

## CITY COUNCIL AGENDA

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<https://www.youtube.com/c/southwebercityut>

**PUBLIC NOTICE** is hereby given that the City Council of **SOUTH WEBER CITY, Utah**, will meet in a regular public meeting commencing at 6:00 p.m. on Tuesday, July 23, 2024, in the Council Chambers at 1600 E. South Weber Dr.

**OPEN** (Agenda items may be moved to meet the needs of the Council.)

1. Pledge of Allegiance: Councilwoman Petty
2. Prayer: Councilman Halverson
3. 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).

### **ACTION ITEMS**

4. Consent Agenda
  - a. June 25, 2024, Minutes
- 5. Public Hearing for Surplus Property at Approximately 650 E 6980 S**
6. Resolution 24-23: Declaration of Surplus Property at Approximately 650 E 6980 S
7. Resolution 24-24: Assigning Check Signers for the City Bank Account
8. Ordinance 2024-09: Amending Zoning Map Changing Multiple Parcels from Agricultural (A) to Multi-Family Residential (R-5)
9. Annexation Petition by Ricky and Mi-a Smith (Parcel 13-041-0028) at Approximately 8000 S 2800 E

### **REPORTS**

10. New Business
11. Council & Staff
12. 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 City Recorder for the municipality of South Weber City hereby certifies that a copy of the foregoing notice was mailed/emailed/posted to: City Office building; Mayor, Council, and others on the agenda; City Website [southwebercity.com/](https://southwebercity.com/); and Utah Public Notice website [www.utah.gov/pmn/index.html](http://www.utah.gov/pmn/index.html).

**DATE: 07-16-2024**

**CITY RECORDER:** Lisa Smith

# SOUTH WEBER CITY CITY COUNCIL MEETING

**DATE OF MEETING:** 25 June 2024

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

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

**PRESENT: MAYOR:**

Rod Westbroek

**COUNCIL MEMBERS:**

Jeremy Davis  
Joel Dills  
Blair Halverson  
Angie Petty  
Wayne Winsor

**COMMUNITY RELATIONS:**

Shaelee King

**ADMIN SERVICES DIRECTOR:**

Maryn Nelson

**CITY ATTORNEY:**

Jayme Blakesley

**COMMUNITY DEV MGR:**

Lance Evans

**CITY RECORDER:**

Lisa Smith

**Minutes:** Michelle Clark

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**ATTENDEES:** Paul Sturm, Derek Tolman, Cole Fessler, Austin Mickles, and Michael Grant.

**1. Pledge of Allegiance:** Councilman Dills

**2. Prayer:** Councilman Davis

**3. 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 directing comments to the entire Council (They will not respond).

**Michael Grant, 2622 Deer Run Drive,** questioned what items can be put in the blue recycle bin. It is his understanding the only items acceptable are metals, and aluminum.

## **ACTION ITEMS**

**4. Consent Agenda**

- a. June 11, 2024, Work Meeting Minutes
- b. June 11, 2024, Minutes

**Councilman Halverson moved to approve the consent agenda as written. Councilman Winsor seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **5. Consideration of an Amendment to Resolution 24-15: Adopting Budget Amendments for Fiscal Year 2023-2024 and Setting a Public Hearing**

Budget Amendments were presented to the City Council June 11th. Three errors were discovered that need to be corrected.

**Councilman Davis moved to approve the amendment to Resolution 24-15: Adopting Budget Amendments for Fiscal Year 2023-2024 and Setting a Public Hearing for July 9, 2024. Councilman Dills seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **6. Resolution 24-16: Proposed Certified Property Tax Rate**

Each year Davis County examines properties in South Weber City and determines the assessed value and then works with the state to determine the certified tax rate for the city. The Davis County Auditor has calculated the proposed property tax rate to be 0.001287. Other options are shown below.

Option	Rate	Projected Revenue Amount	Percent Difference from Proposed Certified Tax Rate	Revenue Difference from Proposed Certified Tax Rate	Notes
1	0.001522	\$1,275,025	18.0%	\$196,866	Same as year 2021 - Year added paramedic service
2	0.001441	\$1,207,169	11.9%	\$129,010	Same as year 2019 - Year of 100% increase
3	0.001355	\$1,135,125	5.0%	\$56,966	Current Tentative Budget
4	0.001330	\$1,114,181	3.3%	\$36,022	Hold the Rate from last year, 2023
5	0.001287	\$1,078,159	0.0%	\$0	Proposed Certified Tax Rate

Councilman Winsor discussed the rate established when South Weber City was first incorporated in 1974 at 0.001441 and suggested the city establish a rate and then budget around it. Councilman Halverson agreed with Councilman Winsor. Councilman Davis favored option #4. Councilman Dills favored option #4. Mrs. Nelson explained the logic behind Option #3 and the 5% was estimated based on history and growth. Mayor Westbrook favored Option #3 with the idea of getting back to Option #2 next year. Councilman Dills preferred cutting expenditures.

**Councilman Dills moved to approve Resolution 24-16: Proposed Certified Property Tax Rate with Option #4 rate of 0.001330 @ 3.3%. Motion died due to lack of second.**

**Councilman Winsor moved to approve Resolution 24-16: Proposed Certified Property Tax Rate with Option #2 rate of 0.001441 @ 11.9%. Councilwoman Petty seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Halverson, Petty, and Winsor voted aye. Councilman Dills voted nay. The motion carried 4 to 1.**

Councilman Halverson relayed the city needs to look at ways to increase income.

### **7. Resolution 24-17: Consolidated Fee Schedule (CFS) Amendments**

The Consolidated Fee Schedule needed to be amended to reflect the three utility rate increases adopted in the 2024 – 2025 Tentative Budget. Chapter 4, Chapter 8, Chapter 9, and Chapter 10 also have changes to account for staff time and Central Weber Sewer Improvement District increase in impact fee.

**Councilwoman Petty moved to approve Resolution 24-17: Consolidated Fee Schedule (CFS) Amendments and include the following additional amendments to Chapter 1: Administrative Charges to read as follows:**

- **Audio recordings: Available for free in electronic format on City's website**
- **Remove Information or Forms on CD**
- **Remove CD may be provided for \$5 per CD at the bottom of the chapter leaving only \*Available for free in electronic format on City's website.**

**Councilman Winsor seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **8. Resolution 24-18: Emergency Dispatch with Davis County Sheriff**

Davis County is implementing major changes to their dispatch services which instigated an investigation into the city's future options. Fire Chief Tolman recommended moving to Layton Dispatch on August 1<sup>st</sup>. Due to the 30-day notice requirement for Davis Dispatch, he recommended approving the Davis County contract for one month.

**Councilman Halverson moved to approve Resolution 24-18: Emergency Dispatch with Davis County Sheriff. Councilman Dills seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **9. Resolution 24-19: Emergency Dispatch with Layton City**

**Councilman Halverson moved to approve Resolution 24-19: Emergency Dispatch with Layton City. Councilman Dills seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **10. Resolution 24-20: Firefighter Retirement Contribution**

The Utah Retirement System (URS) Board requires the City Council to specifically declare the rate of participation in the firefighters' segment of the URS. In July 2022, the Council established a participation rate of 2%, per RES 22-40. As of July 1, 2024, URS firefighter rates are increasing to 4.73%. The City Council has the choice to determine whether to pick up the additional 2.73% or have fire employees pay the difference.

