

## 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 commencing at 6:00 p.m. on Thursday, May 23, 2024, in the Council Chambers at 1600 E. South Weber Dr.**

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

1. Pledge of Allegiance: Gary Boatright
2. Public Comment: Please respectfully follow these guidelines.
  - a. Individuals may speak once for 3 minutes or less: Do not remark from the audience.
  - b. State your name & city and direct comments to the entire Council (They will not respond).

### **ACTION ITEMS**

3. Consent Agenda
  - a. April 11, 2024, Minutes
4. **Public Hearing on Flex Code Zoning Ordinance**
5. Flex Code Zoning Ordinance 2024-07

### **REPORTS**

5. New Business: None
6. Commission
7. 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 Deputy Recorder for the municipality of South Weber City hereby certifies that a copy of the foregoing notice was mailed/emailed/posted to: City Office building; Mayor, Council, and others on the agenda; City Website [southwebercity.com/](http://southwebercity.com/); and Utah Public Notice website [www.utah.gov/pmn/index.html](http://www.utah.gov/pmn/index.html).

**DATE:** 5/17/24

**DEPUTY RECORDER:** Raelyn Boman

*Raelyn Boman*

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 11 April 2024

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

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

**PRESENT:**

**COMMISSIONERS:**

Gary Boatright (excused)  
Julie Losee (excused)  
Marty McFadden  
Chris Roberts  
Chad Skola

**CITY ENGINEER:**

Brandon Jones

**DEPUTY RECORDER:**

Raelyn Boman

**CITY RECORDER:**

Lisa Smith

**COMMUNITY DEVELOPMENT  
MANAGER:**

Lance Evans

**Minutes:** Michelle Clark

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**ATTENDEES:** Michael Grant, Paul Sturm, and Blair Halverson.

**Commissioner Skola called the meeting to order and welcomed those in attendance.**

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

**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).

**ACTION ITEMS:**

**3. Approval of Consent Agenda**

- 22 February 2024 Minutes

**Commissioner McFadden moved to approve the consent agenda as written. Commissioner Skola seconded the motion. A roll call vote was taken. Commissioners McFadden, Roberts, and Skola voted aye. The motion carried.**

**Commissioner McFadden moved to open the public hearing for Moderate Income Housing Amended Plan. Commissioner Roberts seconded the motion. A roll call vote was taken. Commissioners McFadden, Roberts, and Skola voted aye. The motion carried.**

----- **PUBLIC HEARING** -----

**4. Public Hearing for Moderate Income Housing Amended Plan**

Community Development Manager Lance Evans explained the Planning Commission reviewed the Moderate-Income Housing (MIH) Plan Amendments necessitated by review of the Department of Workforce Services and made a recommendation on amendments that need to be made due to new State legislation. Utah Code Annotated 10-9a-403 (2) (b) (iii) requires the City to choose at least three from a list of 23 ways, A through W, in which it can and will pursue the encouragement of moderate-income housing in the next five years. South Weber chose the following:

(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing. Implementation Plan:

- Winter 2023 – Adoption of Transportation Master Plan
- Spring 2023 – Adoption of Water Capital Facilities Plan
- Summer 2023 – Adoption of Sewer Capital Facilities Plan
- Summer 2023 – Update Storm Water Capital Facilities Plan
- Winter 2024 – Begin Process of updating City’s General Plan (Amendment Recommendation from Planning Commission: looking at areas of moderate-income housing and the impact to the infrastructure associated with those areas.)
- Fall 2024 – Adopt Updated General Plan with infrastructure needs.

(E) Create or allow for, and reduce regulations to, internal or detached accessory dwelling units in residential zones. Implementation Plan:

- Fall 2022 - Study options for allowing detached accessory dwelling units.
- Winter 2023 - Discuss with City Council and Planning Commission the options that are available to allow detached accessory dwelling units.
- Spring 2023 - Begin crafting a draft ordinance for detached accessory dwelling units.
- Spring 2023 - Take the draft ordinance through the process.
- (I) Amend land use regulations to allow for single occupancy developments.  
Implementation Plan:
- Complete July 2023 – Study residential zones for the inclusion of single occupancy developments as permitted use.
- Begin Winter 2023 – Determine other guiding materials and code that would be necessary to regulate single occupancy developments for South Weber City.
- Begin Spring 2024 – Study locations to designate within the City’s general plan for this use.

- Complete Spring 2025 – Draft Ordinance for Planning Commission and City Council review and approval.

