

**SOUTH WEBER CITY**  
**PLANNING COMMISSION AGENDA**

**PUBLIC NOTICE** is hereby given that the **Planning Commission of SOUTH WEBER CITY**, Davis County, Utah, will meet in a **REGULAR** public meeting on **January 22, 2015**, at the **South Weber City Council Chambers, 1600 East South Weber Drive**, commencing at **6:30 p.m.**

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A WORK MEETING WILL BE HELD PRIOR TO THE REGULAR PLANNING COMMISSION MEETING AT 6:00 P.M. TO DISCUSS  
AGENDA ITEMS, CORRESPONDENCE, AND/OR FUTURE AGENDA ITEMS

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**THE AGENDA FOR THE REGULAR MEETING IS AS FOLLOWS:**

- 6:30 P.M.      Approval of Meeting Minutes
  - November 13, 2014 - Commissioner WinsorApproval of Agenda  
Declaration of Conflict of Interest
  
- 6:35 P.M.      **Public Hearing and Action on Preliminary/Final Plan Application:** Highmark Subdivision Amended located approximately on the southwest corner of South Weber Drive and 2700 E. (Parcel 13-292-0002 and a portion of 13-034-0051), 3.634 acres; Developer: Dan Murray, Murray Family Holdings.
  
- 6:55 P.M.      **Public Hearing and Action on Rezone Application:** Request from agent Jeff Monroe for applicant Warren Reynolds for 4.57 acres located at approximately 400 East Old Post Office Road (Parcel 13-018-0070) be changed from an Agricultural Zone (A) to a Residential Low-Moderate Zone (R-LM).
  
- 7:05 P.M.      Zone Height Ordinance Discussion
  
- 7:15 P.M.      Highway Sign and Alcohol Proximity Ordinance Amendments Discussion
  
- 7:35 P.M.      Public Hearing Requirements for Subdivisions Discussion
  
- 7:40 P.M.      Moderate Income Housing Plan Discussion
  
- 7:50 P.M.      Updated Master Trails Plan Draft Review
  
- 8:00 P.M.      Public Comments – Please keep public comments to 3 minutes or less per person
  
- 8:05 P.M.      Adjourn

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THE UNDERSIGNED DEPUTY RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED OR POSTED TO:

CITY OFFICE BUILDING  
www.southwebercity.com  
Utah Public Notice website  
www.utah.gov/pmn

SOUTH WEBER FAMILY RECREATION CENTER  
SOUTH WEBER ELEMENTARY SCHOOL  
TO EACH MEMBER OF THE PLANNING  
COMMISSION

THOSE LISTED ON THE AGENDA  
STANDARD-EXAMINER



# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 13 November 2014

**TIME COMMENCED:** 6:30 p.m.

**PRESENT: COMMISSIONERS:**

Delene Hyde  
Rob Osborne  
Wes Johnson  
Rod Westbrook  
Wayne Winsor

**CITY ENGINEER:**

Brandon Jones

**DEPUTY RECORDER:**

Elyse Greiner

**CITY ENGINEER:**

Brandon Jones

**CITY MANAGER:**

Duncan Murray

**Transcriber:** Minutes transcribed by Michelle Clark

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*A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS*

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**VISITORS:** Blair Gardner, Wyndell Pasch, John Grubb, Jared Bryson, Brent Poll, Karen Kendell, Louise Cooper, James Cook, Kelly BamBrough, Brent Johnson, and Gardner Crane.

**APPROVAL OF THE AGENDA:** Commissioner Westbrook moved to approve the agenda as written. Commissioner Osborne seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

**APPROVAL OF MINUTES OF 23 OCTOBER 2014:**

Commissioner Hyde moved to approve the minutes of 23 October 2014 as written. Commissioner Winsor seconded the motion. Commissioners Hyde, Johnson, Osborne, and Winsor voted yes. Commissioner Westbrook abstained. The motion carried.

**DECLARATION OF CONFLICT OF INTEREST:** None

Commissioner Westbrook moved to open the public hearing for Preliminary Plan Application: Bryson Meadows Subdivision (66 lots), located at approximately 6500 S. 475 E. (Parcel #'s 13-023-0022, 13-006-0031, & 13-006-0025), 30 acres; Developer: Uinta Land Company. Commissioner Johnson seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Preliminary Plan Application: Bryson Meadows Subdivision (66 lots), located at approximately 6500 S. 475 E. (Parcel #'s 13-023-0022, 13-006-0031, & 13-006-0025), 30 acres; Developer: Uinta Land Company.** Jared Bryson, representative from Uinta Land Company, stated the only item that has changed from the last preliminary plat to this one is some street amendments. They have eliminated a cul-de-sac. He said this subdivision will have a total of 66 lots.

Commissioner Hyde asked for public comment. There was none.

**Commissioner Johnson moved to close the public hearing for Preliminary Plan Application: Bryson Meadows Subdivision (66 lots), located at approximately 6500 S. 475 E. (Parcel #'s 13-023-0022, 13-006-0031, & 13-006-0025), 30 acres; Developer: Uinta Land Company. Commissioner Osborne seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING CLOSED \*\*\*\*\***

Commissioner Hyde asked if the conditions set at the Sketch Plan Meeting have been met. Jared said, "yes". Brandon then reviewed his memo of 10 November 2014. He discussed the cost share agreement that will cover the detention basin. He said the developer will be responsible for a portion as well as the City. Brandon said once final plans have been completed, these should be submitted to South Weber Irrigation Company, Central Weber Sewer District and the Riverdale Bench Canal Company for their review and approval. Letters from each entity approving the proposed connections, improvements, realignments, changes, etc. will be required prior to final approval. He said UDOT has already approved the connection of the culvert going under Highway 84. He said UDOT will need a copy of the plans, etc. He said the apartments on the drawing are not receiving preliminary approval and will be submitted separately. Commissioner Winsor asked if the apartments will be given a lot number. Brandon said, "yes". Commissioner Hyde said Barry Burton did recommend that as well. Brandon said they are not showing any phasing. Jared said they are planning on probably three phases. He said the first phase will include both entrances and getting down to the retention pond. Brandon said the first phase will include the through street from 6650 South to 475 East or they will have to be limited to 30 units. He said water supply is at a 89 acre feet deficit of culinary water supply source. He has discussed with the City Council options on how to get this additional water supply. Brandon explained that his subdivision is proposing 66 new residential lots, which would require an additional 30 AF of culinary water supply. He is recommending one of the following:

- a. The City Council purchase additional culinary water from Weber Basin to cover the additional 30 AF of water supply needed for this development, OR
- b. The City hold issuance of building permits for this subdivision until the new impact fee is in place.

Commissioner Johnson asked about the apartment complex needs. Brandon said that is additional. He said once the impact fee is in place then they can start pulling building permits. Commissioner Osborne asked when a building permit would be pulled. Jared said probably not until August 2015. He said it will take time to get the infrastructure in place. Brandon said the

City staff doesn't anticipate a delay there. He then addressed the geotech report. He strongly recommends a land drain system installation because the groundwater is historically shallow. He said if any basements are considered, then a land drain system should be installed. Brandon recommended the geotech go back and re-evaluate the asphalt depth. He discussed the wetlands. He said there is an email from the Army Corp of Engineers which states there are no wetlands that are jurisdictional. He said if it comes back jurisdictional then the developer will have to mitigate or leave them untouched. Brandon reviewed the 6650 South entrance. He explained that it should be noted that the ROW width of "Street A" connecting to 6650 South is only 59' wide for the first 113' (approx.). The additional ROW needed for the complete 70' ROW will be dedicated by the adjacent property to the west when it develops. (Note: The full street width with curb and gutter and sidewalk on the east side will be constructed by this development. The sidewalk on the west side will be constructed by the adjacent property owner to the west when the property develops.) Duncan suggested addressing it as a pioneering agreement. Commissioner Hyde said the Planning Commission can't go against City ordinance. She feels this is something that would have to be reviewed by the City Council. Jared said it wasn't our decision to do it this way. He said it puts the street 8' away from the houses on 6650 South. It also meets fire code and helps the drainage the way it is presented. Duncan suggested a deferral agreement of a portion of sidewalk improvement. Brandon said he will look into the City code. Commissioner Winsor asked if the "right turn only" on to 6650 South should be identified on the plat. Brandon said, "yes". He said all the apartments will be identified as one lot. He said the City needs to know how parcel A and parcel B will be maintained. Brandon said the streets need to be given names as well as coordinates. He said the detention basin needs to be labeled as a parcel that will be dedicated to the City. There are easements that need to be identified on the plat. Brandon said when the canal is realigned and if it crosses the Ray property, there will need to be an easement. There are some existing easements that the City has that will need to be vacated when the plat is recorded. He said there are a lot of waterways that are not allowed. There is frontage on parcel B on 6650 South and then part of lot 101 that are on 6650 South that need improvements. There are water lines that need to be upsized with a cost share agreement with the City. The detention basins needs some work because there are no waterways allowed. The pipes that drain the northwest corner may need more fill to raise the road for drainage. The cross section for the trail needs to be 10' wide. Anything left zoned Agricultural will need a 6' chain link fence. Brandon said all the waterlines need to be ductile iron pipe with poly-wrap. He said secondary water lines are shown. This will need to be added and plans submitted to the South Weber Irrigation Company for approval.

Commissioner Osborne asked if anyone else has a problem with conditions being placed on rezones. He said this seems to be becoming a habit. Duncan said it is legally acceptable. Fencing was discussed. Jared said they will meet the City code as it is written.

Commissioner Hyde said all items need to be addressed on Barry Burton's letter of 7 November 2014, and Brandon's letter of 10 November 2014.

**Commissioner Osborne moved to approve the Preliminary Plan Application: Bryson Meadows Subdivision (66 lots), located at approximately 6500 S. 475 E. (Parcel #'s 13-023-0022, 13-006-0031, & 13-006-0025), 30 acres; Developer: Uinta Land Company with the following conditions:**

- 1. Complete items listed in Brandon Jones letter of 10 November 2014.**

2. Complete items listed in Barry Burton’s letter of 7 November 2014.
3. Three phases should be noted on the plat to begin on 475 East.
4. Submit an updated Geotech Report.
5. Required land drain to be installed.
6. Right turn only onto 6650 South.
7. Deferral agreement for parcel B and Lot 101.

Commissioner Westbrook seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

Commissioner Osborne moved to open the public hearing for Rezone Application from ULI Holdings LLC for approx. 24.07 acres located at 545 E. 6650 S. (Parcel # 13-018-0015) be changed from an Agricultural Zone (A) to a Residential Moderate Zone (RM). Commissioner Johnson seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Rezone Application: request from ULI Holdings LLC for approx. 24.07 acres located at 545 E. 6650 S. (Parcel # 13-018-0015) to be changed from an Agricultural Zone (A) to a Residential Moderate Zone (RM).** Jared Bryson said at this time the property is consistent with the general plan. There are some challenges with this property and the power lines. The actual development could maximize at 62 lots.

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

Commissioner Osborne moved to close the public hearing for Rezone Application from ULI Holdings LLC for approx. 24.07 acres located at 545 E. 6650 S. (Parcel # 13-018-0015) be changed from an Agricultural Zone (A) to a Residential Moderate Zone (RM). Commissioner Winsor seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING CLOSED \*\*\*\*\***

Commissioner Osborne moved to approve the Rezone Application request from ULI Holdings LLC for approx. 24.07 acres located at 545 E. 6650 S. (Parcel # 13-018-0015) be changed from an Agricultural Zone (A) to a Residential Moderate Zone (RM). Commissioner Winsor seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

**Preliminary Plan Application: Sunrise Ridge Subdivision (18 lots), located at approximately 2600 E. 8000 S. (Parcel #'s 13-041-0120 and 13-041-0119), 4.54 acres; Developer: Future Homes LLC (public hearing held October 23, 2014, formerly known as Orange Grove).** Blair Gardner, of Future Homes LLC, approached the Planning Commission. Commissioner Hyde asked the developer if they have accomplished all the items from the Sketch

Plan Meeting. Blair said, “yes”. He said the plat has been reduced by one lot.

Brandon Jones, City Engineer, referenced to his memo of 11 November 2014. He said once final plans have been completed, they need to be submitted to Weber Basin and not South Weber Secondary Water Improvement District. Brandon said concerning the water supply, On September 23, 2014, the City Council approved the purchase of 110 acre-feet (AF) of culinary water from Weber Basin. In a subsequent meeting, the Council also gave direction to the City Staff to pursue updating the Capital Facilities Plan, Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA) to include a provision that would allow Weber Basin to collect an impact fee that would, in essence, purchase/contract for the additional culinary water needed for new residents with each new building permit issued. He explained that the City is still currently approximately 89 AF short in having sufficient source for the existing residents plus the lots that have been approved but are not yet built on. He said this subdivision is proposing 18 new residential lots, which would require an additional 8 AF of culinary water supply. He recommends the City Council purchase additional culinary water from Weber Basin to cover the additional 8 AF of culinary water supply needed for this development or the City hold issuance of building permits for this subdivision until the new impact fee is in place. Brandon recommended addressing the water supply needs when the developer is ready to pull a building permit. He said a geotechnical study was performed on the subject property by Earthtec Engineering, dated June 10, 2013. This geotech was performed for a previously proposed townhome project by Bryce Stevenson. Although he recognizes that the ground has not changed since this study was done, he recommends that Earthtec (or another geotechnical engineering company) provide an update report/letter based upon the proposed development. This is consistent with the report’s request to notify the company if the proposed development is changed in any way so that modifications to their recommendations can be made, if necessary. Brandon said most of the native material is unsuitable for utility trench backfill. He is recommending that imported backfill, meeting the City’s Standards, be installed in all utility trenches under the pavement. He explained that Section 12.2 of the geotech report addresses groundwater. At the time of the report, groundwater was found about 20 feet below the surface on the east side of the development, but indicators of past groundwater levels were observed at a depth of only 5 feet. If basements are constructed as part of the development, he is recommending that a land drain system be installed for the following reasons:

- a.. The report recommends that footing/foundation drains gravity feed to “an appropriate outlet (storm drain, land drain, other gravity outlet, etc.)”.
- b. Although the footing/foundation drain could gravity feed to a sump and then be pumped out, there is no system to receive it and the City DOES NOT allow the pumping of groundwater into the curb/street.
- c. Given the height restriction of the homes in the Development Agreement, it will likely be difficult to raise the elevation of the basement floor high enough to be above the groundwater and under the height restriction.

Wyndell Pasch suggested getting a recommendation when the geotech report is updated. Brandon said he is concerned that the report does not mention anything about the impact of removing the vegetation in the north area of the development. Nor does it say anything about slope stability of the steep slopes in the northwest area of the development. There are also

probably areas that are going to receive more than 3' of fill in order to make the grading work. An updated report/letter should address these concerns.

Brandon asked if there are any structures that will be removed. Blair Gardner said Mr. Burnett has requested the shed. Brandon said all existing buildings and/or structures that are to be removed should be labeled accordingly. He said addresses for the lots will be provided by his office.

Brandon explained that the proposed sewer and storm drain outfall lines for the development are going through easements along the lot line between Lot 36 of the Deer Run Estates Unit No. 1 Subdivision and Lot 4 of the Deer Run Estates Unit No. 2 Subdivision. Based on the original dedication plats, there are public utility and drainage easements shown on both lots adjacent to each other (15' wide on Lot 36 and 10' wide on Lot 4, for a total width of 25'). The location of the proposed lines within these easements should be shown and dimensioned in the final plans.

Commissioner Winsor asked about vegetation in right-of-ways. He explained trees can cause damage to pipes. Brandon said he isn't sure the City can stipulate that when there is no current policy. Duncan said the City can look into that. Barry said all private landscaping and improvements to be removed or disturbed in conjunction with installing the sewer and storm drain outfall lines through private property will need to be replaced to the satisfaction of the owner (within reason).

Barry said the existing sewer and storm drain lines shown stubbed into Lot 8 need to be plugged. The storm drain detention was calculated with a release rate of 0.2 cfs/acre. However, South Weber City requires a release rate of 0.1 cfs/acre. The calculations need to reflect this. The storm drain calculations should also include peak flows at the double inlet box in the cul-de-sac and at the last manhole in the northwest corner of Lot 8.

Brandon said due to the steep topography of the ground at the outlet point of the development, and also in consideration of the homes surrounding the property, he does not recommend constructing a detention basin within the development. However, the developer is still responsible to provide detention due to the increased hard surfacing being created by the development. Therefore, he would recommend that the Developer pay a fee "in lieu" of detention. This fee will be used to improve the storm drain system in other areas in order to compensate for the increased flows from this property. This fee should be calculated based on the cost that would have been expended by the Developer in order to install a detention basin on the property if one would have been required.

Brandon said an additional storm drain inlet box needs to be placed at the end of the upstream radius on the southwest corner of the intersection at 2700 East. He recommends that a berm and a swale be installed along the north sides of Lots 7 and 8; and along the west sides of Lots 8 -13 in an effort to keep storm water runoff from running onto the adjacent current resident's property. He said because fencing along property lines will be allowed, he would recommend that a 12" PVC drain line be installed along the north side of Lot 7 to Lot 8; and along the west sides of Lots 8 -12 to Lot 13 with a 2' x 2' inlet box located at the low corner of each lot. This would allow each lot to collect the drainage from their lot without draining onto neighboring lots. This line should be a private line.

Brandon said there are swales shown along the backs or sides of Lots 1 – 4 and Lots 12 – 15. He does not feel these are necessary. He said the roadbase underneath the asphalt pavement needs to be a minimum of 10” thick (according to the geotech report). Only 6” is shown on the typical street section.

Brandon explained that the existing grade is steep where the new road connects to 2700 East. Final plans should provide a “landing” area of at least 50’ in order to provide good sight distance and a smooth transition at the intersection. Blair stated this may create an issue with the 25’ height requirement. Brandon said the height is measured from curb to peak. Blair said he doesn’t want the City to be surprised because of this issue. He said they will comply that they won’t have second story living space. Brandon said there are topography challenges with this property. Commissioner Westbrook suggested specifying on the two lots on the front. Duncan suggested identifying the lots this involves on the plat. Blair recommended redefining the development agreement.

Brandon said the City Standards require a “cobra head” style street light with a steel pole at the new intersection. An additional local street light should be added at the back of the cul-de-sac. The one shown at the corner of Lot 4 should remain (although it might give better spacing to put it at the property line between Lots 13 and 14. He said all property adjacent to agriculturally zoned property must have a 6’ chain link (min.) fence installed.

Brandon referred to Barry Burton’s letter of 7 November 2014. Barry states that the proposed layout of lots and the street are acceptable; however, there are two lots, Lots 10 & 11, that do not meet the 65’ lot width requirement. One lot is shy 2’ of the required width and the other is just over 6’ shy. Lot widths are at or near minimum on either side of Lot 10 and 11, so addressing this issue may be difficult and could result in losing a lot. Blair said this has been fixed.

Barry’s letter addresses Lots 8-11 which have severe grade changes that will make it difficult, if not impossible to meet the building maximum height requirement of 25’. These lots will either require some significant retaining walls or variances. Due to the terrain and constraints of the site, he believes variances could be justified. Commissioner Hyde said you need to get with Barry on this. Brandon suggested the developer ask for an adjustment to the development agreement.

**Commissioner Westbrook moved to approve Preliminary Plan Application: Sunrise Ridge Subdivision (18 lots), located at approximately 2600 E. 8000 S. (Parcel #'s 13-041-0120 and 13-041-0119), 4.54 acres; Developer: Future Homes LLC (public hearing held October 23, 2014, formerly known as Orange Grove) subject to the following conditions:**

- 1. Complete items listed in Brandon Jones letter of 11 November 2014.**
- 2. Completed items listed in Barry Burton’s letter of 7 November 2014.**
- 3. Modify Brandon’s memo of 11 November 2014 item #1 to amend South Weber Water Improvement District to Weber Basin.**
- 4. Bring proposed revisions to the height restrictions to the development agreement with the final plat.**

**Commissioner Winsor seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.**

**Other Business:**

**Planning Commission Payment:** Duncan asked if everyone received their payment. He said it is difficult for payroll to pay quarterly and asked if anyone is opposed to being paid once a month. No one was opposed.

**Christmas Party:** This will be held on 29 November 2014. If you are planning to attend, please RSVP.

**Next Planning Commission Meeting:** The next Planning Commission meeting will be held on 11 December 2014.

**Pledge of Allegiance:** Commissioner Osborne suggested having a pledge of allegiance at the beginning of meetings. Commissioner Hyde agreed.

**ADJOURNED:** Commissioner Westbrook moved to adjourn the Planning Commission meeting at 8:41 p.m. Commissioner Winsor seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date

Chairperson: Delene Hyde

\_\_\_\_\_  
Transcriber: Michelle Clark

Attest:

\_\_\_\_\_  
Deputy Recorder: Elyse Greiner

# SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

**DATE OF MEETING:** 13 November 2014

**TIME COMMENCED:** 6:00 p.m.

**PRESENT: COMMISSIONERS:**

**Delene Hyde  
Rob Osborne  
Wes Johnson  
Rod Westbroek  
Wayne Winsor**

**CITY MANAGER:**

**Duncan Murray**

**CITY ENGINEER:**

**Brandon Jones**

**DEPUTY RECORDER:**

**Elyse Greiner**

**Transcriber:** Minutes transcribed by Michelle Clark

**VISITORS:** John Grubb, Jared Bryson, Brent Poll, Wyndell Pasch, Blair Gardner, and Gardner Crane.

**Preliminary Plan Application: Bryson Meadows Subdivision (66 lots), located at approximately 6500 S. 475 E. (Parcel #'s 13-023-0022, 13-006-0031, & 13-006-0025), 30 acres; Developer: Uinta Land Company:** Commissioner Hyde asked the developer if he has completed all the items from the Sketch Plan Meeting. Brandon Jones, City Engineer, stated when Elyse took the minutes, at the time, she didn't do bullet points. Brandon said everything has been completed. Commissioner Hyde discussed the street requirement. Brandon explained that in one section they don't have 70'. Jared Bryson said upon Brandon's suggestion but we put it on their side behind back of curb. Brandon said this right-of-way was discussed way back. Brandon said the Kendell's will need to dedicate some property when they develop. He said because of the geometry of the road, they can't get it all without clipping the west corner. Commissioner Hyde said we can't go against the City ordinance. Brandon said he would have to look at the specific language to see if there are provisions in there. Jared said we are talking about the contour of the road, because there is plenty of property there. Brandon said they could move it over quicker and straight up, but it makes a tight curve, so he suggested that little portion be dedicated by Kendells in the future. He explained that Lot 112 is awkward anyway; and stated the difficulty with the maintenance of the park strip. Brandon discussed the need for a deferral agreement. He said he has been asked to include water supply and address it every time we look at a new subdivision. He asked if anyone has any concerns with item #6. Commissioner Hyde discussed the need for water at the time of building permit. Brandon recommended the City Council purchase additional water; then there would really be no issue. Brandon explained that this subdivision wasn't included when he did his calculations for water. Commissioner Johnson suggested looking down the road so that the water is cheaper. Brandon said he recommended the City Council purchase 200 to 250. Commissioner Winsor asked about the wetlands. He has read the information from Army Corp of Engineers. Brandon said there

are strong indications that all of it will be found non-jurisdictional. He said there is no official letter, but an email was sent. Brandon strongly recommends they install a land drain. Gardner Crane said we are planning on land drains and piping all the storm water.

**Rezone Application: request from ULI Holdings LLC for approx. 24.07 acres located at 545 E. 6650 S. (Parcel # 13-018-0015) be changed from an Agricultural Zone (A) to a Residential Moderate Zone (RM):** Commissioner Hyde said this request is consistent with the general plan.

**Preliminary Plan Application: Sunrise Ridge Subdivision (18 lots), located at approximately 2600 E. 8000 S. (Parcel #'s 13-041-0120 and 13-041-0119), 4.54 acres; Developer: Future Homes LLC (public hearing held October 23, 2014, formerly known as Orange Grove).** Commissioner Winsor discussed the drive approach entrance and gas line. Also, he asked about encroachment onto the Marvel property. Blair Gardner said we are relocating the gas line. He said we are also moving a shed for the Marvels. Blair Gardner said there is a sewer line that we are working on with the Burnett family.

**General Plan:** Commissioner Johnson said the City's master plan needs to be updated concerning the trails.

Contamination: Brent Poll, representing the South Weber Landfill Coalition, discussed the major problems with contamination from Hill Air Force Base. He said the Planning Commission and City Council keep approving subdivisions that are in the pathway of the HAFB pollution. He feels the City has nothing put in place. He said the City can't control the pollution, and Hill Air Force Base can't clean it all up either. He is concerned that the City keeps approving subdivisions. He received a letter dated 27 October 2014 from the Department of the Air Force in Washington DC that he requested be included in the minutes.

**ADJOURNED: 6:30 p.m.**

**PUBLIC HEARINGS NOTICE**  
**South Weber City, Utah**

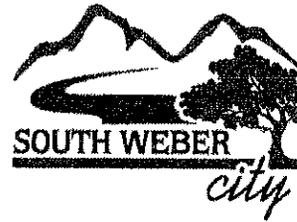
Notice is hereby given on Thursday, January 22, 2015, at approx. 6:30 p.m., in the South Weber City Council Chambers, 1600 E. South Weber Dr., South Weber, Davis County, Utah, the following public hearings will be held before the Planning Commission: (1) an amendment by Dan Murray to Highmark Subdivision located at approx. the southwest corner of South Weber Drive and 2700 E. (Parcel 13-292-0002 and a portion of 13-034-0051), 3.634 acres; and (2) a rezone request from Jeff Monroe for 4.57 acres located at approx. 400 East Old Post Office Road (Parcel 13-018-0070) be changed from an Agricultural Zone (A) to a Residential Low-Moderate Zone (R-LM). A copy of the associated information for the hearings is on file for review at the South Weber City Office. The public is invited to attend and make comments. In compliance with the Americans with Disabilities Act, individuals needing special accommodation during the public hearings should notify Elyse Greiner at 801-479-3177 two days prior to the meeting date. By: Elyse Greiner, Deputy Recorder.

**For Office Use Only**

Fees received by: EG Date of submittal: 01/06/15  
Amount Paid: 600.<sup>00</sup> Receipt #: 13.080189

Initial Review, all of the required supporting materials have been provided: DM

PC/CC Meeting Date: January 22, 2015



**Final Plan Application**

Project/Subdivision Name: Highmark Subdivision Amended  
Approx. Location: SWC South Weber Drive & Frontage Road  
Parcel Number(s): \* Total Acres: 3.634  
Current Zone: \_\_\_\_\_  
Surrounding Land Uses: Highmark Charter School & Undeveloped Comm.  
Number of Lots: 2 # Lots Per Acre: 1.8 Ac per Lot  
Phase: 1 of 1 PUD: Yes/ No  
\* 13-292-0002 and a portion of 13-034-0051

**Contact Information**

**Developer or Agent**

Name: Dan L Murray  
Company Name: Murray Family Holdings  
Address: 1907 No. 400 WJ  
City/State/Zip: Centerville, Ut. 84014  
Phone: (801) 910-7102 Fax: N/A  
Email: dan.murray@murrayfamilyinvestments.com

Best Way/Preferred Method of Contact:

Email  Phone  Fax  Mail

**Developer's Engineer**

Name: Von Hill  
Company: Hill & Angyle, Inc.  
License #: 166385  
Address: 181 No. 200 W, Suite #3  
City/State/Zip: Bountiful, Ut. 84010  
Phone: (801) 298-7236 Fax: (801) 298-6983  
Email: vhill@hillangyle.com

Best Way/Preferred Method of Contact:

Email  Phone  Fax  Mail

**Surveyor**

Check here if same as Engineer

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
License #: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

**Property Owner(s)**

Check here if same as Developer

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

## Final Plan Requirements

- Complete all conditions/requirements set by the Planning Commission at Preliminary Approval
- Finalized Draft of Covenants, Conditions, and Restrictions (if applicable)
- Finalized Storm Drain Calculations
- Any applicable agreements finalized, signed, and proof of recording with county provided (agreements with South Weber City must be finalized and remain unsigned)
- Finalized set of certified, stamped construction drawings and specifications as prepared by a licensed civil engineer\*\*

\*\*One full sized (24" x 36"), one reduced (11" x 17"), and one electronic PDF form shall be submitted of the following (the north area to point up or to the left):

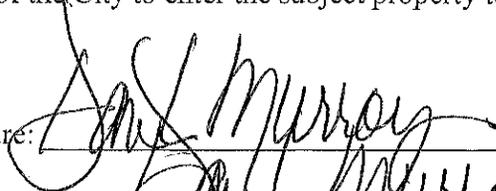
- Format of Final Plat for Recording Required by the County

\*All plans must be prepared and stamped by a licensed and/or certified professionals including, but not limited to, architects, landscape architects, land planners, engineers, surveyors, transportation engineers or other professionals as deemed necessary by the City Planner.

## Applicant Certification

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that The City of South Weber may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the South Weber City Land Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to pay all fees associated with this project, as set by the current adopted Consolidated Fee Schedule as well as any fees associated with any City Consultant (i.e. engineer, attorney). The applicant shall also be responsible for all collection fees incurred including a collection fee of up to 40% (pursuant to the provisions of the Utah Code Ann. §12-1-11). I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

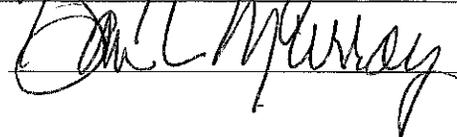
Applicant's Signature:



Date:

Jan 6, 2015

Property Owner's Signature:



Date:

Jan 6, 2015

SUBDIVISION: Highmark Subdivision Amended

PROPERTY PARCEL NUMBER(S): 13-292-0002 and a portion of 13-034-0051

APPLICANT'S AFFIDAVIT

State of Utah )  
County of Davis ) §

I/We Murray Family Holdings, LLC, the sole owner(s)/authorized agent of the owner(s) of the property involved in this application, located at SWC of South Weber & Frontage Rd, swear the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly, to the best of my/our ability, present the argument in behalf of the application requested herewith, and that the statements and information above referred to are in all respects true and correct to the best of my/our knowledge and belief.

Dated this 6th day of January, 2015.

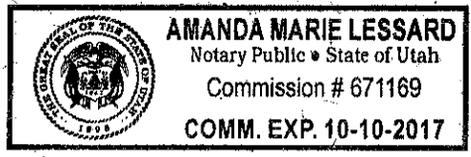
Signed:

[Signature]  
Property Owner or Agent

Property Owner or Agent

Subscribed and sworn to before me on this 6th day of January, 2015.

S  
E  
A  
L



[Signature]  
Notary Public

AGENT AUTHORIZATION

State of Utah )  
County of \_\_\_\_\_ ) §

I/We \_\_\_\_\_, the sole owner(s) of the real property located at \_\_\_\_\_, South Weber, Utah, hereby appoint \_\_\_\_\_ as my/our agent with regard to this application affecting the above described real property, and authorize said agent to appear on my/our behalf before any city commission, board or council considering this application.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

Signed:

\_\_\_\_\_  
Property Owner or Agent

\_\_\_\_\_  
Property Owner or Agent

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_.

S  
E  
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L

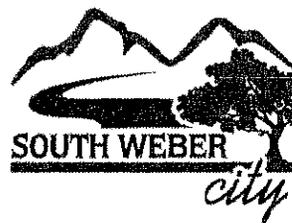
\_\_\_\_\_  
Notary Public

**For Office Use Only**

Fees received by: \_\_\_\_\_ Date of submittal: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Initial Review, all of the required supporting materials have  
been provided: \_\_\_\_\_

PC Meeting Date: \_\_\_\_\_



**Preliminary Plan Application**

Project/Subdivision Name: Highmark Subdivision Amended  
Approx. Location: SWC South Weber Drive & Frontage Road  
Parcel Number(s): \* 2 Total Acres: 3.634  
Current Zone: \_\_\_\_\_ If Rezoning, to what zone: \_\_\_\_\_ Bordering Zones: \_\_\_\_\_  
Surrounding Land Uses: Highmark Charter School - Undeveloped Commercial  
Number of Lots: 2 # Lots per Acre: ~~2.1~~  
Phase: 1 of 1 PUD: Yes/No

\* 13-292-0002 and a portion of 13-034-0051  
**Contact Information**

**Developer or Agent**

**Developer's Engineer**

Name: DAN L MURRAY  
Company Name: Murray Family Holdings  
Address: 1907 No. 200 W  
City/State/Zip: Centerville, UT. 84014  
Phone: (801) 910-7102 Fax: N/A  
Email: dan.murray@murrayfamilyinvestments.com

Name: Von Hill  
Company: Hill & Argyle, Inc.  
License #: 166385  
Address: 181 No. 200 W, Suite #3  
City/State/Zip: Bountiful, UT. 84010  
Phone: (801) 298-2236 Fax: (801) 298-5983  
Email: vhill@hillargyle.com

**Best Way/Preferred Method of Contact:**

Email  Phone  Fax  Mail

**Best Way/Preferred Method of Contact:**

Email  Phone  Fax  Mail

**Surveyor**

**Property Owner(s)**

Check here if same as Engineer

Check here if same as Developer

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
License #: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

## Preliminary Plan Requirements

- Complete all conditions/requirements set by the Sketch Plan committee
- 2 Sets of Mailing Labels – listing the names/mailling addresses for property owners within 300' for the outer boundaries of the property
  - o A list of delineating parcel numbers for each of the surrounding property owners
- Current Title Report
- Draft of easements/agreements with adjacent property owners (if applicable)
- Draft of Covenants, Conditions, and Restrictions (if applicable)
- Complete Utility Notification Form
- A letter of approval from applicable Secondary Water provider stating date of plans reviewed and date approved
- A written statement from the Army Corps of Engineers regarding wetland mitigation (if applicable)
- Preliminary Storm Drain Calculations (See Storm Drain Ordinance)

(801) 476-9769  
Brandon Jones - Jones & Associates

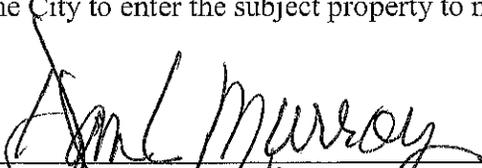
One full sized (24" x 36"), one reduced (11" x 17"), and one electronic PDF form shall be submitted of the following (north to face up or to the right):

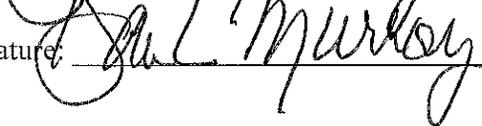
- Information to Include on all Drawings:** This is in addition to information required by sketch plan application, and is not limited to the following:
  - o The approved name of the subdivision and the words "Preliminary Plat – Not to be Recorded" listed on each page
  - o Written indication of design criteria to be used in design of improvements
  - o Dimensions shown in feet and decimals
  - o Bearings shown in degrees, minutes, and seconds
  - o Contours at two foot intervals for predominant ground slopes between level and ten percent
  - o Contours at five foot intervals for predominant ground slopes greater than ten percent
  - o Location and sizes of proposed sanitary sewers and other sewage disposal facilities
  - o Location and sizes of culinary water facilities
  - o Location and size of storm drainage facilities and detention basins
  - o Wetland Delineation (if applicable)
  - o Boundaries of areas subject to flooding or storm water overflow in accordance with FEMA's flood plain mapping
    - Width and direction of flow of all watercourses
    - Include existing and proposed irrigation and natural runoff channels/courses
  - o Location, proposed names, widths and typical cross section of streets, curbs, gutter, sidewalks, and other improvements of proposed street right-of-ways and access easements
  - o Dimensions and locations of all existing or proposed dedications, easements, and deed restrictions
  - o Location of any improvements that may be required to be constructed beyond the boundaries of the subdivision (as appropriate)
  - o Type and size of fencing shown along canals, waterways, and agricultural land

\*All plans must be prepared and stamped by a licensed and/or certified professionals including, but not limited to, architects, landscape architects, land planners, engineers, surveyors, transportation engineers or other professionals as deemed necessary by the City Planner.

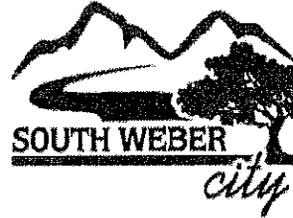
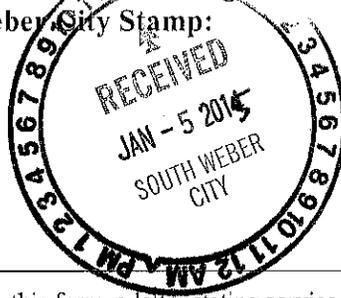
### **Applicant Certification**

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that The City of South Weber may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the South Weber City Land Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to pay all fees associated with this project, as set by the current adopted Consolidated Fee Schedule as well as any fees associated with any City Consultant (i.e. engineer, attorney). The applicant shall also be responsible for all collection fees incurred including a collection fee of up to 40% (pursuant to the provisions of the Utah Code Ann. §12-1-11). I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Applicant's Signature:  Date: Jan 6, 2015

Property Owner's Signature:  Date: Jan 6, 2015

All Plans Must Reflect The Following Date  
& South Weber City Stamp:



\*If a utility can not be reached to sign this form, a letter stating service will be provided from that utility is acceptable, provided that the same plans have been shown to all utilities. Plans will not be approved by the city until this document is completed and returned.

## Utility Notification Form

### Project/Subdivision

### Developer or Agent

Name: Amended Highmark Sub  
 Residential  Commercial  
Approx. Location: S. Weber/Frontage  
Parcel Number(s): \_\_\_\_\_  
Number of Lots: 2  
Phase: \_\_\_\_\_ of \_\_\_\_\_ PUD: Yes  (No)

Name: Dan L Murray  
Company Name: Murray Family Holdings LLC  
Address: 1907 No. 400 W  
City/State/Zip: Centerville, Ut. 84014  
Phone: (801) 910-7102  
Fax: \_\_\_\_\_  
Email: dan.murray@murrayfamilyinvestments.com

### QUESTAR GAS

Name: Robert Combs Title: Site Cust Phone: 801-710-3755  
(please print)  
Signature: \_\_\_\_\_ Date: Dec 11, 14

### COMCAST CABLE TV

Name: Greg Miller Title: \_\_\_\_\_ Phone: (801) 401-3017  
(please print) SEE ATTACHED  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

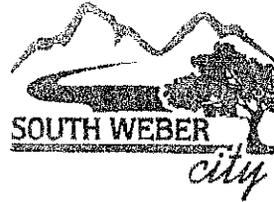
### QWEST CENTURY LINK

Name: Jason Libert Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
(please print) SEE ATTACHED  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### ROCKY MOUNTAIN POWER

Name: Curtis Bulwer Title: Estimator Phone: 801-629-4318  
(please print)  
Signature: Curt Bulwer Date: 12-11-14

All Plans Must Reflect The Following Date  
& South Weber City Stamp:



\*If a utility can not be reached to sign this form, a letter stating service will be provided from that utility is acceptable, provided that the same plans have been shown to all utilities. Plans will not be approved by the city until this document is completed and returned.

### Utility Notification Form

#### Project/Subdivision

#### Developer or Agent

Name: Amended Highmark Sub  
 Residential  Commercial  
Approx. Location: S. Weber/Frontage  
Parcel Number(s): \_\_\_\_\_  
Number of Lots: 2  
Phase: \_\_\_\_\_ of \_\_\_\_\_ PUD: Yes  No

Name: Dan L Murray  
Company Name: Murray Family Holdings LLC  
Address: 1907 No. 400 W  
City/State/Zip: Centerville, UT 84014  
Phone: (801) 910-7102  
Fax: \_\_\_\_\_  
Email: dan.murray@murrayfamilyinvestments.com

#### QUESTAR GAS

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
(please print)  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### COMCAST CABLE TV

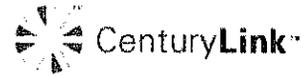
Name: Greg Miller Title: Coord. 2 Plan & Design Phone: (801) 401-3017  
(please print)  
Signature: [Signature] Date: 12/11/2014

#### QWEST

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
(please print)  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### ROCKY MOUNTAIN POWER

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
(please print)  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_



DATE: 12/16/14

TO: Dan L. Murray

RE: Amended Highmark Subdivision

Dear Dan,

Recently you approached CenturyLink about providing a "will serve" letter to serve Murray Family Holdings LLC. CenturyLink appreciates the opportunity to provide the Amended Highmark Subdivision with its future communication needs. In response to the request for a commitment to serve, CenturyLink will work with Murray Family Holdings LLC on determining what the needs will be. Upon such determination, CenturyLink will undertake an analysis of the construction required and the cost to complete that construction. It is only at that point, and given the prevailing Terms and Conditions of the Local Terms of Service that CenturyLink will make a determination whether it can or cannot provide service.

The service you request will be provided for under the prevailing Terms and Conditions of the Local Terms of Service posted on our CenturyLink web site at [www.CenturyLink.com/tariffs](http://www.CenturyLink.com/tariffs).

If there are any further questions, or if I can be of any help, please do not hesitate to call me on telephone number 385 244-5449 I will work with you on the requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Libert", written over a horizontal line.

Jason Libert  
Engineer II

December 11, 2014

MURRAY FAMILY HOLDINGS LLC  
1907 N 400 W  
CENTERVILLE, UTAH 84014

Dear Dan Murray

*Re: Natural Gas Service Availability Letter*

Natural gas can be made available to serve the AMENDED HIGHMARK SUBDIVISION development when the following requirements are met:

1. Developer provides plat maps, drawings, construction schedules, average size of homes, units, and/or buildings that will be served by natural gas, and any and all other relevant information regarding commercial and residential uses, including but no limited to, proposed natural gas appliances (number and type of appliances per unit, homes, building).
2. Review and analysis by Questar Gas' Engineering and/or Pre-Construction Department to determine load requirements. System reinforcement requirements and estimated costs to bring natural gas to the development.
3. Address & street name.

Upon completion of Questar Gas' review of the development's natural gas requirements, agreements will be prepared, as necessary, for high pressure, intermediate high pressure and/or service line extensions required to serve the development. These service extensions must be paid in advance.

To accommodate your construction schedule and provide cost estimates to you, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Comeau". The signature is fluid and cursive, with a large initial "R" and "C".

Robert Comeau  
Pre-Construction Representative



December 11, 2014

To whom it may concern,

This letter is to verify that Comcast service is available to Highmark Subdivision Amended located at South Weber Dr./ Frontage Rd., South Weber, UT. Comcast will generally provide all materials and labor to provide broad band services from the property line to the point of service, in a trench provided by the property owner. The cost of installation, construction and provision of cable, internet and voice service will be part of the contract negotiations with the Owner of the Property or a designated representative. **This letter is not to be considered a contract or guarantee of service.** Furthermore, all permits, licenses and rights of access must be provided by the Owner prior to any provision of services.

Please be advised that we require a minimum of 90 days for project approvals and construction **after we receive a signed contract.**

Please contact me Greg Miller at 801-401-3017 before opening utility trenches. We look forward to working with you on this Project; please feel free to contact me at 801-401-3017 with any questions or concerns.

Sincerely,

---

Greg Miller  
Comcast Cable  
801 401-3017 office  
801 255-2711 fax  
1350 E Miller Avenue  
Salt Lake City, Utah 84106

# **SOUTH WEBER WATER IMPROVEMENT DISTRICT**

7924 S. 1900 E.  
South Weber, UT 84405  
Phone (801) 475-4749  
Fax (801) 475-0508  
Emergency (801) 510-8073  
Maintenance  
Rorie Stott (801) 336-8951

**BOARD DIRECTORS**  
Ferrin Calder 479-4475  
Owen Cash 479-7858  
Jan Ukena 479-8749  
Jeffery Monroe 479-5213  
Leslie Waters 479-6634

To: South Weber City,

The South Weber Water Improvement District will furnish secondary water to the Highmark Subdivision lots 1 & 2. Subject to the following conditions and requirements by the Water District:

1. Purchase water for the 3.5 acres
2. Routing of secondary water lines

DATED this 6 day of January 2015

Thank you,

South Weber Water Improvement District

 <b>First American Title™</b>	<b>Commitment for Title Insurance</b>
	ISSUED BY <b>First American Title Insurance Company</b>
<b>Commitment</b>	

**FIRST AMERICAN TITLE INSURANCE COMPANY**, a Nebraska corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

*This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.*

All liability and obligation under this Commitment shall cease and terminate 180 days after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

---

In Witness Whereof, First American Title Insurance Company has caused its corporate name to be affixed by its duly authorized officers on the date shown in Schedule A.

**First American Title Insurance Company**

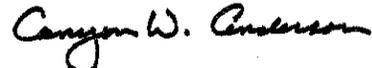


Dennis J. Gilmore  
President



Jeffrey S. Robinson  
Secretary

Backman Title  
Services, Ltd.  
167 East 6100 South  
Murray, UT 84107

By:   
Authorized Countersignature

(This Commitment is valid only when Schedules A and B are attached)  
 Copyright 2006-2009 American Land Title Association. All rights reserved. The use of this form is restricted to ALTA licensees and ALTA members in good standing as of the date of use.  
 All other uses are prohibited. Reprinted under license from the American Land Title Association.

## CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <<http://www.alta.org/>>.*

**SCHEDULE A**

Order Number: **6-060893 (Revised No. 1)**

1. Effective date: **August 21, 2014 at 7:45 a.m.**

2. Policy or Policies to be issued:	Amount of Insurance
(a) ALTA Owner's (6-17-06)	<b>\$400,000.00</b>

Proposed Insured:

**Murray Family Holdings, LLC**

(b) ALTA Loan (6-17-06)	\$
-------------------------	----

Proposed Insured:

**Cash Transaction**

(c) ALTA Loan	\$
---------------	----

Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is

**Fee Simple**

4. Title to the fee simple estate or interest in said land is at the effective date hereof vested in:

**Savage Companies, a Utah Corporation**

5. The land referred to in this Commitment is in the State of Utah, County of **Davis** and is described as follows:

SEE ATTACHED LEGAL DESCRIPTION.

Purported Address:

**2543 East South Weber Drive  
South Weber, Utah 84405**

**STATEMENT OF CHARGES**

These charges are due and payable before a Policy can be issued.

<b>Owners Premium</b>	<b>\$1,866.00</b>
<b>Lenders Premium</b>	<b>\$</b>

## **SCHEDULE A**

Order Number: **6-060893**

### **LEGAL DESCRIPTION**

**Lot 2, Highmark Subdivision**, according to the official plat thereof on file and of record in the office of the **Davis** County Recorder.

Parcel No.: **13-292-0002**

## SCHEDULE B – SECTION 1

Order Number: 6-060893

### REQUIREMENTS

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record.

TO-WIT:

NOTICE TO APPLICANT: The land covered herein may be serviced by districts, service companies and/or municipalities, which assess charges for water, sewer, electricity and any other utilities, etc. which are not covered by this Commitment or insured under a title insurance policy.

NOTE: If the applicant desires copies of the documents underlying any exception to coverage shown herein, the Company will furnish the same on request, if available, either with or without charge as appears appropriate.

NOTE: Any matter in dispute between you and the Company may be subject to arbitration as an alternative to court action pursuant to the Title Insurance Rules of the American Arbitration Association, a copy of which is available on request from the Company. Any decision reached by arbitration shall be binding upon both you and the Company. The arbitration award may include attorney's fees if allowed by state law and may be entered as a judgment in any court of proper jurisdiction.

1. OBTAIN AND RECORD a Warranty Deed from the vestees herein to the proposed insured.
2. OBTAIN AND RECORD a Trust Deed to secure your loan.
3. Upon Compliance with the Company's underwriting requirements, Items 1 – 8 on Schedule B-2 will be deleted on an ALTA Loan Policy.
4. Evidence to, and the approval by the company of the legal capacity and authority under which Savage Companies, a Utah Corporation intends to execute the contemplated transaction. Said evidence must be delivered to the Company prior to closing, and this commitment may be subject to additional requirements at that time.
5. A. A copy of the "articles of organization" of the Murray Family Holdings, LLC (and all amendments thereto) bearing the filing stamp of the office of the Utah Secretary of State.  
B. A copy of a duly executed "regulations" or "operating agreement" (and all amendments thereto) which contains the identity of all members and their voting percentages.  
C. A copy of any instrument appointing a manager or managers of the LLC.  
D. A written instrument signed by the members evidencing the consent to the proposed transaction by either a majority of the member interests or such greater percentage as may be required under the written operating agreement with specific authorizations for designated members or managers to execute all documents and perform all actions necessary to consummate the specific transaction.

6. Advise the company of any planned, newly commenced, or unfinished construction. If such exists, do the following:
  - a. Search the State Construction Registry for any filed Preliminary Notices and require any parties who have so filed to withdraw their notices if paid for work, then complete and sign the underwriter's Receipt of Payment in Full.
  - b. Collect the filing fee and file with the State Construction Registry a Notice of Construction Loan.
  - c. Issue an SCR Endorsement on the loan policy.

Your Order has been assigned to **Jim Crockatt** for full service escrow at **167 East 6100 South, Murray, Utah 84107**. For any escrow/closing questions please call **(801) 561-2089**, or email [jcrockatt@backmantitle.com](mailto:jcrockatt@backmantitle.com).

Please forward all electronic loan/closing documents to [loandocs@backmantitle.com](mailto:loandocs@backmantitle.com).

Please direct any title inquiries concerning this commitment to **Brad Lewis**.

NOTE: The following names have been checked for Judgments, Federal Tax Liens and Bankruptcies:

Savage Companies  
Murray Family Holdings, LLC

## SCHEDULE B – SECTION 2

Order Number: 6-060893

### EXCEPTIONS

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency, which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public record.
2. Any facts, rights, interests or claims which are not shown by the public records, but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents, or Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Any adverse claim based upon the assertion that (a) Some portion of the land forms the bed or bank of a navigable river or lake, or lies below the mean high water mark thereof; (b) The boundary of the land has been affected by a change in the course or water level of a navigable river or lake; (c) The land is subject to water rights, claims or title to water and to any law or governmental regulation pertaining to wetlands.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Lien of taxes, not yet due and payable:

Year:	2014
Parcel No.:	13-292-0002
Prior year:	2013 Paid
Amount:	\$4,568.19
10. The land described herein is located within the boundaries of Davis County Taxing District No. 46, and is subject to any assessments levied thereby.
11. The land described herein is located within the boundaries of the Weber Basin Water District (771-1677), and is subject to any assessments levied thereby.
12. The land described herein is located within the boundaries of the South Weber City District (479-3177), and is subject to any assessments levied thereby.
13. The land described herein is located within the boundaries of the Central Weber Sewer (731-3011), and is subject to any assessments levied thereby.

14. Reservations in favor of the Grantor
  - Grantor: United States of America
  - Recorded: October 19, 1889
  - Entry No.: 4736
  - Book/Page: K/588
  - Wherein: Yet excluding and excepting from the transfer by these presents all mineral lands should any such be found to exist in the tracts described in the foregoing but this exclusion and exception according to the terms of the statute shall not be construed to include coal and iron lands.
15. Easement as delineated and/or dedicated on the recorded plat.
16. Subject to the Notes as shown on the official recorded plat.
17. Easement Deed and Agreement, including the terms and conditions thereof, but not limited to the following:
  - Between: South Weber City
  - And: The Savage Companies
  - Dated: May 27, 1992
  - Recorded: June 3, 1992
  - Entry No.: 975583
  - Book/Page: 1502/323
  - Providing: A 25 foot wide permanent easement and right of way for the installation, maintenance, repair or replacement of a sewer system pipeline through Savage's property; and also, Waiver of main sewer connection charge should Savage develop it's property
18. Restrictions, Conditions and Easements as reserved by Final Order of Condemnation:
  - Recorded: November 13, 2003
  - Entry No.: 1931798
  - Book/Page: 3416/192
19. Easement, and the terms and conditions thereof:
  - Grantee: Jane M. Poll and her successor trustees, as Trustees of the Jane M. Poll Trust
  - Recorded: November 22, 2011
  - Entry No.: 2628573
  - Book/Page: 5404/281
  - Purpose: Easement for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground secondary water lines and all necessary or desirable accessories and appurtenances thereto
  - Area Affected: Northerly and Westerly portions
20. The terms and conditions of that certain Developer's Subdivision Agreement with South Weber City:
  - Recorded: December 5, 2011
  - Entry No.: 2630649
  - Book/Page: 5411/573
21. Any unrecorded leases and/or assignments thereof.
22. Shared driveway along the Westerly boundary and any agreement(s) for the use and maintenance thereof.

## SCHEDULE C

Order Number: **6-060893**

### Chain of Title

According to Official Records, there have been no documents conveying the land described herein within a period of 24 months prior to the date of this commitment, except as follows:

<u>Document Name</u>	<u>Recording Date</u>	<u>Entry No.</u>	<u>Book</u>	<u>Page</u>
NONE				

## PRIVACY POLICY

*First American Title Insurance Company*

### WE ARE COMMITTED TO SAFEGUARDING CUSTOMER INFORMATION

*In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information, particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.*

### APPLICABILITY

*This Privacy Policy governs our use to the information, which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values, a copy of which can be found on their website at [www.firstam.com](http://www.firstam.com).*

### TYPES OF INFORMATION

*Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:*

- \* Information we received from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means.*
- \* Information about your transactions with us, our affiliated companies, or others; and*
- \* Information we receive from a consumer-reporting agency.*

### USE OF INFORMATION

*We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.*

### FORMER CUSTOMERS

*Even if you are no longer our customer, our Privacy Policy will continue to apply to you.*

### CONFIDENTIALITY AND SECURITY

*We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities that need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.*

**Property Owners within 300 of Highmark Subdivision**  
December 15, 2014

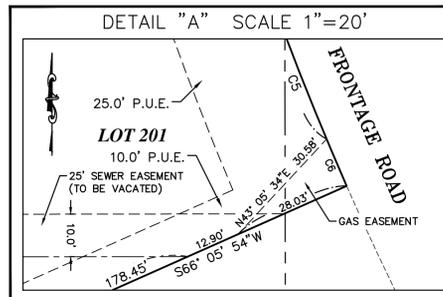
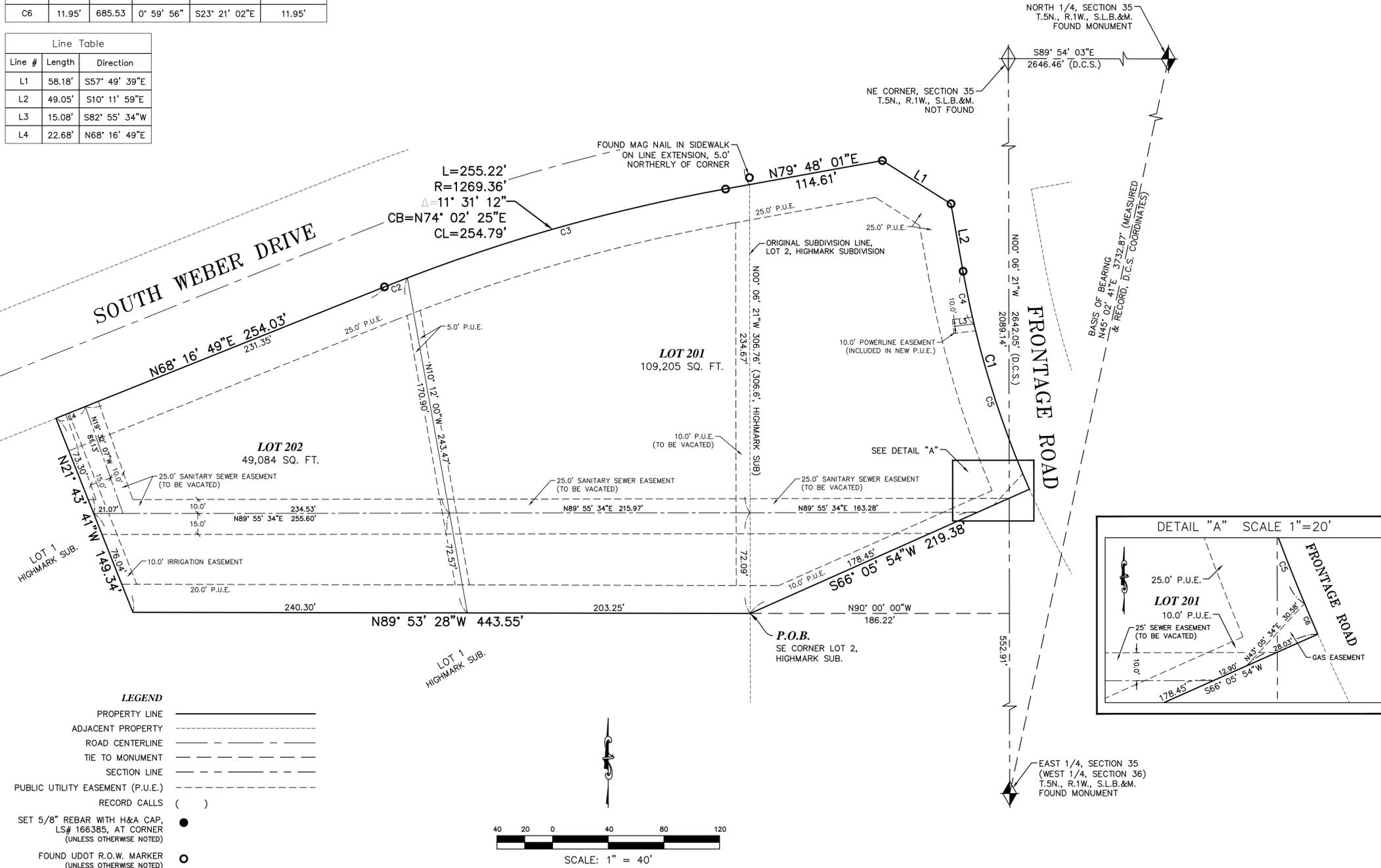
Parcel ID	Name	Address	City	State	Zip
13-036-0094	Alan & Brianna L Travieso	2469 East 7800 South	South Weber	Utah	84405
13-036-0020	Allan & Lori Poll	2555 East 7800 South	South Weber	Utah	84405
13-034-0021	Douglas W and Diane L Austin, Trustee	1550 East 7800 South	South Weber	Utah	84405
13-036-0098	Edward L & Joan Poll, Trustee	2525 East 7800 South	South Weber	Utah	84405
13-036-0069	Farrell Don & Sherry Lee Poll	2316 East 7800 South	South Weber	Utah	84405
13-036-0095	Gardeners Grove LLC	5617 South 1475 East	Ogden	Utah	84403
13-034-0024	Gary E & Sharon Girres	2540 East 7800 South	South Weber	Utah	84404
13-034-0060	Jane M Poll, Trustee	2310 East 7800 South	South Weber	Utah	84405
13-034-0022	Kim M & Susan W Westbroek	2560 East 7800 South	South Weber	Utah	84405
13-034-0018	Mark C Fernellius	2470 East 7800 South	South Weber	Utah	84405
13-034-0059	Mark C Fernellius	2470 East 7800 South	South Weber	Utah	84405
13-034-0058	Mark C Fernellius	2470 East 7800 South	South Weber	Utah	84405
13-036-0065	Mark C Fernellius	2470 East 7800 South	South Weber	Utah	84405
13-127-0002	Mark C Fernellius	2470 East 7800 South	South Weber	Utah	84405
13-127-0001	Mark C Fernellius	2470 East 7800 South	South Weber	Utah	84405
13-034-0023	Mark C Fernellius	2470 East 7800 South	South Weber	Utah	84405
13-034-0044	Murray Famil Holdings, LLC	1907 North 400 West	Centerville	Utah	84014
13-034-0051	Murray Family Holdings, LLC	1907 North 400 West	Centerville	Utah	84014
13-036-0015	Peggy Marlen Bon, Trustee	2485 East 7800 South	South Weber	Utah	84405
13-036-0081	Randy & Susan Schreifels	2505 East 7800 South	South Weber	Utah	84405
13-039-0014	Shalee A Schreifels	2610 East 7800 South	South Weber	Utah	84405
13-034-0038	South Weber City	1600 East South Weber Drive	South Weber	Utah	84405
13-036-0017	South Weber City	1600 East South Weber Drive	South Weber	Utah	84405
13-039-0055	South Weber Development Partners, LLC	8271 South 2600 East	Ogden	Utah	84405
13-034-0053	Staker and Parsons Companies/ C/O Dak	P.O. Box 3429	Ogden	Utah	84409
13-034-0047	Staker and Parsons Companies/ C/O Dak	P.O. Box 3429	Ogden	Utah	84409
13-036-0002	Vinko & Michelle H Fatovic	2575 East 7800 South	South Weber	Utah	84405

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	163.32'	685.53	13° 39' 01"	S17° 01' 30"E	162.94'
C2	17.68'	1269.36	0° 47' 53"	N68° 40' 45"E	17.68'
C3	237.54'	1269.36	10° 43' 19"	N74° 26' 21"E	237.20'
C4	38.41'	685.53	3° 12' 37"	S11° 48' 18"E	38.41'
C5	112.96'	685.53	9° 26' 27"	S18° 07' 50"E	112.83'
C6	11.95'	685.53	0° 59' 56"	S23° 21' 02"E	11.95'

Line Table		
Line #	Length	Direction
L1	58.18'	S57° 49' 39"E
L2	49.05'	S10° 11' 59"E
L3	15.08'	S82° 55' 34"W
L4	22.68'	N68° 16' 49"E

# HIGHMARK SUBDIVISION AMENDED

AMENDING LOT 2, HIGHMARK SUBDIVISION  
 LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, AND THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN  
 SOUTH WEBER CITY, DAVIS COUNTY, UTAH  
 DECEMBER 2014



## SURVEYOR'S CERTIFICATE

I, VON R. HILL, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 166385 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERETH AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS HIGHMARK SUBDIVISION AMENDED AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN.

## BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, HIGHMARK SUBDIVISION, SAID POINT BEING NORTH 00°06'21" WEST 552.91 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" WEST 186.22 FEET FROM THE EAST QUARTER CORNER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°53'28" WEST 443.55 FEET ALONG THE LOT LINE; THENCE NORTH 21°43'41" WEST 149.34 FEET ALONG THE LOT LINE TO THE SOUTH RIGHT-OF-WAY LINE OF SOUTH WEBER DRIVE SURVEYOR NO. 166385; THENCE NORTH 68°16'49" EAST 254.03 FEET ALONG SAID SOUTH LINE TO A TANGENT POINT ON A 1269.36-FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTERLY 255.22 FEET ALONG SAID CURVE AND SAID SOUTH LINE THROUGH A CENTRAL ANGLE OF 11°31'12", CHORD BEARS NORTH 74°02'25" EAST 254.79 FEET; THENCE NORTH 79°48'01" EAST 114.61 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 57°49'39" EAST 58.18 FEET TO THE WEST RIGHT-OF-WAY LINE OF A FRONTAGE ROAD; THENCE SOUTH 10°11'59" EAST 49.05 FEET ALONG SAID WEST LINE TO A TANGENT POINT ON A 685.53-FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 163.32 FEET ALONG SAID CURVE AND SAID WEST LINE THROUGH A CENTRAL ANGLE OF 13°39'01", CHORD BEARS SOUTH 17°01'30" EAST 162.94 FEET; SOUTH 66°05'54" WEST 219.38 FEET TO THE POINT OF BEGINNING.

CONTAINS 3.634 ACRES.

## OWNER'S DEDICATION

WE, THE UNDERSIGNED, OWNERS OF THE HEREON-DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS, AS SHOWN ON THIS PLAT, AND NAME SAID TRACT OF LAND HIGHMARK SUBDIVISION AMENDED AND HEREBY DEDICATE, GRANT AND CONVEY TO SOUTH WEBER CITY, DAVIS COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS AND PARCELS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DEDICATE TO SOUTH WEBER CITY THOSE CERTAIN STRIPS AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES, AS SHOWN HEREON, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE, AS MAY BE AUTHORIZED BY SOUTH WEBER CITY.

THE UNDERSIGNED HEREBY CERTIFY THAT THIS SUBDIVISION HAS MET ALL REQUIREMENTS OF SOUTH WEBER CITY ORDINANCES

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

## CORPORATE ACKNOWLEDGMENT

ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ THERE PERSONALLY APPEARED BEFORE ME, \_\_\_\_\_, WHO BEING BY ME DULY SWORN DID SAY THAT HE/SHE IS THE \_\_\_\_\_ OF \_\_\_\_\_ COMPANY AND THAT THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION, AND HE/SHE ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC: \_\_\_\_\_  
 RESIDENCE: \_\_\_\_\_  
 MY COMMISSION EXPIRES: \_\_\_\_\_

## CORPORATE ACKNOWLEDGMENT

ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ THERE PERSONALLY APPEARED BEFORE ME, DR. BENTLY MCENTIRE, WHO BEING BY ME DULY SWORN DID SAY THAT HE/SHE IS THE CHAIRPERSON OF HIGHMARK CHARTER SCHOOL, A NON-PROFIT CORPORATION, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION, AND HE/SHE ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC: \_\_\_\_\_  
 RESIDENCE: \_\_\_\_\_  
 MY COMMISSION EXPIRES: \_\_\_\_\_

- LEGEND**
- PROPERTY LINE \_\_\_\_\_
  - ADJACENT PROPERTY \_\_\_\_\_
  - ROAD CENTERLINE \_\_\_\_\_
  - TIE TO MONUMENT \_\_\_\_\_
  - SECTION LINE \_\_\_\_\_
  - PUBLIC UTILITY EASEMENT (P.U.E.) \_\_\_\_\_
  - RECORD CALLS ( )
  - SET 5/8" REBAR WITH H&A CAP, LS# 166385, AT CORNER (UNLESS OTHERWISE NOTED) ●
  - FOUND UDOT R.O.W. MARKER (UNLESS OTHERWISE NOTED) ○

**H HILL & ARGYLE, Inc.**  
 Engineering and Surveying  
 181 North 200 West, Suite #4, Bountiful, Utah 84010  
 (801) 298-2236 Phone, (801) 298-5983 Fax  
 PROJECT 14-369 12/12/14 12/17/14

**CITY COUNCIL'S APPROVAL**  
 PRESENTED TO THE CITY COUNCIL OF SOUTH WEBER CITY, UTAH, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

**CITY ENGINEER'S APPROVAL**  
 APPROVED BY THE SOUTH WEBER CITY ENGINEER ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY \_\_\_\_\_  
 SOUTH WEBER ENGINEER

**RECOMMENDATION FOR APPROVAL**  
 ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY \_\_\_\_\_  
 CHAIRPERSON

**RECOMMENDATION FOR APPROVAL**  
 APPROVED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY \_\_\_\_\_  
 ATTORNEY

**RECOMMENDATION FOR APPROVAL**  
 ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY \_\_\_\_\_  
 THE SOUTH WEBER IRRIGATION COMPANY.

**RECOMMENDATION FOR APPROVAL**  
 ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
 FILED FOR RECORD AND RECORDED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF \_\_\_\_\_  
 COUNTY RECORDER:  
 BY: \_\_\_\_\_ DEPUTY

---

**MEMORANDUM**

TO: South Weber City Planning Commission

FROM: Brandon K. Jones, P.E.  
South Weber City Engineer 

CC: Barry Burton – South Weber City Planner  
Mark B. Larsen – South Weber City Public Works Director  
Elyse Greiner – South Weber City Deputy Recorder

RE: **HIGH MARK SUBDIVISION – 1<sup>ST</sup> AMENDMENT**  
**Preliminary Review**

Date: January 19, 2015

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Our office has completed a review of the Preliminary Plat for the High Mark Subdivision – 1<sup>st</sup> Amendment received on January 12, 2015. We recommend preliminary approval, subject to the following items being addressed as stated below.

We recommend that the following items be completed before final approval from the Planning Commission.

**PLAT**

1. The plat is amending Lot 2 of the original Highmark Subdivision. The title of the plat should be “Highmark Subdivision – 1<sup>st</sup> Amendment.” This avoids any confusion if the plat is amended again.
2. The sewer easement labeled “to be vacated” should add “after the new sewer line is in service” to the end of the note.
3. The PUE labeled “to be vacated” should add “with the recording of this plat” to the end of the note.
4. Easement widths need to be verified with the proposed utilities (see Improvement Plans below).
5. The street labeled as the “Frontage Road” should be labeled as “2700 East.”
6. The only signature blocks required are: City Council, Planning Commission, City Engineer and City Attorney. The signature blocks need to be corrected as necessary.
7. Addresses for the lots will be provided by our office

**IMPROVEMENT PLANS**

8. No improvement plans were submitted with this plat. These lots do not become “buildable” until some improvements are made. We therefore recommend that a set of improvement plans be provided that address the following:

- a. Show all existing utilities.
  - b. The relocation of the existing sewer main and new service laterals to each lot.
  - c. The location of the water service laterals to each lot.
  - d. The extension of the storm drain to serve Lot 201. This storm drain also needs to extend through Lot 201 to the east in order to serve the undeveloped ground southeast of this development.
  - e. The relocation of any irrigation mains as required by the South Weber Secondary Water Improvement District and the new service laterals to each lot.
  - f. Proposed driveway locations and widths.
9. An approval letter from UDOT will be required if an additional access point is desired on South Weber Drive (SR-60). If access off of SR-60 is not granted for Lot 201, then an access easement may be required across Lot 202. This would have to be reflected on the plat.
10. Once the final plans have been completed, these should be submitted to the South Weber Secondary Water Improvement District for their review and approval. An approval letter approving the proposed connections, improvements, changes, etc. will be required.

We recommend that the following items be completed before the final plat is recorded.

#### **SITE PLAN**

11. It is our understanding that the applicant desires to get a plat approved by the City and then market potential commercial entities to submit a Site Plan on the desired lot. At this point, the following will need to be addressed:
- a. A geotechnical study will need to be performed that specifically addresses the proposed development.
  - b. Any water supply issues will need to be addressed based on the amount of water needed.
  - c. The approved improvement plans will need to be modified, if necessary, to address any new issues caused by the proposed Site Plan improvements.
  - d. A Landscape Plan will be needed.
  - e. A cash escrow account will need to be set up as a Guarantee for the required improvements. The developer will only need to escrow for the improvements remaining, plus a 15% Contingency of the improvements remaining and a 10% Guarantee of the total improvements.

APPLICATION FOR CHANGE OF ZONING  
South Weber City  
1600 East South Weber Drive  
South Weber, Utah 84405  
Phone: (801) 479-3177 Fax: (801) 479-0066

OFFICE USE: Application # 2015-01 Fee \$ 300.<sup>00</sup> Receipt # 13.080202 Date Received 01/08/15

Owner of Property Warren Reynolds

Applicant's Name Warren Reynolds  
Mailing Address 5469 South 150 East City, State, Zip Washington Terrace, UT 84405  
Phone 801-941-7765 Fax \_\_\_\_\_ Email \_\_\_\_\_

Agent's Name Jeff MONroe  
Mailing Address 7965 South 2175 East City, State, Zip South Weber, Utah, 84405  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

Request: 4.57 Acres/Sq. Feet be changed from A zone to R-LM zone  
\_\_\_\_\_ Acres/Sq. Feet be changed from \_\_\_\_\_ zone to \_\_\_\_\_ zone

Property Address: Approximately 400 East Old Post Road Office Bldg

Parcel Number(s): 130180070 Total Acres or Sq. Feet: 4.57 Acres

Legal Description: (If description is longer than space provided, please submit complete legal description on an addendum sheet.)  
Attached

What is the proposed use?  
The purpose of the re-zone is for the development of a residential subdivision that meets the requirements of the R-LM Zone.

In what way does the proposal recognize the City's General Plan?  
The property is bordered by parcels currently zoned or subdivided under the RM or R-LM Zone on the North, East and Westerly boundaries and therefore will fit into the surrounding zones.

**Public Notice Authorization:** I (we) do hereby give permission to South Weber City to place a city a public notice@ sign on the property contained in this application for the purpose of notification of the change of zoning application.

Signed: Jeff Monroe  
Property Owner/Agent

**APPLICANT'S AFFIDAVIT**

State of Utah )  
County of Davis )

I (we) Jeff Monroe, being duly sworn, depose and say I (we) am (are) the sole  
Property Owner(s) or Agent of Owner

owner(s)/agent of the owner(s), of the property involved in this application, to-wit, Approx 400 E Old Post Office  
Property Address RD

and that the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly and to the best of my ability, present the argument in behalf of the application. Also, all statements and information are in all respects true and correct, to the best of my knowledge and belief.

Dated this 8 day of January, 2015.

Signed: Jeff Monroe \_\_\_\_\_  
Property Owner or Agent Property Owner or Agent

Subscribed and Sworn before me this 8 day of January, 2015.



Notary Public: Amy Rodriguez

**AGENT AUTHORIZATION**

State of Utah )  
County of \_\_\_\_\_ )

I (we) J. Warren Reynolds, the sole owner(s) of the real property located at  
Property Owner(s)

as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and to appear on my (our) behalf before any city boards considering this application.

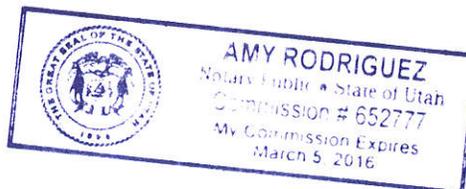
Dated this 8 day of January, 2015

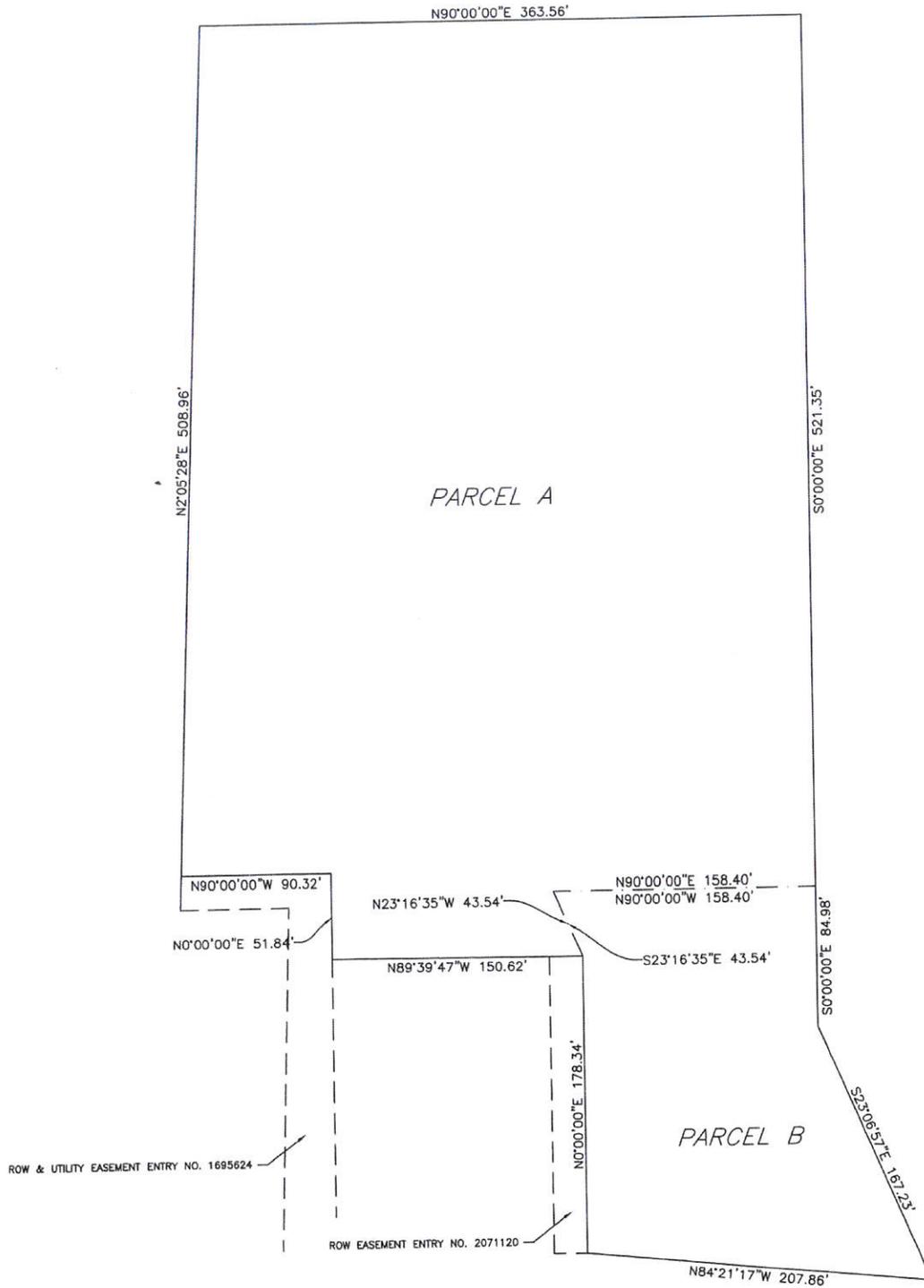
Signed: James Warren Reynolds  
Property Owner Property Owner

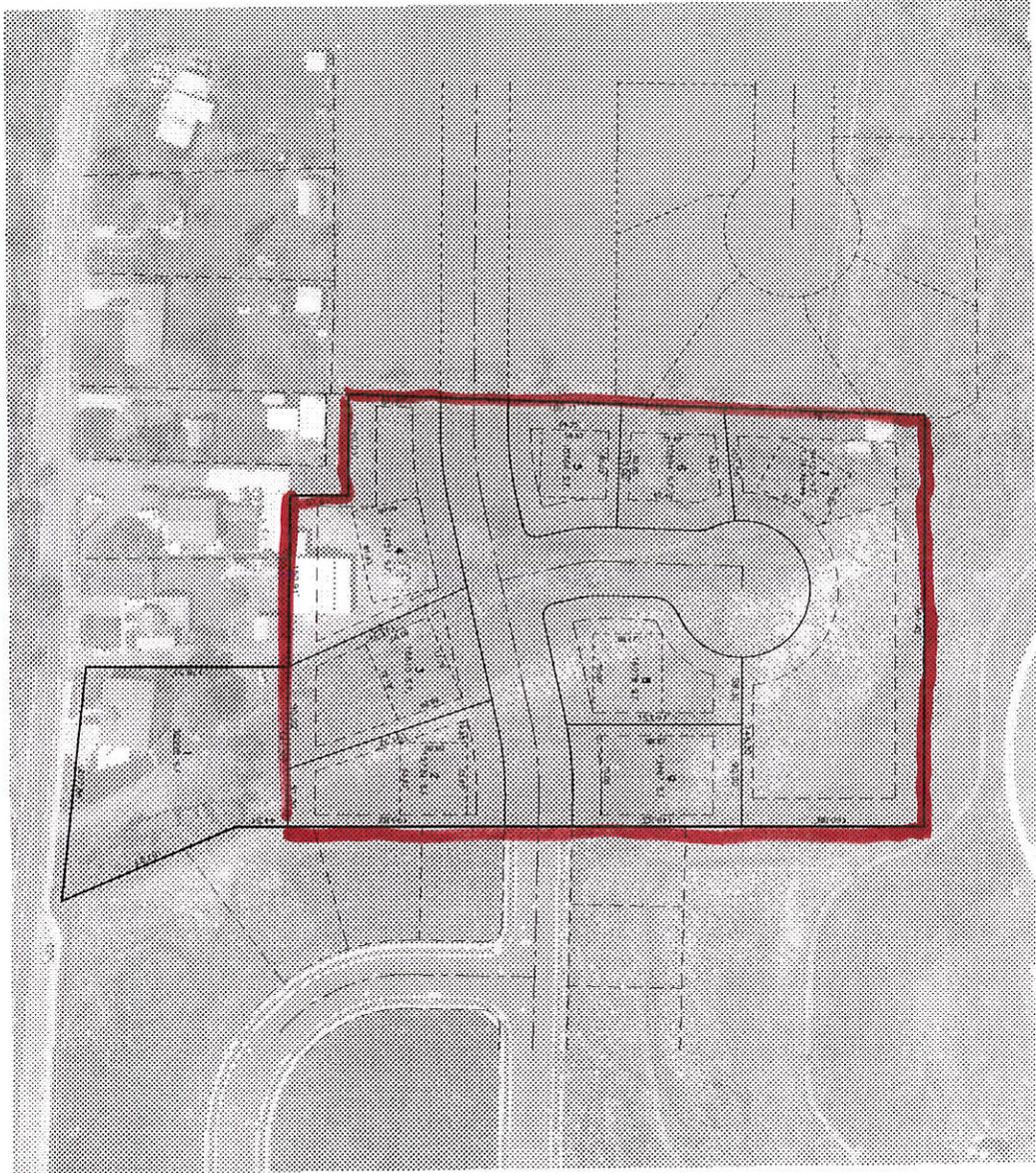
Subscribed and Sworn before me this 8 day of January, 2015.

Notary Public: Amy Rodriguez,  
s,

By JWS







# Bowman Old Farm Estates

South Weber City, Davis County, Utah

**Developer:**  
 Blumert Reynolds  
 5469 S. 150 E.  
 Washington Terrace, UT 84405  
 (801) 941-7765

NOTES:  
 CONTOURS ARE SHOWN WITH A TWO FOOT INTERVAL.

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC. ANY CHANGES, CORRECTIONS, ADDITIONS, OR DELETIONS TO THESE PLANS SHALL BE THE RESPONSIBILITY OF THE OWNER AND DEVELOPER. THE OWNER AND DEVELOPER OF THIS PROJECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE OWNER AND DEVELOPER OF THIS PROJECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE OWNER AND DEVELOPER OF THIS PROJECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

## Bowman Old Farm Estates

PART OF THE WEST 1/4 OF SECTION 28, T5N, R1W, S1B & M, U.S. SURVEY  
 SOUTH WEBER CITY, DAVIS COUNTY, UTAH

### Concept Plan

REVISIONS

DATE	DESCRIPTION



**Reeve & Associates, Inc.**  
 ARCHITECTS  
 1000 SOUTH 2000 WEST, SUITE 100, SALT LAKE CITY, UT 84119  
 TEL: (801) 487-3100 FAX: (801) 487-3088 www.reeveandassociates.com

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC. ANY CHANGES, CORRECTIONS, ADDITIONS, OR DELETIONS TO THESE PLANS SHALL BE THE RESPONSIBILITY OF THE OWNER AND DEVELOPER.

Project Info.	
Engineer:	Reeve & Associates, Inc.
Designer:	Reeve & Associates, Inc.
Checker:	Reeve & Associates, Inc.
Date:	10/18/2014
Project:	BOWMAN OLD FARM
Sheet:	CS0101
Number:	0322-01

Mailing list for Bowman Old Farm Development

130200046

LEBARON, JEFFREY L & SUSAN  
590 EAST SOUTH WEBER DRIVE  
SOUTH WEBER, UT 84405

13020042

TAYLOR, BRANDIE K  
580 EAST SOUTH WEBER DR  
SOUTH WEBER, UT 84405

130200024

HILL, DOROTHY - TRUSTEE  
570 EAST SOUTH WEBER DRIVE  
SOUTH WEBER, UT 84405

130200008

COY, LYNN T & JUDY M - TRUSTEES  
560 EAST SOUTH WEBER DRIVE  
SOUTH WEBER, UT 84405

130200007

MEDLEY, NADJA S & EDWIN TODD  
578 EAST SOUTH WEBER DR  
SOUTH WEBER, UT 84405

130200006

FEUSTEL, REX E & RITA A  
530 EAST SOUTH WEBER DRIVE  
SOUTH WEBER, UT 84405

132200107 & 130180049 & 132200105(owned by the City)  
SOUTH WEBER CITY  
1600 EAST SOUTH WEBER DRIVE  
SOUTH WEBER, UT 84405

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The vacant lots are owned & following properties are owned by Mr Fong  
FONG, LEONARD K.M.  
805 18TH AVE  
SALT LAKE CITY, UT 84103

132200056

LOT 56, CANYON MEADOWS PUD. CONT. 0.27 ACRES  
7209 S BOWMAN WAY  
SOUTH WEBER, 84405

132200053

LOT 53, CANYON MEADOWS PUD. CONT. 0.16 ACRES  
610 E OLD POST RD

132200057

LOT 57, CANYON MEADOWS PUD. CONT. 0.37 ACRES  
7217 S BOWMAN WAY

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Vacant lots are owned & the following lots are owned by Perry development  
PERRY DEVELOPMENT LLC  
17 EAST WINCHESTER ST SUITE 200  
MURRAY, UT 84107

132200054

ALL OF LOT 54, CANYON MEADOWS PUD. CONT. 0.17 ACRES  
613 E OLD POST RD

132200055

ALL OF LOT 55, CANYON MEADOWS PUD. CONT. 0.19 ACRES

7001 S BOWMAN WAY

REYNOLDS PROPERTY, SOUTH WEBER CITY, DAVIS COUNTY, UTAH

PARCEL 'A'

Legal description

Parcel ID: 130180070

BEG AT A PT ON THE W'LY BNDRY OF THE CANYON MEADOWS PUD, SD PT BEING 236.32 FT S & 892.97 FT E & 167.23 FT N 23°06'57" W & 84.98 FT N FR THE W 1/4 COR OF SEC 28-T5N-R1W, SLB&M, (BASIS OF BEARING BEING N 00°36'36" E 2653.32 FT BETWEEN SD W 1/4 COR & THE NW COR OF SEC 28); & RUN TH W 158.40 FT; TH S 23°16'35" E 43.54 FT; TH N 89°39'47" W 150.62 FT; TH N 51.84 FT; TH W 90.32 FT; TH N 02°05'28" E 508.96 FT; TH E TO & ALG THE BNDRY OF SD CANYON MEADOWS PUD 363.56 FT; TH S ALG SD BNDRY 521.35 FT TO THE POB. TOGETHER WITH A DESCRIBED R/W..

CONTAINING 4.57 ACRES

## **STAFF MEMO**

To: Planning Commission

From: Elyse Greiner, Deputy Recorder

Re: Ordinances, Public Hearings, and Moderate Income Housing Discussions

Date: Wednesday, January 14, 2015

### **Agenda Items:**

The City would like to create a new ordinance on building height restrictions, which would be applicable in all zones. There is a current discrepancy in how to measure building heights that could pose future problems. A starting draft is enclosed in the packet.

The City is also considering two ordinance amendments. The first deals with the size and height allowances of highway oriented signs. The second ordinance amendment deals with the proximity of the sale of alcohol to public buildings. By potentially amending these existing ordinances, the attraction for outside economic development would be greater. There is not yet starting drafts for these ordinances, but this is an opportunity to begin the discussion.

In the past, the City's tradition has been to hold a public hearing with the Planning Commission and the City Council for new subdivisions; however it is not mandated by City or State Code. The discussion is on whether to continue the tradition, eliminate it, or do something different.

The neighboring city of Washington Terrace recently updated their Moderate Income Housing Plan. It has been enclosed in the packet as reference for starting the discussion for a plan in South Weber.

## PROPOSED SOUTH WEBER ZONING ORDINANCE AMENDMENT

January 15, 2015

It is proposed that Section 10-1-10 Definitions (Building, Height Of) be amended as shown below. The crossed out text is the existing language and the red text is proposed.

**BUILDING, HEIGHT OF:** The vertical distance from ~~any finished surface grade to the highest point of any roof or coping~~ **the average finished grade at the building wall to the highest point of a flat roof; or to the deck line of a mansard roof; or the mean height level between eaves and ridge for gable, hip or gambrel roofs.**

## PROPOSED SOUTH WEBER ZONING ORDINANCE AMENDMENT

January 15, 2015

It is proposed that Section 10-9-4E be amended as shown below. The crossed out text is the existing language and the red text is proposed.

- A. Class 5: Signs meeting the following specifications and conditions shall constitute class 5:
1. Sign Type: Business, identification, political, property, service and temporary subdivision.
  2. Structural Type: Flat, ground, pole, projecting, roof, temporary and window.
  3. Lighted Type: Direct and indirect lighted.
  4. Maximum Number And Size: The maximum number and total area allowed shall be according to the following regulations:
    - a. Flat Signs: There is no maximum on the number of such signs. The total area of all such signs on the primary or main walls or facades facing the street shall be limited to ten percent (10%) of the wall or facade to which the sign is attached. The total area of all such signs on secondary walls or facades shall be limited to five percent (5%) of the wall or facade area to which the sign is attached.
    - b. Ground And Pole Signs: One ground or pole sign per street frontage per business is allowed with a maximum area of ~~thirty (30)~~ sixty (60) square feet plus ~~two (2) square feet of sign area per ten (10)~~ **one half square foot per linear feet foot** of frontage on the street to which the sign is oriented. If the sign is on a corner lot and is placed so that it orients to both streets, then one sign is allowed with a maximum area of ~~sixty (60)~~ **one hundred twenty (120)** square feet plus ~~two (2) square feet per ten (10) linear feet~~ **one half square foot per lineal foot** of frontage on both streets. The absolute maximum area of any ground or pole sign for a single business is ~~two hundred (200) square~~ **four hundred (400) square feet** except as noted in subsection E4c of this section. Where two (2) or more businesses are located within the same structure or in very close proximity in a commercial center type arrangement, ground and pole signs are limited to one sign per commercial center. That sign shall be for the purpose of identifying all businesses within the commercial center and shall have a maximum area of ~~fifty (50)~~ **one hundred (100)** square feet plus ten (10) square feet per business identified on the sign with an absolute maximum area three hundred (300) square feet except as noted in subsection E4c of this section.
    - c. Pole Signs Within Four Hundred Feet Of Interstate 84 Or Highway 89: Pole signs that are located within ~~four hundred feet (400')~~ **six hundred (600')** of Interstate 84 and Highway 89 and are oriented toward either of those highways shall be allowed a fifty percent (50%) increase in the sign area specified in subsection E4b of this section.

- d. Projecting Signs: One projecting sign per business is allowed with a maximum area of four (4) square feet per business.
  - e. Temporary Signs: There shall be no maximum number, but the total area allowed shall be a maximum of five percent (5%) of the area of the primary wall or facade facing the street for each business.
    - a. Time Limit: Temporary signs may be displayed for a maximum period of sixty (60) days.
  - f. Window Signs: Window signs shall be limited to twenty five percent (25%) of the window area of the primary wall or facade of the building.
5. Location: Anywhere on the property, unless otherwise noted in this chapter.
6. Maximum Height: Twenty five feet (25'), unless it is a flat sign attached to or painted on the building, in which case the maximum height shall be the same as the maximum height of structures allowed in the zone, or unless the property on which the business is located is within ~~four hundred feet (400')~~ **six hundred feet (600')** of Interstate 84 or Highway 89 in which case the maximum height shall be ~~forty feet (40')~~ **seventy five feet (75')**.

**CITY OF WASHINGTON TERRACE  
RESOLUTION 15-01  
2015 REPORT ON THE MIHP**

**A RESOLUTION OF THE CITY OF WASHINGTON TERRACE, UTAH,  
APPROVING THE 2015 REPORT ON THE MODERATE INCOME  
HOUSING PLAN (MIHP); AND DIRECTING STAFF TO FORWARD  
COPY OF SAID REPORT TO THE REQUIRED ENTITIES.**

**WHEREAS**, the City of Washington Terrace (hereinafter "City") is a municipal corporation, duly organized and existing under the laws of the state of Utah;

**WHEREAS**, *Utah Code Annotated* §10-9A-408, 1953, as amended, requires the City to make a biannual Report on its Moderate Income Housing Plan (MIHP);

**WHEREAS**, the City Council of the City is the legislative body acting upon this Resolution;

**WHEREAS**, *Utah Code Annotated* §10-3-717, 1953 as amended, authorizes the legislative body to exercise administrative powers by resolution;

**WHEREAS**, the City desires to comply with state law in making its 2015 Report on the MIHP by approving this Resolution;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Washington Terrace, Utah, acting as the legislative body, hereby adopts and approves the 2015 Report on the City's Moderate Income Housing Plan (MIHP). Said 2015 Report is attached hereto as Exhibit "A" and incorporated herein by this reference. The City Recorder is directed to forward a copy of the 2015 Report to each adjoining city, the Utah Department of Community and Culture, and the Wasatch Front Regional Council as required by state law.

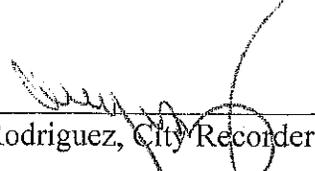
PASSED AND APPROVED by the City Council this 6 day of January, 2015.

  
\_\_\_\_\_  
Mark C. Allen, Mayor

Roll Call Vote

Council Member Brown Aye  
Council Member Johnston Aye  
Council Member Jensen Aye  
Council Member Monsen Aye  
Council Member Shupe Aye

Attest:

  
\_\_\_\_\_  
Amy Rodriguez, City Recorder

# CITY OF WASHINGTON TERRACE 2015 REPORT ON MODERATE INCOME HOUSING PLAN

## INTRODUCTION

In 1996, the Utah Legislature passed House Bill #295 to mandate the preparation of a Moderate Income Housing Plan as an Element of the General Plan. The intent of the legislation is to require cities to report on moderate income housing needs as specified in state law.

Utah Code 10-9a-103 (29) defines "moderate income housing" as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located."

The City of Washington Terrace (hereafter "City") addresses its efforts in the reduction, mitigation, or elimination of barriers for moderate income housing as part of this Report. The City finds that it has an interest in providing for moderate income housing for its residents. The City finds that it has historical roots as a community that greatly supports moderate income households dating back to the era of World War II.

In the 1940s, the United States government created large housing projects to house workers at military facilities support the war effort. These housing projects gave birth to the City of Washington Terrace. The project created approximately 1,400 two-bedroom single-family homes in a barrack-style housing project. These projects were geared to house moderate income families, which subsequently became the nucleus of our City.

After World War II, the community converted the housing surplus to permanent structures. Through painstaking planning efforts, residents negotiated with the government to utilize the temporary infrastructure to create a permanent community. The Washington Terrace Non-profit Housing Corporation purchased the housing project from the government for \$2.25 million September 1, 1950. On December 12, 1958, the official City of Washington Terrace incorporated, and has since that time been a leader in the community in providing housing for moderate income households.

In completing this Report, state law reads that:

**10-9a-408. Biennial review of moderate income housing element of general plan.**

**(1)** The legislative body of each city shall biennially:

**(a)** review the moderate income housing plan element of its general plan and its implementation; and

**(b)** prepare a report setting forth the findings of the review.

**(2)** Each report under Subsection (1) shall include a description of:

**(a)** efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;

**(b)** actions taken by the city to encourage preservation of existing moderate income housing and development of new moderate income housing;

(c) progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing; and  
(d) efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities.

(3) The legislative body of each city shall send a copy of the report under Subsection (1) to the Department of Workforce Services and the association of governments in which the city is located.

(4) In a civil action seeking enforcement or claiming a violation of this section or of Subsection 10-9a-404(5)(c), a plaintiff may not recover damages but may be awarded only injunctive or other equitable relief.

The City's estimated population is 9,147. The data for moderate income levels is obtained from the United States Department of Housing and Urban Development (HUD). The average household size in the City is two (2) persons. According to HUD, a moderate household in Weber County, where the City is located, consisting of two (2) persons earns at or below \$45,650 per year.

### STATUTORY REPORT

1. Efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;

The City makes ongoing review of its land use regulations and other ordinances to identify barriers for moderate and low income households. Over the past two years, parking restrictions in moderate income neighborhoods were identified and modified to better accommodate moderate income families.

2. Actions taken by the city to encourage preservation of existing moderate income housing and development of new moderate income housing;

The existing moderate income housing stock has been maintained over the past two years. The City is reaching build out and already has a large stock of moderate income housing. Twelve (12) new single-family units have been added to the housing stock over the past few years. All twelve (12) of these units have been in a subdivision that falls outside the parameters of moderate income. The estimated housing stock now totals 2,633. Approximately 2,446 units are within the range of moderate income families.

The City also approved the development of a new care facility for disabled and elderly persons named Stonehenge. This new facility will accommodate 52 persons. The City is also using resources available from the Weber County Housing Authority and HUD's Community Development Block Grant (CDBG) Program to benefit moderate and low income areas of the City.

3. Progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing.

Twelve (12) new permits have been issued all outside the range of moderate income households. As the City is nearing build out, future moderate income will need to be addressed through redevelopment

of existing moderate income areas and infill development practices.

4. Efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities.

The City provides a copy of this Report to adjoining cities in an effort to coordinate moderate income planning with neighboring municipalities. The City has worked with Weber County Planning in preparation of our prior report in order to coordinate moderate income plan on a multi-jurisdictional level. The City is willing to meet and coordinate with other cities in addressing moderate income housing issues.

A copy of this Report is also made available to the Utah Department of Community and Culture and the WFRC, the association of governments in which the City is located, at the following addresses:

Utah Department of Community and Culture  
324 South State St., Suite 500  
Salt Lake City, UT 84111

Wasatch Front Regional Council  
Attn: LaNiece Davenport  
295 North Jimmy Doolittle Road  
Salt Lake City, UT 84116

### **RENTAL HOUSING**

Although rental housing is not specifically addressed in the statute, this Report provides base data on rental housing in the City. The City has approximately 721 rental units in addition to the 2,633 owner-occupied units. Thus, rental units account for approximately 27% of the total housing units in the City.

### **HOMELESS AND CARE FACILITIES**

Although homelessness is not addressed in the statute, this Report indicates that the City supports homeless programs offered throughout Weber County. The City presently has three (3) care facilities for elderly and persons with disabilities. The City recently approved the development of a fourth care facility. This new facility will accommodate 52 additional people, in addition to the other three (3) care facilities.

## South Weber Master Trails Plan 2014

### Definitions:

The State of Utah defines a trail by Utah Code, 79-5-102(4) as:

(4) "Recreational trail" or "trail" means a multi-use path used for:

(a) muscle-powered activities, including:

- (i) bicycling;
- (ii) cross-country skiing;
- (iii) walking;
- (iv) jogging; and
- (v) horseback riding; and

(b) uses compatible with the uses described in Subsection (4)(a).

- A trail shall be defined as an undeveloped or limited developed path that is built to meet the needs of walkers, joggers, hikers, cyclists, equestrian riders, and other non-motorized trail users.
- A trail may be composed of hard packed earth or roto-milled asphalt (not associated with a street).
- A trail will provide a link between two or more points. A trail or pathway is not a sidewalk.

### General:

Trails promote the health and general welfare of the citizens of South Weber. They provide economic benefit by increasing the value of adjacent properties and serve to protect the environment and wildlife habitats. It is the intent of the City to develop a network of non-motorized trails throughout the community that provide linkage to our parks, recreation areas, and other communities. South Weber's trail system is a vital component in connecting numerous trails along the Wasatch Front. Our trails will connect our community to Riverdale, South Ogden, Washington Terrace, Uintah and other communities. These trails should be readily available to all residents and others so far as possible with trailheads and access points located throughout the city. These trails should provide a variety of walking, jogging, running, biking and equestrian experiences through use of different widths, surfaces and degrees of difficulty. Trails should generally be off-street, **not sidewalks**, in the street right-of-way, along utility corridors, or within recreation areas. There may be locations where trails and sidewalks are coterminous for a short distance (not more than one block) where other options are not practical.

All development adjacent to trails identified in the South Weber General Plan on Map #6, Parks and Trails Map, shall comply with this Trails Master Plan.

All trails that cross private property shall have written agreements between the land owner and the City of South Weber.

## **Specific trail recommendations:**

### **BONNEVILLE SHORELINE TRAIL**

The Bonneville Shoreline Trail (BST) is a regional trail conceptually traversing the entire Wasatch Front and extending into Cache County approximately along the high water level of ancient Lake Bonneville. A portion of this trail runs along the foothills east of the City at approximately 5200 ft. elevation. Though most of this trail lies outside the city boundaries, it is nevertheless of great importance to the residents of South Weber. The City should cooperate with private land owners, trail organizations, Weber Basin Job Corps, and Davis County to complete the trail.

This trail should be constructed at approximately 4 ft. in width and have a natural material surface. Special care to reduce impacts and keep grades manageable will need to be taken in crossing Corbet Creek and other ravines. At some point above the Weber Basin Job Corps this trail needs to transition from the 5200 ft. level to the proposed Weber Canyon Trailhead just above river level at the mouth of the canyon. This trailhead will support and provide cross access to two other trails, the proposed Canal Trail and the proposed Weber River Parkway Trail.

### **WEBER RIVER PARKWAY TRAIL**

The Weber River Parkway Trail is planned to extend from the junction of the Weber and Ogden Rivers to the mouth of Weber Canyon where it will link with the Bonneville Shoreline Trail. Most of this trail is completed from the Adams Avenue Bridge westward. Within South Weber the trail will run along the south bank of the Weber River between the river and I-84. At the west end of the City this will vary due to existing residences abutting the river. In this area it will run between Cottonwood Drive and I-84 going under Adams Avenue toll bridge and run westward along the south river bank.

Pedestrian access from the proposed Canyon Drive Trailhead at Canyon Drive and 1325 East can be with either a pedestrian overpass or underpass of I-84 to the Weber River Parkway. This should be a high priority trail improvement. Factor that make this high priority include:

- The City of South Weber owns property on both sides of I-84 at this location.
- No private property will be encroached upon.
- This site is located near the center of South Weber.
- Emergency response personnel are a short distance (< two blocks) away.

Some of the property involved is privately owned and some is owned by the Utah Department of Transportation. The City should work with other interested groups (e.g. Weber Pathways, Utah Division of Wildlife Resources) in securing the easements or right-of-ways for this trail. South Weber seems to be the most likely candidate to maintain this section of the trail, although in the past Weber Basin Job Corps has expressed an interest in participating in the maintenance and upkeep of the trail.

The trail along the Weber River shall be 4 to 8 foot wide and composed of natural materials or compacted road base. Two feet on each side of the trail shall be cleared of vegetation.

#### **OLD FORT TRAIL**

This trail is intended to be a 10 ft. wide paved trail running from approximately 1200 East to near the west end of the City following along the south side of I-84. It should run within the buffer zone proposed previously in this document so far as practical. Special attention to safety will be warranted at the trail crossing of 475 East. This trail should become the responsibility of the City for maintenance and control. It is anticipated that the majority of this trail will be constructed by developers of adjacent property. However, the city could take the initiative and work with current land owners to establish a right-of-way for the trail. This being done the trail could be developed which would enhance the development value of the adjacent properties; the City would see a continuous trail established with consistent width and surface features. If these properties were developed individually there could be a mish-mash of trail development resulting in inconsistencies that would have to be rectified by the City.

#### **CANAL TRAIL**

The Canal Trail is proposed to run adjacent to or on top of the Davis and Weber Counties Canal running the length of the City on the south side. This trail can only be developed if concrete pipes are used to enclose the canal and they are covered in dirt. The City should seek an agreement with the Davis and Weber Counties Canal Company and any private property owners along the route to allow public use and development of the trail. Safety precautions should be used in designing a trail along open portions of the canal.

This trail should be developed partly as natural surface trail and partly as a paved trail utilizing the existing maintenance road along the canal or directly on top of the canal where it has been piped. This trail should be paved to at least 10 ft. in width where it passes through residential areas from 2700 East to approximately 1550 East. The rest of the trail east of Hwy 89 and west of 1550 East should be graded dirt with some possible surface stabilization where necessary.

#### **CHATER SCHOOL TRAIL**

This proposed new trail should extend from View Drive to South Weber Drive near the west side of the charter school property. This will better facilitate pedestrian access to the school from the south.

Other recommendations for the City wide pedestrian transportation system can be found on the Parks and Trails Map #6 located in the South Weber General Plan.

**Trail Construction:**

In order to ensure consistency in development of trails, all trails must be built to the following specifications:

- Natural trails shall be a minimum of 6 feet in width with a vegetation clearance of 2 feet on either side of the trail. Trail grade shall normally be less than 8%. Only in rare or unusual circumstances shall the grade exceed 10%.
- Paved trails shall be a minimum of 8 feet in width, composed of asphalt/roto-millings a minimum of 3 inches in thickness, over a 4 inch untreated base. To prevent weeds and other vegetation from growing through the paved trail a geotextile weed barrier shall be installed under both layers.
- Trail heads shall be composed of 8 inches of untreated base; if roto-millings are incorporated they shall be a minimum of 3 inches in thickness.
- Water management: Proper drainage of all trails must be included to prevent pooling of water within the minimum width of the trail.
- Switchbacks: Trail will have a minimum of 8 foot turning radius, insloped on the uphill side and outsloped on the downhill side, slopes to be no more than 5% in any direction.