**Councilman Winsor moved to approve Resolution 24-20: Firefighter Retirement Contribution at 4.73%. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**



**11. Ordinance 2024-08: Enacting Compensation Increase for Specific City Officers**

Utah State Legislature passed a law requiring public hearing and ordinances for any pay raise for specific officers of the city. The tentative budget adopted May 14, 2024 included increases for these positions. A public hearing was held May 28, 2024 and no comments were received. Councilwoman Petty voiced the Recreation Director is under paid.

**Councilwoman Petty moved to approve Ordinance 2024-08: Enacting Compensation Increase for Specific City Officers. Councilman Winsor seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

**12. Statement of Willingness to Lease City Property**

The City was approached by a private individual about the possibility of South Weber City leasing the “S Curve Property” at approximately 2100 E South Weber Drive to them specifically for use as a horse pasture. In closed session, the City Council considered the request and determined that they were indeed willing to lease the property for that use.

The Council has also determined that anytime someone approaches the city with interest in either purchasing or leasing city-owned property that the following steps should be taken to ensure a fair and open process: (1) closed session discussion on willingness to purchase/lease, (2) if willing, open session item to declare surplus property for sale or statement of willingness to lease, (3) a period of time to accept offers, and (4) a purchase or lease contract as an action item before the Council in an open session.

**Councilman Dills moved to approve Statement of Willingness to Lease City Property. Councilman Winsor seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

**13. Public Works Facility Project Cost**

The Municipal Utilities Committee has met each of the last two Tuesdays to review bids for the building portion of the Public Works Facility Project. Valley Design and Construction (VDC) has worked to reduce the cost of the building and provide a detailed cost breakdown. When considering the bond amount for the construction of the new public works facility, of the \$9,000,000 total amount, \$6,000,000 was set aside for the 3 buildings, known as Stage A (main building, vehicle storage, and materials storage), and \$2,000,000 was set aside for the site work, known as Stage B. The total cost proposal from VDC currently is \$ \$7,263,862.00 for both Stage A and B.

The breakdown shows the original amount bid by VDC (Stage A only) and changes that have taken place since that time which gets us to the total number of \$7.2 M. The changes were made to allow for cost savings and a better building overall. As well as cost savings not yet realized in the site work figures. This amount also includes \$88 K for security and \$79 K for the wash bay equipment that we had planned to buy separate and are now in the project and budget.

Councilman Halverson explained the Municipal Utilities Committee also feels the Council should discuss approval of change orders moving forward, specifically an allowed change order amount and/or authorization process.

Austin Mickles of VDC approached the City Council and explained the project design and proposal changes. Councilman Halverson added time, effort, and discussions have taken place to reduce the cost of this project. Mayor Westbrook thanked those involved with getting the cost reduced.

**Councilman Halverson moved to approve Public Works Facility Project Cost Stages A and B for \$7,263,862.00 to Valley Design and Construction. Councilwoman Petty seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

Councilman Halverson queried how the City Council would like to address change orders. He suggested the City Manager approve up to \$10,000, the Municipal Utilities Committee up to \$50,000. City Attorney Jayme Blakesley recommended a cumulative amount which would come back to the City Council for review.

**Councilman Davis moved to authorize the City Manager to approve up to \$10,000, the Municipal Utilities Committee up to \$50,000 with a cumulative cap of \$200,000. Councilman Winsor seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

## **DISCUSSION ITEMS**

### **14. Unified Fleet Management Option**

Administrative Services Director Maryn Nelson explained Unified Fleet provides a low-cost lease on vehicles for 3 years with a balloon payment to pay off the vehicle at the end of 5 years. The plan includes selling the vehicle in year 3 to pay off the remaining loan balance while the value of the vehicle remains high. Due to the state contract purchase price of vehicles and the high residual value at year 3, cities are finding it to be cost effective through this prescheduled rotation of vehicles. Councilman Halverson was willing to entertain what Unified Fleet has to offer, but suggested the Council receive a comparison. Ms. Nelson will prepare information and take to Admin/Finance Committee to review.

## **BOARD MEETINGS**

### **15. Suspend Council Meeting and Convene Local Building Authority Meeting**

**Councilman Halverson moved to suspend the City Council meeting and convene the Local Building Authority Meeting at 7:12. Councilwoman Petty seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

Council Meeting reconvened at 7:14 pm.

## **REPORTS**

### **16. New Business**

**Central Park Concert in the Park:** Community Relations Shaelee King announced the next concert in the park will be held June 27<sup>th</sup> and will be Dixon Haze. There will be food trucks, fun, and fantastic music.

**Side by Side:** Councilwoman Petty was not able to attend the last City Council meeting where the purchase of a side-by-side vehicle for the SW Fire Department was denied. She voiced her concern with that decision as the purchase was approved in the tentative budget. Councilwoman Petty expressed \$64,000 is worth the investment with the topography of South Weber City. Councilman Davis agreed.

**Councilwoman Petty moved to reconsider the side-by-side purchase for the South Weber Fire Department. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

**Lack of Weed Control by UDOT – Dumpster at Park and Ride:** Councilman Dills queried on what can be done for UDOT's lack of weed control. Mayor Westbrook added the dumpster at the park and ride is always full. City staff will investigate.

**Council of Governments (COG) Meeting:** Mayor Westbrook stated it is a state law that campaign signs cannot be installed on chain link fencing on any overpass and directed city staff investigate.

#### 17. Council & Staff

**Councilman Dills:** shared Code Committee is looking into Flex Zone options.

**Mayor Westbrook:** reported when the Recycling Program comes out there will need to be educated on what will go into the blue recycle bin. Currently, there are five things Wasatch Integrated Waste Management recycles: cardboard, metal cans, empty aluminum, plastics #1 (water bottles, food containers, plastics #2 (milk jugs & detergent bottles), and clean paper & plastics. Cities have until July 2025 to get recycling in place. Mayor Westbrook thanked Maryn Nelson for all she has done for South Weber City.

#### 18. Adjourn

**Councilwoman Petty moved to adjourn the City Council Meeting at 7:30 p.m. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

**APPROVED:** \_\_\_\_\_ Date 07-23-2024  
Mayor: Rod Westbrook

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

**Attest:** \_\_\_\_\_  
City Recorder: Lisa Smith

MEETING DATE

July 23, 2024

PREPARED BY

David Larson

City Manager

ITEM TYPE

Legislative

ATTACHMENTS

RES 24-23

PRIOR DISCUSSION DATES

[April 9, 2024](#)

[May 14, 2024](#)

AGENDA ITEM

Public Hearing for Proposed Disposition of Surplus Property at Approximately 650 E 6980 S

Resolution 24-23: Declaration of Surplus Property at Approximately 650 E 6980 S

PURPOSE

Hold a public hearing and consider potential action to declare a portion of City-owned property as surplus

