

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, August 8, 2019** at the **South Weber City Council Chambers, 1600 East South Weber Drive**, commencing at **6:30 p.m.**

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

THE AGENDA FOR THE REGULAR MEETING IS AS FOLLOWS*:

1. Welcome, Pledge of Allegiance—Commissioner Osborne
2. Approval of Consent Agenda
 - a. Minutes 2019-07-11
3. **Public Hearing and Action on Lopez Retreat Short Term Rental Conditional Use Permit at 1191 E Canyon Drive, Parcel (13-297-0119)**
4. Action on Cobblestone Resort Short Term Rental Conditional Use Permit at 1923 E Canyon Drive, Parcel (13-184-0030)
5. Action on Adam Braithwaite Short Term Rental Conditional Use Permit at 1936 E Cedar Bench Drive, Parcel (13-165-0050)
6. General Plan Update
7. Public Comments – Please keep public comments to 3 minutes or less per person
8. Planning Commissioner Comments (Grubb, Walton, Pitts, Johnson, Osborne)
9. Adjourn

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 (www.utah.gov/pmn)	South Weber Elementary	Each Member of The Planning Commission

DATE: July 27, 2019



KIMBERLI GUIL DEVELOPMENT COORDINATOR

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.

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

SOUTH WEBER CITY PLANNING COMMISSION WORK MEETING

DATE OF MEETING: 11 July 2019

TIME COMMENCED: 6:03 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT

PRESENT: COMMISSIONERS:

Tim Grubb (excused)
Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton

CODE ENFORCER:

Chris Tremea

CITY PLANNER:

Barry Burton

DEVELOPMENT COORDINATOR:

Kimberli Guill

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES:

Approval of Consent Agenda:

- 13 June 2019 Minutes

Public Hearing and Action on Cobblestone Resort Short Term Rental Conditional Use Permit at 1923 E Canyon Drive, Parcel (13-184-0030): Commissioner Osborne stated the owner should be in attendance. Commissioner Walton asked about the basement of this rental. Chris Tremea, Code Enforcer, explained the basement is not finished but the owner is in the process of finishing it. Commissioner Walton asked what are parking spaces based upon. Chris said the number of bedrooms.

Public Hearing and Action on Adam Braithwaite Short Term Rental Conditional Use Permit at 1936 E Cedar Bench Drive, Parcel (13-165-0050): Chris Tremea stated this short term rental has five total parking stalls provided off street.

The Lofts at Deer Run: Commissioner Osborne reported there has been some miscommunication concerning the Lofts at Deer Run. He said the Planning Commission will not be addressing this item but the public can make public comment.

Other Business: Commissioner Pitts asked if there is a time limit that can be placed on a conditional use permit. Barry Burton, City Planner, stated the time limit depends on the type of conditional use. Chris Tremea discussed his position of being the code enforcer. He said his

phone number is inside the books in the short term rental and the client and resident can contact him. He then reaches out to the property owner allowing them two attempts and then contact the Davis County Sheriff’s Department. Kimberli Guill discussed the short term rental is required to sign up for transient room tax.

General Plan Update: Barry Burton, City Planner, mentioned he wants to go over the gravel pits and the noise zones concerning the general plan. Commissioner Johnson asked about the noise zones. Barry said they are currently not adopted. He said even though the changes eliminate the model noise zone in South Weber, the city will stay with existing noise contours for planning purposes. Commissioner Johnson asked about street connections from Uintah and South Weber City. Barry stated the connection would have to bridge over the river and the freeway. He said the Weber Pathway Trail will not be affected.

ADJOURNED: 6:28 p.m.

APPROVED:

_____ Date
Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: _____
Development Coordinator: Kimberli Guill

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 11 July 2019

TIME COMMENCED: 6:32 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT

PRESENT: COMMISSIONERS:

Tim Grubb (excused)
Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton

CODE ENFORCER:

Chris Tremea

CITY ENGINEER:

Brandon Jones

DEVELOPMENT COORDINATOR:

Kimberli Guill

Transcriber: Minutes transcribed by Michelle Clark

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

ATTENDEES: Chris Tremea, Michael Grant, Paul Sturm, Lorraine Mills, Randy Mills, Debi Waters, William Garner, Nicole Johnson, Sue Iverson, Peggy Morris, Trent Layland, Sandra Layland, Kris Springer, Carol Braithwaite, Clay Simpson, Elizabeth Oldrage, Jay Oldrage, Shule Gerry, Lisa Mecham, Allan Mecham, Chris Humpherys, Carl Humphreys, Tona Mackintosh, Cory Mackintosh, Kathryn Hansen, Tammy Long, Joseph Bruderer, Doris Rice, Albert Andrews, Robin Belnap, Carl Stuar, Tom R. Wright, Lara Wright, Mark Burnett, Bart Boren, Emily Boren, Steven Hansen, Jolene Garner, Karolee Jesser, Sherrie West, Mark West, Richard Hawkes, Julie Hawkes, Carol & Mark Christensen, Don Byrne, Ashley Koford, Corryn Manning, Angie Koford, Jeff Koford, Susan Westbroek, David Hoggan, Brandi & Casey Kendell, Bridgette Hadlock, Jean Jenkins, Jeff Bench, Bill Petty, Brandyn Bodily, Jake Porter, Rodney Morris, Jed Schenck, and Melanie Schenck,

PLEDGE OF ALLEGIANCE: Commissioner Johnson

APPROVAL OF CONSENT AGENDA

- **Minutes of 13 June 2019**

Commissioner Johnson moved to approve the consent agenda as written. Commissioner Pitts seconded the motion. Commissioners Osborne, Johnson, Pitts, and Walton voted aye. The motion carried.

PUBLIC COMMENTS:

Commissioner Osborne said if anyone is in attendance to discuss The Lofts at Deer Run (Mixed Use) Subdivision at approximately 7870 S 2700 E., the Planning Commission will not be discussing this item tonight. He understands there are several in attendance who are concerned about this development; however, this item is not on the agenda. He said everyone is welcome to stay, but The Lofts at Deer Run will not be discussed. There were those in the audience who questioned why this can't be discussed as part of the general plan. Michael Grant said he was told most of the property was passed and said most in attendance don't want to see this slip. Commissioner Osborne stated two years ago on 10 August 2017 the property was rezoned from the Highway Commercial Zone (C-H) to Commercial Overlay Zone (C-O). The rezone allows for mixed use development on that piece of property. He said so the property owners have the zoning in place. Michael Grant stated he attended the meeting on 10 August 2017, and it was exceptionally for day care only. Commissioner Osborne said that is not the case. He said he doesn't want to discuss The Lofts at Deer Run because it is not on the agenda and it is illegal for the Planning Commission to do so without a 24-hour notice on the agenda. Someone in the audience asked how to get the property rezoned. Commissioner Osborne explained a property owner can request a rezone, but you can't do it for somebody else's property. Linda Marvel asked why can't we? Linda said she has a residential home on residential property, and it is already there and has been there for 45 years. Commissioner Osborne said he really doesn't want to go into The Lofts at Deer Run. It is not on the agenda and he must stick to the agenda. He said after the meeting he would be happy to discuss law or how the process works.

DECLARATION OF CONFLICT OF INTEREST: (None)

Commissioner Walton moved to open the public hearing. Commissioner Pitts seconded the motion. Commissioners Osborne, Johnson, Pitts, and Walton voted aye. The motion carried.

******* PUBLIC HEARING *******

Public Hearing and Action on Cobblestone Resort Short Term Rental Conditional Use Permit at 1923 E Canyon Drive, Parcel (13-184-0030): The proposed use for this property is a short-term rental. This property is 1.14 acres. The square footage of business is 3,000 square feet. The anticipated number of employees is 4. Hours of operation is 40 hours with the days of operation being 7 days a week. There are 4 bedrooms and 8 parking stalls. There are 4 smoke detectors, 1 carbon monoxide detector, and 1 fire extinguisher.

Chris Tremea, South Weber City Code Enforcer, has inspected the home and pointed out that on the upstairs consists of:

1. Queen & Twin Bunk Beds (4 occupancy)
2. Twin Bunk (2 occupancy)
3. King Master (2 occupancy)
4. Queen Bunk (4 occupancy)

There is occupancy for 12 and 4 vehicles based on 4 completed bedrooms. There is a total of 9 off street parking stalls.

Chris reported the basement has not been completed and cannot count until final inspection and a new fire inspection is completed. Plans for the downstairs include:

1. King (2 occupancy)
2. Queen & Queen Bunk (6 occupancy)
3. King x2 (4 occupancy)
4. Queen x2 (4 occupancy)
5. Queen & Queen Bunk (6 occupancy)

There is occupancy for 22 and 5 vehicles based on room available when complete. The Total occupancy for this short-term rental, when completed and inspected, is 34 occupancy and 9 vehicles.

WonAe Mier and Dustin Shiozaki, property owners, were in attendance.

Commissioner Osborne asked if there was any public comment.

Bridgette Hadlock, 7297 S. 1950 E., said her home is directly behind this short-term rental property. She said there are no trees to block the view. She has three small children and doesn't feel safe knowing strangers are renting this home. She said the hot tub is just outside her door. She said in May 2019 there was a baseball team renting the home. They were making noise well into the night. She did contact Chris Tremea at midnight and received no response. She said it is unnerving for her to know that strangers can be right next door. She said most of the women in the neighborhood do not feel safe. She said the neighborhood is now left to monitor and voice our concerns. (SEE ATTACHED)

Sandra Layland, 7294 S. 1950 E., said on June 15th there was a photo shoot going on. Hilary Bench witnessed a gentleman taking pictures of a topless woman. She said Hilary is at girl's camp and couldn't be in attendance tonight. She then read an email from a gentleman who reviewed this short-term rental. She would like to know what is to stop outside investors from purchasing other homes in our city. She said there are battles all over. She said there are states that are banning them. She would like to know who is protecting the rights of those of us who have lived here for a long time. She said there is no privacy fence. She objects to this conditional use permit. (SEE ATTACHED)

Trent Layland, 7294 S. 1950 E., voiced his opinion that the property owners are liars. He feels they will keep on going until the residents caught them. He reported the property owners have bunk beds stacked in the closets. He also feels the property owners have brought pornography into the neighborhood. He discussed the fireworks on July 4th that were illegal. He described buses pulling up with fifty kids getting out at this short-term rental. He mentioned the police have been contacted many times. He pointed out that Chris Tremea, City Code Enforcer, should have record of all these complaints. He feels the city has failed us as a community. He is also concerned because the house has not been kept up to city code.

Chris Tremea, Code Enforcer, pointed out that he has talked with many who are in attendance tonight. He has documented that he called Dustin Shiozaki sixteen times concerning the incident with the topless photo shoot. He apologized for not responding to Bridgette Hadlock at midnight. He reminded everyone that fireworks are difficult to enforce. He said the short-term rental is difficult to enforce inside a person's home. He feels the short-term rental ordinance does have teeth. He explained that when the first complaint comes in, he contacts the owner, he said on the second complaint he contacts the owner through a letter, and then the third complaint goes to the Davis County Sheriff's Department. He asked the residents for patience in allowing the ordinance to work. He said the property owners know what the laws and regulations are now and if the owner isn't complying, their business license will be revoked.

Jeff Bench, 1916 E. Canyon Drive, explained he lives across the street from this short-term rental. He has no issue with anyone having a short-term rental, but with this scenario it is not seamless. He wants to live in a safe neighborhood.

Jacob Porter, 2032 Canyon Drive, has not met the owners of this short-term rental. He appreciates the time the council has put in with coming up with the ordinance. He is concerned that the owner is not required to occupy the home. He suggested the Planning Commission make it a requirement that short-term rental units are owner occupied and amend the ordinance as such.

Tom Wright, 1934 Canyon Drive, lives across the street from this short-term rental. He is concerned for his four minors that live in his home and the strangers coming and going at this particular short-term rental.

Mark West, 8025 S. Peachwood, questioned if Air B&B has been contacted.

Chris Tremea reported no citations have been given to this short-term rental. He explained after this short-term rental receives a business license and a conditional use permit, if the property owners break the rules, then that can be enforced. He mentioned the inspections have been completed, and everything is in place if a citation needs to be given tomorrow. Discussion took place regarding the fireworks. Chris reported that since then the property owners have put up a sign stating no fireworks distribution from this property. A resident in the audience said she doesn't understand why a short-term rental is allowed in a single-family dwelling agricultural zoned area. Barry Burton, City Planner, explained that the zoning ordinance doesn't control the renting of property, it controls the use of the property. He stated anyone one of you, who have a single-family home, can rent it and the city has no control over that. He explained if you have a commercial building, you can rent out space in that commercial building. He declared the city didn't dream this scenario would ever come up and adopt ordinances in advance, it just happened to us. He pointed out suddenly there are short term rentals and that is something that is relatively new on the landscape of this country and we are all struggling to deal with it. The resident asked if the single-family unit has any effect on this because the State of Utah says if you are not in a college town you can have only four nonrelated family members living with you. Barry pointed out the State of Utah doesn't regulate that, but the local jurisdictions do. He said it was felt by the City Council and Planning Commission that the best way to deal with short term rentals for the city to have more control is to make it a conditional use. The best way to do that was to adopt this short-term rental ordinance and then allow the short-term rental owners to come into the city and apply for a conditional use permit. He reported this is the city's first application. He said the city has asked these owners to come in and apply for their permits and we are

endeavoring to do that. He said the short-term rental ordinance makes this a conditional use. A resident in the audience stated it is South Weber's provisions that in a building that is occupied for 15 or more people, and this short-term rental is advertised for 16+ occupants, qualifies it as a hotel. She would like to know how the Planning Commission got around that. Barry said he is not aware of that ordinance. She stated her husband looked it up and it is 10.1.10 definition of a hotel. She pointed out that Cobblestone Resort claims they can have room for 16+ occupants. She proclaimed that is a hotel and not a short-term rental.

Katherine Hansen, 7318 S. 1950 E., submitted information concerning the definition of a hotel. She explained she was the first house in this subdivision, and this is not what this subdivision was supposed to be. She said it was to be an agricultural area so that if people wanted horses, cows, pigs, etc., they could have so many in their yard. She proclaimed the property is not zoned for a hotel. It was zoned for agricultural use and that is what she signed when she signed the plat map 22 years ago.

Tammy Long, 2178 E. Deer Run Drive, reported she spoke to the State of Utah Land Ombudsman, Brent Bateman, about short term rentals. She was told that the state does not require cities to allow short term rentals in their city. Secondly, she requested the Planning Commission and City Council look at allowing short term rentals in a single zone, in which she recommends the high-density zone. She explained a short-term rental is multi-family use. She said according to county code 820.050 the swimming pool is required to be registered with the county for mosquito abatement. She has received complaints from residents concerning this particular short-term rental. She voiced her concerns with the yard not being maintained. She strongly feels this should only be allowed in the multi-family use high density zone, because the other zones don't allow for multi-family use. She is not in favor of a blanket rezone and allowed in the entire city. She is also concerned about on street parking, because the property owner is required to accommodate for off street parking.

A member in the audience asked about this process and how it is to notify the public that the property owners have applied for a conditional use permit. Commissioner Osborne explained the property owner is requesting a conditional use permit and this forum is for the public to comment and to allow the Planning Commission to review the application and either approve, deny, or table it. The resident voiced his concern about whether the property owner should be allowed to receive approval for such a permit. He asked if the past can prejudice the Planning Commission's decision tonight. Another resident had questions concerning the property owner's current business license and whether violations before this application can be enforced. Chris Tremea declared he can't answer that but is willing to look into that.

Commissioner Pitts moved to close the public hearing. Commissioner Johnson seconded the motion. Commissioners Osborne, Johnson, Pitts, and Walton voted aye. The motion carried.

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

WonAe Mier, owner of the property, reported she purchased the home at 1923 E. Canyon Drive in August of 2018. At that time there wasn't an ordinance for short term rentals in South Weber City. She professed the upstairs is finished but the downstairs is not. She understands there have been complaints and they have tried to manage the complaints. She understands they

started off on the wrong foot with the neighbors, because they were under the assumption that we were moving in. She feels the neighbors have been on a mission to get rid of them. Concerning the swimming pool incident, her son was approached by someone who rented the pool for a couple of hours. She said they didn't know the photo shoot was going to be that way. They were told it was a photo shoot for swimsuits on amazon. She then addressed the water leak into the basement. She explained that in the process of fixing the water leak, the sprinklers were damaged. They got the sprinklers fixed and found out the neighbors have been deliberately turning off the sprinkler valve to prove we haven't been taking care of our yard. Since then she has put a lock on the valve, and they haven't had any problem since then. She reported everything that has been brought to their attention, they have worked on fixing. She feels bad that people don't feel safe, because the clients they get are upper-class citizens. She said no one has gone into the neighbor's property or injuries etc. She said there is no proof that anyone has been hurt. She feels that they should be given a chance to prove themselves.

Dustin Shiozaki, property owner, explained before he and his mother purchased the property, he researched other properties, but really liked this one. He then contacted South Weber City and asked about short term rentals and was told there was no such ordinance in South Weber City. He explained their intention is to finish the basement. He pointed out that they have invested a lot of time and money into this property. He feels the individuals who come to the city will bring in a tax base. He explained that without commerce a city can't grow. He said the city is going to grow. Concerning the pool situation, he has documented all those conversations. He was unaware that this would happen. He doesn't think the photo shoot was criminal. He assured those in attendance that they have followed the existing laws and he has a business model and has been built upon the laws at the time. He feels he has a right to protect his business, and he understands the city has the right to draft ordinances. He explained their rights are the rights when they purchased the property. He mentioned he wants to finish the second unit. He requested they be grandfathered with the second unit.

Commissioner Johnson asked how many short-term rentals are available in South Weber City. Chris Tremea stated there are two that have contacted the city, but he is aware of approximately five or six. Commissioner Johnson explained a conditional use permit gives teeth for the city to enforce the business licensing. He pointed out the local people are the eyes and ears of the community.

Commissioner Walton pointed out he can't find in the city ordinance where a conditional use is available in an agricultural zone. Barry believes it was in all residential zones when conditional use permits were adopted; however, he will need to research that.

Commissioner Johnson feels the City Council may need to review the ordinance to bring in some of the issues brought up tonight. Barry explained all of the standards, except for parking, are operational in nature. He discussed keeping landscape in order and maintained, maintain low noise standards, keeping things in order etc. He explained that is something that can't be explained beforehand but will be ongoing, and it is difficult to enforce until the city sees the short-term rental in operation.

Commissioner Pitts would like clarification of the zoning and its relation to Section 10-18-3 paragraph A. Barry explained by adoption of this ordinance it will basically make them conditional uses in zones that allow residents, and as a conditional use, the State of Utah has

pretty much taken all the teeth of regulations for cities to the extent that we can't just decide on the fly what conditions they can comply with, it has to be put in ordinance form, and if they can comply with conditions in the ordinance, then the city has to issue the permit.

Commissioner Walton questioned Section 10-18-11. Barry explained that any resident in the city, if they meet these conditions and they apply for a conditional use permit, then they can do it. Commissioner Osborne asked a resident in the audience which sections discuss the definition of a hotel. It was stated Section 10-01-100. Someone else in the audience asked about single family. Barry explained the single family was basically overridden by the adoption of this ordinance. Commissioner Osborne expressed his issues with the hotel thing and stated he just doesn't know how that effects this.

Chris Tremea said single family dwelling is unenforceable, but he can enforce the short-term rental ordinance when it is approved. Members in the audience asked Chris why single family is unenforceable. Commissioner Osborne doesn't feel a good decision can be made without the City Attorney giving a definition of a hotel. Commissioner Pitts has some legal questions and would like to table this. Chris stated when new ordinances are made that new ordinance supersedes all other ordinances. Barry stated this conditional use permit is for one unit. He pointed out the Planning Commission can approve this ordinance with the condition that there can only be 15 or less individuals, which is under the limit for a hotel. Chris said according to his inspection it is under 14. He said right now the basement is not complete. Barry discussed the issue with the basement and explained right now this is a single-family dwelling and if the property owner is separating it into two separate units, it is no longer a single family dwelling. He stated then it becomes a duplex. Commissioner Osborne would like to table this item until the August meeting. Barry agrees there are legitimate questions that need legal advice. Commissioner Osborne recommended city staff meet with the property owners of both properties to further discuss the ordinance. Commissioner Pitts is concerned about Section 2 the general repealer and requested further clarification.

Commissioner Pitts moved to table Cobblestone Resort Short Term Rental Conditional Use Permit at 1923 E Canyon Drive, Parcel (13-184-0030) to address legal concerns and questions concerning which ordinances are being impacted. Commissioner Johnson seconded the motion. Commissioners Osborne, Johnson, and Pitts voted aye. Commissioner Walton voted no. The motion carried 3 to 1.

Commissioner Walton moved to open the public hearing. Commissioner Pitts seconded the motion. Commissioners Osborne, Johnson, Pitts, and Walton voted aye. The motion carried.

******* PUBLIC HEARING *******

Public Hearing and Action on Adam Braithwaite Short Term Rental Conditional Use Permit at 1936 E Cedar Bench Drive, Parcel (13-165-0050): The proposed use for this property is a short-term rental. The total acreage is .29. The hours of operation are 24 hours Sunday through Saturday. There are 5 bedrooms and 9 parking stalls. There are 7 smoke detectors, 2 carbon monoxide detectors, and 2 fire extinguishers.

Chris Tremea, South Weber City Code Enforcer, has inspected the home and based on the current and completed available rooms there are:

1. 3 rooms with 3 queen beds upstairs = 6
2. 2 rooms with 3 queen beds downstairs = 6

The occupancy is 12 and 5 vehicles based on five completed bedrooms. There are 5 total off-street parking stalls.

Commissioner Osborne asked if there was any public comment.

Albert Andrews, 1972 Cedar Bench Drive, said parking has been a problem with this short-term rental. He said this has been a problem for school kids. He said there are bus stops in the areas.

Karolee Jesser, 1977 Deer Run Drive, is concerned about the bus stop. She has walked by this short-term rental several times. She has seen vehicles with out of state license plates. She said when the owner doesn't live there, there is no accountability. She feels the public should have a voice as to whether this is allowed in their neighborhood. She objects to any short-term rentals in South Weber, but specifically this one that is a block and a half from her home.

Tammy Long, 2178 E. Deer Run Drive, stated she would like the Planning Commission to request the City Council discuss short term rentals with the state ombudsman.

Commissioner Johnson moved to close the public hearing. Commissioner Pitts seconded the motion. Commissioners Osborne, Johnson, Pitts, and Walton voted aye. The motion carried.

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

Carol Braithwaite, 1936 Cedar Bench Dr., explained her son Adam owns the property, and has been deployed. He has met with Chris Tremea. She reported the smoke detectors were installed in the bedrooms. She said it is listed as a duplex because her son's items are stored in part of the home. She is currently working on the parking issues. She is trying to support her son, as he wants to come home to this house. She described how they have tried to rent the home and it didn't work.

Commissioner Walton is concerned about tabling because there is an ordinance in front of the Planning Commission. Chris Tremea stated the City Attorney was penned by him. He was involved in every one of those staff meetings. Barry said there are still questions the Planning Commission needs to get more information on and questions answered.

Commissioner Pitts moved to table Adam Braithwaite Short Term Rental Conditional Use Permit at 1936 E Cedar Bench Drive, Parcel (13-165-0050). Commissioner Johnson seconded the motion. Commissioners Osborne, Johnson, and Pitts, voted aye. Commissioner Walton voted no. The motion carried 3 to 1.

General Plan Update: Barry Burton, City Planner, discussed the gravel pits. He has redrafted this and the potential hazards are mainly due to dust. He understands the city has been working

with the gravel pit owners concerning fugitive dust. He reported both gravel pits recycle concrete and asphalt. He then discussed the noise zones from Hill Air Force Base (HAFB). He has seen the preliminary results of the air installation compatible use zone. He said the modeling that the city has seen is considerably less impactful on the city, because the modeling has change. He said he knows there is an impact on the city and the planning in the last four years is based on that. He explained there are state easements that have been purchased. He acknowledges the easements in the general plan. He recommends the city utilize the existing plan that will protect against the future of increased noise and it also protects HAFB. He said Commissioner Walton has information on the easements that will be charted. Barry will be working on the HAFB contamination areas next. He said there will be an interactive map on-line in which individuals can make comments. Commissioner Walton pointed out the Utah Division of Air Quality has resources on pollutants from gravel pits. Also, he talked about the joint land use study coming up. He said the timing of this might be difficult, but he would still like to make reference to that to make that a discussion point. Barry said we can add a comment that we know that a land use study is coming.

PUBLIC COMMENTS: Concerning The Lofts at Deer Run (Mixed Use) Subdivision at approximately 7870 S 2700 E. 3.29 acres on 7 Parcels:

Linda Marvel, 8087 S. 2700 E., is concerned about the changing of the master plan. She is concerned about high density housing. She declared most people like the way South Weber City is. She doesn't want apartments or a lot of condominiums. She is concerned about the impact on the schools, etc. She doesn't understand why the city would do this.

Tammy Long, 2178 E. Deer Run Drive, has a problem with the proposed condominiums on the frontage road (2700 East). She feels the developer misrepresented their plan and told the city they were going to put in a day care. She suggested there should be a dedicated turning lane because of the increased traffic. She is also concerned about the impact this development will have on the city's sewer.

Michael Grant, 2622 Deer Run Drive, referred to the Planning Commission meeting held on 10 August 2017 when the property at 7870 S. 2700 E. was rezoned from Commercial Zone (C) to Commercial Overlay Zone (C-O) by applicant Laurie Gale. He attended that meeting. He then read from the minutes of 10 August 2017 concerning what took place. He is concerned that the property being high density.

Paul Sturm 2527 Deer Run Drive questioned how much additional income the city will receive from the proposed high-density development on 2700 East. He is concerned about property values decreasing. He is also concerned about parking.

A person in the audience asked if the property is sold. Barry Burton said there is a developer interested in the property. Another person in the audience asked if it is a done deal. It was stated there has been no approval for any development, but a rezone has been approved. Barry explained the status of the property on 2700 East and said there has been a development agreement that has been approved and that agreement establishes parameters that the developer will abide by if they do go ahead with the development. He said five years ago, when the general plan was adopted, the commercial overlay zone was designated an appropriate zone for that property. He said then two years ago the property was rezoned from Commercial Zone (C) to Commercial Overlay Zone (C-O) by applicant Laurie Gale. He said once something is rezoned you must accept everything allowed in that zone. He has always understood there would be a residential component to that property since the rezone. He said the developer is in compliance with the zone regulations, and as long as they can comply, we can't stop them from developing.

A resident in the audience wanted to know who rezoned this and where it started. Another resident asked if this makes sense that it was a good idea. Another resident said when the property is changed to the commercial the value for the property goes up. Various residents began speaking at the same time. Someone asked about the additional traffic. Someone else mentioned the impact will have on the schools.

Nicole Johnson, 2678 E. 8150 S., bought her home in South Weber City to be safe. She feels when this happens, she is not going to be safe. She purchased her home because there is a sense of community. She understands people are busy with life but how hard is it for the city to make the public aware by putting something on the water bill. She feels there is a lack of communication in the community.

Commissioner Osborne explained that those in attendance need to understand what this body represents. A resident in the audience said they feel the developer misrepresented themselves. Commissioner Osborne reminded those in attendance that if they have issues with the laws and the ordinances, they need to be talking to the City Councilmembers and Mayor. He explained they are the ones who enact the laws and the Planning Commission follows them.

A resident in the audience asked if the Planning Commission can pass along that the residents don't want high density and retail. Commissioner Osborne said he welcomes the retail because he doesn't want to pay for the taxes. He explained that is why there is zoning so that it can be put in a spot that doesn't impact us. A resident stated it does impact us.

Jean Jenkins, 2065 Cedar Bench Drive, explained when she moved to South Weber City, the city required beautiful homes. She would like to know what happened to the rules in South Weber City. She is concerned about the how this type of development will impact the city.

Corey Macintosh, 2010 Deer Run Drive, is concerned about the impact this type of development will have on the city. He feels this is wrong on so many levels. He is concerned about snow removal and safety concerns.

PLANNING COMMISSION ITEMS:

Commissioner Walton: He stated the general plan is our plan. He said it is frustrating because when we sit in these meetings, we don't always have people telling us what their vision for South Weber is. He encouraged individuals to attend the meetings. He suggested looking at the cost of low density to high density for cities, and why South Weber would want to pursue commercial opportunities.

Commissioner Johnson: He reminded those in attendance that they need to give their input on the general plan. He said it is up to residents to research and give their input. He said commercial development reduces the cost to the city verses residential.

Commissioner Pitts: She attended the meetings six years ago at which time she decided to become involved. She recommended citizens get involved. She said there is information out there.

Commissioner Osborne: He read an email from Yvette Tate concerning the proposed high-density development on the frontage road. (SEE ATTACHED) He stated if you really do feel opposition for high density, then he recommended individuals attend the meeting. He said we also must respect property owner's rights.

ADJOURNED: Commissioner Pitts moved to adjourn the Planning Commission meeting at 9:56 p.m. Commissioner Johnson seconded the motion. Commissioners Osborne, Johnson, Pitts, and Walton voted yes. The motion carried.

APPROVED: _____ **Date**

Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: Development Coordinator: Kimberli Guill

July 11, 2019, South Weber City Planning Commission Meeting

Bridgette Hadlock

7297 South 1950 E.

My home is directly behind the rental property so that the entire fence line borders the back yard including the pool area. There is a see through, chain link fence that separates the properties with no trees or bushes to block the view. My 3 minor children play in the yard but not as much lately because of the strangers that are constantly in the rental yard. I am concerned for their safety and feel like I have no privacy when back there whatsoever. I contacted a fence company to see about putting slats in the chain link and was told it would cost me about \$2000 for then entire length of my side yard for just the slats. They also told me that for it to be strong enough I would need to install more poles between each pole to keep it from blowing over from the wind. At that point I just decided not to pursue it further knowing I couldn't afford it.

The hot tub for the rental is just outside the back porch sliding glass door of the rental in view if I step out on my ^{upper} back porch and turn to the north. The night of May 28th there was a baseball team staying at the rental and apparently the coaches and chaperones had retired for the night because the kids were out there hot tubbing past midnight. I video recorded them and texted it to my neighbor, Sandra Layland, at 11:40 am. Her two daughter's bedrooms are on the street side across from my front yard and they were kept awake as well. Their front yard view is my house and the whole back yard of the rental including the pool. At 11:57 I messaged Chris Tremea and said, "They sure are making a lot of noise over there". I did not get a response back. Then Sandra texted me back at 12:26 am and she told me the police have been notified. Shortly after that the noise stopped. I really wasn't surprised by this because what would anyone expect when you see a whole baseball team filing out of a Charter bus that had pulled up in the driveway earlier that day? I have the noise video recorded and a picture of the charter bus. This isn't the only time a whole sports team has stayed there. There have been other noise violations as well.

This Short Term Rental situation is very disturbing to me as a mother and I'm so concerned for the safety of my children. There is a fear of the unknown. These are often large crowds that stay at the property.

