

## **SOUTH WEBER CITY PLANNING COMMISSION AGENDA**

**PUBLIC NOTICE** is hereby given that the **Planning Commission of SOUTH WEBER CITY**, Utah, will meet in a **REGULAR** public meeting on **Thursday May 10, 2018** at the **South Weber City Council Chambers, 1600 East South Weber Drive**, commencing at **6:30 p.m.**

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A WORK MEETING WILL BE HELD PRIOR TO THE REGULAR PLANNING COMMISSION MEETING AT 6:00 P.M. TO DISCUSS  
AGENDA ITEMS, CORRESPONDENCE, AND/OR FUTURE AGENDA ITEMS

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### **THE AGENDA FOR THE REGULAR MEETING IS AS FOLLOWS\***

- 1. Welcome, Pledge of Allegiance**
- 2. Approval of Consent Agenda**—Commissioner Pitts
  - a. Minutes April 12, 2018
- 3. Action on Conditional Use Permit:** Impound yard at approx. 2225 E 7400 S (Parcel 13-009-0022) approx. 1.04 acres by applicant Dale Winterton.
- 4. Ratification of Conditional Use Permit 16-05:** Clarification of previously approved conditional use for Elite Training at 128 E South Weber Drive by applicant Kelly Parke.
- 5. Public Hearing and Action on Rezone:** Application for property located at approx. 7513 S 1900 E (Parcels 13-291-0001), approx. 0.74 acres, be rezoned from Agricultural Zone (A) to Residential Moderate Zone (R-M), by applicants Matt and Sarah McFarland.
- 6. Public Hearing and Action on Amending Zoning Ordinance:** Recreational (Travel Trailer) Vehicle Park subsections 10.01.100 General Provisions, 10.7F.1 Conditions Required and 10.7F.2 Lot, Area and Space Requirements.
- 7. Discussion on Bastian property** located at 7408 S 1900 E (Parcel 13-290-0001) in RM zone.
- 8. Discussion on Creation of HAFB Plumes Development Policy**
- 9. Public Comments** – Please keep public comments to 3 minutes or less per person
- 10. Planning Commissioner Comments** (Grubb, Walton, Pitts, Johnson, Osborne)
- 11. Adjourn**

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THE UNDERSIGNED DEPUTY RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED OR POSTED TO THOSE LISTED ON THE AGENDA ALONG WITH THE FOLLOWING:

City Office Building

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

Family Activity Center

Utah Public Notice website  
([www.utah.gov/pmn](http://www.utah.gov/pmn))

South Weber Elementary

Each Member of The Planning Commission



LISA SMITH, PLANNING COORDINATOR

DATE: April 27, 2018

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING SPECIAL ACCOMMODATIONS DURING THIS MEETING SHOULD NOTIFY LISA SMITH, 1600 EAST SOUTH WEBER DRIVE, SOUTH WEBER, UTAH 84405 (801-479-3177) AT LEAST TWO DAYS PRIOR TO THE MEETING.

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\* Agenda are flexible and may be moved in order or sequence to meet the needs of the Commission.

# **SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING**

**DATE OF MEETING:** 12 April 2018

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

**PRESENT: COMMISSIONERS:**

**Tim Grubb (arrived @ 6:18 p.m.)**

**Debi Pitts**

**Rob Osborne**

**Wes Johnson**

**Taylor Walton**

**CITY ENGINEER:**

**Brandon Jones**

**CITY PLANNER:**

**Barry Burton (excused)**

**PLANNING COORDINATOR:**

**Lisa Smith**

**Transcriber: Minutes transcribed by Michelle Clark**

**ATTENDEES:** Mike Bastian

**Approval of Consent Agenda - Commissioner Osborne**

- **Minutes of 29 March 2018**

**Public Hearing and Action on Final Conditional Use Permit: Application for non-residential conditional use for an impound yard at approx. 2225 E 7400 S, (Parcel 13-009-0022), approx. 1.04 acres by applicant Dale Winterton:** Brandon Jones, City Engineer, referred to his memo of 6 April 2018. He discussed the developer proposing the sod around the yard as the landscaping. He then reviewed his recommendations.

Commissioner Osborne asked about proposing a monthly inspection time table. Brandon said he is proposing inspection as necessary. Commissioner Johnson is concerned about requiring no leaking fluids and what that will do for every other person in South Weber who has vehicles leaking on their driveway.

Brandon said this is a permitted use in the T-1 Zone, but must be a conditional use because it is over one acre. Commissioner Walton is concerned because a tow yard is different than a business use. He then read from city code 10.5I.4 concerning the permitted uses. Commissioner Osborne said this isn't a repair facility. Brandon said the Planning Commission needs to determine if this is a permitted use or not. Commissioner Osborne said a business generates tax dollars for the city and he doesn't know if this is the developer's plan here.

Brandon stated he is recommending a tracking pad/stabilized entrance should be installed inside the site at each gate to keep the tracking of mud outside the site to a minimum. He said if screening is going to be required, this should be made a part of the Conditional Use.

He said he has discussed this with Mark Larsen. Brandon suggested the Planning Commission clarify whether or not they are requiring a screened fence.

Commissioner Walton is concerned about the location being in an aquifer recharge area. Commissioner Osborne is concerned if the applicant is not in attendance and stated in the past we have tabled items until the applicant can be in attendance.

Commissioner Grubb feels this type of use is appropriate in the T-1 Zone. Commissioner Grubb discussed the future trail in front of this property. Brandon said it is identified on the parks and trails map to have a sidewalk on 7400 South and trail on 2225 East.

**Public Hearing and Action on Conditional Use Permit: Application for conditional use for The Attic Schoolhouse preschool at approx. 1484 E 7500 S (Parcel 13-259-0044) approx. 0.26 acres by applicants Cody & Courtney Brown: (No discussion on this item)**

**Action on Conditional Use Permit: Application for grading conditional use in Sun Ray subdivision at approx. 1850 E Canyon Drive (Parcel 13-012-0071) approx. 7.44 acres by applicant Ray Creek LLC: (No discussion on this item)**

**Elite Training Complex Ratification Conditional Use Permit #16-05 – Applicant, Kelly Parke:** Brandon reviewed the Conditional Use Permit #16-05. Discussion took place regarding amending the agenda 24 hours ago. Lisa Smith stated it was posted more than 24 hours ago. Commissioner Pitts discussed when this was previously looked at we were told this was going to be a practice facility and no games. Brandon explained the possible misunderstanding concerning what Kelly Parks, owner of the soccer complex, said the facility was going to be used for.

**ADJOURNED: 6:35 p.m.**

**APPROVED:**

\_\_\_\_\_  
Chairperson: Rob Osborne Date

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

Attest:

\_\_\_\_\_  
Planning Coordinator: Lisa Smith

# **SOUTH WEBER CITY PLANNING COMMISSION MEETING**

**DATE OF MEETING:** 12 April 2018

**TIME COMMENCED:** 6:38 p.m.

**PRESENT: COMMISSIONERS:**

Tim Grubb  
Debi Pitts  
Rob Osborne  
Wes Johnson  
Taylor Walton

**CITY PLANNER:**

Barry Burton (excused)

**CITY ENGINEER:**

Brandon Jones

**PLANNING COORDINATOR:**

Lisa Smith

**Transcriber:** Minutes transcribed by Michelle Clark

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*A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS*

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**PLEDGE OF ALLEGIANCE:** Commissioner Osborne

**ATTENDEES:** Mike Bastian, Courtney Brown, Chayce McDonald, Michelle McDonald, Andrew Winterton, Dale Winterton, Rob Edwards, Kody Holker, and Sean Swedin.

**APPROVAL OF CONSENT AGENDA: Commissioner Osborne**

- **Minutes of 29 March 2018**

Commissioner Johnson moved to approve the consent agenda as amended. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

**DECLARATION OF CONFLICT OF INTEREST:** (None)

Commissioner Grubb moved to open the public hearing for Conditional Use Permit: Application for non-residential conditional use for an impound yard at approx. 2225 E 7400 S, (Parcel 13-009-0022), approx. 1.04 acres by applicant Dale Winterton. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.



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

**Conditional Use Permit: Application for non-residential conditional use for an impound yard at approx. 2225 E 7400 S, (Parcel 13-009-0022), approx. 1.04 acres by applicant Dale Winterton:** Commissioner Osborne asked if there was any public comment.

**Chase McDonald, 2216 E. 7400 S.,** is concerned about the access road and lack of fire hydrant. He said the closest fire hydrant is over 300 ft. but vehicles for tow yard will be stored in the back. He is concerned about his out buildings if there is a fire. He requested a barrier fence for the yard which would help protect his horses. He is concerned about this type of business located by sensitive lands.

**Sean Swedin, 2204 E. 7440 S.,** said he too is concerned about the access road. He said there are illegal acts going on in this area. He would like to know if there is a requirement to improve the road. He is concerned about the leasing of the home as well.

**Commissioner Grubb moved to close the public hearing. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.**

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

**Dale Winterton, applicant,** said there will be very few vehicles (8 or 9 a month) stored at this location. He said there will be gravel on the road. He said they have addressed the drainage problem, which they have been working with the Mayor and the Code Enforcement Officer. He said there will be no wrecked cars just impounded vehicles. He said they won't be tracking mud out of their yard. He said the property has areas of up to 2 ft. of sand from Staker Parsons.

**Andrew Winterton, 7893 S. 2530 E.,** discussed the drainage issues. Concerns were voiced with the process of getting this yard going. He said some of the items that have been asked from owner have never been asked from other cities. He is concerned about the landscaping requirements with the sand coming from the gravel pit.

Commissioner Grubb discussed 2225 East access road. He said typical for improvements for subdivisions and businesses there are improvements according to city standards. He said this property does front 7400 South so this road needs improvements for proper drainage.

Dale Winterton said the storm water is coming from Staker Parsons. Commissioner Grubb said as the applicant Dale would be required to complete the drainage as per city code. He questioned the location of the fire hydrant. He said the current ordinance requires the fire hydrant to be within a certain amount of feet from the dwelling. It was stated there is a sidewalk along the front of the property. Commissioner Grubb said that sidewalk is identified as part of the trail.

