

## SOUTH WEBER PLANNING COMMISSION AGENDA

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PUBLIC NOTICE is hereby given that the Planning Commission of SOUTH WEBER CITY, Utah, will meet in a regular public meeting on Thursday June 8, 2023, in the Council Chambers, 1600 E. South Weber Dr., commencing at 6:00 p.m.

**OPEN** (Agenda items may be moved in order or sequence to meet the needs of the Commission)

1. **Pledge of Allegiance:**
2. **Public Comment:** Please respectfully follow these guidelines.
  - a. Individuals may speak once for 3 minutes or less: Do not remark from the audience.
  - b. State your name & city and direct comments to the entire Council (They will not respond).
3. **Approval of Consent Agenda:**
  - a. PC2023-05-11 Minutes

### **ACTION ITEMS**

4. Final Plat (2 Lot Commercial Subdivision), & Architectural Review for Crosswind Subdivision Parcels 13-039-0082 & 13-039-0083 approximately 5.57 acres located at approximately 7750 S 2700 E by applicant: Genneva Blanchard of John W Hansen & Associates
5. Final Plat (43 Lot Plat) for Riverwood Subdivision Parcel# 13-005-0038 located at approximately 75 W South Weber Dr. for applicant: Nilson Homes

### **PRESENTATION/DISCUSSION**

6. Updating City Standards- Road Widths
7. Updating City Code 10-7(1-14) Conditional Uses

### **REPORTS**

8. New Business
9. Commission & Staff
10. Adjourn

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder, 1600 East South Weber Drive,

South Weber, Utah 84405 (801-479-3177) at least two days prior to the meeting.

THE UNDERSIGNED DULY APPOINTED BUILDING MANAGER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED, OR POSTED TO: 1. CITY OFFICE BUILDING 2. FAMILY ACTIVITY CENTER 3. CITY WEBSITE [www.southwebercity.com](http://www.southwebercity.com) 4. UTAH PUBLIC NOTICE WEBSITE [www.pmn.utah.gov](http://www.pmn.utah.gov) 5. THE GOVERNING BODY MEMBERS 6. OTHERS ON THE AGENDA

**DATE: May 22, 2023**

**BUILDING MANAGER: Kimberli Guill**

*Kim Guill*

# **SOUTH WEBER CITY PLANNING COMMISSION MEETING**

**DATE OF MEETING:** 11 May 2023

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

**LOCATION:** South Weber City Office @ 1600 East South Weber Drive, So. Weber, UT

**PRESENT:**

**COMMISSIONERS:**

Gary Boatright (electronically)  
Jeremy Davis  
Julie Losee  
Marty McFadden  
Chad Skola

**COMMUNITY SERVICE DIRECTOR:** Trevor Cahoon

**CITY ENGINEER:** Brandon Jones

**DEVELOPMENT COORDINATOR:** Kimberli Guill (excused)

**CITY RECORDER:** Lisa Smith

**Minutes:** Michelle Clark

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**ATTENDEES:** Michael Grant, Keith Kap, Tim Gosch, Joe DeLong, Mary Stott, Chris Poll, Jeff Clouse, Justin Poll, Tami Midzinski, Brandon Poll, Paul Sturm, Layne Kap, Jill Kap, Tim Childers, Natalie Dayton, Mark Dayton, Lynn Poll, Rod Westbrook, John & Tiffany Koning, Barbara & Dan Shupe, Krisitine Kilpatrick, Lincoln Dygert, Debbie Dygert, Ben Albenes, and Lyle Jorgensen.

**Commissioner Davis called the meeting to order and welcomed those in attendance.**

**1. Pledge of Allegiance:** Commissioner Losee

**2. Public Comment:** Please respectfully follow these guidelines.

- Individuals may speak once for 3 minutes or less: Do not remark from the audience. State your name & city and direct comments to the entire Commission (Commission will not respond).

**Paul Sturm, of South Weber City,** was concerned with Deer Run Townhomes. He wondered when the lease clock starts. He opined the “extenuating” circumstances need to be clearly identified. He asked how the rental percentages can be enforced, how long the leases will be, and will lessees be notified in their lease agreement of these conditions. He added a few additional misgivings.

### 3. Approval of Consent Agenda

- 9 March 2023 Minutes

Commissioner Losee moved to approve the consent agenda with amendment to remove the line from page 4 “She doesn’t have a problem with the rezone request.” Commissioner Davis seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.

### 4. Public Hearing & Action on: Preliminary/Final Plan & Rezone (from R-L to R-M), for Peak View Subdivision (2 Lot Residential Subdivision) approximately .79 gross acre located at 1885 E 7600 S for applicant: Lincoln & Debbie Dygert:

Commissioner Losee moved to open the public hearing on Preliminary/Final Plan & Rezone (from R-L to R-M), for Peak View Subdivision (2 Lot Residential Subdivision) approximately .79 gross acre located at 1885 E 7600 S for applicant: Lincoln & Debbie Dygert. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.

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

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

Commissioner McFadden moved to close the public hearing on Preliminary/Final Plan & Rezone (from R-L to R-M), for Peak View Subdivision (2 Lot Residential Subdivision) approximately .79 gross acre located at 1885 E 7600 S for applicant: Lincoln & Debbie Dygert. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.

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

Commissioner McFadden moved to recommend approval to the City Council for the Preliminary/Final Plan & Rezone (from R-L to R-M), for Peak View Subdivision (2 Lot Residential Subdivision) approximately .79 gross acre located at 1885 E 7600 S for applicant: Lincoln & Debbie Dygert to include amending the lot line 5 ft. to the east. Commissioner Skola seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.

### 5. Public Hearing and Action on: Preliminary Plan & Rezone (from A & R-M to R-M), for Kastle Cove Phase 1 (11 Lot Residential Subdivision) approximately 5.461 gross acres located at approximately 1050 E Lester Drive for applicant: Layne Kap

Community Services Director Trevor Cahoon explained the primary current zoning for this project is Agriculture (A) a small portion of the project is currently zoned Residential Moderate (R-M). The developer has requested a rezone for R-M which is consistent with South Weber City’s general plan. Mr. Cahoon affirmed this subdivision will include an administrative development agreement with the developer. A portion of this project involves property that is currently in the possession of South Weber City. In order to secure the future connection of

Lester Drive to 7375 S, South Weber City is willing to give city land to the developer on the condition that this connection takes place.

The development agreement will be part of the final submittal and will be valid for five years. Mr. Cahoon communicated one of the key points is the timing of the project. According to the agreement, the property will become the developer's once all the improvements are completed. This ensures that the developer will not take possession of the property until all the necessary infrastructure is in place. The agreement also outlines the sequence of events that must take place once the subdivision, development agreement, rezone, and improvement plans have been approved. Lastly, the agreement includes a reverter clause, which ensures that the property will revert to South Weber City, if the developer fails to comply with the terms of the agreement.

Mr. Cahoon further explained this development has impacts to cross access agreements found on private property. The inclusion of the road stub to the parcels in the south will accommodate access issues of the Lester Drive extension. The developer will be connecting Lester Drive to 7375 South. This will create a second egress opening development opportunity in this area. The developer must complete this connection prior to any building permits being issued. There will be some vacation of current utilities and orientation into the new right of way. A portion of Lester Drive will be vacated to the original owner with research currently ongoing. South Weber City agrees to vacate the right-of-way at the western end of Lester Drive to allow for the realignment of the road. This will be given back to the original owner. If the original owner is not the current owner of the proposed subdivision, the property will need to be transferred to the current owner.

All of Lot 108 will be dedicated as a temporary retention basin until such time that down-stream improvements are in place, allowing for the elimination of the retention basin. The developer shall retain ownership of this lot and is responsible for continued maintenance and landscaping. The owner of the retention basin must request the elimination of the retention basin and the city confirm that said down-stream improvements are installed before the retention basin can be physically eliminated.

**Commissioner Skola moved to open the public hearing on Preliminary Plan & Rezone (from A & R-M to R-M), for Kastle Cove Phase 1 (11 Lot Residential Subdivision) approximately 5.461 gross acres located at approximately 1050 E Lester Drive for applicant: Layne Kap. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.**

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

Commissioner Davis asked if there was any public comment.

**Barbara Shupe of South Weber City** requested the Planning Commission and Mayor review an email her son Kyle sent. She proposed the completion of all improvements to the roads before the subdivision is approved.

**Natalie Dayton, owner of 7420 S 1025 E**, announced nobody has contacted her for an access agreement. She queried the size of the road and opined this development will possibly devalue



her property. She disfavored the road connecting to South Bench Drive. In 1998 Mitchel Cove Subdivision deeded a right of way. She suggested the Planning Commission table or vote no until the developer can provide a better option for the stub road because of the detriment to her property.

**Lynn Poll of South Weber City** opined a 60 ft. wide road will suffice. He affirmed the need for sidewalks for children safety.

**Paul Sturm of South Weber City** reviewed the city tried to extend Lester Drive and it failed. He queried on the connection of the existing subdivision to the south and the foreseeable new subdivision.

**Chris Poll of South Weber City** stated his property borders the subdivision and questioned the type of fencing as they have horses on their property. He echoed the need for sidewalks for safety reasons.

**Layne Kap**, the developer of this subdivision, stated the reason this project has not gone forward the last few years is because it is non-profitable. He agreed 7350 South and 1025 East need improvements. He averred the project is well designed and will benefit the city.

**Heidi Bell of South Weber City** verified 7350 South needs to be improved. She discussed the traffic issues at South Weber Elementary School and the need for second access to improve safety for the children.

**Brent Poll of South Weber City** was concerned people are being put at risk from contamination.

**Jason Stott of South Weber City** voiced unease with 1025 East and the need for improvements.

**Commissioner McFadden moved to close the public hearing on: Preliminary Plan & Rezone (from A & R-M to R-M), for Kastle Cove Phase 1 (11 Lot Residential Subdivision) approximately 5.461 gross acres located at approximately 1050 E Lester Drive for applicant: Layne Kap. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.**

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

Commissioner Skola asked about 1025 East. Mr. Cahoon explained anything south of Lester Drive will access 1025 East to Lester Drive and it is anticipated there will be a gate installed north on the private road to discourage local traffic from using the private right-of-way to South Weber Drive.

City Engineer Brandon Jones addressed the stub road identified on the plat and its relation to the city's transportation plan in the general plan. He pointed out the stub is available with utilities for future property owners to tie into and make their property developable. This stub will allow for access to property to the south. Property owners still have a private road south of Lester Drive and a connection from the stub. Discussion took place regarding the road width and park strip.

Mr. Jones explained the city code requires a standard 70 ft. wide road with 7.5 ft. wide park strips.

Mr. Jones acknowledged the need to improve 7375 S. but the city has no funding for the road improvements currently. He explained the 1 ft. holding strip on the north side of 7375 S. Commissioner McFadden asked about the pollution hazard. Commissioner Davis identified the Hill Air Force Base operable units on the sensitive land map in which there are no hazardous areas for this subdivision. Commissioner Boatright added he did not understand why the pollution was raised because it is not identified on this property.

Mr. Jones explained the temporary storm drain on Lot #108 and assured it meets the need for water detention. Mr. Kap affirmed it will be landscaped and maintained.

