



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: File #GPA2024-05, an application to amend the Western Weber General Plan to facilitate a possible mixed-use development in a location north of 12th Street, west of 4700 West, and east of the Weber River; to update surrounding future land use recommendations to provide consistent community planning for the area; and to revise the text of the plan related to parks and open space and the Weber River corridor.

Agenda Date: December 10, 2024

Applicant: Black Pine Group Agents: Genneva Blanchard and Jeff Beck

File Number: GPA2024-05

Frontier Project Link: <https://frontier.co.weber.ut.us/p/Project/Index/20894>

Property Information

Approximate Address: In the area north of 12th Street, west of 4700 West, and east of the Weber River

Current GP Land Use Designation (applicant's property): Predominantly agriculture and parks and recreation.

Proposed GP Land Use Designations: Vehicle oriented commercial, mixed-use commercial, mixed-use residential, medium-to-large residential lots, parks and recreation.

Staff Information

Report Presenter: Charlie Ewert
cewert@webercountyutah.gov
801-399-8763

Report Reviewer: RG

Legislative Decisions

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

Summary and Background

The applicants are requesting a general plan amendment that will enable a rezone for a pedestrian oriented master planned development of a variety of mixed commercial and residential uses on their property. As part of their request, they are also requesting a modification to general plan language regarding the Weber River open space/recreation corridor.

After work session discussions with both the planning commission and the county commission, the applicants have been directed to offer the county guidance on the future of not just their own property, but also properties in the vicinity so, if approved, their future development can better fit in with adjacent planned uses. The proposed future land use map in the attached resolution was created by staff with heavy influence from the applicant to achieve these means. The planning commission has offered the commission a unanimous recommendation for approval of the proposed map.

The applicant's proposed text change is provided in the body of this report. The planning commission has not reviewed the proposed text because it was proposed after they reviewed and made recommendation for the map amendment. The applicant's proposed text is provided in the analysis of this report. The attached resolution contains alternative text that staff would recommend instead. It was created with influence from the applicant's proposal and

other conversations staff has had with the applicant previously on the topic. Staff feels this alternative offers better safeguards from potential misuse or misapplication on other properties.

If the commission desires to use the applicant's proposed language instead of staff's, it can be easily swapped out by specifying as much in the motion. If the commission desires to use the planning commission's recommendation (map amendment only), it can be achieved by motioning for approval of the proposed resolution but omitting Attachment C. If the commission would rather adopt the text proposed by staff, a plain motion for approval of the attached resolution would be appropriate. The proposed map amendment is the same across each of these three options.

Policy Analysis

A complete staff analysis of the proposed general plan future land use map amendment is provided in the planning commission staff report (Exhibit B). The following is an analysis of the proposed general plan text amendment. As mentioned in the summary, it has not been reviewed by the planning commission, as it was proposed after their deliberation for the proposed map amendment.

The proposed text amendment relates to the general plan's recommendation for the Weber River corridor (the "Emerald Necklace"). The plan's Parks and Recreation Action Item 1.3.1 directs the county to preserve a 300-foot wide buffer between the high water mark of the river and building/development activity. Given this direction, on May 16, 2023, the commission adopted Ordinance 2023-10 which, among other things, implemented this 300 foot setback in ordinance.

In the near future the applicant wants to propose a rezone that alters the 300 foot setback when deemed appropriate. The applicant's proposed general plan text amendment explains one way the plan can be changed to support this desire.

Parks and Recreation Action Item 1.1.2: Create a Weber River Corridor Park Network that includes all land within a setback that varies between 100 and 300 feet of from the high-water mark of the Weber River. The park network consists of two types of parks: unimproved parks with a trail system connecting the improved parks, or "emeralds," which together create the "Emerald Necklace." Structures contributing to park uses and consistent with floodplain requirements and other applicable regulations may be constructed within either type of park. Exact this land from the landowner at the time of development where appropriate. Reserve an easement for the future park when exaction of the land is not appropriate. Establish a Weber River corridor setback where no permanent structures can be constructed within 300 feet of the high water mark of the river.

As this idea has been discussed between staff and the applicant, and between the county commission and the applicant, it generally seems that there may be universal support for allowing a deviation from the 300-foot rule if alternative measures are provided by the developer that compensates for the loss or helps provide the same or better effect than the existing rule.

Narrowing down how to compensate for the loss is challenging because river corridors are complicated ecosystems. Analysis requires a multi-disciplinary site-specific approach.

One big and obvious detriment of a static setback is that it may encompass land that has limited value to the river's ecosystem while ignoring other land that is important to the system but happens to be beyond the distance.

Conversely, the benefit of a static setback lies primarily in its simplicity of implementation and governance, and secondarily, in the opportunity for the limited value land to be rehabilitated in a manner that provides valuable ecosystem betterments. The land can be improved over time with features that mimic those of a healthy natural waterway. Even without betterments, the consistent distance from the water supports animal movement along the corridor. When county leaders were debating what this setback should be, county staff reached out to the area's Utah State University's Extension Office for advice. They suggested that a buffer of at least 500 feet should be the minimum distance that might optimally support healthy wildlife movement – more if possible. When asked about a

300 foot buffer, the extension agent suggested that it is suboptimal, but at least it's more than the then-current 100 foot buffer. This perhaps indicates that the land that is perceived to have limited ecosystem value may have more value than some may understand.

Another known detriment of the static setback relates to the fact that along many parts of the river, the land has been historically farmed. When farming ceases on a piece of land, the generally fertile and previously worked land tends to provide an ideal location for the deposit and germination of seeds. Without existing native ground cover, it becomes more likely that those germinated seeds are those of invasive and noxious weeds. Thus, if a static setback continues to be implemented the county should consider best management of the spread of weeds on previously farmed ground.

Leadership from both park districts have expressed strong support for the static 300 foot setback, and in discussions with staff have suggested that they ultimately want the weed maintenance responsibility and are looking for ways to fund it. Until that funding is realized and an action plan is in place, continued use of the static setback will require some effort – likely from the developer – to keep the weeds in the corridor down.

When reviewed in totality, staff agrees that there may also be other lands nearby that are outside the 300 foot setback that have more importance to the river's ecological health. On the one hand, obtaining land deemed more important to the ecosystem in exchange for other lands that are less seems to provide better support for the river corridor. On the other hand, implementation of a static setback is not a target build-to line. Rather it is intended to be a *minimum* setback. It could be determined that the two are not mutually exclusive.

A concern from a resident regarding swapping good riparian land for bad riparian land is that it may lend to a developer offering up lands that – while likely being valuable to the nearby riparian corridor – might be land that would otherwise be too challenging to develop as it is; making it land that might have been set aside as open space regardless. If the attached language is adopted into the general plan, when rezones occur it may be beneficial to be mindful of this potential.

Last, another consideration requested from a parks district member, and mentioned in the attached planning commission staff report, is that once land is developed, it is very unlikely that there will be future opportunities to bring it back from development. Even if the 300 feet does not make sense at this time, he suggested that leaving it open at least preserves future public open space, recreation, and riparian corridor opportunities. It may be the only thing that gives existing community members some sense of solace while they watch their community develop around them. This sentiment may be worth the commission's careful consideration because it came up frequently during the public involvement process for the creation of the general plan.

Staff Recommendation

In the event the commission desires to receive planning commission input on the text amendment, then the commission may want to remand consideration of this proposal back to them for additional review and recommendation.

Given all due consideration, staff is comfortable with the general idea in the applicant's proposed text, but recommends adding a little more substance to it, as provided in the attached resolution, that emphasizes the importance of the corridor and will stimulate adequate consideration for this critical component of the plan.

Staff's recommendation is offered with the following findings:

1. With staff's recommended changes, the amendment will help lead to site-specific opportunities to better the health of the river corridor, which is keeping with the intent of Western Weber General Plan.
2. The proposed changes support the creation of a world-class pedestrian oriented master planned development that will provide both public and private betterments beneficial to both current and future residents.
3. The amendment supports the overall health, safety, and welfare of the community, as documented in the Western Weber General Plan.
4. The future land use map changes had unanimous support from the Planning Commission.

Model Motion

The model motions herein are only intended to help the commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the commission recall previous points of discussion that may help formulate a clearer motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

Motion for positive recommendation (staff version):

I move we approve Resolution #____, an amendment to the Western Weber General Plan that will facilitate a possible mixed-use development in a location north of 12th Street, west of 4700 West, and east of the Weber River and areas adjacent, and to revise the text of the plan related to parks and open space and the Weber River corridor, as presented by staff.

I do so with the following findings:

Example findings:

1. *With staff's recommended changes, the amendment will help provide site-specific opportunities to better the health of the river corridor, which is keeping with the intent of Western Weber General Plan.*
2. *The proposed changes support the creation of a world-class pedestrian oriented master planned development that will provide both public and private betterments beneficial to both current and future residents.*
3. *The amendment supports the overall health, safety, and welfare of the community, as documented in the Western Weber General Plan.*
4. *The future land use map changes had unanimous support from the Planning Commission.*
5. _____ add any other desired findings here _____.

Motion for positive recommendation (applicant version):

I move we approve Resolution #____, an amendment to the Western Weber General Plan that will facilitate a possible mixed-use development in a location north of 12th Street, west of 4700 West, and east of the Weber River and areas adjacent, and to revise the text of the plan related to parks and open space and the Weber River corridor. **I do so with the direction to swap out staff's recommended changes in Attachment C with the applicant's version prior to signature by the Chair.**

I do so with the following findings:

Example findings:

1. *The proposed amendment will help provide site-specific opportunities to better the health of the river corridor, which is keeping with the intent of Western Weber General Plan.*
2. *The proposed changes support the creation of a world-class pedestrian oriented master planned development that will provide both public and private betterments beneficial to both current and future residents.*
3. *The amendment supports the overall health, safety, and welfare of the community, as documented in the Western Weber General Plan.*
4. *The future land use map changes had unanimous support from the Planning Commission.*
5. _____ add any other desired findings here _____.

Motion for positive recommendation (planning commission version):

I move we approve Resolution #____, an amendment to the Western Weber General Plan that will facilitate a possible mixed-use development in a location north of 12th Street, west of 4700 West, and east of the Weber River and areas adjacent, and to revise the text of the plan related to parks and open space and the Weber River corridor. **I do so with the direction to remove Attachment C from the resolution, and any references to it, prior to signature by the Chair.**

I do so with the following findings:

Example findings:

1. *The proposed changes support the creation of a world-class pedestrian oriented master planned development that will provide both public and private betterments beneficial to both current and future residents.*
2. *The amendment supports the overall health, safety, and welfare of the community, as documented in the Western Weber General Plan.*
3. *The future land use map changes had unanimous support from the Planning Commission.*
4. *[_____ add any other desired findings here _____].*

Motion to recommend denial:

I move we deny the application to an amend the Western Weber General Plan that will facilitate a possible mixed-use development in a location north of 12th Street, west of 4700 West, and east of the Weber River and areas adjacent, and to revise the text of the plan related to parks and open space and the Weber River corridor.

Examples findings for denial:

- *Example: The proposal is not adequately supported by the general plan.*
- *Example: The proposal is not supported by the general public.*
- *Example: The proposal runs contrary to the health, safety, and welfare of the general public.*
- *Example: The area is not yet ready for the proposed changes to be implemented.*
- *[_____ add any other desired findings here _____].*

Attachments

Exhibit A: Proposed Resolution

Exhibit B: Planning Commission Staff Report (including the applicant's application)

Exhibit A: Proposed
Resolution
(on following page)

RESOLUTION NUMBER _____

A RESOLUTION AMENDING THE WESTERN WEBER GENERAL PLAN TO FACILITATE A POSSIBLE MIXED-USE DEVELOPMENT IN A LOCATION NORTH OF 12th STREET, WEST OF 4700 WEST, AND EAST OF THE WEBER RIVER; AND TO UPDATE SURROUNDING FUTURE LAND USE RECOMMENDATIONS TO PROVIDE CONSISTENT COMMUNITY PLANNING

WHEREAS, Utah Code Annotated Section 17-27a-401 requires the adoption of a comprehensive long-range general plan for the County, and provides for mandatory and optional elements for the general plan; and

WHEREAS, through Resolution Number 39-2022, adopted August 16, 2022, the Weber County Board of Commissioners adopted a Western Weber General Plan for the Western Weber Planning Advisory Area, which has been and may be amended from time to time; and

WHEREAS, pursuant to Utah Code Annotated 17-27a-403, after a duly noticed public hearing, the Western Weber Planning Commission has prepared a recommendation to the Weber County Board of Commissioners an amendment to the general plan, as included in Attachments A and C; and

WHEREAS, after a duly noticed public hearing, the Weber County Board of Commissioners has determined that the attached proposed amendment to the general plan is in the best interest of the health, safety, and welfare of the public;

NOW THEREFORE, the Weber County Board of Commissioners hereby adopts the attached proposed amendment to the Western Weber General Plan. The Board also delegates authority to staff to reformat the plan amendment attached hereto for public publishing purposes, and to make any clerical or administrative edits necessary to produce a professionally published document, including modifying other maps in the plan to reflect the proposed map amendments.

This resolution shall become effective upon publication, or upon adoption of a rezone ordinance of the Gibson Farms property, as generally depicted in as "Project Area" in Attachment B, whichever is later.

PASSED, ADOPTED, AND ORDERED PUBLISHED THIS _____ DAY OF _____, 202__, BY THE WEBER COUNTY BOARD OF COMMISSIONERS.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

WEBER COUNTY CLERK AUDITOR ATTEST:

BY _____
JAMES H. "JIM" HARVEY, CHAIR

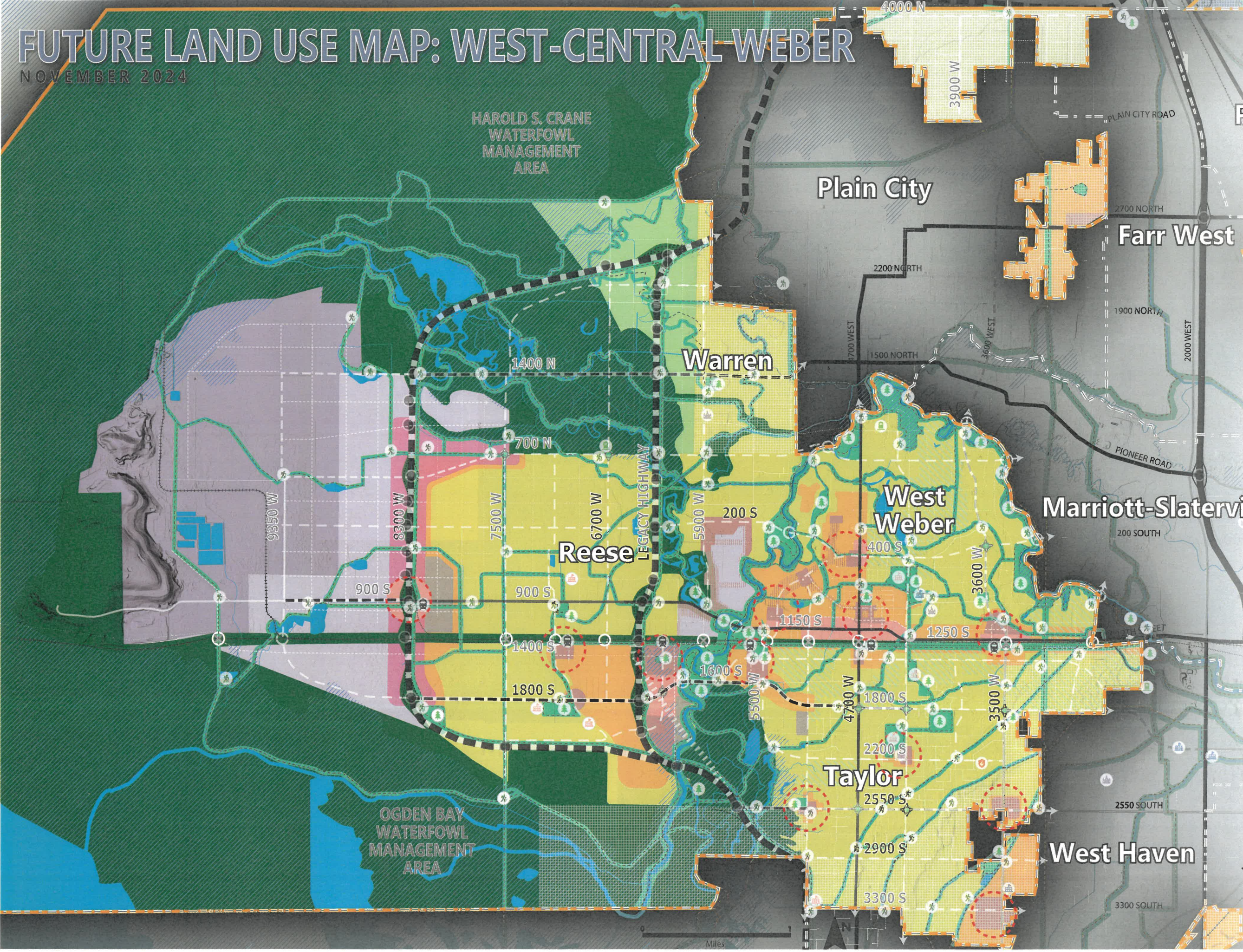
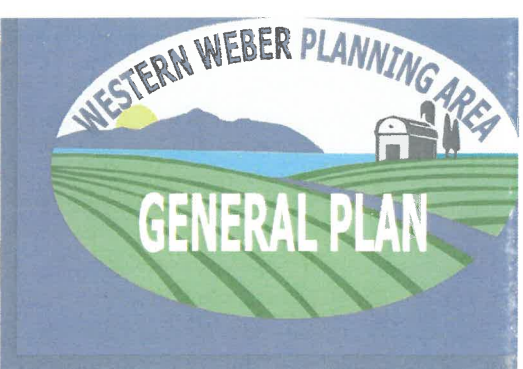
BY _____
RICKY HATCH, CPA

Commissioner Harvey voted _____
Commissioner Bolos voted _____
Commissioner Froerer voted _____

ATTACHMENT A
AMENDED GENERAL PLAN MAP
(Following Page)

FUTURE LAND USE MAP: WEST-CENTRAL WEBER

NOVEMBER 2024



FUTURE LAND USES

- Natural Open Space
- Parks/Recreation
- Agriculture
- Very Large Residential Lots
- Medium to Large Residential Lots
- Mixed Use Residential
- Mixed Use Commercial
- Vehicle Oriented Commercial
- Business/Office/Tech
- Heavy Commercial
- Light Industrial/Manufacturing
- Industrial/Manufacturing
- Gravel Extraction
- Adjacent City Annexation Area
- TDR Open Space Preservation

COMMUNITY

- Walkable Village (1/4 Mile Radius)
- Existing or Future Trail/Pathway
- Streetside-Pathway
- Bike Lane
- Park
- Existing School
- Church
- Emergency Services
- Trailhead
- Future School
- Cemetery
- Airport
- Incorporated
- Planning Area

ENVIRONMENTAL

- Weber River
- Drainage Channel or Canal
- Lake/Waterbody
- FEMA Flood Boundary

STREETS AND TRANSIT

- ✕ At-Grade Rail Crossing
- Existing or Future Bridge
- Existing or Future Arterial Bridge
- Existing or Future Transit Station
- Future Dedicated Transit Line
- Existing Major Arterial
- Future Major Arterial
- Existing Minor Arterial
- Future Minor Arterial
- Existing Major Collector
- Future Major Collector
- Existing Minor Collector
- Future Minor Collector
- Future Major or Minor Commerce
- Existing Major or Minor Neighborhood
- Future Major or Minor Neighborhood
- Future Roundabout

Miles

ATTACHMENT B
PROJECT SITE



ATTACHMENT C

AMENDED GENERAL PLAN TEXT

The general plan text amendment is set forth as follows:

(Page 117) **Chapter 6 – Parks and Recreation**

...

(Page 129) **Goal 1 – Parks & Recreation:** Provide for the physical, mental, and emotional needs of the community by creating physical park locations in which existing and future residents may ~~recreate~~ play, exercise, blow off steam, ~~recharge, play,~~ quietly contemplate, find a variety of recreation, and connect with and enjoy nature.

Parks & Recreation Principle 1.1: In tandem with Land Use Goal 5, Support the creation of a regional community and neighborhood parks and trails system along the Weber River.

Parks and Recreation Action Item 1.1.1: Create an “Emerald Necklace” regional park system along the Weber River that includes a linear park system along the river and both natural and improved parks, or “emeralds, along the linear park system.

Parks and Recreation Action Item 1.1.2: Create a Weber River Corridor Park Network that includes all land within 300 feet ~~of from~~ the high-water mark of the Weber River. The park network should consist of two types of parks: unimproved parks with a trail system connecting the improved parks, or “emeralds,” which together create the “Emerald Necklace.” On behalf of the parks districts - if desired by the parks district - pursue acquisition opportunities of this land during rezone or other legislative actions. When appropriate and lawful, E ~~exact~~ this land in fee from the landowner at the time of development ~~where appropriate. When exaction in fee is not appropriate, Reserve~~ pursue the exaction of an easement for the future park network, or pursue other park network measures lawfully appropriate when exaction of the land is not appropriate in consideration of the nature of the proposed development. Establish a Weber River corridor setback where no permanent structures, except those that typically contribute to park uses and are consistent with floodplain requirements and other applicable regulations, can be constructed within 300 feet of the high-water mark of the river. When objective evidence is presented that shows that the benefits provided by a uniform 300-foot setback can be equally or better achieved by alternative riparian protection, preservation, maintenance and restoration methods, and when equivalent or better open space can be provided otherwise, consider allowing a reduction from the uniform 300-foot setback. The evidence should be provided or supported by multi-disciplinary riparian corridor protection, preservation, maintenance and restoration experts such as hydraulic engineers, hydrologists, hydrogeologists, fluvial geomorphologists, wetland scientists, wildlife scientists, botanists, arborists, and others necessary to maintain a healthy and relatively natural corridor.

Parks and Recreation Action Item 1.1.3: In cooperation with the Park District, pursue opportunities to acquire park land along the Weber River. The areas shown on the Future Land Use Map present

some opportunities, but pursue other opportunities with landowners as development along the river occurs.

(Page 130) **Parks and Recreation Action Item 1.1.4:** Encourage areas in the floodplain to be held as public park land. Pursue opportunities to create nature parks in floodplains, unless a more formal park is more desirable in that area.

...

PARKS & RECREATION PRINCIPLE 1.3: In tandem with Land Use Principle ~~2-5~~1.4, support smart-growth principles by ensuring new development contributes a fair share to providing both neighborhood and community parks.

Parks and Recreation Action Item 1.3.1: Raise the level of service of parks to 10 acres of park land per every 1,000 resident. 40 percent of that area should be devoted to developed parks, with the remainder to be preserved as natural public open space with trails or pathways where appropriate. Work with the parks district to analyze ~~the desired ratio of neighborhood park acreage per 1000 residents~~this level of service to ensure adequacy. ~~Using this ratio, determine how many neighborhood park acres should be provided per residential unit. Evaluate acreage needs for both improved and natural park acreage.~~ Revise development regulations to ensure new development provides their proportionate share of neighborhood park acreage and/or improvements.

Parks and Recreation Action Item 1.3.2: As development occurs, neighborhood park improvements should be completed at the expense of the developer. Development of, or contribution toward the development of, a neighborhood park should be considered a “project improvement,” under the impact fee act. The cost for improvements thereof should not be in lieu of impact fees charged for park “system improvements,” if applicable. Pressurized secondary water should be provided by the developer for each neighborhood park. Support the local park district’s role in acquiring, owning, and operating these parks.

Parks and Recreation Action Item 1.3.3: For smaller developments in which no meaningful neighborhood park space can be provided, consider a fee in lieu of park acreage contribution.

(Page 131) **Parks and Recreation Action Item 1.3.4:** Encourage the local park district to create an impact fee for “system improvements.” Generally, “system improvements” will be improvements to larger community or regional parks.

(Page 61) **GOAL 5 – OPEN SPACE:** Provide for the health, well-being, and community character of the area by fostering the creation ~~of,~~ preservation, conservation, and appropriate maintenance of valuable open spaces. (~~s~~See also Chapter 6 – Parks and Recreation.)

Exhibit B: Planning
Commission Staff
Report
(on following page)



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: File #GPA2024-05, an application to amend the Western Weber General Plan's future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, and to provide other land use map adjustments.

Agenda Date: November 12, 2024
Report Date: November 5, 2024

Applicant: Black Pine Group. Agents: Genevea Blanchard and Jeff Beck
File Number: GPA2024-05
Frontier Project Link: <https://frontier.co.weber.ut.us/p/Project/Index/20894>

Staff Information

Report Presenter: Charlie Ewert
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Report Reviewer: RG

Legislative Decisions

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

Summary and Background

This is an application for an amendment to the future land use map of the Western Weber General Plan. The requested amendment is intended to support a master planned mixed-use walkable community.

To implement the applicant's requested changes, if found desirable, a few other adjustments to the map are necessary, and proposed by staff herein. Staff have also included a handful of other optional map adjustments that are not related to this application should the planning commission determine this is a good opportunity to make the changes.

Policy Analysis

This item is a proposed amendment to the Western Weber General Plan's Future Land Use Map. It is intended as a means of supporting a forthcoming master planned development rezone of property between 4700 West and the Weber River to the west, and north of 12th Street.

Regulatory requirements –

Regarding general plan amendments, Weber County Code Section 102-2-4 Powers and Duties of the Planning Commission states the following:

The planning commission shall review the general plans and make recommendations to the county commission, as deemed necessary, to keep the general plan current with changing conditions, trends, and planning needs of the county.

Utah Code Annotated Section 17-27a-403 Plan Preparation states:

The planning commission shall make and recommend to the legislative body a proposed general plan for the unincorporated area within the county...

This provision applies to amendments to the general plan as well.

Considerations generally –

When reviewing the proposed future land use map amendments, the planning commission should consider how they might be applied to the properties affected. It is important to note that the future land use map is an aspirational map that sets forth a general direction on how to shape development. It is not a regulatory document, and as such is wholly discretionary and does not entitle any landowner to any given outcome. This means that the map can be general in nature. Landowner entitlements are given at the time of rezoning.

A rezone is intended to generally follow the guidance of the future land use map, but a rezone is intended to offer more specifics to what types of uses and land development can and cannot occur. A rezone will, in part, set the amount of development density and intensity. This means that the planning commission has quite a bit of latitude in the creation/amendment of the future land use map – knowing that most of the unknown specifics will be required when the property is rezoned.

The applicant is planning to rezone the property and provide those future specifics after the future land use map amendment is adopted.

Plan amendment –

The applicant's property is depicted in **Figure 1**. After several discussions with the planning commission and county commission, it became clear that the county is not interested in creating a plan amendment of this scale for just the applicant's property. The applicant was advised that the broader area should be considered. In response to this, the applicant has proposed an amendment to the future land use map as provided in **Figure 2**.

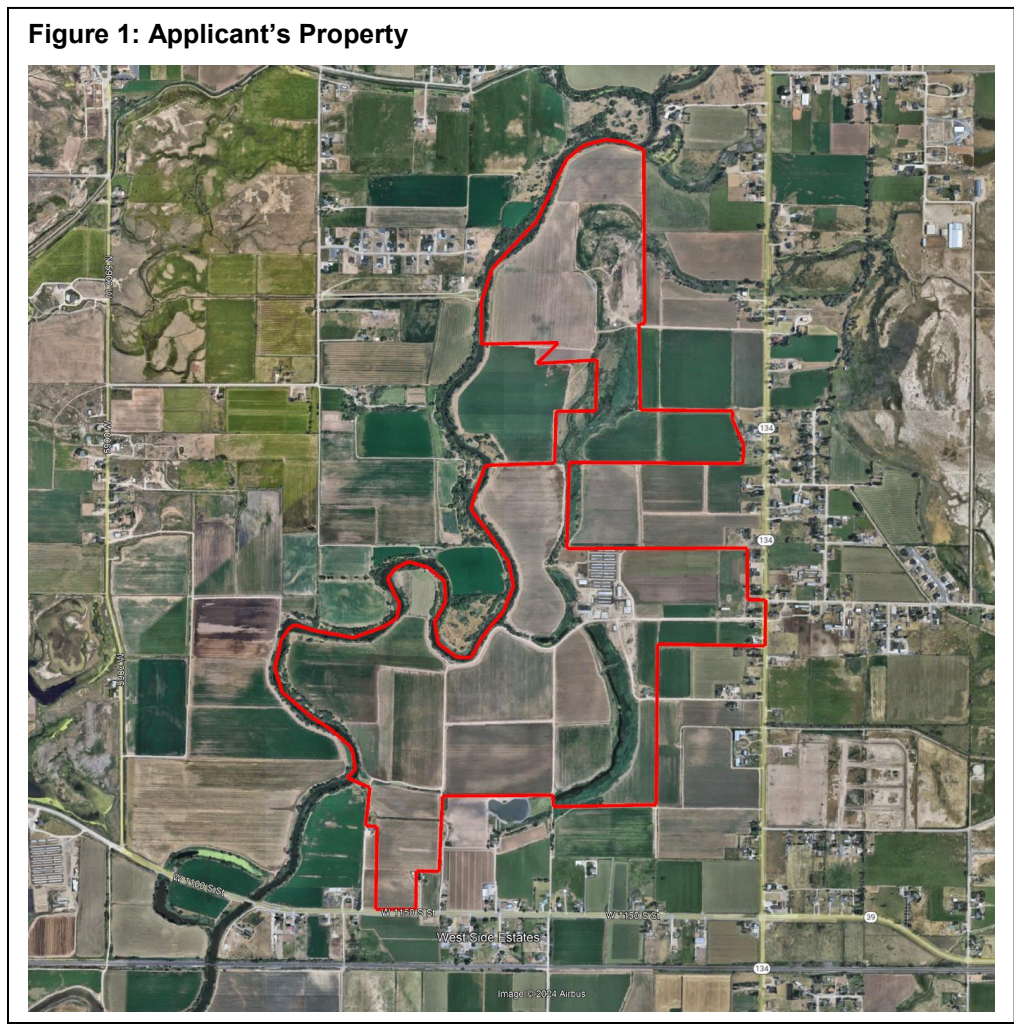
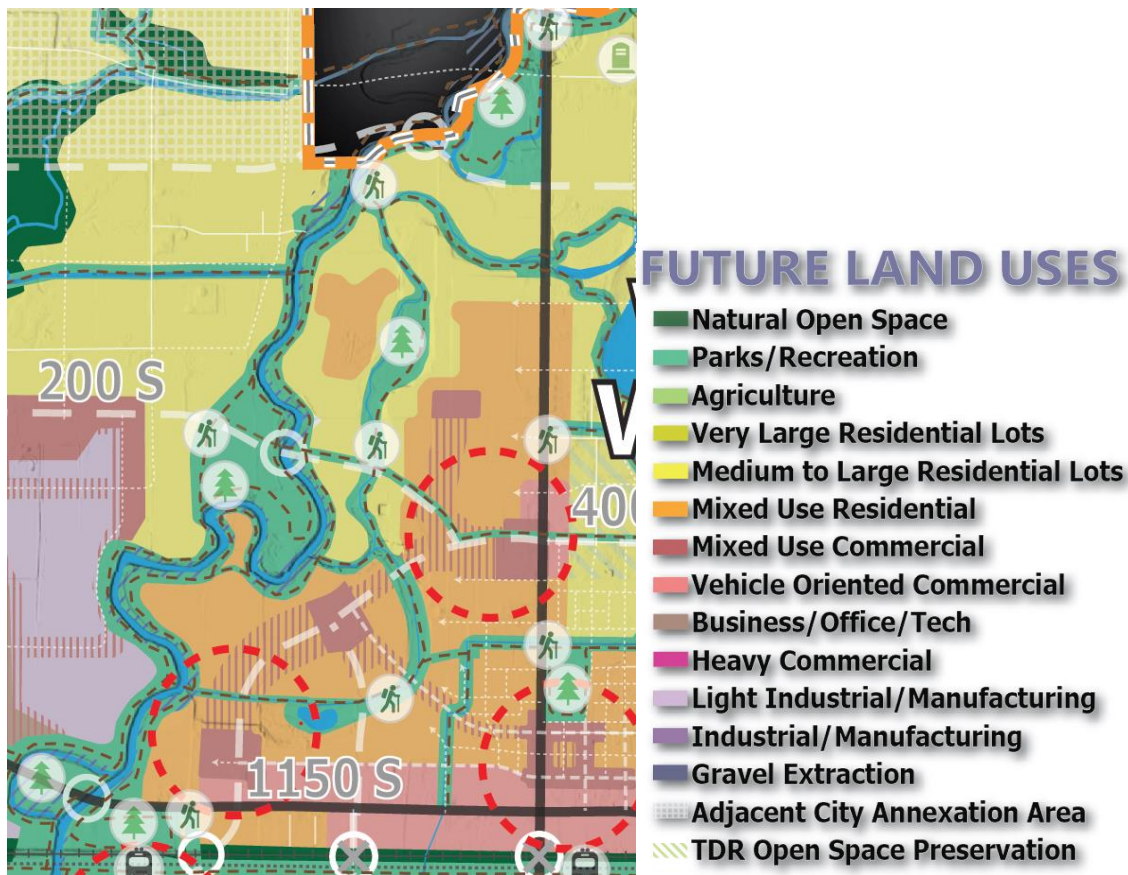




Figure 3: Staff's Recommended Future Land Use Map Amendments – Area of Subject Property



- The applicant proposed a mixed-use residential overlay designation over some areas of mixed-use commercial. 

Staff is instead recommending the use of a mixed-use commercial overlay over the mixed-use residential. This will help convey that the intended default use of these areas is mixed-use residential, but that through rezoning and concept planning, some mixed-use commercial uses may be allowable therein. It is also an overlay type that is already used on the future land use map. 
- The applicant had originally proposed some areas in the development for the “rural residential” designation. This designation generally refers to half-acre lots. It is also a designation that was previously retitled in the general plan to “very large lot residential.” Upon additional consideration, the applicant would rather designate each of these areas as “medium-to-large residential lots,” and then flesh out where they will ultimately locate the estate lots through the rezone and concept plan process. Consequently, staff’s version does not show this designation.
- The applicant proposed more vehicle oriented commercial along 4700 West than staff is suggesting. This is, in part, because the plan advocates for the creation of commercial villages in mindfully selected areas along main street corridors areas instead of supporting strip commercial.
- In addition to the above, as it relates to the area of the applicant’s property, staff’s version:
 - Adds parks and trailhead icons in strategic locations.
 - Aligns streets to better reflect the 4700 West and 12th Street commercial node’s street regulating plan, as provided in the Form-Based zone.
 - Preserves a potential large park area in the northern part of the planning area next to 4700 West.
 - Extends similar land use designations to better consider the east side of 4700 West.
 - Adds trail connections that were omitted from the applicant’s version.

Weber River Corridor/Emerald Necklace Concept: Something worth considering at this time is the effect of this proposed general plan amendment on the Weber River corridor and the planned “Emerald Necklace” concept of a linear park area along the Weber River, with park nodes (emeralds). **Figure 4** generally illustrates the plan’s currently adopted emerald necklace configuration.

The plan directs the county to do the following:

PARKS & RECREATION PRINCIPLE 1.1: In tandem with *Land Use Goal 5*, Support the creation of a regional, community, and neighborhood parks and trails system along the Weber River.

- **Parks and Recreation Action Item 1.1.1:** Create an “Emerald Necklace” regional park system along the Weber River that includes a linear park system along the river and both natural and improved parks, or “emeralds,” along the linear park system.
- **Parks and Recreation Action Item 1.1.2:** Create Weber River Corridor Park that includes all land within 300 feet of the high-water mark of the Weber River. Exact this land from the landowner at the time of development where appropriate. Reserve an easement for the future park when exaction of the land is not appropriate. Establish a Weber River corridor setback where no permanent structures can be constructed within 300 feet of the high-water mark of the river.
- **Parks and Recreation Action Item 1.1.3:** In cooperation with the Park District, pursue opportunities to acquire park land along the Weber River. The areas shown on the Future Land Use Map present some opportunities, but pursue other opportunities with landowners as development along the river occurs.
- **Parks and Recreation Action Item 1.1.4:** Encourage areas in the floodplain to be held as public park land. Pursue opportunities to create nature parks in floodplains, unless a more formal park is more desirable in that area.

In response to this direction from the plan, in 2023 the county adopted a 300 foot setback from the Weber River. This setback is intended, in part, to help create the emerald necklace linear nature park. It is also intended to help provide area for better floodplain management, riparian protection, and a wildlife corridor.

The county is currently in negotiation for this 300 foot corridor with two other developers who are seeking a rezone. Together those developments comprise approximately two miles of riverfront properties.

For the applicant’s project, which comprises approximately another two miles of riverfront properties (two miles x 300 feet =

Figure 4: Current Plan’s Emerald Necklace Concept

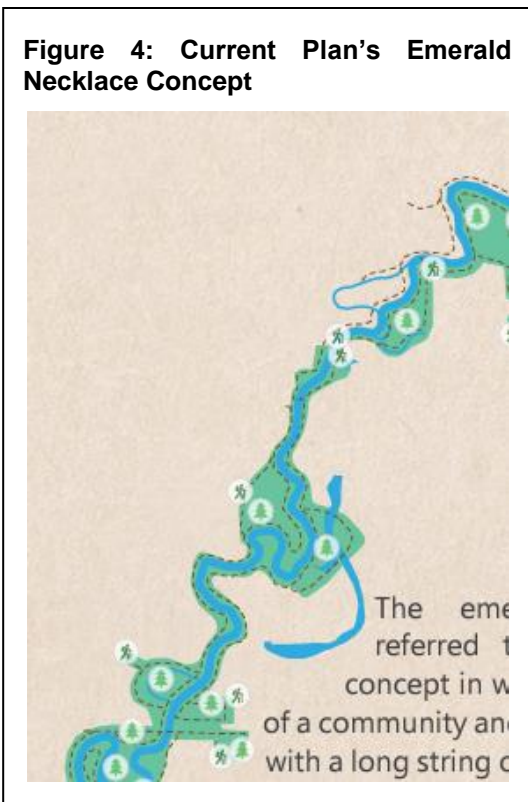
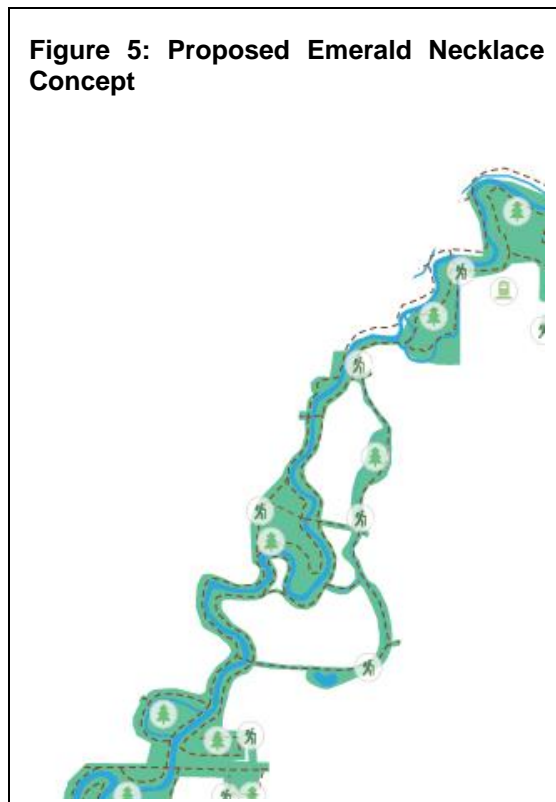


Figure 5: Proposed Emerald Necklace Concept



approximately 84 acres), the applicant is seeking to reduce the 300 foot river buffer in favor of preserving alternative open space areas for the emerald necklace concept. The applicant has asserted that nature does not often conform to precise linear buffers, and as such the applicant is suggesting the county take a more nuanced approach to their property based on areas actually worth preserving as open space. The applicant is also requesting a future large regional park area on the property be removed from the future land use map. **Figure 5** generally illustrates this potential reconfiguration.

Staff requested that the applicant obtain and remit to the county best management practices specific to their desired alternative, but have not received it as of the writing of this report.

Staff did, however, reached out to the Utah Division of Wildlife Resources to get an expert opinion on best management wildlife practices, and whether this buffer is essential to wildlife management best practices. Their response states the following:

The DWR supports the Weber County General Plan's 300 ft setback from the Weber River to reduce impacts to riparian habitat, wildlife movement, and floodplain connectivity. The DWR supports consistency in imposing a 300 ft setback from the Weber River as per the County Development Ordinance.

While DWR is supportive of Weber County's established buffer, they did not provide specific scientific best practices that might help us better assess the benefits and protections that the buffer offers, or whether there are better and more supportable alternatives worth considering.

It is not absolutely imperative to address this topic at this time as the county and applicant can better negotiate the details during the rezone process. However, if the 300 foot buffer or the regional park area is something the planning commission deems necessary, then the applicant would be better off knowing before pursuing the rezone.

Regardless of whether the 300 foot buffer and/or the regional park area is applied or waived, the applicant has stated that they are committed to providing ten acres of open space for every 1,000 residents, as otherwise suggested by the general plan.

Other plan amendment opportunities –

As the county addresses the general plan's future land use map as it relates to this area, it may also be prudent to look for other areas on the map that may need some adjustments. With the exception of the 4700 W and 12th Street village area, none of these are directly related to the applicant's potential project, and as such should only be considered as part of this item so long as they do not delay a decision on this item. The planning commission may be interested in looking at the following possible amendments:

- Reconfiguring the 4700 West and 12th Street commercial node's land use designations (**Figures 6 and 7**) to more precisely reflect what was adopted in the Form-Based zone's street regulating plan (**Figure 8**).

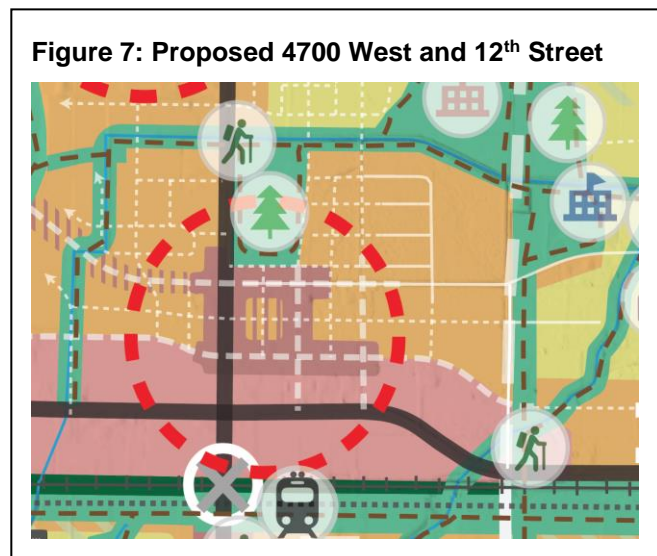
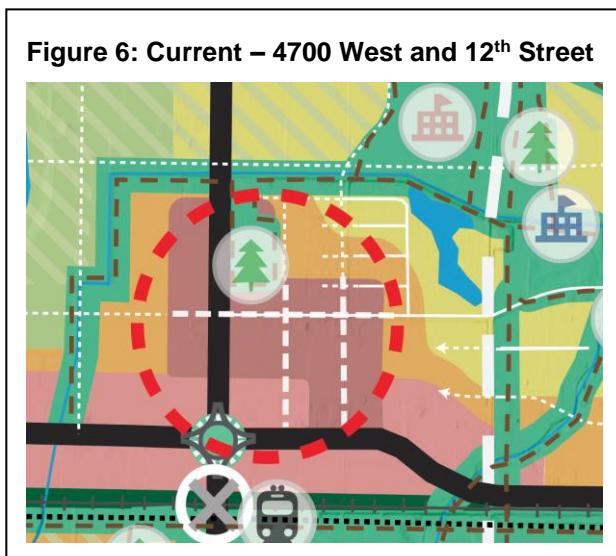






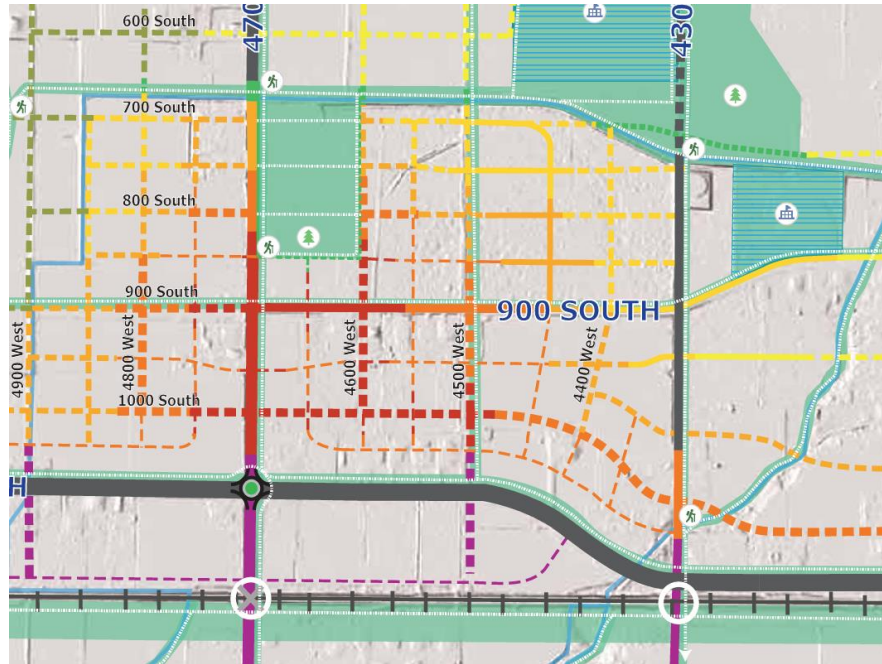
Figure 8: West Weber Village Street Regulating Plan

STREET TYPES AND AMENITIES

-  General Open Space
TDR sending
-  Estate Lot Residential (ELR)
Single-family lot as small as 3 acres. TDR sending
-  Rural Residential (RR)
Single-family lot as small as 40,000 sq. ft. TDR sending in WHPA and receiving in CVPA
-  Large Lot Residential (LLR)
Single-family lot as small as 20,000 sq. ft. TDR receiving
-  Medium-Large Lot Residential (MLLR)
Single-family lot as small as 12,000 sq. ft. TDR receiving
-  Medium Lot Residential (MLR)
Single-family lot as small as 8,000 sq. ft. TDR receiving
-  Small Lot Residential (SLR)
Up to four family lot as small as 3,000 sq. ft. TDR receiving
-  Multi-Family Residential (MFR)
Multi-family lot, height restrictions, no lot minimum. TDR receiving
-  Mixed-Use Commercial (MUC)
Commercial at street level, multifamily and other uses above and behind, height restrictions, no lot minimum. TDR receiving
-  Vehicle Oriented Commercial (VOC)
Same as MUC with special considerations for vehicle-oriented uses. TDR receiving
-  Government/Institutional (G/I)
Same as MUC with special considerations for government and institutional uses. TDR receiving
-  Limited Access Arterial or Collector Street
Access to street generally restricted to planned intersections.
-  Trails
Required trails
-  Roundabout
Street roundabout

COMMUNITY FEATURES

-  Long-Term Open Space
-  Park
-  Trailhead
-  Water Body



- Adding a vehicle-oriented commercial node at the potential future West Weber Freeway and 900 South interchange, and adjusting surrounding land uses for mixed-use residential, office, industry, and open space. See **Figures 9 and 10**.

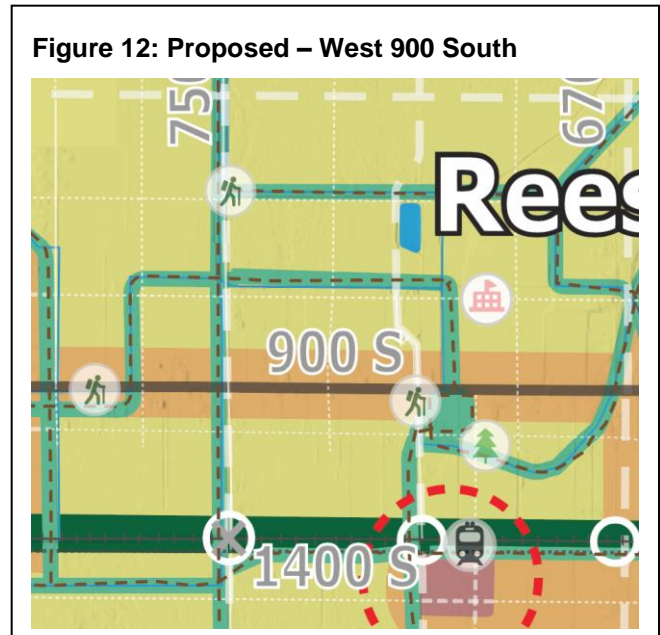
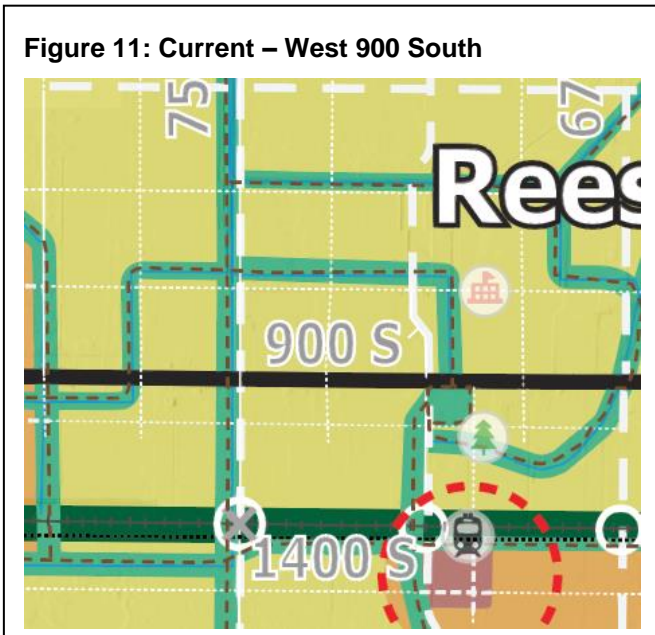
Figure 9: Current – West Weber Freeway Corridor and 900 South Future Interchange



Figure 10: Proposed – West Weber Freeway Corridor and 900 South Future Interchange



- Adding mixed-use residential along west 900 South, between the West Weber Freeway corridor and the western industrial area. **Figures 11 and 12.**



The county commissioners have set aside some funds for the purpose of helping implement the general plan and/or make possible adjustments, so these opportunities can wait until that time if they become too challenging to address as part of these amendments.

Staff Recommendation

A general plan adoption/amendment is highly dependent on the desired community outcomes. Staff may recommend certain best practices based on the facts and circumstances of the area, but it is ultimately up to the community, by means of a recommendation from the planning commission to the county commission, to determine whether the changes and timing will bring about desirable community outcomes.

It is, however, staff's opinion that the type of development the applicant is pursuing follows some of the best industry practices of community planning. The community the applicant wants to emulate (Norton Commons) is known nationwide for implementing a mixture of land uses and design in a manner that has created a community that is livable, workable, and playable. These are all characteristics identified throughout the current general plan as characteristics worth pursuing. Paraphrasing a comment made by a neighbor of the applicant's property who is not excited to see the land develop: "if the land is going to be developed, this is the type of development it should be." It would be wise for the planning commission to consider the other types of development that is likely to occur on this land in the absence of this applicant's current master planning desires and efforts.

Staff remains a little concerned about deviating from the 300-foot river setback. Once that corridor becomes private developed land the community is not likely to ever see it become community open space in the future. The setback was developed based purely on the assumption that distance is the key to the preservation of the public space and the promotion of the river's current and future environmental ecosystem. However, other than this assumption, staff does not currently have empirical evidence to suggest that alternatives cannot provide for the same level of protection and benefit. More research may be needed. Staff is optimistic that the applicant can provide the evidence necessary to support their desired alternative.

Model Motion

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

Motion for positive recommendation as-is:

I move we forward a positive recommendation to the County Commission for File #GPA2024-05, an application to amend the Western Weber General Plan’s future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, and to provide other land use map adjustments, as illustrated in this staff report dated November 5, 2024. The effective date for these proposed amendments should be dependent on the adoption of a development agreement and rezone of the applicant’s property.

I do so with the following findings:

Example findings:

1. *The changes are supported by the Western Weber General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
3. *The changes will enhance the general health and welfare of Western Weber residents.*
4. *[_____ add any other desired findings here _____].*

Motion for positive recommendation with changes:

I move we forward a positive recommendation to the County Commission for File #GPA2024-05, an application to amend the Western Weber General Plan’s future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, and to provide other land use map adjustments, as illustrated in the staff report dated November 5, 2024. The effective date for these proposed amendments should be dependent on the adoption of a development agreement and rezone of the applicant’s property. **This motion comes with the following additional edits and corrections:**

Example of ways to format a motion with changes:

1. *Example: Do not make any of the adjustments mentioned in the staff report dated November 5, 2024 except for the ones in the area of the applicant’s proposal.*
2. *Example: Amend staff’s consideration item # []. It should instead read: [_____desired edits here_____].*
3. *Etc.*

I do so with the following findings:

Example findings:

1. *The proposed changes are supported by the General Plan. [Add specifics explaining how.]*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the General Plan*
3. *The changes will enhance the general health, safety, and welfare of residents.*
4. *[Example: allowing short-term rentals runs contrary to providing affordable long-term rental opportunities]*
5. *Etc.*

Motion to recommend denial:

I move we forward a recommendation for denial to the County Commission for File #GPA2024-05, an application to amend the Western Weber General Plan’s future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, and to provide other land use map adjustments, as illustrated in the staff report dated November 5, 2024. I do so with the following findings:

Examples findings for denial:

- *Example: The proposal is not adequately supported by the General Plan.*
- *Example: The proposal is not supported by the general public.*
- *Example: The proposal runs contrary to the health, safety, and welfare of the general public.*
- *Example: The area is not yet ready for the proposed changes to be implemented.*
- *[_____ add any other desired findings here _____].*

Exhibits

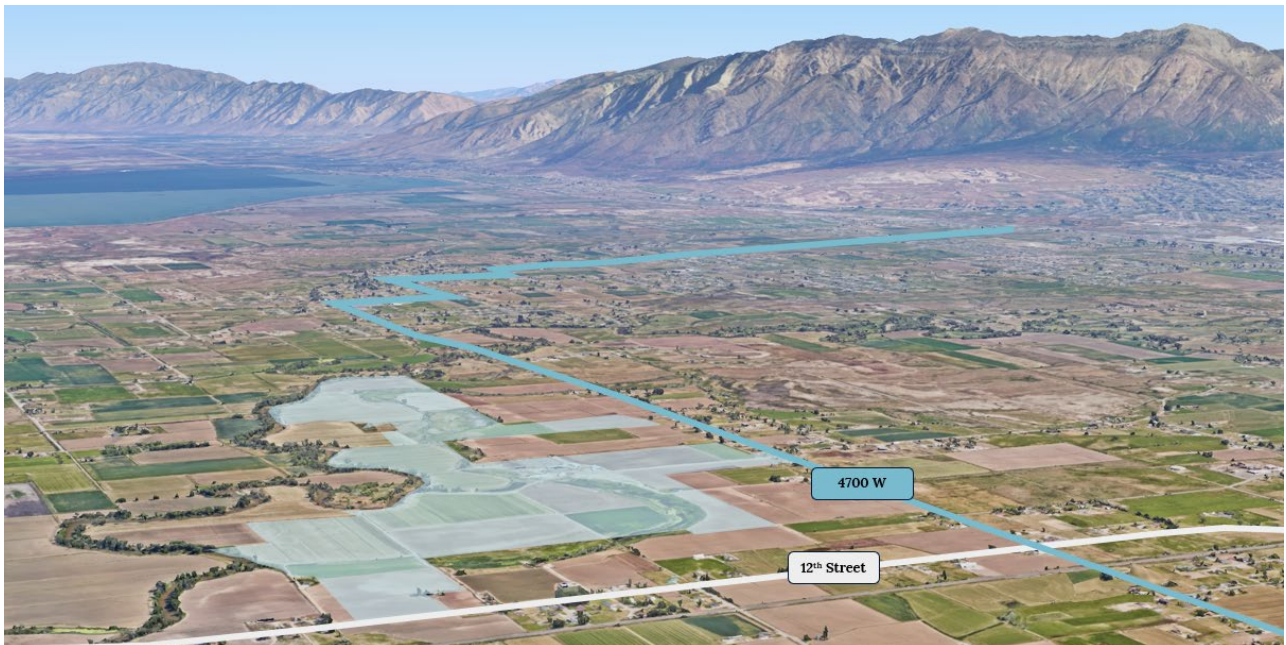
Exhibit A: Application.



August 5, 2024

Weber County General Plan Amendment Application

Project Name: *West Weber Master-Planned Community*



Jeff Beck

BlackPine

Jeff@theblackpinegroup.com



Project Narrative

On August 16, 2022, the Weber County Commissioners approved a new Western Weber General Plan (WWGP) with considerable thought and foresight focused on community and economic growth to support the needs of Western Weber County. Situated in the heart of the West Weber planning area between the intersections of 12th Street, 4700 West, and the Weber River is the largest contiguous acreage on 12th street immediately ready for development. Per the General Plan, the future designated use for this site is a mix of vehicle oriented commercial, mixed-use commercial, mixed-use residential and rural agricultural lots. BlackPine, an Ogden based real estate development group, desires to develop this area into a community-oriented traditional neighborhood. Given immediate proximity to in-place infrastructure, natural river amenities, and large contiguous size, the area presents the unique opportunity for an immediate master-planned development consistent with the goals set forth in the WWGP.



How is the change in compliance with the General Plan?

The residents and stakeholders of West Weber have clearly articulated their vision for the identity and character of the Community through the following vision statement, found in the General Plan.

*“While the pressure to grow and develop will persist, there is a clear desire for growth to be carefully and deliberately designed in a manner that **preserves, complements, and honors the agrarian roots of the community**. To do this, Weber County will promote and encourage the community’s character through public space and street design standards, open space preservation, and diversity of lot sizes and property uses that **address the need for places for living, working, and playing in a growing community.**”*



In studying communities that possess this strong sense of identity and character sought after in the WWGP, a clear difference can be observed between those guided by principles of “Traditional Neighborhood Development” (TND) versus those that follow “Conventional Neighborhood Development” (CND) practices.

Most CNDs are characterized by an auto-centric, disconnected environment. Land uses remain separate and at low intensities. Living, working, and playing all happen at independent locations and usually require driving from one location to the next. This environment is not typically conducive to the sense of place and community that is described in the WWGP.

Alternatively, TNDs provide a more community-oriented approach, aligned with the goals and principles found in the WWGP. These communities are typified by pedestrian-oriented neighborhoods, a mix of commercial and residential uses, a variety of housing types, and public places, parks, and open space where people have opportunities to interact with each other in a variety of environments. These neighborhoods still accommodate automobiles but are no longer centered around them. Successful examples of TNDs can be found across the Country in neighborhoods like [Norton Commons, Kentucky](#); [Kentlands, Maryland](#); [Seaside, Florida](#); and [Serenbe, Georgia](#).

Norton Commons – Louisville, KY



BlackPine is requesting an amendment to the General Plan to enable this type of TND to be developed in the heart of West Weber. The proposed project (“The Project”), will be designed in a way that both honors and compliments the historic and ongoing agrarian community, while also provides much needed housing and commercial amenities to serve a diverse and growing range of households and businesses. The WWGP has already established the foundational goals and principles required for a community of this nature to be successful, and the location and size of The Project presents a unique opportunity to now implement this vision in reality.

WWGP: Land Use Goal 1 (pg. 51)

“As residential growth occurs, a goal of Weber County is to ensure it is deliberately and thoughtfully planned in patterns that support efficient organization of infrastructure and services, provide for a



variety of housing options and familial situations...”

WWGP: Land Use Goal 2 (pg. 56)

“In areas planned for mixed-use commercial, provide zoning or other regulatory tools that enable the creation of a community village that offers a wide variety of multi-family housing and commercial opportunities, and focuses on attractive building, site, and street design more than land uses.”

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

The uses currently planned for the land in and surrounding The Project, as shown in the future land use map of the WWGP, are a combination of Mixed-Use Residential, Mixed-Use Commercial, Vehicle Oriented Commercial, and Agricultural. BlackPine is proposing that the future land use map of the WWGP be modified to expand and relocate the mixed-use residential and mixed-use commercial areas to accommodate a large-scale TND, as shown in **Exhibit A: The Project Land Use Map**.

While this type of TND is both wanted and needed to accommodate future growth in West Weber, there are several challenges to implementation. Many areas of West Weber lack the surrounding transportation and utility infrastructure to allow for near-term development of such projects. Additionally, significant size and scale is required to implement all the WWGP “Smart Growth Principles” in a cohesive and uniform manner. Finding land that is controlled at this scale by one contiguous owner is difficult.

The Project is unique in that its size and location present solutions to these challenges. The surrounding transportation infrastructure along 12th Street and at the 4700W intersection is in the process of being upgraded to a 3-lane road and a lighted intersection. Many aspects of the utility infrastructure surrounding the project are being improved through the development of the adjacent Promontory Commerce Center business park. The size and scale of The Project allows for a master-planned approach to planning and design of this area, which is supported in the WWGP. The plan states:

“Working with landowners to master plan large swaths of land provides community benefits that due to the economy of scale cannot usually be realized for smaller subdivisions. The county should encourage master-planned communities that create a distinct sense of place and provide for all stages of life and family situations.”

The combination of these factors suggests that the modified land use map as proposed by BlackPine in **Exhibit A: The Project Land Use Map** would result in more immediate and impactful benefit to West Weber and better fulfill the intent of the WWGP than what is currently planned for this area.

How is the change in the public interest?

When considering an area development, the WWGP establishes two public interests as top priorities: first to provide sufficient housing supply for incoming residents, and second to preserve the current resident’s desire for openness. While CNDs often accomplish one of these goals, they rarely succeed at both. Further, CNDs tend to diminish a neighborhood’s sense of community and age diversity by grouping housing types together by location. A neighborhood development that best serves the wider public interest could, therefore, be



characterized as one that sufficiently provides housing for new residents in all stages of life while also preserving desired openness.

TNDs serve the interest of future residents by providing sufficient housing for a diverse and growing range of households while enhancing community feel. A residential street block in a traditional neighborhood would typically feature a wide variety of housing types together on the same street including large mansion homes, connected patio homes, quadplexes, and townhomes. Guided by TND principles, these streets and buildings adhere to consistent architectural and thematic design thus accomplishing the goal to provide needed homes while creating a strong sense of place.

Second, TNDs serve the public interest by preserving openness through the improvement of public places, parks, trails and open space.

Weber County is situated in the path of growth along the Wasatch Front as evidenced by 7.5% population growth over the last 5-years. Additionally, the Kem C. Gardner Policy Institute projects over 37,300 new household formations in Weber County by 2044. Both current and future Weber County residents stand to benefit from the development of traditional neighborhoods consistent with the WWGP’s goals as the region continues to experience rapid growth.

“Currently, there are more families than available housing across the Wasatch Front region. This scarcity, in turn, has created an affordable housing crisis in the planning area. Providing sufficient supply to balance the supply and demand forces will contribute to providing a better balance of housing affordability in the area... One type of housing that is especially missing -- known as the “missing middle” -- is the type between higher density apartments/condos and single-family residences. Townhomes, connected patio homes, du-/tri-/quadplexes, and similar housing styles may provide a more palatable option for families who cannot afford a single-family residence, but do not want the lifestyle of a higher density apartment complex.”

Strong Economic Trends in Weber County



1. FRED, 2024 2. BLS IQ24



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

Since the adoption of the General Plan in 2022, the barrier to home ownership has increased at a rate greater than that of population growth, expediting the need for readily available master-planned communities consistent with the principles found in the WWGP.

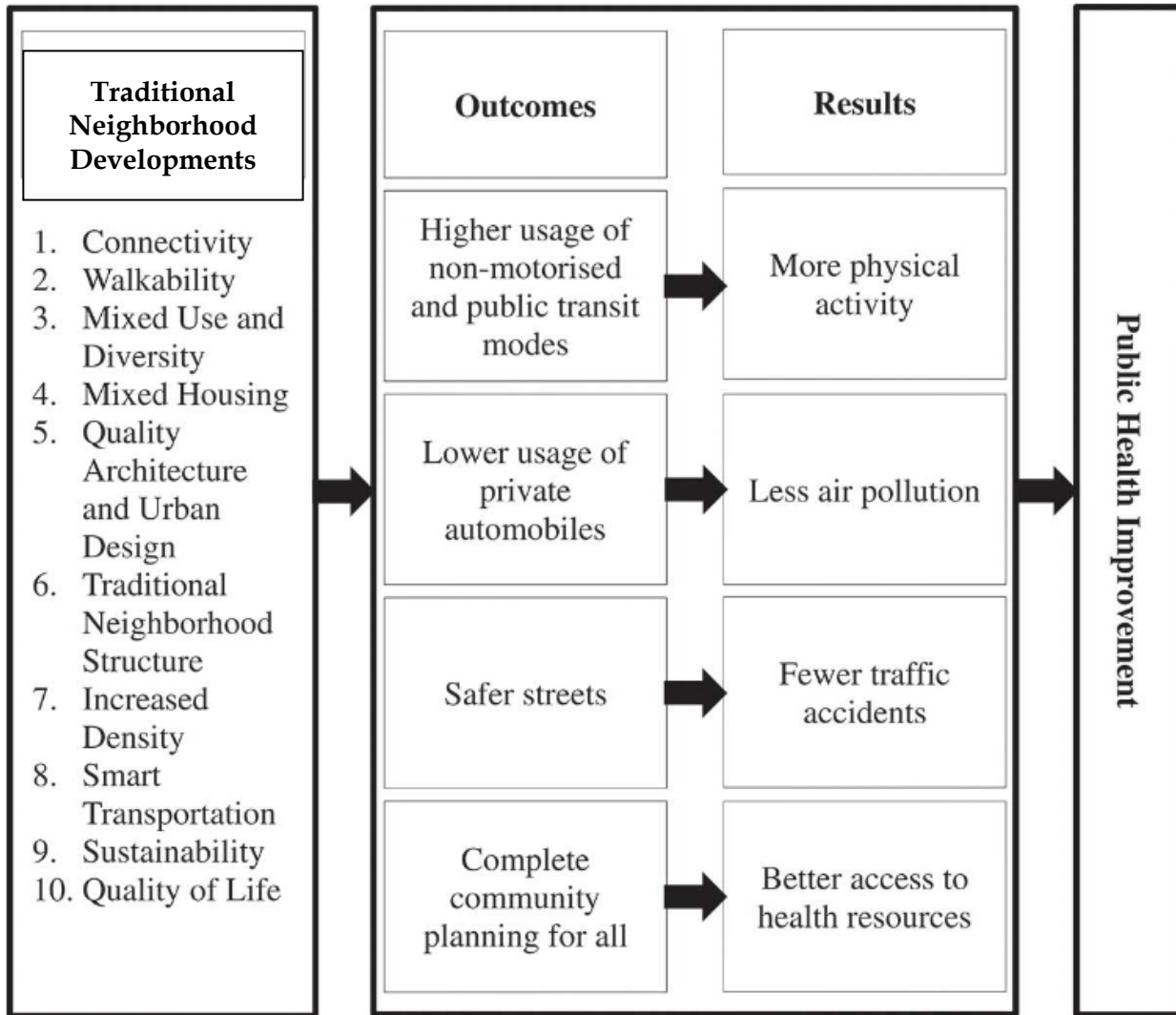
Additionally, an unforeseeable opportunity to implement the goals and principles of the WWGP on a large contiguous piece of property has recently become available. While this opportunity does require altering the Land Use Map in the WWGP, the goals and principles represented therein are unchanged and even strengthened by what is being proposed through The Project.

How does this proposal promote the health, safety, and welfare of the inhabitants of Weber County?

Health: TNDs provide health-related amenities and resources within walking distance of resident homes.

Safety: Traditional neighborhoods greatly reduce the need for automobiles while catering to safer forms of travel to and from work, school, and play including walking and cycling.

Welfare: Resident welfare and quality of life increase within traditional neighborhoods where people can work, play, shop, and recreate within walking distance of where they live.

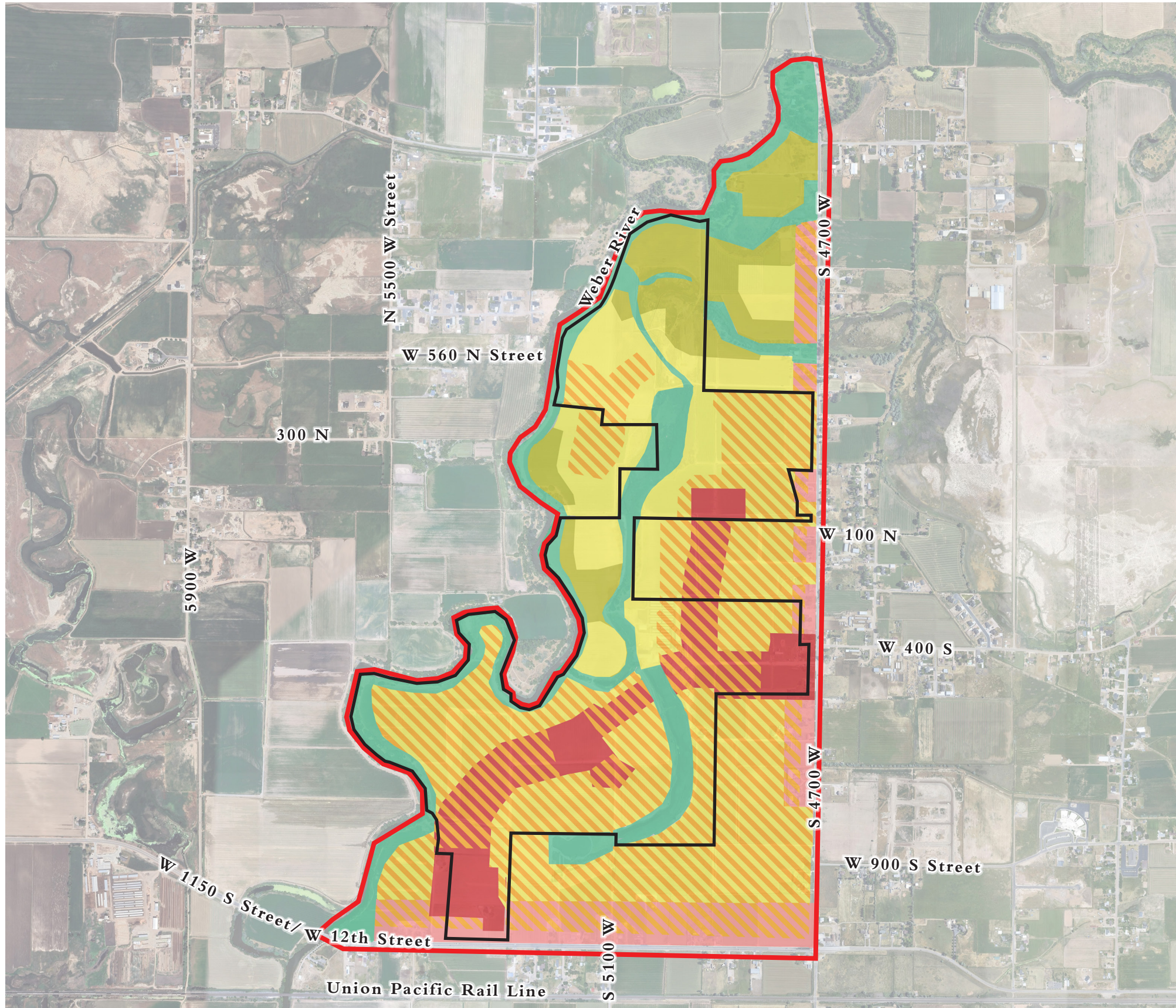


Source: <https://www.cnu.org/publicsquare/2019/02/04/health-benefits-new-urbanism>

Describe the Project Vision

The Project is envisioned to be a vibrant, walkable, and interconnected community available to all ages and demographics. Located at the heart of West Weber, this area will be crucial in defining the identity and character of the broader community. BlackPine feels confidently that a TND in this location would benefit future generations of West Weber for years to come, providing a safer, healthier, and happier way of living.

GENERAL PLAN AMENDMENT MAP: FUTURE LAND USE



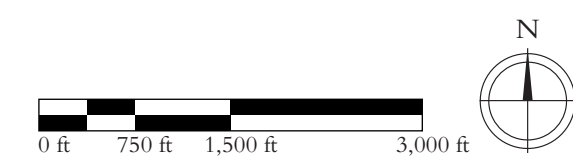
Key

- Subject Property
- General Plan Amendment Area
- Parks and Recreation
- Rural Residential
- Medium-to-Large Residential
- Mixed-Use Residential
- Mixed-Use Commercial
- Vehicle-Oriented Commercial

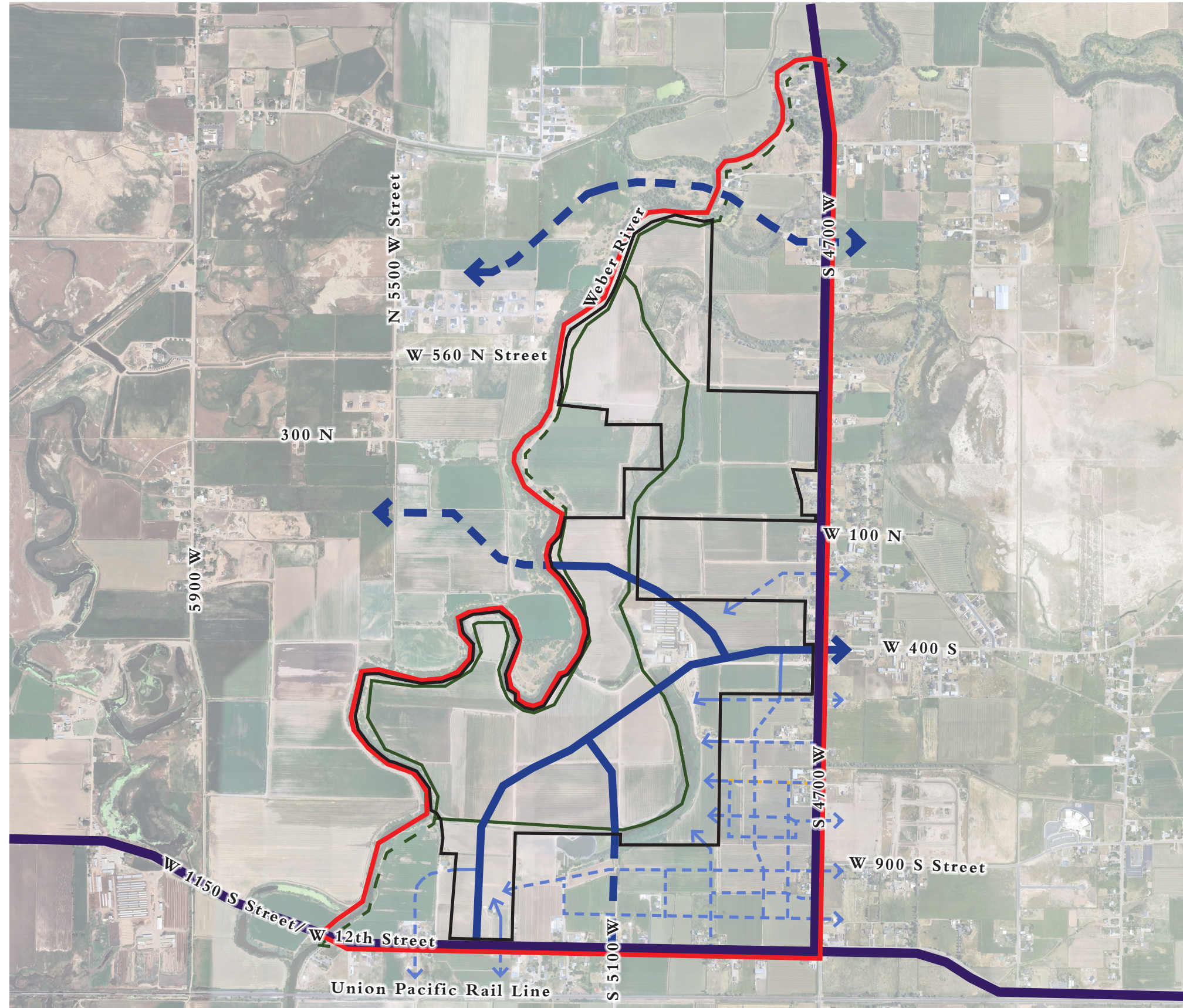
Notes

1. Boundaries between Future Land Uses are subject to refinement.
2. In addition to the areas shown as Parks and Recreation on this map, smaller Civic Spaces will also be distributed throughout the other Future Land Uses.
3. Specific uses and regulations will be determined by zoning, but will generally conform to the intent of the Future Land Uses shown on this map.

The design is subject to change. Not for construction.



GENERAL PLAN AMENDMENT MAP: THOROUGHFARES



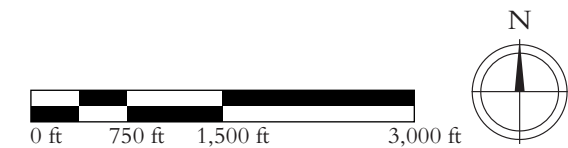
Key

- Subject Property
- General Plan Amendment Area
- Minor Arterial Street
- Collector Street
- Local Street
- Trails

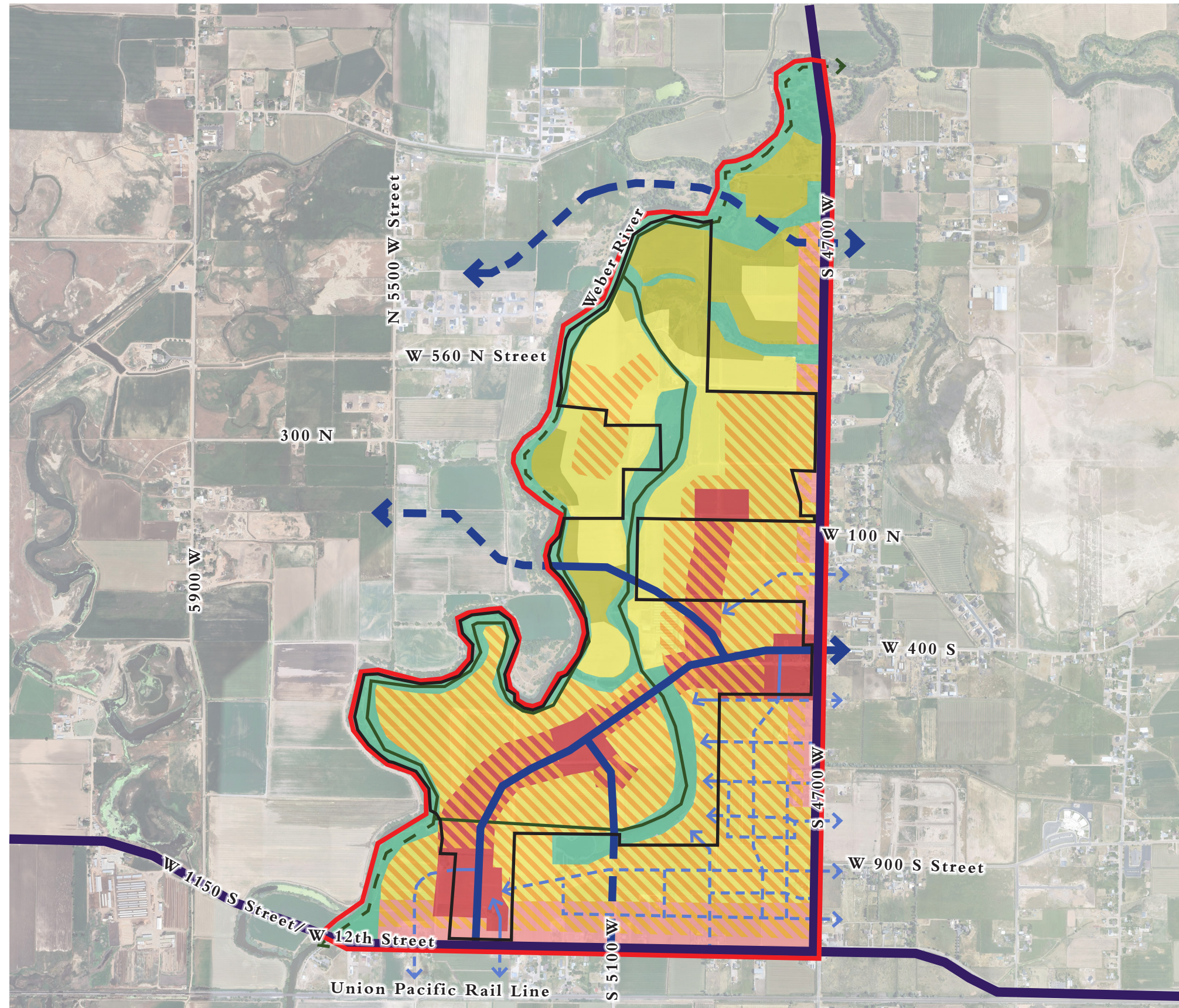
Notes

1. Specific trajectories of thoroughfares and trails are subject to refinement.
2. Local Streets in addition to those shown on this map are anticipated.

The design is subject to change. Not for construction.

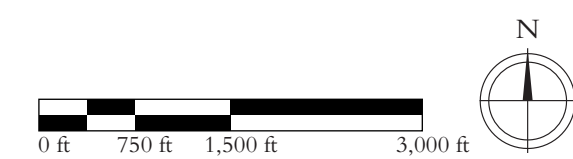


GENERAL PLAN AMENDMENT MAP: ALL AMENDMENTS



Key

- Subject Property
- General Plan Amendment Area
- Minor Arterial Street
- Collector Street
- Local Street
- Trails
- Parks and Recreation
- Rural Residential
- Medium-to-Large Residential
- Mixed-Use Residential
- Mixed-Use Commercial
- Vehicle-Oriented Commercial



The design is subject to change. Not for construction.