

Pleasant View City Council

Meeting Agenda

Tuesday, November 15, 2022

6:00 p.m.

6:00 P.M. 1. **Introduction.**

- a. Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought:
(*Councilmember Steve Gibson*)
- b. Declaration of Conflicts of Interest
- c. Public Comments/Questions for the Mayor & Council (limited to 3 minutes)

6:05 P.M. 2. **Consent Items.**

- a. Minutes of November 1, 2022, November 3, 2022 and August 22, 2022

6:10 P.M. 3. **Appointments.**

- a. Discussion and possible action to appoint Sean Wilkinson as a member of the Planning Commission.
- b. Discussion and possible action to appoint Brandon Bell as the Records Officer for Planning and Zoning.

6:15 P.M. 4. **Public Hearing.** Discussion and possible action to consider a Rezone of 27 acres of land from Agricultural (A-5) to Residential (RE-20) located at 500 West 4300 North, Ordinance 2022-32. (*Presenter: Amy Mabey*)

6:50 P.M. 5. **Public Hearing - Amend Budget.** Discussion and possible action to consider amending the 2022-2023 fiscal year budget, Resolution 2022-V. (*Presenter: Laurie Hellstrom*)

7:00 P.M. 6. **Closed Meeting.** Consideration for a closed meeting pursuant to one or more of the provisions of the Utah Open and Public Meetings Law, Utah Code § 52-4-205(1).

7. **Other Business**

8. **Adjournment**

Public Notice is hereby given that the City Council of Pleasant View, Utah will hold a Public Meeting in the city office at 520 West Elberta Dr. in Pleasant View, Utah on Tuesday, November 15, 2022, commencing at 6:00 PM.

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

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

**MINUTES OF THE SPECIAL MEETING OF THE
CITY COUNCIL OF PLEASANT VIEW CITY, UTAH**

November 1, 2022

The public meeting was held at City Hall, 520 W Elberta Drive, Pleasant View, Utah, commencing at 6:00 P.M.

MAYOR:

Leonard Call (absent)

COUNCIL MEMBERS:

Ann Arrington
Steve Gibson (Mayor Pro-tem)
David Marriott
Phillip Nelsen
Sara Urry

STAFF:

Amy Mabey
Laurie Hellstrom
Paul Smith

VISITORS:

Brent Bailey
Nate Swain
Ryan Wilcox

1. Introduction.

a. Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought.

Sara Urry.

b. Conflict of Interest. None were given.

c. Public Comments/Questions for the Mayor & Council (limited to 3 minutes). None were given

2. Consent Items.

a. Minutes of October 25, 2022

b. Bills of Pleasant View City

Motion was made by CM Arrington to approve the consent items (minutes of October 25, 2022 and the bills of Pleasant View City. 2nd by CM Marriott. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

3. Public Hearing - Rezone. Discussion and possible action to consider a proposal for a rezone of 0.80 acres of land from Planned Manufacturing (MP-1) to Manufacturing/Commercial Mix Zone (MCM) at 2709 North Rulon White Blvd, Ordinance 2022-31. (Presenter: Amy Mabey)

Motion was made by CM Urry to go into a public hearing to consider a rezone of 0.80 acres of land from Planned Manufacturing (MP-1) to Manufacturing/Commercial Mix Zone (MCM) at 2709 North Rulon White Blvd. 2nd by CM Nelsen. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

Amy Mabey: this is a proposed rezone from MP-1 to MCM. The planning commission has recommended approval. The area was shown on Rulon White Blvd. The applicant wants to expand the area to include an RV dump and diesel fueling. It makes sense. The current zone

doesn't allow the use. If approved the site plan will be considered at planning commission. CM Nelsen: is Trigon in a MCM zone? Amy Mabey: yes. CM Gibson: this is a great thing. It will bring in sales tax. Amy Mabey and CM Nelsen read aloud some of the uses allowed in the MCM zone. Amy Mabey: MCM mainly allows for more commercial uses.

Motion was made by CM Marriott to close the public hearing. 2nd by CM Urry. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

Motion was made by CM Urry to approve the rezone in item #3 from MP-1 to MCM at 2709 North Rulon White Blvd, Ordinance 2022-31. 2nd by CM Nelsen. Roll call vote. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

4. Preliminary Subdivision. Discussion and possible action to consider approval of a preliminary subdivision application for Parkland II Planned Unit Development (PUD) at 2738 North Rulon White Blvd. (Presenter: Amy Mabey)

Amy Mabey: this went to the planning commission on October 20, 2022 and it was a unanimous recommendation of approval. It is a subdivision of three lots. It is in the MP-1 zone. The staff report was reviewed. It meets the zoning. The location and proposed plat was shown. CM Marriott: what are the manufacturing types? Amy Mabey: they are leasing out the buildings. Brent Bailey: we are selling one to a cabinet shop and the others are leased. They will have separate meters and connections. One building is being leased to Bird and Basketball. Amy Mabey: the next step is final subdivision approval.

Motion was made by CM Nelsen to approve item #4 for preliminary subdivision for Parkland II Planned Unit Development (PUD) at 2738 North Rulon White Blvd. 2nd by CM Arrington. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

5. Other Business

Ryon Hadley: we have two officers off sick and injured.

Amy Mabey: Brandon Bell will be our new planner and he is starting next Monday.

CM Urry: We are doing the Thanksgiving meals with the Youth City Council helping and three church stakes and us. We are having the Santa Clause and Children's Market on December 10th from 10am to 1pm for ages 5 to 16.

CM Marriott: the 'Hot Springs' advertisement sign for a lecture from the Museum committee sound interesting.

CM Gibson: what is the plan for the veteran monument? Amy Mabey: we are looking at early December.

6. Adjournment: 6:27 P.M.

**MINUTES OF THE SPECIAL MEETING OF THE
CITY COUNCIL OF PLEASANT VIEW CITY, UTAH**

November 3, 2022

The public meeting was held at City Hall, 520 W Elberta Drive, Pleasant View, Utah, commencing at 4:32 P.M.

MAYOR:

Leonard Call (absent)

COUNCIL MEMBERS:

Ann Arrington

Steve Gibson (Mayor Pro-tem)

David Marriott

Phillip Nelsen

Sara Urry

STAFF:

Amy Mabey

Laurie Hellstrom

VISITORS:

Brent Bailey

Nate Swain

1. Introduction.

a. Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought.

Dave Marriott.

b. Conflict of interest. None were given.

2. Final Subdivision. Discussion and possible action to consider approval of a final subdivision application for Parkland II Planned Unit Development (PUD) at 2738 North Rulon White Blvd. (Presenter: Amy Mabey)

Amy Mabey: this is for final. There were minor redlines that were corrected. Dana Shuler verified the accuracy of the plat map. We received the application and fees were paid. We have the CC&R's. The area was shown on Rulon White. This is to subdivide into three lots.

Motion was made by CM Arrington to approve item #2 to approve the final subdivision application for Parkland II Planned Unit Development (PUD) at 2738 North Rulon White Blvd. 2nd by CM Urry. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

3. Consolidated Fee Schedule Amend. Discussion and possible action to consider amending the Consolidated Fees Schedule to add a fee for a city sponsored 'Kids Market', Resolution 2022-U. (Presenter: Amy Mabey)

Amy Mabey: this is a new fee and we need to have it in the schedule to give the city authority to charge. Discussion on the \$15 registration fee and was determined that this was a life lesson and they will be making profit and having to pay expenses.

Motion was made by CM Urry to amend the Consolidated Fees Schedule to add a fee for a city sponsored 'Kids Market', Resolution 2022-U. 2nd by CM Marriott. Roll call vote. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

CM Urry: registration is open to residents of Pleasant View first on November 10th and then live on Sportsite. There is a maximum of 50 registrants.

4. Adjournment: 4:44 P.M.

**MINUTES OF THE SPECIAL MEETING OF THE
CITY COUNCIL OF PLEASANT VIEW CITY, UTAH**

August 22, 2022

The public meeting was held at City Hall, 520 W Elberta Drive, Pleasant View, Utah, commencing at 5:00 P.M.

MAYOR:

Leonard Call

COUNCIL MEMBERS:

Ann Arrington
Steve Gibson
David Marriott
Phillip Nelsen
Sara Urry

STAFF:

Amy Mabey

VISITORS:

Attendees at the Pumpkin Palooza Event

1. Open House Transportation Master Plan. Learn and provide feedback about local transportation.

A booth was set up at the Pumpkin Palooza Event to allow residents to learn and provide feedback about local transportation. Visitors along with members of the city council came and left throughout the evening. No actions were taken

2. Adjournment: approx. 8:00 P.M.



City Council Staff Report

Rezone from Agriculture (A-5) to Residential (RE-20)

500 West 4300 North

November 15, 2022

BASIC INFORMATION

Applicant:	Canyon Ledge, LLC
Location:	500 West 4300 North, Parcels: 160120017, 160090020, 160120027
Proposal:	Rezone from Agriculture (A-5) to Residential (RE-20)

CITY COUNCIL REVIEW

The City Council will discuss and consider a proposed rezone of property at 500 West 4300 North. The petitioner is requesting to rezone 27 acres of property to accommodate a housing development.

PLANNING COMMISSION REVIEW

The Planning Commission approved a recommendation of denial for the City Council regarding a proposed rezone of property at 500 West 4300 North. This determination was made with a 6-1 vote citing the City's General Plan map and General Plan language referencing rural residential and very low residential, with Commissioner Stokes voting to recommend denial without stated reasoning.

City Review

In accordance with City Code, the Planning Commission and the City Council considers public welfare and whether an application should be approved or disapproved based upon:

- The merits and compatibility of the proposed project with the General Plan;
- Surrounding land uses; and
- Impact on the surrounding area.

General Plan

Pleasant View City's General Plan was adopted in 2017. The General Plan is developed with public involvement and is intended to outline and reflect the City's desire for future development. The General Plan, although not legally binding, serves as an important guiding document for future development.

With regards to the proposed project, the City's General Plan remains inconclusive addressing these specific parcels in two ways considering future development. The Future Land Use Map included in the General Plan shows the property retaining A-5 zoning and some of the plan text addresses that this land be developed into Very Low Density Residential.

Other relative items are addressed in the General Plan as well. The following items apply to consideration of this proposed rezone:

Adequate Public Facilities - Ensuring adequate water resource availability through use of the Adequate Public Facilities Ordinance to moderate growth to the same level that additional water sources can be obtained before approving additional development that would require an expansion of the existing system. Application for this is addressed in the city's subdivision processes.

Sensitive Lands - Promoting and preserving the sensitive areas of the foothills north of 4300 North, as the area continues to develop.

The Sensitive Lands ordinance addresses vegetation, slope, grading plans, wildlife, etc. This property is subject to the Sensitive Area Overlay Zone and application for this is addressed in the city's subdivision processes.

Residential Land Uses

- Rural Residential (1 dwelling unit for every 5 acres) applies to the portions of the city shown on the Future Land Use Map predominately north of 4300 North, with the exception of the portion of the City which lies east of 500 West and to the eastern city limits. To preserve the desired rural and open feel, emphasis is placed on the kind of future development in order to limit disturbance of the watershed features and avoid geologic risks.
- Very Low Density Residential (1 to 2 dwelling units for every acre) is primarily located north of the Ogden-Brigham Canal to 4300 North, to the eastern city limits and from proximately 500 West to the eastern city limits, extending northward from 4300 North to 4575 North. This land use classification serves as a smooth transition between the much larger lots of the Rural Residential development pattern. High-quality construction features and up-scale architectural standards shall be strongly encouraged. Development of this area should also be sensitive to runoff water detention and control, and development should occur with no more impervious surface than necessary.

Public Comment

The City has received dozens of public comments on this proposal with a majority of residents recommending denial and a few expressing support for the rezone. All comments received have been emailed to City Council Members for their review and consideration.

There have been comments and concerns expressed about allowing for continued applications for this property and rezone as prior considerations of the same and similar occurred. Property owners are within their legal rights to continue to petition the city for the same or similar proposals.

History of Land

A proposal to rezone this property from A-5 to RE-20 came before the Planning Commission and City Council in 2019-20. A petition was submitted by residents to deny this proposal. Ultimately, the City Council voted to deny the proposal and the existing A-5 zoning remained intact.

Zoning Background

Both A-5 and RE-20 zones accommodate housing developments at different densities and within different standards. Both zones in question are present in the area and border the property being requested for rezone.

Development Standards	Agriculture (A-5) (City Code § 18.18)	Residential (RE-20) (City Code § 18.10)
Lot Size Minimum	217,800 Square Feet (5 acres)	20,000 Square Feet (approx. 0.46 acres)
Lot Width Min.	200 feet and for cul-de-sacs, the minimum width may be measured at a front yard setback of 75 feet.	100 feet, at a distance 30 back from the front lot line.
Yard Side Min. Setback	20 feet	10 feet
Yard Front Min. Setback	50 feet	30 feet
Yard Rear Min. Setback	50 feet	30 feet
Building Height	Minimum one-story, maximum of 35 feet	Minimum one-story, maximum of 35 feet
Other	Not over 10% of the lot area may be covered by materials impervious to water absorption.	Limit of 5,000 square feet or 10% of impervious surface on a lot, whichever of the two is greater (§18.38.070.a)

STAFF REVIEW

Given that this is referenced in the General Plan both supporting and not supporting the proposed rezone, the Planning Commission and City Council have discretion in determining which portion of the General Plan to apply directly to this proposal. However, in doing so, Staff recommends a motion to formally request an amendment to clarify the General Plan to ensure future consistency.

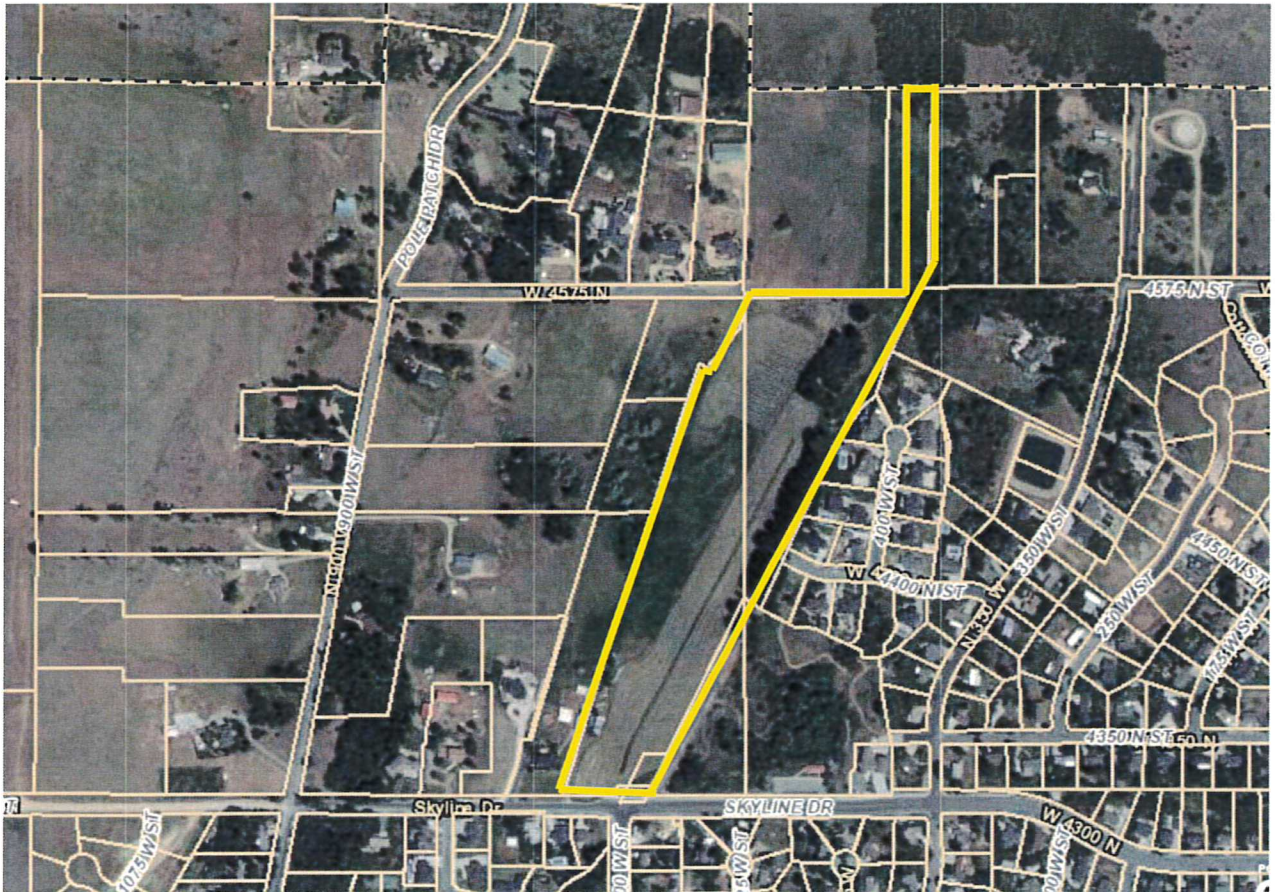
The motion being made should address at least one or more of the following applicable criteria for review:

- a. The merits and compatibility of the proposed project with the General Plan
- b. Surrounding land uses
- c. Impact on the surrounding area

STAFF CONTACT

Amy Mabey, MPA
amabey@pleasantviewcity.com
801-782-8529

ATTACHMENT 1) Vicinity Map



[illegible]

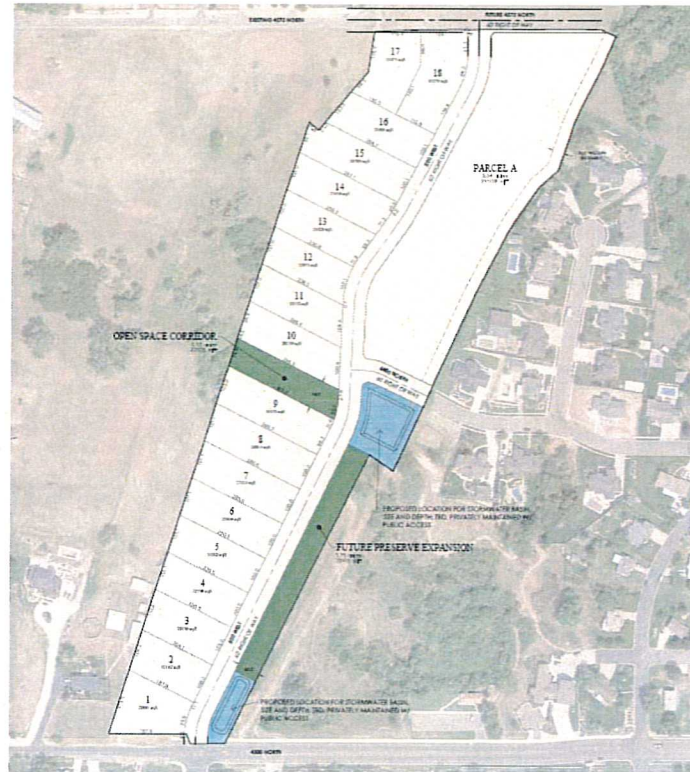
City Boundary



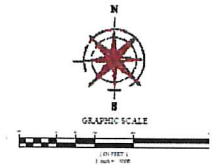
Zoning - Public

-  Zone A-2
-  Zone A-5
-  Zone CP-1
-  Zone CP-2
-  Zone CP-3
-  Zone NE C-1
-  Zone C-2
-  Zone C-3
-  Zone MCM
-  Zone MP-1
-  Zone PS-1A
-  Zone RE-15
-  Zone RE-20

ATTACHMENT 3) Concept Plan



GENERAL PROPERTY INFO	
TOTAL ACREAGE	271.8 ACRES
CURRENT ZONING	A-5
CONCEPT YIELD	
LOT/ACRE COUNT	18
TOTAL DENSITY	125 UNITS/ACRE
PROPOSED OPEN SPACE	
OPEN SPACE TO BE DEDICATED	227 ACRES
PARCEL A	6.64 ACRES
ZONE B LOT REQUIREMENTS	
PROPOSED ZONE	RE-20
MIN. LOT SIZE	20,000 SQFT
MIN. LOT WIDTH	100'
FRONT YARD SETBACK	30'
REAR YARD SETBACK	30'
CITY STANDARDS	
LOCAL STREET ROW WIDTH	60'
PROJECT CONTACTS	
CIVIL PM	MATT C. 512.352.0075
SURVEY PM	AUSTIN L. 512.352.0075



WADMAN EXPANSION concept B

PLEASANT VIEW, WEBER COUNTY
8/30/2022
22.0339

Note: This plan is for illustrative purposes only. Boundaries may be based on parcels obtained through public GIS data. It is recommended that a survey be performed to determine actual boundary size and dimensions as well as other potential boundary conflicts.





**PLEASANT VIEW CITY
APPLICATION FOR ZONE CHANGE**

LOCATION: 500 W 4300 N, Pleasant View, UT 84414 ACREAGE: 27

CURRENT ZONE: A-5 PROPOSED ZONE: RE-20

PARCEL ID NUMBERS: 160120017, 160090020, 160120027

PROPOSED USE: Residential Housing

PROPERTY OWNER(S): (attach additional pages if needed)

NAME: Canyon Ledge LLC PHONE: (435) 851-1522 FAX: —

ADDRESS: 3823 Evergreen Drive, Pleasant View, UT 84414 EMAIL: jaiden@ballparkprops.com

APPLICANT/AGENT:

NAME: Jaiden Olsen PHONE: 435.851.1522 FAX: —

ADDRESS: 6841 S 1300 East Salt Lake City, UT 84121 EMAIL: Jaiden@BallparkProps.com

The information on this form is true and accurate to the best of my knowledge. I understand it is my responsibility to pay Pleasant View City for all professional and any other fees associated with this application as stated in section 17.02.100 of the subdivision ordinance.

Application will not be accepted unless all appropriate documents are attached. See check list documents required.


Signature of Applicant/Agent

Signature of City Rep.

For City Use

DATE SUBMITTED: 7/28/22 TAKEN BY: JE

FEES (DUE AT TIME OF APPLICATION)

\$150.00	Date Paid <u>7/28/22</u>	Amt. <u>150.00</u>
\$200.00 (Noticing Fee)	Date Paid <u>7/28/22</u>	Amt. <u>200.00</u>
Other Fees (if any-see City)	Date Paid _____	Amt. _____
Form Date: September 2020	Total Paid	<u>\$ 350.00</u>

Affidavit

Property Owner

I (we) CANYON LEDGE LLC, JAIDEN T. OLSEN (please print) certify that I(we) am(are) the Owners(s) of record of the property identified in this application and the statements, drawings, and other exhibits contained herein are in all respects true and correct to the best of my(our) knowledge.

Property Owner(s) CANYON LEDGE LLC

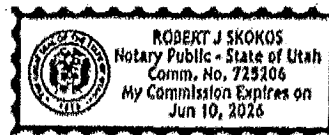
[Signature]

Subscribed and sworn to me on 7/27/22 (date)

Notary Robert J Skokos

(Residing in: Salt Lake City Utah)

My commission expires 06/10/2026 (date)



Notary Seal

Agent Authorization

I(we) VAL L. POLL AND HEATHER L. POLL - CO-TRUSTEES (please print), the owner(s) of the real property identified in this application, do authorize as my (our) agents(s) CANYON LEDGE LLC, JAIDEN T. OLSEN (please print) to represent me(us) and appear on my(our) behalf before any administrative or legislative body concerning this application and to act in all respects as our agent in matters pertaining to the this application.

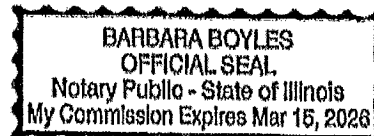
Property Owner(s) THE VAL AND HEATHER POLL FAMILY 2004 TRUST VAL L. POLL AND
Val L. Poll - TRUSTEE Heather Poll - TRUSTEE HEATHER L. POLL AS
CO-TRUSTEES

Subscribed and sworn to me on 27 July 2022 (date)

Notary Barbara Boyles

(Residing in: Nauvoo IL)

My commission expires Mar 15, 2026 (date)

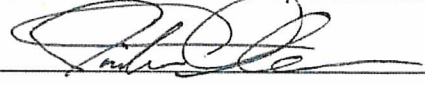


Notary Seal

Affidavit

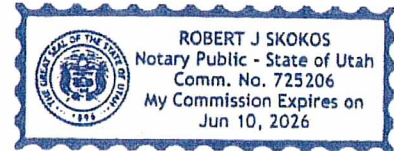
Property Owner

I (we) CANYON LEDGE LLC, JAIDEN T. OLSEN (please print) certify that I(we) am(are) the Owners(s) of record of the property identified in this application and the statements, drawings, and other exhibits contained herein are in all respects true and correct to the best of my(our) knowledge.

Property Owner(s) CANYON LEDGE LLC


Subscribed and sworn to me on 7/27/22 (date)

Notary Robert Skokos
(Residing in: Salt Lake City Utah)
My commission expires 06/10/2026 (date)



Notary Seal

Agent Authorization

I(we) _____ (please print), the owner(s) of the real property identified in this application, do authorize as my (our) agents(s) CANYON LEDGE LLC JAIDEN T. OLSEN (please print) to represent me(us) and appear on my(our) behalf before any administrative or legislative body concerning this application and to act in all respects as our agent in matters pertaining to the this application.

Property Owner(s) _____

Subscribed and sworn to me on _____ (date)

Notary _____
(Residing in: _____)
My commission expires _____ (date)

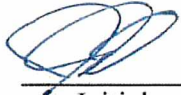
Notary Seal

Zone Text Change Application Checklist

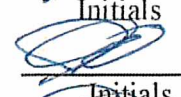
Note: Unless directed otherwise by the City, all applications and associated plats, plans and documents must be submitted to the City Planner.

THIS IS A BASIC LIST ONLY

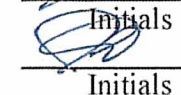
SEE CITY ORDINANCES FOR COMPLETE REQUIREMENTS IN CODE 20.08


Initials

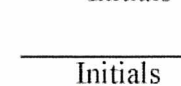
Application: completed; including names and addresses of applicant, surveyor, engineer, owner(s), affidavit of owners and applicant; all signed and notarized.


Initials

Large Plans: four (4) copies of plans that are 22" x 34" including a plat map


Initials

Small Plans: one (1) copy of plans that is to 11" x 17" to scale including a plat map


Initials

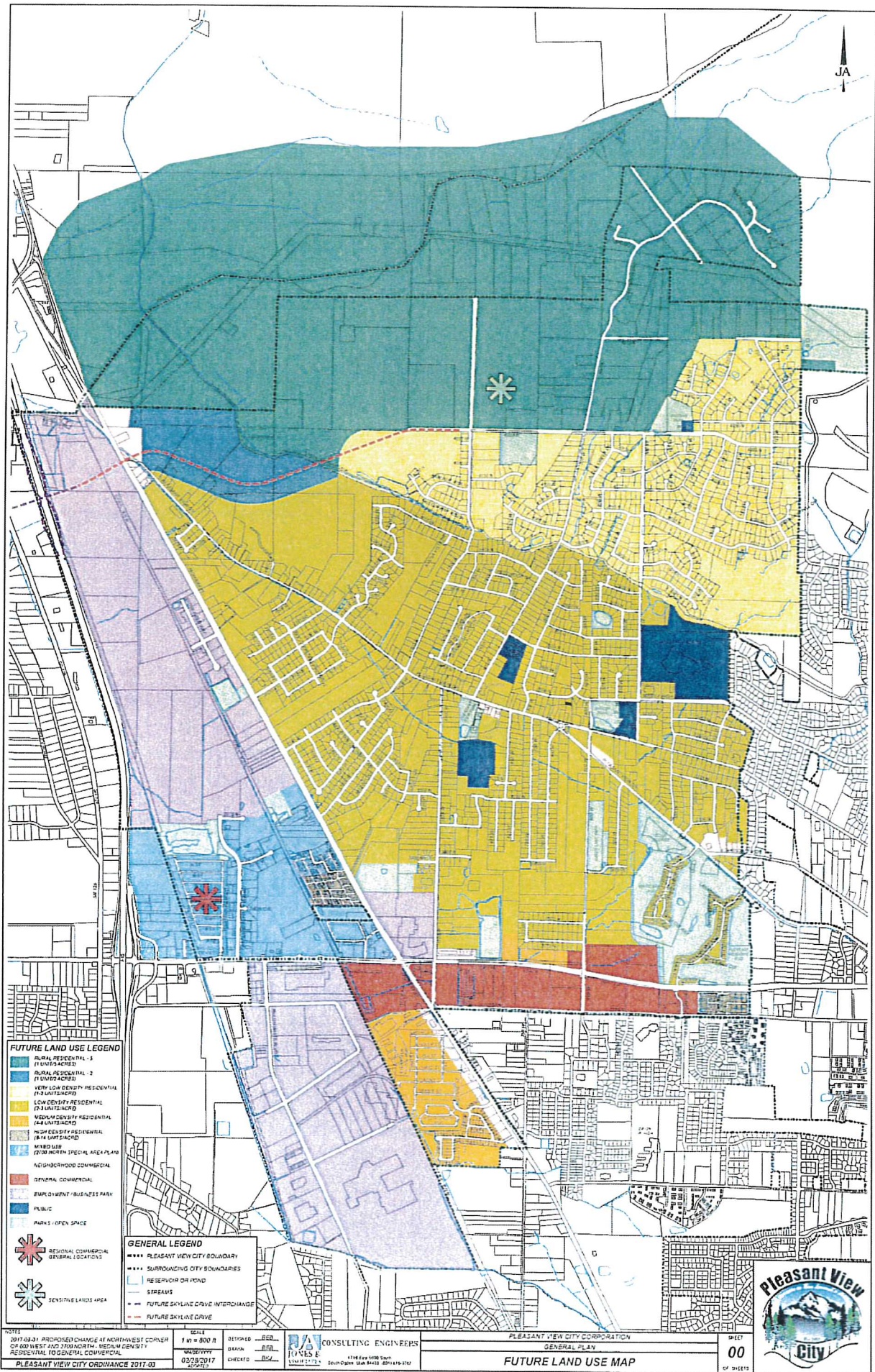
Digital Plans: version of the plans and plat map in pdf format, send it to jhunt@pleasantviewcity.com. *If greater than 8MB, please send by Dropbox or similar.*


Initials

Stamped envelopes: within 500ft of the radius of the property that is going to be developed. *Noticing fee is for newspaper fees and website fees.*


Initials

Payment of fees



Community Character

Purpose

The primary objectives of the Community Character element are to:

- Maintain and enrich the character of Pleasant View,
- Enhance the built environment,
- Preserve the natural environment,
- Create an attractive community that is sought after for its high quality of life, atmosphere, and beautiful neighborhoods.

LAND USE

The Future Land Use Plan reflects the community vision of maintaining Pleasant View's warm rural character, while providing the high-quality environment and infrastructure necessary for recruiting, creating, expanding and retaining businesses and thriving commercial and employment centers in appropriate areas of the City. The land use definitions included in this element define the type, density and intensity of development within each land use designation.

Residential Land Uses

Rural Residential (1 dwelling unit for every 5 acres)

The Rural Residential designation applies to the portions of the city shown on the Future Land Use Map predominately north of 4300 North, with

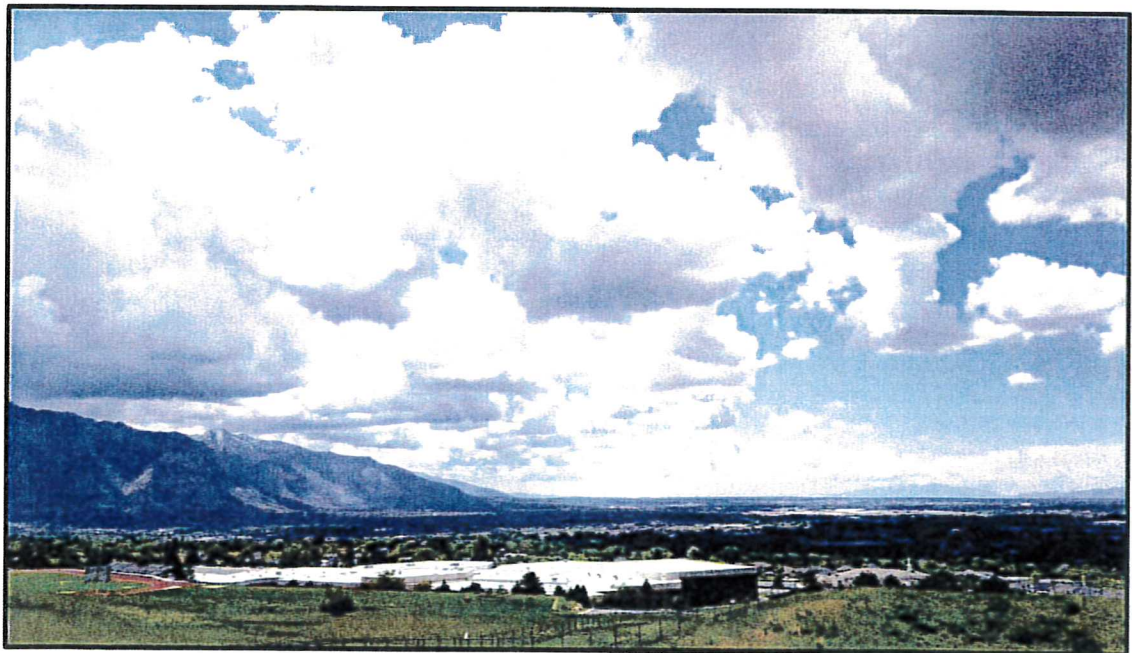
the exception of the portion of the City which lies east of 500 West and to the eastern city limits. To preserve the desired rural and open feel, emphasis should be placed on the kind of future development in order to limit disturbance of watershed features and avoid geologic risks. Development of this area should be either five-acre lots or larger and be sensitive to concerns related to storm water detention and control. Natural and historical geologic hazards should also be avoided. Development in this area must be also sensitive to such watershed issues, geologic formations, and other potential community impacts including hillside and slope stability, viewsheds, and natural environment preservation.

Rural Residential development should maintain a rural character. Large portions of this area should be left as open space with trees and vegetation that will help preserve the watershed and water recharging attributes of this area of the City. Existing agricultural use should be encouraged within this area and appropriate protections from development provided. Preservation and protection of open space are a priority. In order to achieve this priority, an allowance for planned unit development could be implemented encouraging the clustering of homes in strategic locations which are largely free from other natural constraints, limiting the impact of development on City resources. Areas utilizing the planned unit development allowance should have sufficient safeguards in place to ensure the long-term viability of the open space,

including home owners' associations and restrictive covenants to own and maintain the open space as part of an overall open space plan.

Very Low Density Residential (1 to 2 DU/AC)

Very Low Density Residential is primarily located north of the Ogden-Brigham Canal to 4300 North, to the eastern city limits, and from approximately 500 West to the eastern city limits, extending northward from 4300 North to 4575 North. This land use classification serves as a smooth transition between the much larger lots of the Rural Residential development pattern. High-quality construction features and up-scale architectural standards shall be strongly encouraged. Development of this area should also be sensitive to run-off water detention and control, and development should occur with no more impervious surface than necessary.





**PLEASANT VIEW CITY
APPLICATION FOR ZONE CHANGE**

LOCATION: 2705 North Rulon White Blvd ACREAGE: .80

CURRENT ZONE: MP-1 PROPOSED ZONE: MCM

PARCEL ID NUMBERS: 194350004

PROPOSED USE: Extension of Fuel station & RV Dump station

PROPERTY OWNER(S): (attach additional pages if needed)

NAME: Jeff Beckstead PHONE: 801-682-3724 FAX:

ADDRESS: 164 East 5600 South Washinton Terrace, UT 84405 EMAIL: jeff.beckstead@yahoo.com

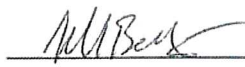
APPLICANT/AGENT:

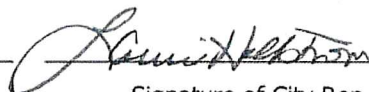
NAME: Bret Cummings PHONE: 435-732-3491 FAX:

ADDRESS: 538 North Main Street Brigham City, UT, 84302 EMAIL: bretc@haies.net

The information on this form is true and accurate to the best of my knowledge. I understand it is my responsibility to pay Pleasant View City for all professional and any other fees associated with this application as stated in section 17.02.100 of the subdivision ordinance.

Application will not be accepted unless all appropriate documents are attached. See check list documents required.


Signature of Applicant/Agent


Signature of City Rep.

For City Use

DATE SUBMITTED: 9/22/22 TAKEN BY: LH

FEES (DUE AT TIME OF APPLICATION)

\$150.00	Date Paid	9/22/22	Amt.	150.00
~~1575.00~~ \$200.00 (Noticing Fee)	Date Paid	9/22/22	Amt.	75.00
Other Fees (if any-see City)	Date Paid		Amt.	

Form Date: September 2020

Total Paid 225.00

Affidavit

Property Owner

I (we) Jeff Beckstead (please print) certify that I(we) am(are) the Owners(s) of record of the property identified in this application and the statements, drawings, and other exhibits contained herein are in all respects true and correct to the best of my(our) knowledge.

Property Owner(s) *Jeff Beckstead*

Subscribed and sworn to me on 9/22/22 (date)

Notary *Laurie Hellstrom*
(Residing in: PVC)

My commission expires 7/2/24 (date)



Agent Authorization

I(we) Jeff Beckstead (please print), the owner(s) of the real property identified in this application, do authorize as my (our) agents(s) Bret Cummings (please print) to represent me(us) and appear on my(our) behalf before any administrative or legislative body concerning this application and to act in all respects as our agent in matters pertaining to the this application.

Property Owner(s) *Jeff Beckstead*

Subscribed and sworn to me on 9/22/22 (date)

Notary *Laurie Hellstrom*
(Residing in: PVC)

My commission expires 7/2/24 (date)



Zone Text Change Application Checklist

Note: Unless directed otherwise by the City, all applications and associated plats, plans and documents must be submitted to the City Planner.

THIS IS A BASIC LIST ONLY
SEE CITY ORDINANCES FOR COMPLETE REQUIREMENTS IN CODE 20.08

JB		
_____	Initials	Application: completed; Including names and addresses of applicant, surveyor, engineer, owner(s), affidavit of owners and applicant; all signed and notarized.
XX		
_____	Initials	Large Plans: four (4) copies of plans that are 22" x 34" including a plat map
xx		
_____	Initials	Small Plans: one (1) copy of plans that is to 11" x 17" to scale including a plat map
JB		
_____	Initials	Digital Plans: version of the plans and plat map in pdf format, send it to jhunt@pleasantviewcity.com . <i>If greater than 8MB, please send by Dropbox or similar.</i>
		<i>350A.</i>
_____	Initials	Stamped envelopes: within 500ft of the radius of the property that is going to be developed. <i>Noticing fee is for newspaper fees and website fees. (2 sets - for PC + CC)</i>
JB		
_____	Initials	Payment of fees

July 27, 2022

Re: Pleasant View City — Temporary Easement Agreement

To whom it may concern,

I have reviewed the Temporary Easement Agreement between Robert E. Christofferson and Ruth R. Christofferson as “Grantor”, and Pleasant View City as “Grantee” dated August 9, 2005, and recorded with the Weber County Recorder on May 12, 2006, as Entry No. 2179510.

The benefits and burdens to the land defined in the Temporary Easement Agreement to and by the “Grantor” remain with the property described in the Temporary Easement Agreement even if the property has been transferred to someone other than the original Grantor. This is because: (1) the parties to the Temporary Easement Agreement intended the benefits and burdens to run with the land; (2) the recording of the Temporary Easement Agreement put future landowners on notice of the benefits and burdens; (3) the terms of the agreement touch and concern the land; and (4) Robert and Ruth Christofferson owned the land at the time they and Pleasant View City signed the agreement.

The benefits to the land include the promise that Pleasant View City will allow the property to be subdivided. The Temporary Easement Agreement says that the property can be subdivided “consistent to adjacent properties to the east for housing demands of ½ acres or less”. The subdivision is consistent with Pleasant View City’s long-term plans. In June 1970 Pleasant View City sent a letter about the pipeline easement stating that the “new pipeline is also the proposed alignment of 500 West extended and will at some future date, when the land is subdivided, be a street within the city limits of Pleasant View.”

Very truly yours,

PEARSON BUTLER, PLLC



David R. Williams

801-495-4104

david@pearsonbutler.com



PLEASANT VIEW CITY
WELCOMES YOU

AT THE FOOT OF
BEN LOMOND

PLEASANT VIEW CITY

UTAH

23 June 1970

Mr. & Mrs. Robert Christofferson
279 Elberta Drive
Pleasant View, Utah

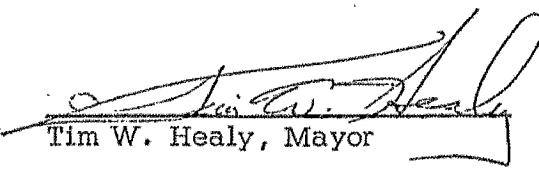
Dear Mr. & Mrs. Christofferson:

This letter is to inform you that the easement requested by the Pleasant View Culinary Water Association for the installation of a new pipeline is also the proposed alignment of 500 West extended and will at some future date, when this land is subdivided, be a street within the city limits of Pleasant View.

The water line was located purposely in its proposed location in order that the street could be developed along the alignment, thus making the pipe line as installed available to provide water service for the lots as they are developed.

Respectfully,

PLEASANT VIEW CITY



Tim W. Healy, Mayor

TWH/cb

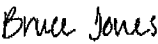
To: Pleasant View City
520 W Elberta Drive
Pleasant View, UT 84414

RE: Application for Zone Change of Parcels # 160120017, 160090020,
160120027

Dear Pleasant View City,

I own property that is located at 750 W 4300 N PLEASANT VIEW UT 84414 which is near the parcels being considered for a zone change. I want to express my support for the zone change from A-5 agriculture to the RE-20 for the parcels listed above. The requested zone change is consistent with the Mt. Majestic Subdivision to the east and Alder Creek Subdivision to the south.

Signed,

DocuSigned by:

14D3B52B381B48C...

Bruce Jones

To: Pleasant View City
520 W Elberta Drive
Pleasant View, UT 84414

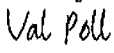
RE: Application for Zone Change of Parcels # 160120017, 160090020,
160120027

Dear Pleasant View City,

I own property that is located at 3823 Evergreen Dr which is near the parcels being considered for a zone change. I want to express my support for the zone change from A-5 agriculture to the RE-20 for the parcels listed above. The requested zone change is consistent with the Mt. Majestic Subdivision to the east and Alder Creek Subdivision to the south.

Signed,

Val Poll

DocuSigned by:

C3854048592448D...

ATTACHMENT 6) Applicable Zoning Ordinances

Chapter 18.18 - A-5 Zone

18.18.010 Purpose and Intent. The purpose of the A-5 zone is to provide residential and limited agricultural uses and other uses provided they are compatible with flood control objectives and residential use. (Ord. 87-17.03 (part), 1987: prior code §34-6a-1)

18.18.020 Permitted Uses. Permitted uses in the A-5 zone are as follows:

- A. Residential, single-family dwelling;
- B. Public parks and playgrounds;
- C. Nature parks and open spaces;
- D. Agricultural uses to the intensity and extent they are compatible with flood control objectives, maintain a quality environment acceptable to residential use.
 - 1. Truck gardening,
 - 2. The keeping of animals and fowl for family food production as an incidental and accessory use to the residential use of the lot; private stables; horses for private use only. Any corral, stable or building, for keeping horses, animals, or fowl shall be located not less than one hundred feet from a public street and not less than twenty five feet from any side or rear lot line,
 - 3. Growing hay, cereal grains and row crops,
 - 4. Orchards, growing fruit from trees and shrubs,
 - 5. Growing trees, shrubs and ornamental plants,
 - 6. Greenhouse plants,
 - 7. Household pets;
- E. Residential facility for persons with a disability;
- F. Residential facility for elderly persons.

(Ord.2001-7, 4/10/01 and Ord. 87-17.03 (part), 1987: prior code §34-6a-2)

18.18.030 Conditional Uses-Designated. The following may be permitted only when authorized by a conditional use permit issued by the city:

- A. Church, synagogue or similar permanent building used for regular religious worship;
- B. School, training center or similar building used primarily for educating or training;
- C. Fire station;
- D. Health or medical treatment center;
- E. Public utility maintenance center;
- F. Public recreation facilities such as ball grounds, tennis courts, swimming pools, posse practice areas and rodeo grounds owned and operated by municipal, county, state or federal entities. (Ord. 87-17.03 (part), 1987: prior code §34-6a-3(1))

18.18.040 Conditional Uses-Issuance. The planning commission shall not recommend a conditional use permit unless evidence is presented to establish that:

- A. The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general welfare of the community;
- B. Such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, but will be compatible if not complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, landscaping and signs; and
- C. The proposed use will comply with the regulations and conditions specified in this title for such use; and
- D. The proposed use conforms to the goals, policies and governing principles and land use of the master plan of for the city.

E. The proposed use will not lead to the deterioration of the environment of the general area, nor will produce conditions or emit pollutants of such type or quantity as to detrimentally affect, to any appreciable degree, public and private properties including the operation of existing use thereon, in the immediate vicinity or the community or the area as a whole;

F. Flood control objectives for the city will be met. (Ord. 87-17.03 (part), 1987: prior code §34-6a-3(2))

18.18.050 Site Development Standards.

A. Minimum site area is five acres.

B. Minimum lot width shall be two hundred feet. However, for cul-de-sacs, the minimum width may be measured at a front yard setback of seventy-five feet.

C. Minimum yard setbacks:

1. Front, fifty feet from existing or proposed public right of way on streets of less than eighty feet in width, seventy-five feet on all streets and highways of eighty or more feet in width;

2. Side, twenty feet adjacent to a residential boundary and for single-family dwellings;

3. Rear, fifty feet for single-family dwellings and one hundred feet from any street or lot line for any building or structure used for raising, housing, or sale of livestock or poultry;

D. Building height:

1. Minimum, one story;

2. Maximum, thirty-five feet;

E. Lot coverage: Not over ten percent of the lot area may be covered by materials impervious to water absorption. Lots with existing area coverage of materials impervious to water absorption exceeding ten percent, based on prior city approval, may have impervious surface areas removed, modified or replaced if the changes results in a lower total percentage of impervious surface and is closer to the current allowable standard of ten percent.

F. Runoff water generated by developments or improvements such as buildings, driveways, sidewalks, parking areas, soil compaction, tilling, etc. shall be detained in a manner acceptable to the city engineer. (Ord.2021-9, dated 8/24/21; prior codes: Ord 99-17, dated 7/13/99, Ord. 87-17.03 (part) and 1987 & §34-6a-4)

18.18.060 Sign Regulations. The height, size and location of the following permitted signs shall be in accordance with the regulations set forth in RE-20 zone of the city:

A. Identification;

B. Property signs;

C. Service signs.

(Ord. 87-17.03 (part), 1987: prior code §34-6a-5)

18.18.070 Subdivision Requirement Modification. The following requirements relating to subdivision developments as required in Title 17 of this code shall be modified for the A-5 zone as designated below:

1. The city shall review and approve all road locations, gradient, profiles and other engineering features, but shall not be required to accept dedication of such roads to the city nor to maintain and service the roads. (See Section 17.16.010(A).)

2. Cul-de-sacs shall not be longer than five hundred feet from the center line of the intersecting street to the center of the turn-around. (Ord 99-3, 2/9/99 (part))(See Section 17.16.010(D).)

3. Maximum and minimum length of blocks shall not apply. However, the master road plan of the city shall be complied with. (See Section 17.16.020(A).)

4. Width of blocks shall not apply. (See Section 17.16.020(B).)

5. Business and industrial off-street parking requirements shall not apply. (See Section 17.16.020(C).)

6. Each lot in zone A-5 shall abut or have access to a public street. The balance of Section 17.16.030(C) shall not apply.
7. Sidelines of lots need not be at right angles. (See Section 17.16.030(F).)
8.
 - a. All underground utilities and installations shall meet city development standards.
 - b. Each development shall be required to connect to the public culinary water supply system. Private systems are discouraged however, where such are proposed, an operator, certified by the State of Utah shall be responsible for overseeing the system in accordance with Department of Environmental Quality, Division of Drinking Water Regulations. Private systems shall connect to the public water system and shall meet all requirements pertaining thereto, including, but not limited to, fire flow, hydrant location, lines sizes, storage requirements, metering, etc.
 - c. Secondary irrigation water shall be required for each lot in the subdivision. Preliminary plat approval shall not be granted until proof of secondary water service has been presented to the city.
9. In addition to the requirements in Section 17.20.010(E) pertaining to storm-water, each subdivision and/or each lot, in accordance with recommendations of the city engineer, as approved by the city council shall provide for the detention of run-off water resulting in the subdivision and/or on each lot; and the subdivision and/or lot owner shall be fully responsible for any property damage resulting on other properties. Facilities for the collection of stormwater runoff shall be the first improvement or facilities constructed on the development site. Such facilities shall be designed so as to detain safely and adequately the maximum expected stormwater runoff for a one-hundred year storm as defined in NASA Study NSG 7226. (See also Ord. 94-10, 11/15/94). The developer shall be responsible to provide the city with appropriate easements for all detention facilities. All detention basins in the A-5 Zone shall be privately owned and maintained unless the detention can fill the function of a public park. Bonding may be required by the city council to guarantee the completion of stormwater runoff facilities. If such bond is required, it shall be in an amount equal to the cost of construction of such facilities and shall continue for two years after the completion date of such facilities.
10.
 - a. Street surfacing shall be required. Street pavement sections, grades and profiles shall be in accordance with the city development standards, with the exception of the curb, gutter and sidewalks, which may be replaced by street shoulders and swells, as approved by the city engineer and the city council in order that storm runoff water can be fully controlled. Cuts or surface disturbances shall be re-vegetated within three months of surface disturbances. (See Section 17.20.010(F).)
 - b. Street structural pavement sections shall comply with Pleasant View City Public Works Standards. All work shall comply with National Pollution Discharge Elimination System (NPDES) requirements and Storm Water Pollution Prevention Plans (SWPPP) shall be submitted in accordance with state and federal regulations.
11. The approval of the planning commission for the planting, variety and location of trees along roadways may be required. (See Section 17.20.010(K).)
12. The natural vegetation (when it is oakbrush, shrubs and small trees within a sensitive area) shall be removed only when necessary for building, fire protection, driveways and landscaping purposes. However, in non-sensitive areas, land shall be used for agricultural purposes only if it has been so used in any five of the previous ten years. The maximum lawn area shall be one-fourth acre. A re-vegetation plan shall be submitted to and approved by the planning commission and city council for any cuts and slope disturbances on sensitive areas and such re-vegetation shall be completed within one year of the surface disturbance.
13. No building or construction shall be allowed which will disrupt the flow of water in the existing natural existing channels.
14. Wildlife shall be protected and every effort should be made to protect their present habitat.
15. It shall be the responsibility of the landowner or developer within a sensitive area to

provide evidence to the city council for their approval that the proposed location is a safe location. The landowner or developer shall give careful consideration to fire hazards, earthquake zones, flood hazards and possible land and snow slippage.

16. No building shall be permitted on any portion of a lot where the natural slope exceeds twenty percent.

17. The landowner or subdivider in a sensitive area will be required to submit hydrologic survey data and percolation testing prepared or conducted by any duly authorized authority in the field to establish that the proposed building program will not endanger existing property with flooding or ecological hazards, or in any way alter the effectiveness of the aquifer replenishment capability of the area or contaminate the sources of the culinary water supply.

18. A sanitary sewer system shall be required and it must be in full conformity with the requirements of the local, county and state standards.

19. Spark arrestors shall be installed in every fireplace constructed indoors or outdoors. Screen openings in such arrestors shall not be in excess of one quarter inch in diameter.

20. A grading plan shall be submitted to the planning commission and to the city council for approval. All cuts and fills shall be made in accordance with the city engineer's recommendation. Approval of a subdivision or site plan shall be required before the issuance of a building permit.

21. A site plan of the portion of the five acres to be developed, drawn to a scale of at least one-inch to twenty feet, shall be submitted to the planning commission and shall show lot lines, existing and proposed contours at five foot intervals, location of proposed dwelling unit and any other proposed structures, walks, driveways and patio areas and landscaping.

22. Residences shall be built according to the Uniform Building Code in effect at the time the plans are approved.

23. Any person, firm or corporation violating any provisions of this chapter, upon conviction thereof, shall be deemed guilty of a class B misdemeanor, and fined not more than \$1850.00 or imprisoned in the county jail for a period of not longer than six months, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense and punishable as such. (Ord. 99-17, 7/13/99: prior codes, Amended during 1988 codification; Ord. 87-17.03 (part), 1987 & §34-6a-6)

Chapter 18.10 - RE-20 Zone

18.10.010 Use Regulations. In residential zone RE-20 no building, structure or land shall be used, and no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- A. Single-family dwellings;
 - B. Churches, except temporary revival tents or buildings; libraries, museums; art galleries;
 - 1. The minimum size of the lot or site used for such purposes shall be one acre.
 - 2. Any lights used to illuminate the premises shall be installed in such a manner that the source of light shall not be visible from outside the premises and the source of light shall be suitably screened to avoid annoying illumination of lands outside said premises.
 - C. Public schools; private educational institutions having a curriculum similar to that ordinarily given in public schools;
 - 1. The minimum size of the lot or site used for such recreational or other purposes shall be one acre.
 - 2. Any lights used to illuminate the premises shall be installed in such a manner that the source of light shall not be visible from outside the premises, and the source of light shall be suitably screened to avoid annoying illumination of lands outside said premises.
 - D. Public parks, public recreational grounds and buildings; public buildings, public utilities;
 - E. Agriculture, nurseries and greenhouses, provided sale of goods is limited to materials produced on the premises, and there is no retail shop operated in connection therewith; agriculture experiment stations;
 - F. The keeping of animals and fowl for family food productions as an incidental and accessory use to the residential use of the lot; private stables; horses for private use only. Any corral, stable or building for keeping horses, animals, or fowl shall be located not less than one hundred feet from a public street and not less than twenty-five feet from any side or rear lot line;
 - G. The following uses, provided they are conducted on not less than five acres and under the following conditions:
 - 1. Farms devoted to the hatching, raising (including fattening as an incident to raising), slaughtering, dressing and marketing on a commercial scale of chickens, turkeys or other fowl or poultry, rabbits, fish or frogs hatched or raised on the premises.
 - 2. The raising and grazing of horses, cattle, sheep or goats, including the supplementary feeding of such animals, provided, that such raising or grazing is not part of nor conducted in conjunction with, any livestock feed yard, livestock sales yard, slaughter house, animal by-products business or commercial riding academy,
 - 3. Any building, structure or yard for raising, housing or sale of livestock or poultry shall be located not less than one hundred feet from a public street and not less than twenty-five feet from any lot line.
 - H. Household Pets;
 - I. Signs. All signs are subject to the sign regulations of the city.
 - J. Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work;
 - K. Home occupations;
 - L. Accessory uses and buildings customarily and normally incidental and subordinate to the above, and devoted exclusively to the main permitted use of the premises.
- (Ord. 2007-9, 6/26/07; prior codes: Ord. 2001-7, 4/10/01, Ord 94-13, 11/15/1994, Ord. 87-17.03 (part), 1987, §34-3-1) (also see Ord. 95-7, 7/25/95)

18.10.015 Conditional Uses. The following may be permitted only when authorized by a conditional use permit issued by the city:

- A. Nurseries and greenhouses (other than nurseries and greenhouses permitted in Section

18.10.010, paragraph E) limited to the sale of:

1. Plants;
2. landscaping materials;
3. fertilizer;
4. pesticide and insecticide products;
5. tools for garden and lawn care.
6. Provided further that a nursery or greenhouse of this type meet the following

standards:

- a. The use to be on a minimum of 5 acres;
- b. The location to be on a major street, arterial or collector as designated on the city's master street plan;
- c. Provision of adequate off-street parking;
- d.. Hours of operation 8:00 a.m. to 7:00 p.m.;
- e. No exterior lighting;
- f. No storage of machinery on site except that used in the nursery operation (could be required to be stored in building);
- g. The Planning Commission may consider limits to size of retail shop.

B. Neighborhood Specialty Services: Limited number client service uses, including low impact retail attendant to such services, that are designed to serve educational, artistic and well being needs of the community. Such uses may include, but are not limited to: gardening classes; instruction in yoga, self esteem, dance, art and music; massage therapy; swimming lessons; and small retail sales of items related to classes. All functions will be limited be the available on-site parking.

1. All uses must be located on a lot and within an existing dwelling, which dwelling must remain in such a condition as to readily, with no more than minor remodeling, resume use as a single family dwelling.

2. Except for additional parking facilities, as approved by the City, obvious yard uses such as gardening plots and gathering places, and a sign as allowed herein, the yard areas must remain as if used for a single family dwelling.

3. The location must be on Pleasant View Drive or a major street south of Pleasant View Drive. These streets are considered major streets: 600 West, 1000 West, 1100 West, 2700 North and Highway 89.

4. There must be approved provision of adequate off-street parking;

5. The minimum size of the lot or site used for such purposes shall be one acre.

6. Any lights used to illuminate the premises shall be installed in such a manner that the source of light shall not be visible from outside the premises, and the source of light shall be suitably screened to avoid annoying illumination of lands outside said premises.

7. The Planning Commission may impose limits to any aspect of the proposed uses.

8. Signs. One monument style sign no more than four feet in height and less than 26 square feet in area, located within an approved landscaped area, may be allowed as a part of the conditional use.

9. Application for such uses must be accompanied by signed approval of no less than 70% of all property owners and tenants of properties within 500 feet of any portion of the property proposed for such use.

C. Private recreation grounds and facilities not open to the general public and to which no admission charge is made.

1. The minimum size of the lot or site used for such recreational or other purposes shall be one acre.

2. Any lights used to illuminate the premises shall be installed in such a manner that the source of light shall not be visible from outside the premises, and the source of light shall be suitably screened to avoid annoying illumination of lands outside said premises.

D. Residential facility for persons with a disability subject to established rule for such facilities.

E. Residential facility for elderly persons subject to established rules for such facilities.

(Ord. 2010-13, 4/27/10 & Ord. 2007-9, 6/26/07; prior code: Ord. 95-2, 3/28/95)

18.10.020 Lot Area. The minimum lot area shall be not less than twenty thousand square feet. (Ord. 2007-9, 6/26/07, Ord. 2007-9 6/26/07 and Ord. 87-17.03 (part), 1987: prior code §34-3-2)

18.10.030 Lot Width. The minimum width of any lot shall be one hundred feet, at a distance thirty feet back from the front lot line. (Ord. 2007-9, 6.26.07, Ord. 87-17.03 (part), 1987: prior code §34-3-3)

18.10.040 Yard Side. The minimum side yard for any dwelling shall be ten feet and the total width of the two required side yards shall be not less than twenty-four feet. Other main buildings shall have a minimum side yard of twenty feet and the total width of the two required side yards shall be not less than forty feet. The minimum side yard for a private garage shall be ten feet, except that private garages and other accessory buildings, located at least six feet in the rear of the main building may have a minimum side yard of one foot, provide that no private garage or other accessory building shall be located closer than ten feet to a dwelling on an adjacent lot. On corner lots, the side yard, which faces on a street from both main and accessory buildings, shall be not less than twenty feet, or the average of existing buildings where more than fifty percent of the frontage is developed, but in no case less than fifteen feet. (Ord. 2007-9, 6/26/07 and Ord. 87-17.03 (part), 1987: prior code §34-3-4)

18.10.050 Yard Front. The minimum depth of the front yard for main buildings and for private homes which have minimum side yard of ten feet shall be thirty feet, or the average of the existing buildings, where fifty percent or more of the frontage is developed, but in no case less than twenty feet. All accessory buildings other than private garages shall be located at least ten feet in the rear of the main building. (Ord. 2007-9, 6/26/07 and Ord. 87-17.03 (part), 1987: prior code §34-3-5)

18.10.060 Yard Rear. The minimum depth of the rear yard for any main building shall be thirty feet, and for accessory buildings one foot, providing that on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard. (Ord. 2007-9, 6/26/07 and Ord. 87-17.03 (part), 1987: prior code §34-3-6)

18.10.065 Yard-General. The minimum setback requirement of any yard for any building which abuts 600 West, 1000 West or 1100 West, below Pleasant View Drive, shall be 40 feet. The City Council may waive this special setback requirement in those circumstances where a new project is dedicating and constructing the right of way as shown in the General Plan. (Ord. 2010-13, 4/27/10 & Ord. 2007-9, 6/26/07; prior codes: Ord 2007-1, 1/9/07 and Ord 96-14, 9/24/96)

18.10.070 Building Height. No buildings shall be erected to a height greater than two and one-half stories or thirty-five feet, and no dwelling structure shall be erected to a height less than one story. (Ord. 2007-9, 6/26/07; prior codes: Ord. 87-17.03 (part), 1987: prior code §34-3-7)

Chapter 18.38 - Sensitive Area Overlay Zone

18.38.010 Purpose. The purpose of the sensitive area overlay zone (S.A. zone) is to delineate those areas within the corporate limits of the city that possess geologically and environmentally sensitive terrains with specific intent to:

- A. Control the arrangement of the use of the land in a sensitive area;
- B. Protect the general health, safety and welfare of the citizens of Pleasant View;
- C. Minimize public and private property damage;
- D. Provide for public awareness of sensitive environs;
- E. Protect culinary water supply from possible contamination; and
- F. To maintain the efficiency of the water recharge areas of the Mt. Ben Lomond bench area.

