

**SOUTH WEBER CITY PLANNING COMMISSION AGENDA**

**PUBLIC NOTICE** is hereby given that the **Planning Commission of SOUTH WEBER CITY**, Utah, will meet in a **REGULAR** public meeting on **Thursday, February 21, 2019** at the **South Weber City Council Chambers, 1600 East South Weber Drive**, commencing at **6:30 p.m.**

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A WORK MEETING WILL BE HELD PRIOR TO THE REGULAR PLANNING COMMISSION MEETING AT 6:00 P.M. TO DISCUSS  
AGENDA ITEMS, CORRESPONDENCE, AND/OR FUTURE AGENDA ITEMS

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**THE AGENDA FOR THE REGULAR MEETING IS AS FOLLOWS\***:

1. **Welcome**
  - a. Pledge of Allegiance—Commissioner Grubb
2. **Approval of Consent Agenda**
  - a. Minutes 2019-01-29
  - b. 2019 assignments
    - i. Commissioner Johnson to represent the Commission at Sketch Plan meetings
    - ii. Commissioner Osborne to attend Restoration Advisory Board meetings
    - iii. Pledge of Allegiance as designated
3. **Public Hearing and Action on Highway Commercial Zoning amending City Code 10.5H.5 Conditional Uses:** Proposal to add recreation or entertainment activities to conditional uses in the Highway Commercial Zone (CH).
4. **Public Hearing and Action on Ordinance 2019-02 Short Term Rentals.** An ordinance adopting City Code Chapter 10.18, enacting regulations pertaining to short-term or vacation rentals.
5. **Discussion on the General Plan.** City Planner, Barry Burton will present a proposed procedure for updating the General Plan.
6. **Public Comments** – Please keep public comments to 3 minutes or less per person
7. **Planning Commissioner Comments** (Grubb, Walton, Pitts, Johnson, Osborne)
8. **Adjourn**

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THE UNDERSIGNED DEPUTY RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED OR POSTED TO THOSE LISTED ON THE AGENDA ALONG WITH THE FOLLOWING:

City Office Building	www.southwebercity.com	Family Activity Center
Utah Public Notice website ( <a href="http://www.utah.gov/pmn">www.utah.gov/pmn</a> )	South Weber Elementary	Each Member of The Planning Commission



\_\_\_\_\_  
LISA SMITH, PLANNING COORDINATOR

DATE: 02-07-19

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING SPECIAL ACCOMMODATIONS DURING THIS MEETING SHOULD NOTIFY LISA SMITH, 1600 EAST SOUTH WEBER DRIVE, SOUTH WEBER, UTAH 84405 (801-479-3177) AT LEAST TWO DAYS PRIOR TO THE MEETING.

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\*Agenda are flexible and may be moved in order or sequence to meet the needs of the Commission.

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 29 January 2019

**TIME COMMENCED:** 6:30 p.m.

**PRESENT: COMMISSIONERS:**

Tim Grubb  
Debi Pitts  
Rob Osborne  
Wes Johnson  
Taylor Walton

**CITY PLANNER:**

Barry Burton

**CITY ENGINEER:**

Brandon Jones

**PLANNING COORDINATOR:**

Lisa Smith

**Transcriber:** Minutes transcribed by Michelle Clark

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*A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS*

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**PLEDGE OF ALLEGIANCE:** Commissioner Walton

**ATTENDEES:** Blair Halverson, Bill Petty, Dusty Petty, Angie Petty, Fred Gundersen, Rob Edwards, Corey & Wendy Winn.

## **APPROVAL OF CONSENT AGENDA**

- **Planning Commission Minutes of 13 December 2018**
- **Appointment of chair and vice chair**

Commissioner Grubb moved to appoint Rob Osborne as chairperson and Debi Pitts as vice chairperson for the Planning Commission. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

Commissioner Johnson moved to approve the Planning Commission meeting minutes of 13 December 2018. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

The Planning Commission requested reviewing the commission's assignments at the next Planning Commission meeting. The Planning Commission decided that since a member of the

City Council attends the Planning Commission meeting, there will be no Planning Commission member attending City Council meetings.

**DECLARATION OF CONFLICT OF INTEREST: (None)**

**Commissioner Grubb moved to open the public hearing for Land Use Specifications: Amendment to South Weber City Public Works Standards. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing on Land Use Specifications: Amendment to South Weber City Public Works Standards:** Brandon Jones reviewed the Land Use Specification and amendment to the South Weber Public Works Standards. He stated when the current City Standards were approved in October 2017, there was discussion about which approach for streetlights was best; City owned vs. Rocky Mountain Power (RMP) owned. The City moved forward with the RMP owned approach in the Standards at the time but requested that the City Staff look into the matter. Over the past several months the City Staff has analyzed the advantages and disadvantages of both approaches. The results were presented to the Municipal Utilities Committee on November 1, 2018, and then to the City Council on November 13, 2018. Based on the analysis, the City Staff, MUC, and City Council recommended moving forward with city-owned streetlights. The next step is to implement the streetlight changes to the City Code and the City Standards.

Since the last update to the City Standards, there have been a few other needed changes identified. As changes to the City Code and City Standards need to be taken to both the Planning Commission and City Council, and adopted by ordinance, the City Staff felt it would be best to bring all proposed changes at one time.

The following summarize the proposed changes:

**SUMMARY OF CHANGES – CITY CODE** Following are the proposed changes to the City Code:

**11.04.020. J General Requirements**

6. Street Lights: The sub divider is required to pay for all street lights required by the City Standards. Once power is installed, the sub divider shall notify the City. The Street Lights will be ordered by the City and installed by the **City's authorized Contractor** Power Company. Once paid for, the sub divider is no longer responsible for the installation or the timing of the installation.

**11.04.040. B**

2. Collector or Feeder Streets: Not less than seventy ~~six feet (76')~~ **eight feet (78')**.

**11.04.140 Street Lighting**

- A. The sub divider shall be required to pay for all outdoor street lighting fixtures.
- B. The placement and installation of street lighting shall be in accordance with adopted city standards.
- C. The sub divider shall be required to get power installed into the subdivision and notify the City when power is available.

D. The City is responsible to order the street lights. The street lights are then installed and maintained by the City's authorized Contractor Power Company.

**SUMMARY OF CHANGES – CITY STANDARDS** The following are the proposed changes to the City Standards (**text portion**):

1. Cover – The date would be changed from “October 2017” to “October 2017 – Rev. 1, February 2019”
2. Title Page – Updated personnel
3. Section 4B. Licensing – Removed the table containing specific licenses for specific work and replaced it with generic language that contractors must comply with the Utah Administrative Code R156-55a (Utah Construction Trades Licensing Act Rule). This avoids inadvertently referencing the wrong required license and does not need to be updated when licensing changes are made.
4. Section 4.03 Construction – B3 was added. This section designates that the City has the authority to require improvements to be replaced if their as-built condition is not in compliance with the approved improvement plans and these Standards.

Following are the proposed changes to the City Standards (**drawing portion**): - All changes in the Drawings are highlighted with a cloud

5. Cover Sheet – Updated personnel and revision text to “October 2017 – Rev. 1, February 2019”
6. There are several sheets that have been updated based on comments received from the Division of Drinking Water. These revisions have been made in order to show greater compliance with the DDW rules but should not be considered fundamental changes.
7. CS-02 – Added tolerance of 0.5% +/- on cross slope
8. CS-02 – Added requirement for the inspector to give written approval before pavement is installed
9. CS-03 – Old Fort Road was changed to South Bench Drive
10. CS-03 – The previous 70' Old Fort Road cross section was removed and replaced with the current 78' South Bench Drive cross section
11. CS-03 – The shoulder can be left as a shoulder or designated as a dedicated bike lane
12. CS-04 – A general detail for a concrete utility collar was included, and all other collars reference this detail
13. CS-05 – If cutting the pavement on a road that has been paved or overlaid in the last 10 years, the patching requirements become much more in depth to help protect the life of the road.
14. CS-06 – Added notes for a better understanding of the requirements on curb and gutter and sidewalk
15. CS-07 – Added cul-de-sac streetlight and reference
16. CS-11 – Contractor is responsible to supply all meters 1 ½” or greater
17. CS-22 – This is the sheet that implements the new streetlight standards. As it will be the City's responsibility to select and install the lights, we felt it was best to give general direction in the Standards, and not show specific lights. The City will be requesting proposals from various streetlight suppliers and through that process will select the exact streetlight that will be installed. This sheet establishes that there are three different styles of lights. Each will be used in different locations and with different spacing requirements, based on their intended use. Also listed are general requirements that the streetlights must

comply with (e.g. LED, dark-sky compliant, aluminum bases painted black with a sanded aluminum city logo/text, etc.).

Commissioner Osborne asked if there was any public comment. There was none.

