

Minutes of the Regular Meeting of the Ogden Valley Planning Commission for December 17, 2024. To join the meeting, please navigate to the following weblink at <https://webercountyutah.zoom.us/j/88961050820>, the time of the meeting, commencing at 4:30 p.m.

Ogden Valley Planning Commissioners Present: Janet Wampler (Chair), Jeff Barber (Vice Chair), Jeff Burton, Bryce Froerer, David Morby, Mark Schweppe, Trevor Shuman.

Staff Present: Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Wampler conducted roll call and indicated Commissioner Morby was participating via electronic means. All other Commissioners were physically present.

1. Minutes: October 22, 2024.

Chair Wampler corrected names of Commissioners who were incorrectly identified in the minutes. There were no additional changes to the minutes and Chair Wampler declared them approved as amended.

2. Administrative Items:

2.1 UV102324: Request for preliminary approval of Eden Acres Phase 2 Subdivision, consisting of 15 single-family lots and public roadways, in the Form Based Zone, located at approximately 5555 East, 2700 North, Eden, UT, 84310. Staff Presenter: Tammy Aydelotte.

A staff memo from Planner Aydelotte explained this proposed subdivision is located along a Rural Residential street type, according to the Street Regulating plan for this area. The applicant is requesting preliminary approval of a 15-lot subdivision that will gain access from 2700 North and 5600 East in Eden. 2700 N and 5600 E are built and maintained as public roads. Additional road dedication is required along these existing 66 feet wide roadways that run along the north and east boundaries of this development. The proposal includes two additional 60 feet wide public roadways that will stub to the western and southern boundaries of this subdivision. Adopted residential street design standards apply for these new roads within the subdivision. Rural Residential lots can be as small as 40,000 square feet in area and 150 feet in width. The proposed sizes of the lots in this subdivision range from 48,630 to 69,361 square feet. Lot widths vary from 150 feet to 214.47 feet. Setbacks for residential use on these type of lots in the Form Based Zone are as follows: front – 30 feet, rear – 30 feet, side – 10 feet. Maximum height for main buildings on a Rural Residential street type is 35 feet from finished grade. Architectural standards do not apply to single-family dwellings in the form-based zone. This area is also a designated Transferable Development Right (TDR) receiving area for the Ogden Valley, per the Street Regulating map. The applicant will be transferring 8 development rights to this parcel. Verification of this transfer will be required prior to recording the final plat. Eden Water Works has issued a capacity assessment letter to confirming water availability to service this subdivision. Secondary water will be provided by the Ogden Valley Canal that runs along the northern boundary of this subdivision. A letter of septic feasibility has been issued by Weber-Morgan Health Department. As part of the approval process, the proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the FB zone found in LUC §104-22. The following section is a brief analysis of this project against current land use regulations.

Ms. Aydelotte reviewed her staff memo and summarized staff's analysis of the application to determine conformance with the following:

- General Plan;
- Zoning guidelines;
- Definition of the project as a 'large subdivision';
- Drinking-Water source protection;
- Natural Hazards guidelines;
- Irrigation and Domestic Water service provision;
- Sanitary System service provision; and

- Requirements of Review Agencies.

Ms. Aydelotte concluded staff recommends preliminary plat approval of Eden Acres Phase 2 Subdivision, consisting of 15 lots. This recommendation is subject to all review agency requirements and based on the following conditions:

1. Prior to final approval, Engineering shall approve of submitted improvement plans. All applicable Weber County reviewing agency requirements shall be met.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with the applicable County codes.

Ms. Aydelotte noted that there have been some concerns expressed regarding the water table in this area and whether issues with stormwater can be mitigated as part of the development; she advised the Commission to discuss those concerns further with the applicant.

Chair Wampler invited input from the applicant.

Shawn Clegg stated he lives adjacent to the subject property in Eden Acres Phase One; he discussed the genesis of the project and its connection to Sunnyfield Farm. He owns Sunnyfield Farm and wanted to find a way to preserve the open space in the area. He acquired the subject property and worked to transfer development rights out of the Sunnyfield Farm property to this parcel. He felt that was appropriate given the density of existing development in the area and he feels that this project can only add to and benefit the existing developments in the area. He has secured approval of Form Based Zoning approximately one year ago and has been working since that time to design the subdivision. He acknowledged the concerns about the storm water issues on the property and has been working with the County's Engineering Division to make sure that the area will be improved in terms of storm drain infrastructure. He identified an open drainage creek that comes from the northeast corner of the property and dumps into a culvert on the property and noted that has been a major source of the unmitigated water in the area. He plans to divert that water to an existing storm drainage system nearby so that it flows to the appropriate storage area. This will address issues with water on the subject property as well as properties downstream.

Commissioner Barber stated that in previous discussions of this property, there has been mention of a detention pond on the property and he asked if that pond will still exist. Mr. Clegg answered yes and noted water will go into the detention pond and then into the storm drainage system. Commissioner Barber asked if the storm drain line mentioned by Mr. Clegg will be new or if it is an existing line. Mr. Clegg stated it is an existing line to the east. Commissioner Barber stated there is a sewer lift station 2,000 feet from the subject property and he asked Mr. Clegg if he has considered utilizing that system rather than using septic systems in the project. Mr. Clegg stated that Eden Water has asked that he not attempt to connect to the lift station. Commissioner Barber asked Mr. Clegg if he would have considered the connection if not for the input of Eden Water. Mr. Clegg answered no and indicated that the lift station is higher than the subject property, so he would need to pump sewage from the subject property to the lift station.

Commissioner Shuman moved to approve application UV102324, request for preliminary approval of Eden Acres Phase 2 Subdivision, consisting of 15 single-family lots and public roadways, in the Form Based Zone, located at approximately 5555 East, 2700 North, Eden, UT, 84310, subject to all review agency requirements and conditions of approval and based upon the findings listed in the staff report. Commissioner Schweppe seconded the motion. Commissioners Barber, Burton, Froerer, Morby, Schweppe, Shuman, and Wampler voted aye. (Motion carried on a vote of 7-0).

3. Public Comment for Items not on the Agenda:

Jan Fullmer, 3741 Red Hawk Circle, Eden stated that she has two questions; she asked if there is an official transfer of development rights (TDR) ordinance for Weber County and if there is a process defined for how TDRs should be listed for sale and how the sale should be handled. She then stated there was a meeting this morning prior to the County Commission meeting with Stephanie Russell from Economic Development and she had her hand raised in the meeting, but never got the opportunity to ask her question. She noted documentation published regarding the public infrastructure district indicated the plans for Nordic Valley had changed. If that is the case and if there will be more units in the project, she wondered if those changes must be submitted to the Planning Commission for a recommendation.

4. Remarks from Planning Commissioners:

Chair Wampler invited Planning Director Grover to respond to Ms. Fullmer's questions. Mr. Grover stated he is not prepared to answer the second question, but in response to the first question the answer is that the County does have a TDR ordinance in place that allows any area of the Valley floor to be sending areas and receiving areas are those that are assigned the Form Based Zone. Chair Wampler asked Mr. Grover to respond to Ms. Fullmer regarding her second question outside of the meeting.

5. Planning Director Report:

Planning Director Grover advised the Commission of upcoming agenda items early in 2025.

6. Remarks from Legal Counsel

There were no remarks from Legal Counsel.

The meeting adjourned at 5:20 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission