



**WEST HAVEN CITY
PLANNING COMMISSION AGENDA**

August 09, 2023
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **AUGUST 09, 2023** THE WEST HAVEN PLANNING COMMISSION WILL HOLD THE FOLLOWING PUBLIC MEETINGS: **5:00 PM: COUNCIL WORK SESSION** **6:00 PM: REGULAR PLANNING COMMISSION MEETING**. JOIN US DIGITALLY FOR THE WORK SESSION AND COUNCIL MEETING AT [HTTPS://US06WEB.ZOOM.US/J/86539464549](https://us06web.zoom.us/j/86539464549). WATCH LIVE AT [HTTPS://WWW.YOUTUBE.COM/@CITYOFWESTHAVENUTAH4030](https://www.youtube.com/@cityofwesthavenutah4030).

5:00 COMMISSION WORK SESSION – In City Council Chambers

NO ACTION CAN OR WILL BE TAKEN ON ANY PLANNING COMMISSION MEETING AGENDA ITEMS DISCUSSED DURING PLANNING COMMISSION WORK SESSION - DISCUSSION OF SUCH ITEMS IS FOR CLARIFICATION OF AGENDA ITEMS.

MEETING TO ORDER: CHAIRMAN DEEM

REPORTS AND DISCUSSION AS FOLLOWS:

1. PRESENTATION AND DISCUSSION OF REVISED/CORRECTED WEST HAVEN ZONING MAP (Note: No zoning changes are being proposed with this map. Revisions are to bring the map into compliance with ordinances the City has passed.)
2. STAFF REPORT ON UPCOMING PROJECTS.

6:00 PM REGULAR PLANNING COMMISSION MEETING

1. **CALL TO ORDER CHAIRMAN DEEM**
2. **OPENING CEREMONIES**
 - a. PLEDGE OF ALLEGIANCE - COMMISSION MEMBER ROUNDY
 - b. PRAYER/MOMENT OF SILENCE – VICE CHAIRMAN REYNA
3. **ACTION ON MINUTES**
 - a. APPROVE MINUTES FOR THE MEETING OF JULY 26, 2023.
4. **REPORT**
 - a. ACTIONS TAKEN BY CITY COUNCIL ON PLANNING COMMISSION RECOMMENDATIONS
5. **DISCUSSION AND ACTION ON FINAL SITE PLAN**
 - a. A FINAL SITE PLAN FOR EME MECHANICAL, A MECHANICAL CONTRACTOR LOCATED AT 4608 S 3500 W (APPLICANT: GARY HUNT, BOB PETTIPAW).
6. **DISCUSSION AND ACTION PRELIMINARY SITE PLAN**
 - a. A PRELIMINARY SITE PLAN FOR SOUTHERN TIRE MART AT PILOT, LOCATED AT 1172 W 21ST STREET (APPLICANT: JUSTIN SIDWELL, KIMLEY-HORN).
7. **DISCUSSION OF UPDATES TO THE WEST HAVEN CITY SUBDIVISION ORDINANCE.**
8. **DISCUSSION TO RECEIVE COMMENT FROM AFFECTED ENTITIES REGARDING THE WEST HAVEN CITY ANNEXATION POLICY PLAN.**

9. ADJOURNMENT

Robyn VanCampen

Robyn VanCampen, Deputy Recorder

In compliance with the Americans with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 731-4519 or by email: emilyg@westhavencity.com at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed city recorder, does hereby certify that the above notice and agenda has been posted in the West Haven City Recorder's office; at the West Haven City Complex on the Notice Board and at westhavencity.com; emailed to the Standard-Examiner with a request that it be posted in their Wednesday night meeting section, mailed and emailed to the West Haven City Mayor and each West Haven City Council Member who has email capacity and to the city attorney.



Planning Commission Meeting Minutes
July 26, 2023 6:00 PM

City Council Chambers
4150 South 3900 West, West Haven, UT 84401

6:00 PM REGULAR PLANNING COMMISSION MEETING

1. CALL TO ORDER CHAIRMAN DEEM

2. OPENING CEREMONIES

- a. PLEDGE OF ALLEGIANCE- COMMISSION MEMBER WILSON
- b. PRAYER/MOMENT OF SILENCE COMMISSION MEMBER NECE

3. ACTION ON MINUTES

- a. APPROVE MINUTES FOR THE MEETING OF JULY 26, 2023.

**Commission member Wilson advised that she did not attend the last Commission meeting and on items # 9a & 10a it reflects that she had voted.*

Commission member Roundy made a motion approve. **Commission member Reed** seconded the motion.

Becky Roundy made a motion to approve. **Jeff Reed** seconded the motion.

AYES: Chairman Deem, Vice Chairman Reyna; Commission member Roundy, Commission member Stimpson, Commission member Wilson, Commission member Nece, Commission member Reed

NAYS:

ABSENT:

4. REPORT

- a. ACTIONS TAKEN BY CITY COUNCIL ON PLANNING COMMISSION RECOMMENDATIONS

**Alika gave an update on the City Council meeting 07/19/2023. The 2 Commercial Subdivisions off 4000 S received Final Approval.*

**Shari also updated the Planning Commission that at the City Council meeting they appointed Emily Green 1st Interim City Manager and Amy Hugie as 2nd Interim City Manager. That the City Manager vacancy has been advertised.*

5. DISCUSSION

- a. DISCUSSION ON SUBDIVISION ORDINANCE

Chairman Deem stated that due to Legislature has changed which is requiring the city to make changes to the Subdivision Ordinance. The Planning Commission went through the Ordinance Chapter 156: Subdivision Regulations (Section 156.001 Purpose-Intent-Scope-Validity thru 156.005) and discussed possible changes and/or corrections that needed to be made.

6. ADJOURNMENT

Jeff Reed made a motion to approve. **Becky Roundy** seconded the motion.

AYES: Chairman Deem, Vice Chairman Reyna, Commission member Roundy, Commission member Stimpson, Commission member Wilson, Commission member Nece, Commission member Reed

NAYS:

ABSENT:

Robyn Van Campen

Deputy City Recorder

Date Approve: [enter meeting date]

DRAFT

Planning Commission Staff Review Memo

August 9, 2023
Alika Murphy, City Planner I



FINAL SITE PLAN APPROVAL

Request:	Grant final site plan approval for an office building/warehouse
Property Address:	4608 S 3500 W, Parcel# 08-458-0002
Property Zone:	Commercial C-2
Property Size:	0.91 acres
Applicant:	Bob Pettipaw (Agent: Gary Hunt, Architect)
Governing Document(s):	WHZC 157.290-294; 157.630-640; 157.730-737
Decision Type:	Administrative
Staff Recommendation:	See comments under "Staff Review"

Background

EME Mechanical received preliminary approval for their site plan at 4607 South 3500 West from Planning Commission on June 14, 2023.

Staff Review

All of the site plan complies with the requirements set in the city's design review ordinance, commercial ordinance, parking ordinance and sign ordinance. The applicants have addressed all comments from engineering.

The applicants have complied with the required conditions set at the preliminary site plan approval. The applicants have been successful in providing staff with the necessary will-serve letter and the required table of materials.

Staff Recommendation

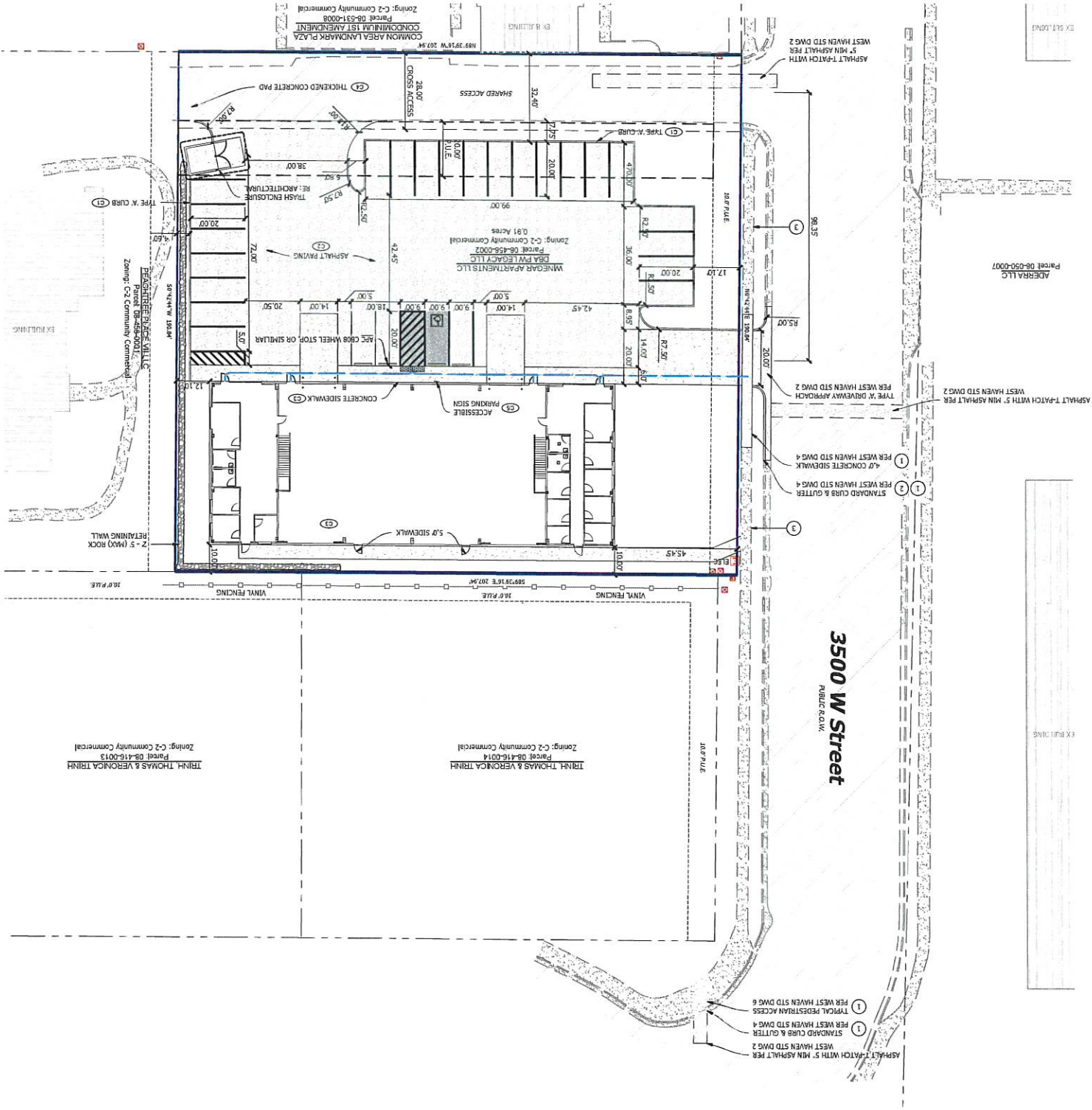
Based on the above compliance with all relevant City codes, **it is Staff's position that the Commission should grant final site plan approval, given that all previous conditions have been met.**

Applicant is aware that even with final approval of the site plan, no construction may begin prior to having a fully approved set of site construction documents.



Trinh, Thomas & Veronica, LLC
4608 South 3500 West Street
West Haven, UT 84075
PH: 801.664.4724

Call before you dig.
Know what's below.



General Notes	
1. ALL IMPROVEMENTS SHALL BE TAKEN OUT WITH THE CITY PRIOR TO ANY WORK IN EXISTING PUBLIC RIGHT-OF-WAY.	
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Street Cut Requirements	
1. ALL STREET CUTS SHALL BE TAKEN OUT WITH THE CITY PRIOR TO ANY WORK IN EXISTING PUBLIC RIGHT-OF-WAY.	
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Key Notes	
1. ALL SIDEWALKS / CURBS AND GUTTERS SHALL BE REPLACED TO THE NEAREST JOINT.	
2. PROPOSED CURB AND GUTTER TO ALIGN WITH EXISTING CURB AND GUTTER.	
3. EXISTING CURB AND GUTTER ARE TO REMAIN. ANY PROPOSED SIDEWALK, CURB, AND GUTTER MUST BE REPLACED PER PLANNED DRIVE STAKING. MATCHS EXISTING.	
Pavement Quantities	
ASPHALT: 14,000 SF	
CONCRETE: 3,000 SF	
Legend	
ASPHALT: 14,000 SF	
CONCRETE: 3,000 SF	
Site Data	
LOCATION: WEST AVENUE, WEBER COUNTY	
LAND USE: WAREHOUSE / OFFICE	
PROPERTY SIZE: 39,432 SF / 0.91 AC	
LAND SURFACE AREA: 21,177 SF (53.7%)	
LANDSCAPE AREA: 6,501 SF (16.4%)	
CONCRETE: 1,100 SF	
LANDSCAPE: 1,100 SF	
WAREHOUSE: 1,100 SF	
OFFICE: 1,100 SF	
24 STALLS REQUIRED	
24 STALLS PROVIDED	
Notice To Contractors	
THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS AND HAS REVIEWED ANY AVAILABLE RECORD DRAWINGS. THE ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS AND HAS REVIEWED ANY AVAILABLE RECORD DRAWINGS. THE ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.	

