

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 10 November 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 (excused)

COMMUNITY SERVICE DIRECTOR:

Trevor Cahoon

CITY ENGINEER:

Brandon Jones

DEVELOPMENT COORDINATOR:

Kimberli Guill

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Blair Halverson, Paul Sturm, Rod Westbroek, Jon Parry, Connie Martin, and Cinnamon Davis.

Commissioner Boatright welcomed those in attendance and excused Commissioner Walton from tonight's meeting.

PLEDGE OF ALLEGIANCE: Commissioner Losee

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

- 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.

Paul Sturm, 2127 Deer Run Drive, voiced his concerns with agenda item #5. He asked what the definition is of "substantial". He has a problem with "water sense labels". In his opinion, he is not in favor of requiring lawn not to exceed 35% of total landscaped area. He is concerned about the cost on requiring certain sprinkler systems. He questioned who pays for the internet service required to operate an automatic controller. He feels Weber Basin is trying to dictate what the Planning Commission and City Council must approve with landscape and irrigation plans. He is concerned some of the proposed code and ordinance changes will potentially have a negative impact on South Weber City residents.

ACTION ITEMS:

3. Approval of Consent Agenda

- **Planning Commission Minutes of 20 October 2021**

Commissioner Losee moved to approve the consent agenda with an amendment to the correct date on the minutes. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, and Losee voted aye. The motion carried.

4. Presentation: Water-Wise Landscape & Incentive Program by Weber Basin Water

John Parry, Assistant General Manager at Weber Basin Water Conservancy, approached the Planning Commission. He pointed out he is in attendance to help facilitate and work with the city concerning water-wise landscape. He explained the climate in the area is variable, which means the amount of water received fluctuates each year. There is a need for more efficiency in water use. As communities adopt water-wise landscape there are incentives for residents.

Commissioner Davis suggested assigning a certain amount of water to each home, and then individuals will water accordingly. John pointed out the amount of water varies every year. Commissioner Johnson commended Weber Basin Water Conservancy for their efforts. He would like to see more xeriscaping and feels there should be more of it on all new developments in the city. He suggested more native vegetation and disposing of Kentucky bluegrass.

Commissioner Losee discussed the difficulty with mulch with the wind factor in South Weber City. John defined mulch as any material that creates a barrier between the ground and air. He discussed putting requirements on new growth but creating incentives for existing homes. He announced the incentive to flip the strip or remove sod from the park strip is \$1.25 per sq. ft. More information for this is found on Weber Basin Water Conservancy's website.

Commissioner Boatright favored conserving as much water as possible. He suggested city staff draft an ordinance with the Code Committee. City Engineer Brandon Jones discouraged installing concrete in park strips because there are utilities located in them.

Trevor asked how proactive does the code need to be on new construction? Commissioner Losee wants to make sure a property owners rights are honored and doesn't feel the city should be telling them how to landscape their yards. Commissioner Davis favored xeriscaping. Commissioner Johnson suggested keeping it within the park strip. Commissioner Boatright would rather have water to drink, bathe, and launder clothes and feels the city needs to be serious about conserving water. Trevor asked if this should be required for residential, commercial, and industrial properties.

5. Discussion: Landscape Ordinance Options

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.

Commissioner Losee moved to open the public hearing for South Weber City Code: (Multiple Sections) Private Rights-of-Way. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, and Losee voted aye. The motion carried.

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

6. Public Hearing & Action on South Weber City Code: (Multiple Sections) Private Rights-of-Way

Community Service Director Trevor Cahoon reported for years the city has allowed the utilization of private rights-of way (ROW). Whether it was to access a farm or to build a new subdivision. He expressed we have all seen and experienced the bad examples of private roads. The city wants to prevent bad applications of the code, but utilizing private ROW allows for better use of some project areas and can facilitate better design. Tonight's action was not developer initiated or led, it was an issue in the code that was identified by staff needing clarification and will help any landowner wishing to utilize the development potential of their land. It does not facilitate more density, rather it provides flexibility of development.