The requirements of this title shall be deemed superimposed on the requirements of all zoning ordinances in those areas designated as sensitive areas and shall, in case of conflict, take precedence over the requirements of, and uses permitted by, the other city zoning ordinances. (Ord. 87-17.03 (part), 1987: prior code §34-13B-1)

18.38.020 Definitions. For purposes of this chapter, the following words and terms shall have the meanings set out in this section:

A. "Sensitive area" means lands containing environmentally and geologically sensitive elements which, if disturbed or encroached upon by urban or suburban land development (such as utilities, dwellings, street, industrial, commercial or certain types of agriculture) could be damaged beyond repairability, could cause damage or complete destruction to already existing public or private property within or adjacent to the city, could cause loss of life or bodily harm, or could affect the purity, consistency or volume of the water supply for the city or adjacent communities. Such sensitive areas could include, but not be limited to: earthquake faults, potential landslide areas, steep unstable terrain, areas of potential rock fall, subsurface waters and flooding. Such areas, for the purpose of this title, are designated by the maps developed:

1. Through NASA Grant NSG 7226 with titles, "Faults - Map 3; Slope - Map 8; Flood Potential - Map 5; Hydrologic Soil Group - Map 6; and Alluvial Fan-Geomorphology - Map 1";
2. Sensitive areas as designated in any future detailed, technical, authoritatively accepted geomorphological study adopted by the city.
 - a. Adopted Bryce Montgomery's study dated November 5th, 1993 (2 mile radius option)

B. Sensitive Vegetation. Vegetation, primarily oak brush, shrubs and maples, on alluvial aprons and exceedingly porous soil areas which areas are recharge zones for water supplies and which vegetation helps prevent stormwater, which naturally becomes subsurface water, from being converted to runoff water. Vegetative cover which can be harmed by compaction from overuse, urban development, or altering of the hydrologic cycle in such a manner as to create an environmental imbalance causing a severe retardation of growth.

C. Earthquake Fault. For the purposes of this chapter, earthquake faults shall refer to faults delineated on Map 3 of "Natural Constraints to Urban Development in the North Ogden Area, Utah, Planning Application Summary" of May 1978, authors Merrill Ridd and Bruce N. Kaliser. In areas not covered by Map 3 of the above study, reference may be made to "Wasatch Fault (Northern Portion), Earthquake Fault Investigation and Evaluation, A Guide to Land Use Planning," July, 1970 by Woodwane-Clyde and Associates.

D. Impervious Surfaces. Those surfaces or such matter that is impenetrable by moisture

including, but not limited to, rooftops, driveways, sidewalks, patios, roads, etc.

E. Vented Combustion Apparatus. Any device used in the combustion of a solid fuel for any purposes. (Ord. 87-17.03 (part), 1987: prior code §34-13B-2)

18.38.030 Permitted Uses. Except within approved and recorded subdivision outside of the Pole Patch Area. There are no permitted uses. (Ord.2008-11, dated 9/24/08 and Ord. 87-17.03 (part), 1987: prior code §34-13B-3)

18.38.040 Conditional Uses. The sensitive area overlay zone ordinance codified in this chapter does not add to the allowed uses of any zone but converts a permitted use in each respective zone over which the sensitive area ordinance codified in this chapter extends to a conditional use. This standard shall not apply to approved and recorded subdivisions outside of the Pole Patch Area. (Ord.2008-11, dated 9/24/08 and Ord. 87-17.03 (part), 1987: prior code §34-13B-4)

18.38.050 Site Development Standards. Same as those specified for the particular use in the respective zone over which the sensitive area zone extends. Before building permits are issued for any construction in a sensitive area zone, the procedure set forth in Sections 18.38.070 and 18.38.080 must be completed and a conditional use permit must be approved by the city council in accordance with the provisions of this title. This standard shall not apply to approved and recorded subdivisions outside of the Pole Patch Area. (Ord.2008-11, dated 9/24/08 and Ord. 87-17.03 (part), 1987: prior code §34-13B-5)

18.38.060 Special Review Procedure. Except within existing approved and recorded subdivisions outside of the Pole Patch Area, the planning commission shall require that a site plan be submitted for a proposed development or for proposed construction in a sensitive area and it may require that such a site plan be reviewed by a representative of any or all of the following: Utah Geological Survey, U.S. Soil Conservation Service, U.S. Forest Service, Utah Division of Wildlife Resources and any or all departments of the city administration or any other professional expertise or group as may be deemed necessary. The intent in providing for such a review procedure is to assist the planning commission in properly evaluating developments and recommending approval of construction in sensitive areas to assure the least detrimental affect on the land and to attempt to identify and preclude potential terrain hazards to present and future residents of the city. (Ord.2008-11, dated 9/24/08 and Ord. 87-17.03 (part), 1987: prior code §34-13B-6)

18.38.070 Site Plan Requirements and Considerations.

A. Impervious surfaces resulting from construction shall be limited to ten percent of the lot area in a sensitive area zone; except in zone RE-20 the limit shall be five thousand square feet or ten percent of the lot area, whichever is greater.

B. No building will be permitted in a sensitive area zone on land where the natural terrain has a slope greater than twenty-five percent (unless otherwise recommended by the city engineer in which case any and all conditions recommended by the city engineer shall be complied with).

C. A closed sewer system shall be required within a sensitive area zone.

D. Spark arrestors shall be installed and maintained in every fireplace or other vented combustion apparatus constructed indoors or outdoors. Screen openings in such arrestors shall not be in excess of one-quarter inch in diameter.

E. A grading plan shall be submitted to the planning commission and to the city council for approval. All cuts and fills shall be made such that the resultant surface has an angle equal to or less than the natural angle of repose of the soil. Approval of an individual plot plan for each lot

shall be required before issuance of a building permit.

F. A plot plan of the lot to be developed drawn to a scale of at least one inch equals twenty feet shall be submitted to the planning commission which plot plan shall show lot lines, existing and proposed topographical contours at five foot intervals, location of proposed roads, dwelling units and any other proposed structures, walks, driveways and patio areas, springs and seeps, and all utility lines. All construction shall be in accordance with the plot plan as approved by the city council.

G. Structures shall not be placed on or across a fault nor within fifty feet unless it is determined by professional experts that the distance of fifty feet may be reduced without creating a potential hazard. The planning commission will recommend a greater distance from a class I or II fault line if deemed necessary.

H. Structures in an earthquake sensitive area must comply with earthquake standards set forth in the Uniform Building Code in effect at the time the building plan is approved.

I. Flexible joints shall be required where utility lines cross identified faults.

J. Areas sensitive because of flood potential (Map 5) in the A zone shall be left in their natural state. Setback distances in the B1 flood potential areas should have setback distances from stream channels at a 2:1 ratio from the stream channels to avoid slumping and settlement next to the stream bluff.

K. In areas designated sensitive due to flood potential (Map 5) no construction of any structures shall be permitted which will disrupt flow of water in a natural drainage channel, nor may a channel be filled, blocked or diverted.

L. Street grades and profiles in any sensitive area must be approved by the city engineer and the city council with particular consideration being given to the control of stormwater runoff in flood potential areas. Cuts or surface disturbances shall be revegetated within three months of surface disturbances for roads.

M. In areas sensitive due to hydrologic soil conditions of moderate high or high run-off potential (Map 6) natural vegetation when it is oakbrush and small trees, shall be removed only when necessary for roads, buildings, driveways and landscaping purposes. The maximum lawn area shall be one-fourth acre. A revegetation plan shall be submitted to the planning commission and approved by the city council for any cuts and slope disturbance and each revegetation shall be completed within one year of the surface disturbance.

N. Lots or groups of lots shall provide for the complete containment and controlled release of runoff water resulting on each lot or group of lots in accordance with recommendations of the city engineer, as approved by the city council. The lot owner or owners shall be fully responsible for any property damage resulting on other property from improperly contained runoff from the lot or lots. Facilities of the collection of stormwater runoff shall be the first improvement or facilities constructed on the development site. Such facilities shall be designed so as to retain safely and adequately the maximum expected stormwater runoff for a ten-year record storm. Bonding may be required by the city council to guarantee the completion of stormwater runoff facilities. If such bond is required, it shall be in an amount equal to the cost of construction of such facilities and shall continue for one year after the completion of such facilities.

O. The planning commission, with the help of technical expertise, shall determine if the site is related to active or potential land slides, rock slides, or snow slides, and if so, the planning commission may require that the developer engage the services of an engineer-geologist who shall report his findings to the city engineer who will evaluate and make necessary restrictions which must be complied with by the developer. (Ord. 87-17.03 (part), 1987; prior code §34-13B-7)

P. 1. To ensure compliance with the public drinking water system regulations for the State of Utah, which are promulgated pursuant to the Utah Safe Drinking Water Act, and the goals of this section of the zoning ordinances, certain well and spring protection zones have been designated

as sensitive area overlay zones.

2. Until such time that Pleasant View City delineates drinking water source protection zones or a drinking water source protection management area for each of its existing and future ground water sources of drinking water, pursuant to R309-113 ("Drinking Water Source Protection"), as amended, in an area designated sensitive due to the presence of a "deep" or "shallow" well or spring that is a source of drinking water for the public, potential contamination sources, as defined in R309-113-6(1)(u), as amended:

a. Shall not be located, built, constructed, developed, or otherwise operated within 100 feet of a "deep" well, which is a well that has the following construction:

i. An effective geologic seal must exist between the ground surface and the water bearing aquifer. It must be of sufficient thickness and continuity to give confidence of its uniformity throughout the region generally;

ii. The annular space between the drilled hole and the well casing must be grouted or otherwise sealed to eliminate water of questionable quality from seeping alongside the casing into the water bearing aquifer. Such grouting shall be at least two inches thick and extend a minimum of one hundred feet below the surface, or into an effective geologic seal (see R309-106-2.4.7, Utah Admin. Code, as amended, for specific grouting requirements);

iii. The well casing shall extend to an elevation greater than the maximum flood water elevation but not less than eighteen inches above the surrounding ground. However, casings terminated in underground vaults may be permitted on a case by case basis, if the vault is provided with a drain to daylight sized to handle in excess of the well flow;

b. Shall not be located, built, constructed, developed, or otherwise operated within 1,500 feet of a "shallow" well, which is a well that does not meet the above stated requirements of a "deep" well, when the potential contamination source is situated on land that is equal to or higher in elevation than the operating water level elevation, and within at least 100 feet beyond (downhill) the intersection of the operating water level elevation with the ground surface, or 1,500 feet, whichever is less, when the potential contamination source is situated on land that is lower in elevation than the operating water level in a "shallow" well unless the owner of the potential contamination source agrees to implement design or operating standards, as specified by the city, which are intended to prevent discharges to ground water;

c. Shall not be located, built, constructed, developed, or otherwise operated within 1,500 feet of a spring when the potential contamination source is situated on land that is equal to or higher in elevation than the elevation of the spring, and within 100 horizontal feet of a spring when the potential contamination source is situated on land that is lower in elevation than the elevation of the spring unless the owner of the potential contamination source agrees to implement design or operating standards, as specified by the city, which are intended to prevent discharges to ground water. The elevation datum to be used is the point of water collection.

3. After such time that Pleasant View City delineates drinking water source protection zones or a drinking water source protection management area for each of its existing and future ground water sources of drinking water, pursuant to R309-113 ("Drinking Water Source Protection"), as amended:

a. Potential contamination sources, as defined in R309-113-6(1)(u), as amended, shall not be located, built, constructed, developed, or otherwise operated within Zone one under the Preferred Delineation Procedure or the Optional Two-mile Radius Delineation Procedure, which is the area within a 100 foot radius from the wellhead or the margin of

the collection area;

b. Pollution sources, as defined in R309-113-6(1)(t), as amended, shall not be located, built, constructed, developed, or otherwise operated within Zone two under the Preferred Delineation Procedure unless the owner of the pollution source agrees to implement design or operating standards, as specified by the city, which are intended to prevent discharges to ground water;

c. Pollution sources, as defined in R309-113-6(1)(t), as amended, shall not be located, built, constructed, developed, or otherwise operated within Zone two under the Drinking Water Source Protection management area under the Optional Two-mile Radius Delineation Procedure, unless it appears that the pollution source will not impact the ground water source or unless the owner of the potential contamination source agrees to implement design or operating standards, as specified by the city, which are intended to prevent discharges to ground water.

4. Any proposed use in a sensitive area overlay zone so designated due to the presence of a "deep" or "shallow" well or spring that supplies culinary water to the public, or within a drinking water source protection zone or a drinking water source protection management area, must be reviewed by the city engineer or designated official in accordance with the requirements of this chapter in order to ensure compliance with the State of Utah regulatory standards for public drinking water systems.

(Ord. 93-19, 6/30/94) (Also see: Ordinance 94-2, 7/12/94)

18.38.080 Application Procedure. Except within approved and recorded subdivisions outside of the Pole Patch Area, any person, persons, groups, agencies, partnerships or corporations who desire to develop or build in a designated sensitive area zone must obtain a conditional use permit application from the city office. The permit application must be filled out together with a sepia of the proposed development site plan (see subsections E and F of Section 18.37.070) and presented to the planning commission for the planning commission's consideration at a regularly scheduled meeting. The planning commission will, at that time, determine which agencies or department should review the site plan. Any agency or department reviewing a site plan will refer any recommendations it feels necessary regarding a particular development to the planning commission to satisfy the concerns of this section. The recommendations of any agency or department are in no way binding on the decision of the planning commission to recommend a conditional use permit, but the planning commission may incorporate the recommendations as conditions before final approval of a conditional use permit. (Ord.2008-11, dated 9/24/08 and Ord. 87-17.03 (part), 1987: prior code §34-13B-8)

18.38.090 Cost and Expense. Any costs or expenses generated by the employment of experts or professionals for the purposes set forth in this chapter, shall be paid by the person, groups, agencies, partnerships or corporations, thereafter called developers, who desire to develop or construct in the sensitive area zone, and who, because of the filing of a conditional use permit application have given rise to the employment of the experts or professionals as authorized in this chapter. Any costs, fines or forfeitures, including costs of court and a reasonable attorneys' fee, which the commission or the city may incur by reason of the developer's neglect or failure to pay for expertise or technical advice contemplated by this section, shall be paid by said developer. (Ord.87-17.03 (part), 1987: prior code §34-13B-9)

18.38.100 Conditional Use Permit Expiration. Unless there is substantial action under a conditional use permit within a maximum period of one year of its issuance, the conditional use permit shall expire. The planning commission may recommend a maximum extension of six months under

exceptional circumstances. (Ord. 87-17.03 (part), 1987: prior code §34-13B-10)

18.38.110 Violation. Any person, firm or corporation violating any provisions of this chapter shall, upon conviction, be deemed guilty of a misdemeanor. (Amended during 1988 codification; Ord. 87-17.03 (part), 1987: prior code §34-13B-10)

ORDINANCE 2022-32

AN ORDINANCE OF THE PLEASANT VIEW CITY COUNCIL FOR THE AMENDMENT OF THE ZONING MAP OF THE CITY.

WHEREAS, Pleasant View City finds that an update to the official City zoning map is needed to accommodate the request of a particular property owner in the City; and

WHEREAS, Pleasant View City finds that such a zone change is in keeping with the desires and intents of the City as stated in the General Plan; and

WHEREAS, Pleasant View finds that the City's Future Land Use Map designates that area to be Very Low Density Residential or Rural Residential; and

WHEREAS, Pleasant View City finds that such an amendment is in the best interest of the City; and

WHEREAS, Section 10-9a-503 (1) and (2) of the Utah Code provides for the amendment of municipal ordinances, including zoning maps, after receiving a recommendation from the Planning Commission; and

WHEREAS, The Pleasant View City Planning Commission has made a positive recommendation of the proposed amendment.

NOW THEREFORE, Be it hereby ordained that:

SECTION ONE: The zoning map of Pleasant View, Utah is hereby amended by reclassifying the following described portion of the incorporated area classified A-5 (residential) to RE-20 (residential):

PROPERTY DESCRIPTION

Parcel 16-012-0017

PART OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT 472.90 FEET, WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER SECTION 18, THENCE WEST 229.34 FEET, THENCE NORTH 18D45' EAST 1723.9 FEET; THENCE SOUTH 52D30' EAST 0.50 CHAIN, THENCE NORTH 50D30' EAST 2.85 CHAINS, THENCE SOUTH 1020.82 FEET, MORE OR LESS, TO THE ESTABLISHED FENCE LINE BY QUIT CLAIM DEED RECORDED IN BOOK 928 PAGE 144, THENCE SOUTH 28D12'23" WEST ALONG THE SAID FENCE 638.74 FEET, MORE OR LESS, THENCE WEST 81.50 FEET, MORE OR LESS, THENCE SOUTH 27D45' WEST 200 FEET TO THE PLACE OF BEGINNING. CONTAINING 12.41 ACRES, MORE OR LESS, NET.

Parcel 16-009-0020

PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 738.08 FEET, MORE OR LESS, NORTH OF SOUTHWEST CORNER OF SAID QUARTER SECTION, THENCE NORTH 28D12'23" EAST 380.30 FEET, THENCE NORTH 29D23'07" EAST 347.0 FEET, THENCE NORTH 33D18'44" EAST 102.06 FEET, THENCE NORTH 45D50'39" EAST 69.38 FEET, THENCE NORTH 18D41' EAST 125.49 FEET, THENCE NORTH 24D35' EAST 44.51 FEET, THENCE NORTH 24D49' EAST 125.92 FEET, THENCE NORTH 22D19' EAST 222.13 FEET, THENCE NORTH 640 FEET TO THE QUARTER SECTION LINE, THENCE WEST TO A POINT 7.5 CHAINS EAST FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION THENCE SOUTH 746 FEET, MORE OR LESS, TO THE CENTERLINE OF A 25 FOOT ROAD AND RIGHT OF WAY OF THE PLEASANT VIEW CULINARY WATER ASSOCIATION, THENCE WEST 7.5 CHAINS TO THE SECTION LINE, THENCE SOUTH ALONG SECTION LINE 1155.92 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. SUBJECT TO AND TOGETHER WITH THE RIGHT OF WAY AND EASEMENT GRANTED HEREIN IS 60 FEET WIDE, WHICH IS DESCRIBED AS FOLLOWS: PART OF THE

SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT 716 FEET SOUTH OF THE NORTHWEST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE SOUTH 60 FEET; THENCE EAST 604.61 FEET ALONG SAID SOUTH LINE TO WEST LINE OF THE ROBERT E KRAGIE PROPERTY; THENCE NORTH 22D19' EAST 63 FEET, MORE OR LESS; THENCE WEST 627.39 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. (1501-1616)

Parcel 16-012-0027

PART OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT 396.44 FEET SOUTH 89D50'47" WEST ALONG THE SECTION LINE FROM THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, SECTION 18; THENCE WEST 76.46 FEET; THENCE NORTH 27D45' EAST 200 FEET; THENCE EAST 81.50 FEET, MORE OR LESS; THENCE SOUTH 28D12'23" WEST 200 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. CONTAINING 0.31 ACRE, M/L.

SECTION TWO: This ordinance shall take effect immediately upon posting.

DATED this ____ day of _____, 2022.

PLEASANT VIEW CITY, UTAH

Leonard M. Call, Mayor

ATTEST:

City Recorder

Posted this ____ day of _____, 2022

This ordinance has been approved by the following vote of the Pleasant View City Council:

CM Arrington	_____
CM Bailey	_____
CM Gibson	_____
CM Marriott	_____
CM Urry	_____

RESOLUTION 2022 – V

A RESOLUTION AMENDING THE 2022-23 FISCAL YEAR BUDGET.

WHEREAS, the City Council has the authority to increase budgets in the budgetary funds by resolution after a public hearing; and

WHEREAS, Pleasant View City noticed the public hearing according to Utah State Code Section 10-6-113; and

WHEREAS, the City Council has determined that it is appropriate to amend revenue and expenditures for existing and new projects.

WHEREAS, the City is planning a new city event 'Children's Market' in conjunction with the Santa Event in which no budget was appropriated in the 2022-2023 fiscal year.

Be it resolved by the City Council of Pleasant View, Utah:

SECTION ONE: The 2022-23 Fiscal Year Budget is hereby amended as follows:

- Add a new revenue source of \$750 from the Children's Market Event from the registration fee (*General Ledger Account #10-36-900*)
- Increase the \$1,100 expense budget for the Santa Event by \$1,500 to include the Children's Market Event for a total budget of \$2,600 (*General Ledger Account #10-75-660*).
- Net (\$350) Revenue/Expense to come from the General Fund Reserve (*General Ledger Account #10-90-510*).

Revenue	\$750
Expense	<u>(\$1,100)</u>
Net	(\$350)

SECTION TWO: This resolution shall take effect immediately.

DATED this 15th day of December, 2022.

PLEASANT VIEW CITY, UTAH

Mayor, Leonard M. Call

Attest:

City Recorder

This resolution has been approved by the following vote of the Pleasant View City Council:

_____	Councilmember Arrington
_____	Councilmember Gibson
_____	Councilmember Marriott
_____	Councilmember Nelsen
_____	Councilmember Urry

Memo



To: Mayor and City Council
From: Laurie
Date: November 9, 2022
Re: New Business Licenses Issued

RECOMMENDED ACTION No action needed. Informational only.

DESCRIPTION / BACKGROUND According to the Business License Ordinance, the council only needs to receive a list of approved and denied business license applications. The following are approved new businesses:

Happy Painters USA	255 W 2700 N UNIT 62-B	Residential and commercial painting	Ross Michael Pollet
Lori's Salon	4130 N ALDER CREEK DR	Beauty salon	Greg and Lori Sneddon