

Minutes of the Meeting of the Western Weber Planning Commission for September 16, 2025, Weber County Commission Chambers, 2380 Washington Boulevard 1st Floor, the time of the meeting commencing at 5:00 p.m.

Western Weber Planning Commissioners Present: Andrew Favero (Chair), Casey Neville (Vice Chair), Cami Jo Clontz, Jed McCormick, and Sara Wichern

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Liam Keogh, Legal Counsel; Tiffany Snider, Office Specialist.

Roll Call: Chair Favero conducted roll call and indicated Commissioners Andreotti and Rogers were excused; all other Commissioners were present.

1. Minutes: July 8 and 15, 2025

Chair Favero introduced the minutes of the July 8 and 15, 2025 meetings. There were no suggested edits to the minutes and Chair Favero declared them approved as presented.

2. Legislative items:

2.1 ZDA2025-03: A public hearing, discussion, and possible decision regarding an amendment to the zoning map that would expand the boundary of the C-2 zone within the property located at approximately 1402 South 4700 West. The expansion of the C-2 zone boundary is intended to cover the entire 2.06-acre parcel. Staff Presenter - Felix Lleverino. Applicant: Dale Jordan.

Planning Director Grover explained when the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

Chair Favero invited the applicant to summarize his application.

Dale Jordan discussed the unique nature of the property, which consists of two tracts totaling 2.06 acres in size. The two different parcels have different zoning designations: A-2 and C-2. He would like for both parcels to have the same zoning designation for purposes of continuity of development or marketability of the property. He discussed the history of the property, focusing on the work he has done on the property since he acquired it.

Planner Lleverino reviewed his staff memo regarding the application; the applicant is seeking a rezone from the A-2 Zone to the C-2 Zone. The planning commission informally reviewed this request and the associated concept development plan in a work session at the end of the August 2025 planning commission meeting. At the time, the planning commission and staff offered the applicant feedback and recommended adjustments for the proposal. A complete staff review of the proposal was conducted a few days later in which staff offered the applicant formal written comments and recommendations that might help garner a favorable recommendation from the planning commission for the rezone. The applicant has been attentive at resolving concerns expressed by the planning commission and staff regarding the proposal. The attached development agreement including a list of permitted uses substantially addresses review comments and recommendations. With a few minor adjustments and considerations, staff feels the proposal and development are ready for a recommendation. This parcel is situated on the corner of 4700 West and 1400 South Streets. The Western Weber General Plan Future Streets and Transit map indicates that 4700 West Street will become a 132-foot-wide right-of-way and that 1400 South Street will be an 80' right-of-way. Residential development taking place one block to the east is required to dedicate the appropriate area for an 80-foot right-of-way. The development standard from the development agreement and the C-2 zone code are in place to ensure that right-of-way improvements are constructed when site improvements are made and when commercial expansions are made. Depending on the type of use, the planning commission and planning staff will review site expansion proposal through the Conditional Use Permit and the Design Review process. At this time the owner has no plans to expand the commercial uses, this zoning map amendment request is simply to expand the boundary of the C-2 zone within this property to cover the entire parcel. The only outstanding concern that poses a possible threat to the viability of the development plan is related to commercial activity that could disturb the neighboring

home to the east of this property, the planning staff removed a series of commercial uses that could pose a disturbance to the home on the adjoining parcel. The planning staff have taken the full list of permitted uses allowed in the C-2 zone and removed several uses that have a high likelihood of resulting in a nuisance. The development agreement and narrowed list of allowed uses are confined to this parcel. This rezone, if approved, is recommended to be accompanied with a development agreement. Through this development agreement the planning commission may modify the application of commercial uses and site development standards. As was expressed in our August work session, impact to the neighboring home could be avoided by including property restrictions such as limiting certain uses and making added restrictions to the site development standards. While the developer does not intend to further develop the site, it would be his preference to use the site development in the C-2 zone code which allows a zero side and rear yard setback with a maintenance agreement. The owner feels this would help keep the property marketable and would maintain the existing, longstanding allowances. Mr. Lleverino then summarized staff's review of the application to determine compliance with the following:

- General Plan;
- Zoning guidelines;
- Street plans;
- Police and Fire protection standards; and
- Stormwater, water supply, wastewater, and refuse collection standards.

Mr. Lleverino concluded that after reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the rezone. This recommendation is offered with the following considerations, which are intended to be incorporated into a zoning development agreement:

1. Site Development Requirements:
 - a. Chapter 108-2 Architectural, Landscape, and Screening Standards shall apply to this site.
 - b. Site development shall take place in accordance with the standards of the C-2 zone code, Chapter 104-20.
 - c. Permitted and conditional uses allowed within the property are limited to the list attached under page 29 of the development agreement. See Exhibit D.

This recommendation is offered with the following findings:

1. After the considerations listed in this recommendation are applied through a development agreement, the proposal generally supports and is anticipated by the vision, goals, and objectives of the Western Weber General Plan.
2. The project is beneficial to the overall health, safety, and welfare of the community, as provided in detail in the Western Weber General Plan.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Commissioner McCormick asked if Mr. Jordan will be required to work with the neighboring property owner to determine the type of fence that will be installed on the lot line, as well as secure approval of the setbacks that will apply to the commercial property. Mr. Lleverino answered yes and indicated that there will be a maintenance agreement between the property owners that will govern maintenance of the fence or other screening mechanism installed on the lot line.

