either fully or partially funded from one-time revenue as detailed in the hand-out.

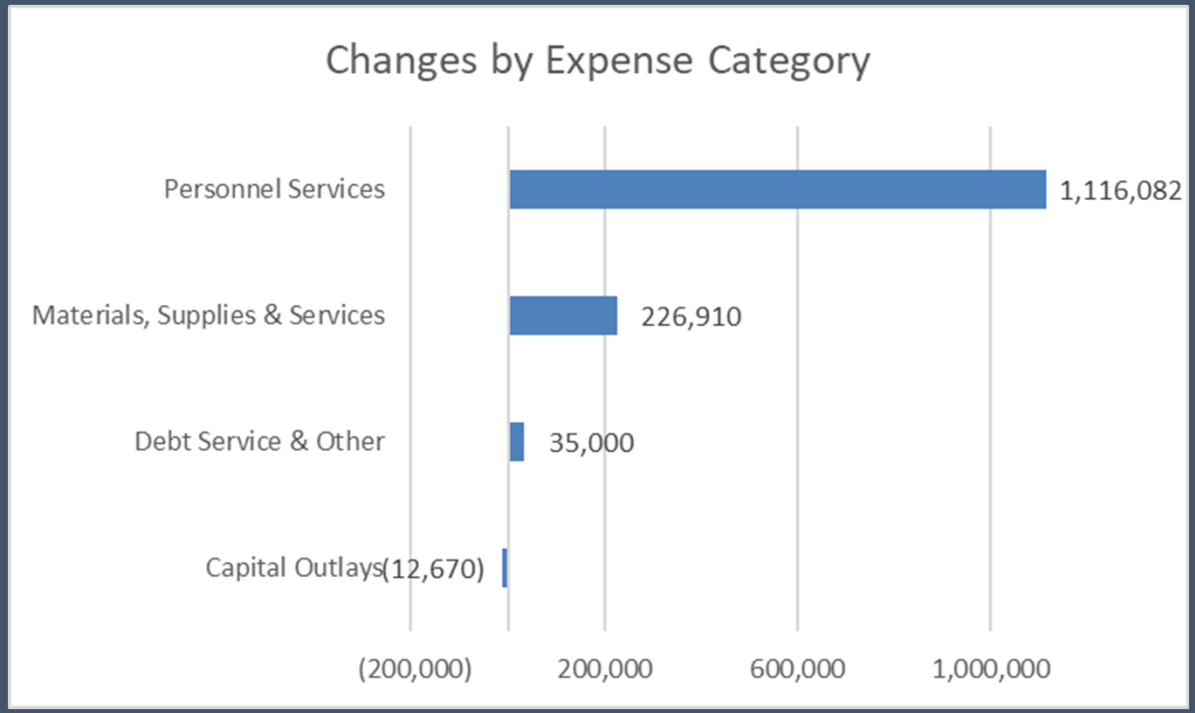
GENERAL GOVERNMENT OVERVIEW





GENERAL GOVERNMENT OVERVIEW





GENERAL GOVERNMENT OVERVIEW

Significant Changes:

$530,693 compensation & benefit adjustments for current positions (95.2 FT)

$58,078 for 1 new Building Technician

1 position moved from Leisure Services into General Government

1 position moved from Community Development into General Government

$154,547 increase in technology purchases to improve network security and operational efficiencies

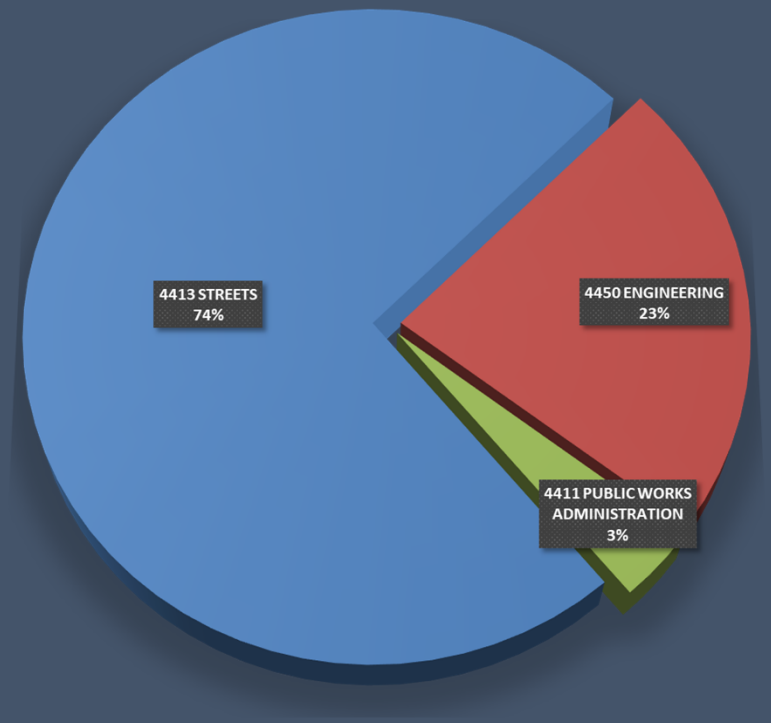
Top Capital Items:

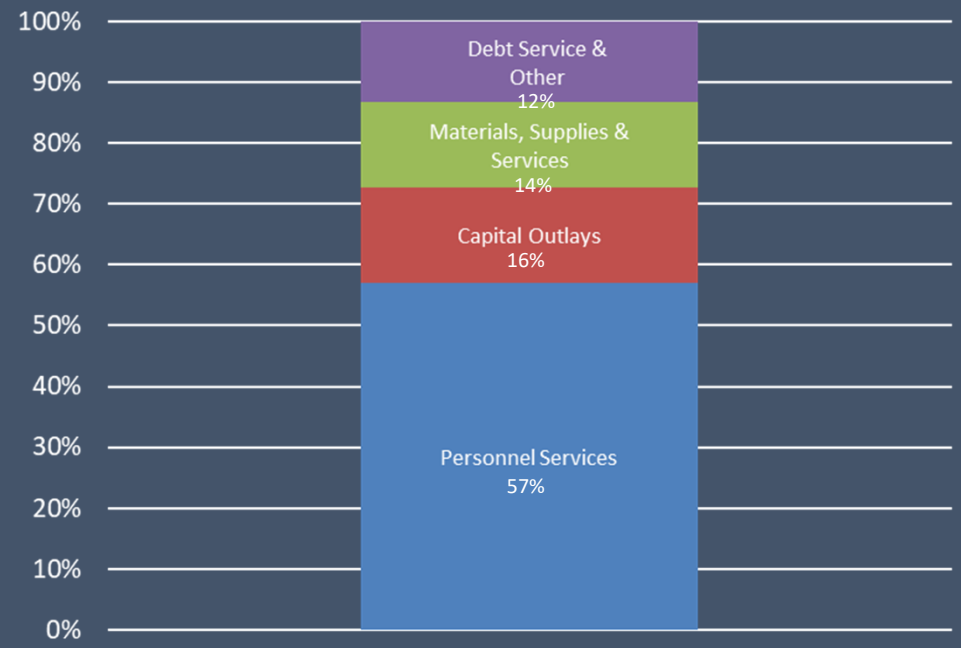
- $157,000 year 2 for Thor project (5-year computer rotation program)
- $100,000 for Legal Case Management System
- $72,000 for Budget Development Software
- $61,950 for Time Keeping Software
- $53,000 for Pure Storage Expansion
- $40,000 for Rec Center Men's Restroom Remodel*

*Item is either fully or partially funded from one-time revenue as detailed in the hand-out.