Just a week or so ago there was a group of about 12 to 15 young men staying there for a weekend. Their activities were not out of line. They used the facilities and played basketball, however, it is very unnerving for me to know that on any given day a large number of men who are strangers can be over there and it's just me and/or my 4 kids right next door. Our properties are one acre lots and there are not a lot of eyes outside keeping tabs on things as would be if the lots were smaller and the houses were closer together. That is not a good ratio if someone has ill intentions. It only takes one. Sadly, child and sexual predators are very prevalent in our society today. Stranger Danger is very real and right next to us on any day there are people staying there, which is most days of the month. Many of us women in the neighborhood are not comfortable or feel safe when we are at home alone and there are strangers there.

The photoshoot incident that we suspect involved the owner or manager of the property has really upset all of us. This is the incident as recorded by police that occurred the morning of Saturday June 15th as witnessed by another neighbor.

I know all my neighbors surrounding this property are so disheartened that ^{it} ~~this property~~ has entered our once quiet and safe neighborhood. We are left the job of monitoring and reporting violations. This rental that is basically a resort, regardless of city definitions, is a business that is earning income. Our subdivision is not zoned for commercial or businesses. We strongly oppose the Short Term Rental conditional use permit ^{being} granted to the owner of the 1923 Canyon Road Rental.

In closing I would ask you to imagine my family's position as we were one of the first ones to build in the Pleasant Valley Park Subdivision in 1997. We moved into our new home March of 1998. It is so upsetting and hard to comprehend that there seems to be no protection for those of us who are basically homesteaders for over 20 years, done our best to follow all land use and zoning laws and have planned on being here for the rest of our lives.

I would like to submit my statement for public record. Thank you.

South Weber City Planning Commission meeting, July 11, 2019

Sandra Layland

7294 S 1950 E

Received July 11
2019

Regarding the 1923 Canyon Road Rental, I would like to include in this statement an incident that was told to me by my neighbor, Hilary Bench, about a photo shoot that happened there last month on Saturday June 15th in which she was a witness as she turned the corner to her house in her car. She witnessed a guy taking pictures of a topless girl with a tiny red thong on by the swimming pool. There were blue heavy tarps up to try and block the view but as she turned the corner she saw everything enough to identify the mentioned tiny red thong. The police were called along with the code enforcement officer Chris Tremea, but they took off before the police arrived. In the meantime, new guests had arrived, who were questioned by police. They were so concerned that they walked over to Hilary when she was getting her mail and asked if she thought it was safe to stay there. They have said the downstairs basement door was left open (perhaps the police did some investigating and found it open) and there was food laying around and looked like someone had been staying there. The week prior, Hilary noticed the Owner and her son the manager, walking around the pool with 2 other people holding up what appeared to be table cloths along the fence in different positions as if to see where they would block views. So this was not a violation by the Airbnb guests but by the owners themselves, bringing porno into our neighborhood. In the backyard that borders a home with 3 minor children. The home across the front of the Airbnb has 4 minor children. That is so unbelievably disturbing. Hilary Bench is out of town at girls camp so could not be here we should all be out doing something fun on Thursday night rather than having to go to yet another meeting about this STRs.

In regard to the photo shoot incident, I would like to read a review that I found yesterday from a guest named Manuel on of the Canyon Road Airbnb's guests. I realize that this may not be able to be used as proof in enforcing the law but this is not a court, it is an information exchange platform:

See attached exhibit A

Why would the persons phone you are trying contact to be left and ringing inside the home? And then no communication the whole weekend? Why?

One of my biggest concerns for our community as a whole, that I have mentioned to the councils in previous meetings, and since first discovering the hotel across the street, in which I recall my first "gut" realization was envisioning a future, if this rental was that if we do not regulate the owner occupancy then what is to stop outside of town investors buying up more and more homes for sale.

All one has to do is google it to see how the STR issue is affecting not just our country but all across the globe. Many cities have banned them all together. I believe Paris, and New York have and I know I have read articles about a 3 year battle between the city and community members in California and they have adopted strict regulations. There are battles in North Carolina, Florida, Indiana, you name it. STRs are invading once private, peaceful and safe feeling neighborhoods and creating housing shortages in communities. You can probably find a new article about it everyday.

One fact stated is that it's much more lucrative to rent short term than long term, Although the owners of the Airbnb do have the option to stop renting Short Term and to house long term renters, or possibly live there themselves we the neighbors are left with no recourse. So do we decide to move since our Pleasant Valley Park Subdivision isn't so "pleasant" anymore. If we do decide to sell, who is going to want to buy our properties next to a large resort type property? The values of our properties could easily take hit. The prospect is very discouraging.

Airbnb has perpetrated an avenue for STR's to come in under the radar. That's what happened to South Weber last fall and we all understand why the city has passed an ordinance. In that meeting we told that the STR ordinance could be revisited in the future and amended. We are waiting for that to happen.

Airbnb has so much money and as I've read different articles have discovered they have hired HUGE groups, some over 100 people, that go into states to lobby the politicians and city councils. I'm not positive but perhaps in the name of "it's my property so I should be able to do what I want with it.

I do believe in the rights of individuals in regard to their property to get out from under landlords and own their own property. Land use and zoning laws were established over time in our country to protect these properties sit that homeowners could "settle" in a neighborhood where their families would be in a safe space away from commercial, highly transient areas unless they chose to do so (or perhaps sadly had no other choice). There are those of us who have worked hard and obtained a wonderful home in a wonderful neighborhood where we perhaps would love to live out the rest of our days.

We need to research the State regulation that is referred to in the new Ordinance that refers to Sanitation. This is code is in reference Hotels and public housing facilities. Is this property a public housing facility? What parts of the code does the owner have to abide by? Why is this code even referenced? The same goes for the public pools regulation that is part of this state code. It refers to public pools. Is this property's pool considered private due to the definition of what a "family" unit is? Regardless of definitions, there are different people people using this pool all month long. What code is supposed to be followed?

<https://www.utah.gov/pmn/files/421829.pdf>

In 2017, Utah Senator Stuart Adams and Rep. John Knotwell sponsored a bill, HB0235 that was passed which basically protects Short Term Rental owners making it impossible, as I understand it, for anyone to use information they obtain in the ads to enforce the law. I have to research more to fully understand why.

One thing I do know is that Sen. Stuart Adams is a longtime resident of Layton, I may have even voted for him back when I lived there. He owns a lot of property so he should know the ins and outs of land use. How could he not foresee what a law like this does in tying the hands of property owners, I've wondered if it is not a conflict of interest to vote on laws regarding this issue if you yourself own income property? Wouldn't this apply to our city commission and council members as well if they own rental properties? Would voting at these meetings not be a conflict of interest? I'm not sure since this isn't my line of expertise and I have no idea if any city officials own income property but it has crossed my mind.

So now, since this State law has been passed, if a STR owner wants to turn a home into an upper and lower (multi family) rental in a single family dwelling only zone, we cannot use their ad (in which it is advertised as such) to show in court or enforce the law. How is that not blatantly one sided in property rights protection and law enforcement.

So I guess since we seem to be saying the same things over and over to the commission and council, We would like to ask, who is protecting the rights of those of us who have lived here for a long time? I can see that this issue needs to be lobbied and changed at the state level.

Here is the link to Utah HB0235:

<https://le.utah.gov/~2017/bills/static/HB0253.html>

Since the Airbnb trade came out over a decade ago, the bigger cities have now banned or heavily regulated them. New York City has banned them. LA and other California counties are facing housing shortages as well. Citizens in neighborhoods are fed up. A 3 year battle between citizens in California and the city to get this issue under control has just been decided and they have cracked down with heavy regulations. As more regulations are adopted in other cities along the Wasatch front that make it harder for the investor type STR owners, then isn't it logical that they would seek out communities with less stringent regulations such as a South Weber? Just look across the street from me.

If we here in South Weber don't speak up now and help the city hear our pleas and protect the "homesteaders", those who wanted to settle here in safe quiet neighborhoods, who believed that land use and zoning laws would protect them, then I fear our blessed community will eventually be facing battles with the potential to create division and hostility among us.

On a personal level, I will share that each time I go out my front door I see the whole backyard of the Airbnb. Sometimes strangers gawk at me or my daughters. Sometimes I don't know if anyone is watching me through the numerous windows on the back of the house. If I knew them it wouldn't matter to me. A few weeks ago there was a group of 12+ young adult age men. I have a picture of them playing basketball and by the way I HATE that I have no choice other than to stalk innocent people. They did no harm and were innocent enough but the thought always crosses my mind that there are not a lot of eyes in this neighborhood since we are a low density subdivision. Often there may be only one woman and/or also just a few kids at home next to this property at any given time. It is unnerving that the group numbers often outnumber those of us who reside here in the homes surrounding it. This group of men posed no problem. But as we all know, it only takes one crazy, nefarious, unobvious creep to ruin lives as we have recently witnessed in the crime that occurred in North Salt Lake. That guy, on the outside, appeared to be harmless but was underneath a COLD BLOODED KILLER.

It makes my heart hurt when I think how I would never have imagined to be dealing with an issue like this because I believed I was protected by land use and zoning laws. I NEVER imagined I would wake up to find that I was living across the street from a hotel.

For the record, I officially object to the Short Term Rental Conditional use permit being issued to the owners of the property.

I am submitting this statement to be included in the record. Thank you.

Exhibit A - Sandra Layland statement Review on 1923 Canyon Road Ad.

Overview · Reviews · The Host · Location · Policies

Share Save



Manuel
June 2019

NOT A SUPER-HOST!! **We never received any sort of communication from Dustin our entire stay.** Upon arrival there was people taking professional photos at the pool who claimed to know Dustin, they were quick to leave and said all the doors to the house were opened. A few minutes after they left the police showed up informing us of complaints of people being topless at the pool. We tried calling Dustin a couple times and found his phone inside the house. There was nothing that had emergency contact information or instructions for the house. There were rooms without fire detectors, a collapsing closet door in the hallway, the pool was a bit green, the hot tub full of dirt, and no lock on the basement door that is separately rented. The only reassurance we got that this place was safe was from speaking to a neighbor who assured we would be ok and offered help if needed. The house was organized and clean for our stay, heated pool, amenities worked fine, and other than a stressful arrival we had a good time.



Susan
October 2018

What a beautiful home! Tons of extras and great touches. Plenty of room for our crowd. Home was close to the freeway and Lagoon. While we only stayed one



\$160 per night
★★★★★ 53

Dates

Check-in → Checkout

Guests

1 guest

Book

You won't be charged yet

This place is getting a lot of attention. It's been viewed 277 times in the past week. **Tons a ton of looks!**



Report this listing

transitive language - A fidinxi
A hooi noyoo epi no uioos

—



—

is

—



not a part
of force!



Hi, I'm Manuel

Joined in 2018

Hola!

2 reviews

Verified

Manuel provided

- Government ID
- Email address
- Phone number

Lives in Salt Lake City, UT

Speaks English, Español, Italiano

Work: Work

2 reviews

June 2019

Nice people left everything in good order and followed the rules.



Dustin, Salt Lake City, UT

Joined in 2018 · Report

6/10/20

10/10/20

10/10/20

10/10/20



Tisha

January 2019

Dustin was a great host, very accommodating! Our boys basketball team had an amazing time being able to stay together. They really enjoyed it! Thank you!



Shantel

April 2019

This place was perfect for our SpringBreak getaway. Plenty of room and tons of games for the kids to enjoy. Pool and hottub were great to have available to us even though we were sharing with renters from the basement there was never any issues with sharing and space to use them. **We were concerned about noise, but were happy that you couldn't hear much going on downstairs.** We are already planning our next stay here!



Manuel

June 2019

NOT A SUPER-HOST!! We never received any sort of communication from Dustin our entire stay. Upon arrival there was people taking professional photos at the pool who claimed to know Dustin, they were quick to leave and said all the doors to the house were opened. A few minutes after they left the police showed up informing us of complaints of people being topless at the pool. We tried calling Dustin a couple times and found his phone inside the house. There was nothing that had emergency contact information or instructions for the house. There were rooms without fire detectors, a collapsing closet door in the hallway, the pool was a bit green, the hot tub full of dirt, and no lock on the basement door that is separately rented. The only reassurance we got that this place was safe was from speaking to a neighbor who assured we would be ok and offered help if needed. The house was organized and clean for our stay, heated pool, amenities worked fine, and other than a stressful arrival we had a good time.

Single Family Dwelling



1901

...the use of a great deal of ...
...the use of a great deal of ...



1902

The ...
...the use of a great deal of ...
...the use of a great deal of ...

*Single
Foot
Bill*



1903

...the use of a great deal of ...
...the use of a great deal of ...
...the use of a great deal of ...



Jenny

June 2019

I booked this home for an end of school bring on summer party for a group of teenage boys it was a HUGE hit! The house is perfect for gatherings such as this. There is SO much to do the playstation VR was a huge hit and there is a lot to do they never got bored. The way the house is set up its great for people wanting to hang out together, not so much if you want your own private space though. The house was clean plenty of towels and it was very well stocked. They even left some candy for the guests. The pool area is great and also very well stocked it has goggles, pool noodles, floats etc.. and lots of chairs. My only complaint was the slide was not working, and the pool was recovering from some Algae problems. Dustin was trying to correct this for future guests. Just a bummer for us. The boys loved the basketball court too. The location is nice the mountains are beautiful. The neighbors are not super close. If you want it to be private I would for sure rent the basement though! They were doing construction on the basement when we were there and the host was there almost the whole time along with other construction workers.. it was kinda weird to share the space (I was hesitant about this when I booked but decided to try it. Dustins listing is upfront about this.) **I would not rent only the top again though because...** First I had teenagers and I don't know how I would have kept them quiet enough for the guests below, with all the stuff to do in the house. Second they were little freaked out by all the random people there. Third you all enter through the garage so you see each other a lot because that is how you get to the pool etc... So just book the whole house is my advice if you want privacy. otherwise its more like being at hotels as far as sharing. Overall we were very happy and it met our needs pay attention to the amount of guests, the price changes over 5. I had not seen that when I booked on my phone thankfully Dustin was able to work with me. Great Property thanks!

Kathryn HANSEN

Chapter 1

GENERAL PROVISIONS

10.1.10 Definitions:

HOTEL: A building designed or occupied as the more or less temporary abiding place of fifteen (15) or more individuals who are, for compensation, lodged with or without meals.

Hotels (transient lodging) are only allowed in COMMERCIAL RECREATION ZONE (C-R) and HIGHWAY-COMMERCIAL ZONE (C-H)

Cobblestone Resort is zoned agricultural and claims to lodge "16+ guests".

Kim Guill

Please READ IN meetings

From: David J. Larson
Sent: Thursday, July 11, 2019 5:24 PM
To: Kim Guill
Subject: Fwd: Opposition to High Density Development on South Weber Frontage Road

From: Yvette Tate <bnytates@yahoo.com>
Sent: Tuesday, July 9, 2019 4:29:27 PM
To: David J. Larson
Subject: Opposition to High Density Development on South Weber Frontage Road

This email serves to voice my Opposition to the Proposed High-Density Development on the South Weber Frontage Road just above where i live on Deer Run Dr. We've lived here almost 15 years which is both less than some but many more years than most and I think all would say that they were drawn to this Community for the small bedroom/semi-rural community feel that South Weber has always offered. Since moving in however we've seen our South Weber City Water/Waste bill go from the \$60s to almost \$130. If there were some perceived or real benefit gained for each of us with all the new housing development that's been going on, that would be one thing. I would assume that with the costs of these utilities and roads and snow removal that these costs would not dramatically increase but would be more easily burdened by the residents as the cost is spread out over a wider base but this has not proven to be the case.

We don't need a squeeze in townhomes and condos or apartments into every square inch of our Beautiful City especially when we are not seeing a realized benefit as the taxpayer. We could probably accept another 55+ Community but 75, 65, 55, 45, 35, or even 25 Townhomes isn't the answer.

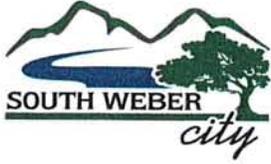
The Townhomes for that matter at the top of the Frontage Road aren't even all that "Affordable" as we've already recently spoken with a Single Mother living there that recently commented that just since moving in 2 years ago, her HOA is going up and that her City Water/Waste bill has almost doubled so she is now looking to move out.

Due to being out of town this Thursday night, we're sending this email and wish for it to be read into the record of the meeting that night to be heard and counted with all the other voices present.

Regards,

Brandon and Yvette Tate
2558 Deer Run Dr

Private info Redacted



APPLICATION PROCESS: Please submit all requested items and answer all questions as completely as possible, omissions may delay processing. If there are any questions, contact the City Office at (801) 479-3177.

me ✓

Application with fees (fees listed on Conditional Use Application) (cash or check)

me ✓

Copy of the recorded plat showing subject property (clearly marked) and all properties within 300 feet (front, back and sides). This information is available at the Davis County Recorder's Office.

me ✓

One set of labels with names and mailing addresses of all property owners within 300 feet of the outer boundary of subject property. Including "Or current resident" is recommended. Names are available at Davis County Assessor's Office. Allow 2 days for processing. The Assessor can also provide the labels for an additional fee.

me ✓

A list of the above names and addresses.

✓

Register Business with the State of Utah (provide # on Business License Application)

✓

Obtain a Utah State Sales Tax Id Number (provide # on Business License Application)

me ✓

Completed South Weber City Business License Application (License will be issued after Conditional Use Permit is granted).

Agree to ensure that no more than one short-term or vacation rental agreement per Dwelling unit is in use at any one time.

Office Use Only CU: _____

Max Occupancy: _____ Approved or Denied (circle one) Date: _____

Fire Inspection Completion Date: _____ Approved or Denied (circle one)

[Conditional Use Fee: \$200] [Business License Fee: \$50] [Fire Inspection Fee: \$40] 7/22/19

Total Fee: \$290 Receipt# 10.026354 Date Paid: 7/16/19 10am

Short Term Rental Conditional Use Application

Property Owner: Misti & Francisco Lopez Owner Email: ciscoandmisti@gmail.com

Full Mailing Address: 1191 E. Canyon Drive

Daytime Phone: 801-528-2655 Nighttime Phone: 801-528-2655

Property Address: 1191 E. Canyon Drive

Is Property to be Owner Occupied: NO {If "NO" fill out Local Responsible Party Lines Below}

Local Responsible Party: Misti Lopez Local Party Email: ciscoandmisti@gmail.com

Local Responsible Party Mailing Address: 1191 E. Canyon Drive South Weber, UT 84405

Local Party Daytime Phone: 801-528-2655 Nighttime Phone: 801-528-2655

Proposed Use: Short Term Rental Parcel Number(s): ~~13~~ 13-2970-119

Total Acres: .33 Current Zone: _____ Surrounding Land Uses: Residential/Business

Business Name (if applicable): Lopez Retreat

Anticipated # of Employees: 0 Anticipated # of Customers (Daily): 15-20

Hours of Operation: 24 hrs. Days of Operation: Summer/holidays

of Bedrooms: 6 # of Parking Stalls: 7 ^{Plus} Street # of Smoke Detectors: 11

of Carbon Monoxide Detectors: 11 # of Fire Extinguishers: 3

To be completed and signed by Applicant

APPLICANT AFFIDAVIT

State of Utah)
County of _____)

I (We) Misti Lopez, being duly sworn, depose and say I (we) am (are) the sole owner(s)/
Property Owner(s) or Agent
agent of the owner(s), of the property involved in this application, to wit, _____,
Property Address

South Weber, Utah, and that the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly and to the best of my ability, present the argument in behalf of the application. Also, all statements and information are in all respects true and correct, to the best of my knowledge and belief; and in consideration of obtaining this permit, I have read and agree to all conditions set forth in Title 3, Business & License Regulations, of the South Weber City Code.

Dated this _____ day of _____, _____.

Signed: Misty Lopez Applicant (Property Owner or Agent) _____ Applicant (Property Owner or Agent)

Subscribed and Sworn before me this 12 day of July, 2019.



Notary Public: Kimberli Guill

To be completed and signed by Property Owner if not Applicant

AGENT AUTHORIZATION

State of Utah)
County of _____)

I (We) _____, the sole owner(s) of the real property located at
Property Owner(s)
_____, South Weber City, Utah, do hereby appoint _____,
Property Address

as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and to appear on my (our) behalf before any city boards considering this application.

Dated this _____ day of _____, _____.

Signed: _____ Property Owner _____ Property Owner

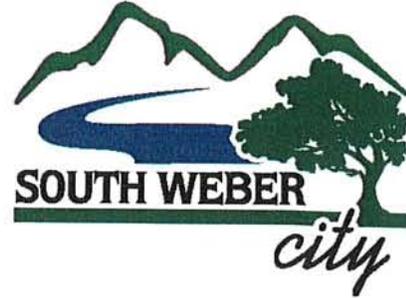
Subscribed and Sworn before me this _____ day of _____, 20____.

Notary Public: _____

NOTE: If a secondary agent authorization is needed, such as an apartment manager, two agent authorizations will be required. You may copy this page for this purpose or obtain another form at the City office.

For Office Use Only

Application/License #: _____
 Approved By: _____ Date: _____
 License Fee: \$ 50 Receipt #: 10.026354
 Fire Inspection Fee: \$ 40 Receipt #: 11
 Initial Fire Inspection: _____ Next: Annually
 PC Meeting Date: 8/8/19
 Conditional Use Permit Approval Date: _____



SHORT TERM RENTAL BUSINESS LICENSE APPLICATION

Applicant

Name: Misti Lopez
 Mailing Address: 1191 E. Canyon Drive
 City/State/Zip: South Weber, UT 84405
 Phone: 801-528-2655 Fax: _____
 Email: ciscoandmisti@gmail.com

Best Way/Preferred Method of Contact:

Email Phone Mail

Business

Name: Lopez Retreat
 Brief Description: VRBO Rental
 Owner's Name: Misti & Francisco Lopez
 State License #: ~~XXXXXXXXXX~~ Entity #: _____
 State Sales & Use Tax #: _____
 Federal ID#: ~~XXXXXXXXXX~~
 Address: 1191 E. Canyon Drive
 City/State/Zip: South Weber, Utah 84405
 Parcel #: 13-297-0119 Zone: Residential
 Phone: 801-528-2655 Fax: n/a
 Email: ciscoandmisti@gmail.com
 Emergency Contact: Francisco Lopez 385-264-5884
 Name Phone

Short Term/Vacation Rentals Only:

Square Footage of Business: 4300 Total Square Footage of Residence: 4300

Will this business include a part-time full-time (circle one) employee (other than applicant)? Yes No

➤ If yes, is the employee a bona fide resident of the dwelling? Yes No

➤ Number of hours part-time employee will work: _____

APPLICANT'S AFFIDAVIT

State of Utah)
County of Davis)

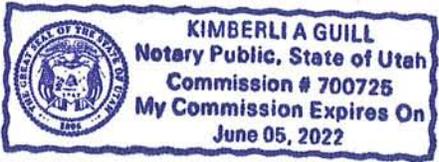
I, Misti Lopez, the sole owner or Authorized Agent of the Owner of the property involved in this application, swear the statements and answers contained herein, in the attached plans, and other exhibits, and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief. By signing below, I am agreeing to abide by ALL terms and conditions set forth in: **South Weber City Code Chapter 10.18 Enacting Regulations Pertaining to Short-Term or Vacation Rentals.**

I do also hereby give permission to South Weber City to place a city "public notice" sign on the property contained in this application for public notification of the conditional use application and to enter the property to conduct any inspections related to this application.

Date 7/19/19 Owner or Agent's Signature Misty Lopez

Subscribed and sworn to before me on 7/16/19

Notary Public Kimberli Guill



If someone will be acting on behalf of the owner, fill out the information below.

AGENT AUTHORIZATION

State of Utah)
County of _____)

I, _____, the sole owner(s) of the real property in this application hereby appoint _____ as my agent with regard to this application and authorize said agent to appear on my behalf before any city commission, board or council considering this application.

Date _____ Owner's Signature _____

Subscribed and sworn to before me on _____

Notary Public _____

Return to South Weber City with Application

ASSESSOR'S USE ONLY

DIST 47 ACCOUNT # 132970119 PARCEL 13-297-0119 AREA 007

DAVIS COUNTY ASSESSOR
NEW BUSINESS INFORMATION RECORD
PHONE (801)451-3249 FAX (801)451-3134

BUSINESS NAME: Lopez Retreat

MAILING ADDRESS 1191 E. Canyon Drive
South Weber, Utah 84405

BUSINESS LOCATION: 1191 E. Canyon Drive South Weber, Ut 84405

BUSINESS LICENSE #: 11179066-0160 NATURE OF BUSINESS: VRBO/short term rental

FEDERAL TAX ID # (NO SOCIAL SECURITY #): none needed it's an LLC

PHONE NUMBER: 801 528 2655 DATE OPENED: ~~2/20/19~~ 2/20/19

TYPE OF BUSINESS (CHECK ONE):

SOLE PROP. PARTNERSHIP CORPORATION L.L.C

STATE THE VALUE OF PERSONAL PROPERTY USED IN YOUR BUSINESS: \$ 500,000
(DO NOT INCLUDE INVENTORY FOR SALE)

OWNER OR REGISTERED AGENT: Francisco & Misti Lopez

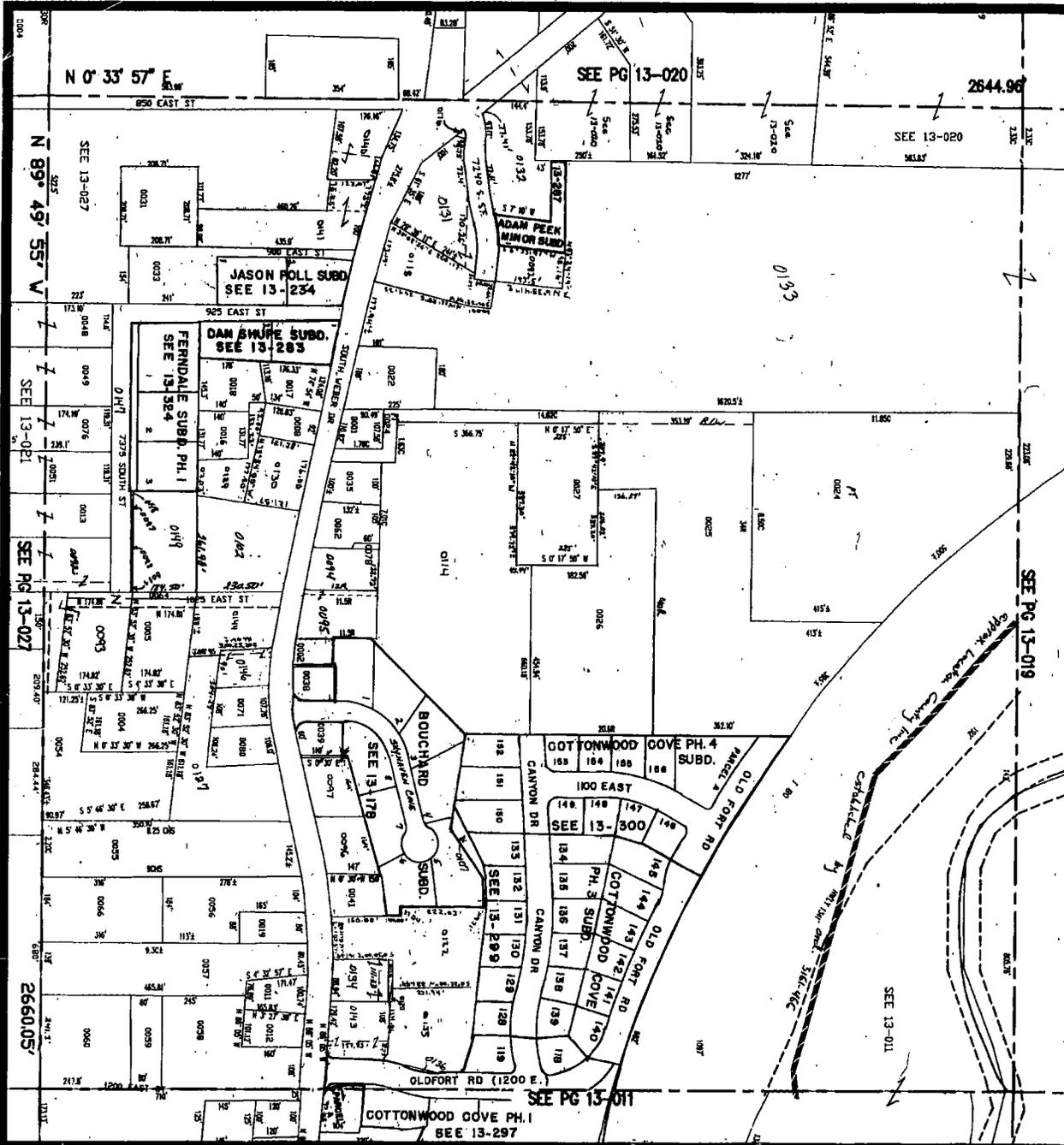
OWNER/AGENT ADDRESS: 1191 E. Canyon Drive
South Weber, Utah 84405

PLEASE RETURN THIS FORM WITHIN TEN DAYS TO:
DAVIS COUNTY ASSESSOR
PERSONAL PROPERTY DIVISION
P.O. BOX 618
FARMINGTON, UT 84025-0618

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13

021 1 of 2



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SE SECTION 28 T 5N R 1W SALT LAKE MERIDIAN
DAVIS COUNTY, UTAH - RECORDERS OFFICE

SCALE:
1" = 200'