Commissioner Johnson said there seems to be a lot of unanswered questions. The Winterton's stated they have unanswered questions as well.

Andrew Winteron stated they have the potential of storing 8 to 12 vehicles a month. Commissioner Osborne is concerned about the need for curb and gutter. Commissioner Grubb said 7400 South needs to be improved according to city standard. He said a privacy screen is appropriate. Andrew said that type of fence wouldn't hold up to the wind in that area. Dale said the state requires a 6 ft. fence with barb wire.

Commissioner Osborne is concerned that there are so many items that should have been taken care of at the Sketch Plan Committee level. Dale said he hasn't received any transaction from Brandon Jones.

Discussion took place regarding Brandon Jones memo of 6 April 2016.

**Brandon Jones, City Engineer's, memo of 6 April 2018 is as follows:**

Our office has completed a review of the documents and plans submitted for a Conditional Use Permit to perform excavation activities of over 200 cubic yards on the property where the Sun Ray Subdivision is currently being proposed. These documents were received on April 2, 2018.

**DOCUMENTS RECEIVED / CONDITIONAL USE REQUEST**

1. As part of this application, we received the following documents/plans:
  - a. Site Plan; most recent revision date of 12/19/2017, and the CU Application.
2. It is our understanding that what is being requested is to use the parcel as a vehicle tow yard. The applicant, Mr. Winteron, has indicated that no wrecked vehicles would be stored at this location, only towed vehicles. While a "landscape plan" was not specifically provided, the plans do indicate installing enough grass around the existing home to meet the 15% landscape requirement. No street improvements are being proposed on 2225 East (the existing dirt road to the east of the parcel). New chain link fencing with barbed-wire strands is being proposed around the perimeter. Three (3) 20' gates are shown on the east property line accessing 2225 East. Also, the location of a potential future shop is shown.

**RECOMMENDATIONS**

3. All storm water is to be kept on site. If necessary, berms along the west and north perimeters may need to be installed.
4. The area north of this parcel is used for aquifer recharge. As one of the conditions of approval for this use, the City should have the right to inspect the yard area whenever necessary to ensure that the vehicles being stored are not leaking fluids or causing the potential for contamination of the groundwater. If concern about potential contamination is ever found, the applicant will need to propose and put in place means whereby the threat of contamination is eliminated (we would suggest 15 days to propose a solution and 30 days to get it in place).
5. There are drainage concerns on 2225 East. There is also increased potential for tracking of mud onto 7400 South as a result of the increased vehicular use related to the proposed tow yard activities. To address these issues, we recommend the following:
  - a. The applicant to install new 1" min. dia. gravel from the end of the asphalt at 7400 South to the northern-most gate and up to the other two gates (minimum of 20' wide, 6" thick). The City would be responsible to maintain the gravel thereafter.
  - b. The applicant and the City to work together on a temporary or permanent drainage solution to the satisfaction of both parties. The cost of the agreed upon solution would be split 50/50 (applicant/City).
6. A tracking pad / stabilized entrance should be installed inside the site at each gate to keep the tracking of mud outside the site to a minimum.

7. If screening is going to be required, this should be made a part of the Conditional Use.

Commissioner Pitts asked if there will be any towing vehicle stored. Dale said no they are stored at their Uintah facility.

Commissioner Grubb feels there needs to be a drainage plan submitted. Brandon said a drainage plan could include adding curb and gutter with an inlet box and the end of the curb and pipe it to Parsons.

Commissioner Pitts asked about existing home requiring an owner/operator or employee of the business. It was stated that is a requirement.

Commissioner Osborne suggested tabling until the drainage plan is submitted. Commissioner Grubb feels there needs to be a better understanding of item 5b of Brandon's memo of 6 April 2018 concerning the cost solution being split 50/50. Dale said he has met with Mayor Sjoblom, Chris Tremea, and Mark Larsen concerning the drainage. Brandon said what has been done for the drainage was a temporary fix.

Commissioner Grubb feels there needs to be a permanent solution for the drainage system. He said the city staff needs to approve the permanent solution.

**Commissioner Grubb moved to table until 10 May 2018 for the Conditional Use Permit: Application for non-residential conditional use for an impound yard at approx. 2225 E 7400 S, (Parcel 13-009-0022), approx. 1.04 acres by applicant Dale Winterton subject to the following:**

- 1. Staff recommendation for permanent solution for both drainage on road and trail on 2225 E. and 7400 S.**
- 2. Recommendation from staff regarding whether there is a need for a fire hydrant.**

**Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.**

**Commissioner Johnson moved to open the public hearing for Conditional Use Permit: Application for conditional use for The Attic Schoolhouse preschool at approx. 1484 E 7500 S (Parcel 13-259-0044) approx. 0.26 acres by applicants Cody & Courtney Brown. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.**

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

**Conditional Use Permit: Application for conditional use for The Attic Schoolhouse preschool at approx. 1484 E 7500 S (Parcel 13-259-0044) approx. 0.26 acres by applicants Cody & Courtney Brown:** This proposal is to locate a pre-school in an existing home on a 0.26-acre parcel at 1484 E. 7500 S. The yard is partially fenced, but no complete containment by fence on any of the yard. The hours of operation should make it such that the proposal would not

present much of an impact on the neighborhood. The only other thing that should be addressed would be a Fire Marshal inspection of the property.

Commissioner Osborne asked if there was any public comment. There was none.

**Commissioner Grubb moved to close the public hearing. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.**

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

Courtney Brown stated she will have a total of 30 kids with 10 kids for each class. Classes will be held M-W-F 9:00 a.m. to 2:00 p.m. and T-TH 9:00 a.m. to 11:30 a.m. The ages of the children are three to five years old. Lisa Smith said Chris Tremea will conduct the fire inspection after approval. Courtney Brown said the fencing is all around the perimeter but there is no fencing along the front sides of the home. Commissioner Grubb said typically children should not be allowed to go outside unless the yard is completely fenced. Courtney asked if they could install something that can be moved. Brandon said he did discuss the fencing with Barry and he didn't say a fence is required. Commissioner Grubb asked about parking. Courtney said the driveway will be coned off with no parking. Commissioner Grubb noticed the application states zero employees. He would recommend adding one employee just in case she hires someone. He discussed parking not affecting the neighbors. Courtney said if she does hire an employee, she will have them park in the garage.

**Commissioner Walton moved to approve the Conditional Use Permit: Application for conditional use for The Attic Schoolhouse preschool at approx. 1484 E 7500 S (Parcel 13-259-0044) approx. 0.26 acres by applicants Cody & Courtney Brown subject to the following:**

- 1. Application to show 1 to 10 employees**
- 2. Barry Burton, City Planner's, memo of 5 April 2018**

**Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.**

**Action on Conditional Use Permit: Application for grading conditional use in Sun Ray subdivision at approx. 1850 E Canyon Drive (Parcel 13-012-0071) approx. 7.44 acres by applicant Ray Creek LLC:** Brandon Jones, City Engineer, stated this request is for excavation of 200 cubic yards, in which the city code requires this to be a conditional use permit.

Brandon referred to his memo of 6 April 2018.

**Brandon Jones, City Engineer's, memo of 6 April 2018 is as follows:**

Our office has completed a review of the documents and plans submitted for a Conditional Use Permit to perform excavation activities of over 200 cubic yards on the property where the Sun Ray Subdivision is currently being proposed. These documents were received on April 2, 2018.

**DOCUMENTS RECEIVED / CONDITIONAL USE REQUEST**

1. As part of this application, we received the following documents/plans:
  - a. Grading Plan (existing and proposed contours), SWPPP Notice of Intent (NOI), approximate cut/fill locations, reclamation plan (e.g. preliminary plan), equipment list, and specs for the proposed equipment.
2. It is our understanding that what is being requested is approval to excavate, grade, and manufacture on-site raw materials into material that meets the City Standard specifications for use in the proposed Sun Ray Subdivision. The purpose of this activity is to reduce the amount of material that would have to be exported or imported to the site. The activities involved would be crushing and screening. Although not stated, we would anticipate that these materials may still need to be supplemented with imported material in order to fully meet the specifications required.

**RECOMMENDATIONS**

3. Create a complete Storm Water Pollution Prevention Plan (SWPPP), using the State's template (as a minimum). This plan should identify all Best Management Practices (BMP's) to be employed (e.g. street sweeping, stabilized entrance, silt fence/berms, dust control, inlet protection, etc.).
  4. The small portion of the detention basin on Lot 16 can be filled in, but nothing on Lot 15.
  5. Provide evidence of approval from Dominion in regards to the proposed excavation/grading activities as they relate to protection of the high pressure gas line.
  6. Crushing and screening limited to weekdays, 8am to 6pm, for a maximum of one month.
- Brandon said the applicant did provide a plan today that reflects the correct filling of detention basin being limited to the area within Lot 16. He said we received a letter of approval from Dominion Energy today. He said hours of operation would be weekdays from 8:00 a.m. to 6:00 p.m. for one month.

Commissioner Osborne said minimal impact to the residents is crucial. It was stated the existing secondary water line will be used for dust control. Brandon said it is a pretty common practice for construction to sign up through the city for culinary water. Commissioner Johnson said what will happen if it is too windy. Rob Edwards said during operations hour they will moisten material before they leave at night and there will be water on site. He said they will also create a berm. Brandon said they have a storm water prevention plan. He said if there is an issue, then it needs to be enforced. It was stated the 30 days is 30 weekdays. Rob said they are looking at starting 1 May 2018. He said stock piles will be there during the project. The excavation is the 30 days. Brandon said they are under the obligation for dust control until the project is done.

**Barry Burton, City Planner's, memo of 5 April 2018:**

This proposal was tabled at our last regular meeting for more information. At that same meeting we considered the preliminary plat for the Sun Ray Subdivision. During the discussion on the subdivision, developers were told they could not fill in nearly as much of the existing detention basin as they showed on the plans. In the motion to approve the Preliminary Plat, there was a condition that the filling of the detention basin would be limited to the area within Lot 16.

What is really puzzling is that they have now given us details on the excavation/fill areas that still show their intent to fill in the detention basin on Lot 16 and most of that on Lot 15.



The equipment they are proposing to use would create some noise and possibly some dust. I think these issues can be mitigated by requiring dust control (watering) and through restricted hours of operation. They are proposing the use of the two pieces of processing equipment for a maximum period of 1 month.

**STAFF RECOMMENDATION:** I recommend tabling this item again to give the applicant's time to revise plans to eliminate the filling in of the detention basin more than has been stated acceptable by the City Engineer.

*If the Planning Commission is comfortable approving the proposal with a condition to amend the plans as has been described, I would recommend restricting hours of operation of aggregate processing equipment to a period from 8:00 am to 6:00 pm. I would also recommend limiting the duration of the aggregate processing to one month and that adequate measures be taken to reduce dust.*

**Commissioner Walton moved to approve the Conditional Use Permit: Application for grading conditional use in Sun Ray subdivision at approx. 1850 E Canyon Drive (Parcel 13-012-0071) approx. 7.44 acres by applicant Ray Creek LLC subject to the following:**

- 1. Barry Burton, City Planner's, memo of 5 April 2018.**
- 2. Brandon Jones, City Engineer's, memo of 6 April 2018 – amend item #6 maximum time allowed with be 30 continuous week days.**

**Commissioner Grubb seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.**

**Elite Training Complex Ratification of Conditional Use Permit #16-05 – Applicant, Kelly Parke:** Commissioner Osborne suggested having a discussion on this versus acting since this item has been placed on the agenda 24 hours ago.

Commissioner Johnson asked about landscaping. Brandon said according to code there is 50 feet of buffer required that has not been installed yet. He said the purpose of this is to ratify the conditional use permit. Brandon then stated the developer pumped the sewer to South Weber Drive so there is no easement needed. He discussed UDOT access. He said the city has a copy of UDOT's approval for South Weber Drive. He explained that UDOT did not require curb and gutter. It was stated the applicant still needs to complete the buffer yard requirement. Brandon said there is a fire access road that was required all the way around the building and so it is not possible to landscape on that side. He said the applicant has offered and agreed to install screening type trees along the entire east property line up to the fire access road. He said due to safety concerns no parking should be allowed on South Weber Drive or the adjacent residential streets. He said they do have overflow parking. He said if it looks like there isn't sufficient parking, then we need to talk to the applicant again. He said the outdoor fields will not be lit. He said they must comply with any land use easements on the property. He said Kelly Parke agrees with these items. Brandon said there have been traffic concerns with 6650 South. He said the city is going to install a hammerhead turn around at 6650 South. Commissioner Johnson said he thought the original application was for training purposes only. Commissioner Osborne said it was talked about but not a part of the approval. Commissioner Grubb said he is more concerned about the negative impact than whether there are practices and games going on. It

was stated the main concern is the traffic. Commissioner Grubb said if it is a problem, then we need to limit the number of vehicles versus limiting the type of use. It was stated if additional vehicle parking is needed, the applicant needs to coordinate with the City Engineer. Commissioner Walton suggested attaching UDOT's letter and recommendation letters from the City Engineer to the permit. Commissioner Grubb questioned item #6 concerning land use easements. Brandon said to his knowledge the only thing discovered was neighboring property owners were draining onto this property. He said that issue has been resolved. Commissioner Grubb suggested getting documentation that the issue has been addressed. This item will be on the agenda for 10 May 2018.

**General Transportation Plan:** Brandon Jones, City Engineer, discussed concerns with Kingston Way. He said the question is if the road is to go through that property in the future. He said the General Plan does show it going through. He said we show Harper Way also continuing through and he questioned if there is a need for both to go through. Commissioner Grubb said he thinks Kingston was scheduled to go all the way through. Brandon questioned how the Planning Commission would feel about a parking lot at the end of that. He said if it is important for the road to go through, there is a good chance, given the zoning, and there isn't many uses that would generate the kind of funds to build a road. He said if the intent is to go through, then the owner is likely to change his plans for future development. He doesn't it feel it is needed, given the limited use to the west. Commissioner Grubb said he doesn't see the need to have the road go through. Commissioner Osborne would rather see it stay and go through. Commissioner Walton said our roads are east west challenged. Brandon said there is property to the west that can be residential. He said the difficulty is there would be two stubs with Commercial Recreation property in the middle. Commissioner Osborne said he doesn't care either way.

### **PUBLIC COMMENTS:**

**Mike Bastian, 7721 S. 1750 E.,** said he has a property on the corner of 1900 East and South Weber Drive. He said it is approximately 1/3 acre. He would like to do a duplex on that corner. Commissioner Grubb said it is only allowed in the R-L Zone. Mike would like to know why it isn't allowed in other zones. Commissioner Osborne would rather have individuals own their duplex versus leasing. Mike would like to know if the Planning Commission would be willing to look at allowing this use. Commissioner Grubb suggested not judging the tenant. It was stated the property is currently R-M. Commissioner Osborne suggested Mike contact Barry Burton. He would like to put it in as a discussion item.

### **PLANNING COMMISSION:**

**Commissioner Walton:** He met with Mayor Sjoblom and she is requesting the Planning Commission look at a procedural review to develop recommendations near pollution plumes. She also wants review if the 2,000 feet buffer is too much. It was stated this item will be added to the 10 May 2018 agenda.

**Commissioner Johnson:** He reported a parcel between the Weber River and I-84 has been acquired by Weber River Pathway.

**Commissioner Pitts:** She attended the 10 April 2018 City Council meeting. She reported that the City Council approved RESOLUTION 18-14: Approval of License Renewal between South

Weber City and the USAF for Groundwater Monitoring. The City Council is requesting reports from HAFB when the wells are sampled. She reported the City Council approved RESOLUTION 18-18: Approval of Nilson Homes Rezone Application of Parcels 13-275-0005 and 13-275-0006. She said Bruce Nilson, of Nilson Homes, stated they dug down 11 ft. and in six of the nine test holes, they hit no groundwater. She said this area will have patio homes with no basements.

**ADJOURNED:** Commissioner Walton moved to adjourn the Planning Commission meeting at 9:30 p.m. Commissioner Grubb seconded the motion. Commissioners Grubb, Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

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

Chairperson: Rob Osborne

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

Attest: \_\_\_\_\_  
Planning Coordinator: Lisa Smith



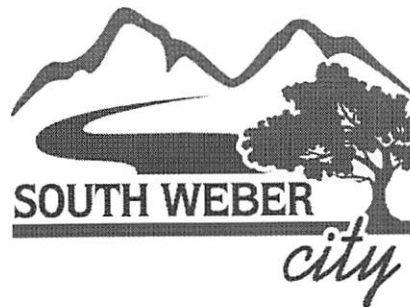
\$700

**For Office Use Only**

Fees received by: \_\_\_\_\_ Date of submittal: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Initial Review, all of the required supporting materials have  
been provided: \_\_\_\_\_

Sketch Plan Meeting Date: \_\_\_\_\_



**Conditional Use Sketch Plan Application  
Non-Residential Zone**

Project Name: Winterton Automotive  
Approx. Location: 2225 E 7400s.  
Parcel Number(s): 13-009-0022 Total Acres: 1.04  
Current Zone: T-1 If Rezoning, to what zone: \_\_\_\_\_ Bordering Zones: NR, T-1  
Surrounding Land Uses: Gravel Pit, residential and storage sheds

**Contact Information**

**Developer or Agent**

Name: Dale Winterton  
Company Name: Winterton Automotive  
Address: 6640s Hwy 89#1  
City/State/Zip: Utah 84405  
Phone: 801-458-5390 Fax: 365-244-1862  
Email: dale.winterton@yahoo.com

**Best Way/Preferred Method of Contact:**

\_\_\_ Email ☒ Phone \_\_\_ Fax \_\_\_ Mail

**Developer's Engineer**

Name: Nate Reeve  
Company: Reeve & Assoc.  
License #: 315328  
Address: 5160 S. 1510 W Riverdale  
City/State/Zip: Riverdale Utah  
Phone: 801-621-3100 Fax: 801-621-2666  
Email: www.reeve-assoc.com

**Best Way/Preferred Method of Contact:**

☒ Email \_\_\_ Phone \_\_\_ Fax \_\_\_ Mail

**Surveyor**

☒ Check here if same as Engineer

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
License #: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

**Property Owner(s)**

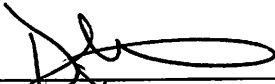
☒ Check here if same as Developer


Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

\*All plans must be prepared and stamped by a licensed and/or certified professionals including, but not limited to, architects, landscape architects, land planners, engineers, surveyors, transportation engineers or other professionals as deemed necessary by the City Planner.

## **Applicant Certification**

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that The City of South Weber may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the South Weber City Land Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to pay all fees associated with this project, as set by the current adopted Consolidated Fee Schedule as well as any fees associated with any City Consultant (i.e. engineer, attorney). The applicant shall also be responsible for all collection fees incurred including a collection fee of up to 40% (pursuant to the provisions of the Utah Code Ann. §12-1-11). I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Applicant's Signature:  Date: 3/28/18

Property Owner's Signature:  Date: 3/28/18

SUBDIVISION/PROJECT: Winterton Automotive

PROPERTY PARCEL NUMBER(S): 13-009-0022

APPLICANT'S AFFIDAVIT

State of Utah )  
County of Davis ) §

I/We Dale Winterton Winterton Automotive, the sole owner(s)/authorized agent of the owner(s) of the property involved in this application, located at 2225 E 7400S., swear the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly, to the best of my/our ability, present the argument in behalf of the application requested herewith, and that the statements and information above referred to are in all respects true and correct to the best of my/our knowledge and belief.

Dated this 30 day of March, 2018.

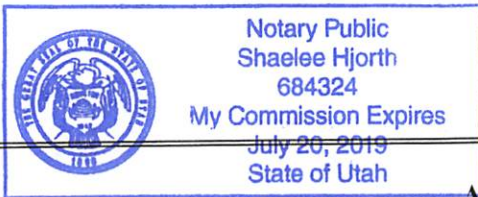
Signed: \_\_\_\_\_

Property Owner or Agent

\_\_\_\_\_  
Property Owner or Agent

Subscribed and sworn to before me on this 30 day of March, 2018.

S  
E  
A  
L



\_\_\_\_\_  
Notary Public

AGENT AUTHORIZATION

State of Utah )  
County of \_\_\_\_\_ ) §

I/We \_\_\_\_\_, the sole owner(s) of the real property located at \_\_\_\_\_, South Weber, Utah, hereby appoint \_\_\_\_\_ as my/our agent with regard to this application affecting the above described real property, and authorize said agent to appear on my/our behalf before any city commission, board or council considering this application.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed: \_\_\_\_\_

Property Owner or Agent

\_\_\_\_\_  
Property Owner or Agent

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

S  
E  
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L

\_\_\_\_\_  
Notary Public

## **MEMORANDUM**

**TO: Dale Winterton**

**FROM: Lisa Smith, Planning Coordinator**

**RE: Conditional Use 18-04**

**DATE: 04-16-18**

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**The planning commission has tabled your request and will place it on the May 10, 2017 agenda if the following are complete:**

- 1. Fire Marshall shall review the need for an additional fire hydrant and notify Planning Commission in writing**
- 2. Improvement plan with permanent drainage for both roads agreed upon with clear delineation of developer and City responsibilities and costs. City Engineer will coordinate with Developer to create a written plan for review by the Planning Commission.**
- 3. If developer wants the Planning Commission to consider a fence that may be built by Staker Parsons at a future date, a written notice with specifications needs to be provided from Staker Parsons.**



# *Community and Economic Development*

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Davis County Administration Building - 61 S. Main Street - Farmington Utah 84025  
Telephone: (801) 451-3279- Fax: (801) 451-3281  
Barry Burton/Director

May 2, 2018

## **WINTERTON AUTOMOTIVE**

**REQUEST:** Conditional Use/Site Plan Approval for Commercial Storage (*Second Review*)

**GENERAL INFORMATION:** This proposal was tabled at the April 12<sup>th</sup> meeting to allow the applicant and staff time to resolve a drainage issue and to review a landscape plan. There also was some question as to whether the proposed towed vehicle storage is a permitted use in the T-1 zone.

City staff members and Mayor Sjoblom met with the Wintertons and believe we have a reasonable solution to the storm drainage problem. There has been a low berm created at the driveway to the home that prevents drainage from running down the driveway. It will be the responsibility of the owner to maintain that berm. The plan for landscaping is to install lawn on that portion of the property designated as the yard for the house. This will satisfy the 15% landscaping requirement.

With regard to the issue of whether this is a permitted use; I believe that there are two specific listed permitted use categories that this could fit into. One is “commercial storage” which this certainly fits. They are planning on temporarily storing vehicles for commercial purposes. The other is “repair services”. The ordinance doesn’t specify repair of what, but I believe it would include the repair of vehicles. The Wintertons will not be repairing vehicles, but if they were, they certainly would have some temporary storage of the vehicles. I don’t see how we can deny this use on the basis that it is not a permitted use,

Mark Larsen has indicated that he would like the Wintertons put on notice that the City does not maintain the road leading to the trailhead/fisherman’s access and that they are in a location that might be adversely affected by blowing sand from the Staker-Parson’s Pit.

**STAFF RECOMMENDATION:** I recommend approval of the Conditional Use Permit with the condition that the owners are responsible to maintain the drainage deflection berm such that no storm drainage from the roadway can enter the home/garage. Furthermore, the applicants shall clean up any debris they have deposited on the adjacent roadway of the Staker-Parsons property and install the required landscaping by September 30, 2018.

**MEMORANDUM**

TO: South Weber City Planning Commission

FROM: Brandon K. Jones, P.E.  
South Weber City Engineer 

CC: Barry Burton – South Weber City Planner  
Mark Larsen – South Weber City Public Works Director  
Lisa Smith – South Weber City Deputy Recorder

RE: **WINTERTON AUTOMOTIVE  
Conditional Use Permit**

Date: May 2, 2018

---

**DOCUMENTS RECEIVED / CONDITIONAL USE REQUEST**

1. As part of this application, we received the following documents/plans:
  - a. Site Plan; most recent revision date of 12/19/2017, and the Conditional Use Application.
2. It is our understanding that what is being requested is to use the parcel as a vehicle tow yard. The applicant, Mr. Winterton, has indicated that no wrecked vehicles would be stored at this location, only towed vehicles. The plans indicate installing enough grass around the existing home to meet the 15% landscape requirement. No street improvements are being proposed on 2225 East (the existing dirt road to the east of the parcel). New chain link fencing with barbed-wire strands is being proposed around the perimeter. Three (3) 20' gates are shown on the east property line accessing 2225 East. Also, the location of a potential future shop is shown.

**FOLLOW UP**

At the last Planning Commission meeting on April 12, 2018, the Commission tabled this item with the charge for the City Staff and Wintertons to address and resolve the following two issues:

- a. Get a determination from the Fire Department on whether a fire hydrant would be required at the north end of the property in 2225 East.
- b. Provide a permanent solution for the drainage on 7400 South.

On April 30, 2018, the City Staff met with the Wintertons to resolve the issues, as requested by the Planning Commission. The Fire Department determined that a fire hydrant could NOT be required. For drainage, it was determined that the City is responsible for the drainage on 7400 South. Public Works has installed roadbase and graded it to drain away from the home. Wintertons agreed to maintain the roadbase in order to keep the stormwater from draining into the driveway and garage.

### **RECOMMENDATIONS**

We would recommend that the following conditions be applied to this CUP.

3. All storm water is to be kept on site. If necessary, berms along the west and north perimeters may need to be installed.
4. The property north of this parcel is used for aquifer recharge. The City should have the right to inspect the yard area whenever necessary to ensure that the vehicles being stored are not leaking fluids or causing the potential for contamination of the groundwater. If concern about potential contamination is ever found, the applicant will need to propose and put in place means whereby the threat of contamination is eliminated (we would suggest 30 days to propose a solution and 30 days to get it in place).
5. The applicant is responsible to maintain (labor, equipment, materials, etc.) the graded berm along the driveway and garage in order to keep the stormwater on 7400 South from going into the garage.
6. A tracking pad / stabilized entrance needs to be installed at each gate area being used in order to keep the tracking of mud outside the site to a minimum.

5-2-18

Hello All,

On May 1<sup>st</sup>, 2018, we made a site visit to the Winterton property. Below I have listed some concerns and points of interest that I feel the Planning Commission should address.

- 1) Mr. Winterton is going to be storing/parking cars on this lot. This area is known to have a very harsh weather environment. There could be sand and snow blown into or onto these cars that might possibly cause damage. Staker's is currently in compliance with City and State code, but there will most likely still be some sand that comes from the east with the strong canyon winds.
- 2) The fisherman's access is not maintained in the winter. The snow drifts in this area. I want Mr. Winterton to know it will be his responsibility to move the snow if he needs access in the winter.
- 3) There is also a large pile of junk just to the east of the Winterton property on Staker's property. Mr. Winterton said some of it was put there by him and he would move it. The pit manager at Staker's said Winterton put all the junk there and they would like it removed. While there are opposing views on just who is responsible for all the junk, it would be advantageous to address it now.

Thanks,

Mark B Larsen  
South Weber City  
Public Works Director

5-1-18

I spoke with Staker's pit manager today and he said they would take care of the water coming off the parking lot on to 7400 S.

He also said that the trash east of Winterton's property on Staker's property was put there by Wintertons. I will call Mr. Winterton and ask him to clean it up.



Just so everyone knows the hydrant is 260 feet to the corner and then 520 feet from the corner to the end of the property.

There would be no need for a hydrant to be placed at the lot for the impound lot.

Chris Tremea  
Fire Marshall  
South Weber Fire Department



13-009-0040

13-009-0017

13-009-0018

13-009-0019

13-280-0001

13-009-0021

13-009-0022

13-009-0043

13-009-0044

13-280-0002

13-033-0003

13-033-0004



Access  
gate

Winter  
Automotive

Access  
gate

Access  
gate

Legend



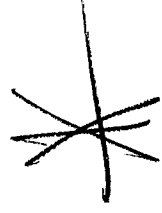
6' chain  
link fence



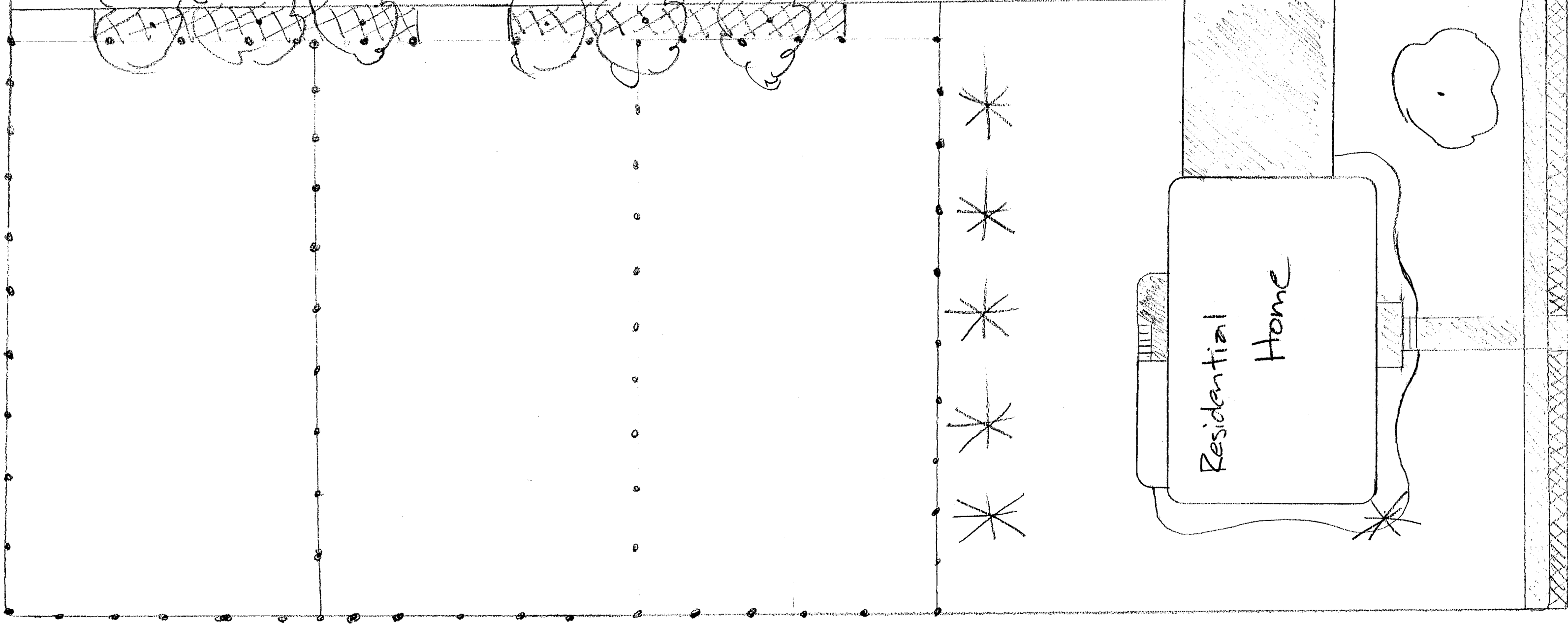
Xeriscaping

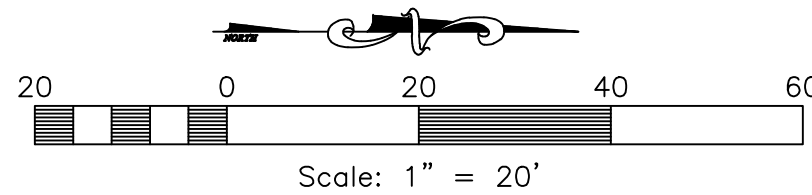


Deciduous  
Tree



Evergreen  
Tree



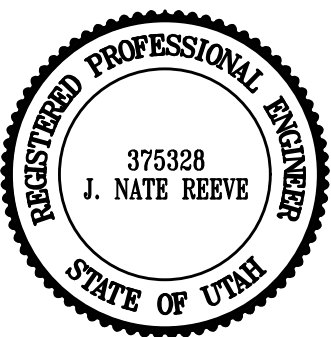


REVISIONS	
DATE	DESCRIPTION
12/19/17	Completed Exhibit
02/08/18	LAYOUT Revised
12/19/17	Landscape added

## Winterton Automotive

SOUTH WEBER CITY, DAVIS COUNTY, UTAH

# Site Plan



Engineer:  
J. NATE REEVE, P.E.

Drafter:  
R. HANSEN

Begin Date: OCT. 3, 2017

Name: WINTERTON AUTOMOTIVE

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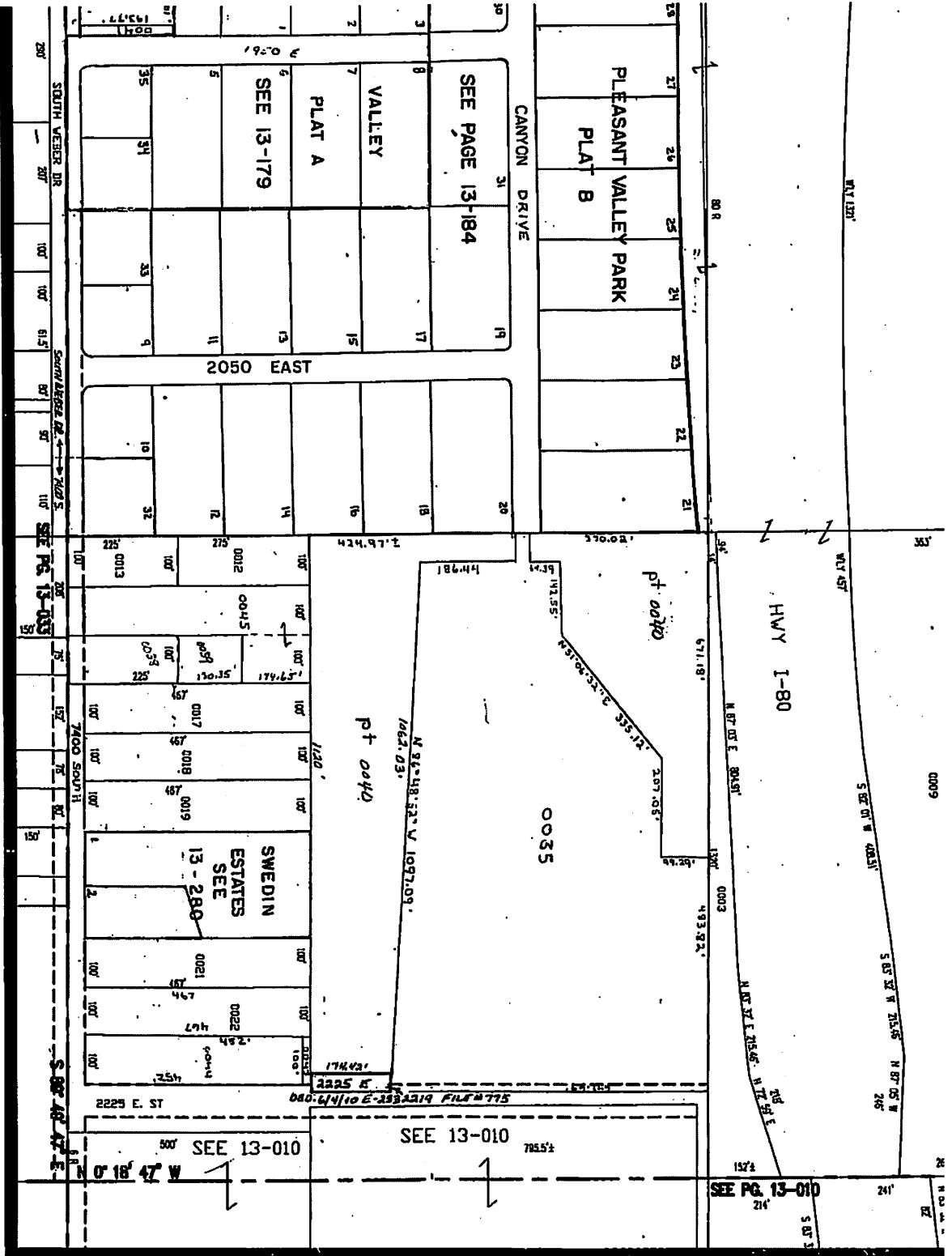
Number: 6564-02

Sheet	1
1	Sheets

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED FROM AVAILABLE INFORMATION PROVIDED BY OTHERS. THE LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR, SO THAT ANY NECESSARY ADJUSTMENT CAN BE MADE IN ALIGNMENT AND/OR GRADE OF THE PROPOSED IMPROVEMENT. THE CONTRACTOR IS REQUIRED TO CONTACT THE UTILITY COMPANIES AND TAKE DUE PRECAUTIONARY MEASURE TO PROTECT ANY UTILITY LINES SHOWN, AND ANY OTHER LINES OBTAINED BY THE CONTRACTOR'S RESEARCH, AND OTHERS NOT OF RECORD OR NOT SHOWN ON THESE PLANS.

Andrew Winterton  
Winterton Automotive  
6640 S HWY 89  
UNITAH, UT 84405

**Call: Toll Free  
1-800-662-4111**  
Two Working Days Before You Dig



12-93 SW SECTION 26 T 5N R 1W SALT LA  
DAVIS COUNTY, UTAH - RECORDE

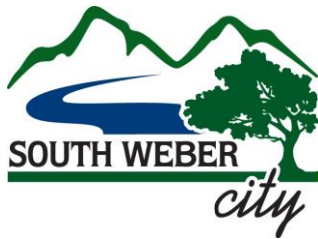
**Parcel Vesting Information****05/31/2017 to Present****Serial Number: 13-009-0044****Mailing Address: 6640 SOUTH HWY 89 #C  
UINTAH, UT 84405****Tax District**

47

**Location****Location: 5 N 1 W 26 SW****Vested Owners**WINTERTON, ANDREW -- JT  
WINTERTON, LOUIS DALE**Situs Address(es)**2225 E 7400 SOUTH SOUTH WEBER 84405  
2410 E SOUTH WEBER DR SOUTH WEBER 84405**Vesting Documents**

Entry Number	Recorded Date & Time	KOI	Party	Execution Date	Fee
3040196	08/22/2017 13:38	WARRANTY DEED	Grantee WINTERTON, ANDREW WINTERTON, LOUIS DALE	08/18/2017	\$11.00
3023221	05/31/2017 09:30	WARRANTY DEED	Grantee ELMER BOWSER LIVING TRUST 02/18/20' 05/30/2017 CHOWNING, MELISSA STR CLARK, STACY STR		\$12.00
2923454	02/29/2016 14:56	QUIT CLAIM DEED	Grantee ELMER BOWSER LIVING TRUST 02/18/20' 02/18/2016 BOWSER, ELMER TR		\$10.00

**Legal Description**BEG AT A PT 2342 FT E & 33 FT N OF THE SW COR OF SEC 26-T5N-R1W, SLB&M; TH E 100 FT; TH N 452 FT; TH W 100  
FT; TH S 452 FT TO THE POB. CONT. 1.04 ACRES



## Conditional Use Permit #16-05

Applicant: Kelly Parke

Proposed Use: Recreational and sporting activities  
(over 1.0 acre)

Address: 128 E South Weber Drive

The conditional use for the above applicant at the property listed and the use proposed was approved by the Planning Commission on 09-08-2016. The following indicates the conditions required at the time of approval, and the current status of each.

Completed	Not Completed	N/A	
	X		1. Meet the requirements of Buffer Yard C (City Code 10.5M.6B).
X			2. Meet conditions from City Engineer's review dated 31 August 2016.
X			a. Comply with UDOT stipulations, Geotechnical recommendations and South Weber Irrigation Co. instructions.
		X	b. Easement for sewer lateral.
X			c. Improvement plans need to show sewer lateral from building to proposed site.
X			3. Meet conditions from City Planner's review dated 1 September 2016.
X			a. Buffer yard plan submitted and approved
X			4. City Council must approve buffer yard amendment before approval is granted. (Passed 09-13-16).

Following a review meeting on April 10, 2018 the following clarifications and conditions are also proposed:

1. Installation of a 6' vinyl fence from the northeast property corner to the north end of the fire access road.
2. Comply with all UDOT access permit requirements.
3. Due to safety concerns as a result of poor pedestrian access, no parking will be allowed on South Weber Drive or adjacent residential streets. If parking is or becomes insufficient to handle the demand, the applicant will be required to provide additional on-site parking to meet the demand, along with any associated drainage changes; must meet City Standards and be approved by the City Engineer.
4. No lighting will be permitted for the outdoor fields.
5. Must comply with any land use easements on the property.

