SARATOGA SPRINGS

Life's just better here

1. 2020-8-18 Cc Agenda

   Documents:

   2020-8-18 CC AGENDA.PDF

2. 2020-8-18 Cc Packet

   Documents:

   2020-8-18 CC PACKET.PDF

AGENDA – City Council Meeting

Mayor Jim Miller
Mayor Pro Tem Ryan Poduska
Council Member Christopher Carn
Council Member Michael McOmber
Council Member Chris Porter
Council Member Stephen Willden

CITY OF SARATOGA SPRINGS
Tuesday, August 18, 2020, 6:00 pm
Pursuant to State and Federal Guidelines concerning COVID19, this Meeting will be conducted electronically.
Meetings are streamed live at
https://www.youtube.com/c/CityofSaratogaSprings
Questions and comments to staff and/or Council may be submitted to comments@saratogaspringscity.com

I, Jim Miller, the Mayor of the City of Saratoga Springs, hereby determines that conducting the City Council meeting at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. The World Health Organization, the President of the United States, the Governor of Utah, and the County Health Department have all recognized a global pandemic exists related to the new strain of the coronavirus, SARS-CoV-2 (COVID-19). Due to the State of emergency caused by the global pandemic, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the location. This written declaration expires 30 days from the date signed.

Jim Miller, Saratoga Springs Mayor *Expiration: September 30, 2020*

POLICY MEETING

1. Call to Order.
2. Roll Call.
3. Invocation / Reverence.
4. Pledge of Allegiance.

REPORTS:

1. Mayor.
2. City Council.
3. Administration: Ongoing Item Review.

PUBLIC HEARING:

1. FY 2020-2021 Budget Amendments; Resolution R20-41 (8-18-20).

BUSINESS ITEMS:

1. Wildflower Major Community Plan Amendment – Hillside Standards, Nate Shipp DAI Utah Applicant, ~ Mountain View Corridor and Harvest Hills Boulevard.
2. Code Amendments Title 13 and Title 19, City Initiated; Ordinance 20-28 (8-18-20).

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 801.766.9793 at least one day prior to the meeting.

MINUTES:

1. August 4, 2020.

CLOSED SESSION:

Motion to enter into closed session for any of the following: purchase, exchange, or lease of real property; discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual.

ADJOURNMENT

Councilmembers may participate in this meeting electronically via video or telephonic conferencing.
The order of the agenda items are subject to change by the Mayor. Citizens may address the Council during Public Input which has been set aside to express ideas, concerns, and comments on issues not listed on the agenda as a Public Hearing. All comments must be recognized by the Mayor and addressed through the microphone. Final action may be taken concerning any topic listed on the agenda.

Decorum - The Council requests that citizens help maintain the decorum of the meeting by turning off electronic devices, being respectful to the Council and others.

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City Council
Staff Report

Author: **Chelese Rawlings, Finance Manager**
Subject: **Budget Amendment**
Date: **August 18, 2020**
Type of Item: **Resolution**

Summary Recommendation: Staff recommends approval of the following by resolution amending the budget for the fiscal year 2020-21.

Description

A. Topic

This is the first budget amendment for the fiscal year 2020-2021.

B. Background

Attached is the detail of the requested budget amendments for this budget amendment.

C. Analysis

Additional budgeted expenditures are detailed in the attached spreadsheet.

Recommendation: Staff recommends approval of the resolution amending the budget for the fiscal year 2020-21.

2020-2021 Budget Amendment Supplemental #1						
G/L Account	**Department**	**Description**	**Current FY 2021 Budget**	**New Budget Amount**	**Debit/Credit**	**Notes/Comments**
General Fund						
Expenditures						
10-4510-500	Parks and Open Space	Infield Maintenance Contract	111,463	151,463	40,000	DuraEdge Contract, funded with general fund balance
10-4610-400	Library	Book Purchases	39,959	29,959	(10,000)	same level adjustment
10-4610-410	Library	Digital Collection	-	10,000	10,000	same level adjustment
General Fund Total					**$ 40,000**	
General Capital						
Expenditures						
35-4000-402	General Capital	Public Works Parking Lot Exp and Fence	-	370,000	370,000	PW parking lot and perimeter fence, funded with transfer from general fund
General Capital Total					**$ 370,000**	
Water Operations						
Expenditures						
51-5100-405	Water Operations	Distribution	35,000	185,000	150,000	Meters for crossovers, funded with water operations fund balance
Water Operations Total					**$ 150,000**	
Storm Drain Impact						
Expenditures						
new	Storm Drain Impact	Pony Express Extension Outfall	$ -	$ 450,000	$ 450,000	To be Built with Pony extension, funded with strom drain impact fund balance
Storm Drain Impact Total					**$ 450,000**	
Parks Impact Fund						
Revenue						
32-3310-100	Grant Revenue	Grant	$ -	$ (1,216,781)	$ (1,216,781)	Grant for South Marina
Expenditures						
32-4000-720	Parks Impact	South Marina Capital	$ -	$ 2,200,000	$ 2,200,000	South Marina Beach and landscaping funded with grants and fund balance
new	Parks Impact	Ongoing Wetland Mitigation Trail Proj	$ -	$ 20,000	$ 20,000	funded with fund balance
new	Parks Impact	Redwood Road missing trail segments	$ -	$ 718,080	$ 718,080	funded ith fund balance
new	Parks Impact	Sunrise Meadows Park	$ -	$ 300,000	$ 300,000	funded with fund balance
new	Parks Impact	North Marina Dredge Phase 1	$ -	$ 500,000	$ 500,000	Increase due to Utah Retirement System mandated regular time pay
Parks Impact Total					**$ 2,521,299**	
Roads Impact Fund						
Revenue						
33-3310-100	Grant Revenue	Grant	$ -	$ (3,628,135)	$ (3,628,135)	MAG Funded with 6.77% match
Expenditures						
33-4000-710	Roads Impact	Transporation Planning	$ 17,078	$ 57,078	$ 40,000	Continued studies
33-4000-759	Roads Impact	Pony Express Extension	$ -	$ 4,180,870	$ 4,180,870	MAG Funded with 6.77% match from Redwood to Jordan River, 650K Jordan River to Saratoga Road, remainder funded with fund balance
new	Roads Impact	Foothill from Pony to Lariat		$ 700,000	$ 700,000	
Roads Impact Total					**$ 1,292,735**	
Sewer Impact Fund						
Expenditures						
53-4000-793	Sewer Impact	Wetland Mitigation for Sewer Bid SCH 3	$ -	$ 51,000	$ 51,000	mitigation for wetland, funded with sewer fund balance

53-4000-600	Sewer Impact	Master Plan Studies	$ -	$ 40,000	$ 40,000	Continued studies
Sewer Impact Fund Total					**$ 91,000**	
Culinary Water Impact						
Expenditures						
56-4000-600	Culinary Water Impact	Culinary Water Master Plan	$ -	$ 20,000	$ 20,000	mitigation for wetland, funded with sewer fund balance
new	Culinary Water Impact	2300 West CUWCD connection and Pipe	$ -	$ 83,200	$ 83,200	funded with fund balance
56-4000-835	Culinary Water Impact	Northgate Culinary Water Lind	$ 237,978	$ 437,978	$ 200,000	
Culinary Water Impact Total					**$ 303,200**	
Secondary Water Impact						
Expenditures						
57-4000-715	Secondary Water Impact	Equip Well #7	$ 871,960	$ 1,514,674	$ 642,714	equip well per capital facilities plan, funded with 2016 water bonds
new	Secondary Water Impact	Northgate Secondary Waterlines	$ -	$ 350,000	$ 350,000	funded with 2016 water bonds
new	Secondary Water Impact	Crossroads Pipeline to Commerce Dr	$ 237,978	$ 437,978	$ 200,000	with MAG crossroads blvd widening project, funded with 2016 water bonds
Secondary Water Impact Total					**$ 1,192,714**	
Total Funding Impact					**$ 6,410,949**	

RESOLUTION NO. R20-41 (8-18-20)

A RESOLUTION AMENDING THE CITY OF SARATOGA SPRINGS BUDGET FOR FISCAL YEAR 2020-2021 AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Saratoga Springs has found it necessary to amend the City's current 2020-2021 fiscal year budget;

WHEREAS, pursuant to state law, the City Council has conducted a public hearing on the proposed amended budget; and,

WHEREAS, the City Council has determined that the proposed budget amendment is in the best interests of the public, will further the public health, safety, and welfare, and will assist in the efficient administration of City government.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:

1. The City of Saratoga Springs does hereby adopt the amended 2020-2021 fiscal year budget as set forth and attached hereto.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Passed on the 18th day of August, 2020.

CITY OF SARATOGA SPRINGS
A UTAH MUNICIPAL CORPORATION

Signed: _____
Jim Miller, Mayor

Attest: _____
Cindy LoPiccolo, City Recorder

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SARATOGA SPRINGS PLANNING

City Council
Staff Report

Major Community Plan Amendment
Wildflower Community Plan – Hillside Standards
Tuesday, August 18, 2020
Public Meeting

Report Date:	August 11, 2020
Applicant:	Nate Shipp, DAI
Owner:	Sunrise 3 LLC; Tanuki Investments, LLC; WF 2 Utah LLC; CLH Holdings LLC; Wildflower Master Homeowner's Association Inc.
Location:	Mountain View Corridor & Harvest Hills Boulevard
Major Street Access:	Mountain View Corridor
Parcel Number(s) & Size:	58:021:0152, 58:022:0123, 58:021:0176, 58:022:0138, 58:021:0143, 58:022:0134, 58:033:0308, 58:033:0346, 58:033:0327, 58:033:0183, 58:033:0398; 58:022:0160; 58:022:0159; approximately 1,201 acres
Parcel Zoning:	Planned Community
Parcel General Plan:	Planned Community Residential, Planned Community Mixed Use
Adjacent Zoning:	RC, A, R1-10
Current Use of Parcel:	Vacant, Single-Family Residential
Adjacent Uses:	Single-family residential, vacant, UDOT roads, Camp Williams, Hadco operations
Previous Meetings:	11/14/19 – Planning Commission Review and Recommendation 12/17/19 – City Council conditional approval of MDA Amendment 4/14/20 – City Council conditional approval of CP Amendment
Previous Approvals:	2/24/2015 – Wildflower Community Plan, Master Plan Agreement, General Plan Amendment, and Rezone approved 4/21/2015 – Springs Annexation, General Plan Amendment, and Rezone approved 11/15/2016 – Wildflower Community Plan Amendment approved
Land Use Authority:	City Council
Author:	Tippe Morlan, AICP, Senior Planner

Tippe Morlan, AICP, Senior Planner
tmorlan@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x116 • 801-766-9794 fax

A. Executive Summary:

As a part of a major amendment to the Wildflower Community Plan (CP) and corresponding Master Development Agreement (MDA) approved by the City Council on April 14, 2020, a condition of approval was issued to review the hillside standards and exceptions the applicant would be proposing for this site. These are proposed as shown in Exhibit A.

Recommendation:

Staff recommends the City Council conduct a public meeting, discuss the proposed hillside standards for the Wildflower Community Plan Amendment, and *approve* the request with the finding and conditions as outlined in Section I of this staff report.

B. Background:

December 17, 2019 – The City Council reviewed and approved a Master Development Agreement major amendment contingent upon approval of this Community Plan major amendment. This agreement includes an allowance of 14 added units in exchange for an agreement with Camp Williams to purchase 20 acres of the Springs area for a cemetery within the next 5 years.

April 14, 2020 – The City Council approved the draft amendment to the Community Plan with a condition of approval that the applicant bring requested exceptions to the hillside standards back for review and approval. The Council also approved a corresponding Rezone, and General Plan amendment.

C. Specific Request:

The major amendment to the Wildflower Community Plan (CP) that was approved by the City Council on April 14, 2020 did not include details on the proposed exceptions to the hillside development standards. The applicant has now proposed standards specific to this development for the Council to review.

D. Process:

Pursuant to Section 19.13 of the Saratoga Springs Code, the City Council is the Land Use Authority for major community plan amendments following a recommendation from the Planning Commission. A public hearing is also required at Planning Commission for these items, which occurred on November 14, 2019.

E. Community Review:

Notice of the community plan amendment and the rezone was published and mailed to all property owners within 300 feet on October 31, 2019. As of the date of this staff report, no public comment has been received by the City. No public comment was made at the November 14, 2019 Planning Commission meeting or at any subsequent City Council meetings.

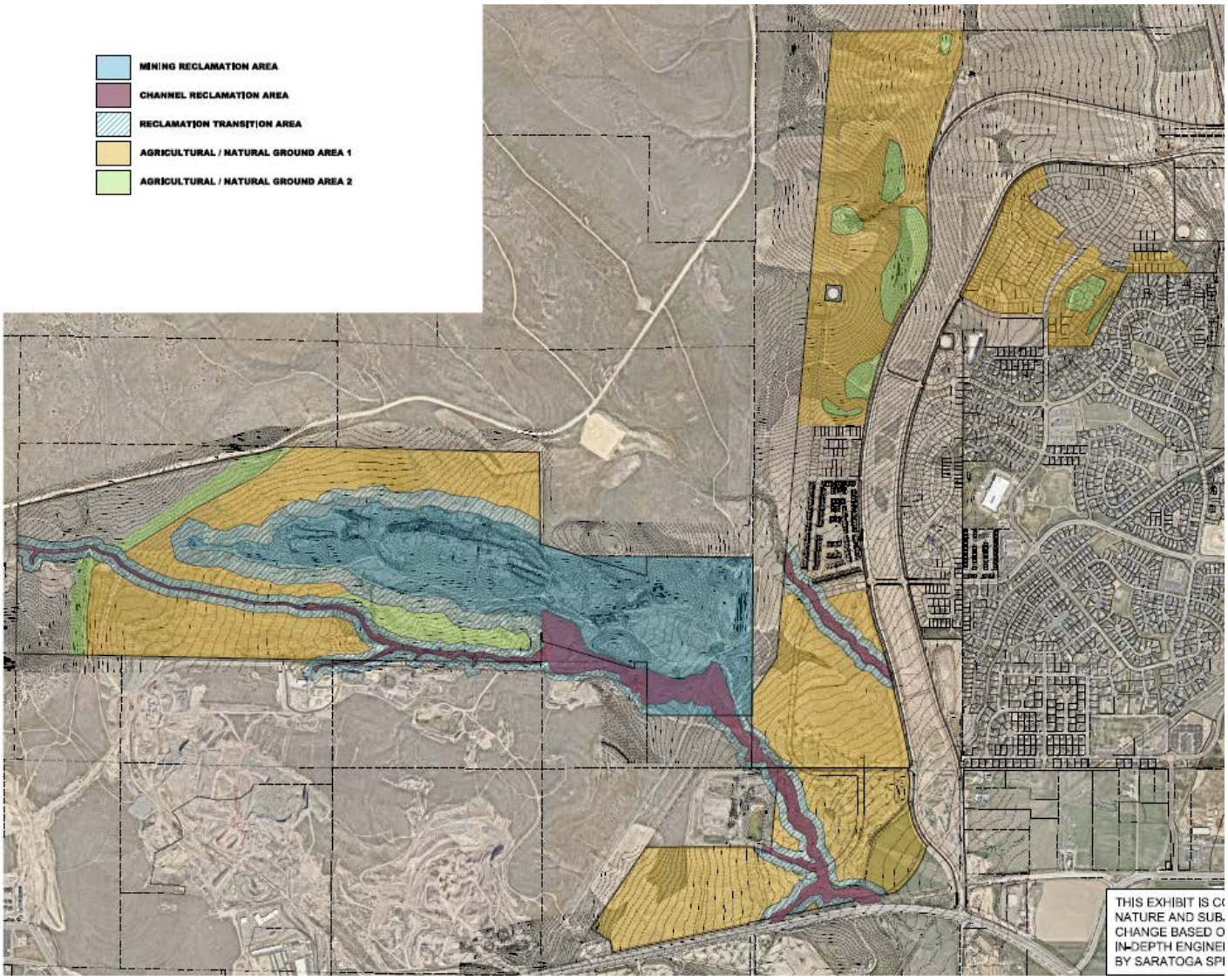
F. Staff Review:

The applicant has provided hillside development standards requesting exceptions from the existing code as shown in Exhibit A. This document identifies mining activity within the Springs portion of Wildflower and provides justification for the requested extent of cuts and fills. These

standards are proposed to allow for additional retaining and revegetation standards since the City had not yet adopted the updated hillside ordinance at the time the CP was approved. Requested exceptions are to be included as a part of the Amended and Restated MDA and CP. Any item not addressed in this document defaults to the City Code standards as of April 14, 2020.

The Wildflower community sits on significant slopes which exceed 30 percent in a many areas. As a result, a majority of the property will be subject to significant cuts and fills. The proposed grading plan as identified on Page A2-24 of the CP is to be superseded by the new exhibits.

Due to existing site conditions which include hillsides affected by mining activities, staff understands that exceptions to the current hillside ordinance may be warranted. The applicant has worked with City staff at length to develop the proposed code deviations. The entirety of the project has been broken up into 5 project areas with different grading criteria based on site conditions outlined in Exhibit A:



1) Mining Reclamation Area, ~171 acres: This area is characterized by surface mining activities that have occurred over at least the last 80 years as shown through Exhibits B1 and B2 which verify the disturbed nature of the site and the need for significant reclamation.
2) Channel Reclamation Area, ~50 acres: Several large storm drainage channels exist within the development area which are fed from drainage of Camp Williams property.
3) Mining/Channel Transition Area, ~121 acres: This area is located within 200 feet of the Mining Reclamation Area and 100 feet of the Channel Reclamation Area.
4) Agricultural/Natural Ground Area 1, ~466 acres: This area is characterized by historical agricultural uses or undisturbed natural ground and contain existing slopes of generally 5 to 15 percent.
5) Agricultural/Natural Ground Area 2, ~59 acres: This area is characterized by historical agricultural uses or undisturbed natural ground and contain steeper existing slopes of approximately 10 to 25 percent.

Staff has redlined the Agricultural/Natural Ground Area 2 standards as shown in Exhibit A to ensure it addresses the steep property adjacent to existing Harvest Hills lots. The Agricultural/Natural Ground Area 2 is the only defined area which requests grading exceptions for steep slopes without mining or channel activity.

The applicant is also proposing standards for retaining walls, steep slopes, and contouring similar to what was approved in the most recent approved update to Section 19.10: Hillside Development in the City Code.

G. General Plan:

The General Plan designation for this property is Planned Community-Residential for the existing residential portion of Wildflower, and Planned Community-Mixed Use for the future commercial portion of Wildflower. These designations are described as follows:

Planned Community Residential	The Planned Community designation includes large-scale properties within the City which exceed 500 acres in size. This area is characterized by a mixture of land uses and housing types, but is primarily residential. It is subject to an overall Community Plan that contains a set of regulations and guidelines that apply to a defined geographic area.	Varies
Planned Community Mixed Use	The Planned Community designation includes large-scale properties within the City which exceed 500 acres in size. This area is characterized by a mixture of land uses and housing types, and has a mixture of commercial uses. It is subject to an overall Community Plan that contains a set of regulations and guidelines that apply to a defined geographic area.	Varies

Staff conclusion: Consistent. The proposed community plan and associated general plan and zoning designation of Planned Community are consistent with these Land Use Designations.

H. Code Criteria:

19.26.06 Guiding Standards of Community Plans.

1. **Development Type and Intensity.** The allowed uses and the conceptual intensity of development in a Planned Community District shall be as established by the community plan. ***Finding*: Complies.** The proposed community plan maintains the intensity of development

that has previously been established within the existing Wildflower CP and Springs MDA.

2. **Equivalent Residential Unit Transfers.** Since build-out of a Planned Community District will occur over many years, flexibility is necessary to respond to market conditions, site conditions, and other factors. Therefore, after approval of a Community Plan, residential density or non-residential intensity may be transferred within the Planned Community District as necessary to improve design, accessibility, and marketability. Guiding transfer provisions shall be provided in the Community Plan and detailed transfer provisions shall be established in the Village Plans.
   ***Finding*: Complies.** The proposed community plan establishes that ERU transfers on Page 3-01 of the proposed plan. The proposed standards comply with the ERU requirements of the City Code. For Wildflower, ERU transfers can occur at Village Plan or Village Plan Amendment.

3. **Development Standards.** Guiding development standards shall be established in the Community Plan.
   ***Finding*: Complies.** Guiding development standards are provided on Pages 5-11 to 5-31 of the proposed plan. While the Code requires detailed standards and regulations to be contained in a Village Plan, the applicant has chosen to detail all standards now for consistency. Because there are two existing approved Village Plans within Wildflower, there have been issues with conflicting standards between VPs and CPs.

4. **Open Space Requirements.** Open space, as defined in Section 19.02.02, shall comprise a minimum of 30 percent of the total Planned Community District area.
   ***Finding*: Complies.** The proposed combined community provides approximately 32.9 percent of the overall area, not including Mountain View Corridor or Commercial/Business Park areas, as open space.

5. No structure (excluding signs and entry features) may be closer than 20 feet to the peripheral property line of the Planned Community District boundaries.
   ***Finding*: Complies.** No structures are proposed within 20 feet of the peripheral property line with the exception of the properties immediately adjacent to the Harvest Hills development. A landscape buffer has been provided as shown on the Land Use Exhibit on Page 2-01 of the proposed plan.

19.26.07 Contents of Community Plans.

Community Plans are general and conceptual in nature; however, they shall provide the community-wide structure in enough detail to determine the size, scope, intensity, and character of subsequent and more detailed Village Plans.

1. **Description.** A metes and bounds legal description of the property and a vicinity map
   ***Finding*: Complies.** Shown on Pages 1-01 to 1-07 of the proposed plan.

2. **Use Map.** A map depicting the proposed character and use of all property within the Planned Community District. This map shall be of sufficient detail to provide clear direction to guide subsequent Village Plans in terms of use and buildout. This map is not required to specify the

exact use and density for each area and instead, to allow flexibility over the long-term, may describe ranges of buildout and ranges of uses.
***Finding*: Complies.** Shown on Pages 2-01 to 2-05 of the proposed plan.

3. **Buildout Allocation.** An allocation of all acreage within the Planned Community District by geographic subarea or parcel or phase with ranges of buildout levels calculated based on the City's measure of equivalent residential units, including residential and nonresidential density allocations and projections of future population and employment levels.
***Finding*: Complies.** Shown on Pages 2-01 to 2-05 and 3-01 of the proposed plan.

4. **Open Space Plan.** A plan showing required open space components and amenities
***Finding*: Complies.** Shown on Pages 4-01 to 4-12 and A3-01 to A3-28 of the proposed plan. The Open Space Plan is acceptable and enforceable as redlined and agreed upon by both staff and the applicant.

5. **Guiding Principles.** A general description of the intended character and objectives of the Community Plan and a statement of guiding land use and design principles that are required in subsequent and more detailed Village Plans and are necessary to implement the Community Plan.
***Finding*: Complies.** Shown on Pages 5-01 to 5-31 of the proposed plan.

6. **Utility Capacities.** A general description of the current capacities of the existing on- and off-site backbone utility, roadway, and infrastructure improvements and a general description of the service capacities and systems necessary to serve the maximum buildout of the Community Plan. This shall be accompanied by a general analysis of existing service capacities and systems, potential demands generated by the project, and necessary improvements.
***Finding*: Complies.** Shown on Pages A2-01 to A2-25 of the proposed plan.

7. **Conceptual Plans.** Other elements as appropriate including conceptual grading plans, wildlife mitigation plans, open space management plans, hazardous materials remediation plans, and fire protection plans.
***Finding*: Complies.** See Pages 6-01 to 6-06 and A2-25 of the proposed plan.

8. **Development Agreement.** A Master Development Agreement, as described in Section 19.26.11.
***Finding*: Complies.** The amended and restated Master Development Agreement is attached as Exhibit C and reflects proposed changes to City Code within the CP.

9. **Additional Elements.** The following shall be included in the Community Plan or submitted separately in conjunction with the Community Plan:
    a. description of and responses to existing physical characteristics of the site including waterways, geological information, fault lines, general soils data, and slopes (two foot contour intervals);
    b. a statement explaining the reasons that justify approval of a Community Plan in relation to the findings required by Section 19.26.05;

c. an identification and description of how environmental issues, which may include wetlands, historical sites, and endangered plants, will be protected or mitigated; and
d. the means by which the Applicant will assure compliance with the provisions of the Community Plan, including architectural standards and common area maintenance provisions, and a specific description of the means by which phased dedication and improvement of open space will occur to assure the adequate and timely provision and improvement of open spaces.

***Finding*: Can Comply.** The applicant identifies the elements above, explaining what the conditions are that necessitate the updated community plan.

10. **Application and Fees.** The following shall be= submitted in conjunction with the Community Plan: a. completed Community Plan application; b. fees as determined by the City Recorder; and c. copies of submitted plans in the electronic form required by the City.
***Finding*: Complies.**

I. Recommendation:

Staff recommends the City Council approve the hillside standards for the Wildflower Community Plan Amendment, choosing from the following options:

<u>Approvals with Conditions</u>

"I move to **approve** the hillside standards for the major amendment to the Wildflower Community Plan, located at approximately Harvest Hills Boulevard and Mountain View Corridor, based on the following findings and subject to the following conditions:

Findings

1. The application complies with the Land Development Code, as articulated in Section H of the staff report, which is incorporated by reference herein.
2. The application is consistent with the General Plan, as articulated in Section G of the staff report, which section is incorporated by reference herein.
3. With appropriate modifications, the application complies with Section 19.26 of the City Code as articulated in Section H of the staff report, which is incorporated by reference herein.

Conditions:

1. The hillside development standards shall be incorporated into the approved Amended and Restated Master Development Agreement and Community Plan as redlined in Exhibit A.
2. Any other conditions or changes as articulated by the City Council:
    a. _____.

<u>Option 2 - Continuance</u>

"I move to ***continue*** the hillside standards for the Wildflower Community Plan Amendment to the [September 1, 2020] meeting, with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

1. _____

2. _____

<u>Option 3 – Denial</u>

"I move that the City Council **deny** the hillside standards for the Wildflower Community Plan Amendment based on the following findings:

1. The Wildflower community plan is not consistent with the General Plan, as articulated by the City Council:_____, and/or,
2. The Wildflower community plan is not consistent with Sections [XX.XX] of the Code, as articulated by the City Council: _____.

Exhibits:

A) Proposed Hillside Standards
B) December 17, 2019 City Council Minutes
C) April 14, 2020 City Council Minutes

Wildflower Development
Grading Criteria

Exhibits

The Exhibits contained herein are conceptual in nature and are subject to review and change based on a more in-depth review by the Saratoga Springs Engineering Department. The following Exhibits are provided:

1. *Exhibit A.* This exhibit depicts the remaining Wildflower development with designated grading areas as outlined within this document.
2. *Exhibit B, Consisting of 2 Sheets:*
    a. Exhibit B1 contains a 1939 aerial photo of the overall "Springs" portion of the Wildflower development and provides historical background regarding the grading and mining of the site. The mining areas, haul roads and agricultural areas are identified. The eastern portion of the property had not been excavated at that point in time.
    b. Exhibit B2 shows the state of the property in 2020 with no active mining. The exhibit depicts mined areas, haul roads, stockpile areas and agricultural areas.
3. *Exhibit C, Consisting of 7 Sheets:*
    a. Exhibit C1 shows the overall "Springs" portion of the Wildflower development and gives photographic examples of the Mining Reclamation Area showing excavations and slopes. The locations of 6 cross sections are shown.
    b. Exhibit C2 shows existing and proposed contours for Cross Section "A" depicting the cut and fill areas necessary to accommodate roadways and development pads. The maximum cut in this area is over 40 feet and the maximum fill is over 13 feet.
    c. Exhibit C3 shows the proposed Cross Section "B" through a large cut slope area as well as the cut through an existing mining spoils pile. This location represents one of the maximum cut areas of approximately 70 feet which is necessary to clean up areas of previous mining operations, stabilize slopes and provide for a development pad. The cut area shown is the removal and relocation of an existing mining spoils pile with a depth of at least 25 feet. This stockpile area contains undocumented fill and must be removed and

placed in fill areas according to the requirements of a geotechnical study.

d. Exhibit C4 depicts Cross Section "C" which is through a deep section of the old mining operations that will be filled over 20 feet to accommodate the proposed recreational pond. This area would be unbuildable without significant cut / fill due to drainage and access.
e. Exhibit C5 shows Cross Section "D" through several of the mining "fingers" where clay extraction occurred. As shown, the mined areas are deep, steep sloped and no reclamation measures were performed following the mining. Areas of Mining Surplus Material are also shown which would be the primary source to fill in the mined areas. This Grading Criteria would then be applied to create roadways, development pads and open space.
f. Exhibit C6 depicts Cross Section "E" which shows one of the areas of extreme Mining Surplus Material of approximately 35 feet. This undocumented overburden material must be reworked, moved, or used for open space.
g. Exhibit C7 shows an area of extreme cut and fill. The fill area is a deep hole in the ground with no drainage or access.

4. *Exhibit D.* This exhibit shows the existing drainage channel through the "Springs" portion of Wildflower. Cross sections are included which depict the depth and steep slopes associated with the existing channel.
5. *Exhibit E.* This exhibit covers the preliminary proposed grading for Village 1 North of Wildflower. The intent of this exhibit is to show that while the larger Agricultural / Natural Ground Areas allow for a maximum cut or fill, this maximum is only used on a portion of the property. Ultimately, each Village Plan of Wildflower will produce a similar drawing as part of the Village Plan process.
6. *Exhibit F.* This exhibit shows the distinction of cut/fill areas within the "Springs" portion of Wildflower.

Mining Reclamation Area Criteria

Intent of Grading Efforts

The intent of the grading within this area is to reclaim previously disturbed areas, stabilize man-made slopes, provide drainage, move previously placed mining spoils and enhance safety. Grading activities are not intended to provide sustained commercial aggregate operations.

Description of Area

This area is approximately 171 acres and is characterized by surface mining activities that have occurred over at least the last 80 years as shown through Exhibits B1 and B2 which verify the disturbed nature of the site and the need for significant reclamation. Topographical maps, preliminary geotechnical reports, aerial photography and extensive on-site observations were utilized by professional engineers and designers to identify and distinguish the following types of land disturbance:

1. *Mining Areas*. Substantial cut areas exist on the property where clay materials were mined. These areas of clay were interspersed within the property and generally followed rock formations. The mining of the clay does not appear to be completed in any systematic or safe manner. The remaining contour of the land is now unsafe due to large vertical slopes, potentially unstable soils, and no drainage provisions. It does not appear that surface reclamation of any kind was completed following the mining operations.
2. *Mining Surplus Material Piles*. The mining operations also produced a large quantity of unusable material that was stockpiled throughout the property. None of these areas were placed sufficiently to construct any improvement over them without full excavation or mitigation. Many of these areas are proposed to be moved to fill the mining areas.
3. *Mining Slough Area.* These areas are not as defined as the extensive Mining Surplus Materials Piles, but contain random debris, fill, explorations, and general disturbance.
4. *Haul Roads*. Many of the haul roads appear to be similar over the 80-year time frame. These roads have been used, filled, and graded for decades and have altered the natural ground.

Proposed Grading Standards

In order to provide a safe site for development, re-grade existing mined slopes and provide for drainage, significant grading must be completed. Exhibits B1, B2, C1 through C7 and F provide examples of the existing topography as well as the proposed grading and cross sections.

1. *Maximum Cut or Fill*. To address the unique nature of the area, two different grading standards are applied:
    a. A maximum cut or fill of 30’ from the existing grade will be allowed for up to 100 acres. This acreage accounts for the full Mining Slough

Area as well as half of the Mining Area and Mining Surplus Materials Piles as depicted in Exhibit F.

2. To address the heavily mined areas, a maximum cut or fill of 80' will be necessary. This maximum would apply to approximately 71 acres which corresponds to half of the Mining Area and Mining Surplus Materials Piles as depicted in Exhibit F.

Channel Reclamation Criteria

Description of Area

Several large storm drainage channels exist within the development area which are fed from drainage of Camp Williams property. The course of these channels has been altered by agricultural and mining activities, maintenance has been lacking and erosion uncontrolled. With the development of Wildflower, it is proposed that these drainages be improved through re-routing, armoring of surfaces, piping, and the installation of debris catchments. The defined area covers approximately 50 acres.

Proposed Grading Standards

As shown in Exhibit D, many of the existing channels have excessive side slopes and depths that would not be conducive to development, maintenance, or safety. Therefore, the following alterations are allowed in accordance with City Standards:

1. The channel may be reclaimed through fill, slope changes, or piping.
2. A 100-year surface flood route must be maintained through the development.

Mining / Channel Transition Area Criteria

Description of Area

To transition from the grading intensive areas of the Mining and Channel Reclamation Areas to the Agricultural / Natural Ground Area, a mid-range set of grading standards must be employed. This area is located within 200 feet of the Mining Reclamation Area and 100 feet of the Channel Reclamation Area. The defined area covers approximately 121 acres.

Proposed Grading Standards

A maximum cut or fill of 20' from the existing grade will be allowed.

Agricultural / Natural Ground Area 1 Criteria

Description of Area

This area is characterized by historical agricultural uses or undisturbed natural ground. These areas are typical of hillside development and contain existing slopes of generally 5 to 15 percent. The defined area covers approximately 466 acres.

Proposed Grading Standards

A maximum cut or fill of 12' from the existing grade will be allowed.

Agricultural / Natural Ground Area 2 Criteria

Description of Area

This area is characterized by historical agricultural uses or undisturbed natural ground that is more challenging grade wise due to steeper slopes of approximately 10 to 25 percent. The defined area covers approximately 59 acres.

Proposed Grading Standards

and retention areas

on-site

Lots adjacent to existing Harvest Hills development homes addressed off of Nectar Way, Peach Place, and Blossom Court

1. A maximum cut or fill of 20' from the existing grade will be allowed.
2. Lots adjacent to the existing Harvest Hills development ~~which cannot be drained to a City street~~ must design and install drainage systems for the 100-year storm event. Retention volumes are to be shown on the subdivision plat.

3. If retaining walls are needed to make lots buildable or if retaining walls cross property lines, they shall be subdivision improvements.
4. Retaining walls shall be a minimum of 20 feet from the rear property line for lots directly adjacent to the Harvest Hills development.
(#3 and #4 are Repeat comments)

Other Grading Criteria

1. Retaining Walls
    a. A single rock retaining wall shall not exceed ten feet in height as measured from the lowest adjacent grade to the top of wall.
    b. When the overall retained height would exceed ten feet or materials other than rock are to be utilized, the retaining wall shall be segmented into a maximum of three stepped walls with no individual wall exceeding six feet in height as measured from the lowest adjacent grade to the top of the wall.
    c. The width of the terrace between any two retaining walls shall be at least half the height of the tallest adjacent wall as measured from the face of the higher wall to the back side of the lower wall. The minimum horizontal distance shall be three feet.

   d. Any single retaining wall greater than four feet or terraced retaining walls of any height shall be designed by an engineer licensed by the State of Utah.
   e. Terraces created between retaining walls shall be permanently landscaped.
   f. If retaining walls are necessary to make lots buildable or if retaining walls cross property lines, they shall be considered subdivision improvements.
   g. Retaining walls shall be a minimum of 20 feet from the rear property lines for lots directly adjacent to the existing Harvest Hills development.
2. Slopes
   a. All slopes shall be stabilized according to City Standards.
   b. Slopes of thirty-three percent (33%) or less are acceptable and shall be stabilized according to City Standards.
   c. Slopes greater than thirty-three percent (33%) and up to fifty percent (50%) will be allowed based on the findings and recommendations of a site-specific geotechnical study regarding stability, erosion control and grading methods. These slopes will not be allowed within building lots.
   d. Slopes greater than fifty percent (50%) will not be allowed except for rock outcroppings or other unique site features and only based on the findings of a site-specific geotechnical study. These slopes will not be allowed within building lots.
   e. Retaining walls are not included in slope calculations.
3. Contouring
   a. All permanent cuts, fills or graded slopes shall be re-contoured to blend into the natural grade of the surrounding land. The outside corners or edges shall be rounded to eliminate sharp corners and shall have a minimum curvature radius of at least five feet.

Exhibit B

MINUTES – CITY COUNCIL

Tuesday, December 17, 2019
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

City Council Policy Meeting

Call to Order: Mayor Jim Miller called the Meeting to order at 7:28 p.m.

Roll Call:

Present: Mayor Jim Miller, Council Members Chris Porter, Shellie Baertsch, Michael McOmber, Stephen Willden, and Ryan Poduska.

Staff Present: City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Economic Development and Public Relations Director David Johnson, City Engineer Gordon Miner, Public Works Director Jeremy Lapin, Police Chief Andrew Burton, Planning Director David Stroud, Senior Planner Sarah Carroll, Planner Tippe Morlan, Deputy City Recorder Nicolette Fike, and Deputy City Recorder Kayla Moss.

Invocation by Council Member McOmber
Pledge of Allegiance by Council Member Baertsch

PUBLIC INPUT: None

REPORTS: Council Member Baertsch advised that she went to the Legislative Policy Meeting. They went through the tax reform that was just passed. She also attended the lake commission meeting. Mayor Brad Frost was elected as the chair. All of the reservoirs are at 85-90% capacity currently so it is looking good so far.

BUSINESS ITEMS:

1) **Recognition of Outgoing Planning Commissioners**. Council Member McOmber recognized Chris Carn for his service on the Planning Commission.

Council Member Baertsch recognized Sandra Steele for her service on the Planning Commission.

Mayor Miller recognized Kirk Wilkins for his service on the Planning Commission.

2) **Planning Commission Appointments; Resolution R19-69 (12-17-19).**
The new planning commissioners recommended for appointment are Reed Ryan, Audrey Barton, and Josh Wagstaff.

Motion by Council Member Willden to approve the Planning Commission Appointments; Resolution R19-69 (12-17-19) was seconded by Council Member McOmber.
Vote: Council Members Poduska, McOmber, Baertsch, Willden and Porter – Aye.
Motion carried unanimously.

3) **Justice Court Judge Nomination and Appointment; Resolution R19-70 (12-17-19).**
Ann Boyle was recommended as the new Justice Court Judge.

Motion by Council Member Baertsch to approve the Justice Court Judge Nomination and Appointment to Ann Boyle; Resolution R19-70 (12-17-19) was seconded by Council Member Poduska.
Vote: Council Members Poduska, McOmber, Baertsch, Willden and Porter – Aye.
Motion carried unanimously.

4) Pony Express Extension, Utah County Interlocal Cooperation Agreement; Resolution R19-71 (12-17-19).

Public Works Director Jeremy Lapin advised that this agreement is with Utah County to extend Pony Express. The money doesn't become available until October 2020 but this allows the City to start spending on the project now and be reimbursed when the funding is available.

Motion by Council Member Porter to approve the Pony Express Extension, Utah County Interlocal Cooperation Agreement; Resolution R19-71 (12-17-19), was seconded by Council Member Baertsch.
Vote: Council Members Poduska, McOmber, Baertsch, Willden and Porter – Aye.
Motion carried unanimously.

5) **Wildflower Amended and Restated Master Development Agreement, DAI Nate Shipp Applicant, Harvest Hills Boulevard and Mountain View Corridor; Ordinance 19-40 (12-17-19).**

Tippe Morlan advised that the applicant requests an Amended and Restated Master Development Agreement (ARMDA) consistent with a corresponding updated Community Plan (CP) to incorporate The Springs development into the existing Wildflower development. The new proposed Wildflower Community consists of approximately 1,202 acres and 3,238 Equivalent Residential Units (ERUs) entirely within the PC zone. Approval of the ARMDA shall be contingent upon approval of the CP to be reviewed at the January 7, 2020 City Council meeting. They are requesting to transfer 63 units at the cemetery site plus a bonus of 14 extra units to try and make up the money lost on those 20 acres.

Council Member Porter thinks that the 14 units is a fair ask to have the 100 acres of open space in a place that is uninhabitable and a 20 acre cemetery.

Council Member McOmber is also okay with the 14 units as part of negotiations.

Council Member Baertsch has more reservations about this then the other council members. She feels this is more than just 14 units. It is changing the lot size to much smaller than originally expected. This draft was only given to her one hour before the meeting and she hasn't been able to go over it fully enough to make a decision on it. She appreciates the concept of moving the homes away from the camp because they shouldn't be built there anyway.

Council Member Willden noted that he was able to look through the MDA document. He did not read through all of the pages but he did go through it. He relies on the City Staff to make recommendations on documents like this because they are so large and it's not always possible to catch every detail. He is comfortable with approving the additional 14 units for a total of 77 units.

Council Member Poduska appreciates the work that was done with Camp Williams to create an agreement. He doesn't like getting documents right before the meeting. Having said that he reads through the packets but also consults with the staff.

Council Member McOmber advised that he read the master development agreement. He agrees that this could have been given to them earlier but he has read it. The City does have the right to get out of the agreement if deemed necessary. He realizes that the lots will be smaller but there will be more single family lots instead of more multi-family lots, which he likes.

Amended Motion by Council Member Porter to approve the Wildflower Amended and Restated Master Development Agreement, DAI Nate Shipp Applicant, Harvest Hills Boulevard and Mountain View Corridor;

Ordinance 19-40 (12-17-19) removing exhibits B, C, and F to be replaced later with conditions matching the community plan including all staff findings and conditions except for item 3 and to make any non-substantial changes as necessary was seconded by Council Member McOmber.

Vote: Council Members Poduska, McOmber, Willden and Porter – Aye Baertsch - Nay.

Motion carried 4-1.

ADJOURNMENT:

There being no further business, Mayor Miller adjourned the meeting at 7:37 p.m.

Jim Miller, Mayor

Attest:

Cindy LoPiccolo, City Recorder

Approved: 1-21-20

Exhibit C

MINUTES – CITY COUNCIL

Tuesday, April 14, 2020
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

City Council Policy Meeting

Call to Order: Mayor Jim Miller called the Meeting to order at 6:00 p.m.

Roll Call:

Pursuant to the COVID-19 Federal Guidelines, this Meeting will be conducted electronically.

Present: Mayor Jim Miller, Council Members Chris Porter, Michael McOmber, Christopher Carn, Ryan Poduska, and Stephen Willden.

Staff Present: City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Economic Development and Public Relations Director David Johnson, City Engineer Gordon Miner, Public Works Director Jeremy Lapin, and Deputy City Recorder Kayla Moss.

Invocation by Council Member Poduska
Pledge of Allegiance by Council Member McOmber
Presentation: Recognition to Bryan Chapman, former Planning Commissioner.

PUBLIC INPUT: None

REPORTS:

Council Member McOmber doesn't think we need to cancel Splash Days until we have more information and as we get closer to the date. He thinks if they wait to make a decision until the beginning of May or so we will have more information. After more discussion and information he agreed that postponing Splash Days until August was a good idea.

Council Member Porter advised that he was on a call with the Lieutenant Governor earlier in the day and it was strongly advised to delay events in June and July. Mass gatherings will be the last thing to be re-implemented after the safe at home initiative.

Events Director David Johnson advised city staff have discussed moving Splash Days to August, doing it digitally, and other possible solutions.

Council Member Poduska advised that he would like to move Splash Days to August.

City Manager Mark Christensen agreed that postponing Splash Days until August is probably the safest bet.

Council Member McOmber would like to see more events like the Easter parade in the City throughout the summer since a gathering like splash won't be happening in June.

Mayor Miller agreed with having Splash Days in August.

Council Member Porter advised that he and some of the staff met with UTA and let the know that we aren't pleased with the services currently in Saratoga Springs.

The reports for Library, Recreation, and Economic Development/Events were made available electronically to the Council Members.

City Manager Christensen mentioned that a lot has been going on. There have been a lot of meetings. Last month was the highest building permit month ever. A lot of things are happening in the community.

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City Council Work Session

1) Public-Private Recreational Center Program.

The City was approached in November 2019 by Community Development Partners (CDP) with a proposal for a public-private partnership to build a recreation facility. They have proposed several partnership items from the City and would like to discuss interest of the Council.

Council Member Carn asked how much out of the current recreation budget goes towards facility fees that the City would no longer have to pay.

City Manager Christensen advised that a lot of the recreation budget goes towards staffing of the events. In the past it has cost roughly $30,000 for all facilities for recreation programs. The City would still need to utilize schools to make the recreation programs work. The cost savings would be minimal for facilities.

Council Member Poduska thinks that the facility looks very nice. He asked if the ropes course is an additional cost of if it is included in the membership cost.

Council Member McOmber isn't as concerned about the non-compete for the next ten years. He also suggested that there could be a population clause to increase City programming time as more people move in. He also asked if they would consider removing "at" from the name of the center.

Council Member Porter is concerned that the city would be paying 10 times as much for court space then it is currently and it wouldn't solve the space crunch that already exists. He is also concerned about paying the impact fees, which would be about $400,000. That money has to come from somewhere. The City pays all of the fees for all of the facilities it owns and it can't just be waived. He also is worried that this would give the recreation center an unfair advantage over VASA or any other future recreation facility in the City that don't have City participation.

Dave Card of CDP mentioned that there would be a discount to the residents of Saratoga Springs. They want the relationship with the City because they are all about community and bringing people together.

Council Member Willden asked where this is proposed to go. He agrees with the comments that have been made. He isn't sure if it makes financial sense currently, he does think the economy will rebound faster than some think but putting a pin in it may make sense.

Council Member Poduska mentioned that the City would be getting more than just 3 court spaces in the $250,000 they would be paying the recreation facility. It includes more space for city events, discounted services for city residents, and more.

BUSINESS ITEMS:

1) Implementation of Governor's State of Emergency Declaration; Resolution R20-17 (4-14-20).

City Manager Christensen advised this captures all of the changes that have taken place over the last couple of weeks. Saratoga Springs did not declare a state of emergency. The State's emergency declaration has a blanket effect and allows the City to still utilize some of the federal assistance being offered currently.

Council Member Porter is grateful for the proactive nature of the City's response.

Motion by Council Member McOmber made a motion to approve the implementation of Governor's State of Emergency Declaration; Resolution R20-17 (4-14-20) was seconded by Council Member Porter.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

2) **Riverview Plaza and Townhomes Rezone and Concept Plan, Jared Osmond Applicant, 1080 North Redwood Road; Ordinance 20-11 (4-14-20).**
The applicant requests the City rezone 9+ acres of property from Agricultural to Mixed Use, located between Redwood Road and the Jordan River. The applicant also requests non-binding feedback on the proposed Riverview Plaza and Townhomes concept development.

Council Member Poduska likes the project and thinks it will fit nicely in the area.

Council Member McOmber likes the planning and design. He is not a big fan of the Mixed Use Zone in general but since it is an option in the code he has to allow it.

Council Member Carn is concerned about accepting a rezone with a concept plan that can be deviated from. He knows the developer isn't planning on changing it but protections need to be put in place for the City. He suggested a condition be put in place to say rezone is conditional upon the development agreement complies with the concept plan presented in this meeting.

City Attorney Kevin Thurman suggested approving the rezone at the same time as a development agreement.

Council Member Willden agreed with the conditions suggested. He thinks it will be a great building for the area.

Motion by Council Member Porter made a motion to approve the Riverview Plaza and Townhomes Rezone and Concept Plan, Jared Osmond Applicant, 1080 North Redwood Road; Ordinance 20-11 (4-14-20) with a condition that the rezone is conditional upon revising development agreement to comply with concept plan presented in the council meeting on 4-14-20 was seconded by Council Member Poduska.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

3) **Wildflower/The Springs Major Community Plan Amendment, Rezone, and General Plan Amendment, DAI Nate Shipp Applicant, Harvest Hills Boulevard and Mountain View Corridor; Ordinance 20-12 (4-14-20).**

The applicant requests an updated Community Plan (CP) with a corresponding Master Development Agreement amendment to incorporate The Springs development into the existing Wildflower development while also amending the standards of the existing Community Plan. The new proposed Wildflower Community Plan consists of approximately 1,202 acres and 3,238 Equivalent Residential Units (ERUs) entirely within the Planned Community zone. If approved, the property within the current Springs boundaries is proposed to be designated as Planned Community – Residential within the General Plan and rezoned to Planned Community (PC) consistent with City Code.

Council Member Willden advised that he would like it to be part of the conditions to not allow multi-family units on the east side. He would like to defer to the fire department on the renaming of Harvest Hills Boulevard

to Wild Hills Boulevard. He understands why it is wanted but he wants to make sure emergency services aren't impacted because of that.

Nate Shipp of DAI believes that renaming the road is a critical part of marketing and branding their neighborhood.

City Attorney Thurman advised that the naming of streets is a legislative decision that is completely up to the Council.

Council Member McOmber is okay with changing the street name from Harvest Hills Boulevard. He doesn't like including Hills in the new name. He appreciates the staff work on the project.

Council Member Porter doesn't see an issue with changing the road name. He is not a fan of the name Wild Hills Boulevard either. He asked that other choices are presented. He clarified how the configuration would change on type 4 if the veterans cemetery happens in that area. He wants to add a condition that a contingency would be addressed if the National Guard purchases the property for a veterans cemetery. He is all for more commercial real estate in the City but he wants to know where the residential units were moved to.

Motion by Council Member Porter made a motion to approve the Wildflower/The Springs major community plan amendment, rezone, and general plan amendment, DAI Nate Shipp applicant, Harvest Hills Boulevard and Mountain View Corridor; Ordinance 20-12 (4-14-20) with all staff findings and conditions adding condition that item 12 from engineering staff report be modified to eliminate roadways and sidewalks, that language be included in community plan regarding density transfers to type 4 in event national guard executes option, no density be transferred from west side of mountainview to east side of mountainview adding condition that alignment of Mount Saratoga follow alignment from hales engineering and the connector road between Mount Saratoga and Harvest Hills be designated as a collector and mitigation measures be taken and that Harvest Hills be renamed west of Mountainview Corridor but striking the name Wild Hills boulevard and determine name later and regional commercial must be included in the planned community was seconded by Council Member Willden.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

4) Award of Contract to Newman Construction for Talons Cove Golf Course Sewer Replacement Project; Resolution R20-18 (4-14-20).

Motion by Council Member McOmber to approve the Award of Contract to Newman Construction for Talons Cove Golf Course Sewer Replacement Project; Resolution R20-18 (4-14-20) was seconded by Council Member Carn.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

5) Code Amendment, Title 19.16.03.02 Site Design Standards, City-Initiated; Ordinance 20-13 (4-14-20).

Planning Director David Stroud advised that a business is wanting to locate in a spot on Redwood Road and would like to be able to put their loading docks in an appropriate place. This would require updating part of the site design standards.

