Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Heritage Land Development appeal to the Wester Weber Planning Commission denial of preliminary approval for Taylor Landing, a 156-lot cluster subdivision located at approximately 4000 W 2200 S.
Agenda Date:	Tuesday, June 16, 2020
Applicant:	Heritage Land Development (Jay Stocking [Owner] & Jessica Prestwich [Authorized Representative])
File Number:	LVT031120

Property Information

Approximate Address:	4000 W 2200 S, Ogden, UT 84401
Project Area:	Western Weber
Zoning:	A-1
Existing Land Use:	Agriculture
Proposed Land Use:	Single-Family Residential
Parcel ID:	15-078-0001, 15-078-0158, 15-078-0110
Township, Range, Section:	T6N, R2W, Section 28

Adjacent Land Use

North:	Residential	**South:**	Residential
East:	Agriculture	**West:**	Residential

Staff Information

Report Presenter:	Scott Perkes sperkes@co.weber.ut.us 801-399-8772
Report Reviewer:	SB/RG

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) 1-7 (Definitions)
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (Agricultural-1 Zone)
- Weber County Land Use Code Title 106 (Subdivisions); specifically Sec. 106-1-5(b)(1) (Approval Procedure, Appeals)
- Weber County Land Use Code Title 108 (Standards) Chapter 3 (Cluster Subdivision)

Background

The applicant is requesting preliminary approval for a 156-lot cluster subdivision, located at approximately 4000 W 2200 S, with a 50% bonus density for meeting the purpose and intent of the cluster code. The proposed open space accounts for 58.29% of the net developable area and will be preserved as agricultural open space. The subdivision is proposed to be developed in five phases totaling 43.45 acres of single-family residential lots, with a proportionate amount of open space (58.29%) being dedicated at the final platting of each phase. Lots within the subdivision will range in area from 9,000 square feet to 19,322 square feet. Proposed lot widths meet or exceed the cluster minimum of 60 feet.

A Sketch Plan Endorsement for "Sunset Meadows Cluster Subdivision" was heard and approved by the Western Weber Planning Commission on February 11th, 2020. Following this approval, the Surveyor's office identified an existing development by the name of "Sunset Meadows". As such, the project name has recently been changed to Taylor Landing.

In reviewing the project for preliminary approval, staff found that the proposal displayed conformity with the approved sketch plan and that the submittal met the preliminary subdivision requirements of the Uniform Land Use Code. Furthermore, in staff's opinion the proposal met the purpose and intent of the Cluster Subdivision Code, thereby qualifying the project for a 50% bonus density. Qualification for bonus density includes the following requirements, as outlined in LUC Sec. 108-3-8:

(1) Provide a minimum 50 percent open space of the net developable acreage, as defined in section 101-1-7.

(2) Provide one street tree of at least two-inch caliper, from a species list as determined by county policy, every 50 feet on both sides of each street within the subdivision boundaries. In the event infrastructure or a driveway approach makes a tree's placement impossible, that tree shall be located as close to the 50-foot spacing as otherwise reasonably possible, provided compliance with the clear view triangle as defined in section 108-7-7.

(3) Comply with all provisions of title 108, chapter 16: Ogden Valley Outdoor Lighting Ordinance, which is incorporated by reference herein as applicable to a cluster subdivision in the Western Weber Planning Area that receives bonus density. A note shall be place on the final subdivision plat indicating this requirement.

Generally speaking, it was fairly simple for the applicant to show their intention to comply with items 2 and 3 above. However, in order to comply with item 1 above, the applicant was required to submit an Open Space Preservation Plan that meets the requirements laid out in LUC Sec. 108-3-5. See **Exhibits B & D** within **Attachment B** for the applicant's submitted Open Space Preservation Plan.

Where the proposed subdivision is located within an agricultural zone (A-1), LUC Sec. 108-3-5(c)(3) requires that the open space preservation plan depict open space parcels that meet the following:

(3) Agricultural open spaces to be contiguous and useful. In all agricultural zones, open space parcels shall be arranged to create future long-term agricultural opportunities in the following ways:

a. By creating parcels of a sufficient size and configuration to support large-scale crop-producing operations. The area or areas of the subdivision that contains prime agricultural land, as defined by section 101-1-7, shall first and foremost be used to satisfy the open space requirements of this chapter. Only then may any portion of the prime agricultural land be used for other development purposes.

b. Open space parcels shall be organized into one contiguous open space area. Contiguity may only be interrupted if preservation of long-term agricultural opportunities is best accomplished by allowing the interruption. The applicant bears the burden of proving this based on soil sampling, irrigation capabilities, parcel boundary configuration, and industry best practices.

c. The exterior boundary of a contiguous open space area that is intended to satisfy the open space requirements of this chapter shall be configured so a 50-foot-wide farm implement can reach all parts of the area with three or more passes or turns. Generally, this requires the area to be at least 450 feet wide in any direction at any given point to be considered contiguous. This three turn standard may be reduced by the planning commission for portions of the parcel affected by the following:

1. The configuration of the existing exterior boundary of the proposed subdivision makes it impossible;

2. A street required by section 108-3-4 constrains the width of the parcel or bisects what would otherwise be one contiguous open space area if the street did not exist; or

3. Natural features, or permanent man-made improvements onsite that cannot be moved or realigned, cause an interruption to crop producing capabilities.

d. Open space area necessary to meet the requirements of part (4) or (5) of this subsection, or open space areas never previously used for crop-production that currently contain areas valuable for preservation or conservation as specified in part (2) of this subsection may be exempt from this part provided they comply with those applicable parts.

With regards to item "a" of the open space preservation plan requirements listed above, it's evident that the currently proposed open space is structured with a sufficient size and configuration to support large-scale crop production. However, to further evaluate the preservation of "Prime Agricultural Land", as also required by item "a", the planning commission requested that the applicant produce a soils analysis to evaluate the underlying soils for agricultural productivity and to identify the best areas for preservation (see **Exhibit E** of **Attachment B**). Prime Agricultural Land is defined in the LUC as follows:

*"The area of a lot or parcel best suited for large-scale crop production. This area has soil types that have, **or are capable of having, highest nutrient content and best irrigation capabilities** over other soil types on the property, and **are of a sufficient size and configuration** to offer marketable opportunities for crop-production. Unless otherwise specified by this Land Use Code, actual crop production need not exist onsite for a property to be considered to contain prime agricultural land."*

The results of the soils analysis (conducted by Martin & Nicholson Environmental Consultants) found varying soil quality throughout the area within the subdivision boundary. While not all of the existing soils within the proposed open space parcels are labeled as "prime", the report does indicate that all the soils found within the proposed open space parcels have potential to support agricultural production. The report goes on to identify various improvements such as nutrient application, drainage, and other management actions that could be employed to improve the soil conditions, as has been done over time with the soils that are currently labeled as "prime".

Staff's comparative review of (1) the soils analysis, (2) the requirements of item "a" of the open space preservation plan, and (3) the definition of "Prime Agricultural Land", found that the land within the proposed open space parcels meet the overall intent of the cluster code by demonstrating the following:

1. The proposed open space is *"of a sufficient size and configuration to support large-scale crop producing operations"* (satisfying item "a");
2. As evidenced by the soils analysis, the proposed open space is ***"capable of having the highest nutrient content** and **best irrigation capabilities** over other soil types on the property."* (satisfying item "a");
3. Is *"organized into one contiguous open space area"* (satisfying item "b"); and
4. *"The exterior boundary of the contiguous open space area … is configured so a 50-foot wide farm implement can reach all parts of the area with three or more passes or turns"* (satisfying item "c")

For the reasons listed above, staff forwarded a positive recommendation to the planning commission for preliminary approval of the both the open space preservation plan and the subdivision for preliminary approval.

Past Action on this Item

A Sketch Plan Endorsement for this project was heard and approved by the Western Weber Planning Commission on February 11th, 2020.

Following the endorsement of their sketch plan, the applicant submitted an application for preliminary subdivision approval. This application was heard and denied by the Western Weber Planning Commission during a public meeting held on May 12, 2020. Denial was based on four commissioners voting aye, and two commissioners voting nay on the following motion:

> ***MOTION:** Commissioner Bell moves to deny preliminary approval of The Taylor Landing Subdivision (Formerly known as The Meadows Subdivision) consisting of 156 lots located at approximately 4000 W 2200 S, Ogden. Based on the finding that it does not meet the intent of the Cluster Code to utilize the prime agricultural space as open space. Chair Edwards seconds. Chair Edwards votes aye, Commissioner Bell votes aye, Commissioner Parke votes aye, Commissioner Borklund votes aye, Commissioner Favero votes nay, Commissioner Andreotti votes nay. Motion carries (4-2)*

See **Attachment C** for a full copy of the certified minutes from the May 12th 2020 Western Weber Planning Commission regular meeting.

As indicated in the motion above, and as evidenced in the certified meeting minutes, the four commissioners casting votes in opposition to the project were of the opinion that the existing areas within the subdivision area that are labeled as "prime" in the soils report should be directly preserved as open space. This stance is supported by the language found in LUC Sec. 108-3-5(c)(3)a.: *"…The area or areas of the subdivision that contains prime agricultural land, as defined by section 101-1-7, shall first and foremost be used to satisfy the open space requirements of this chapter. Only then may any portion of the prime agricultural land be used for other development purposes."*

Following the May 12th 2020 meeting, staff issued a formal Notice of Decision to the applicant to document the action taken by the planning commission (see **Attachment D**). Upon receipt of this notice, the applicant elected to submit a formal appeal to the planning commission's denial of preliminary subdivision approval (see **Attachment A**). This appeal request was received by the Planning Division on May 18th 2020. Per Sec. 106-1-5(b)(1), the applicant met the allowed time frame for an appeal to be filed (within 15 days of the planning commission's recommendation).

Public Notice

While not required by code, in an effort to maintain transparency and as a courtesy to the public, staff has mailed public notices to owners within 500 feet of the subject property to inform them of the meeting scheduled to hear this appeal.

Staff Recommendation

Staff's original recommendation and conditions remain unchanged and are forwarded from the May 12th Western Weber Planning Commission staff report as listed below:

Weber County Planning Division recommends preliminary approval of the Taylor Landing Cluster Subdivision consisting of 156 lots. This recommendation is conditioned upon meeting all requirements from county reviewing agencies and the following conditions:

1. As part of the final subdivision requirements, the Owner's Dedication shall contain language that grants and conveys easements to the appropriate parties, including showing all storm water easements leading to the storm water detention basins. These entry numbers for the easements will be required to be filled on the final plats prior to recording the mylars.
2. The subdivision will need to be annexed into the Central Weber Sewer Improvement District prior to the recording of a final plat for any phase.
3. The proposed phase 5 of development must dedicate a full width county right-of-way for all associated streets prior to final approval.
4. The applicant will be required to establish a Homeowners Association and submit a declaration of covenants, conditions, and restrictions for review and approval by the County prior to recording a final plat of any phase of the cluster subdivision, as stated in LUC §108-3-9.
5. Final improvement plans must be submitted and approved by the County Engineer prior to final approval of any phase of the proposed subdivision. These improvement plans must also show hard surface improvements to each of the two ten-foot pathways.
6. A guarantee of Improvements will be required for each phase of development as outlined in LUC §106-4-3 prior to the recording of a final plat for each phase.
7. The applicant, prior to recording, or as part of recording, a final cluster subdivision plat for each phase, shall grant and convey to the county, to each lot owner, and to the homeowner association if applicable, an open space easement over all areas dedicated as common area or individually owned preservation parcels, as outlined in LUC §108-3-6.

The original findings from the May 12th Western Weber Planning Commission staff report are also forwarded as listed below:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable ordinances.
3. A 50 percent bonus density may be granted for meeting the purpose and intent of the cluster subdivision.

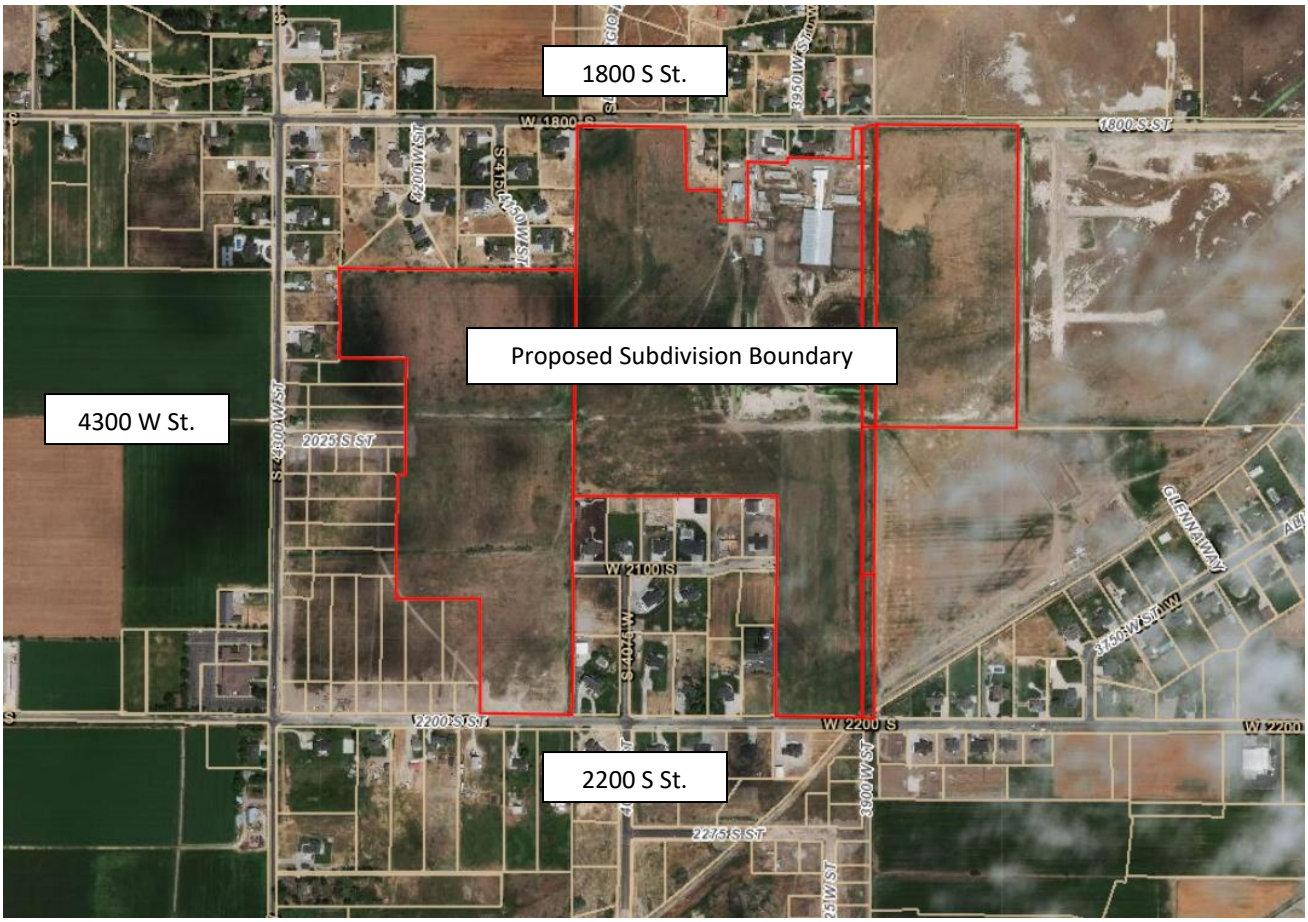
In addition to the original findings listed above, staff also offers the following findings regarding the proposed open space preservation plan as discussed in the body of this staff report:

1. The proposed open space is of a sufficient size and configuration to support large-scale crop producing operations;
2. As evidenced by the soils analysis, the proposed open space is capable of having the highest nutrient content and best irrigation capabilities over other soil types on the property;
3. The proposed open space is organized into one contiguous open space area; and
4. The exterior boundary of the contiguous open space area is configured so a 50-foot wide farm implement can reach all parts of the area with three or more passes or turns."

Attachments

A. Heritage Land Development's appeal to the Wester Weber Planning Commission's denial of preliminary approval for Taylor Landing, a 156-lot cluster subdivision.
B. Staff Report to the Western Weber Planning Commission, dated May 12th 2020
C. Certified Meeting minutes, May 12th 2020 Western Weber Planning Commission regular meeting
D. Weber County Planning Division Notice of Decision, May 13th 2020

Map 1


1800 S St.
Proposed Subdivision Boundary
4300 W St.
2200 S St.
W 1800 S
1800 S ST
S 4300 W ST
2025 S ST
W 2100 S
2200 S ST
W 2200 S
2275 S ST

Attachment A: Appeal Letter

HERITAGE
LAND DEVELOPMENT

470 N 2450 W Tremonton, UT 84337
O (435) 257-4963
C (801) 644-6736

Weber County Planning Division,

On May 12, 2020 the Western Weber Planning Commission made a motion to deny preliminary approval of the Taylor Landing Cluster Subdivision located at approximately 4000 W 2200 S, Ogden, UT 84401. The motion was as follows:

> *"Motion to deny preliminary approval of the Taylor Landing Cluster Subdivision consisting of 156 lots is based on the finding that it does not meet the intent of the cluster code to utilize the **prime agricultural land** as agricultural open space."*

Heritage Land Development would formally like to request an appeal regarding the denial of Taylor Landing's preliminary approval. We are confident that Taylor Landing does comply with the cluster subdivision code and we have proven this through the soil assessment, irrigation capabilities, parcel boundary configuration, and industry best practices. The definition for "**Agriculture land, prime**" is defined in the Weber County municipal code Section 101-1-7 as follows:

> *"The term 'prime agricultural land' means the area of a lot or parcel best suited for large-scale crop production. This area has soil types that have, or are capable of having, highest nutrient content and best irrigation capabilities over other soil types on the property and are of a sufficient size and configuration to offer marketable opportunities for crop-production. Unless otherwise specified by this Land Use Code, actual crop production need not exist onsite for a property to be considered to contain prime agricultural land."*

Heritage Land Development has configured Taylor Landing based on the above definition. Our soil assessment proves that the "open space" is capable of having highest nutrient content with certain improvements. Alliance Engineering and a local farming expert (Tom Favero) both agree that the "open space" has the best irrigation capabilities on the property. Lastly, the size and configuration of the "open space" is conformed in a large rectangular shape to offer marketable opportunities for crop-production. All this information was provided with our preliminary application and was also presented to the Planning Commissioners on May 12th, 2020.

HERITAGE
LAND DEVELOPMENT

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In addition, code 108-3-5(c)(3)b states:

Open space parcels shall be organized into one contiguous open space area. Contiguity may only be interrupted if preservation of long-term agricultural opportunities is best accomplished by allowing the interruption. The applicant bears the burden of proving this based on soil sampling, irrigation capabilities, parcel boundary configuration, and industry best practices.

Again, Heritage Land Development has taken on the burden of proving everything mentioned in 108-3-5(c)(3)b. We commissioned Martin and Nicholson Environmental Consultants to conduct a soil analysis which proves that with proper improvements the "open space" is capable of having long-term agricultural opportunities. Along with researching the current irrigation capabilities of the property, we consulted with a farming expert and an engineer to determine which space on the property could have best irrigation capabilities. Parcel boundary configuration and industry best practices were achieved by configuring the "open space" to be best suited for large crop production while also locating the "open space" where it would provide the least disturbance to existing homes.

Thank you for your time and consideration. We look forward to presenting our case and working with you as we move forward. It is our pleasure to provide exceptional homes and beneficial open space to enrich the population of Weber County.

Respectfully,

Jessica Prestwich
Land Development
Heritage Land Development

Jay Stocking
Owner
Heritage Land Development

Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for preliminary approval of Taylor Landing Cluster Subdivision, consisting of 156 lots.
Type of Decision	Administrative
Agenda Date:	Tuesday, May 12, 2020
Applicant:	Jessica Prestwich
File Number:	LVT031120

Property Information

Approximate Address:	4000 W 2200 S, Ogden, UT 84401
Project Area:	109.62 acres
Zoning:	Agricultural (A-1)
Existing Land Use:	Agriculture
Proposed Land Use:	Residential Subdivision
Parcel ID:	15-078-0001, 15-078-0158, 15-078-0110
Township, Range, Section:	T6N, R2W, Section 28

Adjacent Land Use

North:	Residential	**South:**	Residential
East:	Agriculture	**West:**	Residential

Staff Information

Report Presenter:	Scott Perkes sperkes@co.weber.ut.us 801-399-8772
Report Reviewer:	SB

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) 1-7 (Definitions)
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (Agricultural-1 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 108 (Standards) Chapter 3 (Cluster Subdivision)

Background

The applicant is requesting preliminary approval for a 156 lot cluster subdivision, located at approximately 4000 west 2200 south, with a 50% bonus density for meeting the purpose and intent of the cluster code. The open space accounts for 58.29% of the net developable area and will be preserved as agricultural open space. The subdivision is proposed to be developed in five phases totaling 43.45 acres of single-family residential lots, with a proportionate amount of open space (58.29%) being dedicated at the final platting of each phase. Lots within the subdivision will range in area from 9,000 square feet to 19,322 square feet. Proposed lot widths meet or exceed the cluster minimum of 60 feet.

In an effort to maintain neighborhood connectivity, access to this subdivision will be created by newly dedicated roads at five locations. There will also be three outlet stubs to adjacent undeveloped property in addition to two internal connections to the existing 2100 South St. Right-of-way will be dedicated along 2200 South St. as well as 1800 South St. to accommodate a full 33-foot right-of-way to centerline of each road. A full 66-foot county standard right-of-way section will be utilized throughout all of the internal streets. In addition to sidewalks on both sides of the internal rights-of-way, two 10 foot wide pathways will provide access midblock in two locations to satisfy the connectivity requirements of the cluster code.

A Sketch Plan Endorsement for “Sunset Meadows Cluster Subdivision” was heard and approved by the Western Weber Planning Commission on February 11th, 2020. Following this approval, the Surveyor’s office has identified an existing subdivision by the name of “Sunset Meadows”. As such the project name has recently been adjusted to Taylor Landing.

This proposal has displayed compliance with the approved sketch plan, preliminary subdivision requirements of the The Uniform Land Use Code, and meets the purpose and intent of the Cluster Code.

Analysis

General Plan: The Western Weber General Plan supports cluster type development as a means to preserve open space (see page 2-12 of the Western Weber General Plan).

Zoning: The subject property is located in the Agricultural Zone (A-1), the purpose of this zone is stated in the LUC §104-5-1.

> *"The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."*

Lot area, frontage/width and yard regulations: Cluster subdivisions are listed as a permitted use with the A-1 Zone. A cluster subdivision requires a minimum lot area of 9,000 sq. ft. for a single family dwelling and a minimum lot width of 60 feet in the A-1 zone. The minimum yard set-backs for a single family dwelling are 20 feet on the front and rear, and a side yard of 8 feet (20 feet for a side yard adjacent to a street). The proposed lot sizes within this subdivision will range from 9,000 to 19,322 sq. ft. and lot widths range from 70 to 135 feet.

Culinary, Secondary Water and Sanitary System: Taylor West Weber Water District has provided a preliminary letter stating that water is available for each of the 156 lots. Hooper Irrigation has provided a letter stating that the proposed subdivision is located in their service area, and can be serviced with pressurized secondary water. Lastly, Central Weber Sewer Improvement District has provided a will-serve letter for sewer services for the 156 lots.

Open Space Preservation Plan: Per LUC Sec 108-3-5, cluster subdivisions in the A-1 zone require that at minimum 30 percent of the net developable acreage to be preserved as open space. Furthermore, development in agricultural zones shall use their open space for future long-term agricultural opportunities.

For this project, the applicant has submitted an open space preservation plan narrative (**Exhibit D**) detailing their plans regarding the preservation of open space. This plan indicates that 55.95 acres will be preserved as agricultural open space, or 58.29% of the total net developable area. The subdivision is proposed to be developed in five phases. As such, the open space will be dedicated in five separate phases at the equivalence of 58.29% of each phase's net developable area. The majority of the open space will be independently owned by Heritage Land Development, LLC and leased for agricultural production.

The cluster code also indicates that the area or areas of the subdivision that contain prime agricultural land, as defined by section 101-1-7, shall first and foremost be used to satisfy the open space requirements of this chapter. Prime Agricultural Land is defined as follows:

> *"The area of a lot or parcel best suited for large-scale crop production. This area has soil types that have, **or are capable of having**, highest nutrient content and best irrigation capabilities over other soil types on the property, and are of a sufficient size and configuration to offer marketable opportunities for crop-production. Unless otherwise specified by this Land Use Code, actual crop production need not exist onsite for a property to be considered to contain prime agricultural land."*

To support the proposed open space preservation plan, the applicant commissioned a soils analysis of the underlying soils within the subdivision boundary (**Exhibit E**). This analysis (conducted by Martin & Nicholson Environmental Consultants) has found varying soils throughout the areas within the subdivision boundary. While not all of the existing soils within the proposed open space parcels are considered to be prime, the report does indicate that the soils within the open space have potential to support agricultural opportunities. The report goes on to say that improvements such as nutrient application, drainage, and/or other management actions would improve the soil conditions. This finding supports the definition of prime agricultural land as the soils within the proposed open space that are not currently considered prime, are capable of supporting agricultural opportunities through appropriate mitigation and management.

Bonus Density Requirements: The LUC §108-3-4 states that the minimum preserved open space requirement in the A-1 zone is 30 percent of the net developable area. The LUC §108-3-8(2) states that *"the county may grant a bonus density of up to 50 percent if the applicant preserves a proportionate amount of open space above the 30 percent requirement."* The applicant is proposing to preserve 58.29 percent of the net developable area as open space; which will allow for up to a 50 percent

bonus density to be granted. The applicant is requesting a 50 percent bonus density based on meeting the following requirements, as outlined in LUC §108-3-8:

(a) Western Weber Planning Area bonus density. In the Western Weber Planning Area, bonus density shall be awarded as a percentage increase over base density for subdivisions that meet the conditions in this subsection (a). No bonus shall be awarded for a subdivision with a gross acreage of less than ten acres. For subdivisions with a gross acreage of ten acres or more, the bonus density percentage shall equal the gross acreage of the subdivision, up to a maximum of 50 percent. To qualify for bonus density, a subdivision shall:

(1) Provide a minimum 50 percent open space of the net developable acreage, as defined in section 101-1-7.

(2) Provide one street tree of at least two-inch caliper, from a species list as determined by county policy, every 50 feet on both sides of each street within the subdivision boundaries. In the event infrastructure or a driveway approach makes a tree's placement impossible, that tree shall be located as close to the 50-foot spacing as otherwise reasonably possible, provided compliance with the clear view triangle as defined in section 108-7-7.

(3) Comply with all provisions of title 108, chapter 16: Ogden Valley Outdoor Lighting Ordinance, which is incorporated by reference herein as applicable to a cluster subdivision in the Western Weber Planning Area that receives bonus density. A note shall be place on the final subdivision plat indicating this requirement.

The proposed subdivision consists of 109.62 acres in total. Right-of-way dedication along 1800 South Street and 2200 South Street, in addition to internal right-of-ways, equates to 13.64 acres. This leaves a net developable acreage of 95.98 acres, or the equivalent base density of 104 - 40,000 sq. ft. lots. Of this net developable acreage, 58.29% (55.95 acres) is being preserved as agricultural open space. With a 50 percent density bonus (50% of 104 lots = 52 bonus lots), the total number of lots equates to 156 (104+52=156).

Review Agencies: Weber Fire District has approved this project with conditions. Weber County Engineering, Surveying, and Planning Departments have conditions that will need to be addressed prior to each of the five phases being forwarded to the Planning Commission for final approval.

Tax Clearance: The 2019 property taxes have been paid in full. The 2020 property taxes are due in full as of November 30, 2020.

Public Notice: A notice has been mailed not less than seven calendar days prior to the meeting to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Staff Recommendation

Weber County Planning Division recommends preliminary approval of the Taylor Landing Cluster Subdivision consisting of 156 lots. This recommendation is conditioned upon meeting all requirements from county reviewing agencies and the following conditions:

1. As part of the final subdivision requirements, the Owner's Dedication shall contain language that grants and conveys easements to the appropriate parties, including showing all storm water easements leading to the storm water detention basins. These entry numbers for the easements will be required to be filled on the final plats prior to recording the mylars.
2. The subdivision will need to be annexed into the Central Weber Sewer Improvement District prior to the recording of a final plat for any phase.
3. The proposed phase 5 of development must dedicate a full width county right-of-way for all associated streets prior to final approval.
4. The applicant will be required to establish a Homeowners Association and submit a declaration of covenants, conditions, and restrictions for review and approval by the County prior to recording a final plat of any phase of the cluster subdivision, as stated in LUC §108-3-9.
5. Final improvement plans must be submitted and approved by the County Engineer prior to final approval of any phase of the proposed subdivision. These improvement plans must also show hard surface improvements to each of the two ten-foot pathways.
6. A guarantee of Improvements will be required for each phase of development as outlined in LUC §106-4-3 prior to the recording of a final plat for each phase.

7. The applicant, prior to recording, or as part of recording, a final cluster subdivision plat for each phase, shall grant and convey to the county, to each lot owner, and to the homeowner association if applicable, an open space easement over all areas dedicated as common area or individually owned preservation parcels, as outlined in LUC §108-3-6.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable ordinances.
3. A 50 percent bonus density may be granted for meeting the purpose and intent of the cluster subdivision.

Exhibits

A. Subdivision Application
B. Taylor Landing Cluster Subdivision Preliminary Plan and Open Space Plan
C. Will Serve/Feasibility Letters
D. Open Space Plan Narrative
E. Soils Analysis

Area Map

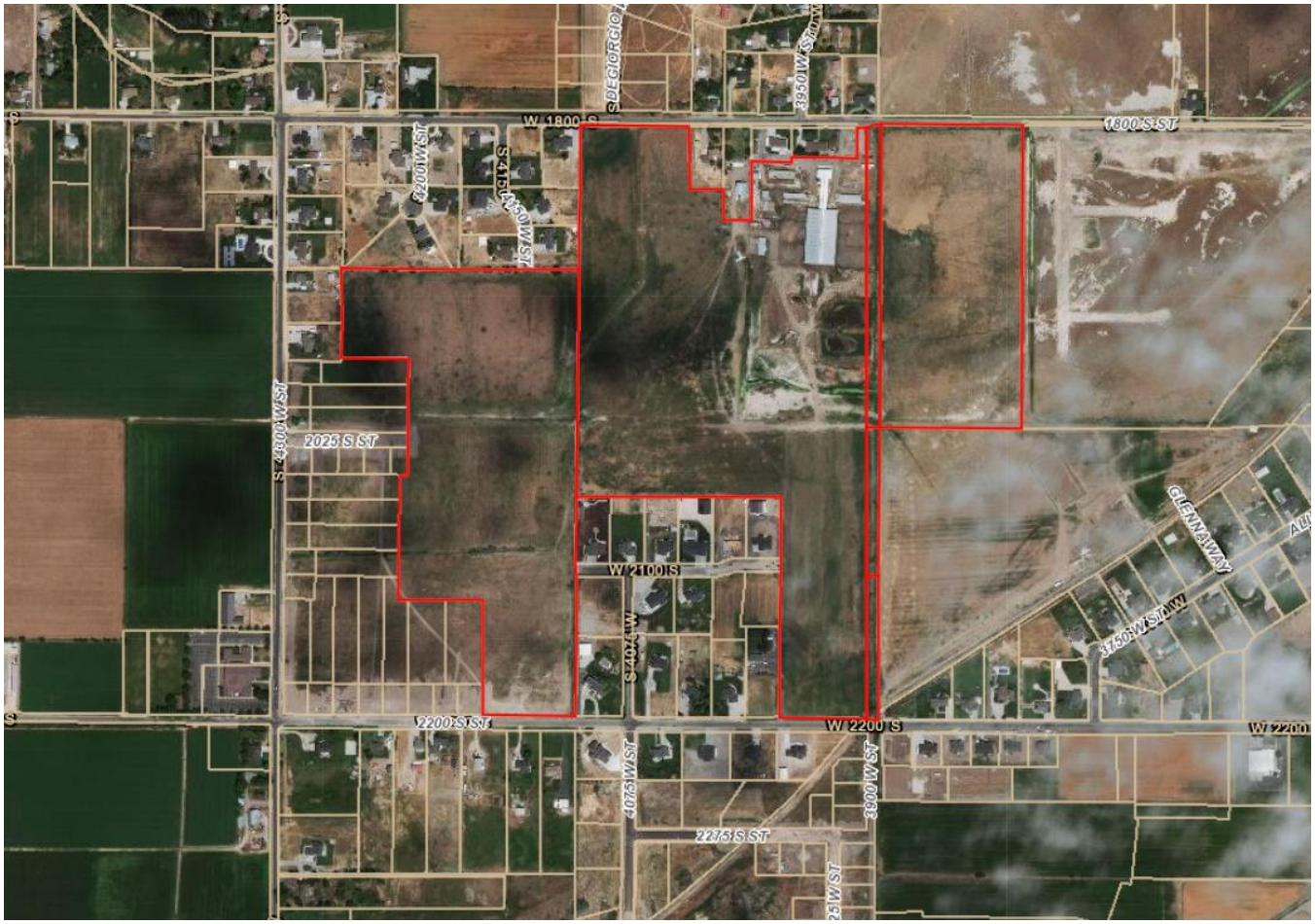

W 1800 S
1800 S ST
S GEORGIA
2023 S ST
W 2100 S
GLENWAY
W 2200 S
2275 S ST

Exhibit A - Subdivision Application

Weber County Subdivision Application

All subdivisions submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)

Subdivision and Property Information

Subdivision Name	Number of Lots
Sunset Meadows	

Approximate Address	Land Serial Number(s)
4000 W 2200 S Taylor UT	15-078-0001, 0035 & 0110

Current Zoning	Total Acreage
A-1	109.62

Culinary Water Provider	Secondary Water Provider	Wastewater Treatment
Taylor West Weber	Hooper Irrigation	Central Weber Sewer

Property Owner Contact Information

Name of Property Owner(s)	Mailing Address of Property Owner(s)
3900 West Taylor Partners LLC, Doug Nosler, Mngr	1544 Willow Dr Kaysville, UT 84037

Phone	Fax
801-564-2064	

Email Address	Preferred Method of Written Correspondence
dougnosler@yahoo.com	Email X Fax Mail

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)	Mailing Address of Authorized Person
Jessica Prestwich	470 N 2450 W Tremonton, UT 84337

Phone	Fax
801-644-6736	

Email Address	Preferred Method of Written Correspondence
jessicap@sierrahomes.com	Email Fax Mail

Surveyor/Engineer Contact Information

Name or Company of Surveyor/Engineer	Mailing Address of Surveyor/Engineer
Adam Mackelprang	150 E 200 N Suite P Logan, UT 84321

Phone	Fax
435-755-5121	

Email Address	Preferred Method of Written Correspondence
alliancelogan@yahoo.com	Email Fax Mail

Property Owner Affidavit

I (We), 3900 WEST TAYLOR PARTNERS LLC depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) acknowledge that during the subdivision review process, it may be determined that additional requirements, covenants and/or agreements may be required to be constructed or entered into.

3900 WEST TAYLOR PARTNERS LLC
(Property Owner)

MANAGER
(Property Owner)

Subscribed and sworn to me this 10TH day of MARCH 20 20

Authorized Representative Affidavit

I (We), 3900 WEST TAYLOR PARTNERS LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s), Jessica Prestwich, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as out agent in matters pertaining to the attached application.

3900 WEST TAYLOR PARTNERS, LLC
(Property Owner)

, MANAGER
(Property Owner)

Dated this 10th day of March, 20__, personally appeared before me signer(s) of the Representative Affidavit who duly acknowledged to me that they executed the same.

STATE OF UTAH NOTARY PUBLIC
KRISTIE BARNEY
COMMISSION #706105
MY COMMISSION EXPIRES:
05-03-2023

Notary

Attachment B: WWPC May 12th Staff Report

Exhibit B

NOTES:

1. TOTAL AREA: 109.62 ACRES
   PUBLIC R-O-W: 13.64 ACRES
   NET DEVELOPABLE GROUND: 95.98 ACRES (104 LOTS)
   OPEN SPACE: 55.95 ACRES (58.29%)
   LOTS:156
   COMMON AREA/PATHWAYS: 1.18 ACRES
2. PROJECT TO BE BUILT IN MULTIPLE PHASES.
3. OWNER/DEVELOPER: HERITAGE DEVELOPMENT LLC
   470 North 2450 West
   Tremonton, Utah 84337

TAYLOR LANDING

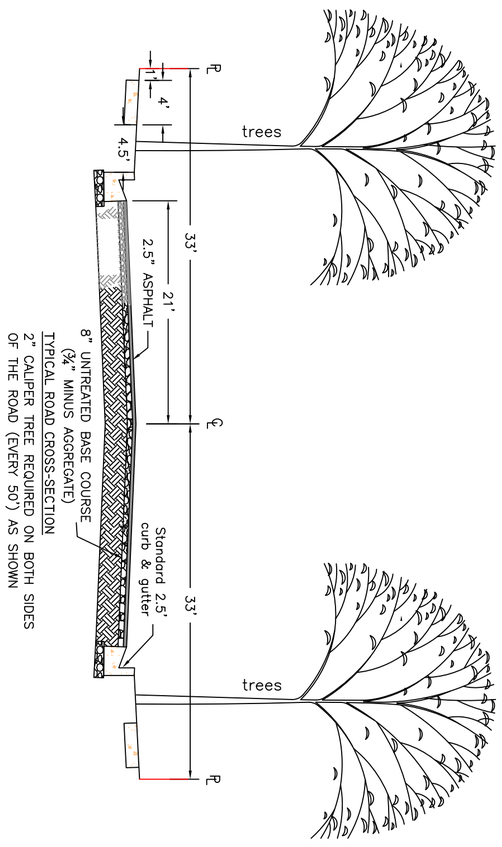
A CLUSTER SUBDIVISION

PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST,
SALT LAKE BASELINE AND MERIDIAN
WEBER COUNTY, TAYLOR, UTAH

PRELIMINARY PLAT MASTERPLAN

SCALE: 1" = 160' (22x34 PLAN SET)

0 80 160 320



DATE : MARCH,2020

DRAWING No. 11

PROJECT TITLE

TAYLOR LANDING
A CLUSTER SUBDIVISION

DRAWING TITLE

PRELIMINARY PLAT MASTERPLAN

No.	REVISIONS/ SUBMISSIONS	DATE

REVIEWED : | DRAWN :

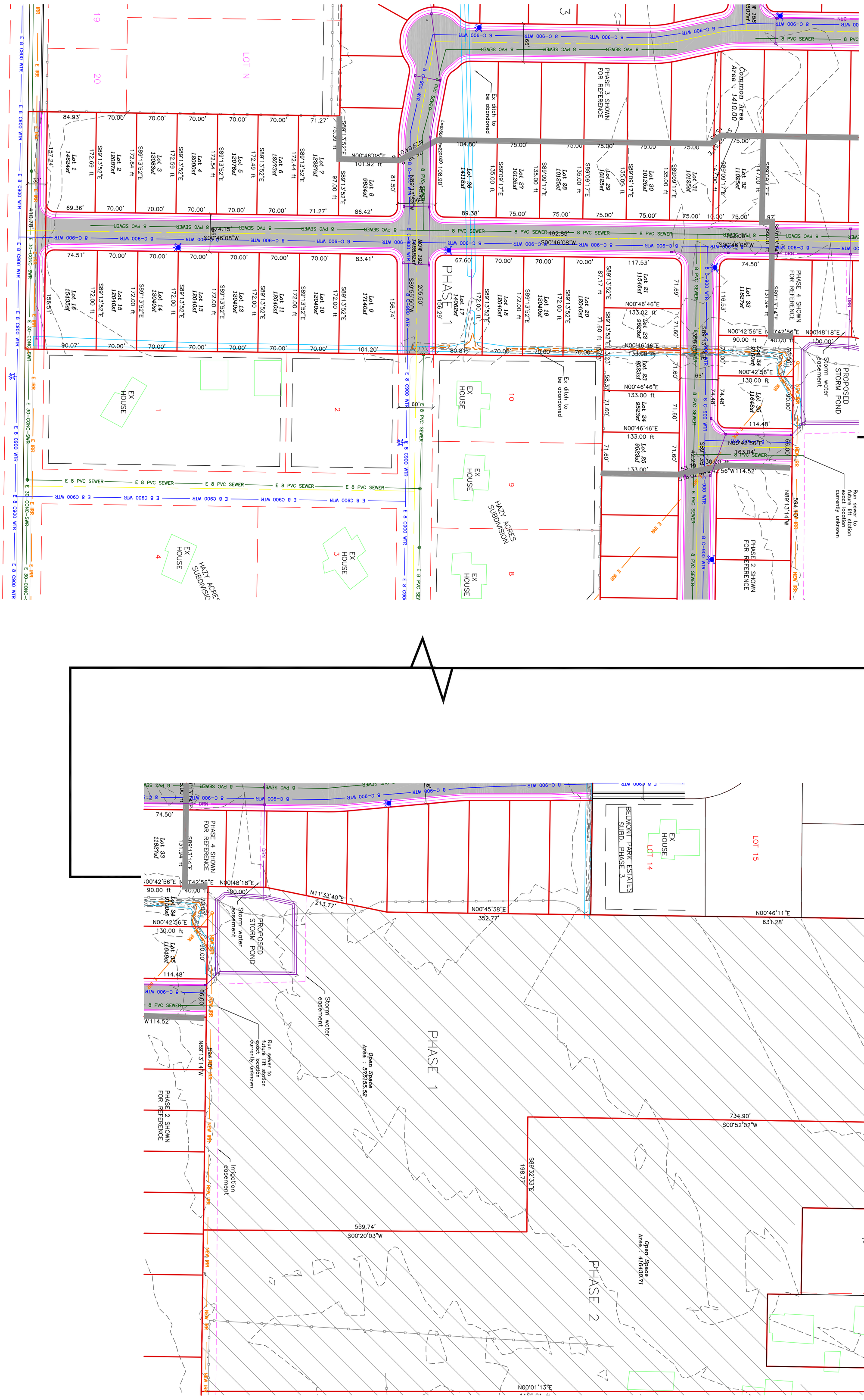
CAD FILE : | PROJECT NO. :

ALLIANCE CONSULTING ENGINEERS
150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321
(435)755-5121
alliancelogan@yahoo.com

REGISTERED PROFESSIONAL ENGINEER
NO. 368590
ADAM V. MACKELPRANG
STATE OF UTAH
5/12/2020
REVIEW

Attachment B: WWPC May 12th Staff Report

Exhibit B



DATE : MARCH,2020
DRAWING No. 2

PROJECT TITLE
TAYLOR LANDING
A CLUSTER SUBDIVISION

DRAWING TITLE
PRELIMINARY PLAT PHASE 1

No.	REVISIONS/ SUBMISSIONS	DATE

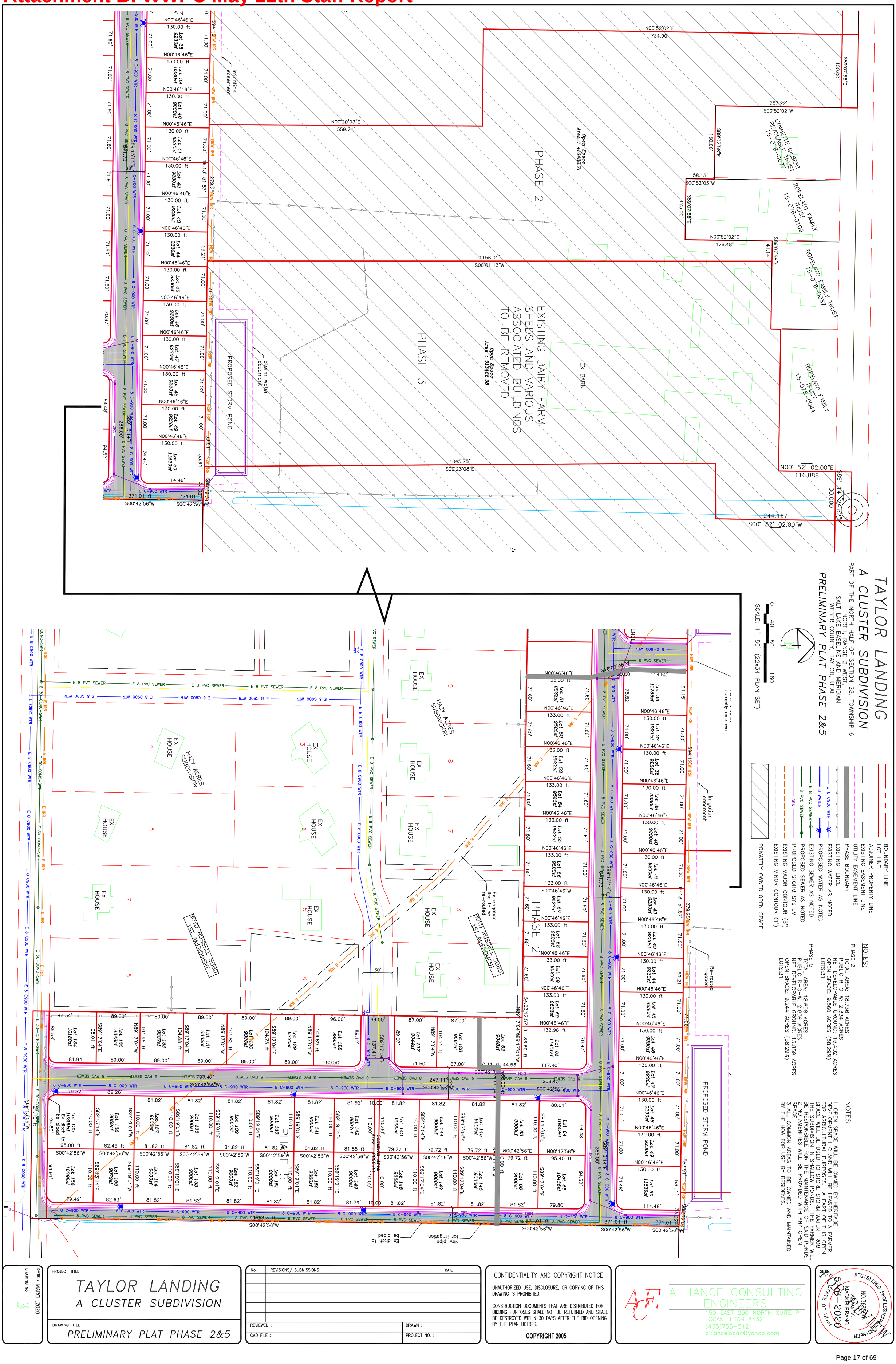
REVIEWED : | DRAWN :
CAD FILE : | PROJECT NO. :

ALLIANCE CONSULTING ENGINEERS
150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321
(435)755-5121
alliancelogan@yahoo.com

SEAL: REGISTERED PROFESSIONAL ENGINEER, STATE OF UTAH, NO. 383539, ADAM V. MACKELPRANG, 5/26/2020

Attachment B: WWPC May 12th Staff Report

Exhibit B



TAYLOR LANDING
A CLUSTER SUBDIVISION
PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASELINE AND MERIDIAN WEBER COUNTY, TAYLOR, UTAH

PRELIMINARY PLAT PHASE 4&5

SCALE: 1" = 80' (22x34 PLAN SET)

NOTES:

PHASE 3
TOTAL AREA: 22.442 ACRES
PUBLIC R-O-W: 2.223 ACRES
NET DEVELOPABLE GROUND: 20.219 ACRES
OPEN SPACE: 11.786 ACRES (58.29%)
LOTS:28

PHASE 4
TOTAL AREA: 23.419 ACRES
PUBLIC R-O-W: 2.565 ACRES
NET DEVELOPABLE GROUND: 20.854 ACRES
OPEN SPACE: 12.157 ACRES (58.30%)
LOTS:31

NOTES:

1- OPEN SPACE WILL BE OWNED BY HERITAGE DEVELOPMENT LLC AND WILL BE LEASED TO A FARMER FOR AGRICULTURAL PURPOSES. A PART OF THIS OPEN SPACE WILL BE USED TO STORE STORM WATER FROM THE SUBDIVISION IN SHALLOW PONDS. THE FARMER WILL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID PONDS.
2-NO AMENITIES WILL BE PROVIDED WITH ANY OPEN SPACE.
3-ALL COMMON AREAS TO BE OWNED AND MAINTAINED BY THE HOA FOR USE BY RESIDENTS. THE COMMON AREA BEHIND LOTS 70-76 TO USED FOR FOR DETENTION OF STORM WATER FROM THE SUBDIVISION.

BOUNDARY LINE
LOT LINE
ADJOINER PROPERTY LINE
EXISTING EASEMENT LINE
UTILITY EASEMENT LINE
PHASE BOUNDARY
EXISTING FENCE
EXISTING WATER AS NOTED
PROPOSED WATER AS NOTED
EXISTING SEWER AS NOTED
PROPOSED SEWER AS NOTED
PROPOSED STORM SYSTEM
EXISTING MAJOR CONTOUR (5')
EXISTING MINOR CONTOUR (1')
PRIVATELY OWNED OPEN SPACE

DATE : MARCH,2020
DRAWING No. 4

PROJECT TITLE
TAYLOR LANDING
A CLUSTER SUBDIVISION

DRAWING TITLE
PRELIMINARY PLAT PHASE 4&5

No.	REVISIONS/ SUBMISSIONS	DATE

REVIEWED : | DRAWN :
CAD FILE : | PROJECT NO. :

ALLIANCE CONSULTING ENGINEERS
150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321
(435)755-5121
alliancelogan@yahoo.com

SEAL: REGISTERED PROFESSIONAL ENGINEER — NO. 383539 — ADAM V. MACKELPRANG — STATE OF UTAH — 5/12/2020

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT
2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401
February 19, 2020

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that ***preliminary*** approval has been given and the District has the capacity to provide culinary water only for 156 lots for Sunset Meadows Subdivision at the approximate address of 4200 W. 2000 S. Taylor UT.

Requirements:

*Plan review fee=156 x $25.00=$3900.00
*Water rights fee = ($4,363 per lot or current cost when paid) =$680,628.00
*Secondary water = Must provide pressurized secondary water system to each lot.
*Connection /Impact fees will need to be paid by the lot owner at the time of building construction (Impact fee $5,228 per lot (or current cost when paid).
*Cost for the water meter is $375 plus $100 for water use during construction.
*Taylor West Weber Water District reserves the right to make or revise changes as needed or as advised by the district engineer and the district attorney.

SUBDIVISION PERMITS SHOULD NOT BE ISSUED UNTIL FINAL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER. Final approval is subject to meeting all of the requirements of the District having board approval and all fees being paid and received. This letter expires six months from the day it is issued.

Sincerely, _____

TAYLOR WEST WEBER WATER IMP. DIST.

Ryan Rogers – Manager Expires 8/19/2020

Hooper Irrigation Co.

PO Box 184
5375 S 5500 W
Hooper, Utah 84315

Phone: (801)985-8429
Fax (801)985-3556
hooperirrigationco@msn.com

April 10, 2020

Weber County Planning Commission
2380 Washington Blvd, #240
Ogden, Utah 84401

RE: PRELIMINARY WILL SERVE LETTER – Sunset Meadows Subdivision

The development is located at 4000 West and 1800 South approximately and consists of 156 lots. Hooper Irrigation Company has pressure irrigation water available for the afore mentioned project located at the above address.

This letter states that the afore named project is in the boundaries of Hooper Irrigation Company. A formal application has been made to our office. The application fee has not yet been paid due to the office restrictions in response to the public health order related to the COVID-19 pandemic.

The subdivision plat plan has been reviewed by Hooper Irrigation. The preliminary plans have been conditionally approved for the above subdivision with some changes possibly needed. Due to the circumstances surrounding the COVID-19 pandemic, the developer was not able to attend a Hooper Irrigation Board Meeting to discuss private ditches, tailwater ditches, etc. The preliminary approval is therefore conditional to a future discussion regarding the ditches and how best to maintain the current integrity of those ditches as the property develops. Only this project is in consideration and guaranteed service and the plan review is good only for a period of one year from the date of this letter, if not constructed.

Hooper Irrigation's specifications are available at the Company office.

If you have questions, please call 801-985-8429.

Sincerely,

Michelle Pinkston

Michelle Pinkston
Office Manager
Board Secretary

Central Weber Sewer Improvement District

February 24, 2020

Weber County Planning Commission
2380 Washington Blvd.
Ogden, Utah 84401-1473

SUBJECT: The Residences at Sunset Meadows
Sanitary Sewer Will Serve Letter

We have reviewed the preliminary subdivision plans for the Sunset Meadows development that consists of 156 residential units on 109.62 acres located near 4300 West 2200 South in the Taylor area of Weber County. This project is being developed by Jessica Prestwich and Sierra Homes will be the owner. We can treat the sanitary sewer from this proposed development and offer the following comments.

1. Central Weber does have the capacity to treat the sanitary sewer flow from this proposed development.

2. This property will need to be annexed into the Central Weber Sewer Improvement District prior to any connections being made to the District's sanitary sewer lines on 2200 South or 4100 West.

3. Details of any connection and/or manhole construction being made directly to Central Weber's main line will need to be submitted to Central Weber and approved prior to construction and the connection being made.

4. Any connection to Central Weber's line must be inspected by Central Weber while the work is being done. A minimum of 48-hour notice for inspection shall be given to Central Weber prior to any work associated with the connection.

5. Central Weber will not take ownership or responsibility for the condition, ownership or maintenance of the proposed sanitary sewer lines (gravity or pressure) or system that are proposed as a part of this development.

2618 West Pioneer Road, Ogden, Utah 84404 • Telephone (801) 731-3011 Fax (801) 731-0481

6. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. Central Weber's Wastewater Control Rules and Regulations state:

   Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allow to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.

7. The Central Weber Sanitary Sewer Impact Fee for each lot will need to be paid to Weber County at the time of issuance of a Building Permit. The current Residential Impact fee is $2,395.

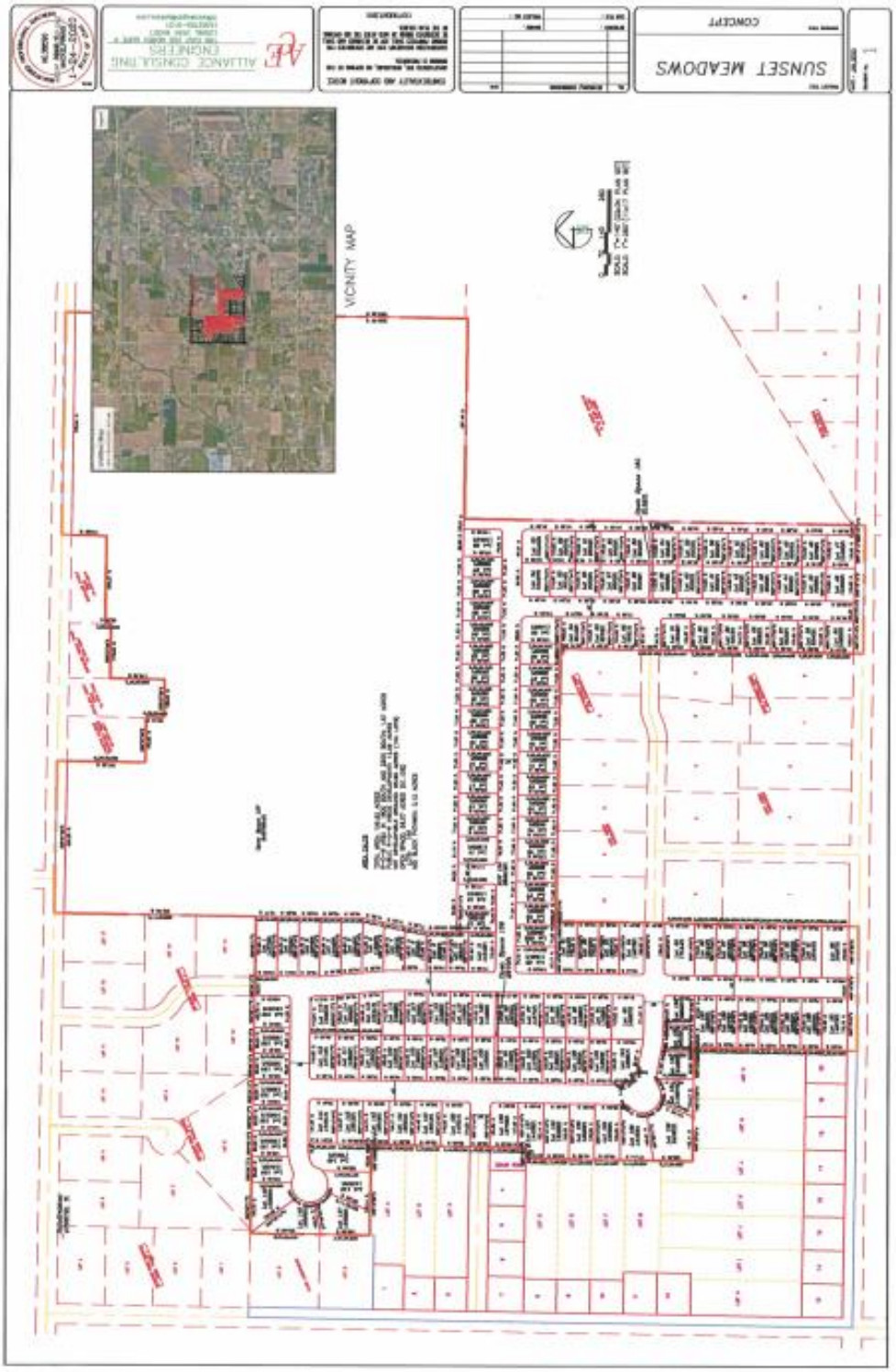
If you have any further questions or need additional information please let us know.

Sincerely,

Lance L Wood, P. E.
General Manager

Attachments: Preliminary Development Plans

cc: Jessica Prestwich, jessicap@sierrahomes.com


SUNSET MEADOWS
CONCEPT
VICINITY MAP

SIERRA HOMES

470 N 2450 W TREMONTON, UT 84337
PHONE: 435-257-4963 FAX: 435-257-8039
WWW.SIERRAHOMES.COM

Open Space Preservation Plan for Taylor Landing

In the development of Taylor Landing there is 57.09 acres of useful open space. This open space will remain property of Heritage Land Development, LLC and be leased to A.G. Favero & Sons. The Favero's are knowledgeable with both the crop producing industry and this piece of property. We recently had a soil study conducted and learned that the open space is capable of having the best nutrient content and irrigation capabilities above any other area on the property. Favero & Sons have agreed to assist Heritage Land Development in making the open space a well maintained, hay producing piece of agriculture land.

If there are any questions about the maintenance or proposed use of the open space Tom Favero is willing to answer any questions. His number is 801-544-6883.

Below is detailed information of the subdivision,
Total area 109.62 Acres
Net Developable Ground 95.98 Acres
Open space 55.95 Acres (58.29%) Lots 156

Phase 1
Total area 26.329 Acres
Net Developable Ground 22.651 Acres
Open space 13.204 Acres (58.29%)

Phase 2
Total area 18.736 Acres
Net Developable Ground 16.402 Acres
Open space 9.560 Acres (58.29%)

Phase 3
Total area 22.442 Acres
Net Developable Ground 20.219 Acres
Open space 11.786 Acres (58.29%)

Notes on phase 3- There is a proposed storm pond behind lots 70-76 that will be designated as common area and maintained by the HOA. It is not included in the open space calculations. After looking at the topography of the property our engineer feels like placing a storm pond in that location will be beneficial to the development. It will help

control and filter any storm water and runoff from the adjoining subdivision. The storm pond follows the code and is constrained in an area and width that provides minimum acreage necessary for its functionality.

Phase 4
Total area 23.419 Acres
Net Developable Ground 20.854 Acres
Open space 12.157 Acres (58.30%)

Phase 5
Total area 18.698 Acres
Net Developable Ground 15.859 Acres
Open space 9.244 Acres (58.29%)

Thank you,

Jessica Prestwich
Land Development
Sierra Homes Construction, LLC
801-644-6736
jessicap@sierrahomes.com

MARTIN & NICHOLSON
ENVIRONMENTAL CONSULTANTS

Open Space Soil Assessment

Sunset Meadows Subdivision

Weber County, UT

Prepared for:

Sierra Homes
470 North 2450 West
Tremonton, Utah 84337

Prepared by:

Martin & Nicholson Environmental Consultants, LLC
Brian Nicholson, Senior Project Manager
935 Williamstown Ct.
Park City, UT 84098

April 16, 2020

List of Appendices

1.0 Introduction

Sierra Homes engaged Martin & Nicholson Environmental Consultants (M&N) to assess soil conditions in the designated agricultural open space of the Sunset Meadows subdivision. The goal of this assessment is to determine the location of various soil series in the subdivision, identify areas of prime agricultural land, and establish if soil series in the open space are suitable for agriculture (crops and pasture). This assessment included analysis of Natural Resource Conservation Service web-based soil data and laboratory analysis of soil samples collected in the open space. Assessment methodology, findings, discussion, and conclusions are presented in this document.

