

Notice and Agenda

The Plain City Planning Commission will convene in a regular meeting Thursday, April 10, 2025 in Council Chambers at Plain City Hall - 4160 West 2200 North, which meeting shall begin at 7:00 pm. This meeting will also be accessible via ZOOM.

The agenda shall be as follows:

Welcome:

Pledge of Allegiance:

Moment of Silence/Invocation:

7:00 PM – Regular Meeting

1. Roll Call
2. Opening Meeting Statement
3. Ex Parte communications or conflicts of interest to disclose
4. Public Comments for items not on the agenda
5. Approval of Minutes for March 27, 2025
6. Technical Review Report: for IHC

7. Legislative Items:

Discussion: Development Agreement Ordinance

Discussion: Building Regulations Ordinance

Motion: Set public hearing for Development Agreement Ordinance and Building Regulations Ordinance on April 24, 2025

8. Administrative Items:

Discussion/Motion: Lot Line Adjustment (parcels 15-006-0048, 15-006-0065) 2983 W 1900 N Rick Taylor

Discussion/Motion: 3rd Final Review for Brynlee Acres approx. 3415 W North Plain City Rd 42 lots-Rick Scadden

9. Report from City Council: Chairman Maw

10. Commission Comments:

11. Adjournment:

City Council Meeting: April 17- Commissioner Neil

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The undersigned hereby certifies that a copy of the foregoing Notice and Agenda was posted at the Plain City Hall, Plain City website www.plaincityutah.org and the Utah Public Notice Website at www.utah.gov/pmn on April 8, 2025

Join Zoom Meeting

<https://us02web.zoom.us/j/86910908389>

Meeting ID: 869 1090 8389

1 346 248 7799 US (Houston)

1 253 215 8782 US (Tacoma)

Tammy Folkman

Land Use Specialist

Plain City Commission
Minutes of Meeting
March 27, 2025

Plain City Planning Commission met in a regular meeting at City Hall on Thursday, March 27, 2025, also accessible via ZOOM beginning at 7:00p.m.

Present: Chairman Maw
Commissioner Ortega
Commissioner Neil
Commissioner Faulkner
Commissioner Skeen
Commissioner Ableman

Staff: Tammy Folkman, Dan Schuler

Attendees: Jacob Hansen, Bill Moyes, Todd Moyes, Lynette Singleton. Tauni & Dennis Singleton, Larry & Melisa Hadley, Joe & Amber Dunn, Tom Singleton, Zachery Cutler, Amy Hansen, Kent Hoggan, Becky Martin, Elaine Winegar, Wendy Davis, Gary Nielsen, Jennifer Reeves, Florence Hunter, Tom & Tim Favero, Parker McGarvey, Leann Kilts

Zoom Attendees: Mike Phillips, Micheal Moyes, Brandi

Welcome: Chairman Maw

Pledge of Allegiance: Commissioner Skeen

Moment of Silence/Invocation: Commissioner Maw

1. Roll Call: Chairman Maw directed roll call. Commissioners Skeen, Faulkner, Ortega, Neil, Ableman and Chairman Maw were all present.
2. Opening Statement: Chairman Maw
3. Ex Parte: Commissioner Neil mentioned talking with Craig Jensen after the TRC and indicated they talked about other options for the property he is looking at.
4. Public Comments: No comments at this time.
5. Approval of Meeting Minutes/Work Meeting Minutes for March 13, 2025
Commissioner Ortega motioned to approve all meeting minutes for March 13, 2025. Commissioner Skeen seconded the motion. Commissioners Ortega, Neil, Skeen, Faulkner and Chairman Maw voted aye. The motion carried.
6. Technical Review Report: Deep Roots Investment (Craig Jensen) and Dr. Ben Hale Dental
Commissioner Neil indicated Dr. Ben Hale would like to build a two-story building on the S Curve by where the IHC will go. He mentioned going over the height requirements he did say the landscaping plan was not included. He said they will go back and redo the landscaping plan. He mentioned Craig Jensen and Mat Hunt are wanting to do a development on 2800 N 3800 W on North Plain City Road, he stated it is zoned for RE-20

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right now but the general plan states it can be RE-18.5, they are looking to do an overlay if possible. He did say the roads could be an issue. Dan will explain the road width situation. Dan mentioned they wanted to use the dirt road but it belongs to Papageorge and they would need to acquire his property to do this or find the 60 foot right of way on their property or split it between their property and Papageorge's property. Dan mentioned he talked to Papageorge and he is not interested in doing this at this time. Dan mentioned talking with the engineer and they could look at a rural road (50 foot) but they would still need to acquire some property.

7. Legislative Items:

Motion: Open Public Hearing for re-zone from A-2 to RE-18.5 approx. 2500 N 5100 W (David Pitcher/Ophir Mountain LLC)

Commissioner Skeen motioned to open public hearing for re-zone from A-2 to RE-18.5 approx. 2500 N 5100 W. Commissioner Faulkner seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.

Dennis Singleton lives on 2500 N his concern is the increased traffic. He was concerned this would be high density. He was wondering why they chose 2500 N for their second access. Chairman Maw wanted to clarify this was just for the rezone and some of Dennis's comments may not get addressed tonight. He did mention there may be a tremendous amount of new traffic. LeAnn Kilts doesn't mind the development but would like to know if this could be rezoned to smaller lots. Commissioner Faulkner stated the developer could do an overlay but the way the overlay is written it states we want trails in the city. She is just saying it is fare to say there is an ordinance for an overlay for this land zone. There could be open space like parks or other things. LeAnn was wondering what they were going to do about their sewer. Commissioner Skeen mentioned we have not seen any development plans and this is just for a rezone. LeAnn mentioned we want to be on our toes because this is the first. she said she is fine with this but not smaller lots. Commissioner Ortega mentioned the future land use does say they can rezone to RE-18.5. He did say they could use the overlay but it would have to benefit the city. Chairman Maw did mention the general plan may be open this year. He encouraged everyone to come and participate. Jenniffer Reeves lives on 5100, she asked what is the possibility to rezone to larger lots. Commissioner Ortega stated it would be up to the developer. She would like to stick to an acre out there. Tom Singleton has 5 acres just north of 2500. He wanted to know if the city wanted it to be ingress and egress. He stated the main development comes off the dump road. Chairman Maw stated we have not seen the plan yet so he couldn't answer the question. Gary Nielsen's question was if there is 200 feet width would that give enough for 60 foot right of way and houses along the road. He is wondering if planning is taking into account of any environmental factors, he mentioned there is a lot of water below the hill. Commissioner Neil indicated when they bring their site plan in and it might be required that they do larger lots. They will probably be asked to do a wetlands study and a Geotechnical study. Gary asked what reason would you not rezone would it be because it is not in the general plan. Chairman Maw indicated that would be one of the reasons. Gary was wondering if they would make an exception to the general plan for this land. Commissioner Faulkner indicated we don't like going against the general plan she indicated the future land use map show this property as RE-18.5. Commissioner Ableman stated we do recommend public input when the general plan is opened, he stated we will take the publics input into account. He did say he has never seen a decrease in density with a general plan, he encouraged everyone to come and be part of the general plan update. David Pitcher got up and wanted to know if he could comment on this. Chairman Maw asked if anyone online would like to make a public comment there were no more comments. Chairman Maw read a letter from a property owner (there was no name) it stated this proposal

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has been denied in the past due to the flood zone, what changed the rezone. He stated the Army Corp. had assessed their land and it was designated wetlands and a flood zone, the ducks and geese are now nesting the sewer plant was built in the 1970's and few upgrades have been made, thousand of homes have been built and new ones coming. How is the sewer going to handle the growth. A generator with a pump is running twenty-four seven, the north east corner it is 18 inches from going over the top and it stinks and is noisy. This is not acceptable where is the drainage going other than the surrounding ground.

Commissioner Neil motioned to close the public hearing for re-zone from A-2 to RE-18.5 approx. 2500 N 5100 W (David Pitcher/Ophir Mountain LLC). Commissioner Ortega seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.

Discussion/Motion: Discussion/Motion: For re-zone from A-2 to RE-18.5 approx. 2500 N 5100 W (David Pitcher/Ophir Mountain LLC)

David Pitcher mentioned he is happy to answer any questions anyone has; he gave his phone number 661-865-2945. He is happy to get calls or meet with anyone. He mentioned 2500 the main reason it is included because it does have a common owner and the city standards would have a 60 foot right of way going through there and with the remaining land on the south side they would put a row of houses. He did say Marriotts are willing to sell a 100-foot strip on the north side. They do plan on putting houses on both the Marriott side and the Winegar side. He did mention the international fire code only allows 30 homes on a single access; he was not sure how many homes were there already. He did say they need a secondary access which would go up to 2500 which would give the added benefit of looping the water down that road which should increase the water pressure on 2500 same with the secondary. The northern 15 acres of this parcel is being rezoned as per the future land use map. The norther acreage on the general plan does shows a park or public space, he said he didn't see it on the agenda but the northern acreage on the general plan shows a park. He indicated he was hoping the application showed they are requesting that be changed from agriculture to what the city envisions it to be. He indicated he is all for that being a park, because of this the square footage of the lots would drop. Chairman Maw said as part of your future site plan you will be ask to comply with sensitive land and coordinate with the Army Corp. Mr. Pitcher indicated he understood the steps he needed to go through. Chairman Maw indicated this is a legislative matter and that we will be recommending whatever we recommend to the city council and they will make the final decision. Then they will be back to talk about the site plan. Commissioner Faulkner stated a lot of times we get people here for the public hearing but they don't go to city council and sometimes things change there. She encouraged everyone to go and give their comments.

Commissioner Faulkner motioned to recommend to City Council to approve the re-zone from A-2 to RE-18.5 approx. 2500 N 5100 W (David Pitcher/Ophir Mountain LLC). Commissioner Neil seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.

Discussion/Motion: Extension for Homestead Acres approx. 3500 W 3075 N Visionary Homes (Parker McGarvey)

Parker mentioned it has been about a year since they received approval for Homestead, he indicated it was by Stillcreek and they were acre size lots. He stated development has been delayed this past year hence the reason to extend. He is hoping to break ground sometime in June. Commissioner Neil stated he understood there were some water issues. Parker stataed there were some secondary water issues but he did say they would provide a will serve letter they are involved with that right now. He indicated there were very extreme

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water issues where an acre size lot you would be limited to 4,000 square feet of sod which would create an acre size weed patch. He stated it would be hard to market and sell lots. He has been working with Mountain View to provide water. He said everything had been resolved. Commissioner Skeen asked if there was a law or rule that you could only have 4,000 square feet of sod. Parker indicated it was a mandate from Weber Basin that they were going to enforce onto Mountain View. He indicated they have gone a different route as far as the source of the water. Mountain View is not going to adopt this or enforce it. Chairman Maw mentioned previous minutes where they received final approval, he stated there were some conditions on there. Here are the conditions that he read. *The language about who is responsible for repairing any damage to the ditch, including a letter about irrigation easement and plat change on lot 9 to allow for a walkway to the rail trail. With that change we will agree that the frontage on lot 9 can be reduced.* Parker stated everything had been taken care of. Commissioner Neil asked if he did have a letter from the irrigation company. Parker mentioned there is a note on the plat. Commissioner Neil wanted to know if the plain city irrigation company was aware of what Parker was doing. Chairman Maw asked if he had a letter from them. He indicated he did not have a letter. Commissioner Neil would like to see a letter from them. Commissioner Faulkner mentioned it looks like this should be in the developer's agreement; she asked that Parker make sure it is in there. He said he would. Chairman Maw asked if we approve this without the letter. Commissioner Faulkner feels the approval needs to include those conditions again. Commissioner Neil feels we don't do final until everything is met. Commissioner Skeen wanted to know what the agreement on the irrigation ditch was. Commissioner Neil indicated the mayor wanted to see it buried. Parker mentioned the irrigation ditch was on the whole plat and they can't pipe it because it is deemed Army Corp. of Wetlands. Commissioner Skeen stated that was the canal not the irrigation ditch. Commissioner Ableman mentioned the ditch feeds the north end of the city, he agrees we need to get with the irrigation company to get their thoughts on this. Parker stated it currently carries water from A to B across the property and it will continue to do so. Just because it becomes platted lots it won't change the homeowner's ability or ourselves to take that away from the irrigation company. Commissioner Ableman is wondering how the irrigation company will maintain the ditch as a prescriptive easement. Parker indicated they are not proposing any changes to the utility. He said fences will be on the interior side of the lots even though they own to the other side. They could put gates or little bridges if they want to, as a developer home building we will be putting a fence between the backyard and the creek. Commissioner Neil referenced a letter he has received from the irrigation company. He mentioned that Mr. Christensen said to send any developer to them so they can review the plan. Commissioner Faulkner thought this would be fair because it has been a year and the letter is not there. **Commissioner Neil motioned to table extension for Homestead Acres. Commissioner Faulkner seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.**

Discussion: Development Agreement Ordinance - Hansen Group

Jacob is here from Hansen planning group. He gave an overview of why this was necessary. This is not considering a particular development but creating a frame work for future developments and the building regulations is about public improvements to be completed before any building takes place. He mentioned this is the second draft and, in this draft, he added (1) making the developer pay for the city's time in reviewing all the plans. This draft is requiring the developer to put up a retainer and the amount can be changed but he put it at \$20,000 and replenish it as the developer draws from it. He did mention we could set the fee however we would like (2) defining the technical review by adding a short paragraph that the mayor can fill from city staff or outside council or whomever he chooses (3) adjusting some of the language and the purpose provision to

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emphasis this is not the main channel for development it is an exception. (4) adding language to split up formal development proposals. It was more of a language edit. He suggested developing a template for development agreement after working through the one we have with the Jacksons. Then you can pull out the things everyone agrees on and put them into a future template. Commissioner Faulkner would like to have a list of things that will protect us or things we should be aware of. Jacob mentioned if he was going to submit a development agreement, he would start with a term sheet and a map and once the big picture policy priorities were hammered out then he would zoom in and talk about more of the specifics then finally hand it over to the attorneys then they would hash out the language in the agreement. Commissioner Faulkner is wondering if they sell the property to another developer how does that agreement get enforced with the new developer. Jacob did say they did put in the ordinance that these development agreements do not run with the land. So, if the land is sold the new developer will need to come in and start a new development agreement. Commissioner Neil is wondering if there was a time limit on an agreement. He suggested reviewing the development agreement every time the general plan was reviewed. Jacob mentioned we received the grant from the state to update the general plan. Commissioner Faulkner doesn't like that it says 5 acres in the ordinance she feels it needs to be higher, she feels like it should be 10 acres. Commissioner Skeen feels it should be 100 acres. Some of the commissioners don't favor development agreements. Everyone agreed on changing it from 5 acres to 100 acres. Commissioner Faulkner mentioned the last page at the bottom where it says on 11-9-9 must include all written objections from the public, she thinks it should include objections from the minutes at the public hearing. On (b) it should say and all written and oral objections. Commissioner Ortega is wondering if we can add if the \$20,000 dips below a certain percentage the developer needs to replenish to get it up to the certain amount. Jacob stated it says the developer will replenish retainer when requested by the city. He said they can add something like if it dips below half or 80% the developer will need to replenish funds. Commissioners felt like 80% was good and it was suggested to consult with legal.

Discussion: Building Regulations Ordinance- Hansen Group

At the end of chapter 8 Jacob said it essentially says you can't get a building permit from the city until the final plat of a subdivision is recorded and all public improvements are required. This is in the subdivision ordinance and building regulations. All improvements would need to be made in each phase before you are allowed to get a building permit to build any kind of dwelling on it. Dan mentioned it is minimal stuff but they can't get final until it is all done. He said it would be all city improvements. Commissioner Ableman would like the new subdivisions to be the same as the existing grade of the surrounding properties. He is wondering if this would be the time to add something. Commissioner Faulkner thought this would be in the building standards, she asked Dan if he could look into this. Jacob will also look into this.

8. Administrative Items:

Discussion/Motion: Approval for Site Development, Commercial Existing Building- 2392 N 4350 W (Joe Dunn)

Joe stated this is at town square it's the building next to the dentist office. Everyone stated everything looked good.

Commissioner Faulkner motioned to approve the site development plan for the beauty salon.

Commissioner Ortega seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.

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9. Report from City Council: Commissioner Faulkner

Commissioner Faulkner mentioned there is a new assistant fire chief his name is Casey Christiansen. She also mentioned Stacy Dixon came and talked about a theatre group and asked for a donation she also wanted to do a play this summer. Commissioner Faulkner thought this would be a good Founders Day project to try and get it going again. She mentioned Dan getting two grants one to improve the splash pad and remove the chain link fence at the lion's club and the other for Collin Ray coming over the 4th of July. She indicated we applied for a grant for the general plan for \$85,000 but we were approved for \$120,000. Matt Gwen gave an overview of the bills that were done at the state legislature. Jason Jacobson and his family came she said the family makes benches out of skateboards in honor of their son who committed suicide his name was Mason; they make Mason benches. They are looking for skateboards or if you want to donate money you can find the information on the city's Facebook page. The mayor asked if they would do one for the 4th of July raffle. The mayor had a special request for planning, he would like to see a conditional use for commercial A-1 and A-2 also on detached accessory dwellings he wants to have a timeline between building the accessory and living in it while building your primary dwelling.

10. Commission Comments:

Commissioner Skeen would like to know if we have a standard for trails. Tammy will send the map of trails to everyone. He mentioned the irrigation ditch at Homestead, he said in our ordinance it says if they are in a subdivision they need to be piped or fenced. Commissioner Faulkner thought the easement was part of the subdivision not the ditch, it was unclear. She mentioned the irrigation committee requesting a letter she thinks we need to make this part of our ordinance. She feels the developer needs to have a meeting with the irrigation company or invite them to come to the technical review meetings. She asked if David Skeen was developing already. Dan mentioned that is the county not the Skeen subdivision. Commissioner Neil talked about the secondary water that Craig Jackson is wanting to do. He suggested they need to run it through a series of tests before it can be approved this would be at their expense. Commissioner Ortega has a concern about fencing the ditch off at Homestead. He feels it is taking part of the land from the property owners and he doesn't feel comfortable doing this. Chairman Maw was approached by the amphitheater committee, he mentioned doing a presentation to city council on the recreation center/amphitheater then he will bring it to planning. Commissioner Skeen mentioned he had called the water rights division after the last meeting. He stated the application and the approval they have right now is for irrigation and livestock. He mentioned the person at the state said if they want to sell it or use it for commercial or subdivision use, they will need to fill out a form called the declaration of beneficial use it would have to be reviewed and evaluated for a different use. He also said the water rights are co-owned with the Etherington's. He indicated both parties would have to sign off on it and be approved. Commissioner Skeen said these were just his notes.

11. Adjournment

Commissioner Faulkner moved to adjourn the meeting at 9:02pm. Commissioner Neil seconded the motion. Vote: Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. Motion carried.

City Council Meeting: April 3- Chairman Maw

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2025					
MAW	NEIL	ABLEMAN	ORTEGA	SKEEN	FAULKNER
~~JAN 2~~	~~JAN 16~~ Ortega	~~FEB 6~~	~~FEB 20~~	~~MAR 6~~	~~MAR 20~~
APR 3	APR 17	MAY 1	MAY 15	JUN 5	JUN 19
JUL 3	JUL 17	AUG 7	AUG 21	SEP 4	SEP 18
OCT 2	OCT 16	NOV 6	NOV 20	DEC 4	DEC 18

If you are unable to attend on your assigned night, please make sure someone goes in your place

Planning Commission Chair

Planning Commission Secretary



Memorandum

To: Tammy Folkman, Land Use Specialist
Plain City Corporation

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

Date: April 3, 2025

Subject: Brynlee Acres, 3rd Final Review

We have reviewed the revised plans for the proposed Brynlee Acres Development. It appears that the previous comments listed on our review memorandum dated February 12, 2025 have been addressed. We recommend approval of the Brynlee Acres Development.

If you have any questions or require additional information, feel free to call.



Memorandum

To: Tammy Folkman, Land Use Specialist
Plain City Corporation

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

Date: February 12, 2025

Subject: Brynlee Acres, 2nd Final Review

We have reviewed the revised plans for the proposed Brynlee Acres Development. It appears that the previous comments listed on our review memorandum dated November 1, 2024 have been complied with. However, the Plain City Public Works Director has some additional comments that are listed below:

1. A canal gate must be placed on the outlet of the detention pond that will allow the pond to be isolated.
2. The detention pond outlet box details do not specify the size of the outlet control orifice.
3. The proposed storm drain line from this development runs to the west at a relatively shallow depth. Profile information should be submitted that confirms that the proposed alignment and depth or the storm drain pipe will work.

If you have any questions or require additional information, feel free to call.



Landmark Surveying, Inc.

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4646 South 3500 West - #A-3
West Haven, Utah 84401
(801) 731-4075 Office

4-1-25

February 14, 2025

Brad C. Jensen, P.E.
Wasatch Civil Consulting Engineering
1150 Depot Drive, Ste 225
Ogden, Utah 84404
801-775-9191
contact@wasatchcivil.com

RE: Brynlee Acres, 2nd Final Review, dated February 12, 2025

Dear Brad:

Attached is a response memorandum addressing the items indicated in two letters;

1. Brynlee Acres, 2nd Final Review, dated February 12, 2025 from Wasatch Civil, and
2. Brynlee Acres – Weber County, JUB #55-25-064-001 from JUB Engineering dated February 13, 2025.

If you have questions please let us know.

Respectfully,

Lynn Wall, P.E.
Wall Engineering

Ernest D. Rowley, PLS, CFedS
Principle Owner - Landmark Surveying, Inc.
Ernest@LandmarkSurveyUtah.com

4201 response letter dated 02-12-2025.docx

MEMORANDUM – Response letter to:

Wasatch Civil Consulting Engineering
Attn: Brad Jensen, P.E.

Re: Brynlee Acres, 2nd Final Review, dated February 12, 2025.

1. A canal gate must be placed on the outlet of the detention pond that will allow the pond to be isolated.
RESPONSE: Done.
2. The detention pond outlet box details do not specify the size of the outlet control orifice.
RESPONSE: Please see Orifice Plat Detail on sheet SW2.
3. The proposed storm drain line from this development runs to the west at a relatively shallow depth. Profile information should be submitted that confirms that the proposed alignment and depth or the storm drain pipe will work.
RESPONSE: See sheet 6 – RP3 Storm Drainage Profile

MEMORANDUM – Response letter to:

JUB Engineering
Attn: Sam Wakeham and Greg Seegmiller, P.E.

Re: Brynlee Acres – Weber County, JUB #55-25-064-001, dated February 13, 2025.

1. Add note on WS1 and WS2 that all culinary waterlines are to be constructed to Bona Vista Standards.
RESPONSE: The general notes address this issue, specifically note 23.2. I have, however, added a note 8 to sheet WS1 and a note on WS2 referring to sheet WS1 notes.
2. On Sheet WS1, label the existing waterline on Plain City Road as 8" PVC C-900 pipe.
RESPONSE: Done.
3. Label new waterlines as private.
RESPONSE: See note 9 sheet WS1.
4. On Sheet RP1, the storm drain crossings at approximately Sta. 10+21 and Sta. 12+87 need to be shown in the profile view to verify there is adequate separation between the storm drain and waterline. Bona Vista requires a minimum of 1' separation, or 6" with insulation around the pipe to prevent their waterlines from freezing.
RESPONSE: See Note 10 Sheet WS1 and the note and pipe location shown on sheet 6 RP3.
5. Pipe casings need to be shown and labeled in the profile views for all sewer line crossings. This is shown in the plan view but must also be shown in the profile. Once completed, these plans will need to be submitted to the State for approval of an Exception. No construction can commence until the approval is granted.
RESPONSE: I have expanded Note 4 on Sheet 6 WS1 to include District notification should a design and field condition conflict be present at the crossing located in North Plain City Road where the sewer and water lines tie to existing facilities.
The crossings have been added to the profiles.
6. On Sheet WS2, at approximately Sta. 17+50 the label for the sleeves needs to be fixed. The arrows are shown but the label is not.
RESPONSE: Done.



Bona Vista Water Improvement District

2020 West 1300 North, Farr West, Utah 84404

Phone (801) 621-0474 Fax (801) 621-0475

March 31, 2025

Plain City Planning Commission
4160 West 2200 North
Plain City, UT 84404

RE: WILL SERVE LETTER – Brynlee Acres

The development is located at 3440 North Plain City Rd, approximately and consists of 41 lots.

The Bona Vista Water Improvement District does have culinary water available for the above mentioned project located at the above address.

The above-named project is in the boundaries of the Bona Vista Water Improvement District. The plan review fee has been paid, as well as formal application made.

The subdivision utility plans have been reviewed by the District and changes, if any, have been made and corrected. These plans have now been approved. Only the phase in consideration is guaranteed service and the plan review is good only for a period of one year from the date of this letter, if not constructed.

Bona Vista Water Improvement District's specifications are available at the District office or online at www.bonavistawater.com /construction-standards.

This subdivision must have a secondary water system for all outside irrigation usage. Prior to the District accepting connection and impact fees, the owner or developer must furnish proof of secondary water for the lot in which they would like to build. Acceptable proof is a receipt from the secondary water provider.

If you have any questions, please feel free to call me. I can be reached at 801-621-0474 ext. 202, Monday through Friday, 8am – 4pm.

Sincerely,

Matt Fox,
General Manager

Board of Directors

Ronald Stratford – Chairman – Unic. Weber County
Ken Phippen – Vice Chairman – Farr West
Scott Van Leeuwen – Marriott/Slaterville
Jon Beesley, Vice Chairman – Plain City
Michelle Tait, Chairwoman - Harrisville

Management

Matt Fox, Manager

Subdivision

consideration of their application. Extensive revisions caused by the TRC comments or by voluntary action of the applicant, may require additional TRC meetings.

C. Timetables: Critical path preliminary plat processing project timetables, including monthly preliminary plat application deadlines, TRC meeting dates, required resubmittal dates and Land Use Authority meeting dates are established and maintained by the City Recorder's Office. (Ord. 2017-14, 12-7-2017, eff. 12-8-2017)

D. TRC Defined: The Technical Review Committee is a committee with membership determined by the Mayor from time to time. The members of the TRC may include City staff and officials as well as outside consultants and professionals on contract with the City.

11-3-4: PRELIMINARY PLAT:

A. General: The preliminary plat shall be prepared in ink by a licensed land surveyor or engineer of a convenient scale not more than one hundred feet to an inch (1" = 100'), and the sheets shall be numbered in sequence if more than one sheet is used and shall be of such size as is acceptable for filing in the Office of the County Recorder. The preliminary plat shall:

1. Be accompanied by a minimum of seven (7) eleven-inch by seventeen-inch (11" x 17") copies of the preliminary plat as described in these regulations and seven (7) eleven-inch by seventeen-inch (11" x 17") sets of aerial maps, with each set including two (2) maps: one map showing a close up of the subdivision (with legend included) and the second map showing approximately one thousand feet (1,000') around the boundaries of the subdivision in all directions. The applicant must also provide a digital file of these documents.

2. Be presented to the City Recorder at least thirty (30) days prior to a regular meeting of the commission. This thirty (30) day period is necessary to allow the Planning Commission and designated consultants time to review the plat and prepare for its consideration at a regular meeting held for such purpose.

B. Features: The preliminary plat shall contain the following:

1. The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names of adjoining developments and the names of adjoining streets.

2. The location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.

3. The location of existing streets, easements, water bodies, streams and other pertinent features such as wetlands, buildings, parks, cemeteries, drainage ditches, irrigation ditches, fences, bridges, etc., as determined by the Planning Commission.

4. The location, width and details of all existing and proposed streets, curbs, gutters, sidewalks, easements, alleys, other public ways and easements and proposed street rights-of-way and building setback lines.

aforesaid shall be approved by the City Council and City Attorney and shall be filed with the City Recorder. The ten percent (10%) improvement guarantee amount will be held for one year beyond the date of conditional final acceptance of improvements.

2. Financial Institution Bond - An agreement with a financial institution federally or state insured to release certain construction funds upon approval by the City. The amount of the bond shall be equal to the cost of improvements required plus ten percent (10%) as estimated by the developer and approved by the City Engineer conditioned for the installation of said improvements within two (2) years from the date the final plat is recorded. The ten percent (10%) improvement guarantee amount will be held for one year beyond the date of conditional final acceptance of improvements.

~~—3. Development and Escrow Agreements: A development agreement and escrow agreement shall be provided for all subdivisions after final approval and prior recording.~~

B. Default: In the event the developer defaults, fails or neglects to satisfactorily install the required improvements within two (2) years from the date the final plat is recorded, the City may declare the escrow deposit forfeited, and the City may install or cause the required improvements to be installed using the proceeds from the collection of the escrow to defray the expense thereof. The developer may apply to the Plain City Council for an extension of time of one year, with additional one year extensions after the first extension. The Plain City Council may grant this request upon proof of difficulty. Said extensions shall be subject to adequate security for the completion of said improvements being made by increasing the amount of the escrow account, if necessary. The City Council may require certain improvements to be completed before an extension is allowed. (Ord. 2017-14, 12-7-2017, eff. 12-8-2017; amd. Ord. 2023-06, 4-6-2023, eff. 4-6-2023)

11-4-2: INSPECTION OF IMPROVEMENTS:

A. General Procedure: The City Public Works Director, or the City Engineer, shall provide the inspection of required improvements during construction and ensure their satisfactory completion. If they find, upon inspection, that any of the required improvements have not been constructed in accordance with the City's construction standards and specifications, the applicant shall be responsible for completing the improvements.

B. Reduction Of Escrow Funds: The City shall not release nor reduce escrow funds on any required improvement until the developer provides a statement for monies requested, signed by the City Engineer and or City Public Works Director noting the improvements have been satisfactorily completed. In no event shall escrow funds be reduced below ten percent (10%) of the principal amount.

C. Punch List Items: The City Inspector will complete final inspection and produce a punch list of items that need to be completed or replaced before the Project/subdivision will be granted conditional final by city council. Once developer/contractor receives the punch list from the city all items listed will need to be completed within sixty (60) days. After the sixty (60) days the punch list will be null-and-void and a new final inspection and

The purpose of this Chapter is to comply with Utah Code §10-9a-604-604.9 and increase administrative efficiency in reviewing subdivision applications. (Ord. 2024-03, 3-7-2024)

11-8-2: SCOPE OF APPLICABILITY:

A. This Chapter applies to all subdivision-related applications or petitions where the intended use is one- or two-family residential dwellings, including townhomes and duplexes. This Chapter does not apply to applications or petitions for other uses. (Ord. 2024-03, 3-7-2024). This Chapter also does not apply to proposals to subdivide land through a development agreement of the type described in and governed by Chapter 11-9. (Ord. 2024-03, 3-7-2024)

11-8-3: INTERPRETATION AND CONFLICT OF LAWS:

Where any provision in this Subdivision Chapter conflicts with state law, state law shall prevail. Where any provision in this Subdivision Chapter conflicts with other ordinances enacted by the City, the provisions in this Subdivision Chapter shall prevail unless the City intended such conflicting ordinances not in this Chapter to amend this Chapter. (Ord. 2024-03, 3-7-2024)

11-8-4: DEFINITIONS:

The following words and phrases, as used in this Chapter, shall have the following meanings. Words and phrases not defined here have the meaning expressed elsewhere in this Title or, if not defined in this Title, the meaning defined by state law:

IMPROVEMENT PLAN: A plan to complete permanent infrastructure on the subdivision that is essential for the public health and safety or that is required for human occupation and that an applicant must install in accordance with public installation and inspection specifications for public improvements and as a condition of recording a subdivision plat.

LAND USE APPLICATION: An application required by the City and submitted by a land use applicant to obtain a land use approval; this does not mean an application to enact, amend, or repeal a land use regulation.

LAND USE AUTHORITY: An individual, board, or commission appointed or employed by a municipality to make land use decisions.

PLAT: An instrument subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with §10-9a-603 or § 57-8-13 of Utah State Code (as amended). (Ord. 2024-03, 3-7-2024)

the approved final plat until such improvements are completed or assured in compliance with City ordinances and the approved improvement plan.

B. An approved plat not properly recorded within the timeline specified in 11-8-12 (A) is void, unless the Land Use Authority approves an extension. (Ord. 2024-03, 3-7-2024)

C. As required under the City Building Code (9-1-3), the City shall not issue a building permit for the construction of buildings or other private improvements in a subdivision until:

a. The approved final plat is properly recorded with the County Recorder's Office;
and

b. All public improvements required by City ordinances or contemplated in the approved improvement plan are completed.

CHAPTER 9

DEVELOPMENT AGREEMENTS

11-9-1: PURPOSE

A. The purpose of the development agreement process described in this Chapter is to provide the City with a method of offering exceptions to existing City land use, infrastructure, and subdivision requirements in order to attract unique development opportunities that:

- a. Align with the General Plan;
- b. Improve more than 100 acres; and
- c. Offer extreme benefits to the City.

11-9-2: DEFINITIONS

As used in this Chapter 9:

- A. "Developer" means any individual or entity seeking a development agreement, including property owners, professional developers, and agents of the same.
- B. "Development Agreement Proposal" and "Proposal" mean a formalized draft of a contract, not yet accepted by all parties, prepared for signing and intended as an offer by the developer to the City or vice versa. These terms do not refer to any Preliminary Materials.
- C. "Preliminary Materials" means concept plans and maps, term sheets, and other documents intended as tools for discussing the feasibility of a project and negotiating the basic terms of a Development Agreement Proposal.

11-9-3: FORM

A development agreement is a contract between the City and the Developer who proposes the agreement. Subject to any applicable federal, state, and county regulations, a development agreement may bestow exceptions to City ordinances.

11-9-4: LIMITATIONS

- A. The City may reject a Development Agreement Proposal at any time before approval and for any reason, whether political or technical. Developers are not entitled to Proposal approval, even for applications that comply with existing City ordinances, that have been extensively discussed by the City, or that the City initiated.
- B. If the City rejects a proposal to enter into a development agreement, the Developer may pursue approval of the project by complying with City ordinances and submitting the required land use and subdivision applications individually and in compliance with all existing federal, state, county, and City standards.
- C. In accordance with Utah Code §10-9a-532(2), development agreements are void to the extent that they:
 - a. Limit the City's future authority to enact land use regulations or other ordinances and rules that are necessary and proper to protect property in the City or to promote the health, safety, prosperity, morals, peace and good order, comfort, and convenience of the City and its inhabitants; or
 - b. Require the City to change the zoning designation of any land in the future.
- D. In accordance with Utah Code §10-9a-532(2)(f), development requirements, regulations, or controls described in a development agreement do not run with the land and are enforceable only against the parties to the contract.

11-9-5: CITY COUNCIL APPROVAL

- A. The City Council is solely authorized to enter into development agreements with private parties and public entities:
 - a. Through a majority vote of the Council, evidenced by the Mayor's signature on a Development Agreement Proposal;
 - b. Following a public hearing and recommendation by the Planning Commission;
 - c. After reviewing any applicable staff reports;
 - d. After ensuring that adequate public notice was achieved for the above actions;
 - e. After the developer has paid all fees and outstanding invoices from the City; and
 - f. In accordance with Utah Code §10-9a-532, as amended.

B. The City Council may amend any Development Agreement Proposal before entering in to the development agreement. The City Council may accept, revise, or reject any Proposal terms suggested by a Developer, the Planning Commission, or the TRC.

C. The City Council may review a Proposal indefinitely.



DEVELOPMENT AGREEMENT PROCEDURE: OVERVIEW



11-9-6: REQUIRED RETAINER AND CITY REVIEW FEES

A. A Developer seeking a development agreement shall be liable to reimburse the City for the City's personnel costs incurred in reviewing and revising Preliminary Materials and Development Agreement Proposals. The City's personnel costs include the time of City employees and outside consultants, engineers, and contractors, assessed at the City's standard hourly rates.

B. Before the City reviews any Preliminary Materials or Development Agreement Proposal, the Developer must:

a. Provide a retainer to the City of at least \$20,000.00; and

b. Acknowledge in writing the City's applicable hourly rates and authorize the City to reimburse itself from the retainer at said hourly rates.

C. The Developer must promptly replenish the retainer to its original amount at any time that the retainer decreases below \$4,000. Unused funds shall be returned to the Developer at the time the development agreement is signed or earlier at the Developer's request.

TITLE 9
BUILDING REGULATIONS

CHAPTER 1
BUILDING CODE

SECTION:

9-1-1: Building Codes Adopted

9-1-2: Building Official

9-1-3: Building Permit Required

9-1-4: Fee Schedule

9-1-5: Ditches

9-1-6: Limitation On Plan Check Fees

9-1-7: Penalty; Exception

9-1-1: BUILDING CODES ADOPTED:

A. Adopted: Pursuant to the terms of Utah Code Annotated section 58-56-4(2) and Utah administrative code section R156-56-701, the city hereby adopts the international building code (IBC), as modified by chapter 11 of the supplement to the international building code, promulgated by the International Code Council, and amendments thereto as adopted under the Utah administrative code, together with standards incorporated into the IBC by reference, including, but not limited to, the international energy conservation code (IECC) promulgated by the International Code Council and the international residential code 1 (IRC) promulgated by the International Code Council. (1982 Code § 9-531; amd. Ord. 2002-05, 4-18-2002, eff. 4-18-2002; 2003 Code)

B. IBC Amendments: The IBC adopted in subsection A of this section is amended by the statewide amendments contained in Utah administrative code section R156-56-704. All of those amendments included in said section R156-56-704 are hereby incorporated into this section by this reference.

C. Update Of Amendments: The amendments adopted in subsection B of this section shall be automatically updated whenever additional amendments are adopted by the division of occupational and professional licensing and/or the uniform building code commission pursuant to their authority under Utah Code Annotated sections 58-56-4(4) and 58-56-7, and added to the amendments included in Utah administrative code section R156-56-704 as referenced herein.

D. Exemptions: Structures used in relation to tilling of soil, raising of crops or keeping or raising domestic animals for the purpose of food production and which are not occupied by

B. This section shall not apply where the retail cost of the materials used in the construction or alteration is less than five hundred dollars (\$500.00), except that it shall apply in all cases where the construction or alteration results in an enlarged structure or affects the walls of the building or structure. (1982 Code § 9-521; amd. 2003 Code)



Memorandum

To: Tammy Folkman, Land Use Specialist
Plain City Corporation

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

Date: April 3, 2025

Subject: Rick Taylor Lot Line Adjustment

We have reviewed the information submitted for the Rick Taylor Lot Line Adjustment and have no comments.

If you have any questions or require additional information, feel free to contact me.

APPLICATION FOR A PLAIN CITY
LOT LINE ADJUSTMENT AND CONSOLIDATION OF PARCELS

Date Submitted March 24, 2025 Lot Line Adjustment ☒ Consolidation of Parcels ☐
Property Owner Name Rick J. Taylor Email: Maverickjtaylor@gmail.com
Address 2983 W. 1900 N. Plain City, UT
Phone 801-414-6813 Parcel No(s) To...15-006-0048 From...15-006-0065
No. of Existing Parcels 2 No. of proposed parcels 2
Existing Zone RA-20

Please answer the following questions:

The lot line creates a new lot. Yes No ☒

The affected property owners adjoining the lot line consent to the lot line adjustment. ☒ Yes No

The lot line creates a remnant parcel that did not previously exist. Yes No ☒

The lot line creates a violation of zoning codes. Yes No ☒

Surveyor's Name Willis Long Address 837 S. 500 W. Suite 201 Woods Cross Ph 801-663-1641

Engineer's Name Layton Surveys Address 837 S. 500 W. Suite 201 Woods Cross Ph 801-663-1641

Please describe any agreements, rights-of-way, easements etc that could affect this property:

PLEASE NOTE IF REQUIRED:

All Engineer, Legal, and Planner Fees are the responsibility of the Person or Entity applying for the Lot Line or Consolidation process.

The new legal description shall not create a new parcel, remnant parcel or violate existing zoning ordinances.

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

March 24, 2025
Date

Rick J. Taylor
Signature

Office Use Only

Lot Line Adjustment Fee: 200.00

Consolidation of Parcel Fee:

Number of Copies Submitted:

Receipt No. 2027995

Date Paid 3-28-25

Planning Commission Approval Date:

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH)
) ss
COUNTY OF WEBER)

I (we), Rick & Anne Taylor & Diane C. Taylor, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I also acknowledge that I have received written instructions regarding the process for which I am applying and the Plain City Planning staff have indicated they are available to assist me in making this application.

Rick & Anne Taylor
(Property Owner)

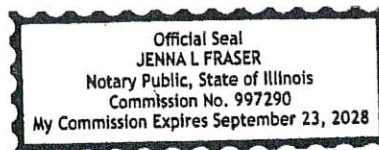
Diane C. Taylor
(Property Owner)

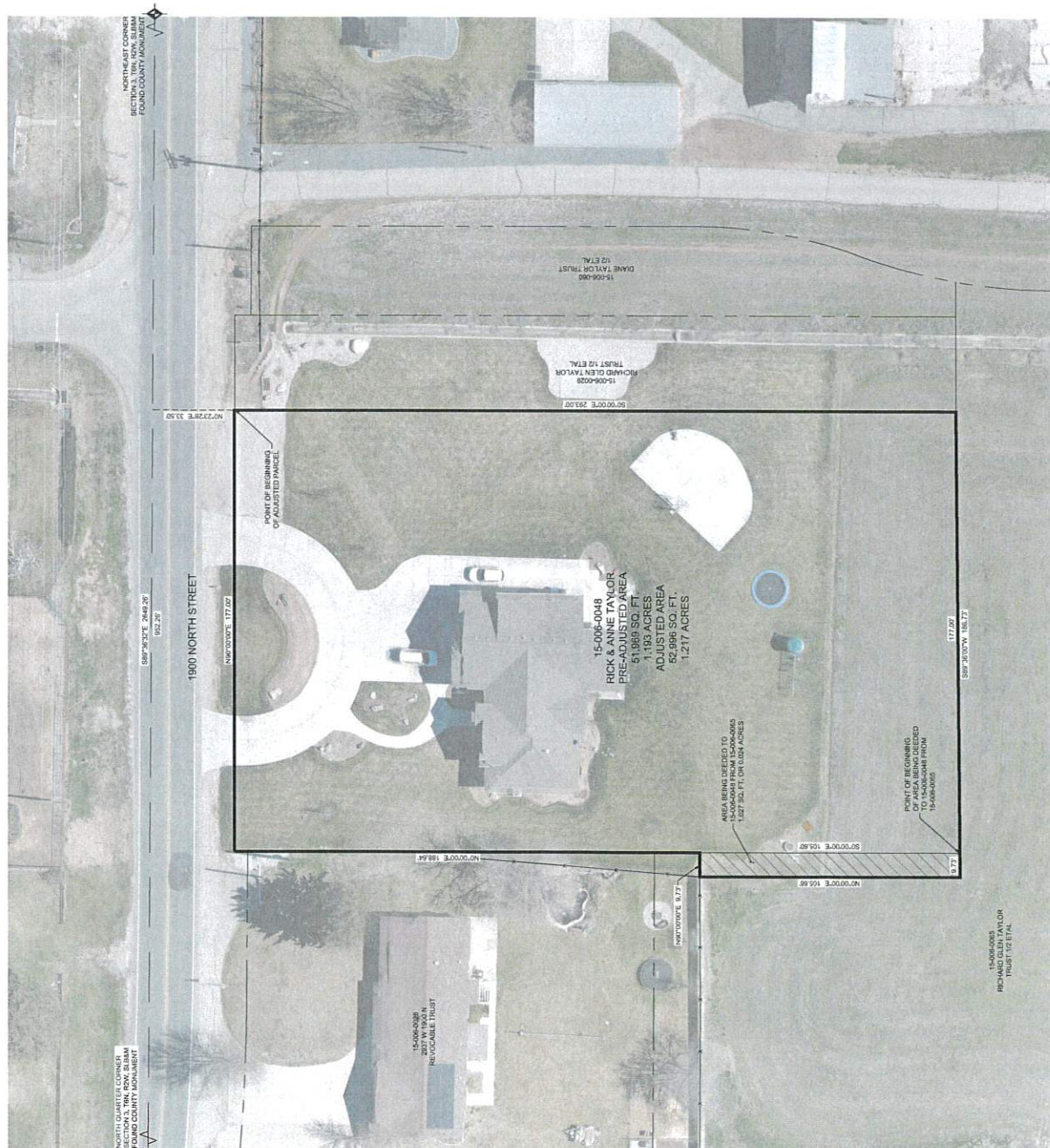
Subscribed and sworn to me this March day of 24th, 2025.

Jenna Fraser
(Notary)

Residing in Weber County, Utah

My commission expires: 09/23/2028



[illegible]

BOUNDARY LINE ADJUSTMENT SURVEY FOR RICK TAYLOR
LOCATED IN SECTION 3, TOWNSHIP 6 NORTH,
RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
PLAIN CITY, WEBER COUNTY, UTAH

LAYTON SURVEYS LLC

S1	1	2
1	(1, 1)	(0, 0)
2	(0, 0)	(1, 1)

DEED DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE COUNTY, UTAH, BEING SOUTH 200 FEET OF THE NORTH LINE AND EAST 177 FEET OF THE WEST LINE OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 200 FEET; THENCE SOUTH 89°30' WEST 177 FEET; THENCE NORTH 200 FEET, MORE OR LESS, TO POINT OF BEGINNING.

ADJUSTED DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE AND PIERCEMAN COUNTIES, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHLINE OF 1966 NORTH STREET, SAID POINT BEING SOUTH 89°30' EAST 177 FEET FROM THE CORNER OF SAID QUARTER SECTION, AND PROCEEDING SOUTH 200 FEET; THENCE SOUTH 89°30' WEST 186.73 FEET; THENCE SOUTH 89°30' WEST 186.73 FEET; THENCE EAST 5.12 FEET; THENCE SOUTH 89°30' WEST 177 FEET; THENCE SOUTH 200 FEET, MORE OR LESS, TO POINT OF BEGINNING.

CONTAINING 32.96 SQUARE FEET NET 1.27 ACRES, MORE OR LESS.

AREA DEEDING FROM 15-006-0065 TO 15-006-0048 DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE AND PIERCEMAN COUNTIES, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHLINE OF 1966 NORTH STREET, SAID POINT BEING SOUTH 89°30' EAST 177 FEET FROM THE CORNER OF SAID QUARTER SECTION, AND PROCEEDING SOUTH 200 FEET; THENCE SOUTH 89°30' WEST 8.72 FEET; THENCE NORTH 150.68 FEET; THENCE SOUTH 200 FEET, MORE OR LESS, TO POINT OF BEGINNING.

CONTAINING 1.67 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

NARRATIVE

THE PURPOSE OF THE SURVEY WAS TO ADJUST THE BOUNDARY LINE BETWEEN TAX PARCELS NO. 1 AND 2, AS SHOWN ON THE 1985 SURVEY, AND THE BOUNDARY LINE SHOWN ON THE 1987 SURVEY. THE SURVEY WAS ORDERED BY NICK TAYLOR, THE BASIS OF ORDERING IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, T34N, R10E, S10E, NEIGHBOR COUNTY, UTAH, AND 83 STATE PLANE GRID BEARING.

SURVEYOR'S CERTIFICATE

WILLIS D. LUND, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF UTAH, LICENSE NO. 10000, AND THAT I AM A MEMBER OF THE NATIONAL ASSOCIATION OF PROFESSIONAL ENGINEERS AND SURVEYORS ACT. FURTHER CERTIFY THAT BY AUTHORITY OF THE PROFESSIONAL ENGINEERS AND SURVEYORS ACT, I HAVE BEEN AUTHORIZED TO CONDUCT THIS SURVEY PLAN IN ACCORDANCE WITH SECTION 10-2-3 AND HAVE VERIFIED ALL MEASUREMENTS, THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE UTAH SURVEYING ACT, AND THAT THE SURVEY IS SUFFICIENT TO REINSTATE OR REESTABLISH THE SURVEY, AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO CORRECTLY ESTABLISH THE LATERAL BOUNDARIES OF THE PEREN DESCRIBED PARCELS. I HAVE BEEN ADVISED BY THE CLIENT THAT THE INFORMATION SHOWN HEREIN IS TRUE AND CORRECT.

STATE OF UTAH, COUNTY OF NEIGHBOR

DATE OF SURVEY 01/24/2013

DATE OF CERTIFICATE 01/24/2013

SURVEYOR'S SIGNATURE WILLIS D. LUND

WITNESSES WITH CHECK OF MAPS ONLY



PLAIN CITY
4160 W 2200 N
PLAIN CITY UT 84404

801-731-4908

Receipt No: 2.000037995

Mar 28, 2025

Rick Taylor- Lot Line

Previous Balance:	.00
MISC REVENUE - FILING FEES - LAND USE	200.00
10-36-93 FILING FEES	
MISC REVENUE - CREDIT CARD FEES	6.00
10-36-94 CREDIT CARD FEES	
Total:	206.00
CREDIT CARD - USAepay	206.00
Total Applied:	206.00
Change Tendered:	.00

03/28/2025 9:41 AM