



HOOPER CITY
PLANNING COMMISSION AGENDA - AMENDED
JUNE 11, 2026, 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315

Notice is hereby given that the Hooper City Planning Commission will hold a work meeting and their regularly scheduled meeting on Thursday, June 11, 2026, starting at 7:00pm at the Hooper Municipal Building located at 5580 W 4600 S Hooper, UT 84315.

Work Meeting – 6:00pm

1. General Plan Update; JUB Engineering
2. Discussion on Agenda Items

Regular Meeting – 7:00pm

1. Meeting Called to Order
2. Opening Ceremony
 - a. Pledge of Allegiance
 - b. Reverence
3. Consent Items
 - a. Motion – Approval of minutes dated May 14, 2026
4. Action Items
 - a. Conditional Use Permit Request for Jed Dubach for an oversized structure located at 4704 S 5950 W. The request is for 3,000 square feet with the height of 25.6 feet.
 - i. Enter a public hearing to receive public input on request.
 - ii. Close the public hearing and proceed with the regular meeting.
 - iii. Planning Commission Discussion and/or Motion on request
 - b. Conditional Use Permit Request for James Upshaw for an oversized structure located at 4483 S 5400 W. The request is for 2,900 square feet.
 - i. Enter a public hearing to receive public input on request.
 - ii. Close the public hearing and proceed with the regular meeting.
 - iii. Planning Commission Discussion and/or Motion on request
 - c. Discussion/Motion: Request of amendment to the Hooper City Code 10-4A-31. The request is to change the elevation line from Smith Knowles Attorneys
 - i. Enter a public hearing to receive public input on request.
 - ii. Close the public hearing and proceed with the regular meeting.
 - iii. Planning Commission Discussion and/or Motion on request
5. Discussion Items
 - a. Group Home Ordinance Creation and Amendment to Hooper City Code. 10-1a-1; Amendment of 10-2b-2; and creation of new ordinance 10-2b-6.
6. Citizen Comment (*Resident(s) attending this meeting will be allotted 3 minutes to express any concerns. No action can or will be taken on any issue presented.*)
7. Adjournment

Morghan Yeoman

Morghan Yeoman, City Recorder

**Please see notes regarding public comments and public hearings*

In compliance with the American with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 801-732-1064 or admin@hoopercity.com at least 48 hours prior to the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Hooper City limits on this 11th day of June, 2026 at Hooper City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, and at <https://www.hoopercity.com/meetings>.

**NOTES REGARDING PUBLIC COMMENT AND PUBLIC HEARINGS*

- A. Time is made available for anyone in the audience to address the City Council during public comment and through public hearings.
 - a. When a member of the audience addresses the council, they will come to the podium and state their name.
 - b. Each person will be allotted three (3) minutes for their remarks/questions.
 - c. The City Recorder will inform the speaker when their allotted time is up.

**CONFLICT OF INTEREST*

As per Utah State Code §67-16-9; Public officers and employees cannot have personal investments in a business entity that would create a substantial conflict between their private interests and public duties. This also applies to board members.



HOOPER CITY
PLANNING COMMISSION MEETING MINUTES
THURSDAY, MAY 14, 2026, 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315

The Hooper City Planning Commission held a work meeting at 6:00pm and their regular meeting at 7pm on May 14, 2026, at the Hooper City Civic Center located at 5580 W. 4600 S, Hooper, UT 84315.

PLANNING COMMISSION MEMBERS' PRESENT:

Jase McCormick
Bryce Widdison
Blake Cevering
Travis Bates
Tucker Weight
Nathan Denny- Alternate

COMMISSION MEMBERS EXCUSED:

CITY STAFF & CITY COUNCIL PRESENT:

Malcolm Jenkins – City Planner
Morghan Yeoman – City Recorder
Darren Curtis – City Attorney

6:00PM WORK MEETING

1. Discussion on Agenda Items

The Planning Commission held a work session where agenda items were discussed.

7:00PM REGULAR MEETING

1. Meeting Called to Order

At 7:00pm Commissioner McCormick called the meeting to order.

2. Opening Ceremony

a. Pledge of Allegiance

Commissioner Weight led in the Pledge of Allegiance.

b. Reverence

Commissioner McCormick offered reverence.

3. Consent Items

- a. Motion – Approval of Minutes dated April 09, 2026
With no corrections.

COMMISSIONER WEIGHT MOTIONED TO APPROVE THE MINUTES DATED APRIL 09, 2026, WITH NO CORRECTION. COMMISSIONER CEVERING SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COMMISSIONER:</u>	<u>VOTE:</u>
MCCORMICK	AYE
CEVERING	AYE
WIDDISON	AYE
BATES	AYE
WEIGHT	AYE

MOTION APPROVED.

Commissioner McCormick announced that the two oversized structure conditional use permits had been withdrawn by the applicants and would proceed under the now ordinance, so they were removed from the agenda.

Prior to discussion of the conditional use permit request for Nick Brown and Grace Richards Brown for a hobby kennel, Commission voted to move Citizen Comment ahead of Action Item 4a.

COMMISSIONER BATES MOTIONED TO MOVE CITIZEN COMMENT BEFORE ACTION ITEM. COMMISSIONER WIDDISON SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COMMISSIONER:</u>	<u>VOTE:</u>
MCCORMICK	AYE
CEVERING	AYE
WIDDISON	AYE
BATES	AYE
WEIGHT	AYE

MOTION APPROVED.

4. Citizen Comment

(Resident(s) attending this meeting will be allotted 3 minutes to express a concern about any issue that IS NOT ON THE AGENDA. No action can or will be taken on any issue presented.)

Shay Voorhees- Hooper Resident

Shay spoke on the concerns about license that is being applied for. Feels that they should not be applying for the hobby kennel and should be applying for a commercial kennel. Shae asked for commissioners to deny the request.

Brian Beus -Hooper Resident

Would like to know what some of the conditions are that will be placed for this hobby kennel license and asked who will monitor this conditional use.

Sheryl Harames – Hooper Resident

Sheryl expressed concerns for the barking dogs and stated that she wrote a letter to the commissioners as well.

Grace Richards – Hooper Resident

Grace explained what she applied for and explained what she does with her dogs.

COMMISSIONER WIDDISON MOTIONED TO CLOSE CITIZEN COMMENT. COMMISSIONER BATES SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COMMISSIONER:</u>	<u>VOTE:</u>
MCCORMICK	AYE
CEVERING	AYE
WIDDISON	AYE
BATES	AYE
WEIGHT	AYE

MOTION APPROVED.

5. Action Items

- a. Conditional Use Permit Request for Nick Brown and Grace Richards for a hobby kennel located at 6559 W 4600 S.

Commissioner McCormick spoke about what they received from the residents and on the conditions that they discussed in the work meeting.

Malcolm Jenkins, the city planner, showed the site plan and discussed what they are requesting.

Planning Commissioners discussed bark collars, and smell management.

COMMISSIONER BATES MOTIONED TO APPROVE THE CONDITIONAL USE PERMIT REQUEST FOR NICK BROWN AND GRACE RICHARDS FOR A HOBBY KENNEL LOCATED AT 6559 W 4600 S WITH THE CONDITIONS OF HAVING BARK COLLARS, GATES TO BE LOCKED AND SECURED, REGULAR CLEANING TO BE DONE, NO COMMERCIAL USE, ALL FENCING SURROUNDING THE DOG AREA TO BE A MINIMUM OF 6 FEET AND NUISANCE CONTROL. COMMISSIONER WEIGHT SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COMMISSIONER:</u>	<u>VOTE:</u>
MCCORMICK	AYE
CEVERING	AYE
WIDDISON	AYE
BATES	AYE
WEIGHT	AYE

MOTION APPROVED.

- b. Motion: Conditional Use Permit Request for Mike Pollard for an oversized structure located at 5271 S 4950 W. The request is for 2,400 square feet.
Malcolm

Application withdrawn, no vote was made.

- c. Motion: Conditional Use Permit Request for Douglas Gilbert for an oversized structure located at 5794 W 4000 S. The request is for 4,096 square feet.

Application withdrawn, no vote was made.

6. Adjournment

AT APPROXIMATELY 7:26 PM, COMMISSIONER WIDDISON MOTIONED TO ADJOURN THE MEETING. COMMISSIONER WEIGHT SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COMMISSIONER:</u>	<u>VOTE:</u>
MCCORMICK	AYE

CEVERING	AYE
WIDDISON	AYE
BATES	AYE
WEIGHT	AYE
MOTION PASSED.	

Date Approved: _____

Jamee Johnston, Deputy City Recorder

DRAFT

Hooper City
5580 W. 4600 S.
Hooper, UT 84315
Office 801-732-1064

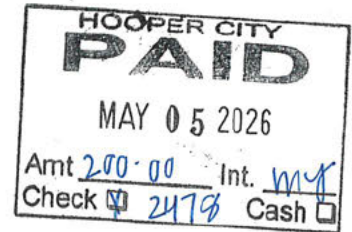
mailers \$ 91.50
Fee: \$200.00
Date Submitted 05-04-24

Conditional Use Permit: Oversized Structure

Print Applicant Name: KOZ Construction LLC for Ted Debeck
Address: 4704 So 5950 W Hooper
Phone #: [REDACTED]
Day Time Phone #: [REDACTED] Email: [REDACTED]

Provide site plan drawings including all of the following: (Site plan must be to scale).

- Map of property showing adjacent streets
- Building dimensions and distance from other structure
- Distance from property lines. (The drip edge must be at least 5 feet from property lines. If you are on a corner lot or have easements attached to your property it may be more than the 5 feet.)
- List any easements on property
- Roof pitch, roof height, roofing material and drip line distance to other structure and property lines
- Concept drawing of what structure will look like
- Building materials
- Driveway materials
- Landscaping design



Total Sq. footage of Structure: 3000
Height of Structure: 25.6

- What will the structure be used for? Storage
 - Will any plumbing be installed in the structure? Yes ___ No X
 - Will any electricity be installed in the structure? Yes ___ No X
 - Will structure be used for a business? Yes ___ No X
- If yes, have you applied for a business license with Hooper City? Yes ___ No X

Explain:
❖ The State requires all property owners within 600 feet from your parent property (front, sides and back) to be notified. There will be an additional fee of \$1.50 for every notice that is sent out.

Please address these issues on the back of this application.

- | | | | |
|--------------------|------------------|-----------|---------|
| Traffic problems | Safety issues | Noise | Parking |
| Fencing | Pollution | Odors | Design |
| Business operation | Use of structure | Easements | |

I hereby certify that the above information is accurate to the best of my knowledge. I certify that I will comply with all state and local requirements before and after building this structure. I understand that if conditional use does not start within (12) months and also if the conditional use is discontinued for (12) consecutive months, the Conditional Use Permit will expire. If my conditional use changes I will notify Hooper City for a Conditional Use Permit review. I or a representative will be present at the Planning Commission Meeting.

Signature: Ali Karra Date: 5-4-2024

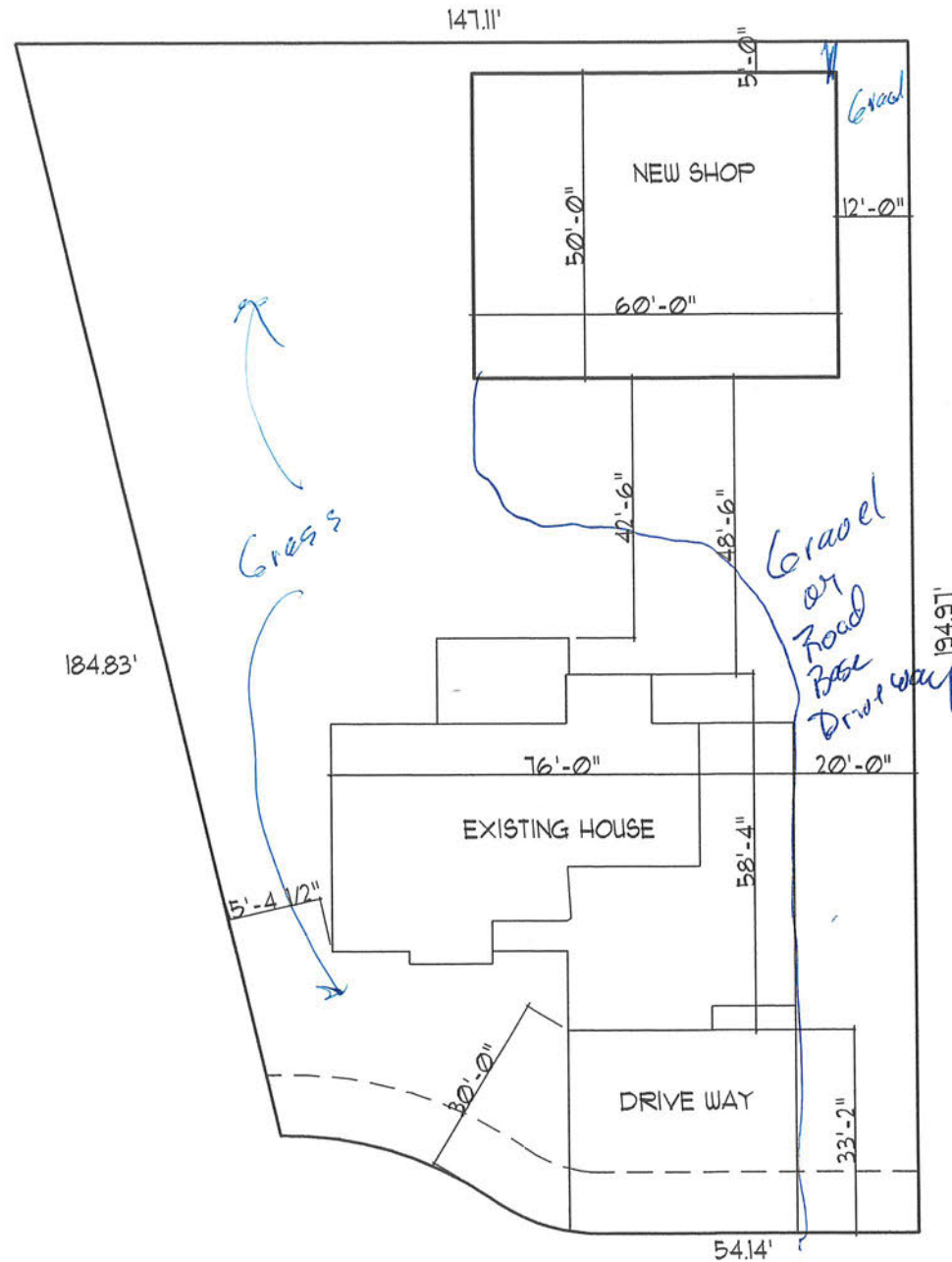
Approval Date: _____ Disapproval Date: _____
Planning Commission Chairman

Comments/Conditions: _____

Completed application, fee and all other documents must be submitted 30 days before a Planning Commission Meeting which is the 2nd Thursday of the month unless otherwise specified.

PLOT PLAN

LOT 8



5950 WEST STREET

LOT 8 WIDDISON SUBDIVISION

SCALE 1" = 30' 4704 SOUTH

SITE PLAN NOTES:

OWNER/CONTRACTOR SHALL FIELD VERIFY THE LOT DIMENSIONS, SETBACKS, AND ALL EASEMENTS.

DIMENSIONS ON ANGLED LOT LINES ARE SHOWN PERPENDICULAR TO THE HOME.

DRAINAGE - OWNER/CONTRACTOR SHALL PROVIDE 5% SLOPE (6" IN 10'-0") AWAY FROM THE BUILDING TO INSURE PROPER DRAINAGE.

BERMS OR SWALES MAY BE REQUIRED ALONG THE PROPERTY LINES TO PREVENT STORM WATER FROM FLOWING TO ADJACENT PROPERTIES AND OR LOTS.

ALL STORM WATER AND DIRT WILL BE KEPT ON SITE DURING CONSTRUCTION UNTIL FINAL LANDSCAPING IS DONE. OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING DIRT/MUD ON SITE DURING BAD WEATHER AND FOR CLEANING UP AFTER SUBCONTRACTORS.

STREET, CURB, AND GUTTERS WILL BE INSPECTED AND CLEANED OF MUD AND DIRT EACH DAY PER CITY ORDINANCE.

GRAVEL BAGS TO BE PLACED AND MAINTAINED AROUND ANY STORM DRAIN INLET ADJACENT TO OR IMMEDIATELY DOWNSTREAM FROM SITE DURING CONSTRUCTION.

SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE OR OTHER APPROVED POINT OF COLLECTION SO AS TO NOT CREATE A HAZARD.

LAND DRAIN - IF A LAND DRAIN IS AVAILABLE IN THE SUBDIVISION. THE LAND DRAIN SHALL BE EXTENDED TO AND CONNECTED TO A FOOTING DRAIN SYSTEM.

CURB AND GUTTER ARE NOT SHOWN FOR CLARITY. PROPERTY LINE GENERALLY STARTS 10'-0" FROM BACK OF CURB. FIELD VERIFY.

OWNER/CONTRACTOR TO FIELD LOCATE AND IDENTIFY POWER, SEWER AND WATER CONNECTION LOCATIONS.

ELEVATIONS INDICATED ON PLANS ARE APPROXIMATED. OWNER/CONTRACTOR SHALL BE REQUIRED TO FIELD VERIFY EXACT ELEVATION.

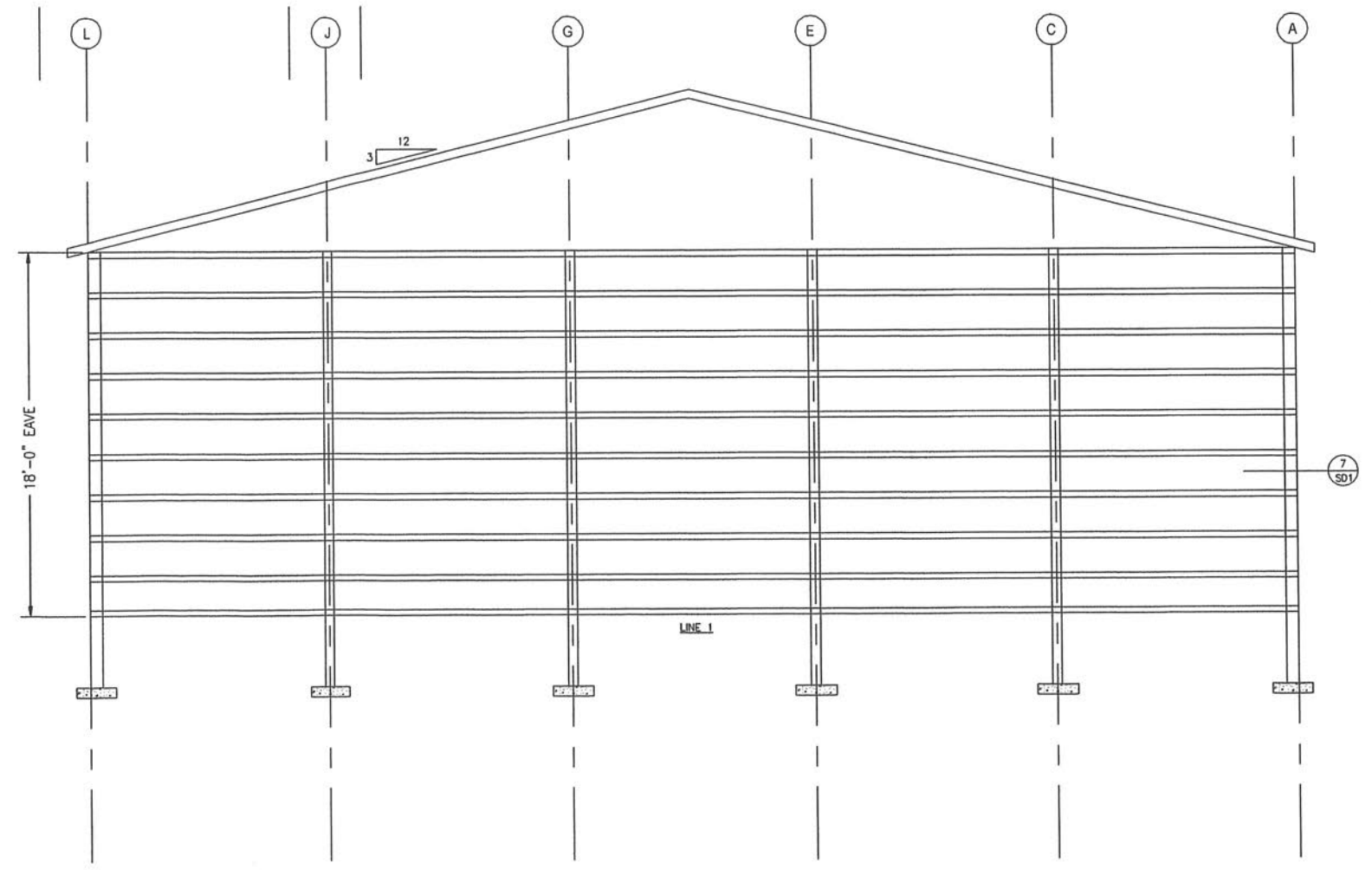
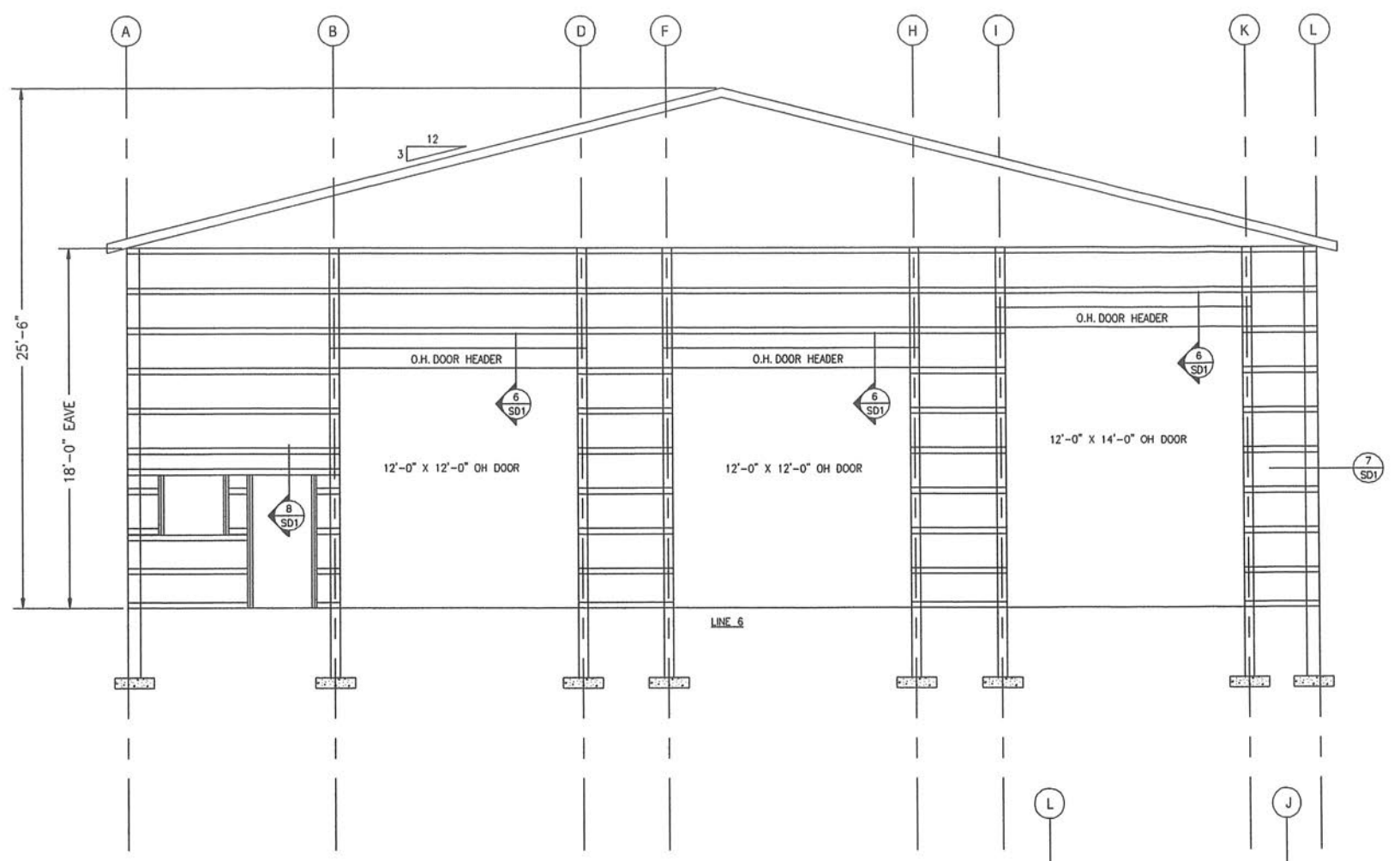
The general contractor is to assume full responsibility for the accuracy of the building dimensions and structural details shown on this plan. This plan is the property of Ironside Engineering and shall not be duplicated, in any form or used as the basis for any new work.

787 N 1200 W
 OGDEN, UT 84404
 (801) 923-3780



DUBACH
 JOSH BARNETT POLE BUILDING
 4704 SOUTH 5950 WEST
 HOOPER, UTAH

SHEET
 S3



END WALL ELEVATIONS
 SCALE - 1/8" = 1'-0"

Hooper City
5580 W. 4600 S.
Hooper, UT 84315
Office 801-732-1064

□ Fee: \$200.00
Date Submitted 05/21/20

Conditional Use Permit: Oversized Structure

Print Applicant Name: James & Deanne Upshaw
Address: 4483 S. 585400 W
Phone #: [REDACTED]
Day Time Phone #: [REDACTED] Email: [REDACTED]

□ **Provide site plan drawings including all of the following: (Site plan must be to scale).**

- Map of property showing adjacent streets Appendix # 2
- Building dimensions and distance from other structure Appendix # 3 50x40 + lean to
- Distance from property lines. (The drip edge must be at least 5 feet from property lines. If you are on a corner lot or have easements attached to your property it may be more than the 5 feet.)
- List any easements on property N/A
- Roof pitch, roof height, roofing material and drip line distance to other structure and property lines 4/12 pitch
- Concept drawing of what structure will look like Appendix # 4
- Building materials metal
- Driveway materials concrete
- Landscaping design grass, rocks

metal
25ft structure
6 prpgr
App # 3

Total Sq. footage of Structure: ~~2580~~ 2900
Height of Structure: 22.4

- What will the structure be used for? Storage for RV, tractor, flatbed, misc household hold
- Will any plumbing be installed in the structure? Yes No X
- Will any electricity be installed in the structure? Yes X No
- Will structure be used for a business? Yes No X

If yes, have you applied for a business license with Hooper City? Yes No
Explain: N/A

❖ The State requires all property owners within 600 feet from your parent property (front, sides and back) to be notified. There will be an additional fee of \$1.50 for every notice that is sent out.

Please address these issues on the back of this application. Appendix # 1

- | | | | |
|--------------------|------------------|-----------|---------|
| Traffic problems | Safety issues | Noise | Parking |
| Fencing | Pollution | Odors | Design |
| Business operation | Use of structure | Easements | |

I hereby certify that the above information is accurate to the best of my knowledge. I certify that I will comply with all state and local requirements before and after building this structure. I understand that if conditional use does not start within (12) months and also if the conditional use is discontinued for (12) consecutive months, the Conditional Use Permit will expire. If my conditional use changes I will notify Hooper City for a Conditional Use Permit review. I or a representative will be present at the Planning Commission Meeting.

Signature: Deanne Upshaw Date: May 21, 2020

Approval Date: _____ Disapproval Date: _____
Planning Commission Chairman

Comments/Conditions: _____

Completed application, fee and all other documents must be submitted 30 days before a Planning Commission Meeting which is the 2nd Thursday of the month unless otherwise specified.

Conditional Use Permit Appendix 1

Use of Structure– Household Use for Storage for RV, Flatbed Trailers, Tractor, Tools and Yard Care Items

Traffic Problems – No expected traffic issues

Fencing – property will be fenced with vinyl fencing

Business Operation – N/A

Safety issues – building will be equipped with fire extinguisher and isle kept clean for walking

Pollution – N/A

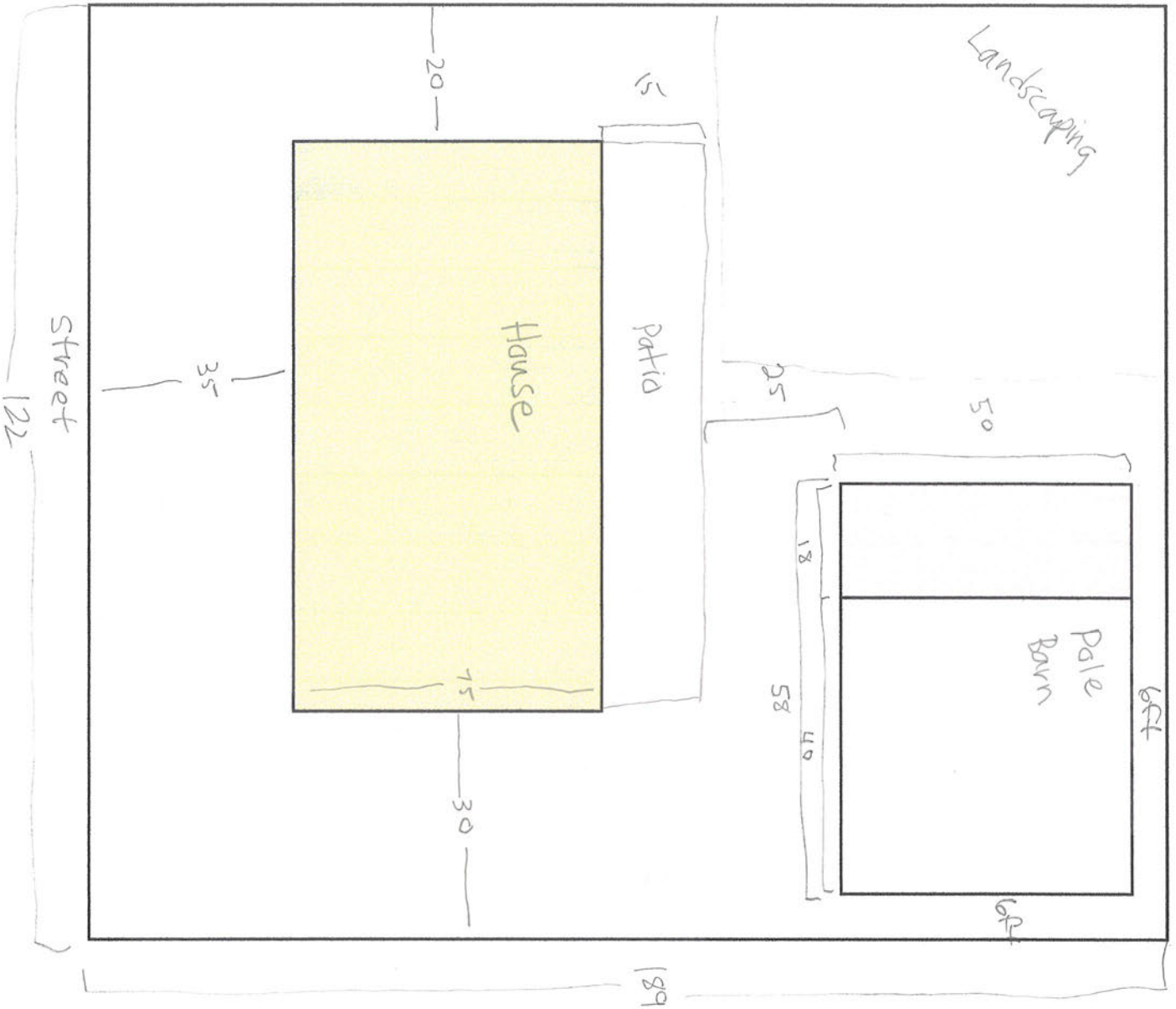
Noise – N/A

Odors – N/A

Easements – No easement exist under to by structure

Parking – there is adequate parking on the approach – no on street parking is expected

Design see attached drawings



Appendix #3

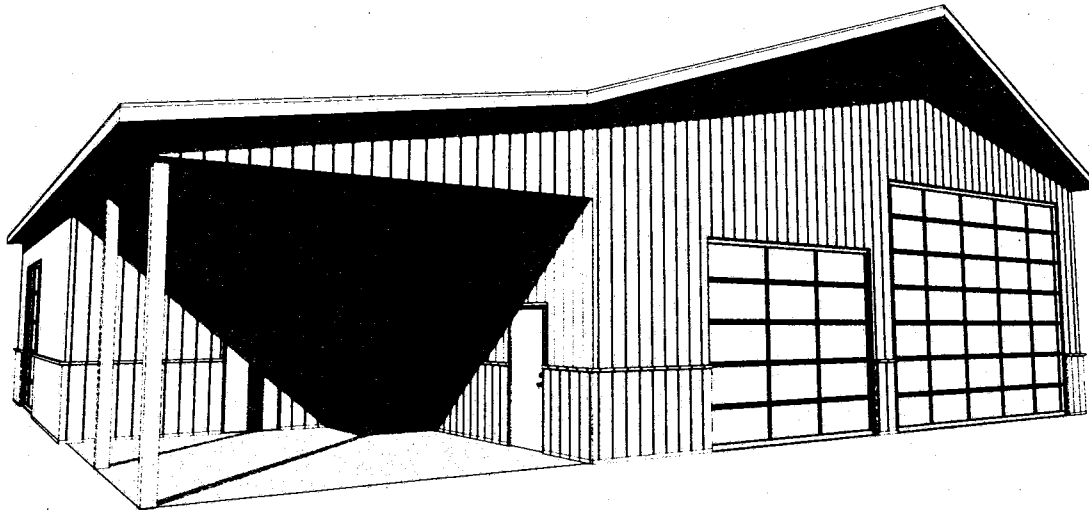
Appendix 74 P52

ROPER BUILDINGS

DEANNE UPSHAW BUILDING

05/20/2026

A0	Title Page
A1	Foundation Plan
A2	First Floor Plan
A3	Framing Plans
A4	Roof Plan
A5	Elevations
A5.5	OSB Sheeting
A6	Panel Layouts
A7	Details
A8	Details
A9	Details
A10	Engineering Notes
A11	Engineering Notes



ROPER BUILDINGS /
DMRP RESOURCES
PHONE: (801) 686-3630

BUILDING INFORMATION:
DIMENSIONS: 47' x 50' = 2,000 ft²
LEAN 1 DIMENSIONS: 18' x 50' = 900 ft²
TOTAL SQUARE FOOTAGE: 2,900 ft²

SITE INFORMATION:
ADDRESS:
4483 S. 5400 W.
Hooper, UT 84315

USAGE:
Residential Accessory



STRUCTURAL ONLY

GIRTS: STANDARD
CLEAR HEIGHT: 15' - 0"
CONCRETE THICKNESS: 4"

April 7, 2026

Hooper City Planning Commission and Hooper City Council
5580 West 4600 South
Hooper, UT 84315

RE: Hooper City Municipal Code §10-4A-31

Dear Members of the Hooper City Planning Commission and Hooper City Council:

Our office represents property owners with land located within the Hooper City boundaries and adjacent areas. The purpose of this letter is to propose a change to the Hooper City Municipal Code §10-4A-31 – Unsuitability.

1. Purpose of Proposed Amendment.

The purpose of this amendment is to clarify standards for determining when land may be considered unsuitable for development due to environmental, safety, infrastructure, or geologic conditions. The amendment also ensures that determinations are supported by substantial evidence in the record and consistent with Utah’s Municipal Land Use, Development, and Management Act (MLUDMA) and the “substantial evidence” rule contained in *McElhaney v. City of Moab*, 2017 UT 65 and *Outfront Media, LLC v. Salt Lake City Corp.*, 2017 UT 74.

2. Current Code Language – Hooper City Code §10-4A-31

Following receipt of recommendations from the City Staff, if the Planning Commission or City Council finds lands unsuitable for development due to high groundwater, a history of standing surface water, flooding, improper or inadequate drainage, natural hazards, fire, geologic hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, utility easements, wildlife habitats that cannot be reasonably mitigated, historical artifacts, or other natural features, which will be detrimental to the safety, health and general welfare of the present or future inhabitants of the development or surrounding areas, the land shall not be developed. These areas have currently been identified as lands falling below Elevation 4220.0, with no utilities permitted below Elevation 4215.0. Minor interior portions (10% or less) of the development which are surrounded by suitable lands may be made suitable if adequate methods are formulated by the developer and approved by the City, upon recommendation of a qualified planner or engineer hired by the developer and approved by the City, to solve or remedy the problems created by the unsuitable land conditions. The burden of the proof shall lie with the developer to establish the viability of development in these sensitive or unsuitable areas. In residential developments, each building lot must be suitable in its entirety. Unsuitable land shall be set aside or reserved for uses that will not create a danger or severe environmental impact. Additionally, considerations must be



2225 Washington Boulevard, Suite 200 • Ogden, Utah • 84401 • Office 801.476.0303 • Fax 801.476.0399

www.smithknowles.com

given to soil conditions, drainage patterns, and ground water existence and may include appropriate setbacks and conservation requirements.

- 3. Proposed Amendment:** The following underlined language is drafted to replace the current version of §10-4A-31.

§10-4A-31 – Unsuitable Land

A. Determination of Unsuitability.

The City may determine that land proposed for subdivision or development is unsuitable when physical conditions pose a substantial risk to public health, safety, or welfare or would result in unreasonable public cost. Once a determination of unsuitability has been made by the land use authority in compliance with this code section, the burden of proof shall lie with the developer to establish the objective viability of development in sensitive or unsuitable areas.

B. Conditions That May Render Land Unsuitable.

1. Flood hazard areas or land subject to periodic inundation
2. High groundwater conditions which prevent adequate wastewater disposal
3. Areas that have currently been identified as lands falling below Elevation 4215.0.
4. Geologic hazards such as landslides, subsidence, or unstable soils
5. Steep slopes or terrain creating development hazards
6. Lack of adequate access for emergency vehicles
7. Inadequate water, sewer, drainage, or transportation infrastructure
8. Environmental constraints including wetlands or protected habitat

C. Required Findings.

The City shall identify the specific condition rendering the land unsuitable and cite substantial evidence in the record in support of its finding.

4. Comparable Utah ‘Unsuitable Land’ Ordinances.

1. **Brigham City Subdivision Ordinance – § 155.260 et. seq.**
<https://brighamcity.utah.gov/>
2. **Summit County Development Code 11-2-4**
<https://www.summitcounty.org/>
3. **Weber County Building Moratorium Below 4,215’**
<https://www.webercountyutah.gov/engineering/>

5. Utah Case Law Supporting Proposed Ordinance.

1. *McElhaney v. City of Moab*, 2017 UT 65.
2. *Outfront Media, LLC v. Salt Lake City Corp.*, 2017 UT 74.

3. *Bradley v. Payson City Corp.*, 2003 UT 16, 20 P.3d 47.
4. *Springville Citizens v. City of Springville*, 1999 UT 25.

6. Legal Authority Under Utah Law

Utah municipalities regulate land development under the Municipal Land Use, Development, and Management Act (MLUDMA), Utah Code Title 10 Chapter 9a. Cities may adopt ordinances governing subdivision approvals, development standards, and conditions necessary to protect public health, safety, and welfare.

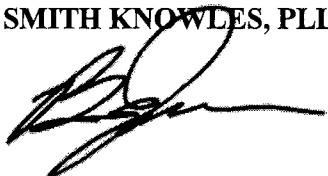
7. Requested Action

The applicant respectfully requests that the Hooper City Planning Commission review the proposed amendment, hold any required public hearing, and recommend adoption of the amendment to the Hooper City Council.

Thank you for your cooperation and support.

Regards,

SMITH KNOWLES, PLLC



Blake D. Johnson, JD
Attorney at Law



MEMORANDUM

DATE: June 3, 2026
TO: Hooper City Council and Planning Commission
FROM: Taylor Stauffer P.E., City Engineer
SUBJECT: 4220' Elevation Boundary

Concerns have been brought up regarding the ordinance of no buildings lower in elevation than 4220'. This memo is to explain the engineering reasoning for this rule. A review of existing topographic mapping was used by contour tracing at elevation 4220 across the city wide area. This exercise indicated widespread areas of standing water between elevations 4220' and 4215'. These observations suggest that groundwater and surface water conditions commonly occupy this elevation band.

The subsurface utilities such as storm drain, land drain, and sewer are a major concern as they would typically require installation approximately 4 to 5 feet below any finished floor, placing these utilities at elevations that would likely remain submerged in groundwater on a continual basis. Such placement introduces serious concerns that these systems will have reduced capacity when they are needed most and cause storm water flooding, sewer backup, and the long-term maintenance risks for drainage infrastructure.

Infrastructure installation below elevation 4215' is not permitted. Establishing a finished floor elevation below 4220' would then put these utilities at or near elevation 4215', aligning with ordinance constraints while reducing the risk of groundwater intrusion into drainage systems. Bringing in fill dirt to raise the finished floor creates an illusion that the finished floor is above 4220' but drainage hydraulics would be affected negatively.

Additional context was obtained from a conference focused on Great Salt Lake hydrology and shoreline impacts. Discussions emphasized the need for city along the lake to set elevation standards for development. Key considerations included wave action, fluctuating lake levels, and long-term hydrologic variability. Several cities adopted higher minimum elevations such as 4217' to address these factors.

HELPING EACH OTHER
CREATE BETTER COMMUNITIES

J-U-B FAMILY OF COMPANIES



THE
LANGDON
GROUP



J-U-B ENGINEERS, INC.



GATEWAY
MAPPING
INC.

The evaluation of elevation thresholds has been conducted solely to mitigate risks associated with water intrusion and to ensure that future utilities and residential structures remain above persistent groundwater and surface water conditions. This approach is intended to support long-term infrastructure functionality and resilience.



Hooper City Inc.
5580 West

Hooper, UT 84315

Phone: (801) 732-1064 Fax: (801) 732-0598

Email: admin@hoopercity.com Website: hoopercity.com

STAFF REPORT – Planning Commission

Subject: 4215/4220 Elevation Line

From: Jared Hancock – Public Works Director

Date: Monday, June 8, 2026

HISTORY: Hooper City as well as our predecessor Weber County, and other surrounding municipalities and State agencies have long recognized the 4215 no build line. This elevation has been the threshold of where development is no longer allowed below that elevation. This restriction is to protect the health safety and welfare of the citizens, in an effort to prevent catastrophic flooding for residents by not allowing development in areas known to become, or projected to become, inundated with flood waters during high precipitation years. To my knowledge everybody agrees on the 4215 elevation line as the end of development.

HOW THE 4220 LINE CAME ABOUT: As the city started to see growth and there became development pressure in areas with property below or near the 4215 elevation line, developers were (and rightfully so) trying to maximize the developable area on some of the properties being developed. As plans were reviewed and concepts were presented it was apparent that developers and design engineers interpreted the *“No Development below 4215 elevation”* rule, to mean as long as some portion of a lot or the building floor was at or above 4215, that their proposals should be allowed as far as the 4215 rule was concerned. What is NOT considered in this scenario is the fact that all of the infrastructure required to support buildings, lots, and homes, is constructed underground and allowing the building of homes and lots down to the elevation of 4215 would put all of the infrastructure below that elevation, thus allowing “development” lower than 4215 in these proposals. The City argued that *“No Development below 4215 elevation”* included infrastructure improvements which are necessary to support the homes and development. In the event that flooding is at or near the 4215 elevation, Storm Drain, Sewer and other utilities installed below that elevation will become inundated with water and will not function, perhaps when they are most needed. Therefore, the City Engineer (Tracy Allen) and the Public Works Director (Jared Hancock) felt like there needed to be some clarification and guidance on this issue. When the general plan was being reviewed, we also updated several ordinances including the ordinance dealing with the

4215 elevation and suitability. We felt like that was an appropriate time to clarify that issue rather than a reaction to a development submittal, where a developer may feel like he was being singled out. This was NOT intended to change or alter the ***"No Development below 4215 elevation"*** rule, but simply define and give guidance that the infrastructure needs to be included as part of "development" and give a reasonable buffer to install that infrastructure. Keeping the drainage and infrastructure above the 4215 flood line will allow that infrastructure to function in a flooded scenario. This change or clarification was 100% to protect the health safety and welfare of the residents who are buying lots in Hooper that have a reasonable expectation that their infrastructure will function.

EXAMPLES / FACTS: All of the elevation studies I have heard and read are based on a "historic high Great Salt Lake level" though this is the basis of the 4215 elevation rule, the most likely catastrophic flooding for Hooper would not occur as a result of the lake level but rather the level of the South Fork of the Weber River (a tributary to the GSL) and the surrounding areas. An extensive study document that consists of 153 pages, produced by the Department of Natural Resources has three paragraphs that are very telling. The first one included is concerning low lying plains around the GSL and city county and State agency zoning recommendations. The second contemplates the damages that occurred (recognize this is 1985 Dollars) and recognizes that development and structures in flood prone areas is the major cause of damages. And Third is the only section specifically mentioning concerns in Hooper (Keep in mind this document was produced before Hooper was a city) around the Ogden Bay WLMA, which is along the north west area of our city.

Snippet #1:

The low lying plain surrounding Great Salt Lake is particularly susceptible to flooding and associated hazards. Regarding the flood plain, Lowe (1990a and 1990b) states the following: "Using the best available historical and scientific data on Great Salt Lake, government policy-makers and lake experts have recommended that a beneficial development strategy should exist for lake-shore areas up to 4217 feet in elevation". (Utah Division of Comprehensive Emergency Management, 1985). This strategy establishes a "Beneficial Development Area" (BDA) along the shore of Great Salt Lake between 4191.4 feet (the lake's historic low level in 1963) and 4217 feet. At an elevation of about 4217 feet, the lake naturally flows out onto the broad expanses of the Great Salt Lake Desert. The strategy recommends that, within the elevation interval between 4191.4 and 4217 feet, development take place in a manner that will encourage the maximum use of the land for the people of Utah while avoiding unnecessary disaster losses. Pursuant to the strategy, the Utah Geological Survey would provide technical information and maps showing geologic hazards, and city-county surveyors would provide a BDA line which is at the 4217 foot elevation contour to the planning, zoning and permitting agencies of applicable city, county, and state agencies.

Snippet #2:

Flooding Impacts

Flooding in the recent past has caused enormous financial damage and has required large sums of money to mitigate. The lake flooding episode of 1983-1987 is estimated to have caused over \$240 million (1985 dollars) in damages. Had the lake level continued to rise and interrupted the operation of the northern and southern railroad causeways and Interstate 80, it is estimated that the State could have suffered from \$500 million to \$1 billion (1985 dollars) in direct and consequential damages. Development and placement of structures in hazardous or flood-prone areas are the major causes of these high damage figures.

Snippet #3

Important issues for Howard Slough and Ogden Bay WMAs include vulnerability to flooding from the Weber River and Great Salt Lake. Other management issues include additional access for air boats, visitor conflicts, water quality, and high levels of sediment entering via the Weber River. The water rights are very good since this is one of the oldest WMA's in Utah. Another concern is diminishing agricultural habitat and food sources for the White-faced ibis, waterfowl, and other agriculturally-dependent species due to residential housing development.

Lake level begins to affect Ogden Bay WMA dikes at a lake level elevation of 4203, which occurred this year. Other dike elevations range from 4205 – 4212, with upland areas at an elevation of 4220. Over 80 percent of the upland area is flooded at a lake elevation of 4211.

CURRENT DEVELOPMENT EXAMPLE:

Attached you will find a copy of one portion of the construction drawings for Rawson Ranch Phase 1; On that sheet you can see 3 of the west lots (16-17-18) in that subdivision, you can also see the pond that receives the water from a significant portion of Hooper and West haven. There is a piped storm drain outfall that runs down the south side of Rawson Ranch between that project and the Torghelle Property. If you look closely at the contour (elevation) lines the BOTTOM of that pond is at 4215. The flowline of the 42" RCP Storm Drain is 4215.28. The bank of the pond which can overflow and run to the next pond area is 4218. This project was constructed under the old rule but was held to the lots being above the storm drain and detention facilities at 4215 and the lots are about 4219. The next page shows a proposed development in the Torghelle parcel directly adjacent to the

Rawson Ranch Phase 1 Project. The Hatched area on the back of Lots 115, 116, 201, 202, etc show the area below the 4220 line. You may also notice the BOTTOM of the pond on the West end of the Torghele Property is 4217, 4216, and 4215 in elevation. As you can see a slight shift in the road labeled "Street D" would still accommodate the lots desired and keep them at a better elevation.

With this example you can clearly see the need for allowing infrastructure development at 4215 and the lot elevations at 4220, it works well, and just makes common sense. It would be reckless to allow building lots at the same elevation as the Bottom of the pond/swamp that we are draining a significant portion of two cities into.

TIMING: I do not believe making a more lenient adjustment to this ordinance concerning the flooding potential of future development during the driest year ever is a wise idea. I acknowledge there may be areas at this elevation that appear to be developable today, but keep in mind the developers only need to make it through one year, and then the liability and operation of these utilities becomes the city's obligation FOREVER. If we were to adjust this ordinance, I believe we should study this issue on a more than average precipitation year.

FILL and GEOTECH: There is one portion of the ordinance that didn't come out as clearly as I would have liked; the portion about how much area can be "filled" to achieve the acceptable elevation and accommodate development. The original intent was to allow some filling to take place on parcels that may have a low spot or a ditch or a swale that may be lower than 4220 but had a significant area around it that was suitable for development. It was also the original intent to limit the amount of fill that could be added to a project so that we didn't promote thousands of loads of dirt to be brought in and fill further and further out into these areas deemed to be too low.

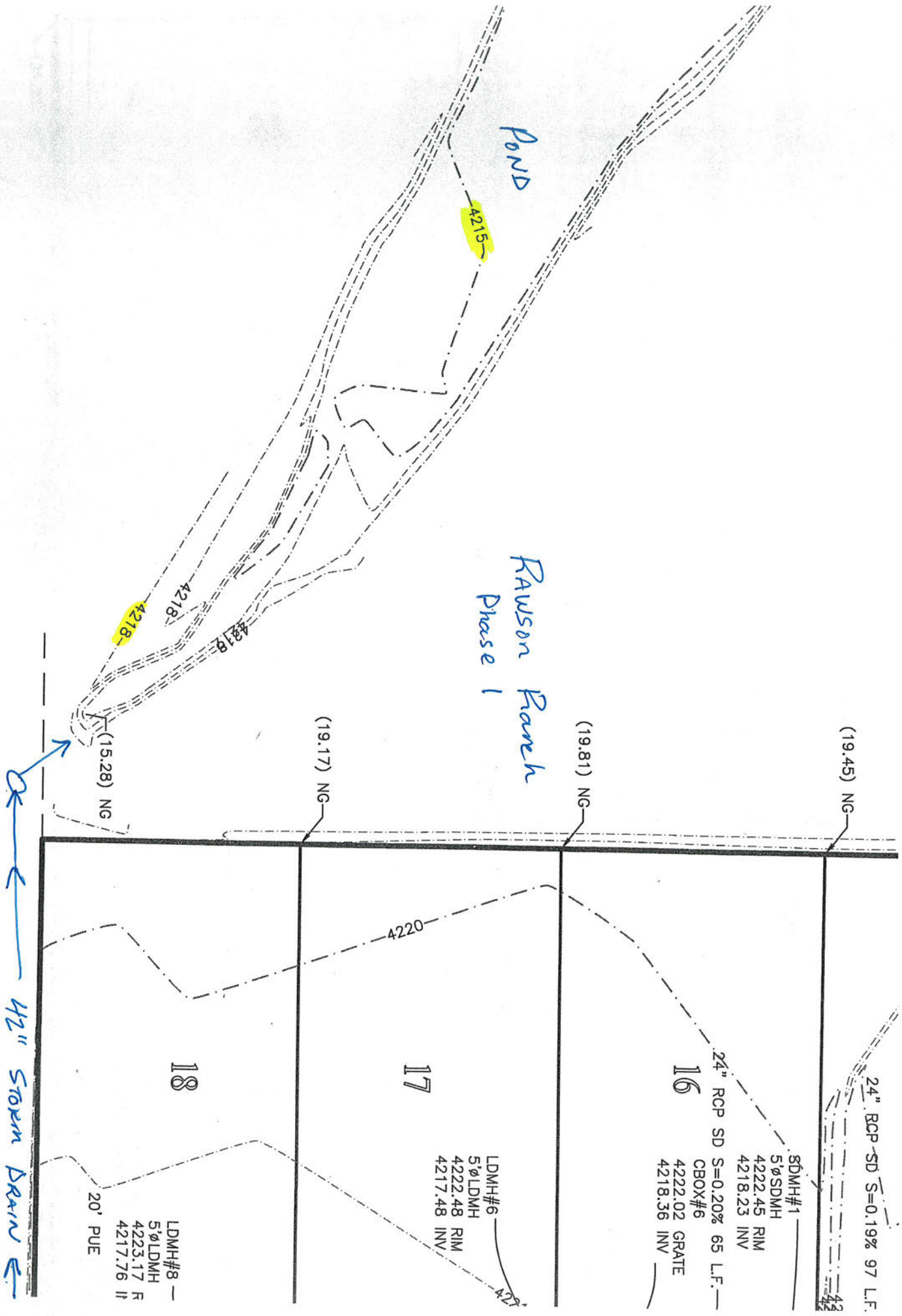
The other aspect with "Fill" is the type of fill. Fill is expensive and engineered fill is really expensive. The problem we see with generic fill is getting a consistent material, that can be tested and compacted well enough to support buildings and streets. We have also had scenarios where the Geotech report shows that the substructure (existing ground) found in these low lying areas will not support the required fill and compaction needed to build structures or infrastructure on. For these reasons we have elected not to allow large fills on development projects out into the 4215 and lower areas.

RECCOMENDATION:

As one of the original promoters of this ordinance clarification, I adamantly stand behind the purpose and objective of this ordinance. We MUST have room in elevation for Storm Drain and other utilities to function above the 4215 elevation. Since these Utilities are underground utilities, that automatically forces the lots and buildings to be higher in elevation. I am not opposed to some different language as long as these objectives are met. It seems beneficial for all to have our expectations clear in ordinance so that developers and design engineers understand what is allowed. I would recommend leaving the ordinance as-is, or I don't mind working together to reword some verbiage or update that fill portion.

I think you can see the practical, common sense approach that has been applied.

Thank you for your consideration on this matter. If you have any additional questions or would like to go visit some of these areas I would be happy to show you.



(19.45) NG

24" RCP SD S=0.19% 97 L.F.

sDMH#1

5'ØSDMH

4222.45 RIM

4218.23 INV

16

24" RCP SD S=0.20% 65 L.F.
CBOX#6
4222.02 GRATE
4218.36 INV

(19.81) NG

Rawson Ranch
Phase 1

A215

17

LDMH#6
5'ØLDMH
4222.48 RIM
4217.48 INV

(19.17) NG

18

LDMH#8
5'ØLDMH
4223.17 R
4217.76 I
20' PUE

(15.28) NG

42" Storm Drain



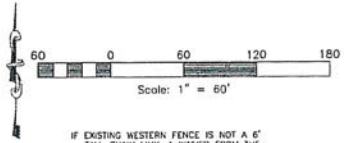
A218

A218

A218

4220

422



IF EXISTING WESTERN FENCE IS NOT A 6' TALL CHAIN LINK, A WAIVER FROM THE WESTERN LANDOWNER WILL BE NEEDED

**SEE OTHER MAP
RAWSON RANCH PH1*

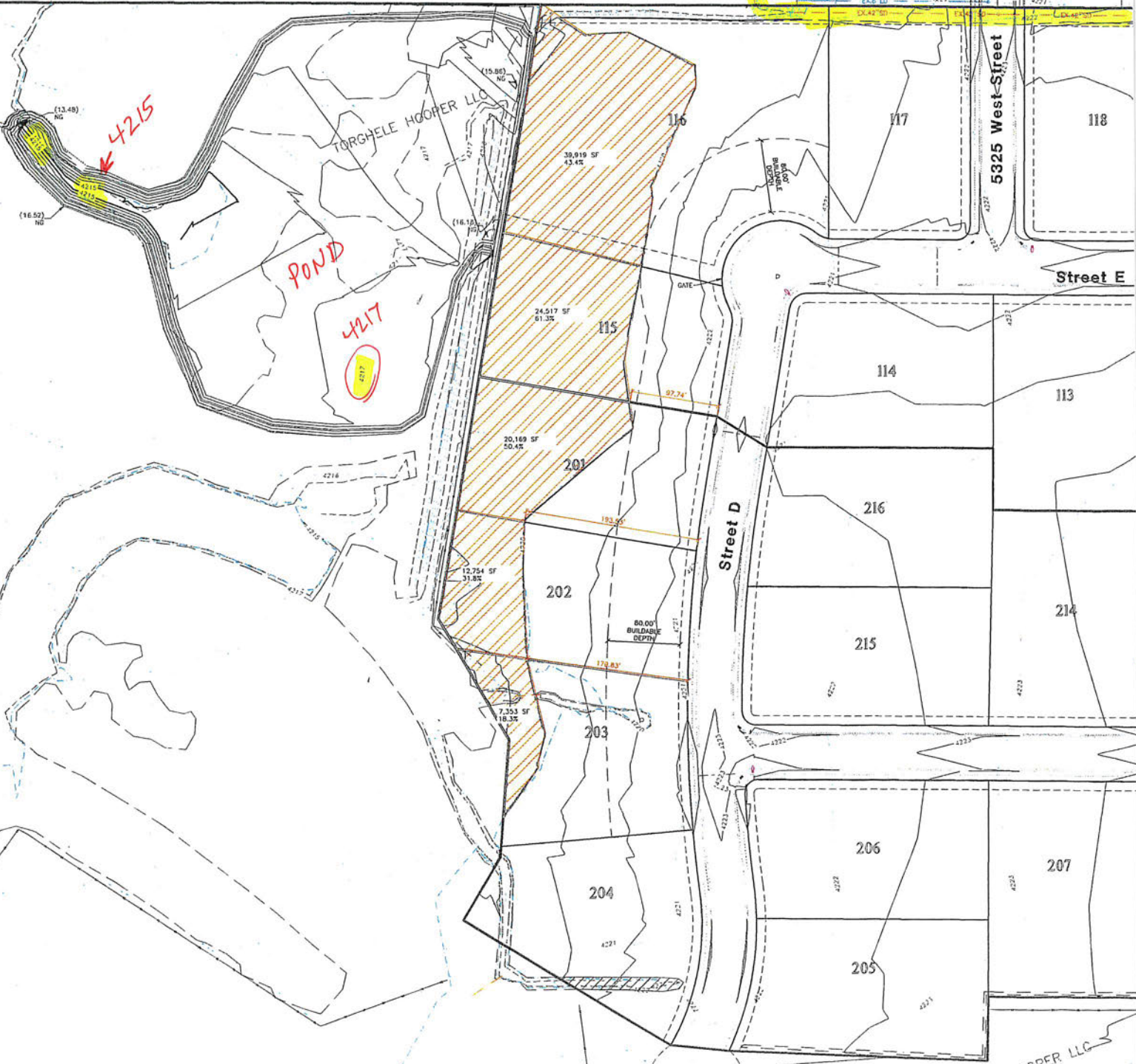
RAWSON RANCH LLC
15-526-0003

POND

17

18

116





Hooper City Inc.

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AMENDMENT 1

Title 10, Chapter 1, Section 10-1A-1 (Definitions)

The definition of "FAMILY" in 10-1A-1 is amended as follows:

FAMILY:

A. The head of household and all persons related to the head of household by blood, marriage, legal guardianship, or adoption as a parent, child, sibling, grandparent or legal guardian, living together as a single housekeeping unit in a dwelling unit. Such spouse, parent, child, sibling, grandparent or guardian must actually reside in the subject dwelling; or

B. Up to four (4) unrelated persons, with or without children, living together as a single housekeeping unit in a dwelling unit.

The following definitions are added alphabetically to Section 10-1A-1:

ELDERLY PERSON:

A person who is sixty (60) years of age or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

GROUP HOME FOR PERSONS WITH A DISABILITY:

A dwelling in which eight (8) or fewer unrelated persons, exclusive of staff, having physical or mental disabilities or impairments are cared for or live in a supervised environment.

GROUP HOME FOR THE ELDERLY:

A dwelling in which eight (8) or fewer unrelated elderly persons, exclusive of staff, are cared for or live in a supervised environment. The residents may or may not have a physical or mental impairment because of age. A group home for the elderly shall be owned by one of the residents or by an immediate family member of one of the residents or be a facility for which title has been placed in trust for a resident.

AMENDMENT 2

10-2B-6: GROUP HOME FACILITIES IN A RESIDENTIAL ZONE

A. Placement Of Specific Persons Restricted: Placement in a group home facility shall be on a strictly voluntary basis and not part of or in lieu of confinement, rehabilitation or treatment in a correctional facility.

B. Approval Process:



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1. Group homes that house more than four (4) unrelated persons shall be a Conditional Use in all residential zones where single-family dwellings are allowed (including R1, R.75, R2, R3, R4, ROS, Patio, and PUD).
2. Group homes housing four (4) or fewer unrelated persons shall be a Permitted Use in zones where single-family dwellings are allowed.
3. Site plan review and approval shall be required in accordance with this Title.

C. Development Standards: Each group home facility shall comply with all of the following requirements:

1. The facility shall conform to all applicable health, safety, and building codes applicable to similar single-family dwellings.
2. The facility shall be capable of use as a group home without structural or landscaping alterations that would change the structure's residential character.
3. Adequate off-street parking shall be provided for staff, residents, and visitors as determined by the Planning Commission.
4. The facility shall be consistent with the existing underlying zoning standards of the location.

D. Supervision Assurances: The operator of a Group Home for Persons with a Disability shall provide written assurances to the City that the residents of the facility will be properly supervised on a twenty-four (24) hour basis. This supervision requirement does not apply to group homes for the elderly.

E. Nontransferability and Termination: A permit granted for a group home facility under this section is nontransferable to another operator or location, and automatically terminates if the structure is devoted to a use other than as a approved group home facility. A permit also terminates if the group home facility fails to comply with any of the provisions or conditions outlined in this section.

F. Fair Housing Provisions: In accordance with the Fair Housing Amendments Act of 1988 (42 USC section 3601 et seq.) and Utah Code § 10-9a-516, none of the foregoing conditions shall be interpreted to limit, deny, or block any reasonable accommodation necessary to allow occupancy of a residential facility for persons with a disability.

G. State Licensure: Group homes for persons with a disability shall follow all applicable standards and requirements of the Utah Department of Health and Human Services under Utah Code Title 26B (or Title 62A as historically applicable) regarding the licensure of programs and facilities.

H. Business Restrictions for Elderly Care: A group home for the elderly shall not be operated as a commercial business. A group home for the elderly may not be considered a business solely because a fee is charged for food or for actual and necessary costs of operation and maintenance of the physical facility.

AMENDMENT 3

Amendment to zoning matrix

Update the Zoning Matrix



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Hooper City uses a land-use table across Chapter 10-2B to show what is allowed in Residential (R1, R2, etc.) zones.

- What to change: Locate "Group Home" on the matrix.
- The New Markings: Update the row to show "C" (Conditional) in all residential zones (R1, R2, etc.)

Related Discussion

Below are listed similar defined uses as a “Group Homes” as found in our code. Discussion on these definitions and the allowed use of them in different zones could be necessary to fully understand the implications of the proposed ordinance above and to accomplish the goals of the City Council and Planning Commission. Please discuss these uses and any modifications necessary to help facilitate the modification and adoption of the code for “Group Homes”

BOARDING HOUSE: An establishment with individual rooms where meals and lodging are provided for, with or without compensation, to more than 2 but not more than 10 persons. A boarding house shall include, but not be limited to, a rooming house, shelter, convent, monastery, dormitory, fraternity house, sorority house, or any group of individuals whose association is temporary or seasonal in nature. Hotels, motels, multi-family developments, and bed and breakfast establishments, as herein defined, shall not be considered boarding houses.

CHILDREN’S TREATMENT FACILITY: An establishment, or portion thereof, that:

A. provides permanent provisions for living, sleeping, eating, cooking, and sanitation for more than 8 juveniles under 18 years old, and

B. provides treatment for substance abuse, mental illness, emotional disturbance, developmental disability, mental retardation, or juveniles who have been identified by the judicial system as requiring treatment, therapy, rehabilitation, or supervision. For purposes of this Title, this definition shall include group foster homes with more than 13 juveniles.

DAY CARE FACILITY: An establishment, or portion thereof, where more than 12 individuals (children or adults) regularly receive care and supervision for a period less than 15 hours per day unaccompanied by the individual’s guardian.

DAY CARE HOME, GROUP: An establishment, or portion thereof, or dwelling where more than 6 but no greater than 12 individuals (children or adults) regularly receive care and supervision for a period less than 15 hours per day unaccompanied by the individual’s guardian.

DRUG AND ALCOHOL TREATMENT FACILITY: An establishment, or portion thereof, that:

- provides permanent provisions for living, sleeping, eating, cooking, and sanitation and



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- provides a treatment program for adult patients (18 years and older) with a drug and/or alcohol use problem. This definition shall include a detoxification facility, inpatient facility, residential facility, clinic, and outpatient facility as they relate to drug and alcohol treatment.

FAMILY:

- A. A person living alone or 2 or more persons related by blood or marriage.
- B. A group of not more than 10 persons who need not be related by blood or marriage living together in a dwelling unit.
- C. Eight or fewer unrelated mentally and/or physically handicapped or elderly persons residing in a dwelling under staff supervision, provided that no more than 2 staff members reside in the dwelling at any one time. (Resident staff shall not be counted toward the “8 or fewer” criterion.)

FOSTER HOME, GROUP: An establishment, or portion thereof, that:

- A. provides permanent provisions for living, sleeping, eating, cooking, and sanitation, and
- B. provides foster care for 7 to 13 children under the age of 18.

RESIDENTIAL CARE FACILITY: An establishment that provides permanent provisions for living, sleeping, eating, cooking, and sanitation and that provides 24-hour non-medical care for more than 8 individuals that are 18 years or older who need personal care or assistance and supervision. A residential care facility shall include, but not be limited to: assisted living facility, retirement home, and respite care.