Commissioner Davis asked about fencing. Mr. Kap had not discussed the type of fencing yet. Mr. Jones explained that code requires a minimum 6 ft. chain link fence between residential developments and agricultural zones.

Commissioner Davis queried on the cross-access agreement. Mr. Jones responded 1025 East is a private road because there is an agreement in place with the property owners that allows access to private property. The private road easement is what gives them the right to cross the properties, but the property itself is owned by individual property owners. He noted 1025 East does have asphalt which can be removed north of Lester Drive once this road goes through because there would no longer be a need for it. Commissioner Boatright queried on the location of the gate on 7375 South that blocks access to 1025 East. Mr. Jones replied the gate is to be located on the north side of Lot #111 and it does not need to be a gate but can be fenced. Commissioner Losee questioned if there will be pedestrian access. Mr. Jones replied that pedestrians will need to use South Weber Drive.

Commissioner Skola voiced concern with maintenance of the detention basin and the difficulty of watering grass. Mr. Jones confirmed the developer will be responsible for maintaining the basin. Commissioner Losee thanked those who gave public comment. She expressed concern that there are still questions surrounding this development. She verified the connection needs to take place to 7375 South and will need to be improved by widening the street, sidewalk, curb and gutter. Mr. Jones added it is consistent with the general plan.

Commissioner Losee requested a correction from 5,461 gross acres to 5.461 acres.

**Commissioner McFadden moved to recommend approval to the City Council the Preliminary Plan & Rezone (from A & R-M to R-M), for Kastle Cove Phase 1 (11 Lot Residential Subdivision) approximately 5.461 gross acres located at approximately 1050 E Lester Drive for applicant: Layne Kap. Commissioner Skola seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.**

**6. Public Hearing and Action on Preliminary Plan for Kastle Cove Phase 2 (13 Lot Residential Subdivision) approximately 8.852 acres located at approximately 7550 S 1160 E for applicant: Layne Kap:**

**Commissioner McFadden moved to open the public hearing on Preliminary Plan for Kastle Cove Phase 2 (13 Lot Residential Subdivision) approximately 8.852 acres located at approximately 7550 S 1160 E for applicant: Layne Kap. Commissioner Skola seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.**

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

Commissioner Davis asked if there was any public comment.

**Mark Dayton, property owner of 7425 S. 1075 E.,** queried why the Planning Commission had not visited the area, which would help them understand problems or issues.

**Layne Kap of South Weber City and the developer** invited anyone who wishes to visit the property with him.

**Commissioner Losee moved to close the public hearing on Preliminary Plan for Kastle Cove Phase 2 (13 Lot Residential Subdivision) approximately 8.852 acres located at approximately 7550 S 1160 E for applicant: Layne Kap. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.**

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

Mr. Cahoon explained this subdivision is conditional upon the connection to Lester Drive. All lots comply with code. The Planning Commission did not have any questions on this development. Commissioner Losee requested a correction from 8,852 acres to 8.852 acres.

**Commissioner McFadden moved to recommend approval of the Preliminary Plan for Kastle Cove Phase 2 (13 Lot Residential Subdivision) approximately 8.852 acres located at approximately 7550 S 1160 E for applicant: Layne Kap. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.**

**7. Action on Final Plat (35 lot Townhouse Plat) for Deer Run Townhomes Parcel# 13-364-0001 2.914 acres located at 7897 S 2700 E by applicant: Joseph Cook of Deer Run Investments LLC:** Community Services Director Trevor Cahoon announced there will be five phases to this project. All items have been completed and addressed by the developer. The development agreement has been updated. The Wisconsin address will need to be updated before the City Council meeting. All individual lots follow the development agreement, which is the zoning document for this project.

Commissioner Losee asked the developer to answer Mr. Paul Sturm's public comment questions. Joseph Cook announced he needs more time to review Mr. Sturm's questions. She questioned why this plan has come back for final review without appearing to address any of the noted concerns from preliminary. She noted the Planning Commission has been told repeatedly that the parameters of comments and input need to be based on what exists within South Weber City

code and the General Plan, and personal opinions or preferences do not carry any weight. She queried why those guidelines do not apply for this development. She would like to see what an R-7 development looks like. She recommended a reverter clause be added that if the development does not get built, the R-7 Zone stays with the land and does not revert back to the previous C-O Zone.

Commissioner Davis responded that the development agreement allows for exceptions to the city code. Mr. Cahoon noted the development agreement is a site-specific zoning document that has provisions to allow for alterations to the city code allowing for a different number of units, height of units, and setbacks.

Commissioner Boatright was confused why the Planning Commission is continuing with the process when the City Council has not yet approved the development agreement. Mr. Cahoon replied decisions are based on City Council approval. The council receives the entire package at one meeting.

Commissioner Losee questioned if there is an irrigation plan for the detention basin. Mr. Cahoon replied that the irrigation plan will be approved by the City Engineer. Commissioner Losee asked about the additional parcel on the southeast corner. Mr. Jones explained there was an overlap of property boundaries, so it was deeded over to the city.

Mr. Cahoon relayed why there are various acreage amounts. The 3.176 acreage is listed with the county and is the total acreage in the property legal description.

**Commissioner Skola moved to recommend approval to the City Council the Final Plat (35 lot Townhouse Plat) for Deer Run Townhomes Parcel# 13-364-0001 2.914 acres located at 7897 S 2700 E by applicant: Joseph Cook of Deer Run Investments LLC. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, McFadden, and Skola voted aye. Commissioner Losee voted nay. The motion carried 4 to 1.**

#### **8. Planning Commission Comments (Boatright, Davis, Losee, McFadden, Skola)**

**Commissioner Skola:** encouraged citizens to keep attending meetings and giving their input.

**Commissioner Losee:** expressed this was not an easy meeting. She reminded everyone the Planning Commission is a recommending body that is required to operate within certain parameters.

**Commissioner Davis:** announced the Code Committee will be reviewing the Conditional Use Permits, Planned Unit Development Ordinance, and street widths.

**Commissioner Boatright:** voiced concern with comments that the Planning Commission does not do their jobs well and reminded everyone the Planning Commission is a volunteer job. There have been unfair and untrue comments. The Commission wants the best for South Weber City, and they are doing their best to serve the community. None of them have any agendas. He admitted they have concerns and strong opinions but are bound on what they can and cannot do. He wished people could understand that we are all on the same team. He thanked the Planning

Commission, City Council, and City staff. He shared that if individuals do not like how things are done, there is an upcoming election.

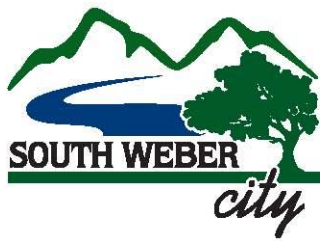
**Community Services Director Trevor Cahoon:** conveyed the fall conference for American Planners Association will be held in Ogden on September 28<sup>th</sup> & 29<sup>th</sup>. Updates will be made to Title 10 and Title 11 by removing as many legislative items as possible to comply with new state law.

**ADJOURN:** Commissioner Losee moved to adjourn the Planning Commission meeting at 8:42 p.m. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Skola voted aye. The motion carried.

**APPROVED:** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Chairperson: Jeremy Davis**

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

**Attest:** \_\_\_\_\_  
**Development Coordinator: Kimberli Guill**



## PLANNING MEMORANDUM

4 Crosswinds FINAL & Arch. Review

1600 E. South Weber Drive  
South Weber, UT 84405

www.southwebercity.com

801-479-3177  
FAX 801-479-0066

To: South Weber City Planning Commission

From: Trevor Cahoon, Community Services Director; Brandon Jones, City Engineer

Re: Final Plat (2 Lot Commercial Subdivision), & Architectural Review for Crosswind Subdivision Parcels 13-039-0082 & 13-039-0083 approximately 5.57 acres located at approximately 7750 S 2700 E by applicant: Genneva Blanchard of John W Hansen & Associates

Project Information	
Project Name	Crosswind Subdivision (Wasatch Dermatology)
Site Location	7750 S 2700 E
Tax ID Number	130390082, 130390083
Applicant	Genneva Blanchard (John W. Hansen & Assoc.)
Owner	Red Desert Real Estate, LLC
Proposed Actions	Preliminary Plat (2 Lot Commercial Subdivision), Conditional Use & Architectural Site Plan Review for Crosswind
Current Zoning	CH
General Plan Land Use Classification	CH
Gross Site	5.57 Acres (Subdivision)

### ACTION

Administrative Action: Consider acceptance of Preliminary Plan and Recommend approval of the Final Subdivision Plat.

### ITEMS FOR PLANNING COMMISSION REVIEW

- **Preliminary Plan Acceptance.** Elements of the Preliminary Plan have been approved, but the plan, as a whole, has not been accepted. The Planning Commission will approve the preliminary plat prior to recommending the Final Plat to the City Council.
- **Final Plat.** After the preliminary plan approval, the next step in the process is recommending approval or denial of the Final Plat to the City Council. The Planning Commission as the Land Use Authority has made approvals of the preliminary plans after which the City Staff verifies the improvement plans are finalized to construction ready drawings. The Plat is the only item that needs City Council approval as this is a decision about how to subdivide the property. Final Plat Items to Consider:
  - *Legal Description:* This has been supplied.
  - *Subdivision Name:* The Subdivision name appears on the plat and is consistent with the application that has been submitted.
  - *Lot Sizes and Orientation:* All lot sizes are indicated.
  - *Addresses and Street Names:* This has been completed.



- *Parcel Numbers or Lot Numbers of Surrounding Properties:* When recording the plat it is necessary to indicate the parcel identification numbers or the lot number for adjoining subdivisions. This plat has that necessary information.
  - *Right-of-Way (ROW):* The private ROW has been indicated on the drawings for dedication to the City and the widths comply with the City Standards. This plat
  - *Utility Easements:* The General Utility Easement required indicated on the plat. The petroleum easements are not indicated on the Plat that we have.
  - *Signature Boxes:* All signature boxes are supplied.
- **Architectural Review:** The project required an architectural review, this was completed in the February Planning Commission Meeting.
  - **Landscape Plan:** A landscape plan was submitted. We can consider the other items at this time. The full plan will need to be accepted by the Planning Commission prior to recommending Final Plat approval from the City Council. Developer has supplied a landscape plan that satisfies the Landscape code. There are areas that are being acquired by the City for future ROW which will remain natural vegetation.

#### **FUTURE APPROVALS NEEDED BY PLANNING COMMISSION**

N/A

#### **APPROVALS PREVIOUSLY GRANTED BY PLANNING COMMISSION**

- **Preliminary Plat**
- **Site Plan:** The commercial use required the submission of a site plan to the Planning Commission for approval. Site plan in general complies with necessary code. An area that will need further conversation is the total required parking. For a Medical Office our code requires 1 space for every 200 gross square feet. The developer has reduced the building footprint which reduces the parking spaces required. Developer has supplied 137 parking spaces which is sufficient for the use.
- **Conditional Use Permit:** Conditional use is needed as the project is over an acre.
- **Improvement Plans:** Developer has submitted preliminary improvement plans to be included in the submission. Final improvement plans are reviewed and approved by the City Engineer.