PREFIX 17
13-021
Pg 1
LAST #

FIELDS, KIM AND LAYTON, BAYLEE
1206 EAST SOUTH WEBER DR
SOUTH WEBER, UT 84405

STARK, MARLENE--TRUSTEE
1230 EAST SOUTH WEBER DRIVE
SOUTH WEBER, UT 84405

COOPER, SHANE A & SARA S
1160 EAST SOUTH WEBER DR
SOUTH WEBER, UT 84405

BOUCHARD, REX D & VONDA -
TRUSTEES
1150 EAST SOUTH WEBER DR
SOUTH WEBER, UT 84405

CHOATE, NICOLE R
1180 EAST SOUTH WEBER DR
SOUTH WEBER, UT 84405

MOORE, DAVID R & MARY E - TRUSTEES
7258 SOUTH 1200 EAST
SOUTH WEBER, UT 84405

PACHECO, DANIEL J & CONYA J
7236 SOUTH OLD FORT RD
SOUTH WEBER, UT 84405

MORGAN, GEORGE A & MARIE
KATHLEEN
1213 EAST CANYON DR
SOUTH WEBER, UT 84405

TALBOT, SAMUEL C & JENNELYN L
1227 EAST CANYON DR
SOUTH WEBER, UT 84405

WENTWORT, CARISSA
1239 EAST CANYON RD
SOUTH WEBER, UT 84405

SALMON, SHAUN & CHERYL
7231 SOUTH 1250 EAST
SOUTH WEBER, UT 84405

WINN, RYAN EDWARD & KRYSTAL
ANNA
7243 SOUTH 1250 EAST
SOUTH WEBER, UT 84405

STOKES, PHILLIP B & NATALIE - ETAL
1236 EAST CANYON DR
SOUTH WEBER, UT 84405

FORD, SETH G & SARAH H
1224 EAST CANYON DR
SOUTH WEBER, UT 84405

HAFER, SPENCER D & JAN
7194 SOUTH OLD FORT ROAD
SOUTH WEBER, UT 84405

KONOPCZYNSKI, MICHAEL ROBERT AND
HENINGER, SHERENE
11 GATESHEAD RD
THE WOODLANDS, TX 77382

PARADISE, REGINA & BENJAMIN
7182 SOUTH OLD FORT RD
SOUTH WEBER, UT 84020

DENNIS, JUDY M & BEVERLY A
1192 EAST CANYON DR
SOUTH WEBER, UT 84405

LOPEZ, FRANCISCO J
1191 EAST CANYON DRIVE
SOUTH WEBER, UT 84405

LOUGHMILLER, JARED D AND
SCHROADER, ANGELA
1177 EAST CANYON DR
SOUTH WEBER, UT 84405

HERNANDEZ, TARA & ABRAM
1167 EAST CANYON DR
SOUTH WEBER, UT 84405

EAST, RUSSELL D & TAMMY J
1143 EAST CANYON DR
SOUTH WEBER, UT 84405

COLLINGS, JOHN D & MOLLY B
1144 EAST CANYON DRIVE
SOUTH WEBER, UT 84405

BROWN, KELSIE
1156 EAST CANYON DR
SOUTH WEBER, UT 84405



5160®

Easy Peel® Address Labels
Bend along line to expose Pop-up Edge®

Go to avery.com/templates !
Use Avery Template 5160

WILLIS, DIANE B
1168 EAST CANYON DR
SOUTH WEBER, UT 84405

MURTISHAW, MEGAN M & ADAM W
1178 EAST CANYON DR
SOUTH WEBER, UT 84405

JEROR, BRET
1181 EAST OLD FORT RD
SOUTH WEBER, UT 84405

PERKINS, ROBERT & LEOTA
1169 EAST OLD FORT RD
SOUTH WEBER, UT 84405

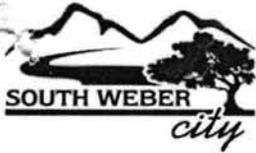
JONES, KAREN
1157 EAST OLD FORT RD
SOUTH WEBER, UT 84405

parceltaxi ownername

130110113 FIELDS, KIM AND LAYTON, BAYLEE
130110144 STARK, MARLENE--TRUSTEE
130110144 STARK, MARLENE--TRUSTEE
130210119 BOUCHARD, REX D & VONDA
130210120 BOUCHARD, REX D & VONDA
130210122 BOUCHARD, VONDA - TRUSTEE
130210134 COOPER, SHANE A & SARA S
130210135 BOUCHARD, REX D & VONDA - TRUSTEES
130210136 BOUCHARD, REX D & VONDA - TRUSTEES
130210143 CHOATE, NICOLE R
132970101 MOORE, DAVID R & MARY E - TRUSTEES
132970102 PACHECO, DANIEL J & CONYA J
132970103 MORGAN, GEORGE A & MARIE KATHLEEN
132970104 TALBOT, SAMUEL C & JENNELYN L
132970105 WENTWORT, CARISSA
132970106 SALMON, SHAUN & CHERYL
132970107 WINN, RYAN EDWARD & KRYSTAL ANNA
132970114 STOKES, PHILLIP B & NATALIE - ETAL
132970115 FORD, SETH G & SARAH H
132970116 HAFER, SPENCER D & JAN
132990130 KONOPCZYNSKI, MICHAEL ROBERT AND HENINGER, SHERENE
132970117 PARADISE, REGINA & BENJAMIN
132970118 DENNIS, JUDY M & BEVERLY A
132970119 LOPEZ, FRANCISCO J
132970120 FIELDS, KIM
132990128 LOUGHMILLER, JARED D AND SCHROADER, ANGELA
132990129 HERNANDEZ, TARA & ABRAM
132990131 EAST, RUSSELL D & TAMMY J
132990136 COLLINGS, JOHN D & MOLLY B
132990137 BROWN, KELSIE
132990138 WILLIS, DIANE B
132990139 MURTISHAW, MEGAN M & ADAM W
132990140 JEROR, BRET
132990141 PERKINS, ROBERT & LEOTA
132990142 JONES, KAREN

mailadd1

1206 EAST SOUTH WEBER DR
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7194 SOUTH OLD FORT ROAD
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7182 SOUTH OLD FORT RD
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1191 EAST CANYON DRIVE
1206 EAST SOUTH WEBER DR
1177 EAST CANYON DR
1167 EAST CANYON DR
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1144 EAST CANYON DRIVE
1156 EAST CANYON DR
1168 EAST CANYON DR
1178 EAST CANYON DR
1181 EAST OLD FORT RD
1169 EAST OLD FORT RD
1157 EAST OLD FORT RD



APPLICATION PROCESS: Please submit all requested items and answer all questions as completely as possible, omissions may delay processing. If there are any questions, contact the City Office at (801) 479-3177 *4:30*

Wm

Application with fees (fees listed on Conditional Use Application) (cash or check)

Wm

Copy of the recorded plat showing subject property (clearly marked) and all properties within 300 feet (front, back and sides). This information is available at the Davis County Recorder's Office.

Wm

One set of labels with names and mailing addresses of all property owners within 300 feet of the outer boundary of subject property. Including "Or current resident" is recommended. Names are available at Davis County Assessor's Office. Allow 2 days for processing. The Assessor can also provide the labels for an additional fee.

Wm

A list of the above names and addresses.

Wm

Register Business with the State of Utah (provide # on Business License Application)

Wm

Obtain a Utah State Sales Tax Id Number (provide # on Business License Application)

Wm

Completed South Weber City Business License Application (License will be issued after Conditional Use Permit is granted).

Wm

Agree to ensure that no more than one short-term or vacation rental agreement per Dwelling unit is in use at any one time.

19

Office Use Only

CU: _____

Max Occupancy: _____ Approved or Denied (circle one) Date: _____

Fire Inspection Completion Date: _____ Approved or Denied (circle one)

[Conditional Use Fee: \$200] [Business License Fee: \$50] [Fire Inspection Fee: \$40]

Total Fee: \$290 Receipt# 10.026073 Date Paid: 6/17/2019

Short Term Rental

Conditional Use Application

Property Owner: Wona Mei / Shiozaki ^{Dustin} Owner Email: Woloken@yahoo.com
 Full Mailing Address: 13606 S. 2200 W. Riverton, UT 84065
 Daytime Phone: 801-706-1225 Nighttime Phone: 801-706-1225
 Property Address: 1923 E. Canyon Dr. S. Weber, UT. 84405
 Is Property to be Owner Occupied: NO {If "NO" fill out Local Responsible Party Lines Below}
 Local Responsible Party: Wona Mei Local Party Email: Woloken@yahoo.com
 Local Responsible Party Mailing Address: 13606 S. 2200 W. Riverton, UT 84065
 Local Party Daytime Phone: 801-706-1225 Nighttime Phone: 801-706-1225
 Proposed Use: Short Term Rental Parcel Number(s): 13-184-0030
 Total Acres: 1.74 Current Zone: Residential Surrounding Land Uses: None
 Business Name (if applicable): Cobblestone Resort
 Anticipated # of Employees: 4 Anticipated # of Customers (Daily): it varies daily
 Hours of Operation: 40 hrs / wk Days of Operation: 7 days / wk
 # of Bedrooms: 4 # of Parking Stalls: 8 # of Smoke Detectors: 4
 # of Carbon Monoxide Detectors: 1 # of Fire Extinguishers: 1

APPLICANT'S AFFIDAVIT

State of Utah)
County of _____)

I, Won Ae Mier, the sole owner or Authorized Agent of the Owner of the property involved in this application, swear the statements and answers contained herein, in the attached plans, and other exhibits, and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief. By signing below, I am agreeing to abide by ALL terms and conditions set forth in: **South Weber City Code Chapter 10.18 Enacting Regulations Pertaining to Short-Term or Vacation Rentals.**

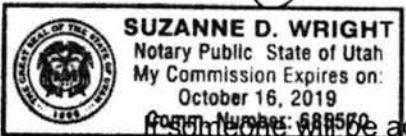
I do also hereby give permission to South Weber City to place a city "public notice" sign on the property contained in this application for public notification of the conditional use application and to enter the property to conduct any inspections related to this application.

Date 5/24/2019 Owner or Agent's Signature Won Ae Mier

Subscribed and sworn to before me on May 24, 2019 State of Utah

Notary Public Suzanne D. Wright

County of Davis
On this 24 day of May, 2019, Won Ae Mier personally appeared before me, who is personally known to me, whose identity I verified on the basis of Utah Driver License whose identity I verified on the oath/affirmation of _____ a credible witness, to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.
Suzanne D. Wright
Notary Public
My Commission Expires: 10-16-2019



If someone will be acting on behalf of the owner, fill out the information below.

AGENT AUTHORIZATION

State of Utah)
County of _____)

I, _____, the sole owner(s) of the real property in this application hereby appoint _____ as my agent with regard to this application and authorize said agent to appear on my behalf before any city commission, board or council considering this application.

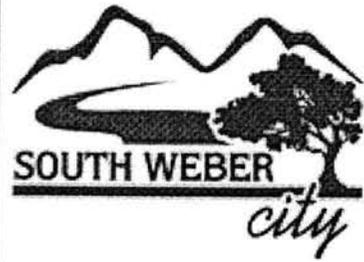
Date _____ Owner's Signature _____

Subscribed and sworn to before me on _____

Notary Public _____

For Office Use Only

Application/License #: _____
Approved By: _____ Date: _____
License Fee: \$ _____ Receipt #: _____
Fire Inspection Fee: \$ _____ Receipt #: _____
Initial Fire Inspection: _____ Next: Annually Every 3 years



BUSINESS LICENSE APPLICATION

Type of Business: (Check One)
 Home Occupation with Onsite Patrons/Employees
 Home Occupation without Onsite Patrons/Employees
 Construction
 Group Home
 Commercial
 Mobile
Temporary From: _____ To: _____
(Not to exceed 90 days)
 Occupation Not Expressly Identified
Alcoholic Beverage License Type: NA

Applicant

Name: Won Ae L. Mier
Mailing Address: 13606 S. 2200 W.
City/State/Zip: Riverton, UT 84065
Phone: _____
Email: woloken@yahoo.com

Best Way/Preferred Method of Contact:

Email Phone Fax Mail

Business

Name: Cobblestone Resort, LLC
Brief Description: We will be operating Airbnb out of our home
Owner's Name: Won Ae L. Mier
State License #: 83-1811200
Entity #: 10975492-0163
State Sales & Use Tax #: 20-8421151
Federal ID#: _____
Address: 1923 E. Canyon Dr.
City/State/Zip: S. Weber, UT 84405
Parcel #: 13-184-0030 Zone: _____
Phone: 801-706-1225 Fax: _____
Email: woloken@yahoo.com
Emergency Contact: Dustin Shozaki _____
Name Phone

Home Occupations Only:

Does this business require a Conditional Use Permit? Yes No If yes, date of approval: _____

Square Footage of Business: 3,000 Total Square Footage of Residence (if applicable): 3,000
home occupation cannot exceed 15% of residence. storage cannot exceed 50% of business

Will this business include a part-time employee (other than applicant)? Yes No

> If yes, is the employee a bona fide resident of the dwelling? Yes No
o If no, Planning Commission approval required

> Number of hours part-time employee will work: 10 hrs/week

Will a sign be used to advertise business? Yes No
(If yes, attach sketch showing design, size, and location of sign, see Ordinance 10-9-4B)

To be completed and signed by Applicant

APPLICANT AFFIDAVIT

State of Utah)
County of SLC)

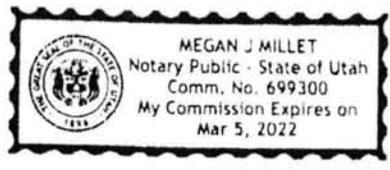
I (We) Won Ae Mar, being duly sworn, depose and say I (we) am (are) the sole owner(s)/
Property Owner(s) or Agent
agent of the owner(s), of the property involved in this application, to wit, 1923 E. Canyon Dr
Property Address S. Weber

South Weber, Utah, and that the statements and answers contained herein, in the attached plans, and other exhibits, 84405
thoroughly and to the best of my ability, present the argument in behalf of the application. Also, all statements and
information are in all respects true and correct, to the best of my knowledge and belief; and in consideration of obtaining
this permit, I have read and agree to all conditions set forth in Title 3, Business & License Regulations, of the South
Weber City Code.

Dated this 24th day of May, 2019.

Signed: Won Ae Mar Applicant (Property Owner or Agent) _____ Applicant (Property Owner or Agent)

Subscribed and Sworn before me this 24 day of May, 2019.



Notary Public: Megan J. Millet

To be completed and signed by Property Owner if not Applicant

AGENT AUTHORIZATION

State of Utah)
County of _____)

I (We) _____, the sole owner(s) of the real property located at
Property Owner(s)
_____, South Weber City, Utah, do hereby appoint _____,
Property Address

as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and to
appear on my (our) behalf before any city boards considering this application.

Dated this _____ day of _____, _____.

Signed: _____ Property Owner _____ Property Owner

Subscribed and Sworn before me this _____ day of _____, 20____.

Notary Public: _____

NOTE: If a secondary agent authorization is needed, such as an apartment manager, two agent authorizations will be required. You may copy this page for this purpose or obtain another form at the City office.

Return to South Weber City with Application

ASSESSOR'S USE ONLY

DIST _____ ACCOUNT # _____ PARCEL _____ AREA _____

DAVIS COUNTY ASSESSOR
NEW BUSINESS INFORMATION RECORD
PHONE (801)451-3249 FAX (801)451-3134

BUSINESS NAME: Cobblestone Resort, LLC

MAILING ADDRESS 1923 E. Canyon Dr,
S. Weber, UT 84405

BUSINESS LOCATION: 1923 E. Canyon Dr,

BUSINESS LICENSE #: 83-181200 NATURE OF BUSINESS: Hospitality

FEDERAL TAX ID # (NO SOCIAL SECURITY #): _____

PHONE NUMBER: 801-706-1225 DATE OPENED: 10/2018

TYPE OF BUSINESS (CHECK ONE):

_____ SOLE PROP. _____ PARTNERSHIP _____ CORPORATION L.L.C

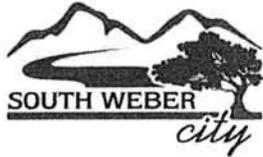
STATE THE VALUE OF PERSONAL PROPERTY USED IN YOUR BUSINESS: \$ 550,000
(DO NOT INCLUDE INVENTORY FOR SALE)

OWNER OR REGISTERED AGENT: WomAe Mier, Dustin Shirozaki

OWNER/AGENT ADDRESS: 13606 S. 2200 W,
Riverton, UT 84065

STAMP

PLEASE RETURN THIS FORM WITHIN TEN DAYS TO:
DAVIS COUNTY ASSESSOR
PERSONAL PROPERTY DIVISION
P.O. BOX 618
FARMINGTON, UT 84025-0618



APPLICATION PROCESS: Please submit all requested items and answer all questions as completely as possible, omissions may delay processing. If there are any questions, contact the City Office at (801) 479-3177.

- Application with fees (fees listed on Conditional Use Application) (cash or check)
- Copy of the recorded plat showing subject property (clearly marked) and all properties within 300 feet (front, back and sides). This information is available at the Davis County Recorder's Office.
- One set of labels with names and mailing addresses of all property owners within 300 feet of the outer boundary of subject property. Including "Or current resident" is recommended. Names are available at Davis County Assessor's Office. Allow 2 days for processing. The Assessor can also provide the labels for an additional fee.
- A list of the above names and addresses.
- Register Business with the State of Utah (provide # on Business License Application)
- Obtain ^{In progress} a Utah State Sales Tax Id Number (provide # on Business License Application)
- Completed South Weber City Business License Application (License will be issued after Conditional Use Permit is granted).
- Agree to ensure that no more than one short-term or vacation rental agreement per Dwelling unit is in use at any one time.