VERIFY SCALES	
PLAN: 1" = 20'	
SECTION: 1" = 4'	
3D: 1" = 4'	
PROJECT INFO	
Engineer: J. Hunt	
Checked: T. Pridemore	
Date: 01/02/2022	
Proj. No.: -	
Proposed Site Plan	
SHEET NO. C200	

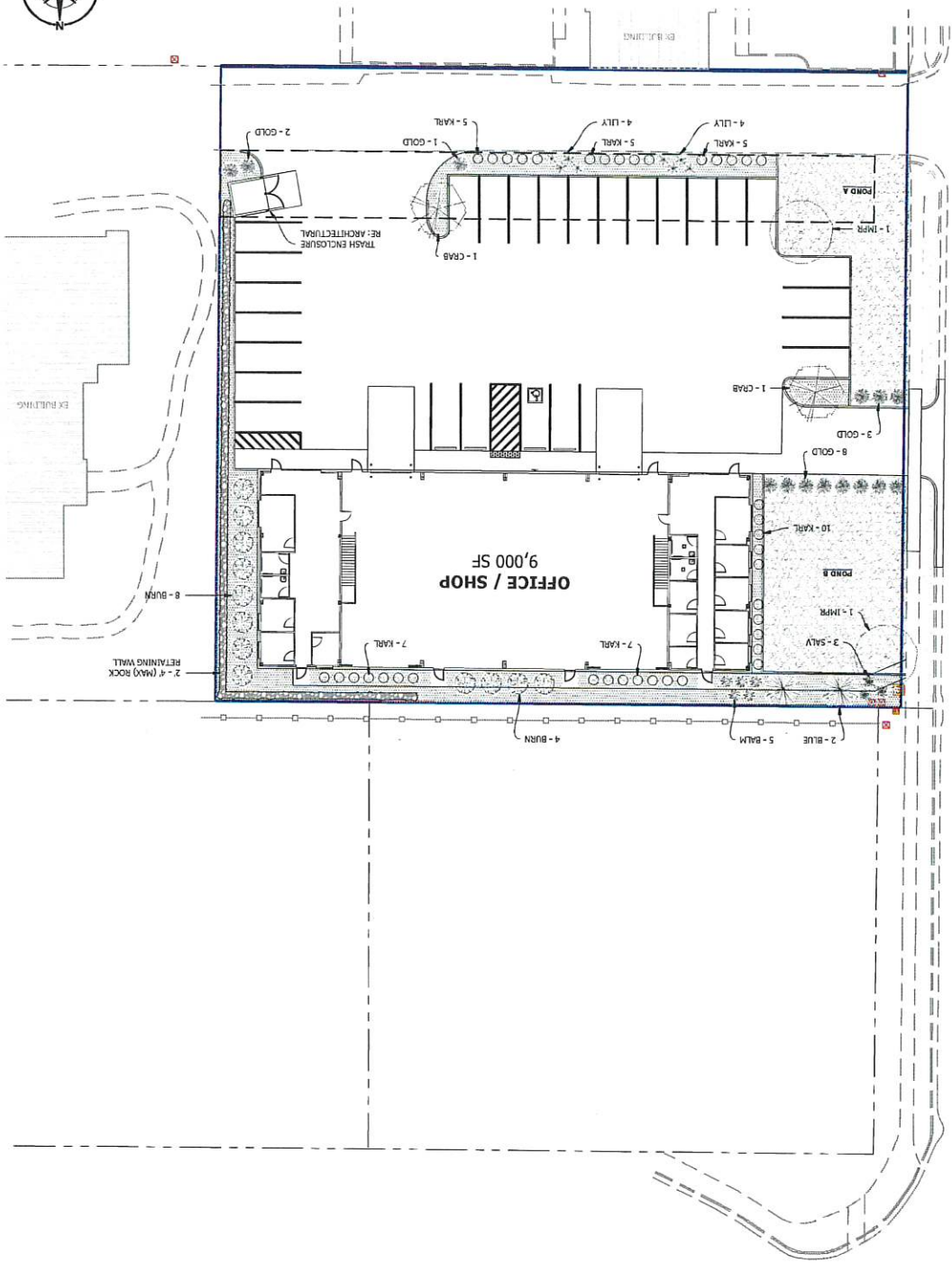
PROJECT TITLE

EME MECHANICAL

4608 SOUTH 3500 WEST STREET
WEST HAVEN, WEBER COUNTY, UT

345 Andropogon Drive, Ste 200
Syracuse, UT 84075
PH: 801.664.4724

HUNT • DAY



Planting Schedule				Deciduous Trees				Evergreen Trees				Shrubs				Ornamental Grasses				Perennials				Material Schedule			
QTY	ABBRV.	BOTANIC NAME	COMMON NAME	QTY	ABBRV.	BOTANIC NAME	COMMON NAME	QTY	ABBRV.	BOTANIC NAME	COMMON NAME	QTY	ABBRV.	BOTANIC NAME	COMMON NAME	QTY	ABBRV.	BOTANIC NAME	COMMON NAME	QTY	ABBRV.	BOTANIC NAME	COMMON NAME	QTY	ABBRV.	BOTANIC NAME	COMMON NAME
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Project Title

Scale

Project No.

Date

Checked:

Drawing:

Project Name:

Project Location:

Project Description:

Project Title

Scale

Project No.

Date

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Drawing:

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Project Title

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Project No.

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Project Name:

Project Location:

Project Description:

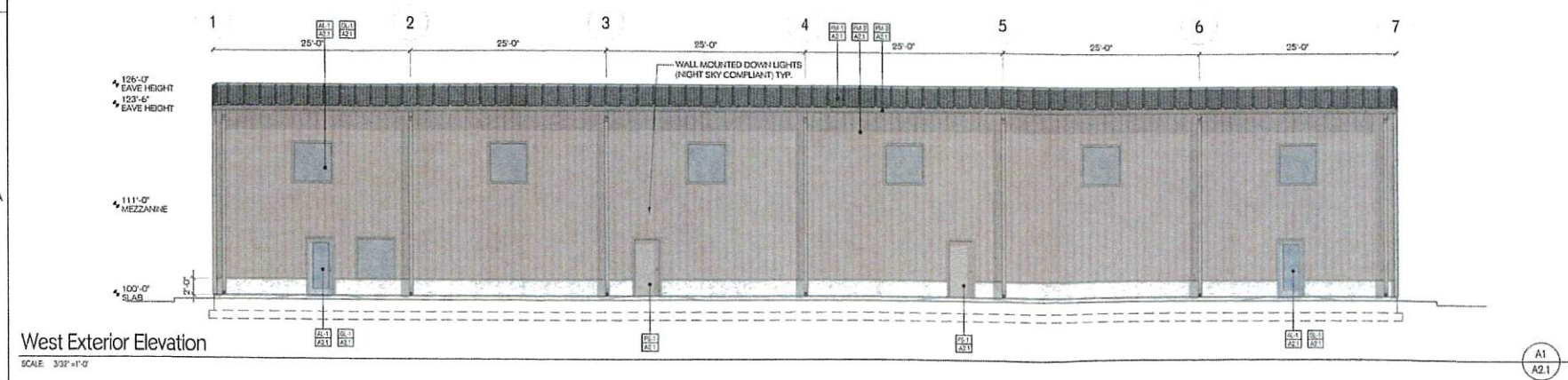
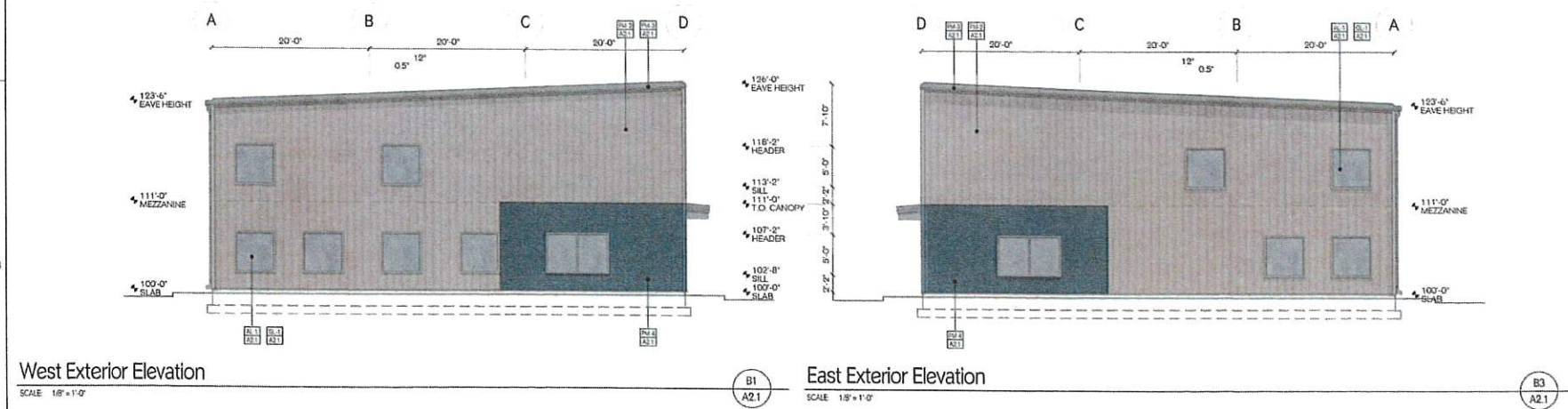
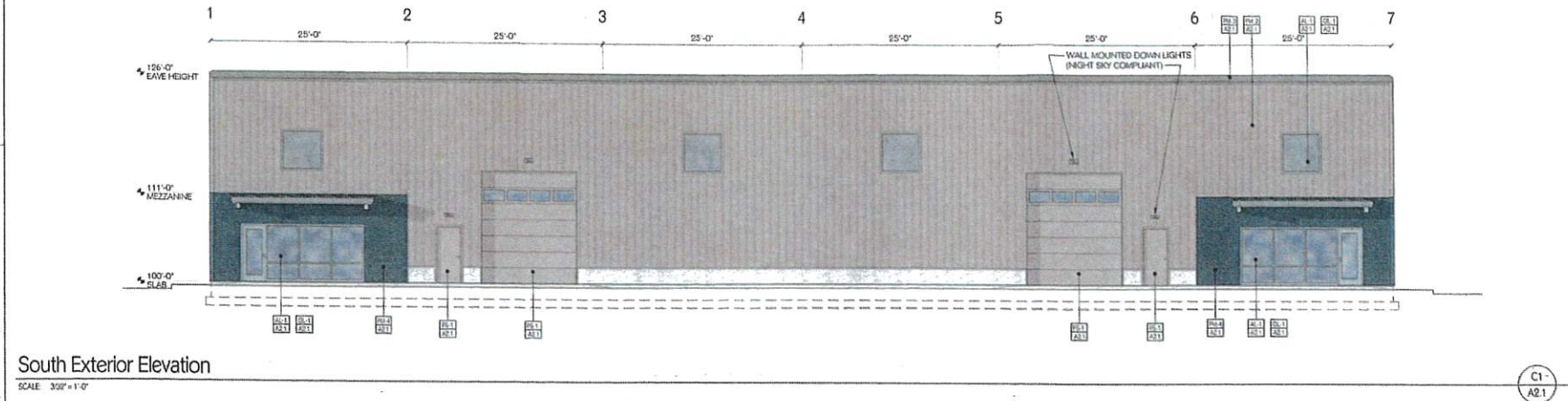
PROJECT TITLE

EME
MECHANICAL

4608 SOUTH 3500 WEST STREET
WEST HAVEN, WEBER COUNTY, UT



EXTERIOR FINISH SCHEDULE													
SYM	DESCRIPTION	MANUFACTURER	PRODUCT NUMBER	DIMENSION W x L x T OR H	COLOR	NOTES	SYM	DESCRIPTION	MANUFACTURER	PRODUCT NUMBER	DIMENSION W x L x T OR H	COLOR	NOTES
AL-1 AL-1	ALUMINUM STOREFRONT	KAWNEER			CLEAR #ANODIZED		PM-1 PM-1	PRE-FINISHED METAL CORING TRIM GUTTERS/ DOWNSPOUTS	MBCI	7.2		PER MANUFACTURES ERECTION DRAWINGS	AZTEK BLUE
GL-1 GL-1	WINDOW GLAZING	PPG		1" INSULATED DOUBLE PANE	by ARCHITECT	RE SHEET A6.2 FOR WINDOW TYPES	PM-2 PM-2	CANOPY FASCIA	BREAK METAL			PER MANUFACTURES ERECTION DRAWINGS	SILVER
RM-1 RM-1	PRE-FINISHED METAL ROOFING	NUCOR	CFR	PER MANUFACTURES ERECTION DRAWINGS	GALVALUME								
SM-1 SM-1	PRE-FINISHED METAL SIDING	NUCOR	CLASSIC 26 GA	PER MANUFACTURES ERECTION DRAWINGS	FOX GRAY (FGR)	SELECTED FROM MBM STANDARD PVDF FINISHES							
PM-3 PM-3	PRE-FINISHED METAL CORING TRIM GUTTERS/ DOWNSPOUTS	NUCOR		PER MANUFACTURES ERECTION DRAWINGS			PM-3 PM-3	PAINTED				GRAY	MATCH MBS FOX GRAY



No.	Revision/Issue	Date



EME Mechanical
4608 South 3500 West Street
West Haven, Weber County, UT

Gary Hunt, Architect PC
Architect/Engineer / Planning
4608 South 3500 West Street
West Haven, UT 84403
Phone: (801) 785-5055
Mobile: (801) 725-1922
Fax: (801) 785-5081
e-mail: gary@architect.com



Exterior Elevation	
Project No.	16 Jan 23
#2022-22	Scale: 3/32" = 1'-0"
A2.1	



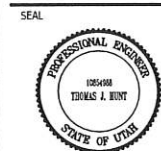
PROJECT TITLE

EME

MECHANICAL

4608 SOUTH 3500 WEST STREET
WEST HAVEN, WEBER COUNTY, UT

REV	DATE	DESCRIPTION	BY
0	03-07-2023	INITIAL SUBMITTAL	TP
1	05-15-2023	UPDATED PER CLIENT COMMENTS	TH
2	06-08-2023	ADDED LANDSCAPE PLAN	TP



VERIFY SCALES

0 1"

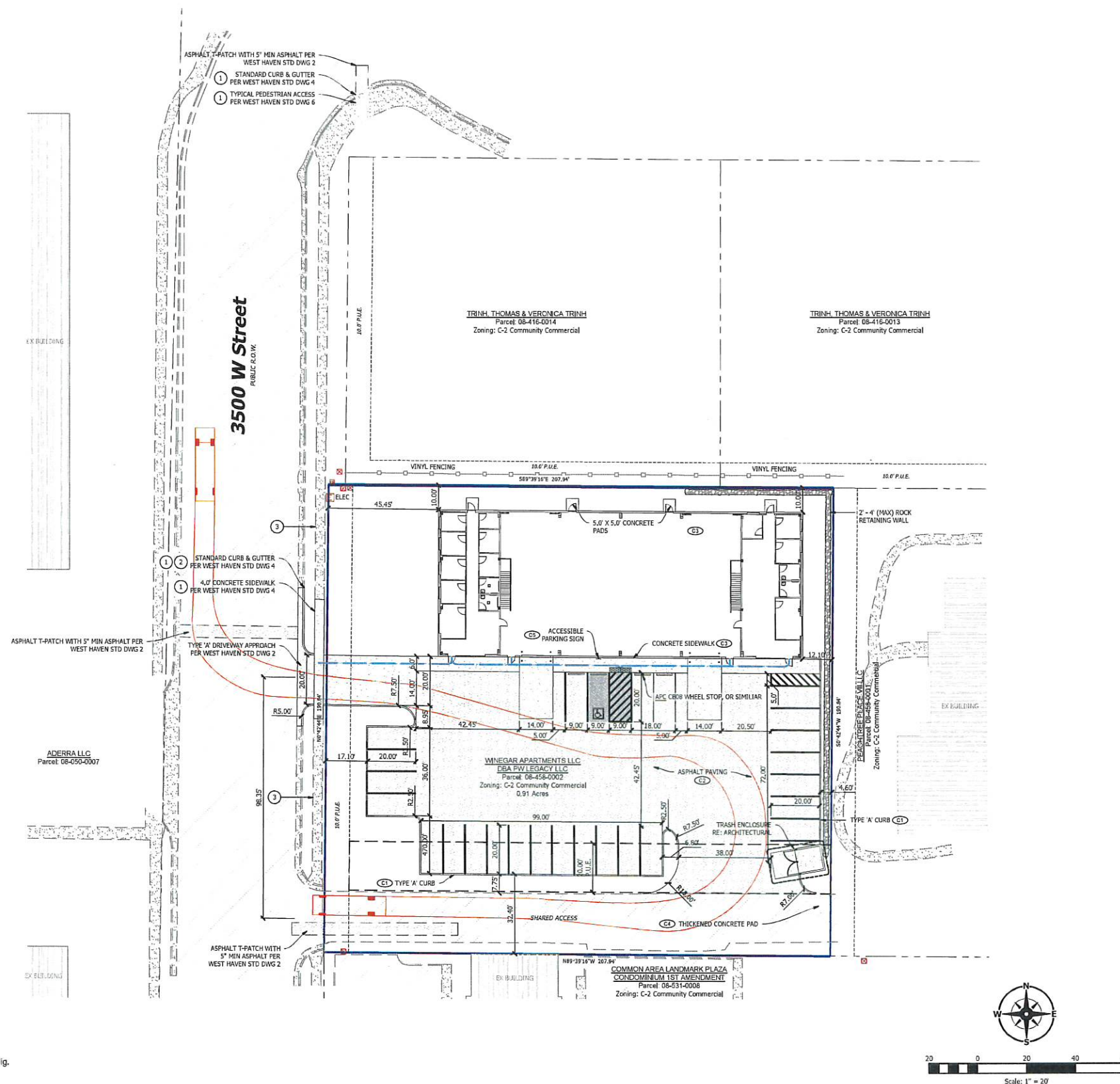
PROJECT INFO.

Engineer:	T. Hunt
Drawn:	T. Pridemore
Checked:	-
Date:	01/ 02 / 2022
Proj. No.	-
SHEET TITLE	

Proposed Site Plan

SHEET NO.

C200



Know what's **below**.
Call before you dig.

DOI: 10.1002/eqe.4000

Planning Commission Staff Review Memo

July 9, 2022
Alika Murphy, City Planner I



PRELIMINARY SITE PLAN APPROVAL

Request: Grant preliminary site plan approval
Property Address: 1172 W 21st Street (Parcel# 155960001)
Property Zone: Mixed-Use
Property Size: 9.62 acres (10,625 square foot building)
Applicant: Travel Center Realty, LLC (Agent: Perry Phillips)

Governing Document(s): WHZC 157.290-294; 157.630-640; 157.730-737
Decision Type: Administrative
Staff Recommendation: See comments under "Staff Review"

Background

We have received an application for a proposed light truck maintenance facility that will provide oil change, tire repair, and fluids for tractor trailers. It will be located on Parcel # 155960001 as part of the existing Flying J. Automobile maintenance service is permitted under C-2 which is allowed in mixed-use.

Staff Review

Staff's review of the proposed site plan as it pertains to the requirements of the West Haven Zoning Code are as follows:

§157.291 Site Development Standards

	C-2 Requirement	Site Plan Proposal	Compliant?
Building height			
Maximum	35 ft. when adjacent to residential	20'	Y
Minimum	1 story	1 story	Y
Max lot coverage	60% by buildings (main & accessory)	The proposed building is 10,625 square feet. I don't have the exact square footage of the	Y

		other structures but visually we can see that they do not occupy more than 60%	
Minimum lot area	None	9.62 acres	Y
Min lot width	None	Approx. 345'	Y
Min yard setbacks			
Front	15 ft.	Building is more than 15' from the front property line	Y
Rear	10 ft. where building rears on a residential zone	Building is more than 10' from the rear property line	Y
Side	10 ft. when adjacent to residential	Building is more than 10' from the side property line	Y
Side, adj. to street	15 ft.	NA	

§157.630 Parking Regulations

The closest commercial use in our new parking ordinance is "Auto Repair Shop" which requires 1 space per service bay, plus 1 space per 250 square feet GFA.

The proposed building is expected to remove 22 of the existing 151 tractor trailer spaces leaving 129 spaces to be used for parking. According to the requirements there would need to be about 46.5 spaces in total.

§157.730 Design Review

The requirements of this chapter and the project proposal/compliance are below. Please note that only those sections which are applicable are included. There may be portions of 157.733 which do not apply to this site plan, owing to the location of buildings, no applicable development agreement or location of landscaping, among other factors.

§ 157.733 Standards Of Review

(A) Traffic safety and circulation.

(1) Does the site plan comply with the West Haven City Engineering Design Standards and Specifications related to traffic ingress, egress and internal circulation? ***At the preliminary level, the site plan complies. There is already access onto 1100 West.***

(B) Parking. Does the site plan comply with city ordinances regarding design, location and number of parking stalls required? ***See previous comments regarding parking.***

There are no proposed parking spaces, the existing trailer parking spaces will be used.

(C) Signage. Does the proposed signage meet the requirements of the city sign ordinance? *More than one wall sign may be erected on a single building; provided, that no more than seven signs are erected and the total of all such signs does not exceed the square footage listed above.*

(1) *When multiple wall signs are erected on a single building, the design, size, lighting, and other elements of the signs shall blend together to create a cohesive theme.*

(2) *Wall signs shall be limited to a single wall of the freestanding building. Any side with exposure may be used.*

(3) *No wall sign shall project more than 18 inches beyond the wall to which it is attached.*

(4) *Multi-tenant buildings may use a single wall sign to identify all business located within the building.*

Wall	Y	Top of building wall	15% of wall surface (max 60 sq. ft.)
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According to our ordinance no more than seven signs are erected, the applicant is proposing five wall signs.

All wall signs must be limited to a single wall of the building and must be capped at 60 sq.ft. max in size. The applicant will need to update the sign placement and size accordingly. They will need to get a building permit when they are ready to proceed with putting up the signs.

(D) Landscaping.

(1) The following landscaping shall be provided in each project subject to the provisions of this subchapter:

(a) Front yard. Landscaping shall be required along the entire frontage of the lot, except for the frontage required for ingress/egress. Said landscaping shall be a minimum of 15 feet deep, calculated from the property line. ***Because the building faces 1100 West, that is considered the front yard. The current front landscaping satisfies this requirement.***

(b) Side/rear yards. There shall be a minimum of five feet of landscaping between parking areas and side or rear property lines (except between commercial uses where said landscaping is not visible from areas of public access) and a minimum of five feet of landscaping between an access driveway and a side or rear property line unless said driveway is to be used for common access by an adjacent lot. ***This requirement is fulfilled.***

(4) Landscape plans shall include a minimum of three items from the following list:

- (a) Trees;
- (b) Decorative rock and boulders (gravel and pea gravel are not permitted);
- (c) Shrubs;
- (d) Groundcover; and
- (e) Grass (artificial or other).

All existing landscape fulfills the landscape requirements.

(E) Building/site layout.

(1) All buildings shall be designed with breaks in the facade. This may be accomplished through a change in building materials, actual breaks in the facade, a mix of roofline projections. ***The building is compliant with these requirements. There are breaks in the façade which area accomplished by change in materials.***

(F) Engineering standards. Does the site plan comply with the West Haven City Engineering Design Standards and Specifications related to utility easements, drainage and other engineering requirements? ***On a preliminary level, staff is satisfied with the proposed infrastructure for these facilities. Prior to final approval and the release of building permits, the applicant will be required to receive staff's formal approval (done through signature/stamp on plans) of the engineering design.***

§ 157.734 DESIGN REQUIREMENTS.

Design approval may include such other conditions consistent with the considerations of this subchapter as the Commission or Planning Director deem reasonable and necessary under the circumstances to carry out the intent of this subchapter.

(A) Building materials. New buildings shall be designed and constructed to meet the following criteria.

(1) Building exteriors shall be designed and constructed with primary and secondary building materials from the list of building materials in division (C) below.

(2) The front elevation, as well as any other elevation which faces the street shall be constructed of a minimum of 60% primary materials, with a maximum of 40% secondary materials.

(3) Windows and doors shall be excluded from the calculation of exterior building material requirements. Non-functioning, decorative only windows may be included in the calculation of building materials.

(4) A maximum of six colors for the primary materials may be permitted.

(5) Secondary materials shall be of a complementary hue and shade to primary building materials. A maximum of four accent colors may be allowed for secondary materials.

(6) A minimum of 15% of the front elevation, as well as any side or rear elevation which faces the street or major corridor, shall consist of upgraded architectural features as defined in division (C) below. See division (B) below for those streets which constitute major corridors.

(7) Non-primary elevations which do not face the street or major corridor shall consist of at least 5% upgraded architectural features as defined in division (C) below. See division (B) below for those streets which constitute major corridors.

The front elevation will have old town gray, charcoal gray and brite red metal wall panels which all count as a primary material. The windows on the overhead bay doors and the aluminum storefront count as secondary material and take up 41% of the total surface area.

Architectural features include an entrance awning and overhead doors for their bays for the front elevation. The shutter fan openings count as an architectural feature for the rest of the elevations.

Potential Detrimental Impacts

As is common with commercial projects adjacent to a residential use, the concerns that have not already been addressed in this staff report are noise and lighting.

Noise: We have nuisance ordinances in place which govern noise, so any issues which may arise regarding noise complaints will be handled through the City's code enforcement department. Those noise standards may be found in WHC §90.22. That section of code sets noise standards based on the time of day, proximity to residential areas, and use of the land.

Lighting: Similar to noise, the City has ordinances in place governing lighting and light pollution. That can be found in WHZC 157.775-785. It sets in place standards for commercial lighting, including a required reduction in output, requirements that light be shielded/directed downwards so as not to trespass on adjoining properties. Developer has provided the City with graphics of their proposed lighting fixtures, all of which seem to satisfy these requirements. The code has a mechanism in place for enforcement under the nuisance ordinance.

Staff Recommendation

Based on the above compliance with all relevant City codes, **it is Staff's position that the Commission should grant preliminary site plan approval, subject to the following conditions:**

- **Prior to final approval, the applicant shall provide the City with the following:**
 - o **Any required will-serve letter**
 - o **Updated sign plans**
 - o **Updated elevations**

Even with final approval of the site plan, no construction may begin prior to having a fully approved set of site construction documents.

SITE PLAN
AND DESIGN REVIEW



Address of Site 1172 W 21st Street, Ogden, UT 84401

Parcel # 155960001

Applicant Name Travel Center Realty, LLC

Agent Name Perry Phillips

Application is hereby made to West Haven City requesting the following permitted use(s),
light, preventative maintenance facility for tractor trailers and

Site plan design for 10,625 building be approved on 9.62 AC of
(Square Feet) (acreage)

Property in the Mixed Use ZC zone in accordance with the attached site plan. (see attached form for site plan requirements.)

Signed: [Signature] Auth Rep Date: 7/27/23
(Owner/Petitioner)

I authorize Kimley Horn and Associates (contact: Justin Sidwell) to act as my representative in all matters relating to this application.

[Signature] Auth Rep
(Owner)

[Signature]
(Agent as Authorized by Owner)

State of ~~Utah~~ Mississippi

County of Covington

On this 27th day of July, in the year 2023, before me, Shaylie B. Dye

a notary public, personally appeared Perry Phillips, proved on the basis of satisfactory
name of document signer

evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and
acknowledged (he/she/they) executed the same.

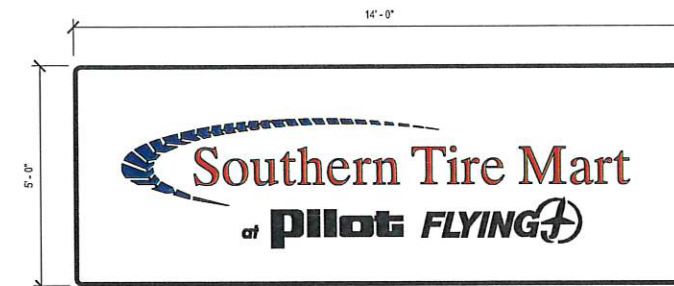
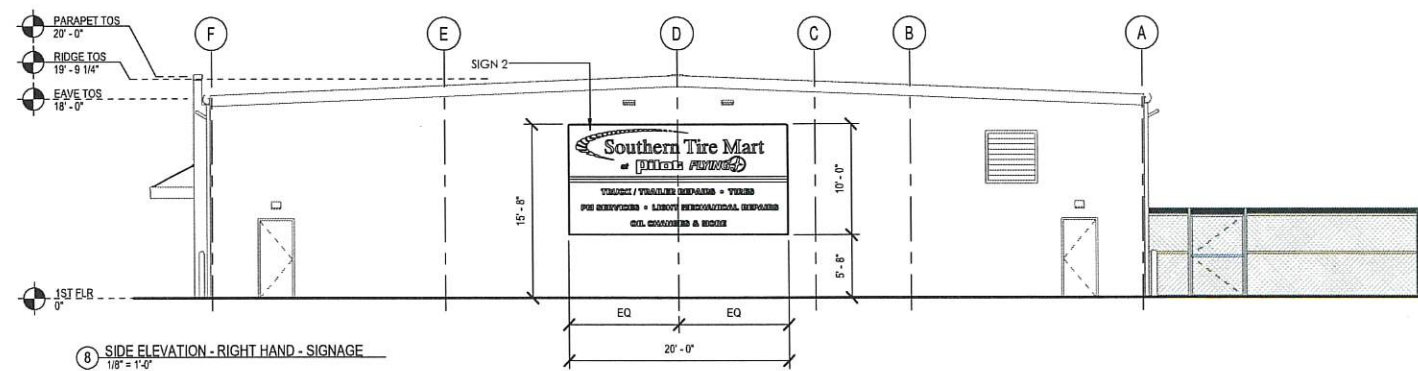
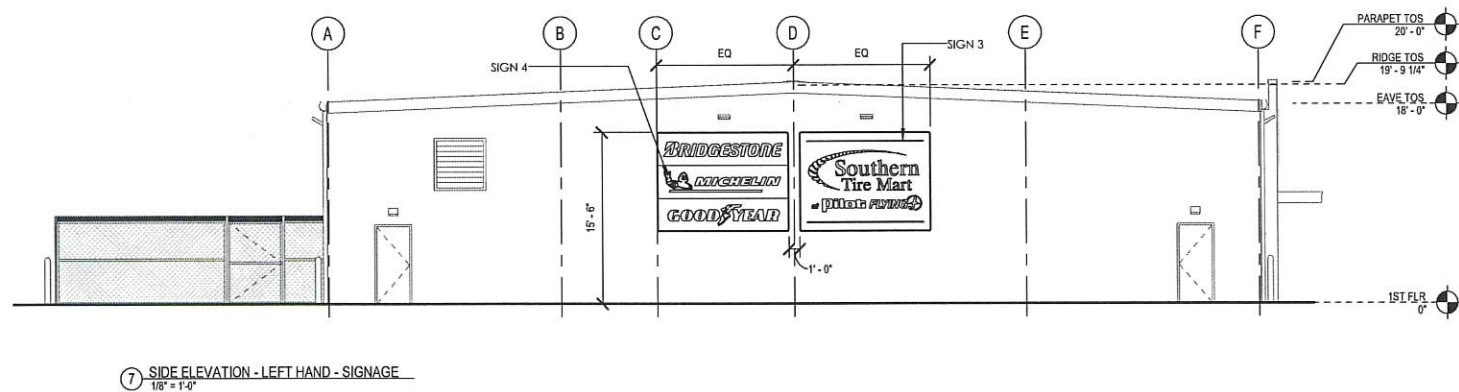
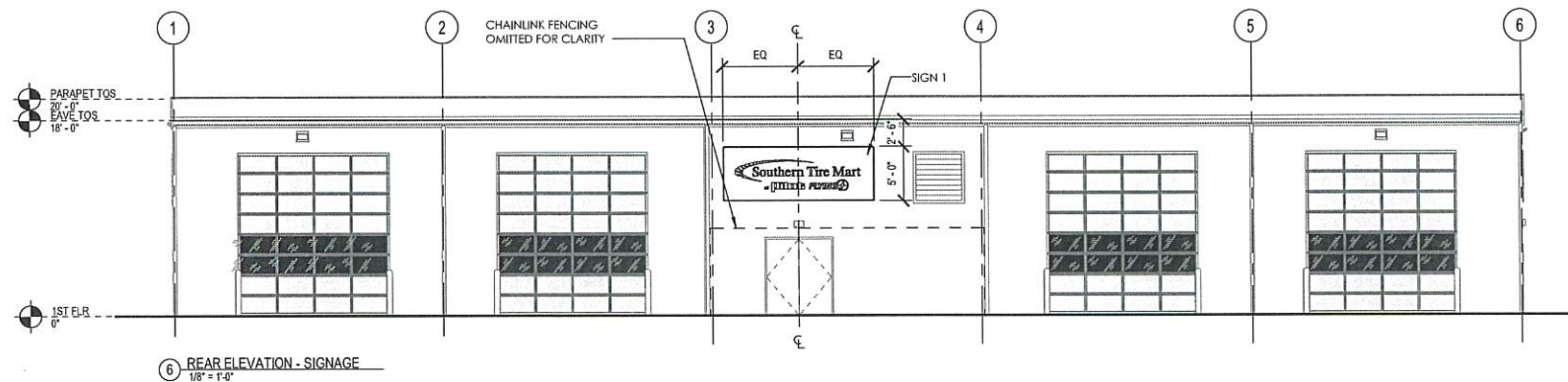
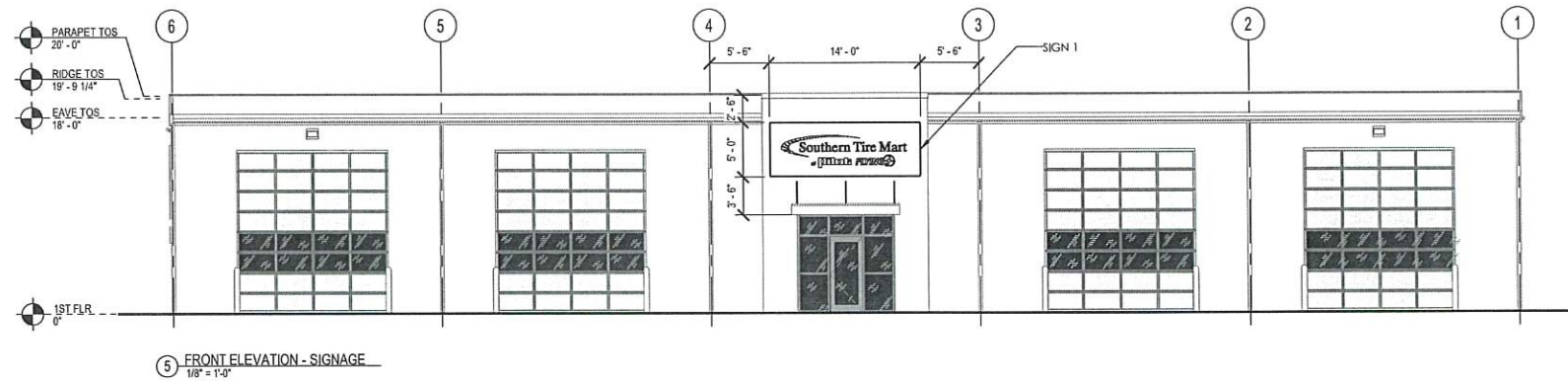
Witness my hand and official seal.

Shaylie B Dye



N/A	Received	N/A	Received	Letters of acknowledgment/approval/conditions from
				<u>PRELIMINARY</u>
				<u>FINAL</u>
				Affidavit of Understanding and Acceptance of Fees
				Culinary Water provider (Will Serve)
				Weber Fire District
				Weber-Morgan Health Department (If applicable)
				UDOT Application Letter (If applicable)

ALL APPLICABLE ITEMS MUST BE RECEIVED BEFORE BEING ADDED TO THE AGENDA



INTERNALLY ILLUMINATED LED CABINET W/ FLEXFACE IN A HINGED RETAINER SIGN

1 SIGNAGE - SIGN 1
1/2" = 1'-0"



1" DEPTH ALUM. PAN FACE SIGN

2 SIGNAGE - SIGN 2
1/2" = 1'-0"



1" DEPTH ALUM. PAN FACE SIGN

3 SIGNAGE - SIGN 3
1/2" = 1'-0"

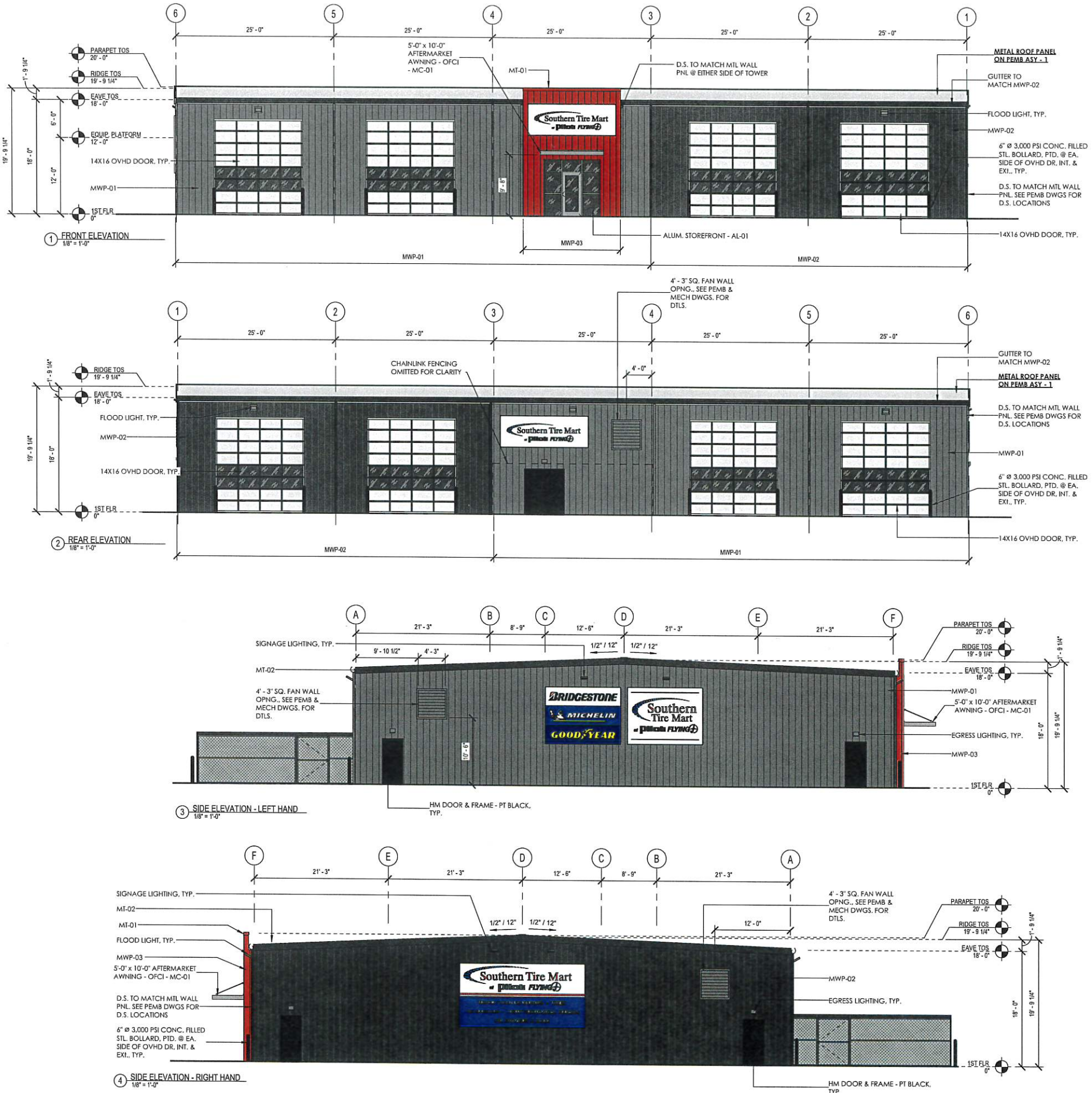


1" DEPTH ALUM. PAN FACE SIGN

4 SIGNAGE - SIGN 4
1/2" = 1'-0"

EXTERIOR FINISHES TABLE			
FRONT ELEVATION			
TOTAL SURFACE AREA:		2,297 SF	
AREA OF WALL:		1,376 SF 59% OF TOTAL SURFACE AREA	
MWP-01	617 SF	45% OF WALL AREA	
MWP-02	529 SF	38% OF WALL AREA	
MWP-03	230 SF	17% OF WALL AREA	
AREA OF OPNGS:		921 SF	
PERCENT OPNGS:		41% OF TOTAL SURFACE AREA	
OVHD DR. (WHITE FACTORY FINISH)	668 SF	29% OF TOTAL SURFACE AREA	
OVHD DR. GLAZING (CLEAR)	172 SF	7.5% OF TOTAL SURFACE AREA	
STOREFRONT MULLIONS (AL-01)	19 SF	0.5% OF TOTAL SURFACE AREA	
STOREFRONT GLAZING (GRAY TINT)	62 SF	4% OF TOTAL SURFACE AREA	
SIGNAGE AREA:	70 SF	3% OF TOTAL SURFACE AREA	
REAR ELEVATION			
TOTAL SURFACE AREA:		2,256 SF	
AREA OF WALL:		1,374 SF 61% OF TOTAL SURFACE AREA	
MWP-01	845 SF	62% OF WALL AREA	
MWP-02	529 SF	38% OF WALL AREA	
MWP-03	0		
AREA OF OPNGS:		885 SF	
PERCENT OPNGS:		39%	
OVHD DR. (WHITE FACTORY FINISH)	668 SF	29% OF TOTAL SURFACE AREA	
OVHD DR. GLAZING (CLEAR)	172 SF	7.5% OF TOTAL SURFACE AREA	
HOLLOW METAL DR & FRAME (BLACK)	45 SF	2.5% OF TOTAL SURFACE AREA	
SIGNAGE AREA:	70 SF	3% OF TOTAL SURFACE AREA	
SIDE ELEVATION - LEFT HAND			
TOTAL SURFACE AREA:		1,648 SF	
AREA OF WALL:		1,603 SF 97.5% OF TOTAL SURFACE AREA	
MWP-01	1,577 SF	98% OF WALL AREA	
MWP-02	0		
MWP-03	26 SF	2% OF WALL AREA	
AREA OF OPNGS:		45 SF	
PERCENT OPNGS:		2.5% OF TOTAL SURFACE AREA	
HOLLOW METAL DR & FRAME (BLACK)	45 SF	2.5% OF TOTAL SURFACE AREA	
SIGNAGE AREA:	216 SF	13% OF TOTAL SURFACE AREA	
SIDE ELEVATION - RIGHT HAND			
TOTAL SURFACE AREA:		1,648 SF	
AREA OF WALL:		1,603 SF 97.5% OF TOTAL SURFACE AREA	
MWP-01	0		
MWP-02	1,577 SF	98% OF WALL AREA	
MWP-03	26 SF	2% OF WALL AREA	
AREA OF OPNGS:		45 SF	
PERCENT OPNGS:		2.5% OF TOTAL SURFACE AREA	
HOLLOW METAL DR & FRAME (BLACK)	45 SF	2.5% OF TOTAL SURFACE AREA	
SIGNAGE AREA:	200 SF	12% OF TOTAL SURFACE AREA	

MATERIALS LEGEND		
MARK	DESCRIPTION	COLOR
AL-01	ALUM. STOREFRONT	CLEAR ANODIZED
MC-01	MTL. CANOPY - AFTERMARKET	CLEAR ANODIZED
MRP-01	MTL. ROOF PANEL - STANDING SEAM	POLAR WHITE
MT-01	MTL. COPING TRIM - 6" TALL	BRITE RED
MT-02	MTL. ROOF FASCIA	MATCH MWP-02
MWP-01	MTL. WALL PANEL - PBR PROFILE	OLD TOWN GRAY
MWP-02	MTL. WALL PANEL - PBR PROFILE	CHARCOAL GRAY
MWP-03	MTL. WALL PANEL - PBR PROFILE	BRITE RED
NOTES:		
1. ALL METAL PANELS TO HAVE PVDF LOW GLOSS FINISH, TYP.		



