

WEST HAVEN CITY  
COUNCIL AGENDA

AMENDED

June 3, 2020 6:00 P.M.  
City Council Chambers  
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **June 3, 2020** THE COUNCIL OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETINGS:  
**4:00 PM:** COUNCIL WORKSHOP **6:00 PM:** REGULAR WEDNESDAY CITY COUNCIL MEETING. DUE TO EMERGENCY PROTOCOLS RECENTLY ENACTED BY MAYOR BOLOS AND EXECUTIVE ORDER 2020-26 ISSUED BY THE LT. GOVERNOR PUBLIC ATTENDANCE IS ALLOWED WITH A MAXIMUM OF 50 PEOPLE. JOIN US DIGITALLY FOR THE WORK SESSION [HTTPS://US02WEB.ZOOM.US/J/87923981892](https://us02web.zoom.us/j/87923981892) AND COUNCIL MEETING [HTTPS://US02WEB.ZOOM.US/J/86170607267](https://us02web.zoom.us/j/86170607267).

1. MEETING CALLED TO ORDER: Mayor Bolos
2. OPENING CEREMONIES
  - A. PLEDGE OF ALLEGIANCE Councilmember Morse
  - 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. ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)
  - A. PRELIMINARY SITE PLAN APPROVAL-FRONTLINE CONCRETE PUMPING-1997 S 1550 W-ROPER BUILDINGS
  - B. PRELIMINARY SUBDIVISION APPROVAL-GENETTI FARMS SUBDIVISION #4 SUBDIVISION-APPROX. 3689 S 3500 W-ROBERT FISHER
  - C. ACTION ON ORDINANCE 23-2020-STORAGE CONTAINERS
5. DISCUSSION-2020 MITIGATION PLAN
6. ACTION ON CONSENT AGENDA

|                         |              |                       |
|-------------------------|--------------|-----------------------|
| A. CITY COUNCIL MINUTES | MEETING HELD | May 6, 2020           |
| B. GARDNER ENGINEERING  | \$34,762.25  | Inv. #0420120-0420126 |
| C. SUNRISE ENGINEERING  | \$13,572.00  | Inv. #0110091         |
| D. UTAH JAZZ            | \$11,913.00  | Inv. #JJ205-IN        |
7. 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: [emlyg@westhavencity.com](mailto:emlyg@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  
PRE-COUNCIL WORKSHOP AGENDA  
HELD PRIOR TO CITY COUNCIL MEETING  
WEDNESDAY JUNE 3, 2020**

**@**

**4:00 PM – In City Council Chambers**

*NO ACTION CAN OR WILL BE TAKEN ON ANY CITY COUNCIL MEETING AGENDA ITEMS DISCUSSED DURING  
PRE-COUNCIL WORKSHOP - DISCUSSION OF SUCH ITEMS IS FOR CLARIFICATION OF AGENDA ITEMS.*

**MEETING TO ORDER:**

**MAYOR BOLOS**

**REPORTS AND DISCUSSION AS FOLLOWS:**

1. Staff Updates- Mayor Bolos
2. Assignment Updates
3. Strategic Plan- Matt Dixon
4. Attorney Q & A- Ken Bradshaw
5. Other Business-Mayor Bolos
6. Planning Commission/City Council Agenda Items- Steve Anderson



SITE PLAN  
RESORT COMMERCIAL, COMMERCIAL OR  
MANUFACTURING

Date 5/11/2020

Address of Site: 1997 S. 1550 W Property Parcel # 15069 0054

Applicant's Name: Brett Johnston

Address: 1997 S. 1550 W Phone: 801-814-0648

Application is hereby made to West Haven City requesting the following permitted use(s),  
Storage and

Site plan design, be approved on 2.15 acres of  
(acreage)

Property in the \_\_\_\_\_ zone in accordance with the attached site plan. (see attached form for site plan requirements.)

Signed: [Signature] Date: 5/11/2020  
(Owner/Petitioner)

I authorize Brett Johnston to act as my representative in all matters relating to this application.

Brett Johnston (Owner)

Ropax Buildings (Agent as Authorized by Owner)

\_\_\_\_\_ Please initial to indicate that you have received a copy of the site plan requirements and Chapter 28

| Elevation                                                       |                                                                                                              |                              |             | Please show the percentage of each elevation for each category.                                                                                                                                                                               |
|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| N                                                               | E                                                                                                            | S                            | W           |                                                                                                                                                                                                                                               |
| <u>100%</u>                                                     | <u>100%</u>                                                                                                  | <u>100%</u>                  | <u>100%</u> | Primary Materials i.e. <u>architecture insulated metal panels</u> , block, brick, glass, rock, and stone.                                                                                                                                     |
| —                                                               | —                                                                                                            | —                            | —           | Secondary Materials i.e. concrete, corrugated or ribbed metal, fiber/cement siding, oriented strand board treated siding such as LP siding, stucco, tile and wood.                                                                            |
| —                                                               | —                                                                                                            | —                            | —           | Upgraded Architectural Features i.e. archways, awnings, bays, bonds, quoins and different brick patterns, canopies, corbels, decorative cornices, dormers, permanent decorative art, pillars, porte cocheres, porches, porticos, and timbers. |
| Number of parking spaces for your business                      |                                                                                                              |                              |             | <u>N/A</u>                                                                                                                                                                                                                                    |
| Percentage of landscaping                                       |                                                                                                              |                              |             | <u>N/A</u>                                                                                                                                                                                                                                    |
| Fees                                                            |                                                                                                              |                              |             |                                                                                                                                                                                                                                               |
| Preliminary                                                     | \$100.00 for the first acre plus \$25.00 for each acre over one to five and \$10.00 for each additional acre |                              |             |                                                                                                                                                                                                                                               |
| City Review                                                     | \$100.00                                                                                                     | Amount _____ Date Paid _____ |             |                                                                                                                                                                                                                                               |
| Final                                                           | \$100.00                                                                                                     |                              |             |                                                                                                                                                                                                                                               |
| For Office Use Only                                             |                                                                                                              |                              |             |                                                                                                                                                                                                                                               |
| Scheduled date for Agenda <u>5-27-2020</u>                      |                                                                                                              |                              |             |                                                                                                                                                                                                                                               |
| Planning Commission Preliminary Approval _____ Conditions _____ |                                                                                                              |                              |             |                                                                                                                                                                                                                                               |
| Council Preliminary Approval _____ Conditions _____             |                                                                                                              |                              |             |                                                                                                                                                                                                                                               |
| Planning Commission Final Approval _____ Conditions _____       |                                                                                                              |                              |             |                                                                                                                                                                                                                                               |
| Council Final Approval _____ Conditions _____                   |                                                                                                              |                              |             |                                                                                                                                                                                                                                               |

IN WEST HAVEN CITY  
SCALE 1" = 200'

NW. 1/4

SCALE 1" = 200'



# FABRAL® ENDURACOTE®

METAL WALL AND ROOF SYSTEMS COLOR CHART - SMP PAINT SYSTEM

Brite White 824 IR=.60

White 899 IR=.54

Ivory 883 IR=.62

Light Stone 887 IR=.51

Tan 855 IR=.38

Hickory Moss 870 IR=.26

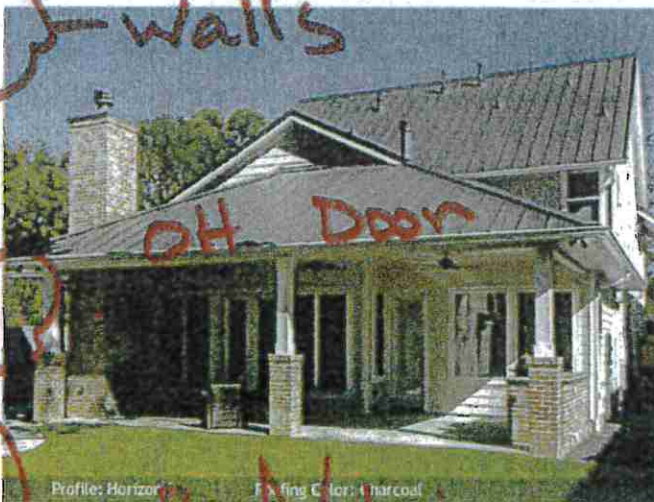
Cocoa Brown 856 IR=.35

Dark Brown 850 IR=.20

Antique Bronze 854 IR=.29

Patina Green 893 IR=.38

Evergreen 875 IR=.27



Colors shown are as close to actual colors as allowed by the printing process. Actual metal samples are available. Colors may appear different when viewed at different angles & under different lighting conditions.

Due to product improvements, changes & other factors, we reserve the right to change or delete information herein without prior notice.

\*\* Subject to premium pricing.



\*All colors are ENERGY STAR® approved

IR = Initial Reflectivity

Hartford Green 821 IR=.29

Caribbean Blue 881 IR=.27

Gallery Blue 826 IR=.29

Brick Red 898 IR=.31

Brite Red 845 IR=.32

Classic Burgundy 853 IR=.26

Ash Gray 848 IR=.30

Light Gray 889 IR=.31

Charcoal Gray 851 IR=.35

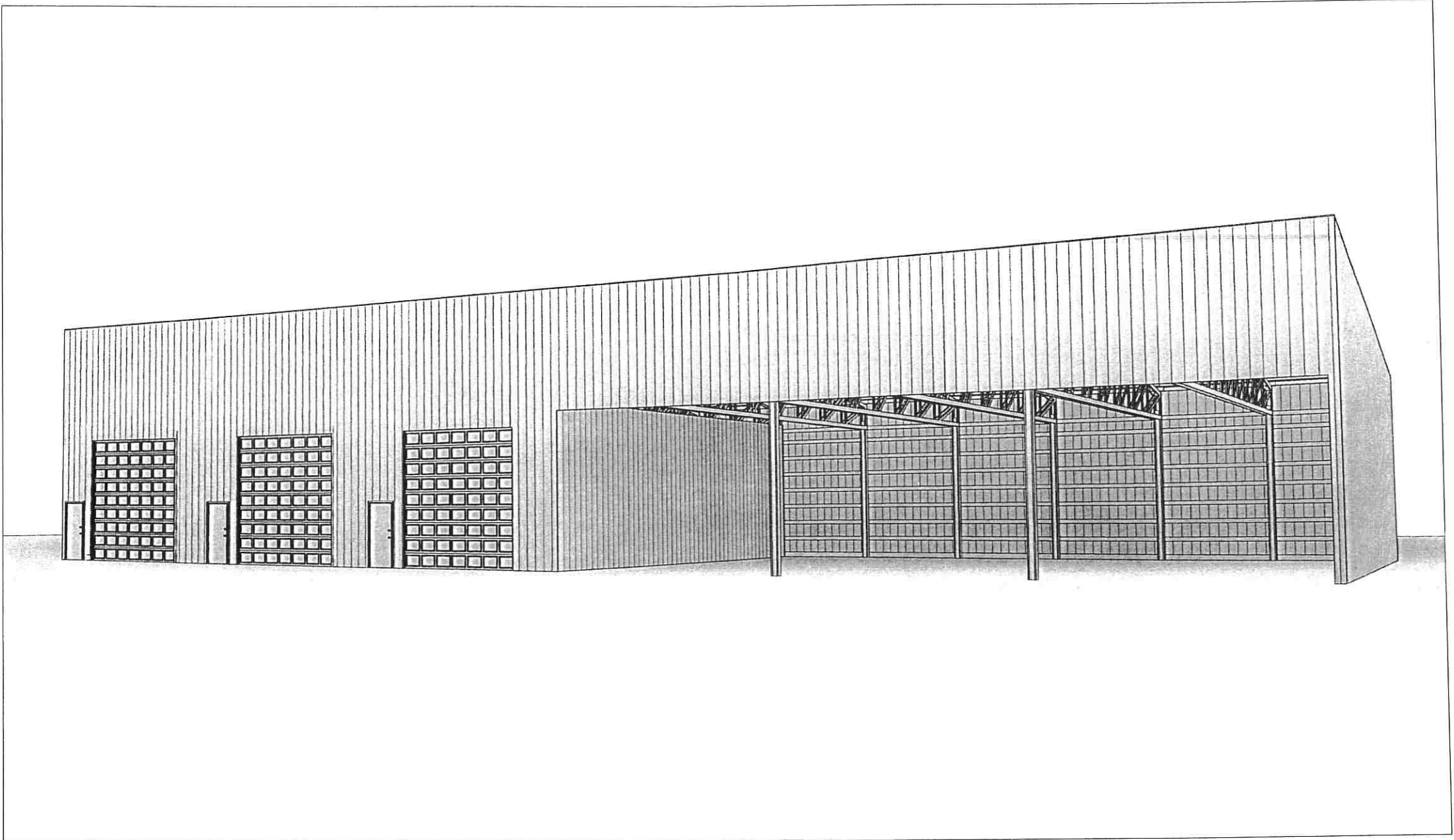
True Black 882 IR=.30

Copper Penny 939 \*\* IR=.48



# ROPER BUILDINGS

## BRETT JOHNSTON #2



### DRAWING INDEX

|    |                  |
|----|------------------|
| A0 | Title Page       |
| A1 | Foundation Plan  |
| A2 | First Floor Plan |
| A3 | Elevations       |
| A4 | Girt Plans       |
| A5 | Roof Plan        |
| A6 | Panel Layouts    |
| A7 | Details 1        |
| A8 | Details 2        |

DATE:  
5/6/2020

### CONTACTS

**DRAFTING:**

RAW DESIGN  
CONTACT: CHRIS CARLTON  
PHONE: (801) 879-6114

**ENGINEERING:**

PRICE ENGINEERING  
CONTACT: KYLE PRICE  
PHONE: (801) 791-6274

**CONTRACTOR:**

ROPER BUILDINGS  
CONTACT: DAN SCARBROUGH  
PHONE: (801) 689-3630

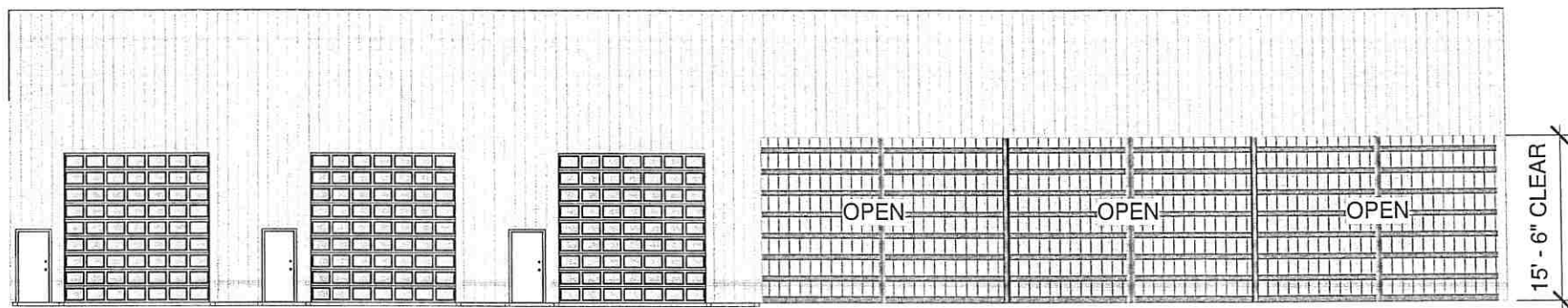
### BUILDING INFORMATION

**BUILDING INFORMATION:**

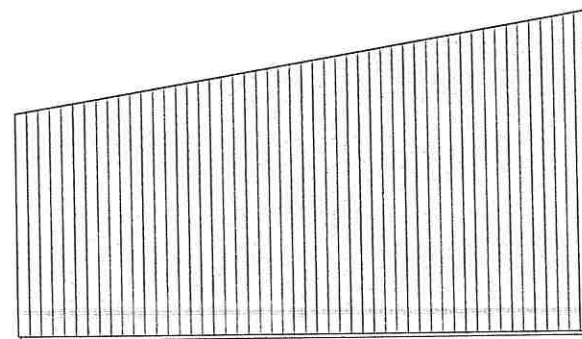
DIMENSIONS: 50' x 144'  
TOTAL SQUARE FOOTAGE: 7,200 Sq. Ft.

**SITE INFORMATION:**

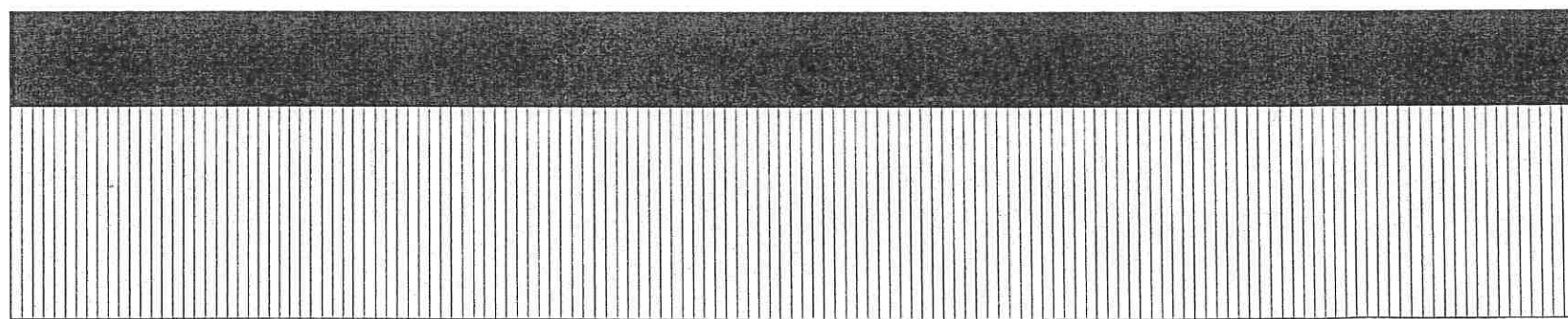
ADDRESS:  
1997 South 1550 West  
West Haven, UT 84401



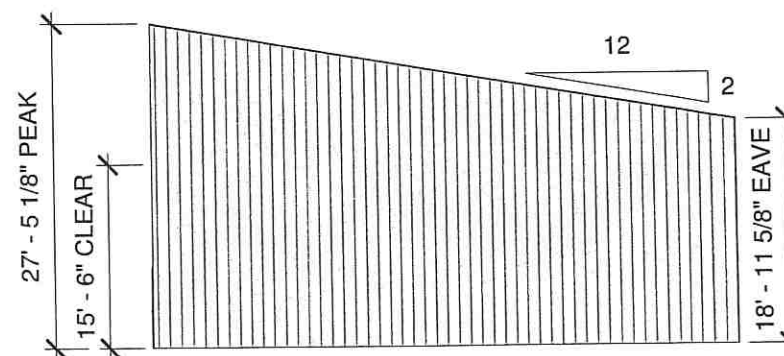
① NORTH ELEVATION  
1/16" = 1'-0"



② EAST ELEVATION  
1/16" = 1'-0"



③ SOUTH ELEVATION  
1/16" = 1'-0"



④ WEST ELEVATION  
1/16" = 1'-0"

ROPER BUILDINGS

DAN SCARBROUGH  
(801) 540-5586

BRETT JOHNSTON #2

1997 South 1550 West  
West Haven, UT 84401

Date: 5/7/2020

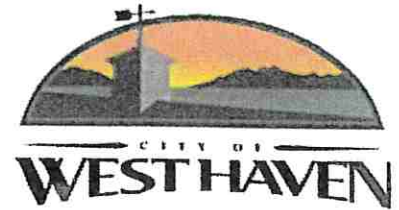
Scale: 1/16" = 1'-0"

Drawn by: CBC

Job: JOHNST #2

Elevations

A3



## SUBDIVISION APPLICATION

WEST HAVEN CITY PLANNING COMMISSION  
PHONE 801-731-4519

SUBDIVISION NAME Genetti Farms Subdivision #4

LOCATION 3711S. 3500W PARCEL # 080360030

NO. OF LOTS/NO. OF BUILDINGS 2 ZONE R2.5

Applicants Name Robert Fisher Phone 435.669.3768 Fax N/A

Address 3697S. 3500W City West Haven State UT Zip 84401

<sup>Landmark Survey</sup>  
Surveyor/Engineer Tyler Knight Phone 801 731 4075 Fax N/A

Address 4646S. 3500W #3 City West Haven State UT Zip 84401

\*\*\*\*\*

### OFFICE USE

Scheduled for Planning Commission Agenda May 27, 2020

### 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

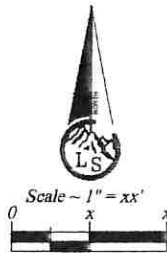
Amount 325.00 Paid Date \_\_\_\_\_ Amount 225.00 Paid Date \_\_\_\_\_

\*\*\*\*\*

# GENETTI FARMS SUBDIVISION NO. 4 1ST AMENDMENT

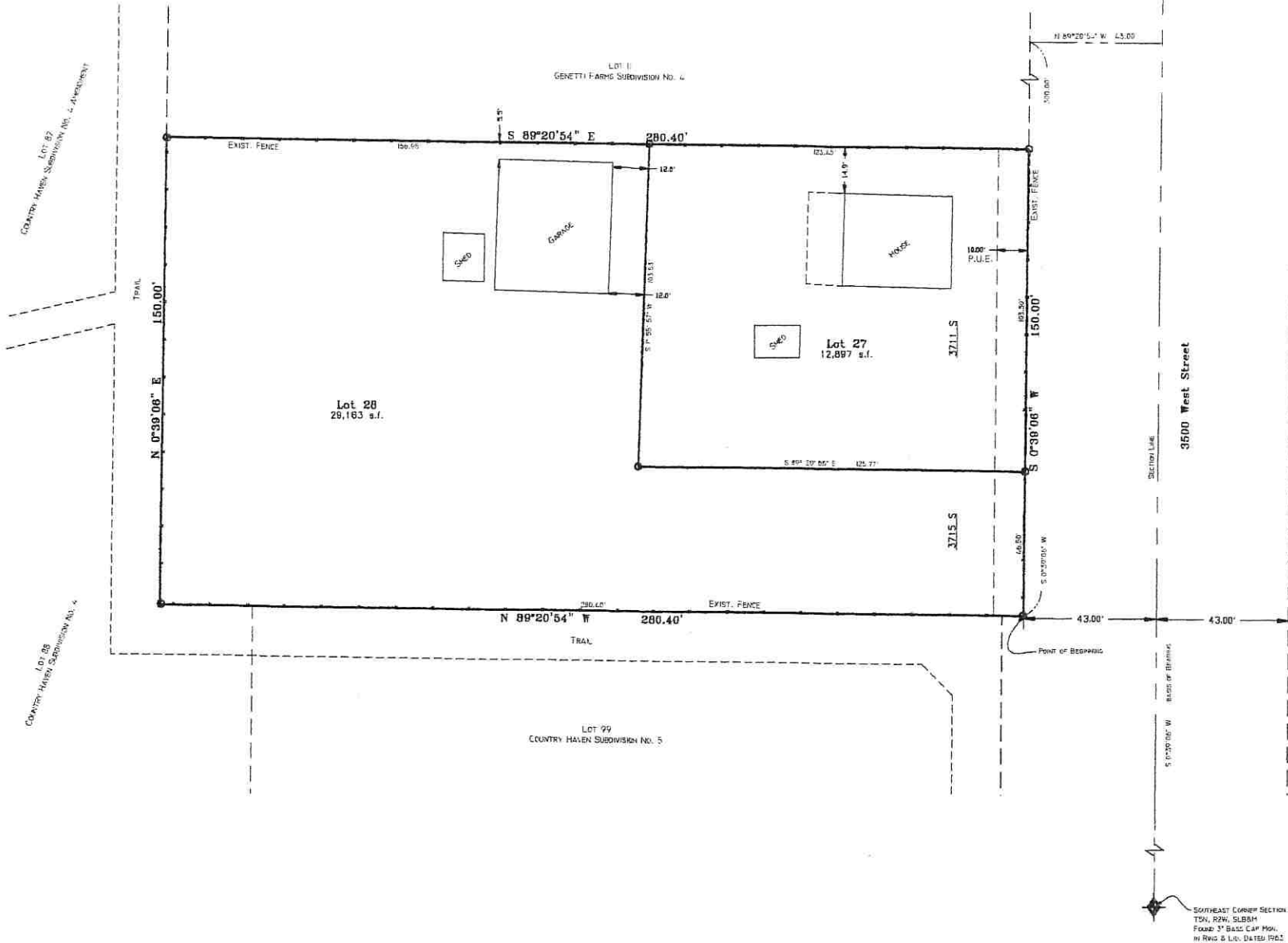
AMENDING LOT 12

PART OF THE SE 1/4 OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN  
WEST HAVEN CITY, WEBER COUNTY, UTAH - MAY 2020



**Legend**  
--- EXISTING FENCE  
--- EASEMENTS (as labeled or granted)  
--- STREET CENTERLINE  
--- FND SECTION CORNER

- FND STREET MONUMENT
- FND CURB NAIL
- FND REBAR AND CAP
- SET #5x24" REBAR AND CAP STAMPED LANDMARK



## OWNER'S DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into Lots as shown or noted hereon and name said tract GENETTI FARMS SUBDIVISION NO. 4 1ST AMENDMENT.

We hereby grant and convey a perpetual right and easement over, upon and under the lands designated hereon as Public Utility Easement (PUE), storm water detention/retention pond(s), drainage easement(s), and canal maintenance easement(s), the same to be used for the installation, maintenance and operation of public utility service line(s), storm drainage facilities, irrigation canal(s) or for the perpetual preservation of water channels in their natural state whichever is applicable to the governing entity and as may be authorized by the governing entity, with no buildings or structures being erected within such easements without authorization of the governing entity.

## Individual Acknowledgement

IN WITNESS WHEREOF, the hand of said Grantor(s), this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ROBERT T. FISHER

STATE OF UTAH )  
COUNTY OF WEBER ) SS

WHEREAS, the foregoing instrument was acknowledged, subscribed, and sworn before me on the date first above written and personally appeared before me the above named signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

THEREFORE, as a Notary Public commissioned in Utah, Witness my hand and official seal.

Notary Signature: \_\_\_\_\_  
(print name below signature):

My Commission Expires: \_\_\_\_\_

## BOUNDARY DESCRIPTION

A part of the Southeast Quarter of Section 4, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey.

Beginning at a point on the West right-of-way line of 3500 West Street being 462.00 feet South 0°39'06" West along the Section line, 43.00 feet North 89°20'54" West to said right-of-way, and 300.00 feet South 0°39'06" West along said right-of-way from the Northeast corner of said Southeast Quarter Section; and running thence North 89°20'54" West 380.40 feet; thence North 0°39'06" East 150.00 feet; thence South 89°20'54" East 380.40 feet to said right-of-way; thence along said right-of-way South 0°39'06" West 150.00 feet to the point of beginning.

Contains 42,060 s.f.

## NARRATIVE

This survey was requested by Robert Fisher to Create two parcels from parcel 06-036-0030, being Lot 12 of Genetti Farms Subdivision No. 4 according to the official plat thereof, and a 13.4 foot strip of land West of said Lot 12, by process of an Amended Plat.

Documents used to side in this survey:

1. Weber County Tax Plat 06-036
2. Deeds of record as found in the Weber County Records Office for parcels 06-036-0004, 06-036-0030, 06-036-0031
3. Plats of Record: #37-010 Genetti Farms Subdivision No.2, #41-061 Genetti Farms Subdivision No.4, #56-022 Country Haven Subdivision No.4, #60-052 Country Haven Subdivision No.4 Amended, #81-042 Country Haven Subdivision No.5

Centerline of 3500 West Street was established by the Section Line. Boundaries were established using recorded documents. Descriptions for the 13.4 foot strip of land have erroneous calls that have been corrected in this survey plat to fit occupied ground.

Basis of bearing is state plane grid from monument as shown.

## SURVEYOR'S CERTIFICATE

I, Tyler D. Knight, do hereby certify that I am a professional land surveyor in the State of Utah in accordance with Title 56, Chapter 22, Professional Engineers and Land Surveyors Act, and hold certificate no. 8008384-2201 as prescribed by the laws of this State. That I have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17. That this plat was prepared from the field notes of this survey and from documents and records as noted hereon. Monuments have been placed as represented on the plat.



**WEST HAVEN CITY PLANNING COMMISSION APPROVAL**  
This is to certify that this subdivision plat was duly approved by West Haven City Planning Commission on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Chairman \_\_\_\_\_

**WEST HAVEN CITY ATTORNEY**  
I hereby certify that the requirements of all applicable statutes and ordinances prerequisite to approval by the City attorney of the foregoing plat and dedications have been complied with.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature \_\_\_\_\_

**WEST HAVEN CITY ACCEPTANCE**  
This is to certify that the subdivision plat, the dedication of streets, and the granting of easements and other public ways shown hereon are hereby approved and accepted.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Mayor: Sharon A. Bolan

Allyce \_\_\_\_\_

**WEST HAVEN CITY ENGINEER**  
Approved by the West Haven City Engineer on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature \_\_\_\_\_

|                                                                                                                                                                               |                 |                                                                                                                                                                                                                                                    |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Landmark Surveying, Inc.</b><br>A Complete Land Surveying Service<br>www.LandmarkSurveyingUtah.com<br>4448 South 2500 West - Rm. 2<br>West Haven, UT 84401<br>801-731-4075 |                 | <b>Weber County Recorder</b><br>Entry no. _____<br>Filed for record and recorded<br>day of _____, 20__<br>at _____<br>in book _____ of official records.<br>on page _____<br>County Recorder: Leann H. Kille<br>By Deputy: _____<br>Fee paid _____ |  |
| <b>DEVELOPER: Robert Fisher</b><br>Address: 3711 S. 3500 W.<br>West Haven, UT 84401                                                                                           |                 | Subdivision                                                                                                                                                                                                                                        |  |
| SE 1/4 of Section 4, Township 5 North,<br>Range 2 West, Salt Lake Base and Meridian.                                                                                          |                 | Subdivision                                                                                                                                                                                                                                        |  |
| Revisions:                                                                                                                                                                    | DRAWN BY: TA    |                                                                                                                                                                                                                                                    |  |
| CHECKED BY:                                                                                                                                                                   | DATE: 4-27-2020 |                                                                                                                                                                                                                                                    |  |
| PROJ: 1026                                                                                                                                                                    |                 |                                                                                                                                                                                                                                                    |  |

**ORDINANCE NO. 23-2020**

**AN ORDINANCE OF WEST HAVEN CITY, UTAH, REVISING AND AMENDING THE CITY CODE; MAKING CERTAIN CHANGES TO THE ZONING CODE TO ADD A DEFINITION FOR TEMPORARY STORAGE UNITS, CONTAINERS AND STRUCTURES; AND ADDING LANGUAGE TO EACH ZONE TO REGULATE TEMPORARY STORAGE UNITS, CONTAINERS AND STRUCTURES IN THE DIFFERENT ZONES; 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 temporary storage units, containers, and structures, and those regulations that govern those containers, 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:**

TEMPORARY STORAGE UNITS, CONTAINERS, OR STRUCTURE Any building, structure, container, or unit that can be moved by any means. It is not affixed to a permanent foundation and is not built with materials consistent with residential or commercial construction. This definition shall include but is not be limited to: tractor trailers; containers originally designed for truck, rail, or boat transportation; those commercial storage units that can be rented; any temporary structure constructed without a building permit.

**BE IT FURTHER ORDAINED** by the West Haven City Council that the following shall be added to the West Haven Zoning Code to the specific zones that are referenced:

**1. All Residential Zones shall be amended to add the additional language to each zone:**

- A. Temporary storage units, containers, or structures will not be allowed in this zone except for temporary new construction sites with a valid current building permit issued by the city of West Haven. Temporary storage units, containers, or structures must be removed within 30 days of completion or abandonment of construction or permit expiration whichever comes first.
- B. Temporary storage units, containers, or structures may be used for moving and are allowed on a hard surface in a residential zone for up to 14 (fourteen) days for the outgoing resident and an additional 14 (fourteen) days for the incoming resident.
- C. Temporary storage units, containers, or structures may be used for Remodeling projects in established neighborhoods for a period of up to 120 (one hundred twenty) days if placed in the driveway of a residence and up to 6 (six) months if placed behind a home, solid fence, outbuildings or other obstruction as to obscure the view of the unit, container, or structure from the road. A valid current building permit is required.
- D. Permanent use of these temporary storage units, containers, or structures shall not be allowed in any residential zone on lots of less than one acre. One storage unit is allowed per acre or larger but the maximum number is one unit per two acres then one per additional acre with a conditional use permit. The unit, container, or structure shall be placed on a permanent foundation, and made to look like the residential home it is associated with, including the use of similar building materials and colors. A building permit and a site plan is required for the location and exterior look of the unit, container, or structure, and the building permit and site plan must be approved by City Staff prior to installation.

E. Conflict of Private Restrictions. The City has no obligation or responsibility to research and enforce an applicant's property's existing private covenants, conditions, or restrictions prohibiting the use of temporary or permanent use of storage units, containers, or structures. It is the exclusive responsibility of a property owner to research and have full knowledge and understanding of those private covenants, conditions or restrictions that run with and are attached to their property. By submitting an application to the City for a permanent or temporary storage unit, container, or structure, the applicant is certifying that they have full knowledge and understanding of those private covenants, conditions or restrictions that run with their property and have a full understanding of whether those items prohibit the use of temporary or permanent storage units, containers, or structures.

**2. All Commercial, Agricultural and Manufacturing Zones shall be amended to add the additional language to each zone:**

- A. Temporary storage units, containers, or structures are allowed in these zones for the loading and off-loading of supplies or inventory. They may be stored onsite for up to 30 (thirty) days provided they are not able to be seen from any major corridor in the city, do not take up required customer parking, are not on landscaping, and are placed behind buildings or fences that are not see through. Any exception to this shall require a conditional use permit from City Staff.
- B. Permanent use of temporary storage units, containers, or structures may be allowed with a conditional use permit, which shall include a site plan. A temporary storage unit, container, or structure must be placed on a permanent foundation, and made to look like the main structure on the property including the use of similar building materials and colors. A building permit and a site plan is required for the location of the unit, container, or structure, to be filed in conjunction with the requested conditional use permit. Any exceptions as well as the number of units, containers, or structures, and the location shall be subject to approval from City Staff.

**3. All Agricultural, Residential and Commercial zones shall be amended to add the additional language to each zone:**

- A. All tractor trailers on an agricultural, residential or commercial parcel shall be licensed and registered with the State of Utah and must be actively used. Trailers not involved in a construction project that remain in a fixed location over 30 (thirty) days shall be subject to fines, impound and removal by the City of West Haven.

**4. All Agricultural, Residential and Commercial zones shall be amended to add the additional language regarding enforcement of the Storage Container Ordinance as follows:**

- A. Enforcement and Fines. Upon a determination that a violation exists, the Code Enforcement Officer, or designee, will contact the owner **and** shall require such owner to halt, eradicate, destroy, remove, or otherwise cure the violation within 48 hours, or such later time the Code Enforcement Officer, or designee, may determine.
1. Each day that a violation occurs or continues is a separate violation.
  2. For any violation of this section, the Code Enforcement Officer, or designee, may issue a written citation or notice of violation to the owner, specifying the violation and the penalty to be imposed.
    - a. For the first violation within any 12-month period, the penalty shall be \$500.
    - b. For a second violation within any 12-month period, the penalty shall be \$750.
    - c. For a third violation within any 12-month period the penalty shall be \$1,000 plus revocation of any issued building permit or conditional use permit. The owner shall then be ineligible to have a building permit or conditional use permit reissued until the fine is paid and the structure immediately removed.
    - d. For any violation within any 12-month period following the third violation, the penalty shall be \$1,000 and the owner shall be permanently ineligible to receive a building permit or conditional use permit for a structure and the structure is to be immediately removed.

## **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 3rd day of June, 2019, and after publication or posting as required by law.

DATED this 3rd day of June, 2019.

WEST HAVEN, a municipal corporation

by: \_\_\_\_\_  
Mayor Sharon Bolos

Attested and recorded

\_\_\_\_\_  
Emily Green



## WEST HAVEN CITY COUNCIL MEETING MINUTES

May 20, 2020 6:00 P.M.  
Community Room  
4150 South 3900 West, West Haven, UT 84401

Present: Sharon A. Bolos Mayor  
Rob Vanderwood Councilmember  
Randy Hunter Councilmember  
Carrie Call Councilmember  
Kim Dixon Councilmember  
Nina Morse Councilmember

Staff Present: Emily Green City Recorder  
Steve Anderson City Planner  
Ken Bradshaw City Attorney

### 5:30 Council Workshop

*Mayor Bolos brought the meeting to order.*

*Brock Randall gave an update on parks and recreation.*

*Council agreed to posting our recent request for qualifications with the Utah State Division of Purchasing.*

### 1. MEETING BROUGHT TO ORDER:

The Council met electronically at their regularly scheduled meeting held in the Community Room. Mayor Bolos brought the Meeting to order at 6:00 pm. and welcomed those in attendance.

### 2. OPENING CEREMONIES

- A. Lead by Councilmember Call
- B. Lead by Rajan Zed

### 3. PUBLIC PRESENTATION

*No one came up at this time.*

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

#### A. FINAL SITE PLAN APPROVAL-ANDERSON AUTO BODY-APPROX. 3769 S 4700 W-MIKE ANDERSON

*Mike Anderson presented his final site plan for approval.*

**Councilmember Vanderwood made a motion** to give final site plan approval. **Councilmember Morse seconded** the motion. Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

#### B. FINAL SUBDIVISION APPROVAL-GLOVER ESTATES PH. 4-APPROX. 3145 S MIDLAND DRIVE-DUANE JACKSON

*Councilmember Vanderwood asked about the road elevation that was discussed in the Planning Commission Meeting.*

*Duane Jackson stated it was just a misunderstanding and that the fill referenced in the meeting was brought in to a different phase of the subdivision.*

*Councilmember Call stated that the Master Development for this subdivision did not have setbacks in it and the plat references setbacks from that agreement.*

*Ken Bradshaw suggested amending the plat to not include Master Development Agreement.*

**Councilmember Dixon made a motion** to give final subdivision approval with the condition that the words Master Development agreement will be removed from the plat. **Councilmember Hunter seconded** the motion. Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

#### **C. FINAL SUBDIVISION APPROVAL-RIVERWALK TOWNHOMES-1750 W 1700 S-RICK SCADDEN**

*Councilmember Hunter questioned if there are better ways to maximize the green space and asked how long the driveways are.*

*Rick Scadden stated they are 20 foot driveways.*

*Councilmember Hunter asked if this plat was included in the Master Development Agreement.*

*Mr. Scadden said it was included in the amendment.*

*Councilmember Morse asked if the private road is 26 feet wide.*

*Mr. Scadden confirmed it is.*

*Councilmember Hunter asked if the Fire Marshal has approved this.*

*Mr. Scadden said that he approved phase 1.*

**Councilmember Call made a motion to table. Councilmember Morse seconded** the motion. Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

#### **D. ACTION ON ORDINANCE 19-2020-R-2.5 ZONING**

*Councilmember Vanderwood suggested correcting the wording on 1.4.2 to say twelve thousand five hundred.*

*Councilmember Morse stated that a 10,000 square foot lot is small enough.*

*Councilmember Dixon suggested taking out whenever possible on section 1.4.2.*

*Councilmember Morse suggested adding R-1 to section 1.4.4.*

*Councilmember Vanderwood suggested changing 1.4.4 from 15,000 square feet to 16,000 square feet, changing the minimum on section 1.4.2 from 7,000 square feet to 10,000 square feet for single family homes and from 10,000 square feet to 12,500 square feet for twin homes.*

*Councilmember Morse suggested changing the minimum to 80 feet on section 1.4.3.*

*Councilmember Call suggested changing the side setbacks from 15 feet to 20 feet and front setbacks from 18 feet to 20 feet on section 1.5.1, and changing R-2 to R-2.5 on section 1.4.1.*

*Councilmember Vanderwood suggested changing 1.6.1 from 35 feet to 30 feet.*

*Councilmember Morse suggested changing the front setbacks from 20 feet to 25 feet on sections 1.5.2 A.*

**Councilmember Morse made a motion** to adopt ordinance 19-2020 with the following changes: Changing 1.4.1 from R-2 to R-2.5, changing 7,000 square feet to 10,000 square feet for single family and changing 10,000 square feet to 12,500 square feet for twins homes and remove whenever possible on section 1.4.2, changing the minimum from 65 feet to 80 feet in section 1.4.3, adding R-1 and changing the minimum to 16,000 feet in section 1.4.4, changing the front setback from 18 feet to 20 feet and on the side setback from 15 feet to 20 feet in section 1.5.1, changing the front set back from 20 feet to 25 feet on section 1.5.2 A, and 15 feet instead of 20 feet on section 1.5.2 B. **Councilmember Hunter seconded** the motion. **Roll Call:** Councilmember

Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

#### **E. ACTION ON ORDINANCE 20-2020-R-1 ZONING**

*Councilmember Hunter suggested taking out PUD's as a conditional use and changing 12,500 square feet to 20,000 square feet in section 1.4.2. He also suggested changing the minimum to 100 feet in 1.4.3 and changing 1.5.1 A from 18 feet to 20 feet.*

*Councilmember Morse suggested changing the lots with 90 feet of frontage to 100 feet on 1.5.1 B.*

*Councilmember Hunter suggested 1.5.1 to match the R-2 zone.*

**Councilmember Hunter made a motion** to adopt ordinance 20-2020 with the following changes; Changing the minimum from 12,500 square feet to 20,000 square feet in section 1.4.2, changing the minimum to 100 feet in section 1.4.3, and changing the setbacks to be equal to R-2 on 1.5. **Councilmember Vanderwood seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

5. **PUBLIC HEARING-**For the purpose of receiving public input with regard to rezoning from A-2 to R-2 property located at approx. 3460 W 3600 S

**Councilmember Hunter made a motion** to enter into public hearing. **Councilmember Dixon seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

*David Prevedel expressed concern about the irrigation being worked out before the zoning is approved. He stated that he and his family have a 1000 foot ditch for irrigation and are concerned that they will have to sue for irrigation rights. He said that he wants the waterway protected.*

*John Flitton attorney representing the Westwood family stated that there are two state statutes that are relative to this issue, they state that you cannot interfere with water systems for easements.*

*Kristene Clark via email expressed concern about this rezone because the city currently has a moratorium for all residential development and thinks that this should be under that moratorium. She stated she would like to preserve the rural feel of that particular area and have to zone remain A-2 or change to R-1. She said that if the council approves the development in R-2 zone that she would like it to fall under the current R-2 ordinance.*

**Councilmember Morse made a motion** to leave public hearing. **Councilmember Hunter seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

6. **ACTION ON PUBLIC HEARING-Adoption of Ordinance 22-2020-Rezone** from A-2 to R-2-approx. 3460 W 3600 S

**Councilmember Dixon made a motion** to adopt resolution 22-2020 under the current R-2 ordinance. **Councilmember Hunter seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, nay; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, nay; **Motion carries 3:2.**

7. **PUBLIC HEARING-**For the purpose of receiving public input with regard to appoint a City Manager

**Councilmember Morse made a motion** to enter into public hearing. **Councilmember Vanderwood seconded** the motion. Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

*Kristene Clark via email stated that she is in favor of hiring a city manager and feels there will be a more fluid process with the manager as opposed to council members taking on duties in a part time capacity.*

*Lacy Richards stated that she is not opposed to a city manager but because the city manager would take on a lot of the responsibilities that council members have previously done, she suggested adjusting their salaries to compensate for that. She said that the ordinance has a provision that the manager must attend city council meetings and feels that should be applied to council members as well.*

George Lamar suggested adjusting the mayor's salary as well because the city manager will take on responsibilities that the mayor currently does.

**Councilmember Dixon made a motion** to leave public hearing. **Councilmember Morse seconded** the motion. Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

8. **ACTION ON PUBLIC HEARING-Adoption of Ordinance 18-2020-Appointing a City Manager**

Councilmember Vanderwood suggested fixing the typo on 2.02.02.07.

Mayor Bolos asked what adjourned meetings are. She also asked what the process is for the council to say that the city manager is not doing the job that they asked for without getting involved with the day to day operations.

Ken Bradshaw explained that adjourned meetings allow for site visits which occur from time to time. He explained that their contract shows they are at will.

Councilmember Dixon asked if leave and appraisals will be specified in the contract.

Ken Bradshaw confirmed.

Councilmember Morse suggested fixing the typo on 2.02.01.04.

**Councilmember Morse made a motion** to adopt ordinance 18-2020. **Councilmember Vanderwood seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; Mayor Bolos, aye; **Vote was unanimous.**

9. **ACTION ON ORDINANCE 16-2020-PARKING VIOLATIONS**

**Councilmember Hunter made a motion** to adopt ordinance 16-2020. **Councilmember Call seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

10. **ACTION ON ORDINANCE 17-2020-STORM WATER**

**Councilmember Vanderwood made a motion** to adopt ordinance 17-2020. **Councilmember Morse seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

11. **ACTION ON RESOLUTION 12-2020-AGREEMENT BETWEEN WEST HAVEN CITY AND ROGER S AND MARY JANE T POULTER MARCH 15, 1996 FAMILY TRUST**

Councilmember Vanderwood noted that Mark Staples agreed Nilson Homes will pay for the monument referenced.

**Councilmember Dixon made a motion** to adopt resolution 12-2020. **Councilmember Morse seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

12. **ACTION ON ORDINANCE 21-2020-MUNICIPAL PROCEDURES**

Councilmember Call suggested changing the section that notes payment must be given in person to council members and mayor to allow for electronic transfer.

Ken Bradshaw made modifications to the ordinance to allow for electronic transfer.

**Councilmember Call made a motion** to adopt ordinance 21-2020. **Councilmember Morse seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

13. **RATIFY RESOLUTION 11-2020-60 DAY MORATORIUM ON ANY LAND USE CHANGE APPLICATIONS**

*Ken Bradshaw explained that this will be 180 days from its original adoption.*

**Councilmember Morse moved to ratify resolution 11-2020. Councilmember Hunter seconded the motion. Roll Call:**  
Councilmember Call, aye; Councilmember Morse, aye; Councilmember Dixon, aye; Councilmember Hunter, aye;  
Councilmember Vanderwood, aye; **Vote was unanimous.**

14. **ACTION ON CONSENT AGENDA**

|                                                |                     |                                |
|------------------------------------------------|---------------------|--------------------------------|
| <b>A. CITY COUNCIL MINUTES</b>                 | <b>MEETING HELD</b> | <b>May 6, 2020</b>             |
| <b>B. SPECIAL COUNCIL WORK SESSION MINUTES</b> | <b>MEETING HELD</b> | <b>April 30, 2020</b>          |
| <b>C. WEBER COUNTY ANIMAL</b>                  | <b>\$21,025.75</b>  | <b>Inv. #24075 &amp; 24090</b> |

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

15. **ADJOURNMENT**

**Councilmember Vanderwood moved to adjourn at 9:34 P.M. Councilmember Call seconded the motion. Councilmember Call, aye; Councilmember Vanderwood, aye; Councilmember Morse, aye; Councilmember Dixon, aye; Councilmember Hunter, aye; **Vote was unanimous.****

Emily Green  
City Recorder

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