**Commissioner Grubb moved to close the public hearing for Land Use Specifications: Amendment to South Weber City Public Works Standards. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING CLOSED \*\*\*\*\***

**Commissioner Walton moved to recommend to the City Council the approval of the Land Use Specifications: Amendment to South Weber City Public Works Standards. Commissioner Grubb seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

**Commissioner Grubb moved to open the public hearing for Rezone Application at approximately 7636 Cornia Dr (3.74 acres) parcel 13-039-0041 from Commercial Highway (CH) to Commercial Overlay (CO) by Fred Gunderson. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing on Rezone: Application at approximately 7636 Cornia Dr (3.74 acres) parcel 13-039-0041 from Commercial Highway (CH) to Commercial Overlay (CO) by Fred Gunderson:** Mr. Gunderson presented a possible site plan and pictures of surrounding properties. He stated he is seeking a Commercial Overlay to give opportunity to a smaller developer to be part of a bigger development. He said the overlay can be done for less money and can piece out the property. He said banks like this because money is easier to lend. He stated with the commercial overlay gives the owners and developers the opportunity to make the project more cohesive. He said he represents someone who wants to develop in South Weber and be a part of this community.

This proposal is to rezone 3.74 acres from the current CH zone to the CO zone. This property was originally designed and approved for a trucking company waystation where trucks could be left over night, washed and receive minor repairs. This was in 1988. Sometime after 2000, Burbidge Concrete Pumping made application to turn the property into a contractor yard/facility. That application was denied because the CH zone had been amended to eliminate contractor facilities. It has been little used in recent years.

Mr. Gunderson would like to establish gymnastics training facility along with some retail space. The reason for the rezone is that the CH zone does not allow Recreational Activities, whereas the CO zone allows it as a conditional use. The retail part is allowed in either zone.

Commissioner Osborne asked if there was any public comment.

**Rob Edwards, 1860 Canyon Drive**, asked what would be a negative to the public for a zone like this. He asked about the differences in the zones.

Barry Burton, City Planner, stated in general terms both these zones allow retail commercial kinds of activities. He said Mr. Gundersen wants to put a gymnastics training facility which isn't allowed in the CH Zone. He said the CO Zone allows residential use as well as commercial being a mixed use.

**Angie Petty, 7692 Cornia Drive**, feels this will be beneficial to South Weber. She feels there is great access and would bring a commercial base to the city. She is in favor of this rezone. She said there will be a lot of traffic with the gymnastics training facility. She feels this type of traffic will help drive the commercial aspect.

**Dusty Petty, 7692 Cornia Drive**, stated he is hesitant when it comes to development in South Weber, but when we do grow and develop, he wants to make sure we are conscientious. He lives south of this parcel. He said they have three parcels and would like to combine them.

**Bill Petty, 7898 S. 2800 E.**, said he is in favor of the overlay rezone. He feels it will give the city a much better chance for commercial success. He likes the flexibility of the zone.

**Commissioner Johnson moved to close the public hearing for Rezone Application at approximately 7636 Cornia Dr (3.74 acres) parcel 13-039-0041 from Commercial Highway (CH) to Commercial Overlay (CO) by Fred Gunderson. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING CLOSED \*\*\*\*\***

Commissioner Osborne stated he is excited about the possibility of commercial but feels the commercial overlay zone is not the way to do it. He would like to amend the CH Zone to include Recreation and Amusement Activities. He would suggest denying the request for the CO Zone and then make a request for the City Staff to amend the CH Zone to include Recreation and Amusement Activities. Commissioner Johnson stated this will not delay the development process. Commissioner Walton stated zoning is not a condition of finance and wouldn't prevent the property owner to continue with the development. Commissioner Grubb stated it will be added to the CH Zone as a conditional use, which would have different requirements. Brandon stated the reason to deny the CO Zone is to keep the residential portion out.

**Commissioner Grubb moved to deny the Rezone Application at approximately 7636 Cornia Dr (3.74 acres) parcel 13-039-0041 from Commercial Highway (CH) to Commercial Overlay (CO) by Fred Gunderson. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

Commissioner Grubb recommended the City Staff make an amendment to the CH Zone to add Recreation and Amusement Activities to present at the next Planning Commission Meeting.

**Action on Final Plat and Improvement Plans: Application for La Pintana (1 lot) at approximately 1860 E South Weber Drive (0.26 acres) by Kody Holker:** Rob Edwards stated the address they received is 1878 East.

**Barry Burton, City Planners, review of 22 January 2019 is as follows:**

**Plat:** This simple one-lot subdivision is the remainder parcel from the Sun Rays Subdivision that has access directly onto South Weber Drive. The plat appears to be in order as far as I can tell. (Brandon may have more to say concerning the surveying issues.) The one thing I do notice is that the Owner's Dedication dedicates the portion of the property in South Weber Drive to UDOT. We all know what is meant by UDOT but I am not certain it can be used in a legal document. The name may need to be spelled out.

**Access and Utilities:** The applicants have received their will-serve letter from South Weber Irrigation. Other utility companies will need to sign the plat. Developers have indicated they have an access permit from UDOT, but as of today we haven't seen it. This is a must before we approve the subdivision.

**Recommendation:** If the applicants provide a copy of the UDOT access permit, I would recommend forwarding to the City Council with a recommendation of approval. We can determine if UDOT needs to be spelled out before the CC acts on it.

**Brandon Jones, City Engineer's, memo of 23 January 2019 is as follows:**

Our office has completed a review of the Final Plat and Improvement Plans for the La Pintana Subdivision dated, January 15, 2019. We recommend approval, subject to the following comments and items being addressed prior to final approval from the City Council.

**GENERAL**

1. Approval Letters.

- a. We have received an approval letter from the South Weber Water Improvement District.
- b. An Access Permit from UDOT is required but has not yet been received. Without this permit, the proposed lot does not have access onto South Weber Drive.

**PLAT**

2. South Weber Drive should include (SR-60) for reference.
3. The address for Lot 1 is 1878 E. South Weber Drive.
4. The Questar Gas note should be updated to reflect Dominion Energy or eliminated if not required by Dominion Energy.
5. The signature blocks for SWWID, RMP, and Questar Gas are only needed if those companies are requiring a signature block for this plat.
6. The Owner's Dedication language should be updated to spell out the Utah Department of Transportation (UDOT).
7. The Owner's Dedication contains language that dedicates a 10' irrigation easement but does not show it on the drawing. Either the language in the Owner's Dedication needs to be removed

and the irrigation line will be in a PUE, or the drawing needs to be updated to show the limits of the PUE and the irrigation easement. We would recommend removing the Owner's Dedication language and leaving it as a PUE.

8. The Centerline and/or ROW line of South Weber Drive should be labeled in order to clearly delineate the location of the street dedication as it relates to Lot 1 and the adjacent properties.

### **IMPROVEMENT PLANS**

9. An Encroachment Permit is required by UDOT in order to cut the asphalt in South Weber Drive, which is needed in order to install the water and sewer laterals. This permit should also cover the construction of a driveway approach and all other concrete improvements along the roadway.

10. The location and width of the driveway approach should be shown.

11. Even though curb, gutter and sidewalk currently existing, any defective concrete will be required to be replaced prior to occupancy. This should be indicated on the plans.

**Commissioner Grubb moved to recommend to the City Council the approval of Final Plat and Improvement Plans Application for La Pintana (1 lot) at approximately 1860 E South Weber Drive (0.26 acres) by Kody Holker subject to the following:**

- 1. Items listed in Barry Burton, City Planners, review of 22 January 2019**
- 2. Items listed in Brandon Jones, City Engineer's, letter of 23 January 2019**
- 3. The City to receive a copy of the access permit from UDOT.**

**Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.**

### **PUBLIC COMMENTS:**

**Bill Petty, 7898 S. 2800 E.,** stated he would like to know why the Planning Commission isn't in favor of the CO Zone for the property 7636 S. Cornia Drive. Commissioner Osborne stated the Planning Commission doesn't feel that residential fits that close to the highway. Mr. Petty stated he doesn't understand why you want mixed use. Barry Burton stated there is also a sewer capacity issue on the east end of town. He said it has been designed and planned according to the general plan and residential use creates a much larger need for sewer. He stated the city will need to approach that with a very careful and thoughtful manner. He said there have been numerous developers requesting the mixed use and the city needs to be cautious because it was not planned for residential use.

**Barry Burton, City Planner:** He attended a meeting to discuss items that came out of the City Retreat. He said as a result we will be moving forward with a general plan update. He will discuss his recommendations on how to proceed with that at the next meeting. He has also received direction to look at county boundary lines.

Blair Halverson, City Council: He said at the City Council meeting on 12 February 2019 Dr. Chuck Holbert will give a report on Hill Air Force Base operable units. He invited Planning

Commissions to attend. He said a short-term rental ordinance will be coming before the Planning Commission.

**ADJOURNED:** Commissioner Grubb moved to adjourn the Planning Commission meeting at 7:24 p.m. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date \_\_\_\_\_

Chairperson: Rob Osborne

\_\_\_\_\_  
Transcriber: Michelle Clark

\_\_\_\_\_  
Attest: Planning Coordinator: Lisa Smith

DRAFT

# SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

**DATE OF MEETING:** 29 January 2019

**TIME COMMENCED:** 6:00 p.m.

**PRESENT: COMMISSIONERS:**

Tim Grubb  
Debi Pitts  
Rob Osborne  
Wes Johnson  
Taylor Walton

**CITY ENGINEER:**

Brandon Jones

**CITY PLANNER:**

Barry Burton

**PLANNING COORDINATOR:**

Lisa Smith

**Transcriber:** Minutes transcribed by Michelle Clark

**ATTENDEES:** Blair Halverson

**Approval of Consent Agenda**

- Minutes 2018-12-13
- Appointment of chair and vice chair

**Public Hearing on Land Use Specifications: Amendment to South Weber City Public Works Standards:** Brandon Jones reviewed the amendments to the Public Works Standards. Commissioner Johnson suggested adding a better definition for retention and detention basins.