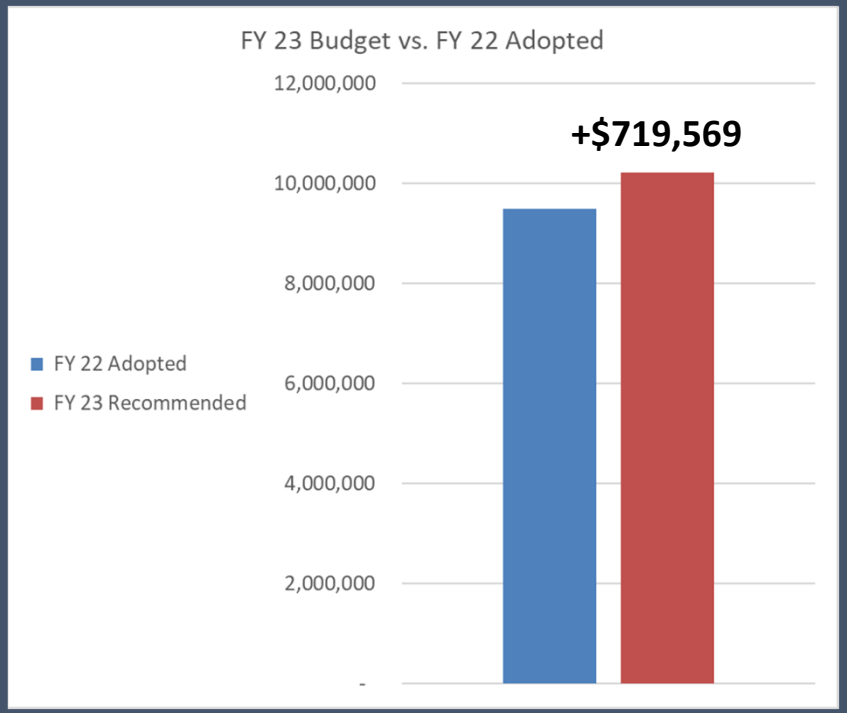
PUBLIC WORKS OVERVIEW

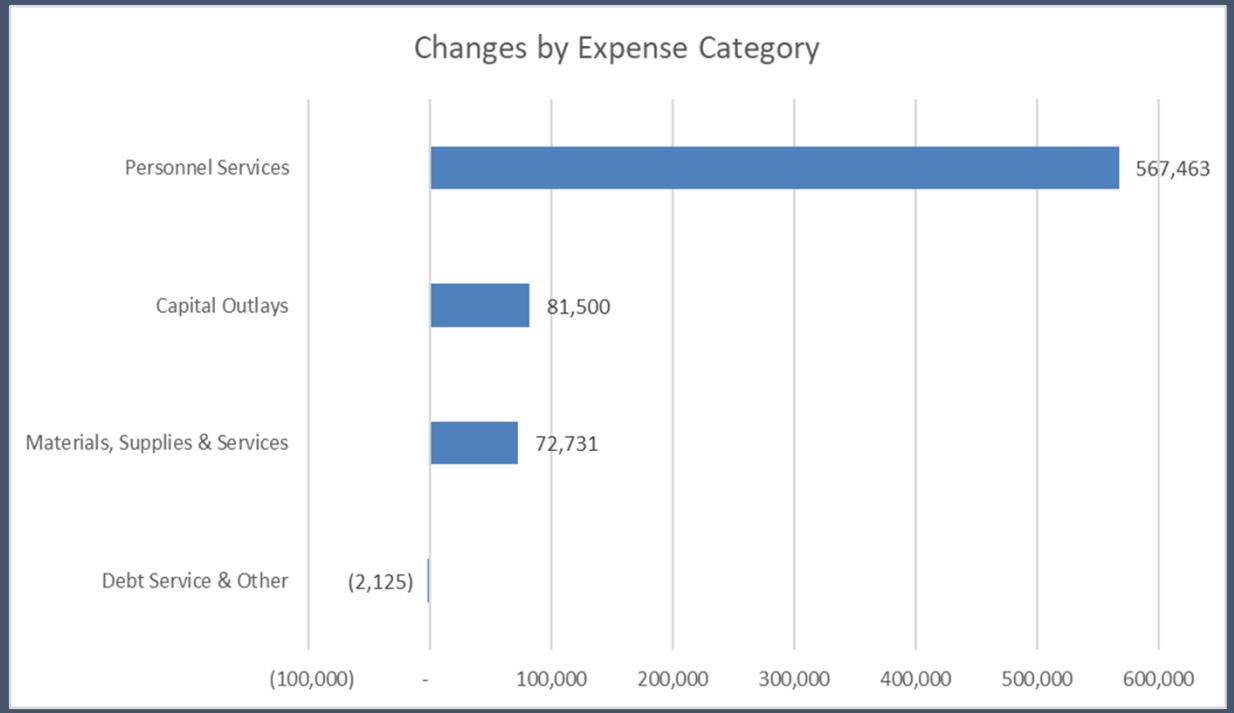
FY 2022-2023 Tentative Budget
$10,222,325





PUBLIC WORKS OVERVIEW





PUBLIC WORKS OVERVIEW

Significant Changes:

$281,220 compensation & benefit adjustments for current positions (59 FT)

$197,250 for 3 new positions

Balance due to increase in capital outlay and inflationary cost impacts

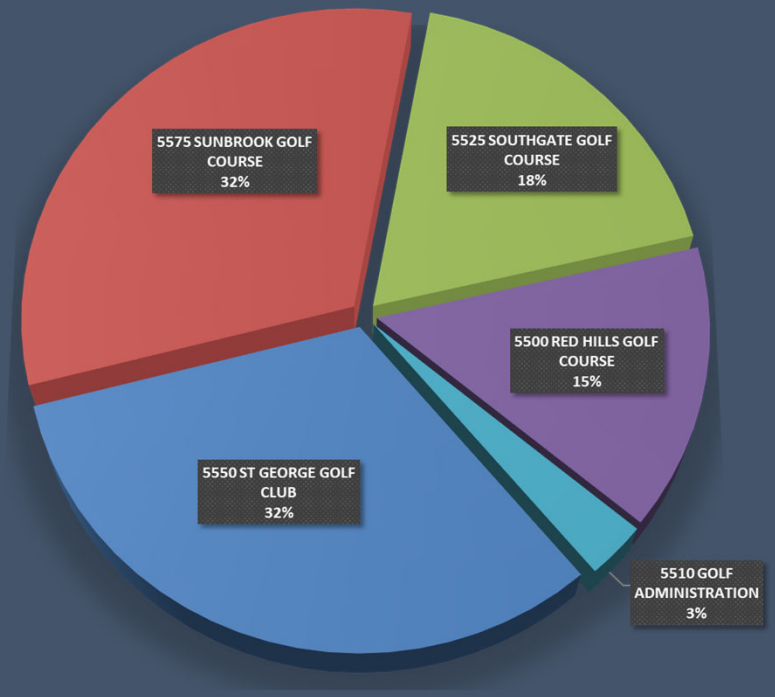
Top Capital Items:

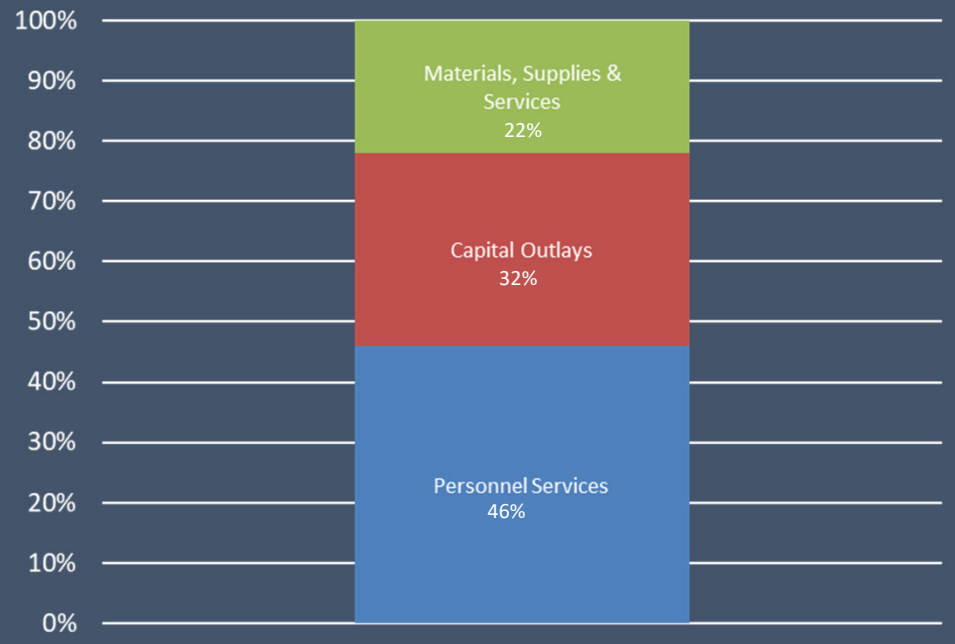
- $585,000 for (1) Vac Con Truck*
- $205,000 for (1) Front End Loader
- $185,000 for (1) Dump Truck
- $125,000 for (1) Pneumatic Roller
- $125,000 for (1) Backhoe*
- $69,000 for (1) Half-ton Dump Truck
- $68,000 for (1) Skid steer
- $65,000 for Signal Camera Replacements

*Item is either fully or partially funded from one-time revenue as detailed in the hand-out.