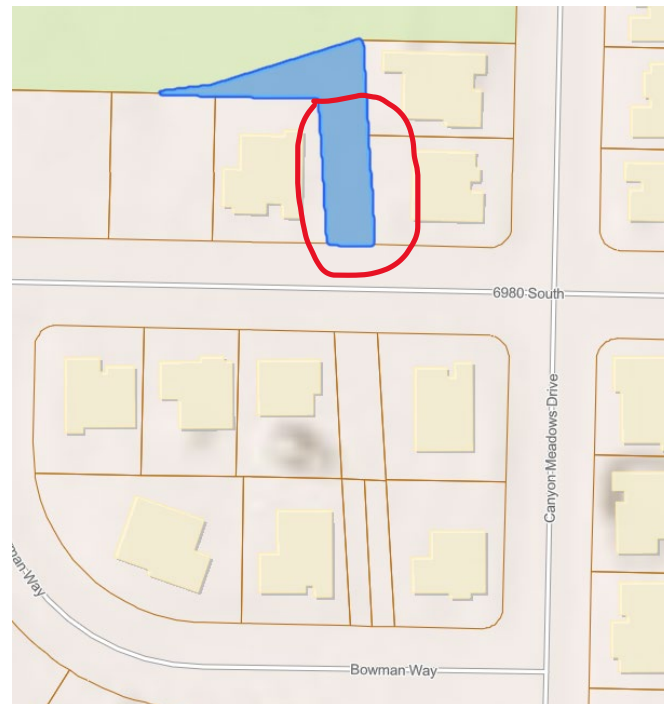
RECOMMENDATION

Staff recommends approval

BACKGROUND

During development of the Canyon Meadows Subdivision over 20 years ago, the City received property at approximately 650 E 6980 S under a powerline with the idea that it could eventually be converted into a public trail to connect the park.

NOTE: Only the southern .069 acres circled below is up for declaration of surplus. The triangular piece north of the circle would remain City-owned property.



The City declared property across the street from the current property under consideration in April of this year under the same powerline. Upon declaration of

the first piece of property, neighbors to the 650 E property expressed interest in acquiring the property next to their homes.

#### ANALYSIS

The City Council has evaluated all City-owned property and weighed its potential future use. This .069 acre property was identified as never actually having a trail built. The number of users of the trail would be minimal and wouldn't significantly lessen the time it would take to walk to the park from the homes in the neighborhood. Declaring the property surplus and selling it would remove the cost and time for maintenance.

**RESOLUTION 24-23****A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL DECLARING  
CITY PROPERTY AT APPROXIMATELY 650 E 6980 S AS SURPLUS**

**WHEREAS**, South Weber owns open space property adjoining Canyon Meadows Park at approximately 650 E 6980 S and has been approached by neighboring property owners wishing to purchase the same; and

**WHEREAS**, the procurement officer and City Council have reviewed the use and finds it to be surplus to the current and future needs of the city; and

**WHEREAS**, a public hearing was held to receive citizen input July 23, 2024, according to UCA § 10-8-25 and City Code § 2-1-18;

**NOW THEREFORE BE IT RESOLVED** by the Council of South Weber City, Davis County, State of Utah, as follows:

**Section 1. Declaration:** City owned property located at approximately 650 E 6980 S with the legal description included herein as **Exhibit 1** is declared to be surplus to city needs and will be disposed of per policy.

**Section 2: Repealer Clause:** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the 23rd day of July 2024.

Roll call vote is as follows:

Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Dills	FOR	AGAINST
Council Member Davis	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

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**Rod Westbrook, Mayor**

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**Attest:** Lisa Smith, Recorder



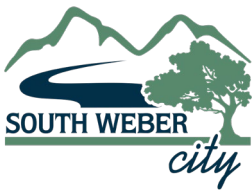
# EXHIBIT 1

## LEGAL DESCRIPTION

Described as a portion of Parcel 13-220-0103, PUBLIC OPEN SPACE, Canyon Meadows PUD, according to the official plat thereof, South Weber City, Davis County, Utah. Contains 3,007.96 sf (0.069 acres).

And also described as Beginning at the SE corner of Lot 49, Canyon Meadows PUD, according to the official plat thereof, and running thence S 88°43' 07" E 30.08 feet to the SW corner of Lot 48 of said subdivision; thence N 03°18'18" W 100.32 feet along the westerly line of said Lot 48 and Lot 47, of said subdivision, to a point on the westerly line of Lot 47; thence N 88°43' 07" W 30.08 feet more or less to the NE corner of Lot 49 of said subdivision; thence S 03°18'18" E 100.32 feet to the POB.

Portion of Parcel 13-220-0103



# CITY COUNCIL MEETING STAFF REPORT

## MEETING DATE

July 23, 2024

## PREPARED BY

Lisa Smith

Recorder

## ITEM TYPE

Administrative

## ATTACHMENTS

none

## PRIOR DISCUSSION DATES

none

## AGENDA ITEM

Resolution 24-24: Assigning Check Signers for the City Bank Account

## PURPOSE

Adding a fourth check signer for the City Bank Account to cover when signers are not available.

## RECOMMENDATION

Approve the Community Development Manager as an additional signer.

## BACKGROUND

One of the previous signers was the compliance official who has left the city. Upon review of the needs and the positions, staff are recommending the City Manager, Treasurer, and Administrative Assistant remain as signers. Accounts Payable, Finance Director, and Recorder cannot legally be signers which leaves the Community Development Technician who is brand new, Community Relations who is frequently out of the office for city functions, or Community Development Manager. Staff believes Community Development Manager would be the best choice.

## ANALYSIS

N/A

**RESOLUTION 24-24****A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL  
ASSIGNING CHECK SIGNERS FOR THE CITY BANK ACCOUNT**

**WHEREAS**, South Weber City policy requires two signers on each check and upon occasion one or both signers are not be available, therefore it is prudent to have additional signers; and

**WHEREAS**, one of the check signers is no longer employed by South Weber; and

**WHEREAS**, the City Manager is recommending using the previously defined job titles of City Manager, Treasurer, and Administrative Assistant but replacing the Compliance Official with the Community Development Manager;

**NOW THEREFORE BE IT RESOLVED** by the Council of South Weber City, Davis County, State of Utah, as follows:

**Section 1. Assignment:** City Manager David Larson, Treasurer Tia Jensen, and Administrative Assistant Heather Arnell will continue as check signers and Community Development Manager Lance Evans will be added as an additional signer.

**Section 2: Repealer Clause:** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the 23rd day of July 2024.

Roll call vote is as follows:

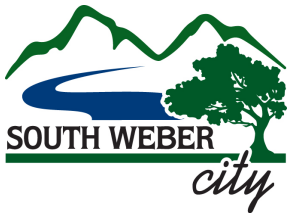
Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Dills	FOR	AGAINST
Council Member Davis	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

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**Rod Westbroek, Mayor**

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**Attest:** Lisa Smith, Recorder



MEETING DATE

July 23, 2024

PREPARED BY

Lance Evans, AICP  
Community Development  
Manager

ITEM TYPE

Rezone Ordinance

ATTACHMENTS

Zoning Maps

Conceptual Elevation

Application

Concept Plan

ORD 2024-09

AGENDA ITEM

Ordinance 2024-09: Rezone at approximately 6525 S. 475 East from Agriculture (A) to Residential Multi-Family (R-5) by Applicant Shane Turner.

PURPOSE

Rezone request for Shane Turner, Cooper's Landing.