**Brandon Jones, City Engineer's, memo of 23 January 2019 is as follows:**

**BACKGROUND** When the current City Standards were approved in October 2017, there was discussion about which approach for streetlights was best; City owned vs. Rocky Mountain Power (RMP) owned. The City moved forward with the RMP owned approach in the Standards at the time but requested that the City Staff look into the matter. Over the past several months the City Staff has analyzed the advantages and disadvantages of both approaches. The results were presented to the Municipal Utilities Committee on November 1, 2018, and then to the City Council on November 13, 2018. Based on the analysis, the City Staff, MUC, and City Council recommended moving forward with city-owned streetlights. The next step is to implement the streetlight changes to the City Code and the City Standards.

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It was stated that Mr. Gunderson would like to establish a gymnastics training facility along with some retail space. The reason for the rezone is that the CH zone does not allow Recreational Activities, whereas the CO zone allows it as a conditional use. The retail part is allowed in either zone.

Commissioner Osborne stated there isn't a way to put a recreation piece on the CH Zone. He discussed with Mayor Sjoblom and Dave Larson the possibility of amending the CH Zone to include Amusement and Recreational Activities. Barry said the Planning Commission has the authority to recommend an amendment to the CH Zone.

**Action on Final Plat and Improvement Plans: Application for La Pintana (1 lot) at approximately 1860 E South Weber Drive (0.26 acres) by Kody Holker:** Lisa Smith stated Mr. Holker has not received UDOT approval yet. Brandon said Mr. Holker is working with UDOT. He said the city will need the approval before it goes on the City Council agenda. It was stated a variance was approved for the home.

**Barry Burton, City Planners, review of 22 January 2019 is as follows:**

**Plat:** This simple one-lot subdivision is the remainder parcel from the Sun Rays Subdivision that has access directly onto South Weber Drive. The plat appears to be in order as far as I can tell. (Brandon may have more to say concerning the surveying issues.) The one thing I do notice is that the Owner's Dedication dedicates the portion of the property in South Weber Drive to UDOT. We all know what is meant by UDOT but I am not certain it can be used in a legal document. The name may need to be spelled out.

**Access and Utilities:** The applicants have received their will-serve letter from South Weber Irrigation. Other utility companies will need to sign the plat. Developers have indicated they have an access permit from UDOT, but as of today we haven't seen it. This is a must before we approve the subdivision.

**Recommendation:** If the applicants provide a copy of the UDOT access permit, I would recommend forwarding to the City Council with a recommendation of approval. We can determine if UDOT needs to be spelled out before the CC acts on it.

**Brandon Jones, City Engineer's, memo of 23 January 2019 is as follows:**

Our office has completed a review of the Final Plat and Improvement Plans for the La Pintana Subdivision dated, January 15, 2019. We recommend approval, subject to the following comments and items being addressed prior to final approval from the City Council.

**GENERAL**

1. Approval Letters.

- a. We have received an approval letter from the South Weber Water Improvement District.
- b. An Access Permit from UDOT is required but has not yet been received. Without this permit, the proposed lot does not have access onto South Weber Drive.

**PLAT**

2. South Weber Drive should include (SR-60) for reference.
3. The address for Lot 1 is 1878 E. South Weber Drive.
4. The Questar Gas note should be updated to reflect Dominion Energy or eliminated if not required by Dominion Energy.
5. The signature blocks for SWWID, RMP, and Questar Gas are only needed if those companies are requiring a signature block for this plat.
6. The Owner's Dedication language should be updated to spell out the Utah Department of Transportation (UDOT).
7. The Owner's Dedication contains language that dedicates a 10' irrigation easement but does not show it on the drawing. Either the language in the Owner's Dedication needs to be removed and the irrigation line will be in a PUE, or the drawing needs to be updated to show the limits of the PUE and the irrigation easement. We would recommend removing the Owner's Dedication language and leaving it as a PUE.
8. The Centerline and/or ROW line of South Weber Drive should be labeled in order to clearly delineate the location of the street dedication as it relates to Lot 1 and the adjacent properties.