#### **RECOMMENDATIONS PREVIOUSLY GRANTED BY PLANNING COMMISSION**

N/A

#### **STAFF REVIEW SUMMARY**

City Staff has done a review of and have reviewed the following items:

##### **Planning Review:**

PL-1: **ZONING** Satisfied

The current zoning for this project is Commercial-Highway (C-H). The use is allowed within that zone as a permitted use. However it is over an acre so they will need to be processed through the conditional use application process.

PL-2: **PROJECT SIZE Satisfied**

The Project's approximately 2.65 acres. This is smaller than the original site because the property has to dedicate land for the future ROW.

PL-3: **LOT AREA Satisfied**

There are no minimum lot area requirements.

PL-4: **LOT WIDTH Satisfied**

No minimum with required.

PL-5: **SETBACKS Satisfied**

Setback needs to be 50' from the front and 20' from the side that is fronting 2700 E. The site plan provided shows this to not be an issue.

PL-6: **ACCESS Satisfied**

A traffic study has been completed for the area with the intended use already identified. The future impacts of the road are already addressed in the forthcoming capital facilities plan for transportation. The two access points that will be within the project match existing entrances and exits.

PL-7: **ROADS Satisfied**

Developer will not be adding roads to the project area. They will be creating a cross access agreement with the property to the north to allow traffic to flow between the properties.

The 2700 E Improvements, including the roundabout, will not be taking place with this development. These improvements will occur over time.

PL-8: **LANDSCAPING Satisfied**

At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. For use of exceptional design and materials, as determined by the Planning Commission, the landscaping may be reduced to ten percent (10%) of the total site.

Buffer Yard is not necessary as the site does not abut residential.

PL-9: **ARCHITECTURAL REVIEW Complete**

Developer has submitted renderings of the buildings.

PL-10: **FENCING Satisfied**

Installation of fencing is not required for this development.

**PL-11: SITE PLAN Satisfied**

Parking: The plan has been updated and the total number of parking spaces are sufficient.

**PL-12: LAND ACQUISITION**

The City's future capital facilities plan for this area includes the expansion of 2700 E. The Developer has indicated the areas that the City needs to acquire for this area. An administrative development agreement for the purchase of the property will need to be approved by the City Council. It does not need Planning Commission recommendation. South Weber City is currently drafting this agreement.

**Engineering Review:**

1. Based on the recent study by WCG (transportation engineering consulting firm hired by the city to update the Transportation Master Plan), it is recommended that 2700 East be widened between South Weber Drive and 7800 South to provide for the projected future traffic. WCG also recommended that a roundabout be constructed at the intersection of 7800 South and 2700 East to better facilitate higher traffic volumes and access needs for the businesses along this corridor. A portion of this additional property (greater than 70' width) must be purchased from the developer to compensate them for the loss of their property over and above their direct impact. An appraisal was conducted by The Cook Group and a value of \$8.95/sf was established. The additional area needed amounts to approximately 16,760 sf. This calculates to be about \$150,000. The city will use transportation impact fees to make this payment. These fees have been collected specifically for uses of this type. This dollar figure should be added to the Development Agreement.
2. There is currently no sidewalk along the frontage of this development. Due to the need for the road to be widened in the future, we would recommend that the sidewalk not be installed at this time, but rather have the developer pay the cost of the sidewalk to the city in lieu of installing it now. The city will use this money to build the sidewalk as part of the future widening project. Based on bids recently received for similar construction, we have calculated this cost to be: Length = 740' Width = 6' Area = 4,440 Cost = \$11.50/sf → Total Cost = \$51,060. The requirement for this payment can be added to the Development Agreement or done as a separate agreement.
3. Due to the absence of secondary water service to this property, we recommend that culinary water be allowed for outdoor landscaping needs. The City Standard backflow prevention system will be required to make the connection.
4. A cross-access easement needs to be provided across Lot 2 in favor of Lot 1. This would not be the primary access for Lot 1 but is needed to allow traffic from Lot 1 to access and travel southbound on 2700 East, since the left-hand movement at the shared access may be restricted in the future. This should be added to the plat.



NARRATIVE:

This Survey and Subdivision plat was done at the request of the current Owners of the Parcels, for the purpose of adjusting the common Line and dedicating additional right of way along 2700 East Street.

Brass Cap Monuments were found at the West Quarter Corner and Center Corner of Section 36, T5N, R1W, SLB&M, U.S. Survey, A line bearing South 89°57'59" East between these monuments was used as the basis of bearings.

The following documents recorded at the Davis County Records Office were relied upon for the preparation of this survey: Special Warranty Deed in Book 2808, Page 514, Entry Number 1661091; Right of Way Contract in Book P, Page 365, Entry Number 72762; Right of Way in Book 41, Page 576, Entry Number 125269; Agreement and Grant of Easement in Book 1502, Page 323, Entry Number 975583.

Utah Department of Transportation Right of Way plans for project number NH-0089(30)346, sheets 6-7, were relied upon for the preparation of this survey. A conversion from meters to feet of 1M=3.2808' was used.

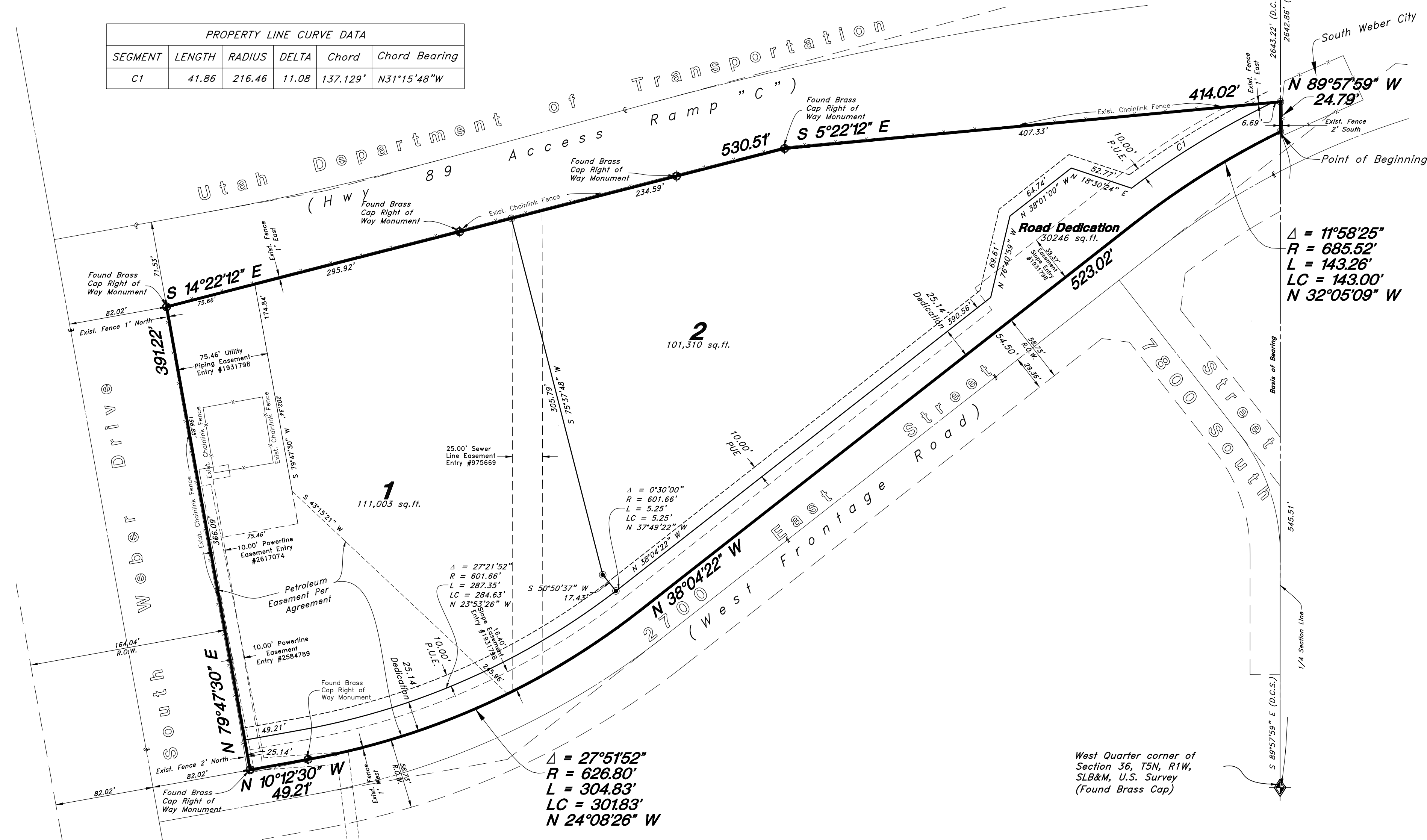
Property corners were monumented as depicted.

# Crosswind Subdivision

A part of the Southwest Quarter of the Northwest Quarter of Section 36,  
Township 5 North, Range 1 West, SLB&M, U. S. Survey  
South Weber City, Davis County, Utah  
January 2023

The recommendations in the following Geotechnical Engineering Report by AGECE are included in the requirements of grading and site preparation.  
The report is titled "GEOTECHNICAL INVESTIGATION RETAIL DEVELOPMENT"  
Job No.: 1050930 Address: 2600 EAST AND SOUTH WEBER DRIVE, SOUTH WEBER, UTAH  
Dated: OCTOBER 27, 2005

PROPERTY LINE CURVE DATA					
SEGMENT	LENGTH	RADIUS	DELTA	Chord	Chord Bearing
C1	41.86	216.46	11.08	137.129'	N31°15'48"W





**GREAT BASIN**  
**ENGINEERING**

5746 SOUTH 1475 EAST OGDEN, UTAH 84403  
MAIN (801)394-4515 S.L.C (801)521-0222 FAX (801)392-7544  
WWW.GREATBASINENGINEERING.COM

SOUTH WEBER CITY  
PLANNING COMMISSION APPROVAL  
Reviewed by the South Weber City Planning and  
Zoning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Chairperson

SOUTH WEBER CITY  
ENGINEER'S APPROVAL  
Approved by the South Weber City Engineer  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Signature

SOUTH WEBER CITY  
ATTORNEY'S APPROVAL  
Approved by the South Weber City Attorney  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Signature

SOUTH WEBER CITY COUNCIL APPROVAL  
This is to certify that this plat and dedication of this  
plat were duly approved and accepted by the City Council  
of South Weber City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest \_\_\_\_\_  
Title \_\_\_\_\_ Mayor

DAVIS COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
FILED FOR RECORD AND  
RECORDED \_\_\_\_\_ AT \_\_\_\_\_  
IN BOOK \_\_\_\_\_ OF OFFICIAL  
RECORDS, PAGE \_\_\_\_\_ RECORDED  
FOR \_\_\_\_\_

\_\_\_\_\_  
DAVIS COUNTY RECORDER

BY: \_\_\_\_\_ DEPUTY

SURVEYOR'S CERTIFICATE

I, Andy Hubbard a Professional Land Surveyor licensed in the State of Utah, do  
hereby certify that this plat of Crosswind Subdivision in South Weber City, Davis County,  
Utah has been correctly drawn to the designated scale and is a true and correct  
representation of the following description of lands included in said subdivision, based on  
data compiled from records in the Davis County Recorder's Office and a survey made  
on the ground.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
License No.

