

## WESTERN WEBER PLANNING COMMISSION MEETING

### MEETING AGENDA

October 17, 2023

Pre-meeting 4:30/Regular meeting 5:00 p.m.



- *Pledge of Allegiance*
- *Roll Call:*

#### 1. Minutes: 7-11-2023; 9-19-2023

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

##### 2. Consent items:

**2.1 LVS061423** - Consideration and action on a request for a recommendation of final approval of Stage Coach Estates Subdivision Phase 2, consisting of **35** lots located at approximately 1800 South 3800 W, Ogden. **Planner: Tammy Aydelotte**

**2.2 LVS061523** - Consideration and action on a request for a recommendation of final approval of Stage Coach Estates Subdivision Phase 3, consisting of **28** lots located at approximately 1800 South 3800 W, Ogden. **Planner: Tammy Aydelotte**

**2.3 LVS061623** - Consideration and action on a request for a recommendation of final approval of Stage Coach Estates Subdivision Phase 4, consisting of **26** lots located at approximately 1800 South 3800 W, Ogden. **Planner: Tammy Aydelotte**

##### 3. Public Comment for Items not on the Agenda:

##### 4. Remarks from Planning Commissioners:

##### 5. Planning Director Report:

##### 6. Remarks from Legal Counsel

##### Adjourn to Work Session

**WS1:** Winston Park, Phase 2. **Applicant: Wade Rumsey**

**WS 2-** A discussion regarding the development agreement standards of the Longhorn Estates rezone proposal related to the Vaquero Village Phase 1 Subdivision. **Planner: Felix Lleverino**

**WS 3:** discussion on Anselmi Acres Phase 3 rezone located at 1600 S 4300 W. **Applicant: Jake Young**

**WS 4:** Discussion regarding an amendment to the agritourism ordinance, and allowed zones, to add specificity and reduce opportunities for unintended consequences. The amendments modify the allowed uses, the require acreage, and adds additional standards for agritourism operations.

#### Adjourn

*The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.*

*Public comment may not be heard during administrative items. Please contact the Planning Division Project Manager at 801-399-8374 before the meeting if you have questions or comments regarding an item.*

**A Pre-Meeting will be held at 4:30 p.m.** The agenda for the pre-meeting consists of discussion of the same items listed above, on the agenda for the meeting. No decisions are made in the pre-meeting, but it is an open public meeting.

***In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8374***

## Meeting Procedures

### Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

### Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

### Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

### Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

### Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

### Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

## Commenting at Public Meetings and Public Hearings

**Public comment may NOT be heard during Administrative items, the Planning Division Project Manager may be reached at 801-399-8371 before the meeting if you have questions or comments regarding an item.**

### Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

### Speak to the Point:

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments, then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

### Handouts:

- ❖ Written statements should be accurate and either typed or neatly handwritten with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record shall be left with the Planning Commission.

### Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.

July 11 -2023 Minutes

Minutes for Western Weber Planning Commission meeting of July 11, 2023, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 5:00 pm.

**Members Present:** Bren Edwards—Chair, Andrew Favero-Vice Chair, Jed McCormick, Casey Neville, Wayne Andreotti, Sarah Wichern.

**Members Excused:** Cami Clontz

**Pledge of Allegiance**

**Staff Present:** Charlie Ewert, Principal Planner; Steve Burton, Principal Planner; Bill Cobabe, Planner; Felix Lleverino, Planner; Liam Keogh, Attorney; Marta Borchert, Secretary

**1. Minutes: June 13. 2023 Approved**

**Petitions, Applications, and Public Hearings:**

**2. Consent items:**

2.1 DR 2023-03 – A request for consideration and possible action a design review application to expand an existing manufacturing building in the Weber Industrial Park (Chromalox building) located at 2150 N Rulon White Dr. Planner: Bill Cobabe

**MOTION:** Andrew Favero moved to approve the consent item as presented. Jed McCormick seconded. Motion passed (6-0)

**3.1 LVA042723: Consideration and action on a request for preliminary approval of Anselmi Acres Subdivision, consisting of 37 lots located at approximately 4100 W 1400 S. Planner: Steve Burton**

Mr. Burton stated that request for preliminary approval of Anselmi Acres Subdivision, consisting of 37 lots located at approximately 4100 W 1400 S. This application was accepted for review by the Planning Division on April 27, 2023. Prior to the owner submitting the application a rezoning ordinance (from A-1 to RE-15) and development agreement were approved by the County Commission on March 14, 2023. The applicant is requesting preliminary subdivision approval of 37 lots. The applicant has provided the water and sewer will-serve letters that are required for preliminary approval. The following is an analysis of this project and how it complies, or does not comply, with county ordinance requirements and previous approvals. On June 13, 2023 the Western Weber Planning Commission tabled a decision on a request for preliminary subdivision approval so that the applicant could present a phasing plan at the next meeting. The proposed phasing plan is shown on the following page for consideration.

Staff recommends that the Planning Commission grant preliminary approval of both phases of the Anselmi Acres subdivision. The recommendation is based on the following conditions: 1. The donation to the parks district listed in the development agreement will be paid by the developer before the Phase 1 subdivision plat records. 2. The building setback along 1400 S shall be shown on the final plat as a 37 foot front yard setback. 3. The final plat will reflect the development standards that were approved as part of the development agreement (eight foot side yard setbacks for dwellings). 4. Phase 2 will not receive a recommendation for final approval until an approved emergency egress is provided for those lots to have a second access.

**MOTION :** Commissioner Sarah Wichern moves to grant preliminary approval of both phases of the Anselmi Acres subdivision. The recommendation is based on the following conditions: 1. the donation to the parks district listed in the development agreement will be paid by the developer before the Phase 1 subdivision plat records. 2. The building setback along 1400 S shall be shown on the final plat as a 37 foot front yard setback. 3. The final plat will reflect the development standards that were approved as part of the development agreement (eight foot side yard setbacks for dwellings). 4. Phase 2 will not receive a recommendation for final approval until an approved emergency egress is provided for those lots to have a second access. 5. The plan must meet the substandard road ordinance, including improvements for 1400 S. Motion seconded by Commissioner Neville.

The following findings are the basis for the staff's recommendation:

1. The proposed use conforms to the Western Weber General Plan.
2. The proposal will not be detrimental to public health, safety, or welfare.
3. The proposal will comply with applicable County ordinances.
4. The proposed design implements quality development standards and will not deteriorate the environment of the general area to negatively impact surrounding properties and uses.

Motion passed 6-0.

**Petitions, Applications, and Public Hearings:**

**4. Legislative Items:**

**4.1 ZMA2023-03: A request for consideration and action on amendments to the Smart Fields Zoning Map Amendment concept plan and the provisions of the model motion. Planner: Felix Lleverino**

Felix Lleverino gives an overview. The Smart Fields Zoning Map Amendment was presented before the Planning Commission on March 14th 2023. In that meeting, the planning commission forwarded a positive recommendation to the County Commission with the conditions stated in model motion #2. The Smart Fields concept plan with the altered alignment of 1700 South and the approved model motion #2 are included with the memo as Exhibits C and D. On June 16th the Weber County Planning Division and the developer, Mr. Dade Rose, held a meeting in the Planning Office to discuss pathway and roadway alignments within the Smart Fields development because M. Rose feels that adequate connectivity and efficient roadway alignments are accomplished by the concept plan in Exhibit A. Mr. Rose requests that the Planning Commission consider an amendment to the conditions stated in the model motion and that they consider accepting the concept plan as shown in Exhibit A. Should the Planning Commission decide to accept the new concept plan, the Planning Staff recommends approving the revised model motion in Exhibit B to better reflect the intentions of the Smart Fields development plan.

This development is designed to utilize the connectivity-incentivized subdivision ordinance that requires street and pathway design for efficient vehicle and pedestrian commuting. The staff has reviewed that section of the subdivision code for conformity. The topics below are from the code with added commentary on how the development plan generally complies. Street Blocks: A development plan should be designed to facilitate the creation of neighborhood blocks that are a maximum of 660 feet from one intersection to the other. The Smart Fields concept plan performs well to this test. The distance of block lengths ranges from 305' to 555'. Street Efficiency: The alignment of roads within a connectivity-incentivized development should be designed to facilitate the shortest connections possible. The concept plan shows multiple connections to the 4300 West major collector street and stubs for future streets from the 1600 South and 1700 South minor neighborhood collector streets. Intersections: The Smart Fields plan is designed to place four-way intersections where possible while still providing connections to adjacent existing roads. Directional continuity: The street entry and exit points to this development are in the same direction so they provide users with a consistent direction of travel. Permanently terminal streets: Dead-end streets and cul-de-sacs are not present within the Smart Fields concept plan. Alignment and connection to other streets: Streets alignments are designed to connect to existing streets, specifically 4300 West, and 1725 South. The Smart Fields street plan is inclusive of the Halcyon Estates, and Anselmi Acres street plans. Pathways and sidewalks: A mix of street adjacent and mid-block pathways are designed to fulfill this requirement. The concept plan in Exhibit A displays three 15' mid-block pathways and 10' street adjacent pathways strategically placed at 400' or fewer intervals. A discussion between and developer and the planning division highlighted a possible pedestrian crossing safety issue that could result at the intersection of 1600 South and 1700 South where they would cross 4300 West. A push button-activated crossing at designated locations could serve as a viable solution

Chair Edwards states that he would like a condition added that a parks donation taken care of prior to the execution of the development agreement.

Planning Commissioners Neville asks the Applicant if he has anything to add.

Dave Rose, states that he is happy to answer any questions. He states that he would like to put the money for the parks district in when the development agreement is signed.

**MOTION:** Commissioner Favero moves to forward a positive recommendation to the County Commission. Before consideration by the County Commission, the owner will voluntarily enter into a development agreement with the County; that development agreement will include provisions listed below: a. That the concept plan includes a 15' pathway entry-point at the corner of 4400 West and 1700 South b.

Approved \_\_\_\_\_

WESTERN WEBER PLANNING COMMISSION

The number of lots shall not exceed the gross area divided by a 1/3 acre (minimum lot size for a 'Medium-size' lot). c. The development agreement will specify that the R1-15 zoning will govern the allowed uses. d. Agricultural uses governed by the RE-15 zone code are permitted within the Smart Fields Development on lots greater than 20,000 sq. ft. e. The final layout of streets and infrastructure shall conform to the County Commission approved concept plan. f. Push button activated crossings for 4300 West are placed at designated locations. g. The streets shall be lined with trees, spaced at a distance so that, at maturity, their canopies touch. The trees shall be of a species that are deep-rooting and have a high likelihood of survival, given the unique characteristics of the soils. h. The park strips shall have six-inch angular rock or other stable ground covering that is acceptable by the Planning Director and the County Engineer. i. Multiple elements of water-conserving landscape measures, provided in the Smart Fields Landscape Guide, are implemented for all of the lots within the development. And an added condition that the donation to the park district be made available at the time of the development agreement approval and execution. The findings that it meets the general plan.

Commissioner McCormick seconds. Motion carries (6-0)

**4.2 ZMA 2023-08: A public hearing to consider a proposal to rezone 25.08 acres from A-1 Agricultural to R1-15 Residential zone, property located at 600 S 4700 W, Ogden. Planner: Steve Burton**

Steve Burton gives an overview of the proposal. On April 5, 2023 the application was accepted for review. On June 13, 2023, the applicant met with the Western Weber Planning Commission in work session. Prior to submitting the application, the applicant and their professional engineer met with the Planning Division staff to discuss the public street layout. The applicant has also met with, and received direction from UDOT regarding the proposed residential accesses onto 4700 W. This report contains an analysis of the proposal as it relates to the Weber County code

Commissioner Wichern moves to forward a positive recommendation that street regulation with trails is agreed upon with planning staff. A parks donation is agreed upon with the Parks District. UDOT shall be asked to approve right in right out access at 500 S. with the findings that this proposal meets the General Plan. Commissioner McCormick seconds. Motion carries (6-0)

**4.3 ZTA 2023-04: A public hearing to consider county initiated ordinance amendment to implement water wise landscaping regulations that align with the Weber Basin Water Conservancy District turf removal incentives. Planner: Steve Burton**

Steve Burton gives an overview of the proposal. Weber Basin Water Conservancy District is administering water-wise landscaping incentives to communities that have adopted specific landscaping requirements intended to restrict the use of irrigated turf grass. The attached ordinance amendments will implement Weber Basin’s landscaping requirements for municipalities and counties to adopt, and if adopted, will allow residents in unincorporated Weber County to participate in the District’s “Flip your Strip” and “Landscape Lawn Exchange” programs. The most notable change to the current landscaping regulations is the addition of 108-7-12 titled “Water-wise Landscaping”. This section restricts new single-family residential developments from having no more than 35 percent of the front and side yard of a lot or parcel to include irrigated turf grass, and no more than 3,000 square feet of total lot area to be irrigated turf grass. The section also restricts commercial, industrial, institutional, and multi-family residential developments to having no more than 15 percent of the total landscaped area to be irrigated turf grass.

Commissioner Wichern asks why they decided on 6 inch angular rock. Mr. Burton states that it was suggested by County Engineering. Commissioner Wichern states that it rare for people to use that size of rock and it is difficult to find. It’s hard to find a decorative zone with different sizes and colors and shapes. She adds that it is limiting the options to large river rock and she is not sure that it will be aesthetically pleasing. She has not notices small rocks being a problem. It would be best to stick to what Weber Basin is recommending. Mr. Burton notes that Weber Basin is only concerned about grass not being planted, they did not specify what type. Commissioner Neville notes that the 6 inch rock is harder to get. Bark is a bad idea. He adds that he is also concerned for safety, kids falling on the 6inch rock is dangerous. There needs to be more options. Mr. Burton states that he is happy to look into different options. He notes that this section applies to the commercial and multifamily institutional uses and they would like to see that uniform across the board. In a normal residential single family, they just can’t use turf grass. They have more options.

Concerning the limitation of turf grass Commissioner Wichern states that it is hard for to put a limitation on that because they are not enough parks and the children need grassy fields to play. It is a sensitive point. She states that this is not the place to regulate it. We need Water Districts to step up. Chair Edwards states that he likes it and this is the direction they need to go. We live in a drought we need to act like it, as Commissioner Andreotti stated previously.

Commissioner Favero moves to open the public hearing. Commissioner McCormick seconds. Motion carries (6-0)

Chair Edwards asks if there are any comments, there are none.

Commissioner Favero moves to close the public hearing. Commissioner Neville seconds. Motion carries (6-0)

Approved\_\_\_\_\_

Commissioner Wichern moves to forward a positive recommendation for 4.3 ZTA 2023-04: A public hearing to consider county initiated ordinance amendment to implement water wise landscaping regulations that align with the Weber Basin Water Conservancy District turf removal incentives. With the addition of two recommendations 1. That section 108-2-5 item F number 1. The minimum be 2 inch angular rock be altered to allow more options and that 108-7-12 item A instead of stating no more than 3000 sq. ft. of total lot area it states not greater than 3000 sq. ft. or 35 percent of total lot area. Commissioner McCormick seconds.

Commissioner Andreotti and Chair Edwards vote nay. Commissioner Wichern, Commissioner Favero, Commissioner McCormick, Commissioner Neville vote aye. Motion carries (4-2)

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

**6. Remarks from Planning Commissioners:** Commissioner Andreotti states that they need to get serious about affordable housing. There are two recommendations. Eight houses per acre. A hawkish look at impact fees. He notes that they need to figure it out or somebody is going to tell them what to do. Chair Edwards states that they do not want incomplete items brought before them. Commissioner McCormick states that a checklist would be good. Other Planning Commissioners agree. Mr. Ewert states he is working with IT.

**7. Planning Director Report:** Mr. Ewert states that updated General plan with Black Pine updates has been approved. The Black Pine Development is not yet signed but it is on its way. The new General Plan will be on the website shortly. County Commission updated the future land use map.

**8. Remarks from Legal Counsel:** none

**Adjourn to Work Session**

**WS1: Ali Farms-Zoning Map Amendments**

Steve Burton states that the first step in the rezone process is to do a work session, he notes that no one has been assigned to work on the project yet. The owner will be presenting, and is present to get some feedback.

Mr. Ewert states that they met some part of the applicant’s team and part of the reason staff believed they should go to work session was because they have the new general plan and the street regulating plan for the form based area and have them overlap. For this particular piece of land, staff and the applicant want to know is how flexible they are with boundaries of the village. Are they comfortable with R1-15 zoning instead of form based zoning? It comes down to how closely they want to follow the planning maps.

Phil Holland 590 N Kays Drive, Kaysville UT states that he is the owner of the property, and he is glad to be present. He notes that over a year and half ago they got a preliminary approval on this project. During that time, the update on the General Plan was occurring, so they decided to hold off and get the preliminary approval. He notes that he would like to point out a few things. There are stubbed roadways and UDOT is likely only going to allow the one access. To the south that area is in need of utilities. They have met with the county commissioners to see what is available. County Commission advised them to hold off until the General Plan was complete. To the south they have land dedicated for a sewer lift station. Hooper irrigation has an easement through this 26 acres. In the plan it is shown as trail. He adds that they would like that amenity for the pedestrians. This proposal meets the General Plan. This is in an area where they need to start to define the town center area. He has heard discussion of this being town homes or commercial. He adds that they are willing to pioneer. They are willing to do some of the major utilizes provide the land for them. He states that they created this plan will feedback from County staff.

Mr. Ewert overlays the formbased map over the development. County Commission has decided that the want to grow the village center from the inside out. This proposed development is just a bit far out and Staff is not sure how the County Commission would feel about that. He notes that there is some ambiguity there. He explains how the form based code would be laid out. He asks how closely they want to follow the form based lay out.

Commissioner McCormick states if they don’t put commercial on 4700, they will to put commercial on the other side of the road. There will be a room full of angry people. Chair Edwards’s notes that the other side of the road is meant to stay open. It is meant to be open ground, a public park. Commissioner Wichern states that there is a lot of validity, but there is not enough density. The roads cannot handle the density. Commissioner Favero states that he agrees with Commissioner

Approved\_\_\_\_\_

McCormick they need to start somewhere. Charlie Ewert states that there are options. Commissioner Andreotti states that they need to be careful they don't want to end up like Ogden. Chair Edwards states that commercial is going to go where the traffic is. He states that he feels that this proposal fit the General Plan. Commissioner McCormick states that he agrees. Commissioner Neville states that they need to look at more affordable housing and this development would check more of the boxes. Commissioner Favero states that what they are presenting fits the area the way it is now but his disagreement with is that he would hate to lose the area as it is designated in the general plan. Because of the density it is important to keep those areas as planned in the General Plan, either that or do an in lieu of. They could go with this plan here and move the commercial area to one of the form based areas. Losing those area would be the wrong thing to do within the General Plan. Mr. Ewert states that the County pushed pause on the rezone for the landowner across the street because the landowner owes the County some money. He notes that if they make things to hard for that landowner they might get tired and divide it by one acre parcels. He states that they need to be sure to be open to more options. He states that he will work with Phil to get the R-3 on the front, the R1-15 behind that and make some adjustment to the ingress and egress for emergency services. Chair Edwards states that problem with the canal is that it is probably not structural pipe, and it likely won'y support the weight of the fire truck. Mr. Ewert states that they could have the developer provide a pathway that will be able to support emergency services vehicles.

**WS2: the Halcyon Open Space Rezone.**

Bill Cobabe states that this was 10 acres of approved open space which was part of the original Halcyon Estates subdivision. The owners stated that having 10 acres of farm in between the other subdivisions is not the best use of the land. They want to know if the Planning Commission and the County Commissioner would be interested in rezoning the property and develop it out in a similar pattern to what other developments in the area are seeing. He shares the overall roads plan that Engineering has been working on. Interconnectivity is shown in these plans.

Chair Edwards asks if the street trees have been planted in the first phase. It will be a sticking point until its done. Mr. Cobabe defers to the representative Tyler Brenchley.

Mr. Brenchley states that his understanding was that they were to escrow the money, and make sure the owners were aware of it. He added that there was no agreement for the developer to mandate that trees be put in. They were going to provide the funds and the information to do it. As the developer they were not going to go in and put the trees in. He adds that they are willing to dig up the landowners yard if that is what the planning commissioners want. He adds that they are willing to use the tree funds and send them over to the parks. They are open to it. They are open to whatever is best for the community.

Steve Burton states that the County is not going to force the developer to do anything, they will just hang on to the money until it is done.

Mr. Brenchley states that he feels they met the commitments by escrowing the funds.

Commissioner Wichern states that concerning the road connections, there are a lot of the bulb outs and streets that aren't connecting. She asks that they help her understand why they have that in that area. 1725 S is not going through. They have between 1600 and 1700 without any streets going through and it is isolated. Mr. Brenchley states that there are homeowners that own that property. The cul de sac does not go to the property line. Mr. Ewert states that the Planning Commissioners can require that pathway to be a stub. That makes it easier for the county to go in aquire, whether it is through eminent domain or negotiations. He adds that they are fine with it because they are more worried about the pedestrian connectivity. Commissioner Neville states that he fine with the pathway and he does not feel comfortable with the eminent domain

**Adjourn**

**Respectfully Submitted,  
Marta Borchert**

Approved\_\_\_\_\_

September 19, 2023

Minutes for Western Weber Planning Commission meeting of September 19, 2023, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 5:00 pm.

**Members Present:** Bren Edwards-Chair; Andrew Favero—Vice Chair, Cami Clontz, Jed McCormick, Sarah Wichern, Casey Neville  
**Excused:** Wayne Andreotti

**Staff Present:** Charlie Ewert, Principal Planner; Steve Burton, Principal Planner; Bill Cobabe, Planner; Tammy Aydelotte, Planner; Felix Lleverino, Planner; Liam Keogh, Attorney; June Nelson, Secretary

**Pledge of Allegiance**

1. **Minutes:** August 8, 2023 APPROVED

**Petitions, Applications, and Public Hearings:**

2. **Consent Items**

**2.1 LVT060523** - Consideration and action on a request for a recommendation of final approval of the Taylor Landing Cluster Subdivision Phase 4, consisting of 28 lots and the dedication of Phase 4 open space, in the A-1 zone. Project is located at approximately 4000 W 2200 S, Ogden, UT, 84401. **Planner: Tammy Aydelotte**

**2.2 LVT060623** - Consideration and action on a request for a recommendation of final approval of the Taylor Landing Cluster Subdivision Phase 5, consisting of 31 lots and the dedication of Phase 5 open space, in the A-1 zone. Project is located at approximately 4000 W 2200 S, Ogden, UT, 84401 **Planner: Tammy Aydelotte**

**2.3 LVS061323** – Consideration and action on a request for a recommendation of final approval of Stagecoach Estates Phase 1, consisting of 27 lots in the R-1-15 zone. Project is located at approximately 1800 S 3800 W, Ogden, UT, 84401. **Planner: Tammy Aydelotte**

**2.4 DR 2023-09:** Consideration and action on a request for design review approval of the Washington Heights Church auditorium addition, located at 1770 E 6200 S, Ogden. **Planner: Steve Burton**

**All consent items were approved. Motion made by Andrew Favero and seconded by Jed McCormick. Motion to approve passed 6-0**

**Petitions, Applications, and Public Hearings:**

3. **Administrative items:**

**3.1 LVS060823:** Consideration and action on a request for preliminary approval of the Singletree Acres Subdivision (25 lots) located at 2200 S 4520 W. **Planner: Felix Lleverino**

A rezone of this property was presented to the Western Weber Planning Commission on December 13<sup>th</sup>, 2022. On January 10<sup>th</sup>, 2023, the rezoning request returned to the Planning Commission at which time it received a unanimous positive recommendation.

This rezone proposal was presented to and unanimously approved by the County Commission on May 30<sup>th</sup>, 2023. Then returned before the County Commission on September 5<sup>th</sup>, 2023 to approve a revised version of the development agreement that specified the developer's responsibilities regarding the future pathway connection to the new Weber County High School.

The applicant is requesting preliminary approval of the Singletree Acres Subdivision (25 lots) at approximately 2200 South 4520 West.

This is designed within the bounds of the R1-15 Zone Code which allows for lots as small as 9,000 square if within a connectivity incentivized development such as this. This development plan shows lots that are no smaller than 10,600 square feet in area and no less than 80' in width, which is compliant with Section 106-2-4.030 regulating connectivity incentivized subdivisions.

Selected portions of the Singletree development agreement are attached as Exhibit E. It contains specific development standards unique to the Singletree Acres Subdivision. Subdivision design elements such as pathways, street trees, and road designs are part of the development agreement

September 19, 2023

**Chair Edwards called for a motion. Commissioner Favero motioned to pass this item with all the recommendations and findings in the staff report. Motion was seconded by Commissioner McCormick.**

Staff recommends preliminary approval of Singletree Acres Subdivision, a proposal to create 25 residential lots. This recommendation is based on the following conditions:

1. A final subdivision plat and civil plans are under review by all applicable County review agencies before requesting a positive recommendation for final approval from the planning commission.
2. An annexation plat, bringing land into the Central Weber Sewer Improvement District, is under review by the County Surveyor’s Office before requesting a positive recommendation for final approval from the planning commission.
3. Before the Singletree Subdivision proposal may return for final approval, final will-serve letters from the culinary, secondary, and sewer providers shall be submitted.

The following findings are the basis for the staff’s recommendation:

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.

**Motion passed 6-0**

**3.2 LVJ070523:** Consideration and action on a request for preliminary approval of the Orchards at JDC Ranch Phase 1 and Villas at JDC Ranch Phase 1, located at 2850 W 2600 N, Plain City (unincorporated Weber County). **Planner: Steve Burton**

The application was accepted for review on July 5, 2023. Since that time, staff reviews have been conducted and the applicant has been working to address staff review comments. The Orchards at JDC Phase 1 includes 64 cluster single family cottage lots with 6.2 acres of open space. The Villas at JDC Ranch Phase 1 includes 110 attached patio homes.

Including both of these phases, the Master Developer is platting 174 out of the 725 units allowed under the development agreement, leaving 551 residential units left to plat in other phases of development. The proposal follows the development agreement that has been recorded to the property. The following is an analysis of the project and how it complies with the land use code and development agreement.

**Chair Edwards called for a motion. Sarah Wichern motioned to pass with the all the recommendations and findings in the staff report. Motion was seconded by Cami Clontz. Motion passes 6-0**

**The Planning Division recommends preliminary approval of the Orchards at JDC Ranch Phase 1 and Villas at JDC Ranch Phase 1 located at 2850 W 2600 N, Plain City.**

**This recommendation for approval is subject to all review agency requirements and based on the following conditions:**

1. **The applicant will need to show the playground area and the amount of grass to be included in the park in the Orchards at JDC Ranch before final subdivision approval.**
2. **Final letters of approval shall be submitted from the culinary and secondary water providers prior to recording the final plat.**
3. **Approved subdivision improvements shall be installed, or an escrow established for their installation prior to recording the final plat.**
4. **The applicant will be required to indicate the types of trees that will be installed in the park strips.**

**This recommendation is based on the following findings:**

1. **The proposed subdivision conforms to the Western Weber General Plan.**
2. **The proposed subdivision complies with applicable County ordinances and development agreement.**

**3.3 LVM04222021 – Request for preliminary approval of Mountain Views Subdivision Phase 1, consisting of 21 lots, located at approximately 1900 S 7500 W, Ogden, UT, 84401. Planner: Tammy Aydelotte**

September 19, 2023

The applicant is requesting preliminary approval of Mountain Views Land and Livestock Subdivision, consisting of 21 lots. This application was originally submitted back in April 2021. The preliminary approval expired April 10, 2023. Subdivision fees have been paid again. This proposal includes connection to a county, dedicated road (5100 West St), and creation/continuation of two county-dedicated roads (1900 South St, 7650 West St) located at approximately 1900 S 7500 W in the A-2 Zone.

7650 West Street will have a cul-de-sac at the south end, and 1900 South Street will eventually connect further west (approximately 3 miles to the west is where 1900 South Street continues west), at some point in the future. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The lot widths and areas in this proposed lot-averaged subdivision exceed the minimum requirements for a lot-averaged subdivision in the A-2 zone. The following is a brief synopsis of the review criteria and conformance with LUC.

As this proposed subdivision has sole access off of a dead-end street. Planning is working with the applicant to establish an additional egress to the east, connecting to the crossing approximately 2.5 miles east of the proposed development, around 5900 West St. An escrow and associated improvements guarantee agreement will be recorded with the final plat, ensuring installation of this secondary egress prior to issuance of any building permits by the County. The funds initially set aside to egress to the west crossing will be used towards a bridge over the crossing to the east.

John Price- Developer 646 S 7900 W Ogden. It was Mr Price’s understanding that the County Commission said that he could forgo the road going west and do the bridge instead. Mr Price could escrow for a bridge to go over the river instead. The escrow was to be a portion of the amount for the bridge. There will be no building permits until the bridge is built. He feels that the road will probably not get used. It is either build a road to the west or escrow for a portion of the bridge. Commissioner Favero says that he is concerned about the railroad crossing. The closest one is a private crossing for ag use. He is concerned about safety, the residents being able to get out quick if necessary. The railroad crossing is often blocked. There should be an egress going west. Charlie Ewert states that the County Code says that there needs to be an egress approved by the fire chief and the county engineer. Mr Price states that the bridge is a high priority. There is enough of a road that we could get people out of there if needed.

**Chair Edwards called for a motion. Andrew Favero motions the following: I motion to approve this item with staff recommendations and the following**

**Staff recommends preliminary approval of Mountain Views Land and Livestock Subdivision, a lot-averaged subdivision, consisting of 21 lots, located at approximately 1900 S 7500 W, Ogden, UT. This recommendation is subject to all review agency requirements, and the following conditions:**

1. **A table must be shown on the final plat, showing lot area and widths for all lots within this subdivision, along with the calculated average for each. It must be noted, under the name of the subdivision, that this is a lot-averaged subdivision on the final plat.**
2. **Draft improvement plans shall be submitted to the County Engineer prior to final approval from the County Commission**
3. **A signature block for the culinary water authority shall be shown on the final plat.**
4. **There will be an egress to 10800 W as was proposed earlier.**
5. **There is approval by fire and engineering for Weber County**

**This recommendation is based on the following findings:**

1. **The proposed subdivision conforms to the Western Weber General Plan**
2. **The proposed subdivision complies with applicable county ordinances**

**Motion was seconded by Jed McCormick. There was a split vote. Andrew Favero, Jed McCormick and Bren Edwards were for. Casey Neville, Cami Clontz, and Sarah Wichern were against. Motion fails.**

**A motion was made by Sarah Wichern. The motion was seconded by Cami Clontz.**

**It will include both item 3.3 and 3.4 LVM04222021 based on all the staff recommendations and findings in the preliminary and final agreements for both items. This is with the additional recommendations the egress to the east be reviewed and approved by engineering and fire prior to County Commission. The vote was 4-2 against. For- Sarah Wichern, Cami Clontz. Against, Casey Neville, Andrew Favero, Bren Edwards, Jed McCormick.**

September 19, 2023

Sarah Wichern offered to amend her motion and only include the preliminary item 3.3. Cami Clontz seconded the motion.

1. A table must be shown on the final plat, showing lot area and widths for all lots within this subdivision, along with the calculated average for each. It must be noted, under the name of the subdivision, that this is a lot-averaged subdivision on the final plat.
2. Draft improvement plans shall be submitted to the County Engineer prior to final approval from the County Commission
3. A signature block for the culinary water authority shall be shown on the final plat.
4. There will be an egress to 10800 W as was proposed earlier.
5. There is approval by fire and engineering for Weber County
6. This is with the additional recommendations the egress to the east be reviewed and approved by engineering and fire prior to County Commission

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan
2. The proposed subdivision complies with applicable county ordinances

This motion passed 4-2. Andrew Favero and Jed McCormick voting no. Bren Edwards, Sarah Wichern, Casey Neville and Cami Clontz voting for the motion

**3.4 LVM04222021** – Request for a recommendation of final approval of Mountain Views Subdivision Phase 1, consisting of 21 lots, located at approximately 1900 S 7500 W, Ogden, UT, 84401. **Planner: Tammy Aydelotte**

As this proposed subdivision has sole access off of a dead-end street. Planning is working with the applicant to establish an additional egress to the east, connecting to the crossing approximately 2.5 miles east of the proposed development, around 5900 West St. An escrow and associated improvements guarantee agreement will be recorded with the final plat, ensuring installation of this secondary egress prior to issuance of any building permits by the County. The funds initially set aside to egress to the west crossing will be used towards a bridge over the crossing to the east.

Motion is made by Sarah Wichern and seconded by Cami Clontz.

Staff recommends final approval of Mountain Views Land and Livestock Subdivision, a lot-averaged subdivision, consisting of 21 lots, located at approximately 1900 S 7500 W, Ogden, UT. This recommendation is subject to all review agency requirements, and the following conditions:

1. A table must be shown on the final plat, showing lot area and widths for all lots within this subdivision, along with the calculated average for each. It must be noted, under the name of the subdivision, that this is a lot-averaged subdivision on the final plat.
2. Installation of all required improvements, an escrow approved by County Engineering, or a combination of both is required prior to going before the County Commission for final approval. This includes a signed Improvements Guarantee Agreement.
3. A development agreement, that details the egress to the crossing at approximately 5900 West St, shall be recorded with the final plat, including an exhibit showing the area being dedicated and the expected improvements to be made by the developer, and will be finalized prior to appearing before the County Commission for final approval. Funds towards a bridge over this crossing shall be held in escrow by the County as part of this agreement.
4. A signature block for the culinary water authority shall be shown on the final plat.
5. Egress is approved by engineering, fire and Union Pacific for emergency use prior to County Commission.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan
  2. The proposed subdivision complies with applicable county ordinances
- Motion passes 5-1 with Commissioner Favero voting no.

September 19, 2023

**Petitions, Applications, and Public Hearings:****4. Legislative items:**

**4.1 ZMA 2023-11 Halcyon Open Space – PUBLIC HEARING** - Discussion and possible action on a request for approval of a zoning map amendment to rezone 10 acres of property located at approximately 1600 S 4150 W, Ogden from A-1 (Agricultural) to RE-15 (Residential, roughly 15,000 square foot lots). **Planner: Bill Cobabe**

On March 3, 2023 the application was accepted for review. On June 11, 2023, the applicant met with the Western Weber Planning Commission in work session. Prior to submitting the application, the applicant and their professional engineer met with the Planning Division staff to discuss the public street layout. This report contains an analysis of the proposal as it relates to the Weber County codes.

This original PRUD, which established this property as open space and which was used for overall density on the property, also called for street trees to be installed in the public right of way on all public roads in the subdivision.

The developer has not yet resolved this outstanding condition, in spite of repeated staff and Planning Commission requests for resolution. County Code Section 104-27-6 (b) states that in exchange for density bonuses, the following shall be required (emphasis added):

***Roadway landscape design plan.*** Implementation of an approved roadway landscape and design plan that includes, but is not necessarily limited to, vehicle and pedestrian circulation, lighting, and street trees of an appropriate species, size of at least a two-inch caliper, and quantity of not less than eight trees for every 100 feet of road length

Street trees were required as a part of this initial subdivision approval and the developer posted a \$38,000 bond for their installation. The developer has several options to resolve this concern, including working with the Park District to install the trees elsewhere (on a park area, for example), install the trees as required by the Code, work out an alternate planting program with property owners, etc. None of these proposals has been agreed upon and no alternative has been presented. Staff feels that this is an adverse impact on the adjacent properties and could be grounds for denial of this requested zone change.

Further, the PRUD received smaller lots due in part to this open space. In considering whether or not to allow the rezone, then we must consider rezoning the entire original subdivision so those other PRUD lots will be conforming. Staff would recommend that, if this is the direction the Planning Commission would like to see the rezone take, that the item should be tabled until those neighboring land owners can be notified that their property is also the subject of the rezone. Planner Bill Cobabe states that he usually does not recommend a denial, but in this case he feels that a denial is appropriate.

Staff recommends that the Planning Commission deny the requested zoning map amendment application, based on the following:

1. That the Future Land Use Map of the General Plan does not match the requested zone change.
2. The developer has not resolved the street tree requirement for the existing subdivision, and changing the zoning of the property would have a negative impact on the adjacent and existing subdivision, which is out of compliance with County Code.

Casey Neville motioned to open the public hearing. Motion was seconded by Sarah Wichern.

Roger Heslop, 1657 S 4700 W. This ground was set up as open space, under the general plan. Because of proximity, the fee should be higher. He has met with developer and the park district. Will support the development as long as conditions are met.

Brad Nelson, Giorgio Street. There have been false promises with this subdivision. We were told there would be a park and trees. We were not told that there would be smaller lots close by.

Jake Larson 1700 S. 1 acre lots. Promises were made. It should stay 1 acre lots.

Brad Brown 719 W 4300 S. I support this project. We are trying to do the best we can. Connectivity is an important part of the plan. We don't want unused open space.

Approved \_\_\_\_\_

September 19, 2023

**Motion was made by Casey Neville and seconded by Jed McCormick to close the public hearing.**

Commissioner Edwards said that he can't see it meeting the density unless TDRs are brought to the property. Commissioner Wichern agreed. And was concerned about how the first phase was developed.

**Commissioner Neville motioned a denial. It was seconded by Jed McCormick with the findings in the staff report.**

I move that we deny File # ZMA 2023-11, an applicant driven rezone application to amend the zoning map on 10 acres from A-1 to the RE-15 zone, property located at approximately 1600 S 4150 W, Ogden. **I do so with the following findings:**

- The proposal is not adequately supported by the General Plan.
- The proposal is not supported by the general public.
- The proposal runs contrary to the health, safety, and welfare of the general public.
- The area is not yet ready for the proposed change to be implemented.

**Motion passed 6-0 to deny.**

**4.2 ZMA 2023-13 Ali Farms – PUBLIC HEARING** – Discussion and possible action on a request for approval of a zoning map amendment to rezone 25.21 acres of property located at approximately 900 S 4700 W, Ogden from A-1 (Agricultural) to RE-15 (Residential, roughly 15,000 square foot lots). **Planner: Bill Cobabe**

On June 15, 2023 the application was accepted for review. On June 11, 2023, the applicant met with the Western Weber Planning Commission in work session. Prior to submitting the application, the applicant and their professional engineer met with the Planning Division staff to discuss the public street layout. This report contains an analysis of the proposal as it relates to the Weber County codes.

Mr Cobabe passed out a letter from the parks department offering support for this project. Commissioner Neville asked what the planning commission role is concerning parks This letter really has no teeth. Bill Cobabe said that as stipulated, we add parks into the requirements for approval.

**Cami Clontz motioned to open a public hearing. It was seconded by Sarah Wichern. Motioned passed 6-0**

**There were no comments.**

**Casey Neville motioned to close a public hearing. It was seconded by Cami Clontz. Motioned passed 6-0**

The only comment was that we should amend the motion to add #6 from an email that was sent out earlier in the week.

**Sarah Wichern motioned and Jed McCormick seconded the following motion:**

**Staff recommends that the Planning Commission approve the requested zoning map amendment application, based on the following:**

1. **The proposal implements certain goals and policies of the West Central Weber General Plan.**
2. **The development is not detrimental to the overall health, safety, and welfare of the community. And with**

**the following stipulations:**

1. **The Applicant voluntarily follows the county's street connectivity incentivized subdivision regulations.**
2. **The concept plan represents the approved general development plan regarding the placement of streets and pathways.**
3. **Additional pathways (and/or streets) need to be added to the concept plan to meet the minimum intent of the street connectivity incentivized subdivision regulations.**
4. **The applicant will donate their committed parks donation to the park district prior to plat recordation.**
5. **In the R-3 zone, the applicant is limited to no more than 18 units per acre (or a pro-rata share of the acres, i.e., ½ acre would allow for 9 units).**

September 19, 2023

**6. That the developer shall enter into a development agreement for the property addressing, among other things, the need for an emergency egress for the property due to the lack of interconnectivity to additional streets/points of egress.**

**Motion passed 6-0**

**4.3 ZMA 2023-07:** A public hearing to consider a proposal to rezone 7.44 acres from the A-2 (Agricultural) zone to the R-3 (Residential), C-1 (Commercial) and MPD Overlay Zone, property located 3300 S 3500 W, Ogden. . **Planner: Steve Burton**

On January 10, 2023, the Western Weber Planning Commission held a work session and the proposal was presented to the Planning Commission by the applicant.

On February 28, 2023, the application for a rezone was accepted for review. The proposal is for the property to be rezoned to R-3 to allow for townhomes, with C-1 along 3500 W and 3300 S. When the application was initially submitted to the County, planning staff requested that the applicant work with West Haven City to discuss incorporation. The applicant has had several conversations with West Haven City about annexation, as the property is located within the West Haven City annexation area.

The applicant has chosen to move forward with the request to the county without seeking annexation. The applicant has provided letters of acknowledgement from the secondary water provider, culinary water provider, sewer provider, and a letter of support from the local park district.

The surrounding area consists mainly of agriculture, except the area to the north is zoned C-1 (West Haven City) and R-2.5 (West Haven City) which includes a mixed-use development called Hylands Ranch Subdivision with a commercial lot and single family lots at approximately 10,000 square feet per lot.

The Western Weber General Plan anticipated a small scale mixed-use development similar to Hylands Ranch Subdivision in West Haven. The proposal to rezone to C- 1 with townhomes behind the buildings should not be too incompatible with existing development in the area.

When the application for rezoning was initially submitted, planning staff met with West Haven City who expressed that the property is in their annexation area and intended to be commercial (C-2) as shown on the City’s general plan map. Planning staff recommended that the owner work with the city to have the property annexed. It is the understanding of the county staff that the developer went to work session with the city, but did not receive enough positive feedback on the project to want to annex.

**Sarah Wichern motions to open the public hearing. Motion was seconded by Camie Clontz. Motion passed 6-0.**

Sheri Phippen 3900 W West Haven. West Haven Community Development Director. There is a planned road to facilitate E-W traffic. There is already funding for this road. The development will effect that road and infrastructure. Emphasis needs to be on commercial development. West Haven would ask to table until traffic issues can be worked out.

Dave Prevaldal- Hooper. I own property near the project. I am speaking for 7 other people. We control the ag property in the area and have interest in the project. We want to protect this. Our way of life is being compromised. We need a planned comprehensive proper development.

Pat Burns- 2702 N Burn Lane. Charlie and staff are on top and thorough with roads and connectivity. Also, I have nothing to do with this development.

Toby Malisky- I represent the sellers. Owners have received funds for the road projects.

Rob Vanderwood, West Haven. This is a mixed use commercial not residential. This plan has changed several times. The County needs to stick with the general plan.

Andy 3200, East of property. I don’t support this. The elementary school nearby is already too full.

Approved\_\_\_\_\_

September 19, 2023

**Casey Neville motioned to close the public hearing. Motion was seconded by Sarah Wichern. Motion passed 6-0**

Planner Steve Burton stated that we have received a letter from Central Weber Sewer. For a rezone, we only require a letter saying that sewer is available. Commissioner Edwards says that this is in West Haven Sewer boundary. Commissioner Wichern says that school is her number one concern. We have no effect on the schools. Townhomes and apartments usually have fewer kids than single family homes. The memo from West Haven says that the area says single family homes.. Their general plan says commercial. Steve Burton states that West Haven general plan says commercial. Commercial Edwards says that there was some work done in a work session in January. The plan was conceptual at the work session. The surrounding properties have places for business-commercial corridor. I feel that this needs to stay commercial. There is some confusion when working with surrounding cities.

Commissioner Neville says that our primary responsibility is to the community- to our neighbors. There are some businesses in the area. I am not ready for either commercial or residential. Planner Steve Burton states that we as a County planning office are well aware of the roads and connections. These are NOT apartments, but townhomes. The school district is buying land in the west side of the County. Townhomes are where the owners own from the ground to the sky. Charlie Ewert says that we know that this area is planned for mixed use. We gave the developers directions to go to West Haven. We are at a difference in timing. We don't want to do anything against West Haven. Other options were discussed. The developer went to a work session with the County Commissioners and they said to get the process going.

Rick Steadman-developer. A lot of things that have been said are not true or maybe enhanced. The units will be two bedroom for sale, not for rent. We donate 5 acres to West Haven for roads in another development. We offered to sell property to the city, but they turned us down. This relies on businesses and doors for this to work. I grew up out here and I want something that people can be proud of. We need affordable housing. People want to live out here. This is the right product. As for sewer, we will get what we need.

Chair Edwards says that schools are crowded. We can't work with the schools Commissioners Wichern asks if we can ask people to donate to the schools. Charlie Ewert says that State Code forbids it. We can't make developers responsible for schools. Commissioner Wichern stated that she had driven in the area and she was not impressed with the quality of the area built near the project. There are no trees and they buildings look like cheap construction. Commissioner Clontz says that her biggest concern is the school. Chair Edwards says that his concern is the sewer. He also thinks that the area need to be left commercial use.

**Casey Neville motions to deny based on the staff report below. Seconded by Chair Edwards.**

**I move that we deny File # ZMA 2023-07, an applicant driven rezone application to amend the zoning map on 7.44 acres from A-2 to the C-1, R-3, and MPD overlay zone, property located at 3300 S and 3500 W, Ogden. I do so with the following findings:**

**Examples of findings for denial:**

- **The proposal is not adequately supported by the General Plan.**
  - **The proposal is not supported by the general public.**
  - **The proposal runs contrary to the health, safety, and welfare of the general public.**
  - **The area is not yet ready for the proposed change to be implemented.**
- Adding that it does not meet the intention of the general plan and inadequate infrastructure.**

**Commissioner McCormick said that he thinks that it is unfair to turn down this item, maybe we should table this.**

**Motion is denied on a 3-3 vote. Commissioners Wichern, McCormick and Favero voting no. Commissioners Edwards, Neville and Clontz vote.**

September 19, 2023

I move that we **table** action on File # ZMA 2023-07, an applicant driven rezone application to amend the zoning map on 7.44 acres from A-2 to the C-1, R-3, and MPD overlay zone, property located at 3300 S and 3500 W, Ogden.

Examples of reasons to table:

- We have more time to talk with West Haven
- The applicant can get us more information on sewer options.

Motion passes 6-0 to table this item.

**5. Public Comment for Items not on the Agenda:**

Toby 775 W 17 St Unit B Ogden. Schools were not mentioned on the other items.

**6. Remarks from Planning Commissioners:** Reminder about the APA Conference on Sept 28, 29.

**7. Planning Director Report: APA Conference**

**8. Remarks from Legal Counsel ; No Comment**

Adjourn

Adjourn

Respectfully Submitted,

*June Nelson*

Lead Office Specialist

Approved \_\_\_\_\_



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** File No. LVS061323: Consideration and action on a request for a recommendation of final approval of Stagecoach Estates Subdivision Phase 2, consisting of 35 lots in the R-1-15 zone. Project is located at approximately 1800 S 3800 W, Ogden, UT, 84401.

**Type of Decision:** Administrative

**Agenda Date:** Tuesday, October 10, 2023

**Applicant:** Pat Burns

**File Number:** LVS061423

### Property Information

**Approximate Address:** 1800 S 3800 W

**Project Area:** 13.457 acres

**Zoning:** Residential (R-1-15) Zone

**Existing Land Use:** Agricultural

**Proposed Land Use:** Residential

**Parcel ID:** 15-057-0006

**Township, Range, Section:** T6N, R2W, Section 21

### Adjacent Land Use

<b>North:</b> Agricultural	<b>South:</b> 1800 South
<b>East:</b> Residential/Agricultural	<b>West:</b> Residential

### Staff Information

**Report Presenter:** Tammy Aydelotte  
 taydelotte@webercountyutah.gov  
 801-399-8794

**Report Reviewer:** SB

## Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 12, Residential (R-1-15) Zone
- Weber County Land Use Code Title 106 (Subdivisions)

## Background and Summary

5/30/2023 – Development agreement and zoning map amendment application was approved by the County Commission.

6/13/2023 – Subdivision application accepted by Weber County Planning Division.

8/8/2023 – Preliminary approval granted by the Western Weber Planning Commission.

9/19/2023 – Phase 1 given a recommendation of final approval by the Western Weber Planning Commission.

The applicant is requesting a recommendation of final approval of Stagecoach Estates Subdivision Phase 2, consisting of 35 lots, located at approximately 1800 S 3800 W, Ogden. This proposal meets the lot standards requirements of a connectivity-incentivized subdivision. The lot widths range from 60'- 160'. The area of lots range from 6,390-16,651 square feet. This request for a recommendation of final approval has not deviated from their preliminary approval granted earlier, includes Parcel A, which will be dedicated to the County to be used as a public pathway.

## Analysis

General Plan: The proposal conforms to the Western Weber General Plan by proposing street and pathway/trail connectivity (2022 Western Weber General Plan, Pages 46 - 47). The developer has met with the Western Weber Parks District and offered to donate funds (approximately \$2,000/lot) toward park improvements (Parks and Recreation Principle 1.1, See Western Weber General Plan, pg 129). A letter from the Taylor West Weber Parks District shall be submitted to Weber County, indicating a received donation towards improvement/expansion of the Parks District.

Zoning: The R-1-15 zone allows for Connectivity-Incentivized Subdivision Development. This ordinance also includes provisions in the lot-averaged subdivisions section of the Weber County Land Use Code. The overall average must be a minimum 15,000 square feet. The developer shall provide a table of lot averages for each phase as well as for the overall development that shall be shown on the plat. Lot sizes can be as small as 9,000 square feet, as well as minimum lot width to be 60 feet. The area of lots range from 6,390-18,411 square feet.

Culinary water and sanitary sewage disposal: A final will-serve letter has been provided for the sanitary sewer from Central Weber Sewer, for the proposed subdivision (see Exhibit B). A final will-serve letter for culinary water, dated 7/31/2023, (see Exhibit B) has been provided by Taylor West Weber Water Improvement District. Per Taylor West Weber, a requirement for final approval for culinary water, is that pressurized secondary water must be provided to each lot. Hooper Irrigation has provided a preliminary will-serve letter (see Exhibit B), dated 7/11/2023. The culinary water will-serve letter states that the applicant must provide pressurized secondary water to each lot. A condition of approval has been added to the staff recommendation that requires a final approval letter from Hooper Irrigation be submitted prior to receiving final approval from the County Commission.

Review Agencies: The subdivision application will be required to comply with all review agency requirements, including County Engineering's requirements to annex into Central Weber Sewer District, and address any potential wetlands issues, prior to receiving final approval from the County Commission.

Additional Design Standards: The applicant shall comply with the recorded development agreement, and additional requirements from Planning and Engineering regarding street standards, and pathways throughout the development. The recorded development agreement includes pathways, various roadway widths, as well as street trees. The development agreement also spells out 8-foot wide park strips, and 6-inch angular rock mulch. The proposed subdivision does not deviate from the recorded development agreement, nor the preliminary approval already issued.

Street trees are part of this development, per the approved development agreement. Developer shall install high water table street trees along all streets in the subdivision, at an interval so that the specific tree species' canopies touch at their maturity. This improvement shall be either installed or bonded for, prior to appearing before the County Commission for final approval.

Street cross-sections include Streets A, C, and F at 66' wide, including a 10' pathway on one side and a 4' sidewalk on the other. Streets B, D, E at 60' wide with 5' wide sidewalks on each side.

All improvements shall be escrowed for, installed, or a combination of both prior to appearing before the County Commission for final approval.

## Staff Recommendations

Staff recommends final approval of Stage Coach Estates Subdivision Phase 2, consisting of 35 lots. This recommendation is based on all review agency requirements, including those outlined in this staff report, and the following conditions:

1. Submittal to the County of an executed agreement regarding open space improvements with the Western Weber Parks District prior to recording the final plat.
2. An unconditional final approval letter from Taylor West Weber or signed mylar by the district, prior to recording the final plat.
3. Proof of annexation into Central Weber Sewer District shall be submitted prior to going before the County Commission for final approval.
4. A street tree plan, per the recorded development agreement, shall be submitted, and escrowed for prior to appearing before the County Commission for final approval.
5. An escrow of funds for all required required improvements (including pathway and landscaping improvements) installation of required improvements, or a combination of both shall be submitted, along with an Improvements Guarantee Agreement, signed by the applicant, shall be submitted to the County prior to scheduling for final approval with the County Commission.

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 applicable county ordinances.

## Exhibits

- A. Proposed final subdivision plat

# Area Map







## Analysis

General Plan: The proposal conforms to the Western Weber General Plan by proposing street and pathway/trail connectivity (2022 Western Weber General Plan, Pages 46 - 47). The developer has met with the Western Weber Parks District and offered to donate funds (approximately \$2,000/lot) toward park improvements (Parks and Recreation Principle 1.1, See Western Weber General Plan, pg 129). A letter from the Taylor West Weber Parks District shall be submitted to Weber County, indicating a received donation towards improvement/expansion of the Parks District.

Zoning: The R-1-15 zone allows for Connectivity-Incentivized Subdivision Development. This ordinance also includes provisions in the lot-averaged subdivisions section of the Weber County Land Use Code. The overall average must be a minimum 15,000 square feet. The developer shall provide a table of lot averages for each phase as well as for the overall development that shall be shown on the plat. Lot sizes can be as small as 9,000 square feet, as well as minimum lot width to be 60 feet. The area of lots range from 6,000-18,411 square feet.

Culinary water and sanitary sewage disposal: A final will-serve letter has been provided for the sanitary sewer from Central Weber Sewer, for the proposed subdivision (see Exhibit B). A final will-serve letter for culinary water, dated 7/31/2023, (see Exhibit B) has been provided by Taylor West Weber Water Improvement District. Per Taylor West Weber, a requirement for final approval for culinary water, is that pressurized secondary water must be provided to each lot. Hooper Irrigation has provided a preliminary will-serve letter (see Exhibit B), dated 7/11/2023. The culinary water will-serve letter states that the applicant must provide pressurized secondary water to each lot. A condition of approval has been added to the staff recommendation that requires a final approval letter from Hooper Irrigation be submitted prior to receiving final approval from the County Commission.

Review Agencies: The subdivision application will be required to comply with all review agency requirements, including County Engineering's requirements to annex into Central Weber Sewer District, and address any potential wetlands issues, prior to receiving final approval from the County Commission.

Additional Design Standards: The applicant shall comply with the recorded development agreement, and additional requirements from Planning and Engineering regarding street standards, and pathways throughout the development. The recorded development agreement includes pathways, various roadway widths, as well as street trees. The development agreement also spells out 8-foot wide park strips, and 6-inch angular rock mulch. The proposed subdivision does not deviate from the recorded development agreement, nor the preliminary approval already issued.

Street trees are part of this development, per the approved development agreement. Developer shall install high water table street trees along all streets in the subdivision, at an interval so that the specific tree species' canopies touch at their maturity. This improvement shall be either installed or bonded for, prior to appearing before the County Commission for final approval.

Street cross-sections include Streets A, C, and F at 66' wide, including a 10' pathway on one side and a 4' sidewalk on the other. Streets B, D, E at 60' wide with 5' wide sidewalks on each side.

All improvements shall be escrowed for, installed, or a combination of both prior to appearing before the County Commission for final approval.

## Staff Recommendations

Staff recommends final approval of Stage Coach Estates Subdivision Phase 3, consisting of 28 lots. This recommendation is based on all review agency requirements, including those outlined in this staff report, and the following conditions:

1. Submittal to the County of an executed agreement regarding open space improvements with the Western Weber Parks District prior to recording the final plat.
2. An unconditional final approval letter from Taylor West Weber or signed mylar by the district, prior to recording the final plat.
3. Proof of annexation into Central Weber Sewer District shall be submitted prior to going before the County Commission for final approval.
4. A street tree plan, per the recorded development agreement, shall be submitted, and escrowed for prior to appearing before the County Commission for final approval.
5. An escrow of funds for all required required improvements (including pathway and landscaping improvements) installation of required improvements, or a combination of both shall be submitted, along with an Improvements Guarantee Agreement, signed by the applicant, shall be submitted to the County prior to scheduling for final approval with the County Commission.

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 applicable county ordinances.

## Exhibits

- A. Proposed final subdivision plat

# Area Map







## Analysis

General Plan: The proposal conforms to the Western Weber General Plan by proposing street and pathway/trail connectivity (2022 Western Weber General Plan, Pages 46 - 47). The developer has met with the Western Weber Parks District and offered to donate funds (approximately \$2,000/lot) toward park improvements (Parks and Recreation Principle 1.1, See Western Weber General Plan, pg 129). A letter from the Taylor West Weber Parks District shall be submitted to Weber County, indicating a received donation towards improvement/expansion of the Parks District.

Zoning: The R-1-15 zone allows for Connectivity-Incentivized Subdivision Development. This ordinance also includes provisions in the lot-averaged subdivisions section of the Weber County Land Use Code. The overall average must be a minimum 15,000 square feet. The developer shall provide a table of lot averages for each phase as well as for the overall development that shall be shown on the plat. Lot sizes can be as small as 9,000 square feet, as well as minimum lot width to be 60 feet. The area of lots range from 6,390-18,411 square feet.

Culinary water and sanitary sewage disposal: A final will-serve letter has been provided for the sanitary sewer from Central Weber Sewer, for the proposed subdivision (see Exhibit B). A final will-serve letter for culinary water, dated 7/31/2023, (see Exhibit B) has been provided by Taylor West Weber Water Improvement District. Per Taylor West Weber, a requirement for final approval for culinary water, is that pressurized secondary water must be provided to each lot. Hooper Irrigation has provided a preliminary will-serve letter (see Exhibit B), dated 7/11/2023. The culinary water will-serve letter states that the applicant must provide pressurized secondary water to each lot. A condition of approval has been added to the staff recommendation that requires a final approval letter from Hooper Irrigation be submitted prior to receiving final approval from the County Commission.

Review Agencies: The subdivision application will be required to comply with all review agency requirements, including County Engineering's requirements to annex into Central Weber Sewer District, and address any potential wetlands issues, prior to receiving final approval from the County Commission.

Additional Design Standards: The applicant shall comply with the recorded development agreement, and additional requirements from Planning and Engineering regarding street standards, and pathways throughout the development. The recorded development agreement includes pathways, various roadway widths, as well as street trees. The development agreement also spells out 8-foot wide park strips, and 6-inch angular rock mulch. The proposed subdivision does not deviate from the recorded development agreement, nor the preliminary approval already issued.

Street trees are part of this development, per the approved development agreement. Developer shall install high water table street trees along all streets in the subdivision, at an interval so that the specific tree species' canopies touch at their maturity. This improvement shall be either installed or bonded for, prior to appearing before the County Commission for final approval.

Street cross-sections include Streets A, C, and F at 66' wide, including a 10' pathway on one side and a 4' sidewalk on the other. Streets B, D, E at 60' wide with 5' wide sidewalks on each side.

All improvements shall be escrowed for, installed, or a combination of both prior to appearing before the County Commission for final approval.

## Staff Recommendations

Staff recommends final approval of Stage Coach Estates Subdivision Phase 4, consisting of 26 lots. This recommendation is based on all review agency requirements, including those outlined in this staff report, and the following conditions:

1. Submittal to the County of an executed agreement regarding open space improvements with the Western Weber Parks District prior to recording the final plat.
2. An unconditional final approval letter from Taylor West Weber or signed mylar by the district, prior to recording the final plat.
3. Proof of annexation into Central Weber Sewer District shall be submitted prior to going before the County Commission for final approval.
4. A street tree plan, per the recorded development agreement, shall be submitted, and escrowed for prior to appearing before the County Commission for final approval.
5. An escrow of funds for all required required improvements (including pathway and landscaping improvements) installation of required improvements, or a combination of both shall be submitted, along with an Improvements Guarantee Agreement, signed by the applicant, shall be submitted to the County prior to scheduling for final approval with the County Commission.

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 applicable county ordinances.

## Exhibits

- A. Proposed final subdivision plat

# Area Map





# MEMO

**Date:** October 10, 2023

**To:** Western Weber Planning Commission

**From:** Felix Lleverino

**Re:** Zoning Map Amendment Application – Longhorn Estates

The Weber County Commission held a public work session meeting on September 18<sup>th</sup>, 2023 where there was discussion over the on-site and off-site improvements that will be included with the Longhorn Estates Development Agreement.

The primary reason for the County Commission Work Session revolved around the concerns raised by the local residents who reside within a neighboring development called Vaquero Village Cluster Subdivision Phase 1. Western Weber residents who organized the work session item raised several issues that exist within the Vaquero Village development, namely the unfinished subdivision improvements and the improvements that are not functioning properly.

The County Commission agrees that the Longhorn Estates development agreement should include standards for the completion of the Vaquero Village Cluster Subdivision Phase 1 improvements.

On October 10<sup>th</sup>, 2023 the Western Weber Planning Commission will review and discuss details of the Longhorn Estates Development Agreement. Staff has prepared examples of the language that will be included in the development agreement. The development agreement attached in Exhibit A provides more details on each topic listed below:

1. Vaquero Village Phase 1 sidewalks
2. Vaquero Village Phase 1 pathways
3. Vaquero Village Phase 1 secondary water system
4. Vaquero Village Phase 1 stormwater management system
5. The zoning map amendment for Longhorn Estates would be made revokable, if.....

The Longhorn development standards for on and off-site subdivision improvements will be helpful in fostering a positive performance record for the developer while allowing them to move forward with the plans they have to change the zoning district from the Agricultural (A-2) to the Residential Estates (RE-15). The total amount of land included in the Longhorn Estates zoning map amendment is 76 acres.

Exhibit A

7. Development Standards and Use Restrictions

7.1 Public Improvements Required within Vaquero Village Phase 1

7.1.1 Street right-of-way improvements

1. A ten-foot concrete sidewalk is installed on the east side of 7100 West Street.
2. The ten-foot pathway as shown on the Vaquero Village Cluster Subdivision 1<sup>st</sup> Amendment plat is installed.
3. A bond for the ten-foot concrete sidewalk and the ten-foot pathway is created with the Weber County Engineering Department as part of the Longhorn Estates.

7.1.2 Secondary water system

1. The secondary water system is redesigned to conform to the private water system industry standards and approved by the County Engineer.
2. The secondary water system is placed under the management of an entity that is capable of regular monitoring, maintenance, and repairs.
3. A bond for the cost of the secondary water system upgrades is created with the Weber County Engineering Department as part of the Longhorn Estates.

7.1.3 Stormwater detention and management

1. Drainage canals are made to prevent water from pooling on the west edge of the subdivision.
2. Drainage canals designed to move water from the west edge of Vaquero Village Phase 1 are connected to a functioning drainage that is connected to the larger regional drainage canal.

7.2 Public Improvements Required in Longhorn Estates

7.2.1 Street right-of-way improvements

1. Improve the east half of 7500 West to the 80' right-of-way width public works specifications or otherwise voluntarily comply with the county's substandard street ordinance in Section 106-2-2.040 (c).
2. 7100 West Street is dedicated as an 80' right-of-way and extends to the northern property line.
3. A pathway is dedicated and constructed on or adjacent to the canal property.
4. A street connection is made to the east subdivision boundary
5. Street adjacent pathways and mid-block pathways are dedicated and constructed to conform to section 106-2-3.

7.2.2 Landscaping

1. The developer shall create a landscape guide in accordance with the water-wise landscaping and irrigation system design of the Weber Basin Water Conservancy District.
2. All lots within the development will implement water-wise landscaping measures.

3. Each lot owner shall submit a landscape plan with the building permit application for the primary structure.
4. Developer agrees to create an HOA. The association shall be given the responsibility and authority to review and approve all final landscape proposals and shall enforce the same. The HOA shall also be responsible for landscape maintenance along all pathway easements.

### 7.3 Parks and Open Space

#### 7.3.1 Voluntary Contributions

1. The Parties agree that as part of the mutual consideration of this agreement and the rezone to which it is linked, the Developer will make a donation to the local park district before the final plat recordation. This donation may be actual funds, in-kind contribution, or any other equitable arrangement as mutually agreeable by the park district and developer, as evidenced in writing to the County from the park district.

### 7.4 Developer Performance

#### 7.4.1 Revocation of Zoning District

1. All unfinished and inoperable subdivision improvements within the Vaquero Village Cluster Subdivision Phase 1 are completed and made operable.
2. As a result of non-conformity, the zoning classification will be reverted back to its previous classification.



REVISIONS	DESCRIPTION

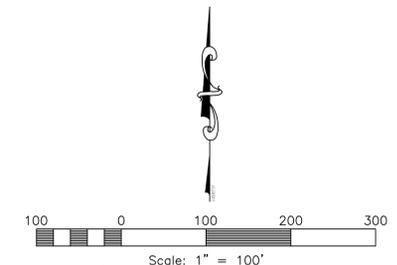
**Longhorn Estates**  
 PART OF THE SE 1/4 OF SECTION 14 T.6N, R.3W, S.LB & M., U.S. SURVEY  
 WEBER COUNTY, UTAH

**Concept Plan**

**Revised: June 20, 2023**

**Project Info.**  
 Engineer: N. Reeve  
 Planner: C. Cove

Date: 3-16-23  
 Name: LONGHORN ESTATES  
 Number: 6298-23



# Longhorn Estates

Weber County, Utah

**Developer:**  
 Pat Burns  
 Lync Development  
 1407 N Mtn. Rd  
 Ogden, UT. 84404  
 (801) 710-2234

# Vaquero Village Cluster Subdivision - 1st Amendment

A part of the Southwest Quarter of Section 14, T6N, R3W, SLB&M, U.S. Survey  
Weber County, Utah  
July 2020



Scale: 1" = 80'



Graphic Scale

### OWNERS DEDICATION

We the undersigned owners of the herein described tract of land, do hereby set apart and subdivide the same into Lots, Parcels, Open Space, Common Area and Public Streets as shown on the plat and name said tract Vaquero Village Cluster Subdivision - 1st Amendment and do hereby grant and convey to Weber County a perpetual right and easement on and over the Open Space parcels for agriculture preservation easements to guarantee to Weber County that the Open Space parcels remain open and undeveloped except for approved agricultural, recreational, and open space purposes except to be used and maintained by the owner of said parcel(s) for approved agricultural purposes, and also do grant and dedicate a perpetual right and easement over, upon and under the lands designated hereon as public utility easements, the same to be used for the maintenance and operation of public utility service line and storm drainage facilities, whichever is applicable as may be authorized by the governing authority, with no buildings or structures being erected within such easements, and further dedicate to public use all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares. We also Dedicate, Grant and convey to the subdivision lot (unit) owners association, all those parts or portions of said tract of land designated as common areas to be used for recreational and open space purposes for the benefit of each lot (unit) owners association member in common with all others in the subdivision and grant and dedicate to the county a perpetual open space right and easement on and over the common areas to guarantee to Weber County that the common areas remain open and undeveloped except for approved recreational, parking and open space purposes.

We also dedicate and grant to Weber County all these parts or portions of said tract designated as public pathways, the sum to be used for pedestrian trails and public use as may be authorized by Weber County

Signed this 20th Day of August, 2020.

*Riley Skinner*  
Riley Skinner - Owner  
Lot 19

*Emily Skinner*  
Emily Skinner - Owner  
- Lot 19 -

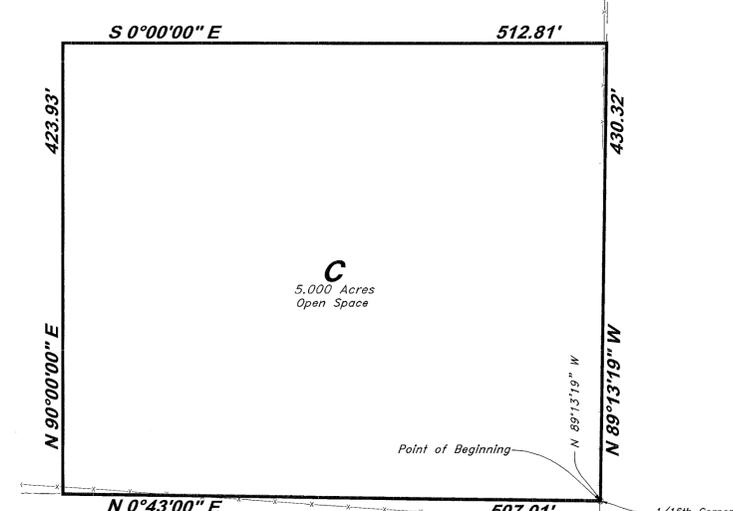
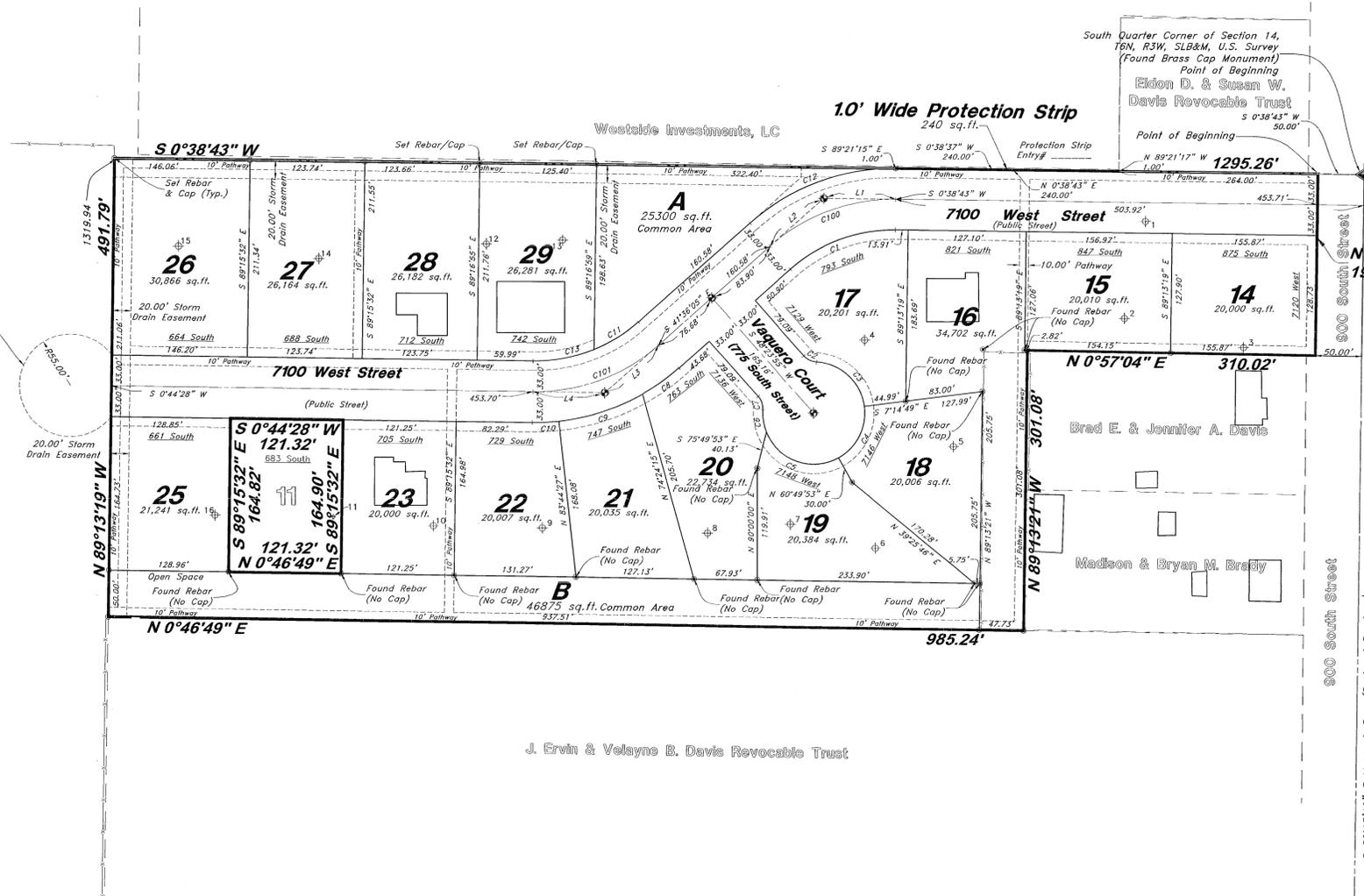
### ACKNOWLEDGMENT

State of Utah }  
County of Weber } ss

Oct. The foregoing instrument was acknowledged before me this 26 day of 2020 by Riley Skinner and Emily Skinner.

Residing At: Weker  
Commission Number: 109793  
Commission Expires: 12/23/2023  
*Angela Martin*  
Angela Martin  
Print Name

- Legend**
- Monument to be set
  - Found Centerline Monument (Rad.) Radial Line (N/R) Non-Radial Line
  - PUE Public Utility Easement
  - PU&DE Public Utility & Drainage Easement
  - Fence
  - Buildable Area
  - Public Pathway
  - Easement
  - Existing Boundary
  - Set Hub & Tack
  - A will be set Nail in Curb
  - Extension of Property
  - Set 5/8" x 24" Long Rebar & Cap w/ Lathe



Curve Data					
Curve #	Delta	Radius	Length	Chord Direction	Chord Length
C1	42°14'49"	167.00'	123.14'	S 20°28'41" E	120.37'
C2	45°02'08"	20.00'	15.72'	N 25°52'51" E	15.32'
C3	79°10'35"	55.00'	76.00'	N 42°57'04" E	70.10'
C4	68°16'59"	55.00'	65.55'	S 63°19'09" E	61.74'
C5	97°27'16"	55.00'	93.55'	S 19°32'58" W	82.67'
C6	25°09'28"	55.00'	24.15'	S 80°51'19" W	23.96'
C7	45°02'08"	20.00'	15.72'	S 70°54'59" W	15.32'
C8	11°50'41"	233.00'	48.17'	S 35°40'42" E	48.08'
C9	23°28'23"	233.00'	95.46'	S 18°01'11" E	94.79'
C10	7°01'26"	233.00'	28.56'	S 2°46'16" E	28.55'
C11	19°17'03"	167.00'	56.21'	S 31°57'31" E	55.94'
C12	42°14'48"	233.00'	171.80'	S 20°28'42" E	167.94'
C13	23°03'26"	167.00'	67.21'	S 10°47'16" E	66.75'
C100	42°14'49"	200.00'	147.47'	S 20°28'41" E	144.15'
C101	42°20'30"	200.00'	147.80'	S 20°25'48" E	144.46'

LINE DATA		
Line	Bearing	Length
L1	S 0°38'43" W	77.27
L2	S 41°56'05" E	77.27
L3	S 41°36'05" E	77.46
L4	S 0°44'28" W	77.46

**GREAT BASIN ENGINEERING**  
5746 SOUTH 1475 EAST OGDEN, UTAH 84403  
MAIN (801)394-4515 S.L.C (801)521-0222 FAX (801)392-7544  
WWW.GREATBASINENGINEERING.COM



Sheet 2 of 2  
WEBER COUNTY RECORDER  
ENTRY NO. 3996191 FEE PAID  
RECORDED 26 OCT 2020 AT  
IN BOOK 89 OF OFFICIAL RECORDS, PAGE 02403 RECORDED FOR  
WEBER COUNTY RECORDER  
BY: \_\_\_\_\_ DEPUTY