RECOMMENDATION

The Planning Commission reviewed the application on July 11, 2024, and recommended approval on a vote of 3-2 based on the criteria outlined in the staff report.

BACKGROUND

Rezone Information	
Site Location	Approximately 6526 S. 475 East
Tax ID Number	130060020
Applicant	Shane Turner
Owner	Shane Turner
Proposed Actions	Recommend approval or denial to City Council
Current Zoning	A (Agricultural)
Proposed Zoning	R-5 (Multi-Family Residential)
General Plan Land Use Classification	Residential Moderate Density (R-M)
Gross Site	2.2 Acres

**Rezone Request.** The request to rezone to R-5 would allow for the development of approximately 11 dwelling units on the 2.2-acre parcel if approved.

The rezone request is separate from any site plan or other approvals. The consideration of the change to the R-5 zone district needs to factor in all potential uses as outlined in the Land Use Matrix for the R-5 zone.

## PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a public hearing on July 11, 2024, and reviewed the application. They discussed that the density outlined in the General plan is Residential Moderate Density, which allowed for 1.86-2.8 dwelling units per gross acre. The R-5 zone would exceed this limit, it allows 5 units per acre.

The Commission discussed the potential development options if the property is rezoned to R-5. The applicant's representative, Chris Cave, with Reeve and Associates showed a potential site plan and discussed access issues, traffic, and the impact of six dwelling units per acre under the current zoning and 11 dwelling units per acre if the property is rezoned. There was considerable discussion around the impacts of the two levels of density.

The Planning Commission voted three to two to recommend to the City Council in favor of the rezone.

## PLANNING CODE REVIEW

### **South Weber City Code 10-2-7: ADOPTION AND AMENDMENTS**

#### **10-2-7: ADOPTION AND AMENDMENTS:**

A. Adoption: The planning commission shall provide notice and hold a public hearing on a proposed land use ordinance or zoning map and prepare and recommend to the city council a proposed land use ordinance and zoning map that represents the planning commission's recommendation for regulating the use and development of land within all or any part or area of South Weber City. The city council may adopt or reject the proposed land use ordinance or zoning map either as proposed by the planning commission or after making any revision that the city council considers appropriate.

B. Amendments: The City Council may, from time to time, amend the number, shape, boundaries or areas of any zone, or any regulation of or within such zones or any other provisions of this title, but such amendments shall not be made or become effective unless the same shall have been proposed by or be first submitted to the Planning Commission for its recommendation. The City Council may adopt or reject the proposed land use ordinance or zoning map either as proposed by the Planning Commission or after making any revision that the City Council considers appropriate.

## ANALYSIS

The criteria and process for a zone change (also known as a rezoning) requires the analysis of several key factors that municipalities consider before approving or denying a request.

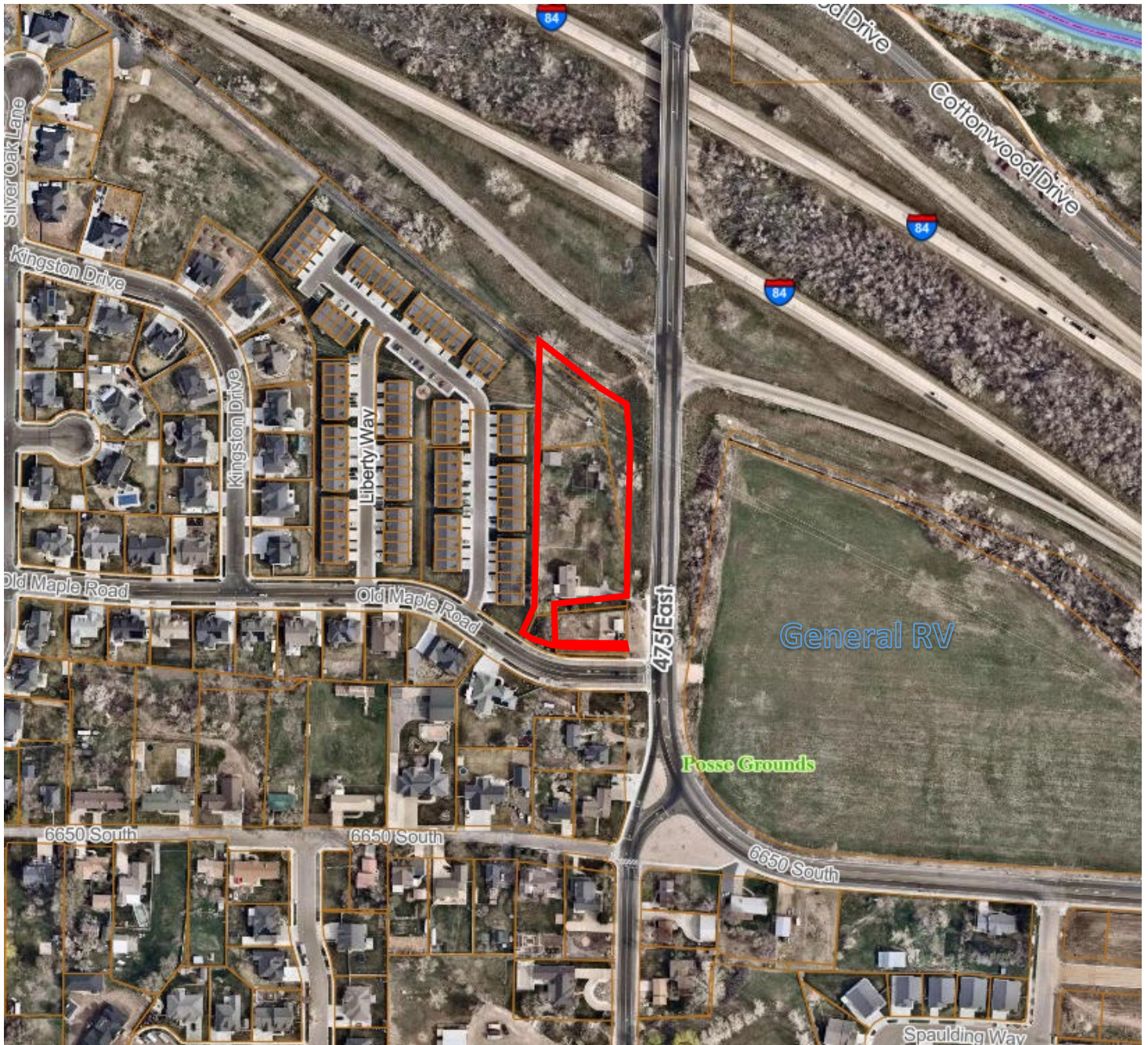
Consistency with Comprehensive Plan: The proposed zone change aligns with the goals and policies outlined in the general plan. City Staff finds that the proposed increase in the residential density at this

location is higher than the Residential Moderate in the South Weber General Plan and Projected Land Use Map. But the General Plan is a guiding document, and other factors may be considered when rezoning a property at the discretion of the City Council.

**Compatibility with Surrounding Uses:** The rezoning should not adversely impact adjacent properties or the surrounding neighborhood. Any uses permitted in the R-5 Zone would be consistent with the surrounding building height, density, traffic impacts, and visual aesthetics through compliance with city development codes.

