



**Planning Commission Meeting
Thursday, April 29, 2021
City Hall Council Chambers
5249 S. South Pointe Dr. Washington Terrace City
801-393-8681**

Note: The Centers for Disease Control and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease. Members of the public at the Public Meeting may view the meeting via the City's Facebook page at: [WashingtonTerraceCity.com](https://www.facebook.com/WashingtonTerraceCity). Comments on appropriate agenda items may be emailed to: amy@washingtonterracecity.org. or typed into the Facebook live stream at the Public Hearing agenda item.

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

4.2 MOTION: APPROVAL OF MINUTES FOR MARCH 25, 2021

5. NEW BUSINESS

**5.1 DISCUSSION/MOTION: APPROVAL OF CONDITIONAL USE FOR THE
RIVER VIEW RANCH LOCATED AT 5800 SOUTH ADAMS AVENUE
PARKWAY**

6. BUILDING AND PLANNING UPDATES

7. MOTION: ADJOURN THE MEETING

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.
Amy Rodriguez, Washington Terrace City Recorder

City of Washington Terrace

Minutes of the Planning Commission Meeting held on Thursday, March 25, 2021 City Hall, 5249 South 400 East, Washington Terrace City, County of Weber, State of Utah

Note: The Centers for Disease Control and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease. Members of the public at the Public Meeting may view the meeting via the City's Facebook page at: [Washingtonterracecity.com](https://www.facebook.com/WashingtonTerraceCity). Comments on appropriate agenda items may be emailed to: amy@washingtonterracecity.org. or typed into the Facebook live stream at the Public Hearing agenda item.

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Scott Larsen
Commissioner Charles Allen
Commissioner Steve Jacobson
Vice- Chair Dwight Henderson
Commissioner Dan Johnson
Commissioner Damian Rodriguez
Commissioner Morgan Wilkins
Chief Building Inspector Tyler Seaman
City Attorney Bill Morris
City Recorder Amy Rodriguez

Others present

Tyler Nielson

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

ADMINISTER THE OATH OF OFFICE TO COMMISSIONERS WILKINS AND RODRIGUEZ

A.Rodriguez administered the Oath of Office to new Commissioners Morgan Wilkins and Damian Rodriguez.

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

Motion by Commissioner Henderson

Seconded by Commissioner Allen

to approve the agenda

Approved unanimously (7-0)

49 **4.2 MOTION: APPROVAL OF MINUTES FOR DECEMBER 17, 2020**

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51 **Motion by Commissioner Henderson**
52 **Seconded by Commissioner Allen**
53 **To approve the minutes of December 17, 2020**
54 **Approved unanimously (7-0)**
55

56 **5. SPECIAL ORDER**

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58 **5.1 PUBLIC HEARING TO HEAR COMMENT IN SUPPORT AND**
59 **OPPOSITION TO UPDATING THE INFILL DEVELOPMENT MAP**
60 **ORDINANCE**

61 Seaman stated that we have been presented with a subdivision request at the end of 5700
62 South. He stated that updating the infill development map is the first step in this process.
63 The applicant is requesting that his parcels be added to the infill map so that there can be
64 a development agreement. Seaman stated that staff is still working with the developer to
65 make the development work. Commissioner Jacobson asked if the geological study is
66 available to the Commission, as he has big concerns in building in that area. Seaman
67 stated that he has been told that there is 120 feet that would be able to be built on, but
68 they cannot continue down 5700 South and loop it back in.

69 Tyler Nielson stated that he has been told they need to stay 150 feet back from the tarp.
70 He stated that he is waiting to continue with the geological study until after tonight's
71 meeting to see if it will be accepted into the Ordinance.

72 Commissioner Allen stated the he has found several different definitions for the infill
73 development and feels that this does not meet the standard for an infill development.
74

75 Nielson stated that the inability to extend the road all the way to Adams Avenue forces
76 them into a cul-de-sac option. He stated that the City ordinance limits cul-de-sacs to 400
77 feet. He stated that do to geologic hazards, they can only build on one said of the road.
78 He stated that the City would be responsible for the roadway if it was approved through
79 the traditional route. He is proposing it be a private roadway. He stated that the infill
80 ordinance gives more latitude with set back requirements due to the slopes and different
81 challenges with the property. Morris stated that he agrees with Nielson and stated that
82 staff is supportive of the infill designation based on the conditions of the grounds and the
83 assessment by the administration.

84 Commissioner Allen stated that the piece of land that is being proposed is not in the
85 category of infill development, as the ordinance stipulates that infill is for parcels of land
86 that are already supported by public utilities, water and sewer lines. Seaman stated that he
87 feels that it is part of a subdivision already and that the utilities are stubbed into the dead
88 end of the road already. He stated that this parcel of land would be part of Pleasant
89 Valley Phase 5. He stated that once the new parcel is looped into the subdivision, it will
90 alleviate some of the water line pressures.

91 Seaman stated that the City recognizes that for certain projects it is appropriate to create
92 certain zoning for properties on a property by property basis, with the development of the
93 property carefully agreed to through a development agreement.

94 He stated that he realizes that this is not in a surrounding neighborhood, but he feels that
95 this is a good opportunity. Morris stated that he feels that the results of the Geotech are

96 consistent with another Geotech review that stated that very few houses can be built on
97 that area. He stated that it would cost the city money if we approve the traditional way.
98 Morris stated that this is the best case scenario for all involved. He noted that the City
99 will not have to expend funds on the taking care of the private road. He stated that we
100 will have to see the final results of the Geotech report and make sure we are comfortable
101 with people living on side of the cliff.

102 Commissioner Jacobson wanted to confirm that the purpose of this motion is to put the
103 property on the infill map and that the Commission is not approving development on that
104 lot until they can review the Geotech report. Morris stated that was correct. He stated that
105 the developers will have to come back for subdivision approval and at that time the
106 Commission will raise their concerns about building on that area of land and make sure
107 the lots are safe for residents to live on.

108 Nielson stated that part of the study is a geohazard study which will go in and do in depth
109 geological studies.

110 Chairman Larsen reiterated that we are allowing a variance to allow the property to move
111 forward under our infill development process, and that it does not give permission to
112 build on the property until it goes through the all the proper processes.

113
114 **Chairman Larsen opened the Public Hearing at 6:21 p.m.**

115 There were no citizen comments.

116 **Chairman Larsen closed the Public Hearing at 6:22 p.m.**

117
118
119 **5.2 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND**
120 **OPPOSITION TO A PROPOSED SUBDIVISION LOCATED AT**
121 **APPROXIMATELY 129 WEST 4800 SOUTH**

122 Seaman stated that the applicant would like to subdivide his lot into two separate parcels.
123 He stated that there are two separate houses on the corner lot. Seaman stated that Public
124 Works has verified that the utilities are separate on the houses. He stated that the
125 properties meet all the requirements of a R-1-6 zone. He stated that there is a legal
126 nonconforming side setback, but he does not have any concerns. He stated that the side
127 yards meet the 5 foot setback requirements. Seaman stated that the shed will be removed.
128 Seaman stated that staff is giving a favorable recommendation on the Dean Curtis
129 Subdivision. Seaman stated that the renters that occupy both houses will be able to buy
130 the homes from Mr. Curtis.

131 Commissioner Jacobson stated that the addresses will need to be corrected. Seaman
132 stated that the side home is a legal nonconforming duplex with separate water meters.

133
134 **Chairman Larsen opened the Public Hearing at 6:27 p.m.**

135 There were no citizen comments.

136 **Chairman Larsen closed the Public Hearing at 6:28 p.m.**

137
138
139 **5.3 PUBLIC HEARING: AMENDMENT TO CHAPTERS 8.16 AND 10.12.**
140 **RELATING TO PARKING OF COMMERCIAL VEHICLES AND**
141 **TRAILERS IN THE RESIDENTIAL ZONE**
142

Seaman stated that he received a complaint about a tow truck parking in a residential zone. He stated that there have been several concerns because there is a 20 minute call out time for emergency services, and therefore the tow truck owner would like to have his vehicle at his house. Seaman stated that he would like to have an opportunity to let certain scenarios be allowed, such as requiring them to have a active business license with the City and putting conditional parameters on that, meaning they would have to have provide a document showing that they are on the Weber or Davis County emergency call list. He stated that we would regulate how the truck is parked and where it is parked. He stated that it may be challenging for the trucks to be put behind the house due to smaller lots.

Seaman stated that he would like to allow an emergency service tow truck to be allowed to be parked at the owners home if they are on the emergency call out list.

Commissioner Allen stated that emergency vehicles must be parked on asphalt or cement.

Seaman stated that they have to be parked on the property, not in front of the property or on the road. He stated if the trucks are over 14,000 pounds, they would have be able to park them at their house. Chairman Larsen asked if we are allowing heavier trucks to be parked as we do the lighter trucks. Seaman stated that we would only if they are on the emergency call out list. Commissioner Henderson stated that he feels that we will have an issue if we limit this to tow trucks, stating that he feels that it should be extended to gas and power utility trucks as well. Seaman stated that we should be able to cover those on a traditional business license. Chairman Larsen wanted to clarify that we are going to be asking them to get a business license. Morris stated that different cities have different types of permits for parking, and this can be enforced through parking permits possibly. He stated that once the ordinance concerns their property, it becomes a land use issue.

Morris stated that this public hearing and discussion is for obtaining input and ideas, noting that we would like to bring back the ordinance once all the comments have been considered. Morris stated that he would like to give legal review to the amendments and suggested tabling the item.

Commissioner Jacobson stated that Weber County tow trucks do respond to Morgan, and therefore Morgan emergency vehicles should be considered. Seaman stated that any tow truck vehicles would have to go through a process to be allowed to be parked at their home. Tow trucks will not be allowed on the streets or right- a-ways.

Commissioner Allen stated that he would like to add two items to the ordinance to be considered: making it unlawful to tamper with the lids on the residential water meters, and to add a section to make dumpster diving unlawful.

Chairman Larsen opened the Public Hearing at 6:37 p.m.

There were no citizen comments.

Chairman Larsen closed the Public Hearing at 6:38 p.m.

6. NEW BUSINESS

6.1 MOTION: NOMINATION AND ELECTION OF PLANNING COMMISSION CHAIRMAN AND VICE-CHAIR

190 **Motion by Commissioner Allen**
191 **Seconded by Commissioner Jacobson**
192 **To nominate and elect Commissioner Larson to serve as Chairman**
193 **And Commissioner Henderson to serve as Vice-Chair**
194 **Approved unanimously (7-0)**
195
196

197 **6.2 MOTION/ORDINANCE 21-03: RECOMMENDATION TO APPROVE**
198 **AMENDING SECTION 17.10.050 OF THE WASHINGTON TERRACE**
199 **MUNICIPAL CODE UPDATING THE IN-FILL DEVELOPMENT MAP**
200

201 **Motion by Commissioner Henderson**
202 **Seconded by Commissioner Wilkins**
203 **To recommend approval of Ordinance 21-03**
204 **Amending section 17.10.050 of the Washington Terrace**
205 **Municipal Code updating the In-fill Development Map**
206 **Approved unanimously (7-0)**
207
208

209 **6.3 DISCUSSION MOTION: SITE PLAN AND FINAL SUBDIVISION**
210 **APPROVAL OF PROPOSED SUBDIVISION LOCATED AT**
211 **APPROXIMATELY 129 WEST 4800 SOUTH (LAKER WAY)**
212

213 **Motion by Commissioner Jacobson**
214 **Seconded by Commissioner Allen**
215 **To approve the site plan and final subdivision**
216 **Of proposed subdivision located at**
217 **Approximately 129 West 4800 South (Laker Way)**
218 **Approved unanimously (7-0)**
219

220 **6.4 MOTION/ORDINANCE 21-04: RECOMMENDATION TO APPROVE**
221 **ORDINANCE AMENDING CHAPTERS 8.16 AND 10.12 RELATING TO**
222 **PARKING OF COMMERCIAL VEHICLES AND TRAILERS IN THE**
223 **RESIDENTIAL ZONE**
224

225 **Motion by Commissioner Allen**
226 **Seconded by Commissioner Henderson**
227 **To table the item until the details can be flushed out and**
228 **Bill Morris can review and give his input**
229 **And then be brought back to the Commission**
230 **Approved unanimously (7-0)**
231

232 **7. BUILDING AND PLANNING UPDATES**

233 Seaman stated that the Ambulatory Surgical Center should be submitting their plans
234 within the next week or two, and plan to have it completed by August.
235 Seaman stated that he is working with developers on the property next to the library, as
236 there is interest in a 5 story office building.

Seaman stated that the 4 story hospital addition is coming along.
Seaman noted that the Planning Commission may be seeing more meetings this year,
with the Golden West Credit Union development project. They will be bringing in their
drawings soon for review.

8. MOTION: ADJOURN THE MEETING

**Motion by Commissioner Henderson
Seconded by Commissioner Allen
To adjourn the meeting
Approved unanimously (7-0)
Time: 6:50 p.m.**

Date Approved

Time



Planning Commission Staff Report

Community Development

Author: Community Development
Subject: Conditional use permit, The River View Ranch
Date: April 29, 2021
Type of Item: Discussion/Action

Summary Recommendation: Motion to approve conditional use for a The River View Ranch.

Description: The River View Ranch located at 5800 S. Adams Avenue Parkway has requested to use the facility as a reception center. This is in the C-2 zone for Washington Terrace City. Based on the use regulation table in 17.28.050 this use shall be allowed based on meeting the conditions proposed by Planning Commission.

Background:

- A. Analysis:** Based on the intent of the applicant for a reception center, the area known in the past as Pleasant Valley Golf and Sandy's Catering would be a conditional use for the C-2 zone. The Building and area were previously acceptable for a similar use in the past and would be an ideal location for the new proposed use.

Department comments:

Development Review Committee met on April 6, 2021. Committee has given a favorable recommendation based on the below stipulations for The River View Ranch.

Washington Terrace Code 17.68.060, Standards and Mitigating Conditions as Part of a Permit. Standards and mitigating conditions. *The following conditions are to be reasonably imposed by the planning commission to mitigate the reasonably anticipated detrimental effects of the proposed use:*

1. On-site security, security system, or security plan. **Applicant has already begun to secure all property lines with new fencing and signage displaying "Private Property". Applicant has also invested in a motion detection system and some security cameras on the location to control security. He will continue to monitor the system and keep up on the security of the property.**
2. Additional setbacks or landscaping. **The landscape was previously completed but showed signs of neglect. Applicant has already begun to clean up the property**

- including noxious weed mitigation. The facility will continue to improve with the new ownership. The Applicant will maintain the property and continue to meet the landscape requirements for Washington Terrace Code 17.44.200.**
3. **Additional storm water facilities or retention. This is an existing facility and will not have any storm water changes at this point. Applicant will continue to maintain the private system. If any changes to private system or surface drainage are made on the property, the Applicant is required to file a permit with the Planning Department for Washington Terrace City.**
 4. **Sign limitations. Applicant is required to follow Washington Terrace's sign ordinance 17.56. Any new or changes to current signage shall first file for a sign permit before changes can be made.**
 5. **Easements, covenants, deed restrictions, or similar limitations. The applicant had the property surveyed and will maintain the property lines within his parcel(s). He will also maintain the right of way for the main driveway allowing for the Pleasant Valley Ranch to access their property to the west.**
 6. **Limits on hours of operation, in whole or part. Applicant shall follow Washington Terrace City Code for noise, 9.08. In 9.08.090 Applicant shall maintain the restriction timeframe of ten p.m. to 6 a.m. on noise.**
 7. **Limits on hours of operation of equipment or machinery. The applicant has not requested the use of machinery or equipment at the time of application. If any equipment is used beyond the common maintenance of the area an application shall be filed with the City before operation shall continue.**
 8. **Limits on the types of equipment or machinery. The only approved equipment usage at this time is what would be used for maintenance on the property.**
 9. **Height limits. Washington Terrace Code 17.28.020 states the maximum height of any building to be sixty feet. Any new structure built on the property shall have a building permit before proceeding with work.**
 10. **Size limits. Any changes to the existing building size or any new buildings shall have a building permit before proceeding with work.**
 11. **Density limits. Any changes to the current property shall be accompanied by a planning and zoning permit before any changes would be permitted.**

12. Structural limits. **No changes shall be made to the structures on the site without a building permit.**
13. Any other items. **Based on the intended use of the facility, the applicant is required to maintain all required fire lanes and access for the emergency efforts on the facility. The applicant shall be required to provide parking stalls current with the existing parking lot. Applicant shall maintain the accessibility parking stalls and make sure the correct signage is installed on these stalls. Applicant shall be required to always unlock the gate or provide an access for fire and emergency services on the property. Applicant shall be required to meet all applicable codes for the facility and shall allow annual inspection from the Fire Authority and Building Official.**
14. Business License. **Applicant shall maintain a current business license from Washington Terrace City.**

Planning Commission Alternatives:

The Planning Commission has received favorable recommendation from the Development Review Committee.

Approve the application subject to conditions designed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with Washington Terrace Code 17.68.050 and other applicable standards.

Deny the application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated.

Table the application pending further information being provided or for incompleteness of the application.