**IMPROVEMENT PLANS**

9. An Encroachment Permit is required by UDOT in order to cut the asphalt in South Weber Drive, which is needed in order to install the water and sewer laterals. This permit should also cover the construction of a driveway approach and all other concrete improvements along the roadway.

10. The location and width of the driveway approach should be shown.

11. Even though curb, gutter and sidewalk currently exist, any defective concrete will be required to be replaced prior to occupancy. This should be indicated on the plans.

**OTHER BUSINESS:**

**Corner of 2050 E. 7800 S.** – The storm drain is covered with snow and is creating a drainage issue.

**Ray Creek Subdivision** – There is a “no trespassing” sign that needs to be removed.

**ADJOURNED:** 6:30 p.m.

**APPROVED:**

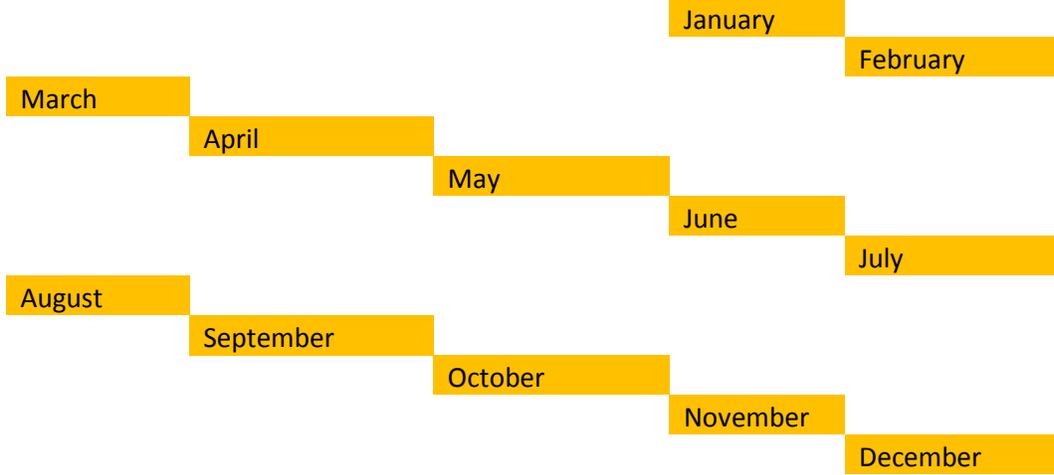
\_\_\_\_\_ Date \_\_\_\_\_  
**Chairperson: Rob Osborne**

\_\_\_\_\_  
**Transcriber: Michelle Clark**

\_\_\_\_\_  
**Attest: Planning Coordinator: Lisa Smith**

## 2019 Schedule

<b>Rob Osborne</b>	<b>Wes Johnson</b>	<b>Debi Pitts</b>	<b>Taylor Walton</b>	<b>Tim Grubb</b>
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### 2019

January	Taylor
February	Tim
March	Rob
April	Wes
May	Debi
June	Taylor
July	Tim
August	Rob
September	Wes
October	Debi
November	Taylor
December	Tim

**PROPOSED AMENDMENTS TO THE SOUTH WEBER CODE**  
**February 13, 2019**

It is proposed that the following amendment be made to Section 10.5H.5 of the South Weber Code:

**10.5H.5 Conditional Uses**

- A. Amusement and recreation activities.
- ~~A. Electronic communication facilities.~~
- B. Electronic communication facilities.
- ~~B. Excavations of over two hundred (200) cubic yards, as allowed by section 10.06.20 of this title.~~
- C. Excavations of over two hundred (200) cubic yards, as allowed by section 10.06.20 of this title.
- ~~C. Small wind energy systems.~~
- D. Small wind energy systems.
- ~~D. Temporary businesses not to exceed ninety (90) days in length.~~
- E. Temporary businesses not to exceed ninety (90) days in length.

**ORDINANCE NO. 2019-\_\_\_\_\_**

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL ADOPTING  
SOUTH WEBER CITY CODE CHAPTER 10.18, ENACTING REGULATIONS  
PERTAINING TO SHORT-TERM OR VACATION RENTALS**

WHEREAS, the South Weber City Council has a responsibility to preserve and protect the health, safety and welfare of its inhabitants, the family and other community values; and

WHEREAS, nationwide, statewide and local short-term and vacation rental applications have risen significantly; and

WHEREAS, the Council finds and determines that an ordinance is necessary to allow short-term or vacation rentals in the City limits under reasonable standards designed to regulate the industry to ensure the community's values and the citizen's health, safety and welfare are not compromised;

NOW, THEREFORE, BE IT ORDAINED by the City Council of South Weber City, State of Utah:

Section 1. Chapter adopted. Chapter 10.18 of the South Weber City Code is hereby adopted to read as follows:

**CHAPTER 10.18. SHORT-TERM OR VACATION RENTALS**

**10.18.010 Purposes**

The purposes of this chapter are to strengthen the City's values of community, family, and safety by permitting short-term or vacation rentals according to the standards of this chapter, to protect the integrity and characteristics of the land use districts, and to require that short-term or vacation rentals be conducted in a manner that neighbors, under normal conditions, would not be aware of their existence.