**Environmental and Infrastructure Considerations:** The proposed zone change is surrounded by developed property and an interstate highway. The rezone will have minimal impacts on infrastructure (such as roads, utilities, and public services) and the natural environment (including water resources, wildlife habitats, and air quality).





[Vicinity Map](#)

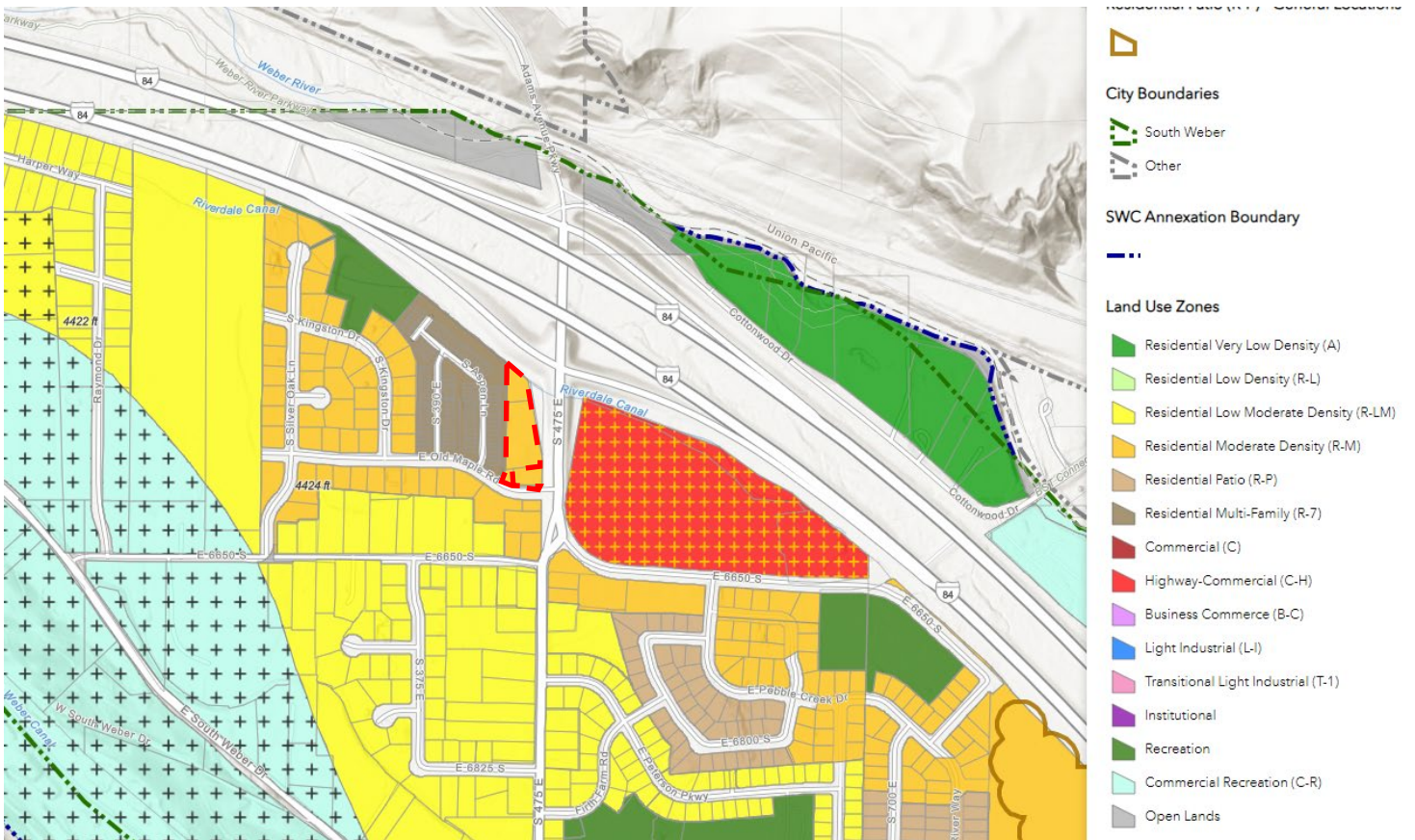




[Property Map](#)







Projected Land Use Map



Conceptual Elevation



SITE DATA

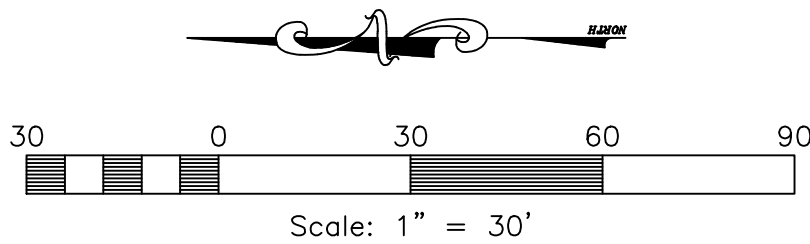
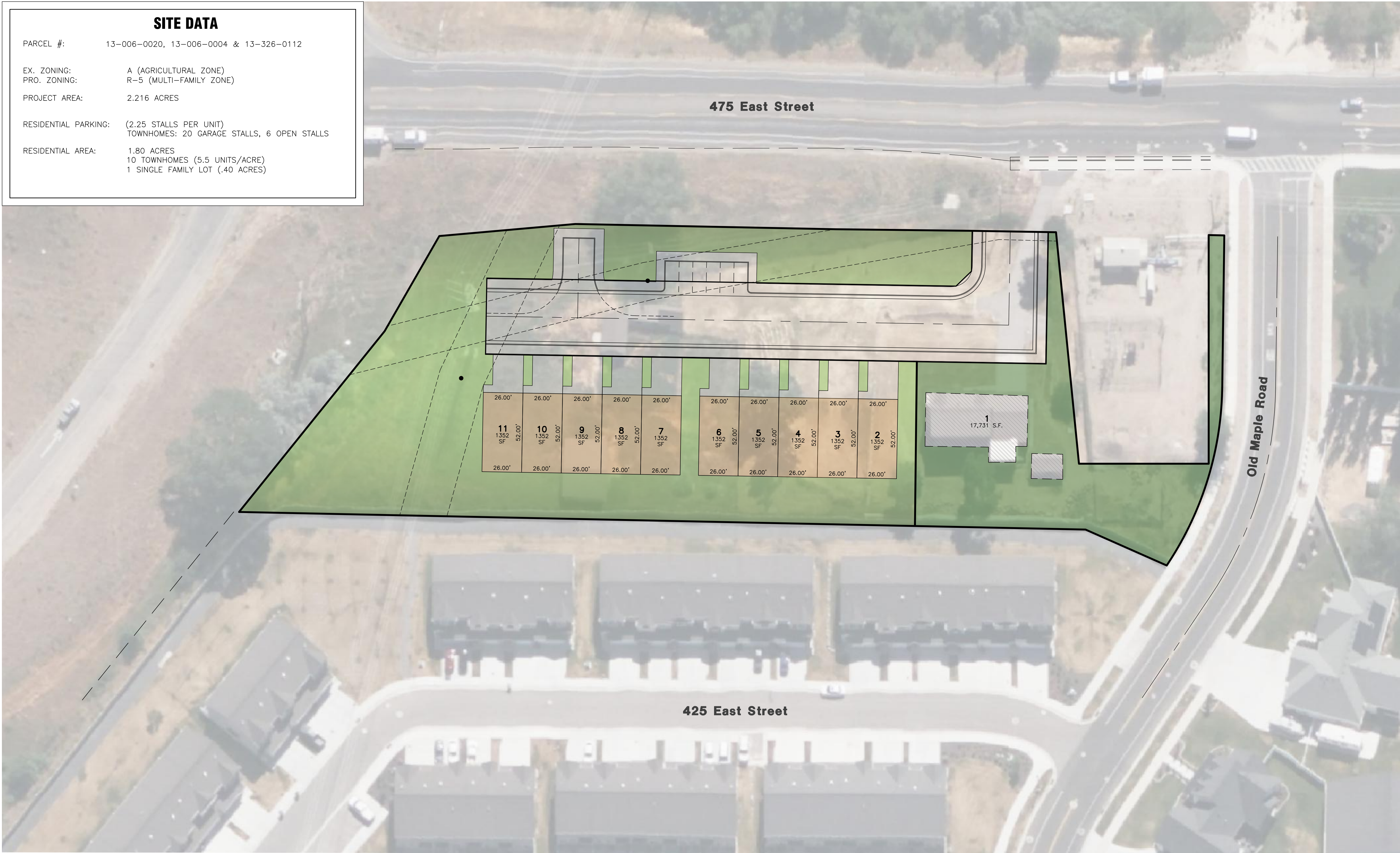
PARCEL #: 13-006-0020, 13-006-0004 & 13-326-0112