In August 2023, the Planning Commission endorsed all proposed strategies, empowering the City Council to decide. Due to inactivity on Strategy I, the city was found non-compliant in the Moderate-Income Housing Report with the State of Utah. Strategy I was replaced with Strategy F in the updated plan reflecting 2020 Census data.

Commissioner Skola asked if there was any public comment.

**Paul Sturm of South Weber City** stated he has questions and concerns regarding the way in which the material shown is presented for agenda item #4 (Moderate Income Housing Amended Plan).

Commissioner Roberts suggested the dates in the plan be reviewed to make sure they are correct. Mr. Evans said he will double-check the dates. It was suggested the dates be amended to quarters for better clarity. The Commission agreed to make sure the plan fulfills the State requirement and then be more specific in the city's general plan.

**Commissioner McFadden moved to close the public hearing for Moderate-Income Housing Amended Plan. Commissioner Roberts seconded the motion. A roll call vote was taken. Commissioners McFadden, Roberts, and Skola voted aye. The motion carried.**

----- PUBLIC HEARING CLOSED -----

## **5. Moderate Income Housing Amendment Review and Action**

**Commissioner McFadden moved to approve the Moderate-Income Housing Amended Plan to include amending the dates to a quarterly format. Commissioner Roberts seconded the motion. A roll call vote was taken. Commissioners McFadden, Roberts, and Skola voted aye. The motion carried.**

## **REPORTS:**

### **6. Commission**

**Commissioner Skola:** reported he attended a recent seminar in which the public hearing process was discussed and specifically who has the right to make public comment under Utah law. Mr. Evans expressed in a public hearing anyone can give public comment. He then discussed the difference between public meeting verses public hearing.

**7. ADJOURN:** **Commissioner Roberts moved to adjourn the Planning Commission meeting at 6:33 p.m. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners McFadden, Roberts, and Skola voted aye. The motion carried.**

SWC Planning Commission Meeting

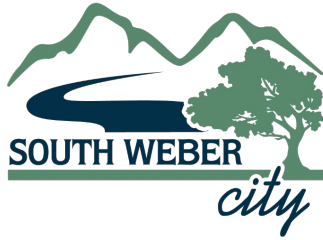
11 April 2024

**APPROVED:** \_\_\_\_\_ **Date** 05-23-2024 \_\_\_\_\_

**Chairperson: Julie Losee**

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

**Attest:** \_\_\_\_\_  
**Deputy Recorder: Raelyn Boman**



## PLANNING MEMORANDUM

1600 E. South Weber Drive  
South Weber, UT 84405

801.479.3177  
southwebercity.com

To: Planning Commission  
From: Lance Evans, Community Development Manager  
Re: Flex Zone District – Zoning Code Amendment

### **ACTION**

Legislative Action: South Weber City Code Amendment to add Flex Zone District

### **CODE SECTIONS INVOLVED IN PUBLIC HEARING**

#### *Title 10*

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

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

**10-5: ZONING DISTRICTS:**

### **BACKGROUND**

Over the last few years flexible buildings have become increasingly popular development form. Flex buildings, short for flexible buildings, are commercial properties that are designed to accommodate multiple uses within a single structure. These buildings typically offer versatile space that can be easily adapted to various purposes, such as office space, light manufacturing, research and development, storage, or a combination of these functions.

Flex buildings are characterized by features like high ceilings, open floor plans, ample utility infrastructure (such as power and data connections), and often include features like roll-up doors for loading and unloading goods. This versatility allows tenants to use the space in ways that suit their specific needs, and it also provides flexibility for businesses as their requirements change over time.

The flexibility of these buildings makes them appealing to a wide range of tenants, including small businesses, startups, tech companies, research firms, and manufacturers. They offer the advantage of being able to accommodate different types of businesses within the same building, which can lead to increased occupancy rates and higher rental yields for property owners.

A flex zone district serves several purposes, primarily aimed at accommodating a variety of land uses and fostering economic development while maintaining flexibility and adaptability in urban planning. Here are some key purposes:

1. **Mixed-Use Development:** Flex zone districts typically allow for a mix of residential, commercial, and industrial land uses within a designated area. This promotes a vibrant urban environment where people can live, work, and play in close proximity, reducing the need for long commutes and supporting local businesses.

