



## WEST HAVEN CITY COUNCIL AGENDA

May 4, 2022 6:00 P.M.  
City Council Chambers  
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **May 4, 2022** THE COUNCIL OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETINGS: **5:00 PM:** COUNCIL WORKSHOP **6:00 PM:** REGULAR WEDNESDAY CITY COUNCIL MEETING. JOIN US DIGITALLY FOR THE WORK SESSION [HTTPS://US06WEB.ZOOM.US/J/81255641586](https://us06web.zoom.us/j/81255641586) AND COUNCIL MEETING [HTTPS://US06WEB.ZOOM.US/J/81263336275](https://us06web.zoom.us/j/81263336275). WATCH LIVE AT [HTTPS://WWW.YOUTUBE.COM/CHANNEL/UCeeQNBTFZJWtGPHMCNCBA](https://www.youtube.com/channel/UCeeQNBTFZJWtGPHMCNCBA)

1. MEETING CALLED TO ORDER: Mayor Vanderwood
2. OPENING CEREMONIES
  - A. PLEDGE OF ALLEGIANCE Councilmember Swapp
  - B. PRAYER/MOMENT OF SILENCE Councilmember Morse
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 CONSENT AGENDA

A. CITY COUNCIL MINUTES	MEETING HELD	April 6, 2022
B. SPECIAL CITY COUNCIL BUDGET WORKSHOP MINUTES	MEETING HELD	April 6, 2022
C. DAKTRONICS	\$11,285.00	Inv.#794017
D. OLYMPUS CONSTRUCTORS	\$104,304.00	Inv.#Refund
E. CASTLE CREEK HOMES	\$131,749.09	Inv.#Payback
F. ADVANCED PAVING & CONSTRUCTION LLC	\$50,231.25	Inv.#3133
G. GARDNER ENGINEERING	\$32,036.25	Inv.#0322152-0322159
H. ACME CONSTRUCTION INC.	\$36,464.68	Inv.#7989
I. ROCK HARD EXCAVATING LLC	\$393,578.05	Inv.#Prevedel Park
J. FIREWORKS WEST INTERNATIONALE	\$15,000.00	Inv.#72522
K. WEBER COUNTY TRANSFER STATION	\$16,518.66	Inv.#022-01329248-022-01339567
L. WASTE MANAGEMENT	\$26,769.20	Inv.# 2076638-2682-5
5. PRESENTATION-EASTER EGG HUNT-YOUTH COUNCIL-LINDSEY KEYES
6. ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)
  - A. PRELIMINARY SUBDIVISION APPROVAL-HYLANDS RANCH II-APPROX. 2800 S 3300 W (PARCEL NUMBERS 150920079, 150920073)-STILLWATER CONSTRUCTION GROUP
  - B. PRELIMINARY AND FINAL SUBDIVISION APPROVAL—ASH COMMERCIAL SUBDIVISION-2001 W 2550 S (PARCEL NUMBER 150950015)-ASH PROPERTIES LLC
  - C. PRELIMINARY SUBDIVISION APPROVAL-SALT POINT NORTHEAST CORNER-APPROX. 4000 S 2975 W (PARCEL NUMBER 080290087)-CWLAND CO
  - D. ACTION ON ORDINANCE 07-2022-AMENDING A PORTION OF THE ANIMAL KEEPING ORDINANCE, SPECIFICALLY THE SECTIONS GOVERNING EXEMPTIONS/VARIANCES
  - E. ACTION ON ORDINANCE 08-2022-VACATE A PORTION OF AN OPEN SPACE EASEMENT-2978 W 2325 S-ERNESTO AND STEPHANIE CARRANZA
  - F. FINAL SUBDIVISION APPROVAL-ASPIRE POINTE PHASE 4-APPROX. 3300 W 3200 S-CAPITAL REEF MANAGEMENT
7. DISCUSSION-CODIFICATION-AMERICAN LEGAL
8. DISCUSSION-BUDGET
9. UPCOMING EVENTS

Howdy Hall with Mayor and Friends-May 25, 2022-5:30-6:30 PM  
Senior Lunch Bunch-May 25, 2022-11:30 AM
10. COUNCIL UPDATES
11. ADJOURNMENT

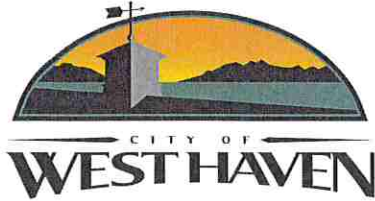
*Emily Green*

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: [emilvg@westhavencity.com](mailto:emilvg@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 MAY 4, 2022**

@

**5:00 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 VANDERWOOD**

**REPORTS AND DISCUSSION AS FOLLOWS:**

1. Discussion-Open Space Zone
2. Discussion- Landscape Ordinance



## WEST HAVEN CITY COUNCIL MEETING MINUTES

April 6, 2022 6:00 P.M.

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

Present: Rob Vanderwood Mayor  
Carrie Call Councilmember  
Ryan Saunders Councilmember  
Nina Morse Councilmember  
Kim Dixon Councilmember  
Ryan Swapp Councilmember

Staff Present: Emily Green City Recorder  
Matthew Jensen City Manager  
Amy Hugie City Attorney  
Shari Phippen Community Development Director  
Edward Mignone City Engineer

1. **MEETING BROUGHT TO ORDER:**

The Council met at their regularly scheduled meeting held in the Council Chambers.  
Mayor Vanderwood brought the Meeting to order at 6:01 pm. and welcomed those in attendance.

2. **OPENING CEREMONIES**

A. Lead by Councilmember Saunders  
B. Lead by Councilmember Swapp

3. **PUBLIC PRESENTATION**

No one came up at this time.

4. **ACTION ON CONSENT AGENDA**

A. CITY COUNCIL MINUTES	MEETING HELD	March 16, 2022
B. HAVEN COVE TOWNHOMES, LLC	\$72,201.00	Inv.#Payback Agreement
C. ADVANCED PAVING & CONSTRUCTION LLC	\$44,491.35	Inv.#3114
D. WEBER COUNTY SHERIFF	\$391,398.26	Inv.#36984
E. GARDNER ENGINEERING	\$30,082.19	Inv.#0222166-0222159

Councilmember Call corrected the minutes on council updates to include the event Tall Cop that Councilmember Saunders was talking about.

Councilmember Saunders said that the Tall cop event is at 6:00 PM.

Councilmember Morse made a motion to approve the consent agenda. Councilmember Swapp seconded the motion. Roll Call: Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Swapp, aye; Councilmember Saunders, aye; **Vote was unanimous.**

5. **ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)**

There are no Planning Commission items.

6. **DISCUSSION AND POSSIBLE ACTION-COMMUNITIES THAT CARE**

Communities that Care is working with Know Your Script to put installations on public property and asked for permission to add some to the R. Kenneth Baldwin Country Park from May 21, 2022, to the end of the year.

Councilmember Morse asked about the liability of these installations.



Madison and McKenna said they would look into the insurance.

**Councilmember Saunders made a motion** to allow park installations from Communities that Care and Know Your Script that we do so with the provision that they provide proof of insurance. **Councilmember Morse seconded** the motion. Councilmember Call, aye; Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Swapp, aye; Councilmember Saunders, aye; **Vote was unanimous.**

7. **DISCUSSION-SPRINKLER TRUCK-GMC SIERRA 3500**

Brock Randall said that the truck we currently use for sprinkler maintenance has a lot of required repairs, and is not operational. They planned on a new truck in the coming budget but with the recent issues will need it sooner.

Councilmember Dixon asked if a decision could be made to fulfill the need sooner.

Matthew Jensen said we could do a special session and suggested checking into the utility bed first.

8. **DISCUSSION AND POSSIBLE ACTION-ADMINISTRATIVE HEARING OFFICER'S DECISION ON THE FAIRHAVEN SUBDIVISION PHASE 2 FINAL PLAT**

**Councilmember Swapp made a motion** to approve the decision of David Church when it comes to the appeal for final subdivision approval for phase 2 of the Fairhaven subdivision and that City Council will not be appealing that decision. **Councilmember Saunders seconded** the motion. **Roll Call:** Councilmember Dixon, aye; Councilmember Morse, nay; Councilmember Call, aye; Councilmember Swapp, aye; Councilmember Saunders, aye; **Motion passes 4:1.**

**Councilmember Saunders made a motion** that the phase 2 Fairhaven final plat is in compliance with the preliminary plat and to approve the final plat. **Councilmember Dixon seconded** the motion. **Roll Call:** Councilmember Dixon, aye; Councilmember Morse, nay; Councilmember Call, nay; Councilmember Swapp, aye; Councilmember Saunders, aye; **Motion passes 3:2.**

9. **ACTION ON RESOLUTION 06-2022-AGREEMENT BETWEEN WEBER COUNTY AND WEST HAVEN CITY-WEBER COUNTY SHERIFF-LAW ENFORCEMENT SERVICES**

**Councilmember Swapp made a motion** to adopt resolution 06-2022. **Councilmember Morse seconded** the motion. **Roll Call:** Councilmember Dixon, aye; Councilmember Morse, aye; Councilmember Call, aye; Councilmember Swapp, aye; Councilmember Saunders, aye; **Vote was unanimous.**

10. **ACTION ON RESOLUTION 07-2022-ENCROACHMENT AGREEMENT AND JORDAN VALLEY WATER DISTRICT**

**Councilmember Call made a motion** to adopt resolution 07-2022. **Councilmember Morse seconded** the motion. **Roll Call:** Councilmember Saunders, aye; Councilmember Call, aye; Councilmember Swapp, aye; Councilmember Dixon, aye; Councilmember Morse, aye; **Vote was unanimous.**

11. **ACTION ON RESOLUTION 08-2022-INTERLOCAL AGREEMENT BETWEEN WEBER COUNTY AND WEST HAVEN CITY-FOR VEHICLE USE WITH THE VOLUNTEERS IN POLICE SERVICES PROGRAM**

**Councilmember Morse made a motion** to adopt resolution 08-2022. **Councilmember Swapp seconded** the motion. **Roll Call:** Councilmember Saunders, aye; Councilmember Call, aye; Councilmember Swapp, aye; Councilmember Dixon, aye; Councilmember Morse, aye; **Vote was unanimous.**

12. **DISCUSSION-1800 SOUTH SIDEWALK**

Edward Mignone and Matthew Jensen gave an update on the 1800 S sidewalk.

13. **DISCUSSION-WASTE MANAGEMENT CONTRACT RATE ADJUSTMENT**

Blake Leonelli went over the CPI adjustment.

Councilmember Morse asked how much of the increase was for natural gas.

Mr. Leonelli said roughly about 2%.

14. **UPCOMING EVENTS**

Howdy Hall with the Mayor and Friends-April 13, 2022-5:30 PM-6:30 PM  
Easter Egg Hunt-April 16, 2022-9:00 AM

15. **COUNCIL UPDATES**

*Councilmember Dixon said the Youth Council will hold another mock meeting on May 12, 2022.*

*Matthew Jensen said that we will be holding an open house for 3300 S on May 3, 2022.*

*Councilmember Morse said that the events committee has been full steam ahead for planning West Haven Days and that they are revitalizing the CERT program after the pandemic.*

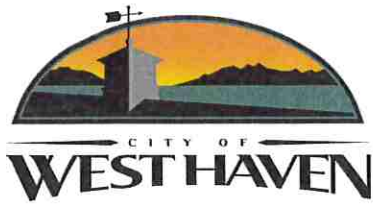
*Council discussed cancelling the April 20, 2022, meeting because of a lack of quorum.*

16. **ADJOURNMENT**

**Councilmember Call moved** to adjourn at 7:59 PM. **Councilmember Morse seconded** the motion. Councilmember Morse, aye; Councilmember Dixon, aye; Councilmember Call, aye; Councilmember Swapp, aye; Councilmember Saunders, aye; **Vote was unanimous.**

Emily Green  
City Recorder

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



## WEST HAVEN CITY SPECIAL COUNCIL BUDGET WORK SESSION MINUTES

April 6, 2022 4:00 P.M.  
City Community Room  
4150 South 3900 West, West Haven, UT 84401

Present:	Rob Vanderwood	Mayor
	Nina Morse	Councilmember
	Kim Dixon	Councilmember
	Carrie Call	Councilmember
	Ryan Swapp	Councilmember
	Ryan Saunders	Councilmember
Staff Present:	Emily Green	City Recorder
	Matthew Jensen	City Manager
	Ryan Child	Treasurer
	Shari Phippen	Community Development Director
	Edward Mignone	Engineer

1. **MEETING BROUGHT TO ORDER:**

**Mayor Vanderwood** brought the Meeting to order at 4:01 P.M. and welcomed those in attendance.

2. **REVENUES-TREASURER**

Council will discuss the current budget and proposed 2022-2023 tentative budget

*Ryan Child went over the revenue projections.*

3. **EXPENDITURES BY ADMINISTRATION**

Council will discuss the current budget and proposed 2022-2023 tentative budget

*Matthew Jensen went over the proposed legislative expenditures.*

**Councilmember Dixon made a motion** to accept the proposed legislative changes for the 2022-2023 budget. **Councilmember Saunders seconded** the motion. Councilmember Dixon, aye; Councilmember Saunders, aye; Councilmember Morse, aye; Councilmember Swapp, aye; Councilmember Call, aye; **Vote was unanimous.**

*Matthew Jensen went over the proposed expenditures for administration.*

**Councilmember Saunders made a motion** to approve the tentative budget for administration with changing the presentation for the water tower signage to entry signage. **Councilmember Morse seconded** the motion. Councilmember Dixon, aye; Councilmember Saunders, aye; Councilmember Morse, aye; Councilmember Swapp, aye; Councilmember Call, aye; **Vote was unanimous.**

*Matthew Jensen went over the proposed general government and non-departmental expenditures.*

**Councilmember Morse made a motion** to approve the proposed tentative general government and non-departmental budget. **Councilmember Swapp seconded** the motion. Councilmember Dixon, aye; Councilmember Saunders, aye; Councilmember Morse, aye; Councilmember Swapp, aye; Councilmember Call, aye; **Vote was unanimous.**

4. **EXPENDITURES BY COMMUNITY DEVELOPMENT**

Council will discuss the current budget and proposed 2022-2023 tentative budget

*Shari Phippen went over the proposed expenditures by community development.*

**Councilmember Dixon made a motion** to approve the proposed community development budget as presented with the planner 1 position. **Councilmember Morse seconded** the motion. Councilmember Dixon, aye; Councilmember Saunders, aye; Councilmember Morse, aye; Councilmember Swapp, aye; Councilmember Call, aye; **Vote was unanimous.**

5. **ADJOURNMENT**

Adjourned at 6:00 PM

*Emily Green*  
City Recorder

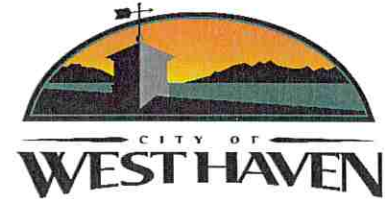
Date Approved: \_\_\_\_\_



# City Council Staff Review Memo

April 27, 2022

Shari Phippen, Community Development Director



## Hylands Ranch II- Preliminary Plat (28 Lots)

<b>Request:</b>	Discussion and action regarding approval of a preliminary plat
<b>Property Address:</b>	Approx. 2800 S 3300 W.
<b>Property Zone:</b>	R-2
<b>Property Size:</b>	15.49 Acres
<b>Applicant:</b>	Stillwater Construction/Justin Nielsen

<b>Governing Document(s):</b>	WHZC Chapter 10 (online version)
<b>Decision Type:</b>	Administrative
<b>Staff Recommendation:</b>	Grant approval of the preliminary plat

Stillwater Construction has applied for approval of the preliminary plat for Hylands II, a 28-lot subdivision located behind Kanessville Elementary. On February 16, 2022 the City Council adopted an ordinance rezoning the property to R-2.

Aspire Pointe, the subdivision just to the South of this, has submitted plans for their final phase, which will connect the roads to Aspire's northern boundary and allow this project access.

Development infrastructure drawings have not been submitted, as those do not get prepared until after approval of the preliminary plat. Developer has met with City staff and been informed of the standards and conditions they will need to meet in order to have engineering review.

When the rezone of the property came before the City Council, there was concern expressed about how the density of the project would be affected by the powerline easement, which is shown on the preliminary plat as open space.

I have researched relevant ordinances and State statutes and cannot find anything that allows the City to disallow the property encumbered by the powerline easement, for the purposes of calculating the number of allowed units. Provided that they can meet the size, width and other applicable lot standards, the City is required to allow them the number of units for the full acreage of the property.



At the 4/13/22 Planning Commission meeting, the Commission unanimously recommended that the Council approve the preliminary plat, with the following conditions:

- 1- Approved temporary turnarounds between Lots 5 & 6, and Lots 11 & 22 shall be shown on the prelim plat prior to going to City Council
- 2- Lot 22 should meet the minimum lot size of 17,000 sq ft on the prelim plat prior to going to City Council

The developer has met these conditions.

The requirements of the R-2 zone and how the proposed preliminary plat meets those requirements is as follows<sup>1</sup>:

<u>Standard</u>	<u>Requirement</u>	<u>Compliance (Y/N)</u>
Minimum Lot Size	12,500	Y
Buffering Lots <sup>2</sup>	17,000	Y
Lot Widths <sup>3</sup>	80' (90' avg)	Y
Density	2 u/a max	1.81 u/a

There is one small issue with the lots that are buffer lots. WHZC 10.06.040 (online version) requires that lots adjacent to A-1, A-2 or R-1 properties be at least 17,000 sq ft. Lot 22 falls just short of that, at 16,500. Increasing the lot size will not affect the overall layout or design of the subdivision and should be required for the preliminary plat to comply.

The preliminary plat is fully compliant with the standards of the R-2 zone. The proposed road locations and widths are sufficient for public roads (60' ROW width). Developer has been informed of the requirements for civil engineering drawings. Accordingly, it is staff's position that the Council grant approval of the final plat.

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<sup>1</sup> These requirements are found in WHZC 10.06.040 (online version)

<sup>2</sup> Lots 5, 6, 11, 22 and 23 are required to be a minimum of 17,000 sq ft, as they are adjacent to property zoned Agricultural.

<sup>3</sup> Lot widths are calculated at the setback line, not at the point where the property meets the right-of-way.

**SUBDIVISION APPLICATION**

SUBDIVISION NAME HYLANDS RANCH II

LOCATION 2800 S 3300 W PARCEL # 15 092 0079  
15 092 0073

NO. OF LOTS 28 ZONE R-2

APPLICANTS NAME STILLWATER CONSTRUCTION GROUP

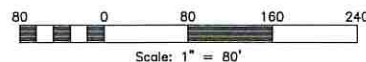
PHASES	
PHASE 1	NO. OF LOTS <u>28</u>
PHASE 2	NO. OF LOTS _____
PHASE 3	NO. OF LOTS _____
PHASE 4	NO. OF LOTS _____
PHASE 5	NO. OF LOTS _____

N/A	Received	N/A	Received	Letters of acknowledgment/approval/conditions from
<u>PRELIMINARY</u>		<u>FINAL</u>		
<input checked="" type="checkbox"/>	Affidavit of Understanding and Acceptance of Fees	<input type="checkbox"/>	<input type="checkbox"/>	Secondary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Culinary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Fire District
		<input type="checkbox"/>	<input type="checkbox"/>	All other items required by City Planner

<u>Planning Commission preliminary action</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Date <u>4/13/22</u>	Scheduled for Planning Commission Agenda <u>April 13, 2022</u>
<u>City Council preliminary action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date _____	Conditions: _____ _____ _____ _____ _____
<u>Planning Commission final action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date _____	
<u>City Council final action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date _____	

ALL APPLICABLE ITEMS MUST BE RECEIVED BEFORE BEING ADDED TO THE AGENDA.





# Weber School District Property

West Haven City, Weber County, Utah

## DESIGN DATA

ZONE: R-2.0  
TOTAL AREA.....15.49 ACRES  
BASE DENSITY....15.49 @ 2.0 = 30.96

## Developer:

Stillwater Construction  
Justin Nielsen  
P.O. Box 638  
Roy, UT. 84067  
(801) 668-8778

Revised: April 27, 2022

### Project Info.

Engineer: N. Reeve  
Planner: C. Cave  
Designer: E. Roche  
Date: 4-20-21  
Name: WEBER SCHOOL DISTRICT PROPERTY  
Number: 7037-08

Sheet 1  
1 Sheets

## Weber School District Property

PART OF THE SW 1/4 OF SECTION 34, T.6N., R.2W., S.1B. & M., U.S. SURVEY  
WEST HAVEN CITY, WEBER COUNTY, UTAH

## Sketch Plan

### REVISIONS

DATE

DESCRIPTION



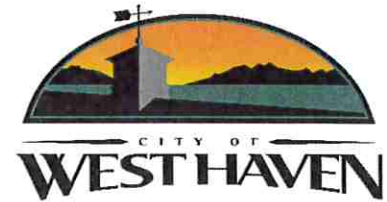
**Reeve & Associates, Inc.**  
5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405  
TEL: (801) 621-3100 FAX: (801) 621-3868 [www.ra-inc.com](http://www.ra-inc.com)  
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
WATER ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS



# City Council Staff Review Memo

April 27, 2022

Shari Phippen, Community Development Director



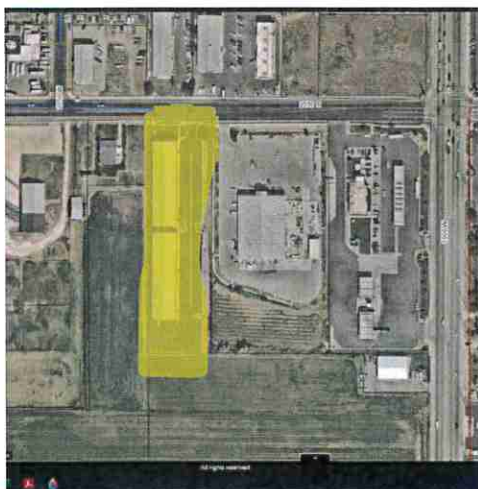
## Ash Commercial Subdivision- Preliminary & Final Plat

<b>Request:</b>	Grant approval of a preliminary & final plat for a commercial lot split
<b>Property Address:</b>	2001 West 2550 South
<b>Property Zone:</b>	M-1
<b>Property Size:</b>	2.49 acres
<b>Applicant:</b>	Rick Everson

<b>Governing Document(s):</b>	WHZC
<b>Decision Type:</b>	Administrative
<b>Staff Recommendation:</b>	Grant approval

### Background

This property is located on 2550 South, just west of Maverik and Tractor Supply. As shown on the plat and on the aerial image below, the site (in yellow) is fully developed and there are already buildings constructed and in use. The applicant is requesting approval of a single plat so that the buildings can be under separate ownership at some point in the future.



There is a shared use & maintenance agreement that will be recorded along with the plat, thus ensuring that the site will stay in good working condition, regardless of the ownership of the parcels. There is also an easement agreement that will be recorded which provides the building/lot to the south the ability to access their parking and building in perpetuity. Those are not before the Commission for review, as they are private contracts between the parcel owners, however, staff has seen the documents and applicant has represented that all three items will be recorded at the same time.



### **Staff Review/Recommendation**

Staff feels it is acceptable and appropriate to grant approval of a preliminary and final plat, for the following reasons:

- 1- The site is fully compliant with WHC engineering standards and specifications.
- 2- The site is fully developed and no additional structures can be built
- 3- The necessary easement agreements have been prepared for recording concurrently with a mylar.

At the April 13, 2022 Planning Commission meeting, the Commission unanimously voted to recommend that the Council grant approval of the preliminary & final plat for Ash Commercial Subdivision. Staff recommends the same.

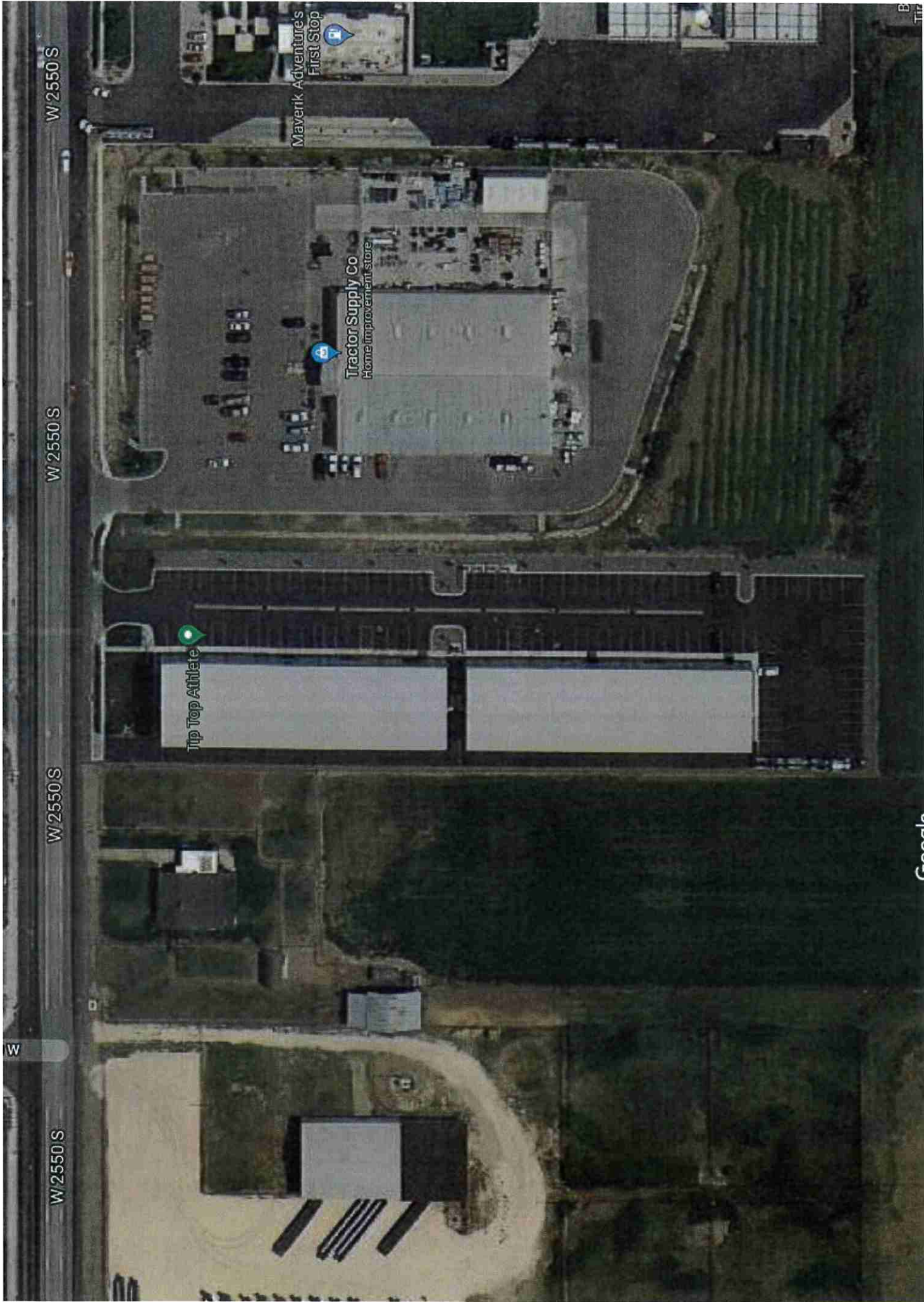
**SUBDIVISION APPLICATION****SUDIVISION NAME** Ash Commercial Subdivision**LOCATION** 2001 W 2550 S, West Haven**PARCEL #** 15-095-0015**NO. OF LOTS** 2**ZONE** M-1**APPLICANTS NAME** Ash Properties LLC (Owner's Representative- Rick Everson)

PHASES	
PHASE 1	NO. OF LOTS <u>2</u>
PHASE 2	NO. OF LOTS <u>n/a</u>
PHASE 3	NO. OF LOTS <u>n/a</u>
PHASE 4	NO. OF LOTS <u>n/a</u>
PHASE 5	NO. OF LOTS <u>n/a</u>

N/A	Received	N/A	Received	Letters of acknowledgment/approval/conditions from
<b>PRELIMINARY</b>		<b>FINAL</b>		
<input checked="" type="checkbox"/>	Affidavit of Understanding and Acceptance of Fees	<input type="checkbox"/>	<input type="checkbox"/>	Secondary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Culinary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Fire District
		<input type="checkbox"/>	<input type="checkbox"/>	All other items required by City Planner

<b>Planning Commission preliminary action</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied   Date <u>4/13/22</u>	Scheduled for Planning Commission Agenda 04/13/2022
<b>City Council preliminary action</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied   Date _____	Conditions: _____ _____ _____ _____ _____
<b>Planning Commission final action</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied   Date <u>4/13/22</u>	
<b>City Council final action</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied   Date _____	

ALL APPLICABLE ITEMS MUST BE RECEIVED BEFORE BEING ADDED TO THE AGENDA.



W 2550 S

W 2550 S

W 2550 S

W 2550 S

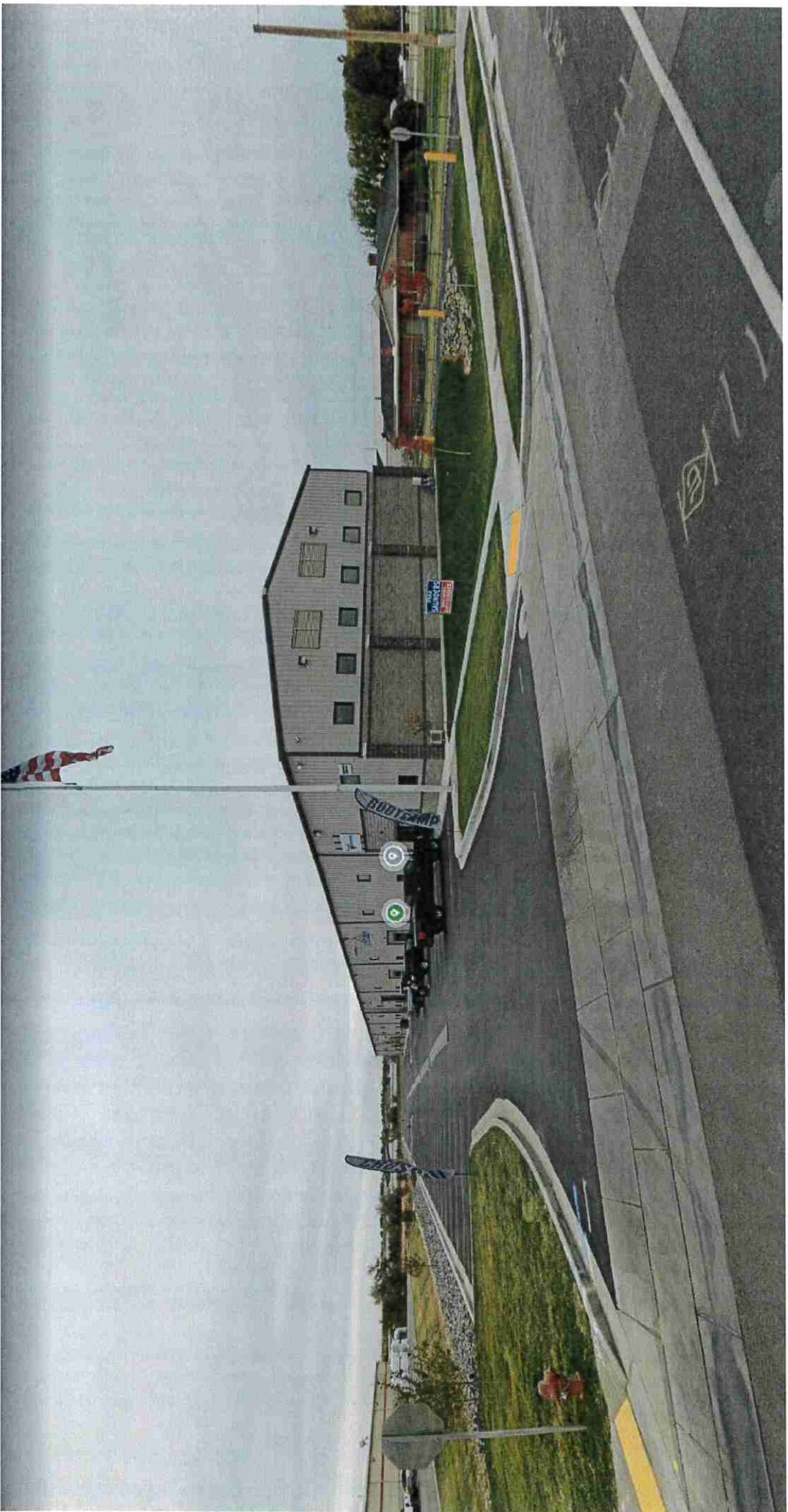
Maverik Adventures  
First Stop

Tractor Supply Co  
Home improvement store

Tip Top Athlete

Google





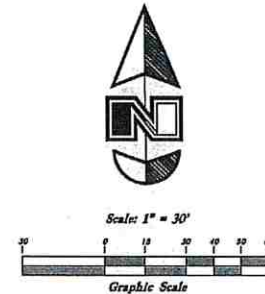


# Ash Commercial Subdivision

A part of Section 35, T6N, R2W, SLB&M, U.S. Survey  
West Haven City, Weber County, Utah  
March 2022



Vicinity Map  
Not to Scale



## Legend

- Monument to be set (Rad.)
- Non-Radial Line
- PUE Public Utility Easement
- PUE Public Utility & Drainage Easement
- Fence
- Existing Boundary Line
- Easement Line
- Center Line
- Buildable Area Setback Line
- Property Line
- Boundary Line
- Set Hub & Tick
- Half in Curb Extension of Property
- Set 5/8" x 24" Long Rebar & Cap w/ Lath

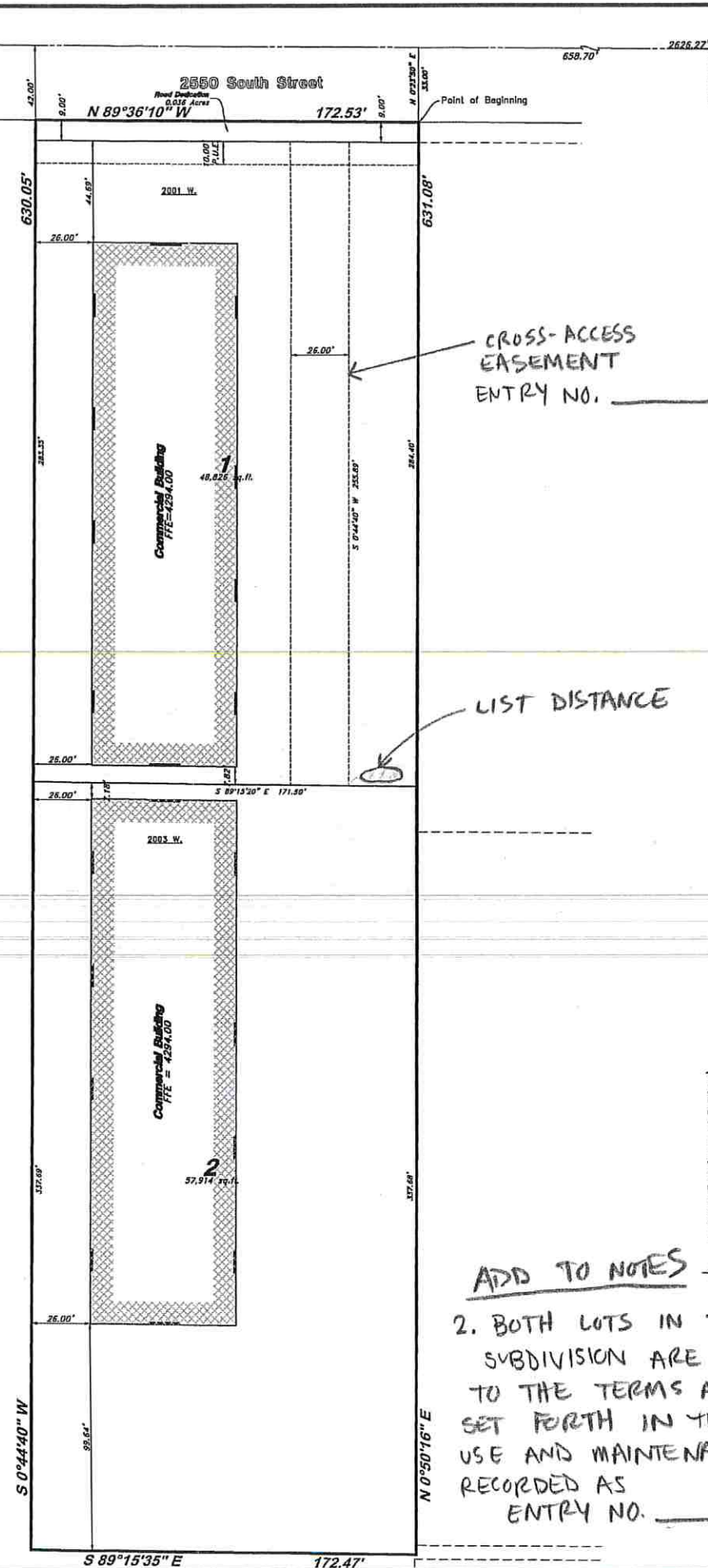
NOTE: BOTH LOTS ARE

**WEST HAVEN CITY ATTORNEY**  
This is to certify that this Subdivision Plat was duly approved by the West Haven City Attorney.  
This \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**WEST HAVEN CITY ACCEPTANCE**  
This is to certify that this Subdivision Plat was duly approved and accepted by West Haven City, Utah.  
This \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
Attest \_\_\_\_\_  
Title \_\_\_\_\_  
Mayor

**WEST HAVEN CITY ENGINEER**  
This is to certify that this Subdivision Plat was duly approved by the West Haven City Engineer.  
This \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**WEST HAVEN CITY PLANNING COMMISSION**  
Approved by the West Haven City Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
Chair



North Quarter Corner  
Section 35, T6N, R2W, SLB&M, U.S. Survey  
(Found Brass Cap Monument)

## SURVEYOR'S CERTIFICATE

I, Andy Hubbard, a Professional Land Surveyor in the State of Utah, do hereby certify that this plat of Ash Commercial Subdivision, in West Haven City, Weber County, Utah, has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on data compiled from records in the Weber County Recorder's Office, and of a survey made on the ground.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

6242920  
License No.



## OWNER'S DEDICATION

We, the undersigned owners of the herein described tract of land, hereby set apart and subdivide the same into lots, Open Space, and streets as shown on this plat, and name said tract Ash Commercial Subdivision, and hereby dedicate and grant to Ash Properties LLC, all those parts or portions of said tract designated as private streets as shown hereon, the same to be used as private thoroughfares forever, together with all those parts or portions of said tract designated as Open Space as shown hereon, the same to be used for open space, drainage, and parking purposes as may be authorized, we also dedicate and grant to Ash Properties LLC, all those parts or portions of said tract designated as Snow Storage and Removal Easements as shown hereon, the same to be used for the storage and removal for snow as may be needed and authorized by the Homeowners Association.

We also hereby dedicate, and grant to West Haven City, Weber County, Utah, all those parts or portions of said tract of land designated as Public streets, the same to be used as public thoroughfares forever, and also dedicate to West Haven City all those certain strips designated as public utility easements for public utility and drainage purposes over and across the portions of the lots as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines, waterlines, and drainage, as may be authorized by West Haven City and also dedicate to West Haven City all those parts or portions of said tract designated as Parcel A, for drainage and open space purposes the same to be used for the installation, maintenance and operation of a storm drainage piping, detention facilities, and open space area.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Ash Properties LLC

Authorized Agent

## ACKNOWLEDGMENTS

State of Utah  
County of \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 2022, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is \_\_\_\_\_, Inc. and that said instrument was signed in behalf of said LLC by a resolution of its Board of Directors and \_\_\_\_\_ acknowledged to me that said Corporation executed the same.

Residing at \_\_\_\_\_

Commission Number \_\_\_\_\_

Commission Expires \_\_\_\_\_

A Notary Public commissioned in Utah

Print Name

## DESCRIPTION

A part of the Northeast Quarter of Section 35, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, Weber County, Utah:

Beginning at a point on the South Right of way line of 2550 North Street said point being 630.70 feet North 89°36'10" West along the Section line and 33.00 feet South 0°23'50" East from the Northeast corner of said Section; and running thence South 00°50'16" West 631.07 feet to the Extension of an Old fence line (627 feet by record); thence North 89°15'35" West 171.50 feet; thence North 00°44'40" East 630.05 feet to said South right of way line (627 feet by record); thence South 89°36'00" East 172.53 feet to the POINT OF BEGINNING. Containing 2.4900 acres, more or less.

# For Review

03/15/2022 4:56:52 PM

ADD TO NOTES

2. BOTH LOTS IN THIS  
SUBDIVISION ARE SUBJECT  
TO THE TERMS AND CONDITIONS  
SET FORTH IN THE "SHARED  
USE AND MAINTENANCE AGREEMENT"  
RECORDED AS  
ENTRY NO. \_\_\_\_\_

East Quarter Corner  
Section 35, T6N,  
R2W, SLB&M, U.S.  
Survey (Found Brass  
Cap Monument)

## NARRATIVE

This Plat was requested by Rick Everson for the purpose of Subdividing this Parcel into 2 Lots and creating an Ingress & egress easement for Lot 2.  
Brass Cap Monuments were found at the Northeast corner and East Quarter Corner, of Section 35, T6N, R2W, SLB&M, U.S. Survey.  
A line bearing N 0°50'16" E between these two monuments was used as the Basis of bearings.

## NOTE

i. 10' wide Public Utility Easement as indicated by dashed lines, except as otherwise shown.

**DEVELOPER**  
Ash Properties LLC  
c/o  
4126 North 175 West, Suite 300  
Ogden, UT 84414

**ENGINEER**  
Great Basin Engineering Inc.  
c/o Andy Hubbard  
5746 South 1475 East Suite 200  
Ogden, Utah 84403  
(801) 394-4515  
andyh@greatbasineng.com

## WEBER COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE PAID  
RECORDED \_\_\_\_\_ FILED FOR RECORD AND  
IN BOOK \_\_\_\_\_ OF OFFICIAL  
RECORDS, PAGE \_\_\_\_\_, RECORDED  
FOR \_\_\_\_\_

## WEBER COUNTY RECORDER

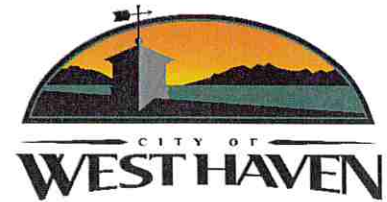
BY: \_\_\_\_\_  
DEPUTY



# City Council Staff Review Memo

April 7, 2022

Shari Phippen, Community Development Director



## **Salt Point Commercial Subdivision- Preliminary Plat**

<b>Request:</b>	Grant approval of the preliminary plat for Salt Point Subdivision
<b>Property Address:</b>	2975 W 4000 S
<b>Property Zone:</b>	C-3
<b>Property Size:</b>	1.98 Acres
<b>Applicant:</b>	CW Land

<b>Governing Document(s):</b>	WHZC
<b>Decision Type:</b>	Administrative
<b>Staff Recommendation:</b>	Grant approval of the preliminary plat, subject to conditions listed

### **Background/Staff Review**

In December 2021/January 2022, site plan approval was granted for the Salt Point commercial project. They are working on the final changes/corrections to the civil drawings before work begins on the site. As that work has progressed, CW has come to the City requesting that we grant approval to split the property into two individual parcels.

While there are no minimum lot sizes, widths or densities to take into consideration, I would not recommend granting approval of a final plat until all issues related to the site plan have been remedied. This is largely because the approved site plan will dictate the precise placement of the easements between the two lots.

At the 4/27/2022 Planning Commission meeting, the Commission unanimously recommended that the Council grant approval of the preliminary plat. Staff supports this recommendation and would encourage Council to grant approval.

## SUBDIVISION APPLICATION



**SUDIVISION NAME** Salt Point

**LOCATION** NEC of 4000 South & 2975 West

**PARCEL #** 080290087

**NO. OF LOTS** Two

**ZONE** C-3

**APPLICANTS NAME** CW Land Co

PHASES	
PHASE 1	NO. OF LOTS <u>two</u>
PHASE 2	NO. OF LOTS _____
PHASE 3	NO. OF LOTS _____
PHASE 4	NO. OF LOTS _____
PHASE 5	NO. OF LOTS _____

N/A	Received	N/A	Received	Letters of acknowledgment/approval/conditions from
<u>PRELIMINARY</u>		<u>FINAL</u>		
<input type="checkbox"/>	Affidavit of Understanding and Acceptance of Fees	<input type="checkbox"/>	<input type="checkbox"/>	Secondary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Culinary Water Company
		<input type="checkbox"/>	<input type="checkbox"/>	Fire District
		<input type="checkbox"/>	<input type="checkbox"/>	All other items required by City Planner

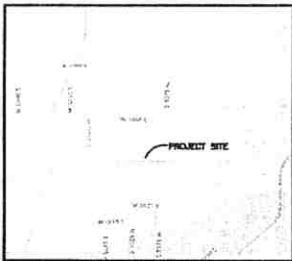
<u>Planning Commission preliminary action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date <u>4/13/22</u>	Scheduled for Planning Commission Agenda
<u>City Council preliminary action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date _____	Conditions:
<u>Planning Commission final action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date _____	
<u>City Council final action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date _____	

ALL APPLICABLE ITEMS MUST BE RECEIVED BEFORE BEING ADDED TO THE AGENDA.

SHEET 1 OF 1

## SALT POINT

PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY  
CITY OF WEST HAVEN, WEBER COUNTY, UTAH  
DECEMBER, 2021



VICINITY MAP  
SCALE: NONE

### BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS PLAT IS THE SECTION LINE BETWEEN THE FOURTH SOUTHEAST CORNER AND THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, SHOWN HEREIN AS S89°23'52"E.

### NARRATIVE

THE PURPOSE OF THIS PLAT IS TO CREATE A TWO LOT SUBDIVISION. THE EAST LINE WAS PLACED ALONG THE WEST LINE OF THE MEADOWS AT WEST HAVEN PHASE 1, THE NORTH LINE WAS PLACED ALONG THE SOUTH LINE OF SALT POINT SUBDIVISION, THE WEST LINE WAS PLACED ALONG THE EASTERLY RIGHT OF WAY LINE OF 2975 WEST STREET, AND THE SOUTH LINE WAS PLACED ALONG THE NORTHERLY RIGHT OF WAY LINE OF 4000 SOUTH STREET. ALL CORNERS WERE SET WITH A 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES".

### BOUNDARY DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF 2975 WEST STREET, S40 POINT BEING S89°23'52"E 181.38 FEET AND N00°01'14"E 248.78 FEET AND S89°58'07"E 34.47 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 3 (SAID SOUTH QUARTER CORNER BEING S02°23'52"E 283.30 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 3). THENCE N00°01'14"E ALONG THE EASTERLY RIGHT OF WAY LINE OF 2975 WEST STREET, 248.78 FEET TO THE SOUTHERLY LINE OF SALT POINT SUBDIVISION THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING THREE (3) COURSES: (1) ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 1400 FEET, AN ARC LENGTH OF 20.73 FEET, A DELTA ANGLE OF 84°49'55", A CHORD BEARING OF S47°27'21"E, AND A CHORD LENGTH OF 18.89 FEET; (2) SOUTH 11.00 FEET; AND (3) EAST 343.32 FEET TO THE WESTERLY LINE OF THE MEADOWS AT WEST HAVEN PHASE 1; THENCE S02°01'00"W ALONG SAID WESTERLY LINE, 344.14 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF 4000 SOUTH STREET; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING TWO (2) COURSES: (1) N89°25'13"W 336.51 FEET, AND (2) N49°27'32"W 22.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 86,221 SQUARE FEET OR 1.979 ACRES MORE OR LESS.

SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, FOUND BRASS CAP MONUMENT

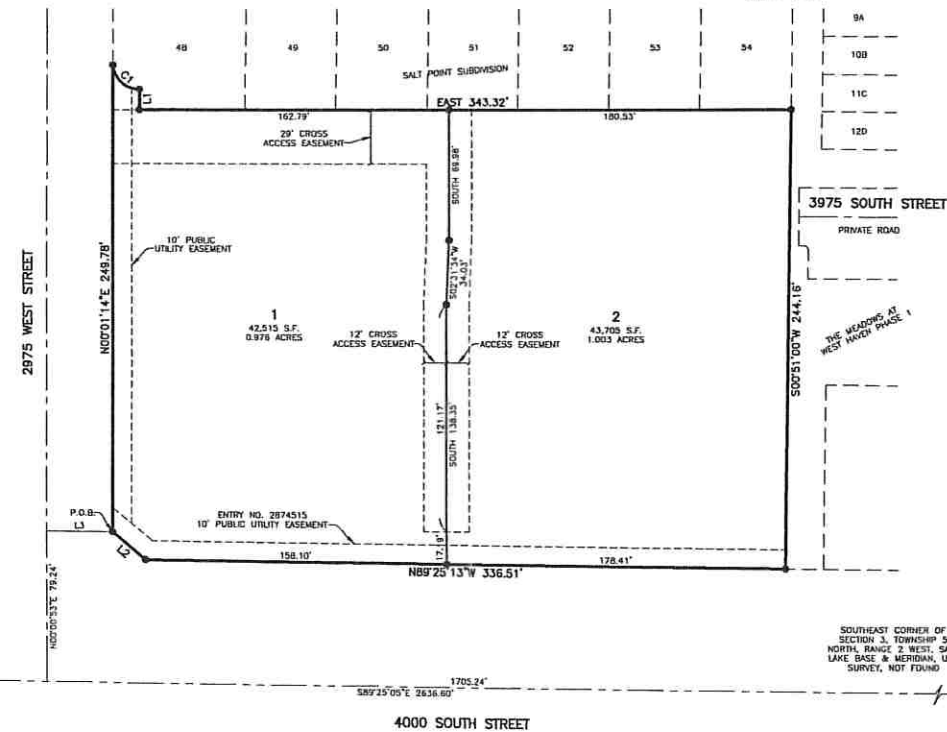
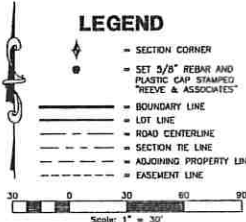
SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, FOUND BRASS CAP MONUMENT

CURVE TABLE				
1	RADIUS	ARC LENGTH	CHORD LENGTH	TANGENT CHORD BEARING
1	1400	20.73	18.89	S47°27'21"E [84°49'55"]

LINE TABLE	
LINE BEARING	DISTANCE
1.1	S02°01'00"W 344.14
1.2	N49°27'32"W 22.85
1.3	N89°25'13"W 336.51

### LEGEND

- SECTION CORNER
- SET 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES"
- BOUNDARY LINE
- LOT LINE
- ROAD CENTERLINE
- SECTION TIE LINE
- ADJOINING PROPERTY LINE
- EASEMENT LINE



#### WEST HAVEN CITY ENGINEER

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEST HAVEN CITY ENGINEER

THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_

WEST HAVEN CITY ENGINEER

#### WEST HAVEN CITY PLANNING COMMISSION

APPROVED BY THE WEST HAVEN CITY PLANNING COMMISSION

THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_

WEST HAVEN CITY CHAIRMAN

#### WEST HAVEN CITY ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED AND ACCEPTED BY WEST HAVEN CITY

THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_

ATTEST

TITLE

#### WEST HAVEN CITY ATTORNEY

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEST HAVEN CITY ATTORNEY

THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_

WEST HAVEN CITY ATTORNEY

#### WEBER COUNTY RECORDER

Entry No. \_\_\_\_ Fee Paid \_\_\_\_

Recorded, \_\_\_\_ At \_\_\_\_

Official Records, Page \_\_\_\_

Recorded For: \_\_\_\_

Webster County Recorder  
Deputy

**SURVEYOR'S CERTIFICATE**

I, **THOMAS J. HATCH**, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD A LICENSE IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF **SALT POINT** IN **WEST HAVEN, WEBER COUNTY, UTAH**, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREBY DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE **WEBER COUNTY** RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF **WEST HAVEN CITY, UTAH**, CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_

**THOMAS J. HATCH**  
UTAH LICENSE NUMBER **8031845**

**OWNERS DEDICATION AND CERTIFICATION**

WE, THE UNDERSIGNED OWNERS OF THE HEREBY DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AS SHOWN HEREON AND NAME SAID TRACT, **SALT POINT**, AND GRANT AND DEDICATE A PERPETUAL, RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY, SEWER LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHEREVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS AND ALSO DEDICATE THE CROSS ACCESS EASEMENTS TO THE OWNERS OF LOTS 1 AND 2 TO BE OWNED AND MAINTAINED BY THE SAME.

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_

CIVIL DEVELOPMENT GROUP LLC

NAME/TITLE DATE

**ACKNOWLEDGMENT**

STATE OF UTAH }  
COUNTY OF \_\_\_\_ }

ON THE \_\_\_\_ DAY OF \_\_\_\_ 20\_\_, PERSONALLY APPEARED  
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, \_\_\_\_ (AND) \_\_\_\_  
BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE \_\_\_\_ AND  
OF SAID LLC AND THAT THEY SIGNED THE ABOVE OWNER'S DEDICATION  
AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID LLC FOR THE PURPOSES  
THEREIN MENTIONED.

COMMISSION EXPIRES \_\_\_\_ NOTARY PUBLIC

**PROJECT INFO.**

Surveyor: **T. HATCH**

Designer: **JL ANDERSON**

Begin Date: **12-22-2021**

Project: **SALT POINT**

Number: **2582-12**

Revision: \_\_\_\_

Scale: **1"=30'**

Checked: \_\_\_\_

**Reeve & Associates, Inc.**

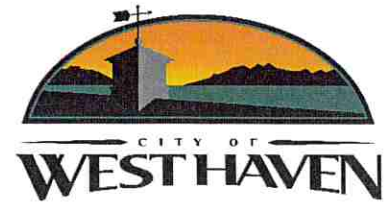
2101 SOUTH 1200 WEST, SUITE 100, SALT LAKE CITY, UT 84115  
TEL: (801) 801-1200 FAX: (801) 801-1200  
WWW.REEVE-ASSOCIATES.COM



# City Council Staff Review Memo

April 28, 2022

Shari Phippen, Community Development Director



## ANIMAL KEEPING EXEMPTION ORDINANCE

<b>Request:</b>	Adopt an ordinance amending the procedures for granting variances to the West Haven City animal keeping ordinance
<b>Decision Type:</b>	Legislative
<b>Staff Recommendation:</b>	Approve the ordinance
<b>Public Hearing Posting:</b>	The public hearing was duly noticed and held on April 27, 2022. No public comment was received

### Background

As part reviewing code enforcement procedures with Dan Tanner, the City's code enforcement officer, it was brought to my attention that in December 2019, the Council adopted Ordinance 39-2019, a portion of which identifies the procedures for granting exemptions (variances) to the animal keeping ordinance.

The language of the ordinance as it relates to exemptions is almost identical to Utah Code Annotated 10-9a-702. By design, the State of Utah created a very specific process that property owners have to follow for a variance to be granted. Variances should be rare and should only be granted when the City creates a situation where it is not possible for the property owner to meet the code requirements.

All zoning variances, whether related to animals, fences or any other land use regulation, should be heard by the administrative hearing officer. The hearing officer has the specific training in land use and variances to administer the objective set of standards the City must consider when evaluating such requests. The burden of these decisions should not rest on staff, the Commission or Council.

Adopting this ordinance and directing variances from animal keeping regulations depoliticizes such requests. At the 4/27/22 Planning Commission meeting, the Commission voted unanimously to recommend that the Council adopt the ordinance as presented.

**ORDINANCE NO. 07-2022**

**AN ORDINANCE OF WEST HAVEN CITY AMENDING THAT PORTION OF THE  
ANIMAL KEEPING ORDINANCE GOVERNING EXEMPTIONS/VARIANCES; AND  
PROVIDING AN EFFECTIVE DATE FOR THESE CHANGES.**

**Section 1 – Recitals**

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

WHEREAS, the City Council finds that in conformance with UC §10-3-702, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by the laws of the State of Utah or any other provision of law; and,

WHEREAS, the City Council finds that animal keeping is an essential property right throughout West Haven; and

WHEREAS, the City Council finds that there are limited circumstances that warrant considering a variance, referred to in the animal keeping ordinance as an exemption, to the animal keeping rules and regulations; and

WHEREAS, in order to ensure parity on variances, the City Council has determined that all variances in West Haven City should be heard and considered by the administrative hearing officer;

NOW THEREFORE, BE IT ORDAINED by the City of West Haven that the following portions of the West Haven City Zoning Code are amended as follows:

**35.01.010(H)(9)-** If a property owner wishes to conduct animal keeping in excess of allotted units per acre on a lot where it is otherwise allowed, the owner shall apply for ~~an exemption from the Code Enforcement Officer. The Code Enforcement Officer shall determine whether the applicant meets the basis outlined in the City's policies to issue an exemption. The policy pertaining to this issue is attached as Exhibit C. a variance through the West Haven City Administrative Hearing Officer, as outlined in West Haven Zoning Code, Chapter 21.~~

**35.01.040 Exhibit C- Animal Keeping Exemption Policy-** is stricken in its entirety

**Section 2 – Prior Ordinances and Resolutions**

That the above changes, where they may have been taken from prior City Ordinances and Resolutions, are listed here for centralization and convenience; and that the body and substance

of those prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

**Section 3 – Repealer of Conflicting Enactments**

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts thereof, which conflict with this Ordinance are, for such conflict, repealed, except that this repeal will not be construed to revive any act, order or resolution, or part.

**Section 4 – Savings Clause**

If any provision of this Ordinance be held or deemed invalid, inoperative or unenforceable, such will render no other provision or provisions invalid, inoperative or unenforceable to any extent whatsoever, this Ordinance being deemed the separate independent and severable act of the City Council of West Haven City.

**Section 5 – Date of Effect**

This Ordinance shall be effective as of the date of signing and after being published or posted as required by law.

DATED the 4<sup>th</sup> day of May, 2022

WEST HAVEN CITY

\_\_\_\_\_  
Rob Vanderwood  
Mayor

ATTEST:

\_\_\_\_\_  
Emily Green, City Recorder



# City Council Staff Review Memo

April 28, 2022

Shari Phippen, Community Development Director



## EASEMENT VACATION

**Request:** Discussion and action concerning a request to vacate a portion of an open space easement  
**Property Address:** 2978 W 2325 S  
**Property Zone:** Open Space  
**Property Size:** 1.09 acres  
**Applicant:** Ernesto & Stephanie Carranza

**Governing Document(s):**

**Decision Type:** Legislative

**Staff Recommendation:** See comments under "Staff Review"

**Public Hearing Posting:** The required public hearing was duly noticed on April 7, 2022

### Background

West Haven City has received a letter from Ernesto & Stephanie Carranza, requesting that the City vacate a portion of the conservation easement behind their home located at 2978 W 2325 S. At this time, the easement line is approximately 180' behind their home and they are requesting that the City vacate 80' of the easement so that the line would be 260' behind their home.

In November 2020, March 2021 and January 2022, the City received similar requests from the owners of Lots 226, 227 and 224 in Secrist Acres. Those easements were granted, reducing the conservation easement by 60', 75' and 90', respectively.

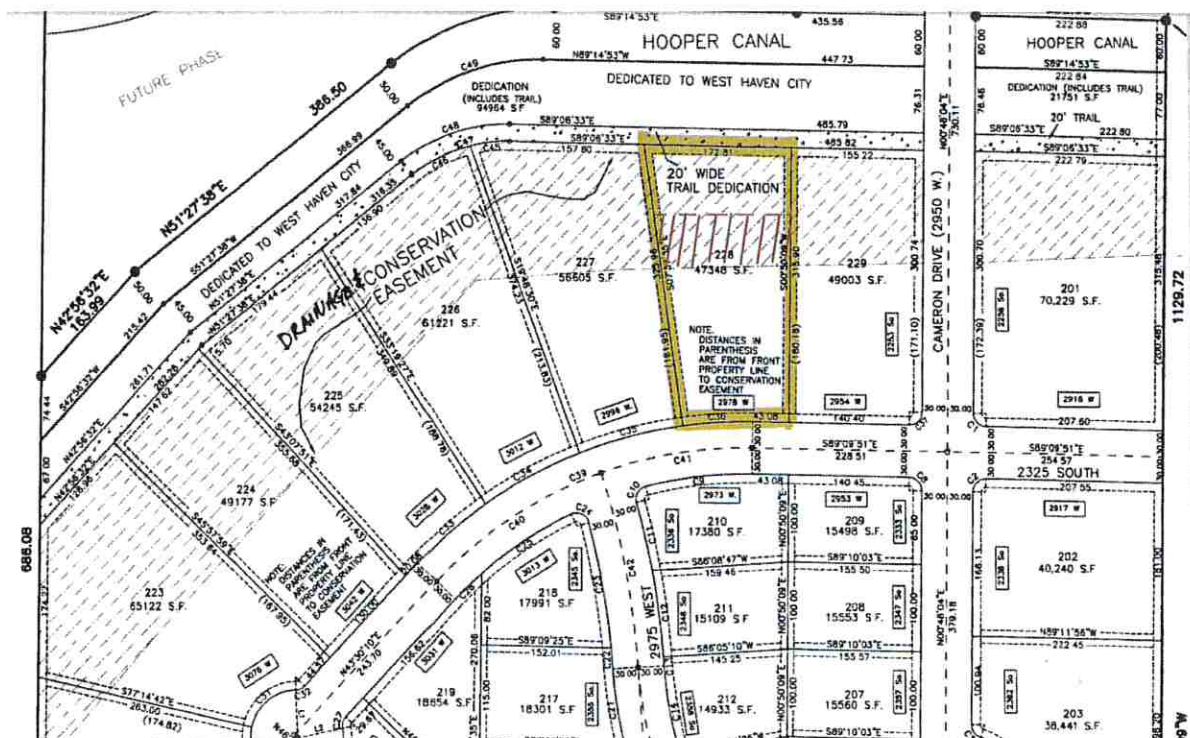
The Carranzas' stated purpose for requesting the easement vacation is to construct a 30'x'50' shop on their property.

At the 4/27/2022 Planning Commission meeting, the Commission unanimously voted to recommend that the Council adopt an ordinance approving the Carranza's request.

### Staff Review

As the City has recently approved three similar easement vacations in this subdivision, I have no issue with the request and would recommend that the Council adopt the ordinance.



















**ORDINANCE NO. 08-2022**

**AN ORDINANCE OF WEST HAVEN CITY, UTAH, TERMINATING AND VACATING  
PART OF THAT CERTAIN “DRAINAGE AND CONSERVATION EASEMENT” ON  
LOT 228 OF SECRIST ACRES SUBDIVISION; AND, ESTABLISHING AND  
APPROVING AN AMENDED PLAT FOR SECRIST ACRES SUBDIVISION, 1ST  
AMENDMENT, IF SUCH AMENDMENT BE REQUIRED BY THE COUNTY  
RECORDER'S OFFICE; 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, the City Council finds that in conformance with UCA §10-3-717, and UCA §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and,

WHEREAS, the City Council finds that in conformance with UCA §10-3-717, and UCA §10-3-701, the governing body of the city has previously adopted a Subdivision Ordinance which, among other things, provides for certain procedures and fees for approving proposed site plans for development within the City; and,

WHEREAS, the City Council finds that the Planning Commission has recommended certain changes to a previously recorded subdivision plat which includes a drainage and conservation easement; and,

WHEREAS, the City Council finds that the necessary public hearing has been conducted in this matter; and,

WHEREAS, the City Council finds that it is in the public interest to effectively promulgate and to make certain changes to the subdivision and the originally recorded plat related thereto and that the adoption of this Ordinance will serve those ends; and,

WHEREAS, the City Council finds that the real property approved as a subdivision is commonly known and was recorded as Secrist Acres Subdivision recorded with Weber County; and,

WHEREAS, the City Council finds that the owner(s) of Lot No. 228 of Secrist Acres Subdivision, West Haven City, Weber County, Utah, have/has petitioned West Haven City to amend said Lot No. 228 of Secrist Acres Subdivision by vacating a portion of the “Drainage and Conservation Easement” on Lot No. 228 Secrist Acres Subdivision, West Haven City, Weber County, Utah as shown on Exhibit 1, below and incorporated fully herein; and otherwise changing the plat thereof; and,

WHEREAS, the City Council finds that as part of the approval process of vacating a portion of the “Drainage and Conservation Easement” on Lot No. 228 Secrist Acres Subdivision, West Haven City, Weber County, Utah, the Weber County Recorder's office may require filing a formal amended plat of such changes. Should such an eventuality arise, the Mayor and other city officials should be authorized to sign such amended plat; and,

WHEREAS, the City Council finds that the 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

The real property which is described as Lot No. 228 Secrist Acres Subdivision, West Haven City, Weber County, Utah which contains a "Drainage and Conservation Easement" designation and limitation, as further shown below, and by this reference herein incorporated in full, shall hereby have eighty (80) feet of that easement designation and limitation vacated to the extent shown on Exhibit 1; and that should the Weber County Recorder's office require filing a formal amended plat documenting such changes, the Mayor and other city officials are authorized and empowered to cause to be created such an amended plat without further actions of this Council together with authority to record said new plat.

Be it further ordained that the remaining "Drainage and Conservation Easement" on the burdened estates, including the rest of the easement on Lot No. 228 not designated in Exhibit 1, as conveyed and recorded in the original subdivision that is Secrist Acres Subdivision, are unaffected by this vacation.

The foregoing recitals are fully incorporated



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

All orders, ordinances and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with any of the provisions of this Ordinance, are, for such conflict, repealed, except 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 prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

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

If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall not render any other provision or provisions hereof

invalid, inoperative or unenforceable to any extent whatever, 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:**

BE IT FURTHER ORDAINED that this Ordinance, and the changes contemplated, shall become effective on the 4<sup>th</sup> day of May, 2022, and after publication or posting as required by law.

DATED this 4<sup>th</sup> day of May 2022

WEST HAVEN CITY, a municipal corporation

by: \_\_\_\_\_  
Mayor Rob Vanderwood

Attested and Recorded

\_\_\_\_\_  
Emily Green  
City Recorder



# City Council Staff Review Memo

April 28, 2022

Shari Phippen, Community Development Director



## Final Plat- Aspire Pointe Phase 4

<b>Request:</b>	Grant approval of the final plat for Phase 4 of Aspire Pointe subdivision
<b>Property Address:</b>	Approx 3175 S 3150 W
<b>Property Zone:</b>	R-2.5 (PUD)
<b>Property Size:</b>	
<b>Applicant:</b>	Capitol Reef Management
<b>Governing Document(s):</b>	WHZC
<b>Decision Type:</b>	Administrative
<b>Staff Recommendation:</b>	See comments under "Staff Review"

### Background

This is the final phase of the Aspire Pointe subdivision. Previous phases have been completed or are currently under construction. As part of reviewing the mylar for Phase 3 and looking at the preliminary plat, it was brought to the City's attention that the developer had not included these last 4 lots in any of the previous phases, as was anticipated by the preliminary plat. The effect of this oversight is that the property to the north has been denied the access that was anticipated as part of Aspire's preliminary plat.

When this was discovered, I contacted the developer and they graciously agreed to provide the City with plats and plans to complete the improvements for the last 4 lots, which will bring the subdivision into full compliance with the approved preliminary plat.

At the 4/27/2022 Planning Commission meeting, the Commission unanimously passed a motion recommending that the Council grant approval of the final plat.

### Staff Review/Recommendation

As this is a PUD, the developer was provided some flexibility on the lot sizes. These 4 lots are consistent with the sizes/setbacks/widths of the previously approved phases, as well as what was anticipated when the preliminary plat was approved.

My only concern is that the Council should ensure the timing of the construction of the last two parts of the road is done in conjunction with the development of the WSD property to the North so that project can have the access needed.

Accordingly, it is staff's recommendation that the Council approve the final plat for Phase 4 of Aspire Pointe, subject to the following conditions:

- 1- Construction of the roads shall be coordinated with the developer of the Weber School District property to the north to ensure that property has the necessary and timely access for construction and development of the property.
- 2- Prior to recording the mylar, the developer shall be required to have a set of fully approved civil improvement drawings.

# SUBDIVISION APPLICATION



SUDIVISION NAME Aspire Pointe, Phase 4

LOCATION 3300 W. 3200 SO. PARCEL # 15-892-0103 + 0075

NO. OF LOTS 4 ZONE R 2.5 PRUD (2019)

APPLICANTS NAME Capital Reef Management, LLC / Overton Homes, LLC  
dba Aspire Homes

PHASES	
PHASE 1	NO. OF LOTS _____
PHASE 2	NO. OF LOTS _____
PHASE 3	NO. OF LOTS _____
PHASE 4	NO. OF LOTS _____
PHASE 5	NO. OF LOTS _____

N/A	Received	N/A	Received	Letters of acknowledgment/approval/conditions from
<u>PRELIMINARY</u>		<u>FINAL</u>		
<input checked="" type="checkbox"/>	Affidavit of Understanding and Acceptance of Fees	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Secondary Water Company
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	Culinary Water Company
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fire District
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	All other items required by City Planner

*Will served provided with prior phases*

<u>Planning Commission preliminary action</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Date <u>40/29/19</u>	<u>Scheduled for Planning Commission Agenda</u> <u>4/27/22</u>
<u>City Council preliminary action</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Date <u>11/20/19</u>	<u>Conditions:</u>
<u>Planning Commission final action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date <u>4/27/22</u>	
<u>City Council final action</u> <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date _____	

ALL APPLICABLE ITEMS MUST BE RECEIVED BEFORE BEING ADDED TO THE AGENDA.



# ASPIRE POINTE PRUD SUBDIVISION PHASE 4A

LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 34  
TOWNSHIP 6 NORTH RANGE 2 WEST  
SALT LAKE BASE & MERIDIAN  
WEST HAVEN CITY, WEBER COUNTY, UTAH  
APRIL 2022



## SURVEYOR'S CERTIFICATE

I, THOMAS R. WILLIAMS, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold License No. 8034670 in accordance with Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Act. I further certify that by authority of The Owners, I have completed a survey of the property described on this subdivision plat in accordance with Section 11-23-17 and have verified all measurements and that the monuments shown on this plat are located as indicated and are sufficient to accurately establish the boundaries of the herein described tract of real property and that it has been drawn correctly and is a true and correct representation of the herein described lands included in said subdivision based on data compiled from The County Recorder's office. I further certify that all lots meet heritage width and area requirements of applicable zoning ordinances.

## BOUNDARY DESCRIPTION

A parcel of land, situate in the Southwest Quarter of Section 34, Township 6 North, Range 2 West, Salt Lake Base and Meridian, and parcel also located in West Haven City, Weber County, Utah. Being more particularly described as follows:

Beginning at the Northeast corner of Lot 211, Aspire Pointe Prud Subdivision Phase 2 which point is North 02°25'20" East 648.66 feet along the Section Line and South 89°04'34" East 151.51 feet from the Southwest Corner of said Section 34 and running thence:

South 89°08'15" East 255.00 feet to the Northeast corner of Parcel C, Aspire Pointe Subdivision Phase 2;

thence South 02°49'20" West 86.09 feet along the West line of said Parcel C to the Northeast corner of Lot 211, Aspire Pointe Subdivision Phase 2;

thence along the North line of said Aspire Pointe Subdivision Phase 2 the following six (6) courses and distances:

1. North 82°15'49" West 190.36 feet to the Northeast corner of said Lot 210, said point also being on the East right of way line of 3300 West Street;
2. North 82°32'46" West 30.00 feet;
3. Southerly 67.5 feet along the arc of a 150.00 foot radius non-tangent curve to the right (center bears North 52°33'49" West and the long chord bears South 02°49'20" West 86.09 feet with a central angle of 02°34'50");
4. North 82°52'52" West, a distance of 30.00 feet to a point on the West right of way line of 3300 West Street;
5. Southerly 21.94 feet along the arc of a 150.00 foot radius non-tangent curve to the right (center bears North 02°52'00" West and the long chord bears South 02°49'20" West 86.09 feet with a central angle of 02°49'20") to a point on the North right of way line of 3175 South Street;
6. North 82°12'48" West 79.39 feet along the North right of way line to the Southwest corner of said Lot 211;

thence North 30°45'20" East 101.25 feet along the East line of said Lot 211 to the Point of Beginning.

Contains: 22,410 square feet or 0.517 acres and 2 lots.

Thom R. Williams, PLS  
License No. 8034670

## OWNER'S DEDICATION

We, the undersigned owners of the above described tract of land, do hereby set apart and subdivide the same into lots and streets (private streets/public right-of-way) as shown hereon and name said tract:

## ASPIRE POINTE PRUD SUBDIVISION PHASE 4A

Dedicate to public use all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares. Said streets to be owned and maintained by West Haven City. Grant and dedicate a perpetual right and easement over, upon and under the lands designated hereon as public utility and drainage easements and with no buildings or structures being erected within such easements.

In witness whereof I/we have hereunto set our hand (s) this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_.

By: CAPITAL REEF MANAGEMENT LLC  
BRAD FROST  
IT'S: MANAGING MEMBER

## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH      §5.1  
County of \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_, BRAD FROST, personally appeared before me, the undersigned Notary Public, in and for said County of \_\_\_\_\_ in the State of Utah, who after being duly sworn, acknowledged to me that he is the MANAGING MEMBER of CAPITAL REEF MANAGEMENT LLC, a limited liability company and that he signed the Owner's Dedication truly and voluntarily for and in behalf of said limited liability company for the purposes therein mentioned and acknowledged to me that said limited liability company executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

NOTARY PUBLIC

## ASPIRE POINTE PRUD SUBDIVISION PHASE 4A

LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 34  
TOWNSHIP 6 NORTH RANGE 2 WEST  
SALT LAKE BASE & MERIDIAN  
WEST HAVEN CITY, WEBER COUNTY, UTAH

## WEBER COUNTY RECORDER

ENTRY NO. \_\_\_\_\_  
FEE \_\_\_\_\_  
PAID \_\_\_\_\_  
RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF OFFICIAL RECORDS

WEBER COUNTY RECORDER

BY \_\_\_\_\_  
DEPUTY RECORDER

## SHEET 1 OF 1

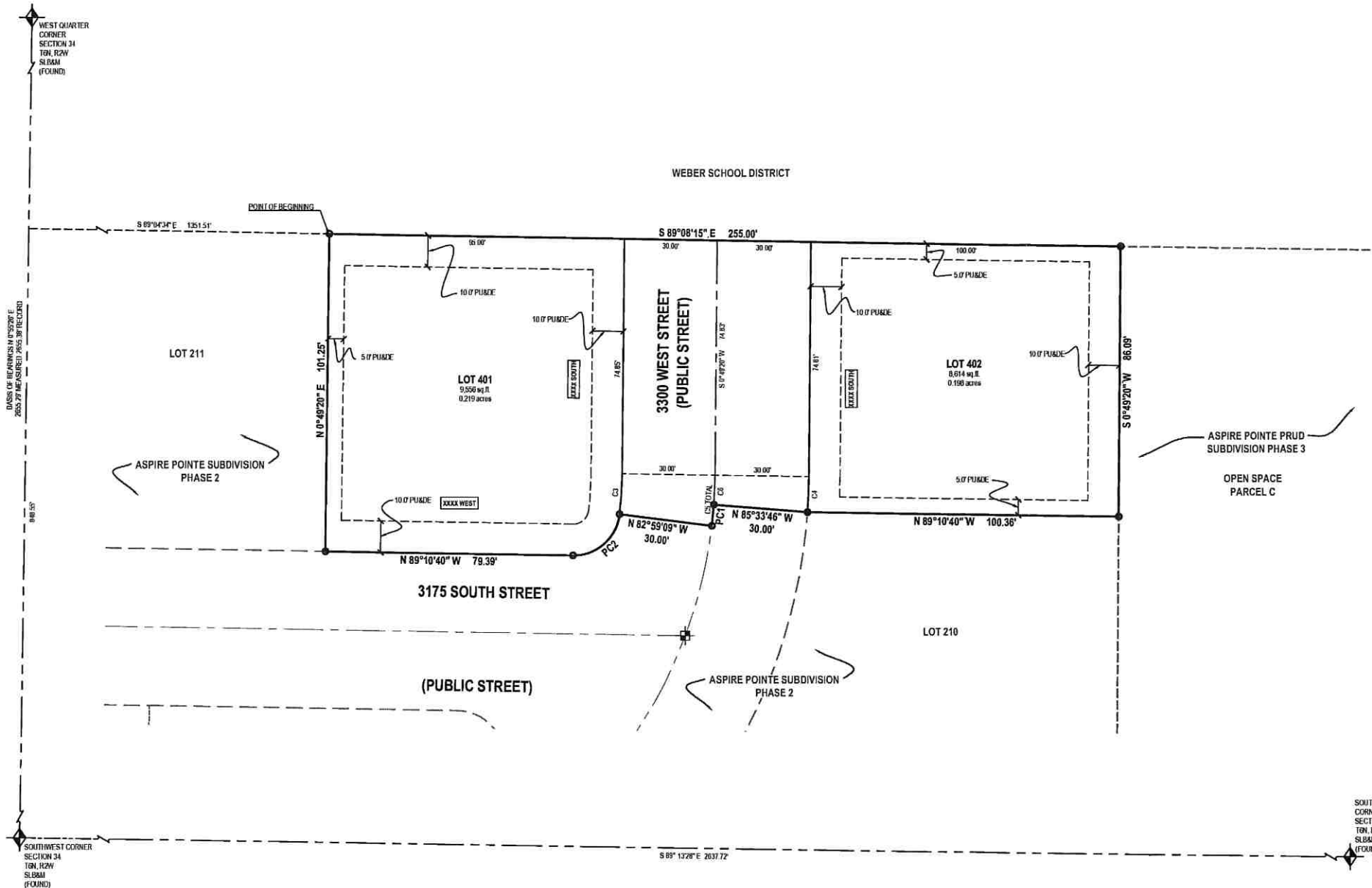
PROJECT NUMBER: 808

MANAGER: C. PRESTON

DRAWN BY: J. MOSS

CHECKED BY: T. WILLIAMS

DATE: 3/29/2022



## GENERAL NOTES:

1. PROPERTY IS ZONED R 23 PRUD.  
A. FRONT YARD SETBACK IS 20'.  
B. REAR YARD SETBACK IS 15'.  
C. SIDE YARD SETBACK IS 5'.  
D. CORNER LOT SIDE YARD SETBACK IS 20' PUBLIC/STREET MINIMUM SIDE YARD UNLESS OTHERWISE NOTED HEREON.
2. ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU & DE) ARE 10' FRONT, 5' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.
3. REBAR AND CAP WILL BE PLACED AT ALL REAR LOT CORNERS AND A NAIL OR RIVET IN THE CURB AT THE EXTENSION OF THE FRONT CORNERS.
4. UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREON, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PU/DE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PU/DE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PU/DE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PU/DE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PU/DE.
5. PROTECT ALL EXISTING SECTION CORNERS AND STREET MONUMENTS. COORDINATE ALL SURVEY STREET MONUMENT INSTALLATION, GRADE ADJUSTMENT AND ALL REQUIRED FEES AND PERMITS WITH THE COUNTY SURVEYOR PRIOR TO DISRUPTION OF ANY EXISTING MONUMENTS.

## LEGEND

- SECTION CORNER  
EXISTING STREET MONUMENT  
SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENGIN ENG. & LAND SURV." AT ALL LOT CORNERS, OFFSET PINS TO BE PLACED IN BACK OF CURBS  
PU/DE = PUBLIC UTILITY & DRAINAGE EASEMENT  
BOUNDARY LINE  
CENTER LINE  
EASEMENTS



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319 North 400 West  
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Fax: 801.593.0315  
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SALT LAKE CITY  
Phone: 801.353.0329  
TOOELE  
Phone: 801.461.2519  
CEDAR CITY  
Phone: 801.593.1403  
RICHFIELD  
Phone: 801.593.2802

## CITY ATTORNEY'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
BY THE WEST HAVEN CITY ATTORNEY.

WEST HAVEN CITY ATTORNEY

## PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
BY THE CITY PLANNING COMMISSION ON APPROVAL.

CHAIRMAN, WEST HAVEN CITY PLANNING COMMISSION

## CITY ENGINEER'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
BY THE WEST HAVEN CITY ENGINEER.

WEST HAVEN CITY ENGINEER

## CITY COUNCIL APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
BY THE WEST HAVEN CITY COUNCIL.

CITY RECORDER

CITY MAYOR

# ASPIRE POINTE PRUD SUBDIVISION PHASE 4B

LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 34  
TOWNSHIP 6 NORTH RANGE 2 WEST  
SALT LAKE BASE & MERIDIAN  
WEST HAVEN CITY, WEBER COUNTY, UTAH  
APRIL 2022



## SURVEYOR'S CERTIFICATE

I, **TRENT B. WILLIAMS**, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold License No. **8634679** in accordance with Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Act. I further certify that by authority of the Owners, I have completed a survey of the property described on this subdivision plat in accordance with Section 11-22-17 and have verified all measurements and that the monuments shown on this plat are located as indicated and are sufficient to accurately establish the boundaries of the herein described tract of real property and that it has been drawn correctly and is a true and correct representation of the herein described land included in said subdivision based on data compiled from The County Recorder's office. I further certify that all lots meet footage width and area requirements of applicable zoning ordinances.

## BOUNDARY DESCRIPTION

A parcel of land, situated in the Southwest Quarter of Section 34, Township 6 North, Range 2 West, Salt Lake Base and Meridian, said parcel also located in West Haven City, Weber County, Utah. Being more particularly described as follows:

Beginning at the Northwest corner of Lot 313, Aspire Pointe PRUD Subdivision Phase 3 which point is North 0°55'26" East 845.65 feet along the Section Line and South 89°04'34" East 2387.34 feet from the Southwest corner of said Section 34 and running thence:

South 89°08'12" East 250.48 feet to the westerly line of Grace Park Subdivision;

thence South 0°55'54" West 70.03 feet along said westerly line to the Northeast corner of Lot 312, Aspire Pointe PRUD Subdivision Phase 3;

thence along the North line of said Aspire Pointe PRUD Subdivision Phase 3 by the following five (5) courses and distances:

1. North 89°10'40" West 126.18 feet to a point on the cornerline of 3150 West Street;
2. South 0°49'20" West 15.31 feet along said cornerline of 3150 West Street;
3. North 89°10'40" West 30.00 feet to a point on the West right of way line of said 3150 West Street;
4. Southwesterly 23.56 feet along the arc of a 15.00 foot radius non-tangent curve to the right (center bears North 89°10'40" West and the long chord bears South 45°49'20" West 21.21 feet with a central angle of 90°00'00") to a point on the North right of way line of 3175 South Street;
5. North 89°10'40" West 79.17 feet along said North right of way line of 3175 South Street to the Southwest corner of said Lot 313, Aspire Pointe PRUD Subdivision Phase 3;

thence North 0°49'20" East 150.52 feet along the East line of said Lot 313 to the Point of Beginning.

Contains: 20.824 square feet or 0.475 acres and 2 lots.

Trent B. Williams, PLS  
License no. 8634679

Date

## OWNER'S DEDICATION

We (I), the undersigned owners of the above described tract of land, do hereby set apart and subdivide the same into lots and streets (private streets/private right of way's) as shown hereon and name said tract:

## ASPIRE POINTE PRUD SUBDIVISION PHASE 4B

Dedicate to public use all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares. Said streets to be owned and maintained by West Haven City.

Grant and dedicate a perpetual right and easement over, upon and under the lands designated hereon as public utility and drainage easements and with no buildings or structures being erected within such easements.

In witness whereof I/we have hereunto set our hand (s) this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_

By: **CAPITAL REEF MANAGEMENT LLC**  
Its: **MANAGING MEMBER**

## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH  
County of \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_, \_\_\_\_\_ personally appeared before me, the undersigned Notary Public, in and for said County of \_\_\_\_\_ in the State of Utah, who after being duly sworn, acknowledged to me that he is the **MANAGING MEMBER** of **CAPITAL REEF MANAGEMENT LLC**, a Limited Liability Company and that he signed the Owner's Dedication Body and voluntarily for and in behalf of said Limited Liability Company for the purposes herein mentioned and acknowledged to me that said Limited Liability Company executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_

RESIDING IN \_\_\_\_\_ COUNTY.

NOTARY PUBLIC

## ASPIRE POINTE PRUD SUBDIVISION PHASE 4B

LOCATED IN THE SOUTHWEST QUARTER  
OF SECTION 34  
TOWNSHIP 6 NORTH RANGE 2 WEST  
SALT LAKE BASE & MERIDIAN  
WEST HAVEN CITY, WEBER COUNTY, UTAH

## WEBER COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE  
PAID \_\_\_\_\_ FILED FOR RECORD AND  
RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF OFFICIAL RECORDS

WEBER COUNTY RECORDER

BY \_\_\_\_\_ DEPUTY RECORDER

## SHEET 1 OF 1

PROJECT NUMBER: 8289

MANAGER: C. PRESTON

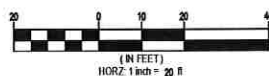
DRAWN BY: J. MOSES

CHECKED BY: T. WILLIAMS

DATE: 3/29/2022

**DEVELOPER**  
**CAPITAL REEF MANAGEMENT**  
488 NORTH KAYS DRIVE, SUITE 210  
KAYSVILLE, UTAH 84037  
801-564-3898  
BRAD FROST

## HORIZONTAL GRAPHIC SCALE



## LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- SET 90° REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSON ENG. & LAND SURV." AT ALL LOT CORNERS; OFFSET PINS TO BE PLACED IN BACK OF CURBS
- PUIDE: PUBLIC UTILITY & DRAINAGE EASEMENT
- BOUNDARY LINE
- CENTER LINE
- EASEMENTS

## GENERAL NOTES:

1. PROPERTY IS ZONED R-2.5 PRUD.  
A. FRONT YARD SETBACK IS 20'.  
B. REAR YARD SETBACK IS 15'.  
C. SIDE YARD SETBACK IS 5'.  
D. CORNER LOT SIDE YARD SETBACK IS 20' PUBLIC/PRIVATE STREET MINIMUM SIDE YARD UNLESS OTHERWISE NOTED HEREON.
2. ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU & DE) ARE 10' FRONT, 5' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.
3. REBAR AND CAP WILL BE PLACED AT ALL REAR LOT CORNERS AND A NAIL OR RIVET IN THE CURB AT THE EXTENSION OF THE FRONT CORNERS.
4. UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUIDE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUIDE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUIDE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUIDE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUIDE.
5. PROTECT ALL EXISTING SECTION CORNERS AND STREET MONUMENTS. COORDINATE ALL SURVEY STREET MONUMENT INSTALLATION, GRADE ADJUSTMENT AND ALL REQUIRED FEES AND PERMITS WITH THE COUNTY SURVEYOR PRIOR TO DISRUPTION OF ANY EXISTING MONUMENTS.



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**TOOELE**  
Phone: 801.462.2501  
**CECIDA CITY**  
Phone: 801.985.1401  
**RICHHILD**  
Phone: 801.964.2602

## CITY ATTORNEY'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
BY THE WEST HAVEN CITY ATTORNEY.

WEST HAVEN CITY ATTORNEY

## PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
BY THE CITY PLANNING COMMISSION APPROVAL.

CHAIRMAN, WEST HAVEN CITY PLANNING COMMISSION

## CITY ENGINEER'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
BY THE WEST HAVEN CITY ENGINEER.

WEST HAVEN CITY ENGINEER

## CITY COUNCIL APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
BY THE WEST HAVEN CITY COUNCIL.

CITY RECORDER CITY MAYOR

## STAFF REPORT

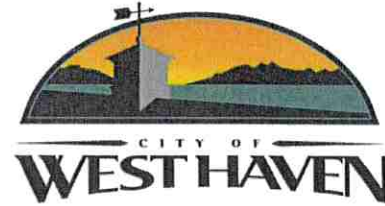
TO: City Council Members

FROM: Amy Hugie, City Attorney  
Emily Green, City Recorder

DATE: May 4, 2022

SUBJECT: Recodification – City and Zoning Codes – **Review of Changes**

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The following staff report discusses the need to form a committee to review the changes that American Legal Publishing is suggesting for the codification of the City and Zoning Codes.

### **Background**

The City has attempted to codify its ordinances twice now. The first time was with Sterling Codifiers (who is now American Legal Publishing). The ordinances were scanned in and Sterling Codifiers produced a book to review. It was not reviewed by everyone, was not approved, and thus the codification was not completed. In 2016, Municode was hired to do a codification of the City and Zoning ordinances. A five year contract was signed with them on June 20, 2016. The City pays \$1800 annually for Municode to host the City Code and Zoning Code. The Municode system is a self-publishing system which means City personnel does all of the input of the ordinances and decision-making regarding where the ordinance shall be placed in the different codes and sections. The online City and Zoning Codes thru Municode has never been officially adopted by the City Council and there is a Preface section in front of the City Code and Zoning Code that states that neither of the online versions are the official version. In April 2021, based on all of the issues with the City and Zoning Codes, the City Council voted to have American Legal Publishing start the process for recodification for both the City Code and the Zoning Code. At this time, American Legal Publishing has sent the first draft of the City and Zoning Codes. Within the next 60 days, they will be sending the legal analysis for the City's review which has to be completed within 60 days of receiving the legal analysis. The legal analysis goes through the City and Zoning Codes and makes suggestions on things that should be fixed, eliminated, etc. or are in conflict with Utah State Code or other sections of the City and Zoning Codes.

### **Analysis**

The City and Zoning Codes are very large documents and there will be a lengthy legal analysis for each of these codes that will require review. This also must be done in a timely manner and would be difficult if there are a large number of reviewers versus forming a small committee for that review.

### **RECOMMENDATION:**

Staff recommends that the City form a committee to review the American Legal Publishing's recodification of the City Code and Zoning Code with the accompanying legal analysis. The Committee would then present their recommendations (accept changes, decline changes, etc.) to the City Council to approve and send back to American Legal Publishing within the prescribed timeline. Staff recommends the following for the committee: City Manager, City Attorney, one planning commission member, one city council member, and one staff member.