



Lehi City Council Meeting Agenda October 13, 2020

5:30 PM - Lehi City Council Chambers (153 N. 100 E., Lehi, Utah)

Pre-Council, 5:30 p.m.

1. Welcome and Opening Comment
2. Tour of the Lehi Archives
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. Presentations and Reports
 - 2.1. Friends of Public Health Award presented to Lehi City from the Utah County Health Department
 - 2.2. Justice Court Service Award presented to Judge Morgan Cummings
 - 2.3. Retirement Congratulations presented to Jean Hatch with the Lehi Arts Council.
 - 2.4. Awards Recognition to the Lehi City Planning Department by APA Utah
[LehiPressRelease_APA Utah Recognizes Lehi City Planning Department.pdf](#)
3. 20 Minute Citizen Input
(for public comments on items not listed on the agenda. Comments limited to 3 minutes per person with a time limit not to exceed 20 minutes for this item.)

4. Consent Agenda

- 4.1. Approve Minutes from the September 8, 2020 City Council Meeting
[09082020CC2.docx](#)

- 4.2. Approve Purchase Orders
[PO Index.docx](#)
[Stuart C. Irby.pdf](#)

Regular Agenda

5. Consideration of Resolution #2020-69, changing the name of the roadway from Mule Deer Circle to Hidden Canyon Circle.
Petitioner: Danielle Hunt
[CC Staff Report Mule Deer Circle Name Change 10.13.20.docx](#)
[Mule Deer Circle Rename DRC 09.16.2020.docx](#)
[Mule Deer Circle Street Name Change Letter.pdf](#)
[Mule Deer Circle Signatures.pdf](#)
[Mule Deer Circle- Aerial.pdf](#)
[Res 2020-69.doc](#)

6. Consideration of Preliminary subdivision approval of South Creek, a 21-lot residential subdivision located at 1400 South 1940 West. (Table from 09.22.20 Meeting)

Petitioner: PHI Properties
[CC Staff Report South Creek Preliminary Subdivision 10.13.20.docx](#)
[South Creek Preliminary Subdivision DRC 08.12.2020.docx](#)
[South Creek Narrative.pdf](#)
[South Creek Preliminary Subdivision Plat.pdf](#)
[South Creek Right to Farm Analysis.pdf](#)
[South Creek Preliminary Aerial.pdf](#)
[South Creek Preliminary GP.pdf](#)
[South Creek Preliminary Zoning.pdf](#)

7. Consideration of Preliminary subdivision approval of Garden Acres Plat B, a 3-lot residential development at 187 North 400 East.
Petitioner: Derek Jessee
[CC Staff Report Garden Acres Plat B Preliminary Subdivision 10.13.20.docx](#)
[Garden Acres Plat B Preliminary Subdivision DRC 08.26.2020.docx](#)
[Garden Acres Plat B Preliminary Subdivision 08.26.20 drc response, plans.pdf](#)
[Garden Acres B Aerial.pdf](#)
[Garden Acres B General Plan.pdf](#)

[Garden Acres B Zoning.pdf](#)

8. Consideration of Ordinance #57-2020, a Development Code amendment to Chapter 20, Home Occupations, clarifying allowed home occupations.

Petitioner: Lehi City

[CC Staff Report Chapter 20 Dev Code Amendment 10.13.20.docx](#)

[Development Code Chapter 20 DRC 08.26.20.docx](#)

[Ord 57-2020.docx](#)

[Development Code Chapter 20.pdf](#)

9. Consideration of Ordinance #58-2020, a Development Code amendment to Chapter 12, clarifying automobile sales and rental property standards.

Petitioner: Lehi City

[CC Staff Report Lehi City Chapter 12 Development Code Amendment 10.13.20.docx](#)

[Lehi City Development Code Amendment DRC 08.19.2020.docx](#)

[Ch12 Development Standards new 08.19.20.pdf](#)

[Ord 58-2020.docx](#)

10. Consideration of Resolution #2020-67, adopting an Administrative Naming Rights Policy for Lehi City.

Petitioner: Lehi City

[Res 2020-67.docx](#)

[Policy-Naming Rights.docx](#)

11. Consideration of Resolution #2020-68, approving an agreement for Energized Line Clearance and Tree Trimming between Lehi City and Peterson Tree Care.

Petitioner: Lehi City

[Res 2020-68.docx](#)

[Lehi City Power Department Contract 2020.pdf](#)

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: October 13, 2020

Submitted By: Teisha Wilson

Submitting Department:

Item Type: Presentation

Agenda Section: Presentations and Reports

Subject:

Friends of Public Health Award presented to Lehi City from the Utah County Health Department

Suggested Action:

Attachments:

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Teisha Wilson

Submitting Department:

Item Type: Presentation

Agenda Section: Presentations and Reports

Subject:

Justice Court Service Award presented to Judge Morgan Cummings

Suggested Action:

Attachments:

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Teisha Wilson

Submitting Department:

Item Type: Presentation

Agenda Section: Presentations and Reports

Subject:

Retirement Congratulations presented to Jean Hatch with the Lehi Arts Council.

Suggested Action:

Attachments:

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Teisha Wilson

Submitting Department:

Item Type: Presentation

Agenda Section: Presentations and Reports

Subject:

Awards Recognition to the Lehi City Planning Department by APA Utah

Suggested Action:

Attachments:

[LehiPressRelease_APA Utah Recognizes Lehi City Planning Department.pdf](#)



Contact: Cameron Boyle, Assistant City Administrator
Telephone: (385) 201-2266
Email: cboyle@lehi-ut.gov

FOR IMMEDIATE RELEASE

APA UTAH RECOGNIZES LEHI CITY PLANNING DEPARTMENT

Department Receives Two High Achievement Awards

Lehi, Utah | September 23, 2020 – The Lehi City Planning Department received two High Achievement Awards from APA Utah in recognition of both the soon-to-be completed Public Safety building as well as the City’s connectivity standards. Awards are given to plans, projects, programs, and individuals that are making a significant contribution to planning in Utah.

The first award, recognizing the new Lehi Public Safety Building, was selected in the award category of “Master Plan or Study.” The Public Safety building is the perfect blend of Lehi’s historic past with its progressive future and an example of great planning, urban design, collaboration with the public, and seamless execution of the plan. Some of the criteria for this award included originality, purpose and need, comprehensiveness, public participation, and implementation.

The second award, in the “Ordinance/Regulation/Legislation” category, recognizes Lehi’s City’s connectivity standards. Lehi first adopted a street connectivity ordinance in 2016 to address maximum block lengths and required a new connectivity index. Since that time, the ordinance has been updated on several occasions to address pedestrian circulation, superblock connectivity, and mixed-use development. Since its initial adoption, the standards have helped create more livable neighborhoods with greater opportunity for active transportation, social interactions, and emergency access.

APA Utah is the state affiliate of the American Planning Association whose overarching goal is “Creating Great Communities for All.” The award ceremony is expected to occur virtually in October.

#

For more information about this topic, please call Cameron Boyle at (385) 201-2266, or email Cameron at cboyle@lehi-ut.gov. Follow us on Facebook or our Twitter handle, @LehiCity.

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Teisha Wilson

Submitting Department:

Item Type: Action Item

Agenda Section: Consent Agenda

Subject:

Approve Minutes from the September 8, 2020 City Council Meeting

Suggested Action:

Attachments:

[09082020CC2.docx](#)



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, **September 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 Condie gave the invocation.

2. Presentations and Reports

2.1. Presentation by Point of the Mountain State Land Authority

Alan Matheson, Executive Director of the Point of the Mountain State Land Authority, presented on the redevelopment process for the old prison site in Draper. He said that they have hired a consultant to assist with creating the master plan and that they want to have a good balance between business, housing and preserving open space. He said that as they plan this, they will look at regional plans too so that it can all be synergistic.

2.2. Presentation of the Lehi City Civic Center Master Plan

Curtis Minor presented the new proposed Civic Master Plan to the Council. He said they wanted to make this area a destination that would bring residents to the civic center. They wanted the building to relate to the center plaza and create a cohesive feel. It's intended to promote pedestrian access and a connection to Main Street. They also want it to be open and inviting. They discussed each phase and when the buildings could be constructed as well as cost estimates. Inflation was considered in those estimates. They would like the design of the new buildings to replicate the new public safety building.

2.3. Financial Report and Update.

Dean Lundell, Finance Direction, stated that the budget is looking good. He said that sales tax numbers and property taxes haven't been affected yet by the pandemic. Mr. Lundell went through each fund balance and informed the Council of expenditures.

49 **3. Agenda Questions**

50 None.

51
52 **4. Administrative Report**

53 None.

54
55 **5. Mayor and Council Reports**

56 There was discussion about the ADU fees and how residents can pay for that. Mayor Johnson
57 suggested that a homeowner get a small business loan to cover the impact fee.

58
59 The Mayor and Council gave a report on the committees they serve on.

60
61 The meeting recessed at approximately 6:50 p.m.

62 The meeting reconvened at approximately 7:00 p.m.

63
64
65 **Regular Session, 7:00 p.m.**

66 **1. Welcome, Roll Call, Pledge of Allegiance**

67 Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Mayor
68 Johnson led the Pledge.

69
70 **2. Proclaim the week of September 17-23 as Constitution Week.**

71 Katie Madsen informed the Council of the purpose of Constitution week. Mayor Wilson signed
72 the proclamation.

73
74 **3. 20 Minute Citizen Input**

75 Rex and Karen Wilken stated that they are petitioning the Council to allow them to rent their
76 basement out and they would like to be given an exception because they live in a PRD where it
77 currently is not allowed.

78
79 **4. Consent Agenda**

80 **4.1. Approve Minutes from the August 11, 2020 Council Meeting.**

81
82 **4.2 Approve Purchase Orders**

83
84 **Motion:** Councilor Condie moved to approve the consent agenda items. Councilor Koivisto
85 seconded the motion.

86
87 **Roll Call Vote:** Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes;
88 Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.

89
90
91 **5. Consideration of Resolution #2020-57, approving the Lehi City Civic Center Master**
92 **Plan.**

93 Mayor Johnson stated that there was a presentation on this in Pre Council meeting. He said
94 that this is none binding, and does not obligate the city to build this in the future. This only
95 provides the Council with a road map that identifies what their needs and costs may be in the
96 future.

Motion: Councilor Southwick moved to approve Resolution #2020-57, approving the Lehi City Civic Center Master Plan. 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.

6. Consideration of Ordinance #47-2020, the Sunderland Trust zone change, changing the land use designation on 1-acre of property located at 1765 North Trinnaman Lane from A-1 (agriculture) to R-1-Flex (residential).

Motion: Councilor Koivisto moved to approve Ordinance #47-2020, the Sunderland Trust zone change, changing the land use designation on 1-acre of property located at 1765 North Trinnaman Lane from A-1 (agriculture) to R-1-Flex (residential); subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Albrecht 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 #48-2020, the Mendenhall zone change, changing the land use designation on 3.39-acres of property located at 221 West 400 South from A-1 (agriculture) to R-1-Flex (residential).

Motion: Councilor Condie moved to approve Ordinance #48-2020, the Mendenhall zone change, changing the land use designation on 3.39-acres of property located at 221 West 400 South from A-1 (agriculture) to R-1-Flex (residential). 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.

8. Consideration of Final subdivision approval for the Northridge Plat G, an 8-lot residential subdivision located at approximately Granite Arch Way and Silver Pine Lane in the Traverse Mountain Planned Community.

Motion: Councilor Hancock moved to grant Final subdivision approval for the Northridge Plat G, an 8-lot residential subdivision located at approximately Granite Arch Way and Silver Pine Lane in the Traverse Mountain Planned Community; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Albrecht 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.

145 **9. Consideration of approval for the Micron Middle School Plat, an amendment to Lot 2 of**
146 **the ASD Northeast School Subdivision.**

147
148 **Motion:** Councilor Southwick moved to approve the Micron Middle School Plat, an
149 amendment to Lot 2 of the ASD Northeast School Subdivision; subject to the
150 completion of all Development Review Committee and Planning Commission
151 comments. Councilor Koivisto seconded the motion.
152

153 **Roll Call Vote:** Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes;
154 Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.
155

156
157 **10. Consideration of Ordinance #51-2020, a Development Code Amendment to Section**
158 **12.080, amending the landscape buffer requirement.**

159 The applicant was not present, but the Council had questions. It was decided to table the item
160 to a time that the applicant could attend.
161

162 **Motion:** Councilor Koivisto moved to table this item. Councilor Albrecht seconded the
163 motion.
164

165 **Roll Call Vote:** Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes;
166 Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.
167

168
169 **11. Consideration of Resolution # 2020-59, changing multiple street names for the Meadows**
170 **at Lakeside subdivision.**

171 Mr. Struthers explained that the Planning Department discovered some errors with the
172 addressing in this new subdivision. He said that only a few homes have been built so they
173 would like to fix those issues now.
174

175 **Motion:** Councilor Albrecht moved to approve Resolution # 2020-59, changing multiple
176 street names for the Meadows at Lakeside subdivision, and grant discretion to the
177 Planning Department to facilitate the process. Councilor Condie seconded the
178 motion.
179

180 **Roll Call Vote:** Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes;
181 Councilor Hancock, Yes; and Councilor Koivisto, Yes. The motion passed unanimously.
182

183
184 **12. Consideration of Ordinance #49-2020, a Development Code amendment to Table 05.030-**
185 **C, changing Mixed Use Single Family Residential and Commercial Structure/Project to**
186 **a permitted use in the Mixed Use zone.**

187 Mr. Struthers stated that they are adding a use that has historically been in the zone and now
188 they are proposing to add it back in. It would allow projects where you have a Commercial use
189 on the property and a detached single-family dwelling on the same parcel. Councilor Koivisto
190 stated that she'd like to proceed carefully and better define Mixed Use before they make a
191 change like this. She also expressed concerns with unintended consequences.
192

Motion: Councilor Southwick moved to approve Ordinance #49-2020, a Development Code amendment to Table 05.030-C, changing Mixed Use Single Family Residential and Commercial Structure/Project to a permitted use in the Mixed Use zone; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Southwick, Yes; Councilor Hancock, Yes; and Councilor Koivisto, No. The motion passed 4-1.

13. Consideration of Ordinance # 50-2020, a Development Code amendment to Chapters 16 and 17, adding a list of potential items for a density bonus in PRD and PUD developments.

Mr. Struthers stated that the current code doesn't clearly define the parameters for granting a density bonus, so this would add specific items that could be considered for a density bonus. He clarified that the Council has discretion to grant any density bonus request. Mayor Johnson was concerned with granting density bonuses for aesthetic reasons.

There was discussion of allowing ADUs in a PRD and PUD development. Mayor Johnson stated that there are concerns with infrastructure. It was determined that the Council can move forward on this item, but they would like to discuss the broader issue of allowing ADUs in these developments.

Motion: Councilor Hancock moved to approve Ordinance # 50-2020, a Development Code amendment to Chapters 16 and 17, adding a list of potential items for a density bonus in PRD and PUD developments; and striking Item E4. 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.

14. Consideration of Resolution #2020-58, approving a Real Estate Purchase Contract between Lehi City and Kristopher Gaisford.

Marlin Eldred, Economic Development Director, stated that this purchase will allow improvements to be made at the intersection for safety.