\_\_\_\_\_  
Andy Hubbard

BOUNDARY DESCRIPTION

A part of the Southwest Quarter of the Northwest Quarter of Section 36, Township 5 North, Range 1 West,  
Salt Lake Base & Meridian, U.S. Survey.

Beginning at a point on the east right of way line of 2700 East Street which is 545.51 feet South  
89°57'59" East along the south Quarter section line from the West Quarter corner of said Section 36; running  
thence four (4) courses along said east right of way line as follows: Northerly along the arc of a 685.52  
foot radius curve to the left a distance of 143.26 feet (Central Angle equals 11°58'25" and Long Chord bears  
North 32°05'09" West 143.00 feet), North 38°04'22" West 523.02 feet, Northerly along the arc of a 626.80  
foot radius curve to the right a distance of 304.83 feet (Central Angle equals 27°51'52" and Long Chord  
bears North 24°08'26" West 301.83 feet), and North 10°12'30" West 49.21 feet to the intersection of said  
east right of way line and the south right of way line of South Weber Drive; thence North 79°47'30" East  
391.22 feet along said south right of way line to the west right of way line of Highway 89 Access Ramp "C";  
thence two (2) courses along said west right of way line as follows: South 14°22'12" East 530.51 feet, South  
5°22'12" East 414.02 feet to said south Quarter Section line of said Quarter Section; thence North 89°57'59"  
West 24.79 feet along said Section line to the point of beginning.

Contains: 5.568 acres

OWNER'S DEDICATION

I, the undersigned managing member of BDL Assets, owner of the hereon described tract  
of land, hereby set apart and subdivide the same into lots as shown on this plat, and name  
said tract Crosswind Subdivision.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
SOUTH WEBER DEVELOPMENT  
PARTNERS LLC

\_\_\_\_\_  
RED DESERT REAL ESTATES LLC

\_\_\_\_\_  
XXX - Managing Member

\_\_\_\_\_  
XXX - Managing Member

ACKNOWLEDGMENTS

State of Utah } ss  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_  
2023 by \_\_\_\_\_.

Residing At: \_\_\_\_\_ A Notary Public Commission in Utah  
Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Print Name

State of Utah } ss  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_  
2023 by \_\_\_\_\_.

Residing At: \_\_\_\_\_ A Notary Public Commission in Utah  
Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Print Name

LEGEND

- ▲ Set Nail & Washer
- Set Rebar & Cap w/ Fencepost
- Hub & Tack
- ⊕ Monument to be Set
- ◆ Section Corner
- D.C.S. Davis County Survey

Vicinity Map  
not to scale



**Crosswind Subdivision**  
A part of the Northeast 1/4 of Section 30, T5N, R1W, SLB&M, U.S.  
Survey South Weber City, Davis County, Utah



FRONT ELEVATION



RIGHT SIDE ELEVATION

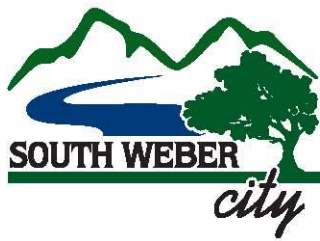


BACK ELEVATION



LEFT SIDE ELEVATION





## PLANNING MEMORANDUM

5 Riverwood FINAL

1600 E. South Weber Drive  
South Weber, UT 84405

www.southwebercity.com

801-479-3177  
FAX 801-479-0066

To: South Weber City Planning Commission

From: Trevor Cahoon, Community Services Director

Re: Final Plat (43 Lot Plat) for Riverwood Subdivision Parcel# 13-005-0038 located at approximately 75 W South Weber Dr. for applicant: Nilson Homes

Project Information	
Project Name	Riverwood Phase 1
Site Location	75 West South Weber Drive
Tax ID Number	130050038
Applicant	Steve Anderson, Nilson Homes
Owner	Lynn Wood – Trustee (Larry D. Ray Revokable Trust)
Proposed Actions	Final Subdivision Recommendation from Planning Commission
Current Zoning	R-LM & A
General Plan Land Use Classification	R-LM
Rezone Request	R-LM
Net Site - Phase 1	26.334 Acres
Gross Site	33.03 Acres
Number of Units Phase 1	43
Gross Number of Units	56
Net Density - Phase 1	1.63 units per acre
Gross Density Calculation	1.69 units per acre

### ACTION

Administrative Action: Final Subdivision Plat

### ITEMS FOR PLANNING COMMISSION REVIEW

- **Preliminary Plan Acceptance.** Planning Commission to Review that the Preliminary Application is complete and any conditions of approval are satisfied.
  - *Conditions of Approval:*
    - Planning Commission to receive copies of all existing easements on the parcel prior to final approval as well as any new easements. **Complete: These are included in the plat.**
    - State of Utah approval regarding APZ zones. **Complete: This letter has been received accepting the plan as in compliance with the easement requirements.**
    - UDOT approval for access on South Weber Drive. **Complete.**
    - Approval from Rocky Mountain Power in regards to bio swell for storm water retention.
    - Submit a landscaping plan. **Complete.**



- Identify type of fence material for east side fence. The fence on the east of the property is not required of the developer it will be required at the time of the future development of the adjacent parcel.
  - Annexation letter from Davis and Weber County. Annexation is not complete but we received confirmation from Weber County that the developer can place improvements in unincorporated Weber County until which time the annexation can be completed.
  - Preliminary approval letter for secondary water with appropriate shares. Complete.
- **Final Plat.** After the preliminary plan approval, the next step in the process is recommending approval or denial of the Final Plat to the City Council. The Planning Commission as the Land Use Authority has made approvals of the preliminary plans after which the City Staff verifies the improvement plans are finalized to construction ready drawings. The Plat is the only item that needs City Council approval as this is a decision about how to subdivide the property. Final Plat Items to Consider:
  - *Legal Description:* This has been supplied
  - *Subdivision Name:* The Subdivision name appears on the plat and is consistent with the application that has been submitted.
  - *Lot Sizes and Orientation:* All lot sizes are consistent with the R-LM.
  - *Addresses and Street Names:* This has been completed.
  - *Parcel Numbers or Lot Numbers of Surrounding Properties:* When recording the plat it is necessary to indicate the parcel identification numbers or the lot number for adjoining subdivisions. This plat has that necessary information.
  - *Right-of-Way (ROW):* The ROW has been indicated on the drawings for dedication to the City and the widths comply with the City Standards.
  - *Utility Easements:* The General Utility Easement required indicated on the plat.
  - *Signature Boxes:* All signature boxes are supplied.
  - *Phasing:* Developer is choosing to go forward with phase 1 at this time as they are still working out the annexation of the property for phase 2.

#### **APPROVALS PREVIOUSLY GRANTED BY PLANNING COMMISSION**

- **Improvement Plans:** Developer has submitted improvement plans to be included in the submission.

#### **RECOMMENDATIONS PREVIOUSLY GRANTED BY PLANNING COMMISSION**

- **Rezone:** The Planning Commission recommended approval of the rezone request a portion of the property from A to R-LM at the October 20, 2021 meeting.

#### **STAFF REVIEW SUMMARY**

City Staff has done a review of and have reviewed the following items:

##### **Planning Review:**

PL-1: **ZONING COMPLETE**

The current zoning for this project is R-LM and a small portion of A. The developer has previously expressed desire to do a rezone application for this small portion of the property. The entire portion that is zoned A lies within the APZ easement area and therefore does not effect the design of the development, however, it does effect the density calculation.

**PL-2: PROJECT DENSITY CALCULATION**

The project includes a section of development located within the Hill Air Force Noise and Crash Zones. The developer has decided to designate these parcels as remnant parcels that can be sold to individuals as they start selling lots. During the application process, the code did not specify whether this noise area should be included in density calculations or excluded due to the residential development rights being obtained through the easement. Some concern was expressed on the ability to utilize this area in density calculations.

The Planning Commission reviewed and approved the preliminary plat, including the easement area in the density calculation, pending approval from the State of Utah Attorney General's Office regarding compliance with the easement restrictions. The State of Utah owns the easement rights on the property and therefore needed to be consulted on the development of the land in their easement area. The State approved the use of the property but does not have jurisdiction to comment on the use of the easement area in calculations and left that with the City to administer.

Since then, the City Council has revised the code to clearly state that the Hill Air Force Base easement area should be excluded from any density calculations. However, because the developer submitted the application and received preliminary approval prior to this code change, the planning commission will need to make decisions based on the code in effect at the time of application.

If the development is approved, the open parcels will become part of the subdivision. As a result, these parcels cannot be developed for any other purposes in the future.

**PL-3: PROJECT SIZE COMPLETE**

The Project's approximately 26.334 acres.

**PL-4: LOT AREAS COMPLETE**

Minimum lot area is 10,000 square feet in the R-LM zone. All lots comply.

**PL-5: LOT WIDTH COMPLETE**

Lot widths are a maximum of twenty five percent (25%) of all lots within any development phase may be a minimum of eighty feet (80') in width; and a minimum of twenty five percent (25%) of all lots within any development phase shall be a minimum of one hundred feet (100') in width; and the width of all lots within any development phase shall average a minimum of ninety feet (90') in width. The lots comply with this code.

**PL-6: SETBACKS COMPLETE**

The lots indicate the buildable area of each lot and all comply with the requirements of the code and allow for development of the property.

**PL-7: ACCESS COMPLETE**

We have received the conditional access permit from UDOT and the subdivision complies with the terms of the permit. The City will be dedicating a portion of the property to the east of the development for the continuation of Harper Way which is required for the development to be constructed due to the number of units.

**PL-8: LANDSCAPING COMPLETE**

Developer has submitted a landscape plan for the storm water basin.

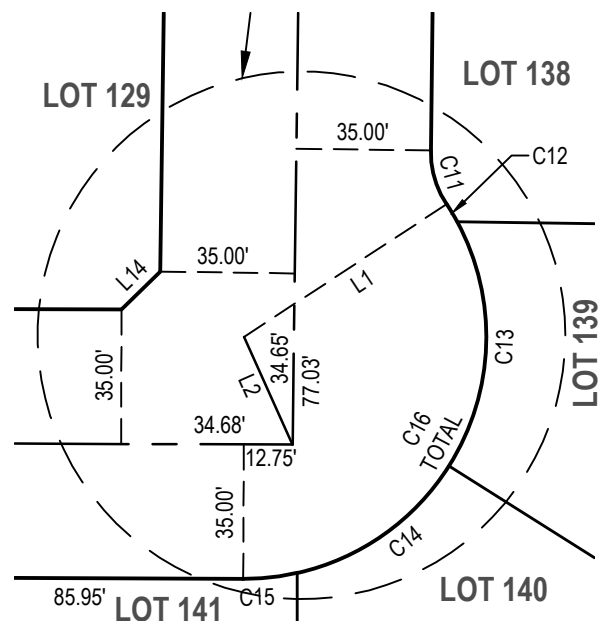
**Engineering Review:**

1. All approvals from outside entities that apply to this phase of the development have been received.
2. UDOT is requiring a Local Government Drainage Agreement to be approved by the City. This allows for UDOT to drain storm drain flows from their facility (South Weber Drive / SR-60) to city storm drain piping, and then for the storm drainage from the city's system to drain to UDOT's facilities going under I-84 to the Weber River. Once the City approves, it will go back to UDOT for final signatures.
3. All proposed public improvements are in compliance with current City Standards.
4. The section of Harper Way that crosses the city property will be the city's responsibility to formally dedicate as public Right-of-Way. This will most likely be done as part of a future amendment to the Public Works Subdivision plat.
5. All utilities and roads in Phase 2 are being built with Phase 1 due to the location of the existing utilities that are being connected to, as well as connectivity of needed infrastructure. However, none of the lots in Phase 2 are included at this point until the county line is moved so that all the lots are in Davis County and South Weber City.

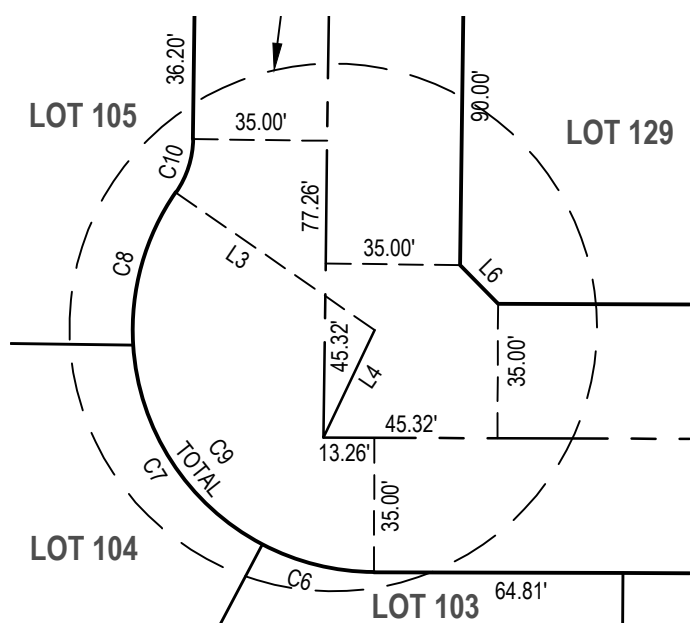


RIVERWOOD SUBDIVISION PHASE 1

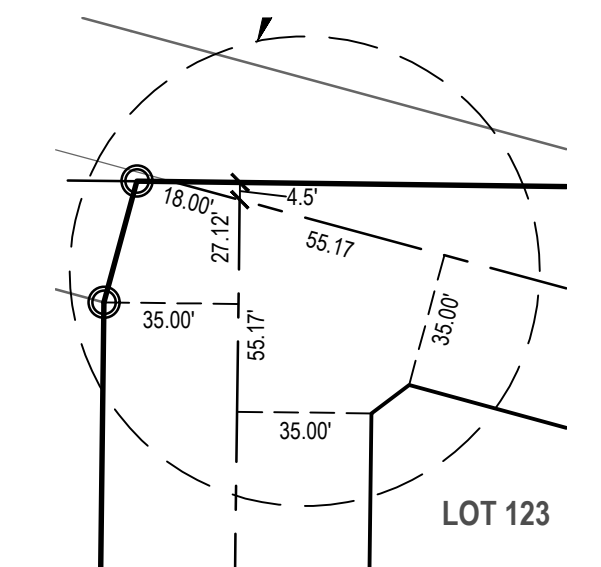
LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 20  
TOWNSHIP 5 NORTH RANGE 1 WEST  
SALT LAKE BASE & MERIDIAN  
SOUTH WEBER CITY, DAVIS COUNTY, UTAH  
MAY 2023



1 DETAIL A SCALE: 1\"/>



2 DETAIL B SCALE: 1\"/>



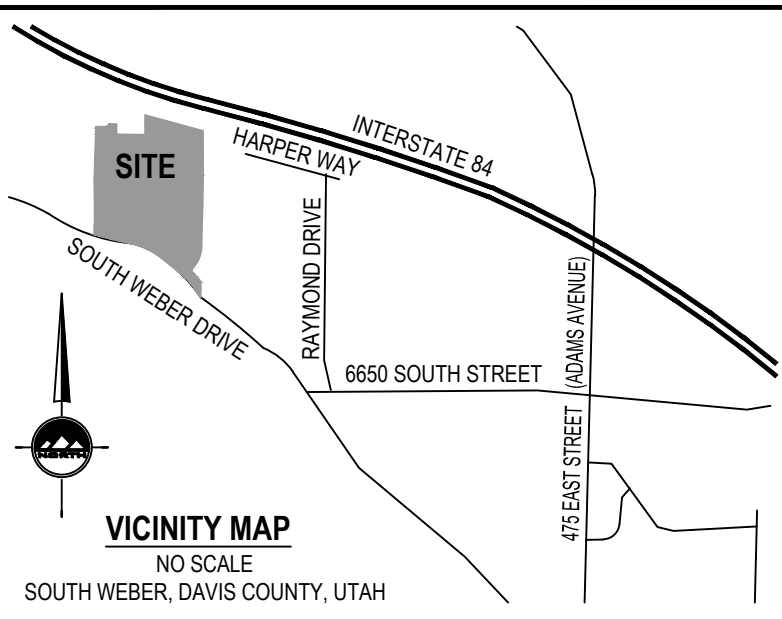
3 DETAIL C SCALE: 1\"/>

NOTES

- UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE GENERAL UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE G.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE G.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE G.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE G.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE G.U.E.
- PROPERTY IS ZONED R.U.M.  
A. FRONT YARD SETBACK IS 20'  
B. REAR YARD SETBACK IS 25'  
C. SIDE YARD SETBACK IS 10' EACH SIDE  
D. CORNER LOT SIDE YARD SETBACK IS 20' STREET SIDE
- ALL GENERAL UTILITY EASEMENTS (GUE) ARE 10' FRONT, 5' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.
- ALL EXISTING AND PROPOSED STREETS ARE PUBLIC STREETS.
- PROTECT ALL EXISTING SECTION CORNERS AND STREET MONUMENTS. COORDINATE ALL SURVEY STREET MONUMENT INSTALLATION, GRADE ADJUSTMENT AND ALL REQUIRED FEES AND PERMITS WITH THE COUNTY SURVEYOR PRIOR TO DISRUPTION OF ANY EXISTING MONUMENTS.
- 5/8\"/>
- THERE IS AN EXISTING SEWER LINE THAT RUNS ALONG THE REARS OF LOTS 101-104 AND 140-143. EXISTING LINE IS TO BE ABANDONED AND REROUTED WITHIN PUBLIC RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT. ANY EASEMENT ASSOCIATED WITH SAID EXISTING SEWER LINE, WRITTEN OR PRESCRIBED IS TO BE VACATED UPON RECORDING OF THIS PLAT.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S56°46'07"W	63.00'
L2	S24°12'10"E	30.75'
L3	S55°20'07"E	63.00'
L4	N25°31'41"E	30.98'
L5	S44°16'06"E	14.15'
L6	N44°32'41"W	14.08'
L7	S45°27'19"W	14.21'
L8	N44°32'41"W	14.08'
L9	S45°27'19"W	14.21'
L10	N44°32'41"W	14.08'
L11	N52°56'38"E	12.25'
L12	S37°03'24"E	12.25'
L13	S52°56'38"E	12.25'
L14	S45°42'56"W	14.14'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	215.00'	56.01'	14°55'37"	N11°17'06"E	55.85'
C2	215.00'	11.66'	3°06'18"	N2°16'09"E	11.66'
C3	215.00'	67.66'	18°01'55"	N9°43'57"E	67.39'
C4	472.39'	32.28'	3°54'56"	N76°34'50"W	32.28'
C5	1710.00'	162.26'	5°28'12"	S75°04'15"E	162.20'
C6	63.00'	30.26'	27°31'10"	S76°02'47"E	29.97'
C7	63.00'	64.62'	58°45'55"	S33°54'15"E	61.82'
C8	63.00'	41.99'	38°11'10"	S15°34'18"W	41.21'
C9	63.00'	136.86'	124°28'15"	S27°34'15"E	111.49'
C10	25.00'	14.81'	33°56'53"	N17°41'26"E	14.60'
C11	25.00'	14.81'	33°56'53"	S16°19'26"E	14.60'
C12	63.00'	5.34'	4°51'22"	N30°48'11"W	5.34'
C13	63.00'	66.63'	60°35'49"	N1°55'24"E	63.57'
C14	63.00'	49.58'	45°05'25"	N54°46'01"E	48.23'
C15	63.00'	14.16'	12°52'54"	N83°54'11"E	14.13'
C16	63.00'	135.71'	123°25'31"	N28°28'53"E	110.95'
C17	285.00'	78.69'	15°49'07"	N10°50'21"E	78.44'
C18	285.00'	11.01'	2°12'47"	N1°49'24"E	11.01'
C19	285.00'	89.69'	18°01'55"	N9°43'57"E	89.32'
C20	701.48'	219.29'	17°54'41"	N56°55'28"W	218.40'
C21	874.74'	72.35'	4°44'19"	N48°32'37"W	72.30'
C22	250.00'	78.68'	18°01'55"	N9°43'57"E	78.35'
C23	1750.00'	153.68'	5°01'54"	S75°16'25"E	153.63'
C24	725.00'	30.59'	2°25'03"	S76°34'50"E	30.59'
C25	725.00'	52.14'	4°07'13"	S73°18'42"E	52.13'
C26	725.00'	52.14'	4°07'13"	S69°11'29"E	52.13'
C27	725.00'	207.69'	16°24'48"	S55°55'28"E	206.98'
C28	725.00'	342.55'	27°04'17"	N64°15'13"W	339.38'
C29	913.17'	75.53'	4°44'19"	S48°20'54"E	75.50'
C30	913.17'	9.94'	0°37'24"	S45°40'03"E	9.93'
C31	913.17'	85.46'	5°21'44"	N48°02'12"W	85.43'
C32	663.50'	126.40'	10°54'56"	S39°53'53"W	126.21'



BOUNDARY DESCRIPTION

A parcel of land, situate in the Southwest Quarter of Section 20, Township 5 North, Range 1 West, Salt Lake Base and Meridian, said parcel also located in South Weber City, Davis County, Utah, more particularly described as follows:

Beginning at a point North 00°31'33\"/>

North 34°26'25\"/>

thence northwesterly 118.78 feet along the arc of a 623.50-foot radius tangent curve to the left (center bears South 55°33'35\"/>

thence northwesterly 81.72 feet along the arc of a 873.17-foot radius curve to the left (center bears South 44°38'39\"/>

thence North 50°43'04\"/>

thence northwesterly 323.65 feet along the arc of a 685.00-foot radius tangent curve to the left (center bears South 39°16'56\"/>

thence North 77°47'22\"/>

thence westerly 144.80 feet along the arc of a 1790.00-foot radius tangent curve to the right (center bears North 12°12'38\"/>

thence North 76.42 feet;

thence North 02°33'30\"/>

thence North 00°22'43\"/>

thence North 00°34'17\"/>

thence North 01°42'44\"/>

thence North 00°37'23\"/>

thence South 89°15'12\"/>

thence North 45°40'54\"/>

thence North 00°43'00\"/>

thence North 15°10'13\"/>

thence South 89°17'00\"/>

thence South 74°49'47\"/>

thence along the westerly and southerly lines of Public Works Subdivision the following courses and distances:

1) South 00°27'09\"/>

2) South 01°27'37\"/>

3) South 01°38'08\"/>

4) South 01°44'39\"/>

5) South 01°04'34\"/>

6) South 01°12'48\"/>

7) southerly 219.43 feet along the arc of a 300.00-foot radius tangent curve to the right (center bears North 88°47'12\"/>

8) South 43°07'17\"/>

9) South 41°11'47\"/>

thence South 00°00'33\"/>

Contains: 1,147,129 square feet or 26.334 acres, 43 lots & 2 Parcels.

