

2-8-2022 Minutes

Minutes for Western Weber Planning Commission meeting of February 8, 2022, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 4:30 pm.

- Members Present:**
- Andrew Favero—Chair
 - Bren Edwards-- Vice Chair
 - Wayne Andreotti
 - Chad Call
 - Jed McCormick
 - Sarah Wichern
 - Cami Jo Clontz

Pledge of Allegiance

Staff Present: Rick Grover, Director; Charlie Ewert, Principal Planner; Steve Burton, Principal Planner; Felix Lleverino, Planner; Courtlan Erickson, Legal Counsel; June Nelson, Secretary

1. **Minutes were approved for January 4, 2022. Bren Edwards motioned to approve minutes. Sarah Wichern seconded the motion. Motion passed 7-0.**
2. **Consent Items**

2.1. CUP: 2022-01 Consideration and action on a conditional use permit for the construction of a 3.0M gallon water reservoir and a pump house for Bona Vista Water.

The applicant is requesting approval of a conditional use permit to construct a 3.0M Gallon water tank and a pump house. The project is located on a 9.25 acres parcel and is located at approximately 1850 W 4400 N. The proposed improvement includes the water tank and new pump station. This property is owned by Staker & Parson Company.

The Planning Division recommends approval of file# CUP 2022-01, consideration, and action on a conditional use permit for the construction of a 3.0M gallon water reservoir and a pump house for Bona Vista Water. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. The applicant shall maintain the site with a good visual appearance and structural integrity.
2. The applicant shall adhere to all Federal, State, and County ordinances.
3. The applicant shall show proof of consent from Staker Parsons to the proposed conditional use on their property
4. The applicant shall show proof of consent from Rocky Mountain Power to the proposed changes in access through their property.

This recommendation is based on the following findings:

1. The proposed use conforms to the Weber County Code.
2. The proposed use will not cause harm to the natural surroundings.
3. The proposed use will not be detrimental to the public health, safety, or welfare by adhering to State and County regulations.
4. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
5. The proposed use will not deteriorate the environment of the general area to negatively impact surrounding properties and uses.

2-8-2022 Minutes

Bren Edwards makes a motion to approve CUP: 2022-01 Consideration and action on a conditional use permit for the construction of a 3.0M gallon water reservoir and a pump house for Bona Vista Water. Sarah Wichern seconds the motion. Motion Passes Unanimously 7-0

3. Administrative items:

Chair Favero ask if there was any conflict of interest. Commissioner Edwards states that he leases part of this land. He has no financial gain from this amendment. The Planning Commission felt that there was no conflict of interest

3.1 LVL091521 - Request for final subdivision approval of Lilac Estates PRUD, consisting of 23 townhouse units and 15 storage units and an existing single-family dwelling. **Presenter Felix Lleverino.**

The applicant is requesting final approval of Lilac Estates Subdivision consisting of 23 townhome units and a single-family dwelling lot. The proposal includes 15 storage units that are to be used by the families who reside in the townhomes. Culinarywater will be provided by Taylor West Weber Water District and sewer service will be provided by Central Weber Sewer.

Per State Requirements, West Haven City was notified about this subdivision. The County Commissioners said to go on ahead with this project, even though West Haven objected to this development.

Motion was made by Sarah Wichern to approve LVL091521. Seconded by Wayne Andreotti. Motion is to approve with staff recommendations and findings.

Staff recommends final approval of Lilac Estates PRUD Subdivision consisting of 24 lots, and a 10.79-acre open space parcel. This recommendation is based on the review agency requirements and the following conditions:

1. **A Subdivision Improvement Agreement to accompany the final recorded plat,**
2. **An escrow account shall be created for all remaining improvements, including landscaping and right-of-way improvements along 3500 West Street.**
3. **The final plat shall depict a 20' trail easement on the north edge of the property that runs to the west edge of the development.**
4. **The HOA documents and CCR's are reviewed by the County Planning office and Attorney's office.**
5. **A signature block for Taylor West Weber Water District is placed on the final plat.**

This recommendation is based on the following findings:

1. **The proposed PRUD conforms to the West Central Weber County General Plan.**
2. **The proposal will not be detrimental to public health, safety, or welfare.**
3. **The proposal will not deteriorate the environment of the general area to negatively impact surrounding properties and uses.**

Motion passes 7-0.