Trevor explained there is ongoing maintenance with new roads which require plow routes, surfacing schedules, and general maintenance year-round. Private roads will have an overseeing organization responsible for maintenance. This includes multi-family, commercial and industrial applications.

He noted zoning restricts development, more than private roads restricts development. The city's general plan will show that implementation of Options A, B, or D will not be substantially impacted within the city. He stated private roads can be very small.

Trevor asked if there is a need to add a definition for public street. He also discussed omission of 10-11-6(C) as it is redundant language and moving 10-11-6 (C) to Title 11 to consolidate the code and remove redundancies.

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 requiring commercial and industrial zones to follow the R-P standards but disallow on street parking in these areas.
- 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.

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 an R-7 but disallows parking.

Option E

- This has removed the option of residential private ROW.

Commissioner Boatright asked if there was any public comment.

Paul Sturm, 2127 Deer Run Drive, expressed snow removal becomes a problem when roadways have a six-foot sidewalk without a park strip. He suggested paragraph C, subparagraph 2 should reference the South Weber City General Plan as the source of the South Weber City Transportation Map, as well as all the subsequent references in this and other options. He opined the word “will” should be changed to “shall”. He preferred option E but feels it might be challenged for being too restrictive. Option A seems to provide the best overall benefit and protection for citizens. He suggested amending 10-5-2 item #2 from “On-street parking shall not be permitted” to “No overnight on-street parking shall be permitted.”

Commissioner Boatright moved to close the public hearing for South Weber City Code: (Multiple Sections) Private Rights-of-Way. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, and Losee voted aye. The motion carried.

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

Commissioner Losee favored Option B. Commissioner Johnson agreed. Commissioner Johnson asked if the road study has been completed. Brandon relayed the study had been completed; however, he hasn't received the information yet. Trevor expressed all options will be presented

to the City Council upon recommendation from the Planning Commission. He acknowledged the city staff recommended Option A. Commissioner Boatright opined this will not have a huge impact on existing residents. He favored Option A. Trevor stated Option A will allow for more flexibility of land use design. Brandon preferred Option A because of the maintenance factor. Trevor discussed the efforts already taking place to maintain current city roads. Commissioner Davis favored Option A.

Commissioner Davis moved to recommend approval to the City Council South Weber City Code (Multiple Sections) Private Rights-of-Way Option A & Option B with amendments to consider Brandon’s comments (SEE REDLINE IN PACKET). Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Davis, Johnson, and Losee voted aye. Commissioner Boatright voted nay. The motion carried 3 to 1.

Community Services Director Trevor Cahoon explained 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 city 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. 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.

Commissioner Johnson moved to open the public hearing for South Weber City Code: 10-8-2 Off Street Parking. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, and Losee voted aye. The motion carried.

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

7. Public Hearing & Action on South Weber City Code: 10-8-2 Off Street Parking

Commissioner Boatright asked if there was any public comment.

Paul Sturm, 2127 Deer Run Drive, commented the word “hereafter” in 10-8-2 Off Street Parking Page 70 Paragraph F needs to be emphasized to alleviate citizen concerns of potential retroactive enforcement.

Commissioner Boatright moved to close the public hearing for South Weber City Code: 10-8-2 Off Street Parking. Commissioner Davis seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, and Losee voted aye. The motion carried.

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

Commissioner Davis moved to recommend approval to the City Council of South Weber City Code: 10-8-2 Off Street Parking. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Johnson, and Losee voted aye. The motion carried.

8. Planning Commissioner Training: Subdivision Approval Process:

Community Services Director Trevor Cahoon explained 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.

Trevor reviewed South Weber City development approval process.

Development Process:

Concept/Sketch Plan – initial conversation with developer review sketch plan and recommend next steps which city staff approves.

Preliminary Plan – review of sketch requirements, and review of necessary documents. After staff review, Planning Commission approves.

Final Plan – after completing requirements from preliminary, and review all documents are finalized, Planning Commission recommends City Council approves.

