

## 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 Wednesday November 10, 2021, 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: Commissioner Losee
2. Public Comment: Please respectfully follow the guidelines below: Comments will also be accepted at [publiccomment@southwebercity.com](mailto:publiccomment@southwebercity.com) to be included with the meeting minutes.
  - a. Individuals may speak once for 3 minutes or less
  - b. State your name and address
  - c. Direct your comments to the entire Commission
  - d. Note: Planning Commission will not respond during the public comment period
3. Approval of Consent Agenda
  - a. PC2021-10-20 Minutes
4. Presentation: Water-Wise Landscape & Incentive Program by Weber Basin Water
5. Discussion: Landscape Ordinance Options
6. **Public Hearing & Action on South Weber City Code:(Multiple Sections) Private Rights-of-Way**
7. **Public Hearing & Action on South Weber City Code: 10-8-2 Off Street Parking**
8. Planning Commissioner Training: Subdivision Approval Process
9. Planning Commission Comments (Boatright, Davis, Losee, Johnson, Walton)
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 DEVELOPMENT COORDINATOR 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: November 2, 2021**

**DEVELOPMENT COORDINATOR: Kimberli Guill**

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 25 September 2021

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

**LOCATION:** 1600 E. South Weber Drive, South Weber, Utah

**PRESENT: COMMISSIONERS:**

Gary Boatright  
Jeremy Davis  
Wes Johnson  
Julie Losee  
Taylor Walton

**COMMUNITY SERVICE DIRECTOR:**

Trevor Cahoon

**DEVELOPMENT COORDINATOR:**

Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

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**ATTENDEES:** Rod Westbroek, Paul Sturm, Blair Halverson, Michael Grant, Tammy Long, Joel Dills, Becky Dills, Preston Lasater, Lynn Wood, and Jake Jones.

Commissioner Boatright welcomed those in attendance and pointed out this is the first time this year all Planning Commissioners have been in attendance in person.

**PLEDGE OF ALLEGIANCE:** Commissioner Walton

**2. Public Comment:** Anyone requesting to comment live via Zoom must pre-register at the following <https://forms.gle/PMJFhYFJsD3KCi899> before 5 pm on the meeting date.

Comments will also be accepted at [publiccomment@southwebercity.com](mailto:publiccomment@southwebercity.com)

- a. Individuals may speak once for 3 minutes or less.
- b. State your name and address.
- c. Direct comments to the entire Commission
- d. Note Planning Commission will not respond during the public comment period.

The city received public comment emails from the following:

- Todd Jenson, 1600 East 300 South, Fifth Floor Salt Lake City, UT
- Joel Dills, 7749 S. 2100 E., South Weber, UT
- Amy Mitchell, 1923 Deer Run Drive, South Weber, UT

## ACTION ITEMS:

### 3. Approval of Consent Agenda

- **Planning Commission Minutes of 12 August 2021**

**Commissioner Johnson moved to approve the consent agenda. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, Losee, and Walton voted aye. The motion carried.**

Community Services Director Trevor Cahoon explained tonight's public hearing is for preliminary plat and improvements plans for Riverwood Subdivision (56 Lot Plat) R-LM Zoning (Current) Rezone .546 of an acre from A to R-LM, located at approximately 128 East South Weber Drive for applicant, Nilson Homes. The total acreage is 33.03 acres with a total open space of 1.82 acres. He expressed the density calculation is based off of gross total acreage. This calculation is consistent with other developments throughout the community. Per South Weber City code the only development type that the city can use a net calculation is in a Planned Unit Development (PUD). He identified phase 2 of the project lies mostly outside the Davis County line and will need to be annexed before final is obtained on phase 2. City staff does not see a reason a preliminary approval could not continue. Currently, the developer does not have enough water shares for the entire development. They will need to finalize this item prior to final approval.

Trevor read an email submitted by Todd Jenson, Assistant Attorney General, on 20 October 2021. Trevor spoke with Todd today and discussed preliminary approval prior to these items being resolved.

Trevor reviewed the maps for the preliminary approval.

**Commissioner Johnson moved to open the public hearing for Preliminary Plat & Improvement Plans for Riverwood Subdivision (56 Lot Plat R-LM) by Applicant: Nilson Homes. Commissioner Walton seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, Losee, and Walton voted aye. The motion carried.**

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

#### **4. Public Hearing & Action on Preliminary Plat & Improvement Plans for Riverwood Subdivision (56 Lot Plat R-LM) by Applicant: Nilson Homes**

**Tammy Long, 2178 East Deer Run Drive**, asked about sewer connections and questioned if Central Weber Sewer District has been contacted and have there been any exemptions for this subdivision?

**Joel Dills, 7749 S. 2100 E.**, questioned when the noise easement with Hill Air Force Base was set up was it based on F-16 or F-35's.

**Lynn Wood, 2480 Wall Ave.**, voiced the HAFB noise easement was based on the F-16. He appreciated the Planning Commissions review of this as he is the executor of the estate and is willing to work with the city to make this a quality development.

**Brandon Jones, City Engineer's review of 13 October 2021 is as follows:**

Our office has completed a review of the Preliminary submittal dated October 4, 2021, for the Riverwood Subdivision.

**STAFF ASSESSMENT**

The property is zoned R-LM except for a small section of ground in the southeast corner that is zoned A. This ground is requested to be rezoned to R-LM for consistency purposes. The preliminary plans meet the requirements of the City Code and City Standards. Phase 2 is located in unincorporated Weber County and may receive preliminary approval but will not be able to receive final approval until it has been annexed into South Weber City.

The comments listed below are included for the purpose of providing additional information relative to final approval.

**GENERAL**

E1. Annexation. The northern portion of the development needs to be annexed into South Weber City (see item E6).

E2. Will Serve Letters.

A. The Utility Notification form for Comcast Cable, Dominion Energy, Rocky Mountain Power, and Century Link has been received.

B. A Will-Serve letter from the South Weber Irrigation Company was submitted but is conditional upon acquiring sufficient water shares. The additional shares required may be purchased after city subdivision approval, but before any plats will be recorded.

E3. Plan Review Approval Letters.

A. Due to the powerline traversing the property and questions about the width of the easement required a plan review letter is required from Rocky Mountain Power prior to final.

B. Prior to final, a plan review approval letter will be required from the South Weber Irrigation Company indicating that the proposed improvements meet their requirements.

C. Prior to final, the Riverdale Bench Canal Company will need to approve of the relocation and piping of their canal. Any additional easements for the relocation needed, must be acquired. The grade and location of the pipe on the east will need to be coordinated with South Weber City to ensure sufficient grade for piping across their property.

D. Prior to final, UDOT needs to approve the new access to and improvement in South Weber Drive (SR-60).

E. Prior to final, the Utah Division of Water Quality (Weber River Basin Watershed) will need to approve the storm drain discharge to the culvert under I-84.

E4. Cost Share Agreement.

A. Some of the waterlines and storm drain lines need to be up sized for future development and other drainage purposes. The city is responsible for these costs. Our office will provide an analysis of these costs.

E5. Geotechnical Report. The following comments are based on the study provided by CMT Engineering, dated June 15, 2021.

A. With a land drain system being added after the report was submitted, the geotechnical report needs to be updated (or addendum provided) addressing depths of the basement relative to each lateral to the lot. A reference table will need to be added to the plat giving the maximum depth of the lowest floor slab from the TBC elevation in front of the lot. Both the updated report and table on the plat will need to be part of the final submittal.

B. No infiltration rate was provided. Most LID BMP's require infiltration. As part of the storm water LID analysis an infiltration rate will be required based on actual field testing or the minimum from the UCEA.net saturated hydraulic conductivity table for typical saturated infiltration rates may be used.

C. The preliminary grading plan shows an average fill of about 2' across the entire site. If excess fill is required with the final design, the report should be updated (or an addendum provided) to address any issues related to the additional fill.

D. On site material can only be used for utility trench backfill if it meets a Type A-1a or A-1b AASHTO soil classification.

### **PLAT**

E6. Phasing. It is our opinion that Phase 1 and Phase 2 can receive preliminary approval prior to the annexation portion being annexed into South Weber. However, Phase 2 cannot proceed to final until the property is annexed.

E7. The Final Plat will need a signature block for Rocky Mountain Power (RMP), Central Weber Sewer Improvement District (CWSID), and Weber Basin Water Conservancy District (WBWCD). E8. Prior to final, our office will provide addresses for the lots.

### **IMPROVEMENT PLANS**

E9. Storm Drain.

A. Storm water Low Impact Development (LID) best management practices are required for this development. The preliminary plans show retention in the detention basin. Prior to final, the Storm Water Quality Report will need to be provided, and any additional BMP's shown in the drawings.

i. Follow State's Guidelines at <https://deq.utah.gov/water-quality/low-impactdevelopment>

ii. Follow State's "[Guide to Low Impact Development within Utah Manual](#)"

iii. Complete State's "[Storm Water Quality Report Template](#)"

E10. Trail. In accordance with the General Plan, and consistent with other developments, a 10' wide asphalt trail (3" HMA, 4" UTBC) is being provided. It is located between I-84 and the backyards of the homes on Harper Way.

**Commissioner Losee moved to close the public hearing for Preliminary Plat & Improvement Plans for Riverwood Subdivision (56 Lot Plat R-LM) by Applicant: Nilson Homes. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, Losee, and Walton voted aye. The motion carried.**

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

Jake Jones, of Nilson Homes, explained this project is for 56 lots. He appreciated working with city staff concerning this project.

Commissioner Johnson asked if there is a setback requirement for the HAFB easement. Trevor replied there is not. Commissioner Johnson is concerned about drought issues and feels the city should take this into consideration. He pointed out the Public Works Building will be constructed next to this development. He asked if UDOT has signed off on the access point for the city building. Blair Halverson voiced UDOT has given approval. Jake Jones replied they have submitted an application to UDOT for access to South Weber Drive. Commissioner Johnson pointed out the trails and roads don't match the general plan. Trevor explained there is access through Harper Way. Commissioner Johnson asked about the storm drain and if it is capable to take the run off. Trevor replied it is capable. Commissioner Johnson stated there isn't anything that identifies trail head access. He also addressed lights from vehicles along the highway and requested looking at requiring a 20 ft. fence. Trevor expressed the city code requires 6 ft. fencing.

Commissioner Losee asked about the plan for the property in the HAFB noise zone. Jake explained it will be open space for private property owners. Commissioner Losee queried if fencing is required along South Weber Drive. Trevor replied the city code doesn't require a fence for South Weber Drive. Discussion took place regarding the access points for the subdivision. Jake explained there is access through Harper Way and South Weber Drive.

Commissioner Walton asked if the city has copies of all easements. Jake replied they have Rocky Mountain approval. Commissioner Walton queried concerning the State of Utah easements. He expressed not having those easements in front of the Planning Commission makes it difficult to review this project. He suggested in the future all easements be included in the packet. He questioned how secondary water is calculated. Blair Halverson replied the State of Utah has calculations that require 1 share per 1 acre. Jake reported they currently have 27 water shares.

Commissioner Walton questioned the sewer capacity. Trevor will confirm with City Engineer Brandon Jones. Commissioner Walton voiced based upon the easements adjacent to this property there may be requirements for construction materials for the building of the homes. He doesn't see a proposal for fencing material on the east boundary. Trevor replied city code requires a chain link fence between residential and agriculture. Jake stated they will be installing a fence but he doesn't know the type of fencing. Commissioner Losee requested no chain link fence. Trevor reported the city can ask for a different type of fencing but can't require it. Discussion took place regarding access from South Weber Drive. Jake reported they will be widening South Weber Drive for easier access to their subdivision.

Commissioner Walton discussed the existing ditch. It was stated the ditch will be piped under Harper Way. He asked how much vegetation will remain along the highway. Jake reported they will try to keep as much as they can.

Trevor reported he reached out to City Engineer Brandon Jones and he reported capacity exists for sewer. Commissioner Boatright asked about the status of the annexation. Jake replied the annexation will take place in phase 2. Blair stated both counties agree the property can only be serviced by South Weber City. Commissioner Boatright doesn't agree with using the

unbuildable land to be used in the density calculations. Commissioner Walton requested being able to review the cost share agreement between the developer and city.

Blair Halverson discussed the density should be calculated on the residential development and not by using the unbuildable area. As a member of the City Council he will vote no with this density.

Commissioner Johnson discussed tabling this item until the city receives information on the easements. Commissioner Walton needs more information to make a decision tonight. Commissioner Losee doesn't feel the Planning Commission is ready to make a decision. Jake welcomed a list of items for approval so they can move forward.

**Commissioner Walton moved to approve the Preliminary Plat & Improvement Plans for Riverwood Subdivision (56 Lot Plat R-LM) by Applicant: Nilson Homes subject to the following conditions:**

1. **Community Services Director, Trevor Cahoon, review of 20 October 2021**
2. **City Engineer, Brandon Jones, review of 13 October 2021**
3. **Planning Commission to receive copies of all existing easements on the parcel prior to final approval as well as any new easements**
4. **State of Utah approval regarding APZ zones**
5. **UDOT approval for access on South Weber Drive**
6. **Approval from Rocky Mountain Power in regards to bio swell for storm water retention.**
7. **Submit a landscaping plan**
8. **Identify type of fence material for east side fence.**
9. **Annexation letter from Davis and Weber County.**
10. **Preliminary approval letter for secondary water with appropriate shares.**

**Commissioner Davis seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, Losee, and Walton voted aye. The motion carried.**

**Commissioner Boatright moved to open the public hearing for Rezone .546 of an acre from A to R-LM, located at approx. 128 E South Weber Drive by Applicant: Nilson Homes. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, Losee, and Walton voted aye. The motion carried.**

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

**5. Public Hearing & Action on Rezone .546 of an acre from A to R-LM, located at approx. 128 E South Weber Drive by Applicant: Nilson Homes:** Trevor reported this request is to rezone .546 from A to R-LM to keep consistent zoning for the subdivision.

Commissioner Boatright asked if there is any public comment.

**Michael Grant, 2622 Deer Run Drive,** isn't opposed to good development, but doesn't feel the Planning Commission should be in a rush to push this development through.

**Commissioner Walton moved to close the public hearing for Rezone .546 of an acre from A to R-LM, located at approx. 128 E South Weber Drive by Applicant: Nilson Homes. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, Losee, and Walton voted aye. The motion carried.**

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

Trevor reported city staff feels this request is consistent with the development. The general plan recommends commercial recreation. Commissioner Walton is concerned about approving a request that is different than the general plan.

Commissioner Losee apologized if it seems as though this is being rushed and discussed the Planning Commission making sure city code is followed for the safety and wellbeing for future residents of the city.

**Commissioner Losee moved to recommend to the City Council the approval rezone of .546 acre from A to R-LM, located at approx. 128 E South Weber Drive by Applicant: Nilson Homes. Commissioner Davis seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, and Losee and voted aye. Commissioner Walton voted nay. The motion carried 4 to 1.**

### **DISCUSSION ITEMS:**

#### **6. Discussion- Private Right of Way**

Community Services Director Trevor Cahoon reported South Weber City code as it relates to private streets and rights-of-way (ROW) has some minor inconsistencies in the application of the code. As more requests have come for development or improvements, it has been difficult to instruct applicants on how to apply code effectively for the projects being proposed. References to private streets and ROW are found throughout Title 10 and Title 11 of City Code. References vary; however, some areas reference a variety of road widths and conditions in which to utilize a private street. The need has become apparent to fix the inconsistencies for better control and application of the city code.

Trevor pointed out private ROW are used in situations that a city standard street does not adequately fit the needs of a development, or in cases where the city does not want to be the primary party to be responsible for future maintenance, for example internal streets for a commercial development. There are instances that can be found that the creation of private ROW are more advantages for parties involved. These instances should not impede any future development or the placement of future public roads, nor should they impact any roads proposed on the City's General Plan.

Staff has discussed various options for the standardization of private ROW within the ordinance and have proposed the following list:

Zone	Permission	Information
R-M	Not Allowed	
R-LM	Not Allowed	
R-7	Allowed	26 ft street, Asphalt/Concrete, No on street Parking, Curb and Gutter. Sidewalk or Pedestrian path must be made available, on the front of residence or fronting a public ROW and must connect to public ROW, Minimum ROW 32'
R-L	Not Allowed	
A	Allowed	20 ft street, Asphalt/Concrete, No Curb or Gutter, No sidewalk required, Turn around as required, Minimum ROW 22'
A-10	(Discontinued)	
C	Allowed/Required?	Same as R-7
C-H	Allowed/Required?	Same as R-7
T-1	Allowed/Required?	Same as R-7
N-R	Allowed	Same as R-7
P-O	Allowed	Same as R-7
L-I	Allowed	Same as R-7
C-R	Allowed	Same as R-7
C-O	Discontinued	
B-C	Allowed	Same as R-7
R-P	Allowed	32 ft street, Asphalt, Curb and gutter, 6' sidewalk required, No park strip required, Minimum ROW 50'

**QUESTIONS TO CONSIDER**

The following items need clarification and direction to proceed in crafting a sufficient code for general application:

- **SIZE OF STREET:** Currently code allows a width of 41 feet in a PUD, or 30 feet but it must only serve two dwellings. Does it make sense to have a one size must fit all, or do we allow variation based on zoning?
- **ALLOWED ZONES:** Which zones would we be comfortable allowing Private ROW?
- **SETBACKS:** What are adequate setbacks for private ROW?

Commissioner Davis asked why the requirement for concrete or asphalt. Trevor replied it is better for the overall maintenance and visual.

Commissioner Losee is concerned about allowing this (especially in R-7 Zone) and doesn't allow for enough parking or proper access. She doesn't feel the city needs this. Commissioner Johnson pointed out the city doesn't currently maintain private right-of-ways and feels this is against private property owners' rights. Commissioner Walton discussed the need to define city code. Commissioner Boatright pointed out this will not apply to any private right-of-way that currently exists in the city, but any new development. Trevor discussed in the past there being inconsistent applications. Commissioner Walton addressed the need for a standard. Commissioner Losee feels the standard should be a high standard.

Commissioner Walton feels a standard for a Private ROW sets the city up for success and suggested widening the requirement for the L-I Zone, C-H Zone, and T-1 Zone. Commissioner Davis suggested a sidewalk on at least one side of the road.

**7. Discussion- Residential Parking**

Community Services Director Trevor Cahoon reviewed the recommendations for residential parking and stated during the discussion on the Internal Accessory Dwelling Unit (IADU) and

recommendation to the City Council at the August Planning Commission meeting, the Planning Commission moved to recommend the IADU ordinance with the recommendation to look at the parking ordinance within Title 10. Parking for the IADU ordinance has been detailed in the new ordinance. This review is centered on how the city can address the parking needs for residential units and have a more consistent approach to what will be required when creating parking. This discussion will only focus on parking within Title 10 and will not be focused on parking enforcement in Title 6.

The current code does not reference what type of surfacing is required for off-street parking in residential zones. Nor does it specify what materials should be used for any accessory parking. We have addressed those two items within the draft ordinance for Chapter 10-8-2 Paragraph F:3 as follows:

3. Surfacing: Except as provided in subsection 3b of this section, all off street parking areas shall be surfaced with asphalt, concrete pavement, masonry pavers, or comparable material and shall be graded to dispose of all surface water. Surfacing may be installed in stages as approved by the planning commission. All parking and grading plans shall be reviewed and approved by the city engineer.
  - a. Residential Parking Areas: All new main residential driveways, approaches, and parking spaces required by this title shall be surfaced with concrete, asphalt or other hard surfaced pavement material.
  - b. Gravel or crushed rock may be installed for accessory parking in a residential zone and must be a minimum of four inches (4") deep, compacted, placed atop a weed barrier, be maintained completely free of grass and weeds, and contained within durable borders.
4. Parking for public use shall have appropriate bumper guards where needed as determined by the zoning administrator and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of vehicles
5. Lighting: Lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjoining premises.

In addition to this item, we have included IADUs in the Residential; all dwelling types matrix provided within the same section.

### **QUESTIONS TO CONSIDER**

As we consider the entire ordinance of residential parking as it pertains to the land-use ordinance, are there any other items to consider?

Commissioner Walton questioned how to define a vehicle. Discussion took place regarding what constitutes off-street parking and what the standard should be for that space.

### **8. Utah APA Report by Commissioner Walton**

Commissioner Walton reported he attended the Utah Chapter of American Planning Associations and learned more about land use issues facing the State of Utah. He thanked the city for allowing him to attend this meeting. He expressed the need to address water issues when adding more residents to the community. The recommendation was given to bring Weber Basin Water

Conservation into the general plan process. It is important to make decisions based on water. There are land use guides as well as individuals who are willing to attend meetings to discuss ideas and insight. He discussed opportunities to look at post construction fixtures for water use. He also attended a session concerning billboards and how they are utilized. He attended a session concerning the balance of development agreement and city code. He discussed the presentation by the Utah League of Cities and Towns concerning group decision making. Trevor discussed Planning Commission members being required 4 hours of training per year.

**REPORTS:**

**Planning Commission Comments**

**Commissioner Boatright:** reported the next Planning Commission Meeting will be held on 4 November 2021.

**Commissioner Walton:** suggested the Code Committee review how to determine developable acreage as it relates to hillsides.

**Commissioner Losee:** This Saturday the Youth Council will be holding a Trunk or Treat at Central Park 4:30 to 6:00 p.m. Meet the Candidate Debate at Highmark Charter School at 6:30 p.m. on 23 October 2021.

**Commissioner Johnson:** reported there has been a lot of discussion in the city concerning dust. He suggested the city look at obtaining a series of sensors for measuring decibels for the HAFB noise from the F-35's.

**ADJOURNED:** Commissioner Johnson moved to adjourn the Planning Commission meeting at 8:48 p.m. Commissioner Walton seconded the motion. Commissioners Boatright, Davis, Johnson, Losee, and Walton voted aye. The motion carried.

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

**Chairperson: Gary Boatright**

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

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

**Kim Guill**

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**From:** Todd Jenson <toddkjenson@agutah.gov>  
**Sent:** Wednesday, October 20, 2021 4:57 PM  
**To:** Public Comment  
**Subject:** comment on 10/20 Agenda Item 4(c) Preliminary Riverwood Subdivision

To the Chair and Commissioners of the South Weber City Planning Commission,  
I represent the Governor's Office of Economic Development (Go Utah), pursuant to Utah Code 63M-6-201.  
I write regarding an agenda item 4(c) on the 10/20/2021 agenda for the Planning Commission.  
More than a decade ago, the State acted to condemn certain parcels of property around Hill Air Force Base (HAFB), located in and around the Accident Potential Zone (APZ), to create restrictions on development, easements, etc. There is a review process in place with our office and HAFB to review proposed developments in that area around HAFB, to verify that the subject properties were not affected by a prior State condemnation action, judgments, other restrictions on development in that area, easements, or other land use restrictions. A title search should have identified those recorded restrictions, but sometimes, title reports miss things (that's why there is a title insurance industry). Of course, hopefully, the parcels in this particular Riverwood project/subdivision are not burdened or negatively affected by the State's property interests and restrictions, but it is best to double check first before developers or other entities incur or spend thousands of dollars on a development that is prohibited by law.  
I have also reached out to the agent of the developer involved in this project, Nilson Land Development, LLC, and asked them to submit the parcel numbers involved with this project to my office, so we can conduct a review together with HAFB.  
I suggest that any approval of this development project by the South Weber City Planning Commission may be still be subject to some type of land use restriction created by the State's prior condemnation action or easements. It is too soon at this point in time to make a determination on that issue, but preliminary review of the location of the parcels, and names of prior owners compared with records in our office suggest the subject parcels may be affected. We would like to review this more in depth, with additional information provided by the developer.  
Thank you for your consideration.  
Sincerely,

Todd Karl Jenson, Assistant Attorney General  
State Agency Counsel Division  
Utah Attorney General's Office  
160 East 300 South, Fifth Floor  
P.O. Box 140857  
Salt Lake City, Utah 84114-0857  
Mobile: (385) 414-2654  
[toddkjenson@agutah.gov](mailto:toddkjenson@agutah.gov)

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**Kim Guill**

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**From:** joel.dills@gmail.com  
**Sent:** Wednesday, October 20, 2021 4:53 PM  
**To:** Public Comment  
**Subject:** Planning commission meeting, Oct 20, 2021

Joel Dills

7749 s 2100 e

Dear commissioners,

There was an article in the Salt Lake Tribune yesterday entitled "This street is falling apart and Salt Lake City leaders say it's not their problem". It's about a private road that has fallen into such disrepair, that the residents living on the road can no longer even drive on it. They can't afford to fix it themselves and so the city refuses to plow it, mail trucks cant deliver and even the garbage truck requires the trash cans to be drug out and onto another street to be picked up. The cost for road repair is outrageously expensive and far beyond the price range of the dozen or so homeowners stuck there.

While I agree our city code is an abysmal mess, I don't see anything in there that refers to a private street being only 26 ft wide with no parking – that's new.

1. Major streets: One hundred ten feet (110');
2. Collector streets: Seventy-eight feet (78'); and
3. Local streets: Seventy feet (70');
4. Public streets are a minimum of fifty (50')
5. PUD Private streets: minimum of forty-one feet (41') in width with the same construction standards as required for a public street, in the city subdivision standards, from the back of curb to back of curb.
6. Alley: A public thoroughfare less than twenty-six feet (26') wide.

Looking at the code of other cites, widths may vary, and I do think we could do a better job organizing our standards to be more easily understood, but other than that, I'm having a hard time understanding why this so-called attempt to clean up the code and "to fix the inconsistencies" is instead suggesting we cut the minimum requirement for roads in half!! In effect making them the size of an alley. On top of that, our City Staff has recommended this only be changed in our highest density (R7) zone.

So in the zone of side by side townhomes, usually squished together with the bare minimum of driveways, they suggest it will serve the citizens who buy those homes best to make their road smaller than the average driveway... AND because it's so small, ban all street parking.

Sorry but this is ONLY in the interest of the developer who isn't satisfied with our highest density residential zone but wants to minimize the roads down so he can squeeze even more homes in.

In my opinion, all of our city roads, public and private should be the same width. Why would it make sense for public roads to be 70' but private roads to only be 26'? Should we make all public roads 26'? What is the difference? Why would one residential road need to be 70' and a much higher density road, with a higher traffic density as well, only need to be 26'? Make them all uniform – it works in other cities.

Private roads in the other commercial and industrial zones need even more research before we make any decisions. The last thing we need to do is make our limited commercial zones cheap and congested.

The only reason for this change, being disguised as cleaning up “inconsistencies”, is to make more money for a developer, and that is NOT the responsibility of the city. The responsibility of the city is to serve and protect the citizens – those who live here now and those who may move into a project YOU as Planning Commissioners make possible. Is this really what you want to recommend?

Thank you,

Joel



This email has been checked for viruses by Avast antivirus software.

[www.avast.com](http://www.avast.com)

**Kim Guill**

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**From:** Amy Mitchell <5rusticknots@gmail.com>  
**Sent:** Wednesday, October 20, 2021 4:10 PM  
**To:** Jo Sjoblom; Wayne Winsor; Hayley Alberts; Angie Petty; Quin Soderquist; Blair Halverson; Public Comment; Gary Boatright Jr.; jlosse@southwebercity.com; Jeremy Davis; Wes Johnson; Taylor Walton  
**Subject:** Planning Commission Mtg Public Comment

Amy Mitchell  
1923 Deer Run Drive

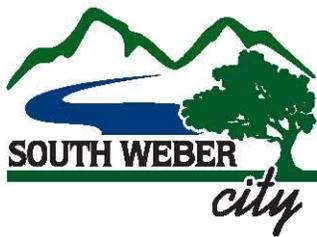
Hi All-

I'm trying to wrap my brain around the packet. If I understand the 2 main topics of discussion... I see something about a private right of way? Make the developer put in a real road if they want to develop that area, not an exception. What happens if the private property owners change and decide they no longer want to offer that right of way, is that an option or a problem? It will be interesting to see the discussion tonight!

As for Residential Parking, I want to decide for myself what I want to do on my own property with-in reason. Not have the city tell me, let alone fine me for doing it the way I want. Maybe I just want it to be temporary and not the costly concrete or pavers. No need to add to the long list of what we already pay our city engineer to look at. We need to shorten that list, not add to it!! It should only be required to the homes that are adding in an ADU.

When looking at the rezones, please only rezone those areas to Low. We have enough moderate in that area.

Thank you for all you do!  
Amy Mitchell



To: Planning Commission  
From: Trevor Cahoon, Community Services Director  
Re: Landscape Ordinance Review

## **PURPOSE**

## **BACKGROUND**

Due to current impacts of the prolonged drought across the state, it has become necessary to reduce water usage to preserve this resource for future generations. A particular concern for water usage is the impact that landscape maintenance has on the supply. Excessive watering for non-native and drought intolerant vegetation brings a need for change.

Weber Basin as well as other water districts throughout the state are implementing incentive programs to help users convert current vegetation to a more water-wise solution, and are encouraging municipalities to update ordinances to promote, encourage, or require water-wise landscaping on new construction. Weber Basin has provided a draft ordinance for cities to consider. Cities must adopt a water-wise landscape ordinance in order to qualify for incentive programs.

Layton City is the only city with an approved ordinance which reads:

## **REQUIREMENTS**

*Water-wise/efficient Landscape Ordinance Standards from Weber Basin:*

- Applicability
  - All developer/contractor or agency installed residential, commercial, institutional, and industrial construction (including mixed-use, multi-family, townhome, community use, PRUD developments and common areas managed by homeowner, associations). Required on all new or substantial renovation projects.
- Indoor Recommendations
  - WaterSense labeled plumbing fixtures (faucets, shower heads, urinals, toilets, etc.)
- Residential Outdoor
  - Drip irrigation used outside of lawn areas. Drip irrigation shall be equipped with pressure regulator, filter, etc.

- Irrigation valves shall irrigate landscapes with similar site, slope, and plant materials with similar water needs (lawn and planting beds shall be irrigated on separate valves). No drip and sprinklers on the same irrigation valve. No combination of differing sprinkler heads on the same irrigation valve.
- WaterSense labeled smart irrigation controller, equipped with rain delay, shall be installed.
- Minimum of 3 inches of mulch required in planted beds.
- No lawns in park strips, slopes greater than 25%, or in areas less than 8-feet wide.
- Lawn area shall not exceed 35% of the total landscaped area
- Commercial/Institutional/Industrial/Multi-family, HOA common areas, mixed-use, townhome, community use, PRUD) Requirements
  - Turf not to exceed 15% of the total landscaped area
    - Designated recreational areas excluded
  - No turf in parking landscapes, buffer areas.
  - Recommend consideration of parkstrip areas being designed as bioswales.
  - Watersense labeled smart controllers shall be installed.
  - Same irrigation design standards as identified in Residential requirements including utilization of WaterSense labeled smart irrigation controllers.
- HOA Language
  - *Any Homeowners Association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, are void and unenforceable if they:*
    - *Require the use of any uniform plant material requiring overhead spray irrigation in landscape areas less than 8 feet wide or require any uniform plant material requiring overhead spray irrigation in other areas that exceed 35% of the landscaped area; or*
    - *Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or*
- *Have the effect of prohibiting or restricting compliance with this ordinance or other water conservation measures.*

**DRAFT ORDINANCE**

**WATER EFFICIENT LANDSCAPE ORDINANCE**

**ORDINANCE NUMBER <CITY ORDINANCE NUMBER>**

Section 1. Preamble

- A. Whereas, water is an increasingly scarce resource, of limited supply, and are subject to ever increasing demands;
- B. Whereas, it is the policy of <CITY NAME> to promote the conservation and efficient use of water and to prevent waste of this valuable resource;
- C. Whereas, <CITY NAME> recognizes that landscapes provide areas for active and passive recreation;
- D. Whereas; landscape design, installation, maintenance and management can and should be water efficient;
- E. Whereas, <CITY NAME> desires to promote the design, installation and maintenance of landscapes that are both attractive and water efficient;
- F. Whereas, <CITY NAME> can accomplish these goals by adopting this ordinance; and,
- G. Whereas, <CITY NAME> has the authority to adopt this ordinance pursuant to Utah Code Annotated (2010) § 10-3-702, and hereby exercises its legislative powers in doing so.

Section 2. Ordaining Clause

Be it ordained by the <CITY NAME>, that the Water Efficient Landscape Ordinance, Number <CITY ORDINANCE NUMBER>.

Section 3. Title, Water Efficient Landscape Requirements

A. An ordinance amending the Zoning Code of the City of <CITY NAME> so as to add a Water Efficient Landscape Ordinance of minimum landscape requirements. This ordinance shall be referred to as "<CITY NAME> City Water Efficient Landscape Ordinance".

Section 4. Purpose

The City Council has found that it is in the public interest to conserve the public's water resources and to promote water efficient landscaping. The purpose of this ordinance is to protect and enhance the community's environmental, economic, recreational, and aesthetic resources by promoting efficient use of water in the community's landscapes, reduce water waste and establish a structure for designing, installing and maintaining water efficient landscapes throughout the City.

Section 5. Definitions

The following definitions shall apply to this ordinance:

Applied Water: The portion of water supplied by the irrigation system to the landscape.

Bubbler: An irrigation head that delivers water to the root zone by “flooding” the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella or short stream pattern.

Check Valve: A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow. Used to prevent pollution or contamination of the water supply due to the reverse flow of water from the secondary irrigation system.

Drip Emitter: Drip irrigation fittings that deliver water slowly at the root zone of the plant, usually measured in gallons per hour.

Effective Precipitation: The portion of total precipitation which becomes available for plant growth.

Established Landscape: The point at which plants in the landscape have developed significant root growth into the soil.

Establishment Period: the first year after installing the plant in the landscape.

Evapotranspiration (ET): The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time, expressed in inches per day, month or year.

Grading Plan: The Grading Plan shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscape area.

Ground Cover: Material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve (12) inches.

Hardscape: Patios, decks and paths. Does not include driveways and sidewalks.

Irrigation System Audit: an in-depth evaluation of the performance of an irrigation system that includes, but is not limited to, inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

Irrigation Landscaped Area: All portions of a development site to be improved with plantings and irrigation. Natural open space areas shall not be included in the irrigated landscape area.

Irrigation Efficiency: the measurement of the amount of water beneficially applied, divided by the total amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system hardware characteristics and management practices.

Irrigation Plan: The irrigation plan shows the components of the irrigation system with water meter size, backflow prevention (when outdoor irrigation is supplied with culinary water), precipitation rates, flow rate and operating pressure for each irrigation circuit, and identification of all irrigation equipment.

Landscape Architect: A person who holds a certificate to practice landscape architecture in the state of Utah. Only a Landscape Architect can legally create commercial landscape plans.

Landscape Designer: A person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. Landscape Designers generally focus on residential design and horticultural needs of home landscapes.

Landscape Education Package: A package that is intended to inform and educate water users in the City about water efficient landscapes. This package should include a listing of water conserving plants, certified landscape designers, landscape architects, certified irrigation designers, and certified irrigation contractors. Information regarding the City's water rates, billing format for water use and commitment to water conservation may also be included.

Landscape Plan Documentation Package: The preparation of a graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to comply with the provisions of this ordinance. The Landscape Plan Documentation Package shall include a project data sheet, a Planting Plan, an Irrigation Plan, and a Grading Plan.

Landscape Zone: A portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.

Landscaping: Any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features such as rock, stone, or bark chips; and structural features, including but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences or benches.

Localscapes®: A locally adaptable and environmentally sustainable urban landscape style that requires less irrigation than traditional Utah landscapes (see [www.Localscapes.com](http://www.Localscapes.com)).

Maximum Applied Water Allowance (MAWA): the upper limit of annual applied water for the established landscaped area as specified in Section 8. It is based upon the area's reference evapotranspiration, a plant adjustment factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the MAWA.

Microclimate: The climate of a very small restricted area that is different from the surrounding area. These areas include shade areas, sun areas, and areas protected by surrounding structures.

Mulch: Any material such as rock, bark, wood chips or other materials left loose and applied to the soil.

Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.

Plant Adjustment Factor: A reference evapotranspiration factor, also referred to as a crop coefficient which is a value to indicate water needs of various plant types for optimum growth or yield. It is a factor to provide acceptable appearance and function of the plant.

Planting Plan: A Planting Plan shall clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences.

Pop-up Spray Head: A sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.

Precipitation Rate: The depth of water applied to a given area, usually measured in inches per hour.

Pressure Compensating: A drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.

Rehabilitated Landscaping: Altering, repairing, or adding to a landscape to make possible a compatible use, increase curb appeal, decrease maintenance, etc.

Rotor Spray Head: A sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor.

Runoff: Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.

Smart Automatic Irrigation Controller: An automatic timing device used to remotely control valves in the operation of an irrigation system using the internet to connect to a real time weather source or soil moisture sensor. Smart Automatic Irrigation Controllers schedule irrigation events using either evapotranspiration or soil moisture data to control when and how long sprinklers or drip systems operate and will vary based on time of year and weather/soil moisture conditions.

Special Landscape Area: (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

Spray Sprinkler: An irrigation head that sprays water through a nozzle.

Stream Sprinkler: An irrigation head that projects water through a gear rotor in single or multiple streams.

Turf: A surface layer of earth containing grass species with full root structures that are maintained as mowed grass.

Waste of Water: shall include, but not necessarily limited to:

1. The use of water for any purpose, including outdoor irrigation, that consumes, or for which is applied substantial excess water beyond the reasonable amount required by the use, whether such excess water is lost due to evaporation, percolation, discharges into the sewer system, or is allowed to run into the gutter or street.

2. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas except to alleviate immediate health or safety hazards.

Water-Conserving Plant: A plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during spring and summer months.

#### Section 6. Applicability of Water Efficient Landscape Ordinance

The provisions of this ordinance shall apply to all new and rehabilitated landscaping for public agency projects, private commercial and industrial development projects, developer-installed landscaping in multi-family and single-family residential projects, and homeowner provided landscape improvements within the front, side, and rear yards of single and two-family dwellings.

#### Section 7. Landscape Design Standards

##### A. Plant Selection.

1. Plants shall be well-suited to the microclimate and soil conditions at the project site. Both native and locally-adapted plants are acceptable. Plants with similar water needs shall be grouped together as much as possible.
2. Areas with slopes greater than 25% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.
3. Park strips and other landscaped areas less than eight (8) feet wide shall be landscaped with water-conserving plants, that do not a mass planting of any type of plant material requiring uniform overhead spray irrigation.

Note: Please see Exhibit A for a list of recommended plants for various landscape situations and conditions (not a comprehensive list).

- B. Mulch. After completion of all planting, all irrigated non-turf areas shall be covered with a minimum three (3) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch.
- C. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six (6) inches and amending the

soil with organic material as per specific recommendations of the Landscape Designer/Landscape Architect based on the soil conditions.

- D. Tree Selection. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. Trees shall be selected as follows:

1. Broad canopy trees shall be selected where shade or screening of tall objects is desired;
2. Low-growing trees shall be selected for spaces under utility wires;
3. Select trees from which lower branches can be trimmed to maintain a healthy growth habit where vision clearance and natural surveillance is a concern;
4. Narrow or columnar trees shall be selected where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street for natural surveillance;
5. Street trees shall be planted within existing and proposed park strips, and in sidewalk tree wells on streets without park strips. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees, retaining walls, utilities, lighting, and other obstacles; and
6. Trees less than a two-inch caliper shall be double-staked until the trees mature to a two-inch caliper.

Section 8. Irrigation Design Standards

- A. Smart Automatic Irrigation Controller. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities and shall be setup to operate in “smart” mode.
- B. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Turf and non-turf areas shall be irrigated on separate valves. Drip emitters and sprinklers shall be placed on separate valves.
- C. Drip emitters or a bubbler shall be provided for each tree. Bubblers shall not exceed 1.5 gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the City due to the limited number of trees on the project site.
- D. Drip irrigation or bubblers shall be used to irrigate plants in non-turf areas. Pop-up spray heads shall be at a minimum of four (4) inches in height to avoid blockage from lawn foliage.
  - E. Sprinklers shall have matched precipitation rates with each control valve circuit.
  - F. Sprinkler heads shall be attached to rigid lateral lines with flexible material (swing joints) to reduce potential for breakage.
  - G. Check valves shall be required where elevation differences cause low-head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.

- H. Filters shall be required on all secondary water service connections. Filters shall have as a minimum a 30 mesh screen and shall be cleaned and maintained by the property owner on a regular basis.
- I. Drip irrigation lines require additional filtration at or after the zone valve at a minimum of 200 mesh and end flush valves are required as necessary for drip irrigation lines.
- J. Valves with spray or stream sprinklers shall be scheduled to operate in accordance with local water supplier restrictions to reduce water loss from wind, evaporation or other environmental conditions not suitable for irrigation.
- K. Program valves for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.
- L. Meter Installation: Meters shall be specified by the <CITY NAME> for the particular installation and shall report instantaneous flow in gallons per minute (gpm) and totalized flow in gallons via encoded register output. <DEFINE INSTALLATION REQUIREMENTS INCLUDING METER MANUFACTURER AND ENCLOSURE DEPTHS ETC>
- M. AMR Transmitters: Each meter shall be fitted with an AMR transmitter with integral connector. <DEFINE AMR TRANSMITTER AND INSTALLATION REQUIREMENTS>

Each new development or rehabilitated landscape that uses primary potable water for landscape irrigation must provide a water budget calculation to demonstrate a Maximum Applied Water Allowance (MAWA) for the new landscape or development. For parcels using secondary water, the MAWA is determined by the secondary water provider based on parcel size and is referred to as an allocation.

The Maximum Applied Water Allowance shall be calculated using the following equation:

$$\text{MAWA} = (\text{ETo}) (0.62)(1.15)[(0.8 \times \text{LA}) + (0.3 \times \text{SLA})]$$

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year) as calculated from weather data at the closest available weather station.

0.62 = Conversion Factor (to gallons)

1.15= Delivery Inefficiency Factor (sprinkler system uniformity etc.)

0.8 = ET Adjustment Factor (ETAF), plant factor or crop coefficient (.8 standard for cool season turf)

LA = Landscape Area including SLA (square feet)

0.3 = Additional Water Allowance for SLA

SLA = Special Landscape Area (square feet)

ETo values can be obtained directly from the USU Climate Center where a data base of weather data from local stations is collected, analyzed, and stored. If you cannot find the ET data you need, please contact the City.

Additional details and examples of calculations are found in Appendix A

#### Section 9. Landscapes in New Single-family Residential Developments

- A. Homebuilders and/or developers subdividing lots and/or constructing new single-family residential homes shall provide water-efficient landscaping to prospective home buyers, such as the Locascapes design style when the landscape is installed by the homebuilder/developer. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and any central open shape area consisting of plant material in mass requiring overhead spray irrigation shall not exceed 35% of the total landscaped area.
- B. Homebuilders and/or developers who construct model homes for a designated subdivision shall install water-efficient landscaping, such as the Locascapes design style. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and any central open shape area consisting of plant material in mass requiring overhead spray irrigation shall not exceed 35% of the total landscaped area.
- C. New Construction homes shall have landscaping and irrigation plans approved by the City Planning Department prior to issuance of building permits, for which no variance may be granted, and which meet the aforementioned requirements.
- D. Model homes shall include an informational brochure on water-efficient landscaping or Locascapes. Locascapes brochures can be obtained from the City Planning Department.
- E. When buyers or owners are installing their own landscaping on new home construction, a time frame for landscaping to be completed shall be 18 months from the time of occupancy to complete the front yard and no more than three years to complete the total landscape.

#### Section 10. Prohibition on Restrictive Covenants Requiring Uniform Plant Material Irrigated with Spray Irrigation

- A. Any Homeowners Association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, are void and unenforceable if they:
  - 1. Require the use of any uniform plant material requiring overhead spray irrigation in landscape areas less than 8 feet wide or require any uniform plant material requiring overhead spray irrigation in other areas that exceed 40% of the landscaped area; or
  - 2. Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or
  - 3. Have the effect of prohibiting or restricting compliance with this ordinance or other water conservation measures.

#### Section 11. Landscapes in Commercial, Industrial, and Institutional Developments

A. Commercial, industrial and institutional landscapes shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 15% of the total landscaped area, outside of active recreation areas.

#### Section 12. Documentation for Commercial, Industrial, and Institutional Projects

Landscape Plan Documentation Package. A copy of a Landscape Plan Documentation Package shall be submitted to and approved by the City prior to the issue of any permit. A copy of the approved Landscape Plan Documentation Package shall be provided to the property owner or site manager and to the local retail water purveyor. The Landscape Plan Documentation Package shall be prepared by a registered landscape architect and shall consist of the following items:

- A. Project Data Sheet. The Project Data Sheet shall contain the following:
  - 1. Project name and address;
  - 2. Applicant or applicant agent's name, address, phone number, and email address;
  - 3. Landscape architect's name, address, phone number, and email address; and
  - 4. Landscape contractor's name, address, phone number and email address, if available at this time.
- B. Planting Plan. A detailed planting plan shall be drawn at a scale that clearly identifies the following:
  - 1. Location of all plant materials, a legend with botanical and common names, and size of plant materials;
  - 2. Property lines and street names;

3. Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;
  4. Existing trees and plant materials to be removed or retained;
  5. Scale: graphic and written;
  6. Date of Design;
  7. Designation of a landscape zone, and
  8. Details and specifications for tree staking, soil preparation, and other planting work.
- C. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:
1. Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;
  2. Static water pressure in pounds per square inch (psi) at the point of connection to the public water supply;
  3. Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers, and
  4. Installation details for irrigation components.
- D. Grading Plan. A Grading Plan shall be drawn at the same scale as the Planting Plan and shall contain the following information:
1. Property lines and street names, existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements, and
  2. Existing and finished contour lines and spot elevations as necessary for the proposed site improvements.

Section 13. Plan Review, Construction Inspection, and Post-Construction Monitoring for Commercial, Industrial, and Institutional Projects

- A. As part of the Building Permit approval process, a copy of the Landscape Plan Documentation Package shall be submitted to the City for review and approval before construction begins.
- B. All installers and designers shall meet state and local license, insurance, and bonding requirements, and be able to show proof of such.
- C. During construction, site inspection of the landscaping may be performed by the City Building Inspection Department.

- D. Following construction and prior to issuing the approval for occupancy, an inspection shall be scheduled with the Building Inspection Department to verify compliance with the approved landscape plans. The Certificate of Substantial Completion shall be completed by the property owner, contractor or landscape architect and submitted to the City.
- E. The City reserves the right to perform site inspections at any time before, during or after the irrigation system and landscape installation, and to require corrective measures if requirements of this ordinance are not satisfied.

Section 14. Prohibited Watering Practices

Regardless of the age of a development (commercial, industrial, office, or residential), water shall be properly used. Waste of water is prohibited.

Section 15. Enforcement, Penalty for Violations

The Public Utilities Director and other employees of the Public Utilities Department are authorized to enforce all provisions of this Ordinance.

Any consumer who violates any provisions of this Ordinance shall be issued a written notice of violation. This notice shall be affixed to the property where the violation occurred. The notice will describe the violation and order that it be corrected, cured or abated immediately or within times specified by the City. Failure to receive a notice shall not invalidate further actions by the City. If the order is not complied with, the City may terminate water service to the customer and/or issue a citation.

Section 16. Effective Date

This ordinance shall be effective as of <EFFECTIVE DATE>.

Dated: _	<u>&lt;CITY NAME&gt;</u>
	By: ____
	Its: ____ Mayor

[Municipal Recorder Attestation and Seal]

#### Appendix A

The Maximum Applied Water Allowance shall be calculated using the equation:

$$\text{MAWA} = (\text{ETo}) (0.62) (1.15) [(0.8 \times \text{LA}) + (0.3 \times \text{SLA})]$$

The example calculations below are hypothetical to demonstrate proper use of the equations and do not represent an existing and/or planned landscape project. The ETo values used in these calculations are examples only but are real ETo values from Weber Basin's weather station and should be substituted for actual ETo values for your specific city. For actual irrigation scheduling, automatic smart irrigation controllers are required and shall use current reference evapotranspiration data (most of which is part of each controller company's supporting weather network) or soil moisture sensor data.

(1) Example MAWA calculation: a hypothetical landscape project in Layton Utah with an irrigated landscape area of 20,000 square feet without any Special Landscape Area (SLA= 0, no edible plants, or recreational areas). To calculate MAWA, the annual reference evapotranspiration value for Layton is 32.8 inches as documented from the Weber Basin weather station data.

$$\text{MAWA} = (\text{ETo}) (0.62) (1.15) [(0.8 \times \text{LA}) + (0.3 \times \text{SLA})]$$

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

1.15= Delivery Inefficiency Factor (sprinkler system uniformity etc.)

0.8 = ET Adjustment Factor (ETAF) typical for cool season turf

LA = Landscape Area including SLA (square feet)

0.3 = Additional Water Allowance for SLA

SLA = Special Landscape Area (square feet)

MAWA = (32.8 inches) (0.62) (1.15) [(0.8 x 20,000 square feet) + (0.3 x 0)] = **374,182 gallons per year** (or 1.15 AF/yr)

(2) In this next hypothetical example, the landscape project in Ogden Utah has the same ETo value of 32.8 inches and a total landscape area of 15,000 square feet. Within the 15,000 square foot project, there is now a 2,000 square foot area planted with edible plants. This 2,000 square foot area is considered to be a Special Landscape Area.

MAWA = (ETo) (0.62) (1.15) [(0.8 x LA) + (0.3 x SLA)]

MAWA = (32.8 inches) (0.62) (1.15) [(0.8 x 15,000 square feet) + (0.3 x 2,000 square feet)]  
= 20.34 x [12,000 + 600] gallons per year = **280,696.8 gallons per year** (or .86 AF/year)

### **1CURRENT REFERENCES IN CODE**

Landscaping Reference through South Weber city code:

#### ***10-14-13 6b***

Site Plan: In addition to the requirements for plans in the international building code, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, and site water supply systems. Site plans shall also include occupancy classifications of buildings, types of ignition resistant construction of structures and their appendages and roof classifications according to the

applicable international building code or international fire code. Vegetation Management Plans: When utilized by the permit applicant pursuant to this section, vegetation management plans shall be prepared and shall be submitted to the code official for review and approval as part of the plans required for a permit. See appendix B attached to the ordinance codified herein.

**10-15-1** Purpose: The city council of South Weber, Utah, deems that, in order to keep the peace, health, safety, and welfare and promote the best interest of the inhabitants of the city of South Weber, these "landscape regulations" be created. These regulations are intended to increase the compatibility of adjacent land uses and foster compatibility among different land uses by minimizing the harmful effects of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions, and other objectionable activities or impacts conducted or created by an adjoining or nearby use. (Ord. 2001-6, 2-27-2001) \*add preserve water? \*

**10-15-2**

**A.** Required: All land approved for development in the city shall be constructed as required by city ordinances and the planning commission or city council. In order to control the potential for adverse conditions resulting from dust, mud and erosion, land remaining on developed sites that is not covered with structures or impervious surfaces such as driveways, walks, courts, landscape features (sculptures, boulders, etc.), shall be landscaped in accordance with this chapter and when applicable irrigated with an appropriate system to maintain plants in a healthy, growing condition, compatible with the general neighborhood appearance.

**B.** Residential Front, Side, And Back Yard Areas: Landscaping shall be installed in all residential front yards, side yards, and back yards in residential low-moderate (R-LM), residential moderate (R-M), and residential multi-family (R-7) zones. Front and side yard landscaping shall be completed within eighteen (18) months of occupancy. Back yards shall be landscaped within twenty four (24) months of occupancy. Landscaping of a residential site shall include an irrigation system sufficient to maintain the health and beauty of the landscaping. Residents who fail to abide by these landscaping regulations are subject to penalties as set forth in section [10-15-8](#) of this chapter. (Ord. 07-02, 2-13-2007; amd. Ord. 19-16, 11-26-2019)

**10-15-3**

**A.** Landscape Plan: A landscape plan shall be required in high density residential, commercial, planned unit development, professional office, industrial and natural resource excavation zones as specified in the various provisions of this code. Such plans shall be drawn in conformance with the requirements specified in this chapter and shall be included with the preliminary and final plat plans, conditional use permit applications and site plan approval applications.

**B.** Content Of Landscape Plan: All landscape plans shall contain the following information:

1. The location and dimensions of all existing and proposed structures, property lines, easements, parking lots and drives, roadways and rights of way, sidewalks, bicycle paths, ground signs, refuse disposal and recycling areas, fences, freestanding electrical equipment, tot lots and other recreational facilities;

2. The location, quantity, size and name, both botanical and common names, of all proposed plants;
3. The location, size and common names of all existing plants including trees and indicating plants to be retained and removed;
4. Existing and proposed grading of the site indicating contours at two foot (2') intervals. Proposed berming shall be indicated using one foot (1') contour intervals;
5. Elevations of all fences and retaining walls proposed for location on the site;
6. Elevations, cross sections and other details as determined necessary by the sketch plan committee and planning commission;
7. Irrigation system including head types and locations; pipe sizes, types and locations; control valve types, sizes and locations; main shutoff valve, drain valves and isolation valves; automatic controller type and location;
8. Summary data indicating the area of the site in the following classifications:
  - a. Total area and percentage of the site in landscape area,
  - b. Total area and percentage of the site in domestic turf grasses. (Ord. 2001-6, 2-27-2001; amd. Ord. 07-02, 2-13-2007)

**10-15-4**

- A. Selection: Plants used in conformance with the provisions of this chapter shall be of good quality. Size and density of plants both at the time of planting and at maturity shall be considered by the planning commission and city council when approving the landscaping plan.
- B. Installation: All landscaping shall be installed consistent with prudent and recognized construction management practices. The installation of all plants required by this chapter may be delayed until the next optimal planting season, as determined by the zoning administrator.
- C. Maintenance:
1. Responsibility: The owner, owners, tenants, lessees or occupants of the property or development shall be responsible for the maintenance, repair and replacement of all landscaping materials and barriers.
  2. Landscaping Materials: All landscaping materials shall be maintained in good condition so as to present a healthy, neat and orderly appearance, and plants not in this condition shall be replaced when necessary and shall be kept free of refuse and debris.
  3. Fences, Walls And Hedges: Fences, walls and hedges shall be maintained in good repair.
  4. Irrigation Systems: Irrigation systems shall be maintained in good operating condition to promote the conservation of water. (Ord. 2001-6, 2-27-2001; amd. Ord. 07-02, 2-13-2007)

\*low water usage plants, should be considered, or 15% of plants should be low water usage\*

**10-15-5**

Landscape plans shall be prepared based on the following design standards and guidelines. Design standards are numerically measurable design requirements that can be definitively evaluated for compliance. Design guidelines are not precisely measurable, but compliance can be determined through the evaluation process of landscape plan review. The evaluation and approval of landscape plans shall be based on compliance with both the design standards and guidelines.

A. Design Standards At Time Of Planting:

1. Deciduous Trees: All deciduous trees shall have a minimum trunk size of two inches (2") in caliper, unless otherwise specified.
2. Evergreen Trees: All evergreen trees shall have a minimum trunk size of five feet (5') in height, unless otherwise specified.
3. Ornamental Trees: All ornamental trees shall have a minimum trunk size of one and one-half inches (1<sup>1</sup>/<sub>2</sub>" ) in caliper, unless otherwise specified.
4. Shrubs: All shrubs shall have a minimum height or spread of eighteen inches (18") depending on the plant's natural growth habit, unless otherwise specified. Plants in five (5) gallon containers will generally comply with this standard.
5. Existing Street Trees: The removal of trees within the street right of way is prohibited without the approval of the zoning administrator.

B. Design Guidelines:

1. Scale And Nature Of Landscaping Material: The scale and nature of landscaping materials shall be appropriate to the size of the structures. Large scaled buildings, for example, should generally be complemented by larger scaled plants.
2. Selection Of Plants: Plants shall be selected for form, texture, color, pattern of growth and adaptability to local conditions.
3. Evergreens: Evergreens should be incorporated into the landscape treatment of a site, particularly in those areas where screening and buffer is required.
4. Softening Of Walls And Fences: Plants shall be placed intermittently against long expanses of building walls, fences, and other barriers to create a softening effect.
5. Planting Beds: Planting beds may be mulched with bark chips, decorative stone, or similar materials. Mulch shall not be used as a substitute for plants.
6. Detention/Retention Basins And Ponds: Detention/retention basins and ponds shall be landscaped. Such landscaping may include shade and ornamental trees, evergreens, shrubbery, hedges, turf, ground cover and/or other plant materials.

7. Preservation Of Existing Plants: Existing plants should be incorporated into the landscape treatment of a site as required herein or as required by the site plan review process. Trees in the public right of way shall not be removed without the approval of the zoning administrator.

8. Calculation Of Landscaped Area: Park strip landscaping shall not be used when calculating the total landscaping area.

9. Buffer Yards: Buffer yard landscaping shall not be used when calculating the total landscaping area except as determined by the planning commission and city council. For use of exceptional design and materials, as determined by the planning commission, fifty percent (50%) of the buffer yard may be used when calculating the total landscaping area. (Ord. 2001-6, 2-27-2001; amd. Ord. 07-02, 2-13-2007)

\*Matrix of what plants to use and what plants are not allowed?\*

**10-15-6: PARK STRIP LANDSCAPING:**

A. Intent: The intent of these requirements is to maintain the appearance of park strips, protect the users of park strips by prohibiting the use of materials that may cause harm or injury to pedestrians or vehicles, provide for safe and convenient access across park strips to and from vehicles that may park at the curb, expand landscape design flexibility while not unreasonably inhibiting access for repair and maintenance of public utilities. \*Conserving water\*

B. Applicability: The requirements of this section shall apply to all nonresidential and nonagricultural "park strips", defined as the ground area within the street right of way situated between the back of curb and the sidewalk or, if there is no sidewalk, the back of curb and the right of way line.

1. Properties With Curbs And Gutters: These standards apply to all nonresidential and nonagricultural properties in the city, including vacant lots, that have street curb and/or gutter. Owners of property on streets that do not have curb and gutter are not required to maintain formal landscaping within the public right of way.

2. Discretionary Authority: The zoning administrator may modify the standards of this section to better achieve its intent and address site specific conditions such as, among other things, steep grades between the curb and sidewalk or the presence of canals or drainage channels.

C. General Landscape Requirements:

1. Property Owner Responsibility: All park strips shall be landscaped by the abutting property owner, in conformance with the provisions of this section. For permits involving new construction of a principal building, the contractor shall be responsible for landscaping the park strips as part of the building permit. In general, this landscaping will involve improving the ground surface of the park strip with plant material, or hard surface treatments where permitted. Park strip trees shall also be provided as required herein.

2. Maintenance: All park strip landscaping shall be maintained in a safe and well kept condition by the abutting property owner. Trash, other debris, and noxious weeds shall not be allowed to collect or grow in these areas.

3. Watering: An irrigation plan designed to maintain all landscaped areas in a healthy condition.

D. Park Strip Trees:

1. Spacing And Size: Park strip trees, when required, shall be provided at the equivalent of at least one tree for each thirty feet (30') of street frontage and may be clustered or spaced linearly as deemed appropriate by the zoning administrator. Tree size shall be a minimum of two inch (2") caliper (measured at a point of 6 inches above the soil line) at time of planting.

2. Tree Types: In park strips that are ten feet (10') wide or greater, canopy trees shall be planted. In park strips that are less than ten feet (10') wide, understory trees shall be planted. The Zoning Administrator shall keep a list of recommended trees. This list is not meant to be comprehensive, but to serve as a guide.

3. Tree Grates: If new trees are proposed in a park strip in which the area surrounding the tree will have an impervious surface, tree wells with gates shall be provided which have dimensions adequate to accommodate the recommended tree species.

4. Paving Materials Near Existing Street Trees: Poured concrete shall not be placed in any park strip with existing street trees. Other paving materials shall be kept a minimum of eighteen inches (18") away from existing street trees. (Ord. 2001-6, 2-27-2001; amd. Ord. 07-02, 2-13-2007)

\*What is not allowed- concrete\*

**10-15-7**

A. Intent: The intent of these requirements is to increase the compatibility of adjacent land uses and foster compatibility among different land uses by minimizing the harmful effects of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions, and other objectionable activities or impacts conducted or created by an adjoining or nearby use. \*water waste\*

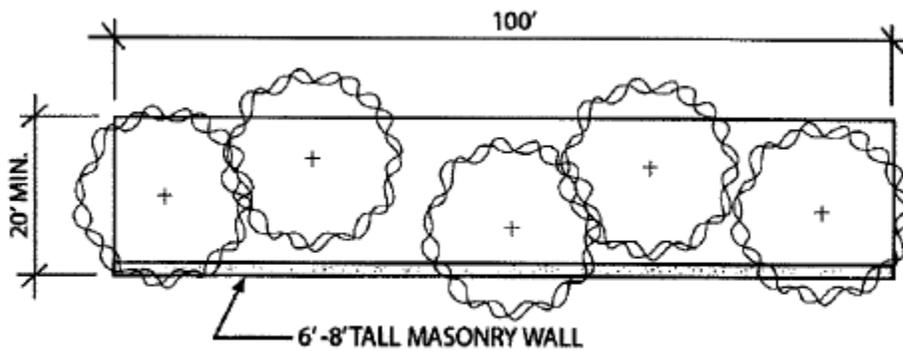
B. Requirements: The following illustration graphically indicates the specifications of a buffer yard. The type and quantity of plant materials required by a buffer yard are specified in this section. Only those plant materials capable of fulfilling the intended function shall satisfy the requirements of this chapter.

C. Satisfaction Of Requirements: Any existing plant material which otherwise satisfies the requirements of this section may be counted toward satisfying all such requirements.

D. Placement: The exact placement of required plants and structures shall be the decision of each user except that evergreens (or conifers) shall be planted in clusters rather than singly in order to maximize their chances of survival.

E. Waived: Any provision contained in this chapter may, with just cause, be waived by the City Council with the advice of the Planning Commission.

**BUFFER YARD**



- Masonry wall shall be at or near property line.
- There shall be 1 tree with mature height of at least 25' for every 20' of length of buffer yard or fraction thereof.
- Ground plane shall be landscaped with shrubs, ground covers, flowers or decorative mulch.

**10-13-4: LANDSCAPING:**

A. Required; Site Plan: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system adequate to maintain such landscaping.

Landscaping shall meet the requirements of chapter 15 of this title. Where appropriate, a performance bond will be required to ensure compliance with approved site plans.

B. Included Landscaping: Landscaping may include, but not be limited to, planting of grass, shrubs or trees, decorative plazas and fountains. Landscaping shall be used to the extent possible to screen visually all buildings and parking areas from abutting land uses. Landscaping shall meet the requirements of chapter 15 of this title. (Ord. 08-06, 3-25-2008)

**10-7F-5: SCREENING:**

A. Laundry Drying Yards: Laundry drying yards shall be screened by an opaque hedge, wall or fence not less than five feet (5') in height.

B. Side And Rear Property Lines: A screening wall, fence or landscaping strip shall be provided to provide visual screening along the side and rear property lines when adjacent to a public street. (Ord. 96-1, 9-10-1996, eff. 9-12-1996)

**10-7F-6: LANDSCAPING:**

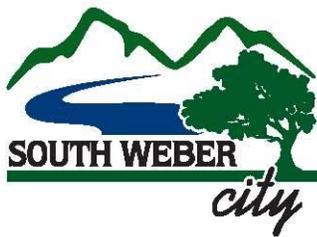
All open space and setbacks shall be adequately landscaped to provide a park-like appearance. (Ord. 96-1, 9-10-1996, eff. 9-12-1996)

**10-50-6: LANDSCAPING REQUIREMENTS:**

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system adequate to maintain such landscaping. Landscaping shall meet the requirements of chapter 15 of this title. 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.

B. Buffer Yard Landscaping: A buffer yard shall be required between the B-C Zone and all residential zones. Buffer yards shall meet the requirements of chapter 15 of this title.

C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of chapter 15 of this title. (Ord. 18-05, 8-14-2018; amd. Ord. 2021-06, 5-25-2021)



# PLANNING MEMORANDUM <sup>6 Private Rights-of-Way</sup>

1600 E. South Weber Drive  
South Weber, UT 84405

www.southwebercity.com

801-479-3177  
FAX 801-479-0066

To: Planning Commission  
From: Trevor Cahoon, Community Services Director  
  
Re: Private Rights-Of-Way

## **PURPOSE**

Discussion on the role of private rights-of-ways and roads and the general application throughout the City.

Craft a legislative recommendation to the City Council to update South Weber City Code.

## **BACKGROUND**

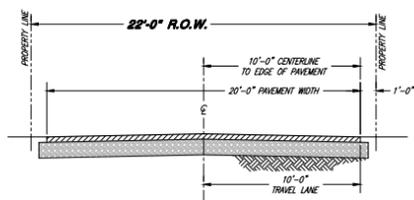
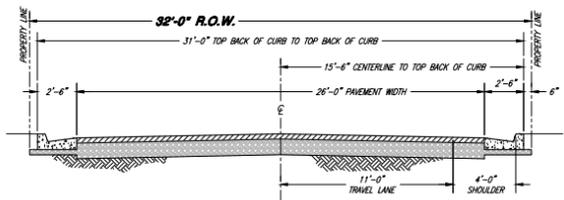
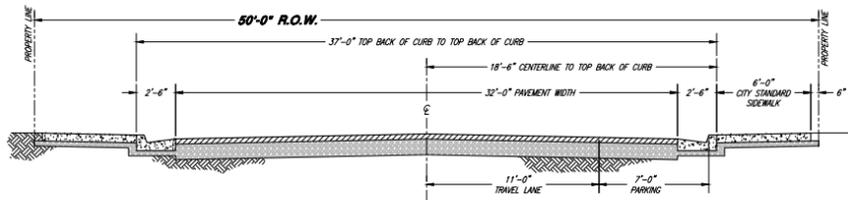
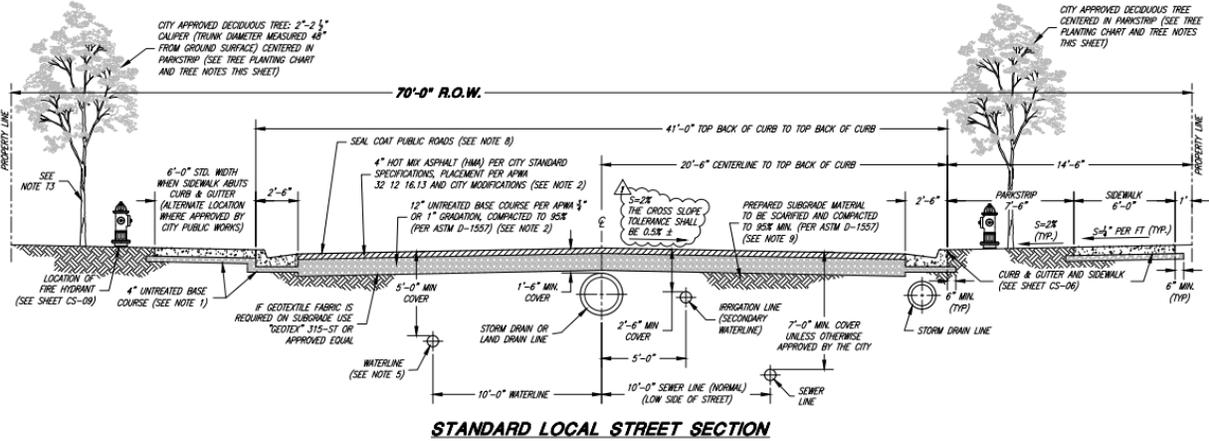
South Weber code as it relates to private streets and rights-of-way (ROW) has some minor inconsistencies in the application of the code. As more requests have come for development or improvements, it has been difficult to instruct applicants on how to apply code effectively for the projects being proposed. References to private streets and ROW are found throughout Title 10 and Title 11 of City Code. References vary; however, some areas reference a variety of road widths and conditions in which to utilize a private street. The need has become apparent to fix the inconsistencies for better control and application of the City Code.

The Planning Commission will be presented with five alternatives to the current South Weber Code and will discuss which option best reflects the advice of the commission. Each draft ordinance considers various comments received at the October 20, 2021, Planning Commission discussion. The Planning Commission will consider each option and make recommendations to the City Council for their consideration. The Planning Commission can make recommendations or changes to any or all the options that are available.

Being an agricultural community, South Weber has many different applications of private streets and ROW. Each have benefits and there are some that do provide some hinderances in current operation. There are definite pros and cons in allowing private streets within a municipality. The major issue is control over the maintenance and quality of the street. Previous applications of private streets have seen the effects of this. The draft ordinances address this with requiring an HOA or similar organization that will be responsible for the ROW and will outline the care and maintenance standards.

As the city continues to develop in coming years more ROWs will come online. The city is obligated to maintain public ROW in perpetuity, and so with each development this impact creates a greater burden upon the city to increase maintenance through surfacing and replacement models. Private ROW are not maintained by the City and therefore do not create an increase maintenance cost for the community. Often in more dense developments private ROW are utilized on an internal street network because the subdivision already has a maintenance mechanism in place for the area.

**CROSS SECTION COMPARISON**



Above are the cross sections for the standard public ROW and the 3 proposed private ROW. The standard ROW allows for a 36' street, private ROW A allows for a 32' street, private ROW B allows for a 26' street, and private ROW C allows for a 20' street. The total width varies because of the curb, gutter, sidewalk, and parkstrip requirements.

**CURRENT CODE REFERENCES TO PRIVATE ROADS**

**10-1-10: Definitions**

ROAD, PRIVATE: A thoroughfare held in private ownership and controlled, serviced and maintained by one or more private persons, firms or corporations and used or held for use primarily as a means of access to adjoining property.

**10-7F-3: RV Park- Access Drives**

All private access drives shall be provided to each space, shall connect with a public street and shall have a minimum width of twenty feet (20') for interior circulation. Access drives shall be a hard surface or a dust-free material approved by the Planning Commission and the City Engineer. (Ord. 96-1, 9-10-1996, eff. 9-12-1996)

**10-7I: Planned Unit Development**

H. Streets: Streets may be either public or private. They may be required to be public if they are a needed transportation route as shown on the comprehensive plan or if so determined by the approving body. If the streets are public, then they shall meet the applicable requirements of the city subdivision standards. Private streets shall be a minimum of forty one feet (41') in width with the same construction standards as required for a public street, in the city subdivision standards, from the back of curb to back of curb. Sidewalks along the street are not required, but if not included in the road right-of-way, then some other pedestrian transportation system shall be provided. Where private streets are used, a public utility easement twenty feet (20') in width shall be required along each side of the street. (Ord. 2000-9, 7-11-2000)

**10-11-6(C): Limitations for Land Use and Buildings (Supplemental and Qualifying Regulations)**

C. Private Rights Of Way: Residential development on private rights of way may be allowed where permitted by the South Weber zoning ordinance and in accordance with the following development standards:

1. A maximum of two (2) dwelling units or lots are permitted.
2. Lot size shall be that required in the zone in which it is located.
3. Private rights of way used for development purposes shall be considered private streets and must meet the definition of a private street. The minimum right of way width shall be thirty feet (30'), shall be constructed with at least eight inches (8") of compacted road base and three inches (3") of asphalt or an approved equivalent, and shall meet all requirements of the international fire code, appendix D.
4. Lots and rights of way must be located so that they do not interfere with future development. The city shall determine that the proposed private right of way location is not likely to ever be needed as a public road location before approving a private right of way. Private roads may not be located where proposed roads are shown on the city's general plan.
5. Required yards shall be those required by the zone in which they are located and shall not include any area within the right of way.

6. An approved sewer and water system must be provided.

7. All development on private rights of way of two (2) lots shall establish a homeowners' association or similar organization that will be responsible for the care and maintenance of any common property or utilities. A complete set of covenants, conditions and restrictions (CC&Rs) shall outline the care and maintenance of all private utilities, street improvements and common spaces. The CC&Rs shall also set forth the funding mechanism for that maintenance.

8. An easement for all public utilities shall be provided and dedicated to the city.

**10-11-8: Access Roads (Supplemental and Qualifying Regulations)**

Private roads providing access to commercial or industrial property shall not be permitted to be constructed or used through properties in any R zone. (1989 Code § 12-17-008)

**10-12-4: Provision of Curb, Gutter, Sidewalks (Architectural Site Plan Review)**

The applicant for site plan approval for multiple dwellings, commercial or industrial structures and all other business, public and semi-public buildings requiring motor vehicle access shall provide high-back curb, gutter and sidewalks along the entire street frontage of the property of any City road or street, except for entrances to the property, at which places the applicant shall provide curb cuts or private street entrances. (1989 Code § 12-18-004)

**11-4-4(C): Streets, Easements and Numbers (Subdivision Code)**

A. Arrangement: The arrangement of streets in the new subdivision shall make provision for the continuation of existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) at the same or greater widths (but in no case less than the required minimum width), unless variations are deemed necessary by the planning commission. The street arrangements must be such as to cause no unnecessary hardship to the owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Proposed public streets shall be extended by dedication to the boundary of such property. Private rights of way or streets may be permitted by the planning commission if, in its opinion, the right of way is not needed as a public street to provide access to adjacent properties or to fulfill a recommendation of the general plan and the lots meet the provisions of the zoning title for private right of way development. Half streets along the boundary of land proposed shall not be permitted.

C. Private Rights-Of-Way: Private rights-of-way used for development purposes shall be considered private streets and must meet the definition of a private street. (Ord. 13-08, 2-26-2013)

D. Private Rights-Of-Way; Maintenance: All traveled portions of private rights-of-way shall be all weather surfaces consisting of a minimum of eight inches (8") of compacted road base. The City will not be responsible in any way for maintenance or upkeep of private rights-of-way and does not guarantee mail or garbage collection services will extend to the residences on such streets.

Private rights of way or streets may be permitted by the planning commission if, in its opinion, the right of way is not needed as a public street to provide access to adjacent properties or to fulfill a recommendation of the general plan and the lots meet the provisions of the zoning title for private right of way development. Half streets along the boundary of land proposed shall not be permitted.

**ALTERNATIVES***Option A*

This is the original proposal with private ROW being allowed everywhere but R-M R-LM and R-L. One major revision was the requiring commercial and industrial zones to follow the R-P standards but disallow on street parking in these areas. The widths are dependent on the zone and follows this table (for reference only):

R-M	Not Allowed	
R-LM	Not Allowed	
R-7	Allowed	26 Ft Asphalt, No on-street parking, With Curb and Gutter. Sidewalk or Pedestrian path must be made available on the front façade of residence to a public ROW. Minimum ROW 32'
R-L	Not Allowed	
A	Allowed	20 foot ROW Asphalt/Concrete No Curb or Gutter No Sidewalk Turn around as required Minimum ROW 22'
A-10	(Discontinued)	
C	Allowed	Same as R-P No on-street parking
C-H	Allowed	Same as R-P No on-street parking
T-1	Allowed	Same as R-P No on-street parking
N-R	Allowed	Same as R-P No on-street parking
P-O	Allowed	Same as R-P No on-street parking
L-I	Allowed	Same as R-P No on-street parking
C-R	Allowed	Same as R-P No on-street parking
C-O	Discontinued	
B-C	Allowed	Same as R-P No on-street parking
R-P	Allowed	32 Ft Asphalt, Curb and gutter and 6' sidewalk required no parkstrip required Total ROW 50'

The number of units allowed was removed, and the code references the South Weber City Public Works Standard Drawings which will have the cross sections. The size and finish requirements are stripped from the PUD and reference the underlying zone allowances.

*Option B*

This is like option A but in this version R-7 does not allow private ROW.

R-M	Not Allowed	
R-LM	Not Allowed	
R-7	Not Allowed	
R-L	Not Allowed	
A	Allowed	20-foot ROW Asphalt/Concrete No Curb or Gutter No Sidewalk Turn around as required Minimum ROW 22'
A-10	(Discontinued)	
C	Allowed	Same as R-P No on-street parking
C-H	Allowed	Same as R-P No on-street parking
T-1	Allowed	Same as R-P No on-street parking
N-R	Allowed	Same as R-P No on-street parking
P-O	Allowed	Same as R-P No on-street parking
L-I	Allowed	Same as R-P No on-street parking
C-R	Allowed	Same as R-P No on-street parking
C-O	Discontinued	
B-C	Allowed	Same as R-P No on-street parking
R-P	Allowed	32 Ft Asphalt, Curb and gutter and 6' sidewalk required no parkstrip required Total ROW 50'

The number of units allowed was removed, and the code references the South Weber City Public Works Standard Drawings which will have the cross sections. The size and finish requirements are stripped from the PUD and reference the underlying zone allowances.

*Option C*

This option will only allow private ROW within PUDs and gives the PUD options for any of the cross sections provided in the City Standard Drawings. The size and finish requirements are stripped from the PUD and reference the underlying zone allowances.

*Option D*

This option is similar to Option A and Combines the PUD portion of option C. The main difference is that this option requires a 32' street for a R-7 but disallows parking.

R-M	Not Allowed	
R-LM	Not Allowed	
R-7	Allowed	Same as R-P No on-street parking
R-L	Not Allowed	
A	Allowed	20 foot ROW Asphalt/Concrete No Curb or Gutter No Sidewalk Turn around as required Minimum ROW 22'
A-10	(Discontinued)	
C	Allowed	Same as R-P No on-street parking
C-H	Allowed	Same as R-P No on-street parking
T-1	Allowed	Same as R-P No on-street parking
N-R	Allowed	Same as R-P No on-street parking
P-O	Allowed	Same as R-P No on-street parking
L-I	Allowed	Same as R-P No on-street parking
C-R	Allowed	Same as R-P No on-street parking
C-O	Discontinued	
B-C	Allowed	Same as R-P No on-street parking
R-P	Allowed	32 Ft Asphalt, Curb and gutter and 6' sidewalk required no parkstrip required Total ROW 50'

The number of units allowed was removed, and the code references the South Weber City Public Works Standard Drawings which will have the cross sections. The size and finish requirements are stripped from the PUD and reference the underlying zone allowances.

*Option E*

This has removed the option of residential private ROW.

**ENGINEER'S NOTES**

Brandon Jones, City Engineer, has provided feedback on the various ordinances. Jones's recommendations can be found on a redlined version of Option A. These changes can be reflected in any of the options.

**ORDINANCE 2021- OPTION A**  
**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL**

**WHEREAS**, the South Weber City Council

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

**Section 1. Chapter amended:** Title 11 Subdivision Regulations shall be hereby amended as follows:

11-4-4: STREETS, EASEMENTS AND NUMBERS

- C. Private Rights-Of-Way: Private rights-of-way may be used for development purposes subject to the following conditions:
  - 1. Private rights-of-way shall be designed and built as per the South Weber City Public Works Standard Drawings.
  - 2. Private rights-of-way shall not be permitted for any portion of road that is contained on the South Weber City Transportation Map
  - 3. Private rights-of-way shall not be permitted if the road serves to connect other rights-of-way or subdivisions.
  - 4. Private rights-of-way shall meet all requirements of international fire code, appendix D.
  
- D. Private Rights-Of-Way; Maintenance: The City will not be responsible in any way for maintenance or upkeep of surface improvements for private rights-of-way and does not guarantee mail or garbage collection services will extend to the residences on such streets.

**Section 2. Chapter amended:** Title 10 Zoning Regulations shall be hereby amended as follows:

10-5A-9: PRIVATE RIGHTS-OF-WAY (Note: R-M)

- 1. Private rights-of-way shall not be permitted.

10-5B-9: PRIVATE RIGHTS-OF-WAY (Note: R-LM)

- 1. Private rights-of-way shall not be permitted.

10-5C-12: PRIVATE RIGHTS-OF-WAY (Note: R-7)

- 1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section B or A.

ORD 2021-xx Short Title

- 2. On-street parking shall not be permitted.
- 3. Sidewalk or pedestrian path must be made available on the front façade of residence and connect to a public right-of-way without having to cross a road.
  - a. The private rights-of-way must be expanded to include sidewalks, where required.
- 4. The following utilities (where required) shall be located under the pavement portion of the private road: culinary water, sewer, storm drain, land drain, and irrigation.
  - a. The private rights-of-way must be expanded to include all utilities with the required spacing.

**Commented [BJ1]:** I'm trying to avoid a developer having homes on both sides of a private road, but only proposing a sidewalk on one side, suggesting that the homes on the side without a sidewalk can just "cross the road" and use it. If there is a better way to say this, please adjust accordingly.

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10-5D-9: PRIVATE RIGHTS-OF-WAY (Note: R-L)

- 1. Private rights-of-way shall not be permitted.

10-5E-9: PRIVATE RIGHTS-OF-WAY (Note: A)

- 1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section C, B or A.

10-5G-13: PRIVATE RIGHTS-OF-WAY (Note: C)

- 1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
- 2. On-street parking shall not be permitted.

10-5H-13: PRIVATE RIGHTS-OF-WAY (Note: C-H)

- 1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
- 2. On-street parking shall not be permitted.

10-5I-13: PRIVATE RIGHTS-OF-WAY (Note: T-1)

- 1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
- 2. On-street parking shall not be permitted.

10-5J-7: PRIVATE RIGHTS-OF-WAY (Note:N-R)

- 1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
- 2. On-street parking shall not be permitted.

10-5K-12: PRIVATE RIGHTS-OF-WAY (Note: P-O)

ORD 2021-xx Short Title

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5L-13: PRIVATE RIGHTS-OF-WAY (Note: L-I)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5M-13: PRIVATE RIGHTS-OF-WAY (Note: C-R)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5O-14: PRIVATE RIGHTS-OF-WAY (Note: B-C)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5P-9: PRIVATE RIGHTS-OF-WAY (Note: R-P)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.

10-7I-4: CONDITIONS REQUIRED (Planned Unit Development)

H. Streets: Streets may be either public or private. They may be required to be public if they are a needed transportation route as shown on the comprehensive plan or if so determined by the approving body. If the streets are public, then they shall meet the applicable requirements of the city subdivision standards. Private streets shall meet the provisions of the underlying zones.

10-11-6(C): LIMITATIONS FOR LAND USE AND BUILDINGS (Supplemental and Qualifying Regulations)

~~C. Private Rights Of Way: Residential development on private rights of way may be allowed where permitted by the South Weber zoning ordinance and in accordance with the following development standards:~~

- ~~1. Lot size shall be that required in the zone in which it is located.~~

ORD 2021-xx Short Title

- 2. ~~Private rights of way used for development purposes shall be considered private streets and must meet the definition of a private street.~~
- 3. ~~Lots and rights of way must be located so that they do not interfere with future development. The city shall determine that the proposed private right of way location is not likely to ever be needed as a public road location before approving a private right of way. Private roads may not be located where proposed roads are shown on the city's general plan.~~
- 4. ~~Required yards shall be those required by the zone in which they are located and shall not include any area within the right of way.~~
- 5. ~~An approved sewer and water system must be provided.~~
- 6. All development on private rights of way of two (2) lots shall establish a homeowners' association or similar organization that will be responsible for the care and maintenance of any common property or utilities. A complete set of covenants, conditions and restrictions (CC&Rs) shall outline the care and maintenance of all private utilities, street improvements and common spaces. The CC&Rs shall also set forth the funding mechanism for that maintenance.
- 7. An easement for all public utilities shall be provided and dedicated to the city.

**Commented [BJ2]:** Where is the definition of a private street found?

**Commented [BJ3]:** Could these be incorporated into 11-4-4 and we remove this whole section from 10-11-6(C)? So that any reference to private streets is only found in the zone and 11-4-4?

**Section 4. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the <sup>th</sup> day of 2021.

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

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

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
⋮		
Council Member Winsor	FOR	AGAINST

**CERTIFICATE OF POSTING**

I hereby certify that Ordinance 2021-xx was passed and adopted the <sup>th</sup> day of 2021 and that complete copies of the ordinance were posted in the following locations within the City this <sup>th</sup> day of 2021.

ORD 2021-xx Short Title

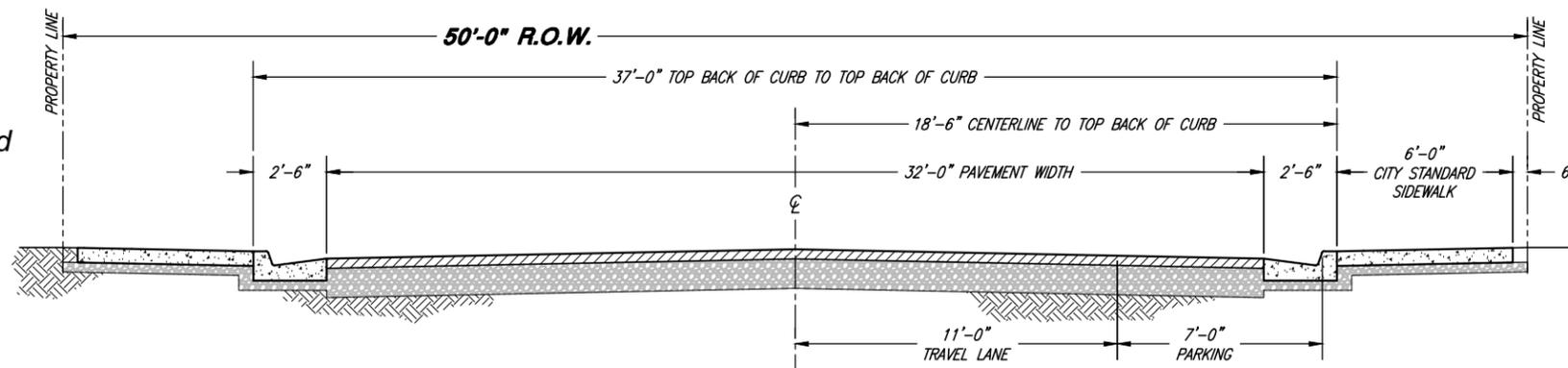
1. South Weber Elementary, 1285 E. Lester Drive
2. South Weber Family Activity Center, 1181 E. Lester Drive
3. South Weber City Building, 1600 E. South Weber Drive

---

**Lisa Smith, City Recorder**

-- Section A --  
Allowed in Zones: R-P

On-street parking Allowed

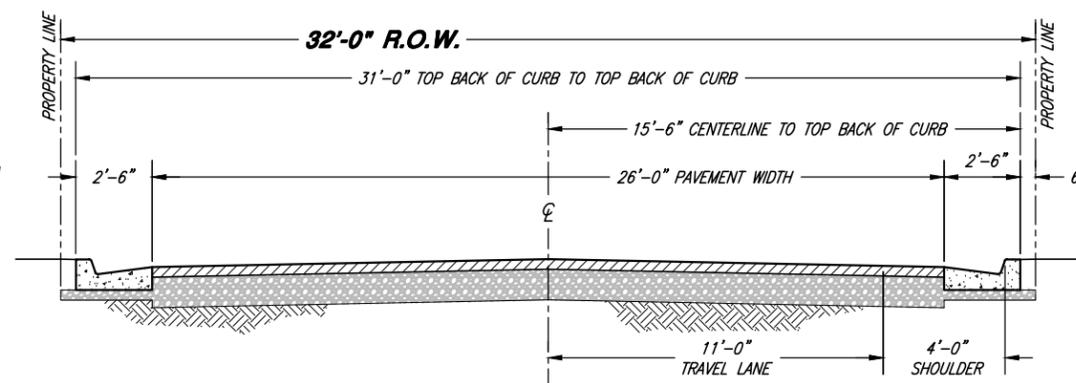


**50' RIGHT-OF-WAY  
PRIVATE ROADWAY STREET SECTION A**

-- Section B --

Allowed in Zones: R-7, C, C-H,  
T-1, N-R, P-O, L-I, C-R, B-C

On-street parking NOT Allowed

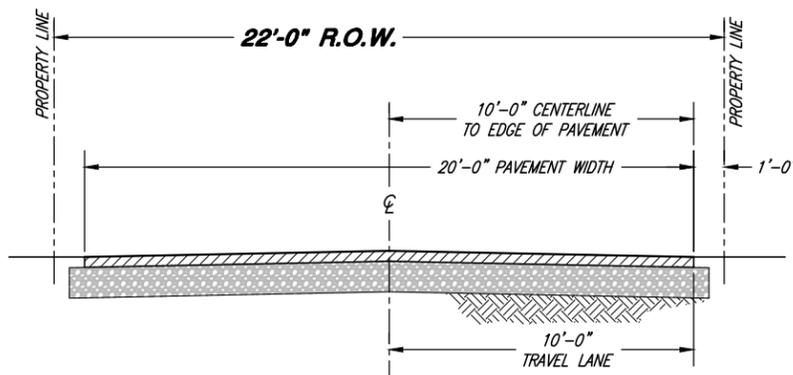


**32' RIGHT-OF-WAY  
PRIVATE ROADWAY STREET SECTION B**

-- Section C --

Allowed in Zones: A

On-street parking NOT Allowed



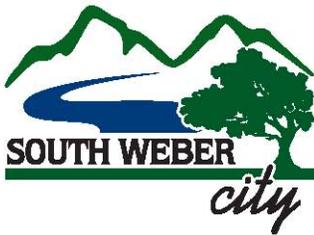
**22' RIGHT-OF-WAY  
PRIVATE ROADWAY STREET SECTION C**

**GENERAL NOTES:**

- \* Private Roads NOT Allowed in Zones: R-L, R-LM, R-M
- \* Private Roads Allowed in a PUD
- \* Section B requires a 6' minimum sidewalk or other pedestrian path from the front door to a public ROW for each residential unit without crossing the street. The ROW width must be widened to include the sidewalk if required.
- \* If the number of and spacing required for utilities cannot fit within the pavement width, then the pavement width and ROW must be widened to accommodate the utilities.

**FOR DISCUSSION PURPOSES ONLY**

PROJECT ENGINEER 10-19-2021 DATE			SCALE: N.T.S.	DESIGNED <u>BKJ</u> DRAWN <u>BEB</u> CHECKED <u>BKJ</u>	<b>J&amp;A</b> <b>JONES &amp; ASSOCIATES</b> CONSULTING ENGINEERS 6080 Fashion Point Drive South Ogden, Utah 84403 (801) 476-9767 www.jonescivil.com	SOUTH WEBER CITY CORPORATION PUBLIC WORKS STANDARDS EXHIBIT "A" PRIVATE ROADS - STREET CROSS SECTIONS	SHEET: 1 OF 1 SHEETS 0
REV.	DATE	APPR.					



# Public Hearing Item Introduction

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**Commission Meeting Date:** 11/10/2021

**Name:** Trevor Cahoon

**Public Hearing Item:** South Weber City Private Rights-of-Way

**Background:** South Weber code as it relates to private streets and rights-of-way (ROW) has some minor inconsistencies in the application of the code. As more requests have come for development or improvements, it has been difficult to instruct applicants on how to apply code effectively for the projects being proposed. References to private streets and ROW are found throughout Title 10 and Title 11 of City Code. References vary; however, some areas reference a variety of road widths and conditions in which to utilize a private street. The need has become apparent to fix the inconsistencies for better control and application of the City Code.

The Planning Commission will be presented with five alternatives to the current South Weber Code, and will discuss which option best reflects the advice of the commission. Each draft ordinance takes into account various comments received at the October 20, 2021 Planning Commission discussion. The Planning Commission will consider each option and make recommendations to the City Council for their consideration. The Planning Commission can make recommendations or changes to any or all of the options that are available

**Summary:** Consider Private Rights-of-way Options

**Budget Amendment:** N/A

**Procurement Officer Review:** Budgeted amount \$ N/A Bid amount \$ N/

**A Committee Recommendation:** N/A

**Planning Commission Recommendation:** N/A

**Staff Recommendation:** N/A

**Attachments:** Private Rights-of-way Option Ordinances

**ORDINANCE 2021- OPTION A**

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL**

**WHEREAS**, the South Weber City Council

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

**Section 1. Chapter amended:** Title 11 Subdivision Regulations shall be hereby amended as follows:

11-4-4: STREETS, EASEMENTS AND NUMBERS

C. Private Rights-Of-Way: Private rights-of-way may be used for development purposes subject to the following conditions:

1. Private rights-of-way shall be designed and built as per the South Weber City Public Works Standard Drawings.
2. Private rights-of-way shall not be permitted for any portion of road that is contained on the South Weber City Transportation Map
3. Private rights-of-way shall not be permitted if the road serves to connect other rights-of-way or subdivisions.
4. Private rights-of-way shall meet all requirements of international fire code, appendix D.

D. Private Rights-Of-Way; Maintenance: The City will not be responsible in any way for maintenance or upkeep of surface improvements for private rights-of-way and does not guarantee mail or garbage collection services will extend to the residences on such streets.

**Section 2. Chapter amended:** Title 10 Zoning Regulations shall be hereby amended as follows:

10-5A-9: PRIVATE RIGHTS-OF-WAY (Note: R-M)

1. Private rights-of-way shall not be permitted.

10-5B-9: PRIVATE RIGHTS-OF-WAY (Note: R-LM)

1. Private rights-of-way shall not be permitted.

10-5C-12: PRIVATE RIGHTS-OF-WAY (Note: R-7)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section B or A.

2. On-street parking shall not be permitted.
3. Sidewalk or pedestrian path must be made available on the front façade of residence and connect to a public right-of-way.

10-5D-9: PRIVATE RIGHTS-OF-WAY (Note: R-L)

1. Private rights-of-way shall not be permitted.

10-5E-9: PRIVATE RIGHTS-OF-WAY (Note: A)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section C, B or A.

10-5G-13: PRIVATE RIGHTS-OF-WAY (Note: C)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5H-13: PRIVATE RIGHTS-OF-WAY (Note: C-H)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5I-13: PRIVATE RIGHTS-OF-WAY (Note: T-1)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5J-7: PRIVATE RIGHTS-OF-WAY (Note:N-R)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5K-12: PRIVATE RIGHTS-OF-WAY (Note: P-O)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5L-13: PRIVATE RIGHTS-OF-WAY (Note: L-I)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5M-13: PRIVATE RIGHTS-OF-WAY (Note: C-R)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5O-14: PRIVATE RIGHTS-OF-WAY (Note: B-C)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5P-9: PRIVATE RIGHTS-OF-WAY (Note: R-P)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.

10-7I-4: CONDITIONS REQUIRED (Planned Unit Development)

H. Streets: Streets may be either public or private. They may be required to be public if they are a needed transportation route as shown on the comprehensive plan or if so determined by the approving body. If the streets are public, then they shall meet the applicable requirements of the city subdivision standards. Private streets shall meet the provisions of the underlying zones.

10-11-6(C): LIMITATIONS FOR LAND USE AND BUILDINGS (Supplemental and Qualifying Regulations)

C. Private Rights Of Way: Residential development on private rights of way may be allowed where permitted by the South Weber zoning ordinance and in accordance with the following development standards:

1. Lot size shall be that required in the zone in which it is located.
2. Private rights of way used for development purposes shall be considered private streets and must meet the definition of a private street
3. Lots and rights of way must be located so that they do not interfere with future development. The city shall determine that the proposed private right of way location is not likely to ever be needed as a public road location before approving a private right of

way. Private roads may not be located where proposed roads are shown on the city's general plan.

4. Required yards shall be those required by the zone in which they are located and shall not include any area within the right of way.

5. An approved sewer and water system must be provided.

6. All development on private rights of way of two (2) lots shall establish a homeowners' association or similar organization that will be responsible for the care and maintenance of any common property or utilities. A complete set of covenants, conditions and restrictions (CC&Rs) shall outline the care and maintenance of all private utilities, street improvements and common spaces. The CC&Rs shall also set forth the funding mechanism for that maintenance.

7. An easement for all public utilities shall be provided and dedicated to the city.

**Section 4. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the <sup>th</sup> day of 2021.

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

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

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
⋮		
Council Member Winsor	FOR	AGAINST

**CERTIFICATE OF POSTING**

I hereby certify that Ordinance 2021-xx was passed and adopted the <sup>th</sup> day of 2021 and that complete copies of the ordinance were posted in the following locations within the City this <sup>th</sup> day of 2021.

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

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

**ORDINANCE 2021- OPTION B**

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL**

**WHEREAS**, the South Weber City Council

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

**Section 1. Chapter amended:** Title 11 Subdivision Regulations shall be hereby amended as follows:

11-4-4: STREETS, EASEMENTS AND NUMBERS

C. Private Rights-Of-Way: Private rights-of-way may be used for development purposes subject to the following conditions:

1. Private rights-of-way shall be designed and built as per the South Weber City Public Works Standard Drawings.
2. Private rights-of-way shall not be permitted for any portion of road that is contained on the South Weber City Transportation Map
3. Private rights-of-way shall not be permitted if the road serves to connect other rights-of-way or subdivisions.
4. Private rights-of-way shall meet all requirements of international fire code, appendix D.

D. Private Rights-Of-Way; Maintenance: The City will not be responsible in any way for maintenance or upkeep of surface improvements for private rights-of-way and does not guarantee mail or garbage collection services will extend to the residences on such streets.

**Section 2. Chapter amended:** Title 10 Zoning Regulations shall be hereby amended as follows:

10-5A-9: PRIVATE RIGHTS-OF-WAY (Note: R-M)

1. Private rights-of-way shall not be permitted.

10-5B-9: PRIVATE RIGHTS-OF-WAY (Note: R-LM)

1. Private rights-of-way shall not be permitted.

10-5C-12: PRIVATE RIGHTS-OF-WAY (Note: R-7)

1. Private rights-of-way shall not be permitted.

10-5D-9: PRIVATE RIGHTS-OF-WAY (Note: R-L)

1. Private rights-of-way shall not be permitted.

10-5E-9: PRIVATE RIGHTS-OF-WAY (Note: A)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section C, B or A.

10-5G-13: PRIVATE RIGHTS-OF-WAY (Note: C)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5H-13: PRIVATE RIGHTS-OF-WAY (Note: C-H)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5I-13: PRIVATE RIGHTS-OF-WAY (Note: T-1)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5J-7: PRIVATE RIGHTS-OF-WAY (Note: N-R)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5K-12: PRIVATE RIGHTS-OF-WAY (Note: P-O)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5L-13: PRIVATE RIGHTS-OF-WAY (Note: L-I)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.

2. On-street parking shall not be permitted.

10-5M-13: PRIVATE RIGHTS-OF-WAY (Note: C-R)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5O-14: PRIVATE RIGHTS-OF-WAY (Note: B-C)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5P-9: PRIVATE RIGHTS-OF-WAY (Note: R-P)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.

10-7I-4: CONDITIONS REQUIRED (Planned Unit Development)

H. Streets: Streets may be either public or private. They may be required to be public if they are a needed transportation route as shown on the comprehensive plan or if so determined by the approving body. If the streets are public, then they shall meet the applicable requirements of the city subdivision standards. Private streets shall meet the provisions of the underlying zones.

10-11-6(C): LIMITATIONS FOR LAND USE AND BUILDINGS (Supplemental and Qualifying Regulations)

C. Private Rights Of Way: Residential development on private rights of way may be allowed where permitted by the South Weber zoning ordinance and in accordance with the following development standards:

1. Lot size shall be that required in the zone in which it is located.
2. Private rights of way used for development purposes shall be considered private streets and must meet the definition of a private street
3. Lots and rights of way must be located so that they do not interfere with future development. The city shall determine that the proposed private right of way location is not likely to ever be needed as a public road location before approving a private right of way. Private roads may not be located where proposed roads are shown on the city's general plan.
4. Required yards shall be those required by the zone in which they are located and shall not include any area within the right of way.

5. An approved sewer and water system must be provided.

6. All development on private rights of way of two (2) lots shall establish a homeowners' association or similar organization that will be responsible for the care and maintenance of any common property or utilities. A complete set of covenants, conditions and restrictions (CC&Rs) shall outline the care and maintenance of all private utilities, street improvements and common spaces. The CC&Rs shall also set forth the funding mechanism for that maintenance.

7. An easement for all public utilities shall be provided and dedicated to the city.

**Section 4. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the <sup>th</sup> day of 2021.

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

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

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
⋮		
Council Member Winsor	FOR	AGAINST

**CERTIFICATE OF POSTING**

I hereby certify that Ordinance 2021-xx was passed and adopted the <sup>th</sup> day of 2021 and that complete copies of the ordinance were posted in the following locations within the City this <sup>th</sup> day of 2021.

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

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

**ORDINANCE 2021- OPTION C**

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL**

**WHEREAS**, the South Weber City Council

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

**Section 1. Chapter amended:** Title 11 Subdivision Regulations shall be hereby amended as follows:

11-4-4: STREETS, EASEMENTS AND NUMBERS

- C. Private Rights-Of-Way: Private rights-of-way shall not be permitted unless used within a Planned Unit Development.
- D. Private Rights-Of-Way; Maintenance: The City will not be responsible in any way for maintenance or upkeep of surface improvements for private rights-of-way and does not guarantee mail or garbage collection services will extend to the residences on such streets.

10-7I-4: CONDITIONS REQUIRED (Planned Unit Development)

H. Streets: Streets may be either public or private. They may be required to be public if they are a needed transportation route as shown on the comprehensive plan or if so determined by the approving body. If the streets are public, then they shall meet the applicable requirements of the city subdivision standards. Private streets shall be designed and built as per the South Weber City Public Works Standard Drawings.

10-11-6(C): LIMITATIONS FOR LAND USE AND BUILDINGS (Supplemental and Qualifying Regulations)

- C. Private Rights Of Way: Residential development on private rights of way may be allowed where permitted by the South Weber zoning ordinance and in accordance with the following development standards:
  1. Lot size shall be that required in the zone in which it is located.
  2. Private rights of way used for development purposes shall be considered private streets and must meet the definition of a private street
  3. Lots and rights of way must be located so that they do not interfere with future development. The city shall determine that the proposed private right of way location is not likely to ever be needed as a public road location before approving a private right of way. Private roads may not be located where proposed roads are shown on the city's general plan.

4. Required yards shall be those required by the zone in which they are located and shall not include any area within the right of way.

5. An approved sewer and water system must be provided.

6. All development on private rights of way of two (2) lots shall establish a homeowners' association or similar organization that will be responsible for the care and maintenance of any common property or utilities. A complete set of covenants, conditions and restrictions (CC&Rs) shall outline the care and maintenance of all private utilities, street improvements and common spaces. The CC&Rs shall also set forth the funding mechanism for that maintenance.

7. An easement for all public utilities shall be provided and dedicated to the city.

**Section 4. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the <sup>th</sup> day of 2021.

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

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

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
⋮		
Council Member Winsor	FOR	AGAINST

**CERTIFICATE OF POSTING**

I hereby certify that Ordinance 2021-xx was passed and adopted the <sup>th</sup> day of 2021 and that complete copies of the ordinance were posted in the following locations within the City this <sup>th</sup> day of 2021.

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

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

**ORDINANCE 2021- OPTION D**

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL**

**WHEREAS**, the South Weber City Council

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

**Section 1. Chapter amended:** Title 11 Subdivision Regulations shall be hereby amended as follows:

11-4-4: STREETS, EASEMENTS AND NUMBERS

- C. Private Rights-Of-Way: Private rights-of-way may be used for development purposes subject to the following conditions:
  - 1. Private rights-of-way shall be designed and built as per the South Weber City Public Works Standard Drawings.
  - 2. Private rights-of-way shall not be permitted for any portion of road that is contained on the South Weber City Transportation Map
  - 3. Private rights-of-way shall not be permitted if the road serves to connect other rights-of-way or subdivisions.
  - 4. Private rights-of-way shall meet all requirements of international fire code, appendix D.
  
- D. Private Rights-Of-Way; Maintenance: The City will not be responsible in any way for maintenance or upkeep of surface improvements for private rights-of-way and does not guarantee mail or garbage collection services will extend to the residences on such streets.

**Section 2. Chapter amended:** Title 10 Zoning Regulations shall be hereby amended as follows:

10-5A-9: PRIVATE RIGHTS-OF-WAY (Note: R-M)

- 1. Private rights-of-way shall not be permitted.

10-5B-9: PRIVATE RIGHTS-OF-WAY (Note: R-LM)

- 1. Private rights-of-way shall not be permitted.

10-5C-12: PRIVATE RIGHTS-OF-WAY (Note: R-7)

- 1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.

ORD 2021-xx Short Title

2. On-street parking shall not be permitted.

10-5D-9: PRIVATE RIGHTS-OF-WAY (Note: R-L)

1. Private rights-of-way shall not be permitted.

10-5E-9: PRIVATE RIGHTS-OF-WAY (Note: A)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section C, B or A.

10-5G-13: PRIVATE RIGHTS-OF-WAY (Note: C)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5H-13: PRIVATE RIGHTS-OF-WAY (Note: C-H)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5I-13: PRIVATE RIGHTS-OF-WAY (Note: T-1)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5J-7: PRIVATE RIGHTS-OF-WAY (Note:N-R)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5K-12: PRIVATE RIGHTS-OF-WAY (Note: P-O)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5L-13: PRIVATE RIGHTS-OF-WAY (Note: L-I)

ORD 2021-xx Short Title

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5M-13: PRIVATE RIGHTS-OF-WAY (Note: C-R)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5O-14: PRIVATE RIGHTS-OF-WAY (Note: B-C)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.
2. On-street parking shall not be permitted.

10-5P-9: PRIVATE RIGHTS-OF-WAY (Note: R-P)

1. Private rights-of-way shall be permitted in compliance with 11-4-4 and Public Works Standard Drawings – Private Roadway Street Section A.

10-7I-4: CONDITIONS REQUIRED (Planned Unit Development)

H. Streets: Streets may be either public or private. They may be required to be public if they are a needed transportation route as shown on the comprehensive plan or if so determined by the approving body. If the streets are public, then they shall meet the applicable requirements of the city subdivision standards. Private streets shall be designed and built as per the South Weber City Public Works Standard Drawings.

10-11-6(C): LIMITATIONS FOR LAND USE AND BUILDINGS (Supplemental and Qualifying Regulations)

C. Private Rights Of Way: Residential development on private rights of way may be allowed where permitted by the South Weber zoning ordinance and in accordance with the following development standards:

1. Lot size shall be that required in the zone in which it is located.
2. Private rights of way used for development purposes shall be considered private streets and must meet the definition of a private street
3. Lots and rights of way must be located so that they do not interfere with future development. The city shall determine that the proposed private right of way location is not likely to ever be needed as a public road location before approving a private right of way. Private roads may not be located where proposed roads are shown on the city's general plan.

4. Required yards shall be those required by the zone in which they are located and shall not include any area within the right of way.

5. An approved sewer and water system must be provided.

6. All development on private rights of way of two (2) lots shall establish a homeowners' association or similar organization that will be responsible for the care and maintenance of any common property or utilities. A complete set of covenants, conditions and restrictions (CC&Rs) shall outline the care and maintenance of all private utilities, street improvements and common spaces. The CC&Rs shall also set forth the funding mechanism for that maintenance.

7. An easement for all public utilities shall be provided and dedicated to the city.

**Section 4. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the <sup>th</sup> day of 2021.

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

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

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
⋮		
Council Member Winsor	FOR	AGAINST

**CERTIFICATE OF POSTING**

I hereby certify that Ordinance 2021-xx was passed and adopted the <sup>th</sup> day of 2021 and that complete copies of the ordinance were posted in the following locations within the City this <sup>th</sup> day of 2021.

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

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

**ORDINANCE 2021- OPTION E**

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL**

**WHEREAS**, the South Weber City Council

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

**Section 1. Chapter amended:** Title 11 Subdivision Regulations shall be hereby amended as follows:

11-4-4: STREETS, EASEMENTS AND NUMBERS

- C. Private Rights-Of-Way: Private rights-of-way shall not be permitted on new residential subdivisions
- D. Private Rights-Of-Way; Maintenance: The City will not be responsible in any way for maintenance or upkeep of surface improvements for private rights-of-way and does not guarantee mail or garbage collection services will extend to the residences on such streets.

**Section 2. Chapter amended:** Title 10 Zoning Regulations shall be hereby amended as follows:

10-7I-4: CONDITIONS REQUIRED (Planned Unit Development)

H. Streets: Streets may be either public or private. They may be required to be public if they are a needed transportation route as shown on the comprehensive plan or if so determined by the approving body. If the streets are public, then they shall meet the applicable requirements of the city subdivision standards. Private streets shall not be permitted.

10-11-6(C): LIMITATIONS FOR LAND USE AND BUILDINGS (Supplemental and Qualifying Regulations)

C. Private Rights Of Way: Residential development on private rights of way shall not be allowed.

**Section 4. General Repealer.** Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the <sup>th</sup> day of 2021.

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

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

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

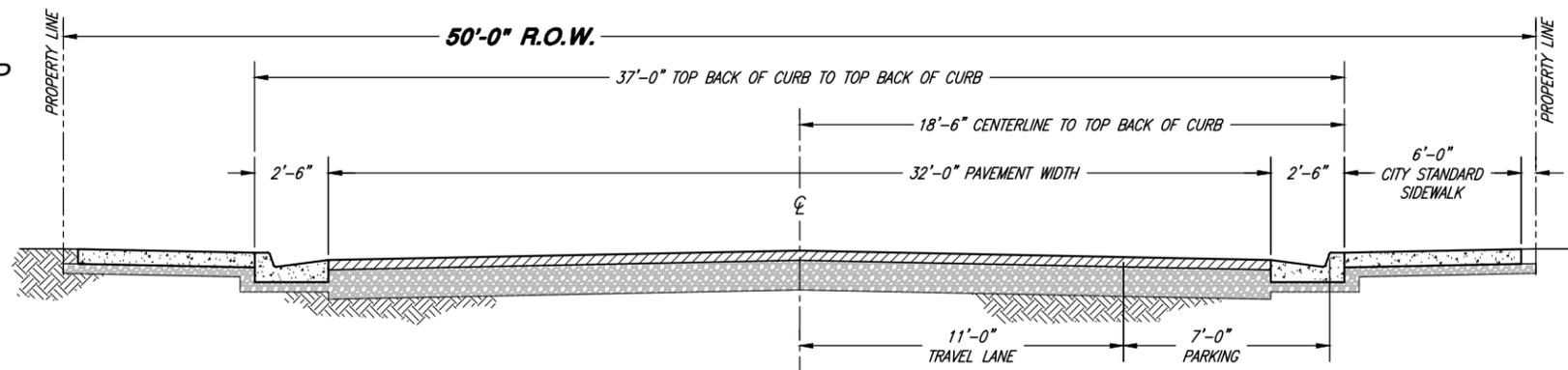
**CERTIFICATE OF POSTING**

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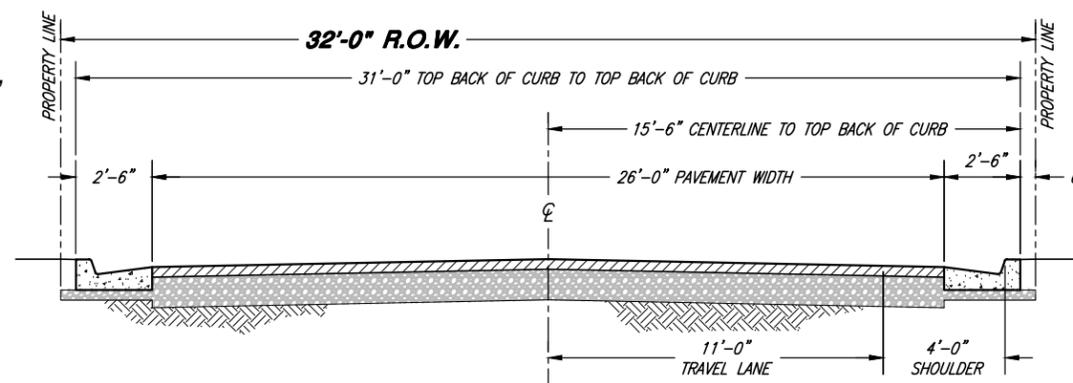
\_\_\_\_\_  
**Lisa Smith, City Recorder**

-- Section A --  
Allowed in Zones: R-P



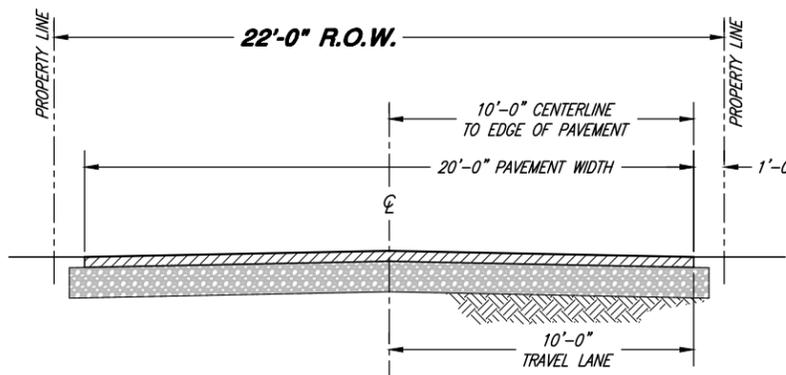
**50' RIGHT-OF-WAY  
PRIVATE ROADWAY STREET SECTION A**

-- Section B --  
Allowed in Zones: R-7, C, C-H,  
T-1, N-R, P-O, L-I, C-R, B-C



**32' RIGHT-OF-WAY  
PRIVATE ROADWAY STREET SECTION B**

-- Section C --  
Allowed in Zones: A



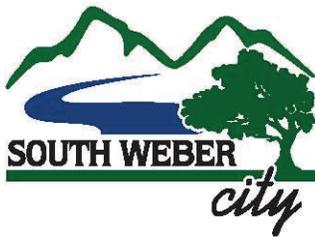
**22' RIGHT-OF-WAY  
PRIVATE ROADWAY STREET SECTION C**

**GENERAL NOTES:**

- \* Private Roads NOT Allowed in Zones: R-L, R-LM, R-M
- \* Private Roads Allowed in a PUD
- \* Section B requires a 6' minimum sidewalk or other pedestrian path from the front door to a public ROW for each residential unit without crossing the street. The ROW width must be widened to include the sidewalk if provided as part of the street section.
- \* All residential units must be set back a minimum of 10' from any sidewalk or pedestrian path.
- \* If the number of and spacing required for utilities cannot fit within the asphalt width, then the asphalt width and ROW must be widened to accommodate the utilities.

**FOR DISCUSSION PURPOSES ONLY**

PROJECT ENGINEER 10-19-2021 DATE			SCALE: N.T.S.	DESIGNED <u>BKJ</u> DRAWN <u>BEB</u> CHECKED <u>BKJ</u>	<b>J&amp;A</b> <b>JONES &amp; ASSOCIATES</b> CONSULTING ENGINEERS 6080 Fashion Point Drive South Ogden, Utah 84403 (801) 476-9767 www.jonescivil.com	SOUTH WEBER CITY CORPORATION PUBLIC WORKS STANDARDS EXHIBIT "A" PRIVATE ROADS - STREET CROSS SECTIONS	SHEET: 1 OF 1 SHEETS 0
REV.	DATE	APPR.					



# Public Hearing Item Introduction

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**Commission Meeting Date:** 11/10/2021

**Name:** Trevor Cahoon

**Public Hearing Item:** South Weber City Off Street Parking Ordinance

**Background:** During the discussion on the Internal Accessory Dwelling Unit (IADU) and recommendation to the City Council at the August Planning Commission meeting, the Planning Commission moved to recommend the IADU ordinance with the recommendation to look at the parking ordinance within Title 10. Parking for the IADU ordinance has been detailed in the new ordinance. This review is centered on how the City can address the parking needs for residential units and have a more consistent approach to what will be required when creating parking. This discussion will only focus on parking within Title 10, and will not be focused on parking enforcement in Title 6.

Our current code does not reference what type of surfacing is required for off-street parking in residential zones. Nor does it specify if what materials should be used for any accessory parking. The updates to this chapter include: defining what parking surfacing should be used in the construction of new residential units including internal dwelling units, allowances for accessory parking surfaces, and updates the number of parking spaces table found in the chapter.

**Summary:** Consider Off Street Parking Ordinance

**Budget Amendment:** N/A

**Procurement Officer Review:** Budgeted amount \$ N/A Bid amount \$ N/

**A Committee Recommendation:** N/A

**Planning Commission Recommendation:** N/A

**Staff Recommendation:** N/A

**Attachments:** Off Street Parking Ordinance

**ORDINANCE 2021-**  
**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL**

**WHEREAS**, the South Weber City Council

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

**Section 1. Chapter amended** Title 10 Zoning Regulations shall be hereby amended as follows:

**10-8-2 OFF STREET PARKING**

F. Parking Areas, Development And Maintenance: Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and also an automobile, farm equipment or other open air sales lot, shall be developed and maintained in accordance with the following requirements:

1. Screening: The side of any off-street parking area for more than five (5) vehicles shall be effectively screened by fencing or landscaping of acceptable design, such wall or fence shall be not less than four feet (4') nor more than six feet (6') in height and shall be maintained in good condition with no advertising thereon.
2. Landscaping: Landscaping for off-street parking and loading shall be incorporated in the landscape plan and shall meet the requirements of chapter 15 of this title.
3. Surfacing: Except as provided in subsection 3b of this section, all off street parking areas shall be surfaced with asphalt, concrete pavement, masonry pavers, or comparable material and shall be graded to dispose of all surface water. Surfacing may be installed in stages as approved by the planning commission. All parking and grading plans shall be reviewed and approved by the city engineer.
  - a. Residential Parking Areas: All new main residential driveways, approaches, and parking spaces required by this title shall be surfaced with concrete, asphalt, or other hard surfaced pavement material.
  - b. Gravel or crushed rock may be installed for accessory parking in a residential zone and must be a minimum of four inches (4") deep, compacted, placed atop a weed barrier, be maintained completely free of grass and weeds, and contained within durable borders.
4. Parking for public use shall have appropriate bumper guards where needed as determined by the zoning administrator and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of vehicles.
5. Lighting: Lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjoining premises.

**10-8-5: NUMBER OF PARKING SPACES:**

C. Specific Requirements For Each Land Use: Required off- street parking shall be provided for each use as listed below. Parking for uses not specifically listed below shall be provided in the same ratio as the use most nearly approximating the characteristics of the unlisted use, as determined by the planning commission. Parking shall be provided as follows, with spaces passed upon one or a combination of uses listed:

1. Residential; all dwelling types	2 parking spaces per primary dwelling unit, plus 1 additional space per 3 units for multi-unit dwellings, and 1 additional space per IADU.
2. Golf courses, tennis courts and similar recreation areas	Determined by specific review by Planning Commission
3. Hotel, motel and lodge	1 space per each 1.5 rental units, plus 1 space per 200 square feet of assembly, banquet and restaurant area
4. Intensive retail commercial shops selling directly to the public	3.5 spaces for each 1,000 square feet of floor space
5. Less intensive commercial business, such as furniture, appliance and lumber sales	1.5 spaces for each 1,000 square feet of floor area
6. Offices and personal services, including medical and dental clinics	2 spaces for each 1,000 square feet of floor area, plus 1 space for each employee per shift
7. Restaurants, bars, dining rooms	1 space for every 4 seats
8. Churches, auditoriums, assembly halls, theaters	1 space for every 5 seats
9. Bowling alleys, skating rinks	2 spaces for every 1,000 square feet of floor area
10. Industrial and wholesale establishments; industrial park	1 space for every 2 employees on the largest shift
11. Hospitals, schools, civic buildings	Determined by specific review by Planning Commission
12. Shopping centers, complexes or rentable commercial space	At least 3.5 spaces per 1,000 square feet of floor area

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

**Section 3. Effective Date.** The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect

immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, on the <sup>th</sup> day of 2021.

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

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

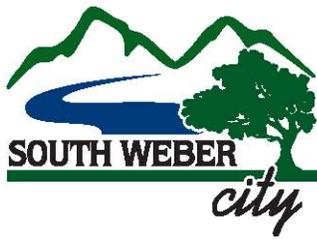
Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

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3. South Weber City Building, 1600 E. South Weber Drive

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



8 Training: Subdivision Approval Process  
**PLANNING MEMORANDUM**

1600 E. South Weber Drive  
South Weber, UT 84405

www.southwebercity.com

801-479-3177  
FAX 801-479-0066

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To: Planning Commission  
From: Trevor Cahoon, Community Services Director  
Re: Subdivision Approval Process Training

**PURPOSE**

Under Utah House Bill 409 passed by the Utah State Legislature effective May 5, 2021, members of local planning commissions are required to complete 4 hours of training each year. New planning commission members cannot act in official capacity until the 4 hours of training are complete.

In this training we will cover the subdivision approval process and appeals process.