Motion by Council Member Willden to approve the Code Amendment, Title 19.16.03.02 Site Design Standards, City-Initiated; Ordinance 20-13 (4-14-20) was seconded by Council Member Poduska.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

6) Code Amendment, Title 18.06 Storm Water Regulations, City-Initiated; Ordinance 20-14 (4-14-20).

City Engineer Jeremy Lapin advised that this is a slight modification to allow the City to work with business owners in regards to storm water regulations.

Motion by Council Member Poduska to approve the Code Amendment, Title 18.06 Storm Water Regulations, City-Initiated; Ordinance 20-14 (4-14-20) was seconded by Council Member Carn.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

7) Code Amendment, Title 8.01 Drinking Water System Minimum Source and Storage Sizing Requirements; Ordinance 20-15 (4-14-20).

City Engineer Lapin advised that a new standard was passed in the legislature that requires cities to do their own studies for required water for new development. This benefits developers wanting to locate in the City.

Council Member McOmber asked what the statue is for those that put in applications 3 months ago.

City Attorney Thurman advised that it is the same process as impact fees. The fee doesn't go into effect until the ordinance is passed, it is not back dated. The state was requiring the city to charge according to their standard so the city was following what was required.

City Manager Christensen advised that this would allow the city to start charging this as of tomorrow. The impact fee analysis still needs to be done but people can start seeing the benefit immediately.

Motion by Council Member Willden to approve the Code Amendment, Title 8.01 Drinking Water System Minimum Source and Storage Sizing Requirements; Ordinance 20-15 (4-14-20) was seconded by Council Member Poduska.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

9) Saratoga Springs Lehi Boundary Adjustment, Ordinance 20-16 (4-14-20).

Motion by Council Member Porter to approve the Saratoga Springs Lehi Boundary Adjustment, Ordinance 20-16 (4-14-20) was seconded by Council Member Willden.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

8) Consolidated Fee Schedule Amendments; Storm Water Inspections, Electric Vehicle Charging Station; Resolution R20-19 (4-14-20).

Assistant City Manager Owen Jackson advised that this allows the City to charge for the new electric vehicle charging stations at the police department.

Motion by Council Member McOmber to approve the Consolidated Fee Schedule amendments; Storm Water Inspections, Electric Vehicle Charging Station; Resolution R20-19 (4-14-20) was seconded by Council Member Poduska.
Vote: Council Members McOmber, Poduska, Porter, Carn, and Willden– Aye.
Motion carried unanimously.

MINUTES:

1. March 17, 2020.

Motion by Council Member McOmber to approve the Minutes of March 17, 2020, with the submitted and posted changes, was seconded by Council Member Porter.
Vote: Council Members Poduska, Porter, McOmber, Willden, and Carn – Aye
Motion carried unanimously.

ADJOURNMENT:

There being no further business, Mayor Miller adjourned the meeting at 9:26 p.m.

Jim Miller, Mayor

Attest:

Cindy LoPiccolo, City Recorder

Approved: May 5, 2020

SARATOGA SPRINGS PLANNING

City Council
Staff Report

Code Amendments
Title 13 Section 13.08.01
Title 19 Sections 19.02.02, 19.04.03, 19.04.07, 19.04.10, 19.05.11, 19.06.11
August 18, 2020

Report Date:	August 11, 2020
Applicant:	City Initiated
Land Use Authority:	City Council
Future Routing:	City Council
Author:	David Stroud, Planning Director

A. **Executive Summary:** The Planning Department keeps a running list of minor and major changes that are needed to provide additional clarity and effectiveness, to remove inconsistencies and typos, and incorporate best practices, and has the goal of adopting amendments approximately four times a year to keep the Code current.

The last round of amendments was approved by the City Council on April 14, 2020.

RECOMMENDATION:
The Planning Commission recommends the City Council conduct a public meeting, discuss the proposed amendments, and choose from the options in Section G of this report. Options include approving, continuing, or denying all or some of the proposed amendments.

B. **Specific Request:** The proposed amendment pertains to various development standards in contained in Title 13 and Title 19. Proposed changes are as follows:

13.08.01. Illegal Parking – In General

Vehicles parked, stopped, stored, abandoned, or left in the City in violation of this Chapter or in the following ways are subject to a fine and punishment pursuant to Title 20 of the City Code:

1. unattended vehicles in violation of any of the provisions of this Chapter;
2. a vehicle found upon the streets or alleys of the city with faulty or defective equipment;
3. vehicle, whether attended or unattended, parked upon any street, road, lane, alley, bridge, viaduct, overpass, or underpass that constitutes a hazard or obstruction to traffic;
4. any vehicle left parked in the same place on any public (i) street, (ii) road, (iii) lane, (iv) alley, or (v) property continuously for forty-eight hours;
5. any vehicle found being driven on any street, road, lane, or alley not in a proper condition to be driven; and
6. any vehicle found so parked as to constitute a fire hazard or an obstruction to fire-fighting apparatus.
7. No vehicle, trailer, or recreational vehicle shall be parked upon or overhang any sidewalk or parkstrip.

David Stroud, AICP, Planning Director
dstroud@saratogaspringscity.com
1307 North Commerce Drive, Suite 200 • Saratoga Springs, Utah 84045
801-766-9793 x107 • 801-766-9794 fax

19.02.02 Definitions

"School, Charter" means:

a. A school licensed in accordance with Utah Code Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act.
b. A charter school is considered to be a public school in this Title..
c. A charter school shall meet all applicable federal, state, and local laws, including this Title and all City land use ordinances.
d. This definition shall not be interpreted to limit, restrict, or alter in any way the requirements of charter schools under Utah Code § 10-9a-305 to follow this Title and all City land use ordinances.

"Storage - Self-storage or Mini-storage Units":

a. means a building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and
b. may include refrigerated or climate-controlled facilities or on-site caretaker residence.

"Storage, Vehicle" means a location where Recreational Vehicles, cars, trucks, and other vehicles are stored in an enclosed structure, or in an outdoor area fully enclosed by a minimum six foot opaque wall or fence. Vehicle Storage does not include sales or rentals.

19.04.03. Application of Land Use Zone Regulations.

1. No structure or part thereof shall be used, erected, altered, added to, or enlarged, and no land or premises shall be used, designated, or intended to be used for any purpose or in any manner, in contravention of any of the provisions hereinafter.
2. In each land use zone, no uses shall be allowed unless listed as a permitted use in this Title. If a use is not listed as a permitted use in the applicable zone, it is not permitted and is strictly prohibited.
3. No structure or part thereof shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the land use zone in which such structure is located, unless a structure height exception is expressly allowed.
4. No structure shall be erected, altered, enlarged, rebuilt, or moved into any land use zone, and no open space shall be encroached upon or reduced in any manner, except in conformity to the yard, building site area, building location regulations, and the land use zone in which such structure or open space is located.

19.04.07. Land Use Regulations, Agricultural and Residential Zones.

1. Table Summary of Land Use Regulation, Agricultural and Residential Zones.

Minimum Setbacks for Accessory Structures:

	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR
Front						Same as principal structure							
Street side						Same as principal structure							
Interior Side	25'	12'	12'	12'	2'	2'	2'	2'	2'	2'	2'	2'	2’
Rear	25'	12'	12'	12'	2'	2'	2'	2'	2'	2'	2'	2'	2’
Distance from a Residence	Structures housing animals shall be 60' from neighboring residences, 5' for all other structures				5' from dwelling								

19.05.11. Accessory Buildings in Residential Development.

Accessory buildings may be placed on residential lots subject to the standards in the applicable zone districts as outlined in Chapter 19.04, and the standards of this section.

1. All accessory buildings shall meet the following standards:
    a. In all zones except for the A, RA-5, and RR zones, shall not be taller than any main structure or dwelling for buildings with a building permit, or fifteen feet for buildings not requiring a building permit;
    b. shall be of color and construction compatible with and similar to the primary structure; and
    c. shall be regularly maintained in a clean and well-kept manner; and
    d. shall not drain onto adjacent properties or onto public property; and
    e. shall not be located in a required clear view triangle as outlined in Section 19.06; and
    f. shall have a minimum twenty foot long driveway if housing a car, truck, RV, or other automobile.
    g. accessory structures requiring a building permit shall not be located over a PUE.
2. Accessory buildings requiring a building permit according to the International Building Code:
    a. shall meet the accessory building setbacks identified in the applicable zone district, and
    b. shall not occupy more than 30% of any side or rear yard, subject to the lot coverage limitations of the applicable zone district.
3. Accessory buildings not requiring a building permit according to the International Building Code shall not be required to meet interior side yard and rear yard setbacks, and street-side yard setbacks for corner lots where the rear property line abuts the rear property line of the adjacent lot. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. If placed within a required setback, such buildings:
    a. are placed at the property owners’ risk per Utah Code Chapter 54-3-27; and
    b. shall have a maximum height of ten feet, as measured from the finished grade of the surface directly beneath the building to the highest point of the building roof; and
    c. shall not have openings facing adjoining properties; and
    d. shall have minimum one-hour fire rated construction for surfaces facing adjoining properties; and

e. shall not be used for the housing of animals or birds; and

f. if within the street side-yard setback, shall not have openings facing the street side property line.

19.04.10. Land Use Regulations, Non-Residential and Mixed Use Zones.

1. Table Summary of Land Use Regulations, Non-Residential Zones.

	NC	**CC**	**RC**	**OW**	**I**	**BP**	**I/C**	**PSBL**
Minimum Setback Requirements:								
Front/Corner Side	25'	**25'**	**10'**	**20'**	**30'**	**10'**	**25'**	50'
Interior Sides	15' or height of building, whichever is greater, when adjacent to a residential zone	10' or height of building, whichever is greater, when adjacent to a residential zone	10' or height of building, whichever is greater, when adjacent to a residential zone	10' or height of building, whichever is greater, when adjacent to a residential zone	15' or height of building, whichever is greater, when adjacent to a residential zone	Equal to height of building where adjacent to a residential, MU or MW zone with a 20' minimum. 20’ next to all other zones	25'	50'
Rear	25' or height of building, whichever is greater, when adjacent to a residential zone	25' or height of building, whichever is greater, when adjacent to a residential zone	30' or height of building, whichever is greater, when adjacent to a residential zone	30' where adjacent to a residential, MU or MW zone. 20' next to all other zones	50' where adjacent to a residential, MU or MW zone. 20' next to all other zones	25’ or height of building, whichever is greater, when adjacent to a residential zone	25'	50'

19.06.11. Clear Sight Triangle

A. To allow for clear sight at all intersections sight distance shall be calculated based on AASHTO Geometric Design of Highways and Streets. The graphic in Figures 6.4 and 6.5 below depicts the technique used to determine the driver’s eye location and an approaching vehicle; a line is then drawn to connect these two points. Continuous unobstructed line of sight must be provided along this line and throughout the approach to the intersection, providing an unobstructed sight triangle to the side street driver. Sight distances for vehicles based on right-angle intersections are provided as an example in the graphic, and:.

   a. all landscaping, and fencing shall be limited to a height of not more than three feet, and

   b. the grade at such intersections shall not be bermed or raised.

B. Exceptions:

   a. Deciduous tree canopies may be located in the clear sight triangle of privately maintained intersections only if at maturity, as defined in Section 19.06.06, the distance between the ground

and base of the canopy is maintained at no less than eight feet and any portion of the tree trunk at maturity that enters the clear sight triangle is no greater than twelve inches in diameter, and

b. Clear sight triangle at intersections of private single-family residential driveways and streets shall follow Figure 6.6.

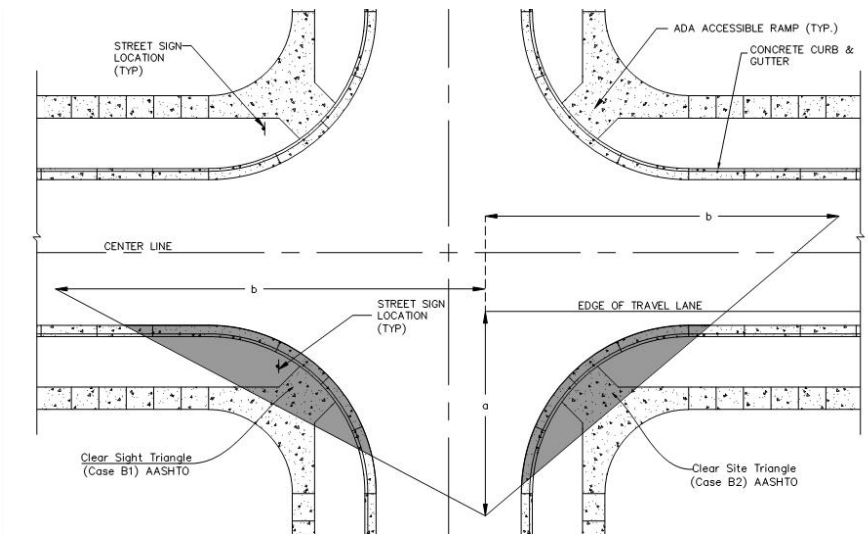
c. any other exception outlined in the Code.

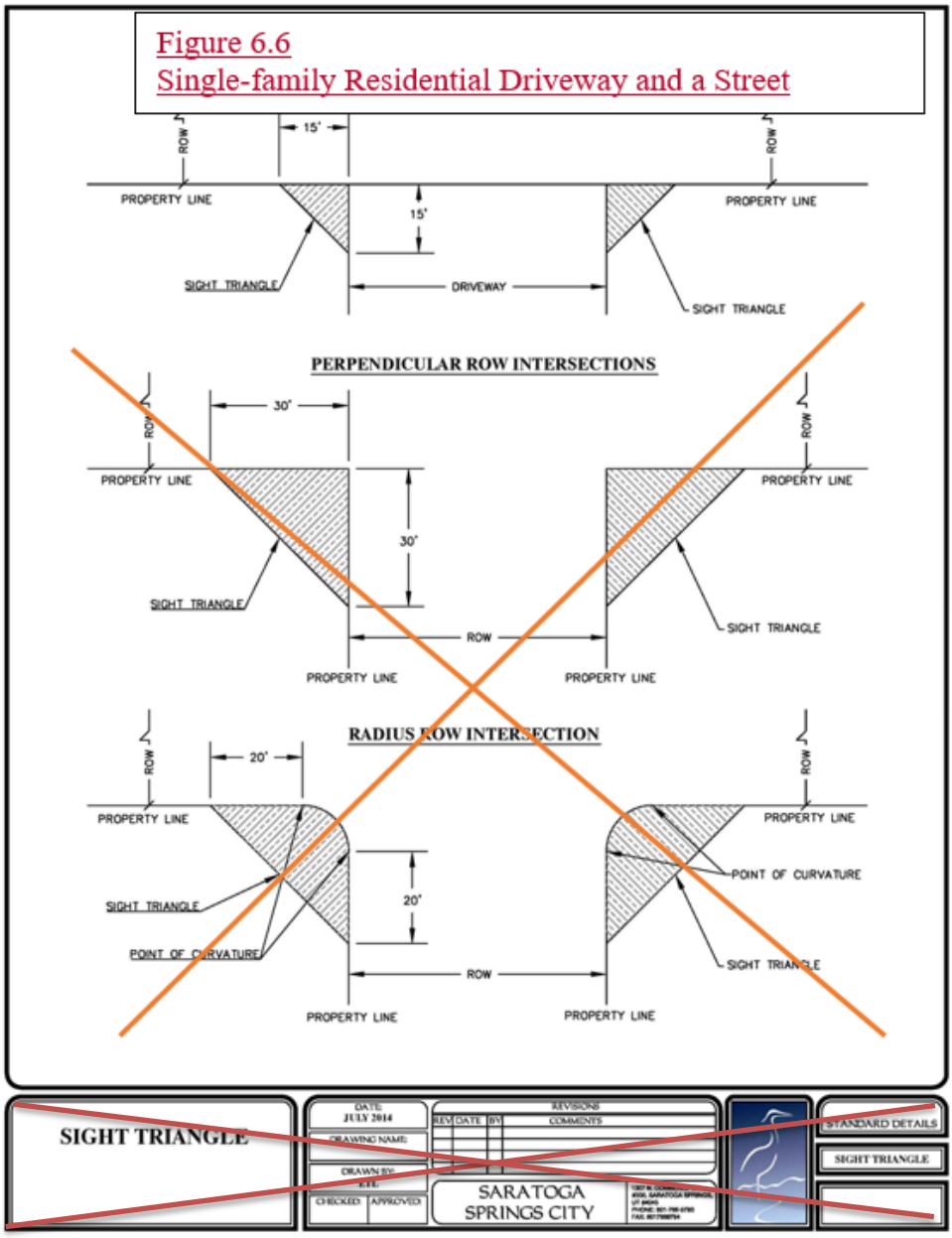
Figure 6.4

	CONTROLLED INTERSECTION DEPARTURE SIGHT TRIANGLE							
	LOCAL (59' ROW)		COLLECTOR (77' ROW)		MINOR ARTERIAL (95' ROW)		MAJOR ARTERIAL (180' ROW)	
	CASE B1 AASHTO	CASE B2 AASHTO	CASE B1 AASHTO	CASE B2 AASHTO	CASE B1 AASHTO	CASE B2 AASHTO	CASE B1 AASHTO	CASE B2 AASHTO
a	14.5	14.5	14.5	14.5	14.5	14.5	14.5	14.5
b	280	240	360	290	470	380	690	530

a = Distance from edge of traveled way to the decision point on the minor road, ft.
b = The intersection sight distance length of leg of sight triangle along the major road (along center of receiving lane), ft.

Figure 6.5





C. **Process:** Section 19.17.03 of the Code outlines the process and criteria for an amendment:

1. The Planning Commission shall review the petition and make its recommendation to the City Council within thirty days of the receipt of the petition.
   Complies*. There is no application as this is City initiated and has been presented for a recommendation to the City Council.*

2. The Planning Commission shall recommend adoption of proposed amendments only where it finds the proposed amendment furthers the purpose of the Saratoga Springs Land Use Element of the General Plan and that changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.

Complies. *Please see Sections E and F of this report.*

3. The Planning Commission/City Council shall provide the notice and hold a public hearing/public meeting as required by the Utah Code. For an application which concerns a specific parcel of property, the City shall provide the notice required by Chapter 19.13 for a public hearing.
   Complies*. Please see Section D of this report.*

4. For an application which does not concern a specific parcel of property, the City shall provide the notice required for a public hearing except that notice is not required to be sent to property owners directly affected by the application or to property owners within 300 feet of the property included in the application.
   Complies*. Please see Section D of this report.*

D. Community Review: This item was noticed in the *Daily Herald* as a Planning Commission public hearing. As of the date of this report, no public input has been received. The notice has also been posted in the City building, www.saratogspringscity.com, and www.utah.gov/pmn/index.html.

E. General Plan:

Land Use Element – General Goals
The General Plan has stated goals of responsible growth management, orderly and efficient development that is compatible with both the natural and built environment, establishment of a strong community identity in the City of Saratoga Springs, and implementation of ordinances and guidelines to assure quality of development.

Staff conclusion: consistent. *The proposed changes will still ensure quality of development, maintain community identity, ensure quality development through the maintenance of high standards, and require mitigation of impacts to existing/proposed development.*

F. Code Criteria:

Code amendments are a legislative decision and grants the City Council significant discretion when considering changes to the Code.

The criteria for an ordinance (Code) change are outlined below and act as guidance to the Council and to the Commission in making a recommendation. Note that the criteria is not binding.

19.17.04 Consideration of General Plan, Ordinance, or Zoning Map Amendment

The Planning Commission and City Council shall consider, but not be bound by, the following criteria when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:

1. The proposed change will conform to the Land Use Element and other provisions of the General Plan;
   Consistent*. See Section E of this report.*

2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;

Consistent. *The amendments will not adversely affect the health and welfare of the general public.*

3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and
    1. The purpose of this Title, and for which reason it is deemed necessary, and for which it is designed and enacted, is to preserve and promote the health, safety, morals, convenience, order, fiscal welfare, and the general welfare of the City, its present and future inhabitants, and the public generally, and in particular to:
        a. encourage and facilitate the orderly growth and expansion of the City;
        b. secure economy in governmental expenditures;
        c. provide adequate light, air, and privacy to meet the ordinary or common requirements of happy, convenient, and comfortable living of the municipality's inhabitants, and to foster a wholesome social environment;
        d. enhance the economic well-being of the municipality and its inhabitants;
        e. facilitate adequate provisions for transportation, water, sewer, schools, parks, recreation, storm drains, and other public requirements;
        f. prevent the overcrowding of land, the undue concentration of population, and promote environmentally friendly open space;
        g. stabilize and conserve property values;
        h. encourage the development of an attractive and beautiful community; and
        i. promote the development of the City of Saratoga Springs in accordance with the Land Use Element of the General Plan.

    Consistent. *The proposed amendments will preserve and promote the health, safety, morals, convenience, order, fiscal welfare, and the general welfare of the City.*

4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change.

    Consistent. *The amendments will provide additional clarity and effectiveness of the Code and better enhance the consistency in development review.*

G. Recommendation/Options:

Option 1 – Planning Commission Recommendation
The Planning Commission forwards a **positive** recommendation on all amendments to the Code Sections listed in the motion, as proposed or with modifications:

Motion: "Based upon the evidence and explanations received today, I move **approve** the proposed amendments to Sections 13.08.01, 19.02.02, 19.04.03, 19.04.07, 19.04.10, 19.05.11, 19.06.11, with the findings and conditions in the staff report dated August 11, 2020"

Findings:

1. The amendments are consistent with Section 19.17.04.1, General Plan, as outlined in Sections E and F of this report and incorporated herein by reference.
2. The amendments are consistent with Section 19.17.04.2 as outlined in Section F of this report and incorporated herein by reference.
3. The amendments are consistent with Section 19.17.04.3 as outlined in Section F of this report and incorporated herein by reference.
4. The amendments are consistent with Section 19.17.04.4 as outlined in Section F of this report, and incorporated herein by reference.

Conditions:

1. The amendments shall be edited as directed by the City Council:
    a. _____
    b. _____
    c. _____
    d. _____
    e. _____

Option 2 – Continuance

Vote to **continue** all or some of the Code amendments to the next meeting, with specific feedback and direction to Staff on changes needed to render a decision.

Motion: "I move to continue the amendments to Sections 13.08.01, 19.02.02, 19.04.03, 19.04.07, 19.04.10, 19.05.11, 19.06.11, of the Code to the [DATE] City Council meeting with the following direction on additional information needed and/or changes to the draft:

_____
_____
_____

Option 3 – Denial

Move deny all or some of the proposed code amendments.

Motion: "Based upon the evidence and explanations received today, I move to **deny** the proposed changes regarding (all or some) Sections 13.08.01, 19.02.02, 19.04.03, 19.04.07, 19.04.10, 19.05.11, and 19.06.11, of the Code with the Findings below:

Findings

1. The amendments do not comply with Section 19.17.04, sub paragraphs 1, 2, 3, and/or 4, as articulated by the City Council _____
2. _____
3. _____
4. _____

Exhibit

1. Planning Commission Minutes of July 23, 2020

MINUTES – Planning Commission

Thursday, July 23, 2020
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

PLANNING COMMISSION MEETING MINUTES - DRAFT

Call to Order - 6:00 p.m. by Chairman Troy Cunningham

Present: Via Video Conference

Commission Members: Bryce Anderson, Audrey Barton, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff.

Staff: Dave Stroud, Planning Director; Maren Barker, Assistant City Attorney; Gordon Miner, City Engineer; Nicolette Fike, Deputy Recorder.

Others: Johnny Watson, Sam Knecht, Greg Magleby

Commissioner Cunningham read the following statement: I, Troy Cunningham, Planning Commission Chair, hereby determine that conducting the Planning Commission meeting at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. The World Health Organization, the President of the United States, the Governor of Utah, and the County Health Department have all recognized a global pandemic exists related to the new strain of the coronavirus, SARS-CoV-2 (COVID-19). Due to the State of emergency caused by the global pandemic, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the location. Signed July 16, 2020.

1. **Pledge of Allegiance -** led by Commissioner Barton.

2. **Roll Call** – A quorum was present

3. **Public Hearing: Update to Code, Title 19 regarding: Definitions, Land Use regulations in Residential and Non-Residential zones, and Clear Site Triangle design standards. City initiated.**

4. **Business Item: Update to Code, Title 13 – Traffic & Parking. City initiated.**

Items 4 & 5 were heard together.

Planning Director Dave Stroud presented the items. Changes that are needed provide additional clarity and effectiveness, to remove inconsistencies and typos, and incorporate best practices, and keep the Code current. The proposed changes include Title 13.08.01 Illegal Parking – In General, and changes to Title 19 include Definitions, Land Use Zone Regulations, Accessory Buildings, and Clear Site Triangle.
City Engineer Gordon Miner presented information pertaining to clear site triangles.

Public Hearing Opened by Chairman Troy Cunningham. Receiving no public comment, the public hearing was closed by the Chair.

Commissioner Kilgore

- Asked if reducing the setback to two feet would be harder for maintaining the area, such as using a lawn mower. Planning Director Dave Stroud gave an example that you probably wouldn't grow grass back there but 2 feet is doable.

Commissioner Barton

- Asked about parking on the sidewalk. Was it more for safety or concern from citizens? Planning Director Dave Stroud noted there was a lot of complaints, it was also a safety issue for pedestrians. There can be damage in the parkstrip to landscaping and water meters. This is fairly standard and will give more teeth to

enforcement. She noted how there are neighborhoods that can't park on the street but there isn't room in the driveway for all the cars and some end up hanging over.

Commissioner Cunningham
- Was somewhat surprised this wasn't already in code.
- In response to question about enforcement during snow Planning Director Dave Stroud noted that the police worked with code enforcement on that.

Motion made by Commissioner Ryan that based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendments to Sections 13.08.01, 19.02.02, 19.04.03, 19.04.07, 19.04.10, 19.05.11, 19.06.11, with the findings and conditions in the staff report dated July 16, 2020. Seconded by Commissioner Barton. Aye: Bryce Anderson, Audrey Barton, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 6 - 0.

5. **Approval of Minutes: June 25, 2020**

Motion made by Commissioner Ryan to approve the minutes of June 25, 2020. Seconded by Commissioner Kilgore. Aye: Bryce Anderson, Audrey Barton, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 6 - 0.

6. **Reports of Action.** – No Reports were needed.

7. **Commission Comments.**
Commissioner Kilgore commented that it was great that the city was now able to support jobs close to home, especially for kids so they don't have to drive far.
Commissioner Barton thanked Commissioner Ryan for the attention to wanting the access point being taken care of before it would be a problem with the road.

8. **Director's Report.** – Planning Director Dave Stroud advised that interviews had been conducted for the Planning Commission vacancy. Costco opening set for August 13.

9. **Possible motion to enter into closed session** – No closed session was held.

10. **Meeting Adjourned Without Objection at 7:04 p.m. by Chairman** Troy Cunningham.

_____ _____
Date of Approval Planning Commission Chair

_____
Deputy City Recorder

DRAFT

ORDINANCE NO. 20-28 (8-18-20)

AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS, UTAH, ADOPTING AMENDMENTS TO CHAPTER 13.08 OF TITLE 13, AND CHAPTERS 19.02, 19.04, 19.05, AND 19.06 OF TITLE 19 OF THE SARATOGA SPRINGS CITY CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Title 13 of the City of Saratoga Springs Code, entitle "Traffic Code and Parking" was enacted on August 1, 2017 and Title 19 of the City of Saratoga Springs Code, entitled "Land Development C" was enacted on November 9, 1999 and have been amended from time to time; and

WHEREAS, the City Council and Planning Commission have reviewed the Traffic Code and Parking and Land Development Code and finds that further amendments to the Code are necessary to better meet the intent and direction of the General Plan; and

WHEREAS, on July 23, 2020, the Planning Commission held a public hearing on the proposed Title 19 changes after proper notice and publication to consider proposed modifications and amendments as required by Chapter 9a, Title 10, Utah Code Annotated 1953, as amended; and

WHEREAS, on August 18, 2020, the City Council conducted a public meeting on the Planning Commission recommendation pursuant to Chapter 9a, Title 10, Utah Code Annotated 1953, as amended; and

WHEREAS, the City Council voted on the application at the August 18, 2020 meeting; and

WHEREAS, after due consideration, and after proper notice, and after conducting the requisite public meeting, the City Council has determined that it is in the best interests of the residents of the City of Saratoga Springs that modifications and amendments to Title 13 and Title 19 be adopted.

NOW THEREFORE, the City Council hereby ordains as follows:

SECTION I – ENACTMENT

The amendments attached hereto as Exhibit A, incorporated herein by this reference, are hereby amended. Such amendments are shown as underlines and strikethroughs, subject to the City Council's adopted findings and conditions of approval. The remainder of Title 13 and Title 19 shall remain the same.

SECTION II – AMENDMENT OF CONFLICTING ORDINANCES

If any ordinances, resolutions, policies, or maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION III – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code.

SECTION IV – SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V – PUBLIC NOTICE

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code § 10-3-710—711, to do as follows:

a. deposit a copy of this ordinance in the office of the City Recorder; and
b. publish notice as follows:
    i. publish a short summary of this ordinance for at least one publication in a newspaper of general circulation in the City; or
    ii. post a complete copy of this ordinance in three public places within the City.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 18th day of August, 2020.

Signed: _____
Jim Miller, Mayor

Attest: _____
Cindy LoPiccolo, City Recorder

	VOTE
Chris Carn	_____
Michael McOmber	_____
Bud Poduska	_____
Chris Porter	_____
Stephen Willden	_____

EXHIBIT A

13.08.01. Illegal Parking – In General

Vehicles parked, stopped, stored, abandoned, or left in the City in violation of this Chapter or in the following ways are subject to a fine and punishment pursuant to Title 20 of the City Code:

1. unattended vehicles in violation of any of the provisions of this Chapter;
2. a vehicle found upon the streets or alleys of the city with faulty or defective equipment;
3. vehicle, whether attended or unattended, parked upon any street, road, lane, alley, bridge, viaduct, overpass, or underpass that constitutes a hazard or obstruction to traffic;
4. any vehicle left parked in the same place on any public (i) street, (ii) road, (iii) lane, (iv) alley, or (v) property continuously for forty-eight hours;
5. any vehicle found being driven on any street, road, lane, or alley not in a proper condition to be driven; and
6. any vehicle found so parked as to constitute a fire hazard or an obstruction to fire-fighting apparatus.
7. No vehicle, trailer, or recreational vehicle shall be parked upon or overhang any sidewalk or parkstrip.

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a. A school licensed in accordance with Utah Code Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act.
b. A charter school is considered to be a public school in this Title..
c. A charter school shall meet all applicable federal, state, and local laws, including this Title and all City land use ordinances.
d. This definition shall not be interpreted to limit, restrict, or alter in any way the requirements of charter schools under Utah Code § 10-9a-305 to follow this Title and all City land use ordinances.

"Storage - Self-storage or Mini-storage Units":

a. means a building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and
b. may include refrigerated or climate-controlled facilities or on-site caretaker residence.

"Storage, Vehicle" means a location where Recreational Vehicles, cars, trucks, and other vehicles are stored in an enclosed structure, or in an outdoor area fully enclosed by a minimum six foot opaque wall or fence. Vehicle Storage does not include sales or rentals.

19.04.03. Application of Land Use Zone Regulations.

1. No structure or part thereof shall be used, erected, altered, added to, or enlarged, and no land or premises shall be used, designated, or intended to be used for any purpose or in any manner, in contravention of any of the provisions hereinafter.

2. In each land use zone, no uses shall be allowed unless listed as a permitted use in this Title. If a use is not listed as a permitted use in the applicable zone, it is not permitted and is strictly prohibited.
3. No structure or part thereof shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the land use zone in which such structure is located, unless a structure height exception is expressly allowed.
4. No structure shall be erected, altered, enlarged, rebuilt, or moved into any land use zone, and no open space shall be encroached upon or reduced in any manner, except in conformity to the yard, building site area, building location regulations, and the land use zone in which such structure or open space is located.

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1. Table Summary of Land Use Regulation, Agricultural and Residential Zones.

Minimum Setbacks for Accessory Structures:													
	A	**RA-5**	**RR**	**R1-40**	**R1-20**	**R1-10**	**R1-9**	**R2-8**	**R3-6**	**MF-10**	**MF-14**	**MF-18**	**MR**
Front						Same as principal structure							
Street side						Same as principal structure							
Interior Side	25'	12'	12'	12'	2'	2'	2'	2'	2'	2'	2'	2'	2’
Rear	25'	12'	12'	12'	2'	2'	2'	2'	2'	2'	2'	2'	2’
Distance from a Residence	Structures housing animals shall be 60' from neighboring residences, 5' for all other structures				5' from dwelling								

19.05.11. Accessory Buildings in Residential Development.

Accessory buildings may be placed on residential lots subject to the standards in the applicable zone districts as outlined in Chapter 19.04, and the standards of this section.

1. All accessory buildings shall meet the following standards:
    a. In all zones except for the A, RA-5, and RR zones, shall not be taller than any main structure or dwelling for buildings with a building permit, or fifteen feet for buildings not requiring a building permit;
    b. shall be of color and construction compatible with and similar to the primary structure; and
    c. shall be regularly maintained in a clean and well-kept manner; and
    d. shall not drain onto adjacent properties or onto public property; and
    e. shall not be located in a required clear view triangle as outlined in Section 19.06; and

f. shall have a minimum twenty foot long driveway if housing a car, truck, RV, or other automobile.

g. accessory structures requiring a building permit shall not be located over a PUE.

2. Accessory buildings requiring a building permit according to the International Building Code:

a. shall meet the accessory building setbacks identified in the applicable zone district, and

b. shall not occupy more than 30% of any side or rear yard, subject to the lot coverage limitations of the applicable zone district.

3. Accessory buildings not requiring a building permit according to the International Building Code shall not be required to meet interior side yard and rear yard setbacks, and street-side yard setbacks for corner lots where the rear property line abuts the rear property line of the adjacent lot. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. If placed within a required setback, such buildings:

a. are placed at the property owners' risk per Utah Code Chapter 54-3-27; and

b. shall have a maximum height of ten feet, as measured from the finished grade of the surface directly beneath the building to the highest point of the building roof; and

c. shall not have openings facing adjoining properties; and

d. shall have minimum one-hour fire rated construction for surfaces facing adjoining properties; and

e. shall not be used for the housing of animals or birds; and

f. if within the street side-yard setback, shall not have openings facing the street side property line.

19.04.10. Land Use Regulations, Non-Residential and Mixed Use Zones.

1. Table Summary of Land Use Regulations, Non-Residential Zones.

	NC	**CC**	**RC**	**OW**	**I**	**BP**	**I/C**	**PSBL**
Minimum Setback Requirements:								
Front/Corner Side	25'	**25'**	**10'**	**20'**	**30'**	**10'**	**25'**	50'
Interior Sides	15' or height of building, whichever is greater, when adjacent to a residential zone	10' or height of building, whichever is greater, when adjacent to a residential zone	10' or height of building, whichever is greater, when adjacent to a residential zone	10' or height of building, whichever is greater, when adjacent to a residential zone	15' or height of building, whichever is greater, when adjacent to a residential zone	Equal to height of building where adjacent to a residential, MU or MW zone with a 20' minimum. 20' next to all other zones	25'	50'

	NC	CC	RC	OW	I	BP	I/C	PSBL
Rear	25' or height of building, whichever is greater, when adjacent to a residential zone	25' or height of building, whichever is greater, when adjacent to a residential zone	30' or height of building, whichever is greater, when adjacent to a residential zone	30' where adjacent to a residential, MU or MW zone. 20' next to all other zones	50' where adjacent to a residential, MU or MW zone. 20' next to all other zones	25’ or height of building, whichever is greater, when adjacent to a residential zone	25'	50'

19.06.11. Clear Sight Triangle

A. To allow for clear sight at all intersections sight distance shall be calculated based on AASHTO Geometric Design of Highways and Streets. The graphic in Figures 6.4 and 6.5 below depicts the technique used to determine the driver’s eye location and an approaching vehicle; a line is then drawn to connect these two points. Continuous unobstructed line of sight must be provided along this line and throughout the approach to the intersection, providing an unobstructed sight triangle to the side street driver. Sight distances for vehicles based on right-angle intersections are provided as an example in the graphic, and:.

   a. all landscaping, and fencing shall be limited to a height of not more than three feet, and

   b. the grade at such intersections shall not be bermed or raised.

B. Exceptions:

   a. Deciduous tree canopies may be located in the clear sight triangle of privately maintained intersections only if at maturity, as defined in Section 19.06.06, the distance between the ground and base of the canopy is maintained at no less than eight feet and any portion of the tree trunk at maturity that enters the clear sight triangle is no greater than twelve inches in diameter, and

   b. Clear sight triangle at intersections of private single-family residential driveways and streets shall follow Figure 6.6.

   c. any other exception outlined in the Code.

Figure 6.4

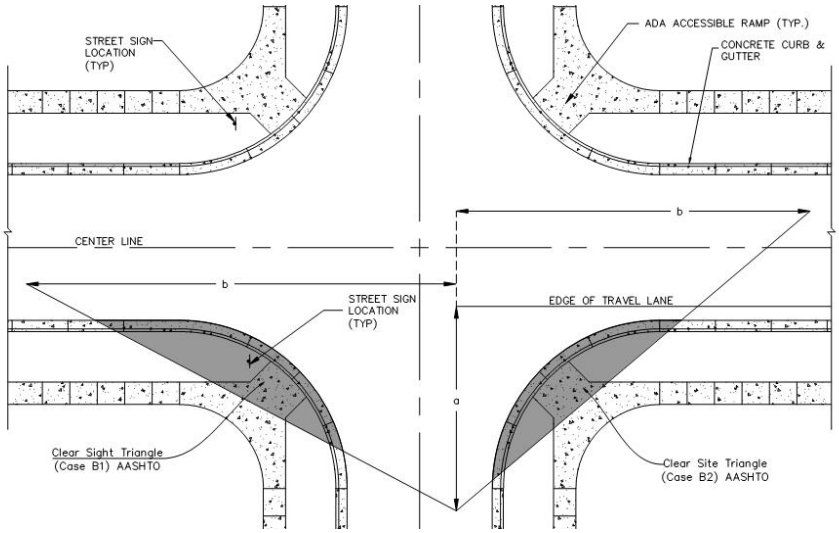
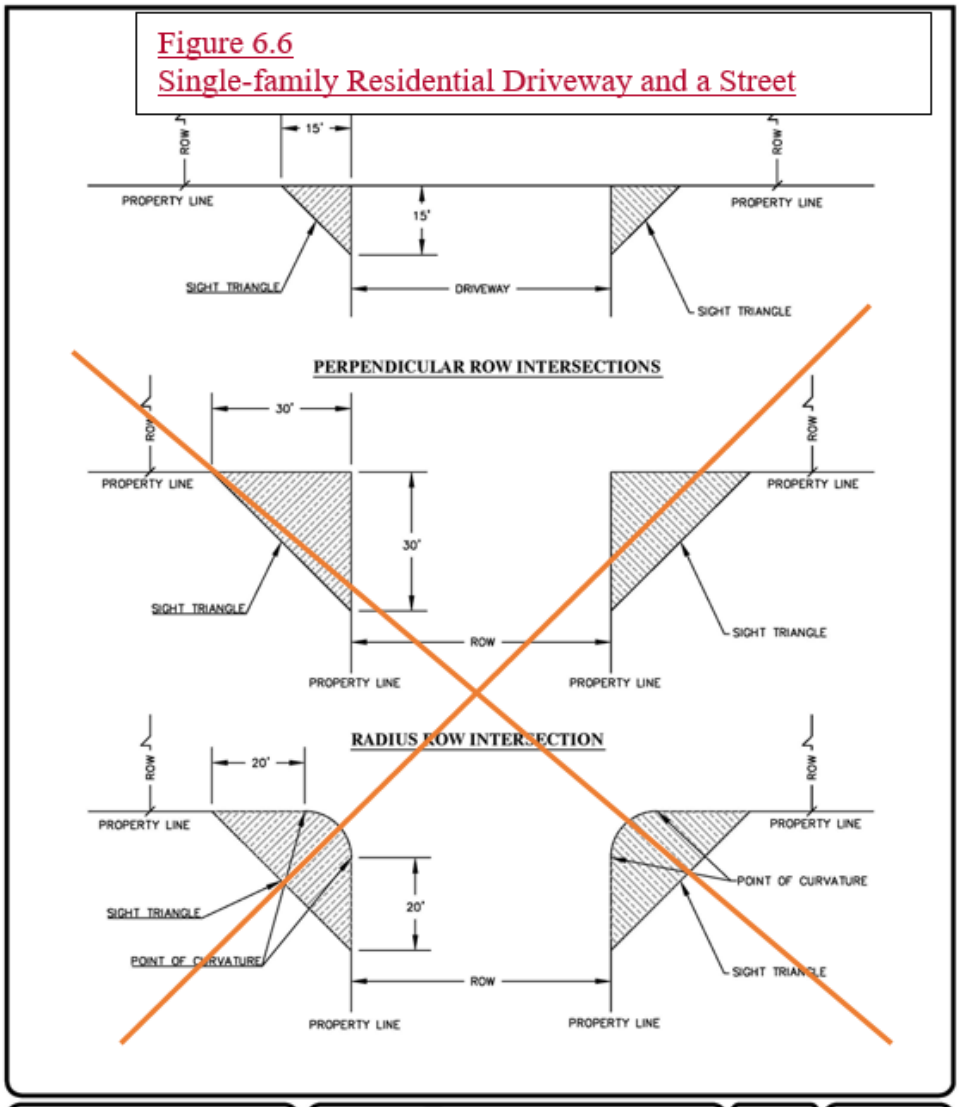

STREET SIGN
LOCATION
(TYP)
ADA ACCESSIBLE RAMP (TYP.)
CONCRETE CURB &
GUTTER
b
CENTER LINE
b
STREET SIGN
LOCATION
(TYP)
EDGE OF TRAVEL LANE
a
Clear Sight Triangle
(Case B1) AASHTO
Clear Site Triangle
(Case B2) AASHTO

Figure 6.6
Single-family Residential Driveway and a Street



SIGHT TRIANGLE

DATE: JULY 2014
DRAWING NAME:
DRAWN BY: E.H.
CHECKED
APPROVED
REVISIONS
REV DATE BY COMMENTS
SARATOGA SPRINGS CITY
STANDARD DETAILS
SIGHT TRIANGLE

MINUTES – CITY COUNCIL MEETING

Tuesday, August 4, 2020
City of Saratoga Springs
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Pursuant to the COVID-19 State and Federal Guidelines, this Meeting was conducted electronically.

City Council Policy Meeting

Call to Order: Mayor Jim Miller called the Policy Meeting to order at 6:02 p.m.

Roll Call:

Present: Mayor Jim Miller, Council Members Stephen Willden, Chris Porter, Michael McOmber, and Christopher Carn. Council Member Ryan Poduska was excused.

Staff Present: City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Economic Development and Public Relations Director David Johnson, Police Chief Andrew Burton, Fire Chief Jess Campbell, Planning Director David Stroud, City Engineer Gordon Miner, Public Works Director Jeremy Lapin, and City Recorder Cindy LoPiccolo.

Invocation: Council Member McOmber
Pledge of Allegiance: Council Member Willden

REPORTS:

City Manager Mark Christensen reported the City received notice the USDA-Natural Resources Conservation Services (NRCS) Notice of Grant and Agreement Award pertaining to the Saratoga Springs Knolls Fire was approved. This provides for installation of heavy duty silt fencing to provide protection for homes and infrastructure, and the burn scar and construction disturbances will be reseeded and mulched where needed.

Mayor Miller reported he and the Council toured the new Costco prior to this meeting. The Grand Opening ribbon cutting is scheduled for August 13 at 7:30 a.m. with opening of the store immediately following. The Costco gas station will open for business on August 12.

BUSINESS:

1. **Planning Commission Appointment – Bryce McConkie; Resolution R20-36 (8-4-20).** Mayor Miller introduced Bryce McConkie for appointment to the Planning Commission to fill the vacancy of Commissioner Bryan Chapman and complete the remainder of that term ending December 31, 2020. He reported Mr. McConkie's background and experience was highly applicable for service as a Planning Commissioner. Bryce McConkie thanked the Mayor and Council for the opportunity to work with the Planning Commission and staff, and serve the community.

Motion by Council Member Willden to approve appointment of Bryce McConkie to the Planning Commission; Resolution R20-36 (8-4-20), was seconded by Council Member McOmber
Vote: Council Members Willden, Porter, McOmber, and Carn – Aye.

Motion carried 4-0.

2. **The Church of Jesus Christ of Latter-day Saint Saratoga Springs Welfare Complex Community Plan and Village Plan, Johnny Watson – JRW & Associates Applicant, Redwood Road and Medical Drive; Ordinance 20-27 (8-4-20)**. Planning Director Stroud presented the staff report and recommendation concerning the application for the Welfare Complex Community Plan and Village Plan. The proposal allocates 32 residential equivalent residential units (ERU) with one ERU equal to 2,165 square feet of non-residential use, Lot 1 ERUs are to be decided, and the proposed two structures for the Bishop's Storehouse and Deseret Industries Thrift Store comprise approximately 69,788 square feet. The Planning Commission recommended approval subject to the findings and conditions in the staff report along with the following additional conditions: 1) look at enhancing the walls visually with pilasters or some-such detail to bring it closer to compliance to City Code, and 2) look at suggesting to UDOT to mitigate Access 1 and its LOS F with a possible right/right median installed. Director Stroud reviewed the revised architectural elevations and proposed access plan responding to the recommended conditions.

Applicant Johnny Watson thanked staff for helping them through the process and they are excited to work in this community.

Council Member Porter commented he is glad they were able to make the revised architectural changes, clarified the changes comply with Title 19. He noted his concern is with Lot 1 and Director Stroud clarified the Village Plan states when Lot 1 is developed it will follow Title 19 standards. Council Member Porter commented he concurs in regard to making Lot 1 right-in right-out access and Applicant Watson confirmed this access is planned as right-in right-out.

Council Member McOmber clarified with the City Attorney in regard to the public meeting requirement. He expressed appreciation of the architectural changes and inquired concerning the traffic flow planned for the Thrift Store noting from a safety perspective the importance of making sure there is good visual, not a blind corner, and customers walking from the parking areas are taken into account. Applicant Watson advised the traffic plan is designed to flow as much traffic as possible onto Medical Drive instead of exiting onto Redwood Road as based on the traffic studies.

Council Member Willden advised he appreciates the open space plan and how it breaks up the parking areas.

Motion by Council Member Willden to approve the Community Plan and Village Plan for the Saratoga Springs Welfare Complex Community subject to the findings and conditions and notation Condition 5 has been completed in accordance with submitted modified elevation; Ordinance 20-27 (8-4-20), was seconded by Council Member Carn
Vote: Council Members Porter, Willden, McOmber, and Carn – Aye.
Motion carried 4-0.

3. **Agreement with Avative for Use of Conduit for Fiber; Resolution R20-37 (8-4-20)**. City Manager Christensen presented the staff report and recommendation for the City to enter into an exchange agreement with Avative for their use of the City's existing conduit running along the new sewer main at the future Pony Express Parkway from Riverside Drive to Saratoga Road, in exchange for the installation of conduit and fiber optic cable as needed to connect the Public Works offices to their fiber optic network.

Motion by Council Member Porter to approve the Agreement with Avative; Resolution R20-37 (8-4-20), was seconded by Council McOmber
Vote: Council Members Carn, McOmber, Willden, and Porter – Aye.
Motion carried 4-0.

DRAFT

4. **Reimbursement Agreement for Saratoga Springs Commercial Plat E with Westlake Partners, LLC; Resolution R20-38 (8-4-20).** City Engineer Gordon Miner presented the staff report and recommendation for approval of a Reimbursement Agreement with Westlake Partners, LLC for City improvements related to Saratoga Springs Commercial Plat E.

Motion by Council Member Carn to approve the Reimbursement Agreement for Saratoga Springs Commercial Plat E with Westlake Partners, LLC; Resolution R20-38 (8-4-20), was seconded by Council Member Porter
Vote: Council Members Willden, McOmber, Carn, and Porter – Aye.
Motion carried 4-0.

5. **Annual Interlocal Cooperation Agreement with Utah County and City of Eagle Mountain for Substance Abuse Prevention and Communities That Care Prevention Model; Resolution R20-39 (8-4-20).** Economic Development and Public Relations Director David Johnson presented the staff report and recommendation to approve the annual Interlocal Agreement for the Communities That Care Program, and outlined the primary changes included in this year's contract.

Motion by Council Member McOmber to approve the annual Interlocal Cooperation Agreement for the Communities That Care Program; Resolution R20-39 (8-4-20), was seconded by Council Member Willden
Vote: Council Members Willden, Carn, McOmber, and Porter – Aye.
Motion carried 4-0.

6. **Interlocal Cooperation Agreement with the Board of Education of Jordan School District for School Resource Officer; Resolution R20-40 (8-4-20).** City Manager Christensen presented the report and agreement for provision of a Jordan School District School Resource Officer for a period up to five (5) years. This provision is part of the City's contract to provide police services to the City of Bluffdale.

Motion by Council Member Porter to approve appointment of Bryce McConkie to the Planning Commission; Resolution R20-36 (8-4-20), was seconded by Council Member Carn
Vote: Council Members Carn, Porter, Willden, and McOmber – Aye.
Motion carried 4-0.

MINUTES:

1) **July 21, 2020; July 27, 2020**.

Motion by Council Member xx to approve the Minutes of July 21, 2020 and July 27, 2020, was seconded by Council Member xx
Vote: In Favor – All Aye
Motion carried unanimously.

CLOSED SESSION:

Motion by Council Member Willden to enter into closed session for the purchase, exchange, or lease of property, discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent litigation, the character, professional competence, or physical or mental health of an individual, was seconded by Council Member xx.
Vote: In Favor – All Aye
Motion carried unanimously.

The meeting moved to closed session at 6:32 p.m.

DRAFT

Present: Mayor Miller, Council Members McOmber, Willden, Porter, and Carn, City Manager Mark Christensen, Police Chief Andrew Burton, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, and City Recorder Cindy LoPiccolo.

Closed Session adjourned at 7:10 p.m.

ADJOURNMENT OF POLICY SESSION:

There being no further business, Mayor Miller adjourned the meeting at 7:12 p.m.

_____

Jim Miller, Mayor

Attest:

_____

Cindy LoPiccolo, City Recorder

Approved:

DRAFT