



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

APPLICATION INFORMATION

Application Request: A public hearing for consideration of a requested rezone from A-2 to M-2 or C-3, property located at approximately 1941 S 5100 W.
Agenda Date: Tuesday, February 1, 2022
Applicant: Randy Ropelato
File Number: ZMA 2021-05

PROPERTY INFORMATION

Approximate Address: 1941 S 5100 W, Ogden
Zoning: The area to be rezoned is currently A-2
Proposed Land Use: Manufacturing, Commercial

ADJACENT LAND USE

North: Agricultural
East: Residential
South: Commercial
West: Agricultural

STAFF INFORMATION

Report Presenter: Steve Burton
sburton@webercountyutah.gov
801-399-8766
Report Reviewer: CE

Applicable Ordinances

§ 102-5: Rezoning Procedures

§ 104-21: Manufacturing Zones

§ 104-20: Commercial Zones

Legislative Decisions

This is a legislative matter. There is wide discretion in making legislative decisions. Criteria for recommendations on a legislative matter suggest compatibility with the general plan, existing ordinances, and best practices. Examples of legislative actions are general plan, zoning map, and land use code amendments.

On December 14, 2021, the Western Weber Planning Commission considered the applicant's request to be rezoned to M-2, and made the following motion:

Motion to recommend that the County Commission deny the proposed rezone because the proposal doesn't conform to the current 2003 general plan future land use map. The motion carried unanimously.

Summary

This item is an applicant-driven request to amend the zoning map from A-2 to M-2 on 5.08 acres. The applicant initially applied for C-1 (commercial) zoning, but has since requested **M-2**. The M-2 is proposed because outdoor storage is not allowed in any of the commercial zones or the M-1 zone. If rezoned to M-2, the property will be used for warehousing, outdoor storage, and outdoor storage of contractor's equipment to be rented. Under the M-2 zone, the following uses are listed as either permitted or conditionally permitted:

Outdoor Storage. (Conditional).

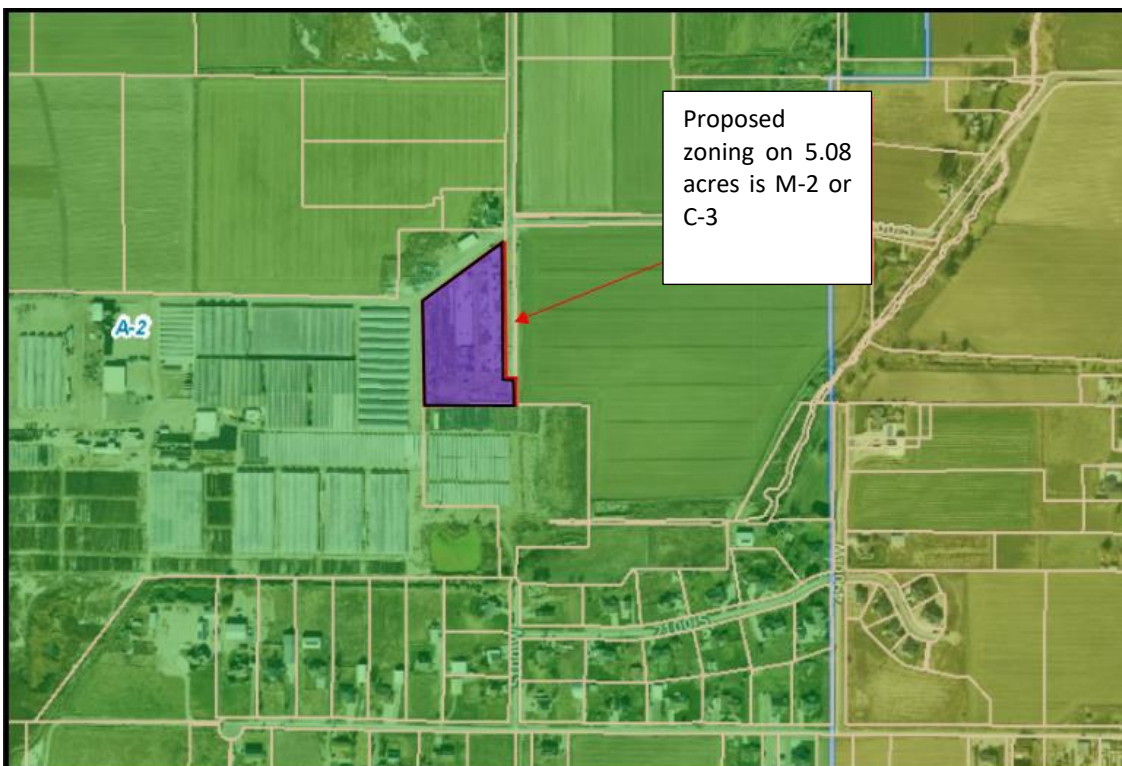
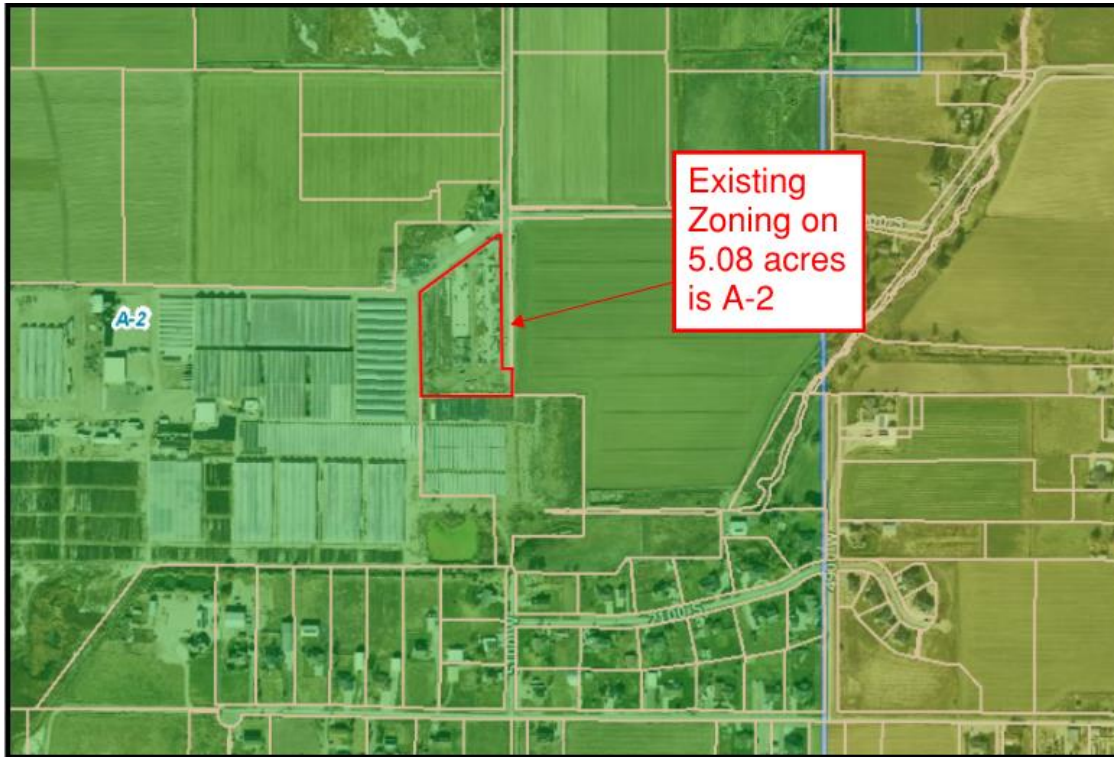
Contractor's equipment storage yard or rental of equipment used by contractors. (Permitted).

Warehouse. (Permitted).

After the public hearing with the Planning Commission, the applicant has also requested to be considered for **C-3** zoning, which would allow for the following uses that the applicant proposes:

Contractor shop, provided work is conducted within a completely enclosed building. (Permitted).

If the Commission considers rezoning the property to C-3, it is recommended that a development agreement be prepared and considered, to restrict the ability to use the property for other uses in the C-3 zone that are more non-compatible than a contractor shop.



Policy Analysis

Concept Plan

The concept site plan that was provided with this application is below.



The site plan includes office space for the operation of the business, as well as a large warehouse for storage. The rest of the site will be used for a storage yard, asphalt parking, and landscaping. The consideration of this site plan does not constitute any kind of site plan approval, but is meant to provide the Planning Commission and County Commission with a general concept of the site, if a rezone is approved.

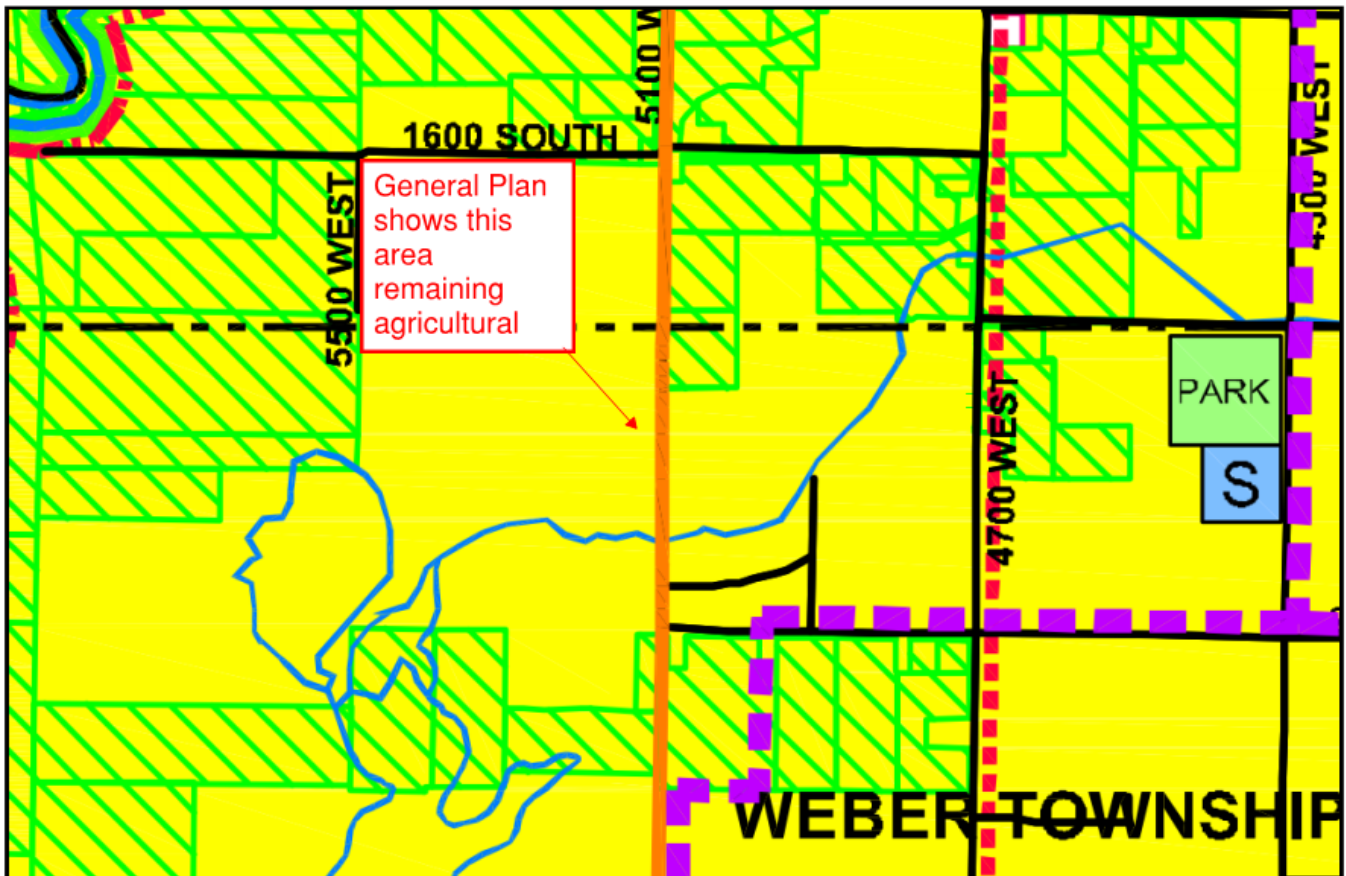
The storage yard in this concept plan would not be allowed, if the property is rezoned to C-3.

Water and Sewer Feasibility

The applicant plans to connect to Central Weber Sewer for a sewer connection and Taylor West Weber Water for culinary water needs. The proposed landscaped area will be xeriscaped, requiring minimal water. Once the applicant subdivides or submits a design review application, they will be required to show that there are approved water and sewer connections to the site.

General Plan

The Future Land Use Map of the West Central Weber County General Plan indicates that this area should remain zoned as agriculture (yellow). The county is currently in the process of creating a new general plan. The future land use map for the new general plan has not been created yet. This proposal does not conform to the current general plan policies for this area, as this proposal is not related to agriculture.



County Rezoning Procedure

The land use code lists the following as considerations when the Planning Commission makes a recommendation to the County Commission:

A decision to amend the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission are encouraged to consider the following factors, among other factors they deem relevant:

- a. *Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.*
- b. *Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*
- c. *The extent to which the proposed amendment may adversely affect adjacent property.*
- d. *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater, and refuse collection.*
- e. *Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*
- f. *Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

Staff Recommendation

Staff recommends that the County Commission deny the proposed rezone of approximately 5.08 acres from A-2 to M-2 or C-3, File #ZMA 2021-05.

This recommendation may come with the following findings:

1. The proposed rezone does not conform to the current general plan, by proposing manufacturing zoning within an area shown to be agriculture within the Future Land Use Map of the West Central Weber County General Plan.
2. The county is in the process of amending the general plan, and it is unknown what this parcel's future land use designation will be in the general plan.

Exhibits

Exhibit A: Application

Exhibit B: Concept site plan

Exhibit C: Staff report to the Planning Commission

Weber County Zoning Map Amendment Application

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

Date Submitted 8-10-21	Received By (Office Use)	Added to Map (Office Use)
----------------------------------	--------------------------	---------------------------

Property Owner Contact Information

Name of Property Owner(s) Randy J. Ropelato		Mailing Address of Property Owner(s) 3954 W. 1400 So.	
Phone 801-731-3980	Fax	Ogden, Utah 84401	
Email Address garope29@aol.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Mail	

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Property Information

Project Name		Current Zoning A-2	Proposed Zoning C-1
Approximate Address 1941 So. 5100 West Ogden, Utah 84401 (Taylor)		Land Serial Number(s) 15-081-0021	
Total Acreage 5.08 ac	Current Use ag + yard waste composting	Proposed Use Light Comm.	

Project Narrative

Describing the project vision.

Property could be used for Commercial use because it is in front of a commercial Nursery Operation. (Nursery is currently on Three sides of this ~~project~~ property) Thus, No one is going to build houses in a area surrounded by a commercial operation. Also A-2 Zoning doesn't ~~any~~ allow any viable business to be There.

Project Narrative (continued...)

How is the change in compliance with the General Plan?

Because it is on 5100 W. Which is currently a road on the master plan.

Why should the present zoning be changed to allow this proposal?

Because it would allow for a better Tax base and community use.

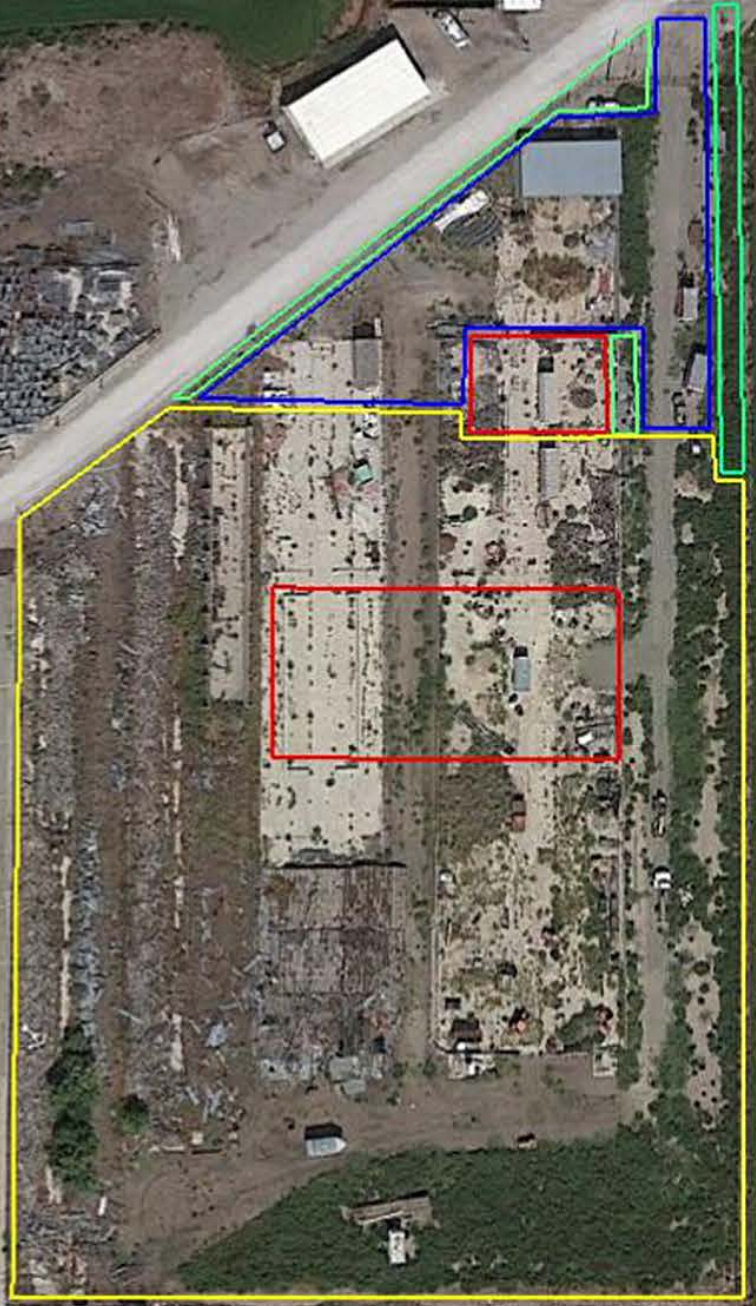
Project Narrative (continued...)

How is the change in the public interest?

Because housing ^{Developments} are coming into this area and we feel a C-1 Business would benefit the community better than an comm. ag. area.

What conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?

The commercial nursery was not there during the last general plan was adopted.



Proposed Site Plan for 1900 S 5100 W

4,000 SF (50'x80') of Office Space and 18,000 SF (90'x200') Warehouse

27,000 SF of Asphalt for Parking and Main Entrance

7,200 SF of Landscaped Areas - Sign to be at front of property

165,000 SF of Yard Space for Construction Material and Equipment Storage





Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

APPLICATION INFORMATION

Application Request: A public hearing for consideration of a requested rezone from A-2 to M-2 located at approximately 1941 S 5100 W.
Agenda Date: Tuesday, December 14, 2021
Applicant: Randy Ropelato
File Number: ZMA 2021-05

PROPERTY INFORMATION

Approximate Address: 1941 S 5100 W, Ogden
Zoning: The area to be rezoned is currently A-2
Proposed Land Use: Manufacturing

ADJACENT LAND USE

North: Agricultural	South: Commercial
East: Residential	West: Agricultural

STAFF INFORMATION

Report Presenter: Steve Burton
sburton@webercountyutah.gov
801-399-8766
Report Reviewer: CE

Applicable Ordinances

§ 102-5: Rezoning Procedures

§ 104-21: Manufacturing Zones

Legislative Decisions

This is a legislative matter. When the Planning Commission is acting on a legislative matter, it is acting to make a recommendation to the Board of County Commissioners. There is wide discretion in making legislative decisions. Criteria for recommendations on a legislative matter suggest compatibility with the general plan, existing ordinances, and best practices. Examples of legislative actions are general plan, zoning map, and land use code amendments.

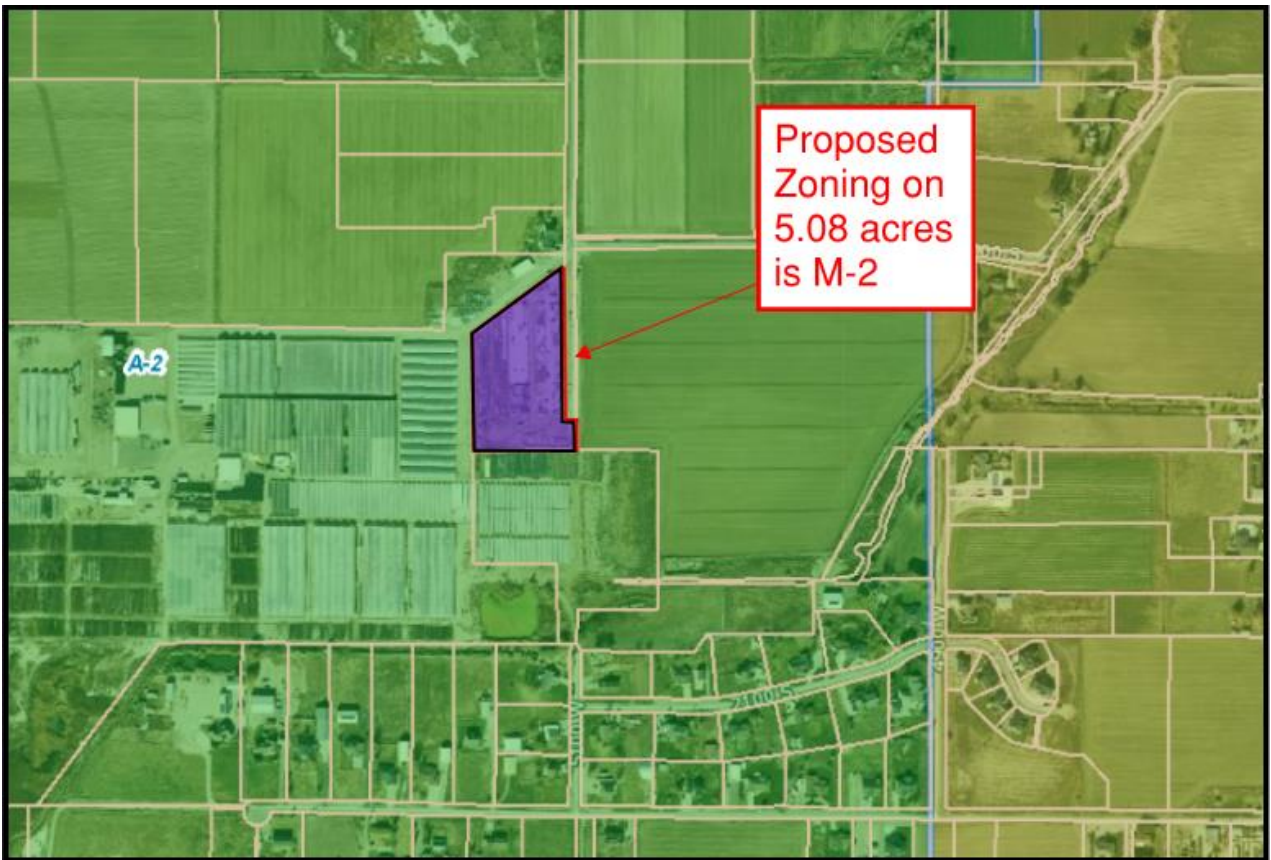
Summary

This item is an applicant-driven request to amend the zoning map from A-2 to M-2 on 5.08 acres. The applicant initially applied for C-1 (commercial) zoning, but has since requested M-2. The M-2 is proposed because outdoor storage is not allowed in any of the commercial zones or the M-1 zone. If rezoned to M-2, the property will be used for warehousing, outdoor storage, and outdoor storage of contractor's equipment to be rented. Under the M-2 zone, the following uses are listed as either permitted or conditionally permitted:

Outdoor Storage. (Conditional).

Contractor's equipment storage yard or rental of equipment used by contractors. (Permitted).

Warehouse. (Permitted).



Policy Analysis

Concept Plan

The concept site plan that was provided with this application is below.



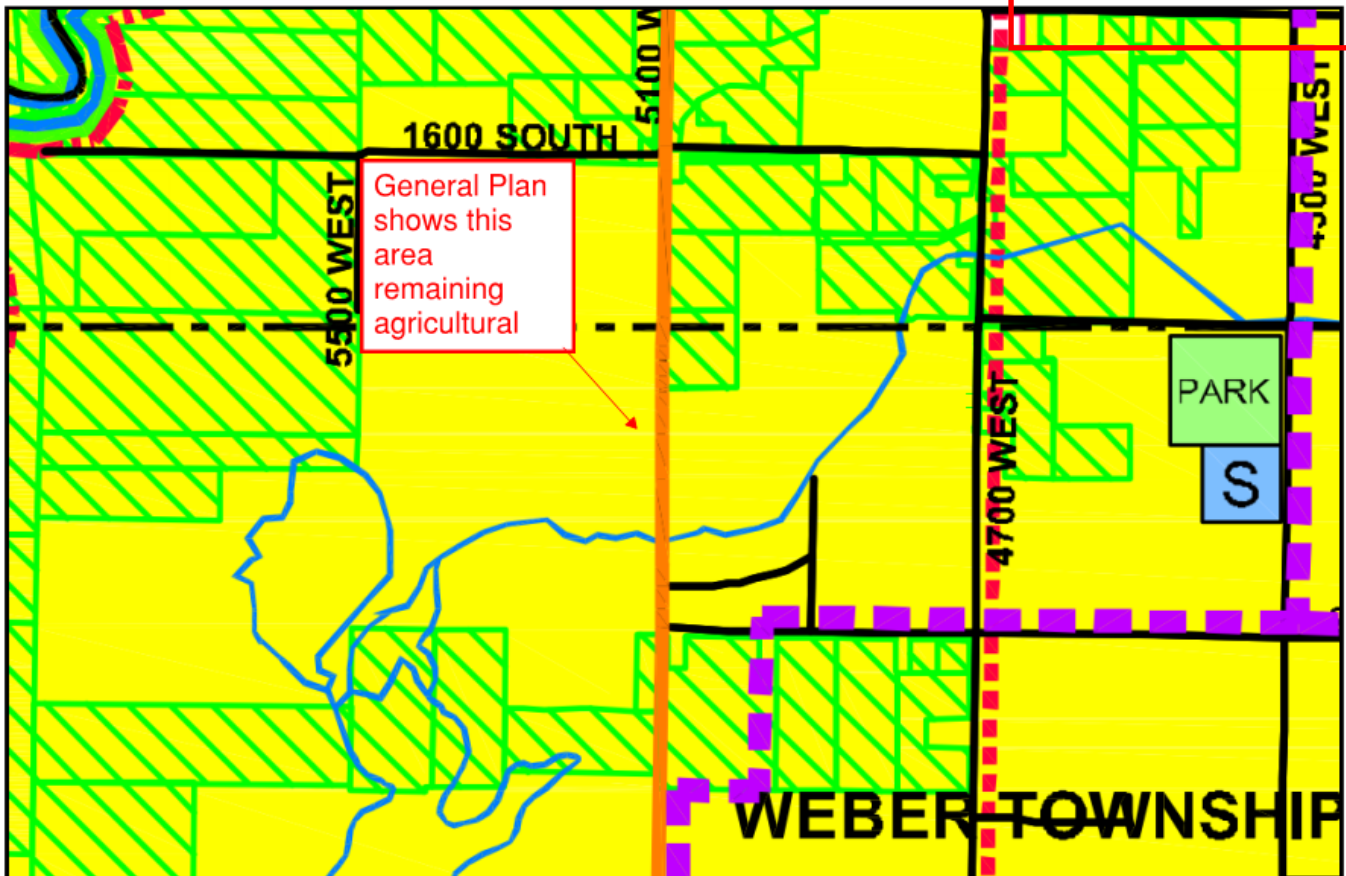
The site plan includes office space for the operation of the business, as well as a large warehouse for storage. The rest of the site will be used for a storage yard, asphalt parking, and landscaping. The consideration of this site plan does not constitute any kind of site plan approval, but is meant to provide the Planning Commission and County Commission with a general concept of the site, if a rezone is approved.

Water and Sewer Feasibility

The applicant plans to connect to Central Weber Sewer for a sewer connection and Taylor West Weber Water for culinary water needs. The proposed landscaped area will be xeriscaped, requiring minimal water. Once the applicant subdivides or submits a design review application, they will be required to show that there are approved water and sewer connections to the site.

General Plan

The Future Land Use Map of the West Central Weber County General Plan indicates that this area should remain zoned as agriculture (yellow). The county is currently in the process of creating a new general plan. The future land use map for the new general plan has not been created yet. This proposal does not conform to the current general plan policies for this area, as this proposal is not related to agriculture.



County Rezoning Procedure

The land use code lists the following as considerations when the Planning Commission makes a recommendation to the County Commission:

A decision to amend the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission are encouraged to consider the following factors, among other factors they deem relevant:

- a. *Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.*
- b. *Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*
- c. *The extent to which the proposed amendment may adversely affect adjacent property.*
- d. *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater, and refuse collection.*
- e. *Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*
- f. *Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation to the County Commission to deny the proposed rezone of approximately 5.08 acres from A-2 to M-2, File #ZMA 2021-05.

This recommendation may come with the following findings:

1. The proposed rezone does not conform to the current general plan, by proposing manufacturing zoning within an area shown to be agriculture within the Future Land Use Map of the West Central Weber County General Plan.
2. The county is in the process of amending the general plan, and it is unknown what this parcel's future land use designation will be in the general plan.

Exhibits

Exhibit A: Application

Exhibit B: Concept site plan

Weber County Zoning Map Amendment Application

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

Date Submitted 8-10-21	Received By (Office Use)	Added to Map (Office Use)
----------------------------------	--------------------------	---------------------------

Property Owner Contact Information

Name of Property Owner(s) Randy J. Ropelato		Mailing Address of Property Owner(s) 3954 W. 1400 So. Ogden, Utah 84401	
Phone 801-731-3980	Fax		
Email Address garope29@aol.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Mail	

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Property Information

Project Name	Current Zoning A-2	Proposed Zoning C-1
Approximate Address 1941 So. 5100 West Ogden, Utah 84401 (Taylor)		Land Serial Number(s) 15-081-0021
Total Acreage 5.08 ac	Current Use ag + yard waste composting	Proposed Use Light Comm.

Project Narrative

Describing the project vision.

Property could be used for Commercial use because it is in front of a commercial Nursery Operation. (Nursery is currently on Three sides of this ~~project~~ property) Thus, No one is going to build houses in a area surrounded by a commercial operation. Also A-2 Zoning doesn't ~~any~~ allow any viable business to be There.

Project Narrative (continued...)

How is the change in compliance with the General Plan?

Because it is on 5100 W. Which is currently a road on the master plan.

Why should the present zoning be changed to allow this proposal?

Because it would allow for a better Tax base and community use.

Project Narrative (continued...)

How is the change in the public interest?

Because housing ^{Developments} are coming into this area and we feel a C-1 Business would benefit the community better than an comm. ag. area.

What conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?

The commercial nursery was not there during the last general plan was adopted.



Proposed Site Plan for 1900 S 5100 W

4,000 SF (50'x80') of Office Space and 18,000 SF (90'x200') Warehouse

27,000 SF of Asphalt for Parking and Main Entrance

7,200 SF of Landscaped Areas - Sign to be at front of property

165,000 SF of Yard Space for Construction Material and Equipment Storage