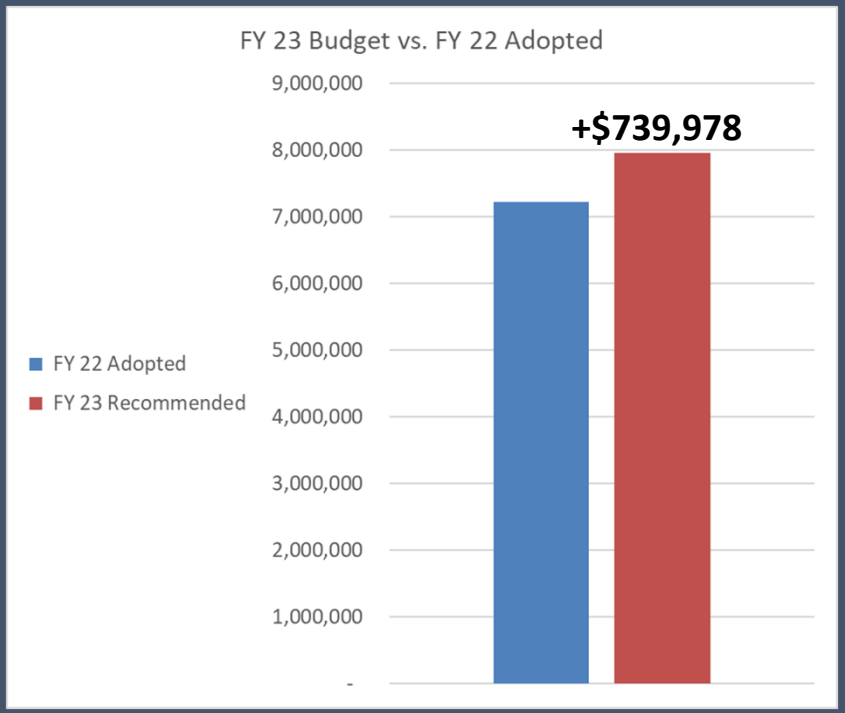
GOLF OVERVIEW

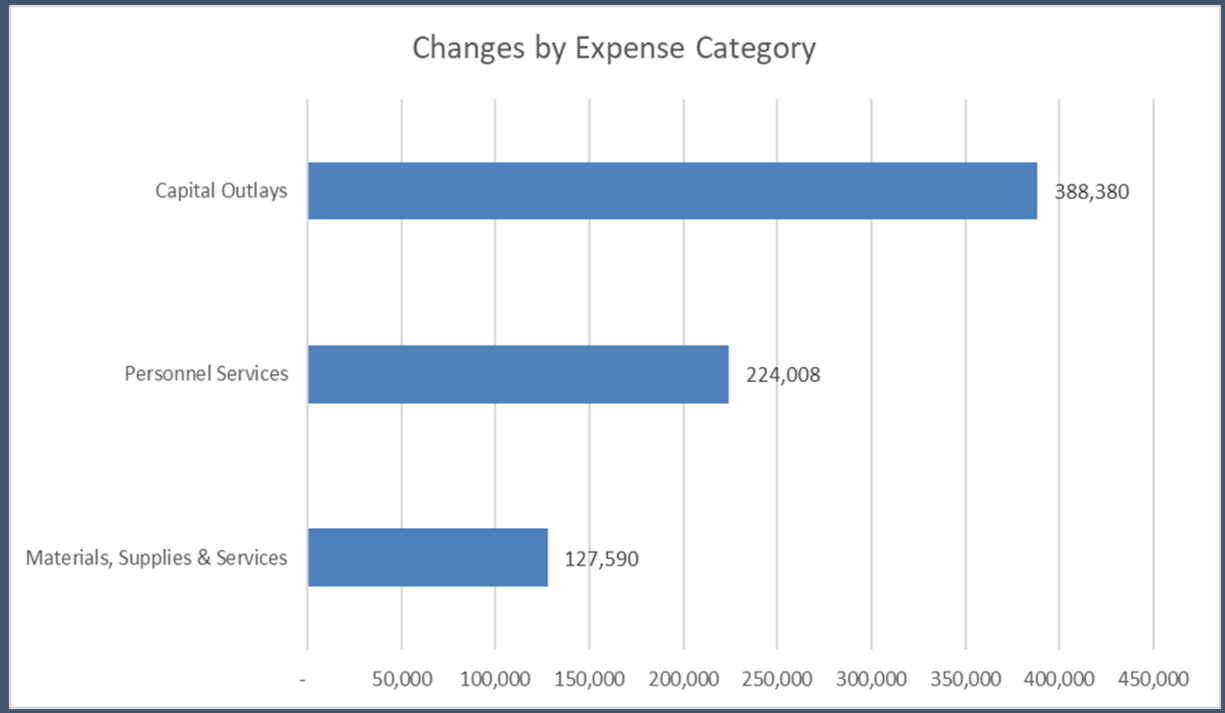
FY 2022-2023 Tentative Budget
$7,959,580





GOLF OVERVIEW





GOLF OVERVIEW

Significant Changes:

$148,701 compensation & benefit adjustments for current positions (36 FT)

$338k increase in capital as detailed

Balance due to inflationary cost impacts

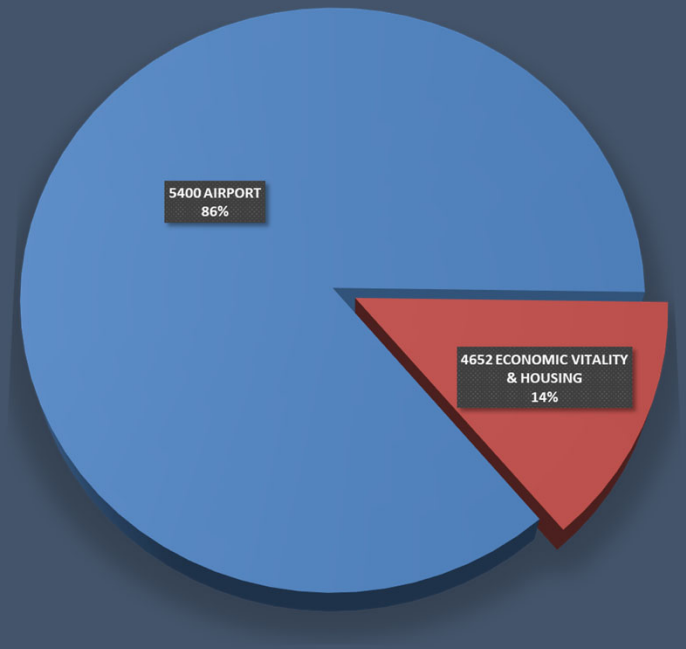
Top Capital Items:

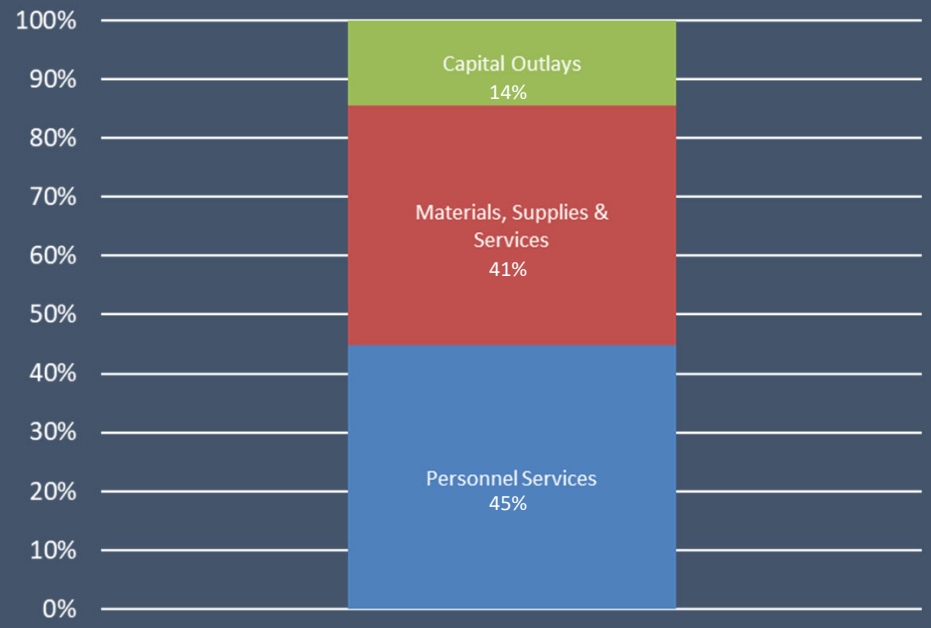
- $1,300,000 St. George Clubhouse Renovation*
- $480,000 Sunbrook Pump Station Replacement*
- $300,000 Red Hills Maintenance Building Replacement
- $227,680 in (5) equipment replacements
- $75,000 Sunbrook Booster Pump Replacement

*Item is either fully or partially funded from one-time revenue as detailed in the hand-out.

