

# SOUTH WEBER CITY CITY COUNCIL MEETING

**DATE OF MEETING:** 21 November 2017

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

**PRESENT: MAYOR:** Tammy Long

**COUNCILMEMBERS:** Scott Casas  
Kent Hyer  
Merv Taylor  
Jo Sjoblom  
Wayne Winsor

**CITY RECORDER:** Mark McRae

**CITY MANAGER:** Tom Smith

**CITY PLANNER:** Barry Burton

**CITY ENGINEER:** Brandon Jones

**Transcriber:** Minutes transcribed by Michelle Clark

**ATTENDEES:** Angie Petty, Natalie Dayton, Curtis Brown, Tim Grubb, and Rob Osborne.

Mayor Long called the meeting to order and welcomed those in attendance.

**NATIONAL ATHEM:** Miss Davis County

**AGENDA:** Council Member Taylor moved to approve the agenda as written. Council Member Casas seconded the motion. Mark called for the vote. Council Members Casas, Hyer, Taylor, Winsor, and Sjoblom voted yes. The motion carried.

**CONFLICT OF INTEREST:** None

## **CONSENT AGENDA:**

- **Approval of October 17, 2017 Work Meeting Minutes**
- **Approval of October 24, 2017 Work Meeting Minutes**
- **Approval for the purchase of an 80 KW Kohler Industrial Diesel Engine - 4 Cylinder, 4.5 Liter Generator Set for \$31,531.00 from Johnson Electric Motor for the Church Street water Pump Station:** Tom Smith, City Manager, said the city received two bids: Granger bid is \$33,343.85 and Johnson Electric bid is \$31,531.00. This is project #3 in the Capital Facilities Projects.

Council Member Hyer moved to approve the consent agenda as amended. Council Member Sjoblom seconded the motion. Mark called for the vote. Council Members Casas, Hyer, Taylor, Winsor, and Sjoblom voted yes. Council Member Winsor abstained from approval of the 17 October 2017 minutes as he was excused from the meeting. The motion carried.

**ACTIVE AGENDA:**

**ORDINANCE 17-16 10.5P.2 & 3 Residential Patio (R-P), Permitted Uses and Conditional Uses:** Barry Burton, City Planner, approached the council and reviewed the amendments to the Residential Patio Zone (R-P Zone). He said City Staff has found areas for improvement in updating the South Weber City land use code. He explained the areas along Interstate 84 in which it is preferred to reserve the natural vegetation. He also explained the need to amend the landscaping requirements and remove the buffer zone from the R-P Zone. He said in the past it has been difficult to enforce with a developer. On 12 October 2017 the South Weber City Planning Commission held a public hearing regarding the proposed amendment, and on 9 November 2017 the South Weber Planning Commission made a favorable recommendation to approve the code amendment.

Amendment of R-P Code. Amendment of the South Weber Municipal Code 10.5P, Residential Patio (R-P) as follows:

**10.5P.2 Permitted Uses**

- A. Accessory uses and buildings
- B. Agriculture
- C. Dwellings, single-family
- D. Home occupations, except preschools and daycare
- E. Pets, the keeping of household pets

**10.5P.3 Conditional Uses**

- A. Conditions for approval shall be determined by the planning commission or as otherwise provided in SWMC 10.07.
- B. Church (temporary churches held in open areas, tents or in temporary structures excluded).
- C. Daycare centers and preschools, whether held within residence or in a separate facility.
- D. Excavations of over two hundred (200) cubic yards, as allowed by SWMC 10.6.2.
- E. Golf courses, public or privately owned, whether or not operated as a business.
- F. Group homes.
- G. Public buildings and public utility buildings and uses.
- H. Public parks and/or playground. Also, privately owned playgrounds and recreational grounds or parks not operated as a business in whole or in part to which no admission charge is made.
- I. Schools, public or privately owned.
- J. Temporary businesses only in public parks, church properties or other public properties as approved by tile planning commission and not to exceed ninety (90) days in length.

**10.5P.4 Building Lot Requirements**

A. Density: There shall be no more than 4.0 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 no more than 4.0 dwelling units per acre.

B. Lot Area: There shall be a minimum of six thousand (6,000) square feet in each lot on which a single-family dwelling is located. Single-family dwellings shall each be located on a separate lot.