Office Use Only CU: _____
Max Occupancy: _____ Approved or Denied (circle one) Date: _____
Fire Inspection Completion Date: 6/10/2019 **Approved** or Denied (circle one)
[Conditional Use Fee: \$200] [Business License Fee: \$50] [Fire Inspection Fee: \$40]
Total Fee: \$290 Receipt# 13.084018 Date Paid: 6/5/2019

Short Term Rental Conditional Use Application

Property Owner: Adam Braithwaite Owner Email: adam.m.braithwaite.mil@mail
Full Mailing Address: 1936 Cedar Bench Dr. South Weber, UT 84405 ^{mil}
Daytime Phone: 801-898-9849 Nighttime Phone: Same
Property Address: Same as mailing
Is Property to be Owner Occupied: NO {If "NO" fill out Local Responsible Party Lines Below}
Local Responsible Party: Carol Braithwaite Local Party Email: Carol.Braithwaite@Hotmail.com
Local Responsible Party Mailing Address: 40 W 700 S #B payson, UT 84651
Local Party Daytime Phone: 801-623-9738 Nighttime Phone: Same
Proposed Use: Short Term Rental Parcel Number(s): 131650050
Total Acres: .29 Current Zone: _____ Surrounding Land Uses: Residential
Business Name (if applicable): sole proprietor / NA
Anticipated # of Employees: _____ Anticipated # of Customers (Daily): _____
Hours of Operation: 24 hrs Days of Operation: Sunday - Saturday
of Bedrooms: 5 # of Parking Stalls: 6 # of Smoke Detectors: 87
of Carbon Monoxide Detectors: 2 # of Fire Extinguishers: 2

APPLICANT'S AFFIDAVIT

State of Utah)
County of Davis)

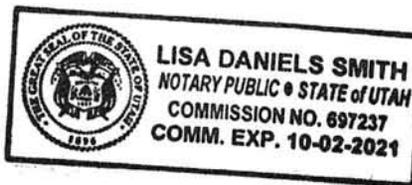
I, Adam Michael Braithwaite, the sole owner or Authorized Agent of the Owner of the property involved in this application, swear the statements and answers contained herein, in the attached plans, and other exhibits, and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief. By signing below, I am agreeing to abide by ALL terms and conditions set forth in: **South Weber City Code Chapter 10.18 Enacting Regulations Pertaining to Short-Term or Vacation Rentals.**

I do also hereby give permission to South Weber City to place a city "public notice" sign on the property contained in this application for public notification of the conditional use application and to enter the property to conduct any inspections related to this application.

Date 05 June 2019 Owner or Agent's Signature [Signature]

Subscribed and sworn to before me on 6/5/19

Notary Public [Signature]



If someone will be acting on behalf of the owner, fill out the information below.

AGENT AUTHORIZATION

State of Utah)
County of _____)

I, _____, the sole owner(s) of the real property in this application hereby appoint _____ as my agent with regard to this application and authorize said agent to appear on my behalf before any city commission, board or council considering this application.

Date _____ Owner's Signature _____

Subscribed and sworn to before me on _____

Notary Public _____

To be completed and signed by Applicant

APPLICANT AFFIDAVIT

State of Utah)
County of Davis)

I (We) Adam Braithwaite being duly sworn, depose and say I (we) am (are) the sole owner(s)/
Property Owner(s) or Agent
agent of the owner(s), of the property involved in this application, to wit, 1936 Cedar Bench Dr,
Property Address

South Weber, Utah, and that the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly and to the best of my ability, present the argument in behalf of the application. Also, all statements and information are in all respects true and correct, to the best of my knowledge and belief; and in consideration of obtaining this permit, I have read and agree to all conditions set forth in Title 3, Business & License Regulations, of the South Weber City Code.

Dated this 05 day of June, 2019.

Signed: _____ Applicant (Property Owner or Agent) Adam Braithwaite Applicant (Property Owner or Agent)

Subscribed and Sworn before me this 5th day of June, 2019.



Notary Public: _____

To be completed and signed by Property Owner If not Applicant

AGENT AUTHORIZATION

State of Utah)
County of _____)

I (We) _____, the sole owner(s) of the real property located at
Property Owner(s)
_____, South Weber City, Utah, do hereby appoint _____,
Property Address

as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and to appear on my (our) behalf before any city boards considering this application.

Dated this _____ day of _____, _____.

Signed: _____ Property Owner _____ Property Owner

Subscribed and Sworn before me this _____ day of _____, 20_____.

Notary Public: _____

NOTE: If a secondary agent authorization is needed, such as an apartment manager, two agent authorizations will be required. You may copy this page for this purpose or obtain another form at the City office.

Return to South Weber City with Application

ASSESSOR'S USE ONLY

DIST _____ ACCOUNT # _____ PARCEL _____ AREA _____

DAVIS COUNTY ASSESSOR
NEW BUSINESS INFORMATION RECORD
PHONE (801)451-3249 FAX (801)451-3134

BUSINESS NAME: Sole Proprietor, Adam Michael Braithwaite

MAILING ADDRESS 1936 Cedar Bench Dr
South Weber, UT 84405

BUSINESS LOCATION: Same as mailing

BUSINESS LICENSE #: 19505590 NATURE OF BUSINESS: short term Rental

FEDERAL TAX ID # (NO SOCIAL SECURITY #): N/A

PHONE NUMBER: 801-898-9849 DATE OPENED: 03 June 2019

TYPE OF BUSINESS (CHECK ONE):

SOLE PROP. _____ PARTNERSHIP _____ CORPORATION _____ L.L.C

STATE THE VALUE OF PERSONAL PROPERTY USED IN YOUR BUSINESS: \$ _____
(DO NOT INCLUDE INVENTORY FOR SALE)

OWNER OR REGISTERED AGENT: Adam Michael Braithwaite

OWNER/AGENT ADDRESS: Same as mailing

STAMP

PLEASE RETURN THIS FORM WITHIN TEN DAYS TO:
DAVIS COUNTY ASSESSOR
PERSONAL PROPERTY DIVISION
P.O. BOX 618
FARMINGTON, UT 84025-0618

13

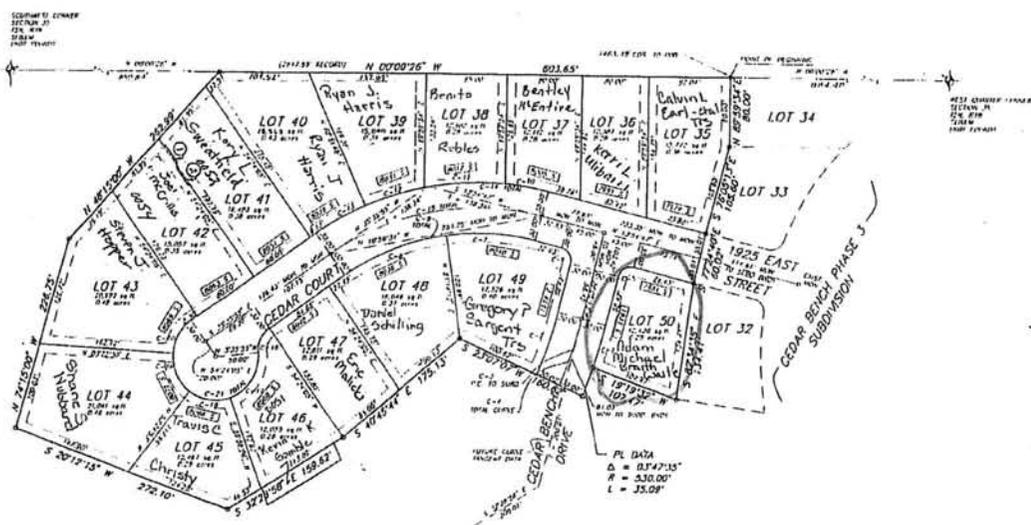
165

CEDAR BENCH PHASE 4 SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 35
TOWNSHIP 5 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
SOUTH WEBER CITY, DAVIS COUNTY, UTAH

LOT	OWNER	ACRES	AREA	PERCENT	REMARKS
35	JOHN MCGILL	0.10	6,900	100%	
36	JOHN MCGILL	0.10	6,900	100%	
37	JOHN MCGILL	0.10	6,900	100%	
38	JOHN MCGILL	0.10	6,900	100%	
39	JOHN MCGILL	0.10	6,900	100%	
40	JOHN MCGILL	0.10	6,900	100%	
41	JOHN MCGILL	0.10	6,900	100%	
42	JOHN MCGILL	0.10	6,900	100%	
43	JOHN MCGILL	0.10	6,900	100%	
44	JOHN MCGILL	0.10	6,900	100%	
45	JOHN MCGILL	0.10	6,900	100%	
46	JOHN MCGILL	0.10	6,900	100%	
47	JOHN MCGILL	0.10	6,900	100%	
48	JOHN MCGILL	0.10	6,900	100%	
49	JOHN MCGILL	0.10	6,900	100%	
50	JOHN MCGILL	0.10	6,900	100%	

NOTE: CURB AND DRIVEWAY EASEMENTS
ARE 10' FROM BACK AND SIDELINE UNLESS
OTHERWISE NOTED
1. O = SET BACK AND CURB
2. C = CONST. MONUMENT



U.S. Development Line corners all lots not marked
 ① Joel McGill's
 ② Kay L. Swartzfeld, ETAL COAST
 D0522

ENGINEERING
 SIGN
 1000 West 2000 South Salt Lake
 Salt Lake City, Utah 84119
 Tel: (801) 488-5145
 Fax: (801) 488-5146

SW SECTION 35 T 5N R 1W
 SALT LAKE MERIDIAN
 DAVIS COUNTY UTAH
 R-1-10-96

SUBDIVISION: CEDAR BENCH PHASE 4
 CITY: SOUTH WEBER LOTS: 35 THRU 50

SCALE:
 1" = 100'

PREPARED BY:
 13-165
 LAST REVISED:
 0255

THOUGHTS ON GENERAL PLAN UPDATE

By Barry Burton 7.30.19

In our next General Plan review we will be reviewing the first draft of Sections 1-3. I would request that you come to the meeting with prepared comments so that we don't have to go through page by page. I don't think you will find too much that will be surprising with the possible exception of the Moderate Income Housing Section. There are major changes there; some due to requirement of State Code and others due to dramatic changes in the housing market. I have also included a map that Brandon has produced of the HAFB easements. Thanks to Taylor for getting that info to us. The map is obviously not complete and I have not figured out exactly how to fold it into the General Plan as yet, but Brandon and I are meeting on that next week and may have some suggestions by meeting time. Other major changes, I believe are those we have discussed.

If you are able to provide me with a printed copy of the document with your comments, that would be very helpful. Thanks and looking forward to some good discussion

INTRODUCTION

South Weber City has, for the past few years, has been experiencing rapid growth and continues its transformation from an agricultural community to a residential community. The City is even seeing the first significant commercial development in decades. There is continuing pressure from the development community for higher densities in the residential areas. The character of the community has changed to be largely residential with pockets of agriculture and an emerging commercial base that is providing much needed services.

South Weber City recognizes the need to constantly reevaluate planning for the future of the city and respond to current issues and ideals. Late in 1996, again in late 2001, mid 2006 and 2007, in 2010, in 2014 and now in 2019 the Planning Commission was **asked to prepare an update to the General Plan. It has been the City's goal to obtain** and integrate as much citizen input as practical into this update and to address all major planning issues but not to duplicate efforts that have already been made.

As with previous updates, this plan does not totally replace all the research and work done on previous versions, but rather supplements those plans using current data and ideas. There will be some portions of the plan that must replace older plans by their very nature, such as land use section. Portions of the older plan, however, are still valid or have been replaced with other more practical review methods.

MASTER GOAL

Growth and how to deal with it is a major concern to every community in a rapidly **expanding region. South Weber is no exception. From 1980 to 1990 South Weber's population increased by 82 percent from 1,575 to 2,863. In the 90's it** increased another 49 percent to 4,260. The 2017 population is estimated at 7,310 and still growing. This growth trend has resulted in fundamental changes in the character of the city. What was once a largely agriculture based community is now mostly residential. The City is endeavoring to maintain some of its rural character, but knows that agriculture as an economic base is a thing of the past.

Even though the character of the community is changing, South Weber's geographic location remains somewhat isolated from the surrounding urban area. Sitting in the Weber River drainage basin, it is cut off from other communities by Interstate 84 and the Weber River to the north, high bluffs to the south, the Wasatch Mountains to the east and a narrow band of land between the freeway and the bluff to the west. This geographic isolation gives the community a distinct advantage in maintaining a clear identity as it continues to urbanize. Though the City can sustain considerable growth yet, it will never blend in with and become indistinguishable from surrounding communities and it will never become a large city.

As the City continues to grow, South Weber should vigorously pursue the retention of the small town charm that is its hallmark. It should foster an environment where residents are safe, where they know their neighbors and look out for each other. It should be a walkable community and promote the good health of its residents. The City should also utilize the growth principals contained in the Wasatch Choices 2050 plan as adopted by the Wasatch Front Regional Council. The Wasatch Choices 2050 plan and growth principals can be found at www.envisionutah.org.

SECTION 1: EXISTING ENVIRONMENT

In our effort to look into the future of South Weber, it is important to analyze the existing characteristics of the community. By gaining a full understanding of just what kind of community South Weber is today, we will be better able to understand what may happen in its future. If we look at the current land uses, population, and development limitations, or factors which might encourage development, we will be better prepared to make decisions that will help guide the future of the city.

LAND USE:

South Weber is a community that has transitioned from its historical agricultural roots to the currently predominate residential land use. The agricultural lands that once provided the rural small-town character are rapidly being developed, primarily into housing. The focus of the community seems to be shifting away from preserving the agricultural land to preserving enough open spaces to provide adequate recreational opportunities. There is a new focus on the Weber River and the possibilities it provides for promoting outdoor recreation and that South Weber is the gateway to many more outdoor recreational opportunities eastward.

South Weber has recently experienced its first commercial development in many years. These commercial enterprises are beginning to provide some very much needed services to residents. There are a few industrial type land uses, primarily being sand and gravel mining operations in the northeastern area. There are a few construction businesses, some self-storage complexes and one significant manufacturing business. In the past, the gravel pits have been the source of constant irritation to residents in the vicinity. Recently; however, the City has successfully worked with gravel pit operators to significantly reduce nuisances arising from operations. There are signs that at least one of those gravel pits may be reaching the end of its life as a mining operation.

There are few institutional uses with just four churches; one recreation center; one two-building elementary school, with one building dedicated to kindergarten through second grade, a charter school, a fire station and city hall. One institutional use which is not in the city but which impacts it is the Weber Basin Job Corp which has its campus adjacent to the city on the east side. Five developed neighborhood type parks and a posse grounds (outdoor equestrian arena) and a short section of the Weber River Trail constitute the recreational uses.

POPULATION:

One of the major factors contributing to changes in the community is population change. As population increases so does the amount of land devoted to residential use. The demand for municipal services, such as police and fire protection and water and sewer, goes up creating a strain on the resources of the City. It is not possible to predict exactly what changes will occur in the population in the future, but we can

make some reasonable projections. This can be done by analyzing past population growth and projecting growth rates.

If we assume that most vacant land remaining in the city will be developed, with limitations on some land, it is possible to begin to understand the potential growth of South Weber. This study calculated the area of all vacant land and then deleted areas suspected to be unbuildable based on available geologic and flood plain data. Current zoning and projected land uses were then used to calculate a projected dwelling density. The projected land use was based on this General Plan update. The projected dwelling densities in given areas were then used with the vacant land calculations to figure the total dwelling unit increase. An average of 4.24 (2017 Gardner Policy Institute estimate) persons per household was then multiplied by the total number of dwellings in order to arrive at an ultimate build-out population of 13,042.

