

**PUBLIC NOTICE OF A SPECIAL MEETING
OF THE CITY COUNCIL OF PLEASANT VIEW CITY, UTAH**

November 19, 2019

Public Notice is hereby given that the City Council of Pleasant View, Utah will hold a Public Meeting in the city office at 520 West Elberta Dr. in Pleasant View, Utah on Tuesday, November 19, 2019, **commencing at 5:00 PM.**

The agenda consists of the following:

Pledge of Allegiance: Jerry Burns

Opening Prayer, Reading or Expression of Thought: Jerry Burns

Business:

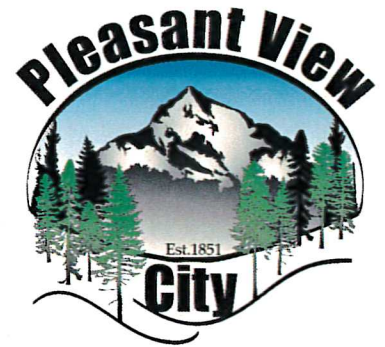
5:00 P.M. 1. Canvas the Municipal Election. (*Presenter: Laurie Hellstrom*)

5:10 P.M. 2. Discussion and possible action to grant final plat approval of the Heart of Pole Patch Phase 2, adding 8 additional lots in the Heart of Pole Patch subdivision, located at approximately 250 W 4450 N. Requester: Carson Jones.
(*Presenter: Bill Cobabe*)

The City Council at their discretion may change the order and times of the agenda items.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Pleasant View City Office at 801-782-8529, at least 24 hours prior to the meeting.

Memo



To: Mayor and Council
From: Laurie Hellstrom
Date: November 18, 2019
Re: Canvass the Municipal Election

I. RECOMMENDED ACTION

Declare nominated the three candidates who had the highest number of votes for the four-year city council seats and the one candidate who had the highest number of votes for the two-year city council seat and certify the vote totals for each persons.

II. DESCRIPTION / BACKGROUND

The Election was held November 5, 2019. The city council/board of canvassers shall declare nominated those persons who had the highest number of votes and certify the vote totals for persons.

III. SCHEDULE / TIME CONSTRAINTS

The canvas must be completed between November 18th and November 19th.

LIST OF ATTACHMENTS

- Official Canvas report has been received from Weber County Elections.

Summary Results Report
2019 GENERAL
November 5, 2019

OFFICIAL RESULTS
Pleasant View City
City Elections

STATISTICS

	TOTAL
Registered Voters - Total	4,968
Ballots Cast - Total	2,262
Voter Turnout - Total	45.53%

Pleasant View City, Utah
Municipal General Election
November 5, 2019

Summary of Votes Cast – 4968 Active Registered Voters		
Election Day Voters	19	0.8%
By-Mail-Early-Provisional	2243	99.2%
Total	2262	45.5%

By Mail Ballot Summary	
Ballots Mailed	4968
Ballots Returned and Counted	2243
Ballots Returned Undeliverable	63 (1.3%)
Ballots not Counted	25

Reasons for not counting	Qty
Returned Past Deadline	6
Returned unsigned	8
No ID verification	0
Signatures did not match the voter record	11
Totals	25

Each voter whose ballot was not counted was notified of the reason their ballot was not counted and given instructions on how to correct the deficiency.

Provisional Ballot Summary	
Provisional Ballots Cast	5
Ballots Not Counted	0

Summary Results Report
2019 GENERAL
November 5, 2019

OFFICIAL RESULTS
Pleasant View City
City Elections

Pleasant View City Council Pleasant View City Council

Vote For 3

	TOTAL	VOTE %
ANN ARRINGTON	1,643	28.16%
SARA B. URRY	1,199	20.55%
DAVID MARRIOTT	1,160	19.88%
BOYD N HANSEN	1,018	17.45%
DAVID K WADE	814	13.95%
Total Votes Cast	5,834	100.00%

Pleasant View City Council - Two year term Pleasant View City Council 2 year

Vote For 1

	TOTAL	VOTE %
KEVIN BAILEY	1,165	55.11%
GARY LINDLEY	949	44.89%
Total Votes Cast	2,114	100.00%



City Council Staff Report

Heart of Pole Patch Phase 2 Subdivision Final Plat November 19, 2019

BASIC INFORMATION

Application Number:	19.xxx
Applicant:	Carson Jones
Owner:	C Anne Dodgson Trust
Acreage:	7.146 acres and a 7.566 acre remainder parcel
Lots:	Proposed 9 lots and one remainder parcel (see plat)
Location:	approximately 4450 N and 500 W
Future Land Use Map Designation:	Very Low Density Residential
Current Zoning District:	RE-20
Request:	Final Plat Review/Approval
Date of Application:	N/A
Date of Previous Meeting:	March 12, 2019 – Preliminary Plat Approval

STAFF RECOMMENDATION

Staff is recommending denial of the proposed final plat based on the following findings:

Findings:

1. That the proposed plat meets the requirements of the City's General Plan and the Future Land Use Map.
2. That the proposed plat ***DOES NOT*** meet the requirements of the City's Subdivision Code (Title 17).
3. That the current uses are permitted by the City's Zoning Ordinance (Title 18).
4. That the proposed plat is generally not harmful to the health, safety, and welfare of the community or neighborhood.

BACKGROUND

This subdivision request is being brought on behalf of Mr. Carson Jones. At the time of preparing the staff report, the City has not received an application for final plat approval. Under normal circumstances, this would prohibit the item from being considered for plat approval or discussion by the City Council. However, the developer has requested that this item be placed

on the agenda. This puts staff in the position where we do not have sufficient information to recommend approval. Staff has worked diligently with the developer to get the information, but the developer has not provided this to staff in a timely manner for the meeting. Please see the email attachment below.

In September 2017, the developer presented the City with a concept plan for the Heart of Pole Patch Subdivision, which is to ultimately include 28 lots. Last year, the City approved a minor plat subdivision for the first phase of the project, which included two additional lots and a lot dedicated to the City for storm drainage. The currently proposed Phase 2 represents a continuation of that development and includes 9 lots over approximately 7.146 acres. The lots are mainly arranged along a continuation of 250 West but also include a continuation of 4450 North that extends to the east and connects to the existing road. The lots are each approximately 20,000 square feet as required in the RE-20 zoning district.

There are outstanding requirements from the City Engineer that will have to be resolved as the subdivision moves forward through the construction documentation approvals and construction phases of the project. Staff will oversee these changes to ensure compliance with applicable codes and regulations. Further, staff will not issue a certificate of occupancy for any structure/residence unless and until the infrastructure is completed and has received conditional acceptance from the City.

ANALYSIS

As noted above, this subdivision will be for 20 lots. The Chapter of the ordinance that applies is Chapter 17.08, the Final Plat provisions. This Chapter states the platting requirements of the City in order to result in a legal subdivision. A specific analysis of pertinent sections of the Code follows:

17.08.020 - Requirements for Final Subdivision Applications: All Final Subdivision Applications shall provide the following information:

- 1. Application. A Final Subdivision Application, provided by the City, completed and signed by the owner(s) as identified on the property assessment rolls of Weber County, or authorized agent of the owner(s), of the lands proposed to be subdivided. The Final Subdivision Application shall be accompanied by the application fees, those items found on the check list provided with the application, and documents and items as found herein.*
- 2. Final Subdivision Plat. The applicant shall submit a final subdivision plat, prepared by a licensed land surveyor, conforming to current surveying practice and in a form acceptable to the Weber County Recorder for recordation together with plans as required herein. The final subdivision plat shall be prepared in permanent ink and all sheets shall be numbered. All required certificates shall appear on a single sheet (along with the index and vicinity maps). A minimum of one (1) 11x17 size, five (5) 24x36 size paper copies, and a digital copy in a format acceptable to the City Engineer shall be required. The final subdivision plans shall include any revisions or additions, as required by the City Council, as part of preliminary subdivision approval. The final subdivision plat shall show the following:*
 - a. Notation of any self-imposed restrictions, including proposed final restrictive covenants, and all other restrictions as required by the City Council in accordance*

- with this Ordinance, signature lines for all owners of interest and the acknowledgment of a public notary.*
- b. Endorsement lines on the final plat by every person having a security interest in the subdivision property subordinating their liens to all covenants, servitudes and easements imposed on the property.*
 - c. The location of all monuments erected, corners, and other points established in the field. The material of which the monuments, corners, or other points are made shall be noted. Bearings shall be shown to the nearest second; lengths to the nearest hundredth of a foot; areas to the nearest hundredth acre.*
 - d. The owner's certificate of dedication(s) including the dedication of any public ways or spaces. The owner's certificate shall include a reference to any covenants that may be declared and blanks where the County Recorder may enter the book and page number of their recording.*
 - e. A legal description of the subdivision boundaries.*
 - f. Signature blocks prepared for the dated signatures of the Land Use Authority, Planning Department, and City Engineer, in a form acceptable to the city.*

Staff Response: No application has been submitted to the City and no fees have been paid.
See attached plat.

- 3. Title Report. A Title Report, no older than 30 days, shall be provided.*

Staff Response: Would be required prior to plat recordation.

- 4. Tax Clearance. A tax clearance from the Weber County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.*

Staff Response: Would be required prior to plat recordation.

- 5. Final design and construction drawings for all proposed or required public improvements, prepared as required by the City Engineer and designed as required by the City, including the profiles and cross sections of all existing and proposed streets, all storm drainage and flood control facilities, the elevations and location of fire hydrants, required culinary and secondary water facilities, sanitary sewer facilities, land drain facilities, storm water pollution prevention plans, and all other provided and required public facilities and improvements. A minimum of one (1) 11x17 size and five (5) 24x36 size paper copies, and a digital copy in a format acceptable to the City Engineer shall be required. One approved, two sets of mylar copies and a digital copy shall be supplied to the city engineer.*

Staff Response: This information will be required of the developer at the time of recordation.

- 6. Other agencies. It shall be the responsibility of the applicant(s) to provide the necessary information and materials as required by other agencies including but not limited to the following:*
 - a. Fire Protection. A letter shall be provided by the developer from the Fire Department to the city of any requirements relating to fire protection. The applicant is responsible to provide information for fire protection capacity analysis and to include on plats and special requirements from such analysis.*

- b. *Special Service District or Special Service Area. If the proposed subdivision is located within the boundaries of a Special Service District or a Special Service Area, a letter shall be provided from the governing board acknowledging the proposed subdivision, which letter may identify any potential impacts resulting from the proposed subdivision.*
- c. *UDOT. If the subdivision will be accessed from a State Highway, proof of preliminary application for an appropriate access permit from the State of Utah Department of Transportation, shall be provided with the application materials.*
- d. *The applicant shall be responsible for any fees charged by such agencies.*

Staff Response: This information will be required at the time of recordation. Much of this does not apply to this development.

7. Other Final Subdivision Application Information and Materials. The following information is required to be presented as part of the Final Subdivision Application:

- a. *Any proposed or required bonds and agreements.*
- b. *Copies of CCR's and any other project specific document, signed by the applicant. (The final mylar plat and all relevant documents must be reviewed and approved by appropriate city staff before final signatures and attests are added for recording purposes).*
- c. *Proof of inclusion in a secondary water district and the payment of all required fees or proof of ability to provide permanent secondary water in a system acceptable to the city.*

Staff Response: Would be required prior to plat recordation.

Public Comment

No public comments have been received to date.

STAFF CONTACT

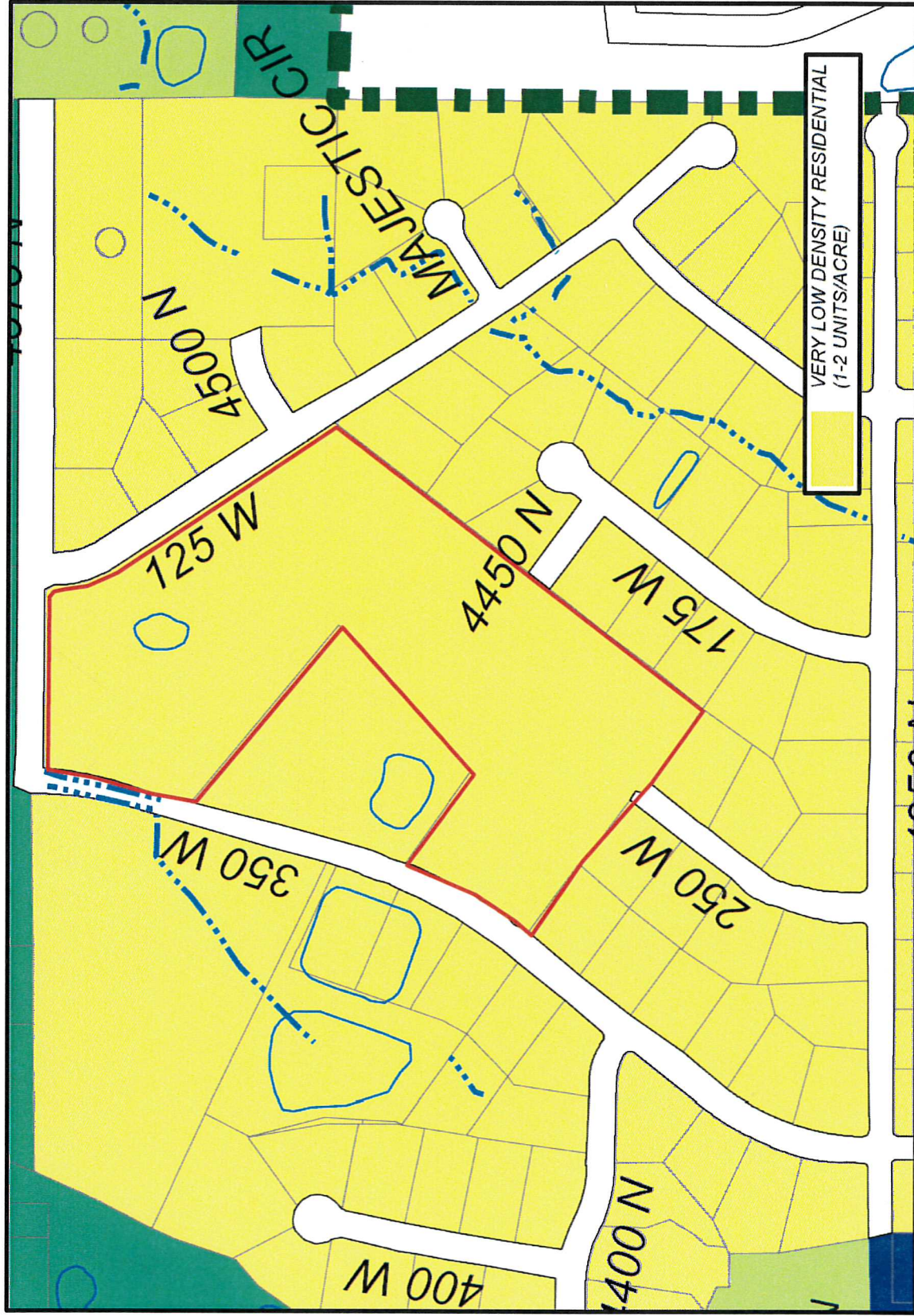
Bill Cobabe, CFM, AICP
bcobabe@pleasantviewcity.com
801-827-0468

ATTACHMENTS

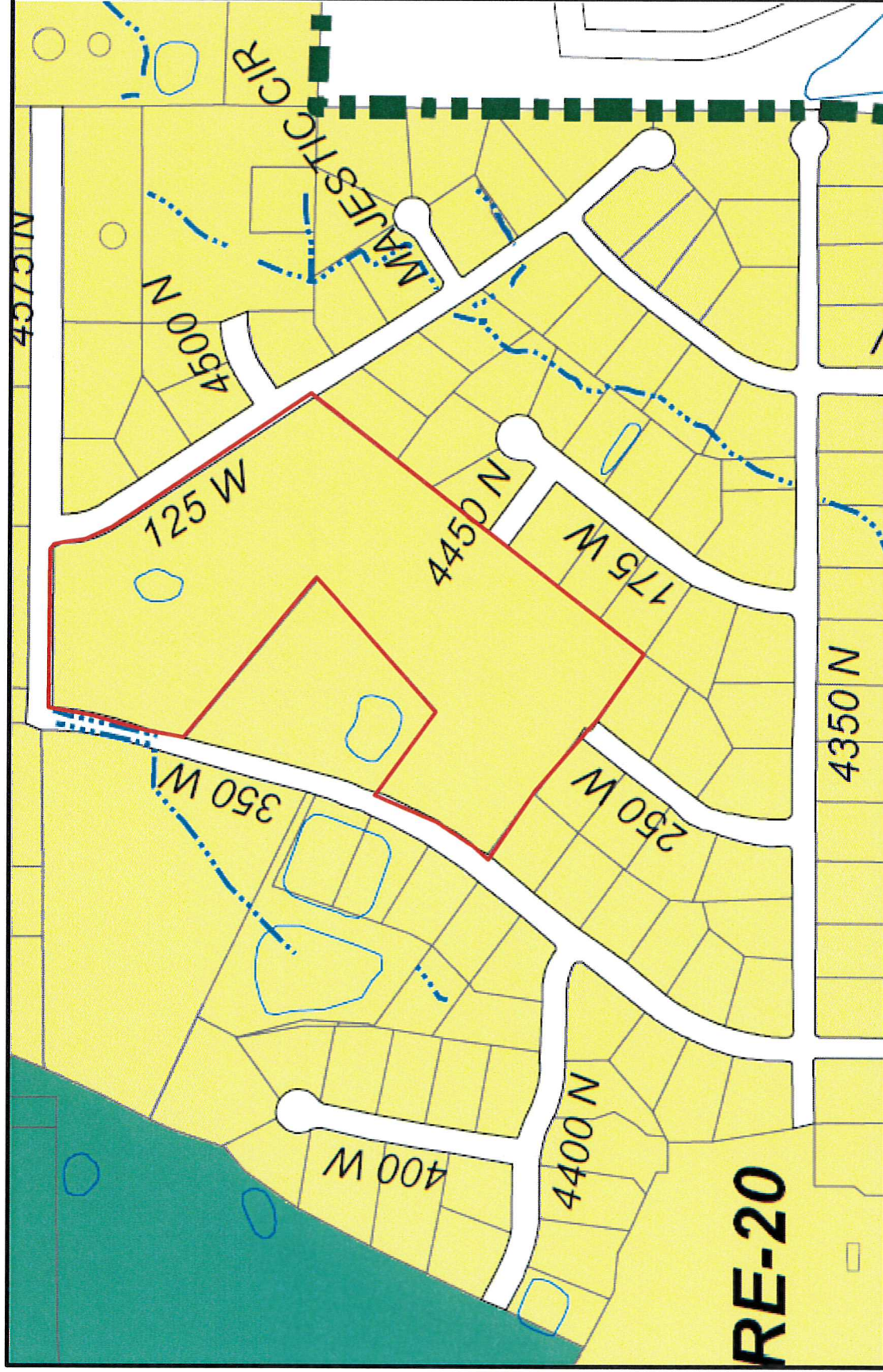
- 1) Vicinity Map
- 2) Future Land Use Map
- 3) Current Zoning Map
- 4) Concept/Phasing Plan
- 5) Proposed Plat
- 6) Staff Notes/Requirements and Timeline

ATTACHMENT 1) Vicinity Map

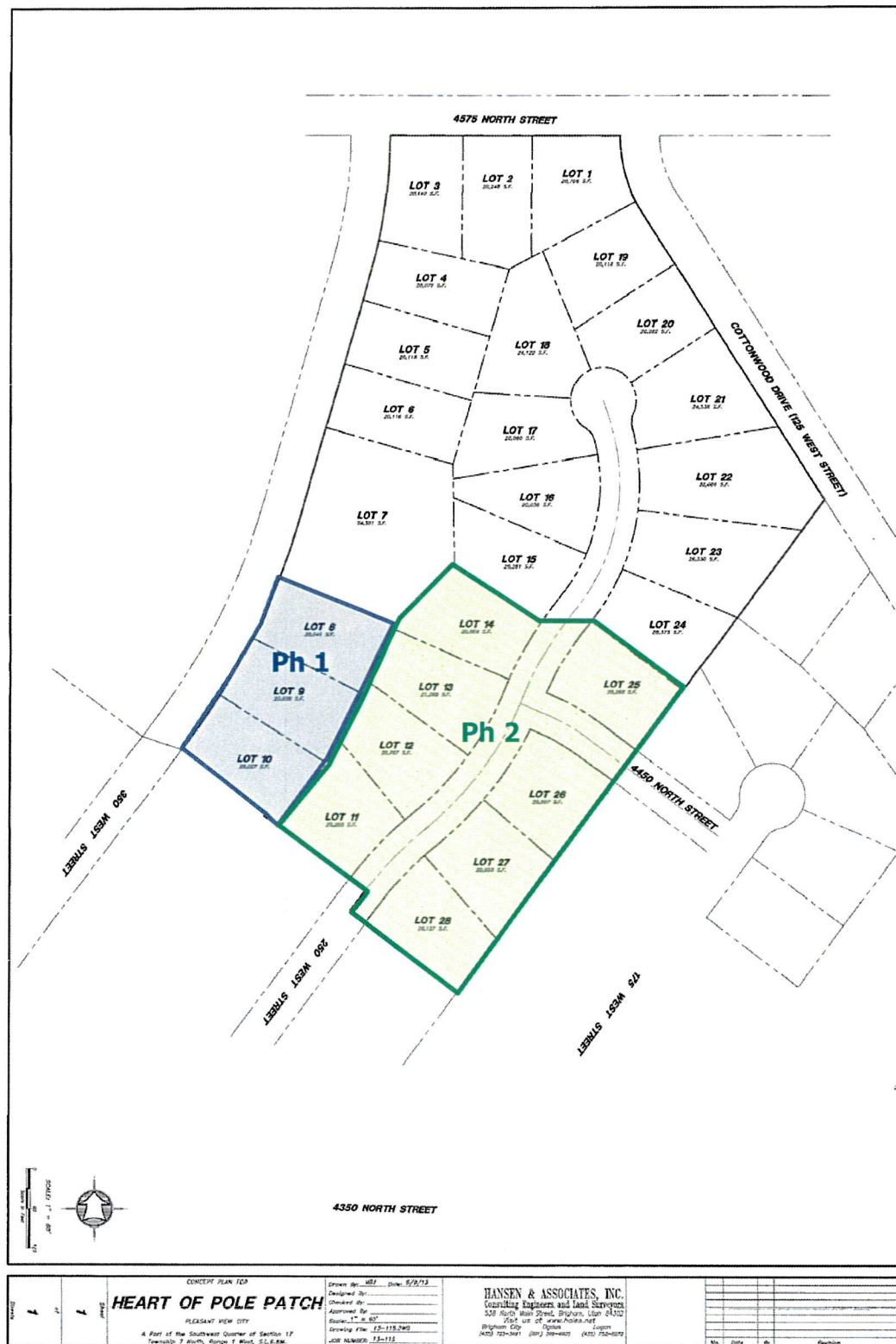




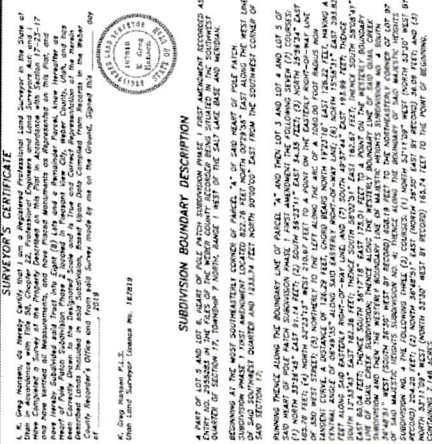
ATTACHMENT 3) Current Zoning Map



ATTACHMENT 4) Concept Plan (Showing All Lots)



Heart of Pole Patch Subdivision Phase 2
Amending Part of Lot 5 and Lot 6, Heart of Pole Patch Subdivision Phase 1, First Amendment
Pleasant View, Weber County, Utah
A Port of the Southwest Quarter of Section 17,
Township 7 North, Range 1 West, Salt Lake Base & Meridian

[illegible]

Charming Anne Hodgson, Treasurer of me
C. Anne Hodgson Acting Trust, dated March 30, 2008

TRUST ACKNOWLEDGMENT

On this _____ day of _____, 2013, Charlotte Anna Rodgers, Trustee for the C. Anne Rodgers Living Trust, duly elected, March 30, 2006, personally appeared before me, the undersigned notary public and for said trust, in the state of Utah, the signer of the abovesaid power of attorney, one in number, who duly acknowledged to me that she signed it freely and voluntarily and for the purposes herein mentioned on behalf of said Trust.

CORPORATE ACKNOWLEDGMENT

On the day of _____ 2013, personally appeared before me, the undersigned notary public in and for said STATE and county, Carmen Jones, being duly sworn, who testified to me that he is the majority owner of B.U.C.K. and that he signed the above-named affidavits, who duly acknowledged to me that he signed it freely and voluntarily and for the uses and purposes therein mentioned.

1 - STANDARD CITY FRONTAGE IMPROVEMENTS WILL BE REQUIRED ALONG AND WEST STREET ABOVE THE FRONTAGE OF LOT 2, BEHIND

ENTER NO. _____ FILE NO. _____

3 - ATTEND W/NAI CAP OR CLUB NAAL SET ON ALL PROPERTY CONCEPT.

This survey was ordered by Curran Jones of Gloucestershire. The survey was the eighth recommendation found on the list.

North, 20th Floor, Colonnaded National Bldg.,
Wash. D.C. 20540

Plat 9

ATTACHMENT 6) Staff Notes/Requirements and Timeline

From: Jill Hunt

Sent: Monday, November 18, 2019 2:40 PM

To: Bill Cobabe; Boyd Hansen; Jerry Burns; Ken Francis; Leonard Call; Sara Urry; Steve Gibson

Cc: Carson Jones; Lewis Weaver; Jim Flint; Bart Cragun; Ben Slater; Dana Shuler; Lorin Gardner; Ryan Barker; Tyson Jackson

Subject: Heart of Pole Patch

I have put together information for you on the Heart of Pole Patch. If you have questions please let me know because that is what I was hired to do.

Here is the time line of the application and reason for his rush.

- Preliminary Application: paid on 05/22/2018 *pending information from Carson*
- Planning Commission: 02/21/2019 Approved - along with conditions (all requirements are to be met with City Engineer, City Public Works Director, State and City Code, Fees and Fines to be paid prior to recordation of plat)
- City Council: 03/12/19 Approved - along with conditions (all requirements are to be met with City Engineer, City Public Works Director, State and City Code, Fees and Fines to be paid prior to recordation of plat)
- Comments back and forth from Engineers
- Had a meeting with Carson and Jim on Oct 31st @ 1pm
- Beginning of November a realtor came in and asked if Heart of Pole Patch would have final on the 12th. I informed him that we were not. He stated that Carson had given him a written agreement stating that he would have a buildable lot by November 1st. *We have never received an application for a final for the subdivision.* Carson came in and asked if we would issue a building permit for the large lot while we are waiting for the second phase to be subdivided. Since the setbacks are dependent upon where the right of way would be, our inspector and I agreed that it is not in the City's best interest to issue a permit. He also stated that **it would be his career on the line if he were to issue it**. The realtor came in and informed me of the options he has; one being a possible lawsuit against Carson, which we would not get involved in.

In Title 17 Section 17.20.020 Subdivision Code

2. Application shall guarantee the installation of all required improvements by depositing in escrow with an escrow holder approved by the City an amount of money equal to 115% of the cost of the improvements to be installed, according to an estimate approved by the city engineer, under an escrow agreement to assure the installation and guarantee of said improvements.

This means the money has to be there in case we have to pull the amount to make those improvements ourselves. This is why we do not accept lines of credit in place of the escrow.

In Title 1 Section 1.08.010 General Penalty

B: Any person violating any of the provisions or failing to comply with any of the mandatory requirements of any ordinance of Pleasant View is guilty of a class B misdemeanor, except in cases where a different penalty is prescribed by any ordinance of the city, and upon conviction thereof shall be fined or imprisoned as provided in this chapter.

This refers to anyone that works for or with the city. I want to make sure I go on record that I do not want this on my hands as I am not willing to be guilty of a misdemeanor.

Requirements per code for a Final Application:

In Title 17 section 17.08 – Final Subdivision Application and Approval

17.08.010 Intent: It is the intent of this Ordinance that the City Council shall review all Final Subdivision Applications. The Council shall assure compliance with all applicable requirements of this title, applicable city ordinances, and any conditions imposed by the Council for preliminary subdivision approval prior to any approvals. (Ord.2008-5, dated 4/8/08)

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1. Application. A Final Subdivision Application, provided by the City, completed and signed by the owner(s) as identified on the property assessment rolls of Weber County, or authorized agent of the owner(s), of the lands proposed to be subdivided. The Final Subdivision Application shall be accompanied by the application fees, those items found on the check list provided with the application, and documents and items as found herein.

2. Final Subdivision Plat. The applicant shall submit a final subdivision plat, prepared by a licensed land surveyor, conforming to current surveying practice and in a form acceptable to the Weber County Recorder for recordation together with plans as required herein. The final subdivision plat shall be prepared in permanent ink and all sheets shall be numbered. All required certificates shall appear on a single sheet (along with the index and vicinity maps). A minimum of one (1) 11x17 size, five (5) 24x36 size paper copies, and a digital copy in a format acceptable to the City Engineer shall be required. The final subdivision plans shall include any revisions or additions, as required by the City Council, as part of preliminary subdivision approval. The final subdivision plat shall show the following:

a. Notation of any self-imposed restrictions, including proposed final restrictive covenants, and all other restrictions as required by the City

Council in accordance with this Ordinance, signature lines for all owners of interest and the acknowledgment of a public notary.

b. Endorsement lines on the final plat by every person having a security interest in the subdivision property subordinating their liens to all covenants, servitudes and easements imposed on the property.

c. The location of all monuments erected, corners, and other points established in the field. The material of which the monuments, corners, or other points are made shall be noted. Bearings shall be shown to the nearest second; lengths to the nearest hundredth of a foot; areas to the nearest hundredth acre.

d. The owner's certificate of dedication(s) including the dedication of any public ways or spaces. The owner's certificate shall include a reference to any covenants that may be declared and blanks where the County Recorder may enter the book and page number of their recording.

e. A legal description of the subdivision boundaries.

f. Signature blocks prepared for the dated signatures of the Land Use Authority, Planning Department, and City Engineer, in a form acceptable to the city.

3. Title Report. A Title Report, no older than 30 days, shall be provided.

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5. Final design and construction drawings for all proposed or required public improvements, prepared as required by the City Engineer and designed as required by the City, including the profiles and cross sections of all existing and proposed streets, all storm drainage and flood control facilities, the elevations and location of fire hydrants, required culinary and secondary water facilities, sanitary sewer facilities, land drain facilities, storm water pollution prevention plans, and all other provided and required public facilities and improvements. A minimum of one (1) 11x17 size and five (5) 24x36 size paper copies, and a digital copy in a format acceptable to the City Engineer shall be required. One approved, two sets of mylar copies and a digital copy shall be supplied to the city engineer.

6. Other agencies. It shall be the responsibility of the applicant(s) to provide the necessary information and materials as required by other agencies including but not limited to the following:

a. Fire Protection. A letter shall be provided by the developer from the Fire Department to the city of any requirements relating to fire protection. The applicant is responsible to provide information for fire protection capacity analysis and to include on plats and special requirements from such analysis.

b. Special Service District or Special Service Area. If the proposed subdivision is located within the boundaries of a Special Service District or a Special Service Area, a letter shall be provided from the governing board acknowledging the proposed subdivision, which letter may identify any potential impacts resulting from the proposed subdivision.

c. UDOT. If the subdivision will be accessed from a State Highway, proof of preliminary application for an appropriate access permit from the State of Utah Department of Transportation, shall be provided with the application materials.

d. The applicant shall be responsible for any fees charged by such agencies.

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- a. Any proposed or required bonds and agreements.
- b. Copies of CCR's and any other project specific document, signed by the applicant. (The final mylar plat and all relevant documents must be reviewed and approved by appropriate city staff before final signatures and attestations are added for recording purposes).
- c. Proof of inclusion in a secondary water district and the payment of all required fees or proof of ability to provide permanent secondary water in a system acceptable to the city. (Ord.2008-5, dated 4/8/08)

17.08.030 Final Subdivision Approval Procedures:

1. The review and approval procedures of the City for the consideration of a Final

Subdivision Application are identified in Attachment 4. The procedures to determine a complete application are identified by Attachment 3.

2. After a Final Subdivision Application and accompanying documents has received a final review and approval by the Development Review Committee, the application shall be placed on a regular agenda of the City Council for review and action. Once the Council has approved the plat and documents, and any required changes have been made to the plat and documents, the applicant shall submit a final subdivision plat drawn on reproducible mylar complete with owner signatures, dedications and acknowledgements as required herein for receipt of signatures from required City Officials. All required documents, with appropriate signatures and notarizations, shall also be submitted. The final subdivision plat and appropriate documents shall then be signed by appropriate city staff and officials, and be presented for recordation in the Office of the Weber County Recorder.

3. Except as found otherwise in this title, the City Council of Pleasant View City is identified and authorized as the approval authority for Final Subdivision Applications, assuring compliance with all applicable requirements of this Ordinance. The Council may approve the Final Subdivision Application or deny the Final Subdivision Application, accompanied by findings of fact. (Ord.2008-5, dated 4/8/08)

17.08.040 Nature and Effective Period of Final Subdivision Approval:

1. The approval of a Final Subdivision Application shall be effective for a period of one (1) year from the date the final subdivision is approved by the City, at the end of which time the final subdivision plat shall have been recorded in the Office of the Weber County Recorder. If the approved final subdivision plat is not recorded within the one (1) year period of date of approval the final subdivision approval shall be void, and the applicant(s) shall be required to submit a new preliminary subdivision application and fees, subject to the then existing preliminary subdivision application provisions of this Ordinance and all other applicable City, State and Federal requirements. For developments designed to be done in phases, each phase must meet the above requirements (receipt of application within one year of prior phase approvals). (Ord.2008-5, dated 4/8/08)

2. The City Council, for cause and under circumstances as determined appropriate by the Council, may extend the effective approval period in one year or less increments upon request by the applicant. Pursuant to *Chapter 18.70*

Adequacy Public Facilities, a new positive (or conditional) adequacy determination must be obtained and adopted by Council prior to approval of an extension. Otherwise, an extension cannot be granted. (Ord.2014-6, dated 7/22/14 prior code: Ord.2009-5, dated 5/12/09)

17.08.050 Recordation of Final Subdivision Plats: The City Planner, or City designee, shall take all appropriate Final Subdivision Application documents including the signed final plat to the Office of the Weber County Recorder for recordation. The Applicant(s) is required to pay all fees, including copies, for the recording of all final subdivision documents and final plats. (Ord.2008-5, dated 4/8/08)

17.08.060 Site Preparation Work Prohibited:

1. No excavation, grading or re-grading shall take place on any land until final subdivision approval has been granted by the City Council. A grading permit, approved by the City Engineer, is required.

2. No installation of improvements shall take place on any subdivision site until the final subdivision plat has been recorded in the Office of the Weber County Recorder, as provided herein.

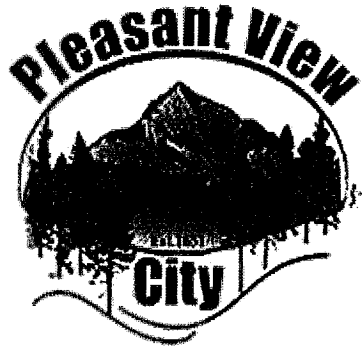
3. No building permits shall be issued by the City, until a final subdivision plat has been recorded in the Office of the Weber County Recorder and improvements as required by the city have been installed. (Ord.2008-5, dated 4/8/08)

If you feel that there are individuals who are exempt from the Pleasant View Municipal Code please provide me with a list of their names along with your signature.

Thank you,

Jill Hunt

Planning Tech
Pleasant View City
520 W Elberta Drive
Pleasant View, UT 84414
Phone (801) 782-8529 ext. 466
Fax (801) 782-0539
www.pleasantviewcity.com
@PleasantViewUT



Laurie Hellstrom

Subject: FW: Heart of Pole Patch

From: Jill Hunt
Sent: Monday, November 18, 2019 2:40 PM
To: Bill Cobabe; Boyd Hansen; Jerry Burns; Ken Francis; Leonard Call; Sara Urry; Steve Gibson
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17.08.020 Requirements for Final Subdivision Applications: All Final Subdivision Applications shall provide the following information;

1. Application. A Final Subdivision Application, provided by the City, completed and signed by the owner(s) as identified on the property assessment rolls of Weber County, or authorized agent of the owner(s), of the lands proposed to be subdivided. The Final Subdivision Application shall be accompanied by the application fees, those items found on the check list provided with the application, and documents and items as found herein.
2. Final Subdivision Plat. The applicant shall submit a final subdivision plat, prepared by a licensed land surveyor, conforming to current surveying practice and in a form acceptable to the Weber County Recorder for recordation together with plans as required herein. The final subdivision plat shall be prepared in permanent ink and all sheets shall be numbered. All required certificates shall appear on a single sheet (along with the index and vicinity maps). A minimum of one (1) 11x17 size, five (5) 24x36 size paper copies, and a digital copy in a format acceptable to the City Engineer shall be required. The final subdivision plans shall include any revisions or additions, as required by the City Council, as part of preliminary subdivision approval. The final subdivision plat shall show the following:

- a. Notation of any self-imposed restrictions, including proposed final restrictive covenants, and all other restrictions as required by the City Council in accordance with this Ordinance, signature lines for all owners of interest and the acknowledgment of a public notary.
 - b. Endorsement lines on the final plat by every person having a security interest in the subdivision property subordinating their liens to all covenants, servitudes and easements imposed on the property.
 - c. The location of all monuments erected, corners, and other points established in the field. The material of which the monuments, corners, or other points are made shall be noted. Bearings shall be shown to the nearest second; lengths to the nearest hundredth of a foot; areas to the nearest hundredth acre.
 - d. The owner's certificate of dedication(s) including the dedication of any public ways or spaces. The owner's certificate shall include a reference to any covenants that may be declared and blanks where the County Recorder may enter the book and page number of their recording.
 - e. A legal description of the subdivision boundaries.
 - f. Signature blocks prepared for the dated signatures of the Land Use Authority, Planning Department, and City Engineer, in a form acceptable to the city.
3. Title Report. A Title Report, no older than 30 days, shall be provided.
 4. Tax Clearance. A tax clearance from the Weber County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.
 5. Final design and construction drawings for all proposed or required public improvements, prepared as required by the City Engineer and designed as required by the City, including the profiles and cross sections of all existing and proposed streets, all storm drainage and flood control facilities, the elevations and location of fire hydrants, required culinary and secondary water facilities, sanitary sewer facilities, land drain facilities, storm water pollution prevention plans, and all other provided and required public facilities and improvements. A minimum of one (1) 11x17 size and five (5) 24x36 size paper copies, and a digital copy in a format acceptable to the City Engineer shall be required. One approved,

two sets of mylar copies and a digital copy shall be supplied to the city engineer.

6. Other agencies. It shall be the responsibility of the applicant(s) to provide the necessary information and materials as required by other agencies including but not limited to the following:

- a. Fire Protection. A letter shall be provided by the developer from the Fire Department to the city of any requirements relating to fire protection. The applicant is responsible to provide information for fire protection capacity analysis and to include on plats and special requirements from such analysis.
 - b. Special Service District or Special Service Area. If the proposed subdivision is located within the boundaries of a Special Service District or a Special Service Area, a letter shall be provided from the governing board acknowledging the proposed subdivision, which letter may identify any potential impacts resulting from the proposed subdivision.
 - c. UDOT. If the subdivision will be accessed from a State Highway, proof of preliminary application for an appropriate access permit from the State of Utah Department of Transportation, shall be provided with the application materials.
 - d. The applicant shall be responsible for any fees charged by such agencies.
7. Other Final Subdivision Application Information and Materials. The following information is required to be presented as part of the Final Subdivision Application:
- a. Any proposed or required bonds and agreements.
 - b. Copies of CCR's and any other project specific document, signed by the applicant. (The final mylar plat and all relevant documents must be reviewed and approved by appropriate city staff before final signatures and attestations are added for recording purposes).
 - c. Proof of inclusion in a secondary water district and the payment of all required fees or proof of ability to provide permanent secondary water in a system acceptable to the city. (Ord.2008-5, dated 4/8/08)

17.08.030 Final Subdivision Approval Procedures:

1. The review and approval procedures of the City for the consideration of a Final Subdivision Application are identified in Attachment 4. The procedures to determine a complete application are identified by Attachment 3.
2. After a Final Subdivision Application and accompanying documents has received a final review and approval by the Development Review Committee, the application shall be placed on a regular agenda of the City Council for review and action. Once the Council has approved the plat and documents, and any required changes have been made to the plat and documents, the applicant shall submit a final subdivision plat drawn on reproducible mylar complete with owner signatures, dedications and acknowledgements as required herein for receipt of signatures from required City Officials. All required documents, with appropriate signatures and notarizations, shall also be submitted. The final subdivision plat and appropriate documents shall then be signed by appropriate city staff and officials, and be presented for recording in the Office of the Weber County Recorder.
3. Except as found otherwise in this title, the City Council of Pleasant View City is identified and authorized as the approval authority for Final Subdivision Applications, assuring compliance with all applicable requirements of this Ordinance. The Council may approve the Final Subdivision Application or deny the Final Subdivision Application, accompanied by findings of fact. (Ord.2008-5, dated 4/8/08)

17.08.040 Nature and Effective Period of Final Subdivision Approval:

1. The approval of a Final Subdivision Application shall be effective for a period of one (1) year from the date the final subdivision is approved by the City, at the end of which time the final subdivision plat shall have been recorded in the Office of the Weber County Recorder. If the approved final subdivision plat is not recorded within the one (1) year

period of date of approval the final subdivision approval shall be void, and the applicant(s) shall be required to submit a new preliminary subdivision application and fees, subject to the then existing preliminary subdivision application provisions of this Ordinance and all other applicable City, State and Federal requirements. For developments designed to be done in phases, each phase must meet the above requirements (receipt of application within one year of prior phase approvals). (Ord.2008-5, dated 4/8/08)

2. The City Council, for cause and under circumstances as determined appropriate by the Council, may extend the effective approval period in one year or less increments upon request by the applicant. Pursuant to *Chapter 18.70 Adequacy Public Facilities*, a new positive (or conditional) adequacy determination must be obtained and adopted by Council prior to approval of an extension. Otherwise, an extension cannot be granted. (Ord.2014-6, dated 7/22/14 prior code: Ord.2009-5, dated 5/12/09)

17.08.050 Recordation of Final Subdivision Plats: The City Planner, or City designee, shall take all appropriate Final Subdivision Application documents including the signed final plat to the Office of the Weber County Recorder for recordation. The Applicant(s) is required to pay all fees, including copies, for the recording of all final subdivision documents and final plats. (Ord.2008-5, dated 4/8/08)

17.08.060 Site Preparation Work Prohibited:

1. No excavation, grading or re-grading shall take place on any land until final subdivision approval has been granted by the City Council. A grading permit, approved by the City Engineer, is required.
2. No installation of improvements shall take place on any subdivision site until the final subdivision plat has been recorded in the Office of the Weber County Recorder, as provided herein.
3. No building permits shall be issued by the City, until a final subdivision plat has been recorded in the Office of the Weber County Recorder and improvements as required by the city have been installed. (Ord.2008-5, dated 4/8/08)

If you feel that there are individuals who are exempt from the Pleasant View Municipal Code please provide me with a list of their names along with your signature.

Thank you,

Jill Hunt

Planning Tech

Pleasant View City

520 W Elberta Drive

Pleasant View, UT 84414

Phone (801) 782-8529 ext. 466

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First and most important if the land owner, Ann Dodson, does not approve and sign off on the project it is a legal nightmare if the City pursues this.

Carson wanted us to copy the owner's signature from previous application for final

(1 & 2) Final application & fee: I just found out about this today - I'm not blaming anybody - I'm sure Carson will take care of this today, or before meeting tomorrow.

- This has been the process for the last 11 years (ordinance was last changed in 2008). This is Carson's responsibility to have the application filled out completely with signatures as this is his project.

- Projects between this time: Deer Crest (phase 1, 2, & 3) and Harris Hills (Phase 1, 2, & 3)

All of these projects required Final Application. Jim Flint has been involved in all these phases and other subdivisions with other developers.

(3) Escrow Agreement: I just found out about this today, certainly no resistance regarding this or on Lorin's established amount. Typically, developers install a majority of improvements and then this, months later, is effectuated. I concur that if plat is to be recorded very soon it needs to be culminated. It's self-enforcing - City doesn't allow Mylar to be recorded without posting of financial security. I'm not totally up to speed on the City's escrow opportunities - in the past, a bank-certified LC with developers and City's name on it has been satisfactory to a number of jurisdictions.

17.20.020 Installation of improvements and guarantee

2. The applicant shall guarantee the installation of all required

Improvements by depositing in escrow with an escrow holder approved by the City an amount of money equal to 115% of the cost of the improvements to be installed, according to an estimate approved by the city engineer, under an escrow agreement to assure the installation and guarantee of said improvements. The escrow agreement form shall be approved by the City Attorney and shall be filed with the City. (Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

Projects where escrow was used and City had to pull: West view (Jacob's Mill) park was not finished as developer promised. HOA finished and City pulled and released the escrow to HOA as they finished. Park Springs storm water issues, Country Fields in 2018 kept as the trees were not finished.

(4) Off-site easement for secondary water line: agreed it needs to be effectuated, or, Carson can re-route via a different route (in southerly PUE). It's relatively self-enforcing like power & gas - if developer doesn't comply, Pineview doesn't sign off.

- This would be part of the engineering. If we are fine to have it in the PUE then it needs to be reflected on the plans with their agreement as they would be the ones putting it in. Pineview has to approve before any construction begins.

Chapter 13.16 - Secondary Water

13.16.010 Connection to Secondary Water System. It is unlawful for the owner of any residential or agricultural property, which has access to a secondary water system for irrigation of such property, to fail to connect to such secondary water system, after the 25th day of August, 1992; provided, however, that any premises for which application has been made to the management of any available secondary water system for connection, and necessary fees paid, before the 25th day of September, 1992, will be allowed ninety additional days after the 25th day of September, 1992, within which to complete such connection. (Ord 92-10, 8/25/92)

13.16.020 Prohibited Irrigation Systems. It is unlawful for any person to install, construct or use any irrigation system which is so constructed that water may pass from secondary water system into any culinary water pipe within the corporate limits of the city. (Ord 92-10, 8/25/92)

13.16.030 Use of Culinary Water for Irrigation Prohibited. It is unlawful for any person, whether owner or occupant, of any residential or agricultural property, which can be served by secondary water system to use culinary water from the city water works for the purpose of irrigating any yard, garden

or lawn, after the 25th day of August, 1992; provided, however, that if application for water connection has been made to the management of any available secondary water system, for connection, and the necessary fees paid, before the 25th day of September, 1992, that this section will not be applicable to use of culinary water on such premises pending completion of installation of such connection to secondary water system before the 25th day of December, 1992. (Ord 92-10, 8/25/92)

It is unlawful for any person, whether owner or occupant, or any residential or agricultural property that does not have access to secondary water, to utilize culinary water for the purpose of irrigation any yard, garden or lawn, or other landscape purposes after the 15th of October through the 15th of April. (Ord 2014-5, dated 7/8/14)

13.16.040 Building Permits Issued. Building permits for individual lots, or lots in subdivisions will be given only when the lot has secondary water available to it. Previous agreements with the city of Pleasant View will be recognized as possible exceptions. (Ord 92-10, 8/25/92)

13.16.050 Violation-Penalty. Any person violating any provision of this chapter is guilty of a misdemeanor and shall be punishable as provided by law. (Ord 92-10, 8/25/92)

17.08 - FINAL SUBDIVISION APPLICATION AND APPROVAL

17.08.020 Requirements for Final Subdivision Applications

5. Final design and construction drawings for all proposed or required public improvements, prepared as required by the City Engineer and designed as required by the City, including the profiles and cross sections of all existing and proposed streets, all storm drainage and flood control facilities, the elevations and location of fire hydrants, required culinary and secondary water facilities, sanitary sewer facilities, land drain facilities, storm water pollution prevention plans, and all other provided and required public facilities and improvements. A minimum of one (1) 11x17 size and five (5) 24x36 size paper copies, and a digital copy in a format acceptable to the City Engineer shall be required. One approved, two sets of mylar copies and a digital copy shall be supplied to the city engineer.

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a. Fire Protection. A letter shall be provided by the developer from the Fire Department to the city of any requirements relating to fire protection. The applicant is responsible to provide information for fire protection capacity analysis and to include on plats and special requirements from such analysis.

b. Special Service District or Special Service Area. If the proposed subdivision is located within the boundaries of a Special Service District or a Special Service Area, a letter shall be provided from the governing board acknowledging the proposed subdivision, which letter may identify any potential impacts resulting from the proposed subdivision.

c. UDOT. If the subdivision will be accessed from a State Highway, proof of preliminary application for an appropriate access permit from the State of Utah Department of Transportation, shall be provided with the application materials.

d. The applicant shall be responsible for any fees charged by such agencies.

7. Other Final Subdivision Application Information and Materials. The following information is required to be presented as part of the Final Subdivision Application:

a. Any proposed or required bonds and agreements.

b. Copies of CCR's and any other project specific document, signed by the applicant. (The final mylar plat and all relevant documents must be reviewed and approved by appropriate city staff before final signatures and attests are added for recording purposes).

c. Proof of inclusion in a secondary water district and the payment of all required fees or proof of ability to provide permanent secondary water in a system acceptable to the city. (Ord.2008-5, dated 4/8/08)

(5) CWSID will serve letter - understanding of Director was that his will-serve letter was issued for all three phases of project (not just phase 1) - I think that's been clarified.

- We need a letter stating all phases 1, 2, and 3 etc. or a letter for each separate phase. We only have one letter stating phase 1 amendment 3. We need to have proof in case the district comes back we have no back up as it is he said she said.