



# CITY COUNCIL MEETING AGENDA



THURSDAY, NOVEMBER 16, 2023  
AGENDA

## ATTACHMENTS

2023.11.16 AGENDA PACKET



NOTICE OF REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF ST. GEORGE,  
WASHINGTON COUNTY, UTAH

### Public Notice

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a regular meeting in the City Council Chambers at the St. George City Offices located at 175 East 200 North, St. George, Utah, on Thursday, November 16, 2023, commencing at 5:00 p.m.

The agenda for the meeting is as follows:

Call to Order

Invocation

Flag Salute

**1. Mayor's recognitions and updates.**

**2. CONSENT CALENDAR.**

**a. Consider approval of a Professional Services Agreement with Civil Science for the Design of the SR-7 Trail Project.**

BACKGROUND AND RECOMMENDATION: THE PROJECT CONSISTS OF THE DESIGN, BY CIVIL SCIENCE, OF THE SR-7 TRAIL FROM I-15 TO DESERT CANYONS PKWY. FUNDING FOR THIS PROJECT COMES FROM A UDOT GRANT WITH A 20% LOCAL MATCH. AS INDICATED IN THE ATTACHED AGREEMENT AND SCOPE OF WORK, THE PROPOSED DESIGN SERVICES AMOUNT TO \$352,900. THE DESIGN INCLUDES ONE TRAIL BRIDGE AT DESERT COLOR PARKWAY AND ONE TUNNEL UNDER THE ON AND OFF RAMPS FROM SR-7 NEAR DESERT COLOR PARKWAY. STAFF RECOMMENDS APPROVAL.

**B. CONSIDER APPROVAL OF AN ACTIVE TRANSPORTATION COOPERATION AGREEMENT WITH UDOT FOR THE SR-7 TRAIL.**

BACKGROUND AND RECOMMENDATION: THE CITY APPLIED FOR AN ACTIVE TRANSPORTATION GRANT FROM UDOT FOR THE DESIGN AND CONSTRUCTION OF THE SR-7 TRAIL PROJECT FROM I-15 TO HEADING EAST. THE CITY WAS GRANTED, ALONG WITH WASHINGTON CITY AND HURRICANE CITY, AN AMOUNT OF \$10,240,000 (80% OF TOTAL) FROM THE STATE FOR THE PROJECT. WITH A 20% LOCAL MATCH OF \$2,560,000 (ST. GEORGE - \$2,220,440, WASHINGTON - \$160,160, AND HURRICANE - \$179,400), THE PROJECT'S ESTIMATED COST AMOUNTS TO \$12,800,000. AS OUTLINED IN THE COOPERATION AGREEMENT, IT IS PROPOSED THAT CITY OF ST. GEORGE RECEIVE THE STATE GRANT AND THE LOCAL MATCH FUNDS FROM WASHINGTON AND HURRICANE TO ADMINISTER THE PROJECT DESIGN AND CONSTRUCTION. STAFF RECOMMENDS APPROVAL.

**C. CONSIDER APPROVAL OF THE SEVENTH AMENDMENT TO THE JVIATION CONTRACT DATED SEPTEMBER 23, 2021 FOR THE TERMINAL RECONSTRUCTION PROJECT.**

BACKGROUND AND RECOMMENDATION: CONSIDER APPROVAL OF THE SEVENTH AMENDMENT TO THE JVIATION CONTRACT DATED SEPTEMBER 23, 2021 FOR THE TERMINAL RECONSTRUCTION PROJECT. STAFF RECOMMENDS APPROVAL.

**D. CONSIDER APPROVAL OF AN AGREEMENT WITH LION ENERGY, LLC TO PROVIDE A BATTERY ENERGY STORAGE SYSTEM AT MILLCREEK GENERATION FACILITY NOT TO EXCEED \$1,553,943.36.**

BACKGROUND AND RECOMMENDATION: IN THE EVENT OF A TRANSMISSION FAILURE, ST. GEORGE ENERGY SERVICES CURRENTLY USES DIESEL-POWERED GENERATORS TO ENERGIZE THE MILLCREEK GENERATION

FACILITY. THE DIESEL GENERATORS ARE AGING AND INEFFICIENT. THE INSTALLATION OF THIS BATTERY WOULD ALLOW FOR THE INITIATION OF MILLCREEK IN THE EVENT OF LOSS OF ELECTRIC TRANSMISSION TO THE AREA. STAFF RECOMMENDS APPROVAL.

- E. CONSIDER APPROVAL TO WAIVE THE FEES OF THE ST. GEORGE SUNRISE MARKET EVENT THAT IS TAKING PLACE EACH SATURDAY AT HELA SEEGMILLER HISTORIC PARK LOCATED AT 2592 SOUTH 3000 EAST, FOR A SIX (6) MONTH TRIAL PERIOD FROM MARCH 2, 2024 - SEPTEMBER 2024.

BACKGROUND AND RECOMMENDATION: ST GEORGE SUNRISE MARKET IS A NEW MARKET WANTING TO START UP FOR LOCAL ENTREPRENEURS AND TO BRING THE COMMUNITY TOGETHER. THEY ARE ASKING FOR 1) THE PERMIT FEE TO BE WAIVED (\$150), 2) HELA SEEGMILLER FEE TO BE WAIVED EVERY WEEK (\$480/WEEK), 3) ANY VENDOR FEES (\$5 PER VENDOR PER WEEK), AND 4) NON CONSTRUCTION ENCROACHMENT PERMIT FEE (\$150/WEEK) IF NEEDED. STAFF RECOMMENDS APPROVAL.

3. PUBLIC HEARING TO TAKE COMMENTS AND CONSIDER APPROVAL OF RESOLUTION NO. 2023-014R ADOPTING THE UPDATED WATER CONSERVATION PLAN.

BACKGROUND AND RECOMMENDATION: THE STATE OF UTAH REQUIRES ALL PUBLIC WATER PROVIDERS WITH MORE THAN 500 CONNECTIONS TO FILE A WATER CONSERVATION PLAN. IT HAS TO BE UPDATED EVERY 5 YEARS. THE PLAN WAS LAST UPDATED IN 2018 AND IS DUE TO THE STATE BY DEC 31, 2023. STAFF MADE A PRESENTATION TO THE COUNCIL EARLIER THIS YEAR REGARDING A GENERAL UPDATE TO THE PLAN. THE FIRST DRAFT WAS SUBMITTED TO THE STATE AND THIS DRAFT INCORPORATES THE COMMENTS FROM THE DIVISION OF WATER RESOURCES. STAFF RECOMMENDS APPROVAL.

4. CONSIDER APPROVAL OF ORDINANCE NO. 2023-036 AMENDING THE EXISTING RILLISANTE VILLAS PLANNED DEVELOPMENT RESIDENTIAL (PD-R) ZONE ON APPROXIMATELY 24.10 ACRES TO AMEND THE APPROVED RILLISANTE VILLAS DEVELOPMENT WITH CONCEPTUAL SITE PLAN AND ELEVATIONS, LOCATED GENERALLY ON

THE WEST SIDE OF THE INTERSECTION OF CANYON VIEW DRIVE AND GAP CANYON PARKWAY TO BE KNOWN AS RILLISANTE VILLAS WITH CONDITIONS FROM THE PLANNING COMMISSION. CASE NO. 2023-PDA-021

BACKGROUND AND RECOMMENDATION: IN APRIL OF 2021, AN APPLICATION FOR 206 UNITS (STACKED UNITS AND TOWNHOMES) WAS APPROVED BY THE CITY COUNCIL. THE APPLICANT DESIRES TO UPDATE THE TOWNHOME ELEVATIONS AND MAKE A MINOR REVISION TO THE ROADWAY ON THE NORTHERN PORTION OF THE SITE. THE PLANNING COMMISSION HELD A PUBLIC HEARING AND RECOMMENDED APPROVAL OF THE APPLICATION WITH A 7-0 VOTE AND THREE CONDITIONS.+

5. CONSIDER A REQUEST FOR APPROVAL OF A HILLSIDE DEVELOPMENT PERMIT TO ALLOW DISTURBANCE OF AREAS IN THE 20% PLUS SLOPE AREAS ON AN APPROXIMATELY 24.10 ACRE SITE GENERALLY LOCATED JUST WEST OF THE CANYON VIEW AND GAP CANYON PARKWAY INTERSECTION FOR A PROJECT TO BE KNOWN AS RILLISANTE AT DIVARIO (PA-3). CASE NO. 2022-HS-012

BACKGROUND AND RECOMMENDATION: THE APPLICATION CAME AS A RESULT OF APPROVAL OF PA-3 IN 2021 AND WAS HELD IN ANTICIPATION OF THE ACCOMPANYING PD AMENDMENT

APPLICATION. THE HILLSIDE BOARD AND PLANNING COMMISSION BOTH HELD PUBLIC MEETINGS ON THE REQUEST AND ARE RECOMMENDING APPROVAL OF THE APPLICATION WITH NO CONDITIONS.

