



**WORK/STUDY AGENDA
SPRINGVILLE CITY COUNCIL MEETING
JULY 02, 2019 AT 5:30 P.M.
City Council Chambers
110 South Main Street
Springville, Utah 84663**

MAYOR AND COUNCIL DINNER - 5:00 P.M.

The Mayor and Council will meet in the Council Work Room for informal discussion and dinner. No action will be taken on any items.

CALL TO ORDER- 5:30 P.M.

COUNCIL BUSINESS

1. Calendar

- Jul 04 - Independence Day Observed (City Offices Closed)
- Jul 09 - Work/Study Meeting 5:30 p.m.
- Jul 16 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Jul 24 - Pioneer Day Observed (City Offices Closed)
- Aug 06 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.

2. DISCUSSION ON THIS EVENING'S REGULAR MEETING AGENDA ITEMS

- a) Invocation - Councilmember Miller
- b) Pledge of Allegiance - Councilmember Nelson
- c) Consent Agenda
 1. Approval of minutes for the June 04, 2019 regular and work study meetings
 2. Approval of a Resolution and Interlocal Agreement for a Justice Court Judge - John Penrod, Assistant City Administrator/City Attorney
 3. Consideration of a revised agreement with Prestige Broadband - John Penrod, Assistant City Administrator/City Attorney
 4. Approval of an amendment to Springville City Code Title 3 Chapter 1 Section 102 Director of Public Safety - John Penrod, Assistant City Administrator/City Attorney

3. DISCUSSIONS/PRESENTATIONS

- a) Discussion regarding Flood Mitigation Projects and Funding - Jeff Anderson, City Engineer
- b) Discussion regarding Springville City Code 9-2-110 Street-Legal All-Terrain Vehicles and Off-Highway Vehicles ordinance amendment - Cari Thomsen, Legal Assistant
- c) Discussion regarding Springville City Code 7-3 Beer and Liquor Sales ordinance amendment - Cari Thomsen, Legal Assistant

4. MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE- POSTED 06/28/2019

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

Meetings of the Springville City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to Springville City Municipal Code 2-4-102(4) regarding electronic meetings. s/s - Kim Crane, CMC, City Recorder



5. CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.

6. ADJOURNMENT

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CALL TO ORDER
INVOCATION AND PLEDGE
APPROVAL OF THE MEETING'S AGENDA
MAYOR'S COMMENTS

PUBLIC COMMENT

Audience members may bring any item not on the agenda to the Mayor and Council's attention. Please complete and submit a "Request to Speak" form. Comments will be limited to two or three minutes, at the discretion of the Mayor. State Law prohibits the Council from acting on items that do not appear on the agenda.

CONSENT AGENDA

The Consent Agenda consists of items that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Council. The Agenda provides an opportunity for public comment. If after the public comment the Council removes an item from the consent agenda for discussion, the item will keep its agenda number and will be added to the regular agenda for discussion, unless placed otherwise by the Council.

1. Approval of minutes for the June 04, 2019 regular and work study meetings
2. Approval of a Resolution and Interlocal Agreement for a Justice Court Judge - John Penrod, Assistant City Administrator/City Attorney
3. Approval of a revised agreement with Prestige Broadband - John Penrod, Assistant City Administrator/City Attorney
4. Approval of an amendment to Springville City Code Title 3 Chapter 1 Section 102 Director of Public Safety - John Penrod, Assistant City Administrator/City Attorney

REGULAR AGENDA

5. Consideration of an Ordinance amending the Springville City Development Code, Sections: 11-3-402 Definitions (Outdoor Storage); 11-4-301 Land Use Matrix; 11-5-402 Use and Development Regulations (Westfields and Lakeside Overlays); and 11-5-406 Housing Mix Requirements - Laura Thompson, City Planner II
6. Consideration of an Ordinance amending the Official Zone Map applying the Lakeside Overlay Zone to parcels located within the Lakeside Community Plan area - Laura Thompson, City Planner II
7. Consideration of a Cooperative Agreement with UDOT for a Traffic Signal and Intersection Spacing Control Plan - Brad Stapley, Public Works Director

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MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

8. *The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.*

ADJOURNMENT

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MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, JUNE 04, 2019 AT 5:30 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

Mayor Richard J. Child presided. In addition to Mayor Child, the following were present: Councilmember Christopher Creer, Councilmember Craig Jensen, Councilmember Jason Miller, Councilmember Brett Nelson, Councilmember Michael Snelson, City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, and City Recorder Kim Crane.

Also, present were: Public Safety Director Craig Martinez, Building and Grounds Director Bradley Neel, Power Department Director Leon Fredrickson, Public Works Director Brad Stapley, Operations Manager Rod Oldroyd, Recreation Director Corey Merideth and Museum Director Rita Wright. Excused from the meeting Assistant City Administrator/Finance Director Bruce Riddle

CALL TO ORDER

Mayor Child welcomed everyone and called the Work/Study meeting to order at 5:30 p.m.

COUNCIL BUSINESS

1) Calendar

- Jun 01-08 - Art City Days Celebration
- Jun 03-07 - Declarations of Candidacy for City Council
- Jun 11 - Work/Study Meeting 5:30 p.m.
- Jun 18 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Jul 02 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.

Mayor Child asked if there were any questions or additions to the calendar. There were none.

2) Discussion on this evening's Regular Meeting agenda items

- a) Invocation - Councilmember Snelson
- b) Pledge of Allegiance - Councilmember Jensen
- c) Consent Agenda
 3. Approval of a declaration of Surplus Property - Leon Fredrickson, Power Department
 4. Approval of an Interlocal Agreement with Utah County for the 2019 County Recreation Grant in the amount of \$16,620.77 - Corey Merideth, Recreation Director
 5. Approval of the Meadows at Jessie Brook Phase 2 Subdivision Final located in the area of 1100 West 1200 South in the R1-10 Single-Family Residential and Westfield's Overlay Zones - John Penrod, Assistant City Administrator/City Attorney
 6. Approval of the Canyon Springs, Plat B Subdivision Final located in the area of 700 West 900 South in the R1-10 Single-Family Residential and Westfield's Overlay Zones - John Penrod, Assistant City Administrator/City Attorney
 7. Approval of the adjustment to the Final approval of Sumsion West Plat B - John Penrod, Assistant City Administrator/city Attorney

- 42 8. Approval of an Ordinance amending Springville City Code Title 4 Section 4-1-101 thru
44 Section 4-1-117 Electric Department Public Property and Utilities - Leon Fredrickson,
Power Director
- 46 9. Approval of Firework Restrictions for the wildland interface areas of Springville - Henry
Clinton, Fire Chief
- 48 10. Approval of adopting a Multi-Jurisdictional Mutual Aid Agreement, for Fire, EMS, and
other Emergency Services - Henry Clinton, Fire Chief

50 Mayor Child asked if there was any discussion on tonight's consent agenda. Councilmember
52 Creer and Snelson questioned item #10, the Multi-Jurisdictional Mutual Aid Agreement and why the
54 participating cities are all north of Utah County. Attorney Penrod explained currently there is a Mutual
Aid Agreement with the surrounding cities. The agreement up for approval would expand mutual aid
between Springville and northern cities although use is expected to be infrequent.

56 **3) DISCUSSIONS/PRESENTATIONS**

58 **a) Discussion regarding on Street Parking - Jason Riding, Public Works Streets Superintendent**

58 Superintendent Riding addressed issues with truck traffic parking on 1750 west. He asked for
60 some restrictions due to problems with litter, human waste, broken down vehicles, trucks and trailers
62 being left over night or for multiple days, also damage has been done to guardrails, and the sewer lift
station in the area.

62 Parking on Main Street north of 400 North is being used for overnight parking. Because Main
64 Street is a UDOT road approval will be needed to post parking signs. Previously Main Street up to 400
North was signed with three hour parking, for whatever reason the signage is no longer in place.

66 Riding advised there are some recommendations, with each solution there is a cost. Fitzgerald
68 explained if the Council would like to do something with signage; an adjustment could be made for the
funding before the budget is up for approval on June 18, 2019.

68 Councilmember Miller commented 1750 west will be another gateway to the city and is an
70 eyesore. Fitzgerald added staff was concerned the problem would be pushed to another part of the city.
The area of 1750 west and the frontage road by Walmart are the biggest concerns for nuisances.

72 Riding commented if the council decided to limit parking on 1750 west they should also look at
1000 north around the corner.

74 After discussion amongst the council they were in consensus to go with 2 hour parking during
the day and no parking after 10 p.m. after July 1, 2019.

76 **b) Discussion of Title 10 Building and Construction Section of the Springville City Code - Jason
Van Ausdal, Building Official**

78 Building Official Van Ausdal reported on Title 10 of the Springville City Code and bringing it up to
80 date with State Code. Van Ausdal gave a background of the services the Building Department provides,
from permit processing, plans examinations, inspections, and code enforcement to name a few. He
82 expounded on current development projects within the city. Some of the challenges for the Department
have been; work done without permits, inadequate plan submissions and plans reviewed with no
84 payment or abandoned. With the amendment he would like to have the existing building code reference
the State Code. Provide a means to deal with property maintenance consistent with State Code. He
86 would like to see some policy changes by providing for a plan review securement upfront rather than a
minimal deposit and recapture cost of operations for work done when permits are abandoned.

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MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

92 Mayor Child asked for any other comments.

93 Councilmember Nelson asked about the status of filling the Community Development Director
94 position. Administrator Fitzgerald noted the position closes June 06, 2019 and they are reviewing over
30 applicants.