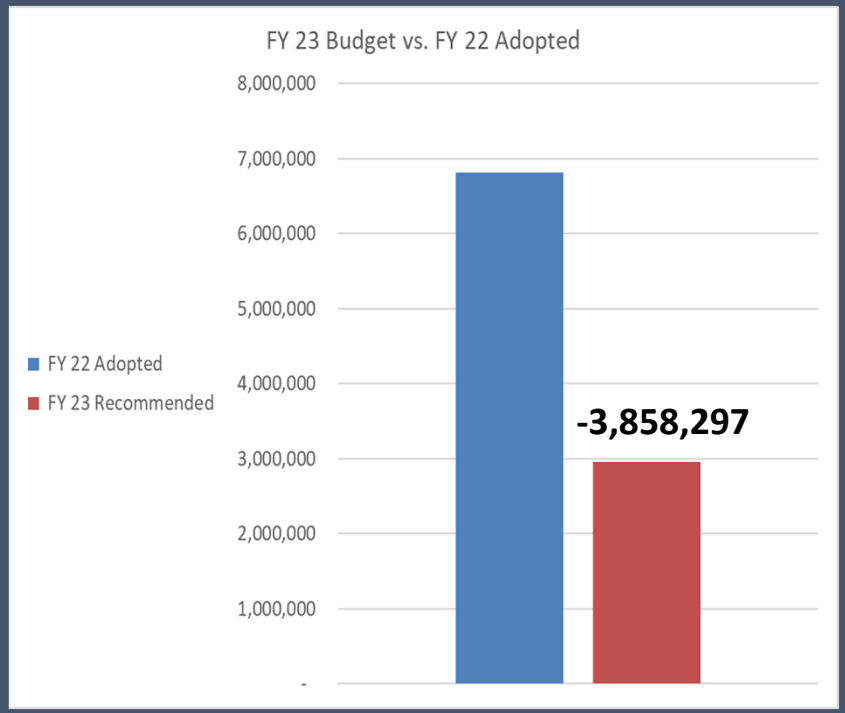
ECONOMIC VITALITY & HOUSING OVERVIEW

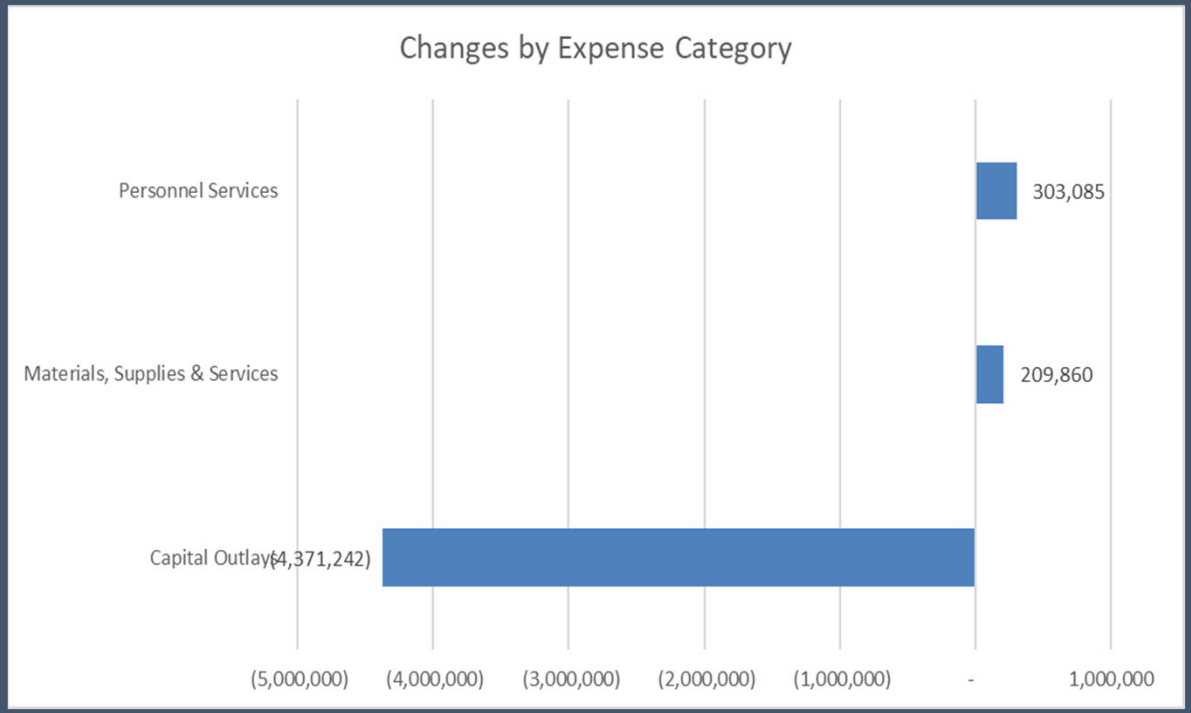
FY 2022-2023 Tentative Budget
$2,962,354





ECONOMIC VITALITY & HOUSING OVERVIEW





ECONOMIC VITALITY & HOUSING OVERVIEW

Significant Changes:

$59,123 compensation & benefit adjustments for current positions (11 FT)

$205,020 3 new FT Airport positions

-4.3M decrease in capital as projects completed or moved (ARF Truck, apron design, Taxiway & Apron) and major projects moved to the Airport Capital Project Fund

Balance due to inflationary cost impacts and new maintenance contracts for facility equipment at the Airport

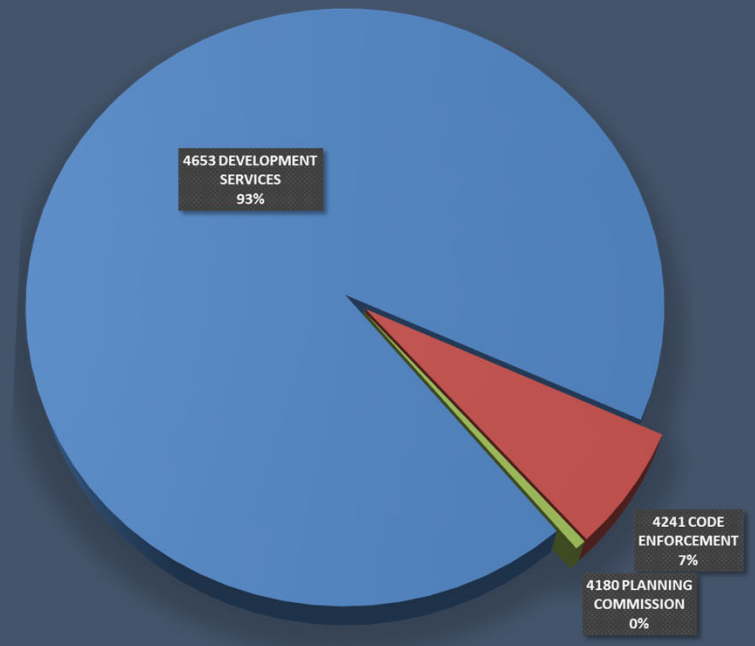
Top Capital Items:

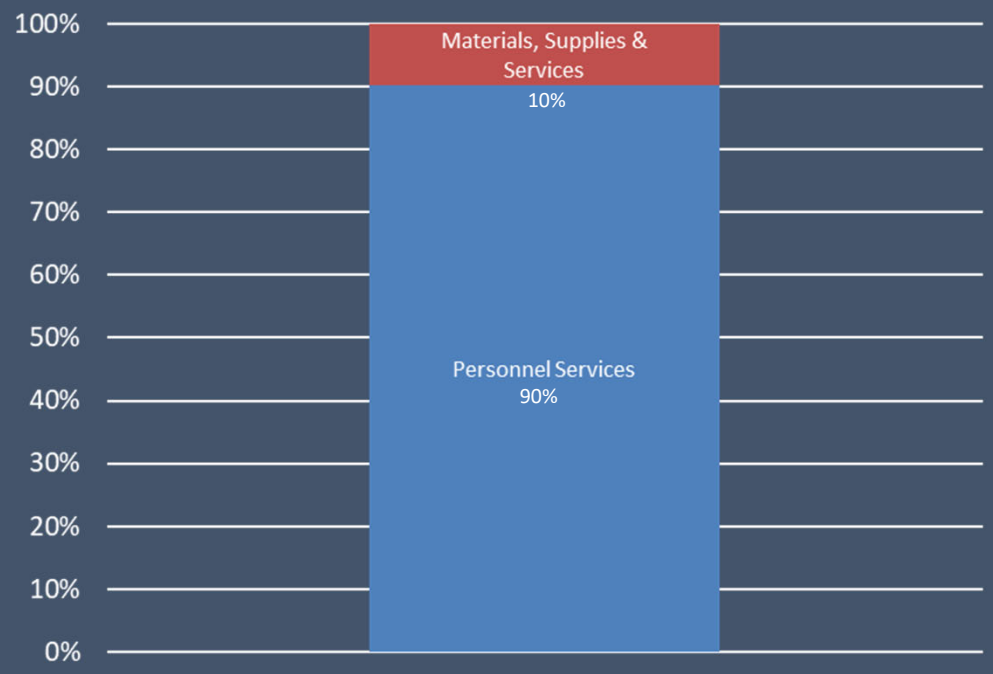
- $231,537 Terminal Apron Expansion Design Work Roll-over from FY 22*
- $66,000 Airport Master Plan Roll-over from FY 22
- $59,000 Terminal Secure Area Furniture
- $45,000 Replacement Intercom Sound System

*Item is either fully or partially funded from one-time revenue as detailed in the hand-out.

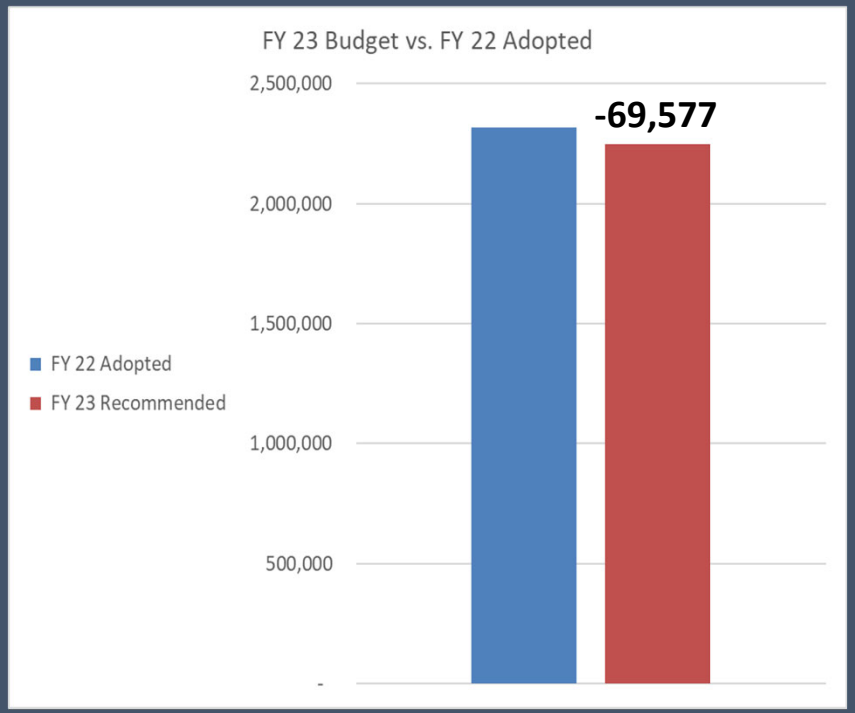
COMMUNITY DEVELOPMENT OVERVIEW

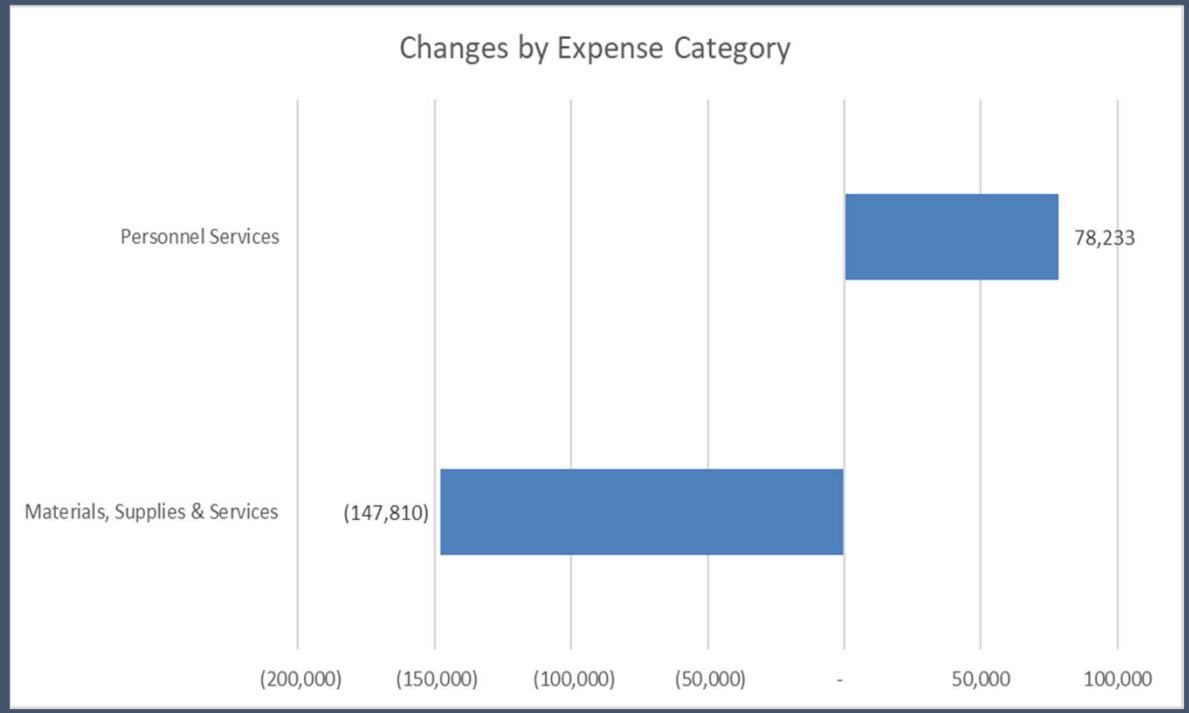
FY 2022-2023 Tentative Budget
$2,248,559





COMMUNITY DEVELOPMENT OVERVIEW





COMMUNITY DEVELOPMENT OVERVIEW

Significant Changes:

$104,717 compensation & benefit adjustments for current positions (20 FT)

1 FT position (events coordinator) moved to City Manager budget

-$100,000 decrease in plan review services

Top Capital Items:

- NA