

## WEST HAVEN CITY COUNCIL AGENDA

September 4, 2019 6:00 p.m.

City Council Chambers

4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **September 4, 2019** THE COUNCIL OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETINGS: **5:30 PM: COUNCIL WORKSHOP 6:00: REGULAR WEDNESDAY CITY COUNCIL MEETING**

1. **MEETING CALLED TO ORDER:** Mayor Bolos
2. **OPENING CEREMONIES**
  - A. PLEDGE OF ALLEGIANCE Councilmember Hunter
  - B. PRAYER/MOMENT OF SILENCE Councilmember Vanderwood
3. **PUBLIC PRESENTATION:** Resident(s) attending this meeting will be allotted 2 minutes to express a concern or ask a Question about any issue that **IS NOT ON THE AGENDA** No action can or will be taken on any issue(s) presented.

### \*\*\*AGENDA ACTION ITEMS\*\*\*

4. **PRESENTATION-THE ROY/WEBER COUNTY JUSTICE COURT-JUDGE TRENT NELSON**
5. **ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)**
  - A. PRELIMINARY SUBDIVISION APPROVAL-STAKER FARMS-APPROX. 2700 S. 3500 W.-BRYCE THURGOOD
  - B. ACTION ON ORDINANCE 27-2019-MASTER DEVELOPMENT AGREEMENT-4215 W. 4000 S.-GERARDO GUZMAN
  - C. PRELIMINARY SUBDIVISION APPROVAL-GUZMAN SUBDIVISION-4215 W. 4000 S.-GERARDO GUZMAN
  - D. ACTION ON ORDINANCE 28-2019-REZONE FROM C-2 TO C-3-1688 S. 1900 W.-LARRY HILL
  - E. ACTION ON ORDINANCE 29-2019-REZONE FROM C-2 TO MIXED USE-3710 S. 2700 W.-CODY RHEES
  - F. ACTION ON ORDINANCE 30-2019-BEE KEEPING ORDINANCE
6. **ACTION ON RESOLUTION 11-2019-COMMUNITY ROOM RENTALS**
7. **ACTION ON CONSENT AGENDA**

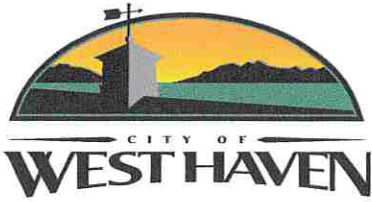
|                                |              |                 |
|--------------------------------|--------------|-----------------|
| A. CITY COUNCIL MINUTES        | MEETING HELD | August 21, 2019 |
| B. BOARD OF CANVASSERS MINUTES | MEETING HELD | August 27, 2019 |
| C. ADVANCED PAVING             | \$64,804.00  | Inv. #1907      |
8. **ADJOURNMENT**

*Emily Green*  
Emily Green, City Recorder

In compliance with the Americans with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 731-4519 or by email: [shandar@westhavencity.com](mailto:shandar@westhavencity.com) at least 48 hours in advance of the meeting.

#### **CERTIFICATE OF POSTING**

The undersigned, duly appointed city recorder, does hereby certify that the above notice and agenda has been posted in the West Haven City Recorder's office; at the West Haven City Complex on the Notice Board and at [westhavencity.com](http://westhavencity.com); emailed to the Standard-Examiner with a request that it be posted in their Wednesday night meeting section; mailed and emailed to the West Haven City Mayor and each West Haven City Council Member who has email capacity and to the city attorney



## WEST HAVEN CITY COUNCIL MEETING MINUTES

**August 21, 2019 6:00 p.m.**

City Council Chambers  
4150 South 3900 West, West Haven, UT 84401

|          |                   |               |
|----------|-------------------|---------------|
| Present: | Sharon A. Bolos   | Mayor         |
|          | Stephanie Carlson | Councilmember |
|          | Dawnell Musselman | Councilmember |
|          | Lacy Richards     | Councilmember |
|          | Rob Vanderwood    | Councilmember |
|          | Randy Hunter      | Councilmember |

|                |                |               |
|----------------|----------------|---------------|
| Staff Present: | Emily Green    | City Recorder |
|                | Steve Anderson | City Planner  |

### **5:30 Council Workshop**

*Mayor Bolos brought the meeting to order.*

*Ryan Child discussed changing from Quickbooks to Caselle for our accounting needs.*

*Council discussed changing the job of public works director that had been budgeted previously to have someone that still maintained that kind of management and adding someone that helps split duties in the Planning and Engineering.*

#### **1. MEETING BROUGHT TO ORDER:**

**The Council** met at their regularly scheduled meeting held in the City Council Chambers.

**Mayor Bolos** brought the Meeting to order at 6:00 pm. and welcomed those in attendance.

#### **2. OPENING CEREMONIES**

**A. Lead by** Councilmember Richards

**B. Lead by** Councilmember Carlson

#### **3. PUBLIC PRESENTATION**

*No one came up at this time*

#### **4. ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)**

**A. AESTHETIC APPROVAL-RIVERWALK TOWNHOMES SUBDIVISION-2000 S. 1750 W.-RICK SCADDEN**

*Blake Smithing presented the new aesthetic plan for the buildings.*

*Councilmember Richards asked what kind of materials were on the front of the building.*

*Mr. Smithing said it is hardie board and stucco on the back.*

**Councilmember Richards** moved to approved the asesthtics. **Councilmember Hunter** seconded the motion.

Councilmember Carlson, aye; Councilmember Vanderwood, aye; Councilmember Musselman, aye; Councilmember Richards, aye; Councilmember Hunter, aye; **Vote was unanimous.**

#### **5. ACTION ON RESOLUTION 10-2019-MORATORIUM ON MIXED USE REZONES**

*Mayor Bolos explained that this is a 60-day moratorium on processing mixed use rezone applications while the Mixed Use Ordinance is worked on.*

*Councilmember Vanderwood asked if the council could add an extension after the 60-day time frame ended.*

*Ken Bradshaw confirmed you can extend the time frame.*

Councilmember Hunter asked the purpose of the moratorium.

Mayor Bolos explained it is to address all of the concerns about the Mixed Use ordinance that have been voiced by council in the last 4-6 months.

Councilmember Richards moved to adopt resolution 10-2019. Councilmember Carlson seconded the motion. Roll Call: Councilmember Carlson, aye; Councilmember Vanderwood, aye; Councilmember Musselman, aye; Councilmember Hunter, aye; Councilmember Richards, aye; **Vote was unanimous.**

6. **RATIFY ORDINANCE 11-2019-ANNEXING PROPERTY LOCATED AT APPROX. 2700 S. 3500 W.**

Councilmember Carlson moved to ratify ordinance 11-2019. Councilmember Richards seconded the motion. Roll Call: Councilmember Carlson, aye; Councilmember Vanderwood, aye; Councilmember Musselman, aye; Councilmember Hunter, aye; Councilmember Richards, aye; **Vote was unanimous.**

7. **ACTION ON RESOLUTION 11-2019-COMMUNITY ROOM RENTALS**

Mayor Bolos explained that this is the general policy that has been followed for room rentals at City Hall, however adding this resolution will allow for a written policy as a courtesy to the public.

Councilmember Richards suggested striking number 2 under rental/use of West Haven City Hall, and strike "All other" under number 3.

Councilmember Hunter expressed concern about not letting residents utilize the council chambers and stated that we could adjust the cost for employee supervision.

Councilmember Musselman stated that she needed more information before making a decision.

Councilmember Vanderwood expressed concern that resolution does not clarify that it is based off of a first come first serve basis.

Councilmember Richards stated that we have not detailed how you will lose your deposit and suggested looking over the Weber County Library policy for rentals.

Councilmember Richards moved to table. Councilmember Musselman seconded the motion. Councilmember Carlson, aye; Councilmember Vanderwood, aye; Councilmember Musselman, aye; Councilmember Hunter, aye; Councilmember Richards, aye; **Vote was unanimous.**

8. **ACTION ON CONSENT AGENDA**

|                            |              |                             |
|----------------------------|--------------|-----------------------------|
| A. CITY COUNCIL MINUTES    | MEETING HELD | August 7, 2019              |
| B. GARDNER ENGINEERING     | \$38,085.00  | Inv. #0719047-Inv. #0719057 |
| C. ADVANCED PAVING         | \$85,890.87  | Inv. #1884                  |
| D. WASATCH SAND AND GRAVEL | \$31,261.75  | Inv. #2415                  |

Councilmember Carlson moved to approve the Consent Agenda. Councilmember Hunter seconded the motion. Roll Call: Councilmember Carlson, aye; Councilmember Vanderwood, aye; Councilmember Musselman, aye; Councilmember Hunter, aye; Councilmember Richards, aye; **Vote was unanimous.**

9. **ADJOURNMENT**

Councilmember Carlson moved to adjourn at 6:39 P.M. Councilmember Richards seconded the motion. Councilmember Musselman, aye; Councilmember Carlson, aye; Councilmember Vanderwood aye; Councilmember Hunter, aye; Councilmember Richards, aye; **Vote was unanimous.**

*Emily Green*  
City Recorder

Date Approved: \_\_\_\_\_



# WEST HAVEN CITY SPECIAL BOARD OF CANVASSERS MEETING MINUTES

**August 27, 2019 3:00 P.M.**  
City Council Chambers  
4150 South 3900 West, West Haven, UT 84401

Present: Stephanie Carlson Councilmember  
Dawnell Musselman Councilmember  
Lacy Richards Councilmember

Staff Present: Emily Green City Recorder

## 1. MEETING BROUGHT TO ORDER:

**Councilmember Carlson** moved to bring the meeting to order. **Councilmember Richards** seconded the motion. Commission member Carlson aye, Commission member Musselman, aye; Commission member Richards, aye; **Vote was unanimous.**

## 2. ACTION ON RESOLUTION 12-2019

City Recorder Emily Green read the official results of the Municipal Primary Election.  
There were 4,681 cards cast.

### **Council:**

|                    |     |
|--------------------|-----|
| Call, Carrie       | 866 |
| Dixon, Kim         | 796 |
| Morse, Nina        | 745 |
| Richards, Lacy     | 542 |
| Higginson, Rob     | 538 |
| Carlson, Stephanie | 427 |
| Smith, David E.    | 404 |
| Erickson, Russell  | 363 |

**Councilmember Richards** moved to adopt resolution 12-2019. **Councilmember Musselman** seconded the motion. **Roll Call:** Councilmember Carlson, aye; Councilmember Richards, aye; Councilmember Musselman, aye; **Vote was unanimous.**

## 3. ADJOURNMENT

**Councilmember Musselman** moved to adjourn at 3:02 P.M. **Councilmember Carlson** seconded the motion. Councilmember Musselman, aye; Councilmember Carlson, aye; Councilmember Richards, aye; **Vote was unanimous.**

*Emily Green*  
City Recorder

Date Approved: \_\_\_\_\_



## SUBDIVISION APPLICATION

WEST HAVEN CITY PLANNING COMMISSION  
PHONE 801-731-4519

SUBDIVISION NAME Staker Farms

LOCATION 3500 West PARCEL # \_\_\_\_\_

NO. OF LOTS 125 ZONE \_\_\_\_\_

Applicants Name Byrd-Thurgood / Castle Creek Homes Phone 801-628-0229 Fax \_\_\_\_\_

Address 1798 W 5150 S. #103 City Ray State UT Zip 84067

Surveyor/Engineer Reeves Phone \_\_\_\_\_ Fax \_\_\_\_\_

Address Re City Riverton State UT Zip \_\_\_\_\_

\*\*\*\*\*

### OFFICE USE

Scheduled for Planning Commission Agenda August 28, 2019

#### PLANNING COMMISSION ACTION:

Preliminary - Approved \_\_\_\_\_ Date \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_

Final - Approved \_\_\_\_\_ Date \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_

Conditions: \_\_\_\_\_

#### CITY COUNCIL ACTION:

Preliminary - Approved \_\_\_\_\_ Date \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_

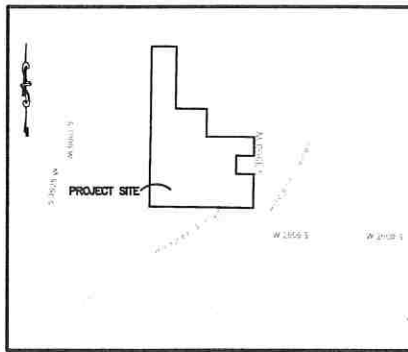
Final - Approved \_\_\_\_\_ Date \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_

Preliminary

Final

Amount 9,825 Paid Date 8.22.19 Amount \_\_\_\_\_ Paid Date \_\_\_\_\_

\*\*\*\*\*



VICINITY MAP  
SCALE: NONE

ZONING INFO

R-1 ZONE

(RESIDENTIAL LOW DENSITY ZONE)

MIN. LOT AREA: 12,500 S.F.  
-FRONT SETBACK: 25 FT.  
-SIDE SETBACK: 10 FT. MIN. EACH SIDE/20 FT.  
-REAR SETBACK: 30 FT.

LEGEND

- SECTION CORNER
- BOUNDARY LINE
- LOT LINE
- ADJOINING PROPERTY
- EASEMENTS
- SECTION TIE LINE
- P.U.E. = PUBLIC UTILITY EASEMENT
- EXISTING STRUCTURE
- ROAD DEDICATION

BOUNDARY DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE N89°08'48"W 1736.88 FEET; THENCE N00°43'34"E 851.15 FEET; THENCE N00°48'46"E 948.76 FEET; THENCE N00°37'53"E 859.63 FEET; THENCE S89°07'48"E 419.16 FEET; THENCE S01°01'05"W 1019.00 FEET; THENCE S88°58'59"E 522.85 FEET; THENCE S00°55'08"W 275.00 FEET; THENCE S89°04'52"E 300.40 FEET; THENCE S00°55'09"W 578.03 FEET TO THE POINT OF BEGINNING. CONTAINING 2792683 SQUARE FEET OR 64.111 ACRES MORE OR LESS

CURVE TABLE

| #   | RADIUS   | ARC LENGTH | CHD LENGTH | TANGENT | CHD BEARING | DELTA     |
|-----|----------|------------|------------|---------|-------------|-----------|
| C1  | 330.00'  | 40.45'     | 40.43'     | 20.25'  | S87°24'26"W | 7°01'24"  |
| C2  | 330.00'  | 24.36'     | 24.35'     | 12.19'  | S81°46'51"W | 4°13'46"  |
| C3  | 300.00'  | 58.92'     | 58.82'     | 29.35'  | S85°17'33"W | 11°11'10" |
| C4  | 270.00'  | 53.03'     | 52.94'     | 26.80'  | S85°17'33"W | 11°11'10" |
| C5  | 330.00'  | 64.43'     | 64.33'     | 32.32'  | S85°15'35"W | 11°11'13" |
| C6  | 300.00'  | 58.58'     | 58.48'     | 29.38'  | S85°15'35"W | 11°11'13" |
| C7  | 270.00'  | 52.72'     | 52.63'     | 26.44'  | S85°15'35"W | 11°11'13" |
| C8  | 20.00'   | 19.18'     | 18.45'     | 10.40'  | S28°23'39"W | 54°57'02" |
| C9  | 25.00'   | 12.25'     | 12.13'     | 6.25'   | S13°07'03"E | 28°04'21" |
| C10 | 60.00'   | 58.90'     | 58.56'     | 32.07'  | S00°58'03"W | 58°14'33" |
| C11 | 60.00'   | 57.44'     | 56.27'     | 31.14'  | S58°30'55"W | 54°51'11" |
| C12 | 25.00'   | 12.25'     | 12.13'     | 6.25'   | S69°54'20"W | 28°04'21" |
| C13 | 120.00'  | 73.27'     | 72.14'     | 37.82'  | S16°38'19"E | 34°59'02" |
| C14 | 150.00'  | 91.59'     | 90.17'     | 47.27'  | S16°38'19"E | 34°59'02" |
| C15 | 180.00'  | 9.47'      | 9.46'      | 4.73'   | N32°37'27"W | 3°00'47"  |
| C16 | 180.00'  | 79.02'     | 78.39'     | 40.16'  | N18°32'26"W | 25°09'15" |
| C17 | 180.00'  | 21.42'     | 21.40'     | 10.72'  | N02°33'18"W | 6°49'00"  |
| C18 | 180.00'  | 30.08'     | 30.04'     | 15.07'  | N60°39'23"E | 9°34'27"  |
| C19 | 180.00'  | 79.83'     | 79.17'     | 40.58'  | N78°08'54"E | 25°24'35" |
| C20 | 150.00'  | 91.59'     | 90.17'     | 47.27'  | S73°21'41"W | 34°59'02" |
| C21 | 120.00'  | 73.27'     | 72.14'     | 37.82'  | N73°21'41"E | 34°59'02" |
| C22 | 25.00'   | 15.08'     | 14.85'     | 7.78'   | S16°25'37"E | 34°33'37" |
| C23 | 60.00'   | 51.28'     | 49.73'     | 27.32'  | S09°13'22"E | 48°58'07" |
| C24 | 60.00'   | 53.53'     | 50.23'     | 27.55'  | N39°19'43"W | 49°29'09" |
| C25 | 60.00'   | 51.82'     | 50.23'     | 27.55'  | N71°52'00"W | 34°33'37" |
| C26 | 25.00'   | 15.08'     | 14.85'     | 7.78'   | N11°52'00"W | 34°33'37" |
| C27 | 20.00'   | 31.42'     | 28.28'     | 20.00'  | S45°51'12"W | 90°00'00" |
| C28 | 970.00'  | 71.07'     | 71.05'     | 35.55'  | N04°43'28"E | 4°11'52"  |
| C29 | 1000.00' | 104.20'    | 104.15'    | 52.15'  | S03°50'18"W | 5°58'13"  |
| C30 | 1030.00' | 31.54'     | 31.54'     | 15.77'  | S01°43'50"W | 1°45'16"  |
| C31 | 1030.00' | 75.78'     | 75.77'     | 37.91'  | N04°42'56"E | 4°12'56"  |
| C32 | 970.00'  | 73.29'     | 73.27'     | 36.66'  | S03°58'32"W | 4°18'46"  |
| C33 | 1000.00' | 106.42'    | 106.37'    | 53.26'  | S03°48'26"W | 6°05'51"  |
| C34 | 1030.00' | 79.54'     | 79.52'     | 39.79'  | S04°36'40"W | 4°25'29"  |



Staker Farms Subdivision

West Haven City, Weber County, Utah

DESIGN DATA

TOTAL AREA.....63.62 ACRES  
AREA DEDICATED IN 3500 WEST.....0.79 ACRES  
NET DEVELOPABLE AREA.....62.83 ACRES  
OPEN SPACE.....7.64 ACRES (11.73%)  
UNITS IN R-2 ZONE.....125.66 LOTS  
TOTAL LOTS PROPOSED.....125 LOTS

Developer:

Castle Creek Homes  
Mike Schultz  
1798 W. 5150 S.  
Roy, UT. 84067  
(801) 525-0681



| REVISIONS | DESCRIPTION | DATE |
|-----------|-------------|------|
|           |             |      |
|           |             |      |
|           |             |      |

Staker Farms Subdivision  
PART OF THE NE 1/4 OF SECTION 33, T6N, R2W, S11B & M, U.S. SURVEY  
WEST HAVEN CITY, WEBER COUNTY, UTAH

Preliminary Plan

Project Info.  
Engineer: N. Reeve  
Designer: C. Cave  
Begin Date: 4-26-19  
Name: STAKER FARMS SUBD.  
Number: 3784-83

Sheet 2  
1 Sheets

Reeve & Associates, Inc. - Solutions You Can Build On

### LEGEND

- SS = PROPOSED SANITARY SEWER LINE
- EX.SS = EXISTING SANITARY SEWER LINE
- SW = PROPOSED SECONDARY WATER LINE
- EX.SW = EXISTING SECONDARY WATER LINE (SIZE VARIES)
- EX.IRR = EXISTING IRRIGATION WATER LINE (SIZE VARIES)
- W = PROPOSED CULINARY WATER LINE (SIZE VARIES)
- EX.W = EXISTING CULINARY WATER LINE (SIZE VARIES)
- SD = PROPOSED STORM DRAIN (SIZE VARIES)
- EX.SD = EXISTING STORM DRAIN (SIZE VARIES)
- PP = EXISTING POWER POLE
- PP = PROPOSED FIRE HYDRANT
- PP = PROPOSED SANITARY SEWER MANHOLE
- PP = PLUG W/ 2" BLOW-OFF
- PP = PROPOSED STORM DRAIN MANHOLE
- PP = EXISTING MANHOLE
- PP = PROPOSED SINGLE GRATE CATCH BASIN WITH BICYCLE-SAFE GRATE
- PP = EXISTING CATCH BASIN
- PP = PROPOSED FIRE HYDRANT
- PP = EXISTING FIRE HYDRANT
- PP = POWER POLE
- PP = EXISTING PAVEMENT
- PP = EXISTING STRUCTURE

NOTE: SECONDARY WATER SHALL BE A MIN. OF 72" FROM BACK OF CURB AND SHALL HAVE A MIN. BURIAL DEPTH OF 30". BURIAL DEPTHS IN EXCESS OF 30" WILL NEED DISTRICT APPROVAL.

### Street Section (60' R.O.W.)

SCALE: NONE

### Storm Runoff Calculations

Staker Farms Property

6/25/2019

The following runoff calculations are based on the Rational Method. Intensity - Duration Frequency Curve for the Washington City area taken from the NOAA Atlas 14 database. Calculations have been completed for the 100-year storm event. Storm water runoff has been calculated for a fully developed site and related to a release rate of 0.2 cfs/acre.

The calculations are as follows:

|                     |               |                 |
|---------------------|---------------|-----------------|
| Drainage Area:      | 53.52 acres   | 2,771,381 sq ft |
| Runoff Coefficient: | 0.35          |                 |
| Peak Runoff:        | 435,910 cfs   | C = 0.30        |
| Peak Runoff:        | 2,340,541 cfs | C = 0.20        |
| Peak Runoff:        | 271,590 cfs   | C = 0.35        |
| Peak Runoff:        | 271,590 cfs   | C = 0.38        |

Rainfall Intensity: 10-year intensity for a 30 minute TCC - Pipe Capacity: 1.39 cfs

Peak Runoff: 435,910 cfs

Runoff Coefficient: 0.35

Rainfall Intensity: 1.39 IN/HR

Area: 63.52 ACRES

Q = 34.01 cfs

Volume of Run-off for 100-year Storm Event:

C = 0.35

I = 1.39 IN/HR

A = 63.52 ACRES

Q = 34.01 cfs

Time of Concentration: 1.39 min

Volume of Run-off: 12,732 cu ft

Time of Concentration: 1.39 min

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Volume of Run-off: 12,732 cu ft

### Partial Street Section (3500 West Street)

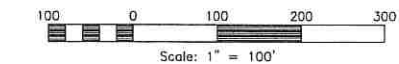
SCALE: NONE

### Partial Street Section (2500 West Street)

SCALE: NONE

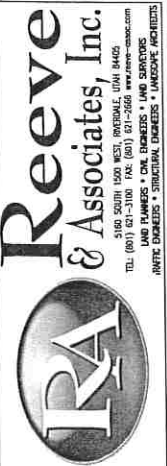
# Staker Farms Subdivision

West Haven City, Weber County, Utah



- NOTES:
1. CONTOURS ARE SHOWN WITH A ONE FOOT INTERVAL.

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5160 S. 1500 W., RIVERDALE, UTAH 84405, AND SHALL NOT BE PHOTOCOPIED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.



| REVISIONS | DESCRIPTION |
|-----------|-------------|
| DATE      |             |

**Staker Farms Subdivision**  
PART OF THE NE 1/4 OF SECTION 33, T.6N., R. 2W., S.1B & M., U.S. SURVEY  
WEST HAVEN CITY, WEBER COUNTY, UTAH

### Preliminary Utility Plan

**Project Info.**  
Engineer: N. Reeve  
Designer: C. Cove  
Begin Date: 4-26-19  
Name: STAKER FARMS SUBD.  
Number: 3784-83

Sheet **2** of 2  
2 Sheets

### Developer:

Castle Creek Homes  
Mike Schultz  
1798 W. 5150 S.  
Roy, UT. 84067  
(801) 525-0681

**DEVELOPMENT AGREEMENT**  
**Guzman Subdivision**

This Development Agreement (this "**Agreement**") is made and entered into and made effective as the date entered below (the "**Effective Date**"), by and among West Haven City, a municipality and political subdivision of the State of Utah (the "**City**") and Gerado Guzman (the "**Developer**"). The City and Developer may from time to time be collectively referred to as the "**Parties**", and each may be referred to individually as "**Party**".

**RECITALS**

- A. Developer has prepared and presented to the City a development application for the Guzman Subdivision development (hereinafter referred to as the "**Project**"). The application package has been submitted and is being reviewed by the City pursuant to the requirements of the City Code and related protocols and policies and other applicable zoning, engineering, fire safety and building requirements. The resulting preliminary and final approved development plan, preliminary and final approved site plan, preliminary and final approved subdivision plat, approved engineering drawings, conveyance documents, title reports and other documents submitted during the City's review and approval process will be referred to herein as the "**Guzman Subdivision Documents**" or the "**Development Documents**".
- B. Pursuant to the authority of Utah Code Ann. \*10-9a-102(2) and the specific provisions of the City Code, the City has determined to enter into this Agreement with Developer for the purpose of formalizing certain obligations of the Parties with respect to the Project, and such other matters as the City and the Developer have agreed.

**AGREEMENT**

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

**ARTICLE I**  
**LEGAL AUTHORITY AND PURPOSE**

- 1.1 **City Laws and Purpose.** The City represents that it has the legal authority to enter into and perform its obligations under this Agreement and that the City has determined that this Agreement effectuates the above-referenced public purposes, objectives and benefits.
- 1.2 **Conditions Precedent.** Each of the Parties is entering into this Agreement in anticipation of the satisfaction of certain Conditions Precedent (described below), which, if not satisfied, will frustrate the purposes of this Agreement. Accordingly, if the

Conditions Precedent are not satisfied or otherwise waived by the Parties, this Agreement shall be rendered null and void and none of the Parties shall have any further obligation to the other arising out of this Agreement. The Parties recognize that some of the Conditions Precedent may be satisfied contemporaneously with or prior to the execution of this Agreement, but such Conditions Precedent have been identified herein for the purposes of setting forth the intent of the Parties. For purposes of this Agreement, the following shall constitute the “**Conditions Precedent**”:

- 1.2.1 the final non-appealable approval and acceptance of this Agreement by the City Council;
- 1.2.2 the final conditional administrative approval of the subdivision plat for Guzman Subdivision; and
- 1.2.3 recording of the Guzman Subdivision plat.

## 2.1 DEVELOPER OBLIGATIONS

2.1.1 Development. The Project will consist of the improvements as shown in Exhibit A. Project will consist of 1 single family home and 2 Duplexes.

### 2.1.2 Conveyances and Dedications.

- A. Easements. Developer shall convey or dedicate to the City or other applicable utility provider at no cost such required utility easements on or across the Project as are necessary to facilitate the extension of required utility services to and throughout the Project.
- B. Roads. Developer has already dedicated the required road to 4000 S.
- C. Building Details and Landscaping. Will be shown on building permit site plans.

2.2 **Development to be Consistent with the Development Documents**. Except as expressly provided in this Agreement, all development, whether by the Developer or a successor in interest, will be consistent with this Agreement and the approved Development Documents.

## ARTICLE III DEFAULT AND COSTS

3.1 **Default**. In the event of a failure by any party to comply with the commitments set forth herein within thirty (30) days of written notice of such failure from the other party, the non-defaulting party shall have the right to pursue any or all of the following remedies, which right shall be cumulative:

3.1.1 To cure such default or enjoin such violation and otherwise enforce the requirements contained in this Agreement; and

3.1.2 To enforce all rights and remedies available at law and in equity including, but not limited to, injunctive relief, specific performance and/or damages.

3.2 **Court Costs and Attorneys Fees.** In the event of any legal action or defense between the Parties arising out of or related to this Agreement, or any of the documents provided for herein, the prevailing party shall be entitled, in addition to the remedies and damages, if any awarded in such proceedings, to recover their costs and reasonable attorney's fees.

#### **ARTICLE IV GENERAL MATTERS**

4.1 **Amendments.** Any alteration or change to this Agreement shall be made only after complying with the same procedures followed for the adoption and approval of this Agreement.

4.2 **Laws and Forum.** This Agreement shall be binding upon and shall insure to the benefit of the Parties hereto and their respective successors and assigns, and shall be construed in accordance with Utah law. Any action brought in connection with this Agreement shall be brought in a court of competent jurisdiction located in Weber County, Utah.

4.3 **Legal Representation.** Each of the Parties hereto acknowledge that they either have been represented by legal counsel in negotiating this Agreement or that they had the opportunity to consult legal counsel and chose not to do so.

4.4 **No Third-Party Rights.** Unless otherwise specifically provided herein, the obligations of the Parties set forth in this Agreement shall not create any rights in or obligations to any other persons or third parties.

4.5 **Notices.** All notices shall be in writing and shall be deemed to have been sufficiently given or served when presented personally or when deposited in the United State mail, by registered or certified mail, addressed as follows:

The City: West Haven City  
4150 South 3900 West  
West Haven, Utah 84401  
Attention: Steve Anderson

Developer: Gerado Guzman  
560 E. 900 N.  
Ogden, UT

Such addresses may be changed by notice to the other party given in the same manner as above provided. Any notice given hereunder shall be deemed given as of the date delivered or mailed.

4.6 **Entire Agreement.** This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by the City for the Project, contain and constitute the entire agreement.

4.7 **Effective Date.** This Agreement shall be effective upon the signing and execution of this Agreement by all Parties which, upon its occurrence, shall be deemed to have occurred as the Effective Date.

4.8 **Termination.** This Agreement shall terminate upon mutual written agreement of the parties hereto, or failure of the Conditions Precedent to occur on or before one year after the Effective Date.

4.9 **Further Action.** The Parties hereby agree to execute and deliver such additional documents and to take all further actions as may become necessary or desirable to fully carry out the provisions and intent of this Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties have executed this Agreement.

**WEST HAVEN  
CITY**, a municipality  
and political  
subdivision of the State  
of Utah

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its:

STATE OF UTAH

: ss.

COUNTY OF WEBER

On this \_\_\_\_ day of \_\_\_\_\_, 2019, personally appeared \_\_\_\_\_  
known or identified to me to be the \_\_\_\_ of West Haven City and  
the person who executed the foregoing instrument on behalf of  
said City and acknowledged to me that said City executed the  
same.

Notary Public for Utah

**Gerardo Guzman**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its:

STATE OF UTAH

: ss.

COUNTY OF WEBER

On this \_\_\_\_ day of \_\_\_\_\_, 2019, personally appeared \_\_\_\_\_  
known or identified to me to be the \_\_\_\_\_ of West Haven City and  
the person who executed the foregoing instrument on behalf of said  
City and acknowledged to me that said City executed the same.

Notary Public for Utah

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## SUBDIVISION APPLICATION

WEST HAVEN CITY PLANNING COMMISSION  
PHONE 801-731-4519

SUDIVISION NAME GUZMAN Subdivision

LOCATION 4215 West 400 South PARCEL # 080500024

NO. OF LOTS 5 ZONE Mixed Use

Applicants Name Gerardo Guzman Phone 801-603-0594 Fax \_\_\_\_\_

Address 560 East 900 North City Ogden State UT Zip 84404

Surveyor/Engineer \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

\*\*\*\*\*

### OFFICE USE

Scheduled for Planning Commission Agenda August 28, 2019

#### PLANNING COMMISSION ACTION:

Preliminary - Approved \_\_\_ Date \_\_\_\_\_ Denied \_\_\_ Date \_\_\_\_\_

Final - Approved \_\_\_ Date \_\_\_\_\_ Denied \_\_\_ Date \_\_\_\_\_

Conditions: \_\_\_\_\_

#### CITY COUNCIL ACTION:

Preliminary - Approved \_\_\_ Date \_\_\_\_\_ Denied \_\_\_ Date \_\_\_\_\_

Final - Approved \_\_\_ Date \_\_\_\_\_ Denied \_\_\_ Date \_\_\_\_\_

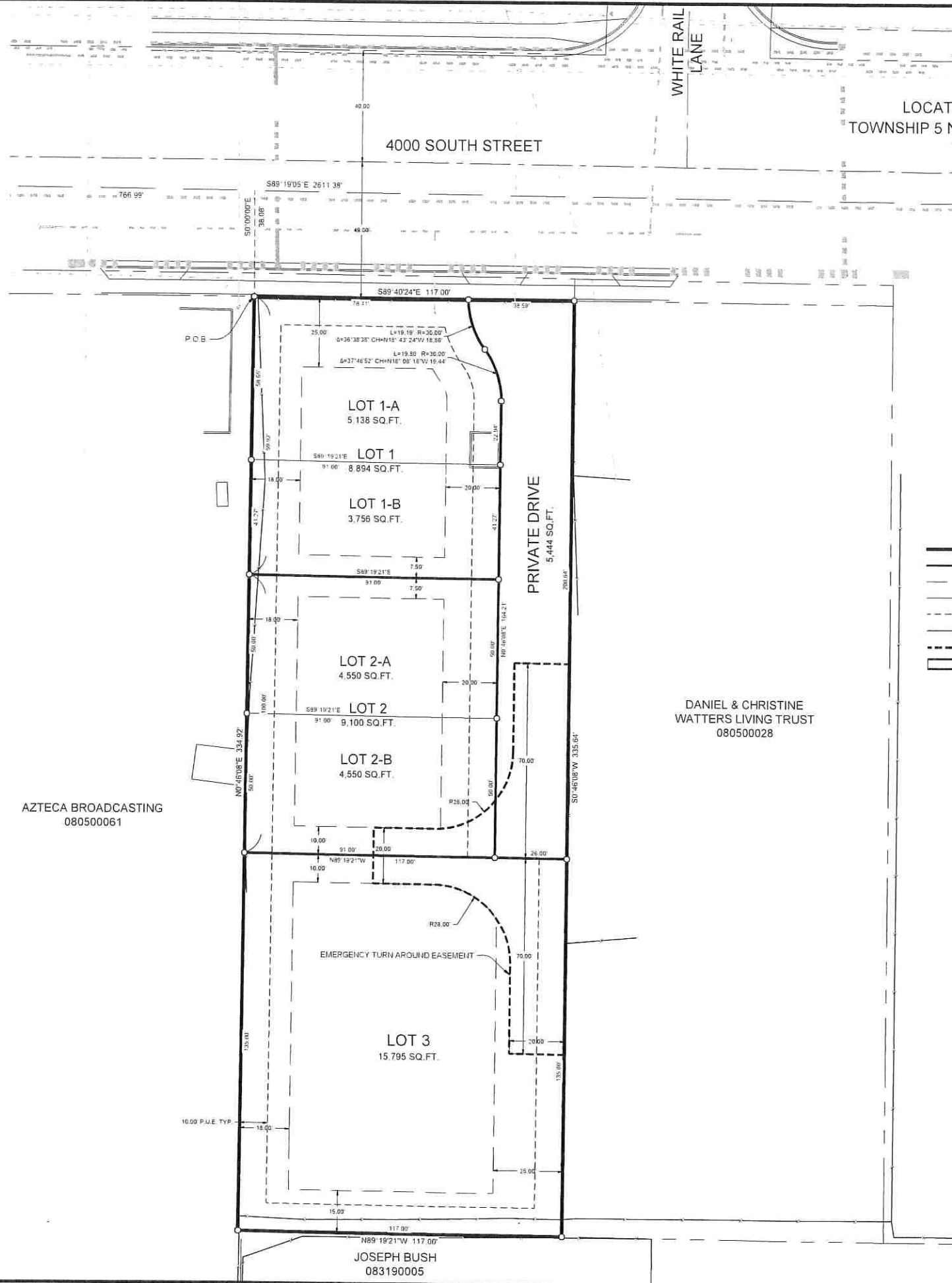
Preliminary

Final

Amount \$25.00 Paid Date 8/12/19

Amount \_\_\_\_\_ Paid Date \_\_\_\_\_

\*\*\*\*\*



## GUZMAN SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 9,  
TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,  
WEST HAVEN CITY, WEBER COUNTY, UTAH

JUNE 2019



Scale in Feet  
1"=20'

### LEGEND

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

### WEST HAVEN ATTORNEY

I HAVE EXAMINED THE FOREGOING PLAT AND DESCRIPTION OF GUZMAN SUBDIVISION AND IN MY OPINION, THEY CONFORM WITH THE CITY ORDINANCES APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_ 2019.

CITY ATTORNEY

### WEST HAVEN ENGINEER

I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO CITY ENGINEER APPROVAL OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH.

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_ 2019.

CITY ENGINEER

### WEST HAVEN APPROVAL AND ACCEPTANCE

THIS IS TO CERTIFY THAT THIS PLAT AND THE DEDICATION OF THIS PLAT ALONG WITH THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PUBLIC IMPROVEMENTS GUARANTEE WERE DULY APPROVED AND ACCEPTED BY THE CITY COUNCIL AND MAYOR OF WEST HAVEN UTAH.

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_ 2019.

MAYOR, WEST HAVEN

ATTEST  
CITY RECORDER

### WEST HAVEN PLANNING COMMISSION

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

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_ 2019.

CHAIRMAN, WEST HAVEN PLANNING COMMISSION

### NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY GERADO AND JENNY GUZMAN. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS SOUTH 89° 19'05" EAST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE RIGHT-OF-WAY OF 4000 SOUTH STREET WAS ESTABLISHED BY DRAWINGS ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION REGION 1.

### NOTES

- CURRENT ZONE - MIXED USE 5 UNITS PER ACRE.
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER FEMA MAP NO. 49057C0425E WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005.
- CURB NAIL TO BE SET IN CURB AT PROPERTY LINE EXTENSION.

### BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN, BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 4000 SOUTH STREET BEING LOCATED SOUTH 89° 19'05" EAST 766.99 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER AND SOUTH 00° 00'00" EAST 38.08 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 9, RUNNING THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE SOUTH 89° 40'24" EAST 117.00 FEET THENCE SOUTH 00° 40'08" WEST 335.64 FEET TO THE NORTH BOUNDARY LINE OF THE ROCKY MOUNTAIN MEADOWS SUBDIVISION PHASE FIVE, THENCE ALONG THE NORTH LINE OF SAID ROCKY MOUNTAIN MEADOWS PHASE 5 NORTH 89° 19'21" WEST 117.00 FEET THENCE NORTH 00° 40'08" EAST 334.92 FEET TO THE POINT OF BEGINNING, CONTAINING 39,226 SQ. FT.

### SURVEYOR'S CERTIFICATE

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

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_ 2019.



KLINT H. WHITNEY, PLS NO. 8227228

### OWNER'S DEDICATION

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

### GUZMAN SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO WEST HAVEN CITY, WEBER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS. THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE, WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY WEST HAVEN CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS, AND ALSO DEDICATE, GRANT AND CONVEY TO WEST HAVEN CITY A PERPETUAL EASEMENT TURN AROUND EASEMENT WITHIN THE AREAS SHOWN HEREON AS PRIVATE DRIVE AND EMERGENCY TURN AROUND EASEMENT, AND ALSO DEDICATE, GRANT AND CONVEY TO THE INDIVIDUAL LOT OWNERS, THEIR GUEST HEIRS AND ASSIGNS AND EASEMENT FOR INGRESS AND EGRESS ON AND OVER THE LANDS DESIGNATED HEREON AS PRIVATE DRIVE.

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_ 2019.

BY \_\_\_\_\_

### ACKNOWLEDGEMENT

STATE OF UTAH )  
COUNTY OF WEBER )

On this \_\_\_\_ day of \_\_\_\_ 2019, before me, \_\_\_\_\_, A Notary Public, personally appeared GERADO GUZMAN AND JENNY OSORIO, Proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

STAMP

NOTARY PUBLIC

|                                                                                       |         |                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DEVELOPER<br>DEVELOPER<br>GERADO GUZMAN<br>560 E 900 N<br>OGDEN UTAH<br>801-603-0594  | S1<br>1 | COUNTY RECORDER<br>ENTRY NO. ____ FEE PAID ____<br>FILED FOR AND RECORDED ____<br>AT ____ IN BOOK ____ OF OFFICIAL<br>RECORDS PAGE ____ RECORDED<br>FOR ____<br>COUNTY RECORDER<br>BY ____ |
| SURVEYOR<br>KLINT WHITNEY<br>1876 NORTH 3900 WEST<br>PLAIN CITY, UTAH<br>801-458-3820 |         |                                                                                                                                                                                            |

# GUZMAN SUBDIVISION

## CONSTRUCTION DOCUMENTS WEST HAVEN, WEBER , UTAH

### TRAFFIC CONTROL & SAFETY NOTES

1. BARRICADING AND DETOURING SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS OF THE CURRENT STATE OF UTAH DEPARTMENT OF TRANSPORTATION MANUAL OF TRAFFIC CONTROLS FOR CONSTRUCTION AND MAINTENANCE WORK ZONES, AND THE CURRENT CITY STANDARD DRAWING, AND SHALL BE APPROVED BY THE CITY ENGINEER PRIOR TO ANY WORK.
2. NO STREET SHALL BE CLOSED TO TRAFFIC WITHOUT WRITTEN PERMISSION FROM THE CITY TRAFFIC ENGINEER, EXCEPT WHEN DIRECTED BY LAW ENFORCEMENT OR FIRE OFFICIALS.
3. THE CONTRACTOR SHALL MAKE EVERY EFFORT TO PROVIDE FOR SMOOTH TRAFFIC FLOW AND SAFETY. ACCESS SHALL BE MAINTAINED FOR ALL PROPERTIES ADJACENT TO THE WORK.
4. DETOURING OPERATIONS FOR A PERIOD OF SIX CONSECUTIVE CALENDAR DAYS, OR MORE, REQUIRE THE INSTALLATION OF TEMPORARY STREET STRIPING AND REMOVAL OF INTERFERING STRIPING BY SANDBLASTING. THE DETOURING STRIPING PLAN OR CONSTRUCTION TRAFFIC CONTROL PLAN MUST BE SUBMITTED TO THE CITY TRAFFIC ENGINEER FOR REVIEW AND APPROVAL.
5. ALL TRAFFIC CONTROL DEVICES SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE END OF THE WORK TO THE SATISFACTION OF THE CITY TRAFFIC ENGINEER.
6. TRAFFIC CONTROL DEVICES (TCDs) SHALL REMAIN VISIBLE AND OPERATIONAL AT ALL TIMES.

### UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THOSE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF CONTRACTOR'S FAILURE TO VERIFY LOCATIONS OF EXISTING UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT.

### NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS" OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS. THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

CONTRACTOR FURTHER AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

### SANITARY SEWER GENERAL NOTES

1. ALL SANITARY SEWER CONSTRUCTION SHALL BE IN CONFORMANCE WITH CITY STANDARDS AND SPECIFICATIONS.
2. ALL GRAVITY SANITARY SEWER LINES SHALL BE SDR-35 PVC MATERIAL. SEWER LINE CONSTRUCTION AND MATERIALS SHALL CONFORM TO ASTM STANDARDS AND SPECIFICATIONS.
3. DISTANCES SHOWN ON PLANS ARE APPROXIMATE AND COULD VARY DUE TO VERTICAL ALIGNMENT.
4. RIM ELEVATIONS SHOWN ARE APPROXIMATE ONLY AND ARE NOT TO BE TAKEN AS FINAL ELEVATION. PIPELINE CONTRACTOR SHALL USE PRECAST CONCRETE ADJUSTMENT RINGS, GROUT AND STEEL SHIMS TO ADJUST THE MANHOLE FRAME TO THE REQUIRED FINAL GRADE IN CONFORMANCE WITH THE STANDARD SPECIFICATIONS. ALL FRAMES SHALL BE ADJUSTED TO FINAL GRADE.
5. ALL SANITARY SEWER MAIN TESTING SHALL BE IN ACCORDANCE WITH THE CITY STANDARDS AND SPECIFICATIONS. COPIES OF ALL TEST RESULTS SHALL BE PROVIDED TO THE PUBLIC WORKS SANITARY SEWER DEPARTMENT HEAD PRIOR TO FINAL ACCEPTANCE.
6. COMPACTION TESTING OF ALL TRENCHES WITH THE PROJECT SITE MUST BE ATTAINED AND RESULTS SUBMITTED TO THE CITY ENGINEER PRIOR TO FINAL ACCEPTANCE.
7. CONTRACTOR IS RESPONSIBLE TO PROTECT ALL EXISTING STRUCTURES AND IMPROVEMENTS DURING INSTALLATION OF SANITARY SEWER LINE.
8. WHERE CONNECTION TO EXISTING UTILITY IS PROPOSED, CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION AND NOTIFY OWNER/ENGINEER IF LOCATION AND ELEVATION OF EXISTING UTILITY VARIES FROM THE DESIGN.
9. CAMERA TESTING AND PRESSURE TESTING PER CITY STANDARD.

### GENERAL NOTES

1. ALL MATERIALS, WORKMANSHIP AND CONSTRUCTION OF SITE IMPROVEMENTS SHALL MEET OR EXCEED THE STANDARDS AND SPECIFICATIONS SET FORTH BY THE CITY ENGINEER, PLANNING, CODES AND SPECIFICATIONS AND APPLICABLE STATE AND FEDERAL REGULATIONS. WHERE THERE IS CONFLICT BETWEEN THESE PLANS AND SPECIFICATIONS, OR ANY APPLICABLE STANDARDS, THE HIGHER QUALITY STANDARD SHALL APPLY.
2. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND OR ELEVATION OF EXISTING UTILITIES, AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY PERTINENT LOCATIONS AND ELEVATIONS, ESPECIALLY AT THE CONNECTION POINTS AND AT POTENTIAL UTILITY CONFLICTS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES THAT CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.
3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL NOTIFY THE DESIGNATED PUBLIC WORKS INSPECTOR AT LEAST 48 HOURS PRIOR TO THE START OF ANY EARTH DISTURBING ACTIVITY, OR CONSTRUCTION ON ANY AND ALL PUBLIC IMPROVEMENTS.
4. THE CONTRACTOR SHALL COORDINATE AND COOPERATE WITH THE CITY AND ALL UTILITY COMPANIES INVOLVED WITH REGARD TO RELOCATIONS OR ADJUSTMENTS OF EXISTING UTILITIES DURING CONSTRUCTION AND TO ASSURE THAT THE WORK IS ACCOMPLISHED IN A TIMELY FASHION AND WITH A MINIMUM DISRUPTION OF SERVICE.
5. THE CONTRACTOR SHALL HAVE ONE (1) COPY OF APPROVED PLANS, AND ONE (1) COPY OF THE APPROPRIATE STANDARDS AND SPECIFICATIONS AND A COPY OF ANY PERMITS AND EXTENSION AGREEMENTS NEEDED FOR THE JOB, ON SITE AT ALL TIMES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS OF SAFETY INCLUDING BUT NOT LIMITED TO, EXCAVATION, TRENCHING, SHORING, TRAFFIC CONTROL, AND SECURITY.
7. IF DURING THE CONSTRUCTION PROCESS CONDITIONS ARE ENCOUNTERED BY THE CONTRACTOR, HIS SUBCONTRACTORS, OR OTHER AFFECTED PARTIES, WHICH COULD INDICATE A SITUATION THAT IS NOT IDENTIFIED IN THE PLANS OR SPECIFICATIONS, THE CONTRACTOR SHALL CONTACT THE ENGINEER IMMEDIATELY.
8. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL LABOR AND MATERIALS NECESSARY FOR THE COMPLETION OF THE INTENDED IMPROVEMENTS SHOWN ON THESE DRAWINGS OR DESIGNATED TO BE PROVIDED, INSTALLED, CONSTRUCTED, REMOVED AND RELOCATED UNLESS SPECIFICALLY NOTED OTHERWISE.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING ROADWAYS FREE AND CLEAR OF ALL CONSTRUCTION DEBRIS AND DIRT TRACKED FROM THE SITE.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECORDING AS-BUILT DRAWINGS ON A SET OF RECORD DRAWINGS KEPT AT THE CONSTRUCTION SITE, AND AVAILABLE TO THE CITY INSPECTOR AT ALL TIMES.
11. THE CONTRACTOR SHALL SEQUENCE INSTALLATION OF UTILITIES IN SUCH A MANNER AS TO MINIMIZE POTENTIAL UTILITY CONFLICTS. IN GENERAL, STORM SEWER AND SANITARY SEWER SHOULD BE CONSTRUCTED PRIOR TO INSTALLATION OF WATER LINES AND DRY UTILITIES.
12. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE ALL UTILITY RELOCATIONS CONSISTENT WITH THE CONTRACTORS SCHEDULE FOR THIS PROJECT, WHETHER SHOWN OR NOT SHOWN AS IT RELATES TO THE CONSTRUCTION ACTIVITIES CONTEMPLATED IN THESE PLANS.
13. ALL CONSTRUCTION WITHIN THE UDOT RIGHT-OF-WAY SHALL CONFORM TO THE MOST CURRENT UDOT STANDARD (INCLUDING SUPPLEMENTAL) DRAWING AND SPECIFICATIONS, FOUND AT [WWW.UDOT.UTAH.GOV](http://WWW.UDOT.UTAH.GOV) > INSIDE UDOT > PROJECT DEVELOPMENT > STANDARDS AND SPECIFICATIONS.

### SWPPP GENERAL NOTES

1. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AS REQUIRED BY THE CITY AND STATE.
2. ALL STRUCTURAL EROSION MEASURES SHALL BE INSTALLED AS SHOWN ON THE SWPP PLAN, PRIOR TO ANY OTHER GROUND-DISTURBING ACTIVITY. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED IN GOOD REPAIR BY THE CONTRACTOR, UNTIL SUCH TIME AS THE ENTIRE DISTURBED AREAS ARE STABILIZED WITH HARD SURFACE OR LANDSCAPING.

### GENERAL GRADING NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST APWA STANDARDS AND SPECIFICATION FOR PUBLIC WORKS AND THE CITY STANDARDS. CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE AWAY FROM BUILDING FOUNDATIONS AND ENTRIES. FINISHED GRADE AT FOUNDATION FOR WOOD FRAMED STRUCTURES SHALL BE 8 INCHES BELOW TOP OF FOUNDATION AND DRAINAGE SHALL BE A MINIMUM OF 5% WITHIN 10 FEET FROM THE BUILDING.
2. MAXIMUM SLOPES SHALL BE 3:1 FOR CUT AND FILL UNLESS OTHERWISE NOTED.
3. COMPACTION REQUIREMENTS AND TESTING SHALL BE PERFORMED TO MEET THE CITY STANDARDS.
4. NO FILL SHALL BE PLACED UNTIL VEGETATION HAS BEEN REMOVED AND SUB-GRADE PREPARED PER THE SOILS REPORT.
5. DUST SHALL BE CONTROLLED BY WATERING OR OTHER APPROVED METHODS.
6. CONTRACTOR SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN BY INSTALLING BMP'S PRIOR TO COMMENCEMENT OF EXCAVATION ACTIVITIES. CONTACT THE CITY INSPECTOR FOR INSPECTION.
7. ALL RECOMMENDATIONS OF THE GEOTECHNICAL REPORT AND ALL SUBSEQUENT REPORTS, ADDENDUM ETC. SHALL BE CONSIDERED A PART OF THIS GRADING PLAN AND SHALL BE COMPLIED WITH.
8. THE CONTRACTOR SHALL CONTACT BLUE STAKES FOR LOCATION MARKING PRIOR TO COMMENCING EXCAVATION ACTIVITIES.
9. CITY MAY REQUIRE A PRE-CONSTRUCTION MEETING BEFORE A PERMIT IS ISSUED.
10. STREETS ADJACENT TO THE PROJECT SHALL BE CLEAN AT ALL TIMES.
11. CONTRACTOR IS RESPONSIBLE FOR ARRANGING FOR ALL REQUIRED INSPECTIONS.
12. PRIOR TO TAKING WATER FROM A CITY FIRE HYDRANT, THE CONTRACTOR SHALL MAKE ARRANGEMENTS WITH THE WATER UTILITY TO OBTAIN A WATER METER.

### CULINARY WATER GENERAL NOTES

1. ALL INSTALLATION AND MATERIALS SHALL CONFORM TO WATER UTILITY STANDARDS, SPECIFICATIONS AND PLANS.
2. THRUST BLOCKING IS REQUIRED AT ALL BENDS AND FITTINGS. THE RODS SHALL BE USED AT ALL BENDS AND FITTINGS WHERE THRUST BLOCKS DO NOT BEAR AGAINST UNDISTURBED SOIL.
3. ALL WATERLINES AT SEWER CROSSINGS SHALL BE LOCATED ABOVE AND HAVE AN 18-INCH VERTICAL SEPARATION FROM THE SEWER PIPE. IF THIS IS NOT PROVIDED, THE WATERLINE SHALL BE INSTALLED WITH 20 L.F. OF CONCRETE CASING CENTERED OVER THE SEWER PIPE.
4. DISINFECTION TESTS SHALL BE PERFORMED BY THE WATER UTILITY WITH COOPERATION FROM THE CONTRACTOR IN PERFORMING ANY NECESSARY EXCAVATION AND SUBSEQUENT BACKFILLING AT NO COST TO THE CITY.
5. CHLORINATION OF COMPLETED WATER LINE. THE NEW WATER LINES SHALL BE DISINFECTED BY CHLORINATION. THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL RELATED COSTS AND FEES RELATED TO THE CHLORINATION OF THE COMPLETED WATER LINE. THIS TEST SHALL BE PERFORMED PRIOR TO CONNECTION OF THE NEW WATER LINES TO THE EXISTING WATER SYSTEM. THE CONTRACTOR SHALL NOTIFY THE WATER UTILITY AT LEAST 24 HOURS BEFORE THE CHLORINATION IS DESIRED.
6. A MINIMUM HORIZONTAL CLEARANCE OF 10 FEET SHALL BE MAINTAINED FROM SANITARY SEWER MAINS.
7. UNLESS OTHERWISE SPECIFIED, ALL WATERLINES SHALL BE AWWA C900 PVC CLASS 150, PER ASTM D2241.
8. CONTRACTOR SHALL LOCATE VALVES PRIOR TO CONNECTION WITH EXISTING SYSTEM, BUT SHALL NOT OPERATE ANY VALVE WITHOUT PERMISSION FROM THE WATER UTILITY.
9. ALL WATER MAINS, VALVES, FIRE HYDRANTS, SERVICES AND APPURTENANCES SHALL BE INSTALLED, TESTED, AND APPROVED PRIOR TO PAVING.
10. THERE SHALL BE A WATER SUPPLY TO THE DEVELOPMENT BEFORE ANY WOOD CONSTRUCTION STARTS.
11. THE WATER UTILITY REQUIRES THE USE OF CORROSION RESISTANT MATERIALS FOR ALL CULINARY WATER IMPROVEMENTS. SPECIFICALLY, ROMAC BLUE BOLTS OR STAINLESS STEEL BOLTS MUST BE USED ON ALL FITTINGS. FURTHER, ALL METAL FITTINGS SHALL BE POLY WRAPPED.

ALL IMPROVEMENTS TO CONFORM TO CURRENT WEST HAVEN CITY (WHC) STANDARDS AND SPECIFICATIONS

CULINARY WATER IMPROVEMENTS TO CONFORM TO HOOPER WATER IMPROVEMENT DISTRICT'S (HWID) STANDARDS AND SPECIFICATIONS

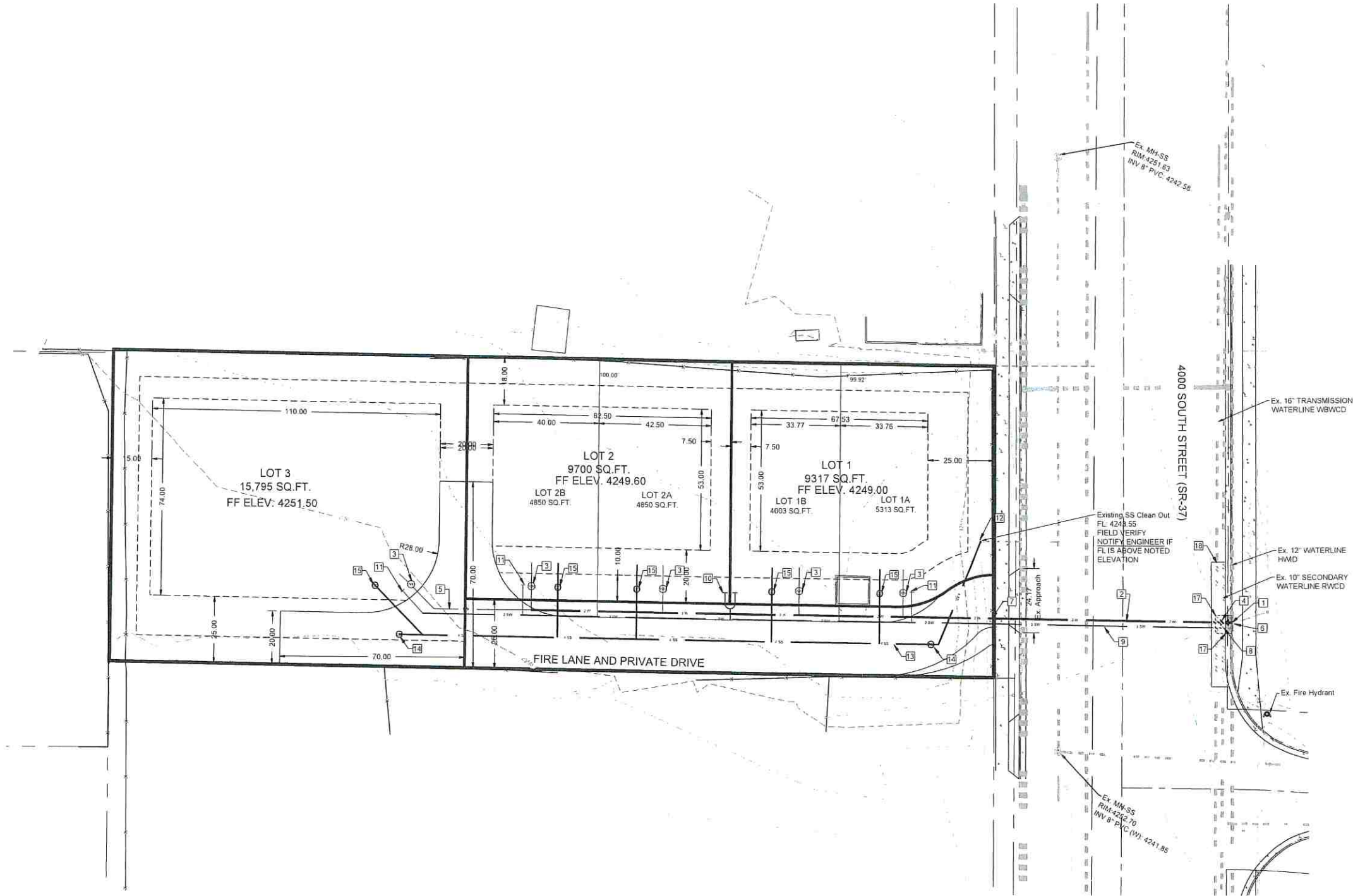
SECONDARY WATER IMPROVEMENTS TO CONFORM TO ROY WATER CONSERVANCY DISTRICT'S (RWCD) STANDARDS AND SPECIFICATIONS

WORK PERFORMED IN UDOT ROW SHALL TO CONFORM TO UDOT STANDARDS AND SPECIFICATIONS



DEVELOPER  
GERARD GUZMAN  
580 EAST 900 NORTH  
OGDEN, UT 84404  
801-433-0254

GUZMAN SUBDIVISION  
CONSTRUCTION DOCUMENTS



- 1 2" SADDLE (ROMAC) CONNECTION TO EX. 10" LINE PER HMD  
2 2" CTS POLY PIPE SERVICE MANIFOLD PER HMD.  
3 1" METER PER HMD  
4 2" GATE VALVE (RATED 150 PSI) W/ 2" SQUARE NUT AND VALVE BOX PER HMD  
5 1" CTS POLY PIPE PER HMD  
6 REMOVE EX. 1" SERVICE CONNECTION AND CAP AT EX. 10" LINE  
7 REMOVE WATER METER AND ABANDON 1" SERVICE LATERAL  
8 2" SADDLE (ROMAC) CONNECTION TO EX. 10" LINE PER RWCD  
9 2" CTS POLY PIPE PER RWCD  
10 DOUBLE SERVICE CONNECTION PER RWCD  
11 SINGLE SERVICE CONNECTION PER RWCD  
12 CONNECT TO 4" SEWER PIPE  
13 4" SDR 35 SEWER PIPE @ 1%  
14 SEWER CLEAN OUT PER WHC  
15 SEWER LATERAL CONNECTION PER WHC  
16 REMOVE AND REPLACE CURB AND GUTTER PER UDOT  
17 OPEN TRENCH ROADWAY REPAIR PER UDOT  
18 ASPHALT PATCH PER UDOT

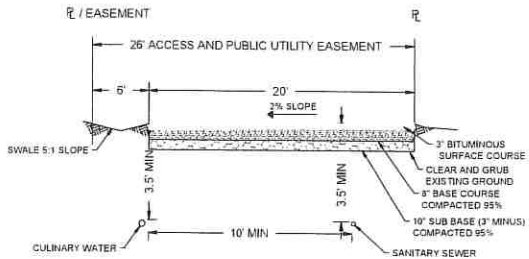
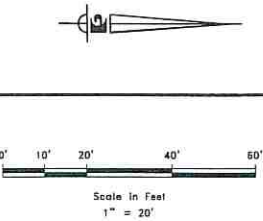
NOTES

1. FF FLOOR ELEVATIONS ARE RECOMMENDED TO ALLOW FOR ADEQUATE COVER FOR SEWER LATERALS.

2. PRIOR TO CONDUCTING WORK IN UDOT RIGHT-OF-WAY, CONTRACTOR SHALL OBTAIN AN ENCROACHMENT PERMIT FROM UDOT REGION 1. UTILITY INSTALLATIONS MUST BE INSTALLED BY TRENCHLESS METHODS. SEE GENERAL NOTE 13.

3. ASPHALT REPAIR SHALL MEET REQUIREMENTS SET FORTH BY REGION 1 MATERIALS ENGINEER DAVE HOLMGREN.

- LEGEND
- WM WATER METER
  - CO SEWER CLEAN OUT
  - NEW SECONDARY WATER LINE
  - EX WATER LINE
  - NEW WATER LINE
  - EX SEWER LINE
  - PRESSURE SEWER LINE
  - ASPHALT PATCH MATCH EXIST. ASPHALT PER UDOT
  - FIRE LANE AND PRIVATE DRIVE



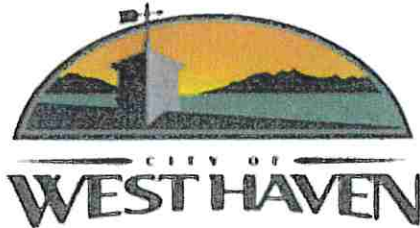
DEVELOPER:  
GERARDO GUZMAN  
580 EAST 900 NORTH  
ODDEN, UT 84404  
801-830-0514

| REVISIONS |  | DATE | DESCRIPTION |
|-----------|--|------|-------------|
|           |  |      |             |
|           |  |      |             |
|           |  |      |             |
|           |  |      |             |

|                          |  |
|--------------------------|--|
| PRELIMINARY SITE UTILITY |  |
| GUZMAN SUBDIVISION       |  |
| 4215 W 4000 S            |  |
| WEST HAVEN, WEBER, UTAH  |  |

**GARDNER ENGINEERING**  
CIVIL • LAND PLANNING  
MUNICIPAL • LAND SURVEYING  
5150 SOUTH 375 EAST OGDEN, UT  
OFFICE: 801-476-0202 FAX: 801-476-0066

CE1-01



# ZONING MAP AMENDMENT APPLICATION

West Haven City Planning Commission

4150 S 3900 W

West Haven, UT

801-731-4519

Owners Name: Kerry Garner & Larry Hill Phone: (801) 721-0502 Fax:       

Address: 5215 W 4000 S City: Hooper State UT Zip 84315

Agents Name: Same as above Phone:        Fax:       

Address:        City:        State:        Zip:       

Property Address: 1688 S. 1900 W Parcel # 15-064-0052

Existing Zone C-2 Proposed Zone C-3 No. of Acres/Sq. Ft. 2.5 acs

What Use is requested? A zone change & Dev Agreement to permit Storage Units. This is in accordance w/ 2100S. master plan And dedication for future road.

## OFFICE USE

Scheduled for Planning Commission Agenda       

Request for Recommendation sent to the following agencies:

Fire District -Date        Water District; Name        Date         
Questar Gas -Date        UDOT - Date         
Rocky Mtn. Power -Date        Century Link - Date       

### PLANNING COMMISSION ACTION:

APPROVED        DATE        DENIED        DATE       

### CITY COUNCIL:

APPROVED        DATE        DENIED        DATE       

Fee: 275.00 Date Paid: 8/14/19

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## ZONING MAP AMENDMENT APPLICATION

West Haven City Planning Commission

4150 S 3900 W

West Haven, UT

801-731-4519

Owners Name: CODY RHEES CONSTRUCTION Phone: 801-458-4868 Fax: \_\_\_\_\_

Address: 4089 W 2400 N City: PLAIN CITY State UT Zip 84404

Agents Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Property Address: 3110 S 2700 W Parcel # 080220042 & 08022017

Existing Zone C-2 Proposed Zone MU No. of Acres/Sq. Ft. 2.64

What Use is requested? REZONE TO MIXED USE

### OFFICE USE

Scheduled for Planning Commission Agenda \_\_\_\_\_

Request for Recommendation sent to the following agencies:

Fire District -Date \_\_\_\_\_ Water District; Name \_\_\_\_\_ Date \_\_\_\_\_

Questar Gas -Date \_\_\_\_\_ UDOT - Date \_\_\_\_\_

Rocky Mtn. Power -Date \_\_\_\_\_ Century Link - Date \_\_\_\_\_

#### PLANNING COMMISSION ACTION:

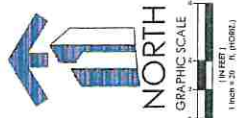
APPROVED \_\_\_\_\_ DATE \_\_\_\_\_ DENIED \_\_\_\_\_ DATE \_\_\_\_\_

#### CITY COUNCIL:

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_ DENIED \_\_\_\_\_ DATE \_\_\_\_\_

Fee: 300.00 Date Paid: 8/19/19

Comments:



### Project Statistics

|                     |                |
|---------------------|----------------|
| Acreage             | 2.64 Ac.       |
| Number of Units     | 23 Units       |
| Density             | 8.71 Units/Ac. |
| Guest Parking Stall | 7              |
| Private Road        | 30 Foot        |

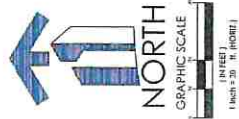
2700 WEST

ENTRY MONUMENT

GUEST PARKING

30 FOOT PRIVATE ROAD

COMMERCIAL AREA



### Project Statistics

|                     |                |
|---------------------|----------------|
| Acreage             | 2.64 Ac.       |
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2700 WEST

ENTRY MONUMENT

GUEST PARKING

30 FOOT PRIVATE ROAD

COMERCIAL AREA

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF WEST HAVEN CITY, UTAH, REVISING  
AND AMENDING THE CITY CODE; MAKING CERTAIN  
CHANGES TO SECTIONS 2.08 OF THE ZONING CODE TO ADD  
DEFINITIONS FOR BEEKEEPING AND ADDING A SEPARATE  
SECTION TO THE ZONING CODE TO ALLOW FOR  
BEEKEEPING SUBJECT TO CERTAIN REGULATIONS;  
MAKING NECESSARY LANGUAGE CHANGES TO THE CITY  
CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN  
EFFECTIVE DATE FOR THOSE CHANGES.**

**Section 1. Recitals:**

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

**WHEREAS**, in conformance with the provisions of UCA § 10-3-707, the governing body of the city may revise, codify and compile from time to time and to publish in book, pamphlet or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions therein as it may deem best; and,

**WHEREAS**, in conformance with the provisions of Title 10, Section 9a – the Municipal Land Use, Development and Management Act, the governing body of the city may pass ordinances defining zoning and what are acceptable uses within each of those zones and within the city; and,

**WHEREAS**, West Haven City has previously adopted and promulgated city ordinances and rules regarding zoning and acceptable uses within those zones in the City; and,

**WHEREAS**, the City Council finds that certain changes to the West Haven City Zoning Code as regards to allowing beekeeping, the definitions that apply to beekeeping, and those regulations that govern beekeeping, should be made; and,

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

**NOW THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN CITY, UTAH that Section 2.08 of the West Haven City Zoning Code be, and the same is hereby, changed and amended to read as follows:

**The following definitions are hereby added in alphabetical order to the already existing definitions in Section 2.08 of the Zoning Code:**

**APIARY:** Any place where one (1) or more colonies of bees are located.

**APIARY EQUIPMENT:** Hives, supers, frames, veils, gloves, or other equipment used to handle or manipulate bees, honey, wax, or hives.

**BEE:** The common honey bee, *Apis mellifera*, at any state of development, but not including the African honeybee, *Apis mellifera scutellata* species, or any hybrid thereof.

**BEEKEEPER:** A person who owns or has charge of one (1) or more colonies of bees.

**BEEKEEPING:** To hold a colony of bees in a hive for the purpose of pollination, honey production, study or similar purpose.

**COLONY:** Bees in any hive including queens, workers, or drones.

**FLYAWAY BARRIER:** A solid fence or hedge used in beekeeping, at least six feet (6') in height extending ten feet (10') from the hive in each direction. It is used to force bees to fly at least six feet (6') above ground over neighboring property lines.

**HIVE:** A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

**BE IT FURTHER ORDAINED** by the West Haven City Council that the following shall be added to the West Haven Zoning Code as a Section titled, "Animal Keeping", under the subheading of "Beekeeping":

1. Beekeeping is permitted in all Agricultural and the following Single Family Residential Zones as follows:
  - a. An apiary, consisting of not more than five (5) hives or an equivalent capacity, may be maintained on an agricultural lot which is one-half (0.5) acre or larger.
  - b. An apiary, consisting of not more than five (5) hives or an equivalent capacity, may be maintained on a Single Family Residential lot which is one-half (0.5) acre or larger.
  - c. For Single Family Residential lots which are larger than one acre, the number of hives located on the lot may be increased to ten (10) hives.

- d. For Single Family Residential lots larger than 2 acres, an additional 5 hives per acre are permitted.
- e. Beekeeping is permitted in a rear yard (or side yard) of Single Family residential lots of one-half (0.5) acre or larger in the A-1, A-1 Open Space Residential, A-2, R-1, R-2, and Mixed Use zones.
- f. Commercial bee-keeping operations are not permitted on Single Family Residential lots.

2. Additional requirements:

- a. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.
- b. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Utah Code 4-11, as amended.
- c. Each beekeeper shall annually register the address and location of their hives with Weber Mosquito Abatement to assure the hives will not be sprayed by Weber Mosquito Abatement.
- d. Hives shall be placed at least three feet (3') from any property line and six inches (6") above the ground, as measured from the ground to the lowest portion of the hive.
- e. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.
- f. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.
- g. A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hive is located between three feet (3') and fifteen feet (15') from any property line that does not have a six foot (6') solid fence, a flyway barrier shall be established and maintained around the hive except as needed to allow access.
- h. On all lots, if the apiary is located in an area that borders a public walk, street or public area, the area shall be separated from the public walk or street by a

six foot (6') tall solid fence or wall that extends at least ten feet (10') from the hive in each direction.

- i. Each beekeeper shall ensure that a convenient source of water is available to the colony continuously. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.
- j. Each bee keeper shall comply with all State laws and regulations pertaining to beekeeping.
- k. If a beekeeper has an emergency in which they must temporarily move hives onto their property to prevent death or damage to a hive or hives because of environmental conditions at another hive location, a beekeeper can move up to 10 (ten) hives onto their property for a limited amount of time but shall contact the City immediately to give the City notice of the emergency situation and the limited length of time needed to remedy the emergency and protect the hives.
- l. In the event of a conflict between any regulation set forth in this chapter and bee management regulations adopted by the State of Utah and/or Weber County Health Department, the most restrictive regulations shall apply.

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

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

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

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

## **Section 4 - Savings Clause:**

If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this

Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

**Section 5. Date of Effect**

This Ordinance shall be effective on the \_\_\_\_ day of \_\_\_\_\_, 2019, and after publication or posting as required by law.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

WEST HAVEN, a municipal corporation

by: \_\_\_\_\_  
Mayor

Attested and recorded

\_\_\_\_\_  
Recorder