



WEST HAVEN PLANNING COMMISSION AGENDA

August 13, 2025 6:00 P.M.
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **Wednesday, August 13, 2025**, THE PLANNING COMMISSION OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETINGS:

***5:30 WORK SESSION** – Moderate Income Housing

***6:00 PM: REGULAR PLANNING COMMISSION MEETING**

JOIN US DIGITALLY FOR THE REGULAR PLANNING MEETING AT:

[HTTPS://US06WEB.ZOOM.US/J/86539464549.](https://us06web.zoom.us/j/86539464549)

WATCH LIVE AT [HTTPS://WWW.YOUTUBE.COM/CHANNEL/UCEEQNQBTFZJWGTGOPHMCNCBA.](https://www.youtube.com/channel/UCEEQNQBTFZJWGTGOPHMCNCBA)

5:30 Work Session

1. **DISCUSSION** – Moderate Income Housing

6:00 Regular Planning Commission Meeting

1. **MEETING CALLED TO ORDER:** Chairman Reed
2. **OPENING CEREMONIES**
 - a. **PLEDGE OF ALLEGIANCE** Commission member Smith
 - b. **PRAYER/MOMENT OF SILENCE** Commission member LaMar
3. **SWEARING-IN CEREMONY** - Of Commission members conducted by City Recorder.
4. **ACTION ON MINUTES** - Approve minutes for the meeting of 07/09/2025.
5. **ACTION ON MINUTES** - Approve minutes for the meeting of 07/23/2025.
6. **REPORTS** -
 - a. Actions taken by City Council on Planning Commission
 - b. Staff Update
7. **PRESENTATION ON PUBLIC HEARING** – To consider a change to Title III Administration Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations.
8. **PUBLIC HEARING** - To consider a change to Title III Administration Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations.
9. **DISCUSSION AND ACTION ON PUBLIC HEARING** - To consider a change to Title III Administration Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations.
10. **DISCUSSION AND ACTION** – For a Conditional Use Permit for a landscaping business located at approximately 4840 W 4250 S Parcel #08-311-0007. (Applicant Oscar Uribe).

11. **DISCUSSION AND ACTION** - To consider a Preliminary Site Plan and recommended alternative building materials application for Gardin Investments project located at approximately 2301 S 1900 W Parcel #15-72-0055 (Applicant: Gardin Investments, LLC/Agent: Adam Gardiner/Malcolm Jenkins)
12. **DISCUSSION AND ACTION** - To consider a Preliminary Plan approval for Williamsfield Subdivision located at approximately 4492 S 5100 W Parcel # 08-048-0016 and 08-048-0058. (Applicant Mike Schultz/Lone Pine Development, LLC/Agent Mike Bastian)
13. **DISCUSSION AND ACTION** – To consider a Preliminary and Final Site Plan approval for Salt Point West Phase 2 Subdivision located at approximately 3050 W 4000 S Parcel #08-0290-0101. (Applicant CW Development Group, LLC/Agent McKenna Christensen).
14. **ADJOURNMENT**

Robyn Van Campen

Robyn Van Campen, City 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: robynv@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 www.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

Rules Governing Public Hearings

- Each speaker will be limited to a single opportunity to speak and shall direct comments only to the Commission.
- Such opportunity may not exceed two (2) minutes, as has been determined by the Chair, as outlined in Resolution 28-2021
- In accordance with Resolution 28-2021, the Chair may refuse to recognize or may exclude from the public hearing anyone who:
 - o Is disorderly, abusive, or disruptive;
 - o Takes part in or encourages audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive to the hearing;
 - o Comments without first receiving recognition from the Chair and stating his/her full name and residence; or
 - o Presents irrelevant, immaterial, or repetitious evidence.
- Comments and questions raised by speakers will not be addressed or answered by Staff or Commissioners during the hearing but will be addressed upon conclusion and closure of the hearing.



WEST HAVEN PLANNING COMMISSION MEETING MINUTES

July 9, 2025 6:00 P.M.

City Council Chambers

4150 South 3900 West, West Haven, UT 84401

Present:	
Jeff Reed Andrew Reyna Melinda Stimpson Russell Galt George LaMar Linda Smith Jennifer Streker Stephen Nelson Damian Rodriguez Amy Hugie Robyn VanCampen	Chairman Vice-Chairman Commission member Commission member Commission member Commission member Commission member Community Development Director Planner City Attorney Deputy Recorder
Absent/Excused	

6:00 Regular Planning Commission Meeting

1. **MEETING CALLED TO ORDER:** Chairman Reed at 6:03 pm
2. **OPENING CEREMONIES**
 - a. **PLEDGE OF ALLEGIANCE** Commission member Vice-Chairman Reyna
 - b. **PRAYER/MOMENT OF SILENCE** Commission member Stimpson
3. **ACTION ON MINUTES –** Approve minutes for the Meeting of 06/25/2025

Chairman Reed provided corrections to the minutes that were needed on Item # 5 in the motion it stated Commission LaMar made a motion to make a table, and it should be Commission member LaMar made a motion to table. On this same item # the original motion did not carry and should be changed from The Commission conducted a revote to motion did not carry and Roll call vote was taken, and on item #9 the motion states Commission member Streker made a motion that our p to adjourn needs to change to Commission member Streker made a motion to adjourn.

Commission member Galt made a motion to approve the minutes from the meeting June 25, 2025. **Commission member LaMar** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, Commission member Smith and Commission member Streker.

NAYS –

ABSENT/EXCUSED –

4. **REPORTS –** Action taken by City Council on Planning Commission.

Stephen stated that there was nothing to report.

5. **DISCUSSION AND ACTION** – For a Conditional Use Permit for Bright Life Academy located at approximately 3200 S 2050 W Parcel #153110003. (Applicant Rebecca Stoddard)

Damian briefed the commission that the zone this establishment will be in is a M-1 zone (Manufacturing Zone) which requires a Conditional Use Permit for this type of business in this zone. There is ample on-site parking and maneuverability for anticipated vehicle traffic. Staff has no conditions for this use at this location.

Commission member Galt made a motion to approve the requested Conditional Use Permit to allow for a preschool at 3200 S Bouwhuis Drive Parcel #153110003, finding that there are no reasonably anticipated detrimental effects related to the proposed land use. **Commission member Stimpson** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, Commission member Smith and Commission member Streker.

NAYS –
ABSENT/EXCUSED –

6. **DISCUSSION AND ACTION** – For a Conditional Use Permit for Lawn & Landscape on Point, LLC located at approximately 4840 W 4250 S Parcel #083110007. (Applicant Oscar Uribe)

Damian presented to the commission that this home occupation business has employee(s) that don't live at the home which would require a Conditional Use Permit to be able to operate. The home occupation business is a landscaping company that has light construction equipment and is currently being stored at the site which also requires a Conditional Use Permit. Staff has found that the parking is non-conforming with the zoning code. The parking needs to be behind the plane of the home and on non-permeable surface. Staff also has environmental concerns due to the applicant not having non-permeable; staff also anticipates some noise and nuisance potential with the size of the equipment that is stored there.

Gabriela and Oscar Uribe/Applicants were present.

Mrs. Uribe mentioned that when they first moved in it was just dirt, and when the city was redoing the road, the contractor was able to give them the road base so that they could have something for their equipment to be on. With the light duty equipment, it is not at the property all the time. Most of the time it is being moved from job to job and only when they are in between jobs does the equipment come back to the home.

Mr. Uribe wanted to know if there was a timeframe that this needed to be taken care of by. Damian addressed this question stating that Code Enforcement will work with the applicant as long as the applicant is working to address the issue. As long as they can provide approvable Site Plan the Conditional Use application would be approved with conditions.

Chairman Reed indicated that he had spoken with Dan Tanner/City Code Enforcement Officer and he stated that this was brought about by a complaint due to noise and dust.

Vice-Chairman Reyna wanted to confirm with staff that road grade asphalt was acceptable. The equipment and employee parking needs to be on non-permeable. The whole area doesn't need to be non-permeable just where there would be parking.

Stephen responded that road grade asphalt was not permitted. It would have to be asphalt or concrete.

Vice-Chairman Reyna made a motion to table the Conditional Use Permit for a Lawn Landscape On Point, LLC located at approximately 4840 W 4250 S for parcel #083110007 for Oscar Uribe. **Commission member LaMar** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, Commission member Smith, and Commission member Streker.

NAYS –
SENT/EXCUSED –

7. **DISCUSSION AND ACTION** – To review and consider a Preliminary Plat approval for Fox Glenn Subdivision located at approximately 2600 W 3600 S. (Applicant Don Stokes/Agent Tyson Egbert)

Damian presented this project to the Commission. It is a 6-lot subdivision. There are a couple of issues that needed to be address. There needs to be a turnaround because the proposed stub is too far from the existing road that comes into the subdivision. Staff will need a sketch of the potential street system as there are some undeveloped properties surrounding this development and a registered surveyor information is needed. There is some significant engineering, public works, and fire comments those are outside the scope of the preliminary and will be taken care of before it comes back for final approval.

Tyler Egbert/Agent was present.

Commission member Stimpson asked if the turnaround issue has been addressed, Mr. Egbert that it was approved by fire and Ed/Engineer at a DRC Meeting last time they meet.

Commission member Stimpson made a motion to grant preliminary approval of the subdivision plan for the property at 2600 W 3600 S subject to the following conditions of approval: 1) An adequate turnaround will be provided between 3550 South and the proposed street labeled 3800 South that will satisfy applicable fire code, 2) Official plan approval is obtained from the Weber County Fire Marshal's Office prior to final plat approval. **Commission member Smith** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, Commission member Smith, and Commission member Streker.

NAYS –
ABSENT/EXCUSED –

8. **DISCUSSION AND ACTION** – To review and consider a Final Site Plan application for an Office Machines Sales and Service, located at approximately 1750 W 1700 S, Parcel # 15-064-0059. (Applicant Chad Barnett/DSI and Agent C. Kirk Laughter)

Stephen gave a summary of this project. They have submitted their construction drawings and have been approved by the City Engineering department. There are a couple of issues that need to be pointed out as they are asking for an exception, based on a request from the water district. The applicant has provided a traffic study that has been accepted by the City Engineer. One thing that came up from the preliminary approval was fire requested that the applicant secure a permanent easement along 1700 South for emergency access and the applicant has done that and it has been recorded. They are currently working with the Fire Marshall as there is currently a gate that blocks that access and doesn't meet the fire code and they are working with the Fire Marshall to get that updated gate in place. The road in front of the property the construction will begin this month. A building permit will not be issued until there is a fire rated road to the site and once that is completed, we will issue the permit and will hold occupancy until the road is paved.

The applicant is seeking a waiver from the standard landscape requirements. The water provider in the area Bona Vista Water has requested that the applicant not plant any outdoor plants as there is no secondary water in this area. Bona Vista sent a letter to the city requesting that it be waived. They don't want to use any of their culinary water. If there is a property on a main corridor, they are willing to allow the culinary water to be used, but with this property being back from the main corridor they are requesting that we waived that. Their site plan doesn't propose any outdoor landscaping; however, they have still kept the same landscape buffer (15 feet in the front and 5 feet on the side) as required by code.

Chad Barnett/Applicant – Mr. Barnett stated that currently he is working with Doug Halverson who is doing the improvements on the road, he is waiting for them to get this approved so they can dig up the road to put in all the utilities. They will start curbing it by next week. Doug Halverson and the apartments behind there have made improvements to the road to make sure that it was stable enough and strong enough to support. He has permission from Doug Halverson to access that road and 1700 South permissions as well. He would like to at least get the permit issued so they can get started, so that when the road is being worked on, they can work on the improvements on the property. There is 2 fire hydrants charged less than 200 feet from the property. On the back side of the property there is a road that is traveled on every day with diesels and including all the dirt that comes out of that pit.

Stephen mentioned to Mr. Barnett that road could be acceptable we would just need to ensure that, that is what you have accesses off of.

Vice-Chairman Reyna made a motion to grant final site plan approval for an Office Machines Sales and Services; for Chad Barnett parcel 150640059, in West Haven, and grants the request of the water district and the applicant to waive the outdoor landscape and planting requirements, and the applicant complies with any and all conditions set by the Fire District. **Commission member Galt** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, Commission member Smith, and Commission member Streker.

NAYS –

ABSENT/EXCUSED –

9. **ADJOURNMENT**

Commission member Streker made a motion to adjourn. **Commission member Smith** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, Commission member Smith, and Commission member Streker.

NAYS –

ABSENT/EXCUSED –

Robyn VanCampen

Deputy City Recorder

Date Approved:



WEST HAVEN PLANNING COMMISSION MEETING MINUTES

July 23, 2025 6:00 P.M.

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

Present:	
Jeff Reed Andrew Reyna (via Zoom until 6:15 p.m.) Russell Galt George LaMar Linda Smith Jennifer Streker Stephen Nelson Damian Rodriguez Amy Hugie (via Zoom) Robyn VanCampen	Chairman Vice-Chairman Commission member Commission member Commission member Commission member Community Development Director Planner City Attorney Deputy Recorder
Absent/Excused	
Melinda Stimpson	Excused

5:15 Work Session – work session began at 5:17 p.m.

1. **DISCUSSION** – Stephen went over the final review of all the changes to the Development Review Committee, Design Review, and Subdivision Regulation Ordinances that the Planning Commission has made over the last few work sessions. A final review was completed with the Planning Commission to see if there were any final revisions that needed to make prior to it being noticed for Public Hearing.

6:00 Regular Planning Commission Meeting

1. **MEETING CALLED TO ORDER:** Chairman Reed at 6:01 pm
2. **OPENING CEREMONIES**
 - a. **PLEDGE OF ALLEGIANCE** Commission member Vice-Chairman Reyna
 - b. **PRAYER/MOMENT OF SILENCE** Commission member Stimpson
3. **ACTION ON MINUTES** – Approve minutes for the Meeting of 06/25/2025

Commission member Streker advised that she believes the Aye/Nyes on Item #5 were incorrect and requested that it be reviewed for accuracy.

Commission member Reed stated that on item # 8 there was some alignment issues and #9 has a c in front of it.

Commission member Streker made a motion to Table the minutes from the meeting July 9, 2025. **Commission member LaMar** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Galt, Commission member LaMar, Commission member Smith and Commission member Streker.

NAYS –

ABSENT/EXCUSED – Commission member Stimpson

4. **REPORTS** – Action taken by City Council on Planning Commission.

Stephen indicated that there was nothing to report from the prior meeting however, he didn't provide a update from the meeting prior was that City Council approved the Final Site Plan for Wal Mart.

5. **PRESENTATION ON PUBLIC HEARING** – To consider a request to rezone Parcel #15-0960-020 & 15-096-0021 located at approximately 2700 W 2800 S from A-2 to R-2 (Applicant Paul D. Donaldson, Agent Jared Payne/Fieldstone Homes).

Stephen gave a summary of this project. He went over the differences between A-2 and R-2. It lines up with the General Plan, however after reviewing this property further on the National Wetland Inventory Map it indicates that there may be wetlands on this property. The possible wetlands would need to be delineated before development, which would be required regardless of the underlying zoning. The applicant is looking to create a subdivision on the two parcels.

Applicant – Jared Payne was present. Mr. Payne is with Fieldstone Homes, he advised that they have retained a wetlands consultant to start the delineation process. There are some jurisdiction wetlands that need to be dealt with and it will be a long process. A lot of the water that comes onto the site is fairly controlled it's not percolate out of the ground so there are ways to divert it and be more efficient with the water that is coming onsite.

Commission member LaMar asked the applicant if he has looked into the Wetlands Inventory issue.

6. **PUBLIC HEARING** - To consider a request to rezone Parcel #15-096-0020 & 15-096-0021 located at approximately 2700 W 2800 S from A-2 to R-2 (Applicant Paul D. Donaldson, Agent Jared Payne/Fieldstone Homes).

Commission member Galt made a motion to Enter into Public Hearing for a request for Rezone Parcel # 15-096-0020 and # 15-096-0021 at approximately 2700 W 2800 S from A-2 to R-2 Applicant Paul D Donaldson, Agent Jared Payne/Fieldstone Homes. **Commission member LaMar** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Reed, Commission member LaMar, and Commission member Smith

NAYS –

ABSENT/EXCUSED – Commission member Stimpson

Commission member Reed read the Rules Governing Public Hearing.

Public Hearing Participants:

**Wendy Parker – The parcel being considered for rezone borders the entire northside of their property. Her and her husband leased that property from Mr. Donaldson for 20 years so with the experienced understanding of the land is her concerns of this rezone and future development on these parcels. Parcel ending in 21 - the 19 acres along 2700 West is approximately 50% swamp area with a very high-water table often seen with standing water and in my opinion be non-buildable. Residents to the north and to the west could likely be affected by water and flooding. There is also a storm drain which flows constantly 365 running north through her property and onto this parcel and then empties through a pipe under 2700 West. The other parcel to the east 23 acres has an underground land storm drain under the entirety from the east and then flows un-piped into the lower parcel. The water flows continuously 365 and is a concern for possible development. The low level of the existing road (2700 W) with the pipes that are under it for a drain are also something to consider for storm water drain flow management. Sewer capacity and culinary water availability are considered critical items to confirm prior to any development. More building without the proper infrastructure should be a top priority when concerning this for approval. The allowable number of new homes under the rezone would cause safety concerns and overburden and already heavily traveled and narrow road which is 2700 West.*

**Carolyn Faldalen – I would be the front row seat for this development. Her concern is the water. That has been the duck pond and geese pond for me for years. I work from home and I talk to people all the time about how wonderful it is to look out there and watch those geese. The water is the main issue I am concerned with and based upon what happened with Windsor Farms any of you who were around when that happened or familiar with what happened, where they had to sue the developer, I believe I can speak from me and my family (which is 25 acres on the other side of the street). We don't want to get involved with that. Her biggest concern with any kind of development is when her and her husband came into West Haven and built here you had rules and procedures and policies and we followed them. We didn't ask you to change anything and we believe that the zoning for that property is adequate and perfect and doesn't need to be changed. When I think the whole theory coming into West Haven should be come in and conform to our rules and add to the community, not come in change things and hurt the community.*

**Thelma Issacson (lives just to the north of this property) I've lived there because my dad lives down the field from us and grew up there and now, I have lived next to this property for 50 years so I know it well. A lot of points we had concerns with have already been talked about but I second what Carolyn said. I realize that there has to be homes built, because I has 8 kids and 37 grandkids they need homes to live in but she would also like to have considered that when we rezone things, the reasons why people move to certain places and the ability to continue to have the way of life that is why we moved here for, we have horses and we have cows and a lot of times when you rezone an area leaving the zoning the same where we live or next door, the people that move in don't want don't want the horse smells, the fear of the horses biting their kids, the fear of the cows getting on their property and so you have those things and so I think it is a consideration to look at how do we protect the property owners that are there with the livestock and the way of life that they already have. I'm hoping that you look at those considerations. The biggest concern that I have and it has already been address, but the people a lot of times the developers come in they get their money, the contractors they come in and get their money. The property owners are left for years and years and years with problems because of the water that is there and that water table is high. We have taken pictures for the last 3 years on what it looks like and one of the farmers that has farmed this property that they were told by Donaldson that they were not allowed to let water run down onto the wetlands are. They could water the top parcel that they are farming but they could not let the water run down to that area, because they wanted it to dry out so it could perk. So, for 3 years there hasn't been an ounce of water except for what has come down from heaven on that property and it is still wet and there is still geese and stuff that live there. One other question she had was it says that the homes have to be 12,000 square feet but if 20 acres is put into wetlands will that go down so that they can still earn the money they need to develop?*

**Mark Issacson (north border right on that side) – His major concern is where is all that water going to go when that gets built up? It is going to push back to our property and flood me out. We have a sump pump in our 3-foot crawl space and it runs constantly Summer, Winter, Fall, Spring 100% of the time. The grass is really green right there because it gets watered so often. My major concern is how is that water (because it naturally flows that direction to the south) how are we going to make sure that it doesn't come out our direction.*

**Leslie Barrow – She is directly across from Carolyn. They built about 10 years ago we are on an acre lot and we brought in 3 feet of fill dirt and we still couldn't keep our foundation dry; well, we were trying to build. We kept working on getting the water out of the 3 feet elevated for slab on grade. We only have 6 inches if we go down in the ground in our backyard before water fills in so, that is where we already sit with the water table and we are highly concerned about additional water being pushed toward us we will just be flooded out.*

**Mark Randall – Everything that has been presented is what he wanted to say. Just to emphases that I have always been concerned about developers and then the contractor like Thelma indicated that the homeowner is always left with whatever challenges they have. I recognize the Planning Commission and the plan shows it being R-2 in the future but I do voice the same concern that whatever allowances are made if the subdivision can be made more denser because of those properties being utilized under some other requirement because I assume the core of engineers will need to be involved in this process. So, I just want to voice a concern that the parcel to the east that is being farmed currently would still have a challenge of not creating a problem but that doesn't always happen in a perfect world there is always accidents. He would commend the commission especially that last few years that there has been a great balance between*

the developer and property owners and the community. The ball is in your court. He is curious if there is an R-1.

**Jake Roper – a lot of these people do have good concerns walking on that property of Mark Parker there is a lot of different water channels that come off that top and they are every 20 to 30 feet. All of that up above is probably ok to build on but once you build on that lower stuff it is going to cause a lot of problems. Even if they create a French Drain you will have the potential of backing all the water up above which is going to affect me. Saying that water doesn't bubble up out of the ground is bull crap. Rob Chambers yard has a spring in the back of his yard that is natural all year long. I'm sure his is not the only spot, his is the only one that is visible and you can actually see. If you look at the ground it funnels to that spot to that field. Top lot needs to stay with the same sizes as the properties up there and then when that property gets lumped and you just allow those lots to be really small it is really going to look goofy.*

**Matthew Martinez (owns the property to the southeast of edge of that property) – We have a drainage canal that runs down and west across to Faldalen's property and down in and currently what appears to be an artesian well that does bubble up from the ground.*

**Chairman Reed then read a letter from Kenneth Baldwin and Randy & Thelma Issacson. address their concerns.*

Commission member Galt made a motion to Leave into Public Hearing for a request for Rezone Parcel # 15-096-0020 and # 15-096-0021 at approximately 2700 W 2800 S from A-2 to R-2 Applicant Paul D Donaldson, Agent Jared Payne/Fieldstone Homes. **Vice-Chairman Reyna** seconded the motion.

AYES – Chairman Roundy, Vice-Chairman Reyna, Commission member Reed, Commission member LaMar, and Commission member Smith

NAYS –

ABSENT/EXCUSED – Commission member Stimpson

7. **DISCUSSION AND ACTION ON PUBLIC HEARING** - To consider a request to rezone Parcel #15-096-0020 & 15-096-0021 located at approximately 2700 W 2800 S from A-2 to R-2 (Applicant Paul D. Donaldson, Agent Jared Payne/Fieldstone Homes).

**Commission member Galt - this is a challenging issue, because if the General Plan shows this eventually going to R-2 someone has already looked at that and made a future determination. However, it is just a plan and not a full action and when you listen to the concerns about the water, I don't know how you can move forward with that. So, there is a conflict between the General Plan and the water reality and that is what we need to balance tonight.*

**Commission member LaMar agrees with Commission member Galt. His concern is the issue we have had across the city which is water issues being solve in one area then it gets created to the neighbors next door and then neighbors that were fine before the development now has problems they need to deal with. The general plan is looked at by a map view point when that general plan is conceived and I don't think we ever have the opportunity to go out and put eyes on a piece of property to see what it really looks like in this case how wet it lies year-round and make the determination in the general plan until a proposal has come forward to develop this property. He is concerned about the wetlands and believes these issues need to be addressed prior to a rezone.*

**Vice-Chairman Reyna stated his concerns were the neighboring people and how a development would affect the citizens. Without further studies he is incline to recommended denial.*

**Chairman Reed stated that we haven't had any bad winters but if we do it could get a lot worse than it is now.*

Commission member Galt made a motion to recommended to the City Council to Deny the Donaldson rezone application, Parcels #150960020 & 150960021, located at 2700 W 2800 S, West Haven, finding the application's request to rezone from A-2 to R-2 that the request does not fill the purpose of the zone. Commission member Smith seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Galt, Commission member LaMar, Commission member Smith, and Commission member Streker.

NAYS –

ABSENT/EXCUSED – Commission member Stimpson

8. **PRESENTATION ON PUBLIC HEARING** – To consider a request to rezone Parcel #15-061-0026 located at approximately 1555 S 1900 W from C-2 to M-2 (Applicant Granite Construction Company, Agent Quin Bingham).

Chairman Reed stated that the applicant has withdrawn their application and there will be no public hearing or discussion on this matter.

9. **PUBLIC HEARING** - To consider a request to rezone Parcel #15-061-0026 located at approximately 1555 S 1900 W from C-2 to M-2 (Applicant Granite Construction Company, Agent Quin Bingham)

Chairman Reed stated that the applicant has withdrawn their application and there will be no public hearing or discussion on this matter.

10. **DISCUSSION AND ACTION ON PUBLIC HEARING** - To consider a request to rezone Parcel #15-061-0026 located at approximately 1555 S 1900 W from C-2 to M-2 (Applicant Granite Construction Company, Agent Quin Bingham)

Chairman Reed stated that the applicant has withdrawn their application and there will be no public hearing or discussion on this matter.

11. **DISCUSSION AND ACTION** – For a Conditional Use Permit for an Indoor Sports Training Facility located at approximately 3416 W 3600 S Parcel #08-720-0001. (Applicant Tyler Brown)

Stephen advised that the applicant wants this to be Tabled so that he can respond to staff's review.

Commission member LaMar made a motion to Table the application for Conditional Use Permit for an indoor sports training facility located at approximately 3416 West 3600 South Parcel # 08-720-0001 and till such time applicant Tyler Brown has provided the information that he needs to get it back on the agenda. Commission member Smith seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Galt, Commission member LaMar, Commission member Smith, and Commission member Streker.

NAYS –

ABSENT/EXCUSED – Commission member Stimpson

12. **DISCUSSION AND ACTION** - To consider Final Site Plan application and recommend alternative building materials used for Commercial Supply Warehouse located at approximately 2160 W 2100 S Parcel # 15-779-0001. (Applicant Ben Probst/Cascade Holdings, LLC and Agent Fernando Perez)

Stephen presented to the commission that the preliminary site plan application was approved back in January 22, 2025 with a few conditions. All conditions have been addressed. The construction drawings

have been approved by the City Engineer and the Fire District and they have provided some conditions. The only remaining issue remaining with the project is the building facade and materials. The code requires that the primary façade must have 60% primary materials minimum and so the applicant has provided 16% stone and 54% insulated metal panels (which meets the criteria). The 30% is a metal paneling is a secondary material and that is proposed to be in some sections of the front, and along the majority of the sides and the rear of the building. The application is also required to provide 15% of the frontage of the front façade upgraded architectural features and 5% along the side and back. The applicants plan shows the front will have decorative entry canopies (constructed with timbers), stone wainscot, and clerestory windows as architectural elements for 15% of front elevation; as well as providing decorative stone, windows, and canopies around the side and rear of the building to propose to meet the 5% upgrade architectural features requirements. Windows and rock work are normally primary materials but not listed as upgrade architectural features. The applicant has asked the Planning Commission to recommend approval of an alternative material to the City Council for approval.

Ben Probst/Applicant was present.

Commission member LaMar made a motion to recommend Approval of the proposed alternative materials and features, finding that the addition of the rock and decorative windows are comparable to those upgraded features, and that the applicant exceeded the minimum amount of primary materials by an additional 10% for the front façade of the building, in additions that these alternative materials and features are supported by listed features and materials. **Commission member Smith** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Galt, Commission member LaMar, Commission member Smith, and Commission member Streker.

NAYS –

ABSENT/EXCUSED – Commission member Stimpson

Vice-Chairman made a motion to Approve the site plan for Cascade Holdings LLC, Parcel #157790001, in West Haven, subject to the following conditions:

1. The applicant complies with all conditions of the Weber Fire District.
2. The applicants' alternate features and materials are approved by the City Council, and if not approved, the applicant will provide renderings that meet will meet listed upgraded architectural features.

Commission member LaMar seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Galt, Commission member LaMar, Commission member Smith, and Commission member Streker.

NAYS –

ABSENT/EXCUSED – Commission member Stimpson

13. CONTINUED WORKSHOP DISCUSSION ON DEVELOPMENT REVIEW (If needed)

No additional time was needed from the Work Session.

Stephen did want to get a few updates:

- Working on Economic Development Strategic Plan a survey was sent out to everyone.
- Wasatch Front Regional Council approved the scope for our land use element.
- Utah Leagues of Cities and Towns is an organization that represent the cities within the state. They are the city lobbyist.

14. **ADJOURNMENT**

Vice-Chairman Reyna made a motion to adjourn. Commission member Streker
seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Galt, Commission member
LaMar, Commission member Smith, and Commission member Streker.

NAYS –

ABSENT/EXCUSED – Commission member Stimpson

Robyn Van Campen

Deputy City Recorder

Date Approved:

Planning Commission Staff Review Memo

August 13, 2025



Amending the Development Review Process

Staff Recommendation: See comments below

Background

Over the last several months, the Planning Commission has been workshopping ways to enhance and clarify the development review process within West Haven. As such, the City has look at amending the West Haven Subdivision Standards, Design Review, and creating a Development Review Committee. These discussions and workshops have led to several draft changes throughout the West Haven Land Use Title within the code.

Issues

1. **Create a Development Review Committee and Update Land Use Authority:** The first changes provided are to create a Development Review Committee (DRC) and create a Land Use Authority Table within the code. The DRC shall be composed of West Haven City staff, who shall provide input to the specified land use authority on land use applications. The Land Use Table shall provide a summary of land use authority within the City, and mostly reflects current code and practices.
2. **Subdivision Standards:** The proposed update looks at modifying the current subdivision review process. This clarifies application standards and dictates the process the City will follow when reviewing a subdivision application, including clarification of review cycles.
3. **Design Review/Site Plan:** Like the update to the subdivision standards, these changes focus on application standards and review processes. Key changes are to clarify preliminary site plan application standards, update the review process, and require applicants to comply with Planning Commission conditions. The code also provided for a few exceptions to the review process or standards under certain situations.

Note: A few members of City staff have requested that the Planning Commission consider adding a section of code to allow a simplified site plan approval process for the City, State, and Local Districts.

Staff Recommendation

Planning staff recommend that the Planning Commission consider the proposed changes, and discuss any items within the proposal that may need additional modifications. Once the Planning Commission determines that the draft ordinance is ready for City Council review, staff

would recommend that the Planning Commission make a positive recommendation on the proposed ordinance.

Draft Motion

1. "I motion that the Planning Commission recommend that the City Council approve the draft Ordinance and changes to Title III Administration Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations, as provided within the Planning Commission packet.

ORDINANCE NO. -2025

**AN ORDINANCE OF WEST HAVEN CITY AMENDING Title III Administration
Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General
Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations**

Section 1 – Recitals

WHEREAS, the City of West Haven (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and

WHEREAS, the City Council finds that in conformance with UC §10-3-702, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by the laws of the State of Utah or any other provision of law; and,

WHEREAS, West Haven City has adopted and promulgated city ordinances and rules regarding zoning and acceptable uses within those zones in the City; and

WHEREAS, the City Council finds that certain changes to the West Haven City Code in regards to amending the language for Title III Administration Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations should be made; and

WHEREAS, the City Council finds that the specific changes to the referenced sections shall enhance and clarify the City’s development review process; and

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare is at issue in this matter and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED by the City Council of West Haven City, Utah that the following portions of the West Haven City Zoning Code be, and the same is, changed and amended to read as follows:

- a. In Title III Administration Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations shall be amended as outlined in red in Attachment “A”.**
- b. The Mayor is authorized to sign this Ordinance.**

The forgoing Recitals are fully incorporated herein.

Section 2 – Prior Ordinances and Resolutions

That the above changes, where they may have been taken from prior City Ordinances and Resolutions, are listed here for centralization and convenience; and that the body and substance of those prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 3 – Repealer of Conflicting Enactments

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts thereof, which conflict with this Ordinance are, for such conflict, repealed, except that this repeal will not be construed to revive any act, order or resolution, or part.

Section 4 – Savings Clause

If any provision of this Ordinance be held or deemed invalid, inoperative, or unenforceable, such will render no other provision or provisions invalid, inoperative, or unenforceable to any extent whatsoever, this Ordinance being deemed the separate independent and severable act of the City Council of West Haven City.

Section 5 – Date of Effect

This Ordinance shall be effective as of the date of signing and after being published or posted as required by law.

DATED the ____ day of August 2025

WEST HAVEN CITY

Rob Vanderwood
Mayor

ATTEST:

Emily Green, City Recorder

Mayor Rob Vanderwood	Yes _____	No _____
Councilmember Carrie Call	Yes _____	No _____
Councilmember Kim Dixon	Yes _____	No _____
Councilmember Nina Morse	Yes _____	No _____
Councilmember Ryan Saunders	Yes _____	No _____
Councilmember Ryan Swapp	Yes _____	No _____

RECORDER'S CERTIFICATION

STATE OF UTAH)
 : ss.
County of Weber)

I, EMILY GREEN, the City Recorder of West Haven, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 do hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. __-2025**, entitled “**AN ORDINANCE OF WEST HAVEN CITY AMENDING THE STANDARDS OF THE MIXED USE/MEDIUM/LOW DENSITY RESIDENTIAL, COMMERCIAL ZONE; AND PROVIDING AN EFFECTIVE DATE FOR THESE CHANGES.**” adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof on August __, 2025 which appears of record in my office, with the date of posting or publication being August __, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this ____ day of August 2025.

Emily Green
City Recorder

(city seal)

EXHIBIT A

**Amended Language Title III Administration Chapter 32 Organizations, and Title XV
Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision
Standards, and Chapter 157 Zoning Regulations as attached to Ordinance ____-2025**

§ 32.09 Development Review Committee

(A) In order to provide an orderly and thorough review and approval process, the Development Review Committee (DRC) is hereby established

(B) Purpose. The Committee's purpose is as follows:

- (1) To act as an advisory committee to the City Council, Planning Commission, and other land use authorities on land use applications, general plan updates, master plan updates, development standards, and land use code proposals.
- (2) To advise and assist property owners and applicants through the application process.
- (3) The DRC is not an approval or a public body, but a review and recommendation committee.

(C) Membership.

- (1) The following individuals shall be appointed as members of the DRC.
 - (a) The Community Development Director
 - (b) The City Engineer
 - (c) The City Public Works Director
 - (d) The City Planner
 - (e) The Weber County Fire Marshal or their designee
- (2) The following individuals may serve as advisory members. Advisory members shall serve as advisors to the DRC when called upon.
 - (a) The City Attorney
 - (b) The City Manager
 - (c) Parks and Recreation Director
 - (d) Storm Water Manager
 - (e) Other contract engineer or planner employed by the City
 - (f) The City Building Official
- (3) In the absence of a member of the DRC, the City Manager may temporarily appoint one of the advisory members to serve in the role.
- (4) The DRC may request additional input on any land use applications from public utility providers within West Haven City boundaries as needed, as a proposed development may impact their services.

(D) Scope of Responsibility.

- (1) The DRC shall provide a review and advice to the land use authority on the following applications or proposals.
 - (a) Preliminary Site Plans
 - (b) Preliminary Subdivision Plats
 - (c) Subdivision Improvement Plans as defined within the Subdivision Code
 - (d) Improvement Plans for Final Site Plan
 - (e) Final Site Plan
 - (f) Final Subdivision Plats
 - (g) Amended Subdivision Plat
 - (h) Conditional Use Permits
 - (i) Zone Change Applications, including overlay zones
 - (j) Annexation Petition

- (k) Proposed Road, Right-of-way, or Easement Vacations
- (l) Updates to the Land Use Ordinances
- (m) Updates to the General Plan or other master plans
- (n) Updates to public works or other development standards
- (2) Pre-Application Meetings. The DRC shall hold and conduct pre-application meetings at the request of an applicant(s). The DRC shall establish standards for pre-application documents. The DRC shall ensure that it meets statutory timelines as dictated by state or West Haven code. At each pre-application meeting, the DRC shall provide feedback on the concept plan.
- (E) Meetings. The DRC shall create its meeting schedule and will hold meetings as needed.

Chapter 150: General Provisions

§ 150.02 LAND USE AUTHORITY

(A) The following bodies shall serve as the land use authority for the following applications.

Land Use Authority	Land Use Application
City Council	Ordinance or ordinance amendment
	Zone Changes
	Modification of City rights-of-way and easements
	General Plan or General Plan amendments, including master plans
	Annexation
Planning Commission	Preliminary Subdivision Plats
	Final Subdivision Plats
	Subdivision Plat Amendments
	Preliminary Site Plans
	Conditional Use Permits
	Final Site Plans
City Engineer and Community Development Director*	Subdivision Improvement Plans
	Site Plan Improvement Plans
	Boundary Adjustments
Community Development Director*	Sign Permit
Building Official*	Building Permits
Hearing Officer	Land Use Appeals
	Variances

*In the absence, the City Manager may temporarily appoint an alternate to serve in their role.

**This is a summary of each body's land-use authority. For full details of each body's approval authority, refer to the respective code and application process as defined in this title.

***Other land applications are not listed in this table. The Land Use Authority is defined within those governing sections.

DESIGN REVIEW

§ 157.730 PURPOSE.

The purpose and intent of this subchapter is to ensure that the general design, layout and appearance of buildings and structures are compatible with their surroundings and aid the orderly and harmonious development of the city.

(Prior Code, § 54.02) (Ord. 2-92, passed - 1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022)

§ 157.731 APPLICATION; REVIEW AND APPROVAL.

(A) All proposals in commercial or manufacturing zones shall be subject to the provisions of this subchapter.

(B) Regardless of the zone underlying the land use, the following uses, including any accessory uses thereto, shall be subject to the provisions of this subchapter:

- (1) Multi-family dwellings; and
- (2) Public and quasi-public uses.

(C) The following shall be submitted as part of all applications for projects subject to the provisions of this subchapter, further details of which are found in this subchapter:

(1) A preliminary site plan containing the following:

(a) ~~A statement containing the proposed use and if it complies with current zoning.~~

(b) ~~Site Layout. Site Layout shall show:~~

1. ~~Building location~~
2. ~~Setbacks, including front, rear, and both sides for every proposed building~~
3. ~~Access points and traffic circulation, including fire access~~
4. ~~Landscape areas~~
5. ~~Proposed fencing and gates~~
6. ~~Outdoor storage~~
7. ~~Dumpster areas and dumpster enclosures. All dumpsters that are visible from the adjacent public right(s)-of-ways, parking lots, or access drives shall be fully enclosed with opaque fencing or walls.~~
8. ~~Natural features, including hillsides, wetlands, floodplains, or other prominent natural features;~~

~~(c) Building locations and elevations.. Elevations shall show:~~

1. Building materials and colors;

2. ~~Architectural features, if applicable per §157.734, and~~

32. Elevation drawings shall also contain a table showing ratio and percentages of each material/color ~~and percentages of architectural features, if applicable, that meet the standards set out within this chapter:-~~

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(db) Landscaping plans shall contain a table showing types, numbers and percentages of each landscape material, ~~the number of trees and shrubs, per §157.988 (A), and as well as~~ the percentage of total site landscaping;

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(ec) Parking. ~~The applicant shall include a parking plan, with a table showing the number of parking spaces required, the number provided, and the number of ADA parking stalls; and~~

(fe) Signage. ~~Plans shall show the location, size and material of any and all proposed signs. This signage plan does not exempt the applicant from needing to obtain a building permit for each sign upon construction-~~

(e) Utility Plan. ~~The applicant shall show a preliminary utility plan, including will service or availability letters from public utility providers, including culinary and secondary water and sanitary sewer districts~~

(f) Preliminary stormwater plans, ~~including stormwater storage location, type of storage, proposed overflows, and other details to allow the City to understand how stormwater will be handled within the property; and~~

(g) Outdoor lighting plan in compliance with West Haven City Code ~~§ 157.775-157.785.~~

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(h) UDOT Conditional Access Permit approval or minutes from a UDOT pre-application meeting, ~~if applicable.~~

~~(2) The Development Review Committee (DRC) shall review all preliminary site plan applications and make a recommendation to the Planning Commission regarding compliance, findings, and conditions. The Planning Commission may approve, approve with conditions, or deny a preliminary site plan based on the applicant's ability or inability to meet or sufficiently address the requirements within this title and all applicable development standards adopted by the City.~~

~~(32) Once the applicant has received approval of their preliminary site plan from the Planning Commission, they shall proceed to prepare civil drawings and improvement plans and shall present those to the City Engineer and Community Development Director. The DRC shall review the improvement plans, provide comments to the applicant, and shall make a recommendation to the City Engineer and Community Development Director. The City Engineer and Community Development Director shall approve, approve with conditions, or deny improvement plans.~~

~~(4) No final site plan application can be approved without the City Engineer's and Community Development Director's approval of improvement drawings. Each applicant shall submit as part of a final site plan application improvement drawings, stamped by a licensed civil engineer. These drawings shall demonstrate the site's compliance with the West Haven Code, compliance with public utility providers' standards, preliminary site plan approval conditions, and vehicle access and parking.~~

~~(D)- After preliminary site plan approval or approval with conditions by the Planning Commission, the applicant shall submit a final site plan application and supporting construction drawings to the~~

City in a format specified by the City within twelve (12) months. Before the submittal of a final site plan and improvement plan, the applicant shall ~~The final site plan shall~~ address each condition from the preliminary site plan approval. ~~All applications for final site plan approval shall be reviewed by the Development Review Committee, and approved by the Planning Commission shall be the land use authority for the site plan and shall either approve, approve with conditions, or deny a final site plan based on findings and compliance with all applicable code and standards, Planning Commission,~~ with the following exceptions:

(1) All buildings or combination of buildings which total over 40,000 square feet on a single parcel. After first being presented to and receiving a recommendation from the Planning Commission, the City Council shall review and may approve, deny or approve with conditions site plans for these buildings.

(2) Any requests for building materials not otherwise considered as a primary or secondary material. After first being presented to and receiving a recommendation from the ~~Development Review Committee~~ Planning Commission, the ~~Planning Commission~~ City Council shall review and may approve, deny or approve with conditions any requests for alternate building materials.

(E) The Planning Commission shall determine whether the proposed architectural and site development plans submitted are consistent with this subchapter and with the general objectives of this subchapter and shall give or withhold approval accordingly. Denial may be appealed to the ~~Hearing Officer~~ City Council.

(F) No building, occupancy, or other land use permit shall be issued until the proposed project has received approval under the terms of this subchapter.

(Prior Code, § 54.04) (Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022)

§ 157.732 EXCEPTIONS.

(A) ~~Projects subject to conditional use and/or planned unit development approval shall have site plan and design review incorporated into such review. Such projects shall be required to meet the requirements of this subchapter.~~

(B) Existing or Modified Sites.

1. ~~The City shall require an updated Preliminary Site Plan and Final Site Plan for existing commercial, industrial, institutional/civic, or multifamily sites if the property owner proposes to do any of the following.~~

a. ~~Add additional building(s)~~

b. ~~Change the use to a use type that the site's infrastructure, parking, or access points do not reasonably support~~

c. ~~Change from a permitted use to a conditional use in the underlying zone~~

d. ~~Change from one conditional use to another conditional use in the underlying zone~~

e. ~~Switch to a use that has a reasonably higher impact.~~

2. ~~The Planning Commission may waive certain site development standards that do not impact the health or safety of the public for an existing or modified site, allowing an~~

Commented [SN1]: Does the Planning Commission want to keep this for the City Council

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applicant to update a site without necessitating significant or unreasonable changes to the existing layout.

3. The Planning Commission may approve a preliminary and final site plan approval at the same meeting if the site does not require updated improvement plans.

(C) The City Engineer may waive improvement plan requirements in full or in part for sites that have already been developed, and the existing facilities and infrastructure can support the proposed site plan and use.

(D) The Planning Commission may waive landscaping requirements if the applicant provides a letter from the water provider stating that the provider can't supply water for landscaping or for an existing site with pre-established landscaping.

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(Prior Code, § 54.06) (Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022)

§ 157.733 STANDARDS OF REVIEW.

The Planning Commission and Development Review Committee shall consider the following matters, and others when applicable, in its review of applications and where the plan is found deficient the plan design shall be amended or conditions imposed to mitigate such deficiencies when considering:

(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?

(2) A traffic study ~~shall~~may be required, if in the opinion of the Planning Commission, with input from the Development Review Committee~~City Engineer~~, such would be necessary.

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

(C) *Signage.* Does the proposed signage meet the requirements of the city sign ordinance?

(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.

(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.

(c) *Parking area landscaping.* Landscaping within all parking and driveway areas shall comprise a minimum 5% of the total square footage of those areas and shall be placed within those parking areas to break up the mass of asphalt.

(2) Where possible, developers are encouraged to preserve existing, healthy trees.

(3) Developers are encouraged to take current drought and other environmental conditions into account when preparing a landscaping plan.

(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).

(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.

(2) All mechanical equipment shall be screened so as to not be seen from any public right-of-way adjacent to the project.

(3) Developers are encouraged to keep in mind visual compatibility with existing development when preparing the site layout and architectural elevations of proposed buildings.

(4) Buildings which are located within 100 feet of the centerline of the following roads shall be designed so it appears the front of the building faces the street, regardless of how the building is actually oriented:

- (a) 2550 South;
- (b) Midland Drive;
- (c) 4000 South;
- (d) 3500 West;
- (e) 1900 West;
- (f) 2100 South/Wilson Lane;
- (g) 1800 South; and
- (h) Hinckley Drive.

(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?

(G) *Governing documents.* Is the site subject to a master development agreement or any conditions or agreements related to the property?

(Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022)

§ 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

(B) *Major corridor requirements.* Projects which are adjacent to, or located within 400 feet of the centerline of 2100 South/Wilson Lane, 1800 South, 1900 West, Midland Drive, 3500 West, 4000 South, Hinckley Drive and 2550 South shall be subject to the following additional requirements. Any building face which can be seen from the above-referenced roads shall be constructed of a minimum of 60% primary materials.

(C) *Materials list and architectural features.*

(1) *Primary materials.* Shall include, but are not limited to:

- (a) Architectural insulated metal panels;
 - (b) Brick;
 - (c) Concrete masonry unit (CMU), if it is textured to have the appearance of a different material;
 - (d) Glass;
 - (e) Rock;
 - (f) Stone (may be natural or manufactured);
 - (g) Fiber cement siding, if used in a craftsman style of architecture; and
 - (h) Engineered wood siding, if used in a craftsman style of architecture.
- (2) *Secondary materials*. May include, but shall not be limited to:
- (a) Concrete;
 - (b) Non-insulated corrugated and ribbed metal;
 - (c) Fiber cement siding, if used in a non-craftsman architectural style;
 - (d) Engineered wood siding, if used in a non-craftsman architectural style;
 - (e) Stucco;
 - (f) Tile; and
 - (g) Wood.
- (3) *Upgraded architectural features*. May include, but shall not be limited to:
- (a) Alternating brick patterns;
 - (b) Archways;
 - (c) Awnings;
 - (d) Bays;
 - (e) Canopies;
 - (f) Corbels;
 - (g) Cornices;
 - (h) Decorative art (must be permanent);
 - (i) Donners;
 - (j) Pillars;
 - (k) Porte Cocheres;

- (l) Porches;
- (m) Porticos;
- (n) Shutters; and
- (o) Timbers.

(4) *Minimum.* Developers shall have a minimum of three different building materials, not including those which are considered upgraded architectural features.

(5) *Alternative materials.* Upon recommendation of the [Development Review Committee](#)~~Planning Commission~~, the ~~Planning Commission City Council~~ may approve alternative materials if the ~~Commission Council~~ makes specific findings that the requested material is comparable to or superior to a listed, approved material for the specific development or remodeling project proposed.

(D) *Warranty.* All exterior materials shall be installed in a professional workmanlike manner and be guaranteed to be maintenance-free for at least ten years. Finishes upon exterior materials shall be guaranteed maintenance-free for a minimum of five years. Materials or finishes without such guarantees shall not be permitted. Guarantees shall be in writing from the manufacturer and a fully executed copy shall be provided to the city.

(Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022)

§ 157.735 AGREEMENT FOR IMPROVEMENTS.

Prior to the issuance of any building permit, the developer shall enter into an escrow agreement with the city wherein security shall be provided for any on and off-site public improvements. Occupancy shall not occur until all improvements have either been installed or guaranteed for future installation.

(Prior Code, § 54.14) (Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022)

§ 157.736 TIME LIMITATIONS ON APPROVAL.

If construction of any development for which design approval has been granted has not commenced within 12 months from date of approval, the approval shall be deemed automatically revoked. Upon application, an extension of time may be granted by the Planning Commission, provided such application is made prior to the expiration/revocation of the initial approval.

(Prior Code, § 54.16) (Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022)

§ 157.737 MODIFICATION.

Upon request of the applicant, modifications to the approved plan may be made by the Planning Commission, it is found that the modification will meet requirements of this subchapter. The Planning Commission may revoke or modify a design approval which does not conform to any requirement of the approved permit.

(Prior Code, § 54.22) (Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022)

CHAPTER 156: SUBDIVISION REGULATIONS

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GENERAL PROVISIONS

§ 156.001 PURPOSE AND INTENT.

(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) Any proposed subdivision and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the area concerned, and the subdivider shall present evidence to this effect when requested to do so by the Planning Commission.

~~—(C) Any proposed subdivision with 31 or more lots will require a minimum of two roads.~~

(~~CD~~) In cases where unusual topographical or other exceptional conditions exist, variations and exceptions from this chapter may be made by the City Council, after recommendation by the Planning Commission.

(~~DE~~) If an exception is being considered, a public hearing must be held prior to approval.

(Prior Code, § 15.01.010) (Ord. 3-92, passed 1-15-1992; Ord. 3-93-A, passed 4-14-1993)

§ 156.002 SCOPE OF CHAPTER.

(A) No person shall subdivide any tract of land which is located wholly in the city, except in compliance with this chapter.

(B) 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.

(C) 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.

(D) No lot(s) within a subdivision approved by the City and recorded in the County Recorder's office, in accordance with the provisions of this chapter, shall be further divided, rearranged, added to, or reduced in area, nor shall the boundaries of any lot be altered in any manner ~~without first applying and receiving approval for a Subdivision Plat Amendment as defined within this Title, so as to create more lots than initially recorded or any nonconforming lot, without first petitioning the City to amend the subdivision plat and obtaining the approval of the Planning Commission. All subdivision amendments shall comply with the provisions of this chapter, the underlying zoning standards, and standards set within State Code §10-9a-608 and §10-9a-609 as amended.~~

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(Prior Code, § 15.01.020) (Ord. 3-92, passed 1-15-1992) Penalty, see § [156.999](#)

§ 156.003 DEFINITIONS.

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

ALLEY. A public thoroughfare less than 26 feet wide.

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.

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.

BONA FIDE DIVISION OR PARTITION OF AGRICULTURAL LAND FOR AGRICULTURAL PURPOSES.

(1) The division of agricultural land into lots or parcels of five acres or more in area whose principal use is the raising and grazing of animals or agriculture as that use is defined in the city zoning ordinance.

(2) Provided that:

(a) No dedication of any streets shall be required to serve any such lots or parcels of agricultural land so created;

(b) The agricultural lots or parcels so created shall not thereafter be further divided into parcels of less than five acres without being subdivided in accordance with the subdivision regulations of the city; and

(c) No dwellings shall be permitted unless all subdivision and zoning requirements of the city, and health requirements of the county, are met.

CITY. The City of West Haven, Utah.

CITY COUNCIL. The City Council of West Haven, Utah.

COUNTY HEALTH OFFICER. The Administrative and Executive Officer of the County Health Department and Local Registrar of Vital Statistics, or his or her duly-authorized representatives.

CUL-DE-SAC. A minor terminal street provided with a turnaround.

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.

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.

MARGINAL ACCESS (STREET). A minor street which is parallel to and adjacent to a limited access major street and which provides access to abutting properties and protection from through traffic.

PRIVATE STREET. A thoroughfare within a subdivision which has been reserved by dedication unto the subdivider or lot owners to be used as private access to serve the lots platted within the subdivision and complying with the adopted street cross section standards of the city and maintained by the subdivider or other private agency.

REVIEW CYCLE

- (1) the applicant's submittal of a complete subdivision application;
- (2) the municipality's review of that subdivision application;
- (3) the municipality's response to that subdivision application, in accordance with this title; and

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(4) the applicant's reply to the municipality's response that addresses each of the municipality's required modifications or requests for additional information.

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SUBDIVISION.

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(1) The division of any tract, lot, or parcel of land owned, at the time of the adoption of this chapter as an undivided tract by one individual, or by joint tenants or tenants in common, or by tenants by the entirety, into three or more lots, plots, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development.

(2) Provided that said term **SUBDIVISION** shall not include a bona fide division or partition of agricultural land for agricultural development purposes, nor a division of land into three or more parcels, each of which is 80 acres or more in area.

(3) The word **SUBDIVISION**, and any derivative thereof, shall have reference to the term **SUBDIVISION** as herein defined.

(4) For the purpose of these regulations, a **SUBDIVISION OF LAND** shall include:

(a) The dedication of a road, highway, or street through a tract of land, regardless of area, which may create a division of lots or parcels constituting a subdivision; and

(b) Re-subdivision of land heretofore divided or platted into lots, sites, or parcels.

SUBDIVISION CLUSTER.

(1) A subdivision of land in which the lots have areas less than the minimum lot area of the zone in which the subdivision is located, but which comply with the cluster subdivision provisions of the zoning ordinance.

(2) A significant part of the land is privately reserved or dedicated as permanent common open space to provide an attractive low-density character for the residential lots in the subdivision.

SUBDIVISION IMPROVEMENT PLANS

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(1) Civil Engineering plans associated with required infrastructure improvements and utilities required for a subdivision.

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SUBDIVISION APPLICATION REVIEW

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(1) A review by a municipality to verify that a subdivision application meets the criteria of the municipality's ordinances.

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

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(Prior Code, § 15.01.030) (Ord. 3-92, passed 1-15-1992)

§ 156.004 CONDITIONS, COVENANTS, RESTRICTIONS AND LONG-TERM MAINTENANCE OF PRIVATELY HELD INFRASTRUCTURE.

(A) If a development requires long-term maintenance of privately held infrastructure. ~~Each the~~ developer/owner of any subdivision development within the city shall, as a condition of that development, cause to be drafted, issued, and placed on file with the city, prior to the issuance of any building permit, excavation, or other construction permit for said subdivision, CCRs that adequately address the ongoing management and enforcement of the development conditions imposed by the developer on that development as a condition of approval by the city.

(B) At a minimum, such CCRs shall make provision for some form of perpetual maintenance and management process either through an effective home owners' association, a dedicated trust fund of sufficient initial size that it may reasonably be expected, as determined by sound actuarial principles, to provide ongoing funding for maintenance of common area facilities, and management and enforcement of the conditions of development as set out in the CCRs, or establish and set out such other arrangements as the city may reasonably find acceptable.

(Ord. 20-2004, passed 9-1-2004)

§ 156.005 STAMPED BY LICENSED ENGINEER.

(A) *Approval of preliminary and final plans.* Any other provision of this chapter or any other city ordinance notwithstanding, each preliminary or final subdivision, or other development, plan submitted for review to the city shall, from the effective date of this chapter, be required to be stamped or otherwise bear a legible indicia of approval of a licensed engineer or surveyor as appropriate to the plan submitted.

(B) *Costs of City Engineer reviews.* Any other provision of this chapter, or any other city ordinance notwithstanding, from the effective date of this chapter, developers submitting preliminary or final subdivision, or other development, plans for review by the City Engineer shall be required to pay the cost of those plan reviews. The City Engineer will provide the city with a documented billing record of such reviews, and the city will provide that billing information to the responsible developer. The developer will pay the billing directly to the city.

(Ord. 26-98, passed 11-18-1998)

§ 156.006 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:

(a) Any monies not used for those repairs to be returned to the individual who posted the bond; or

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(b) If the money posted under the bond is insufficient to cover the cost of repairs as determined to be required by the City Engineer, the builder will be contacted and shall provide such additional sums as shall reasonably be necessary to complete the repairs.

(2) If there is no damage identified by the City Engineer, the bond shall be released to the party who provided the bond.

(Ord. 16-99, passed 12-1-1999)

§ 156.007 NEW DEVELOPMENT PLANNING, INSPECTION, AND ESCROW RELEASE REPORT.

The city's New Development Planning, Inspection, and Escrow Release Report, as contained in Ord. 18-2005, along with the ordinance's "Addendum A," is hereby adopted by reference as if incorporated into this code in full.

(Ord. 18-2005, passed 12-7-2005)

PRELIMINARY PLAN

§ 156.020 PRELIMINARY INFORMATION.

Each person who proposes to sub-divide land within the city limits ~~may~~ shall confer with the ~~Development Review Committee Planning Commission staff~~ before preparing any plats, charts, or plans in order to become familiar with the city subdivision requirements and existing master plans for the territory in which the proposed subdivision lies, and to discuss the proposed plan of development of the tract.

(Prior Code, § 15.02.010) (Ord. 3-92 passed 1-15-1992)

§ 156.021 SUBDIVISION INFORMATION FORM.

A subdivision information form supplied to the subdivider by the Planning Commission shall be filled out and submitted to the Planning Commission with the preliminary plan.

(Prior Code, § 15.02.020) (Ord. 3-92 passed 1-15-1992)

§ 156.022 PRELIMINARY PLAN FILING.

A preliminary plan shall be prepared in ~~conformation with the standards, rules, and regulations contained herein, and conformance with the standards, rules, and regulations contained herein, and shall be provided in an PDF format and method accepted by the City~~ 12 black and white prints and reviewed by the Community Development Department for completeness. ~~thereof shall be submitted to the Planning Commission for approval or disapproval. Prior to Planning Commission review, the preliminary plan shall be submitted to the Development Review Committee (DRC) for their review and comment. The DRC shall review and provide written comments to the applicant and the Planning Commission within fifteen (15) business days of a complete application. One print shall be delivered by the Planning Commission to each of the following for their information and recommendations of such officials and departments: County Recorder, City Engineer, City Fire Department, County Health Officer, County~~

~~School Board, and companies furnishing telephone, electric, water or gas service, and the canal company.~~

(Prior Code, § 15.02.030) (Ord. 3-92 passed 1-15-1992)

§ 156.023 PRELIMINARY PLAN APPLICATION FEE.

At the time of filing the preliminary plan, the subdivider shall deposit with the ~~City Planning Commission~~ a non-refundable fee made payable to the city. The City Council shall, by resolution from time to time, prescribe the amount of such fee, which shall be for the purpose of reimbursing the city for the expense incidental in connection with the checking and approving of such subdivision plans. Such fees are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

(Prior Code, § 15.02.040) (Ord. 3-92 passed 1-15-1992; Ord. 26-2023, passed 1-3-2024)

§ 156.024 PRELIMINARY PLAN REQUIREMENTS.

(A) The preliminary plan shall be drawn to a scale not smaller than 100 feet to the inch and shall show:

- (1) The proposed name of the subdivision;
- (2) The location as forming a part of a larger tract or parcel, where the plat submitted covered only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplatted parts shall be submitted, and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area;
- (3) Sufficient information to locate accurately the property shown on the plan;
- (4) The individual or company names and addresses of the subdivider, the engineer and the registered land surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided;
- (5) Contour map at intervals of two feet, five feet, or ten feet, as determined by the Planning Commission;
- (6) The boundary lines of the tract to be subdivided;
- (7) 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;
- (8) Existing sanitary sewers, storm drains, water supply mains, water wells, and culverts within the tract and immediately adjacent thereto;
- (9) 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 of spacing to be dedicated to the public, or designated as private streets or private access rights-of-way; and

(10) North point, scale, and date.

(B) Plans or written statements prepared by a licensed civil engineer regarding the width and type of proposed pavement, location, size, and type of proposed sanitary sewers or other sewage disposal facilities, proposed water mains and hydrants, and other proposed stormwater drainage facilities, and other proposed improvements such as sidewalks, plantings, and parks, and any grading of individual lots.

(C) UDOT Conditional Access Permit approval or minutes from a UDOT pre-application meeting, if applicable.

(CD) The applicant shall provide will serve or availability letters from the culinary water authority and the sanitary sewer authority regarding the proposed subdivision.

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(Prior Code, § 15.02.050) (Ord. 3-92 passed 1-15-1992)

§ 156.025 PRELIMINARY PLAN APPROVAL.

(A) Following a review of the preliminary plan by the DRC, the Planning Commission shall act on the plan as submitted or modified. If approved, the Planning Commission shall express its written approval with whatever conditions are attached and by returning one copy of the preliminary plan, signed by the Community Development Director~~Planning Director~~, to the subdivider. If the preliminary plan is disapproved, the Planning Commission shall indicate its disapproval in writing and reasons therefore by similarly-signed copies.

(B) Notification of approval of the preliminary plan shall be authorization for the subdivider to proceed with the preparation of the subdivision improvement plans and final plat~~and specifications for the minimum improvements required in this chapter~~.

(Prior Code, § 15.02.060) (Ord. 3-92 passed 1-15-1992)

§ 156.026 TIME LIMITATION.

(A) (A) Approval of the preliminary plan by the Planning Commission shall be valid for a maximum period of 18 months after approval~~unless, upon application of the subdivider, the Planning Commission grants an extension~~.

(B) (C) The applicant may seek a six (6) month extension from the Planning Commission. The Planning Commission shall not approve a six (6) month extension if there have been changes in the land use regulations that govern the proposed development since the initial approval.

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(CB) If the final plat has not been submitted within the 18 months or approved extended period, the preliminary plan must again be submitted to the Planning Commission for re-approval; however, preliminary approval of a large tract shall not be

voided; provided, that the final plat of the first section is submitted for final approval within the 18-month period.

(Prior Code, § 15.02.070) (Ord. 3-92 passed 1-15-1992)

§ 156.027 GRADING LIMITATION.

No **large scale excavation**, grading, or regarding as determined by the Planning Commission shall take place on any land for which a preliminary subdivision plan has been submitted until such plan has been given preliminary approval by the Planning Commission, and then only in accordance with the excavation ordinance of the city.

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(Prior Code, § 15.02.080) (Ord. 3-92 passed 1-15-1992)

§ 156.028 SUBMITTAL CRITERIA.

All preliminary subdivision plats (24 by 36 sheet size) must contain the following:

- (A) A subdivision name;
- (B) A north arrow, scale, not less than one to one hundred (1:100), and reparation date;
- (C) A vicinity map to locate the property to be subdivided;
- (D) The boundary lines and dimensions of the parcel to be subdivided;
- (E) The location, widths, areas, and other dimensions of proposed lots, streets, easements, detention basins, and other features of the subdivision;
- (F) The location of existing and proposed improvements such as curbs and gutters, sanitary sewers, storm drains, and drainage plan, water supply lines, and culverts within 100 feet of the subdivision;
- (G) The location, widths, and other dimensions of existing or platted streets, or other features, such as water courses, buildings, or railroad lines within 200 feet of the proposed subdivision;
- (H) Existing ground contours of intervals not less than two feet; and
- (I) The names and addresses of the property owner of record, developer, engineer, or surveyor, and the owner'

(Ord. 17-98, passed 6-3-1998)

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FINAL PLAT

§ 156.040 SUBDIVISION IMPROVEMENT PLANS AND FINAL PLAT REQUIRED.

~~(A) (A) After compliance with the provisions of §§ 156.020 through 156.028, the subdivider shall submit a final plat and subdivision improvement plans with four copies thereof to the City, the Development Review Committee (DRC) Planning Commission. Such plat shall be accompanied by a letter of certification by the subdivided registered land surveyor, indicating that all lots meet the requirements of the zoning ordinance. The City Engineer and Community Development Director shall serve as the Land Use Authority for the Subdivision Improvement Plans and the Planning Commission shall be the approval authority for the Final Plat application.~~

~~(A)~~

~~(B) Subdivision Improvement Plans: Subdivision Improvement Plans shall be prepared by a licensed engineer and conform to current engineering, public works, and International Fire Code standards, as well as all other applicable City and Utah State code requirements, in a PDF format.~~

~~(1) The Subdivision Improvement Plans shall address conditions within the initial preliminary plan report and any conditions of approval by the Planning Commission.~~

~~(2) Improvement Plans shall comply with West Haven requirements for all Subdivisions found in this title, in addition to adopted design standards, master plans, stormwater standards as adopted by the City and State, and any other applicable standards adopted by the City.~~

~~(C) (B) Final Subdivision Plat: A final Subdivision plat shall be prepared by a licensed land surveyor, and conforming to current surveying practice and in a form acceptable to the Weber County Recorder for recordation and meet the standards in § 156.041 FINAL PLAT REQUIREMENTS. Before printing on a mylar, the applicant shall submit a draft copy of the final plat for review.~~

~~(1) A draft copy of the final plat in a PDF format specified by the City~~

~~(2) A title report dated no more than 30 days before the date of application~~

~~(3) A copy of the approved subdivision improvement plans~~

~~(4) Notation of any self-imposed restrictions, or other restrictions, if required by the Planning Commission in accordance with this title;~~

~~(5) Other final subdivision plat notes, as required by West Haven or Utah State Code, or as required by the Planning Commission.~~

~~(D) Subdivision Final Plat and Improvement Plan Review Process: The Development Review Committee (DRC) shall review and provide reports to the applicant in compliance with Utah State Code §10-9a-604.2 as amended.~~

~~(1) The subdivision Final Plat and Improvement Plans shall be subject to four Review Cycles, as defined in this chapter.~~

~~(a) Once the applicant has submitted a complete application, the DRC~~

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<https://www.ulct.utah.gov/resources/subdivisions/>

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- shall have twenty (20) business days to review and provide an indexed report to the applicant with all required changes. This report shall cite and reference adopted code, design standards, and master plans that would require the change.
- (b) The DRC may require additional information relating to an applicant's plans to ensure compliance with City ordinances and approved standards and specifications for the construction of public improvements; and
- (c) The DRC shall require modification to plans that do not meet current ordinances, applicable standards, or specifications, or do not contain complete information.
- (2) The Review Cycle limitation does not apply to property containing sensitive lands and geological hazard areas.
- (3) If an applicant makes a material change to a plan set, the DRC has the discretion to restart the review process at the first review of the final application, but only with respect to the portion of the plan set that the material change substantially affects.
- (4) The applicant shall submit revised plans and shall provide a written explanation in response to the DRC's review comments, identifying and explaining the applicant's revisions and any reasons for declining to make a revision.
- (a) If the applicant does not submit a revised plan within twenty (20) business days after the DRC requires a modification or correction, the DRC shall have an additional twenty (20) business days to respond to the plans.
- (5) If on the fourth and final review, the DRC fails to respond within 20 business days or the improvement plans are not approved, the DRC shall, upon request of the property owner, and within 10 business days after the day on which the request is received:
- (a) For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah State Code §10-9a-508(5)(d) to review and approve or deny the final revised set of plans. Unless otherwise agreed by the applicant and the City, the panel shall consist of the following three experts:
1. one licensed engineer, designated by the City;
 2. one licensed engineer, designated by the land use applicant;
 - and
 3. one licensed engineer, agreed upon and designated by the two designated engineers as appointed in this section.
- (b) The members of the appeal panel assembled by the City may not have an interest in the application that is the subject of the appeal.
- (c) The subdivision applicant shall pay 50% of the cost of the panel and the City's published appeal fee.

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(6) For a dispute arising from a subdivision application review, the applicant may file an appeal with the Hearing Officer.

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(E) The City shall review and approve or deny a final subdivision plat and subdivision improvement plans application in accordance with the provisions of this title and other development standards adopted by the City. An applicant's failure to comply with these standards by the fourth and final review will result in denial, after which the applicant may choose to reapply or appeal the decision in accordance with the process outlined in this title.

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(F) Once the applicant addresses all of the DRC's review notes, the improvement plans shall be submitted to the City Engineer and Community Development Director for final approval. Once the improvement plans are approved, the final plat shall be submitted to the Planning Commission for final approval. Once approved, the applicant shall submit a signed final plat to the City for signatures on one twenty four inches by thirty six inches (24" x 36") in ink on reproducible mylar copy of the final subdivision plat along with one digital copy (type to be specified by the Director) at the same scale and containing the same information. All sheets shall be numbered and referenced to an index map, and all required certificates shall appear on a single sheet (along with the index and vicinity maps).

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(G) Final plats are subject to approval by the Culinary Water Authority and the Sanitary Sewer Authority, and a box shall be provided on the final plat for the Sanitary Sewer Authority's signature.

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~~The final plat and accompanying information shall be submitted to the Planning Commission at least five days prior to a regularly scheduled Planning Commission meeting in order to be considered at said meeting.~~

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(Prior Code, § 15.04.010) (Ord. 3-92 passed 1-15-1992)

§ 156.041 FINAL PLAT REQUIREMENTS.

(A) The final plat shall consist of a sheet of approved tracing linen or Mylar to the outside or trim dimensions of 24 by 36 inches, and the border line of the plat shall be drawn in heavy lines leaving a space of at least one-half inch margin on all four sides of the sheet. The final plat shall be signed and stamped by a registered land surveyor. The plat shall be so drawn that the top of the sheet faces either north or east, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on the tracing linen with approved waterproof, black India drawing ink. The plat shall be made to scale large enough to clearly show all details, and in any case not smaller than 100 feet to the inch and the workmanship on the finished drawing shall be neat, clean-cut, and readable. The plat shall be signed by all parties mentioned in division (A)(8) below, duly authorized and required to sign, and shall contain the following information:

(1) A subdivision name, approved by the County Recorder, and the general location of the subdivision in bold letters at the top of the sheet. The township, range, and quarter section shall be shown on the top of the plat;

(2) Where a subdivision complies with the cluster subdivision provisions of the zoning ordinance, the final plat shall indicate underneath the subdivision name the words, "cluster subdivision;"

(3) A north point and scale of the drawing and the date;

(4) Accurately drawn boundaries, showing the proper bearings, basis of bearings, and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines. The state plane grid bearings (where available) shall be noted on the linen, and the basis of bearing sufficient for retracement shall also be noted on the final plat;

(5) The names, widths, lengths, bearings, and curve data on centerlines of proposed streets, alleys, and easements; also the boundaries, bearings, and dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings, areas, and numbers of all lots, blocks, and parts reserved for any reason within the subdivision. All lots are to be numbered consecutively under a definite system approved by the City Engineer. All proposed streets shall be named or numbered consecutively under a definite system approved by the City Engineer and conform as far as practicable to the adopted street naming and numbering system of the city;

(6) A house number indicating the street address for each lot in the subdivision shall be assigned by the City Engineer marked on each lot so as to face the street frontage. Corner lots shall have a house number assigned for frontage;

(7) Parcels of land to be dedicated as public parks or to be permanently reserved for private common open space shall be included in the lot numbering system and shall also be titled "Public Park" or "Private Common Open Space," whichever is applicable;

(8) The standard forms approved by the Planning Commission for all subdivision plats lettered for the following, and as shown in § [156.004](#):

- (a) Description of land to be included in subdivision;
- (b) Registered land surveyor's certificate of survey;
- (c) Owner's dedication certificate;
- (d) Notary public's acknowledgment;
- (e) City Planning Commission's certificate of approval;
- (f) City Engineer's certificate of approval;
- (g) City Attorney's certificate of approval;
- (h) City Council's certificate of acceptance;
- (i) City Clerk's certificate of attest; and
- (j) City Surveyor's certificate of approval.

(9) A three-inch by three-inch space in the lower right-hand corner of the drawing for recording information; and

(10) The subdivision boundary corners shall be set on the site prior to recording of the final plat. The subdivision boundary corners and centerlines street monuments shall be noted on the final plat. ~~For subdivisions that are located in the city which are zoned for agriculture (A-1 and A-2), the following statement shall be required on each page of the final plat:~~

~~(11) The use of lots within the subdivision boundary shall comply with the underlying zoning standards and uses.~~

-

~~"Agriculture is the preferred use in the agricultural zones. Agricultural operations as specified in the Zoning Ordinance for a particular zone are permitted at any time including the operation of farm machinery and no allowed agricultural use shall be subject to restriction on the basis that it interferes with activities of future residents of this subdivision."~~

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(B) For subdivisions that include lots which will be partially or completely in the base floodplain (see §§ [157.390](#) through [157.395](#)) of any river, stream, watercourse, lake, or other body of standing water, a boundary and elevations of the floodplain shall be required on the final plat. The lowest elevation of any inhabitable floor in any structure for each lot shall also be shown on the final plat.

(C) The subdivider shall furnish to the City Engineer a complete set of drawings signed and stamped by a licensed civil engineer of engineering designs for all streets, existing and proposed, and all utilities to be constructed within the subdivision together with the final plat. All such utility and road construction shall be in accordance with the adopted public works standards of the city.

(D) (1) After approving and signing the final plat, the Planning Commission shall submit the plat for approval of the City Engineer, who shall check the engineering requirements of the drawing and determine the amount of the bend to assure construction of the improvements where necessary.

(2) After approval and signature by the City Engineer, the plat and bond agreement shall be submitted to the City Attorney and the City Council, respectively, for their approval. The final plat, bearing all official approvals as above required, shall be deposited in the offices of the County Recorder for recording at the expense of the subdivider, who shall be notified of such deposit by the office of the County Recorder.

(3) Any final plat not so approved and signed, or which shall not be offered for recording within one year after the date of final approval, unless the time is extended by the Planning Commission, shall not be recorded or received for recording, and shall have no validity whatsoever.

(4) No street improvements or utilities shall be installed until after approval of the improvement plans by the City Engineer and Community Development Director. No lots

included in such plat shall be purchased, sold, exchanged, or offered for sale, and no construction of buildings upon such lots shall begin until the final plat is so approved and recorded.

(5) The subdivider shall deposit with the city, at the time of final plat approval, an amount of money equal to the estimated cost of purchase and installation of the traffic-control and street name signs required for proper completion of subdivision traffic direction.

(6) The subdivider shall deposit with the city, at the time of final plat approval, an amount of money equal to the estimated cost of the street monuments required for the subdivision so that the city may install such monuments as soon as practical by giving the first opportunity to the subdividing surveyor, or his or her designee.

(Prior Code, § 15.04.020) (Ord. 3-92 passed 1-15-1992; Ord. 2-96, passed 3-20-1996)

(E) Dedication Language: Public roadways and rights-of-way shall be dedicated to the City with the following language. The City may alter this language in cases of conflicting master development agreements or in unique circumstances that may require special language to address those needs:

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We, the undersigned owners of all the real property depicted on this plat and described in the surveyor's certificate on this plat, having clean title and full legal authority to dedicate the same, have caused the land described on this plat to be divided into lots, streets, parks, open spaces, easements and other public uses as designated on the plat, and to be hereinafter known as the "
Subdivision."

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We now do hereby dedicate, grant, and convey, in perpetuity, pursuant to the provisions of § 10-9a-607, Utah Code, without condition, restriction or reservation to West Haven City, Utah, all public streets or other public rights-of-way as public thoroughfares for access, and also dedicate all designated public utility easements (P.U.E.), municipal utility easements (M.U.E), and other easements to West Haven City for the installation, maintenance, and operation of public service utility lines, municipal utility lines, storm drain lines, and intended public uses and municipal uses.

We now do also hereby dedicate, grant, and can convey in perpetuity, pursuant to the provisions of § 10-9a-607, Utah Code, without condition, restriction, or reservation to West Haven City, Utah, all public open spaces, public parks, and all other places of public use noted on the plat to West Haven City, Utah, together with all improvements and special conditions required by the Development Agreement, dated _____, executed between the undersigned and West Haven City, for the benefit of West Haven City and the inhabitants thereof.

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PRINTED NAME OF OWNER

AUTHORIZED SIGNATURE(S)

SUBDIVISION PLAT AMEENMENT

156.050 SUBDIVISION PLAT, AMENDMENT,

(A) No lot(s) within a subdivision approved by the City and recorded in the County Recorder's office, in accordance with the provisions of this chapter, shall be further divided, rearranged, added to, or reduced in area, nor shall the boundaries of any lot be altered in any manner so as to create more lots than initially recorded or any nonconforming lot, without first petitioning the City to amend the subdivision plat and obtaining the approval of the City.

1. The Planning Commission shall be the Land Use Authority for a Subdivision Amended Plat unless that amendment proposes to amend, vacate, or alter a City right-of-way or easement, in which case the Planning Commission shall make a recommendation to the City Council that will serve as the Land Use Authority.
2. All subdivision amendments shall comply with the provisions of this chapter, the underlying zoning standards, and standards set within Utah State Code §10-9a-608 and §10-9a-609 as amended.
3. The Land Use Authority shall approve, approve with conditions, or deny a Subdivision Amended Plat Application subject to all applicable standards.

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SUBDIVISION STANDARDS

§ 156.055 RELATED TO ADJOINING STREET SYSTEMS.

(A) The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) insofar as such may be deemed necessary by the Planning Commission for public requirements. The street arrangement must be such so as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.

(B) Minor streets shall approach the major or collector streets at an angle of not less than 80 degrees.

(C) Secondary Access. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved access roads. All developments shall comply with West Haven and Weber Fire District Access standards.

Commented [SN13]: I have a few ideas to address in these sections, but it may be better to hold off on these changes until the process is updated.

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(Ord. 3-92 passed 1-15-1992)

§ 156.056 STREET AND ALLEY WIDTHS, CUL-DE-SACS, EASEMENTS.

(A) Streets in subdivisions shall be dedicated to the city as public streets, except that private streets improved to city public street standards may be approved in planned residential unit developments (PRUDs).

(B) Major and collector streets shall conform to the width designated on the master street plan wherever a subdivision falls in an area for which a master street plan has been adopted. For territory where such street plan has not been completed at the time the preliminary plan is submitted to the Planning Commission, major or collector streets shall be provided as required by the Planning Commission, with minimum widths of 80 or 100 feet for major streets and 66 feet for collector streets.

(C) Standard residential streets shall have a minimum width of 60 feet, except that minor terminal streets and loop streets, or minor private streets, may have widths of not less than 50 feet.

(D) Minor terminal streets (cul-de-sacs) proposed in the subdivision of flat land where topography presents no barriers to development shall have a maximum length of 650 feet to the beginning of the turnaround or may serve a maximum of 14 lots, whichever is greater. Where a street is designated to remain only temporarily as a dead end street, an adequate temporary turning area shall be provided at the dead-end thereof to remain and be available for public use so long as the dead end conditions exists.

(E) Marginal access streets of not less than 40 feet in width shall be required paralleling all limited access major streets, unless the subdivision is so designed that lots back onto such major streets.

(F) Half-streets proposed along a subdivision boundary or within any part of a subdivision shall not be approved.

(G) All proposed streets, whether public or private, shall conform to the city street cross-section standards as recommended by the Planning Commission and adopted by the City Council.

(H) Except where due to special circumstances, street grades over sustained lengths shall not exceed the following percentages: on major public streets, 8%; on collector streets, 10%; on minor streets, 12%; and on private streets, 15%.

(I) Alleys shall have a minimum width of 20 feet. Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the Planning Commission.

(J) Where subdivision streets parallel contiguous property of other owners, the subdivider may retain a protection strip of not less than one foot in width between said street and adjacent property; provided that an agreement with the city and approved by the City Attorney has been made by the subdivider, contracting to dedicate the one foot or larger protection strip free of charge to the city for street purposes upon payment by

Commented [SN14]: Do we want to redefine this? This seems like it may be very restrictive for some developments

the then owners of the contiguous property to the subdivider of a consideration named in the agreement, such consideration to be equal to the fair cost of the street improvements properly chargeable to the contiguous property, plus the value of one-half the land in the street at the time of the agreement.

(Ord. 3-92 passed 1-15-1992)

§ 156.057 BLOCKS.

(A) 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.

(B) 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.

(C) 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.

(Ord. 3-92 passed 1-15-1992)

§ 156.058 LOTS.

(A) 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 and probable future requirements.

(B) 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, or:

(1) Except as otherwise permitted by the Hearing Officer Board of Adjustments;

(2) Where in accordance with the cluster subdivision or Planned Residential Unit Development provisions of the zoning ordinance; or

(3) As required by the County Health Officer as being the minimum area necessary for septic tank disposal and water, and well protection, if greater than the above area requirements.

(C) 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, or on a street which has become such by right of use and is more than 26 feet wide, except as provided in division (D) below. Interior lots having frontage on two streets shall be prohibited except where unusual conditions make other design undesirable.

(D) Where approved by the Planning Commission Board of Adjustments, lots not having frontage on a street as required by the zoning ordinance for the zone in which

the subdivision is located but upon a right-of-way may be included within a subdivision, provided the following requirements are met:

(1) The Planning Commission determines that it is impractical to extend streets to serve such lots;

(2) The area of the right-of-way shall be in addition to the minimum lot area requirements of the zone in which the lot is located;

(3) The grade of any portion of the right-of-way or fee title access strip shall not exceed 15%; and

(4) Lots so created shall be large enough to comply with all yard and area requirements of the zone in which the lot is located.

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

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

(G) All remnants of lots below the minimum size left over after subdividing a larger tract must be added to adjacent lots, rather than allowed to remain as unusable parcels.

(H) Where the land covered by a subdivision includes two or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to either single or joint ownership before approval of the final plat, and such transfer certified to the Planning Commission by the County Recorder.

(I) The Planning Commission may require that easements for drainage through adjoining property be provided by the subdivider, and easements of not less than ten feet in width for water, sewers, drainage, power lines, and other utilities shall be provided in the subdivision when required by the Planning Commission.

(J) (1) No mailbox or other receptacle may be installed within developments within the city unless such installation and equipment has been reviewed and approved by the postmaster responsible for the delivery of mail to that property.

(2) 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.

(Ord. 3-92 passed 1-15-1992; Ord. 09-2001, passed 8-1-2001) Penalty, see § [156.999](#)

§ 156.059 PARKS, SCHOOL SITES, AND OTHER PUBLIC PLACES.

(A) In all subdivisions and subdivisions where there are no public streets, the Planning Commission may require the dedication to the city of not more than 3% of the gross area of the subdivision for parks, open spaces, or other public uses in such

Commented [SN15]: This code is problematic. It seems to let the City pick and choose who should dedicate park space and who shouldn't. I don't even think the City wants this anymore.

locations as approved by the Planning Commission as indicated on the approved preliminary plan.

(B) Where it is determined that a greater amount of land is required for parks and open spaces to meet the master plan requirements for that area of the city, or a school site is required, the Planning Commission, after so apprising the appropriate agency, shall so indicate the open space or school site requirements to the subdivider on the approved preliminary plan.

(C) The subdivider, at the time of filing the final plat with the Planning Commission, must offer to sell at a fair market price to the city or other appropriate public agency, within one year immediately following the recording of the final plat, any land so designated for school sites or any land designated for park or open space in excess of the 3% of land area required to be dedicated in accordance with division (A) above.

(D) If any such proposed public areas or school sites have not been purchased by the appropriate public agency within one year after the recording of the final plat, such areas may be subdivided into lots and blocks in accordance with the requirements of this subchapter.

(Ord. 3-92 passed 1-15-1992)

§ 156.060 CLUSTER SUBDIVISIONS; SPECIAL PROVISIONS.

(A) *Design standards.*

(1) The design of the preliminary and final plats of the subdivision in relation to streets, blocks, lots, common open spaces, and other design factors shall be in harmony with the intent of zoning regulations, elements of the master plan that have been adopted by the Commission, and design standards recommended by the Planning Commission and approved by the City Council.

(2) Streets shall be so designed as to take advantage of open space vistas and to create drives with a rural or open space character.

(3) Cluster subdivisions, in areas of the city where year-round living is normally expected or proposed, shall use the following design elements in preparation of the preliminary plat of the cluster subdivision.

(a) A majority of the proposed lots shall have direct access to the common open space. The remaining lots shall be connected to the common space by a trail system or by a sidewalk system in urban-type subdivisions.

(b) The proposed common open space shall consist of land which, under normal circumstances, could be considered for subdivision. Land which could normally not be developed but provides an amenity may also be a part of the common open space. This may include riding arenas, lakes, developed play areas, golf courses, or other similar such amenities.

(c) The number of lots in any cluster shall be approved by the Planning Commission. The design of the clusters shall generally be such that open space vistas or developed open spaces intercede between clusters.

(B) *Provision of common open space.*

(1) The subdivider of a cluster subdivision shall submit plans of landscaping and improvements for the common open spaces. He or she shall also explain the intended use of the open space and provide detailed provisions of how the improvements thereon are to be financed and the area maintained. A cluster subdivision must meet the requirements of the zoning ordinance, must assure proper use, construction, and maintenance of open space facilities, and must result in a development superior to conventional development in terms of its benefits to future owners of the subdivision, surrounding residents, and the general public.

(2) The Planning Commission may place whatever additional conditions or restrictions it may deem necessary to ensure development and maintenance of the desired character, including plans for deposition or re-use of property if the open space use is not maintained in the manner agreed upon or is abandoned by the owners.

(C) *Guarantee of common open space improvements.* As assurance of completion of common open space improvements, the subdivider may be required to file with the City Council a surety or cash bond guaranteeing such completion in a manner satisfactory to the City Council, within two years of such filing. Upon completion of the improvements for which a surety or cash bond has been filed, the subdivider shall call for inspection by the Planning Commission, such inspection to be made within 14 days from the date of request. If inspection shows that landscaping and construction have been completed in compliance with the approved plan, the bonds therefor shall be released within seven days from the time of inspection. If the bonds are not released, refusal to release and reasons therefor shall be given to the subdivider in writing, also within seven days from the time of inspection.

(D) *Continuation of common open space.* As assurance of continuation of common open space use, in accordance with the plans approved by the Planning Commission, the subdivider shall grant to the city an open space easement on and over the common open space prior to the recording of the final plat, which easement will not give the general public right of access but will provide that the common open space remains open.

(E) *Maintenance of common open space, and the like.*

(1) As assurance of maintenance of the common open space and other improvements where so required, the subdivider shall cause to be formed, prior to the recording of the final plat, a Lot Owners' Association, and shall establish articles of incorporation of the Association, bylaws, and covenants outlining the purpose, organization, and operation of the Association.

(2) Such articles of incorporation and covenants shall, among other things, provide:

(a) Membership shall be mandatory for each lot purchased and each successive buyer;

(b) Common open space restrictions must be permanent, not just for a period of years;

(c) The Association must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities;

(d) Lot owners must pay their prorated share of the costs;

(e) The assessment levied by the Association can become a lien on the property;

(f) The Association must be able to adjust the assessment to meet changed needs; and

(g) In the event the Lot Owners' Association does not maintain the common open space and improvements as proposed and indicated at the time of subdivision, the city may, at its option, do or contract to have done the required maintenance and recover the costs incident thereto by means of a lien against the involved properties of the members of the Lot Owners' Association.

(Ord. 3-92 passed 1-15-1992)

§ 156.061 IDENTIFICATION OF FLOODPLAIN.

(A) The **FLOODPLAIN**, as used herein, shall mean 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.

(B) In subdivisions of at least nine lots, base flood and ground elevation data shall be provided for each lot by the developer and approved by the City Engineer.

(1) Such data shall appear on the final subdivision linen. In subdivisions of fewer than nine lots, the base elevation shall be determined by the City Engineer.

(2) Any existing base flood elevation from federal, state, or local sources shall be utilized to determine such flood elevations.

(C) In accordance with guidelines set by the Federal Flood Insurance Administration, 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.

(Ord. 3-92 passed 1-15-1992)

§ 156.062 POWER AND TELEPHONE UTILITIES.

All electric power and telephone utility extensions to and in new subdivisions shall be installed underground to utility company specifications, except in those locations where the utility companies determine, and the Planning Commission concurs, that it is impractical due to steep terrain, inaccessible location, and the like.

(Ord. 3-92 passed 1-15-1992)

§ 156.063 PUBLIC WORKS STANDARDS.

(A) *Public works standards.*

(1) *Modified high-back curb.* Any other provision of this, or any other, city ordinance notwithstanding, modified high-back curb shall, from the effective date of this chapter, be required as a part of all future development within the city as specified in the public works standards.

(2) *TV and flush of storm drains and sewers.* Any other provision of this chapter or any other city ordinance notwithstanding, from the effective date of this chapter, developers shall be required to provide TV and flush services to storm drains and sewers installed in the city as a part of all future development within the city as specified in the public works standards.

(B) *Public works diagrams.*

[IMAGE]

(Ord. 23-98, passed 10-7-1998)

CONDOMINIUM PROJECTS

§ 156.075 DEFINITIONS.

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

CONDOMINIUM PROJECT. A real estate condominium project, a plan, or a project whereby two or more units, whether contained existing or proposed apartment, commercial, or industrial buildings, or structures or otherwise, are separately offered, or proposed to be offered, for sale. **CONDOMINIUM PROJECT** shall also mean the property where the context so requires.

UNIT. A separate physical part of the property intended for any type of independent use, including one or more rooms or spaces located in one or more floors (or part or parts of floors) in a building or a time period unit, as the context may require. A convertible space shall be treated as a **UNIT** in accordance with UCA § 57-8-13.4, as amended.

(Ord. 3-92 passed 1-15-1992)

§ 156.076 CONDOMINIUM PROJECTS; SUBDIVISIONS.

A condominium project shall be considered to be a subdivision, and a record of survey map or supplement thereto prepared pursuant to the Condominium Ownership Act, UCA § 57-8, as amended, shall be considered to be a subdivision map or plat with respect to such real property or improvements that are to be dedicated to the use of the public, and to those units which are not contained existing or proposed buildings.

(Ord. 3-92 passed 1-15-1992)

§ 156.077 CONDOMINIUM PROJECTS TO COMPLY WITH LOCAL ORDINANCES.

(A) Condominium projects shall comply with all the provisions of the city uniform zoning ordinance, the building, health, and similar development regulations and

ordinances of the city, and with the city subdivision regulations, and shall follow the procedures outlined in such regulations for processing subdivisions.

(B) The standards and criteria for geographical layout of a condominium project, the facilities of utility lines and roads, and the percentage of the project to be devoted to common or recreational use shall comply with the provisions of the ordinances and regulations in division (A) above.

(Ord. 3-92 passed 1-15-1992)

§ 156.078 APPROVAL OF CONDOMINIUM DECLARATION.

A copy of the preliminary condominium declaration prepared pursuant to UCA § 57-3, as amended, shall be submitted to the Planning Commission, along with the preliminary record of survey, for review approval with respect to the standards for the maintenance, upkeep, and operations of roads and the facilities of utility lines.

(Ord. 3-92 passed 1-15-1992)

§ 156.079 INSTALLATION OF IMPROVEMENTS.

The developer of a condominium project shall, at his or her own expense, install the improvements listed in §§ [156.090](#) and [156.091](#). In addition, proposed recreation facilities, clubhouses, recreational vehicle parking areas, and landscaping materials in accordance with an approved plan shall be included in the guarantee of improvements provided by the developer to the city prior to final approval by the city, or except as provided in §§ [156.090](#) and [156.091](#), in accordance with the plans and specifications as approved by the city.

(Ord. 3-92 passed 1-15-1992)

SUBDIVISION IMPROVEMENTS REQUIRED

§ 156.090 OWNER OF SUBDIVISION RESPONSIBLE FOR COSTS.

(A) 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, and by this reference made a part of these, except for septic tanks, which must be installed according to the specifications of, and under the inspection of, the County Health Officer. This document, adopted by reference, is the document of "Public Works Standards and Technical Specifications" previously adopted and utilized by the county. References in this document to "county," "the county," "County Engineer," "County Standards," and the like shall, in all cases, be interpreted to mean "city," "the city," "City Engineer," "city standards," and the like.

(B) The owner or developer of any land to be platted as a subdivision of one lot or more will be required, prior to recording the final plat, to provide ~~a minimum of one-half acre of water, or the equivalent thereof, per acre, if water is currently available with the land being sold, in accordance with the local culinary and seedarysecondary water authority.~~ -

(Ord. 3-92 passed 1-15-1992; Ord. 4-95, passed 3-15-1995)

§ 156.091 IMPROVEMENTS REQUIRED.

(A) *Water supply.*

(1) Where an approved public water supply is reasonably accessible or procurable, the subdivider shall install waterlines, or shall contract with the local water distributing agency to make the water supply available to each lot within the subdivision, including laterals to the property line of each lot. The subdivider shall furnish to the County Health Officer three copies of plans showing the location and size of proposed waterlines and fire hydrants, and also existing waterlines to which a connection is to be made. Information concerning the residual water pressure in the existing mains at the approximate point of connection shall also be furnished. The County Health Officer shall determine the adequacy of the existing water system to provide culinary water and fire protection to the State Board of Health Requirements to the lots in the subdivision. Written approval by the County Health Officer for the proposed water supply shall be submitted to the Planning Commission before consideration of the final plan.

(2) Where an approved public water supply or system is not reasonably accessible nor procurable, the subdivider shall install a water distribution system and provide a water supply to each lot from a source meeting the requirements of the State Board of Health rules and regulations relating to public water supplies and with the approval of the County Health Officer; provided, that the Planning Commission shall permit the water supply to be provided by means of individual wells if, in its determination, the subdivision is not an extension or continuation of an existing or approved subdivision of related property and the subdivision is in a location where water supply pollution is not considered to be a significant problem or factor as follows:

(a) In subdivisions of ten or more, but less than 20, lots where each lot has a minimum area of two and one-half acres and a minimum width of 300 feet; or

(b) In subdivisions of less than ten lots, evidence shall be submitted to the Planning Commission prior to the final approval of the subdivision that an adequate water supply meeting State Board of Health requirements is available in sufficient quantity to serve the subdivision.

(3) If individual well permits will not be issued by the State Division of Water Rights, one well permit must be obtained along with a letter of feasibility from the Division of Water Rights which states that well permits can be issued in the proposed area by the Division of Water Rights for exchange purposes. If well permits cannot be obtained, the lot will no longer be deemed a buildable lot as herein defined. The owner of record of the proposed subdivision property shall record a covenant to run with the land which advises the new lot owner of the requirements to be fulfilled before a building permit can be obtained. This shall include, but not be limited to:

- (a) A well permit must be obtained;
- (b) The time it may take to obtain the permit;
- (c) The well must be drilled;

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(d) Water quality to be satisfactory; and

(e) Water quantity to be sufficient, as required by the County Health Department, before a building permit can be obtained from the City Inspector.

(B) *Sewage disposal.*

(1) Where a public sanitary sewer is within 500 feet, or is close enough in the opinion of the County Health Officer and Planning Commission to require a connection, the subdivider shall connect with such sanitary sewer and provide adequate lateral lines to the property line of each lot. Such sewer connections and subdivision sewer systems shall comply with the regulations and standards of the city, and shall be approved by the City Engineer. Where the construction of a city trunk sewer is required to serve the subdivision, the subdivider shall be required to construct such trunk line in accordance with plans and specifications approved by the city and Sewer Improvement District as part of the normal subdivision improvements. Such trunk line shall be designed with sufficient capacity to serve the entire drainage area, as determined by the City Engineer, with the subdivider being entitled to reimbursement for such oversize costs through additional sewer connection fee assessments to developing properties within said drainage area for a period of ten years from the date of acceptance by the city.

(2) Where a public sanitary sewer is not reasonably accessible, the subdivider shall obtain approval from the County Health Officer for individual sewage disposal for each of the lots. Subdividers shall furnish to the County Health Officer a report of percolation tests completed on the property proposed for subdivision in accordance with the regulations of the State Department of Public Health governing individual sewage disposal systems. Three copies of the subdivision plan showing appropriate contours shall accompany the report and show thereon the location of test holes used in completing the tests. Percolation tests shall be completed and reports prepared and signed by a qualified registered sanitarian or a licensed engineer not in the employ of the city. Written approval from the County Health Officer shall be submitted to the Planning Commission before consideration of the final plat.

(3) Where a public sanitary sewer is not presently or reasonably accessible, the subdivider shall, nevertheless, and notwithstanding anything herein to the contrary, be required to provide adequate lateral lines to the property line of each lot and shall provide for a connection for said laterals as though a sanitary sewer were reasonably accessible. Such sewer connections and subdivision sewer systems shall comply with the "Public Works Standards and Technical Specifications" for the city, as set out in Exhibit A, as well as the "Public Works Standards and Technical Specifications" for the City Wastewater Special Service District as promulgated, and as directed by the City Engineer. Where the construction of a trunk line is required, it shall be constructed in accordance with the terms set out in division (B)(1) above.

(C) *Stormwater.*

(1) The City Engineer may require the subdivider to dispose of stormwater, if such provision is deemed necessary, and provide drainage structures so that runoff from the subdivision does not exceed the runoff under undeveloped or natural conditions. If

easements are required across abutting property to permit drainage of the subdivision, it shall be the responsibility of the subdivider to acquire such easements.

(2) When drainage structures, such as stormwater detention facilities, are required by the City Engineer, the city, at its option, may require the facility to be dedicated or otherwise transferred to the city or its designate. The city may also require the developer of the subdivision which the detention facility serves to form a Homeowners' Association of all homes proposed in the subdivision. The purpose of the Association shall be to own and maintain the detention facility in satisfactory condition as specified by the City Engineer. In such cases, 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) *Street grading and surfacing.* All public and private streets and private access rights-of-way shall be graded and surfaced in accordance with the standards and rules and regulations of the City Engineer.

(E) *Curbs and gutters.*

(1) Curbs and gutters shall be installed on existing and proposed streets by the subdivider where, in the opinion of the Planning Commission and City Engineer, they will be necessary to remove surface water, or for safety or other reasons.

(2) After recommendation by the Planning Commission and City Engineer, the City Council may waive curb and gutter improvements on non-state highway streets in subdivisions:

(a) Which are located in a primarily agricultural or rural area;

(b) Where, because of excessive topography and other reasons, runoff from a curb and gutter collection system could not easily and economically be disposed of; or

(c) Of an estate-type nature where the average lot width is 150 feet or more and the average lot is 40,000 square feet or more.

(F) *Sidewalks.* Sidewalks shall be required by the Planning Commission for reasons of safety or public welfare, except that in subdivisions where the average lot width is 150 feet or more, sidewalks may not be required.

(G) *Monuments.* Permanent monuments shall be accurately set and established at such points as are necessary to definitely establish all lines of the plat except those outlining individual lots. Monuments shall be of a type specified in the "City Public Works Standards and Technical Specifications" approved by the City Engineer.

(H) *Street trees.* Street trees shall be planted by the subdivider when so required by the Planning Commission and of a variety and location as approved by the Planning Commission.

(I) *Street signs.* Street signs shall be installed by the subdivider at all locations as designated by the City Engineer. Such signs shall be of such a type and of such material as shall be prescribed by the City Engineer. The City Council shall have the option to install such signs and charge such costs to the subdivider.

(J) *Fencing of canals, and the like.* The city recognizes that canals both provide a vital service to the community while at the same time presenting a possible hazard to certain of our citizens. While the city does not have any direct responsibility for the fencing and maintenance of these canals, in order to facilitate the required maintenance and operation of these facilities, the following procedures shall apply to all development within the city where that development abuts a canal.

(1) All developers proposing to develop or subdivide adjacent to a canal must provide written documentation to the city demonstrating that the canal company responsible for that canal has satisfied itself that the development will not encroach on the canal company's maintenance right-of-way or otherwise impede canal operations; and, evidencing agreement on the part of the developer, to abide by the requirements of the canal company as those requirements may effect the proposed adjacent development.

(2) The city will not grant final approval to any subdivision or development without the documentation set out in division (J)(1) above having been placed in the development file.

(3) Each developer will be required to record the agreement with the canal company set out in division (J)(1) above, together with the finalized subdivision or development plat, in the office of the County Recorder, which plat must clearly show any canal easements or rights-of-way.

(4) The City Planner shall, on an automatic basis, and as a part of the subdivision permit and approval process, provide any canal company with a site plan of any proposed subdivision or development work adjacent to that company's canal.

(K) *Staking of lots.* Survey stakes shall be placed at all lot corners so as to completely identify the lot boundaries on the ground.

(L) *Peripheral fencing.* The Planning Commission may require appropriate type fencing along the periphery of a subdivision in an agricultural zone so as to provide protection to adjacent farming lands from the adverse effects of residential living, and vice versa.

(M) *Secondary water.*

(1) Where a subdivision is proposed covering real property which is located within an existing culinary water district or the service area of an existing water corporation, or public secondary water system operator or provider, or within a water district or water corporation service area created to serve such subdivision, the Planning Commission shall, as part of the approval of the subdivision, require the subdivider to furnish adequate secondary water to the subdivided parcel and to do so in conjunction with the water provider as set out herein.

(a) Additionally, the Planning Commission shall, as a part of the subdivision approval process, require the subdivider to install a secondary water delivery system to the lots in said subdivision sufficient to conform to the public works standards of the city or, in the case of a public secondary water system, to the public works standards of said

public water provider (when this situation applies, the standards of the public water supplier shall be deemed, for the purposes of this part, to be the standards of the city).

(b) If such water district or company files or has filed a written statement with the City Planning Commission which specifies that the policy of such water district or company is to the effect that its water is not to be used for other than culinary purposes and will not permit culinary water connections unless secondary water is provided by the subdivider, a certified copy of the minutes of the Board of Trustees of such water district or company showing the enactment of such policy must be furnished to the City Planning Commission.

(c) Notwithstanding the above, all new development shall be provided with connections to a public secondary water system consistent with the above policy as follows.

1. All new development within one-fourth mile (1,320 feet) of a public secondary water system is required to hook up to the system.

2. New development not within one-fourth mile of a public secondary water system can choose to do one of the following:

a. Postpone development until a public secondary water system is within one-fourth mile of the development; or

b. Develop and construct the necessary secondary waterlines and infrastructure to hook the development to a public secondary system according to the capital facilities plan of the system's provider (this is consistent with the city's current development requirements).

3. Lines constructed by the developer in accordance with this policy and that are, or become, part of the public secondary water provider entity's master plan shall be reimbursed by the public entity to the developer.

(d) **SECONDARY WATER** shall mean water furnished for other than culinary purposes.

(2) Where the city, on behalf of a culinary water agency, requires irrigation water to be provided to each lot in a subdivision as part of the required improvements, the subdivider shall provide for the transfer of irrigation water rights by either of the following methods, as determined by the Planning Commission.

(a) The subdivider shall cause to be formed a Lot Owners' Association as a non-profit corporation for the purpose of owning the irrigation water rights or stock for the lots in the subdivision. The subdivider shall transfer to the Association, at the time of subdivision recording, sufficient rights or stock, as required by the irrigation agency for the number of lots in the subdivision. The Articles of Incorporation of the Association shall provide, in addition to the Association owning the required water rights or shares on behalf of each and every lot owner, that each lot owner shall automatically be a member of the Association, that he or she is entitled to a pro rata share of irrigation water, that he or she is subject to a water distribution schedule and procedure established by the Association, and that he or she is responsible for his or her share of

the costs of ditch and system maintenance, and assessments, as made by the Association from time to time.

(b) The subdivider shall provide the county with evidence that he or she holds sufficient irrigation water rights or shares for all of the lots in the subdivision. At the time of recording the approved subdivision plat, he or she shall record a covenant to run with the land in the subdivision, acknowledging that he or she holds sufficient irrigation water rights or shares for the lots in the subdivision, that these rights or shares will not be disposed of except to the lots in the subdivision, and that with the sale of each lot, he or she will transfer, at no cost, the required water rights or shares needed to properly irrigate the lot to the lot purchaser who is to be responsible for the proper use of the water as outlined in the irrigation water district or company's distribution schedule and procedures.

(N) *Fire hydrants.* Fire hydrants of a type recommended by the County Fire Service Area and the City Engineer shall be required in all subdivisions of four lots or greater in number. The County Fire Service Area shall recommend the location of all fire hydrants in each subdivision, however, general locations shall be one hydrant for each 500 feet of street length.

(O) *Private land drains.*

(1) Where a subdivider finds it necessary to install private subsurface land drains in a subdivision to lower the groundwater table in order to receive County Health Department approval for the operation of septic tank drainfields in certain lots, he or she shall be required to record a deed covenant and restriction to run with the land stating that the city accepts no liability or responsibility for maintenance, repair, replacement, operation, or use of any consequence resulting from the operation or failure of operation of said land drains.

(2) The deed covenant shall provide that the owners of lots serviced by the land drains shall bear an equal responsibility to share all costs relative to the maintenance, repair, or replacement of said drains and also place said owners on notice that no building permit will be issued for said lots until the land drains have been constructed and found to function properly by the County Health Department.

(3) The design of private subsurface land drains shall be approved by both the City Engineer and the County Health Department.

(Ord. 3-92, passed 1-15-1992; Ord. 21-92, passed 12-16-1992; Ord. 1-96, passed 2-7-1996; Ord. 9-98, passed 5-6-1998; Ord. 11-2000, passed 11-15-2000)

§ 156.092 GUARANTEE OF IMPROVEMENTS.

(A) 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:

(1) The subdivider may furnish and file with the City Council a bond with corporate surety, 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

(2) The subdivider may deposit in escrow, with an escrow holder approved by the City Council, 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.

(B) The documents aforesaid shall be approved as to form by the City Attorney. The Planning Commission 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.

(C) 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.

(D) 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.

(Ord. 3-92, passed 1-15-1992)

§ 156.093 INSPECTION OF IMPROVEMENTS.

The City Engineer, Building Inspector, and County Health Officer shall inspect, or cause to be inspected, all buildings, structures, streets, fire hydrants, and water supply and sewage disposal systems in the course of construction, installation, repair, and the like. Excavation for fire hydrants, water, and sewer mains, and laterals shall not be covered over or back filled until such installations shall have been approved by the City Engineer. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the City Engineer.

(Ord. 3-92, passed 1-15-1992)

ENFORCEMENT AND PERMITS

§ 156.105 SUBDIVISION APPROVAL REQUIRED FOR PERMIT.

The City Building Inspector shall not issue any permit unless the plans for the proposed erection, construction, reconstruction, alteration, or use fully conform to all provisions of this chapter. No city officer shall issue any permit or license for the use of any building, structure, or land when such land is a part of a subdivision, as defined

herein, until such subdivision has been approved and recorded in the County Recorder's Office. Any license or permit issued in conflict with this chapter shall be null and void.

(Ord. 3-92 passed 1-15-1992)

§ 156.106 SUBDIVISION PROCESSING; SCHEDULE.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates, or requires, a different meaning.

ENGINEERING CHECKING AND IMPROVEMENT INSPECTION. The work performed by the City Engineer in checking the plans for road construction and utility installation as proposed by the subdivider and the in-site inspection of the actual construction to ensure conformance with city standards.

PLANNING PROCESSING. The procedure followed by the staff of the Planning Commission in accordance with the city subdivision ordinance in checking and reviewing proposed subdivisions leading to final approval by the city.

RURAL SUBDIVISIONS. Subdivisions in a primarily agricultural or rural area and in which the requirements of curbs, gutters, and sidewalks have been waived by the city in accordance with § 156.091.

(B) *Fee schedule.*

(1) A subdivider proposing a subdivision in the city shall deposit with the city a non-refundable fee for planning processing at the time of submission of the preliminary plan to help defray the planning costs incurred by the city.

(2) The subdivider shall also deposit with the city a non-refundable fee for engineering checking and improvement inspection at the time of final approval of the subdivision by the city to help defray the engineering costs incurred by the city.

(3) Both of these fees shall be in accordance with the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

(Ord. 3-92 passed 1-15-1992; Ord. 26-2023, passed 1-3-2024)

§ 156.999 PENALTY.

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

(Ord. 3-92 passed 1-15-1992)

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This section contains the process outlined within the state code. We don't necessarily need to outline it in our code; most of this is duplicated, but having it within our code may help add clarity in our review process.

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**Planning Commission
Staff Review Memo**

August 13, 2025

Damian Rodriguez, Planner



CONDITIONAL USE PERMIT REVIEW

Request: Home Occupation Conditional Use Permit
Property Address: 4840 W 4250 S
Property Zone: A-1, Agricultural
Property Size: 40,300 square feet
Applicant: Lawn & Landscape on Point LLC

Governing Document(s): WHZC 157.880
Decision Type: Administrative
Staff Recommendation: Denial

Image 1: Site Aerial

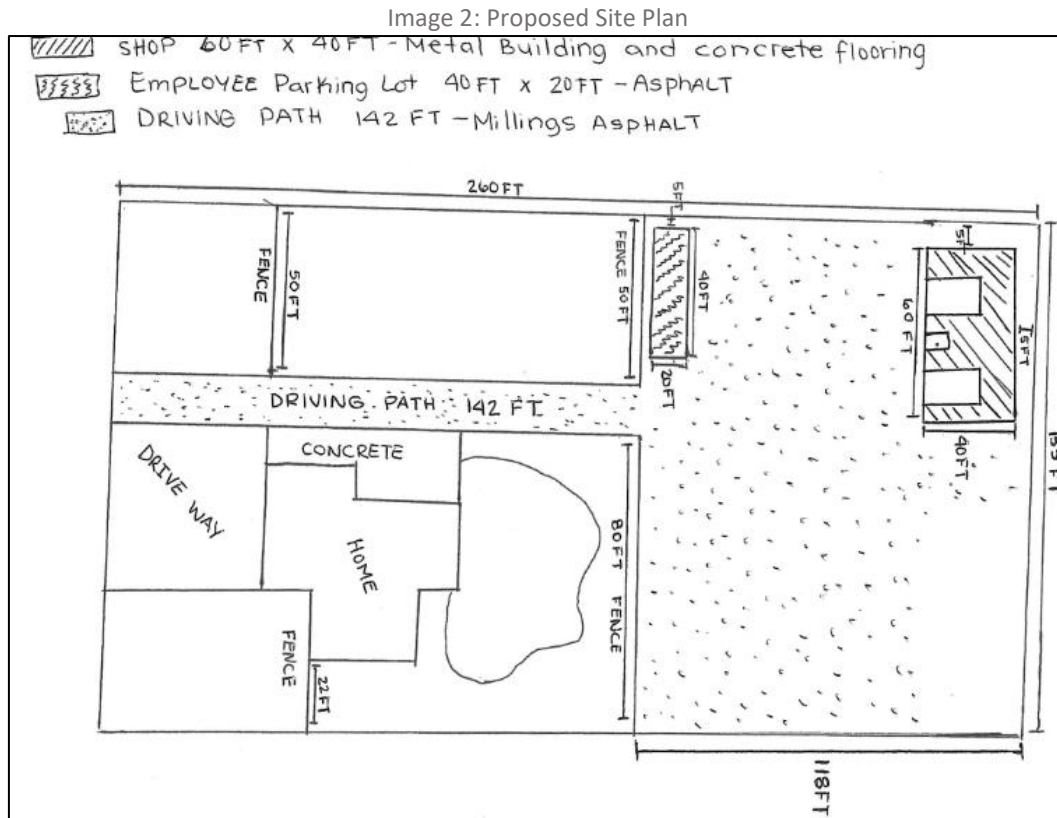


I. BACKGROUND

The applicant is seeking a Conditional Use Permit to allow for their landscaping business, *Lawn & Landscape on Point LLC*, to operate out of their home at 4840 W 4250 S, in West Haven. The applicant specified that the said business does employ seven other individuals, and in accordance with §157.880, any home occupation that employs more than one employee who does not live at the residence shall be permitted only upon approval of the Planning Commission through the granting of a Conditional Use Permit.

Additionally, per §157.235, the storage and use of light construction equipment is also a conditional use in the zone. A staff visit to the site revealed a skid-steer loader and dump truck on the premises.

In response to the Commission tabling the review of the subject request for a Conditional Use Permit (meeting of 7/9/2025), the applicant has provided an updated site plan to address the concerns of city staff and the Planning Commission.



II. 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:

Use

The use would be classified as a home occupation that employs more than one individual who does not live at the residence. The proposed use is conditional in the A-1 Zone.

§157.520 Conditional Use Standards

(A) General plan. The proposed use conforms to the policies of the city's general plan.

Findings: The proposed use, Home Occupation, conforms to the policies of the general plan.

(B) Site design. The use is well-suited to the character of the site and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area.

Findings: The applicant has provided an updated site plan since the item was tabled for review at the Planning Commission meeting on July 9th. Upon review of the updated site plan, staff has found that the site plan and proposed use are not compliant with all the required conditions of a home occupation as they are set forth in §157.882 of the Zoning Ordinance. §157.882(B) reads "The portion of the home occupation shall remain secondary to the residential use of the dwelling."

Additionally, per §157.881, any use of the property outside of the home is subject to Planning Commission approval via the review and issuance of a Conditional Use Permit. The requested use does not limit itself to one accessory structure or an isolated secondary portion of the yard, but the proposed commercial use of the property would surpass the residential use in area and perhaps intensity. Of the total 40,300 square feet (0.9 acres) of the property, 13,400 ft² is used solely for residential purposes (depicted in yellow below), while nearly 18,300 ft² is used for commercial purposes (red). The remaining area (purple) is used for both purposes to some degree by staff's assessments.

Image 3: Property Use by Type per Staff Assessment



Dimensions of the existing accessory structure in the northeast corner of the property were not provided on the site plan, but it is highly likely that the proposed accessory structures cumulatively would exceed the size of the home, which further lends itself to the fact that residential is not the dominant land use of the property.

The findings of this subsection are the primary basis for the staff's recommendation provided in Section III of this report.

(C) Access. Access to the site avoids traffic and pedestrian conflicts and does not unreasonably impact the service level of any adjacent street.

Findings: Current access is adequate, and no changes are proposed with this request.

(D) Circulation. On-site vehicle circulation and truck loading areas mitigate adverse impacts on adjacent property.

Findings: On-site vehicle circulation is amply provided, with most of the rear of the lot being kept clear for vehicle parking, staging, and maneuvering. This rear area of the lot is accessed via a gravel driveway.

(E) Parking. The location and design of off-street parking complies with standards of this subchapter.

- **Findings:** A previous inventory of on-site parking, conducted through a review of aerial imagery and a site visit, suggests that parking is occurring on grass and gravel. The applicant has proposed an asphalt parking lot that is 40' wide and 20' deep to accommodate employee parking, and a metal accessory building (labeled "SHOP" on the site plan) is proposed to accommodate the light construction equipment at the site. The updated proposal is consistent with staff's previously recommended condition of approval that "a parking pad or garage is developed to the standards specified by code to accommodate all business-related on-site parking in the rear yard, and no parking in the rear yard occurs otherwise."

(F) Refuse collection. The locations and design of the refuse collection areas are not likely to create an adverse impact on the occupants of adjoining property.

Findings: Generally speaking, the refuse collection method for a home is adequate in servicing a home occupation without the need for expansion. The size and scale of the requested home occupation may warrant a refuse collection service expansion, but currently, there is no indication that the property needs such a service expansion.

(G) Utility services. Utility capacity supports the use at normal service levels.

Findings: Utility capacity would support the requested use at normal service levels.

(H) Screening. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts. Fencing, screening, and landscape treatments and other features increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts.

Findings: The site is appropriately screened from view at the public right-of-way via a 6' decorative white vinyl fence.

(I) Operating hours. The hours of operation of the use and delivery of goods are not likely to adversely affect surrounding uses.

Findings: On the Business License Application that was received for the subject home occupation, the applicant has listed their hours of operation as 7:00 am to 5:00 pm, which hours are consistent with code allowances for a home occupation.

(J) Signs. Sign size, location, and lighting are compatible with, and do not adversely affect, surrounding uses.

Findings: There is no signage proposed with the request.

(K) Public services. Public facilities such as streets, water, sewer, storm drainage, public safety, and fire protection are adequate to serve the use.

Findings: The existing public facilities are adequate for servicing the requested use.

(L) Environmental impact. The use does not significantly adversely affect the quality of surrounding air and water, encroach into a waterway or drainage area, or introduce any hazard to the premises or any adjacent property.

Findings: The environmental concerns regarding the potential for soil and groundwater contamination are sufficiently addressed with the updated site plan. However, it has been brought to staff's attention that loose materials are being stored at the site, which are likely to negatively affect the quality of the surrounding air. See subsection (M) for more information.

(M) Nuisance. Operation of the use is unlikely to create any nuisance from noise, vibration, smoke, dust, dirt, odor, noxious matter, heat, glare, electromagnetic disturbance, or radiation.

Findings: Staff has found that the updated site plan and the provision of a shop/storage garage at the site will sufficiently mitigate anticipated nuisances in terms of noise, vibration, glare, etc.

However, the storage of loose particulate materials at the site is anticipated to cause dust, odor, and/or noxious matter nuisances that staff believes cannot be sufficiently mitigated through the imposition of reasonable conditions.

The nuisance ordinance reads “It shall be unlawful for any person to cause, suffer, allow, or permit the admission of fugitive particulate matter from any process, including any material handling for storage activity, which is in violation of the fugitive emissions and fugitive dust standards set forth by the State Department of Environmental Quality” (§90.01(C)(h)).

Staff has found that the admission of fugitive particulate matter cannot be controlled if loose particulate materials such as asphalt millings, sand, gravel, topsoil, or similar materials are permitted to remain at the property. For this reason, staff recommends the following condition of approval if the commission moves to approve the requested Conditional Use Permit:

- Particulate materials such as asphalt millings, sand, gravel, soil, minerals, or similar materials are not stored on the property for any duration of time.

§157.881 Home Occupation Conditional Use Standards

Per §157.880, home occupations that are conditional in use are subject to the following three additional criteria of approval:

(a) Will the business produce, or be likely to produce, noise, odors, dust or smoke that extends beyond the property?

Findings: The business is likely to produce noise, odors, and dust that extend beyond the property boundaries onto neighboring residential property, and previous occurrences suggest that these negative externalities of operation are already realized in the community. Some of these externalities may be sufficiently mitigated through the proposed site plan and the imposition of additional reasonable conditions, but staff does not believe that the production and trespass of fugitive dust can be sufficiently mitigated through conditions that can be considered reasonable for a residential community. For example, industrial operations that concern the storage of particulate materials may employ a combination of fugitive dust controls that could include the development of enclosures or wind breaks, periodic watering, chemical stabilization, and other techniques that are inappropriate for a residential community and transcend what should be considered reasonable for a home occupation.

(b) Will the business produce, or be likely to produce, vehicular traffic such that it becomes a nuisance or a hazard?

Findings: The applicant has stated that up to four employees will routinely report to the subject property for business-related purposes. Although this amount of employee traffic is unusual for a home occupation, staff find that such traffic would not necessarily result in a nuisance. By code, any business that requires more than five employees who do not reside at the residence to report to the residence will not be permitted as a home occupation. The business employs a total of seven employees beyond the owner, and if more than five were ever to be required to

routinely report to the residence, then the Conditional Use Permit and Business License would be subject to revocation.

(c) If the business uses, produces or stores hazardous chemicals, as defined in UCA § 19-6-302, has a plan been presented which addresses how such chemicals will be used, produced or stored, and is said plan in compliance with all relevant federal, state and local ordinances regarding chemicals?

Findings: The applicant has not indicated that they would use, produce, or store any such chemicals in conjunction with the home occupation.

III. RECOMMENDED ACTION

Based on the findings listed in Section II of this report, staff recommends that the Planning Commission move to **deny** the requested Conditional Use Permit, finding that the use does not comply with the regulations and conditions specified in the Home Occupation Ordinance.

Unresolved noncompliance(s):

- I. The portion of the property used for the business is not secondary to the residential use of the property, and the approval of the request would not allow the property to retain a general residential character.

Furthermore, the combination of impacts and concerns listed in Section II of this report, although they may be permissible in a home occupation if considered singularly, compounds to become ultimately incompatible with a single-family residential neighborhood. Those compounding concerns included:

- The need to utilize yard space and accessory structures outside of the primary building/residence for business activities.
- The presence and storage of light construction equipment.
- The storage of loose particulate materials can cause fugitive dust.
- The resultant employee traffic.

Cumulatively, these impacts are suited to a business that would not be permitted in a C-1 Commercial Zone, are conditional in the C-2, C-3, and M-1 Zones, and wouldn't be permitted outright until the M-2 Heavy Manufacturing Zone.

If the commission disagrees with staff and feels approval of the request is in order, staff recommends consideration of the following conditions:

1. As shown on the proposed site plan, a parking pad is developed to accommodate employee parking, and no employee parking in the rear yard occurs otherwise.
2. As shown on the proposed site plan, a parking garage is developed to the standards specified by code for the storage of light construction equipment, and no light construction equipment is stored on-site except in said garage.

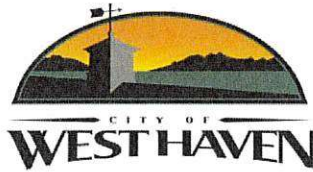
3. No more than five employees who do not live at the residence will report to the residence for business-related purposes.
4. Particulate materials such as asphalt millings, sand, gravel, soil, minerals, or similar materials are not stored on the property for any duration of time.
5. Necessary building permits are obtained prior to the commencement of the construction of the proposed accessory structures.

IV. POSSIBLE MOTION

Deny (staff recommended):

Motion to deny the request for a Conditional Use Permit for a home occupation at 4840 W 4250 S, finding that the use does not comply with the regulations specified in the Zoning Ordinance, namely:

1. The site exceeds the scope and purpose of a home occupation. It would no longer be secondary to the residential use of the property, in terms of the size of the operation, and the impact of increased traffic, equipment, and material delivery to the site. The normal size and scope of this operation would not be allowed in C-1 zone, and is conditional in C-2, C-3, and M-1 zones. §157.882(B)
2. That the storage of materials would create a nuisance that could not otherwise be mitigated. §157.520(M)
3. The proposed conditional use permit would be contrary to the purpose of the home occupation code by disturbing the “peace, quiet, and domestic tranquility within all residential or agricultural areas of the city.” § 157.880



CONDITIONAL USE PERMIT APPLICATION

West Haven Planning Commission
4150 S 3900 W West Haven, UT 84401
801-731-4519

Purposed Use: Business

Property Address	<u>4840w 4250s West Haven</u>	Parcel #	<u>083110007</u>
Existing Zone		No. of Acres or Sq Ft.	<u>50 Acre</u> # Res. Units
Building Sq Ft.		Building Height (stories & ft.)	<u>18 ACRS.</u>

***Items Needed: A site plan must be provided with the application. If a sign is requested, please attach a photo to the application. If there is landscaping involved in the request, please attach a site plan for the landscaping to this application.**

Please answer the following questions below:

- Is the proposed use necessary or desirable to provide a service or facility which will contribute to the general well-being of the community? ☐ Yes ☒ No




If yes, please answer the following 2 questions:

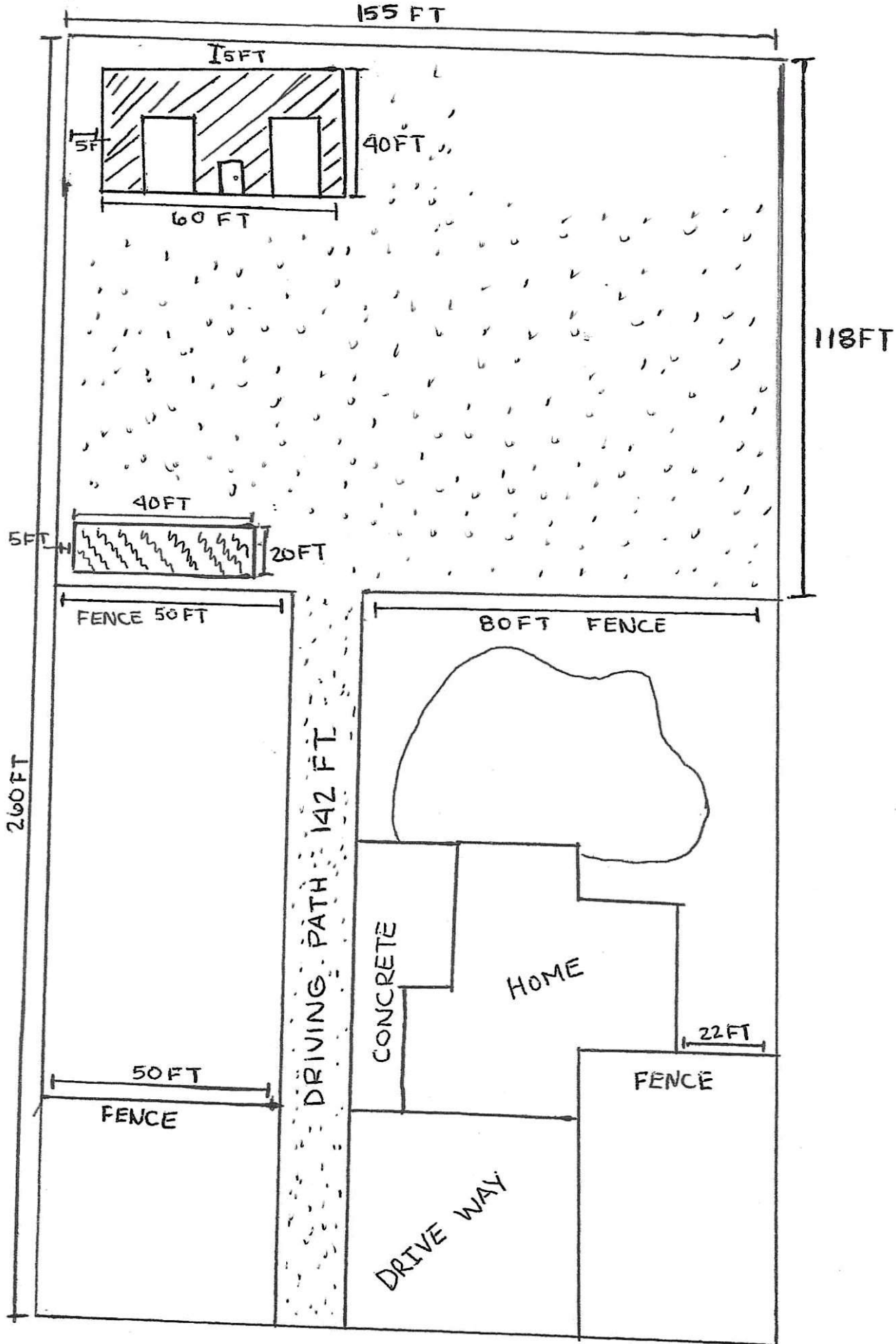
- Describe how the use will be necessary or desirable to provide a service or facility to the community? _____
- Describe how the use will contribute to the general well-being of the community? _____

- Will the proposed use be detrimental to the health, safety, and general welfare of persons in our community? ☐ Yes ☒ No
- Will the proposed use be injurious to property or improvements to the community? ☐ Yes ☒ No
- Will the proposed use be compatible with and complimentary to the existing surrounding uses, buildings, and structures? ☐ Yes ☒ No

If yes, please answer the following questions about the proposed use in the proposed area:

- Will the proposed use generate traffic in the area?
☐ Yes, how much is anticipated _____ ☒ No
 - Will the proposed use have an impact on parking in the area?
☐ Yes, how much is anticipated _____ ☒ No
- Will the proposed use be compatible with the building and structure designs in the area?
☐ Yes ☒ No
 - Will the proposed use be compatible with the building and structure uses in the area?
☐ Yes ☒ No
 - Will the proposed use be compatible with landscaping and signs in the area?
☐ Yes ☒ No

-  SHOP 60 FT X 40 FT - Metal Building and concrete flooring
-  EMPLOYEE Parking Lot 40 FT X 20 FT - ASPHALT
-  DRIVING PATH 142 FT - Millings ASPHALT



**Planning Commission
Staff Review Memo**

August 13, 2025

Damian Rodriguez, Planner



PRELIMINARY SITE PLAN REVIEW

Request: Commercial Center Preliminary Approval
Property Address: Approximately 2301 S 1900 W
Property Zone: C-2, Community Commercial
Property Size: 6.8 acres
Applicant: Adam Gardner

Governing Document(s): WHZC §157.731
Decision Type: Administrative
Staff Recommendation: Approval

Image 1: Site Aerial

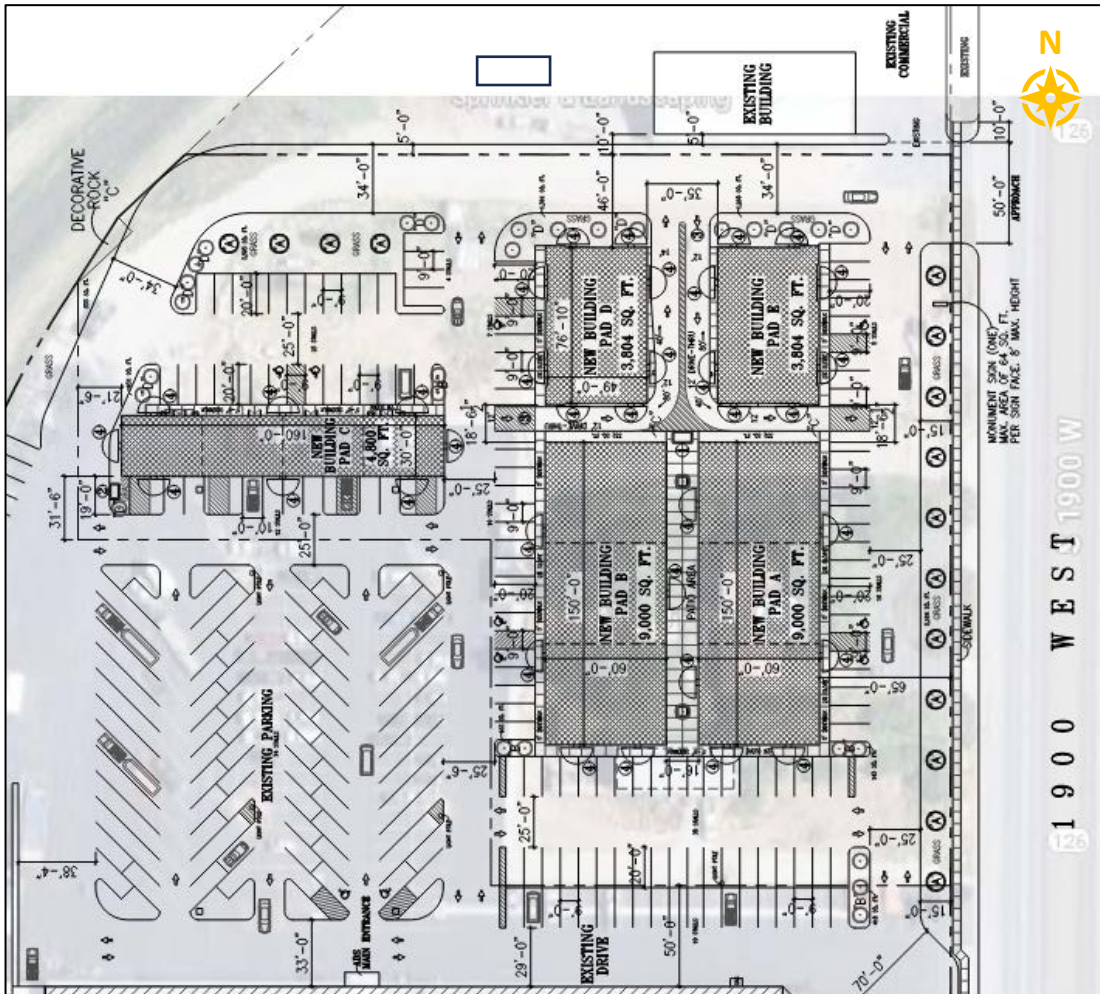


I. BACKGROUND

The applicant has requested that the Planning Commission approve the preliminary site plan for the Gardin Investments project at approximately 2301 South 1900 West Street, in West Haven. The project entails the development of a new commercial center of five separate commercial buildings on the site.

The existing parking lot at the southwest portion of the property serves the Karl Malone ADS Powersports development to the south of the project site. No changes are proposed to the existing parking lot or the ADS Powersports site.

Image 2: Proposed Site Plan



II. STAFF REVIEW

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

Use

The proposed land-use of the property would be classified as a commercial center for with buildings and individual units that are developed to accommodate retail sales, restaurants, and commercial services businesses.

§157.731 Application; Review and Approval

Code Section	Requirement Summary	Staff Comment	Complaint?
§ 157.731 (C)(1)	Preliminary Site Plan Submittal Requirements	Provided	Yes
	Traffic Safety and Circulation 1. Does the site comply with West Haven Engineering Design Standards for ingress, egress, and circulation?	A traffic and parking study has been provided for staff review. The study may suffice or may need to be updated to reflect the updated site plan.	Yes
§ 157.734 DESIGN REQUIREMENTS	Building Elevations shall show: 1. Building materials and colors 2. A table showing the ratio and percentages of each material/color 3. Material and Features	157.734: Provide color details for the exterior building finishes. 157.734(C)(5): The use of architectural glazing will require Planning Commission approval to count as an upgraded architectural feature for percentage calculations.	More information is needed & Additional review is required
§ 157.630-640	Parking	117 stalls are required, and 128 stalls are proposed.	Yes
§ 157.755-761	Signage	157.759: Monument signs shall be set back a minimum of five feet from the right-of-way line.	Yes

§ 157.985-999 And § 157.733 STANDARDS OF REVIEW (D)	Landscaping Plans: Landscaping Plans shall contain a table showing types, numbers, and percentages of each landscape material, as well as the percentage of total site landscaping.	Landscape details are provided on the site plan document. 157.988(B)(1)(b): Landscaped areas less than 8' in width shall not be landscaped with turf 157.988(B)(1)(c): Turf area shall not exceed 15% of the total landscaped area. 157.988(C): Provide for review a separate landscape and irrigation plan. Provide details for the landscaping or ground covers used in the park strip adjacent to the property.	No: The current landscape plan grassed areas exceed the 15% maximum and are in areas less than 8' wide.
Other Notes			
§157.775-784	Outdoor Lighting	Provided.	Yes
	Dumpster	Provided.	Yes
§ 157.731 (C)(2)	Civil Drawings	Not provided. Civil Drawings will be required for the final site plan review.	Yes
	Utilities and Will-Serve Letters	Not provided. Will-serve letters from applicable utility service providers will be required for the final site plan review.	Yes
	Fire Review	Receipt provided.	Yes

§157.291 Site Development Standards

	Zone: C-2	Site Plan Proposal	Compliant?
Building height			
Maximum	None if more than 150' from residential.	Range in height from 19' 8" to 26' 5"	Yes
Minimum	1 story	Minimum Exceeded	Yes
Max lot coverage	Not over 60% of lot area by buildings or accessory buildings	22.5%	Yes
Minimum lot area	None	6.8 acres	Yes

Min lot width	None	Approximately 562'	Yes
Min yard setbacks			
Front	15'	65'	Yes
Rear	None, except 10 ft. where building rears on a Residential Zone	60.5'	Yes
Side	None, except 10 ft. to Residential Zone boundary	46'	Yes

§157.730 Design Review

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

*(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, and (2) a traffic study may be required, if in the opinion of the Planning Commission, with input from the City Engineer, such would be necessary.*

Staff's findings: A traffic study has been provided; however, the study pertains to a former iteration of the site plan, and some significant changes have been made from that previous version of the site plan. The City Engineer has not found that an updated study would be warranted at this time.

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

Staff's findings: The minimum parking requirement for the project is satisfied based on the intended uses as specified in the site plan document. 117 parking stalls are required, while the plan provides 128, with 19 existing stalls to be dedicated and 109 to be developed with the project.

The existing parking at the west portion of the site, labeled "EXISTING PARKING" on the site plan document, will remain in service to the Karl Malone ADS Powersports establishment. The said lot was developed in 2023 without the benefit of city approval. The applicant has stated that during their due diligence period for the existing parking lot, city staff did tell them that a site plan review would not be required. Nevertheless, the existing parking lot does comply with nearly all applicable standards except for the parking lot landscape requirement. By code, 5% of the parking lot area is to be landscaped to break up areas of asphalt.

(C) **Signage.** *Does the proposed signage meet the requirements of the city sign ordinance?*

Staff's findings: The placement of one monument sign and multiple wall signs is proposed in this site plan. The said placements do meet height and area maximums, but the setback for the monument sign will need to be increased. The signs will require permits prior to construction, and a thorough review will be conducted at the time of the sign permit application.

(D) **Landscaping.** *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.*

Staff's findings: The required 15' of front yard landscaping is shown, but corrections will need to be made prior to final site plan approval.

(E) **Building/site layout.** *All buildings and structures comply with §157.733(E).*

Staff's findings: The proposed buildings comply with code standards, including height, orientation, and articulation requirements. Color restrictions are applicable in the design code, and color specifications will need to be provided prior to a determination of complete compliance.

(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?*

Staff's findings: The City Engineer has provided comments to the applicant to which the applicant has responded. The aspects of the site engineering will be found to comply with the standards of the code prior to final site plan approval. See the attached Site Plan Review Report for more information regarding city staff comments.

§ 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.

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.*

Staff's findings: Primary and secondary exterior material ratios are consistent with code standards, although color details have not yet been received.

With this proposal, the applicant has requested that glass contribute as an upgraded architectural feature for the percentage of façade area calculations. Per §157.734(C)(5), the Planning Commission may recommend approval of alternative materials other than those listed as upgraded architectural features to the City Council to satisfy the percentage requirements of the code. Possible motions for this request are provided in Section IV of this report, following the possible motions on the preliminary site plan review.

Major corridor requirements. Projects which are adjacent to, or located within 400 feet of the centerline of 2100 South/Wilson Lane, 1800 South, 1900 West, Midland Drive, 3500 West, 4000 South, Hinckley Drive and 2550 South shall be subject to the following additional requirements. Any building face which can be seen from the above-referenced roads shall be constructed of a minimum of 60% primary materials.

Staff's findings: Buildings A and E of the project are visible from the public road and do meet the primary material standards for being visible from a major corridor within the city. Building A is clad in over 90% primary materials, and Building E is likewise clad in 90% primary materials on that façade that is oriented toward the public road.

Fire Review

The Weber Fire District has conducted a review of the project, and their findings are attached in the Fire District Plan Review Report.

III. RECOMMENDED ACTION

Based on the findings listed in Section II of this report, staff recommends that the Planning Commission move to **approve** the preliminary site plan for the Gardin Investments project at 2301 S 1900 W, subject to the following condition:

- All staff comments provided during the preliminary site plan review are adequately addressed prior to final site plan approval.

IV. POSSIBLE MOTION

Possible Motions for Action on the Preliminary Site Plan Review

Approve with staff-recommended conditions: Motion to approve the preliminary site plan for Gardin Investments project at 2301 S 1900 W, finding that the preliminary site plan review criteria are satisfied and the project is ready for the final site plan review process with the following condition of approval:

1. All staff comments provided during the preliminary site plan review are adequately addressed prior to final site plan approval.

Approve with modified conditions: Motion to approve the preliminary site plan for the Gardin Investments project at 2301 S 1900 W, finding that the preliminary site plan review criteria are satisfied and the project is ready for the final site plan review process with the following condition(s) of approval:

[List Conditions]

Approve outright: Motion to approve the preliminary site plan for the Gardin Investments project at 2301 S 1900 W, finding that the preliminary site plan review criteria are satisfied and the project is ready for the final site plan review process.

Possible Motions for Action on Alternative Materials Recommendation

Two possible recommendations to the city council concerning the applicant's request for alternative material in lieu of the listed upgraded architectural features are as follows:

Approve: Motion that the Planning Commission recommend approval of the proposed alternate materials, finding that the addition of the glass storefronts is comparable to those upgraded architectural features, and provides comparable aesthetic and functional value.

Deny: Motion that the Planning Commission recommend denial of the proposed alternate materials, finding that the proposed glass storefronts are not comparable or superior to the listed Upgraded Architectural Features, as such a feature/material is listed within the primary materials subsection within the same section of code.

**SITE PLAN
AND DESIGN REVIEW**



Address of Site 2301 S 1900 W West Haven, Utah 8440 Parcel # 150720055

Applicant Name Adam Gardner

Agent Name Brad Barto

Application is hereby made to West Haven City requesting the following permitted use(s),

Commercial New Building and

Site plan design for 35,617 building be approved on 4.76 of
(Square Feet) (acreage)

Property in the C2 zone in accordance with the attached site plan. (see attached form for site plan requirements.)

Signed:  Date: 7/16/2024
(Owner/Petitioner)

I authorize Brad Barto to act as my representative in all matters relating to this application.

Adam Gardner
(Owner)

Brad Barto
(Agent as Authorized by Owner)

State of Utah)

§

County of Weber)

On this _____ day of _____, in the year 2024, before me, _____

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

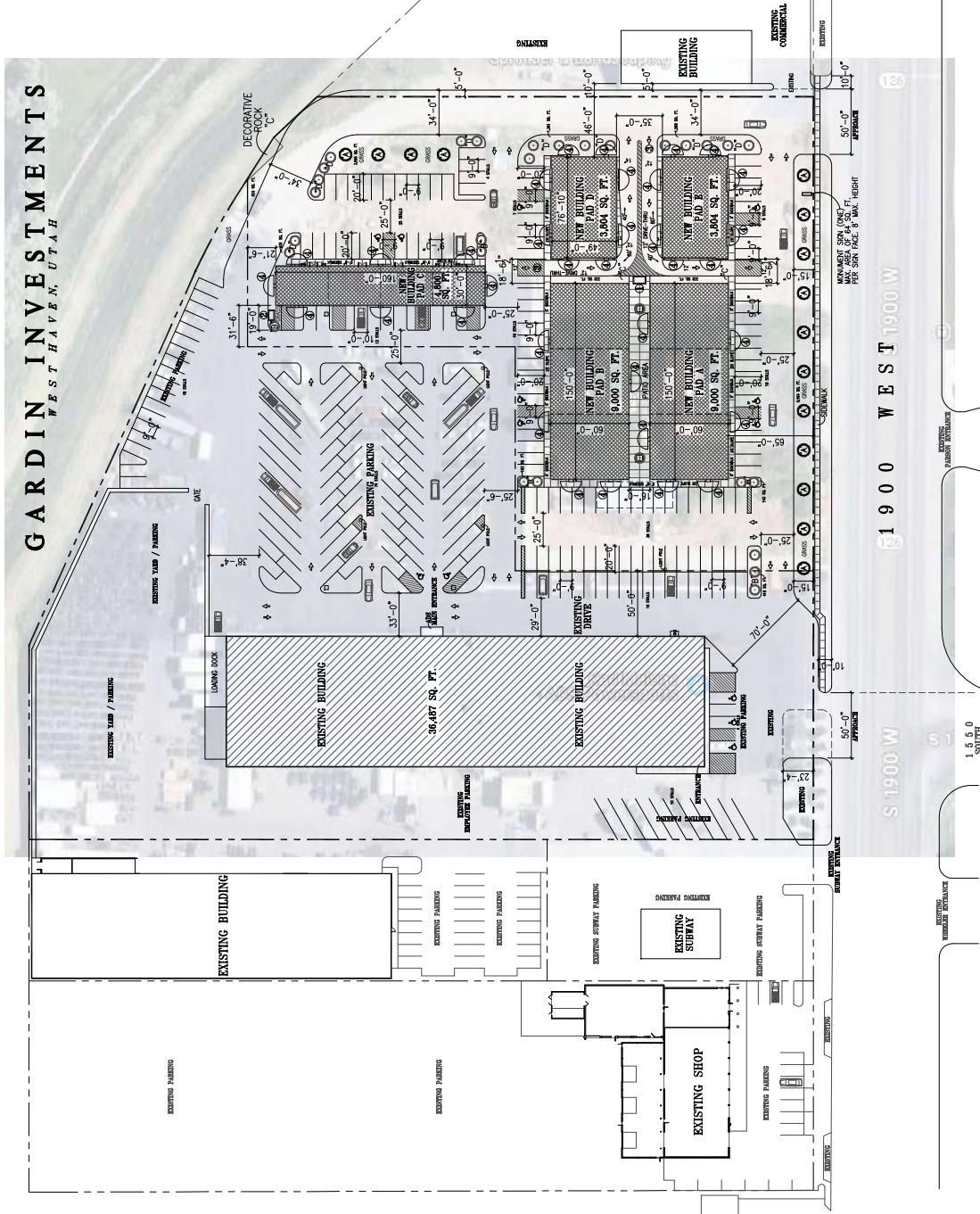
evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and
acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

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

GARDIN INVESTMENTS



KIEL MAJOR - PARKING SPACES
TOTAL SQUARE FEET OF BUILDING = 38,487
EXISTING BUILDING = 38,487 SQ. FT.
NEW BUILDING = 3,804 SQ. FT.
NEW BUILDING = 3,804 SQ. FT.
15 SPACES PER 1,000 SQ. FT. = 12.5 SPACES
15,000 / 2,000 = 7.5 + 5 = 12.5 SPACES
21,487 SQUARE FEET - RETAIL GOODS AND OR SERVICES
1 SPACE PER 250 SQ. FT. GFA
21,487 / 250 = 86 SPACES
12.5 SPACES + 86 SPACES = 98.5 TOTAL SPACES
98.5 SPACES PER 1,000 SQ. FT. GFA
125 PARKING SPACES PROVIDED / 5 REQUIRED H.C. STALLS

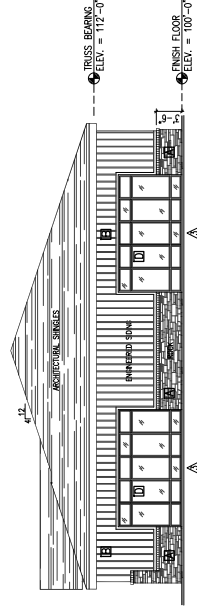
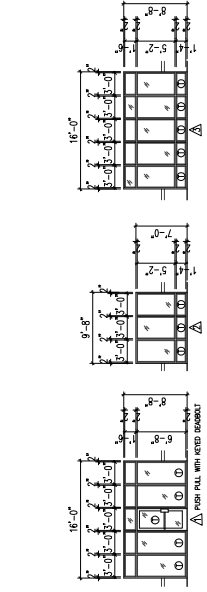
SITE INFORMATION
BUILDING "A" ONE "B" 9,000 SQ. FT. EACH
RETAIL GOODS AND SERVICES
(1 STALL / 250 SQ. FT.) = 36 STALLS
36 STALLS X (2 BUILDINGS) = 72 STALLS TOTAL
BUILDING "C" 4,800 SQ. FT. (1,000 SQ. FT.)
GENERAL SHOP (3 STALLS) = 3 X 5 STALLS = 15 STALLS TOTAL
4,800 / 1,000 = 5 X 5 STALLS = 15 STALLS TOTAL
BUILDING "D" AND "E" 3,804 SQ. FT. EACH
RETAIL GOODS AND SERVICES
(1 STALL / 250 SQ. FT.) = 15 STALLS
15 STALLS X (2 BUILDINGS) = 30 STALLS TOTAL
117 REQUIRED PARKING SPACES
126 PROVIDED STALLS, 6 REQUIRED H.C. STALLS
8 H.C. STALLS PROVIDED
(MIN. SIZE STALLS = 180 SQ. FT.)
LANDSCAPING INFORMATION
6,012 SQ. FT. LANDSCAPING (5%)
200 SQ. FT. / BUSH = 30 BUSHES
400 SQ. FT. / TREE = 15 TREES
"A" SPRING SNOW CRANAPPLE TREE
"B" DECORATIVE ROCK WITH BUSHES
(DWARF BURNING BUSH)
"C" DECORATIVE ROCK (WASATCH GREY)
"D" GRASS WITH BUSHES
(DWARF BURNING BUSH)

① ENCLOSED DIMENSIONERS FOR BUILDING A, B, D AND E
 (TO BE EXEMPTED AFTER VOLUME, ONCE A WEEK)
 NO CHAIN-LINK FENCE WITH PRIVITY SLATS AND BOLLARDS
 ② ENCLOSED DIMENSIONERS FOR BUILDING C
 (TO BE EXEMPTED AFTER VOLUME, ONCE A WEEK)
 NO CHAIN-LINK FENCE WITH PRIVITY SLATS AND BOLLARDS
 ③ OPTIONAL DRIVE-THRU
 ④ WALL LIGHTS (SEE ELEVATIONS FOR ADDITIONAL INFORMATION)

SITE PLAN
SCALE 1" = 40'-0"

SITE PLAN
RIDGELINE DESIGN
architects
 1700 E. 8000 S. 3RD SOUTH OGDEN, UT 84403
 801.464.1111
 WWW.RIDGELINEDESIGN.COM

S
GARDIN INVESTMENTS
 1700 E. 8000 S. 3RD SOUTH OGDEN, UT 84403
 801.464.1111
 WWW.GARDININVESTMENTS.COM

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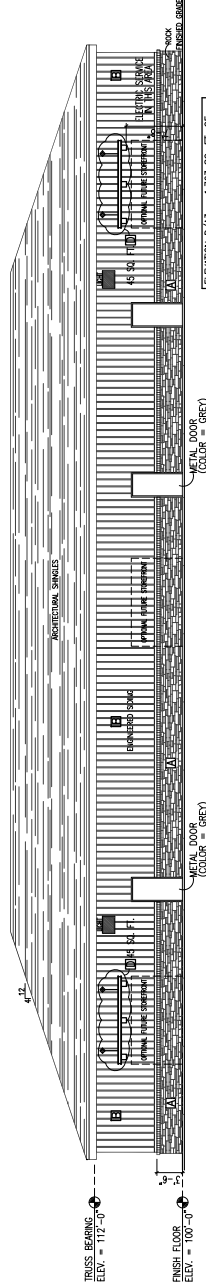
ARCHITECTURAL FEATURE - 38X
ELEVATION
SCALE: 1/8" = 1'-0"
B
A3

ALUMINUM STOREFRONT
SCALE

ALL ALUMN. STOREFRONT / WINDOW /
DOOR FRAMES TO BE BLACK IN COLOR

ARCHITECTURAL FEATURE - 38X
ELEVATION
SCALE: 1/8" = 1'-0"
C A3

ELEVATION C/A3 = 717 SQ. FT. OF TOTAL WALL SURFACE.	PRIMARY MATERIAL	<p>A ROCK</p> <p>B ENGINEERED SIDING (LP OR EQ.) ALUMIN. STOREFRONT WINDOWS (717 SQ. FT.) = 100%</p> <p>SECONDARY MATERIAL</p> <p>C 0%</p> <p>D ARCHITECTURAL FEATURE: GLASS / UPGRADED OVER-SIZED STOREFRONT SYSTEM 276 SQ. FT. = 38%</p>
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ELEVATION D/A3 = 1
TOTAL WALL SURFACE.

PRIMARY MATERIAL

☒ A ROCK

☐ B ENGINEERED SIDING
(1,763 SQ. FT.) =

SECONDARY MATERIAL

☐ C 0%

☐ D ARCHITECTURAL FEATHER
METAL AWNING
0% SQ. FT. 50%

ARCHITECTURAL FEATURE - 5X
ELEVATION
SCALE 1/8" = 1'-0"

ELEVATION D/A3 = 1.763 SQ. FT. OF

ELEVATIONS - BUILDING PAD "A" and "B"

date 6-8-2025 job no GARDIN
 project GARDIN INVESTMENTS
 West Haven, CT

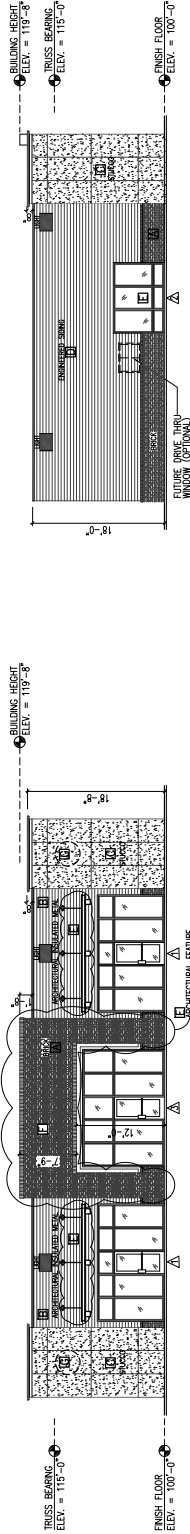
GARDIN INVESTMENTS



GARDIN INVESTMENTS

WEST HAVEN, UTAH

EXTERIOR WALL / SITE LIGHTS



ELEVATION C/A3 = 472 SQ. FT. OF TOTAL WALL SURFACE.

PRIMARY MATERIAL

- BRICK
- ARCHITECTURAL INSULATED METAL ENTRY (1122 SQ. FT.) = 80%

SECONDARY MATERIAL

- STUCCO (350 SQ. FT.) = 10%
- ENGINEERED SINGING N/A
- ARCHITECTURAL FEATURE, PILLARS / PORTICO / METAL AWNING (THIS IS NOT INCLUDING GLASS - FRONT ELEVATION ONLY)
- 8' X 3' SIGN
- 1'-8" RADIUS SIGN BACKOUT / PLEXIGLASS

ELEVATION A

SCALE 1/8" = 1'-0"

ALL ALUM. STOREFRONT / WINDOW / DOOR FRAMES TO BE BLACK IN COLOR

ELEVATION B

SCALE 1/8" = 1'-0"

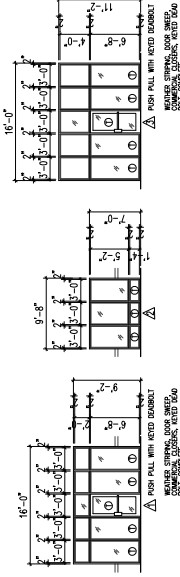
ELEVATION B/A3 = 888 SQ. FT. OF TOTAL WALL SURFACE.

PRIMARY MATERIAL

- BRICK (100 SQ. FT.)
- ARCHITECTURAL INSULATED METAL N/A
- ALUM. STOREFRONT WINDOW (100 SQ. FT.) = 11%

SECONDARY MATERIAL

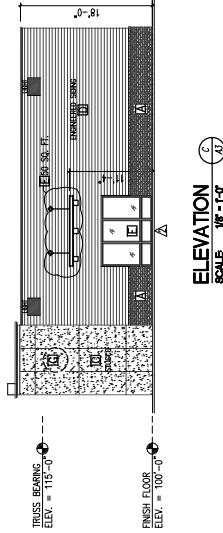
- STUCCO (174 SQ. FT.) = 19%
- ENGINEERED SINGING (555 SQ. FT.) = 61%
- ARCHITECTURAL FEATURE, GLASS / UPGRADED STOREFRONT 67 SQ. FT. = 7%



ON-TEMPERED GLASS / SHY GLASS

ALUMINUM STOREFRONT DETAILS

SCALE 1/8" = 1'-0"



ELEVATION C/A3 = 888 SQ. FT. OF TOTAL WALL SURFACE.

PRIMARY MATERIAL

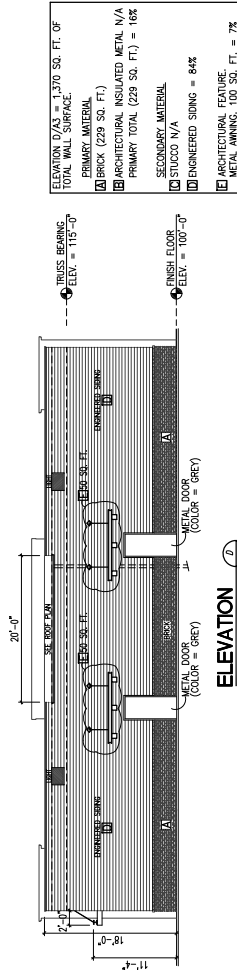
- BRICK (100 SQ. FT.)
- ARCHITECTURAL INSULATED METAL N/A
- ALUM. STOREFRONT WINDOW (100 SQ. FT.) = 11%

SECONDARY MATERIAL

- STUCCO (174 SQ. FT.) = 19%
- ENGINEERED SINGING (555 SQ. FT.) = 61%
- ARCHITECTURAL FEATURE, GLASS / UPGRADED STOREFRONT / METAL AWNING 117 SQ. FT. = 13%
- 8' X 3' SIGN
- 1'-8" RADIUS SIGN BACKOUT / PLEXIGLASS

ELEVATION C

SCALE 1/8" = 1'-0"



ELEVATION D/A3 = 1,370 SQ. FT. OF TOTAL WALL SURFACE.

PRIMARY MATERIAL

- BRICK (229 SQ. FT.)
- ARCHITECTURAL INSULATED METAL N/A
- PRIMARY TOTAL (229 SQ. FT.) = 16%

SECONDARY MATERIAL

- STUCCO N/A
- ENGINEERED SINGING = 84%
- ARCHITECTURAL FEATURE, METAL AWNING 100 SQ. FT. = 7%

ELEVATION D

SCALE 1/8" = 1'-0"

ELEVATIONS - BUILDING PAD "D" AND "E"

A3

ARCHITECTURE

DATE 6-8-2025

PROJECT GARDIN INVESTMENTS

DESIGNER JAMES GARDIN

LOCATION WEST HAVEN, UTAH



2023 West 1300 North
Farr West Utah, 84404

PLAN REVIEW

Date: October 3, 2024

Project Name: Gardin Investments

Project Address: 2351 S 1900 W, West Haven

Contractor/Contact: Malcolm Jenkins, Barto Construction, 801.645.2063

Fee(s):

Property Type	Schedule Rates	Rate/1000 Sq Ft	Square Feet or Number of Res. Units	Total
Type	Rate		Sq Ft or # of Units	Total
Site Plan Review	Commercial			\$100.00
Impact Fee	Commercial	\$600.00	A-9,000 D&E, 3,804x2	\$9,964.80
Impact fee	Industrial	\$187.00	B-6,832 C-5,327x3	\$4,266.03
			Total Due	\$14,330.83

Fee Notice:

Weber Fire District has various fees associated with plan reviews, and inspections. Please be prepared to make payments at the time when you pick up your approved plans. Impact Fees are due prior to taking out a building permit. Contact our offices at 801-782-3580 to arrange payments.

Status: APPROVED WITH CONDITIONS

A Written Response Is Required. Please address each item.

Items **HIGHLIGHTED** in yellow are items that must be specifically addressed by the responsible design professional.

BOTH SPECIFIC AND GENERAL COMMENTS MUST BE READ AND ADHERED TO.

Specific Comments:

Water Supply:

S1. Water Supply Analysis Required: Prior to any construction being done, a water supply analysis shall be completed and submitted by an engineering firm or a fire protection engineer. This water supply analysis must include:

- Building Construction Type
- Available Water for fire-fighting purposes
 - Static Flow Rates
 - Residual Flow Rates
 - Flowing GPM
 - Duration of flowing GPM available.
- Statement of conformance/non-conformance to 2018 International Fire Code section 507 and Appendix B as adopted by Weber Fire District (See



2023 West 1300 North
Farr West Utah, 84404

Resolution 04-2014 at <http://weberfiredistrict.com/services/fire-prevention>).

- d. If deficiency exists, proposed method to obtain conformance with adopted codes and Resolution 04-2014.
- S2. Fire Flow: The required fire flow for this building is based upon the construction type and the square footage. The fire flow shall be 2000 GPM for 2 Hours. Additional hydrants may be required to meet fire flow requirement. (See IFC Appendix B, B105.1(2)).
- S3. Fire Flow Reduction: A 75% reduction in fire flow has been granted for this project due to the building being equipped with a fire suppression system. (for sprinklered buildings)
- S4. Fire Hydrant(s): Two new fire hydrant must be provided per approved plans.
- S5. All required fire hydrants and water systems shall be installed, approved and fully functional and on, prior to any combustible construction (IFC section 507.1 and 3312).

Fire Detection and Suppression Systems:

- S6. Fire Suppression Systems: Building C shall be sprinklered and building A depending on A2 occupancy.
- S7. SEPARATE SUBMITTAL NOTICE: Fire suppression systems and fire alarm systems require a separate submittal. A permit shall be applied for before any installation of either fire suppression system or fire alarm system. The permit shall be on the job site and be available for review by any inspector. The APPROVED STAMPED set of plans shall also be on the job site and available for review by any inspector. If there is no permit and/or approved stamped plans on the job site, there will be a Stop Work Order issued until both are on the job site. Submit plans at Weber Fire District, 2023 W. 1300 N. Farr West. (See IFC section 901.2 and 907.1.1).
- S8. Electronic Supervision and Alarms: Fire suppression system shall be electronically monitored. Monitoring shall include Valves; pumps; tanks; water levels and temperatures; critical air pressures; waterflow. Monitoring shall be electrically supervised by a *listed* fire alarm control unit (See IFC 903.4).
- S9. Exterior Notification Device: There shall be a weatherproof horn/strobe device located on the street side of the building or above the FDC as approved by the Fire Prevention Division (coordinate with fire inspector regarding location). Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. (See IFC 903.4.2)
- S10. Fire Department Connections:
 - a. Locking Knox Fire Department Connection (FDC) caps are required for the FDC. These may be ordered at www.knoxbox.com. Please select WEBER FIRE DISTRICT as your jurisdiction. (See IFC 912.4.1)
 - b. There shall be a cement pad measuring 3 ft. x 3 ft. under the FDC (coordinate with fire inspector regarding this). (See IFC 102.9)
 - c. Location: FDC connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. FDC locations shall be approved by the AHJ. (IFC



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Farr West Utah, 84404

912.2)

- d. Access: Immediate access to FDC shall be maintained always without obstruction from fences, trees, walls or other fixed or moveable object. (IFC 912.4)
- e. Signs: A metal sign with raised letters not less than 1 inch in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes, or fire pumps. Such signs shall read: "AUTOMATIC SPRINKLERS" or "STANDPIPES" or "TEST CONNECTION". (IFC 912.5)

S11. Kitchen Hood Systems: Type I kitchen hood systems shall have the plans approved by the fire department prior installation and a test of the system shall be performed for the fire department for approval. A permit shall be applied for before any installation of either fire suppression system or fire alarm system. The permit shall be on the job site and be available for review by any inspector. The APPROVED STAMPED set of plans shall also be on the job site and available for review by any inspector. If there is no permit and/or approved stamped plans on the job site, there will be a Stop Work Order issued until both are on the job site. Submit plans at Weber Fire District, 2023 W. 1300 N. Farr West. (See IFC section 901.2 and 907.1.1).

Fire Department Access:

- S12. Provide a temporary address marker at the building site during construction. The address numbers, whether on the building or the sign, shall be legible font. (See IFC 505.1) (See IFC 505.1).
- S13. Fire access roads for this project shall be completed and approved prior to any combustible construction. Temporary roads shall meet the same requirements for height, width, and imposed loads as permanent roads (See IFC section 503.2.3; 3310; and D102.1).
- S14. Fire Access to buildings and facilities: Fire access roads are required for all facilities, buildings, or portions of buildings. Access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route. (See IFC 503.1)
- S15. Fire Access via Driveways: Driveways serving no more than 5 residences shall have a minimum clear width of 16 feet with a minimum of 12 feet of drive-able surface (measured from face of curb to face of curb) and a vertical clearance of 13 foot 6 inches and shall support a 75,000-pound load. Driveways more than 150 feet shall be provided with turnarounds. Driveways exceeding 200 feet in length and less than 20 feet in width shall be provided with turnouts in addition to turnarounds. (See driveways- 2006 Wildland Urban Interface Code used as a reference for residential driveway requirements exceeding 150 feet in length). Roads and driveways shall also comply with City/County standards as applicable.
In cases of differing requirements, contact the Fire Marshal for clarification.
- S16. Gates:
 - a. Knox key switches are required for any electronic/electric gate. These may be ordered at www.knoxbox.com. Please select WEBER FIRE DISTRICT as your jurisdiction. (See IFC 503.6)
 - b. Knox padlock is required for any manually operated mechanical gate.



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These may be ordered at www.knoxbox.com. Please select WEBER FIRE DISTRICT as your jurisdiction. (See IFC 503.6)

Building Comments:

- S17. There shall be an address on the building or on a sign visible from the street. If the address is on a sign-monument the sign-monument shall meet the requirements of the appropriate city/county planning department. The address numbers, whether on the building or the sign, shall be Arabic font with a minimum of 4" (four inches) in height with a .5" (half inch) stroke and be in contrasting colors from the background. All suites shall have number/letter designation on the doors meeting the same size requirements and contrasting color. (See IFC 505.1)
- S18. Provide a working space of not less than 30 inches in width, 36 inches in depth and 78 inches in height in front of electrical service equipment. If the electrical equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. There shall be no storage within the designated working space. (See IFC 605.3)
- S19. Doors into electrical control panel rooms shall be marked with plainly visible and legible sign stating, "ELECTRICAL ROOM". (See IFC 605.3.1)
- S20. Fire Protection and Utility Equipment Rooms:
- a. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, fire detection or suppression shall be identified with a plainly visible and legible sign. (See IFC 509.1)
- S21. Gas meters shall be protected from vehicular damage. Above ground gas meters, regulators, and piping subject to damage shall be protected by bollards or barriers. (See IFC 603.9 and 312).
- S22. Fire doors shall have a permanent sign with 1-inch-high letters stating, "FIRE DOOR-DO NOT BLOCK". (See IFC 703.2.1)
- S23. Fire Extinguishers:
- a. Extinguishers shall be provided so that the travel distance to any extinguisher does not exceed 75 feet. Extinguishers shall have a minimum rating of 2A10BC. The fire inspector may require additional extinguishers or higher rated extinguishers. (See IFC 906).
 - b. Extinguishers weighing less than 40 pounds shall be mounted so that the top is not more than 5 feet above the floor. Extinguishers over 40 pounds shall be mounted so that the top is not more than 3.5 feet above the ground. (See IFC 906.9.1 and 906.9.2)
- S24. Storage:
- a. Ceiling clearance. Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas or not less than 18 inches below sprinkler head deflectors in sprinklered areas. (See IFC 315.3.1)
 - b. Equipment Rooms. Combustible storage shall not be stored in boiler rooms, mechanical rooms, or electrical rooms. (See IFC 315.3.3)
- S25. Occupant Load. Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place near the main exit. The sign shall be clearly legible.
- S26. A Knox Key Box is required for this building if it is alarmed. These may be ordered at www.knoxbox.com. Please select WEBER FIRE DISTRICT as your



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jurisdiction. Only 3200 Series boxes shall be used. (See IFC 506.1)

- S27. Underground fire lines shall be flushed using a minimum 4-inch line. The end of the line shall be secured as to prevent injury or damage to person or property. The fire department shall witness the flush.
- S28. Underground thrust blocks shall be inspected prior to burial. Thrust blocks must meet the load bearing requirements of NFPA 24. Bag mix is not acceptable. Documentation from the supplier shall be submitted indicating the load bearing PSI rating of the concrete.

General Comments:

- G1. Fire Access roads to any property shall have a minimum clear width of 20 feet (face of curb to face of curb) and a vertical clearance of 13 foot 6 inches and shall be capable of supporting a 75,000-pound load. Roads that are less than 26 feet in width shall be posted with "NO PARKING FIRE LANE" on both sides of the roadway. Roads more than 26 but less than 32 feet in width shall be posted on one side of the roadway. (Roadways and signage shall comply with appendix D of the 2021 International Fire Code as adopted by Weber Fire District).
- G2. Roads shall have a maximum grade of 10% unless specifically approved. Approval requires both the Fire Marshal's approval and Weber County Engineering approval (See IFC section 503.2.7; D103.2; and Weber County ordinances).
- G3. Radius on all corners shall be a minimum of 28'-0". Roads and driveways shall also comply with City/County standards as applicable. *In cases of differing requirements, contact the Fire Marshal for clarification.*
- G4. Roads and bridges shall be designed, constructed, and maintained to support an imposed load of 75,000 lbs. (See IFC section D102.1)
- G5. All roads shall be designed, constructed, surfaced, and maintained to provide an all-weather driving surface. All weather surfaces may include road-base material however, the roadway must be maintained open and accessible year-round (See IFC section 503.2.3 and D102.1).
- G6. Fire Prevention During Construction: The owner shall designate a person to be the fire prevention program superintendent who shall be responsible for the fire prevention program and ensure that it is carried out through completion of the project. Where guard service is provided, the superintendent shall be responsible for the guard service. The fire prevention program superintendent shall develop and maintain an approved pre-fire plan. The fire chief and the fire code official shall be notified of changes affecting the utilization of information contained in such pre-fire plans. (see IFC 3308)

This review was completed using the currently adopted Utah State Fire Code (International Fire Code) and any applicable local resolutions or ordinances.

Every effort has been made to provide a complete and thorough review of these plans. This review DOES NOT relieve the owner, contractor and/or developer from compliance with all applicable codes, and standards.



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Farr West Utah, 84404

Any change or revision of this plan will render this review void and will require submittal of the new, or revised, layout for fire department review. If you have any questions, please contact me at 801-782-3580.

Reviewed By:
David Reed
Office of the Fire Marshal
Weber Fire District
801-782-3580

Planning Commission Staff Review Memo

August 13, 2025

Applicant: Lone Pine Development LLC
Staff: Damian Rodriguez



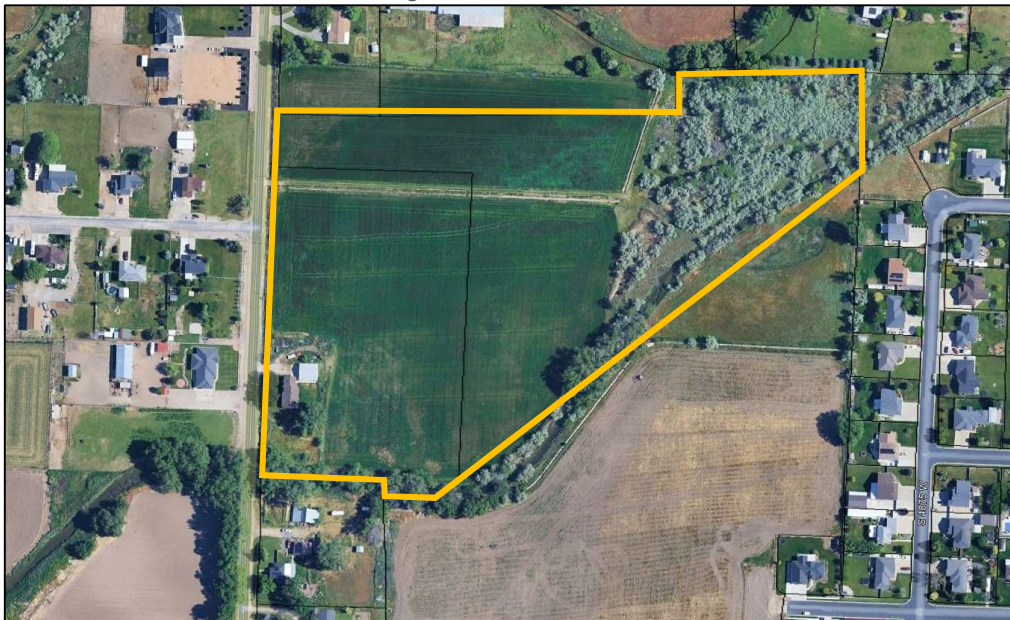
Request:	Subdivision of 32 Lots
Property Address:	4492 South 5100 West
Property Zone:	R-2, Residential Low-Moderate Density
Property Size:	19.95 acres
Applicant:	Mike Bastion, Lone Pine Development LLC

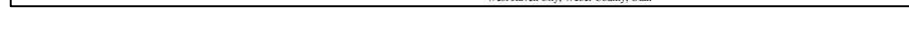
Governing Documents:	WHZC §157.120 - §157.129 & Chapter 156
Decision Type:	Administrative
Staff Recommendation:	Approve with conditions

I. Background

The applicant is seeking the approval of the preliminary subdivision plan for the Williamsfield Subdivision, a 32-lot residential subdivision at 4492 South 5100 West.

Image 1 : Aerial Photo of Site





request for preliminary c

Code Section	Requirement Summary	Staff Comment	Compliant?
§ 156.024 PRELIMINARY PLAN REQUIREMENTS.			
A. 1	The proposed name of the subdivision;	Williamsfield Subdivision	Yes
A. 2	The location as forming a part of a larger tract or parcel, where the plat submitted covered only a part of a larger vacant area. In	Street stubs are provided that consider the future development of the area.	Yes

	such case, a sketch of the prospective future street system of the unplatted parts shall be submitted, and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area;		
A. 3	Sufficient information to locate accurately the property shown on the plan;	Accurate address and vicinity map are provided.	Yes
A. 4	The individual or company names and addresses of the subdivider, the engineer and the registered land surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided;	Provided	Yes
A. 5	Contour map at intervals of two feet, five feet, or ten feet, as determined by the Planning Commission;	Provided	Yes
A. 6	The boundary lines of the tract to be subdivided;	Provided	Yes
A. 7	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;	Provided	Yes
A. 8	Existing sanitary sewers, storm drains, water supply mains, water wells, and culverts within the tract and immediately adjacent thereto;	Provided	Yes
A. 9	The location, widths, and other dimensions of proposed public streets, private streets, or private access rights-of-way, alleys,	Provided	Yes

	utility easements, parks, other open spaces, and lots with proper labeling of spacing to be dedicated to the public, or designated as private streets or private access rights-of-way		
A. 10	North point, scale, and date.	Provided	Yes
B	Plans or written statements prepared by a licensed civil engineer regarding the width and type of proposed pavement, location, size, and type of proposed sanitary sewers or other sewage disposal facilities, proposed water mains and hydrants, and other proposed stormwater drainage facilities, and other proposed improvements such as sidewalks, plantings, and parks, and any grading of individual lots.	Provided. Comments will be resolved during the final plat review process.	Yes

Number of Lots:

The subdivision proposes a total of 32 lots within the subdivision. According to West Haven City Code and Fire Code, 30 single-family lots are permitted off a single access. Therefore, the applicant would need to eliminate two lots from the draft subdivision. The City could consider a phasing plan, where there would be a restriction on the final phase until a second access is provided. However, that phasing plan would need to be provided to the City and the Fire for formal approval.

§ 156.001 PURPOSE AND INTENT.

(C) Any proposed subdivision with 31 or more lots will require a minimum of two roads.

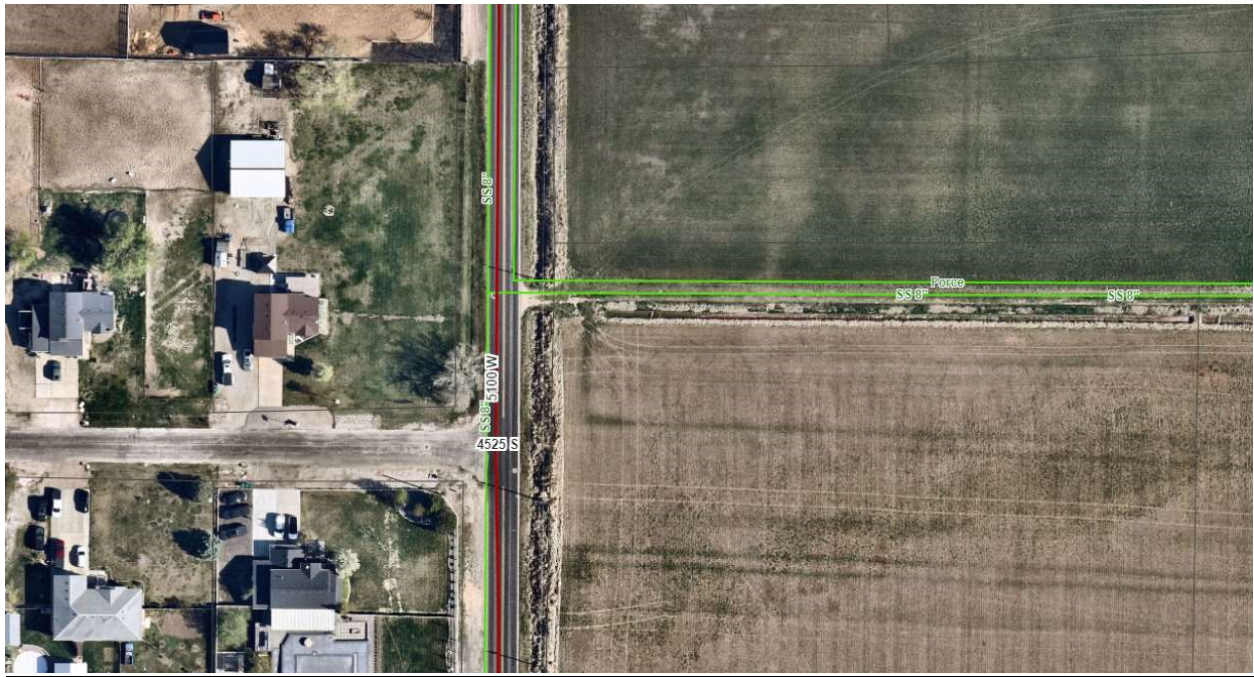
UDOT Parcels

The applicant is showing a dedication of the front property to UDOT for future roadway construction. Currently, those parcels are not owned by UDOT. Before final approval, UDOT will need to approve the dedication of those properties.

Access

The applicant is proposing current access over an existing sewer line. This is an offset from the intersection across the street (see the image below). Staff is currently evaluating if the offset meets West Haven access standards. Generally, staff would recommend that street intersections be aligned with those within the area or adjacent to the development. Staff is still

in discussion regarding whether the proposed alignment is compliant with current standards and will provide an update during the Planning Commission meeting.



Engineering Review

The City Engineer has provided comments to the applicant that have been addressed with the attached preliminary subdivision plans. The engineering of the site will be finalized during the final subdivision review process.

Fire Review

Staff of the Weber County Fire Marshal's Office provided the following comments concerning the proposed preliminary plat.

- The subdivision can be accessed from only one point and will thus need to be limited to a maximum of thirty (30) dwelling units, or as an alternative, the units would need to be equipped with fire sprinkler systems.
- A temporary turnaround that meets fire code will need to be provided on the stubbed street at the northeast portion of the subdivision.

Other Considerations for Approval

Based on the comments provided by the reviewing parties listed above, staff recommends the following additional conditions of approval:

1. Official approval of the proposed plan is obtained from the Weber County Fire Marshal's Office, and proof of the said approval is provided prior to final subdivision approval.

2. The City Engineer's approval of the proposed plans is obtained prior to final subdivision approval, as required in the code below.

§156.041, Final Plat Requirements

(C)The subdivider shall furnish to the City Engineer a complete set of drawings, signed and stamped by a licensed civil engineer, of engineering designs for all streets, existing and proposed, and all utilities to be constructed within the subdivision, together with the final plat. All such utility and road construction shall be in accordance with the adopted public works standards of the city.

Due to this standard, the full review and approval of construction drawings occurs after preliminary approval.

III. Staff Recommendation

Given the findings listed in Section II of this report, staff recommends that the commission **approve** the proposed preliminary plat, subject to the conditions of approval enumerated in that same section.

IV. Possible Motion

Approve with Staff Recommended Conditions: Motion to approve the preliminary plan for the subdivision of the property at 4492 S 5100 W, finding that the provided plans have satisfied the preliminary subdivision plan submittal criteria and the plans are ready for final subdivision plan review, subject to the following conditions of approval:

1. Official approval of the proposed plan is obtained from the Weber County Fire Marshal's Office, and proof of the said approval is provided prior to final subdivision approval.
2. The City Engineer's approval of the proposed plans is obtained prior to final subdivision approval.

Approve with modified conditions: Motion to approve the preliminary plan for the subdivision of the property at 4492 S 5100 W, finding that the provided plans have satisfied the preliminary subdivision plan submittal criteria and the plans are ready for final subdivision plan review, subject to the following conditions of approval:

[List conditions]

Approve outright: Motion to approve the preliminary plan for the subdivision of the property at 4492 S 5100 W, finding that the provided plans have satisfied the preliminary subdivision plan submittal criteria and the plans are ready for final subdivision plan review.

SUBDIVISION APPLICATION



Subdivision Name Williamsfield

Location 4492 S. 5100 W.

Parcel# 08.048.0016 / 08.048.0058

Phase 2 No. of Lots 32 Zone R-2

Applicant name Lone Pine Development LLC

Agent Name Mike Bastian

Signed: Michael C. Bastian Date: 5.27.25
(Owner/Petitioner)

I authorize Mike Bastian to act as my representative in all matters relating to this application.

Mike Schultz
(Owner)
Michael C. Bastian
(Agent as Authorized by Owner)

State of Utah)

§

County of Weber

On this 27 day of May, in the year 2025, before me, Joni Nielsen

a notary public, personally appeared Mike Schultz,
name of document signer proved on the basis of satisfactory

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.



N/A	Received	N/A	Received	Letters of acknowledgment/approval/conditions from
PRELIMINARY		FINAL		
<input type="checkbox"/>	Affidavit of Understanding and Acceptance of Fees	<input type="checkbox"/>	<input type="checkbox"/>	Secondary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Culinary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Fire District
		<input type="checkbox"/>	<input type="checkbox"/>	All other items required by City Planner

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

[illegible]

West Haven City, Weber County, Utah

West Haven Preliminary Plat Review

Project: Williamsfield Subdivision

Applicant: Lone Pine Development

Review Performed by: Damian Rodriguez

Date: 6/5/2025



Findings: The application packet is incomplete per 156.024 and is not yet eligible for Planning Commission review.

Needed Information

Code Section	Requirement Summary	Staff Comment	Compliant?
§ 156.024 PRELIMINARY PLAN REQUIREMENTS.			
<u>(A) 1</u>	The proposed name of the subdivision;	Plans are labeled as "SCHULTS PROPERTY" not the proposed subdivision name of Williamsfield.	No
2	The location as forming a part of a larger tract or parcel, where the plat submitted covered only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplatted parts shall be submitted, and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area;	The proposed access road from 5100 West is misaligned with 4525 S; additional staff review is needed to determine if this will work. Street connections are provided that consider the future development of the area to some degree. However, staff finds a street stub is needed that would provide access to the western parcel 080480118 for the future development of that land.	No
3	Sufficient information to locate accurately the property shown on the plan;	Location via address provided. A vicinity map is also required.	No
4	The individual or company names and addresses of the subdivider, the engineer and the registered land surveyor of the subdivision, and the owners of	Surveyor information and adjacent property ownership information is required and missing.	No

	the land immediately adjoining the land to be subdivided;		
5	Contour map at intervals of two feet, five feet, or ten feet, as determined by the Planning Commission;	Contour lines are not provided.	No
<u>6</u>	The boundary lines of the tract to be subdivided;	Provided.	Yes
<u>7</u>	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;	Existing street dimensions are not provided. No exceptional topography or other features of the site need dimensioning per a staff review of the site.	No
<u>8</u>	Existing sanitary sewers, storm drains, water supply mains, water wells, and culverts within the tract and immediately adjacent thereto;	No utility information is provided.	No
<u>9</u>	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 of spacing to be dedicated to the public, or designated as private streets or private access rights-of-way	The minimum width for residential streets and maximum length for terminal streets are met. The Fire Marshal's Office will determine the adequacy of the proposed 20' fire access at the southwest portion of the project.	Yes
<u>10</u>	North point, scale, and date.	All provided.	Yes
<u>B</u>	Plans or written statements prepared by a licensed civil engineer regarding the width and type of proposed pavement	Information is still needed.	No
	location, size, and type of proposed sanitary sewers or other sewage disposal facilities	Not provided.	No
	proposed water mains and hydrants	Not provided.	No

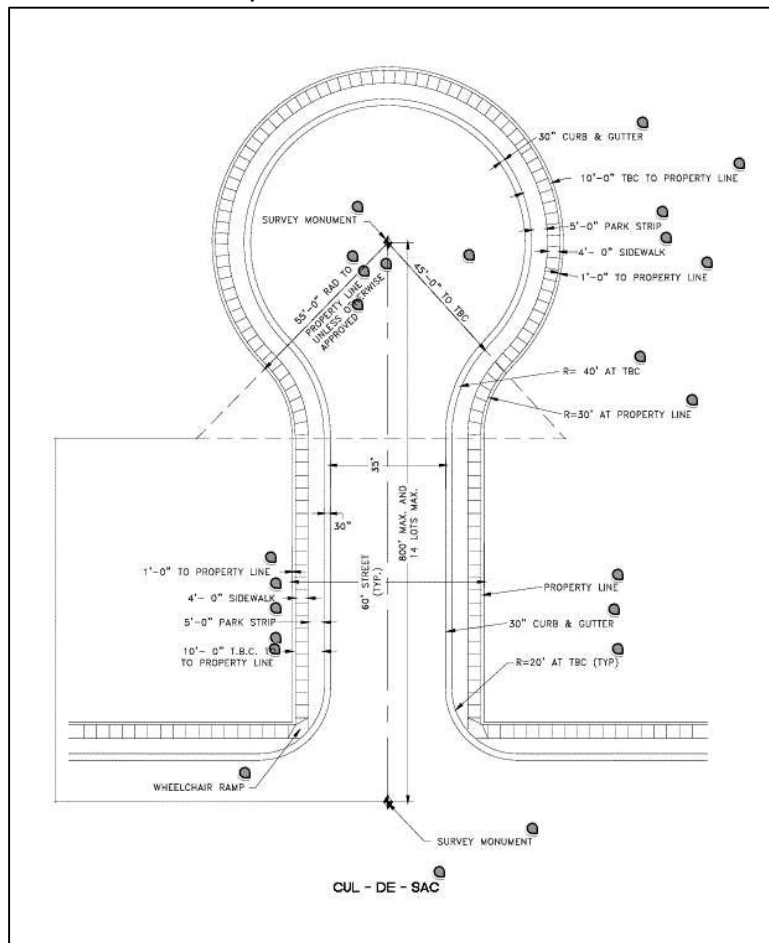
	proposed stormwater drainage facilities	See comments from the City Engineer below.	No
	other proposed improvements such as sidewalks, plantings, and parks, and any grading of individual lots.	Not provided.	No

Engineering Comments

- The plan indicates a parcel owned by UDOT. This is not reflected in the County records.
 - Is this a pending or recently completed transaction?
 - Confirm that the UDOT parcel includes the section north of the proposed road.
 - Will UDOT place or expect any specific consideration/limitation about access through the property?
 - Does the UDOT transaction provide for a dedicated fire access on the south of the parcel?
 - I believe 20 feet is the minimum width based on fire code, however, this would have to be approved by the Fire Marshal.
 - It does not appear that a fire engine could navigate from 5100 W to the subdivision. This needs to be confirmed prior to plat approval since it might affect the width and alignment of the fire access.
 - The City will not accept ownership, maintenance or enforcement for the fire access lane proposed between Lots 27 and 28. This is also subject to further conditions based on the Fire Marshal review.
- There is no proposed second emergency access potentially to Lots 3-10. I believe the number of units does not require a second access under City ordinance; however this is subject to review by the Fire Marshal.
 - A 60-foot ROW is indicated; however City standard is 56-feet with a possible maximum width of 32-feet paved area.
 - Provide a proposed road section or asphalt width. A 32-foot traveled way cannot support two-way traffic and on-street parking on both sides of the street.
 - The Applicant will need to confirm that the design of the cul-de-sac, as indicated, can conform with City standards (attached).
 - Note that the ROW can be 56-ft (although labeled 60-ft on the detail); however, the bulb must have a radius that will allow turnaround for fire vehicles.
- A stormwater detention basin is proposed.
 - The Applicant will need to indicate that there is a viable and accessible discharge point and/or outlet connection to a public storm sewer
 - Since a proposed area for the basin is indicated on the plat, the Applicant should provide sizing calculations

- The detention basin and 20-ft proposed drainage easement should be indicated as “private.”
 - An HOA or 3-rd party will be responsible for the ownership and/or operation maintenance of the basin.
 - An HOA and/or 3-rd party will have to execute a long-term maintenance agreement with the City.
- The Applicant should confirm that the proposed east-west ROW aligns with the existing sanitary sewer easement with the West Haven Special Service District (attached).

City standards for cul-de-sac



Planning Commission
Staff Review Memo

July 23, 2025

Damian Rodriguez, Planner



PRELIMINARY & FINAL SUBDIVISION REVIEW

Request: Salt Point West Subdivision
Property Address: 3050 West 4000 South
Property Zone: C-1, Commercial
Property Size: 6.9 Acres
Applicant: CW Development Group, LLC

Governing Document(s): WHZC §156.020
Decision Type: Administrative
Staff Recommendation: Approve

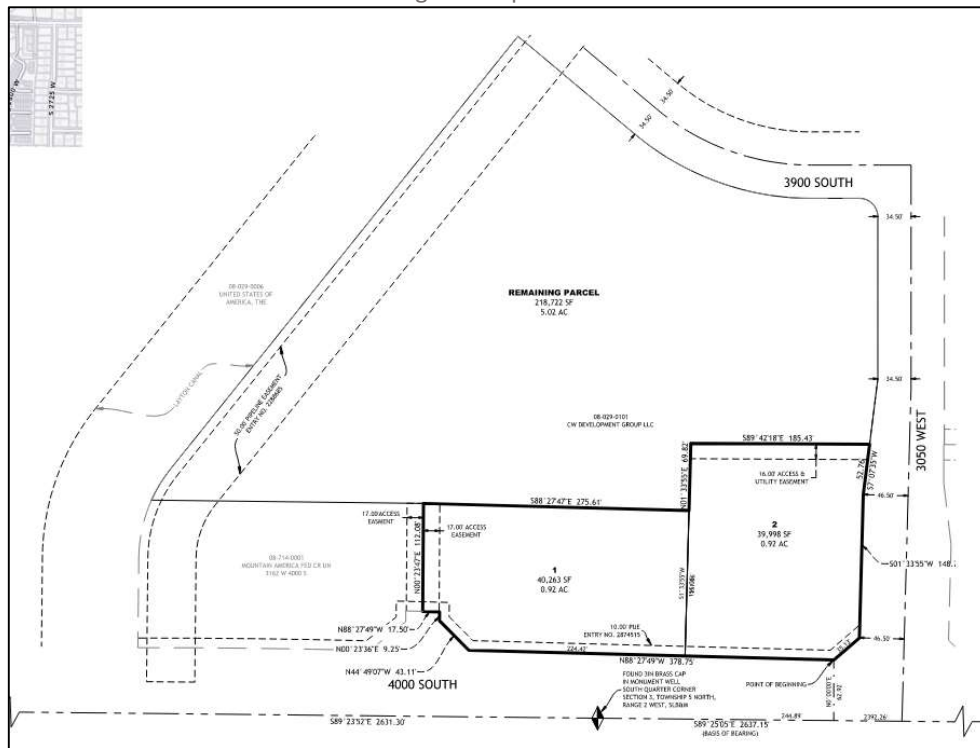
Image 1: Site Aerial



I. BACKGROUND

The applicant is seeking the final subdivision plan approval for the Salt Point West Phase 2 Subdivision, a two-lot subdivision at approximately 3050 West 4000 South. The subject property (Parcel ID 080290101) is nearly seven acres in size and is zoned C-1 with a conditional overlay. The requested subdivision would render two commercial lots adjacent to 4000 South Street and a remainder parcel, not a platted lot of the Salt Point West Phase 2 Subdivision, of 5.02 acres to the north.

Image 2: Proposed Plat



II. STAFF REVIEW

Staff's review of the proposed plat as it pertains to the requirements of the West Haven Subdivision Code is as follows:

Use

The intended land use is to create separate and independently developable commercial lots that are consistent with the West Haven Subdivision Ordinance.

§156.028 Submittal Criteria

Code Section	Requirement Summary	Staff Comment	Compliant?
§ 156.024 PRELIMINARY PLAN REQUIREMENTS.			

<u>(A) 1</u>	The proposed name of the subdivision;	Salt Point West Phase 2 Subdivision	Yes
2	The location as forming a part of a larger tract or parcel, where the plat submitted covered only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplatted parts shall be submitted, and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area;	Provided	Yes
3	Sufficient information to locate accurately the property shown on the plan;	Yes. An accurate vicinity map and approximated address are provided.	Yes
4	The individual or company names and addresses of the subdivider, the engineer and the registered land surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided;	Provided.	Yes
5	Contour map at intervals of two feet, five feet, or ten feet, as determined by the Planning Commission;	Information is not provided currently. See the engineering comment below.	Deferred
<u>6</u>	The boundary lines of the tract to be subdivided;	Provided	Yes
<u>7</u>	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;	Provided	Yes
<u>8</u>	Existing sanitary sewers, storm drains, water supply mains, water wells, and culverts within	Information is not provided currently. See engineering comment below.	Deferred

	the tract and immediately adjacent thereto;		
<u>9</u>	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 of spacing to be dedicated to the public, or designated as private streets or private access rights-of-way	Provided.	Yes
<u>10</u>	North point, scale, and date.	Provided.	Yes
<u>B</u>	Plans or written statements prepared by a licensed civil engineer regarding the width and type of proposed pavement	Deferred	Yes
	location, size, and type of proposed sanitary sewers or other sewage disposal facilities	Deferred	Yes
	proposed water mains and hydrants	Deferred	Yes
	proposed stormwater drainage facilities	Deferred	Yes
	other proposed improvements such as sidewalks, plantings, and parks, and any grading of individual lots.	Deferred	Yes

Finding: Staff finds that due to the simplicity of the request, the Planning Commission may grant both preliminary and final subdivision approval in the same action, as all approval criteria per §156.041 are met in the preliminary plan review when no development is proposed and no streets or utility improvements are necessary.

Engineering Comments

The proposed Subdivision simply creates the lots for future development. Utility connections, any proposed roadways, and all aspects of the site's engineering will be addressed during the necessary site plan review when a development is proposed.

III. RECOMMENDED ACTION

Based on the findings listed in Section II of this report, staff recommends that the Planning Commission move to **approve** the final subdivision plan for the Salt Point West Phase 2 Subdivision.

IV. POSSIBLE MOTION

Approve (staff recommended):

Motion to approve the final subdivision plan for the property at approximately 3050 West 4000 South, finding that the proposed is compliant with the West Haven Subdivision Ordinance.

Approve with conditions:

Motion to approve the final subdivision plan for the property at approximately 3050 West 4000 South, finding that the proposed is compliant with the West Haven Subdivision Ordinance when the following conditions are applied:

[List Conditions]

SUBDIVISION APPLICATION



Subdivision Name Salt Point West Phase 2 Subdivision


Location 3050 West 4000 South

Parcel# 080290101

Phase 2 No. of Lots 2 Zone Mixed Use / C3

Applicant name CW Development Group, LLC

Agent Name McKenna Christensen

Signed:  Date: 07-08-2025
(Owner/Petitioner)

I authorize McKenna Christensen to act as my representative in all matters relating to this application.


(Owner)


(Agent as Authorized by Owner)

State of Utah)

§

County of Davis)

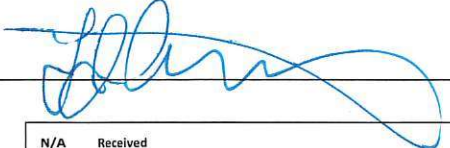
On this 8th day of July, in the year 2025, before me, Landon Peterson

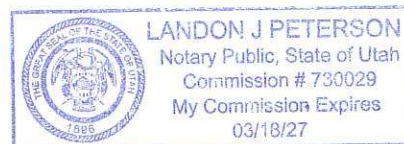
a notary public, personally appeared Colin Wright, proved on the basis of satisfactory
name of document signer

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.





N/A	Received	N/A	Received	Letters of acknowledgment/approval/conditions from
<u>PRELIMINARY</u>		<u>FINAL</u>		
<input type="checkbox"/>	Affidavit of Understanding and Acceptance of Fees	<input type="checkbox"/>	<input type="checkbox"/>	Secondary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Culinary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Fire District
		<input type="checkbox"/>	<input type="checkbox"/>	All other items required by City Planner

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