3.2 LVR051321 - Consideration and action on a request for approval of an amended Open Space Preservation Plan for the Riverbend Cluster Subdivision, located at 900 S. 3600 W. **Presenter Felix Lleverino.**

The applicant is requesting approval of an amendment to the Open Space Preservation Plan for this subdivision. This proposal would facilitate that placement of a 3.7 acre public utility irrigation pond that is owned, managed, and maintained by Hooper Irrigation and will be used for a regional irrigation pond to serve local residents. The remaining 5-acre open space parcel is proposed to be owned individually, by a local farmer.

There is 63% open space, which is above the requirements for open space. There is a disputed area. The Open Space plan excludes this disputed area.

Ed Grampp, 11992 S C Drive, Draper, Utah. We have a farmer who says that he can farm this ag field. Commissioner Edwards states that he feels that the water conditions can't be met. There are big benefits to having Hooper Irrigation build a pond. Commissioner Favero says that many farmers are now using drip irrigation. There will likely be changes to Hooper Irrigation that will have to be addressed. New methods might bring changes. Water was provided by Hooper Irrigation. If we split some off for the pond, is there enough to provide pressurized water for both the lots and the ag space? Will we use River rights, or Hooper Water? Mr. Grampp—the details of the water are not being addressed in this. There is a condition on the final plat. We want to do it right. Commissioner Edwards said that he would like to see only one option. There are too many unknowns. Either stick with one or the other. Mr Grampp

2-8-2022 Minutes

says that we have enough water for all the lots. We will make sure that there is enough ag water. Commissioner Edwards states that we can add conditions as an option and to come back to the Planning Commission. Commissioner Favero says that we need to know how many acre feet in the river and in Hooper Irrigation.

Rex Seegmiller, 466 N 900 W Kaysville, Works for Hooper Irrigation. He says that Hooper Irrigation has adequate water for pressure irrigation. Mr Grampp says that we would like you to approve both, if you only approve 1, please approve Hooper Irrigation. Charlie Ewert states that if there is a minimal amount of water, it will comply with the Ordinance. One challenge is to add to an ordinance. The proposal is to stay in crop production. The farmer may not farm immediately. The farmer can bring water. We only need enough water to sprinkle the land so it does not turn to dust. Mr Grampp says that the land comes with 5 shares, probably enough to keep the dust down.

Commissioner Wichern motions to approve:

Staff recommends approval of this open space preservation plan amendment. This recommendation is based on the following conditions and finding:

- **The proposed open space preservation plan amendment conforms to the cluster code.**
- **The creation of an irrigation water holding pond owned, managed, and maintained by the Hooper Irrigation District will provide a mutually beneficial public utility.**
 1. **Minimal irrigation must be included in either plan to provide dust mitigation on open space**
 2. **Open Space plan shall exclude disputed area on the east side of open space B.**

Wayne Andreotti seconds the motion. Camie Jo Clontz, yes. Jed McCormick, yes. Chad Call, no. Sarah Wichern, yes. Bren Edwards, no. Andrew Favero, yes. Motion passes 5-2.

4. Legislative Items:

4.1 Public hearing to receive a recommendation from the Planning Commission regarding a rezone from A-1 to R-1-10, property located at 2851 W 3100 N, Plain City. **Presenter Steve Burton.**

This item is an applicant-driven request to amend the zoning map from A-1 to R-1-10 on 19.47 acres. The rezone, if approved, will result in the owner platting a 58 lot subdivision near Plain City limits.

Steve Burton says that Planning has requested that this subdivision tie in with roads and trails and a similar feel as JDC Ranch which is right next to it. This development includes a pocket park. We have asked for lot owners to agree to go into an agreement to be annexed by Plain City when the time comes. Nearby zoning has 10,000 and 12,000 square foot lots. Commissioner Edwards asks who will maintain the park. Steve Burton says that if there is an HOA, we will recommend that they maintain the park.

Commissioner Edwards motions to open the public hearing. Commissioner Wichern seconds the motion. All vote in favor 7-0

Chairman Favero asks for public to speak if they would like. There are no speakers from the public.

Commissioner Edwards motions to close the public hearing. Commissioner Clontz seconds the motion. All vote in favor 7-0

Commissioner Wichern states that she feels that the lots are too small and do not fit into the area. They have bad frontage. They have options of PRUD. Commissioner McCormick says that the first lot that he built on was 10,000 square feet. He feels that we need more affordability. Commissioner Edwards agrees, except there is no master development plan. Charlie Ewert says that item one mentions a development agreement.

Applicant Brad Brown, 719 W 63rd. Riverdale. We are open to look at other options. The trail can be behind or in front of homes. Commissioner Edwards says he spoke with the County Commissioners and they said that they would not vote on this until there is a master plan update. He also said that they feel strongly that they would like a similar feel to JDC Ranch subdivision. Commissioner Andreotti says that that lot size is ok. We might see small lots in the future. There is a need for affordable homes in this community. They need to be easily taken care of. This could generate a community feel. I would like to see an area for

2-8-2022 Minutes

community to gather. Mr Brown says that they want to get it right, we are willing to work on this. Commissioner Favero states that people will use nearby parks. We need affordable lots. Thank you, Mr Brown, for your time. Commissioner Edwards states that he would like a development agreement. Commissioner Wichern says that Trails are for running, walking, and riding bikes, not talking to your neighbor or watching out for cars backing out of the driveway. I am also not convinced that R10 is the way to go. Commissioner Favero states that there are good arguments on both sides. Maybe we should leave it in the hands of the Planning Department. They have heard our thoughts on this item.

Commissioner Edwards’s motions to follow staff recommendations and findings and allow staff to add other considerations that staff feels are necessary based on what was brought up by the Planning Commission tonight (2-8-2022).

Staff recommends that the Planning Commission forward a recommendation to the County Commission to approve the proposed rezone of approximately 19.47 acres from A-1 to R-1-10, File #ZMA 2021-10. This approval is based on the following conditions:

- 1. Prior to consideration by the County Commission, the owner will enter into a development agreement with the County, that development agreement showing an agreed upon public street and trail connection to the subdivision to the south. The development agreement will also include a statement that prohibits property owners from protesting annexation into Plain City at any point in the future.**

This recommendation may come with the following findings:

- 1. The proposal is not in conflict with the West Central Weber General Plan.**
- 2. The development is not detrimental to the overall health, safety, and welfare of the community.**

5. Public Comment for Items not on the Agenda: No Comments

6. Remarks from Planning Commissioners: Commissioner Andreotti had some questions about Taylor Landing. Also, there was an article that was Bureaucratic Bull. The Government has set money aside for the Great Salt Lake. 82% of the water goes for agriculture. They only contribute a small percent to the income of the State. I think that we need smaller lots to use less resources and less infrastructure. Long range forecast is for more drought. The Governor wants to purchase water rights from farmers. The General Plan is for the future. Why do we need 1 acre lots? We want our kids to be able to live out here. Let’s think about 10 years out. Look into the future. Commissioner Edwards recognized Scott Perkes for his “Stall of Fame” award. All staff deserves this recognition.

7. Planning Director Report: Meeting on 2/9/22 for General Plan. Also Appreciation Dinner on 2/10/22.

8. Remarks from Legal Counsel: No Comments

Adjourn to Work Session

W.S. 1 Randy Ropelato, 5100 W rezone to C-3

Steve Burton explains the rezone. Commissioner Edwards said the he spoke to the County Commissioners and they do not want to move on this until the General Plan is in place. The Commissioner feels that the commercial route is a good one. Commissioner Call stated that contractors need to be in strategic locations. This is a necessary business who need more space.

BJ R. the potential applicant from 4178 W 5950 S Roy. States that he has some items that would need to be outside. Can we use a pole barn for some storage?

Motion to adjourn by Bren Edwards. Second by Sarah Wichern. All agrees. Motion passed 7-0.

Respectfully Submitted,

June Nelson

Lead Office Specialist