EX. ZONING: A (AGRICULTURAL ZONE)  
PRO. ZONING: R-5 (MULTI-FAMILY ZONE)

PROJECT AREA: 2.216 ACRES

RESIDENTIAL PARKING: (2.25 STALLS PER UNIT)  
TOWNHOMES: 20 GARAGE STALLS, 6 OPEN STALLS

RESIDENTIAL AREA: 1.80 ACRES  
10 TOWNHOMES (5.5 UNITS/ACRE)  
1 SINGLE FAMILY LOT (.40 ACRES)



Cooper's Landing

South Weber City, Davis County, Utah

**Developer:**  
Shane Turner  
3756 W 1800 N  
West Point, UT. 84015  
(801) 668-6026

REVISIONS	DESCRIPTION
DATE	

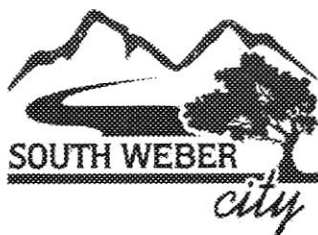
**Cooper's Landing**  
PART OF THE SE 1/4 OF SECTION 20 T.5N, R.1W, S.L.B. & M., U.S. SURVEY  
SOUTH WEBER CITY, DAVIS COUNTY, UTAH

Zoning Exhibit

**Project Info.**  
Engineer: N. Reeve  
Planner: C. Cave  
Date: 6/3/2024  
Name: COOPER'S LANDING  
Number: 5102-02

Sheet	1
1	Sheets





1600 E. South Weber Drive  
South Weber, UT 84405

www.southwebercity.com

801-479-3177  
FAX 801-479-0066

FOR OFFICE USE ONLY

Fee paid \$ 300 Receipt 15014950 Date 6-5-24

Recommended by Planning Commission on: July 11, 2024

Approved by City Council on: \_\_\_\_\_

## ZONE CHANGE APPLICATION

Approx. Location: 6525 S 475 E  
Parcel Number(s): See attached Total Acres: 2.2  
Request: 2.2 Acres changed from R1 Zone to R5 Zone  
\_\_\_\_\_ Acres changed from \_\_\_\_\_ Zone to \_\_\_\_\_ Zone

Legal Description: (attach if too large) See attached

Proposed Use: Townhomes

How does this use support the City's General Plan? \_\_\_\_\_

### Applicant

Name: Shane Turner  
Company: Turner Price Ent.  
Address: 3756 W 1800 N  
City/State/Zip: West Point, UT 84015  
Phone: 801-668-6026  
Email: 5starroy@gmail.com

### Property Owner, if not Applicant

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_



**Public Notice Authorization:** I do hereby give permission to South Weber City to place a public notice sign on the property contained herein for the purpose of citizen notification of this proposed change in zoning.

**Affidavit:** I also, being duly sworn, depose and state that I am the owner or agent of the owner of the property cited and that the statements and answers contained herein, along with any attachments are true and correct to the best of my knowledge and belief.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

State of Utah, County of Davis

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

5<sup>th</sup>

June

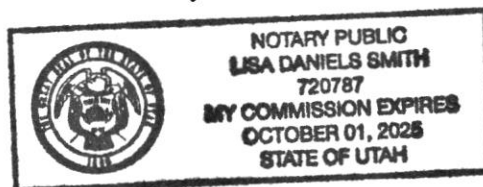
24

Printed Name \_\_\_\_\_

~~State~~ Lisa Smith

Notary Signature \_\_\_\_\_

*[Signature]*



Seal

**Agent Authorization** (To be filled out by owner, if allowing an agent to act on his/her behalf.)

As the owner of the real property referenced in this document, I do hereby appoint

TURNER PRICE ENT.

as my agent to represent me regarding this application and to appear on my behalf before any city boards considering this application.

Property Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

State of Utah, County of Davis

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

5<sup>th</sup>

June

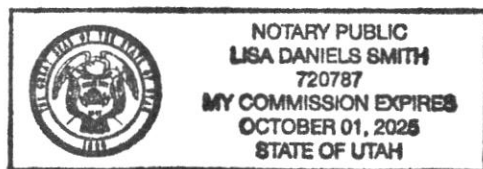
24

Printed Name \_\_\_\_\_

Lisa Smith

Notary Signature \_\_\_\_\_

*[Signature]*



Seal

## Parcel ID's and Legal Description's

## Rezone Coopers Landing

## PARCEL 1) 13-006-0020:

BEGINNING AT A POINT NORTH 0°22' WEST 222.68 FEET AND SOUTH 85°26' WEST 418.72 FEET FROM THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, IN THE CITY OF SOUTH WEBER, AND RUNNING THENCE NORTH 85°26' EAST 105.86 FEET; THENCE NORTH 84°20' EAST 85.77 FEET, MORE OR LESS, TO THE WESTERLY LINE OF A STREET; THENCE NORTH 1°12'20" EAST 32.23 FEET, MORE OR LESS, ALONG SAID STREET TO THE SOUTHWESTERLY NON-ACCESS LINE OF A HIGHWAY, 70.88 FEET PERPENDICULARLY DISTANT WESTERLY FROM THE CENTER LINE OF THE SOUTH WEBER CONNECTION ROAD OF HIGHWAY PROJECT NO. 80N-6; THENCE NORTH 9°21'45" WEST 316.63 FEET ALONG SAID HIGHWAY; THENCE SOUTH 85°26' WEST 133.16 FEET, MORE OR LESS, TO A POINT NORTH 1°11'30" EAST OF THE POINT OF BEGINNING; THENCE SOUTH 1°11'30" WEST 351.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

## PARCEL 2) 13-006-0004 :

BEGINNING NORTH 0°22' WEST 222.68 FEET AND SOUTH 85°26' WEST 222.52 FEET TO THE WEST SIDE OF A RIGHT OF WAY AND NORTH 01°12'20" EAST 351.02 FEET AND SOUTH 85°26' WEST 60.95 FEET FROM THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, IN THE CITY OF SOUTH WEBER, AND RUNNING THENCE NORTH 9°21'45" WEST 97.03 FEET TO A POINT WHICH IS 130 FEET PERPENDICULARLY DISTANT SOUTHWESTERLY FROM THE CENTER LINE OF AN OFF RAMP; THENCE NORTH 50°45'07" WEST 144.98 FEET; THENCE SOUTH 1°11'30" WEST 197.43 FEET; THENCE NORTH 85°26' EAST 133.63 FEET TO THE POINT OF BEGINNING.

## PARCEL 3) 13-326-0112:

All of Parcel B of OLD MAPLE FARMS SUBDIVISION, PHASE 1, according to the official plat thereof, on file and of record in the office of the Recorder of Davis County, Utah.

## PARCEL 4) 13-006-0040

A TRACT OF LAND, INCLUSIVE OF PARCELS I-80N-6:27D:A & I-80N-6:29B:A FR UDOT PORJECT NO. I-80N-6(7)46, WH IS PART OF AN ENTIRE TRACT OF PPTY SIT IN THE SE ¼ SE ¼ SEC 20-T5N-R1W, SLB&M. THE BNDRY OF SD TRACT OF LAND ARE DESC AS FOLLOWS: BEG AT A PT ON THE EXISTING W'LY R/W LINE & NO-ACCESS LINE OF 500 EAST STR (NKA 475 EAST STR) OF SD PROJECT I-80N-6(7)46 WH IS 75.96 FT PERP'LY DISTANT W'LY FR THE CONTROL LINE OF SD 500 EAST STR (NKA 475 EAST STR) OF THE ABOVE AT ENGINEER

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Dear Council Members,

If I may take this opportunity to introduce myself...my name is Shane Turner the applicant for the rezone of the parcel being referred to as Coopers Landing. I am a local small business owner, who after 25 years of running a local restaurant in Roy and having to close due to the Covid Pandemic, has taken strides to provide more affordable housing to our smaller Utah communities. In the past 4 years, I have completed a 4 acre development in Hooper consisting of 9 homes, as well as two flag lots in West Point, providing homes for my two adult children as well as multiple younger local families simply wanting to become homeowners in our surrounding communities. Even though I am now considered a developer, my efforts have always revolved around providing affordable housing for our younger generation who are simply trying to remain and establish their families in our local communities.

This project is no different. I began this project in November of 2021 with a concept meeting discussion with the City Planner and Building Manager, along with multiple discussions with city staff regarding the city's Moderate to Low income Housing Plan Adopted 11.19.19 – Amended 02.07.23 then to follow with amending Ordinances 2023-03, 2024-06 all stating the city's necessity to actively pursue Multi-Family housing and zoning adoptions in accordance with specifically stated – Item #6(4.34 ac. in Multi-Family – 10% = 3.91 x 7 D.U./ac. = 27 D.U) and the feasibility of this property to be rezoned in accordance with those plans. It was discussed that a Private Roadway ordinance was on Agenda and upon approval, the property located at 6525 S 475 E would be even more viable for an R7 Rezoning option, as the property in question was a rather “difficult” parcel with limited options being its location, size and proximity to the interstate, and the only adjoining property was already zoned R7.

With that knowledge in mind, I proceeded to purchase Luis Cooper's property. I was also advised that in order to qualify for the R7 zone, I would be required to have a minimum of 2 acres, and therefore purchased 2 additional parcels of land adjacent to the Cooper property which then provided the amount necessary in accordance with city ordinance. Unfortunately, 1 parcel was being acquired from UDOT and ended up taking over 2 years to finalize. During that period of time, much to my dismay, the city has changed its Zoning Ordinances. After drafting multiple site plans ranging from single family homes, to commercial, to multi-level mixed use concepts, the only viable plan both financially and feasibly is the townhome plan which is included in this packet consisting of 11 units.

This site plan has been continuously updated after multiple discussions with city staff to comply with every city ordinance applicable, and as a result, I feel very strongly that it is the

best option for the city to get this parcel maintained and beautified once again, while in the same breath creating additional affordable housing for the community.

My apologies for not being able to attend the meetings in person, as my father recently passed in Thailand and I have had to return to complete his remaining estate affairs.

I greatly appreciate your time in reviewing this letter as it is being attached with the uncertainty that I will be able to attend via Zoom as that program still appears to not be functioning correctly during the council meetings.

Thanks again,

*Shane Turner*

## ORDINANCE 2024-09

### AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL AMENDING THE CITY'S ZONING MAP PARCEL #S 13-006-0020, 13-006-0004, 13-326-0112, AND 13-006-0040 (COOPER'S LANDING SUBDIVISION) FROM AGRICULTURE (A) ZONE TO RESIDENTIAL MULTIFAMILY (R-5) ZONE

**WHEREAS**, Developer Shane Turner applied to rezone parcels 13-006-0020, 13-006-0004, 13-326-0112, and 13-006-0040 with a total of 2.2 acres at approximately 6526 S 475 E from Agriculture (A) to Residential Multi-Family (R-5); and

**WHEREAS**, a public hearing was held before the planning Commission on the 11th of July, 2024 and after careful review the Planning Commission voted to recommend approval with a vote of 3 to 2; and

**WHEREAS**, the City Council has considered the information available along with the recommendation and finds rezoning of the property described is consistent with the City's General Plan and determined that it is in the best interest of the City to approve the change of zoning;

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

**Section 1. Amendment:** The Zoning Map referenced in section 10-1-5 is amended as follows:

**Property Owner:** Shane Turner

**Property Address:** 6525 S 475 E

**Davis County Parcel #s:** 13-006-0020, 13-006-0004, 13-326-0112, 13-006-0040

**Total Number of Acres:** 2.2

**Legal Descriptions:** attached in **Exhibit 1**

**New Zone:** Residential Multifamily (R-5)

**Section 2. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 3. Effective Date.** This ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the 23rd day of July 2024.

\_\_\_\_\_  
**MAYOR: Rod Westbroek**

\_\_\_\_\_  
**ATTEST: City Recorder, Lisa Smith**

#### Roll call vote is as follows:

Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Dills	FOR	AGAINST
Council Member Davis	FOR	AGAINST
Council Member Winsor	FOR	AGAINST



**CERTIFICATE OF POSTING**

I hereby certify that Ordinance 2024-09 was passed and adopted on the 23rd day of July, 2024 and that complete copies of the ordinance were posted in the following locations within the City this 25<sup>th</sup> day of July, 2024.

1. South Weber City Building, 1600 E. South Weber Drive
2. City Website [www.southwebercity.com](http://www.southwebercity.com)
3. Utah Public Notice Website [Utah.gov/pmn](http://Utah.gov/pmn)

---

**Lisa Smith, City Recorder**

## **EXHIBIT 1**

## **LEGAL DESCRIPTIONS**

## Parcel ID's and Legal Description's

## Rezone Coopers Landing

## PARCEL 1) 13-006-0020:

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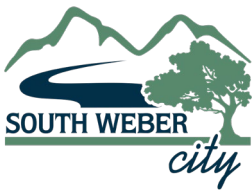
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# CITY COUNCIL MEETING STAFF REPORT

MEETING DATE

July 23, 2024

PREPARED BY

Lisa Smith

Recorder

ITEM TYPE

Administrative

ATTACHMENTS

Petition, county  
certification, and map

PRIOR DISCUSSION DATES

none

AGENDA ITEM

Annexation Petition by Ricky and Mi-a Smith (Parcel 13-041-0028) at  
Approximately 8000 S 2800 E

PURPOSE

The council must decide whether to accept the petition for further consideration or deny the petition.

RECOMMENDATION

N/A

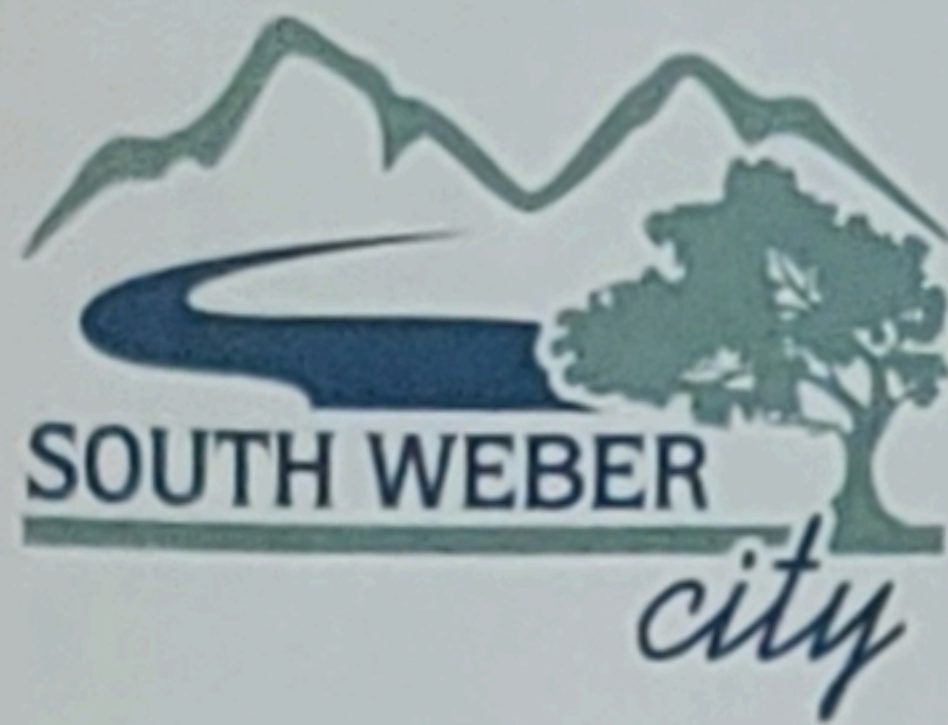
BACKGROUND

State law outlines very specific steps for the annexation process. The Smiths have filed a notice of intent, notified affected entities including Davis County who then mails notice to property owners within 300 feet, and filed a petition for annexation including all associated fees. Once a petition is signed, the city may either accept or reject it. There is no obligation to annex the property even if the property is included in the city's expansion area. If the Council accepts the petition, it will be reviewed extensively by staff to determine if it meets all requirements for certification.

ANALYSIS

The property owners plan to build a residence on the site so they will utilize city infrastructure.





# ANNEXATION PETITION

(Submit to City Recorder's Office)

**SOUTH WEBER CITY**

1600 E South Weber Drive  
South Weber UT 84405  
801-479-3177

PETITIONER'S NAME Ricky J & Mia Smith ZONE R-L

PROPERTY LOCATION: PARCEL # 13-041-0028 ACREAGE: 2.798

\$Fee paid 07-05-2024

**AFFECTED PROPERTY OWNER NAMES:**

(within Annexation Area):

Ricky J & Mia Smith

**PROPERTY ADDRESS:**

APPROX. 7800 S 2800 E  
7977-7811 S 2800 E

**PARCEL ID#:**

13-041-0028

Attach additional sheet as needed

**MAIN CONTACT PERSON:**

(It is the Main Contact's responsibility to notify/inform other property owners of any notifications or information received regarding this Annexation Petition)

Name: Ricky J Smith

Phone: 801-458-1200

Mailing Address: 7320 S. 1550 E

City: SOUTH WEBER

State: UT Zip: 84405 Email: rsmith@dcdmail.net

**INCLUDE WITH THIS PETITION (in accordance with UCA §10-2-403):**

1. A copy of the Notice of Intent to File an Annexation Petition sent to affected entities as required, the date the notice was sent, and a list of the affected entities to which notice was sent.
2. Signature page(s) (**must include the required statement**) of property owners that are within the proposed annexation area.
3. One 24" x 36" accurate and recordable (mylar) map, prepared by a licensed surveyor, of the area proposed for annexation. Mylar copy must be stamped by the surveyor and meet the requirements of UCA§ 17-23-20(4).
4. Four 11" x 17" paper copies of the map prepared by the licensed surveyor.
5. Electronic copy of prepared map sent to [lsmith@southwebercity.com](mailto:lsmith@southwebercity.com)
6. A legal property description in word format sent to: [lsmith@southwebercity.com](mailto:lsmith@southwebercity.com)
7. On the date of filing with the City Recorder, deliver or mail a copy of petition (including paper copy of map) to Davis County Recorder

Signature of Applicant: [Signature]

7/5/24  
Date Submitted

**Applicant Information (If different than Main Contact):**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_





**Kent G. Andersen**  
Director

# *Community and Economic Development* <sup>9 Annex</sup>

Davis County Administration Building, 61 South Main Street, P.O. Box 618,  
Suite 304, Farmington Utah 84025  
Telephone: (801) 451-3279 - Fax: (801) 451-3281

Davis county hereby certifies that the following notice required by Utah state code 10-2-403 was properly mailed in March, 2024.

Jenny Bloemen  
Davis County Planner

## **Notice of Intent to File a Petition to Annex an**

### **Unincorporated Area of Davis County to South Weber City**

#### **ATTENTION**

#### **Your property may be affected by a proposed annexation**

Records show that you own property within an area that is intended to be included in a proposed annexation to South Weber City or that is within 300 feet of that area. If your property is within the area proposed for annexation, you may be asked to sign a petition supporting the annexation. You may choose whether to sign the petition. By signing the petition, you indicate your support of the proposed annexation. If you sign the petition but later change your mind about supporting the annexation, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of South Weber City within 30 days after South Weber receives notice that the petition has been certified.

There will be no public election on the proposed annexation because Utah law does not provide for an annexation to be approved by voters at a public election. Signing or not signing the annexation petition is the method under Utah law for the owners of property within the area proposed for annexation to demonstrate their support of or opposition to the proposed annexation.

You may obtain more information on the proposed annexation by contacting the South Weber Community and Economic Development Department, (801) 292-4486. Once filed, the annexation petition will be available for inspection and copying at the office of South Weber located at South Weber Address.

A map of the area that is proposed to be annexed is attached.