As of July 1, 2019, new population projections were produced for South Weber. The calculations were based on population estimates by the U.S. Census Bureau and the University of Utah Gardner Policy Institute for 2017. At the end of 2017 there were 7310 people calling South Weber their home. There were 702 lots or dwelling units as calculated based on residential developments that have been approved since 2017, that have applied for approval or that have presented concept plans as of July 1, 2019. Even though not all of the dwelling units counted have been approved, it seems likely that proposed dwelling numbers will be realized at some point in time, even if the currently proposed developments do not materialize.

An analysis of vacant developable lands which determined the total area in each residential density category and the number of dwelling units (D.U.) each could generate was conducted. In each density category the total number of acres of vacant land was decreased by 10% to allow for inefficiencies in platting of lots and odd shaped parcels that result in fewer lots than the zone allows, except in the high density category, where efficiencies are easier to realize. The analysis follows:

1. 29.5 ac. in Very Low Density -10%= $26.55 \times .90 \text{ D.U./ac.} = 24 \text{ D.U.}$
2. 23.0 ac. in Low Density -10%= $20.7 \times 1.45 \text{ D.U./ac.} = 30 \text{ D.U.}$
3. 123.9 ac. in Low-Mod. Density -10%= $111.51 \times 1.85 \text{ D.U./ac.} = 206 \text{ D.U.}$
4. 154.6 ac. in Moderate Density -10%= $139.14 \times 2.8 \text{ D.U./ac.} = 390 \text{ D.U.}$
5. All Moderate-High Density development has been included in the unit counts of approved or proposed since 2017.
6. All High Density development has been included in the unit counts of approved or proposed since 2017.

Total Dwelling Units on Vacant Land = 650 D.U.

Add 1,724 existing dwellings, 702 approved or proposed dwellings and 650 possible dwelling units on vacant land and arrive at a potential build-out dwelling unit count of 3,076. The most recent persons per household number for South Weber, based on 2017 Gardner Policy Institute figures, is 4.24. Multiply that by the build-out dwelling unit count and you arrive at a build-out population of 13,042. At an average growth rate of 3% per year, build out will be reached in approximately 20 years.

ENVIRONMENTAL HAZARDS:

There are several known environmental hazards in South Weber, some man-caused and others natural. The natural hazards include possible faulting and associated earthquake hazards, flooding and landslides. The man-caused hazards are associated with the Davis and Weber Counties Canal which runs the entire length of the City from the east end to the west end and Hill Air Force Base, which borders the city on its south side west end. There are toxic waste disposal sites near that border and there is noise and accident potential from over flying aircraft and from vehicle transport via Highway 89 and Interstate 84.

FAULTING: The Wasatch Fault runs through the east end of the city and in the area projected for future annexation. The fault is not a single fissure in the earth's surface as many imagine it to be. Along the foot of the mountain it has formed several faults running in a north/south direction. So far as these fault lines have been identified, they affect very little existing development but are mostly located in fields. The Weber Basin Job Corp is the only developed area known to have faults running through it.

As development pressure increases and starts to fill in the area between Highway 89 and the mountain slope too steep to build on, it will be imperative that the exact location of these fault lines be identified. It is recommended that any proposed development within this area be required to have a study done to determine the exact location of the fault, in accordance with the Sensitive Lands Ordinance (Ord. 10-14). (See Sensitive Lands Map #1)

FLOODING: The Weber River forms the northern border of South Weber. It has been identified by the Federal Emergency Management Agency (FEMA) as a potential flooding source to the low lying lands along the river. Even though the river has several dams along its course upstream of South Weber, it can still flood due to very heavy snowfall in its drainage area exceeding the dams' capacities. It can also flood due to localized cloud bursts or landslides which might dam its course. FEMA has produced

Flood Insurance Rate Maps (FIRM) which identifies the potential flood areas. There are no other potential flood sources identified by FEMA.

As development occurs, additional hard surfacing creates the potential for localized flooding due to cloud bursts and potentially excessive snow melt. It is recommended that the City continue to maintain its Capital Facilities Plan related to Storm Water flood control facilities (both existing and future) and update the plan as often as necessary.

LAND SLIDES: South Weber sits in a river valley formed in ancient times as the Weber River cut through an alluvial fan deposited there in even more ancient times when Lake Bonneville covered the entire region. As the river cut down through this alluvial fan, it left steep bluffs on the sides. One of these bluffs is on the south side of town running its length. This bluff has been identified in at least two geologic studies¹ as having very high potential for landslides. In fact, there is ample evidence of both ancient and more recent slope failure activity along this bluff. When development of any nature is proposed on or near this bluff, it will be important to determine the safety of such development as far as possible. It may be necessary to require mitigation of the hazard or even to prevent the development from occurring. (See Sensitive Lands Map #1)

WETLANDS: There are numerous pockets of wetlands and suspected wetlands within South Weber, the most prominent of which lies along the banks of the Weber River. These wetlands include sandbars, meadows, swamps, ditches, marshes, and low spots that are periodically wet. They usually have wet soil, water, and marshy vegetation during some part of the year. Open space is also characteristic of an effective wetland.

Wetlands are important to the community because they can provide many values, such as aid in protection from flooding, improved water quality, wildlife habitat, educational and recreational opportunities and open space. It is the intent of this plan that all wetlands be considered sensitive lands. Therefore, any development occurring where wetlands are suspected shall be required to comply with the permitting process of the Army Corps of Engineers, if it is concluded (in a report acceptable to the Corps of Engineers) that jurisdictional wetlands will be impacted.

Preservation of important wetlands is considered an important community goal.

¹ Landslide Hazard Map by Mike Lowe, Davis County Geologist, 1989
Geologic Hazard Map by Bruce N. Kaliser, U.G.M.S., 1976

STEEP SLOPES: Steep slopes are found along the south bench area of the City, along the foothill area of the Wasatch Mountains on the east side of the city, and at spot locations throughout the City. These slopes should be considered fragile from a development standpoint and will be required to comply with the Sensitive Lands Ordinance (Ord 10-14). Building roads and subdivisions within them could cause environmental damage due to the necessity of cuts and fills to do so. There could be a great hazard of erosion and flooding should denuding result from development efforts without any mitigation efforts applied. These steep slope areas generally coincide with the location of the known faults. These areas are also important to wildlife habitat areas including high value deer winter range. They represent a significant fire hazard to structures which might be tucked within the heavy vegetation located there. In addition these steep foothills are very important view shed areas for residents as well as passers-by. The mountains are such a prominent feature of the landscape that the eye is constantly drawn to them and their foothills. Should this landscape become scarred up due to development, or for any other reason, would be a significant reduction in the community's overall quality of life.

These steep slopes are hazardous areas for development and are important community assets. They are ecologically fragile and should be protected as much as possible.

GRAVEL PITS: There are two large gravel mining operations in South Weber, the Staker Parson pit adjacent to and on the west side of Highway 89 and north of South Weber Drive; and the Geneva pit adjacent to and east of Highway 89 between the Weber River and Cornia Drive. These gravel mining operations are potential hazards due to dust and sand that often blows out of them during strong winds coming out of Weber Canyon. This dust can be hazardous to breath and creates a nuisance where it is deposited to the west of the pits. The City is and should continue to work with the operators to try and reduce the amount of fugitive dust they create.

These mining operations have a limited lifespan due to depletion of the resource, although recycling of concrete and asphalt, an activity currently carried out in the pits, could extend their life indefinitely. As these excavations reach the end of their usefulness, the City should make every effort to assure that the companies who operate these pits are responsible for rehabilitating and mitigating any hazardous conditions before their operations cease.

NOISE HAZARDS: Hill Air Force Base (HAFB) sits directly south of the city at the top of the bluff previously discussed. Aircraft flying over South Weber can cause annoying levels of noise. In its Air Installation Compatible Use Zone (AICUZ) report, the Air Force designates specific zones where noise may cause a negative impact to the quality of life. These noise zones are produced by a computer model which takes many variables into account such as the types of aircraft being flown, flight paths, frequency of flights and time of flights. These noise zones are 65-70 Ldn, 70-75 Ldn, 75-80 Ldn, 80-85 Ldn and 85+ Ldn. Ldn is a unit of noise measurement roughly equivalent to decibels but

with other weighted factors taken into account. The last officially adopted AICUZ report was published in 1993. Noise contours were updated in 2006 using a Department of Defense (DOD) contract. There is a new AICUZ study currently under way subsequent to the arrival and ongoing operations of the F-35 aircraft. Preliminary noise modeling indicates a dramatic reduction in the noise impact to South Weber. This is not, however, due to a reduction in actual aircraft noise, but rather in a more sophisticated computer model than has been used in previous studies. The F-35 aircraft is actually noisier than the F-16 previously modeled. Anecdotal evidence from residents would indicate aircraft noise has increased since the arrival of the F-35.

This creates somewhat of a dilemma for the City. Land use planning for the past 40 years has been greatly affected by these noise zones. Previous studies have indicated a major portion of the City was within the 75 Ldn noise contour, the threshold noise zone for restricting land uses. If the preliminary noise modeling is eventually adopted as part of the Official AICUZ report, it will show virtually no land within South Weber is affected by noise from HAFB aircraft. Yet, during the mid-nineties, the State of Utah purchased easements on most of the properties that were within the 75 Ldn noise zone that severely restricts development on those properties. Even if the preliminary noise modeling becomes official and the modeled noise impact to South Weber is largely eliminated, those easements will remain in place. It is the easements that will continue to affect South Weber land use planning, rather than the noise zones.

Also, history teaches us that the type of aircraft flown out of HAFB will most likely change again as the currently operating aircraft age beyond their usefulness. It is, therefore, felt that the best course of action is to continue to utilize the noise zones that are currently officially adopted and upon which our historical land use planning has relied. This will serve to protect the residents of South Weber from undue noise impacts and will help protect the mission of HAFB, a very important economic generator and job provider, as that mission evolves. It is therefore recommended that no residential development of any kind be allowed within the 75+ Ldn noise zone as it is currently adopted even should the noise zones officially change in the future. (See HAFB Noise & Crash Zone Map #4)

ACCIDENT POTENTIAL: Anywhere that there are regular over flights of aircraft, there exists a higher than average degree of potential for an accident involving aircraft. This is certainly true in South Weber's case but there is an area where such potential is particularly high. The same AICUZ study discussed above designates "Crash Zones" and "Accident Potential Zones." The Crash Zone is the area immediately off the end of the runway and Accident Potential Zones (APZ) extend outward along the flight path from that. The APZ 1 which is adjacent to the Crash Zone on the north end of Hill's runway overlays the very west end of South Weber.

Careful consideration should be given to any development proposals in this area.

Residential development in this area should be prohibited. Agriculture and open space should be encouraged in these zones as much as possible.

HILL AIR FORCE BASE ENVIRONMENTAL IMPACT: Note: Subsequent information, including maps referenced, has been provided by Hill Air Force Base, for the sole purpose of providing general information for this plan.

Only isolated areas of shallow groundwater and surface water in the southwest portion of South Weber are contaminated with low levels of various chemicals resulting from former activities at Hill Air Force Base (HAFB). The areas of contaminated groundwater, parcels with restrictive easements (OU 1 and 2), and parcel owned by HAFB (OU 4), are illustrated in the Sensitive Lands Map (Map #1), which shows OUs 1, 2, and 4.

Since many contaminants evaporate easily, the chemicals can move up into basements and other overlying structures in the affected areas. Drinking water has not been contaminated.

As part of the federal Superfund program, the area has been intensely studied and **monitored since the early 1990's**. Remediation technologies have been implemented at OUs 1, 2, and 4, and HAFB measures the performance of those technologies continuously. In general, off-Base contamination in South Weber City has been identified.

Areas of known underground contamination are typically identified using plume maps (See Sensitive Lands Map #1). When using these maps, it is important to note that plume boundaries are inexact and based on available data. The plume images generally illustrate the maximum extent of groundwater contamination that is above the clean-up **level imposed by the regulatory (CERCLA or "Superfund") process for the most** widespread contaminant. Where there are other contaminants, they are located within the footprint illustrated in Sensitive Lands Map (Maps #1).

Planners, developers, property owners and residents are encouraged to seek additional information from reliable sources including:

- Hill AFB Restoration Advisory Board, www.hillrab.org
- Hill AFB Environmental Restoration Branch, (801) 777-6919
- State of Utah, Department of Environmental Quality, (801) 536-4100
- South Weber Landfill Coalition, (801) 479-3786

Development in the vicinity of this contamination should be conducted in a manner that minimizes chemical exposure. Building requirements could include prohibiting basements, requiring field drains, adding vapor removal systems, etc. Builders should be aware of alternate building standards that may mitigate potential hazards from vapor or ground water contaminates. Those living or planning to live above or near the

areas of contamination need to familiarize themselves with this information, be aware of possible issues or health problems and be accountable for their own health and safety programs after studying all the available records.

SECTION 2: CITIZEN PARTICIPATION

The City understands that in order for this document to be effective as a planning tool participation and input from residents is imperative. To achieve this goal the City shall continue to be sure ample opportunity is given for resident input during public meetings, open houses, surveys, etc. Notice of these meetings shall be provided in accordance with state law.

SECTION 3: LAND USE GOALS AND PROJECTIONS

This section discusses the various recognized major land use categories and various other important factors impacting the future of South Weber. Citizen recommendations and sound planning principles are integrated with physical and cultural constraints to project the most beneficial uses for the various areas of the community. In most instances, these recommendations are general in nature and will be subject to refinement by the City as proposed changes in land use or zoning are made.

AGRICULTURE, RURAL CHARACTER AND OPEN SPACE:

Agriculture, the foundation upon which South Weber was built, is still important to the community, but perhaps in a different way than it was originally. It would be difficult to say that agriculture is a thriving industry upon which many depend for their livelihood. It has become more important to the community as a whole for the character it provides, the lifestyle it promotes and the open space it preserves. It is this open space which is desirable to maintain. If the agriculture industry can survive, it will be a welcome part of the community. If it fails, other means must be used to preserve sufficient open space to provide the rural feel of the community.

One of the problems associated with the preservation of rural character/agriculture is that rural character is a community goal while the property creating this character is individually owned and it is by the individual's grace that the use is maintained. In South Weber and regionally land values are too high for land to be purchased for agricultural purposes. Also, there is no upcoming generation of farmers waiting to take over farming operations. Children of agriculture based families are, largely, seeking careers outside the family business. This has created a situation where there are aging farm owners and no one to take over the farm when current owners can no longer work. It has become impossible to preserve farmland except by extraordinary means, such as government purchase of the agricultural lands for preservation purposes. Such extraordinary means is felt to be out of the realm of possibility for South Weber. Instead, the City should try to create incentives for land owners/developers to preserve key pieces of open space, thereby preserving the desired effect of agriculture, if not the industry.

Natural open space is also a very important asset to the community. For the purposes of this plan, open space is defined as undeveloped land with few or no structures which provides residents with the ability to move about or view large outdoor areas, to experience nature, to retreat for a safe peaceful outdoor experience or which can be used for organized recreational activities. (See Recreation Section for more on this subject). Some of the valued open spaces within South Weber are the Weber River corridor, wooded and open areas along Interstate 84, the steep hillsides above and

below the Davis and Weber Canal and the steep and wooded hillsides on the east side of the City adjacent to the Forest lands.

Since it is beyond the City's capability to purchase property for the purpose of maintaining rural character or open space, other methods should be used. Some recommended methods are as follows:

1. The City should make every effort not to interfere with, or allow adjacent land uses to interfere with ongoing agricultural pursuits.
2. AICUZ noise zones of 75 Ldn or greater are areas where, generally, the State has purchased residential building rights. These areas are mostly agricultural in nature and represent the best hope of preserving some agriculture within the City. Though the State's easements allow some other types of development, these areas are mostly zoned for agriculture and are generally not suitable for commercial or industrial development. They should remain agricultural or in some form of open space.
3. It is felt that incentives should be offered to develop properties with large amounts of open space, particularly open space that is available for public use.

RESIDENTIAL:

The existing residential development pattern in South Weber is largely single family type, but there have been several multi-family developments built in recent years. The majority of the single family homes are found in subdivisions of 9,000 sq. ft. to 18,000 sq. ft. lots. Also there are some developments of patio homes designed primarily for an empty nesters that are situated on lots as small as 6,000 sq. ft. The rest of the residential development has occurred along previously existing roads with lots ranging widely in size but most of which are ½ acre or larger.

This pattern of mostly single family residential development on moderate size lots is an acceptable and desirable trend to maintain, provided that some areas need to be preserved for open space and community character reasons. It would be beneficial to encourage variety in lot size and housing types.

South Weber has adopted zoning ordinances which regulate the density of dwellings rather than the lot size and is hopeful more variety of lot size will be encouraged without any additional impacts to the City over the impacts more traditional development would bring. This method of land use regulation also allows for the preservation of open space within more traditional developments. There is, however, in all cases be an absolute minimum lot size in any ordinances regulating residential land use to prevent difficulties arising from too little room for adequate off-street parking of vehicles, R.V.'s, etc. Large lots are acceptable, being in character with the community, but are not recommended unless they are large enough to pasture farm animals, one

acre or more. Otherwise large lots tend to become too much of a burden to maintain and often become unsightly and a nuisance to surrounding neighbors.

It is also important to reserve adequate area for moderate income housing will, in today's housing market, take the form of multi-family high density residential areas (See Moderate Income Housing Section). In order to accommodate multi-family dwellings and still meet goals for preserving open space, it may be necessary to increase the number of dwelling units allowed in each building. By increasing the number of units in a building the total area consumed by buildings would be reduced, thereby leaving more land available for recreation or other purposes.

In order to make some recommendations concerning dwelling unit density it is first necessary to define the density categories which will be used.

1. Very Low Density is considered to be any density of .85 dwelling units per gross acre or less.
2. Low Density is an area where the number of dwellings is .86 to 1.35 per gross acre.
3. Low-Moderate Density would be 1.36 to 1.75 dwelling units per gross acre.
4. Moderate Density is considered an area where the number of dwelling units per gross acre ranges from 1.76 to 2.6.
5. Moderate High Density (Patio Homes) is an area ranging in density from 2.61 to 6.0 units per acre.
6. High Density is an area in which the dwelling units number 6.1 to 13.00 units per acre.
7. Commercial Overlay Density is an area in which the dwelling units number 8-25 dwelling units per acre.

* Gross acreage is defined as all property within a defined area including lots, streets, parking areas, open space, and recreational uses. For the purposes of calculating new development densities, all area within the development boundaries will be included.

These dwelling densities have been incorporated into the color-coded Projected Land Use Map (Map #2). These recommended dwelling unit densities are intended to be a guide and recommended densities for the given colored area; zoning requests or

development approval requests for lower densities than that recommended are always acceptable in terms of their density. Densities greater than those contained on the Projected Land Use Map may be granted in exchange for such amenities as trails, buffers, etc. as deemed in the best interest of the city. The Zoning Ordinance has been structured so that a particular residential zone corresponds with each of the density categories and the maximum density allowed within that zone falls within the range described above. The maximum density allowed in any zone would be exclusive of any density bonuses which may be offered as incentives to achieve listed goals of this plan.

High density residential areas should be spread out as much as practical so that associated impacts are reduced in any given area, keeping in mind that they should be located where they have direct access to collector or arterial roads. These high density residential designations represent some areas which could be acceptable for high density housing if adequate protections or buffers to nearby lower density housing are incorporated in the development.

The Commercial Overlay Zone (C-O) is an area that allows multi-family development in conjunction with commercial development. These areas are suitable for mixed use development where the residential becomes an important component in the commercial project. Currently the City does not have any projects of this type. It is the desire of the community to create a mixed-use walkable area along South Weber Drive.

MODERATE INCOME HOUSING

In accordance with section 10-9a-403 Utah Code Annotated, South Weber is providing reasonable opportunities for a variety of housing including housing which would be considered moderate income housing. Moderate income housing is defined in the Utah Code as:

Housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

According to this definition, any dwelling occupied by an individual or family with income equal to or less than 80% of the median income of the county would qualify as moderate income housing, regardless of the circumstances under which the dwelling is occupied. For instance, it could be that the house was inherited and though valued at something far more than a family of moderate income could afford to purchase; it is nevertheless, occupied by a family whose income is below 80% of the regional median. That house, therefore, is a moderate income house by definition. The same could be said for homes that have been in the same ownership for a long time and for which the mortgage was established prior to many years of inflation and rising housing costs. The occupants might be able to afford what, if mortgaged today, would be far out of their financial reach.

In order to determine how many homes fall into the moderate income housing category, it would be necessary to determine the actual gross income of every household in South Weber. This information; however, would not be of a great significance in the ability to provide moderate income housing as the information would not provide an adequate picture of the housing which can be purchased or rented today.

According to the U.S. Census Bureau, the 2017 median household income for Davis County is \$75,961. Eighty percent of that median income is then \$60,768. Information extrapolated from the Utah Affordable Housing Manual indicates that a household with this income level could afford to purchase a dwelling which has a maximum purchase price of 3.1 times the annual income. In the case of South Weber that translates to a maximum purchase price of \$188,380. The same manual indicates that 27% of the monthly income could be spent on rent which would mean a maximum monthly rent of \$1,367.

There are no new housing units of any type being constructed in South Weber that would have a maximum purchase price of \$188,380. In the current housing market, it would be inadvisable to assume this will change in the near future (the life of this General Plan Version.) Therefore, we must conclude that the only new moderate income housing that might be reasonably expected to be constructed would be high density multi-family rental units.

PRESERVING AND ENCOURAGING MODERATE INCOME HOUSING: There are many factors that affect the cost of housing. It is the duty and responsibility of the City to take necessary steps to encourage moderate income housing and to meet the housing needs of people of various the people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life.

Utah Code Annotated 10-9a-403 (2) (b) (iii) requires the City to choose at least three from a list of 23 ways, A through W, in which it can and will pursue the encouragement of moderate income housing in the five years. South Weber chooses the following:

(A) rezone for densities necessary to assure the production of moderate income housing;

This General Plan update is recommending an additional 19.5 acres of land be rezoned for high density housing. It is also recommending an additional 31.8 acres be rezoned for mixed use development. An additional 200 acres are being recommended for Commercial Highway zoning with the potential for some of that to be zoned for mixed use development.

(B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing;

The east end of South Weber is currently nearing capacity of the sewer system. The bulk of the properties slated for rezoning for high density residential or mixed-use development is in the east end of the City. South Weber is currently in Phase One of a multi-year project that will upgrade the sewer system to handle potential future multi-family and mixed-use developments in this area.

(E) create or allow for, and reduce regulations related to, accessory dwelling units in residential zones;

It is recommended that the City consider allowing accessory dwelling units in single-family dwelling zones. The circumstances and provisions under which this type of housing could be allowed need to be thoroughly researched and a determination as to how best to move this initiative forward.

(F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers;

South Weber has the Commercial Overlay Zone that allows mixed-use development. The City currently has the first proposal of this type under consideration. As previously stated, there are an additional 231.8 acres where mixed-use development is a potential. The Commercial Overlay Zone allows the highest dwelling density in all zones at 25 units per acre.

(U) apply for or partner with an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provides technical planning assistance;

South Weber has applied for a planning assistance grant from the Wasatch Front Regional Council. We should know prior to the adoption of this Plan if we have been successful in procuring the grant.

MODERATE INCOME HOUSING NEEDS: The exact number of moderate income housing units recommended for any community by the Utah Affordable Housing Manual depends on a number of variables. An analysis the existing housing and income situation using available information and come to some reasonable conclusions as to need.

Number of Dwelling Units 2017	1724
201 Population	7310
Persons Per Household 2017	4.24
2017 Median Davis County Annual Household Income	\$75,961

2005 Moderate Annual Household Income \$60,768

Once again by extrapolating from information contained in the Utah Affordable Housing Manual, we find that a household with this income level could afford a mortgage of approximately 3.1 times the annual income or could afford to spend 27% of their monthly income on rent.

Maximum Purchase Price $\$60,768 \times 3.1 = \$188,380$
Maximum Monthly Rent $\$60,768/12 = \$5,064 \times .27 = \$1,367$

Statistically, there are no residences within the City that would fall under the maximum purchase price of a moderate income family. The maximum monthly rent, however, points to rental units as the most attainable type of moderate income housing likely to be established in South Weber. There are currently 87 rental units in the City, 60 being in one apartment complex and the rest are basement type apartments. It is believed that all rental units do, or will, qualify as moderate income housing. The existing rental units comprise 5% of the housing stock in the City.

Recommendations: It is apparent that to meet demands for moderate income housing, as well as meet the recommendations of this Plan for open space and agricultural character of the community, multi-family rental residences will continue to be the primary type of housing in this price range. According to the U.S. Census Bureau 36% of Davis County households have an income below \$60,000 per year while 24% of South Weber households fall into that range.

It is apparent that South Weber needs a lot more moderate-income housing stock to meet the demand. The proposed 19.5 acres of high density residential property could potentially produce another 253 multi-family dwelling units. The 231 acres of potential mixed-use zoning could produce many more, but given the nature of mixed-use development, it is difficult to predict how much. If the City is to reach a goal of providing housing for the 24% of households that are considered median income, that would be a total of 755 units at build-out. With an existing 87 moderate income dwelling units, we have a long way to go. Of course, in the past, individually owned multi-family dwelling units (condominiums, townhomes, etc.) qualified as moderate income housing. In the current housing market, that is no longer the case; individually owned unit prices exceed the maximum purchase price to be considered moderate income housing. Future market changes could bring those units back into play as moderate income units. South Weber currently has 197 townhomes built or under construction.

It is recommended that South Weber continue to support the development of multifamily housing in the areas designated in this Plan.

INDUSTRIAL:

Current industrial uses are limited to the gravel mining operations, Sure Steel and one other minor operation on Cornia Drive and a few scattered construction businesses. It is recognized that the resources extracted by the gravel pits are important to the health and growth of the area in and around South Weber. It is also recognized that these mining operations have caused negative impacts to the community. In an effort to provide residents with an outlet to submit their complaints as well as to aid in the documentation efforts of the City, residents can now submit an affidavit. Along with this, the City conducts weekly inspections of the gravel pit operations to ensure that dust is not becoming a nuisance, the decorative berm is maintained, and to ensure that the overall size of the gravel pit is not increasing beyond the scope of the original approved mining plan.

It is recommended that the industrial area currently located on Cornia Drive be officially designated as such and that it be expanded to both sides of the road.

The Geneva Rock gravel pit adjacent to the Cornia Drive industrial area is, though technically an industrial use, is zoned NR for natural resource excavation. There are indications this pit is nearing depletion of the resource. It is recommended that this excavated area convert to a light industrial area upon cessation of mining operations.

COMMERCIAL:

Existing commercial developments are very limited to a few businesses near the South Weber Drive/Hwy 89 interchange. The small businesses that were in the commercial district near the center of town have gone out of business.

It is very important to the financial health of the City, to encourage more commercial land uses to locate in South Weber. The City is striving to move forward with development that is both residential and commercial in nature, while at the same time, implementing guidelines that have an underlying thread of the rural character that has made up the city for years. Commercial development will be the gateway to be able to offer residents the goods and services they desire within their community.

New commercial development should be encouraged in the vicinity of the Highway 89/South Weber Drive interchange so that traffic has minimal impact to residents of the area. The land available for commercial development near the new interchange should be protected for commercial purposes and not allowed to develop in less beneficial ways. The City has rezoned all of the land shown on the Projected Land Use Map as commercial in the vicinity of the Hwy 89/South Weber Drive interchange, to the Commercial Highway zone as a method of protection. Commercial development in this area should be encouraged to be of the retail type and to provide locally needed services. All commercial development within this area shall follow the 2009 South Weber Drive Commercial Design Guidelines (Resolution 09-39).

Other commercial development of a limited area should be encouraged in the vicinity of the Interstate 84/475 East interchange. This should also be retail commercial and be oriented to the I-84 traveler and the local neighborhood. Care should be given to approval of such a business so that traffic does not unduly impact the neighborhood.

Care should be given to any commercial development adjacent to a residential or planned residential area. There should be a buffer between the two land uses which reduces the negative impacts of the commercial development as much as possible. Design standards for commercial development have been established to assure some compatibility and sense of community among various potential commercial enterprises. Every opportunity to improve "walkability" in South Weber should be taken. This would mean providing and connecting to proposed bike routes and trails (See Pedestrian Transportation Map #6). The street construction standard has also been modified to incorporate larger park strips for planting street trees as well as to provide a larger buffer between the street and sidewalk.

RECREATION:

Public recreation areas in South Weber are currently in an expansion mode. There are 61 acres of developed park in several locations. In addition to this park space, are six acres in the school grounds and the City owned Posse Grounds. The National Recreation and Parks Association recommends a total of 25 acres of open space per 1000 population as a standard. Ten acres of each 25 acres should be developed recreation areas. The rest of the acreage could be in stream corridor or other less developed open space. Following this standard, South Weber should have 70 acres of developed recreation space for the current population. If the community reaches its projected population of 13,348, it should then have 133 acres developed for recreation.

The presence of the Weber River on the north boundary of the City presents an opportunity for a river recreation corridor reaching into Weber County and which would be of regional interest. The Wasatch National Forest to the east of town also presents abundant recreation possibilities which are important to residents of South Weber and many others.

Since the Weber River Recreation Corridor would be a regional type facility, it should not be the sole responsibility of the City to develop this facility. This river corridor should be protected as a very important recreational venue in South Weber and as important wildlife habitat. The City should make every effort to secure public access to and through this corridor. A related recommendation is that the City participate in and promote the development of a public parking and river access area at the north end of Cornia Dr. The city has already participated in the development of a river access point at the I -84 river crossing immediately west of the Hwy. 89 interchange. As development along the east bench area occurs, the City should make sure that public access to the National Forest is provided.

South Weber should become more bicycle friendly by considering adding bicycle lanes to all new roads. The possibility of a bicycle path along the Davis & Weber Canal should be explored. It may be possible to enter into a use agreement with the Canal Company removing liability from the Company and possibly making some improvements to their access road.

Other recommendations for recreation development are that public access from areas south of the canal be provided to the park on 2100 East St. north of the canal via a pedestrian bridge across the canal.

There are recommended locations on the Projected Land Use Map (Map #2), for recreational use. They are only intended to indicate that, due to existing or projected residential growth in the area, it would be a good location for some type of public recreation facilities. There may be other areas suitable for recreational uses which are not designated on the map. Designation of a property in the recreational category is not meant to limit the use of the property exclusively to recreational use but is indicative of a special recreational resource which needs protection or the resource may be lost. Other uses which are compatible with the development of the recreational resources will be considered on such properties.

INSTITUTIONAL:

The only real institutional issue South Weber is faced with concerns schools. Currently, South Weber Elementary School and the Highmark Charter School are the only schools in the community. The City should assist the School District in every way possible in locating any future school sites. This would help to assure the most advantageous site for both the District and the City.

Projected Land Use Map #2 shows specific locations and information concerning projected land uses. Please note that there is no date proposed at which time these projections should be realized. It is felt that too many variables are involved in determining when these things will occur to make accurate predictions.

