

City of
WASHINGTON TERRACE
Utah

Planning Commission Meeting
Thursday, December 28, 2023
City Hall Council Chambers
5249 S. South Pointe Dr. Washington Terrace City
801-393-8681

1. **ROLL CALL** 6:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **WELCOME**

4. **RECURRING BUSINESS**
 - 4.1 **MOTION: APPROVAL OF AGENDA**
Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

 - 4.2 **MOTION: APPROVAL OF MINUTES FOR JULY 27, 2023**

5. **SPECIAL ORDER**

Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then commission final discussion.

 - 5.1 **PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND OPPOSITION TO PROPOSED ORDINANCE AMENDING CHAPTER 13.10 OF THE WASHINGTON TERRACE MUNICIPAL CODE “WATER EFFICIENT LANDSCAPING”**

6. **NEW BUSINESS**
 - 6.1 **MOTION: NOMINATION AND ELECTION OF PLANNING COMMISSION CHAIR AND VICE CHAIR**

 - 6.2 **MOTION/ORDINANCE 24.01: RECOMMENDATION TO APPROVE ORDINANCE AMENDING CHAPTER 13.10. “WATER EFFICIENT LANDSCAPING ” IN ACCORDANCE WITH STATE CODE**

 - 6.3 **MOTION: APPROVAL OF THE 2024 ANNUAL MEETING SCHEDULE**

7. **UPCOMING BUSINESS**

8. **MOTION: ADJOURN THE MEETING**

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

CERTIFICATE OF POSTING

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

City of Washington Terrace

Minutes of the Planning Commission Meeting held on
Thursday, July 27, 2023
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Steve Jacobson
Vice- Chair Dwight Henderson
Commissioner Amy Morgan
Commissioner Morgan Wilkins
Commissioner Dan Johnson
Commissioner Scott Larsen
Commissioner Matthew Roper
City Recorder Amy Rodriguez
General Planner Tyler Seaman

Others Present

Mike Lawrence

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

ADMINISTER THE OATH OF OFFICE TO COMMISSIONERS HENDERSON, LARSEN, AND ROPER

Rodriguez administered the oath of office to Commission Henderson, Commissioner
Larsen, and newly appointed Commissioner Roper.

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

**Motion by Commissioner Larsen
Seconded by Commissioner Henderson
To approve the agenda
Approved unanimously (7-0)**

4.2 MOTION: APPROVAL OF MINUTES FOR JUNE 30, 2022

**Motion by Commissioner Morgan
Seconded by Commissioner Johnson
to approve the minutes for June 30, 2022
Approved unanimously (7-0)**

48 **5. SPECIAL ORDER**

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50 **5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND**
51 **OPPOSITION TO PROPOSED ORDINANCE AMENDING CHAPTER**
52 **17.28 OF THE WASHINGTON TERRACE MUNICIPAL CODE**
53 **“ZONING- USE REGULATIONS”**

54 Seaman stated that there has been a request for a general contractor to have a license for a
55 space in the city. If it is not on the “use” table, it is not allowed within the city. Seaman
56 stated that the contractor asked why it was not allowed.

57 Seaman stated that it is a one man contractor. Seaman stated that contractors need a
58 business license and physical location for work. Seaman stated that land use code covers
59 the general public, however, certain businesses can get out of control. He stated that there
60 was a lot of thought process with this change. He stated that he has reservations about
61 this allowance. He stated that one of his concerns is to have an excavation type business
62 coming in with a lot of equipment.

63 He stated that there are many conditions to this approval.

64 He stated that there were would be stipulations that need to be followed. He would like
65 quality buildings in the C1-C2 zones. He stated that the city does not have room for
66 buffer zones to accommodate buildings just to house equipment.

67 Commissioner Johnson agreed that we do not want a lot of “eyesore” buildings, or dump
68 Truck parking lots. Chairman Jacobson confirmed that the general contractors would
69 have to be on a commercial lot. He stated that he does not want equipment parking on
70 Soft surfaces. Seaman stated that due to SWPP plans, these types of companies cannot
71 park on soft surface for commercial use. Seaman stated that this is addressed in the
72 ordinance. Seaman stated that the noise ordinance must be followed as well, noting that
73 enforcement is challenging.

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75 Commissioner Larsen stated that we do not have an industrial or manufacturing zone
76 which would typically house these types of businesses. Seaman stated that manufacturing
77 or housing of materials will not be allowed in the C1-C2 zones. Commissioner Morgan
78 clarified that this sounds like we would allow a “mobile contractor”. Commissioner
79 Larsen stated that the restriction should be office front only, not operations. Chairman
80 Jacobson stated that the proposed ordinance does not say that storage must be indoors.
81 This should be corrected in the ordinance. Commissioner Henderson stated that there
82 may be instances where the material has to be housed on the jobsite.

83 Seaman stated that he likes the classification of general contractor- office only, as
84 suggested by Commissioner Larsen.

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86 Seaman stated that the last thing we want to do is to push something through just for one
87 person who wants it on the table. Seaman stated that he believes we are not in the right
88 area to allow this use. He stated that he is concerned about the area on 5700 South, as it is
89 right next to residential.

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91 Commissioner Larsen would like to change it to office use only before it is presented to
92 Council. Seaman stated that this would keep it as general business.

93 Seaman explained some of the challenges with code enforcement.
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**Motion by Commissioner Larsen
Seconded by Commissioner Johnson
To open the public hearing
Approved unanimously (7-0)**

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Chairman Jacobson opened the public hearing at 6:26 p.m.

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Mike Lawrence stated that he is counting on the Commission to make the City better. He stated that he would like a way to enforce the rules of the stipulations for this ordinance and to make them very stringent.

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**Motion by Commissioner Morgan
Seconded by Commissioner Henderson
To closed the public hearing
Approved unanimously (7-0)**

Chairman Jacobson closed the public hearing at 6:28 p.m.

Commissioner Larsen stated that the operation is not approved under a C-2. He stated that the commission has to decide to amend or not. Chairman Jacobson stated that he does not approve as written. Seaman stated that he has spoken to legal concerning this matter. He stated that legal is not on board with this allowance. The Commission discussed tabling the item to have staff work on the suggestions given tonight during this discussion/hearing.

6. NEW BUSINESS

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

**Motion by Commissioner Johnson
Seconded by Commissioner Larsen
To retain Steve Jacobson and Dwight Henderson
To serve as Planning Chairman and Vice Chair
Approved unanimously (7-0)**

6.2 MOTION/ORDINANCE 23-09: RECOMMENDATION TO APPROVE ORDINANCE AMENDING CHAPTER 17.28. "COMMERCIAL ZONES" TO ALLOW "GENERAL CONTRACTOR" TO BE ADDED AS A PERMITTED OR CONDITIONAL USE WITHIN THE COMMERCIAL ZONES

Motion by Commissioner Wilkins

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**Seconded by Commissioner Roper
To table the item to a later date
Approved (5-2)
Commissioner Johnson-nay
Commissioner Larsen- nay
Commissioner Henderson- Aye
Commissioner Morgan- Aye
Commissioner Wilkins- Aye
Commissioner Jacobson- Aye
Commissioner Roper- Aye
Motion passes**

7. MOTION: ADJOURN THE MEETING

**Motion by Commissioner Henderson
Seconded by Commissioner Larsen
To adjourn the meeting
Approved unanimously (7-0)
Time: 6:51 p.m.**

Date approved

City Recorder

City Council Staff Report



Author: Tyler D. Seaman

Subject: Proposed text amendments to 13.10 Water Efficient Landscaping

Date: 12/11/2023

Type of Item: Text amendment

Summary Recommendation: Staff would recommend this change to be in line with the requirements of the Utah State Code. This will allow us to participate in State funding for the Water Efficiency programs.

Description:

A. Topic: Text Amendment to 13.10 Water Efficient Landscaping

B. Background: Jon Parry with Weber Basin Water directed Washington Terrace Staff to propose a text amendment to Washington Terrace City Code. This change would be in 13.10.040(c) which states **Park strip and other landscaped areas less than eight (8) feet wide shall not be turf.**

This will also include the same change to the text in 13.10.070.1. This also includes the same **Park strip and other landscaped areas less than eight (8) feet wide shall not be turf** rule to be applied to the non-residential proposed landscaping within Washington Terrace City.

C. Analysis: Staff would recommend these changes so Washington Terrace City may continue to participate in State funded Water Efficient Landscaping programs.

D. Fiscal Impact: This will not adversely affect finances within Washington Terrace City budgets. If we do not actively follow the State changes, we would be at risk of losing the funding.

Alternatives:

A. Approve the Request:

B. Deny The Request:

C. Continue the Item/Impact:

**WASHINGTON TERRACE CITY
ORDINANCE 24-01
WATER EFFICIENT LANDSCAPING**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE AMENDING
CHAPTER 13.10 “ EFFICIENT LANDSCAPING”; SEVERABILILTY; AND
EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (“City”) is a municipal corporation duly existing under the laws of Utah;

WHEREAS, in times of scarcity Utah Code Annotated §10-7-12 allows the Mayor to limit the use of water;

WHEREAS, on or about May 13, 2021, Utah Governor Spencer Cox issued a second Executive Order declaring a state of emergency due to continued drought conditions in Utah;

WHEREAS, water in Utah is an increasingly scarce resource, of limited supply, and are subject to ever increasing demands

WHEREAS, it is the policy of Washington Terrace City to promote the conservation and efficient use of water and to prevent waste of this valuable resource;

WHEREAS, the City recognizes that landscapes provide areas for active and passive recreation;

WHEREAS, landscape design, installation, maintenance and management can and should be water efficient;

WHEREAS, the City desires to promote the design, installation and maintenance of landscapes that are both attractive and water efficient;

WHEREAS, the City has the authority to adopt this Ordinance in accordance with Utah Code Annotated §10-3-702, and hereby exercises its legislative powers in doing so.

NOW, THEREFORE, be it ordained by the City Council as follows:

Section 1. Repealer. Any Ordinance that conflict with this Ordinance is repealed.

Section 2. Amendment. Section 13.10.40 and 13.10.70 is hereby adopted to read as follows:

13.10.40 Landscape Design Standards.

1. Plant Selection. Exhibit A provides a non-comprehensive list of recommended plants for various landscape situations and conditions, subject to the following:
 - a. Plants shall be well-suited to the microclimate and soil conditions at the project site. Both native and locally-adapted plants are acceptable. Plants with similar water needs shall be grouped together as much as possible.
 - b. Areas with slopes greater than 33% shall be landscaped with deep-rooting, water-

conserving plants for erosion control and soil stabilization.

- c. Park strips and other landscaped areas less than eight (8) feet wide shall be landscaped with water-conserving plants, that do not a mass planting of any type of plant material requiring uniform overhead spray irrigation. Park strip and other landscaped areas less than eight (8) feet wide shall not be turf.
2. Mulch. After completion of all planting, all irrigated non-turf areas shall be covered with a minimum four (4) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch.
3. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material as per specific recommendations of the Landscape Designer/Landscape Architect based on the soil conditions.
4. Tree Selection. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. Trees shall be selected as follows:
 - a. Broad canopy trees shall be selected where shade or screening of tall objects is desired;
 - b. Low-growing trees shall be selected for spaces under utility wires;
 - c. Select trees from which lower branches can be trimmed to maintain a healthy growth habit where vision clearance and natural surveillance is a concern;
 - d. Narrow or columnar trees shall be selected where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street for natural surveillance;
 - e. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees, retaining walls, utilities, lighting, and other obstacles; and
 - f. Trees less than a two-inch caliper shall be double-staked until the trees mature to a two-inch caliper.

13.10.070 Non-residential Developments.

1. Requirements. Commercial, industrial, and institutional landscapes shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 15% of the total landscaped area, outside of active recreation areas. Park strip and other landscaped areas less than eight (8) feet wide shall not be turf. If culinary water is used to irrigate the turf there shall only be 10% turf on the total landscape.
2. Landscape Plan Documentation Package. A copy of a Landscape Plan Documentation Package shall be submitted to and approved by the City prior to the issue of any permit. A copy of the approved Landscape Plan Documentation Package shall be provided to the property owner or site manager and to the local retail water purveyor. The Landscape Plan Documentation Package shall be prepared by a registered landscape architect and shall consist of the following items:
 - a. Project Data Sheet. The Project Data Sheet shall contain the following:

- i. Project name and address;
 - ii. Applicant or applicant agent's name, address, phone number, and email address;
 - iii. Landscape architect's name, address, phone number, and email address; and
 - iv. Landscape contractor's name, address, phone number and email address, if available currently.
- b. Planting Plan. A detailed planting plan shall be drawn at a scale that clearly identifies the following:
- i. Location of all plant materials, a legend with botanical and common names, and size of plant materials;
 - ii. Property lines and street names;
 - iii. Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;
 - iv. Existing trees and plant materials to be removed or retained;
- v. Scale: graphic and written;
 - vi. Date of Design;
 - vii. Designation of a landscape zone, and
 - viii. Details and specifications for tree staking, soil preparation, and other planting work.
- c. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:
- i. Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers
- d. Grading Plan. A Grading Plan shall be drawn at the same scale as the Planting Plan and shall contain the following information:
- i. Property lines and street names, existing and proposed buildings, walls, fences, utilities, paved areas, and other site improvements, and
 - ii. Existing and finished contour lines and spot elevations as necessary for the proposed site improvements.

Section 3: **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: **Effective date.** This Ordinance takes effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2024.

Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2024.

PUBLISHED OR POSTED this ____ day of _____, 2024.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace, Utah, hereby certify that the foregoing Ordinance was duly passed and published or posted at: 1) City Hall, 2) _____, and 3) _____, on the above referenced dates.

City Recorder

DATE: _____

Planning Commission Staff Report

Author: Amy Rodriguez
Subject: 2024 Meeting schedule
Date: December 28, 2023
Type of Item: Discussion and Action



Summary Recommendations: Commission may review and adopt the 2024 annual meeting schedule

Description:

A. Topic: 2024 Annual meeting Schedule

State law mandates that if regular meetings are held throughout the course of a year, a meeting schedule must be adopted and posted at least once during the year.

B. Analysis: It is recommended that the Commission adopt a meeting schedule for 2024. The proposed meeting schedule would include regular meetings to be held on the last Thursday of each month, with a few exceptions due to holidays. If time or dates change, notice will be given accordingly.

Attached is a tentative calendar with meeting dates, tentative topics and other important dates in the city.

C. Department Review: City Recorder

Alternatives:

A. Approve the Request: The Commission can approve the proposed 2024 meeting schedule and meet on the last Thursday of each month, with the exception of November, where there is a holiday conflict.

B. Amend the Request: Council can decide to amend the meeting schedule.

Recommendation: Staff recommends that the Commission adopt the 2024 annual meeting schedule as outlined in report.

CALENDAR OF EVENTS - Tentative

JANUARY 2024

Mon. 1st New Year's Observance- City Offices closed

Tues. 2nd : Swearing in of new officers ceremony

Tues. 2nd City Council Meeting 6:00p.m.

- Council Training Open Meetings
- Ethical Behavior Pledge (staff and council included)

Mon. 15th Martin Luther King JR. Day- City Offices closed

Tues. 16th – City Council Meeting 6:00 p.m.

Thur.25th Planning Commission Meeting 6:00 p.m.

- Nominate and elect Chair and Vice Chair

FEBRUARY 2024

Tues. 6th City Council Meeting 6:00 p.m.

Sheriff office quarterly report

- Fire Dept Quarterly
- Finance Quarterly
- Animal Control Quarterly

Tues. 20th City Council Meeting 6:00 p.m.

Mon. 19th President's Day- City Offices closed

Thur. 29th Planning Commission meeting 6:00 p.m. LEAP YEAR

MARCH 2024

Tues. 7th Terrace Days Planning 5:00 p.m.

Tues. 7th City Council Meeting 6:00 p.m.

Tues. 21st City Council Meeting 6:00 p.m.

Thur. 30th Planning Commission meeting 6:00 p.m.

APRIL 2024

Tues 2ND Budget meeting 5:00 p.m.

Tues.2ND City Council Meeting 6:00 p.m.

Tues. 16th City Council Meeting 6:00 p.m.

- Sheriff's office quarterly report
- Fire Department quarterly report
- Finance Department quarterly report
- Animal Control quarterly report

Wed. April 17th -20TH – ULCT (tentative)

Thur. 25th Planning Commission meeting 6:00 p.m.

MAY 2024

Tues.7TH Budget Meeting 5:00 p.m.

Tues. 7TH City Council Meeting 6:00 p.m.

Tues.21ST Budget Meeting 5:00 p.m.

Tues.21ST City Council Meeting 6:00 p.m.

Mon. 27th Memorial Day- City offices closed

Thur. 20th Planning Commission meeting 6:00 p.m.

JUNE 2024

Tues.4th Budget Meeting 5:00 p.m.

Tues. 4th City Council Meeting 6:00 p.m.

Sat. 8th TERRARCE DAYS

Mon. 17th National Freedom Day (Juneteenth) observance- City Offices closed

Tues.18th City Council Meeting 6:00 p.m.

Thur. 27th Planning Commission meeting 6:00p.m.

JULY 2024

Tues. 2nd: City Council Meeting 5:00pm.

Thurs. July 4th : City Offices closed in observance of Independence Day

Tues 16th City Council Meeting

- Sheriff Office Quarterly
- Fire Dept Quarterly
- Finance Dept Quarterly
- Animal Control Quarterly

Wednesday 24th Pioneer Day Observed – City offices closed
Thurs.25th Planning Commission meeting 6:00 p.m.

AUGUST 2024

Tues. 6th City Council Meeting 6:00 p.m.
Tues. 20th City Council Meeting 6:00 p.m.
Thurs. 31st Planning Commission Meeting 6:00 p.m.

SEPTEMBER 2024

Mon. 2nd Labor Day- City offices closed
Tues.3rd City Council Meeting 6:00 p.m.
ULCT Conference TBD
Tues. 17th City Council Meeting 6:00 p.m.
Thur.26th Planning Commission meeting 6:00 p.m.

OCTOBER 2024

Tues. 1st City Council Meeting 6:00 p.m.
Mon. 7th Columbus Day- City offices closed
Tues. 15th City Council Meeting 6:00 p.m.
- Sheriff's office Quarterly report
- Fire Department Quarterly report
- Finance Department Quarterly report
- Animal Control Quarterly report
Thur 31st Planning Commission meeting 6:00 p.m.

NOVEMBER 2024

Tues 5th ; Election Night
Tues. 5th City Council Meeting 6:00 p.m.
Mon 11th Veteran's Day observed- City offices closed
Tues. 19th City Council Meeting 6:00 p.
Thur- Fri. 28-29 Thanksgiving Holiday- City Offices closed
Thur. 21st Planning Commission Meeting 6:00 p.m.

DECEMBER 2024

Tues.3rd City Council Meeting 6:00 p.m.
- Annual Meeting Schedule
Wednesday 25th Christmas Holiday- City Offices closed
Thurs. 26th Planning Commission 6:00 p.m.