SURVEYOR'S CERTIFICATE

I, **TRENT R. WILLIAMS**, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold License No. **8034679** in accordance with Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Act. I further certify that by authority of The Owners, I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements and that the monuments shown on this plat are located as indicated and are sufficient to accurately establish the boundaries of the herein described tract of real property and that it has been drawn correctly and is true and correct representation of the herein described lands included in said subdivision based on data compiled from The County Recorder's office. I further certify that all lots meet frontage width and area requirements of applicable zoning ordinances.

OWNER'S DEDICATION

We the undersigned owners of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown on the plat and name said tract:

RIVERWOOD SUBDIVISION PHASE 1

and do hereby dedicate, grant and convey to South Weber City, Davis County, Utah, all parts of said tract of land designated as streets, the same to be used as public thoroughfares forever; and also dedicate to South Weber City those certain strips as easements for general utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance and operation of general utility service lines and drainage as my be authorized by South Weber City, with no buildings or structures being erected within such easements; and also dedicate, grant and convey to the Utah Department of Transportation, all parts of said tract of land along South Weber Drive (SR-60), the same to be used as a public thoroughfare forever.

Warrant and defend and save the City harmless against any easements or other encumbrances on the dedicated streets which will interfere with the City's use, maintenance and operation of the streets.

In witness whereof I / we have hereunto set our hand (s) this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_\_.

By: \_\_\_\_\_  
South Weber City

By: \_\_\_\_\_

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH  
County of Davis

On the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_\_, personally appeared before me, the undersigned Notary Public, in and for said County of \_\_\_\_\_ in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the \_\_\_\_\_ of \_\_\_\_\_ a Limited Liability Company and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_

RESIDING IN \_\_\_\_\_ COUNTY.

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH  
County of Davis

On the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_\_, personally appeared before me, the undersigned Notary Public, in and for said County of \_\_\_\_\_ in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the \_\_\_\_\_ of \_\_\_\_\_ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_

RESIDING IN \_\_\_\_\_ COUNTY.

NOTARY PUBLIC

RIVERWOOD SUBDIVISION PHASE 1

LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 20  
TOWNSHIP 5 NORTH RANGE 1 WEST  
SALT LAKE BASE & MERIDIAN  
SOUTH WEBER CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE  
PAID \_\_\_\_\_ FILED FOR RECORD AND  
RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF OFFICIAL RECORDS  
PAGE \_\_\_\_\_

DAVIS COUNTY RECORDER

BY \_\_\_\_\_ DEPUTY RECORDER

SHEET 1 OF 2

PROJECT NUMBER : 7992A

MANAGER : C.PRESTON

DRAWN BY : J.MOSS

CHECKED BY : T.WILLIAMS

DATE : 5/25/23

DEVELOPER  
NILSON HOMES  
5617 SOUTH 1475 EAST  
SOUTH OGDEN, UTAH 84403

CITY ENGINEER'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_,  
BY THE: SOUTH WEBER CITY ENGINEER

SOUTH WEBER CITY ENGINEER

PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_,  
BY THE: CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, SOUTH WEBER CITY PLANNING COMMISSION

CITY ATTORNEY'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_,  
BY THE: SOUTH WEBER CITY ATTORNEY

SOUTH WEBER CITY ATTORNEY

ROCKY MOUNTAIN POWER APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_,  
BY THE: ROCKY MOUNTAIN POWER.

ROCKY MOUNTAIN POWER



LAYTON  
919 North 400 West  
Layton UT 84041  
Phone: 801.547.1100  
Fax: 801.553.6315  
WWW.ENSIGNENG.COM

SALT LAKE CITY  
Phone: 801.255.0529  
TOLELE  
Phone: 435.843.2696  
CEDAR CITY  
Phone: 435.855.4133  
RICHFIELD  
Phone: 435.895.2983

DOMINION ENERGY UTAH APPROVAL

DOMINION ENERGY UTAH - NOTE WITH NO EXISTING NATURAL GAS EASEMENT

QUESTAR GAS COMPANY, dba DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR IN THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-336-8532

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_,

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_



LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 20  
TOWNSHIP 5 NORTH RANGE 1 WEST  
SALT LAKE BASE & MERIDIAN  
SOUTH WEBER CITY, DAVIS COUNTY, UTAH

ELITE TRAINING CENTERS, LLC  
PUBLIC WORKS SUBDIVISION  
LOT 1  
13-358-0001

**SOUTH WEBER CITY  
PUBLIC WORKS SUBDIVISION  
LOT 2  
13-358-0002**

30.0' EXIST CULINARY  
WATER EASEMENT WEBER BASIN  
WATER CONSERVANCY DISTRICT  
ENTRY NO. 1117119  
BOOK 1585, PAGE 1483 - WEBER COUNTY

25.0' EXIST SEWER EASEMENT  
CENTRAL WEBER SEWER IMPROVEMENT DISTRICT  
ENTRY NO. 1178977  
BOOK 1627, PAGE 1513 - WEBER COUNTY

LARRY D RAY  
REVOCABLE TRUST  
07-079-0056

**INTERSTATE HIGHWAY 84**

SEE DETAIL C

LARRY D RAY  
REVOCABLE TRUST  
07-079-0007

- 25.0' EXIST SEWER EASEMENT  
CENTRAL WEBER SEWER IMPROVEMENT DISTRICT  
ENTRY NO. 1178977  
BOOK 1627, PAGE 1513 - WEBER COUNTY

HARRY L. AND WANDA F. PEEK  
TRUSTEES  
13-005-0003

## PARCEL A

EXIST 30.0' SOUTH WEBER IRRIGATION  
COMPANY EASEMENT  
ENTRY NO. 253676  
BOOK 5056, PAGE 5  
DAVIS COUNTY

ENTRY NO. 1634629 IN BOOK  
5056, PAGE 58

20.0' SOUTH WEBER  
IRRIGATION EASEMENT  
ENTRY NO.

LYNN WOOD TRUSTEE  
13-005-0038

**PARCEL B**

### LEGEND

SECTION CORNER

EXISTING STREET MONUMENT

PROPOSED STREET MONUMENT

SET 5/8" REBAR WITH YELLOW PLASTIC CAP OR NAIL STAMPED "ENSIGN ENG. LAND SURV."

GU&DE= GENERAL UTILITY & DRAINAGE EASEMENT

EASEMENTS

SETBACK LINE

CENTERLINE OF ROAD

RIGHT-OF-WAY LINE

WEST QUARTER  
CORNER  
SECTION 20  
T5N, R1W  
SLB&M  
(NOT FOUND)

SOUTHWEST CORNER  
SECTION 20  
T5N, R1W  
SLB&M  
(NOT FOUND)

### HORIZONTAL GRAPHIC SCALE

HORZ: 1 inch = 80 ft

HORZ: 1 inch = 80 ft.

# RIVERWOOD SUBDIVISION PHASE 1

LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 20  
TOWNSHIP 5 NORTH RANGE 1 WEST  
SALT LAKE BASE & MERIDIAN  
SOUTH WEBER CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE \_\_\_\_\_  
PAID \_\_\_\_\_ FILED FOR RECORD AND  
RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF OFFICIAL RECORDS  
PAGE \_\_\_\_\_

DAVIS COUNTY RECORDER

BY \_\_\_\_\_  
DEPUTY RECORDER

**SHEET 2 OF 2**

PROJECT NUMBER : 7992A

MANAGER : C.PRESTON

DRAWN BY : J.MOSS

CHECKED BY : T.WILLIAMS

DATE : 5/25/23

**DEVELOPER**  
**NILSON HOMES**  
**5617 SOUTH 1475 EAST**  
**SOUTH OGDEN, UTAH 84403**

—D=4°38'05"  
 R=1790.00  
 L=144.80'  
 CB=N 75°28'19" W  
 C=144.76'

D=27°04'17"  
 R=685.00  
 L=323.65'  
 CB=N 64°15'  
 C=320.65'

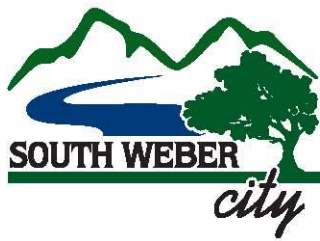
$D=10^{\circ}54'56''$   
 $R=623.50$   
 $L=118.78'$   
 $CB=N\ 39^{\circ}53'53''\ W$   
 $C=118.60'$

—S 41°11'47" E  
143.84'  
S 0°00'33" W  
129.98'

LLC  
ION

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To: Planning Commission  
From: Trevor Cahoon, Community Services Director  
  
Re: Discussion Updating City Standards- Road Widths

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### **ACTION**

Discussion on updates from the state legislature.

### **STAFF REVIEW SUMMARY**

HB 406 introduces a definition for "residential roadway" and sets forth certain criteria for its design and construction. A residential roadway is now defined as a public local road that primarily serves to access adjacent residential areas, is designed to accommodate minimal vehicle traffic, has a posted speed limit less than or equal to 25 mph, does not have higher traffic volumes resulting from connecting previously separated areas of the road network, cannot have primary access, and does not abut high traffic volume lots such as schools, recreation centers, sports complexes, or libraries. The main purpose of these roadways is to serve traffic within neighborhoods.

One significant provision of HB 406 is the limitation it imposes on the width of residential roadways. According to the new law, a municipality may not require installation of pavement on a residential roadway at a width greater than 32 feet with some exceptions. However, a municipality may still require or allow a residential roadway that is less than 32 feet in width.

It is important to note that certain exceptions to this provision exist, including cases where the wider roadway is needed for vehicle turnaround areas, cul-de-sacs, specific traffic flow constraints at intersections or mid-block crossings, or other areas designated in general or master plans for transportation, bicycle lanes, trails, or other similar improvements that are not included within an impact fee area. Furthermore, wider roadways may be necessary to address traffic flow constraints for higher density developments or uses that generate higher traffic volumes, including community centers, schools, and similar uses. Additionally, wider roadways may be required if the installation of utility lines exceeds a certain depth, the roadways have a design speed exceeding 25 miles per hour, flood and stormwater routing needs to be accommodated, or if fire code requirements for parking and fire hydrants necessitate the wider width.

HB 406 also establishes a new appeal process for situations where the municipality's requirement exceeds the 32-foot width limit for a residential roadway. Under this new process, an applicant has the opportunity to appeal to a panel of technical experts. The panel consists of three licensed engineers: one designated by the municipality, one designated by the land use applicant, and one agreed upon and designated by the two previously mentioned engineers. It is important to note that panel members may not have any interest in the application in question. The applicant is responsible for paying 50% of the total cost of the panel and the municipality's published appeal fee, with the municipality covering the

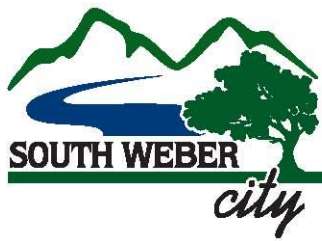


other 50%. The panel's decision is considered final unless either the municipality or the applicant petitions for district court review within 30 days after the final written decision is issued.

To comply with HB 406 and ensure our Public Improvement Standards align with the new state requirements, the City will undertake the following tasks over the next several months:

- Review and update the existing Public Improvement Standards to incorporate the definition and criteria for residential roadways as outlined in HB 406.
- Develop guidelines and procedures for the new appeal process, ensuring clarity and transparency for applicants and stakeholders.
- Communicate the changes and updates to developers, land use applicants, and other relevant parties to ensure compliance with the new regulations.
- Provide training and support to City staff involved in the implementation and enforcement of the revised Public Improvement Standards.

By undertaking these tasks, we will ensure that our City's development projects and infrastructure improvements align with the revised state code, promoting safe and efficient residential roadways that cater to the needs of our neighborhoods.



To: Planning Commission  
From: Trevor Cahoon, Community Services Director  
Re: Ordinance Conditional Use Permit

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## **ACTION**

Discussion on: Conditional Use Permit Updates

## **ORDINANCE REVIEW**

The Code Committee has reviewed and considered the proposed Conditional Use Code, which aims to provide a comprehensive framework for the administration and regulation of conditional use permits in [City Name]. The new code has been drafted to align with the goals and objectives of our general plan and zoning regulations while addressing the unique needs and circumstances of our community.

The adoption of the new Conditional Use Code will ensure a transparent and consistent process for evaluating and granting conditional use permits, promoting responsible development and preserving the quality of life for our residents. The code includes clear guidelines, standards, and criteria that applicants must meet, fostering predictability and fairness in decision-making.

The proposed Conditional Use Code has undergone extensive review and input from various stakeholders, including planning staff, legal counsel, and community members. The code has been designed to strike a balance between supporting appropriate land uses and protecting the interests and concerns of the community.

## **BACKGROUND**

Conditional use permits play a crucial role in land use planning, allowing for the controlled and regulated use of specific properties within a municipality. These permits are granted for land uses that may not be appropriate in all zoning districts but can be approved under certain conditions to ensure compatibility with the surrounding area.

Conditional use permits provide flexibility for landowners and developers while maintaining the integrity of zoning regulations and safeguarding the public interest. They allow for unique or specialized land uses that may provide benefits to the community but require additional scrutiny to ensure they meet specific criteria and standards.

## **LIMITATIONS ON CONDITIONAL USE IN UTAH**

In the state of Utah, conditional use permits are subject to certain limitations and guidelines. The Utah State Code, Section [Section Number], establishes a framework for the granting and administration of conditional use permits. Key limitations and considerations in Utah include:

**Compatibility:** Conditional uses must be compatible with the surrounding area and adhere to the objectives of the applicable zoning district.

**Public Hearing:** Before granting a conditional use permit, a public hearing must be held to provide an opportunity for public input and address any concerns or objections from affected parties.

**Findings of Fact:** The Planning Commission must make specific findings of fact to demonstrate that the proposed conditional use meets the necessary criteria and will not be detrimental to the public health, safety, or welfare.

**Conditions and Restrictions:** Conditional use permits may be subject to conditions or restrictions imposed by the Planning Commission to ensure compliance with relevant regulations and minimize potential adverse impacts on the community.

**Revocation:** If the conditions set forth in the conditional use permit are not adhered to, or if the use becomes detrimental to the public interest, the Planning Commission has the authority to revoke the permit.

**ORD 2023-09: Conditional Use Ordinance (DRAFT)**

<b>10-7</b>	<b>Conditional Uses</b>
<b>10-7-1</b>	<b>Purpose</b>
<b>10-7-2</b>	<b>Authority</b>
<b>10-7-3</b>	<b>Initiation</b>
<b>10-7-4</b>	<b>Standards</b>
<b>10-7-5</b>	<b>Application Requirements</b>
<b>10-7-6</b>	<b>Conditional Use Application Requirements</b>
<b>10-7-7</b>	<b>Approval Standards for A Conditional Use Application</b>
<b>10-7-8</b>	<b>Reasonable Conditions for A Conditional Use Authorized</b>
<b>10-7-9</b>	<b>Required Findings for Approval or Denial of a Conditional Use Application</b>
<b>10-7-10</b>	<b>Effect of Approval of a Conditional Use Application</b>
<b>10-7-11</b>	<b>Appeals</b>
<b>10-7-12</b>	<b>Revocation or Modification of a Conditional Use Approval</b>
<b>10-7-13</b>	<b>Conditional Use Approval Amendment</b>
<b>10-7-14</b>	<b>Expiration of a Conditional Use Approval</b>

**10-7-1**      **Purpose**

The purpose of a conditional use application is to request land uses that, because of the unique characteristics or potential impact of the land use on the City, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. This chapter identifies and provides the procedures for the review, approval, and appeal of conditional use applications.

**10-7-2**      **Authority**

With the exception of applications to allow a short-term rental, the Planning Commission is hereby authorized to review and to render a decision for all conditional use applications in residential zones. The Planning Commission shall review and make a recommendation to the City Council on all conditional use applications in non-residential zones and for short-term rentals. The City Council is hereby authorized to make the final review and to render a decision for all conditional use applications in non-residential zones and for short-term rentals, in accordance with the requirements of this chapter.

**10-7-3**      **Initiation**

All requests to establish a conditional use, as identified in the Land Use Matrix, shall be made on an application form provided by the city. A property owner or an agent of the property owner may present a conditional use application for review and decision. A lessee of the property owner may present a conditional use application for review and decision only if such application is accompanied by a property owner affidavit of authorization.

**10-7-4      Standards & Conditions**

The Planning Commission or City Council shall approve an application for a conditional use if the proposed use complies with the requirements of the underlying zone(s) and reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the following standards and conditions:

A.      Compatibility with or impact to neighboring properties:

1.      Location within zone: The placement of conditional uses only in specific areas of a zoning district (i.e., along an arterial or collector street).
2.      Site Configuration: Size, configuration, and location of the site, and proposed site plan layout.
3.      Screening: The screening of yards or other areas as protection from certain land uses and activities.
4.      Height: Limitations or controls on the location, height, and materials of walls, fences, hedges, and screen plantings to ensure harmony with adjacent development, or to conceal storage areas, utility installations, or other unsightly development.
5.      Setbacks: The relocation of proposed or existing structures as necessary to provide for street widening or street placement within the area under application, as provided in the General Plan, adequate sight distances for general safety, groundwater control, or similar issues.
6.      Density/Intensity/Livability: Modification to allowed population density and intensity of land use and activities where land capability and/or vicinity relationships make it appropriate to do so to protect health, safety, and welfare; and

The provision of useable open space, public features, and recreational amenities to serve the uses and activities on the site.

B.      Safety of persons and property:

1.      Flooding: Building elevation and grading plans which will prevent or minimize flood water damage, where property may be subject to flooding.
2.      Attractive Nuisances: The relocation, covering, or fencing of irrigation ditches, drainage channels, and other potential attractive nuisances existing on or adjacent to the property.

3. Setbacks: Increased setback distances from lot lines where it is determined to be necessary to ensure public safety and to ensure compatibility with the intended characteristics of the zoning district, or where the lot abuts an arterial or collector street.
4. Fault Lines: Appropriate design, construction, and location of structures, buildings, and facilities in relation to an earthquake fault which may exist on the property, and limitations and/or restrictions to use and/or location of use due to special site conditions, including but not limited to, geologically hazardous areas, flood plains, fault zones, and landslide areas other than may be required by the sensitive lands overlay development regulations.
5. Signs and similar structures: Limitations and control of the number, location, color, size, height, lighting, and landscaping of signs and structures in relation to the creation of traffic hazards.
6. Loading Zones: Plans for the location, arrangement, and dimensions of truck loading and unloading facilities.
7. Street Features: Construction of curbs, gutters, drainage culverts, sidewalks, streets, fire hydrants, and street lighting.

C. Health and Sanitation:

1. Water: A guarantee of sufficient water to serve the intended land use and a water-delivery system to meet the needs of the proposed use and development.
2. Wastewater: A wastewater-disposal system and a solid waste-disposal system to meet the needs of the proposed use and development.
3. Utilities: Construction of water mains, sewer mains, and drainage facilities serving the proposed use, in sizes necessary to protect existing utility users in the zoning district and to provide for an orderly development of land.
4. Trash Collection: Provision of appropriate storage and collection areas for trash and refuse generated by the use and development.
5. Snow Removal: Sufficient space on the property to manage and store snow during the winter season

D. Environment:

1. Sensitive Areas: Limitations and/or restrictions on the use and/or location of uses in sensitive areas due to soils capabilities, wildlife, and plant life.



2. Pollution: Processes/designs for the control, elimination, or prevention of land, water, or air pollution.
  3. Erosion: The prevention of soil erosion.
  4. Odors: The control of objectionable odors.
  5. Noise: The control of objectionable noise; and  
Fencing, screening and landscape treatments and other features designed to protect adjoining property owners from noise.
  6. Dust: The prevention of dust or debris.
  7. Light: No light pollution.
  8. Nuisance: Measures directed at minimizing or eliminating potential nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.
  9. Natural Conditions: Measures designed to protect the natural features of the site, including wetlands and drainage ways, around water protection, wildlife habitat, historic and archeological site protection, and other natural site features.
- E. Traffic, Circulation, and Parking:
1. Traffic: The proposed use and development shall not generate enough traffic to be detrimental to the immediate neighborhood, overload the carrying capacity for which local streets were designed, shall not reduce the performance of existing roads from their current level of service, and shall provide safe site ingress and egress to existing and proposed roads and streets.
  2. Circulation: Internal traffic circulation shall not adversely affect adjacent residential properties. The site shall provide sufficient circulation to manage loading and unloading, deliveries, and queueing of vehicles without such activities leaving the site and impacting adjacent roads.
  3. Parking: Parking facilities shall not adversely affect neighboring properties, shall be effectively screened from adjacent residential properties. The relationship of structures and parking shall be complimentary to the aesthetics of the general area. The location and amount of off-street parking and loading areas shall be sufficient to serve the proposed use and development. There shall be sufficient parking to serve the proposed use and development and to store snow removed from the parking areas during winter months.

**10-7-5      Application Requirements**

Applications for a conditional use are required to comply with all requirements of this chapter and this ordinance, and including the requirements for a building permit, as applicable, and all other applicable requirements. All conditional use applications shall be determined complete by the City Manager or designee before they may be considered by the Planning Commission or City Council.

**10-7-6      Conditional Use Application Requirements**

All conditional use applications shall be submitted to the City Manager or designee. Applications shall be provided in electronic PDF format and, as directed by the City Manager or designee, shall include any of the following information:

- A. A completed application form, as provided by the city.
- B. Title report and survey of the subject property.
- C. Proposed plans, including a site plan, elevation drawings and building renderings which display the following information:
  - 1. Property boundaries and the location of all existing and proposed buildings on the subject property and buildings located within three-hundred (300) feet of the subject property.
  - 2. Building setbacks, heights and lot coverage dimensions to demonstrate compliance with dimensional standards of the site's zoning district.
  - 3. The location of all fences and walls, identifying proposed height, materials, and colors shall be shown.
  - 4. Landscape plan(s) shall be provided, prepared by a registered landscape architect, identifying all proposed landscape, screening and buffering features, plant materials and sizes.
  - 5. Proposed vehicular and bicycle parking, loading, and traffic circulation plan. This plan must consider snow removal and storage during winter months.
  - 6. The location of all existing and proposed roads and streets serving the property, and including any permits as required by Davis County or the Utah Department of Transportation.
  - 7. All public and private rights-of-way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown.

**Commented [JB1]:** Add snow removal and public transportation infrastructure, and trash and recycle.

8. The location and dimension of all existing natural property features including existing vegetation, wetlands, streams, drainage ways, flood plains, waterbodies, and wildlife habitat areas.
  9. Existing topography of the property, including the existing grade, and identifying the proposed finished grade of the site shown.
  10. The location and dimension of all trails, sidewalks and biking facilities.
  11. All existing and proposed utilities, including culinary water, secondary water, sanitary sewer, storm drainage, power, gas, and telephone lines and facilities, streets and roads with design plans for any new water, sewer and storm drainage lines and facilities, as applicable, streets and roads, meeting the design and construction requirements of the city, or other agencies, as applicable, and prepared by a licensed engineer, at a scale acceptable to the City. Access to all utilities and points of utilities connections shall be shown.
  12. Building plans and drawings shall be provided, as required, to meet the adopted building code. The exterior elevations of every side of all proposed buildings and structures shall be provided, clearly showing proposed building materials and colors proposed for all exterior building facades.
  13. Lighting plan showing identifying proposed site and building lighting, type, design, location, intensity, height, and direction of all site and building lighting. All lighting shall be dark-sky compliant, utilize a full cut-off design, and be directed downward and away from any adjacent residential uses.
  14. The location of all associated mechanical and ancillary equipment shall be provided, including any screening treatments proposed. The location and dimensions of all proposed solid waste collection areas and storage areas, including the proposed method of screening shall be identified.
  15. An erosion control plan with Information identifying proposed temporary and permanent erosion control measures.
  16. Information shall be provided identifying the phases of construction, a construction schedule, and a list of all permits necessary for the proposed use(s).
- D. A narrative, accompanied by necessary tables and other information, describing the proposed conditional use application, to assist city staff, Planning Commission, and City Council in reviewing the conditional use application identifying the following:
1. A calculation, identifying all pervious and impervious areas.
  2. A description of all proposed uses and buildings, including the total site area

and building square footage, by building.

3. Projected increase in traffic trips.
  4. Projected water and sewer demand.
  5. How the proposed use, and accompanying site and building plans comply with the general plan.
- E. Proposed materials board displaying all building, sign and fencing materials and colors.
- F. If required by staff, the Planning Commission, the City Council, or the City Engineer, a traffic impact analysis will be required. At a minimum, unless additional information is required, a traffic impact analysis shall be prepared by a licensed engineer and include the following information:
1. Projected traffic from the proposed development project,
  2. The area within the general vicinity of the proposed project as outlined by the City Engineer,
  3. Potential traffic to be generated by other undeveloped sites within the established study boundaries, and
  4. Recommendations of land use and/or appropriate traffic engineering modifications to mitigate traffic impacts and maintain an acceptable level of service.

**10-7-7 Approval Standards for A Conditional Use Application**

The City shall review the conditional use application and determine if the application, from the materials presented by the applicant complies with the following:

- A. The proposed use is consistent with the General Plan.
- B. The proposed use is an allowed conditional use within the zoning district.
- C. The proposed conditional use and the accompanying site plan complies with all requirements of the zoning district, as applicable, including minimum area, front, rear and side-yard setbacks, building and structure height, and all other requirements applicable in the zoning district.
- D. Complies with all site plan requirements.
- E. Complies with all applicable dedication requirements of the city and provides the

necessary infrastructure, as required.

- F. The proposed conditional use meets, and will be conducted in compliance with the requirements of this ordinance, all other applicable land use ordinances, and all applicable federal, state, or local requirements.
- G. The property on which the conditional use is proposed is of adequate size to permit the conduct of the proposed conditional use in a manner that will not be detrimental to adjoining and surrounding properties.

**10-7-8 Reasonable Conditions for a Conditional Use Authorized**

The City is authorized to impose such reasonable requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control, hours of operation, and other items for the Conditional Use deemed necessary for the protection of adjacent properties and the public interest. Among other conditions deemed appropriate by the City, these conditions may include but shall not be limited to:

- A. Size, configuration, and location of the site, and proposed site plan layout.
- B. Proposed site ingress and egress to existing and proposed roads and streets.
- C. The provision of public facilities and amenities, including roads and streets, culinary water, sanitary sewer, storm drainage, public safety and fire protection, and other utilities.
- D. The location and amount of off-street parking and loading areas.
- E. Site circulation pattern for vehicular and pedestrian traffic.
- F. Building size and location, building design and exterior building features.
- G. The location and design of all site features, including proposed signage, lighting, and refuse collection.
- H. The provision of usable open space, public features, and recreational amenities.
- I. Fencing, screening and landscape treatments and other features designed to increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts.
- J. Measures directed at minimizing or eliminating potential nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.
- K. Measures designed to protect the natural features of the site, including wetlands and

drainage ways, around water protection, wildlife habitat, historic and archeological site protection, and other natural site features.

- L. The regulation of operating hours for activities affecting normal schedules and functions.
- M. Identifying a time for regular review and monitoring, as determined necessary, to ensure the Conditional Use continues to operate in compliance with all conditions and requirements of approval.
- N. Such other conditions determined reasonable and necessary by the Planning Commission or City Council to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Ordinance.

**10-7-9      Required Findings for Approval or Denial of a Conditional Use Application**

- A. If the Planning Commission or City Council finds that the Conditional Use Application complies with all the requirements of this Ordinance, the adopted Building Codes, and all other applicable Land Use Ordinances, the Conditional Use Application shall be approved, with or without reasonable conditions necessary to comply with this Ordinance, the adopted Building Codes, and all other applicable Land Use Ordinances. Following the approval of a Conditional Use Application, with or without conditions, a Building Permit Application may be reviewed, and a Building Permit issued if such application is found to comply with the Building Code, as adopted.
- B. If the Planning Commission or City Council finds that the Conditional Use Application does not comply with all the requirements of this Ordinance, the adopted Building Codes, and all other applicable Land Use Ordinances, the Conditional Use Application shall be denied and no Approval, Permit, or License issued by the city, including a Building Permit.

**10-7-10      Effect of Approval of a Conditional Use Application**

Approval of a Conditional Use Application by the Planning Commission or City Council shall authorize the establishment of the approved use, subject to any use or site plan reasonable conditions. Approval of a Conditional Use Application shall not be deemed an Approval of any other Application, Permit, or License.

**10-7-11      Appeals**

Any person aggrieved by a decision of the Planning Commission or City Council regarding a Conditional Use Application may appeal the decision, as provided by Title 10, Chapter 4 of City Code.

**10-7-12      Revocation or Modification Of A Conditional Use Approval**

- A. A Conditional Use approved in accordance with the provisions of this Ordinance may be revoked by the same body that made the approval – the Planning Commission or City Council – if any of the conditions of approval are not met, or if the permit is used to violate any law or Ordinance.
- B. The City Manager or designee shall notify the approved Conditional Use holder by certified mail of any violation, or if a violation exists in any conditions of approval. If no attempt to correct the violation is made within ten (10) days after notification, the Conditional Use approval may be revoked by the Planning Commission or City Council, if the Planning Commission or City Council finds that one or more of the following circumstances exists:
  - 1. The Conditional Use approval was obtained in a fraudulent manner.
  - 2. The use for which the approval was granted has now ceased for at least six (6) consecutive calendar months.
  - 3. One (1) or more of the conditions of approval have not been met.
  - 4. Additionally, the Planning Commission or City Council, following a public hearing, may modify the conditions under which the use approval was originally approved if the Planning Commission or City Council finds that the use or related development constitutes or is creating a nuisance.

**10-7-13      Conditional Use Approval Amendment**

The procedure for amending any Conditional Use Application approval shall be the same procedure as required to approve the Conditional Use Application.

**10-7-14      Expiration of a Conditional Use Approval**

A Conditional Use Application approval shall expire and shall be invalid if a building, activity, construction, or occupancy, as authorized by the approval, is not commenced within one hundred eighty (180) days from the date of approval. If work has not commenced, or a use established within one-hundred eighty (180) days from date of approval, the approval shall be void and a new Conditional Use Application required. Upon receipt of a written request submitted at least thirty (30) days before the expiration of a conditional use permit approval and showing good cause for the failure to commence work, the City Manager may extend the expiration period by up to six (6) months.

**10-7-15      Decision Document**

Every decision document granting a conditional use permit shall include the following, as applicable:

- A. Heading. A heading containing:
  - 1. The name of the issuing authority;

2. The title of the document, clearly indicating that it is a decision document granting a conditional use permit; and
  3. The date of issuance.
- B. Project Details. A concise description of the project or activity for which the conditional use permit is being granted shall be provided. The description should encompass the following information:
1. Location of the project or property;
  2. Purpose of the proposed conditional use; and
  3. The scope and scale of the conditional use.
- C. Background and Purpose. An explanation of the background and purpose of the conditional use permit, addressing:
1. The legal or regulatory basis for granting the conditional use permit; and
  2. The criteria and considerations used to evaluate permit applications.
- D. Findings. The decision document shall summarize the findings of the evaluation process, demonstrating that the proposed use meets the necessary conditions for approval. The findings shall include:
1. Reference to specific criteria or standards outlined in municipal code; and
  2. Justification for the approval based on the compliance of the proposed use with the specified criteria.
- E. Conditions and Limitations: The conditions and limitations imposed on the conditional use permit. The conditions and limitations shall be:
1. Directly related to mitigating potential impacts or ensuring compliance with regulations; and
  2. Reasonable and enforceable.
- F. Duration and Renewal. The decision document shall specify:
1. The duration of the conditional use permit, including the start and end dates; and
  2. Any requirements or criteria for permit renewal, if applicable.
- G. Compliance and Monitoring. An outline of the following:
1. Requirements for compliance with the conditions specified in the permit;
  2. Monitoring or reporting obligations imposed on the permit holder; and
  3. Consequences of non-compliance.
- H. Signatures and Approvals. Spaces for the signatures of the issuing authority, relevant officials, or decision-making bodies involved in the permit approval process.
- I. Attachments. Relevant supporting documents, maps, plans, or reports shall be annexed to the decision document.