



**NOTICE OF A WORK AND REGULAR SESSION OF THE
VINEYARD CITY COUNCIL MEETING
August 14, at 6:00 PM**

Public Notice is hereby given that the Vineyard City Council will hold a work and regular session on Wednesday, August 14, 2019 in the Vineyard City Council Chambers, 125 South Main Street, Vineyard, Utah. The agenda will consist of the following:

AGENDA

Presiding Mayor Julie Fullmer

WORK SESSION

1. DISCUSSION – Elms, Meadows, Cottonwoods and Sycamores Subdivisions

This work session is to discuss the City Council's areas of focus, promote community planning by identifying local needs and concerns, improve City communication with residents, and apply City-wide plans to the neighborhood level.

REGULAR SESSION

2. CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION/INSPIRATIONAL THOUGHT – to be announced.

3. PRESENTATION – UTA

UTA Trustee Kent Millington will do a presentation on UTA current services; as well as, discuss community engagement and future service planning.

4. PUBLIC COMMENTS

(15 minutes)

"Public Comments" are defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action **cannot** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda, however, the Council may elect to discuss the item if it is an immediate matter of concern.

5. WRITTEN PUBLIC COMMENTS

Written comments are to be submitted to the City Recorder by noon the Tuesday before the regularly held Wednesday City Council meeting. This is to allow comments from persons who are unable to attend this meeting in person.

6. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

7. STAFF, COMMISSION, AND COMMITTEE REPORTS

(3 minutes each)

- City Manager/Finance Director – Jacob McHargue
- Public Works Director/City Engineer – Don Overson
- City Attorney – David Church
- Utah County Sheriff's Office – Sergeant Holden Rockwell – quarterly report
- Community Development Director – Morgan Brim & Planning Commission Chair – Cristy Welsh
- City Recorder – Pamela Spencer
- Building Official – George Reid – quarterly report
- Water/Parks Manager Sullivan Love - Timpanogos Special Service District – Board Member
- Clean Air Task Force – Resident Josh Gilman – Committee Member Report

8. DISCUSSION ITEMS

No items were submitted.

9. CONSENT ITEMS

9.1 [Approval of the July 10, 2019 City Council Meeting Minutes](#)

9.2 [Approval of Edgewater Phase 15 Final Plat](#)

9.3 [Approval of Tucker Row Phase 2 Unit 12 Final Plat](#)

10. MAYOR'S APPOINTMENTS

Mayor Fullmer will appoint Kelly Kloepper as a Deputy Recorder, with the advice and consent of the council.

11. BUSINESS ITEMS

11.1 Public Hearing – [Zoning Code Text Amendments \(ORD 2019-05\)](#)

The city of Vineyard is proposing zoning text amendments for ADU requirements (15.34.060), sports court fencing heights (15.32.230), permitting street side yard corner lost accessory structures (15.34.050), removing landscaping fees (15.40), bee keeping regulations (15.34.210), and bicycle parking regulations (15.38). the mayor and City Council will vote to approve (or deny) this request by ordinance.

11.2 DISCUSSION AND ACTION – [Bids for Center Street Overpass](#)

(15 minutes)

Public Works Director/City Engineer Don Overson will present a bid recommendation for the building of the Center Street Overpass. The mayor and City Council will take appropriate action.

11.3 DISCUSSION AND ACTION – Proposals for the Comprehensive Financial Sustainability Plan

(15 minutes)

City Manager Jacob McHargue will present bids for the CFSP. The mayor and City Council will take appropriation.

11.4 DISCUSSION AND ACTION – KnowWhere Campus Safety System Technology

(15 minutes)

Councilmember John Earnest is requesting a discussion and possible approval of purchasing the KnowWhere Campus Safety System Technology for the School Resource Officer to use in conjunction with the SafeUT program. The mayor and city council will take appropriate action.

11.5 DISCUSSION AND ACTION – A Resolution Supporting the Utah County Good Governance Advisory Boards' Recommendation to Place a Change of Government Question on the November 2019 Ballot (Resolution 2019-10)

It is recommended that the City Council support the recommendation of the Utah County Good Governance Advisory Board to place a change of form of county government question on the November 2019 General Election Ballot. The mayor and City Council will possibly act to approve this request by resolution.

12. CLOSED SESSION

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of:

- (a) discussion of the character, professional competence, or physical or mental health of an individual
- (b) strategy sessions to discuss collective bargaining
- (c) strategy sessions to discuss pending or reasonably imminent litigation
- (d) strategy sessions to discuss the purchase, exchange, or lease of real property
- (e) strategy sessions to discuss the sale of real property

13. ADJOURNMENT

This meeting may be held electronically to allow a councilmember to participate by teleconference.

The next regularly scheduled meeting is August 28, 2019.

The Public is invited to participate in all City Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder at least 24 hours prior to the meeting by calling (801) 226-1929.

I the undersigned duly appointed Recorder for Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City Hall, the Vineyard City Offices, the Vineyard website, the Utah Public Notice website, and delivered electronically to city staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: August 13, 2019

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer

PAMELA SPENCER CITY RECORDER

OPEN SESSION – Citizens’ Comments (moved from the regular session)

Mayor Fullmer opened the public session.

Resident Randy Gray living in The Villas subdivision commented in regards to parking. He felt that the issue was a lot of the individuals living in the Preserve subdivision who were using their garages for storage and parking on their streets. He said that the issue was four unrelated individuals and not enough parking. He mentioned that the Sheriff’s deputies had been ticketing those vehicles which were parked to close to the intersection. He said that there could be up to 30 vehicles parked on the street in The Villas subdivision at any given time. He said that his concern was when cars trying to drive down the road while vehicles were parked on both sides of the road.

Resident Cameron Hargis living in The Meadows subdivision read a letter that he had received from code enforcement about the wetlands. He stated that he had not dumped anything in the wetlands and felt that there was a miscommunication. He asked that if the wetlands were federally protected property, why was there a motion to put together a skate park or a ropes course. Mayor Fullmer explained how the wetlands were delineated. She said that if the water was no longer in the area then the property could be classified as uplands and would no longer be federally projected. She stated that the city was not programming the property at this time. She explained that a student had done an open space project for school, which included developing the open space. She said that if the city were to decide to develop the area it would have to go through a public process. She mentioned that the City Council would be holding a work session at the next council meeting for the Elms and The Meadows subdivisions. Mr. Hargis mentioned that a selling point for the home he bought were the wetlands that could not be developed. Mayor Fullmer clarified that wetlands were delineated to specific areas.

MAYOR’S APPOINTMENTS (moved from the regular session)

7.1 Planning Commission Appointments.....3 Vacancies
Mr. Brim explained the re-appointing process for Planning Commissioner Tim Blackburn. Mayor Fullmer explained that she was reappointing Tim Blackburn for the term indicated and also appointing Tay Gudmundson and Jessica Welch as alternate Planning Commissioners to fulfill the remainder of the terms for Nate Carter and Stan Jenne. The City Councilmembers agreed with the appointments.

PUBLIC HEARING – Updated Vineyard General Plan (ORD 2019-04)

2.1 Community Development Director Morgan Brim will present the updated General Plan. The Vineyard General Plan 2019 is a comprehensive update of the City’s General Plan. This update includes new plans for the City’s roadway system, transit station, rail alignment, trails, open space, and park system. The Plan will include a revision of the Land Use and Moderate-Income Housing Plans; establish a new plan for economic development, public facilities & services, heritage & cultural resources and technology; and establish an action plan for implementation of the General Plan Element Chapters, Visions and Goals. The City of Vineyard is situated at the western edge of Orem City, south of Lindon City, and located on the northeast shoreline of Utah Lake. The mayor, City Council, and Planning Commission will hear public comment concerning the recommended updates to the Vineyard General Plan.

Mayor Fullmer called for a motion to open the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 6:15 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

Mr. Brim stated that the General Plan was a state code requirement. He explained that a lot had changed in Vineyard since the General Plan was first adopted in 2004. He mentioned that Vineyard was currently the fastest growing city in the nation. He said that since the adoption of the 2004 General Plan the city had become a city of the fifth class and had grown to over 13, 000 residents with the potential buildout of 37,000 residents. He reviewed other changes the would be coming to the city and why they needed to make changes to the General Plan.

Mr. Brim stated that the current Plan covered the all of the basics which included infrastructure, street plans, and land uses. He explained that the proposed General Plan was written to reflect the current industry and growth patterns. He said that they had added a chapter on heritage and cultural resources.

Mr. Brim said that there had been a lot of focus on the open space plan with the primary focus being on the lake front. He mentioned transportation, requirements for moderate income housing, and technology. He reviewed the events that led to this point in the General Plan process. He felt that proposed draft reflected the comments and concerns received from residents, staff, and other stakeholders.

Mr. Brim explained that the proposed General Plan had a Vision Statement and that each chapter had Element Objectives, Goals, and Strategies to help accomplish the goals and to support the overall vision of the community.

The Vision Statement read as follows:

We value our community identity but, at the same time, recognize that growth and change are inevitable. We embrace innovation and proactively manage growth and change. We place a priority on maintaining a high quality of life, long-term economic sustainability, and adding needed amenities and services to support our growing community. This General Plan Update, created with and for community residents and stakeholders, provides a current Vision for the city and the exciting future ahead.

Mr. Brim said that some of the plan highlights were:

- Preserving Vineyard's history
- Establishing a multimodal transportation system
- Establishing a diverse economy
- Providing diversity in housing options
- Interfacing urbanization with a revitalized lake front
- Connecting parks, natural open space, and the train station through a trail network
- Leveraging partnership with UVU
- Utilizing technology in delivery of public services
- Providing appropriate public services without breaking the bank
- Environmental sustainability through energy use and water-wise solutions

Mr. Brim said that staff was recommending approval of the proposed General Plan with one change. He said that the area that was part of The Links at Sleepy Ridge Golf Course should be listed as open space.

Mayor Fullmer called for public comments. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER EARNEST MOVED TO CLOSE THE PUBLIC HEARING AT 6:29 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer turned the time over to Planning Commission Chair Cristy Welsh.

2.2 The Planning Commission will discuss the updated Vineyard General Plan and possibly act to recommend approval of this plan, with or without amendments, to the City Council.

Chair Welsh thanked the City Council for approving the funding to work on the General Plan. She called for comments from the commission.

Commissioner Knighton stated that he was in support of the plan. He felt that they had gone through a thorough process and that the document was well put together and read well.

Commissioner Blackburn thanked the community for their involvement. He felt that the plan had holes in it and hoped to fill those holes as time went on. He also felt that the original General Plan was very out of date and needed to be changed. He said that he hoped to review the updated General Plan, with public input, every year or so. He said that it was a living document and a new beginning.

Commissioner Brady felt that it was good to see all the comments from the public. He said that he was excited about all of the parks and trails space. He said that Vineyard had changed significantly in the last 15 years. He agreed that it was a good living document. He recommended that residents attend meetings where the General Plan will be discussed.

Commissioner Jenkins said that there were dozens of goals listed but not everything would be a top priority. He felt that it was important for the residents to become familiar with the document to keep the city accountable. He said that the goals would get the city to where they wanted to be. He said that the plan was the easy part but the execution would be difficult.

Chair Welsh said that the General Plan was telling the story of where the city was going. She said that 80 percent of the original General Plan had been completed, and moving forward the new plan would be setting a new vision and story for the city. She said that she already saw things that were out of date.

Chair Welsh called for public comments.

Resident Shelly Delaney living in the Waters Edge development asked where residents could get a copy of the plan. Chair Welsh replied that they could find the proposed General Plan on the city's website in the agenda packet for tonight's meeting. There was a discussion about making a copy of the General Plan available on the main page of the website.

Resident Jared Neilson living in the Westbrook subdivision asked if the city could post, on the city's website, a list of proposed and ongoing projects or developments and their progress. He said that he would like to see a clear picture of what the projects looked like. Commissioner Blackburn agreed with Mr. Neilson. He felt that this was a growing process and that they needed to be more proactive. He also felt that the residents needed to be proactive in expressing what they wanted to see. Mayor Fullmer stated that there were lists of the capital projects on the website. She suggested that residents look at social media, the website, and the newsletters. Commissioner Brady mentioned that staff gave updates on projects during the Planning Commission meetings. Chair Welsh added that they were at the end of the meeting.

Resident Michele Trotter living in the Providence subdivision asked when Vineyard was going to get a grocery store. Councilmember Judd replied that staff and the council had done everything possible to reach out to grocery stores. He explained the process the stores went through to determine their locations. Mayor Fullmer mentioned that there were stores interested and they were in negotiations with landowners.

Rosemarie Holland living in the condominiums across from the country club suggested that the city include senior center condominiums, next to a grocery store, where parents could be close to their children.

Resident Whitney Ostebo living in the LeCheminant subdivision asked what was happening to the city's landscaping. Chair Welsh explained that the main issue was that they were building fast and some of that land's ownership had not been transferred to the city. Commissioner Brady stated that the second goal in the General Plan under parks was to maintain the parks and trails. Councilmember Judd explained that they had separated contracts to focus on maintenance. Chair Welsh suggested that residents report issues so the city was aware of them. Mayor Fullmer reiterated that things like this were the whole reason why they were redoing the General Plan. She asked that residents let the city know if they saw something.

Chair Welsh called for final comments about the proposed General Plan. Hearing none, she called for a motion.

Motion: COMMISSIONER JENKINS MOVED TO RECOMMEND APPROVAL OF THE PLAN WITH THE LAND USE MAP CORRECTION TO THE CITY COUNCIL. COMMISSIONER BRADY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR WELSH, COMMISSIONERS BLACKBURN, BRADY, JENKINS, AND KNIGHTON VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Chair Welsh turned the time back to the City Council.

2.3 Upon a favorable recommendation from the Planning Commission, the mayor and City Council will discuss the updated Vineyard General Plan and possibly act to adopt this plan by Ordinance.

Mayor Fullmer called for comments.

Councilmember Judd asked about the timeframe for the review of the General Plan. Mr. Brim replied that it was on an annual basis. He said that as they identified items that needed to be reviewed, they would put them on a list to discuss at a previously set time. There was a discussion about the timeframe and ways to review the plan.

Councilmember Riley commented that he had lived in Vineyard for 26 years when there were only a few residents who participated. He felt that it was easier to follow the General Plan and that they could have followed the plan more closely if they had kept it out and read it more. He felt that what had allowed them to keep on track was having people who had served for a long time and were able to stay focused. He said that change was happening in all of the areas and it would more difficult to stay on task unless they made a concerted effort to do it. He expressed appreciation for the effort that had gone in to this update. He explained that when the past council had worked on the original plan, they had developers who wanted Vineyard to be the Kentucky of the west, with white picket fences, etc. The city also discussed being a bedroom community like Alpine and Highland, with half acre lots. They came to reality and determined that this was not what they wanted. He explained that, at the time, there were only handful of property owners and when they decided to sell their land the need for a General Plan got real. He said that they brought in experts and the plan started to take root. He said that now he could walk the trails and neighborhoods and feel that they had done a good thing. He said that there were still lots of challenges. He hated the fact that they had failed when it came to parking and felt that the city had been taken advantage of. He stated that he was proud to live in Vineyard and to be a part of the process. He said that the consultants told them that for the best long-term success it meant that they would have high density. He stated that he was grateful for the effort put in to get the General Plan to this point and felt that if they were to hit 80 percent of their goals then Vineyard would be a fantastic place to live.

Councilmember Judd felt that they needed to add the General Plan to the checklist for review of new developments. He felt that they could use this as a guide for the developers to help the city grow. He added that he was in full support of the plan.

Mayor Fullmer commented that it was long and exciting process. She said that they had done a lot of public outreach and as a result, public comments were added to the document. She felt that it was very easy to read and user friendly. She said that they also had input from other entities within the state and from outside the state. She mentioned the plans that went into creating trails and to make it the type of community that it was today. People had a say in the plan to build a beautiful community.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE PROPOSED ORDINANCE 2019-04 THE VINEYARD GENERAL PLAN WITH THE CONDITION THAT PARCEL 18:021:007 BE CHANGED FROM LOW DENSITY TO OPEN SPACE ON THE FUTURE LAND USE MAP. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTE AYE. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:07 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTE AYE. MOTION CARRIED UNANIMOUSLY.

Present

Absent

Mayor Julie Fullmer
Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Chris Judd
Councilmember Nate Riley

Staff Present: City Manager/Finance Director Jacob McHargue, Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson, City Attorney David Church, Community Development Director Morgan Brim, Planning Commission Chair Cristy Welsh, City Planner Elizabeth Hart, City Recorder Pamela Spencer, Building Official George Reid, Water/Parks Manager Sullivan Love, Planning Commissioners Anthony Jenkins, Tim Blackburn, Bryce Brady, and Jeff Knighton.

Others Speaking: none

1. CALL TO ORDER

Mayor Fullmer called the Regular City Council meeting to order at 7:21 PM.

2. OPEN SESSION - Item moved to the joint session.

3. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Mayor Fullmer gave an update on the capital projects. She mentioned that the city was ready to start the Center Street Overpass but were waiting for Union Pacific to give their final approval.

4. STAFF, COMMISSION, AND COMMITTEE REPORTS

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported on attending the Utah Department of Transportation (UDOT) and transportation commission meetings. He said that the Utah Transit Authority (UTA) double track was now on various entities radar for completion. He mentioned that the mayor had done a great job of getting the word out to the various entities. Mayor Fullmer explained that part of the transportation tour that had Vineyard in it had been cut out, so she made a presentation about Vineyard's growth patterns and invited the commission to tour Vineyard. She reported that they would be coming to Vineyard for the tour. She said that the city had found a way to provide matching funds for some of the grants. She also sent a letter of support for the UTA to obtain funding for the double track that was not in the city but would affect the Vineyard FrontRunner station.

Mr. McHargue reported that the new budget year started July 1. He said that the Finance Department was wrapping up the 2019 budget and he would be presenting a year-end report to the council. He stated that weeds were on staff's radar and were discussed often. He explained that there had been sprays scheduled in April and May but were cancelled due to rain. He

mentioned that the Public Works Department was in the process of hiring staff for park maintenance and weed control.

Public Works Director/City Engineer – Don Overson – Mr. Overson had no new items to report.

City Attorney – David Church – Mr. Church had no new items to report.

Utah County Sheriff's Office – Sergeant Holden Rockwell – Sergeant Rockwell was excused.

Community Development Director – Morgan Brim & Planning Commission Chair – Cristy Welsh – Mr. Brim and Chair Welsh had no new items to report.

City Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

Building Official – George Reid – Mr. Reid had no new items to report.

Water/Parks Manager Sullivan Love – Mr. Love had no new items to report.

Clean Air Task Force – Resident Josh Gilman – Mr. Gilman had no new items to report.

5. DISCUSSION ITEMS

No items were submitted.

6. CONSENT ITEMS

6.1 Approval of the June 26, 2019 City Council Meeting Minutes

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE CONSENT ITEM 6.1. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

7. MAYOR'S APPOINTMENTS - Item moved to the joint session.

8. BUSINESS ITEMS

8.1 DISCUSSION AND ACTION – RAP Tax (Resolution 2019-09)

City Manager/Finance Director Jacob McHargue will present a resolution to place an Opinion Question on the November 5, 2019 Municipal General Election Ballot as to Whether or Not Vineyard should impose a Local Sales and Use Tax of One-Tenth (1/10) of One Percent (0.1%) to fund recreational amenities, park facilities, and cultural arts facilities and organizations in Vineyard. The mayor and City Council will act to approve (or deny) this request by resolution.

400 Mayor Fullmer turned the time over to City Manager/Finance Director Jacob McHargue.

401
402 Mr. McHargue explained that the Recreation, Arts, and Park (RAP) tax was allowed by state
403 code and added to the sales tax collected in the city. He said that for every \$10 spent, \$.01 would
404 come back to the city in tax revenue. He explained that the tax revenue could be spent on
405 recreation, cultural, botanical, zoological, and park facilities. It could be spent on capital
406 improvements, maintenance, and ongoing operations. He further explained that the money could
407 also be used to fund grants for non-profit organizations inside the city such as an arts program.
408 He said that a lot of the residents were paying this type of tax in surrounding cities but Vineyard
409 did not see any of the tax revenue. He explained that people who were shopping in Vineyard,
410 regardless of if they were residents or not, would be paying this tax. He said that this tax would
411 help keep up with open space maintenance and operation costs.

412
413 Mr. Church stated that this was an optional tax. He explained the process the city had to go
414 through to put an opinion question on the ballot. He said that the revenue from the tax was
415 limited to the items previously mentioned. He said the city anticipated that the tax revenue
416 would increase over time. He explained that the General Fund was currently funding these
417 projects and as the tax revenue increased, they would be able to remove them from the General
418 Fund budget expenses. Mr. McHargue explained that if the city had been able to collect this tax
419 last year, they would have been able to collect \$70,000 in revenue. Mr. McHargue said that the
420 tax would be for a 10-year period and then would be required to go back on the ballot. He
421 mentioned that Spanish Fork had collected \$600,000 in the past 12 months. Mr. Church stated
422 that this tax was on the same items that people paid sales tax on. Mr. McHargue stated that the
423 tax would go from 6.75 percent to 6.85 percent. Mayor Fullmer said that it would be collected
424 from anyone who was buying things in the city. She felt that it was important that the residents
425 knew they were not just raising taxes, they were bringing in revenue from anyone visiting the
426 city.

427
428 Mayor Fullmer called for a motion.

429
430 **Motion:** COUNCILMEMBER FLAKE MOVED TO APPROVE RAP TAX RESOLUTION
431 2019-09 ALLOWING THE OPINION QUESTION TO GO ON THE BALLOT.
432 COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FULLMER,
433 COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION
434 CARRIED UNANIMOUSLY.

435 436 437 **9. CLOSED SESSION**

438 No closed session was held.

439 440 441 **10. ADJOURNMENT**

442 Mayor Fullmer called for a motion to adjourn the meeting.

443
444 **Motion:** COUNCILMEMBER JUDD MOVED TO ADJOURN THE MEETING AT 7:34 PM.
445 COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS
446 FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND
447 RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is August 14, 2019.

MINUTES APPROVED ON: _____

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER

DRAFT



VINEYARD

COMMUNITY DEVELOPMENT

Date: August 14, 2019
From: McKenna Marchant, Planning Tech
To: City Council
Item: 9.2 - Final Plat – Edgewater Phase 15 Unit 4
Address: 734-742 E 125 N
Applicant: Brant Tuttle



INTRODUCTION:

The applicant is requesting approval for a final plat. The applicant is proposing to subdivide one (1) four (4) plex into four (4) individual lots within the Edgewater development. The Edgewater development is located within the RMU district, on the east side of Mill Road and south of the Mega Plex.

Staff has reviewed the final plat and is recommending approval.

ANALYSIS:

The subject property is within the Phase 15 of the Edgewater development, recorded as unit 4. The RMU district has no lot size or lot width requirements within the zoning ordinance.

The proposed final plat, Edgewater Phase 15, splits lot 4 into four (4) individual lots, Lot 1, 2, 3 and 4.

FINDINGS:

With the proposed conditions, the proposed final plat meets the standards and requirements set forth in the zoning ordinance.

RECOMMENDATION:

Staff recommends the City Council grant approval of the Edgewater Phase 15 Unit 4 final plat subject to the two conditions listed:

1. The applicant makes any redline corrections prior to the recording of the plat.
2. The applicant pays any outstanding fees.
3. The applicant is subject to all local, state and federal laws.

PROPOSED MOTION:

"I move to approve the Edgewater Phase 15 Unit 4 final plat with the proposed conditions.

Attachments:

Final Plat Application

Final Plat



FINAL SUBDIVISION APPLICATION

APPLICATION FEES: \$1,940.00 + \$6.20/LOT

APPLICATION DATE: 7-8-19

APPLICANT(S): Brant Tuttle, Northern Engineering

ADDRESS OF APPLICANT: 1040 E 800 N Orem, UT 84097

BUSINESS PHONE #: (801) 802-8992 CELL PHONE #: _____

EMAIL ADDRESS: btuttle@neiutah.com FAX NUMBER: _____

CURRENT ZONING DISTRICT DESIGNATION: RMU

NUMBER OF PROPOSED NEW LOTS: 4

LOCATION/ADDRESS OF PROPOSED FINAL SUBDIVISION: _____

734 E 125 N Vineyard, UT Edgewater at Geneva

TOTAL ACREAGE OF PROPOSED FINAL SUBDIVISION: 0.083 acres

NAME OF PROPERTY OWNER(S): Sam Taggart

Parcel: 38.467.0004

SIGNATURE OF APPLICANT(S):

Brant Tuttle 7-8-2019

Applicant Signature

Date

Sam Taggart 7/11/19

Applicant Signature

Date

PROPERTY OWNER AFFIDAVIT

STATE OF UTAH }
COUNTY OF UTAH } ss

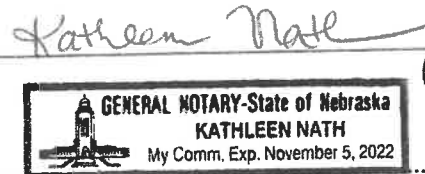
I, the undersigned, Sam Taggart, as owner(s) of the property identified in the attached application, depose that the statements herein contained in this application and the information provided in the attached plans and exhibits are in all respects true and correct to the best of my knowledge.

(Property Owner)

(Property Owner)

Subscribed and sworn before me, Kathleen Nath, a Notary Public, on this 11th day of July, 2019.

My commission expires: 11-5-2022



Kathleen Nath
(Notary Public)

AGENT AUTHORIZATION AFFIDAVIT

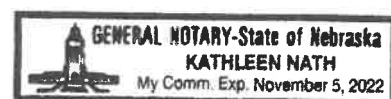
I, the undersigned, _____, as owner(s) of the real property described in the attached application, do authorize the following:
Brant Tuttle, Northern Engineering, as agent(s) and designated representative(s) regarding the attached application, to appear on my behalf before any administrative or legislative body in the Town of Vineyard considering this application, and to act in all respects as agent(s) in matters pertaining to the attached application.

(Property Owner)

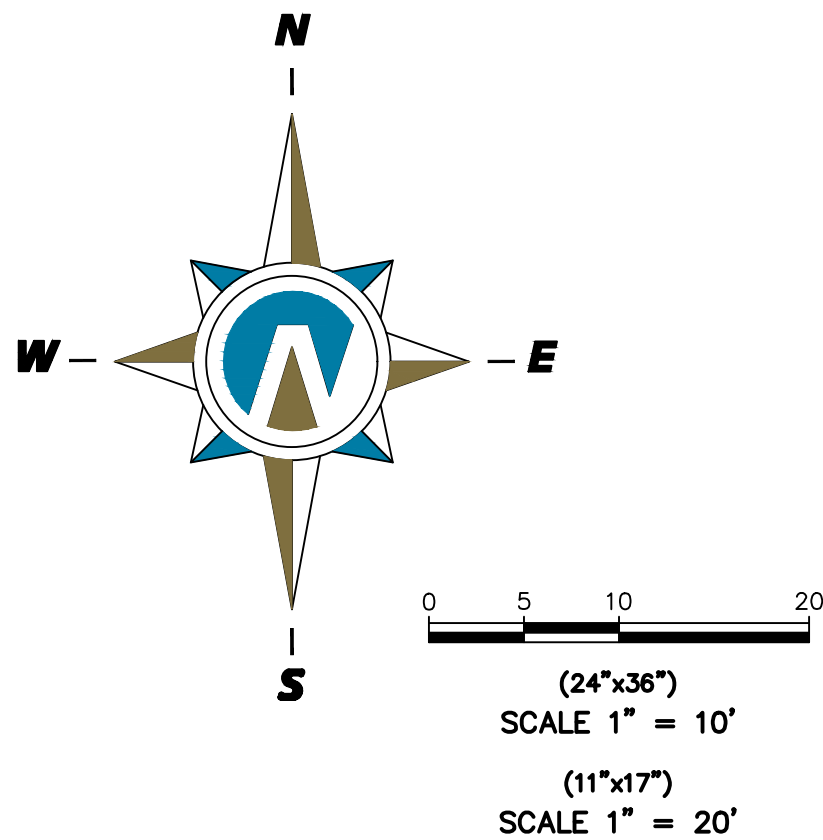
(Property Owner)

Dated this 11th day of July, 2019, personally appeared before me, Kathleen Nath, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

My commission expires: 11-5-2022



Kathleen Nath
(Notary Public)

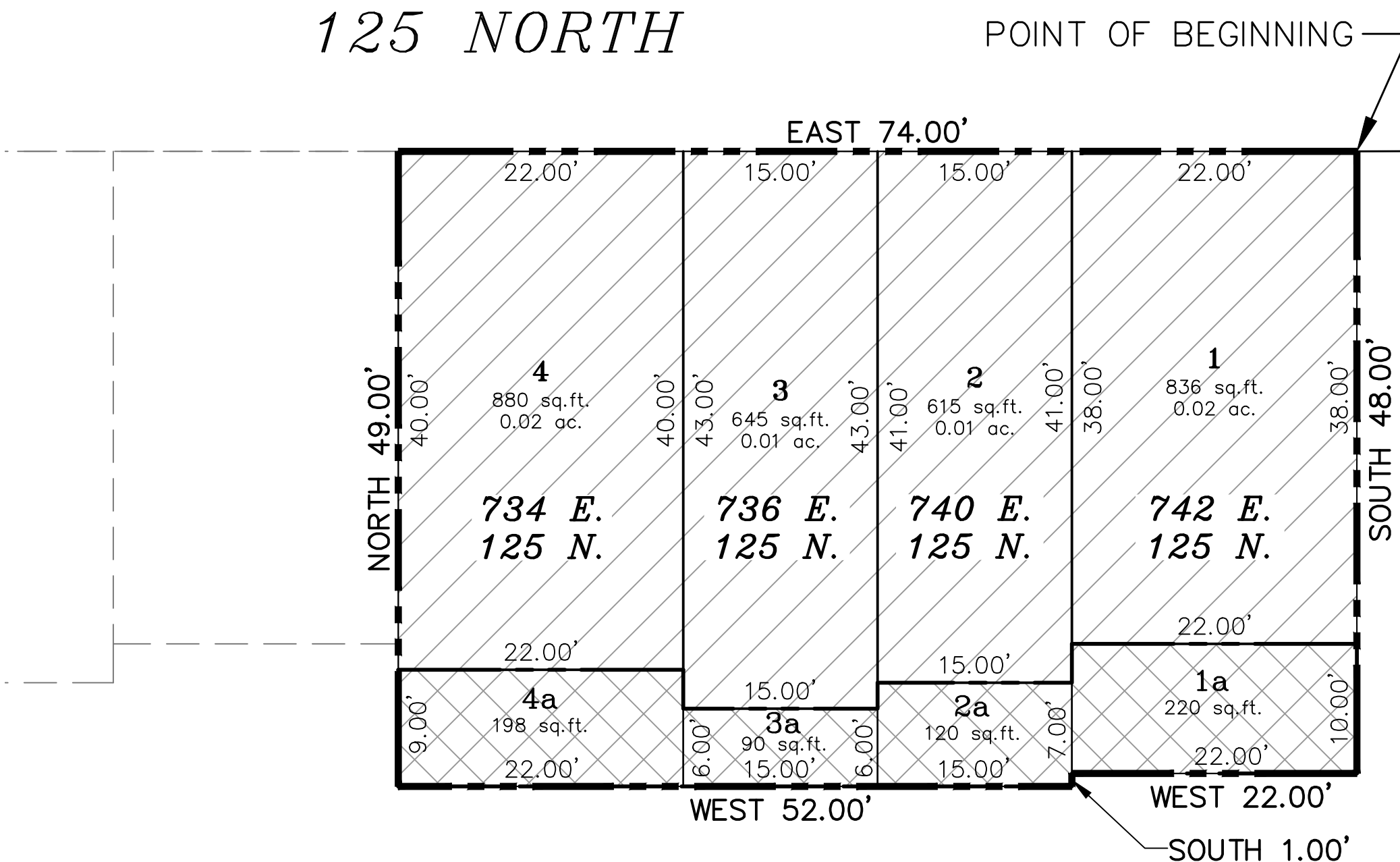
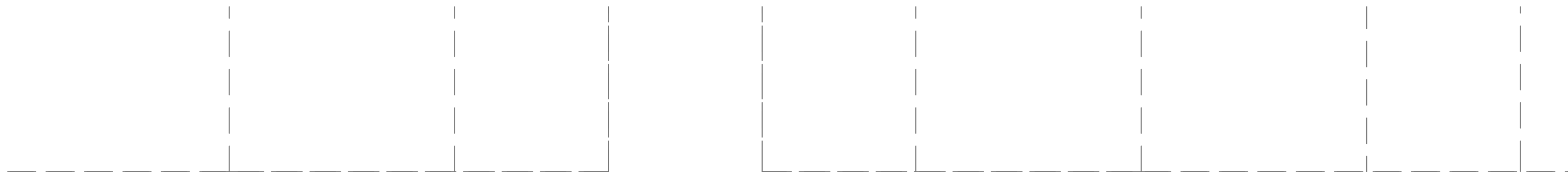


EDGEWATER AT GENEVA

PHASE FIFTEEN

A PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 17,
TOWNSHIP 6 SOUTH, RANGE 2 EAST SALT LAKE BASE & MERIDIAN
UTAH COUNTY, UTAH



UNIT #4

REQUIRED PLAT NOTES

1. PLAT MUST BE RECORDED WITHIN 12 MONTHS OF FINAL PLAT APPROVAL, OR FOR PHASED DEVELOPMENTS, WITHIN 24 MONTHS OF RECORDATION OF MOST RECENT PHASE. THE FIRST FINAL PLAT APPROVAL WAS GRANTED ON THE _____ DAY OF _____, 20____.
2. THE INSTALLATION OF IMPROVEMENTS SHALL CONFORM TO ALL CITY STANDARDS, REGULATIONS, AND ORDINANCES.
3. BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL IMPROVEMENTS HAVE BEEN INSTALLED AND ACCEPTED BY THE CITY IN WRITING OR BONDED FOR.
4. NO BUILDING PERMITS SHALL BE ISSUED UNTIL ALL IMPACT AND CONNECTION FEES ARE PAID IN FULL PER CITY REGULATIONS IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE.
5. NO CITY MAINTENANCE SHALL BE PROVIDED FOR STREETS DESIGNATED AS "PRIVATE" ON THIS PLAT.
6. DRIVEWAYS AND LOT ACCESS SHALL BE LIMITED TO INTERIOR LOCAL SUBDIVISION STREETS ONLY.
7. DRAINAGE SHALL NOT CROSS PROPERTY LINES. EXCESS OR CONCENTRATED DRAINAGE SHALL BE CONTAINED ON SITE OR DIRECTED TO AN APPROVED DRAINAGE FACILITY.
8. VINEYARD ACCEPTS NO RESPONSIBILITY FOR ANY PROPERTY DAMAGE CAUSED BY GROUND WATER FLOODING.
9. ALL BUILDING AND DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE VINEYARD ZONING ORDINANCE.

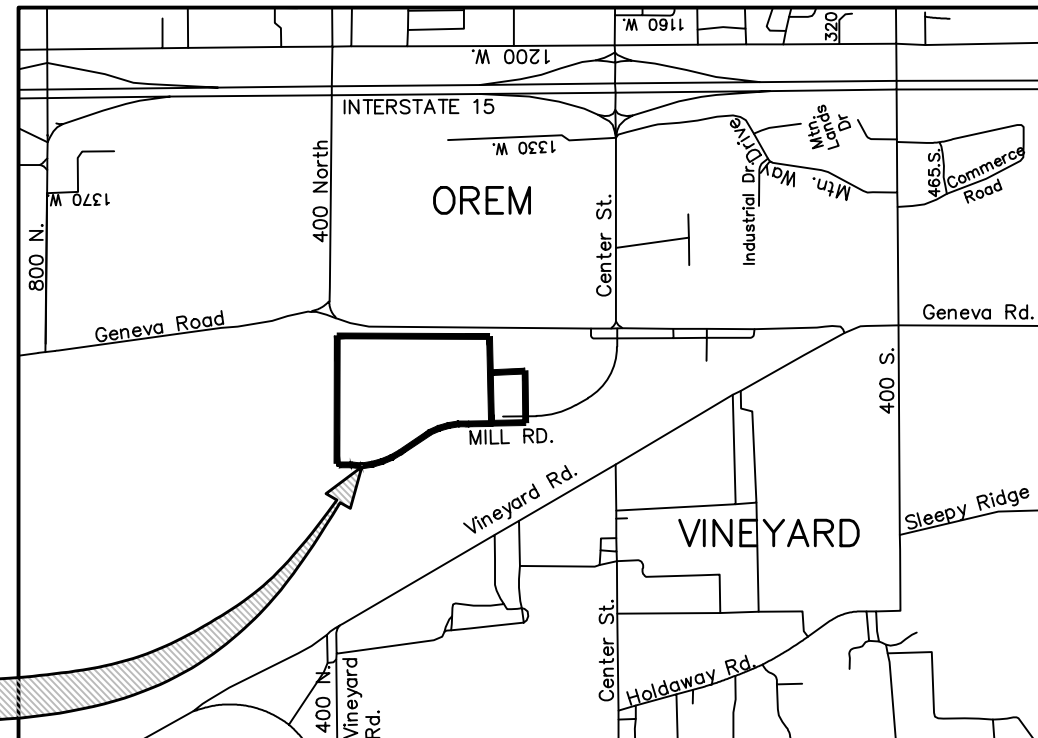
ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. 54-3--27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. 17-27A603(4)C(i) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
 - a. A RECORDED EASEMENT OR RIGHT-OF-WAY
 - b. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 - c. TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND FACILITIES OR
 - d. ANY OTHER PROVISION OF LAW

QUESTAR GAS COMPANY

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

PROJECT
SITE



VICINITY MAP

-NTS-

LEGEND

- FOUND BRASS CAP
- SET 5/8" IRON PIN
- CALCULATED POINT, NOT SET
- CALCULATED BUILDING CORNER
- PROPERTY BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- EASEMENT
- BUILDING TIE
- FUTURE PHASE
- LIMITED COMMON AREA
- COMMON AREA
- PRIVATE OWNERSHIP

GENERAL NOTES:

1. THE PROJECT AREA HAS A SHALLOW GROUNDWATER TABLE. THEREFORE, NO BASEMENTS WILL BE ALLOWED.
2. HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PRIVATE STREETS INCLUDING REPAVING THE PRIVATE STREETS AFTER A LEAK OR BREAK IS REPAIRED.
3. PARKING SHALL BE PROHIBITED ON ALL STREETS AND ALLEYS.

SURVEYOR'S CERTIFICATE

I, KENNETH E. BARNEY, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 172762 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND EASEMENTS, HEREINAFTER TO BE KNOWN AS **EDGEWATER EXTENSION AT GENEVA, PHASE TWELVE, A PLANNED UNIT DEVELOPMENT** AND THAT A SURVEY OF THE DESCRIBED TRACT OF LAND HAS BEEN COMPLETED BY ME IN ACCORDANCE WITH SECTION 17-23-17 AND THAT I HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS SHOWN HEREON. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE, WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

KENNETH E. BARNEY _____ DATE _____

BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SLB&M, SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 17; THENCE ALONG THE SECTION LINE S.00°03'06"E. 1865.18 FEET AND WEST 495.38 FEET TO THE REAL POINT OF BEGINNING;
THENCE SOUTH 48.00 FEET; THENCE WEST 22.00 FEET; THENCE SOUTH 1.00 FOOT; THENCE WEST 52.00 FEET; THENCE NORTH 49.00 FEET; THENCE EAST 74.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 3,604.00 SQUARE FEET = 0.083 ACRES OF LAND.

OWNER'S DEDICATION

KNOWN ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE BOUNDARY DESCRIPTION HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS, AND DO HEREBY OFFER AND CONVEY TO ALL PUBLIC UTILITY AGENCIES AND THEIR SUCCESSORS AND ASSIGNS A PERMANENT EASEMENT SHOWN AS PUBLIC UTILITY EASEMENTS ON AND WITHIN THIS PLAT FOR CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, STORM DRAINAGE, LAND DRAIN, AND WATER LINES APPURTENANCES TOGETHER WITH THE RIGHT-OF-WAY ACCESS THERETO.
IN WITNESS WHEREOF: WE HAVE HERE UNTO SET OUR HANDS.

BY: _____ DATE _____

BY: _____ DATE _____

ACKNOWLEDGMENT

STATE OF _____ } s.s.
COUNTY OF _____

ON THIS _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME(S) IS SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ACKNOWLEDGMENT

STATE OF _____ } s.s.
COUNTY OF _____

ON THIS _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME(S) IS SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ACCEPTANCE BY LEGISLATIVE BODY

VINEYARD PLANNING COMMISSION CHAIR _____ VINEYARD ATTORNEY _____
DATE: ____/____/____ DATE: ____/____/____

VINEYARD ENGINEER _____ CITY MANAGER _____
DATE: ____/____/____ DATE: ____/____/____

CLERK/RECORDER _____
DATE: ____/____/____

EDGEWATER AT GENEVA

PHASE FIFTEEN

A PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 6 SOUTH,
RANGE 2 EAST SALT LAKE BASE & MERIDIAN, UTAH COUNTY, UTAH

VINEYARD _____ UTAH COUNTY, UTAH

SCALE: 1" = 10 FEET

SHEET 1 OF 1

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CLERK-RECORDER SEAL

Northern
ENGINEERING INC.
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT
1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992



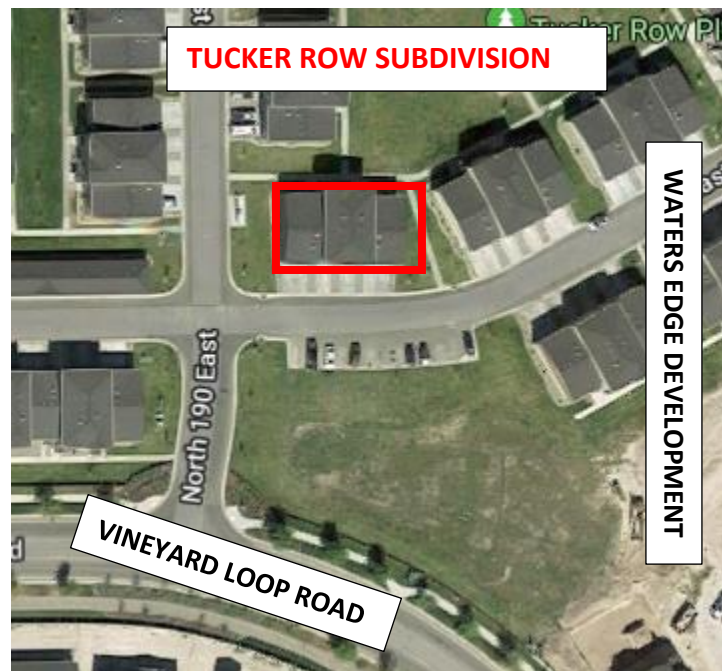
VINEYARD



VINEYARD

COMMUNITY DEVELOPMENT

Date: July 18, 2019
From: McKenna Marchant, Planning Tech
To: City Council
Item: 9.3 - Final Plat – Tucker Row Phase 2 Unit 12
Address: 197 E 630 N (Tucker Row)
Applicant: Brant Tuttle



INTRODUCTION:

The applicant is proposing to subdivide one (1) four (4) plex into four (4) individual lots within the Tucker Row subdivision. The Tucker is located within the Waters Edge TH-12 district, on the south side of Vineyard Connector and east of Main Street.

Staff has reviewed the final plat and is recommending approval.

ANALYSIS:

The subject property is within the Phase 2 of the Waters Edge development, recorded as unit 12. The TH-12 district has no lot size or lot width requirements within the zoning ordinance.

The proposed final plat, Tucker Row unit 12, splits lot 25 into four (4) individual lots, Lot 26, 27, 28 and 29.

FINDINGS:

With the proposed conditions, the proposed final plat meets the standards and requirements set forth in the zoning ordinance.

RECOMMENDATION:

Staff recommends the City Council grant approval of the Tucker Row Phase 2 Unit 12 final plat subject to the two conditions listed:

1. The applicant makes any redline corrections prior to the recording of the plat.
2. The applicant pays any outstanding fees.
3. The applicant is subject to all local, state and federal laws.

PROPOSED MOTION:

"I move to approve the Tucker Row Phase 2 Unit 12 final plat with the proposed conditions.

Attachments:

Final Plat Application

Final Plat



FINAL SUBDIVISION APPLICATION

APPLICATION FEES: \$1,940.00 + \$6.20/LOT

APPLICATION DATE: 7-8-19

APPLICANT(S): Brant Tuttle, Northern Engineering

ADDRESS OF APPLICANT: 1040 E 800 N Orem, UT 84097

BUSINESS PHONE #: (801) 802-8992 CELL PHONE #: _____

EMAIL ADDRESS: btuttle@neiutah.com FAX NUMBER: _____

CURRENT ZONING DISTRICT DESIGNATION: Waters Edge

NUMBER OF PROPOSED NEW LOTS: 4

LOCATION/ADDRESS OF PROPOSED FINAL SUBDIVISION: _____

197 E 630 N Vineyard, UT Tucker Row at Water's Edge

TOTAL ACREAGE OF PROPOSED FINAL SUBDIVISION: 0.092 acres

NAME OF PROPERTY OWNER(S): Sam Taggart

Parcel: 53:534:0012

SIGNATURE OF APPLICANT(S):

Brant Tuttle

7-8-2019

Applicant Signature

Date

Sam Taggart

7/11/19

Applicant Signature

Date

PROPERTY OWNER AFFIDAVIT

STATE OF UTAH

}
}ss

COUNTY OF UTAH)

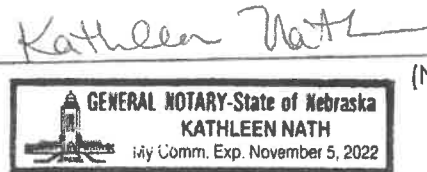
I, the undersigned, Sam Teggart, as owner(s) of the property identified in the attached application, depose that the statements herein contained in this application and the information provided in the attached plans and exhibits are in all respects true and correct to the best of my knowledge.

(Property Owner)

(Property Owner)

Subscribed and sworn before me, Kathleen Nath, a Notary Public, on this 11th day of July, 2019.

My commission expires: 11-5-2022



(Notary Public)

AGENT AUTHORIZATION AFFIDAVIT

I, the undersigned, Sam Teggart, as owner(s) of the real property described in the attached application, do authorize the following:
Brant Tuttle, Northern Engineering, as agent(s) and designated representative(s) regarding the attached application, to appear on my behalf before any administrative or legislative body in the Town of Vineyard considering this application, and to act in all respects as agent(s) in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

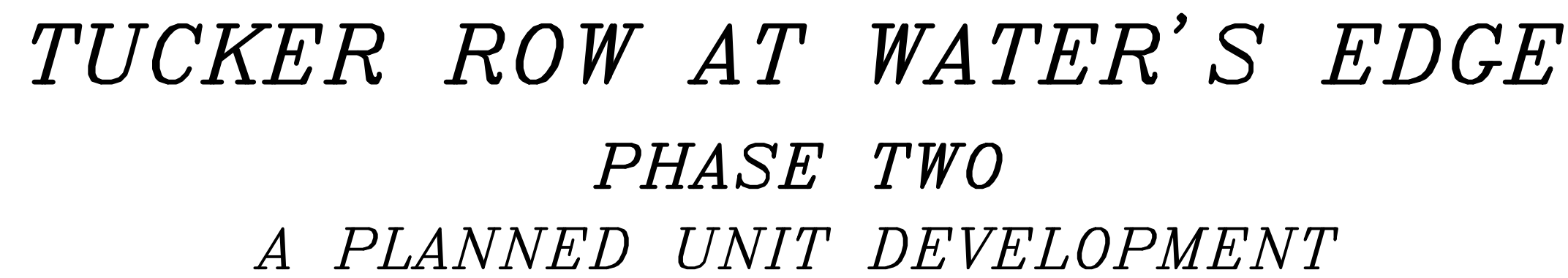
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My commission expires: 11-5-2022

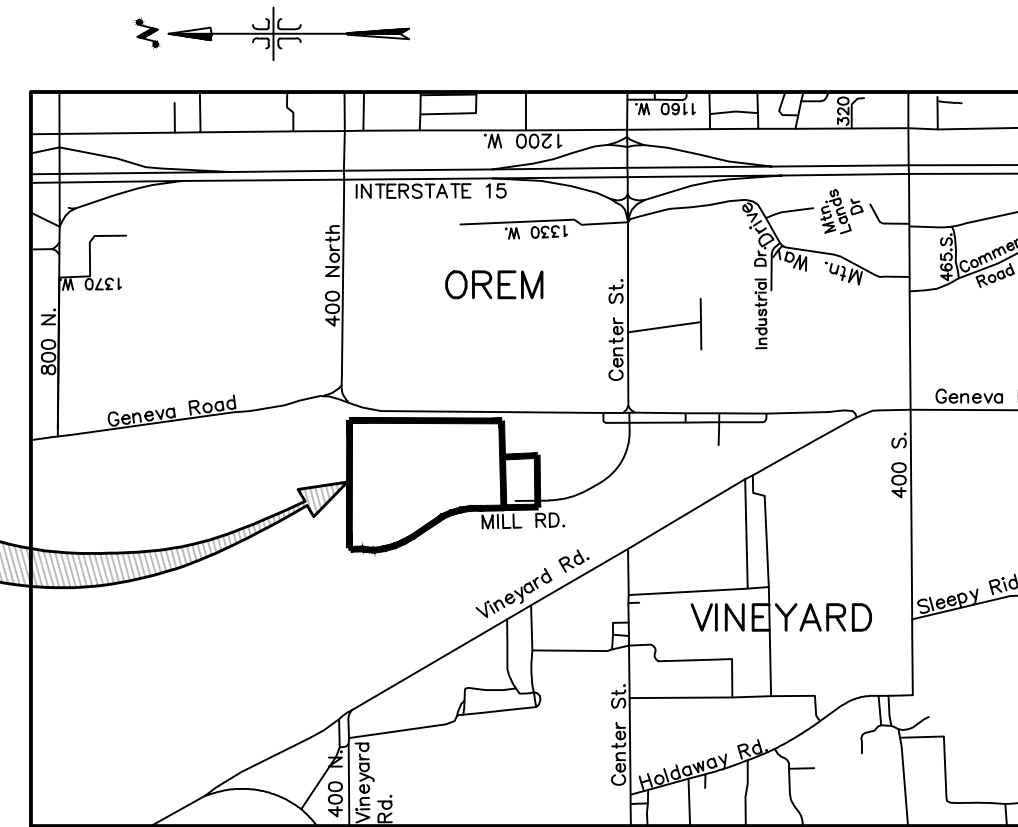


(Notary Public)





PROJECT
SITE



—NTS—

The map shows a large rectangular tract of land, 74.00' wide and 54.00' deep. It is divided into eight numbered lots, each with specific dimensions and area measurements. The lots are arranged in a grid-like fashion, with some lots having additional boundary lines and dimensions. A north arrow is located in the bottom right corner of the map.

Lot Number	Area (sq. ft.)	Area (ac.)	Dimensions (ft.)
26	946	0.02	22.00' x 43.00'
26a	242		5.00' x 22.00'
27	720	0.02	15.00' x 48.00'
27a	90		15.00' x 6.00'
28	675	0.02	15.00' x 45.00'
28a	135		15.00' x 9.00'
29	902	0.02	22.00' x 41.00'
29a	286		4.00' x 22.00'

— POINT OF BEGINNING

FOUND BRASS CAP
SOUTHWEST CORNER SECTION 8
T.6S., R.2E., SLB&M

BASIS OF BEARING

FOUND BRASS CAP 1989
SOUTH QUARTER SECTION 8
T.6S., R.2E., SLB&M

1. PLAT MUST BE RECORDED WITHIN 12 MONTHS OF FINAL PLAT APPROVAL, OR FOR PHASED DEVELOPMENTS, WITHIN 24 MONTHS OF RECORDATION OF MOST RECENT PHASE. THE FIRST FINAL PLAT APPROVAL WAS GRANTED ON THE _____ DAY OF _____, 20____.
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6. DRIVEWAYS AND LOT ACCESS SHALL BE LIMITED TO INTERIOR LOCAL SUBDIVISION STREETS ONLY.
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8. VINEYARD ASSUMES NO RESPONSIBILITY FOR ANY PROPERTY DAMAGE CAUSED BY GROUND WATER FLOODING.
9. ALL BUILDING AND DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE VINEYARD ZONING ORDINANCE.

1. PURSUANT TO UTAH CODE ANN. 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT, ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. 17-27A603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
 - a. A RECORDED EASEMENT OR RIGHT-OF-WAY
 - b. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 - c. TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND FACILITIES OR
 - d. ANY OTHER PROVISION OF LAW

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



I, KENNETH E. BARNEY, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 172762 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND EASEMENTS, HEREINAFTER TO BE KNOWN AS EDGEWATER EXTENSION AT GENEVA, PHASE TWELVE, A PLANNED UNIT DEVELOPMENT AND THAT A SURVEY OF THE DESCRIBED TRACT OF LAND HAS BEEN COMPLETED BY ME IN ACCORDANCE WITH SECTION 17-23-17 AND THAT I HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS SHOWN HEREON. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE, WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

KENNETH E. BARNEY

DATE

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 SOUTH, RANGE 2 EAST, S18&M, SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE N.89°25'01"E. ALONG SECTION LINE 1258.56 FEET AND NORTH 1553.91 FEET TO THE REAL POINT OF BEGINNING;

THENCE WEST 74.00 FEET; THENCE NORTH 54.00 FEET; THENCE EAST 74.00 FEET; THENCE SOUTH 54.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,996 SQUARE FEET = 0.092 ACRES OF LAND.

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE BOUNDARY DESCRIPTION HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS, AND DO HEREBY OFFER AND CONVEY TO ALL PUBLIC UTILITY AGENCIES AND THEIR SUCCESSORS AND ASSIGNS A PERMANENT EASEMENT SHOWN AS PUBLIC UTILITY EASEMENTS ON AND WITHIN THIS PLAT FOR CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, STORM DRAINAGE, LAND DRAIN, AND WATER LINES APPURTENANCES TOGETHER WITH THE RIGHT-OF-WAY ACCESS THERETO.

IN WITNESS WHEREOF: WE HAVE HERE UNTO SET OUR HANDS.

BY: _____

BY: _____ DATE _____

STATE OF _____ }
COUNTY OF _____ } S.S.

ON THIS _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME
WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY
EVIDENCE TO BE THE PERSON WHOSE NAME(S) IS SUBSCRIBED TO THIS INSTRUMENT, AND
ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

STATE OF _____ }
COUNTY OF _____ } S.S.

ON THIS _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME
WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY
EVIDENCE TO BE THE PERSON WHOSE NAME(S) IS SUBSCRIBED TO THIS INSTRUMENT, AND
ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

VINEYARD PLANNING COMMISSION CHAIR _____ VINEYARD ATTORNEY _____
 DATE: ____/____/____ DATE: ____/____/____

VINEYARD ENGINEER _____ CITY MANAGER _____
 DATE: ____/____/____ DATE: ____/____/____

CLERK/RECORDER

DATE: ____/____/____

TUCKER ROW AT WATER'S EDGE
PHASE TWO
A PLANNED UNIT DEVELOPMENT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 SOUTH,
RANGE 2 EAST SALT LAKE BASE & MERIDIAN, UTAH COUNTY, UTAH

VINEYARD

UTAH COUNTY, UTAH

SURVEYOR'S SEAL		NOTARY PUBLIC SEAL		CLERK-RECORDER SEAL	
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Community Development

Date: August 14, 2019
From: Morgan Brim, Community Development Director
To: City Council
Item: 7.1 - Public Hearing and Consideration of Ordinance 2019-05 Zoning Text Amendments
Applicant: City Initiated

OVERVIEW:

City staff and the Planning Commission have discussed several text amendments to the Vineyard Zoning Ordinance (VZO). These amendments are intended to clarify development and use regulations in the city. The following code sections have been publicly noticed, in compliance with Utah State Code, for a public hearing before the Planning Commission's August 7, 2019 meeting and City Council's August 14, 2019 meeting.

- 15.12.060-Dimensional Standards Table
- 15.32.230-Requirements For Fences And Walls
- 15.34.030-Accessory Buildings
- 15.34.060-Accessory Dwelling Units
- 15.34.125-Beekeeping
- 15.38-Parking And Loading Requirements
- 15.40.030-Plans And Fee Required
- 15.60.020-Definitions

Code Sections	Comments
15.12.060-Dimensional Standards Table	The Dimensional Standards Table was amended to reference Section 15.34.030 standards for accessory structure located in corner lot side yards.
15.32.230-Requirements For Fences And Walls	Amended to clarify that fences are measured from finished grade. Natural grade is very difficult to determine due to the fact that the grade of buildable lots have already been modified prior to issuance of building permits. Commercial, industrial and public utilities may have fences with eight feet to buffer from residential uses. Sports court fencing is allowed a height of 10 feet and must be setback three feet from the rear and side property lines. The City Manager may approve heights for fencing within public parks.
15.34.030-Accessory Buildings	Amended to allow accessory structures within the side yards of corner lots. Setback and height restrictions are established.
15.34.060-Accessory Dwelling Units	ADU will only be permitted on lots 6,000 square feet or larger. Five on-site parking spaces are required. ADU size limitation is established not to exceed the lesser of 1,200 square feet or 50% the size of the principle unit.

15.34.125-Beekeeping	Provisions are established for beekeeping within the city.
15.38-Parking And Loading Requirements	Standards for bicycle parking are established. The number of bicycle parking shall include three spaces or 10% of the required vehicle parking spaces.
15.40.030-Plans And Fee Required	Landscaping fee was eliminated and the fee schedule was referenced.
15.60.020-Definitions	Definitions for Beekeeping terms are established including: Apiary, Beekeeper, Beekeeping Equipment, Colony, Hive and Honeybee.

PUBLIC COMMENT:

During the public hearing on August 7, 2019, resident Logan Densley spoke in regards to amendments related to sport court fencing. Among other things, he indicated that he was opposed to having to setback sport court fencing from the rear and side property lines and prefers installing an eight foot high perimeter fence.

RECOMMENDATION:

Staff recommends the City Council approve the proposed Ordinance 2019-05 Zoning Text Amendments.

The Planning Commission, following their public hearing on August 7, 2019 recommended approval of Ordinance 2019-05 to the City Council.

PROPOSED MOTION:

"I move to approve Ordinance 2019-05 Zoning Text Amendments."

Attachments:

Ordinance 2019-05

**VINEYARD
ORDINANCE 2019-05**

ZONING ORDINANCE AMENDMENTS

AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, AMENDING THE VINEYARD ZONING ORDINANCE TITLE 15 SECTION 15.12.060 DIMENSIONAL STANDARDS TABLE TO REFERENCE SECTION 15.34.030 FOR ACCESSORY STRUCTURES IN CORNER LOT SIDE YARDS; SECTION 15.32.230 REQUIREMENTS FOR FENCES AND WALLS TO PROVIDE ALLOWANCE FOR SPORTS COURT AND COMMERCIAL & RESIDENTIAL BUFFER FENCING; SECTION 15.34.030 ACCESSORY BUILDINGS PROVIDING PROVISIONS REGARDING ACCESSORY STRUCTURES WITHIN SIDE YARDS OF CORNER LOTS; SECTION 15.34.060 ACCESSORY DWELLING UNITS ESTABLISHING MINIMUM LOT SIZES AND INCREASE PARKING REQUIREMENTS; SECTION 15.34.125 BEEKEEPING TO PROVIDE STANDARDS FOR APIARY FACILITIES AND PERMITTING REQUIREMENTS; SECTION 15.38.030 PARKING REQUIREMENTS TO INCLUDE PROVISIONS FOR BICYCLE FACILITIES; SECTION 15.40.030 PLANS AND FEE REQUIRED TO ELIMINATE LANDSCAPE FEE AND REFERENCE CITY FEE SCHEDULE AND SECTION 15.60.020 DEFINITIONS TO INCLUDE DEFINITION OF TERMS RELATED TO BEEKEEPING; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of Utah Municipal Code, permits Vineyard to ensure the health, safety, and welfare of the community through local land use planning and the adoption of land use ordinance; and

WHEREAS, Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code Section 10-9a-102(2); and

WHEREAS, the Planning Commission held a public hearing on August 7, 2019, and after fully considering public comment and staff recommendations, recommended approval to the Vineyard City Council; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on August 14, 2019; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the Zoning Ordinance.

NOW THEREFORE, be it ordained by the Council of Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "15.12.060 Dimensional Standards Table" of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.12.060 Dimensional Standards Table

1. Unless otherwise specified, development in the city shall comply with the standards set forth in the Dimensional Standards Table. Special purpose districts standards are located in [VZC 15.14 Special Purpose Districts](#).
2. Dimensional standards regulating accessory buildings of VZC 15.34.030 shall apply.
3. All other applicable development standards are located within various chapters of the zoning ordinance.

Dimensional Standards Table

STANDARDS	O S	A- 1	R & A -5	R E - 2 0	R - 1 - 1 5	R - 1 - 1 0	R - 1 - 8	R-2-15	HDR-1	HDR -2	R M U	B P	R C	F O I	M	P F
Minimum Lot Size	N A	40 Ac res	5 A cr es	4 0 0 0 sf	1 5 0 0 sf	1 0 0 0 sf	8, 0 0 0 sf	15,000 sf per SFD or 25,000 sf per Two- Family Dwelling	10,000 sf plus 5,000 sf per multi- family unit.	8,000 sf plus 4,500 sf per multi- family unit.	10 acr es ¹ .	4 0, 0 0 sf	N A	2 0 0 sf	2 0 0 sf	N A
Maximum Base Density allowed by a PD Overlay District in Units Per Acre	N A	1 un it per 20 ac res	1 un it per 5 ac res	1. 7 5 u n it s p e r a c r e	2. 3 2 u n it s p e r a c r e	3. 5 u n it s p e r a c r e	4. 3 5 u n it s p e r a c r e	2.33 SFD units per acre. 2.8 Two- family dwelling units per acre.	2-12 units per acre with an averag e of 8 units per acre.	9.7 units per acre.	N A	N A	N A	N A	N A	N A
Minimum Lot Width	N A	Lot width to lot length ratio not less than 1:3		1 0 0'	9 0' 0'	8 0' 0'	8 0' 0'	100' for SFD and 120' for Two- Family Dwellings	60' unless otherw ise approv ed by the City Counci l.	120'	See sta ndar d #	1 4 0'	N A	1 0 0'	1 0 0'	N A
Minimum Distance Between Condominium & Multi- Family Units Primary Buildings located on the same Lot or Parcel	N A	N A	N A	N A	N A	N A	N A	NA	30'	30'	1 bel ow.	N A	N A	N A	N A	N A
Minimum Building Height	No primary building within any district shall be erected to a height less than one (1) story entirely above grade. See definition of story.															
Maximum Building Height	3 5' 2	35 ' ²	35 ' ²	3 5' 2	3 5' 2	3 5' 2	3 5' 2	35' ²	35' ²	35' ²	60' 2	9 0' 2	6 0' 2	6 0' 2	6 0' 2	N A
Minimum Front Yard	N A	30 '	30 '	3 0' 0'	3 0' 0'	3 0' 0'	2 0' 0'	20'	20'	20'	See sta	3 0' 0'	2 0' 0'	2 5' 5'	2 5' 5'	N A

Minimum Side Yard - Interior Lots	N A	30 '	30 '	3 0'	3 0'	3 0'	2 0'	A total of at least 20' between the two side yards, with no side yard of less than 8'.	20', unless otherwise approved by the City Council.	20'	nd ar d #1 bel o w.	2 5'	2 0'	2 0'	2 0'	N A
Minimum Side Yard for Corner Lots	N A	30 '	30 '	3 0'	3 0'	3 0'	2 0'	20'	20'	20'		2 5'	2 5'	2 5'	2 5'	N A
Minimum Rear Yard	N A	30 '	30 '	3 0'	3 0'	3 0'	2 0'	20'	20'	20'		2 5'	2 5'	2 5'	2 5'	N A
Maximum Building Lot Coverage (Principle and Accessory Buildings)	N A	N A	15 %	5 0 %	5 0 %	5 0 %	5 0 %	50%	50%	50%	N A	N A	N A	N A	N A	N A
Maximum encroachment of Architectural Features Encroaching into required setback	N A	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	N A
Accessory Buildings - In addition to the requirements of Section 15.34.030 1703 , the following dimensional standards apply:																
Minimum Internal Side Setbacks	N A	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	N A	N A	N A	N A	N A
Minimum Corner Side Setbacks	See standard #3 below.															
<u>Street Side Corner Lot Standards</u>	<u>See Section 15.34.030</u>															
Minimum Rear Setbacks	N A	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	N A	N A	N A	N A	N A
Minimum Distance from Principle Building	N A	6'	6'	6'	6'	6'	6'	6'	6'	6'	6'	N A	N A	N A	N A	N A
Maximum Building Height	N A	N A	25' 4	25' 4	25' 4	25' 4	25' 4	25' 4	25' 4	25' 4	25' 4	N A	N A	N A	N A	N A
Roof Overhang Setback	N A	N A	1' 5	1' 5	1' 5	1' 5	1' 5	1' 5	1' 5	1' 5	1' 5	N A	N A	N A	N A	N A
Maximum allowed rear yard building coverage.	N A	N A	50 %	50 %	50 %	50 %	50 %	50%	50%	50%	50 %	N A	N A	N A	N A	N A

Additional Standards:

1. See [VZC 15.14 Special Purpose Districts](#) for additional RMU Districts standards.
2. Building height is measured from the top of the back of curb to the highest point of the building or structure. See also definition of "Building Height."
3. Shall meet the minimum setbacks of the principle building.
4. For every one foot (1') in height above fifteen feet (15') the roof overhang setback shall be increased an additional one foot (1') from the internal side and rear property lines.
5. For every one foot (1') in height above fifteen feet (15') the building setback shall be increased an additional one foot (1') from the internal side and rear ~~property lines, party lines.~~

SECTION 2: **AMENDMENT** "15.32.230 Requirements For Fences And Walls" of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.32.230 Requirements For Fences And Walls

1. Height.

- a. ~~Unless required by a Land Use Authority n~~No fence, wall, or similar structure shall be erected on any required rear or side yard to a height in excess of six (6) feet, ~~except as otherwise specified in this section. Fences or walls measured from natural or finished grade, whichever is lower, except fences~~ located on the front property line or on the side property line within the front yard shall not ~~exceed a height of be higher than~~ forty two (42) inches. ~~Fence and wall height shall be measured from finished grade.~~
- b. Fences and wall heights ~~shall comply with clear view triangle requirements of corner lots and driveways areas as required in Section 15.32.280 and 15.32.290 of the VZO, located on rear and side property lines, and immediately adjoining any road or street right of way shall not exceed a maximum height of six (6) feet, except required clear view areas.~~
- c. Any fence and wall higher than six (6) feet, ~~measured from natural or finished grade, whichever is lower,~~ shall require a Building Permit.
- d. Solid, sight-obscuring fences and walls, separating commercial, ~~public utilities~~ and industrial ~~uses from residential uses-Zoning Districts from all other zones,~~ may be required as a buffering and screening treatment ~~not to exceed eight (8) feet, with a minimum height of six (6) feet,~~ except for required clear view areas. ~~Fence and wall height of up to eight (8) feet may be approved for public utilities and industrial uses by the planner for safety and security purposes. Additional fence height may be required, including the provision of three (3) feet of open fence, such as wrought iron, to the top of any fence along rear property boundaries for safety and security purposes.~~
- e. ~~The finished grade shall Fence height shall be measured from the highest point of the fence or wall to natural or finished grade, whichever is lower, and which has not been~~ specifically altered to increase fence or wall height.

2. Sports Court Fencing.

- a. Residential sports court fencing, ~~not to exceed ten (10) feet in height, shall only be permitted around tennis courts, badminton courts and other similar play areas provided that fences over six (6) feet in height are located in the side and rear yards and setback a minimum distance of three (3) feet from the side property line and three (3) feet from the rear property line. Residential sports court fencing shall be installed for the purposes of enclosing sports court areas only.~~
 - b. Sports court and field fencing within established city parks or city open space areas may exceed six (6) feet in height as determined necessary by the City Manager or his/her designee.
 - c. Sports court fencing over six (6) feet in height shall be made of open wire construction of galvanized steel or other corrosion-resistant material.
- 3.
 4. **Compatible Design.** All walls and fences shall be compatible with the surrounding landscape and the architecture and building materials of buildings on and adjacent to the property.
 5. **Quality of Construction.** All walls and fences shall be constructed in a workman-like manner according to industry standards.
 6. **Maintenance of Fences and Walls.** All fences and walls shall be maintained in good repair. Areas adjacent to the wall or fence shall be maintained by the property owner.
 7. **Special Zoning Districts or Planned Developments.** In addition to these standards, property located within a special zoning district shall comply with all applicable requirements of [VZC 15.14 Special Purpose Districts](#). Property located within a planned development shall comply with all standards listed in any associated development agreement.

SECTION 3: **AMENDMENT** "15.34.030 Accessory Buildings" of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.34.030 Accessory Buildings

1. Accessory buildings and accessory uses may be authorized in association with a primary building or primary use.
2. Accessory buildings and accessory uses shall only be authorized concurrently with, or following, the establishment of the primary building or primary use.

3. Accessory buildings are only permitted within the rear yard ~~and street side yards of corner lots. of an established lot.;~~
4. Accessory buildings located within the street side yard of a corner lot shall maintain a minimum setback distance of three (3') from the street side property line. Accessory buildings located within street-side yards of a corner lot shall be screened with a fence from the street right-of-way on the front and sides.
5. Accessory buildings located within the street side yard of a corner lot shall not exceed a height of ten (10') feet.
6. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
7. Accessory buildings shall meet all of the required dimensional standards of VZC 15.12.060.
8. Accessory buildings shall comply with the requirements of the adopted Building Code, as applicable.
9. No mobile home, travel trailer, boat, or similar recreational vehicle shall be used as an accessory building.
10. No shipping container, cargo container, shipping crate, box, trailer, or similar moveable piece of equipment or object shall be used as an accessory building.
11. No accessory buildings shall be rented, leased, or sold separately from the rental, lease, or sale of the primary building, except as allowed in VZC 15.34.060.
12. No accessory building shall be used as a permanent dwelling unit, except as allowed in VZC 15.34.060.
13. Accessory buildings used for the housing of domestic livestock or fowl shall comply with the requirements of VZC 15.34.120.

SECTION 4: **AMENDMENT** "15.34.060 Accessory Dwelling Units" of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.34.060 Accessory Dwelling Units

Purpose: The purpose of the accessory dwelling unit ordinance is to promote areas in the city to accommodate an expanding population, establish regulations to address the health, safety and welfare of the community, to provide flexibility for changes in household size associated with life cycle and to enable a level of financial security for home owners.

1. **Location:** Accessory dwelling units are allowed as an accessory use to a single-family detached residence and are limited to the following development configurations:
 - a. Over a detached garage, provided the parking within the garage is not eliminated or converted to living space, stairs or otherwise disrupts required parking;
 - b. Within the home through an internal conversion of the housing unit maintaining an internal connection between living areas; or
 - c. An addition to the home, containing an internal connection between the accessory dwelling unit and the principal part of the dwelling unit; provided, that the addition will not alter the single-family character of the structure.
2. **Minimum lot size:** A minimum lot size of 6,000 square feet is required for homes containing an accessory dwelling unit.
3. **External appearance:** The accessory dwelling unit shall not alter the appearance of the structure as a single-family residence. There shall be no external evidence of occupancy by more than one (1) family, such as two (2) front doors. The architectural style, building materials and building colors of an accessory dwelling unit shall be compatible and consistent with the architectural style, materials, and color of the primary building. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an accessory dwelling unit.
4. **Sale of principle dwelling:** An accessory dwelling unit shall not be sold separately from the sale of the principle building dwelling located on the same lot.
5. **Owner occupied:** The principle dwelling of the property shall be the primary residence of the property owner.
6. **Number of units:** A maximum of one (1) accessory dwelling unit may be established as a secondary use to a detached single-family dwelling.
7. **Unit size:** Accessory dwelling units shall ~~neither not exceed the greater of~~ 50% of the size of the principle dwelling ~~nor~~ 1,200 square feet. In no case shall the accessory dwelling unit contain habitable square footage less than 300 square feet.
8. **Dimensional standards:** Accessory dwelling units shall comply with required building height, setbacks and all applicable dimensional standards listed in VZC 15.64 Table of Uses and Development Standards for attached or detached accessory buildings.
9. **Utilities:** An accessory dwelling unit shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections, or meters shall be allowed for an accessory dwelling unit.
10. **Parking:** A single-family dwelling with an accessory dwelling unit shall provide a minimum of ~~five~~ **four (4)** off-street parking spaces located on a paved surface or approved driveway. A minimum of two (2) off-street parking spaces shall be designated for the use of those residing in the accessory dwelling unit. The number of off-street parking spaces shall not be less than the number of vehicles maintained on the property. Only driveways or parking pads containing a minimum length of eighteen feet (18') may be counted toward required onsite parking. The minimum length of a driveway counting toward onsite parking shall not include any land associated with street rights-of-way, sidewalks or public property/access. All onsite parking spaces shall contain a minimum width of eight feet (8').
11. **Addresses:** The single-family dwelling and accessory dwelling unit shall have unique addresses.
12. **Entrance:** The exterior entrance to the accessory apartment shall be on the side or rear of the building and shall enter directly into the accessory dwelling unit. The interior entrance to the accessory dwelling unit shall be from within the principle dwelling unit. Only one (1) front entrance shall be visible from the front yard.
13. **Application:** An accessory dwelling unit application may only be approved if the property meets the standards listed in this section. An accessory dwelling unit shall not be authorized on a property that has outstanding ordinance violations or unpaid taxes.
14. **Compliance with adopted codes:** Accessory dwelling units shall meet all requirements of the adopted Building Code and other applicable city ordinances and regulations.

SECTION 5: **ADOPTION** "15.34.125 Beekeeping" of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

15.34.125 Beekeeping(*Added*)

Purpose: The purpose of this section is to authorize beekeeping subject to certain requirements intended to avoid problems that may otherwise be associated with beekeeping in populated areas.

1. **Certain Conduct Unlawful.** Notwithstanding compliance with the various requirements of this section, it shall be unlawful for any person to maintain an apiary or keep any colony on the property in a manner that threatens public health and safety, or creates a nuisance. For the purposes of this section, a colony or apiary constitutes a nuisance when:
 - a. The honeybees travel to any neighboring property to such an extent that the residents of the property are unable to fully enjoy the use of their property without coming into conflict with the honeybees.
2. **Hives on Residential Lots.** Beehives shall not be permitted in multifamily districts or projects. The number of hives permitted on a lot shall be determined by lot size as determined below:

<u>Lot Size</u>	<u>Nu mb er of Hiv es</u>
<u>Less than 5,000 square feet</u>	<u>Tw o (2)</u>
<u>Between 5,000 and 10,000 square feet</u>	<u>Fi ve (35)</u>
<u>10,000 plus square feet</u>	<u>Fi ve (5+) (6)</u>
<u>Agricultural Zones</u>	<u>Unl imi ted</u>

3. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.
4. **Beekeeper Registration.** Vineyard residents may keep honeybees on their property in accordance with this section. Beekeepers shall submit an application to the city. Beekeepers shall also register with and obtain any necessary licenses from the Utah Department of Agriculture and Food for beekeeping and shall follow all City ordinances and State and Federal laws and regulations that govern and regulate beekeeping, such as those found in Title 4, Chapter 11 of the USC.
5. **Species Allowed.** Beekeepers are allowed to keep honeybees as defined within this Title.
6. **Hives.**
 - a. May only be located in the rear yard of any single-family residential lot.
 - b. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition.
 - c. Hives shall be placed at least three (3) feet from any property line and twenty (20) feet from any dwelling unit ~~and public or street right of way~~, and six (6) inches above the ground, as measured from the ground to the lowest portion of the hive.
 - d. Each hive shall be conspicuously marked with the owner's name, address, telephone, number, and state registration number.

7. Flyways. A flyway barrier is required to be established and maintained around the hive except as needed to allow access. A flyway may consist of the following:
- A six (6) foot high solid fence that encloses the entire rear and side yards of the property, or;
 - A solid wall, a fence, dense vegetation, or a combination thereof, and must extend at least three ~~en~~ (43) feet beyond the hive in each direction and contain a height of ~~maximum of six (6) feet in height~~. Such flyway may not violate any other provision within the VZO.
8. Water. Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by honeybees seeking water on neighboring property.
9. Beekeeping Equipment. Each beekeeper shall ensure that no bee comb or other beekeeping equipment is left upon the grounds of an apiary site. Upon removal of a hive, all such equipment shall be promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

SECTION 6: AMENDMENT “15.38.030 Parking Requirements” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.38.030 Parking Requirements

1. Off-street parking spaces shall be provided according to the following provisions and standards.

a. General Provisions

- Floor Area.** The term "floor area" for the purpose of calculating the number of required parking spaces shall be the "Gross Floor Area" of the building, including all exterior use areas except as may be provided or modified herein.

- Change of Use or Occupancy of Buildings.** Off-street parking and loading spaces as required herein shall be provided at the time of a new building. Any change of use or occupancy of any building or buildings, including additions thereto, requiring more parking spaces as required by this Section are provided.

- Parking for a Residential Use.** Off-street parking facilities for residential uses shall be utilized solely for the parking of licensed and the occupants of the residence or the parking of passenger automobiles by guests of said occupants.

d. Accessible Parking

- Accessible parking for non-residential developments shall be provided in conformance with the Americans with Disabilities Act (Utah ADA) and International Building Code (IBC) as amended.
- Accessible parking for multiple-family residential developments shall be provided in conformance with the Americans with Disabilities Act (FFHA) and International Building Code (IBC) as amended.

- Parking Stall Dimensions.** The following shall be the minimum parking stall size:

Type	Width	Length*
Standard	9 Feet	20 Feet
Parallel	8 Feet	24 Feet

* The front of the parking space may overhang two (2) feet into a landscape strip or pedestrian walkway, however, any parking space shall maintain at least a four (4) foot wide clearance for pedestrian access (a total of six (6) feet from the curb face to the opposite edge)

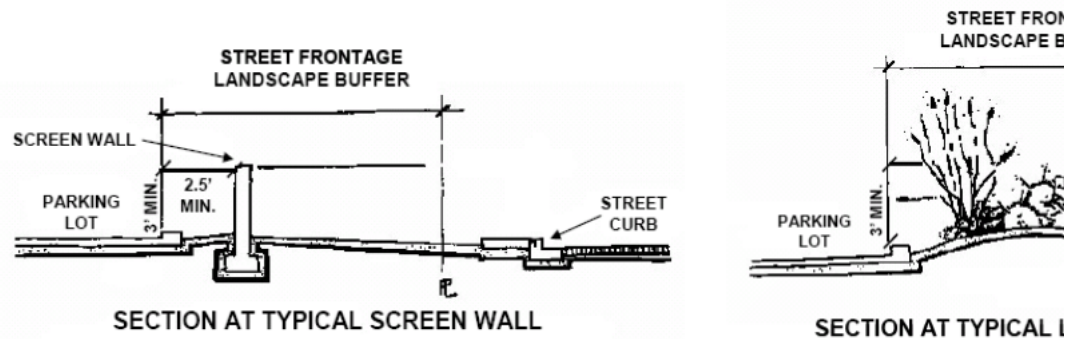
- Parking Aisle Dimensions.** The following shall be the minimum parking aisle width:

Parking Angle	One-Way Aisle	Two-Way Aisle
90 degree	24 Feet	24 Feet
60 degree	18 Feet	22 Feet
45 degree	18 Feet	20 Feet
30 degree	18 Feet	20 Feet

- Parking Lots.** Parking lots shall be designed in groupings no larger than two hundred (200) spaces. Larger lots shall be divided by buffer areas oriented for pedestrian use.

- Within Structures.** The off street parking requirements may be furnished by providing spaces designed within the principle building. A building permit shall be used to convert said parking structures into a dwelling unit, living area, or other activity until other adequate required off-street parking provisions of this Section.

- i. **Circulation Between Bays.** Parking areas shall be designed so that circulation between parking bays occur within the designated public street or alley. Parking area designs which require backing into a public street are prohibited except one, two or three-family
- j. **Surfacing.** All areas intended to be utilized for parking space, access aisles, and driveways shall be paved with concrete or asphalt to outdoor storage of material and equipment may be covered with decomposed granite to provide a dust free surface. Such area shall not be a landscape area.
- k. **Striping.** Except for one, two and three-family dwellings, all parking stalls shall be marked with painted lines not less than four inches wide.
- l. **Lighting.** Parking lots used during hours of darkness shall be illuminated. Any lighting used to illuminate an off-street parking area shall be down and/or away from adjoining property, abutting residential uses and public right-of-ways and shall be a maximum of twenty-five feet for non-residential uses and sixteen (16) feet for residential uses.
- m. **Protruding Vehicles.** All on-site parking stalls shall be designed and constructed so that parked vehicles shall not protrude over a public street.
- n. **Screening.** All off-street parking lots of four (4) or more spaces shall be screened from the street view and adjacent residential district by vertical landscaping, or combination thereof at least three (3) feet high, as measured at finished grade adjacent to the parking area to be installed a minimum of two and one-half (2.5) feet back from the edge of the parking stall.



o. Parking Area Landscaping

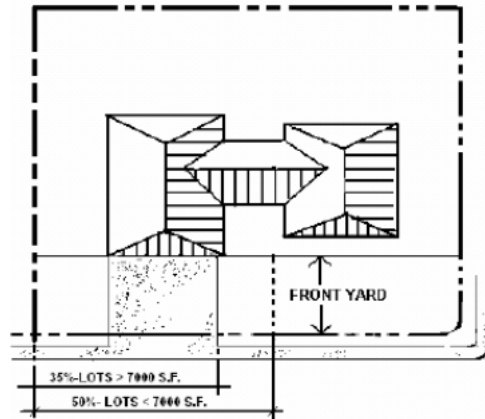
- i. Five percent (5%) of the gross parking surface area shall be of dispersed interior landscaping, designed so as to reduce the "heaviness" and aesthetics of a parking area. A development with single drive aisle between a building and property boundary may include the use of the drive aisle toward this requirement. The following are acceptable interior landscaping designs:
 - (1) Five (5) feet by five (5) feet tree diamonds placed not more than six (6) parking spaces apart and located at the interspaces shall be used only with ninety (90) degree parking spaces.
 - (2) Minimum five (5) feet wide landscape medians with trees planted forty (40) feet apart;
 - (3) Minimum five (5) feet wide landscape islands and peninsulas with at least one (1) tree;
 - (4) Other similar designs that disperse landscaping throughout a parking area, to be determined by the Planning Commission.
 - ii. Parking areas should be buffered from adjacent residential property and screened from streets so automobiles are not visible. Screening methods may include landscaped berms, low walls, and hedges.
 - iii. Access drives, internal circulation drives, parking areas, and pedestrian walkways shall be designed to provide safety and comfort for pedestrians and to ensure access for the physically disabled. Areas where pedestrian walkways cross driveways shall be constructed of other material and design so as to differentiate the area as a pedestrian/vehicle interface.
 - iv. In projects greater than 1 acre, every parking space should be no greater than one hundred fifty (150) feet from a walkway leading to the area, or to existing area parking schemes. The Planning Commission may increase or reduce the minimum required number of city approved parking studies.
 - v. The number of curb cuts (street accesses) should be minimized and pedestrian access enhanced.
 - vi. Site lighting should be aesthetically attractive, of pedestrian scale, and provide pedestrians with a sense of security.
 - vii. All sites shall meet the requirements of the Americans with Disabilities Act ("ADA").
 - viii. Parking lot design shall consider development on adjacent sites. The City may require cross access connections/easements to enhance public safety.
 - ix. Traffic circulation patterns should direct commercial traffic onto arterial streets and not local/neighborhood streets. Multiple access points directed onto collector streets. The City may deny access onto a local/residential street if access to a collector or arterial street is required.
 - x. A site plan shall be designed to separate pedestrian and vehicular traffic to the extent possible.
- p. Maintenance**
- i. It shall be the joint and separate responsibility of the owner and/or lessee of the principal use, uses or building to maintain the parking space, access ways, striping, landscaping, and required fences or screening.
 - ii. Shrubs within a landscape island shall be maintained to a maximum height of three (3) feet, and all trees at maturity within a landscape island shall be maintained to a maximum height of six (6) feet from the lowest branch to the adjacent grade elevation.
- q. Use of Required Parking Areas for Parking Only.** Required off-street parking spaces in any district shall not be utilized for open storage of inoperable vehicles, except when permitted as a Temporary Use.
- r. Signs.** No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking area.
- s. Parking Canopies, Non-Residential and Multi-Family Residential Land Uses**
- i. Covered parking canopies may be located within the required side and rear building setbacks provided the structure drains off water to the exterior.
 - ii. Covered parking canopies may encroach into required side and rear building setbacks, but may not encroach into required landscape setbacks.
 - iii. Height of such structures shall be limited to 10'.

- iv. All canopies shall include a fascia.
 - v. Setbacks are measured from property line to nearest edge of canopy.
 - vi. All required landscaping, parking or otherwise, shall be provided.
2. **Off-street Parking Requirements.** The following minimum number of off-street, paved parking spaces shall be provided and maintained during the life of the respective uses hereinafter set forth. Any proposed uses not listed herein will be determined by the Town Planner.
- a. **Residential Uses.** Parking Spaces Required:

Dwelling Types	
Single-family	4.0 Spaces/Unit
Two-family	4.0 Spaces/Unit
Three-family	4.0 Spaces/Unit
Multi-family**	
Efficiency/Studio	1.0 Spaces/Unit
1 Bedroom	1.5 Spaces/Unit
2 Bedrooms	2.0 Spaces/Unit
3 Bedrooms	3.0 Spaces/Unit
**In addition to the required spaces, 0.5 guest stalls per unit shall be included.	

b. **Additional Residential Parking Requirements**

- i. All standard front-entry garage and carport entrances shall be setback a minimum of eighteen (18) feet from the street right-of-way tract.



- ii. It shall be unlawful to park or store any vehicle within the front or side yard of a single family residence use unless such parking surface is dustproof- parking surface such as concrete or asphalt or crushed rock or aggregate that is a minimum of three inches thick, contained by a permanent border. Parking within the front yard of a single residence use shall be on or contiguous to a legal maximum of thirty- five percent (35%) of the front yard area, except on lots less than seven thousand (7,000) square feet in which parking may be located on up to fifty percent (50%) of the front yard.
 - iii. For lots greater than seven thousands (7,000) square feet, the Town Planner may approve additional paved areas, not to exceed shaped lots resulting from curvilinear streets, topography or other unique conditions so long as the intent and purposes of this ordinance are met.
 - iv. Tandem parking spaces shall count as one space.
 - v. Grade/Slope for residential driveways shall not exceed 8%, anything higher shall receive approval from the City Engineer.
- c. **Nonresidential Uses.** The number of parking spaces for non-residential uses shall be provided as follows:

NON-RESIDENTIAL SPACES		
USE	DESCRIPTIONS	PARKING RATIO
ADMINISTRATIVE & FINANCIAL		
Professional Offices	Facilities for general office work providing professional, business administrative, informational services, or facilities that house governmental agencies and similar uses	One (1) space per two hundred (200) sq. ft. of floor area.
Financial Services	Institutions providing financial advice and services in a bank, or similar financial institutions, to include accessory office building, automatic teller machine and similar uses	One (1) space per one hundred fifty (150) sq. ft. of floor area
	Financial institutions with drive- through facilities	In addition to the above, a sixty (60) linear feet of stacking space per lane exclusive of drive aisles and parking spaces.
Unspecified Office Use		One (1) space per two hundred (200) sq. ft. of floor area.
AUTOMOBILE RELATED		
Auto Services	Facilities providing general vehicle service or repair, and similar services	Three (3) spaces per service bay, plus one (1) space per three hundred (300) sq. ft. of gross floor area excluding service bay(s).
	Facilities providing fast or express service bays or lanes	In addition to the above, a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
Automobile Rentals or Dealerships	Facilities for sale or rental of new or used auto, boat, RV, truck, trailer, camper, motor home or Motorcycle. (Outdoor vehicle display spaces are not required to meet dimensional requirements of this Article)	One (1) space per one thousand (1000) sq. ft. of gross floor area, plus one (1) space per six thousand (6000) sq. ft. outdoor vehicle display area.
Automobile Towing & Impound Facilities	Facilities for towing, dismantling, recycling, impound and storage of junk vehicles, to include sanitary landfills and similar uses	Four (4) spaces or one (1) space per one thousand (1000) sq. ft. of floor area whichever is greater.

Car Washes	Facilities for the cleaning of vehicles,	One (1) space per three hundred (300) sq. ft. of office floor area, plus a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
	Self service facilities for the cleaning of vehicles	A minimum of four (4) spaces and the requirements above.
EATING & DRINKING ESTABLISHMENTS		
Restaurants	Eating establishments and similar services	One (1) space per one hundred (100) sq. ft. of floor area including outdoor seating
Taverns, Bars, Pubs & Lounges	Establishments licensed to sell alcoholic beverages to be consumed on the premises, often with limited food service	One (1) space per fifty (50) sq. ft. of serving area, plus one (1) space per two hundred (200) sq. ft. for preparation area.
ENTERTAINMENT & RECREATION		
Adult Uses	Establishments for adult entertainment that emphasize adult oriented uses and services in an adult motion picture theater, arcade, adult cabaret, adult motel, nude studio and similar facilities	One (1) space per fifty (50) sq. ft. of floor area
	Adult specialty shops for purchase of adult books, video, and similar products	One (1) space per three hundred (300) sq. ft. of floor area
Indoor Public Assembly	Facilities providing a variety of indoor public assemblies in a convention or reception center, meeting hall, social or private club, music hall, theatre and similar places, excluding taverns, bars, pubs, lounges and adult uses	One (1) space per two hundred (200) sq. ft. of floor area, or one (1) space per four (4) fixed seats of design capacity whichever is greater
Indoor Recreation	Facilities providing a variety of indoor health and sports activities in a sporting complex, stadium, skating rinks, pool hall, dance hall, tennis and racquet clubs, game room, video arcade, bingo hall, community center, fitness center and similar indoor facilities	One (1) space per two hundred (200) sq. ft. of floor area

	Bowling Alleys	Two (2) spaces per lane, plus two (2) spaces per billiard table, plus one (1) space per each five visitor gallery seats
Outdoor Amusement & Recreations	Facilities providing a variety of outdoor amusement, entertainment, and similar activities in an amusement park, fairground, zoo, auditorium and similar places, to include special outdoor events such as carnivals or outdoor concerts. Outdoor recreations include a variety of outdoor health and sport activities in a racetrack, stables, rodeo ground, outdoor shooting range, swimming and tennis clubs, miniature golf and similar places	One (1) space per one thousand (1000) sq. ft. of activity area
	Golf course and driving range	One (1) space per two hundred (200) sq. ft. of main building floor area, plus one (1) space per every two (2) practice tees in driving range, plus four (4) spaces per each green in the playing area
GENERAL INDUSTRIAL & MANUFACTURING		
Light Industrial and Manufacturing	Facilities providing manufacturing and assembly services	One (1) space per seven hundred and fifty (750) sq. ft. of warehouse area plus one (1) space per three hundred (300) sq. ft. office or retail floor area
Outdoor storage	Facilities providing exterior storage of construction equipment and materials, recyclable material, and similar uses	A minimum of four (4) spaces and one (1) space per five thousand (5000) sq. ft. of designated outdoor area or one (1) space per three hundred (300) sq. ft. office floor area whichever is greater.
Unspecified Industrial Use (Shell Building)		One (1) space per seven hundred and fifty (750) sq. ft. of warehouse area plus one (1) space per three hundred (300) sq. ft. office or retail floor area

Warehousing	Facilities providing warehousing of material and goods and similar uses	One (1) space per one thousand (1000) sq. ft. of warehouse area, plus one (1) space per three hundred (300) sq. ft. office floor area.
	Mini-storage facilities and similar uses	One (1) space per fifty (50) units
Wholesale, distribution	Facilities providing wholesale or distribution of trucks, trailers, boats, new and used cars, bulk fuel, machines, appliances, equipment, building material, lumber, plant nurseries, produce and similar merchandise in indoor or outdoor storage areas to include machine shops, lumberyards, import/export shops, moving, rental, or storage companies, market sales yards, and similar facilities	One (1) space per five hundred (500) sq. ft. of sales or display area, plus one (1) space per one thousand (1000) sq. ft. of indoor storage area, plus one (1) space per two hundred (200) sq. ft. of retail or office floor area.
GENERAL RETAIL		
Retail	Establishments providing general retail sales and services in a single store on a single lot, not part of a shopping center	One (1) space per three hundred (300) sq. ft. of floor area.
	Establishments providing general retail sales and services in a shopping centers (a commercial establishment planned, developed, owned or managed as a unit)	One (1) space per two hundred-fifty (250) sq. ft. of floor area. Note: for any center with more than fifteen percent (15%) of floor area in public assembly uses, including theaters, restaurants, schools, health spas, bars or cocktail lounges, there shall be required, in addition to these standards, ten (10) spaces per one thousand (1000) sq. ft. of public area within these uses.
	Establishments providing drive- through services including liquor stores, laundries and dry cleaners, pharmacies and similar services	In addition to the above, one hundred (100) linear feet of stacking space exclusive of drive aisles and parking spaces.
Unspecified Retail Use (Shell Building)		One (1) space per two hundred fifty (250) sq. ft. of floor area.
INSTITUTIONAL		

Child care	Facilities providing daily care of children in a nursery, day care or pre- school center	One (1) space per four hundred (400) sq. ft. of floor area.
Public, social and cultural services	Facilities providing public, social, non-profit, or institutional services in a library, museum, art gallery, post office, treatment, detention, or release center, halfway house, employment agency, shelter, and similar civic/public, cultural, and social institution (excluding group home)	One (1) space per two hundred (200) sq. ft. of floor area.
Religious Assembly	Facilities providing religious worship or study in a church, temple, synagogues and similar places	One (1) space per four (4) seats in main assembly area based on design capacity.
School	Public, charter or private educational institutions for Elementary and Junior High	One (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
	Senior High	Two (2) spaces per classroom, plus one (1) space per employee, plus one (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
Secondary Education	Public or private facilities providing education in a college, university, trade or vocational school, and similar institutions	Five (5) spaces per classroom, plus one (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
Senior care	Facilities providing long-term care for seniors in a nursing or convalescent home, hospices or similar care facility (excluding group home)	One (1) space per three (3) beds.
Utility	Structures, equipment, or facilities providing for public/private utility & services, including radio, television, communication transmission, tower and similar structures	One (1) space per use.
LODGING		

Hotels or Motels	Places for lodging with ancillary facilities to include sleeping rooms, restaurants, lounges, resorts, meeting rooms and similar uses	One (1) space per room, plus one (1) space per one hundred (100) sq. ft. of restaurant and bar serving area, plus one (1) space per one hundred (100) sq. ft. of outdoor seating serving area, plus ten (10) minimum spaces for visitors parking, plus one (1) space per two hundred (200) sq. ft. of meeting room floor area.
Lodging Accommodations	Establishments providing accommodation in a bed and breakfast, lodge, to include fraternity, sorority, and similar facilities	One (1) space per room.
Recreational Resorts	Facilities providing overnight stops in Recreational Vehicle Park, travel trailer park, overnight camp ground and similar places	One (1) space per two hundred (200) sq. ft. of gross activity area, or one (1) space per RV or trailer whichever is greater.
MEDICAL		
Medical Offices and Clinics	Facilities providing medical, dental, optical care or preventative medicine and clinical research studies in a clinic or laboratory, including accessory offices	One (1) space per two hundred (200) sq. ft. of floor area.
Hospitals	Facilities providing medical or surgical care, emergency medical and similar services	A minimum thirty (30) spaces for emergency services or two (2) spaces per bed, plus one (1) space per employee whichever is greater.
Veterinarian Hospitals or Clinics	Establishments for medical, surgical, and emergency care of animal, to include veterinary office and clinics without animal boarding	One (1) space per one hundred fifty (150) sq. ft. of floor area.
PERSONAL SERVICES		
General Professional Services	Establishments providing general professional services such as cabinet and carpentry making, custom dressmaking and alteration, watch and clock repair, dry cleaning & laundry, pet care, messenger delivery, photographic developing & printing, blueprint production, travel information & similar professional services	One (1) space per two hundred (200) sq. ft. of floor area.

Personal Improvement	Establishments providing personal services such as tanning, massage therapy, manicure, hair and beauty treatment, tattoo and body piercing, palm reading, fortune tellers, and similar services	One (1) space per one hundred fifty (150) sq. ft. of floor area.
OTHER		
Funeral Services	Facilities providing burial preparation and/or funeral services in a cemetery, crematorium, mausoleum, funeral home and chapel, mortuaries and similar facilities	One (1) space per every three (3) fixed seats in main viewing rooms based on design capacity plus one (1) space per funeral vehicle.

d. Mixed Uses

- i. In the case of horizontal mixed-use occupancies in a building or on a lot, the total requirement for off-street parking shall be various uses computed separately.
- ii. A horizontal mixed use development may reduce that amount of required parking by ten (10) percent if the project is a mix of an integrated development plan, both residential and non-residential uses or by twenty-five (25) if the property is within transit or front runner station. This measurement shall be made along standard pedestrian routes from the property with a Professional Engineer, to be approved through the development or site plan approval process.

e. Calculating Spaces. In case of fractional results in calculating parking requirements, the required numbers of the sum for the various whole number if the fraction is .5 or greater.

f. Joint Use Parking

- i. Up to fifty percent (50%) of the parking facilities required by this Section for a religious institution, cultural center or an adult school may be supplied by the off-street parking facilities by the following daytime uses: banks, business offices, retail stores, equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale and similar uses.
- ii. Other joint use of parking on adjacent commercial uses to reduce total parking spaces may be allowed with a parking study by a Professional Engineer, to be approved through the site plan approval process.
- iii. Conditions Required for Joint Use
 - (1) The building or use for which application is being made to utilize the off-street parking facilities provided by another building shall be within three hundred (300) feet of such parking facilities.
 - (2) The applicant shall show that there is no substantial conflict in the operating hours of the two buildings or uses for which the off-street parking facilities is proposed.
 - (3) A properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved by the Town Attorney shall be filed with the Town Clerk and recorded with the County Recorder.

g. Offsite Parking

- i. Any off-site parking which is used to meet the requirements of this Section shall be regulated by this Ordinance and shall be
 - (1) Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Section.
 - (2) Reasonable access from off-site parking facilities to the use being served shall be provided.
 - (3) The site used for meeting the off-site parking requirements of this Section shall be under the same ownership as the use being served, or shall have guaranteed permanent use by virtue of a perpetual lease filed with the Town Clerk and County Recorder.
 - (4) Offsite parking for multiple-family dwellings shall not be located more than two hundred (200) feet from any commercial use being served, unless approved through the site plan approval process.
 - (5) Off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the primary entrance to the use being served, unless approved through the site plan approval process.

h. Bicycle Parking. Required bicycle parking shall be convenient, secure, and readily accessible to shoppers, customers, visitors, employees and others on the site.

- i. Required Bicycle Parking Spaces: Bicycle parking spaces shall be required in all zones for each site to which this Title applies. The number of bicycle parking spaces provided shall be a minimum of three (3) or a number equal to ten percent (10%) of the required on-site automobile parking spaces, whichever is greater. The number of bicycle parking spaces required by this Title shall not exceed thirty (30) spaces per building. Exception: The Community Development Director may reduce the bicycle parking requirements by fifty percent (50%) for developments that are not likely to attract bicycle traffic because of the circumstances associated with the development. Developments which are not likely to attract bicycle traffic, but are not limited to the following:

ii. Bicycle Rack General Requirements.

- (1) Racks shall be of an "inverted-U" design or as approved by the Community Development Director. Other types of bicycle racks shall require approval from the Community Development Director, so long as they meet the requirements list below.
- (2) Racks shall be securely anchored so that they cannot be easily removed and of solid construction, resistant to rust, corrosion, and vandalism.
- (3) Racks shall be located in a convenient, highly visible, active, and well-lit area.
- (4) Racks may be located no more than fifty (50) feet from the primary entrance of each principal building. If there is more than one entrance to a building, the bicycle parking must be along all facades with a main entrance.

- (5) Racks must hold the bicycle securely by means of the frame. The bicycle frame must be able to be supported so that it side in a manner that will damage the wheels. The rack should provide two (2) points of contact with the frame, a minimum horizontally. The rack's high point should be at least thirty-two (32) inches.
- (6) Racks should be arranged so that the parking area for each bicycle is a minimum of two (2) feet wide and six (6) feet
- (7) Racks should have a minimum of three (3) feet between rack elements (side by side).
- (8) A minimum of five (5) feet of aisle width shall be provided between rows of bikes.
- (9) Where two bikes can be locked on both sides without conflict, each side can be counted as one (1) required space.

SECTION 7: **AMENDMENT** "15.40.030 Plans And Fee Required" of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.40.030 Plans And Fee Required

1. For all development projects included in Section 2002, preliminary and final landscape plans shall be prepared in accordance with the standards and requirements set forth in this chapter, and shall be submitted and approved in accordance with the procedures set forth in this chapter.
2. ~~A The review fee for a final landscape plan may be required as determined by the adopted fee schedule. shall be \$350.00 or as amended by the Town Council by resolution.~~

SECTION 8: **AMENDMENT** "15.60.020 Definitions" of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.60.020 Definitions

Words not defined herein shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition.

Abandon/Abandoned: Means a use that has been discontinued for a minimum period of one (1) year or a building, structure, sign, or other object that remains vacant or unused for a minimum period of one (1) year.

Abandonment: Any act that results to abandon.

Access: The provision of vehicular and/or pedestrian ingress and egress to a lot, parcel, building, or structure.

Accessory Building: A building customarily incidental and clearly subordinate to the primary building and located on the same lot as the primary building.

Accessory Use: A use clearly incidental, subordinate and customarily found in connection to the primary use and located on the same lot as the primary use.

Active or Valid Building Permit: A Building Permit that has not expired.

Adjacent Property/Adjacent Landowners: A lot or parcel of property, or the owner of record of such, according to the records of the Utah County Recorder that has a common boundary line with a lot or parcel of property that is the subject of some action before the city.

Affected Entity: Means a county, municipality, independent special District under Title 17A, Chapter 2, Independent Special Districts, Local District under Title 17B, Chapter 2, Local Districts, School District, interlocal cooperation entity established under Title 11, Chapter 13, InterLocal Cooperation Act, specified public utility, or the Utah Department of Transportation, if:

1. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;
2. The entity has filed with the municipality a copy of the entity's general or long-range plan; or
3. The entity's boundaries or facilities are within one mile of land that is the subject of a general plan amendment or land use Ordinance change.

Agent: The person with written authorization to represent a property owner.

Agriculture: An area which is used for the commercial production, keeping, or maintenance for sale of plants and domestic animals typically found in Utah County, or lands devoted to a soil conservation management program, but excluding the keeping of prohibited animals, Commercial Plant Nursery, as defined herein, Concentrated Animal Feeding Operation, as defined by the U.C.A., 1953, as amended, and subject to the Utah Pollutant Discharge Elimination System (UPDES), or similar activities.

Agricultural Building: A structure used in conjunction with an allowed agriculture use, and not for human occupancy, and complying with the requirements of § 58-56-4, U.C.A., 1953, as amended. To qualify as an agricultural building the structure must meet all requirements of § 58-56-4(1), U.C.A., 1953, as amended.