2. **Adaptability:** These districts often have zoning regulations that are more flexible compared to traditional single-use zoning. This allows for adaptive reuse of buildings and land, enabling property owners to respond to changing market demands and economic conditions.
3. **Encouraging Innovation:** Flex zone districts can be designed to encourage innovation and entrepreneurship by providing space for a variety of activities, such as startups, research and development facilities, creative industries, and small-scale manufacturing. This fosters a dynamic business environment and supports job creation and economic growth.
4. **Revitalization:** Flex zone districts are sometimes implemented in areas that are undergoing revitalization or redevelopment efforts. By allowing for a mix of uses and flexible zoning regulations, these districts can help attract investment, spur development, and breathe new life into underutilized or blighted areas.
5. **Urban Design and Sustainability:** Flex zone districts may incorporate principles of urban design and sustainability, such as walkability, access to public transportation, green space, and energy-efficient building practices. This can contribute to the creation of more livable, environmentally friendly communities.

Overall, the purpose of a flex zone district is to create dynamic, adaptable urban spaces that support a mix of land uses, encourage economic development, and enhance the overall quality of life for residents and businesses.

At the direction of the City Council, staff have developed a zoning district that will allow for the use of flex buildings and the varied uses. The new zoning district has use limitations and architectural standards to ensure compatibility with surrounding properties.

The amendment would also modify the Land Use Matrix with the permitted and conditional uses for the Flex Zone. The matrix based on the discussions with the Code Committee are uses intended to allow for small-scale commercial that would not have a significant impact on the surrounding properties.

The proposed Flex Zone Code and revised Land Use Matrix are attached for your review.

## ARTICLE G. FLEX ZONE (FL)

DRAFT May 17, 2024

SECTION:

[10-5R-1: Description And General Limitation](#)

[10-5R-2: Commercial Development Over One Acre](#)

[10-5R-3: Architectural Site Plan Review](#)

[10-5R-4: Permitted Uses](#)

[10-5R-5: Conditional Uses](#)

[10-5R-6: Building Lot Requirements](#)

[10-5R-7: Location Of Structures](#)

[10-5R-8: Maximum Structure Height](#)

[10-5R-9: Off Street Parking And Loading](#)

[10-5R-10: Permitted Signs And Lighting](#)

[10-5R-11: Special Provisions And Limitations](#)

[10-5R-12: Landscaping Requirements](#)

[10-5R-13: Private Rights-Of-Way](#)

### **10-5R-1: DESCRIPTION AND GENERAL LIMITATION:**

Zone FL has been established to designate appropriate locations where commercial businesses with minimal objectionable characteristics may be established and maintained. The regulations of this district are designed to promote a high level of environmental quality by uses which do not contribute to the deterioration of environmental quality.

FL Districts may be located generally on higher traffic streets rather than on main arterial highways. Such districts are almost always small in size, its area being determined by the size of the neighborhood it is designed to serve. Characteristically, it is surrounded by residential districts.

### **10-5R-2: COMMERCIAL DEVELOPMENT OVER ONE ACRE:**

A. Conditional Use: Because of the possible adverse impacts of large-scale commercial developments on surrounding neighborhoods, in terms of site design and layout, traffic control, as well as visual appearance, all FL developments greater than one acre shall fall under the conditional use permit procedure pursuant to chapter 7 of this title.

B. Subdivided Parcels: In the event commercial parcels are subdivided and retained under single ownership or sold separately and the total sum of all the commercial properties was greater than one acre at the time of adoption of the ordinance codified herein, then each commercial development must be approved as a conditional use.



**10-5R-3: ARCHITECTURAL AND SITE PLAN REVIEW:**

All proposed developments in the FL Zone shall meet the requirements of chapter 12 of this title and the following flex building standards.

**A) Materials**

## 1) Primary Materials shall include:

- a) Natural or synthetic stone;
- b) Integral color CMU;
- c) High-quality pre-stressed concrete systems;
- d) Finished and treated tilt-up concrete panels; or
- e) Float finish EIFS.
- f) Cementitious material and architectural metal paneling are both materials that are typical for these buildings.

## 2) Secondary Materials. Additional Secondary Materials shall include:

- a) Architectural metal paneling;
- b) Unfinished or untreated tilt-up concrete panels; or
- c) Standard single-tee or double-tee concrete systems.

**B) Façades.** All Buildings shall incorporate wall recesses or projections along the Primary Façade at least every 60 feet (60') or for each primary entrance, whichever is greater. Recesses or projections shall be a minimum depth of two feet (2'). In addition, at least two of the following design elements are required:

- 1) Variations in roof form and parapet height;
- 2) Distinct changes in texture and color of wall surfaces; or
- 3) Vertical accents or focal points.

