

City of
WASHINGTON TERRACE
Utah

Planning Commission Meeting
Thursday, May 28, 2026
City Hall Council Chambers
5249 S. South Pointe Dr. Washington Terrace City
801-393-8681

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. OATH OF OFFICE

Rodriguez will administer the oath of office to Commissioner Amy Morgan

5. RECURRING BUSINESS

5.1 MOTION: APPROVAL OF AGENDA

Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

5.2 MOTION: APPROVAL OF MINUTES FOR APRIL 30, 2026

6. SPECIAL ORDER

Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then commission final discussion.

6.1 PUBLIC HEARING: TO HEAR COMMENTS IN SUPPORT AND OPPOSITION TO PROPOSED AMENDMENT TO CHAPTER 17.30.020 ZONING AS IT RELATES TO CEMETERYS AND TO CHANGE ZONING AT 5800 SOUTH ADAMS AVENUE FROM C-1 (COMMERCIAL) AND R-1-10 (RESIDENTIAL) TO O-1 (OPEN SPACE) TO ALLOW FOR A VETERAN'S CEMETERY

7. RECURRING BUSINESS

Recurring Business are items that have been brought before the Commission at a previous meeting.

6.1 DISCUSSION/MOTION: RECOMMENDATION OF APPROVAL OF THE MASTER DEVELOPMENT AGREEMENT TO ALLOW FOUR ATTACHED TOWNHOME UNITS, WITH THE EXISTING RESIDENCE TO REMAIN, AT 445 WEST 5100 SOUTH

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.
Amy Rodriguez, Washington Terrace City Recorder

8. NEW BUSINESS

**8.1 MOTION/ORDINANCE 26-01:RECOMMENDATION TO APPROVE
AMENDMENT TO ZONING MAP FOR A CERTAIN PARCEL; ADOPTING
THE CONCEPT PLAN; AND AMENDING THE O-1 ZONE**

9. UPCOMING BUSINESS

10. MOTION TO ADJOURN THE MEETING

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.
Amy Rodriguez, Washington Terrace City Recorder

City of Washington Terrace

Minutes of the Planning Commission Meeting held on
Thursday, April 30, 2026
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Steve Jacobson
Commissioner Dwight Henderson
Vice-Chair Amy Morgan – Excused
Commissioner Kirt Freeland
Commissioner Jethro Dee Watson – Excused
Commissioner Morgan Wilkins
Commissioner Matthew Roper – Excused
General Planner Tyler Seaman
Amy Rodriguez, City Recorder

Others Present

Developer Matthew McConkie, Josh Koshkan, Kylie Koshkan, Eli McConkie, Mark Allen, Tina Thompson, Darin Thompson, Antonio and Elizabeth Rosales

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. OATH OF OFFICE

Rodriguez administered the oath of office to Commissioner Kirt Freeland.

5. RECURRING BUSINESS

5.1 MOTION: APPROVAL OF AGENDA

Item 5.1 was approved by general consent

5.2 MOTION: APPROVAL OF MINUTES FOR JULY 31, 2025

Item 5.2 was approved by general consent.

6. PRESENTATION

6.1 CERTIFICATE OF APPRECIATION TO COMMISSIONER DAN JOHNSON

Mayor Allen stated that Dan Johnson has served the Planning Commission and the community for seventeen years. He thanked Johnson for his years of service and dedication to the serving the

residents and also thanked the entire Commission for their participation in the job that they do. Mayor Allen presented a certificate of appreciation to Dan Johnson.

7. SPECIAL ORDER

7.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND OPPOSITION TO THE APPROVAL OF THE PROPOSED IN-FILL OVERLAY ZONE AND MASTER DEVELOPMENT AGREEMENT AND SITE PLAN TO ALLOW FOUR ATTACHED TOWNHOME UNITS, WITH THE EXISTING RESIDENCE TO REMAIN, AT 445 WEST 5100 SOUTH

Seaman stated that this is an overlay zone, meaning that the zone is a R-1-8 and due to city code, the land was able to be put on the in-fill map a year or so ago to allow for an infill property development. He stated that the proposed development was tabled due to a high-density unit proposal by a different owner.

He stated that this proposal by a new owner is a significantly less dense area that falls within city code allowance. He explained that the allowed infill density per code is based off of the density of surrounding properties and the size of the lot. Seaman stated that the property is capable of having six units and the developer is proposing four units, plus the existing home.

Seaman stated that the caveat to the infill ordinance is that developments must be approved with a Development Agreement. He stated that the group of townhomes will have a CCR and an association that will take care of the property. He stated that the infill code allows the developer to have different setbacks and distances from property lines than typically are allowed in an R-1-8 zone. He stated that the proposed plans meet the requirements of the R-1-6 zone setbacks and he has noted that he has required them to push the setbacks back by 30 feet in order to be approved. He stated that the setback change is the only condition that would make the proposed development acceptable or not in accordance with code.

He stated that the convenience is under review with the city attorney. Seaman stated that it is important to recognize that the development falls into line in which the city code allows. Seaman stated that if the proposal meets the city code, he does not have the legal right to not allow the development. He stated that he could put conditions on the development if concerns are present, giving examples of a fence, or lighting.

Seaman stated that there will be individual four units with a flag lot mentality and a road back to the existing home on the property.

Chairman Jacobson asked about the 25-foot future easement. Seaman stated that the intent has been to allow access to the other property to the east of this property. This condition has not been ironed out by staff as of yet. He stated that this would have to have approval if it comes to pass. Seaman stated that this request by a different owner does not have anything to do with the item for discussion tonight. He stated that there would have to be an access agreement between owners. Developer Matthew McConkie stated that the current owner who is selling the property is reserving the right to have access to his property. He stated that there would be a deeded easement with joint access.

McConkie stated that there will be retention on the west side and retain between the existing home and the townhomes, noting that the grade difference is large. He stated that there would be a four-foot maximum wall. He stated that he does not want to affect the neighborhood.

Seaman stated that the code states that there needs to be 2.5 parking spaces, and the townhomes will have four, with two car garages with two spaces in front of the garages. Chairman Jacobson

stated that he is concerned about parking. He stated that some of the parking may block current residents' mailboxes. McConkie stated that the homes will have four parking spaces per unit , exceeding the 2.5 requirement. Seaman stated that the city has approved many infill properties without this requirement and cautions the Commission to be careful with the parking requirements. He stated that he understands that it will bring more people to the area. McConkie stated that there will be 30 feet between the road and the garages. Seaman stated that he and the city manager feel that the setbacks need to be in line with the homes already in the area. They do not want the setbacks to be less than 30 feet. Seaman stated that the Fire Chief has stated that the narrow road to the back home meets fire code and does not need a hammer head or turn around area. Seaman stated that there is a fire hydrant on the corner of the property.

Chairman Jacobson opened the public hearing at 6:26 p.m.

Ryan Schulffer stated that he wants it known that he 100 percent disagrees with the development. He stated that he wants the city to enforce parking requirements and on street parking. He stated that he does not agree with the city taking every square inch of dirt and develop more homes and rentals. He stated that people will be parking all over the streets and in front of the church. He also stated that he does not think a four-foot wall without an engineer will do anything as it is a steep drop. He stated that he does not want this property. He stated that there will be too many homes and rentals in an acre lot, making the aesthetic of the city go downhill because we are trying to shove a lot of rentals inside a one-acre lot. Mr. Schulffer stated that he does not believe that the parking ordinance is enforced by the city. He stated that he does not want this development to happen. Mr. Schulffer stated that the driveway is super narrow and he does not believe that a fire truck would fit up the driveway without being widened. He asked commission to take some time to look at the property and take note of the driveway to see if it meets fire requirements.

Tina and Darren Thompson stated that they are neighbors to the west of the property. Mrs. Thompson stated that they did not move here and buy their home to live next to townhomes or apartments. She stated that they moved here to live in a neighborhood of family homes. Mrs. Thompson stated that she is concerned about if the owner is going to rent out the townhomes or sell them. She stated that they are concerned with the building process and does not look forward to that process. She stated that there is nothing to stop other developers from buying property and asking for more variances for townhomes on other property.

Mr. Thompson stated that he is concerned about what will happen to the other properties beyond the four proposed.

Joshua Koskan stated that he lives across the street and was concerned about parking, although he noted that concern has been alleviated. He stated that he is concerned about the architectural and construction designs for the development, stating that he doesn't believe that the garage design and housing design will allow the units to fit in the area properly. He agrees that there will be development snuck into the remaining property. He stated that he is also concerned about how the development will be built and will look as it will be two stories high. He stated that he would encourage ownership of the units and not renter ship as part of the development agreement.

Antonio and Elizabeth Rosales live in the neighborhood and are concerned about obstruction of view in front of their property. She stated that they are concerned about future developments in the neighborhood. She stated that they face the huge acre and purchased their home because of the view of the trees and the acre lot. She stated that she feels that this is her home where she is raising their children and they are concerned that the area will never be the same again. She stated that she and her husband are very upset about the development and asked if the development could be blocked.

Kylie Koskan stated that she is concerned about future developments and stated that she understands that this development is within the law. She stated that she shares the neighbor's concerns about future developments on the property behind the townhomes and how high the density will continue to rise. Mrs. Koskan is interested in how long construction will take and what construction restrictions will be in place for timeline and for the parking of the equipment.

Chairman Jacobson closed the public hearing at 6:38 p.m.

Chairman Jacobson stated that he realizes it is difficult to accept high density going up in the community. He stated that he is also worried about the grade and the parking, noting that they are legitimate concerns.

He stated that there is a 35-foot height restriction within the city and the property will not exceed that height.

He stated that the property has already been approved on the infill map.

Seaman stated that the city ordinance allows construction to begin at 7:00 a.m., noting that it may be two to three weeks for framing, which is the loudest part of the process. Seaman stated that he believes the construction will be around five months. He stated that they cannot stage their equipment on the road.

Seaman stated that it is important to remember that any land use concerns with new developments must go through the same process. Seaman explained that the city has a Development Review Committee with employees with different expertise. He stated that he focuses on what is required for building code. He stated that the Committee is comprised of himself, the Public Works Director, the City Manager, the Fire Chief, and the City Attorney. Seaman stated that there is potential for growth behind the property, noting that they would have to go through the same vetting process. Seaman stated that the expectation of the Development Review Committee is that people will have questions on the developments and staff wants to be prepared by vetting the development before it comes to Planning Commission.

Seaman stated that a retaining wall over four feet has to be engineered and permitted.

Seaman stated that the driveway will remain as it is. He stated that nothing is proposed to be built for a road at this time. He stated that the deeded road has nothing to do with this process.

Seamans noted the first developer wanted 64 units on the same property and he stated that the Commission tabled the initial proposal and the council didn't even entertain that suggestion.

Seaman stated that the city allows for infill and the parcel was put on the infill map two years ago. Seamans stated that the ordinance states that houses in good condition are not to be torn down to build more units.

Seaman stated that the city does not have any control over renting verses ownership unless there is a building code violation. McConkie stated that the plan is to build and sell each individual unit to individual owners.

Seaman stated that the surrounding density determines how many units can be built noting that the property behind this development would probably have the same density if they propose to be on the infill map. Chairman Jacobson stated that the information is available on our website and any new development proposals would have the same calculations applied.

Seaman stated that there will be a landscaping plan as part of the development agreement.

There were no more questions or discussions from the Commission.

8. NEW BUSINESS

8.1 DISCUSSION/MOTION: RECOMMENDATION OF APPROVAL OF THE IN-FILL OVERLAY ZONE AND MASTER DEVELOPMENT AGREEMENT TO ALLOW FOUR ATTACHED TOWNHOME UNITS, WITH THE EXISTING RESIDENCE TO REMAIN, AT 445 WEST 5100 SOUTH

Chairman Jacobson stated that he does not feel that the information provided tonight is complete enough to be voted upon. He stated that the plan is redlined. He stated that there is not a CCR , HOA, or landscape plan and wanted to state that he feels that the proposal is incomplete.

Chairman Jacobson asked for a motion for approval. There were no motions made to approve a recommendation for the project.

Motion by Commissioner Henderson

Seconded by Commissioner Wilkins

**To table the discussion until they have more information that the Commission needs
to make a rational decision on the project**

Approved unanimously 4-0

8.2 MOTION: NOMINATION AND ELECTION OF CHAIRMAN AND VICE-CHAIR

Motion by Commissioner Wilkins

Seconded by Commissioner Henderson

To nominate Chairman Jacobson

To serve as Chairman

And Commissioner Amy Morgan

To serve as vice-chair

Approved unanimously 4-0

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238 **9. UPCOMING BUSINESS**
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240 Seaman stated that he has spoken with the state concerning a proposed Veteran's Cemetery to be
241 constructed on Jim Harveys property near the old restaurant. He stated that he has seen the rough
242 draft of the plans and it looks like a great project.

243
244 Seaman stated that he has been reviewing the Overland Construction site and it is coming along
245 nicely.

246 Seaman stated that the property being built at the old city property is moving along.

247
248 He stated that he has not received any residential construction requests lately besides the request
249 tonight.

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251
252 **10. MOTION TO ADJOURN THE MEETING**
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254 **Motion by Commissioner Henderson**
255 **Seconded by Commissioner Wilkins**
256 **To adjourn the meeting**
257 **Approved unanimously**
258 **Time: 7:00 p.m.**
259

260
261 _____
Date Approved

City Recorder



STAFF REPORT FOR AGENDA ITEM 6.1 WILL BE INCLUDED IN THE PACKET AT A LATER TIME, AS PORTIONS ARE STILL BEING REVIEWED. THE FOLLOWING IS THE SITE PLAN INFORMATION.

THANK YOU



5249 S. South Pointe Drive
Washington Terrace, UT 84405
801.393.8681
www.washingtonterracecity.com

MEMORANDUM

To: Washington Terrace City Planning Commission

From: Development Review Committee Staff

Date: 5/25/2026

Subject: DRC Recommendation – Harvest Pointe Townhomes/445 West 5100 South/Parcel No. 07-066-0090

The Development Review Committee staff has reviewed the proposed Harvest Pointe Townhomes project located at 445 West 5100 South, Parcel No. 07-066-0090. The application involves four attached townhome units fronting 5100 South while the existing single-family residence remains on the property. The prior staff report identifies the remaining action as approval of the Chapter 17.10 in-fill development requirements, including the Master Development Agreement and project-specific standards.

Following the Planning Commission meeting, Tom Hanson, City Manager, met with residents who attended the meeting and discussed their concerns regarding the proposed development. Those concerns were then reviewed by DRC staff and discussed with the developer. DRC staff has worked through the resident concerns with the developer as part of the continued development review process.

Based on the review completed to date, DRC staff recommends that the Planning Commission forward a recommendation of approval to the City Council, subject to the applicant submitting an updated plat addressing all staff corrections and subject to final DRC staff review and approval of the project CC&Rs.

The updated plat should correct all outstanding technical, formatting, legal-description, city-name, approval-block, easement, access, utility, and subdivision-note issues identified through staff review before the matter proceeds to final recordation or permit issuance. The submitted materials include plat sheets that still contain placeholder language and references requiring correction, including references to “Farr West City,” generic subdivision names, incomplete legal descriptions, and other draft plat language.

DRC staff also recommends that final approval remain conditioned on review and acceptance of the CC&Rs. The CC&Rs should clearly address ownership responsibilities, HOA obligations, maintenance of common areas, private access, utilities, drainage easements, fencing,

landscaping, snow removal, and any shared or private improvements associated with the townhome units and retained residence.

Recommended Planning Commission Action

DRC staff recommends approval, subject to the following conditions:

1. The applicant shall submit an updated plat addressing all DRC staff corrections before final approval, recordation, or issuance of permits, as applicable.
2. Final CC&Rs, easements, maintenance provisions, access provisions, and related ownership documents shall be reviewed and approved by DRC staff prior to recordation or permit issuance, as applicable.
3. Final approval shall remain subject to City engineering, planning, public works, fire, building, utility, and legal review.
4. The applicant shall continue to coordinate with DRC staff to ensure resident concerns discussed following the Planning Commission meeting have been addressed through the updated plat, CC&Rs, development agreement, or other applicable project documents.

Suggested Motion

I move that the Planning Commission forward a recommendation of approval to the City Council for the Harvest Pointe Townhomes project located at 445 West 5100 South, Parcel No. 07-066-0090, subject to submission of an updated plat addressing all DRC staff corrections, final DRC staff approval of the CC&Rs, continued coordination with DRC staff regarding resident concerns discussed following the Planning Commission meeting, and compliance with all applicable City review comments, ordinances, standards, and conditions of approval.

Tyler D. Seaman

Community Development Director

Washington Terrace City

Washington Terrace City

Planning Commission Staff Report

Meeting Date: April 23, 2026

Project	Harvest Pointe Townhomes - Infill Development Agreement Review	File/Parcel	07-066-0090
Applicant	Harvest Pointe Townhomes LLC	Address	445 West 5100 South
Request	Recommendation on approval of the remaining Chapter 17.10 in-fill development requirements for Parcel 07-066-0090, including the Master Development Agreement and project-specific development standards for four attached townhome units while the existing residence remains.		
Existing Zoning / GP	Residential / Residential	Type of Item	Legislative recommendation to City Council on the remaining in-fill ordinance approvals
Staff Recommendation	Forward a recommendation of approval to the City Council, subject to the conditions listed in this report and subject to revision of the submitted Development Agreement so it reflects that the overlay zone has already been approved.		
Primary Issue	The overlay zone has already been approved. The remaining action is whether the submitted Development Agreement and project standards adequately satisfy the balance of Chapter 17.10 for this parcel.		

Staff note: Because the overlay zone was previously approved, the public hearing and recommendation should be framed around the remaining Chapter 17.10 approvals, not a new overlay zone action. Any ordinance, agreement, and agenda language should be conformed accordingly.

A. Topic

Consideration of a recommendation to the City Council regarding the remaining in-fill development approvals for Parcel No. 07-066-0090 at 445 West 5100 South. The overlay zone for the parcel was approved previously. The current action concerns the Master Development Agreement and the project-specific standards necessary to complete the Chapter 17.10 legislative process for four attached townhome units while retaining the existing single-family residence on the parcel.

B. Background

The submitted Development Agreement describes the property as Parcel No. 07-066-0090, located at 445 West 5100 South, and states the project consists of four attached townhome units fronting 5100 South while the existing home and accessory structures remain on the parcel.

The adopted Washington Terrace Infill Property Map identifies Parcel 07-066-0090 as an eligible in-fill parcel. The density exhibit prepared for the application shows the subject parcel at approximately 1.15 acres, with surrounding qualifying residential development averaging 5.3 units per acre, rounded to 6 units per acre, resulting in an approved density calculation of 6.9 units, rounded to 7 units. The exhibit states the proposal is for 5 total units on the parcel, which is within that calculation.

Based on the applicant's clarification through the City process, the overlay zone itself has already been approved at prior meetings. Staff has therefore revised this report to focus only on whether the remaining ordinance components are acceptable and ready for recommendation to the City Council.

C. Analysis

Staff finds that the remaining request is generally supportable, but the submitted packet should be revised so the agreement and related approval language match the posture of the case. The key review items are summarized below:

Code Section	Review Topic	Status	Staff Comment
17.10.020 / 17.10.050(2)	Eligible parcel on adopted infill map	Meets	Parcel 07-066-0090 is shown on the City's adopted infill property map as an eligible infill parcel.
17.10.050(4)(c)	Density calculation	Meets	The density exhibit shows 5 total units on the parcel against a calculated allowance of 7 units.
17.10.040	Master Development Agreement posture	Meets	Okay on Land-Use Attorney Edits
17.10.040(2)(c)-(h)	Required MDA content	Meets	
17.10.050(4)(a)(v)	Height / stories	Meets	
17.10.050(4)(b)(i)	Parking	Meets	
17.10.060(2)-(4)	HOA / CC&Rs	Needs condition from Staff Review	The agreement references future CC&Rs and maintenance concepts, but final approval should be conditioned on DRC review of the CC&Rs.

D. Fiscal Impact

The proposal should generate standard application, review, permit, inspection, and utility-related fees in accordance with City policy.

E. Department Review

- Planning: Supportable, subject to revisions described in this report and consistency with the previously approved overlay zone action.
- Engineering / Public Works: Final review required for access, curb/gutter/sidewalk modifications, drainage, utilities, and any encroachment permits.
- Fire / Life Safety: Final site and building review required for apparatus access, hydrant coverage, addressing, and code-compliant building permits.
- City Attorney: Final review recommended for the Development Agreement, CC&Rs, easement language, conveyance language, liability protections, and approval form.

Alternatives

A. Approve the Request Forward a positive recommendation to the City Council for approval of the remaining Chapter 17.10 in-fill development requirements for Parcel 07-066-0090, subject to the conditions below.

B. Deny the Request Recommend denial if the Planning Commission finds the remaining Master Development Agreement and project standards do not adequately satisfy Chapter 17.10 or do not provide enough information for final legislative action.

C. Continue the Item / Impact Continue the item to allow the applicant to revise the Development Agreement, parking exhibit, height information, and related approval language so the packet accurately reflects the prior overlay approval and the remaining ordinance actions still required.

Recommended Conditions of Approval

1. Final CC&Rs, easements, maintenance provisions shall be approved by DRC prior to recordation or permit issuance, as applicable.
2. All final approvals shall remain subject to City engineering, fire, building, utility, and legal review, and to compliance with all other applicable City codes and standards.

Suggested Planning Commission Motion

I move that the Planning Commission forward a recommendation of approval to the City Council for the remaining Chapter 17.10 in-fill development approvals applicable to Parcel No. 07-066-0090 at 445 West 5100 South, including the Master Development Agreement and associated project standards for four attached townhome units with the existing residence to remain, subject to the conditions stated in the staff report.

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this ____ day of _____, 2026, by and between WASHINGTON TERRACE CITY, a Utah municipal corporation of the State of Utah ("City"), and HARVEST POINTE TOWNHOMES LLC, a Utah limited liability company ("Developer").

RECITALS

WHEREAS, Developer has contract rights to certain real property located at 445 West 5100 South, Washington Terrace, Utah, identified as Parcel No. 07-066-0090 (the "Property");

WHEREAS, the Property is located within the City's Infill Zone in accordance with the *Washington Terrace Municipal Code* (the "Code");

WHEREAS, the Property currently contains an existing single-family dwelling and accessory structures which shall remain;

WHEREAS, Developer proposes to construct four (4) attached Townhome Dwelling Units (the "Units") fronting 5100 South together with associated site improvements (the "Project");

WHEREAS, in addition to compliance with the other Code requirements, each Unit shall include two (2) car driveway spaces and an attached two (2) car garage;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Parties agree as follows:

1. PROJECT APPROVAL AND COMPLIANCE

Development of the Project shall comply with the Code, specifically, the Infill Zone regulations, the approved Site Plan attached hereto as Exhibit B, incorporated herein by this reference, and all applicable building, fire, and engineering standards.

2. PROJECT DESCRIPTION AND SETBACKS

Developer is authorized to construct four (4) Units with access from 5100 South Street, together with associated landscaping, utilities, drainage, and public improvements as shown on the Site Plan. The existing home and outbuildings shall remain. Set-backs shall conform to adjoining setbacks along 5100 South Street.

3. PARKING

Each Unit shall provide a minimum of four (4) off-street parking spaces consisting of two (2) driveway spaces and one (1) attached two (2) car garage. No on-street parking is allowed.

4. ACCESS FROM 5100 SOUTH

Primary vehicular access for the Units shall be from 5100 South Street. Any modifications to curb, gutter, or sidewalk requires approval from the City Engineer in accordance with the applicable Public Works Standards and Technical Specifications along with an Encroachment Permit approved by the City's Public Works Director.

5. ACCESS, OPERATION, AND MAINTENANCE

A. Future Conveyance of 25-Foot Strip

Developer agrees that a twenty-five foot (25') wide strip of land located along the east property line of Parcel No. 07-066-0090 (the "East Access Strip") shall be deeded to the Owner of adjacent Parcel No. 07-066-0028 in anticipation of future development of said Parcel. The precise legal description shall be determined by survey and approved by the City Engineer prior to conveyance.

B. Reservation of Access Easement for Existing Residence

At the time of conveyance of the East Access Strip, Developer shall reserve a perpetual, non-exclusive Access Easement benefiting the existing residence located on Parcel No. 07-066-0090. The Access Easement shall provide vehicular and pedestrian access, shall run with the land, and shall be recorded at the Office of the Weber County Recorder along with a recorded copy of the same provided to the City.

C. Maintenance

Developer shall create and establish a separate Home Owners' Association (HOA) under Utah law for the four (4) Units, independent of the existing home, recognizing that this single HOA may not be equitable given the size and scope of the existing home and property. The Developer and subsequent HOA is responsible for the maintenance responsibilities for the East Access Strip and following conveyance all maintenance shall be governed by the Covenants, Conditions and Restrictions (the "CC&Rs") for the Units applicable to the respective Property owners as part of an HOA. In addition, the Developer and the subsequent HOA shall maintain the Property to be free and clear of fallen and overgrown trees, vegetation, and weeds; specifically along the west Property line area.

D. Ownership

Developer shall prioritize sale of each of the Units to individual moderate- or low-income homeowners. Purchase and ownership by any corporation or LLC may be precluded by the HOA.

6. IMPROVEMENTS AND FEES

Developer shall construct all required Public Improvements in accordance with the applicable Public Works Standards and Technical Specifications adopted by the City and pay

all applicable fee, including, but not limited to: land use application fees, impact fees, building and permit fees, inspection fees, and utility connection fees required by Code.

In addition the following other Improvements shall be made:

- Install a vinyl fence on the east Property line that substantially matches vinyl fence on the exiting neighboring property.
- Provide a shared mailbox for the Units.

7. TERM

This Agreement shall remain in effect for five (5) years from the date of execution unless extended by mutual written agreement.

8. RECORDATION

This Agreement and its accompanying CC&Rs shall be recorded at the Office of the Weber County Recorder by either Party and shall run with the land.

SIGNATURES

WASHINGTON TERRACE CITY

By: _____

Title: _____

Attest:_____

HARVEST POINTE TOWNHOMES LLC

By: _____

Title: _____

EXHIBIT A

Legal Description of Parcel No. 07-066-0090

PART OF NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT LOCATED SOUTH 00D42'52" WEST 2651.59 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE SOUTH LINE OF SAID NORTHWEST QUARTER AND ALONG SAID SOUTH LINE SOUTH 89D13'46" EAST 513.91 FEET AND NORTH 00D51'44" EAST 328.83 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE SOUTH 83D02'38" WEST 65.31 FEET; THENCE SOUTH 78D08'39" WEST 29.19 FEET; THENCE SOUTH 22D46'49" WEST 33.42 FEET; THENCE SOUTH 34D49'57" WEST 26.55 FEET; THENCE NORTH 86D30'41" WEST 26.54 FEET TO THE EAST LINE OF THE LANE SUBDIVISION; THENCE ALONG SAID EAST LINE NORTH 00D51'44" EAST 370.13 FEET TO THE SOUTH RIGHT OF WAY LINE OF 5100 SOUTH STREET; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH 89D16'47" EAST 147.00 FEET; THENCE SOUTH 00D51'44" WEST 303.37 FEET TO THE POINT OF BEGINNING. [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.] [NOTE: A DIVISION OF PROPERTY TOOK PLACE ON THIS PARCEL WITHOUT WRITTEN AUTHORIZATION AS REQUIRED BY UCA TITLE 10, CHAPTER 9a, PART 6.]

Approved Site Plan

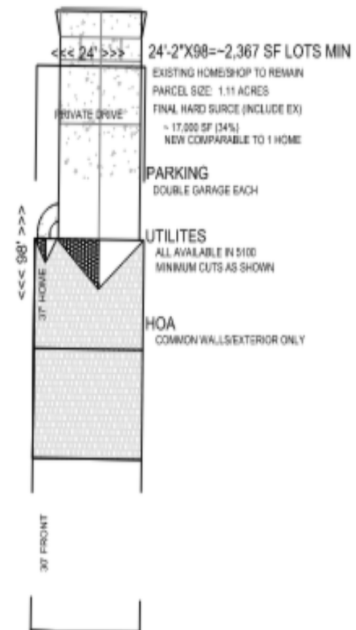


5100 SOUTH TOWNHOMES

MATT McCONKIE, Harvest Pointe Townhomes LLC,

1464 E. Ridgeline Dr. South Ogden

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17,
TOWNSHIP 7 NORTH, RANGE 1 WEST, S.L.B. AND M.



5100 SOUTH TOWNHOMES

MATT McCONKIE, Harvest Pointe Townhomes LLC,
1464 E. Ridgeline Dr. South Ogden

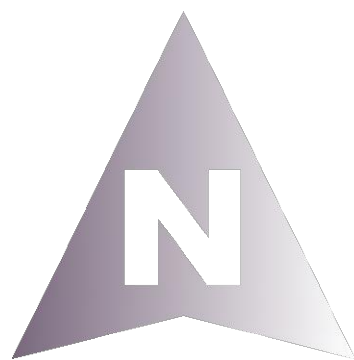
IN FILL ORDINANCE



Acres: ORIGINAL 1.89 ACRES
AREA AVERAGE: 4,000 SF / UNIT
1.89 ACRES * 43,560 / 4,000 = 20.58 HOMES = 20

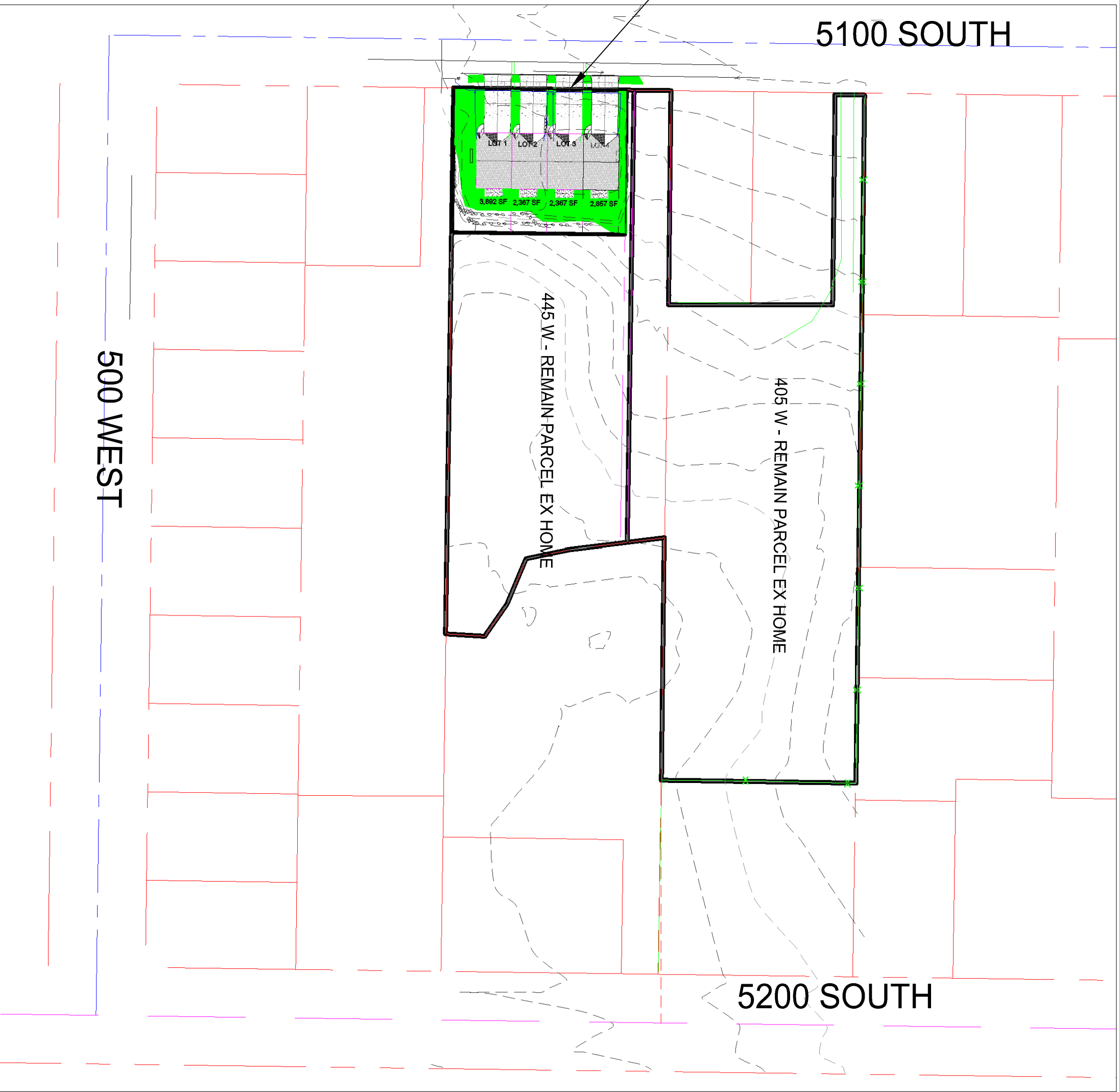
DRAWING INDEX

1. COVER
2. PRELIMINARY PLAT
3. SITE PLAN
4. LANDSCAPE
5. FINAL PLAT (SURVEYOR)
- 6-7: PROJECT BUILDING PLATS (ARCHITECT)
- 8 FINAL PLAT



NO SCALE

TOTAL DEED ACRES: 1.11 LESS
- REMAIN PARCEL HOUSE
- 5100 SOUTH ROADWAY
- 4 LOTS : 2,328 SF MINIMUM EACH
PROJECT PLAT AREA 0.264 AC



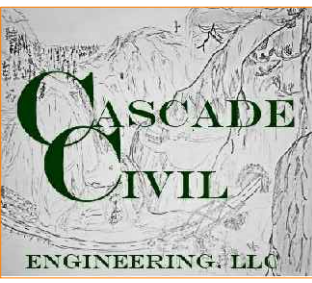
CODE / NOTES
CURRENT HOME ADDRESS 445W 5100 S - REMAINING PARCEL

ALL WORK TO COMPLY WITH WASHINGTON TERRACE
STANDARDS **JA** JONES & ASSOCIATES Consulting Engineers STATED (SC- XX)
SEE LINK BELOW

CALL BLUE STAKES AS REQUIRED



TRAFFIC: 4 UNIT X 10 TRIPS/DAY = 40 ADT MINOR IMPACT



SURVEY:



5100 SOUTH TOWNHOMES SUBDIVISION - COVER
MATT McCONKIE - HARVEST POINTE TOWNHOMES LLC
SECTION 17, T 7N, R 1W, WASHINGTON TERRACE CITY, WEBER COUNTY, UTAH

CASCADE CIVIL, ENGINEERING LLC
5833 CASCADE DRIVE, MOUNTAIN GREEN, UT 84050
PHONE: 801.845.6481
cascadecivil@outlook.com



JOB No.: PUMPKIN
DATE: 11/30/18
DWG. BY: CKW
SCALE: 1"=20'

SHEET TITLE
COVER
SHEET 1 OF 8

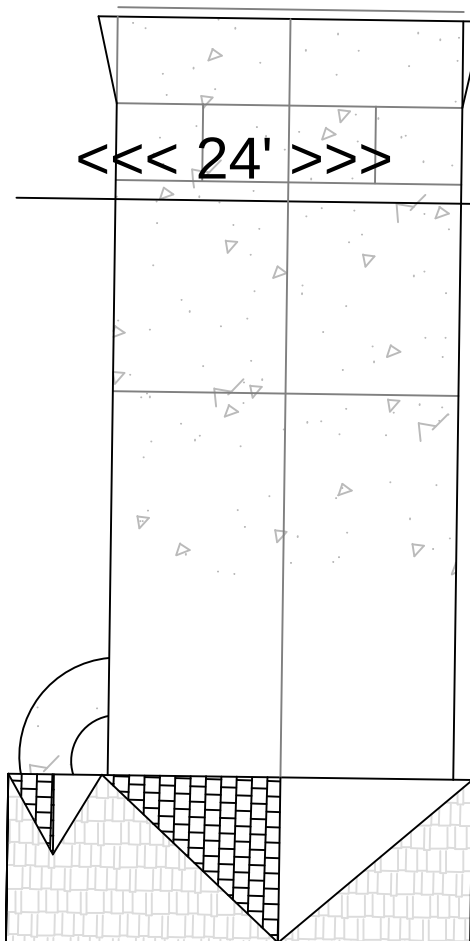
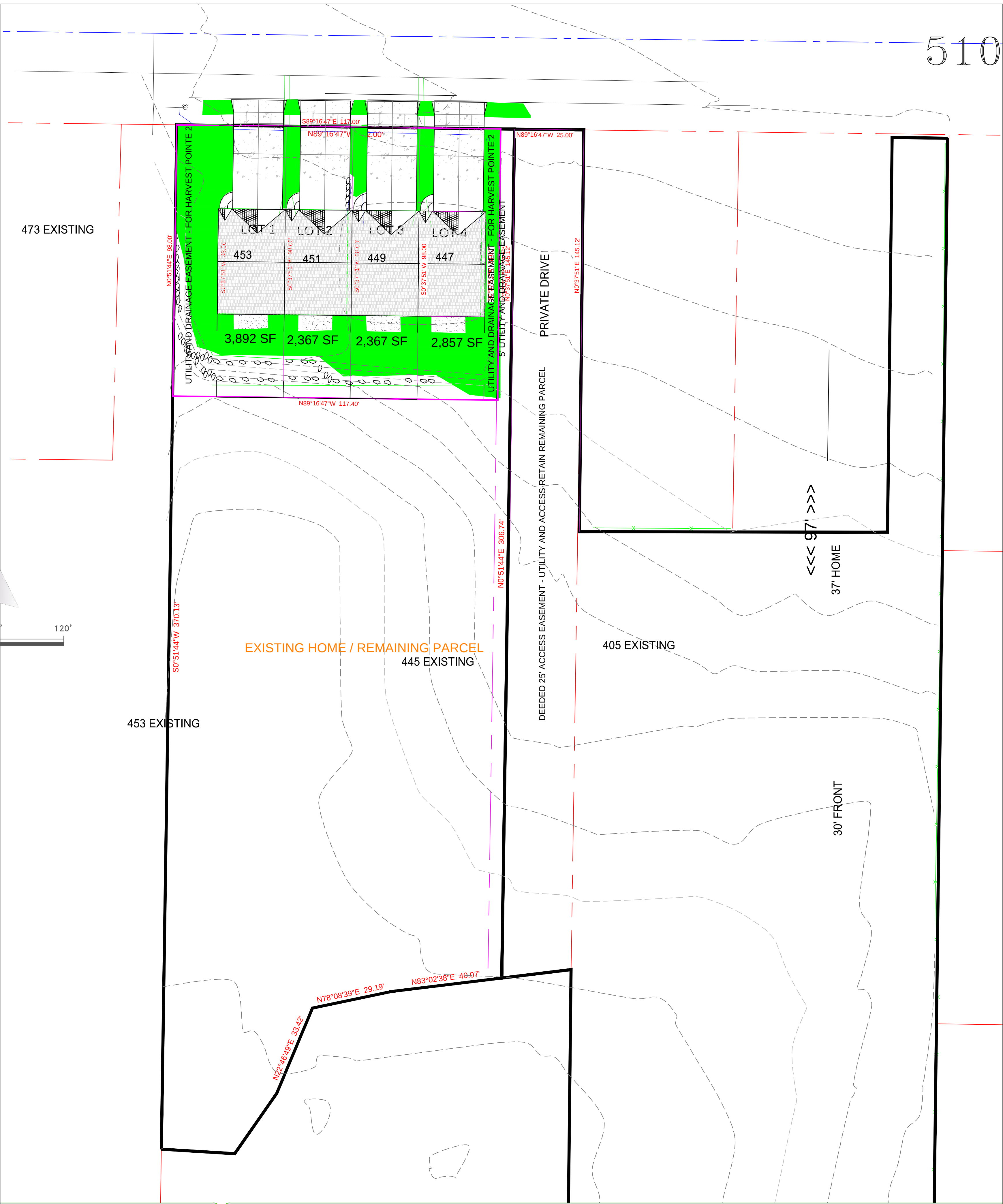
STAMP
SUBMITTAL

REV	DATE	DESCRIPTION

5100 SOUTH TOWNHOMES

MATT McCONKIE, Harvest Pointe Townhomes LLC,
1464 E. Ridgeline Dr. South Ogden

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17,
TOWNSHIP 7 NORTH, RANGE 1 WEST, S.L.B. AND M.



<<< 24' >>>

24'-2"X98'=~2,367 SF LOTS

EXISTING HOME/SHOP TO REMAIN
PARCEL SIZE: 1.11 ACRES / PROJECT 0.264 ACRES
FINAL HARD SURCE (INCLUDE EX)
~ 17,000 SF (34%)
NEW COMPARABLE TO 1 HOME

PARKING

DOUBLE GARAGE EACH

UTILITES

ALL AVAILABLE IN 5100
MINIMUM CUTS AS SHOWN

HOA

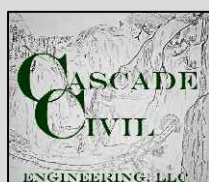
COMMON WALLS/EXTERIOR ONLY

STAMP	REV	DATE	DESCRIPTION
SUBMITTAL			



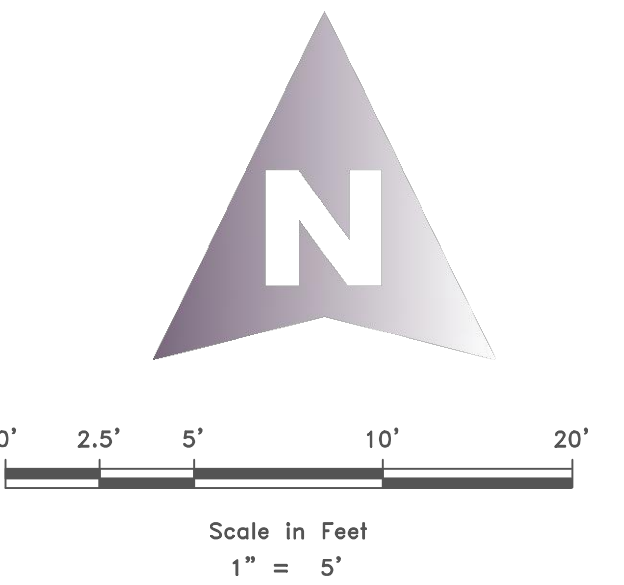
5100 SOUTH TOWNHOMES SUBDIVISION - PRELIMINARY
MATT McCONKIE - HARVEST POINTE TOWNHOMES LLC
SECTION 17, T 7N, R 1W, WASHINGTON TERRACE CITY, WEBER COUNTY, UTAH

CASCADE CIVIL, ENGINEERING LLC
5833 CASCADE DRIVE, MOUNTAIN GREEN, UT 84050
PHONE: 801.845.6481
cascadecivil@outlook.com



JOB NO.: PUMPKIN
DATE: 11/30/18
DWG. BY: CKW
SCALE: 1"=20'

SHEET TITLE
COVER
SHEET 2 OF 8



CUT / FILL

STAMP	REV	DATE	DESCRIPTION
SUBMITTAL			



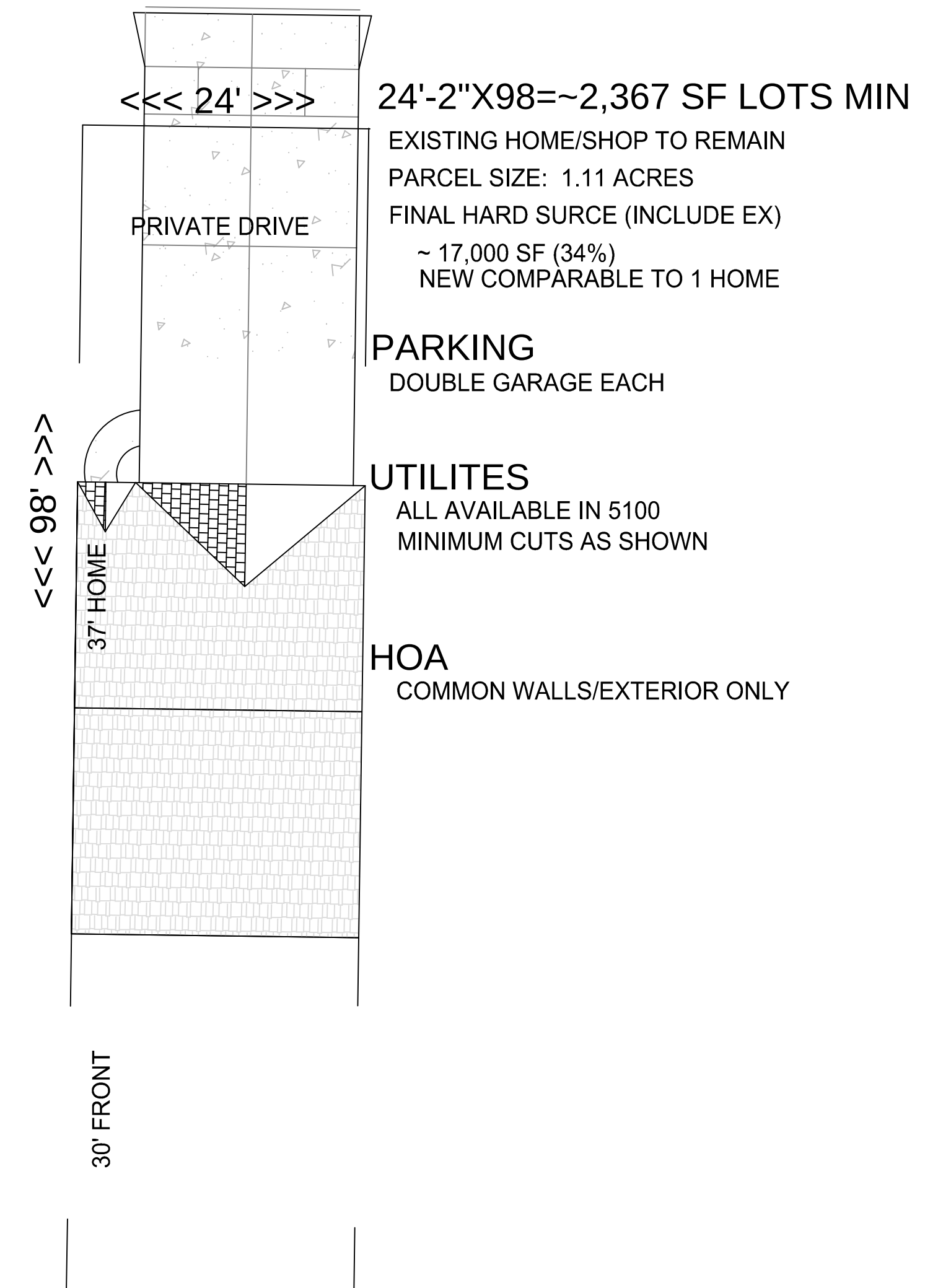
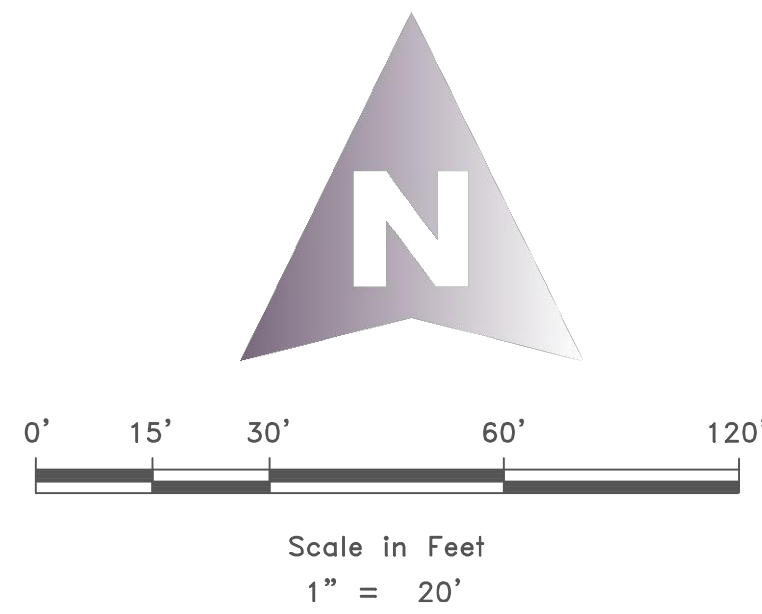
5100 SOUTH TOWNHOMES SUBDIVISION - SITE PLAN
MATT McCONKIE - HARVEST POINTE TOWNHOMES LLC
SECTION 17, T 7N, R 1W, WASHINGTON TERRACE CITY, WEBER COUNTY, UTAH

CASCADE CIVIL, ENGINEERING LLC
5833 CASCADE DRIVE, MOUNTAIN GREEN, UT 84050
PHONE: 801.845.6481
cascadecivil@outlook.com



JOB No.: PUMPKIN
DATE: 11/30/18
DWG. BY: CKW
SCALE: 1"=20'

SHEET TITLE
COVER
SHEET 3 OF 8



STAMP	REV	DATE	DESCRIPTION
SUBMITTAL			

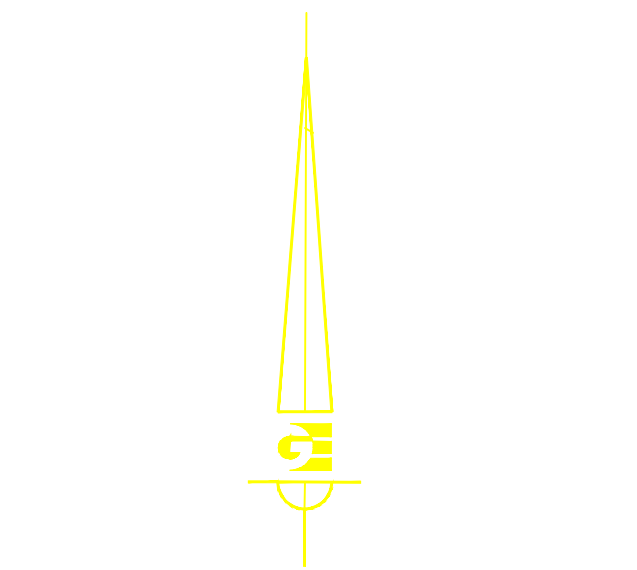
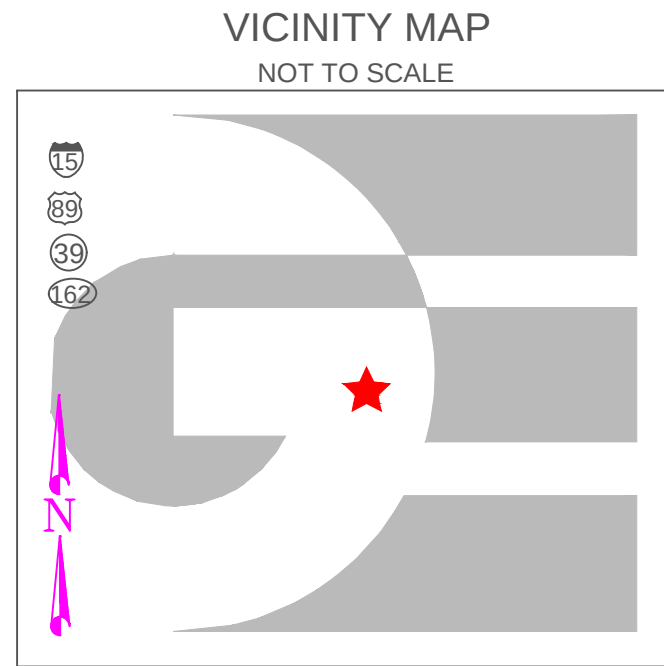
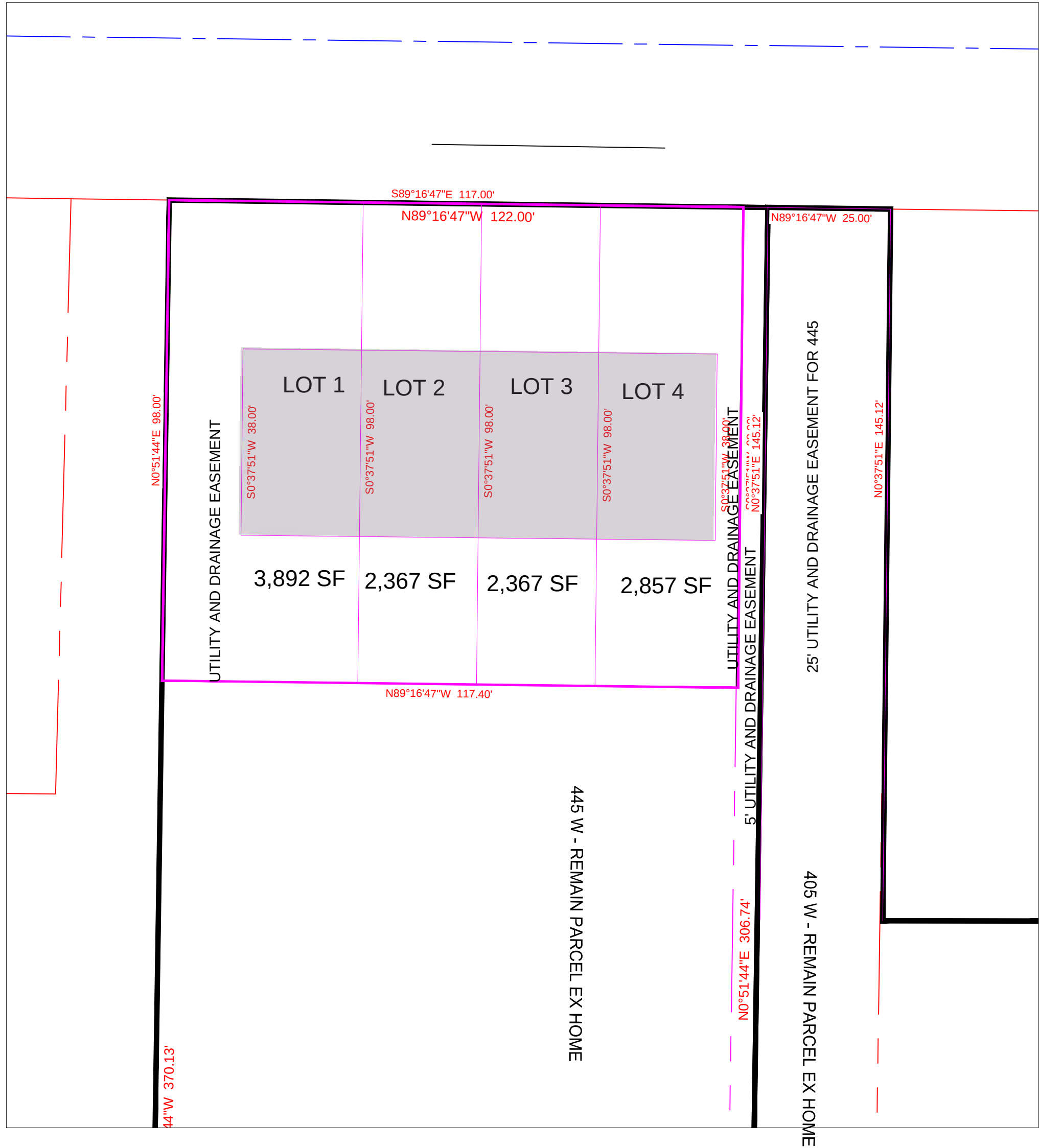
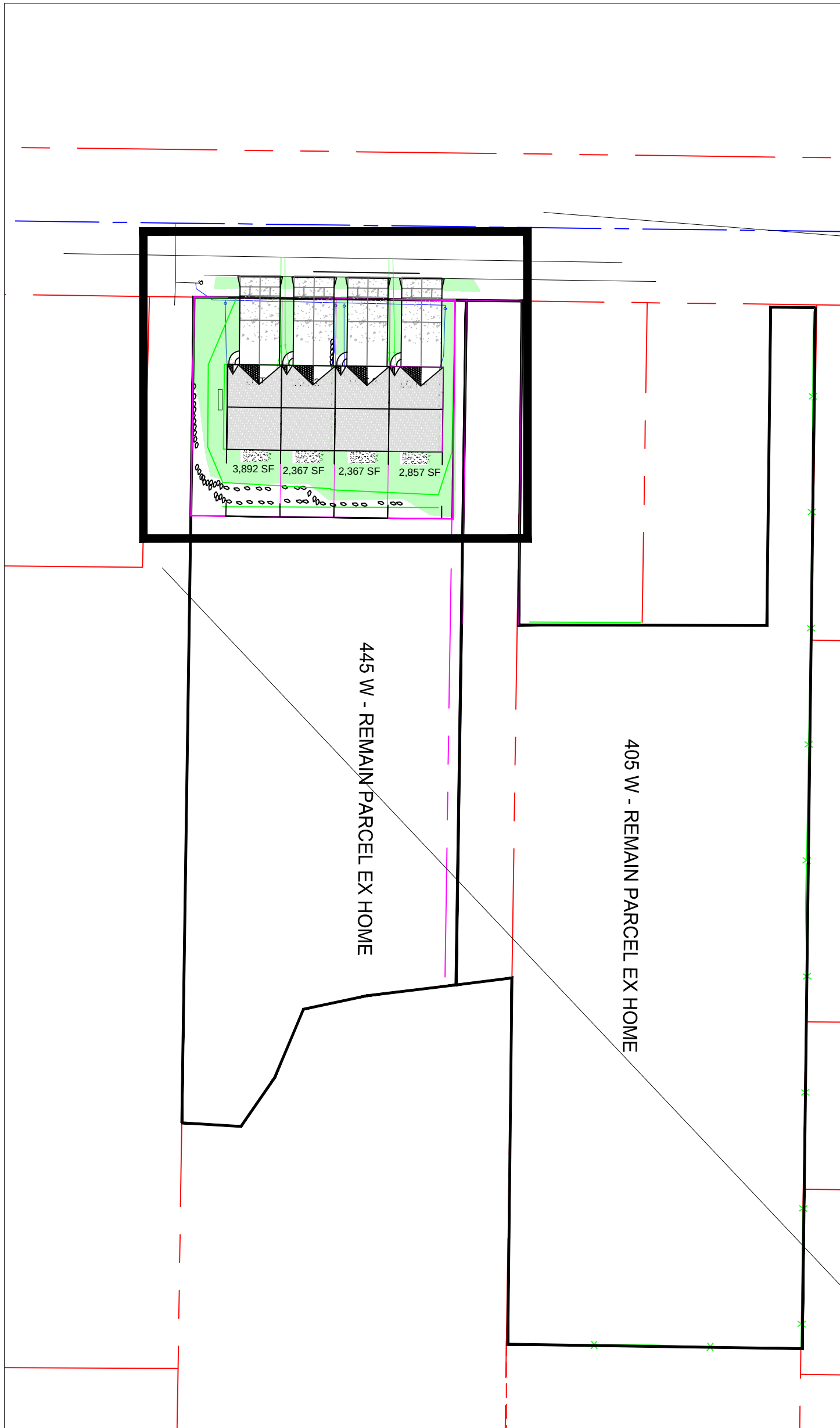


SHEET TITLE
COVER
SHEET 4 OF 8

5100 SOUTH TOWN HOMES
LOCATED IN THE XXX QUARTER OF SECTION XX,
TOWNSHIP X NORTH, RANGE X WEST, SALT LAKE BASE AND MERIDIAN,
FARR WEST CITY, WEBER COUNTY, UTAH
MONTH 2019

FULL PROPERTY

SUBJECT DETAIL



LEGEND

- WEBER COUNTY MONUMENT AS NOTED
- SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- LOT LINE
- ADJACENT PARCEL
- SECTION LINE
- EASEMENT
- EXISTING FENCE LINE
- EXISTING WATER LINE
- EXISTING IRRIGATION LINE
- EXISTING STORM DRAIN
- EXISTING SANITARY SEWER
- EXISTING OVERHEAD POWER
- EXISTING GAS LINE
- EXISTING WATER METER
- EXISTING WATER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- EXISTING SEWER MANHOLE

BOUNDARY DESCRIPTION

A PART OF THE XXX QUARTER OF SECTION XX, TOWNSHIP X NORTH, RANGE X WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
0.264 ACRES

445 REMAINING PARCEL

A PART OF THE XXX QUARTER OF SECTION XX, TOWNSHIP X NORTH, RANGE X WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF

405 REMAINING PARCEL

A PART OF THE XXX QUARTER OF SECTION XX, TOWNSHIP X NORTH, RANGE X WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS **SUBDIVISION NAME** IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS _____ DAY OF _____, 2019.



OWNER'S DEDICATION

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

SUBDIVISION NAME

AND HEREBY DEDICATE, GRANT AND CONVEY TO FARR WEST CITY, WEBER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, 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 AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICH EVER IS APPLICABLE AS MAY BE AUTHORIZED BY FARR WEST CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING CREATED WITHIN SUCH EASEMENTS AND ALSO TO GRANT AND CONVEY TO FARR WEST CITY A TEMPORARY TURN AROUND EASEMENT AS SHOWN HEREON TO BE USED BY THE PUBLIC UNTIL SUCH TIME THAT THE ROAD IS EXTENDED, THE TEMPORARY TURN AROUND EASEMENT SHALL BE REVOKED AND NULLIFIED AT THE EVENT OF THE EXTENSION OF THE ROAD WITHOUT FURTHER WRITTEN DOCUMENT AND THE ENCUMBERED LAND WITHIN THE AFFECTED PROPERTY SHALL BE RELEASED FOR THE FULL AND EXCLUSIVE USE AND BENEFIT OF THE PROPERTY OWNERS.

SIGNED THIS _____ DAY OF _____, 2019.

BY: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)

On this _____ day of _____, 2019, personally appeared before me (NAME OF DOCUMENT SIGNER), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the (TITLE OR OFFICE) of (NAME OF CORPORATION), and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said (NAME OF DOCUMENT SIGNER) acknowledged to me that said "Corporation executed the same.

STAMP

NOTARY PUBLIC

WASHINGTON TERRACE
CITY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE FARR WEST CITY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS _____ DAY OF _____, 2019.

CITY ATTORNEY

WASHINGTON TERRACE
CITY ENGINEER

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

SIGNED THIS _____ DAY OF _____, 2019.

CITY ENGINEER

WASHINGTON TERRACE CITY COUNCIL
ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE CITY COUNCIL OF FARR WEST CITY, UTAH.

SIGNED THIS _____ DAY OF _____, 2019.

MAYOR, WASHINGTON TERRACE CITY

ATTEST: _____
CITY RECORDER

WASHINGTON TERRACE CITY
PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE FARR WEST CITY PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2019.

CHAIRMAN, WASHINGTON TERRACE CITY
PLANNING COMMISSION

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A TWO LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY XXXXXX. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 89°26'19" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE RIGHT-OF-WAY OF XXXXX STREET WAS ESTABLISHED BY HONORING THE PROJECTED RIGHT-OF-WAY DEDICATION OF THE XXXXX SUBDIVISION.

NOTES

- ZONE (XXX) CURRENT YARD SETBACKS:
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA MAP NO. XXXXXXXXXXXX WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005.
-

AGRICULTURAL NOTE:
AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURE ZONES. AGRICULTURE OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO ALLOWED AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION ON THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

DEVELOPER: DEVELOPER DEVELOPER CONTACT NAME DEVELOPER ADDRESS DEVELOPER CITY AND STATE DEVELOPER TEL NUMBER	S1 1	COUNTY RECORDER ENTRY NO. _____ FEE PAID _____ FILED FOR AND RECORDED _____ AT _____ IN BOOK _____ OF OFFICIAL _____ RECORDS, PAGE _____ RECORDED _____ FOR _____ COUNTY RECORDER _____ BY: _____
R:\Images\Logo\ge-logo-w-address.jpg		

Author:	Community Development Director/Tyler D. Seaman
Subject:	Ordinance 26-01-Zoning Map Amendment to O-1 and Text Amendment to O-1 Permitted Uses for Cemetery Use
Date:	May 28, 2026
Type of Item:	Legislative Action - Public Hearing and Recommendation to City Council
Property:	Approximately 5800 South Adams Avenue, Washington Terrace, Utah
Applicant/Project:	Northern Utah Veterans Cemetery - Phase 1
Request:	Recommendation to approve a zoning map amendment from existing commercial/residential zoning to O-1 Open Space, adopt the concept plan, and amend Section 17.30.020 to expressly allow cemetery uses and supporting structures/facilities in the O-1 Zone.

Summary Recommendation

Staff recommends that the Planning Commission conduct the public hearing, receive public comment, and forward a recommendation of approval to the City Council for Ordinance 26-01, subject to final review by City legal counsel and correction of any parcel, zoning-district, and exhibit references before City Council action.

Description

The item before the Planning Commission is a legislative land use request associated with the proposed Northern Utah Veterans Cemetery at approximately 5800 South Adams Avenue. The request includes two related actions: (1) amending the Official Zoning Map to place the subject property in the O-1 Open Space Zone; and (2) amending the O-1 permitted use list to expressly include on the cemetery the following: including supporting structures and facilities.

A. Topic

Public hearing and recommendation regarding Ordinance 26-01: an amendment to the Washington Terrace City Zoning Map for a certain parcel, adoption of the concept plan, and amendment to the O-1 Zone to allow cemetery-related uses.

B. Background

The proposed project is identified in the design documents as the Northern Utah Veterans Cemetery - Phase 1, located at 5800 South Adams Avenue, Washington Terrace, Utah. The submitted 35% utility design review set is dated May 12, 2026 and is marked “Not for Construction.”

The Planning Commission agenda noticed a public hearing to receive comments in support or opposition to a proposed amendment to Chapter 17.30.020 as it relates to cemeteries and to change zoning at 5800 South Adams Avenue to O-1 Open Space to allow for a Veteran’s Cemetery.

The proposed ordinance language would amend Section 17.30.020, Permitted Uses, to include: “Cemetery, including supporting structures and facilities.” The ordinance also proposes to amend the Official Zoning Map and adopt the concept plan as part of the approval package.

C. Analysis

The O-1 Open Space Zone is the most appropriate zoning district for a cemetery use because it is designed for open space, public recreation, conservation, and similar low-intensity land uses. A veterans cemetery is generally consistent with the open space character of the district when supporting improvements are designed and reviewed through the applicable development, engineering, building, fire, utility, stormwater, and public works processes.

The text amendment provides clarity by expressly identifying cemetery use as a permitted use in the O-1 Zone. Including “supporting structures and facilities” is important because a cemetery may require accessory or support improvements

The submitted concept and utility information shows the project as a phased cemetery development with on-site utilities, access/circulation improvements, storm drain and detention facilities, sanitary sewer, water service, and related infrastructure. Because the plans are currently at a 35% design level and marked not for construction, approval of the zoning and text amendment should not be interpreted as final engineering, building permit, fire access, utility, stormwater, or construction approval.

- The Planning Commission action is a recommendation to the City Council because rezonings and text amendments are legislative decisions.
- The proposed O-1 zoning and cemetery text amendment are intended to allow the cemetery use while preserving later technical review of site improvements.
- Final development must comply with applicable City ordinances, engineering standards, public works requirements, utility-provider requirements, building/fire codes, stormwater requirements, and any conditions imposed through the City's approval process.
- Before City Council adoption, the ordinance and public notice materials should be reconciled to ensure the current zoning designation is stated consistently. The agenda refers to C-1 and R-1-10, while the draft ordinance refers to C-2 and R-1-10.

D. Fiscal Impact

No direct negative fiscal impact is anticipated from the zoning map amendment or text amendment itself. Future project-related fiscal impacts may include staff review time, inspection coordination, utility and public infrastructure review, and long-term coordination associated with public improvements. Any applicable application, review, inspection, impact, utility, or development fees should be handled through the City's adopted fee schedule and project approval process.

E. Department Review

Planning/Zoning, Public Works/Engineering, Building, Fire, and City Attorney review was completed as applicable prior to City Council action. Staff specifically recommends final review of the legal description, parcel number, zoning district references, map exhibit, concept plan exhibit, and the final wording of Section 17.30.020 before adoption.

Recommended Conditions / Clarifications

1. Final ordinance exhibits shall include the correct parcel number/legal description and a clear zoning map exhibit A identifying the property to be rezoned to O-1.
2. The ordinance shall be corrected, if necessary, to consistently identify the existing zoning district or districts being changed to O-1.
3. Approval of the zoning map amendment and text amendment shall not constitute final site plan, engineering, utility, building permit, stormwater, fire access, grading, or construction approval.
4. Final design and construction drawings shall be submitted for all required City, engineering, public works, building, fire, utility, stormwater, and agency reviews before construction authorization.
5. Any cemetery support structures or facilities shall comply with the adopted construction codes, zoning standards, public works standards, and all applicable federal, state, and local requirements.

Alternatives

A. Approve the Request: The Planning Commission may recommend approval of Ordinance 26-01 to the City Council, with the clarifications and conditions identified by staff.

B. Deny the Request: The Planning Commission may recommend denial if it finds that the proposed O-1 zoning or text amendment is not appropriate for the property or is not in the public interest.



C. Continue the Item/Impact: The Planning Commission may continue the item to a later meeting if additional information, corrected exhibits, agency comments, legal review, or public input is needed before making a recommendation.

Suggested Motion

"I move that the Planning Commission recommend approval to the City Council of Ordinance 26-01 , amending the zoning map for the subject property at approximately 5800 South Adams Avenue to the O-1 Open Space Zone, adopting the concept plan, and amending Section 17.30.020 to allow cemetery use, including supporting structures and facilities, subject to final legal review and correction of the parcel, exhibit, and existing zoning references prior to City Council action."

Exhibit A - General Zoning/Location Context

**CITY OF WASHINGTON TERRACE
ORDINANCE 2026-01**

ZONING MAP AMENDMENT

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
AMENDING THE ZONING MAP FOR A CERTAIN PARCEL; ADOPTING THE
CONCEPT PLAN; AMENDING THE O-1 ZONE; SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

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

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, the City seeks to amend the Official Zoning Map and O-1 Zone to support the proposed Veteran’s Cemetery;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on May 28, 2026, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on June 2, 2026;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1: Repealer. Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Zoning Map Amendment. The Official Zoning Map of the City of Washington Terrace is hereby amended for Parcel 070790080 from C-2 and R-1-10 to O-1 as shown in Exhibit “A” attached hereto and incorporated herein by this reference.

Section 3: Amendment. Section 17.30.020 of the Washington Terrace Municipal Code is hereby amended to read as follows:

17.30.020 Permitted Uses

In the open space O-1 zone, the following uses shall be permitted:

1. Agriculture;
2. Botanical or zoological garden;
3. Cemetery, including supporting structures and facilities;
4. Conservation areas, botanical or zoological;
5. Fishing ponds, private or public;
6. Golf course, except miniature golf courses;
7. Horse raising, provided it is conducted in a pasture of at least five (5) acres in size and with a maximum density of two (2) horses per acre;
8. Private park, playground or recreation area;
9. Public park, public recreation grounds and associate buildings, but not including privately owned commercial amusement business. Public service buildings;
10. Wildlife sanctuaries.

Section 4: Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 5: Effective date. This Ordinance take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2026.

MARK C. ALLEN,
Mayor

ATTEST:

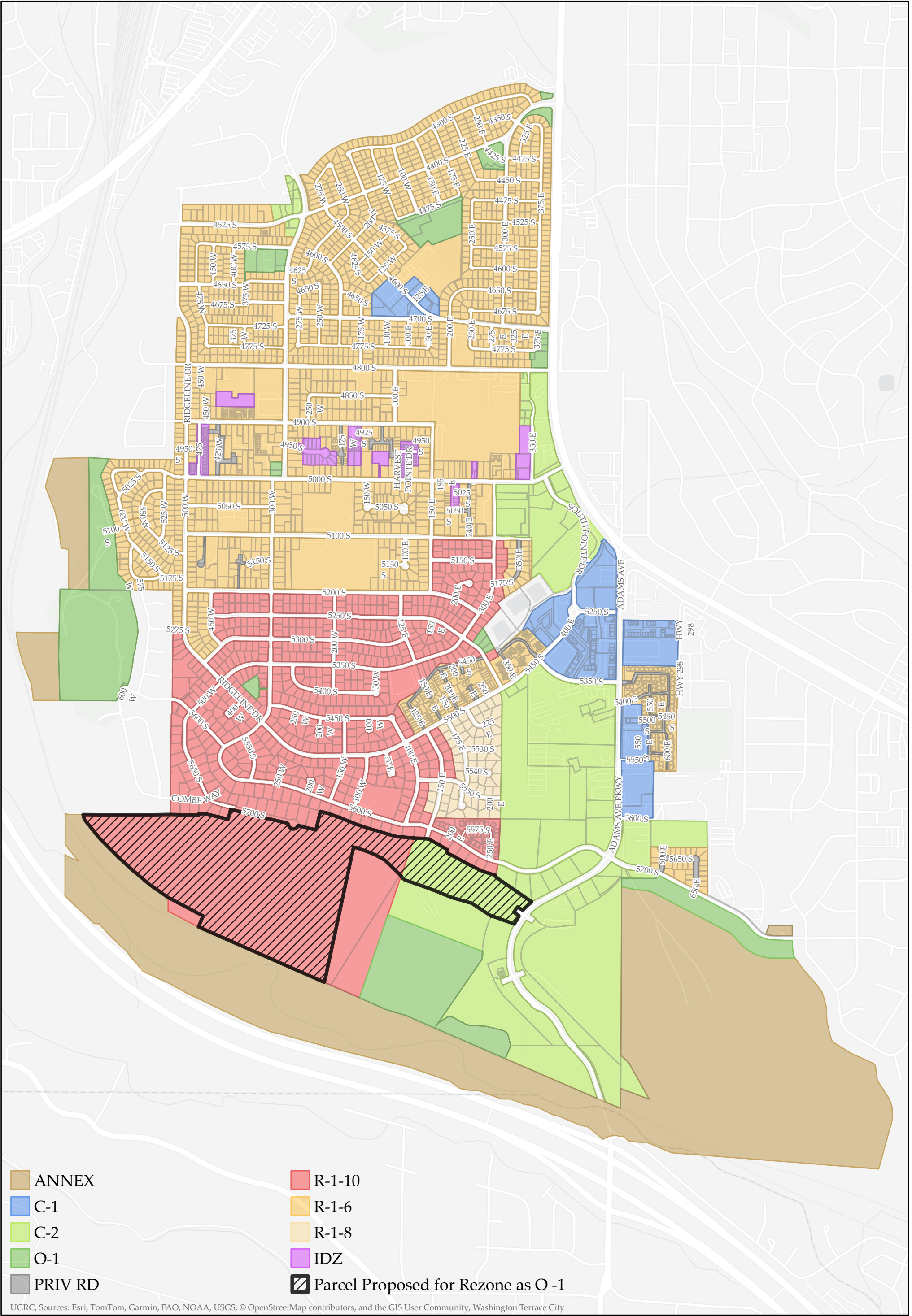
City Recorder

RECORDED this ____ day of _____, 2026.
PUBLISHED OR POSTED this ____ day of _____, 2026.

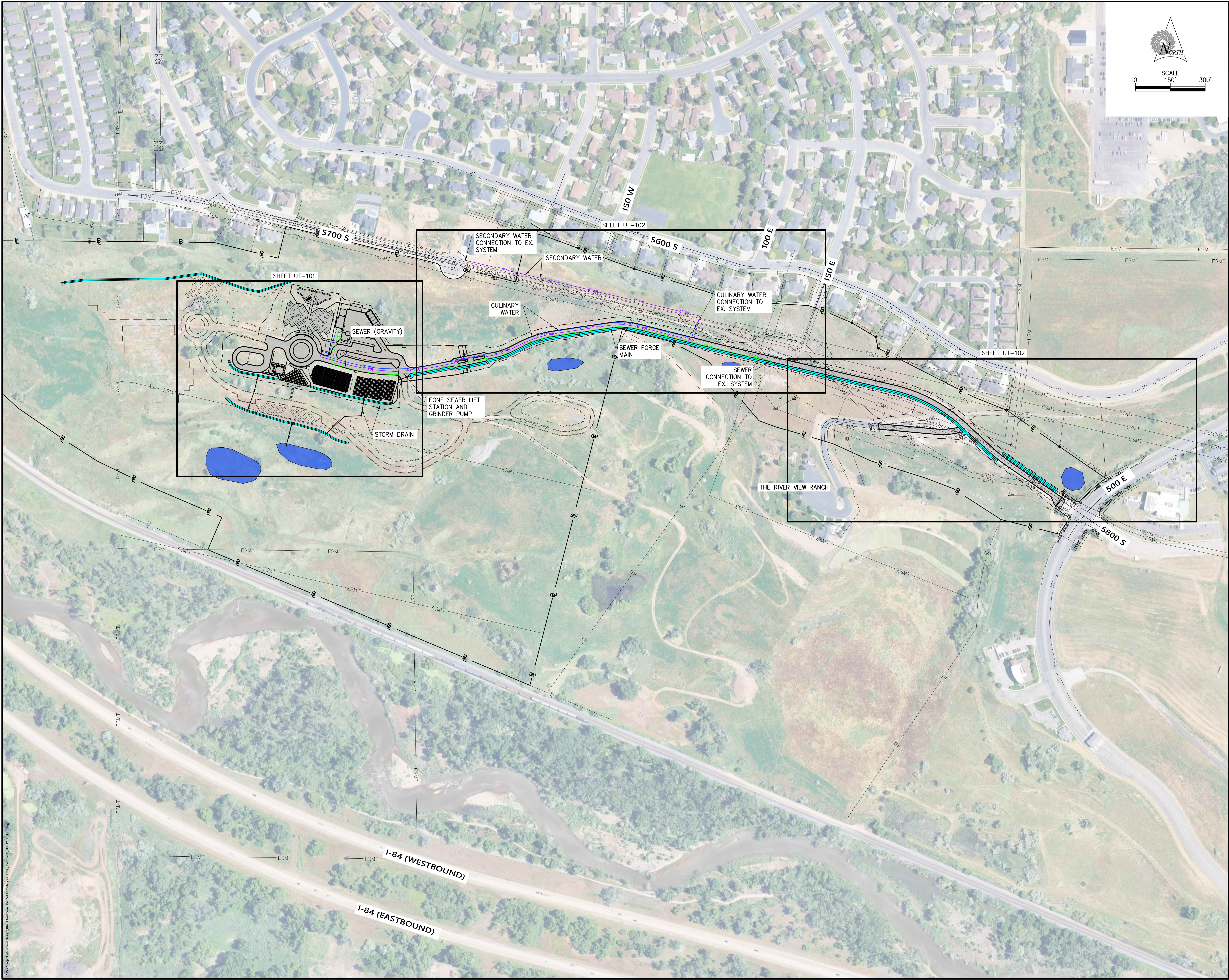
CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace, City, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted as required by State Law.

City Recorder DATE: _____



Washington Terrace City Zoning



**NORTHERN UTAH
VETERANS CEMETERY - PHASE 1**
5800 SOUTH ADAMS AVE,
WASHINGTON TERRACE, UTAH

REVISIONS:	
△ -	
△ -	
△ -	
△ -	
△ -	
△ -	
△ -	

STAMP

SHEET TITLE:
ON-SITE UTILITIES

DATE: 05/12/2026
DRAWN BY: XXX
CHECKED BY: XXX
JOB NO.: U26-010
FAI #: UT-19-05
DFCM #: 26360490

SHEET NO:
UT-100

35% DESIGN REVIEW SET - NOT FOR CONSTRUCTION

