

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 12 March 2026

TIME COMMENCED: 6:00 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT
Meeting streamed on YouTube on 12 March 2026 at 6:00 p.m.

PRESENT:

COMMISSIONERS:

Brad Dopp
Julie Losee (excused)
Marty McFadden
Chris Roberts
Chad Skola (excused)

DEPUTY RECORDER:

Raelyn Boman

COMMUNITY DEVELOPMENT MANAGER:

Lance Evans

Minutes: Michelle Clark

ATTENDEES: John Pobanz, Paul Sturm, Michael Grant, Jeremy Davis, Thomas Love, and Skyler Gurr.

Commissioner McFadden called the meeting to order, welcomed those in attendance, and excused Commissioner Losee and Skola from tonight's meeting.

1. Pledge of Allegiance: Commissioner Roberts

2. Public Comment: Commissioner McFadden opened the floor for public comment and reminded those in attendance of the following guidelines:

- Each speaker must go to the podium to comment.
- State your name and city of residence.
- Please address your comments to the entire Planning Commission.
- Each speaker will have 3 minutes or less to speak.
- Note the Planning Commission will not be entering into a dialogue during this portion of the meeting.
- Individuals not at the podium should refrain from speaking.

Commissioner McFadden closed the floor for public comments.

ACTION ITEMS

3. Approval of Consent Agenda

- **12 February 2025 Minutes**

Commissioner Davis moved to approve the minutes of 12 February 2026 minutes. Commissioner Dopp seconded the motion. Commissioner McFadden called for the vote. Commissioners Dopp, McFadden, and Roberts voted aye. The motion carried.

Commissioner Roberts moved to open the public hearing for Pobanz rezone. Commissioner McFadden seconded the motion. Commissioner McFadden called for the vote. Commissioners Dopp, McFadden, and Roberts voted aye. The motion carried.

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

4. Public Hearing for Pobanz Rezone

Community Development Manager, Lance Evans reported this is a rezone request to change from A (Agricultural Zone) to R-L (Residential Low Moderate Density) on 1.45 acres located at approximately 1121 E. Lester Street for applicant John Pobanz. The prior use for the two parcels was agriculture and a mechanic shop. With the rezone the property is proposed to be developed into two residential lots. The South Weber General Plan Projected Land Use Map identifies the property as R-M density which allows for 1.86 to 2.8 dwelling units per gross acre. The rezone request is for R-L Zone which will allow for a maximum of 1.45 building lots per acre. The requested rezone complies with the uses and is lower than the dwelling density as outlined in the general plan.

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

Commissioner Roberts moved to close the public hearing for Pobanz rezone. Commissioner McFadden seconded the motion. Commissioner Skola called for the vote. Commissioners Dopp, McFadden, and Roberts voted aye. The motion carried.

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

5. Pobanz rezone request at approximately 1121 E. Lester Street. A zone change from A (Agricultural Zone) to R-L (Residential Moderate Density Zone) on 1.45 acres. Applicant: John Pobanz

John Pobanz of Washing Terrace City and applicant explained he will be using the existing shop on the east parcel, which will be improved esthetically over time. It will be used for storage of vintage vehicles, indoor basketball, and hobbies. He has no intention of demolishing it or turning the existing acreage into multiple lots and homes. The west parcel will be a building lot for a single home.

Commissioner Roberts moved to recommend to the City Council the approval of the Pobanz rezone request at approximately 1121 E. Lester Street. A zone change from A (Agricultural Zone) to R-L (Residential Moderate Density Zone) on 1.45 acres for applicant: John Pobanz. Commissioner McFadden seconded the motion. Commissioner McFadden called for the vote. Commissioners Dopp, McFadden, and Roberts voted aye. The motion carried.

DISCUSSION ITEMS

6. Annual Training

a. Open and Public Meetings Act

Community Development Manager Lance Evans explained the rules of parliamentary rules, (1) The meeting is governed by agenda, and the agenda constitutes the agreed-upon roadmap for the meeting., (2) Any matter that requires a decision (must be on agenda) shall be brought by motion., (3) One question at a time and one speaker at a time., (4) The chairperson may use General Consent with all motions except those where the votes are used for purposes of the

meeting minutes and require a roll call of the Planning Commission., (5) There are only three basic forms of motions allowed; initial motions, motions to amend, and substitute motions., (6) There should be no more than three motions on the floor at the same time., (7) The debate/discussion can continue as long as members wish to discuss an item, subject to the chairperson determining it is time to move on and take action by using General Consent to limit debate or by a proper motion by a commissioner to limit the debate., and (8) Three yes votes are required to pass any item, with certain items requiring more than three votes., (9) A motion to reconsider any item requires a majority vote to pass., and (10) The chairperson and members shall adhere to bylaws and code of conduct.

Types of motions:

- Main motion – Introduce a new item.
- Subsidiary Motion (motions to amend or substitute motions) – Change or affect how to handle a main motion (vote on this before main motion).
- Incidental Motion – Questions procedure of other motions (must consider before the main motion).
- Motion to Table – Kills a motion.
- Motion to Continue/Postpone– Delays a vote (can reopen debate on the main motion).

Every motion has (at least) six steps:

1. Motion–A member rises or raises a hand to signal the chairperson.
2. Second–Another member seconds the motion.
3. Restate motion–the chairperson restates the motion.
4. Debate/Discussion– the members debate/discuss the motion.
5. Vote–the chairperson restates the motion, and then first asks for affirmative votes, and then negative votes.
6. Announce the vote–The chairperson announces the result of the vote and any instructions.