6. Must comply with all City Code, including, but not limited to, noise restrictions and signage.

**Approved by the Planning Commission on \_\_\_\_\_, 2018. Any requests for change must be made in writing and approved by the Planning Commission in a public meeting.**

**APPLICANT**

Elite Training Centers

By \_\_\_\_\_  
Kelly Parke

Title \_\_\_\_\_

**SOUTH WEBER CITY**

By \_\_\_\_\_  
Planning Commission Chair – Rob Osborne

**ATTEST**

By \_\_\_\_\_  
South Weber City Deputy Recorder – Lisa Smith



# APPLICATION FOR CHANGE OF ZONING

South Weber City  
1600 East South Weber Drive  
South Weber, Utah 84405  
Phone: (801) 479-3177 Fax: (801) 479-0066

OFFICE USE: Application # 17-06 Fee \$ 300 Receipt # 17047572 Date Received 12/7/17

Owner of Property Matt and Sarah McFarland

Applicant's Name Matt and Sarah McFarland  
Mailing Address 7513 S 1900 E City, State, Zip S. Weber UT 84405  
Phone 801 695-0012 Fax \_\_\_\_\_ Email sarahmcfarland88@gmail.com

Agent's Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

Request: 74 Acres/Sq. Feet be changed from A zone to Rm zone

\_\_\_\_\_ Acres/Sq. Feet be changed from \_\_\_\_\_ zone to \_\_\_\_\_ zone

Property Address: 7513 S 1900 E S. Weber UT 84405

Parcel Number(s): T3291000T Total Acres or Sq. Feet: 1.8 Acres

Legal Description: (If description is longer than space provided, please submit complete legal description on an addendum sheet.)

All of Lot 1, McFarland Subdivision  
~~cont 1.29000 Acres~~ 1st Amendment  
cont 1.8000 Acres

What is the proposed use?

To sub-divide lot and build a house.

In what way does the proposal recognize the City's General Plan?

80

**Public Notice Authorization:** I (we) do hereby give permission to South Weber City to place a city Apublic notice@ sign on the property contained in this application for the purpose of notification of the change of zoning application.

Signed: Sarah McFarland  
Property Owner

Property Owner

**APPLICANT'S AFFIDAVIT**

State of Utah )  
County of Davis )

I (we) Sarah McFarland, being duly sworn, depose and say I (we) am (are) the sole  
Property Owner(s) or Agent of Owner  
owner(s)/agent of the owner(s), of the property involved in this application, to-wit, 7513 S 1900 E  
Property Address

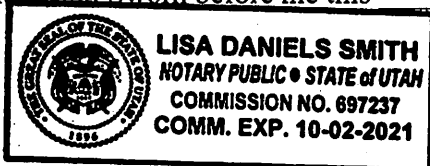
and that the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly and to the best of my ability, present the argument in behalf of the application. Also, all statements and information are in all respects true and correct, to the best of my knowledge and belief.

Dated this 7 day of December, 2017.

Signed: Sarah McFarland  
Property Owner or Agent

Property Owner or Agent

Subscribed and Sworn before me this 7<sup>th</sup> day of December, 17.



Notary Public: [Signature]

**AGENT AUTHORIZATION**

State of Utah )  
County of )

I (we) \_\_\_\_\_, the sole owner(s) of the real property located at  
Property Owner(s)  
\_\_\_\_\_, South Weber City, Utah do hereby appoint \_\_\_\_\_,  
Property Address

as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and to appear on my (our) behalf before any city boards considering this application.

Dated this \_\_\_\_\_ day of \_\_\_\_\_,

Signed: \_\_\_\_\_  
Property Owner

Property Owner

Subscribed and Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_,

Notary Public: \_\_\_\_\_

87



# *Community and Economic Development*

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Davis County Administration Building - 61 S. Main Street - Farmington Utah 84025  
Telephone: (801) 451-3279- Fax: (801) 451-3281  
Barry Burton/Director

May 2, 2018

## **McFARLAND REZONE**

**REQUEST:** Rezone from A to R-M

**GENERAL INFORMATION:** This proposal is to rezone 1.8 acres from The A zone to the R-M zone. The property has one existing home on it and the applicants want to split that lot and put an additional home on the new lot. The rezone would allow the lot split.

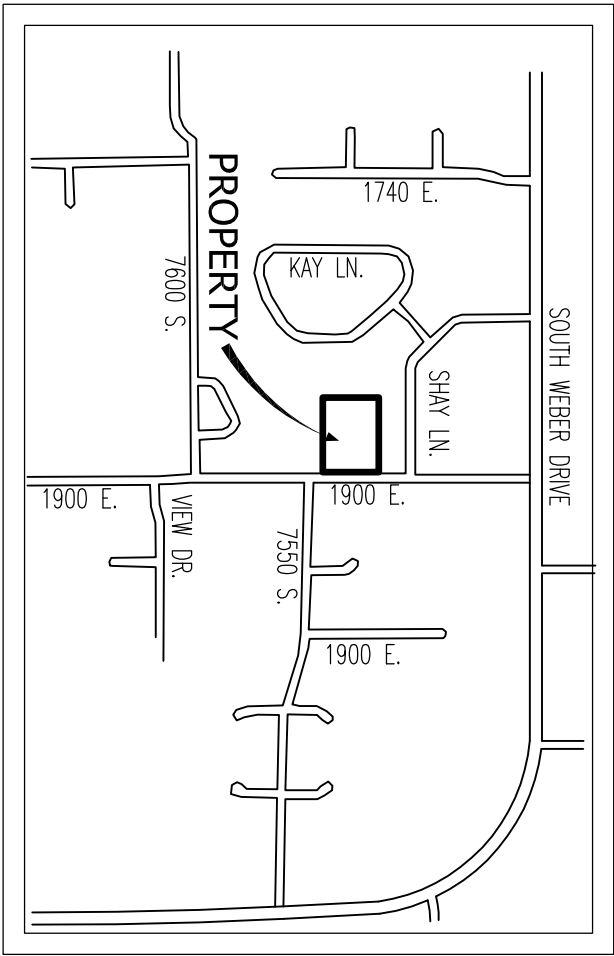
The General Plan anticipates this area to be moderate density residential, so the request is consistent with the plan.

**STAFF RECOMMENDATION:** I recommend the Planning Commission forward this request to the City Council with a recommendation of approval.

McFarland Subdivision 2nd Amendment Amending Lot 1

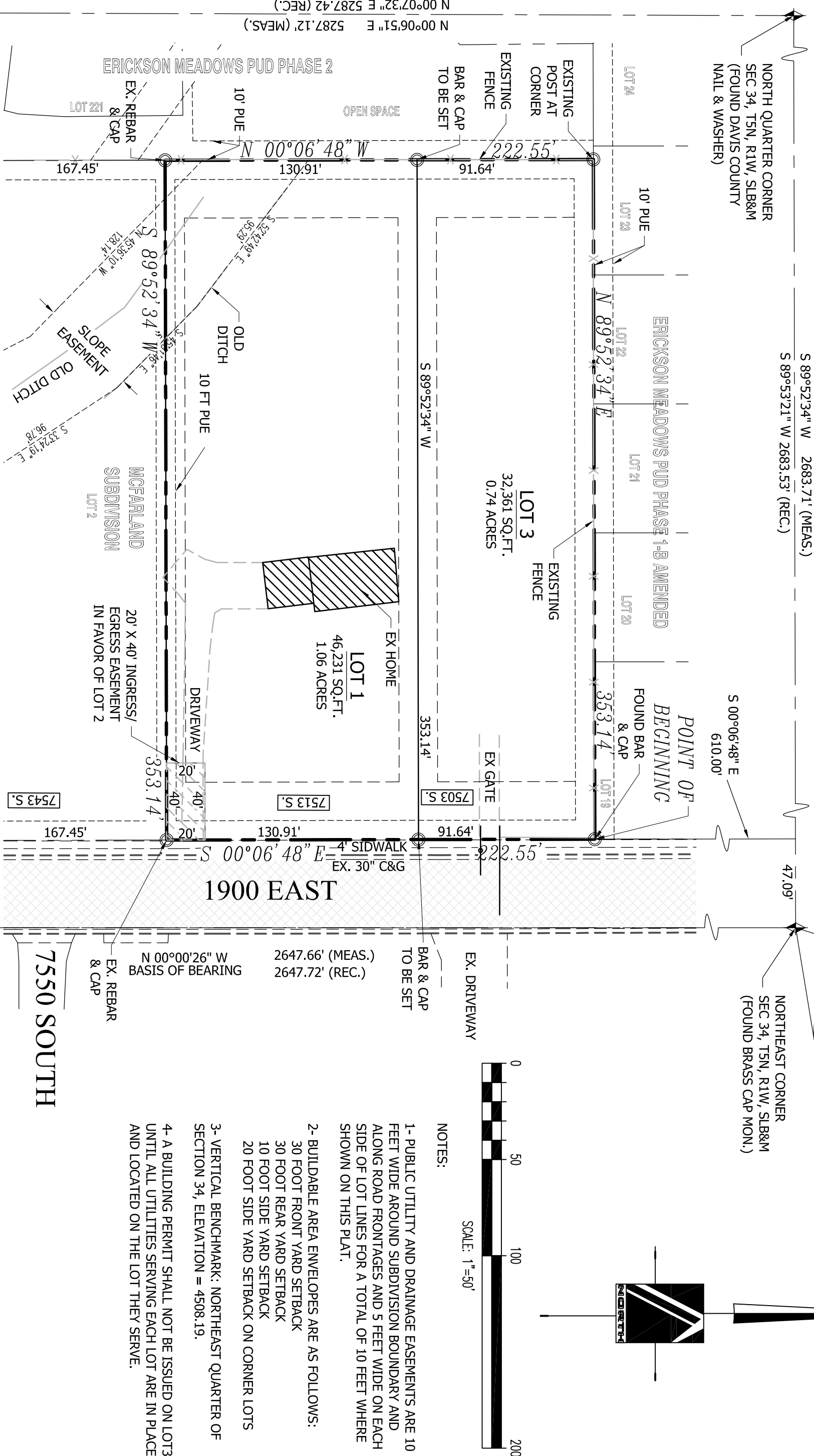
A PORTION OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SOUTH WEBER CITY, DAVIS COUNTY, UTAH

VICINITY MAP



**LEGEND**

- PROPOSED STREET MONUMENT
- PROPOSED STREETLIGHT
- PROPOSED UTILITY & DRAINAGE EASEMENT
- EXISTING UTILITY & DRAINAGE EASEMENT
- SET 5' 0" REBAR WITH A CORNER PLASTIC CAP, OR WALL & WASHER STAMPED PRINCIPAL BEING & LAND SURV.



SURVEYORS CERTIFICATE

I, STEPHEN J. FACKRELL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 191517, AS PREPARED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE SIGNATURE AND SEAL HEREON, I AM CERTIFYING THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE UTAH SURVEYING ACT, AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE UTAH SURVEYING ACT, AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE UTAH SURVEYING ACT.

BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN (THE BASIS OF BEARING FOR THE THIS DESCRIPTION IS NORTH 00°00'28" WEST MEASURED BETWEEN THE EAST QUARTER AND NORTHEAST CORNER OF SAID SECTION 34) DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF 1900 EAST STREET, SAID POINT BEING LOCATED SOUTH 89°52'34" WEST ALONG SECTION LINE (SOUTH 89°53'21" WEST BY RECORD) 47.09 FEET AND SOUTH 00°06'48" EAST 610.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 34, AND THENCE SOUTH 89°52'34" WEST 353.14 FEET TO THE POINT OF BEGINNING, 78,592 SQ. FT. (1.80 ACRES) 2 LOTS CONTAINING.

OWNERS DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AS SHOWN ON THIS PLAN AND MAKE SAID TRACT OF LAND McFarland Subdivision 2nd Amendment Amending Lot 1, AND HEREBY DEDICATE, GRANT AND CONVEY TO SOUTH WEBER CITY, DAVIS COUNTY, UTAH ALL THOSE PORTS OR PORTIONS OF SAID TRACT OF LAND WHICH ARE NECESSARY FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE, INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE, LINES AND DRAINAGE, AS MAY BE AUTHORIZED BY SOUTH WEBER CITY.

ACKNOWLEDGMENT

STATE OF UTAH )  
County of Davis )  
On the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, I, \_\_\_\_\_, personally appeared before me, the undersigned Notary Public, in and for said County of Davis, in solid State of Utah, the signer ( ) of the above Owner's dedication, \_\_\_\_\_, in number, \_\_\_\_\_, who duly acknowledged to me that they signed it freely and voluntarily and for the uses and purposes therein mentioned.

McFarland Subdivision  
2nd Amendment Amending Lot 1

DAVIS COUNTY RECORDER  
ENTRY NO. \_\_\_\_\_, FILED FOR RECORD AND  
PAID \_\_\_\_\_, AT \_\_\_\_\_, IN BOOK  
RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, OF OFFICIAL RECORDS PAGE \_\_\_\_\_.

CITY COUNCIL APPROVAL  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE SOUTH WEBER CITY COUNCIL.  
SOUTH WEBER CITY RECORDER SOUTH WEBER CITY MAYOR  
BY \_\_\_\_\_ DEPUTY RECORDER

CITY ATTORNEY'S APPROVAL  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE SOUTH WEBER CITY ATTORNEY.  
SOUTH WEBER CITY ATTORNEY  
PLANNING COMMISSION APPROVAL  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE SOUTH WEBER CITY ENGINEER.  
SOUTH WEBER CITY ENGINEER

12-000

ALL INFORMATION SHOWN HEREON IS NOT FINAL OR APPROVED WITHOUT THE GOVERNING AGENCY(S)'S STAMP AND SIGNATURE. ANY USE OF THIS DRAWING AND ITS CONTENT WITHOUT SAID APPROVAL IS DONE AT THE INDIVIDUAL'S OWN RISK. PINNACLE ENGINEERING & LAND SURVEYING, INC. DOES NOT ASSUME LIABILITY FOR ANY SUCH USE.

PETITION FORM FOR REQUEST FOR AMENDMENTS TO  
SOUTH WEBER CITY ORDINANCE

Petitioner Mckay Winkel

Mailing Address 3651 N. 100 E #125

City, State, Zip Provo UT 84604

Phone No.: 801 377 8035 Fax No.: \_\_\_\_\_

Email Address MckayWinkel@gmail.com

City Code section(s) proposed to be amended: 10.01.100 ; ~~10.7F.1~~ ; 10.7F.2

Write here or attach a description of proposed amendment(s): See Attached

We are hoping to develop APNS 13-018-0021 + 07-109-0017  
into an RV Resort + these changes are needed to feasibly do so.  
Zone change Request will follow.

In what way does the proposal recognize the City's General Plan? Allows for the feasible  
development of a challenged parcel that would expand the city's tax base.

Dated this 28 day of March, 2018.

[Signature]  
Petitioner's Signature

[Signature]  
Petitioner's Signature

State of Utah )  
County of Utah )

On the 28th day of March, 2018, personally appeared before me

Mckay Winkel, the signer(s) of the above instrument who duly

acknowledged to me he executed the same.



[Signature]  
Notary Public  
Residing at:  
My Commission Expires:

OFFICE USE ONLY	
Application #	<u>018-01</u>
Fee \$	<u>300</u>
Receipt #	<u>17049200</u>
Date Received	<u>3/30/18</u>
Land Use Ord:	<u>X</u> Yes <u>    </u> No

### Ordinance Amendment Summary

1. Change definitions of Short Term Occupancy (10.01.100)
2. Add definition of an RV (10.01.100)
3. Change 10.7F.1 (delete “short term”, add “Recreational Vehicles” to definition)
4. Change density of RV Park Development (10.7.F2)
5. Give City Council and Planning Commission discretion to adjust setbacks (10.7F.2)

### KEY

- ~~Strikethrough~~ – Recommended deletions
- Underlined text – Our proposed additions

We propose the following definitions be amended and added based on the existing length of stay identified in South Weber City Code 12.01.110 which details how long Recreational Vehicles may be located and treated in flood areas (which applies to our parcel).

We propose that the Planning Commission and/or the City Council have discretion to lower the setbacks that trailers can be located from the property line from 40 feet to 3 feet. We should be fine with standard setbacks everywhere on our site, but along I-84 we would need a smaller setback so we can create more greenspace and recreation area in the park.

We also propose that density be changed from 10 units per acre to 15 units per acre.

### 10.01.100 Definitions

~~SHORT TERM OCCUPANCY~~ RECREATIONAL VEHICLE PARK OCCUPANCY: The length of stay at a recreational vehicle park shall be no greater than 180 consecutive days provided that:

1. The Recreational Vehicle:
  - a. is not permanently connected to utilities
  - b. maintains wheels attached to the unit
  - c. shall not have any permanent additions attached
  - d. is in compliance with park rules
2. The patron:
  - a. maintains clean surroundings
  - b. does not contribute to a Nuisance
  - c. has left the park for at least one day between length of stays
  - d. is in compliance with park rules

~~A. Fifteen (15) days for all travel trailers and campers (self-contained vehicles).~~

~~B. Seven (7) days for tent camper~~

## 10.01.100 Definitions

RECREATIONAL VEHICLE: A vehicle which is:

- A. Built on a single chassis;
- B. Four hundred (400) square feet or less when measured at the largest horizontal projections;
- C. Designed to be self-propelled or permanently towable by truck; and
- D. Designed to provide accommodation for recreational, camping, travel, or seasonal use.

A Recreational Vehicle also includes, but is not limited to campers, travel trailers, motorhomes, park models, and tiny homes.

## 10.7F.1 Conditions Required

Under certain controlled conditions, recreational vehicle parks may be allowed as a conditional use for ~~short term~~ parking of campers, travel trailers, Recreational Vehicles, motor homes and tents. Neither the Planning Commission or the City Council shall approve a conditional use permit unless evidence is presented to establish:

- A. Ownership: That the site is in single ownership or unified control.
- B. Need Exists: That a need exists for the proposed recreational vehicle park.
- C. Plan Conformance: That the development plan is in conformance with the Comprehensive Plan.
- D. Exposure From Other Land Uses: That the site will not be exposed from other land uses to objectionable smoke, noise, odor or other adverse influences.
- E. Traffic: That the site has an acceptable relationship to the major traffic thoroughfare plan and that the site is accessible to recreational vehicles without causing disruption to residential areas.
- F. Utility And Drainage Facilities: That the proposed recreational vehicle park will not overload utility and drainage facilities and that sensitive environmental areas will not be adversely affected.
- G. Health And Safety Codes: That all local, County and State health and safety codes are met (in design and operations stages).

## 10.7F.2 Lot, Area and Space Requirements

- A. Minimum Area: The area of the lot on which such park is to located shall be at least five (5) acres.
- B. Setbacks:
  - 1. No trailer or service building or structure shall be placed or permitted within one hundred feet (100') of the road or street upon which the lot or area fronts, or within seventy five feet (75') of any other boundary line.
  - 2. The Planning Commission or City Council can approve setbacks of less dimensions than required if in its review of the site plan of the proposed RV park it finds evidence of special landscape buffering that in its determination effectively: a) visually screens the park from adjoining land uses; b) mitigates adverse impact on and from the park; and c) provides for an attractive park-like setting. In no cases shall the setback distance be less than ~~forty feet (40')~~ three (3') feet.
- C. Maximum Density: The maximum density shall be ~~ten (10)~~ fifteen (15) recreational vehicles or tent sites per acre.
- D. Open Space: A minimum of fifteen percent (15%) of the total area of the park shall be reserved for the purpose of open space or recreational facilities (nonbuilding and RV pad space). Parcels of

open space shall be sufficient size and distribution as to be a functional part of the entire development plan.

E. Vehicular Spacing:

1. Pull-through recreational vehicle sites shall maintain fifteen feet (15') between vehicle parking in adjoining sites.
2. Back-in recreational vehicle sites shall maintain ten feet (10') between vehicles, to include automobiles parking in adjoining sites.

F. Vehicle Setback To Building: Recreational vehicle sites shall be set back thirty feet (30') from any building.



## FOR REFERENCE

### South Weber City Code 12.01.110 – Flood Damage Prevention – Specific Standards

#### E. Recreational Vehicles:

1. Recreational vehicles placed on sites within zones A1-30, AH, and AE must either: a) be on the site for fewer than one hundred eighty (180) consecutive days, b) be fully licensed and ready for highway use, or c) meet the permit requirements of SWMC 12.01.070 and the elevation and anchoring requirements for resisting wind forces of subsection D2a of this section.
2. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.<sup>2</sup>

## ***(BARRY'S RECOMMENDED CHANGES TO PROPSAL)***

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  - a. is not permanently connected to utilities
  - b. maintains wheels attached to the unit
  - c. shall not have any permanent additions attached
  - d. has left the park for at least five (5) consecutive days before returning.
  - e. ~~is in compliance with park rules~~
2. ~~The patron:~~
  - a. ~~maintains clean surroundings~~
  - b. ~~does not contribute to a Nuisance~~
  - c. ~~has left the park for at least one day between length of stays~~
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- A. Built on a single chassis;
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A Recreational Vehicle also includes, but is not limited to campers, travel trailers, motorhomes, park models, and tiny homes.

TINY HOME: A vehicle designed for living in temporary locations which:

- A. Is towable by a bumper hitch, frame towing hitch or fifth-wheel connection;
- B. Is no larger than allowed by Utah State Law for movement on public highways without special escorts;
- C. Contains at least 140 square feet of the first floor interior living space and does not exceed 500 Square feet of first floor interior living space; and
- D. Meets ANSI 119.2 or ANSI 119.5 or NFPA 1192 or be RVIA certified.

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# *Community and Economic Development*

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Davis County Administration Building - 61 S. Main Street - Farmington Utah 84025  
Telephone: (801) 451-3279- Fax: (801) 451-3281  
Barry Burton/Director

May 2, 2018

## **McKAY WINKEL (Frisbee Property) ZONE TEXT AMENDMENT**

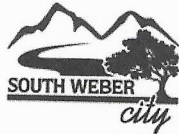
**REQUEST:** This request affect several different section of the Zoning Ordinance that relate to RV Parks. (See the proposal)

**GENERAL INFORMATION:** The applicants wish to establish an RV Park on the property often called the Frisbee Property, a 12 acre parcel adjacent to the river at the bend just before the bridge on Cottonwood Dr. The applicant feels that the ordinance, as it is currently written, would make it economically impossible to locate an RV Park there or anywhere else in the City. He has made some recommended changes to the ordinances that are included in the packet and I have made some recommended changes to his changes.

I believe some changes are in order to make this property viable for, what I consider the most feasible use we have ever had proposed for this property. I don't think these proposals will create harmful effects should we see other RV Parks proposed elsewhere.

**STAFF RECOMMENDATION:** I recommend you consider approving the changes as I have modified them to the City Council.





South Weber City

## Planning Commission Agenda Application

1600 East South Weber Drive • South Weber, Utah 84405 • Phone: (801) 479-3177 • Fax: (801) 479-0066

Planning Commission meetings are held the second Thursday of each month beginning at 6:30 p.m. This application must be submitted by 5:00 p.m. fourteen (14) days prior to the meeting.

NAME: Mike Bastian  
ADDRESS: 7721 S. 1750 E.  
South Weber UT 84405  
PHONE: 801.645.6735  
E-MAIL: Mike.bastian@gmail.com

PROPERTY ADDRESS OF CONCERN/QUESTION: 7408 S. 1900 E. South Weber  
PARCEL ID#: 13-290-0001 CURRENT ZONE: RM

Date of Planning Commission Meeting you request to be placed on: May 10, 2018

### PURPOSE/REASON TO BE ON PLANNING COMMISSION AGENDA:

Want to have the discussion of allowing up to 2 units on one tax ID or lot in the RM zone. Specifically on this lot, with it being on two artificial streets.

### CITY DEPARTMENT INPUT:

SIGNATURE: Michael C. Bastian DATE: 4.18.18

This application allows you to be placed on the Planning Commission agenda for items of discussion only, no official action will be taken.

## Residential Moderate

### **10.5A.2 Permitted Uses** [Edit](#)

- A. Accessory uses and buildings.
- B. Agriculture.
- C. Dwellings, one-family.
- D. Home occupations, except preschools and daycare.
- E. Pets, the keeping of household pets.
- F. Group home.
- G. Mobile businesses.

*Adopted by Ord. 2000-9 on 7/11/2000*  
*Amended by Ord. 15-11 Amendment to Sec. 10.5A.2 & 3 on 11/25/2015*  
*Amended by Ord. 16-21 on 9/13/2016*

### **10.5A.3 Conditional Uses** [Edit](#)

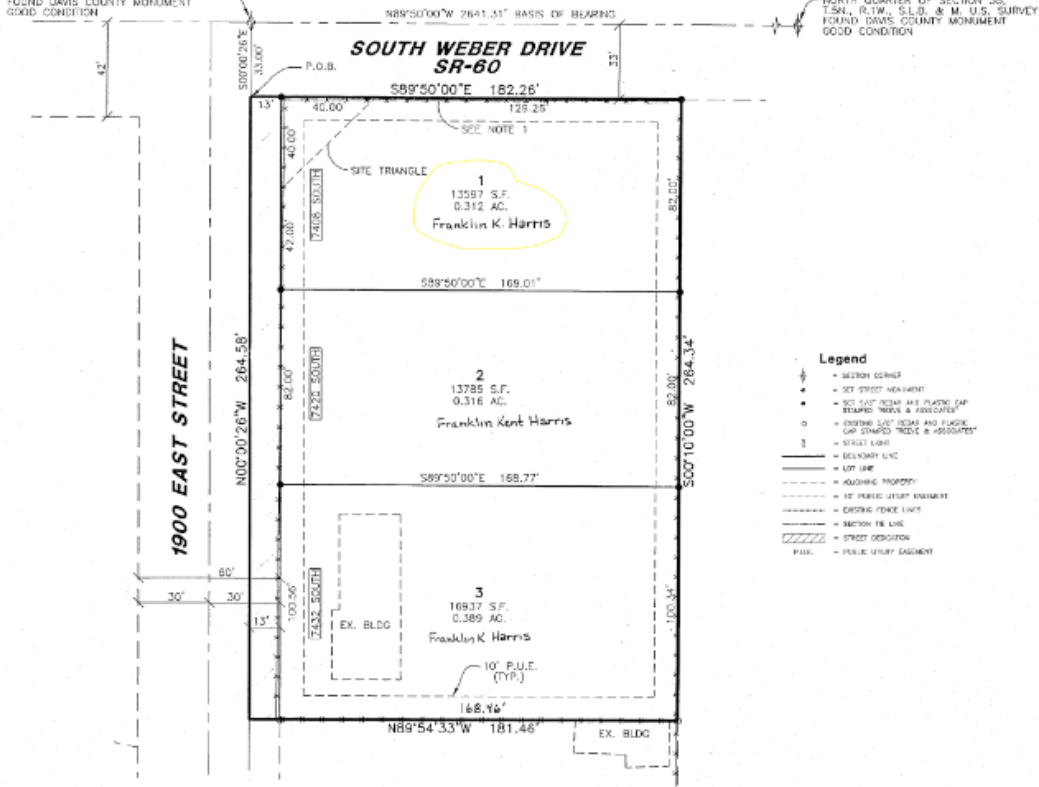
1. Conditions for approval shall be determined by the planning commission or as otherwise provided in SWMC 10.07.
2. Church (temporary churches held in the open area or in tents or in temporary structures excluded).
3. Daycare centers and preschools, whether held within a residence or in a separate facility.
4. Excavations of over two hundred (200) cubic yards, as allowed by SWMC 10.06.020.
5. Golf courses, public or privately owned, whether or not operated as a business
6. Hobby kennels.
7. Planned dwelling group with a maximum of two (2) dwellings.
8. Planned unit developments (PUDs).
9. Public buildings and public utility buildings.
10. Public parks and/or playgrounds, also privately owned playgrounds and recreational grounds or parks not operated as a business, in whole or in part, and to which no admission charge is made.
11. Schools, public or privately owned.
12. Small wind energy systems.
13. Temporary businesses only in public parks, church properties or other public properties as approved by the planning commission and not to exceed ninety (90) days in length.

# Old Pea Vinery Subdivision

PART OF THE NORTHWEST QUARTER OF SECTION 35, T.5N., R.1W., S.L.B.&M., U.S. SURVEY  
SOUTH WEBER CITY, DAVIS COUNTY, UTAH  
JULY, 2011

NORTHWEST QUARTER OF SECTION 35,  
T.5N., R.1W., S.L.B. & M. U.S. SURVEY  
FOUND DAVIS COUNTY MONUMENT  
GOOD CONDITION

NORTH QUARTER OF SECTION 36,  
T.5N., R.1W., S.L.B. & M. U.S. SURVEY  
FOUND DAVIS COUNTY MONUMENT  
GOOD CONDITION



## Note:

1. NO ACCESS WILL BE PERMITTED FOR LOT 1, ALONG SOUTH WEBER DRIVE (SR-60).



PREFIX

13-290

LAST #

0003



SCALE:

1" = 30'

DEVELOPMENT: OLD PEA VINERY SUBDIVISION  
CITY: SOUTH WEBER  
LOTS: 1 THRU 3

NW 1/4 SEC. 35, T.5N., R.1W.  
S.L.B. DAVIS COUNTY, UTAH

FILE #5093  
R 08-17-11

City	Phone	Distance	Requirement	
Sunset	825-1628		nothing in place, plumes are deep	Sue
Layton	336-3780		no procedures, won't stop dev but may require ventilation	Planner, Jim Watkins
Riverdale	394-5541		nothing in place, area is already developed or restricted by HAFB	Community Development Director, Mike Eggett
Clinton	614-0740		nothing in place, area is already developed East border	Community Development Director, Will Wright
Clearfield	525-2700		no procedures	Brad new, Spencer out of office
Roy	774-1000		no procedures, built out	Planner, Steve