

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
DECEMBER 4, 2025

The City Council of Plain City convened in a regular meeting at City Hall, 4160 W 2200 N in Plain City, on Thursday, December 4, 2025 also accessible via ZOOM beginning at 6:30 p.m.

Present: Councilmembers Adam Favero, Jed Jenkins, Luigi Panunzio, Rachael Beal and Jan Wilso  
Staff: Diane Hirschi, Stacy Adams, Brandan Quinney, Dan Schuler, Colette Doxey  
Present: Debbie Allred, Penny Barnes, Shawn Hammond, Celeste Hammond, Phil Meyer, Jim Beesley,  
Carol Jean Beesley, Charis Sully, Josh Sully, Sean Wilkinson, Joseph Pauli  
Via on Zoom: Mike Phillips, mdewe, Broderius

Call to Order: Mayor Beesley  
Pledge of Allegiance: Councilmember Panunzio  
Invocation/Moment of Silence/Thought: Councilmember Jenkins

Approval of Minutes from November 17, 2025 and November 20, 2025

**Councilmember Jenkins moved to approve the minutes from November 17, 2025 and November 20, 2025, as presented. Councilmember Panunzio seconded the motion. Councilmembers Favero, Beal, Jenkins, Wilson and Panunzio voted aye. The motion carried.**

Comments: Public

Debbie Allred stated she lives on 3288 W 2600 N. She is aware of Weber County and Plain City's perspective of what they want to do with these unincorporated islands, however, that it is just a recommendation. Plain City can have their own perspective and take into recommendations and listen to the people, and make the best decision possible. All of the sections being recommended to be annexed have their own valid reasons for not wanting to be annexed into Plain City. Tonight, she is addressing the 8 homes on 2600 North. They were told that there is no benefit for us or Plain City if we're annexed. Weber County and Plain City are trying to eliminate overlapping services, but with 2600 North being on a state road, UDOT is responsible for snow plowing, and as far as Fire, EMT, and Police services, those services have been handled by Weber County that we appreciate and would like to continue with their services. Is aware that Weber County made a good faith verbal agreement that they would improve 2200 North to the basic standards, and Weber County has already made some improvements and acquired property to accommodate future improvements. Once Weber County began making improvements to 2200 North, and they were clear that they will not finish the project until it's certain the annex would take place, Plain City's hands were tied, and Plain City decided to lump all the unincorporated islands together. I'm asking the Council not to look at this map, but to look at the faces of the people who come before you and stood at this podium asking Plain City to leave 2600 North unincorporated, or if nothing else, table this decision for a later date. I believe there are some unresolved issues, or issues that have not been discussed or resolved with the residents. Tonight, I'm asking the Council to please consider making a minor change to the agreement which can be done by eliminating the 8 homes on 2600 North. By making this minor change, the process can continue without starting all over. Weber County would have to review and approve this change, but I see no reason why they would deny us.

Report from Planning Commission

Dustin Skeen stated at the last Planning Commission on November 13, 2025 they held a public hearing and motion for a residential overlay rezone for Winegar Trust and Western Basin Land and Livestock. The Planning Commission set a public hearing for December 11, 2025 for a conditional use permit and senior overlay for Kelly's Cove. They also discussed a site plan for O'Reilly Auto Parts, discussed an existing site plan for Everbloom Studio, discussed a 2-lot subdivision for Teddy & Jerry Anderson and discussed Plain City Springs.

Discussion: Wasatch Civil Engineering – Update on 3600 W Road Project

Jory Wallen from Wasatch Civil provided an update on the 3600 West Road project. The project secured an additional \$1 million in funding from WFRM to address the shortfall. They have plans to advertise the project to UDOT at the end of January, with construction starting in April/May 2026. The estimated construction time is 120 days with a September 2026 completion date. Also, five of nine right-of-way acquisitions have been completed, with four remaining with Shannon Wixom negotiating with those property owners and feels they are very proactive. The Skeen subdivision requires temporary construction easements for sidewalk installation, which won't affect the timeline. The project is on schedule but has a tight timeline to ensure completion in 2026. If right-of-way acquisitions aren't completed by mid-January, it could delay the project. There is a contingency plan that exists to remove certain elements (like pedestrian ramps or sidewalks) if necessary.



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Discussion/Motion: Resolution to Approve the Interlocal Agreement with Weber County Regarding Road Improvements

Mayor Beesley asked Sean Wilkinson about a conversation they had previously regarding 2x2 drain boxes on the north side of the road that residents were concerned about. Sean Wilkison stated his only concern is the County didn't purchase property on the North side of the road, they purchased property on the South side, so if it's within the right-of-way, then that is something they can look at. Dan Shuler stated he will work with the Mayor to determine exact locations for drain boxes on 2200 North and provide this information to the County to add to the interlocal agreement. Councilmember Beal asked City Attorney for clarification of excluding the 8 homes on 2600 North would require restarting the entire annexation process, which it would. Councilmember Favero raised questions about The Grove subdivision and how escrow funds, inspections, and warranties would transfer from the county to the city as well as the HOA. Brandon Quinney will work with the County attorney on proper language for the interlocal agreement amendments and verify if the development agreement for The Grove has succession clause language. Sean Wilkinson will look into whether water shares would be transferred with the 17 acres from the Weinger property and provide public records of the County inspector's punch list for The Grove to compare with Dan's list. Create an **exhibit** list showing drain boxes, all planned improvements for 2200 North, The Grove HOA succession clause/escrow and any water shares to attach to the interlocal agreement. **Councilmember Jenkins moved to approve the Resolution to Approve the Interlocal Agreement with Weber County Regarding Road Improvements with exhibits. Councilmember Wilson seconded the motion. Councilmembers Favero, Beal, Jenkins, Wilson and Panunzio voted aye. The motion carried.**

Discussion/Motion: Ordinance to Annex Certain Parcels Within Weber

**Councilmember Beal moved to table the discussion/motion for Ordinance to Annex Certain Parcels Within Weber. Councilmember Jenkins seconded the motion. Councilmembers Favero, Beal, Jenkins, Wilson and Panunzio voted aye. The motion carried.**

**DRAFT**

Discussion/Motion: Transfer Station Contract

**Councilmember Beal moved to table the Transfer Station Contract. Councilmember Wilson seconded the motion. Councilmembers Favero, Beal, Jenkins, Wilson and Panunzio voted aye. The motion carried.**

Discussion: Football Season Report

Colette Doxey stated the 2025 Football season they had 7 tackle football teams with about 150 players and 30 coaches. There were 36 flag football teams with about 11 kids per team, ranging from kindergarten through 6th grade. The program is popular with participants from neighboring communities. The football season was successful with high participation rates. Basketball is currently underway, with volleyball to follow.

Discussion/Motion: Plain City 4th of July Theme

Colette Doxey stated the proposed 2026 4<sup>th</sup> of July Theme is "It's America, These Are My People," which ties into songs by the planned entertainment. **Councilmember Wilson moved to approve Jenkins as presented. Councilmember Jenkins seconded the motion. Councilmembers Favero, Beal, Jenkins, Wilson and Panunzio voted aye. The motion carried.**

Discussion/Motion: Resolution 2025-06 - Supporting America 250 Utah

Councilmember Beal read the Resolution. Councilmember Beal asked for the addition of Jan Wilson, Rachel Beal, and Phil Meyer to the Plain City Utah 250 community committee.

**Councilmember Wilson moved to approve the Resolution 2025-06 - Supporting America 250 Utah as presented. Councilmember Jenkins seconded the motion. Councilmembers Favero, Beal, Jenkins, Wilson and Panunzio voted aye. The motion carried.**

Discussion/Motion: Cancel December 18, 2025 and January 1, 2026 Council Meetings

**Councilmember Wilson moved to approve the cancelation of December 18, 2025 and January 1, 2026 Council Meetings. Councilmember Favero seconded the motion. Councilmembers Favero, Beal, Jenkins, Wilson and Panunzio voted aye. The motion carried.**

Motion: Approval of Business Licenses

There were none.



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Motion: Approval of Warrant Register

See warrant register dated 11/20/2025 to 11/30/2025.

Councilmember Jenkins moved to approve the Warrant Register for 11/20/2025 to 11/30/2025 as presented. Councilmember Favero seconded the motion. Councilmembers Favero, Beal, Jenkins, Wilson and Panunzio voted aye. The motion carried.

Report from City Council

Mayor Beesley stated he'll start tonight, he's not good at speeches, never have been. You guys will hear me one more time, well, maybe twice if come to the Christmas tree lighting. I'll be thanking the staff probably 3 more times, but, the last 8 years has been amazing. It's been stressful, it's been probably the most educational period of my life. I came into this office with no experience, no City Council, no Planning Commission and I probably read more in the first 2 years of my 8 years here than I've ever read in my life. It was constant education, from development, to just how the City works, and how Diane does everything she does, and how Public Works does everything they do, and how it's all directed, and I can't thank the Directors enough for achieving one of my main goals, and that was to prove, which they've already been doing this, but I wanted to prove that cities can function on what we get and we can save money. I don't know the exact number, I know it's over \$5 million that we've saved in the last 8 years. That we have either in, unappropriated funds or our capital projects. Dan has been amazing at getting grants. I can't remember the last number I think he told me was close to 16 million in grants in the last 8 years. We've had tons of road projects, and our sewer project that was completed that had been on paper for, I think at least 10, 12 years that we got that finally completed with the lift station and moving forward there. One of my other goals was to get our sewer plant back to running 100% efficient, and we've done that. We're sitting at about 50% capacity, I think we were about 40% a couple of years ago, and I think we're probably somewhere around 50% now. We still have room to grow there, we still have options there and it's amazing to see when people are focused on a project, how those come together and happen. So to the Directors and all of the staff behind them, a huge thank you and a huge shout out on behalf of me and the Council for completing projects and showing that we can do things on budget, and still save money. My biggest fans showed up tonight, they may have missed 2-3 meetings in 8 years. I get a text from my mother every Thursday night after council and it's pretty awesome to get that. So, thanks to my biggest fans. Of course, you can't do it without supportive family understanding is a lot of it, knowing that your time is not their time anymore. I think my son Gage was 15 years old in high school when I started, he's 23 now and about the first month in, he decided to tell his teacher that he didn't have to do that because his dad was the Mayor. That did not go over well at home, but that's my Gage. I started with one grandchild, and I now have 7, had a picture of her when I got sworn in and I was holding little Ally. I did use my Dad's name a couple times. Thank you, Dad I didn't have to, because they all knew me, they saw Beesley on the driver's license, and it was, 'Oh, yeah, are you his?' So anyway, to the Councils that I've worked with over the last 8 years, thank you so much. Mayor-elect, you're getting a good Council. You have good people to work with, they do their homework, they're into it, so, use your Council. And, I just can't say enough about the residents, 99.9% of the people are just good, they're happy, and the 1% or whatever percent that is that I've had to work with through different things. I've shown up to fights, I've been called to fistfights. I've been called to horse manure, getting stacked next to a shared fence. It's just tons and tons of things that pop up, and you get those phone calls, and you'll see. The Council never sees these ones. It's just been that education of learning the ordinances and what you have to tell people, and a lot of times it's not what they want to hear. So, anyway, a huge thanks to everybody, the residents especially. I remember my first year on the 4th of July parade, it was everything I could do to keep a straight face right after I pulled out of Fremont and everybody's yelling hello and bidding their support for me and it was just awesome. And so, to the residents, thank you, keep supporting our events, Colette works her guts out to make these awesome. Our 4th of July is second to none in the Country and this one is gonna be big. So, 250 years of our Nation, come out and support Plain City. I will be attending with a big old grin on my face and no stress. I didn't thank Planning Commission but you're part of staff, just so you know. But they got an extra load thrown on them with being land use authority and they've done a good job, excelled at it. There is a ton to learn in that business and they're all digging in and doing it, so thank you all so much. If I forgot somebody, I'm sure I'll catch them down the road, but thank you, Council. It's been a pleasure. We're not quite done yet, we've got a couple more things that, to do together. We'll catch you on the flip-flop, Thank you.

Councilmember Favero stated really all I have tonight is to thank the Mayor. It's been 2 years for me. We've been up, we've been down, we've had our disagreements, but at the end, we always talk it out, and we find ways to work through it, because that's what we have to do as a Council, and that goes between any one of us as colleagues, but I really appreciate it. I just don't know what size of a shield you're gonna need this year when Jed and I get you back for throwing candy at us last year at the 4th of July. Maybe I shouldn't have warned you, but you might get a tarp or something. It's been a pleasure, thank you for everything you do. It's not an easy job. You talked about a lot of things,



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and we don't see the half of it. I understand that in the line of work I do every day, and Luigi understands that for sure, too, but it's something that needs to happen, and I appreciate people that'll do it, for sure, so, thank you.

Councilmember Beal stated we've definitely butted heads, we're both strong personalities. But if we're not butting heads, then we're not talking, right. So, we may not always agree, but we 100% care about the residents, and together to do what's best for them, so we agreed a lot more times than we didn't. We definitely agreed more times than we disagreed, and it was always for the best of the community, and I'm gonna miss having those discussions with you. They were fun. But I'll miss you. So, good luck with what you do in the future. Become mayor of the next city, and then the next city, and then the next city. But, you know, just because you choose not to be mayor doesn't mean you can't help Colette with the 4<sup>th</sup> of July. We need volunteers, we always need volunteers. Mayor Beesley stated he needs front row seats again, so I gotta volunteer! I was going ask that the Council of former councils and former mayors could get front row seats but, thought that would look a little selfish. Councilmember Beal stated Colette always needs help running the parades and the raffle. You can always announce the raffle. Now that we've officially read the resolution, the America 250 has a coin contest for Weber County, and I thought all of the youth can go and submit a coin for the contest. They do a 3D printed coin, and if you're the selected winner, they're going put it out throughout all of the state of Utah. Thank you.

Councilmember Panunzio stated well, I don't have anything to report, but I just want to say it's been great working with you and I wouldn't be here if it wasn't for Mayor. We were over at the baseball game one day, and we were talking and he says hey, we got a seat open, you should run. And I said, I don't know anything about City Council. Never thought about it before, ever and that's why I'm here, and I've enjoyed it, that's why I ran again. I still have a lot to learn, but I have you to thank, so thank you.

Councilmember Wilson stated she also doesn't have anything to report. But it was nice to have an old Plain Cityite with me here when I got here, so you could show me the ropes. I think we've all had our disagreements, but by far we did agree more than we didn't. It's been fun, we've worked everything out. There's never been an end of conversation that was just you're a jerk, I'm a jerk, and we've never spoken again and that is what I appreciate. We have definitely left as friends. Thank you.

Councilmember Jenkins stated he also has nothing to report. But I will say, just like Luigi, I am here because of Jon and I will say that Jon and I, our friendship has gone back many, many years before I decided to even run. We've been friends for a long time, matter of fact, our parents know each other, like our families go way back. Same with the Mayor-elect, our families go way back, so I'm looking forward to working with him, but it's been a joy being your right-hand man the last couple of years. It's been amazing and have learned a ton. Like you, I've also learned more than I ever thought I would here, so thank you for what you've done. It's evident that when you go out in public at the 4th of July, or wherever we're at the citizens love you. It's been great. You've done very well for the City and I appreciate everything you've done. I love being your right-hand man here. It's been great. Again, I've appreciated everybody in this room. Thank you.

**At 7:58 p.m. Councilmember Beal moved to adjourn and was seconded by Councilmember Jenkins. The vote was unanimous.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

Date approved \_\_\_\_\_



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## Jan City Council Meeting

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**From** Brian Bingham <brian@propertiesforhope.com>

**Date** Tue 12/16/2025 2:27 PM

**To** Diane Hirschi <dianeh@plaincityutah.gov>; Tammy Folkman <tammyf@plaincityutah.gov>; Jake Hone <jake@growdev.com>

Hi Diane,

My name is Brian Bingham with Properties for Hope, LLC. My partners and i had a public hearing on a Senior Housing Overlay application with the planning commission last week and would love to get on the agenda for the city council meeting in January. Tammy Folkman mentioned that she had sent over the results of that meeting to you and I just wanted to follow up to introduce myself and ask if there was anything else you need from us to get on the agenda for Jan 15th.

On a side note, the Planning Commission did vote to deny our Conditional Use application so as to not send it to the City Council because their interpretation of the code was that the Senior Housing Overlay we had also applied for constitutes a conditional use in and of itself. Can you verify that the City Council's interpretation of the code is the same? Our understanding had been that we needed both and we just want to make sure that we're prepared for the City Council meeting as best as possible.

Thanks so much for your help, please feel free to contact me here or at 860-836-9743 with any questions or information you might have for us.

Brian



## NOTICE OF DECISION

**Plain City, Weber County, Utah**

On December 11, 2025 the Plain City Planning Commission recommends

☐ Approval, ☐ \*Approval with condition(s), ☐ Disapproval, ☐ Tabled ☒ Denied  
of an application for Conditional Use Permit for Kelly's Cove approx. 2183 N 4650 W

received from (Applicant): Brian Bingham

This Notice of Decision formally concludes the Planning Commission's involvement with the application for the above-mentioned land use case. Copies of the Order are available at City Hall. Applications that have been deemed complete and have not been pursued with reasonable diligence before the appropriate board shall expire after six (6) months. The applicant will have to submit a new application and fees to restart the process, subject to all new zoning restrictions and subdivision regulations then in existence. Any party of record may appeal this decision to the City Council within 10 days of the Order approval date.



\_\_\_\_\_  
City Official

\*Condition(s)/Notes:

Commission Skeen motioned to recommend to City Council denial of the Conditional Use Permit for Kelly's Cove. Commissioner Neil seconded the motion. Vote: Commissioners Ortega, Skeen, Faulkner, Neil and Chairman Maw voted aye. Motion Carried.



PLAIN CITY CORPORATION

CONDITIONAL USE PERMIT APPLICATION

APPLICANT'S NAME Properties for Hope, LLC DATE SUBMITTED \_\_\_\_\_

ADDRESS 1366 N 1250 E Lehi STATE UT ZIP 84043

PHONE NO 8608369743 EMAIL brian@propertiesforhope.com

ADDRESS OF SITE BEING CONSIDERED: 2183 N 4650 W Plain City, UT

190330052

TAX ID NUMBER OF PARCELS BEING CONSIDERED: \_\_\_\_\_

FEE: \$200.00 Date Paid 11-5-25 Receipt No. 2038690

Application is hereby made to the Planning Commission requesting that the following land use Residential Senior Housing

be approved as a "Conditional Use" on 0.5 acres in zone R1-11-SHO  
Sq. ft or acres

in accordance with the attached site plan.

Please Complete the Following:

1. Please state in detail what is intended to be done on or with the property. Include a site plan as required in the Plain City Ordinance.

See attached document

2. Explain fully how this application of land use will satisfy each of the following conditions:

- (a) Why is this use at this particular location necessary or desirable to provide a service of facility which will contribute to the general well-being of the neighborhood or community?

See attached

- (b) How will the proposed use promote the general welfare of persons and property in the vicinity?

See attached



- (c) How will the proposed use be compatible with and complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, and landscaping?

See attached

- (d) How does the proposed use conform to the goals, policies, governing Principles and projected land use of the General Plan?

See attached

List the names and addresses of all property owners located within 500 feet of any point of the affected property. Attach additional sheet if necessary. The City will send out letters to the landowners informing them of this project.

Name

Address

See attached

Date

Signature of Applicant

I authorize Properties for Hope<sup>LLC</sup> and Brown Development, LLC to act as my agent in all matters relating to this application.

John E. Sijan  
Owner of Property

\*\*\*\*\*

FOR OFFICE USE

Approved/Denied

Date \_\_\_\_\_

Permit #: \_\_\_\_\_

Conditions:

PLAIN CITY CORPORATION

CONDITIONAL USE PERMIT APPLICATION

APPLICANT'S NAME Properties for Hope, LLC DATE SUBMITTED \_\_\_\_\_

ADDRESS 1366 N 1250 E Lehi STATE UT ZIP 84043

PHONE NO 8608369743 EMAIL brian@propertiesforhope.com

ADDRESS OF SITE BEING CONSIDERED: 2131 N 4650 W Plain City

TAX ID NUMBER OF PARCELS BEING CONSIDERED: 190330048, 190330005, 190330004, 190330040

FEE: \$200.00 Date Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_

Application is hereby made to the Planning Commission requesting that the following land use Residential Senior Housing be approved as a "Conditional Use" on 2.5 acres in zone R1-11-SHO  
Sq. ft or acres

in accordance with the attached site plan.

Please Complete the Following:

1. Please state in detail what is intended to be done on or with the property. Include a site plan as required in the Plain City Ordinance.

See attached document

2. Explain fully how this application of land use will satisfy each of the following conditions:

- (a) Why is this use at this particular location necessary or desirable to provide a service of facility which will contribute to the general well-being of the neighborhood or community?

See attached

- (b) How will the proposed use promote the general welfare of persons and property in the vicinity?

See attached



- (c) How will the proposed use be compatible with and complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, and landscaping?

See attached

- (d) How does the proposed use conform to the goals, policies, governing Principles and projected land use of the General Plan?

See attached

List the names and addresses of all property owners located within 500 feet of any point of the affected property. Attach additional sheet if necessary. The City will send out letters to the landowners informing them of this project.

Name

Address

See attached

Date

Signature of Applicant

I authorize Properties for Hope, LLC and Grow Development, LLC to act as my agent in all matters relating to this application.

Owner of Property

\*\*\*\*\*

FOR OFFICE USE

Approved/Denied Date \_\_\_\_\_ Permit #: \_\_\_\_\_

Conditions:



**1. Please state in detail what is intended to be done on or with the property. Include a site plan as required in the Plain City Ordinance.**

Current Land Use: Currently, the parcels listed in Table 1 below are zoned RE-15 and RE-20. 2131 N and 2149 N have a single-family home on approximately 0.5 acres with a former horse pasture to the west and north that is approximately 2 acres in size. The home is currently being used as a primary residence + ADU with 2 rental units, one is the primary structure and the other in an ADU above the garage. The field to the west is fenced but has been left fallow and in disuse. The parcel at address 2183 N is an unimproved 1.13 acre lot that is currently being used by the owner to park old trucking equipment from his previous business.

Table 1: Property addresses and parcel numbers that will be purchased, rezoned, and entitled to form Kelly's Cove Subdivision

Address	Parcel numbers
2131 N 4560 W	190330048, 190330005, 190330004
2149 N 4650 W	190330040
2183 N 4560 W	190330052 (western most ½ acre)

Land size: The new subdivision will be composed of 3 acres. It includes all of the parcels associated with the 2131 N and 2149 N addresses amounting to 2.5 acres and the western most 0.5 acres of the 190330052 parcel associated with 2183 N..

Proposed Land Use: The new subdivision will be rezoned to the R1-11-SHO (senior housing overlay) and subdivided into 18 lots, consistent with the maximum density limits of the R1-11-SHO which allows for 6 units per acre. 18 single OR 9 twin homes will be built on the 18 lots. A private drive will be built from 2150 N st and will extend south through what is now parcel 190330052, into the existing field at which point it will create a "T" intersection with a private drive extending east and west within the subdivision. The existing house and driveway on 2131 N 4650 W will be demolished and new units will be built in place and connected to the new water and sewer lines. Consistent with the R1-11-SHO, there will be a minimum of 15% greenspace. Water, sewer, storm, and power lines will be buried under the private drive and will connect to public infrastructure running on 2150 N st.

**2. Explain fully how this application of land use will satisfy each of the following conditions:**

- *Why is this use at this particular location necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community?*  
This location is currently under-utilized with respect to the surrounding neighborhood. 2





acres of the location is an abandoned pasture that has been left fallow. An additional ½ acre is currently being used to park derelict trucks and mounds of topsoil. The development of this location will bring in well-manicured, new homes that will increase the desirability and diversity of the neighborhood.

- *How will the proposed use promote the general welfare of persons and property in the vicinity?* The proposed Senior Housing subdivision will allow elderly Plain City citizens a supportive neighborhood to associate and commune with each other. It will also provide much needed housing for residents of Plain City to live near elderly family members who otherwise would be forced to either live far away from them or in homes that are not conducive to their stage in life.
- *How will the proposed use be compatible with and complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, and landscaping?* As mentioned above, the current undeveloped land is surrounded by residential property. The proposed use will make this land more aligned with the surrounding uses. The building design and landscaping will align with the requirements of the Senior Housing Overlay and, as such, will be a meaningful addition to the feel of the neighborhood. A private lane and dedicated overflow parking will be developed to ensure effective access and traffic flow. As the subdivision is relatively small and the intended population makes fewer daily trips than the general population, we do not anticipate that this subdivision will meaningfully impact traffic flow.
- *How does the proposed use conform to the goals, policies, governing principles and projected land use of the General Plan?* This change in zoning addresses concerns and goals outlined in the General Plan. Specifically, the development of this subdivision will
  - Encourage a mix of lot sizes and housing types in residential and commercial zones so that moderate income housing is properly integrated and not concentrated in one development or area. (pg 17)
  - Encourage life-cycle housing that provides different housing options to allow people to live and grow in the same community. (pg 18)
  - Address the following Residential goals in the the General Plan: (pg 6)
    - Create sustainable housing for new residents with access to neighborhood and community services, education, transportation, recreation, and cultural opportunities.
    - New development that maintains and/or enhances community identity while remaining compatible with existing neighborhoods.
    - Provide housing that is well maintained, varied in cost and mixed density and is located in safe, stable and revitalized neighborhoods throughout the City.



- Serve a population that is lacking in the community. According to the general plan, people 55+ represent less than 10% of the Plain City population. One reason for this may be the lack of senior-focused housing and community opportunities in Plain City. As noted in the general plan, the Senior Housing Overlay "...Provides the means for housing that is affordable and is designed for seniors, recognizing their unique lifestyles and needs, by allowing higher densities and a mix of uses. (pg 18)



## CHAPTER 10

### CONDITIONAL USES

#### SECTION:

##### **10-10-1: Purpose And Intent**

##### **10-10-2: Conditional Use Permit**

##### **10-10-3: Review Procedure**

##### **10-10-4: Determination**

##### **10-10-5: Basis For Issuance Of Permit**

##### **10-10-6: Appeal**

##### **10-10-7: Building Permit**

##### **10-10-8: Expiration**

##### **10-10-9: Limited Residential Occupation; Conditional Use In All Zones**

##### **10-10-1: PURPOSE AND INTENT:**

The purpose and intent of conditional uses is to allow in certain areas compatible integration of uses which are related to the permitted uses of the zone, but which may be suitable and desirable only in certain locations in that zone due to conditions and circumstances peculiar to that location and/or upon certain conditions which make the uses suitable and/or only if such uses are designed, laid out and constructed on the proposed site in a particular manner. (Ord., 11-14-1974)

##### **10-10-2: CONDITIONAL USE PERMIT:**

A conditional use permit shall be required for all uses listed as conditional uses in the zone regulations. A conditional use permit may be revoked by the City Council after review and recommendation by the Planning Commission, upon failure to comply with the conditions imposed with the original approval of the permit. (Ord., 11-14-1974)

##### **10-10-3: REVIEW PROCEDURE:**

- A. Application: Application for a conditional use permit shall be made to the Planning Commission.
- B. Plans Required: Detailed location, site and building plans shall accompany the complete application forms provided by the City. For structures in existence, only a location plan need be provided.
- C. Consideration By Planning Commission: The application, together with all pertinent information, shall be considered by the Planning Commission at its next regularly scheduled meeting. (Ord., 11-14-1974)

##### **10-10-4: DETERMINATION:**

The Planning Commission may deny or permit a conditional use to be located within any zone in which the particular conditional use is permitted. In authorizing any conditional use, the Planning Commission shall impose such requirements and conditions necessary for the protection of adjacent properties and the public welfare. (Ord., 11-14-1974)

##### **10-10-5: BASIS FOR ISSUANCE OF PERMIT:**

The Planning Commission shall not authorize a conditional use permit unless evidence is presented to establish that:

- A. The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community; and

B. Such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, but will be compatible with and complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, landscaping and signs; and

C. The proposed use will comply with the regulations and conditions specified in this title for such use; and

D. The proposed use conforms to the goals, policies and governing principles and land use of the Master Plan for the City; and

E. The proposed use will not lead to the deterioration of the environment, or ecology of the general area, nor will it produce conditions or emit pollutants of such a type or of such a quantity so as to detrimentally effect, to any appreciable degree, public or private property, including the operation of existing uses thereon, in the immediate vicinity or the community or area as a whole. (Ord., 11-14-1974)

F. If the proposed use is to be privately owned, and not to be owned by a governmental entity, and if the proposed use is to occupy a building of ten thousand (10,000) square feet or more in floor area, the building constructed, remodeled, or otherwise to be used for the proposed use will be maintained or demolished so as to avoid creating an abandoned or blighted structure if the use should be discontinued at any time in the future.

G. If the proposed use is the residential use of an existing nonresidential building, the building will be remodeled or altered to make its appearance compatible with other residential structures in the area. This basis for issuance of a permit can be waived if the Land Use Authority determines that the building is a historic structure and its preservation in a nonresidential appearance would be necessary or desirable to promote the general welfare of the community.

H. If the proposed use is an educational institution and if the proposed use is to occupy a building of ten thousand (10,000) square feet or more in floor area, the applicant for the permit will participate in the cost of any roadway or sidewalk, or a study on the impact of a school on a roadway or sidewalk, that is reasonably necessary for the safety of schoolchildren and not located on or contiguous to school property. (Ord. 2009-08, 9-3-2009, eff. 9-3-2009)

#### **10-10-6: APPEAL:**

The decision of the Planning Commission may be appealed to the City Council by following the procedures set forth in title 2, chapter 3 of this Code. (Ord. 2008-03, 1-17-2008, eff. 1-17-2008)

#### **10-10-7: BUILDING PERMIT:**

Upon receipt of a conditional use permit, the developer shall take such permit to the building inspector who will review the permit and conditions attached. Based on this review and compliance with any other items that might develop in the pursuance of his duties, the building inspector may approve an application for a building permit and shall ensure that development is undertaken and completed in compliance with said permit and conditions pertaining thereto. (Ord., 11-14-1974)

#### **10-10-8: EXPIRATION:**

Unless there is substantial action under a conditional use permit within a period of one year of its issuance, as determined by the Planning Commission, the conditional use permit shall expire. The Planning Commission may grant a maximum extension of six (6) months under exceptional circumstances. (Ord., 11-14-1974)

#### **10-10-9: LIMITED RESIDENTIAL OCCUPATION**

##### **; CONDITIONAL USE IN ALL ZONES:**

A. Limited residential occupation is any use conducted in the dwelling or accessory building and carried on by persons residing in the dwelling unit, which is clearly incidental and secondary to the dwelling purpose and does not change the character thereof, and in connection with which there is no display nor stock in trade, except where it is incidental to the main use.



B. Business licenses are conditional for one year, with a review of conditions by the Governing Body. The license is not transferable and is void upon sale of the property. The applicant must have written approval of all property owners within five hundred feet (500').

C. The Governing Body will set conditions and limitations and will include, but not be limited to, those listed below:

1. Maximum allowable working area:
  - a. Main dwelling, twenty five percent (25%) of main floor;
  - b. Accessory building, up to thirty five percent (35%) of main dwelling floor area.
2. Employees: Limited to people residing in dwelling.
3. Hours of operation.
4. Parking and traffic.
5. Other conditions and limitations as deemed necessary by the Governing Body.

D. Limited residential occupation is not permitted in multiple-unit dwellings, or accessory buildings at multiple-unit locations.

E. Limited residential occupation shall not include any activity which amounts to a nuisance, hazard or be incompatible with the neighborhood or any planned development of the neighborhood. It shall not include the sale of anything of a toxic, flammable or dangerous nature. All provisions stated in title 3 of this Code shall apply to a limited residential occupation.

F. The use must meet all health codes, fire codes and inspections before a license is issued.

G. The fee for limited residential occupations is to be set by the Governing Body yearly in the license fee schedule. (Ord., 10-8-1981; amd. 2003 Code)

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## Notes

1. See also chapter 13 of this title for home occupations.

## NOTICE OF DECISION

**Plain City, Weber County, Utah**

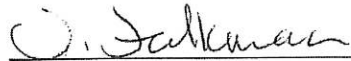
On December 11, 2025 the Plain City Planning Commission recommends

☐ Approval, ☐ \*Approval with condition(s), ☐ Disapproval, ☐ Tabled ☒ Denied

of an application for Senior Overlay for Kelly's Cove approx. 2183 N 4650 W

received from (Applicant): Brian Bingham

This Notice of Decision formally concludes the Planning Commission's involvement with the application for the above-mentioned land use case. Copies of the Order are available at City Hall. Applications that have been deemed complete and have not been pursued with reasonable diligence before the appropriate board shall expire after six (6) months. The applicant will have to submit a new application and fees to restart the process, subject to all new zoning restrictions and subdivision regulations then in existence. Any party of record may appeal this decision to the City Council within 10 days of the Order approval date.



\_\_\_\_\_  
City Official

\*Condition(s)/Notes:

Commission Skeen motioned deny approval to City Council for Senior Overlay for Kelly's Cove.

Commissioner Neil seconded the motion. Vote: Commissioners Ortega, Skeen, Faulkner, Neil and

Chairman Maw voted aye. Motion Carried.

## Zoning Overlay Application

<b>Circle One:</b> Mixed Use Overlay	<b>Senior Overlay</b>	Residential Overlay with Public
--------------------------------------	-----------------------	---------------------------------

Amenities \_\_\_\_\_

Location of Property 2183 N 4650 W

Land Serial Number(s) 190330052

Request from Zone RE-15, RE-20 to Zone R1-11-SHO

FEE: \$500.00      Date paid 11-5-25      Receipt # 2038690

\*Property Owner John Dixon

Phone 8019400232      Fax \_\_\_\_\_      Email \_\_\_\_\_

Mailing Address 2183 N 4650 W Plain City, UT      Zip 84404

Developer/Agent Properties for Hope, LLC and Grow Development, LLC

Phone 8608369743      Fax \_\_\_\_\_      Email brian@propertiesforhope.com

Mailing Address 1366 N 1250 E Lehi, UT      Zip 84043

**LEGAL DESCRIPTION: Please Attach**

TOTAL AREA – Acres or Square Feet: 2.5 acres

At the time of submittal of application, please attach a letter addressing the following:

1. Summarization of:
  - Current Plain City General Plan classification and zoning classification
  - Requested change to the General Plan classification and zoning classification
2. For what reason(s) do you suggest the change? The applicant is responsible for justifying the requested change to the General Plan and Zoning. Issues to be evaluated will include, but are not limited to:
  - adopted goals and policies as expressed in Plain City's General Plan
  - adjacent land uses
  - population served
  - transportation impacts
  - public facilities (water, sewer, storm water, parks, schools, etc.)
  - the type of use requested and reasons why this use should be on this site
3. What is the estimated development schedule?

Attach a list of all adjacent properties within 500 feet. (Parcel #, name, mailing address)

- **Current property owner(s) must sign application (see attached affidavit)**



## AFFIDAVIT

## PROPERTY OWNER

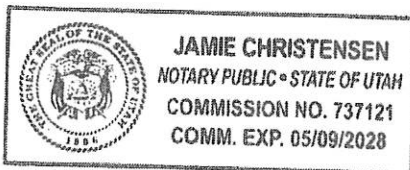
STATE OF UTAH )  
 ) ss  
 COUNTY OF WEBER )

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

John E. Dixon  
 (Property Owner)

\_\_\_\_\_  
 (Property Owner)

Subscribed and sworn to me this 5 day of November, 20 25.



Jamie Christensen  
 (Notary)  
 Residing in Weber County, Utah

My commission expires: 05/09/2028

## AGENT AUTHORIZATION

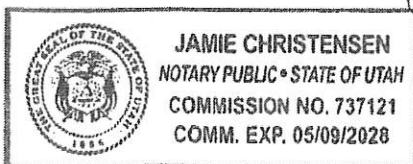
I (we), John ELLIS Dixon, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Brian Bingham to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]  
 Properties for Hope, LLC and Grow Development, LLC  
 (Agent)

John E. Dixon  
 (Property Owner)

\_\_\_\_\_  
 (Property Owner)

Dated this 5 day of November, 20 25, personally appeared before me John Ellis Dixon, Brian Bingham the signer(s) of the above agent authorization who duly acknowledged to me that they executed the same.



Jamie Christensen  
 (Notary)

Residing in Weber County, Utah

My commission expires: 05/09/2028

page 2

Application # \_\_\_\_\_

## Zoning Overlay Application

**Circle One:** Mixed Use Overlay    Senior Overlay    Residential Overlay with Public

Amenities \_\_\_\_\_

Location of Property 2131 N 4650 W

Land Serial Number(s) 190330048, 190330005, 190330004, 190330040

Request from Zone RE-15, RE-20 to Zone R1-11-SHO

**FEE: \$500.00**      **Date paid** \_\_\_\_\_ **Receipt #** \_\_\_\_\_

\*Property Owner Donnie J Harris II

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

Mailing Address \_\_\_\_\_ Zip \_\_\_\_\_

Developer/Agent Properties for Hope, LLC and Grow Development, LLC

Phone 860-836-9743 Fax \_\_\_\_\_ Email brian@propertiesforhope.com

Mailing Address 1366 N 1250 E Lehi, UT, 84043 Zip \_\_\_\_\_

**LEGAL DESCRIPTION: Please Attach**

**TOTAL AREA – Acres or Square Feet:** 2.5 acres

At the time of submittal of application, please attach a letter addressing the following:

1. Summarization of:
  - Current Plain City General Plan classification and zoning classification
  - Requested change to the General Plan classification and zoning classification
2. For what reason(s) do you suggest the change? The applicant is responsible for justifying the requested change to the General Plan and Zoning. Issues to be evaluated will include, but are not limited to:
  - adopted goals and policies as expressed in Plain City's General Plan
  - adjacent land uses
  - population served
  - transportation impacts
  - public facilities (water, sewer, storm water, parks, schools, etc.)
  - the type of use requested and reasons why this use should be on this site
3. What is the estimated development schedule?

Attach a list of all adjacent properties within 500 feet. (Parcel #, name, mailing address)

- **Current property owner(s) must sign application (see attached affidavit)**

## AFFIDAVIT

## PROPERTY OWNER

STATE OF UTAH       )  
                                   ) ss  
 COUNTY OF WEBER )

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

\_\_\_\_\_  
 (Property Owner)

\_\_\_\_\_  
 (Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 (Notary)  
 Residing in Weber County, Utah

My commission expires: \_\_\_\_\_

## AGENT AUTHORIZATION

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
 (Property Owner)

Properties for Hope, LLC and Grow Development, LLC  
 (Agent)

\_\_\_\_\_  
 (Property Owner)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared before me \_\_\_\_\_, the signer(s) of the above agent authorization who duly acknowledged to me that they executed the same.

\_\_\_\_\_  
 (Notary)  
 Residing in Weber County, Utah

My commission expires: \_\_\_\_\_







11/5/2025

Plain City Staff, Planning Commission and City Council,

Our group, Grow Development & Properties for Hope are eager for the opportunity to apply and develop the currently underutilized property at the corner of 2150 North and 4650 West in Plain City. Our desire is to transform the property into a beautiful residential neighborhood tailored for a senior living experience by providing residents with a diversification of attached and detached homes. This development will utilize the Senior Overlay designation. Our hope is to gain your support and approvals to move forward in starting construction in 2026 and having residents living in the community by 2027. Thank you very much for your efforts and review of this community and the opportunity to build in your City.

Sincerely,

Grow Development - Properties for Hope

#### **Current Plain City General Plan classification and zoning classification**

Currently, the parcels listed in Table 1 below are zoned RE-15 and RE-20. 2131 N and 2149 N have a single family home on approximately 0.5 acres with a former horse pasture to the west and north that is approximately 2 acres in size. These parcels, when considered together, represent residential low-density housing as described in the current Plain City General plan. The home on 2131 N is currently being used as a primary residence + ADU comprising 2 rental units, one is the primary structure and the other in an ADU above the garage. The field to the west is fenced but has been left fallow and in disuse. The parcel at address 2183 N is an unimproved 1.13 acre lot that is currently being used by the owner to park old trucking equipment from his previous business.

#### **Requested change to the General Plan classification and zoning classification**

Through this application we are requesting a zoning classification change to R1-11-SHO to allow for the development of a senior-living subdivision. The land will continue to be classified as residential, according to the General Plan.

#### **Reason for the requested change:**

This change in zoning addresses concerns and goals outlined in the General Plan. Specifically, the development of this subdivision will



- Encourage a mix of lot sizes and housing types in residential zones so that moderate income housing is properly integrated and not concentrated in one development or area. (pg 17)
- Encourage life-cycle housing that provides different housing options to allow people to live and grow in the same community. (pg 18)
- Address the following Residential goals in the the General Plan: (pg 6)
  - Create sustainable housing for new residents with access to neighborhood and community services, education, transportation, recreation, and cultural opportunities.
  - New development maintains and/or enhances community identity while remaining compatible with existing neighborhoods.
  - Provide housing that is well maintained, varied in cost and mixed density and is located in safe, stable and revitalized neighborhoods throughout the City.
- Serve a population that is lacking in the community. According to the general plan, people 55+ represent less than 10% of the Plain City population. One reason for this may be the lack of senior-focused housing and community opportunities in Plain City. As noted in the general plan, the Senior Housing Overlay "...Provides the means for housing that is affordable and is designed for seniors, recognizing their unique lifestyles and needs, by allowing higher densities and a mix of uses. (pg 18)

**What is the estimated development schedule?**

Stage	Est Date
Rezone and Entitlements Complete	Spring 2026
Land Development	Spring 2026 - Summer 2026
Finished Lots Delivered	Summer 2026
Home Construction	Fall 2026 - Winter 2026
First Residents	Spring 2027
Project Completion & Build Out	Summer 2028

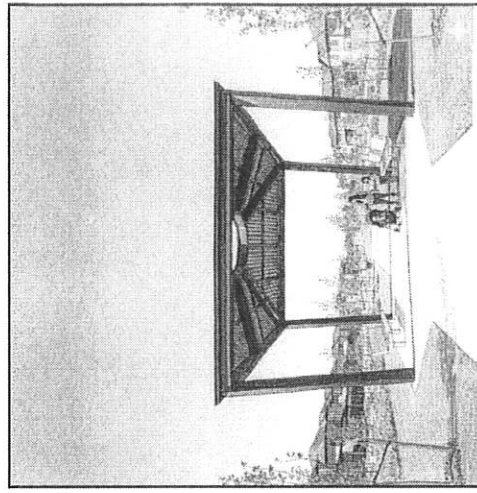
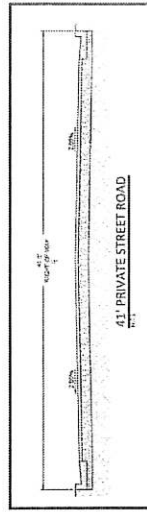
**Attach a list of all adjacent properties within 500 feet. (Parcel #, name, mailing address)**

See attached file



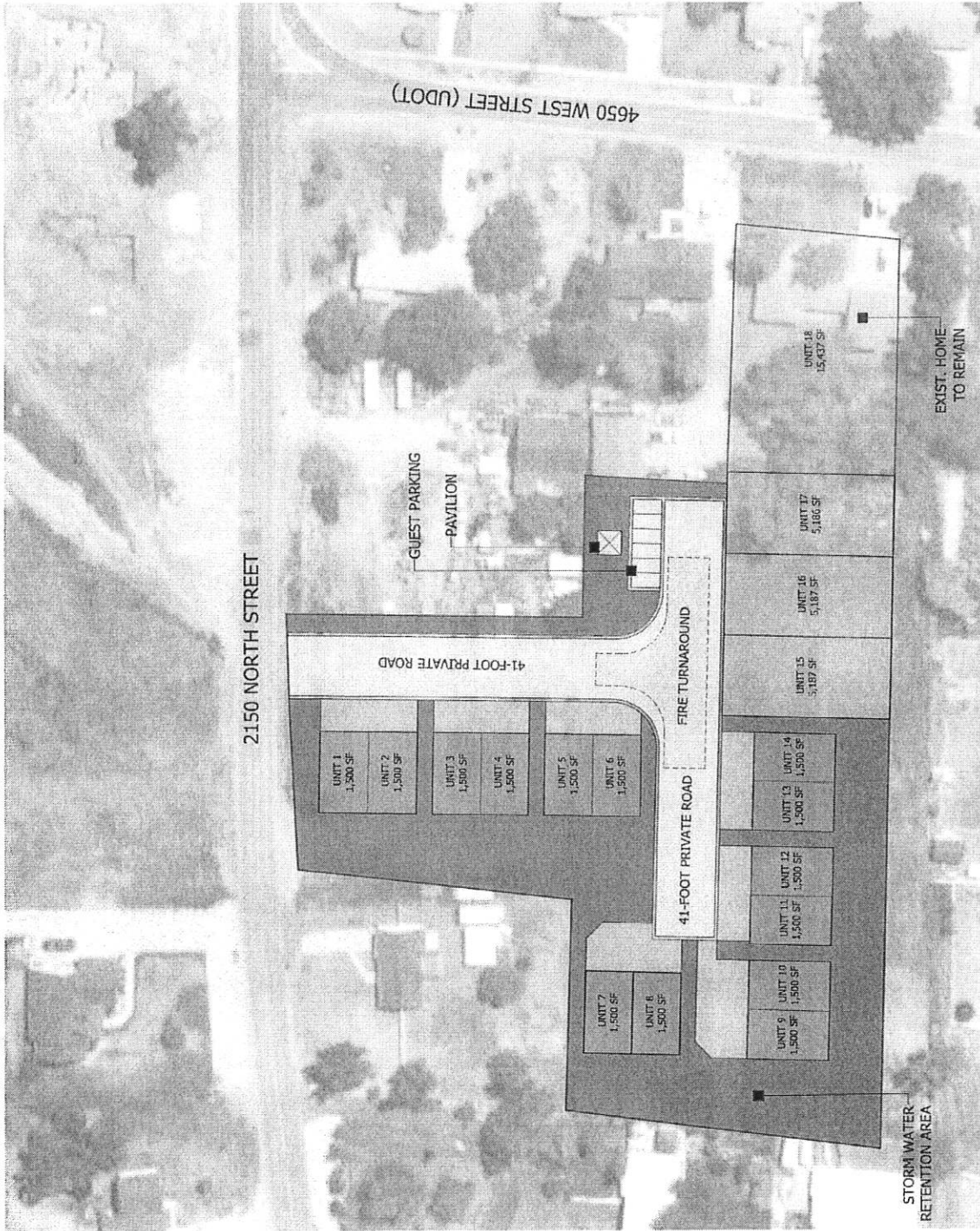
Parcel ID	Owner	Property Address	City	Tax Unit	Mailing Address	Mailing City	Mailing Zip	Acres
190320041	HPA II BORROWER 2020-1 GA LLC	2130 N 4650 W	PLAIN CITY	21	120 S RIVERSIDE PLZ STE 2000	CHICAGO IL	606066895	0.4
192660008	STOKES, JUSTIN & WF MEGAN STOKES	4769 W 2100 N	PLAIN CITY	21	1215 S 5100 W	OGDEN UT	844049405	0.5
190320058	STANGER, RICHARD & WF WHITNEY STANGER	2036 N 4650 W	PLAIN CITY	21	2036 N 4650 W	PLAIN CITY UT	844049730	0.36
190330032	JEFFREY & KIM SCHOLTEC LIVING TRUST	2069 N 4650 W	PLAIN CITY	21	2069 N 4650 W	PLAIN CITY UT	844049730	0.91
190320066	RONALD & ROSE RICKS FAMILY TRUST	2070 N 4650 W	PLAIN CITY	21	2070 N 4650 W	PLAIN CITY UT	844049730	0.33
192660011	CUTLER, COREY L & MICHELLE CUTLER	2073 N 4725 W	PLAIN CITY	21	2073 N 4725 W	PLAIN CITY UT	84404	0.37
192660001	LOPEZ, DIANA & ADALBERTO BARRANDEY JR	2078 N 4725 W	PLAIN CITY	21	2078 N 4725 W	PLAIN CITY UT	844049243	0.34
190320070	RICHARD & JOANN MONSON FAMILY TRUST	2080 N 4650 W	PLAIN CITY	21	2080 N 4650 W	PLAIN CITY UT	844049730	0.33
190320061	DAILEY, TYSON BLAKE	2090 N 4650 W	PLAIN CITY	21	2090 N 4650 W	PLAIN CITY UT	844049730	0.36
192660002	DICKAMORE, JEFF & WF KIRSTEN DICKAMORE	2094 N 4725 W	PLAIN CITY	21	2094 N 4725 W	PLAIN CITY UT	844049243	0.34
192660010	MEADOWS, BRIAN DEAN & WF PAMELA MEADOWS	2097 N 4725 W	PLAIN CITY	21	2097 N 4725 W	PLAIN CITY UT	844049243	0.36
190320065	STANGER, DON R & WF ROBYN B STANGER	2100 N 4650 W	PLAIN CITY	21	2100 N 4650 W RT 2	OGDEN UT	84404	0.36
192660003	WESTON, FRANK O DELL & WF ALISHA WESTON	2112 N 4725 W	PLAIN CITY	21	2112 N 4725 W	PLAIN CITY UT	844045560	0.45
190330034	BURGETT, LORI W	2123 N 4650 W	PLAIN CITY	21	2123 N 4650 W	OGDEN UT	84404	0.51
190330034	BURGETT, LORI W	2123 N 4650 W	PLAIN CITY	21	2123 N 4650 W	OGDEN UT	84404	0.51
190330035	JS LEGACY HOLDINGS LLC	2125 N 4650 W	PLAIN CITY	21	2125 N 4650 W	PLAIN CITY UT	844049043	0.57
190330035	JS LEGACY HOLDINGS LLC	2125 N 4650 W	PLAIN CITY	21	2125 N 4650 W	PLAIN CITY UT	844049043	0.57
190320105	WATSON, LLOYD W	2127 N 4575 W	PLAIN CITY	21	2127 N 4575 W	PLAIN CITY UT	844049729	0.31
190330005	HARRIS, MARIE T ETAL	2131 N 4650 W	PLAIN CITY	21	2131 N 4650 W	PLAIN CITY UT	844049043	0.13
190330040	HARRIS, MARIE T ETAL	2149 N 4650 W	PLAIN CITY	21	2131 N 4650 W	PLAIN CITY UT	844049043	0.28
190330004	HARRIS, MARIE T ETAL	2131 N 4650 W	PLAIN CITY	21	2131 N 4650 W	PLAIN CITY UT	844049043	0.09
190330048	HARRIS, MARIE T ETAL	2131 N 4650 W	PLAIN CITY	21	2131 N 4650 W	PLAIN CITY UT	844049043	1.24
190320042	ROBERTS, GAYLEN D & EILEEN E ROBERTS	2154 N 4650 W	PLAIN CITY	21	2154 N 4650 W	PLAIN CITY UT	844049043	0.27
190330120	STIGERS, NATHAN	2165 N 4650 W	PLAIN CITY	21	2165 N 4650 W	PLAIN CITY UT	844049043	0.48
190320106	WESTON, MICHAEL C & AMBER WESTON	2171 N 4575 W	PLAIN CITY	21	2171 N 4575 W	PLAIN CITY UT	844049729	1.09
190320044	SMALLEY, EITHAN & WF RACHEL SMALLEY	2180 N 4650 W	PLAIN CITY	21	2180 N 4650 W	PLAIN CITY UT	844049043	0.41
190330052	DIXON, JOHN E & KELLY E DIXON	2183 N 4650 W	PLAIN CITY	21	2183 N 4650 W	PLAIN CITY UT	84404	1.13
190330036	DIXON, JOHN E & WF KELLY E DIXON	2183 N 4650 W	PLAIN CITY	21	2183 N 4650 W	PLAIN CITY UT	84404	0.98
190320036	HULL, ETHAN & LINDSY FISHER	2187 N 4575 W	PLAIN CITY	21	2187 N 4575 W	PLAIN CITY UT	844049729	0.53
190320029	HANSEN, GAYLEN G & NANCY R HANSEN TRUSTEES	2221 N 4575 W	PLAIN CITY	21	2221 N 4575 W	OGDEN UT	84404	0.56
190330029	SWEETEN, JOSHUA ALEXANDER	2039 N 4650 W	PLAIN CITY	21	226 N 1500 E	LAYTON UT	840404541	0.16
190320093	CHADWICK, ALEXIS & COPEN HADLEY			21	2273 N 4575 W	PLAIN CITY UT	844049662	1.06
190320095	CHADWICK, ALEXIS & COPEN HADLEY			21	2273 N 4575 W	PLAIN CITY UT	844049662	0.02
190320039	WEBER COUNTY CORP WEBER COUNTY CORPORATION			21	2380 WASHINGTON BLVD #350	OGDEN UT	844011456	0.19
190320074	THAYNE J STANGER & VICTORIA A STANGER LIVING TRUST	4585 W 2125 N	PLAIN CITY	21	2486 N 1445 W	CLINTON UT	840155818	0.33
190330126	JTBARNES LLC			21	2583 N 2675 W	FARR WEST UT	844049189	2.03
190320043	MILDRED J SPARKS REVOCABLE LIVING TRUST	2166 N 4650 W	PLAIN CITY	21	265 STATE ST	MORGAN UT	840509514	0.33
190330112	PENNY B BARNES REVOCABLE TRUST			21	3107 W 2600 N	PLAIN CITY UT	844049085	0.56
190330112	PENNY B BARNES REVOCABLE TRUST			21	3107 W 2600 N	PLAIN CITY UT	844049085	0.56
190330113	PENNY B BARNES REVOCABLE TRUST TRUST			434	3107 W 2600 N	PLAIN CITY UT	844049065	0.28
190330033	BERRETT, AUSTIN	2097 N 4650 W	PLAIN CITY	21	356 W 200 N	LOGAN UT	843213804	0.7
190330033	BERRETT, AUSTIN	2097 N 4650 W	PLAIN CITY	21	356 W 200 N	LOGAN UT	843213804	0.7
190320082	WATSON, LLOYD ETAL	4580 W 2125 N	PLAIN CITY	21	4580 W 2125 N	PLAIN CITY UT	844048563	0.31
190320027	FLORENCE R HUNTER TRUST	4602 W 2200 N	PLAIN CITY	21	4602 W 2200 N	PLAIN CITY UT	844049316	0.31
190320063	RUSHTON, KORI RAYE	4609 W 2200 N	PLAIN CITY	21	4609 W 2200 N	PLAIN CITY UT	844049318	0.46
190320075	MYERS, BRADEN & WF SARAH J MYERS	4625 W 2125 N	PLAIN CITY	21	4625 W 2125 N	PLAIN CITY UT	844048573	0.33
190320097	JOHNSON, DAVID G & WF HEATHER A JOHNSON	4625 W 2200 N	PLAIN CITY	21	4625 W 2200 N	PLAIN CITY UT	844049318	0.5
190320096	JOHNSON, DAVID G & WF HEATHER A JOHNSON			21	4625 W 2200 N	PLAIN CITY UT	84404	0.5
190320003	DURRANT, JOHN K & WF TARA M DURRANT	4635 W 2125 N	PLAIN CITY	21	4635 W 2125 N	PLAIN CITY UT	844048573	0.33
194520004	CON & JERILYN WILCOX LIVING TRUST	4640 W 2200 ST N	PLAIN CITY	21	4640 W 2200 N	PLAIN CITY UT	844046281	0.58
194520003	SCHANKE, WILLIAM J & WF JESSICA ANN SCHANKE	4652 W 2200 ST N	PLAIN CITY	21	4652 W 2200 N	PLAIN CITY UT	844046281	0.86
194520002	STEOGER, SPENCER & WF COURTNEE STEOGER	4664 W 2200 ST N	PLAIN CITY	21	4664 W 2200 N	PLAIN CITY UT	844046281	0.7
192230001	SPENCER D HODGES FAMILY TRUST	4682 W 2050 N	PLAIN CITY	21	4682 W 2050 N	PLAIN CITY UT	844048122	0.33
192230002	HIRSCHI, MARK L & WF DIANE W HIRSCHI	4698 W 2050 N	PLAIN CITY	21	4698 W 2050 N	PLAIN CITY UT	84404	0.34
193260003	SHAW, DANIEL & WF KATELYN SHAW			21	4702 W 2200 N	PLAIN CITY UT	844049361	1.08
194280001	JOINER, COLTEN D & WF CASSIE J JOINER	4706 W 2200 N	PLAIN CITY	21	4706 W 2200 N	PLAIN CITY UT	844049361	1.03
190330073	CLIFF, JESSY & WILLIAM REAM	4710 W 2200 N	PLAIN CITY	21	4710 W 2200 N	PLAIN CITY UT	844049361	0.58
190330074	WILSON, DENNIS R & WF MARCIA B WILSON	4712 W 2200 N	PLAIN CITY	21	4712 W 2200 N	OGDEN UT	844049361	0.5
192660013	CARRIER, FRANCOIS CHARLES & WF MAGALI C CARRIER ETAL	4716 W 2050 N	PLAIN CITY	21	4716 W 2050 N	PLAIN CITY UT	844048124	0.35
192660004	HULSEY, EVERETT & VALERIE K HULSEY	4720 W 2100 N	PLAIN CITY	21	4720 W 2100 N	PLAIN CITY UT	844049823	0.45
190330037	MAY, BRANDON KEITH & BAILEY MAY	4727 W 2200 N	PLAIN CITY	21	4727 W 2200 N	PLAIN CITY UT	844049300	0.49
192660005	CHOTO, LUIS RODRIGO & FABIOLA CHOTO	4734 W 2100 N	PLAIN CITY	21	4734 W 2100 N	PLAIN CITY UT	844049823	0.36
190330062	SHANK, JOHN			21	4735 W 2150 N	PLAIN CITY UT	84404	0.03
190330061	SHANK, JOHN & WF LISAS SHANK	4735 W 2150 N	PLAIN CITY	21	4735 W 2150 N	PLAIN CITY UT	84404	0.81
192660012	BASS, KRISTOPHER & WF MANDY BASS	4742 W 2050 N	PLAIN CITY	21	4742 W 2050 N	PLAIN CITY UT	844048124	0.35
192660006	JMS LIVING TRUST	4752 W 2100 N	PLAIN CITY	21	4752 W 2100 N	PLAIN CITY UT	844049823	0.38
190330114	MCKEAN, MICHAEL L & WF TAMMY JO MCKEAN			434	4752 W 2200 N	PLAIN CITY UT	844049361	0.43
190330115	MCKEAN, MICHAEL L & WF TAMMY JO MCKEAN			21	4752 W 2200 N	PLAIN CITY UT	844049361	0.83
190330116	MCKEAN, MICHAEL L & WF TAMMY JO MCKEAN			434	4752 W 2200 N	PLAIN CITY UT	844049361	0.3
190330098	MCKEAN, MICHAEL L & WF TAMMY JO MCKEAN			21	4752 W 2200 N	PLAIN CITY UT	844049361	0.56
190330115	MCKEAN, MICHAEL L & WF TAMMY JO MCKEAN			21	4752 W 2200 N	PLAIN CITY UT	844049361	0.83
190330098	MCKEAN, MICHAEL L & WF TAMMY JO MCKEAN			21	4752 W 2200 N	PLAIN CITY UT	844049361	0.56
190330042	BERRY, ALEXANDRIA COX & WESTLEY DAVIS			21	4753 W 2200 N	PLAIN CITY UT	844049300	0.13
190330063	BERRY, ALEXANDRIA COX & WESTLEY DAVIS	4750 W 2200 N	PLAIN CITY	21	4753 W 2200 N	PLAIN CITY UT	844049300	1.03
190330041	BERRY, ALEXANDRIA COX & WESTLEY DAVIS			21	4753 W 2200 N	PLAIN CITY UT	844049300	0.86
190330127	BERRY, ALEXANDRIA COX & WESTLEY DAVIS			21	4753 W 2200 N	PLAIN CITY UT	844049300	2.18
192660009	PIPPIN, JOEL A & ASHLEY PIPPIN	4755 W 2100 N	PLAIN CITY	21	4755 W 2100 N	OGDEN UT	844049823	0.49
192230005	BROOMHEAD, WILLIAM A & WF JENNIFER L BROOMHEAD	4756 W 2050 N	PLAIN CITY	21	4756 W 2050 N	PLAIN CITY UT	84404	0.34
192660007	CHAMBERS, ALEX REYNOLD & ABBY CHAMBERS	4766 W 2100 N	PLAIN CITY	21	4766 W 2100 N	PLAIN CITY UT	844049823	0.38
192230006	BRANZ, JUSTIN C & WF CHRISTI E BRANZ	4772 W 2050 N	PLAIN CITY	21	4772 W 2050 N	PLAIN CITY UT	84404	0.34
192230007	GERFEN, JASON LEE & WF AIMEE LOUISA GERFEN	4788 W 2050 N	PLAIN CITY	21	4788 W 2050 N	PLAIN CITY UT	844048124	0.34
192410002	RYAN HEATH BRYSON LIVING TRUST	4798 W 2200 N	PLAIN CITY	21	4798 W 2200 N	PLAIN CITY UT	844049361	0.92
190330100	WESTSIDE INVESTMENTS LC			434	4960 W 2200 N	OGDEN UT	844049799	8.27
190330123	WESTSIDE INVESTMENTS LC			21	4960 W 2200 N	OGDEN UT	844049799	2.73
190320002	CORP PRES BP OF THE CHURCH OF JESUS CHRIST LDS			21	50 E NORTH TEMPLE ST FL 22	SALT LAKE CITY UT	841500022	7.2
194740001	BRENT JACOB RHEES & JENI LYN FAMILY TRUST	4676 W 2200 N	PLAIN CITY	21	5169 W 1500 N	PLAIN CITY UT	844049024	0.49
194520005	GRAYSTONE DEVELOPMENT INC	4624 W 2200 ST N	PLAIN CITY	21	5169 W 1500 N	PLAIN CITY UT	844049024	0.53

JOURNAL		SENIOR OVERLAY	
LAND USE		RESTRICTION	
BUILDING HEIGHT	30'	30'	
FRONT YARD	25'	25'	
REAR YARD	30'	30'	
INT. SIDE YARD	10'	10'	
FRONT LANDSCAPE	75%	75%	
SIDE LANDSCAPE	N/A	N/A	
REAR LANDSCAPE	N/A	N/A	



Drainage	1. Sedimentation
Prin. App.	116-01
Codes	9 November
Underfile	Concept Ref. 2020-1028

about 300,000 and 400,000, due to the fact that



PLAIN CITY SENIOR OVERLAY

CONCEPT · 1

PLAIN CITY, WEBER COUNTY, UTAH

HUNT · DAY

1415 Antelope Drive, St 200  
Tyrone, UT 84075  
PH: 801.664.4724



## CHAPTER 7

### SENIOR HOUSING OVERLAY ZONE

#### SECTION:

#### 10-7-1: Purpose And Intent

#### 10-7-2: Use Regulations

#### 10-7-3: Area Regulations

#### 10-7-4: General Regulations

#### 10-7-5: Submission Of Application

#### 10-7-6: Planning Commission Consideration

#### 10-7-7: Planning Commission Action

#### 10-7-8: City Council Action

#### 10-7-9: Final Site Plan And/Or Final Plat Approval

#### 10-7-10: Building Permit Issuance

#### 10-7-11: Time Limit

#### 10-7-12: Easements Over Common Areas

#### 10-7-13: Homeowners' Association Required

#### 10-7-1: PURPOSE AND INTENT:

##### A. Purpose:

1. The Senior Housing Overlay (SHO) Zone is established for senior housing residential development within a limited area of the City. It is expressly provided that the SHO Zone is not intended to be utilized for all residential development within the City. The SHO Zone shall only be permitted for property approved by the Planning Commission and City Council. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

2. It is established to ensure that adequate housing is available to senior citizens. (Ord. 2016-09, 10-6-2016, eff. 10-6-2016; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

3. It is established to facilitate the development of senior housing projects which are superior in functional design, quality of construction, appearance, and operational standards.

4. It is established to ensure that the requirements of the Americans With Disabilities Act (ADA) and universal design principles are incorporated within senior housing developments.

5. It is established to ensure that the requirements of all disciplines related to the International Code Council are followed.

B. Intent: This zone is designed to provide for residential uses that are appropriate for the development of seniors, recognizing their unique lifestyles and needs, by allowing higher densities, a mix of uses, and requiring in return, higher design and construction standards, as well as the provision of specific site and building amenities. It is the intent of this zone to carry out the policies and objectives of all elements of the General Plan and to meet the standards necessary to satisfy the requirements for public health, safety, and general welfare. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)



**10-7-2: USE REGULATIONS:**

A. **Conditional Use/Preliminary Development Plan Approval:** The residential uses, housing types and the location of the buildings proposed in an SHO Zone may differ from the residential uses, housing types and regulations governing such uses in effect in the zone in which the development is proposed, provided the provisions of this chapter are complied with.

B. **Nonresidential Uses:** Nonresidential uses may be included in the development to provide a necessary service to the residents of the development or to expand uses in certain areas of the City as determined by the Planning Commission. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

**10-7-3: AREA REGULATIONS:**

At least one household member must be fifty (50) years or older. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

**10-7-4: GENERAL REGULATIONS:**

A. **Open Space:** A minimum of fifteen percent (15%) open space shall be required of all SHO Zones, except as set forth below. For the purposes of this chapter, "open space" shall mean land and amenities set aside for common areas which are available for recreational use by residents of the SHO Zone or the public in general where land is dedicated to the City or the City holds a public access easement to the land. Open space acreage proposed to meet the fifteen percent (15%) requirement and encumbered by easements, wetlands, or utilities may only be utilized at a rate of up to fifty percent (50%). The percent applied to such properties shall be negotiated with the Planning Commission and the Planning Commission shall base their recommendation on the usability of that space, the amenities that it will provide, and the impact of the space on the project and the City. Open space shall not include private yard space, roads, parking lots, or dwelling units. The fifteen percent (15%) open space requirement may be reduced when the maximum density otherwise allowable is not requested, and an exceptional amenity or amenities of Citywide benefit are included in, or in conjunction with, the project.

B. **Density:** The SHO Zone density shall be an average of 6.0 units per acre.

C. **Yard And Height Regulations:**

1. The yard and height requirements of the adjacent zone around the periphery of the project shall be considered by the Planning Commission and may be modified (greater or smaller), as the Planning Commission deems necessary, in order to provide the privacy to the existing land uses, as well as the proposed land uses in the SHO Zone.

2. Front of building shall not encroach upon the utility easement and shall be a minimum of ten feet (10') from back of curb.

3. Minimum spacing between buildings shall be ten feet (10').

D. **Site Development Standards; Signs:** Site development standards and sign regulations shall be determined by approval of the site development plan.

E. **Land Dedication, Streets, Lighting, And Utilities:** The City Council, upon recommendation of the Planning Commission, may consider the dedication of streets, open space, and/or parks within the SHO Zone. Any private roads shall meet City standards for pavement structure. A street lighting plan is required. All utilities to be installed as part of the SHO Zone, shall be placed underground.

F. **Guarantee; Deposit In Escrow:** The developer will deposit in escrow with an escrow holder approved by the City Council an amount of money equal to the cost of improvements required plus ten percent (10%) as estimated by the developer and approved by the City Engineer under an escrow agreement conditioned for the installation of said improvements within two (2) years from the date the final plat is recorded. The escrow agreement aforesaid shall be approved by the City Council and City Attorney and shall be filed with the City Recorder. The ten percent (10%) improvement guarantee amount will be held for one year beyond the date of conditional final acceptance of improvements.



G. Revisions: As part of the City Council review of the final plat and/or development agreement, the City Council may modify the recommendations of the Planning Commission. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

H. Development Agreement: A development agreement shall be required for all SHO Zones to assure that all conditions of approval, resolution of negotiations, etc., are completed in the final development. The development agreement is a negotiated document. The Planning Commission shall make its recommendation on development agreement standards to the City Council. The City Council shall have the final negotiation and power to approve the final development agreement. The development agreement shall be signed and recorded concurrently with the final plan by the City Council. This agreement runs with the land and contains all the conditions decided upon during the project approval process. Once the Planning Commission has deliberated on the conditional use and the development agreement, the draft development agreement shall be sent to the City Council for review and consideration. The City Council review and/or modification shall be accomplished prior to the Planning Commission review of a preliminary plan or other submittals for the project. (Ord. 2016-09, 10-6-2016, eff. 10-6-2016; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

I. Checking Fees: Checking fees for SHO Zones shall be based on the same standards contained in the subdivision title and fees established for lots shall be applicable to housing units.

J. Architectural Standards: The following minimum architectural standards shall be required of all dwellings within a planned residential unit development:

1. Single-family dwellings shall have at least a two car garage (with minimum interior dimensions of 20 feet by 20 feet) per dwelling unit. Common walls between dwellings may be allowed with prior approval of the Planning Commission with a maximum of three (3) units.

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

3. Exterior finish materials of single-family dwellings shall be at least thirty percent (30%) masonry. At least fifty percent (50%) masonry shall be required for dwellings with common walls. For the purposes of this section, masonry shall include brick or stone or a material approved by the Planning Commission majority. For all of the dwellings at least twenty five percent (25%) of the front building facade shall be masonry.

4. The minimum roof pitch shall be at least four to twelve (4:12).

5. The minimum square footage of each dwelling area shall be at least one thousand (1,000) square feet above grade and exclusive of garages.

6. All dwellings shall have at least two (2) roof planes on the front building facade. Examples of this requirement include a hip style roof and a gable end on the front elevation with a cross gable.

7. All dwellings shall have at least one relief feature on the front building facade. Examples of relief items include: bay or box windows, cantilevered living areas, covered front porches and foundation projections or recesses.

8. In order to ensure exterior design variation in buildings with dwellings, no more than two (2) dwellings which have the same or very similar exterior design, as determined by the Planning Commission, shall be allowed adjacent to each other.

K. Universal Design: Universal design (also known as "aging in place") is a method of design that seeks to create development that can be used by everyone, regardless of age or physical condition. All projects shall implement, at minimum, the following universal design principles:

1. No step entries.



2. One-story living such that an eating area, bathroom, and sleeping area are available on the same floor.
3. Front doors with a minimum width of thirty six inches (36") to accommodate the use of wheelchairs and thirty two inch (32") free swing doors (34 inch door) on all interior doors.
4. Hallway minimum width of forty two inches (42") to accommodate the use of wheelchairs.
5. Room thresholds that are flush.
6. Adequate lighting throughout the dwelling unit.
7. Provide lever door handles and rocker light switches.
8. Provide additional closet rod brackets to allow potential access from a wheelchair.
9. Wheelchair accessible bathrooms. Provide adequate space for maneuverability and access to facilities to those using wheelchairs. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

#### **10-7-5: SUBMISSION OF APPLICATION:**

A. Required: An application for an SHO Zone shall be submitted as a conditional use to the Planning Commission. An overall preliminary development plan including subsections A1 through A10 of this section shall be submitted with the conditional use application for the SHO Zone.

1. Development density, coverage, and open space characteristics.
2. Vehicular and pedestrian circulation including trail systems, parking, and public uses.
3. A description of architectural elevations and floor plans demonstrating the general design, character, and exterior building materials of the proposed structures.
4. Conceptual landscape plan, fencing, and screening.
5. Conceptual grading and drainage.
6. Streets and lots.
7. Identification signs or entrance features.
8. Street lighting.
9. A written letter of commitment to the particular design concepts of the project. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)
10. A draft financial plan for the permanent maintenance of common area facilities. (Ord. 2016-09, 10-6-2016, eff. 10-6-2016; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

B. Other Necessary Information: Such other information shall be included as may be necessary to determine that the contemplated arrangement of uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this title.

C. Project Details And Proposal Negotiations: As part of the General Plan/rezone, or the rezone, or the conditional use, or subdivision process, project details and proposals such as lot sizes, densities, setbacks and amenities may be negotiated. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

#### **10-7-6: PLANNING COMMISSION CONSIDERATION:**

In considering the proposed Senior Housing Overlay development, the Planning Commission shall consider:



A. **Design:** The design, exterior materials, housing type and quality of buildings and their relationship to the site and their relationship to development beyond the boundaries of the development.

B. **Streets, Traffic, Parking:** Which streets shall be public and which shall be private, the entrances and exits to the development and the provisions for internal and external traffic circulation and off street parking.

C. **Landscaping, Screening:** The landscaping and screening as related to the several uses within the development as a means of its integration into its surroundings.

D. **Signs:** The size, location, design and nature of signs, if any, and the intensity and direction of area of floodlighting.

E. **Density:** The residential density of the proposed development and its distribution as compared with the residential density of the surrounding lands, either existing or as indicated on the zoning map or Master Plan as being a desirable future residential density.

F. **Financial Ability:** The demonstrated ability of the proponents of the Senior Housing Overlay development to financially carry out the proposed project under total or phase development proposals within the time limit established.

G. **Open Space And Amenities:** The value to the community of the open space to be preserved and the amount and quality of the open space and amenities.

H. **Phases:** In the event the Senior Housing Overlay is done in phases, the undeveloped portion will be addressed in the development agreement. It is up to the developer to present the options (materials) and up to the commission to decide. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

#### **10-7-7: PLANNING COMMISSION ACTION:**

A. **Recommendations:** The Planning Commission, subject to the requirements of this chapter and this Code, may recommend to approve, modify with conditions or deny, the draft development agreement, site plan, and/or the preliminary development plan.

B. **For A Conditional Use:** The Planning Commission, subject to the requirements of this chapter, may approve, modify, deny, or approve with conditions, the conditional use including the preliminary development plan for the proposed Senior Housing Overlay development. **After a conditional use for the Senior Housing Overlay development is approved**, a preliminary plat may be submitted using the standards and procedures found in the subdivision ordinance where subdivision approval is required. The Planning Commission may hold a public hearing for the conditional use permit. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

#### **10-7-8: CITY COUNCIL ACTION:**

In addition to the standard procedures, approval processes, and powers of the City Council, the City Council may hold a public hearing on the **development agreement** in conjunction with the General Plan and/or zone change or separately after the Planning Commission review of the conditional use where a General Plan and/or zone change is not required. **The City Council may approve, approve with conditions, or disapprove the final development agreement.** (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

#### **10-7-9: FINAL SITE PLAN AND/OR FINAL PLAT APPROVAL:**

Permitted uses specified in section 10-7-2 of this chapter require site plan approval by the Planning Commission before building permits are issued subject to section 10-8-16 of this title. Conditional uses are regulated by chapter 10 of this title.

All plans shall follow standard subdivision approval process with the Planning Commission. Approved final site plan or final plat will be forwarded to the building official for issuance of building permit. (Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

#### **10-7-10: BUILDING PERMIT ISSUANCE:**



The building official shall not issue any permit for the proposed building or use within the project unless such building or use is in accordance with the approved development plan and any conditions imposed. Approved development plans shall be filed with the Planning Commission, City Engineer, building official and City Recorder. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

**10-7-11: TIME LIMIT:**

Unless there is substantial action leading toward completion of a Senior Housing Overlay development or an approved phase thereof within a period of six (6) months from the date of approval, as determined by the City Council, to get the plat recorded or such approval shall expire, unless after reconsideration of the progress of the project, an extension is approved. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

**10-7-12: EASEMENTS OVER COMMON AREAS:**

In the Senior Housing Overlay Zone, there shall be reserved proper easements over the common areas to accommodate public services, including, but not limited to, the right of police and fire personnel to enter upon any part of the common areas, and to allow the City to repair or replace facilities or improvements thereon if any association fails so to do. The declaration for any such development shall include a provision covenanting with the City and all unit owners to maintain the common areas and facilities for the use of declarant and all unit owners prior to being turned over to an association. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

**10-7-13: HOMEOWNERS' ASSOCIATION REQUIRED:**

In the Senior Housing Overlay development with common areas and facilities such as common open space or private streets, a homeowners' association shall be created concurrent with recording of the final plat, to assure maintenance of the common areas and facilities in perpetuity. (Ord. 2012-03, 8-16-2012, eff. 8-16-2012; amd. Ord. 2017-09, 7-20-2017, eff. 7-20-2017)

Plain City Commission  
Minutes of Meeting  
December 11, 2025

Plain City Planning Commission met in a regular meeting at City Hall on Thursday, December 11, 2025, also accessible via ZOOM beginning at 7:00p.m.

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

Staff: Tammy Folkman, Dan Schuler

Attendees: Katelyn Shaw, Dawn Cobeny, Westley Davis, Valerie & Everett  
Hulsey, Justin Sollami, Brian Bingham, Cassie Joiner, JoAnn Monson,  
Con & Jeri Wilcox, Carson Jones, Spencer Steoger, Ben Smedley,  
Brandon May, Jon Beesley, Phil Meyer, John & Lisa Shank, Austin  
Evans, Penny Barnes

Zoom Attendees: Rachel, Mike Phillips, Gaylen, Amiee G, Jake, Diane Lopez, Kirsten  
Kemp, Jason G, Smedley, Rob

Welcome: Chairman Maw

Pledge of Allegiance: Commissioner Neil

Moment of Silence/Invocation: Commissioner Faulkner

1. Roll Call: Chairman Maw directed roll call. Commissioners Skeen, Faulkner, Ortega, Neil, Ableman and Chairman Maw were all present.
2. Opening Statement: Chairman Maw
3. Ex Parte:  
Chairman Maw was sent an email by someone who wanted to know about zoning and the future land use for the development he is wanting to do.
4. Public Comments:  
Mayor Beesley thanked the commissioners for their service to the city and all the work they have done.
5. Approval of Meeting Minutes for November 13, 2025  
Commissioner Ortega thanked Tammy for typing the minutes.  
**Commissioner Ortega motioned to approve meeting minutes for November 13, 2025. Commissioner Faulkner seconded the motion. Commissioners Ortega, Neil, Skeen, Faulkner and Chairman Maw voted aye. The motion carried.**
6. Technical Review Report: no report

Plain City Commission  
Minutes of Meeting  
December 11, 2025

7. Legislative Items:

**Motion: Open Public Hearing for a Conditional Use Permit for Kellys Cove (Brian Bingham)**

**Commissioner Faulkner motioned to open public hearing for a Conditional Use Permit for Kellys Cove. Commissioner Ortega seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.**

Katelyn Shaw is concerned about the traffic on 2200; she mentioned doing a traffic study. She also mentioned the plans UDOT had for 4650. She stated how bad the traffic situation is in Clinton. She didn't want to see that same thing happening here. She suggested a turning lane. She would like to see a larger offset from the road for the subdivision. She would like to see these things taken care of now not in the future. Cassie Joiner, echoed the same concerns Katelyn had. She did mention how fast people go down the hill. She indicated there needs to be a turning lane. She would like to see a stop sign to slow people down before they add more development to the area. Everett Hulsey had a few questions for the council; he had a concern about the address for a certain parcel. He mentioned it looked like there were two zones already. He did say his home backs up to this property, he stated there is a concern about how many houses are going to go in and his other concern was the water. He mentioned having five sump pumps in his yard with French drains and he has an irrigation canal that will need to be addressed. He is afraid of putting that many homes and not looking at the water issues will cause more problems. John Shank stated he has horse property and feels this will cause complaints. He did mention talking with Jay Christensen from Plain City Irrigation and Jay mentioned John come to the meeting and explain Plain City irrigation is only responsible for water to Plain City. He stated it is the cities responsibility to protect the shareholders from developers and home owners from encroaching on an existing easement where supply lines and irrigation lines are located. He indicated there needs to be ample space to repair drainage and supply lines. He said it should be recorded in this chamber that shareholders complained back when Cotton Wood Estates Kilgore wanted to remove the concrete pipe that supplied water downstream. He did say there was an issue of the easement. He did mention if the French drains get buried it will cause problems. Juston Sollami lives south of the proposed development his concern is only having one ingress and egress how will the fire department get in there; second concern is the storm drain run off and the additional cars. Jeri Wilcox knows development is coming but it needs to be done responsible. Westley Davis concerns are storm irrigation, flooding and the easement that needs to be protected. Does the zone change include his property and is there going to be complaints about the livestock. He said the road is very narrow. Con Wilcox echo's a lot of things that have been said tonight. He would like to see the setbacks on the road addressed as well as the density. Brandon May is concerned about the entrance to the subdivision it will be right next to his driveway. He is also concerned about increased traffic. He thinks the road will encroach on his property. John Dixon said he is the one selling the property he has been there 22 years; he is only selling a parcel of the property. He feels the entrance is in a good place and should not affect anybody. He indicated there is a big problem with the high school kids but nothing can be done about that. Diana Lopez would like to show support for her neighbors, her concern is the population density and if it will bring more crime, she did say she knows this one development won't bring more crime but if we allow smaller units, there is a concern. Chairman Maw thanked everyone for their comments and the feedback.

**Commissioner Skeen motioned to close the public hearing for a Conditional Use Permit for Kellys Cove. Commissioner Ortega seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.**



Plain City Commission  
Minutes of Meeting  
December 11, 2025

**Discussion/Motion: for the Conditional Use Permit for Kellys Cove (Brian Bingham)**

Brian Bingham is here representing Hope and Growth Development both companies are here in Utah. He has been taking notes of all the concerns. He stated he has been working with the Dixon and Harris families. He did say they are committed to stay in the density regulations in this zone. It offers a diversity for seniors for lower cost homes and less maintenance. He stated the land is being underutilized they would like to make it more beautiful and something the neighbors can be proud of. He also mentioned with senior housing you will have less traffic. Brian did say he recognizes the road is what it is, it was there before they came along. He mentioned they would like to be good neighbors concerning the water lines. He indicated they look forward to working with the city and making sure the surveys are right and water issues are taken care of as well as the fire code. He did say right now he would like to focus on the rezone. There was some concern about why we need a conditional use and a senior overlay. Chairman Maw did say this will go to city council.

Commissioner Faulkner feels we should only be discussing the overlay. The conditional use permit does say they would like to change to R1-11 which it should be just a senior overlay. Chairman Maw stated if it gets denied it will still need to go to city council.

**Commissioner Skeen motioned to recommend denial of the Conditional Use Permit for Kellys Cove.**

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

**Motion: Open Public Hearing for a Senior Overlay for Kellys Cove (Brian Bingham)**

**Commissioner Skeen motioned to open public hearing for a Senior Overlay for Kellys Cove.**

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

Katelyn Shaw stated she doesn't have any concerns for this property being turned into a senior overlay she is concerned about people coming to visit and will there be enough parking for everyone. She did say there is no parking on 2200 or 4600. John Shank indicated Plain City already has a senior development, he did mention the one going in on 2600 W. He doesn't feel we need another senior housing. He stated it only mentions that one person needs to be 50. He is afraid people with kids may move in there. He talked about a ditch in the southeast corner, he said there was no seal on it. He indicated it will need a new seal put on. John Bessely lives right next to a senior overlay development he stated it is awesome you don't see them and you don't hear them. He did say where this is proposed he doesn't love it. He doesn't love that it is around an agriculture area. He mentioned the ones going in right now there will be about 90 senior homes. He doesn't love this place for a senior overlay but he does love the senior overlay when it is in the right places.

**Commissioner Ortega motioned to close the public hearing for the Senior Overlay for Kellys Cove.**

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

**Discussion/Motion: for the Senior Overlay for Kellys Cove (Brian Bingham)**

Commissioner Faulkner stated she doesn't have questions for Mr. Bingham but she has a list of comments. Chairman Maw asked Brian with one senior overlay completed and two senior overlays in progress what do you think of this in regards to yours and why would it be necessary here in Plain City. Brian said one they will have a really good product that will serve the seniors and the city well. He stated Plain City is growing, it makes sense that additional senior housing will maintain that parody of different types of housing. Commissioner Ableman asked what kind of amenities are you offering for the seniors. Brian mentioned grass



Plain City Commission  
Minutes of Meeting  
December 11, 2025

spaces and extra parking and a pavilion, quiet and small for people. Commissioner Ableman wondered if the current home will remain there. Brian mentioned there is a renter in the main home and another in the DADU. Commissioner Ableman did say it is nonconforming, right now it doesn't comply with our ordinance. Brian did say the house will conform to Plain City codes. Commissioner Ableman is not a big fan of this; he looks at it as a developer maximizing profits. He doesn't see any amenities other than grass. Brian did say this is for someone between the age of 55 to 75 who are still active and would like a quieter community. Commissioner Skeen doesn't feel like it is a great fit coming off of the bluff, he doesn't like the shared wall idea. He feels we have a heavy amount of senior housing out here. He did say he is reluctant with overlays. Commissioner Faulkner mentioned she was going to address some of the questions that were brought up in the public hearing. She stated two access roads are not required for under 30 homes that is our ordinance whether a senior overlay goes in or single-family homes. Sidewalks would be required. She mentioned issues with the surveyor the residents will have to work that out. She did mention Plain City has a speeding problem she stated we are doing a few things to try and fix it. She indicated it would be the fourth senior housing in Plain City. Her mother and dad live in one, she did mention she just lost her dad and her mother has great neighbors and it's a nice community for her. She is not against senior housing, but she feels like this one might be to many homes. She did ask the question if anyone new if it was left as a single-family subdivision how many homes could go in there. Someone mentioned 8 or 9 homes. She also stated she didn't think seniors would be part of the traffic problem. She also said we are not allowed to deny development because of water that goes through Bona Vista and whom every is suppling secondary water. Access to the ditch would need to be addressed as well as encroaching on someone else's property. She told everyone to go to city council and not let it go, make sure your voice is heard. Commissioner Ortega thanked Commissioner Faulkner for addressing all the comments he also thanked everyone for their comments. He did say his major concern was he did not want to increase the number of units emptying out on the road. He doesn't feel like this is a good spot for another senior housing, he feels like there could be a better place for it. He mentioned some of the concerns that were shared tonight need to be shared at the discussion on the general plan when it comes up in 2026. Commissioner Neil is concerned about the traffic as well, he mentioned it only shows 6 or 7 parking stalls for guests this could be an issue. The access is an issue, he is wondering where the snow will go. He talked about all the issues of flooding and irrigation. Brian stated he would hopefully be able to build the homes with that in mind. Commissioner Neil mentioned it is not that we are against it he feels the location is not right. Chairman Maw mentioned having to look at his loved ones and make some decisions in regards to housing. He doesn't think this would be a good fit for his parent's. He doesn't feel it would be very well suited for the older age group based off the access and the ability to walk around. He doesn't feel like this one has the same abilities as the city center senior housing. He doesn't feel like this one has that ability.

**Commissioner Skeen motioned to deny approval to City Council for Senior Overlay for Kellys Cove. Commissioner Neil seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.**

Chairman Maw did tell Mr. Bingham this will still go to city council.

Motion: set public hearing for January 8, 2026 for the rezone of property at 5500 W 2050 N Parcel-190290031 from A-2 to RE-20 (Carson Jones)

**Commissioner Ortega motioned to set public hearing for January 8, 2026 for the rezone of property at 5500 W 2050 N Parcel-190290031 from A-2 to RE-20. Commissioner Faulkner seconded the motion. Commissioners Ortega, Neil, Faulkner, Skeen and Chairman Maw voted aye. The motion carried.**

## NOTICE OF DECISION

Plain City, Weber County, Utah

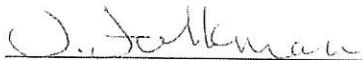
On January 8, 2026 the Plain City Planning Commission recommends

☒ Approval, ☐ \*Approval with condition(s), ☐ Disapproval, ☐ Tabled ☐ Denied

of an application for Subdivision Amendment for Freedom Estates approx. 4550 W 1500 N 5 Lots

received from (Applicant): Jan Checketts

This Notice of Decision formally concludes the Planning Commission's involvement with the application for the above-mentioned land use case. Copies of the Order are available at City Hall. Applications that have been deemed complete and have not been pursued with reasonable diligence before the appropriate board shall expire after six (6) months. The applicant will have to submit a new application and fees to restart the process, subject to all new zoning restrictions and subdivision regulations then in existence. Any party of record may appeal this decision to the City Council within 10 days of the Order approval date.



City Official

\*Condition(s)/Notes:

Commission Faulkner motioned to recommend to City Council to approve Subdivision Amendment for Freedom Estates approx. 4550 W 1500 N 5 Lots to do two phases. Commissioner Ableman seconded the motion. Vote: Commissioners Ortega, Faulkner, Ableman and Chairman Maw voted aye. Motion Carried.

**APPLICATION FOR  
AMENDMENT TO A SUBDIVISION**

Subdivision Name Freedom Estates Subdivision Zone R20 Date Submitted 12/8/2025

Address of Subdivision 4550 W 1500 N Plain City, UT

No. of Units or Lots being affected by the amendment: 5

Owner Name JXC Enterprises LLC Full Address 619 N 2000 W, Ogden UT 84404

Phone # 801-668-8956 Cell # 801-668-8956 Fax # N/A

Subdivider's Name Jan Checketts Full Address 4370 W 2650 N, Ogden UT 84404

Phone # 801-668-8956 Cell # 801-668-8956 Fax # N/A

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

None

Describe the amendment to the subdivision plat:

Breaking the plat in to 2 phases so that we can get two of the lots ready for sale.

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

12/05/2025

Date

[Signature]  
Signature

Office Use Only

Subdivision Amendment Fee: 200.00

Number of Copies: \_\_\_\_\_

PC Approval Date: \_\_\_\_\_

CC Approval Date: \_\_\_\_\_

**PROPERTY OWNER**

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

(Property Owner)

(Notary)

My commission expires: 01-20-2029



(Property Owner)

(Property Owner)

(Notary)

My commission expires:



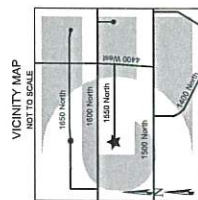
S1	COUNTY RECORDER	ENTRY NO. _____	FEE PAID. _____
		FILED FOR AND RECORDED _____	
1		AT _____ IN BOOK _____ OF OFFICIAL _____	RECORDED PAGE _____
		FOR _____	COUNTY RECORDER _____
		BY _____	

FREEDOM ESTATES SUBDIVISION  
LOCATED IN THE NORTH EAST QUARTER OF SECTION 5,  
TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,  
PLAIN CITY, UTAH  
MARCH 2022

BOUNDARY DESCRIPTION

A PART OF THE NORTH-EAST CORNER OF SECTION 2, TOWNSHIP 6 N., RANGE 2 WEST OF THE 54TH MERIDIAN, IN THE COUNTY OF HUNTER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A POINT ON THE SOUTHERN RIGHT-OF-WAY LINE BEING LOCATED NORTH 81° 44' 14" WEST 48.8 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION, RUNNING THENCE ALONG SAID SOUTH LINE OF SAID QUARTER NORTH 81° 44' 06" WEST 207.1 FEET TO THE EAST BOUNDARY LINE OF REDWOOD SUBDIVISION, THENCE ALONG SAID EAST BOUNDARY LINE NORTH 03° 14' EAST 654.79 FEET TO THE SOUTH BOUNDARY LINE OF KAMLELO SUBDIVISION, THENCE ALONG SAID SOUTH BOUNDARY LINE SOUTH 02° 04' WEST 100.0 FEET TO THE POINT OF BEGINNING, THENCE 129.32 FEET SOUTH 02° 04' WEST 90.2 ACRES, MORE OR LESS.



## SURVEYOR'S CERTIFICATE

[illegible]

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.



## OWNER'S DEDICATION

THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND RESERVE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

FREEDOM ESTATES SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO PLAIN CITY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES TO BE OPENED, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, OPERATION AND PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE (WHICHEVER IS APPLICABLE) AS AUTHORIZED BY PLAIN CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING SPECIFICALLY SUPPOSED UPON SUCH EASEMENTS.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

NYC ENTERPRISES LLC

RAY: IAN CHECKETTS / MANAGING MEMBER

## ACKNOWLEDGEMENT

STATE OF UTAH  
COUNTY OF WEBER

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, personally appeared before me JAN CHECCHETTI, a Notary Public in and for the State of New York, \_\_\_\_\_, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn, acknowledged to me that he/she is the MANAGING MEMBER OF ZIC ENTERPRISES LLC, and that said document was signed by him/her in behalf of said "Corporation by Authority of its Officers, or (Resolution of its Board of Directors), and said JAN CHECCHETTI acknowledged to me that said "Corporation executed the same.

STAMP

**NOTARY PUBLIC**

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A SIX LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY JAN CHECKETS. THE SURVEY WAS THE EXISTING PLAIN CITY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON THE BASIS OF BEARING IS THE SOUTHLINE OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 85°14'46" WEST PLAIN CITY, UTAH NORTH, NAD 83.

REVERSE: \_\_\_\_\_

AM CHECKS \_\_\_\_\_

CK CONSTRUCTION \_\_\_\_\_

WEST \_\_\_\_\_

OREN, LUTAN MAR \_\_\_\_\_

807-234-0717

**GARDNER**

**ENGINEERING**

CIVIL - LAND PLANNING

ANALYSIS - DESIGN - CONSTRUCTION

**S1**

**1**

**COUNTY RECORDER**

FILED NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_

ENTERED FOR AND RECORDED \_\_\_\_\_

AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF OFFICIAL \_\_\_\_\_

RECORDS, PAGE \_\_\_\_\_ RECORDED \_\_\_\_\_

FOR \_\_\_\_\_

**COUNTY RECORDER**

BY: \_\_\_\_\_

[illegible]

PLAIN CITY APPROVAL AND  
ACCEPTANCE

TO CERTIFY THAT THIS PLAT AND THE DESIGNATION OF ALLEYS PLAT, ALONG WITH THE DESIGNATION OF ALLEYS, EASEMENTS AND PUBLIC IMPROVEMENTS, HAVE BEEN REVIEWED AND ACCEPTED BY THE PLAIN CITY COUNCIL AND MAYOR OF PLAIN CITY, UTAH, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY \_\_\_\_\_ NAME/TITLE \_\_\_\_\_

EST: \_\_\_\_\_ CITY RECORDER

PLAIN CITY PLANNING  
COMMISSION

THIS IS TO CERTIFY THAT THIS  
SUBDIVISION WAS DULY APPROVED BY  
THE PLAIN CITY PLANNING COMMISSION

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
2022

CHAIRMAN, PLAIN CITY PLANNING  
COMMISSION

THE PURPOSE  
SHOWN AND  
CONTROL U  
MONUMENT  
THE NORTH  
LAKE BASE  
83 STATE PL

**NARRATIVE**

PROPERTY AS  
S. THE  
SURVEY  
LINE OF  
THE SALT  
TH, NAD


S1	1	<b>DNER VEERING</b> ND PLANNING LAND SURVEYING TODEN, UT
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ORDER \_\_\_\_\_  
AID \_\_\_\_\_  
OF OFFICIAL \_\_\_\_\_  
RECORDED \_\_\_\_\_  
ER \_\_\_\_\_



## Memorandum

**To:** Diane Hirschi, City Recorder  
Plain City Corporation

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

**Date:** December 1, 2025

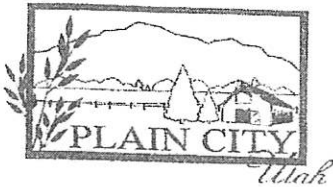
**Subject:** Cove Creek Subdivision - Conditional Final Acceptance

We have reviewed the Conditional Final Acceptance request for the Cove Creek Subdivision. We concur with the recommendation submitted by Dan Schuler of Plain City Public Works (attached). Consequently, we recommend granting Conditional Final Acceptance to the Cove Creek Subdivision.

Once Conditional Final Acceptance is granted, all the escrow funds can be released to the Developer except for the items as follows:

1. Costs for asphalt surface treatment in the amount of \$ 8,313.00 should be retained. This will likely be installed by the City in 2026.
2. The 10% Contingency should be retained.

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



11/25/2025

Re: Cove Creek Conditional final request

After completing my walk through for the conditional final inspection 11/3/2025, the only outstanding improvements items that needed to be complete was the survey monuments and surface treatment. At this time, they have completed all items as of 11/20/2025 except the surface treatment. I recommend starting the warranty phase and granting conditional final for Cove Creek Subdivision located 5200 West 900 North and releasing all escrow monies, minus the 10% warranty monies and \$8,313.00 to be paid to the city for renversement after completing the surface treatment in the spring of 2026. Any questions please call.

Sincerely,

Daniel Schuler / Public Work Director  
385-466-1079





## **PLAIN CITY PROPOSAL**

Consulting and Lobbying Services

Kerry Gibson -Legislative Solutions  
(801) 940-0475



Legislative Solutions  
PO BOX 3404  
Ogden, UT 84403

Mayor Jon Beesley

Re: Plain City

Dear Mayor Beesley,

Legislative Solutions is pleased to submit this proposal as per our conversation. As a firm, we successfully represent many small, medium, and large cities and counties in Utah and across the country. We are well positioned to assist Plain City with infrastructure investment. We, of course, understand that there are other lobbyists and firms in the state you could choose to work with and appreciate the opportunity to compete for your business, and after reviewing our existing clients and obligations we have to them we are confident that we can help you with your state and local government affairs efforts.

To help Plain City achieve its goals in Utah, Legislative Solutions would propose to do the following:

- Utilize Legislative Solutions existing relationships and help Plain City develop relationships with state agencies and other government entities in the State of Utah that would aid in funding improvements to identified infrastructure.
- Work with UDOT, Plain City, the Governor's office, and the State Legislature to fund, program, and construct identified improvements within the county.

We look forward to assisting with any and all other government relations assignments as discussed and agreed to by the parties to benefit the citizens of Plain City, Utah.

Sincerely,

Kerry Gibson  
Principal

## About Us

Legislative Solutions is a Utah-based lobbying and government relations firm. We represent businesses, associations, and governments of all kinds before the state legislature, local governments, and within the Executive Branch. We also have clients that require reach to the United States Congress and other states.

Our representation is intended to be a single contact, turn-key service that will leave all government relations concerns to us.

## Our Team

Legislative Solutions is a skilled government affairs firm that with expertise in negotiating, finding resources, and generating solutions. It is proposed that Kerry Gibson will serve as lead contact and contract manager.

### **Kerry Gibson, Principal**

Kerry has served as a member of the Utah House of Representatives, Weber County Commissioner, as well as a cabinet member and department head under the Herbert administration. Having served in multiple levels of government, Mr. Gibson is well situated to handle client needs ranging from administrative, legislative, and local government implementation. His deep relationships with policy makers at all levels of government is a valuable asset in the policy making process.

Legislative Solutions will at times contract other firms for services.



**Legislative Solutions  
Plain City  
CONSULTING AGREEMENT**

This Consulting Agreement ("Agreement") entered into and effective as of January 1, 2025, is by and between Plain City ("Client") offices located at 4160 W 2200 N, Plain City, UT 84404 and Legislative Solutions ("Consultant"), located at 5454 W 1150 S, Ogden, UT 84404.

I. **Purpose of Agreement.** Client retains Consultant, and Consultant accepts such retainer, to provide government relations services on behalf of Client in the State of Utah on issues relating to state and federal government relations.

II. **Scope of Services.** Consultant is knowledgeable in the area of work to be performed by Consulting Agreement. The Scope of Work to be performed by Consultant is set forth in Exhibit "A" to this Consulting Agreement incorporated herein by this reference. This Consulting Agreement may be amended only by written instrument signed by both the authorized representatives for Plain City and the Consultant. Consultant is an independent contractor with respect to the work provided to Plain City and may hire additional resources at the expense of the consultant unless otherwise provided by an amendment to the agreement.

III. **Authorization to Proceed.** Written approval of this Agreement by the authorized representatives of Plain City and Consultant will serve as authorization for the Consultant to proceed with the services called for in the Agreement.

IV. **Payment of Fees.** Consultant shall invoice Plain City for services performed for Plain City under this Consulting Agreement at the rates specified in Exhibit "A". Each invoice shall be itemized and have an invoice number. Consultant will make all appropriate tax, social security, Medicare and other withholding deductions and payments; will provide worker's compensation insurance coverage; and will make all appropriate unemployment tax payments. All payments due to Consultant are due 15 days from date of Plain City's receipt of invoice.

V. **Ownership of Documents.** All documents including notes, drawings, and reports generated by the Consultant under this agreement are the property of Plain City. Any reuse by Plain City without written authorization from the Consultant will be at Plain City's sole risk and without legal or liability exposure to the Consultant. Consultant may not use the work product for any other client or purpose without the express written consent of Plain City.

VI. **Confidentiality.** Consultant shall treat as confidential property and not disclose to others during or subsequent to the term of this Agreement, except as necessary to perform this contract hereunder and then only on a confidential basis, any information including technical information, experience or data regarding Plain City's plans, programs, operations and/or the specific contractual terms contained herein which may come within the knowledge of the parties, their officers, their employees or their agents in the performance of this contract (the "Confidential Information") without in each instance securing the prior written consent of Plain City. Nothing herein, however, shall prevent either Consultant or Plain City from disclosing to others or using in any manner information that either party can show:

- (a) Has been published and become part of the public domain other than by acts, omission, or fault of Plain City or Consultant or their employees.
- (b) Has been furnished or made known to Consultant or Plain City by third parties other than those acting directly or indirectly for or on behalf of Plain City or Consultant as a matter of

legal right without restriction against disclosure and the source of such information was not bound by a confidentiality agreement with or obligation of secrecy to or for the benefit of Plain City.

- (c) Was in the other party's possession prior to the disclosure thereof by Plain City or Consultant to each other and the source of such information was not bound by a confidentiality agreement with or obligation of secrecy to or for the benefit of Plain City.
- (d) The information is required to be supplied to a governmental agency.

VII. **Conflict of Interest.** Consultant agrees to advise Plain City prior to undertaking services for any other company whose interests are known or could reasonably be believed to be averse to the interests of Plain City. Upon consultation, the parties may mutually agree notwithstanding the existence of a conflict of interest, that the consultant may represent a principal or client if:

- (a) the consultant reasonably believes that the consultant will be able to provide competent and diligent representation to each principal or client;
- (b) the representation is not otherwise prohibited by law;
- (c) the representation does not require the consultant to assert a position on behalf of one principal or client that is opposed to the position of another principal or client represented by the lobbyist involving the same legislative issue: and
- (d) each affected principal or client gives informed consent to the conflict of interest in writing

If consent cannot be reached, the consultant is prohibited from representing the conflicting party while under contract with Plain City.

VIII. **Indemnity.** Consultant will indemnify, defend and hold harmless Plain City and its agents, directors, officers and employees from and against all suites, losses, damages, causes of action or claims (including attorneys' fees and costs) that may be based on any injury to persons or property that is the result of a breach of any obligation in this Agreement or an error, omission or negligent act of Consultant or any person employed by Consultant or acting on Consultant's behalf.

IX. **Term.** The term of this Consulting Agreement shall be for the base period stated in Exhibit "A". This Consulting Agreement shall terminate at the end of the base period, unless Consultant has not completed the work to be performed, or Plain City extends the term of the Consulting Agreement in writing.

X. **Notices/Approvals.** All notices and approvals required under or by reason of this Consulting Agreement shall be in writing and shall be deemed given when sent to each party's authorized representative as follows

Plain City  
C/O Mayor Jon Beesley  
4160 W 2200 N  
Plain City, UT 84404  
Telephone: (801) 731-4908

Legislative Solutions  
Kerry Gibson  
5454 W 1150 S  
Ogden, UT 84404  
Telephone: (801) 940-0475

XI. **Choice of Law and Remedies.** This Consulting agreement is made and shall be enforced pursuant to the laws of the State of Utah. The parties agree that monetary damages alone would not be sufficient remedy for any breach of this Agreement and each party, in addition to monetary damages, shall be entitled to specific performance and injunctive relief as remedies for any such breach.

Additionally, the prevailing party in any judicial proceeding shall be entitled to recover from the other its/his/her reasonable costs and expenses, including attorney's fees. Such remedies shall not be deemed to be the exclusive remedies for a breach of this Agreement but shall be in addition to all other remedies available at law or in equity.

**XII. Equal Opportunity.** Consultant shall comply with Equal Employment Opportunity as provided by Executive Order 11246.


**XIII. Severability and Survival.** Should any part of this Consulting Agreement be found to be void, voidable or unenforceable, such void, voidable or unenforceable provision shall be deemed severed from this Agreement and shall not affect the remainder of this Agreement. The provisions of Sections 4, 5, 6, 7, 10, and 12 shall survive the termination of this Agreement for a period of three (3) years from any such termination.

**XIV. Assignment.** Plain City shall have the right to assign this Consulting Agreement to its successors or assigns and all covenants and agreements hereunder will insure to the benefit of and be enforceable by or against its successors or assigns. The rights and obligations of Consultant under this Consulting Agreement are personal to Consultant, and no such rights, benefits, or obligations shall be subject to voluntary or involuntary alienation, assignment or transfer.

This Agreement entered into as of the date written above.

**Client**

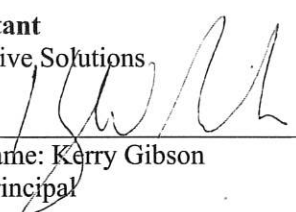
Plain City

  
Print Name: Jon Beesley

Title: Plain City Mayor

**Consultant**

Legislative Solutions

  
Print Name: Kerry Gibson

Title: Principal

## Conclusion

We look forward to working with Plain City and supporting your efforts to improve the quality of life in Plain City. We are confident that we can meet the challenges ahead and stand ready to partner with you in delivering an effective legislative support solution.

If you have questions on this proposal, feel free to contact Legislative Solutions at your convenience by email at [NRAESolutions@gmail.com](mailto:NRAESolutions@gmail.com) or by phone at (801) 940-0475. We will be in touch with you shortly to arrange a follow-up conversation on the proposal.

Legislative Solutions  
Kerry Gibson  
PO Box 3404  
Ogden, UT 84403  
(801) 940-0475



## **Exhibit "A"**

Legislative Solutions ("Consultant")

Plain City ("Client")

### **Consulting Agreement**

Dated: January 1, 2025.

#### **1. SCOPE OF WORK**

Consultants (Legislative Solutions) shall perform the following services as requested by Plain City:

- A. Provide technical and political resources and strategy on the issues related to Plain City, to include, but not limited to, the following:
  - a. transportation and infrastructure
  - b. water development and infrastructure
  - c. economic development/redevelopment
  - d. housing/planning and zoning regulation/homelessness
  - e. general municipal revenue and authority
- B. The consultant will work with the client throughout the year and will regularly communicate and meet with the county to strategically plan and promote the interests of the county.
- C. Work with legislative leadership, the Governor's office, state agencies, Plain City and the related departments and regulators on matters related to Plain City and their interest to develop regionally significant infrastructure in the county.
- D. Work to negotiate solution(s) that are agreeable to the client.

#### **2. FEES**

- i) A retainer of \$3,500/monthly will be paid to the consultant as agreed upon by each party. The amount will be billed at the first of each month of the year. Payment is due upon receipt of invoices.
- ii) Any expenses incurred by Consultant will have prior approval by the client.

#### **3. TERM**

This Agreement shall be effective on January 1, 2025, and shall be effective for a period of twelve (12) months. The contract may be terminated by either party with 30 days' written notice.

All normal office costs and expenses are included in this fee.

Legislative Solutions would be honored to represent Plain City. Should you have any questions regarding our proposal, please contact us at your earliest convenience.

RESOLUTION NO.

**AN AMENDMENT TO RESOLUTION 2025-06 SUPPORTING AMERICA250  
UTAH AND RECOGNIZING AND APPROVING THE PLAIN CITY UTAH250  
COMMUNITY COMMITTEE**

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

WHEREAS, the City Council finds that in conformance with the provisions of UCA §10-3-717, the governing body of the city may exercise all administrative powers by resolutions; and,

WHEREAS, Governor Spencer J. Cox and the Utah State Legislature created the America250 Utah Commission (also known as America250 Utah);

WHEREAS the mission of America250 Utah is to commemorate and celebrate, reflect on our nation’s past, build community, and look toward the future by educating, engaging, and uniting Utahns and visitors to our state;

WHEREAS, America250 Utah is seeking partnerships with counties and municipalities to further its mission;

WHEREAS, this partnership will be formed by creating a local committee called the Plain City Utah250 Community will focus on important events, people, and places within Plain City to commemorate and celebrate Plain City’s role in America’s 250<sup>th</sup> anniversary; and

WHEREAS, local projects will enhance tourism, community building, and economic development opportunities.

NOW, THEREFORE, Be It Resolved that the City Council of Plain City, Utah

1. Hereby recognizes the Plain City Utah250 Community Committee as its official committee. See attachment A for members of the committee.
2. Will partner with America250 Utah.
3. Will support signature programs of the America250 Utah Commission; and
4. Will support the Plain City Utah250 Community Committee in its local efforts to educate, engage, and unify Utahns and our visitors in Plain City.

PASSED AND APPROVED by the Plain City Council this \_\_\_\_ day of January, 2026.

Voting:

Council Member Favero	_____
Council Member Beal	_____
Council Member Jenkins	_____
Council Member Wilson	_____
Council Member Panunzio	_____

\_\_\_\_\_  
MAYOR OF PLAIN CITY

ATTEST:

\_\_\_\_\_  
City Recorder



Attachment A

Plain City Utah250 Community Committee

Rachael Beal	801-400-9070	beal.plaincity@yahoo.com
Jan Wilson	801-540-7715	jan.plaincity@gmail.com
Phil Meyer	801-726-5339	philm@plaincityutah.gov

## ORDINANCE NO.

### AN ORDINANCE OF THE CITY OF PLAIN CITY, UTAH SETTING THE MEETING SCHEDULE FOR THE CITY MEETINGS AND PROVIDING FOR AN EFFECTIVE DATE.

#### **Section 1. Recitals:**

WHEREAS, the City Council finds that the City of Plain City (herein "City") is a municipal corporation and a city duly organized and existing under the laws of the State of Utah; and,

WHEREAS, the City Council finds that in conformance with the provisions of UCA §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

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

WHEREAS, the City Council finds that in conformance with the provisions of UCA §10-3-502, the governing body of shall by ordinance prescribe the time and place for holding its regular meeting which shall be held at least once each month; and,

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

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PLAIN CITY, UTAH that the following meeting schedule is hereby established for Plain City:

<u>Body</u>	<u>When</u>	<u>Time</u>
City Council	1 <sup>st</sup> and 3 <sup>rd</sup> Thursday of each month	6:30 pm
Planning Commission	2 <sup>nd</sup> and 4 <sup>th</sup> Thursday of each month	7:00 pm

#### **Section 2. Repealer of Conflicting Enactments:**

All orders, ordinances and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

**Section 3. Prior Ordinances and Resolutions:**

The body and substance of any and all prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are hereby reaffirmed and readopted.

**Section 4 - Savings Clause:**

If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of Plain City.

**Section 5. Date of Effect**

This Ordinance shall be effective on the \_\_\_\_ day of January, 2026, and after publication or posting as required by law.

PASSED, ADOPTED AND ORDERED POSTED by the City Council of Plain City, Utah, this \_\_\_\_ day of January, 2026.

PLAIN CITY, a municipal corporation

by: \_\_\_\_\_  
Phil F Meyer  
Mayor

Attested and recorded

\_\_\_\_\_  
Diane Hirschi, CMC  
City Recorder