1.1 Study Area Description

The Sunset Meadows subdivision is located near Taylor, Utah in Weber County at approximately 4300 West between 1800 South and 2200 South (Township 6N, Range 2W, and Section 28) as illustrated in Figure 1, Appendix A. The subdivision is located in Weber County Zone A-1 (Agricultural). According to the Weber County Code, the purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment. All agriculture operations shall be permitted at any time, including the operation of farm machinery and no agricultural use shall be subject to restriction because it interferes with other uses permitted in the zone.

The subdivision is 108 acres of which 56 contiguous acres in the northeast corner are designated as agricultural open space. Open space accounts for approximately 52 % of the subdivision and exceeds the 30 % requirement for Zone A-1. Sierra Homes intends to lease the western two thirds of agricultural open space for alfalfa production and the eastern third for pasture. Sierra Homes will deliver irrigation water to the southwest corner of the open space at which time the lessee will determine the most effective irrigation method, i.e., flood or sprinkler. Photographs of the open space area taken from five dominant soil series areas are found in Appendix B.

1.2 Weber County Open Space Regulations

The Weber County Code recommends that agricultural open space to be contiguous and that useful prime agricultural land shall first and foremost be used to satisfy open space requirements. Prime agricultural land is defined in the Weber County Code as areas of a lot or parcel best suited for large-scale crop production. These areas have soil types that have, or can have, highest nutrient content and best irrigation capabilities over other soil types on the

property and are of a sufficient size and configuration to offer marketable opportunities for crop-production.

This assessment specifically addresses compliance with items (c)(1) and (c)(3) (a-c) of Section 108-3-5 (Open Space Preservation Plan) taken directly from the Weber County Code.

(c) Open space development standards and ownership regulations. All open space areas proposed to count toward the minimum open space area required by this chapter shall be clearly identified on the open space site plan. The following standards apply to their creation. Open space area in excess of the minimum required by this chapter are exempt from these standards.

(1) Minimum required open space area. A cluster subdivision requires a minimum percentage of its net developable acreage, as defined in section 101-1-7, to be preserved as open space, as described in Table 1 below:

Table 1. Open Space Requirements for Weber County Planning Zones

Zone	Required Open Space
F-40 zone	90 %
F-5 and F-10 zones	80 %
AV-3, FV-3, and DRR-1 zones	60 %
Zones not listed	30 %

(3) Agricultural open spaces to be contiguous and useful. In all agricultural zones, open space parcels shall be arranged to create future long-term agricultural opportunities in the following ways:

- *a) By creating parcels of a sufficient size and configuration to support large-scale crop-producing operations. The area or areas of the subdivision that contains prime agricultural land, as defined by section 101-1-7, shall first and foremost be used to satisfy the open space requirements of this chapter. Only then may any portion of the prime agricultural land be used for other development purposes.*
- *b) Open space parcels shall be organized into one contiguous open space area. Contiguity may only be interrupted if preservation of long-term agricultural opportunities is best accomplished by allowing the interruption. The applicant bears the burden of proving this based on soil*

sampling, irrigation capabilities, parcel boundary configuration, and industry best practices.

c) The exterior boundary of a contiguous open space area that is intended to satisfy the open space requirements of this chapter shall be configured so a 50-foot-wide farm implement can reach all parts of the area with three or more passes or turns. Generally, this requires the area to be at least 450 feet wide in any direction at any given point to be considered contiguous. This three-turn standard may be reduced by the planning commission for portions of the parcel affected by the following:

i. The configuration of the existing exterior boundary of the proposed subdivision makes it impossible;

ii. A street required by section 108-3-4 constrains the width of the parcel or bisects what would otherwise be one contiguous open space area if the street did not exist; or

iii. Natural features, or permanent man-made improvements onsite that cannot be moved or realigned, cause an interruption to crop producing capabilities.

2.0 Methodology

On April 8, 2020, staff from M&N visited the Sunset Meadows subdivision to collect samples of soil series found in the designated agricultural open space. As shown in Figure 2, Appendix A, and according to the USDA Natural Resource Conservation Service (NRCS), the following six soils are found in the agricultural open space:

1. Ac – Airport Silt Loam
2. KaA – Kidman Fine Sandy Loam
3. Le – Leland Silt Loam
4. LS – Leland-Saltair Complex
5. WaA – Warm Springs Fine Sandy Loam
6. WgA – Warm Springs Fine Sandy Loam, Saline, Sodic

Samples were collected for the following five soil series: Ac, KaA, Le, WaA, and WgA. The Leland-Saltair Complex (LS) was omitted from collection due to its minimal proportionate acreage relative to the total area of the proposed open space (See Table 2).

Prior to visiting the study area, staff of M&N generated global positioning system coordinates and waypoints for five sampling locations, one in each of the five soil series listed above. In order to obtain the most comprehensive analysis of each selected soil series, two additional samples were collected and recorded while in the field, totaling three samples per selected soil series, or 15 samples in total. Locations of collected soil samples are illustrated in Figure 2, Appendix A. M&N compiled each soil series sample using the following protocol:

1. Using a trench shovel, M&N removed surface litter and debris, dug a 12-inch deep hole, removed a thin slice of soil from one side of the hole, and placed it in a clean bucket.

2. Soil was thoroughly mixed in the bucket to attain a composite sample. Two cups of the mixed soil sample were collected and placed in a labeled, sterile gallon-sized resealable bag. Remaining contents in the bucket were replaced into the hole out of which they were collected, and the bucket cleaned.

3. Using the same protocol, a second and third sample of each soil series were collected and placed into their respective sample bags. In total M&N gathered five sample bags, which contained six cups of composite soil gathered from three individual locations per soil series.

4. M&N measured two cups of each composite soil sample and placed them into labeled, sterile quart-sized resealable bags and shipped them to Stukenholtz Laboratory, Inc. of Twin Falls, ID for analysis.

Diagnostic soil characteristics selected for analysis by Stukenholtz Laboratory, Inc. consisted of pH, cation-exchange capacity, excess Lime, Lime requirement, and organic matter, ammonium-nitrogen, nitrate-nitrogen, phosphorus, potassium, calcium, magnesium, sulfate-sulfur, iron, manganese, copper, boron, chloride, salts, and sodium composition. In addition to soil analysis Stukenholtz Laboratory, Inc. provides comments on soil characteristics and recommendations for mitigating conditions that are less favorable for agricultural production.

3.0 Findings

3.1 NRCS Soil Survey Results

The information in Table 2 was obtained using GIS-analysis and the NRCS Soil Survey. It consists of acreage calculations for each soil series in the subdivision and open space area, soil series descriptions, and general soil classifications reflective of potential agricultural production. Soil classifications are based on NRCS mapped soil series boundaries which may not be reflective of actual boundaries or conditions on the ground.

Table 2. Soil Series and Total Acreage in Sunset Meadows Subdivision and Agricultural Open Space

Soil Unit Symbol & Name	Acreage in Total Sunset Meadows Subdivision	% of Total Sunset Meadows Subdivision	Acreage in Designated Open Space	% of Designated Open Space
Ac - Airport Silt Loam; 0 to 2 % slopes	9.85	9.13%	9.85	17.57%

Soil Unit Symbol & Name	Acreage in Total Sunset Meadows Subdivision	% of Total Sunset Meadows Subdivision	Acreage in Designated Open Space	% of Designated Open Space
KaA - Kidman Fine Sandy Loam; 0 to 1 % slopes	21.14	19.59%	8.39	14.97%
Lb - Lakeshore Fine Sandy Loam; 0 to 1 % slopes	6.47	6.00%	-	-
Le - Leland Silt Loam; 0 to 1 % slopes	24.43	22.63%	22.52	40.18%
LS - Leland-Saltair complex; 0 to 1 % slopes	1.05	0.97%	1.05	1.87%
Sy - Syracuse Loamy Fine Sand	1.18	1.09%	-	-
WaA - Warm Springs Fine Sandy Loam; 0 to 1 % slopes	21.60	20.02%	6.35	11.33%
WgA - Warm Springs Fine Sandy Loam, Saline, Sodic; 0 to 1 % slopes	22.20	20.57%	7.89	14.08%
Total	**107.92**	**100.00%**	**56.05**	**100.00%**

3.2 Soil Series Descriptions

Airport Silt Loam (Ac) – The Airport series consists of very deep soils formed in lacustrine deposits derived from limestone, sandstone, shale and quartzite. This soil is somewhat poorly drained with slow permeability and medium surface runoff. Airport soils are used mainly for pastureland, with drained, reclaimed sites used for irrigated cropland (NRCS, 2005a).

Kidman Fine Sandy Loam (KaA) – The Kidman series is a very deep composite soil formed in alluvium or lacustrine deposits of quartzite, sandstone, granite, limestone, and gneiss parent material. Kidman soils are moderately well to well drained with moderately rapid permeability and very low to high surface runoff depending on saline concentration. These soils are

primarily used for irrigated cropland, most commonly alfalfa, sugar beets, tomatoes, asparagus, corn, and irrigated pasture (NRCS, 2005b).

Lakeshore Fine Sandy Loam (Lb) – The very deep, poorly drained Lakeshore series soil is comprised of lacustrine deposits derived from mixed-rock. Negligible surface runoff and slow permeability make this soil susceptible to occasional ponding events. Primary uses of Lakeshore fine sandy loam include grazing rangeland and wildlife habitat, naturally harboring 10% or less vegetative cover (NRCS, 2006a).

Leland Silt Loam (Le) – The Leland series consists of very deep, somewhat poorly drained soils that formed in lacustrine deposits originating from sandstone, limestone, quartzite, and shale. These slowly permeating soils produce medium surface runoff and are used mainly as rangeland. Reclaimed Leland areas produce irrigated alfalfa, pasture, small grains, and sugar beets (NRCS, 2005c).

Leland-Saltair Complex (LS) – This complex contains approximately 65% fine-loamy Leland silt loam and 35% fine-silty Saltair silt loam. The Saltair series is moderately to strongly alkaline, containing 2% to 8% salts to a depth of 60 inches. The addition of the saline Saltair reduces permeability and drainability and increases surface runoff relative to the Leland series (above). Therefore, this poorly drained complex soil series has slow to very slow permeability and very high surface runoff. Practical uses for the Leland-Saltair Silt Loam Complex are grazing rangeland and pastureland (NRCS, 2007).

Syracuse Loamy Fine Sand (Sy) – The Syracuse series is a very deep composite soil formed in alluvium and lacustrine deposits of quartzite, limestone, and gneiss. This soil produces low to very low surface runoff with poor drainability and moderate to moderately rapid permeability. Efficient use of Syracuse soils includes irrigated cropland, urban development, and rangeland. In the case of reclamation and artificial drainage, irrigated cultivation of alfalfa, corn, tomatoes, sugar beets, and small grains become viable (NRCS, 2006b).

Warm Springs Fine Sandy Loam (WaA) – The Warm Spring series consists of very deep, somewhat poorly drained soils derived from mixed-rock lacustrine deposits. This moderately to slowly permeating fine-loamy soil of low or medium surface runoff is best used as pastureland and, when irrigated and drained, for cultivated crops such as alfalfa, improved pasture, small grains, sugar beets, and tomatoes (NRCS, 2005d).

Warm Springs Fine Sandy Loam, Saline, Sodic (WgA) – Similar to the Warm Springs Fine Sandy Loam (WaA), this soil consists of lacustrine deposits derived of mixed-rock. Due to high concentrations of both salts and sodium in this soil series, drainage, runoff, and permeation

characteristics are slightly amplified in the WgA series relative to that of the WaA series (above), with poor drainage, slowly to very slowly permeating, and medium to high surface runoff qualities (NRCS, 2005d). Increased salt (saline) composition adversely effects the ability and rate of plant roots to absorb water, and high concentrations of sodium (sodic) causes degradation and densification of soil structure, decreasing soil drainage quality and impeding plant root growth (NDSU, 2004). Most efficient use of Saline and Sodic Warm Springs Fine Sandy Loam lands include grazing rangeland and pasture. If irrigated and drained, production of cultivated crops such as alfalfa, improved pasture, and small grains become viable.

Table 3 presents four general soil classifications reflective of potential agricultural production for all soil series in the subdivision consisting of farmland classification, irrigated capability class, yield of irrigated crops (alfalfa), and yield of irrigated crops (pasture/AUMs). Figures 3 through 6 illustrating these classifications are found in Appendix A. Soil classifications are based on NRCS mapped soil series boundaries which may not be reflective of actual boundaries or conditions on the ground.

Table 3. Soil Series Classifications

Soil Unit Symbol & Name	Farmland Classification	Irrigated Capability Class[1]	Yields of Irrigated Crops – Alfalfa (tons/acre)	Yields of Irrigated Crops – (Pasture / AUMs)
Ac - Airport Silt Loam; 0 to 2 % slopes	Not Prime Farmland	III	3.5	6.65
KaA - Kidman Fine Sandy Loam; 0 to 1 % slopes	Prime Farmland, if Irrigated	I	6.0	Not Available
Lb Lakeshore fine sandy loam; 0 to 1 % slopes	Not Prime Farmland	Not Available	Not Available	Not Available
Le - Leland Silt Loam; 0 to 1 % slopes	Not Prime Farmland	Not Available	Not Available	Not Available
LS - Leland-Saltair complex; 0 to 1 % slopes	Not Prime Farmland	Not Available	Not Available	Not Available

Sy - Syracuse loamy fine sand, moderately saline, sodic; 0 to 2 % slopes	Not Prime Farmland	III	4.0	8.55
WaA - Warm Springs Fine Sandy Loam; 0 to 1 % slopes	Prime Farmland, if Irrigated & Drained	II	5.0	10.45
WgA - Warm Springs Fine Sandy Loam, Saline, Sodic; 0 to 1 % slopes	Not Prime Farmland	IV	4.0	8.55

1 Irrigation Capability Class – Capability classes, designated by values I through VIII, show general suitability of soils for most field crop varieties. The numbers indicate progressively greater limitations and narrower choices for practical use, where Class I soils have few limitations and a wide variety of practical use and Class VIII soils have severe limitations that restrict the depth of their use (NRCS, 2020).

3.3 Soil Analysis Results

The results of the soil analysis conducted by Stukenholtz Laboratory, Inc. for each soil series are found in Appendix C. The results provide specific measurements of various agriculture-related parameters such as texture, pH, salts, phosphorus, and nitrate. The analysis indicates when these parameters are very low to very high for alfalfa and/or pasture grass crop production. Based on these results Stukenholtz Laboratory, Inc. provides nutrient application recommendations and management comments that include ways to mitigate adverse conditions. All but the Warm Springs Fine Sandy Loam (WaA) series have management comments. These range from reducing soluble salts and excess boron through drainage and deep irrigation to applying elemental sulfur or gypsum to reduce effects of sodium to monitoring for nitrate. Soil texture and management comments for each soil series are provided in Table 3.

Table 3 – Soil Analysis Results

Soil Unit Symbol & Name	Acreage (%) in Proposed Open Space	Crop	Comments
Ac - Airport Silt Loam; 0 to 2 % slopes	9.85 (17.57%)	Alfalfa / Grass	Soil texture – Silt Loam. Soluble salts may reduce yield and quality. Establish good drainage and deep irrigate to remove excess soluble salts. Deep irrigated to leach away excess Boron. Apply elemental sulfur or gypsum to reduce harmful effects of high sodium.

Soil Unit Symbol & Name	Acreage (%) in Proposed Open Space	Crop	Comments
KaA - Kidman Fine Sandy Loam; 0 to 1 % slopes	8.39 (14.97%)	Alfalfa	Soil texture – Sandy Loam. Apply elemental sulfur or gypsum to reduce harmful effects of high sodium.
Le - Leland Silt Loam; 0 to 1 % slopes	22.52 (40.18%)	Alfalfa / Grass	Soil texture – Sandy Loam. Deep irrigated to leach away excess Boron. Apply elemental sulfur or gypsum to reduce harmful effects of high sodium. Monitor crop with plant tissue tests and add N as needed.
WaA - Warm Springs Fine Sandy Loam; 0 to 1 % slopes	6.35 (11.33%)	Alfalfa	Soil texture – Sandy Loam. No Comments
WgA - Warm Springs Fine Sandy Loam, Saline, Sodic; 0 to 1 % slopes	7.89 (14.08%)	Alfalfa / Grass	Soil texture – Sandy Loam. Soluble salts may reduce yield and quality. Establish good drainage and deep irrigate to remove excess soluble salts. Deep irrigated to leach away excess Boron. Apply elemental sulfur or gypsum to reduce harmful effects of high sodium. Apply elemental sulfur or acid forming fertilizers for excessively calcareous soils. Monitor crop with plant tissue tests and add N as needed.
Total	**56.05 (100.00%)**		

4.0 Discussion

The NRCS soils data provide information on the eight soil series in the Sunset Meadows subdivision, six of which are found in the designated agricultural open space. The dominant soil series across the entire subdivision are Kidman Fine Sandy Loam (KaA), Leland silt loam (Le), Warm Springs fine sandy loam (WaA), and Warm Springs fine sandy loam saline sodic (WgA), which account for 82.81 % of all soils. The dominant soil series in the designated open space are Airport (Ac), Kidman fine sandy loam (KaA), Leland silt loam (Le), and Warm Springs fine sandy loam saline sodic (WgA). These four soil types account for 86.80 % of all soils in the designated open space.

According to the NRCS official soil descriptions most soil series can be used for agricultural production, most commonly alfalfa, sugar beets and irrigated pasture. Some soil series such as Airport (Ac) and Leland silt loams (Le), and Warm Springs fine sandy loam saline sodic (WgA)

are improved by reclamation, irrigation, or drainage. Lakeshore fine sandy loam and (Lb) Leland-Saltair Complex (LS) soil series are generally limited to grazing rangeland and pastureland.

Kidman Fine Sandy Loam (KaA) and Warm Springs fine sandy loam (WaA) are considered prime farmland, the latter if irrigated and drained. However, soil samples in the Kidman soil series indicate high levels of sodium. Five of the eight soil series have available data to show general suitability for most field crops if irrigated. Of these five, Warm Springs fine sandy loam saline sodic (WgA) has the most restrictions. The estimated yield of alfalfa ranges from 3.5 to 6 tons / acre in the Airport (Ac) and Kidman Fine Sandy Loam (KaA) soil series, respectively. The estimated yield of irrigated crops for pasture measured in animal unit months (AUMs) ranges from 6.65 to 10.45 in the Airport (Ac) and Warm Springs fine sandy loam (WaA) soil series, respectively.

Based on NRCS data and soil sample analysis, all soils in the designated open space are suitable for crop production and pastureland with the exception of the Leland-Saltair Complex (1.87 % of open space), which is only suitable for grazing rangeland or pastureland. Approximately 26 % of the open space is considered prime farmland or prime farmland, if irrigated and drained, as per the NRCS. The results of the soil analysis recommend specific improvements to certain soil series to mitigate the effects of naturally occurring conditions such as high soluble salts, sodium, and boron.

This mosaic of soil series, limitations, and management recommendations extends throughout the entire Sunset Meadows subdivision. Areas proposed for residential development include some soil series considered prime farmland if drained and irrigated and some prime farmland with potentially high sodium levels. Residential development locations also include soil series that require improvements, nutrient application, and/or management to mitigate existing conditions as well as those areas limited to grazing rangeland and pastureland.

5.0 Conclusion

This assessment specifically addressed compliance of the Sunset Meadows subdivision property with items (c)(1) and (c)(3) (a-c) of Section 108-3-5 (Open Space Preservation Plan) of the Weber County Code. Compliance with these code sections is addressed in the following two sections.

5.1 Section 108-3-5 (c)(1)

Assuming that all acreage is developable, Sunset Meadows contains 56 acres of designated open space within the 108-acre subdivision. Open space accounts for approximately 52% of the total area of the subdivision. This exceeds the 30% required for subdivisions in Zone A-1.

5.2 Section 108-3-5 (c)(3)

(a) In an attempt to support large-scale crop-producing operations, the designated agricultural open space contains 14.74 acres of prime agricultural land associated with the Kidman Fine Sandy Loam (KaA) and Warm Springs fine sandy loam (WaA) soil series. Prime agricultural land within the open space does not equal 30% of the total subdivision acreage or 32.4 acres. There are approximately 28 acres of Kidman Fine Sandy Loam (KaA) and Warm Springs fine sandy loam (WaA), which are designated as prime agricultural land, in the subdivision but outside the designated open space. According to this section of the Weber County Code, prime agricultural land should first be used to satisfy the open space requirements.

NRCS data indicates that the other soil series in the open space are suitable for crop production and pastureland. Also based on the soil analysis, recommended improvements to these soil series and Kidman Fine Sandy Loam (KaA) exist, which can mitigate the effects of naturally occurring conditions such as high soluble salts, sodium, and boron. Improvements to approximately 18 acres of the Leland silt loam (Le) soil could increase agricultural production within the open space.

(b) The designated agricultural open space is configured into a single, contiguous parcel fronted by 1800 South and adjacent to other agricultural land. It is located on the northeast corner of the subdivision so that it does not intrude into the center of the Sunset Meadows subdivision or create separation between Sunset Meadows and surrounding subdivisions. The results of the soil analysis suggest that soils within the open space have the potential to support agricultural opportunities. However, in some cases improvements such as nutrient application, drainage, and/or other management actions are required to improve soil conditions.

(c) The designated agricultural open space is at least 450 feet wide in any direction at any given point to accommodate a 50-foot wide farm implement.

6.0 References

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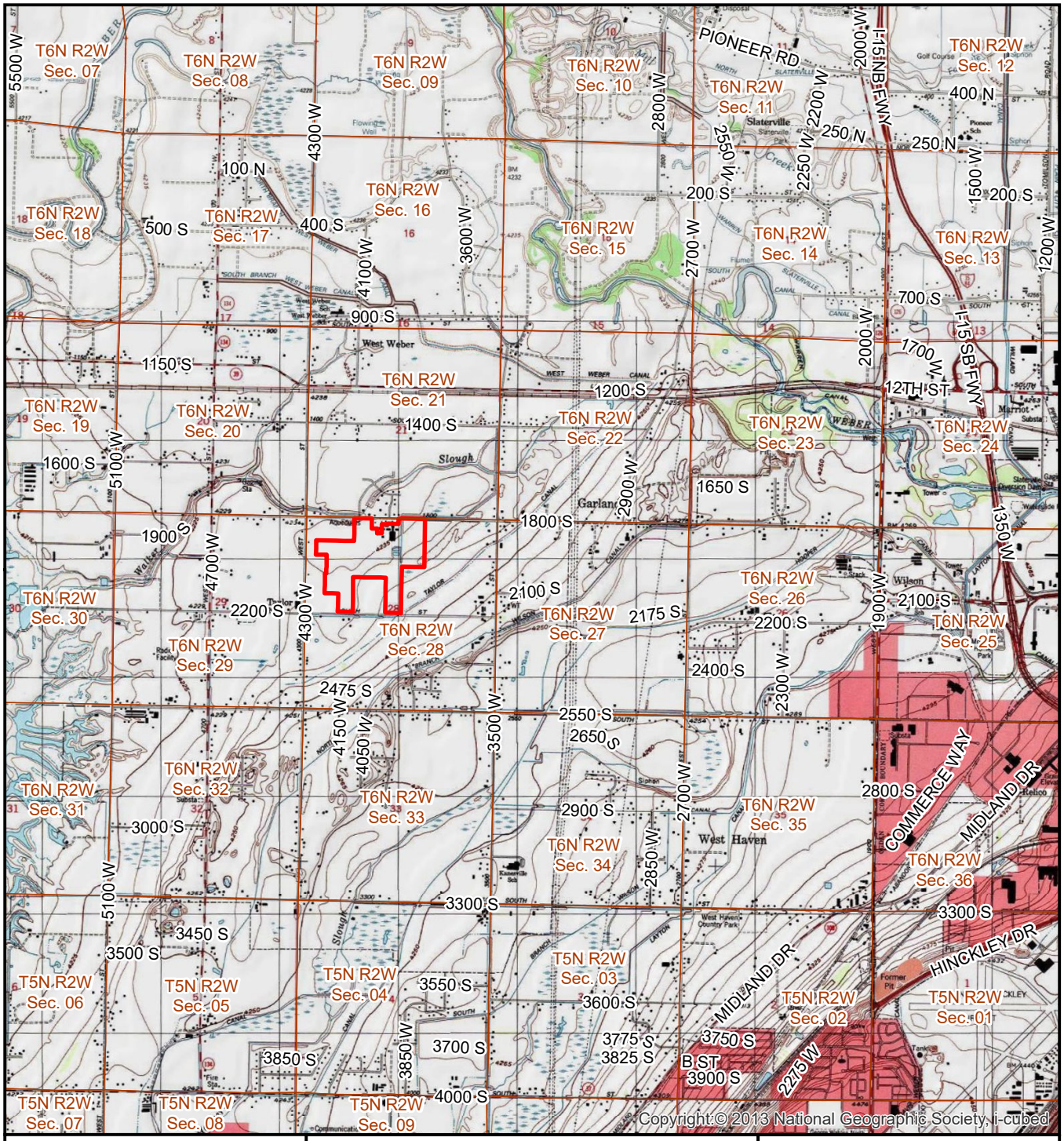
Appendix A – Maps



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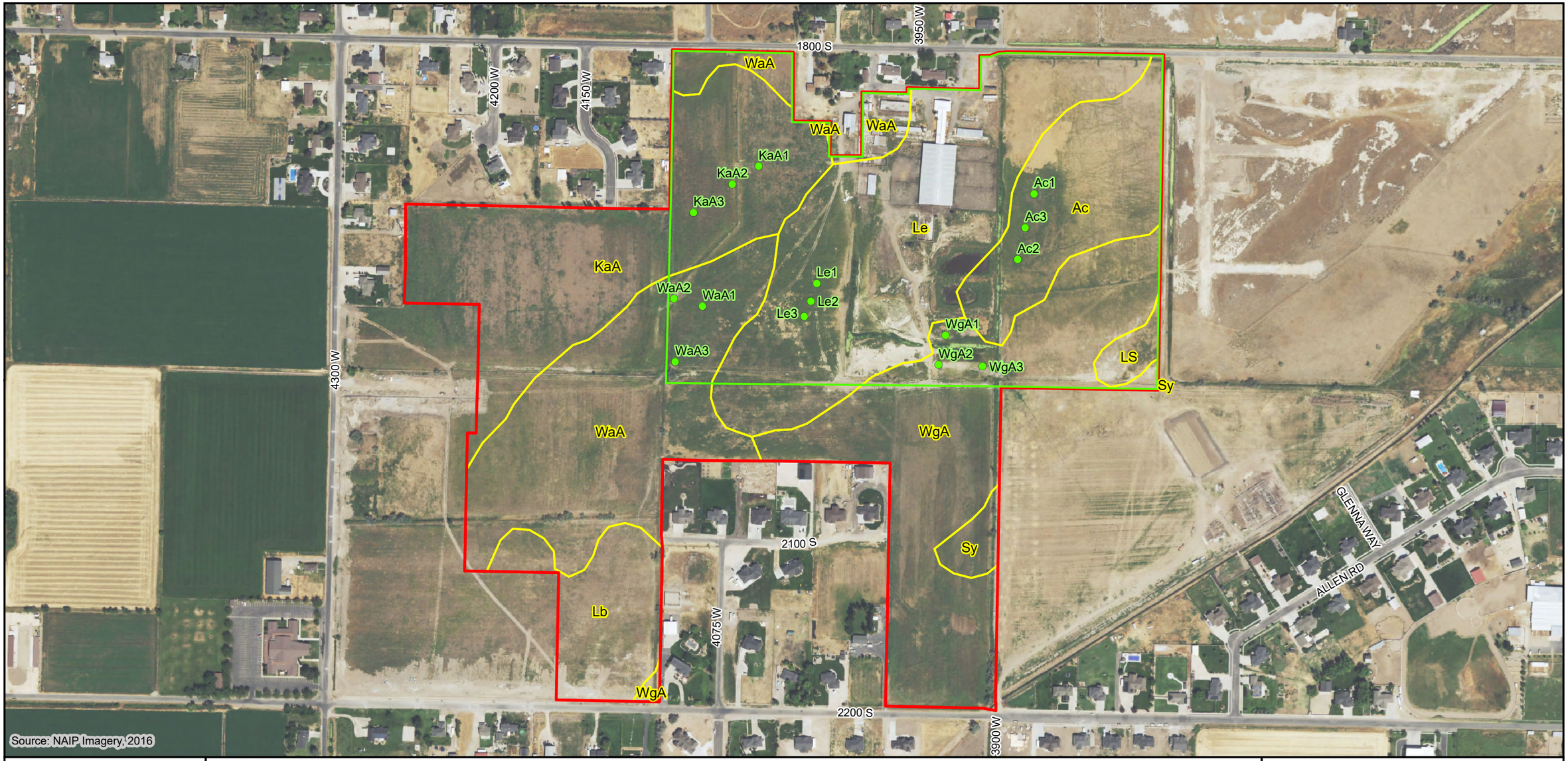

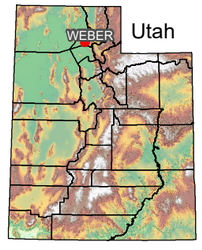

- Soil Sample
- Project Area
- Open Space
- Soils Map Unit

Label	Map Unit Name
Ac	Airport silt loam, 0 to 2 percent slopes
KaA	Kidman fine sandy loam, 0 to 1 percent slopes
Le	Leland silt loam, 0 to 1 percent slopes
LS	Leland-Saltair complex, 0 to 1 percent slopes
Sy	Syracuse loamy fine sand, moderately saline, sodic, 0 to 2 percent slopes
WaA	Warm Springs fine sandy loam, 0 to 1 percent slopes
WgA	Warm Springs fine sandy loam, saline, sodic, 0 to 1 percent slopes

N

Feet
0 400 800

Sunset Meadows

Figure 2

Soil Series and sample locations

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ENVIRONMENTAL CONSULTANTS

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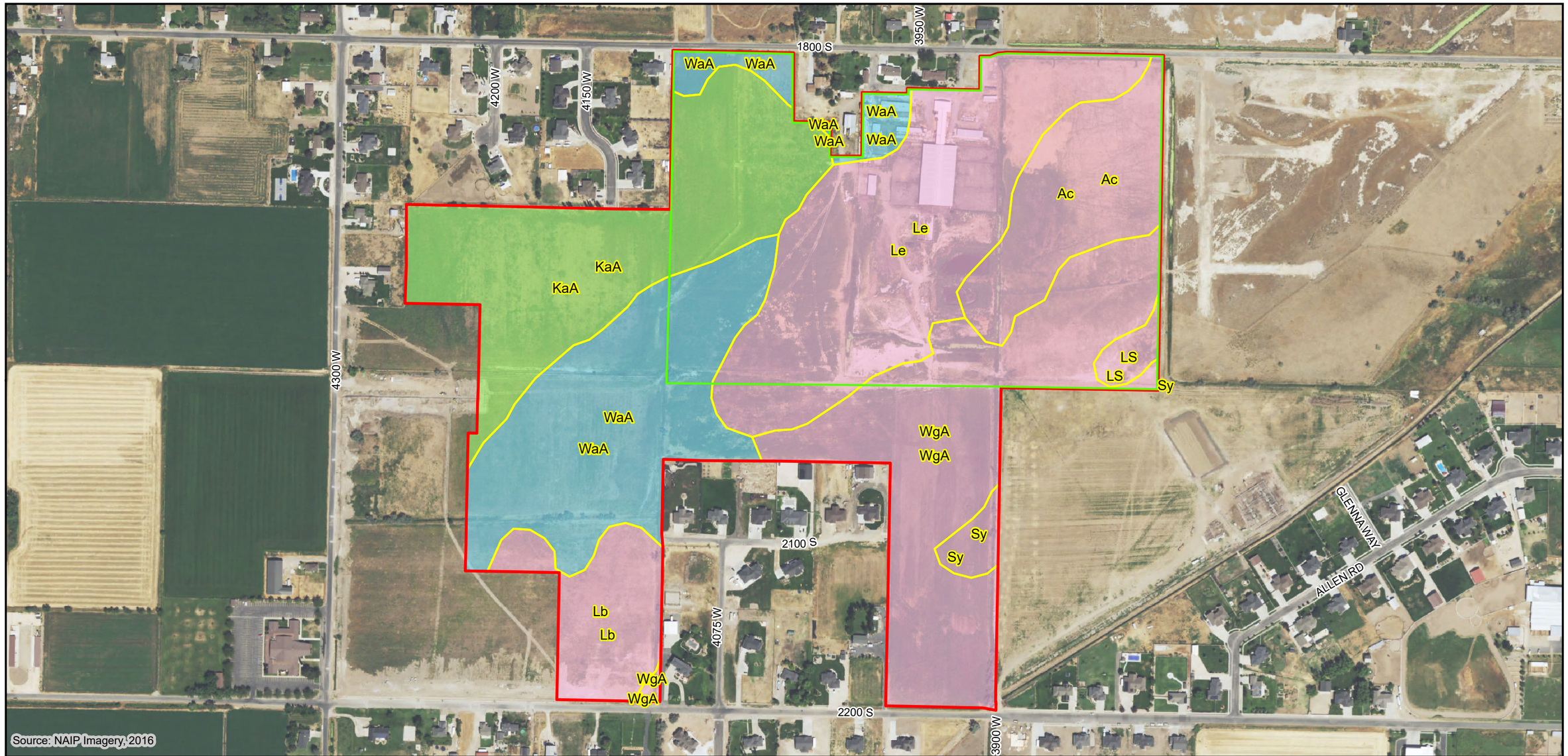

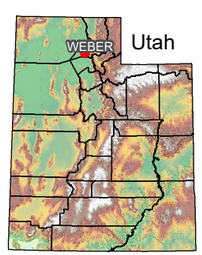

Project Area
Open Space
Soils Map Unit

Farmland Classification

Not prime farmland
Prime farmland if irrigated
Prime farmland if irrigated and drained

Label	Map Unit Name
Ac	Airport silt loam, 0 to 2 percent slopes
KaA	Kidman fine sandy loam, 0 to 1 percent slopes
Le	Leland silt loam, 0 to 1 percent slopes
LS	Leland-Saltair complex, 0 to 1 percent slopes
Sy	Syracuse loamy fine sand, moderately saline, sodic, 0 to 2 percent slopes
WaA	Warm Springs fine sandy loam, 0 to 1 percent slopes
WgA	Warm Springs fine sandy loam, saline, sodic, 0 to 1 percent slopes

N

Feet
0 400 800

Sunset Meadows

Figure 3

Farmland Classification

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ENVIRONMENTAL CONSULTANTS

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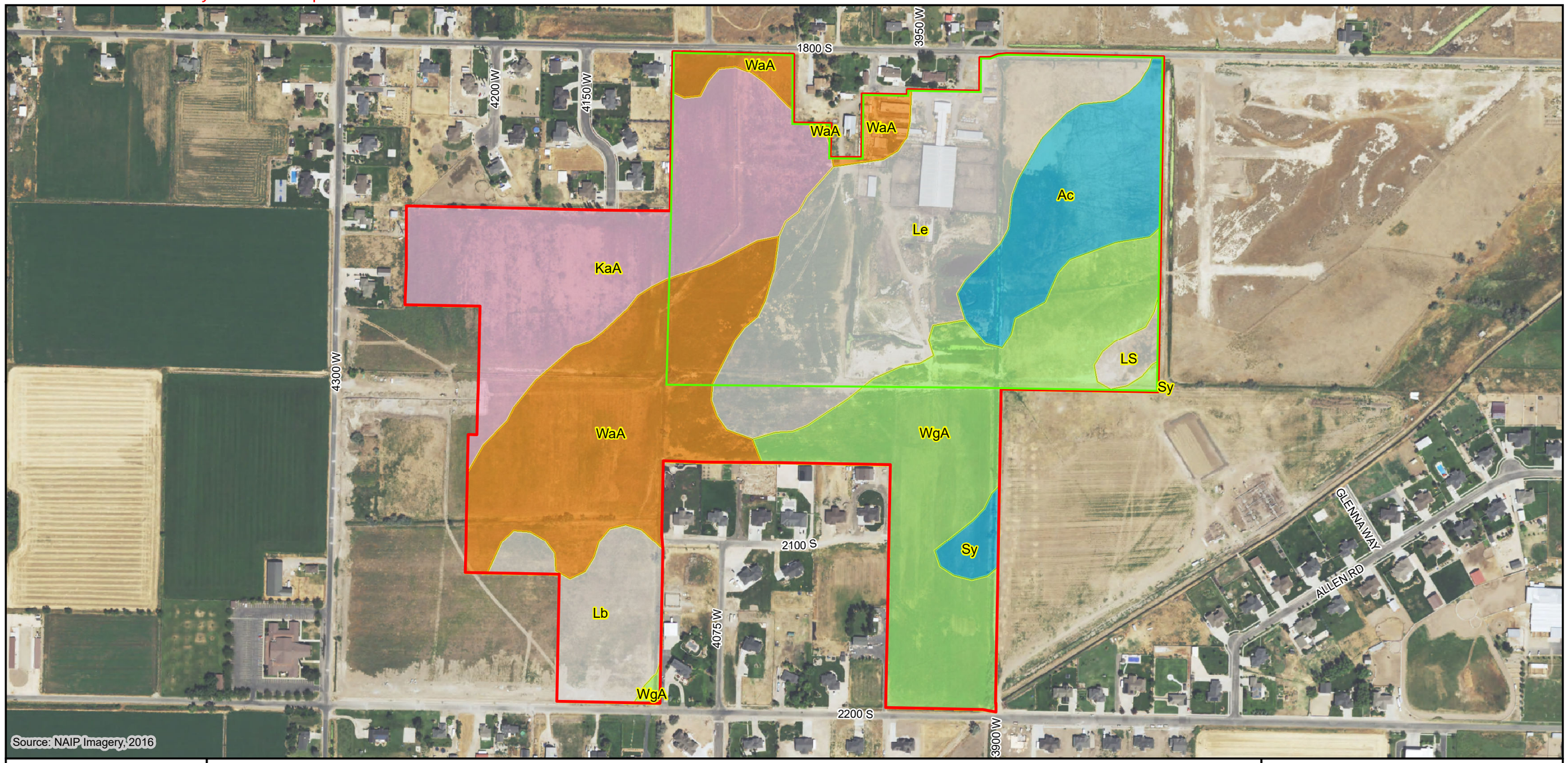

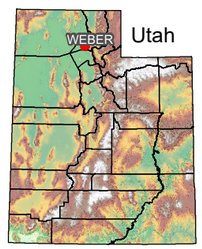

Project Area

Open Space

Soils Map Unit

Irrigated Capability Class

{DCD, >}

Capability Class - I

Capability Class - II

Capability Class - III

Capability Class - IV

Not rated or not available

Label	Map Unit Name
Ac	Airport silt loam, 0 to 2 percent slopes
KaA	Kidman fine sandy loam, 0 to 1 percent slopes
Le	Leland silt loam, 0 to 1 percent slopes
LS	Leland-Saltair complex, 0 to 1 percent slopes
Sy	Syracuse loamy fine sand, moderately saline, sodic, 0 to 2 percent slopes
WaA	Warm Springs fine sandy loam, 0 to 1 percent slopes
WgA	Warm Springs fine sandy loam, saline, sodic, 0 to 1 percent slopes