Alcoholic Beverages: Means and includes beer and liquor as defined in the State of Utah Alcoholic Beverage Control Act, as amended.

Alteration: Any change, addition, or modification in construction of a building or structure.

Animal Hospital: A facility for the diagnosis, treatment and hospitalization of animals, that may include indoor holding facilities only for the treatment and observation of animals but does not include any outdoor holding or boarding facilities, unless Outdoor Boarding Kennels are listed as an allowed use in the Zoning Use Matrix.

Apiary: Any place where one (1) or more colonies of bees are located.

Appeal Authority: The person, board, commission, agency, or other body designated by this Ordinance to decide an appeal of a decision of a Land Use Application or a Variance.

Applicant: Any person(s) presenting a Land Use Application for any Approval, Permit, or License required by a Land Use Ordinance.

Application/Land Use Application: Written requests for an Approval, Permit, or License and completed in a manner prescribed by this Ordinance for review and decision by a Land Use Authority.

Application, Complete: An Application that includes all information requested on the appropriate form, and payment of all applicable fees.

Application, Incomplete: An Application that lacks information requested on the appropriate form, or lacks the payment of all applicable fees.

Architectural Projection: Any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building, but shall not include signs.

Assembly, Place of: The use of land for a meeting place where persons gather together for purposes of attending civic, social, religious functions, recreational events or entertainment performances on a regular or recurring basis including, but not limited to, religious institutions, banquet facilities, funeral homes, theaters, conference centers, stadiums, and indoor or outdoor recreational facilities.

Awning: A roofed structure placed to extend outward from the building providing a protective shield for doors, windows, and other openings supported by the building or other supports.

Base District: A Zoning District that establishes regulations governing land use and site development in a specific geographic area.

Basement: A story partly underground and having at least one-half (1/2) its height below the average level of the adjoining ground.

Bay Window: A window or series of windows forming a recess or bay from a room and projecting outward from the wall.

Beekeeper: A person who keeps honeybees in order to collect honey and beeswax and pollinate crops.

Beekeeping Equipment: Anything used in the operation of an apiary, such as hive bodies, supers, frames, veils, gloves, top and bottom boards, extractors or other equipment to handle or manipulate bees, honey, wax, or hives.

Berm: A mound of earth used as a site feature, or to shield, screen, and buffer uses, undesirable views and to separate land uses.

Best Management Practices (BMPs): A practice, or combination of practices, determined to be the most effective (including technological, economic, and institutional considerations) means of preventing or reducing disturbance or disruption to the natural environment.

Billboard: A freestanding sign designed or intended to direct attention to a business, product, or service that is not provided, sold, offered, or existing on the property where the sign is located.

Buildable Area: That area of a lot or parcel which is outside of any required setback areas and outside of any other areas regulated by this Ordinance.

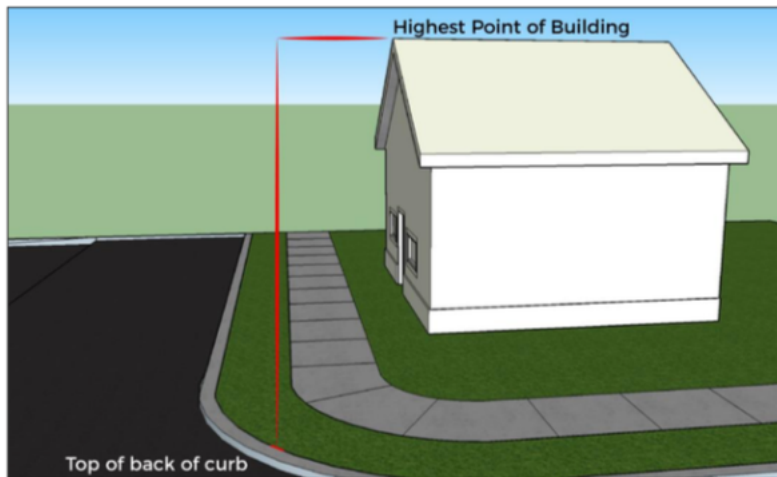
Building: Any structure, whether permanent or temporary, which is designed, intended, or used for occupancy by any person, business, animals, possessions, or for storage of property or materials of any kind.

Building Code: The International Building Code, as adopted by the city.

Building Facade: That portion of an exterior elevation of a building extending from the finished grade to the top of the parapet wall or eaves and the entire width of the building elevation.

Building Frontage: The horizontal, linear dimension of that side of a building abutting a street, a parking area, or other circulation area open to the public.

Building, Height: The vertical distance from the TOP OF THE BACK OF CURB to the highest point of the building or structure.



Building Line: The line circumscribing the buildable area of a lot.

Building Line, Front: A line parallel to the front lot line and at a distance there from equal to the required depth of the front yard setback and extending across the entire width of the lot or parcel.

Building Line, Rear: A line parallel to the rear lot line and at a distance there from equal to the required depth of the rear yard setback and extending across the entire width of the lot or parcel.

Building Line, Side: A line parallel to the side lot line and at a distance there from equal to the required depth of the side yard setback and extending between the front and rear building lines.

Building Official: The person charged with the administration and enforcement of the Building Code of the City of Vineyard, or designee.

Building Permit: A Permit authorizing a construction activity.

Business: Means and includes all trades, occupations, professions, or activities carried on within the city for the purpose of gain or economic profit.

Carport: Roof structures open on at least two sides and subject to all requirements prescribed for a garage.

Car Wash: A facility that offers the washing of motor vehicles and motorcycles by either machine or hand-operated mechanisms used principally for the cleaning, washing, polishing, or waxing of motor vehicles not exceeding 10,000 pounds Gross Vehicle Weight. A facility of this type may be able to accommodate more than one vehicle at the same time.

Certificate of Occupancy: A certificate issued by the Building Official authorizing occupancy of a building or structure requiring a Building Permit.

Chemical Manufacturing, Storage, and Distribution (Existing): A use, existing and established in the Town on January 1, 2008 and engaged in making of chemical products from raw or partially finished materials and the storage and distribution of such chemical materials and that by reason of materials, processes, products or waste may be hazardous or that by the emission of odor, dust, smoke, gases, noise, vibration, glare, heat or other impacts may impact adjoining properties, and which may include the parking and storage of distribution vehicles, and accessory activities.

Chief Executive Officer: Means the Mayor of the City of Vineyard. City Engineer: A registered Civil Engineer so appointed by the city.

Clear View Area: Areas at intersecting streets and driveways where unobstructed vision is maintained, as required by this Ordinance.

Cluster Development: A design that locates buildings in specific areas of a site to allow the remaining land to be used, but not limited to, recreation, open space, and preservation of sensitive land areas.

Code: The City of Vineyard Municipal Code, as adopted.

[Colony: Bees in any hive including queens, workers, or drones.](#)

Commercial Kennel: An establishment where four (4) or more dogs, older than four (4) months, are kept for the purpose of boarding, breeding, raising or training dogs for a fee or on a nonprofit basis.

Commercial Plant Nursery: A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail or wholesale customers.

Commercial Recreation, Indoor: A use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.

Commercial Recreation, Outdoor: An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.

Commission: The Planning Commission of the City of Vineyard.

Common Area: Facilities and yards under common ownership.

Common Ownership: Ownership of the same property by different persons.

Commuter and Light Rail Facilities and Station: A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.

Composting Facility: A facility where organic materials are converted into a humus-like material under a process of managed biological decomposition or mechanical processes. Normal backyard composting and composting incidental to agricultural operations are exempted from this use classification.

Conditional Use: A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas, or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Constitutional Taking: A governmental action that results in a taking of private property so that compensation to the owner of the property is required by the:

1. Fifth or Fourteenth Amendment of the Constitution of the United States; or
2. Utah Constitution Article I, Section 22.

Construction: The materials, architecture, assembly, and installation of a building or structure.

Construction Activity: All grading, excavation, construction, grubbing, or other site preparation or development activity which disturbs or changes the natural vegetation, grade, or any existing building or structure, or the act of adding an addition to an existing building or structure, or the erection of a new primary or accessory building or structure on a lot or parcel.

Construction Sales and Service: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, electrical, plumbing, air conditioning and heating supply stores.

Contractor's Office/Storage Yard: A facility providing building construction and maintenance services including carpentry, plumbing, roofing, electrical, air conditioning and heating, with a base of operations and which may include the indoor and outdoor storage of building materials, equipment, or vehicles used by the construction business.

Corral: A space, yard, or other unenclosed area, other than a building, used for the confinement of animals.

Council: The City Council of the City of Vineyard.

County: The unincorporated area of Utah County, or the Board of County Commissioners of Utah, Utah.

Cul-de-sac: A street with only one (1) outlet and an area for the safe and convenient turning around of traffic.

Culinary Water Authority: The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

Cut: The process of lowering the natural grade of the ground, or the depth or the volume of such material removal.

Daycare Facility, Commercial: A facility, operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all applicable State standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides child care for less than twenty-four (24) hours per day. Commercial Daycare Facilities excludes the following:

1. Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning;
2. Facilities operated in connection with a fitness center, shopping center or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available;
3. Special activities or programs, including athletics, crafts instruction and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations; or
4. Clearly identified as an Accessory Use.

Decibel (dB): A unit of measure used to express intensity of noise.

Declaration: The legal instrument by which property is subjected to the provisions of the State of Utah Condominium Ownership Act, or a declaration of covenants, conditions, and restrictions.

Dedication: The setting aside of land by an owner for any public use for the enjoyment of the public and owned by a public agency.

Demolish or Demolition: Any act or process that destroys in part or in whole a building or structure.

Density: The intensity or number of nonresidential and residential uses expressed in terms of unit equivalents per acre or lot or units per acre.

Density, Base: The number of dwelling units per acre allowed by a Zoning District.

Density, Incentive: The number of additional dwelling units per acre allowed in addition to the base density.

Developer: Any person or organization that develops, or intends to develop or sell property for the purpose of future development subject to the provisions of this Ordinance, or other Land Use Ordinances.

Development Activity: Any of the following: (a) Any man-made change to improved or unimproved lands, including but not limited to buildings or structures, mining, dredging, filling, grading, paving, excavation or drilling operations; (b) Any construction, reconstruction, or expansion of a building, structure, or use; (c) Any change in the use of a building or structure; (d) Any change in the use of land that creates additional demand and need for public facilities or services; (e) The act of subdividing; or (f) The act, process or result of developing.

Development Agreement: A contract between an Applicant or owner and the Council pursuant to the provisions in this Ordinance.

Development Site: The perimeters and total area of a tract, lot, or parcel of land intended to be used for a development activity.

Development Standards: Established regulations concerning lot areas, yard setbacks, building height, lot coverage, open space and any other special regulations deemed necessary to accomplish the purpose of this Ordinance or other Land Use Ordinances.

Disability: Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§ 57-21-2(9)(a) U.C.A., 1953, as amended). Disability does not include current illegal use of, or addiction to any Federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§ 57-21-2(9)(b) U.C.A., 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.

Distribution Center: A facility where the storage and distribution of goods and materials occurs inside a fully enclosed building and which may include the parking and storage of distribution vehicles, and accessory activities.

Domestic Livestock and Fowl: Limited to domesticated horse (*Equus caballus*), domesticated cattle (*Bos taurus* and *Bos indica*), domesticated sheep (*Ovis aries*), domesticated goat (*Capra hircus*) and domestic fowl. Domestic Livestock and Fowl do not include inherently or potentially dangerous animals, fowl, reptiles, or exotic animals.

Driveway: A private access, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which it is located.

Drive-Through Facility: A facility which by design, physical facilities, service or packaging procedures, encourages or permits customers to transact business or receive services or goods while remaining in their motor vehicles.

Dwelling, Accessory Unit: An attached dwelling unit to a single-family home, or located above a detached garage serving a single-family home which is located on the same lot as the single-family home designed to be clearly subordinate to the principle dwelling. An accessory dwelling unit provides complete, independent living facilities with a separate dwelling entrance than the principle dwelling.

Dwelling, Accessory Unit for Owner or Employee: An attached, or detached, dwelling unit for an employee or owner and incidental and clearly subordinate to the existing primary building or use and located on the same lot as the primary building or use.

Dwelling, Condominium: An individually owned dwelling unit, the ownership of which includes an undivided interest in the land and other common areas and facilities, as provided and recorded in a property deed or other instrument, as required by Utah law, and which is typically maintained by an association of the owners. Must meet allowed density requirements.

Dwelling, Multiple-Family: A building containing three (3) or more dwelling units.

Dwelling, Single-Family: A building containing one (1) dwelling unit.

Dwelling, Two-Family: A building containing two (2) attached dwelling units.

Dwelling Unit: A building, occupied by no more than one (1) family as defined herein, containing one (1) or more rooms and one (1) kitchen and including areas for living and sleeping, designed to be used for human occupancy, and complying with all provisions of the Building Code.

Dwelling Unit, Manufactured: A transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more Sections, which, in the traveling mode, is eight (8) feet or more in width or forty (40) feet or more in length, or when erected on site, is four hundred (400) or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling unit with, or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

To meet the requirements of this Ordinance and State laws, when erected on the site the home must be at least 24 feet in width at the narrowest dimension, have exterior and roofing materials acceptable to the Building Code, as adopted by the City of Vineyard, have a minimum roof pitch of 2:12, and be located on a permanent foundation, in accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection in compliance with the Building Code. All appendages, including carports, garages, storage buildings, additions, or alterations must be built in compliance with the Building Code. The manufactured dwelling must be connected to the required utilities, including plumbing, heating, air-conditioning, and electrical systems. All manufactured dwelling units constructed on or after June 15, 1976, shall be identifiable by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards. A Manufactured Dwelling Unit shall be identified as real property on the property assessment rolls of Utah County.

Earth Station: A communication facility which transmits and/or receives signals to and from an orbiting satellite using satellite dish antennas.

Easement: That portion of a lot, parcel, or tract reserved for present or future use by a person or agency other than the fee owner(s) of the property. The easement may be for use under, on, or above said lot, parcel, or tract.

Educational Facility: Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction. Privately owned buildings and uses for educational activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education.

Elderly Person: A person who is 60 years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

Emergency Care Facility: A facility or licensed healthcare provider providing emergency medical or dental or similar examination, diagnosis, treatment and care on an outpatient basis only.

Environmental Remediation: Removal and processing of on-site waste and/or contaminated materials for the purposes of remediation of the site for future use. All uses in this category are considered temporary for the duration of the remediation process and do not include importation of waste for processing. Such uses shall comply with the provisions for separation of uses and performance standards contained herein.

EPA: The United States Environmental Protection Agency.

Escrow: A deposit of cash with the city, or approved alternate in lieu of cash, held to ensure the performance of a task or a maintenance guarantee.

Excavation: The removal of boulders, gravel, rocks, earth, or similar naturally occurring deposits from its natural position.

External Illumination: Lighting that illuminates a building or structure, parking area, or other outside area from a location outside of the building or structure.

Family: A person living alone, or any of the following groups living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities: (a) Any number of people who are related by blood, marriage, adoption, or court sanctioned guardianship together with any incidental domestic or support staff who may or may not reside on the premises; or (b) four (4) unrelated people; or (c) two (2) unrelated people and any children related to either of them. "Family" does not include any group of individuals whose association is temporary or seasonal in nature or who are in a group living arrangement because of criminal offenses.

Farmer's Market: An area used for the sale of fresh produce and related food items, which may have outdoor storage and sales. A farmers' market may provide space for one or more vendors.

Fence: A barrier or obstruction of any material, with the purpose or intent, or having the effect, of preventing passage or view across the fence line.

Fence, Open: A fence which permits vision through more than fifty percent (50%) of each square foot more than eight (8) inches above the natural or finished grade.

Fence, Sight Obscuring: A fence which permits no vision (0%) through any part of the fence more than eight (8) inches above the natural or finished grade.

Fill: The process of raising the natural grade of the ground, or the depth or the volume of such material.

Financial Institution: A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money; but not including Pawnshops.

Fiscal Impact Analysis: An analysis that describes the current or anticipated effect upon the public costs and revenues imposed by a development activity.

Flammable Liquids or Gases Manufacture, Storage and Distribution: A facility which may produce, store and/or distribute flammable liquids and gases and which may include the parking and storage of distribution vehicles, and accessory activities.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland waters; including streams, creeks and rivers and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM): An official map of a community on which the United States Federal Emergency Management Agency has delineated areas of flood hazard.

Flood Insurance Study: The official report provided by the United States Federal Emergency Management Agency that include flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

Flood Plain, 100 Year: An area where a peak flow magnitude has about a 1 percent (1%) chance of being equaled, or exceeded in any year. The area is based on statistical analysis of stream flow records available for the watershed and analysis of rainfall and runoff characteristics in the general region of the watershed. The flood would have an average frequency of occurrence of about once in one hundred (100) years.

Floor Area, (Gross Floor Area): The sum of the footage contained within all buildings or structures on a site measured from the outside wall surfaces and including basements, garages, porches, utility rooms, stairways, recreation rooms and storage rooms, but excluding unroofed balconies and patios.

Floor Area, (Net Floor Area): The sum of the footage contained within all buildings or structures on a site measured from the inside wall surfaces including basements but excluding, garages, porches, utility rooms, stairways, storage rooms, and unroofed balconies and patios.

Floor Area, (Total): The sum of the gross floor area of all floors of a building and its accessory buildings located on the same lot. All dimensions shall be measured from the exterior faces of the exterior walls.

Floor Area Ratio: The total gross floor area of a building divided by the area of the lot on which it is located.

Foot Candle: A unit for measuring the amount of illumination on a surface.

Frontage: All the property fronting on one (1) side of the street between intersecting or intercepting streets, measured along the street line.

Funeral Home: An establishment where the dead are prepared for burial or cremation and which may include areas for embalming, performing of autopsies and the storage of funeral supplies and vehicles and where funerals may be held.

Garage: An accessory building used for the storage of motor vehicles.

General Plan: The City of Vineyard General Plan, as adopted.

Geologic Hazard: A hazard inherent in the crust of the earth, or artificially created, which is dangerous, or potentially dangerous to life, property or improvements, due to the movement, subsidence, or shifting of the earth. The term includes, but is not limited to, unstable slopes, faulting, landslides, and rock falls.

Golf Course: An area used for the purposes of playing golf, but which may include associated restaurants, commercial retail sales areas, and course maintenance facilities.

Grade, Finished: The finished elevation of the surface of the land after the completion of any development activity or other excavation.

Grade, Natural: The elevation of the surface of the land prior to any development activity or excavation.

Grading: An excavation, cut or fill, or the act of excavating, either cutting or filling.

Groundwater: Any water that may be drawn from the ground.

Groundwater Discharge Area: An area where the direction of groundwater movement is upward from the principal aquifer to the shallow unconfined aquifer.

Grubbing: The removal or destruction of vegetation, including disturbance to the root system or soil surface by mechanical, chemical, or other means.

Guarantee: Any form of security including cash, a letter of credit, or an escrow agreement in an amount and form satisfactory to the city.

Hard-Surfaced: Covered with concrete, brick, asphalt, or other impervious material.

Hazardous Waste: A material as defined by the United States Environmental Protection Agency.

Health and Fitness Facility: A business or membership organization providing exercise facilities and/or nonmedical personal services to patrons, including, but not limited to, gymnasiums, private clubs (athletic, health, or recreational), tanning salons, and weight control establishments.

Health Department: The Utah County Health Department.

Heliport: An area used for the landing and taking off of rotary wing aircraft but not including the regular repair or maintenance of such aircraft or the sale of goods or materials to users of such aircraft.

Hive: A frame hive, box hive, barrel, log, gum skep, or other artificial or natural receptacle that may be used to house bees.

Holiday Decorations: Displays of a primarily decorative nature commonly associated with any national, Local, or religious holiday.

Home Day Care: The care of children who are family and non-family members in an occupied dwelling unit, and complying with all State standards and licensing, by a resident of the dwelling unit at least twice a week for more than three (3) children, but fewer than nine (9) children. The total number of children being cared for shall include children under the age of four (4) years residing in the dwelling unit, who are under the supervision of the provider during the period of time the childcare is provided. When a caregiver cares for only three (3) children under age two (2), the group size, at any given time shall not exceed six (6).

Home Occupation: An activity carried out for gain by a resident of the dwelling unit, identified, and conducted in compliance with the requirements of this Ordinance, as applicable.

Home Preschool: A preschool program complying with all State standards and licensing for non-family members in an occupied dwelling unit, by residents of that dwelling unit, in which lessons are provided for not more than six (6) children for each session of instruction. Sessions shall last for not more than four (4) hours and shall not overlap. Individual children may attend only one (1) preschool session in any 24-hour period.

Honeybee: The common honeybee, *Apis mellifera* species or any hybrid thereof, at any stage of development, but not including the African honeybee.

Hospital: A facility licensed by the State of Utah Department of Health providing health services primarily for human inpatient, medical and/or surgical care for the sick or injured, and including the related facilities such as laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are an integral part of the facilities.

Hotel: A building and associated facilities offering overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to individual guestrooms, and which may include additional services, such as restaurants, conference and meeting rooms, entertainment, and recreational facilities.

Household Pets, Noncommercial: Domesticated animals and birds ordinarily allowed in a dwelling unit and kept for company or pleasure of the owner, including, but not limited to dogs, cats, and caged birds. Household Pets do not include domestic livestock or fowl, as defined herein or inherently or potentially dangerous animals, fowl, reptiles, or exotic animals.

Hybrid Production Facility: A commercial operation or use, on one or more premises where finished consumer goods are manufactured or produced and those same goods are offered for sale to the general public. Hybrid production facilities must be similar in size, scale and scope of operation with adjacent or nearby uses.

Identical Plans: Means building plans submitted to the City of Vineyard that are substantially identical to building plans that were previously submitted to and reviewed and approved by the City of Vineyard Building Official and describe a building that is:

1. Located on land zoned the same as the land on which the building described in the previously approved plans is located; and
2. Subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans.

Illegal Building/Structure: A building or structure, or portion thereof, established without securing the necessary Approvals, Permits, or Licenses, as required by this Ordinance, the adopted Building Code, or their prior enactments.

Illegal Lot: A lot created that has not received the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances.

Illegal Use: A use established without receiving the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances.

Impact Analysis: A determination of the potential effect(s), including but not limited to environmental, fiscal, social, matters, etc. upon the city or a Section of the city.

Impervious Material or Surface: Material that is impenetrable by water.

Improvements: Curbs, gutters, streets, roads, sidewalks, utilities, grading, paving, landscaping, water and sewer systems, drainage systems, fences, fire hydrants, street lights, parks, public facilities, amenities and other such requirements of this Ordinance.

Intensity: The degree of a quantitative or qualitative measurement associated with a use of land or building.

Internal Illumination: Lighting by means of a light source that is located within a building structure, or other object including a sign, or portions or letters of a sign.

Kennel, Commercial: A facility providing for indoor commercial boarding, grooming or training of household pets not owned by the owner or occupant of the premises.

Kennel, Outdoor Commercial: A facility providing for the indoor and/or outdoor commercial boarding, grooming or training of household pets not owned by the owner or occupant of the premises.

Land Use: The manner in which land is occupied or used.

Land Use Application: All Applications required by this Ordinance, and the city's other Land Use Ordinances, and required to initiate the review procedures for any required Approval, License, or Permit by a Land Use Authority.

Land Use Approval: Any authorization received from a Land Use Authority that permits the commencement of a development activity.

Land Use Authority: Means a person, board, commission, agency, or other body designated by the Council to act on a Land Use Application.

Land Use Ordinance: Means a planning, Zoning, development, or subdivision Ordinance of the City of Vineyard, including this Ordinance, but does not include the City of Vineyard General Plan.

Landscaping: Materials and treatments that include naturally growing elements such as grass, trees, shrubs, and flowers. Landscaping may also include the use of rocks, fountains, benches, and contouring of the earth when authorized by a Land Use Authority.

Laundry, Commercial: An establishment primarily engaged in the provision of laundering, dry cleaning, or dyeing services other than retail services establishments. Typical uses include bulk laundry and cleaning plants, diaper services, and linen supply services.

Laundry, Self Service or Dry Cleaning: An establishment providing home-type washing, drying, and/or ironing machines, household laundry and dry-cleaning services.

Legal Building/Structure: A building or structure, or portion thereof, established after receiving the necessary Approvals, Permits, or Licenses, as required by the Land Use Ordinances and complying with the requirements of the Land Use Ordinances and Building Code.

Liquor Store: An establishment owned and operated by the State of Utah and primarily engaged in the sale of alcoholic beverages.

Lot, Legal: A lot that has received the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances, or their prior enactments.

Legal Lot of Record: Any lot, parcel or tract of land that existed, as recorded in the Office of the Utah County Recorder, with a separate property identification number as provided by the Office of the Utah County Recorder and Office of the Utah County Assessor, prior to the date of the adoption of the first Vineyard Subdivision Ordinance, and all lots, parcels, and tracts of land that were legally created pursuant to the subdivision requirements of the city's Land Use Ordinances and the laws of the State of Utah after the date of the adoption of the first City of Vineyard Subdivision Ordinance.

Legal Use: A use complying with the requirements of this Ordinance.

Legislative Body: The City Council of Vineyard, Utah.

Light Source: A point of lumination that emits a measurable radiant energy in or near the visible spectrum.

Limits of Disturbance: The area of a lot, parcel, or tract of land in which all development activity or construction must be contained including all impervious surfaces, buildings, structures, parking areas, driveways, etc.

Lot: A parcel of land occupied or proposed to be occupied by a building or structure, together with such yards, open spaces, lot width and lot area as are required by this Ordinance.

Lot Area: The total land area of a lot, parcel, or tract of land.

Lot Coverage: The total horizontal area of a lot, parcel, or tract of land covered by any impervious surface, including buildings, structures, parking areas, driveways, etc.

Lot Depth: The horizontal distance from a front lot line to a rear lot line.

Lot, Interior: A lot, parcel, or tract of land, other than a corner lot.

Lot, Irregular: A lot whose rear property line is not generally parallel to the front property line such as a pie-shaped lot on a cul-de-sac, or where the side property lines are not parallel to each other.