Construction – records final plat, preconstruction meeting is held, and staff approves.

Sketch Plan:

Site Plan:

- All existing easements (utilities, access, etc.)
- Vicinity Map
- Date, North point, Written & Graphic Scales
- Name, Address, Phone Number for Engineer and/or surveyor who prepared plans – Location and dimensions of proposed sites to be dedicate or reserved for open space or recreational use
- Location and dimensions of proposed sites to be reserved in private ownership for community use
- Location and ownership information of all canals, ditches, and/or waterways within the subdivision
- Boundaries of Sensitive Lands as shown in General Plan
- Names of surrounding property owners
- Data Table that includes:
 - Number of lots/units
 - Buildable area of each lot
 - Percentage of buildable land
 - Percentage of landscaping or open space
 - Density of dwelling units per acre
- Proposed transportation system (including trails) and street layout (width and proposed right of way cross sections)

- Fire Flows in the Area (Contact Fire Department 801-476-8907)
- Grading and Storm Drainage Plan
- Existing Topography
- Existing Utilities
- Existing Natural Features,

Context Plan:

- Existing Topography
- Existing Utilities
- Existing Natural Features, Drainage Channels, Special Views, Existing vegetation to be preserved
- Existing Buildings
- Existing Ingress and Egress Points
 - Location, names, and existing widths of adjacent streets

Developments Other Than Standard Residential:

- Building footprint (if known)
- Number of proposed parking spaces (common & private)
- Landscaping Plan
- Lighting Plan
- Signage Plan

Preliminary Process:

- Complete all conditions/requirements set by the Sketch Plan Committee
- 1 Set of Mailing Labels – listing the names/ mailing addresses for property owners within 300’ for the outer boundaries of the property
- A list of delineating parcel numbers for each of the surrounding property owners
- Current Title Report and proof of Title Insurance
- Draft of easement/agreements with adjacent property owners (if applicable)
- Draft of Covenants, Conditions, and Restrictions (if applicable)
- Complete Utility Notification Form
- A letter of approval from applicable Secondary Water provider stating date of plans reviewed and date approved
- A written statement from the Army Corps of Engineers regarding wetland mitigation (if applicable)
- Preliminary Storm Drain Calculations (See Storm Drain Ordinance)
- Geotechnical report if recommended at Sketch Plan
- Traffic Impact Study if recommended at Sketch Plan

What needs to be on the drawings?

- The approved name of the subdivision and the words “Preliminary Plat – Not be Recorded” listed on each page
- Written indication of design criteria to be used in design of improvements

- Dimensions shown in feet and decimals
- Bearings shown in degrees, minutes, and seconds
- Contours at two-foot intervals for predominant ground slopes between level and ten percent
- Contours at five-foot intervals for predominant ground slopes greater than ten percent
- Location and sizes of proposed sanitary sewers and other sewage disposal facilities
- Location and sizes of culinary water facilities
- Location and size of storm drainage facilities and detention basins
- Wetland Delineation if recommended at Sketch Plan
- Boundaries of areas subject to flooding or storm water overflow in accordance with
- FEMA's flood plain mapping
- Width and direction of flow of all watercourses
- Include existing and proposed irrigation and natural runoff channels/courses
- Location, proposed names, widths and typical cross section of streets, curbs, gutter, sidewalks, and other improvements of proposed street rights-of-way and access easements
- Dimensions and locations of all existing or proposed dedications, easements, and deed restrictions
- Location of any improvements they may be required to be constructed beyond the boundaries of the subdivision (as appropriate)
- Type and size of fencing shown along canals, waterways, and agricultural land

Final Subdivision:

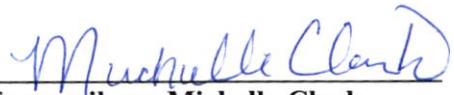
- Complete all conditions/requirements set by the Planning Commission at Preliminary Approval
- Finalized Draft of Covenants, Conditions, and Restrictions (if applicable)
- Finalized Storm Drain Calculations
- Any applicable agreements finalized, signed, and proof of recording with county provided (agreements with South Weber City must be finalized and remain unsigned)
- Electronic finalized set of certified, stamped construction drawings and specifications as prepared by a licensed civil engineer

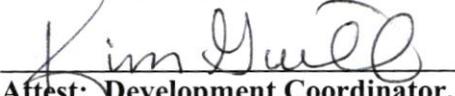
REPORTS:

Commissioner Davis: emphasized the Planning Commission's role is not legislative, but administrative. Commissioner Johnson pointed out the Planning Commission makes sure the general plan is followed.

ADJOURNED: Commissioner Johnson moved to adjourn the Planning Commission meeting at 8:09 p.m. Commissioner Losee seconded the motion. Commissioners Boatright, Davis, Johnson, and Losee voted aye. The motion carried.

APPROVED:  _____ Date
Chairperson: Gary Boatright

 _____
Transcriber: Michelle Clark

 _____
Attest: Development Coordinator, Kimberli Guill

**Comments to South Weber City Planning Commission
for 10Nov21 Meeting
by Paul A. Sturm**

I Agenda Item #5 -Discussion on Landscape Ordinance Options

SWC's General Plan states a major goal is to maintain a "Country Feel" in the City. This should be always taken into consideration when any changes to Code or Ordinance are made.

1. Packet Page 16 of73 - Background

The last sentence states that the Ordinance being shown for consideration was approved by Layton. South Weber City is no Layton and never wants to be such a congested and out of control City with its massive high density projects. (for example look at the development permitted at the corner of Fairfield and Gordon. Garages have to be offset to permit residents to exit their garages without hitting one another, and there is no additional parking.)

2. Packet Page 16 of73 - Requirements - Applicability

What is meant by "Required on all new or '**Substantial**' renovation projects". What is the definition of "Substantial".

3. Packet Page 16 of73 - Requirements - Indoor Recommendations

I have a problem regarding requiring "Watersense" labels. How is that going to be regulated and enforced? Do we have "Big Brother" watching us?

4. Packet Page 16 of73 - Requirements - Residential Outdoor - Sub-bullet 6 -." **Lawn shall not exceed 35% of total landscaped area.**"

This requirement is insane with respect to the character and code of SWC. With the current twenty-five foot (25') setback requirement, the only lawn permitted would be the front yard! All back yards would not be permitted to have a lawn. What type of family experience would that requirement create?

Also please see Packet Page 36 of 73 near the bottom of the page Code 10-7F-6 - Landscaping. **All open spaces and setbacks shall be adequately landscaped to provide a park-like appearance (Ord. 96-1, 9-10-1996, eff. 9-12-1996.**

These two SWC code/ordinances are in direct conflict with the statement from Layton City!

5. Packet Page 16 of 73 - Requirements - Residential Outdoor - Sub-bullets #1 and #2

This creates a burdensome cost on the installation of a sprinkler system. Requiring multiple pressure regulators, separate valves for different slopes, and not permitting differing sprinkler heads on the same irrigation valve is ridiculous! As proposed the cost of an irrigation/sprinkler system would cost approximate 1.5 to 2 times as much. Such a design/operational requirement would require several large automated controllers. I would estimate an additional \$5-10K cost for all of the equipment and labor for installation of the myriad of pipes necessary, plus the environmental impact of all of the additional plastics being used!

6. Packet Pages 21 and 23 (Section 8) of 73 (Starting from Section 5 - Definitions - Located on Page 18 of 73)

Definition of "Smart Automatic Irrigation Controller: As described on Pages 21 and 23 of 73, who pays for the Internet Service required to operate this Automatic Controller? What additional wiring and internet equipment would be required to connect the Automatic Controller to the internet? What safeguards does SWC have to keep Weber Basin from the "Camel-in-the-tent" scenario and imposing a mandate on all SWC residents?

7. Packet Page 25 of 73 Section 9 - Landscapes in New Single-Family Residential Developments.
- A) Once again the "Shall Not Exceed" 35% requirement is mentioned in Paragraph A. The same concerns exist with this reference.
 - B) Mentions "Landscaping Design Standards" and large spaces requiring overhead sprinkling. These terms are not defined.
 - C) It seems that Weber Basin is trying to dictate what the Planning Commission and ultimately the City Council must approve with landscape and irrigation plans. These are not mentioned until later in this information.

Please Note: The definitions of Landscaping and Irrigation Plans is not described until the next page while referencing Commercial, Industrial, and Institutional Developments where it references Landscape Plans, Irrigation Plans, and a Planting Plan and appropriate Documentation Packages. Also mentions a "Landscape Architect" This further increases the cost to residents in an already costly market where "Affordable Housing" is becoming less affordable!

8. Packet Page 30 to 37 of 73 - Current References in Code (SWC)

Adoption of some or all of these proposed code and Ordinance changes will potentially have a huge and potential negative impact on SWC residents.

10-14-13 6b -- The word "details" would be replaced "plans".

10-15-1 - This "Purpose" needs to be maintained.

10-15-2 A. and B.- Needs to be maintained.

10-15-3 - A. - The highest density residential is R-7.

10-15-3 - B. - Consider the costs of preparing the Weber Basin proposed regulations

1

10-15-4 - Needs to be maintained.

10-15-5 - Needs to be maintained. For A. 2 - A minimum trunk size of 5 Feet in height makes no sense.

10-15-6 - Park Strips & Landscaping - Changes may need to be considered. But, Additional costs will happen with removing and replacing sod with something else & moving existing sprinklers.

10-15-7 - What does the text "*water waste*" mean? It seems this was added.

10-13-4 - Needs to be maintained.

10-7F-6 - All open spaces and "SETBACKS" shall be adequately landscaped to provide a park-like appearance (Ord. 96-1, 9-10-1996)

10-50-6 - Needs to be maintained.

PUBLIC HEARINGS

II Agenda Item #6 -Public Hearing and Action on South Weber City Code (Multiple Sections Private Rights of Way (Pages 38 to 50 of 73 for Planning Memorandum - and Pages 51 to 68 of 73 for Public Hearing.

General Comment on allowing roadways to have a six foot sidewalk without a "Park Strip" area of some width.

Snow removal becomes a problem/concern when plows, without an increased distance completely cover the sidewalk with snow which becomes a safety hazard for pedestrians.

Comments on the Various Options (A, B, C, D, E) for Private Right of Way

1. Packet Page 45 of 73 - Section 1 - 11-4-4 Streets Easements and Numbers

A.) Paragraph C. Subparagraph 2. - Should reference the SWC General Plan as the source of the SWC Transportation Map contained in the "Engineer's Notes" for Option A.

Note: This same change should be made for all subsequent references in this and other options.

B.) I agree Brandon's comments. They make a lot of sense to clarify what the requirements for a Private Road must include.

C.) There are many instances throughout these packet documents where the word "will" is used and it should be changed to "shall". There is a distinct legal meaning between these two words.

D.) As far as which Private Right-of-Way Option I would prefer Option E, but I feel it might be challenged for being too restrictive.

I like Option A. as the preferred option because It seems to provide the best overall benefit to, and protection for citizens. This should also include the following two additions.

i) Incorporate Brandon Jones comments.

ii) Amend the 2. statement in 10-5C-12 "Private Rights of Way (Note: R-7) for "2. On-street parking shall not be permitted" and substitute "No overnight on-street parking shall not be permitted. I believe that this requirement would be too burdensome for a majority of residents if they are having a party or friends visiting.

III Agenda Item #7 -Public Public Hearing and Action on South Weber City Code: 10-8-2 Off Street Parking - Pages 69 to 72

Comment on text of 10-8-2 Off Street Parking Page 70 of 73 Paragraph F.

The word "**hereafter**" needs to be emphasized as it was discussed several times during prior Planning Commission meeting discussions. This is very important to alleviate citizen concerns of potential retroactive enforcement.