N

Feet

0 400 800

Sunset Meadows

Figure 4

Irrigated Capability Class

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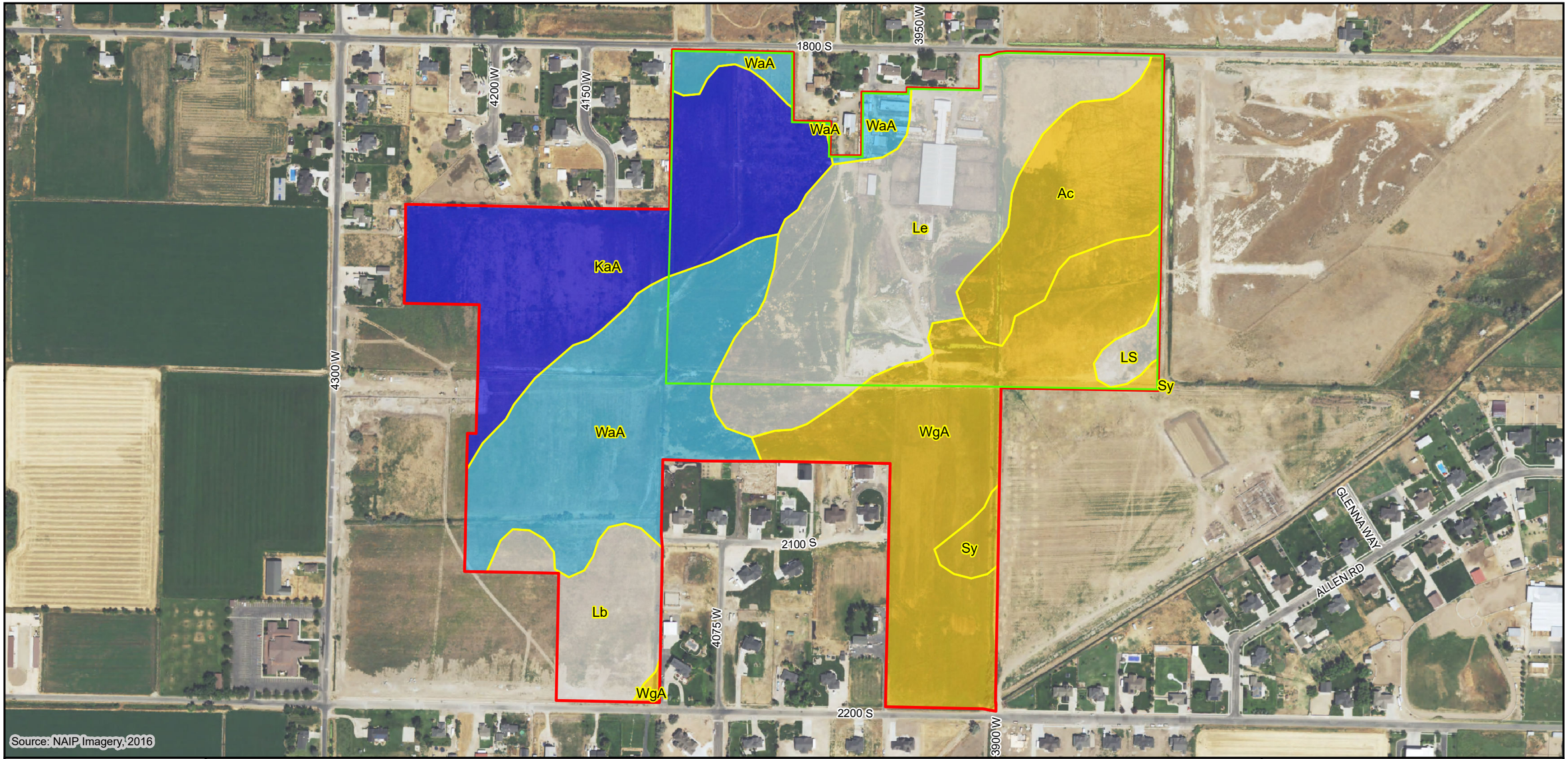

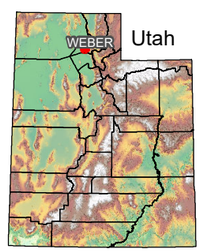

Project Area

Open Space

Soils Map Unit

Yields of Irrigated Crops (Map Unit) Alfalfa Hay:

(Alfalfa hay/Tons), {NAN, >}

- <= 3
- > 3 AND <= 4
- > 4 AND <= 4.5
- > 4.5 AND <= 5
- > 5 AND <= 6
- Not rated or not available

Label	Map Unit Name
Ac	Airport silt loam, 0 to 2 percent slopes
KaA	Kidman fine sandy loam, 0 to 1 percent slopes
Le	Leland silt loam, 0 to 1 percent slopes
LS	Leland-Saltair complex, 0 to 1 percent slopes
Sy	Syracuse loamy fine sand, moderately saline, sodic, 0 to 2 percent slopes
WaA	Warm Springs fine sandy loam, 0 to 1 percent slopes
WgA	Warm Springs fine sandy loam, saline, sodic, 0 to 1 percent slopes

N

Feet

0 400 800

Sunset Meadows

Figure 5

Yields of Irrigated Crops, Alfalfa Hay

MARTIN & NICHOLSON ENVIRONMENTAL CONSULTANTS

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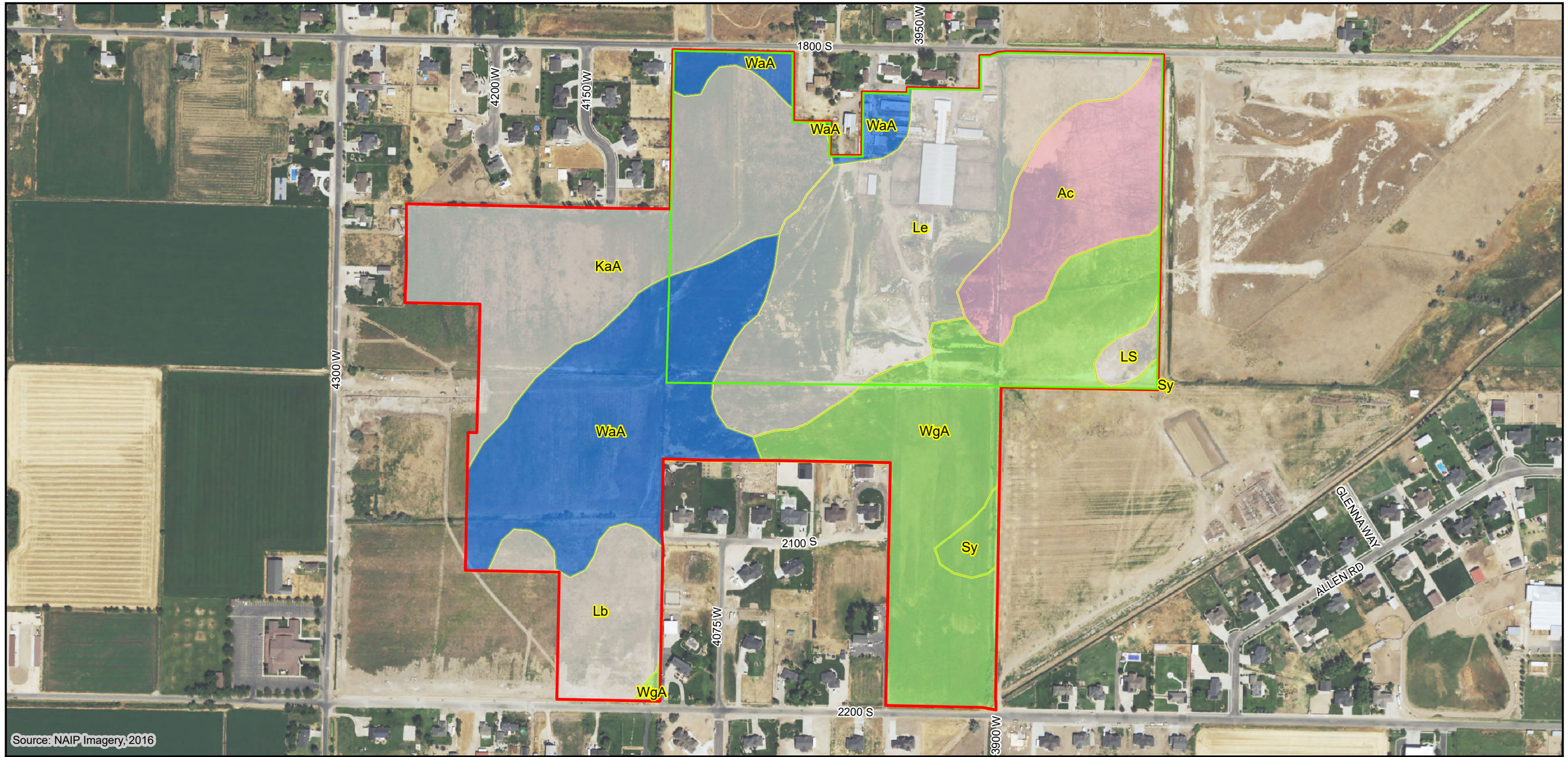

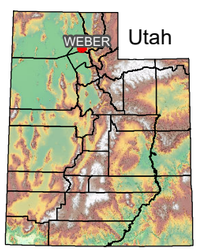

Project Area

Open Space

Soils Map Unit

Yields of Irrigated Crops (Component) Pasture: (Pasture/AUM), {WA, >, null = 0}

- Not rated or not available
- > 5.4 AND <= 7.2
- > 7.2 AND <= 9
- > 9 AND <= 10.45

Label	Map Unit Name
Ac	Airport silt loam, 0 to 2 percent slopes
KaA	Kidman fine sandy loam, 0 to 1 percent slopes
Le	Leland silt loam, 0 to 1 percent slopes
LS	Leland-Saltair complex, 0 to 1 percent slopes
Sy	Syracuse loamy fine sand, moderately saline, sodic, 0 to 2 percent slopes
WaA	Warm Springs fine sandy loam, 0 to 1 percent slopes
WgA	Warm Springs fine sandy loam, saline, sodic, 0 to 1 percent slopes

N

Feet

0 400 800

Sunset Meadows

Figure 6

Yields of Irrigated Crops, Pasture/AUMs

MARTIN & NICHOLSON ENVIRONMENTAL CONSULTANTS

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Appendix B – Photographs

Photograph B-1. Airport (Ac) soil series area looking south.

Photograph B-2. Kidman (KaA) soil series area looking north.

Photograph B-3. Leland (Le) soil series area looking north.

Photograph B-4. Warm Springs (WaA) soil series area looking south

Photograph B-5. Warm Springs (WgA) soil series area looking west

Appendix C – Soil Data

STUKENHOLTZ LABORATORY, INC.

2924 Addison Avenue East, P.O. Box 353 Twin Falls, ID 83301
2132 208-734-3050 Fax: 208-734-3919 www.stukenholtz.com

ALLEN, SAM
3322 EAST CUMMINS RD
SALT LAKE CITY, UT 84109

Tel: 530-414-0569
Report No: 31275
Date Received: 4/12/2020
Date Reported: 4/13/2020

SOIL TEST DATA	Sample 1		Sample 2
pH	**9.2**	VH	
Salts, mmhos/cm	**5.1**	VH	
Chlorides, ppm	**104**	H	
Sodium, meq/100g	**4.10**	VH	
CEC, meq/100g	**20.4**	H	
Excess Lime, %	**4.7**	H	
Organic Matter, %	**3.74**	H	
Organic N, lb/Acre	**120**	H	
Ammonium - N, ppm	**2.1**	VL	
Nitrate - N, ppm	**38**	H	
Phosphorus, ppm	**241**	VH	
Potassium, ppm	**1468**	VH	
Calcium, meq/100g	**7.3**	M	
Magnesium, meq/100g	**4.3**	VH	
Sulfate - S, ppm	**76**	VH	
Zinc, ppm	**9.4**	VH	
Iron, ppm	**15.8**	H	
Manganese, ppm	**12.6**	VH	
Copper, ppm	**5.5**	VH	
Boron, ppm	**3.20**	VH	

	Sample 1	Sample 2
Grower	**ALLEN, SAM**	
Sample Identity	**AIRPORT SLT LM**	
Crop	**ALF/GRASS**	
Yield Goal	**6.33 T**	
Acres	**10.4**	
Prev Crop T/Acre	**NONE GIVEN**	
Manure T/Acre		
Prev Applied Nut		

RECOMMENDATIONS, lbs Nutrients or Units per Acre

Nitrogen	**35**
P_2O_5 – Phosphate	**0**
K_2O - Potash	**0**
Calcium	**75**
Magnesium	**0**
Sulfate - Sulfur	**0**
Zinc	**0**
Iron	**0**
Manganese	**0**
Copper	**0**
Boron	**0**
Elemental Sulfur	**700**
Gypsum	**4000**
Lime	**0**

Base Saturation, %

Potassium	(Ideal 3 - 6)	**23.1**	H
Calcium	(Ideal 65 - 80)	**35.8**	L
Magnesium	(Ideal 15 - 25)	**21.1**	M
Sodium	(Ideal < 3)	**20.1**	H

Relation of CEC to Soil Texture

0-5 Sand	18-24 Silt Loam
5-12 Loamy Sand	24-36 Clay Loam
12-18 Sandy Loam	36+ Clay

Comments

Crop / Yield 1 Soluble salts may reduce yield and quality.
Crop / Yield 1 Establish good drainage and deep irrigate to remove excess soluble salts.
Crop / Yield 1 Boron level is possibly toxic. Deep irrigate to leach away excess Boron.
Crop / Yield 1 Sodium is too high. Elemental Sulfur or Gypsum will reduce the harmful effects.

STUKENHOLTZ LABORATORY, INC.

2924 Addison Avenue East, P.O. Box 353 Twin Falls, ID 83301
2132 208-734-3050 Fax: 208-734-3919 www.stukenholtz.com

ALLEN, SAM
3322 EAST CUMMINS RD
SALT LAKE CITY, UT 84109

Tel: 530-414-0569
Report No: 31276
Date Received: 4/12/2020
Date Reported: 4/13/2020

SOIL TEST DATA	Sample 1		Sample 2
pH	**8.2**	H	
Salts, mmhos/cm	**1.2**	L	
Chlorides, ppm	**9**	VL	
Sodium, meq/100g	**0.60**	L	
CEC, meq/100g	**15.9**	M	
Excess Lime, %	**2.4**	M	
Organic Matter, %	**3.16**	H	
Organic N, lb/Acre	**120**	H	
Ammonium - N, ppm	**4.4**	VL	
Nitrate - N, ppm	**5**	VL	
Phosphorus, ppm	**184**	VH	
Potassium, ppm	**753**	VH	
Calcium, meq/100g	**8.9**	M	
Magnesium, meq/100g	**4.0**	H	
Sulfate - S, ppm	**13**	M	
Zinc, ppm	**8.3**	VH	
Iron, ppm	**14.3**	H	
Manganese, ppm	**8.1**	H	
Copper, ppm	**3.1**	VH	
Boron, ppm	**2.21**	H	

	Sample 1	Sample 2
Grower	**ALLEN, SAM**	
Sample Identity	**KIDMAN FINE SND**	
Crop	**ALFALFA**	
Yield Goal	**6 T**	
Acres	**8.4**	
Prev Crop T/Acre	**NONE GIVEN**	
Manure T/Acre		
Prev Applied Nut		

RECOMMENDATIONS, lbs Nutrients or Units per Acre

Nitrogen	**80**
P_2O_5 – Phosphate	**0**
K_2O - Potash	**0**
Calcium	**0**
Magnesium	**0**
Sulfate - Sulfur	**40**
Zinc	**0**
Iron	**0**
Manganese	**0**
Copper	**0**
Boron	**0**
Elemental Sulfur	**200**
Gypsum	**1000**
Lime	**0**

Base Saturation, %

Potassium	(Ideal 3 - 6)	**15.2**	H
Calcium	(Ideal 65 - 80)	**56.0**	L
Magnesium	(Ideal 15 - 25)	**25.2**	H
Sodium	(Ideal < 3)	**3.8**	H

Relation of CEC to Soil Texture

0-5 Sand	18-24 Silt Loam
5-12 Loamy Sand	24-36 Clay Loam
12-18 Sandy Loam	36+ Clay

Comments

Crop / Yield 1 Sodium is too high. Elemental Sulfur or Gypsum will reduce the harmful effects.

STUKENHOLTZ LABORATORY, INC.

2924 Addison Avenue East, P.O. Box 353 Twin Falls, ID 83301
2132 208-734-3050 Fax: 208-734-3919 www.stukenholtz.com

ALLEN, SAM
3322 EAST CUMMINS RD
SALT LAKE CITY, UT 84109

Tel: 530-414-0569
Report No: 31277
Date Received: 4/12/2020
Date Reported: 4/13/2020

SOIL TEST DATA	Sample 1		Sample 2
pH	**9.1**	VH	
Salts, mmhos/cm	**2.2**	H	
Chlorides, ppm	**9**	VL	
Sodium, meq/100g	**1.20**	M	
CEC, meq/100g	**17.8**	M	
Excess Lime, %	**3.7**	M	
Organic Matter, %	**2.75**	H	
Organic N, lb/Acre	**110**	H	
Ammonium - N, ppm	**2.7**	VL	
Nitrate - N, ppm	**17**	M	
Phosphorus, ppm	**222**	VH	
Potassium, ppm	**1366**	VH	
Calcium, meq/100g	**8.5**	M	
Magnesium, meq/100g	**3.7**	H	
Sulfate - S, ppm	**13**	M	
Zinc, ppm	**6.3**	VH	
Iron, ppm	**6.0**	M	
Manganese, ppm	**7.7**	H	
Copper, ppm	**2.6**	H	
Boron, ppm	**3.21**	VH	

	Sample 1	Sample 2
Grower	**ALLEN, SAM**	
Sample Identity	**LELAND SILT LM**	
Crop	**ALF/GRASS**	
Yield Goal	**6 T**	
Acres	**22.9**	
Prev Crop T/Acre	**NONE GIVEN**	
Manure T/Acre		
Prev Applied Nut		

RECOMMENDATIONS, lbs Nutrients or Units per Acre

Nitrogen	**140**
P_2O_5 – Phosphate	**0**
K_2O - Potash	**0**
Calcium	**0**
Magnesium	**0**
Sulfate - Sulfur	**40**
Zinc	**0**
Iron	**0**
Manganese	**0**
Copper	**0**
Boron	**0**
Elemental Sulfur	**400**
Gypsum	**2000**
Lime	**0**

Base Saturation, %

Potassium	(Ideal 3 - 6)	**24.6**	H
Calcium	(Ideal 65 - 80)	**47.8**	L
Magnesium	(Ideal 15 - 25)	**20.8**	M
Sodium	(Ideal < 3)	**6.7**	H

Relation of CEC to Soil Texture

0-5 Sand	18-24 Silt Loam
5-12 Loamy Sand	24-36 Clay Loam
12-18 Sandy Loam	36+ Clay

Comments

Crop / Yield 1 Nitrogen recommendations have been modified to account for gravity irrigation.
Crop / Yield 1 Boron level is possibly toxic. Deep irrigate to leach away excess Boron.
Crop / Yield 1 Sodium is too high. Elemental Sulfur or Gypsum will reduce the harmful effects.
Crop / Yield 1 Split application of N is advised. Monitor crop with plant tissue tests and add N as needed.

STUKENHOLTZ LABORATORY, INC.

2924 Addison Avenue East, P.O. Box 353 Twin Falls, ID 83301
2132 208-734-3050 Fax: 208-734-3919 www.stukenholtz.com

ALLEN, SAM
3322 EAST CUMMINS RD
SALT LAKE CITY, UT 84109

Tel: 530-414-0569
Report No: 31278
Date Received: 4/12/2020
Date Reported: 4/13/2020

SOIL TEST DATA	Sample 1		Sample 2
pH	**8.2**	H	
Salts, mmhos/cm	**1.2**	L	
Chlorides, ppm	**12**	L	
Sodium, meq/100g	**0.40**	VL	
CEC, meq/100g	**16.0**	M	
Excess Lime, %	**2.5**	M	
Organic Matter, %	**3.04**	H	
Organic N, lb/Acre	**120**	H	
Ammonium - N, ppm	**3.0**	VL	
Nitrate - N, ppm	**4**	VL	
Phosphorus, ppm	**180**	VH	
Potassium, ppm	**832**	VH	
Calcium, meq/100g	**9.0**	M	
Magnesium, meq/100g	**3.9**	H	
Sulfate - S, ppm	**13**	M	
Zinc, ppm	**8.5**	VH	
Iron, ppm	**8.0**	M	
Manganese, ppm	**7.5**	H	
Copper, ppm	**2.9**	H	
Boron, ppm	**2.29**	H	

	Sample 1	Sample 2
Grower	**ALLEN, SAM**	
Sample Identity	**WRM SPRG**	
Crop	**ALFALFA**	
Yield Goal	**4.75 T**	
Acres	**9.1**	
Prev Crop T/Acre	**NONE GIVEN**	
Manure T/Acre		
Prev Applied Nut		

RECOMMENDATIONS, lbs Nutrients or Units per Acre

Nitrogen	**80**
P_2O_5 – Phosphate	**0**
K_2O - Potash	**0**
Calcium	**0**
Magnesium	**0**
Sulfate - Sulfur	**20**
Zinc	**0**
Iron	**0**
Manganese	**0**
Copper	**0**
Boron	**0**
Elemental Sulfur	**200**
Gypsum	**1000**
Lime	**0**

Base Saturation, %

Potassium	(Ideal 3 - 6)	**16.7**	H
Calcium	(Ideal 65 - 80)	**56.2**	L
Magnesium	(Ideal 15 - 25)	**24.4**	M
Sodium	(Ideal < 3)	**2.5**	M

Relation of CEC to Soil Texture

0-5 Sand	18-24 Silt Loam
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12-18 Sandy Loam	36+ Clay

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ALLEN, SAM
3322 EAST CUMMINS RD
SALT LAKE CITY, UT 84109

Tel: 530-414-0569
Report No: 31279
Date Received: 4/12/2020
Date Reported: 4/13/2020

SOIL TEST DATA	Sample 1		Sample 2
pH	**9.9**	VH	
Salts, mmhos/cm	**5.4**	VH	
Chlorides, ppm	**171**	VH	
Sodium, meq/100g	**4.90**	VH	
CEC, meq/100g	**17.0**	M	
Excess Lime, %	**7.2**	H	
Organic Matter, %	**1.23**	M	
Organic N, lb/Acre	**50**	M	
Ammonium - N, ppm	**2.0**	VL	
Nitrate - N, ppm	**9**	L	
Phosphorus, ppm	**55**	VH	
Potassium, ppm	**1362**	VH	
Calcium, meq/100g	**5.7**	L	
Magnesium, meq/100g	**2.0**	L	
Sulfate - S, ppm	**80**	VH	
Zinc, ppm	**1.7**	M	
Iron, ppm	**11.2**	H	
Manganese, ppm	**7.1**	H	
Copper, ppm	**1.6**	H	
Boron, ppm	**3.26**	VH	

	Sample 1	Sample 2
Grower	**ALLEN, SAM**	
Sample Identity	**WGA WM SPR**	
Crop	**ALF/GRASS**	
Yield Goal	**8.5 T**	
Acres	**7.2**	
Prev Crop T/Acre	**NONE GIVEN**	
Manure T/Acre		
Prev Applied Nut		

RECOMMENDATIONS, lbs Nutrients or Units per Acre

Nitrogen	**255**
P_2O_5 – Phosphate	**0**
K_2O - Potash	**0**
Calcium	**75**
Magnesium	**10**
Sulfate - Sulfur	**0**
Zinc	**5**
Iron	**0**
Manganese	**0**
Copper	**0**
Boron	**0**
Elemental Sulfur	**800**
Gypsum	**4500**
Lime	**0**

Base Saturation, %

Potassium	(Ideal 3 - 6)	**25.7**	H
Calcium	(Ideal 65 - 80)	**33.5**	L
Magnesium	(Ideal 15 - 25)	**11.8**	L
Sodium	(Ideal < 3)	**28.8**	H

Relation of CEC to Soil Texture

0-5 Sand	18-24 Silt Loam
5-12 Loamy Sand	24-36 Clay Loam
12-18 Sandy Loam	36+ Clay

Comments

Crop / Yield 1	Soluble salts may reduce yield and quality.
Crop / Yield 1	Establish good drainage and deep irrigate to remove excess soluble salts.
Crop / Yield 1	Boron level is possibly toxic. Deep irrigate to leach away excess Boron.
Crop / Yield 1	Excessively Calcareous soils respond to 100-200 lbs/ac of Elemental Sulfur or Acid forming fertilizers.
Crop / Yield 1	Sodium is too high. Elemental Sulfur or Gypsum will reduce the harmful effects.
Crop / Yield 1	Split application of N is advised. Monitor crop with plant tissue tests and add N as needed.
Crop / Yield 1	Examples of acid forming fertilizers are: 21-0-0/Thio-Sul/Nitro-Sul and Disintegrating Sulfurs.

Minutes for the Western Weber Commission meeting of May 12, 2020, held via Zoom Video Conferencing

Members Present: **Bren Edwards**
Greg Bell
Andrew Favero
Janette Borklund
Wayne Andreotti
John Parke

Members Excused: **Gene Atkinson**

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principle Planner; Steve Burton Principal Planner; Tammy Aydelotte, Planner I; Scott Perkes, Planner I; Matt Wilson, Legal Counsel; Marta Borchert, Secretary

Chair Edwards asks if there are any ex parte communications or conflicts of interest to declare. There are none.

- ***Pledge of Allegiance***
- ***Roll Call:***

1. Approval of 2020 Planning Commission Rules of Order Petitions, Applications, and Public Hearings.

Commissioner Borklund states that she noticed the minutes in the rules of order twice. Mr. Wilson states that he is not sure why that is, but is happy to make changes to correct that if needed.

MOTION: Commissioner Bell moves to approve the Rules of Order with the proposed changes to remove the repetition regarding meeting minutes. Commissioner Parke Seconds. Motion carries (6-0)

2. Administrative Items

2.1 LVB112219: Consideration and action on a request for preliminary approval of Bridger Butler Subdivision consisting of four lots located at approximately 4700 W 2843 S, Taylor.
Applicant: Jeff Butler; Staff Presenter: Scott Perkes
It is in A-1 zoning and the proposed use is 1 acre residential lots. Access for this subdivision is proposed on a recently approved alternative access easement. It is a 30 ft access easement off of 4700 W. The proposed subdivision does conform to the General Plan. On the access easement, there is a right of way dedication line on the plat that is shown. As part of the staff's recommendation the developer will be required to dedicate as much right of way available for a future road at the time of the final plat except for a sliver of land that is on Utah Power and Light [1]Company land. With the dedication of the right of way, the lot square footage might change slightly. As far as the lot minimums and width, they meet requirements for the zone. Culinary Water is being provided by Taylor West Weber Water, a feasibility letter has been provided. Hooper Irrigation is providing secondary water. Weber-Morgan Health Department has presented a feasibility letter on that as well. Staff recommends approval based on the conditions and findings listed in the staff report.

Jeff and Lisa Butler 2843 S 4700 W, ask if there are any questions.

Commissioner Favero asks what the final road is going to look like. Is there going to be paved or gravel? Mr. Butler states that it will be a paved road.

Commissioner Borklund asks if it will be paved at the level of the whole right of way or what is shown on the plat. Mr. Perkes states that what is shown on the plat is a smaller section of paved road that will be used along the access easement. The full 66 ft right of way shown on the plat that is hashed marking will not be paved, nor will the 66 ft right of way be paved when and if it becomes a public road, it is just the right of way section that would accommodate the County standard right of way.

Commissioner Borklund asks how wide the alternative access easement section. Mr. Perkes states that on the plat it is showing a 12ft wide alternative road section for the alternative road. It is a private access easement. Commissioner Borklund asks if that's wide enough for two way traffic. Mr. Perkes states that it does meet the minimum requirements for an alternate easement. There is also a pull out that is proposed and required by code on all alternative access easements that are greater than 200 feet in length.

Commissioner Andreotti asks if the Fire Marshall has signed off on it or seen it. Mr. Perkes states that they are reviewing it and their approval is required for final approval. He notes that the Fire Department has provided conditional approval at this point. Commissioner Andreotti states that regarding the turn around on the 12 ft road, it doesn't seem very wide. Mr. Perkes states that they are required to have turned around circle out of a hardened surface.

MOTION: Commissioner Parke moves to recommend preliminary approval of the Bridger Butler Subdivision consisting of four lots, located at approximately 2843 S 4700 W, in Taylor, UT. This recommendation is subject to all review agency requirements, and the following conditions: 1. Prior to scheduling for final approval, resolution to the three existing boundary line discrepancies identified in the submitted title report will be required. 2. Prior to scheduling for final approval, final improvement plans will need to be reviewed and approved by the County Engineer. 3. At the time the final plat is recorded, the owner will also be required to record the following covenants: a. Declaration of Deed Covenant Concerning Provision of Irrigation Water b. Onsite Wastewater Disposal Systems Deed Covenant and Restriction 4. The conditions of approval, as identified as part of the Alternative Access file (AAE 2020-01), shall be met prior to, or concurrently with the recording of a final subdivision plat. 5. Prior to scheduling for final approval, an approval letter from UDOT will be required approving access off of 4700 West St. This letter will also need to indicate a waiver of sidewalk installation along the 4700 West St. frontage. This recommendation is based on the following findings: 1. The proposed subdivision conforms to the Western Weber General Plan 2. The proposed subdivision complies with applicable county ordinances with the added condition that the identification for the easement and current gravity flow irrigation system that goes to the east end and down between the south side between the power company and the road be presented. And that it meets all the ordinance requirements of the zone. Commissioner Borklund seconds. (6-0)

2.2 LVT031120: Consideration and action on a request for preliminary approval of The Taylor Landing Subdivision (Formerly known as The Meadows Subdivision) consisting of 156 lots located at approximately 4000 W 2200 S, Ogden. **Applicant: Jessica Prestwich; Staff Presenter: Scott Perkes**

Scott Perkes states that the sketch plan for this subdivision was approved under the name of Sunset Meadows. However, following sketch plan approval the name of Sunset Meadows was identified as the name of another subdivision. For this reason, Taylor Landing was chosen as the new name and the file name has changed as well LVT031120. This came before the Planning Commission on the 11th of February. Overall the proposal is for 109.62 acres in the A-1 Zone. The proposal is for 156 lots. As part of this cluster subdivision, based on the size and conformance of the cluster code the applicant is requesting a 50 percent bonus density. Open space account for 58.29 percent of the net developable area. The subdivision as a whole will be developed in 5 phases. The lots range from 9,000 to 19,322 square feet in area, all of which exceed the zoning minimum width of 60 ft. Various access points are being created by this cluster subdivision off of the existing right of ways and a few stubs into the adjacent property as required by the code. There are also two internal connections to the 2100 S street that is already existing. The proposed subdivision will have a 66 ft right of way throughout.

Jessica Prestwich with Sierra Homes, states that there are 156 lot and they choose that size to make it affordable for people in the area. She notes that a minimum HOA was added to take care of the walking paths and common area. She states that they plan to lease the open space to the Favero's and they will plant alfalfa.

Commissioner Borklund asks if there is a reason why the open space drawing has jagged lines. Is it to meet area requirements for each one? Ms. Prestwich explains that if it is straight it won't meet the requirements. Commissioner Borklund asks if they will be connected and farmable together. Ms. Prestwich states that they will be.

Commissioner Borklund asks Staff to go over the bonus density requirements. Mr. Perkes states that there are 3 requirements, the first has to do with the amount of open space that is preserved, and the applicant is willing to preserve 58.29%. The second is to add street trees at the frontage of the right of ways and every 50 ft as practical. The third is to comply with Title 108 Chapter 16 Ogden Valley Outdoor Lighting Ordinance.

Chair Edwards asks if it is in the cluster code that the prime agricultural land is preserved as open space and that less prime land should be utilized as the developable area. Mr. Perkes states that there is language that alluded to this. The cluster code does state that prime agricultural land is defined by section 101-1-7 of the Land Use Code. The definition does indicate that "*the area of a lot or parcel best suited for large scale crop production part of that definition. This area has soil types that have or are capable of having highest nutrient content and best irrigation capabilities over other soil types on the property and are of sufficient size and configuration to offer marketable opportunities for crop production. Unless specified by the Land Use Code, actual crop production need not exist onsite for a property to be considered to contain prime agricultural land*". Mr. Perkes states that the soil analysis showed quite a few different soil types scattered throughout the subdivision boundary some of which were rated at a higher production quality than others but that each of those areas is capable of producing crops.

Chair Edwards states that the soil analysis states that 70 percent of the area they want to use as open space is not prime farmland. It is his understanding that the best land has to be preserved as open space. He notes that he believes that if the developer was to switch the layout they would still be able to get the 50% bonus density. When it was brought before the Planning Commission for the sketch plan approval he had the same concern, that the prime ground would be used as open space. Mr. Perkes states that one thing that Staff focused on when looking at the definition of prime agriculture land was whether or not the soil was capable of having the best nutrient content and the best irrigation capabilities in the area. The soils report indicated that some areas are labeled as prime and others are labeled as high quality. Chair Edwards states that based on figure 3, part of phase 1 of the open space falls into the prime land and the rest does not. He states that based on the soil analysis he does not feel that the developer is meeting the definitions of the cluster code.

Commissioner Parke states the most farmable land ought to be preserved as open space. He states that it is tough to be a farmer in this day and age and they want to make sure the prime land goes to the farmers so that it is economically viable to be successful. Especially if they need to invest money to get the land up to standard.

Commissioner Bell states that this was his biggest concern, looking at figure 3 it is clear this is not prime farmland. He states that he believes that the developer should consider putting the homes on the not prime farm ground and allow the prime farm ground to be utilized.

Charlie Ewert states that he would like to go over what is considered prime ground, concerning the extra language that Mr. Perkes was mentioning it states that the land could be made into prime agricultural farmland. It is possible to place the homes on an area that has been farmed, but they can take another area and turn it into prime farm ground.

Commissioner Bell states that he would hate to see someone invest thousands of dollars to convert nonprime farmland when there is already good land available. It would take a lot of investment and a lot of work and who knows what will happen, after that.

Mr. Ewert states that if they do allow the open space to be in the pink area it is important to make sure the developer has an escrow agreement and make sure they have the money to convert the land. He notes that the farmer would not be responsible to make the land farmable, the responsibility would fall solely on the shoulders of the developer as a development improvement.

Mr. Perkes states that looking at 5.2 section 108-3-5(C) (3) of the soil analysis which states "*The results of the soil analysis suggest that soils within the open space have the potential to support agricultural opportunities.*" This was section was part of the inspiration for the language provided. The land is capable of having the qualities of prime agricultural land. With regards to 4150 S having been stubbed there is one thing to be considered from a connectivity perspective. It can be left as a dead end, but as shown in the proposed plan they want to connect and continue that connectivity. It does run through the land which is marked as prime.

Chair Edwards states that regarding the 4150 street it is not on a quarter section line, it is not going to be a thorough fair. Looking back at the Butler Subdivision it was not a concern there. He asks regarding Mr. Ewert's point, how you put a dollar amount to put into an escrow to say what amount is going to bring the land up to standards to be farmable. What happens if they get to that point and the land can't be made farmable and it's already been developed?

Commissioner Andreotti states that he agrees with all that has been stated but in the long run who's to say that ground will be farmland 20 years in the future. He states that it might be better the way it is laid out for now, in the end, there might be no agriculture on that piece of ground. The other question to ask is, is it better to have some open space and give them a bonus or to have 109 one-acre lots there. He notes that in the long run, he does not see agriculture in that area. Part of Planning is looking towards the future. Regardless of where the open space is right now, at the end that might be where all the affordable housing gets laid out. Commissioner Borklund notes that if it preserved as open space it would not have the option of ever being developed. Commissioner Andreotti states that that is assuming it gets taken care of forever. He notes that people 30 years ago assumed that Marriott Slaterville would remain farmland. Looking at this piece of ground when no one is around to farm it or take care of it the only option is going to be to change the zoning so it doesn't look like it does today with 14 ft weeds. He states that he is mixed up on this issue but Planning is about looking toward the future, and it is important to be careful. The only person that is going to save farming in that area is a farmer that makes a profit. In the long run, it might not make a difference.

Chair Edwards states that he appreciates Commissioner Andreotti and notes that he feels it comes down to code and if they want to look at it that way there might be a need to change the code.

Commissioner Bell states that he doesn't disagree with Commissioner Andreotti, and notes that he doesn't see much difference in switching the layout, either way, they are going to into problems in the future. He feels it should be tabled until they can redraw the plans to preserve the prime agricultural land.

Ms. Prestwich states that Brian Nicholson who did the soil analysis is present. He would like to speak to the report.

Brian Nicholson states that he would like to make one point of clarification. On the bottom of page 8 on Table 3 *Soil Analysis report* and goes into page 9. He states state the other figure that illustrates the different soil series that came directly from the NRCS is publicly available data and speaks about soil characteristics in a general fashion. Looking at their database it can be very exhaustive. It talks about what land is good for various things. The Kidman soil series was the most prime with the least caveats associated with it. If you look at the actual soil data, the results for the analysis for the soil samples that were sent regarding the Kidman soil series the recommendation is to apply sulfur or gypsum to reduce the harmful effects of high sodium. Presented in the report is general NRCS data presented with the actual information that came out of the soil analysis. There are different types of data being dealt with regard to the soil.

Ms. Prestwich states that regarding chapter 108-3-5 the Cluster Subdivision Code not only does it talk about the prime agricultural land it also talks about the open space and keeping it contiguous being placed in the best area for long term agricultural opportunities. Moving the open space would make it less contiguous. She states that in speaking to Tom Favero who will be farming the land they agreed that this was the best layout for farming it and it is doable on that space.

Commissioner Favero states that looking at figure 3 and looking at figure 4. There are some differences in the tables. He asks if class 1 is the best and class 4, not the best. How does the table go? Mr. Nicholson state that class 1 is the best and it goes all the way to class 8 which is the worst.

Chair Edwards states that to the point of being contiguous, they could still make it contiguous and still make it on to the prime agricultural land indicated in figure 3.

Commissioner Bell states that looking at the surrounding subdivisions placing the open space on the prime agricultural land indicated in figure 3. would make all the agricultural land contiguous.

Chair Edwards opens the public comment.

Mr. Perkes states that he received two emails from owners in the area.

Trevor Gold 1870 S 4200 W, which states that his concern is that the proposed plan will eliminate his way of irrigating his property. He has been using the water the right of way for years. He notes that he believes it is an established right of way. He asks how this can be accommodated for. Can the developer include supplying a pressurized water line for the area? He asks that his comment be presented at the Planning Commission meeting for the public record.

Karen Kendall 1870 S 4200 W, states that she and her husband live in one of the Boyd Russell Subdivision first amendment (3974 W 2100 S) The proposal presented 3 years ago was bad, but at least they had some breathing room. The last one proposed a walking trail in the back of their lot and open space to the East of their lot. If this proposal goes through, they will have 5-6 homes surrounding 2 sides of their property in the new phase alone. That is a total loss of privacy. She notes that she imagines that these are two-story homes because the frontage is narrow. Even a tall fence can't provide much privacy with a two-story home. Trees are a good idea, but it will take a long time to get them tall enough to provide any help.

Jed Eskelson 1886 S 4150 W, states that he is lot 14 of the Belmont Parke Estates. His property borders the proposed phase 1 of open space and his southern border would be a building lot. He is the last house on the street of the 4150 W. When they brought up the connectivity and the entrance for the last 13 years it's been a dead-end and he doesn't see any reason why it can't continue as such. For phase 1 of the open space, it has been mentioned that area could be developed in the future and there is a road that stubs into the property which indicates that the intention is to develop it sooner than later. He asks if there are any guarantees about how long the open space would remain open space.

Jean and Jr Helier 3961 W 2200 S, states that they have concerns regarding the lot sizes. All the properties on the Southside of 2200 S and some across the road from them are all 1 acre lots. She notes that they moved there recently and liked the idea of the large lots. Phase 5 has a road coming out of it and vehicles driving down that road would be shining their light right into their bedroom window. They ask that the Planning Commission consider this. She states that they would like to have their privacy. Jr. Helier states that if they continue with the proposed design they would ask that they have the road turn 90 degrees so that it turns into the side road and go out to 2200. This would eliminate their problem but he is not sure how viable it would be.

Shae Bitton 2121 S 4075 W, She states that she hopes that this can be redrawn. Regarding the walking path, there was mention of an HOA. She asks if this was the only thing that the HOA was going to maintain. With the walking path, the old Sunset Equestrian has some common area or some sports courts or a pool, has the new developer considered doing this? She states that because they are adding so many houses in the area, the common area would be good. Eric Page mentioned to her that if the area around Trevor Golds and Jed Esklesons were used as open space it would line up with where they are using their agricultural and horse property. She states that this would make a lot of people happy it could all stay agricultural. She asks if there are retention ponds, what is going to be done about the way the water is going to be gathered.

Shaundi Campbell 3975 W 2100 S, states that her property will but up to three lots in phase 5. She states that she some concern that now there will be people there instead of the 1 acre that was in the Sunset Equestrian. The second concern is the other two dead-end roads that go into the open space. Assuming that the developer still owns the open spaces, would that at some point turn into another condense housing subdivision. If the developer made those into cul de sacs there would be some guarantee that it be a drive-through right there. She asks if the developer would be willing to place a privacy fence around the affected existing homes because the current surrounding landowners were not planning on having 3-6 adjacent homes.

Alec Charters 1860 S 4156 W, states that they are on the Westside on phase 1. He states that if they align the open space with the prime farming ground it would serve a lot of purposes. Not only is it the best for farming but it would provide open space to the existing residents. It would provide some buffer for the cluster subdivisions. He asks if there are covenants as building standards for the housing units. What type of homes are going to be placed there?

Tom Favero 1295 N 4700 W, states that the soil analysis is okay. If they start irrigating the prime ground that area is going to flood a lot of people. The best fit for the open space is where it is being proposed. It will be watered from the Westside phase 1 going East all the way across. Phase 1-4 will be developed all at the same time. It will be laser scraped to the East so that no water runs against any of the homes and none of the tailwater will come off. There is not enough of the prime farming ground in that area. It is not in a square field, it can't be flood irrigated and it be can't be taken care of the way it should. He states that the alfalfa that they plan on putting there will be just as productive as it would on the prime ground. He does not see that there is a lot to be gained by

redesigning it. He states that he doesn't feel there is any good ground in Taylor West Weber. He agrees with Commissioner Andreotti one day it is going to be wall to wall houses, it won't matter where the open space. Nobody is going to want to drag the water over there and farm it. There is a lot of liability with the possibility of flood all the basements in all the existing homes. If they do change the layout he is not interested in farming the area. He will not take the chance of flooding the homes. He states that he does not feel anyone else will touch it because of the runoff and the drainage.

Trevor Gold 1870 S 4200 W, He wants to know that if the proposal goes through how are they going to guarantee that he will continue to get his irrigation or his share of water to his property, he states that his neighbors feel the same way.

Chair Edwards closes the public comments

Mr. Perkes states that regarding the question about dedicating the land to be open space if this subdivision is given preliminary approval the developer can plat each phase as a final plat. They would be able to plat phase 1 and attach an easement to ensure that it is preserved as open space indefinitely. Each phase as it is plated has to have the proportionate amount of open space associated with the entire subdivision as a whole. He notes that they have made sure that each phase is equal to if not slightly greater to the area as a whole. As a whole 58.29 percent of the net developable ground is being preserved as open space. As they go through phases the same percentage of open space remains and is preserved indefinitely. Chair Edwards asks if there is a deed restriction placed on the ground so that it stays as open space. Mr. Perkes states that it is a perpetual easement to preserve the open space, the intention is that as long as it is under Unicorperated Weber County jurisdiction that is how it will remain. If it is incorporated into an adjacent municipality that may change. Mr. Wilson states that Mr. Perkes is correct, even if it remains under Unincorporated Weber County, Weber County could potentially release the easement as well.

Mr. Perkes states that regarding the HOA question this is something this is reviewed after preliminary approval. Some of the common area's and pathways that go through phase 1 and 3 and phase 5 there is also a detention basin that is labeled as common area those will be managed and maintained by an HOA. The HOA will need to be established and the main documents will be reviewed by the County before final approval. Those governing documents may have architectural requirements. The County does have requirements for single-family detached homes that have standards that need to be met before any additional requirements that the HOA may establish.

Ms. Perkes states that as far as headlights in bedrooms go they try to avoid those types of issues but the streets line up in all sorts of directions and where they see that and adjustment can be made they try to accommodate. It is not always something that can be mitigated.

Mr. Perkes states that regarding the smaller lot sizes that are butting against the large acre lots this is because of the Cluster Code and the way the subdivision has been laid out. All the lot does meet the minimum standards.

Commissioner Favero asks regarding the way the roads line up with roads. Mr. Perkes states that looking at connectivity they try to line up roads on quarter section lines for major regional connectivity. Other roads that may be proposed, are up to the developer to put together the design and as Staff reviews if there is a direct conflict that can be mitigated they will do their best to point that out and see if there is a workaround. With the issue presented by Jean Helier this was not something that was foreseen as a conflict, but Staff is happy to look into it.

Ms. Preswitch states that regarding the comment about the amenities that they did not want to add too much because they want to avoid an HOA. What they have now is very minimal. They want to make it an affordable place to live and HOA's can get pricey. There are two retention ponds in the open space. Chair Edwards asks if they only get half of the density for the retention ponds being in the open space. Mr. Perkes states that in these open space parcels they are proposing the open spaces be individually owned and preserved for agriculture. It states that they may be located on an individually own preservation parcel and counted towards the subdivision's overall open space. It does indicate the acreage of the facility should not be counted as part of the parcel's agricultural use and the acreage of the facility should be in addition to a part of the minimum parcel area requirement. The minimum parcel area requirement is another portion of the code. He notes that as it is individually owned it can be placed in the open space parcels. The basin in phase 3 is not required to meet the open space calculations, it is not contiguous with the rest of the open space, it is being held as a common area instead of an open space area.

Ms. Prestwich states that regarding the road being stubbed into the open space and possibly turning those areas into cul de sacs, she states that those stubs were something they were required to add. Mr. Perkes state that the subdivision cluster code requires that they put stubs into the adjacent property as a connectivity component.

Ms. Prestwich states that regarding adding fencing to existing lots, they have not done the landscaping portion of the plan, but this is something that they can look into doing.

Ms. Preswich states that regarding Mr. Trevor Gold's question about the irrigation line, now that they know its there they can have it engineered in.

Ms. Prestwich states that regarding the open space, when they laid out the plan they looked at numerous things and there was a lot of thought that went into that. They spoke to Tom Favero who will be farming the land to get an idea of what would work best for the land in the area and irrigation. As Brian Nicholson pointed out it is important to look at all of the data not just the pictures. They want to go in and do the work and irrigate it right. She adds that they plan on going in and turning that area into a good looking place that everyone can be proud of.

Commissioner Borklund asks if there is any play area for the kids, the side lots are small and all of the open space is being taken up by farming. Ms. Preswitch states that currently they don't have any additional play area because they are trying to keep the HOA fee low, but they are open to suggestions if that is something that they need to change. Chair Edwards asks if they spoke to the park district. Ms. Preswitch states that they did speak to them, the COVID-19 situation hit and they never called back about the funding. She notes that they are open to working with the park district.

Commissioner Favero states that regarding the soil study, he has been a life long agriculture businessman and his family has developed a lot of very poor ground into very productive farmable land in the area. This area was not prime, it is very good now compared to the way it used to be. Looking at the piece on the East side of phase 5 open space is a good indication of what it looked like 50 years ago it was not prime but it can be and has changed over time. He asks if they are looking at the intent or the letter of the code. He states that if professional agriculture people are adding their perspective and they are saying that this is going to be the most manageable way to farm the area, rather than having separated areas through a different layout. They are looking at for irrigation purposes and how to get equipment in and out of the place. This is a very small agricultural area. As Commissioner Andreotti mentioned there will probably not be agriculture in the area in 30 years, and if there is it will be minimal. Looking at the letter of the code there is a need to look at this differently, and if the layout is not effective the way that it is. Looking at the intent of the code it is saying, we want to sustain open spaces in this area as long as possible. In 30 years whether this area is part of a new city, part of Unincorporated Weber County or, part of a different city, that area will eventually be developed. The intent of the code the way it is today, makes the most amount of sense for anybody who is generations into agriculture and they are saying that they can makde that piece of land productive and viable. If they feel that they can make it viable, even though the soil content is not the best, it needs to be weighted into the decision. It comes down to the intent of the code versus the letter of the code.

Commissioner Parke asks how they are using Upper Valley code to grant density. Mr. Perkes states that this is one of the three requirements to get bonus density in the Cluster Code. The name of the code is the Ogden Valley outdoor lighting ordinance, He notes that it has been woven into the code as a way to midgate light pollution in a high-density area. They want to see a lot of trees and less light. Director Grover says in Ogden Valley the Ogden Valley Outdoor Lighting Ordinance is a requirement in Western Weber it is not, but this provides that option.

Commissioner Andreotti states that he commends the developer for providing a detailed soil sample. There was also an outline of making the property productive. He states that it appears it will be a multiyear effort. How is it going to work with regards to the funding for making the land productive? He asks if they are prepared to spend three to five years doing this. Ms. Prestwich states that they are prepared to work with Tom and get a budget together and present it in the future. He notes that he feels that if they put the irrigation how it's laid out in the proposal it would work better than moving the open space to the prime ground. It would drain better, would help avoid flooding the neighbors out. It is easier to farm a relatively rectangular parcel, than one that has a lot of angles. He states that he feels that the open space is right where it needs to be.

Commissioner Bell asks that concerning the irrigation line that runs through the southeast corner, is there a plan to eliminate that irrigation easement and reroute that? How are they going to keep the water going to the resident so that they may continue their

water uses? Ms. Prestwich states that it is in the plan to be rerouted already and pipe it better so that there will be less maintenance. Commissioner Bell states that regarding the prime agricultural property, it has been farmed for years. He has not heard any other residents being flooded from that area being farmed. Regarding the proposed open space, he understands that it can be made satisfactory for alfalfa. He asks how productive it will be for other crops if the Faveros decide they no longer want to farm that property. What happens to them when they have to find someone else to farm it? Commissioner Favero states that the hope is that over time the soil builds up. He states that the goal is to build the topsoil. He states that area has been changed over time, and that soil can be built up to the potential of growing row crops. The prime area was farmed by different farmers and different techniques that were used. Going forward it is important to keep an open mind to what will keep the area open space for the longest period of time. Squares and rectangles on the property are best being flood irrigated, this is a technique that is used in the area and this is not going to change. It is also important to keep as much as possible in one spot. It makes the area so small that farmers who farm for a living are not going to want to participate. Mr. Wilson asks if Commissioner Favero has any interest in the property that is being sold, or business that is part of that. Commissioner Favero state that he does not. Commissioner Borklund asks if the Favero family that has an interest in farming, are they related to Commissioner Favero. Commissioner Favero states that they are related to him, but that has nothing to do with his comments, he has no ownership interest in this property. He notes that he is just trying to point out what makes sense from his experience and he is not trying to change anyone's opinion. He just wants to point out some other perspectives. Mr. Wilson states that he just wanted to make sure there was no conflict of interest for the sake of transparency. If there is no interest, or ownership interest there is no conflict. Chair Edwards states that regarding Commissioner Favero's comment about the having rectangle ground to work with, he believes that less work and money would have to be invested in the prime ground. That land could be made into a rectangle and be kept in one piece. It would still be following the intent and the code. He notes that it might not be a huge square but it would still be farmable ground. Commissioner Favero notes that the access would change. It is important to note the variable that changes when that is done. The access from 1800 S is lost, there will need to be a way to get in through the subdivision. Taking equipment into the subdivision brings liability. They need to consider all the perspectives of this not just the quality of the soil. Changing the layout might limit who wants to farm the land. Chair Edward states that to this point he feels that there are plenty of farmers that would jump at the chance to farm that piece of land, and the access would not change that much. He notes that he appreciates Commissioner Favero's input.

Commissioner Bell states that looking at the proposed open space it has a cut-up section also. He notes that regarding the comment about the access there would still be access off of 3500. There are two homes there and, that is not as much concern for getting the equipment in, and there might be an access off of 1800, and depending on far it goes they might have access off of 2200. He notes that he struggles with the code that allows tiny lots that disrupt the flow. It changes the flow and the property value of the existing surrounding lots. This proposal crams all of those homes next to the 1 acre lots that are already developed. If the agricultural land can be moved to where the prime agricultural land is, it resolves some of the issues.

Chair Edwards states that on the East side of phase 5 it seems that there are a lot of homes to be built on a half road, by what is on the East side of the existing property it does not look like they have any intent to develop. He has concerns with building a half road with that many homes. Mr. Perkes states right now within the subdivision it is a half road width, in the staff report there is a condition stating that the proposed phase 5 of development must dedicate a full-width county right-of-way for all associated streets. This would have to be satisfied before they could move forward for final approval. Ms. Preswitch states that they have contacted that owner, and he is willing to work with them on that. It will be a full road before final approval.

MOTION: Commissioner Bell moves to deny preliminary approval of The Taylor Landing Subdivision (Formerly known as The Meadows Subdivision) consisting of 156 lots located at approximately 4000 W 2200 S, Ogden. Based on the finding that it does not meet the intent of the Cluster Code to utilize the prime agricultural space as open space. Chair Edwards seconds. Chair Edwards votes aye, Commissioner Bell votes aye, Commissioner Parke votes aye, Commissioner Borklund votes aye, Commissioner Favero votes nay, Commissioner Andreotti votes nay. Motion carries (4-2)

3. Public Comment for Items not on the Agenda: none

4. Remarks from Planning Commissioners: Commissioner Andreotti states that he would like to be in the loop for issues that Iris the County's Code Enforcer is working on. He asks if she can come once a quarter and give Planning Commissioners a rundown of how the new ordinance is working. Director Grover states that there are issues that cannot be discussed because they end up going into court. There is some disclosure that can not be given out. He notes that they can however give them an update on the ordinance and how it is working.

5. Planning Director Report: Director Grover states that he received a letter from Commissioner Atkinson. It states that "Director Rick Grover, because of serious health concerns that are steadily getting worse and after weeks of careful consideration, I am resigning from the Western Weber Planning Commission effective May 13, 2020. I want to share my great respect for the staff of the Weber County Planning Division and also for the members of the Planning Commission. It has been an honor to work with you, thank you for your professional concern for the citizens of Weber County and to me personally. Sincerely, Gene Atkinson". Director Grover state that Staff has gotten a clock for him that will be presented to him when he stops by the office. Commissioner Atkinson wanted to be present at tonight's meeting but unfortunately, some more sad news is that his mother passed away. He wanted to share how much he has appreciated working with everyone. Gene will be missed, and the Planning Commission would like to share their concerns and condolences in the loss of his mother.

Chair Edwards states that his input, and insight will be missed. He asks that if they don't get a chance to see him again, please thank him on behalf of the Planning Commission.

Director Grover states that he has visited with the County Commissioners and wants the Planning Commissioners to know that when looking at replacing Commissioner Atkinson, they asked if there is a need to combine the Planning Commissions. He notes that he mentioned to the County Commissioners that if they choose to do that there would need to be a nine-member board. Right now there is a seven-member board. They are looking at nine members, four members from Western Weber and four from the Ogden Valley, and one from Uintah Highlands. They have asked that focus group be put together. Next week the chair and vice-chair for Ogden Valley and Western Weber will get together with the County Commission to discuss this. He notes that he does not see a benefit to combining the Planning Commission there are so many different dynamics in the communities. The only thing it would help with is the ordinance because there is a lot of back and forth.

6. Remarks from Legal Counsel: none

7. Adjourn to Work Session: 7:23 PM

MOTION: Commissioner Bell moves to adjourn to a Work Session. Commissioner Borklund Seconds. Motion carries (6-0)

WS 1: ZTA2020-04: Discussion regarding a request to amend the Weber County Code to require PUE's to be as specified by the County Engineer and/or Land Use Authority and to enable development along substandard streets under specific conditions.

Mr. Ewert states that this item was meant to be on for public hearing, but it was not noticed appropriately. Regarding easements, the primary concerns were what happens when there is high ground that leads to a subdivision and nobody has taken care of or considered land drainage. The utility easements can be required by the County Engineer or the Land Use Authority. The County Engineer will do whatever vetting needs to be done, before it goes to Planning Commission for Final Approval. If it is the Planning Director has authority for certain issues, it will him who makes that call. Mr. Ewert notes that he can write a paragraph specifically concerning high land and low land. Commissioner Andreotti states that there needs to be some protection regarding irrigation water and runoff. Mr. Ewert states when it comes to the Planning Commission if it has been brought up by the County Engineer then it can be required by the Planning Commission. He adds that right now the way it is written both County Engineer and the Land Use Authority have the same authority in making a decision. The County is currently working on a geographic map that will inform people when they live next door to a development that is being proposed. Right now there is no obligation in the code to send out notices. Notices get sent out 7 days in advance that usually gets to the owner within 3 days. Mr. Ewert states that he can write a paragraph specifically involving high land and low land.

Mr. Ewert states that regarding substandard roads, to require a developer to install improvements, there has to be evidence that it is roughly proportionate to the development and the community and linked to the existence of the development. It would need to be part of the code. The Courts have set up some test regarding what is roughly proportionate and essentially linked. If there is no link it can not be required. Regarding the roughly proportionate the court has determined that there is not exaction to determine what rough proportionality is. Several different determinations determine how much of the 1-mile subdivider has to be improved. It has to be directly related to the impact of the subdivision. They would need to determine the amount of usage and add 5 single-family dwellings to the usage to determine the impact of the development of the road. Whatever percentage of road that is the

percentage of road improvement required to pay for. There are different ways and different requirements that can be applied as long as they are linked and they do not cost more than the rough proportionate spending. There are a lot of different variables that go into determining what is roughly proportionate it is always very unique to the specific subdivision.

Mr. Ewert goes over deferral agreements. He notes that it is important that the home buyer be aware that they are entering into the deferral agreement is recorded to the property. One way to deal with this issue is to have taxpayers pay for this. Which is essentially supplementing the cost of development. He notes that he feels the deferral agreement and the special assessment as discussed get them adopted and as they go through the subdivision ordinance get the rest of that written. The Planning Commissioners feel that they don't want to remove the section, but they want to add a condition that the County Commissioners pay close attention to this issue.

WS 2: Discussion regarding rezoning procedures and Legislative amendments.

Mr. Ewert notes that this issue is the same as item WS 4. Mr. Burton states that this is an ordinance that came from the County Commissioners. This is ordinance states that if there is a unanimous vote on a legislative decision it would take a unanimous vote from the County Commission to be overturned. Looking at state law the County Commission is the ultimate legislative body. They are not allowed to bridge any authority to any other body when it comes to decision making like this. The primary reason to get rid of this section is to make sure the County is following state law. Mr. Wilson states that there is also a lot of case law that states this cannot be done. The other changes that Staff has been looking at are making the rezoning ordinance sound better. He notes that what is in place now is redundant in some places. He goes over some of the changes that will also be reviewed at the Planning Commission next month.

WS 3: ZTA2020-03 Discussion regarding a proposed accessory dwelling unit ordinance. –postponed.

WS 4: ZTA2020-02 Discussion regarding proposed amendments to rezone procedures Mr. Ewert notes that this issue is the same as item WS 2. Item removed.

WS 5: ZTA2017-17 Discussion regarding the planned residential unit development (PRUD) code-postponed.

Meeting Adjourned-8:40 PM

Respectfully submitted,

-Marta Borchert

Attachment D: Planning Division Notice of Decision

Weber County Planning Division
www.co.weber.ut.us/planning_commission
2380 Washington Blvd., Suite 240
Ogden, Utah 84401-1473
Voice: (801) 399-8371
Fax: (801) 399-8862

Weber County Planning Division
NOTICE OF DECISION

May 13, 2020

3900 West Taylor Partners LLC
ATTN: Jessica Prestwich
4000 W 2200 S
Ogden, UT 84401

You are hereby notified that your application for preliminary approval of Taylor Landing Cluster Subdivision, located at approximately 4000 W 2200 S, Ogden, UT 84401 was heard and denied by the Western Weber Planning Commission in a public meeting held on May 12, 2020. Denial was based on four commissioners voting aye, and two commissioners voting nay on the following motion:

> *"Motion to deny preliminary approval of the Taylor Landing Cluster Subdivision consisting of 156 lots based on the finding that it does not meet the intent of the cluster code to utilize the prime agricultural land as agricultural open space."*

As this project has been denied for preliminary approval by the Western Weber Planning Commission, you have a few options to select in moving forward with this project.

1) An alternative design scenario to the proposed subdivision may be presented to the Western Weber Planning Commission in an attempt to obtain a preliminary approval.

2) Per Weber County Code Sec 106-1-5(b)(1): *"The planning commission's decision may be appealed to the county commission by filing an appeal within 15 days of the planning commission's recommendation. If the planning commission's decision is not appealed to the county commission, the planning commission's recommendation shall stand as the county's decision on preliminary approval."*

This letter is intended as a courtesy to document the status of your project. If you have further questions, please contact me at sperkes@co.weber.ut.us or 801-399-8772.

Sincerely,

Scott Perkes
Planner II
Weber County Planning Division