Lot Line: A line bounding a lot, parcel, or tract of land that divides one (1) lot, parcel, or tract from another, or from a street. See also Property Line.

Lot Line Adjustment: The relocation of the lot line or property boundary line in a subdivision between two adjoining lots with the consent and agreement of the owners of record.

Lot Line, Front: A lot line separating a lot from an existing street right-of-way or, where a new street is proposed, the proposed street right-of-way line.

Lot Line, Rear: The lot line generally opposite and most distant from the front lot line.

Lot Line, Side: Any lot line that is not a front lot line or rear lot line. A side lot line separating one (1) lot from another is an interior side lot line.

Lot, Corner: A lot abutting on two (2) intersecting streets where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees (135°).

Lot, Double Frontage: A lot abutting two (2) parallel or approximately parallel streets.

Lot, Illegal: A lot that has not received the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances and State laws, or their prior enactments.

Lot, Noncomplying (Legal): A lot, parcel or tract of land that: (a) Legally existed before its current Zoning designation; and (b) Has been shown as a separate lot, parcel, or tract continuously on the records of the Utah County Recorder as an independent parcel since the time the Zoning requirements governing the lot, parcel or tract changed; and (c) Because of subsequent Zoning changes does not now conform with the requirements of the Zoning District in which the lot, parcel or tract is located.

Lot, Noncomplying (Illegal): A lot, parcel or tract of land that: (a) Was created without receiving the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances and State laws, and their prior enactments, and (b) Does not conform with the requirements of the Zoning District in which the lot, parcel or tract is located.

Lot Width: For an interior lot or parcel, the shorter of horizontal distance between side lot lines, measured at the required front yard setback line or rear setback line. For a corner lot, the distance between one (1) of the front lot lines and the opposite side yard line at the required setback line.

LU DMA: Means the "Municipal Land Use, Development, and Management Act," as provided by Chapter 10-9a, U.C.A., 1953, as amended.

Lumen: A measurement of light output or the amount of light emitting from a luminaire. **Luminaire:** A lighting unit consisting of a light source and all necessary mechanical, electrical, decorative, light shielding and hooded parts.

Luminaire, Cutoff-Type: A luminaire with shields, reflectors, refractors, or other such elements that direct and cut-off emitted light.

Luminaire, Shielded, Fully: Luminaires that are constructed so that no light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

Luminaire, Shielded, Partially: Luminaires that are constructed so that no more than ten percent (10%) of the light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

Manufacturing, Heavy: The assembly, fabrication or processing of large or bulky goods and materials which typically require extensive building areas or land areas using raw materials or previously prepared materials, using processes and that may have impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, or health and safety hazards.

Manufacturing, Light: The assembly, fabrication or processing of goods and materials using processes that are not offensive or create any odor, dust, smoke, noxious gases, noise, vibration, glare, heat or other impacts to adjacent property, nor create any health and safety hazards by way of materials, process, product or waste, and where all assembly, storage, fabrication or processing is conducted within a building or structure and where all, equipment, compressors, generators and other ancillary equipment is located within a building or structure.

Medical Clinic: An organization of doctors, dentists, or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.

Medical Laboratory: An establishment that conducts basic medical or dental research and analysis. This term does not include a facility providing any type of in-house patient services typically provided by hospitals and clinics.

Mixed Use: The location and arrangement of a combination of compatible residential and nonresidential uses on the same lot or within the same building, and complying with the requirements of this Ordinance.

Model Home: A dwelling unit having all of the following characteristics:

1. The dwelling unit is constructed upon a lot in a subdivision for which a Final Plat has been recorded.
2. The dwelling unit is intended to be temporarily utilized as an example of the dwelling units that are proposed to be built in the same subdivision.

Moderate Income Housing: Housing occupied or reserved for occupancy by households with a gross household income equal to or less than eighty percent (80%) of the median gross income for households of the same size in Utah County.

Moderate Income Housing Plan: A written document conforming to the requirements of LUDMA.

Monument: A permanent survey marker established by the Utah County Surveyor and/or a survey marker set in accordance with the City Engineer's specifications and referenced to Utah County survey monuments.

Motel: A building or group of buildings containing guest rooms, some or all of which have a separate entrance leading directly from the outside of the building with a garage or parking space located on the same lot and designed, used or intended wholly or in part for the overnight accommodations of guests and their vehicles.

Motor Home: A unit primarily designed as a temporary dwelling for recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle, including, but not limited to, a travel trailer, a camping trailer, a truck camper, a motor home, a fifth wheel trailer, and a caravan.

Motor Vehicle Fueling Station: A facility providing the retail sale and direct delivery to motor vehicles of fuel, including electric charging stations, lubricants and minor accessories, and retail sales for the convenience of the motoring public.

Municipality: The City of Vineyard, Utah, or other incorporated area.

Museum: An institution for the acquisition, preservation, study and exhibition of works of artistic, historical or scientific value and for which any sales relating to such exhibits are incidental and accessory to the exhibits presented.

Natural Features: Non-man-made land characteristics, including but not limited to slopes, wetlands, streams, rock outcropping, lava fields, intermittent drainage channels, and vegetation.

Natural State: Land that has not been subjected to grading, removal of vegetation or any development activity.

Natural Vegetation: Vegetation existing on a lot or parcel prior to any grading, development activity or man-made plantings.

Natural Waterways: Those areas, varying in width, along the course of a permanent or intermittent river, stream, creek, or gully.

Nominal Fee: A fee that reasonably reimburses the city only for time spent and expenses incurred in:

1. Verifying that building plans are identical plans; and
2. Reviewing and approving those minor aspects of identical plans that differ from the previously reviewed and approved building plans.

Noncombustible Material: Any material that will not ignite at or below a temperature of one thousand two hundred degrees Fahrenheit (1,200°F) during an exposure of five (5) minutes, and will not continue to burn or glow at that temperature.

Noncomplying Structure: A structure that:

1. Legally existed before its current land use designation; and
2. Because of one or more subsequent land use Ordinance changes, does not conform to the setback, height restrictions, or other regulations, excluding those regulations, which govern the use of land.

Nonconforming Use: A use of land that:

1. Legally existed before its current land use designation;
2. Has been maintained continuously since the time the land use Ordinance governing the land changed; and
3. Because of one or more subsequent Land Use Ordinance changes, does not conform to the regulations that now govern the use of the land.

Nonresidential Uses: Means the uses identified in the Tables of Uses – Nonresidential Zoning Districts.

Nonresidential Zoning District/Nonresidential Zones: Means the Commercial Districts and Industrial Districts.

Nursing Care Facility: A healthcare facility, other than a hospital, constructed, licensed and operated to provide patient living accommodations, twenty-four (24) hour staff availability, and at least two (2) of the following patient services:

1. a selection of patient care services, under the direction and supervision of a registered nurse, ranging from continuous medical, skilled nursing, psychological or other professional therapies to intermittent health related or paraprofessional personal care services;
2. a structured, supportive social living environment based on a professionally designed and supervised treatment plan, oriented to the individual's habilitation or rehabilitation needs; or
3. a supervised living environment that provides support, training or assistance with individual activities of daily living.

Nursing Home, Convalescent Care Center: A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.

Office: A type of business use where a building, room, or other space and where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations.

Official Map: A map adopted by the Council and recorded in the Utah County Recorder's Office that:

1. Shows actual and proposed rights-of-way, centerline alignments, and setbacks for highways and other transportation facilities;
2. Provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and
3. Has been adopted as an element of the City of Vineyard General Plan.

Official Zoning Map/Zoning Districts Map: The map adopted by the Council showing the geographic location of Zoning Districts.

Off-Street: Entirely outside of any city right-of-way, street, access easement, or any private access drives.

Open Space: Land areas that are not occupied by buildings, structures, parking areas, streets, or roads. Open space may be devoted to landscaping, preservation of natural features, and recreational areas and facilities.

Outdoor Display of Products or Merchandise: The storage of goods or product in an open, unenclosed area, including but not limited to, automotive, truck, recreational vehicle, trailer, and manufactured home sales lots, repair yards, open storage areas, and all similar outside display and storage areas of goods, materials, equipment, and vehicles.

Overlay District: A Zoning District, with its accompanying requirements, that is applied to an area that may place additional development standards on a Zoning District. Development in an overlay District must conform to the base District as well as the overlay Zoning requirements.

Owner: Any person who alone, jointly or severally with others, has a legal or equitable title to property.

Parcel of Land: An area of land, with a separate property identification number, as provided by the Office of the Utah County Recorder.

Park: A playground, or other area or open space providing opportunities for active or passive recreational or leisure activities.

Park and Ride Facility: A parking area and transit facility, the purpose of which is to allow the parking of motor vehicles with a connection to mass transit service.

Park Strip: The area located between the edge of asphalt or curb and the sidewalk, trail, or property line.

Parking Area/Parking Lot: An enclosed or unenclosed area, other than a street, and used or designed for the parking of four (4) or more vehicles.

Parking Space: An enclosed or unenclosed area used for parking or storage of one (1) automobile.

Pawnshop: Any person or establishment engaged in any of the following:

1. Lending money on deposit of personal property;
2. Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledger or depositor;
3. Lending or advancing of money on personal property by taking chattel mortgage security thereon and taking or receiving possession of such personal property; or
4. Selling unredeemed pledged personal property together with such new merchandise as will facilitate the sale of such property.

Permitted Use: For the purposes of this Ordinance shall include P-1 and P-2 Uses.

Personal Care Service: An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."

Person: An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

Pervious Material or Surface: Material that is penetrable by water.

Planning Commission: The Planning Commission of the City of Vineyard, Utah.

Plat: A map or other graphical representation of lands being laid out and prepared in accordance with LUDMA.

Plat, Final: A drawing prepared in accordance with the Land Use Ordinances showing the final design of a land division and complying with all standards and requirements of best surveying practice and in a form required by the Utah County Recorder's Office for recordation.

Plat, Preliminary: A drawing prepared in accordance with the Land Use Ordinances showing the design of a proposed land division.

Power Plant: An electrical energy generating facility with generating capacity of more than 50 megawatts and any appurtenant and associated facilities.

Primary Building: The principal building located on a lot, parcel, or tract of land and designed or used to accommodate the primary use.

Primary Use: The principal purpose for which a lot, parcel, tract, or building is designed, arranged or intended, or for which it is occupied or maintained.

Private Club: Any nonprofit corporation operating as a social club, recreational, fraternal or athletic association, or kindred association organized primarily for the benefit of its stockholders or members. A Private Club that serves liquor shall maintain compliance with all applicable state laws.

Private Drive: A non-dedicated thoroughfare used exclusively for private access to a lot, parcel, or tract of land.

Property: Any lot, parcel, or tract of land, including improvements thereon, and recorded as real property in the Office of the Utah County Recorder.

Property Line: The boundary line of a lot, parcel, or tract.

Public: That which is under the ownership or control of the United States Government, Utah State or any subdivision thereof, Utah County, or the City of Vineyard (or any departments or agencies thereof).

Public Use: A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety, or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities, and found to conform to the General Plan, as adopted. Public Uses and Utilities do not include "Major Facility of a Public Utility," as defined herein.

Public Hearing: A hearing at which citizens of the City and members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Public Improvement: Any street dedications, installations of curb, gutter, sidewalk, road base and asphalt, water, sewer, and storm drainage facilities, or other utility or service required to provide services to a lot, parcel, building, or structure.

Public Meeting: A meeting that is required to be open to the public under Title 52, Chapter 4, Open and Public Meetings.

Qualified Professional: A professionally trained person with the requisite academic degree, experience, and professional certification or License in the field or fields relating to the matter being studied or analyzed.

Quasi-Public Use: A use operated by a private nonprofit educational, religious, recreational, charitable, or philanthropic institution, serving the public.

Reasonable Accommodation: A change in a rule, policy, practice, or service necessary to afford a person equal opportunity to use and enjoy a dwelling. As used in this definition "Reasonable" means a requested accommodation will not undermine the legitimate purposes of existing Zoning regulations notwithstanding the benefit that the accommodation would provide to a person with a disability, "Necessary" means the Applicant must show that, but for the accommodation, one or more persons with a disability likely will be denied an equal opportunity to enjoy housing of their choice, "Equal Opportunity" means achieving equal results as between a person with a disability and a non-disabled person.

Record of Survey Map: A map of a survey of land prepared in accordance with the laws of the State of Utah.

Reception Hall, Reception Center: A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.

Recreational and Manufactured Home Standard: A standard adopted by the American National Standards Institute or the national fire protection association for recreational vehicles, and for mobile homes manufactured prior to June 15, 1976. For manufactured homes built after June 16, 1976, "standard" means the standard adopted pursuant to the National Manufactured Housing Construction and Safety Standards Act, 1974, as amended.

Recreational Vehicle: A vehicular unit primarily designed for recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle, including but not limited to a travel trailer, a camping trailer, a truck camper, a motor home, boat, a fifth-wheel trailer and a caravan.

Recycling Collection Center: A use, often accessory in nature, providing designated containers for the collection, sorting and temporary storage of recoverable resources (such as paper, glass, metal and plastic products) to be transferred to a recycling processing facility. Recycling Collection Centers involve no more than 3 collection containers up to 40 cubic yards in total size. The operator of the collection center shall keep the collection center in proper repair and the exterior must have a neat and clean appearance.

Recycling Processing Facility: A facility where recyclable and organic materials are collected, stored and processed. Processing includes but is not limited to baling, briquetting, compacting, flattening, crushing, mechanical sorting, shredding, and cleaning. Recycling Processing Facility does not include Salvage Yard.

Residence: A dwelling unit or other place where an individual or family is living at a given point in time and not a place of temporary sojourn or transient visit.

Residence for Persons with a Disability that are Substance Abuse Facilities located within 500 feet of a School: A residence in which more than one (1) person with a disability resides; and is Licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is Licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. See definition of Disability.

Residential Activity: Any building, structure, or portion thereof that is designed for or used for residential purposes and any activity involving the use of occupancy of a lot or structure for residential purposes.

Residential Facility for Elderly Persons: A single-family or multiple-family dwelling unit that meets the requirements of LUDMA.

Residential Facility for Persons with a Disability: A residence in which more than one (1) person with a disability resides; and is Licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is Licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. See definition of Disability.

Residential Lease, Short Term: The use, occupancy, rent or lease, for direct or indirect compensation, of a structure or any portion thereof constructed for single family or multifamily occupancy or of any other residential property for an effective term of thirty (30) days or less.

Residential Uses: Means the uses identified in the Zoning District Use Matrix under the Residential category.

Restaurant: A building or facility for the preparation and retail sale of food and beverages.

Retail Sales and Services: Establishments engaged in the retail sale of goods and services, except those uses as otherwise clearly defined herein.

Retail Sales and Services (Community Commercial): Establishments engaged in the retail sale of goods and services. Community Commercial Retail Sales and Service businesses must conduct all sales of goods and services, with all associated storage of goods and materials, within a totally enclosed building (with the exception of occasional outdoor "sidewalk" promotions), with no separate individual building to exceed 3,000 square feet in total gross building and the total gross floor area of all buildings, on any separate, individual lot, does not exceed more than 6,000 square feet of gross building area.

Community Commercial Retail Sales and Services specifically excludes all sales, accessory uses, and service uses that typically display goods or services, or store goods or product in open, unenclosed areas, including but not limited to, automotive, truck, recreational vehicle, trailer, and manufactured home sales lots, repair yards, open storage areas, and all similar outside display and storage areas of goods, materials, equipment, and vehicles.

Retail Sales and Services (Regional): A commercial retail business that occupies more than 80,000 square feet of floor space, is a car or motor vehicle dealer, is a retail shopping facility (shopping center) that has at least one (1) anchor tenants if the total floor area of all tenants is more than 150,000 square feet, or is a grocery store of more than 30,000 square feet.

Revocation: A action by a Land Use Authority that has the effect to terminate any Approval, Permit, or License required by the city's Land Use Ordinances, including this Ordinance.

Right-of-Way: Any area provided for conveying vehicle and pedestrian traffic.

Roof Line: The highest point on any building or structure.

Salvage Yard: The use of any lot, portion of a lot, or land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery and/or the storage and sale of dismantled or damaged vehicles or their parts.

Sanitary Sewer Authority: The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.

Seasonal Use: A Seasonal Use shall not exceed ninety (90) days. Such uses include fireworks stands, fruit or vegetable stands, beverage or snow cone vendors, and Christmas tree lots.

Self-Service Storage: An enclosed commercial storage facility providing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property.

Self-Storage, Mixed Use: A single building containing more than the primary land use of self-storage, or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. A mixed-use self-storage facility is intended to be used for a mix of uses between the primary use of a private noncommercial, non-industrial storage facility and general, professional office, medical or dental offices, retail or residential dwelling units' uses.

Sexual Oriented Business: A business which depicts, portrays, or describes "specified sexual activities" or "specified anatomical areas," or instruments, devices, or paraphernalia which are designated or used in connection with specified sexual activities, including but not limited to adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, or nude or seminude model studio.

Sign: A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, business, article or merchandise, service, assemblage, solicitation, or a request for aid; also, the structure or framework or a natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

Sign, Illegal: Any sign which does not conform to the requirements of this Ordinance and was constructed or installed without the necessary Approvals, Permits, or Licenses required by this Ordinance, or prior enactments.

Sign, Legal: A sign that conforms to the requirements of this Ordinance and has received all necessary Approvals, Permits, or Licenses, as required by this Ordinance, or prior enactments.

Sign, Noncomplying: A sign or sign structure of portion thereof lawfully existing at the time this Ordinance became effective, but which does not conform to all applicable requirements now provided by this Ordinance.

Sign, Non-maintained: A sign which, due to lack of repair, cleaning, painting, oiling, or changing of light bulbs has become deteriorated, hazardous, or non-functional.

Sign, Off-Premise: Any sign, including a billboard or general outdoor advertising device, that advertises or directs attention to a business, commodity, service, activity, or matter conducted, sold, or offered at a location other than on the lot, parcel, or tract upon which such sign is located.

Sign, On-Premise: A sign that directs attention to a business, commodity, product, use, service or other activity that is sold, offered or conducted on the lot, parcel, or tract upon which such sign is located.

Site Plan: A schematic, scaled drawing of a lot, parcel, or tract which indicates, as may be required by this Ordinance, including but not limited to the placement and location of buildings, setbacks, yards, property lines, adjacent parcels, utilities, topography, waterways, irrigation, drainage, landscaping, parking areas, driveways, trash containers, streets, sidewalks, curbs, gutters, signs, lighting, fences and other features of existing or proposed use, activity, building or structure.

Slope: The level of inclination of land from the horizontal plane determined by dividing the horizontal run or distance, of the land into the vertical rise, or distance, of the same land and converting the resulting figure in a percentage value.

Special District: An entity established under the authority of Title 17A, Special Districts, U.C.A., 1953, as amended.

Specified Public Utility: Means an electrical corporation, gas corporation, or telephone corporation, as those terms are defined in Section 54-2-1, U.C.A., 1953, as amended.

Start of Construction: The issuance date of a Building Permit if construction, repair, reconstruction, placement, or other improvement begins within one hundred eighty (180) days of the Permit date. "Begins" means the date of the commencement of the first development activity on the site.

Story: The space within a building, included between the surface of any floor and the surface of the ceiling next above.

Street: A public right-of-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, tunnel, bridge, public easement, or other way.

Structural Alterations: Any change in supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

Subdivision: Means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, and as further defined by LUDMA.

Subdivision Application: The Applications required by the City of Vineyard Subdivision Ordinance and required to initiate the review procedures for any required subdivision approval.

Substantial Action: Action taken in good faith to diligently pursue any matter necessary to obtain approval of an Application filed pursuant to the provisions of this Ordinance or to exercise development rights authorized pursuant to such an approval.

Swimming Pool: An artificial body of water having a depth in excess of eighteen inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women or children, and located on a same lot or parcel as a dwelling, or dwellings.

Temporary Use: A use or event established for a maximum period of sixty (60) days, such use or event being discontinued after the expiration of sixty (60) days.

Tennis Court/Sports Court: An improved area used for the playing of tennis or other sports activities, including, but not limited to, basketball and volleyball, and located on a same lot or parcel as a dwelling, or dwellings.

Trailer/RV Camping Facilities: Any area or tract of land used or designed to accommodate two (2) or more travel trailers, recreational vehicles, motor homes or camping parties.

Travel Trailer: A vehicular, portable unit, mounted on wheels, not requiring special highway movement permits when drawn by a motorized vehicle:

1. Designed for travel, recreational and vacation use; and
2. When factory equipped for the road, having a body width of not more than eight feet (8') and a body length of not more than forty feet (40').

Unincorporated: Means the area of Utah County, Utah and located outside of the incorporated area of the City of Vineyard, or another municipality.

Use: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

USGS: The United States Geological Survey.

Utilities: Include, but are not limited to, natural gas, electric power, cable television, telephone, telecommunication services, storm system, sewer system, irrigation facilities, culinary water, street lights and other services deemed to be of a public-utility nature by the city.

Utility Easement: The area designated for access to construct or maintain utilities on a lot, parcel, or tract of land.

Utility, Public Major Facility: Any overhead or underground electric transmission lines (greater than 115,000 volts), substations of electric utilities; gas regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant, or similar public or quasi-public use or activity.

Utility, Public Minor Facility: Any water, sewer power, gas, telephone, cable television, or other utility, distribution line, or facility, which is located underground and buried beneath the surface of the ground.

Variance: A modification granted by the Land Use Hearing Officer to a development standard with a finding of hardship.

Vehicle: A Licensed automobile, truck, trailer, boat or other device in which a person or thing is or can be transported from one (1) place to another.

Vehicle and Equipment Repair (Major): An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.

Vehicle and Equipment Repair (Minor): An establishment providing motor vehicle repair or maintenance services and conducted entirely within completely enclosed buildings, but not including paint and body shops or other activities associated with Vehicle and Equipment Repair (Major). Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, frontend alignments, battery recharging, lubrication, and sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc. Vehicle and Equipment Repair (Minor) may include the retail sale of fuels, lubricants and other supplies for motor vehicles.

Vehicle and Equipment Sale and Rental: A facility providing for the sale, lease, or rental of new or used vehicles, including automobiles, trucks, motorcycles, recreational vehicles, or boats. The cleaning and routine maintenance of motor vehicles is allowed as an accessory use.

Violated or Violating: There exists reasonable cause to believe that an Ordinance, Code, Statute, or Law has been, or is being broken.

Warehouse Club: A retail business requiring patron membership, and selling packaged and bulk foods and general merchandise characterized by high volume and a restricted line of popular merchandise in a no-frills environment. Examples include, but are not limited to Wholesale Club, Costco, and Sam's Club.

Wholesale Distribution: A business that maintains an inventory of materials, supplies and goods related to one or more industries and sells bulk quantities of such materials, supplies and goods from its inventory to retail companies within the industry and which may include the parking and storage of distribution vehicles, and accessory activities.

Wireless Telecommunication Facility: A facility used for the transmission or reception of electromagnetic or electro-optic information, including wireless telecommunications facilities such as "cellular" or "PCS" (Personal Communications Systems) – communication and paging systems. This use is not required to be located on a separate lot or to comply with the minimum lot size requirement for the District in which it is located but is required to meet the design and locational requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include radio antennas complying with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or a regulation related to amateur radio service adopted under 47 C.F.R. Part 97.

Yard: An open space on a lot, parcel or tract of land, unoccupied and unobstructed from the ground upward by buildings, except as otherwise provided herein.

Yard, Front: An open space on the same lot with a building between the front line of the building and the front lot line and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

Yard, Rear: An open, unoccupied space on the same lot as a building, between the rear line of the building and the rear lot line and extending the full width of the lot except, on corner lots, the rear yard shall not include the side yard bordering the street.

Yard, Side: An open, unoccupied space on the same lot as a building, between the rear line of the building and the front line of the building and extending from the side line of the building to the side lot line; except, on corner lots, the side yard bordering the street shall extend to the rear from the front line of the building to the rear lot line, the same distance as is required for side yard setbacks on corner lots in each zone.

Zoning District: An area of the city that has been given a designation which regulates the construction, reconstruction, alteration, repair, or use of buildings or structures, or the use of land as set forth in this Ordinance.

Zoning Districts Map: The map, adopted as part of a Land Use Ordinance, including this Ordinance that depicts and identifies the geographic location of the Zoning Districts provided by this Ordinance.

Zoning Ordinance: This Ordinance, and any amendments thereto as may be amended from time to time. This Ordinance is determined and identified to be a Land Use Ordinance of the City of Vineyard, Utah.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
John Earnest	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Chris Judd	_____	_____	_____	_____
Nathan Riley	_____	_____	_____	_____
Presiding Officer		Attest		

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder Vineyard



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 08/14/2019

Agenda Item: 11.2 Center Street Overpass Bid Approval and Award

Department: Public Works/Engineering

Presenter: Don Overson – Public Works Director / City Engineer

Background/Discussion:

Description and Scope of Work: The Center Street Overpass project consists of the construction of a new 180-foot simple span bridge over the UPRR and UTA railroad tracks at Center Street and Mill Rd. The project also includes approximately 52,000 square feet of asphalt removal, 740 feet of culinary waterline, 1,373 feet of storm drain pipe, 200,000 tons of embankment, 10,300 square yards of new asphalt, and two new traffic signals.

The City prequalified Gerber Construction, Ralph L. Wadsworth Construction, Wadsworth Brothers Construction and W.W. Clyde & Company. All four Companies are very qualified to construct the Center Street Overpass. The bid opening was held on August 8, 2019 at 3:00 PM in the Council Chambers of the Vineyard City Offices.

Fiscal Impact:

Wadsworth Brothers Construction	\$6,814,575.89
JUB Construction Management	\$453,591.90
Subtotal	\$7,268,167.79
10% Contingency	\$726,816.78
Total	\$7,994,984.57

Recommendation:

After verifying the bid documents, Staff recommends approval of the low bid and ask that the City Council award the bid to Wadsworth Brothers Construction in the amount shown above with the addition of the 10% contingency and the project management amounts.

Sample Motion:

I move to award the bid of \$ 6,814,575.89 to Wadsworth Brothers Construction with the contingency and project management line items as shown in the Fiscal Impact tabulation shown above and allow staff to begin working with Wadsworth Brothers Construction to sign a contract.

Attachments:

Bid Tabulation Sheet

JUB Center Street Overpass Construction Management

Vineyard City Center Street Overpass

Bid: 3:00 p.m., Thursday, August 8, 2019

Vineyard City
125 South Main Street
Vineyard, UT 84059

Company	Amount
1. Gerber Construction	\$ 8,061,159.65
2. Ralph L. Wadsworth Construction	\$ 8,117,324.15
3. Wadsworth Brothers Construction	\$ 6,814,575.89
4. W.W. Clyde & Company	\$ 8,300,000.00



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 08/14/2019

Agenda Item: 11.3 Comprehensive Financial Sustainability Plan

Department: Finance

Presenter: Jacob McHargue

Background/Discussion:

We discussed creating a CFSP at the retreat. The CFSP will also evaluate overall sustainability as the city develops based on our current general plan. The CFSP will include an evaluation of the impact the RDA will have on the general fund as the city continues to build out, and an evaluation of the enterprise funds and the impact that growth will have on each of those funds.

The FY 2020 budget includes money for this project from the general fund and each enterprise fund. City staff reached out to four groups to solicit bids for this project. The two bidders that are being proposed are the two lowest bids and the most qualified to handle the project. Both bids were received before the final budget was approved, but after speaking to both group last week, they both are still comfortable with the numbers presented in their bids.

Fiscal Impact: \$20,000

Recommendation: After reviewing the proposals, staff feels comfortable that both Lewis Young and Zions bank are qualified to complete the project. Lewis Young has familiarity with the city and has worked extensively with the RDA. Zions bank is somewhat familiar with the RDA through their work on the developer side and they are low apparent low bidder.

Sample Motion: I move to approve the bid and allow staff to begin working with the consultant on the Comprehensive Financial Sustainability Plan.

Attachments: Lewis Young Proposal & Zions Bank Proposal

PROPOSAL FOR
VINEYARD CITY, UTAH
GENERAL FUND
COMPREHENSIVE FINANCIAL
SUSTAINABILTY PLAN



DECEMBER 2018
LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.



GATEWAY PLAZA BUILDING - 41 N. RIO GRANDE, STE 101 - SALT LAKE CITY, UT 84101
(P) 801-596-0700 - (TF) 800-581-1100 - (F) 801-596-2800 - WWW.LEWISYOUNG.COM

PROPOSED APPROACH TO PROJECT

PROJECT UNDERSTANDING

Lewis Young Robertson & Burningham, Inc. (LYRB) has been requested to advise Vineyard City (the City) in establishing a comprehensive financial sustainability plan (CFSP) and funding analysis for the General Fund and related impacts from the Redevelopment Agency (RDA) to the City's operations. The following scope outlines the necessary tasks and associated cost to assist the City with these projects. LYRB will assist department heads with the collection and analysis of operational revenue and expenditure data in conjunction with identifying existing and available financing tools that could be utilized to fund the proposed plan. LYRB will then create a General Fund model to forecast long-term sustainability for use of the City Council, staff and residents in establishing a finance plan for the City.

The **CFSP** is a means to link **community-based goals** with **implementation strategies** over a **long-term planning period**. The CFSP is mutually a written implementation plan, an updateable management and communication tool, as well as a decision-making process/tool used by staff and elected officials. The CFSP will provide a tangible benefit to the City and its constituents in at least the following ways:

- Provide a **Road Map** to ensure the City can provide public services and amenities at desired levels of service into the future;
- Ensure the resources necessary to provide these services remain **functionally and fiscally viable** into the future;
- Develop tools and procedures that provide **institutional memory** moving forward as decision-makers and circumstances change;
- Provide a standard means to both gather input from the staff, elected official and the public; and provide communication of City policy objectives and practices to the these same stakeholders; and
- For Vineyard's unique circumstances, coordinate efforts between the General Fund and the RDA in providing services to the community

The scope of services provided outlines the necessary tasks to complete these objectives.

GENERAL FUND CFSP DETAILED WORK PLAN

TASK 1: PROJECT INITIATION & KICK-OFF MEETING

The project initiation or “kick-off” meeting provides an opportunity for LYRB to understand, in detail, all relevant issues & establish the appropriate lines of communication. This meeting also **establishes consensus** around the key issues that affect the City and the studies at hand. LYRB staff will utilize this meeting to help City staff begin the process of gathering and reviewing planning information, growth projections, historic demands, future capital project needs and financial information related to the General Fund and coordinating such efforts with RDA related projects.

LYRB will help the City develop key financial and management policies that will ensure implementation of the plan, provide financial benchmarks such as cash reserves, debt service coverage ratios, and describe key management policies such as including inflationary increases each year, and the schedule of plan updates. LYRB will start working immediately with the City to evaluate the City’s situation, discuss strengths or weaknesses with possible funding alternatives, and define policies that will best fit the City’s needs.

TASK 2: COORDINATION WITH STAFF REGARDING CAPITAL NEEDS AND NEW EXPENDITURES

LYRB will coordinate with each department head regarding new expenditures, revenue assumptions, and proposed new capital projects and answer questions that may arise through the initial phase of this project. In order to reduce costs, LYRB anticipates City staff will complete much of the legwork related to gathering the list of capital projects. LYRB will also begin constructing the financial model.

TASK 3: EXPENDITURE EVALUATION

LYRB will develop a pro forma of all new expenditures for each department head. LYRB recommends that the City establish criteria regarding what new expenditures will be included in this plan. Utilizing historic financial information and budgets, as well as interviews with City staff, LYRB will project the annual expenditures for a ten-year planning horizon. Expenditures may include the following: operation and maintenance expenses, annual replacement costs, new capital needs, and/or debt service costs. The anticipated effects of inflation during the study period will be factored into the calculations. The funding of depreciation, which is traditionally a non-cash item, will also be evaluated. Funding a capital repair and replacement budget, or depreciation, can reduce the City’s need to issue debt and therefore decrease future interest expense.

TASK 4: DEVELOP REVENUE PROJECTIONS

LYRB will develop a revenue model to forecast revenues for a ten-year period. This information will be generated based upon existing revenue sources consistent with historic trends. LYRB will forecast available revenues to fund the CFSP as a baseline scenario to determine any deficiencies and establish base service measurements. Additional considerations include new property tax revenues, RDA related projects, and sales tax revenue growth.

TASK 5: FINANCING PLAN

From the findings of the baseline analysis, LYRB will develop a financing plan that will ensure revenue sufficiency within the General Fund and RDA under a cash approach as well as a bonding approach to optimally use City resources. It is important to note that future bonding scenarios will be evaluated based on generalized assumptions and cumulative funding needs rather than attempting to structure multiple individual bond series. It is anticipated that as the City approaches the actual construction year of projects, more detailed bonding scenarios will be developed.

The analysis will be designed to address the following objectives.

- ☞ **Revenue Sufficiency:** The analysis must ensure revenue sufficiency to meet operation and maintenance (O&M) obligations, construct necessary infrastructure (repair & replacement and new capital expense), meet bond covenants, and enhance the overall creditworthiness of the City.
- ☞ **Revenue Stability:** LYRB will develop scenarios that will mitigate excessive property tax fluctuations in the future.
- ☞ **Affordability:** LYRB will then determine a taxation structure that promotes affordability relative to comparable community’s and industry benchmarks.

- ☞ **Business Retention:** LYRB will review the taxation policy relative to the City's general business incentive policies for businesses to ensure sustainable economic growth.

The resulting analysis will provide the City with an estimate of year-end fund balances and revenues available for debt service payments and capital repair, while ensuring equity and maintaining the necessary debt service coverage ratios. The ultimate outcome of this Task will be a fully functional cash flow model that will allow for alternative scenarios to be reviewed. This model will include graphic displays for easy understanding of key inputs and results. LYRB will also work with the City to account for capital outlay funds that are already obligated or planned for future use. This will help provide a more accurate forecast of the funds available for new projects into the future.

TASK 6: REVIEW FINDINGS

After preparing the preliminary scenario in Task 5, LYRB will meet with key staff to review and receive comments. During this meeting LYRB will:

- ☞ Review a summary of the model inputs and assumptions;
- ☞ Review the estimated revenue forecast under the baseline model;
- ☞ Review the timing of future capital improvements, the inclusion of depreciation, and how this affects revenue sufficiency;
- ☞ Review the impact of all model inputs on the debt service coverage ratio;
- ☞ Evaluate needed revenues, including bonding scenarios, to fully fund proposed CFP;
- ☞ Evaluate the prioritization and timing of projects relative to revenues generated; and,
- ☞ Evaluate next steps and establish consensus regarding project finalization.

Likely outcomes of Task 6 will be the development of additional scenarios to be modeled.

TASK 7: UPDATE/ADDITIONAL SCENARIOS

After receiving feedback in Task 6, LYRB will update the model and prepare additional scenarios for the City to review. Once these are accepted by key staff, LYRB will review with additional City officials as needed.

TASK 8: DOCUMENTATION AND PRESENTATION

Based upon the needs and desires of the City, LYRB will prepare a report that documents the methodology, assumptions and findings of this analysis. LYRB will prepare an informational presentation for City staff, elected officials and/or the public. LYRB's scope includes two (2) formal presentations of all findings and recommendations.

GENERAL FUND CFSP PROPOSED FEES

The total combined price for the services provided as defined in this Scope of Work is not anticipated to exceed **\$16,950** based on the hourly assumptions shown below. Due to the ambiguity inherent in projects of this nature, LYRB will provide any cost adjustments in writing to the City and identify the cause of any added expense. Costs that exceed the proposed scope will not be assessed until mutually agreed upon.

Tasks	Principal	Vice President	Sr. Analyst	Total Hours	Fee per Task
Hourly Rate	\$250	\$200	\$150		
Task 1: Project Initiation & Kick-off Meeting	2	2	1	5	\$1,050
Task 2: Coordination with Staff Regarding Capital Needs & New Expenditures	2	7	6	15	\$2,800
Task 3: Expenditure Evaluation	2	7	6	15	\$2,800
Task 4: Develop Revenue Projections	2	7	6	15	\$2,800
Task 5: Financing Plan	3	7	3	13	\$2,600
Task 6: Review Findings	3	4	0	7	\$1,550
Task 7: Update/Additional Scenarios	2	3	1	6	\$1,250
Task 8: Documentation and Presentation	2	2	8	12	\$2,100
Total	18	39	31	88	\$16,950



ZIONS PUBLIC FINANCE, INC.

May 6, 2019

Jake McHargue
Vineyard Town
125 S. Main St.
Vineyard, UT 84059

RE: Proposal for Financial Sustainability Plan

Dear Jake:

ZPFI enthusiastically submits this proposal to provide Vineyard Town with a financial sustainability plan. We have prepared sustainability plans for numerous clients and believe that Zions can provide you with unparalleled services in this regard for the following reasons:

- ❖ Our models are land-use driven, rather than simply based on past historic trends in revenues and expenses. While we review and incorporate historic trends, the inputs to our model are based on land use, absorption timeframe and estimated pricing of development, thus allowing for sensitivity testing of the fiscal impacts of various development scenarios and different timeframes for development.
- ❖ One of our team members, Benj Becker, is a certified MAI and heads up our real estate development advisory work. As such, he is well positioned to advise the Town on the feasibility and likelihood of various types of development occurring, as well as the associated tax valuation. This understanding is key to creating a financial model that reflects what actually will occur in Vineyard and the appropriate tax revenues that will result.
- ❖ We are well-acquainted with development in Vineyard and surrounding areas, having recently worked with MAG on its CEDS plan, as well as having completed projects recently in American Fork, Orem, Provo, Payson, Highland, Saratoga Springs, Lehi and Eagle Mountain.
- ❖ We routinely create complex, but user-friendly financial models. For example, we have just finished working with Envision Utah on the Point of the Mountain study where we constructed a highly interactive financial model showing the fiscal impacts of various types of development, as well as potential increment that could result, with the accompanying fiscal impacts to various government entities. This information was essential for identifying a wide variety of funding mechanisms for major infrastructure at Point of the Mountain.
- ❖ Our department at Zions includes not only municipal consultants who will create the detailed financial model, but also public finance bankers who will provide added expertise regarding capital costs and funding mechanisms, including a pay-as-you go cash approach.

We greatly look forward to the opportunity of working with you on this important project.

Best Regards,

Susie Becker
Vice President

A. Firm Experience

Zions First National Bank was founded in Salt Lake City in 1873 and continues its legacy of strength and stability as one of the oldest financial institutions in the Intermountain West. To bring value to individuals, small- to middle-market businesses, nonprofits, corporations, and institutions, Zions Bank provides a wide range of traditional banking and innovative services. Zions Bank is a division of ZB, N.A., which operates nearly 500 local financial centers across 11 Western states: Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming. ZB, N.A.'s parent company is Zions Bancorporation, which is included in the S&P 500 and NASDAQ Financial 100 indices (NASDAQ: ZION).

Zions Public Finance, Inc. (ZPFI), a department of Zions Bank, is comprised of a team of 21 professionals committed to providing unparalleled service to municipal entities, local districts, government agencies and private clients throughout Utah and the Intermountain West. We have two primary service areas: 1) financial advisory services used to assist governmental entities in the bonding and disclosure/reporting process; and 2) municipal consulting services focusing on economic development, planning, real estate development advisory and fee-related services.

Zions' staff includes 13 licensed municipal securities representatives, two GIS analysts, a certified planner, a certified commercial appraiser and educational credentials in business, economics, public administration, and a variety of other disciplines. Our staff has been represented with membership in the Utah League of Cities and Towns, Utah Economic Alliance, Utah Redevelopment Association, Utah Association of Special Districts, Wasatch Front Regional Council Economic Development Strategy Committee, UTA Transit-Oriented Development Implementation Advisory Board, the Government Finance Officers Association, and a host of others. In addition, we have the full resources of Zions Bank at our disposal, which include commercial banking and real estate departments, the investment division consisting of the tax-exempt municipal bond portfolio and capital markets, and all the public finance resources nation-wide.

A sample of related, relevant projects is included below.

Point of the Mountain Fiscal Impacts and Funding Analysis

ZPFI was a subconsultant to Envision Utah on the Point of the Mountain Study to assess market potential for the area, infrastructure needs and funding strategies. Our role was focused on a review of the market analysis, as well as leading the financing strategies implementation plan. This role involved a large amount of coordination between the various taxing entities, engineers assessing infrastructure needs, developers and other team members. Deliverables included a nearly 200-page written report and Excel spreadsheet model that allows for sensitivity testing of fiscal impacts including revenues and expenses associated with the project.

Saratoga Springs Sustainable Financial Model

ZPFI created a financial model that would evaluate the fiscal impacts of a large-scale annexation to the City. The model was designed for sensitivity testing of the risks of annexation based on varying amounts of residential and nonresidential construction, as well as different densities and unit values. The model took into account all revenue sources as well as expenditures and how these expenses might differ with different development types, scale of development, etc.

Nibley City Financial Sustainability Model

ZPFI created a detailed Excel model for Nibley City that is land-use driven and shows the variety of impacts resulting from different types of new development. This model takes into account the direct, as

well as indirect impacts associated with growth and new development. It is detailed and thorough and includes a comprehensive fleet analysis as part of the study. As part of this process, meetings were held with City staff and elected employees to discuss the City's vision and policy preferences that would impact the model.

Herriman City Financial Sustainability Model

Consultants at ZPFI worked closely with Herriman City to develop a financial sustainability model for this rapidly-growing City. As part of this engagement, ZPFI identified four different scenarios that involved providing different levels of services to City residents. Therefore, capital needs, and the timing of capital needs, varied depending not only on development patterns but also on desired service levels. This analysis allowed the City to identify priorities and to work toward the City's vision.

Highland City Development Center Fiscal Impacts

ZPFI created a financial model that would allow Highland City to evaluate the fiscal impacts from a proposed mixed-use development known as the "Development Center." The model allowed for varying rates of absorption of the development plan, along with variations in pricing. The purpose of the study was to help the City evaluate the potential risks of this development, including the need for the commercial development to offset the increased costs from the proposed residential development.

Jordan School District Financial Planning Model

Consultants at ZPFI have participated with the JSD on several studies. One included a 10-year capital facility planning and finance study. This study involved a detailed analysis of varying costs due to varying service levels for busing in the District, number of portables, willingness to close schools with declining enrollment, and boundary adjustments v. new school construction.

Orem Comprehensive Fee Study

ZPFI performed a comprehensive fee study for Orem, including a detailed examination of impact fees, planning and engineering fees, building permit fees, library fees and parks and recreation fees.

Saratoga Springs Comprehensive Fee Study

ZPFI has performed a detailed study of all planning and engineering fees in Saratoga Springs, one of the most rapidly-growing communities in the nation. As part of this study, total revenues to the City were evaluated, along with potential swings in revenue depending on levels of development.

Riverdale, South Ogden and Washington Terrace Fire District Consolidation Feasibility Study

ZPFI worked closely with the fire departments of these three cities to evaluate the feasibility of combining fire and EMS services. Various factors, such as the relative number of calls for service, taxable value, demographic characteristics of each community and growth projections formed a vital component of this study. A financial model was prepared that included operating, as well as capital facility costs. The overall goal of the project was to assess financial sustainability under a consolidation scenario.

Salt Lake County Municipal Services District Cost-of-Service Study

ZPFI completed a comprehensive cost-of-service study for Salt Lake County that analyzes costs incurred and fees to be charged by the Municipal Services District. These fees include animal services, planning and development, public works operations, engineering, economic development and communications. All fees were thoroughly analyzed for direct costs, as well as the indirect costs associated with each fee.

A sample of the wide range of other projects we have completed in the last year or two is shown below:

Client	Project
American Fork, Utah	American Fork Station Analysis
Bear River Water Conservancy District	Financial Planning Model
Box Elder County, Utah	RDA Report
Brigham City, Utah	RDA Report
Cache County, Utah	Conference Center and Fairground Market Study
Cedar City, Utah	Community Reinvestment Area Analysis
Chubbuck, Idaho	Impact Fees
Clearfield, Utah	Clearfield Station Analysis
Clinton, Utah	Impact Fees
Department of Alcoholic Beverage Control	Master Plan
Draper, Utah	Housing Study
Envision Utah	Point of the Mountain Financial Model
Ephraim, Utah	Business License Fee Study
Farmington, Utah	Impact Fees
	Water Rate Analysis
Heber, Utah	Sales Leakage Analysis
Herriman, Utah	Community Reinvestment Area Analysis
	Impact Fees
	Financial Sustainability Model
	Herriman Hills Feasibility Study
	Water Rate Study
Heyburn, Idaho	Water and Sewer Rate Study
Highland, Utah	Development Center Financial Model
Holladay, Utah	Redevelopment of Cottonwood Mall Financial Model
	Syracuse Town Center
Kearns Improvement District	Water Rate Analysis
Layton, Utah	Water Rate Analysis
	Transportation Impact Fee Analysis
Lehi, Utah	Utility Rates Study
Lakepoint Cemetery	Impact Fees
Manila, Utah	Impact Fees
	Utility Rates Study
Mapleton, Utah	Financial Sustainability Model
Marriott-Slaterville, Utah	Business License Fee Study
McCall, Idaho	Housing Study
Mesa, Arizona	Fiesta District Tax Revenue Analysis
Millard County, Utah	Landfill Rate Study
Millcreek, Utah	Impact Fees
	General Plan

Client	Project
Millcreek, Utah (Cont'd)	Town Center Analysis
Moab, Utah	Water Impact Fee Analysis
	Community Reinvestment Area Analysis
Morgan, Utah	Impact Fees
	RDA Report
Mountainland Association of Governments	Comprehensive Economic Development Strategy
Mountain Green Fire District	Financial Model
Mountain Regional Water Special Service District	Water Rate Analysis
Murray, Utah	RDA Report
	Water Rate Study
North Logan, Utah	Business License Fee Study
North View Fire District	Impact Fees
Orem, Utah	Central Station Plan
	Development Fee Study
	Economic Plan
	Impact Fees
	Rental Unit Fees
Park City, Utah	Water Financial Model
	Storm Water Financial Model
Park City Fire Service District	Impact Fees
Payson, Utah	Impact Fees
Plain City, Utah	Impact Fees
Pleasant View, Utah	Water Rate Analysis
	RDA Report
Powder Mountain	Community Development Area Analysis
Providence, Utah	Transportation Impact Fee Analysis
Provo, Utah	Impact Fees
Rexburg, Idaho	Impact Fees
Rio Tinto	Rio Tinto Site Market Study
Riverdale, Utah	Financial Model
	Fire District's Feasibility Study
Queen Creek, Arizona	Growth Projections
Salt Lake City, Utah	Northwest Quadrant CRA Benefits Analysis
	Station Area Plan
	Block 67 Development Financial Analysis
	Stadler Development Financial Analysis
Salt Lake County, Utah	Housing Study
	Kearns Blight Study
	MSD Financial Model
	Wasatch Canyons Economic Impacts

Client	Project
Saratoga Springs, Utah	Financial Sustainability Model
	Planning and Engineering Fee Study
	Sewer Rate Study
Snyderville Basis Special Recreation District	Impact Fees
	Needs Assessment
South Davis Sewer District	Sewer Rate Study
South Jordan, Utah	Water Rate Analysis
South Summit Fire District	Impact Fees
South Weber, Utah	Impact Fees
	Utility Rates Analyses
	Business License Fee Study
Stansbury Park Improvement District	Financial Model
	Impact Fees
Summit County, Utah	Community Development Fee Study
	Landfill Rate Study
	Canyons Employee Housing Cost-Benefit Analysis
Syracuse, Utah	RDA Report
	Storm Drain Impact Fee Analysis
	Town Center Analysis
Taylorsville, Utah	Crossroads Market Analysis
	Impact Fees
Taylorsville-Bennion Improvement District	Water and Wastewater Rate Structure Study
Timber Lakes Water Special Service District	Water Rate Analysis
Tremonton, Utah	Economic Plan
Unified Fire Service Area	Impact Fee Facilities Plan and Impact Fee Analysis
Utah Transit Authority	Bus Rapid Transport Economic Impact Analysis, Provo-Orem
	Financial Consulting
Washington City, Utah	Community Reinvestment Area Analysis
Washington County Solid Waste Special Service District	Landfill Rate Study
Washington County Water Conservancy District	Financial Model
Washington Terrace, Utah	Ambulance Feasibility Analysis
	Economic Plan
Wasatch Front Regional Council	Comprehensive Economic Development Strategy
	Regional REMM Model
	White Paper - Transportation Reinvestment Zones
Westchester County, NY	Incorporation Feasibility Study
West Haven	Market Study
West Jordan, Utah	Business License Fee Study

B. Resumes



Education

Master of Business Administration, University of Utah
 MBA Ace and Dean's Scholar
 Bachelor of Arts, Humanities,
 Brigham Young University
 Registered Securities Representative, Series 50 and 52

Public Service and Affiliations

Municipal Securities Registered Representative
 American Institute of Certified Planners (AICP)
 University of Utah Business School Alumni
 Association Board of Directors
 Urban Land Institute, Mentor
 Utah Redevelopment Association
 Utah Economic Alliance
 Utah League of Cities and Towns,
 Land Use Task Force
 WFRM Economic Development

Selected Presentations

"Downtown Revitalization," Utah League of Cities and Towns
 "Basics of Market Analysis," Main Street Annual Conferences
 "Weathering the Economic Storm," Utah League of Cities and Towns
 "Redevelopment in Utah," Utah County and Davis County Economic Alliance
 "The Marriage of CDAs and SAA's," Utah League of Cities and towns
 "Downtown Revitalization and Economic Development," University of Utah School of Architecture
 "Economics and Planning," Utah League of Cities and Towns
 "Economic Development Policies and Practices," Governor's Economic Task Force and Utah Economic Alliance
 "Fiscal Impacts of Centers," Envision Utah Quality Communities Academy

Susan C. Becker, AICP

Vice President

Zions Public Finance, Inc.
 Municipal Consulting Group

For the past 25 years, Susie has specialized in economic consulting and planning and has been the lead consultant on some of the largest and most challenging projects in the intermountain region. Susie is currently working with a large-scale (900 acres) business park development for Tooele County. She has worked on a wide range of community reinvestment ("redevelopment") project areas, ranging from one of the largest in the State of Utah - for the town of Vineyard (former Geneva Steel Site) , to the Northwest Quadrant, to urban downtown project areas in Murray, to rural areas. Susie has testified before the Governor's Legislative Task Force on economic policies and procedures in Utah and led a team that wrote and was awarded a \$5 million HUD sustainability grant for a consortium of government entities along the Wasatch Front including UDOT, UTA, Envision Utah, Salt Lake City, Salt Lake County, the University of Utah and others.

- Mesa, AZ Blight Study and Redevelopment Plan
- Edgemont, Westchester County, NY Incorporation
- UDOT Project Prioritization, State of Utah
- UTA Provo/Orem BRT TOD Study
- Clearfield City Culinary Water, Sewer and Storm Rate Impact Fees and User Rates
- Saratoga Springs Fiscal Sustainability Model
- Salt Lake County MSD Fiscal Sustainability Model
- Holladay City Cottonwood Mall Fiscal Impacts Model
- Highland City Development Center Fiscal Impacts Model
- Mesa, AZ Southwest Redevelopment Area Plan
- Syracuse Impact Fees
- Herriman Impact Fees
- Layton Park and Transportation Impact Fees
- Orem City Development and Impact Fees
- Provo City Impact Fees
- Saratoga Springs Development Fees
- Pleasant View Culinary Water Impact Fees and Rates
- South Weber Utility Rates
- Mapleton Sustainable Financial Model
- North Salt Lake Culinary Water and PI User Rates
- Eagle Mountain General Plan
- Salt Lake County Municipal Services District Feasibility
- Salt Lake City Northwest Quadrant CRA Benefits Analysis
- South Jordan City Redwood Road Corridor Market Study
- Cottonwood Heights Fort Unit Corridor & Gravel Pits
- Hundreds of Impact Fee Analyses and Capital Facility Plans
- Point of Mountain Financial Model
- Numerous Annual Reports for Redevelopment Agencies



Education

Bachelor of Arts, Brigham Young University

Certified Commercial Appraiser, MAI

Public Service and Affiliations

National Appraisal Institute

Volunteer Distinction Award for the Western United States from the National Appraisal Institute

Recipient of the Strauss Scholarship

Created the Northern California Real Estate Podcast

Chair of Silicon Valley Branch of the Appraisal Institute

Founded Project Reach Out (PRO) – the single largest charity for orphanages in Ukraine

National Olympic Committee Chair for the Salt Lake City Winter Olympics – translated and interpreted for over 75 Ukrainian athletes and 30 diplomats

Presentations

Utah APA - "Working with the Development Community"

San Francisco - Appraisal Conference "Green Construction and its Impact on Valuation"

Benjamin R. Becker, MAI

Vice President

Zions Public Finance, Inc.

Municipal Consulting Group

For the past 15 years, Benj has specialized in real estate consulting and advisory services. He previously was involved with more than \$7.0 billion in transactions of commercial real estate in the San Francisco Bay Area, and has worked in the past five years on numerous projects in the intermountain region. His expertise includes in-depth consulting for highest and best use analyses, development feasibility studies, rent arbitrations, partial interest concerns, value-add of transportation, and land use planning issues.

While in San Francisco, Benj had the opportunity to work on several prospective developments with significant impact to local and regional economies, including the potential California high-speed rail line, a substantial land holding on the Coast in an environmentally-sensitive area, and several existing and proposed high-rise office and residential buildings for downtown San Francisco. Clients included Stanford University, RREEF, Boston Properties, Bank of America, and JP Morgan, as well as various law firms, accountants, and private developers.

Benj also has extensive experience with office, retail, multi-family residential, industrial, biotechnology and senior housing uses, including numerous projects in the State of Utah. Benj has "on-the-ground" experience with making development happen and has built strong and cooperative relationships with a multitude of developers and brokers along the Wasatch Front. A sample of projects completed in Utah include:

- BRT TOD Provo/Orem Market Study
- Syracuse Antelope Drive Corridor Market Study
- South Jordan Redwood Road Corridor Study
- Cottonwood Heights Gravel Pits Market Analysis
- Park City Prospector Square Market Analysis
- Tooele County Larry Miller Motorsports Park Economic Impacts Analysis
- Taylorsville 5400 South Market Valuation
- UTA Airport Funding Options
- UTA South Jordan Parcel Valuation
- Wasatch County North Summit Market and CDA Analysis
- Alta Commercial Core Master Plan
- Vineyard Towne Center Market Analysis
- Anderson Development Geneva Road Market Study
- Salt Lake County Kearns Market Analysis and CDA
- Salt Lake County Master Plan 2300 E 3300 S
- Herriman Business Center/Wasatch Consulting
- Clearfield Market Analysis
- Eagle Mountain Property Valuation
- American Fork Meadows Crossing Economic Impacts
- SEUDD Carbon and Emery Counties Workforce/Employment Study
- Draper Open Space Plan

**Education**

MPA, Brigham Young University

BA, Brigham Young University

Licenses

Municipal Securities Registered Representative
(Series 52)

Municipal Advisor Representative (Series 50)

BRIAN BAKER**Vice President**

Zions Public Finance, Inc.

Brian has over a decade of advisory experience, and currently serves as lead municipal advisor to entities including Summit County, Snyderville Basin Recreation District, Mountain Regional Water, Snyderville Basin Water Reclamation District, and a variety of area school districts. His specific area of expertise lies in transportation and energy bonds. He is the lead financial advisor to the Utah Transit Authority and the Utah Associated Municipal Power Systems and Utah Municipal Power Agency.

Since joining Zions Public Finance, Inc., Brian has been involved in 248 transactions totaling over \$8 billion in par amount.

Brian is a registered municipal securities representative in the investment banking industry and holds a Series 52 securities license and a Series 50 Municipal Advisory license. He previously has held both Series 7 and Series 63 licenses.

Brian is a 2004 graduate of the Brigham Young University MBA Program with an emphasis in finance, where he was the top student in his class and a recipient of the Hawes Scholarship, given to the best all-around students as demonstrated by academic excellence, leadership, maturity, ethics and values, commitment, and devotion to the Marriott School mission.

**Education**

Bachelor of Science, Finance,
Utah State University
Bachelor of Science, Economics,
Utah State University

Aaron C Montgomery**Financial Analyst**

Zions Public Finance, Inc.

Municipal Consulting Group

During his time with ZPFI, Aaron has specialized in real estate advisory, economic analysis, and utility rate and business licensing fee studies. He also provides in-depth geographic analysis through utilizing his skills in GIS to provide detailed examination of project areas and comprehensive research of the information within project boundaries. Aaron prepares concise reports and presentations which effectively convey findings and recommendations.

In his past projects, Aaron has demonstrated that he has the ability to apply his knowledge of GIS to uncover additional trends which were applicable to the scope of the report. He has also proved his ability to utilize GIS tools to create maps that not only present relevant data, but are also visually appealing to the recipient.

A sample of projects in Utah include:

- Orem City Fee Study
- Mountainland Association of Governments Comprehensive Economic Development Strategy Update 2018
- Draper Housing Plan
- Alcoholic Beverage Control 2018 Master Plan Update
- Millard County Landfill Study
- Syracuse Antelope Drive Corridor Market Study
- Marriott-Slaterville Business Licensing Fee Study
- Taylorsville 5400 South Market Valuation
- Clearfield Market Analysis
- American Fork Meadows Crossing Economic Impacts
- Snyderville Basin Special Recreation District Needs Assessment

C. References

Client: Brett Wood, Herriman City Manager
Contact Information: 801.446.5323
bwood@herriman.org

Client: John Borget, Provo City Business Administrator
Contact Information: 801.852.6504
JBorget@provo.utah.gov

Client: Mark Christensen, Saratoga Springs City Manager
Contact Information: 801.766.9793
markc@saratogaspringscity.com

Client: David Zook, Nibley City Manager
Contact Information: 435.752.0431
david@nibleycity.com

Client: Tim Tingey, Cottonwood Heights City Manager
Contact Information: 801.944.7010
ttingey@ch.utah.gov

D. Approach

Our financial sustainability plans assist cities in planning for the future by identifying financial conditions under various scenarios (i.e., status quo, rapid growth, residential v. commercial growth, etc.). Our Excel model is user-friendly and easily allows for inputs to “test” the financial impacts that result from different impacts on the budget such as inflation rates, capital costs, lease v. buy, etc.

Key elements of our models include:

- ❖ Market analysis that includes realistic land uses, absorption timelines and pricing to be incorporated into the financial model. We are the only firm of which we are aware that provides a financial model that is sensitive to varying rates and types of development;
- ❖ Careful review of historic trends in the budget to be incorporated with the land use assumptions;
- ❖ Sensitivity analysis of key revenue sources (such as changes in the State sales tax distribution formula which the Legislature is contemplating);
- ❖ Identification of service levels for the provision of municipal services;
- ❖ Incorporation of existing debt, evaluation of debt limits and appropriate coverage ratios;
- ❖ Impacts of redevelopment areas and the expiration of such areas;
- ❖ Integration of impact fees;
- ❖ Timing of capital equipment and improvements; and
- ❖ Variety of funding options explored in the model.

The resulting model and analysis will allow the City to plan wisely for the future, minimize costs associated with debt and prioritize its decision making.

GENERAL FUND

Our Approach includes the following steps for review of the General Fund and will also incorporate analysis of the Capital Projects Fund and RDA Fund.

1. Kickoff Meeting

The purpose of the kickoff meeting is to achieve the following:

- ❖ Establish lines of communication with the City;
- ❖ Discuss areas of concern and relevant issues with the City;
- ❖ Begin the process of gathering needed information such as growth projections, budgets, capital needs and outstanding debt; and
- ❖ Review schedules and timing for the study.

2. Revenue Projections

Develop financial model, based on City’s current budget, with future revenue projections based on land use development type and revenue “formulas.” For example, retail development will generate point-of-sale revenues based on ½ of one percent of gross sales. On the other hand, residential development will generate sales tax revenues from the population distribution portion of the formula; these distributions have recently averaged about \$95 per capita in most communities. Our assumptions tab allows for sensitivity testing of gross sales per square foot for retail, population distribution reimbursement amounts per capita, and a multitude of other

inputs related to other revenue sources. The model will also be able to accommodate a shift in the sales tax collection methodology from the current 50%/50% to 25%/75% or whatever the Legislature might consider in its coming session.

3. **Operating Expense Projections**

Operating expenses are more difficult to project as they are not formula driven like revenues. Our model accounts for the following factors:

- ❖ Inflation growth;
- ❖ Growth in costs by development type (reflected in population, employees, nonresidential sf, etc.);
- ❖ Fixed costs v. variable costs (for example, some operating costs will increase with new development while others are more fixed in nature, such as the mayor, head of a department, etc.);
- ❖ Any changes in service levels desired by the City;
- ❖ Funding of reserves for repair and replacement (often included as depreciation, a non-cash item); and
- ❖ These expense variables can be manipulated easily, as well, in order to conduct sensitivity testing and to assess the relative risk of various factors (i.e., residential v. commercial development, high inflation, etc.).

4. **Communication and Coordination with the City**

ZPFI will work closely with the City and its departments to identify needed capital equipment, costs and timing.

We propose an interim meeting to review the initial findings and model, to test assumptions, run different scenarios and assess the sensitivity and risk of various inputs. After this meeting the consultants will make revisions to the model, run additional scenarios and prepare a final model, written report and implementation plan.

5. **Financial Plan**

ZPFI will work closely with the City to prepare a financing plan that ensures revenue sufficiency. Our approach is first to look at a cash approach to funding and identify what is needed in terms of fee increases, property tax increases, etc., for a cash approach. We then look at potential bonding scenarios, carefully taking into account existing debt obligations, debt limits and City debt policies. We will include all available funds in our analysis and identify those funds that are already earmarked for specific projects.

ZPFI will present its findings to City Staff and the City Council as desired by the City.

ENTERPRISE FUNDS

The consultants at ZPFI have written hundreds of impact fees and utility rate studies and are well-acquainted with utility enterprise funds. The City will need to provide detailed information for the enterprise funds, including usage by all customer classes as identified in current rate schedules. This allows us to compare forecasted revenues with actual revenues and revise your rate models to more accurately project future revenues.

The purpose of this analysis will be to identify any deficiencies that may occur, as well as the revenues needed in order to maintain debt coverage ratios and sufficient cash balances. We have not assumed that the City desires updated rate studies (with updated rate structures) as part of this analysis but can easily expand our scope to do so.

As with the General Fund approach, we will meet with the City to review our initial findings, projecting our spreadsheet on your screen and adjusting assumptions and inputs with you. Our clients have found that our models are exceptionally easy to follow and to manipulate and we can work with you at this meeting to see the impacts of various assumptions: rate of growth, inflation, timing of capital projects, various funding scenarios, etc.

The model allows for a cash approach (which we always evaluate first) as well as potential bonding scenarios and carefully monitors debt coverage ratios and cash on hand.

Again, as desired by the City, we will present our report and findings in a PowerPoint presentation to City Staff and City Council.

E. Proposed Schedule

Description	June	July	August
Kickoff meeting with City			
Market analysis			
Financial modeling			
Follow-up with departments re individual budgets			
Capital funding analysis			
Sensitivity "what-if" analysis review with City			
Strategic plan of policies and procedures			
Written report and presentations			

F. Cost Proposal

Our proposed fee for a financial sustainability plan that includes both the General Fund and the City's Enterprise Funds is \$18,960. If, however, the City does not desire to include its Enterprise Funds in the analysis, we propose a not-to-exceed cost of \$14,000 to evaluate the General Fund (with associated impacts to the Capital Projects and RDA Funds).

	Vice Presidents	Analysts	Fee
	\$200	\$120	
Kickoff Meeting	4	2	\$1,040
Market Analysis	8		\$1,600
Financial Modeling	9	52	\$8,040
Coordination with City/Department Heads		10	\$1,200
Interim Meeting	4	4	\$1,280
Financing Plan	6	10	\$2,400
Report and Presentation	8	15	\$3,400
TOTAL	39	93	\$18,960



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: August 14, 2019

Agenda Item: 11.4 KnowWhere Campus Safety System Technology

Department: City Council/Utah County Sheriff's Office

Presenter: Councilmember John Earnest and Sergeant Holden Rockwell

Background/Discussion:

Up for your approval and consideration is a technology that enhances our ability to make the schools here in Vineyard safer for our children than they have ever been.

Make no mistake there is a single focus in this plan and that is the safety and wellbeing of all children who attend schools here in our wonderful community. I feel this is OUR responsibility and not one we can pass, shirk, or push off to other entities.

This plan has been in preparation for about a year now so none of this should be new in concept. Sargent Rockwell and I have been working on this plan together and with the Principals/Directors of our 3 Elementary Schools in our city. Many of the details are hopefully going to be clarified through the following information.

Sargent Rockwell will be presenting and explaining Deputy Stilsons role as the new SRO for each of our 3 Elementary Schools.

KnowWhere Campus Safety System Technology:

Please See the attached pdf file that outlines the programs features and capabilities.

Please See the attached pdf of the price breakdown for our 3 schools here in Vineyard. (1 Year Plan)

Please watch the link below to see a Live Demo of the system in action.

<https://youtu.be/MKP5NQjQ0b8>

RFP Option Presented:

Sole Source Justification:

What is unique about this product and why is it only available from one source?



VINEYARD CITY COUNCIL STAFF REPORT

Our system is a proprietary blend of software and hardware, each of which are the only one of their kind and are patented.

The hardware is comprised of several different components and sensors. While other companies might be able to provide all of those components separately, because of our patents, no other company would be able to have all of those components in one piece of hardware. Additionally, we have proprietarily made enhancements to each of these components to make them ideal in a school setting and given them the ability to interact and work with each other to allow the system to have features that no other system has.

The software is also proprietary in nature with patents on all of the features that the system offers including:

1. Knowing where people are in a building
2. Early warning fire detection
3. Accurate gunshot detection including the type of weapon used and the number of rounds fired
4. Contextualized information
5. Crisis response and emergency management tool

In short, because the system is the only one of its kind and is entirely proprietary, no other company would be able to provide any or all of the features that we can in one comprehensive system.

SafeUT will also be integrated throughout the year with each of our Elementary Schools which is the third leg in our safety plan. This is through the University of Utah.

Sincerely,

John Earnest

Note: Live Demo will be presented on Wednesday August 14th at 12 pm.

Location:

American Heritage School

11100 S Redwood Rd, South Jordan, UT 84095



VINEYARD CITY COUNCIL STAFF REPORT

Fiscal Impact:

One time set up fee/hardware	\$2,700
<u>annual fee</u>	<u>\$28,620</u>
Total	\$31,320

Recommendation:

Sample Motion:

Attachments:

KnowWhere Product Description
KnowWhere price breakdown



Forget Everything You Know About Security.

See how Drift Net Securities reinvented it with
the KnowWhere Campus Safety System.

W

*In a crisis,
every second
means life or
death, and the
greatest enemy
is time*

W

KnowWhere Campus Safety and Emergency Management System

--Your KNOWN defense for the UNKNOWN offense--

A powerful combination of software and hardware that is installed in schools and used by administrators and first responders to help them respond better and faster in a crisis by:



Identifying Threats Early



Responding Immediately



**Providing Actionable
Information to
First Responders**

How does KnowWhere do it?

A system that's totally comprehensive, self-sustaining, smart, and real-time.

+ A Synergistic Tool-kit

The KnowWhere System keeps everything under one roof so that it works together and is easy and efficient to access and use. Even better, all of those tools are contextualized so that information makes sense and is usable.

+ Info gets where it needs to go

We put information in the hands of the people that need it the most, immediately. KnowWhere leaves no one in the dark; whether it's students, faculty, or first responders, everyone knows where what and who the threat is.

+ Reduces Human Error

The system can be used manually or automatically. This makes sure that in the case of crisis, humans can do what they do best and the KnowWhere System reduces error and picks up the slack.

+ Limited Resource Impact

We know resources are limited. That's why our system limits the impact. We don't drill holes or run wires to install. We don't use your servers or your wired internet.

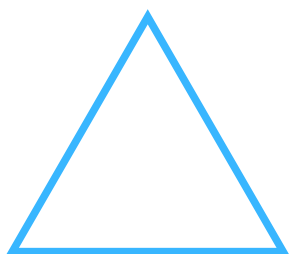
Meet the KnowWhere Safety System



KW- CONTROL

Contextualized Information

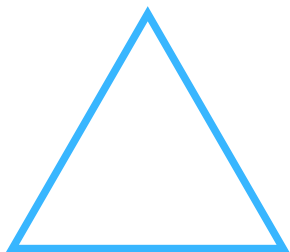
Information is displayed contextualized by a 2D and 3D view of the inside and outside of the school.



KW-PEOPLE MANAGEMENT

Know where people are

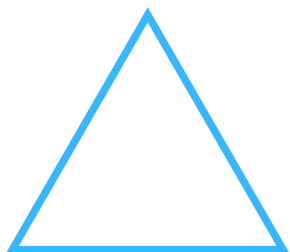
The system allows you to know how many people are in each room and area of the campus both inside and outside.



KW- VISITOR

Keep track of visitors

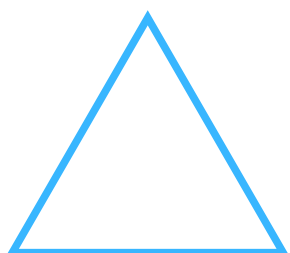
Check-in visitors just by scanning their ID. KnowWhere checks the visitor against 3 Federal databases. Using KnowWhere you can then track the visitor in the school.



KW- LOCKDOWN

Manual Lockdown Capabilities

Lockdown the whole campus or specific areas of the campus in 3 seconds from your phone or directly from KnowWhere.



KW- PODS

Smart Cameras and PA system

The KnowWhere System is equipped with 2-way speakers making the system a higher functioning alternative to a traditional camera and PA system.

KnowWhere Emergency Management Features

KW-Threat Detection

- + Dangerous Objects (such as guns and knives)
- + Vandalism
- + Airborne Contaminants (gas, CO₂, ethanol, methanol)
- + Fire (before smoke is detected)
- + Gunshots
 - type of weapon
 - number of shots fired
 - location tracking in real time
- + Threats are tracked and cameras are used for visual verification

KnowWhere Emergency Management Features

KW-Crisis Response

When a lockdown is initiated several things happen at once:

- + threat is detected and tracked
- + police are notified and real-time information is shared
- + school is put into lockdown with a visual and audio alert
- + the system verifies that lockdown procedures were followed
- + 2-way communication is opened with first responders and admin
- + Crisis prompts are sent to help administrators during the lockdown

KnowWhere Emergency Management Features

KW-After Crisis Response

When the threat is neutralized, KnowWhere can be used to check the status of each area and/or evacuate the school. The school's evacuation routes are pre-programmed for review. Custom instructions can also be given using the speakers on the system. First responders and administrators can then use the other system features to verify where people are and how many people have evacuated or are still in the building.



DRIFT NET™ | KnowWhere Safety System™

Quote

City of Vineyard
Jacob McHargue
125 South Main Street
Vineyard, UT,84058

Hardware

One time fee that includes the KW-PODS needed for total indoor and outdoor coverage of the campuses. Includes (1) Mobile Control Center (iPad Pro), unlimited control downloads, and (10) Visitor Cards per school.

Description	Number of PODS	Cost	Cost
Vineyard Elementary	75	\$ 12.00	\$ 900.00
Freedom Academy	75	\$ 12.00	\$ 900.00
Franklin Discover Academy	75	\$ 12.00	\$ 900.00
		Subtotal	\$ 2,700.00
		Total	\$ 2,700.00

Software

This is a yearly fee that includes unlimited users, unlimited control center downloads, and access for the system.

Description	Number of Years	Cost per Year	Cost
Vineyard Elementary	1	\$ 9,540.00	\$ 9,540.00
Freedom Academy	1	\$ 9,540.00	\$ 9,540.00
Franklin Discover Academy	1	\$ 9,540.00	\$ 9,540.00

Description	Number of Years	Cost per Year	Cost
		Subtotal	\$ 28,620.00
		Total	\$ 28,620.00

Additional

All additional items are charged as a one-time fee.

Description	Number	Cost	Cost
Door Lock	0	\$ 99.00	\$ 0.00
Visitor Cards	0	\$ 10.00	\$ 0.00
		Subtotal	\$ 0.00
		Total	\$ 0.00

Total Payment Due for One Year of Service

Description	Number of schools	Cost/School	Cost
Hardware	3	\$900.00	\$ 2,700.00
First Year Software Service	3	\$9540.00	\$ 28,620.00
			\$ 31,320.00
		Total Due	\$ 31,320.00

Payment is accepted via ACH online payment, cheque, wire transfer, or card payment.

Please make cheques payable to Drift Net LLC, subject line "KnowWhere Security System".



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: August 14, 2019

Agenda Item: 11.5 Resolution - Support a Change of County Government question to be placed on the November 2019 Ballot

Department: Administration

Presenter: Mayor Julie Fullmer

Background/Discussion:

There is a petition circulating by Strengthen Utah County, a Political Issues Committee that would put the question of whether or not to change the county form of government to a Council-Mayor form of government on the November 2019 municipal ballot.

Utah County Commission has also established the Utah County Good Governance Advisory Board “to facilitate, analysis, public outreach, and provide recommendations to the Utah County Board of Commissioners related to a potential modification of Utah County’s form of government.” The Advisory Board presented its findings and multiple recommendations to the Utah County Commissioners on June 20, 2019. Some of the recommendations are as follows:

- The Utah County Board of County Commissioners should support a change of Utah County’s form of government from its current three-member county commission form to the county executive-council (mayor-council) form of government.
- The Utah County Board of County Commissioners should pass a county ordinance to hire a professionally trained and skilled chief administrative officer (CAO) to aid in the day-today management of the county.
- The Utah County Board of County Commissioners should move expeditiously to hold a special election in November 2019 to seek voter approval for a change in Utah County’s form of government to the mayor-council form.

Cities in Utah County are considering resolutions to urge these reforms on the Utah County Board of Commissioners. Provo, Cedar Hills, and Orem have already passed this resolution.

Fiscal Impact: N/A

Recommendation:

It is recommended that the mayor and City Council adopt the resolution in support a ballot question on the November 2019 ballot.



VINEYARD CITY COUNCIL STAFF REPORT

Sample Motion:

I moved to adopt resolution 2019-10 supporting the Utah County Good Governance Advisory Board's recommendation to place a change of form of government question on the November 2019 ballot

Attachments:

Resolution 2019-10

RESOLUTION NO. 2019-10

A RESOLUTION OF THE VINEYARD CITY COUNCIL SUPPORTING THE UTAH COUNTY GOOD GOVERNANCE ADVISORY BOARD'S RECOMMENDATION TO PLACE A CHANGE OF FORM OF GOVERNMENT QUESTION ON THE NOVEMBER 2019 BALLOT

WHEREAS, Strengthen Utah County, a political issues committee (PIC), initiated a petition to place the question of changing Utah County's form of government on the municipal ballots in November 2019; and

WHEREAS the Utah County Commission established the Utah County Good Governance Advisory Board (the Advisory Board) to facilitate research, analysis, public outreach, and provide recommendations to the Commissioners related to a potential modification of Utah County's form of government; and

WHEREAS the Advisory Board presented its finding and six recommendations to the Utah County Board of Commissioners on June 20, 2019, which recommendations are as follows:

1. The Utah County Board of County Commissioners should support a change of Utah County's form of government from its current three-member county commission form to the county executive-council (mayor-council) form of government with a full-time elected at large Mayor, [and] an elected seven-member part-time county council that has five seats elected by districts and two seats elected at large.
2. The Utah County Board of County Commissioners should pass a county ordinance to hire a professionally trained and skilled chief administrative officer (CAO) to aid in the day-to-day management of the county.
3. The Utah County Board of County Commissioners should move expeditiously to hold a special election in November 2019 to seek voter approval for a change in Utah County's form of government to the mayor-council form.
4. The Utah County Board of County Commissioners should establish a non-partisan committee to follow established federal and state judicial criteria and recommend the geographic boundaries for the five district seats of the county council. Public engagement in this process guards against perceptions of self-serving decisions made by county officials.
5. The Utah County Board of County Commissioners should establish a compensation committee comprised of volunteers with expertise in cost analysis and compensation. Public engagement in this process guards against perceptions of self-serving decisions made by county officials.
6. The Utah County Board of County Commissioners should educate Utah County voters on the mayor-council form of government and how it holds elected officials accountable,

improves representation of all areas and communities within the county, and how the transition will be funded; and

WHEREAS, the Utah County Attorney and Utah County Clerk/Auditor, in comments made to the Utah County Board of Commissioners on June 20, 2019, noted their concerns about timing and need for additional resources to:

- Accommodate a change of government question on the November 2019 ballot, in accordance with recommendations 1, 3, and 6; and
- Subsequently, if the voters vote affirmatively to change the form of government, to establish county council districts, and conduct elections for a mayor and the county council during the 2020 election cycle, in accordance with recommendations 4 and 5; and

WHEREAS, the Vineyard City Council finds that Vineyard, Utah is well governed by a five-member council form of government; and

WHEREAS, the Vineyard City Council desires to express support for the recommendations of the Advisory Board and supports placing the decision on the change in the form of government in the hands of the Utah County voters.

NOW, THEREFORE, be it resolved by the City Council of Vineyard, Utah, that the Vineyard City Council urges the Utah County Board of Commissioners to take all appropriate and necessary measures to fully implement the six recommendations of the Advisory Board, and to appropriately and necessarily fund the additional resources needed to successfully implement them in the timeframe stated in the recommendations.

BE IT FURTHER RESOLVED, that the City Recorder of Vineyard, Utah transmit duly authenticated copies of this resolution to the Utah County Board of Commissioners.

PASSED and APPROVED this 14th day of August, 2019.

Julie Fullmer, Mayor

Attest:

Pamela Spencer, City Recorder