

# SOUTH WEBER PLANNING COMMISSION MEETING

**DATE OF MEETING:** 22 September 2011

**TIME COMMENCED:** 6:33 p.m.

**PRESENT: COMMISSIONERS:**

Delene Hyde  
Tim Grubb  
Mark Perkins  
Rorie Stott (excused)  
Rod Westbroek

**CITY PLANNER:**

Scott Hess

**DEPUTY RECORDER:**

Emily Thomas (excused)

**TRANSCRIBER:**

Michelle Clark

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**A WORK MEETING WILL BE HELD PRIOR TO THE REGULAR PLANNING COMMISSION MEETING AT 6:00 P.M. to DISCUSS AGENDA ITEMS, CORRESPONDENCE, AND/OR FUTURE AGENDA ITEMS**  
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**VISITORS:** Kirt Merrill

**DECLARATION OF CONFLICT OF INTEREST:** The Planning Commission did not report any conflict of interest.

**APPROVAL OF THE AGENDA:** Commissioner Westbroek moved to approve tonight's agenda as amended. Commissioner Grubb seconded the motion. Commissioners Grubb, Hyde, Perkins, and Westbroek voted yes. The motion carried.

**APPROVAL OF 14 SEPTEMBER 2011 MEETING MINUTES:** Commissioner Grubb moved to approve the Planning Commission Meeting minutes of 14 September 2011 as amended. Commissioner Westbroek seconded the motion. Commissioners Grubb, Hyde, Perkins, and Westbroek voted yes. The motion carried.

Commissioner Hyde excused Emily and Commissioner Stott from tonight's meeting.

**FINAL APPROVAL OF THE SILVERLEAF ESTATES PHASE 4, 12 LOT SUBDIVISION, LOCATED AT APPROXIMATELY 8330 S. 2500 E., DEVELOPER: NILSON HOMES:** Scott Hess, City Planner, read from Brandon Jones, City Engineer, memo of 15 September 2011 which reads as follows:

The City Engineer has completed a review of the final plat and improvement plans for the Silverleaf Estates Subdivision - Phase 4. We recommend approval, subject to the following items being addressed prior to approval from the City Council.

#### GENERAL

1. The computer model of the water system suggests that there will be adequate fire flow so as not to require fire sprinklers for the homes in this subdivision. However, the actual fire flow at that location will still need to be determined and compared to the size of homes that are proposed to be built in order to officially determine whether fire sprinklers will be required or not.

Scott stated Mark Larsen has stated that the city will not be able to provide water for phase 5 of this development.

#### PLAT

2. Lots 49, 59 and 60 must be designated as "R" (restricted) lots with the following corresponding note: "Lots 49, 59 and 60 are subject to all gas pipeline easement restrictions." Because the buildable area for the future homes on these lots is subject to the exact location of this easement, the legal description for the easement must be plotted and the correct bearings and distances need to be shown in order to accurately locate the easement.
3. Lots 54 - 60 must be designated as "RG" (restricted - geotechnical) lots with the following corresponding note: "A Geotechnical Report dated March 17, 2004 was performed by Earthtec Engineering in relation to the entire Silverleaf development. Subsequent addendum letters have been issued since the original report, including a letter dated August 10, 2011 which specifically addresses the Silverleaf Phase 4 Subdivision. Lots 49 - 60 are subject to and must comply with all geotechnical requirements and recommendations contained within the original report and subsequent addendum letters."
4. The "non-buildable hillside area" needs to be designated as a "slope easement." This will force any future home owner to receive city approval for any proposed excavations of any type within the easement area. For this to be an easement that can be specifically located, bearings and distances must be added to the line delineating the slope easement area as well as distances along lot lines to the easement.
5. The 30' wide "future" private road needs to be labeled as Parcel "A" and the Owner's Dedication needs to state who will own the parcel (i.e. HOA, property owner, etc.). Parcel "A" should also be dedicated as a P.U.E.
6. No monuments should be set in the 30' "future" private road.
7. The square footage of the legal description appears to be 571,268 (not 571,279).
8. Addresses need to be added. These will be provided by the City Engineer.
9. P.U.E. widths need to be shown and the legend should specify the line type that is indicating a P.U.E.

#### IMPROVEMENT PLANS

10. The grade of 8300 South is shown at 10%. Because the stub from phase 3 was allowed to be 10%, we are willing to approve this section at 10% as well.
11. Storm drain will likely be needed for the potential Phase 5. We would recommend that a 15" line be constructed from the proposed combo box at the intersection of 8300 South / Deer Run Way to the 30' wide "future" private road and stubbed behind the sidewalk, in order to avoid cutting the road in the future.

Scott stated the lots meet the minimum width and size with some having restricted building boxes. He stated Mark Larsen did state that the city will not be able to provide water for phase 5 at this time; however, if the developer wants to provide the 30' wide strip, it is up to them.

Commissioner Grubb asked about street lights and whether or not there is a light located at corner of Deer Run Way and 8300 S.? He also recommended a street light at the west end of 8300 South on phase 4.

**Commissioner Grubb moved to recommend approval of the final plat of the Silverleaf Estates, Phase 4, 12 lot subdivision, located at approximately 8330 S. 2500 E. for Nilson Homes subject to the following:**

1. Completion of the items listed in the City Engineer's Memo dated September 15, 2011 prior to being placed on the City Council agenda.
2. Street lights installed at east and west end of 8300 South of phase 4.
3. Currently, no water service available, with the current city infrastructure, to service the proposed phase 5.

Commissioner Perkins seconded the motion. Commissioners Grubb, Hyde, Perkins, and Westbroek voted yes. The motion carried.

### **DISCUSS ANIMAL REGULATIONS, PROVIDE DIRECTION TO STAFF:**

The Planning Commission reviewed the questions from the city:

1. Are we okay with moving forward and following the unlimited number of dogs and cats amendment in accordance with the County? If not, what number do we want to limit each household to (previous allowance was 2). *The Planning Commission was in agreement with following the unlimited number of dogs and cats in accordance with the County.*
2. Do we want to redefine chickens? *The Planning Commission suggested clarifying the ordinance in residential zones. Prefer to allow chickens for eggs but not consumption.*
3. Do we want to allow chickens anywhere in the City? *"yes"*
4. Do we want to address not allowing roosters? *The Planning Commission recommended allowing roosters in R-L and A only zones.*
5. Do we want to define the number of animals in general, regardless of zone – currently only defined by zone RL and A. *"no"*
6. What do we do about pigeons and other birds in general? *"yes" need to define a limit. Scott will research other ordinances.*
7. Any other animal regulation issue to address? *"no"*
8. Do we want to go with County Ordinance across the board? So everything follows the County and every issue dealing with animals is referred directly to Davis County Animal Control? *The Planning Commission suggested going with what has been discussed in the meeting.*

### **HIGH MARK CHARTER SCHOOL:**

Commissioner Grubb discussed the east access to the High Mark Charter School parking lot. He stated it needs to be a stub road to access the future commercial area and to review the traffic patterns for joint use of the stub for the school parking and commercial trucks etc. Scott discussed the connection from 2450 East to South Weber Drive. Commissioner Grubb feels an agreement needs to be in place that they would be willing to give it up if the city wants it. Scott asked if the detention basin would be removed or culvert, as the city becomes more urban? Commissioner Grubb stated there is potential for that. Commissioner Westbroek stated that is possible. Scott discussed upsizing pipes so that commercial doesn't have to retain on site. The Planning Commission discussed moving the sewer line into a public road.

**ADJOURN:** Commissioner Perkins moved to adjourn the Planning Commission meeting at 7:10 p.m. Commissioner Grubb seconded the motion. Commissioners Grubb, Hyde, Perkins, and Westbrook voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date  
Chairperson, Delene Hyde

**Attest:** \_\_\_\_\_  
Deputy Recorder: Emily A. Thomas

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Transcriber: Michelle Clark

**Planning Commission Work Meeting  
September 22, 2011**

**Time:** Work meeting began at 6:05 p.m.

**Attendance:** Commissioners Hyde, Westbrook, Perkins, Grubb, and Stott, City Planner Scott Hess, City Recorder Erika Ahlstrom, Transcriber Michelle Clark

**Visitors:** Kirt Merrill

***High Mark Charter School:***

Scott Hess, City Planner, referred to Steve Noel, City Attorney's memo of 21 September 2011. Erika Ahlstrom, City Recorder, suggested the possibility of amending the motion from last weeks meeting to either deny or approve. Commissioner Hyde would like to see it again. She doesn't feel the Planning Commission should amend the motion or say we made a mistake. She feels they did their job right. Erika stated when you table you are basically saying you will bring it back again. She asked the Planning Commission if they would be able to meet in a special meeting next week? Erika stated there are options available as per Steve Noel's memo. She feels that Steve's interpretation might help the Planning Commission work through the issues. Commissioner Perkins will be out of town next week. Commissioner Westbrook will be out of town Thursday night next week. Scott stated a decision needs to be whether or not to deny or approve.

***Final Approval of the Silverleaf Estates Phase 4, 12 Lot Subdivision, Located at Approx 8300 S 2500 E, Developer Nilson Homes:*** Scott read from Brandon's memo

2. Lots 49, 59 and 60 must be designated as "R" (restricted) lots with the following corresponding note: "Lots 49, 59 and 60 are subject to all gas pipeline easement restrictions." Because the buildable area for the future homes on these lots is subject to the exact location of this easement, the legal description for the easement must be plotted and the correct bearings and distances need to be shown to in order to accurately locate the easement.
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5. The 30' wide "future" private road needs to be labeled as Parcel "A" and the Owner's Dedication needs to state who will own the parcel (i.e. HOA, property owner, etc.). Parcel "A" should also be dedicated as a P.U.E.

6. No monuments should be set in the 30' "future" private road.
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Scott stated Mark Larsen sent a memo stating the city will not be able to provide water to Phase 5. Kirt stated they will leave the 30' access road for phase 5.

**Discuss Animal Regulations, Provide Direction to Staff:** Scott stated Davis County Animal Control has made some changes to the ordinance. The ordinance allows for an unlimited number of dogs and cats, provided the animals are registered and well taken care of. Past regulations limited the number to two dogs and two cats. Scott stated currently, there have been issues surrounding urban chickens. Scott stated Clinton City recently went through amending their ordinance. He suggested revising South Weber City's ordinance. He asked if the city wants to follow the Davis County ordinance or be more restrictive with the city ordinance? Scott stated there might be issues with individuals hoarding animals as well. Commissioner Westbrook asked if this will eliminate kennel licenses? Commissioner Grubb stated he doesn't think that it does. Scott stated South Weber City can continue to have a definition of a "kennel" or kennel license and require a business license for the city.

Scott stated there are questions that need to be answered. They are as follows:

### **Questions to Answer:**

1. Are we okay with moving forward and following the unlimited number of dogs and cats amendment in accordance with the County? If not, what number do we want to limit each household to (previous allowance was 2).
2. Do we want to redefine chickens?
3. Do we want to allow chickens anywhere in the City?
4. Do we want to address not allowing roosters?
5. Do we want to define the number of animals in general, regardless of zone – currently only defined by zone RL and A.
6. What do we do about pigeons and other birds in general?
7. Any other animal regulation issue to address?

8. Do we want to go with County Ordinance across the board? So everything follows the County and every issue dealing with animals is referred directly to Davis County Animal Control?

Commissioner Grubb feels if it is defined as a pet, he feels unlimited is fine. He feels that any animal raised for food should follow different guidelines and should remain in authorized zones.

Work Meeting adjourned at 6:30 p.m.

Work meeting minutes transcribed by Michelle Clark.