Lehi City Council Meeting
Agenda
July 14, 2020

5:30 PM - This will be a virtual online meeting and can be viewed at www.lehi-ut.gov. To submit comments go to www.lehi-ut.gov/government/public-meetings.

Pre-Council, 5:30 p.m.

1. Welcome and Invocation

2. Presentations and Reports

   2.1. Towing Ordinance History and Potential Revision Discussion

3. Agenda Questions
   The Mayor and City Council discuss and ask questions on items on the Regular Session agenda.

4. Administrative Report

5. Mayor and Council Reports
   Calendar items and outside Committee reports

Regular Session, 7:00 p.m.

1. Welcome, Roll Call, Pledge of Allegiance

2. Consent Agenda

2.1. Approve Minutes from the June 9, 2020 City Council Meeting
060920CC1.pdf

Regular Agenda

3. Consideration of Ordinance #40-2020, approval of the Hansen zone change, changing the zoning on .33-acres of property located at 1045 West Main Street from RA-1 to NC.

Petitioner: Casey Hansen

CC Staff Report Hansen Zone Change 07.14.20.docx
Hansen Commercial Zone Change DRC 5.27.2020.docx
Hansen Zone Change Plans.pdf
Ord 40-2020.docx
Hansen aerial.pdf
Hansen General Plan.pdf
Hansen zoning.pdf

4. Consideration of Ordinance #39-2020, approval of the Muir zone change, changing the zoning on approximately .79-acres of property located at 678 West 300 North from A-1 & R-1-12 to R-1-Flex & R-1-12.

Petitioner: Dennis Muir

CC Muir Staff Report Zone Change 07.14.20.docx
Muir Residential Zone Change DRC 5.20.2020.docx
Ord 39-2020.docx
Muir Zone Change Plans.pdf
Muir aerial.pdf
Muir General Plan.pdf
Muir zoning.pdf

5. Consideration of Ordinance #41-2020, approval of the Center Pointe Towns zone change, changing the zoning on approximately 2.25 -acres of property located at 1627 Center Pointe Drive from Commercial to R-3.

Petitioner: Meadowbrook Land

CC Staff Report Center Pointe Towns Zone Change 07.14.20.docx
Center Point Towns Residential Zone Change DRC 5.20.2020.docx
narrative.pdf
Ord 41-2020.docx
CENTERPOINT TOWNHOMES-ZONE CHANGE MAP.pdf
Center Pointe- Aerial.pdf
Center Pointe- General Plan.pdf
Center Pointe- Zoning.pdf

6. Consideration of Concept plan approval for Pine Springs, a 37-unit residential development located at 225 South 600 East.

Petitioner: Dan Ford

CC Staff Report Pine Springs Concept 07.14.20.docx
Pine Springs Concept DRC 06.10.2020.docx
Pine Springs Concept 06.10.20 Plan.pdf
pine springs concept aerial.pdf
pine springs concept gp.pdf
pine springs concept zoning.pdf

7. Consideration of Final subdivision approval for Vivian Estates Phase 1 Plat D, a 6-lot residential development at 400 East and Eagle Crest Drive in an RA-1 zone.
CC Staff Report Vivian Estaes Phase 1 Plat D Final Subdivision.docx
Vivian Estates Phase 1 Plat D DRC 06.17.2020.docx
Vivian Estates Phase 1 Plat D Plat.pdf
Vivian Estates- Aerial.pdf
Vivian Estates- General Plan.pdf
Vivian Estates- Zoning.pdf

8. Consideration of the Cedar Hollow Plat M Amendment, amending Cedar Hollow Plat A, lots 10, 11, and 12 at 1734 North 1400 East.
CC Staff Report Cedar Hollow M Plat Amendment.docx
Cedar Hollow Plat Amendment DRC 06.17.2020.docx
Cedar Hollow Plat Amendment.pdf
Cedar Hollow M- Aerial.pdf
Cedar Hollow M- General Plan.pdf
Cedar Hollow M- Zoning.pdf

9. Consideration of Ordinance #38-2020 request for approval of a Development Code amendment to Chapter 35, clarifying regulations for Community Forestry.
CC Staff Report Ch 35 Urban Forestry Development Code Amendment.docx
Development Code Amendment Chapter 35 DRC 06.10.2020.docx
Ordinance - Dev Code Chapter 35 Urban Forestry 07.14.20.docx
CHAPTER 35 Final Draft revisions 3.3.20.pdf

10. Consideration of Resolution #2020-51, Resolution Amending the Lehi City Employee Policy Manual, Section IV: Leave Subject: Leave of Absences.
Resolution-Employee Policy Manual Amendments (maternity leave).docx

11. Consideration of Adjourning into a Closed Executive Session for the purpose of discussing real estate.

12. Adjournment

- Public is invited to attend all City Council Meetings
- In compliance with the Americans with Disabilities Act, persons in need of special accommodations should contact the City Recorder at 768-7100 ext. 2254.
- This agenda has been properly posted and a copy provided to the local news media.

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Mel Hansen
Submitting Department:
Item Type: Discussion
Agenda Section:

Subject:
Towing Ordinance History and Potential Revision Discussion

Suggested Action:

Attachments:

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Teisha WIlson
Submitting Department:
Item Type: Action Item
Agenda Section:

Subject:
Approve Minutes from the June 9, 2020 City Council Meeting

Suggested Action:

Attachments:
060920CC1.pdf

LEHI CITY

153 North 100 East
Lehi, UT 84043
(801) 768-7100

Minutes of the **Pre Council and Regular Session** of the **Lehi City Council** held Tuesday, **June 9, 2020,** online at www.lehi-ut.gov.

Members Present: Mark Johnson, Mayor
Paige Albrecht, Council Member
Chris Condie, Council Member
Paul Hancock, Council Member
Katie Koivisto, Council Member
Mike Southwick, Council Member

Others Present: Jason Walker, City Administrator; Cameron Boyle, Assistant City Administrator; Beau Thomas, Assistant to the City Administrator; Ryan Wood, City Attorney; Kim Struthers, Community Development Director; Lorin Powell, City Engineer; Dean Lundell, Finance Director; Shaye Ruitenbeek, Management Analyst; Melanie Hansen, Events Coordinator; and Teisha Wilson, City Recorder.

Pre-Council, 4:00 p.m.

1. Welcome and Invocation

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Southwick gave the invocation.

2. Presentations and Reports

2.1 Update on Willow Park

Steve Marchbanks, Parks Manager, stated that they will begin taking reservations soon and believes the transition from Utah County is going well. He showed the concept plans for Willow Park and noted that they will have designated camping and large group areas with plans for improvements. He said they are going to develop a nice dog park as well. They hope to better utilize most of the space by removing some trees and planting new trees and regrowing some vegetation. They will have a canoe boat launch and create more fishing options. There was discussion regarding the details about their plans for the dog park area and how they will increase the park's maintenance facilities. Mr. Marchbanks stated that they'll construct the improvements in phases as they have the materials and the budget to do so. The irrigation system will be the most expensive to install, but there are grants available to assist with funding the park.

2.2 Update on the PEC Contract for Parks Design

Steve Marchbanks presented on the current Family Park concept plan. He said that the most recent design is not final, but was just a beginning point for the contractor. He said that the City will design what they feel is appropriate, involve the Parks, Trails and Trees Committee, and then final approval will be given by the Council. He said the concept that was submitted as part of the RFP processes was inaccurate and needs to be changed.

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Mr. Marchbanks showed the most recent design for Mellor Rhodes Park. It will have soccer, baseball and other park amenities which are still to be determined. He said it will be constructed in phases and the designer will determine how to best phase the project. Parks impact fees can help pay for the construction, but they will need to find an additional funding option. Councilor Albrecht stated that the Parks, Trails and Trees Committee applied for grants to assist with funding and they continue to research funding options. Mayor Johnson stated that the reason Saratoga Springs built their complex where they did is so that they could be within two miles of this park which would attract large tournaments. There was discussion about the site selection for the baseball facilities.

2.3 Discussion of the Baum Advertising Contract

Mayor Johnson stated that they want to discuss this again at a future meeting. There was concern with naming rights of parks and baseball fields regarding the contract. He said they may need to reevaluate the contract because of some legal challenges.

3. Agenda Questions

There was discussion about when they may resume in-person meetings for City Council. Mr. Walker stated that the Governor's order that allows for remote meetings expires on June 30th.

4. Administrative Report

Dean Lundell reported on the Fraud Risk Assessment, and reminded the Council to view the auditor's training from the State which will improve the city's assessment.

Chief Craft stated that they are concerned with fireworks this year due to the high demand, and they are going to educate the public on the risks of wildland fires in Lehi. He stated that they will contact residents in Traverse Mountain and provide education on the risks and how to prevent fires.

5. Mayor and Council Reports

The Council gave an update on the various committees they serve on.

The meeting recessed at approximately 6:45 p.m.
The meeting reconvened at approximately 7:00 p.m.

Regular Session, 7:00 p.m.

1. Welcome, Roll Call, Pledge of Allegiance

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Condie led the Pledge.

2. Consent Agenda

2.1. Approve Minutes from the May 12, 2020 Council Meeting.

2.2. Approve Purchase Orders

2.3 Re-approve Ordinance #19-2020, the Jacketta M. Clark Annexation

Motion: Councilor Hancock moved to approve the consent agenda items. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

3. Consideration of Final subdivision approval for Staten Farms Plat B, a 9-lot subdivision located at 1340 North 2020 West.

Chad Staten was available for questions.

Motion: Councilor Southwick moved to approve the Final subdivision for Staten Farms Plat B, a 9-lot subdivision located at 1340 North 2020 West; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Condie seconded the motion

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

4. Consideration of Final subdivision approval for the Innovation Pointe Phase 2, a 3-lot commercial subdivision located at 1441 W Innovation Way.

Kent England was representing the applicant. There was discussion about the curvature in the street and the traffic study done by Hales Engineering. Mr. Struthers stated that there were challenges with the placement due to the topography. Mr. England stated that they hope to acquire more property that would allow the road to be straightened. He said that although the road alignment isn't ideal, the traffic study shows that it will work. Mr. Struthers stated that this is not anticipated to be a high-volume road.

Motion: Councilor Southwick moved to approve the Final subdivision for the Innovation Pointe Phase 2, a 3-lot commercial subdivision located at 1441 W Innovation Way; subject to the completion of all Development Review Committee and Planning Commission comments; and include the exception to the block length of 11.5 feet due to the topography. Councilor Hancock seconded the motion.

Roll Call Vote: Councilor Albrecht, No; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, No. The motion passed 3-2.

5. Consideration of Ordinance #31-2020, approval of the Ellsworth Zone Change from TH-5 to RA-1 on 0.34 acres located at 1015 East 1840 North.

Tony Trane was representing the applicant.

Motion: Councilor Condie moved to approve Ordinance #31-2020, approval of the Ellsworth Zone Change from TH-5 to RA-1 on 0.34 acres located at 1015 East 1840 North; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

6. Consideration of Resolution #2020-40, approval of a street name change for the southern portion of Holbrook Way to Miller Campus Drive.

Dan Kohler was representing the applicant. He stated that the change would be to recognize the significant contributions the Miller family made to Intermountain Healthcare and the community.

Councilor Koivisto inquired if the residents were notified of the change to the road name. Mr. Kohler stated that they are the property owner and will be the first to develop along this road. He said they discussed the name change with the Holbrook family and there was no objection there.

Motion: Councilor Koivisto moved to approve Resolution #2020-40, a street name change for the southern portion of Holbrook Way to Miller Campus Drive; with the condition that the applicant reach out to the residents in Holbrook Farms and publish the road name change; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Hancock seconded the motion.

Councilor Condie suggested that the word "condition" in the motion be changed to "recommend" because a condition may imply that the residents can approve or deny the name change. Councilor Hancock agreed.

Councilor Koivisto stated that she expects the applicant to reach out to the residents and would prefer to keep the word "condition". She stated that there have been a lot of changes in the area and believes the notice should come from Intermountain Healthcare.

There was discussion about how and when to notify the residents. Councilor Hancock questioned the necessity of notifying residents because no one lives on that road so residents will not be impacted by the change.

Councilor Hancock rescinded his second of the motion. Mayor Johnson asked for a second on the motion.

The motion failed for lack of a second.

Motion: Councilor Hancock moved to approve Resolution #2020-40, a street name change for the southern portion of Holbrook Way to Miller Campus Drive; with the recommendation that the applicant ensure there is notice to residents through their standard public relations process; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Condie seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

7. Consideration of Ordinance #32-2020, a Development Code Amendment to Table 37.070 adding a parking requirement for Short Term Rentals.

Motion: Councilor Southwick moved to approve Ordinance #32-2020, a Development Code Amendment to Table 37.070 adding a parking requirement for Short Term Rentals; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

8. Consideration of Ordinance #33-2020, a Development Code Amendment to Chapter 20, adding a home office with mobile services as an allowed use.

Motion: Councilor Condie moved to approve Ordinance #33-2020, a Development Code Amendment to Chapter 20, adding a home office with mobile services as an allowed use; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Southwick seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

9. Consideration of Ordinance #34-2020, a Development Code Amendment to Chapters 12 and 26, adding requirements for storage containers on residential property.

There was a comment submitted online by Steve Moulton: *I appreciate the Planning Commission and City Council finding a solution to this amendment. I'd like to propose that the additional recommendation from the Planning Commission to limit "container shed conversions" to larger lots be removed as there is already adequate code specifying setbacks, open yard space, etc. for accessory buildings.*

Using my own situation as an example, I live on a 1/4 acre lot, but have a small home and large backyard. My lot is large enough to meet current accessory building codes for the "container shed conversion" I have in mind. However, under the proposed lot size change I would not qualify to do so. Current city code would, however, allow me to install a larger, taller, wooden, Home Depot shed instead.

Some of the reasons I prefer to convert a container into a shed are: o A container retains the majority of its value for many years. Home Depot sheds lose the majority of their value the day they are installed. o The "container conversion shed" I have in mind will require much less up keep and will look good for many years to come. Much longer than a Home Depot shed. o

A "container conversion shed" is more secure than your average wooden Home Depot shed.
o The "container conversion shed" I have in mind will actually cost less money than a wooden Home Depot shed of similar size.

In summary, I feel the original amendment proposal, which includes an application process to ensure existing accessory building codes are met, is sufficient written as is.

Thank you for considering this proposal.

Councilor Condie was inclined to agree with the public comment, so he asked about the concerns of the Planning Commission. Mr. Struthers stated that the discussion was that these would be large shipping containers that may not fit well on smaller lots. They felt it may cause more problems then what we would want to allow, so that's why they only wanted them on large lots. He said there is a maximum cover requirement in any zone that you can't cover more then 30% of your backyard with buildings or accessory structures, so it may not be an issue.

Councilor Hancock suggested that they allow a maximum container size based on lot size. Councilor Condie researched the containers and found that there are various sizes and that there are options to have them look nice. He said the standard sizes seem be to 20, 40, and 53 feet in length, and they are all 8 feet wide.

Motion: Councilor Hancock moved to approve Ordinance #34-2020, a Development Code Amendment to Chapters 12 and 26, adding requirements for storage containers on residential property; and include that 20 foot containers be allowed on ¼ acre lots, and that the traditional size or larger containers be allowed based of the proposed amendment. Councilor Southwick seconded the motion.

Mr. Struthers asked that the Council specify by zone or a specific .25 acre lot. There was discussion about which zones this would include.

Amended Motion: Council Hancock amended his motion to include a minimum 10,000 square foot lot size for the containers. Councilor Southwick seconded the amendment to the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

10. FY 2020 Budget Amendment

a. Public Hearing

No comments were submitted.

b. Consideration of Resolution #2020-41, approving an amendment to the current Lehi City FY2020 Budget.

Motion: Councilor Condie moved to approve Resolution #2020-41, an amendment to the current Lehi City FY2020 Budget. Councilor Southwick seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

11. FY2021 Consolidated Fee Schedule Amendment

a. Public Hearing

No comments were submitted.

b. Consideration of Resolution #2020-42, approving an amendment to the Lehi City Consolidated Fee Schedule for FY2021 to include fees for Willow Park.

Motion: Councilor Koivisto moved to approve Resolution #2020-42, approving an amendment to the Lehi City Consolidated Fee Schedule for FY2021 to include fees for Willow Park. Councilor Condie seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

12. Consideration of Resolution #2020-43, adopting the Municipal Wastewater Planning Program (MWPP) Annual Report for the year 2019.

Motion: Councilor Southwick moved to approve Resolution #2020-43, adopting the Municipal Wastewater Planning Program (MWPP) Annual Report for the year 2019. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

13. Public Safety and Firefighter Tier II Contributory Retirement System. (Tabled from the May 26, 2020 meeting.)

a. Un-table Resolution #2020-31

Motion: Councilor Koivisto moved Un-table Resolution #2020-31. Councilor Condie seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

b. Consideration of Resolution #2020-31, taking formal action to pick up required employee contributions in the new Public Safety and Firefighter Tier II Contributory Retirement System.

Motion: Councilor Southwick moved to approve Resolution #2020-31, taking formal action to pick up required employee contributions in the new Public Safety and Firefighter Tier II Contributory Retirement System. Councilor Koivisto seconded the motion.

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Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

14. Consideration of Resolution #2020-44, taking formal action to pick up required employee contributions in the new Public Safety and Firefighter Tier I Contributory Retirement System.

Motion: Councilor Condie moved to approve Resolution #2020-44, taking formal action to pick up required employee contributions in the new Public Safety and Firefighter Tier I Contributory Retirement System. Councilor Southwick seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

15. Consideration of Ordinance #35-2020, repealing and reenacting Lehi City Code Chapter 10-7, Flood Damage Prevention.

Motion: Councilor Condie moved to approve Ordinance #35-2020, repealing and reenacting Lehi City Code Chapter 10-7, Flood Damage Prevention. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

16. Consideration of Resolution #2020-45, approval of an agreement for professional services with RB&G Engineering, Inc.

Motion: Councilor Condie moved to approve Resolution #2020-45, approval of an agreement for professional services with RB&G Engineering, Inc. Councilor Southwick seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

17. Adjournment

With no further business to come before the City Council at this time, Councilor Hancock moved to adjourn the meeting. Councilor Koivisto seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:30 p.m.

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Approved: July 14, 2020 Attest:

Mark Johnson, Mayor Teisha Wilson, City Recorder

DRAFT

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Jacob Curtis
Submitting Department: Planning Division
Item Type: Ordinance
Agenda Section:

Subject:
Consideration of Ordinance #40-2020, approval of the Hansen zone change, changing the zoning on .33-acres of property located at 1045 West Main Street from RA-1 to NC.
Petitioner: Casey Hansen

Suggested Action:

Attachments:
CC Staff Report Hansen Zone Change 07.14.20.docx

Hansen Commercial Zone Change DRC 5.27.2020.docx

Hansen Zone Change Plans.pdf

Ord 40-2020.docx

Hansen aerial.pdf

Hansen General Plan.pdf

Hansen zoning.pdf

HANSEN ZONE CHANGE
CITY COUNCIL REPORT

Applicant	Casey Hansen		
Meeting Date	July 14, 2020		
Requested Action/Purpose	Approval of a proposed zone change		
Location	1045 West Main Street		
Project Area	0.33 acres		
Existing Zoning	RA-1 (Residential/Agricultural)		
Proposed Zoning	NC (Neighborhood Commercial)		
Existing General Plan Land Use Designation	MDR (Medium Density Residential) & NCN (Neighborhood Commercial Node)		
Adjacent Zoning and Land Use	*North*	C	Undeveloped
	South	RA-1	Single family residential
	East	RA-1	Single family residential
	West	RA-1	Single family residential
Date of DRC Review	May 27, 2020		
Date of Planning Commission Review	June 11, 2020		
Assigned Planner	Jacob Curtis		

REQUIRED ACTION

Planning Commission	Review and recommendation
City Council	Final approval

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 04.060 Criteria for Approval, of the Lehi City Development Code, the Planning Commission should consider the following factors, among others, when reviewing a zone amendment:

1. The effect of the proposed amendment on the character of the surrounding area;
2. Consistency with the goals and policies of the General Plan;
3. Consistency and compatibility of the proposed zone with the General Plan land uses of nearby and adjoining properties;
4. The suitability of the properties for the uses requested and their suitability for the existing uses identified by the General Plan;
5. Whether a change in the uses allowed for the affected properties will unduly affect the uses, or proposed uses for nearby and adjoining properties;
6. The gain to the public health, safety, and welfare from the existing classification to the proposed amendment; and
7. The overall community benefit of the proposed amendment.

APPLICABLE GENERAL PLAN GOALS AND POLICIES



Neighborhood Commercial Node (Overlay) (NCN)

The purpose of the Neighborhood Commercial classification is to allow for smaller-scale retail and service-oriented businesses that are compatible with adjacent neighborhoods and can provide basic goods and services that are available in close proximity to residential areas.

Developments within this zone should be designed for a sensitive transition between commercial uses and surrounding residential uses.

Several of these nodes occur within the City. The purpose of Neighborhood Commercial Nodes (NCNs) is to allow for the implementation of the Neighborhood Commercial designation at designated major intersections as shown on the Land Use Map. Neighborhood Commercial Nodes are considered an overlay designation. Therefore, if a determination is made by the City that commercial land uses are not appropriate at any given NCN or portion of a NCN, the underlying General Plan Land Use designation(s) apply.

An estimation of how the land may develop in the Neighborhood Commercial Node areas is as follows:

Retail – 55%
Office/employment – 25%
Residential – 5%
Roads & institutional – 15%

Best Practice 3.1:
Encourage the development of neighborhood commercial units to cater to the needs of area residents.

Neighborhood commercial units offer many benefits to area residents. One of those benefits is reducing the need to travel long distances to meet regular shopping needs, such as for groceries. Longer distances traveled result in increased traffic, increased pollution, increased amounts of household budgets spent on transportation, increased time people spend in their vehicles, decreased viability of alternative transportation modes such as walking and biking, and decreased time people have to spend in other pursuits such as exercise, recreation, family and community events.

However, current zoning codes make neighborhood commercial units difficult to build. To implement this best practice, a thorough review of zoning codes should be conducted in order to make necessary adjustments to allow for neighborhood commercial units.

Lehi City has identified potential locations for neighborhood commercial units on its Land Use Map to make landowners aware of the range of options available to them.

Neighborhood commercial units can often contain small local businesses. Creation of a streamlined approval process could help to make it understandable and affordable for small business and services to open in neighborhood commercial areas.

PROPERTY HISTORY

June 18, 1980	This property was annexed as part of the Marvin Gray Annexation.
October 25, 2011	A comprehensive update to the General Plan Land Use Element was approved and designated the subject property as Low Density Residential with a Neighborhood Commercial Node.

REPORT ANALYSIS

The applicant is seeking approval of a proposed zone change from RA-1 to NC (Neighborhood Commercial) for 0.33 acres. This zone change is consistent with the General Plan land use designation of the NCN overlay for the property and this zone change is consistent with Best Practice 3.1 of the General Plan to develop commercial units that cater to the needs of nearby residents. The applicant is seeking a change in zoning to allow for a more flexible use of the property. The applicant is planning to renovate the property into an ice cream and soda parlor/drive thru.

The Neighborhood Commercial zone allows for an area where smaller-scale retail and services are available near residential areas. The applicant's proposal would allow for low impact commercial services to be brought to the Main Street area. Developments in this zone should be designed to create a smooth transition between the

commercial uses and the surrounding residential uses. As such, restrictions are placed to prevent disturbance to residential areas. These restrictions include limited business hours and building footprints that are limited in size to a 5,000 square foot footprint unless otherwise approved by the Planning Commission.

The DRC had one comment for the proposed zone change. The comment states that separate applications will be required for a conditional use and a site plan in an existing building.

Please include all DRC comments as part of the motion.

PLANNING DIVISION RECOMMENDATION

The Planning Division staff recommends **APPROVAL** of the proposed Hansen zone change, including DRC comments from May 27, 2020. This recommendation is based on the following findings:

1. The proposed zone change is consistent with the General Plan designation of NCN.
2. The proposed zone change is consistent with the goals and policies of the General Plan including Best Practice 3.1.
3. The proposed change is consistent and compatible with the General Plan land uses of nearby and adjoining properties.
4. The proposed change will not unduly affect the uses, or proposed uses for nearby and adjoining properties.
5. The proposed change does not affect the health, safety, and welfare of the City.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed zone change on June 11, 2020. The minutes and motion from this meeting are as follows:

2.3) Public hearing and recommendation of Casey Hansen's request for review of the Hansen zone change, changing the zoning on .33-acres of property located at 1045 West Main Street from RA-1 (residential/agriculture) to NC (neighborhood commercial).

Sierra Pierson, City Planner, presented information on the agenda item.

The applicant, Casey Hansen, was present.

Commissioner Hemmert opened the public hearing.

Commissioner Hemmert closed the public hearing.

Commissioner Everett is not in favor of putting in the ice cream shop and is worried about the impact it will have on the neighbors on both sides of the proposed site. Commissioner Hemmert agreed. Kim Struthers, Community Development Director, presented information on the neighboring buffers and the intersections on the general plan near the commercial uses. Commissioner Bunker stated he remembered other businesses that needed to be looked at more strategically. Ross Dinsdale stated most of the properties near that area are commercial properties or will most likely be commercial properties in the future. Commissioner Hemmert stated the intent of the zone is to be a transit zone. Commissioner Ellis stated the only thing that gives him the reason to not say no is that it is labeled on the general plan as NC. Commissioner Nielsen stated that most NC zones transition to commercial at some point, especially with this item on Main Street. Commissioner Nielsen's concern is the safety issue where there will be citizens crossing Main Street. He states it is a hazard in his opinion and he would like to see sidewalks in front of the development. Commissioner Ellis asked if drive thru's were allowed. Sierra Pierson stated they were allowed in a conditional use. Commissioner Nielsen stated infrastructure for walking and biking would be a good idea. Ross Dinsdale stated they probably wouldn't take back funding for that from the impact fees, but it would be a good area to work on sidewalks where there would be more pedestrians.

Motion: Commissioner Nielsen forwarded a positive recommendation of Casey Hansen's request for review of the Hansen zone change, changing the zoning on .33-acres of property located at 1045 West Main Street from RA-1

(residential/agriculture) to NC (neighborhood commercial).; including all DRC comments and findings stated in the reports, specifically that they are squarely within the overlay for the Neighborhood Commercial zone. Commissioner Bunker seconded.

Vote: Commissioner Hemmert, no; Commissioner Nielsen, yes; Commissioner Ellis, yes; Commissioner Everett, no; Commissioner Bunker, yes; Commissioner Hereth, yes; Commissioner Eyre; yes. The motion passed 5-2.

Hansen Commercial Zone Change
DRC Redline Comments

Casey Hansen - requests review of the Hansen zone change, changing the zoning on .33-acres of property located at 1045 West Main Street from RA-1 to NC.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer
Date of Plans Reviewed: 5/12/2020

DRC REDLINE COMMENTS:
Glade – Power: No comments for zone change. A line extension will be required if power service changes.
Kerry – Fire: No comments
Greg – Water/Sewer: No comments
Trent – Parks: No comments
Gary – Building/Inspections: No comments
JD – Streets: No comments
Ross – Engineering: No comments on zone change. FYI, sufficient on-site parking will need to be provided for an ice cream or soda shop with a drive through. New asphalt will require detention or retention on site.
Kim – Planning:
1. Separate application will require Conditional use & site plan in existing building

General Comment:
1. Development of a commercial property next to residential/agricultural use will require screening and landscape buffering as outlined in the Development Code, Section 12.080.

Consistency with the elements of the Lehi City General Plan.

This area has a proposed **Neighborhood Commercial** overlay on the General Plan.

Effect of the proposed amendment on the existing goals, objectives, and policies of the Lehi City General Plan.

From the Lehi City General Plan Land Use Element the following goals and policies related to development should be considered:

1. Maximize opportunities to create an overall pattern of planned and orderly development with a system of land uses, adequately and efficiently served by a balanced and energy-efficient system of transportation, and community services that are sensitive to the natural physical qualities of the area.

2. Provide diverse economic and employment opportunities and encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

3. Promote variety in commercial spaces, densities, and locations.

THIS ITEM WILL BE SCHEDULED FOR PLANNING COMMISSION ON JUNE 11TH, 2020.

Note: This list of corrections and deficiencies should not be considered as an all-inclusive or final list. The items listed need to be corrected and resolved and a new set of information submitted for review by the DRC. Further corrections and deficiencies may still be noted as the DRC further reviews the resubmitted information.

Zoning Amendment Request

We (the property owners of 1045 West Main Street Lehi, Utah) propose to amend the current zoning of said property from R-A1 to NC (neighborhood commercial).

The purpose of this request is to provide us flexibility to use our property in a more efficient way.
We intend to renovate the property into a family friendly ice cream and soda parlor/drive-thru. One that will bring the city some nostalgia and simple joys of family time that are in line with the city's history. We will be enhancing the property and making improvements to create an inviting environment that the city can appreciate.
Our property is located within close proximity to the historical part of Lehi as well as the city's Rodeo Grounds and Vets Ballfield. Our property sits on one of the city's heaviest traveled thoroughfares, and we believe our location will provide convenience for the daily commuter.

We would love the city's support in granting a zoning change so we are able to adapt to future growth/change within the city and along the state road.

We hope to achieve the following:

- Create more liveable communities with embedded neighborhood commercial property.
- Provide convenience and commodity along heavily commuted thoroughfare.
- Provide employment opportunities for the city and its residents.
- Create a memorable experience for residents and visitors alike.
- Support local vendors and small businesses, as well as charitable initiatives.
- Provide convenience for surrounding residents and pedestrians.

Though this property does still have surrounding Main Street facing homes that are still zoned residential, a high percentage of properties along the state road have been converted into commercial use. We are only one of a small handful that are still zoned as residential.
We believe it is in our best interest, as well as the city's, to amend the property to neighborhood commercial to stay ahead of future development and to fulfill our objectives. We believe this location is better suited and safer as a commercial property vs residential due to the heavy traffic along state road 73. This request is in compliance with the city's general plan.

This request, if approved, will amend the zoning map. Our parcel number to the property is #130180009

Sincerely,

Hollie Hansen




80 N
8730 W
850 W
190 S
250 S
75 W





ORDINANCE NO: 40-2020

AN ORDINANCE APPROVING A ZONE DISTRICT DESIGNATION AMENDMENT AND ZONING DISTRICT MAP AMENDMENT FOR 1045 WEST MAIN STREET

WHEREAS, Casey Hansen, authorized agent for the owner of property located at 1045 West Main Street and further described by the legal description attached as Exhibit "A", has applied for an amendment to the Zone District and Zoning District Map; and

WHEREAS, the applicant seeks to have said parcel designated as NC (Neighborhood Commercial); and

WHEREAS, following a public hearing on June 11, 2020, the Lehi City Planning Commission reviewed the proposed Zoning District Designation and Zoning District Map amendment and forwarded it to the City Council to decide on the proposed amendment; and

WHEREAS, on July 14, 2020, the City Council held a duly noticed meeting to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record and which include the staff report, minutes from the Planning Commission meeting of June 11, 2020; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds: (i) the request for a Zone District Designation amendment and Zoning District amendment is consistent with the Lehi City General Plan Land Use Map adopted by the Lehi City Council on October 25, 2011 (and as subsequently amended); and (ii) such action furthers the health, safety and welfare of the citizens of Lehi.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lehi City, Utah as follows:

PART I:

The Zone District Designation and the Zoning District Map of the property described on Exhibit "A" are hereby amended to NC (Neighborhood Commercial).

PART II:

A. If a provision of this Ordinance 40 -2020 conflicts with a provision of a previously adopted ordinance concerning the same title, chapter, and/or section number amended herein, the provision in this Ordinance shall prevail.

B. This ordinance and its various section, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder shall not be affected thereby.

C. The City Council hereby directs that the official copy of the Lehi City Code be updated to reflect the provisions enacted by this Ordinance.

D. This Ordinance shall take effect immediately after being posted or published as required by law.

Approved and Adopted by the City Council of Lehi City this 14th day of July, 2020.

ATTEST

_____ _____

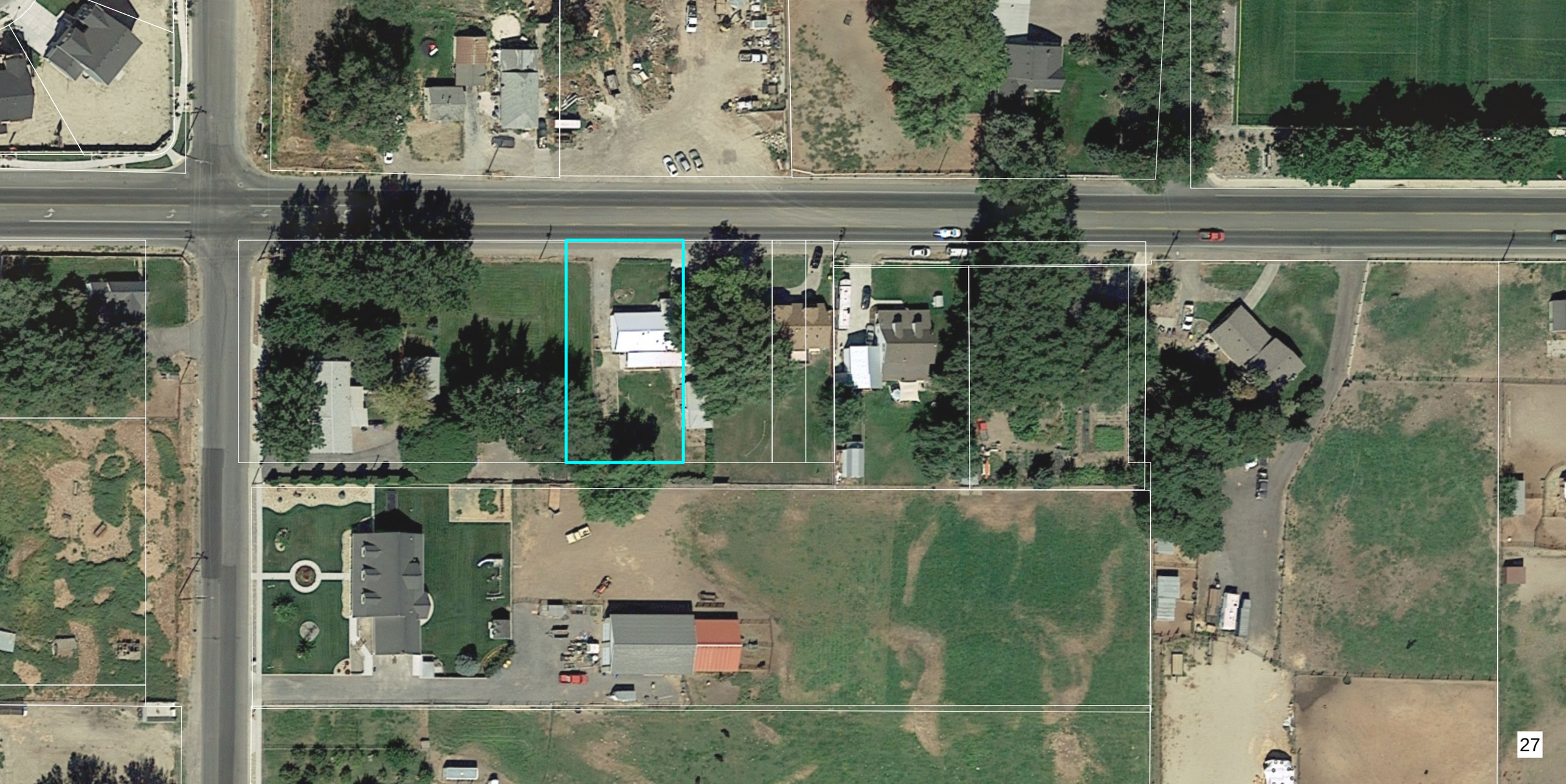
Mark Johnson, Mayor Teisha Wilson, City Recorder

EXHIBIT “A”

HANSEN ZONE CHANGE LEGAL DESCRIPTION

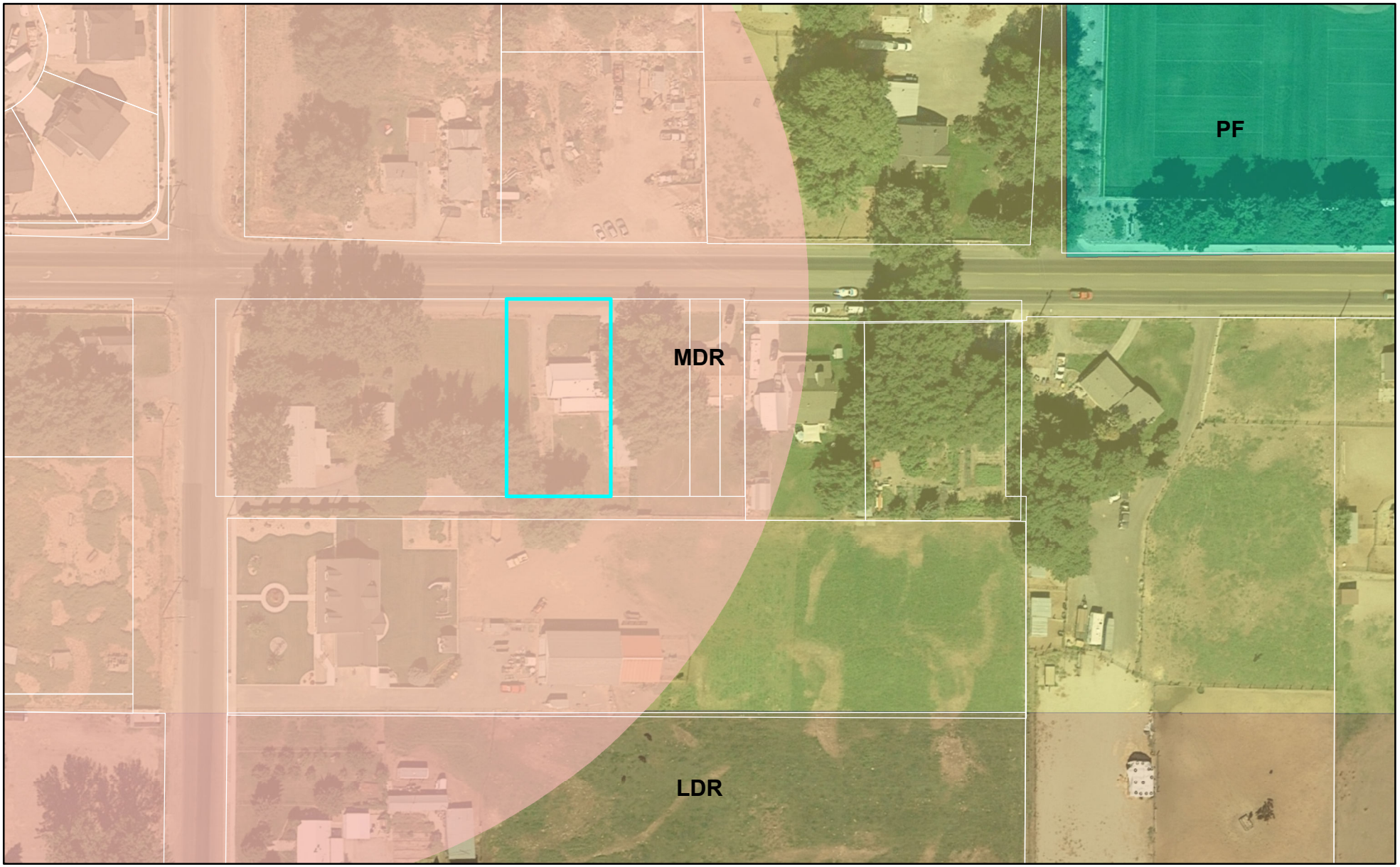
Parcel ID 13:018:0009

Legal Description: COM E 24 RDS 3 FT & N 54 RDS & E 243 FT; FR SW COR NW 1/4 SEC 17, T5S, R1E, SLM; N 10 RDS; E 87 FT; S 10 RDS; W 87 FT TO BEG. AREA .33 ACRES.



Hansen Zone Change

General Plan

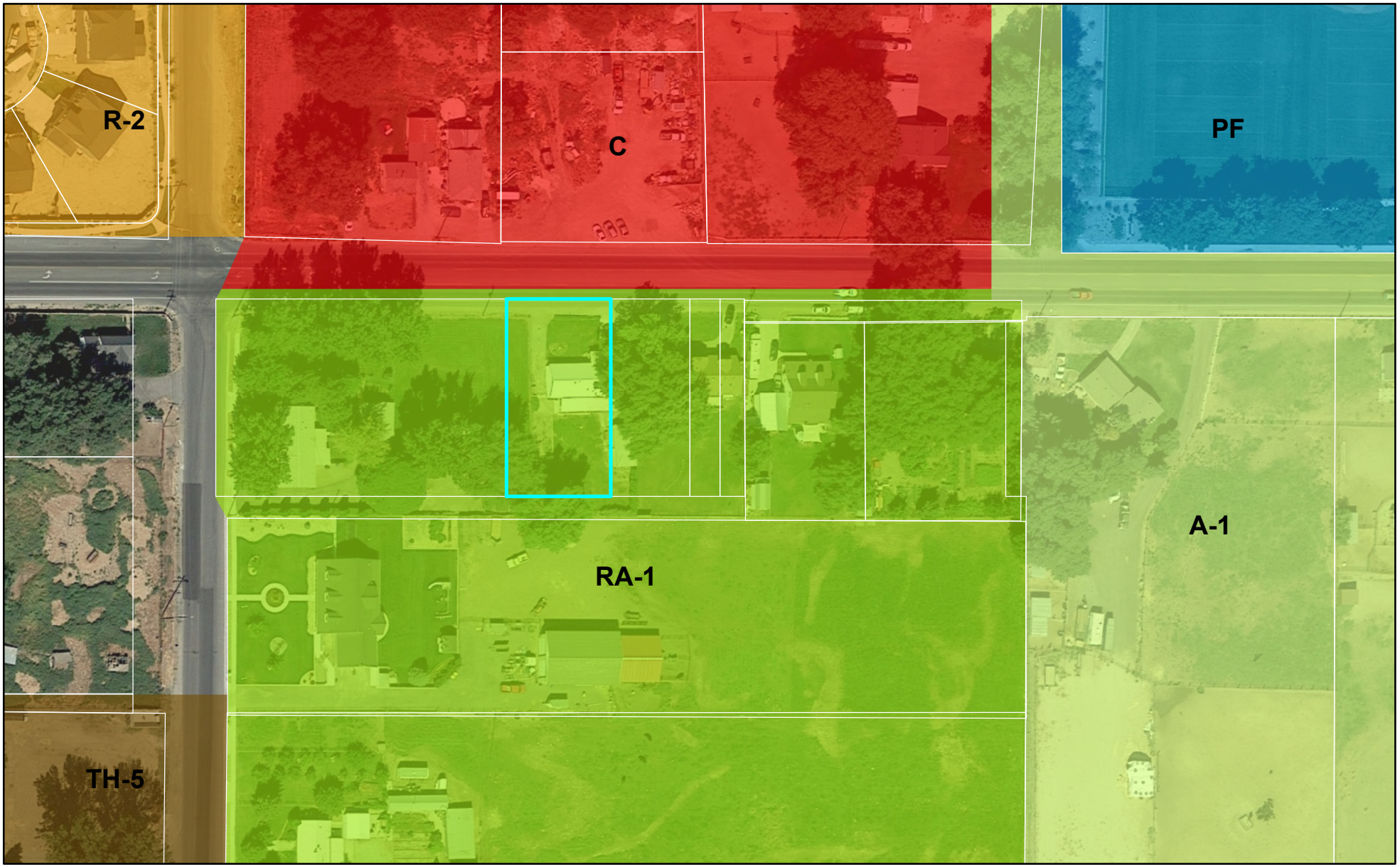


0 130 260 Feet

LEHI CITY

Hansen Zone Change

Zoning



LEHI CITY

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Jacob Curtis
Submitting Department: Planning Division
Item Type: Ordinance
Agenda Section:

Subject:
Consideration of Ordinance #39-2020, approval of the Muir zone change, changing the zoning on approximately .79-acres of property located at 678 West 300 North from A-1 & R-1-12 to R-1-Flex & R-1-12.
Petitioner: Dennis Muir

Suggested Action:

Attachments:
CC Muir Staff Report Zone Change 07.14.20.docx

Muir Residential Zone Change DRC 5.20.2020.docx

Ord 39-2020.docx

Muir Zone Change Plans.pdf

Muir aerial.pdf

Muir General Plan.pdf

Muir zoning.pdf

MUIR ZONE CHANGE
CITY COUNCIL REPORT

Applicant	Dennis Muir		
Meeting Date	July 14, 2020		
Requested Action/Purpose	Approval of a proposed zone change		
Location	678 West 300 North		
Project Area	0.79 acres		
Existing Zoning	A-1 & R-1-12		
Proposed Zoning	R-1-Flex & R-1-12		
Existing General Plan Land Use Designation	LDR (Low Density Residential)		
Adjacent Zoning and Land Use	*North*	R-1-12	Little Lehi Subdivision
	South	A-1	Undeveloped Land
	East	PF	Lehi City Power Department
	West	RA-1	Little Lehi Subdivision
Date of DRC Review	May 20, 2020		
Date of Planning Commission Review	June 11, 2020		
Assigned Planner	Jacob Curtis		

REQUIRED ACTION

Planning Commission	Review and recommendation
City Council	Final approval

APPLICABLE GENERAL PLAN GOALS AND POLICIES

Low Density Residential (LDR)
The Low Density Residential (LDR) classification provides for predominantly single-family residential areas and single-family dwelling units with an overall neighborhood density not to exceed 4 units per acre. For the efficient implementation of this General Plan Land Use category, and to achieve the goals of the General Plan, the City has created the Flex Zone, which provides a diversity of lot sizes and promotes diversification and stability of neighborhoods. The applicable Zoning District classifications are R-1-12 and R-1-Flex. In cases where a parcel of property is immediately adjacent to existing R-1-10 or R-1-8 Zoning on at least 3 sides, the City may allow zoning/re-zoning of the parcel to an R-1-8 or R-1-10 Zone based on the contiguous zoning.



APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 04.060 Criteria for Approval, of the Lehi City Development Code, the Planning Commission should consider the following factors, among others, when reviewing a zone amendment:

1. The effect of the proposed amendment on the character of the surrounding area;
2. Consistency with the goals and policies of the General Plan;
3. Consistency and compatibility of the proposed zone with the General Plan land uses of nearby and adjoining properties;
4. The suitability of the properties for the uses requested and their suitability for the existing uses identified by the General Plan;

5. Whether a change in the uses allowed for the affected properties will unduly affect the uses, or proposed uses for nearby and adjoining properties;
6. The gain to the public health, safety, and welfare from the existing classification to the proposed amendment; and
7. The overall community benefit of the proposed amendment.

PROPERTY HISTORY

June 15, 1852 – This property is part of the original incorporated boundaries of Lehi.

REPORT ANALYSIS

The applicant is seeking approval of a proposed zone change from A-1 & R-1-12 to R-1 Flex and R-1-12 for 0.79 acres. This zone change is consistent with the General Plan designation of LDR for the properties. This zone change would correct the zoning on four parcels that were part of a property exchange in 2019. The applicant, Dennis Muir, desires R-1 Flex zoning on the front two parcels for a possible 2-lot subdivision in the future. The two back parcels would be given R-1-12 zoning to match the rest of the Little Lehi subdivision.

The R-1-Flex zone allows a diversity of lot sizes while still keeping within the density standard of the designation. This promotes varying the lot sizes but protects the stability and character of the single-family neighborhood. Since the proposed zone change is less than 10 acres, all future development will be required to have at minimum 8,000 square foot lots and a maximum density of 3.25 units per acre is allowed.

The DRC had two comments on the proposed zone change. The first comment emphasized that water dedication will be required for the A-1 portion of the zone change. The rate of water dedication will be 1.58-acre feet of culinary water per acre of property and 2.11-acre feet of pressurized irrigation water per acre of property. The second comment stated that on the diagram of the zone change to relabel the south piece to be shown as the Muir parcel.

Please include the DRC comments in the motion.

PLANNING DIVISION RECOMMENDATION

The Planning Division staff recommends **APPROVAL** of the proposed Muir zone change, including DRC comments from May 20, 2020. This recommendation is based on the following findings:

1. The proposed zone change is consistent with the General Plan designation of LDR.
2. The proposed zone change is consistent with the goals and policies of the General Plan.
3. The proposed change is consistent and compatible with the General Plan land uses of nearby and adjoining properties.
4. The proposed change will not unduly affect the uses or proposed uses for nearby and adjoining properties.
5. The proposed change does not affect the health, safety, and welfare of the City.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed zone change on June 11, 2020. The minutes and motion from this meeting are as follows:

2.4) Public hearing and recommendation of Dennis Muir's request for review of the Muir zone change, changing the zoning on approximately .79-acres of property located at 678 West 300 North from A-1 (agriculture) & R-1-12 (residential) to R-1-Flex (residential).

Sierra Pierson, City Planner, presented information on the agenda item.

The Commissioners asked questions about the parcel boundary and easement zones.

The applicant, Dennis Muir, was present.

Commissioner Hemmert opened public hearing.

Commissioner Hemmert closed public hearing.

Motion: Commissioner Nielsen forwarded a positive recommendation of Dennis Muir's request for review of the Muir zone change, changing the zoning on approximately .79-acres of property located at 678 West 300 North from A-1 (agriculture) & R-1-12 (residential) to R-1-Flex (residential); including all DRC comments from May 20, 2020 and findings stated in the report. Commissioner Eyre seconded.

Vote: Commissioner Hemmert, yes; Commissioner Nielsen, yes; Commissioner Ellis, yes; Commissioner Everett, yes; Commissioner Bunker, yes; Commissioner Hereth, yes; Commissioner Eyre; yes. The motion passed unanimously.

Muir Residential Zone Change
DRC Redline Comments

Dennis Muir - requests review of the Muir zone change, changing the zoning on approximately .79-acres of property located at 678 West 300 North from A-1 & R-1-12 to R-1-Flex.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer
Representatives of the Applicant Present:
Date of Plans Reviewed: 5/12/2020

DRC REDLINE COMMENTS:
Glade – Power: No comments. Will require a power line extension if subdivided.
Kerry – Fire: No comments
Greg – Water/Sewer: No comments
Trent – Parks: No comments
Gary – Building/Inspections: No comments
JD – Streets: No comments
Ross – Engineering: No comments
Kim – Planning:
1. Water dedication will be required for the A-1 portion of the zone change. The rate of water dedication will be 1.58-acre feet per acre of culinary water and 2.11-acre feet per acre of irrigation water.
2. On diagram of zone change, change south piece to Muir parcel.

Consistency with the elements of the Lehi City General Plan.

This area has a **LDR** designation on the General Plan.

Effect of the proposed amendment on the existing goals, objectives, and policies of the Lehi City General Plan.

From the Lehi City General Plan Land Use Element the following goals and policies related to development should be considered:

1. Maximize opportunities to create an overall pattern of planned and orderly development with a system of land uses, adequately and efficiently served by a balanced and energy-efficient system of transportation, and community services that are sensitive to the natural physical qualities of the area.

2. Provide diverse economic and employment opportunities and encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

3. Promote variety in commercial spaces, densities, and locations.

THIS ITEM WILL BE SCHEDULED FOR PLANNING COMMISSION ON JUNE 11, 2020. (NEED ENVELOPES BEFORE SCHEDULING)

Note: This list of corrections and deficiencies should not be considered as an all-inclusive or final list. The items listed need to be corrected and resolved and a new set of information submitted for review by the DRC. Further corrections and deficiencies may still be noted as the DRC further reviews the resubmitted information.

ORDINANCE NO: 39-2020

AN ORDINANCE APPROVING A ZONE DISTRICT DESIGNATION AMENDMENT AND ZONING DISTRICT MAP AMENDMENT FOR 678 WEST 300 NORTH

WHEREAS, Dennis Muir, authorized agent for the owner of property located at 678 West 300 North and further described by the legal description attached as Exhibit "A", has applied for an amendment to the Zone District and Zoning District Map; and

WHEREAS, the applicant seeks to have said parcels designated as R-1-Flex and R-1-12 (Low Density Residential); and

WHEREAS, following a public hearing on June 11, 2020, the Lehi City Planning Commission reviewed the proposed Zoning District Designation and Zoning District Map amendment and forwarded it to the City Council to decide on the proposed amendment; and

WHEREAS, on July 14, 2020, the City Council held a duly noticed meeting to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record and which include the staff report, minutes from the Planning Commission meeting of June 11, 2020; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds: (i) the request for a Zone District Designation amendment and Zoning District amendment is consistent with the Lehi City General Plan Land Use Map adopted by the Lehi City Council on October 25, 2011 (and as subsequently amended); and (ii) such action furthers the health, safety and welfare of the citizens of Lehi.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lehi City, Utah as follows:

PART I:

The Zone District Designation and the Zoning District Map of the property described on Exhibit "A" are hereby amended to R-1-Flex and R-1-12 (Low Density Residential).

PART II:

A. If a provision of this Ordinance 39 -2020 conflicts with a provision of a previously adopted ordinance concerning the same title, chapter, and/or section number amended herein, the provision in this Ordinance shall prevail.

B. This ordinance and its various section, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder shall not be affected thereby.

C. The City Council hereby directs that the official copy of the Lehi City Code be updated to reflect the provisions enacted by this Ordinance.

D. This Ordinance shall take effect immediately after being posted or published as required by law.

Approved and Adopted by the City Council of Lehi City this 14th day of July, 2020.

ATTEST

_____ _____

Mark Johnson, Mayor Teisha Wilson, City Recorder

EXHIBIT “A”

MUIR ZONE CHANGE LEGAL DESCRIPTION

Parcel ID 13:020:0076
Legal Description: COM S 173.08 FT & W 564.33 FT FR N 1/4 COR. SEC. 17, T5S, R1E, SLB&M.; S 89 DEG 43' 23" W 98.99 FT; N 0 DEG 51' 0" E 173.45 FT; N 89 DEG 51' 11" E 98.99 FT; S 0 DEG 51' 0" W 173.22 FT TO BEG. AREA 0.394 AC.

Parcel ID 45:315:0011
Legal Description: PART LOT 10, PLAT A, LITTLE LEHI SUB DESCRIBED AS FOLLOWS:; COM S .13 FT & W 660.75 FT FR S 1/4 COR. SEC. 8, T5S, R1E, SLB&M.; S 89 DEG 51' 12" W 23.08 FT; S 0 DEG 43' 5" W 179 FT; N 89 DEG 34' 0" E 22.67 FT; N 0 DEG 50' 56" E 178.89 FT TO BEG. AREA 0.094 AC.

Parcel ID 13:020:0075
Legal Description: COM S 89 DEG 42' 39" W 561.76 FT & N 2.96 FT FR S 1/4 COR. SEC. 8, T5S, R1E, SLB&M.; S 89 DEG 51' 11" W 98.99 FT; N 0 DEG 51' 0" E 41.11 FT; N 89 DEG 34' 0" E 99 FT; S 0 DEG 51' 5" W 41.6 FT TO BEG. AREA 0.094 AC.

Parcel ID 45:315:0012
Legal Description: PART LOT 10, PLAT A, LITTLE LEHI SUB DESCRIBED AS FOLLOWS:; COM N 101.15 FT & W 696.46 FT FR S 1/4 COR. SEC. 8, T5S, R1E, SLB&M.; N 89 DEG 51' 11" E 136.21 FT; S 0 DEG 51' 5" W 59.79 FT; S 89 DEG 33' 59" W 99 FT; S 0 DEG 50' 58" W 41.1 FT; S 89 DEG 51' 12" W 23.08 FT; N 0 DEG 43' 3" E 10.38 FT; ALONG A CURVE TO L (CHORD BEARS: N 5 DEG 1' 51" W 25.63 FT, RADIUS = 128 FT); N 10 DEG 46' 30" W 49.62 FT; ALONG A CURVE TO R (CHORD BEARS: N 5 DEG 1' 37" W 14.42 FT, RADIUS = 72 FT); N 0 DEG 43' 0" E 2.33 FT TO BEG. AREA 0.204 AC.

Purpose of zone change: Correct zoning of Muir and Wettstien properties (4 parcels) due to property exchange between parties in 2019. Muir's zoned A-1 and Wettstien's R-1-12. Muir's seek R-1-Flex for possible 2-lot subdivision in future.

LEHI CITY

PIONEERING UTAH'S FUTURE

APPLICATION FOR ZONING MAP AMENDMENT OR DEVELOPMENT CODE AMENDMENT

(Section 04-050 - 04-070 Lehi City Development Code)

For Office Use Only

File #:_____ Application Date:_____ Receipt #:_____ Planner:_____

Fee: $400

Name of Applicant: Dennis Muir Authorized Agent (if applicable):_____

Address: 678 W 300 N City: Lehi State: Utah Zip: 84043

Phone#:_____ Cell#: 801 376 8102 Fax#:_____ Email: mobraymuir@gmail.com

Address of Proposed Amendment: 678 W 300 N Lehi Acres included Amendment:_____

Current Zone District Assignment: A1/R-1-12 Proposed Zone District Assignment: R-1-Flex

Is the amendment consistent with the General Plan? Yes X No___

APPLICATION SUBMITTAL PROCEDURES

(1)___ The applicant shall ***make an appointment*** to meet with a member of the Planning Staff for a ***submittal meeting***. **Plans that are submitted without a submittal meeting will not be accepted.**

(2)___ Once the application is determined complete by the Staff, the applicant shall create an account and submit all required information electronically through the following link https://talktomycity.com/create, including the completed application, all other required information and narrative. **Staff will then review the submittal and send out an email with a link for the payment of fees.**

(3)___ The deadline for submittals, including payment of fees, for the meeting of the Reviewing Departments is 4:00 pm on Thursday for review on the following Wednesday.

(4)___ The applicant shall provide stamped, addressed #10 business envelopes for all property owners within 300 feet, including a mailing list.

When all materials are submitted, the request will be scheduled for review by the Reviewing Departments. Applications are scheduled on a first come first serve basis and space is limited. The deadline for submittals is Thursday at 4:00 pm. It is the applicant's responsibility to call and confirm their scheduled DRC time.

APPLICATION SUBMITTAL REQUIREMENTS

Please read the applicable sections of the Lehi City Development Code in detail before submitting any type of project application. Attach to the application all necessary documentation as per the following Checklist. Missing information may be cause for denial of application.

The following items, at a minimum, shall be included with the application for any Zoning Map or Development Code Amendment:

(1)___ A description of the specific amendment to the Development Code Text or Zoning Map which addresses the following issues:

(a)___ The reason and justification for the proposed amendment.

(b)___ Consistency of the proposed amendment with the goals and policies of the General Plan.

(c)___ Compatibility of the proposed zone with the existing land uses of nearby and adjoining properties.

(d)___ The effect of the proposed amendment on the character of the surrounding area, and whether a change in the uses allowed for the affected properties will unduly affect the uses, or proposed uses for nearby and adjoining properties.

01/1619

APPLICANT(S) CERTIFICATION

I (we) certify under penalty of perjury that this application and all information submitted as a part of this application is true, complete and accurate to the best of my knowledge. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I (we) understand that Lehi City may rescind any approval, or take any other legal or appropriate action. I (we) also acknowledge that I (we) have reviewed the applicable sections of the Lehi City Development Code and that items and clarifications contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. I (we) also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof. I (we) also acknowledge that I (we) understand the water rights conveyance requirements for Zoning Map Amendments contained in Section 27-640 of the Lehi City Development Code.

Applicant's Signature: _____ Title_____ Date: 4/23/20

(If the proposed Zoning Map Amendment involves more than one property owner, please include the signatures of each owner)

Name: Dennis Muir Phone: 801 376 8102 Tax I.D./Parcel #(s): 13:020:0076 / 45:315:0411

Current Zone District Assignment: A1 and R-1-12 Proposed Zone District Assignment: R-1-Flex

Address: 678 W 300 N Lehi Signature: _____

Name: Steve Wettstein Phone: 04-371-3418 Tax I.D./Parcel #(s): 45:315:0412 / 13:020:0075

Current Zone District Assignment: R-1-12 and A1 Proposed Zone District Assignment: R-1-12

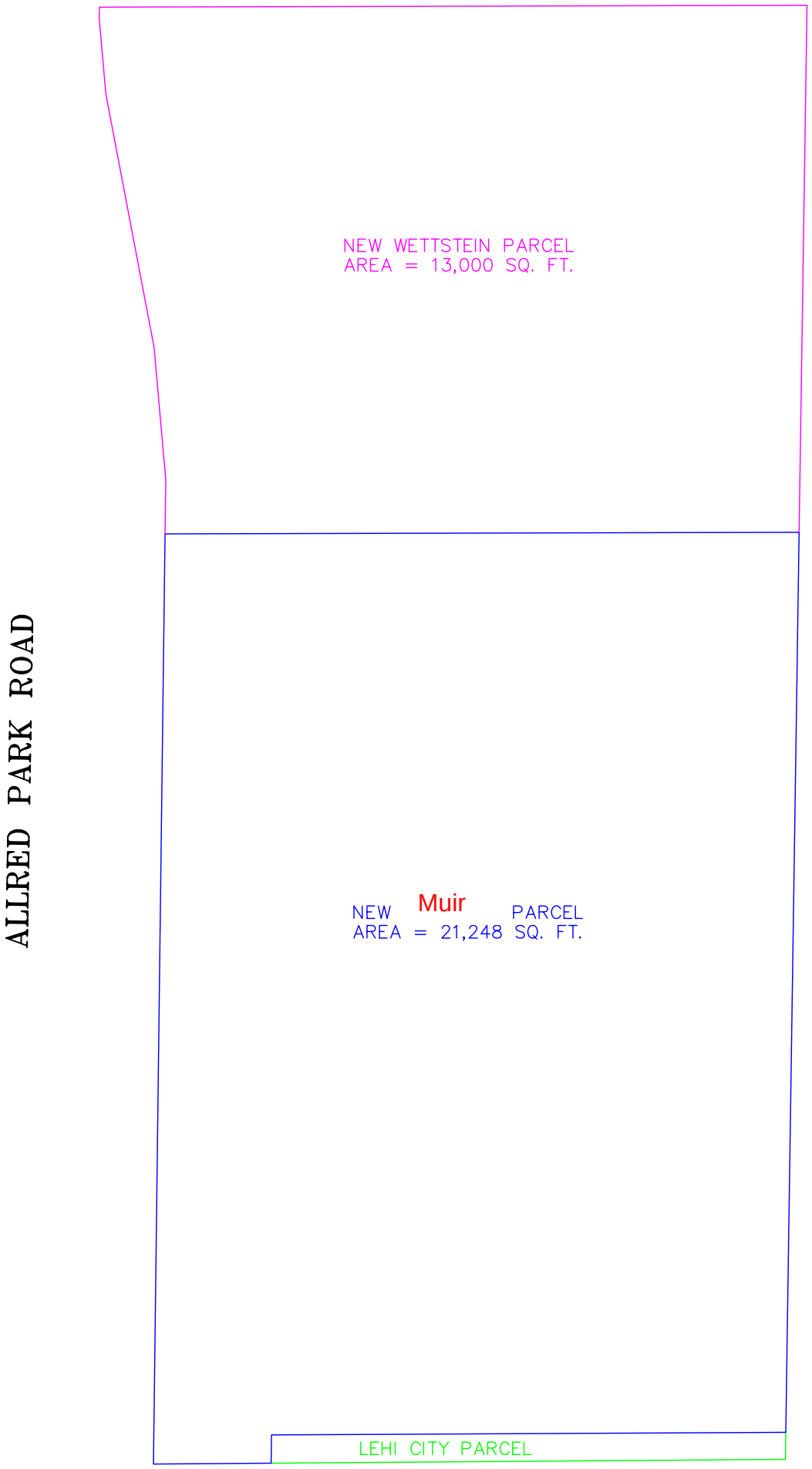
Address: 352 N Allred Park Rd Lehi Signature: _____

Each owner and signer for himself says: I have personally signed this Application; I am aware of the requested Zoning Amendment and understand the terms and conditions of this Application; I am an owner of a portion of the property above mentioned and located at or near Lehi, Utah County, State of Utah, and my post office address is correctly written after my name. (attach additional sheets as necessary)

Please Note:

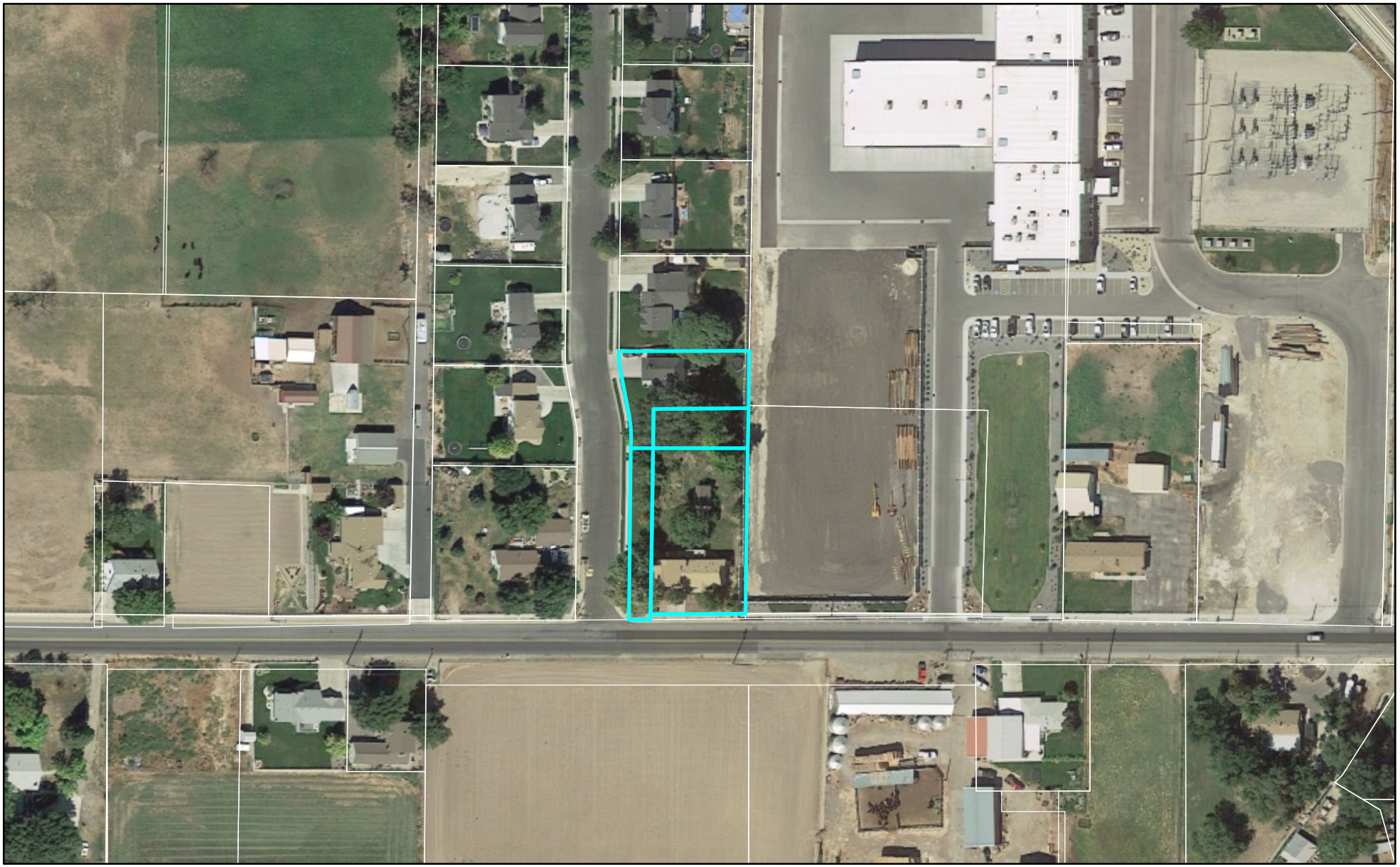
Attendance at Planning Commission City Council meetings is required by the applicant or a representative. It is the applicant's responsibility to call for meeting dates and times. Fee payment is required at time of application submittal.

Page 3 of 4


ALLRED PARK ROAD
NEW WETTSTEIN PARCEL
AREA = 13,000 SQ. FT.
NEW Muir PARCEL
AREA = 21,248 SQ. FT.
LEHI CITY PARCEL

Muir Zone Change

Aerial

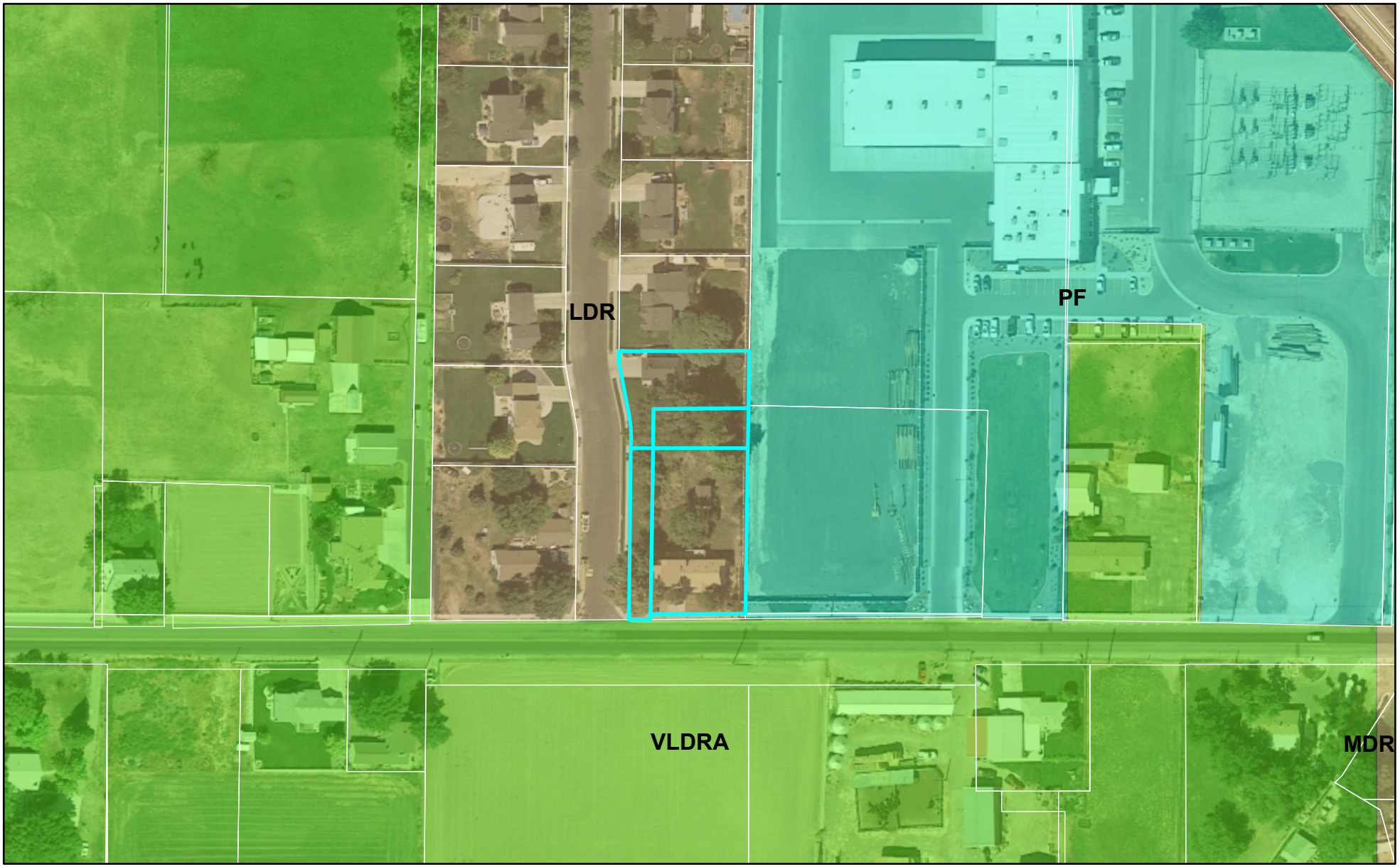


0 170 340 Feet

LEHI CITY

Muir Zone Change

General Plan

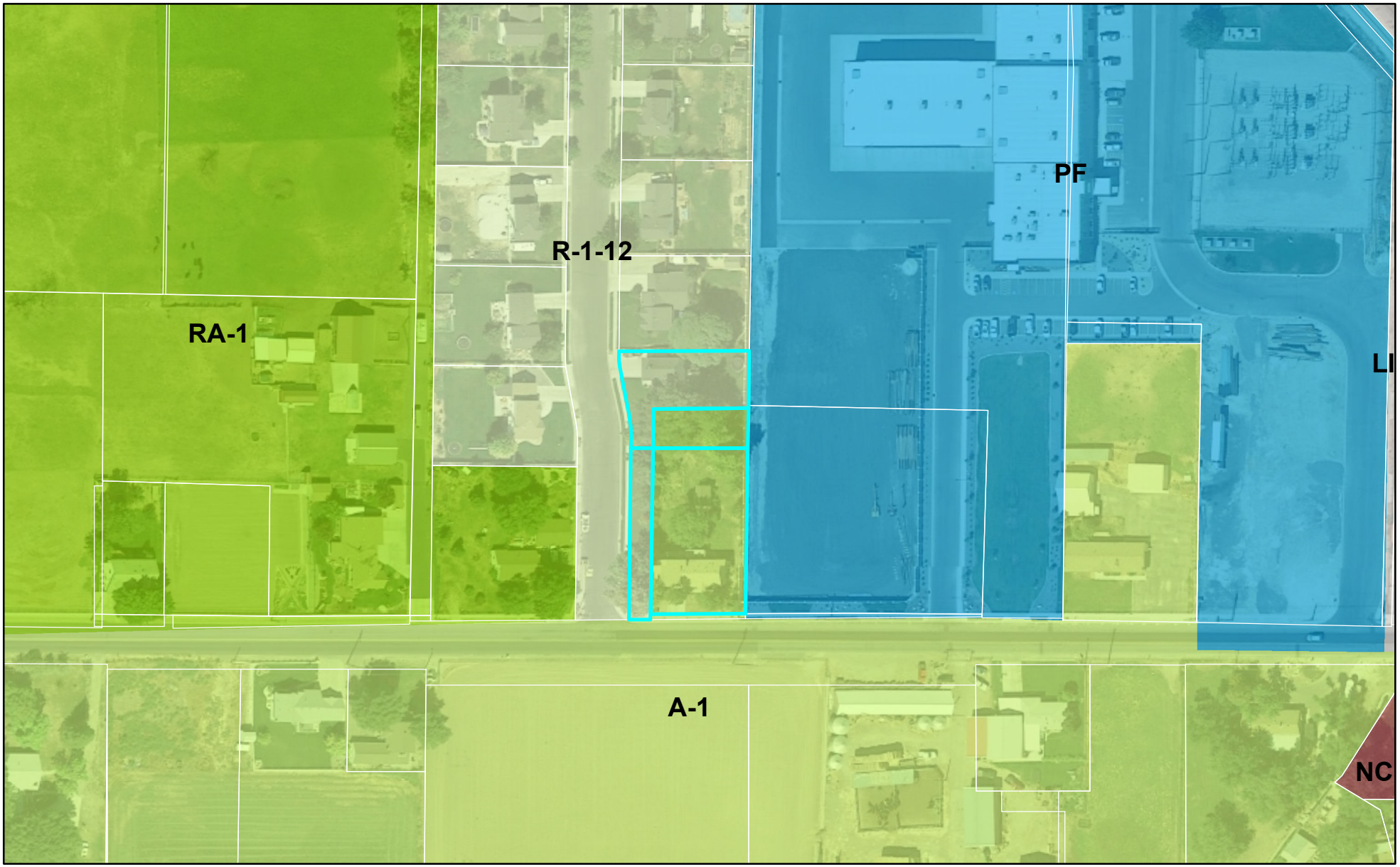


0 170 340 Feet

LEHI CITY

Muir Zone Change

Zoning



0 170 340 Feet

LEHI CITY

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Brittney Harris
Submitting Department: Planning Division
Item Type: Ordinance
Agenda Section:

Subject:
Consideration of Ordinance #41-2020, approval of the Center Pointe Towns zone change, changing the zoning on approximately 2.25 -acres of property located at 1627 Center Pointe Drive from Commercial to R-3. Petitioner: Meadowbrook Land

Suggested Action:

Attachments:
CC Staff Report Center Pointe Towns Zone Change 07.14.20.docx

Center Point Towns Residential Zone Change DRC 5.20.2020.docx

narrative.pdf

Ord 41-2020.docx

CENTERPOINT TOWNHOMES-ZONE CHANGE MAP.pdf

Center Pointe- Aerial.pdf

Center Pointe- General Plan.pdf

Center Pointe- Zoning.pdf

CENTER POINTE TOWNS ZONE CHANGE

CITY COUNCIL REPORT

Applicant	Meadowbrook Land		
Meeting Date	June 11, 2020		
Requested Action/Purpose	Approval of a proposed zone change		
Location	Approximately 1627 North Center Pointe Drive		
Project Area	2.25 acres		
Existing Zoning	Commercial		
Proposed Zoning	R-3		
Existing General Plan Land Use Designation	High Density Residential (HDR)		
Adjacent Zoning and Land Use	*North*	Commercial	Center Pointe Shopping Center
	South	Commercial	Undeveloped
	East	Public Facility	Dry Creek
	West	Commercial	Undeveloped
Date of DRC Review	May 20, 2020		
Date of Planning Commission Review	June 11, 2020		
Assigned Planner	Brittney Harris		

REQUIRED ACTION

Planning Commission	Review and recommendation
City Council	Final approval

APPLICABLE GENERAL PLAN GOALS AND POLICIES

Best Practice 9.1: ***Develop local neighborhood programs to bring residents together under common causes and character.***

Neighborhoods are created by the coming together of individual households to form strong bonds. Communities are adopting programs and strategies to improve and strengthen neighborhood bonds and community character.

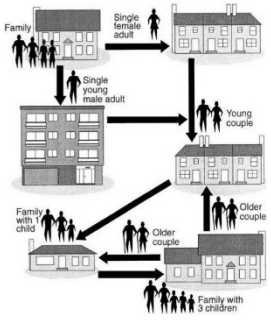


Diagram of life-cycle housing needs
Source: Envision Utah.

i. Life-Cycle Housing: Plan for housing suitable for different stages of life, including smaller, more affordable units for first-time buyers, singles, young couples, families with many children, and older home owners, as well as opportunities for senior citizen housing and long-term care/assisted living facilities. Housing policy should work to create opportunities for people to live and grow in the same community. This will enable young couples, families and the elderly to live near relatives, and stay within their same social networks (e.g. church boundaries) throughout their lives.

ii. Inclusionary Approach: High quality neighborhoods are inclusive and welcome people of all stages of life. Communities are addressing housing affordability using an inclusionary approach that allows for a mixture of housing types and prices, recognizing that housing affordability is integral to the long-term success of the City. Segregating housing by type, price, and size can lead to major divides in a community, most often along socioeconomic lines. This can ultimately lead to areas of higher crime, poverty, and other challenges. Ensuring neighborhoods include housing diversity minimizes the creation of these problem areas, and leads to a more inclusive, diverse, and accepting community. Children in such

communities will grow up knowing people from different ages, walks of life, and from different socio-economic groups.

iii. Communal Activity: Community activity such as community gardens, joint art projects, dance and cultural exchange, and other such events introduce people to each other and make it easier for neighborhood policing and easy identification of strangers. That sense of identity also puts *eyes on the street* and neighbors look out for each other's kids and property.

Planning should be strategic, and careful, to ensure that increased densities have minimum or low impacts on the fabric of existing neighborhoods.

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 04.060 Criteria for Approval, of the Lehi City Development Code, the Planning Commission should consider the following factors, among others, when reviewing a zone amendment:

1. The effect of the proposed amendment on the character of the surrounding area;
2. Consistency with the goals and policies of the General Plan;
3. Consistency and compatibility of the proposed zone with the General Plan land uses of nearby and adjoining properties;
4. The suitability of the properties for the uses requested and their suitability for the existing uses identified by the General Plan;
5. Whether a change in the uses allowed for the affected properties will unduly affect the uses, or proposed uses for nearby and adjoining properties;
6. The gain to the public health, safety, and welfare from the existing classification to the proposed amendment; and
7. The overall community benefit of the proposed amendment.

PROPERTY HISTORY

Apr 24, 2006 The North Bench Annexation was recorded and included the western portion of the subject property.

May 10, 2018 The Dry Creek Lake Annexation was recorded and included the eastern portion of the subject property.

December 10, 2019 City Council approved the Meadowbrook Land General Plan Amendment to HDR and the corresponding concept plan.

REPORT ANALYSIS

The applicant seeks approval for the zone change from Commercial to R-3, high density residential, on the 2.25 acres known as Center Pointe Towns. City Council approved a General Plan Amendment in December 2019 changing the designation from Commercial to High Density Residential. This proposed zone change is consistent with that amendment. During that same meeting they approved the concept plan with conditions. Those conditions included "a traffic study be done to consider some traffic calming measures and also include the mid-block crossing in the study to determine if a crosswalk should be striped as per the MUTCD; and also include that there be a development agreement to state that the max density on this property would be 24 unit town homes or less; and also include in the development agreement that Patterson be part of the HOA and the HOA would maintain the exterior and take care of snow removal.." These conditions do not impact the approval of this zone change but will need to take place prior to any site plan or subdivision approval.

The R-3 zone allows for density up to 12 units per acre. The approved concept shows townhomes at approximately

11 units per acre. Putting density next to the existing Center Pointe Shopping Center as well as the existing and future recreational uses of Dry Creek provides great amenities for residents and may help minimize impact to traffic in the area, as residents may choose to walk or bike to the nearby stores and recreational opportunities.

Additionally, having a variety of housing types and densities fulfills Best Practice 9.1 from the General Plan to create lifestyle housing and an inclusionary approach. The added variety the proposed density will bring in housing type will provide greater affordability in the neighborhood and might attract younger or older people who do not wish to live in a traditional detached single-family home. Though the proposed townhome units are smaller than the existing detached single family homes in the area; they still are single family structures and will not significantly alter the nature of the existing neighborhood.

The DRC reviewed the proposed zone change and left one comment related to water dedication:

1. Water dedication will be required at a rate of 5.4 acre feet of culinary water per acre of property and 1.9 acre feet of irrigation water per acre of property. Water dedication must be completed prior to recording of the zone change and prior to the submittal of a preliminary subdivision application.

Please include this comment in your motion.

PLANNING DIVISION RECOMMENDATION

The Planning Division staff recommends **APPROVAL** of the proposed Center Pointe Towns zone change, including the DRC comment from June 11, 2020. This recommendation is based on the following findings:

1. The proposed zone change will add a diversity of housing types to the surrounding neighborhood.
2. The proposed zone change will allow for higher density housing within walking distance of retail and recreational uses.
3. The proposed zone change is in compliance with Best Practice 9.1 of the General Plan Land Use Element.
4. The proposed zone change is consistent with the recently approved General Plan amendment to High Density Residential.
5. The proposed zone change will not detrimentally affect the public health, safety and welfare.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed zone change on June 11, 2020. The minutes and motion from this meeting are as follows:

2.1) Public hearing and recommendation of Meadowbrook Land's request for review of the Center Pointe Towns zone change, changing the zoning on approximately 2.25 -acres of property located at 1627 Center Pointe Drive from Commercial to R-3 (high density residential).

Sierra Pierson, City Planner, presented information on the agenda item.

Commissioner Hemmert asked if R3 as proposed in the zoning designation was appropriate in the HDR land use designation.

The applicant was present.

Commissioner Hemmert opened public hearing.

There was a public comment regarding traffic and why the agenda item is being heard again when nothing had changed. The comment questioned if the zoning was appropriate, which was answered by Staff. The second part of the public comment was directed to traffic calming measures. Ross Dinsdale, City Engineer, responded that there were no plans yet, but the City has done preliminary work (inaudible).

Commissioner Hemmert closed public hearing.

Motion: Commissioner Eyre forwarded a positive recommendation of Meadowbrook Land's request for review of the Center Pointe Towns zone change, changing the zoning on approximately 2.25 -acres of property located at 1627 Center Pointe Drive from Commercial to R-3 (high density residential); including all DRC comments from May 20, 2020 and findings stated in the report. Commissioner Nielsen seconded.

Amended Motion: Commissioner Eyre amended his motion to include no more than 24 units as stipulated, to include a traffic calming study and any other stipulations the City Council deems necessary. Commissioner Nielsen seconded.

Vote: Commissioner Hemmert, yes; Commissioner Nielsen, yes; Commissioner Ellis, yes; Commissioner Everett, yes; Commissioner Bunker, yes; Commissioner Hereth, yes; Commissioner Eyre; yes. The motion passed unanimously.

Center Point Towns Residential Zone Change
DRC Redline Comments

Meadowbrook Land - requests review of the Center Point Towns zone change, changing the zoning on approximately 2.25-acres of property located at 1627 Center Pointe Drive from Commercial to R-3.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer
Representatives of the Applicant Present:
Date of Plans Reviewed: 5/12/2020
Time Start:
Time End:

DRC REDLINE COMMENTS:
Glade – Power: No comments
Kerry – Fire: No comments
Greg – Water/Sewer: No comments
Trent – Parks: No comments
Gary – Building/Inspections: No comments
JD – Streets: No comments
Ross – Engineering: No comments
Kim – Planning:

1. Water dedication will be required at a rate of 5.4 acre feet of culinary water per acre of property and 1.9 acre feet of irrigation water per acre of property. Water dedication must be completed prior to recording of the zone change and prior to the submittal of a preliminary subdivision application.

General Comment: Per the City Council's approval of the Concept plan, before a site plan/subdivision plat is submitted, the conditions of the City Council's motion of approval will need to be met. Their motion to approved included that "a traffic study be done to consider some traffic calming measures and also include the mid block crossing in the study to determine if a crosswalk should be striped as per the MUTCD; and also include that there be a development agreement to state that the max density on this property would be 24 unit town homes or less; and also include in the development agreement that Patterson be part of the HOA and the HOA would maintain the exterior and take care of snow removal. Councilor Condie seconded the motion. Mr. Welch stated that they are still going to pursue a land swap or density swap and then deed this property to the City."

Consistency with the elements of the Lehi City General Plan.

This area has a proposed **[Residential designation]** on the General Plan that has been filed concurrently.

Effect of the proposed amendment on the existing goals, objectives, and policies of the Lehi City General Plan.

From the Lehi City General Plan Land Use Element the following goals and policies related to development should be considered:

1. Maximize opportunities to create an overall pattern of planned and orderly development with a system of land uses, adequately and efficiently served by a balanced and energy-efficient system of transportation, and community services that are sensitive to the natural physical qualities of the area.

2. Provide diverse economic and employment opportunities and encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

3. Promote variety in commercial spaces, densities, and locations.

THIS ITEM NEEDS ENVELOPES AND WILL BE SCHEDULED FOR PLANNING COMMISSION ON JUNE 11th

Note: This list of corrections and deficiencies should not be considered as an all-inclusive or final list. The items listed need to be corrected and resolved and a new set of information submitted for review by the DRC. Further corrections and deficiencies may still be noted as the DRC further reviews the resubmitted information.

CENTER POINT TOWNHOMES

05/11/2020

ZONE CHANGE

Subject Property: Refer to Figure 1
Current General Plan: HDR
Current Zoning: C
Proposed Zoning: R-3

1.0 Reason and Justification for Proposed Amendment

The proposed zone map amendment is to apply a zoning district to the match the recently changed general plan in this area. The general plan shows High Density Residential as the use for the area south Center Point Dr and adjoining the North Utah County Water Conservancy District – Dry Creek Debris Basin.

The justification for the proposed amendment is to allow for better use of the land on the south side of Center Pointe Drive from the Commercial property with limited development potential to a better use as residential

2.0 Consistency of Proposed Amendment with Goals and Policies of the General Plan

This proposed amendment would apply the policy of the general plan of an "overall pattern of planned and orderly development." This pattern would transition from Commercial to a residential project and then to a recreations area. Center Point Drive acts as a zoning boundary between the commercial and residential zones.

3.0 Compatibility of the Proposed Land Use with Existing Land Uses of Nearby Property

This proposed land use has Commercial to the North (Smiths), North Utah County Water Conservancy District – Dry Creek Debris Basin bounds the area on the West, South and East. Additionally, the Murdock Canal Trail also acts as an additional open space buffer to the existing residential properties to the west.

4.0 Effect of the Proposed Amendment on the Character of Surrounding Area

The proposed amendment and development will complete the roadway improvements along the south side of Center Pointe Dr and improve the existing area that in the past has had soil and rock stockpiles. The proposed site is over 330 feet away from any existing residential properties and will not effect the character of the surrounding area.

5.0 Gain to Public Health, Safety, and Overall Community Benefit from Existing Classification to Proposed Amendment.

This proposed amendment will help to unify the surrounding area with similar land uses and properly planned density transitions from commercial to residential to recreational. . This residential use will allow for development without driveways backing onto Center Point Drive. . This residential use will allow for a development pattern that allows units without driveways backing onto Center Point Drive.

11:036:0264

Boundary Description

COM N 185.68 FT & E 1794.58 FT FR W 1/4 COR. SEC. 34, T4S, R1E, SLB&M.; N 67 DEG 8' 7" W 21.11 FT; ALONG A CURVE TO R (CHORD BEARS: N 19 DEG 21' 12" W 22.22 FT, RADIUS = 15 FT); N 57 DEG 47' 32" W .15 FT; ALONG A CURVE TO R (CHORD BEARS: N 50 DEG 24' 31" E 141.97 FT, RADIUS = 189.94 FT); N 72 DEG 20' 53" E 262.98 FT; S 0 DEG 14' 22" E 120.54 FT; S 81 DEG 44' 52" W 24.07 FT; S 73 DEG 35' 7" W 174 FT; S 58 DEG 41' 41" W 55.96 FT; S 38 DEG 36' 44" W 47.76 FT; N 54 DEG 1' 59" W 25.33 FT; ALONG A CURVE TO L (CHORD BEARS: N 60 DEG 35' 3" W 51.34 FT, RADIUS = 225 FT) TO BEG. AREA 0.925 AC.

11:036:0261

Boundary Description

COM N 385.1 FT & E 2127.59 FT FR N 1/4 COR. SEC. 34, T4S, R1E, SLB&M.; N 0 DEG 14' 42" W 43.06 FT; N 79 DEG 15' 23" E 45.54 FT; N 80 DEG 18' 40" E 87.35 FT; N 77 DEG 4' 19" E 85.39 FT; N 70 DEG 16' 48" E 57.05 FT; S 75 DEG 25' 15" E 99.48 FT; S 43 DEG 22' 48" E 57.54 FT; S 31 DEG 38' 9" E 35.24 FT; S 60 DEG 53' 7" W 56.45 FT; S 65 DEG 14' 39" W 41.91 FT; S 74 DEG 17' 3" W 67.2 FT; S 85 DEG 37' 37" W 62.88 FT; S 69 DEG 33' 39" W 33.2 FT; S 73 DEG 2' 12" W 151.79 FT; S 81 DEG 44' 53" W 30.62 FT; N 0 DEG 14' 22" W 120.55 FT TO BEG. AREA 1.320 AC.

ORDINANCE NO: 41-2020

AN ORDINANCE APPROVING A ZONE DISTRICT DESIGNATION AMENDMENT AND ZONING DISTRICT MAP AMENDMENT FOR CENTER POINTE TOWNS LOCATED AT APPROXIMATELY 1627 NORTH CENTER POINTE DRIVE

WHEREAS, Meadowbrook Land owner of property located at approximately 1627 North Center Pointe Drive and further described by the legal description attached as Exhibit "A", has applied for an amendment to the Zone District and Zoning District Map; and

WHEREAS, the applicant seeks to have said parcel designated as R-3 (High Density Residential); and

WHEREAS, following a public hearing on June 11, 2020, the Lehi City Planning Commission reviewed the proposed Zoning District Designation and Zoning District Map amendment and forwarded it to the City Council to decide on the proposed amendment; and

WHEREAS, on July 14, 2020, the City Council held a duly noticed meeting to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record and which include the staff report, minutes from the Planning Commission meeting of June 11, 2020; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds: (i) the request for a Zone District Designation amendment and Zoning District amendment is consistent with the Lehi City General Plan Land Use Map adopted by the Lehi City Council on October 25, 2011 (and as subsequently amended); and (ii) such action furthers the health, safety and welfare of the citizens of Lehi.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lehi City, Utah as follows:

PART I:

The Zone District Designation and the Zoning District Map of the property described on Exhibit "A" are hereby amended to R-3 (High Density Residential).

PART II:

A. If a provision of this Ordinance 41 -2020 conflicts with a provision of a previously adopted ordinance concerning the same title, chapter, and/or section number amended herein, the provision in this Ordinance shall prevail.

B. This ordinance and its various section, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder shall not be affected thereby.

C. The City Council hereby directs that the official copy of the Lehi City Code be updated to reflect the provisions enacted by this Ordinance.

D. This Ordinance shall take effect immediately after being posted or published as required by law.

Approved and Adopted by the City Council of Lehi City this 14th day of July, 2020.

ATTEST

_____ _____

Mark Johnson, Mayor Teisha Wilson, City Recorder

EXHIBIT “A”

CENTER POINTE TOWNS ZONE CHANGE LEGAL DESCRIPTION

Parcel ID 11:036:0264

Legal Description: COM N 185.68 FT & E 1794.58 FT FR W 1/4 COR. SEC. 34, T4S, R1E, SLB&M.; N 67 DEG 8' 7" W 21.11 FT; ALONG A CURVE TO R (CHORD BEARS: N 19 DEG 21' 12" W 22.22 FT, RADIUS = 15 FT); N 57 DEG 47' 32" W .15 FT; ALONG A CURVE TO R (CHORD BEARS: N 50 DEG 24' 31" E 141.97 FT, RADIUS = 189.94 FT); N 72 DEG 20' 53" E 262.98 FT; S 0 DEG 14' 22" E 120.54 FT; S 81 DEG 44' 52" W 24.07 FT; S 73 DEG 35' 7" W 174 FT; S 58 DEG 41' 41" W 55.96 FT; S 38 DEG 36' 44" W 47.76 FT; N 54 DEG 1' 59" W 25.33 FT; ALONG A CURVE TO L (CHORD BEARS: N 60 DEG 35' 3" W 51.34 FT, RADIUS = 225 FT) TO BEG. AREA 0.925 AC.

Parcel ID 11:036:0261

Legal Description: COM N 385.1 FT & E 2127.59 FT FR N 1/4 COR. SEC. 34, T4S, R1E, SLB&M.; N 0 DEG 14' 42" W 43.06 FT; N 79 DEG 15' 23" E 45.54 FT; N 80 DEG 18' 40" E 87.35 FT; N 77 DEG 4' 19" E 85.39 FT; N 70 DEG 16' 48" E 57.05 FT; S 75 DEG 25' 15" E 99.48 FT; S 43 DEG 22' 48" E 57.54 FT; S 31 DEG 38' 9" E 35.24 FT; S 60 DEG 53' 7" W 56.45 FT; S 65 DEG 14' 39" W 41.91 FT; S 74 DEG 17' 3" W 67.2 FT; S 85 DEG 37' 37" W 62.88 FT; S 69 DEG 33' 39" W 33.2 FT; S 73 DEG 2' 12" W 151.79 FT; S 81 DEG 44' 53" W 30.62 FT; N 0 DEG 14' 22" W 120.55 FT TO BEG. AREA 1.320 AC.

SMITH

CENTER POINTE COMMERCIAL

CENTER POINTE COMMERCIAL

CENTER POINTE STORM DRAIN BASIN COMMERCIAL

MURDOCK CANAL TRAIL

SUNDLOFF R-1-10

BURNINGHAM R-1-10

ALPINE VISTA HOA

CENTER POINTE DR

11:036:0264 R-3

11:036:0261 R-3

NUCWCD DRY CREEK DEBRIS BASIN

CLUFF R-1-15

WJB ENTERPRISES R-1-15

MURDOCK CANAL TRAIL

NUCWCD DRY CREEK DEBRIS BASIN

NUCWCD DRY CREEK DEBRIS BASIN

DEVELOPER

MEADOWBROOK
LAND, LLC
11038 N. Highland Blvd Suite 100
Highland, UT 84003
(801)642-0119

DEVELOPMENT

CENTER POINT

N

0 25 50 100 150

SCALE: 1"= 50'

berg
CIVIL ENGINEERING
11038 N Highland Blvd Suite 400
Highland Ut, 84003
office (801) 492-1277
cell (801) 616-1677

REVISIONS			SEAL
NO.	DATE	DESCRIPTION	
1			
2			
3			
4			
5			
6			
7			

ACTION	DATE
Zone Change	5/11/2020

PROJECT

CENTER POINT

DESCRIPTION

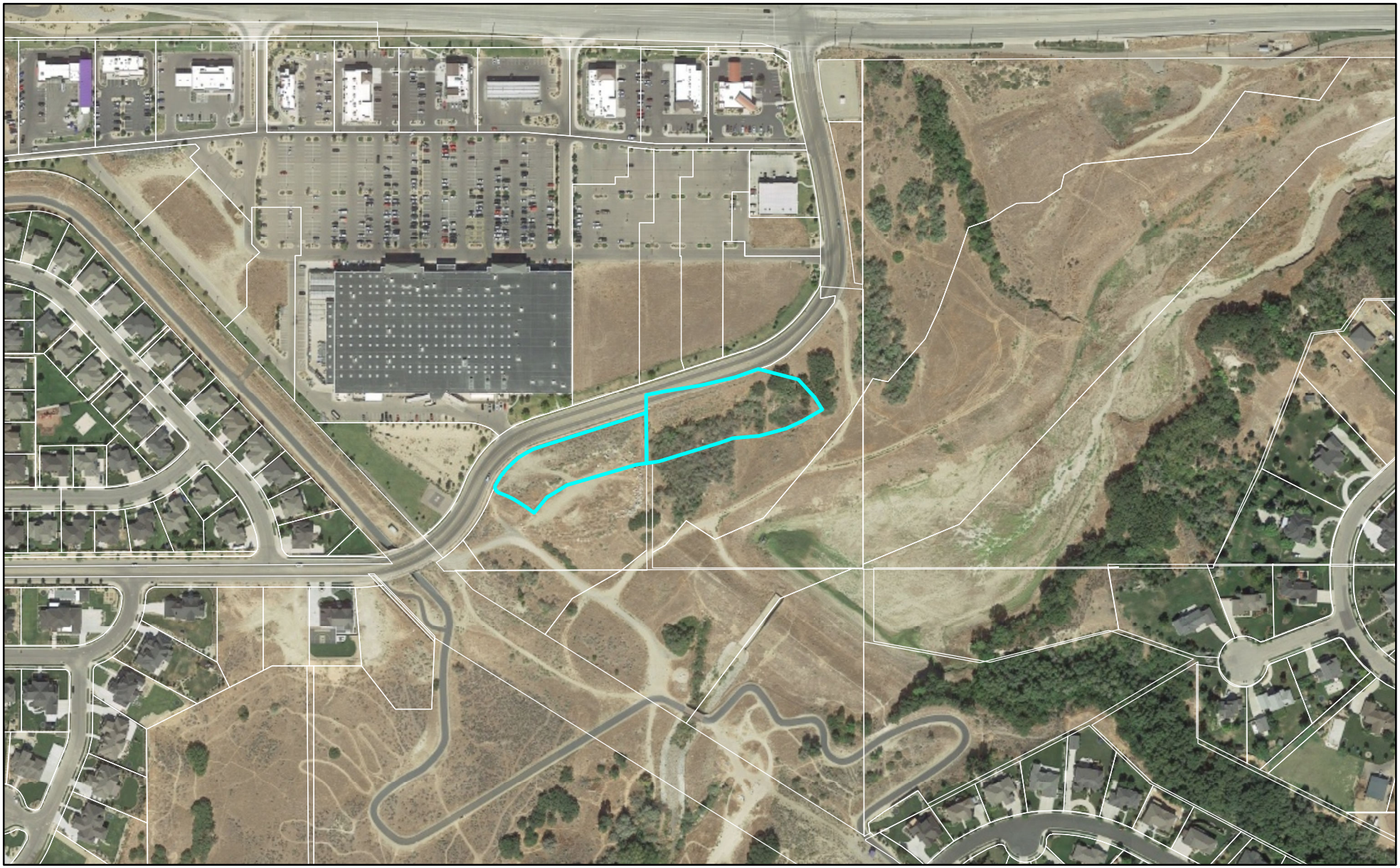
ZONE CHANGE MAP

SHEET NAME	SHEET NUMBER
CONCEPT	C1

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Center Pointe Towns Zone Change

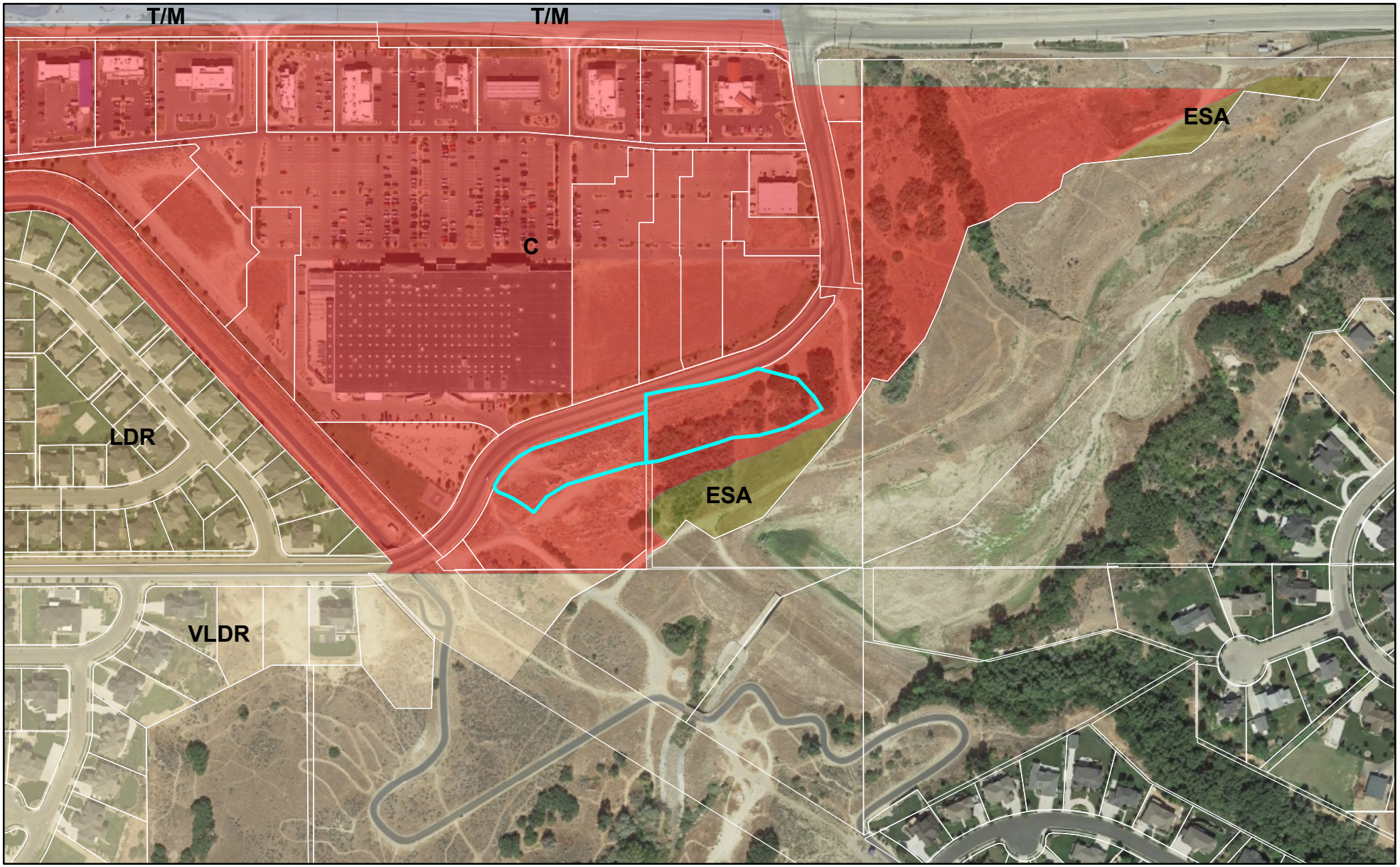
Aerial



LEHI CITY

Center Pointe Towns Zone Change

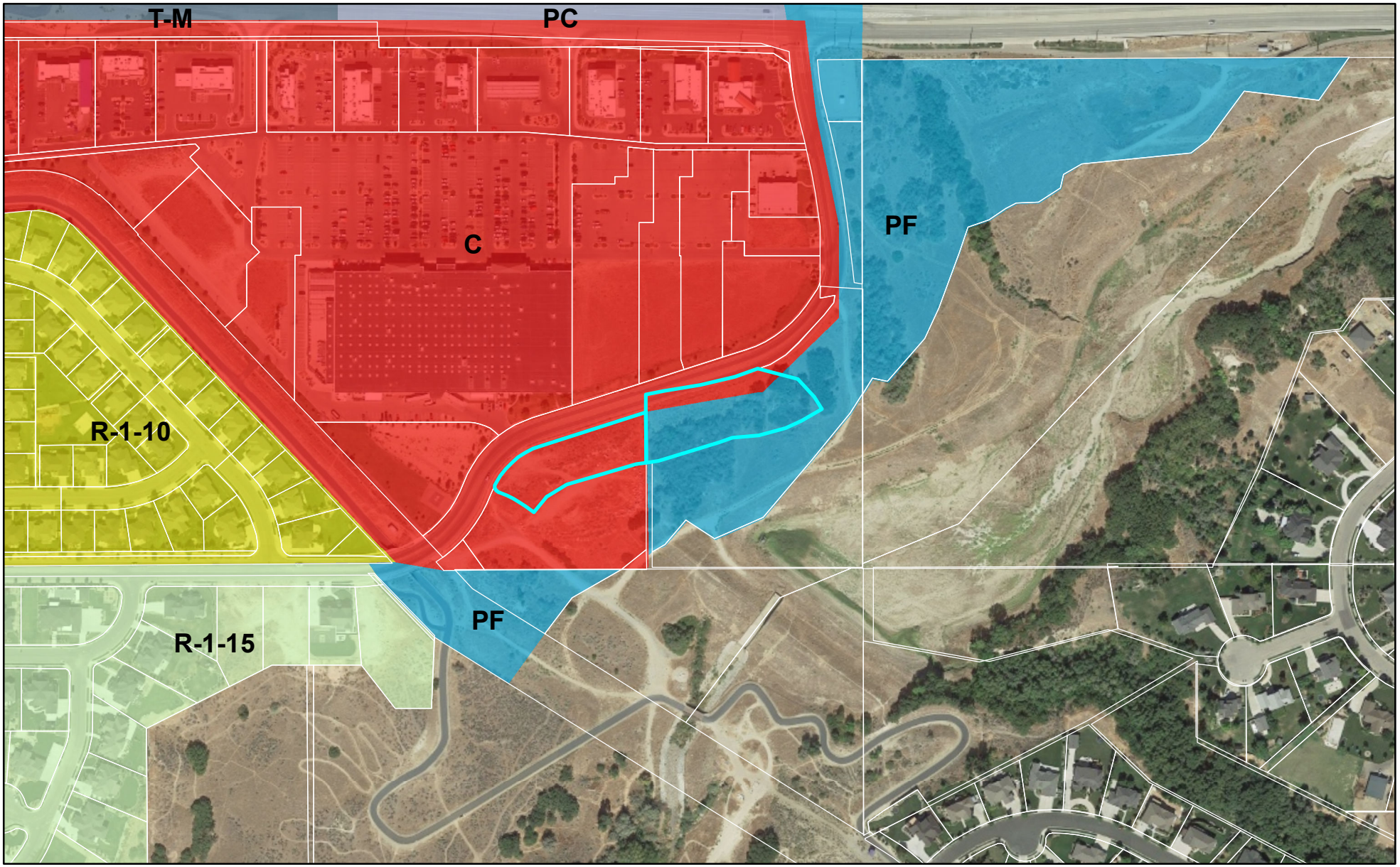
General Plan



LEHI CITY

Center Pointe Towns Zone Change

Zoning



LEHI CITY

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Jacob Curtis
Submitting Department: Planning Division
Item Type: Action Item
Agenda Section:

Subject:
Consideration of Concept plan approval for Pine Springs, a 37-unit residential development located at 225 South 600 East.
Petitioner: Dan Ford

Suggested Action:

Attachments:
CC Staff Report Pine Springs Concept 07.14.20.docx

Pine Springs Concept DRC 06.10.2020.docx

Pine Springs Concept 06.10.20 Plan.pdf

pine springs concept aerial.pdf

pine springs concept gp.pdf

pine springs concept zoning.pdf

PINE SPRINGS CONCEPT
CITY COUNCIL REPORT

Applicant	Dan Ford		
Meeting Date	July 14, 2020		
Requested Action/Purpose	Approval of a proposed concept plan		
Location	225 South 600 East		
Project Area	3.09 acres		
Existing Zoning	R-3		
General Plan Land Use Designation	HDR (High Density Residential)		
Adjacent Zoning and Land Use	*North*	C (Commercial)	Assisted living facility
	South	C/R-2.5	Single family homes/Broadmoor Park Subdivision
	East	R-1-8	Larson Estates Subdivision
	West	R-1-8	Southtowne Plat C Subdivision
Date of DRC Review	June 10, 2020		
Date of Planning Commission Review	June 26, 2020		
Assigned Planner	Jacob Curtis		

REQUIRED ACTION

Planning Commission	Review and recommendation
City Council	Final approval

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 11.010. Concept Plan – Applicability:
The Concept Plan gives the applicant, staff, Planning Commission and City Council an opportunity to discuss the project in the conceptual stage. The applicant can use the Concept Plan meeting to receive direction on project layout as well as discuss the procedure for approval, the specifications and requirements that may be required for layout of streets, drainage, water, sewerage, fire protection, and similar matters prior to the preparation of a more detailed preliminary subdivision plat.

Section 37.020. Multi-Family Residential Design Standards
Townhome Building Orientation. Townhomes shall be oriented towards all public streets with rear loading garages accessed by a paved parking area or alley way (see Figure 138). In addition, rear loading townhomes shall be required for a minimum of 50 percent of the total townhome units in a development with building entrances being oriented towards streets, parks, courtyards, and other open spaces. Units required to orient towards public streets may be considered toward meeting the 50 percent requirement. Off-street parking shall not be allowed between the building entrance of rear-loading townhomes and the street sidewalk.

Open Space. Common open space is an essential design feature of all multi-family projects, and the following standards shall be met for all new multi-family developments:

a. Open space areas shall respect and maintain natural features, such as trees and significant vegetation, hills, drainages, wetlands, water bodies, water ways, and other natures features.

b. All open space areas within multi-family developments shall be designed to have two or more sides of the open space fronting primary internal public or private streets to ensure that open space is visible and available to all residents in the area (see Figure 141).

c. Open spaces shall be centrally located so they are accessible as a community amenity to all units in the

development.

Amenities. Each multi-family project with ten units or more shall include amenities for the residents of the project as per Table 37.080 of the Development Code. Because each project will be different in nature, the amenities are likely to be different. The amount of amenities required shall be in proportion to the proposed number of units in the development. The required number of amenities is listed in Table 37.080 Multi-Family Development Amenities Requirements. Amenities shall be provided according to project size or comparable equivalent amenities as required or recommended by the Planning Commission and, as approved by the City Council, if required. Amenities included are:

a. picnic areas, which shall consist of a barbeque and two tables on a concrete pad with a cover;

b. sports court, which shall be at least 500 square feet and constructed with concrete or an equivalent hard surface area;

c. playground which shall be constructed of commercial grade materials and include equipment for younger children and older children;

d. club house used for gatherings of residents, which shall be at least 750 square feet in size complete with restrooms;

e. swimming pool, which shall be sub-surface and be no less than 20 feet by 40 feet in size;

f. tennis courts shall be professional regulation size and be constructed of concrete or equivalent hard surface area; and

g. splash pads shall be at least 300 square feet in size, include a minimum of three vertical spray features, and be constructed of concrete.

Pedestrian circulation. Mult-family residential projects shall provide a circulation plan and include the following improvements to improve pedestrian circulation and safety:

a. Pedestrian walkways that interconnect the adjacent streets, open spaces, parking areas, building entrys, adjacent sites and adjacent master planned trails where applicable. Each building located along a public road shall provide a sidewalk connection from the building entrance to the public sidewalk.

b. Walkways shall be hard surfaced with concrete, brick pavers or asphalt.

c. Crosswalks shall be placed where pedestrian walkways cross streets and internal roads and shall be painted or made of concrete or brick pavers.

APPLICABLE GENERAL PLAN SECTIONS

Best Practice 9.1: Develop local neighborhood programs to bring residents together under common causes and character.

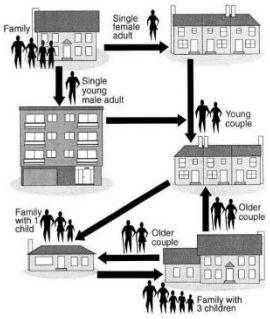


Diagram of life-cycle housing needs
Source: Envision Utah.

Neighborhoods are created by the coming together of individual households to form strong bonds. Communities are adopting programs and strategies to improve and strengthen neighborhood bonds and community character.

i. Life-Cycle Housing: Plan for housing suitable for different stages of life, including smaller, more affordable units for first-time buyers, singles, young couples, families with many children, and older home owners, as well as opportunities for senior citizen housing and long-term care/assisted living facilities. Housing policy should work to create opportunities for people to live and grow in the same community. This will enable young couples, families and

the elderly to live near relatives, and stay within their same social networks (e.g. church boundaries) throughout their lives.

ii. Inclusionary Approach: High quality neighborhoods are inclusive and welcome people of all stages of life. Communities are addressing housing affordability using an inclusionary approach that allows for a mixture of housing types and prices, recognizing that housing affordability is integral to the long-term success of the City. Segregating housing by type, price, and size can lead to major divides in a community, most often along socioeconomic lines. This can ultimately lead to areas of higher crime, poverty, and other challenges. Ensuring neighborhoods include housing diversity minimizes the creation of these problem areas, and leads to a more inclusive, diverse, and accepting community. Children in such communities will grow up knowing people from different ages, walks of life, and from different socio-economic groups.

iii. Communal Activity: Community activity such as community gardens, joint art projects, dance and cultural exchange, and other such events introduce people to each other and make it easier for neighborhood policing and easy identification of strangers. That sense of identity also puts *eyes on the street* and neighbors look out for each other's kids and property.

Planning should be strategic, and careful, to ensure that increased densities have minimum or low impacts on the fabric of existing neighborhoods.

PROPERTY HISTORY

October 15, 1999	This property was annexed into Lehi City as part of the Don A. Peterson Annexation.
March 31, 2020	The City Council approved a zone change from TH-5 to R-3 for the subject property.

REPORT ANALYSIS

The applicant requests approval of the Pine Springs concept plan to be located at 225 South 600 East. This report will discuss the density, concept layout, and DRC comments.

Density

The applicant's intention is to build 31 townhouse units and six single-family detached units on the 3.09-acre property and demolish the existing buildings on the lot. The current zoning classification of R-3 allows up to a maximum 12 units per acre, but the proposed concept plan exceeds that allowance by one unit. Justification would have to be provided by the applicant for the additional unit, which may include density in lieu of reimbursement for 200 South improvements and upgraded open space and amenities beyond what is required by the Development Code. The applicant is proposing to the City that in consideration of the ground being dedicated as well as the increased amenities the City would consider granting them the 37 requested units.

Staff supports the density in this location as it is located along a collector road (200 South) and is located a short distance to access Main Street and I-15. The proposed concept plan places density near a variety of commercial uses which encourages walking and shorter driving trips to reach retail and services.

The proposed concept is intended to provide more diverse housing options that can support households in different stages of the life cycle and at differing income levels. **Best Practice 9.1** of the General Plan is to develop local neighborhood programs to bring residents together under common causes and character. Best Practice 9.1 includes three strategies to increase neighborhood bonds which include: life cycle housing, an inclusionary approach, and communal activity. The proposed concept plan is consistent with Best Practice 9.1 by providing a greater diversity of housing options to the area.

Concept Layout

The layout for the proposed concept plan consists of 37 total units with access from 600 East and 200 South. The project is proposed to be approved as a planned unit development (PUD), which requires a minimum 10 percent open

space for the overall project. An open space area is shown located centrally within the project and accessible by sidewalks to all units. An internal network of private roads would service the community. Eleven on-street guest parking stalls are shown within the proposed concept plan. Chapter 37 of the Lehi City Development Code requires amenities be provided for multifamily developments and the plan shows a tot lot, community BBQ area, dog run/bark park, pickleball court, and walking trails with benches. This does not meet the required playground requirement based on the number of units and the DRC noted this in their comments. However, the applicant made the decision to include amenities they believe are more relevant to the demographic of potential residents. The applicant hopes that the City Council will consider these property enhancements as being appropriate and perhaps more usable in lieu of an additional tot lot playground.

The applicant is requesting a reduction to the front yard setback from 25 feet to 17 feet, which may be allowed as part of a PUD or PRD approval. The applicant's justification for the setback reduction is as follows:

1. It creates more useable space by decreasing the typically less used space in the front yards and puts that space into a larger park in the rear that will be built out for better use.
2. The streetscape looks nicer. It brings the front of the houses closer to the street. Bringing it forward increases the aesthetics of the project and creates a more inviting walkable space.
3. We worked with engineering to make sure that there is adequate space for public utilities.
4. We modeled this after other successful projects here in Utah. There are a number of projects in Daybreak and Downtown that are using setbacks much small than what we are proposing that look really nice and create a pedestrian friendly community.

The single-family homes will be required to meet the architectural standards of the PUD chapter of the Development Code as noted by the DRC. Additionally, the townhomes will be required to meet the architectural requirements found in the multi-family design standards.

DRC Comments

The DRC had ten comments, including the following:

1. The maximum density for the R-3 Zone is 12 units per acre, which would be 36 units. A density bonus for some sort of additional amenities, or other feature that's above and beyond the typical PUD requirements would be needed to justify more than 36 units.
2. The Planning Commission will need to review the proposed additional amenities in lieu of the second playground required to meet the multi-family amenities requirements to determine if they are equal or greater in value.
3. Final building elevations for the townhomes will be required at the time of site plan to ensure the multi-family design standards are met.
4. Single family homes will be required to meet the architectural requirements of the PUD chapter of the Development Code.
5. Recommend removing the north unit on the six plex to meet the maximum density requirements.

Please consider all DRC comments as part of the motion.

PLANNING DIVISION RECOMMENDATION

The Planning Division staff recommends **APPROVAL** of the proposed Pine Springs concept plan. This recommendation is based on the following findings:

1. The proposed concept is consistent with Best Practice 9.1 of the General Plan by providing more opportunity for life-cycle housing and utilizing a more inclusionary approach.
2. The proposed concept is consistent with the Multi-family Design Standards in the Development Code.
3. The proposed concept is consistent with the Lehi City Development Code.
4. The proposed concept conforms to the goals and policies of the General Plan.
5. The proposed concept does not affect the health, safety, welfare, and morals of the City.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed concept plan on June 25, 2020. The minutes and motion from this meeting are as follows:

3.1) Public hearing and recommendation of Dan Ford's request for review of the Pine Springs Concept Plan, a 37-unit residential development located at 225 South 600 East.

Brittney Harris, City Planner, presented information on the agenda item. She stated there were some amenities were missing in order to meet the development code.

Commissioner Hemmert asked for clarification from Staff for the exceptions on the concept plan.

The applicant, Dan Ford, was present. He clarified that they are installing a pickle ball court in hopes that it would suffice the top lot and green space requirements. He also stated that each unit is built with a two car garage in hopes to eliminate on road parking.

Commissioner Ellis asked what the new all bordering the existing residential property would look like. The applicant stated there are no design plans yet, but they would work with the resident and engineering to make sure that line of sight is protected as well as making sure the resident is happy. Commissioner Everett asked about the setback reduction. The applicant stated they chose to incorporate a streetscape.

Commissioner Hemmert opened public hearing.

Commissioner Hemmert closed public hearing.

Motion: Commissioner Bunker forwarded a positive recommendation of Dan Ford's request for review of the Pine Springs Concept Plan, a 37-unit residential development located at 225 South 600 East; including all DRC comments and findings stated in the report. Commissioner Nielsen seconded.

Vote: Commissioner Hemmert, yes; Commissioner Nielsen, yes; Commissioner Peterson, yes; Commissioner Ellis, yes; Commissioner Everett, no; Commissioner Bunker, yes; Commissioner Hereth, yes. The motion passed 6 – 1.

Pine Springs Concept
DRC Redline Comments

*Dan Ford- requests review of the **Pine Springs Concept Plan**, a **38**-unit residential development located at 225 South 600 East.*

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer
Date of Plans Reviewed: 06/02/2020

DRC REDLINE COMMENTS:
Glade – Power:
1. Provide 10' PUE as shown – See Bluebeam mark-up. Questions? Contact: gkirkham@lehi-ut.gov 385.201.2616
2. RMP ATA (Customer purchase) is required.
3. RMP pole/equipment relocations are developer's responsibility.

Kerry – Fire:
4. Will need to post no parking signs along roads

Greg – Water/Sewer: No comments
Kim – Planning:
4. The maximum density for the R-3 Zone is 12 units per acre, which would be 36 units. A density bonus for some sort of additional amenities, or other feature that's above and beyond the typical PUD requirements would be needed to justify more than 36 units.
5. The Planning Commission will need to review the proposed additional amenities in lieu of the second playground required to meet the multi-family amenities requirements to determine if they are equal or greater in value.
6. Final building elevations for the townhomes will be required at the time of site plan to ensure the multi-family design standards are met.
7. Single family homes will be required to meet the architectural requirements of the PUD chapter of the Development Code.
8. Recommend removing the north unit on the six plex to meet the maximum density requirements.

Gary – Building/Inspections: No comments
JD – Streets:
9. 2' Curb

Ross – Engineering:
10. 2' curb req'd (typ)

Trent – Parks: No comments

General notes
1. A soils report will be needed if this moves past concept.

THIS ITEM WILL BE SCHEDULED FOR PLANNING COMMISSION ON JUNE 25, 2020.

Note: This list of corrections and deficiencies should not be considered as an all-inclusive or final list. The items listed need to be corrected and resolved and a new set of information submitted for review by the DRC. Further corrections and deficiencies may still be noted as the DRC further reviews the resubmitted information.



1 SITE PLAN
000 3/64" = 1'-0"



PROJECT BREAKDOWN:

ADDRESS 225 S. 600 E.
LEHI, UTAH 84043

LOT SIZE 3.0823 ACRES

UNIT COUNT
- TOWNHOUSES - 31 UNITS
- SINGLE-FAMILY - 6 UNITS
- TOTAL UNITS - 37

UNIT DENSITY 12 UNITS/ACRE

PARKING 74 GARAGE STALLS - 2 STALLS PER UNIT
11 ON-STREET GUEST STALLS PROVIDED
85 TOTAL PARKING STALLS PROVIDED

PROPOSED SETBACKS
- FRONT YARD SETBACK - 20 FT. (REQUESTED REDUCTION OF FRONT YARD SETBACK)
- REAR YARD SETBACK - 30 FT.
- SIDE YARD SETBACK - 48 FT.

AREA CALCULATIONS
- OPEN SPACE - 48,971 SQ. FT. (37%)
- SIDEWALKS/TRAILS - 11,103 SQ. FT.
- ROADWAYS - 36,210 SQ. FT.
- BUILDING FOOTPRINT - 39,658 SQ. FT. (29%)

DEVELOPMENT AMENITIES
- CHILDREN'S PLAYGROUND AREA/ TOT LOT
- *COMMUNITY BBQ AREA
- *DOG RUN/ BARK PARK
- *PICKLEBALL COURT
- *WALKING TRAILS WITH BENCHES
- *AMENITIES IN LIEU OF SECOND PLAYGROUND

N

LINETYPE LEGEND
- PROPERTY LINE
- SITE SETBACK/EASEMENT LINES
- BUILDING FOOTPRINT

Pine Springs Concept

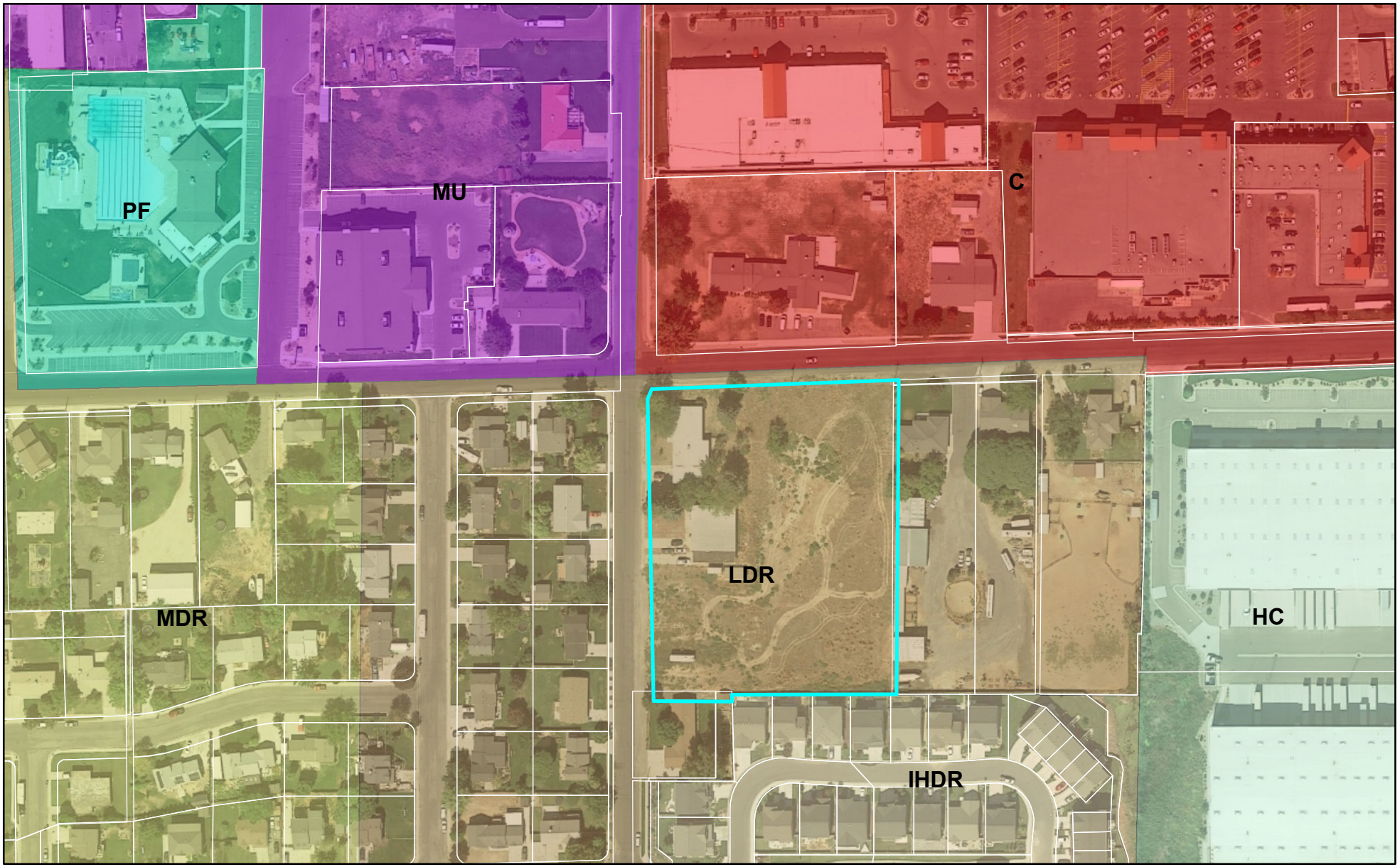
Aerial



LEHI CITY

Pine Springs Concept

General Plan

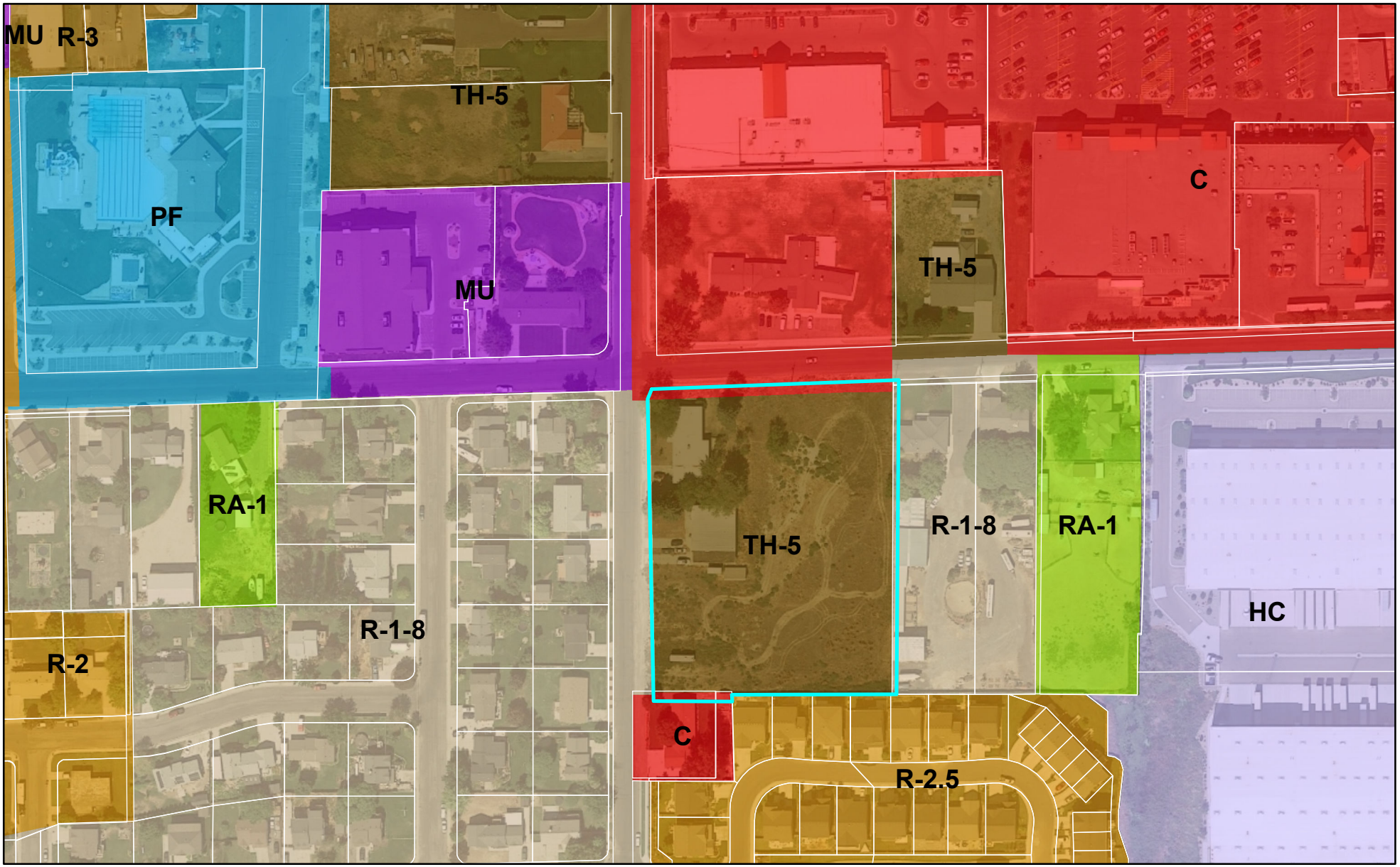


0 220 440 Feet

LEHI CITY

Pine Springs Concept

Zoning



LEHI CITY

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Brittney Harris
Submitting Department: Planning Division
Item Type: Action Item
Agenda Section:

Subject:
Consideration of Final subdivision approval for Vivian Estates Phase 1 Plat D, a 6-lot residential development at 400 East and Eagle Crest Drive in an RA-1 zone.

Suggested Action:

Attachments:
CC Staff Report Vivian Estaes Phase 1 Plat D Final Subdivision.docx

Vivian Estates Phase 1 Plat D DRC 06.17.2020.docx

Vivian Estates Phase 1 Plat D Plat.pdf

Vivian Estates- Aerial.pdf

Vivian Estates- General Plan.pdf

Vivian Estates- Zoning.pdf

VIVIAN ESTATES PHASE 1 PLAT D FINAL SUBDIVISION

CITY COUNCIL REPORT

Applicant	Jason Rickards		
Meeting Date	July 14, 2020		
Requested Action/Purpose	Approval of a final subdivision		
Location	400 East and Eagle Crest Drive		
Existing Land Use	Undeveloped		
Existing Zoning	RA-1		
General Plan Land Use Designation	VLDR		
Number of Lots/Units	6		
Adjacent Zoning and Land Use	*North*	RA-1	Single Family Homes (Vivian Plat C)
	South	RA-1	Undeveloped
	East	RA-1	Undeveloped
	West	RA-1	Single Family Homes (Vivian Plat
Date of DRC Review	June 17, 2020		
Assigned Planner	Brittney Harris		

REQUIRED ACTION

City Council	Final approval

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 11.180. Effective Period of Final Subdivision Plat Approval.
The approval of a final subdivision plat shall be effective for a period of two (2) years from the date the final plat is approved and signed by the City Council, at the end of which time such final subdivision plat shall have been recorded in the office of the Utah County Recorder.

PROPERTY HISTORY

March 22, 2017	Property annexed into the City as part of the Vivian Carter Addition
May 09, 2017	City Council approved the Vivian Estates Phase 1 Preliminary Subdivision
July 11, 2017	City Council approved the Vivian Estates Phase 1 Plats A, B and C Final Subdivisions

REPORT ANALYSIS

The applicant requests approval of the Vivian Estates Phase 1 Plat D final subdivision located at 400 East and Eagle Crest Drive in an RA-1 zone. These lots previously received preliminary and final approval. The six proposed lots were included in approved Vivian Estates Phase 1 Plat C but later removed before the plat was recorded. The applicant now wants to build the remaining six lots and record Plat D. Because more than two years have passed since the original final approval of Plat C, this item needed to return to City Council for approval.

The six proposed lots range in size from 22,180 to 22,363 square feet. They have frontage along 400 East and Eagle Crest Drive.

The DRC reviewed Vivian Estates Phase 1 Plat D and had the following redline comments:

1. Show existing power infrastructure
2. Provide addresses on the plat.
3. Provide utility sheet showing lot lines correspond with existing utilities (water meters, fire hydrants, sd inlets, sewer laterals)
4. Label PUE as "Public Utility and Roadway Construction Easement"

Please consider including all DRC comments in your motion.

PLANNING DIVISION RECOMMENDATION

Planning Staff recommends **APPROVAL** of the proposed Vivian Estates Phase 1 Plat D final subdivision including the DRC comments from June 17, 2020. This recommendation is based on the following findings:

1. The proposed subdivision was previously approved as part of Vivian Estates Phase 1 Plat C.
2. The proposed subdivision is not detrimental to the public health, safety, and welfare of Lehi City.
3. The proposed subdivision meets the requirements of the Development Code.
4. Other findings based upon information presented at the public meeting.

Vivian Estates Phase 1 Plat D Subdivision
DRC Redline Comments

Jason Rickards - requests review of Vivian Estates Phase 1 Plat D final subdivision, a 6-lot residential development at 400 East and Eagle Crest Drive in an RA-1 zone.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer
Representatives of the Applicant Present: none due to covid-19
Date of Plans Reviewed: **06/09/2020**
Time Start: n/a
Time End: n/a

DRC REDLINE COMMENTS:
Glade – Power:
1. Show existing power infrastructure

Kerry – Fire: No comments
Greg – Water/Sewer:
2. Provide addresses on the plat.
3. Provide utility sheet showing lot lines correspond with existing utilities (water meters, fire hydrants, sd inlets, sewer laterals)

Trent – Parks: No comments
Gary – Building/Inspections: No comments
JD – Streets: No comments
Ross – Engineering:
4. Label PUE as "Public Utility and Roadway Construction Easement"

Kim – Planning: No comments

PRIOR TO RECORDING OF PLAT:
1. Provide a Mylar of the final plat for recording with the owners notarized signature(s).
2. Include surveyor's and engineer's stamps and signatures on the plat.
3. Provide a signed easement verification sheet (for proposed public utility easements on the plat).
4. All City utilities/infrastructure has been accepted and signed off by all Lehi City Inspectors.

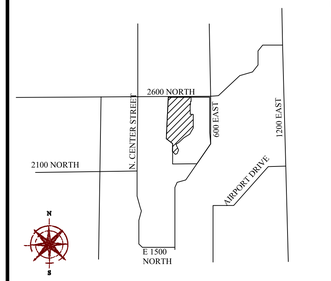
DRC GENERAL COMMENTS:
1. Please note that ALL of the DRC Redline and Prior to Recording of Plat comments MUST be completed before a preconstruction meeting can be scheduled.
2. Once approved by the Planning Commission or City Council (whichever is applicable) plans may be submitted for check-off. Check-off plans consist of one set of 24x36-inch plans submitted to the Planning Division office. When changes need to be made to a check set, revise the affected sheets only. Each new submittal will require a revision date on each new sheet. It is the responsibility of the applicant to follow through with completing the check-off items.
3. Prior to the pre-construction meeting, Lehi City Staff will make copies of plans for the meeting from the check-off set and the developer will pay fees for the copies.
4. On the power, developer will install conduit; Lehi City Power will install all other required power infrastructure shown on the plans and charge the developer for the costs. These costs are separate from power impact fees that are paid with the building permit.
5. Developer is responsible to purchase, move or remove any existing Rocky Mountain Power facilities. Additionally, the Developer is responsible for all costs associated for the purchase of RMP equipment by Lehi City Power. These costs are separate from infrastructure, impact fees, and connection fees.
6. Developer is responsible to furnish adequate rights of way or easements for construction of off-site power line extensions.
7. Residential developments shall complete all required private improvements prior to commencing construction on units totaling more than 80% of the allowed units in the development.
8. The approval of a development shall be effective for a period of two (2) years from the date the development is approved by the Planning Commission or City Council, whichever is applicable.

Note: This list of corrections and deficiencies should not be considered as an all-inclusive or final list. The items listed need to be corrected and resolved and a new set of information submitted for review by the DRC. Further corrections and deficiencies may still be noted as the DRC further reviews the resubmitted information.

9. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either a twenty (20) foot minimum width temporary or permanent road, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be kept clear of all fencing, barricades, dumpsters, vehicles, construction materials and debris and maintained until permanent fire apparatus access roads are available.

THIS ITEM IS SCHEDULED FOR CITY COUNCIL ON JULY 14th

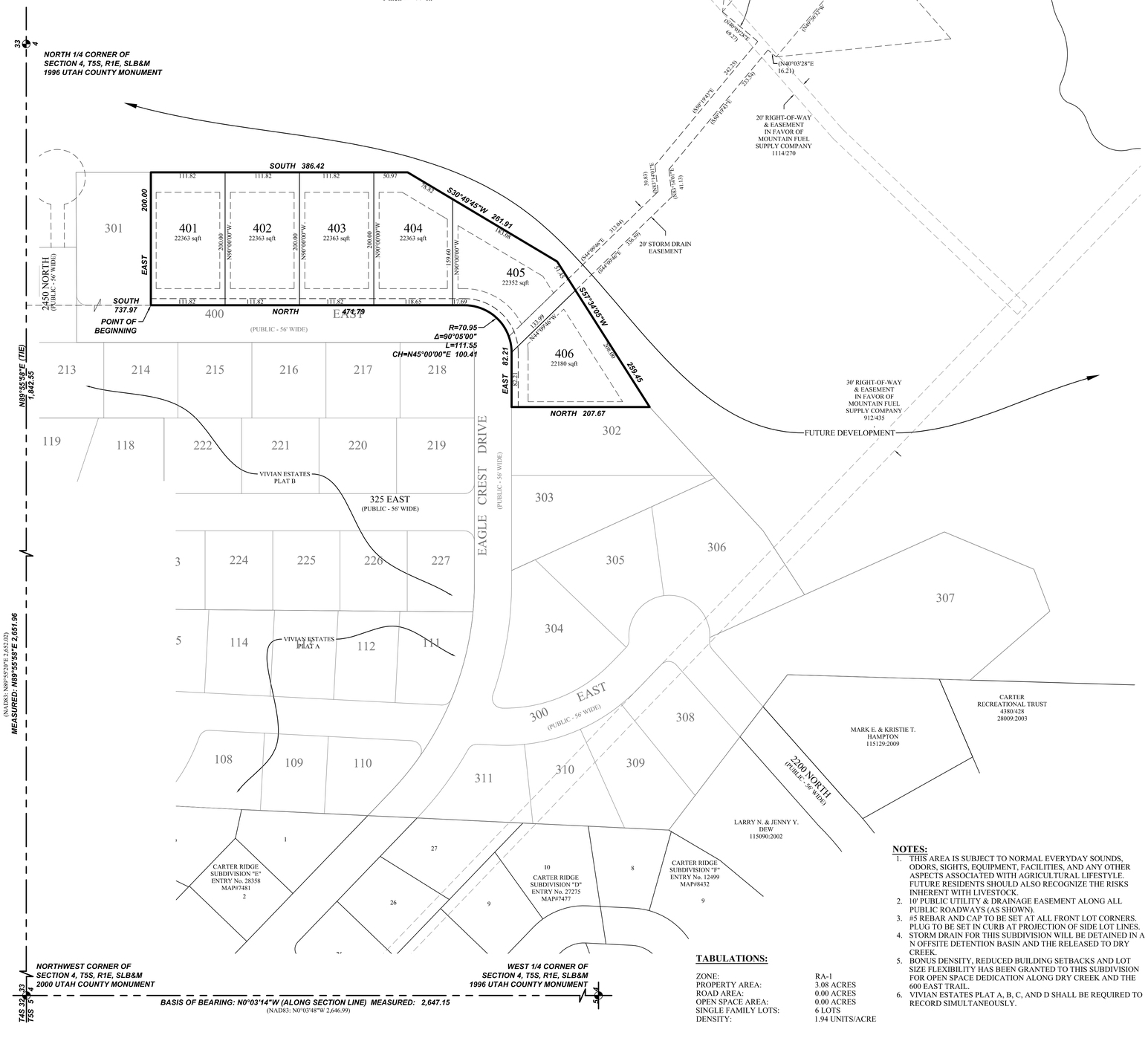
Note: This list of corrections and deficiencies should not be considered as an all-inclusive or final list. The items listed need to be corrected and resolved and a new set of information submitted for review by the DRC. Further corrections and deficiencies may still be noted as the DRC further reviews the resubmitted information.

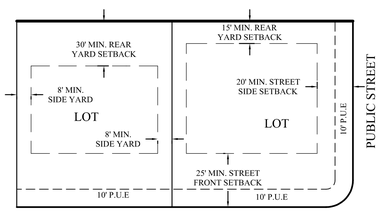


VICINITY MAP
N.T.S

LEGEND
- BOUNDARY
- SECTION LINE
- EASEMENT
- RIGHT-OF-WAY LINE
- BUILDING SETBACK
- SECTION MONUMENT (FOUND)

GRAPHIC SCALE
80 0 40 80 160 320
(IN FEET)
1 inch = 80 ft.





TYPICAL BUILDING SETBACKS
N.T.S.

TABULATIONS:

ZONE:	RA-1
PROPERTY AREA:	3.08 ACRES
ROAD AREA:	0.00 ACRES
OPEN SPACE AREA:	0.00 ACRES
SINGLE FAMILY LOTS:	6 LOTS
DENSITY:	1.94 UNITS/ACRE

NOTES:
1. THIS AREA IS SUBJECT TO NORMAL EVERYDAY SOUNDS, ODORS, SIGHTS, EQUIPMENT, FACILITIES, AND ANY OTHER ASPECTS ASSOCIATED WITH AGRICULTURAL LIFESTYLE. FUTURE RESIDENTS SHOULD ALSO RECOGNIZE THE RISKS INHERENT WITH LIVESTOCK.
2. 10' PUBLIC UTILITY & DRAINAGE EASEMENT ALONG ALL PUBLIC ROADWAYS (AS SHOWN).
3. #5 REBAR AND CAP TO BE SET AT ALL FRONT LOT CORNERS. PLUG TO BE SET IN CURB AT PROJECTION OF SIDE LOT LINES.
4. STORM DRAIN FOR THIS SUBDIVISION WILL BE DETAINED IN A N OFFSITE DETENTION BASIN AND THE RELEASED TO DRY CREEK.
5. BONUS DENSITY, REDUCED BUILDING SETBACKS AND LOT SIZE FLEXIBILITY HAS BEEN GRANTED TO THIS SUBDIVISION FOR OPEN SPACE DEDICATION ALONG DRY CREEK AND THE 600 EAST TRAIL.
6. VIVIAN ESTATES PLAT A, B, C, AND D SHALL BE REQUIRED TO RECORD SIMULTANEOUSLY.

SURVEYOR'S CERTIFICATE

I, Spencer W. Llewelyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owners(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, blocks, streets, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

Spencer W. Llewelyn
Professional Land Surveyor
Certificate No.10516507

Date

BOUNDARY DESCRIPTION

A portion of the NW1/4 of Section 4, Township 5 South, Range 1 East, Salt Lake Base and Meridian, Lehi City, Utah, more particularly described as follows:

Beginning at a point located N89°55'58"E along the Section line 1,842.55 feet and South 737.97from the Northwest Corner of Section 4, T5S, R1E, SLB&M (Basis of Bearing: N0°03'14"W between the West 1/4 Corner and the Northwest Corner of Section 4); thence East 200.00 feet; thence South 386.42 feet; thence S30°49'45"W 261.91 feet; thence S57°34'05"W 259.45 feet; thence North 207.67 feet; thence East 82.21 feet; thence Northeasterly along the arc of a non-tangent curve to the left having a radius of 70.95 feet (radius bears: N00°02'30"E) a distance of 111.55 feet through a central angle of 90°05'00" Chord: N45°00'00"E 100.41 feet; thence North 471.79 feet to the point of beginning.

Contains: 3.08 acres+/-

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE ANY PUBLIC STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS_____ DAY OF _____A.D. 20__

CHRISTOPHER P. GAMVROULAS
PRESIDENT, IVORY DEVELOPMENT LLC

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF SALT LAKE

ON THE _____DAY OF _____A.D. 20___ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AN FOR THE COUNTY OF SALT LAKE, IN SAID STATE OF UTAH, CHRISTOPHER P. GAMVROULAS, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF IVORY DEVELOPMENT LLC, A UTAH LLC AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES:_____

A NOTARY PUBLIC COMMISSIONED IN UTAH
RESIDING IN _____ COUNTY

MY COMMISSION No._____

PRINTED FULL NAME OF NOTARY

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF LEHI CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS; EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D. 20__.

APPROVED BY MAYOR

APPROVED BY ENGINEER
(SEE SEAL BELOW)

ATTEST_____
CLERK-RECORDER
(SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE LEHI CITY PLANNING COMMISSION.

DIRECTOR - SECRETARY

CHAIRMAN, PLANNING COMMISSION

PLAT D

VIVIAN ESTATES

A RESIDENTIAL SUBDIVISION
LEHI, UTAH COUNTY, UTAH

SURVEYOR'S PUBLIC SEAL	NOTARY PUBLIC SEAL	LEHI CITY ENGINEER SEAL	LEHI CITY RECORDER SEAL

Vivian Estates Phase 1 Plat D

Aerial



LEHI CITY

Vivian Estates Phase 1 Plat D

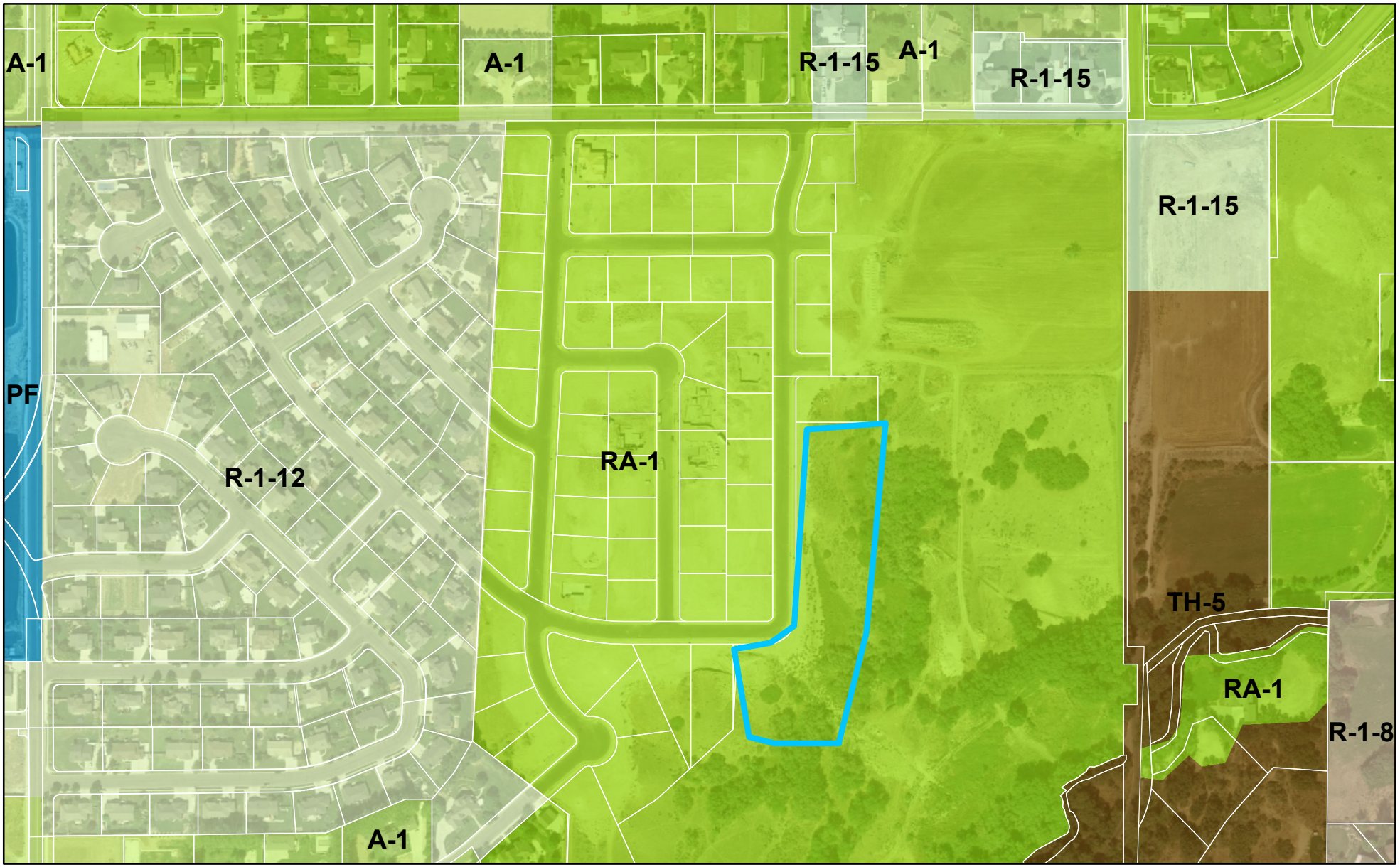
General Plan



LEHI CITY

Vivian Estates Phase 1 Plat D

Zoning



LEHI CITY

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Brittney Harris
Submitting Department: Planning Division
Item Type: Action Item
Agenda Section:

Subject:
Consideration of the Cedar Hollow Plat M Amendment, amending Cedar Hollow Plat A, lots 10, 11, and 12 at 1734 North 1400 East.

Suggested Action:

Attachments:
CC Staff Report Cedar Hollow M Plat Amendment.docx

Cedar Hollow Plat Amendment DRC 06.17.2020.docx

Cedar Hollow Plat Amendment.pdf

Cedar Hollow M- Aerial.pdf

Cedar Hollow M- General Plan.pdf

Cedar Hollow M- Zoning.pdf

CEDAR HOLLOW M PLAT AMENDMENT
CITY COUNCIL REPORT

Applicant	Mark Hymas		
Meeting Date	July 14, 2020		
Requested Action/Purpose	Approval of a proposed plat amendment		
Location	1734 North 1400 East		
Existing General Plan Designation	Very Low Density Residential (VLDR)		
Existing Zoning	RA-1		
Existing Land Use	Single Family Homes		
Number of Lots/Units	3		
Adjacent Zoning and Land Use	*North*	RA-1	Single Family Homes
	South	RA-1	Single Family Homes
	East	RA-1	Undeveloped
	West	RA-1	Single Family Homes
Date of DRC Review	June 17, 2020		
Assigned Planner	Brittney Harris		

REQUIRED ACTION

City Council	Final approval

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 11.340. Vacating, Altering, or Amending a Recorded Subdivision Plat.
The City Council may consider, after Reviewing Departments review, any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any road or lot, contained in a subdivision plat.

A. A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file an application to have some or all of the plat vacated or amended.
B. The City Council shall hold a public hearing within forty-five (45) days after the day on which the application is filed if:

1. Any owner within the plat notifies the City of the owner's objection in writing within ten (10) days of mailed notification; or

2. A public hearing is required because all of the owners in the subdivision have not signed the revised plat.

C. The public hearing requirement of Subsection B does not apply and the City Council may consider at a public meeting an owner's request to vacate or amend a subdivision plat if the application seeks to:

1. Join two or more of the applicant fee owner's contiguous lots;

2. Subdivide one or more of the applying fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;

3. Adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the application, regardless of whether the lots or parcels are located in the same subdivision;

4. On a lot owned by the applying fee owner, adjust an internal lot restriction imposed by the City; or

5. Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:
   a. owned by the applicant; or
   b. designated as a common area

D. Each request to vacate or amend a plat that contains a request to vacate or amend a public street, right-of-way, or easement is also subject to the State Code requirements for vacation of a public right-of-way.

E. Each request to vacate or amend an entire plat or a portion of a plat shall include:

1. The name and address of each owner of record of the land contained in the entire plat or on that portion of the plat described in the application; and

2. The signature of each owner described in Subsection (E)(1) who consents to the application.

Section 11.350. Plat Amendment Approval Process and Recordation.

A. Following a review by the Reviewing Departments, the City Council may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the Council finds that:

1. There is good cause for the vacation or amendment; and

2. No public street, right-of-way, or easement has been vacated or amended.

B. The City Council shall ensure that the amended plat showing the vacation or amendment is recorded in the office of the County Recorder.

C. An amended plat may not be submitted to the County Recorder for recording unless it is signed, acknowledged, and dedicated by each owner of record of the portion of the plat that is amended.

Section 12.020. General Requirements.

A. <u>All Uses, Buildings and Structures to Comply with District Requirements - Exceptions</u>**.** Every building or structure hereafter erected, reconstructed, structurally altered, enlarged, or moved, and every building, structure, premises, or land used, rearranged, designed or intended for any use shall be built or used only as is permitted in the district in which such building, structure, land, or use is located.

1. All uses allowed within the City, either as a permitted or conditional use, are identified in Table 05-030-A, Table 05-030-B and Table 05-030-C.

2. All uses of land and other activities not specifically allowed as a permitted or conditional use as identified in Table 05-030-A, Table 05-030-B, and Table 05-030-C are prohibited.

3. All uses, buildings and structures located in the Zoning Districts of the City shall comply with the intensity, bulk requirements, site coverage standards, and other requirements for uses identified in Table 05-040-A, Table 05-040-B, and Table 05-040-C.

5. Exceptions may be allowed for the issuance of a building permit for a single-family dwelling on an existing lot of record that was legally created, complying with the subdivision requirements of the Utah Code in effect at that time, and prior to the effective date of this Code, but which does not meet the bulk and intensity requirements of the applicable zoning district as contained in Table 05-040-A. Requests for construction of a single-family

dwelling on a legally created lot of record shall comply with the requirements for Single Lot Building Permits Outside a Recorded Subdivision as contained in Section 11.050. The Chief Building Official shall have review and approval authority.

PROPERTY HISTORY

May 24, 1978 Land annexed into the City as part of the Cooper Addition

November 7, 1978 City Council approved the Cedar Hollow Plat A Subdivision

REPORT ANALYSIS

The applicant requests approval of Cedar Hollow Plat M an amendment to three lots from Cedar Hollow Plat A. The effected lots include: 10, 11, and 12 located at 1734 North 1400 East. The applicant owns all three of these lots and proposes to combine lots 10 and 11 into one. The existing home mainly resides on lot 11; however, a corner of the home goes into lot 11. The Development Code does not allow for structures to cross lot lines as all buildings need to meet the setback requirements as stated in Chapter 12. The existing home is allowed as a legal nonconforming use. The applicant discovered the differing lot lines when applying for a building permit for an accessory building. In order to build the accessory building the applicant must combine the lots and meet the setback requirements.

Combining the lots will not only allow the applicant to build an accessory building, but also will eliminate an odd shaped parcel that does not meet the frontage requirements for the RA-1 zone.

The DRC reviewed the proposed plat amendment and provided the following comments:

1. Provide information on the 6'-9" gap, indicate location of the existing utilities in reference to the newly described easement space vs. the 6'-9" space.
2. Remove reference to Rocky Mountain Power.
3. We should require a narrative explaining what they are doing
4. Add note to the plat that all property lines will be marked, and pins placed it the top of curb.
5. Add a setback table to the plat.
6. Remove Dominion Energy and Rocky Mountain Power approval title blocks from the plat.

Please consider including all DRC comments in your motion.

PLANNING DIVISION RECOMMENDATION

Planning Staff recommends **APPROVAL** of the proposed Cedar Hollow M amended subdivision including the DRC comments from June 17, 2020. This recommendation is based on the following findings:

1. The proposed plat amendment resolves an existing issue where a building crossing lot lines.
2. The proposed plat amendment will consolidate two irregular shaped lots.
3. The proposed plat amendment is not detrimental to the public health, safety, and welfare of Lehi City.
4. The proposed plat amendment meets the requirements of the Development Code.
5. Other findings based upon information presented at the public meeting.

Cedar Hollow Plat Amendment
DRC Redline Comments

Mark Hymas- requests review of the Cedar Hollow Plat M Plat Amendment, amending Cedar Hollow Plat A, lots 10,11, and 12 at 1734 North 1400 East.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer
Representatives of the Applicant Present: None due to Covid-19
Date of Plans Reviewed: 06/09/2020
Time Start: n/a
Time End: n/a

DRC REDLINE COMMENTS:
Glade – Power:
1. Provide information on the 6'-9" gap, indicate location of the existing utilities in reference to the newly described easement space vs. the 6'-9" space.
2. Remove reference to Rocky Mountain Power.

Kerry – Fire: No comments
Greg – Water/Sewer:
3. We should require a narrative explaining what they are doing ?

Trent – Parks: No comments
Gary – Building/Inspections:
4. Add note to the plat that all property lines will be marked, and pins placed it the top of curb.
5. Add a setback table to the plat.

JD – Streets: No comments
Ross – Engineering: No comments
Kim – Planning:
6. Remove Dominion Energy and Rocky Mountain Power approval title blocks from the plat.

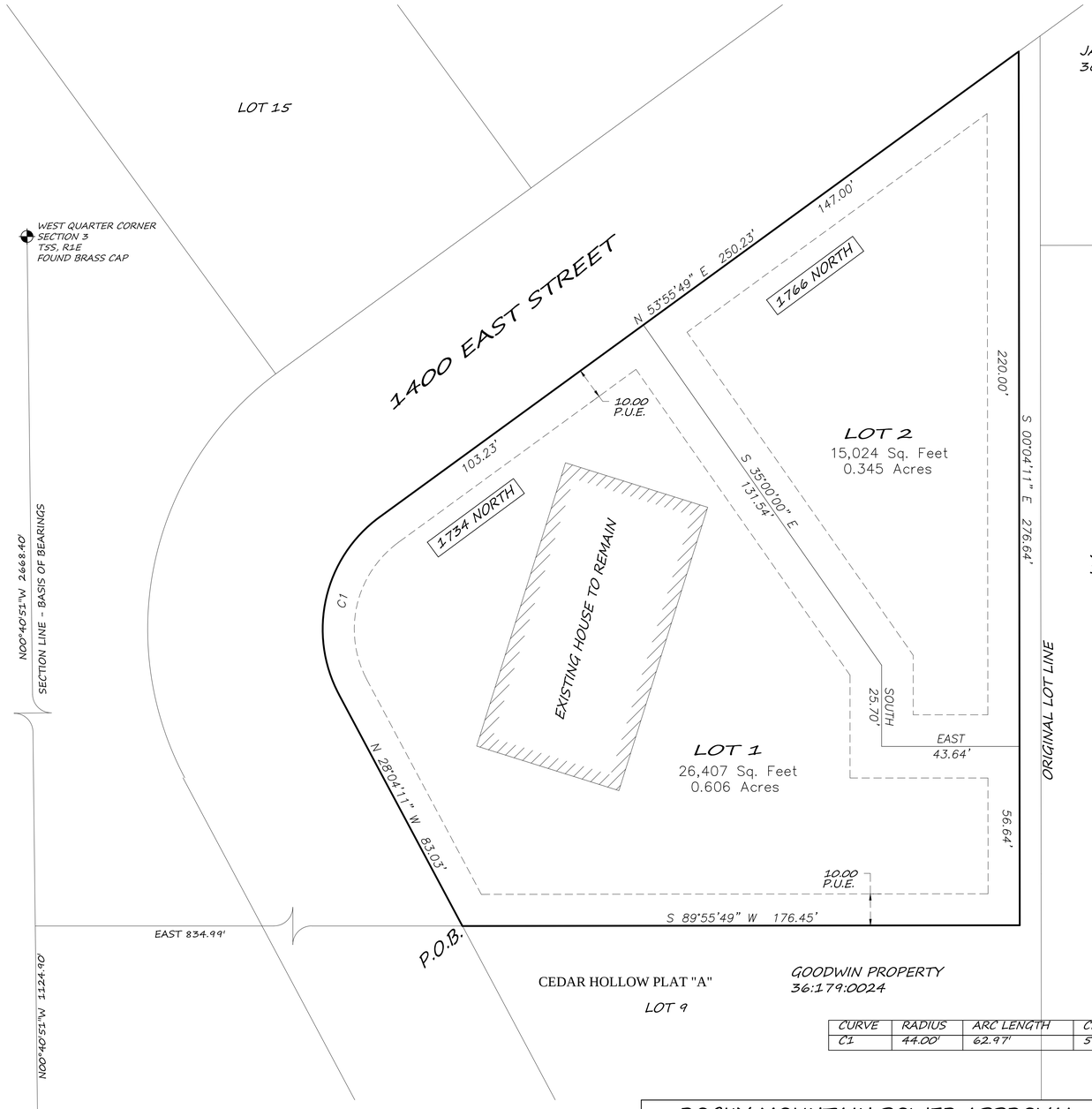
THIS ITEM IS SCHEDULED FOR CITY COUNCIL ON JULY 14th

Note: This list of corrections and deficiencies should not be considered as an all-inclusive or final list. The items listed need to be corrected and resolved and a new set of information submitted for review by the DRC. Further corrections and deficiencies may still be noted as the DRC further reviews the resubmitted information.

CEDAR HOLLOW PLAT "M" SUBDIVISION

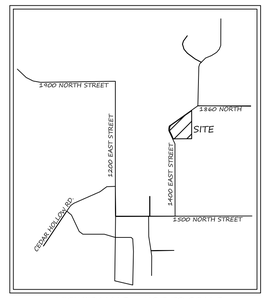
LOCATED IN SW 1/4 SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M

LEHI CITY, UT



SCALE: 1" = 20'

0 20 40 60



VICINITY MAP - NOT TO SCALE

ZONING:	RA-1	
TOTAL NUMBER OF LOTS:	2	
GROSS AREA OF DEVELOPMENT:	0.9511	ACRES
LESS DEDICATIONS:	0.00	ACRES
NET AREA OF DEVELOPMENT:	0.9511	ACRES

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	44.00'	62.97'	57.73'	N 12°55'49" E	82°00'00"

LEGEND

- UTAH COUNTY SURVEY MONUMENT
- SET REBAR AND CAP
- STREET MONUMENT
- AREA DEDICATED TO PLEASANT GROVE CITY FOR ROADWAY PURPOSES

OAK HILLS SURVEYING
Office locations
Springville, UT
American Fork, UT
Ph. (801) 796-3828
kevin.oakhills@gmail
ohsurveying.com
Member UCLS/NSPS

ROCKY MOUNTAIN POWER APPROVAL

1. PURSUANT TO UTAH CODE ANN. 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATOR(S) OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO THE UTAH CODE ANN 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
(1) A RECORDED EASEMENT OR RIGH-OF-WAY
(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(3) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR,
(4) ANY OTHER PROVISION OF LAW

ROCKY MOUNTAIN POWER _____ DATE: _____

DOMINION ENERGY APPROVAL

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-6532.

DOMINION ENERGY _____ DATE: _____

SURVEYOR'S CERTIFICATE

I, KEVIN S BISHOP, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6508652 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER DECLARE BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EAST LINE OF 1400 EAST STREET, SAID POINT BEING LOCATED N00°40'51"W 1124.90 FEET ALONG THE SECTION LINE AND EAST 834.99 FEET FROM THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M; THENCE ALONG STREET N28°04'11"W 83.03 FEET, THENCE 62.97 FEET ALONG THE ARC OF A 44.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS N12°55'49"E 57.73 FEET), THENCE N53°55'49"E 250.23 FEET, THENCE S00°04'11"E 276.64 FEET, THENCE S89°55'49"W 176.45 FEET TO THE POINT OF BEGINNING.
AREA OF ABOVE DESCRIBED PARCEL CONTAINS 0.9511 ACRES

BASIS OF BEARINGS IS N00°40'51"W ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 3 TO THE WEST QUARTER CORNER OF SECTION 3.

_____
SURVEYOR DATE

OWNER'S DEDICATION

KNOWN ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND SHOWN HEREON, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS TO BE KNOWN AS CEDAR HOLLOW PLAT "M" SUBDIVISION, DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF _____ A.D. 2020.

_____ _____
MARK BERRETT HYMAS MAEGAN SOUTHWICK HYMAS

ACKNOWLEDGEMENT

STATE OF UTAH
S.S.
COUNTY OF UTAH

ON THE ___ DAY OF _____ A.D. 2020 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES:_____ NOTARY PUBLIC:_____
PRINT NAME

A NOTARY PUBLIC COMMISSIONED IN UTAH COMMISSION NUMBER:

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF LEHI CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS ___ DAY OF _____ A.D. 2020.

_____ _____
MAYOR CLERK/RECORDER (SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

APPROVED THIS ___ DAY OF_____ A.D. 2020 BY THE LEHI CITY PLANNING COMMISSION.

_____ _____
DIRECTOR - SECRETARY CHAIR PERSON, PLANNING COMMISSION

OCCUPANCY RESTRICTION NOTICE

IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT HAVING FIRST OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY LEHI CITY.

CEDAR HOLLOW

PLAT "M"

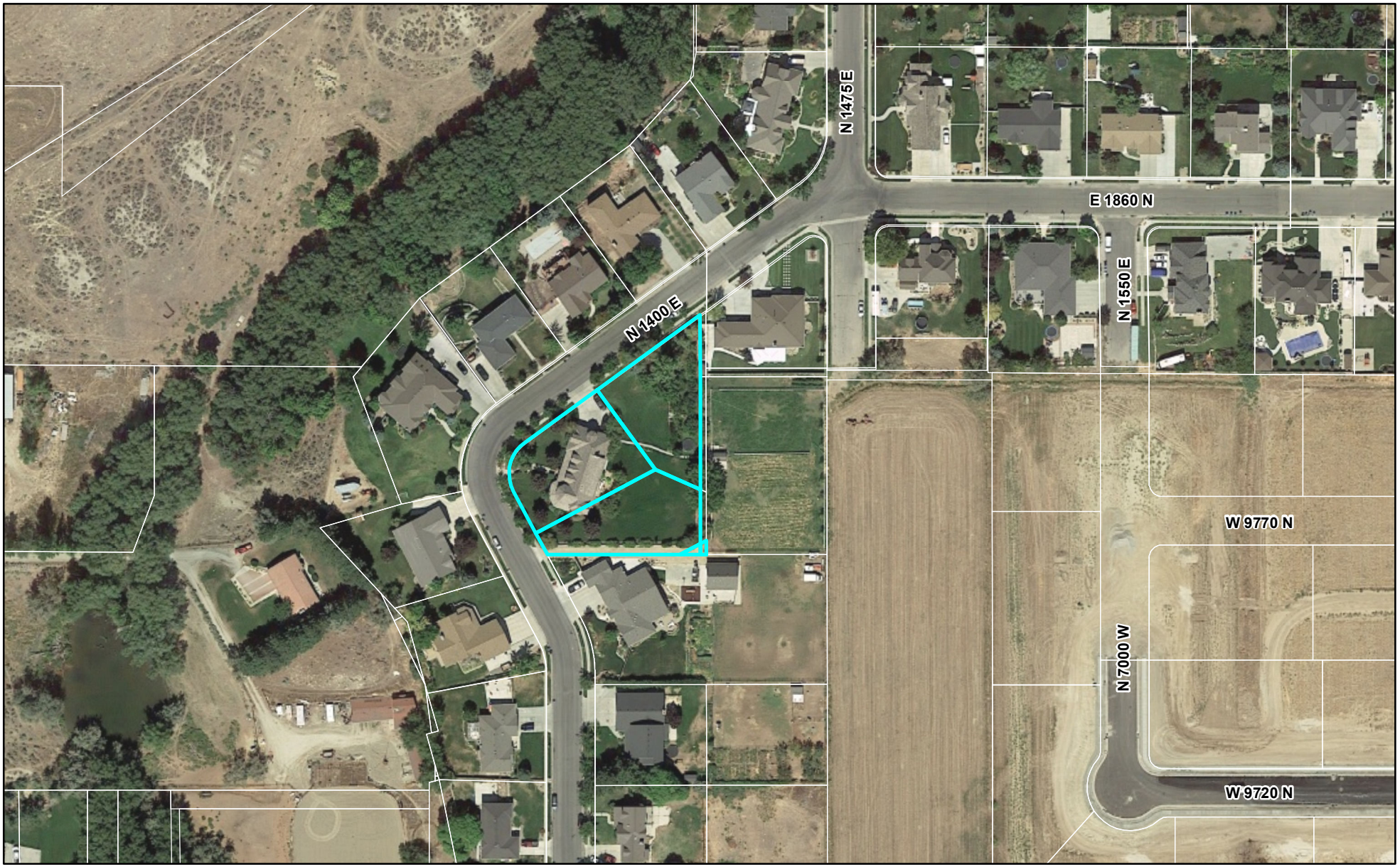
A RESIDENTIAL SUBDIVISION

BEING AN AMENDMENT OF LOT 10, 11 & 12 CEDAR HOLLOW PLAT "A"
LOCATED IN SW 1/4 SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M
LEHI CITY, UTAH, COUNTY OF UTAH SCALE: 1" = 20'

SURVEYOR SEAL	CLERK / RECORDER SEAL	ENGINEER SEAL	UTAH COUNTY RECORDER
KEVIN S BISHOP 6508652 PROFESSIONAL LAND SURVEYOR STATE OF UTAH PRELIMINARY			

Cedar Hollow M Plat Amendment

Aerial

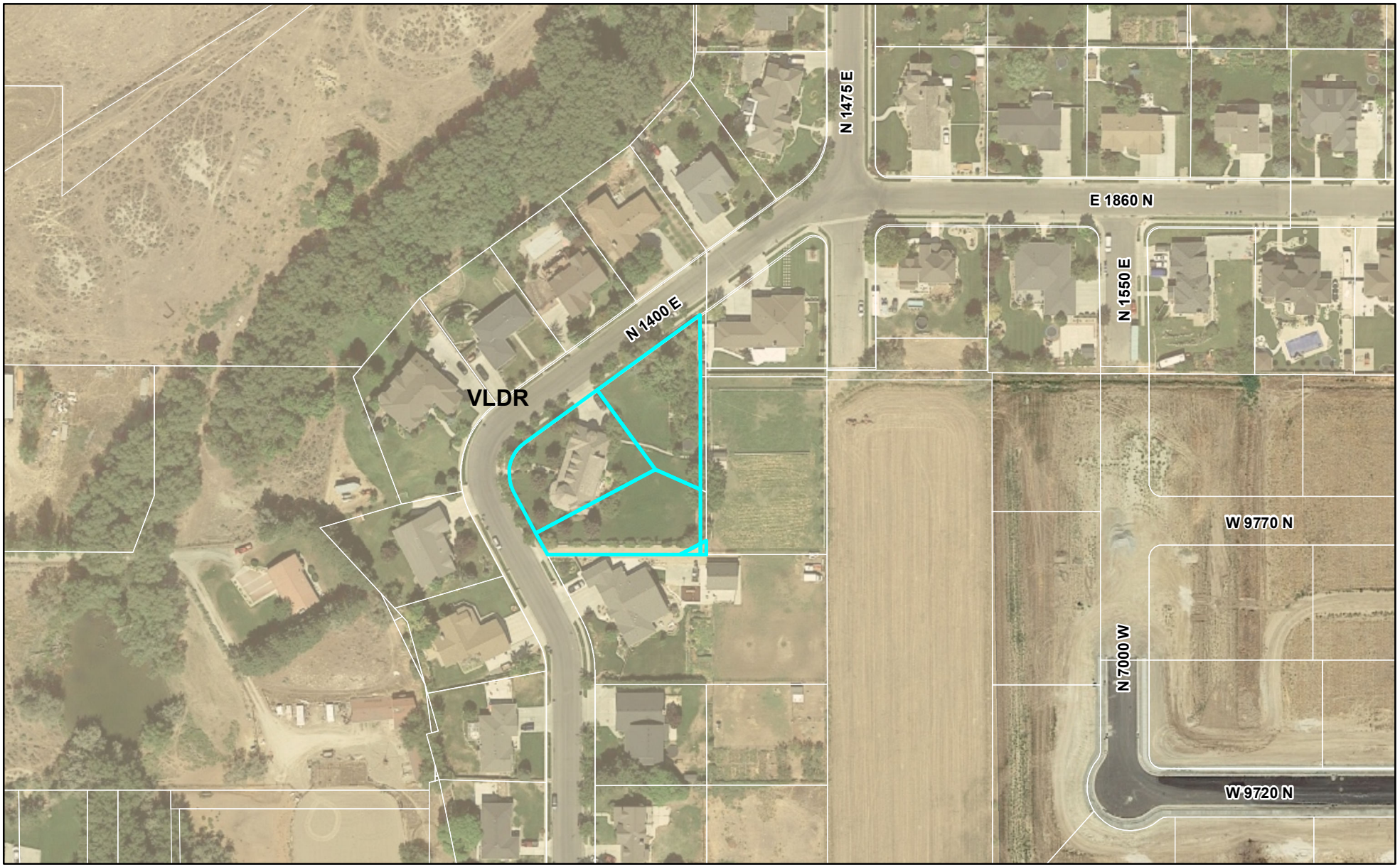


0 190 380 Feet

LEHI CITY

Cedar Hollow M Plat Amendment

General Plan

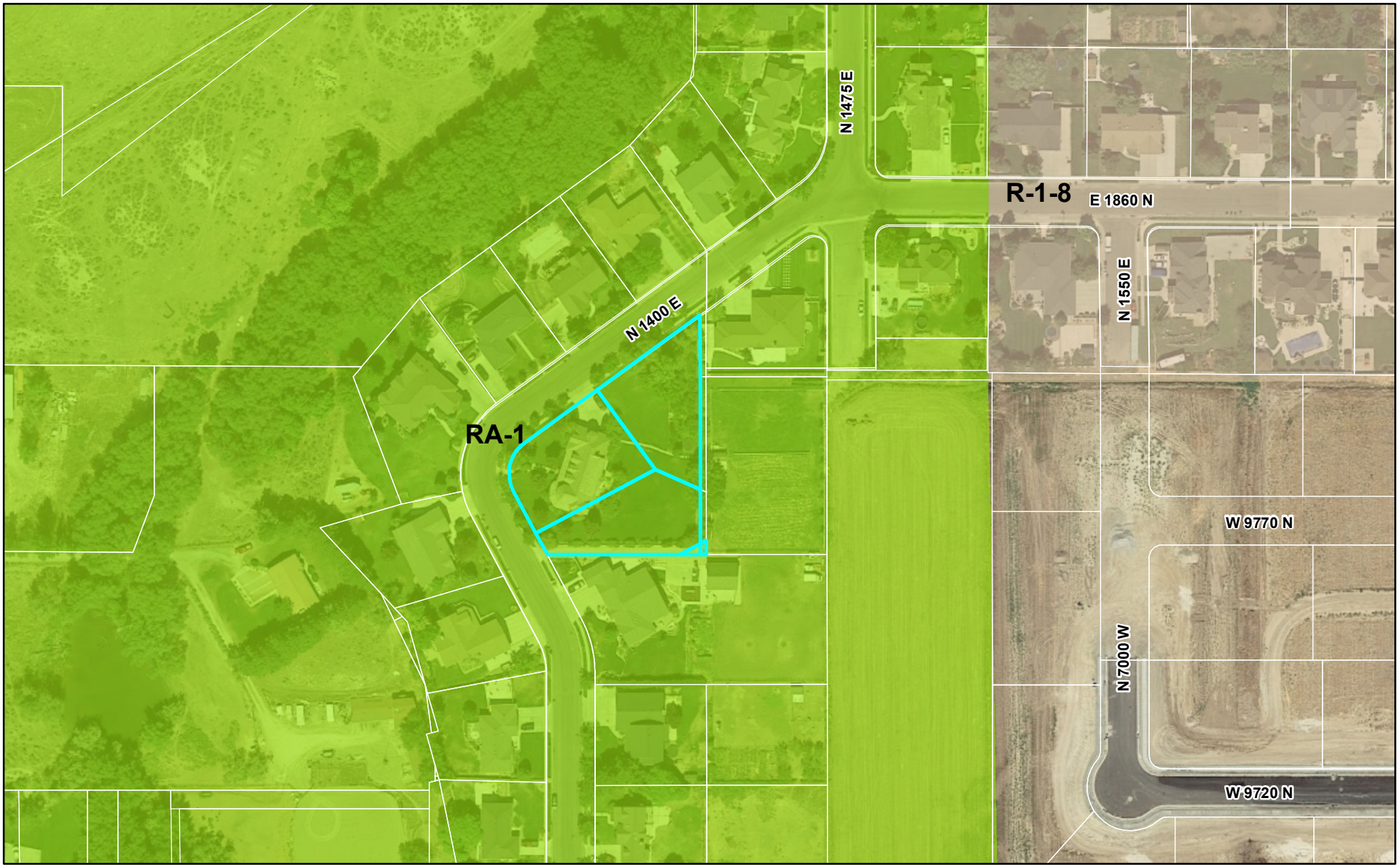


0 190 380 Feet

LEHI CITY

Cedar Hollow M Plat Amendment

Zoning



0 190 380 Feet

LEHI CITY

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Brittney Harris
Submitting Department: Planning Division
Item Type: Ordinance
Agenda Section:

Subject:
Consideration of Ordinance #38-2020 request for approval of a Development Code amendment to Chapter 35, clarifying regulations for Community Forestry.

Suggested Action:

Attachments:
CC Staff Report Ch 35 Urban Forestry Development Code Amendment.docx

Development Code Amendment Chapter 35 DRC 06.10.2020.docx

Ordinance - Dev Code Chapter 35 Urban Forestry 07.14.20.docx

CHAPTER 35 Final Draft revisions 3.3.20.pdf

CHAPTER 35 URBAN FORESTRY DEVELOPMENT CODE AMENDMENT
CITY COUNCIL REPORT

Applicant	Lehi City
Meeting Date	July 14, 2020
Requested Action/Purpose	Approval of a proposed amendment to the Lehi City Development Code
Date of DRC Review	June 10. 2020
Date of Planning Commission Review	June 25, 2020

REQUIRED ACTION

Planning Commission	Review and recommendation
City Council	Final approval

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 04.060. Criteria for Approval.
No amendment to this Code, or the Zoning District Map(s), may be recommended for approval by the Commission nor approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Code amendment, or Zoning District Map(s) amendment, the applicant shall identify, and the City Staff, DRC, Commission, and the City Council may consider the following factors, among others:

1. The effect of the proposed amendment on the character of the surrounding area;
2. Consistency with the goals and policies of the General Plan.
3. Consistency and Compatibility of the proposed zone with the General Plan land uses of nearby and adjoining properties.
4. The suitability of the properties for the uses requested and their suitability for the existing uses identified by the General Plan;
5. Whether a change in the uses allowed for the affected properties will unduly affect the uses, or proposed uses for nearby and adjoining properties;
6. The gain to the public health, safety and welfare from the existing classification to the proposed amendment; and
7. The overall community benefit of the proposed amendment.

REPORT ANALYSIS

The applicant requests approval of the proposed amendments to Chapter 35 of the Development Code on Community Forestry. The proposed changes will bring the Development Code up to industry standard. The applicant proposes to add a permitting process to ensure that trees planted in park strips allow adequate canopy height for snowplows and street sweeping vehicles to get underneath. The changes will not affect existing trees or those planted in people's private yards.

The Urban Forester, Park Staff and the DRC reviewed Chapter 35 of the Development Code and made several minor changes to increase readability, clarify between public and private regulations, and eliminate unnecessary information. The increased clarity from the changes should make it easier to enforce, ensuring high quality tree planting and upkeep throughout the City.

The DRC reviewed the proposed changes and had the following comments related to further updating the Code:

1. Added to 35.080 A4
2. 35.080 A4: Residents are encouraged to plant medium and large trees on private property to build up the urban canopy of the City.
3. Public
4. Revised: Private trees shall not be planted within 4 feet of sidewalk or curb. Street trees shall be centered within the park strip.

Please consider including all DRC comments in your motion.

PLANNING DIVISION RECOMMENDATION

The Planning Division staff recommends **APPROVAL** of the proposed amendment to Chapter 35 of the Lehi City Development Code. The recommendation is based on the following findings:

1. The proposed amendment will add permitting requirements for trees in the park strip, and ensure the right trees are planted to allow for snow removal and street sweeping.
2. The proposed amendment updates the Development Code to meet industry standard.
3. The proposed amendment to the Lehi City Development Code clarifies and eliminates unnecessary information relating to community forestry.
4. The proposed amendment to the Lehi City Development Code is not detrimental to the public health, safety, and welfare of Lehi City.
5. The proposed Development Code amendment is in conformance with the purposes, intent, and provisions of the General Plan and its various elements.
6. Additional findings based upon information presented during the public hearing.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed amendment on June 25, 2020. The minutes and motion from this meeting are as follows:

3.3) Public hearing and recommendation of Lehi City's request for review of a Development Code amendment to Chapter 35, clarifying regulations for Community Forestry.

Brittney Harris, City Planner, presented information on the agenda item.

Jessica Smith, Urban Forester, Trails, and Open Space Supervisor for Lehi City, stated the biggest issue is street clearance. The amendment would allow Lehi to make it required to have a permit to plant a tree to help with street clearance, urban forestry, parks, sidewalks, etc. The goal is to educate and plan for future development and urban canopies. The Commissioners had questions on who would enforce the code. Commissioners and Staff discussed the recommended item.

Commissioner Hemmert opened the public hearing.

Commissioner Hemmert closed the public hearing.

Motion: Commissioner Bunker moved to approve Lehi City's request for review of a Development Code amendment to Chapter 35, clarifying regulations for Community Forestry. Commissioner Nielsen seconded.

Vote: Commissioner Hemmert, yes; Commissioner Nielsen, yes; Commissioner Peterson, yes; Commissioner Ellis, yes; Commissioner Everett, yes; Commissioner Bunker, yes; Commissioner Hereth, yes. The motion passed unanimously.

Development Code Amendment Chapter 35
DRC Redline Comments

Lehi City – requests review of a Development Code amendment to Chapter 35.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer
Representatives of the Applicant Present: none
Date of Plans Reviewed: 05/27/2020
Time Start: n/a
Time End: n/a

DRC REDLINE COMMENTS:
Glade – Power: No comments
Kerry – Fire: No comments
Greg – Water/Sewer: No comments
Trent – Parks:
1. Added to 35.080 A4
2. 35.080 A4: Residents are encouraged to plant medium and large trees on private property to build up the urban canopy of the City.
3. Public
4. Revised: Private trees shall not be planted within 4 feet of sidewalk or curb. Street trees shall be centered within the park strip.

Gary – Building/Inspections: No comments
JD – Streets: No comments
Ross – Engineering: No comments
Kim – Planning: No comments

THIS ITEM WILL BE SCHEDULED FOR PLANNING COMMISSION ON JUNE 25, 2020

Note: This list of corrections and deficiencies should not be considered as an all-inclusive or final list. The items listed need to be corrected and resolved and a new set of information submitted for review by the DRC. Further corrections and deficiencies may still be noted as the DRC further reviews the resubmitted information.

ORDINANCE NO: 2020 - __

AN ORDINANCE AMENDING CHAPTER 35 OF THE LEHI CITY DEVELOPMENT CODE ON COMMUNITY FORESTRY

WHEREAS, it has become necessary to amend Chapter 35 of the Lehi City Development Code, adding clearance requirements and a permitting process, and;

WHEREAS, this amendment seeks clarify, update, and bring the Development Code up to date with industry standard, and;

WHEREAS, following a public hearing on June 25, 2020, the Lehi City Planning Commission reviewed the proposed revisions and forwarded a positive recommendation to the City Council; and

WHEREAS, on July 14, 2020 the City Council held a duly noticed meeting to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record and which include the staff report, minutes from the Planning Commission meeting of June 25, 2020, and the positive recommendation of the Planning Commission; and,

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds: Chapter 35 of the Lehi City Development Code should be amended; and such action furthers the health, safety, and welfare of the citizens of Lehi.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lehi City, Utah as follows:

PART I:

Chapter 35 of the Lehi City Development Code is hereby amended.

PART II:

A. If a provision of this Ordinance -2020 conflicts with a provision of a previously adopted ordinance concerning the same title, chapter, and/or section number amended herein, the provision in this Ordinance shall prevail.

B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder shall not be affected thereby.

C. The City Council hereby directs that the official copy of the Lehi City Code be updated to reflect the provisions enacted by this Ordinance.

D. This Ordinance shall take effect immediately after being posted or published as required by law.

Approved and Adopted by the City Council of Lehi City this 14th day of July 2020.

ATTEST

_____	_____
Mark Johnson, Mayor	Teisha Wilson, City Recorder

CHAPTER 35

COMMUNITY FORESTRY
~~(Amended 11/13/18)~~

Section 35.010. Purpose.
Section 35.020. Definitions.
Section 35.030. Applicability.
Section 35.040. Coordination between Departments.
Section 35.050. ~~Lehi~~ Tree Advisory Committee.
Section 35.060. Annual Plan of Work.
Section 35.070. Public Tree Care Specifications and Standards.
Section 35.080. Street Tree ~~Preservation~~Guidelines.
Section 35.090. Street Tree and Public Tree Care~~Injuring Trees.~~
Section 35.100. Street Trees – Private Property Owner Responsibility.
~~Appraisal of Trees~~
Section 35.110. Street, Sidewalk, and Corner Clearance~~Power Line Clearance~~.
Section 35.120. ~~Street~~ Tree Preservation~~Guidelines~~.
Section 35.130. Injuring Trees~~Street Tree Care~~.
Section 35.140. Appraisal of Trees.~~Street Tree – Private Property Owner Responsibility.~~
Section 35.150. Power Line Clearance Standards.~~Street, Sidewalk, and Corner Clearance.~~
Section 35.160. Resolution of Conflicts between Trees and Structures.
Section 35.170. Replacement of ~~Removed~~ Street Trees.
Section 35.180. Dangerous or Hazardous Conditions Which are Declared a Public Nuisance.
Section 35.190. Abatement or Removal of Dangerous or Hazardous Trees on Private Property.
Section 35.200. Interference with Maintenance and Removal Unlawful.
Section 35.210. Penalty for Violation.
Section 35.220. ~~Public~~ Appeal~~s~~.

Section 35.010 Purpose.
The City recognizes that trees are a valuable community resource that need to be protected and enhanced through proper management, education, and stewardship. Healthy trees reduce air and noise pollution, provide energy-saving shade and cooling, furnish habitat for wildlife, enhance aesthetics and property values, and are an important contributor to community image, pride, and quality of life. This chapter ~~It~~ is not intended to resolve or regulate any disputes over trees on private property that do not affect general public safety. The provisions of this chapter are enacted to:

A. establish, preserve and maintain the maximum amount of quality tree cover on public and private lands within the boundaries of Lehi City to enhance the ~~c~~City's environmental, economic and social character with mature trees;

~~A.~~B. encourage site and utility planning, building and development practices to prevent indiscriminate removal or destruction of trees and avoid unnecessary disturbance to trees within the ~~c~~City and its area of impact;

~~B.~~C. protect public safety, health and welfare by maintaining public~~city~~ trees in a healthy and non-hazardous condition through appropriate arboricultural practices;

D. provide for the planting, maintenance, and removal of dead, dying or hazardous trees on ~~c~~City lands~~,~~ and on private lands as needed;

~~C.~~E. ~~To~~ inform and educate property owners and ~~c~~City staff of new and existing guidelines for dealing with public trees adjacent to their property, and~~or~~ hazardous tree~~s~~ on private properties;

Commented [DA1]: What is there in this chapter that encourages tree planting on private property?

D.F. establish and maintain appropriate diversity of tree species and age classes to provide a stable and sustainable community forest;

E.G. provide for the preservation, marking and maintaining of historic or notable trees through an initial inventory of trees within Lehithe CCity;

F.H. develop and maintain a street tree and landscape tree selection guide;

I. develop and maintain an Annual Urban Forestry Plan of Work.;

J. protect the City's electric power system and promote public health and safety, and protect, as much as possible, the health and vigor of the trees adjacent to or under power lines within the City while preventing tree-related electric power outages; and

G.K. Iimplement the goals and objectives of the general plan;.

Section 35.020 Definitions.

For the purpose ofAs used in this Cchapter, the following terms, phrases, words, and their derivations shall have the meaning given herein:

Commented [DA2]: Wordy.

A. "Arboricultural Standards and Specifications" shall refer to the standards and specifications in this chapter of Lehi Parks Department and Lehi Landscape Standards.

B. "Adjacent Property Owner": means Aany person owning property adjacent to a public right-of-way.

C. "American National Standards Institute" or "(A.N.S.I.)" shall refers to a current set of nationally established standards for tree care operations and maintenance adopted by the City in this Cchapter.

D. "A.P.P.A." shall refer to the American Public Power Association.

E. "Best Management Practices" or ("BMP)" shall refer to the ISA series developed for the purposes of interpreting tree care standards and providing guidelines to those working with trees, andas adopted by Lehi City.

F. "Community Forest Program" shall mean the program and staff of all departments in Lehi City charged with the care and management of public trees.

G. "International Society of Arboriculture" (or "I.S.A.)" shall refer to the internationally recognized organization for arboriculture whose mission is to foster a greater appreciation for trees and to promote the research, technology, and practice of professional arboriculture.

H. "Invasive Species" shall mean a species of tree, vegetation, or pest that is likely to cause economic or environmental harm to either the environment or human health.

I. "Hazardous Trees" shall mean dead or dying trees, dead parts of a live tree, or unstable live trees, either(due to structural defects or other factors), that are within striking distance of a target (either people or property) and that have the potential to cause damage, personal injury or fatality in the event of a failure.

J. "Heritage Trees" refers to any the term 'heritage trees' refers to any tree or group of trees so designated by the Utah Division of Forestry, Fire and State Lands in accordance with the criteria given in Utah Code Ann. 65A-8-302., A Heritage Trees Advisory Committee composed of five persons appointed by the division from among persons who are members of the Utah Community Forestry Council.

K. "Non-Public Trees" shall mean trees now, or hereafter, growing on private property other than "public" as defined in this section.

L. “Planter Strip” or “Park Strip” shall mean the area between the curb and the sidewalk, or publicly ~~-~~owned land adjacent to a publicly ~~-~~owned street or sidewalk.

M. “Public Right-of-Way” refers to improved or unimproved public property owned by, dedicated to, or deeded to the public or for ~~the~~ public use for the purpose of providing vehicular, pedestrian or other public use. Such public property provides circulation and travel to abutting properties and includes, but is not limited to streets, sidewalks, bike lanes, landscaping, provisions for~~to~~ public utilities, cut and fill slopes, and open public space.

N. “Public Tree” or “Street Tree” shall mean a tree in any public place~~,~~ located on Lehi City property, including but not limited to planter strips.

O. “Public Utility” refers to any company~~,~~ or municipal department, duly authorized to furnish under public regulation, electricity, gas, telephone, transportation, and water or sewer service.

P. “Tree Advisory Board” refers to a board ~~that~~ consist~~s~~ing of the Urban Forester and other City departments that serves and collaborates about ~~c~~Citywide matters pertaining to the planting, health, and care of ~~our~~the community urban forest. ~~The primary functions of the Board are to make an Arbor Day Proclamation and to act in an advisory capacity in local urban canopy management.~~

Q. “Top” or “Topping” shall mean the severe cutting back of limbs to stubs within the tree’s crown to such a degree as to remove the normal canopy and disfigure the tree or severely alter the species’ genetic structural characteristics.

R. “Tree Litter” refers to any plant material or ~~(~~debris~~)~~ such as leaves, bark, needles, twigs, cones, ~~/~~ seeds or fruit that has fallen to the ground.

S. “Tree City USA” shall mean a designation by the National Arbor Day Foundation ~~that~~ recognize~~s~~ing cities that effectively manage their tree resources based on four main standards which include~~:~~ a tree committee~~;~~, a community tree ordinance~~;~~, a community forestry program with an annual budget of at least $2 per capita, and an annual Arbor Day observance and proclamation.

T. “Tree Permit” shall refer to a permit ~~free of charge~~ obtained ~~by~~from ~~Lehi~~the City to install a new tree within any City right-of-way ~~in Lehi City~~.

U. “Urban Forester” shall mean the ~~city~~ City arborist ~~that is~~ responsible for the care and management of the urban canopy.

V. “Vegetation” shall include trees, bushes, shrubs, hedges and any other vegetation coming under the provisions of this chapter.

Section 35.030 Applicability.
This ~~C~~chapter applies to all trees in Lehi City located on public property or in public right~~s~~-of-way~~s,~~ ~~and~~ along with public and ~~non-public~~ private trees that are a public nuisance or hazard. In the case of any discrepanc~~ies~~y, the Lehi City Municipal Code and Design Standards and Public Improvement Specifications shall take precedence.

Section 35.040 Coordination between Departments.
There shall be close coordination between the Parks Department and all ~~c~~City departments when public trees are affected. Sight distance concerns for stop signs and other regulatory signs or clear view areas at street intersections ~~are to~~shall be referred to the Street Department Supervisor who shall coordinate with the Urban Forester to take the necessary corrective action. Plans for all lighting, power transmission and distribution, sewer, irrigation, water, street and other public works projects shall be considered with reference to their effect upon trees on public property

Commented [DA3]: May be different than 35.050.E.

Commented [DA4]: Covered by 35.050.

prior to the beginning of work on such projects. The various ~~c~~City department heads shall coordinate programs with the Parks Department and follow ISA and BMP to minimize damage to trees on all projects.

Section 35.050 Tree Advisory Board.
The Tree Advisory Board shall serve~~s~~ as an advisory body to the Parks Department and other City Departments in making decisions pertaining to this Chapter. The Tree Advisory B~~b~~oard shall~~has the following duties and responsibilities related specifically to this chapter~~:

A. ~~to~~ assist the Parks Department in the development and administration of a Community Forest Program ~~for Lehi City~~;

B. ~~to~~ review development applications ~~in an advisory capacity~~ that include~~s~~ elements pertaining to community forestry~~,~~ and provide~~s~~ recommendations to the Parks Department, Planning Commission and City Council regarding the applications;

C. ~~to~~ assist the Parks Department in establishing educational and information programs~~.~~:

D. in cooperation with the Lehi City Historic Preservation Commission, ~~to~~ assist the ~~U~~Urban ~~F~~Forester ~~and~~in marking notable or historic trees for preservation; and

E. ~~to~~ assist the U~~U~~rban ~~F~~Forester in ~~the~~ scheduling and planning ~~of~~ an annual Arbor Day observance.

Section 35.060 Annual Plan of Work.

A. An annual plan of work ~~will~~shall be prepared by the ~~urban forester~~Urban Forester with communication and guidance from each department involved with the care, planting, maintenance, or removal of trees. The plan shall be updated every year and prepared in such a way that it meets the criteria for Tree City USA designation. The plan may address items such as species diversity, planting needs, hazardous trees, insect and disease problems, and a pattern of regular care such as pruning and watering.

B. An updated inventory ~~under the urban forestry's jurisdiction~~ of public trees, work performed, maintenance and future plans shall be kept by the ~~u~~Urban ~~f~~Forest~~ry~~er and ~~/p~~Parks ~~d~~Department and may be modified by the ~~urban forester~~Urban Forester at any time.

C. The Lehi City Tree Selection Guide, ~~an~~the ~~u~~Unacceptable ~~s~~Street ~~t~~Tree ~~l~~List, and the Landscape Specifications and Standards shall be reviewed each year and may be modified by the Parks Department.

Section 35.070 Public Tree Care Specifications and Standards.

~~A. Tree Permit Required. No person shall plant a street tree, public tree or waterwise landscape within a city right-a-way or city owned property without first obtaining a permit from the Parks Department.~~
~~1. Permits shall be free of charge.~~
~~2. Any vegetation planted contrary to the provisions of this chapter or any permit issued hereunder may be removed by the city.~~
~~A. A permit shall not be required for work performed by the city during their duties.~~
~~B.~~

~~C.~~A. ~~B.~~ The Parks Department shall direct all work being performed on any ~~P~~public tree. An ISA certified arborist must be on site when any pruning work is p~~r~~erformed of any public tree unless otherwise approved by the ~~U~~Urban ~~F~~Forester. Inadequate or improperly trained personnel shall not be utilized for any work on trees beyond their capacity or ability.

1. ~~Street and sidewalk w~~Warning devices on streets and sidewalks shall ~~always~~ be used as required by the State and ~~Lehi~~ City laws while work on public trees or shrubs is being performed.

Commented [DA5]: Duplicate of 35.080A.

2. All work on street trees shall be performed according to the latest revision of the following national standards and BMP's:

~~a.~~ ~~A.N.S.I.~~ A300 Tree Care Operations – Tree, Shrub and Other Woody Plant Maintenance – Standard Practices;
a.

~~b.~~ Tree Care Operations Standard ~~A.N.S.I.~~ Z-133.1, Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush – Safety Requirements;
b.

~~c.~~ ~~I.S.A.~~ Tree Pruning Guidelines; ~~and~~
c.

~~d.~~ ~~A.P.P.A.~~ Safety Manual as adopted by the Lehi City Power Department; and
d.

e. Lehi City Arboricultural Standards and Specifications.

~~C~~B. ~~Removal of Tree that May Fall Across Street or Sidewalk.~~ It is unlawful for any person to allow, permit or cause an entire tree to be cut down or felled upon, over or across any public street, thoroughfare, sidewalk or alley ~~within the corporate limits of Lehi City~~ without first obtaining a permit from Public Works. The Public Works Director may require a bond prior to commencement of work. ~~All debris shall be cleaned up.~~

~~D~~C. ~~Removal of Stumps.~~ All stumps of street and park trees shall be removed no less than six inches below the surface of the ground ~~no less than six inches so that the top of the stump does not project above the surface of the ground~~. Any holes remaining in the ground shall be backfilled to the surrounding grade. ~~All debris shall be cleaned up.~~

~~E~~D. ~~Clean up of Debris.~~ All debris generated from any tree maintenance operation shall be removed promptly. The work area shall ~~always~~ be kept safe until all cleanup is completed. It shall be the obligation of the homeowner or contractor to clean up any debris including any branches, trunks, chips, tree litter, soil, and gravel~~, etc.~~ from the work area ~~where they are working~~ and to dispose of such debris in such manner that it will not remain on C~~c~~ity streets, sidewalks, gutters and storm drains so that it will not flow into ~~c~~City sewers~~, or that it will not have to be hauled by the city~~.

Section 35.080 Street Tree Guidelines.

All street tree plantings shall be in conformance with the provisions of this Chapter and as follows:

A. Tree Permit Required. No person shall plant a street tree, public tree, or water wise landscape within a ~~c~~City right-a-way or ~~c~~City ~~-~~owned property without first obtaining a permit from the Parks Department.

1. Permits shall be free of charge.

2. Any vegetation planted contrary to the provisions of this chapter or any permit issued hereunder may be removed by the C~~c~~ity.

3. A permit shall not be required for work performed by the C~~c~~ity during their duties.

~~A.~~B. The Parks Department shall have the authority and it shall be its duty to inspect and approve all proposed street tree plantings for residential and commercial subdivisions and developments within the ~~c~~City.

~~B.~~C. Street tree plant~~inger~~ strips shall conform to the current Lehi City Design Standards and Public Improvement Specifications.

~~C.~~D. Street trees shall have a minimum caliper size of two inches.

~~D.~~E. The Parks Department shall develop and maintain a Tree Selection Guide that includes a list of allowed trees for planting along streets in three size classes based on mature height: small, or ~~small (~~under 25 feet~~),~~; medium, or ~~medium (~~25 to 40 feet~~)~~; and large, or ~~large (~~over 40 feet~~)~~. Tree species shall be selected from the ~~t~~Tree ~~s~~Selection ~~g~~Guide and shall be appropriate to their location. Drought tolerant and pest resistant species are encouraged whenever possible and appropriate.

~~E.~~F. The spacing of street trees ~~will~~shall be in accordance with the tree species size classes listed in the Tree Selection Guide~~,~~ and shall be spaced according to the following; small trees, 20 feet; medium trees, 30 feet; large trees, 40 feet, except that trees may be spaced closer together in special plantings designed or approved by a landscape architect. The Parks Department may ~~adopt and~~ change the ~~rule to offset~~/spacing requirement ~~changes~~ to accommodate any utilities obstructions or signage.

~~F.~~G. In order to minimize damage to public improvements, the distance that trees may be planted from curbs and sidewalks will be in accordance with the tree species size classes listed in the Tree Selection Guide. All trees ~~must~~shall be centered within the park strip. No trees may be planted closer to any curb or sidewalk than ~~4~~four feet within the park strip or on adjacent property.

H. No street tree~~, including the tree canopy,~~ shall be planted within the clear view area at street intersections, nor shall a tree canopy extend within the clear view area. The clear view area is a triangular area formed by the streets at the property lines and a line connecting them at points 35 feet from the intersection of the street right-of-way lines.

I. ~~-~~No street tree shall be planted within ten feet of any fire hydrant, power transformer or driveway.

J. No street tree shall be planted within 35 feet of a street warning sign.

K. No street tree shall be planted in park strips less than seven feet wide.

L. It ~~is~~shall be unlawful to plant ~~or set out upon~~within any ~~of the P~~public ~~R~~right-of-~~W~~way any tree on the ~~u~~Unacceptable Street Tree List ~~that is provided with a tree permit obtained by Lehi City~~. Every person who shall ~~hereafter~~ plant any such prohibited tree~~(s) upon any of the Right-of-Way of this city~~ shall be required to remove it at their own expense.

~~G.~~

Commented [DA6]: If more than 4 feet away from sidewalk or curb, strip must be 8 feet wide. This won't work for narrower park strips.

Commented [DA7]: Copied from Unacceptable Street Tree List.

Commented [DA8]: Copied from Unacceptable Street Tree List.

Commented [DA9]: I don't know what this means.

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Section 35.090 Street Tree and Public Tree Care.

A. The City shall have the right to plant, prune, spray, maintain, and remove trees, plants and shrubs within the street right-of-way and other public grounds~~,~~ as may be necessary to ~~i~~ensure public safety or to preserve or enhance the symmetry and beauty of such public areas.

B.

~~B.~~ Following consultation and recommendation by the ~~Urban Forester~~Urban Forester, City employees may be authorized to maintain, remove, or cause to be removed any public tree, vegetation or part thereof including root, which is in an unsafe condition or which by reason of its nature is, or may become injurious to~~,~~ sewers, storm drains, electric power lines, gas lines, water lines, or other public improvements, is an invasive species or is infected with any injurious fungus, insect, or pest. The ~~c~~City shall also have the authority to remove any public tree that has been planted in violation of this code or any other ordinance of the C~~c~~ity. The removal~~,~~ or cutting down ~~above or below ground o~~of any tree on public property shall not

be allowed without first obtaining written permission ~~authorizing such removal~~ from the Parks Department. Verbal or written notice shall also be given to the affected adjacent property owner prior to commencement of work.

Section 35.100 Street Trees – Private Property Owner Responsibility.
Any owner of private property abutting City planter strips upon which street trees are located shall ~~have the following responsibilities~~:

~~A.~~ ~~O~~obtain a planting permit before ~~installation on~~planting any new tree, ~~new~~ waterwise landscape, or re-landscape of any existing park strip~~.~~;

A.

~~2.~~

~~A.~~ ~~provide~~ periodic watering, fertilization, and minor pruning of street trees when necessary to maintain good health and vigor;

B.

~~B.~~

~~C.~~ protect~~ion of~~ street trees against damage caused by lawn mowers, weed trimmers, snow blowers, and similar equipment or attachment of any item such as signs, nails, wires, ropes, and chains; and

C.

~~D.~~

~~E.~~D. maintain public rights-of-way in a neat, clean, orderly, and healthful condition. This is meant to include weeding, removal of tree litter, mowing of lawns, replacement of dead trees and plants and the regular watering of all plantings.

~~S~~Section 35.110 Street, Sidewalk, and Corner Clearance.
Every adjacent property owner of any tree overhanging any street or right-of-way within the ~~c~~City shall prune the branches so that such branches do not obstruct the light from any ~~street lamp~~streetlamp, the view of any street intersection, or the ability of pedestrians to use the sidewalk. There shall be a clear space of 14 feet above the street surface ~~or~~and ~~8~~eight feet above the sidewalk surface. ~~Said~~Such owners shall remove all dead, dangerous trees, broken or decayed limbs that constitute a menace to the safety of the public within five days of notification of the obstruction. The ~~c~~City shall have the right to require the property owner to prune any tree or shrub on private property when it interferes with the pedestrian use of a sidewalk, visibility of any traffic control device or sign or ~~sight triangle~~clear view area at intersections. The property owner may be charged with the cost of removal or pruning.

Commented [DA10]: Matches City Code 8-5-2.

Section 35.120 Tree Preservation.

A. Protection near Construction Activities. Any tree on City property in the immediate vicinity of any excavation, fill, soil compaction, demolition, renovation or construction site of any building, structure, or street work, which in the ~~applicable Urban Forester~~Urban Forester's opinion has any potential for injury or damage, shall ~~follow~~ be protected according to Arboricultural Standards and Specifications. Protected trees shall be guarded with a substantial fence, frame, or box. Such protective structure shall be not less than four feet high and eight feet square, or at a distance in feet from the tree equal to two times the diameter of the tree trunk in inches measured 4½ feet above ground, whichever is the greater distance from the tree. All building materials, vehicles, extra dirt, or other debris shall be kept outside the barrier. Tree protection shall be coordinated with the Parks Department both ~~P~~pre-and ~~P~~post-construction to mitigate damage to the tree and danger to the public. It shall be unlawful to engage in any construction work without first taking the steps to protect the tree~~(s)~~ and any injury or death may result in reimbursement to the ~~c~~City. The value of the tree shall be pre-determined by the ~~Urban Forester~~Urban Forester and made known to the contractor before construction begins.

B. ~~-~~State of Utah Heritage Trees. Heritage trees are governed by the State of Utah and designated by the Utah Division of Forestry, Fire and State Lands and the Utah Community Forest Council. Lehi City encourages the protection of ~~the~~ accepted and recognized ~~'~~Heritage Trees~~'~~ ~~A~~according to Utah ~~law c~~Code 65A-8-301 et seq.~~0.~~

Section 35.130 Injuring Trees.

A. Abuse or Mutilation of Trees. It shall be unlawful for any person to:

~~1.~~ cut, carve, break, transplant, remove, mutilate, or otherwise damage or kill any tree on Ceity property unless authorized by the ~~c~~City as part of an approved tree care or tree maintenance project; ~~or~~

1.

~~F.~~

~~1. to~~ attach any rope, hammock, straps, wire, nails, advertising poster, or other contrivance to any public tree ~~on city property~~; ~~or~~

2.

~~2.~~

~~3. to~~ allow ~~or~~or to place in or upon any parking strip, parking area, or public plat any gaseous, liquid, or solid substance which is harmful and deleterious the soil or vegetation that could come in contact with any tree, shrub or turf on ~~c~~City property;~~.~~

3.

~~G.~~

~~1.~~4. ~~to~~ intentionally, maliciously or through negligence to injure or destroy any vegetation in any street median, ~~center~~planter strip, or other landscaped portion of a public right-of-way under the ~~c~~City's jurisdiction, except as authorized by the Parks Department.

B. City Property – Placing Materials Thereon. No person shall deposit, place, store, or maintain upon any public property any stone, brick, sand, concrete, or other material which may prevent the passage of water, air, or nutrient to the roots of any tree growing therein, other than decorative rock gardens or other planned and approved landscaping materials. No unsightly materials shall be placed, stored or kept on the planter strip within the public right~~s~~-of-way.

C. Tree Topping. Topping of any street tree, park tree or any ~~other~~ tree on public property shall be prohibited unless specifically coordinated with the Parks Department.~~-~~ Trees severely damaged by storms or other causes or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this section of the Chapter through a determination of the ~~Urban Forester~~Urban Forester.

D. Replacement – Compensation. In the event any person removes, destroys or damages any public tree except as otherwise required by law, that person shall be required to replace such tree with a tree of equivalent dollar value on public property, unless otherwise determined by the ~~Urban Forester~~Urban Forester. If no suitable location exists in the vicinity of the tree removed or if the replacement tree is of lesser value, the person causing the tree to be removed shall make a compensatory payment to the City ~~of Lehi~~ equal to the difference in value between the tree removed and any replacement tree.

E. Devaluation. Any public tree that is determined by the ~~Urban Forester~~Urban Forester to be damaged, but not sufficiently to justify removal, shall be considered to be devalued. The amount of devaluation as determined by the Urban Forester shall be paid to the ~~c~~City ~~of Lehi~~ by the person causing the damage ~~and will be determined by the Urban Forester~~.

Section 35.140 Appraisal of Trees.

~~Valuation of Trees—Compensation to City.~~ Anyone who causes damage or destruction to a public tree ~~on city property~~ without proper written permission, shall compensate the ~~c~~City for such damages. The damages shall be determined by the ~~c~~City using the methodology of the ~~I.S.A.~~ and Council of Landscape Appraisers at full appraised value. The City Attorney may take whatever action is necessary in a court of competent jurisdiction to collect such damages as are not voluntarily paid after assessment. Any funds collected for tree damage shall be earmarked for use for tree replacements or enhancements ~~within the city~~. The value of the tree~~(s)~~ shall be determined by the Urban Forster by using the methods of the most recent edition of the Guide for Plant Appraisals, published by ISA.

Section 35.150 Power Line Clearance Standards.

~~A. A. Rules in this subsection relating to the health and care of the trees and other vegetation within the City have been established in order to protect the City's electric power system and promote public health and safety. The intent is to protect, as much as possible, the health and vigor of the trees adjacent to or under power lines within the City while preventing tree-related electric power outages.~~

~~B.~~

~~C. All work on trees shall be performed in conformance with the BMP standards listed in this Section including:~~

~~D. A.N.S.I. A300 Tree Care Operations—Tree, Shrub and Other Woody Plant Maintenance—Standard Practices;~~

~~E. Tree Care Operations Standard A.N.S.I. Z-133.1, Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush—Safety Requirements;~~

~~F. I.S.A. Utility Tree Pruning Guidelines; and~~

~~G.~~

~~H. A.P.P.A. Safety Manual as adopted by the Lehi City Power Department.~~

~~I.~~

~~J.~~ B. As it relates to power line clearance work, a notice ~~will~~shall be provided to the property owner before any pruning or removal of trees or other vegetation located on ~~the~~private property is performed. In cases of an emergency when time is not available to provide prior notice, effort to make written or oral notification of work performed will be done as soon as practical~~,~~ after the fact.

~~A.~~

~~B.~~ ~~C.~~ The power line clearance tree trimming crews shall have the right to enter private property in order to conduct the provisions stated in ~~these rules~~this chapter. Apart from pruning and removal efforts, all private property will be left in the condition it was found.

~~K. W~~

~~L.~~

~~M.~~ D. ~~W~~hen the property owner refuses trimming or removal of a tree that is necessary to ensure proper line or facilities clearance, any damage that is caused by the conflicting tree or vegetation to the Lehi City Power Department power system shall be the responsibility of ~~said~~the property owner. Any damage to public or private property and any bodily injury or death due to the property owner refusing trimming or removal of a tree shall also be the responsibility of ~~said~~the property owner. The property owner shall be required to pay all monetary and legal damage and the repair costs incurred.

~~C.~~

~~N.~~

~~O.~~D. ~~E.~~ Public Utility Companies. All public utility companies shall notify the Parks Department prior to pruning any tree located on ~~c~~City-owned property for the purpose of maintaining safe line clearance and shall carry out such work in accordance with ~~accepted~~ ANSI A~~-~~300 and BMP arboricultural standards.

Commented [DA11]: Moved to 35.010, Purpose.

Commented [DA12]: Same as 35.070.A.2

Commented [DA13]: As opposed to 35.090.B, notice when trimming street tree.

Section 35.160 Resolution of Conflicts between Trees and Structures.
Where sidewalk or curb damage due to tree roots occurs, every effort shall be made to correct the problem without removing or damaging the tree. The Parks Department shall be responsible for developing or coordinating corrective measures in consultation with the Public Works Director, City Engineer and Streets Superintendent. The ~~Urban Forester~~Urban Forester shall have the authority and jurisdiction of regulating the removal of vegetation that cannot be corrected without removal.

Section 35.170 Replacement of ~~Removed~~ Street Trees.
Whenever ~~planted~~ street trees are removed from any public street~~, avenue~~ , or planter strip, an adequate replacement ~~should~~shall be made by the person to whom permission for such removal was given. The new trees shall conform to the Street Tree Selection Guide, Lehi Development Codes, and Lehi Landscape Standards and Specifications. The replacement tree~~s~~ shall be ~~replaced~~planted within one year of the former trees' removal. If ~~the~~a street tree can~~-~~not be replaced due to conflict with utilities, street signs or line of sight issues, a tree may be planted within the property with the recommendation from the ~~Urban Forester~~Urban Forester.

Section 35.180 Dangerous or Hazardous Conditions Which are Declared a Public Nuisance.

A. It shall be prohibited to knowingly keep or maintain a public or private tree or ~~any~~ other vegetation that is a danger or a hazard to other trees or plants or to humans because the tree is host to a communicable or destructive disease or because of the size, location, or other characteristics of the tree.

B. The following are hereby defined and declared to be a public nuisance ~~under this Chapter~~:

1. any vegetation on public or private property that is dead, partially uprooted or blown over so as to be in danger of falling, or which serves as a host to a communicable or destructive disease or other pestilence and constitutes a potential threat to other trees ~~within the city~~;

2. the roots of any tree which cause the surface of a public street, curb or sidewalk to be ~~up-heaved~~upheaved or otherwise disturbed, or ~~that~~which cause damage to sewers, storm drains, electric power lines, gas lines, water lines, or other ~~similar~~ public utility lines; and

3. any public or non-public tree or portion thereof which by reason of location or condition, interferes with any power transmission line, public street, sidewalk, or signage, or constitutes an imminent danger or hazard to the health, safety or well-being of the public.

Section 35.190 Abatement or Removal of Dangerous or Hazardous Trees on Private Property.
Where a dangerous or hazardous tree is located on private property, the following provisions shall apply:

A. Upon the determination by Parks Department or Risk Management that a dangerous or hazardous tree exists and that such a tree constitutes a public hazard, the ~~Urban Forester~~Urban Forester or designee shall give written notice to the owner of the property upon which ~~said~~the hazard exists to trim, remove, or otherwise control such tree in such a manner as will abate the hazard.

B. Trimming or removal shall be done by the property owner~~s~~ at their expense within 30 days after the date of service of notice. Failure to comply with such written notice within 30 days thereafter is a violation of this section. Once in violation, the City shall have the right to cause the trimming or removal of any trees deemed to be a public hazard on private property or procure abatement thereof, and may charge the cost of removal or corrective action to the owners of record on the property tax notice.

C. Notwithstanding subsections 35.190 A and B, if the tree is deemed to be an immediate hazard or imminent danger, the City may take immediate action to trim or remove the tree and charge the cost of the removal or trimming to the owners of record on the property tax notice.~~.~~

Section 35.200 Interference with Maintenance and Removal Unlawful.
No person, firm, or corporation shall interfere with the City or persons acting under the applicable department head's authority while engaged in planting, mulching, pruning, or removing any tree, shrub or plant along any street, ~~avenue, or~~right-of-~~ ~~way or public place in the City.

Section 35.210 Penalty for Violation.

A. Any person who ~~shall~~ violates any ~~of the~~ provisions of this chapter or fails to comply therewith, or who ~~shall~~ violates or fails to comply with any order made there~~ ~~under, shall be guilty of a misdemeanor, punishable by a fine of not more than $1,000~~.00~~ or by imprisonment for not more than 180 days, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable period. When not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

B. In addition to any criminal penalties that may be imposed, ~~civil penalties and restitution for actual damages that may be imposed,~~ Lehi ~~c~~City may pursue ~~criminal~~civil penalties and restitution for actual damages~~in accordance with State Law~~.

Section 35.220 ~~Public~~ Appeal~~s~~.
Any decision~~action~~ of the City regarding this ~~C~~chapter may be appealed to and heard by the City Council, following review and recommendation ~~of~~regarding the appeal by the ~~Urban Forester~~Urban Forester and Tree Commission. To be effective, a written~~n~~ appeal must be filed with the City Recorder within 30 days after the decision of the City. ~~The appeal shall be in writing and shall be filed with the City for placement on the City Council's agenda.~~ The appeal shall clearly specify the reasons for which a hearing is requested. ~~ After the City Council has received a recommendation from the ~~Urban Forester~~Urban Forester and Tree Commission, the City Council shall have the matter placed on its agenda for hearing and shall thereafter render its decision in writing. The decision of the City Council shall be final.

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Teisha WIlson
Submitting Department:
Item Type: Action Item
Agenda Section:

Subject:
Consideration of Resolution #2020-51, Resolution Amending the Lehi City Employee Policy Manual, Section IV: Leave Subject: Leave of Absences.

Suggested Action:

Attachments:
Resolution-Employee Policy Manual Amendments (maternity leave).docx

RESOLUTION NO. 2020-51

A RESOLUTION AMENDING THE LEHI CITY EMPLOYEE POLICY MANUAL, SECTION IV: LEAVE SUBJECT: LEAVES OF ABSENCES

WHEREAS, Lehi City has adopted an Employee Policy Manual;

WHEREAS, Lehi City now desires to revise Section IV: Leave Subject: Leaves of Absences to clarify policies regarding maternity leave;

WHEREAS, on July 16, 2020, the City Council held a duly noticed public meeting to ascertain the facts regarding this matter, which facts and comments are found in the meeting record; and

WHEREAS, after considering the facts and comments presented to the City Council, the Council finds that: (i) The Lehi City Employee Policy Manual should be amended; and (ii) such action furthers the health, safety and welfare of the citizens of Lehi.

NOW, THEREFORE, be it resolved by the City Council of Lehi City, Utah, as follows:

1. The Lehi City Employee Policy Manual is hereby amended as shown on the attached Exhibit "A".

2. This resolution shall take effect immediately.

Approved and Adopted by the City Council of Lehi City this 16th day of July, 2020.

_____
Mayor Mark Johnson
Lehi City

Attest:

_____
Teisha Wilson, City Recorder

EXHIBIT “A”

To be added to **Employee Policy Manual, Section IV: Subject: Leaves of Absence:**

16. Maternity Leave. Full-time female benefitted employees are eligible to use up to **three weeks (120 hours)** of paid maternity leave after the birth of her child. Paid maternity leave can be used consecutively or intermittently. Eligible employees must notify their supervisor on the pending birth of a child as soon as possible. Human Resources is responsible for approving maternity leave requests and must obtain documentation verifying the birth of the child. Eligible employees must use their maternity leave within 3 months of childbirth.

City Council Agenda Item Report

Meeting Date: July 14, 2020
Submitted by: Mel Hansen
Submitting Department:
Item Type: Discussion
Agenda Section:

Subject:
Consideration of Adjourning into a Closed Executive Session for the purpose of discussing real estate.

Suggested Action:

Attachments: