

## SOUTH WEBER PLANNING COMMISSION AGENDA

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PUBLIC NOTICE is hereby given that the Planning Commission of SOUTH WEBER CITY, Utah, will meet in a regular public meeting on Thursday November 10, 2022, 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. PC2022-10-13 Minutes
4. Discussion on Residential Multi-family (R-7) Zoning Updates
5. Planning Commission Comments (Boatright, Davis, Losee, McFadden, Walton)
6. 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: October 26, 2022**

**DEVELOPMENT COORDINATOR: Kimberli Guill**

# **SOUTH WEBER CITY PLANNING COMMISSION MEETING**

**DATE OF MEETING:** 13 October 2022 **TIME COMMENCED:** 6:00 p.m.

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

**PRESENT:**

**COMMISSIONERS:**

Gary Boatright (excused)  
Jeremy Davis  
Julie Losee  
Marty McFadden (excused)  
Taylor Walton

**COMMUNITY SERVICE DIRECTOR:** Trevor Cahoon

**DEVELOPMENT COORDINATOR:** Kimberli Guill

**Minutes:** Michelle Clark

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**ATTENDEES:** Blair Halverson, Paul Sturm, and Rob Osborne.

Commissioner Davis called the meeting to order and excused Commissioner Boatright and McFadden from tonight's meeting.

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

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

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

Rob Osborne, of South Weber City, expressed his frustration with the Joseph Cook development and encouraged the Planning Commission to tell the City Council there isn't a zone for the amended development Mr. Cook is recommending.

**ACTION ITEMS:**

**3. Consent Agenda**

- 15 September 2022 Minutes

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

#### **4. Public Hearing & Action on ORD 2022-15- South Weber City Code Title 10-5C: R-7 Zone Amendments**

Commissioner Losee moved to open the Public Hearing & Action on ORD 2022-15 South Weber City Code Title 10-5C: R-7 Zone Amendments. Commissioner Walton seconded the motion. Commissioner Davis called for the vote. Commissioners Davis, Losee, and Walton voted aye. The motion carried.

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

Commissioner Davis asked if there was any public comment.

**Paul Sturm, of South Weber City**, agreed the type of dwelling needs to be narrowed and defined because he opined larger corporations will try to get around it.

#### **10-1-10: DEFINITIONS:**

**Zero Lot Line Setback:** The location of a structure on a lot in such a manner that one or more of the structure's sides rests directly on a lot line.

**Dwelling, Townhouse:** A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, with no more than four (4) units per structure.

**YARD:** A space or lot other than a court, unoccupied and unobstructed from the ground upward.

**YARD, FRONT:** Any yard between the front lot line or street right-of-way boundary line and the front line of the main building; any yard meeting the minimum frontage requirements of the applicable zone may be designated as the front yard. See section 10-1-11, appendix A of this chapter.

**YARD, REAR:** A yard between the rear lot line or neighboring setback line and the rear line of a main building.

**YARD, SIDE:** Any yard between the side lot line or neighboring setback line and the side line of the main building extending from the front yard to the rear yard. See section 10-1-11, appendix A of this chapter.

**SETBACK:** The shortest horizontal distance between the structure or part thereof for single family dwelling or other main building.

**10-1-10A: LAND USE MATRIX**

	C	CH	CR	LI	TI	NR	A	RL	RLM	R M	RP	R7
Dwelling, Townhouse												P

**10-5C-5: BUILDING LOT REQUIREMENTS:**

**A. Density:** There shall be no more than seven (7) dwelling units per acre contained within the boundaries of each phase of every development; except when previously completed phases of the same development have sufficiently low density so that the average is still seven (7) dwelling units per acre or less.

1. Areas within a given development that contain land use easements purchased by the State of Utah for the purpose of protecting the health and safety of the citizens of Utah and assuring the continued operation of Hill Air Force Base as an active military base, shall not be utilized in density calculations.

**B. Lot Area:**

1. There shall be a minimum of six thousand (6,000) square feet in each lot on which a single-family dwelling is built.
2. There is no minimum lot area for other dwelling types, but the density requirement listed above must be adhered to in all cases.

**C. Lot Width:**

1. There shall be a minimum width of sixty-five (65) feet in each lot on which a single-family dwelling is built
2. There shall be a minimum width of twenty-four (24) feet in each lot on which a townhouse is built.
3. Minimum lot widths for all other dwelling types shall be recommended by the Planning Commission and approved of the City Council.

**C. Zero Lot Line:**

1. To facilitate separate ownership or leasehold of two-family, twin home, or multi-family dwellings a residential zero lot line setback is permitted upon recommendation of the planning commission and approval of the City Council.
2. In no case shall a zero lot line setback be allowed adjacent to a property line that is not part of the subdivision

**10-5C-6: LOCATION OF STRUCTURES:**

All buildings and structures shall be located as provided in chapter 11 of this title and as follows:

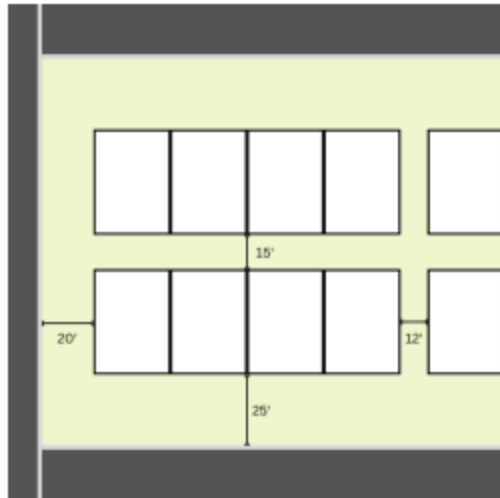
Shared Common Space: Subdivisions with shared common space under single ownership with multifamily, townhouse, or two-family structures shall orient main structure setbacks in relation to the street right-of-way and other main structures on the shared property.

Structures	Front Setback	Side Setback	Rear Setback
Dwelling, Single-Family	20 feet	6 feet minimum for each side, except 12 feet minimum for side fronting on a street	10 feet
Dwelling, Two-Family, Twin Home, Townhouse, Multi-family (See Appendix A of this chapter)	25 feet	12 feet minimum for each side that is an exterior side wall and 20 feet minimum for side fronting on a street.	15 feet
Other main buildings	30 feet from all front lot lines	20 feet minimum for each side	30 feet
Detached accessory buildings and garages	30 feet from all front lot lines	Same as for dwellings, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure	
		must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear setback adjacent to a side lot line is 10 feet	

(Ord. 2000-9, 7-11-2000; amd. Ord. 2021-06, 5-25-2021)

## 10-5C-13 APPENDICES

Appendix A: Dwelling, Two-Family, Twin Home, Townhouse, Multi-family



**Commissioner Losee moved to close the Public Hearing & Action on ORD 2022-15 South Weber City Code Title 10-5C: R-7 Zone Amendments. Commissioner Walton seconded the motion. Commissioner Davis called for the vote. Commissioners Davis, Losee, and Walton voted aye. The motion carried.**

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

Commissioner Losee queried if the R-7 Zone amendments have the teeth to protect and preserve South Weber City as a rural community. Trevor replied the setbacks will help. He recognized it is a delicate balance and discussed open space being a big component for South Weber City. He explained there is the ability to choose from a variety of dwellings types and where they are allowed.

Commissioner Losee questioned if the city code needs to include a development agreement. Trevor replied there is the ability to discuss a development agreement, if we choose. He suggested the Planning Commission look at the possibility of an overlay zone. Commissioner Walton discussed character being difficult to define, and the R-7 isn't a form-based code. Trevor expressed the Planning Commission can recommend to the City Council the creation of design standards which takes time, energy, and resources. Commissioner Walton feels it may be worth the time and effort.

Discussion took place regarding whether or not to look at creating design standards. Trevor added the Code Committee favored overlay zones. Trevor acknowledged the city currently doesn't have any overlay zones and questioned if it is worth the time and effort. Commissioner Walton is concerned this ordinance has the possibility of a developer creating something that is horrendous. He expressed the recommendation of this code will be more of the same and there will be developments that are less attractive. He recommended creating a design standard with predictability in it.

Commissioner Davis discussed moving this ordinance forward as it does fix a lot of issues. Trevor explained the steps to create a form based code and creating design standards. He added it can take multiple years to complete the identification of areas, creation of small area plans, creation of a form based code, implementation of rezoning areas, public notices, etc. It all takes

time to gather all the information. Commissioner Walton expressed there is an appetite for citizen involvement on a design standard.

Commissioner Losee queried if this ordinance has been reviewed by the City Attorney Jayme Blakesley. Trevor replied City Attorney Jayme Blakesley has reviewed and approved it.

**Commissioner Walton moved to recommend approval of ORD 2022-15 South Weber City Code Title 10-5C: R-7 Zone Amendments with a further recommendation that the City Council evaluate either a form based code or city standard for an overlay zone that will further influence design standards for the R-7 Zone. Commissioner Losee seconded the motion. Commissioner Davis called for the vote. Commissioners Davis, Losee, and Walton voted aye. The motion carried.**

### **PLANNING COMMISSION COMMENTS:**

**Commissioner Losee:** queried if the lights on the self –service bays at Morty’s Carwash can be dimmed after 11:00 p.m. Kim Guill will look into it. Commissioner Losee asked if the cabins are in place at the RV Park. Kim reported they are in the review process. The developer has amended the number of cabins from 20 to 5. Kim has contacted McKay Winkel concerning the length of stay. He will research it and get back to Kim.

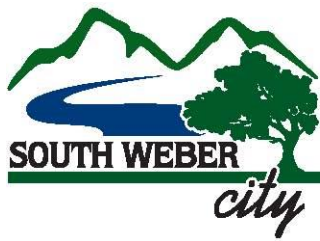
**ADJOURN:** Commissioner Walton moved to adjourn the Planning Commission meeting at 7:00 p.m. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Davis, Losee, and Walton voted aye. The motion carried.

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

**Chairperson: Jeremy Davis**

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

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



## PLANNING MEMORANDUM

4 R-7 Zone Update Discussion

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: Discussion on Residential Multi-family (R-7) Zoning Updates

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### **ACTION**

Discussion on the Residential Multi-family (R-7) zone amendments.

### **ORDINANCE REVIEW**

After a discussion in Planning Commission on September 15, the Commission gave the following directions to staff to update the code in the following ways:

- Update the definitions as recommended
- Allow townhouses as a permitted use
- Maintain density at 7 units an acre, but explore in a future update overlay zones
- Establish a minimum lot area and minimum lot width
- Utilize sections for zero lot lines and setback orientation for share common space as recommended
- Alter front setback lines to 25 feet to accommodate for large vehicles
- Include diagrams to demonstrate setback requirements

Staff has made updates based on the recommendations from the Planning Commission. The only exception is including a minimum lot area. Staff would recommend that having a minimum lot width would be sufficient to dictate design aesthetic and would allow for more flexibility of design than restricting a minimum lot area. This is something that the Planning Commission could recommend be included back in the ordinance.

The Planning Commission met on October 13 to discuss the draft ordinance and make their recommendation to City Council. In a 3-0 discussion by the Planning Commissioners present a recommendation was made to approve the drafted changes to the Residential Multi-family zone, and recommend the council begin the process in the creation of overlay zones to address design standards in accordance with Utah State code.

In a discussion item with the City Council on October 25, the Council expressed a desire for the Planning Commission to have a more in-depth discussion on the reduction of density within the R-7 zone to 5 units per acre and the creation of draft ordinance for an overlay zone to grant bonus density of up to 2 units and the implementation of design standards. The Council feels that the exploration of creating an overlay zone now would be pertinent to protect the interests of the City in facilitating development standards for projects in South Weber.



The two main questions that the council would like answered are: What should be included or covered within an overlay zone? and What are the design standards that need to be established within the zoning overlay? This will be an initial discussion with the Planning Commission on what a creation of an overlay zone will look like and what design standards would be subject to review.

### **BACKGROUND**

The City Council when approving the Final Plat for the South Weber Gateway project, instructed the Cod Committee to consider zoning text amendments to facilitate the development in amending the approved final plat to allow for a townhome development for individual ownership. The items that were brought forward by City Staff as areas that prohibited this type of development included the following:

- The exclusion of provisions surrounding zero lot line developments.
- The absence of a dwelling, townhome definition within the code.
- The inclusion of setback provisions that oriented buildings based on lot configuration and not on orientation of the buildings toward a right-of-way.

As the Code Committee reviewed the R-7 zone, it became clear that the ordinance was written with parameters in a similar fashion to a single-family zone thus making it difficult to plan a multi-family development. The reason that these inconsistencies were not noticed in other developments lies in the fact that other projects utilized the Planned Unit Development conditional use section of our code. The South Weber Gateway was the first project to follow development guidelines strictly under the R-7 zoning code.

As conversation progressed within the Code Committee other areas of concern toward multi-family developments were discussed in relation to the R-7 code and future development. While it is still a desire to limit the use of this zone, the Code Committee discussed various housing types that would be more appealing to future development other than traditional townhome, high-rise, or garden style apartments. Through the conversation the Committee identified the main issue with multi-family housing is the visual appeal and congruence of form with surrounding single-family units already established within the area. To answer these concerns two concepts were discussed, type of housing unit and design standards.

In the case of design standards the State of Utah has limited the City's Ability to impose design standards upon single-family developments. It does not prohibit a city from imposing design standards on multi-family units. Therefore if the City wishes to pursue developing a design standard for multi-family housing this is a possibility. Townhomes are the outlier within this context because although there is more than one unit within the building, state code does identify these units as single-family attached developments. Within the state code there is a provision to allow a City to impose a design standard on single family developments if the code allows for a density incentive utilizing an overlay zone. This would mean that if the city were to allow a developer to have more density than a zone would typically allow then we would be able to impose design standards for the development.

With this line of thinking if the City were to seek for particular multi-family or single family units by offering more density then we would be able to dictate the form of the units themselves. The Code Committee then discussed the possibility of reducing the allowed density within the R-7 zone to 5 units

an acre and offering an incentive of 7 units and acre then the City may be able to better control the type of development that is found within the City.

For example, including smaller single-family housing complexes like Cottage Courts. In these types of development, we would offer a higher density for the creation of single-family homes with smaller lots on a shared court. Some items to discuss would be how many units an acre we would want to encourage and the style of development.

Mansion style apartments or condos was another housing concept that was attractive to the Code Committee. Allowing a building to look like a large single-family home, but housing 4-7 units within the home. So that appearance would be single family while providing more variety and density of housing.

While the idea is new and needs more work to determine the viability of the incentive, the prospect of this update with an eye toward the Moderate Income Housing Updates becomes an idea that can provide a better development and use of land within the future. Further discussion on whether it is viable to reduce the R-7 zone's density further and then offer the now current density as incentive would provide the desired outcome would be important for the Planning Commission to discuss.

At this stage it has become necessary to get the feedback from the Planning Commission on the potential changes the R-7 zone and receive their recommendations on what to include in the draft ordinance. The following table breaks down the changes proposed by the Code Committee for the Planning Commission review.