6. CONSIDER APPROVAL OF ORDINANCE NO. 2023-037 AMENDING THE CITY ZONING MAP BY EXTENDING APPROVALS FOR THE ZONING ON THE SUBJECT PROPERTY OF R-1-20 (RESIDENTIAL SINGLE FAMILY 20,000 SQUARE FEET MINIMUM LOT SIZE) ON APPROXIMATELY 18.62 ACRES LOCATED APPROXIMATELY AT THE SOUTHEAST CORNER OF 1580 SOUTH 3000 EAST FOR A PROJECT TO BE KNOWN AS THE GROVE. CASE NO. 2023-ZC-015

BACKGROUND AND RECOMMENDATION: THE ZONING ON THE SUBJECT PROPERTY WAS APPROVED IN 2022. DUE TO LANGUAGE IN THE ORDINANCE, THE ZONING WOULD EXPIRE AFTER A YEAR WITHOUT REAPPROVING THE ZONING. THE PLANNING COMMISSION HELD A PUBLIC HEARING ON THE REQUEST AND RECOMMENDED APPROVAL WITH A 7-0 VOTE AND NO CONDITIONS.

7. **CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE GROVE SUBDIVISION, A 14-LOT SINGLE-FAMILY DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF 1580 SOUTH AND 3000 EAST. CASE NO. 2023-PP-032**

BACKGROUND AND RECOMMENDATION: THE PROPERTY IS CURRENTLY ZONED R-1-20 (RESIDENTIAL, SINGLE-FAMILY RESIDENTIAL 20,000 FT<sup>2</sup> MINIMUM LOT SIZE). THE APPLICANT IS PROPOSING 14 LOTS. LOTS 3-14 WILL ALL EXCEED 50,000 FT<sup>2</sup>. LOTS ONE AND TWO ARE SMALLER DUE TO THE ROAD CONNECTION INTO THE STUBBED ROAD TO THE SOUTH BUT STILL EXCEED 20,000 FT<sup>2</sup>. THE ROAD WILL TIE INTO 3210 EAST WHICH BORDERS THE EAST SIDE OF THE PROPERTY. THE PLANNING COMMISSION RECOMMENDED APPROVAL, WITH ONE CONDITION.

8. **CONSIDER APPROVAL OF ORDINANCE NO. 2023-038 AMENDING THE CITY ZONING MAP BY AMENDING THE ZONE FROM PD-R (PLANNED DEVELOPMENT RESIDENTIAL) TO C-3 (GENERAL COMMERCIAL) ON APPROXIMATELY 3.0 ACRES GENERALLY LOCATED ON THE EAST SIDE OF RIVERSIDE DRIVE AT APPROXIMATELY 700 SOUTH. CASE NO. 2023-ZC-014**

BACKGROUND AND RECOMMENDATION: THE THREE ACRES THAT IS PROPOSED TO BE REZONED IS PART OF A LARGER 16-ACRE PARCEL. IN 2021, A PD-R FOR TOWNHOMES WAS APPROVED ON THE OVERALL PARCEL. THOUGH THE ZONING COVERED THE ENTIRE PARCEL, THE TOWNHOMES WERE ONLY PLANNED ON THE BOTTOM PORTION (ROUGHLY 10 ACRES) OF THE PROPERTY THAT ARE FLATTER THAN THE NORTHERN PORTION OF THE PROPERTY. THIS LEFT APPROXIMATELY SIX ACRES NOT OCCUPIED BY TOWNHOMES. THE PLANNING COMMISSION HELD A PUBLIC HEARING ON THE ZONE CHANGE ON OCTOBER 24, 2023, AND RECOMMENDS APPROVAL OF THE APPLICATION WITH A 7-0 VOTE AND NO CONDITIONS.

9. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE WILLOW BEND SUBDIVISION, A THREE LOT, 16.37-ACRE SUBDIVISION LOCATED ON THE EAST SIDE OF RIVERSIDE DRIVE BETWEEN 700 SOUTH AND JUDY LANE. CASE NO. 2023-PP-035

BACKGROUND AND RECOMMENDATION: THIS PLAT IS PART OF A LARGER APPLICATION TO REZONE THE PROPERTY AND PLAT IT. IF THE PROPERTY IS REZONED, THIS PLAT WILL KEEP THE PROPERTY FROM BEING SPLIT ZONED. LOT ONE IS PROPOSED TO BE 3.0 ACRES AND IS THE LOT PROPOSED TO BE REZONED TO COMMERCIAL. THE PLANNING COMMISSION HELD A PUBLIC HEARING ON THE REQUEST AND RECOMMENDS APPROVAL WITH A 7-0 VOTE AND ONE CONDITION.

10. CONSIDER A REQUEST FOR APPROVAL OF A HILLSIDE DEVELOPMENT PERMIT TO ALLOW DISTURBANCE OF AREAS IN THE 20% PLUS SLOPE AREAS ON AN APPROXIMATELY 12.63 ACRE SITE GENERALLY LOCATED NORTH OF SNOW CANYON PKWY AND EAST OF THE EXISTING PARADISE CANYON SUBDIVISION. CASE NO. 2023-HS-008

BACKGROUND AND RECOMMENDATION: THE APPLICANT WOULD LIKE TO DEVELOP A SIX-LOT SUBDIVISION. A PORTION OF THE AREA LIES WITHIN THE HILLSIDE OVERLAY ZONE (HOZ). THE PROJECT WILL BE COMPLETED IN ONE PHASE. DESERT LANDSCAPING WILL BE USED ON THE PROJECT AND THERE WILL BE MINIMAL IMPACT TO THE HILLSIDE AREAS ON THE SITE. THE CHUCKWALLA ESTATES WENT TO THE HILLSIDE COMMITTEE ON AUGUST 23, 2023. THERE WAS MUCH DISCUSSION WITH THE COMMITTEE. A LOT OF THE DISCUSSION TOOK PLACE ON THE ACCESS ROAD TO THE LOTS. THE HILLSIDE COMMITTEE DISCUSSED MAKING THE WALLS AND APPEARANCE OF THE ACCESS ROAD TO BLEND AND MATCH THE COLORS AND TEXTURE OF THE SURROUNDING AREAS MATERIALS. THE SITE DOES INCLUDE A ARCHEOLOGICAL SITE . THE PROPOSED LOTS DO NOT DISTURB THE HISTORICAL SITE. AT THEIR MEETING HELD ON OCTOBER 24, 2023, THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH THE CONDITIONS IN THE STAFF REPORT WITH A VOTE OF 7-0.

11. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE CHUCKWALLA DEVELOPMENT, A 6-LOT SUBDIVISION LOCATED NORTH OF SNOW CANYON PKWY AND EAST OF PARADISE CANYON SUBDIVISION. CASE NO. 2023-PP-030

BACKGROUND AND RECOMMENDATION: THE APPLICANT IS PROPOSING TO DEVELOP SIX RESIDENTIAL LOTS. AT THEIR MEETING HELD ON OCTOBER 24, 2023, THE PLANNING COMMISSION HELD A PUBLIC MEETING AND RECOMMENDED APPROVAL WITH CONDITIONS.

**12. CONSIDER APPROVAL OF ORDINANCE NO. 2023-039 AMENDING TITLE 3 AND TITLE 10 OF THE ST. GEORGE CITY CODE, TO ADD PROVISIONS FOR TEMPORARY PARKING LOT BUSINESSES TO TITLE 3 AND REMOVE FOR MOBILE BUSINESSES FROM TITLE 10.**

BACKGROUND AND RECOMMENDATION: ON DECEMBER 15, 2022, AN AMENDMENT WAS APPROVED TO ADD MOBILE BUSINESS TO TITLE 3 AND TITLE 10. IN TITLE 10, MOBILE BUSINESS WAS ADDED AS A PERMITTED USE WITH STANDARDS, AND SPECIFIC STANDARDS WERE CREATED. HOWEVER, IN 2023, THE STATE ADOPTED A NEW CODE THAT PREVENTS CITIES FROM REQUIRING A MOBILE BUSINESS TO COMPLY WITH THE ADOPTED ZONING ORDINANCE. THIS AMENDMENT RENAMES MOBILE BUSINESSES TO TEMPORARY PARKING LOT BUSINESSES AND ADJUSTS THE ASSOCIATED REQUIREMENTS IN TITLE 3. IN ADDITION, THIS ZONING REGULATION AMENDMENT REMOVES MOBILE BUSINESS REGULATIONS FROM TITLE 10. THE CHANGES TO TITLE 10 WERE PRESENTED TO THE PLANNING COMMISSION ON OCTOBER 24, 2023 WHERE A PUBLIC HEARING WAS HELD. WITH A 7-0 VOTE, THE PLANNING COMMISSION RECOMMENDED APPROVAL.

**13. APPOINTMENTS TO BOARDS AND COMMISSIONS OF THE CITY.**

**14. Reports from Mayor, Councilmembers, and City Manager.**




**15. Request a closed session to discuss litigation, security, property acquisition or sale or the character and professional competence or physical or mental health of an individual.**

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Christina Fernandez, City Recorder

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Date


**REASONABLE ACCOMMODATION:** The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4674, at least 24 hours in advance if you have special needs.

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