



# SARATOGA SPRINGS

*Life's just better here*

## 1. 2020-6-16 Cc Agenda

Documents:

[2020-6-16 CC AGENDA.PDF](#)

## 2. 2020-06-16 Cc Packet

Documents:

[2020-6-16 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

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### **CITY OF SARATOGA SPRINGS**

**Tuesday, June 16, 2020, 6:00 pm**

**Pursuant to State and Federal Guidelines concerning COVID19, this Meeting will be conducted electronically.**

Meetings are streamed live electronically at

<https://www.youtube.com/c/CityofSaratogaSprings>

Questions and comments to staff and/or Council may be submitted to [comments@saratogaspringscity.com](mailto:comments@saratogaspringscity.com)

#### **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.
4. Department Reports: Public Works, Engineering, Planning. These reports may be found in the Meeting packet and questions emailed to Staff.

#### **PUBLIC HEARINGS:**

1. Fiscal Year 2019-2020 Budget Amendments; Resolution R20-26 (6-16-20).
2. Fiscal Year 2020-2021 Final Budget and Pay Plan for Elected and Appointed Officials; Resolution R20-27 (6-16-20).

#### **BUSINESS ITEMS:**

1. Fiscal Year 2020-2021 Certified Tax Rate; Resolution R20-28 (6-16-20).
2. Authorization for Participation In the Employer "PickUp" of Public Safety and Firefighter Employment Retirement Contributions; Resolution R20-29 (6-16-20).
3. Library Board Appointment, Christy Jepson; Resolution R20-30 (6-16-20).
4. Lake Mountain Estates Plat B-30 Preliminary-Final Plat, Nathan Coulter Applicant, ~3600 South McGregor Lane.
5. Saratoga Dignity Senior Community Development Agreement Amendment and Concept Plan, Rimrock Construction Applicant, ~700 West 1400 North / ~1590 North

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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.

Cozy Lane / ~1538 North Foothill Boulevard; Ordinance 20-22 (6-16-20) to Approve Said Development Agreement Amendment.

6. Chapter 18.02, Flood Damage Prevention, Repeal and Replace; Ordinance 20-23 (6-16-20).
7. Reconsideration of Ordinance 20-19 (5-19-20) Regarding Engineering Standard Drawing LP-6A.

**MINUTES:**

1. June 2, 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**

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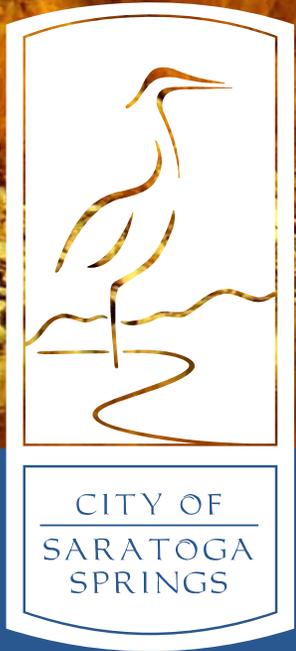
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# Public Works 2020 Q2 Update



# Electrical Division

- New Flow Meter Installed on Well #3
- Received and outfitted new utility Truck and New Bucket Truck
- Installed 2 new motor drives in Fox Hollow Booster #4
- New Drive and Cabinet at Sewer Lift Station #6
- Began Light Pole Repainting Program
  - Phase 1 - 20-30 Lights in SSD
- Identified Power issue at Sewer Lift Station #7, working with RMP on repair
- Upcoming Projects
  - Complete Range Road Street Light Rewire Project
  - Complete Phase 1 Street Light Repainting
  - Ongoing SEM program implementation – Energy Savings.
  - Public Works Fiber Optic Connection
  - Service upgrade at Secondary Well #5
  - Electrical Repairs at House by Well #3
  - Integrate new SCADA Consultant - APCO



**Flow Meter at  
Drinking Well #3**



**Repainted Pole  
in SSD**



**New Bucket Truck**



# Water Division

## City Works (March – May)

- Work Orders – 269 (265 drinking water, 4 secondary)
- Service Requests – 258 (86 drinking water, 172 secondary)
- Blue Stake Requests – 3,058
- Keeping up with New Meter Installs – 178 New Meter Install WO's

## Fixed Network Meter Read System

- Customer Portal Marketing Grant – Langdon Group

## Water Projects

- Install new bearings and new MTC at Secondary Well #5
- New Algae Control at Pond #3 – Harvest Hills
- New Flow Meter installed at Well #3
- Continuing the Rocky Mtn. Power SEM Program

## Upcoming

- Weed control and housekeeping at all facilities
- Replace Motor in Culinary Booster #2
- Move Chiller from Well #1 to Booster #5
- Continue to locate and change out 6 dial meters in PI system.





# Sewer & Storm Water Division

## Recent Projects

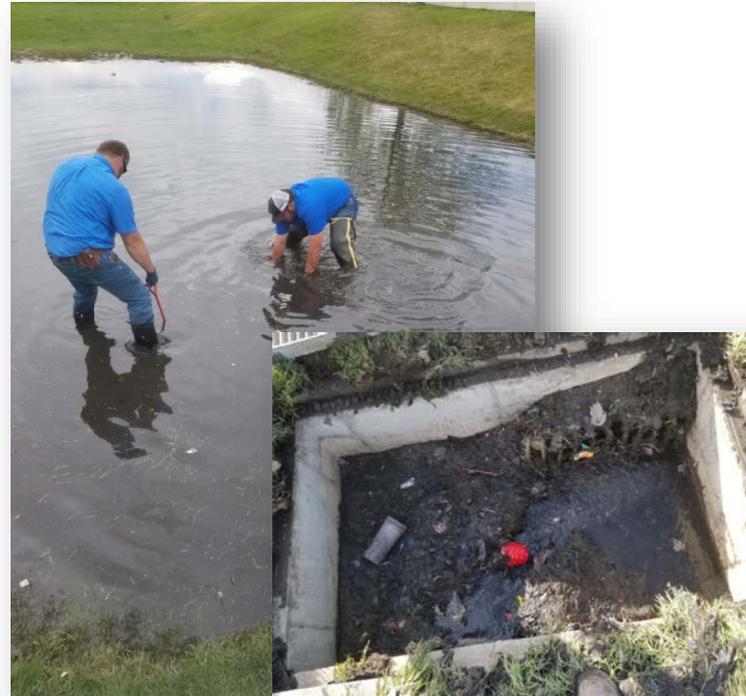
- Completed Sewer Line Rapid Assessment Program
- Wet Well Cleaning
- Repair and Cleaning of Detention Basin on Orchard Way
- Load testing and maintenance of all Generators
- Rebuilt pumps at lift 1 and 2
- Ongoing Inlet Inspections and Cleaning

## City Works (March – May)

- **Work Orders – 56 (12 storm water, 44 sewer-not including routine jetting)**
- **Service Requests – 3**

## Upcoming

- Replace Employee who Left
- Ongoing Jetting and Manhole Inspections
- Work on locations identified in Sewer Line Rapid Assessment Program
- Level 3 Collections and RSI Certifications for all employees



**Storm Water Basin @ Orchard Way**



**New Drive at Lift Station #6**



# Parks Division

## Recent Accomplishments

- Installation of drainage on North and East Side of City Hall
- Covid-19 Cleaning of Playgrounds and Amenities
- New Backflow device at RC Park
- Upgrade sprinklers to MP Rotor at Harvest Park.
  - MP rotators are to lower precipitation rates help with water percolation through the soil to decrease water runoff and help conserve water.
- WeatherTRAK smart Controller Install
  - Green Mile (Saratoga Road Parkstrip)
  - North Fire Station
  - North Section of Canal Parkway in Harvest Hills
- Reseeding at Shay and Regal Park
- 15 Irrigation Mainline Repairs

## Upcoming Goals

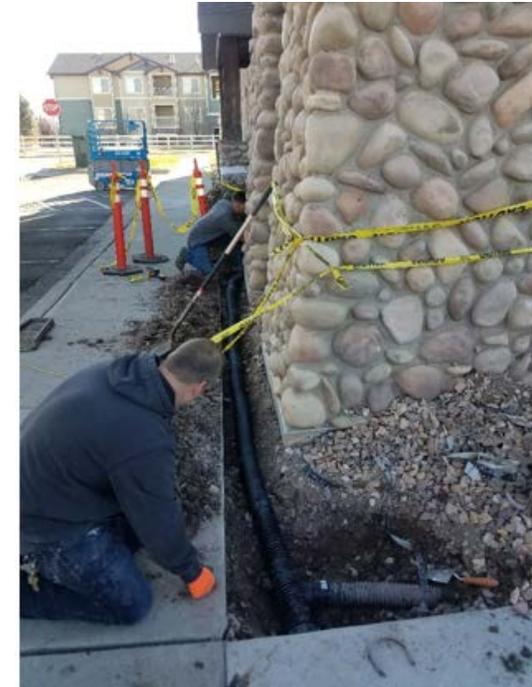
- Maintaining Covid-19 Sanitation Protocols
- WeatherTRAK, Installation; Possible sites, Regal, Israel Canyon Trail Head, City Hall
- Prepare and execute fall tree replacement program
- Patriot Park Infield protection and mitigation, execute measures, such as back stop pads, wind breaks, and field moisture.

## City Works (March – May)

- Work Orders – 66
- Service Requests - 5



**Reseeding Project**



**City Hall Downspouts**



# Streets Division

## Recent Projects

- Citywide Street Sweeping
- Salter Rack Extension Installed (4 additional Bays)
- Citywide Week Control along public roadways
- Additional Engine Brake Restriction Signs Installed at City Entrances

## Upcoming Projects

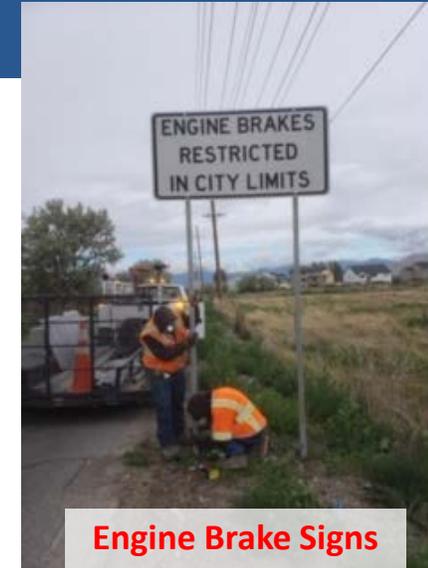
- Annual Pavement Maintenance Project
- Citywide asphalt patching/shouldering/Pothole Repair
- Inlet Inspections and Cleaning

## City Works (March – May)

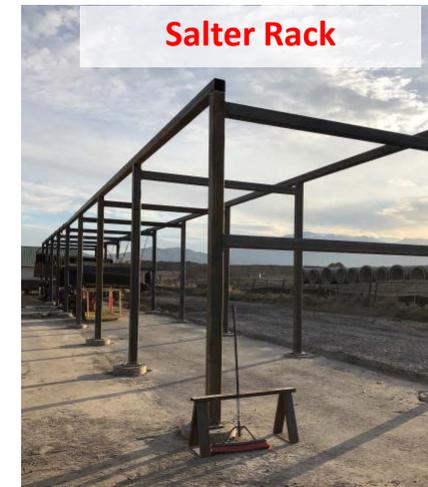
- Work Orders – 72
- Service Requests - 7



Pothole Repair



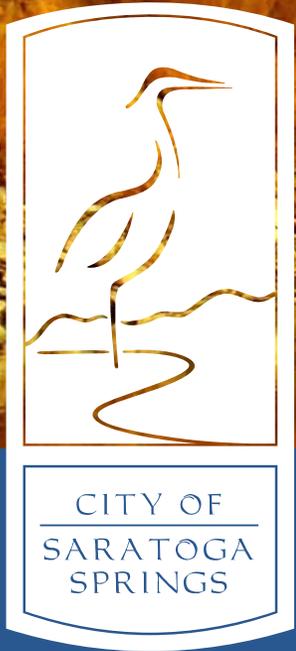
Engine Brake Signs



Salter Rack



Pothole Repair



# Engineering Department



# Engineering Department

## Performance Measures

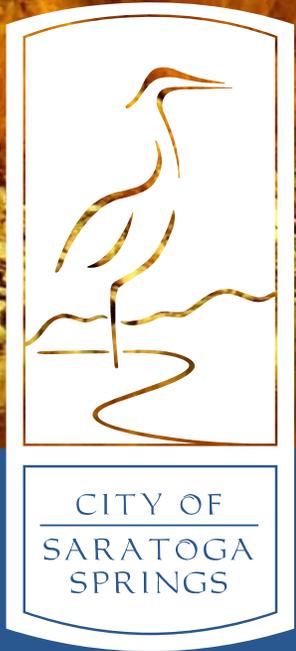
Measure	Jul 2019 to Now Actual/Target	FY 2018 Actual/Target	FY 2017 Target/Actual	FY 2016 Target/Actual	FY 2015 Actual
Reviews completed within 2 weeks	83%/90%	80%/95%	44%/95%	95%/100%	NA
New comments after first review	2/0 (Since January 1 <sup>st</sup> )	NA	NA	NA	NA
Traffic counts	3/10	18/20	9/20	18/20	9



# Engineering Department

## Project Goals (January 2020)

- Update the Transportation Master Plan – Underway.
- Update the Transportation Impact Fee Facilities Plan – Will follow the TMP.
- Foothill Boulevard Corridor Preservation – MAG application this week.
- Engineering Standards Revisions – Coming within a couple months.
- Code Amendments for Floodplain, Debris Flow, and Flood Flow Issues.



# Planning Department June 2020 Update



# 2020 Q2 Highlights

- Saratoga Springs Commercial Plat E
- Saratoga Springs Commercial Lot 402 and 403
- Wildflower GPA, Rezone, CP amendment
- Title 19 changes
- River View Plaza and Townhomes rezone
- Lake Mountain Estates B-30 plat
- Various staff-level approved plats
- Code enforcement – 84 open and 85 closed (YTD)
- Covid-19 made an appearance

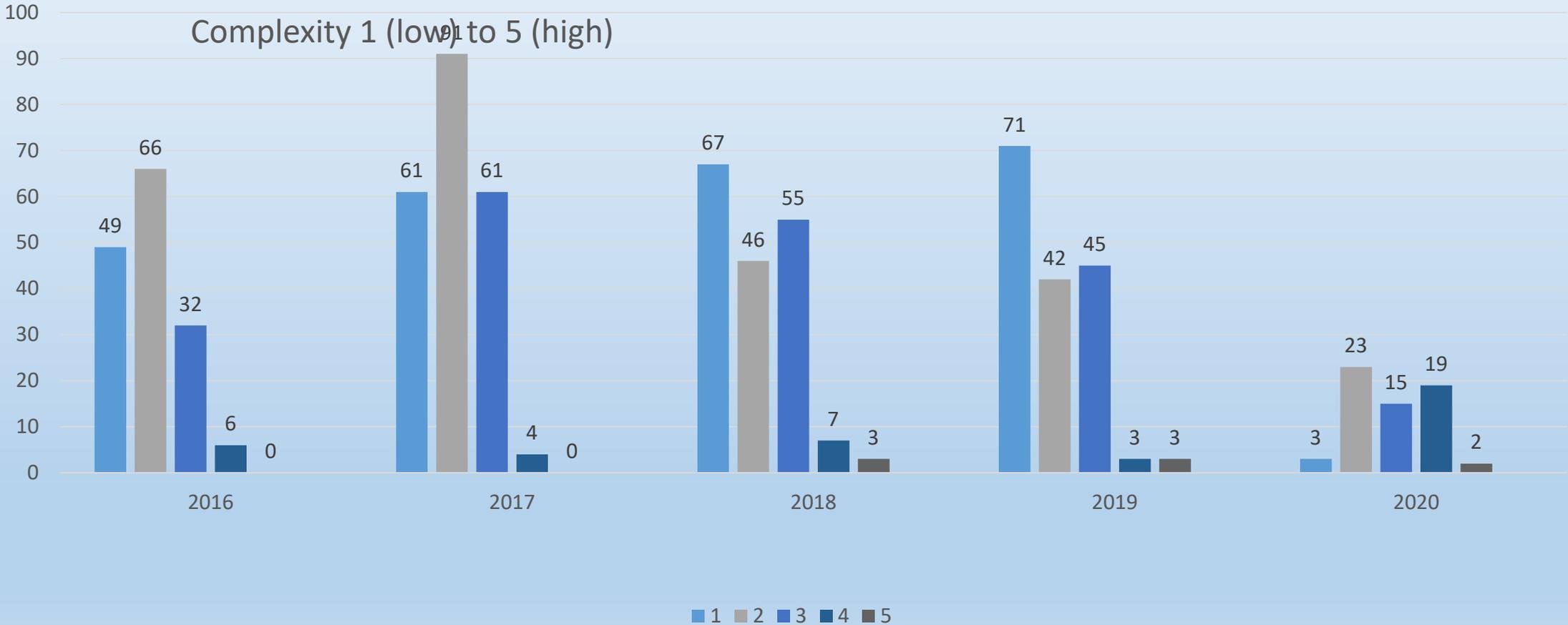


# Applications 2014-2020



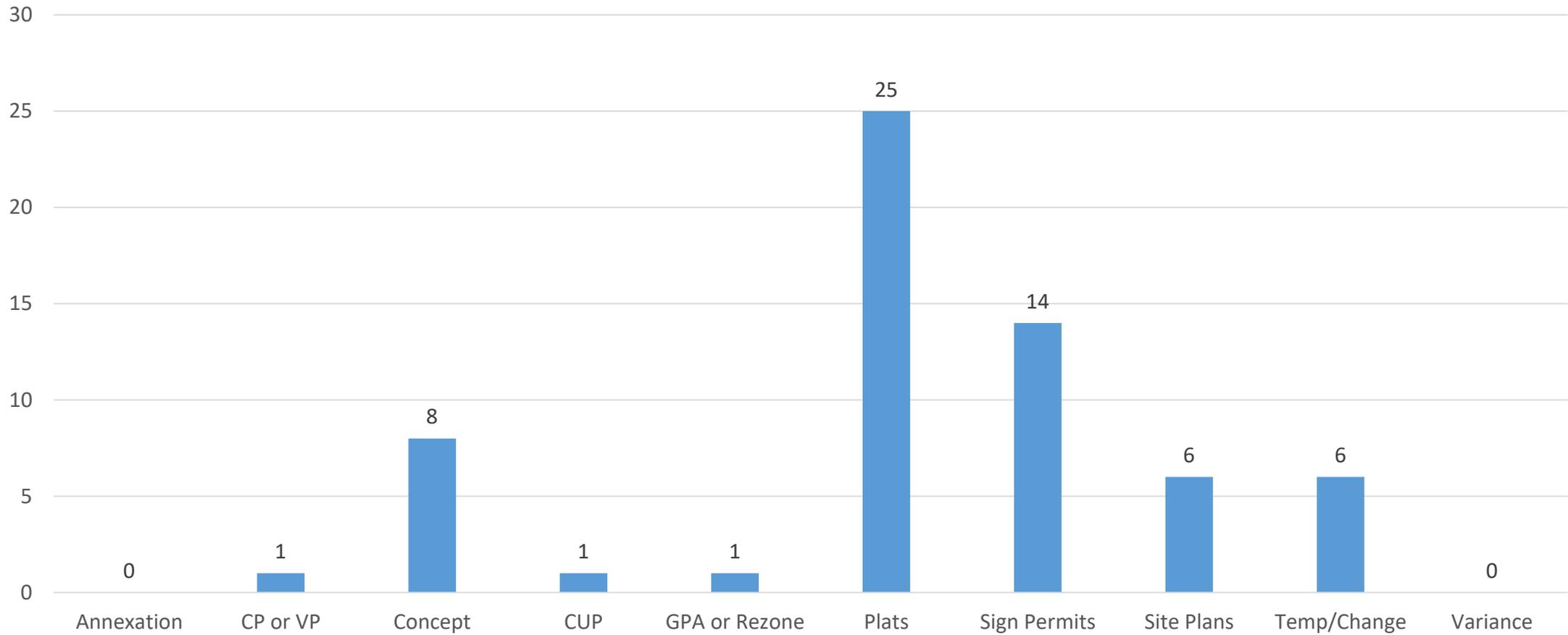


# 2020 Application Complexity





# 2020 Development Requests YTD





## City Council Staff Report

**Author:** Justin Sorenson, Budget Administrator  
**Subject:** Budget Amendment  
**Date:** June 16th, 2020  
**Type of Item:** Resolution

**Summary Recommendation:** Staff recommends approval of the following by resolution amending the budget for the fiscal year 2019-20.

### Description

#### A. Topic

This is the seventh budget amendment for the fiscal year 2019-2020.

#### 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 2019-20.

**2019-2020 Budget Amendment Supplemental #7**

<b>G/L Account</b>	<b>Department</b>	<b>Description</b>	<b>Current FY 2020 Budget</b>	<b>New Budget Amount</b>	<b>Difference</b>	<b>Notes/Comments</b>
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<b>NEW</b>	Grant Revenue	CARES ACT	-	(900,000)	(900,000)	CARES Act grant for Covid-19 Expenses
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10-4160-283	Utilities	Telephone	\$ 85,500	\$ 105,000	\$ 19,500	Increase due to take home cell phones due to Covid-19, funded with fund
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New	General Government	Covid-19 Expenditures	\$ -	\$ 900,000	\$ 900,000	Covid-19 related expenditures
<b>General Fund Total</b>					<b>\$ 2,602,006</b>	
<b>Fund 31</b>						
31-4000-645	Storm Drain Capital	SR 73 Phase 2 PN18	\$ 100,000	\$ -	\$ (100,000)	Project to be completed and paid for through Crossroads Blvd Widening Pr
<b>Fund 32</b>						
32-4000-721	Parks Capital	Northshore Phase 1	\$ -	\$ 186,073	\$ 186,073	Reimbursement to DR Horton for Northshore Phase 1 Parks Impact Fees
<b>Fund 33</b>						
33-4000-710	Roads Capital	Transportation Planning	\$ 90,000	\$ 130,000	\$ 40,000	TMP and IFFP Updates with Avenue Consulting
33-4000-756	Roads Capital	Redwood Road Betterments	\$ 1,000,000	\$ 515,000	\$ (485,000)	Project Complete
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50-4000-910	Street Lighting	Admin Charge	\$ 42,574	\$ 73,208	\$ 30,634	Increase in Admin Charge based on actual expenses
<b>Fund 51</b>						
51-5105-658	Water Fund	Secondary Meter Replacement	\$ -	\$ 163,833	\$ 163,833	Funded with fund balance
51-5500-100	Water Fund	Depreciation	\$ 850,000	\$ 2,050,000	\$ 1,200,000	Increase due to increase developer contributions & more capital
51-5100-658	Water Fund	Replacement Meters	\$ 333,000	\$ 100,000	\$ (233,000)	Decrease in need for replacement meters
51-5105-402	Water Fund	Secondary Replacement Meters	\$ -	\$ 100,000	\$ 100,000	
<b>Fund 52</b>						
52-5500-100	Sewer Operations	Depreciation	\$ 610,000	\$ 950,000	\$ 340,000	Increase due to increase developer contributions & more capital
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53-4000-713	Sewer Capital	N1E Posey Force Main Mod	\$ 2,647,519	\$ -	\$ (2,647,519)	Project to be built by developer
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53-4000-795	Sewer Capital	S2.2 South SSD Upsize	\$ 1,508,506	\$ 3,000,000	\$ 1,491,494	Bids above estimate
53-3353-300	Sewer Capital	Construction Reimbursement	\$ -	\$ (846,575)	\$ (846,575)	Developer Reimbursement Agreement
53-5500-100	Sewer Capital	Depreciation	\$ 115,000	\$ 170,000	\$ 55,000	Increase due to increase developer contributions & more capital
<b>Fund 54</b>						
54-5500-100	Storm Drain	Depreciation	\$ 410,000	\$ 825,000	\$ 415,000	Increase due to increase developer contributions & more capital
54-5400-910	Storm Drain	Admin Charges	\$ 366,842	\$ 420,000	\$ 53,158	Increase to proper levels after it was decreased due to low fund balance
<b>Fund 56</b>						
56-4000-723	Culinary Water Capital	Inst pump @ Booster #3	\$ 12,532	\$ -	\$ (12,532)	Project Complete
56-5500-100	Culinary Water Capital	Depreciation	\$ 1,050,000	\$ 1,150,000	\$ 100,000	Increase due to increase developer contributions & more capital
<b>Fund 57</b>						
57-4000-706	Secondary Water Capital	Developer Reimbursement	\$ -	\$ 3,789	\$ 3,789	Boyer Reimbursement
57-5500-100	Secondary Water Capital	Depreciation	\$ 250,000	\$ 1,100,000	\$ 850,000	Increase due to increase developer contributions & more capital
<b>Fund 58</b>						
58-5800-253	Water Rights	Maintenance of Water Rights	\$ 40,000	\$ 70,000	\$ 30,000	Increase cost due to more water rights being dedicated to the city.
<b>Total Funding Impact</b>					<b>\$ 3,084,385</b>	

**RESOLUTION NO. R20-26 (6-16-20)**

**A RESOLUTION AMENDING THE CITY OF SARATOGA  
SPRINGS BUDGET FOR FISCAL YEAR 2019-2020 AND  
ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Saratoga Springs, Utah has found it necessary to amend the City's current 2019-2020 fiscal year budget; and

**WHEREAS**, pursuant to the Utah Uniform Fiscal Procedures Act for Utah Cities, the City has published public notice of the proposed budget amendment at least seven days in advance in the Daily Herald, a newspaper of general circulation in Utah County, on the Utah Public Notice Website, and on the City's website; and

**WHEREAS**, pursuant to the Utah Uniform Fiscal Procedures Act for Utah Cities, the City Council has conducted a public hearing to receive public comment on the proposed budget amendment; and

**WHEREAS**, after conducting the public hearing and after due consideration of the public comment given, the City Council has determined that the proposed budget amendment is in the best interests of the public health, safety, and welfare, and will assist in the efficient administration of City government.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Saratoga Springs, Utah, that the budget amendments, attached as Exhibit A hereto are hereby adopted. This Resolution shall take effect immediately upon passage.

DATED the 16<sup>th</sup> day of June, 2020.

CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION

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Jim Miller, Mayor

ATTEST:

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Cindy LoPiccolo, City Recorder

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53-4000-795	Sewer Capital	S2.2 South SSD Upsize	\$ 1,508,506	\$ 3,000,000	\$ 1,491,494	Bids above estimate
53-3353-300	Sewer Capital	Construction Reimbursement	\$ -	\$ (846,575)	\$ (846,575)	Developer Reimbursement Agreement
53-5500-100	Sewer Capital	Depreciation	\$ 115,000	\$ 170,000	\$ 55,000	Increase due to increase developer contributions & more capital
<b>Fund 54</b>						
54-5500-100	Storm Drain	Depreciation	\$ 410,000	\$ 825,000	\$ 415,000	Increase due to increase developer contributions & more capital
54-5400-910	Storm Drain	Admin Charges	\$ 366,842	\$ 420,000	\$ 53,158	Increase to proper levels after it was decreased due to low fund balance
<b>Fund 56</b>						
56-4000-723	Culinary Water Capital	Inst pump @ Booster #3	\$ 12,532	\$ -	\$ (12,532)	Project Complete
56-5500-100	Culinary Water Capital	Depreciation	\$ 1,050,000	\$ 1,150,000	\$ 100,000	Increase due to increase developer contributions & more capital
<b>Fund 57</b>						
57-4000-706	Secondary Water Capital	Developer Reimbursement	\$ -	\$ 3,789	\$ 3,789	Boyer Reimbursement
57-5500-100	Secondary Water Capital	Depreciation	\$ 250,000	\$ 1,100,000	\$ 850,000	Increase due to increase developer contributions & more capital
<b>Fund 58</b>						
58-5800-253	Water Rights	Maintenance of Water Rights	\$ 40,000	\$ 70,000	\$ 30,000	Increase cost due to more water rights being dedicated to the city.
<b>Total Funding Impact</b>					<b>\$ 3,084,385</b>	



## City Council Staff Report

**Author:** Justin Sorenson, Budget Administrator  
**Subject:** Final Budget Fiscal Year 2020-2021  
**Date:** June 16th, 2020  
**Type of Item:** Public Hearing

**Summary Recommendation:** Staff recommends a public hearing for the final budget and pay plan for fiscal year 2020-2021.

### Description

#### A. Topic

Public hearing for the final budget and pay plan for fiscal year 2020-2021.

#### B. Background

Budget requests were compiled for fiscal year 2020-2021 from all city departments by November 2019. The requests were compiled and reviewed by Administration through December 2019. During the months of December 2019 and January 2020 meetings were held with the department head submitting the request. The budget committee discussed all requests in great detail to determine if it was a viable request. The attachment of the Budget Request Summary shows all the requests that were submitted and the requests our City Manager recommended. Staff has reduced the overall budget 5% by request of the City Manager. Each department was tasked with finding ways to reduce their budget for the upcoming year and did so totaling \$1,188,019 in reductions for the 2020-2021 fiscal year.

#### C. Analysis

A balanced budget formalizes the City's resolve to remain fiscally and legally responsible. City staff will continue to monitor economic data and will only authorized spending of approved funds once we have a clearer picture of the Covid-19 impact on revenues.

**Recommendation:** Staff recommends a public hearing for the final budget and pay plan for fiscal year 2020-2021.

FY2020 Budget Requests						
Y/N City Manager Recommended	Request	FY 2020 Adjusted Budget	FY 2021 Dept Request	FY 2022 Dept Request	Recommended FY 2021 with one time revenues	Recommended FY 2021 Ongoing
<b>GENERAL FUND</b>						
<b>Administration</b>						
N	PT AP Clerk to FT AP Clerk	\$ -	\$ 30,823	\$ 32,364	\$ -	\$ -
Y	Executive Admin Assistant PT to FT	\$ 24,749	\$ 49,497	\$ 49,497	\$ -	\$ 49,497
Y	Data Analyst	\$ -	\$ 91,272	\$ -	\$ -	\$ 91,272
<b>Building Inspection</b>						
Y	New Inspector III	\$ -	\$ 126,037	\$ 93,037	\$ 33,000	\$ 93,037
Y	New FT Admin Assistant (shared with building, planning)	\$ 12,362	\$ 24,724	\$ 24,724	\$ -	\$ 24,724
Y	Reclass 2 FTE Inspector II to III	\$ -	\$ 8,866	\$ 8,866		
<b>Civic Events</b>						
Y	FT Civic Events Coordinator	\$ -	\$ 51,626	\$ 53,949	\$ -	\$ 51,626
N	Storage Container	\$ -	\$ 3,500	\$ -	\$ -	\$ -
N	Truck	\$ -	\$ 41,000	\$ -	\$ -	\$ -
<b>Communications</b>						
	NONE					
<b>Engineering</b>						
Y	FT Assistant (shared with building, planning)	\$ 12,362	\$ 24,724	\$ 24,724	\$ -	\$ 24,724
<b>Fire</b>						
N	Bay Expansion South Station	\$ -	\$ 200,000	\$ -	\$ -	\$ -
Y	Personnel Transistion from PT to FT	\$ -	\$ 918,153	\$ 873,153	\$ 45,000	\$ 873,153
Y	SAFER Grant	\$ -	\$ (654,864)	\$ (654,865)	\$ -	\$ (654,865)
<b>General Govt. Building and Grounds</b>						
Y	Increase to Operating Cost due to Public Safety Building and PW Expansion	\$ 25,000	\$ 51,000	\$ 51,000	\$ -	\$ 51,000
<b>IT Services</b>						
	NONE					
<b>Justice Court</b>						
Y	Increase Budget for Office Supplies (Paper, Postage Meter, Postage)	\$ -	\$ 4,296	\$ 4,296	\$ -	\$ 4,296
Y	Increase PT Hours (10 Hours weekly)	\$ -	\$ 10,327	\$ 10,843	\$ -	\$ 10,327
Y	PT Employee (15 Hours)	\$ -	\$ 14,215	\$ 14,926	\$ -	\$ 14,215
<b>Legal Department</b>						
Y	Law Clerk (New)	\$ 2,856	\$ 16,800	\$ 17,640	\$ -	\$ 16,800
Y	Legal Assistant Hours Increase		\$ 6,421	\$ 6,742	\$ -	\$ 6,421
Y	Travel Budget Increase, eProsecutor, Books/Memberships, Constable Fees	\$ -	\$ 5,038	\$ 5,201	\$ -	\$ 5,038
Y	Planning Land Use Attorney	\$ 20,258	\$ 119,165	\$ -	\$ -	\$ 119,165
<b>Library Services</b>						
Y	FTE Library Assistant for Programming (New Position)	\$ -	\$ 69,702	\$ 68,352	\$ -	\$ 69,702
N	PT Library Assistant for Programming (1580 Hours)	\$ -	\$ 32,939	\$ 31,589	\$ -	\$ -
N	PT Library Page (New)	\$ -	\$ 15,383	\$ 15,383	\$ -	\$ -
Y	Digital Collections	\$ -	\$ 10,000	\$ 13,000	\$ -	\$ 10,000
Y	Computers & Software (BlueCloud, WhoFi, Sirsi Increase, Scheduling Pkg)	\$ -	\$ 5,350	\$ 5,488	\$ -	\$ 5,350
Y	Programming Increase (# of Sessions)	\$ -	\$ 1,000	\$ 1,000	\$ -	\$ 1,000
N	Library Internet	\$ -	\$ 1,200	\$ 1,200	\$ -	\$ -
<b>Non-Departmental</b>						

FY2020 Budget Requests									
Y/N City Manager Recommended	Request	FY 2020 Adjusted Budget	FY 2021 Dept Request	FY 2022 Dept Request	Recommended FY 2021 with one time revenues	Recommended FY 2021 Ongoing			
	NONE								
<b>Parks &amp; Open Spaces</b>									
Y	3 Maintenance I to Maintenance II	\$ -	\$ 12,435	\$ 13,057	\$ -	\$ 12,435			
Y	Parks Maintenance 1 Patriot Park Specialist	\$ 28,921	\$ 68,860	\$ 68,860	\$ -	\$ 68,860			
Y	Parks Maintenance 1 Irrigation	\$ -	\$ 119,788	\$ 68,760	\$ -	\$ 119,788			
Y	Parks Maintenance 1 Trails and Open Space Specialist	\$ 50,311	\$ 119,788	\$ 68,760	\$ -	\$ 119,788			
<b>Planning &amp; Zoning</b>									
N	Planner II (New)	\$ -	\$ 93,404	\$ 93,404	\$ -	\$ -			
Y	Planning Admin Assistant FT (shared with engineering and building)	\$ 12,362	\$ 24,724	\$ 24,724	\$ -	\$ 24,724			
<b>Police - Bluffdale</b>									
Y	Step Plan Increase	\$ -	\$ 67,068	\$ 70,421	\$ -	\$ 67,068			
<b>Police</b>									
N	2 New Police Officers	\$ -	\$ 367,509	\$ 274,584	\$ -	\$ -			
Y	Step Plan Increase	\$ -	\$ 120,906	\$ 126,951	\$ -	\$ 120,906			
Y	Convert Two Officers to Two Corporals	\$ 3,869	\$ 9,212	\$ 9,673	\$ -	\$ 9,212			
Y	Convert Sergeant to Lietenant	\$ 3,011	\$ 7,170	\$ 7,529	\$ -	\$ 7,170			
Partial	Officer Mid Year Adjust	\$ -	\$ 62,477	\$ 65,601	\$ -	\$ 62,477			
<b>Public Improvements</b>									
	NONE								
<b>Public Works</b>									
Y	Facilities, Fleet and Operations Mananger	\$ 41,864	\$ 126,000	\$ 99,677	\$ -	\$ 99,677			
Y	Public Works Parking Lot Expansion	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -			
Y	Public Works Perimeter Fencing	\$ -	\$ 120,000	\$ -	\$ 120,000	\$ -			
<b>Recorder</b>									
	NONE								
<b>Recreation</b>									
Y	Increase Site Supervisor Hours (425)	\$ -	\$ 6,830	\$ 6,830	\$ -	\$ 6,830			
Y	New Assistant Coordinator Position (1040 Hours)	\$ 4,244	\$ 10,104	\$ 10,104	\$ -	\$ 10,104			
Y	Increase Sports Official Hours (845)	\$ -	\$ 11,610	\$ 11,610	\$ -	\$ 11,610			
<b>Streets</b>									
Y	Streets Maintenance 2	\$ -	\$ 108,006	\$ 72,906	\$ -	\$ 72,906			
N	Streets Maintenance 2	\$ -	\$ 73,006	\$ 73,006	\$ -	\$ -			
Y	Reclassification Level 1 to Level 2	\$ -	\$ 4,145	\$ 4,145	\$ -	\$ 4,145			
Y	Paver Box Spreader	\$ -	\$ 27,550	\$ -	\$ 27,550	\$ -			
Y	General Fund Pay Plan	\$ -	\$ 442,265	\$ -	\$ -	\$ 442,265			
<b>General Fund Total</b>		<b>\$ 242,170</b>	<b>\$ 3,531,051</b>	<b>\$ 1,922,711</b>	<b>\$ 475,550</b>	<b>\$ 2,106,447</b>			
<b>STORM DRAIN CAPITAL PROJ FUND</b>									
Y	Clark Canyon	\$ -	\$ 400,000	\$ -	\$ 400,000	\$ -			
Y	NRCS Watershed	\$ 178,560	\$ -	\$ -	\$ -	\$ -			
<b>Storm Drain Impact Fund Total</b>		<b>\$ 178,560</b>	<b>\$ 400,000</b>	<b>\$ -</b>	<b>\$ 400,000</b>	<b>\$ -</b>			

**FY2020 Budget Requests**

Y/N City Manager Recommended	Request	FY 2020 Adjusted Budget	FY 2021 Dept Request	FY 2022 Dept Request	Recommended FY 2021 with one time revenues	Recommended FY 2021 Ongoing
<b>PARKS CAPITAL PROJECTS FUND</b>						
	NONE					
<b>Parks Impact Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>ROADS CAPITAL PROJECTS FUND</b>						
	NONE					
<b>Roads Impact Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>PUBLIC SAFETY CAPITAL PROJ FUND</b>						
Y	Ladder Truck Misc Equipment	\$ 151,025	\$ -	\$ -	\$ -	\$ -
<b>Public Safety Impact Fund Total</b>		\$ 151,025	\$ -	\$ -	\$ -	\$ -
<b>CAPITAL PROJECTS FUND</b>						
Y	Vehicle Replacement #136	\$ -	\$ 32,600	\$ -	\$ 32,600	\$ -
Y	Vehicle Replacement #119	\$ -	\$ 40,600	\$ -	\$ 40,600	\$ -
<b>General Capital Fund Total</b>		\$ -	\$ 40,600	\$ -	\$ 40,600	\$ -
<b>STREET LIGHTING FUND</b>						
Y	Maintenance 2 - Street Light Tech	\$ -	\$ 73,356	\$ 73,356	\$ -	\$ 73,356
<b>Streetlighting Fund Total</b>		\$ -	\$ 73,356	\$ 73,356	\$ -	\$ 73,356
<b>WATER FUND</b>						
Y	SCADA Tech	\$ -	\$ 20,820	\$ 20,820	\$ -	\$ 20,820
<b>Capital - Ongoing Operations non Impact Fee</b>						
Y	2300 West CUWCD Connection and Pipeline	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -
<b>Secondary Water</b>						
Y	North Zone 2 6 AF Pond and Pump Station	\$ -	\$ 2,000,000	\$ -	\$ 2,000,000	\$ -
Y	1,500 LF of 12 Inch, 20 Inch bore under pioneer, 200 LF of 18 Inch pipeline	\$ -	\$ 500,000	\$ -	\$ 500,000	\$ -
Y	Zone 1 N 17 AF pond and 2200 of 30" pipe	\$ 50,000	\$ -	\$ -	\$ -	\$ -
Y	SCADA Tech					
<b>Water Operations Fund Total</b>		\$ 50,000	\$ 2,750,000	\$ -	\$ 2,750,000	\$ -
<b>CULINARY WATER CAPITAL PROJ FUND</b>						
	NONE					
<b>Water Culinary Impact Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>2NDARY WATER CAPITAL PROJ FUND</b>						
	NONE					
<b>Water Secondary Impact Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>SEWER FUND</b>						

**FY2020 Budget Requests**

Y/N City Manager Recommended	Request	FY 2020 Adjusted Budget	FY 2021 Dept Request	FY 2022 Dept Request	Recommended FY 2021 with one time revenues	Recommended FY 2021 Ongoing
Y	New Vehicle	\$ -	\$ 66,607	\$ -	\$ 66,607	\$ -
Y	Gen Lift 1	\$ -	\$ 60,000	\$ -	\$ 60,000	\$ -
Y	Control Panel Lift 1	\$ -	\$ 79,640	\$ -	\$ 79,640	\$ -
Y	SCADA TECH					
<b>Sewer Operations Fund Total</b>		\$ -	\$ 206,247	\$ -	\$ 206,247	\$ -
<b>WASTEWATER CAPITAL PROJ FUND</b>						
	NONE					
<b>Sewer Impact Fee Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>STORM DRAIN ENTERPRISE FUND</b>						
	NONE					
<b>Storm Drain Operations Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>WATER RIGHTS FUND</b>						
	NONE					
<b>Water Rights Operations Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>Grand Totals</b>		\$ 621,755	\$ 7,001,254	\$ 1,996,067	\$ 3,872,397	\$ 2,179,803

Approved FY 2019-2020 Pay Ranges (by Hourly Rate)

Department	Position Title	Minimum	Midpoint	Maximum
Administration	Accounts Payable Clerk	\$14.31	\$17.53	\$20.75
Administration	ACE Court Clerk	\$13.95	\$17.09	\$20.23
Administration	Assistant City Manager	\$45.66	\$55.94	\$66.21
Administration	Budget/Finance Administrator	\$29.40	\$36.02	\$42.63
Administration	City Manager	\$52.24	\$63.99	\$75.74
Administration	Custodian	\$12.67	\$15.52	\$18.37
Administration	Finance Director	\$42.03	\$51.48	\$60.94
Administration	Human Resources Director	\$34.74	\$42.56	\$50.38
Administration	Human Resources Specialist	\$25.44	\$31.16	\$36.88
Administration	Lead Custodian	\$15.36	\$18.82	\$22.28
Administration	Office & Facilities Administrator	\$27.31	\$33.45	\$39.60
Administration	Payroll/Human Resources Clerk	\$18.23	\$22.33	\$26.43
Attorney	Assistant City Attorney/Prosecuting Attorney	\$32.51	\$39.83	\$47.15
Attorney	City Attorney	\$49.10	\$60.15	\$71.20
Attorney	Legal Assistant	\$16.23	\$19.88	\$23.53
Building	Building Inspector I	\$19.79	\$24.24	\$28.69
Building	Building Inspector II	\$22.26	\$27.27	\$32.27
Building	Building Inspector III	\$23.74	\$29.08	\$34.42
Building	Building Official	\$31.11	\$38.11	\$45.11
Building	Building Permit Technician	\$15.40	\$18.86	\$22.33
Building	Plans Examiner	\$24.05	\$29.46	\$34.88
Communications	Assistant Civic Events Coordinator	\$15.22	\$18.65	\$22.08
Communications	Civic Events Coordinator	\$20.77	\$25.45	\$30.12
Communications	Communities that Care Coordinator	\$15.10	\$18.50	\$21.90
Communications	Economic Development/Public Relations Director	\$34.92	\$42.78	\$50.63
Justice Court	Court Clerk	\$13.95	\$17.09	\$20.23
Justice Court	Lead Court Clerk	\$18.22	\$22.32	\$26.42
Engineering	City Engineer	\$40.15	\$49.18	\$58.22
Engineering	Engineer II	\$29.51	\$36.16	\$42.80
Engineering	Engineer-In-Training (EIT)	\$21.66	\$26.53	\$31.40
Fire	Administrative Assistant (Fire)	\$14.12	\$17.30	\$20.48
Fire	Deputy Fire Chief	\$34.38	\$42.12	\$49.86
Fire	Fire Captain/Paramedic	\$21.34	\$26.15	\$30.95
Fire	Fire Chief	\$44.39	\$54.38	\$64.37
Fire	Fire Lieutenant/Paramedic	\$17.42	\$21.33	\$25.25
Fire	Firefighter/AEMT	\$14.54	\$17.82	\$21.09
Fire	Firefighter/Paramedic - FT	\$16.37	\$20.05	\$23.73
Fire	Firefighter/Paramedic - PT	\$15.46	\$18.93	\$22.41
IT Services	GIS Administrator	\$26.86	\$32.90	\$38.95
IT Services	GIS Specialist	\$21.05	\$25.78	\$30.52
IT Services	Information Technologies (IT) Specialist	\$26.30	\$32.21	\$38.13
Library	Library Assistant	\$15.57	\$19.07	\$22.57
Library	Library Clerk	\$13.05	\$15.99	\$18.93
Library	Library Director	\$31.50	\$38.59	\$45.68
Planning	Administrative Assistant (Planning)	\$14.87	\$18.21	\$21.56
Planning	Code Compliance Inspector	\$18.60	\$22.79	\$26.97
Planning	Planner I	\$21.42	\$26.24	\$31.05
Planning	Planner II	\$23.87	\$29.24	\$34.61
Planning	Planning Director	\$38.77	\$47.49	\$56.21
Planning	Senior Planner	\$26.99	\$33.06	\$39.14
Public Safety	Assistant Police Chief	\$34.58	\$42.36	\$50.14
Public Safety	Code Enforcement/Animal Control Officer	\$17.65	\$21.62	\$25.59
Public Safety	Corporal	See Steps Below		
Public Safety	Crossing Guard	\$12.89	\$15.79	\$18.69
Public Safety	Crossing Guard Supervisor	\$15.39	\$18.86	\$22.32
Public Safety	Evidence Technician	\$15.57	\$19.07	\$22.57

Approved FY 2019-2020 Pay Ranges (by Hourly Rate)

Public Safety	Investigation Technician	\$15.57	\$19.07	\$22.57
Public Safety	Lieutenant	\$28.84	\$35.33	\$41.82
Public Safety	Logistics Technician	\$15.57	\$19.07	\$22.57
Public Safety	Neighborhood Watch/Volunteer Coordinator	\$14.15	\$17.33	\$20.52
Public Safety	Police Chief	\$46.12	\$56.50	\$66.88
Public Safety	Police Officer	See Steps Below		
Public Safety	Records Clerk	\$14.36	\$17.60	\$20.83
Public Safety	Records Clerk Supervisor/Office Administrator	\$19.82	\$24.27	\$28.73
Public Safety	Reserve Officer/Bailiff	\$17.82	\$21.83	\$25.84
Public Safety	Sergeant	See Steps Below		
Public Safety	Victims' Advocate	\$16.16	\$19.80	\$23.43
Public Works	Administrative Assistant (Public Works)	\$16.55	\$20.27	\$23.99
Public Works	Assistant Public Works Director	\$29.25	\$35.84	\$42.42
Public Works	Electrician	\$22.95	\$28.11	\$33.28
Public Works	Fleet Administrator	\$25.42	\$31.14	\$36.86
Public Works	Maintenance Supervisor	\$21.31	\$26.11	\$30.90
Public Works	Maintenance Worker I	\$15.45	\$18.93	\$22.41
Public Works	Maintenance Worker II	\$16.81	\$20.60	\$24.38
Public Works	Maintenance Worker III	\$18.29	\$22.41	\$26.53
Public Works	Maintenance Worker IV	\$20.00	\$24.50	\$29.00
Public Works	Parks Superintendent	\$27.28	\$33.42	\$39.56
Public Works	Public Improvements Inspector	\$21.68	\$26.56	\$31.44
Public Works	Public Improvements Lead Inspector	\$25.95	\$31.78	\$37.62
Public Works	Public Works Director	\$44.56	\$54.59	\$64.61
Public Works	Seasonal Maintenance	\$11.22	\$13.75	\$16.27
Public Works	Senior Electrician	\$27.32	\$33.47	\$39.62
Public Works	Storm Water Coordinator	\$20.35	\$24.93	\$29.51
Recorder	City Recorder	\$29.05	\$35.59	\$42.13
Recorder	Deputy City Recorder	\$18.27	\$22.39	\$26.50
Recreation	Assistant Recreation Coordinator	\$14.91	\$18.27	\$21.63
Recreation	Recreation Coordinator	\$18.32	\$22.44	\$26.56
Recreation	Recreation Director	\$29.19	\$35.75	\$42.32
Recreation	Site Supervisor	\$13.22	\$16.19	\$19.16
Recreation	Sports Official	\$11.22	\$13.75	\$16.27
Treasurer	City Treasurer	\$24.80	\$30.38	\$35.96
Utility Billing	Receptionist/Utility Billing Clerk	\$14.41	\$17.66	\$20.90
Utility Billing	Utility Billing Supervisor	\$20.96	\$25.67	\$30.39

Approved FY 2019-2020 Pay Ranges (by Hourly Rate)

Elected or Appointed Positions

Position Title	Pay
Mayor	\$2,035.72/month
City Council	\$1,292.71/month
Judge	\$3,483.33/month
Planning Commissioner	\$50.00/meeting

Public Safety Sworn Officers Positions (by Hourly Rate)

Position Title	Step (Years)	Current Pay	Proposed Pay
Police Officer	0	\$20.00	\$21.00
Police Officer	1	\$20.85	\$21.89
Police Officer	2	\$21.70	\$22.79
Police Officer	3	\$22.55	\$23.68
Police Officer	4	\$23.40	\$24.57
Police Officer	5	\$24.25	\$25.46
Police Officer	6	\$25.10	\$26.36
Police Officer	7	\$25.95	\$27.25
Police Officer	8	\$26.80	\$28.14
Police Officer	9	\$27.65	\$29.03
Police Officer	10	\$28.50	\$29.93
Police Officer	11	\$29.35	\$30.82
Police Officer	12	\$30.20	\$31.71
Police Officer	13	\$31.05	\$32.60
Corporal	7	\$27.25	\$28.61
Corporal	8	\$28.14	\$29.55
Corporal	9	\$29.03	\$30.48
Corporal	10	\$29.93	\$31.42
Corporal	11	\$30.82	\$32.36
Corporal	12	\$31.71	\$33.30
Corporal	13	\$32.60	\$34.23
Corporal	14	\$33.58	\$35.26
Sergeant	7	\$28.61	\$30.04
Sergeant	8	\$29.55	\$31.02
Sergeant	9	\$30.48	\$32.01
Sergeant	10	\$31.42	\$32.99
Sergeant	11	\$32.36	\$33.98
Sergeant	12	\$33.30	\$34.96
Sergeant	13	\$34.23	\$35.94
Sergeant	14	\$35.26	\$37.02

**RESOLUTION NO. R20-27 (6-16-20)**

**RESOLUTION ADOPTING THE FINAL  
BUDGET AND PAY PLAN FOR THE CITY OF SARATOGA  
SPRINGS FOR THE FISCAL YEAR 2020-2021;  
AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Section 10-6-111, Utah Code Annotated, 1953, as amended, requires that the Budget Officer, on or before the last regularly scheduled meeting in June, to present to the City Council for consideration a final budget for the next fiscal year; and

WHEREAS, the City of Saratoga Springs has conducted a public hearing on the proposed Fiscal Year 2020-2021 municipal budget and Pay Plan as required by the State of Utah.

NOW THEREFORE, be it resolved by the City Council of the City of Saratoga Springs, Utah, that:

1. The City of Saratoga Springs does hereby adopt the final municipal budget and pay plan for Fiscal Year 2020-2021 as set forth and attached hereto.

BE IT FURTHER RESOLVED that this resolution shall take effect and be effective on July 1, 2020 for the entire fiscal year of 2020-2021.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 16<sup>th</sup> day of June, 2019.

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Cindy LoPiccolo, City Recorder

FY2020 Budget Requests						
Y/N City Manager Recommended	Request	FY 2020 Adjusted Budget	FY 2021 Dept Request	FY 2022 Dept Request	Recommended FY 2021 with one time revenues	Recommended FY 2021 Ongoing
<b>GENERAL FUND</b>						
<b>Administration</b>						
N	PT AP Clerk to FT AP Clerk	\$ -	\$ 30,823	\$ 32,364	\$ -	\$ -
Y	Executive Admin Assistant PT to FT	\$ 24,749	\$ 49,497	\$ 49,497	\$ -	\$ 49,497
Y	Data Analyst	\$ -	\$ 91,272	\$ -	\$ -	\$ 91,272
<b>Building Inspection</b>						
Y	New Inspector III	\$ -	\$ 126,037	\$ 93,037	\$ 33,000	\$ 93,037
Y	New FT Admin Assistant (shared with building, planning)	\$ 12,362	\$ 24,724	\$ 24,724	\$ -	\$ 24,724
Y	Reclass 2 FTE Inspector II to III	\$ -	\$ 8,866	\$ 8,866		
<b>Civic Events</b>						
Y	FT Civic Events Coordinator	\$ -	\$ 51,626	\$ 53,949	\$ -	\$ 51,626
N	Storage Container	\$ -	\$ 3,500	\$ -	\$ -	\$ -
N	Truck	\$ -	\$ 41,000	\$ -	\$ -	\$ -
<b>Communications</b>						
	NONE					
<b>Engineering</b>						
Y	FT Assistant (shared with building, planning)	\$ 12,362	\$ 24,724	\$ 24,724	\$ -	\$ 24,724
<b>Fire</b>						
N	Bay Expansion South Station	\$ -	\$ 200,000	\$ -	\$ -	\$ -
Y	Personnel Transistion from PT to FT	\$ -	\$ 918,153	\$ 873,153	\$ 45,000	\$ 873,153
Y	SAFER Grant	\$ -	\$ (654,864)	\$ (654,865)	\$ -	\$ (654,865)
<b>General Govt. Building and Grounds</b>						
Y	Increase to Operating Cost due to Public Safety Building and PW Expansion	\$ 25,000	\$ 51,000	\$ 51,000	\$ -	\$ 51,000
<b>IT Services</b>						
	NONE					
<b>Justice Court</b>						
Y	Increase Budget for Office Supplies (Paper, Postage Meter, Postage)	\$ -	\$ 4,296	\$ 4,296	\$ -	\$ 4,296
Y	Increase PT Hours (10 Hours weekly)	\$ -	\$ 10,327	\$ 10,843	\$ -	\$ 10,327
Y	PT Employee (15 Hours)	\$ -	\$ 14,215	\$ 14,926	\$ -	\$ 14,215
<b>Legal Department</b>						
Y	Law Clerk (New)	\$ 2,856	\$ 16,800	\$ 17,640	\$ -	\$ 16,800
Y	Legal Assistant Hours Increase		\$ 6,421	\$ 6,742	\$ -	\$ 6,421
Y	Travel Budget Increase, eProsecutor, Books/Memberships, Constable Fees	\$ -	\$ 5,038	\$ 5,201	\$ -	\$ 5,038
Y	Planning Land Use Attorney	\$ 20,258	\$ 119,165	\$ -	\$ -	\$ 119,165
<b>Library Services</b>						
Y	FTE Library Assistant for Programming (New Position)	\$ -	\$ 69,702	\$ 68,352	\$ -	\$ 69,702
N	PT Library Assistant for Programming (1580 Hours)	\$ -	\$ 32,939	\$ 31,589	\$ -	\$ -
N	PT Library Page (New)	\$ -	\$ 15,383	\$ 15,383	\$ -	\$ -
Y	Digital Collections	\$ -	\$ 10,000	\$ 13,000	\$ -	\$ 10,000
Y	Computers & Software (BlueCloud, WhoFi, Sirsi Increase, Scheduling Pkg)	\$ -	\$ 5,350	\$ 5,488	\$ -	\$ 5,350
Y	Programming Increase (# of Sessions)	\$ -	\$ 1,000	\$ 1,000	\$ -	\$ 1,000
N	Library Internet	\$ -	\$ 1,200	\$ 1,200	\$ -	\$ -
<b>Non-Departmental</b>						

FY2020 Budget Requests									
Y/N City Manager Recommended	Request	FY 2020 Adjusted Budget	FY 2021 Dept Request	FY 2022 Dept Request	Recommended FY 2021 with one time revenues	Recommended FY 2021 Ongoing			
	NONE								
<b>Parks &amp; Open Spaces</b>									
Y	3 Maintenance I to Maintenance II	\$ -	\$ 12,435	\$ 13,057	\$ -	\$ 12,435			
Y	Parks Maintenance 1 Patriot Park Specialist	\$ 28,921	\$ 68,860	\$ 68,860	\$ -	\$ 68,860			
Y	Parks Maintenance 1 Irrigation	\$ -	\$ 119,788	\$ 68,760	\$ -	\$ 119,788			
Y	Parks Maintenance 1 Trails and Open Space Specialist	\$ 50,311	\$ 119,788	\$ 68,760	\$ -	\$ 119,788			
<b>Planning &amp; Zoning</b>									
N	Planner II (New)	\$ -	\$ 93,404	\$ 93,404	\$ -	\$ -			
Y	Planning Admin Assistant FT (shared with engineering and building)	\$ 12,362	\$ 24,724	\$ 24,724	\$ -	\$ 24,724			
<b>Police - Bluffdale</b>									
Y	Step Plan Increase	\$ -	\$ 67,068	\$ 70,421	\$ -	\$ 67,068			
<b>Police</b>									
N	2 New Police Officers	\$ -	\$ 367,509	\$ 274,584	\$ -	\$ -			
Y	Step Plan Increase	\$ -	\$ 120,906	\$ 126,951	\$ -	\$ 120,906			
Y	Convert Two Officers to Two Corporals	\$ 3,869	\$ 9,212	\$ 9,673	\$ -	\$ 9,212			
Y	Convert Sergeant to Lietenant	\$ 3,011	\$ 7,170	\$ 7,529	\$ -	\$ 7,170			
Partial	Officer Mid Year Adjust	\$ -	\$ 62,477	\$ 65,601	\$ -	\$ 62,477			
<b>Public Improvements</b>									
	NONE								
<b>Public Works</b>									
Y	Facilities, Fleet and Operations Mananger	\$ 41,864	\$ 126,000	\$ 99,677	\$ -	\$ 99,677			
Y	Public Works Parking Lot Expansion	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -			
Y	Public Works Perimeter Fencing	\$ -	\$ 120,000	\$ -	\$ 120,000	\$ -			
<b>Recorder</b>									
	NONE								
<b>Recreation</b>									
Y	Increase Site Supervisor Hours (425)	\$ -	\$ 6,830	\$ 6,830	\$ -	\$ 6,830			
Y	New Assistant Coordinator Position (1040 Hours)	\$ 4,244	\$ 10,104	\$ 10,104	\$ -	\$ 10,104			
Y	Increase Sports Official Hours (845)	\$ -	\$ 11,610	\$ 11,610	\$ -	\$ 11,610			
<b>Streets</b>									
Y	Streets Maintenance 2	\$ -	\$ 108,006	\$ 72,906	\$ -	\$ 72,906			
N	Streets Maintenance 2	\$ -	\$ 73,006	\$ 73,006	\$ -	\$ -			
Y	Reclassification Level 1 to Level 2	\$ -	\$ 4,145	\$ 4,145	\$ -	\$ 4,145			
Y	Paver Box Spreader	\$ -	\$ 27,550	\$ -	\$ 27,550	\$ -			
Y	General Fund Pay Plan	\$ -	\$ 442,265	\$ -	\$ -	\$ 442,265			
<b>General Fund Total</b>		<b>\$ 242,170</b>	<b>\$ 3,531,051</b>	<b>\$ 1,922,711</b>	<b>\$ 475,550</b>	<b>\$ 2,106,447</b>			
<b>STORM DRAIN CAPITAL PROJ FUND</b>									
Y	Clark Canyon	\$ -	\$ 400,000	\$ -	\$ 400,000	\$ -			
Y	NRCS Watershed	\$ 178,560	\$ -	\$ -	\$ -	\$ -			
<b>Storm Drain Impact Fund Total</b>		<b>\$ 178,560</b>	<b>\$ 400,000</b>	<b>\$ -</b>	<b>\$ 400,000</b>	<b>\$ -</b>			

**FY2020 Budget Requests**

Y/N City Manager Recommended	Request	FY 2020 Adjusted Budget	FY 2021 Dept Request	FY 2022 Dept Request	Recommended FY 2021 with one time revenues	Recommended FY 2021 Ongoing
<b>PARKS CAPITAL PROJECTS FUND</b>						
	NONE					
<b>Parks Impact Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>ROADS CAPITAL PROJECTS FUND</b>						
	NONE					
<b>Roads Impact Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>PUBLIC SAFETY CAPITAL PROJ FUND</b>						
Y	Ladder Truck Misc Equipment	\$ 151,025	\$ -	\$ -	\$ -	\$ -
<b>Public Safety Impact Fund Total</b>		\$ 151,025	\$ -	\$ -	\$ -	\$ -
<b>CAPITAL PROJECTS FUND</b>						
Y	Vehicle Replacement #136	\$ -	\$ 32,600	\$ -	\$ 32,600	\$ -
Y	Vehicle Replacement #119	\$ -	\$ 40,600	\$ -	\$ 40,600	\$ -
<b>General Capital Fund Total</b>		\$ -	\$ 40,600	\$ -	\$ 40,600	\$ -
<b>STREET LIGHTING FUND</b>						
Y	Maintenance 2 - Street Light Tech	\$ -	\$ 73,356	\$ 73,356	\$ -	\$ 73,356
<b>Streetlighting Fund Total</b>		\$ -	\$ 73,356	\$ 73,356	\$ -	\$ 73,356
<b>WATER FUND</b>						
Y	SCADA Tech	\$ -	\$ 20,820	\$ 20,820	\$ -	\$ 20,820
<b>Capital - Ongoing Operations non Impact Fee</b>						
Y	2300 West CUWCD Connection and Pipeline	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -
<b>Secondary Water</b>						
Y	North Zone 2 6 AF Pond and Pump Station	\$ -	\$ 2,000,000	\$ -	\$ 2,000,000	\$ -
Y	1,500 LF of 12 Inch, 20 Inch bore under pioneer, 200 LF of 18 Inch pipeline	\$ -	\$ 500,000	\$ -	\$ 500,000	\$ -
Y	Zone 1 N 17 AF pond and 2200 of 30" pipe	\$ 50,000	\$ -	\$ -	\$ -	\$ -
Y	SCADA Tech					
<b>Water Operations Fund Total</b>		\$ 50,000	\$ 2,750,000	\$ -	\$ 2,750,000	\$ -
<b>CULINARY WATER CAPITAL PROJ FUND</b>						
	NONE					
<b>Water Culinary Impact Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>2NDARY WATER CAPITAL PROJ FUND</b>						
	NONE					
<b>Water Secondary Impact Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>SEWER FUND</b>						

**FY2020 Budget Requests**

Y/N City Manager Recommended	Request	FY 2020 Adjusted Budget	FY 2021 Dept Request	FY 2022 Dept Request	Recommended FY 2021 with one time revenues	Recommended FY 2021 Ongoing
Y	New Vehicle	\$ -	\$ 66,607	\$ -	\$ 66,607	\$ -
Y	Gen Lift 1	\$ -	\$ 60,000	\$ -	\$ 60,000	\$ -
Y	Control Panel Lift 1	\$ -	\$ 79,640	\$ -	\$ 79,640	\$ -
Y	SCADA TECH					
<b>Sewer Operations Fund Total</b>		\$ -	\$ 206,247	\$ -	\$ 206,247	\$ -
<b>WASTEWATER CAPITAL PROJ FUND</b>						
	NONE					
<b>Sewer Impact Fee Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>STORM DRAIN ENTERPRISE FUND</b>						
	NONE					
<b>Storm Drain Operations Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>WATER RIGHTS FUND</b>						
	NONE					
<b>Water Rights Operations Fund Total</b>		\$ -	\$ -	\$ -	\$ -	\$ -
<b>Grand Totals</b>		\$ 621,755	\$ 7,001,254	\$ 1,996,067	\$ 3,872,397	\$ 2,179,803

Approved FY 2019-2020 Pay Ranges (by Hourly Rate)

Department	Position Title	Minimum	Midpoint	Maximum
Administration	Accounts Payable Clerk	\$14.31	\$17.53	\$20.75
Administration	ACE Court Clerk	\$13.95	\$17.09	\$20.23
Administration	Assistant City Manager	\$45.66	\$55.94	\$66.21
Administration	Budget/Finance Administrator	\$29.40	\$36.02	\$42.63
Administration	City Manager	\$52.24	\$63.99	\$75.74
Administration	Custodian	\$12.67	\$15.52	\$18.37
Administration	Finance Director	\$42.03	\$51.48	\$60.94
Administration	Human Resources Director	\$34.74	\$42.56	\$50.38
Administration	Human Resources Specialist	\$25.44	\$31.16	\$36.88
Administration	Lead Custodian	\$15.36	\$18.82	\$22.28
Administration	Office & Facilities Administrator	\$27.31	\$33.45	\$39.60
Administration	Payroll/Human Resources Clerk	\$18.23	\$22.33	\$26.43
Attorney	Assistant City Attorney/Prosecuting Attorney	\$32.51	\$39.83	\$47.15
Attorney	City Attorney	\$49.10	\$60.15	\$71.20
Attorney	Legal Assistant	\$16.23	\$19.88	\$23.53
Building	Building Inspector I	\$19.79	\$24.24	\$28.69
Building	Building Inspector II	\$22.26	\$27.27	\$32.27
Building	Building Inspector III	\$23.74	\$29.08	\$34.42
Building	Building Official	\$31.11	\$38.11	\$45.11
Building	Building Permit Technician	\$15.40	\$18.86	\$22.33
Building	Plans Examiner	\$24.05	\$29.46	\$34.88
Communications	Assistant Civic Events Coordinator	\$15.22	\$18.65	\$22.08
Communications	Civic Events Coordinator	\$20.77	\$25.45	\$30.12
Communications	Communities that Care Coordinator	\$15.10	\$18.50	\$21.90
Communications	Economic Development/Public Relations Director	\$34.92	\$42.78	\$50.63
Justice Court	Court Clerk	\$13.95	\$17.09	\$20.23
Justice Court	Lead Court Clerk	\$18.22	\$22.32	\$26.42
Engineering	City Engineer	\$40.15	\$49.18	\$58.22
Engineering	Engineer II	\$29.51	\$36.16	\$42.80
Engineering	Engineer-In-Training (EIT)	\$21.66	\$26.53	\$31.40
Fire	Administrative Assistant (Fire)	\$14.12	\$17.30	\$20.48
Fire	Deputy Fire Chief	\$34.38	\$42.12	\$49.86
Fire	Fire Captain/Paramedic	\$21.34	\$26.15	\$30.95
Fire	Fire Chief	\$44.39	\$54.38	\$64.37
Fire	Fire Lieutenant/Paramedic	\$17.42	\$21.33	\$25.25
Fire	Firefighter/AEMT	\$14.54	\$17.82	\$21.09
Fire	Firefighter/Paramedic - FT	\$16.37	\$20.05	\$23.73
Fire	Firefighter/Paramedic - PT	\$15.46	\$18.93	\$22.41
IT Services	GIS Administrator	\$26.86	\$32.90	\$38.95
IT Services	GIS Specialist	\$21.05	\$25.78	\$30.52
IT Services	Information Technologies (IT) Specialist	\$26.30	\$32.21	\$38.13
Library	Library Assistant	\$15.57	\$19.07	\$22.57
Library	Library Clerk	\$13.05	\$15.99	\$18.93
Library	Library Director	\$31.50	\$38.59	\$45.68
Planning	Administrative Assistant (Planning)	\$14.87	\$18.21	\$21.56
Planning	Code Compliance Inspector	\$18.60	\$22.79	\$26.97
Planning	Planner I	\$21.42	\$26.24	\$31.05
Planning	Planner II	\$23.87	\$29.24	\$34.61
Planning	Planning Director	\$38.77	\$47.49	\$56.21
Planning	Senior Planner	\$26.99	\$33.06	\$39.14
Public Safety	Assistant Police Chief	\$34.58	\$42.36	\$50.14
Public Safety	Code Enforcement/Animal Control Officer	\$17.65	\$21.62	\$25.59
Public Safety	Corporal	See Steps Below		
Public Safety	Crossing Guard	\$12.89	\$15.79	\$18.69
Public Safety	Crossing Guard Supervisor	\$15.39	\$18.86	\$22.32
Public Safety	Evidence Technician	\$15.57	\$19.07	\$22.57

Approved FY 2019-2020 Pay Ranges (by Hourly Rate)

Public Safety	Investigation Technician	\$15.57	\$19.07	\$22.57
Public Safety	Lieutenant	\$28.84	\$35.33	\$41.82
Public Safety	Logistics Technician	\$15.57	\$19.07	\$22.57
Public Safety	Neighborhood Watch/Volunteer Coordinator	\$14.15	\$17.33	\$20.52
Public Safety	Police Chief	\$46.12	\$56.50	\$66.88
Public Safety	Police Officer	See Steps Below		
Public Safety	Records Clerk	\$14.36	\$17.60	\$20.83
Public Safety	Records Clerk Supervisor/Office Administrator	\$19.82	\$24.27	\$28.73
Public Safety	Reserve Officer/Bailiff	\$17.82	\$21.83	\$25.84
Public Safety	Sergeant	See Steps Below		
Public Safety	Victims' Advocate	\$16.16	\$19.80	\$23.43
Public Works	Administrative Assistant (Public Works)	\$16.55	\$20.27	\$23.99
Public Works	Assistant Public Works Director	\$29.25	\$35.84	\$42.42
Public Works	Electrician	\$22.95	\$28.11	\$33.28
Public Works	Fleet Administrator	\$25.42	\$31.14	\$36.86
Public Works	Maintenance Supervisor	\$21.31	\$26.11	\$30.90
Public Works	Maintenance Worker I	\$15.45	\$18.93	\$22.41
Public Works	Maintenance Worker II	\$16.81	\$20.60	\$24.38
Public Works	Maintenance Worker III	\$18.29	\$22.41	\$26.53
Public Works	Maintenance Worker IV	\$20.00	\$24.50	\$29.00
Public Works	Parks Superintendent	\$27.28	\$33.42	\$39.56
Public Works	Public Improvements Inspector	\$21.68	\$26.56	\$31.44
Public Works	Public Improvements Lead Inspector	\$25.95	\$31.78	\$37.62
Public Works	Public Works Director	\$44.56	\$54.59	\$64.61
Public Works	Seasonal Maintenance	\$11.22	\$13.75	\$16.27
Public Works	Senior Electrician	\$27.32	\$33.47	\$39.62
Public Works	Storm Water Coordinator	\$20.35	\$24.93	\$29.51
Recorder	City Recorder	\$29.05	\$35.59	\$42.13
Recorder	Deputy City Recorder	\$18.27	\$22.39	\$26.50
Recreation	Assistant Recreation Coordinator	\$14.91	\$18.27	\$21.63
Recreation	Recreation Coordinator	\$18.32	\$22.44	\$26.56
Recreation	Recreation Director	\$29.19	\$35.75	\$42.32
Recreation	Site Supervisor	\$13.22	\$16.19	\$19.16
Recreation	Sports Official	\$11.22	\$13.75	\$16.27
Treasurer	City Treasurer	\$24.80	\$30.38	\$35.96
Utility Billing	Receptionist/Utility Billing Clerk	\$14.41	\$17.66	\$20.90
Utility Billing	Utility Billing Supervisor	\$20.96	\$25.67	\$30.39

Approved FY 2019-2020 Pay Ranges (by Hourly Rate)

Elected or Appointed Positions

Position Title	Pay
Mayor	\$2,035.72/month
City Council	\$1,292.71/month
Judge	\$3,483.33/month
Planning Commissioner	\$50.00/meeting

Public Safety Sworn Officers Positions (by Hourly Rate)

Position Title	Step (Years)	Current Pay	Proposed Pay
Police Officer	0	\$20.00	\$21.00
Police Officer	1	\$20.85	\$21.89
Police Officer	2	\$21.70	\$22.79
Police Officer	3	\$22.55	\$23.68
Police Officer	4	\$23.40	\$24.57
Police Officer	5	\$24.25	\$25.46
Police Officer	6	\$25.10	\$26.36
Police Officer	7	\$25.95	\$27.25
Police Officer	8	\$26.80	\$28.14
Police Officer	9	\$27.65	\$29.03
Police Officer	10	\$28.50	\$29.93
Police Officer	11	\$29.35	\$30.82
Police Officer	12	\$30.20	\$31.71
Police Officer	13	\$31.05	\$32.60
Corporal	7	\$27.25	\$28.61
Corporal	8	\$28.14	\$29.55
Corporal	9	\$29.03	\$30.48
Corporal	10	\$29.93	\$31.42
Corporal	11	\$30.82	\$32.36
Corporal	12	\$31.71	\$33.30
Corporal	13	\$32.60	\$34.23
Corporal	14	\$33.58	\$35.26
Sergeant	7	\$28.61	\$30.04
Sergeant	8	\$29.55	\$31.02
Sergeant	9	\$30.48	\$32.01
Sergeant	10	\$31.42	\$32.99
Sergeant	11	\$32.36	\$33.98
Sergeant	12	\$33.30	\$34.96
Sergeant	13	\$34.23	\$35.94
Sergeant	14	\$35.26	\$37.02

# City Council Staff Report

**Author:** Chelese Rawlings, Finance Manager  
**Subject:** Certified Tax Rate for tax year 2020  
**Date:** June 16, 2020  
**Type of Item:** Resolution



**Summary Recommendation:** Staff recommends approval of the certified tax rate for tax year 2020 of 0.001446 with no tax increase.

## Description

### A. Topic

It is recommended to approve the tax year 2020 Saratoga Springs Certified Tax Rate with no tax increase.

### B. Background

The certified tax rate for the City of Saratoga Springs in 2020 is 0.001446.

### C. Analysis

The certified tax rate is expected to bring in the same revenues as the current fiscal year plus new growth.

**Recommendation:** Staff recommends approval by resolution of the certified tax rate for the tax year 2020 with no tax increase.

**RESOLUTION NO. R20-28 (6-16-20)**

**A RESOLUTION OF THE CITY OF SARATOGA SPRINGS, UTAH  
ADOPTING THE CERTIFIED TAX RATE FOR THE GENERAL  
REVENUE FUND FOR FISCAL YEAR 2020-2021**

**WHEREAS**, Utah Code §§ 10-6-133(1) and 59-2-912 requires that the City of Saratoga Springs, Utah set the final real and personal property tax levy for various municipal purposes by June 22 of each year; and

**WHEREAS**, Utah Code § 10-6-133(2) states that “in its computation of the total levy, the governing body shall determine the requirements of each fund for which property taxes are to be levied and shall specify in its ordinance or resolution adopting the levy, the amount apportioned to each fund”;

**WHEREAS**, the City has previously adopted the budget for Fiscal Year 2020-2021, specifying the amount apportioned to each fund for which property taxes are to be levied, which is incorporated herein by this reference;

**WHEREAS**, the City Council now wishes to adopt the tax levy or certified tax rate for fiscal year 2020-2021.

**NOW THEREFORE**, it is resolved by the City Council for the City of Saratoga Springs, Utah to adopt the Certified Tax Rate for the General Revenue Fund for the 2020-2021 fiscal year. The Certified Tax Rate is 0.001446.

This Resolution shall be effective immediately upon adoption.

**PASSED and ADOPTED** by a duly constituted quorum of the City Council of the City of Saratoga Springs, Utah, this 16<sup>th</sup> day of June, 2020.

**CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION**

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Cindy LoPiccolo, City Recorder



## Staff Report - Meeting

Author: Laura Gamon, Human Resources Director  
Department: Human Resources Department  
Subject: Employer "PickUp" of Public Safety and Firefighter Employee Retirement Contributions  
Date: 06/10/2020  
Type of Item: Resolution

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### **Introduction:**

The Employer "Pick-Up" Contributions to Benefit Plans allow state and local government entities with qualified plans to treat certain contributions designated as employee contributions, but which are paid by the employer, to be treated as employer contributions, and therefore as exempt from income tax.

### **Background:**

The City is a participating employer in the Utah Retirement System. Tier 2 employees have the option to choose between the Hybrid option (Combines a pension and 401(k) or the Defined Contribution option (employee and employer contribution to a 401(k) savings plan). Due to the cost of plan enhancements to Tier 2 Public Safety & Firefighter retirement benefits, the required contributions will increase July 1 for the Tier 2 Hybrid Option for the employer and employees. The City desires to formally "pick-up" a portion of the "employees" contributions required to be paid in the amount of 2.27%. The City had been paying 10% to offset the difference between the Tier 1 and Tier 2 Police Public Safety through contributions to employee's 401(k) savings plans.

### **Budget Impact:**

The percentage of money previously paid into the employee's savings plans will be paid to the Tier 2 Public Safety and Firefighter retirement contribution account requiring no new monies to be budgeted.

### **Recommendation:**

Approve Resolution, authorizing the City to participate in the Employer "Pick-Up" of Public Safety and Firefighter Employee Retirement Contributions.

**RESOLUTION R20-29 (6-16-20)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, UTAH, AUTHORIZING THE CITY OF SARATOGA SPRINGS TO PARTICIPATE IN THE EMPLOYER “PICK-UP” OF PUBLIC SAFETY AND FIREFIGHTER EMPLOYEE RETIREMENT CONTRIBUTIONS.**

**WHEREAS**, pursuant to Utah Code Ann. §§ 49-23-301 (superseded July 1, 2020), the City of Saratoga Springs is a “participating employer” and eligible City employees are “participating members” in the Tier II Hybrid Retirement System, under the New Public Safety and Firefighter Tier II Contributory Retirement Act; and

**WHEREAS**, pursuant to Internal Revenue Code § 414(h)(2), Employer “Pick-Up” Contributions to Benefit Plans, allows state or local government entities with qualified plans to treat certain contributions designated as employee contributions, but which are paid by the employer, to be treated as employer contributions, and therefore as exempt from income tax; and

**WHEREAS**, pursuant to Utah Code Ann. §§ 49-23-301(2)(c), the City of Saratoga Springs desires to formally “pick-up” a portion of the “participating members” contributions required to be paid; and

**WHEREAS**, City of Saratoga Springs Council is duly authorized to take formal action on behalf of the City, as a “participating employer”.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, UTAH:**

**SECTION 1.** Beginning July 1, 2020, the City of Saratoga Springs shall prospectively “pick-up” and pay required employee contributions for all eligible City employees who are participating members in the Tier II Hybrid Retirement System, under the New Public Safety and Firefighter Tier II Contributory Retirement Act, subject to a maximum of 2.27% of compensation for each employee.

**SECTION 2.** The picked up contributions paid by the City of Saratoga Springs, even though designated as employee contributions for state law purposes, are being paid by the City in lieu of the required employee contributions, and are a supplement and not a salary reduction to the participating members.

**SECTION 3.** The picked up contributions will not be included in the gross income of the eligible employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Utah Retirements Systems, so that the contributions are treated as employer contributions, pursuant to Internal Revenue Code § 414(h)(2).

**SECTION 4.** From and after the date of “pick-up,” the eligible City employee must not have a cash or deferred election right with respect to the designated employee contributions, specifically the employees shall not be permitted to opt out of the “pick up” and shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the City on behalf of its eligible employees.

**SECTION 5.** Effective Date. This Resolution shall become effective on July 1, 2020.

**PASSED** on the 16<sup>th</sup> day of June, 2020.

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Jim Miller, Mayor

ATTEST

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Cindy LoPiccolo, City Recorder



## City Council Staff Report

**Author:** Melissa Grygla, Library Director

**Subject:** Library Board Members

**Date:** June 9, 2020

**Type of Item:** Resolution

Summary Recommendations: The City Council should appoint Betty McMaster and Brandi Meiners to terms on the Library Board.

### Description:

- A. **Topic:** Library Board Members Christy Jepson and Joy Bratton.
- B. **Background:** Christy Jepson and Joy Bratton have both expressed interest in continuing to serve on the Library Board. Christy will serve a three year term. Joy's term will extend by one year to stagger the term ending dates. I believe that to help the Library Board maintain the quorum necessary to hold meetings and vote, it would be prudent to appoint the specified individuals to the Library Board.
- C.
- D. **Funding Source:** There are no anticipated funding impacts of appointment of a Library Board member.
- E. **Analysis:** Joy Bratton has served as a volunteer in the library. She has agreed to extend her term date to stagger the ending dates of terms for library board members, so that the Library is replacing one or two members a year with the recent decrease of members from 7 to 5.

Christy Jepson has been a board member for the past three years and wishes to renew her term on the Library Board. During her time with the Board she's assisted at the Fall Festival, Splash Days, and other larger events.

The new term schedule would be outlined as follows in Appendix A.

- F. **Department Review:** Assistant City Manager, City Attorney, Library

### Alternatives:

- A. Approve the Request:** Staff recommends that the City Council approve the attached resolution to allow the library to adjust the current fines and fees schedule.
- B. Deny the Request:** The City Council could deny the request.
- C. Continue the Item:** The City Council could continue the request until a later date and time. The result being that the Library Board would be short members to create a quorum.
- D. Hybrid:** The City Council could approve one recommendation and deny another. Council should provide direction to staff regarding which member is approved and which is denied should this alternative be chosen.

**Recommendation:** Staff recommends the approval of the attached Resolution.

## Appendix A

### Saratoga Springs Public Library Tentative Board Member Terms

**Christy Jepson**  
**July 1, 20120- June 30, 2023**  
2<sup>nd</sup> Term  
348 W Rye Dr.  
Saratoga Springs UT 84045  
817-914-3313  
[christyjepson@gmail.com](mailto:christyjepson@gmail.com)

**Pam King-**  
**July 1, 2018-June 30, 2021**  
1<sup>st</sup> Term  
753 Pineview Dr.  
Saratoga Springs, UT 84045  
801-592-5517  
[Momofa2e@comcast.net](mailto:Momofa2e@comcast.net)

**Brandi Meiners**  
**July 1, 2019- June 30, 2022**  
1<sup>st</sup> Term  
2233 Morgan Rd.  
Saratoga Springs, UT 84045  
208-650-8135  
[meiners2007@gmail.com](mailto:meiners2007@gmail.com)

**Joy Bratton**  
**July 1, 2020- June 30, 2022**  
1<sup>st</sup> Term  
380 Songbird Ln.  
Saratoga Springs, UT 84045  
801-857-9457  
[joybratton@gmail.com](mailto:joybratton@gmail.com)

**Karin Brown**  
**December 4, 2018- June 30, 2021**  
1<sup>st</sup> Term  
2521 N. Apricot Pl.  
Saratoga Springs, UT 84045  
801-995-0919  
[karinbrown321@gmail.com](mailto:karinbrown321@gmail.com)

**RESOLUTION NO. R20-30 (6-16-20)**

**A RESOLUTION APPOINTING CHRISTY  
JEPSON TO THE SARATOGA SPRINGS  
LIBRARY ADVISORY BOARD**

**WHEREAS**, per Section 3.05.03 of the City Code, the City Council of the City of Saratoga Springs, Utah has established a Saratoga Springs Library Advisory Board (“Advisory Board”); and

**WHEREAS**, per Section 3.05.03, members of the Advisory Board are appointed for three-year terms by the Mayor with the advice and consent of the City Council; and

**WHEREAS**, per Section 3.05.03, vacancies from resignations are filled by appointing a new member to serve the remainder of the term of the board member who resigned; and

**WHEREAS**, the terms of Advisory Board Members Christy Jepson and Joy Bratton are currently going to expired; and

**WHEREAS**, on June 16, 2020, the City Council met in regular session to discuss, among other things, the appointment of Christy Jepson to fill a new term and Joy Bratton to extend the existing term for the Advisory Board; and

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Saratoga Springs, Utah, that the Mayor is authorized to appoint Christy Jepson to serve a term starting on July 1, 2020 and ending on June 30, 2023 and Joy Bratton to serve terms starting on July 1, 2020 and ending June 30, 2022, and that execution of this Resolution shall constitute such appointment.

**DATED** this 16th day of June, 2020.

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Jim Miller, Mayor

ATTEST:

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Cindy LoPiccolo, City Recorder



**Preliminary Plat**

**Lake Mountain Estates Plat B-30 Subdivision**

**Tuesday, June 16, 2020**

**Public Meeting**

Report Date:	June 9, 2020
Applicant:	Nathan Coulter
Owner:	Sherman and Nichole Dangerfield
Location:	~3600 South McGregor Lane
Major Street Access:	McGregor Lane
Parcel Number(s) & Size:	45:228:0141, 0.92 acres
Parcel Zoning:	R1-10
Parcel General Plan:	Low Density Residential
Adjacent Zoning:	R1-10, A
Current Use of Parcel:	Undeveloped
Adjacent Uses:	Residential, Church, Undeveloped
Previous Meetings:	None
Previous Approvals:	12/1996 County Plat "B" Lake Mountain Estates
Type of Action:	Administrative
Land Use Authority:	City Council
Future Routing:	N/A
Author:	Rachel Day, Planner I

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**A. Executive Summary:**

The applicant requests Preliminary Plat approval of a three-lot subdivision to be located at ~3600 South McGregor Lane. The project consists of approximately 0.92 acres within the R1-10 zone.

**Recommendation:**

**Staff recommends the City Council conduct a public meeting on the preliminary plat, review and discuss the proposal, and select from the motions in Section H of this report.** The Planning Commission forwards a positive recommendation regarding the preliminary plat. The City Council may approve, continue, or deny the preliminary plat.

**B. Background:**

Lake Mountain Estates Plat "B" was approved by the County in December of 1996. The portion included in the Plat B-30 submittal is a remnant left of Lot 30 in the original plat approval created by the Lake Cove Subdivision. Surrounding developments have already put in much of the right-of-way improvements, allowing for three utility connections to this location.

**C. Specific Request:**

The applicant requests three single-family residential lots all over 13,000 square feet in size in the R1-10 zone. The preliminary plat is attached as Exhibit E. The applicant is proposing to pay a fee-in-lieu of open space calculated at a total of \$27,400 for the acreage and three lots.

**D. Process:**

Pursuant to Section 19.13 of the Saratoga Springs Code, the City Council is the Land Use Authority for preliminary plats following a recommendation from the Planning Commission. No public hearing is required.

**E. Community Review:**

No public hearing is required for preliminary plats.

**F. General Plan:**

The General Plan designation for this property is Low Density Residential and is described as follows:

Single-family neighborhoods built on a highly connected street pattern and interspersed with schools, public facilities, walkable neighborhood amenities, parks and trails. The Low Density Residential designation is expected to be the City's most prevalent land-use designation.

**Staff conclusion: Consistent.** The proposed plat is consistent with this Land Use Designation.

**G. Code Criteria:**

The land use authority must find that the preliminary plat meets state law, federal law, and City standards, resolutions, and ordinances.

**Finding: Complies (see the Planning Review Checklist in Exhibit C).** The proposed design of the subdivision meets the requirements of the existing R1-10 zone and complies with applicable sections of Title 19 of the Land Development Code as detailed in the attached Planning Review Checklist (Exhibit C).

**H. Recommendation and Alternatives:**

The Planning Commission recommends the City Council conduct a public meeting, discuss the application, and approve the proposed Preliminary Plat of Lake Mountain Estates B-30.

**Planning Commission Recommended Motion – Approval**

“I move to **approve** the Lake Mountain Estates B-30 Preliminary Plat, located at ~3600 South McGregor Lane, 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 G of the staff report, which is incorporated by reference herein.
2. The application is consistent with the General Plan, as articulated in Section “F” of the staff report, which section is incorporated by reference herein.

**Conditions:**

1. All conditions of the City Engineer shall be met, including but not limited to those in the Staff report in Exhibit A.
2. The developer shall put in any missing frontage improvements, such as sidewalks and landscaping.
3. The developer shall coordinate with the USPS to determine the group mailbox location, specifically if an existing group mailbox location can accommodate the three new homes.
4. All other code criteria shall be met.
5. Any other conditions or changes as articulated by the Planning Commission:

\_\_\_\_\_.

**Option 2 - Continuance**

“I move to **continue** action on the Lake Mountain Estates B-30 Preliminary Plat with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

1. \_\_\_\_\_
2. \_\_\_\_\_

**Option 3 – Denial**

“I move to **deny** the Lake Mountain Estates B-30 Preliminary Plat, located a ~3600 South McGregor Lane, based on the following findings:

1. The Lake Mountain Estates B-30 Preliminary Plat is not consistent with the General Plan, as articulated by the Planning Commission: \_\_\_\_\_, and/or,
2. The Lake Mountain Estates B-30 Preliminary Plat is not consistent with Sections [XX.XX] of the Code, as articulated by the Planning Commission:

\_\_\_\_\_.

**Exhibits:**

- Exhibit A: Engineering Staff Report
- Exhibit B: Location and Zoning Map
- Exhibit C: Planning Review Checklist
- Exhibit D: Payment in Lieu of Open Space Calculation
- Exhibit E: Lake Mountain Estates B-30 Preliminary Plat
- Exhibit F: Planning Commission Draft Minutes

## Staff Report

**Author:** Gordon Miner, City Engineer  
**Subject:** Lake Mountain Estates B-30 – Preliminary Plat  
**Date:** May 28, 2020  
**Type of Item:** Preliminary Plat Approval



SARATOGA  
SPRINGS

### Description:

**A. Topic:** The Applicant has submitted a Preliminary Plat Application. Staff has reviewed the submittal and provides the following recommendations.

**B. Background:**

*Applicant:* Nathan Coulter  
*Request:* Preliminary Plat Approval  
*Location:* 3600 S McGregor Ln  
*Acreage:* 0.914 Acres – 3 Lots

**C. Recommendation:** Staff recommends the approval of preliminary plat subject to the following conditions:

1. The developer shall comply with all review comments and redlines, prepare final construction drawings as outlined in the most recent edition of the City of Saratoga Springs Standards Technical Specifications, and receive approval from the City Engineer on those drawings prior to commencing construction.
2. These are preliminary-level plans which are not ready for construction. The applicant understands that full engineering review will need to occur on final-level engineering plans to comply with City Standards. The applicant also understands that preliminary plans do not entitle the applicant to any approvals, including lot yields, and that approvals are not granted until final-level engineering plans are accepted by the City for construction.
3. Project shall comply with all ADA standards and requirements.
4. The required PUE's shall be shown in plan view on the plat.
5. The City has insufficient information at this time to determine what project and system improvements will be necessary to service the developer's property. As a result, this approval does not reserve utility system capacity. Prior to, concurrent with, or subsequent to Final Plat Approval, the developer will be required to install all required infrastructure to service the property. In addition to all required project improvements, the developer may also be required to install any and all system improvements, subject to required impact fee credits.

