

**3-1-2022 Minutes**

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

**Members Present:** Andrew Favero—Chair  
Wayne Andreotti  
Jed McCormick  
Sarah Wichern  
Cami Clontz

**Pledge of Allegiance**

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

1. **Minutes were approved for February 8, 2022. 5-0**
2. **Approval of Rules of Order; Commissioner Wichern motioned to approve Rules of Order. Commissioner McCormick seconded the motion. Motion passed 5-0 all in favor.**
3. **Administrative items:**
  - 3.1 **LVS042621** - Consideration and action on preliminary and final approval of Phase 2 of Smart Fields Subdivision (24 lots) located at 1740 S 4300 W. **Presenter Felix Lleverino.**

The applicant is requesting preliminary and final approval of Smart Fields Subdivision Phase 2 (24 lots) at approximately 1740 S 4300 West. The A-1 Zone requires a minimum of 40,000 square feet in area and a lot width of 150 feet per dwelling. However, the recently adopted subdivision code section called Connectivity Incentivized Subdivision (106-2-4), incentivizes the developer to follow the Planning Division recommendations regarding road alignments and connectivity. The incentive to the developer would allow them to retain the gross acreage calculations to determine the number of lots allowed within the subdivision. Up to ten percent of the gross developable acreage is not required to be omitted from the net developable acreage of the subdivision.

The Weber County Planning Division has posted final comments that will be addressed by plat revisions. Weber County Engineering comments are related to subdivision improvements for which the civil plans are under review for final construction requirements. Engineering would prefer to see one large retention area rather than several individual basins within each lot. The County Surveying Department will conduct a formal review of the final subdivision plat. The Weber Fire District requires that the civil plans include the existing and new fire hydrants.

Many of the Commissioners had questions about retention areas in each lot. Commissioner Clontz asked how big the retention areas are. Commissioner Wichern also wondered if they would be at the back or side of lots and if they would all be the same size.

Josh Wiscombe (Representative for developer Pat Burns), He stated that the size of the retention areas on each lot will be according to lot size. Their engineers felt that this would be a good plan. The Commissioners felt that they should have a requirement by the County Engineers. Commissioner Wichern asked if we can have 1 retention pond instead of many small ones. Commissioner McCormick asked if this was up to code. Planner Felix Lleverino stated that the Engineers will make a recommendation for the storm water.

Commissioner Favero calls for a motion. **Commissioner Wichern motions to table LVS042621 until engineering is satisfied with drainage and retention. Commissioner Clontz seconded the motion. Commissioner McCormick, yes; Commissioner Clontz, yes, Commissioner Wichern yes, Commissioner Favero, no; Commissioner Andreotti no. Motion passes 3-2 to table.**

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**3.2 LVB110921 - Consideration and action of final approval of Buffalo Run Subdivision (18 lots) located at 2400 S 4700 W. Presenter Felix Lleverino**

On December 14<sup>th</sup> 2021 the West Weber Planning Commission granted preliminary approval of Buffalo Run Subdivision with the conditions listed below. The Planning Division has provided descriptions for each condition that describes fulfillment of each:

- A final subdivision plat and civil plans are under review by all applicable County review agencies.
  1. The final civil plans are under review by applicable County review agencies.
- An annexation plat, bringing land into the Central Weber Sewer Improvement District, is under review by the County Surveyor’s Office.
  - The annexation plat is under review by the Weber County Surveyor’s Office.
- Before Buffalo Run may return for final approval, Taylor West Weber Water District and Hooper Irrigation shall provide a final will-serve letter.
  - A final will-serve letter from the culinary water district is attached as exhibit B.
  - A final will-serve letter from the Hooper Irrigation District is attached as exhibit C.
- Curb, gutter, and sidewalk are considered by Weber County Planning and Engineering. If applicable, the civil drawings shall include curb, gutter, and sidewalk.
  - 1) Curb, gutter, and sidewalk are required for all ROW’s within the Buffalo Run Subdivision. The final civil plans included as Exhibit D display fulfillment of this requirement.
- Under the direction of the County Engineer, a deferral for curb, gutter, and sidewalk is recorded for frontage on 4500 West.
  - The County Engineer will allow a deferral agreement for curb, gutter, and sidewalk fronting 4500 West.
- The final plat and civil plans are submitted to Hooper Irrigation.
  1. The developer has fulfilled this requirement.

Commissioner Andreotti asked about the east end of the property. Will there be a road? Also is the irrigation ditch that runs through the middle of the property used or abandoned. Commissioner Favero says that it is abandoned.

**Commissioner Favero called for a motion. Commissioner Andreotti motioned for the following: to follow staff recommendations and findings with the addition of an HOA to administer the retention pond.**

**Staff recommends final approval of Buffalo Run Subdivision, a proposal to create 18 residential lots. This recommendation is based on the following conditions:**

1. All subdivision improvements are complete or escrowed for before the subdivision plat is recorded.
2. The developer enter into a Monument Improvement Agreement with the County Surveyor’s Office.
3. An annexation plat, bringing land into the Central Weber Sewer Improvement District, is approved by the County Surveyor’s Office. The annexation plat shall be recorded before the subdivision plat is recorded.
4. A signature block for Taylor West Weber Water District is added to the dedication plat.
5. All Hooper Irrigation conditions of approval are satisfied.
6. The developer shall enter into a deferral agreement for curb, gutter, and sidewalk for improvements on 4700 West.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber General Plan.
2. The proposed subdivision complies with the applicable County codes.
3. The subdivision conforms to zoning and subdivision ordinances.

**The motion was then withdrawn.**

A representative for the owner said that they really don’t want an HOA. There is someone who says that they will take care of the retention pond. The Commissioners were concerned about the legality of this and if that would be best for all the lot owners. In the end, the representative said that they would work out an HOA to handle the retention pond.

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Commissioner Favero called for a motion. Commissioner Andreotti motioned to follow staff recommendations and findings with the addition included below:

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2. The developer enter into a Monument Improvement Agreement with the County Surveyor's Office.
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This recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber General Plan.
2. The proposed subdivision complies with the applicable County codes.
3. The subdivision conforms to zoning and subdivision ordinances.

HOA Documents are created for the retention basin are included and recorded with the final plat.

Commissioner McCormick seconded the motion. Motion passed 5-0.

#### Petitions, Applications, and Public Hearings:

#### 4. Legislative Items:

- 4.1 ZMA 2021-05:** A public hearing for consideration of a requested rezone from A-2 to C-3 located at approximately 1941 S 5100W, Ogden. **Presenter Steve Burton**

On December 14, 2021, the Planning Commission denied a proposal on this same property for a rezone to the M-2 zone to allow outdoor storage, contractor's equipment storage yard including rental of equipment used by contractors, and warehousing. The reason for denial was because the proposal to M-2 was not in compliance with the West Weber General Plan.

The applicant has now submitted a request for a rezone to C-3. The purpose for this zone is for the future owner to have a contractor shop, provided the work is conducted within a completely enclosed building. The owner is also requesting that the county allow limited outdoor storage, through a development agreement, on this property because the C-3 zone does not allow outdoor storage of materials or contractor equipment.

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 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.

Commissioner Wincher states that she agrees with the Planning Department that this item should not be voted on until the new General Plan is in place. The Commissioners asked the owner, Mr Ropelato if it would be better for him if the item was tabled or

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voted on. Mr Ropelato states that he would just like to get this passed and resolved.

**Motion was made by Commissioner Wichern to open the Public Hearing. Commissioner Andreotti seconded the motion. Motion passed 5-0.**

There was no public comment.

**Commissioner Andreotti motioned to close the Public Hearing. Commissioner Clontz seconded the motion. Motion passed 5-0.**

**Commissioner Favero called for a motion on the item. Commissioner Wichern motioned to table the item ZMA 2021-05, until after the General Plan for Western Weber is established and passed by the County Commission. Commissioner McCormick seconds the motion. Motion passed 5-0.**

**5. Public Comment for Items not on the Agenda: none**

**6. Remarks from Planning Commissioners:** Commissioner Andreotti speaks about an article in the Deseret News about housing. People want their kids to be able to live close by. Small lots are on the horizon. Housing is so expensive. More people want to live in Utah. Planning needs to embrace everyone's needs. People want neighborhoods and communities. Other Commissioners agree stating that we need homes for Utah not California. The Master Plan is the key.

**7. Planning Director Report: no remarks**

**8. Remarks from Legal Counsel: no remarks**

**9. Training by Legal Council:** County Attorney Keogh spent some time talking about Public Clamor, Legislative and Administrative items.

**10. Adjourn to Work Session to discuss General Plan. Commissioner McCormick made the motion to adjourn to work session. Commissioner Wichern seconded the motion. Motion passed 5-0.**

Respectfully Submitted,

*June Nelson*

Lead Office Specialist