DESIGNER:
TW
Construction

OWNER:
Southern Tire Mart
at PILOT FLYING J

4025 Highway 35, Columbia, MS 39429

OGDEN, UT

NEW CONSTRUCTION FOR:
SOUTHERN TIRE MART
at PILOT FLYING J

SHEET TITLE:
EXTERIOR ELEVATIONS

PROJECT NO: STMP0744

DATE:

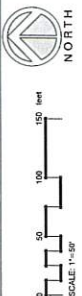
SCALE:

DRAWN BY:

CHECKED BY:

REVISIONS:
NO. DESCRIPTION DATE

SHEET NO.:
A2.1



PRELIMINARY SITE PLACEMENT PLAN
 OVERALL
 ①

THIS SCHEMATIC DRAWING IS INTENDED ONLY TO SHOW THE DEVELOPMENT INTENT. THE INFORMATION SHOWN IS APPROXIMATE ONLY AND SHALL BE VERIFIED BY SURVEY AND/OR ENGINEER. SHOWN FOR THE PROPER POSITIONING OF PROJECT ELEMENTS AND VEHICULAR CIRCULATION.

PROTOTYPICAL DOCUMENT - NOT FOR CONSTRUCTION

THE INFORMATION SHOWN IS APPROXIMATE ONLY AND SHALL BE VERIFIED BY SURVEY AND/OR ENGINEER.

CHAPTER 156: SUBDIVISION REGULATIONS

156.001	PURPOSE- INTENT- SCOPE- VALIDITY
156.002	DEFINITIONS
156.003	LAND USE AUTHORITY FOR SUBDIVISIONS
156.004	PRELIMINARY PLAT- REQUIREMENTS- APPROVAL PROCESS- TIME LIMITATION- GRADING LIMITATION
156.005	FINAL PLAT – REQUIREMENTS – APPROVAL – TIME LIMITATION
156.006	REVIEW OF FINAL PLAT AND SUBDIVISION IMPROVEMENT PLANS – DISPUTE RESOLUTION
156.007	SUBDIVISION STANDARDS
156.008	SUBDIVISION IMPROVEMENTS REQUIRED
156.009	GUARANTEE OF IMPROVEMENTS
156.010	BOND FOR CURB, GUTTER DAMAGE
156.011	INSPECTION OF IMPROVEMENTS
156.012	CONDITIONS, COVENANTS, & RESTRICTIONS
156.013	PENALTY

§ 156.001 PURPOSE- INTENT- SCOPE- VALIDITY

- A. The underlying purpose and intent of this chapter is to promote the health, safety, convenience, and general welfare of the inhabitants of the incorporated city in the matter of the subdivision of land and related matters affected by such subdivision.
- B. No person shall subdivide any tract of land which is located wholly in the city, except in compliance with this chapter.
- C. No person shall sell or exchange, or offer to sell or exchange, any parcel of land which is a part of a subdivision of a larger tract of land, nor offer for recording in the office of the County Recorder any deed conveying such a parcel of land, or any interest therein, unless such subdivision has been created pursuant to, and in accordance with, the provisions of this chapter.
- D. No permit for the erection, construction, reconstruction, alteration, or use of any structure will be issued until the subdivision has been approved and recorded according to the provisions of this chapter. Any license or permit issued in conflict with this chapter shall be null and void.
- E. This chapter shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of the subdivision regulations adopted in the city on March 1992.
- F. If any section, subsection, paragraph, or requirement of this Chapter is found to be invalid by a Court of competent jurisdiction, such finding shall not render any other portion of this Chapter as null and void.

- G. Regulations in this Chapter notwithstanding, the design and layout of all subdivisions, regardless of type or size, shall be designed in accordance with the West Haven City Zoning Code and West Haven City Engineering Design Standards and Specifications.

§ 156.002 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates, or requires, a different meaning.

- A. ADMINISTRATIVE LAND USE AUTHORITY. An individual, board, or commission, appointed or employed by West Haven City, including City staff or the WHC Planning Commission, which is tasked with the review and approval of subdivisions, as outlined in this Chapter. Does NOT include the West Haven Mayor or City Council nor does it include a member of the City Council. Referred to herein as ALUA.
- B. ALLEY. A public thoroughfare less than 26 feet wide.
- C. AVERAGE PERCENT OF SLOPE. An expression of rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a parcel or lot. A vertical rise of 100 feet between two points 100 feet apart measured on a horizontal plane in a 100% grade.
- D. BLOCK. The land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.
- E. CITY. The City of West Haven, Utah.
- F. CITY COUNCIL. The City Council of West Haven, Utah
- G. CUL-DE-SAC. A minor terminal street provided with a turnaround.
- H. EASEMENT. The portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on, or above said lot or lots.
- I. FLOODPLAIN. The relatively flat area or lowlands adjoining a river stream, watercourse, lake, or other body of standing water that has or may be covered by floodwater. The boundaries of the floodplain are the boundaries of the base flood (100-year flood) as identified by the Federal Flood Insurance Administration in its flood hazard boundary map (FHBM) (#490187A) dated May 2, 1978, as amended from time to time.
- J. HALF STREET. The portion of a street within a subdivision comprising of one-half the required right-of-way width upon which improvements in accordance with one-half of an approved typical street cross section are constructed.
- K. HOUSING, CONDOMINIUM. A building or group of buildings containing individually-owned single-family dwelling units where ownership is limited to the interior walls, floors, and ceilings of the unit, where there may be units above or below, and where the

- 77 owner of each unit holds a common or joint ownership in all common areas and facilities
78 associated with the unit.
- 79 L. HOUSING, MULTI-FAMILY. A building or group of buildings under a single
80 ownership, which is designed and divided in such a manner that it contains three (3) or
81 more dwelling units.
- 82 M. HOUSING, SINGLE-FAMILY. An independent residential structure that sites on its own
83 land and is designed to house a single family.
- 84 N. HOUSING, TOWNHOME. A group of 3 or more attached single-family residential
85 structures, each of which is connected to one or more single-family residential
86 structure(s) by a ground-to-roof wall and where each structure is designed to be
87 individually owned and where no dwelling units are located above or below.
- 88 O. HOUSING, TWIN-HOME. A single-family residential structure which is connected to
89 one additional single-family residential structure by a ground-to-roof wall and where
90 each of the two structures are designed to be individually owned.
- 91 P. HOUSING, TWO-FAMILY. A dwelling under a single ownership, but which is
92 arranged, designed for, and occupied by two (2) families living independently of each
93 other and containing two (2) dwelling units. May also be referred to as a “duplex.”
- 94 Q. MARGINAL ACCESS (STREET). A minor street which is parallel to and adjacent to a
95 limited access major street and which provides access to abutting properties and
96 protection from through traffic.
- 97 R. PRIVATE STREET. A thoroughfare within a subdivision which has been reserved by
98 dedication unto the subdivider or lot owners to be used as private access to serve the lots
99 platted within the subdivision and complying with the adopted street cross section
100 standards of the city and maintained by the subdivider or other private agency.
- 101 S. REVIEW CYCLE. The occurrence of:
- 102 a. The applicant’s submittal of a complete subdivision land use application;
103 b. West Haven City’s review of said application;
104 c. West Haven City’s response to said application, in accordance with the terms of
105 this Chapter; and
106 d. The applicant’s response to each and every of West Haven City’s required
107 modifications or request for additional information.
- 108 T. SUBDIVISION. Any land that is divided, resubdivided, or proposed to be divided into
109 two or more lots or other division of land for the purpose, whether immediate or future,
110 for offer, sale, lease, or development either on the installment plan or upon any and all
111 other plans, terms, and conditions.
- 112 a) Subdivision includes:

- 113 i. The division or development of land, whether by deed, metes and bounds
114 description, devise and testacy, map, plat, or other recorded instrument, regardless
115 of whether the division includes all or a portion of a parcel or lot; and
- 116 ii. Except as provided in this definition, divisions of land for residential and
117 nonresidential uses, including land used or to be used for commercial,
118 agricultural, and industrial purposes.
- 119 b) Subdivision does not include:
- 120 i. A bona fide division or partition of agricultural land for the purpose of joining one
121 of the resulting separate parcels to a contiguous parcel of unsubdivided
122 agricultural land, if neither the resulting combined parcel nor the parcel remaining
123 from the division or partition violates an applicable land use ordinance.
- 124 ii. A boundary line agreement recorded with the Weber County Recorder's Office
125 between owners of adjoining parcels adjusting the mutual boundary, if no new
126 parcel is created;
- 127 iii. A recorded document, executed by the owner of record revising the legal
128 descriptions of multiple parcels into one legal description encompassing all such
129 parcels, or joining a lot to a parcel
- 130 iv. A boundary line agreement between owners of adjoining subdivided properties
131 adjusting the mutual lot line boundary if no new dwelling lot or housing unit will
132 result from the adjustment and the adjustment will not violate any applicable land
133 use ordinance. Such agreement shall be processed as a subdivision amendment.
- 134 v. A bona fide division of land by deed or other instrument if the deed or other
135 instrument states in writing that the division of land is in anticipation of future
136 land use approvals on the parcel(s), does not confer any land use approvals, and
137 has not been approved by the land use authority.
- 138 vi. A parcel boundary adjustment
- 139 vii. A lot line adjustment
- 140 viii. A road, street, or highway dedication plat;
- 141 ix. A deed or easement for a road, street, or highway purpose
- 142 x. Any other division of land authorized herein
- 143 U. SUBDIVISION IMPROVEMENT PLANS. The civil engineering plans associated with
144 required infrastructure and utilities required for a subdivision.
- 145 V. SUBDIVISION, MAJOR. A subdivision, as defined herein, containing six (6) ~~ten (10)~~ or
146 more building lots, or which involves the construction and/or dedication of any new
147 public infrastructure or improvements.

W. SUBDIVISION, MINOR. A subdivision, as defined herein, containing one (1) to ~~five (5)~~ ~~nine (9)~~ new building lots and which does not involve the construction and/or dedication of new public infrastructure or improvements.

X. SUBDIVISION ORDINANCE REVIEW. Review by West Haven City to verify that a subdivision land use application meets the criteria of this Chapter and by applicable City zoning standards.

Y. SUBDIVISION PLAN REVIEW. A review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with West Haven City Ordinances and other applicable standards and specifications.

Z. ZONING ORDINANCE. The uniform zoning ordinance of the city as adopted by the City Council, as amended from time to time.

§ 156.003 LAND USE AUTHORITY FOR SUBDIVISIONS

A. The following individual, board, or commission shall serve as the land use authority for single-family, twin-home, two-family, or townhome subdivision plats in West Haven City. (Note: minor subdivisions are eligible for consolidation into a single, combined preliminary and final plat, provided they meet the definition outlined above.)

Subdivision Type	Plat Type	ALUA	~~Planning Commission~~ <u>Community Development Staff</u>
Minor	Preliminary	X	
	Final		X
	Combined	~~X~~	~~X~~
Major	Preliminary	X	
	Final		X

B. The following shall serve as the land use authority for all non-residential subdivisions and those residential subdivisions which involve the construction of condominium or multi-family units, including subdivisions which will involve a combination of housing types, one of which is condominium or multi-family units.

Subdivision Type	Plat Type	Planning Commission	City Council
Minor	Preliminary	X	
	Final		X
	Combined	X	X
Major	Preliminary	X	
	Final		X

C. Administrative Land Use Authority:

- i. ~~The West Haven City Planning Commission shall serve as the~~ Administrative Land Use Authority (ALUA) and shall exercise all powers granted to the ALUA by this and other provisions of the West Haven City code. shall be composed of the following:
 - a) ~~Community Development Director;~~
 - b) ~~City Attorney;~~
 - c) ~~City Engineer; and~~
 - d) ~~The Chair of the West Haven City Planning Commission.~~
- ii. The ALUA shall set a regular meeting schedule for the review of those subdivision plats where it is the designated land use authority.
- iii. The ALUA shall ensure that all of the applicant's due process rights, as they relate to the subdivision of the property, are preserved and protected.

§ 156.004 PRELIMINARY PLAT- REQUIREMENTS- APPROVAL PROCESS- TIME LIMITATION- GRADING LIMITATION

- A. Plat Requirements. Developers shall submit a preliminary plat for the ~~entirety~~entirely of the subdivision and not just for a phase. The preliminary plat shall be drawn to a scale not smaller than 100 feet to the inch and shall show:
- i. The proposed name of the subdivision;
 - ii. The location of the development as part of a larger tract with a vicinity plan showing the relative location of the development to adjacent streets and geographic features.
 - iii. Sufficient information to locate accurately the property shown on the plan;
 - iv. The names and addresses of the subdivider, the engineer or surveyor of the development, and the owners of the land immediately adjoining the land to be subdivided;
 - v. Contour map at intervals of two feet, five feet, or ten feet.
 - vi. The boundary lines of the tract to be subdivided;
 - vii. The location, widths, and other dimensions of all existing or platted streets and other important features, such as railroad lines, water courses, exceptional topography, and buildings within or immediately adjacent to the tract to be subdivided;

- viii. Existing sanitary sewers, storm drains, water supply mains, water wells, and culverts within the tract and within 100' of the boundary of the proposed development;
- ix. The location, widths, and other dimensions of proposed public streets, private streets, or private access rights-of-way, alleys, utility easements, parks, other open spaces, and lots with proper labeling which shall be public and which shall be private; and
- x. North point, scale, and date.
- xi. If a developer intends on phasing the project, the preliminary plat shall show the proposed phasing plan.
 - a) Approval of the preliminary plat shall constitute approval of the proposed phasing plan. Should the subdivider determine to phase the plan differently than what was approved with the preliminary plat, they shall be required to receive approval of an amended preliminary plat.

B. APPROVAL PROCESS

- i. Within fifteen (15) business days of ~~the submittal of~~ receiving a complete application, the West Haven City Administrative Land Use Authority (ALUA) shall review all preliminary ~~subdivision applications~~ plats. An application shall be considered complete when the City has received electronic copies of the following:
 - a) A preliminary plat, containing the information outlined in this Chapter, and which shows the entirety of the subdivision, including all phases, and not just a portion of the overall property;
 - b) A subdivision application containing the developer's contact information, the proposed name, zone, number of units, type of housing, and a brief narrative of the subdivision;
 - 1. If the developer is not the owner of record of the subject property, developer shall provide the City with a notarized statement from the owner stating developer has the authority to act in the owner's name.
 - c) An acknowledgement that the applicant has received and reviewed the most current version of the West Haven City Engineering Design Standards and Specifications.
 - d) All applicable filing fees
 - 1. Such fees shall be set by resolution or ordinance of the City Council and shall be found in the West Haven City consolidated fee schedule.
 - e) ~~Documentation from the Weber County Recorder's Office verifying that all parcels in the proposed subdivision are under a single ownership~~ Evidence that the subject property has clear title.

f) Notarized statements of one of the following options:

1. The property subject to the application is under a single ownership and the applicant is the authorized agent; or

e)2. The developer is authorized to act on behalf of the owner(s) of the property;

ii. The ALUA shall set a time for reviewing the preliminary ~~subdivision application plat~~ and shall notice said review in the same manner as other public bodies.

~~iii. After the ALUA has reviewed the preliminary application, they shall provide the developer with any and all changes which need made prior to the preliminary subdivision application being reviewed.~~

~~iv.iii.~~ Should the ALUA, upon review of the preliminary plat, find that the needed changes are significant enough to require resubmission of a preliminary, the ALUA shall provide developer with such information as may be necessary to prepare the resubmission. Any re-submissions shall be reviewed within fifteen (15) days of their submittal and shall be reviewed/noticed in the same manner as the original submission.

~~v.iv.~~ Upon approval of the preliminary ~~subdivision application plat~~ by the ALUA, the developer shall proceed to ~~the~~ prepare the final subdivision ~~application review plat~~.

~~vi.v.~~ Within two (2) business days of approval, the ~~ALUA-Community Development staff~~ shall provide the developer with written notice of the approval, together with any conditions which the ALUA shall deem necessary prior to or as part of the approval of the final plat.

C. **TIME LIMITATION.**

i. Approval of the preliminary plat by the ALUA shall be valid for a period of twelve (12) months, unless, upon application of the subdivider, the ALUA grants an extension, which may only be granted if the subdivider applies for such extension prior to the expiration of the approval.

ii. If the approval has expired, the subdivider shall be required to restart the approval process and shall comply with ordinances which are in place at the time of the new application.

a) An approval shall be considered expired if the final plat for the first phase of the subdivision has not been submitted within the twelve (12) months.

D. **GRADING LIMITATION.** No site excavation or grading may occur prior to the ALUA approval of the preliminary plat unless developer has obtained the written approval of the West Haven City Engineer and if such approval is granted, excavation or grading shall only occur in accordance with any applicable ordinance.

§ 156.005 **FINAL PLAT – REQUIREMENTS – APPROVAL – TIME LIMITATION**

- A. Plat Requirements. The final plat shall be drawn to scale on standard twenty-four inch by thirty-six inch (24"x36") paper and shall include the following information:
- i. The ~~proposed~~ name of the subdivision and which phase (if applicable) the plat covers.
 - ii. The boundaries of the proposed subdivision, including sufficient information to locate the project, and the total acreage of the project.
 - iii. A legal description of the property.
 - iv. The names and addresses of the owner, subdivider, if other than owner, and the engineer or surveyor of the subdivision.
 - v. Date of preparation.
 - vi. Scale.
 - vii. The base heading of true north.
- B. The final plat shall contain the following information:
- i. Accurate dimensions for each lot, street, alley, easement, areas to be dedicated as open space and other important features. Dimensions shall be shown in feet and hundredths. Lot sizes shall be expressed in acreage.
 - ii. The street address for each lot. Lots on the ~~north-south~~ and west sides of the street shall have odd numbers. Lots on the ~~south-north~~ and east sides of the street shall have even numbers.
 - iii. An indication, based on the required geotechnical report, of whether lots will require land drains.
 - iv. If the base flood elevations render lots within the subdivision unsuitable for basements, then the final plat shall have a restriction on each lot indicating no basements are allowed.
 - v. A description and delineation of other angles, distances, points, monuments, markers, boundaries and other geometries as described in the West Haven City Engineering Standards and Specifications.
 - vi. Standard signature forms, the wording of which is found in the West Haven City Engineering Standards and Specifications, for the following:
 - a) Registered land surveyor's certificate of survey, as applicable under Utah law;
 - b) Owner's signature of dedication;
 - c) Notary public acknowledgment;
 - d) City engineer's certificate of approval;

- e) Utility companies' approval;
- f) Land Use Authority approval;
- g) City approval, signed by the Mayor and City Recorder if City Council is required to approve the plat;
- h) City attorney approval;
- i) A block for use by the County Recorder containing the required recording information

C. Additionally, construction plans shall be submitted with the final plat. These plans shall detail the size, design, type and location of all infrastructure improvements proposed for construction as part of the phase, including, but not limited to, streets, sidewalks, curbs, utility pipes and other infrastructure. Construction plans shall be prepared in accordance with the standards outlined herein and other such standards as may be found in the West Haven City Engineering Standards and Specifications.

D. FINAL SUBDIVISION REVIEW AND APPROVAL

- i. Upon approval of the preliminary plat by the appropriate land use authority, the subdivider shall proceed to prepare the final plat. The land use authority for various subdivisions is found in Section 156.003 of this Chapter
- ii. A complete final plat application shall be ~~submitted to~~ received by the City no less than two weeks prior to the meeting date at which the applicant wishes it to be considered, for the designated land use authority for the plat.
- iii. Upon submission of a complete application for final plat approval, ~~the Planning Commission~~ the land use authority shall proceed to review the application.
- iv. An application shall be considered complete when the City has received electronic copies of the following:
 - 1. A final plat, containing the information outlined in this Chapter;
 - 2. A subdivision application containing the developer's contact information, the proposed name, zone, number of units, type of housing, and a brief narrative of the subdivision;
 - 3. All applicable filing fees, which shall be set by resolution or ordinance of the City Council and shall be found in the West Haven City consolidated fee schedule.
 - 4. A complete set of all subdivision improvement plans related to the project infrastructure, both public and private.
 - 5. "Will-Serve" letters as outlined in this Chapter
 - 6. A geotechnical report

v. The ~~Planning Commission~~ land use authority shall review the application at its next regularly scheduled meeting which is not less than fourteen (14) days from the time the complete application is received.

~~v.a.~~ In cases where the land use authority is a member of the Community Development staff, staff shall review the application within fourteen (14) business days from the date the complete application is received.

vi. After the ~~Planning Commission~~ land use authority has reviewed the final application, they shall provide the developer with any and all changes which need made prior to granting approval of the final plat.

vii. Any re-submissions shall be reviewed within fifteen (15) days of their receipt ~~submittal~~ and shall be reviewed/noticed in the same manner as the original submission.

viii. Upon approval of the final plat application, the subdivider shall proceed to prepare a mylar for recording with the Weber County Recorder's Office

~~E.~~ **Time Limitation.** Any final plat which has not been recorded within one (1) year of the date of approval shall be null and void and shall be required to file a new final plat application ~~and comply with the processes and standards in place at the time of the new submission.~~ Should the West Haven City standards change to the point where the final plat is no longer feasible, whether for reasons of design or reasons of health and safety, the developer shall be required to prepare and submit a new final plat and begin the subdivision process anew.

§ 156.006 REVIEW OF FINAL PLAT AND SUBDIVISION IMPROVEMENT PLANS – DISPUTE RESOLUTION

A. No later than twenty (20) business days after receipt of a complete application for review of the subdivision final plat and subdivision improvement plans for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, West Haven City shall complete a first review cycle of such application and plans.

B. In reviewing such application and plans, West Haven City shall provide notice to the applicant which requires:

i. Additional information relating to an applicant's plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvement; and

ii. Modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information.

C. West Haven City's request for the above-information or modification to plans shall be specific and shall include citations to ordinances, standards, or specifications that require said modifications and shall be logged in an index of requested modifications/additions.

- D. West Haven City shall not require more than four review cycles; however, a review cycle shall not be considered complete and closed until the applicant has made all requested modifications in the notice.
- E. If the applicant does not submit a revised plan within twenty (20) business days after West Haven City provides notification of the needed correction(s) or modification(s), West Haven City shall have an additional twenty (20) business days to make its next response.
- F. Should applicant make a material change to the plans after the City has begun the review cycle process, the City shall restart the review at the first review of the final application, with respect to that portion of the plans affected by the material change(s).
- G. Changes or corrections not addressed in the City's plan review, unless such changes or corrections are necessitated by the applicants adjustment to plans/phases which thereby adjusts the needed public infrastructure, are hereby waived.
- i. Regardless of the above, modifications or changes which are necessary to protect public health and safety or to enforce state or federal law may not be waived.
- H. After the applicant has responded to the final review cycle and complied with each modification requested in the prior cycle, West Haven City shall not require any additional changes unless the applicant materially changes the plan, unless such changes are in response to requested modifications or corrections.
- I. Applicant shall be required to provide written, specific, and comprehensive responses to West Haven City's review comments, identifying and citing standards, ordinances, or sources for those comments with which applicant declines to comply.
- J. Disputes arising from the review and implementation of the fourth or final review cycle shall be handled as follows:
- i. For disputes arising from review and implementation of the subdivision ordinance, the applicant shall be advised, in writing, of the deficiencies and shall have the right to appeal the determination to the West Haven City Administrative Hearing Officer.
- ii. For disputes arising from the review of subdivision improvement plans, West Haven City shall assemble an appeal panel as outlined below, which panel shall review and approve or deny the final set of revised plans:
- a. The panel shall consist of:
1. One licensed engineer, designated by West Haven City;
 2. One licensed engineer, designated by the applicant; and
 3. One licensed engineer, mutually agreed upon and designed by the engineers previously designed above.

- 422 b. A member of the panel may not have an interest in the application
423 under appeal.
- 424 c. The applicant and City shall equally share the costs of the panel.
- 425 d. The applicant shall be responsible for the City's established appeal fee.
- 426 e. The decision of the appeal panel is final, subject to a petition to District
427 Court for review of the decision, which must be filed not later than 30
428 days from the time the panel issues its decision.

- 429 K. The review of non-residential subdivisions and those residential subdivisions which
430 involve the construction of condominium or multi-family units, including subdivisions
431 which will involve a combination of housing types, one of which is condominium or
432 multi-family units, shall proceed in a similar manner as above, with the review time limit
433 increasing to thirty days (30) per review cycle.

434 **§ 156.007 SUBDIVISION STANDARDS**

- 435 A. Stamped By Licensed Engineer. Any other provision of this chapter or any other city
436 ordinance notwithstanding, each preliminary or final subdivision, or other development,
437 plan submitted for review to the city shall, be required to be stamped by a engineer or
438 surveyor, duly licensed by the State of Utah, and as appropriate to the plan submitted.

- 439 B. Developer to Bear Engineering Costs. Any other provision of this chapter, or any other
440 city ordinance notwithstanding, developers submitting preliminary or final subdivision,
441 or other development, plans for review by the City Engineer shall be required to pay the
442 cost of those plan reviews. The City provide the developer with a documented billing
443 record of such reviews and developer will pay the billing directly to the city.

- 444 C. Related To Adjoining Street Systems. Streets shall be located within the subdivision so
445 that they connect with existing streets. Streets shall be located so that the adjoining land
446 is not diminished in value. If the adjoining land is zoned for residential purposes, streets
447 shall be located so that the adjoining land can be efficiently subdivided and shall
448 terminate at the adjoining property line.

- 449 D. Phasing. Phasing of subdivisions shall be done in a manner which maximizes
450 connectivity with pre-existing streets and subdivisions surrounding the proposed
451 development and in a manner which reduces the impact on pre-existing streets in
452 subdivisions to the extent possible.

- 453 E. Street And Alley Widths, Cul-De-Sacs, Easements.

- 454 i. Streets in subdivisions shall be dedicated to the city as public streets, unless
455 otherwise approved by the Planning Commission, upon recommendation of the
456 City Engineer.

- 457 ii. Major and collector streets shall conform to the width designated on the
458 Transportation Master Plan.

iii. The width, grade, and design of all streets shall conform to the West Haven City Engineering Standards and Specifications, specifically the section "Road Standards."

iv. Half-streets proposed along a subdivision boundary or within any part of a subdivision shall not be approved unless reviewed and approved by the City Engineer.

F. Blocks

i. The maximum length of blocks generally shall be 1,300 feet and the minimum length of blocks shall be 500 feet. Blocks over 800 feet in length may, at the discretion of the Planning Commission, be provided with a dedicated walkway through the block at approximately the center of the block. Such walkway shall be not less than six feet in width.

ii. The width of blocks shall be sufficient to allow two tiers of lots, or as otherwise approved by the Planning Commission because of design, terrain, or other unusual conditions.

iii. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.

G. Lots

i. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography and to existing requirements.

ii. All lots shown on the subdivision plat must conform to the minimum area and width requirements of the zoning ordinance for the zone in which the subdivision is located

iii. Each lot shall abut on a public street, private street, or private access right-of-way dedicated by the subdivision plat or an existing publicly-dedicated street, all of which must conform to the West Haven City Road Standards.

iv. Corner lots shall have extra width sufficient for the maintenance of required building lines on both sides.

v. Side lines of lots shall be approximately at a right angle, or radial, to the street line.

vi. Remainder parcels are not permitted.

H. Post Office Coordination. Regulations promulgated by the United States Postal Service relating to mailboxes and similar receptacles, including, but not limited to, the installation and approved types of said receptacles, are hereby incorporated by this reference as if fully set out herein, and a violation of said regulations shall constitute a violation of this subchapter.

I. Identification Of Floodplain.

i. In all major subdivisions, base flood and ground elevation data shall be provided for each lot by the developer and their engineer.

ii. In accordance with guidelines set by the National Flood Insurance Program, the elevations of the lowest inhabitable floor for any building or structure shall be equal to or higher than the base flood elevation as determined by the flood hazard boundary map and the City Engineer.

§156.008 SUBDIVISION IMPROVEMENTS REQUIRED The owner of any land to be platted as a subdivision shall, at his or her own expense, install the following improvements prior to recording the final plat, or except as provided in § 156.091(A)(2)(b), according to the specifications and standards contained in the West Haven City Engineering Design Standards and Specifications.

A. Culinary Water. As part of the preparation and submission of engineering civil documents for a subdivision, subdivider shall be required to provide written notification (“will-serve letter”) from the water district in which the property lies. Such will-serve letter shall be dated no more than 30 days prior to the date of the submission and shall state clearly that the water district has reviewed the proposed subdivision and has the capability of providing adequate culinary water supplies to the subdivision.

B. Sanitary Sewer. As part of the preparation and submission of engineering civil documents for a subdivision, subdivider shall be required to provide written notification (“will-serve letter”) from the West Haven Special Service District and the Central Weber Sewer District. Such will-serve letter shall be dated no more than 30 days prior to the date of the submission and shall state clearly that the water district has reviewed the proposed subdivision and has the capability of providing adequate sanitary sewer service to the subdivision

C. Stormwater.

i. All subdivisions in West Haven City are required to dispose of stormwater, the design and function of which must be approved by the City Engineer. The City Engineer may require such design to include any easement necessary for the stormwater structure to serve its intended purpose.

ii. Drainage structures, such as stormwater detention facilities shall be dedicated or otherwise transferred to the city or its designate. If the developer chooses to maintain the drainage structure privately, the developer shall present the City with evidence that the necessary mechanisms are in place for the ongoing ownership and maintenance of the structures, in which case the City shall be granted an easement over the detention facilities to guarantee such facilities will remain and be used as intended for stormwater detention purposes.

D. Curb, Gutter, Sidewalk. As part of the design of streets in a subdivision, developer shall provide curb, gutter and sidewalk unless the subdivision is located in the A-1 or A-2 zone, in which case curb, gutter and sidewalk shall not be required, but developer shall be

- 537 required in those zones to provide adequate facilities for the removal of surface water, the
538 design of which shall be approved by the City Engineer.
- 539 E. Monuments. Permanent monuments shall be accurately set and established at such points
540 as are necessary to definitely establish all lines of the plat except those outlining
541 individual lots. Monuments shall be of a type specified in the City Engineering Design
542 Standards & Specifications.
- 543 F. Street Trees. Street trees shall be planted by the subdivider when so required by the
544 Planning Commission and of a variety and location as approved by the Planning
545 Commission.
- 546 G. Street Signs. Street signs shall be installed by the subdivider at all locations as designated
547 by the City Engineer. The City will provide the subdivider with the necessary signs
- 548 H. Developers proposing to develop or subdivide adjacent to a canal shall, as part of the
549 preparation and submission of engineering civil documents for a subdivision, subdivider
550 shall be required to provide written documentation that the canal company responsible for
551 that canal is satisfied that the development will not encroach on the canal company's
552 maintenance right-of-way or otherwise impede canal operations;
- 553 I. Staking Of Lots. Survey stakes shall be placed at all lot corners to clearly identify the lot
554 boundaries on the ground.
- 555 J. Peripheral Fencing. Subdivisions adjacent to agricultural operations shall provide fencing
556 on the perimeter of the subdivision so as to provide protection to adjacent farming lands
557 from the adverse effects of residential living, and vice versa.
- 558 K. Secondary Water. Not all subdivisions in West Haven City will have access to secondary
559 water. Subdividers who choose to provide secondary water shall, as part of the
560 preparation and submission of engineering civil documents for a subdivision, provide the
561 City with written documentation ("will-serve letter") of the secondary water provider's
562 review and acceptance of any proposed secondary water facilities, structures, or plans.
- 563 L. Fire Hydrants. All portions of a subdivision, including lots, streets, open space and other
564 infrastructure or amenities, whether public or private, are required to be located within
565 500' of a fire hydrant. The review and approval of hydrant placement shall be done by
566 the Weber Fire District. Subdividers shall be required to provide the City with written
567 documentation of the Weber Fire District approval.
- 568 M. Private Land Drains. Areas in West Haven City have fluctuating groundwater levels that
569 may render individual lots unsuitable for basements without the inclusion of a private
570 land drain. The required geotechnical report shall indicate which lots in the subdivision
571 will need land drains prior to construction of a basement.
- 572 i. Land drains shall be inspected as part of the building inspection process.
- 573 ii. The design of private subsurface land drains shall be approved as part of the
574 review and approval of the subdivision engineering civil design documents.

- iii. No building permit will be issued for any lot until the subdivider provides the City with clear indication of whether or not a land drain is needed for that lot.

§ 156.009 GUARANTEE OF IMPROVEMENTS. In lieu of actual installation of the improvements required by this chapter, the subdivider may guarantee the installation thereof by one of the methods specified as follows:

- A. The subdivider may furnish and file with the City Manager a letter of credit from a financial institution, such a financial institution being approved by the City Manager, in an amount equal to the future cost of the installation of the improvements at the termination of the bonding period, as estimated by the City Engineer, to assure the installation of such improvements within a two-year, or shorter or longer, period if otherwise established by the City Council from the approval date of the subdivision plat by the City Council, which bond shall be approved by the City Council; and
- B. The subdivider may deposit in escrow, with an escrow holder approved by the City Manager, an amount of money equal to the future cost of the improvements at the termination of the escrow period estimated by the City Engineer, as foresaid, under an escrow agreement to assure the installation of said improvements within a two-year, or shorter or longer, period if otherwise established by the City Council, from the approval date of the subdivision plat by the City Council, and shall be filed with the City Clerk.
- C. The documents aforesaid shall contain such terms and conditions required by the City Manager and shall be approved as to form by the City Attorney. The Community Development Director is authorized to prescribe by administrative rules or regulations, forms, and procedures to ensure the orderly, regular, and efficient processing of applications for the approval of a proposed subdivision and the guarantee of improvements in strict compliance with the requirements of this chapter.
- D. Whenever the subdivider develops a subdivision a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be made available for the full, effective, and practical use and enjoyment thereof by the lessees or grantees of any of the lands subdivided within the time hereinbefore specified.
- E. The City Council is authorized and directed from time to time, at the request of the subdivider or his or her successors in interest, to execute a release of record from the burden of the aforesaid bond, or escrow agreement, when all obligations as to which have been fully performed by the installation of the improvements.

§ 156.010 BOND FOR CURB, GUTTER DAMAGE.

- A. Each builder of a home shall be required to post a bond in the amount of \$500 to ensure that any damage done to the city's curbs and gutters during the building construction on adjacent lots will be able to be repaired at no cost to citizens.
- B. Upon inspection by, and approval of, the City Engineer, either:
 1. The funds posted under the bond required above shall be utilized to repair damage done to curbs and gutters during construction, if any, with:

- 614 2. Any monies not used for those repairs to be returned to the individual who posted
615 the bond; or
- 616 3. If the money posted under the bond is insufficient to cover the cost of repairs as
617 determined to be required by the City Engineer, the builder will be contacted and
618 shall provide such additional sums as shall reasonably be necessary to complete the
619 repairs.
- 620 C. If there is no damage identified by the City Engineer, the bond shall be released to the
621 party who provided the bond.

622 **§ 156.011 INSPECTION OF IMPROVEMENTS.** The City Engineer, Building Official,
623 and Public Works Director, or their designee, shall inspect, or cause to be inspected, all
624 buildings, structures, streets, fire hydrants, and water supply and sewage disposal systems in the
625 course of construction, installation, repair, and the like. Excavation for fire hydrants, water, and
626 sewer mains, and laterals shall not be covered over or back filled until such installations shall
627 have been approved by the City Engineer. If any such installation is covered before being
628 inspected and approved, it shall be uncovered after notice to uncover has been issued to the
629 responsible person by the City Engineer.

630 **§ 156.012 CONDITIONS, COVENANTS, & RESTRICTIONS**

- 631 A. Developers who elect to have commonly owned and maintained areas in their
632 subdivision shall prepare restrictive covenants (CC&Rs) outlining provisions for the
633 perpetual maintenance and management of such areas. Such CC&Rs shall be recorded
634 with the Weber County Recorder's Office.
- 635 B. As CC&Rs are private contracts between the developer and homeowner(s), West Haven
636 City takes no responsibility for the enforcement of CC&Rs, nor assumes any liability for
637 the failure of a developer to perform any representations contained therein.

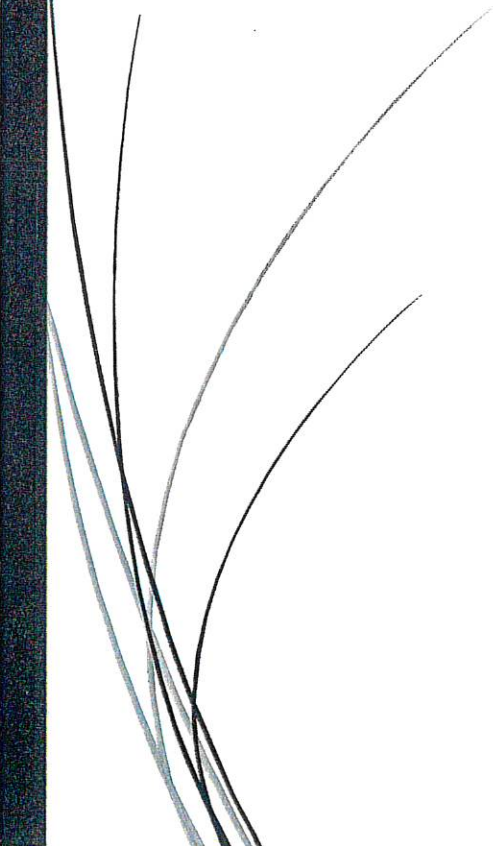
638 **§ 156.013 PENALTY.** Any person who shall violate any of the provisions of this chapter
639 shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or imprisonment in
640 the County Jail for a period not exceeding six months, or by both fine and imprisonment.



7/12/2023

West Haven City

Annexation Policy Plan



Introduction

Utah Code Annotated (UCA) 10-2-4 requires that all municipalities in the State of Utah adopt an Annexation Policy Plan. Within that Annexation Policy Plan, cities are required to provide a map of the areas the city will consider for annexation into its municipal boundaries. Additionally, cities are required to outline the conditions under which they will consider annexation and the process for handling such requests. All of this is to enable cities to guide the growth and development of the city for the next 20 years.

The West Haven City Annexation Policy Plan (the “Plan”) is intended to guide elected officials and staff when evaluating, recommending and making decisions regarding future annexations. Additionally, as West Haven City (the “City”) continues to grow, the Plan will allow the City to coordinate annexation requests with other affected entities. Such entities may include, but are not limited to, special service districts, school districts, Weber County, the Weber County Sheriff’s Office, Weber Fire District, and surrounding municipalities.

West Haven Background

Since its incorporation in 1991, West Haven has grown from an agricultural-based community of just over 2,000 to a thriving suburban city with a population of more than 18,000. This has been accomplished through a series of annexations, as well as steady development within the City’s original boundaries.

West Haven City recognizes that some of the factors driving its steady growth are:

- Proximity to Interstate 15
- Ample agricultural land that is suitable for development
- Growth of Utah’s population
 - o The majority of Utah’s growth is coming from natural increase (births minus deaths) and Utah residents who were born here, left for a time, and are returning.¹²
- Proximity to Hill Air Force Base
 - o HAFB is one of Northern Utah’s largest employers, as more than 30,000 civilian jobs are either directly or indirectly tied to the Base.

West Haven strives to be a welcoming place where a wide variety of people will choose to live, work and recreate, both now and in the future. This desire serves as a guide for current and future land use decisions.

¹ <https://gardner.utah.edu/wp-content/uploads/Migrant-Demographic-Characteristics-June2021-Final.pdf>

² <https://gardner.utah.edu/wp-content/uploads/UPC-Estimates-Dec2022.pdf?x71849>

Population Growth

The 2020 US Census records West Haven City's population as 16,739, an increase of 63% over the 2010 Census figure of 10,272, or a 5% per year average population increase. Clearly, West Haven City is growing at a rapid pace.

In the first quarter of 2021, West Haven City accounted for 33% of Weber County's total building permits for new residential construction, despite being only 6% of the County's 2020 census population.

In 2012, the Governor's Office of Planning & Budget issued baseline population projections for West Haven City, demonstrating how the City is anticipated to grow from 2010-2060. Those figures/estimates are:

2010	2020	2030	2040	2050	2060
10,272	13,121	21,731	32,674	44,760	58,405

Revising those figures to account for the 2020 Census population and accounting for a continued 5% growth rate per year, the City would grow as follows:

	2010	2020	2030	2040	2050	2060
5%	10,272	16,739	27,266	44,413	72,344	117,842

While the City cannot be certain it will continue to grow at the rate it has, either set of population projections place West Haven City as the second largest city in Weber County by the year 2060, second only to Ogden.

Recognizing the City's guaranteed growth, the City will be judicious in ensuring that properties which are annexed in are able to be maintained at the same level of service provided to existing residents and properties.

Consideration

West Haven City considers requests for annexation using criteria outlined in UCA 10-2-401.5:

- 1- The area is within the boundaries of the City's approved expansion area (i.e. the Annexation Declaration Boundary found on the General Plan Map)
- 2- The following are the standards of review by which annexation into the City's municipal boundaries shall be evaluated:
 - a. Compliance with the City's General Plan and overall character of the community.
 - i. The General Plan shall serve as a guide for defining and outlining the character of West Haven City.
 - b. The need for municipal services in developed and undeveloped incorporated areas:
 - i. The City's plan for extension of municipal services
 - ii. How such services will be financed
 - c. An estimate of the tax consequences to residents both currently within the municipal boundaries and in the area proposed for annexation.
 - d. The interests of all affected entities.
- 3- West Haven City is required to justify excluding from the expansion area any area containing urban development within ½ mile of the municipality's boundaries.
 - a. There are areas containing urban development within ½ mile of West Haven City's boundaries. The City will consider those areas for annexation if petitioned as required by Utah State Code and West Haven City ordinances.
- 4- In developing, considering and adopting the annexation area map, the City will:
 - a. Attempt to avoid gaps between or overlaps with the expansion areas of other municipalities
 - b. Consider population growth projections for the City and adjoining areas for the next 20 years
 - c. Consider current and projected costs of infrastructure, urban services, and public facilities necessary:
 - i. To facilitate full development of the area within West Haven; and
 - ii. To expand the infrastructure, services, and facilities into the area being considered for inclusion in the expansion area;
 - d. Consider, in conjunction with West Haven City's general plan, the need for additional land suitable for residential, commercial, and industrial development over the next 20 years.
- 5- Consider the reasons for including agricultural lands, forests, recreational areas, and wildlife management areas in the municipality

Municipal Taxes and Services

At the time this Plan's adoption, West Haven City does not have a property tax, nor does it serve as a culinary water, secondary water, or sanitary sewer provider. Such services are provided by a

variety of special service districts. Those special service districts have master plans for financing and growth of their areas.

Despite the City not having a property tax, the City will consider whether the expansion of City infrastructure that can be directly attributable to the annexation will cause the City to reach a point where implementation of a property tax would be necessary.

Additionally, the petitioner for annexation shall be required to submit documentation showing that the relevant special service district(s) are aware of the annexation request and are part of the service district's current or proposed boundaries.

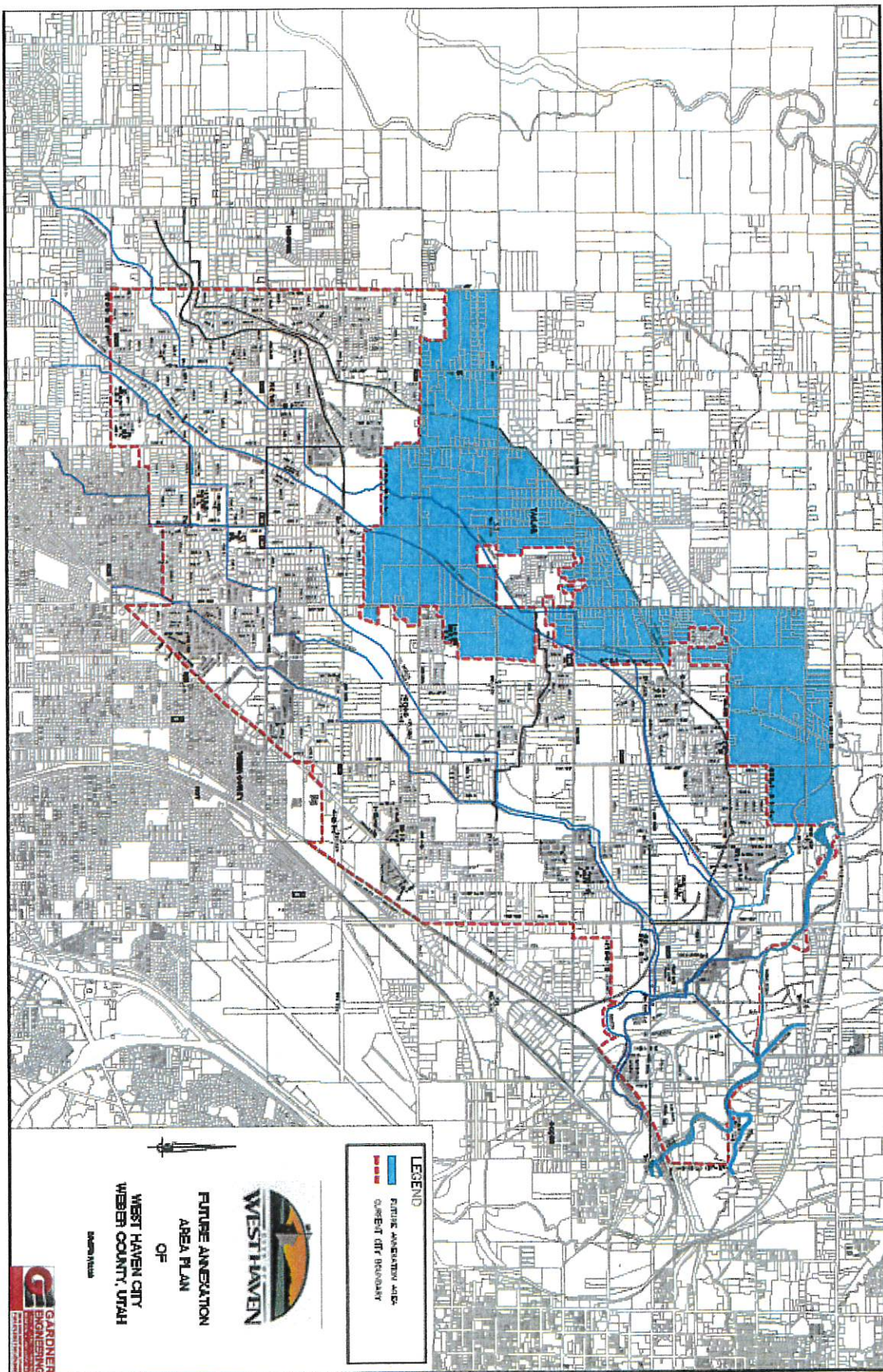
Affected Entities Comment and Response

On July 13, 2023, the following affected entities were sent a copy of the proposed Annexation Policy Plan and issued an invitation to the July 26, 2023 Planning Commission meeting where this Plan was discussed.

- Hooper City
- Marriott-Slaterville City
- Roy City
- Ogden City
- Weber School District
- West Haven Special Service District
- Bona Vista Water
- Taylor-West Weber Water
- Hooper Water Improvement District

The purpose of that discussion was to help West Haven City coordinate its potential growth with municipalities and other governmental organizations. Below is a chart of the affected entities who provided comments to the Planning Commission meeting, and how the City proposes responding to those comments:

Entity	Comment	City Response



Annexation Petition Process

State law governs how West Haven City and other municipalities in Utah must process petitions for annexation. West Haven City intends to fully comply with State requirements. As of this Plan's adoption, the following process outlines how petitions for annexation into West Haven City will be processed.



Upon approval of an annexation petition, the City will send the required documentation (ordinance, plat, petition) to the Weber County Commission, as well as the Lieutenant Governor's Office.

The area proposed for annexation must meet the following requirements, outlined in UCA 10-2-402:

- 1- The area proposed for annexation must be a contiguous, unincorporated area that is contiguous to the municipality, see UCA 10-2-402(1)(a); and
 - a. Does not leave or create an unincorporated island or peninsula (except as provided by UCA 10-2-418(1)(b); or unless the county and the municipality have otherwise agreed, see UCA 10-2-402(1)(b)(iii), and
 - b. Is located within the municipality's proposed expansion area, see UCA 10-2-402(1)(b)(iv); and
- 2- The area to be annexed must include whole parcels only, unless the owner of a parcel of which only a part is desired to be annexed joins in the petition. See UCA 10-2-402(3).
- 3- An area cannot be annexed for the sole purpose of acquiring municipal revenue or to impede the capacity of another municipality to annex the same area unless the

municipality has the ability and intent to benefit the annexed area by providing municipal services. See UCA 10-2-402(4).

Notice Prior to Filing A Petition Required (UCA 10-2-403)

Prior to filing a petition to annex, the person or persons intending to file a petition is required to:

- 1- File a notice of intent with the West Haven City recorder; and
- 2- Send a copy of the notice of intent to each affected entity, including an accurate map of the area proposed for annexation.

Weber County is required to mail the notices of intent, as outlined in UCA 10-2-403(b)(i). The person or persons who file the notice of intent shall coordinate distribution of the notices of intent with the Weber County clerk's office, who shall follow the procedures outlined in UCA 10-2-403(2)(b)(i).

Petition Requirements (UCA 10-2-403)

Except as provided in UCA 10-2-418, a petition to annex is required prior to West Haven City beginning the process to review and consider annexation into its corporate boundaries. The petition shall:

- 1- Be filed with the city recorder. See UCA 10-2-403(3)(a).
- 2- Contain the signatures of:
 - a. Owners of a majority of the private land area located within the proposed annexation area (property must be equal to at least one-third (1/3) of the value of all private property located within the proposed annexation area, see UCA 10-2-403(3)(b)(ii)(A) & (iii);
 - b. Owners of 100% of rural real property within the area proposed for annexation, see UCA 10-2-403(3)(b)(ii)(B) and UCA 17B-2a-1107; and
 - c. Owners of 100% of the private land area within the proposed annexation area if the area is within an agricultural protection area, see UCA 10-2-403(3)(b)(ii)(C) and UCA 17-41-101 et seq., or a migratory bird production area, see UCA 10-2-403(3)(b)(ii)(C) and UCA 23-28-101 et seq.; or
 - d. The owner of all the publicly owned property if all property in the proposed annexation area is owned by a public entity other than the federal government. See UCA 10-2-403(3)(b).
- 3- Be accompanied by an accurate and recordable map, prepared by a licensed surveyor, of the proposed annexation area. See UCA 10-2-403(3)(c)(i).
- 4- Contain a copy of the notice sent to affected entities as required by UCA 10-2-403-2(a)(i)(B) and a list of the affected entities to which the notice was sent.
- 5- Include a signature page formatted as outlined in UCA 10-2-403(d) and containing the information described therein.
- 6- Designate five (5) signers as sponsors, one of whom is designated as the contact sponsor and include mailing addresses of all sponsors. See UCA 10-2-403(3)(f).

- 7- If the proposed annexation area includes property from another county, the petition must also include a resolution from that county's county commission approving the proposed annexation. (as detailed above).
- 8- The proposed annexation area cannot include an area that was included in a previously filed petition that has not been denied, rejected, or granted by the City. See UCA 10-2-403(4).
- 9- In addition to delivery of the petition to the city recorder, on the date of filing, the petition sponsors must deliver or mail a copy of the petition to the clerk of the county in which the area proposed for annexation is located. See UCA 10-2-403(6).

City Council Review UCA 10-2-405

The City Council may deny or accept the petition for further consideration. See UCA 10-2-405(1)(a)(i). (Note: the petition is considered to have been accepted for further consideration if the city council does not act on the petition at the next regularly scheduled meeting of the city council that is at least fourteen (14) days after the date the petition was filed. See UCA 10-2-405(1)(a)(ii)(B)).

DENIED – Mail written notice of denial within five (5) days after the denial to:

- 1- The petition's contact sponsor;
- 2- The clerk of the county in which the area proposed for annexation is located. See UCA 10-2-405(1)(b).

ACCEPTED FOR FURTHER CONSIDERATION – Within thirty (30) days of acceptance for further consideration, the city recorder shall:

- 1- Obtain from the county assessor, clerk, surveyor, and recorder of the county in which the proposed annexation area is located the records the city recorder needs to determine whether the petition meets the petition requirements (as explained above), See UCA 10-2-405(2)(a); and
- 2- With the assistance of the city attorney, determine whether the petition meets the petition requirements. See UCA 10-2-405(2)(b).

If the petition meets the petition requirements, the city recorder shall:

- 1- Certify the petition; and
- 2- Mail or deliver written notice of certification to:
 - a. The city council body;
 - b. The contact sponsor; and
 - c. The county legislative body. See UCA 10-2-405(2)(i).

If the petition fails to meet the petition requirements, the city recorder shall:

- 1- Reject the petition; and
- 2- Mail or deliver notice of rejection and the reasons the petition was rejected to:

- a. The city council body;
- b. The contact sponsor; and
- c. The county legislative body. See UCA 10-2-405(2)I(i).

A petition which has been rejected may be modified and resubmitted, subject to the same review provisions as the original petition. See UCA 10-405-3.

Publishing & Providing Notice of Certified Petition UCA 10-2-406

After receiving notice of certification of the petition from the city recorder, the City Council shall provide notice:

- 1- Within the area proposed for annexation and the unincorporated area within ½ mile of the area proposed for annexation, no later than 10 days after the day on which the Council receives notice of certification:
 - a. By posting one notice, and at least one additional notice per 2,000 population within the combined area, in places within the combined area that are most likely to give notice to the residents within, and the owners of real property located within, the combined area, subject to a maximum of 10 notices; or
 - b. By mailing the notice to each residence within, and to each owner of real property located within, the combined area.
- 2- Within twenty (20) days of receiving notice of the certification of the petition, mail notice to each affected entity. See UCA 10-2-406(1)(c). UCA 10-2-401(1)(a) defines "Affected entity" as:
 - a. County of the first or second class in whose unincorporated area the area proposed for annexation is located;
 - b. A county of the third, fourth, fifth, or sixth class in whose unincorporated area proposed for annexation is located, if the area included residents or commercial or industrial development;
 - c. A local district under Title 17B, Limited Purpose Local Government Entities – Local Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, whose boundary includes any part of an area proposed for annexation;
 - d. A school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and
 - e. A municipality whose boundaries are within 1/2 mile of an area proposed for annexation.
- 3- By posting notice on the West Haven City website for three (3) weeks.

The published and mailed notices shall:

- 1- State that a petition has been filed proposing annexation;

- 2- Provide the date the city council received notification of the certified petition;
- 3- Describe the area proposed to be annexed;
- 4- State that the complete petition is available for inspection and copying at the city recorder's office;
- 5- State that the city council may grant the petition unless, within thirty (30) days after the city council received notice of the certified petition, a written protest is filed with the commission and a copy of the written protest is delivered to the city recorder of the proposed annexing municipality;
- 6- Provide the address of the commission, or if one has not yet been created, the address of the county clerk, where a protest to the petition may be filed;
- 7- Provide the action date that is thirty (30) days after the notice is published by which written protests must be filed;
- 8- (If applicable) State that the proposed annexation area will be annexed to a local district providing emergency services if (a) the city lies entirely within a local district's boundaries that provides emergency services and an election was not required to form the district, and (b) the area to be annexed does not already lie within the boundaries of a local district; and
- 9- (If applicable) State that the area will be automatically withdrawn from a local district providing emergency services if (a) the petition proposed annexation of an area that lies within a local district that provides emergency services in the creation of which an election was not required to form the district, and (b) the city is not within the boundaries of the local district.

Protest to Annexation Petition

Subject to the terms and process outlined in UCA 10-2-407, certain entities may file a protest to the annexation. Such protests shall be reviewed and acted upon by a boundary commission which shall be established in accordance with UCA 10-2-409.

Final Review by City Council- Protest Filed

APPROVAL OF ANNEXATION – If the city council waits to take further action after receipt of the boundary commission's decision on a protest, upon receipt of the decision the city council may either:

- 1- Deny the petition; or
- 2- Approve the annexation consistent with the commission's decision. See UCA 10-2-408(1).

DENIAL OF ANNEXATION – If the city council denies the annexation based on the filing of a timely protest, it must provide written notice within five (5) days after denial to:

- 1- The petition's contact sponsor;
- 2- The boundary commission; and
- 3- Each entity that filed a protest. See UCA 10-2-407(5)(b).

Final Review by City Council- No Protest Filed

If no protest was timely filed, the city council may approve the petition after holding a public hearing for which written notice was provided for at least ten (10) days before the hearing in:

- 1- By posting one notice, and at least one additional notice per 2,000 population within the combined area, in places within the combined area that are most likely to give notice to the residents within, and the owners of real property located within, the combined area, subject to a maximum of 10 notices; or
- 2- By mailing the notice to each residence within, and to each owner of real property located within, the combines area.
- 3- Posted on the Utah Public Notice Website (<http://www.utah.gov/pmn/index.html>). See UCA 10-2-407(3)(b).
- 4- West Haven City's website

Planning Commission Review and Zoning Recommendation

The West Haven City Planning Commission's responsibility is to recommend zoning of the subject parcels if annexed. An annexation petition shall be treated the same as a petition for zone change; a public hearing shall be scheduled and notice provided as specified in the West Haven Municipal Code. The Planning Commission shall hold a public hearing and recommend zoning prior to the final review of the annexation petition.

Zoning of the Subject Parcels by the City Council

In the case of zoning, an annexation petition shall be treated the same as a petition for zone change; a public hearing shall be scheduled and notice provided as specified in the West Haven Municipal Code. The City Council shall hold a public hearing and approve zoning of the subject parcels considering the recommendation of the Planning Commission. The City Council and Planning Commission intends to follow the General Plan and Future Land Use Map as the primary guide in zoning decision.