Exhibit B: Location and Zoning Map





SARATOGA  
SPRINGS  
PLANNING

## APPLICATION REVIEW CHECKLIST

### Application Information

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<b>Date Received:</b>	4/29/2020
<b>Date of Review:</b>	<b>5/1/2020</b>
<b>Project Name:</b>	Lake Mountain Estates B-30
<b>Project Request / Type:</b>	Preliminary/Final Plat
<b>Meeting Type:</b>	N/A
<b>Applicant:</b>	Nathan Coulter
<b>Owner:</b>	Nichole Dangerfield
<b>Location:</b>	~3600 S McGregor Lane
<b>Major Street Access:</b>	McGregor Land
<b>Parcel Number(s) and size:</b>	45:228:0141, 0.92 acres
<b>Land Use Designation:</b>	Low Density Residential
<b>Parcel Zoning:</b>	R1-10
<b>Adjacent Zoning:</b>	R1-10, A
<b>Current Use:</b>	Undeveloped
<b>Adjacent Uses:</b>	Residential, Church, Undeveloped
<b>Previous Meetings:</b>	N/A
<b>Previous Approvals:</b>	12/1996 County Plat "B" Lake Mountain Estates
<b>Type of Action:</b>	Administrative
<b>Land Use Authority:</b>	City Council
<b>Future Routing:</b>	Planning Commission
<b>Planner:</b>	Rachel Day, Planner I

### Section 19.13 – Application Submittal

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- Application Complete: **Yes.**
- Rezone Required: **No.**
- General Plan Amendment required: **No.**
- Additional Related Application(s) required: **No.**

### Section 19.13.04 – Process

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- DRC: 4/13/20
  - Neighborhood Meeting: N/A
  - PC: TBD
  - CC: TBD
-

## General Review

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### Building Department

- Setback detail
- Lot numbering – per phase (i.e. Phase 1: 100, 101, 102. Phase 2: 200, 201, 202, etc.)
- True buildable space on lots (provide footprint layout for odd shaped lots)
- Lot slope and need for cuts and fills

### Fire Department

- Residential:
  - Fire flows shall be met for this development and future development in the area.
  - Hydrants shall not exceed 500' spacing in R3-6 and lower areas.
  - Higher than R3-6, hydrants shall not exceed 300' spacing.
  - All three story structures above grade shall be fire sprinkled and meet NFPA 13 requirements where required.
  - All access roads shall support 26' of un-obstructed drive isle with parking on the streets.
  - The 59' road cross-section shall be used if applicable. If the streets are not able to support such movement, fire lane signage shall be posted by the developer.
  - All cul-de-sacs shall meet our current standard and shall have hydrants in them. All cul-de-sacs shall be a minimum of 96' in diameter from curb face to curb face and have a hydrant located within the cul-de-sac.
  - Third party review required for sprinkler systems
  - Dimension street and cul-de-sac widths on plat
  - Turnarounds on cul-de-sacs and dead-ends more than 150' in length

### GIS / Addressing

- comments

### Additional Recommendations:

- Coordinate with USPS to join an existing group mailbox location.

## Code Review

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- 19.04, Land Use Zones
  - Zone: R1-10
  - Use: Low Density Residential

19.04.010 Requirements		R1-10	
Category To Be Reviewed	Regulation	Compliance	Findings
Maximum Units per Acre	3 unit/acre	<b>Complies</b>	<i>3 units proposed in the ~1 acre property with a density of 3.28 dwellings by acre, abutting the three existing utility connections in the road and subdividing a remnant of Lake Mountain Estates Plat "B."</i>
Lot Size, Residential (Minimum)	10,000 sq. ft.	<b>Complies</b>	<i>Lots all above 13,000 square feet.</i>
Lot Coverage (Maximum)	50%	<b>N/A</b>	<i>TBD at building permit.</i>
Structure Height (Minimum)	35'	<b>N/A</b>	<i>TBD at building permit.</i>
Dwelling Size (Minimum)	1,250 sq. ft.	<b>N/A</b>	<i>TBD at building permit.</i>
Lot Width (Minimum)	70'	<b>Complies</b>	<i>Lot widths all above 70 feet.</i>
Lot Frontage*** (Minimum)	35'	<b>Complies</b>	<i>Lot frontages all above 35 feet.</i>
Front Setback* (Minimum)	25', 20' for enclosed entry or porch	<b>Complies</b>	<i>25 foot front setback proposed.</i>
Street Side Setback (Minimum)	20'	<b>N/A</b>	<i>Does not abut any side streets.</i>
Interior Side Setback, Residential(Minimum)	8'/20'(min/combined)	<b>Complies</b>	<i>10 foot side setbacks proposed, 20 foot combined.</i>

Rear* Setback, Residential(Minimum)	25'	Complies	25 foot rear setback proposed.
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## 19.05 Supplemental Regulations

Regulation	Compliance	Findings
<b>Flood Plain:</b> Buildings intended for human occupancy shall be constructed at least one foot above the base flood elevation.	<b>Complies.</b>	<i>Not in flood plain.</i>
<b>Water &amp; Sewage:</b> Each lot shall be connected to City water and sewer.	<b>Complies.</b>	<i>Connections available in street.</i>
<b>Transportation Master Plan:</b> Lots shall not interfere with the Transportation Master Plan.	<b>Complies.</b>	<i>Meets requirements.</i>
<b>Property Access:</b> All lots shall abut a dedicated public or private road.	<b>Complies.</b>	<i>Abuts a dedicated public road.</i>

## 19.12 Subdivision

### Preliminary Plat Requirements

Regulation	Compliance	Findings
Standard Plat Format followed.	<b>Complies.</b>	<i>Follows standard plat format.</i>
Name and address of property owner and developer.	<b>Complies.</b>	<i>Provided on plat.</i>
Name of land surveyor.	<b>Complies.</b>	<i>Provided on plat.</i>
The location of proposed subdivision with respect to surrounding property and street.	<b>Complies.</b>	<i>Provided on plat.</i>
The name of all adjoining property owners of record, or names of adjoining developments.	<b>Complies.</b>	<i>Provided on plat.</i>
The names and location of ROW widths of adjoining streets and all facilities within 100' of the platted property.	<b>Complies.</b>	<i>McGregor Lane.</i>
Street and road layout with centerline bearing and distance labels, dimensions, and names of existing and future streets and roads, (with all new names cleared through the City GIS Department).	<b>N/A.</b>	<i>No new roads proposed.</i>
Subdivision name cleared with Utah County.	<b>Complies.</b>	<i>Based off of County plat.</i>
North arrow.	<b>Complies.</b>	<i>Provided on plat.</i>
A tie to a permanent survey monument at a section corner.	<b>Complies.</b>	<i>Provided on plat.</i>
The boundary lines of the project with bearings and distances and a legal description.	<b>Complies.</b>	<i>Provided on plat.</i>
Layout and dimensions of proposed lots with lot area in square feet.	<b>Complies.</b>	<i>Provided on plat.</i>
Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, and recreational amenities.	<b>Complies.</b>	<i>Provided.</i>
Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.	<b>Complies.</b>	<i>Provided.</i>
Proposed road cross sections.	<b>N/A.</b>	<i>No new roads proposed.</i>
Proposed fencing.	<b>Complies.</b>	<i>Fencing along agricultural land to north.</i>
Vicinity map.	<b>Complies.</b>	<i>Provided on plat.</i>
All required signature blocks are on the plat.	<b>Complies.</b>	<i>Provided on plat.</i>
Prepared by a professional engineer licensed in Utah.	<b>Complies.</b>	<i>Wilding Engineering.</i>
Proposed methods for the protection or preservation of sensitive lands.	<b>Complies.</b>	<i>None on property.</i>
Location of any flood plains, wetlands, and other sensitive lands.	<b>Complies.</b>	<i>In flood plain X.</i>
Location of 100-year high water marks of all lakes, rivers, and streams.	<b>Complies.</b>	<i>In flood plain X.</i>
Projected Established Grade of all building lots.	<b>Complies.</b>	<i>Provided.</i>
A data table. 1. total project area; 2. total number of lots, dwellings, and buildings; 3. where buildings are included, square footage of proposed building footprints and, if multiple stories, square footage by floor;	<b>Complies.</b>	<i>Provided on plat.</i>

<ol style="list-style-type: none"> <li>4. for multi-family developments, the number of proposed garage parking spaces and number of proposed total parking spaces;</li> <li>5. percentage of buildable land;</li> <li>6. acreage of sensitive lands and percentage sensitive lands comprise of total project area and open space area;</li> <li>7. area and percentage of open space or landscaping;</li> <li>8. area to be dedicated as right-of-way (public and private);</li> <li>9. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).</li> </ol>		
<p><b>Phasing Plan:</b> Including a data table with the following Information for each phase:</p> <ol style="list-style-type: none"> <li>i. Subtotal area in square feet and acres;</li> <li>ii. number of lots or dwelling units;</li> <li>iii. open space area and percentage;</li> <li>iv. utility phasing plan;</li> <li>v. number of parking spaces;</li> <li>vi. recreational facilities to be provided;</li> <li>vii. overall plan showing existing, proposed, and remaining phases.</li> </ol>	<b>N/A.</b>	<i>One phase only.</i>

### Final Plat Requirements

Subdivision name and location.	<b>Complies.</b>	<i>Lake Mountain Estates B-30.</i>
Standard Plat Format followed.	<b>Complies.</b>	<i>Follows standard plat format.</i>
Name and address of property owner and developer.	<b>Complies.</b>	<i>Provided on plat.</i>
Name of land surveyor.	<b>Complies.</b>	<i>Provided on plat.</i>
The location of proposed subdivision with respect to surrounding property and street.	<b>Complies.</b>	<i>Provided on plat.</i>
The name of all adjoining property owners of record, or names of adjoining developments.	<b>Complies.</b>	<i>Provided on plat.</i>
The names and location of ROW widths of adjoining streets and all facilities within 100' of the platted property.	<b>Complies.</b>	<i>McGregor Lane.</i>
North arrow.	<b>Complies.</b>	<i>Provided on plat.</i>
A tie to a permanent survey monument at a section corner.	<b>Complies.</b>	<i>Provided on plat.</i>
The boundary lines of the project with bearings and distances and a legal description with total project area in SF and acres.	<b>Complies.</b>	<i>Provided on plat.</i>
Layout and dimensions of proposed lots with lot area in square feet and acres. Lot boundaries shall include dimensions and bearings.	<b>Complies.</b>	<i>Provided on plat.</i>
Lot Numbers.	<b>Complies.</b>	<i>1, 2, and 3.</i>
Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, and recreational amenities.	<b>Complies.</b>	<i>Existing drainage easement noted on plat.</i>
Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.	<b>Complies.</b>	<i>Provided.</i>
Proposed road ROW widths.	<b>Complies.</b>	<i>No new roads proposed.</i>
Vicinity map.	<b>Complies.</b>	<i>Provided on plat.</i>
All required signature blocks are on the plat.	<b>Complies.</b>	<i>Provided on plat.</i>
Prepared by a professional engineer licensed in Utah.	<b>Complies.</b>	<i>Wilding Engineering.</i>
Proposed methods for the protection or preservation of sensitive lands.	<b>N/A.</b>	<i>None.</i>
Location of any flood plains, wetlands, and other sensitive lands.	<b>Complies.</b>	<i>None on property.</i>
Flood plain boundaries as indicated by the Federal Emergency Management Agency as well as the location of 100-year high water marks of all lakes, rivers, and streams.	<b>Complies.</b>	<i>In flood plain X.</i>
Existing and Proposed easements.	<b>Complies.</b>	<i>Existing drainage easement included on plat.</i>
Street monument locations.	<b>Complies.</b>	<i>No new roads proposed.</i>

Lot and road addresses and addresses for each intersection. Road names shall be approved by the City GIS department before being added to the subdivision plat.	<b>Complies.</b>	<i>Provided on plat.</i>
A data table. 1. total project area; 2. total number of lots, dwellings, and buildings; 3. where buildings are included, square footage of proposed building footprints and, if multiple stories, square footage by floor; 4. for multi-family developments, the number of proposed garage parking spaces and number of proposed total parking spaces; 5. percentage of buildable land; 6. acreage of sensitive lands and percentage sensitive lands comprise of total project area and open space area; 7. area and percentage of open space or landscaping; 8. area to be dedicated as right-of-way (public and private); 9. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).	<b>Complies.</b>	<i>Provided on plat.</i>
<b>Phasing Plan:</b> Including a data table with the following Information for each phase: i. Subtotal area in square feet and acres; ii. number of lots or dwelling units; iii. open space area and percentage; iv. utility phasing plan; v. number of parking spaces; vi. recreational facilities to be provided; vii. overall plan showing existing, proposed, and remaining phases.	<b>N/A.</b>	<i>One phase only.</i>
<b>Subdivision Layout</b>		
<b>Layout:</b> The subdivision layout should be generally consistent with the City's adopted Land Use Element of the General Plan, and shall conform to any land use ordinance, any capital facilities plan, any impact fee facilities plan, and the transportation master plan.	<b>Complies.</b>	<i>Consistent with City plans.</i>
<b>Block Length:</b> The maximum length of blocks shall be 1,000'. In blocks over 800' in length, a dedicated public walkway through the block at approximately the center of the block will be required.	<b>Complies.</b>	<i>Block length is less than 800 feet.</i>
<b>Connectivity:</b> The City shall require the use of connecting streets, pedestrian walkways, trails, and other methods for providing logical connections and linkages between neighborhoods.	<b>Can Comply.</b>	<i>Abuts an already dedicated public ROW. Developer will need to ensure that sidewalk along McGregor is in.</i>
<b>Mailboxes:</b> Group mailboxes shall be accessed only from a local street, and shall not be placed on a collector or arterial street, unless a bulbout is provided with space for a minimum of three vehicles to park outside the lane of travel and shoulder.	<b>Can Comply.</b>	<i>Coordinate with USPS to join an existing location.</i>
<b>Private Roads:</b> Private roads may be constructed as approved as part of the Preliminary Plat approval and so long as such roads meet the same standards identified in the Saratoga Springs Standard Street Improvement Details.	<b>Complies.</b>	<i>Abuts a public ROW.</i>
<b>Access:</b> Where the vehicular access into a subdivision intersects an arterial road as defined in the Transportation Master Plan, driveways shall not be placed on the intersecting road within 100' of the arterial connection.	<b>Complies.</b>	<i>Greater than 100 feet for arterial connection.</i>

<p>Two separate means of vehicular access onto a collector or arterial road shall be required when the total number of equivalent residential units (including adjacent developments and neighborhoods) served by a single means of access will exceed fifty.</p> <p><b>Access Exception:</b> Where no point of second access is available within 500' and where all units are provided with an approved sprinkler system, a second access shall not be required until the number of units reaches double the above limits.</p>	<b>Complies.</b>	<i>Access provided for McGregor Lane.</i>
<p><b>Shared Driveways:</b> Shared driveways shall be a minimum of 26' in width and shall direct all runoff to a public or private drainage system. All dwellings on shared driveways shall provide enclosed garages or other covered parking. Shared driveways accessing more than four dwellings shall also provide a minimum of 25' of parking space between the garage and shared driveway. Shared driveways with four or fewer dwellings, if not providing a minimum of 20' of parking space, shall install a remote garage door opener prior to issuance of Certificate of Occupancy. All requirements of the Fire Code shall also be met.</p>	<b>N/A.</b>	<i>No shared driveways proposed.</i>
<b>Lot Design</b>		
<p>All subdivisions shall result in the creation of lots that are developable and capable of being built upon.</p>	<b>Complies.</b>	<i>All lots are developable.</i>
<p>All lots or parcels created by the subdivision shall have frontage on a street or road that meets the City's ordinances, regulations, and standards for public roads.</p>	<b>Complies.</b>	<i>All lots abut a public ROW.</i>
<p>Flag lots may be approved with less frontage when the Planning Commission determines that the creation of such a lot would result in an improved design or better physical layout for the lot based on the following criteria:</p> <ul style="list-style-type: none"> <li>i. For subdivisions with 20 or less lots: no more than 10% (rounding down) of the total lots are allowed to be flag lots;</li> <li>ii. For subdivisions with 50 or less lots: no more than 7.5% (rounding down) of the total lots are allowed to be flag lots; and</li> <li>iii. For subdivision with more than 50 lots: no more than 5% (rounding down) of the total lots are allowed to be flag lots.</li> </ul>	<b>Complies.</b>	<i>No flag lots proposed.</i>
<p>Land dedicated as public roads and rights-of-way shall be separate and distinct from land included in lots adjacent to public roads and rights-of-way.</p>	<b>Complies.</b>	<i>Abuts an already dedicated public ROW.</i>
<p>Side property lines shall be at approximately right angles to the street line or radial to the street line.</p>	<b>Complies.</b>	<i>Angling meetings requirements.</i>
<p>Corner lots for residential use shall be 10% larger than the required minimum lot.</p>	<b>Complies.</b>	<i>No corner lots in subdivision.</i>
<p>No lot shall be created that is divided by a municipal or county boundary line.</p>	<b>Complies.</b>	<i>Entirely located within the City.</i>
<p>Remnants of property shall not be left in the subdivision that do not conform to lot requirements or are not required or suitable for common open space, private utilities, public purposes, or other purpose approved by the City Council.</p>	<b>Complies.</b>	<i>This is subdividing a remnant created with Lake Mountain Estates Plat "B."</i>
<p>Double access lots are not permitted with the exception of corner lots.</p>	<b>Complies.</b>	<i>No double access lots proposed.</i>
<p>Driveways for residential lots or parcels shall not be allowed to have access on major arterials.</p> <p><b>Exception:</b> Exceptions may be made for large lots (at least 1 acre in size) or for lots where the home is set back over 150' from the arterial roadway. Approval by UDOT may be required.</p>	<b>N/A.</b>	<i>Not set on a major arterial.</i>

## Exhibit D: Payment in Lieu of Open Space Calculation

All subdivisions along arterial roadways shall conform to the City's requirements and adopted street cross-section including pedestrian walkways, park strips, landscaping, and fencing.	N/A.	<i>Not set on a major arterial.</i>
--	------	-------------------------------------

<b>19.13 Process</b>	
Regulation	Findings
Neighborhood Meeting.	N/A
Notice/Land Use Authority.	Yes, City Council
Master Development Agreement.	
Phasing Improvements.	N/A
Payment of Lieu of Open Space.	\$27,400

<b>19.19 Open Space</b>		
<b>Payment in Lieu of Open Space</b>		
<p><b>Applicability:</b> the City's Payment in Lieu of Open Space Program may be utilized for all or a portion of the requirement for developments that meet one or more of the following criteria:</p> <ol style="list-style-type: none"> <li>i. any single-family development where a minimum of 75% of the lots are 10,000 square feet or larger, or</li> <li>ii. any single-family development with a park requirement of less than one acre, or</li> <li>iii. any development in the MW zone where such fee will aid in the creation of large clustered open spaces near the waterfront, or</li> <li>iv. that portion of a development that is located within ¼ mile of an existing improved regional public park.</li> </ol>	<b>Complies.</b>	<i>All lots are over 10,000 SF and there would be a park requirement of less than one acre.</i>
<p><b>Total Cost:</b></p> <ol style="list-style-type: none"> <li>1. The City shall maintain an annually updated list of land values for the cost of a non-sensitive developable acre, and apply the land value to the required Equivalent Acres for which the applicant desires to pay a fee in lieu.</li> <li>2. The City shall calculate the minimum required points per this chapter, and multiply the points by \$2,000 to determine the cost of the minimum required open space improvements, including landscaping, parks, trails, and other amenities.</li> </ol>	<b>Can Comply.</b>	<p><u>Payment in Lieu of Open Space Calculation</u>            Equivalent Acres Required = 0.08 acres            Minimum # Amenity Points Required = 7.5  <math>0.08 \times 155,000 = 12,400</math>  <math>7.5 \times 2000 = 15,000</math>            Total = \$27,400</p>

<b>Fiscal Impact</b>	
Regulation	Findings
Is there any City maintained open space?	No
What is the anticipated cost to the City?	N/A
When will City maintenance begin?	N/A

## REDLINE LEGEND

- GREEN = Comment from Engineering Dept 5/13**
- RED = Comment from Planning Dept**
- PURPLE = Comment from Public Works Dept**

Project Planner: Rachel Day (801-766-9793 Ext. 161)  
 Project Engineer: Daniel McRae (801-766-9793 Ext. 169)

Engineering has no further comments on this prelim plan set. Please address the comments from the Planning Dept and hopefully the next resubmittal of final plat plans can be accepted for construction after it goes to the City Planning Commission and City Council (verify with Planning Dept what City meetings it goes before if there is a question).

## GENERAL NOTES

1. GEOTECHNICAL INFORMATION FOR THIS PROJECT MAY BE FOUND IN A GEOTECHNICAL REPORT PREPARED BY EARTHTEC ENGINEERING (PROJECT NO 131740 DATED NOVEMBER 27, 2013).

## PROJECT BASIS OF BEARING AND BENCHMARK

PROJECT BASIS OF BEARING:  
 THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 89°45'55" WEST BETWEEN THE SOUTH QUARTER AND THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

PROJECT BENCHMARK:  
 THE PROJECT BENCHMARK IS THE STREET MONUMENT AT THE CENTER OF THE LAKE COVE CIRCLE CULDESAC (A FOUND BRASS CAP), HAVING AN ELEVATION OF 4528.85'.

PROJECT TOPOGRAPHY: A TOPOGRAPHY SURVEY WAS PERFORMED ON THE SITE USING GPS SURVEY EQUIPMENT.

## SARATOGA SPRINGS CITY STANDARD NOTES

1. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW SEWER LINES.
2. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING STORM DRAIN STRUCTURES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW STORM DRAIN LINES.
3. ALL CONSTRUCTION SHALL COMPLY TO THE STANDARD TECHNICAL SPECIFICATIONS AND DRAWINGS FOR THE CITY OF SARATOGA SPRINGS, UTAH.
4. EXISTING UTILITIES HAVE BEEN NOTED TO THE BEST OF ENGINEERS KNOWLEDGE, HOWEVER IT IS OWNER'S AND CONTRACTOR'S RESPONSIBILITY TO LOCATE UTILITIES IN FIELD AND NOTIFY ENGINEER AND CITY IF DISCREPANCIES EXIST PRIOR TO CONTINUING ANY CONSTRUCTION.
5. POST-ACCEPTANCE ALTERATIONS TO LIGHTING PLANS OR INTENDED SUBSTITUTIONS FOR ACCEPTED LIGHTING EQUIPMENT SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND ACCEPTANCE.
6. THE CITY RESERVES THE RIGHT TO CONDUCT POST-INSTALLATION INSPECTIONS TO VERIFY COMPLIANCE WITH THE CITY'S REQUIREMENTS AND ACCEPTED LIGHTING PLAN COMMITMENTS, AND IF DEEMED APPROPRIATE BY THE CITY, TO REQUIRE REMEDIAL ACTION AT NO EXPENSE TO THE CITY.
7. ALL EXTERIOR LIGHTING SHALL MEET IESNA FULL-CUTOFF CRITERIA.



VICINITY MAP

## SHEET INDEX

C101	COVER SHEET
C201	PRELIMINARY PLAT, EXISTING TOPO, SITE PLAN, & UTILITY PLAN
1 OF 1	RECORD OF SURVEY

## CONTACT LIST

**OWNER:**  
 SHERMAN T. DANGERFIELD AND NICHOLE P. DANGERFIELD HUSBAND AND WIFE  
 153 E LAKE COVE CIRCLE  
 SARATOGA SPRINGS, UT 84045

**DEVELOPER:**  
 NATHAN COULTER  
 801-523-6212  
 nccoulter@hotmail.com

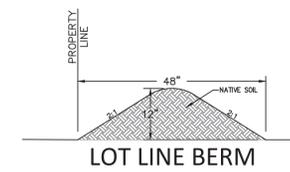
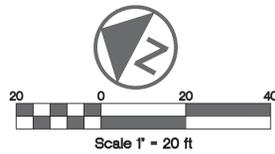
**CIVIL ENGINEER:**  
 WILDING ENGINEERING - MIKE CARLTON, PE - 801-553-8112



NO.	REVISION	DATE
1	SARATOGA CITY COMMENT	4/28/20

PROJECT INFORMATION  
**LAKE MOUNTAIN ESTATES B-30**  
 PRELIMINARY SUBMITTAL COVER SHEET  
 SARATOGA SPRINGS, UTAH

DRAWN <b>MEC</b>	CHECKED	PROJECT # <b>20054</b>
		DATE <b>3/17/20</b>
		SCALE <b>NONE</b>
		SHEET <b>C101</b>



**WILDING**  
 ENGINEERING  
 14721 SOUTH HERITAGE CREST WAY  
 BLUFFDALE, UTAH 84065  
 801.553.8112  
 WWW.WILDINGENGINEERING.COM

**BOUNDARY DESCRIPTION**

A PORTION OF LOT 30, PLAT "B", LAKE MOUNTAIN ESTATES SUBDIVISION, UTAH COUNTY, UTAH, ACCORDING TO THE OFFICIAL PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 89°45'55" WEST ALONG THE SECTION LINE A DISTANCE OF 471.58 FEET AND NORTH 25°76.33" FEET FROM THE SOUTH QUARTER OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF LOT 6, LAKE COVE SUBDIVISION, BEING ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 14683, SAID POINT ALSO BEING AT A POINT ON THE NORTH LINE OF WAYSIDE CHURCH SUBDIVISION, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 15037, AND RUNNING THENCE SOUTH 62°02'24" WEST ALONG THE NORTH SIDE OF SAID WAYSIDE CHURCH SUBDIVISION A DISTANCE OF 154.77 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF Mcgregor LANE; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE, 1) NORTH 22°35'15" WEST 240.39 FEET TO THE POINT OF A TANGENT 528.14 FOOT RADIUS CURVE TO THE LEFT, 2) ALONG SAID CURVE A DISTANCE OF 41.92 FEET THROUGH A CENTRAL ANGLE OF 04°32'50" (CHORD BEARS NORTH 24°51'41" WEST 41.91 FEET); THENCE NORTH 62°02'07" EAST 128.99 FEET TO THE NORTHWESTERLY CORNER OF LOT 7, SAID LAKE COVE SUBDIVISION; THENCE SOUTH 27°37'42" EAST ALONG THE WESTERLY LINE OF SAID SUBDIVISION A DISTANCE OF 281.19 FEET TO THE POINT OF BEGINNING.

CONTAINS 39,823 SQUARE FEET OR 0.914 ACRES, MORE OR LESS.

CONTAINS 39,823 SQUARE FEET OR 0.914 ACRES, MORE OR LESS  
3 LOTS

INFORMATION	ACRES	SQ. FT.	% TOTAL	#
TOTAL PROJECT AREA	0.914	39,823	100%	
BUILDABLE LAND	0.914	39,823	100%	
ROW AREA	0.00	0.00	0%	
OPEN SPACE	0.00	0.00	0%	
LOTS				3
NET DENSITY				3.28
DWELLINGS BY ACRE				

**PLANNING COMMISSION**

APPROVED BY THE SARATOGA SPRINGS PLANNING COMMISSION ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_

PLANNING COMMISSION MEMBER

**CITY COUNCIL**

APPROVED BY THE SARATOGA SPRINGS CITY COUNCIL ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_

CITY COUNCIL MEMBER

DEVELOPER:  
NATHAN COULTER  
801-523-6212  
nvcoulter@gmail.com

OWNER:  
SHERMAN T. DANGERFIELD AND NICOLE P. DANGERFIELD HUSBAND AND WIFE  
153 E LAKE COVE CIRCLE  
SARATOGA SPRINGS, UT 84045

NO.	REVISION	DATE
1	SARATOGA CITY COMMENT	4/28/20

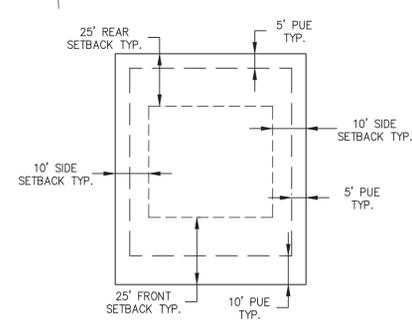
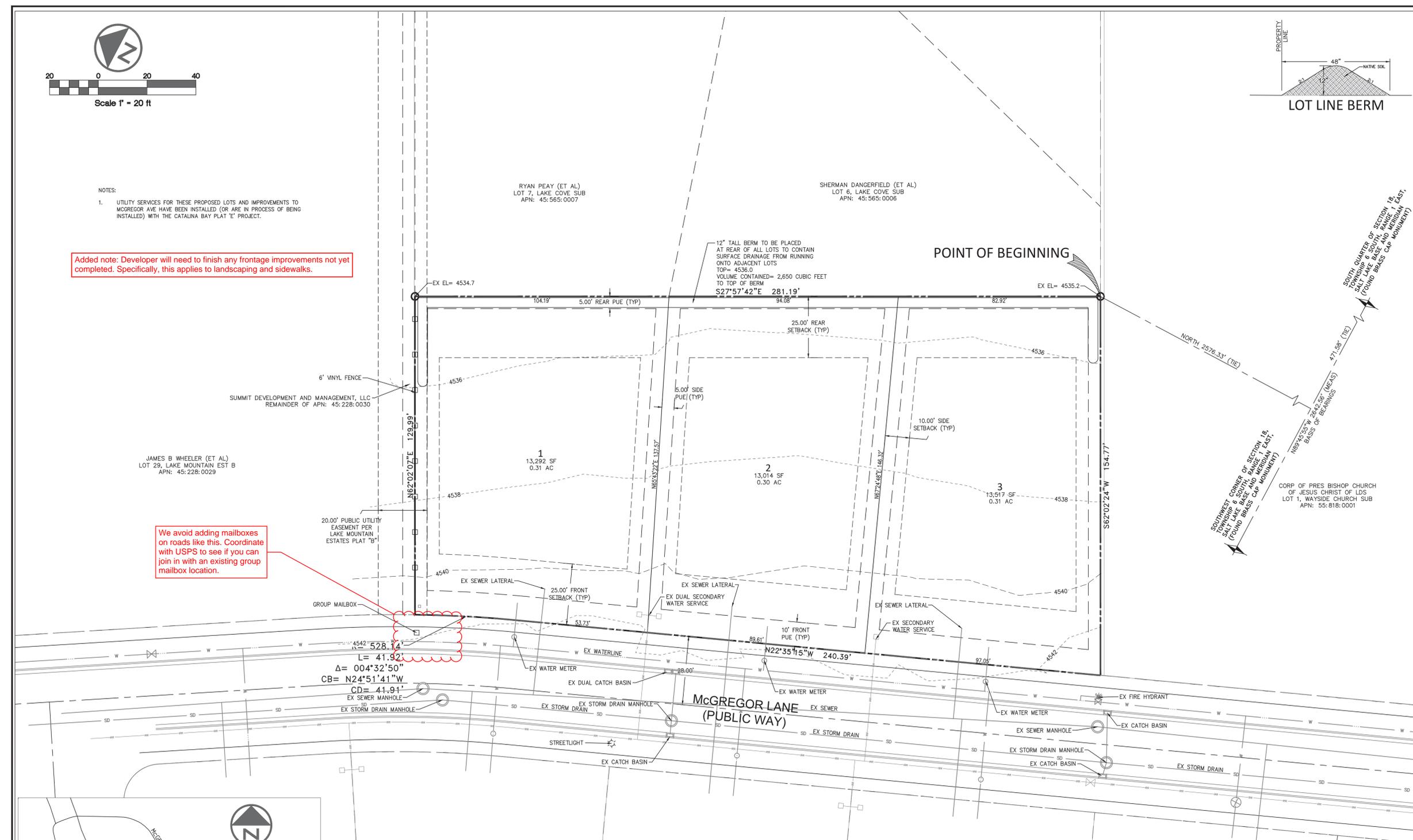
**PROJECT INFORMATION**  
**LAKE MOUNTAIN ESTATES B-30**  
 PRELIMINARY PLAT, EXISTING TOPO SITE PLAN, & UTILITY PLAN  
 SARATOGA SPRINGS, UTAH

DRAWN <b>MEC</b>	CHECKED	PROJECT # <b>20054</b>
DATE <b>3/17/20</b>		SCALE <b>1" = 20'</b>
SHEET <b>1 OF 1</b>		ENGINEER'S STAMP

NOTES:  
1. UTILITY SERVICES FOR THESE PROPOSED LOTS AND IMPROVEMENTS TO MCGREGOR AVE HAVE BEEN INSTALLED (OR ARE IN PROCESS OF BEING INSTALLED) WITH THE CATALINA BAY PLAT 'E' PROJECT.

Added note: Developer will need to finish any frontage improvements not yet completed. Specifically, this applies to landscaping and sidewalks.

We avoid adding mailboxes on roads like this. Coordinate with USPS to see if you can join in with an existing group mailbox location.



**DETAIL-TYP. BUILDING SETBACK AND EASEMENT**  
-NTS-

**LEGEND**

- SECTION LINE
- FOUND SECTION CORNER
- EXISTING ROW CENTERLINE
- FOUND STREET MONUMENT
- SET 5/8 REBAR AND CAP (WILDING ENGINEERING)
- ADJACENT PROPERTY / ROW LINE
- LOT LINE
- EX FIRE HYDRANT

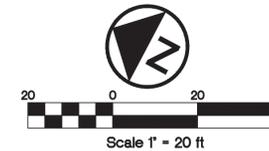


**VICINITY MAP**  
NOT TO SCALE  
SARATOGA SPRINGS, UTAH

G:\DATA\20054\Coulter Lake Mtn B30.dwg\Lake Mtn Estates B-30 Prelim Plat.dwg  
PLOT DATE: Apr 28, 2020

# DANGERFIELD PROPERTY

LOCATED IN THE WEST HALF OF SECTION 18,  
TOWNSHIP 6 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN  
RECORD OF SURVEY



**SURVEYOR'S CERTIFICATE:**  
I, KAGAN M. DIXON, SALT LAKE CITY, UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 9061091 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH; THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY; THAT THIS PLAT CORRECTLY SHOWS THE TRUE DIMENSIONS OF THE BOUNDARIES SURVEYED AND OF THE VISIBLE IMPROVEMENTS AFFECTING THE BOUNDARIES AND THEIR POSITION IN RELATIONSHIP TO SAID BOUNDARIES.



**BOUNDARY DESCRIPTION**

A PORTION OF LOT 30, PLAT "B", LAKE MOUNTAIN ESTATES SUBDIVISION, UTAH COUNTY, UTAH, ACCORDING TO THE OFFICIAL PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING NORTH 2827.23 FEET AND WEST 603.74 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 62°02'24" WEST 129.97 FEET ACTUAL COURSE = SOUTH 62°02'28" WEST 129.97 FEET; THENCE ALONG A CURVE TO THE RIGHT (CHORD BEARS: SOUTH 24°54'01" EAST 42.63 FEET), RADIUS = 528.15 FEET, ARC LENGTH = 42.64 FEET, ACTUAL CHORD = SOUTH 24°54'03" EAST 42.63 FEET; THENCE SOUTH 22°35'15" EAST 240.33 FEET, ACTUAL COURSE = SOUTH 22°35'17" EAST 240.35 FEET; THENCE NORTH 62°02'24" EAST 154.75 FEET; THENCE NORTH 27°57'42" WEST 1.14 FEET, ACTUAL COURSE = NORTH 27°57'43" WEST 0.14 FEET; THENCE NORTH 27°57'42" WEST 281.72 FEET TO THE POINT OF BEGINNING.

**AS-SURVEYED DESCRIPTION**

A PORTION OF LOT 30, PLAT "B", LAKE MOUNTAIN ESTATES SUBDIVISION, UTAH COUNTY, UTAH, ACCORDING TO THE OFFICIAL PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 89°45'55" WEST ALONG THE SECTION LINE A DISTANCE OF 471.58 FEET AND NORTH 2576.33 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 6, LAKE COVE SUBDIVISION, BEING ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 14683, SAID POINT ALSO BEING AT A POINT ON THE NORTH LINE OF WAYSIDE CHURCH SUBDIVISION, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 15037, AND RUNNING THENCE SOUTH 62°02'24" WEST ALONG THE NORTH SIDE OF SAID WAYSIDE CHURCH SUBDIVISION A DISTANCE OF 154.77 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MCGREGOR LANE; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE, 1) NORTH 22°35'15" WEST 240.39 FEET TO THE POINT OF A TANGENT 528.14 FOOT RADIUS CURVE TO THE LEFT, 2) ALONG SAID CURVE A DISTANCE OF 41.92 FEET THROUGH A CENTRAL ANGLE OF 04°32'50" (CHORD BEARS NORTH 24°51'41" WEST 41.91 FEET); THENCE NORTH 62°02'07" EAST 129.99 FEET TO THE NORTHWESTERLY CORNER OF LOT 7, SAID LAKE COVE SUBDIVISION; THENCE SOUTH 27°57'42" EAST ALONG THE WESTERLY LINE OF SAID SUBDIVISION A DISTANCE OF 281.19 FEET TO THE POINT OF BEGINNING.

CONTAINS 39,823 SQUARE FEET OR 0.914 ACRES, MORE OR LESS.

**BASIS OF BEARING**

THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 89°45'55" WEST BETWEEN THE SOUTH QUARTER AND THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

**NARRATIVE OF BOUNDARY**

THE PURPOSE OF THIS SURVEY WAS TO LOCATE AND MONUMENT ON THE GROUND THE SURVEYED PROPERTY AS SHOWN HEREON.

DURING THE PERFORMANCE OF THIS SURVEY, IT WAS FOUND THAT THE NORTHERLY LINE DID NOT MEET WITH THE NORTHERLY LINE OF LOT 30, LAKE MOUNTAIN ESTATES SUBDIVISION. IT WAS ALSO FOUND THAT LAKE COVE SUBDIVISION LEFT A SIMILAR GAP. IT IS MY BELIEF THAT THE ORIGINAL INTENT WAS TO MEET THIS LINE. HOWEVER, THIS REMAINDER STRIP OF LAND APPEARS TO STILL BE OWNED BY THE ORIGINAL GRANTOR.

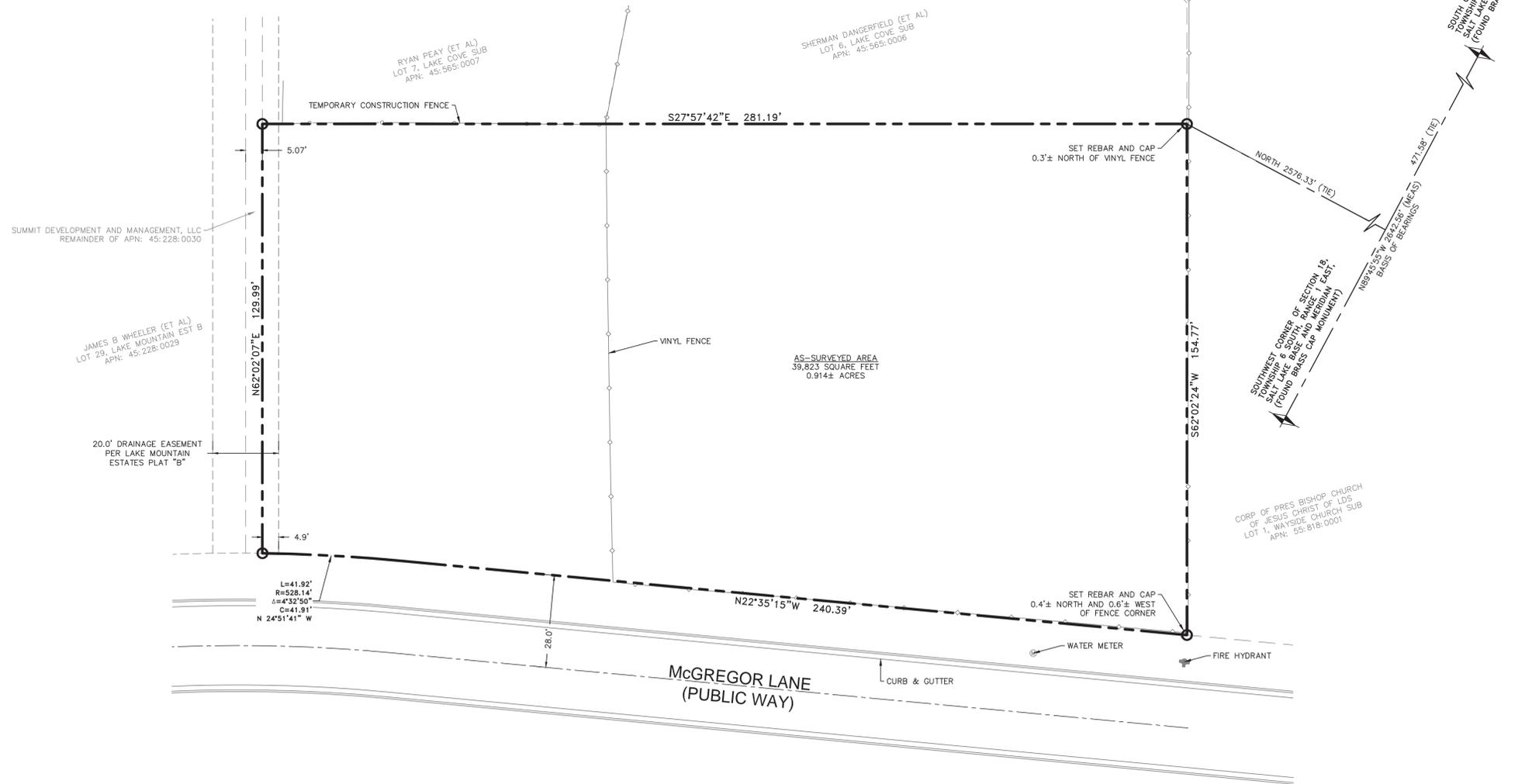
**GENERAL NOTES**

- OTHER DOCUMENTS USED IN THE PREPARATION OF THIS SURVEY:
  - COMMITMENT FOR TITLE INSURANCE ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NUMBER 264914, DATED FEBRUARY 20, 2020.
  - WAYSIDE CHURCH SUBDIVISION, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 15037.
  - LAKE COVE SUBDIVISION, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 14683.
  - LAKE MOUNTAIN ESTATES PLAT "B" SUBDIVISION, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 8874.
  - OTHER DOCUMENTS AS SHOWN ON THIS MAP.

- WILDLING ENGINEERING SURVEYED ABOVE GROUND VISIBLE EVIDENCE OF STRUCTURES THAT WOULD INDICATE THE POSSIBILITY OF AN EXISTING EASEMENT OR ENCUMBRANCE ON THE PROPERTY, HOWEVER WE RELIED UPON THE TITLE COMPANY TO RESEARCH THE COUNTY RECORDS FOR RECORDED EASEMENTS AND OTHER RECORDED ENCUMBRANCES THAT WOULD AFFECT THE PROPERTY AND THAT MAY OR MAY NOT BE READILY VISIBLE ON THE SITE TO BE SURVEYED AND SHOWN ON THIS MAP. WE REFERRED TO SCHEDULE B, PART 2 OF THE TITLE REPORT TO OBTAIN THIS INFORMATION.

**LEGEND**

- SECTION LINE
- FOUND SECTION CORNER
- EXISTING ROW CENTERLINE
- SET 5/8 REBAR AND CAP (WILDING ENGINEERING) (BOUNDARY LINE)
- ADJACENT PROPERTY / ROW LINE



G:\DATA\20054 Coulter Lake Mtn B30\dwg\20054 Dangerfield ROS.dwg  
PLOT DATE: Mar 16, 2020

**UTILITY STATEMENT:**  
THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD OBSERVATIONS AND UTILITY MARKINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HEREON ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES STATE THAT THE UTILITIES SHOWN HEREON ARE LOCATED AS ACCURATELY AS POSSIBLE, FROM INFORMATION AVAILABLE AT THE TIME THE SURVEY WAS CONDUCTED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES AND THE EXACT LOCATION OF SOME UTILITIES MAY REQUIRE FURTHER FIELD INVESTIGATION OR EXCAVATION TO DETERMINE THEIR PRECISE LOCATIONS.

NO.	REVISION	DATE

DRAWING TITLE	PROJECT NAME
RECORD OF SURVEY	DANGERFIELD SURVEY
LOCATION	DRAWN
APPROX 3600 S MCGREGOR LN	KMD
SARATOGA SPRINGS, UTAH	CHECKED
	SWD
	COUNTY
	UTAH

DATE	3/16/2020
SCALE	1" = 20'
SHEET	1 OF 1



## MINUTES – Planning Commission

Thursday, May 28, 2020

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

### PLANNING COMMISSION MEETING MINUTES

**Call to Order - 6:10 p.m.** by Chairman Troy Cunningham

**Present:** Commission Members-Bryce Anderson, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff.

**Staff:** Dave Stroud, Planning Director; Tippe Morlan, Senior Planner; Rachel Day, Planner I; Conrad Hafen, Assistant City Attorney; Daniel McRae, Engineer II; Nicolette Fike, Deputy Recorder

**Others:** Nathan Coulter, Brett Coulter

**Excused:** Audrey Barton

1. **Pledge of Allegiance** - led by Commissioner Cunningham.
2. **Roll Call** – A quorum was present

3. **Business Item: Preliminary/Final Plat for Lake Mountain Estates Plat B-30 located approximately 3600 S. McGregor Lane. Nathan Coulter as applicant.**

Planner I Rachel Day presented the item. The applicant is requesting 3 single-family residential lots all over 13,000 sq. ft. in size. The applicant is proposing to pay Fee-in-lieu of Open Space. Nathan and Brett Coulter were present as applicant. Nathan Coulter noted that they felt the application was ready to go with no issues.

Commissioner Kilgore

- Received confirmation from the applicant that they would comply with all required conditions.
- Asked if they saw any issues with mailbox placement. Nathan Coulter responded the USPS notified them of placement and they have approvals.
- Asked about sidewalk installation along McGregor Ln. Nathan responded that they would like to know the timing on the sidewalk, he felt it was a staff matter.
- What Open Space is nearby for resident access? Nathan Coulter replied they were going to do the payment in lieu. Planner I Rachel Day responded that they are in compliance with larger lots and as the south develops more there will be future Open Space. Brett Coulter commented there is the church and a large park nearby.

**Motion made by Commissioner Ryan that the Planning Commission forward a recommendation of approval to the City Council for the Lake Mountain Estates B-30 Preliminary Plat, located at approximately 3600 S. McGregor Ln. based on the findings and conditions in the staff report dated May 28, 2020. Seconded by Commissioner Anderson. Aye: Bryce Anderson, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 5 - 0.**

4. **Approval of Minutes: May 14, 2020**

**Motion made by Commissioner Kilgore to approve the minutes of May 14, 2020. Seconded by Commissioner Anderson. Aye: Bryce Anderson, Troy Cunningham, Ken Kilgore, Reed Ryan, Josh Wagstaff. Motion passed 5 - 0.**

5. **Reports of Action.** – No Reports were needed.
6. **Commission Comments.** – No comments were made.
7. **Director's Report.** – Planning Director Dave Stroud advised of upcoming agenda items.
8. **Possible motion to enter into closed session** – No closed session was held.
9. **Meeting Adjourned Without Objection at 6:20 p.m. by Chairman Troy Cunningham.**

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
Planning Commission Chair

\_\_\_\_\_  
Deputy City Recorder



**Development Agreement Amendment and Concept Plan  
Saratoga Dignity Senior Community  
June 16, 2020  
Public Meeting**

Report Date:	June 8, 2020
Applicant:	Rimrock Construction
Owner:	Dignity Care, LLC
Location:	~700 West 1400 North, ~1590 North Cozy Ln, ~1538 N Foothill Blvd
Major Street Access:	Crossroads Boulevard
Parcel Number(s) and size:	a portion of 45:173:0007, 45:173:0008, a portion of 45:173:0010, 45:253:0003, 58:033:0446; ~24.22 acres
General Plan Designation:	Low Density Residential, Rural Residential
Zone:	RR, A, and RC
Requested Zone(s):	RR, R1-9, MF-10 approved subject to a DA in 2018
Adjacent Zoning:	R1-10, RC, A
Current Use:	Vacant, undeveloped
Adjacent Uses:	Single family residential, undeveloped
Previous Meetings:	Public hearing with Planning Commission on 7/12/18, Public meeting with City Council on 8/7/18
Previous Approvals:	Rezone and DA approved on 8/7/18
Land Use Authority:	City Council
Type of Action:	Legislative
Future Routing:	City Council
Planner:	Sarah Carroll, Senior Planner

---

**A. Executive Summary:**

The applicant is requesting an amendment to a previously approved Development Agreement. The applicant is requesting to decrease the number of senior community units from 92 to 80 and to increase the number of beds in the proposed care center from 12 to 90. A revised concept plan is attached for review and feedback.

**Recommendation:**

**Staff recommends that the City Council conduct a public meeting and discuss the proposed amendment to the development agreement, provide feedback on the revised concept plan,**

**and choose from the options in Section “H” of this report.** Options include approval with conditions, denial, or continuance.

**B. Background:**

In 2018 the applicant received approval of a rezone and general plan amendment that would allow for two lots for existing homes that are 1+ acres in size, 16 single family residential lots that are 9,000 square feet minimum, and a senior community with 92 units and an assisted living facility with 12 beds. They were required to enter into a development agreement to finalize the approval. They would now like to request an amendment to the development agreement and would like to propose changes to the senior community portion of the development.

**C. Specific Request:**

The applicant is requesting to amend a previously approved development agreement in order to decrease the number of senior housing units and increase the size of the proposed care center.

**D. Process:**

**Development Agreement Amendment**

The table in Section 19.13.04 indicates that a major development agreement amendment requires City Council approval.

**Concept Plan**

Concept plans do not require City Council review. However, the attached plan offers visuals of the proposed change. Non-binding feedback on the concept plan provides the application direction as they move forward with additional development applications.

**E. Community Review:**

Public notices and hearings are not required for this request.

**F. General Plan:**

The 2018 approval granted land use designations that matched the approved zoning.

**Staff conclusion:** *The proposed change to the development agreement is consistent with the land use map of the general plan.*

**G. Code Criteria:**

*The proposed development agreement amendment is a legislative decision because the conditions of the development agreement were tied to a rezone and General Plan amendment; therefore, the Council has significant discretion when making a decision on such requests.*

19.13.07.5.

A Development Agreement may be amended upon agreement of all parties.

- a. Minor amendment: a minor amendment is an amendment that does not alter the density, amount of open space, or unit type, and may be approved by the City Manager after consultation with the DRC.
- b. Major amendment: a major amendment is an amendment that alters the density, amount of open space, or unit type, and may be approved by the City Council.

**Staff findings:** *The proposed amendment alters the unit type of number of units and beds and has been determined to be a major amendment which requires approval by the City Council.*

**Concept Plan Review:**

Title 19 does not have specific parking requirements for “Residential Facilities for Elderly Persons” and refers to 19.09.05.7, included below.

Where no comparative land use standard for parking is found in Section 19.09.10, Required Minimum Parking, the Land Use Authority for the related development shall determine an appropriate requirement using the following criteria:

- a. the intensity of the proposed use;
- b. times of operation and use;
- c. whether the hours or days of operation are staggered thereby reducing the need for the full amount of required parking;
- d. whether there is shared parking agreement in accordance with Section 19.09.05.10 below—if there is a shared parking agreement, a reduction may not be granted;
- e. the number of employees;
- f. the number of customers and patrons;
- g. trip generation; and
- h. peak demands.

Staff review: The applicant has provided the attached parking analysis which includes a comparison of similar facilities.

**H. Recommendation and Alternatives:**

Staff recommends that the City Council conduct a public meeting, take public input at their discretion, discuss the application, provide feedback on the Concept Plan and choose from the following options.

**Option 1 – Approval**

“I move that the City Council **approve** the proposed Development Agreement Amendments for Saratoga Dignity Senior Community, with the Findings and conditions outlined below:”

**Findings**

1. The proposed change is consistent with the General Plan and will not result in a decrease in public health, safety, and welfare as outlined in the findings for approval in Section G of this report, which section is hereby incorporated by reference herein.
2. The proposed change is consistent with the zoning that was approved in 2018, as articulated in the findings for approval in Section G of this report, which section is incorporated by reference herein.

**Conditions:**

1. All of the original conditions of approval shall apply, except that the number of of senior community units shall decrease from 92 to 80 and the number of beds in the proposed care center shall increase from 12 to 90
2. \_\_\_\_\_.

**Option 2 – Denial**

“I move that the City Council **deny** the proposed Development Agreement Amendment, with the Findings and conditions outlined below:”

1. The amendment will result in a decrease in public health, safety, and welfare as articulated by the City Council:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
2. The Amendment is not consistent with Chapter XX.XX of the Code, as articulated by the City Council:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_

**Option 3 – Continuance**

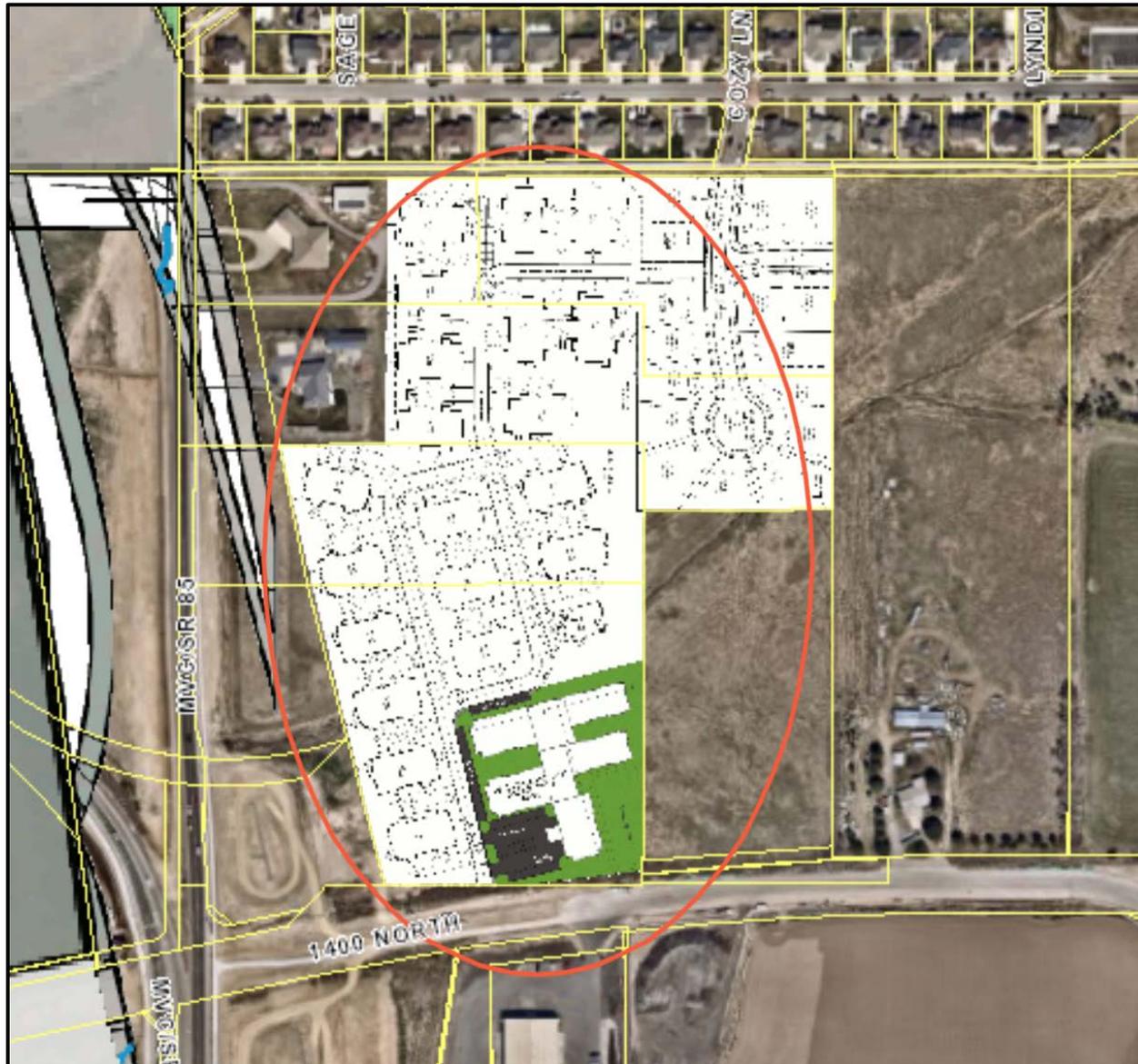
“I move to **continue** the Development Agreement Amendment to another meeting on [DATE], with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

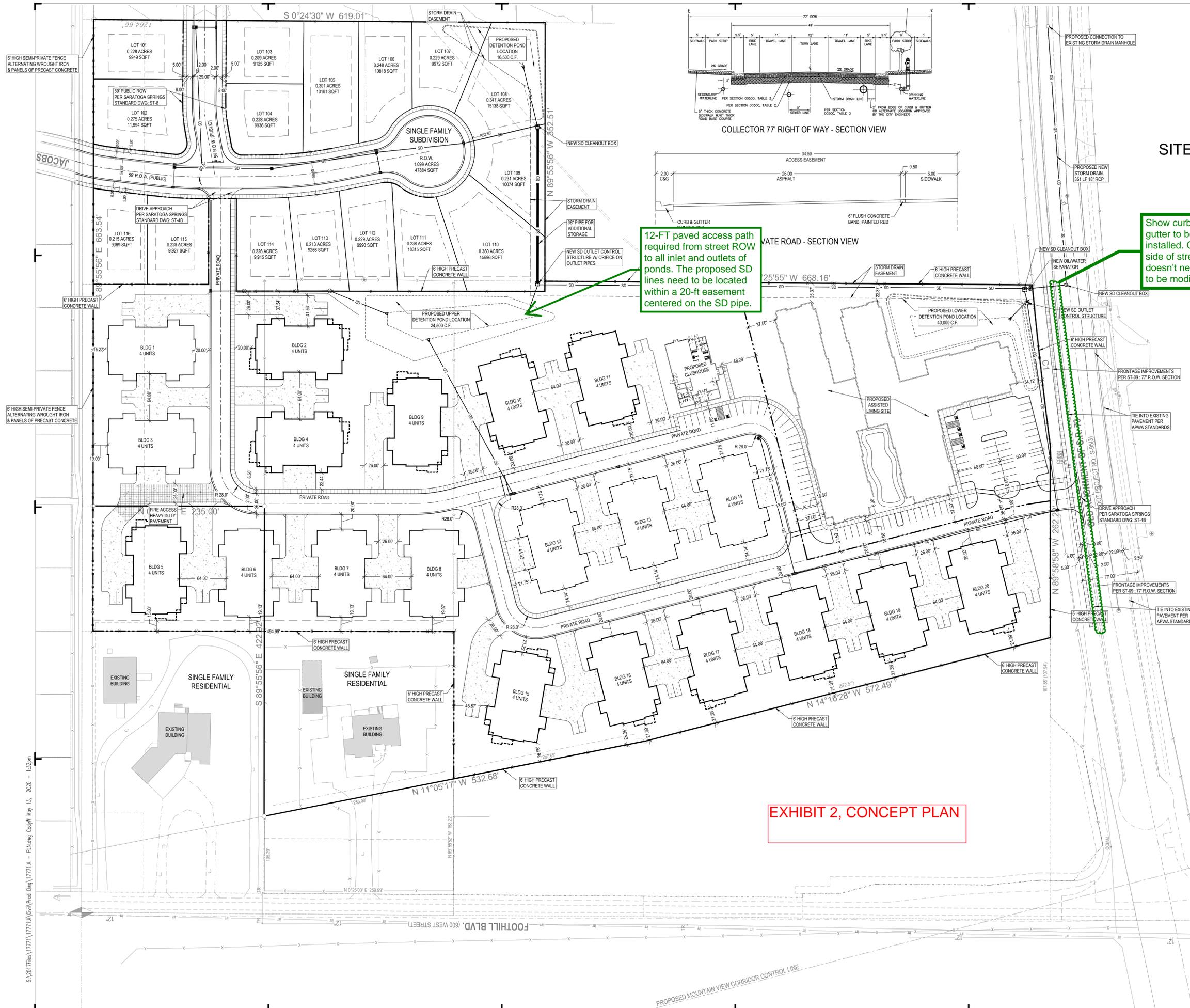
1. \_\_\_\_\_
2. \_\_\_\_\_

**I. Exhibits:**

1. Location Map
2. Proposed Concept Plan
3. Traffic Analysis
4. Amendment to the Development Agreement
5. 2018 Development Agreement
6. 2018 City Council Staff report
7. 2018 City Council Minutes

# Location Map: Saratoga Dignity Senior Community

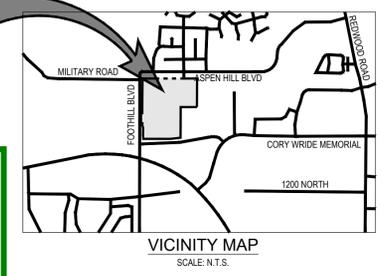
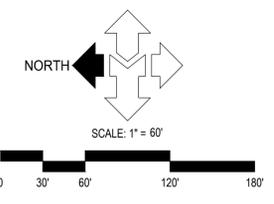




12-FT paved access path required from street ROW to all inlet and outlets of ponds. The proposed SD lines need to be located within a 20-ft easement centered on the SD pipe.

Show curb & gutter to be installed. Other side of street doesn't need to be modified.

EXHIBIT 2, CONCEPT PLAN



DESCRIPTION	AREA (SQ.FT.)	AREA (ACRES)
SINGLE FAMILY SUBDIVISION	222,180 SQFT	5.100 AC
SENIOR & ASSISTED LIVING	709,389 SQFT	16.285 AC
EX. SINGLE FAMILY RESIDENTIAL	64,718 SQFT	1.486 AC
EX. SINGLE FAMILY RESIDENTIAL	58,915 SQFT	1.352 AC
UDOT ROW	280,082 SQFT	5.971 AC
TOTAL	1,315,285 SQFT	30.194 AC

SINGLE FAMILY SUBDIVISION - DATA TABLE:

TOTAL NUMBER OF LOTS: 16 LOTS  
 NET DENSITY: 3.14 LOTS / ACRE  
 PROPOSED ZONE: R 1-9

DIGNITY CARE AND CLUBHOUSE - DATA TABLE:

PROPOSED ZONE: MF-10  
 20 BUILDINGS WITH 4 UNITS EACH  
 TOTAL OF 80 UNITS  
 GARAGE SPACES (2 PER UNIT) - TOTAL 160  
 VISITOR SPACES (1 PER UNIT) - TOTAL 80  
 NET DENSITY: 5.97 UNITS / ACRE  
 DIGNITY CARE CLUBHOUSE 5,208 SF  
 10 PARKING STALLS FOR CLUBHOUSE (INCLUDING 2 ADA STALLS)

ASSISTED LIVING - DATA TABLE:

PROPOSED ZONE: MF-10  
 TOTAL OF 90 BEDS  
 70 PARKING STALLS (INCLUDING 4 ADA STALLS)

DIGNITY CARE AND CLUBHOUSE - AREA TABLE:

DESCRIPTION	AREA	%
HARDSCAPE	176,917 SQFT	30%
LANDSCAPE	234,761 SQFT	40%
BUILDINGS	171,648 SQFT	29%
TOTAL	583,326 SQFT	100%

ASSISTED LIVING - AREA TABLE:

DESCRIPTION	AREA	%
HARDSCAPE	31,766 SQFT	25%
LANDSCAPE	46,247 SQFT	37%
BUILDINGS	48,450 SQFT	38%
TOTAL	126,463 SQFT	100%

AVOID CUTTING UNDERGROUND UTILITIES. IT'S COSTLY.

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 1-800-662-4111

NOTICE!  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

REV	DATE	DESCRIPTION

PROJECT NO: 17771.A  
 DRAWN BY: CCW  
 CHECKED BY: RJP  
 DATE: MAY 11, 2020

CONCEPT SITE PLAN

C1.01



## MEMORANDUM

Date: April 3, 2020  
To: Mark Hampton  
Dignity Care, LLC  
From: Hales Engineering



**Subject: Saratoga Spring – Dignity Care Parking Study**

UT20-1648

This memorandum discusses the parking study completed for the proposed Dignity Care development located in Saratoga Springs, Utah. The study will gather the City of Saratoga Springs parking rates, identify the Institute of Transportation Engineers (ITE) parking rates, and parking demand counts completed by Hales Engineering at other nearby senior care centers.

### Project Description

The proposed Dignity Care project is located on the northeast corner of the 800 West / Pioneer Crossing intersection in Saratoga Springs, Utah. A vicinity map of the project site is shown in Figure 1, and a full site plan is found in Appendix A. The development will have an assisted living facility of approximately 96,000 square feet and containing 90 beds. The proposed site plan shows 71 parking stalls on site.

### City of Saratoga Springs Parking Code

The City of Saratoga Springs code does not give specific parking rates for an assisted living facility, but states that residential facilities for elderly persons should comply with section 19.09.05.07 of their code. Section 19.09.05.07 states that minimum parking should be determined by the intensity of the proposed use, as well as number of employees and patrons. Hales Engineering used rates from the Institute of Transportation Engineers (ITE), Parking Generation, 5<sup>th</sup> Edition, 2019, in accordance with the proposed use and number of employees to satisfy these requirements.



**Figure 1: Site vicinity map of the project in Saratoga Springs, Utah**

### **ITE Parking Demand Rates**

According to the Institute of Transportation Engineers (ITE), *Parking Generation*, 5<sup>th</sup> Edition, 2019, the average parking demand rate for an assisted living facility (ITE land use 254) is 0.39 parking stalls per bed on a weekday, with an 85<sup>th</sup> percentile demand rate of 0.58 stalls per bed and a maximum observed rate of 0.60 parking stalls per bed. The average parking demand rate on a Sunday is 0.34 stalls per bed, with an 85<sup>th</sup> percentile demand rate of 0.29 stalls per bed and a maximum observed rate of 0.34 stalls per bed. This is based on 10 study sites across the United States since the year 2000, with an average of 103 beds for the weekday and 4 study sites for Sundays, with an average of 111 beds. The number of stalls needed based on each of these rates for the proposed project is shown in Table 1.

**Table 1: ITE Parking Generation**

Saratoga Springs Dignity Care PS ITE Parking Generation			
Rate Type		Rate (stalls/bed) <sup>1</sup>	Stalls
Weekday	Average	0.58	53
	85th Percentile	0.39	36
	Maximum	0.60	54
Sunday	Average	0.34	31
	85 Percentile	0.29	27
	Maximum	0.34	31
1 - ITE Parking Generation, 5th Edition, 2019			
Source: Hales Engineering, March 2020			

**Assisted Living Facility Parking Demand Rates**

Hales Engineering performed parking counts at two assisted living facilities in Salt Lake County. The first is called Carrington Court Assisted Living and Memory Care, located at 1928 West 9800 South in South Jordan, Utah. Carrington Court provides 85 beds and typically has 10 - 11 staff members on duty. The parking area for Carrington Court has 55 parking stalls.

The second assisted living facility where Hales Engineering collected parking data was Care Source, located at 1624 East 4500 South near Holladay, Utah. Care Source provides 18 beds and typically has 6 staff members on duty. The Care Source in Holiday also functions as the headquarters for Care Source and has the administrative offices located there. The parking area for Care Source has 48 parking stalls.

Parking data was collected at both facilities on a typical weekday (Wednesday, April 2, 2015) and on a holiday weekend (Sunday, April 5, 2015 – Easter). The weekday parking counts were collected between 11:00 a.m. and 1:00 p.m. According to the ITE *Parking Generation* manual, 11:00 a.m. – 1:00 p.m. is the peak parking period for assisted living centers. This was confirmed by both facilities by phone calls prior to the counts being collected.

The Sunday parking counts were collected between 2:00 p.m. and 4:00 p.m. Again, this was according to the ITE *Parking Generation* manual and was confirmed by phone call to both facilities prior to the counts being collected. As shown in Table 2, both facilities provide more parking than is necessary.

The highest percentage of occupied parking stalls at the Carrington Court was 56%. Almost half of the parking stalls at this facility are typically unused. At the Care Source facility, the highest percentage of occupied stalls was 65%, with an additional 4 vehicles parked on the street.

The Care Source center near Holladay functions as the headquarters so most of the building is used as office space. However, the offices were not being used during the Sunday counts, so parking spaces were only occupied by the assisted living portion of the facility. On Sunday, the highest number of parked vehicles was 11. Assuming 6 parked vehicles for the staff, then there are 5 parked vehicles per 18 beds. This is a ratio of 0.28 stalls per bed + 1 stall per staff member on duty.

The Carrington Court facility has 85 beds, with 11 staff members on duty. The highest number of parked vehicles occurred on Wednesday, with 31 occupied parking stalls. Assuming 11 parked vehicles for the staff, then there are 20 parked vehicles per 85 beds. This is a ratio of 0.24 stalls per bed + 1 stall per staff member on duty.

**Table 2: Assisted Living Parking Data Collection**

Assisted Living Parking Data Collection					
Carrington Court			Care Source		
Total Parking Spaces:	55		48		
Wednesday April 1, 2015	Occupied Parking Stalls	% Occupied	Occupied Parking Stalls	On-Street Parking	% Occupied
11:00 AM	31	56%	31	4	65%
12:00 PM	30	55%	13	3	27%
1:00 PM	30	55%	20	2	42%
Sunday April 5, 2015 (Easter)	Occupied Parking Stalls	% Occupied	Occupied Parking Stalls	On-Street Parking	% Occupied
2:00 PM	24	44%	9	0	19%
3:00 PM	19	35%	11	0	23%
4:00 PM	20	36%	9	0	19%

Both facilities show a demand well below the ITE parking rate of 0.58 stalls per bed.

### Comparison

The discussed parking rates were compared to determine the number of stalls that should be constructed at the proposed Dignity Care Assisted Living in Saratoga Springs. The rates were applied to the proposed 90 bed development to calculate the number of stalls that would be required. The comparison of the rates and number of stalls between various parking rate sources is shown in Table 3.

It is important to note that the ITE and local assisted living rates represent the actual parking demand rate, as opposed to supply. Typically, the parking supply should be at least 10% higher

than the parking demand in order to accommodate customers entering / exiting the lot to find a parking space and to account for possible bumps in demand.

**Table 3: Parking Rate Comparison**

Source	Rate (stalls/bed)	# of Stalls
Proposed Site Plan	0.79	71
Proposed Site Plan (Staff Adjusted)	0.66	71
ITE - 85th Percentile	0.58	52
Local Assisted Living Facilities	0.28	25

The study sites provided more parking on site than is planned for the proposed Dignity Care assisted living facility. The proposed site plan would include 71 stalls, which equates to a rate of 0.79 stalls per bed. The lowest rate at the comparable sites was 0.24 stalls per bed, with a high of 0.28 stalls per bed.

Assuming similar staffing conditions to observed facilities, approximately 12 of the 17 stalls will be used by facility staff. This leaves 59 spaces for the 90 beds, at a rate of 0.66 stalls per bed + 1 stall per employee.

### Conclusions and Recommendations

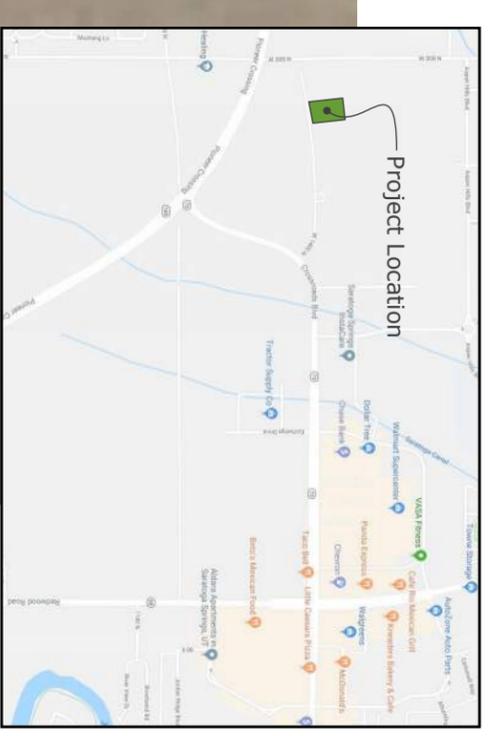
Hales Engineering makes the following conclusions and recommendations for the proposed parking at the proposed Dignity Care Facility in Saratoga Springs, Utah:

- The City of Saratoga Springs has a no required parking rates for assisted living in their city code.
- Based on the current site plan, the proposed Dignity Care Assisted Living facility will provide 71 parking stalls.
  - Hales Engineering recommends that the ITE 85<sup>th</sup> Percentile rate of 0.58 stalls/bed be used to allow for a conservative supply of stalls.
  - It is customary practice to add an additional 10% to the parking demand to provide an adequate supply of stalls in a parking lot. This provides sufficient parking space for vehicles so that drivers don't have to circle around a lot until an open parking stall is found. This reduces the safety risk on-site for pedestrians and vehicles.
    - Based on these conclusions, it is recommended that at least 58 parking stalls be provided on the proposed Dignity Care site in order to adequately service the anticipated parking demand.
      - It is anticipated that the planned 71 parking stalls will be sufficient to Accommodate the demand.

# APPENDIX A

## Site Plan

# SARATOGA DIGNITY CARE



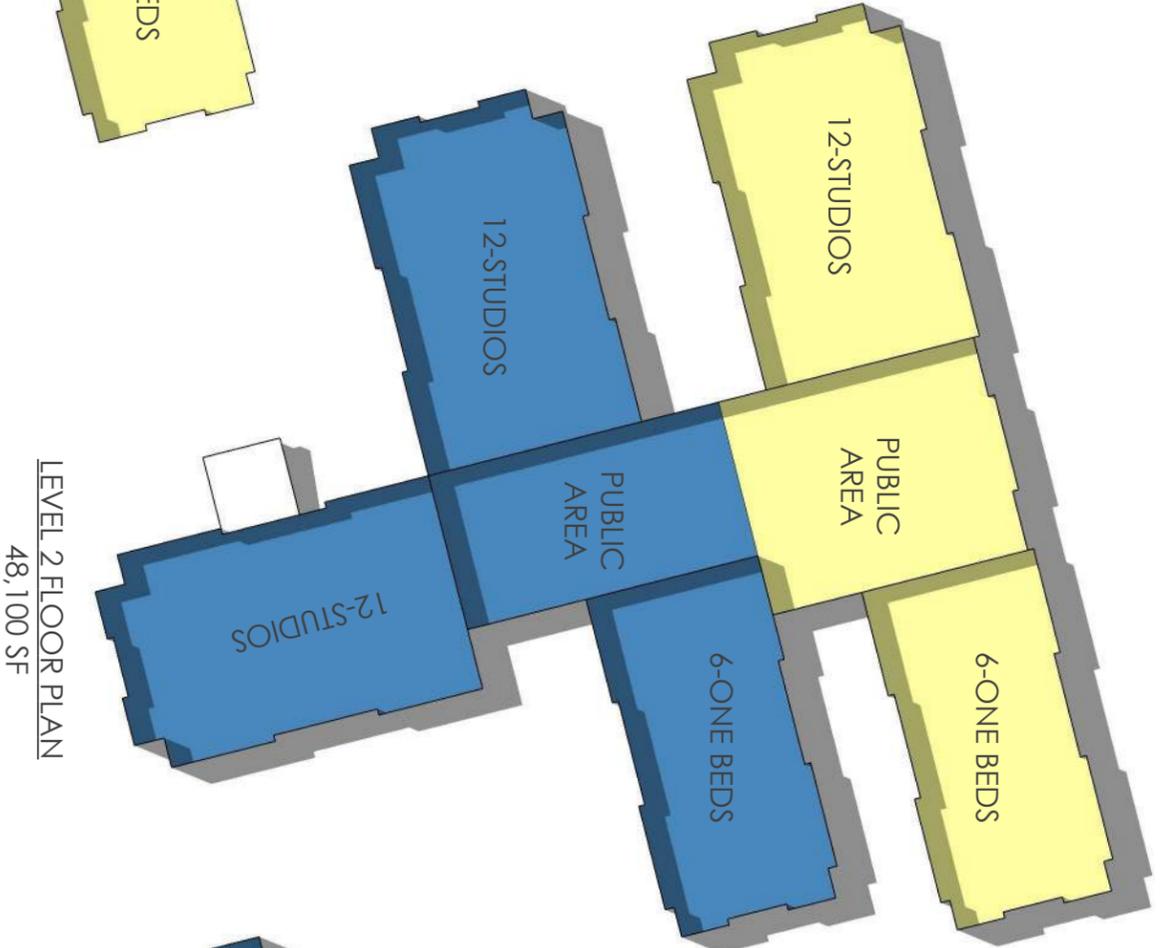
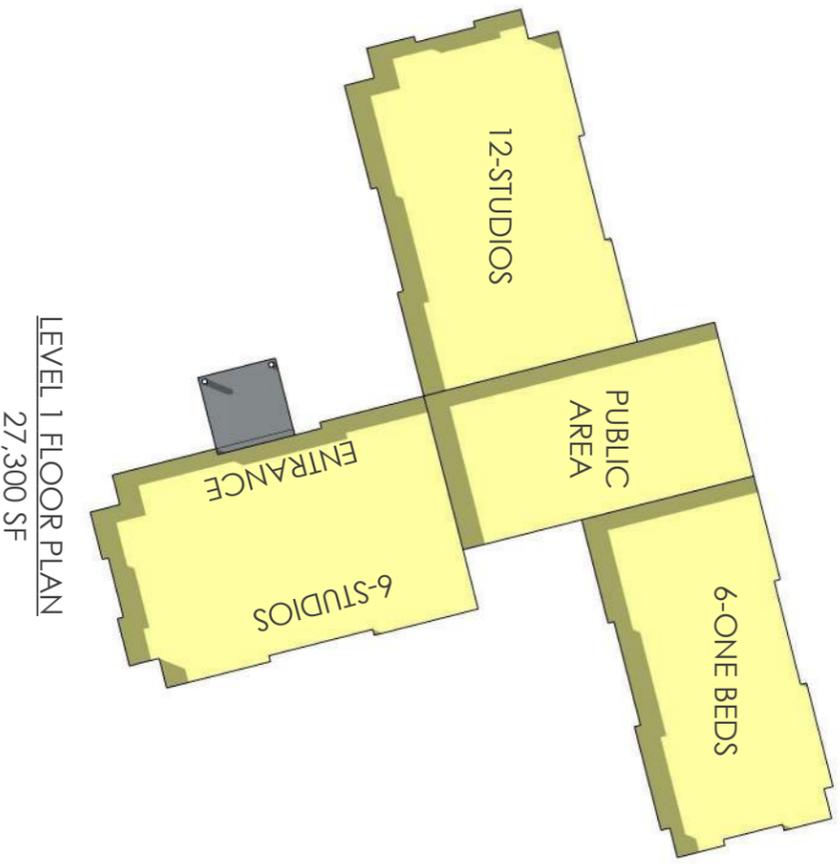
VICINITY MAP



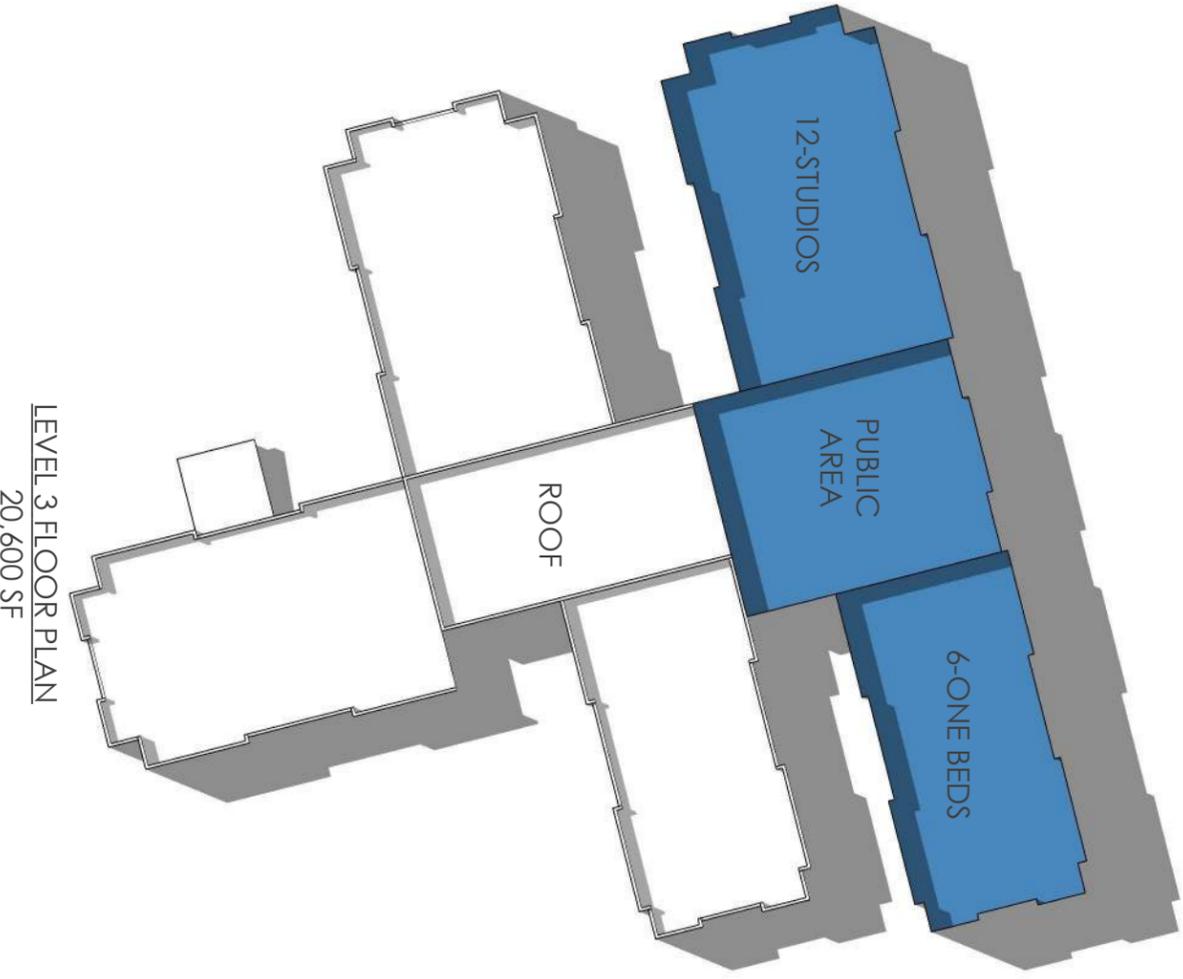
**RILEY JARRETT**  
7671 N Willow Walk Ln  
Eagle Mountain, UT 84005  
801.427.2233  
riley@jarrettarchitecture.com



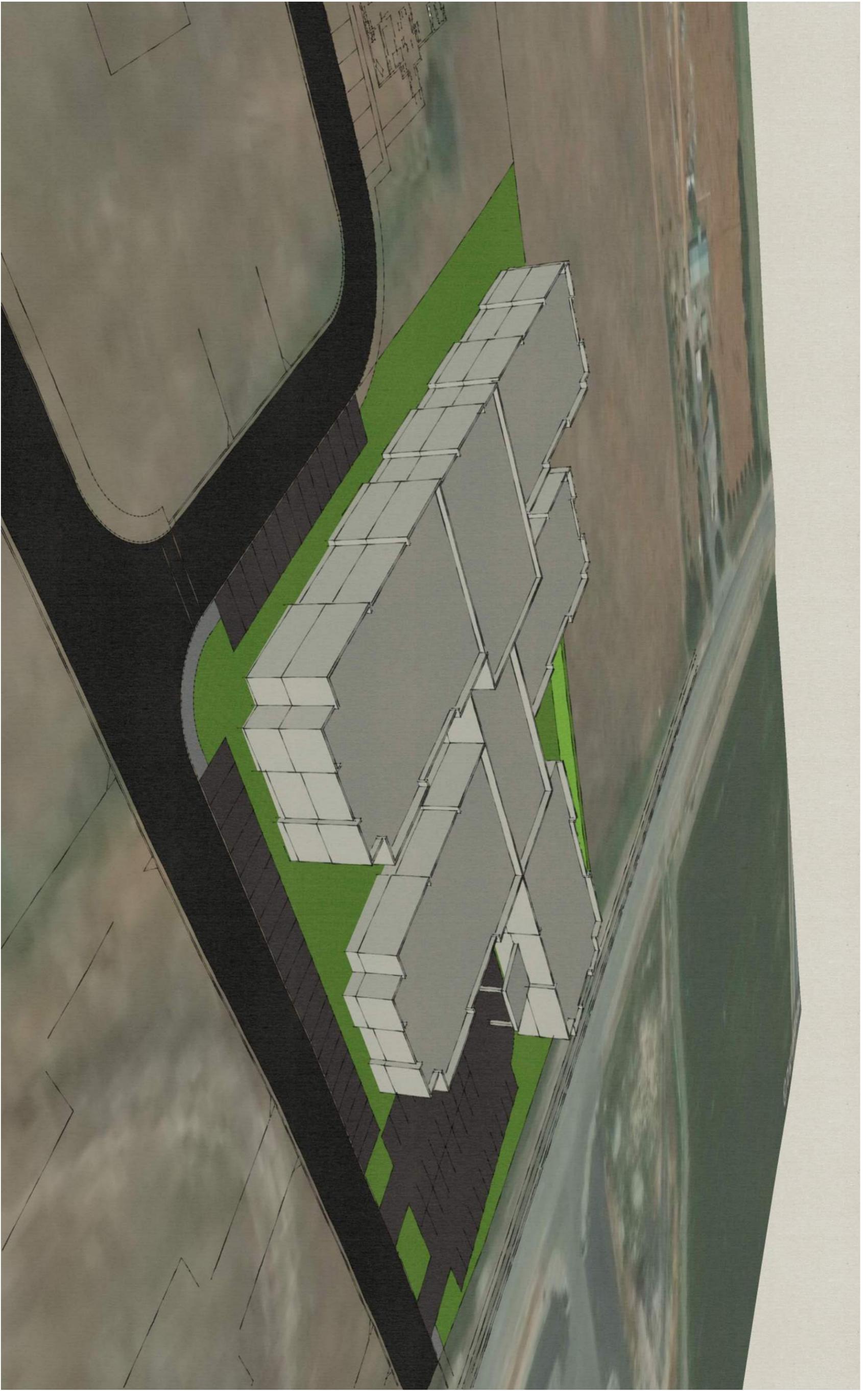
Date: March 6, 2019  
Address: 800 W 1400 N, Saratoga Springs, UT  
Site Plan | **SARATOGA DIGNITY CARE**

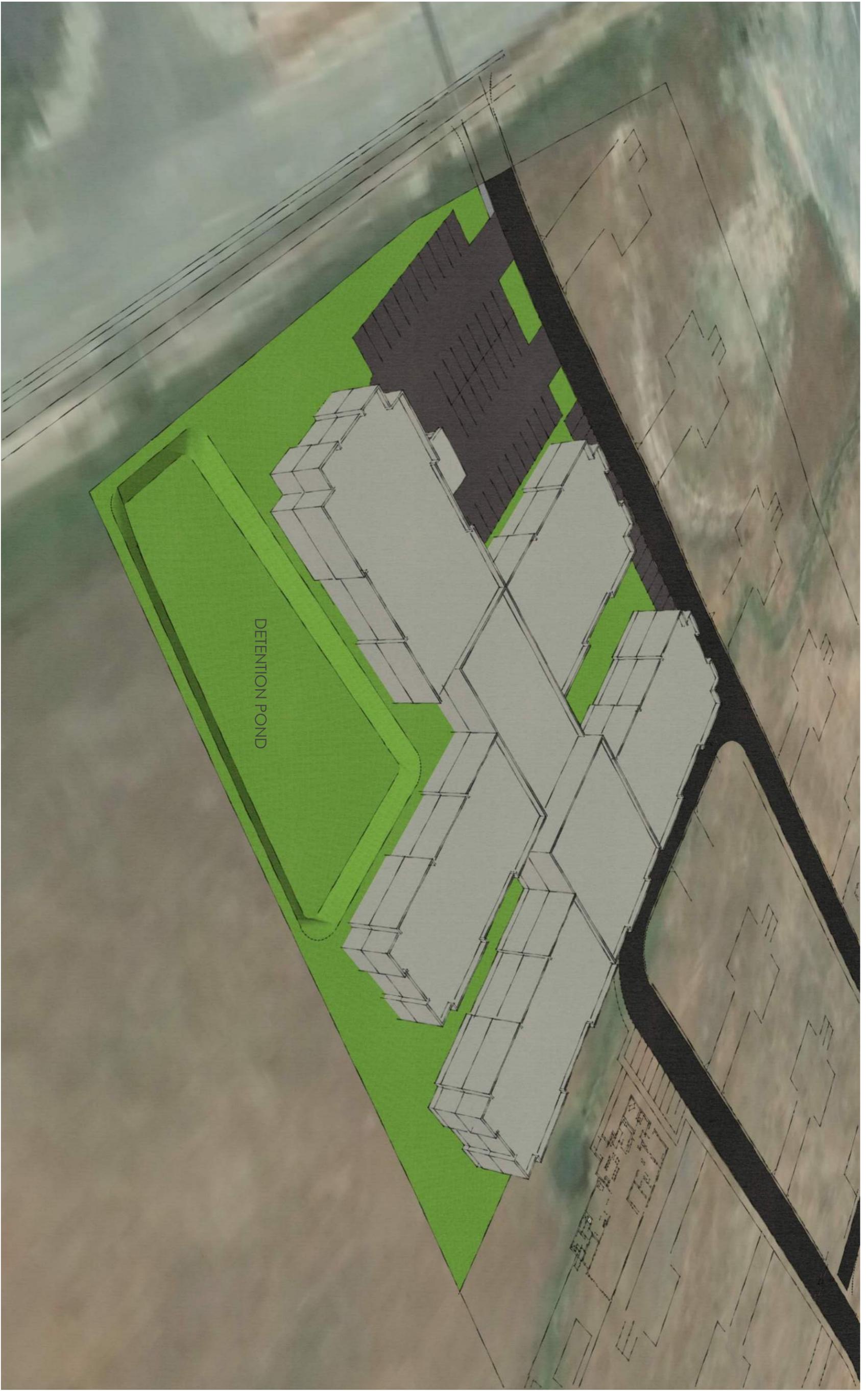


PROJECT DATA	
2-STORY (STEPPED)	
96,000 TOTAL SF	
66 STUDIOS	
24 ONE BEDS	
90 TOTAL UNITS	

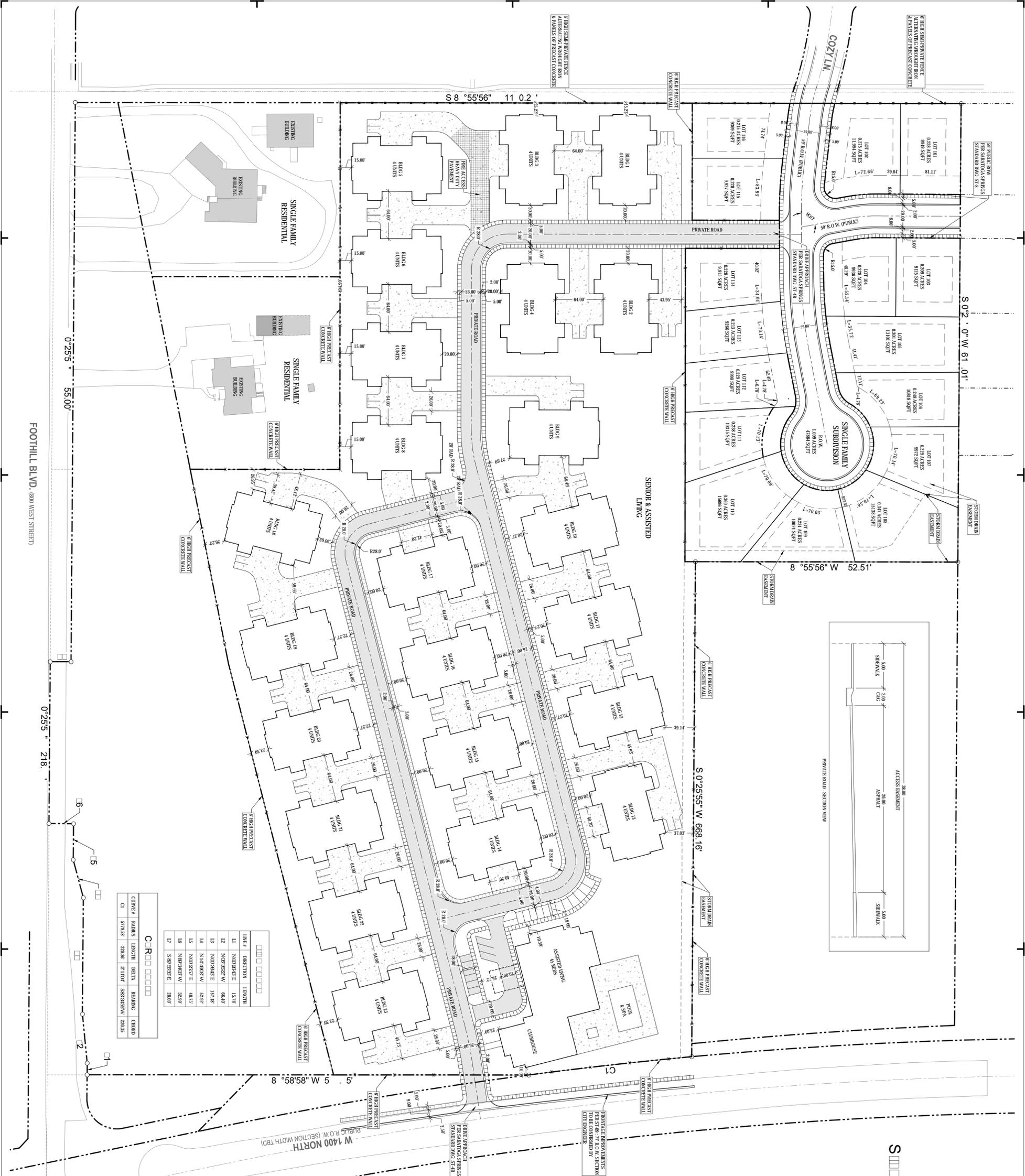




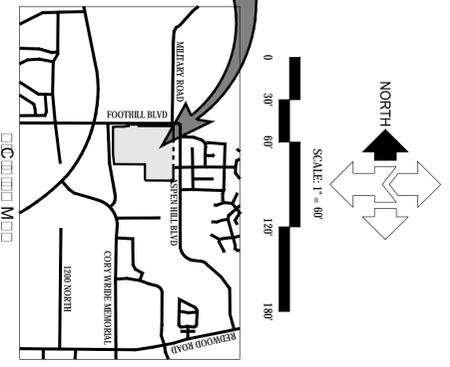
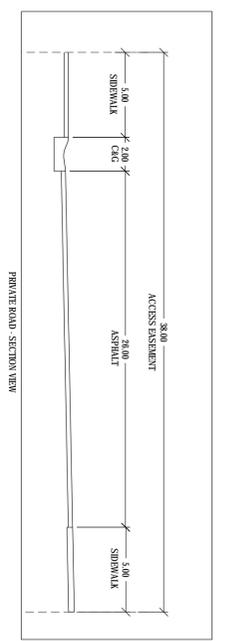




DETENTION POND



LINE #	DIRECTION	LENGTH
L1	N07°25'45"E	15.78
L2	N07°38'22"W	64.40
L3	N07°25'45"E	157.18
L4	N14°40'33"W	52.92
L5	N07°25'45"E	48.75
L6	N49°30'03"W	32.99
L7	S89°35'35"E	28.00



DESCRIPTION	AREA (SQFT)	AREA (ACRES)
SINGLE FAMILY SUBDIVISION	221,160 SQFT	5.100 AC
SENIOR & ASSISTED LIVING	708,380 SQFT	16.285 AC
EX. SINGLE FAMILY RESIDENTIAL	64,216 SQFT	1.488 AC
EX. SINGLE FAMILY RESIDENTIAL	38,915 SQFT	1.352 AC
LOT # ROW	260,088 SQFT	5.971 AC
TOTAL	1,313,659 SQFT	30.194 AC

**SINGLE FAMILY SUBDIVISION - DATA TABLE:**  
 TOTAL NUMBER OF LOTS: 16 LOTS  
 NET DENSITY: 314 LOTS / ACRE  
 PROPOSED ZONE: R 1-9

**SENIOR & ASSISTED LIVING - DATA TABLE:**  
 22 BUILDINGS WITH 4 UNITS EACH  
 TOTAL OF 88 UNITS  
 GARAGE SPACES @ PER UNIT - TOTAL 184  
 VISITOR SPACES @ 1 PER UNIT - TOTAL 82  
 NET DENSITY: 5.65 UNITS / ACRE  
 ASSISTED LIVING BUILDING  
 TOTAL OF 66 BEDS  
 16 PARKING STALLS (INCLUDING ADA STALLS)

DESCRIPTION	AREA	%
LANDSCAPE	223,036 SQFT	32%
LANDSCAPE	367,641 SQFT	38%
BUILDINGS	216,222 SQFT	30%
TOTAL	796,899 SQFT	100%

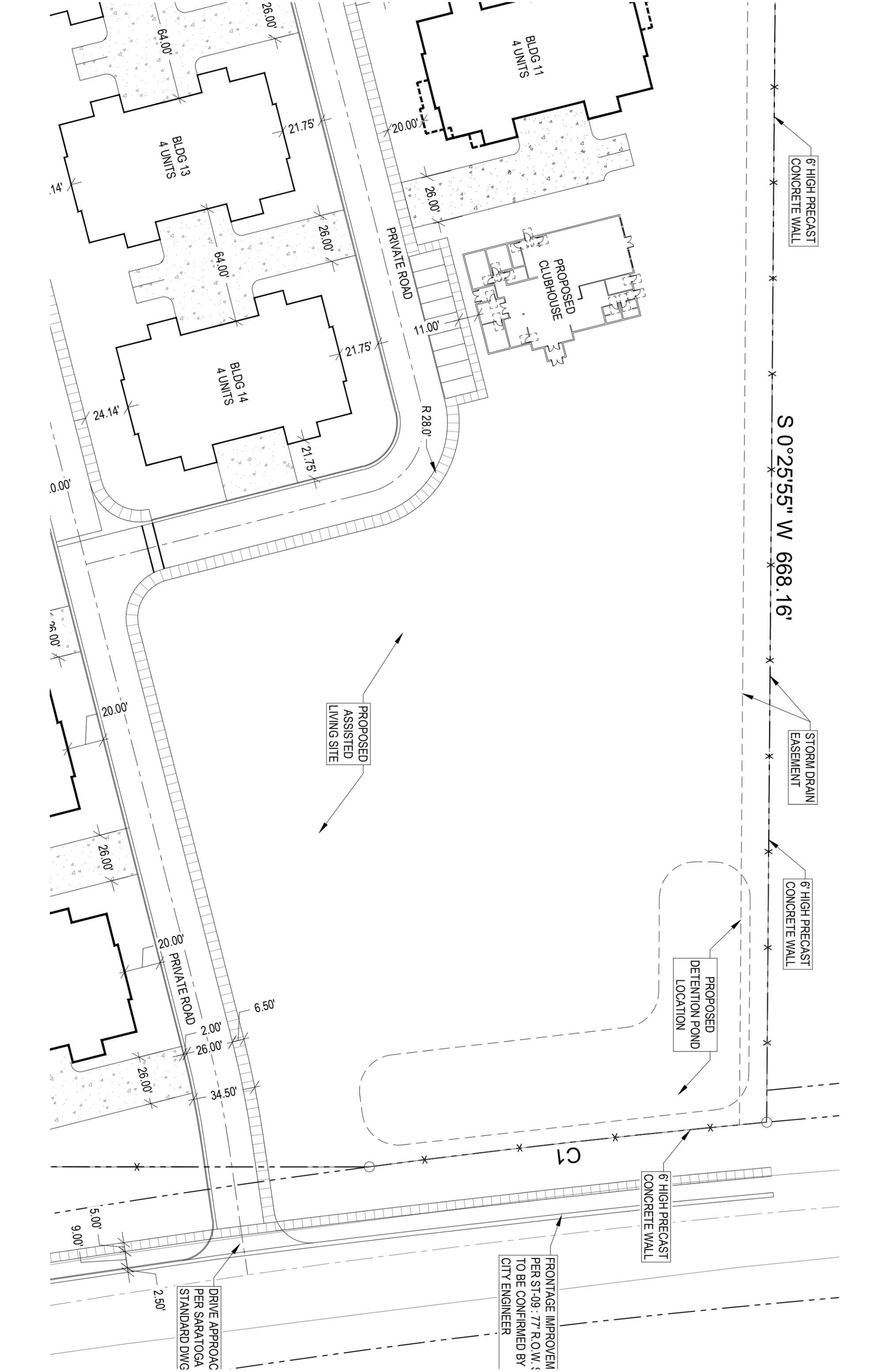
REV	DATE	DESCRIPTION

PROJECT NO: 17771  
 DRAWN BY: ARP  
 CHECKED BY: TJD  
 DATE: 07-03-2018

**DIGNITY CARE - SARATOGA**  
**SARATOGA SPRINGS, UTAH**

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 Structural Engineering • Land Surveying & HDS

CONCEPT DRAWINGS - NOT FOR CONSTRUCTION  
**EX-A**



6' HIGH PRECAST CONCRETE WALL

S 0°25'55" W 668.16'

STORM DRAIN EASEMENT

6' HIGH PRECAST CONCRETE WALL

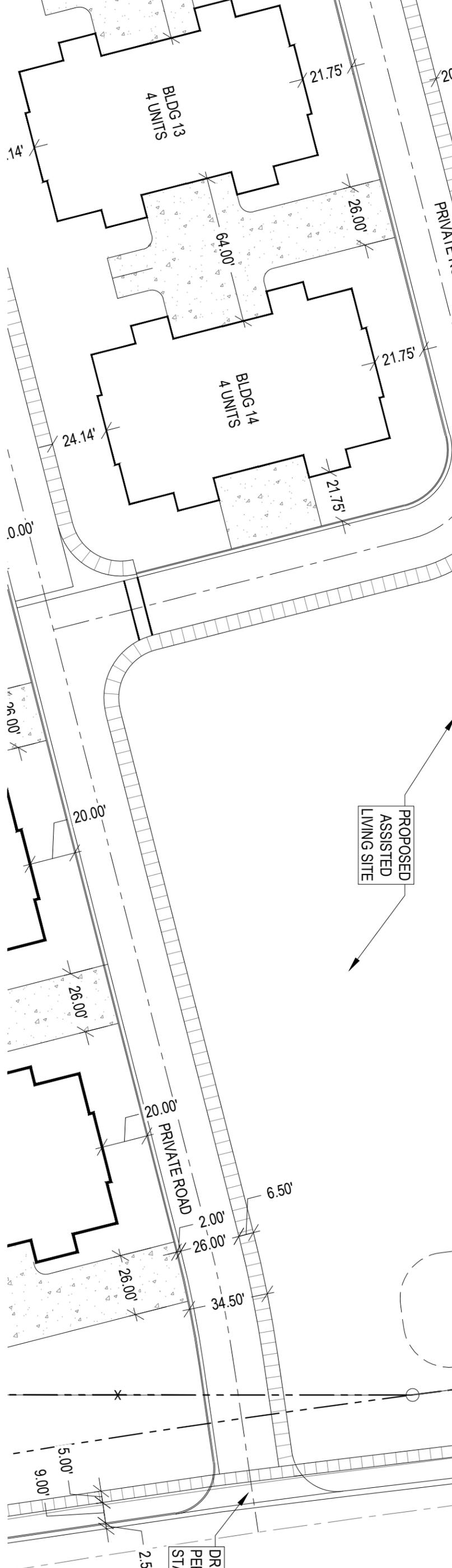
PROPOSED DETENTION POND LOCATION

6' HIGH PRECAST CONCRETE WALL

FRONTAGE IMPROVEM PER ST-09 : 77' R.O.W. : TO BE CONFIRMED BY CITY ENGINEER

PROPOSED ASSISTED LIVING SITE

DRIVE APPROAC PER SARATOGA STANDARD DWG



**FIRST AMENDMENT TO DIGNITY CARE  
DEVELOPMENT AGREEMENT**

This First Amendment to the Dignity Care Development Agreement (“Amendment”) is entered into this 8 day of June, 2020, by and between Dignity Care, LLC, a Utah corporation/limited liability company (“Developer”) and the City of Saratoga Springs, a Utah municipal corporation (“City”).

**RECITALS**

- A. Whereas, Developer and the City are parties to that certain Development Agreement, dated December 18, 2018, and recorded on January 14, 2019 as entry number 3490:2019 in the offices of the Utah County Recorder (“Agreement”).
- B. Whereas, Developer is the owner of or has the right to purchase approximately 24.22 acres of property in Saratoga Springs, Utah, which property is more fully described in the Agreement (“Property”).
- C. Whereas, Developer and City desire to amend the Agreement, pursuant to Section 9. of the Agreement, as set for below.

**AGREEMENT**

Therefore, for valuable consideration received, the receipt and sufficiency of which is hereby acknowledged by all parties, Developer and the City do hereby covenant and agree as follows:

- 1. The number of senior community units shall be decreased from 92 units to 80 units, and the number of assist living facility beds shall be increased from 12 beds to 90 beds. A modified Concept Plan reflecting these changes is attached hereto and incorporated herein as Exhibit A to replace the original Concept Plan attached to the Agreement as Exhibit D.
- 2. Both parties acknowledge that such changes are feasible pursuant to an April 3, 2020 parking study, attached hereto and incorporated herein as Exhibit B.
- 3. Terms and Conditions. The above mentioned are the only changes to the Agreement, and all other terms and conditions of the Agreement shall remain the same.
- 4. Incorporation by Reference. The terms of the Agreement (as amended hereby) are incorporated herein by reference.
- 5. Counterparts. This Amendment may be executed and delivered (electronic or otherwise) in two counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- 6. Ratification. Except as set forth herein, all of the terms and conditions of the Agreement are hereby ratified and confirmed.



**EXHIBIT 5, 2018 DEVELOPMENT AGREEMENT**



ENT 3490:2019 PG 1 of 21  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2019 Jan 14 2:54 pm FEE 43.00 BY SM  
RECORDED FOR SARATOGA SPRINGS CITY

**DEVELOPMENT AGREEMENT**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into on Dec 18, 2018, by and between the City of Saratoga Springs, Utah, a Utah municipal corporation, hereinafter referred to as "City," and Dignity Care, LLC, a Utah corporation/limited liability company; hereinafter referred to as "Developer."

**RECITALS:**

**WHEREAS**, Developer owns or has the right to purchase +/- 24.22 acres of property located in the City of Saratoga Springs, Utah, which is more fully described in the property ownership map, vicinity map, and legal descriptions attached as Exhibit A ("Property"); and

**WHEREAS**, the Property is currently zoned A, RR, RC with a general plan designation of Rural Residential and Low Density Residential. Developer wishes to develop the project known as Saratoga Dignity Senior Community, which will consist of two lots for existing homes that are 1+ acres in size, 16 single family residential lots that are 9,000 square feet minimum, and a senior community with 92 units and an assisted living facility with 12 beds ("Project"). Currently, the proposed Project does not entirely meet the A, RR, and RC zone requirements or the Rural Residential and Low Density Residential designations in the General Plan and therefore would not entirely be allowed in these zones or General Plan land use designations. Therefore, in order to develop the Project, Developer wishes to place the Property in the RR, R1-9 and MF-10 zones, as provided in Title 19 of the City Code, as amended, and to designate a portion of the Property as High Density Residential and Low Density Residential in the General Plan (collectively the "Zoning Request"), and wishes to be voluntarily bound by this Agreement in order to be able to develop the Project as proposed; and

**WHEREAS**, the City is willing to grant the consideration of the Zoning Request in return for consideration voluntarily given by Developer as specified in this Agreement. Developer is willing to grant the consideration as specified in this Agreement and would not be willing to do so unless the City granted the Zoning Request. Therefore, both parties voluntarily enter into this Agreement; and

**WHEREAS**, the City desires to enter into this Agreement to promote the health, welfare, safety, convenience, and economic prosperity of the inhabitants of the City through the establishment and administration of conditions and regulations concerning the use and development of the Property;

**WHEREAS**, on July 12, 2018, after a duly noticed public hearing, City's Planning Commission recommended approval of Developer's Zoning Request, and reviewed the conceptual project plans attached hereto as Exhibit D ("Concept Plan"), and forwarded the application to the City Council for its consideration, subject to the findings and conditions contained in the Staff Report, and written minutes attached hereto as Exhibit B; and

**WHEREAS**, on August 7, 2018, the Saratoga Springs City Council ("City Council"), after holding a duly noticed public meeting and consideration of all comments from the public, neighborhood representatives, Developer, and City officials, approved Developer's Zoning Request, this Agreement, and reviewed the conceptual project plans, attached hereto as Exhibit D, subject to the findings and conditions contained in the Staff Report, and written minutes attached hereto as Exhibit C; and

**WHEREAS**, the Concept Plan, attached as Exhibit D, among other things, identifies land uses, and required road, landscaping, trail, storm drain, sewer, and water improvements; and

**WHEREAS**, to allow development of the Property for the benefit of Developer, to ensure City that the development of the Property will conform to applicable policies set forth in the General Plan, and to address concerns of property owners in proximity to the Property, Developer and City are each willing to abide by the terms and conditions set forth herein; and

**WHEREAS**, pursuant to its legislative authority under Utah Code Annotated § 10-9a-101, et seq., and after all required public notice and hearings and execution of this Agreement by Developer, the City Council, in exercising its legislative discretion, has determined that entering into this Agreement furthers the purposes of the Utah Municipal Land Use, Development, and Management Act, the City's General Plan, and Title 19 of the City code (collectively, the "Public Purposes"). As a result of such determination, City has elected to process the Rezoning Request and authorize the subsequent development thereunder in accordance with the provisions of this Agreement, and the City has concluded that the terms and conditions set forth in this Agreement accomplish the Public Purposes referenced above and promote the health, safety, prosperity, security, and general welfare of the residents and taxpayers of the City.

#### **AGREEMENT:**

Now, therefore, in consideration of the recitals above and the terms and conditions set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer hereby agree as follows:

1. Effective Date. This Agreement shall become effective on the date it is executed by Developer and the City (the "Effective Date"). The Effective Date shall be inserted in the introductory paragraph preceding the Recitals.

2. Affected Property. The property ownership map, vicinity map, and legal descriptions for the property are attached as Exhibit A. In the event of a conflict between the legal description and the property ownership map, the legal description shall take precedence. No other property may be added to or removed from this Agreement except by written amendment to this Agreement executed and approved by Developer and City.
3. Zone and General Plan Changes and Permitted Uses. Subject to the terms of this Agreement, the future development of the Property shall be subject to the provisions of the RR, R1-9, and MF-10 zones existing on the effective date of this Agreement with respect to the permitted and conditional uses and the Rural Residential, Low Density Residential, and High Density Residential designations in the General Plan. However, all other requirements, including but not limited to setbacks, frontage, height, access, required improvements, landscaping, and architectural and design requirements on the Property shall be governed by City ordinances, regulations, specifications, and standards in effect at the time of a preliminary plat or site plan application, except as otherwise provided by this Agreement. The MF-10 zone will only be allowed up to 96 single story (with an optional attic-style bonus room) four-plex units for the purpose of a 55+ age community and a 12 bed assisted living facility (the "Senior Community"). The MF-10 zoning shall not be recorded on the property until the preliminary plat has received approval from the legislative body.
4. Reserved Legislative Powers. Nothing in this Agreement shall limit the future exercise of the police powers of City in enacting zoning, subdivision, development, growth management, platting, environmental, open space, transportation, and other land use plans, policies, ordinances, and regulations after the date of this Agreement. Notwithstanding the retained power of City to enact such legislation under its police power, such legislation shall not modify Developer's rights as set forth herein unless facts and circumstances are present that meet the compelling, countervailing public interest exception to the vested rights doctrine as set forth in *Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388 (Utah 1988), or successor case law or statute. Any such proposed change affecting Developer's rights shall be of general applicability to all development activity in City. Unless City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Project.
5. Required Improvements. This Agreement does not in any way convey to Developer any capacity in any City system or infrastructure or the ability to develop the Property without the need for Developer to install and dedicate to City all required improvements necessary to service the Property, including without limitation the dedication of water rights and sources. Developer shall be responsible for paying all property taxes including rollback taxes prior to dedication or conveyance and prior to acceptance by City. Future development of the Property shall comply in all respects to all City ordinances, regulations, and standards with respect to the require infrastructure to service the

Property, including without limitation installing the City's minimum-sized infrastructure, whether or not the minimum size may have additional capacity. In addition, in consideration of granting the Zoning Request, Developer may be required to upsize certain infrastructure, as specified below. Not by way limitation, the Developer shall be required to install and dedicate the following:

- a. **Water Rights and Sources.** Developer shall convey to the City water rights and sources sufficient for the development of the Property according to City regulations in effect at the time of plat recordation of each phase. The City may, but is not required to, sell to Developer water rights if the City has sufficient water rights and sources.
- b. **Water Facilities for Development.** Developer shall be responsible for the installation and dedication to City of all onsite and offsite culinary and secondary water improvements, including but not limited to storage, distribution, treatment, and fire flow facilities sufficient for the development of the Property in accordance with the City regulations in effect at the time of plat and site plan submittal. The required improvements for each plat shall be determined by the City Engineer at the time of plat or site plan submittal and may be adjusted in accordance with the then-current City regulations and any applicable law.
- c. **Sewer, Storm Drainage, and Roads.** At the time of plat recordation, Developer shall be responsible for the installation and dedication to City of all onsite and offsite sewer, storm drainage, and road improvements sufficient for the development of Developer's Property in accordance with the then-current City regulations. The required improvements for each plat or site plan shall be determined by the City Engineer at the time of plat or site plan submittal and may be adjusted in accordance with the then-current City regulations and any applicable law.
- d. **Road Cross Section.** To advance the general welfare by providing safe housing options for senior citizens in the City of Saratoga Springs, Developer shall be entitled to develop the Project with the road cross section attached as Exhibit E. Such road cross section shall only be allowed for the property that falls within the MF-10 zone and not the RR or R1-9 portions. The curbs shall be painted red to indicate no parking.
- e. **Power Lines.** As an express condition of this Agreement and the Zoning Request, Developer shall be required to bury all power lines at Developer's own expense that are located on the Property, on the immediately-adjacent parcel, and/or along 1400 North. This shall be in addition and not in lieu of all required roadway, landscaping, and trail improvements in accordance with City regulations in effect at the time of a preliminary plat or site plan application. Furthermore, as an

express condition of this Agreement and the Zoning Request, Developer shall be required to apply for and receive a permit from Rocky Mountain Power and comply with all necessary requirements at Developer's sole cost. Developer shall also be required to apply with and obtain approval from any government entity for encroachment onto any public right-of-way at Developer's sole cost.

- f. Any and all improvements required by the City Council as contained in the Planning Staff Report and City Council minutes attached as Exhibit C and incorporated herein by this reference.
6. Final Project/Plat or Development Plan Approval. In the event the City Council approves the Rezoning Request, Developer shall cause final plat and final project plans and specifications (including site and building design plans) (the "Plans") to be prepared for the Project meeting City regulations, this Agreement including all exhibits, and any conditions of approval as specified in Exhibits B and C. In determining whether the Plans meet all requirements herein, Developer shall provide all information required by City regulations as well as any information which City staff reasonably requests.
  7. Standards for Approval. City Council shall approve the Plans if such Plans meet the standards and requirements enumerated herein and if, as determined by City, the Plans are consistent with commitments made to City that the Project will be a high quality development that will be designed in a manner to minimize adverse impacts to the neighborhood. Developer shall be required to proceed through the Preliminary Plat, Final Plat, and Site Plan approval process as specified in Title 19 of the City Code, and Developer shall be required to record a Final Plat with the Utah County Recorder and pay all recording fees.
  8. Commencement of Site Preparation. Developer shall not commence site preparation or construction of any Project improvement on the Property until such time as the Plans have been approved by City in accordance with the terms and conditions of this Agreement. Upon approval of the Plans, subject to the provisions of this Agreement and conditions of approval, Developer may proceed by constructing the Project all at one time or in phases as specified in City regulations.
  9. Changes to Project. No material modifications to the Plans shall be made after approval by City without City's written approval of such modification. Developer may request approval of material modifications to the Plans from time to time as Developer may determine necessary or appropriate. For purposes of this Agreement, a material modification shall mean any modification which: (i) increases the total perimeter size (footprint) of building area to be constructed on the Property by more than ten (10) percent; (ii) substantially changes the exterior appearance of the Project; (iii) reduces the total percentage of open space areas and public improvements; or (iv) changes the functional design of the Project in such a way that materially affects traffic, drainage, or

other design characteristics. Modifications to the Plans which do not constitute material modifications may be made without the consent of City. In the event of a dispute between Developer and City as to the meaning of “material modification,” no modification shall be made without express City approval. Modifications shall be approved by City if such proposed modifications are consistent with City’s then applicable rules and regulations for projects in the zone where the Property is located and are otherwise consistent with the standard for approval set forth herein.

10. Time of Approval. Any approval required by this Agreement shall not be unreasonably withheld or delayed and shall be made in accordance with procedures applicable to the RR, R1-9 and MF-10 zones.
11. Term. The term of this Agreement shall commence on, and the effective date of this Agreement shall be, the effective date of the ordinance approving the Rezoning Request and shall continue for a period of eight years. However, this Agreement may terminate earlier: (i) when certificates of occupancy have been issued for all buildings and/or dwelling units in the Project; provided, however, that any covenant included in this Agreement which is intended to run with the land, as set forth in any Special Condition, shall survive this Agreement as provided by such Special Condition; or (ii) if Developer fails to proceed with the Project within a period of two years. If this Agreement is terminated due to Developer’s failure to proceed with the Project, then this Agreement and the zoning on the Property shall revert to RR and R1-10 Zones in accordance with the General Plan land use designations as of the date this Agreement is executed. Unless otherwise agreed to by the City and Developer, Developer’s vested interests and rights contained in this Agreement expire at the end of the Term, or upon termination of this Agreement approved by City and Developer in writing. However, this Agreement shall continue for perpetuity for any portions of the property contained in a final plat approved by the City Council and recorded on the property in the county recorder’s office by Developer, unless City and Developer mutually agree otherwise in writing.
12. Successors and Assigns.
  - a. Change in Developer. This Agreement shall be binding on the successors and assigns of Developer. If the Property is transferred (“Transfer”) to a third party (“Transferee”), Developer and the Transferee shall be jointly and severally liable for the performance of each of the obligations contained in this Agreement unless prior to such Transfer Developer provides to City a letter from Transferee acknowledging the existence of this Agreement and agreeing to be bound thereby. Said letter shall be signed by the Transferee, notarized, and delivered to City prior to the Transfer. Upon execution of the letter described above, the Transferee shall be substituted as Developer under this Agreement and the persons and/or entities executing this Agreement as Developer shall be released from any further obligations under this Agreement as to the transferred Property.

- b. Individual Lot or Unit Sales. Notwithstanding the provisions of Subparagraph 12.a., a transfer by Developer of a lot or unit located on the Property within a City approved and recorded plat shall not be deemed a Transfer as set forth above so long as Developer's obligations with respect to such lot or dwelling unit have been completed. In such event, Developer shall be released from any further obligations under this Agreement pertaining to such lot or dwelling unit.
13. Default.
- a. Events of Default. Upon the happening of one or more of the following events or conditions Developer or City, as applicable, shall be in default ("Default") under this Agreement:
- i. a warranty, representation, or statement made or furnished by Developer under this Agreement is intentionally false or misleading in any material respect when it was made;
  - ii. a determination by City made upon the basis of substantial evidence that Developer has not complied in good faith with one or more of the material terms or conditions of this Agreement;
  - iii. any other event, condition, act, or omission, either by City or Developer that violates the terms of, or materially interferes with the intent and objectives of this Agreement.
- b. Procedure Upon Default.
- i. Upon the occurrence of Default, the non-defaulting party shall give the other party thirty days written notice specifying the nature of the alleged Default and, when appropriate, the manner in which said Default must be satisfactorily cured. In the event the Default cannot reasonably be cured within thirty days after receipt of said notice, the defaulting party shall have such additional time as may be necessary to cure such Default so long as the defaulting party takes significant action to begin curing such Default with such thirty day period and thereafter proceeds diligently to cure the Default. After proper notice and expiration of said thirty day or other appropriate cure period without cure, the non-defaulting party may declare the other party to be in breach of this Agreement and may take the action specified in Paragraph 13.c. herein. Failure or delay in giving notice of Default shall not constitute a waiver of any Default.
  - ii. Any Default or inability to cure a Default caused by strikes, lockouts, labor disputes, acts of God, inability to obtain labor or materials or reasonable substitutes, governmental restrictions, governmental regulations, governmental controls, enemy or hostile governmental action,

civil commotion, fire or other casualty, and other similar causes beyond the reasonable control of the party obligated to perform, shall excuse the performance by such party for a period equal to the period during which any such event prevented, delayed, or stopped any required performance or effort to cure a Default.

- c. Breach of Agreement. Upon Default as set forth in Subparagraphs 13.a. and 13.b. above, City may declare Developer to be in breach of this Agreement and City: (i) may withhold approval of any or all building permits or certificates of occupancy applied for in the Project, but not yet issued; and (ii) shall be under no obligation to approve or to issue any additional building permits or certificates of occupancy for any building within the Project until the breach has been corrected by Developer. In addition to such remedies, City or Developer may pursue whatever additional remedies it may have at law or in equity, including injunctive and other equitable relief.
14. Entire Agreement. This Agreement shall supersede all prior agreements with respect to the subject matter hereof, not incorporated herein, and all prior agreements and understandings are merged, integrated, and superseded by this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:
- Exhibit A:** Property Description.
- Exhibit B:** Staff Report with Adopted Planning Commission Findings and Conditions of Approval, Report of Action (if applicable) and Planning Commission Written Minutes.
- Exhibit C:** Staff Report with Adopted City Council Findings and Conditions of Approval, Report of Action (if applicable), and City Council Written Minutes.
- Exhibit D:** Concept Plan
- Exhibit E:** Approved Road Cross Section for Senior Community
15. General Terms and Conditions.
- a. Incorporation of Recitals. The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.
- b. Recording of Agreement. This Agreement shall be recorded at Developer's expense to put prospective purchasers or other interested parties on notice as to

the terms and provisions hereof.

- c. Severability. Each and every provision of this Agreement shall be separate, several, and distinct from each other provision hereof, and the invalidity, unenforceability, or illegality of any such provision shall not affect the enforceability of any other provision hereof.
- d. Time of Performance. Time shall be of the essence with respect to the duties imposed on the parties under this Agreement. Unless a time limit is specified for the performance of such duties, each party shall commence and perform its duties in a diligent manner in order to complete the same as soon as reasonably practicable.
- e. Construction of Agreement. This Agreement shall be construed so as to effectuate its public purpose of ensuring the Property is developed as set forth herein to protect health, safety, and welfare of the citizens of City.
- f. State and Federal Law; Invalidity. The parties agree, intend, and understand that the obligations imposed by this Agreement are only such as are consistent with state and federal law. The parties further agree that if any provision of this Agreement becomes, in its performance, inconsistent with state or federal law or is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with state or federal law, as the case may be, and the balance of the Agreement shall remain in full force and effect. If City's approval of the Project is held invalid by a court of competent jurisdiction this Agreement shall be null and void.
- g. Enforcement. The parties to this Agreement recognize that City has the right to enforce its rules, policies, regulations, ordinances, and the terms of this Agreement by seeking an injunction to compel compliance. In the event Developer violates the rules, policies, regulations, or ordinances of City or violates the terms of this Agreement, City may, without declaring a Default hereunder or electing to seek an injunction, and after thirty days written notice to correct the violation (or such longer period as may be established in the discretion of City or a court of competent jurisdiction if Developer has used its reasonable best efforts to cure such violation within such thirty days and is continuing to use its reasonable best efforts to cure such violation), take such actions as shall be deemed appropriate under law until such conditions have been rectified by Developer. City shall be free from any liability arising out of the proper exercise of its rights under this paragraph.
- h. No Waiver. Failure of a party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to

exercise at some future time said right or any other right it may have hereunder. Unless this Agreement is amended by vote of the City Council taken with the same formality as the vote approving this Agreement, no officer, official, or agent of City has the power to amend, modify, or alter this Agreement or waive any of its conditions as to bind City by making any promise or representation not contained herein.

- i. Amendment of Agreement. This Agreement shall not be modified or amended except in written form mutually agreed to and signed by each of the parties. No change shall be made to any provision of this Agreement unless this Agreement is amended pursuant to a vote of the City Council taken with the same formality as the vote approving this Agreement.
- j. Attorney Fees. Should any party hereto employ an attorney for the purpose of enforcing this Agreement or any judgment based on this Agreement, for any reason or in any legal proceeding whatsoever, including insolvency, bankruptcy, arbitration, declaratory relief or other litigation, including appeals or rehearings, and whether or not an action has actually commenced, the prevailing party shall be entitled to receive from the other party thereto reimbursement for all attorneys' fees and all costs and expenses. Should any judgment or final order be issued in any proceeding, said reimbursement shall be specified therein.
- k. Notices. Any notices required or permitted to be given pursuant to this Agreement shall be deemed to have been sufficiently given or served for all purposes when presented personally, or four days after being sent by registered or certified mail, properly addressed to the parties as follows (or to such other address as the receiving party shall have notified the sending party in accordance with the provisions hereof):

To the Developer:                      Dignity Care, LLC  
 Attn: Mark Hampton  
 11716 South 700 East  
 Draper, UT 84020

To the City:                                City Manager  
 City of Saratoga Springs  
 1307 N. Commerce Drive, Suite 200  
 Saratoga Springs, UT 84045

- l. Applicable Law. This Agreement and the construction thereof, and the rights, remedies, duties, and obligations of the parties which arise hereunder are to be construed and enforced in accordance with the laws of the State of Utah.

- m. Execution of Agreement. This Agreement may be executed in multiple parts as originals or by facsimile copies of executed originals; provided, however, if executed and evidence of execution is made by facsimile copy, then an original shall be provided to the other party within seven days of receipt of said facsimile copy.
- n. Hold Harmless and Indemnification. Developer agrees to defend, indemnify, and hold harmless City and its elected officials, officers, agents, employees, consultants, special counsel, and representatives from liability for claims, damages, just compensation restitution, inverse condemnation, or any judicial or equitable relief which may arise from or are related to any activity connected with the Project, including approval of the Project, the direct or indirect operations of Developer or its contractors, subcontractors, agents, employees, or other persons acting on its behalf which relates to the Project, or which arises out of claims for personal injury, including health, and claims for property damage. This includes any claims or suits related to the existence of hazardous, toxic, and/or contaminating materials on the Project and geological hazards.
- i. Nothing in this Agreement shall be construed to mean that Developer shall defend, indemnify, or hold the City or its elected and appointed representatives, officers, agents and employees harmless from any claims of personal injury, death or property damage or other liabilities arising from: (i) the willful misconduct or negligent acts or omissions of the City, or its boards, officers, agents, or employees; and/or (ii) the negligent maintenance or repair by the City of improvements that have been offered for dedication and accepted by the City for maintenance
- ii. City shall give written notice of any claim, demand, action or proceeding which is the subject of Developer's hold harmless agreement as soon as practicable but not later than thirty (30) days after the assertion or commencement of the claim, demand, action or proceeding. If any such notice is given, Developer shall be entitled to participate in the defense of such claim. Each party agrees to cooperate with the other in the defense of any claim and to minimize duplicative costs and expenses.
- o. Relationship of Parties. The contractual relationship between City and Developer arising out of this Agreement is one of independent contractor and not agency. This Agreement does not create any third-party beneficiary rights. It is specifically understood by the parties that: (i) all rights of action and enforcement of the terms and conditions of this Agreement shall be reserved to City and Developer, (ii) the Project is a private development; (iii) City has no interest in or responsibilities for or duty to third parties concerning any improvements to the

Property; and (iv) Developer shall have the full power and exclusive control of the Property subject to the obligations of Developer set forth in this Agreement.

- p. Annual Review. City may review progress pursuant to this Agreement at least once every twelve (12) months to determine if Developer has complied with the terms of this Agreement. If City finds, on the basis of substantial evidence, that Developer has failed to comply with the terms hereof, City may declare Developer to be in Default as provided in Paragraph 13 herein. City's failure to review at least annually Developer's compliance with the terms and conditions of this Agreement shall not constitute or be asserted by any party as a Default under this Agreement by Developer or City.
- q. Institution of Legal Action. In addition to any other rights or remedies, either party may institute legal action to cure, correct, or remedy any Default or breach, to specifically enforce any covenants or agreements set forth in this Agreement or to enjoin any threatened or attempted violation of this Agreement; or to obtain any remedies consistent with the purpose of this Agreement. Legal actions shall be instituted in the Fourth District Court, State of Utah, or in the Federal District Court for the District of Utah.
- r. Title and Authority. Developer expressly warrants and represents to City that Developer (i) owns all right, title and interest in and to the Property, or (ii) has the exclusive right to acquire such interest, and (iii) that prior to the execution of this Agreement no right, title or interest in the Property has been sold, assigned or otherwise transferred to any entity or individual other than to Developer. Developer further warrants and represents that no portion of the Property is subject to any lawsuit or pending legal claim of any kind. Developer warrants that the undersigned individuals have full power and authority to enter into this Agreement on behalf of Developer. Developer understands that City is relying on these representations and warranties in executing this Agreement.
- s. Headings for Convenience. All headings and captions used herein are for convenience only and are of no meaning in the interpretation or effect of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed by City and by a duly authorized representative of Developer as of the date first written above.

Attest:

City of

Saratoga Springs, a political subdivision of the State of Utah

Craig Johnson  
City Recorder



By: [Signature]  
Mayor

DEVELOPER, Mark Hampton a Utah corporation/limited liability company/partnership.

By: [Signature]

Its: Dignity Senior Care, LLC

State of Utah

County of Salt Lake

The foregoing instrument was acknowledged before me this 12 day of December 2018 by Mark Hampton, of Dignity Senior Care LLC, a Utah corporation/limited liability company/partnership.

[Signature]  
Notary Public



**Exhibit "A"**  
**Legal Description of Property**

## DESCRIPTION PER TITLE REPORT

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**FILE NO:18652-MB**

## PARCEL 1:

COMMENCING AT A POINT WHICH IS SOUTH 89°55'56" EAST ALONG THE SECTION LINE 554.60 FEET FROM THE NORTH QUARTER CORNER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE CONTINUING ALONG THE SECTION LINE SOUTH 89°55'56" EAST 663.65 FEET; THENCE SOUTH 00°24'30" WEST 386.30 FEET; THENCE NORTH 89°55'56" WEST 352.41 FEET; THENCE NORTH 00°26'00" EAST 136.30; THENCE NORTH 89°55'56" WEST 309.81 FEET; THENCE NORTH 00°04'06" EAST 250.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING: A 15 FOOT TRACT OF LAND IN FEE, BEING WITHIN AND ALONG THE NORTH LINE OF A PROPERTY RECORDED AS ENTRY NO.451730003. ALSO BEING WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SAID POINT BEGIN 553.72 FEET SOUTH 89°56'12" EAST FROM THE NORTH QUARTER CORNER OF SAID SECTION AND RUNNING THENCE SOUTH 89°56'12" EAST FOR A DISTANCE OF 664.38 FEET; THENCE SOUTH 00°24'30" WEST FOR A DISTANCE OF 15.00 FEET; THENCE NORTH 89°56'12" WEST A DISTANCE OF 664.29 FEET; THENCE NORTH 00°04'06" EAST FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

## PARCEL 2:

LOT 2, PLAT 'A', LAKE VIEW ACRES SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE RECORDER, UTAH COUNTY, UTAH.

## PARCEL 3:

LOT 1, PLAT 'C', LAKE VIEW ACRES SUBDIVISION, SARATOGA SPRINGS, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE RECORDER, UTAH COUNTY, UTAH.

## PARCEL 4:

COMMENCING SOUTH 988.41 FEET AND WEST 7.45 FEET FROM THE NORTH QUARTER CORNER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 0°26'0" WEST 218.43 FEET; THENCE SOUTH 89°55'56" EAST 865.98; THENCE SOUTH 0°25'59" WEST 514.54; THENCE SOUTH 0°25'59" WEST 25.14 FEET; THENCE SOUTH 0°25'59" WEST 18.1 FEET; THENCE SOUTH 89°56'49" WEST 811.99 FEET; THENCE NORTH 0°26'12" EAST 1.83 FEET; THENCE NORTH 0°25'44" EAST 15.87 FEET; THENCE NORTH 5°36'45" WEST 66.4 FEET; THENCE NORTH 0°26'20" EAST 157.18 FEET; THENCE NORTH 14°49'25" WEST 52.92 FEET; THENCE NORTH 0°25'33" EAST 48.75 FEET; THENCE NORTH 89°34'23" WEST 331 FEET TO BEGINNING.

**FILE NO.: 19188-MB**

## PARCEL 5:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, LAKE VIEW ACRES PLAT 'A', WHICH IS SOUTH 89°55'56" EAST ALONG THE SECTION LINE 28.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE CONTINUING ALONG THE SECTION LINE SOUTH 89°55'56" EAST 526.60 FEET THENCE SOUTH 00°04'06" WEST 250.00 FEET; THENCE NORTH 89°55'56" WEST 528.20 FEET; THENCE NORTH 00°26'00" EAST 250.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING: A 15 FOOT TRACT OF LAND IN FEE, BEING WITHIN AND ALONG THE NORTH LINE OF A PROPERTY RECORDED AS ENTRY NO. 451730004. ALSO BEING WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SAID POINT BEING 26.43 FEET SOUTH 89°56'12" EAST A DISTANCE OF 527.39 FEET; THENCE SOUTH 00°04'06" WEST FOR A DISTANCE OF 15.00 FEET; THENCE NORTH 89°56'12" WEST FOR A DISTANCE OF 527.39 FEET; THENCE NORTH 00°25'36" EAST FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

**Exhibit "B"**

**Staff Report with Adopted Planning Commission Findings and Conditions of Approval,  
Report of Action (if applicable), and Written Minutes (attached hereto).**

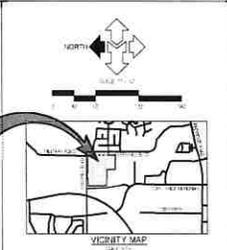
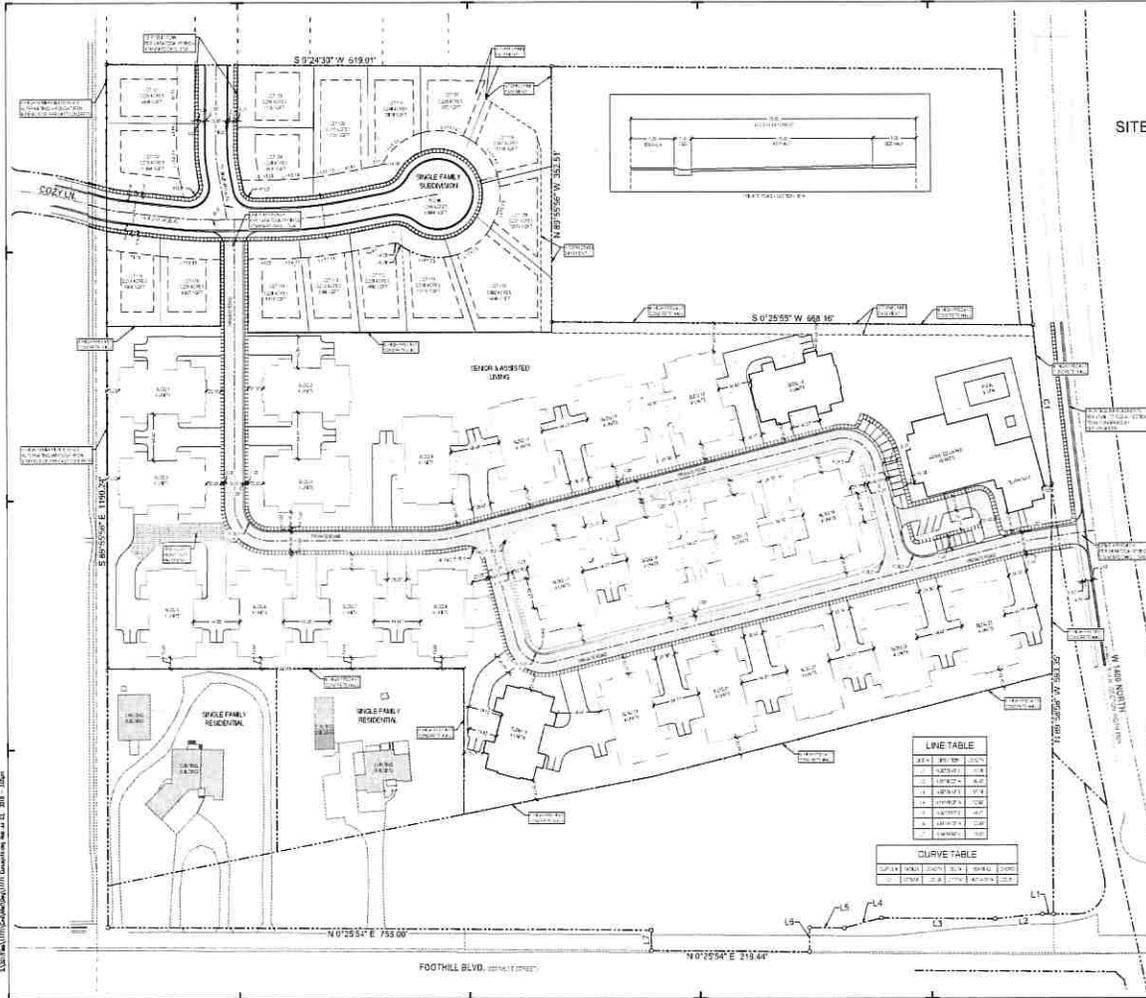
**[ON FILE WITH SARATOGA SPRINGS CITY RECORDER]**

**Exhibit "C"**

**Staff Report with Adopted City Council Findings and Conditions of Approval, Report of Action (if applicable), City Council Written Minutes.**

**[ON FILE WITH SARATOGA SPRINGS CITY RECORDER]**

**Exhibit "D"**  
**Concept Plan**



OWNER	AREA	DATE
MCNEIL ENGINEERING	1000 S. 1000 E.	10/15/19
1000 S. 1000 E.	1000 S. 1000 E.	10/15/19
1000 S. 1000 E.	1000 S. 1000 E.	10/15/19
1000 S. 1000 E.	1000 S. 1000 E.	10/15/19
1000 S. 1000 E.	1000 S. 1000 E.	10/15/19

**SINGLE FAMILY SUBDIVISION - DATA TABLE**

LOT NO.	AREA (SQ. FT.)	WIDTH (FT.)	DEPTH (FT.)
1	1000	100	100
2	1000	100	100
3	1000	100	100
4	1000	100	100
5	1000	100	100

**SENIOR & ASSISTED LIVING - DATA TABLE**

UNIT NO.	AREA (SQ. FT.)	WIDTH (FT.)	DEPTH (FT.)
1	1000	100	100
2	1000	100	100
3	1000	100	100
4	1000	100	100
5	1000	100	100

**REVISIONS**

NO.	DATE	DESCRIPTION
1	10/15/19	ISSUED FOR PERMIT
2	10/15/19	ISSUED FOR PERMIT
3	10/15/19	ISSUED FOR PERMIT
4	10/15/19	ISSUED FOR PERMIT
5	10/15/19	ISSUED FOR PERMIT

**CONCEPT SITE PLAN**

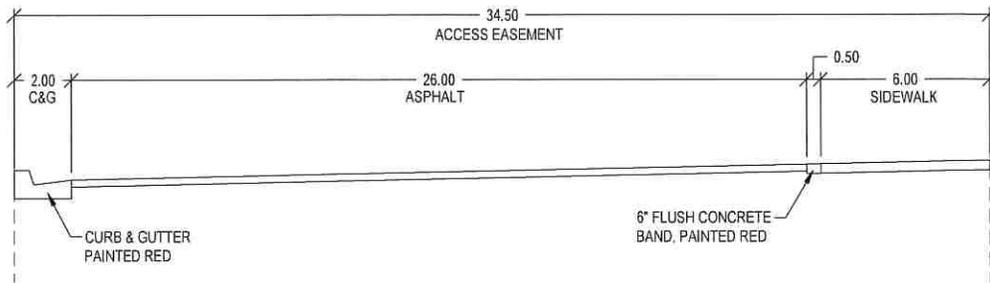
NO.	DATE	DESCRIPTION
1	10/15/19	ISSUED FOR PERMIT
2	10/15/19	ISSUED FOR PERMIT
3	10/15/19	ISSUED FOR PERMIT
4	10/15/19	ISSUED FOR PERMIT
5	10/15/19	ISSUED FOR PERMIT

**McNEIL ENGINEERING**  
 Surveying and Mapping Engineers, Inc.  
 1000 S. 1000 E., SUITE 1000, SALT LAKE CITY, UT 84143  
 (801) 488-1111  
 www.mcneil-engineering.com

**DIGNITY CARE - SARATOGA**  
 SARATOGA SPRINGS, UTAH

**CONCEPT SITE PLAN**  
**EX-A**

**Exhibit "E"**  
**Road Cross Section for Senior Community**



PRIVATE ROAD - SECTION VIEW

Utah County Recorder  
01/14/2019

Entry#	Pages	Time	Fees
3490	21	02:54 pm	63.00
Total documents recorded = 1			63.00

Recorded for - SARATOGA SPRINGS CITY

Payment information - Group# 2005411

Payment type	Amount
Check	63.00
Total =	63.00



## City Council Staff Report

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**Rezone, General Plan Amendment, Concept Plan  
Saratoga Dignity Senior Community  
August 7, 2018  
Public Meeting**

Report Date: July 30, 2018  
Applicant: Dignity Care LLC  
Owner: Jeff and Jullee Webster, Ronald and Marsha Paskett  
Location: ~700 West 1400 North, ~1590 North Cozy Ln, ~1538 N Foothill Blvd  
Major Street Access: Crossroads Boulevard  
Parcel Number(s) and size: a portion of 45:173:0007, 45:173:0008, a portion of 45:173:0010, 45:253:0003, 58:033:0446; ~24.22 acres  
General Plan Designation: Low Density Residential, and Very Low Density Residential  
Zone: RR, A, and RC  
Requested Zone(s): RR, R1-9, MF-10  
Adjacent Zoning: R1-10, RC, A  
Current Use: Vacant, undeveloped  
Adjacent Uses: Single family residential, undeveloped  
Previous Meetings: Public hearing with Planning Commission on 7/12/18  
Previous Approvals: N/A  
Land Use Authority: City Council  
Type of Action: Legislative  
Future Routing: City Council  
Planner: Sarah Carroll, Senior Planner

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**A. Executive Summary:**

The applicant is requesting a concept plan review along with rezones and general plan amendments to allow for single family lots and a senior community. The concept plan includes two lots for existing homes that are 1+ acres in size, 16 single family residential lots that are 9,000 square feet minimum, and a senior community with 92 units and an assisted living facility with 12 beds. One of the existing homes is currently zoned RR while the other is zoned A. For the one that is zoned A the RR zone is requested in order to allow for a 1 acre minimum lot size. The area indicated for 16 single family lots is proposed to be rezoned to R1-9. The area indicated for 92 units and an assisted living facility is proposed to be rezoned to MF-10. Associated General Plan Amendments are requested as well, as outlined in Section C of this report.

**Recommendation:**

Staff recommends that the City Council conduct a public meeting on the Rezones and General Plan Amendments, take public comment at their discretion, review and discuss the proposal, provide feedback on the Concept Plan, and choose from the options in Section “H” of this report. Options include approval with conditions, denial, or continuance.

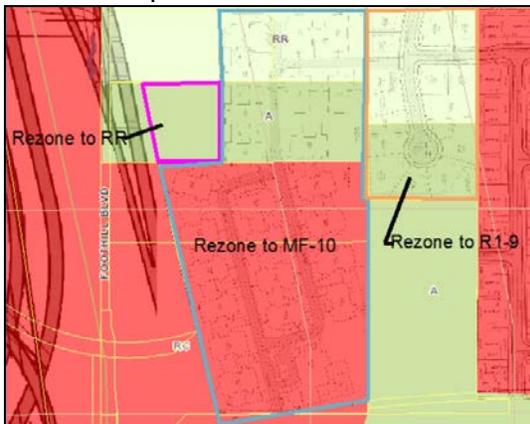
**B. Background:**

The applicant is requesting the proposed rezones and general plan amendments to allow for a Senior Community. The Senior Community proposes 4-plex ramblers that allow access for caregivers (see attached floor plans). There is also an assisted living facility on-site. An alternative street cross-section is being requested and is reviewed further in Section G of this report.

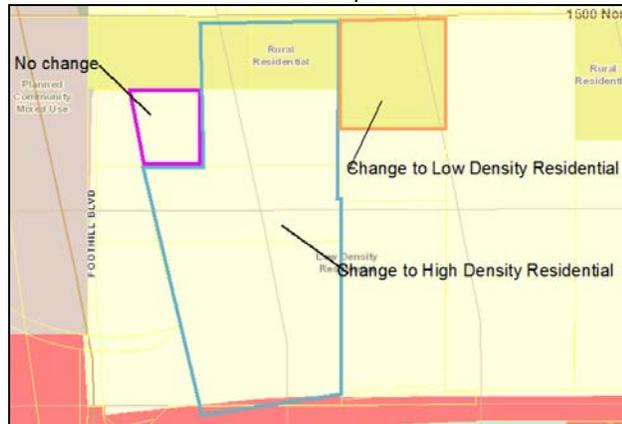
**C. Specific Request:**

- Concept Plan review.
- Rezone approximately 1.33 acres, located at 1538 North Foothill Boulevard, from A to RR.
  - No general plan amendment (designated Low Density Residential).
- Rezone approximately 5.1 acres, located approximately at 1590 North Cozy Lane, from RR and A to R1-9.
  - General Plan Amendment for a portion of this property from Rural Residential to Low Density Residential.
- Rezone approximately 16.29 acres, located approximately at 700 West 1400 North, from A, RR, and RC, to MF-10.
  - General Plan Amendment for this property from Rural Residential and Low Density Residential to High Density Residential.

Rezone Request:



General Plan Amendment Request:



**D. Process:**

**Rezone and General Plan Amendment**

The table in Section 19.13.04 outlines the process requirements for a Rezone and General Plan Amendment. A public hearing is required with the Planning Commission, who then make a recommendation to the City Council. After receiving a recommendation from the Planning Commission the City Council shall either approve or deny the request.

**Concept Plan**

Section 19.17.02 states “Petitions for changes to the City’s Zoning Map for all land use zones shall be accompanied by an application for Concept Plan Review or Master Development Agreement approval pursuant to Chapter 19.13 of this Code.”

Per Section 19.13 of the City Code, the process for a Concept Plan includes an informal review of the Concept Plan by both the Planning Commission and the City Council. The reviews shall be for comment only, no public hearing is required and no recommendation or action made.

**E. Community Review:**

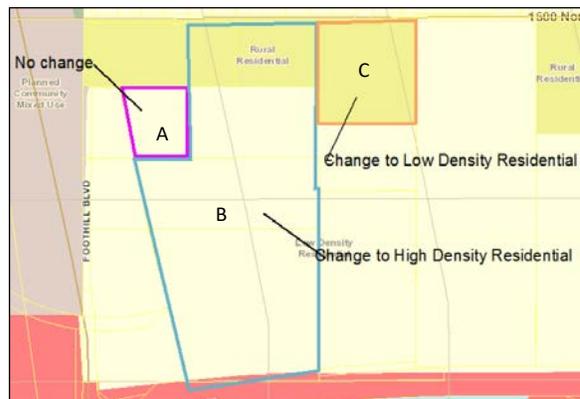
At least 10 days prior to the public hearing with the Planning Commission which was held July 12, 2107, the Rezone and General Plan Amendment portions of this application were noticed as a public hearing in the *Daily Herald*, City website, and Utah Public Notice Website, and mailed notices sent to all property owners within 300 feet of the subject property. Public comment was given at the public hearing. There were comments in support of the project and questions regarding height, access, and connectivity. Meeting minutes are attached.

19.13 requires the applicant to host a neighborhood meeting whenever multi-family is proposed adjacent to existing single family development. The applicant held a meeting on September 18, 2017. A roll and notes from that meeting were submitted by the applicant and are attached.

**F. General Plan:**

There are three rezones requested and two of those involve General Plan Amendment requests. The Land Use Element of the General Plan designates the subject property as Low Density Residential and Rural Residential. The applicant is proposing the following:

- A. Leave Low Density Residential on the General Plan. (Rezone from A to RR.)
- B. Change from Rural Residential and Low Density Residential to High Density Residential to support MF-10 zoning and allow for a Senior Community. (Rezone from A, RR, and RC to MF-10.)
- C. Change from Rural Residential to Low Density Residential to allow for R1-9 zoning. (Rezone from A and RR to R1-9.)



The General Plan describes low and high density residential as follows:

Low Density Residential	Single-family neighborhoods built on a highly connected street pattern and interspersed with schools, public facilities, walkable neighborhood amenities, parks and trails. The Low Density Residential designation is expected to be the City’s most prevalent land-use designation.	2 - 5 DU/Acre, half acre to 8,000 square foot lots
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High Density Residential	These areas are primarily residential in character and include a variety of housing types that are supported by nearby retail, civic, and employment uses. This use buffers single-family residential neighborhoods. Public facilities should connect to surrounding uses and major facilities should be buffered to residential uses.	9 – 18DU/Acre, 2,500 to 8,700 square foot lots
--------------------------	--	--

**Staff conclusion:** *If the proposed General Plan Amendment is approved, the requested zones will be consistent with the General Plan. A General Plan Amendment is a legislative decision and the criteria for an amendment is reviewed in Section G of this report. If the General Plan Amendment is not approved, the requested rezones would not be consistent with the General Plan.*

**G. Code Criteria:**

*Rezones and General Plan amendments are legislative decisions; therefore, the Council has significant discretion when making a decision on such requests. Because of this legislative discretion, the Code criteria below are guidelines and are not binding.* Staff recommends a development agreement that includes the items listed in the proposed conditions of approval in section H of this report.

**Rezone and General Plan Amendment:**

Section 19.13.04 requires the Planning Commission to hold a public hearing and make a recommendation to the City Council for rezones and general plan amendments.

**Staff finding:** *complies. A public hearing with the Planning Commission will be held on July 12, 2018.*

**19.17.03, Planning Commission and City Council Review, states:**

1. The Planning Commission shall review the petition and make its recommendations to the City Council within thirty days of the receipt of the petition.
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 this Title.
3. The Planning Commission shall provide the notice and hold a public hearing 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.
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.

**Staff finding:** *consistent. The petition was received on February 9, 2018; however, staff and the applicant have been coordinating comments on the concept plan prior to scheduling the public hearing. The Planning Commission shall recommend adoption of the proposed amendments only where it finds the amendments further the purpose of the General Plan and Title 19. A public*

*hearing has been scheduled to allow the Planning Commission to review the petition for change. Notice of the public hearing has been published as required.*

**19.17.04, Gradual Transition of Uses and Density**, states:

It is the policy of the City Council, through exercising its zoning authority, to: (a) transition high intensity uses to help prevent the impacts of high density uses on low density areas; and (b) to limit inconsistent uses being located on adjacent parcels. The City Council may implement this policy using its zoning powers. Through amendments to the General Plan and the Zoning Map, the City Council intends to apply the following guidelines to implement this policy:

1. Residential lots, parcels, plats, or developments should not increase by more than 20% of density as compared to adjacent lots, zones, parcels, plats, or developments to enable a gradual change of density and uses. To appropriately transition, new lots should be equal to or larger than immediately adjacent existing platted lots.
2. Exceptions
  - a. The City should avoid allowing high intensity uses (e.g., commercial, industrial, multi-family structures, etc.) adjacent to lower intensity uses (e.g., single family, low density residential, etc.), however may allow these uses to be located adjacent to each other if appropriate transitions and buffers are in place. Appropriate buffers and transitions include a combination of roadways, landscaping, building orientation and facades, increased setbacks, open spaces, parks, and trails.
3. Despite these guidelines, the City Council recognizes that it will become necessary to allow high intensity next to low intensity uses in order to allow for the implementation of multiple zones in the City. The City Council should use their best efforts to limit inconsistent uses and zones being located on adjacent parcels and to mitigate inconsistent uses and zones through transitions and buffers.

**Staff findings:** *complies. based on #3 above the City Council may approve high intensity next to low intensity uses in order to allow for the implementation of multiple zones in the City. The density of the proposed Senior Community is approximately 5.65 units per acre. The MF-10 zone is being requested because this zone allows multi-family units (4-plexes) and footprint development. There is a Medium Density Residential zone that allows up to 6 units to the acre; however, that zone does not allow multi-family units. Another item to note is that there is an existing trail corridor between the Aspen Hills Development and the proposed development that will act as a buffer between R1-10 and MF-10 zoning.*

**19.17.05, Consideration of General Plan, Ordinance, or Zoning Map Amendment** outlines the considerations for an amendment and states:

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;
2. the proposed change will not decrease or otherwise adversely affect the health, safety, convenience, morals, or general welfare of the 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;
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; and
5. Any other reason that, subject to legislative discretion of the City Council, could advance the general welfare.

Possible findings for approval are included below.

**Staff Findings:** *complies. The request is consistent with the outlined criteria as follows:*

1. *The applicant has applied for a General Plan Amendment and the proposed zones will be consistent with the General Plan if the amendment is granted.*
2. *The proposed change will not pose a threat to the general welfare of the public and will allow for the proposed Senior Community and some single family lots.*
3. *The proposed change will be providing a use that does not yet exist in this part of the city and will aid in the orderly growth of the City, enhance the economic well-being of the City, and promote the growth of the City in accordance with the Land Use Element of the General Plan.*
4. *The applicant proposes the change in order to build a Senior Community which includes rambler style multi-family four-plex units and an assisted living facility along with 16 single family lots and two rural residential lots for existing homes. The development will be buffered from the Aspen Hills Development by and existing trail corridor.*

*The Council may choose to require a development agreement or a condition that the MF-10 zone may not be recorded until the Preliminary Plat and Site Plan are approved.*

**Concept Plan Review:**

The attached checklist includes a thorough review of the Title 19 requirements for the proposed concept plan. The comments below are items of note and possible discussion.

**Guest Parking:** Guest parking is shown at the end of shared driveways. Staff recommends that the guest parking be moved towards the streets. This has been discussed with the applicant, but they prefer the locations shown for aesthetic reasons. The proposed street cross section will not allow for on-street parking and is reviewed on page 7 of this report. Staff recommends additional guest parking that is available to the entire community in the event of multiple guests at a time. None of the guest parking is designated as accessible parking. *The Planning Commission discussed the guest parking and generally supported the locations shown on the plans.*

**Assisted Living Facility/Clubhouse Parking:** The code states that the parking requirement for “Residential Facilities for Elderly Persons” is to be determined by the Land Use Authority (See 19.09.05.7). This sections states:

19.09.05

7. Where no comparative land use standard for parking is found in Section 19.09.10, Required Minimum Parking, the Land Use Authority for the related development shall determine an appropriate requirement using the following criteria:

- a. the intensity of the proposed use;
- b. times of operation and use;
- c. whether the hours or days of operation are staggered thereby reducing the need for the full amount of required parking;
- d. whether there is shared parking agreement in accordance with Section 19.09.05.10 below—if there is a shared parking agreement, a reduction may not be granted;
- e. the number of employees;
- f. the number of customers and patrons;
- g. trip generation; and
- h. peak demands.

8. Any information provided by the developer relative to trip generation, hours of operation, shared parking, peak demands, or other information relative to parking shall be considered when evaluating parking needs.

The applicant has provided the attached parking analysis which includes a comparison of similar facilities. Their comparisons show an average of 0.44 stalls per unit at other facilities. Based on this ratio a 45 bed facility would need 20 stalls. 21 stalls are shown; landscape islands and ADA requirements will reduce what’s shown by 3 stalls. *During the Planning Commission meeting the applicant indicated that it will only have 12 beds. This changes the anticipated parking levels. The Planning Commission discussed this and supported the parking numbers based on the lower bed count. However, they also suggested separate parking for the clubhouse.*

**Accessible Parking:** Accessible parking has not been designated on the plans and shall be as close to the front entrance as possible. *Accessible stalls are still needed.*

**Street Cross Section:** The applicant is proposing an alternative street cross section for this development which is shown on the attached concept plan along with staff comments.

The proposed street cross section does not match adopted standards for private streets; however, the applicant would like this street for their development. They have indicated this will be a benefit to the seniors since only one side of the street will have a raised curb and gutter and will make walking easier, and no parking will be allowed on the street. This is up for discussion and the applicant would like feedback on whether or not this can be supported. *The Planning Commission discussed the proposed road cross section. They were generally supportive of the proposal with the exception that the sidewalks should be 6'. Engineering is requesting a curb on both sides (one side being a flush curb) to separate the roadway from the sidewalk and allow for red-curb to indicate no parking. Staff recommends including the desired street cross section in a development agreement and requiring 6' sidewalks and a curb on both sides.*

**Fencing:** Trails and open space require semi-private fencing. This will be required along the north property line. Senior Communities generally prefer a solid fence. staff recommends a sound wall along the MVC alignment; this is included as a condition.

**Common Area:** 35% is required. The plans indicate 38% landscaping but do not identify this as common area. This will need to be specified with the preliminary plat submittal.

**Detention Basin:** The property proposed for R1-9 zoning includes a detention basin within Lot 108. The City has not yet permitted detention basins within lots; however, this has been discussed as an option that would eliminate HOA's for small developments. This would require an easement on that lot and notification to the buyer that the basin may not be altered. Staff recommends that the basin be landscaped by the developer.

#### **H. Recommendation and Alternatives:**

Staff recommends that the City Council conduct a public meeting, take public input at their discretion, discuss the application, provide feedback on the Concept Plan and choose from the following options.

##### **Option 1 – Approval**

“I move that the City Council **approve** the proposed Rezones and General Plan Amendments, with the Findings and conditions outlined below:”

##### **Findings**

1. The General Plan Amendment will not result in a decrease in public health, safety, and welfare as outlined in the findings for approval in Section G of this report, which section is hereby incorporated by reference herein.
2. The Rezone is consistent with Chapter 19.17 of the Code, as articulated in the findings for approval in Section G of this report, which section is incorporated by reference herein.

**Conditions:**

1. The rezone and general plan amendment shall not be recorded until the preliminary plat approval has been granted. If this does not occur within two years of the date of this report, the rezone and general plan amendment approval shall expire.
2. The applicant shall enter into a development agreement that addresses the following items:
  - a. The MF-10 zone shall not be recorded until the Preliminary Plat approval is granted.
  - b. The uses for the property proposed for MF-10 zoning shall be limited to single story four-plex units and an assisted living facility along with associated open space and amenities.
  - c. Cozy Lane shall cross Central Utah Water property to connect with the existing right of way. The applicant/developer shall obtain permission to cross the property and shall install a 59 foot wide right of way in this location to complete the connection with Cozy Lane and shall include accessible ramps at the trail crossing.
    - i. The trail in this location will then become a mid-block crossing. A HAWK signal shall be installed by the applicant/developer to notify traffic of the mid-block trail crossing.
    - ii. Stop or yield signs shall be installed for trail users.
  - d. The existing homes shall be connected to City water and sewer and shall be included in a subdivision plat.
  - e. The existing recorded plats shall be vacated.
  - f. Access to the existing homes shall be coordinated with UDOT; an access easement shall be recorded and provided through the senior community if needed.
  - g. Fencing shall consist of a semi-private fence along the north property line and a solid masonry fence/wall on all other property lines.
    - i. Fencing/walls shall not block off access to the two existing homes if it is determined through coordination with UDOT that access is needed from within the senior community.
  - h. The property proposed for MF-10 zoning is allowed an alternative private street cross section with the following dimensions:
    - i. Six foot wide sidewalks on both sides of the street
    - ii. Two foot wide curb and gutter on one side of the street and two foot wide flush curb on the other side of the street
    - iii. 26 feet wide asphalt street
    - iv. No parking on either side of the street
    - v. The road may slope to one side (rather than crown in the center)
  - i. A detention basin shall be allowed within one of the lots for the property proposed for R1-9 zoning.
    - i. The detention basin shall be landscaped by the developer.
    - ii. Future buyer(s)/owner(s) shall be put on notice that the basin may not be altered and that the City may access this lot as needed.

- iii. A storm drain easement shall be recorded on the lot.
  - j. The applicant proposes fee in lieu of open space as allowed by Code for the property proposed for R1-9 zoning.
  - k. The existing irrigation ditch and easement shall be moved and piped or abandoned if not longer in use.
  - l. Each unit shall be individually metered for drinking water.
  - m. 1400 North right-of-way improvements are required per collector street standards including sidewalk, curb and gutter, and park strip on the north side.
    - i. The right of way alignment needs to be cleaned up (some dedication and vacation between the City and property owner)
    - ii. The 1400 North sidewalk shall connect to trails along Mountain View Corridor (coordinate with UDOT).
  - 3. Final approval of the development agreement shall be delegated to staff.
  - 4. Any other conditions or changes as articulated by the City Council:
- 

**Option 2 – Denial**

“I move that the City Council **deny** the proposed Rezones and General Plan Amendments, with the Findings and conditions outlined below:”

- 1. The General Plan Amendment will result in a decrease in public health, safety, and welfare as articulated by the Planning Commission:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
- 2. The Rezone is not consistent with Chapter 19.17 of the Code, as articulated by the Planning Commission:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_

**Option 3 – Continuance**

“I move to **continue** the Rezones and General Plan Amendments to another meeting on [DATE], with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

**Comments on Concept Plan:**

- 1. All requirements of the City Engineer shall be met, including but not limited to those in the attached report.
- 2. Provide some of the ....Some of the guest parking stalls are required to be accessible stalls.
- 3. Accessible stalls are required for the assisted living facility.
- 4. One landscape island is required for every 10 stalls.

5. The Land Use Authority approves the parking requirement for the assisted living facility based on criteria in the code. The applicant shall provide parking studies to back the proposed parking counts.
  6. The proposed street cross section shall be modified to include curb and gutter on both sides of the street and 6' wide sidewalks.
  7. Additional items will require further review at the site plan level.
  8. The plans shall comply with all code requirements.
  9. Any comments from the City Council:
- 

**I. Exhibits:**

1. City Engineer's Report
2. Location & Zone Map
3. Location and Land Use Map
4. Concept Plan
5. Conceptual Floor plans
6. Neighborhood meeting roll and notes, 9-18-17
7. Parking Analysis by applicant
8. Planning Commission Minutes, 7/12/18

# Planning Commission Staff Report

**Author:** Gordon Miner, City Engineer  
**Subject:** Saratoga Dignity – Concept Plan  
**Date:** July 12, 2018  
**Type of Item:** Concept Plan Review



## Description:

**A. Topic:** The applicant has submitted a concept plan application. Staff has reviewed the submittal and provides the following recommendations.

## B. Background:

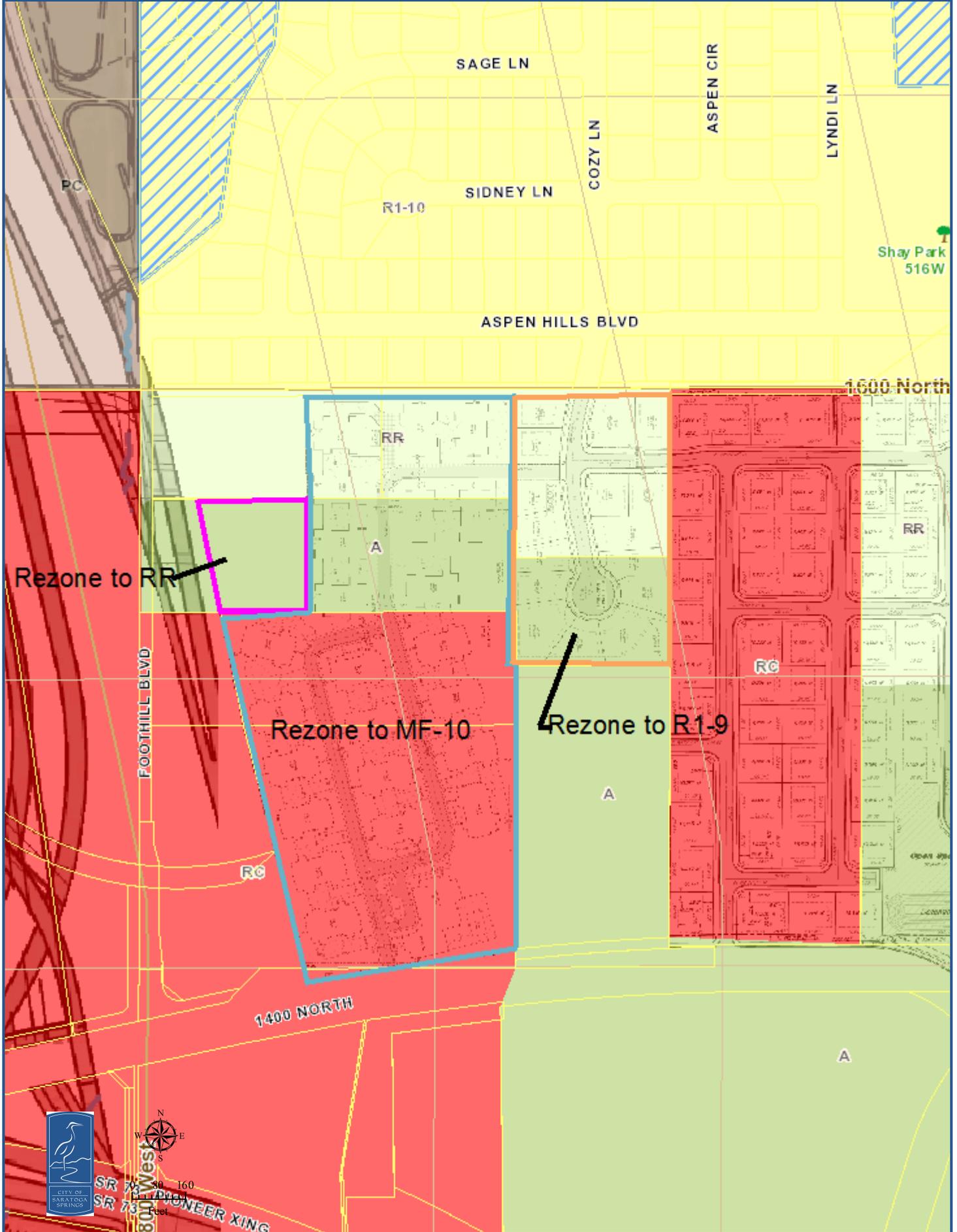
*Applicant:* Dignity Care, LLC  
*Request:* Concept Plan  
*Location:* 1400 N and Foothill Blvd, Saratoga Springs, UT 84045  
*Acreage:* 3.14 acres - 16 lots

**C. Recommendation:** Staff recommends the applicant address and incorporate the following items for consideration into the development of their project and construction drawings.

## D. Proposed Items for Consideration:

1. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the Final plat and construction drawings.
2. The City has insufficient information at this time to determine what project and system improvements will be necessary to service the developer's property. As a result, this approval does not reserve utility system capacity. Prior to, concurrent with, or subsequent to Final Plat Approval, the developer will be required to install all required infrastructure to service the property. In addition to all required project improvements, the developer may also be required to install any and all system improvements, subject to required impact fee credits.
3. The proposed cross-section does not match with City Standard ST-30.
4. Storm drains are to be owned and maintained by the HOA.
5. The detention pond must be accessible and maintained by the HOA.
6. The maximum offset of street centerlines is five feet.
7. Waterlines need to be placed in the street.
8. Storm drain lines must be two feet off from the lip of the curb.
9. Overhead powerlines must be buried.

# Saratoga Dignity

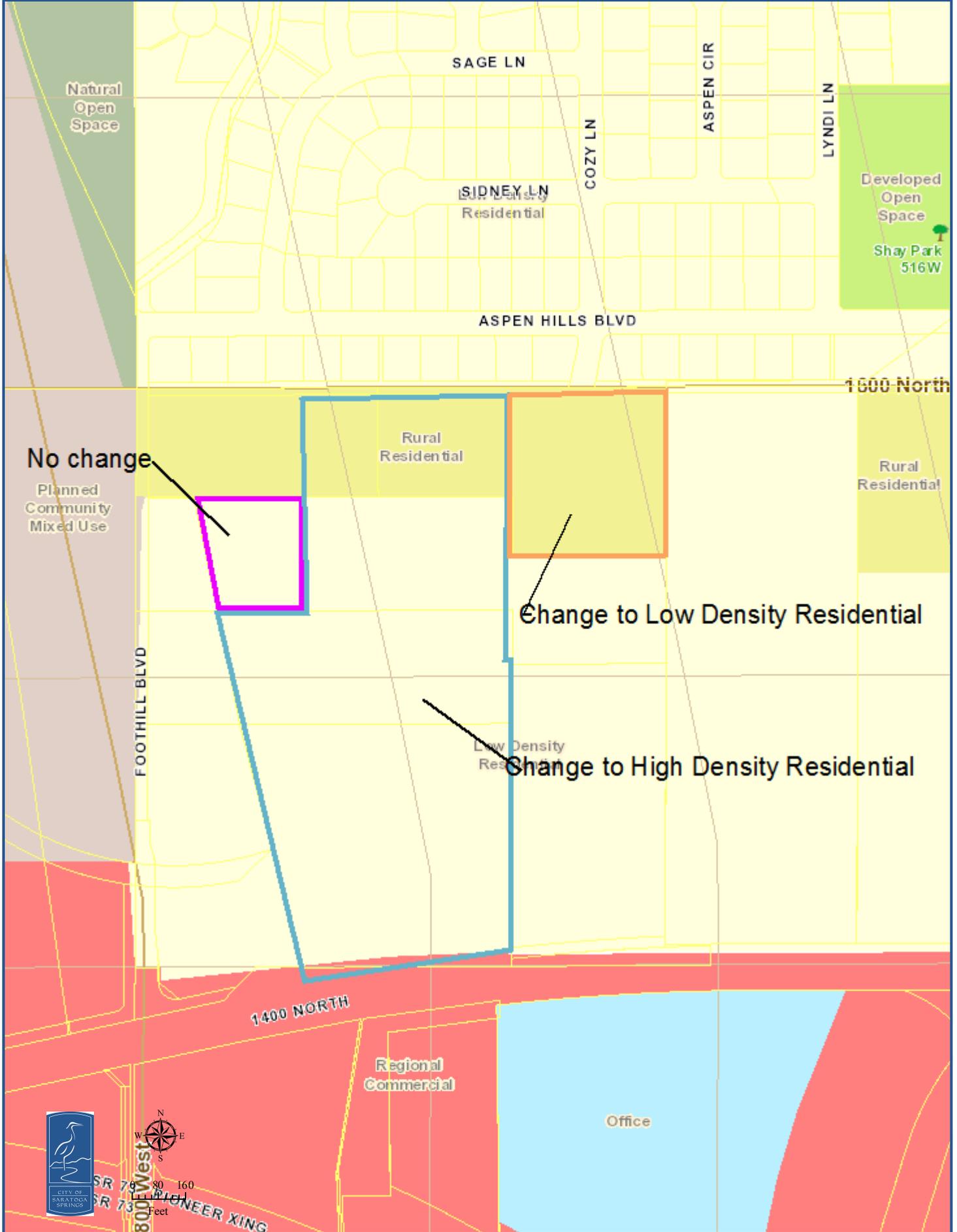


Rezzone to RR

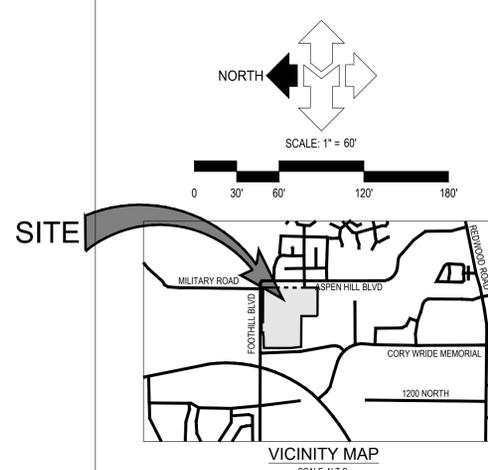
Rezzone to MF-10

Rezzone to R1-9

# Saratoga Dignity



**EXHIBIT 4**



DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
SINGLE FAMILY SUBDIVISION	222,180 SQFT	5.100 AC
SENIOR & ASSISTED LIVING	709,389 SQFT	16.285 AC
EX. SINGLE FAMILY RESIDENTIAL	64,718 SQFT	1.466 AC
EX. SINGLE FAMILY RESIDENTIAL	58,915 SQFT	1.352 AC
UDOT ROW	260,082 SQFT	5.971 AC
TOTAL	1,315,285 SQFT	30.194 AC

**SINGLE FAMILY SUBDIVISION - DATA TABLE:**

TOTAL NUMBER OF LOTS:	16 LOTS
NET DENSITY:	3.14 LOTS / ACRE
PROPOSED ZONE:	R 1-9

**SENIOR & ASSISTED LIVING - DATA TABLE:**

23 BUILDINGS WITH 4 UNITS EACH	TOTAL OF 92 UNITS
GARAGE SPACES (2 PER UNIT) =	TOTAL 184
VISITOR SPACES (1 PER UNIT) =	TOTAL 92
NET DENSITY:	5.65 UNITS / ACRE
ASSISTED LIVING BUILDING	TOTAL OF 45 BEDS
16 PARKING STALLS (INCLUDING 4 ADA STALLS)	

DESCRIPTION	AREA	%
HARDSCAPE	225,426 SQFT	32%
LANDSCAPE	287,641 SQFT	38%
BUILDINGS	216,322 SQFT	30%
TOTAL	709,389 SQFT	100%

**LINE TABLE**

LINE #	DIRECTION	LENGTH
L1	N 00°26'43" E	15.78'
L2	N 05°36'22" W	66.40'
L3	N 00°26'43" E	157.18'
L4	N 14°49'03" W	52.92'
L5	N 00°25'57" E	48.75'
L6	N 89°34'03" W	32.99'
L7	S 89°55'59" E	28.00'

**CURVE TABLE**

CURVE #	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	5779.58'	220.36'	2°11'04"	S83°34'55" W	220.35'

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 Civil Engineering • Consulting & Landscape Architecture  
 Structural Engineering • Land Surveying & I&DS

**DIGNITY CARE - SARATOGA**  
 SARATOGA SPRINGS, UTAH

**REVISIONS**

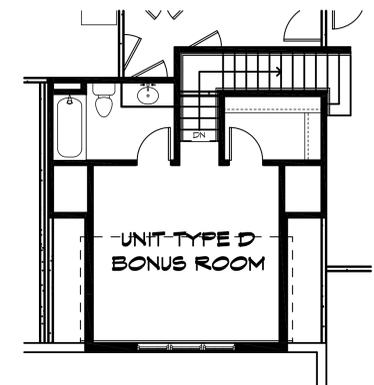
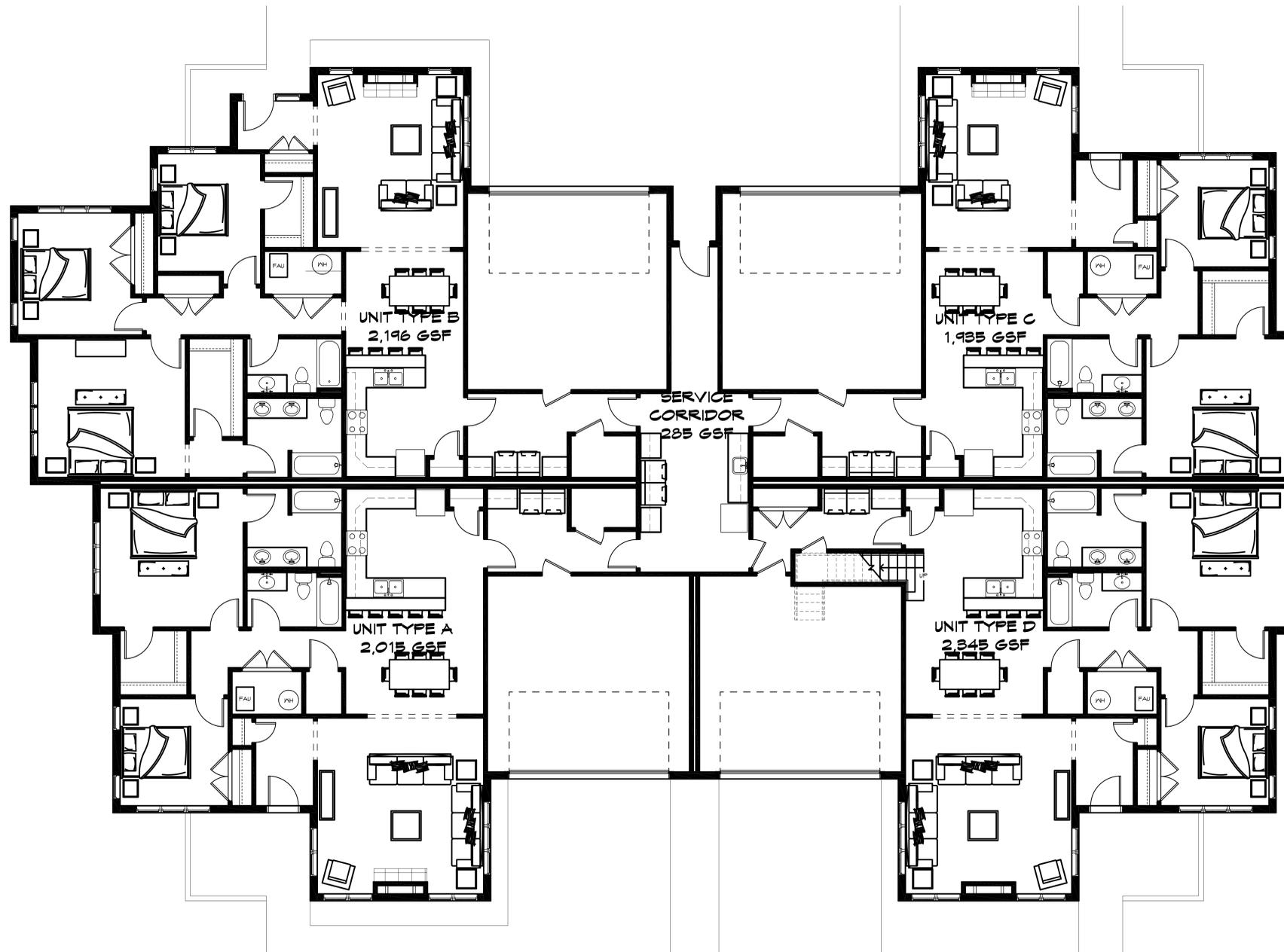
REV	DATE	DESCRIPTION

PROJECT NO: 17771  
 DRAWN BY: ARP  
 CHECKED BY: TJD  
 DATE: 07-03-2018

**CONCEPT SITE PLAN**  
**EX-A**

CONCEPT DRAWINGS - NOT FOR CONSTRUCTION

S:\2017\res\17771\CAD\Site\17771\_ConceptSite.dwg Rob Jul 03, 2018 - 3:05pm



SCALE: 3/16" = 1'

SCALE: 3/16" = 1'

# UNIT PLANS

## SENIOR LIVING COMMUNITY

SOUTH JORDAN, UTAH



**THE RICHARDSON DESIGN PARTNERSHIP**  
PLANNING ARCHITECTURE INTERIORS

510 SOUTH 600 EAST, SALT LAKE CITY, UTAH 84102  
TELEPHONE: 801.355.6868 FAX: 801.355.6880

**DIGNITY SENIOR LIVING COMMUNITY**  
**MINUTES of ASPEN HILLS RESIDENT MEETING**

Held: Monday, September 17, 2017  
From: 6:30 to 9:30pm  
Where: the Paskett home @ 1578 N Foothill Blvd  
Saratoga Springs, UT 84045

Those in attendance were:

Philip Webb  
Braden Hansen  
Delsa Doyle  
Jason Fox  
Mark Hampton  
John Chamberlain  
Brian Brown  
Tiffany Brown  
Earl & Tomie Miller  
Darrel Ballard  
Ben DeGraw  
Thom Recksiek  
Jullee Webster  
Tracy & Greg Griffin  
Sarah Millett  
Mary Shumway  
Emily Nelson  
Amberlee Chamberlain  
John & Annie Davis

Mark Hampton, Developer, called the meeting to order at 6:47pm.

Mr. Hampton welcomed everyone and let them know that he was prepared with a Media Presentation of some of the other projects that their group has built and will be similar to the one they are proposing on the Paskett property.

MINUTES of ASPEN HILLS RESIDENT MEETING, September 17, 2017, 6:30-9:30pm

Mark went through the presentation explaining what their vision of this project would be. Their projects are known as Dignity Care.

After the presentation, it was opened up to questions and concerns from the residents in attendance and then progressed to addressing them.

Throughout this time, a topic of discussion was about the height of the 4-plex buildings and how they would affect the property owners' views from what they could see now from Aspen Hills Boulevard, and if they would lose their views that they enjoy now for the height of the structures.

They were told that with the fall of the elevation on the property, that the residences that have two-story homes on Aspen Hills Boulevard, their homes would still be taller than these 4-plex units.

Many sidebar discussions occurred during this period of time & it was hard to know what everyone was saying to each other for the minutes.

After they came back to where one question could be addressed in the discussion, one after another gave input as to the fact that they would rather see this type of development on this property, rather than commercial buildings. The group was in consensus that they preferred what was being proposed tonight, rather than the property being built with commercial usage on it.

Some residents talked excitedly about having a place for the baby-boomer population (the residents' parents, etc.) to have a home close by them where they could be there to help them as they aged and needed help from their family members. They also liked the fact that there would be 24-hour, Assisted Living Center attached to the project for when the elderly felt that they needed more expert care than they could provide for themselves in their home that they could then move into the Assisted Living Center.

The residents wanted to know if this development would increase the traffic through Aspen Hills Subdivision and would they have the same types of problems that they were experiencing on Aspen Hills Boulevard now.

MINUTES of ASPEN HILLS RESIDENT MEETING, September 17, 2017, 6:30-9:30pm

Eagle Mountain residents and other residents in the west county area, use Foothill Boulevard & then to Aspen Hills Boulevard to cut through Aspen Hills going eastward (in the morning) and westward (in the afternoon) rather than using Crossroads Boulevard to access Redwood Road and on to the west county cities/towns.

In this scenario, there is traffic coming east & west on Aspen Hills Boulevard that are driving over the 25mph speed limit (on this small street), making it unsafe for their children to enjoy & feel safe in the neighborhood, and making it very hard to even get out of the driveways to leave their homes.

The residents were told that the Senior Community property had two access roads, one at the far south entrance area on to the abandoned SR-73 roadway. The other road would be on Cozy Lane to the north. A PRIVATE ACCESS for the residents of the Dignity project... to minimize the through traffic in the 55+ community is what they desire. Those in attendance agreed that this was necessary to reduce traffic in the Aspen Hills subdivision & thought it would make it safer than it is now.

The consensus of the meeting was definitely in favor of having this development continue through the processes through the City and was given a positive approval from the residents in attendance.

Residents came & went throughout the meeting and it adjourned at 10:14pm.

Residents requested information on certain areas of personal interest and those items were sent by Marsha Paskett, through our "Facebook" Aspen Hills Neighborhood site, on the 26<sup>th</sup> day of September, 2017 to all residents of Aspen Hills Neighborhood. The PDF documents sent were for:

- \* Senior Living unit plans
- \* Addresses for other build sites that our units & development will be similar to > 10400 S 3200 W, So Jordan
- \* Cost for Assisted Living studio (\$3200/mo.) and for a 1 bedroom (\$3400/mo. with possible up-charge for the more care needed by the resident
- \* Overall plot map of each phase
- \* Cost for basement add-on > approx. \$32,000 to \$34,000

MINUTES of ASPEN HILLS RESIDENT MEETING, September 17, 2017, 6:30-9:30pm

- \* Dignity Care Saratoga Springs, site plan
- \* Individual Villa upgrade options & pricing
- \* Funded "Mountain View Corridor" rendering

# Parking Analysis

Saratoga Springs AL Care

Prepared by:

**James Pearce**  
**Anna West**

Project:

Beds	Needed (study)	Provided
12	5.25	16

## Table of Contents

*Click on the links*

	Units	Stalls	Stalls per Unit	Type
o <a href="#">The Wentworth at East Millcreek</a>	43	18	0.42	Assisted
o <a href="#">Chateau Brickyard</a>	102	45	0.44	Congregate
o <a href="#">Millcreek Retirement Residence</a>	76	32	0.42	Congregate 62/Assisted 14
o <a href="#">Cordia</a>	119	45	0.38	Congregate 74/Assisted 45
o <a href="#">Cottonwood Creek</a>	103	51	0.50	Congregate 55/Assisted 48
o <a href="#">The Wentworth at Willow Creek</a>	42	18	0.43	Assisted
o <a href="#">Alta Ridge</a>	44	21	<u>0.48</u>	Assisted
			<b>0.44 Average</b>	
o <a href="#">Graphs</a>				

**Parking Analysis**  
**The Wentworth at East Millcreek**  
 1871 E. 3300 S.

Facility Type: Assisted Living  
 # Of Units 43  
 # Of Parking Stalls: 18

Date	Day	Time	# Of Cars	% Occupied Stalls
2/5/2002	Tuesday	8:30am - 9:30am	10	56%
2/5/2002	Tuesday	12:00pm - 1:00pm	15	83%
1/22/2002	Tuesday	5:00pm - 6:00pm	8	44%
2/5/2002	Tuesday	8:00pm - 9:00pm	6	33%
12/27/2001	Thursday	8:30am - 9:30am	9	50%
12/27/2001	Thursday	12:00pm - 1:00pm	14	78%
2/21/2002	Thursday	5:00pm - 6:00pm	4	22%
2/21/2002	Thursday	8:00pm - 9:00pm	4	22%
12/22/2001	Saturday	8:30am - 9:30am	9	50%
12/8/2001	Saturday	12:00pm - 1:00pm	9	50%
12/22/2001	Saturday	5:00pm - 6:00pm	11	61%
12/15/2001	Saturday	8:00pm - 9:00pm	5	28%
2/12/2002	Tuesday	8:30am - 9:30am	8	44%
2/12/2002	Tuesday	12:00pm - 1:00pm	14	78%
2/5/2002	Tuesday	5:00pm - 6:00pm	9	50%
3/12/2002	Tuesday	8:00pm - 9:00pm	6	33%
1/3/2002	Thursday	8:30am - 9:30am	11	61%
2/21/2002	Thursday	12:00pm - 1:00pm	14	78%
	Thursday	5:00pm - 6:00pm		0%
3/7/2002	Thursday	8:00pm - 9:00pm	6	33%
12/22/2001	Saturday	8:30am - 9:30am	7	39%
3/2/2002	Saturday	12:00pm - 1:00pm	11	61%
3/2/2002	Saturday	5:00pm - 6:00pm	7	39%
3/2/2002	Saturday	8:00pm - 9:00pm	3	17%
1/1/2002	Holiday	8:30am - 9:30am	9	50%
1/1/2002	Holiday	12:00pm - 1:00pm	13	72%
1/1/2002	Holiday	5:00pm - 6:00pm	13	72%
1/1/2002	Holiday	8:00pm - 9:00pm	7	39%

**Parking Analysis**  
**Chateau Brickyard**  
 1300 E. 3000 S.

Facility Type:  
 # Of Units                    102  
 # Of Parking Stalls:        45

Date	Day	Time	# Of Cars	% Occupied Stalls
2/5/2002	Tuesday	8:30am - 9:30am	15	33%
2/5/2002	Tuesday	12:00pm - 1:00pm	25	56%
1/22/2002	Tuesday	5:00pm - 6:00pm	16	36%
2/5/2002	Tuesday	8:00pm - 9:00pm	14	31%
12/27/2001	Thursday	8:30am - 9:30am	19	42%
12/27/2001	Thursday	12:00pm - 1:00pm	26	58%
2/21/2002	Thursday	5:00pm - 6:00pm	19	42%
2/21/2002	Thursday	8:00pm - 9:00pm	19	42%
12/22/2001	Saturday	8:30am - 9:30am	16	36%
12/8/2001	Saturday	12:00pm - 1:00pm	24	53%
12/22/2001	Saturday	5:00pm - 6:00pm	25	56%
12/15/2001	Saturday	8:00pm - 9:00pm	12	27%
2/12/2002	Tuesday	8:30am - 9:30am	20	44%
2/12/2002	Tuesday	12:00pm - 1:00pm	24	53%
2/5/2002	Tuesday	5:00pm - 6:00pm	20	44%
3/12/2002	Tuesday	8:00pm - 9:00pm	16	36%
1/3/2002	Thursday	8:30am - 9:30am	17	38%
2/21/2002	Thursday	12:00pm - 1:00pm	27	60%
	Thursday	5:00pm - 6:00pm		0%
3/7/2002	Thursday	8:00pm - 9:00pm	17	38%
12/22/2001	Saturday	8:30am - 9:30am	15	33%
3/2/2002	Saturday	12:00pm - 1:00pm	23	51%
3/2/2002	Saturday	5:00pm - 6:00pm	21	47%
3/2/2002	Saturday	8:00pm - 9:00pm	17	38%
1/1/2002	Holiday	8:30am - 9:30am	21	47%
1/1/2002	Holiday	12:00pm - 1:00pm	19	42%
1/1/2002	Holiday	5:00pm - 6:00pm	18	40%
1/1/2002	Holiday	8:00pm - 9:00pm	13	29%

**Parking Analysis**  
 Millcreek Retirement Residence  
 777 E. 3900 S.

Facility Type:  
 # Of Units 76  
 # Of Parking Stalls: 32

Date	Day	Time	# Of Cars	% Occupied Stalls
2/5/2002	Tuesday	8:30am - 9:30am	19	59%
2/5/2002	Tuesday	12:00pm - 1:00pm	27	84%
1/22/2002	Tuesday	5:00pm - 6:00pm	16	50%
2/5/2002	Tuesday	8:00pm - 9:00pm	17	53%
12/27/2001	Thursday	8:30am - 9:30am	16	50%
12/27/2001	Thursday	12:00pm - 1:00pm	18	56%
2/21/2002	Thursday	5:00pm - 6:00pm	22	69%
2/21/2002	Thursday	8:00pm - 9:00pm	12	38%
12/22/2001	Saturday	8:30am - 9:30am	14	44%
12/8/2001	Saturday	12:00pm - 1:00pm	17	53%
12/22/2001	Saturday	5:00pm - 6:00pm	18	56%
12/15/2001	Saturday	8:00pm - 9:00pm	11	34%
2/12/2002	Tuesday	8:30am - 9:30am	20	63%
2/12/2002	Tuesday	12:00pm - 1:00pm	23	72%
2/5/2002	Tuesday	5:00pm - 6:00pm	28	88%
3/12/2002	Tuesday	8:00pm - 9:00pm	14	44%
1/3/2002	Thursday	8:30am - 9:30am	16	50%
2/21/2002	Thursday	12:00pm - 1:00pm	23	72%
	Thursday	5:00pm - 6:00pm		0%
3/7/2002	Thursday	8:00pm - 9:00pm	16	50%
12/22/2001	Saturday	8:30am - 9:30am	15	47%
3/2/2002	Saturday	12:00pm - 1:00pm	19	59%
	Saturday	5:00pm - 6:00pm		0%
	Saturday	8:00pm - 9:00pm		0%
1/1/2002	Holiday	8:30am - 9:30am	12	38%
1/1/2002	Holiday	12:00pm - 1:00pm	14	44%
1/1/2002	Holiday	5:00pm - 6:00pm	11	34%
1/1/2002	Holiday	8:00pm - 9:00pm	11	34%

## Parking Analysis

Cordia

Approx. 4500 S. 1300 E.

Facility Type:

# Of Units                      119

# Of Parking Stalls:         45

Date	Day	Time	# Of Cars	% Occupied Stalls
2/5/2002	Tuesday	8:30am - 9:30am	26	58%
2/5/2002	Tuesday	12:00pm - 1:00pm	39	87%
1/22/2002	Tuesday	5:00pm - 6:00pm	30	67%
2/5/2002	Tuesday	8:00pm - 9:00pm	27	60%
12/27/2001	Thursday	8:30am - 9:30am	28	62%
12/27/2001	Thursday	12:00pm - 1:00pm	38	84%
2/21/2002	Thursday	5:00pm - 6:00pm	23	51%
2/21/2002	Thursday	8:00pm - 9:00pm	18	40%
12/22/2001	Saturday	8:30am - 9:30am	28	62%
12/8/2001	Saturday	12:00pm - 1:00pm	34	76%
12/22/2001	Saturday	5:00pm - 6:00pm	35	78%
12/15/2001	Saturday	8:00pm - 9:00pm	21	47%
2/12/2002	Tuesday	8:30am - 9:30am	21	47%
2/12/2002	Tuesday	12:00pm - 1:00pm	33	73%
2/5/2002	Tuesday	5:00pm - 6:00pm	37	82%
3/12/2002	Tuesday	8:00pm - 9:00pm	38	84%
1/3/2002	Thursday	8:30am - 9:30am	21	47%
2/21/2002	Thursday	12:00pm - 1:00pm	33	73%
	Thursday	5:00pm - 6:00pm		0%
3/7/2002	Thursday	8:00pm - 9:00pm	18	40%
12/22/2001	Saturday	8:30am - 9:30am	32	71%
3/2/2002	Saturday	12:00pm - 1:00pm	41	91%
3/2/2002	Saturday	5:00pm - 6:00pm	33	73%
3/2/2002	Saturday	8:00pm - 9:00pm	19	42%
1/1/2002	Holiday	8:30am - 9:30am	21	47%
1/1/2002	Holiday	12:00pm - 1:00pm	28	62%
1/1/2002	Holiday	5:00pm - 6:00pm	34	76%
1/1/2002	Holiday	8:00pm - 9:00pm	20	44%

**Parking Analysis**  
**Cottonwood Creek**  
 Approx. 1300 E. Murray Holladay Rd.

Facility Type:  
 # Of Units 103  
 # Of Parking Stalls: 51

Date	Day	Time	# Of Cars	% Occupied Stalls
2/5/2002	Tuesday	8:30am - 9:30am	22	43%
2/5/2002	Tuesday	12:00pm - 1:00pm	23	45%
1/22/2002	Tuesday	5:00pm - 6:00pm	16	31%
2/5/2002	Tuesday	8:00pm - 9:00pm	9	18%
12/27/2001	Thursday	8:30am - 9:30am	17	33%
12/27/2001	Thursday	12:00pm - 1:00pm	22	43%
2/21/2002	Thursday	5:00pm - 6:00pm	17	33%
2/21/2002	Thursday	8:00pm - 9:00pm	14	27%
12/22/2001	Saturday	8:30am - 9:30am	13	25%
12/22/2001	Saturday	12:00pm - 1:00pm	17	33%
12/22/2001	Saturday	5:00pm - 6:00pm	15	29%
12/15/2001	Saturday	8:00pm - 9:00pm	8	16%
2/12/2002	Tuesday	8:30am - 9:30am	20	39%
2/12/2002	Tuesday	12:00pm - 1:00pm	30	59%
2/5/2002	Tuesday	5:00pm - 6:00pm	19	37%
3/12/2002	Tuesday	8:00pm - 9:00pm	13	25%
1/3/2002	Thursday	8:30am - 9:30am	19	37%
2/21/2002	Thursday	12:00pm - 1:00pm	25	49%
	Thursday	5:00pm - 6:00pm		0%
3/7/2002	Thursday	8:00pm - 9:00pm	11	22%
12/22/2001	Saturday	8:30am - 9:30am	17	33%
3/2/2002	Saturday	12:00pm - 1:00pm	26	51%
3/2/2002	Saturday	5:00pm - 6:00pm	16	31%
3/2/2002	Saturday	8:00pm - 9:00pm	43	84%
1/1/2002	Holiday	8:30am - 9:30am	12	24%
1/1/2002	Holiday	12:00pm - 1:00pm	17	33%
1/1/2002	Holiday	5:00pm - 6:00pm	12	24%
1/1/2002	Holiday	8:00pm - 9:00pm	12	24%

**Parking Analysis**  
The Wentworth at Willow Creek  
8315 S. 2000 E.

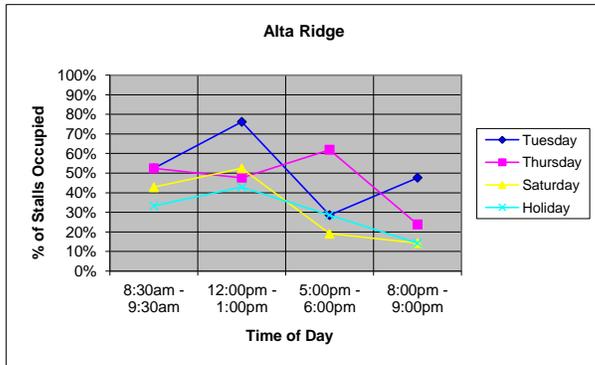
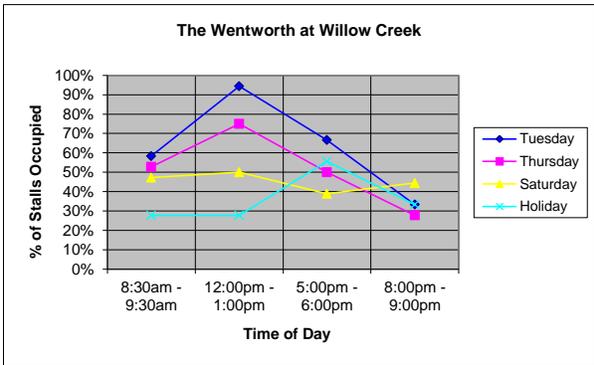
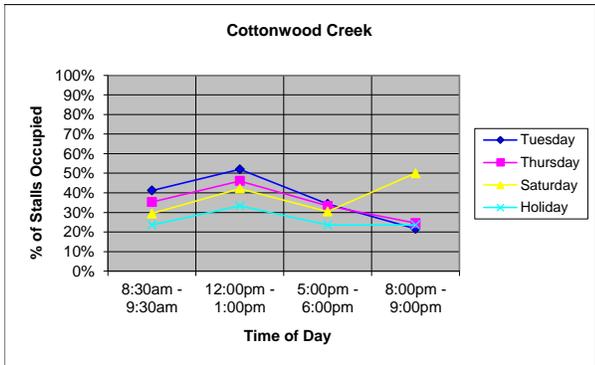
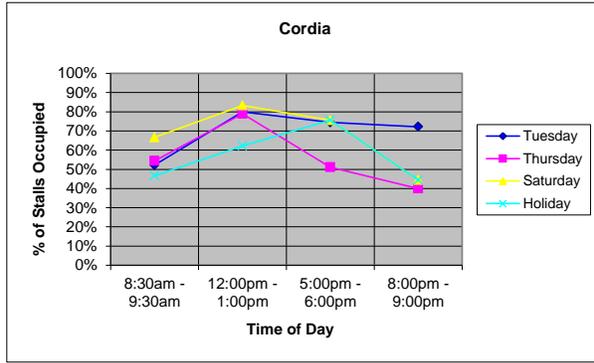
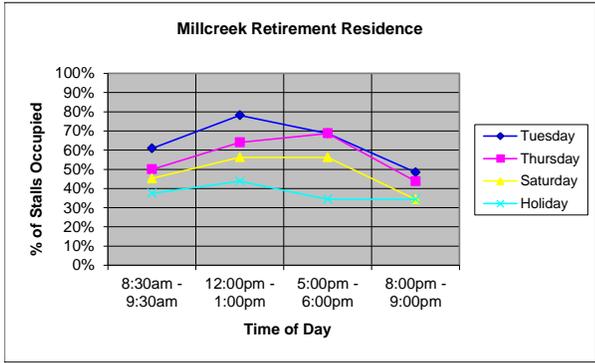
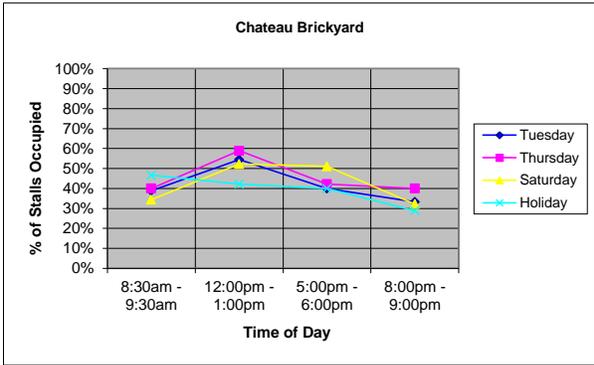
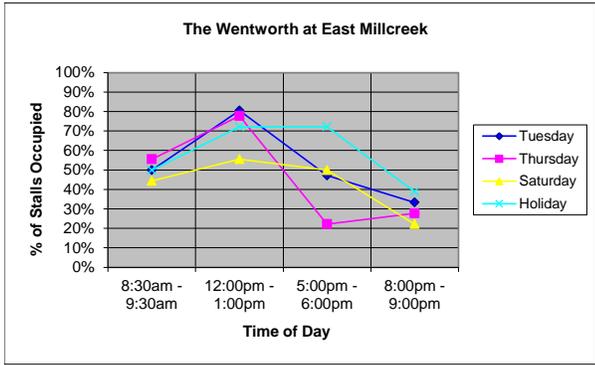
Facility Type: Assisted Living  
# Of Units 42  
# Of Parking Stalls: 18

Date	Day	Time	# Of Cars	% Occupied Stalls
2/5/2002	Tuesday	8:30am - 9:30am	16	89%
2/5/2002	Tuesday	12:00pm - 1:00pm	19	106%
1/22/2002	Tuesday	5:00pm - 6:00pm	11	61%
2/5/2002	Tuesday	8:00pm - 9:00pm	9	50%
12/27/2001	Thursday	8:30am - 9:30am	6	33%
12/27/2001	Thursday	12:00pm - 1:00pm	14	78%
2/21/2002	Thursday	5:00pm - 6:00pm	9	50%
2/21/2002	Thursday	8:00pm - 9:00pm	3	17%
12/22/2001	Saturday	8:30am - 9:30am	6	33%
12/22/2001	Saturday	12:00pm - 1:00pm	6	33%
12/22/2001	Saturday	5:00pm - 6:00pm	6	33%
	Saturday	8:00pm - 9:00pm		0%
2/12/2002	Tuesday	8:30am - 9:30am	5	28%
2/12/2002	Tuesday	12:00pm - 1:00pm	15	83%
2/5/2002	Tuesday	5:00pm - 6:00pm	13	72%
3/12/2002	Tuesday	8:00pm - 9:00pm	3	17%
1/3/2002	Thursday	8:30am - 9:30am	13	72%
2/21/2002	Thursday	12:00pm - 1:00pm	13	72%
	Thursday	5:00pm - 6:00pm		0%
3/7/2002	Thursday	8:00pm - 9:00pm	7	39%
12/22/2002	Saturday	8:30am - 9:30am	11	61%
3/2/2002	Saturday	12:00pm - 1:00pm	12	67%
3/2/2002	Saturday	5:00pm - 6:00pm	8	44%
3/2/2002	Saturday	8:00pm - 9:00pm	8	44%
1/1/2002	Holiday	8:30am - 9:30am	5	28%
1/1/2002	Holiday	12:00pm - 1:00pm	5	28%
1/1/2002	Holiday	5:00pm - 6:00pm	10	56%
1/1/2002	Holiday	8:00pm - 9:00pm	6	33%

**Parking Analysis**  
 Alta Ridge  
 Approx. 90000 S. 1350 E.

Facility Type:  
 # Of Units 44  
 # Of Parking Stalls: 21  
 Researcher:

Date	Day	Time	# Of Cars	% Occupied Stalls
2/5/2002	Tuesday	8:30am - 9:30am	12	57%
2/5/2002	Tuesday	12:00pm - 1:00pm	16	76%
1/22/2002	Tuesday	5:00pm - 6:00pm	6	29%
2/5/2002	Tuesday	8:00pm - 9:00pm	4	19%
12/27/2001	Thursday	8:30am - 9:30am	11	52%
12/27/2001	Thursday	12:00pm - 1:00pm	9	43%
2/21/2002	Thursday	5:00pm - 6:00pm	13	62%
2/21/2002	Thursday	8:00pm - 9:00pm	4	19%
12/22/2001	Saturday	8:30am - 9:30am	8	38%
12/22/2001	Saturday	12:00pm - 1:00pm	11	52%
12/22/2001	Saturday	5:00pm - 6:00pm	5	24%
	Saturday	8:00pm - 9:00pm		0%
2/12/2002	Tuesday	8:30am - 9:30am	11	52%
2/12/2002	Tuesday	12:00pm - 1:00pm	16	76%
2/5/2002	Tuesday	5:00pm - 6:00pm	6	29%
3/12/2002	Tuesday	8:00pm - 9:00pm	10	48%
1/3/2002	Thursday	8:30am - 9:30am	11	52%
2/21/2002	Thursday	12:00pm - 1:00pm	11	52%
	Thursday	5:00pm - 6:00pm		0%
3/7/2002	Thursday	8:00pm - 9:00pm	6	29%
12/22/2001	Saturday	8:30am - 9:30am	9	43%
3/2/2002	Saturday	12:00pm - 1:00pm	11	52%
3/2/2002	Saturday	5:00pm - 6:00pm	4	19%
3/2/2002	Saturday	8:00pm - 9:00pm	3	14%
1/1/2002	Holiday	8:30am - 9:30am	7	33%
1/1/2002	Holiday	12:00pm - 1:00pm	9	43%
1/1/2002	Holiday	5:00pm - 6:00pm	6	29%
1/1/2002	Holiday	8:00pm - 9:00pm	3	14%



## Averages

*This page is simply used to get an average of the two days studied for the purpose of generating the graphs.*

### The Wentworth at East Millcreek

Tuesday	8:30am - 9:30am	9	50%
Tuesday	12:00pm - 1:00pm	14.5	81%
Tuesday	5:00pm - 6:00pm	8.5	47%
Tuesday	8:00pm - 9:00pm	6	33%
Thursday	8:30am - 9:30am	10	56%
Thursday	12:00pm - 1:00pm	14	78%
Thursday	5:00pm - 6:00pm	4	22%
Thursday	8:00pm - 9:00pm	5	28%
Saturday	8:30am - 9:30am	8	44%
Saturday	12:00pm - 1:00pm	10	56%
Saturday	5:00pm - 6:00pm	9	50%
Saturday	8:00pm - 9:00pm	4	22%

### Chateau Brickyard

Tuesday	8:30am - 9:30am	17.5	39%
Tuesday	12:00pm - 1:00pm	24.5	54%
Tuesday	5:00pm - 6:00pm	18	40%
Tuesday	8:00pm - 9:00pm	15	33%
Thursday	8:30am - 9:30am	18	40%
Thursday	12:00pm - 1:00pm	26.5	59%
Thursday	5:00pm - 6:00pm	19	42%
Thursday	8:00pm - 9:00pm	18	40%
Saturday	8:30am - 9:30am	15.5	34%
Saturday	12:00pm - 1:00pm	23.5	52%
Saturday	5:00pm - 6:00pm	23	51%
Saturday	8:00pm - 9:00pm	14.5	32%

### Millcreek Retirement Residence

Tuesday	8:30am - 9:30am	19.5	61%
Tuesday	12:00pm - 1:00pm	25	78%
Tuesday	5:00pm - 6:00pm	22	69%
Tuesday	8:00pm - 9:00pm	15.5	48%
Thursday	8:30am - 9:30am	16	50%
Thursday	12:00pm - 1:00pm	20.5	64%
Thursday	5:00pm - 6:00pm	22	69%
Thursday	8:00pm - 9:00pm	14	44%
Saturday	8:30am - 9:30am	14.5	45%
Saturday	12:00pm - 1:00pm	18	56%
Saturday	5:00pm - 6:00pm	18	56%
Saturday	8:00pm - 9:00pm	11	34%

Cordia

Tuesday	8:30am - 9:30am	23.5	52%
Tuesday	12:00pm - 1:00pm	36	80%
Tuesday	5:00pm - 6:00pm	33.5	74%
Tuesday	8:00pm - 9:00pm	32.5	72%
Thursday	8:30am - 9:30am	24.5	54%
Thursday	12:00pm - 1:00pm	35.5	79%
Thursday	5:00pm - 6:00pm	23	51%
Thursday	8:00pm - 9:00pm	18	40%
Saturday	8:30am - 9:30am	30	67%
Saturday	12:00pm - 1:00pm	37.5	83%
Saturday	5:00pm - 6:00pm	34	76%
Saturday	8:00pm - 9:00pm	20	44%

Cottonwood Creek

Tuesday	8:30am - 9:30am	21	41%
Tuesday	12:00pm - 1:00pm	26.5	52%
Tuesday	5:00pm - 6:00pm	17.5	34%
Tuesday	8:00pm - 9:00pm	11	22%
Thursday	8:30am - 9:30am	18	35%
Thursday	12:00pm - 1:00pm	23.5	46%
Thursday	5:00pm - 6:00pm	17	33%
Thursday	8:00pm - 9:00pm	12.5	25%
Saturday	8:30am - 9:30am	15	29%
Saturday	12:00pm - 1:00pm	21.5	42%
Saturday	5:00pm - 6:00pm	15.5	30%
Saturday	8:00pm - 9:00pm	25.5	50%

The Wentworth at Willow Creek

Tuesday	8:30am - 9:30am	10.5	58%
Tuesday	12:00pm - 1:00pm	17	94%
Tuesday	5:00pm - 6:00pm	12	67%
Tuesday	8:00pm - 9:00pm	6	33%
Thursday	8:30am - 9:30am	9.5	53%
Thursday	12:00pm - 1:00pm	13.5	75%
Thursday	5:00pm - 6:00pm	9	50%
Thursday	8:00pm - 9:00pm	5	28%
Saturday	8:30am - 9:30am	8.5	47%
Saturday	12:00pm - 1:00pm	9	50%
Saturday	5:00pm - 6:00pm	7	39%
Saturday	8:00pm - 9:00pm	8	44%

Alta Ridge

Tuesday 8:30am - 9:30am	11.5	55%
Tuesday 12:00pm - 1:00pm	16	76%
Tuesday 5:00pm - 6:00pm	6	29%
Tuesday 8:00pm - 9:00pm	7	33%
Thursday 8:30am - 9:30am	11	52%
Thursday 12:00pm - 1:00pm	10	48%
Thursday 5:00pm - 6:00pm	13	62%
Thursday 8:00pm - 9:00pm	5	24%
Saturday 8:30am - 9:30am	8.5	40%
Saturday 12:00pm - 1:00pm	11	52%
Saturday 5:00pm - 6:00pm	4.5	21%
Saturday 8:00pm - 9:00pm	3	14%



## MINUTES – Planning Commission

Thursday, July 12, 2018

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 Kirk Wilkins

**Present:**

Commission Members: Kirk Wilkins, Bryan Chapman, Bryce Anderson, Christopher Carn, Ken Kilgore, Sandra Steele

Staff: Mark Christensen, City Manager; Dave Stroud, Planning Director; Sarah Carroll, Senior Planner; Kevin Thurman, City Attorney; Daniel McRae, Engineer I; Nicolette Fike, Deputy Recorder

Others: Marsha Paskett, Delsa Doyle, Ron Paskett, Reneé Arnelle, Jason Fox, Danny Woodhouse, Jake Meyers, Maria Medina, Ted Didas, Brandon H., Nate Walter, George & Denise Jeknavorian, Josh Roland, Ryan Smith, Bruce Rau, Scott Thorsen

**Excused:** Troy Cunningham

7. **Public Hearing: Rezone approx. 1.33 acres from A to RR (located at approx. 1538 N Foothill Blvd). Rezone approx. 5.1 acres from RR and A to R1-9 (located at approx. 1590 N Cozy Ln); General Plan Amendment for a portion of this property from Rural Residential to Low Density Residential. Rezone approx. 16.29 acres from A, RR, and RC, to MF-10 (located at approx. 700 West 1400 North); General Plan Amendment from Rural Residential and Low Density Residential to High Density Residential. Saratoga Dignity, Mark Hampton, applicant.**

Senior Planner Sarah Carroll presented the Rezones. The applicant is requesting a concept plan review along with rezones and general plan amendments to allow for single family lots and a senior community. The concept plan includes two lots for existing homes that are 1+ acres in size, 16 single family residential lots that are 9,000 square feet minimum, and a senior community with 92 units and an assisted living facility. One of the existing homes is currently zoned RR while the other is zoned A. For the one that is zoned A the RR zone is requested in order to allow for a 1 acre minimum lot size. The area indicated for 16 single family lots is proposed to be rezoned to R1-9. The area indicated for 92 units and an assisted living facility is proposed to be rezoned to MF-10. Associated General Plan Amendments are requested as well. She noted that staff recommends making guest parking more accessible. On the Assisted Living center they are showing 21 stalls, but accessible stalls are not shown. Based on the need for accessible stalls and a landscaped island, a minimum of 3 more stalls are recommended to be added. The applicant is proposing a cross-section not in City standards; a 26' wide asphalt, it could be allowed through a development agreement. The fire marshal noted it could be allowed if there was no parking on the streets. If the asphalt was wider they could allow for street parking. The applicant proposed no curb and gutter to reduce tripping hazard. She noted that the City Engineer was not concerned about the one sided slope of the road.

Mark Hampton from Dignity Care and Ted Didas from McNeil Engineering were present as applicants. Mark Hampton noted that the Mountain View Corridor project stalled their project for a bit. This is a private, age restricted, HOA governed community. There will be both renters and buyers in the community. They have this same type community in Lehi and So. Jordan. They have designed a club house with a pool. The assisted living is under the board of health regulations as a small facility. It is important to them and their residents to not have any trip hazards, including the roads. Even walking into the homes from the driveway is flat, no steps. The road on their south boundary line is a dead-end, they feel they fit there well because they don't like traffic. They did carve off part of the property for single family homes to connect to Cozy Ln. He noted that parking was a concern staff shared with them. In their other campuses they don't have the back guest parking, and none of them have a parking problem. There is a two car garage at each unit, so four stalls across the front of each building. There is 64 feet from garage to opposite garage. Most of their residents only have 1 car. If parking is an issue they are willing to commission a full study. They won't have people parking on the street. Ted Didas noted they want to keep the road widths narrow to keep speeds down. The fire chief has conveyed that it was adequate. The doors to the units are on the same side the garages are on, parking in the driveways is more conducive to access, so people would not want to park on the street. Mark Hampton noted services they offer including meals, laundry,

medications, there is a back of house service corridor for care access. They produce meals in their Assisted Living center. Ted Didas noted on the assisted living club house parking that they propose to lengthen the over-head canopy to add the 3 additional stalls underneath.

Planning Director Dave Stroud asked for clarification on whether each unit would be for sale or rented. Mark Hampton responded that there was a mix, Medicare and Medicaid can reimburse in some situations. Some people are not able to own so we offer some rentals. As long as it's a primary residence Medicare can be billed for some of the back of house services.

**Public Hearing Open** by Chairman Kirk Wilkins

Masha Paskett, property owner, shared her excitement about this development. The idea of making it safe for all the residents is so important. They have lived here 23 years and have always wanted to do this but it was never the right time. They would like to live there and intend to live there. This is the only product she is aware of that has anything like this. There are safety features on every part. Dignity has been a great group to work with. She likes the idea of the separate wall between the two units so you don't hear the neighbors. There is a lot of support for this product. They would like to make it a gated community to keep traffic down and keep residents safe, especially when walking.

Delsa Doyle thinks this is an exceptional idea. She has had to care for her husband and a facility like this would have been fantastic. There were several times she needed help in the middle of the night and she had to wait a long time for help to arrive.

Daniel Woodhouse, Aspen Hills, asked how tall the assisted living area would be. He is in favor of this product. He asked why they had to put houses into Cozy Lane, why it couldn't be closed off as a private drive and be more assisted living. He remarked that drivers on Aspen Hills Blvd. are a "nightmare."

Maria Medina noted that families are busy with jobs and as such, friends and neighbors sometimes become our family. It's important to have sense of community and that neighbors will be watching out for us. The sense of community in this development is important. The amenities in this community are important and it affords a quality of life they want to have. The transition to assisted living is also important. And if needed they will still have the same neighbors. She asked if medical would be in-house personnel or coming into the facility and if it would be 24 hour care She asked what the HOA costs were anticipated to be.

**Public Hearing Closed** by Chairman Kirk Wilkins

Mark Hampton responded to public comments. Medical doctor would not be 24 hour care. There would be a dedicated doctor office with a small visitor room. It needs to have an outside entrance to qualify for Medicare. There will be a full time CNA on staff. If desired for an extra fee a resident could have nurse call buttons to use with the wireless nursing system. The Assisted Living center would be one story. The bed count is only 12 not 45 as was incorrectly in their materials. That should make a difference in the amount of parking needed. The cottages will be 1 story with an option to add a bonus room in the trusses so the roofline would not go up. Nothing was two story. The HOA fees would be up to the HOA, perhaps around \$125-150. The residents buy or rent a cottage and add services such as laundry or meals. It is cheaper than a typical Assisted Living Center. He suggested a field trip to their other campuses. In response to public question he advised that the assisted living facility is on the south end of the development.

On the connector road, Mark Hampton noted that their original senior living plans included the area, however, the requirement from the City was for connectivity so they took that area out. They would prefer no public access through their development. Senior Planner Sarah Carroll advised that when Mountain View Corridor comes through the west access to Aspen Hills Blvd. will be closed which will help with many traffic concerns. She noted there was an existing road stub on Cozy Ln. and it's a requirement for subdivisions to interconnect. It is for local street linkages between the neighborhoods, not meant for through traffic. It also allows more than one access to the neighborhood to not concentrate all the traffic on one road. She noted the south access road (1400 N.) would remain a dead end to the west which will discourage through traffic as well.

Commissioner Kilgore

- Wondered how this fit into the States affordable housing calculation and the City's proposition 6. Senior Planner Sarah Carroll responded that she would need to look into the State's calculation further. There are different categories with Prop 6 and they keep track of the different types throughout the City. The multi-

family zone is the best zone for this type of facility. City Attorney Kevin Thurman advised that we are under the allowed amount on the attached single-family type. He further advised that Prop 6 specifies unit type, not density.

- Believes this product is needed in the City and is a good product
- After hearing comments, he feels that as long as the City Engineer is ok with the asphalt width, then he is in favor of it.

#### Commissioner Chapman

- Remarked that this product was needed in the City.
- Asked about the data for the parking done in 2001-2 and asked if there would be a reason for it to have changed. Mark Hampton responded that he could get a new one if needed. All the facilities tracked at that time were 100% full. He shared that the busiest parking time in Assisted Living is on Mondays between 12 and 1.
- Asked if there would be a way to notify visitors of no parking on the streets. Mark Hampton responded that there would be no parking signs. Planning Director Dave Stroud advised that the rim curb would be painted red. Mark Hampton noted that the residents enforce the parking well.
- Asked if the current residents would be staying in the existing homes. Senior Planner Sarah Carroll advised that the existing houses and lots would stay.

#### Commissioner Steele

- Asked why the Agriculture was being rezoned to RR. Senior Planner Sarah Carroll advised that Agriculture needs to be 5 acres and these lots were just over one acre. Commissioner Steele is concerned with the spot zoning. Mark Hampton asked if they could zone the whole thing and there could be non-conforming uses. Commissioner Carn commented that they wouldn't want someone to tear down the existing houses and put in high density.
- Asked what the running slope and the cross slope of the street was. Ted Didas responded that the cross slope is 2% and the running is about 3.8% in the direction of the road. He noted the inside curve could get a little steeper.
- Asked why the pool was further away from the units that might be using it the most. Some people may have limited mobility and they would need to drive down there. Mark Hampton responded that one of the main reasons was the topography. They also try to keep the residents of the Assisted Living as part of the community. If they flip it, it seems to push them out of the community. They like to have the club house near the entrance as a show piece of the community. Commissioner Steele commented that her experience with 3 different facilities is that having them as part of the community can bring in viruses. Because of that sometimes it's better to have Assisted Living residents a little further away from people coming in to use the club house.
- Parking is an issue for her, it is better now that they know it's only 12 units but her experience is that more parking is needed especially when the club house is being used.
- Asked how many staff were on duty during the day. Mark Hampton noted they have to have a licensed staff, but was not aware at this time how many staff there would be. He thought at peak times they would have 5 staff at the most Commissioner Steele noted that would also make a difference to the amount of parking needed. Mark Hampton noted that in general everyone walks to the club house for parties and things. They can designate part of the parking for Assisted Living. Commissioner Steele is concerned that the facilities in the parking study were not good comparisons.
- Received clarification from Mr. Hampton that there was going to be exercise equipment but no rehab in the clubhouse.
- She noted on the units that they anticipate helping people at, they need to check if it would be covered under the fair housing act. She suggested that they look up the fair housing design manual and design for accessibility.
- She asked about them using the clubhouse and reserving it. She noted that in bad and cold weather residents would want to drive and more parking would be beneficial.
- She received clarification from Mr. Hampton that the clubhouse was not the same as the dining facility for the Assisted Living. It would also be separated by a fire wall.
- She would like to see the 6 foot walk width on the sidewalk.
- She suggested for parking in the area of the quads they should consider one accessible parking space within the grouping.

Commissioner Carn

- Did not like that the City required connectivity between the neighborhoods. He felt streets should be allowed to be private and gate the community.
- He liked the product.
- He asked if the service corridor was a common access to the 4 units. Mark Hampton noted it was a common access only from one side, but each unit would need a separate key granted by the residents.
- Received clarification from Senior Planner Sarah Carroll on the current zone areas. He is concerned in recommending the rezone to a higher density. City Attorney Kevin Thurman advised that Proposition 6 did not address Density, but addressed unit types. This development would not be against prop 6. With the rezone from commercial it would perhaps make the impact in the area less. Senior Planner Sarah Carroll advised the General Plan does recommend residential here. Commissioner Carn felt if they recommend this product in this location he thinks it goes against the will of the people. Senior Planner Sarah Carroll noted that there was a neighborhood meeting held and notice was sent to residents. There are residents here but they are not against it because they are aware of the type of product it is and that alleviates many concerns. Commissioner Chapman noted as a resident in the area that while it is increasing density it is not the traditional type of high density people are concerned with. It is a reduction in noise and traffic and there are desirable attributes. The reduction in commercial is also good for the area. Commissioner Steele noted all of our residential zones allowed for senior living and could this be put in an R3 (R1-10) zone. Senior Planner Sarah Carroll advised that it could not with the 4-plexes. Ted Didas added that there is a difference between density and intensity of use. A type of facility like this will not impact the school or traffic like other products might in this zone. Senior Planner Sarah Carroll noted they can do things like development agreements or conditions where the zones are not approved until site plan approval, so it doesn't get rezoned and then another developer pick it up if this development falls through.

Commissioner Anderson

- Asked if there were any concerns from their neighborhood meetings. Mark Hampton said there were not a lot of concerns, mainly views and traffic.

Commissioner Wilkins

- Noted that with their comments about no trip problems, he noted that our concrete surfaces tends to crack and shift frequently.

Commissioners discussed the parking and with the decrease in beds from 45 to 12 they generally felt the parking has been taken care of. There would need to be the added parking under the portico. And they felt the assisted living could have separated or designated spots.

Generally the Commissioners were ok with the 26' road width as long as there was no parking and the City Engineer approved it. Commissioner Steele preferred the 29 foot width. Commissioner Wilkins would defer to the experience of the applicant.

Parking in the quads, Commissioner Kilgore noted that this is like any other regular community and in regular communities we don't require all this extra parking and he doesn't see why we should require more here. Mark Hampton noted that they meet code the way it is now and they didn't feel they would use all the extra parking. Commissioner Kilgore noted he is ok, because it meets code and those needing wheelchair access can use the driveways. If they do consider the extra parking it would be great. Planning Director Dave Stroud noted that with all the driveways he thinks there is sufficient parking. Commissioner Wilkins did have concern with shared driveways and potential grandkids running around, just as a safety issue.

**Motion made by Commissioner Chapman to forward a positive recommendation to the City Council for approval of the proposed Rezones and General Plan Amendments, with the Findings and conditions in the staff report. With an emphasis on condition number 1. Seconded by Commissioner Kilgore.**

Commissioner Carn noted he was not comfortable with the high density rezone.

**Aye: Bryce Anderson, Bryan Chapman, Ken Kilgore, Sandra Steele, Kirk Wilkins. Nay: Christopher Carn. Motion passed 5-1**



# MINUTES – CITY COUNCIL

Tuesday, August 7, 2018

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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## City Council Policy Meeting

**Call to Order:** Mayor Jim Miller called the Policy Meeting to order at 7:05 p.m.

### **Roll Call:**

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

**Staff Present** City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Public Relations and Economic Development Manager David Johnson, City Engineer Gordon Miner, Planning Director David Stroud, Senior Planner Sarah Carroll, Deputy City Recorder Kayla Moss.

Invocation by Council Member Porter.

Pledge of Allegiance led by Bryson Briggs of Troop 1821.

### **Public Input:**

Mayor Miller opened public input at 7:07 p.m. There were no comments so public input was closed.

### **REPORTS:**

Mayor Miller had a meeting with MAG and funding went through for future roads. Some new development has caused dirt to go into people’s back yards. Public Works responded very quickly very late at night. He and Council Member Willden asked that George Leatham be recognized for his diligence.

Council Member Baertsch reported that a letter was received from the Lake Commission. They will be treating some parcels chemically before the winter. Two of the elementary schools have decided to get rid of the DARE program in the City. She wants to follow up with the Principal’s to see why that is. The Maverik Grand Opening is on August 16<sup>th</sup>.

Council Member McOmbler advised that Camp Williams hosted the midyear Council retreat. It was great of them to host. It helped save cost so that the Council could get out of the City and be in a different environment to have a very productive meeting.

### **BUSINESS ITEMS:**

#### 1) **Police and Court Facility RFP Award for Construction Management; Resolution R18-42 (8-7-18).**

Assistant City Manager Owen Jackson presented the staff report and recommendation to award contract to SIRQ Construction for Construction Manager as Constructor (CMC) services.

Motion by Council Member Porter to award contract to SIRQ Construction for Police and Court Facility Construction Manager as Constructor (CMC) services in the amount of \$10,000 for pre-construction

49 services and 3.5% of the construction cost for the construction phase Resolution R18-42 (8-7-18), was  
50 seconded by Council Member Poduska.  
51 Vote: Council Members McOmber, Baertsch, Willden, Porter, and Poduska – Aye  
52 Motion carried unanimously.  
53

54 2) **Saratoga Dignity Senior Community Concept Plan, Development Plan, Rezone ~1.33 acres from**  
55 **Agriculture (A) to Rural Residential (RR) located at ~1538 N. Foothill Boulevard; Rezone ~5.1 acres from Rural**  
56 **Residential (RR) and Agriculture (A) to Low Density Residential (R1-9) and General Plan Amendment for a**  
57 **portion of this property from Rural Residential to Low Density, located at ~1590 N. Cozy Lane; Rezone ~16.29**  
58 **acres from Agriculture (A), Rural Residential (RR), and Regional Commercial (RC) to Medium Density**  
59 **Residential (MF-10) and General Plan Amendment from Rural Residential and Low Density Residential to High**  
60 **Density Residential, located at ~700 West 1400 North; Mark Hampton Applicant; Ordinance 18-24 (8-7-18).**

61 Senior Planner Carroll presented the staff report and recommendation concerning the request for approval  
62 of the Saratoga Dignity Senior Community Concept Plan, Development Plan, and Rezone. The Applicant is  
63 requesting a concept plan review along with rezones and general plan amendments to allow for single  
64 family lots and a senior community. The concept plan includes two lots for existing homes that are 1+ acres  
65 in size, 16 single family residential lots that are 9,000 square feet minimum, and a senior community with  
66 92 units and an assisted living facility with 12 beds. One of the existing homes is currently zoned RR while  
67 the other is zoned A. For the one that is zoned A the RR zone is requested in order to allow for a 1 acre  
68 minimum lot size. The area indicated for 16 single family lots is proposed to be rezoned to R1-9. The area  
69 indicated for 92 units and an assisted living facility is proposed to be rezoned to MF-10. Associated General  
70 Plan Amendments are requested as outlined in the staff report.

71  
72 Mark Hampton advised that the reason for the curb and sidewalk design is to reduce the potential trip  
73 hazards. He requested to have the City Council Members tour some of their other neighborhoods to see  
74 how their designs work in other places.

75  
76 Council Member Baertsch feels that this may be adding too dense of a residential use into the City. She is  
77 also concerned about the design of the curb and sidewalk and the road cross section. The landlocked homes  
78 that this development would create is concerning to her as well.

79  
80 Council Member McOmber is concerned about the cross section of the roads in the development. He is  
81 also concerned about the increase of density in these zone changes. He would like to see a limit on number  
82 of units and beds in the development agreement. This development can work but he feels there are  
83 fundamental problems with it. He feels better about approving the current request knowing there will be  
84 a development agreement made.

85  
86 Council Member Poduska thanked the applicant for his interest in coming to the City. He agreed that the  
87 change of zoning needs to be attached to the development agreement. Since the two lots have worked  
88 with UDOT to obtain access to roads still he is not as concerned about them being landlocked.

89  
90 Council Member Porter feels like the two parcels are destined to become undevelopable land but he won't  
91 make it an issue because the property owners have their rights. He feels that although this area would be  
92 very visible to people driving down the road it wouldn't have very good access as a commercial area. He  
93 isn't concerned about getting rid of commercial property because of that but he doesn't want to see it  
94 become too dense of a development. He is worried about the width of the road cross section especially  
95 with the potential of having a higher than normal amount of emergency vehicle traffic. He is a little more  
96 amenable to the change in the sidewalk and gutter.

97  
98 Council Member Willden advised that he lives fairly close to this development. People are excited to see  
99 this type of development in the area. They would much rather have this than commercial. He is comfortable

100 with the density because this isn't creating a truly high density product. The development agreement can  
 101 limit the amount of units that can be built. He is willing to work with them on the sidewalk and storm drain  
 102 issues.

103  
 104 Amended Motion by Council Member Baertsch to approve the Saratoga Dignity Senior Community Concept  
 105 Plan, Development Plan, Rezone, and Ordinance 18-24 (8-7-18) and limiting the number of units to 92 and  
 106 12 beds in the assisted living and removing condition H, was seconded by Council Member Willden.

107 Vote: Council Members McOmber, Baertsch, Willden, Porter, and Poduska – Aye

108 Motion carried unanimously.

109  
 110 4) **North Saratoga Center Preliminary Plat, Tony Trane Applicant, ~2160 North Redwood Road.**  
 111 Senior Planner Carroll presented the staff report and recommendation concerning the request for approval  
 112 of the North Saratoga Center Preliminary Plat to create four commercial lots in the Regional Commercial  
 113 zone, ~4.29 acres.

114  
 115 Motion by Council Member Porter to approve the North Saratoga Center Preliminary Plat including staff  
 116 findings and conditions was seconded by Council Member McOmber.

117 Vote: Council Members McOmber, Baertsch, Willden, Porter, and Poduska – Aye

118 Motion carried unanimously.

119  
 120 3) **Jordan Promenade Community Plan, Matthew Idema Oakwood Homes Applicant, Pioneer Crossing**  
 121 **to 400 South and Redwood Road to the Jordan River; Ordinance 18-25 (8-7-18).**

122 Senior Planner Shepard presented the staff report and recommendation concerning the request for  
 123 approval of the Jordan Promenade Community Plan. The Jordan Promenade Community Plan (revised July  
 124 3, 2018) proposal is for 1500-1800 residential units and up to 46 ERUs of commercial use. There 2 areas  
 125 designated for commercial/mixed use that will be further defined through the Village Plan process. The  
 126 plan also includes 1 school site and 4 meetinghouse sites.

127 Density- The proposed build-out allocation by phase is as follows:

128

RESIDENTIAL BUILD-OUT ALLOCATION SUMMARY				
DEVELOPMENT TYPE	PHASE 1	PHASE 2	PHASE 3	TOTALS
TOWN HOMES	140 - 170 D.U.	100 - 130 D.U.	100 - 130 D.U.	340 - 430 D.U.
SFD - CLUSTER	160 - 190 D.U.	90 - 120 D.U.	190 - 220 D.U.	440 - 530 D.U.
SFD - SMALL LOT (40/50x100)	130 - 160 D.U.	100 - 130 D.U.	170 - 200 D.U.	400 - 490 D.U.
SFD - MEDIUM LOT (50/60x110)	110 - 130 D.U.	70 - 90 D.U.	80 - 110 D.U.	260 - 330 D.U.
SFD - LARGE LOT (70x110 LOT)	30 - 50 D.U.	0 - 20 D.U.	30 - 50 D.U.	60 - 120 D.U.
RESIDENTIAL D.U. RANGE	570 - 700 D.U.	360 - 490 D.U.	570 - 710 D.U.	1,500 - 1,900 D.U.
RESIDENTIAL AREA	109 AC.	67 AC.	131 AC.	307 AC.
RESIDENTIAL DENSITY RANGE	5.2 - 6.4 D.U./AC.	5.3 - 7.3 D.U./AC.	4.3 - 5.4 D.U./AC.	4.8 - 6.2 D.U./AC.
OPEN SPACE AREA RANGE	19.0 - 24.0 AC.	7.0 - 10.0 AC.	30.0 - 41.0	56.0 - 75.0
COMMERCIAL AREA = 23 AC./1,001,880 SF COMMERCIAL ERUs = 46 MEETING HOUSE ERUs = 12 SCHOOL ERUs = 10 RESIDENTIAL ERUs = 1,449 TOTAL = 1,517 ERUs				
NOTE: CHANGES TO THE SIZE AND CONFIGURATION OF RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT AREAS MAY OCCUR DURING THE VILLAGE PLAN PROCESS AND DO NOT REQUIRE AN AMENDMENT TO THE COMMUNITY PLAN.				

129

130  
 131 Senior Planner Shepard reviewed the plan's character and theme, transportation and streets, open space,  
 132 trails, landscaping, fencing, signage and site furnishings, types of residential uses, utilities, General Plan and  
 133 Code compliance.

134

135 Council Member Porter asked questions to make sure that the park that is being proposed is reasonable  
136 for the City to maintain. He wanted to make sure that if the park moves and it doesn't make sense to have  
137 the park maintained by the City that it will be maintained by the HOA.

138  
139 Council Member Baertsch advised that she cannot approve anything that includes zero lot lines. It creates  
140 potential problems for neighbors and she wants to make sure they encourage good neighbors. She has  
141 concerns about how the guest parking is configured. She also thinks that the HOA should think about  
142 allowing overnight parking for guests in their visitor parking stalls with a cap of amount of days so as to  
143 discourage overnight on street parking.

144  
145 Council Member Poduska likes the product they are bringing. He likes the cottage easements. He thinks it  
146 is a good way of thinking outside the box. The only thing that concerns him is the possibility of liability issues  
147 if something happens on that easement area.

148  
149 Council Member Willden thinks that this will be a great product for the City. He is excited about the new  
150 variety they are providing as well.

151  
152 Council Member McOmber isn't concerned about the zero lot line issue because there is an easement for  
153 the property surrounding their home. This makes it so that it isn't a true zero lot line to him. He likes the  
154 concept and is excited about the new product for the City.

155  
156 Amended Motion by Council Member Porter to approve the Jordan Promenade Community Plan, and  
157 Ordinance 18-25 (8-7-18) including all findings and conditions and that the neighborhood park be  
158 maintained by HOA if it is not contiguous with City property, work with HOA to allow overnight guest  
159 parking, keep road cross sections in the community plan subject to the approval of the fire chief, school  
160 park is permitted but not required, lights and noise notes be placed on plats and titles for sports complex  
161 and RC park, was seconded by Council Member McOmber  
162 Vote: Council Members McOmber, Willden, Porter, and Poduska – Aye Council Member Baertsch- Nay  
163 Motion carried 4-1.

164  
165 Council Member Baertsch wanted to clarify that her vote is based solely on the cottage lot shared use areas  
166 they are proposing. She thinks there is potential liability. She does not think it is a good fit for the potential  
167 residents of the City and that it is inequitable to other developers whom we have not allowed to do similar  
168 products.

169  
170 Council Member McOmber added that he voted in favor of it for the opposite reason. He likes the new  
171 product they are offering the City.

172  
173 **MINUTES:**

- 174  
175 1. July 17, 2018.

176  
177 Motion by Council Member Willden to approve the minutes of July 17, 2018 with the submitted and posted  
178 changes, was seconded by Council Member McOmber  
179 Vote: Council Members Porter, McOmber, Baertsch, Willden, and Poduska - Aye  
180 Motion carried unanimously.

181  
182 **CLOSED SESSION:**

183  
184 Motion by Council Member McOmber to enter into closed session for the purchase, exchange, or lease of  
185 property, discussion regarding deployment of security personnel, devices, or systems; pending or

186 reasonably imminent litigation, the character, professional competence, or physical or mental health of an  
187 individual, was seconded by Council Member Baertsch  
188 Council Members were unanimously In Favor

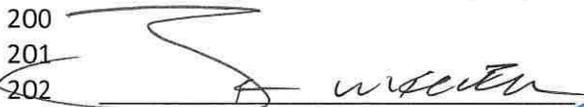
189  
190 The meeting moved to closed session at 9:47 pm.

191  
192 Present: Council Members Willden, Baertsch, Poduska, and Porter, City Manager Mark Christensen, City  
193 Attorney Thurman, Assistant City Manager Owen Jackson, Deputy City Recorder Kayla Moss.

194  
195 Closed Session adjourned at 10:55 p.m.

196  
197 **ADJOURNMENT:**

198  
199 There being no further business, Mayor Miller adjourned the meeting at 10:55 p.m.

200  
201  
202 

203 Jim Miller, Mayor

204  
205 Attest:

206  
207   
208 Cindy LoPiccolo, City Recorder

209  
210 Approved: *8-21-18*



**ORDINANCE NO. 20-22 (6-16-20)**

**AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS,  
UTAH, AMENDING THE DEVELOPMENT AGREEMENT  
FOR THE SARATOGA DIGNITY SENIOR COMMUNITY;  
AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, on August 7, 2018, the City Council for the City of Saratoga Springs approved a Development Agreement between the City and Dignity Care, LLC (“Agreement”) for the Saratoga Dignity Senior Community (“Property”) with express conditions in the Agreement that the applicant and the City desire to amend; and

**WHEREAS**, the current owner of the property is Dignity Care, LLC (“Developer”) and is subject to the original development agreement; and

**WHEREAS**, the developer seeks to modify the agreement and reduce the number of senior community units from 92 to 80 and to increase the number of beds in the proposed senior care center from 12 to 90; and

**WHEREAS**, pursuant to Utah Code § 10-9a-102, the City Council is authorized to enter into and modify development agreements it considers necessary or appropriate for the use and development of land within the municipality; and

**WHEREAS**, the City and Developer desire to amend the Development Agreement to promote the health, welfare, safety, convenience, and economic prosperity of the inhabitants of the City through the establishment and administration of conditions and regulations concerning the use and development of the Property; and

**WHEREAS**, pursuant to its legislative authority under Utah Code Annotated § 10-9a-101, et seq., and after all required public meetings, the City Council, in exercising its legislative discretion, has determined that amending the Agreement furthers the health, safety, prosperity, security, and general welfare of the residents and taxpayers of the City.

**NOW THEREFORE**, the City Council of the City of Saratoga Springs, Utah hereby ordains as follows:

**SECTION I – ENACTMENT**

The amendments to the Development Agreement for the Saratoga Dignity Senior Community, attached hereto as Exhibit A and incorporated herein by this reference, is hereby approved and enacted.

**SECTION II – AMENDMENT OF CONFLICTING ORDINANCES**

If any ordinances, resolutions, policies, or zoning 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 3 public places within the City.

**ADOPTED AND PASSED** by the City Council of the City of Saratoga Springs, Utah, this 16<sup>th</sup> day of June, 2020.

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Cindy LoPiccolo, City Recorder

**VOTE**

Christopher Carn	_____
Michael McOmber	_____
Ryan Poduska	_____
Chris Porter	_____
Stephen Willden	_____

**EXHIBIT A**  
**Amended Development Agreement**

**FIRST AMENDMENT TO DIGNITY CARE  
DEVELOPMENT AGREEMENT**

This First Amendment to the Dignity Care Development Agreement (“Amendment”) is entered into this 8 day of June, 2020, by and between Dignity Care, LLC, a Utah corporation/limited liability company (“Developer”) and the City of Saratoga Springs, a Utah municipal corporation (“City”).

**RECITALS**

- A. Whereas, Developer and the City are parties to that certain Development Agreement, dated December 18, 2018, and recorded on January 14, 2019 as entry number 3490:2019 in the offices of the Utah County Recorder (“Agreement”).
- B. Whereas, Developer is the owner of or has the right to purchase approximately 24.22 acres of property in Saratoga Springs, Utah, which property is more fully described in the Agreement (“Property”).
- C. Whereas, Developer and City desire to amend the Agreement, pursuant to Section 9. of the Agreement, as set for below.

**AGREEMENT**

Therefore, for valuable consideration received, the receipt and sufficiency of which is hereby acknowledged by all parties, Developer and the City do hereby covenant and agree as follows:

- 1. The number of senior community units shall be decreased from 92 units to 80 units, and the number of assist living facility beds shall be increased from 12 beds to 90 beds. A modified Concept Plan reflecting these changes is attached hereto and incorporated herein as Exhibit A to replace the original Concept Plan attached to the Agreement as Exhibit D.
- 2. Both parties acknowledge that such changes are feasible pursuant to an April 3, 2020 parking study, attached hereto and incorporated herein as Exhibit B.
- 3. Terms and Conditions. The above mentioned are the only changes to the Agreement, and all other terms and conditions of the Agreement shall remain the same.
- 4. Incorporation by Reference. The terms of the Agreement (as amended hereby) are incorporated herein by reference.
- 5. Counterparts. This Amendment may be executed and delivered (electronic or otherwise) in two counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- 6. Ratification. Except as set forth herein, all of the terms and conditions of the Agreement are hereby ratified and confirmed.



# City Council Staff Report

**Author:** Gordon Miner, City Engineer

**Subject:** Repealment and Replacement of Floodplain Ordinance

**Date:** June 16, 2020

**Type of Item:** Legislative Action



- A. Summary:** The City’s Floodplain Ordinance is a key part of the City’s participation in the National Flood Insurance Program. From time to time, the Federal Emergency Management Agency (FEMA) updates language required in the ordinance and provides a model ordinance as a new starting point for cities. Rather than editing the current ordinance, Staff chose to repeal the existing ordinance and replace it with the new one recommended by FEMA. The Subject ordinance is FEMA’s model ordinance with slight customizations to the City of Saratoga Springs.
- B. Funding Source:** Not applicable.
- C. Review:** The proposed ordinance has been reviewed by FEMA, Utah Division of Emergency Management, and City Staff. It has been found to be acceptable and in legal form. The Planning Commission forwarded a positive recommendation.
- D. Recommendation and Alternatives:** Staff recommends that the City Council repeal and replace the Floodplain Ordinance, with the following proposed motion:

### Positive Recommendation

“I move to repeal the existing Floodplain Ordinance and replace it with this one.”

### Alternative Recommendation with Modifications

“I move to repeal the existing Floodplain Ordinance and replace it with this one, with the following modifications:”

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

### Negative Recommendation

“I move to keep the City’s current Floodplain Ordinance.”

- E. Attachments:**
  1. Proposed Floodplain Ordinance.

**ORDINANCE NO. 20-23 (6-16-20)**

**AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS,  
UTAH, ADOPTING AMENDMENTS TO THE SARATOGA  
SPRINGS CITY CODE, TITLE 18.02 FLOOD DAMAGE  
PREVENTION**

**WHEREAS**, Chapter 18.02 of the City of Saratoga Springs City Code, entitled “Flood Damage Prevention” has been amended from time to time; and

**WHEREAS**, the City Council has reviewed Chapter 18.02 and finds that further amendments to Chapter 18.02 are necessary to be consistent with state law and the legislative policy of the City Council; and

**WHEREAS**, the City Council, after careful consideration in a public meeting, has determined that it is in the best interest of the public health, safety, and welfare of Saratoga Springs citizens that modifications and amendments to Chapter 18.02 be adopted.

**NOW THEREFORE**, the City Council of the City of Saratoga Springs, Utah hereby ordains as follows:

**SECTION I – ENACTMENT**

Chapter 18.02 is hereby repealed and replaced with the amended Chapter 18.02 attached hereto as Exhibit A.

**SECTION II – AMENDMENT OF CONFLICTING ORDINANCES**

If any ordinances, resolutions, policies, or zoning 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 16<sup>th</sup> day of June, 2020.

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Cindy LoPiccolo, City Recorder

**VOTE**

Chris Carn	_____
Michael McOmber	_____
Ryan Poduska	_____
Chris Porter	_____
Stephen Willden	_____

**EXHIBIT A**

**18.06 Amendments**

## **Chapter 18.02. Flood Damage Prevention.**

### **Sections:**

- 18.02.01. Statutory Authorization.**
- 18.02.02. Findings of Fact.**
- 18.02.03. Statement of Purpose.**
- 18.02.04. Methods of Reducing Flood Losses.**
- 18.02.05. Definitions.**
- 18.02.06. General Provisions.**
- 18.02.07. Warning and Disclaimer of Liability.**
- 18.02.08. Administration.**
- 18.02.09. Provisions for Flood Hazard Reduction**

### **18.02.01. Statutory Authorization.**

The City of Saratoga Springs, Utah (“City”) has the statutory authority pursuant to Utah Code § 10-3-701 to adopt regulations that promote the public health, safety, and general welfare of its residents. This Chapter is adopted pursuant to such statutory authority.

### **18.02.02. Findings of Fact.**

1. The flood hazard areas of the City are subject to periodic inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.
2. These flood losses are created by obstructions in floodplains that cause an increase in flood heights and velocities. In addition, flood losses are created by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood-proofed, or otherwise protected from flood damage.

(Ord. 11-9; Ord. 99-0427-1)

### **18.02.03. Statement of Purpose.**

It is the purpose of this Chapter to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. protect human life and health;
2. minimize expenditure of public money for costly flood-control projects;
3. minimize the need for rescue and relief efforts associated with flooding that are generally undertaken at the expense of the general public;
4. minimize prolonged business interruptions;

5. minimize damage to public facilities and utilities, such as water and sewer mains, electric and telephone lines, and streets and bridges that are located in floodplains.
6. help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize blight to future flood-prone areas; Ensure that potential buyers are notified that property is in a flood area.

(Ord. 11-9; Ord. 99-0427-1)

#### **18.02.04. Methods of Reducing Flood Losses.**

In order to accomplish its purposes, this Chapter uses the following methods:

1. restrict or prohibit uses that are dangerous to health, safety, or property in times of flood; or cause excessive increases in flood heights or velocities;
2. require that uses vulnerable to floods, including facilities that serve such uses, be protected at the time of initial construction against flood damage;
3. regulate the alteration of features such as natural flood plains, stream channels, and natural protective barriers that are involved in the accommodation of flood waters;
4. regulate filling, grading, dredging, and other development that might increase flood damage;
5. prevent or regulate the construction of features that will unnaturally divert flood waters or that may increase flood hazards to other lands.

(Ord. 11-9; Ord. 99-0427-1)

#### **18.02.05. Definitions.**

For the purposes of interpreting this Title, the Rules of Construction in City Code Chapter 1.02 shall apply. Where a use may be interpreted to fall under more than one definition, the more restrictive definition shall apply.

As used in this Chapter:

1. **“Alluvial Fan Flooding”** means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by: high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.
2. **“Apex”** means a point on an alluvial fan or similar landform below for which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
3. **“Area of Shallow Flooding”** means a designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater

annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow, among other attributes.

4. **“Area Of Special Flood Hazard”** is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE, or V.
5. **“Base Flood”** means the flood having a one percent chance of being equaled or exceeded in any given year.
6. **“Base Flood Elevation (BFE)”** is the water surface elevation (mean sea level) of the base flood event at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year.
7. **“Basement”** means any area of the building having its floor sub-grade (below ground level) on all sides.
8. **“Critical Feature”** means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
9. **“Development”** means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.
10. **“Elevated Building”** means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.  
In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e) of the National Flood Insurance Program regulations.
11. **“Existing Construction”** means structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."
12. **“Existing Manufactured Home Park Or Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete

pads) is completed before the effective date of the floodplain management regulations adopted by the City.

13. **“Expansion To An Existing Manufactured Home Park Or Subdivision”** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
14. **“Flood Or Flooding”** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
  - a. overflow of inland or tidal waters.
  - b. unusual and rapid accumulation or runoff of surface waters from any source.
15. **“Flood Insurance Rate Map (Firm)”** means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
16. **“Flood Insurance Study”** is the official report provided by FEMA. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.
17. **“Floodplain Or Flood-Prone Area”** means any land area susceptible to being inundated by water from any source (see definition of flooding).
18. **“Floodplain Management”** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
19. **“Floodplain Management Regulations”** means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or City regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
20. **“Flood Plain Development Permit”** means a permit that is issued under the authority of the City Engineer to regulate land development activities in the Flood Plain as part of the City’s participation in FEMA’s National Flood Insurance Program.
- 21.
22. **“Flood Protection System”** means those physical structural works for which funds have been authorized, appropriated, and expended and that have been constructed specifically to modify flooding in order to reduce the extent of an area of special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, and dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
23. **“Flood Proofing”** means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and/or sanitary facilities, and structures and their contents.
24. **“Floodway (Regulatory Floodway)”** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
25. **“Functionally Dependent Use”** means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes uses as docking facilities, port facilities that are necessary for the loading and unloading of cargo

or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

26. **“Highest Adjacent Grade”** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
27. **“Historic Structure”** means any structure that is:
  - a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - c. Individually-listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
  - d. Individually-listed on a local inventory, or historic places in communities with historic preservation programs that have been certified either:
    - i. by an approved State program, as determined by the Secretary of the Interior; or
    - ii. directly by the Secretary of the Interior in states without approved programs.
28. **“Levee”** means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
29. **“Levee System”** means a flood protection system consisting of levee(s) and associated structures, such as closure and drainage devices, that are constructed and operated in accordance with sound engineering practices.
30. **“Lowest Floor”** means the lowest floor of the lowest enclosed area (including basement).

An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program Regulations.
31. **“Manufactured Home”** means a structure transportable in one or more sections that is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
32. **“Manufactured Home Park Or Subdivision”** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
33. **“Mean Sea Level”** means, for purposes of this Chapter, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
34. **“New Construction”** means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management

regulation adopted by a community and includes any subsequent improvements to such structures.

35. **“New Manufactured Home Park Or Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed is completed on or after the effective date of floodplain management regulations adopted by a community.
36. **“Recreational Vehicle”** means a vehicle which is:
  - a. built on a single chassis;
  - b. 400 square feet or less when measured at the largest horizontal projections;
  - c. designed to be self-propelled or permanently towable by a light duty truck; and
  - d. designed primarily as temporary living quarters or recreational, camping, travel, or seasonal use, but not designed for use as a permanent dwelling.
37. **“Start Of Construction”** [for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)], includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
38. **“Structure”** means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
39. **“Substantial Damage”** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
40. **“Substantial Improvement”** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
  - a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary conditions; or
  - b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
41. **“Variance”** is a grant of relief to a person from the requirement of this Chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Chapter. (For full requirements and the standards for a variance see 44 CFR § 60.6).

42. **“Violation”** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.
43. **“Water Surface Elevation”** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ord. 11-9; Ord. 99-0427-1)

#### **18.02.06. General Provisions.**

1. **Lands to Which this Chapter Applies.** The ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Saratoga Springs.
2. **Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Utah County, Utah and Incorporated Areas", dated June 19, 2020, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this Chapter. The Flood Insurance Study and FIRM are on file at the City Offices, 1307 N. Commerce Drive, Suite 200, Saratoga Springs, UT 84045.
3. **Floodplain Development Permit.** A Floodplain Development Permit shall be required to ensure conformance with the provisions of this Chapter.
4. **Compliance.** No structure or land shall hereafter be located or altered without full compliance with the terms of this Chapter and other applicable regulations.
5. **Abrogation and Greater Restrictions.** This Chapter is not intended to repeal, abrogate, or impair any existing easement, covenant, or deed restriction. However, where this Chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, the more restrictive provision shall prevail.
6. **Interpretation.** In addition to the Rules of Construction in Title 1, the interpretation and application of all provisions in this Chapter shall be:
  - a. considered as minimum requirements;
  - b. liberally construed in favor of the City; and
  - c. deemed neither to limit nor repeal any other powers granted under state or federal statutes.

(Ord. 11-9; Ord. 99-0427-1)

#### **18.02.07. Warning and Disclaimer of Liability.**

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

(Ord. 11-9; Ord. 99-0427-1)

### **18.02.08. Administration.**

1. **Designation of the Floodplain Administrator.** The City Engineer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Chapter and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.
2. **Duties and Responsibilities of the Floodplain Administrator.** Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:
  - a. Maintain and hold open for public inspection all records pertaining to the provisions of this Chapter.
  - b. Review permit applications to determine whether proposed building sites, including the placement of manufactured homes, will be reasonably safe from flooding.
  - c. Review, approve, or deny all applications for development permits required by adoption of this Chapter.
  - d. Review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
  - e. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
  - f. Notify, in riverine situations, adjacent communities and the State Coordinating Agency, which is the Division of Emergency Management, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
  - g. Ensure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
  - h. When base flood elevation data has not been provided in accordance with 18.02.06.2, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available from a federal, state, or other source in order to administer the provisions of 18.02.09.
  - i. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other

development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

- j. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community **first** applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision).

3. **Floodplain Development Permit Procedures.** A Floodplain Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 18.02.06. Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevations of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

- a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially-improved structures.
- b. Elevation in relation to mean sea level to which non-residential structures shall be flood-proofed;
- c. A certificate from a Utah-licensed professional engineer that the non-residential flood-proofed structure shall meet the flood-proofing criteria of 18.02.09.2.b;
- d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of the proposed development;
- e. Maintain a record of all such information in accordance with 18.02.08.2.a.

Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this Chapter and the following relevant factors:

- f. The danger to life and property due to flooding or erosion damage;
- g. The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the individual owner;
- h. The danger that materials may be swept onto other lands to the injury of others;
- i. The compatibility of the proposed use with existing and anticipated development;
- j. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- k. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets, bridges and public utilities and facilities such as storm drain, sewer, gas, electrical, and water systems;
- l. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- m. The necessity to the facility of a waterfront location, where applicable;

- n. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
- o. The relationship of the proposed use to the comprehensive plan for that area.

#### 4. **Variance Procedures.**

- a. Prerequisites for granting variances. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued upon:
  - i. showing a good and sufficient cause;
  - ii. a determination that failure to grant the variance would result in exceptional hardship to the applicant; and
  - iii. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- b. The Hearing Examiner shall hear and render judgement on requests for variances from the requirements of this Chapter.
- c. The Hearing Examiner shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Chapter.
- d. Any person or persons aggrieved by the decision of the Hearing Examiner may appeal such decision in the Fourth Judicial District Court of Utah County, as provided by Utah Code.
- e. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- f. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Chapter.
- g. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in 18.02.08.3.f-o have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- h. Upon consideration of the factors noted above and the intent of this Chapter, the Hearing Examiner may attach such conditions to the granting of variances as he/she deems necessary to further the Purpose of this Chapter.
- i. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- j. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

- k. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that:
  - i. the criteria outlined in this Section are met, and
  - ii. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- l. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(Ord. 11-9; Ord. 99-0427-1)

### **18.02.09. Provisions for Flood Hazard Reduction**

1. **General Standards.** In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:
  - a. All new construction or substantial improvements shall be designed (or modified) and adequately-anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - b. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
  - c. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
  - d. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
  - e. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
  - f. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
  - g. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
2. **Specific Standards.** In all areas of special flood hazard where base flood elevation data has been provided, as set forth in Section 18.02.06.2, “Basis for Establishing the Areas of Special Flood Hazard,” or Section 18.02.08.2.h, “Use of Other Base Flood Data,” the following provisions are required:
  - a. **Residential Construction.** New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A Utah-licensed professional land surveyor shall

submit a certification to the Floodplain Administrator that this requirement is satisfied.

- b. **Non-Residential Construction.** New construction and substantial improvements of any commercial, industrial or other non-residential structure, shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A Utah-licensed professional engineer or Utah-licensed architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.
- c. **Enclosures.** New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a Utah-licensed professional engineer or Utah-licensed architect or meet, or exceed the following minimum criteria:
  - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
  - ii. The bottom of all openings shall be no higher than one foot above grade.
  - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- d. **Manufactured Homes.**
  - i. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
  - ii. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites:
    - (1) outside of a manufactured home park or subdivision,
    - (2) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement,
    - (3) in an expansion to an existing manufactured home park or subdivision, or

- (4) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- iii. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph 2.d.ii of this section be elevated so that either:
  - (1) the lowest floor of the manufactured home is at or above the base flood elevation, or
  - (2) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- e. **Recreational Vehicles.** Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:
  - i. be on the site for fewer than 180 consecutive days,
  - ii. be fully-licensed and ready for highway use, or
  - iii. meet the permit requirements of 18.02.08.3, and the elevation and anchoring requirements for "manufactured homes" in paragraph d of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

### 3. **Standards for Subdivision Proposals.**

- a. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with 18.02.02.02-04 of this Chapter.
- b. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet requirements of 18.02.08.3 and 18.02.09 of this Chapter.
- c. Base flood elevation data shall be generated for subdivision proposals and other proposed development, including the placement of manufactured home parks and subdivisions, that is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to 18.02.06.2 or 18.02.08.2.h of this Chapter.
- d. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- e. All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.

### 4. **Standards for Areas of Shallow Flooding (AO/AH Zones).** Located within the areas of Special Flood Hazard established in 18.02.06.2, are areas designated as shallow flooding. These areas have Special Flood Hazards associated with base flood depths of 1

to 3 feet where a clearly-defined channel does not exist and where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- a. Require within Zone AO that all new construction and substantial improvements of **residential** structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).
  - b. Require within Zone AO that all new construction and substantial improvements of **non-residential** structures:
    - i. have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or;
    - ii. together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
  - c. A Utah-licensed professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as-listed in 18.02.08.3.
  - d. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.
5. **Floodways.** Floodways, located within areas of Special Flood Hazard established in 18.02.06.2, are areas designated as floodways. Because the floodway is an extremely hazardous area, due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:
- a. Encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway *unless* it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
  - b. If the requirements of 5a above are satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 18.02.09.
  - c. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community **first** applies for a conditional FIRM and floodway revision through FEMA.

(Ord. 11-9; Ord. 99-0427-1)

# City Council Staff Report

**Author:** Gordon Miner, City Engineer

**Subject:** Revisions to the City's Std. Technical Specifications and Drawings

**Date:** June 16, 2020

**Type of Item:** Legislative Action



- A. Summary:** The City Council adopted revisions to the City's Standard Technical Specifications and Drawings in its last meeting. There were some minor problems with the Small Cell Wireless Facilities Drawing that needed correction. This item provides those corrections.
- B. Funding Source:** Not applicable.
- C. Review:** The proposed revisions have been reviewed by staff and it have been found to be acceptable and in legal form.
- D. Recommendation and Alternatives:** Staff recommends that the City Council adopt the proposed revisions, with the following proposed motion:

## **Adoption**

"I move to adopt these proposed revisions to the City's Standard Technical Specifications and Drawings."

## **Adoption with Modifications**

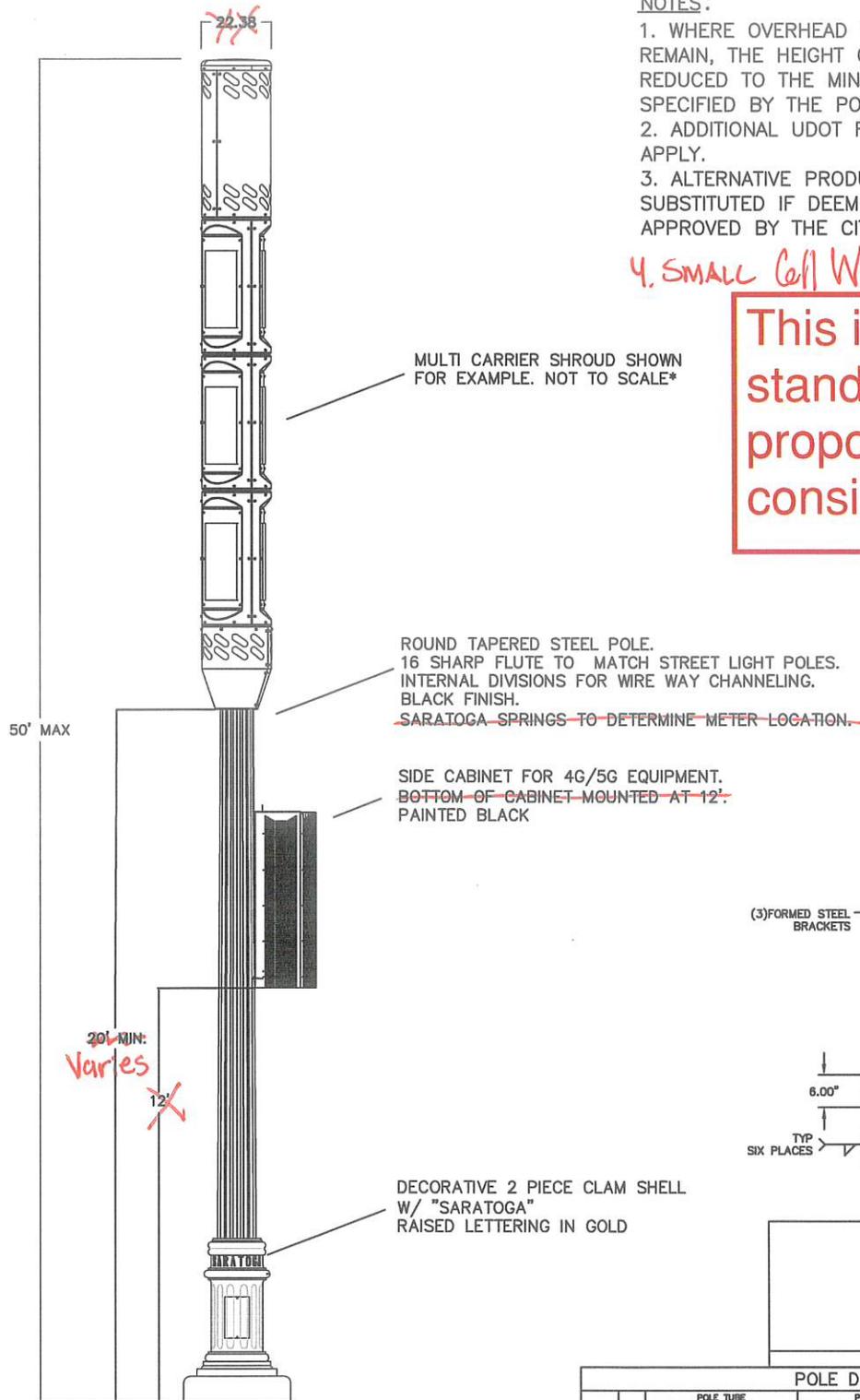
"I move to adopt these proposed revisions to the City's Standard Technical Specifications and Drawings with the following modifications:"

## **Denial**

"I move to keep the City's Standard Technical Specifications and Drawings unchanged."

- E. Attachments:**

1. Proposed revisions to the City's Standard Technical Specifications and Drawings.



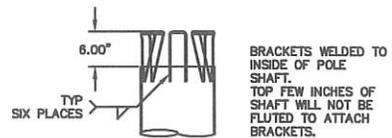
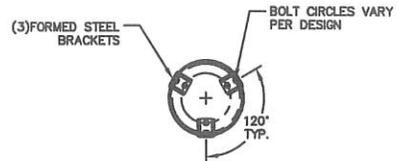
**NOTES:**

1. WHERE OVERHEAD POWER LINES WILL REMAIN, THE HEIGHT OF THE POLE MAY BE REDUCED TO THE MINIMUM CLEAR DISTANCE SPECIFIED BY THE POWER COMPANY.
2. ADDITIONAL UDOT REQUIREMENTS MAY APPLY.
3. ALTERNATIVE PRODUCTS MAY BE SUBSTITUTED IF DEEMED TO BE EQUAL AND APPROVED BY THE CITY.

*4. SMALL Cell Wireless facilities to Comply with*

**This is a new standard drawing proposed for consideration.**

*UTAH Code Title S4.21*



INTERNAL DIVIDERS

ITEM	QTY.	POLE TUBE			POLE BASE				ANCHOR BOLT				
		BASE DIA. (N)	TOP DIA. (N)	LENGTH (FT)	GAUGE OR THK. (N)	SQUARE (N)	BOLT CIRCLE (N)	THK. (N)	HOLE "Z" (N)	DIA. (N)	LENGTH (N)	HOOK OR THREAD (N)	THREAD LENGTH (N)
1	1	13.00	10.20	20.00	7	18.00	17.00	1.50	1.50	1.25	42.00	6.00	6.00

**WIRELESS SUPPORT  
STRUCTURE-MONOPOLE  
FOR SMALL CELL  
WIRELESS FACILITIES**

DATE:  
**OCTOBER 2018**

DRAWING NAME:  
**LP-6**

DRAWN BY:  
**JRP**

CHECKED: \_\_\_\_\_ APPROVED: \_\_\_\_\_

REVISIONS		
REV	DATE	BY

COMMENTS

**SARATOGA  
SPRINGS CITY**

1307 N. COMMERCE DR.  
#200, SARATOGA SPRINGS,  
UT 84045  
PHONE: 801-755-9793  
FAX: 801-755-9794

STANDARD DETAILS

STREET LIGHTS

**LP-6A**



# MINUTES – CITY COUNCIL

Tuesday, June 2, 2020

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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1  
2  
3  
4  
5  
6  
7 **City Council Policy Meeting**  
8

9 **Call to Order:** Mayor Jim Miller called the Meeting to order at 6:03 p.m.

10  
11 **Roll Call:**

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

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

15  
16 Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager  
17 Owen Jackson, Economic Development and Public Relations Director David Johnson, City  
18 Engineer Gordon Miner, Senior Planner Tippe Morlan, and Deputy City Recorder Kayla  
19 Moss.  
20

21 Invocation by Council Member Willden  
22 Pledge of Allegiance by Assistant City Manager Owen Jackson  
23

24 **PUBLIC INPUT:** None Submitted  
25

26 **REPORTS:** Council Member Chris Carn advised that it has come to his attention that a change in code in regards  
27 to food truck use in residential zones. He doesn't want to make residential zones a free for all but he would  
28 like to open up the possibility to have a food truck be able to cater to a private party at a house. He doesn't  
29 think there is much difference between hiring a caterer for a private event and hiring a food truck for the  
30 event.  
31

32 Mayor Miller advised there is a meeting with communities who care tomorrow. Council Member Porter will  
33 be attending that.  
34

35 City Manager Christensen advised late payments and fees were suspended due to the COVID pandemic for  
36 utilities and there is a moratorium on shut offs. He asked how long the Council would like the City to do that  
37 for the residents. He recommends to stick with the policy that has been in place and start the clock now. The  
38 earliest shut offs would happen at the end of July. They would get notice and given the chance to get current  
39 before then.  
40

41 Council Member Porter thinks the City should try to look at getting books turned over again, if that has to be  
42 with late fees or otherwise. However since people are still out of work he thinks the moratorium on shut offs  
43 should continue for a while.  
44

45 Council Member Willden mentioned that there are less than 1,500 households experiencing job loss in the City  
46 currently so there are some that are taking advantage of not having to make payments right now. He doesn't  
47 want to punish those that it is intended for but he thinks something should be looked at.  
48

49 The consensus was that when the state goes green they will implement the regular process again. If the state  
50 doesn't go green in the next couple of weeks they will revisit it at the next meeting.

51  
52 City Manager Christensen also mentioned that they had a coordinating meeting with Lehi City. It went very  
53 well. Jason Walker with Lehi suggested they get together on July 7<sup>th</sup> to do a walk through at the North Marina  
54 site and do a dinner together with Lehi Council.

55  
56 **PUBLIC HEARINGS:**

57  
58 **1) Saratoga Springs Transportation Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA) Update;**  
59 **Ordinance 20-20 (6-2-20).**

60 City Engineer Gordon Miner advised they have calculated fees for projects to update these plans.  
61

62 Kevin Croshaw with Horrocks Engineering and Susie Becker from Zions Bank presented the process of figuring  
63 out the impact fees to the Council.

64  
65 Public Hearing was opened at 6:36 p.m.

66  
67 Diane Huish from the Utah Homebuilders Association sent an email thanking the City for being proactive in  
68 updating the impact fees.

69  
70 Motion by Council Member Carn to approve the Saratoga Springs Transportation Impact Fee Facilities  
71 Plan (IFFP) and Impact Fee Analysis (IFA) Update; Ordinance 20-20 (6-2-20) including all staff findings  
72 and conditions was seconded by Council Member Porter.  
73 Vote: Council Members Poduska, Porter, Carn, and Willden– Aye.  
74 Motion carried unanimously.

75  
76 **BUSINESS ITEMS:**

77  
78 **1) Fireworks Restrictions Update: Ordinance 20-21 (6-2-20).**

79 Fire Chief Jess Campbell advised this is the opportunity to update the ordinance on restrictions. This will  
80 update the map for the county and state on fireworks restrictions. It is in attempt to address interface  
81 issues.

82  
83 Motion by Council Member Willden to approve the Fireworks Restrictions Update; Ordinance 20-21  
84 (6-2-20) including all staff findings and conditions was seconded by Council Member Poduska.  
85 Vote: Council Members Poduska, Porter, Carn, and Willden– Aye.  
86 Motion carried unanimously.

87  
88 **MINUTES:**

89  
90 1. May 19, 2020.

91  
92 Motion by Council Member Porter to approve the Minutes of May 19, 2020, with the submitted and posted  
93 changes, was seconded by Council Member Carn.  
94 Vote: Council Members Poduska, Porter, Willden, and Carn – Aye  
95 Motion carried unanimously.

96  
97 **CLOSED SESSION:**

98  
99 Motion by Council Member Carn to enter into closed session for the purchase, exchange, or lease of property,  
100 discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent  
101 litigation, the character, professional competence, or physical or mental health of an individual, was seconded  
102 by Council Member Poduska.

103 Motion Carried Council Members Unanimously in Favor

104

105 The meeting moved to closed session at 6:45 p.m.

106

107 Present: Mayor Miller, Council Members Willden, Carn, Porter, Poduska, City Manager Mark Christensen,  
108 Assistant City Manager Owen Jackson, City Attorney Kevin Thurman, Deputy City Recorder Nicolette Fike, and  
109 Deputy City Recorder Kayla Moss.

110

111 Closed Session adjourned at 7:41 p.m.

112

113 **ADJOURNMENT:**

114

115 There being no further business, Mayor Miller adjourned the meeting at 7:41 p.m.

116

117

118

119 \_\_\_\_\_  
Jim Miller, Mayor

120

121 Attest:

122

123

124 \_\_\_\_\_  
Cindy LoPiccolo, City Recorder

125

126 Approved: