

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 25 June 2015

TIME COMMENCED: 6:31 p.m.

PRESENT: COMMISSIONERS:

Debi Pitts
Rob Osborne
Wes Johnson
Rod Westbrook
Wayne Winsor

CITY PLANNER:

Barry Burton

DEPUTY RECORDER:

Elyse Greiner (excused)

CITY MANAGER:

Duncan Murray

Transcriber: Minutes transcribed by Michelle Clark

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

PLEDGE OF ALLEGIANCE: Commissioner Winsor

VISITORS: Mike Bastian

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

APPROVAL OF MINUTES OF 28 MAY 2015:

Commissioner Winsor moved to approve the minutes of 28 May 2015 as written. Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, Westbrook, and Winsor voted yes. Commissioner Pitts abstained as she was excused from this meeting. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: None

Commissioner Westbrook moved to open the public hearing. Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, Pitts, Westbrook, and Winsor voted yes. The motion carried.

***** **PUBLIC HEARING** *****

Amendment to Section 11.05.020 (Types of Security):

The Amendment to Section 11.05.020 (Types of Security) eliminates the possibility of a developer using the one form of security that provides no real protection to the City

It is proposed that the South Weber Subdivision Regulations be amended as follows:

11.05.020 Types Of Security

The security shall be one of the following types, as dictated by the city:

A. Cashier's Check; Money Market Certificate: A cashier's check or a money market certificate made payable only to the city.

B. Trust or Escrow Account: A trust or escrow account with a financial institution federally or state insured.

~~C. Letter Of Credit: Letter of credit from a financial institution federally or state insured.~~

~~D.~~ **C. Minor Subdivisions:** Items stated by the city shall be completed prior to **a certificate of permanent occupancy being** is issued for any building constructed in the subdivision.

There was no public comment.

Commissioner Johnson moved to close the public hearing. Commissioner Winsor seconded the motion. Commissioners Johnson, Osborne, Pitts, Westbrook, and Winsor voted yes. The motion carried.

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

Commissioner Johnson asked to define "minor subdivision". Duncan said it is a subdivision with ten lots or less.

Commissioner Winsor moved to approve Amendment to Section 11.05.020 (Types of Security). Commissioner Westbrook seconded the motion. Commissioners Johnson, Osborne, Pitts, Westbrook, and Winsor voted yes. The motion carried.

Commissioner Winsor moved to open the public hearing. Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, Pitts, Westbrook, and Winsor voted yes. The motion carried.

******* PUBLIC HEARING *******

Ordinances: Amendments to Sections 10.5A.4A, 10.5B.4A, 10.5D.4A, and 10.5E.4A (Building Lot Requirements):

The amendments are as follows:

10.5A.4 Building Lot Requirements:

A. Density: There shall be no more than 2.80 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when

previously completed phases of the same development have sufficiently low density so that the average is still 2.80 building lots per acre or less.

~~1. In developments where road rights of way are a minimum of seventy feet (70'), where there is a mix of sixty foot (60') and seventy foot (70') road right of way widths or where it is not necessary to develop new roads, there shall be no more than 2.80 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 2.80 building lots per acre or less.~~

~~2. In developments where road rights of way are a minimum of sixty feet (60'), there shall be no more than 2.60 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 2.60 building lots per acre or less.~~

~~3. The use of seventy foot (70') wide road rights of way shall be the preferred standard, but the use of sixty foot (60') wide road rights of way may be approved by the city where the road is an extension of an existing sixty foot (60') wide right of way. (Ord. 09-08, 8-11-2009)~~

10.5B.4A Building Lot Requirements:

A. Density: There shall be no more than 1.85 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.85 building lots per acre or less.

~~1. In developments where road rights of way are a minimum of seventy feet (70'), where there is a mix of sixty foot (60') and seventy foot (70') road right of way widths or where it is not necessary to develop new roads, there shall be no more than 1.85 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.85 building lots per acre or less.~~

~~2. In developments where road rights of way are a minimum of sixty feet (60'), there shall be no more than 1.75 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.75 building lots per acre or less.~~

~~3. The use of seventy foot (70') wide road rights of way shall be the preferred standard, but the use of sixty foot (60') wide road rights of way may be approved by the city where the road is an extension of an existing sixty foot (60') wide right of way. (Ord. 09-08, 8-11-2009)~~

10.5D.4 Building Lot Requirements:

A. Density: There shall be no more than 1.45 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when

previously completed phases of the same development have sufficiently low density so that the average is still 1.45 building lots per acre or less.

~~1. In developments where road rights of way are a minimum of seventy feet (70'), where there is a mix of sixty foot (60') and seventy foot (70') road right of way widths or where it is not necessary to develop new roads, there shall be no more than 1.45 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.45 building lots per acre or less.~~

~~2. In developments where road rights of way are a minimum of sixty feet (60'), there shall be no more than 1.35 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.35 building lots per acre or less.~~

~~3. The use of seventy foot (70') wide road rights of way shall be the preferred standard, but the use of sixty foot (60') wide road rights of way may be approved by the city where the road is an extension of an existing sixty foot (60') wide right of way. (Ord. 09-08, 8-11-2009)~~

10.5E.4 Building Lot Requirements:

A. Density: There shall be no more than 0.90 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 0.90 building lots per acre or less.

~~1. In developments where road rights of way are a minimum of seventy feet (70'), where there is a mix of sixty foot (60') and seventy foot (70') road right of way widths or where it is not necessary to develop new roads; there shall be no more than 0.90 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 0.90 building lots per acre or less.~~

~~2. In developments where road rights of way are a minimum of sixty feet (60'), there shall be no more than 0.85 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 0.85 building lots per acre or less.~~

~~3. The use of seventy foot (70') wide road rights of way shall be the preferred standard, but the use of sixty foot (60') wide road rights of way may be approved by the city where the road is an extension of an existing sixty foot (60') wide right of way. (Ord. 09-08, 8-11-2009)~~

There was no public comment on this item.

Commissioner Winsor moved to close the public hearing. Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, Pitts, Westbrook, and Winsor voted yes. The motion carried.

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

Barry stated prior to 2013 the City allowed new developments to have two different minimum lot widths depending on what was surrounding them. In 2013 the City took out the 60' wide street width to 70' wide street width. He said at the time the zoning ordinance wasn't amended.

Commissioner Westbrook moved to recommend that the City Council approve amendments to Sections 10.5A.4A, 10.5B.4A, 10.5D.4A, and 10.5E.4A (Building Lot Requirements). Commissioner Winsor seconded the motion. Commissioner Osborne called for a roll call vote. Commissioners Johnson, Osborne, Pitts, Westbrook, and Winsor voted yes. The motion carried.

Re-discussion and Action on Ordinance Amendment Petition: Request from Mike Bastian to add Item Q to 10.5D.3 Conditional Uses and add Article L to 10.07 Conditional Uses to City Code (public hearing May 28, 2015): Mike Bastian said an R-L Zone doesn't allow for a fourplex unit. He said after discussing this item in the work meeting, he asked about the possibility of doing two duplexes. He is open to discussion on this item. He was in attendance when the apartments were discussed and he understands that individuals weren't in favor of the apartments either. Commissioner Winsor said South Weber City has a character that has a history that goes along with it. He said the City also faces growth with most of it being home grown growth. He is struggling with how the Planning Commission wants that identity to look. He questioned if there is adequate transition between zones, or does that need to be explored? Mr. Bastian said he lives in South Weber as well. He isn't interested in tearing down the place that he has grown up in. He is wondering if there is a way to responsibly plan and look at something like this. He said there are a lot of old homes in bad shape along South Weber Drive. Barry said there are also newly constructed homes along South Weber Drive. He said as the City gets older, what is the incentive to redevelop. Commissioner Westbrook suggested exploring this and what areas it can be allowed. He doesn't know if UDOT will allow access on South Weber Drive. Mike said if you have one driveway, you have to provide a hammer head turn around for a fire truck to turn around. Commissioner Osborne isn't sure South Weber City is ready to look at redevelopment. Commissioner Johnson said it goes back to the survey that was done and the vast majority stating they do not want fourplexes in the City. He said the survey was used in updating the general plan. Commissioner Westbrook thinks people were thinking of a cluster of fourplexes in one area. He feels it would have to be limited to a few throughout the City. Mr. Bastian said he isn't in favor of the box looking fourplex with two upstairs and two downstairs. He is wondering if there is something that can be put in the ordinance to restrict the type of unit. Commissioner Osborne asked Mr. Bastian if he has discussed this item with the City Council. He said he has not. Mr. Bastian discussed the possibility of a develop agreement concerning the construction of the units. Commissioner Johnson said the Planning Commission would have to amend the general plan, which can be a long process. He said the general plan was just amended last year. Commissioner Osborne doesn't see this plan for South Weber City. Commissioner Winsor said as South Weber City continues to grow, we will be faced with more of these types of decisions. He thinks the majority of citizens value their property values and he questioned if this type of development will decrease the value of property. Commissioner

Johnson would like to see a map of South Weber that would identify the various redevelopment potential lots. He can only think of two or three properties along South Weber Drive and isn't sure whether or not it is even worth the time to pursue this. Mr. Bastian said it is expensive to live in South Weber. Commissioner Johnson feels that is one thing that people in South Weber like because it is a higher standard. Mr. Bastian said if the Planning Commission is open to more discussion on this, he will do more research. He feels it is something that needs to be looked at and what areas it makes sense along South Weber Drive. Commissioner Osborne doesn't think this City's size justifies this. He suggested Mr. Bastian go to the City Council and see if the Council will approve it and send it back to the Planning Commission for review.

PLANNING COMMISSION COMMENTS:

Commissioner Osborne:

Bee Keeping: Commissioner Osborne asked if the City has an ordinance for bee keeping. Commissioner Pitts said the State requires a license for one to twenty four hives and another license for twenty five and above. Commissioner Osborne said he was approached by a resident who feels they are a nuisance in his area with a level of fear. Barry said he has dealt with this before. He said bees can be a nuisance. Commissioner Pitts said she is a bee keeper and suggested having his neighbor talk to him.

Commissioner Johnson:

Potential Trailheads: Commissioner Johnson met with Jeff Oiler concerning potential trailheads in South Weber City. They looked at Fisherman's Access, Canyon Drive trailhead, and Old Fort Lane connection, Bonneville Shoreline Trail etc. They discussed Brandon Jones putting together a feasibility study. Duncan said the City Council did budget for trails in the City. Commissioner Johnson said they are supportive. Barry said the Legislature passed a bill to put on the ballot for counties to tax for trails. He said cities will receive money for the first time ever for trails if it passes. Commissioner Johnson said he identified areas to Mr. Oiler that are considered public lands. He said it was a valuable learning experience for Jeff.

Commissioner Winsor:

Sketch Plan Meeting: South Weber Business Park off the frontage road and Cornia Drive was discussed. They are trying to get secondary water. He asked if the Planning Commission is willing to look into xeroscaping for businesses. Barry suggested looking into that option because it will help with water conservation. Commissioner Johnson said the City doesn't have an ordinance for xeroscape. Barry said the City has never required watered landscape. Commissioner Johnson said Weber Basin has a model landscape ordinance that other cities have adopted. It was decided xeroscaping should be an option. Barry said the City is at its maximum for water and nothing more. Commissioner Osborne said Brandon was going to look into requiring water with a building permit. Barry said the City isn't saying that residents can't xeroscape. He said if the requirement to connect to secondary water is held over a developer's head, then maybe we need to look into that. Commissioner Winsor said the concern is there are areas that can't be serviced by secondary water.

PUBLIC COMMENTS:

Mr. Bastian said he has a lot in Canyon Vistas Subdivision that he will be coming in to ask for it to be rezoned back to an R-L Zone.

CITY MANAGER ITEMS:

ADJOURNED: Commissioner Westbroek moved to adjourn the Planning Commission meeting at 7:54 p.m. Commissioner Winsor seconded the motion. Commissioners Johnson, Osborne, Pitts, Westbroek, and Winsor voted yes. The motion carried.

APPROVED: _____ Date
Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: _____
Deputy Recorder: Elyse Greiner

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 25 June 2015

TIME COMMENCED: 6:00 p.m.

PRESENT: COMMISSIONERS:

Debi Pitts
Rob Osborne
Wes Johnson
Rod Westbroek
Wayne Winsor

CITY PLANNER:

Barry Burton

CITY MANAGER:

Duncan Murray

DEPUTY RECORDER:

Elyse Greiner (excused)

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: Mike Bastian

Meeting Minutes of May 28, 2015: (No discussion on this item)

Public Hearing and Action on Ordinance: Amendment to Section 11.05.020 (Types of Security): Duncan explained when a developer comes in there are certain costs associated with development to cover the costs of improvements. The security is one of the following: cashier's check, trust or escrow account, and letter of credit. The City staff is suggesting getting rid of the option of letter of credit. Barry said sometimes when the economy changes, letters of credit become worthless. The Amendment to Section 11.05.020 (Types of Security) eliminates the possibility of a developer using the one form of security that provides no real protection to the City

The amendment is as follows:

11.05.020 Types Of Security

The security shall be one of the following types, as dictated by the city:

A. Cashier's Check; Money Market Certificate: A cashier's check or a money market certificate made payable only to the city.

B. Trust or Escrow Account: A trust or escrow account with a financial institution federally or state insured.

~~C. Letter Of Credit: Letter of credit from a financial institution federally or state insured.~~

~~D.~~ **C. Minor Subdivisions:** Items stated by the city shall be completed prior to **a certificate of permanent occupancy being** is issued for any building constructed in the subdivision.

Public Hearing and Action on Ordinances: Amendments to Sections 10.5A.4A, 10.5B.4A, 10.5D.4A, and 10.5E.4A (Building Lot Requirements): Barry explained the amendments to Sections 10.5A.4A, 10.5B.4A, 10.5D.4A, and 10.5E.4A (Building Lot Requirements) would provide consistency as set forth in Title 11 Subdivision Regulations with Ordinance 13-10.

The amendments are as follows:

10.5A.4 Building Lot Requirements:

A. Density: There shall be no more than 2.80 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 2.80 building lots per acre or less.

~~1. In developments where road rights of way are a minimum of seventy feet (70'), where there is a mix of sixty foot (60') and seventy foot (70') road right of way widths or where it is not necessary to develop new roads, there shall be no more than 2.80 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 2.80 building lots per acre or less.~~

~~2. In developments where road rights of way are a minimum of sixty feet (60'), there shall be no more than 2.60 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 2.60 building lots per acre or less.~~

~~3. The use of seventy foot (70') wide road rights of way shall be the preferred standard, but the use of sixty foot (60') wide road rights of way may be approved by the city where the road is an extension of an existing sixty foot (60') wide right of way. (Ord. 09-08, 8-11-2009)~~

10.5B.4A Building Lot Requirements:

A. Density: There shall be no more than 1.85 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.85 building lots per acre or less.

~~1. In developments where road rights of way are a minimum of seventy feet (70'), where there is a mix of sixty foot (60') and seventy foot (70') road right of way widths or where it is not necessary to develop new roads, there shall be no more than 1.85 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.85 building lots per acre or less.~~

~~2. In developments where road rights of way are a minimum of sixty feet (60'), there shall be no more than 1.75 building lots per acre contained within the boundaries of each phase of every~~

~~subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.75 building lots per acre or less.~~

~~3. The use of seventy foot (70') wide road rights of way shall be the preferred standard, but the use of sixty foot (60') wide road rights of way may be approved by the city where the road is an extension of an existing sixty foot (60') wide right of way. (Ord. 09-08, 8-11-2009)~~

10.5D.4 Building Lot Requirements:

A. Density: There shall be no more than 1.45 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.45 building lots per acre or less.

~~1. In developments where road rights of way are a minimum of seventy feet (70'), where there is a mix of sixty foot (60') and seventy foot (70') road right of way widths or where it is not necessary to develop new roads, there shall be no more than 1.45 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.45 building lots per acre or less.~~

~~2. In developments where road rights of way are a minimum of sixty feet (60'), there shall be no more than 1.35 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 1.35 building lots per acre or less.~~

~~3. The use of seventy foot (70') wide road rights of way shall be the preferred standard, but the use of sixty foot (60') wide road rights of way may be approved by the city where the road is an extension of an existing sixty foot (60') wide right of way. (Ord. 09-08, 8-11-2009)~~

10.5E.4 Building Lot Requirements:

A. Density: There shall be no more than 0.90 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 0.90 building lots per acre or less.

~~1. In developments where road rights of way are a minimum of seventy feet (70'), where there is a mix of sixty foot (60') and seventy foot (70') road right of way widths or where it is not necessary to develop new roads; there shall be no more than 0.90 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 0.90 building lots per acre or less.~~

~~2. In developments where road rights of way are a minimum of sixty feet (60'), there shall be no more than 0.85 building lots per acre contained within the boundaries of each phase of every~~

~~subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 0.85 building lots per acre or less.~~

~~3. The use of seventy foot (70') wide road rights of way shall be the preferred standard, but the use of sixty foot (60') wide road rights of way may be approved by the city where the road is an extension of an existing sixty foot (60') wide right of way. (Ord. 09-08, 8-11-2009)~~

Re-discussion and Action on Ordinance Amendment Petition: Request from Mike Bastian to add Item Q to 10.5D.3 Conditional Uses and add Article L to 10.07 Conditional Uses to City Code (public hearing May 28, 2015):

Commissioner Osborne is concerned about changing an ordinance. Mike Bastian said he would like to see a compromise between something in between R-M and the R-H zone. He said he can't build a home for a young couple in South Weber City under \$300,000. He is looking at something up to a fourplex limit. He is open for discussion if there is some where this will work in the City. He said he is trying to get around creating a new zone. He currently lives in South Weber and isn't looking at doing anything that can hurt the City. Barry Burton said what we really need to look at is a philosophical discussion as to whether we even want a fourplex in a single family dwelling. He said do we want to consider it or is it something that isn't appropriate for South Weber? Mike said he has researched and given examples of other cities (i.e. Layton City and Kaysville City). Commissioner Osborne doesn't want to mess with the R-L Zone. He isn't in favor of spot zoning this type of construction. Barry isn't sure another zone is appropriate either. He suggested looking at an overlay zone in the R-L Zone. He is concerned about the examples that Mike has provided from Layton City. He said Layton City doesn't allow these units to access directly onto arterial streets. He said the more units added to an arterial street, the more conflict. Barry said Kaysville City does allow duplexes along arterial streets. Barry said in South Weber City's R-L Zone it allows for duplexes. Commissioner Osborne doesn't see four units in a Residential-Low Zone. The Planning Commission reviewed the City's projected land use map and locations that are identified for R-L and R-M Zones. Barry said the way the R-L Zone is written it allows twin homes or duplexes as a conditional use. He said the ordinance would need to be amended. Commissioner Johnson said he goes back to the survey when the general plan was updated, and the vast majority of residents said they don't want fourplexes in the City. He feels if this is changed, the Planning Commission will go against what the majority of residents want. He said what is the purpose of the survey? Duncan said updating the master plan and putting together the survey was a long process with a lot of public hearings. Commissioner Pitts said residents don't want it. She said she moved to South Weber for the community that we have now and when she thinks of duplexes and fourplexes, she thinks of Sunset. She said they are built for rentals and typically they are not cared for as a homeowner. She said it is difficult when it is in an R-L Zone next to a nice residential home. Barry said it is also difficult to require them to look a certain way.

ADJOURNED: 6:30 p.m.