**10.18.020 Definitions**

As used in this chapter:

A. **SHORT-TERM or VACATION RENTALS** means a transient lodging facility in a single-family dwelling unit, in public lodging facilities as part of a planned unit development (PUD), or in an accessory dwelling unit (ADU), occupied by a single group on a temporary basis for less than 30 consecutive days as an alternative to a hotel or motel.

B. **RESPONSIBLE PARTY** means the owners and local representatives of the short-term or vacation rental property.

C. OCCUPANTS mean the persons renting or residing in a short-term or vacation rental dwelling unit.

D. PETS mean dogs, cats, other domesticated animals, and any other animals that the occupants of a short-term or vacation rental bring onto the premises.

#### **10.18.030 Conditional Use Permits Required**

A. Permits: Conditional use permits shall be required for all properties used as short-term or vacation rentals, regardless of the zone, type, or use of the property. A fee, according to the consolidated fee schedule will be required with the conditional use application.

B. Application for Permit: The applicant shall pay for and obtain a City business license, register the business with the State of Utah, and obtain a Utah State Sales Tax ID# before applying for a conditional use permit. The applicant shall also pay any annual fee established in the Consolidated Fee Schedule for short-term or vacation rentals. The application for a conditional use permit shall be made by the owner of the property on which the short-term or vacation rental is located, shall include a phone contact number and email address, and identify the number of off-street parking stalls available for occupants. A local responsible party shall be designated with contact information if the short-term or vacation rental is not owner-occupied.

C. Review: The planning commission shall review complete applications for a conditional use permit under this chapter and shall approve or deny the conditional use permit based on the criteria listed in this chapter.

D. Revoking a Permit: The City may revoke a conditional use permit issued under this chapter if:

1. a licensee engages in a pattern of unlawful activity;
2. a licensee violates state law or local ordinances;
3. a licensee fails to repeatedly comply with any condition set forth at time of permit approval.

#### **10.18.040 Tax**

Each short-term or vacation rental owner shall collect and remit sales, resort, and transient room taxes to the Utah State Tax Commission.

#### **10.18.050 Noise and Occupancy**

The responsible party shall regulate the occupancy of the short-term or vacation rental and ensure that:

- A. occupants or their pets do not create noise that by reason of time, nature, intensity or duration are out of character with noise customarily heard in the surrounding neighborhood;
- B. occupants do not disturb the peace of surrounding residents by engaging in outside recreational activities or other similar activities after ten o'clock p.m.;
- C. occupants and their pets do not interfere with the privacy of surrounding residents or trespass onto surrounding properties;

D. occupants do not engage in disorderly or illegal conduct, including illegal consumption of drugs or alcohol; and

E. the rental complies with Utah Administrative Code Rule R392-502, Public Lodging Facility Sanitation.

#### **10.18.060 Parking**

An off-street parking stall shall be provided for each vehicle the occupants bring to the short-term or vacation rental. There shall be no more occupant vehicles allowed at any one time than the number of bedrooms available in the short-term or vacation rental. Vehicles parked at the short-term or vacation rental shall not block clear sight distances, create a nuisance or hazard, violate any City laws or winter-restricted parking requirement, or infringe on other property rights.

#### **10.18.070 Camping**

No camp trailers, recreational vehicles, tents, yurts, or any similar non-permanent structures will be allowed for short-term or vacation rentals under the conditional use permit, except those located in a private area licensed by the City for camping. Camps shall comply with Utah Administrative Code Rule R392-300, Recreation Camp Sanitation.

#### **10.18.080 Pets**

Owners or keepers of any pets on short-term or vacation rental properties shall not allow the animals to create noise that could be considered disturbing, to run at large, or to create a mess that is not immediately cleaned up by the owner or keeper. It shall be unlawful for an owner or keeper of any pet to go upon the private property of any person without the permission of the owner or person entitled to the possession of such private property.

#### **10.18.090 Signage**

Information shall be displayed in the interior of the dwelling unit listing 24/7 contact information and the regulations addressing noise, parking, pets, trespassing, illegal activity, and conduct. Exterior signage shall not be allowed.

#### **10.18.100 Maintenance and Standards**

Any property that contains a dwelling which is licensed as a short-term or vacation rental shall conform to the following standards:

- A. Structures shall be properly maintained and kept in good repair.
- B. Grounds and landscaped areas shall be properly maintained in order that the use in no way detracts from the general appearance of the neighborhood or causes any hazard to the occupants.
- C. Each habitable space shall meet current building codes for size, egress, and be equipped with smoke and carbon monoxide detectors.
- D. Garbage shall not be allowed to accumulate on the property and shall be removed on regularly scheduled pick up days.
- E. A fire extinguisher shall be accessible.

F. A fire exiting route plan and maximum occupancy number shall be posted in each dwelling used for short-term or vacation rentals.

G. An annual inspection shall be conducted by the fire marshal to ensure compliance with fire safety provisions.

**10.18.110 Complaints**

- A. Complaints received by the City for any violation of this chapter will be handled as stated in this section.
- B. A first complaint will result in a letter or I-works notification being sent to the property owner and responsible party notifying the owner of the problem and requiring immediate correction. A second complaint will result in a second letter or I-works notification being sent to the property owner and responsible party and the conditional use permit will be in jeopardy of being revoked.
- C. A third complaint will result in a written request from the City to the property owner and responsible party to attend a planning commission meeting to discuss the complaints and show cause why the conditional use permit should not be revoked. The show-cause hearing shall be held even if the owner or responsible party fails to appear. If the planning commission finds just cause, the commission shall revoke the conditional use permit.
- D. Notwithstanding any other remedy in this section, violations of the City Code or State law may be prosecuted as a criminal offense in the justice court.

Section 2. Effective Date. The City Council of South Weber City, State of Utah, has determined that the public health, safety and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

**ATTEST:**

\_\_\_\_\_  
**MAYOR: Jo Sjoblom**

\_\_\_\_\_  
**Mark McRae, City Recorder**

Roll call vote is as follows:		
Mr. Halverson	Yes	No
Mr. Hyer	Yes	No
Ms. Petty	Yes	No
Mr. Taylor	Yes	No
Mr. Winsor	Yes	No

**CERTIFICATE OF POSTING**

I, the duly appointed recorder for the City of South Weber, hereby certify that Ordinance 2019-\_\_\_\_ was passed and adopted the \_\_\_\_ day of \_\_\_\_\_ 2019, and also certify that complete copies of the ordinance were posted in the following locations within the municipality this \_\_\_\_ day of \_\_\_\_\_, 2019:

1. South Weber Elementary, 1285 E. Lester Drive
2. South Weber Family Activity Center, 1181 E. Lester Drive
3. South Weber City Building, 1600 E. South Weber Drive

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**Mark McRae, City Recorder**

**PROPOSED AMENDMENTS TO THE SOUTH WEBER CODE**  
**February 13, 2019**

The production of a general plan or an update to one may seem like a very daunting task. I admit to having some of those feelings myself, but I firmly believe that if we set out a course and methodically proceed along that course, we can do the job in a timely manner and produce something that will be of real value to our community.

There are an unlimited number of ways we can proceed with the task and I would like to propose what I think will be one of the best for South Weber. I do this to promote some discussion with the Planning Commission about what you believe about how we accomplish our task. There is no one right way to do this and I am not adamant about this particular procedure.

The General Plan consists of four sections that are all text plus the maps. I would like to schedule monthly special Planning Commission meetings for the next 5 – 6 months where we can review the sections along with any proposed updates/changes in some detail. I propose the following schedule:

March – Send out all required notifications that the City intends to modify it’s general plan.

March – Planning Commission reviews the Master Goal along with Section 1, Existing Environment. Particular emphases needs to be placed on Noise Hazards, Accident Potential and HAFB Environmental Impact.

April – Planning Commission reviews Section 3, Land Use Goals and Projections. I think we may need to separate out the Moderate Income Housing Section and the Recreation/Trails Section for a separate review.

May – Planning Commission reviews Section 4, Transportation. Here we will be responding to the needs that changes in the land use recommendations may generate as well as potential changes due to UDOT plans and activities.

June – Planning Commission reviews Recreation/Trails and Moderate Income Housing sections. We will also need to discuss methods of public outreach.

July - Planning Commission and City Council meets to determine if all are agreement to proceed to public notifications and determine best ways to get the word out to residents. Planning Commission finalizes public outreach materials.

August – Public response period. This may include surveys, open houses, etc.

September – Staff and Planning Commission finalize draft Plan with City Council advise and after considering public response.

October – Official public hearing held by Planning Commission. This could be done at the regular PC meeting or, if desired, at a special meeting.

November – City Council presentation and adoption.