Code Section	Current Code	Revisions Based on Council Direction	Alternate Revisions Discussed in Code Committee
<b>10-1-10: Definitions</b>			
Zero Lot Line Setback	-	Zero Lot Line Setback: The location of a structure on a lot in such a manner that one or more of the structure's sides rests directly on a lot line.	-
Dwelling, Townhouse	-	Dwelling, Townhouse: A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, with no more than four (4) units per structure.	-
Yard, Front	Any yard between the front lot line and the front setback line of the main building and extending for the full width of the lot;	Any yard between the front lot line or street right-of-way boundary line and the front line of the main building; any yard	-

	any yard meeting the minimum frontage requirements of the applicable zone may be designated as the front yard. See section 10-1-11, appendix A of this chapter.	meeting the minimum frontage requirements of the applicable zone may be designated as the front yard. See section 10-1-11, appendix A of this chapter.	
Yard, Rear	A yard between the rear lot line and the rear setback line of a main building extending across a full width of the inside lot; and for corner lots, a yard between the rear lot line and the rear setback line of the building, extending between the side lot line and the front frontage line opposite thereto.	A yard between the rear lot line or neighboring setback line and the rear line of a main building.	-
Yard, Side	Any yard between the side lot line and the side setback line of the main building extending from the front yard to the rear yard. See section 10-1-11, appendix A of this chapter.	Any yard between the side lot line or neighboring setback line and the side line of the main building extending from the front yard to the rear yard. See section 10-1-11, appendix A of this chapter.	-
<b>10-1-10A</b>			
Land Use Matrix – Dwelling, Townhouse	-	Permitted in R7	Conditional Use in R7
<b>10-5C-5</b>			
Density	There shall be no more than seven (7) dwelling units per acre contained within the boundaries of each phase of every development; except when previously completed phases of the same development have sufficiently low density so that the average is still seven (7) dwelling units per acre or less.	-	There shall be no more than five (5) dwelling units per acre contained within the boundaries of each phase of every development; except when previously completed phases of the same development have sufficiently low density so that the average is still five (5) dwelling units per acre or less.
Lot Area	1. There shall be a minimum of twelve thousand (12,000) square feet in each lot on which	-	1. There shall be a minimum of six thousand (6,000) square feet in each lot on which a single-family

	a single-family or two-family dwelling is built. 2. There is no minimum lot area for other dwelling types, but the density requirement listed above must be adhered to in all cases.		dwelling is built. 2. There is no minimum lot area for other dwelling types, but the density requirement listed above must be adhered to in all cases.
Lot Width	Each lot shall have a minimum width of one hundred feet (100').	-	1. There shall be a minimum width of sixty-five (65) feet in each lot on which a single-family dwelling is built 2. Minimum lot widths for all other dwelling types shall be recommended by the planning commission and approved of the City Council.
Zero Lot Line	-	1. To facilitate separate ownership or leasehold of two-family, twin home, or multi-family dwellings a residential zero lot line setback is permitted upon recommendation of the planning commission and approval of the City Council. 2. In no case shall a zero lot line setback be allowed adjacent to a property line that is not part of the subdivision	-
<b>10-5C-6</b>			
Shared Common Space	-	Subdivisions that utilize shared common space under single ownership with multi-family, townhouse or two-family units shall orient building setbacks in relation to the street right-of-way and other main structures on the shared property.	-
<i>Setback Table</i>			
Dwellings	Front: 30 feet from all front lines, Side:10 feet minimum for each side,	Omit	-

	except 20 feet minimum for side fronting on a street, Rear: 30 feet		
Dwellings, Single Family	-	Front: 20 feet, Side: 6 feet minimum for each side, except 12 feet minimum for side fronting on a street, Rear: 10 feet	-
Dwelling, Two-Family, Twin Home, Multi-family	-	Front: 20 feet, Side: 12 feet minimum for each side that is an exterior side wall, and 20 feet minimum for side fronting on a street, Rear: 20 feet	Front: 20 feet, Side: 20 feet minimum for each side that is an exterior side wall, and 20 feet minimum for side fronting on a street, Rear: 20 feet