Public Hearings:

- Residents of the city have a right to be heard.
- Members of the public body are not required to respond to questions or comments.
- Public hearings are opened by motion and vote.
- On land use decisions, the applicant has a right to respond to public comment with information and argument.
- Public comment may be limited to a reasonable amount of time (e.g., a few minutes per person/topic).
- Public hearings are closed by motion and vote.

Discussion took place regarding a statement being read at the beginning of a meeting concerning the rules of the Planning Commission. Deputy Recorder Raelyn will check with the City Attorney to make sure statement is acceptable.

b. Ethics

Community Development Manager Lance Evans conveyed the Municipal Officers & Employees Ethics Act establishes the minimum standards, sets up a disclosure system for conflicts of interest, and describes the crimes you can now commit as a public officer or employee. A written disclosure is required when it is a regulated business, doing business with city, personal interest, or investment, and assist/advise on city transaction. Oral disclosure takes place on any of the previously mentioned items, in an open meeting, or before discussion on a topic.

Mr. Evans then reviewed the Land Use Training Objectives which included: • Understand the legal framework for making land use decisions in the City • Identify the powers and duties of the City Council, Planning Commission, and Staff for making land use decisions • Know how to avoid illegal, arbitrary, or capricious decisions by establishing a thorough record for each and every land use decision • Consider the best framework for making, applying, and enforcing land use decisions. He explained the Land use Development Management Act (LUDMA) in which the city is a political subdivision of the State of Utah. All lands use decisions in the city must comply with LUDMA. The city may adopt its own land use standards so long as they are consistent with federal and state law. LUDMA mandates the creation of a Planning Commission, establishment of a Land Use & Appeal Authorities, and adoption of a General Plan and a process for considering land use applications. The City Council is the (Legislative Body) and the Land Use Authority is the (City Council, Planning Commission, or Staff).

The following is a helpful chart to keep in mind:

MUNICIPAL LAND USE ACTIONS			
	LEGISLATIVE	ADMINISTRATIVE	QUASI-JUDICIAL
CHARACTERISTICS	<ul style="list-style-type: none"> - Promulgation of laws of general applicability - Based on the weighing of broad, competing policy considerations - Subject to voter referendum 	<ul style="list-style-type: none"> - Applying the law to particular individuals or groups based on individual facts and circumstances - Decision is bound by the law and cannot be based on public opinion 	<ul style="list-style-type: none"> - Defers to established law and Legislative/Land Use Authority - Review limited to error, illegality, or abuse of authority
RESPONSIBLE BODY	City Council or General Electorate	City Council, Planning Commission, or Staff	Appeal Authority or Court
EXAMPLES	<ul style="list-style-type: none"> - Zoning Ordinances (including a site-specific zoning ordinance) - General Plan - Rezones - Annexation 	<ul style="list-style-type: none"> - Conditional Uses - Site Plans - Development Agreements - Subdivisions 	<ul style="list-style-type: none"> - Variance - Appeal - Judicial Review

Only a legislative body may amend the number, shape, boundaries, area, or general uses of any zoning district; any regulation of or within the zoning district; or any other provision of a land use regulation. A legislative body may not make any amendments to a zoning district unless it first submits the amendment to the planning commission for the planning commission’s recommendation.

Land Use Actions for an Appeal include: (1) The city establishes the standard of review (“de novo” or “on the record”), (2) The applicant has the burden of proving that the Land Use Authority erred., and (3) To be overturned, the decision must have been illegal, or arbitrary and capricious. **Land Use Actions for a Variance include:** (1) Any person or entity with an interest in a parcel of property may apply to the Appeal Authority for a variance., and (2) The Appeal Authority may grant a variance only if all five of the statutory criteria are met.

A party may not appeal for judicial review unless it has exhausted all administrative remedies. Petition for review may come from a land use applicant or an adversely affected party.

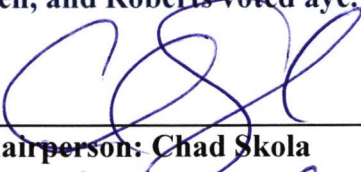
Best practices include:

- Understand the nature of the decision (administrative/legislative/quasi-judicial).
- Know your role and responsibility (legislative body/land use authority/appeal authority).
- Follow procedural requirements exactly.
- Document your decision in writing.
- State the reasons for your choices.
- For legislative decisions, consider public hearings as opportunities to learn.
- For administrative decisions, know the law and apply it exactly.
- Delegate whenever reasonable.
- If you are delegating authority, give clear directions.

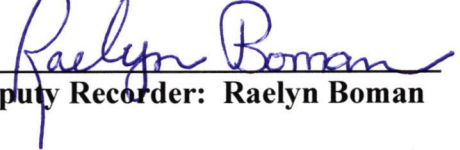
REPORTS

7. Commission (None)

8. **ADJOURN:** Commissioner Roberts moved to adjourn the Planning Commission meeting at 6:53 p.m. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Dopp, McFadden, and Roberts voted aye. The motion carried.

APPROVED:  Date 6-11-26
 Chairperson: Chad Skola


 Transcriber: Michelle Clark

Attest: 
 Deputy Recorder: Raelyn Boman