Motion: Councilor Koivisto moved to approve Resolution #2020-58, approving a Real Estate Purchase Contract between Lehi City and Kristopher Gaisford. 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. Adjournment

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

Approved: October 13, 2020

Attest:

Mark Johnson, Mayor

Teisha Wilson, City Recorder

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Teisha Wilson

Submitting Department:

Item Type: Action Item

Agenda Section: Consent Agenda

Subject:

Approve Purchase Orders

Suggested Action:

Attachments:

[PO Index.docx](#)

[Stuart C. Irby.pdf](#)



LEHI CITY
CITY COUNCIL AGENDA
September 8, 2020

Consent Agenda: Approval of Purchase Orders

INFORMATION:

Company	Description	P O Amount	Budget Amt (before PO)
Stuart C. Irby Co	Sanc Mtg Gear S&C, Conc Fibercrete Box	\$193,956.00	\$912,162.17



PURCHASE ORDER
LEHI CITY CORPORATION
153 NORTH 100 EAST
LEHI UT 84043

THIS ORDER
NUMBER
MUST APPEAR
ON YOUR
INVOICE
6720

ISSUED TO: 590589
STUART C IRBY CO.
P.O. BOX 843959
DALLAS TX 75284

SHIP TO: POWER
560 W GLEN CARTER DRIVE
LEHI UT 84043

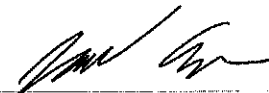
DEPARTMENT:

PURCHASE ORDER DATE: 10/07/2020

REQ #	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL	GL ACCOUNT
0	1.00	SANC MTG GEAR S&C, CONC FIBERCRETE BOX	193,956.00	193,956.00	53-1415

TOTAL 193,956.00

Authorized By:


Department Head

City Council Approval Date *

* City Council approval required if greater than \$125,000

Mayor or City Administrator

Lehi City Purchase Requisition Request

Supplier	Name	STUART C. IRBY CO.		Vender #	
	Street	PO BOX 843959		Date	9/1/2020
	City	DALLAS	State	TX	
	Zip	75284	Phone	801-724-3000	

Dean Lundell

POWER	53-14-15	
Requesting Department	Dept. Account No.	Department Head Signature

[illegible]

Justification:	Price Determination	
SEE ATT. LETTER	Verbal Quote	
	Informal Bid	
	Written Bid	*
	State Bid	
	Other	



Quotation

STUART C IRBY BR 1093 SALT LAKE
C/O CODALE
5225 WEST 2400 SOUTH ENGLAND ST
SALT LAKE CITY UT 84120-0000

QUOTE DATE	ORDER NUMBER
10/01/20	S012109065
REMIT TO: STUART C. IRBY CO. POST OFFICE BOX 543359 DALLAS TX 75284	PAGE NO. 1

SOLD TO:
LEHI CITY CORP
153 NO 100 EAST
LEHI, UT 84043

SHIP TO:
LEHI CITY CORP
560 WEST GLENN CARTER DRIVE
LEHI, UT 84043
801-768-7100

ORDERED BY: KENNY

CUSTOMER NUMBER		CUSTOMER ORDER NUMBER		JOB/RELEASE NUMBER		OUTSIDE SALESPERSON	
222013		PME9/BASE/FUSES 10-1				Gregory J McPhie	
INSIDE SALESPERSON				REQD DATE	FRGHT ALLWD	SHIP VIA	
John Grace				10/01/20	Yes		
ORDER QTY	SHIP QTY	LINE	DESCRIPTION			Prc/Uom	Ext.Amt
			***** Shipping Instructions *****				
			* KENNY 385-201-2612 OFC			*	
			* 801-655-3042 MBL			*	

12EA		1	*SANC 65152R1 PME-9 PD MTG GEAR			13078.000EA	156936.00
72EA		2	*SANC 3093 FUSE END FITTING SMU-20 INCLUDES SILENCER			225.000EA	16200.00
72EA		3	+SANC 612125 FUSE UNIT SMU-20 125E STANDARD SPEED 14.4KV			130.000EA	9360.00
12EA		4	*CONC FC-74-76-20-6264 FIBERCRETE BOX PAD WITH 62"X64" OPENING			955.000EA	11460.00

*** This is a quotation ***

Prices firm for acceptance within 30 days with the exception of commodity prices which are subject to change daily. Quotation is void if changed. Complete quote must be used unless authorized in writing.

For Terms and Conditions, Please See our website.

Subtotal	193956.00
S&H CHGS	0.00
Sales Tax	0.00
TOTAL	193956.00



10/05/2020

To: Jason Walker
Cc: Dean Lundell
From: Joel Eves
Re: PME-9 & PME-11, PME-10 PME-12, VISTA MODEL 550 Switch Gear

We have an immediate need for the PME-9 & PME-11 & PME-10 & PME-12 Dead Front (S & C #65152R1 and S & C #65162R1 S & C #65242R1 S & C #65172R1) VISTA MODEL 550 #935502R1-P6-S144 Switch gears for work on Commercial & Residential projects currently underway in the city.

We would like to continue purchasing these switch gears from Codale/Stuart C. Irby Co. based on the following reasons:

- Currently they are the only vendor that carries these switches in stock.
- The fuse holders needed for these switches are already stocked in our warehouse.
- We have put the switches out to bid in the past and Codale/Stuart C. Irby has always been awarded the bid.
- 70-80% of switches on our system are S & C.
- To keep our system standardized.
- Ensure safety of linemen working on switches.
- Our Lineman stock only this type of fuse holder on our service trucks.

While there may be other companies who could possibly provide these switches. At the present time Codale/Stuart C. Irby is the only company we can purchase these switches from and receive them in a timely manner.

Sincerely,



Joel Eves
Lehi City Corporation
Power Department Director

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Brittney Harris

Submitting Department: Planning Division

Item Type: Action Item

Agenda Section: Regular Agenda

Subject:

Consideration of Resolution #2020-69, changing the name of the roadway from Mule Deer Circle to Hidden Canyon Circle.

Suggested Action:

Attachments:

[CC Staff Report Mule Deer Circle Name Change 10.13.20.docx](#)

[Mule Deer Circle Rename DRC 09.16.2020.docx](#)

[Mule Deer Circle Street Name Change Letter.pdf](#)

[Mule Deer Circle Signatures.pdf](#)

[Mule Deer Circle- Aerial.pdf](#)

[Res 2020-69.doc](#)

MULE DEER CIRCLE NAME CHANGE

CITY COUNCIL REPORT

Applicant	Danielle Hunt
Meeting Date	October 13, 2020
Requested Action/Purpose	Approval of a proposed street name change.
Subdivision	Hidden Canyon Plat A
Date of DRC Review	September 16, 2020
Assigned Planner	Brittney Harris
REQUIRED ACTION	
City Council	Final approval

REPORT ANALYSIS

The applicant requests approval of the street name change of Mule Deer Circle. The applicant first approached City Staff a year ago about changing the street name. At that time the developer still owned the majority of lots and they did not want the name to change at that time.

The applicant again approached the City in September, indicating that the majority of lots were sold and that the residents all desired a different road name. Their reasons for the name change include pronunciation challenges and spelling, resulting in difficulty providing address verbally. The applicant provided signatures from all the residents on the street, indicating their support for the name change. The neighbors also agreed to cover the cost of a new street sign.

The residents also provided a list of potential names but indicated their first choice would be Hidden Canyon Circle. Planning Staff supports this name as their preferred choice as well. The applicant also provided the potential names of Dawn Hill Circle or Trailside Circle.

DRC reviewed the proposed street name change and had one comment regarding their support of the name “Hidden Canyon Circle”.

PLANNING DIVISION RECOMMENDATION

The Planning Division staff recommends **APPROVAL** of the Mule Deer street name change. This recommendation is based on the following findings:

1. The proposed street name change was supported by the current residents and the developer.
2. The proposed street name change is not inconsistent with the Lehi City Development Code
3. The proposed street name change does not go against the goals and policies of the General Plan.
4. The proposed street name change does not affect the health, safety, welfare, and morals of the City.

**Mule Deer Circle Rename
DRC Redline Comments**

Danielle Hunt- requests review of the Mule Deer Circle street name change.

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: 09/03/2020

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: No comments

Gary – Building/Inspections: No comments

JD – Streets: No comments

Ross – Engineering: No comments

Kim – Planning:

1. If name change is approved, Planning Staff recommends Hidden Canyon Circle

THIS ITEM WILL BE SCHEDULED FOR CITY COUNCIL ON OCTOBER 13th

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.

Lehi City Council,

We are moving into a new development in Lehi. The circle we are building in is currently named "Mule Deer Circle." It is a very difficult name to say (for children and adults alike) and often creates confusion when trying to communicate this name to others. More often than not people think we are saying "moulder" or "muleder". I have spoken with the families currently building in the circle and we all agree that it would benefit us greatly to change the name.

We propose the new name keeps to the mountain themed street names in the development and ask that you consider the following:

- Hidden Canyon Circle
- Dawn Hill Circle
- Trailside Circle

We really appreciate your help and consideration.

Name Change for Mule Deer Circle

We as residents of Mule Deer Circle request a name change for our circle. We have submitted the following names:

Hidden Canyon (Top pick)

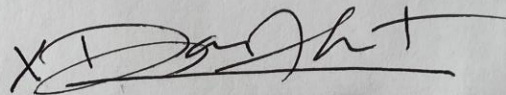
Trailside

Dawn Hill

We are willing to pay the 38 dollar fee to have the new street sign installed.

Resident 1:

Danielle & Bryan Hunt
1961. Mule Deer Circle



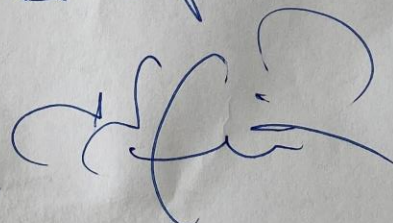
Resident 2:

Hayley & Tyson Henderson
1998 Mule Deer Circle



Resident 3:

Henziques, Eduardo
Alison
1999 Mule Deer Circle



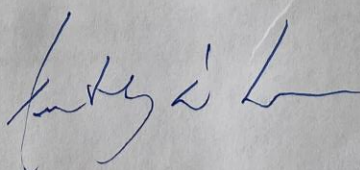
Resident 4:

Brett & Amanda Parham
1977 W. Mule Deer Circle



Resident 5:

Tony & Becky Ver.
1933 W Mule Deer Circle



Resident 6:

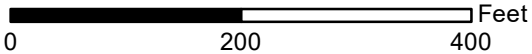
LOT 8 (FUTURE RESIDENTS

STACEY AND CHRIS SARGENT



Mule Deer Circle Street Name Change

Aerial





RESOLUTION #: 2020-69

**A RESOLUTION CHANGING THE NAME OF THE ROADWAY FROM MULE
DEER CIRCLE TO HIDDEN CANYON CIRCLE.**

WHEREAS, all citizens residing on this roadway desire to change the name from Mule Deer Circle to Hidden Canyon Circle; and

WHEREAS, their reasons include pronunciation challenges and spelling, resulting in difficulty providing addresses verbally; and

WHEREAS, by changing the name it will provide better clarity, and the residents agreed to cover the cost of a new street sign.

NOW, THEREFORE, be it resolved by the Municipal Council of Lehi City, Utah, the name of the roadway from Mule Deer Circle to Hidden Canyon Circle.

Approved and Adopted by the City Council of Lehi City this 13th day of October, 2020.

Mayor Mark Johnson
Lehi City

Attest:

Teisha Wilson, City Recorder

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Jacob Curtis

Submitting Department: Planning Division

Item Type: Action Item

Agenda Section: Regular Agenda

Subject:

Consideration of Preliminary subdivision approval of South Creek, a 21-lot residential subdivision located at 1400 South 1940 West. (Table from 09.22.20 Meeting)

Suggested Action:

Attachments:

[CC Staff Report South Creek Preliminary Subdivision 10.13.20.docx](#)

[South Creek Preliminary Subdivision DRC 08.12.2020.docx](#)

[South Creek Narrative.pdf](#)

[South Creek Preliminary Subdivision Plat.pdf](#)

[South Creek Right to Farm Analysis.pdf](#)

[South Creek Preliminary Aerial.pdf](#)

[South Creek Preliminary GP.pdf](#)

[South Creek Preliminary Zoning.pdf](#)

SOUTH CREEK PRELIMINARY SUBDIVISION CITY COUNCIL REPORT

Applicant	PHI Properties		
Meeting Date	October 13, 2020		
Requested Action/Purpose	Approval of a proposed preliminary subdivision		
Location	1940 West 1300 South		
Existing General Plan Designation	VLDRA (Very Low Density Residential Agriculture)		
Existing Zoning	R-1-22		
Existing Land Use	Undeveloped		
Number of Lots/Units	21 lots		
Adjacent Zoning and Land Use	<i>North</i>	RA-1/TH-5	Single family residential
	<i>South</i>	R-1-8	Meadows at Lakeside
	<i>East</i>	Utah County	Vacant
	<i>West</i>	R-1-22	Snow’s Springs
Date of DRC Review	August 12, 2020		
Date of Planning Commission Review	August 27, 2020		
Assigned Planner	Jacob Curtis		
REQUIRED ACTION			
Planning Commission	Public hearing, review, and recommendation		
City Council	Final approval		

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 11.080. Preliminary Plat Approval Process.

The review and approval process for a Preliminary Subdivision Plat is identified in the appendix of this code, including review by the Development Review Committee, review and recommendation following a public hearing by the Planning Commission and review and approval by the City Council.

Section 11.100. Effect of Preliminary Subdivision Plat Approval.

A preliminary subdivision plat shall not authorize the development of land. After a preliminary subdivision plat has been approved by the City Council, the applicant may file an application for final subdivision plat approval.

PROPERTY HISTORY

March 31, 2020 – This property was annexed into Lehi as part of the Jacketta M Clark Annexation which assigned the R-1-22 zoning to the property.

REPORT ANALYSIS

The applicant requests approval of the South Creek preliminary subdivision, a proposed 21-lot residential development project located at 1940 West 1300 South.

The 21 proposed lots range in size from 14,215 to 19,969 square feet which does not meet the typical minimum lot size requirement for the R-1-22 zone. However, the proposed subdivision plan includes a proposed density bonus in

lieu of reimbursement to the City for trail construction, Dry Creek channel improvements, park improvements, and property dedication of the trail corridor and park. Four additional lots were granted in consideration for these improvements. The proposed preliminary subdivision will have an overall density of approximately 1.71 units per acre which is consistent with the R-1-22 zone which allows a maximum density of 1.75 units per acre.

The proposed preliminary subdivision shows a park that will be dedicated to Lehi City and improved by the developer. A tot lot and pavilion are shown as part of the improvements. Additionally, the developer will improve the Lehi City parcel to the south with the installation of sod and irrigation.

The proposed subdivision shows a roadway connection to the west at 1450 South and to the north at 1300 South. Additionally, a road stub is shown to the east at 1400 South to connect to future development.

The DRC had eight comments on the proposed preliminary subdivision plan, including the following:

1. The plans show an 18' trail easement area, but the minimum requirement is 20'. Update the plans to show a 20' easement area.
2. It's not required, but recommended to add an additional trail access on the east side of Lot 12 to provide improved access to the trail for the homes on 1850 West and so the trail is not a dead end until development to the east occurs.
3. Recommend curvature in the trail alignment instead of using hard angles.
4. Should signage be included on the Dry Creek access to discourage access by residents?
5. Jeremy/PKJ will continue to meet with Park staff to discuss park design. Suggest providing rock mulch and plantings between the trail and fencing along the west side of Lot 7.

Please consider all DRC comments in the motion.

PLANNING DIVISION RECOMMENDATION

Planning staff recommends **APPROVAL** of the South Creek preliminary subdivision including the DRC comments from August 12, 2020. This recommendation is based on the following findings:

1. The proposed subdivision does not exceed the maximum density of 1.75 units per acre allowed for the R-1-22 zone.
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 Lehi City Development Code in regards to subdivision approvals, including the density in lieu.
4. Other findings based upon information presented at the public hearing.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed preliminary subdivision on August 27, 2020. The minutes and motion from this meeting are as follows:

2.5) Public hearing and recommendation of PHI Properties' request for preliminary subdivision review of South Creek, a 21-lot residential subdivision located at 1400 South 1940 West.

Chairman Hemmert ask a clarifying question about the gap. That there was no ownership recorded with the gap. Kim Struthers stated they are working with title experts to resolve this and it would have to be resolved before the final plat is approved. Commissioner Everett asked about the lot sizes being affected by the gap.

Commissioner Eyre stated he thinks we should take into consideration all of these things that could potentially be a problem.

Chairman Hemmert opened public comment.

Chairmen Hemmert closed public comment.

Applicant was present to answer questions. No questions were asked by the commission.

Motion: Commissioner Peterson moved to forward a positive recommendation of PHI Properties' request for review of the South Creek subdivision, a 21-lot residential subdivision located at 1400 South 1940 West including all DRC comments and findings stated in the report. Noting the gap needs to be resolved. Commissioner Nielsen seconded.

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

**South Creek Preliminary Subdivision
DRC Redline Comments**

PHI Properties - requests preliminary subdivision review of South Creek, a 21-lot residential subdivision located at 1400 South 1940 West.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer

Date of Plans Reviewed: 08/12/2020

DRC REDLINE COMMENTS:

Glade – Power: No comments

Kerry – Fire: No comments

Greg – Water/Sewer:

1. Storm drain structure with orifice must have a weir wall with overflow and must be large enough to accommodate 2 lids to access both sides of the weir.
2. Adjust FL elevation of new 15" at proposed pour in place SDMH to avoid conflict with water mains at crossing.

Trent – Parks:

Gary – Building/Inspections: No comments

JD – Streets:

3. Show CBR on plans and sub base

Ross – Engineering:

4. Add sump at inlet to pond to address low flows and help keep bottom of park dry

Kim – Planning:

5. The plans show an 18' trail easement area, but the minimum requirement is 20'. Update the plans to show a 20' easement area.
6. It's not required, but recommended to add an additional trail access on the east side of Lot 12 to provide improved access to the trail for the homes on 1850 West and so the trail is not a dead end until development to the east occurs.
7. Recommend curvature in the trail alignment instead of using hard angles.
8. Should signage be included on the Dry Creek access to discourage access by residents?

General comment

1. At the time of final plat, consider adding a note to the plat that indicates Lots 7, 8, 11, and 12 will require review of fencing staking prior to installation of fencing along the trail corridor to ensure fencing is placed on the property line and not on the edge of the trail.
2. Provide detail for 3-rail fence and any required no-climb agricultural fences at the time of final plat.
3. Will have a reimbursement agreement for master planned waterlines in 1300 South. (16"pi 12" culinary)
4. Jeremy/PKJ will continue to meet with Park staff to discuss park design. Suggest providing rock mulch and plantings between the trail and fencing along the west side of Lot 7.

PRIOR TO PRECONSTRUCTION MEETING:

1. Provide an engineer's cost estimate for the cost of all improvements.
2. 10% Warranty Escrow Bond or Letter of Credit and Public/Private Improvement Agreement for all public and private improvements must be in place (from a financial institution with a branch in Utah).
3. Pay all necessary inspection fees and any up-front supply costs required by the City for power supplies, water system supplies, public signs (stop signs, address signs, etc.) and any other associated costs so that the City can order all necessary supplies for the development.
4. Reimbursement Agreement for any reimbursable improvement items must be in place.
5. Include surveyor's and engineer's stamps and signatures on the construction drawings.
6. Show lot addresses on the final plat (must coordinate with Planning Division).
7. New property line adjacent to existing roads and any new trails must be staked and reviewed by the City.
8. Irrigation Company signature on the construction drawings for the irrigation piping.
9. Provide a recordable easement document for all necessary off-site easements (temp. turnarounds, utilities, power, etc).

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.

10. Submit Storm Water Pollution Prevention Plan (SWPPP) through ComplianceGo.com for review by Lehi Public Works (call Rochelle with Public Works at 385-201-1900 with questions).
11. Schedule a SWPPP inspection through Lehi City Water Dept. (call 385-201-1900). This should be the last item completed prior to scheduling a preconstruction meeting.
12. Provide a Long Term Storm Water Management Plan and Agreement to Planning Division for review and approval (signed by Mayor). Final Agreement to be recorded by developer.
13. Address any comments or conditions from City Council approval.
14. Plans need to be signed by Community Development Director and Public Works Director before precon can be scheduled

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. Submit a title report to be reviewed by Lehi City Attorney.
4. Developer shall provide a letter with an exhibit of the property covered from their title company guaranteeing that the property taxes including rollback/greenbelt taxes have been paid of open space or right of way is being dedicated.
5. Provide a signed easement verification sheet (for proposed public utility easements on the plat).
6. Provide a recorded copy of required boundary line agreement(s).
7. Provide a signed original copy of the CC&Rs to record with the plat (to be reviewed by City Attorney).
8. Warranty deed/title insurance (open space, detention, City park property, City trails, some road dedication). Title insurance policies on each to be obtained through Marnae at Vanguard Title 801-610-1670
9. 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.
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 WILL BE SCHEDULED FOR PLANNING COMMISSION ON AUGUST 27, 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.

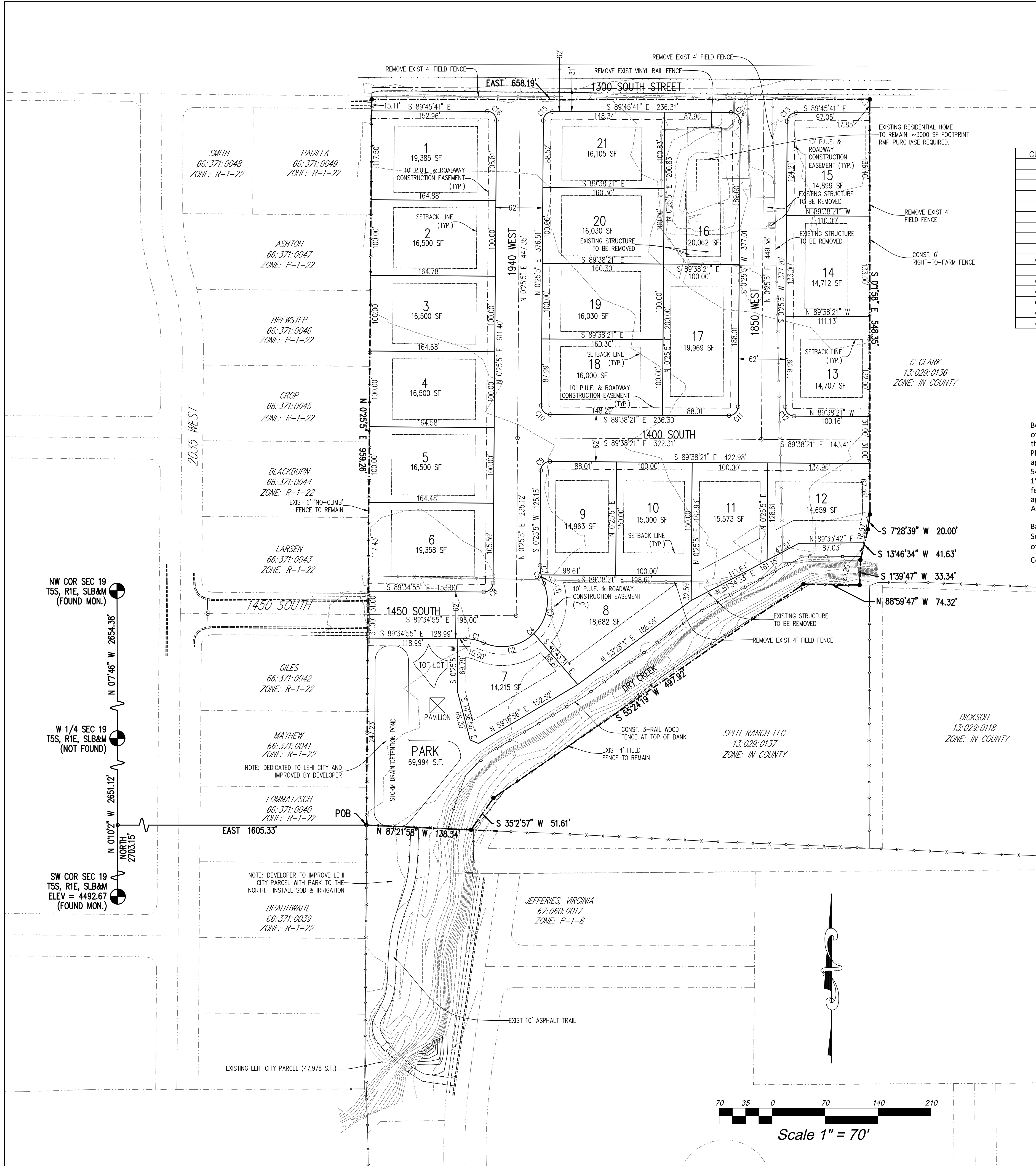
Preliminary Plan Narrative

South Creek Subdivision

Patterson Homes is proposing a new single-family residential subdivision for the Property generally located at 1300 South 1900 West. Patterson desires to submit an application for preliminary approval.

This is for a standard subdivision. Patterson would expect to build homes that vary in size ranging from 4000 sf to 5000 sf. The homes would be constructed of materials and designs consistent with what consumers are demanding in the marketplace, which is expected to be of high quality hard surface siding, and masonry. There are no CCR's proposed at this time.

Please feel free to contact Scott Dunn with any questions at (801) 473-6421



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	60.00	24.72	23°36'25"	24.55	S 77°46'43" E
C2	60.00	71.84	68°36'25"	67.63	N 79°43'17" E
C3	60.00	71.84	68°36'25"	67.63	N 11°6'53" E
C4	60.00	143.69	137°12'49"	111.73	N 45°25'5" E
C5	60.00	24.72	23°36'25"	24.55	N 11°23'7" W
C6	60.00	11.76	11°13'46"	11.74	N 17°34'27" W
C7	60.00	12.96	12°22'39"	12.94	N 5°46'14" W
C8	12.00	18.84	89°56'34"	16.96	N 45°23'22" E
C9	12.00	18.84	89°56'34"	16.96	N 45°23'22" E
C10	12.00	18.86	90°3'26"	16.98	N 44°36'38" W
C11	12.00	18.84	89°56'34"	16.96	N 45°23'22" E
C12	12.00	18.86	90°3'26"	16.98	N 44°36'38" W
C13	12.00	18.81	89°49'14"	16.94	S 45°19'42" W
C14	12.00	18.89	90°10'46"	17.00	N 44°40'18" W
C15	12.00	18.81	89°49'14"	16.94	S 45°19'42" W
C16	12.00	18.89	90°10'46"	17.00	N 44°40'18" W

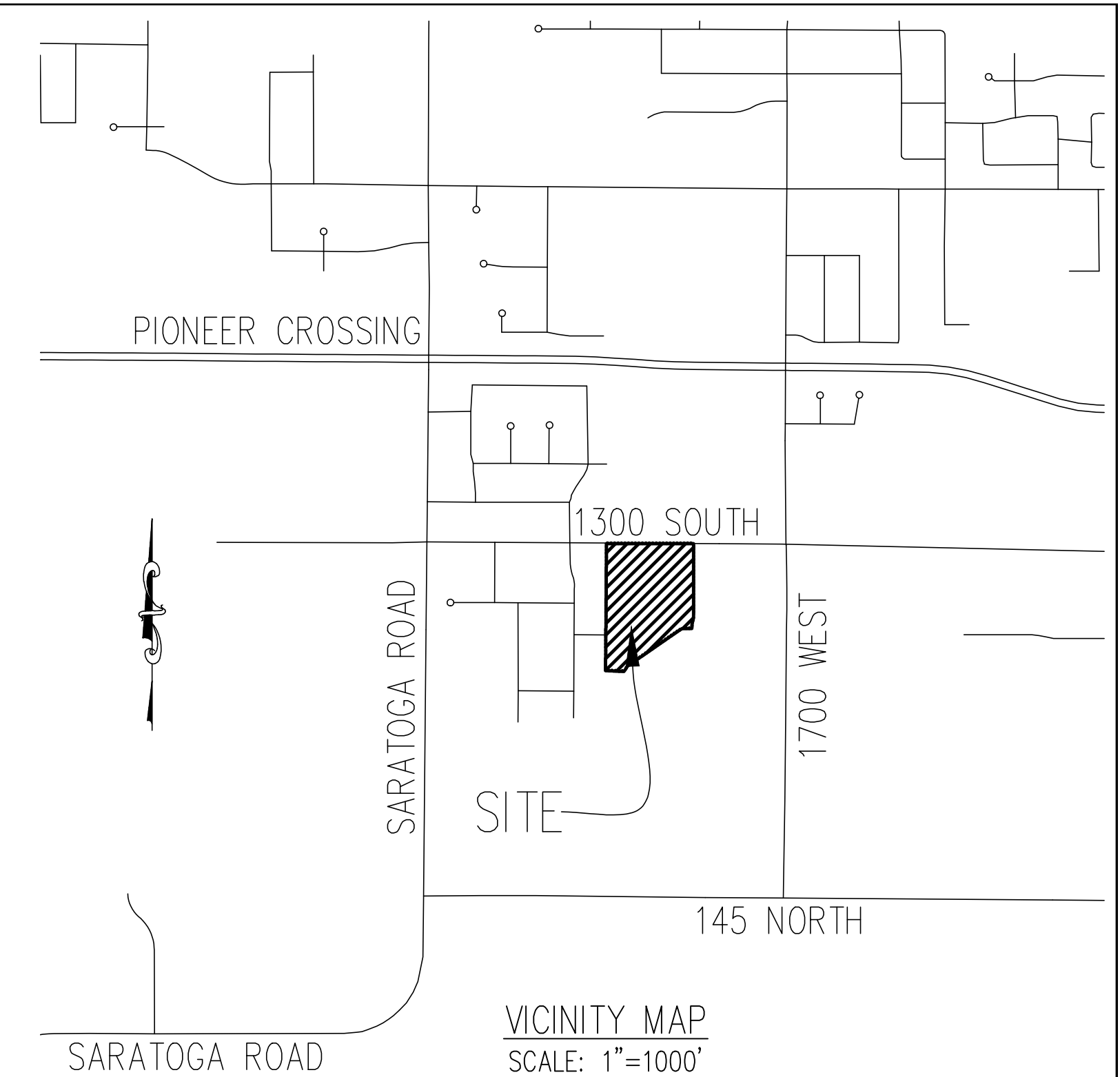
BOUNDARY DESCRIPTION

Beginning at a point located North 2703.15 feet and East 1605.33 feet from the Southwest Corner of Section 19, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 0°25'05" East along a fence line along the easterly boundary of Snow's Springs Plat "A" a distance of 959.26 feet; thence East 658.19 feet; thence along a boundary line agreement (Entry 9286:2019) the following seven courses and distances: 1) South 0°01'58" East 548.35 feet, 2) South 7°28'39" West 20.00 feet, 3) South 13°46'34" West 41.63 feet, 4) South 1°39'47" West 33.34 feet, 5) North 88°59'47" West 74.32 feet, 6) South 55°24'19" West 497.92 feet, and 7) South 35°02'57" West 51.61 feet; thence North 87°21'58" West along a boundary line agreement (Entry 11093:2015) a distance of 138.34 feet to the point of beginning. Area = 12.250 Acres

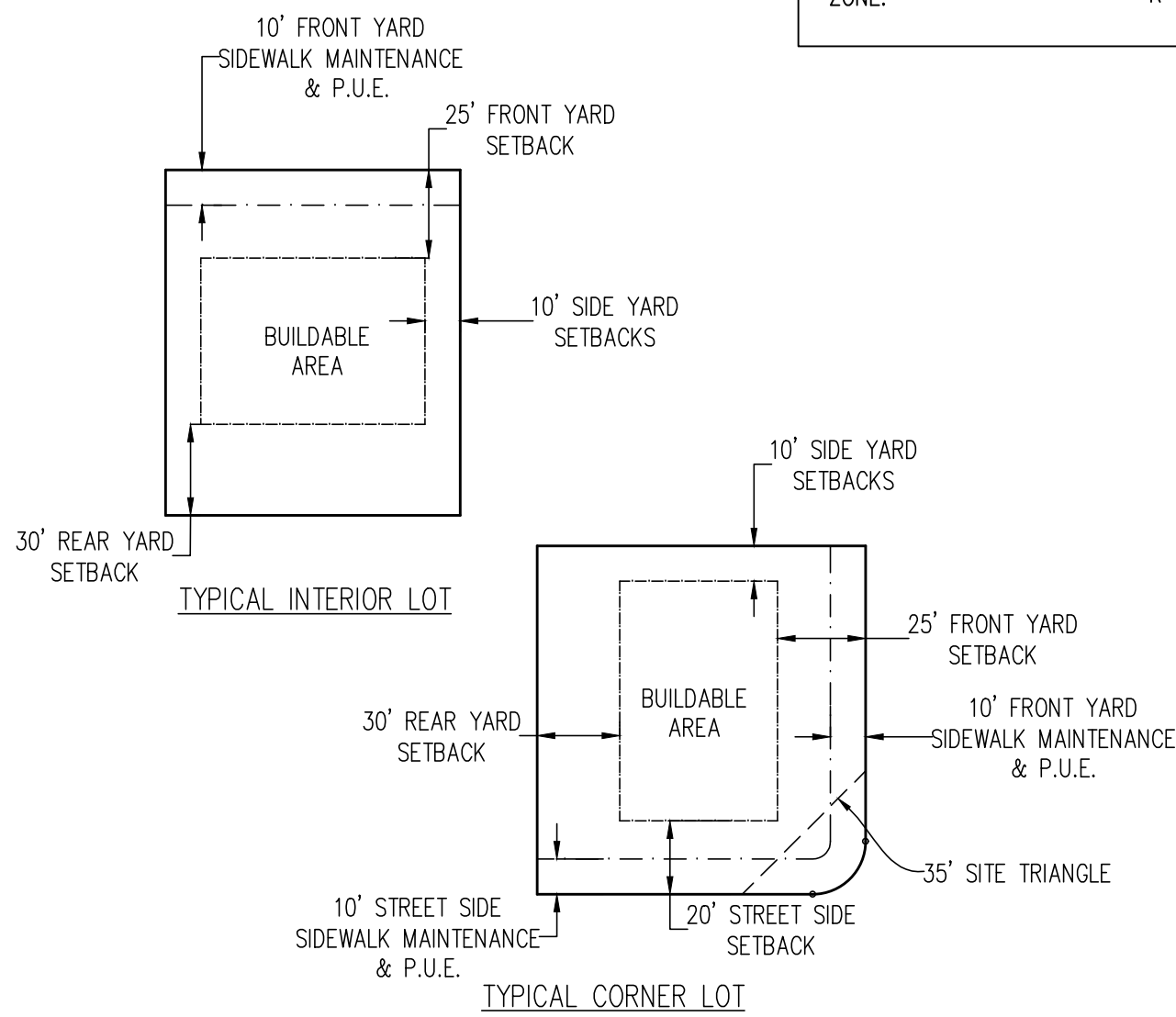
Basis of Bearing is North 0°08'54" West 5305.50 feet from the Southwest Corner of Section 19, Township 5 South, Range 1 East Salt Lake Base and Meridian to the Northwest Corner of said Section 19.

Coordinate System is NAD83

- GENERAL NOTES**
- THE FOLLOWING ITEMS WILL BE REVIEWED AT THE TIME OF FINAL PLAT REVIEW:
 - PLAN & PROFILES/CONSTRUCTION DRAWINGS OF PUBLIC IMPROVEMENTS.
 - ALL PIPE TYPES, SPECIFIC LOCATIONS & DETAILS (BENDS, DETECTOR TAPE ETC.).
 - VALVES.
 - BLOWOFF INCLUDING SIZE & PROTECTION.
 - MANHOLES, BOXES AND RELATED DETAILS.
 - WATER & SEWER SERVICE DETAILS.
 - FIRE HYDRANTS.
 - LOT LINE UTILITY EASEMENTS.
 - STREET LIGHTS/STREET SIGNS/TRAFFIC SIGNS.
 - POWER LINE EXTENSIONS & DOME/TRANSFORMER LOCATIONS.
 - LOT ADDRESSES.
 - GBR VALUES AND ROAD SUB-BASE.
 - SUBDIVISION MONUMENTATION AND LOT CORNER MARKERS
 - DEVELOPMENT WILL BE PLATTED IN A SINGLE PHASE.
 - OPEN SPACE IN THIS PROJECT CONSISTS OF A PROPOSED PARK & DRY CREEK DRAINAGE CHANNEL.
 - NO AREAS HAVE CUTS OR FILLS EXCEEDING 3'.
 - AN EROSION CONTROL PLAN WILL BE PROVIDED WITH THE FINAL CONSTRUCTION DRAWINGS.
 - THIS PROPERTY IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN.
 - ANY EXISTING WELL ON THIS SITE MUST BE CAPPED BY A CERTIFIED WELL DRILLER.
 - FOUR ADDITIONAL LOTS WERE GRANTED FOR THIS SUBDIVISION IN EXCHANGE FOR DRY CREEK IMPROVEMENTS, DRY CREEK TRAIL IMPROVEMENTS, PARK IMPROVEMENTS, AND DEDICATION OF ASSOCIATED PROPERTY.
 - ADJACENT SOUTH OWNER AGREED TO REMOVAL OF TREES ON HIS PROPERTY DURING DITCH RECONSTRUCTION AS LONG AS THERE IS MINIMAL AFFECT ON HIS PROPERTY.
 - FENCING DETAILS WILL BE PROVIDED W/ FINAL PLAT DESIGN.



TABULATIONS	
TOTAL PROJECT AREA:	533,619 SF/12.25 ACRES
R.O.W. AREA:	117,241 SF/2.69 ACRES
LOT AREA:	346,384 SF/7.95 ACRES
OPEN SPACE:	69,994 SF/1.61 ACRES
TOTAL LOTS:	21 LOTS
DENSITY (UNITS/ACRE):	1.71 LOTS/ACRES
ZONE:	R-1-22



REVISIONS		
Rev.	Date	Description
1	07/26/20	REVISED PER CITY COMMENTS

Developer:
Patterson Construction
11009 N. 6400 W., Highland, Utah 84003
Phone: (801) 756-7303

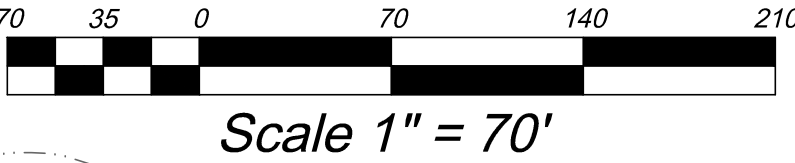
Developer:
David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P. (801) 756-4504, F. (801) 756-4511

LEHI RESIDENTIAL SUBDIVISION

PRELIMINARY PLAT

Scale: 1"=70'
Date: 06/12/20
C1

LAND SURVEYOR: **AZTEC ENGINEERING INC.**
491 N. 450 W.
OREM, UT. 84057
(801) 224-7308



Right to Farm Analysis

South Creek Subdivision

May 21, 2020

1. Protection of irrigation access and maintenance of ditches and canals.

There are no existing irrigation ditches on this property.

2. Safety and protection of the public from ditches, canals, ponds, and drainage systems.

A 3-rail vinyl fence will be constructed at the near to top of bank of Dry Creek protect public along trail. The proposed storm water detention pond will have a max depth of only 2' of water (in storm events) and would pose no hazard to the public.

3. Safety and protection of livestock and farm equipment movement corridors.

This project does not restrict any movement along existing corridors.

4. Existing and proposed fencing on all agricultural property adjacent to the proposed development.

The east property line is adjacent to existing agricultural property and a 6' right-to-farm fence will be installed.

5. Erosion and soil protection and conservation concerns.

A detailed storm water pollution prevention plan will be submitted by the contractor prior to construction. This plan will indicate the placement of silt fencing, inlet protection devices, etc. to control runoff and protect the sensitive areas on this property.

6. Drainage of subdivision areas and designs to minimize the discharge or impact on agricultural lands and soils.

There are no immediately adjacent agricultural lands that would receive drainage from this property.

7. Weeds, pests and household pet controls in subdivision areas.

Homeowners will be required to comply with city ordinance.

8. Provisions, acknowledgments, and understandings by new property owners of farm work hours and that farm operations may contribute to objectionable noises and odors.

The required Right to Farm note will be added to each final subdivision plat to notify each new property owner of the activities in the area.

9. Screening provisions and landscaping to reduce noise or visual impacts for adjoining uses.

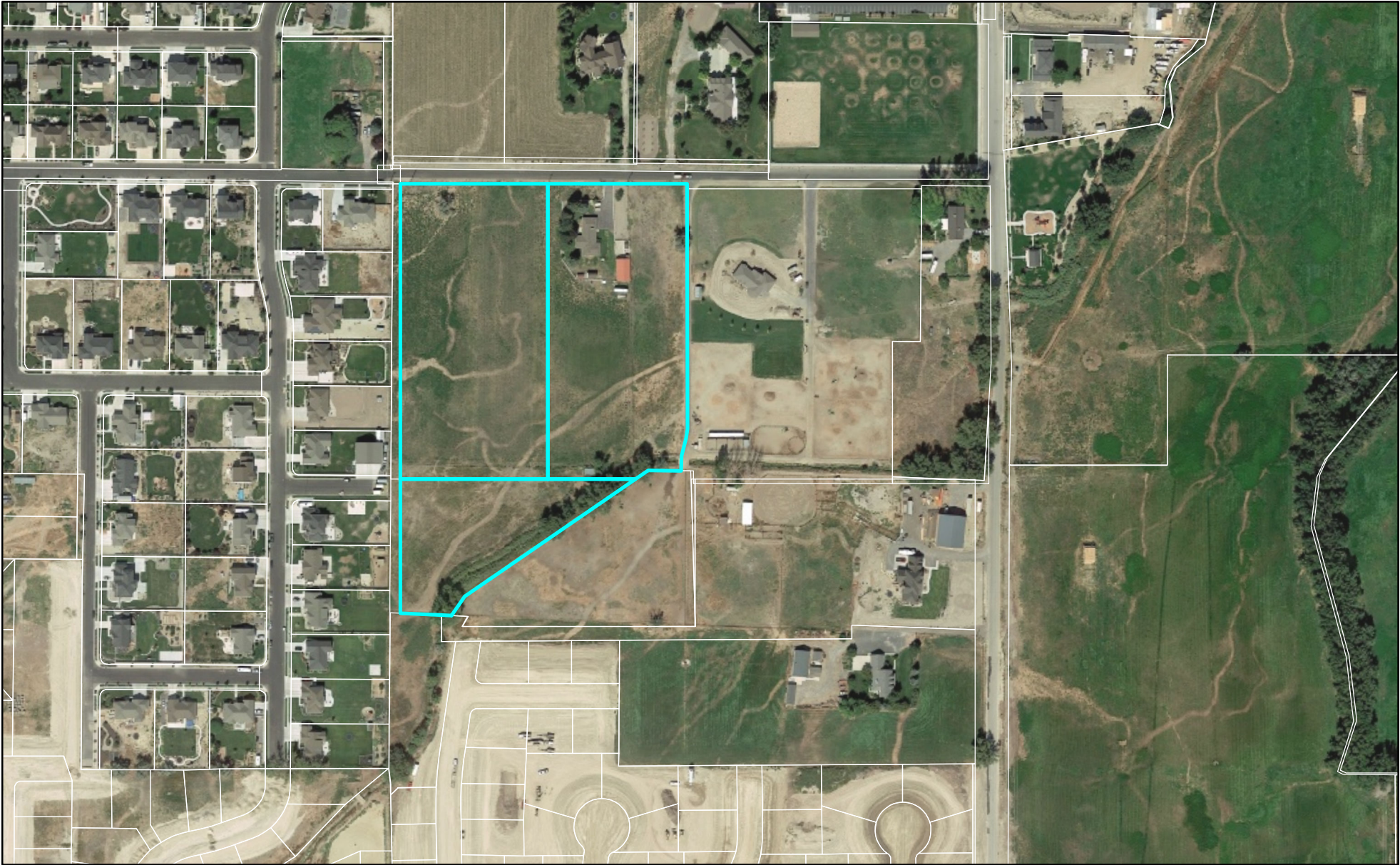
Landscaping will be installed around the proposed homes to reduce visual impact for adjacent agricultural uses.

10. Any other provisions that the Zoning Administrator, Development Review Committee, Planning Commission and City Council considers necessary to protect the right to farm for agricultural uses, operations and areas.

No additional provisions were identified at the time of writing this analysis.

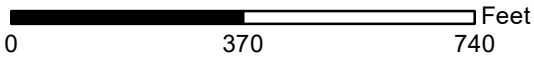
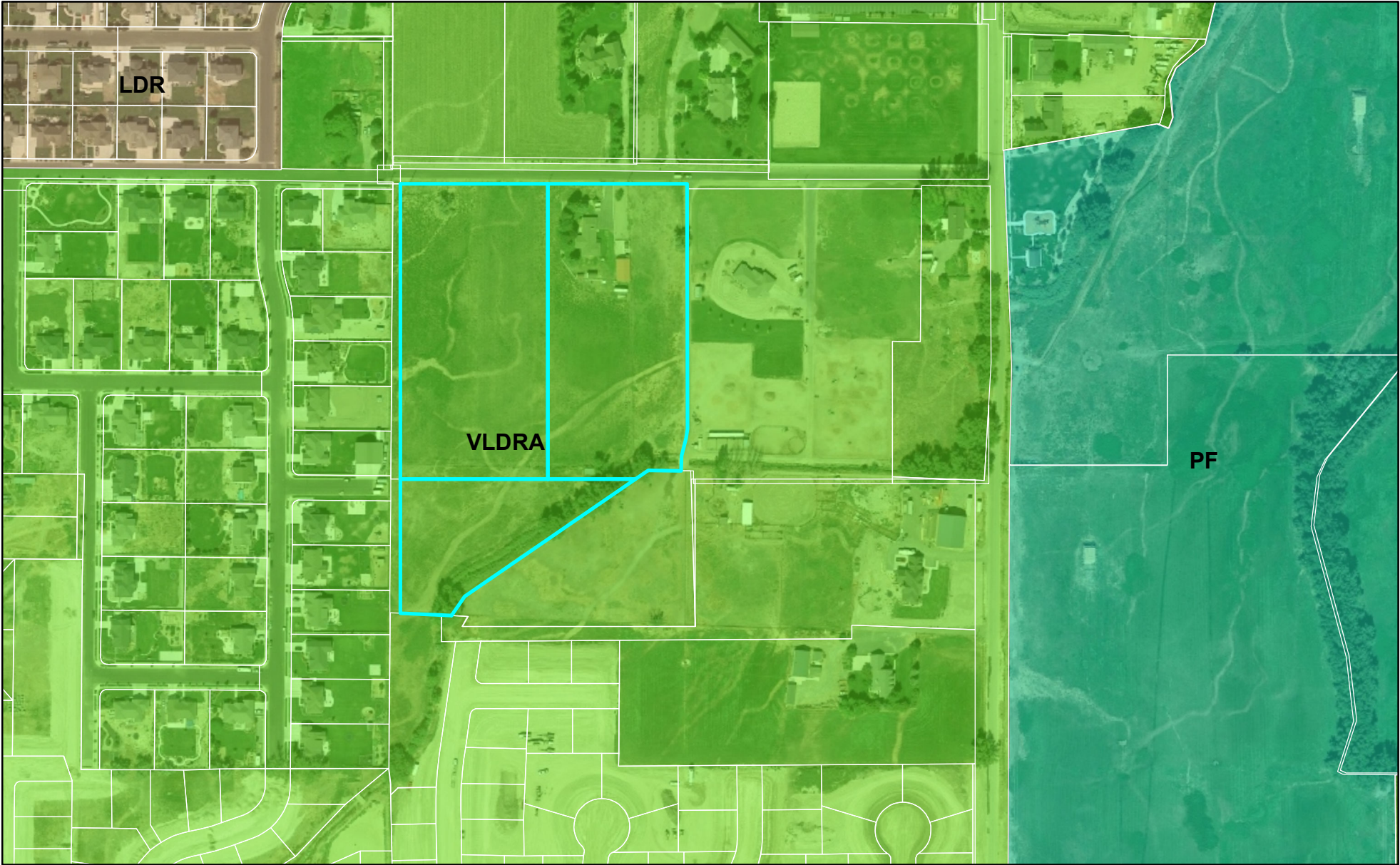
South Creek Preliminary Subdivision

Aerial



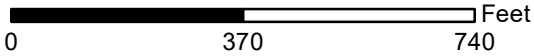
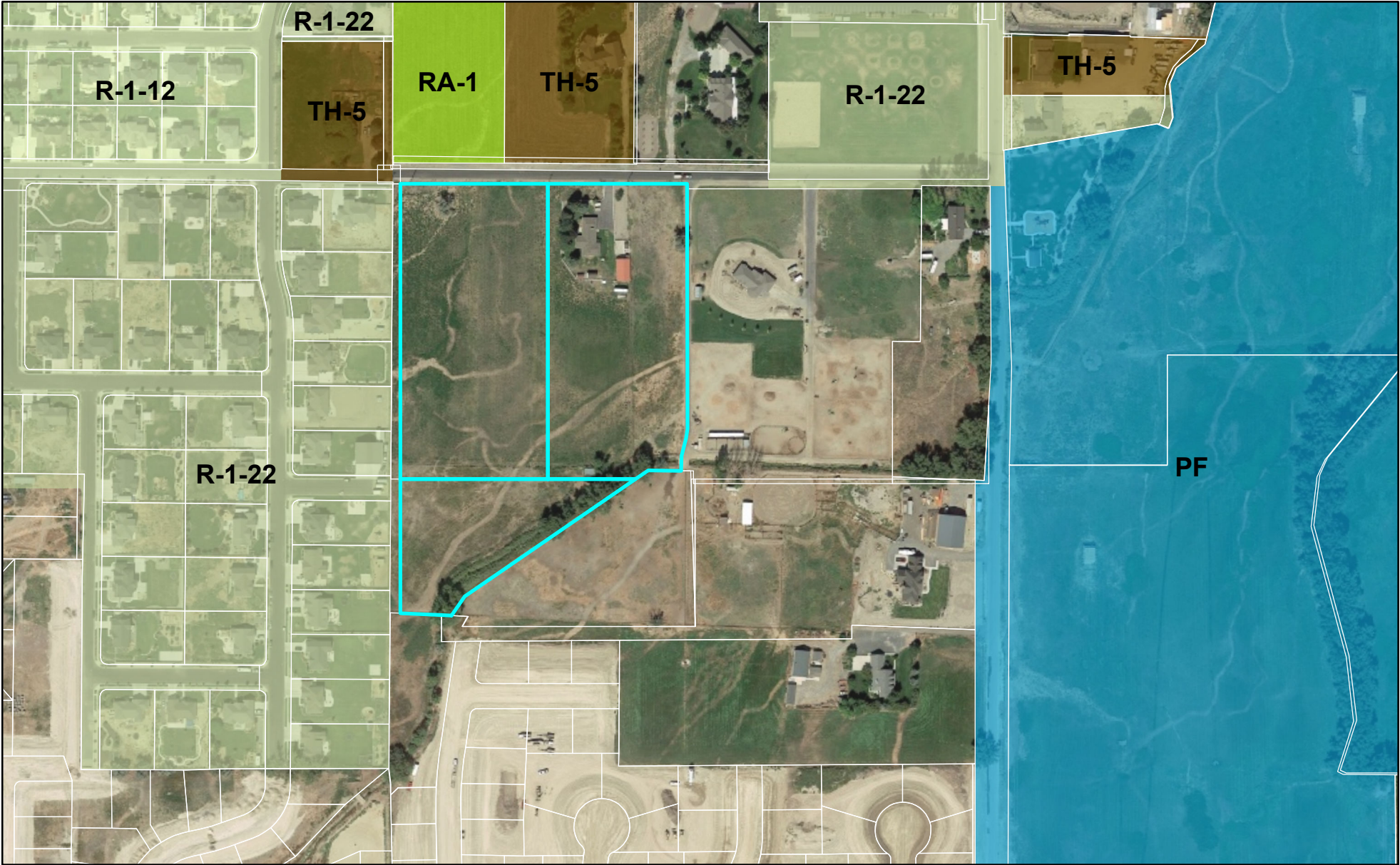
0 370 740 Feet

South Creek Preliminary Subdivision
General Plan



South Creek Preliminary Subdivision

Zoning



City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Jacob Curtis

Submitting Department: Planning Division

Item Type: Action Item

Agenda Section: Regular Agenda

Subject:

Consideration of Preliminary subdivision approval of Garden Acres Plat B, a 3-lot residential development at 187 North 400 East.

Suggested Action:

Attachments:

[CC Staff Report Garden Acres Plat B Preliminary Subdivision 10.13.20.docx](#)

[Garden Acres Plat B Preliminary Subdivision DRC 08.26.2020.docx](#)

[Garden Acres Plat B Preliminary Subdivision 08.26.20 drc response, plans.pdf](#)

[Garden Acres B Aerial.pdf](#)

[Garden Acres B General Plan.pdf](#)

[Garden Acres B Zoning.pdf](#)

GARDEN ACRES PLAT B PRELIMINARY SUBDIVISION CITY COUNCIL REPORT

Applicant	Derek Jessee		
Meeting Date	October 13, 2020		
Requested Action/Purpose	Approval of a proposed preliminary subdivision		
Location	187 North 400 East		
Existing General Plan Designation	MDR (Medium Density Residential)		
Existing Zoning	R-1-8		
Existing Land Use	Single family residential		
Number of Lots/Units	3 lots		
Adjacent Zoning and Land Use	<i>North</i>	R-1-8	Single family residential
	<i>South</i>	R-1-8	Garden Acres Subdivision
	<i>East</i>	R-1-8	Single family residential
	<i>West</i>	R-1-8	Single family residential
Date of DRC Review	August 26, 2020		
Date of Planning Commission Review	September 10, 2020		
Assigned Planner	October 13, 2020		
REQUIRED ACTION			
Planning Commission	Public hearing, review, and recommendation		
City Council	Final approval		

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 11.080. Preliminary Plat Approval Process.

The review and approval process for a Preliminary Subdivision Plat is identified in the appendix of this code, including review by the Development Review Committee, review and recommendation following a public hearing by the Planning Commission and review and approval by the City Council.

Section 11.100. Effect of Preliminary Subdivision Plat Approval.

A preliminary subdivision plat shall not authorize the development of land. After a preliminary subdivision plat has been approved by the City Council, the applicant may file an application for final subdivision plat approval.

PROPERTY HISTORY

June 15, 1852 – This property was included as part of the original incorporated boundaries of Lehi.

REPORT ANALYSIS

The applicant requests preliminary subdivision approval of the Garden Acres Plat B Subdivision, a 3-lot residential development located at 187 North 400 East in an approved R-1-8 zone. This report will discuss the proposed layout and the DRC comments.

Proposed Layout

The residential subdivision will consist of 3 single family lots on a total of 0.78 acres. The lots range in size from 8,000 to 17,623 square feet which meets the minimum lot size requirement of 8,000 square feet for the R-1-8 zone. Lot 1 shows the existing home as remaining and lot 3 shows an existing garage as remaining. There is a density of approximately 3.89 units per acre for this subdivision which is consistent with goals of the General Plan designation and current zoning. The R-1-8 zone establishes a maximum density of 4 units per acre. The three lots meet the minimum street frontage requirement of 80 feet for a single-family lot.

DRC Comments

The DRC had six comments including the following:

1. Prior to recording of the plat and the sale of the lots, a bond will need to be posted. Additionally, the applicant will need to return to DRC for a final subdivision plat submission.

Please consider all DRC comments in the motion.

PLANNING DIVISION RECOMMENDATION

Planning staff recommends **APPROVAL** to the City Council for the Garden Acres Plat B preliminary subdivision including the DRC comments from August 26, 2020. This recommendation is based on the following findings:

1. The proposed subdivision has lot sizes and an overall density that are consistent with the R-1-8 zoning classification and General Plan designation.
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 Lehi City Development Code in regards to subdivision approvals, including the density in lieu.
4. Other findings based upon information presented at the public hearing.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed preliminary subdivision on September 10, 2020. The minutes and motion from this meeting are as follows:

3.1) Public hearing and recommendation of Derek Jessee's request for preliminary subdivision review of Garden Acres Plat B, a 3-lot residential development at 187 North 400 East.

Sierra presented information on the agenda item.

The applicant, Derek Jessee, was present.

Commissioner Hemmert opened the public hearing on the agenda item.

Commissioner Hemmert closed the public hearing on the agenda item.

Motion: Commissioner Nielsen moved to forward positive recommendation to City Council for including the DRC from August 26, 2020 based on the findings listed on the Staff report. Commissioner Peterson seconded.

Vote: Motion massed unanimously with all in favor.

**Garden Acres Plat B Preliminary Subdivision
DRC Redline Comments**

Derek Jessee - requests preliminary subdivision review of Garden Acres Plat B, a 3-lot residential development at 187 North 400 East.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer

Date of Plans Reviewed: 08/18/2020

DRC REDLINE COMMENTS:

Glade – Power: No comments. May leave the tree in place, and Power department will trim as needed.

Kerry – Fire: No comments

Greg – Water/Sewer:

1. Existing PI service connection to lot 1 must be updated to a metered connection. Add this note to the plans.

Trent – Parks: No comments

Gary – Building/Inspections:

2. Is a foundation drainage system being planned for this project?
3. On setback table the corner lot street side yard is 20' and interior side is 8'.

JD – Streets:

4. Add 2' T-Patch to the plans.
5. Change to 6" concrete on this page

Ross – Engineering: No comments

Kim – Planning:

6. Prior to recording of the plat and the sale of the lots, a bond will need to be posted. Additionally, the applicant will need to return to DRC for a final subdivision plat submission.

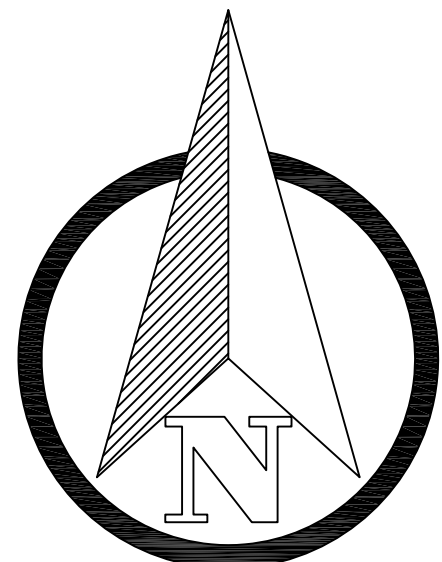
DRC GENERAL COMMENTS:

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.
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.

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.

THIS ITEM WILL BE SCHEDULED FOR PLANNING COMMISSION ON SEPTEMBER 10, 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.

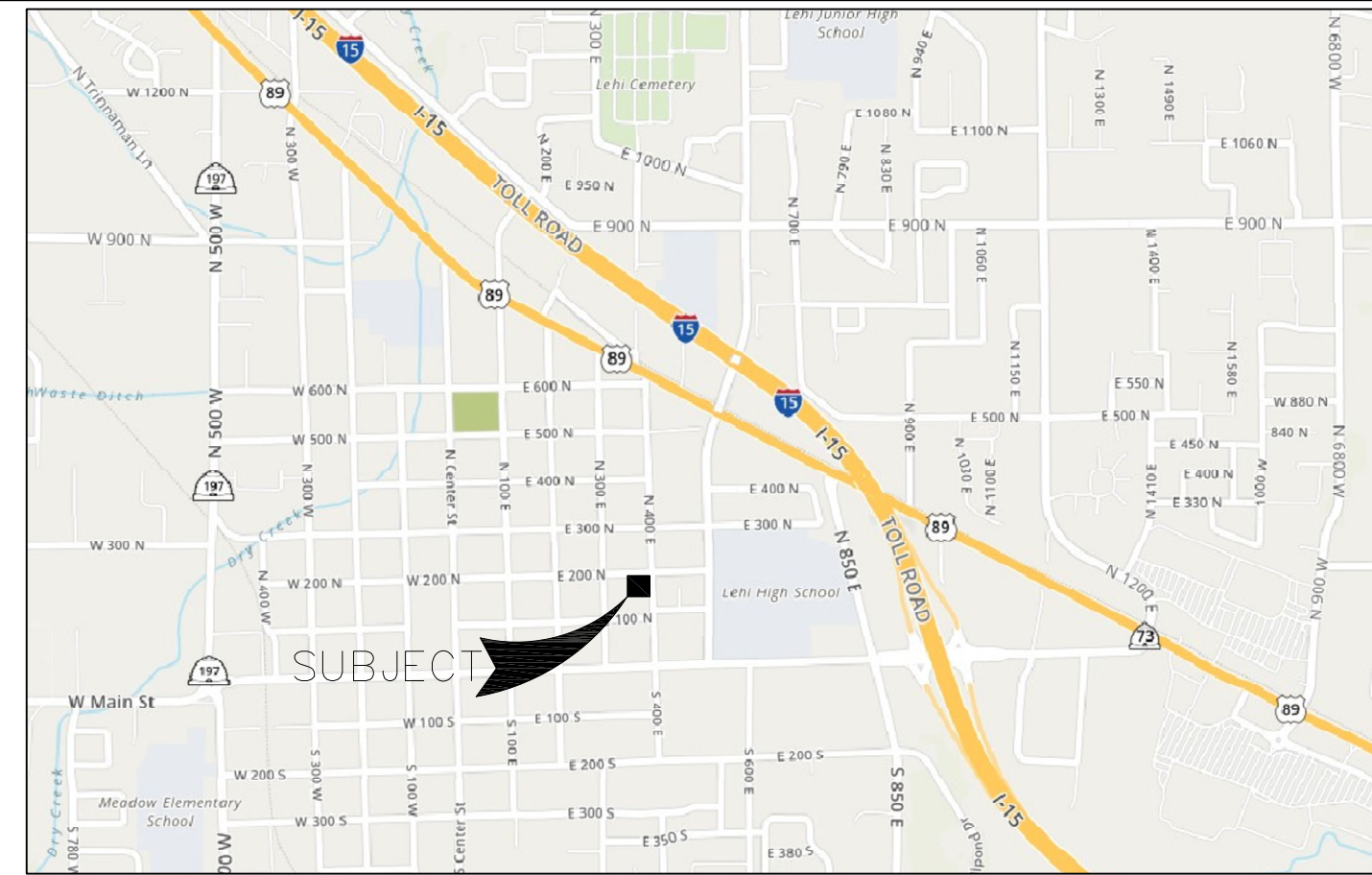


GRAPHIC SCALE
0 20 40 Feet
1 INCH = 20 FEET

PLAT "B" GARDEN ACRES SUBDIVISION

LEGEND:

- SECTION CORNER/STREET MONUMENT - FOUND BRASS CAP
- PROPERTY CORNER - SET 5/8" X 24" BAR & CAP (PLASTIC CAP STAMPED ALS, INC. PLS # 376079) (OR AS NOTED AND SHOWN HEREON)
- CALCULATED POINT - NOT SET/NOT FOUND
- RECORD DATA
- PROPERTY BOUNDARY
- SECTION LINE/MONUMENT LINE
- RIGHT-OF-WAY LINE
- DEED LINE/PLATTED LOT LINE
- EXISTING FENCE LINE



UTAH COUNTY MONUMENT (CALC)
NORTH ONE-QUARTER CORNER OF
SECTION 16, T.5S., R.1E., SLB&M.
(NOT FOUND)

"BASIS OF BEARINGS"

SECTION LINE BEARING S89°50'04"E (RECORD/MEAS.)
2669.92' (MEASURED) 2669.92' (RECORD) MON. TO MON.

S89°50'04"E
1763.88'
(SECTION LINE)

S89°50'04"E
906.04'
(SECTION LINE)

200 NORTH STREET

S89°50'04"E
906.04'
(SECTION LINE)

S29°03'17"W
42.00'

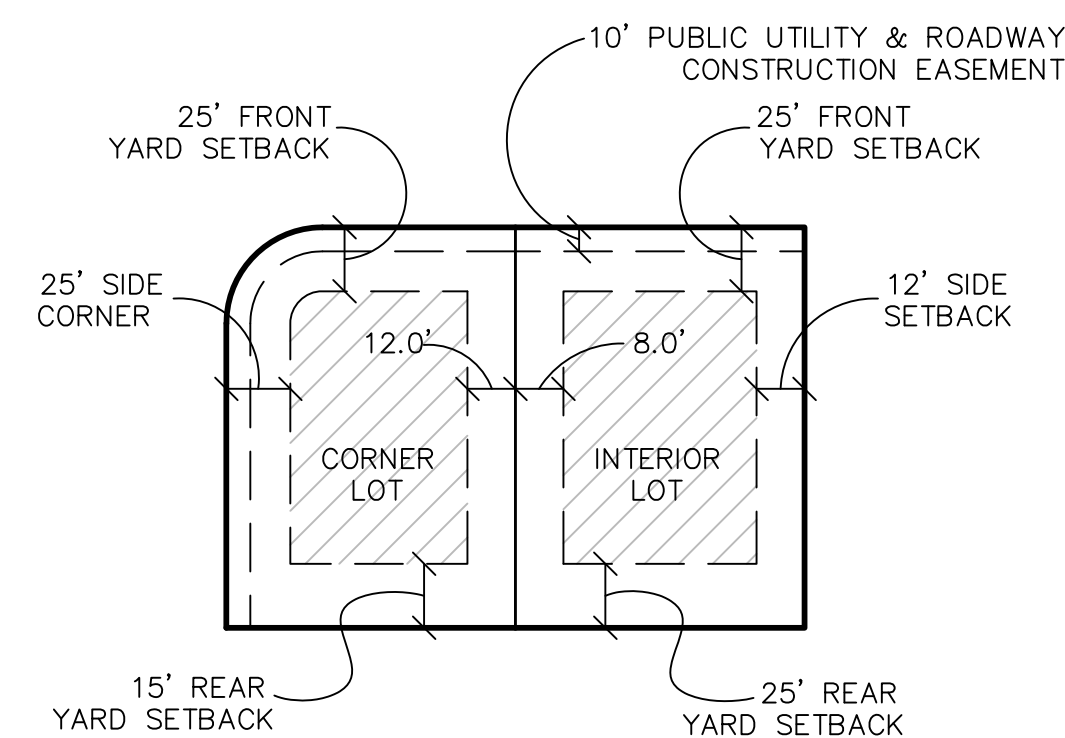
"POINT OF BEGINNING"
N.E. CORNER OF BLOCK 45,
PLAT "A", LEHI CITY SURVEY
(SET BAR & CAP)

UTAH COUNTY MONUMENT (RC)
REFERENCE POINT
NORTH ONE-QUARTER CORNER OF
SECTION 16, T.5S., R.1E., SLB&M.
(FOUND BRASS CAP)

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	1.60'	N86°01'40"E

DEVELOPER/OWNER
OKI VENTURES, INC.
3267 EAST 3300 SOUTH
SALT LAKE CITY, UTAH 84109
TEL: 801-512-9721
DATE: JULY 14, 2020

400 EAST STREET



TYPICAL LOT SETBACKS
NOT TO SCALE

SURVEYOR'S CERTIFICATE

I, JAMES PATRICK FRONK, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, HOLDING LICENSE NO. 376079, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS PLAT "C", TAMPANOGOS MEADOW SUBDIVISION, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

7-14-2020
DATE

JAMES PATRICK FRONK, PLS
(SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS 1763.88 FEET S89°50'04"E ALONG THE SECTION LINE AND 505.43 FEET SOUTH FROM A FOUND BRASS CAP MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE S1°38'00"E 182.20 FEET; THENCE S88°19'00"W 111.57 FEET; THENCE S88°46'40"W 74.43 FEET; THENCE N1°47'20"W 67.00 FEET; THENCE N86°01'40"E 1.60 FEET; THENCE N0°02'30"W 115.63 FEET; THENCE N88°38'44"E 181.38 FEET TO THE POINT OF BEGINNING.

CONTAINING 3 LOTS TOTAL = 0.772 ACRES OF LAND (33,623 SF.).

ZONING = R-1-B

BASIS OF BEARINGS: S89°50'04"E ALONG THE SECTION LINE FROM THE NORTHWEST CORNER TO THE NORTH ONE-QUARTER CORNER OF SAID SECTION 16, UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL 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 THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS _____
DAY OF _____, A.D. 20____

OKI VENTURES, INC.

ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF UTAH

ON THE _____ DAY OF _____, 20____ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY-ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY'S FULL NAME & COMMISSION NUMBER _____

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY ENGINEER 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 _____, 20____.

APPROVED _____, ATTEST _____
CITY ENGINEER (SEE SEAL BELOW) CLERK-RECORDER (SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

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

PLANNING COMMISSION CHAIR

CONDITIONS OF APPROVAL

PLAT "B"

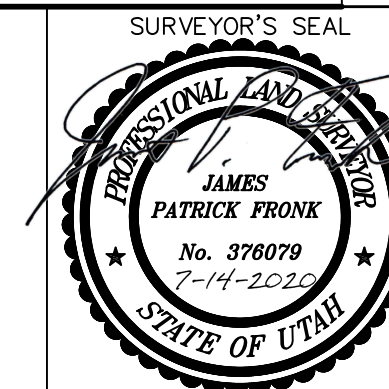
GARDEN ACRES

LOCATED WITHIN THE N.W. QUARTER OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, CITY OF LEHI, UTAH COUNTY, UTAH.

SUBDIVISION _____ UTAH COUNTY, UTAH
SCALE: 1" = 20 FEET



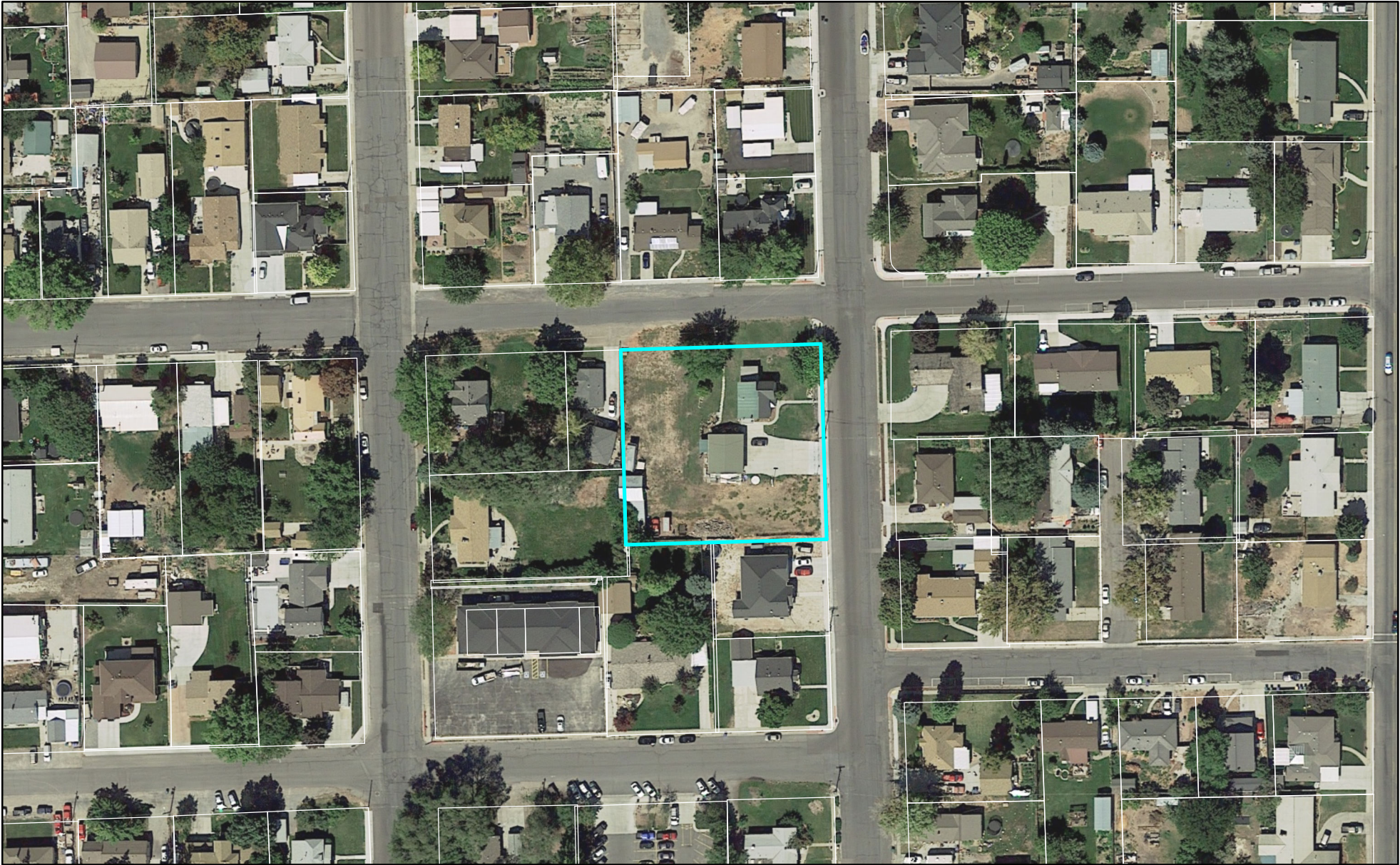
PROFESSIONAL LAND CONSULTING SERVICES
PLANNING • LAND SURVEYING • DEVELOPMENT
P.O. BOX 425, LEHI CITY, UTAH 84043 • 801.380.6225



CITY ENGINEER SEAL CLERK-RECORDER SEAL UTAH COUNTY RECORDER

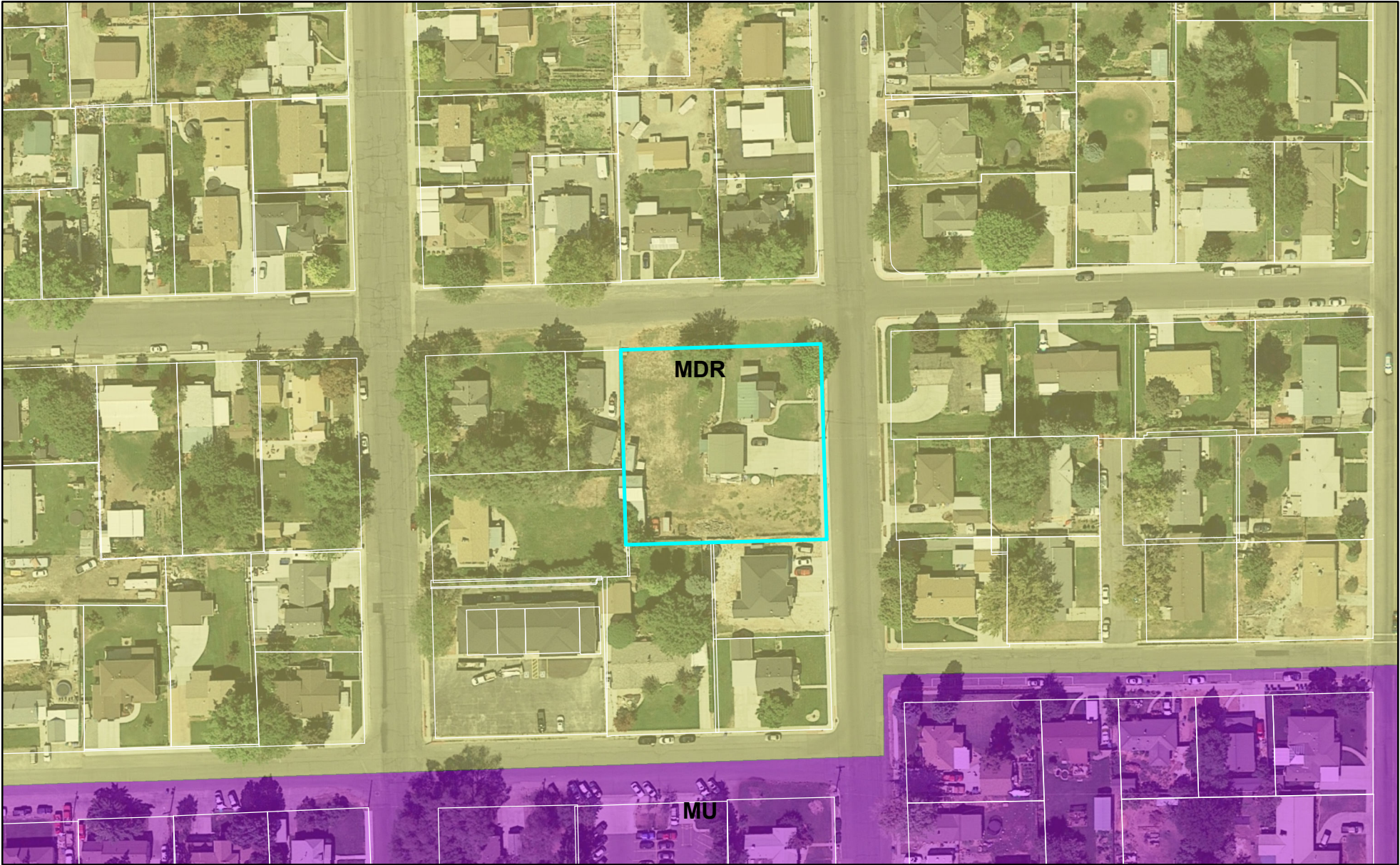
Garden Acres Plat B Preliminary Subdivision

Aerial



Garden Acres Plat B Preliminary Subdivision

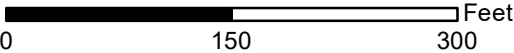
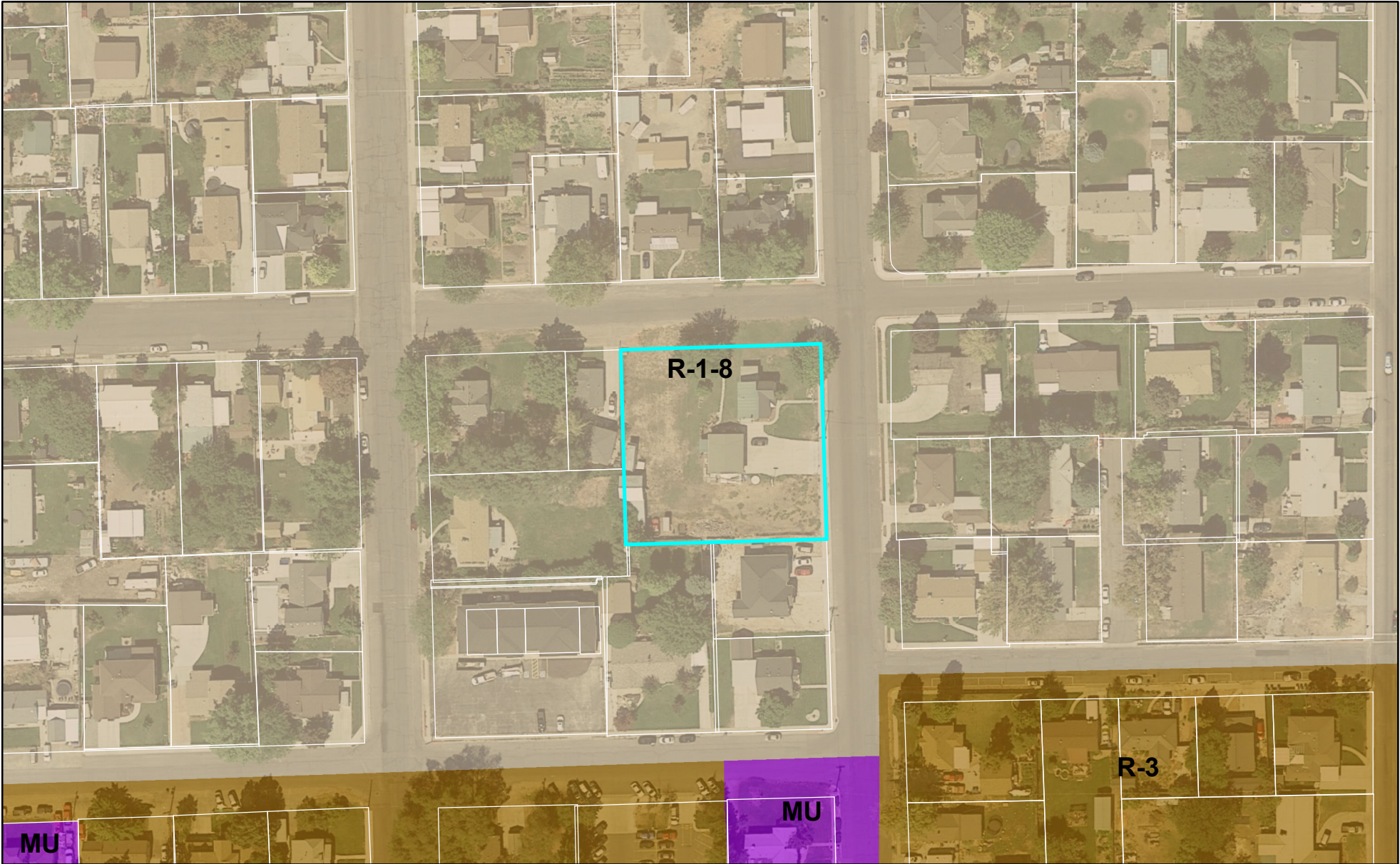
General Plan



0 150 300 Feet

Garden Acres Plat B Preliminary Subdivision

Zoning



City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Brittney Harris

Submitting Department: Planning Division

Item Type: Ordinance

Agenda Section: Regular Agenda

Subject:

Consideration of Ordinance #57-2020, a Development Code amendment to Chapter 20, Home Occupations, clarifying allowed home occupations.

Suggested Action:

Attachments:

[CC Staff Report Chapter 20 Dev Code Amendment 10.13.20.docx](#)

[Development Code Chapter 20 DRC 08.26.20.docx](#)

[Ord 57-2020.docx](#)

[Development Code Chapter 20.pdf](#)

CHAPTER 20 DEVELOPMENT CODE AMENDMENT CITY COUNCIL REPORT

Applicant	Lehi City
Meeting Date	October 13, 2020
Requested Action/Purpose	Approval of a proposed amendments to the Lehi City Development Code
Date of DRC Review	August 26, 2020
Date of Planning Commission Review	September 24, 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 a proposed amendment to Chapter 20 of the Lehi City Development Code. This item originally went to Planning Commission on September 10, 2020 with additional language that prohibited the storage of vehicles as a home occupation. Planning Commission expressed several reasons they did not support that portion of the amendment. Instead of forwarding it to the City Council with a negative recommendation, the applicant requested the Commission to table it in order to remove the contested text.

As currently written, the proposed amendment would add clarification to Section 20.060 Prohibited Home Occupations by adding the text “when performed on premise and not as a home office.” This amendment will specify the prohibited home occupations are only if the business actions are performed in the residential area but are okay if the home occupation only includes the business’ office functions.

The applicant removed the other proposed change underneath Section 20.060 in subsection E. The only DRC comment related to this section that has been removed by the applicant and thus is no longer relevant.

PLANNING DIVISION RECOMMENDATION

Planning Division staff recommends **APPROVAL** of the proposed amendment to Chapter 20 of the Development Code. This recommendation is based on the following findings:

1. The proposed amendment clarifies that home offices are allowed as a home occupation even if they correspond to an otherwise not allowed use.
2. The proposed amendment to the Lehi City Development Code is not detrimental to the public health, safety, and welfare of Lehi City.
3. The proposed Development Code amendment is in conformance with the purposes, intent, and provisions of the General Plan and its various elements.
4. Additional findings based upon information presented during the public hearing.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed amendment on September 10, 2020 and September 24, 2020. The minutes and motion from both those meetings are included below:

3.3) Public hearing and recommendation of Lehi City's request for review of a Development Code amendment to Chapter 20, Home Occupations, clarifying the storage of vehicles as a prohibited home occupation.

Sierra presented information on the agenda item. The Planning Commission discussed the Development Code Amendment with Staff.

Commissioner Hemmert opened the public hearing on the agenda item.

Commissioner Hemmert closed the public hearing on the agenda item.

Motion: Commissioner Jackson forwarded a negative recommendation for **Lehi City's request for review of a Development Code amendment to Chapter 20, Home Occupations, clarifying the storage of vehicles as a prohibited home occupation.** Commissioner Peterson seconded.

Vote: Motion failed.

Motion: Commission Jackson moved to table **Lehi City's request for review of a Development Code amendment to Chapter 20, Home Occupations, clarifying the storage of vehicles as a prohibited home occupation,** pursuant to the applicant's request. Commissioner Nielsen seconded.

Vote: Motion passed.

3.1) Public hearing and recommendation of Lehi City's request for review of a Development Code amendment to Chapter 20, Home Occupations, clarifying the storage of vehicles as a prohibited home occupation. (tabled from the September 10, 2020 meeting)

Brittney presented information on the agenda item. The Planning Commission discussed the Development Code Amendment and made changes since the last meeting. The only DRC comment

that was noted is no longer relevant for the item.

Commissioner Hemmert opened the public hearing on the agenda item.

Commissioner Hemmert closed the public hearing on the agenda item.

Motion: Commissioner Nielsen moved to forward a positive recommendation to City for *Lehi City's request for review of a Development Code amendment to Chapter 20, Home Occupations, clarifying the storage of vehicles as a prohibited home occupation. (tabled from the September 10, 2020 meeting)* based on the findings listed in the Staff report. Commissioner Peterson seconded. All in favor. Find out who was in attendance.

Vote: All in favor.

**Development Code Amendment Chapter 20 Home Occupations
DRC Redline Comments**

Lehi City- requests review of a Development Code Amendment to Chapter 20, Home Occupations, to clarify that storage of other people's vehicles is prohibited as a home occupation.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer

Representatives of the Applicant Present: DRC members

Date of Plans Reviewed:

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: No comments

Gary – Building/Inspections: No comments

JD – Streets: No comments

Ross – Engineering:

1. Reword to long term storage, longer than 30 days, of people who do not reside or are related to the owner of a residential property.

Kim – Planning: No comments

THIS ITEM WILL BE SCHEDULED FOR PLANNING COMMISSION ON SEPTEMBER 10th.

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: 57-2020

**AN ORDINANCE AMENDING THE LEHI CITY DEVELOPMENT
CODE, CHAPTER 20, CLAIRFYING HOME OFFICES ARE ALLOWED**

WHEREAS, it has become necessary to amend Chapter 20 of the Lehi City Development Code, clarifying that home offices are allowed for otherwise prohibited home occupations; and

WHEREAS, this amendment seeks to add clarify to allowed home occupations; and

WHEREAS, following a public hearing on September 24, 2020, the Lehi City Planning Commission reviewed the proposed revision and forwarded a positive recommendation to the City Council; and

WHEREAS, on October 13, 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 September 24, 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 20 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 20 of the Lehi City Development Code is hereby amended.

PART II:

A. If a provision of this Ordinance 57 -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 13th day of October 2020.

ATTEST

Mark Johnson, Mayor

Teisha Wilson, City Recorder

Section 20.050. Mobile Home Occupations.*(New 06/09/20)*

A. Mobile Home Occupation shall be defined as a personal service or pet grooming facility business that operates out of a mobile unit.

B. A Home Occupation Permit may be issued for a Mobile Home Occupation if the use meets the definition of personal services or pet grooming facility in this Code and all other requirements listed in this Chapter.

C. The business license for a Mobile Home Occupation shall have a residential address in Lehi City for the home office.

D. No services shall be provided while the mobile unit is in motion.

E. The mobile unit shall be self-contained and self-supporting. The unit shall not connect into any city utilities or dispose of waste in city storm drain or sanitary sewer.

F. The mobile unit shall have fresh water for each business day. Should the fresh water run out during a business day, the business shall discontinue operations until the fresh water holding tank has been re-filled.

G. All furniture shall be anchored to the mobile unit and chemicals shall be stored in cabinets with safety catches.

H. No part of the mobile unit shall be used for living or sleeping quarters.

I. Mobile Home Occupation operators and vendors shall comply with the Lehi City Municipal Code Title 5, Chapter 3, Noise Control.

J. Mobile Home Occupations shall, at all times comply with all applicable laws to this type of service and all county health department regulations.

K. Parking of the mobile unit shall comply to the following:

1. Mobile Home Occupations shall not be parked in a manner that impedes vehicular or pedestrian traffic flow or public safety. A minimum clearance of 15 feet shall be kept between the Mobile Home Occupation and any fire hydrant, utility box, ADA accessibility ramp, or building entrance.

2. A Mobile Home Occupation shall not park on any landscaped parking strip.

3. Mobile Home Occupations shall not be operated on public streets where the speed limit exceeds 35 miles per hour, or at any locations that are otherwise deemed hazardous by Lehi City, unless the roadway or location has been closed to vehicular traffic for a public event.

4. Mobile Home Occupations shall be parked lawfully on public right-of-way. Mobile Home Occupations shall be parked so that neither the vehicle or customers interfere with public access to adjacent parking stalls, driveways, or entrances of existing buildings or uses.

5. Each Mobile Home Occupations operator shall ensure that its use of the right-of-way, including the sidewalk, does not interfere with or limit sidewalk users' passage.

6. All Mobile Home Occupations shall be removed from the public right-of-way at the close of each business day. Mobile Home Occupations shall park off-street during non-business hours. Parking of the Mobile Home Occupation can occur in a driveway as allowed by the CC&R's of the subdivision. No services shall be provided while the mobile unit is parked in the driveway.

Section 20.060. Prohibited Home Occupations. *(New 12/08/09; Amended 01/08/13; 08/29/17)*

For the purpose of protecting residential character, the following types of businesses and those of a similar nature are prohibited as home occupations when performed on premise and not as a home office:

A. body art facilities;

B. clinics, hospitals, and related medical and dental facilities, excluding outpatient counseling and therapy services;

C. animal and veterinary clinics, kennels, or other facilities which entail the raising, or keeping of dogs, cats or other animals in excess of what is permitted by Table 12.070 of this Code;

D. restaurants;

~~E.~~—automobile, truck, or recreational vehicle related businesses, including repair services, retail or wholesale sales, painting and auto body repair;

~~F.E.~~ construction or landscape maintenance businesses that require equipment, materials, or vehicles

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Jacob Curtis

Submitting Department: Planning Division

Item Type: Ordinance

Agenda Section: Regular Agenda

Subject:

Consideration of Ordinance #58-2020, a Development Code amendment to Chapter 12, clarifying automobile sales and rental property standards.

Suggested Action:

Attachments:

[CC Staff Report Lehi City Chapter 12 Development Code Amendment 10.13.20.docx](#)

[Lehi City Development Code Amendment DRC 08.19.2020.docx](#)

[Ch12 Development Standards new 08.19.20.pdf](#)

[Ord 58-2020.docx](#)

LEHI CITY CHAPTER 12 DEVELOPMENT CODE AMENDMENT CITY COUNCIL REPORT

Applicant	Lehi City
Meeting Date	October 13, 2020
Requested Action/Purpose	Approval of a proposed amendment to the Lehi City Development Code
Date of DRC Review	August 19, 2020
Date of Planning Commission Review	September 10, 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

Lehi City requests approval of a Development Code amendment to Chapter 12, supplementary requirements for mixed use, nonresidential, and special districts. The proposed amendment will clarify the one-acre requirement for the automobile sales and rental use. The proposed amendment states that the automobile rental and sales use, including inventory and office space, must occupy one-acre. The requirement of one-acre is not just the physical size of the lot. Additionally, any other allowed uses that are located on the same property do not count towards the one-acre minimum.

There were no DRC comments on the proposed amendment.

PLANNING DIVISION RECOMMENDATION

The Planning Division staff recommends **APPROVAL** of the proposed amendment to Chapter 12 of the Lehi City

Development Code, including the DRC comments from August 19, 2020. The recommendation is based on the following findings:

1. The proposed amendment adds clarity to the existing Development Code.
2. The DRC did not have any comments on the proposed amendment to the Lehi City Development Code.
3. The proposed amendment to the Lehi City Development Code is not detrimental to the public health, safety, and welfare of Lehi City.
4. The proposed Development Code amendment is in conformance with the purposes, intent, and provisions of the General Plan and its various elements.
5. Additional findings based upon information presented during the public hearing.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed amendment on September 10, 2020. The minutes and motion from this meeting are as follows:

3.2) Public hearing and recommendation of Lehi City's request for review of a Development Code amendment to Chapter 12, clarifying automobile sales and rental property standards.

Sierra presented information on the agenda item. The Planning Commission discussed the Development Code Amendment with Staff.

Commissioner Hemmert opened the public hearing on the agenda item.

Commissioner Hemmert closed the public hearing on the agenda item.

Motion: Commissioner Peterson moved to forward positive recommendation to City Council based on the findings listed on the Staff report. Commissioner Nielsen seconded.

Vote: Motion passed unanimously with all in favor.

**Lehi City Chapter 12 Development Code Amendment
DRC Redline Comments**

Lehi City - requests review of a Development Code amendment to Chapter 12, clarifying the automobile sales and rental property standards.

DRC Members Present: Glade Kirkham, Kerry Evans, Greg Allred, Kim Struthers, Gary Smith, Joshua Bunnell, Ross Dinsdale, Trent Dyer

Date of Plans Reviewed: 08/11/2020

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: No comments

THIS ITEM WILL BE SCHEDULED FOR PLANNING COMMISSION ON SEPTEMBER 10, 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.

CHAPTER 12*(Amended 10/09/18)***PROPERTY DEVELOPMENT
STANDARDS****Section 12.130. Supplementary Requirements
for Mixed Use, Nonresidential, and Special****Districts.** *(Amended 04/12/05; 08/09/05; 05/9/06; 04/22/08;
07/28/09; 09/27/11; 11/15/11; 12/13/11; 04/24/12; 05/22/12;
01/12/16; 05/14/19; 8/27/19; 03/31/20; 06/09/20)***I. Automobile Sales and Rental.**

1. All properties used for motor vehicle or trailer sales, display, or rental shall provide adequate parking for the number of vehicles being displayed. This includes standard 24-foot wide drive aisles; inventory stalls a minimum of 8 feet wide and 18 feet deep in size for typical auto sales. Inventory stall size shall be large enough for the inventory to completely fit between the stall with a minimum of two feet between inventory, including trailers, boats, and RVs. The maximum number of vehicles for sale shall be identified as a part of the approval process, and shall be determined on a site specific, case-by-case basis.

2. Customer and employee parking shall be provided at a ratio of one space for every seven inventory vehicles or a minimum of two spaces, whichever is greater. Customer and employee parking shall be clearly and visibly posted.

3. An office space devoted to perform transactions in conjunction with the business is required on site for all types of vehicle sales businesses.

4. All display areas shall be paved with asphalt, concrete, or pavers, or as approved by the Reviewing Departments. Vehicles for sale shall not be parked over required landscaping or buffer areas.

5. Light shall be property shielded and designed, located, and arranged to reflect the light away from any street or adjacent properties. All lighting shall conform with the lighting standards from Section 12.110 of this Code.

6. A minimum 10-foot landscaped setback shall be required between all public streets and display areas. This landscape area shall include street trees as per City street tree standards.

7. For properties one acre or larger in size, the automobile sales and rental use, including the inventory and office space, shall occupy at minimum one-acre of the property. Allowed uses within the applicable zone, including other automobile-related uses, may be located on the same property, but will not count towards the one-acre minimum for the automobile sales and rental use.



ORDINANCE NO: 58-2020

**AN ORDINANCE AMENDING THE LEHI CITY DEVELOPMENT
CODE, CHAPTER 12, SUPPLEMENTARY REQUIREMENTS FOR
MIXED USE, NONRESIDENTIAL, AND SPECIAL DISTRICTS**

WHEREAS, it has become necessary to amend Chapter 12 of the Lehi City Development Code, providing more clarity for the automobile sales and rental use; and

WHEREAS, this amendment seeks to clarify that the automobile sales and rental use must occupy at least one-acre of property; and

WHEREAS, following a public hearing on September 10, 2020, the Lehi City Planning Commission reviewed the proposed revision and forwarded a positive recommendation to the City Council; and

WHEREAS, on October 13, 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 September 10, 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 12 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 12 of the Lehi City Development Code is hereby amended.

PART II:

A. If a provision of this Ordinance 58 -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 13th day of October, 2020.

ATTEST

Mark Johnson, Mayor

Teisha Wilson, City Recorder

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Teisha Wilson

Submitting Department:

Item Type: Resolution

Agenda Section: Regular Agenda

Subject:

Consideration of Resolution #2020-67, adopting an Administrative Naming Rights Policy for Lehi City.

Suggested Action:

Attachments:

[Res 2020-67.docx](#)

[Policy-Naming Rights.docx](#)



RESOLUTION NO. 2020-67

**A RESOLUTION ADOPTING AN ADMINISTRATIVE
NAMING RIGHTS POLICY FOR LEHI CITY**

WHEREAS, Lehi City desires to consider offers from entities and individuals who wish to compensate the City in exchange for the right to name certain City assets and/or sponsor certain City events;

WHEREAS, in order to establish a consistent and systematic basis for the implementation of such arrangements, the City Council desires to adopt an administrative policy to guide city staff as they consider various offers;

WHEREAS, on October 13th, 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) an administrative policy entitled Naming Rights of Facilities, Public Places, Tributes, and Monuments should be adopted; 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. An administrative policy entitled “Naming Rights of Facilities, Public Places, Tributes, and Monuments” as shown on the attached Exhibit “A” is hereby adopted.
2. This resolution shall take effect immediately.

Approved and Adopted by the City Council of Lehi City this 13th day of October, 2020.

LEHI CITY

ATTEST

Mark Johnson, Mayor

Teisha Wilson, City Recorder

EXHIBIT “A”

NAMING RIGHTS OF FACILITIES, PUBLIC PLACES, TRIBUTES, AND MONUMENTS

Introduction

Lehi City Corporation provides services which are primarily funded from the City's general fund. In recent years demands upon such funds have increased, a trend that is expected to continue. To maintain and enhance the City's properties, the City is seeking to establish alternate revenue streams that will increase its ability to deliver services to the community and/or provide enhanced levels of service beyond the core levels funded from the City's general fund. One of the alternate funding sources being pursued is sponsorship.

Purpose.

(1) The purpose of this Chapter is to promote the City's image and enhance public awareness of particular City assets by establishing guidelines for their naming or renaming.

(a) City assets include, but are not limited to, parks and parklands; landscape elements such as trees, plants, plazas, and gardens; site furnishings such as benches, playgrounds, and donated art; open spaces; trails; facilities; recreation elements such as sports fields; memorials, statues, and busts; and municipal buildings, properties, sites and structures.

(b) The naming of City assets shall be consistent with the provisions of this Chapter.

(c) The policy set forth in this Chapter is to establish a systematic and consistent basis for recognizing contributions and support to the City from citizens, volunteers, organizations, financial donors, community leaders, officials, and others.

Scope.

(1) This Chapter shall apply to the naming or renaming of any City asset except City assets named or renamed prior to the enactment of this Chapter.

(2) *Asset Naming Parameters.*

(a) City assets shall be classified as either major or minor assets based on dollar value. Naming of major assets shall require Council approval while naming of minor assets shall be at the Mayor's discretion.

(b) A City asset shall be considered major if the value exceeds five hundred thousand dollars (\$500,000.00) as determined by the Mayor or his designee.

(c) There are four different types of sponsorships contemplated:

Type A – Lehi City Amenity Donation Program: A sponsorship of a donated amenity or a monetary donation to purchase an amenity. In recognition of the donation the city would include a recognition plate on the amenity donated. The recognition plate will be sized so it is visible at close proximity to foot traffic. The recognition plate will be purchased and installed by the department for which the sponsorship is benefiting or being recognized. A recognition plate will be in place until the original item is no longer functional. No signage separate from the recognition plate on the donated amenity will be allowed. This applies to brick pavers, park amenities, etc.

Type B - Memorial Tree Sponsorship Program: A sponsorship of a donated tree or monetary donation to purchase a tree. In recognition of the donation the city would place a granite marker of recognition on City property. The granite marker will be at ground level and will be visible at proximity to foot traffic. No signage separate from the granite marker will be allowed. The recognition marker will be in place until it is no longer readable/functional.

Type C - Site-Specific Event Sponsorship: A business, local merchant or local branch of a corporation sponsors a time-limited event or program at a City facility. The sponsorship will be a percentage of estimated costs and will vary by event. This type of sponsorship includes marketing materials and advertising signage at the event and will remain for the duration of the event (city sign ordinance applies). Examples include: Round-up BBQ, Easter Egg Hunt, Reindeer Find, etc.

Type D - Fixed-Term Sponsorship/Naming Right: A sponsorship agreement (for a significant contribution) that includes the naming display in recognition of the corporate sponsor of an item, facility, or portion of a facility for a predetermined period of time (city sign ordinance applies). Examples include: aquatics facility, new building, athletic fields, field fence advertising, and scoreboards.

Naming Categories.

(1) The following asset naming categories are hereby created:

- (a) *Category 1 - Sponsorships.* Following receipt of a sponsorship request form, the City may enter into an agreement with an individual or an organization whereby the naming of a City asset may be approved for such individual or organization pursuant to the requirements of this Chapter, in exchange for cash or other sufficiently valuable contributions to the City. The City may utilize a public process for naming rights of large projects when multiple entities have expressed an interest in the same project or what the City, in its sole discretion, determines that it is in the City's best interest to do so.
- (b) *Category 2 - City Recognitions.* The City may elect to name a City asset to formally recognize significant contributions and support given to the City by individuals or organizations.
- (c) *Category 3 - Tributes and Memorials.* As provided in this Chapter, an individual may petition the City to name a City asset as a tribute or memorial to an individual, group, event, or other thing.

Naming Standards.

- (1) *Applicability.* The provisions set forth in this Section apply to the naming of any City asset, including, but not limited to, the opening of a new or refurbished City asset; honoring an individual, group, or organization; recognizing a gift, donation, sponsorship, joint venture/partnership, or significant contribution to the City or the general public; or improvements to existing City assets.
- (2) *General Provisions.* The following provisions shall apply to the selection of any name associated with a sponsorship, City recognition, tribute or memorial:
 - (a) *Consent.* When a City asset is proposed to be named for an individual, before consideration of the proposal consent shall be obtained from such individual or, if such individual is deceased, the individual's next of kin.
 - (b) *Prohibited Names.* Unless otherwise determined by the City, in its sole discretion, no name shall be chosen that:
 - (i) causes confusion due to duplication of, or similarity to, an existing name within Lehi City;
 - (ii) is the name of an entity associated with tobacco, alcohol, obscenity or a sexually oriented business, place or practice;
 - (iii) may have an inappropriate acronym, short form, or modification;

(iv) is discriminatory, derogatory or otherwise creates controversy within the City, as determined by the Mayor or Municipal Council;

(v) is complex, unduly long, difficult to spell or pronounce; or

(vi) recognizes a single individual for a contribution similar or identical to a contribution made by others within a particular group associated with that individual.

(d) *Asset Name Rejection.* The City, in its sole discretion, may reject any proposed asset donation or any proposed name for a new or existing City asset.

(3) *Sponsorships and City Recognitions.* The following provisions shall apply to the selection of any name associated with a sponsorship or City recognition:

(a) *Context.* The selected name should:

(i) have a longstanding or unusually significant identification with the City or its residents;
or

(ii) be consistent with: i) the character and public value of the asset; ii) the financial sponsorship categories as may be established by the Mayor; iii) specific geographical locations; or iv) any other applicable City requirement.

(b) *Personal and Organization Names.* The name of an individual or an organization shall be considered only when such individual or organization has made a significant contribution to the City by:

(i) enhancing the quality of life and well-being of the City;

(ii) contributing to the historical, cultural, or societal preservation of the community;

(iii) contributing a significant portion of project costs used for acquisition, development, or conveyance of land or construction or renovation of a City building; or

(iv) achieving personal or organizational excellence that represents Lehi City in a positive manner.

(c) *Public Gifts.* When selecting a name connected with a sponsorship, the following additional factors shall be considered:

- (i) The dollar value of the contribution compared to the construction and ongoing operating and maintenance costs of the City asset to be named;
- (ii) Any financial sponsorship categories, as may be established by the City, to recognize different contribution amounts;
- (iii) The cost of establishing the naming; and
- (iv) In the case of a donated asset, projected ongoing operating and maintenance costs.

(4) *Tributes and Memorials.* The following provisions shall apply to the selection of any asset associated with a tribute or memorial:

(a) *Quality.* An asset donated to the City shall conform to applicable City standards including, but not limited to, design, durability, location, and applicable safety considerations. The City, in its sole discretion, may reject an offer to donate an asset that does not meet City standards.

(b) *Maintenance.* An asset donated to the City that is unique and not within any asset class ordinarily purchased and maintained by the City shall be maintained by the donor unless otherwise provided in an asset naming agreement. The City will not consider for approval tributes and memorials which will impose a significant financial burden on the City to maintain.

(c) *Content.* It is in the City's discretion to approve or reject the design, size, material, text, and graphics to be used for tributes and memorials and to approve species of memorial trees. Any written content on a City asset is subject to review and may be rejected if it:

- (i) is discriminatory, derogatory, or may otherwise create controversy, as determined by the Mayor or Municipal Council; or
- (ii) contains statements of religious principles or scriptural verses unless such principles or verses are unavoidably entwined with an otherwise historically significant event or person proposed to be honored.

(d) *Ownership.* Unless otherwise agreed to in advance and in writing, all donated property of whatever kind becomes and remains City property. The City assumes no liability for the loss, damage and/or replacement of City assets.

Changing an Existing Asset Name.

(1) *Criteria.* The name of a City asset shall be changed only after consideration of the:

- (a) Historical significance of the name;
 - (b) Impact on the currently-named individual or organization;
 - (c) Cost and impact of:
 - (i) changing existing signage, if any;
 - (ii) rebuilding community recognition; and
 - (iii) updating records such as letterhead, databases, and promotional materials; and
 - (d) Financial contribution of both the person or organization of the currently-named asset and the person or organization proposing the new name.
- (2) *Consideration.* Each petition to change an existing name shall be considered on a case-by-case basis pursuant to applicable provisions of this Chapter.

Asset Name Removal.

- (1) *End of Service Life.* When the City determines an asset has exceeded its service life or the asset is destroyed or damaged beyond feasible and economic repair, the asset and its associated name may be removed as provided by law.
- (2) *Extension.* A named asset that has exceeded its service life may thereafter remain in service only if remaining in service poses no danger to the public and is approved by the City Council pursuant to an asset naming agreement that specifies the length of time that the asset name may be used, and provides for an endowment fund or other financial resources sufficient to pay the asset's ongoing maintenance and operation costs.

Process for Requesting a Naming Right or Change of Name

- (1) Exhibit A is a Sponsorship Request Form that must accompany all requests. Upon completion of the Sponsorship Request Form, it will be submitted to the city recorder. Attach all documentation needed for the Mayor and Council to make an informed decision. If requested, be prepared to speak before the Mayor and/or City Council in a public meeting.

Rules and Procedures.

The Mayor or the Mayor's designee may adopt rules, regulations, and procedures, including asset naming parameters, to implement the provisions of this Chapter consistent with the guidelines and limitations set forth in this Chapter.



Sponsorship Request Form
(For Use in Application of City Property/Facility Naming Rights)

Description/Location of City Property/Facility: _____

Applicant's Name: _____

Applicant's Address: _____

Applicant's Telephone Number: _____ E-Mail Address: _____

Proposed Sponsorship Name: _____

Proposed Sponsorship Fee: _____ Term: _____

I _____, representative of the above named applicant, hereby acknowledge that I have read the Lehi City Naming Rights Policy and that the proposed sponsorship submitted meets the criteria outlined in said policy.

(Signature) (Date)

(Printed Name)

Note: Submit a brief description and reason why the naming rights are being requested. Include all designs, pictures or concepts with the application. Provide an additional information deemed necessary to make an informed decision by the City.

City Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted By: Teisha Wilson

Submitting Department:

Item Type: Resolution

Agenda Section: Regular Agenda

Subject:

Consideration of Resolution #2020-68, approving an agreement for Energized Line Clearance and Tree Trimming between Lehi City and Peterson Tree Care.

Suggested Action:

Attachments:

[Res 2020-68.docx](#)

[Lehi City Power Department Contract 2020.pdf](#)



RESOLUTION NO. 2020-68

**A RESOLUTION APPROVING AN AGREEMENT FOR ENERGIZED LINE
CLEARANCE AND TREE TRIMMING BETWEEN LEHI CITY AND PETERSON
TREE CARE**

WHEREAS, City desires to contract for energized line clearance and tree trimming for two years, with an optional third year; and

WHEREAS, City let Request for Proposals (RFP) 2020-12 to identify firms and companies which would best serve the needs of the City to perform such services; and

WHEREAS, Contractor submitted its proposal and the City compared it to others received; and

WHEREAS, City now desires to contract with Contractor to perform the work specified in the Contract Documents;

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

1. An agreement for energized line clearance and tree trimming between Lehi City and Dendro Group LLC, dba Peterson Tree Care as shown on the attached Exhibit "A" is hereby adopted.
2. This resolution shall take effect immediately.

Approved and Adopted by the City Council of Lehi City this 13th day of October, 2020.

LEHI CITY

ATTEST

Mark Johnson, Mayor

Teisha Wilson, City Recorder

EXHIBIT “A”

AGREEMENT FOR ENERGIZED LINE CLEARANCE AND TREE TRIMMING

THIS AGREEMENT is made and entered into this 10th day of August, 2020 by and between Lehi City, 153 North 100 East, Lehi, Utah 84043 (“City”) and Dendro Group LLC, dba Peterson Tree Care, 1534 Bear Hollow Lane, Elk Ridge, UT 84651 (“Contractor”).

WHEREAS, City desires to contract for energized line clearance and tree trimming for two years, with an optional third year; and

WHEREAS, City let Request for Proposals (RFP) 2020-12 to identify firms and companies which would best serve the needs of the City to perform such services; and

WHEREAS, Contractor submitted its proposal and the City compared it to others received; and

WHEREAS, City now desires to contract with Contractor to perform the work specified in the Contract Documents;

NOW, THEREFORE, in consideration of the premises, the covenants and conditions set forth in this Agreement, and in further consideration of the execution of this Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, City and Contractor agree as follows:

1. **Agreement.** City hereby hires Contractor and Contractor agrees to be bound to the City to provide energized line clearance and tree trimming. Contractor shall provide such services per the Request for Proposal 2020-12 (RFP) attached hereto as Exhibit A, and Contractor’s Bid attached hereto as Exhibit B, all of which are referred to as the “Contract Documents” and by this reference made a part hereof.
2. **Term.** This Agreement shall begin immediately upon signing and shall be for a term of two (2) years. This Agreement may be renewed for a third year at the City’s option.
3. **Payment.** City shall pay Contractor per the hourly rates provided in Contractor’s Bid, attached as Exhibit B, upon monthly invoice received from Contractor and work performance verification. Total payments shall not exceed One Hundred Thousand Dollars (\$100,000.00) annually.
4. **Changes in Performance.** All changes in performance of this Agreement shall be described in detail on a change order request form, provided by the City, and which must be authorized in writing by an authorized representative of the City prior to commencing any proposed changes in performance. Contractor shall not be entitled to any additional consideration for changes in performance which were not authorized as contemplated by this Section, nor for the correction of any mistakes attributable in any way to Contractor, or its employees, agents, subcontractors, independent contractors, and the like.
5. **Withholding Payment for Defective Performance.** The City may withhold or, on account of subsequently discovered evidence, nullify the whole or part of any of the

Payment to the extent that the City reasonably determines such withholding is necessary to protect itself from loss or liability on the account of defective or incomplete performance by Contractor, including but not limited to defective goods or services not remedied, or any other failure to comply with the terms and conditions of this Agreement.

6. **Termination and Non-Appropriation.** The City may terminate this Agreement at any time if, in the sole discretion of the City, Contractor's performance under this Agreement is unsatisfactory, Contractor fails to perform its duties and obligations required by this Agreement with diligence or within the time specified herein, or Contractor has otherwise materially breached this Agreement.
 - 6.1 Prior to terminating this Agreement if Contractor's performance is unsatisfactory, the City shall first provide written notice to Contractor of the City's intention to terminate this Agreement. The notice of termination must be provided by City to Contractor at least seven (7) calendar days prior to termination. After receiving such notice of termination from City, Contractor shall have the next five (5) working days in which to cure any deficiency noted by the City. If Contractor adequately cures any such deficiency to the sole satisfaction of the City, this Agreement shall continue. However, in the event Contractor fails to adequately cure any such deficiency, this Agreement shall terminate, and Contractor shall be liable for any resulting damages associated with the deficiency and breach of this Agreement. The City may pursue any such damages through all available means, whether in law or in equity, or both.
 - 6.2 The City may, in its sole discretion, terminate, suspend, or abandon this Agreement without cause at any time by providing written notice to Contractor of the City's intention to terminate this Agreement without cause. The notice of termination shall be provided by the City to Contractor at least seven (7) calendar days prior to termination.
 - 6.3 Any Scope of Service which Contractor has completed or performed prior to the date of any termination, suspension, or abandonment shall be recorded and tangible work documents shall be transferred to, and become the sole property of, the City. If the City has terminated this Agreement without cause, then subsequently requests Contractor to recommence its performance of the scope of service after more than three (3) months from the date of termination, the consideration payment amount shall be subject to renegotiation at the request of either party hereto.
 - 6.4 If the Lehi City Council decides not to appropriate a sufficient amount of resources to fund the consideration payment, this Agreement shall be void. In the event of such non-appropriation of resources, the City shall be relieved of all of its obligations contemplated by this Agreement, including but not limited to the consideration payment.

7. Taxes.

- 7.1 Each party shall be solely responsible for any tax liability which it may incur as a result of this Agreement.
- 7.2 The City is exempt from the payment of any Federal excise or any Utah sales tax (State of Utah Sales Tax Exemption Number: Q41296). Such taxes will not apply to the City, unless otherwise noted in writing by the City. Any price listed by Contractor on a purchase order, or equivalent, must be net, exclusive of taxes. However, when under established trade practices, any Federal excise tax is included in the list price, Contractor may quote the list price and shall show separately the amount of Federal tax, either as a flat sum or as a percentage of the list price, which shall be deducted from any payments made by the City.

8. Indemnification and Insurance.

- 8.1 Contractor shall be solely responsible for any damage or injury which it, or its employees, agents, subcontractors, independent contractors, and the like may cause in the performance of this Agreement. Consequently, to the fullest extent permitted by law, Contractor shall indemnify, defend, and hold harmless the City, any subsidiary or affiliate of the City, and its past, present and future agents, representatives, and employees from and against all claims, damages, lawsuits, losses, liabilities, liens, cost, citations, penalties, fines and expenses, including but not limited to attorneys' fees, arising out of or resulting from Contractor's performance of this Agreement, provided that such claims, damages, losses, liabilities, liens, costs, citations, penalties, fines, and expenses are caused in whole or in part by any negligent, grossly negligent, reckless, or intentional act or omission attributable in any way to Contractor, or its employees, agents, subcontractors, independent contractors, and the like, or anyone directly or indirectly employed by Contractor or any subcontractor, or any party for whose acts Contractor may be liable, regardless of whether liability is imposed upon such party. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity, which may otherwise exist in favor of the City. In any and all claims against the City, or any subsidiary or affiliate, or any of its past, present or future agents, representatives, or employees, by Contractor, or its current or former employees, agents, subcontractors, independent contractors, and the like, or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the indemnification obligation under this paragraph shall not be limited in any way by the amount or types of damages, compensations, or benefits payable by or for Contractor, or any subcontractor, worker's compensation acts, disability benefit acts, or other employee benefit acts.
- 8.2 The City shall indemnify and hold harmless Contractor, its subsidiaries, affiliates, agents, shareholders, directors, and employees from and against all damages, costs, liabilities, including reasonable attorneys' fees and expenses, arising from or related

to the actions of the City with respect to the subject matter of this Agreement.

- 8.3 Contractor, at its own expense, shall provide for the payment of workers' compensation benefits to its employees employed on or in connection with the performance of this Agreement, and in accordance with applicable State and Federal laws.
- 8.4 Contractor, at its own expense, shall maintain comprehensive general liability insurance, including but not limited to \$1,000,000 per occurrence, \$2,000,000 general aggregate, and \$3,000,000 umbrella liability.
- 8.5 Contractor, at its own expense, shall maintain automobile public liability insurance with bodily injury and death limits of at least \$250,000 for any one person, and \$500,000 for any one occurrence, and a property damage limit per occurrence of \$250,000. Such benefits and coverage shall not be deemed to limit Contractor's liability under this Agreement. It is intended by this Section that the requirements set forth herein will satisfy applicable minimum requirements under Utah law. However, in the event that the foregoing requirements do not satisfy applicable Utah law, Contractor must maintain automobile public liability insurance in amounts satisfying applicable Utah law.
- 8.6 Before commencing the Scope of Service, and at any time thereafter upon written request by the City, Contractor shall furnish the City with a copy of certificates of insurance as evidence that policies providing the coverage required by this Agreement are in effect.
- 8.7 All insurance required by this Agreement, with the exception of worker's compensation and employer's liability policies, shall include the City, its directors, officers, agents, and employees as additional insured persons with respect to the activities of Contractor in the performance of this Agreement, or that of its employees, agents, subcontractors, independent contractors, and the like. Any certificate presented as evidence of insurance shall specify the date when such benefits and insurance expire. Unless a different length of time is expressly set forth in this Agreement, Contractor shall maintain any insurance required by this Agreement until after the Scope of Service has been fully performed by Contractor, and subsequently approved and accepted by the City. Contractor shall provide the City with written notice at least sixty (60) days in advance of any cancellation, termination, or material alteration of said policies of insurance.
9. **Authority.** Each individual signing this Agreement warrants and represents that he or she has been authorized by appropriate action of the party which he or she represents and has authority to enter into this Agreement on behalf of the party.
10. **Attorneys' Fees and Costs.** Each party shall bear its own attorneys' fees and costs incurred in connection with the drafting, execution, and performance of this Agreement. However, if any action at law or in equity is necessary to enforce or interpret the terms of

this Agreement, the prevailing party in such action shall be entitled to recover reasonable attorneys' fees, legal costs, and other collection fees and costs incurred by the prevailing party in connection with the suit, both before and after the judgment, in addition to any other relief to which such party may be entitled.

11. **Non-Waiver.** No failure to exercise and no delay in exercising any right, remedy, or power under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any right, remedy, or power under this Agreement preclude any other or further exercise thereof, or the exercise of any other right, remedy or power provided herein or by law or in equity.
12. **Binding Effect.** This Agreement is binding upon the parties and their proper and allowable heirs, legatees, representatives, successors, and assignees.
13. **Assignment.** Neither party may assign this Agreement nor delegate any responsibilities under this Agreement without prior written consent. Any purported assignment or delegation in violation of this Section without prior written consent from the non-assigning party, shall be void and will be considered a material breach of this Agreement.
14. **Amendments.** This Agreement may not be modified, amended, or terminated, except by an instrument in writing.
15. **Time.** Time is of the essence with this Agreement, as well as every term, covenant, and condition contained herein.
16. **Force Majeure.** Neither party shall be liable for any failure or delay in performing an obligation under this Agreement that is due to causes beyond its reasonable control, such as natural catastrophes, governmental acts or omissions, laws or regulations, labor strikes or difficulties, transportation stoppages or slowdowns or the inability to procure parts or materials. If any of these causes continue to prevent or delay performance for more than 180 days, the non-delaying party may terminate this Agreement, effective immediately upon notice to the delaying party.
17. **Severability.** If any provision of this Agreement is determined to be invalid or unenforceable, the remaining provisions of this Agreement shall, nevertheless, be construed, performed, and enforced as if the invalidated or unenforceable provision had not been included in the text of the Agreement.
18. **Governing Law.** This Agreement shall be construed in accordance with the laws of the State of Utah.
19. **Entire Agreement.** All agreements, covenants, representations and warranties, express or implied, oral or written, of the parties concerning the subject matter hereof are contained solely in this Agreement, subject to any implied warranties and conditions imposed upon the parties by Utah law. No other agreements, covenants, representations, or warranties have been made by any party to any other party concerning the subject

matter hereof. All prior and contemporaneous conversations, negotiations, possible and alleged agreements, representations, covenants, and warranties concerning the subject matter hereof are merged herein. This is an integrated agreement.

“CONTRACTOR”

PETERSON TREE CARE

“CITY”

LEHI CITY, a municipal corporation and political subdivision of the state of Utah

By: Derek Peterson
It: Owner/Operator

By: _____

Name: _____

Title: _____

ATTEST:

City Recorder

EXHIBIT A
REQUEST FOR PROPOSALS

EXHIBIT B
CONTRACTOR'S BID