Vice Chair Neville thanked Mr. Lleverino for his review of the use table for the C-2 zone and for recommending uses that should not be allowed on the subject property, or would require conditional approval, via the draft development agreement; one other issue the Planning Commission has discussed regarding the application is the ability to require some road improvements as part of the rezone. Mr. Lleverino stated that requirement could also be included in the development agreement.

Vice Chair Neville moved to open the public hearing. Commissioner Wichern seconded the motion; all voted in favor. Commissioners Andreotti and Rogers were not present when this vote was taken.

Robert McFarland, 1389 S. 4700 W., stated sewer access is currently a half mile away from the subject property and he asked how sewer connection will be achieved.

Laurie McFarland, 1389 S. 4700 W., stated she understands the Commission has discussed changes to the road in front of her home; the State of Utah has already contacted her and her husband about their plans to widen that road and install underground infrastructure. She will lose part of her property to that project. Currently the building that is located on the subject property is

so close to the road and when anyone is parked in front of the building, someone travelling on 1400 South, approaching the intersection at 4700 West, cannot see oncoming traffic. She feels those are the types of issues that need to be addressed as part of this rezone. She stated 4700 West has gotten busier than ever with increased traffic and the current configuration of the property creates dangerous conditions at the intersection. She stated she understands the desire to change the zoning to C-2 and the types of land uses that can be built on the property, but she would like confirmation of what types of development are planned for the property. She is worried that different types of commercial uses could have a negative impact on the area, which is still a residential neighborhood.

Vice Chair Neville moved to close the public hearing. Commissioner McCormick seconded the motion; all voted in favor. Commissioners Andreotti and Rogers were not present when this vote was taken.

Chair Favero acknowledged that the sewer is a distance away from the property and he asked Mr. Lleverino to address Ms. McFarland's concerns about the potential commercial uses of the property. Mr. Lleverino stated that there is a broad range of commercial uses that could be built on the property if the zone change is approved; currently the property has two septic systems and there will be some limitations on commercial development based upon that matter.

Commissioner Wichern asked if new commercial development is allowed to use a septic system, to which Mr. Lleverino answered yes.

Chair Favero then noted that the General Plan identifies the future land use of the area as form-based zoning, which means that a building built on the property could possibly be built right next to the road shoulder. Mr. Lleverino stated that is correct, but any development would need to comply with safe sight distances and triangles for development near an intersection.

Planning Director Grover also addressed Ms. McFarland's comments and stated staff carefully reviewed the use table for the C-2 zone and attempted to craft language in the development agreement that would prohibit certain commercial uses that could negatively impact the residential neighborhood. Commissioner Wichern stated that it is important to clarify that any commercial development will impact a residential neighborhood, but some are more advantageous than others and that was the spirit of the language in the development agreement.

Mr. Jordan stated he will carefully consider the impact any commercial development could have on neighboring property owners; he has been in the area for some time and wants to contribute positively to the community.

Chair Favero asked Mr. Jordan to address the Commission's request for language to be included in the development agreement to require road improvements on 1400 South and 4700 West upon further development of the property; a deed restriction would be placed on the plat at the time of the zone change to require those road improvements to accommodate traffic. This is something the Commission has asked of all developments on 1400 South. Mr. Jordan stated he cannot respond to that matter at this time and needs to seek counsel before making any commitment regarding road improvements. Mr. Lleverino stated that Mr. Jordan would be responsible for improvement of his half of the roadway and it is important that he anticipates potential right-of-way expansion along his property. The County will take a fair and balanced approach when determining the improvements that would be required. Mr. Jordan stated that because of the location of the building that is currently on the property, he cannot agree to expansion of the right-of-way. Commissioner Wichern clarified that the road improvements would only be required if the property is further developed. Mr. Jordan stated that he understands that, but the existing building would need to be torn down to expand the right-of-way. He stated it may be in his best interest for the Commission to table action on the application this evening until he can research the implications of the Commission's request for road improvements. Mr. Lleverino summarized the review process Planning staff would perform to determine any road or sidewalk improvements that would be required on 1400 South or 4700 West at the time a development application is made. The Commission discussed the need to protect the future of the property and its surroundings from a public safety perspective; they determined to table action on the application to give Mr. Jordan additional time to meet with Planning staff and Count Engineering, as well as any private counsel he chooses, before asking for a recommendation from the Planning Commission to the County Commission.

Commissioner Wichern moved to table action on application ZDA2025-03, an amendment to the zoning map that would expand the boundary of the C-2 zone within the property located at approximately 1402 South 4700 West. The expansion of the C-2 zone boundary is intended to cover the entire 2.06-acre parcel. Motion is based on the findings and subject to the conditions listed in the staff report. Commissioner McCormick seconded the motion. Commissioners Clontz, McCormick, Wichern, Vice Chair Neville,

and Chair Favero voted aye. (Motion carried on a vote of 5-0). Commissioners Andreotti and Rogers were not present when this vote was taken.

3. Public Comment for Items not on the Agenda:

There were no public comments.

4. Remarks from Planning Commissioners:

Vice Chair Neville thanked community members for participating in tonight's meeting. He also thanked Mr. Jordan for the manner in which he communicated with the Commission regarding his application.

5. Planning Director Report:

Planning Director Grover commended the Commission for their handling of the zoning application from Mr. Jordan. He then discussed upcoming training opportunities for the Commission.

6. Remarks from Legal Counsel:

There were no remarks from Legal Counsel.

The meeting adjourned at 5:48 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission