

**APPLICATION FOR
AMENDMENT TO A SUBDIVISION**

Subdivision Name Fremont Estates Zone RE-20 Date Submitted 9/27/24

Address of Subdivision 1546 N. 4325 W. Plain City, UT

No. of Units or Lots being affected by the amendment: 2

Owner Name Jason Shultz Full Address 1546 N. 4325 W.

Phone # _____ Cell # 801-814-6903 Fax # _____

Subdivider's Name Same Full Address _____

Phone # _____ Cell # _____ Fax # _____

Please describe any agreements, rights-of-way, easements etc, which could affect this amendments:

No agreements made will affect this amendment

Describe the amendment to the subdivision plat:

I am in a subdivision buying some ~~these~~ property directly behind our lot. Buying 1/4 acre, and splitting the property behind us.

The above information is true and accurate to the best of my knowledge.

Date 9/17/24 Signature [Signature]

Office Use Only paid 9-27-24

Subdivision Amendment Fee: 200.00 PC Approval Date: _____
Number of Copies: _____ CC Approval Date: _____



Memorandum

To: Diane Hirschi, City Recorder
Plain City Corporation

From: Brad C. Jensen, P.E.
Wasatch Civil Consulting Engineering

Date: October 3, 2024

Subject: Fremont Estates Subd. Phase 2 2nd Amendment (Shulz) revised

We have reviewed the proposed plat amendment for the Fremont Estates Subdivision, Phase 2 2nd Amendment and have the following comments:

1. The existing utility easement located along the current southerly boundary of Lot 59 must remain in place. The line identified on the plat as the "Original Lot Line" should be shown as a dashed line indicating the easement line.
2. It appears that both of the parcels involved in the amendment are in compliance with the minimum lot size and development standards that are required by Plain City Ordinances.

We recommend the proposed amendment be accepted. If you have any questions or require additional information, feel free to contact me.

[illegible]

10-4-4: SITE DEVELOPMENT STANDARDS:

A-1 A-2 Chapter 4

A.	Minimum lot area	40,000 square feet
B.	Minimum lot width	150 feet
C.	Minimum yard setbacks:	
	1. Front	40 feet, except average of existing buildings where 50 percent frontage is developed, but not less than 30 feet
	2. Side:	
	a. Dwelling	10 feet with total width of 2 side yards not less than 24 feet
	b. Other main building	20 feet each side
	c. Accessory building	10 feet, except 1 foot if located at least 6 feet in rear of main building
	3. Side facing street on corner lot	30 feet
	4. Rear:	
	a. Main building	30 feet
	b. Accessory building	1 foot, except 10 feet where accessory building rears on side yard of adjacent corner lot
D.	Building height:	
	1. Minimum	1 story
	2. Maximum	2 ¹ / ₂ stories or 35 feet

(Ord. 2011-01, 1-6-2011, eff. 1-6-2011)

*Chapter 20 Residential Overlay Zone
with Public Amenities***10-20-1: PURPOSE AND INTENT:**

The Residential Overlay Zone with Public Amenities is established to provide for and encourage better planned and more desirable residential developments that provide various lot sizes and public amenities, including the preservation of open space and the development of parks, trails, and other open space.

A. It is expressly provided that the Residential Overlay Zone with Public Amenities is not intended to be utilized for all residential development within the City. The Residential Overlay Zone with Public Amenities shall only be permitted for property approved by the City Council.

B. It is established to promote development of pathways (multi-purpose routes accessible to pedestrians, bicyclists and equestrians) and as such, will solely be considered for areas comprising or adjacent to existing or proposed pathway corridors, set forth in the Plain City Parks, Trails, and Open Space Master Plan. (Ord. 2019-04, 1-17-2019, eff. 1-17-2019; amd. Ord. 2019-12, 11-21-2019; Ord. 2021-09, 6-3-2021)

10-20-2: USE REGULATIONS:

A. Zones Allowed: Residential uses in the Medium Density Residential (MDR) 1, 2, and 3 areas as indicated on the Future Land Use Map of the General Plan (including only properties that have already been rezoned as RE-18.5, RE-15 and R-1-11) after the review and recommendation by the Planning Commission and review and approval by the City Council.

B. Permitted Housing Types: If the Residential Overlay Zone with Public Amenities is approved: single-family, detached dwelling units may be permitted in MDR 1 and 2 (RE-18.5 and RE-15); single-family, detached dwelling units and two-family, attached (duplex) dwelling units may be permitted in MDR 3 (R-1-11); after the review and recommendation by the Planning Commission and review and approval by the City Council.

1. Lots utilized for the construction of two-family, attached (duplex) dwelling units shall not exceed ten percent (10%) of the total lots in the subdivision.

2. Two-family, attached (duplex) dwelling units shall be constructed on a minimum lot area of one-half (1/2) acre (21,780 square feet). (Ord. 2019-04, 1-17-2019, eff. 1-17-2019; amd. Ord. 2019-12, 11-21-2019; Ord. 2021-09, 6-3-2021)

10-20-3: GENERAL REGULATIONS:

Residential subdivisions with public amenities may be granted the exceptions described herein to site development standards within each zone when the applicant has demonstrated that the subdivision meets the following standards:

A. The subdivision provides an exceptional amenity or amenities (deemed acceptable by the Planning Commission and City Council) that are made available to the public or provides developed open space comprised of thirty three percent (33%) of the proposed development (1:2 ratio of developed open space to housing). Any developed open space shall be dedicated to the City, subject to approval by the City Council, and made available for public use and shall include a park and/or trails that have been identified in the General Plan or other parks and/or trails requested specifically by the Planning Commission or City Council in consultation with the City Parks and Recreation

Department. Formations that provide State mandated stormwater detention or retention do not qualify as developed open space unless occupying more than five (5) acres and determined by the Planning Commission to be suitable for multiple uses. In cases of approved multi-use stormwater detention or retention basins, the developer shall (at City's discretion) provide restrooms and parking spaces. 2

B. In cases of approved multi-use stormwater detention or retention basins:

1. Seventy-five percent (75%) of the approved basin area shall qualify as developed open space.
2. The developer shall (at City's discretion) provide restrooms and parking.

C. The subdivision does not exceed a gross maximum density in the Medium Density Residential (MDR) areas indicated on the Future Land Use Map of the General Plan of:

1. Three (3) units per acre in MDR 1;
2. Four (4) units per acre in MDR 2; and
3. Five (5) units per acre in MDR 3.

Gross maximum density is calculated by taking the number of proposed residential lots and dividing by the total acreage of the development (including roads).

D. The subdivision meets the following overall minimum development standards:

1. Minimum Lot Area: Seven thousand (7,000) square feet.
2. Minimum Yard Setbacks:
 - a. Front: Twenty-five feet (25').
 - b. Side: Total of eighteen feet (18'), minimum eight feet (8') on one side.
 - c. Street Side On Corner Lot: Twenty-five feet (25').
 - d. Rear: Twenty feet (20').
3. Building Height:
 - a. Minimum: One story.
 - b. Maximum: Twenty-eight feet (28') - not more than two (2) stories.
4. Minimum Frontage: Sixty-five feet (65') for single-family dwelling units and one hundred forty feet (140') for duplexes.

E. Separate single-family dwellings and multi-family dwelling units in a Residential Overlay Zone shall comply with the following standard:

1. Garage Doors: Where a garage is placed on the front building facade, the width of the garage door(s) shall not exceed fifty percent (50%) of the total width of the front

building facade. All garage doors shall not exceed twelve feet (12') in height. (Ord. 2019-04, 1-17-2019, eff. 1-17-2019; amd. Ord. 2019-12, 11-21-2019; Ord. 2021-09, 6-3-2021)

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10-5A-1: PURPOSE AND INTENT:*Residential Estate Zones RE-15, RE-18.5, RE-20*

The major purpose of the RE-15, RE-18.5, and RE-20 Zones is to provide and protect residential development at a low density in a semi-agricultural or rural environment. It is also to provide for certain rural amenities, on larger minimum lots, in conjunction with the primary residential nature of the zone. (Ord. 2019-01, 1-3-2019, eff. 1-4-2019)

10-5A-2: PERMITTED USES:

Accessory building or use customarily incidental to a permitted use.

Agriculture.

Animals and fowl kept for family food production.

Chinchilla raising.

Corral, stable or building for keeping of animals or fowl, provided such building shall be located not less than one hundred feet (100') from a public street.

Golf course, except miniature golf.

Greenhouse and nursery limited to sale of material produced on premises and with no retail shop operation.

Home occupation.

Horses, mules, donkeys, or llamas for private use only, provided that not more than two (2) of these animals may be kept for the first twenty thousand (20,000) square feet within any lot.

Household pets.

Livestock, horses, mules, donkeys, or llamas or fowl kept as per section 10-8-6 of this title.

Parking lot accessory to use permitted in this zone.

Private stables, provided they meet all setback requirements; horses, mules, donkeys, and llamas for private use only and provided that not more than two (2) of these animals may be kept for the first twenty thousand (20,000) square feet within any lot.

Residential facility for elderly persons.

Residential facility for persons with a disability.

Single-family dwelling.

Temporary building or use incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work.

Two-family dwellings (duplexes); provided, that:

A. The duplexes are constructed on a minimum lot area of one-half ($\frac{1}{2}$) acre (21,780 square feet);

B. The minimum frontage of said lot is one hundred fifty feet (150'); and

C. If the duplex is constructed in a subdivision, then lots utilized for the construction of duplexes do not exceed ten percent (10%) of the total lots in the subdivision. (Ord., 11-14-1974; amd. Ord. 81-2, 3-26-1981; Ord. 86-09, 11-13-1986; Ord. 88-01, 4-14-1988; 2003 Code; Ord. 2003-10, 11-20-2003, eff. 11-20-2003; Ord. 2009-08, 9-3-2009, eff. 9-3-2009; Ord. 2011-09, 8-4-2011, eff. 8-5-2011)

10-5A-3: CONDITIONAL USES:

The following uses shall be permitted only when authorized by a conditional use permit as provided in chapter 10 of this title:

Church, synagogue, or similar permanent building used for regular religious worship.

Cluster subdivision.

Educational institution.

Planned residential unit development.

Private park, playground or recreation area not open to the general public and to which no admission is made, and not including privately owned commercial amusement business.

Public building, public park, recreation grounds, and association buildings.

Public utility substation, utility lines, or water storage reservoir, or any other utility facility to be erected on the surface of the ground or over the ground developed by a public or private agency other than those to be located in the right-of-way of an existing street or highway. (Ord., 11-14-1974; amd. Ord. 2001-04, 5-3-2001, eff. 5-3-2001; Ord. 2002-13, 11-7-2002, eff. 11-7-2002; Ord. 2008-11, 9-6-2008, eff. retroactive to 9-5-2008; Ord. 2009-08, 9-3-2009, eff. 9-3-2009)

10-5A-4: SITE DEVELOPMENT STANDARDS:

		RE-15	RE-18.5	RE-20
		RE-15	RE-18.5	RE-20
A.	Minimum lot area	15,000 square feet	18,500 square feet	20,000 square feet
B.	Minimum lot width	100 feet	100 feet	100 feet
C.	Minimum yard setbacks:			
	1. Front	30 feet, except if 50 percent of approved subdivision/phase is completed, then not less than 40 feet		
	2. Side:			
	a. Dwelling	10 feet with total width of 2 side yards not less than 24 feet		

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	b. Accessory building	10 feet, except 5 feet if located at least 6 feet in rear of main building		
	3. Side, facing street on corner lot	30 feet	30 feet	30 feet
	4. Rear:			
	a. Main building	30 feet	30 feet	30 feet
	b. Accessory building	5 feet, except 10 feet where accessory building rears on side yard of adjacent corner lot		
D.	Main building height:			
	1. Minimum	1 story	1 story	1 story
	2. Maximum	2 ¹ / ₂ stories or 35 feet		
E.	Accessory building height:	No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25'). See Examples (Figures #1, #2 and #3)		

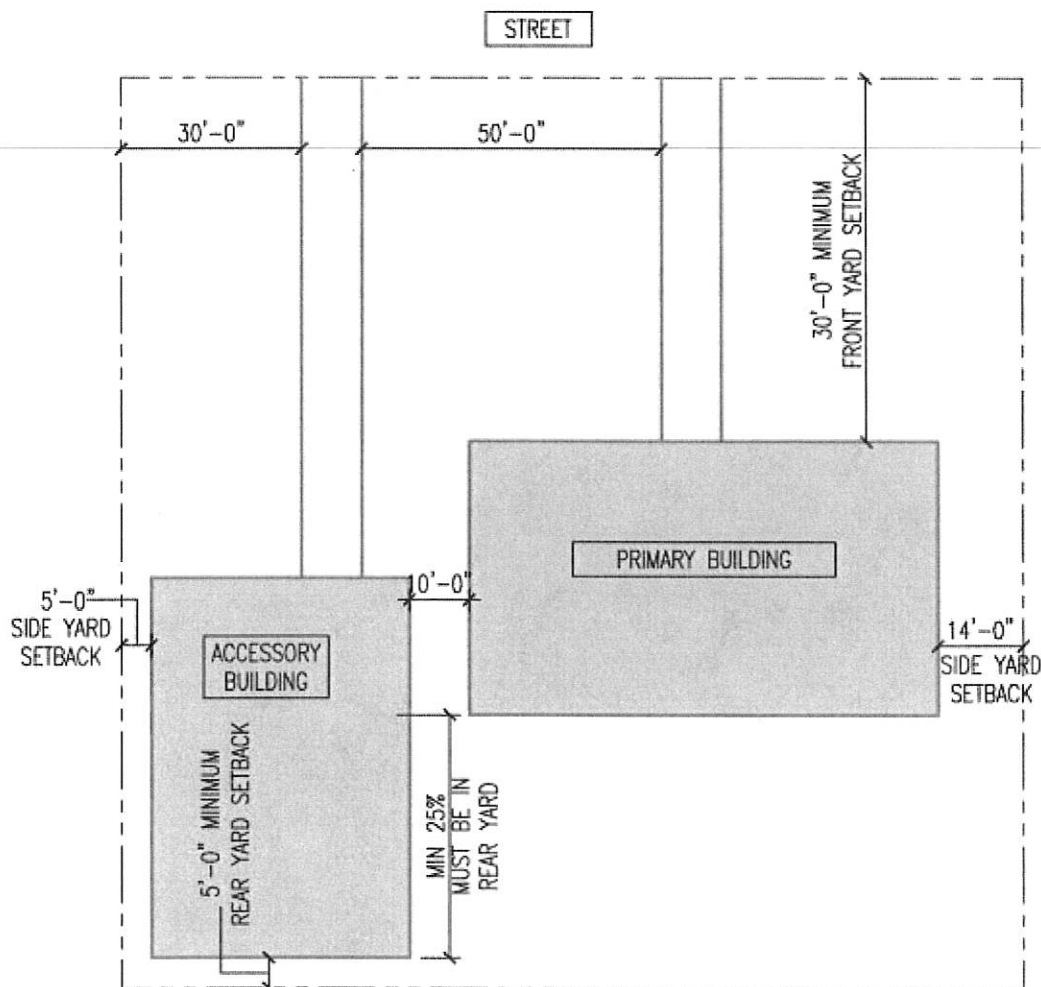


FIGURE 1: DETACHED ACCESSORY BUILDING EXAMPLE 1

10-5B-1: PURPOSE AND INTENT:

The purpose of the R-1-11 zone classification is to provide for single-family residential use at a low density level. (Ord., 11-14-1974)

10-5B-2: PERMITTED USES:

Accessory building and use customarily incidental to any permitted use.

Agriculture.

Golf course, except miniature golf course.

Greenhouse, noncommercial only.

Home occupation.

Household pets.

Livestock, horses, mules, donkeys, or llamas or fowl kept as per section 10-8-6 of this title.

Parking lot accessory to uses permitted in this zone.

Private stables; horses for private use only and provided that not more than two (2) horses may be kept for the first twenty thousand (20,000) square foot lot and no more than one horse for each additional twenty thousand (20,000) square feet within any lot.

Residential facility for elderly persons.

Residential facility for persons with a disability.

Single-family dwelling.

Temporary building for use incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work.

Two-family dwellings (duplexes); provided, that:

- A. The duplexes are constructed on a minimum lot area of one-half ($\frac{1}{2}$) acre (21,780 square feet);
- B. The minimum frontage of said lot is one hundred fifty feet (150'); and
- C. If the duplex is constructed in a subdivision, then lots utilized for the construction of duplexes do not exceed ten percent (10%) of the total lots in the subdivision. (Ord., 11-14-1974; amd. Ord. 81-2, 3-26-1981; Ord. 86-09, 11-13-1986; Ord. 88-01, 4-14-1988; 2003 Code; Ord. 2009-08, 9-3-2009, eff. 9-3-2009; Ord. 2011-09, 8-4-2011, eff. 8-5-2011)

10-5B-3: CONDITIONAL USES:

The following uses shall be permitted only when authorized by a conditional use permit as provided in chapter 10 of this title:

Church, synagogue, or similar permanent building used for regular religious worship.

Cluster subdivision.

Educational institution.

Library.

Museum.

Planned residential unit development.

Private park, playground or recreation area, but not including privately owned commercial amusement business.

Public building, public park, recreation grounds, and association buildings.

Public utility substation, utility lines, or water storage reservoir, or any other facility to be erected on the surface of the ground or over the ground developed by a public or private agency other than those to be located in the right of way of an existing street or highway. (Ord., 11-14-1974; amd. Ord. 2002-13, 11-7-2002, eff. 11-7-2002; Ord. 2009-08, 9-3-2009, eff. 9-3-2009)

10-5B-4: SITE DEVELOPMENT STANDARDS:

A.	Minimum lot area		11,000 square feet
B.	Minimum lot width		100 feet
C.	Minimum yard setbacks:		
	1. Front		30 feet
	2. Side:		
	a. Dwelling		10 feet with total width of 2 side yards not less than 24 feet

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	b. Accessory building		10 feet, except 5 feet if located at least 6 feet from rear of main building but not closer than 10 feet to dwelling on adjacent lot
	3. Side facing street on corner lot		30 feet, except average of existing building where 50 percent frontage is developed but not less than 20 feet
	4. Rear:		
	a. Main building		30 feet
	b. Accessory building		5 feet, except 10 feet where accessory building rears on side yard of adjacent corner lot
D.	Main building height:		
	1. Minimum		1 story
	2. Maximum		2 ¹ / ₂ stories or 35 feet
E.	Accessory building height:		No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25'). See Examples (Figures #1, #2 and #3)

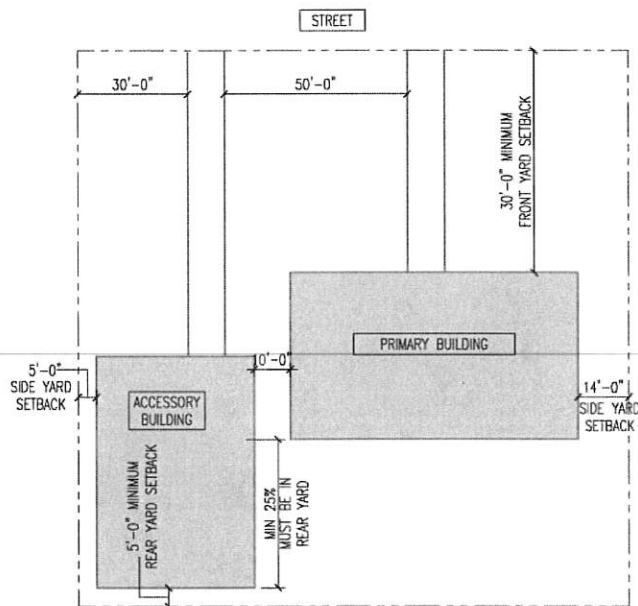


FIGURE 1: DETACHED ACCESSORY BUILDING EXAMPLE 1

Chapter 21
Agricultural zones A-1 and A-2

10-4-2: PERMITTED USES:

Accessory building or use customarily incidental to any permitted use.

Agriculture, or agricultural experiment station.

Animals or fowl kept for family food production.

Cemetery.

Chinchilla raising.

Fruit or vegetable storage packing plant or stand for fruit or vegetables produced only on the premises.

Golf course, except miniature golf course.

Greenhouse and nursery limited to sale of materials produced on premises and with no retail shop operation.

Home occupation.

Horses, mules, donkeys, or llamas for private use only, and provided that not more than two (2) of these animals may be kept for the first twenty thousand (20,000) square feet within any lot.

Household pets.

Livestock, horses, mules, donkeys, or llamas or fowl kept as per section 10-8-6 of this title.

Parking lot accessory to uses permitted in this zone.

Private park, playground or recreation area, but not including privately owned commercial amusement business.

Residential facility for elderly persons.

Residential facility for persons with a disability.

Single-family dwelling.

Stable or building for keeping animals or fowl, provided such use shall be located not closer to a public street than thirty feet (30').

Temporary buildings or uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.

Two-family dwellings (duplexes); provided, that:

A. The duplexes are constructed on a minimum lot area of one-half ($\frac{1}{2}$) acre (21,780 square feet);

B. The minimum frontage of said lot is one hundred fifty feet (150'); and

C. If the duplex is constructed in a subdivision, then lots utilized for the construction of duplexes do not exceed ten percent (10%) of the total lots in the subdivision. (Ord., 11-14-1974; amd. Ord. 81-2, 3-26-1981; Ord. 86-09, 11-13-1986; Ord. 88-01, 4-14-1988; 2003 Code; Ord. 2003-10, 11-20-2003, eff. 11-20-2003; Ord. 2009-08, 9-3-2009, eff. 9-3-2009; Ord. 2011-09, 8-4-2011, eff. 8-5-2011)

11-5-2: LOT IMPROVEMENTS:

A. Lot Arrangement: The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the zoning ordinance and health regulations and in providing driveway access to buildings on such lots from an approved street.

B. Lot Dimensions: Lot dimensions shall comply with the minimum standards of the zoning ordinance. Where lots are more than double the minimum required area for the zoning district, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the zoning ordinance and these regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless variation from this rule will give a better street to allow for erection of buildings, observing the minimum front yard and side setbacks from both streets. Depth and width of properties reserved or laid out for business, commercial or industrial purposes shall be adequate to provide for the off street parking and loading facilities required for the type of use and development contemplated, as established in the zoning ordinance; all property located within a subdivision shall be included within the boundaries of a road, lot or other improved area such that no parts or parcels of land therein remain unusable.

C. Double/Reversed Frontage Lots And Access To Lots:

1. Double Frontage Lots: Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from streets or to overcome specific disadvantages of topography and orientation, as determined by the Planning Commission.

2. Access From Arterial Streets: Lots should not, in general, derive access exclusively from an arterial street. Where driveway access from a primary or secondary arterial street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazards on such street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on major streets.

D. R Lots: All R lots shall be clearly identified on the recorded plat and on a recordable instrument in form acceptable to the City. The instrument shall be recorded in the Office of the County Recorder at the time the final plat is recorded in order to provide notice to potential lot purchasers of the existence of limitations imposed upon R lot development. (Ord. 2001-02, 3-1-2001, eff. 3-1-2001)

E. Flag Lots:

1. The City does not favor flag lots. Flag lots shall not be created by subdividing property. Flag lots will only be permitted in the case of existing landlocked property and in conformance with the City's zoning regulations; such use qualifies as an established conditional use as set out herein.

2. A flag lot may be approved as a conditional use by the Planning Commission, after determining that due to topographic conditions, sensitive land concerns, or other

BOND: A form of security, including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the city council. All bonds shall be approved by the city council wherever a bond is required by these regulations.

BUILDING: Any structure built for the support, shelter or enclosure of persons, animals, chattels or movable property of any kind, and includes any structure.

BUILDING AREA: A portion of a lot, parcel or tract of land which is to be utilized as the building site having an area of at least two thousand five hundred (2,500) square feet with an average slope of less than twenty percent (20%). Such building area is to be designated as the only area in which building may take place and outlined on the subdivision plat in which the lot is located.

CAPITAL IMPROVEMENTS PROGRAM: A proposed schedule of future city projects listed in order of anticipated construction priority, together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual city's operating expenses, for the purchase, construction or replacement of the physical assets for the community are included.

CITY: Plain City, Utah.

CITY COUNCIL: The city council of Plain City, Utah.

CITY ENGINEER: A professional, registered engineer retained by the city.

CONSOLIDATION OF PARCELS: Combining of two (2) or more parcels of property.

COUNTY HEALTH OFFICER: The administrative and executive officer of the Weber County health department and local registrar of vital statistics or his duly authorized representatives.

DEVELOPER: The owner, or his agent, of land proposed to be laid out and platted in accordance with this subdivision title. An agent of the owner shall be required to provide legal documentation, to be approved by the city attorney, which establishes his authority to act as agent for the owner.

EASEMENT: That 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.

FLAG LOT: A flag or L-shaped lot comprised of a staff having a minimum width of thirty feet (30') and a flag portion consisting of the minimum dimensions required for a regular lot in the applicable zone. The square footage of the staff shall not be considered in determining whether the lot size (the flag portion) requirements are met. (See also subsection 11-5-2E2 of this title.) No flag lot may be approved within the city except as a conditional use.

FRONTAGE: The distance between the two (2) side lot lines of a parcel measured along the street, or streets of a corner lot, which the parcel is allowed access. No state or federal highway to which no access is allowed shall be considered as frontage.

FRONT LOT LINE: The property line of the lot fronting or abutting one side of the street and/or right-of-way towards which the front line of a main building faces or may face. Frontage at curved streets or on the ends of cul-de-sacs shall meet the required lot width at the setback line.

GENERAL PLAN: A comprehensive plan for development of the city prepared and recommended for adoption by the planning commission, pursuant to state law, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

GRADE: The slope of a road, street or other public way specified in percentage terms.

HALF STREET: That portion of a street within a subdivision comprising one-half ($\frac{1}{2}$) the required right of way width upon which improvements in accordance with one-half ($\frac{1}{2}$) of an approved typical street cross section are constructed.

IMPROVEMENT PLAN: The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the city council as a condition of the approval of the plat.

JOINT OWNERSHIP: Joint ownership among persons shall be construed as the same owner for the purpose of imposing subdivision regulations.

LOT: A parcel of land occupied or capable of being occupied by a permitted or conditional use building or group of buildings (main or accessory), together with such yards, open spaces, parking spaces and other areas required by this subdivision title and the uniform zoning ordinance of Plain City, having frontage upon a street or upon a right of way approved by the board of adjustment. Except for group dwellings and guesthouses, not more than one dwelling structure shall occupy any one lot.

LOT IMPROVEMENT: Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property or any part of such betterment. Certain lot improvements shall be properly bonded or escrowed as provided in these regulations.

LOT LINE ADJUSTMENT: The relocation of the property boundary line in a subdivision between two (2) adjoining lots with the consent of the owners of record. No new lot is created.

LOT, RESTRICTED (R LOT): A lot which contains or is susceptible to special events or conditions, including, but not limited to, flooding, wetlands, improper drainage, steep slopes, rock formations, adverse earth formations or topography, fault lines, water table, or any other adverse condition which would warrant special identification or notice. Such lots shall be subject to regulated conditions as specified by the city engineer. All "R" lots shall be clearly identified on the recorded plat.

LOT RIGHT OF WAY: A strip of land not less than twenty feet (20') wide connecting a lot to a street for use as private access to that lot, and recorded as part of said lot.