C. Lot Width: Each lot shall have a minimum width of sixty-five feet (65').

**10.5P.6 Maximum Structure Height**

Main, accessory and temporary buildings and structures are not to exceed twenty-five feet (25').

**10.5P.7 Off Street Parking and Loading**

The provisions of SWMC 10.08 shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use.

**10.5P.9 Special Conditions**

Due to the higher residential densities permitted by this article, the following conditions are required in order to assure a quality livable environment:

Minimum and Maximum Area: The minimum area that may be zoned RP shall be two (2) acres and the maximum area which may be zoned RP in any zone district shall be ten (10) acres.

]

**10.5P.10 Landscaping Requirements**

A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Landscaping shall meet the requirements of SWMC 10.15. 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. Screening Fence: A fence of at least six feet (6') in height and that provides a visual screen shall be provided between the RP zone and all lower density residential zones.

**Council Member Hyer moved to approve ORDINANCE 17-16 10.5P.2 & 3 Residential Patio (R-P), Permitted Uses and Conditional Uses. Council Member Sjoblom seconded the motion. Mark called for the vote. Council Members Casas, Hyer, Taylor, Winsor, and Sjoblom voted yes. The motion carried.**

**ORDINANCE 17-17 Adopting Code Section 10.5Qv Visual Buffer Overlay Zone (V-B):**

Barry Burton, City Planner, said the city has a desire to preserve open space and natural vegetation while reducing both the visual and noise impacts of Interstate 84. The South Weber City Staff has created a land use zone to accomplish this. Barry discussed Section 10.5Q.4 concerning the Special Provisions. Council Member Casas discussed the preservation helping with the sound nuisance of the freeway. He feels the further the residential homes are away from the freeway, the better the quality of life. Council Member Winsor asked about the possibility of a sound wall and whether or not they are effective. Barry said they are somewhat effective for an area 150' to 200' behind the wall. He said the sound from the freeway does reflect off the

wall and travels in the other direction. Council Member Hyer said he has a hard time understanding why the change for density. He is wondering if this will be a problem with intensifying the density. Council Member Winsor is concerned about the use of language such as, "may be" etc. Barry explained once we establish the alignment of Old Fort Road a developer can't shift it. He said in some ways the road will enforce the zone. Council Member Winsor is concerned if this is benefitting the developer. Barry said we didn't write it for a developer, but for the benefit of the community. It was stated the first developer will set the precedent. Council Member Hyer suggested tabling Ordinance 17-17. Tim Grubb, representing the Planning Commission, said part of the idea is that we know development is coming in this area, and it isn't to try to help benefit the developer. He said when he comes to South Weber City, the trees along Interstate 84 are what he likes about entering the city. He said just past the posse grounds there is a lot of wildlife. He said this is a great area to camp. He said the idea of this buffer zone is to provide open space. He said we can always add more trees to the area. He said this will move residents away from the frontage road. He said Interstate 84 corridor is unique to Utah. He said the additional density is so minute. He said you have to incentivize. Council Member Sjoblom said if she is going to walk on a trail, it is nice to have trees for the shade.

The South Weber Municipal Code 10.5Q, Visual Buffer Overlay Zone (V-B) is as follows:

#### **10.5Q.1 Purpose**

The purpose of this overlay zone is to promote and provide for the preservation of open space and natural vegetation important to reducing the visual and noise impacts of Interstate 84 on adjacent residential development. This overlay zone provides incentives to property owners to develop in a way that will accomplish these objectives. This overlay zone establishes special provisions that apply only to those properties that receive this overlay designation and which override the applicable provisions of the underlying zone.

#### **10.5Q.2 Description of Area to Be Preserved**

The open spaces to be preserved under the provisions of this article are those areas immediately adjacent to and on the south side of the Interstate 84 Right of Way from The Rocky Mountain Power Substation to 1100 East. This area will be between the I-84 Right of Way and the right of way for Old Fort Rd. as it is proposed and primarily land that contains native vegetation.

#### **10.5Q.3 Description of Area Overlay Zone Allowed**

With the Planning Commission recommendation and City Council approval, this overlay zone may be applied to land that lies adjacent to the south side of Interstate 84 between The Rocky Mountain Power substation and 1100 East and that is at least ten (10) acres in area.

#### **10.5Q.4 Special Provisions**

Density Increase and Transference:

The density of the development that would be allowed by the underlying zone within the area being preserved may be increased by 100% and all of the density thereby generated may be transferred to that part of the same property that is not being preserved, and to no other property.

Lot Width adjustment:

The minimum lot width required by the underlying zone shall be reduced by five feet (5').

Minimum Side Yard Adjustment:

The minimum side yard required by the underlying zone shall be reduced by two feet (2'), but in no case, shall the minimum side yard be less than five feet (5').

Land preserved by this Overlay Zone shall not count toward the total allowable area of any underlying zone that has area limits.

#### **10.5Q.5 Requirements of Underlying Zone**

All other provisions of the underlying zone not modified by this overlay zone remain in full force and effect.

**Council Member Taylor moved to table ORDINANCE 17-17 Adopting Code Section 10.5Qv Visual Buffer Overlay Zone (V-B) for further discussion. Council Member Hyer seconded the motion. Mark called for the vote. Council Members Hyer, Taylor, and Winsor voted yes. Council Member Casas and Sjoblom voted no. The motion carried 3 to 2.**

Council Member Casas recommended the council walk the area. Council Member Taylor would like to see some pictures or rendering. Council Member Hyer would like more discussion on Old Fort Road. Council Member Winsor said he would like to see the alignment of Old Fort Road. Council Member Hyer said it needs to be well defined. Council Member Casas would like to see the densities discussed on the agenda for 12 December 2017 as well as the wording for Ordinance 17-17 and the possibility of amending it to take out the "may's" and add "shall" Mayor Long directed the city staff to put this on the agenda for 12 December 2017.

**PUBLIC COMMENTS: (None)**

#### **REPORTS:**

**Mayor Long:** She attended the COG Meeting in which discussion took place concerning the Davis Corridor. Also, rate change from Central Weber Sewer. She will be attending a lunch at the elementary school to celebrate the student of the month.

**Council Member Hyer:** He said as we look at commercial buffer zones, he would suggest looking at visual aesthetics and making it more pleasant for people living around those areas. He said typically at the off-site retreat we have discussed projects. He has also been concerned that the funding information hasn't been available for those projects. He would like to see some kind of a picture that shows how the impact fees break out. He also feels Old Fort Road needs some specific plans.

**Council Member Casas:** He reported on the Dust Committee. He said Davis County Environmental set up a dust monitoring machine in October and has now sent the data to the State which will take two to three months. He is willing to report to the council in January or February if that is okay with the council. He met with Johnson Electric today. He said some of the street lights have been repaired.

**Council Member Winsor:**

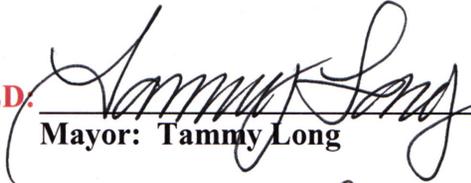
**City Manager:** He said the council received an email on the water and sewer rates. He suggested they take the time to look at them and be ready to discuss. He said he will discuss how those rates affect the Capital Facilities Plan. He asked about the recreation survey and who the council would like to see it sent to. Council Member Sjoblom feels it should be comprehensive to be worth doing.

**City Recorder:** He said the audit presentation will be held at the meeting on 12 December 2017. He said on 2 January 2017 there will be a special meeting and during that meeting the Mayor elect and Council elect will be sworn in. He said the council will conduct the interviews for the council vacancy and select the replacement. He will send the questionnaire in the packet for the council to look over and give feedback.

**Planning Commission:** Tim Grubb reported that Riverside Place presented two phases and now they will combine them to one phase.

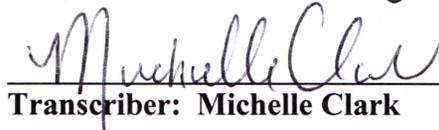
**ADJOURNED:** Council Member Winsor moved to adjourn the City Council meeting at 6:51 p.m. Council Member Taylor seconded the motion. All were in favor.

**APPROVED:**

  
\_\_\_\_\_  
Mayor: Tammy Long

Date

12-12-17

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

Attest:

  
\_\_\_\_\_  
City Recorder: Mark McRae