



Planning Commission Staff Report

Preliminary Subdivision

June 4, 2026

BASIC INFORMATION

Applicant(s):	Josh Garner
Property Owner(s):	Katie Garner Revocable Trust
Location:	Approx. 3000 North 950 West Weber County Parcel(s): 17-061-0060, 17-061-0061, 17-357-0040, 17-311-0018
Acres:	Approximately 9.5 Acres
Lots:	Consolidation involving four (4) lots
Current Zone:	A-2 (Agricultural) / RE-15 (Residential)

PLANNING COMMISSION REVIEW

A petition is before the Planning Commission for consideration of a preliminary subdivision for the consolidation of 4 parcels/lots resulting in 2 lots. The current use of the property is mixed including:

- Agricultural
- Residential

ANALYSIS

The proposed subdivision for consideration includes three parcels that are currently zoned A-2 (agricultural) and amending one RE-15 (residential) lot in the Fox Hollow subdivision that will accomplish the following:

- Combine three (3) parcels 17-061-0060, 17-357-0004, 17-061-0061
- Create one agricultural lot for the use of the keeping of animals future private riding facility.
- Add approximately .5 acres of parcel 17-061-0060 to Lot 40, Fox Hollow at Pleasant View Phase 1, to combine the current residential property with an area that has been used as an extension of that lot for uses accessory to the residence.

Staff have reviewed the proposed plat and the following corrections have been or are to be made:

- The City Master Street Plan shows the future extension of 3000 North east through this property. The applicant has shown the "Reservation of Future Right of Way" for this road should the property be further developed in the future.
- A paved temporary turnaround, built to City standards, is to be located at the east end of 3000 North until future development requires the road to be extended.

- Existing curb and gutter radius and handicapped ramp are to be removed to install standard driveway apron at the north side of the property which faces 3100 N and 950 West.
- Plat notes regarding building permits are to be added.

Staff are currently reviewing the updated submittal and will determine if all corrections have been addressed prior the granting final approval.

This petition is running concurrently with an application for Rezone of a portion of parcel 17-061-0060 that through this subdivision, would be combined with the existing Lot 40 of Fox Hollow at Pleasant View Phase 1, to prevent split zoning of A-2 and RE-15.

CONSIDERATION

The Planning Commission will consider and make a determination of approval; approval with conditions or denial of the subdivision application.

STAFF RECOMMENDATION

Staff recommend approval of the subdivision plat with verification that all the required corrections by engineering and staff have been addressed.

There have been no public comments to date.

STAFF CONTACT

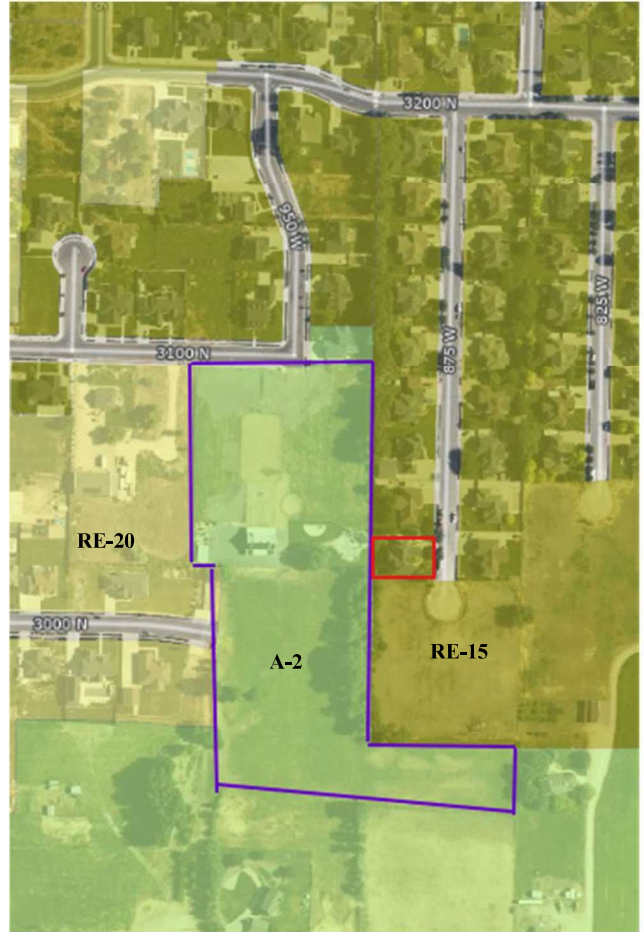
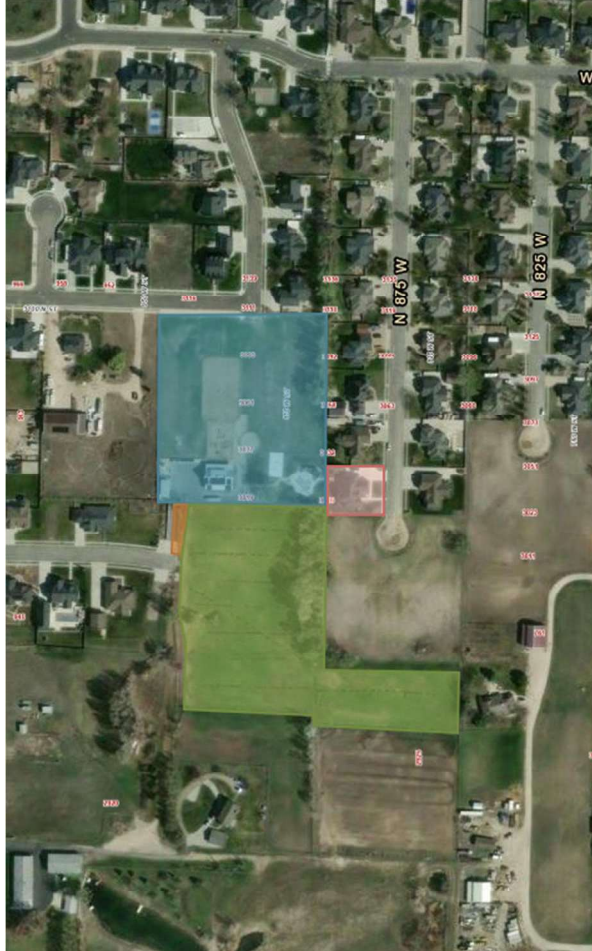
Tammy Eveson, Planner
teveson@pleasantviewut.gov
801-782-8529

ATTACHMENTS

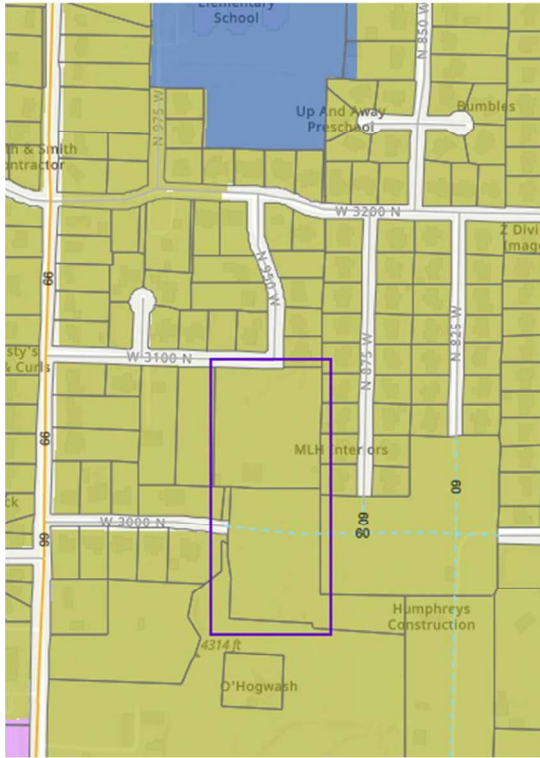
- 1.) Vicinity Map / Zoning Map
- 2.) Future Land Use Map
- 3.) Subdivision Exhibit

ATTACHMENT 1 Vicinity Map / Zoning Map

Area indicated in Purple is the existing home
Area indicated in Green is the additional A-2 acreage



ATTACHMENT 2) Future Land Use Map



Designated on Future Land Use map as Low Density (2-3 Units per Acre)

ATTACHMENT 3) Subdivision Exhibit



Planning Commission Staff Report

Rezone from Agricultural (A-2) to Residential (RE-15)

June 4, 2026

BASIC INFORMATION

Applicant(s):	Josh Garner
Property Owner(s):	Katie Garner Revocable Trust
Location:	3019 North 875 West Weber County Parcel(s): Portion of 17-061-0060
Acres:	Approximately .50 Acres
Current Zone:	A-2 (Agricultural)
Proposed Zone:	RE-15 (Residential)

PLANNING COMMISSION REVIEW

A petition is before the Planning Commission for consideration to modify the current zoning designation of approximately .50 acres of land at approximately 3019 North 875 West from Agricultural (A-2) to Residential (RE-15).

ANALYSIS

This petition is running concurrently with an application for Subdivision of three parcels and amending one lot in the Fox Hollow at Pleasant View Phase 1 Subdivision to accomplish the following:

- Combine three (3) parcels 17-061-0060, 17-357-0004, 17-061-0061
- Add approximately .5 acres of parcel 17-061-0060 to Lot 40, Fox Hollow at Pleasant View Phase 1

The act at adding additional area to the existing Fox Hollow lot creates a split zoned lot with the .5 acres being zoned A-2 (agricultural) and the existing home lot zoned RE-15 (residential). All the involved parcels/lots associated with this petition are owned by the applicant.

The goal of this action is to correct split zoning that would be created if the proposed application for subdivision is approved.

CONSIDERATION

The Planning Commission will hold a public hearing in accordance with Pleasant View City Code and Utah State Code and will consider a recommendation to City Council for the

- Rezone from A-2 to RE-15.

STAFF RECOMMENDATION

Staff recommend approval of the rezone if it is determined that the subdivision meets all requirements and is approved as it is in accordance with the City's General Plan and would prevent split zoning of the subject property.

There have been no public comments to date.

STAFF CONTACT

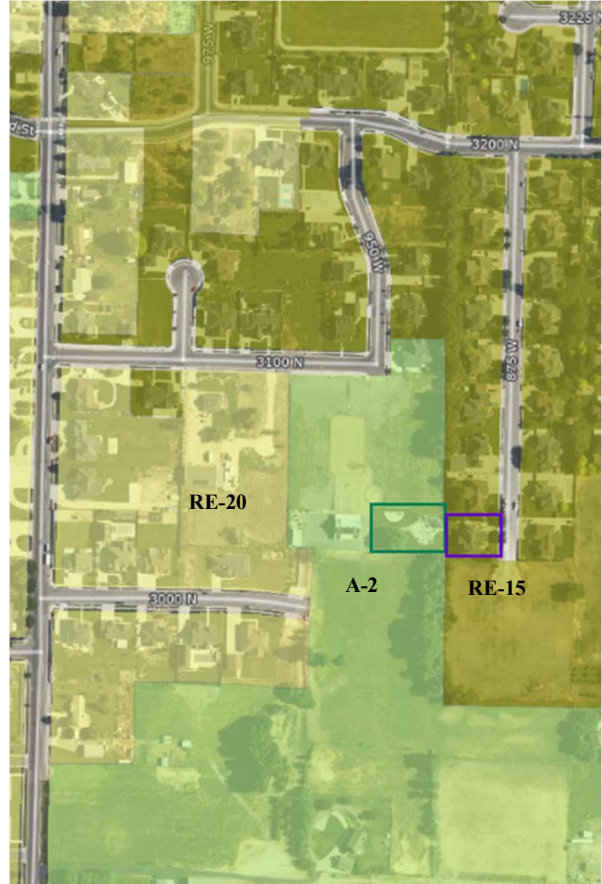
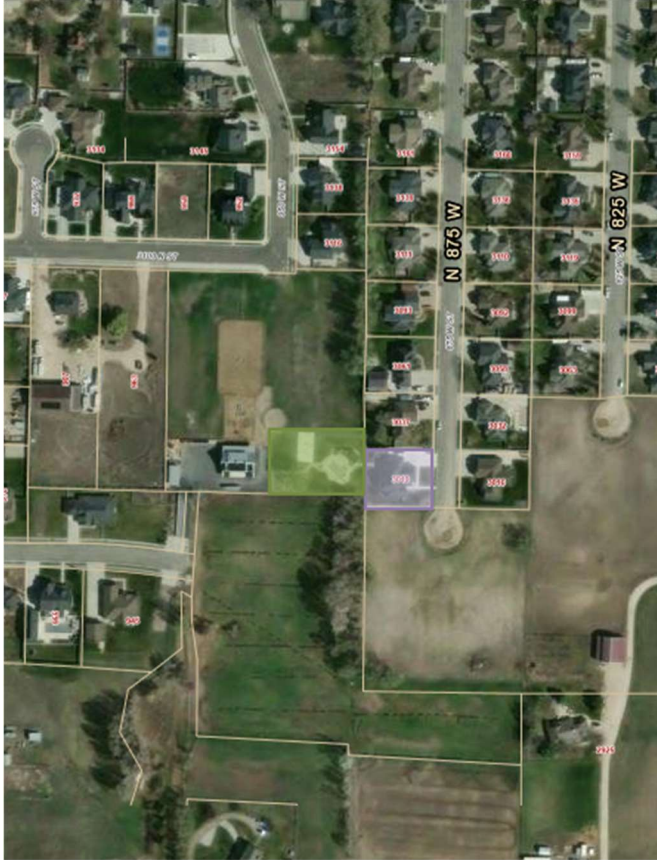
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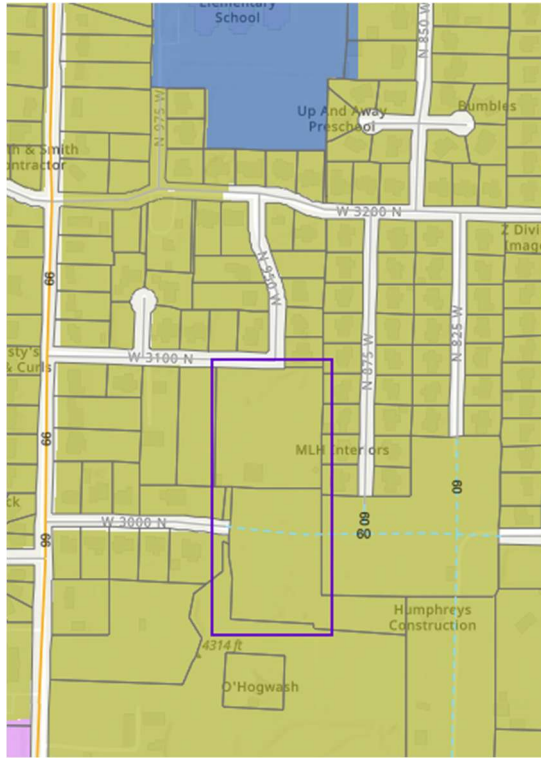
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- 2.) Future Land Use Map
- 3.) Zoning Ordinances
- 4.) Subdivision Exhibit

ATTACHMENT 1 Vicinity Map / Zoning Map

Area indicated in Purple is the existing home
Area indicated in Green is the additional A-2 acreage



ATTACHMENT 2) Future Land Use Map



Designated on Future Land Use map as Low Density (2-3 Units per Acre)

ATTACHMENT 3) Zoning Ordinances

- RE-15
- A-2

ATTACHMENT 4) Subdivision Exhibit

Chapter 18.16 - A-2 Zone

18.16.010 Use Regulations. In agricultural zone A-2, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- A. Any use permitted in residential zones RE-15 and RE-20;
 - B. Farms devoted to the hatching, raising (including fattening as an incident to raising) slaughtering, dressing and marketing on a commercial scale of chickens, or other fowl or poultry, rabbits, fish or frogs hatched or raised on the premises;
 - C. Aquariums; aviaries; apiaries;
 - D. The raising and grazing of horses, cattle, sheep or goats, including the supplementary feeding of such animals, provided, that such raising or grazing is not a part of, nor conducted in conjunction with, any livestock feed yard, livestock sales yard, slaughterhouse, animal by-products business or commercial riding academy;
 - E. Plants for the storage or packing of fruit and vegetables produced on the premises; fruits and vegetable stands when located not closer than twenty feet from any property line; dairy or creamery; milk processing and sale, provided at least 50% of milk processed and sold is produced on the premises;
 - F. Public and private parks; circus or transient amusement;
 - G. Accessory uses and buildings customarily incidental to the above.
- (Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord. 87-17.03, 1987)

18.16.015 Conditional Uses.

- A. Farms devoted to the hatching, raising (including fattening as an incident to raising) slaughtering, dressing and marketing on a commercial scale of turkeys.
 - B. Fur farms, animal hospitals, dog kennels, dog breeding establishments, dog training schools, provided that any building or enclosure for animals is located not less than twenty-five feet from any side or rear property line nor less than one hundred feet from any street
 - C. Public stables; riding academies, rodeo grounds; agricultural experiment stations; cemeteries;
 - D. The keeping and raising of not more than 50 hogs, more than six months old, provided, that no person shall feed any such hog any market refuse, house refuse, garbage or offal other than that produced on the premises;
 - E. Grain storage elevators;
 - F. Hospitals; sanitariums; convalescent home; rest home; correctional institutions; radio, television stations and towers;
 - G. Golf courses, golf driving ranges; gun clubs; skeet shooting ranges;
 - H. Advertising signs and structures subject to provisions of the cities ordinances concerning this matter.
- (Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord. 87-17.03, 1987)

18.16.020 Lot Area. The minimum lot area shall not be less than five acres for all uses permitted in this chapter, except for dwellings, schools, churches, libraries, museums, public utility and public service uses and sanitariums or hospitals, or for the keeping of animals and fowl for family food production or recreation, may be located on a lot of not less than two acres.

(Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord. 87-17.03, 1987)

18.16.030 Lot Width. The minimum width of any lot which is required by this chapter to contain a minimum area of five acres shall be three hundred feet; the minimum width of any lot which is required by this chapter to contain a minimum area of two acres shall be one hundred fifty feet.

(Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord. 87-17.03, 1987)

18.16.041 Yard-Side. The minimum side yard for any dwelling shall be ten feet and the total width of the two required side yards shall be not less than twenty-four feet. The minimum side yard for accessory buildings at least ten feet in the rear of the main building may have a minimum side yard of five feet provided that no other accessory building shall be located closer than ten feet to any building on an adjacent lot. (Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord. 87-17.03, 1987)

18.16.042 Yard-Front. The minimum depth of the front yard for all structures shall be thirty feet. (Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord. 87-17.03, 1987)

18.16.043 Yard-Rear. The minimum depth of the rear yard for any dwelling shall be thirty feet and for accessory buildings five feet, providing that:

A. On corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard; and/or,

B. No other accessory building shall be located closer than ten feet to any building on an adjacent lot. (Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord. 87-17.03, 1987)

18.16.044 Yard-General. The minimum setback requirement of any yard for any building which abuts 600 West, 1000 West or that part of 1100 West below Pleasant View Dr. shall be 40 feet. The City Council may waive this special setback requirement in those circumstances where a new project is dedicating and constructing the right of way as shown in the General Plan. (Ord 2007-1, 1/9/07 and Ord 96-14, 9/24/96)

18.16.050 Building Height. Building height shall be no more than thirty-five feet or two and one-half stories, except as per a conditional use. (Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord. 87-17.03, 1987)

18.16.060 Lot Coverage. No building or structure or group of buildings with their accessory buildings shall cover more than seventy percent of the area of the lot. (Ord. 94-16, 2/14/95 (part); prior code Ord. 94-11, 11/15/94 and Ord 87-17.03, 1987)

Chapter 18.09 - RE-15 Zone

18.09.010 Purpose and Intent. The purpose of the RE-15 zone classification is to provide regulated areas for single family residential use under qualifying medium density as described in the General Plan. (Ord. 2008-16 dated 11/21/08; prior codes see below)

18.09.020 Permitted Uses.

- A. Single family dwellings.
- B. Accessory buildings and use customarily incidental to any permitted use.
- C. Agriculture provided that no animals or fowl may be kept except household pets; nurseries and greenhouses provided that sale of goods or products is limited to plant materials produced on the premises and there is no retail shop operated in connection therewith.
- D. A permanent church, synagogue, or similar building used for regular religious worship, subject to item M.
- E. Home occupation
- F. Household pets
- G. Libraries subject to item M.
- H. Parking lots accessory to uses permitted in this zone subject to item M.
- I. Public buildings, public parks, recreation grounds, and associated buildings.
- J. Public schools, private educational institutions having curriculum similar to that ordinarily given in public schools subject to M.
- K. Temporary buildings, structures, and uses incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work.
- L. Signs. All signs are subject to the sign regulations of the city.
- M. Special use requirement:
 - 1. The minimum size of the lot or site used for such proposes shall be one acre.
 - 2. Any lights used to illuminate the premises shall be installed in such a manner that the source of light shall not be visible from outside the premises and the source of light shall be suitably screened to avoid annoying illumination of lands outside said premises. (Ord. 2008-16 dated 11/21/08; prior codes see below)

18.09.030 Conditional Uses. The following uses shall be permitted only when authorized by a conditional use permit as provided in Chapter 18.54 of this zoning ordinance.

- A. Private park, playground, or recreation area are not open to the general public and to which no admission charge is made and not including privately owned commercial amusement business subject to item M of Permitted Uses.
- B. Public utility substation or water storage reservoir developed by a public agency.
- C. Earth sheltered homes.
- D. Residential facility for persons with a disability subject to established rule for such facilities. (Ord.2022-21, dated 7/19/22; prior code: Ord. 2008-16 dated 11/21/08 and prior codes see below)

18.09.040 Site Development Standards.

- A. Lot size
 - 1. Interior lots: 15,000 square foot minimum
 - 2. Corner lots: 16,000 square foot minimum
- B. Lot Width. Minimum lot width at a distance thirty feet back from the front lot line shall be one hundred feet.
- C. Lot Coverage: The maximum building lot coverage shall be fifty percent (50%).
- D. Main Building Setbacks.

1. Yard-Front. Minimum yard setback shall be thirty feet (30'). Except the setback may be the average of existing buildings where 50% of the street frontage is developed, but in no case less than twenty feet (20').

2. Yard-Side. The minimum side yard for any dwelling shall be ten feet (10') and the total width of the two required side yards shall not be less than twenty-four feet (24'). Other main buildings shall have a minimum side yard of twenty feet (20') and the total width of the two required side yards shall be not less than forty feet (40'). On corner lots, the side yard, which faces on a street for both main and accessory buildings, shall be not less than twenty feet (20'), or the average of existing buildings where more than fifty percent of the frontage is developed, but in no case less than fifteen feet (15').

3. Yard-Rear. The minimum depth of the rear yard for any main building shall be thirty feet (30'), providing that on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet (10') to such side yard.

4. Yard-General. The minimum setback requirement of any yard for any building which abuts 600 West, 1000 West or 1100 West shall be 40 feet. The City Council may waive this special setback requirement in those circumstances where a new project is dedicating and constructing the right of way as shown in the General Plan.

E. Accessory Building Setbacks.

1. Yard-Front. The minimum setback shall be thirty feet (30').

2. Yard-Side. The minimum setback shall be ten feet (10', except if located six feet (6') behind the back line of the main building the minimum setback shall be one foot (1') from the eave drip.

3. Lots Fronting an Arc Curve (cul-de-sac) bulbs and knuckles). The minimum front yard setback shall be fifty feet (50'). The minimum side and rear yard setback shall be one foot (1') from the eave drip. A minimum distance from the main building shall be six feet (6').

(Ord.2022-14, dated 5/24/2022; prior codes: Ord.2008-16 dated 11/21/08; prior codes see below)

18.09.050 Housing Standards.

A. Building Height.

1. Minimum shall be one story or ten feet (10').

2. Maximum shall be two and one-half stories or thirty-five feet (35').

B. Single family homes shall incorporate the following:

1. A minimum of 50% of each structure's exterior surface as masonry (brick, stone or stucco.)

2. A minimum of a 2 car garage is required.

3. Roof materials shall be constructed of architectural shingles that simulated the depth of wood shingles or may be constructed of tile or other materials approved by the Planning Commission.

4. Minimum 5:12 roof pitch.

5. No more than 2 homes with the same or very similar architecture shall be allowed adjacent to each other.

6. All homes shall have a minimum finished square footage of 1500 above grade with at least 800 square feet per floor. (Ord.2022-14, dated 5/24/22; prior codes: Ord. 2008-16 dated 11/21/08; prior codes see below)

18.09.060 Qualifying Medium Density Standards.

A. Subdivision Developer. The developer of a subdivision shall incorporate at least six of the following criteria, subject to specific approval by the Planning Commission for each selected item:

1. Streetscape enhancements such as but not limited to; roundabouts, 8' or greater width park strips, or others as accepted by the Planning Commission;
 2. Subdivision entrance feature;
 3. Specialty/pedestrian scale lighting along sidewalks, streets and trails;
 4. Special fencing around the entire project to be installed prior to any occupancy;
 5. Additional buffering (architecturally interesting walls, intense landscaping, greater setbacks, etc.) to adjacent uses;
 6. Interior trails and exterior trail connection;
 7. Preservation of distinct features such as orchards, rock outcroppings, wetlands, etc., including appropriate improvements as accepted by the Planning Commission;
 8. Dedication or creation of open space or park areas;
 9. Varying lot sizes and densities within the development. This may include four or more housing types for every 10 acres;
 10. Distinct project identity demonstrated through architectural style and landscape excellence.
 11. Other items, accepted by the Planning Commission, that provide distinctive identity, enhanced project appeal, or improved design.
- B. Each application for rezone and/or subdivision shall submit a written report addressing the above criteria.
- C. A development agreement may be required to assure compliance with the intent of this section. (Ord.2022-14, dated 5/24/22; prior codes: Ord. 2008-16 dated 11/21/08; Ord. 91-3, 11/5/91, 95-6, 7/25/95, 96-14, 9/24/96, 2000-25, 11/28/00, 2001-7, 4/10/01, 2007-1, 1/9/09, and 2007-9,6/26/07)



PLANNING COMMISSION MEETING STAFF REPORT

MEETING DATE

June 4, 2026

PREPARED BY

Dana Q. Shuler, P.E.
City Engineer's Office
Jones & Associates
Consulting Engineers

ITEM TYPE

Legislative

ATTACHMENTS

Redlined and Proposed
versions of Chapter 18.70

AGENDA ITEM

Consideration and recommendation to City Council for the amendment of:
Chapter 18.70 – Adequate Public Facilities

PURPOSE

Revisions to Chapter 18.70 of the City Ordinances.

RECOMMENDATION

Staff recommends approval of the City Ordinance amendments.

BACKGROUND

The Adequate Public Facilities Ordinance requirements and procedures are arduous and outdated. The ordinance currently requires all applications to be brought to the City Council for the adoption of an adequacy determination. This could be considered in conflict with the Municipal Land Use, Development, and Management Act regarding the approval authority for residential subdivisions. Additionally, staff desired to streamline the application, review, and determination process.

Revisions of note include:

1. Simplified process to include Adequacy Determination as part of a development application, not a separate application
2. Removed determination requirement for Conditional Use Permits (already included in site plan application)
3. Defined ERU
4. Changed approval authority to Development Review Committee; changed appeal authority to City Council
5. Deleted Monitoring and Annual Review sections
6. Streamlined review and determination process and procedure
7. Updated Table 18.70.01 Minimum Service Capacity Standards

Chapter 18.70 - ADEQUATE PUBLIC FACILITIES

~~A.18.70.010~~ ~~A.~~ **PURPOSE AND INTENT.** The purpose and intent of this Chapter is as follows:

- ~~A. 1.~~ To ensure that Public Facilities needed to support new development meet or exceed the Minimum Service Capacity ~~s~~Standards established by this Chapter;
- ~~B. 2.~~ To ensure that no subdivisions, site plans, ~~conditional use permits, and/or~~ building permits are approved which would cause ~~the service capacity reduction in the Minimum Service Capacity Standards~~ for any Public Facilities to fall below the adopted Minimum Service Capacity standards established in this Chapter;
- ~~C. 3.~~ To ensure that Adequate Public Facilities needed to support new development are available concurrent with the impacts of such development; ~~and~~
- ~~D. 4.~~ To establish uniform procedures for the review of development applications subject to the adequate public facilities standards and requirements.
 - ~~— 5. To facilitate implementation of goals and policies set forth in the Pleasant View General Plan relating to adequacy of Public Facilities and Minimum Service Capacity sStandards; and~~
 - ~~— 6. To ensure that all applicable legal standards and criteria are properly incorporated in these procedures and requirements.~~

18.70.020 ~~B.~~ **DEFINITIONS.** In addition to the definitions set forth in other sections of this code, the following words and phrases used in this Chapter shall have the meanings herein prescribed:

- ~~A. 1.~~ Adequacy Determination. The ~~analysis, findings, and decision of the DRC formally adopted by City Council of the analysis, also called an “Adequacy Recommendation”,~~ for a proposed development application in relation to the Available Public Facilities and the anticipated impact of the proposed development ~~on the Minimum Service Capacity of the City’s Public Facilities.~~
- ~~2.~~ Adequacy Recommendation. A specific analysis of a proposed development application in relation to the anticipated impact on the Minimum Service Capacity of the City’s public facilities prepared by Staff and presented to Council for formal adoption as an Adequacy Determination.
- ~~B. 3.~~ Adequate Public Facilities. Facilities which have the capacity to serve development without causing the Available Public Facilities capacity to fall below ~~decreasing~~ the acceptable minimum service levels adopted in this Chapter.
- ~~C. 4.~~ Available Public Facilities. Facilities or services that are in place, or that a financial commitment is in place to provide the facilities or services within a specified time.
- ~~— 5.~~ Administrator. The chairperson of the Development Review Committee ~~is the Zoning Administrator, or designee of the Zoning City Administrator.~~
- ~~D. 6.~~ Committed Development. Any development having received a minimum of Preliminary Approval, not to exceed one (1) year from the date of said approval; or any development having received Final Approval with a recorded Final Plat.
- ~~E.~~ Development. As used in this chapter, Development means any activity that results in new or additional demand on public facilities. See also Development Application.

- F. ~~7.~~ Development Application. Any request for approval, permission, or other action made pursuant to the provisions of the Buildings and Construction (Title 15), Subdivision (Title ~~Chapter~~ 17), or Zoning ~~Ordinances~~ (Titles ~~Chapter~~ 18 and 20) Ordinances of the Municipal Code. Such requests include, but are not limited to, applications for building permits, minor subdivisions, preliminary subdivisions ~~plats, final subdivisions, plats, and site plans or re-zonings~~. A request for a General Plan Amendment or Zone Change is not considered a ~~d~~Development Application ~~Request~~ under this definition.
- G. ~~8.~~ Development Order. Any action approving, denying, or approving with conditions, ~~an~~ permit for a Development Application ~~for a development permit, including but not strictly limited to building permits, minor subdivisions, preliminary subdivisions, final subdivisions, site plans, or re-zonings. preliminary plats, final plats, re-zonings, or conditional use permits.~~
- H. Development Review Committee (DRC). As defined is Chapter 17.22.
- I. ~~9.~~ Equivalent Residential Unit (ERU). A measure of the impact to facilities in terms of an average single family residential dwelling unit. (i.e. 1 ERU = 1 single-family dwelling unit) ~~#. Formal Submittal. A development request, where an application has been accepted submitted, and fees are paid in full, all required items for that particular request have been submitted to the City, and at least one technical review has been completed identifying deficiencies. Subdivision Pre-Concept Plan Application Plans/Reviews and cursory concept development reviews are not considered a fFormal sSubmittals.~~
~~10. Informal Submittal. An pre-application made with the City where an applicant is provided general comments and information regarding a conceptual development project or potential development request. These applications may or may not have applicable fees that must be paid in conjunction with its processing. Subdivision Pre-Concept Plan Application Plans/Reviews and cursory concept development review are considered an informal sSubmittals.~~
- J. ~~11.~~ Minimum Service Capacity. An ~~existing~~ service level that is identified in this Chapter and is determined to be the minimum acceptable service or capacity in order to allow for additional demand from development to be placed on the system.
- K. ~~12.~~ Public Facility. A specific utility service provided by a ~~m~~Municipality, ~~or s~~Service or conservancy ~~d~~District, established company, or state agency to the public; herein specifically identified as ~~C~~culinary ~~W~~water, ~~S~~secondary ~~W~~water, ~~s~~Storm ~~D~~rain, ~~S~~sewer, and ~~S~~streets.

18.70.030 C-APPLICABILITY.

- A. ~~1.~~ This Chapter shall not apply to any use, development, project, structure, fence, sign, or activity which does not result in a new equivalent residential unit (ERU or an increase in ERUs, as determined by the DRC.). ~~Refer to Diagram 18.70.02 for the Adequacy Determination Process.~~
- B. ~~2.~~ An Adequacy ~~D~~determination shall be ~~made issued adopted~~ by the applicable members of the DRC ~~City Council~~ concurrently with the review of a ~~prior to approval of a formal submittal of a Ddevelopment rApplication.equest. Refer to Diagram 18.70.02 for the Adequacy Determination Process.~~

~~3. Subdivision of properties that require the expansion of the City's culinary water system (source, storage, and/or distribution network) in order to service additional ERUs, shall obtain a positive adequacy determination prior to the formal submittal of a development request.~~

C. ~~4.~~ The ~~a~~Adequacy ~~d~~Determination shall not affect in any manner the permissible use of property, density of development, design and improvement standards, or other applicable standards or requirements of the Pleasant View Municipal Code-Zoning Ordinance or Pleasant View Subdivision Ordinance, all of which shall be operative and remain in full force and effect without limitation.

D. ~~5.~~ All development shall adhere to minimum standards for public facilities, regardless of specific inclusion of this Chapter.

~~D. MONITORING. The City shall develop, maintain, and update documents and information which shall provide support to the City officials and departments responsible for providing an Adequacy Determination.adequacy of public facilities review, monitoring and planning for Public Facilities.~~

~~1. At a minimum, the following documents and information shall be available:~~

~~(a) Existing dwelling units and nonresidential development;~~

~~(b) Committed Development;~~

~~(c) The capacity of existing Public Facilities provided by Pleasant View City as identified in the Capital Facility Plans for Culinary Water, Storm Drain, and Sewer.~~

~~(d) The current Capital Improvements Program; and~~

~~(e) The capacity created by the completion of proposed projects identified in the Capital Improvements Program for the current year.~~

~~E. ANNUAL REVIEW. The Administrator shall annually prepare and submit to the City Council an Adequacy of Public Facilities Management Report.~~

~~1. The Adequacy of Public Facilities Management Report shall include the following:~~

~~(a) Present availability of each resource, with a focus on water sources and capacities;~~

~~(b) Projected demand for the coming year, for five years and for ten years into the future as described in the City's most recently adopted Capital Facilities Plan; and~~

~~(c) Recommended limitations, restrictions or allocations, if any, upon the use or reuse of each resource for purposes of short-term and long-term planning for the growth of the city in an orderly, efficient and environmentally sound use of resources;~~

~~(d) Growth trends and projections;~~

~~(e) Other data, analysis or recommendations as the Administrator may deem appropriate, or as may be requested by the Council.~~

~~2. Effect of Review. The annual Review may, in whole or in part, form the basis for City recommendations to the City Council and City Council actions to repeal, amend or modify this Chapter; other data, reports, analyses and documents relevant to such decisions as may be available may be used.~~

~~3. Amendments. Nothing herein precludes the City Council or limits its direction to amend this Chapter at such other times as may be deemed necessary or desirable.~~

18.70.040 F. APPLICATION AND SUBMITTAL REQUIREMENTS. ~~Prior to making application for any development approvals, an adequacy determination shall be adopted by the City Council.~~

- A. ~~The application for an Adequacy Determination shall be considered a part of a Development Application.~~
- B. ~~made on a form prepared by the City, and includes sufficient information to allow the City to determine the impact of the proposed development on Public Facilities pursuant to the adequacy determination procedures. The following information shall be submitted with the Development Application: required shall include, but shall not be limited to:~~
 - ~~1. The location of the proposed development;~~
 - ~~1. 2. For residential development and uses: The total number of ERU slots (or dwelling units), type of dwelling units (including square footage), size of lots, total acreage of development and gross density of the proposed development;~~
 - ~~2. 3. For non-residential development and uses: A brief description on of the type of use, the anticipated average water demand and sewer discharge (per day) with any other unique demand depending on the time of day or time of year; and average traffic trip generation (per day);~~
 - ~~3. Will-serve letters from service providers other than Pleasant View City, including secondary water service providers, sewer service and/or treatment providers, other culinary water service providers, and/or other storm water conveyance providers.~~
 - ~~4. UDOT Conditional Access Permit, when accessing a UDOT-controlled road;~~
 - ~~4. Identification of the Public Facilities impacted by the proposed development;~~
 - ~~5. Any other appropriate information as may be required by the City consistent with these provisions, and such items shall be stamped and signed by a licensed professional engineer.~~
- C. ~~(a) Such a DRC may request additional information items that may be required to be submitted, such as, prior to submitting for any development application approval (e.g. subdivision, site plans, building permits and/or conditional use permits) may This includes, but is not limited to the following:~~
 - ~~1. (i) Analysis of water demand for the proposed development,~~
 - ~~(ii) Will-serve letters from either secondary water service providers, sewer service providers or other culinary water service providers~~
 - ~~2. (iii) Detailed analysis of traffic circulation and/or generation, including types of traffic and pavement structure impacts, and~~
 - ~~4. Other information that may be relevant for the evaluation.;~~
 - ~~6. All applicable application fees shall be paid in full.~~

18.70.050 G. PROCEDURES FOR “ADEQUACY DETERMINATION RECOMMENDATION”

~~1. Submission Check Technical Review.~~

~~The Administrator and City Engineer shall determine whether the application is complete and complies with the submission requirements set forth in this Chapter. If the application is incomplete or the submission requirements have not been met complied with, the Administrator shall so notify the Applicant, specifying the deficiencies.~~

~~If the application is complete and the submission requirements have been met/complied with, the Administrator and City Engineer shall evaluate the proposed development for compliance with the Adopted Minimum Service Capacity Standards and shall submit an "Adequacy Recommendation" to the City Council.~~

A. ~~2. Evaluation Recommendation Content.~~ The evaluation of the proposed development for compliance with the adopted Minimum Service Capacity standards ~~"Adequacy Determination Recommendation"~~ shall, at a minimum, include the following, ~~based upon Staff recommendations:~~

1. ~~(a) The number of ERU/equivalent residential dwelling units~~ proposed by the Applicant, by type, for each Public Facility;
2. ~~(b) The timing and phasing of the proposed development, if applicable;~~
3. ~~(c) The specific Public Facilities impacted by the proposed development;~~
- ~~(d) The extent of the impact of the proposed development on the Available Public Facilities in the applicable Impact Areas;~~
4. ~~(e) The capacity of Available existing pPublic fFacilities in the Impact Areas~~ which will be impacted by the proposed development;
5. ~~(f) The resultant Public Facilities capacity assuming the projected demands as defined in this Chapter/The demand on existing Public Facilities in the Impact Areas from existing and approved development;~~
- ~~(g) The availability of existing capacity to accommodate the proposed development;~~
and
6. The conditions of will-serve letters from other service providers.-

B. ~~3. Subdivisions. A proposed subdivision which could result in a range of potential impacts shall be reviewed as if the greatest impact would result. The evaluation adequacy of public facilities review for a subdivision the application for a subdivision shall compare the Ccapacity of the Available Public Facilities capacity to the resultant Public Facilities capacity assuming the following projected demands: maximum projected demand which may result from the proposed rezoning based upon the potential density of the affected area pursuant to the re-zoning.~~

1. Single-Family Residential:
 - a. Culinary Water: the number of ERUs equal to the number of lots being proposed for the subdivision;
 - b. Secondary Water: per the secondary water provider or approved development agreement in accordance with Ch. 18.16;
 - c. Storm Drain: per the Storm Water Report (see Development, Design and Construction Standards);
 - d. Sewer: the number of ERUs equal to the number of lots being proposed for the subdivision; and the will-serve letter from the treatment provider;
 - e. Streets: if required by DRC, the number of trips per lot per the Institute of Transportation Engineers (ITE) Trip Generation Manual (current edition at the time of application).
2. Other than Single-Family Residential:

- a. Culinary Water: the number of ERUs shall be analyzed and submitted with the Development Application and subject to DRC concurrence. The number of ERUs shall be equal to or greater than the number of lots or units being proposed for the subdivision;
 - b. Secondary Water: per the secondary water provider or approved development agreement in accordance with Ch. 18.16;
 - c. Storm Drain: 85% impervious area of the gross subdivision area unless open space is dedicated;
 - d. Sewer: the number of ERUs shall be analyzed and submitted with the Development Application and subject to DRC concurrence. The number of ERUs shall be equal to or greater than the number of lots or units being proposed for the subdivision; and the will-serve letter from the treatment provider;
 - e. Streets: as per a Traffic Impact Study, or the number of trips per lot or building pad per the ITE Trip Generation Manual (current edition at the time of application) for the highest and best use of the property.
- C. ~~4. Site Plans and Conditional Use Permits. Those permitted uses and conditional uses which require site plan approval review shall be reviewed based upon the proposed use, as if the greatest impact would result. Conditional use permits shall also be reviewed as if the greatest impact would result. The evaluation shall compare the Available Public Facilities capacity to the resultant Public Facilities capacity assuming the following projected demands:~~
- 1. For site plan applications involving a lot or lots created via the City's subdivision process with a recordation date of July 1, 2026 or later, no further evaluation is required.
 - 2. For site plan applications involving a lot or lots other than those described in paragraph C.1 above, the evaluation shall compare the Available Public Facilities capacity to the resultant Public Facilities capacity assuming the following projected demands (per lot):
 - a. Culinary Water: ERUs based on intended use of the property;
 - b. Secondary Water: the will-serve letter from secondary water provider or approved development agreement in accordance with Ch. 18.16;
 - c. Storm Drain: 85% impervious area of the gross lot area;
 - d. Sewer: ERUs based on intended use of the property; and the will-serve letter from the treatment provider;
 - e. Streets: as per a Traffic Impact Study, or the number of trips per lot or unit per the ITE Trip Generation (current edition at the time of application) for the intended use of the property.

~~The adequacy of public facilities review for the site plan review and/or conditional use permit shall compare the Capacity of Public facilities to the proposed maximum projected demand which would may result from the proposed development of the property. A will-serve letter shall be required for any and all site plans and conditional use permits unless the proposed use site plan or conditional use permit will not result in an increased impact on the existing public facilities.~~

- D. ~~5.~~ **Building Permits.** The evaluation shall compare the Available Public Facilities capacity to the resultant Public Facilities capacity assuming the following projected demands:
1. For residential building permit applications, no further evaluation is required.
 2. For non-residential building permit applications involving a new use or change in use, the evaluation shall compare the Available Public Facilities capacity to the resultant Public Facilities capacity assuming the following projected demands (per lot):
 - a. Culinary Water: ERUs based on intended use of the property;
 - b. Secondary Water: the will-serve letter from secondary water provider;
 - c. Storm Drain: 85% impervious area of the gross lot area;
 - d. Sewer: ERUs based on intended use of the property; and the will-serve letter from the treatment provider;
 - e. Streets: as per a Traffic Impact Study, or the number of trips per lot or unit per the ITE Trip Generation Manual (current edition at the time of application) for the intended use of the property.

~~— No building permit shall be issued unless adequate public facilities can be demonstrated, whether for residential, commercial, or other uses that result in additional ERUs over what is described in section # above. An Adequacy Determination will-serve letter shall be required for any and all building permits, except those single-family dwellings and internal ADUs located on a lot or lots created via the City's subdivision process with a recordation date of January 1, 2025 or later in recorded approved residential subdivisions.~~

18.70.060 DETERMINATION

- A. ~~6.~~ **Positive Adequacy Determination Recommendation.** If the ~~DRC Administrator and City Engineer~~ concludes that each Public Facility will be available concurrent with the impacts of the proposed development at the ~~a~~Adopted Minimum Service Capacity ~~s~~Standards, the Administrator shall ~~issue make~~ a positive adequacy ~~determination recommendation~~.
- B. ~~27.~~ **Negative Adequacy Determination Recommendation.** If the ~~DRC Administrator and City Engineer~~ determines that any Public Facility will not be available concurrent with the impacts of the proposed development at the ~~a~~Adopted Minimum Service Capacity ~~s~~Standards based upon existing Public Facilities, the Administrator shall ~~issue make~~ a negative adequacy ~~determination recommendation~~.
- C. ~~8.~~ **Conditional Adequacy Determination Recommendation.**
1. In rare circumstances, the ~~DRC Administrator and City Engineer~~ may determine that stipulations may be included with the adequacy ~~determination recommendation~~ regarding the density of the proposed development, the timing and phasing of the proposed development, the provision of Public Facilities by the Applicant, or any other reasonable conditions to ensure that all Public Facilities will be adequate and available concurrent with the impacts of the proposed development.
 2. Conditional adequacy recommendations will not be considered for development approvals where the water (culinary ~~and/or~~ secondary) Public Facilities ~~has~~ been deemed inadequate.

3. Conditional adequacy recommendations ~~may~~would be subject to one or more of the following:

- a. ~~(a)~~ Deferrals of further Development Orders until all Public Facilities are available and adequate. If Public Facilities ~~in the Impact Area~~ are not adequate to meet the ~~a~~Adopted Minimum Service Capacity ~~S~~standard for the entire development proposal, consistent with the requirements of this Chapter and Table 18.70.01; or
- b. ~~(b)~~ Reduction of the density or intensity of the proposed development to a level consistent with the Available Capacity of Public Facilities; or
- c. ~~(c)~~ Commitment and construction by the ~~a~~Applicant of the Public Facility(ies) that will meet the Adopted Minimum Service Capacity Standard at the time that the impact of the development will occur. This commitment is subject to an enforceable **Improvement Completion Assurance** or Development Agreement, adopted and executed by the City Council no later than the ~~approval~~issuance of the Development Order.
 - ~~(i) The proposed Public Facility must be a planned capital improvement and identified on the applicable Capital Facility Plan.~~
 - ~~(ii) At the option of the City, and as identified in the Capital Facilities Plan, and only if the Planned Capital Improvement will provide capacity exceeding the demand generated by the proposed development, reimbursement to the Applicant for the pro rata cost of the excess Capacity.~~

~~(d) Additional items required to be submitted and approved, in conjunction with the development agreement, will include, but not limited to the following:~~

- ~~(i) An engineer's cost estimate for total project cost, which should include an estimate of the total financial resources needed to construct the Planned Capital Improvement and a description of the cost participation associated therewith;~~
- ~~(ii) A schedule for commencement and completion of construction of the Planned Capital Improvement with specific target dates for multi-phase or large-scale Capital Improvement projects;~~

~~9. Withdrawal of Application. The Applicant may withdraw the Application for Development Approval at any time by submitting a written request to the Administrator. Withdrawal may result in the forfeiture of all fees paid by the Applicant for the processing of the application.~~

D. If a Negative Adequacy Determination or Conditional Adequacy Determination is made, the Administrator shall report such determinations to the approval authority relative to the Development Application.

~~H. PROCEDURES FOR "ADEQUACY DETERMINATION"~~

~~1. Upon receipt of an "Adequacy Recommendation" for a specific development application, the City Council shall:~~

- ~~(a) Make and adopt a positive adequacy determination; or~~
- ~~(b) Make and adopt a negative adequacy determination; or~~

~~(c) Make and adopt a positive adequacy determination with conditions, subject to one or more of the stipulations stated in Subsection 18.70(G)(7).~~

18.70.070 ~~I.~~ **EFFECT OF ADEQUACY DETERMINATION.**

- A. ~~1.~~ Adequacy Determination Results. A ~~Positive or Conditional~~ Adequacy Determination for a Development Order shall be deemed to indicate that:
1. ~~(a)~~ Public Facilities are available at the time of issuance of the Adequacy Determination, ~~or Public Facilities will be available in accordance with paragraph 18.70.060.C.3.~~
 2. ~~(b)~~ Public Facilities will be considered to be available through all subsequent stages of the development approval process up to the date of expiration of the final Development Order approval.
- B. ~~2.~~ Adequacy Determination Not Evidence. A positive adequacy determination shall not be deemed as evidence supporting a request for a General Plan ~~Land Use Map~~ amendment, nor shall it affect the need for the Applicant ~~to meet all requirements set forth in a re-zone approval and for a rezoning to meet all other requirements as set forth in the City's Municipal Code Ordinances.~~

~~—~~ **J. EXPIRATION OF ADEQUACY DETERMINATION.**

- ~~1. Should a formal submittal for a development request not be initiated within one (1) year, the Adequacy Determination shall expire. No extensions are permitted with an Adequacy Determination. A new application and fees will be required to be paid in full, and proceed through the process established in this Chapter. A new Adequacy Determination must be issued/adopted by the City Council.~~

18.70.080 ~~2.~~ ~~Otherwise, a~~

An Adequacy Determination shall be deemed to expire when the Development Order to which it is attached expires, lapses, is revoked, ~~is withdrawn~~, or if the Applicant has not complied with the conditions attached to its issuance.

- A.
- B. ~~3.~~ ~~Time extension requests for Development Orders are subject to applying and obtaining an adopted Adequacy Determination prior to receiving an extension approval.~~
- ~~4.~~ If no expiration date is provided in the Pleasant View City Municipal Code, in the conditions of the Adequacy Determination, or the Development Order approval, the Adequacy Determination shall expire ~~within~~ one (1) year after the ~~date adoption~~ of the Adequacy Determination.

18.70.090 ~~K.~~ **METHODOLOGY AND CRITERIA FOR AVAILABILITY AND ADEQUACY.**

- A. ~~1.~~ Availability of Public Facilities. Public Facilities shall be deemed to be available ~~if they meet the following standards:~~
- ~~(a) Public Facilities shall be deemed to be available within the applicable Impact Area if:~~
1. ~~(i)~~ The Public Facilities are currently in place or will be in place when the Development Order is ~~granted~~ issued; or

2. ~~(ii)~~ Provisions of the Public Facilities are a condition of the Development Order and are guaranteed to be provided at or before the issuance of a final plat or building permit for proposed development on the subject property; or
 3. ~~(iii)~~ The Public Facilities are under construction and will be available at the time that the impacts of the proposed development will occur; or
 4. ~~(iv)~~ The Public Facilities are guaranteed by an enforceable development agreement which ensures that the Public Facilities will be in place at the time that the impacts of the proposed development will occur.
- B. ~~2.~~ Adequacy of Public Facilities. Public Facilities shall be deemed to be adequate if it is demonstrated that they have Available Capacity to accommodate the demand generated by the proposed development. ~~calculated in accordance with the following calculation methodology, unless otherwise indicated herein:~~
- ~~(a) Calculate Available Capacity by subtracting from the total Capacity the sum of:~~
- ~~(a)(i) The demand for each Public Facility created by existing development; and~~
 - ~~(b)(ii) The demand for each Public Facility created by the anticipated completion of Committed Development; and~~
 - ~~(c)(iii) The demand for each Public Facility created by the anticipated completion of the proposed development under consideration for an adequacy determination.~~
- C. ~~3.~~ Minimum Service Capacity Standards. Compliance with Minimum Service Capacity ~~s~~ Standards shall be measured for each Public Facilities set forth in Table 18.70.01.

18.70.100 L-ADMINISTRATION.

- A. ~~4.~~ Rules and Regulations. The City Council may adopt, by resolution, rules, regulations, administrative guidelines, forms, worksheets and processes as are necessary to efficiently and fairly administer and implement ~~this~~ Adequate Public Facilities Ordinance.
- ~~2. Administrative Fees. The City Council may establish by resolution, a fee schedule for each of the administrative procedures, determinations, approvals and certifications required by this Resolution.~~
- B. ~~3.~~ Conflict. To the extent of any conflict between other City resolutions or regulations and this Section, the more restrictive is deemed to be controlling. This Chapter is not intended to amend or repeal any existing City, resolution or regulation.
- C. ~~4.~~ Appeal. Adequacy Determinations may be appealed to ~~the City Council District Court~~ within 30 calendar days ~~of written notification~~ of the decision from the ~~DRCCity, or approval of the minutes of the meeting in which the action was taken, whichever occurs first.~~ (Ord 2017-2, dated 2/15/17 and Ord.2014-6, dated 7/22/14)

Table 18.70.01: Minimum Service Capacity Standards

Public Facility	Minimum Capacity Service Standard	Affected Area
<p>Culinary Water</p>	<ul style="list-style-type: none"> ▪ Source: 512864 gallons per day per connection (ERU) must be available from water sources (peak day demand) ▪ Source: 0.3109 acre-feet per ERU must be available in water rights or contract water (annual demand) ▪ Storage: 277400 gallons per ERU must be available in reservoir storage (equalization storage) ▪ Distribution System Pressure Capacity: 50 psi must be maintained at (peak instantaneous demand) ▪ Fire Flow: 20 psi must be maintained during peak day demand at required fire flow for the proposed development (not less than 1,000 gpm) ▪ Culinary water infrastructure must be available with the available capacity to service accommodate and ability to connect for the proposed development 	<p>Pleasant View City Water: Properties that lie within city limits generally east of Highway 89 properties that are located within the service or service annexation limits of the City, generally within the city limits east of Highway 89</p>
	<p>Minimum capacity service standard as determined by the culinary water service provider (i.e. will-serve letter from Bona Vista Water Improvement District)</p>	<p>Bona Vista Water Improvement District: Properties that are located within the service area or annexation limits of the District, generally lie within the city limits west of Highway 89</p>
<p>Secondary Water</p>	<ul style="list-style-type: none"> ▪ Sufficient water shares (as determined by the secondary water service provider) to cover the ground proposed for development ▪ Secondary water infrastructure must be available and with the available capacity ability to service connect for the proposed development ▪ Minimum capacity service standard as determined by the secondary water provider (i.e. will-serve letter) ▪ Approved development agreement in accordance with Ch. 13.16 	<p>Citywide</p>

Public Facility	Minimum Capacity Service Standard	Affected Area
	Detention: 0.1 CFS per acre release rate	
Storm Drain	<ul style="list-style-type: none"> ▪ Local Detention Basin Volume: 25400-yr storm ▪ Local Piping System Capacity: 2540-yr storm ▪ Impacts on the receiving storm drain entire system evaluated in the storm in-storm water model when deemed necessary by City Engineer. Consideration will be given for new, expansion or use of existing regional detention basins. ▪ See also Development, Design, and Construction Standards 	Citywide
Sewer	<ul style="list-style-type: none"> ▪ Piping System Capacity: 277 gallons per day per ERU ▪ Impacts on receiving system receiving entire system evaluated in the sewer model when deemed necessary by City Engineer ▪ Minimum service capacity standard as determined by the sewer district at district connections (i.e. will-serve letter from Central Weber Sewer Improvement District) 	Citywide
Streets	<ul style="list-style-type: none"> ▪ Two means of ingress/egress for a maximum of 50 single-family dwelling units or 100 multi-family units (this is determined to be an aggregate of both existing and proposed dwelling units from the last public intersection that has two means of ingress/egress) per Ch. 17.18.020 ▪ If projected site traffic (is greater than) > 1,000 ADT, OR P projected peak hour traffic is (greater than) > 200 ADT; a Traffic Impact Study will be required. The level of traffic study required will be determined using the UDOT's Traffic Impact Study Levels (I, II, III or IV) ▪ Impact of additional truck traffic ▪ Unless otherwise approved by DRC 	Pleasant View City Streets
	<ul style="list-style-type: none"> ▪ UDOT Approval of new or improved modified access and/or roads 	State Roads (UDOT): SR-134 (2700 North) and US-89