**C) Windows.** The following window design standards apply to all flex buildings and supersede the general, non-residential, minimum window percentages contained in this Chapter.

- 1) Each Façade that fronts a Street shall have a minimum of 40% windows.
- 2) Each Façade that fronts a Street may have a minimum of 15% windows if the following are met:
  - a) The building is setback 100 feet or more from the property line.
  - b) Landscaping is upgraded to screen the building, and
  - c) Additional architectural elements are added for visual relief.
- 3) All Façades shall have a minimum of 5% windows.

**D) All Buildings shall employ pedestrian Scale design along the ground floor consisting of a variety of Architectural Elements and architectural detail to break up large walls and enhance visual quality.**

**10-5R-4: PERMITTED USES:**

Permitted uses shall be in accordance with Chapter 1, Section 10A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title.

**10-5R-5: CONDITIONAL USES:**

Conditional uses shall be in accordance with Chapter 1, Section 10A of this title and shall have meanings as defined in accordance with Chapter 1, Section 10 of this title. Conditions for approval shall be made in accordance with the provisions of chapter 7 of this title.

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**10-5R-6: BUILDING LOT REQUIREMENTS:**

All buildings shall be constructed on legal parcels of land or lots comply with the provisions of this section, except those exempted as provided in chapter 11 of this title.

- A. Lot width: No minimum lot width is required.
- B. Lot area: No minimum lot area is required.

**10-5R-7: LOCATION OF STRUCTURES:**

Structures	Front Setback	Side Setback	Rear Setback
Main and accessory structures	10 feet	<del>No requirement</del> 10 feet, except 10-foot minimum for sides fronting on street	<del>No requirement</del> 10 feet, except that 20 feet shall be provided where the lot line is coterminous with any residential zone boundary
Temporary structures	10 feet	10 feet	30 feet

**10-5R-8: MAXIMUM STRUCTURE HEIGHT:**

Main buildings and structures maximum building height shall be two and one-half (2<sup>1/2</sup>) stories or thirty five feet (35'). Temporary structures, one story in height. (1989 Code § 12-8-008; amd. Ord. 2021-06, 5-25-2021)

**10-5R-9: OFF STREET PARKING AND LOADING:**

Each flex development shall provide 3.5 parking spaces for every 1,000 square feet based on the development's total square footage. All other Provisions of chapter 8 of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use.

**10-5R-10: PERMITTED SIGNS AND LIGHTING 1 :**

Class 4 signs shall be permitted. (Ord. 2004-04, 6-22-2004; amd. Ord. 2021-06, 5-25-2021)

Notes 1. See also chapter 9 of this title.

**10-5R-11: SPECIAL PROVISIONS AND LIMITATIONS:**

Where accessory living quarters are provided as permitted herein, no window shall be permitted in any wall of the same which is located within eight feet (8') of a side property line. (1989 Code § 12-8-011; amd. Ord. 2021-06, 5-25-2021)

**10-5R-12: 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 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 FL Zone and all residential zones and 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)

**10-5R-13: PRIVATE RIGHTS-OF-WAY:**

A. Private rights-of-way shall be permitted in compliance with [11-4-4](#) and Public Works Standard Drawings - Private Roadway Street Section A.

B. On-street parking shall not be permitted. (Ord. 2021-14, 1-11-2022)

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

P = Permitted Use

C = Conditional Use

Uses in this matrix which have no designation for a particular zone are not permitted in that zone.

Uses not defined in this matrix/code section are not permitted.

\*Subject to unique legal requirements

\*\*Uses mandated as allowed by State law

**CONSTRUCTION SERVICES:**

An establishment which primarily sells services constituting the construction, remodeling or maintenance of buildings or grounds; or sells wholesale goods to companies engaged in providing these services. This definition includes general, electrical, plumbing, heating or air conditioning, roofing, landscaping, pest control, etc. ~~This use also includes lumberyards.~~

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

P = Permitted Use

C = Conditional Use

Uses in this matrix which have no designation for a particular zone are not permitted in that zone.

Uses not defined in this matrix/code section are not permitted.

\*Subject to unique legal requirements

\*\*Uses mandated as allowed by State law

	<b>C</b>	<b>CH</b>	<b>CR</b>	<b>LI</b>	<b>TI</b>	<b>NR</b>	<b>A</b>	<b>RL</b>	<b>RLM</b>	<b>R M</b>	<b>RP</b>	<b>R5</b>	<b>FL</b>
Accessory Building	P	P	C	C	P	P	P	P	P	P	P	P	<b>P</b>
Accessory Use	P	P	C	C	P	P	P	P	P	P	P	P	<b>P</b>
Agriculture	P	P	C				P	P	P	P	P	P	<b>P</b>
Agricultural Building	P	P	C				P	P	P	P	P	P	
Animal Keeping							P	P	P	P			
*Assisted Living Facility	P								C	C	C	C	
Beauty and Barber Services	P	P											<b>P</b>
Building, Public	P	P	C	C	P	P	C	C	C	C	C	C	<b>P</b>
Business Services and Professional Offices	P	P		C	P								<b>P</b>
Cannabis Cultivation Facility**					C								
Cannabis Production Establishment**					C								
Commercial Storage				C	P								
*Communications Tower	C	C	C	C	C	C	C	C	C	C	C	C	<b>C</b>
Construction Services				C	C								<b>P</b>
Contractor's Office/Storage Yard				C	C								

Day Care, Commercial	C												
Day Care, Home							C	C	C	C	C	C	
Drive-Through Facility	C	C											C
Drycleaning Or Laundry Services	C	C		C									C
Dwelling, Accessory Unit (Internal)**							P	P	P	P			
Dwelling, Accessory Unit For Owner Or Employee				C	P								
Dwelling, Condominium												P	
Dwelling, Multi-Family												P	
Dwelling, Single-Family							P	P	P	P	P	P	
Dwelling, Townhouse												P	
Dwelling, Twin Home								C	C	C	C	C	P
Dwelling, Two-Family								C	C	C	C	C	P
Dwelling Unit, Manufactured								C	C	C		C	
Electronic Communications Facilities and Equipment	C	C	C	C			C						C
Excavation or Extraction							C						
Family Food Production or Farm Animals							P	P	P	P			
Farm Industry			C				P						
Farm Stand							P	P	P	P	P	P	
Farmer's Market	C	C											C
Gasoline Service Stations	C	C											
Golf Course			C				C						
*Group Home	C												
*Group Home, Residential Facility For Elderly Persons	C							C	C	C	C	C	
*Group Home, Residential Facility For Persons With A Disability	C							C	C	C	C	C	

Gun Range, Indoor	C	C		C									<b>C</b>
Home Occupation							P	P	P	P	P	P	
Hotel		C											
Kennel, Commercial	C			C	C		C						
Kennel, Sportsman's or Hobby							C	C	C	C			
Manufacturing, Light				C	P								<b>C</b>
Medical, Dental and Related Health Services	P	P											<b>P</b>
Medical Laboratory	C	C		C	C								<b>C</b>
Mobile Business	C	C	C										<b>C</b>
Nursery, Garden Center	C	C			P	P	C						<b>P</b>
Personal Care Service	P	P											<b>P</b>
Public Use	C	C	C	C	P	P	C	C	C	C	C	C	<b>C</b>
Public Utility				C	P	P	C	C	C	C	C	C	
Quasi-Public Use	P	P	C	C	P	P	C	C	C	C	C	C	<b>P</b>
Reception/Event Center													<b>P</b>
Recreation Center	C	C	C										<b>P</b>
Recreational Vehicle Sales and Rental	P	P	C	P	P								
Recycling Collection Center				C	C								
Recycling Processing Facility				C	C								
Retail Sales and Services	P	P											<b>P</b>
Retail Sales and Services (Community Commercial)	P	P											<b>P</b>
Retail Sales and Services (Regional)	P	P											
Restaurant	P	P											
Self-Service Storage				C	P								
Service Accessory Use							C	C	C	C			<b>C</b>
Service Station	C	C											

Sexually Oriented Business					C								
Short Term Rental							C	C	C	C	C	C	
Stable, Private							P	P	P	P			
Stable, Public			C				P						
Temporary Building Incidental To Construction	C	C		C	P	P	P	P	P	P			C
Temporary Use	C	C											C
Transient Lodging													
Vehicle and Equipment Repair (Major)		C		C									
Vehicle and Equipment Repair (Minor)		C		C									C
Vehicle and Equipment Sale and Rental		C											C
Warehousing				C	P								C
Wholesale Trade or Distribution				C									C
Wind Energy Systems, Large						P							