96 Councilmember Nelson asked Recreation Director Merideth how much usage the new field
house was getting, how the budget was for it and what marketing has been done. Merideth replied
98 currently activities are all outside and the field house is not being used. The project and construction
started midyear and the budget is being reviewed. During the winter the facility was used regularly.

100 Councilmember Miller asked about a tree that had recently fallen in the Devon Glen area and
damaged a fence. He suggested having the City Arborist go through the area because there are a lot of
102 trees and some are overhanging houses. Penrod replied an inspection is done annually, because of this
recent event they will be going out again.

104 Councilmember Creer asked about the intersection on 950 West and 400 South being closed
and asked how much longer it would be restricted. Superintendent Riding stated because of the rain
106 and weather it has delayed the project and should be completed soon.

108 4) CLOSED SESSION

The Springville City Council may temporarily recess the regular meeting and convene in a closed
110 session to discuss the character, professional competence, or physical or mental health of an
individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real
112 property, as provided by Utah Code Annotated Section 52-4-205

There was none.

114

ADJOURNMENT

116 COUNCILMEMBER CREER MOVED TO ADJOURN THE WORK/STUDY MEETING OF THE
SPRINGVILLE CITY COUNCIL AT 6:23 P.M

118 COUNCILMEMBER JENSEN SECONDED THE MOTION, ALL VOTED AYE.

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124 *This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday,
June 04, 2019.*

126 *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of
Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record
128 of this meeting held on Tuesday, June 04, 2019.*

130

132

Kim Crane, CMC
City Recorder

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON
TUESDAY, JUNE 04, 2019 AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET,
SPRINGVILLE, UTAH.

6:30 p.m.

CEREMONIAL

1. Swearing in of New Public Safety Director, Craig Martinez

City Recorder Kim Crane swore in new Public Safety Director/Police Chief Craig Martinez.

Mayor Richard J. Child presided. In addition to Mayor Child, the following were present: Councilmember Christopher Creer, Councilmember Craig Jensen, Councilmember Jason Miller, Councilmember Brett Nelson, Councilmember Michael Snelson, City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod and City Recorder Kim Crane.

Also, present were: Public Safety Director Craig Martinez, Building and Grounds Director Bradley Neel, Power Department Director Leon Fredrickson, Public Works Director Brad Stapley, Recreation Director Corey Merideth and Museum Director Rita Wright. Excused from the meeting Assistant City Administrator/Finance Director Bruce Riddle

CALL TO ORDER

Mayor Child welcomed everyone and called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

Councilmember Snelson offered the invocation, and Councilmember Jensen led the Pledge of Allegiance.

APPROVAL OF THE MEETING'S AGENDA

COUNCILMEMBER SNELSON MOVED TO APPROVE THE MEETING'S AGENDA AS WRITTEN. COUNCILMEMBER CREER SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

MAYOR'S COMMENTS

Mayor Child welcomed the Council, staff and audience. He asked for any scouts or students on assignment to please stand and be recognized.

CEREMONIAL

2. Presentation from the Springville Art Royalty

Jordan Hansen, Teen Program Specialist for the Museum of Art, introduced the 2019 Springville Art Royalty. She explained the royalty provides volunteer service for events around the city.

3. Presentation of Dignitaries for Art City Days - Corey Merideth, Recreation Director

Director Merideth introduced Heidi and Patrick Monney co-chairs for Art City Days to present recognition to this year's dignitaries. Resident Artist, Allison Watson; Business of the Year, Pepsi Cola of Springville; Grand Marshall, Dutch Hall and Citizens of the Year, Patrick and Heidi Monney.

PUBLIC COMMENT

46 Mayor Child introduced the Public Comment section of the agenda. He asked if there were any
requests. There were no comments.

48

CONSENT AGENDA

- 50 4. Approval of a declaration of Surplus Property - Leon Fredrickson, Power Department
- 52 5. Approval of a Resolution and Interlocal Agreement with Utah County for the 2019 County
Recreation Grant in the amount of \$16,620.77 - Corey Merideth, Recreation Director
- 54 6. Approval of the Meadows at Jessie Brook Phase 2 Subdivision Final located in the area of 1100
West 1200 South in the R1-10 Single-Family Residential and Westfield’s Overlay Zones - John
Penrod, Assistant City Administrator/City Attorney
- 56 7. Approval of the Canyon Springs, Plat B Subdivision Final located in the area of 700 West 900
South in the R1-10 Single-Family Residential and Westfield’s Overlay Zones - John Penrod,
58 Assistant City Administrator/City Attorney
- 60 8. Approval of an adjustment to the Final approval of the Sumsion West Plat B subdivision plan -
John Penrod, Assistant City Administrator/city Attorney
- 62 9. Approval of an Ordinance amending Springville City Code Title 4 Section 4-1-101 thru Section
4-1-117 Electric Department Public Property and Utilities - Leon Fredrickson, Power Director
- 64 10. Approval of Firework Restrictions for the wildland interface areas of Springville - Henry Clinton,
Fire Chief
- 66 11. Approval of adopting a Multi-Jurisdictional Mutual Aid Agreement, for Fire, EMS, and other
Emergency Services - Henry Clinton, Fire Chief

68 COUNCILMEMBER CREER MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN
AND APPROVE **RESOLUTION #2019-23** AUTHORIZING THE EXECUTION OF AN INTERLOCAL
70 COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND THE CITY OF SPRINGVILLE, UTAH
REGARDING THE ADMINISTRATION OF THE 2019 COUNTY REC GRANT AND,

72 APPROVE **ORDINANCE #12-2019** TO AMEND SPRINGVILLE CITY CODE SECTION 4-1-101
TO SECTION 4-1-117 (POWER DEPARTMENT) TO CORRECT LANGUAGE AND MAKE OTHER
74 TECHNICAL CHANGES.

COUNCILMEMBER MILLER SECONDED THE MOTION. THE VOTE IS RECORDED AS
76 FOLLOWS:

- COUNCILMEMBER CREER AYE
- 78 COUNCILMEMBER JENSEN AYE
- COUNCILMEMBER MILLER AYE
- 80 COUNCILMEMBER NELSON AYE
- COUNCILMEMBER SNELSON AYE

82 **RESOLUTION #2019-23, ORDINANCE #12-2019 APPROVED.**

84 **REGULAR AGENDA**

86 12. Consideration of Final approval for the Foxridge Condominiums located in the area of 600 South
100 West in the RMF-2 -Multi-Family Residential Zone - John Penrod, Assistant City
Administrator/City Attorney

88 Attorney Penrod reported on the final condominium plat located at 600 south 100 west. The
proposed multifamily condominium project is located on the former Nebo Learning Center property on
90 south Main Street and consists of approximately six residential buildings totaling 135-units. UDOT has
requested 700 South be closed because of traffic concerns and have included a collector street. UDOT
92 has been looking into putting a traffic light on Main Street at 600 south. The traffic lights are expected to

94 be installed before the development is fully occupied. The development does meet within the zoning requirements and the Planning Commission has approved.

96 Councilmember Creer asked if the City could request 700 south remain open until the traffic light is installed. Fitzgerald stated he believes UDOT was looking at changing the road and working on it as a Phase 1.

98 Penrod explained the commercial element of the development. He reviewed parking requirements per city code and design elements.

100 Corey Anderson, project developer; said they have started taking contracts for the first building. One of their similar developments in Orem took 2.5 years, because they stagger building and don't do every building at once. The units are sold and are not apartments. He explained how the first phase would be done and UDOT has granted them the terms that 700 South be closed.

104 Arden Hjorth, Springville resident; stated for the record a citywide petition was presented to the council for a comprehensive non-partisan traffic study for Main Street, 400 South, 700 South and surrounding areas be completed before a zone change is made in the area, the petition was ignored. He asked to be on record stating the applicant said he had money for roads. They have seen nothing that the city will receive funds from the applicant for roads. He asked to be on record; two individuals in the neighborhood who met with Glen Goins about the petition has moved out of the neighborhood and last week it was announced that Director Glen Goins was no longer with the City. It has become clear the developer carries more weight with the City Council than the citizens of Springville. He asked how the roads will be affected with a middle school going in the area.

114 Marlene Nelson, Springville resident; stated she was excited about the development, and hopes it goes as planned. She said it was good to see the west side of Main Street looking better, although the road situation will be difficult.

116 Marlene Reed, resident Springville; had a question about the light. She works in Mapleton comes into the city through that area. People are not going the speed limit and she is worried about congestion. She stated 400 south is a big concern and the area of south main is a concern. She was in the meeting when Mr. Anderson said he would have funds for roads and sidewalks. It will be nice to have the area looking better, but doesn't want to pay for sidewalks. She asked who would pay for the road going down 700 south. She suggested Walgreens on 400 south could have an entrance only off 400 south and an exit only onto main street.

124 Director Stapley stated Public Works has worked with UDOT on the project and the school going in the area and the developer has been a great help. UDOT will sync the lights along the corridor. Traffic studies have been done on the area and coordinated with City engineers.

126 Maryann Ayers, Springville resident; lives on 400 south and her driveway is affected. She asked with 700 South being closed and traffic coming down 170 west, what will happen to her property and having access. Councilmember Snelson asked for clarification on access. When she is coming home she has to turn left on 170 west. Director Stapley explained they could do traffic counts for the area, and look at options for traffic calming.

132 COUNCILMEMBER NELSON MOVED TO GRANT FINAL APPROVAL OF THE FORXRIDGE CONDOMINIUMS LOCATED IN THE AREA OF 600 SOUTH 100 WEST IN THE RMF-2 -MULTI-FAMILY RESIDENTIAL ZONE, WITH AUTHORITY GIVEN TO THE CITY ENGINEER TO EXECUTE ALL DOCUMENTS AFTER FINAL APPROVAL BY THE CITY ATTORNEY.

136 COUNCILMEMBER JENSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

138 MAYOR, COUNCIL REPORTS

140 Mayor Child asked if there were any comments. There was none.

13. CLOSED SESSION

142 *The Springville City Council may temporarily recess the regular meeting and convene in a*
143 *closed session to discuss the character, professional competence, or physical or mental health of an*
144 *individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real*
145 *property, as provided by Utah Code Annotated Section 52-4-205.*

146
147 COUNCILMEMBER JENSEN MOVED TO ADJOURN THE REGULAR MEETING AT 8:07 P.M.
148 AND CONVENE IN A CLOSED SESSION REGARDING PROPERTY.

149 COUNCILMEMBER SNELSON SECONDED THE MOTION. THE VOTE IS RECORDED AS
150 FOLLOWS:

- | | | |
|-----|-----------------------|-----|
| 151 | COUNCILMEMBER CREER | AYE |
| 152 | COUNCILMEMBER JENSEN | AYE |
| 153 | COUNCILMEMBER MILLER | AYE |
| 154 | COUNCILMEMBER NELSON | AYE |
| 155 | COUNCILMEMBER SNELSON | AYE |

156
157 Council returned to the work session at 8:36 p.m.

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159 **ADJOURNMENT**

160 COUNCILMEMBER JENSEN MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 8:36
161 P.M. COUNCILMEMBER CREER SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

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166 *This document constitutes the official minutes for the Springville City Council Regular meeting held on Tuesday, June 04, 2019.*
167 *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County,*
168 *State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on*
169 *Tuesday, June 04, 2019.*

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Kim Crane, CMC
City Recorder



STAFF REPORT

DATE: July 02, 2019
TO: Honorable Mayor and City Council
FROM: John Penrod, City Attorney
SUBJECT: CONSIDERATION OF ENTERING INTO AN INTERLOCAL AGREEMENT WITH MAPLETON CITY FOR COMPENSATING THE JUSTICE COURT JUDGE.

RECOMMENDATION

Motion to approve Resolution No. __ approving an interlocal agreement with Mapleton City with respect to the Justice Court Judge.

BACKGROUND

For several years now, Springville City and Mapleton City have been sharing the same judge for each of the cities' respective justice courts. The cities have shared in the costs without an agreement. The proposed interlocal agreement is to formalize the cities' agreement concerning the judge.

The interlocal agreement is a basic agreement. Three of the main provisions are as follows:

1. **Term.** The term of the agreement runs until January 1, 2022, which is the end date of the judge's term. The term will automatically renew for an additional six years in accordance with the judge's new term. After January 1, 2022, either party may terminate the agreement by providing the other party with a 90-day notice of termination.
2. **Compensation.** The judge's compensation will be divided between the two cities based upon the judge working 6 hours for Mapleton and 29 hours for Springville. Mapleton will pay Springville 17.1% of the judge's salary and wages.
3. **Facilities.** Each city will be responsible for their own justice court facilities, operations and equipment.

Again, the proposed agreement will not change how the parties have been doing business with respect to the justice court judge.

RESOLUTION #2019-xx

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH MAPLETON CITY REGARDING JUDGE SERVICES.

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the "**Act**"), public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements for joint and cooperative actions, including the providing services; and

WHEREAS, Springville City and Mapleton City are public agencies for purposes of the Act; and

WHEREAS, for several years, Mapleton has been paying Springville City a portion of Judge Fenstermaker's salary and benefits for the services she provides Mapleton, and the cities now desire to formalize their agreement; and

WHEREAS, the proposed Interlocal Agreement takes effect on July 1, 2019; and

WHEREAS, Section 11-13-202.5 of the Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SPRINGVILLE CITY, UTAH:

SECTION 1. Agreement Approval. The Interlocal Agreement, substantially in the form attached as EXHIBIT A, is approved and shall be executed by Springville City.

SECTION 2. Legal Review. As required by Section 11-13-202.5 of the Act, the Interlocal Agreement has been submitted to legal counsel of the Agency for review and approval as to form and legality.

SECTION 3. Filing with Records Keeper. As required by Section 11-13-209 of the Act and upon full execution of the Interlocal Agreement, an executed original counterpart of the Interlocal Agreement shall be filed immediately with the keeper of records of Springville City.

SECTION 4. Effective Date. This resolution shall become effective immediately upon passage.

PASSED AND APPROVED this 2nd day of July 2019.

By _____
Richard J. Child, Mayor

Attest:

Kim Crane, Recorder

EXHIBIT A
INTERLOCAL AGREEMENT

INTERLOCAL COOPERATION AGREEMENT

(Judge)

THIS INTERLOCAL COOPERATION AGREEMENT (the "Agreement"), is made and entered into by and between SPRINGVILLE CITY, a political subdivision of the State of Utah, with an address at 110 South Main Street, Springville, Utah 84663, and MAPLETON CITY, a political subdivision of the State of Utah, with an address at 125 West Community Center Way, Mapleton, Utah, 84664.

RECITALS

- A. Pursuant to the provisions of the Utah Interlocal Cooperation Act, Utah Code Annotated, Section 11-13-101, et seq., public agencies, including political subdivisions of the State of Utah as defined therein, are authorized to enter into mutually advantageous agreements for joint or cooperative action and to exchange services that they are each authorized by statute to provide.
- B. Several years ago, Mapleton City and Springville City both selected Judge Fenstermaker (the "Judge") to be the judge for each cities' respective Justice Courts. The parties decided at that time that Springville City would hire and pay the salary and benefits for the Judge and Mapleton City would reimburse Springville City for its share of the services the Judge provides Mapleton City.
- C. The agreement that the parties reached with respect to how much each city pays the Judge is that the Judge is paid for 35 hours of work. Of that 35 hours, Springville City pays for 29 hours (82.9%) and Mapleton City pays for 6 hours (17.1%).
- D. The parties have worked together to pay the Judge's salary and benefits for several years without a written contract. The purpose of this Agreement is to formalize in writing the parties' agreement.
- E. The governing bodies of Springville City and Mapleton City have by resolution agreed to adopt this Agreement.

NOW, THEREFORE, be it mutually covenanted and agreed as follows, each of the parties accepting as consideration for this Agreement the mutual promises and agreements of the other:

Section 1. Purpose.

This Agreement has been established and entered into between Springville City and Mapleton City for the purpose of agreeing to the terms under which the parties will mutually pay for the services of Judge Fenstermaker.

Section 2. Effective Date and Duration.

- a. The governing body of each party shall approve this Agreement as required by the Interlocal Cooperation Act. This Agreement shall become effective on the date that both parties approve, execute and file it with the person who keeps the records of each party.
- b. The term of this Agreement shall be from July 1, 2019 to January 1, 2022 ("Initial Term").

Unless one of the parties provides the other party with a written notice of the party's intent to terminate the agreement at least thirty (30) days prior to January 1, 2022, the parties agree that the term of this Agreement will automatically extend after the Initial Term for an additional six (6) years. After the Initial Term, either party may terminate this agreement at any time for any reason or no reason by providing the other party with a written 90-day notice of termination.

c. This Agreement shall be reviewed as to proper form and compliance with applicable law by an attorney for each of the parties.

d. This Agreement supersedes and replaces any and all previous agreements between the parties.

Section 3. Administration of Interlocal Cooperation Agreement.

The parties to this Agreement do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Agreement. The parties agree that, pursuant to Section 11-13-207 of the Utah Code Annotated, Springville City's City Recorder or her designee shall act as the administrator responsible for the administration of this Agreement and shall have all powers provided by Springville City rule, ordinance, or practice, as is necessary to administer and carry out this Agreement. The parties further agree that this Agreement does not anticipate nor provide for any organizational change in the parties.

Section 4. Judge Services/Equipment. Each party shall be responsible for their own justice court, including, without limitation, the Judge (when the Judge is working in or for the respective party's justice court), the facilities, and any and all equipment necessary to properly operate their justice court.

Section 5. Service Payments.

Mapleton City shall pay Springville City an amount equal to 17.1% of the Judge's salary and benefits based on the Judge working 6 of her 35 hours a week in and/or for the Mapleton City Justice Court. In the event that the percentage of hours between the parties' justice courts changes, the parties agree that they will reevaluate what each party is paying towards the Judge's salary and benefits and make appropriate adjustments.

Section 6. Termination

Prior to the end of the initial five-year term of this Agreement, it shall only be terminated by the mutual consent of both parties. After the initial five-year term, any party may terminate this Agreement by giving the other party a 180-day written notice of termination. This Agreement shall automatically terminate should any federal, state, or local law, regulation or rule governing justice courts or justice court judges make it unlawful or reasonably unfeasible for this Agreement to continue. Furthermore, this Agreement shall automatically terminate should the Judge's position on the bench in either of the parties' justice courts terminate.

Section 7. Manner of Holding, Acquiring or Disposing of Property

Each party shall be responsible for the risk of loss (including without limitation, theft, destruction, disappearance of, or damage) for that equipment and facilities the party is responsible for as outlined in Section 4 of this Agreement. Upon termination of this Agreement, each party shall retain the property that it is responsible for as outlined in Section 4 of this Agreement.

Section 8. Indemnification

The parties to this Agreement are both governmental entities subject to the Governmental Immunity Act. Each party agrees to defend, indemnify and save harmless the other party for damages, claims, suits, and actions arising out of the negligent acts of its own officers or agents in connection with this Agreement. The obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, provided said Act applies to the action giving rise to the protections of this paragraph. This paragraph shall not be construed as a waiver of the protections of the Governmental Immunity Act.

Section 9. Filing of Agreement

A copy of this Agreement shall be placed on file in the Office of the City Recorder of each party and shall remain on file for public inspection during the term of this Agreement.

Section 10. Notice of Default; Corrective Action

The failure of either party to comply with each and every term and condition of this Agreement shall constitute a breach of this Agreement. Either party shall have thirty (30) days after receipt of written notice from the other of any breach to correct the conditions specified in the notice, or if the corrections cannot be made within the thirty (30) day period, within a reasonable time if corrective action is commenced within ten (10) days after receipt of the notice.

Section 11. Rights and Remedies

In the event of any breach hereunder and after the lapse of the cure period as per Section 10 of this Agreement, the non-breaching party shall have all the rights and remedies available under the laws of the State of Utah in effect. The rights and remedies of the parties hereto shall not be mutually exclusive but shall be cumulative in all effects. The respective rights and obligations of the parties hereunder shall be enforceable in equity as well as at law or otherwise.

Section 12. Governing Law, Jurisdiction, and Venue

All questions with respect to the construction of this Agreement and all rights and liability of the parties hereto shall be governed by the laws of the State of Utah. Jurisdiction and venue for the enforcement of this Agreement shall be found in the courts of Utah County, State of Utah.

Section 13. Costs of Enforcement

In the event of a breach of this Agreement, the non-breaching party shall be entitled to recover from the breaching party all of the non-breaching party's costs (including, but not limited to, court fees and expert witness costs) and attorneys' fees associated with the enforcement of this Agreement.

Section 14. Notice

Any written notice which must or may be given relating to this Agreement shall be sufficient if mailed postage prepaid, registered or certified mail, in the United States mail addressed to a party at the address given above. Notice shall be mailed to the attention of each City's Administrator at the above addresses. Either party may notify the other to designate a different address for mailing.

Section 15. Miscellaneous

A. Severability. In the event that any condition, covenant, or other provision herein contained is held to be invalid or void by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other covenant or condition herein contained, unless the severance of such condition, covenant, or other provision defeats the essential purposes of this Agreement, in which case this Agreement shall be considered invalid or void in its entirety. If such condition, covenant, or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

B. Entire Agreement. This Agreement contains the entire agreement between the parties. No promise, representation, warranty, or covenant not included in this Agreement has been or is relied upon by the parties. All prior understandings, negotiations, or agreements are merged herein and superceded hereby.

C. Amendments. This Agreement may be modified only by a writing signed by each of the parties hereto.

D. Not Assignable. This Agreement is specific to the parties hereto and is therefore not assignable.

E. Captions. The captions to the various Sections of this Agreement are for convenience and ease of reference only and do not define, limit, augment, or describe the scope, content, or intent of this Agreement or any part or parts of this Agreement.

F. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

G. Gender and Number. The singular number includes the plural whenever the context so indicates. The neuter gender includes the feminine and masculine, the masculine includes the feminine and neuter, and the feminine includes the masculine and neuter, and each includes corporation, limited liability company, partnership, or other legal entity when the context so requires.

H. Waiver or Forbearance. No delay or omission in the exercise of any right or remedy by any party hereto shall impair such right or remedy or be construed as a waiver. Any waiver of any breach must be in writing and shall not be a waiver of any other breach concerning the same or any other provision of this Agreement.

- SIGNATURES ON FOLLOWING PAGE -

IN WITNESS WHEREOF, the parties have signed and executed this Agreement, after resolutions duly and lawfully passed, on the dates listed below.

DATED this ____ day of _____, 2019.

SPRINGVILLE CITY

By: _____
RICHARD J. CHILD, Mayor

ATTEST:

By: _____
KIM CRANE, City Recorder

**APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:**

JOHN A. PENROD,
Springville City Attorney

DATED this ____ day of _____, 2019.

MAPLETON CITY

By: _____
DALLAS HAKES, Mayor

ATTEST:

By: _____
CAMILLE BROWN, City Recorder

**APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:**

Attorney for Mapleton City



STAFF REPORT

DATE: July 02, 2019
TO: Honorable Mayor and City Council
FROM: John Penrod, City Attorney
SUBJECT: CONSIDERATION OF REVISIONS TO A LICENSE AGREEMENT BETWEEN SPRINGVILLE CITY AND PRESTIGE BROADBAND REGARDING INTERNET SERVICES IN HOBBLE CREEK CANYON.

RECOMMENDATION

Motion to approve allowing Springville City staff to revise, contingent on the Mayor and City Attorney's final approval, the License Agreement between Springville City and Prestige Broadband, LLC approved by the City Council pursuant to Resolution No. _____, to include at least two additional sites on City property or City infrastructure where Prestige Broadband would be allowed to attach an antenna to newly erected poles paid for by Prestige Broadband or current City poles as long as the license agreement revisions to do change the compensation and infrastructure protection provisions in the previously approved License Agreement.

SUMMARY OF ISSUES/FOCUS OF ACTION

Over the years, several Internet providers have attempted to provide Internet to Hobbles Creek Canyon residents and businesses. The Internet provided in the Canyon has not always been reliable. In April, Prestige Broadband, LLC, requested the City provide Prestige with license to install a pole for an antenna and to install fiber underground from the pole to the Grindstone Subdivision and up the canyon. The City Council approved the requested License Agreement. Since April, the pole has been installed, but Prestige is struggling to make the underground fiber work.

Prestige is now asking to have a pole installed on City Property near power infrastructure on the south side of Grindstone for an antenna to service the Grindstone and Kelly's Grove Subdivisions, with another antenna attached to a City pole already installed at the end of left-hand fork. Prestige plans to attach fiber to City poles throughout left-hand fork under a pole attachment agreement that was approved in 2017 by the Council. Prestige believes that attaching antennae at these two locations with attaching fiber to power poles will allow Prestige to finish the system in left-hand fork to provide Internet services to Hobbles Creek Canyon residents.

Under the License Agreement and Pole Attachment Agreement, the City will make the following:

1. For each antenna installed, the City will make each year either \$250 per antenna or 3.5% of what Prestige makes off of each antenna, whichever is more.
2. For each fiber pole attachment, the City will make \$17 per year.

The above amounts are based off of what a City is allowed per state law to receive for a small cell attachment for the antenna attachments and our power department's study of the correct

amount to receive for a pole attachment. In addition to the attachment fees, the City will receive free internet service for the Golf Course Club House, Kelly's Grove and Rotary Park.



STAFF REPORT

DATE: July 02, 2019
TO: Honorable Mayor and City Council
FROM: John Penrod, City Attorney
SUBJECT: CONSIDERATION OF AMENDING SECTION 3-1-102 OF THE SPRINGVILLE CITY CODE TO ALLOW THE DIRECTOR OF PUBLIC SAFETY TO LIVE OUTSIDE OF SPRINGVILLE CITY.

RECOMMENDATION

Motion to approve Ordinance No. __ amending section 3-1-102 of the Springville City Code that to allow the Director of Public Safety to live outside of Springville City.

SUMMARY OF ISSUES/FOCUS OF ACTION

The main issue regarding the proposed ordinance amendment is whether the Director of Public Safety should be required to be a resident of Springville City. Besides the Director of Public Safety, there is no other non-elected position in the City that is required to live within Springville City boundaries.

BACKGROUND

Springville City recently hired a new Director of Public Safety who currently lives outside of Springville City. The City's ordinances require the Director to live within Springville City boundaries. The proposed recommended ordinance amendment would relinquish the requirement for the Director to live in Springville.

Currently, Springville City's ordinance is not in line with ordinances of several surrounding cities. A quick search of surrounding cities' ordinances shows that Provo, Spanish Fork, Payson and Orem do not require the police chief to be a resident of their respective cities. However, Mapleton City does require its police chief to be a resident of that city.

Some reasons for having a residency requirement for a police chief include wanting to make sure that the chief mixes well with the community and responds quickly to emergencies. Through the hiring process of the new Director, the selection committee focused on these issues. In the short time that the new chief has been with Springville, the chief has shown that he is capable of mixing well with the community while leaving just outside of the City's boundaries. Furthermore, the new chief's response time from home is shorter to a large portion of the community than the previous chief's response time. Many of the reasons for wanting a chief of police to live in the City can be dealt with through the hiring process.

Finally, one of the biggest reason's staff recommends amending the ordinance is that Springville City wants the best possible police chief for the job. Not one of the final applicants for Springville's police chief position lived in Springville City. By limiting the pool of possible applicants to those individuals who live in Springville or is willing to move the Springville, the City may miss out on a great chief that will not consider moving to Springville because of their own family situation.

ORDINANCE #XX-2019

AN ORDINANCE AMENDING SECTION 3-1-102 REMOVING THE REQUIREMENT FOR THE DIRECTOR OF PUBLIC SAFETY TO BE A RESIDENT OF SPRINGVILLE CITY.

WHEREAS, Springville City has a duty to preserve the health, safety and welfare of its inhabitants; and

WHEREAS, in order to help ensure the health, safety and welfare of Springville residents, Springville City has a Director of Public Safety over the police department, fire department, ambulance services and animal control services; and

WHEREAS, Springville City's ordinances require that the Director of Public Safety be a resident of Springville City; and

WHEREAS, in the interest of the health, safety and welfare of its citizens, Springville City desires to (1) have the best Director of Public Safety as possible, even if the Director lives outside of Springville City boundaries, and (2) amend Springville City's ordinance to allow the Director of Public Safety to live outside of Springville City boundaries.

NOW THEREFORE, the Springville City Council hereby ordains:

SECTION 1. SECTION ADOPTED: Section 8-3-102 of the Springville City Municipal Code is hereby adopted to read and provide as follows:

3-1-102 Appointment.

The Director of Public Safety shall be ~~a resident of the City~~, appointed by the Mayor by and with the advice and consent of the City Council, with such qualifications as the Mayor and City Council shall from time to time determine. The Director of Public Safety shall serve at the pleasure of the City Council and may be removed by the City Council at any time upon a majority vote of the Council.

(Adopted by Ordinance No. 14-99)

SECTION 2.EFFECTIVE DATE: This ordinance shall become effective immediately upon passage and posting.

PASSED, ADOPTED AND ORDERED POSTED by the Council of
Springville City, Utah this 2nd day of July, 2019.

MAYOR J. RICHARD CHILD

ATTEST:

KIM CRANE, CITY RECORDER



STAFF REPORT

DATE: June 25, 2019

TO: Honorable Mayor and City Council

FROM: Laura Thompson, City Planner II

SUBJECT: CONSIDERATION OF AN ORDINANCE AMENDING THE SPRINGVILLE CITY DEVELOPMENT CODE, SECTIONS: 11-3-402 DEFINITIONS (OUTDOOR STORAGE); 11-4-301 LAND USE MATRIX; 11-5-402 USE AND DEVELOPMENT REGULATIONS (WESTFIELD'S AND LAKESIDE OVERLAYS); AND 11-5-406 HOUSING MIX REQUIREMENTS.

RECOMMENDED MOTION

MOTION TO APPROVE ORDINANCE NO. ____-2019, AMENDING THE SPRINGVILLE CITY DEVELOPMENT CODE, SECTIONS: 11-3-402 DEFINITIONS (OUTDOOR STORAGE); 11-4-301 LAND USE MATRIX; 11-5-402 USE AND DEVELOPMENT REGULATIONS (WESTFIELD'S AND LAKESIDE OVERLAYS); AND 11-5-406 HOUSING MIX REQUIREMENTS.

SUMMARY OF ISSUES/FOCUS OF ACTION

- Should "Outdoor Storage" be an allowed use within the HC zoning district?
- Should additional measures be adopted to ensure a better housing mix in the Lakeside Overlay?
- Should the R1-5 Single-Family Residential Zone be permitted in the Lakeside Overlay?
- Do the proposed amendments maintain the intent of the General Plan?

BACKGROUND

Section 11-3-102 - Definitions and Section 11-4-301 -Land Use Matrix

On February 19, 2019, the City Council approved amendments to the Land Use Matrix that eliminated or permitted many uses listed as "Conditional Uses." Prior to the amendment "Outdoor Storage" was a conditional use and removed from being allowed in the HC-Highway Commercial Zone. At the discovery of the removal of the use, several property owners approached city staff with their concerns.

The purpose of the HC zoning district is intended to provide an area abutting major arterial streets or interstate frontage roads for a full range of commercial and professional uses; however, the primary focus should be on uses which require large retail display or *merchandise storage area* and serve a regional market. Parking is to be provided on the site. Landscaping is required in all areas not necessary for building(s), *storage*, parking and traffic circulation, with parking and storage areas being screened and an appropriate landscaped buffer and fencing adjacent less intense uses.

The current definition of outdoor storage is: "Storage - Outdoor - The keeping, in an unroofed area, of any goods, junk, inoperable vehicles, material or other merchandise."

The City Code also addresses screening requirements for outdoor storage areas in Section 11-6-105, which are:

No yard or other open space shall be used for the storage of junk, debris or obsolete vehicles; and no land shall be used for such purposes, except as specifically permitted herein.

- (1) Outside Storage.

CITY COUNCIL AGENDA

Meeting Date: July 2, 2019

- (a) Unless otherwise indicated, no outdoor storage shall be located in a required front yard setback.
- (b) Screening:
 - (i) All outside storage shall be screened from the view of any adjacent public street or residentially zoned property by a solid, opaque wall or fence of not less than six (6) feet in height measured at the highest finished grade, constructed in accordance with the standards prescribed by Section [11-6-213](#) of Springville City Code.
 - (ii) A chain link fence with slat inserts shall not constitute an acceptable screening device to satisfy the requirements of this subsection, unless specifically approved by the Planning Commission.
 - (iii) All portions of outside storage areas shall have adequate grading and drainage and shall be continuously maintained.
 - (iv) Materials stored behind any screening wall or fence shall be stacked no higher than one (1) foot below the top of the fence or wall, except for integral units.
 - (v) Dumpsters and refuse containers for new uses in all zones shall be enclosed in a solid, opaque enclosure constructed of brick, masonry, stucco or wood of at least six (6) feet in height measured at the highest finished grade, constructed in accordance with the standards prescribed by Section [11-6-213](#) of Springville City Code.

The proposed amendments to the definition and Land Use Matrix will hopefully eliminate some concerns of potential large, unsightly storage yards that could occur along the city’s major corridors by making outdoor storage a supplementary use to a main building and limiting the overall size.

PROPOSED AMENDMENTS:

11-3-402 Definitions

Storage - Outdoor - The keeping, in an unroofed area, of any goods, ~~junk, in~~operable vehicles, equipment, material or other merchandise associated with the principal use of a building. For the purpose of this definition, for a storage yard to be considered a supplementary/accessory use as listed in Section 11-4-301 the Land Use Matrix, the storage yard must be less than two-times the size of the building.

11-4-301 Land Use Matrix

PERMITTED USE	ZONING DISTRICTS																			
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM	
SUPPLEMENTARY/ACCESSORY USES -All uses listed in this section are considered supplementary as defined in Section 11-3-402																				
Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Caretaker Dwelling										P		P	P	P	P	P	P	P	P	
Home Occupation	P	P	P	P	P	P	P	P	P	P		P	P	P	P					
Household Pets	P	P	P	P	P	P	P	P	P	P		P	P							
Recycling Drop-off Containers		C	C	C	C	C	C	C	C	P	C	P	P	P	P	P	P	P	P	
Sports/Tennis Court	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
<u>Storage - Outdoor</u>																		<u>P</u>	<u>P</u>	<u>P</u>

PERMITTED USE	ZONING DISTRICTS																		
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM
Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wind Energy Conversion Systems (WECS)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Facilities Collocated on a Structure Approved for Collocation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Structures on City-Owned Property	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Structures on Property Owned by a Noncity Public Agency	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Facilities on Existing Buildings or Structures										P	P	P	P	P	P	P	P	P	P
Wireless Facilities on Nonresidential Structures on Nonresidential Sites in Residential Zones	P	P	P	P	P	P	P	P	P										

11-5-402 Use and Development Regulations (Westfield’s And Lakeside Overlays); and 11-5-406 Housing Mix Requirements.

The R1-5 zoning district is intended to provide an area for single family residences in detached, and in limited circumstances, attached dwellings in a medium low density. The zone is specifically designed to meet the unique nature of the Historic City Center area which historically included deep lots with limited frontage, located on a traditional grid street pattern and is generally urban in nature.

Currently, 100% of the homes developed in the Lakeside Overlay, can be developed under the RMF-2 (multi-family) Development Standards. The Housing Goal of the of the Lakeside Community Plan is to:

“Achieve an ideal balance of single-family and multi-family housing in order to provide housing for all socioeconomic groups and contribute to the long-term stability of the community.”

The goal would be hard to be met under the current ordinance if all R2 Zone properties chose to develop at 100% multi-family product. As a way to include additional options to achieve the desired housing mix, staff is suggesting the R1-5 Zone be allowed to be utilized in the Lakeside Overlay and the “Housing Mix”

percentages be amended to require minimum percentages of the base zoning and single-family designations.

PROPOSED AMENDMENTS:

11-5-402 Use and Development Regulations

Uses in the Westfields and Lakeside Overlays are limited to the permitted, conditional and accessory uses in the underlying zone for those developments not participating in the density bonus program. For developments participating in the density bonus program, attached dwelling units will be allowed in accordance with the requirements of the density bonus program.

Each portion of the development must correspond to an existing zoning designation adopted by Springville City, for the purpose of meeting the residential site development standards, excluding the R1-5 zone, and that designation must be indicated on the plat or site plan submission. The indicated designations do not change the underlying zone. The R1-5 zone designation is ~~not only~~ allowed in the ~~Westfields and Lakeside Overlays~~ and shall not be allowed in the Westfields Overlay.

SECTION 4: Section 11-5-406, "Housing Mix Requirements" of the Springville City Code is hereby amended:

11-5-406 Housing Mix Requirements.

A range of housing densities and types is an objective of Springville City for both the Westfields and Lakeside communities. In order to help ~~insure~~ensure this mix occurs, developers participating in the density bonus program shall be required to meet the following requirements described below and listed on the table included below:

(1) In areas zoned R1-15 and R1-10, a minimum of twenty-five percent (25%) of the gross developable land (total land area minus land donated to City for density bonus) shall be developed at the baseline density. Additionally, another forty-five percent (45%) of the land shall be developed as single-family detached dwellings for a total of seventy percent (70%) of the gross developable land being developed with single-family detached units. The remaining thirty percent (30%) of the gross developable land may be developed under the development standards of the RMF-1 zone. Up to a maximum of fifteen percent (15%) of the gross developable land may be developed as duplexes or twin homes.

(2) In areas zoned R1-8, a minimum of twenty-five percent (25%) of the gross developable land (total land area minus land donated to City for density bonus) shall be developed at the baseline density. Additionally, another forty-five percent (45%) of the land shall be developed as single-family detached dwellings for a total of seventy percent (70%) of the gross developable land being developed with single-family units. The remaining thirty percent (30%) of the gross developable land may be developed under the development standards of the RMF-2 zone. Up to a maximum of fifteen percent (15%) of the gross developable land may be developed as duplexes or twin homes.

(3) In areas zoned R2, in the Westfields Overlay, a minimum of twenty-five percent (25%) of the land shall be developed at the baseline density. The remaining seventy-five percent (75%) may be developed under the development standards of the RMF-2 zone. In areas zoned R2 in the Lakeside Overlay, ~~one hundred percent (100%)~~ a minimum of fifteen percent (15%) of the land shall be developed at the baseline density. Additionally, another twenty-five percent of the land shall be developed as single-family detached dwellings. The remaining sixty percent (60%) of the gross developable land may be developed under the development standards of the RMF-2 zone.

Zone	The % of land that must be developed at Base Zoning Designation	Additional % of land that must be developed as single-family detached dwellings	Maximum % of land that may be developed as duplexes or twin homes	Maximum % of land that may be developed under RMF-1 Development Standards	Maximum % of land that may be developed under RMF-2 Development Standards
R1-15	25%	45%	15%	30%	
R1-10	25%	45%	15%	30%	
R1-8	25%	45%	15%		30%
R2	25%				75%
R2/Lakeside Overlay	<u>15%</u>	<u>25%</u>			100% <u>60%</u>

PLANNING COMMISSION REVIEW

The Planning Commission considered the code amendments on June 11, 2019 in which a public hearing was held and no comments given.

Discussion from the Commissioners regarding the outdoor storage amendments are as follows:

Commissioner Clay felt outdoor storage is inherently an industrial use and could not think of a commercial business needing the storage, unless they have commercial vehicles. Attorney John Penrod explained there are uses in the HC zone, for example, Standard Plumbing.

Commissioner Baker was concerned with the proposed language allowing the yard three-times the size of the building and would be more comfortable with one and one-half times the size.

Commissioner Farrer was not concerned with the three-times the size proposed.

Commissioner Mertz pointed out that the business may not come to Springville and go to a different town because they won't have the space. We need to be business friendly.

There was no additional discussion concerning the proposed amendments.

COMMISSION ACTION: Commissioner Baker moved to recommend approval to proposed amendments to Springville City Development Code, Sections: 11-3-402 Definitions (Outdoor Storage); 11-4-301 Land Use Matrix; 11-5-402 Use and Development Regulations (Westfields and Lakeside Overlays); and 11-5-406 Housing Mix Requirements *with the amendment to the outdoor storage definition that the storage yard must be less than two-times the size of the building.* Commissioner Clay seconded the motion. Commissioners Baker, Clay & Clyde voted aye. Commissioners Mertz & Ferrer voted nay.

Attorney Penrod asked for clarification for City Council on the nay votes. Commissioner Mertz explained that he wants to allow more than two-times the outdoor storage to be business friendly. Two and half-times the size is the lowest he would vote for and some businesses need outdoor storage and didn't want to limit what people can do on their property.

Commissioner Farrer felt the same as Commissioner Mertz and was comfortable with three-times the size of the building.



Commission Vote

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>
Genevieve Baker	X	
Michael Clay	X	
Carl Clyde	X	
Karen Ellingson	Excused	
Michael Farrer		X
Brad Mertz		X
Frank Young	Excused	

ALTERNATIVES

1. Adopt the proposed ordinance amendments as recommended by the Planning Commission;
2. Amend and adopt the proposed ordinance; or
3. Reject the proposed amendments.

Laura Thompson
City Planner II



PERMITTED USE	ZONING DISTRICTS																			
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM	
Home Occupation	P	P	P	P	P	P	P	P	P	P		P	P	P	P					
Household Pets	P	P	P	P	P	P	P	P	P	P		P	P							
Recycling Drop-off Containers		C	C	C	C	C	C	C	C	P	C	P	P	P	P	P	P	P	P	
Sports/Tennis Court	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
<u>Storage - Outdoor</u>																		<u>P</u>	<u>P</u>	<u>P</u>
Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wind Energy Conversion Systems (WECS)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wireless Facilities Collocated on a Structure Approved for Collocation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wireless Structures on City-Owned Property	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wireless Structures on Property Owned by a Noncity Public Agency	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wireless Facilities on Existing Buildings or Structures											P	P	P	P	P	P	P	P	P	
Wireless Facilities on Nonresidential Structures on Nonresidential Sites in Residential Zones	P	P	P	P	P	P	P	P	P											

SECTION 3: Section 11-5-402, "Use and Development Regulations" of the Springville City Code is hereby amended:

11-5-402 Use and Development Regulations

Uses in the Westfields and Lakeside Overlays are limited to the permitted, conditional and accessory uses in the underlying zone for those developments not participating in the density bonus program. For developments participating in the density bonus program, attached dwelling units will be allowed in accordance with the requirements of the density bonus program.

Each portion of the development must correspond to an existing zoning designation adopted by Springville City, for the purpose of meeting the residential site development standards, excluding the R1-5 zone, and that designation must be indicated on the plat or site plan submission. The indicated designations do not change the underlying zone. The R1-5 zone designation is not only allowed in the ~~Westfields and~~ Lakeside Overlays and shall not be allowed in the Westfields Overlay.

SECTION 4: Section 11-5-406, “Housing Mix Requirements” of the Springville City Code is hereby amended:

11-5-406 Housing Mix Requirements.

A range of housing densities and types is an objective of Springville City for both the Westfields and Lakeside communities. In order to help ~~insure~~ensure this mix occurs, developers participating in the density bonus program shall be required to meet the following requirements described below and listed on the table included below:

(1) In areas zoned R1-15 and R1-10, a minimum of twenty-five percent (25%) of the gross developable land (total land area minus land donated to City for density bonus) shall be developed at the baseline density. Additionally, another forty-five percent (45%) of the land shall be developed as single-family detached dwellings for a total of seventy percent (70%) of the gross developable land being developed with single-family detached units. The remaining thirty percent (30%) of the gross developable land may be developed under the development standards of the RMF-1 zone. Up to a maximum of fifteen percent (15%) of the gross developable land may be developed as duplexes or twin homes.

(2) In areas zoned R1-8, a minimum of twenty-five percent (25%) of the gross developable land (total land area minus land donated to City for density bonus) shall be developed at the baseline density. Additionally, another forty-five percent (45%) of the land shall be developed as single-family detached dwellings for a total of seventy percent (70%) of the gross developable land being developed with single-family units. The remaining thirty percent (30%) of the gross developable land may be developed under the development standards of the RMF-2 zone. Up to a maximum of fifteen percent (15%) of the gross developable land may be developed as duplexes or twin homes.

(3) In areas zoned R2, in the Westfields Overlay, a minimum of twenty-five percent (25%) of the land shall be developed at the baseline density. The remaining seventy-five percent (75%) may be developed under the development standards of the RMF-2 zone. In areas zoned R2 in the Lakeside Overlay, one hundred percent (100%) a minimum of fifteen percent (15%) of the land shall be developed at the baseline density. Additionally, another twenty-five percent of the land shall be developed as single-family detached dwellings. The remaining sixty percent (60%) of the gross developable land may be developed under the development standards of the RMF-2 zone.

Zone	The % of land that must be developed at Base Zoning Designation	Additional % of land that must be developed as single-family detached dwellings	Maximum % of land that may be developed as duplexes or twin homes	Maximum % of land that may be developed under RMF-1 Development Standards	Maximum % of land that may be developed under RMF-2 Development Standards
R1-15	25%	45%	15%	30%	

Zone	The % of land that must be developed at Base Zoning Designation	Additional % of land that must be developed as single-family detached dwellings	Maximum % of land that may be developed as duplexes or twin homes	Maximum % of land that may be developed under RMF-1 Development Standards	Maximum % of land that may be developed under RMF-2 Development Standards
R1-10	25%	45%	15%	30%	
R1-8	25%	45%	15%		30%
R2	25%				75%
R2/Lakeside Overlay	<u>15%</u>	<u>25%</u>			100% <u>60%</u>

SECTION 5: This ordinance will become effective one day after publication hereof in the manner required by law.

SECTION 6: The City Recorder shall cause this ordinance or a short summary hereof to be published in the *Daily Herald*, a newspaper published and of general circulation in the City.

ADOPTED by the City Council of Springville, Utah, this 02nd day of July, 2019.

Richard J. Child, Mayor

ATTEST:

Kim Crane, City Recorder



STAFF REPORT

DATE: June 25, 2019

TO: Honorable Mayor and City Council

FROM: Laura Thompson, City Planner II

SUBJECT: CONSIDERATION OF AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP APPLYING THE LAKESIDE OVERLAY ZONE TO PARCELS LOCATED WITHIN THE LAKESIDE COMMUNITY PLAN AREA

RECOMMENDED MOTION

MOVE TO APPROVE ORDINANCE NO. _____-2019, AMENDING THE OFFICIAL ZONE MAP BY APPLYING THE LAKESIDE OVERLAY ZONE TO PARCELS LOCATED WITHIN THE LAKESIDE COMMUNITY PLAN AREA.

SUMMARY OF ISSUES/FOCUS OF ACTION

- Does the proposed request meet the requirements of the Springville City Code, particularly 11-7-101-103, Amendments to the Title and Zone Map?
- Does it maintain the intent of the General Plan?

BACKGROUND

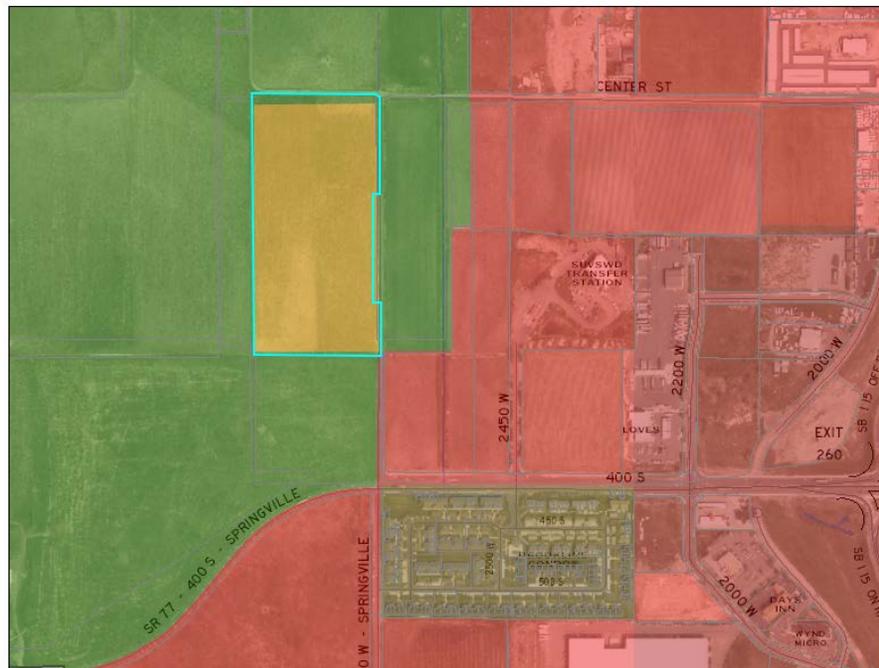
On April 5, 2016 the City Council adopted the Lakeside Community Plan and approved a zone change on the property in question from A-1 Agriculture to the R2 Single/Two-Family Residential Zone. At the time of the re-zone, the Lakeside Overlay Zone was not applied to the property because the Lakeside Overlay regulations had not been adopted.

On July 5, 2016 the City Council adopted Ordinance No. 16-2016, Westfields and Lakeside overlay regulations.

The proposal now is to apply the Lakeside Overlay Zone to the 20.81 acres of property owned by the Fehr's so the density bonus possibilities can be utilized for development.

DISCUSSION

The property in question is adjacent and west of 2600 West and south of



Center Street, which are both minor collector streets. The base density could net 120-units without applying the overlay to the property. With the overlay, a developer could request up to a 50% density bonus and would need to meet the requirements of the density bonus program.

GENERAL PLAN

The Land Use Goal of the Lakeside Community Plan is to: “Create a community of neighborhoods that includes a variety of housing types, styles, and densities and includes the necessary services and amenities to help ensure its continuity as a desirable and stable place for its residents.”

Strategy LU-2 of the plan is to: “Locate multi-family density bonus projects in single-family residential zones on major and minor collector streets.”

The Housing Goal of the Lakeside Community Plan is to: “Achieve an ideal balance of single-family and multi-family housing in order to provide housing for all socioeconomic groups and contribute to the long-term stability of the community.”

Strategy H-1 of the plan is to: “Encourage a mix of housing options including twin homes, row houses, and single-family houses, with increased housing density at the community center and on 2600 West and decreased housing density outside of the community center.”

Strategy H-4 of the plan is to: “Utilize those portions of 2600 West not located in the floodplain for medium high residential development transitioning to single-family zones to the west and east. Maintain options for medium low residential or commercial development east of 2600 West.”

PLANNING COMMISSION REVIEW

The Planning Commission considered the zone map amendment on June 11, 2019, in which a public hearing was held.

Attorney John Penrod presented the item to the Commissioners and explained how staff had been working with a developer on the property for some time thinking the overlay was already in place. The recommendation is to apply the overlay to the 20-acre parcel at this time and look at the overall area at a later date.

As part of the public hearing the following spoke.

Karen Effidaba of 450 S 100 E, Springville, feels that it is an excellent time to try and do a different mix of housing. When first approached about three years ago, it looked like it was going to be only apartments and twin homes. Places that people would only come in temporarily. Using an overlay to have a mix of housing is a good idea. Thinking ahead and looking at this area, it is a good idea. Commissioners should consider this change. The Westfields is turning out really quite well. Different developers came in and there is a good mix in that area. It will be a better plan if there is a mix, and not just condos.

COMMISSION ACTION: Commissioner Farrer moved to recommend approval to amend the Official Zone Map applying the Lakeside Overlay Zone to the property currently zoned R2 and identified by Parcel #21:097:0053. Commissioner Mertz seconded the motion. The vote to approve the Legislative Session item was unanimous.

Commission Vote

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>
Genevieve Baker	X	
Michael Clay	X	
Carl Clyde	X	



Karen Ellingson	Excused
Michael Farrer	X
Brad Mertz	X
Frank Young	Excused

ALTERNATIVES

1. Approve the Official Zone Map amendment(s) as proposed;
2. Amend and adopt the proposed amendment(s);
3. Reject the proposed amendment(s).

Laura Thompson
City Planner

cc: Tom Fehr
Robert Poulsen



ORDINANCE #XX-2019

AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP APPLYING THE LAKESIDE OVERLAY ZONE TO 20.81 ACRE PARCEL LOCATED WITHIN THE LAKESIDE COMMUNITY PLAN AREA.

WHEREAS, the City has an official zone map which delineates zone boundaries for the various city zones; and

WHEREAS, a land owner or agent may propose to amend the Official Zone Map to a zone or zones they find to be more appropriate and a better use of the land; and

WHEREAS, the City Planning Commission conducted a public hearing on June 11, 2109 and review the proposal and has recommended favorably of the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED by the Council of Springville City, Utah that the Official Zone Map is hereby amended by applying the Lakeside Overlay Zone to property identified by Parcel #21:097:0053, and as attached hereto in Exhibit A.

This ordinance shall become effective upon adoption by the Council of Springville City.

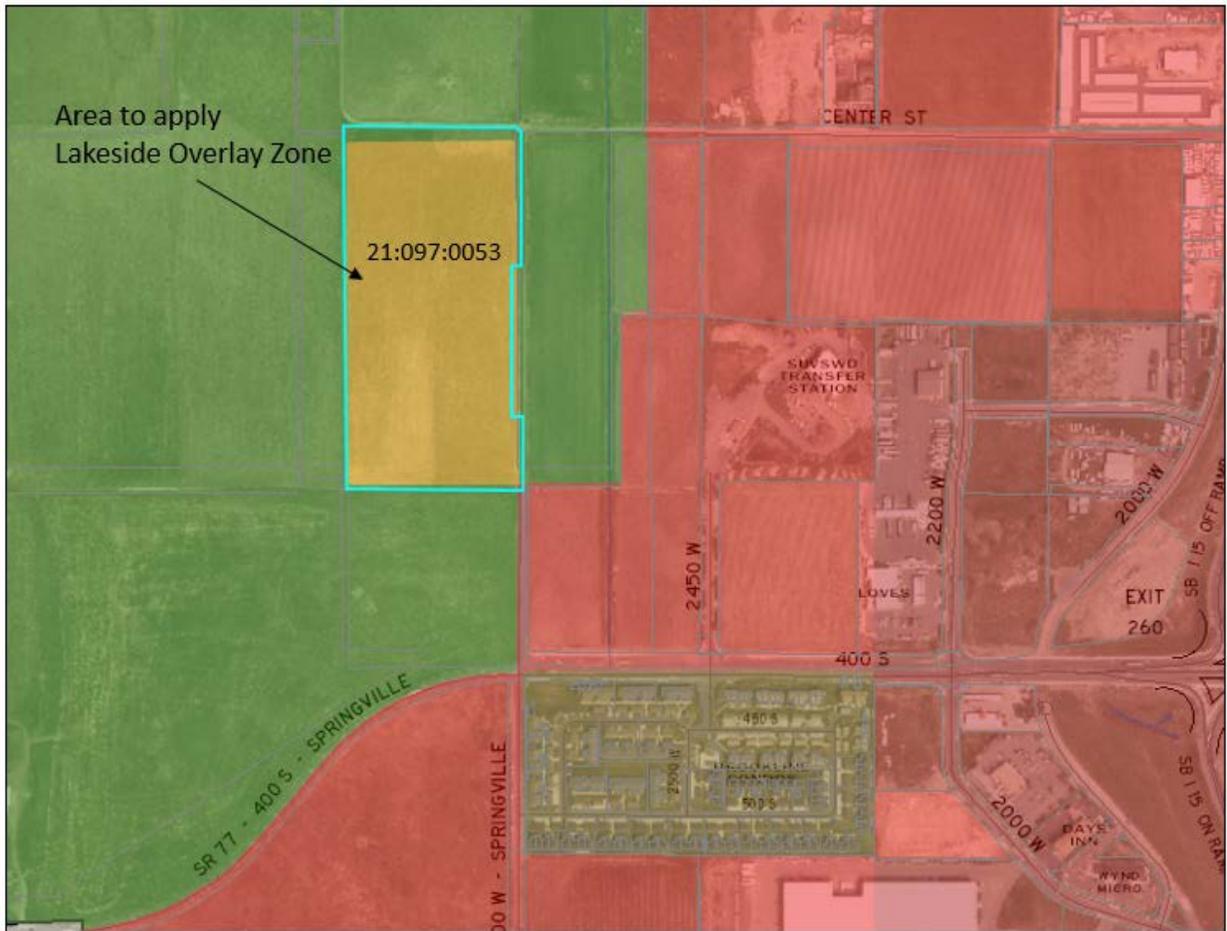
ADOPTED by the City Council of Springville, Utah, this 02nd day of July 2019.

Richard J. Child, Mayor

ATTEST:

Kim Crane, City Recorder

EXHIBIT A





springville
PUBLIC WORKS
STAFF REPORT

DATE: July 02, 2019
TO: Honorable Mayor and City Council
FROM: Bradley D. Stapley, Director of Public Works
SUBJECT: UDOT CORRIDOR PRESERVATION COOPERATIVE AGREEMENT

RECOMMENDED MOTION

The Public Works Department recommends approving the Corridor Preservation Cooperative Agreement between the Utah Department of Transportation and Springville City, which establishes a traffic signal and access control plan along US-89 from 1400 North to 1600 South in Springville, Utah.

GOALS, OBJECTIVES AND STRATEGIES AT ISSUE

Springville General Plan's Goals, Objectives, and Strategies include the following:

- Chapter 4 - Goal, *"To provide and maintain a vibrant, multi-modal transportation network that encourages flow, **safety** and a consideration for the aesthetics of the community."*

SUMMARY OF ISSUES/FOCUS OF ACTION

Springville City's Main Street from just north of 1400 North to 1600 South is designated as US-89 by the Utah Department of Transportation (UDOT). UDOT operates and maintains this section of Main Street as a State highway.

The execution of the attached Corridor Preservation Cooperative Agreement provides a framework to preserve the corridor and establishes a traffic signal and access control plan for this vital transportation highway.

DISCUSSION

The proposed Corridor Preservation Cooperative Agreement (Agreement) identifies existing or proposed traffic signal installations along the segment of US-89 between 1400 North and 1600 South in Springville as follows:



- 1400 North (SR-75) Existing
- 900 North (Proposed - In-Design)
- 400 North (Existing)
- Center Street (Existing)
- 200 South (Existing)
- 400 South (SR-77) (Existing)
- 600 South (Proposed)

Intersections not listed above are not anticipated to be considered for traffic signalization, however provisions within the Agreement allow for reconsideration pending an appropriate traffic signal warrant study.

Of note is UDOT’s designation of a proposed traffic signal at 600 South Main Street, which appears to be driven by the proposed redevelopment of the old Nebo School District and surrounding properties, as well as the new Nebo School District Middle School site located at approximately 500 West 700 South.

Agreement language also states:

“The opening of this intersection as part of property redevelopment will only be permitted if it coincides with the permanent closure of 700 South on the west side of the US-89 southbound one-way road. In other words, the elimination of access to and from 700 South from the US-89 southbound one-way road must be in place on or before the day the intersection at 600 South is open to public use.”

Provisions within the Agreement also allow UDOT to restrict certain traffic movements at any intersection or access along the Agreement corridor in order to maintain proper traffic flow and improve safety throughout the corridor.

Access Management Categories are also established, which define minimum traffic signal spacing, intersection spacing, and access spacing. Current spacing for all traffic signals, intersections, and access points is “grandfathered” should it not meet the proposed Access Management Category spacing. Reasonable exceptions for new development may be reviewed by both agencies and variances may be granted if approved by both agencies.

Both UDOT and the City also agree to consider the concepts contained within the Agreement during the development of any master plans within the corridor and work towards the common goal of the Agreement.

FISCAL IMPACT

None



RESOLUTION #2019-XX

A RESOLUTION ENTERING INTO A CORRIDOR PRESERVATION COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Springville General Plan, Chapter 4's Goal is *"To provide and maintain a vibrant, multi-modal transportation network that encourages flow, safety and a consideration for the aesthetics of the community,"* and

WHEREAS, Springville City and the Utah Department of Transportation (UDOT) desire to preserve a corridor and establish a traffic signal and access control plan along US-89 from 1600 South to 1400 North within the city limits of Springville, to be in accordance with Springville City's current transportation plan, and to be in accordance with UDOT's current Access Management standards and practices, and

WHEREAS, this agreement is now written to define current and future traffic signal locations and define access management conditions within the limits of Springville City on US-89, and

WHEREAS, this Agreement is made to set out the terms and conditions whereby future traffic signals may be installed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Springville, Utah that:

SECTION 1: Agreement Approval. The Corridor Preservation Cooperative Agreement (Federal ID No. 876000285), substantially in the same form as Exhibit A, is approved and shall be executed by Springville City.

SECTION 2: Legal Review. The Corridor Preservation Cooperative Agreement has been reviewed by Springville City legal counsel for review and approval as to form and legality.

SECTION 3: Filing with Records Keeper. An executed original counterpart of the Corridor Preservation Cooperative Agreement shall be filed immediately with the keeper of records of Springville City.

SECTION 4: Effective Date. This resolution shall become effective immediately upon its execution.

Adopted this 2nd day of July, 2019.

Richard J. Child, Mayor

Attest:

Kim Crane, City Recorder

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT, made and entered into this _____ day of _____, 2019, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as “**UDOT**” and **SPRINGVILLE CITY**, a municipal corporation in the State of Utah, hereinafter referred to as the “**CITY**”.

WITNESSETH:

WHEREAS, the parties hereto desire to preserve a corridor and establish a traffic signal and access control plan along US-89 from 1600 South to 1400 North within the **CITY** limits, to facilitate traffic flow, to be in accordance with the **CITY**’s current transportation master plan and to be in accordance with **UDOT**’s current Access Management standards and practices; and

WHEREAS, this Agreement is now written to define current and future traffic signal locations and define access management conditions within the **CITY** limits; and

WHEREAS, this Agreement is made to set out the terms and conditions whereby future traffic signals may be installed; and

NOW THEREFORE, it is agreed by and between the parties as follows:

1. The following are identified as existing or proposed traffic signal installations along the segment of US-89 as defined above. The portion of the segment between 1600 South and 600 South is yet to be determined:

- 600 South* (Proposed)
- 400 South (SR-77) (Existing)
- 200 South (Existing)
- Center Street (Existing)
- 400 North (Existing)
- 900 North (Proposed – Under Design)
- 1400 North (SR-75) (Existing)

*The opening of this intersection as part of property redevelopment will only be permitted if it coincides with the permanent closure of 700 South on the west side of the US-89 southbound one-way road. In other words, the elimination of access to and from 700 South from the US-89 southbound one-way road must be in place on or before the day the intersection at 600 South is open to public use.

CORRIDOR PRESERVATION
US-89 from 1600 South to 1400 North
SPRINGVILLE CITY
Federal ID No. 876000285

2. Intersections not listed above are not anticipated to be considered for signalization in the future. However, an intersection may be considered for signalization following a traffic signal warrant study and, if warranted, with approval of **UDOT** and the **CITY**. Traffic signals at any of the proposed intersections listed above will not be installed until warranted and approved by **UDOT**. A warranted intersection with spacing to adjacent proposed or existing traffic signals which is less than what is specified and defined in the applicable Access Management category does not guarantee approval for signalization.
3. It is understood that it may be necessary to restrict certain types of traffic movements at any intersection or access in order to maintain proper traffic flow and improve safety throughout the corridor as agreed upon by the parties hereto.
4. The current Access Management category is “6” from 1600 South to approximately 850 South, is “8” from approximately 850 South to 200 North, is “6” from 200 North to 700 North, and is “5” from 700 North to 1400 North. Category 6 includes minimum traffic signal spacing of 1,320 feet, minimum street spacing of 350 feet, and minimum access spacing of 200 feet. Category 8 includes minimum traffic signal spacing of 1,320 feet, minimum street spacing of 300 feet, and minimum access spacing of 150 feet. Category 5 includes minimum traffic signal spacing of 2,640 feet, minimum street spacing of 660 feet, and minimum access spacing of 350 feet. It is obvious there are existing traffic signals, streets, and accesses closer than the minimum distances specified above. These locations are “grandfathered in” based on previous review and approval by the **CITY** and **UDOT**.
5. Both parties will strive to maintain traffic signal, street, and access spacing according to the current Access Management Standards. Reasonable exceptions may be reviewed by both agencies and variances may be granted if approved by both agencies.
6. This segment of US-89 is currently designated as Regular Right-of-Way and is unchanged by this Agreement.
7. The parties hereto shall consider the concepts contained herein during the development of any master plans in this area and work towards the common goal of this Agreement.
8. In the event there are changes in the concepts or provisions covered by this Agreement, a modification to this Agreement approved in writing by all parties hereto is required to place them into effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

**CORRIDOR PRESERVATION
US-89 from 1600 South to 1400 North
SPRINGVILLE CITY
Federal ID No. 876000285**

ATTEST:

SPRINGVILLE CITY, a Municipal Corporation in the State of Utah

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

(IMPRESS SEAL)

RECOMMENDED FOR APPROVAL: UTAH DEPARTMENT OF TRANSPORTATION

By: _____
Region Three Traffic Operations Engineer

By: _____
Region Three Director

Date: _____

Date: _____

APPROVED AS TO FORM:

COMPTROLLER OFFICE

This Form Agreement has been previously approved as to form by the office of Legal Counsel for the Utah Department of Transportation.

By: _____
Contract Administrator

Date: _____