

WESTERN WEBER PLANNING COMMISSION MEETING

MEETING AGENDA

May 9, 2023

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

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

1. Minutes: April 11, 2023

Petitions, Applications, and Public Hearings:

2. Legislative items:

2.1 ZMA2023-04 - A public hearing for consideration of a requested rezone from A-2 to RE-15 on approximately 76 acres of vacant land.

Planner: Felix Lleverino

3. Public Comment for Items not on the Agenda:

4. Remarks from Planning Commissioners:

5. Planning Director Report:

6. Remarks from Legal Counsel

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.

Minutes for Western Weber Planning Commission meeting of April 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, Cami Clontz, Jed McCormick, Casey Neville, Sarah Wichern Excused: Wayne Andreotti

Pledge of Allegiance

Staff Present: Rick Grover, Director; Charlie Ewert, Principal Planner; Steve Burton, Principal Planner; Bill Cobabe, Planner; Liam Keogh, Attorney; June Nelson, Secretary

1. Minutes: March 14, 2023 APPROVED

2. Rules of Order

Casey Neville motioned to approve the Rules of Order as presented today. Jed McCormick seconded the motion. Andres Favero, yes; Bren Edwards, no; Jed McCormick, yes; Sarah Wichern, yes; Casey Neville, yes; Cami Clontz, yes. Motion passes 5-1

Petitions, Applications, and Public Hearings:

3. Legislative items:

- 3.1 ZTA2022-07:** A public hearing and action on an application to amend the Weber County Land Use Code to help implement the new Western Weber General Plan. Specifically, the subject amendments pertain to processes, standards, requirements, and/or restrictions regarding the following subjects: creating a new zone and amending the R-1-12 and R-1-10 zones to provide flexible lot area standards; amending regulations for flag lots; changing rezone application requirements; adding shared private lanes and private streets provisions; reorganizing development on a substandard streets provisions; providing new street access and street design and right-of-way standards; amending access to land-locked parcels, access to a lot or parcel other than across the front lot line; amending exactions for park space and improvements, amending the dark sky committee composition; and providing other related clerical and administrative edits to enable the proposed amendments. **Planner: Charlie Ewert**

The Western Weber General Plan’s Future Land Use Map designates much of the Western Weber Planning Area for “medium-sized residential” lots and land uses. The plan also calls for some areas along major transportation corridors and villages to have a mixture of various housing types (mixed housing). Mixed housing, generally, is described as housing types that the private market is demanding. This designation is intended to allow the market to drive the types of residential land uses, and will hopefully result in a wide variety a mixture of housing types in a medium-to-high density development pattern.

Implementing the general plan will required amendments to county’s residential zones, lot development standards, and flexible lot development standards, street standards, lot access standards, as well as a number of other ordinance that affect residential development patterns. Implementing the plan into ordinance will also have effect on the implementation of zoning and development regulations in the Ogden Valley. Both the Ogden Valley Planning Commission and the Western Weber Planning Commissions have independently reviewed the proposal during recent work sessions and helped shape the final proposal.

Ordinance Amendments (See Exhibit A):

General Revisions:

Currently, the county has two zones that are intended to be nearly exclusively for “single-family” residential lots: the R-1-12 zone and the R-1-10 zone. There is little land in the unincorporated areas that have these zones. There are a couple of subdivisions in the Uintah Highlands that were rezoned to these zones in the last five to 10 years.

The county also has two zones intended for higher density residential: the R2 zone, which is intended primarily for two-family (duplex) and single-family lots, and the R3 zone, which is primarily intended to allow multi-family in addition to two- and single-family lots.

When reviewed together, the R-1-X zones and the R2 and R3 zones create the original basis of a typical residential zoning ordinance. It is believed that the county initially adopted a typical R1, R2, and R3 residential zoning ordinance, but due to unique changes over time, the ordinances have crept away from the simplicity of the three zone stratification toward a more complicated and less structurally organized amalgamation ordinances.

This proposal, provided in Exhibit A, reunites these three successive residential zoning tools into one zoning chapter. The

proposal still provides for the different single-family R1 zones by further spitting the R1 into sub-zones: R1-15, R1-12 and R1-10. The R1-15 zone is a proposed zone that is entirely new to the County's ordinances, and is intended to be the County's response to the 15,000 square foot lot recommendation found in the general plan's encouragement for medium-sized lots.

As can be browsed in the list of applicable ordinances at the beginning of this report, the general plan provides a lot of direction that, if implemented, will require amendments to a lot more than just the residential zones. The attached proposal attempts to address many of the plan's recommendations regarding providing flexible lot area and flexible lot development standards, designating and designing an adequate street network that will be needed to serve the future traffic demands for development, and providing a reasonable pedestrian-devoted network throughout neighborhoods and communities.

The following provide a synopsis of each change, listed in the order they appear in the proposed ordinance.

§101-2: Definitions:

The following definitions are proposed to be amended, added, or deleted from the ordinance:

- Flag lot: clerical edits.
- Lot right-of-way: deleting, is not used in any ordinance
- Front lot line for flag lot: deleting, is not used in any ordinance
- Private access right-of-way: replacing with "shared private lane." This definition was initially used for a specific private street type, but changes to the code in the mid '00 confused the term for something else.
- Shared private lane: replacing "private access right-of-way," to be used for the new shared private lane provisions.
- Street-block: clerical edits.
- Collector street: emphasizing the relationship that a collector street has with arterial streets.
- Arterial (major) street: clerical edits.
- Major neighborhood street: replaces "standard residential street" in part.
- Minor neighborhood street: replaces "standard residential street" in part.
- Marginal access street: deleting. This reads as if it is describing a freeway frontage road. In any case, it is not used anywhere else in the ordinances.
- Temporarily terminal street or street-route: clerical edits.
- Private street: mostly clerical. Removing the phrase "reserved by dedication" because dedication has

specific meaning in state code that runs contrary to this context.

- Public street: removing some of the specificity and standards from the definition so they cannot be in conflict (whether now or in the future) with the more specific standards in the ordinances.
- Standard residential street: deleting this term. It is not used anywhere in the ordinances.

§102-1-2: Planning Director Authority

Clerical edits related to flag lots and access to lots without a street serving it

§102-5: Rezone Procedures

The proposed amendments will require each application for a rezone to provide a street connectivity plan for not just the project, but how streets could be configured for the area generally. It will also require a plan addressing the project's contribution toward parks and open spaces. It revises an applicant's obligation to prove access to water and sewer, and replaces it with a narrative explaining how access to these utilities will be provided in the future. It also creates a supplemental application section that lists a number of more application requirements that are at the discretion of the county. There are a few proposed clerical edits to the rezone procedures to provide clarity regarding the county's obligation to the applicant and the applicant's obligations in general. The proposal offers other administrative clarifications as well.

§104-1-1: Establishment of Zones

These edits are clerical in nature. Simply attempting to provide better organization.

§104-12: Single-Family Residential Zones

The bulk of the proposed zone changes are being provided in this section. The proposal merges two-family and three-family residential zones provide one chapter that governs all typical residential development in Western Weber, except for development in zones that allow agricultural animals.

In making the consolidation, the proposal resurrects the R1 zone classification, and adds the existing R-1-12 and R-1-10 zones into it as R1-12 and R1-10, and then creates a new R1-15 zone to specifically implement provisions of the Western Weber General Plan.

Uses: The proposal deletes the list of permitted and conditionally permitted uses in favor of consolidated land use tables. In the tables, the vast majority of uses currently listed in the R-1-12, R-1-10, R2, and R3 zones remain unaffected. There are some minor clerical or terminology changes being proposed for consistency purposes, but nothing that is intended to change the implementation of the uses. There are a handful of uses that the proposal omits due to conflicts either in the code, with state code, or with federal regulations. For example, specifically governing "bachelorette dwellings" different than any other dwelling in the R3 zone likely runs afoul of federal fair housing laws.

One specific use that the County Commission has requested the Western Weber Planning Commission to consider is the allowance of short-term rentals (STRs) in the Western Weber Planning Area. This provision is highlighted just above line 384. The proposal suggests that STRs should be permitted in all residential zones. After careful deliberation, if the Planning Commission desires to remove or modify this provision but recommends approval of the rest, please do so in the motion. A model motion to this effect has been provided at the end of this report.

Lot development standards. The planning commission has discussed new lot development standards for a flexible R1-15 zone over the course of the past several work sessions. The last discussion the planning commission had with staff is that this proposal will likely be amended before the hearing to provide a specific "flex" zone to help implement the plan. As staff was in the middle of writing these changes, it became clear that perhaps new zones are not necessary, but rather amendments to existing subdivision regulations might better provide for the desired changes without creating more zones that might convolute the Land Use Code even more than what has occurred over the last 70 years. Thus, the attached proposal favors no new "flex" zones, but instead offers flexible lot development standards in the "Street Connectivity Subdivision" section of the land use code, as further explained later in this report. This uses existing tools to the area's advantage rather than created new ones.

A few changes to note about the lot development standards of the zones:

- The minimum lot widths and side setbacks are proposed to be narrowed. The market will likely continue to drive lot width in most developments, but reducing these restrictions will offer greater flexibility for lot configuration.

- Given the narrower lot widths, the planning commission shared concerns over neighborhoods becoming overwhelmed with the appearance of rows of prominently visible front-facing garages. To resolve this concern, the R zones are proposed to have a maximum allowed cumulative garage door width for front-facing garages. The proposed amount is 18% of the lot width. Previous versions of the planning commission reviewed specified this to be 15%, but as staff did the math, 15% has fairly severe consequences for some of the wider lot sizes whereon this may not be as big of a visual issue. For the planning commission's reference, calculations are provided in a staff-comment in the margin adjacent to the regulation. This regulation does not affect side or rear-facing garages, nor does it affect any front-facing garage that is setback from the front of the house by 30 feet or more.
- Front setback standards are being reduced across the board from 30 feet to 20 feet, as generally discussed by the planning commission. This will help reduce the area of the front that will be landscaped and irrigated. This setback can be further reduced to 15 feet in the R1 and R2 zones if the lot is either side or rear-loaded by means of access to an adjacent alley. Alley standards are being amended to better provide for this, as further explained later in this report. However, the proposal does not allow any parking pads in the front-yard area unless the parking pad is at least 20-feet deep. In this case, it should be expected that lots that are not rear-loaded may have buildings setback at 15 feet, but jog back to 20 feet to fit a parking pad in the front.
- Side yard setback are also proposed to be reduced to five feet; however, to get a five-foot setback in the R1 zone the lot will need to be rear or side loaded with access from an alley. Otherwise one side must be 10 feet in order to provide access to the rear of the lot. This will be especially important for narrower, deeper lots.
- Although revised or reworded, staff tried to be true to the original intent of other lot development standards, as specified in the existing zones.

§104-15: Two-Family Residential Zone

Proposing to delete this section, and move its contents into §104-12.

§104-16: Multi-Family Residential Zone

Proposing to delete this section, and move its contents into §104-12.

§106-1-8: Final Plat Requirements and Approval Procedure

Under final plat requirements, staff is taking the opportunity to correct a previous oversight regarding hillside development. This correction, and another hillside correction specified later in this report, together make it so that each subdivision lot shall provide a buildable area free from slope and other sensitive lands issues. If the lot purchaser later wants to amend restrictions due to slope or sensitive lands issues, they can amend the lot after appropriate studies and mitigation measures have been completed. Essentially, this ensures that no lot is created and sold that is later discovered to be unbuildable given reasonable effort and cost.

Other amendments to this section provide for the new "shared private lane" provision, and the new "alley operations and maintenance" provision being proposed, as further explained later in this report.

§106-2-2: Street Standards

The amendments proposed in the street standards section primarily pertain to provisions clarifying how public and private streets will be allowed (or disallowed as the case may be) in the Western Weber Planning Area. Under this section, provisions for a "shared private lane" can also be found.

Public street amendments. The proposed amendments in this section are clerical in nature.

Private street amendments. These proposed amendments are also mostly clerical. However, one proposed amendment makes it clear that the only circumstance under which a private street is allowed and/or required in the Western Weber Planning Area is when the street is a permanently terminal street.

Shared private lane. The proposed addition of a new shared private lane regulation is not a specific recommendation of the Western Weber General Plan, but the planning commission can find general support for allowing a shared private lane to help give access to internal block areas and areas that would otherwise need to have stacked flag lots in order to develop (which is not allowed by current code). There is a specific provision in the Ogden Valley General Plan that suggests a limited street type that can access lots without requiring a fully developed public street.

Most of the proposed regulations for a shared private lane reflect the provisions for a private street, however, the

improvements that are required and the method by which the land is held are different. These lanes are allowed to be narrower, and instead of private street improvements being constructed on a county-owned parcel, as is the case with private streets, a private lane may be constructed on an easement that the county holds instead. This difference is a degree or two removed from being able to convert the improvements into a future public street, but still offers a potential “hold” on the land under the 66-foot wide easement for if a future public street is ever needed. Lot setbacks are required to be from the easement, not the lane.

In Western Weber County, a shared private lane is proposed to only access up to seven lots and have a max length of 200 feet.

Arterial and collector streets. The proposal offers amendments to shore-up regulations related to development adjacent to an arterial or collector street. The intention of new language is two part:

- It requires that new subdivisions avoid providing an individual lot its own access onto a collector or arterial street.
- Where it is not possible to avoid providing the lot access from a collector or arterial, these provisions will lighten other lot-access requirements to help provide easier means by which access can be provided across and through other lots.

These proposed regulations are intended by inference to stimulate the creation of side streets or other shared consolidated accesses for lots that front on a collector or arterial street.

Street cross sections and design. Proposed changes to this section only move “development on a substandard street” out of the subdivision code and into the supplementary regulations code so the provisions therein can be applied to development on all property, not just those within a proposed subdivision.

Street grades. Proposed amendments in this section are clerical in nature.

Alleys. While remaining a short section, these proposed changes are very important for the implementation of narrower rear and side-loaded residential lots, as aforementioned. The provisions require alleys to be a specific width and have platted snow storage areas. They also place the responsibility for the operations and upkeep of an alley onto the landowners who gain access from it – even though it will be dedicated for public use.

§106-2-4: Lot Standards

Generally. The amendments to the general lot standards in the subdivision ordinance are to make clerical edits and provide revised standards for flag lots. Amending regulations for flag lots is specified in the general plan. The proposal reduces the flag lot area requirement from three-acres down to 50% of the area required by the zone (regardless of whether it is in a flexible development type). Most, if not all, of the rest of the provisions come directly from the code’s current flag lot provisions, but it moves those provision from supplemental regulations to the subdivision regulations because new flag lots should not be created without first being subject to the subdivision regulations.

Hillside development. The proposed amendments modify the hillside development regulations to eliminate the appeared allowance of “R” lots. An “R” lot is a lot on land that has not first been subject to the hillside development regulations to verify hillside stability or lot buildability, as mentioned earlier in this report.

Connectivity-incentivized subdivision. As also mentioned earlier in this report, the proposed amendments include amending the connectivity incentivized subdivision regulations to allow the flexible lot development standards that the planning commission has been discussing in work sessions over the last several months. The entire section is proposed to be revamped to make a few things more clear:

- An applicant’s participation in this development type and process is completely voluntary. They can choose a different development type already listed in the code if they do not want to comply with these regulations.
- Because this is a voluntary option, the Land Use Authority, not the applicant, has full discretion to require streets to be located where they see fit. The ordinance provides the Land Use Authority minimum criteria to help with deliberations.
- The proposal adds pedestrian connectivity and standards similar to those being proposed for the Form Based zone.

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As discussed by the planning commission, the proposal allow lots in the R1 zone to be reduced to no less than 6,000 square feet, with area limitations on small lots adjacent to existing subdivisions.

§106-4-2: Curbs and Gutters

The proposed amendments in this section make the provision for curb and gutter – and under what circumstances it may be deferred – clearer. The proposal also requires that the developer install driveway aprons for all lots that are 60 feet or less. This provides the county’s engineers the opportunity to ensure driveway placement is in the best interest of the street and street access, generally.

§108-7-7: Supplemental Street, Access, and Right-of-Way Standards

Proposed amendments to this section are clerical. The provisions are being moved from elsewhere and consolidated into similar topics here.

§108-7-10: Required Setback from Designated Collector or Arterial Streets Proposed amendments are clerical in nature.§108-7-19: Building on Dedicated Substandard Streets

This section is being renamed to “Development on a Substandard Street or Public by Right-of-Use Road.” The provisions from the subdivision ordinance regarding development on a substandard street or road is proposed to be moved here.

§108-7-23: River and Stream Corridor Setbacks

The Western Weber General Plan suggests requiring a 300 foot development setback from the high water mark of the Weber River. This proposed amendment does that, and clarifies exceptions.

§108-7-24: Supplemental Energy Generation Standards

The proposal recommends merging all renewable energy regulations into one section.

§108-7-27: Solar Energy Systems

The proposal recommends deleting this section in favor of merging it into §108-7-24.

§108-7-29: Flag Lot Access Strip, Private Right of Way, and Access Easement Standards

The proposal recommends retitling this section to “Access and Standards for a Land Locked Residential Lot or Parcel.” In doing so, it recommends moving flag lot provisions to the subdivision ordinance, as previously mentioned in this report, and consolidating provisions for private rights-of-way and access easements pertaining to land-lock residential property. The standards therein are proposed to remain relatively the same as existing, although reorganized.

§108-7-30: Flag Lots

The proposal suggests moving flag-lot specific provisions to the subdivision ordinance.

§108-7-31: Access to Lot/Parcel Using Private Right-of-Way or Access Easement

The proposal simply deletes this section. This section has been generally misused over the years as a means of avoiding installation of a street to serve development. The addition of shared private lane is, in part, being recommended as a better alternative.

§108-7-32: Access to a Lot/Parcel at a Location Other Than Across the Front Lot Line Proposed amendments to this section are clerical.§108-16: Outdoor Lighting

After much discussion about applying outdoor lighting regulations in the Western Weber Planning Area, consensus has not quite been achieved. The recommended amendments to this section only applies to the Ogden Valley Planning Area.

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Chair Edwards called for a motion to open the public hearing. Casey Neville motioned to open the public hearing. Jed McCormick seconded the motion. Motion passed 6-0

Pat Burns 1407 Mountain Road, Ogden. Are the flag lots 60 foot or 30 foot right of way?

Roger Heslop—the river and stream setbacks are too much. I thought that 100 feet was bad, but 300 feet is too much.

No more comments. A motion was made by Casey Neville to close the public hearing. Seconded by Sarah Wichern, motion passed 6-0

Mr Ewert explained that the flags lots was 60 feet for a single flag lot or 30 foot each for a double flag lot. Commissioner Wichern asked if these flag lot rules applied to Uintah Highlands. Since this area is mostly built out, that might be hard to apply this code. Mr Ewert says that there are some exception already listed. Mr Ewert also stated that the public wanted to have the 300 foot setback from the river. Mr Neville said that in town, businesses and apartments do well because they are close to the river. Mr Ewert says that we could use an average for setbacks with a development agreement.

No more comments from the Commissioners. Chair Edwards Called for a motion.

Commissioner Favero motioned the following: I move we forward a positive recommendation to the County Commission for File #ZTA2022-07, as is stated in our packet. We will use the second model motion. : I move we forward a positive recommendation to the County Commission for File #ZTA2022-07, a county-initiated application to amend the Weber County Code to provide ordinances, regulations, permissions and restrictions that will help implement the Western Weber General Plan as it generally relates to residential zoning and residential development and provide related clerical edits and policy adjustments deemed necessary by the Western Weber Planning Commission and the Ogden Valley Planning Commission, as provided in Exhibit A, but with the following additional edits and corrections:

1. **In Section 104-12-3(f), remove short-term rentals as a permitted use.**
2. **We want Planning to fix 106-2-4.010, item E3E to provide the same exception for flag lots as road connectivity.**

Findings:

1. **The changes are supported by the Western Weber General Plan.**
2. **The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan**
3. **The changes will enhance the general health, safety, and welfare of Western Weber residents.**
4. **Allowing short-term rentals runs contrary to providing affordable long-term rental opportunities.**

Motion was seconded by Jed McCormick. Motion passed 6-0

3.2 ZTA2022-06: A public hearing and action on an application to amend the Form-Based zone of the Weber County Land Use Code to implement a West Weber Village Street Regulating Plan. Specifically, the subject amendments pertain to processes, standards, requirements, and/or restrictions regarding the following subjects as they will apply to property in the Form-Based zone: creating a new street type to be used in street regulating plans and the associated amendments; adjusting short-term rental use allowances in the Form-Based zone to reflect the recently adopted short-term rental ordinance; regulating front-facing garage doors on narrow lots; regulating front yard setbacks and setbacks for accessory buildings; reducing the maximum height allowance in the zone; amending allowed colors of commercial buildings; adding a typical 3-lane village street design; amending mid-block access and crossing requirements; inserting graphics to help illustrate standards; creating pathway location, connectivity, and design standards; standardizing line work, symbology, and colors for all maps, and providing for the new street type; clarifying transferable development rights provisions; enabling banking of transferable development rights on parcels within the zone; amending workforce housing requirements to reduce requirements for workforce housing, eliminate them from larger-lot developments, set a maximum amount of workforce housing allowed per development, and restrict where workforce housing can be located; and providing related clerical and administrative edits to

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enable these amendments. **Planner: Charlie Ewert**

The Western Weber General Plan calls for the creation of village centers at key intersections in the area. One such area is on 4700 West and involves both the 1200 South and 900 South intersections. To facilitate the implementation of this provision in the general plan, staff and the Planning Commission have been working on amendments to the Form-Based zone over the last several months. The amendments create a street regulating plan that will guide the form, function, and design of a future diverse mixed use commercial village. In compliance with the general plan, which suggests that new development should pay tribute to the rural roots of the community, the Planning Commission has chosen the agrarian architectural styling that is currently adopted for the New Town Eden area.

The necessary FB zone amendments may affect the Ogden Valley Planning Area as well. The proposal was introduced to the Ogden Valley Planning Commission for their input. In reviewing the proposed amendments, the Ogden Valley Planning Commission also took this opportunity to make other desired amendments to the FB zone, including reducing allowed building height, reducing moderate income housing requirements, revamping the TDR approval process, as well as adjusting other provisions that will better help them implement the FB zone in their area.

Chair Edwards called for a motion to open the public hearing. Andrew Favero motioned to open the public hearing. Sarah Wichern seconded the motion. Motion passed 6-0

Roger Heslop- stated that with the Form Based and TDR being a 1-3. Who is it in favor of? The farmer or the developer. This goes against the rural agriculture environment.

Pat Burns-1407 Mountain Road. TDRs are an important tool to keep agriculture. I think that it is brilliant to keep growth in the village areas and keep it rural.

Andrew Favero motioned to close the public hearing. Motion was seconded by Casey Neville.

Mr Ewert stated that we are not setting the market for TDRs No price setting. It is to move development off of the farm and into the village areas. 1 farm development equals 3 village development rights. It will be supply and demand. Commissioner McCormick says that this is in favor of both the farmer and developer. Chair Edwards says that this is what was in the general plan, it is a big change. There has been a lot of work put into this.

Chair Edwards called for a motion. Commissioner Wichern motioned the following: I move we forward a positive recommendation to the County Commission for File #ZTA2022-06, a county-initiated application to amend the Form-Based zone and related amendments, as provided in Exhibit A, but with the following additional edits and corrections:

- 1. In Section 104-22-3.070 Change public recreation or community center uses for the multifamily residential small lot, medium lot, large lot, estate lot residential and open space. Currently they read not permitted and we would like to change that to conditional use**
- 2. Section 104-22-8.040 4700 area street regulation plan map. There is a park shown on this map that we would like to increase to 19 acres. It will go between 850 South and the canal between 4600 and 4700 W.**

I do so with the following findings:

- 1. The changes are supported by the Western Weber General Plan.**
- 2. The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan**
- 3. The changes will enhance the general health, safety, and welfare of Western Weber residents.**

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The motion was seconded by Commissioner McCormick. Motion passed 6-0.

4. Public Comment for Items not on the Agenda: None

5. Remarks from Planning Commissioners: None

6. Planning Director Report: None

7. Remarks from Legal Counsel: None

Chair Edwards asked if we could table the work session. All Commissioners agreed to table the work session.

Chair Edwards called for a motion to adjourn. Commissioner Favero motioned to adjourn. Commissioner Clontz seconded the motion. Motion passed 6-0

Work Session Tabled

WS1: Discussion regarding ordinance implementation of provisions in the Western Weber General Plan. The discussion will include but may not be limited to subdivision procedure amendments, subdivision standards amendments, supplemental regulations amendments, outdoor lighting regulation amendments, and signage regulation amendments. **Planner: Charlie Ewert**

Adjourn 6:35

Respectfully Submitted,

June Nelson

Lead Office Specialist

Approved _____

Rear	20	30
Minimum lot width	80	100

Area Map



Policy Analysis

Section 102-5-6 of the Land Use Code provides direction regarding the duties of the Planning Commission when taking action on legislative items such as rezones:

A decision to amend the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission are encouraged to consider the following factors, among other factors they deem relevant:

- a. Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.*
- b. Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*
- c. The extent to which the proposed amendment may adversely affect adjacent property.*
- d. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater, and refuse collection.*
- e. Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*
- f. Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

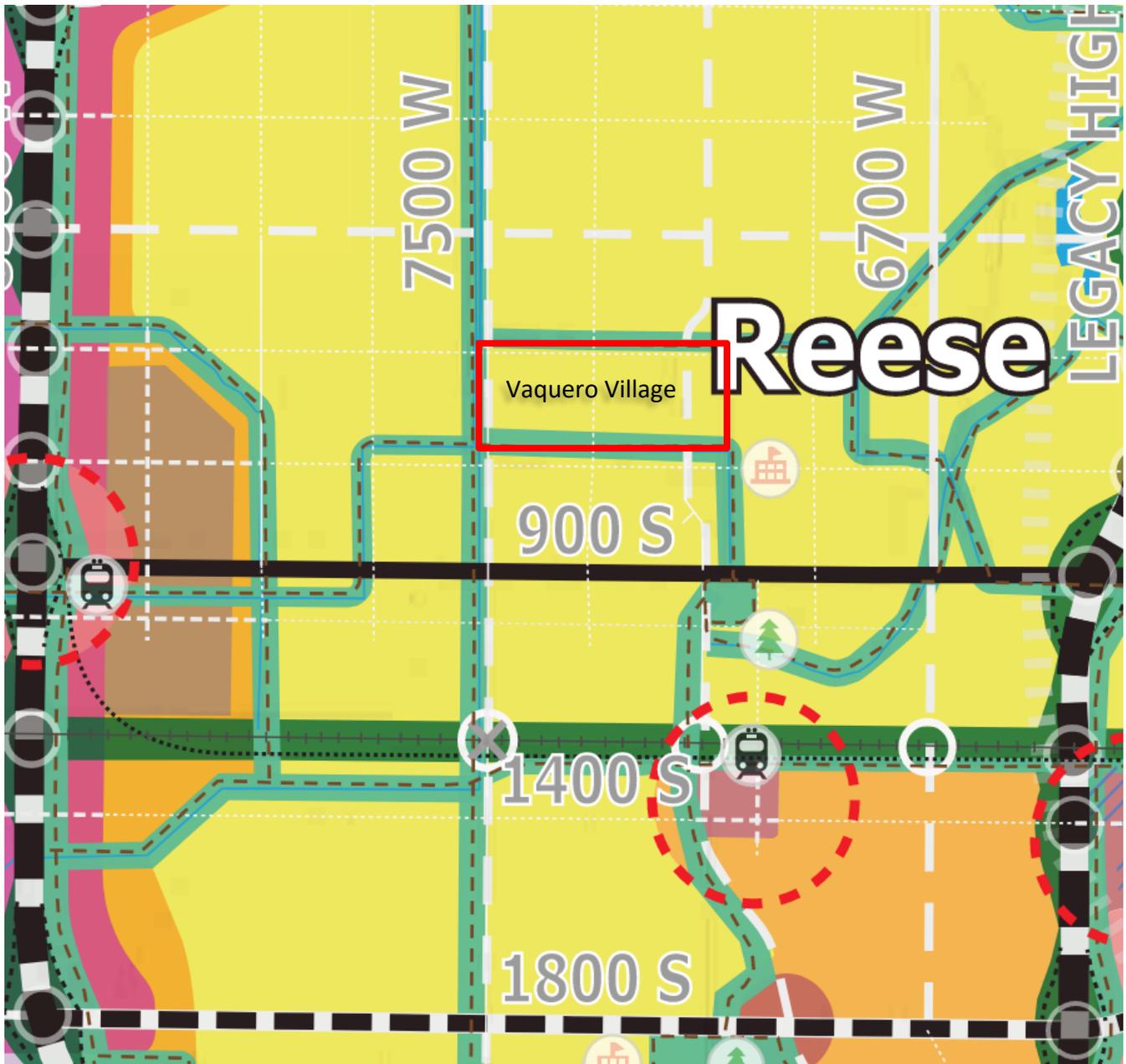
Each of the following sections is the staff's analysis of these relevant factors when considering a rezoning request. The following sections provide information to help the Planning Commission evaluate the request. Each subsequent section will be titled, County Rezoning Procedure (with its relevant factor)

County Rezoning Procedure (a)

a. Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.

Concept Plan with 109 lots (with added redlines from the planning staff)





Western Weber County General Plan

Section 102-5-2 of the Weber County Code suggests that a rezone should comply with the applicable general plan. The Western Weber General Plan (2022) is the guiding document used in the analysis by the Planning Staff.

The General Plan's Future Land Use Map shows that this location is planned for medium-density residential development.

Land Use Action 1.2.1 (Page 52)

"In areas planned for medium-sized lots, the County should consider rezoning the property to allow 15,000 square-foot lots."

Generally, this coincides with the RE-15 zone. A rezone of this nature should only be allowed if smart-growth implementation strategies are volunteered by the developer, as provided in Land Use Principle 1.4. Smart Growth strategies accomplished by the concept plan with added redlines from the planning include roadway layouts that

provide for good network connectivity and limit dead-end/cul-de-sac streets (2022, pg. 54), and human-scale street infrastructure with active transportation facilities along all street types (2022, pg. 110, Transportation Principle 6.2)

Zoning

The RE-15 zone would be considered a ‘medium-density’ zone, with a minimum lot area of 15,000 square feet, and a minimum lot width requirement of 100 feet. However, with a development agreement, and the standards in the RE-15 zoning ordinance, the actual area standards may be averaged across all lots within the development. The table below is included to help make a comparison between the existing A-2 zone and the RE-15 zone code:

Site Development Standards

Zone	A-2	RE-15
Area	40,000	15,000
Width	150	100
Front	30	30
Side	10,14	10, 14
Rear	30	30
Max height	35	35

The development agreement for the Vaquero Village Rezone will include lot development standards specific to this proposal. The following standards about site development, or some slight variation of them, shall be included in the recorded development agreement:

- In a subdivision, the actual allowed minimum lot area may be reduced to no less than 6,000 square feet if in compliance with the following:
- The total number of lots allowed in the subdivision shall be no greater than the gross developable area divided by the minimum Lot area specified in the RE-15 zone.
- Each lot adjacent to a lot in another subdivision, including across a street, shall be no smaller than 80 percent of the minimum lot area of 15,000 square feet.

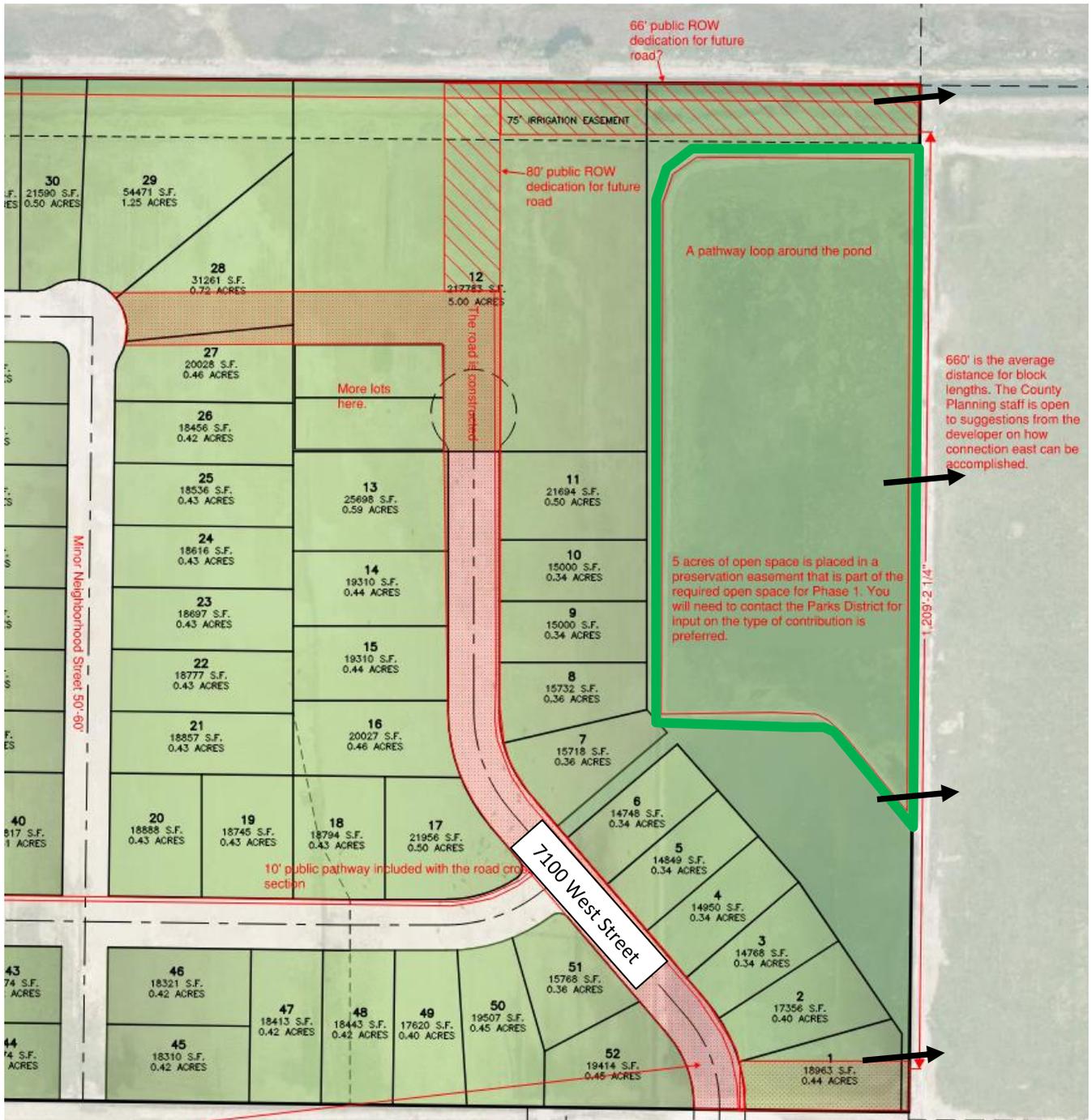
Smart-Growth Principles

The following section highlights various smart growth principles. Each principal includes a short description from the staff describing how the Vaquero Village Rezone could satisfy these goals.

Public Roads and Trails (Street Connectivity and Pathway & Trail Connectivity)

Creating a vibrant community starts with well-designed roads and pathways. Street type variations such as a mix of Minor Neighborhood Collector Streets 50'-60', Major Neighborhood Streets 66', and Minor Collector Streets 80' can provide for the various community needs. For instance, a minor neighborhood collector street that is a 50' to 60' ROW is sufficient for two-way travel with enough space for street parking and a sidewalk on both sides. These neighborhood streets can be designed in a manner that provides for slow speeds with many residential driveway accesses, and local pedestrian use. The Major Neighborhood Streets, with a recommended ROW width of 66', are designed to extend through local residential areas while providing multimodal connectivity. Vaquero Village contains two major neighborhood streets that are in an east-west direction that connect 7500 West Street to 7100 West Street. Both 7500 West and 7100 West are planned to become minor collector streets.

The planning staff review of the concept plan includes the creation of 30' pathway easements on the north side of the subdivision boundary along the canal. We also made recommendations for 10' pathways within the development. Due to the physical constraints that exist for road connections eastward, the planning staff is open to suggestions from the developer or the Planning Commission. It is the staff's observation that several pathway connections at 500 to 800 foot intervals and vehicular egress points at 1,300 foot intervals would satisfy the 1,300-foot minimum block length requirement. The northeast corner of the recorded Vaquero Village Phase 1 subdivision includes a 10' pathway easement eastward that could be included with the egress point eastward on the south side of the pond. The map below highlights the staff-recommended alignment of 7100 West Street, the pond trail, and the possible pathway segments to the east of the pond.



66' public ROW dedication for future road?

75' IRRIGATION EASEMENT

80' public ROW dedication for future road

A pathway loop around the pond

More lots here.

The road is constructed

660' is the average distance for block lengths. The County Planning staff is open to suggestions from the developer on how connection east can be accomplished.

5 acres of open space is placed in a preservation easement that is part of the required open space for Phase 1. You will need to contact the Parks District for input on the type of contribution is preferred.

Mirror Neighborhood Street 50'-60'

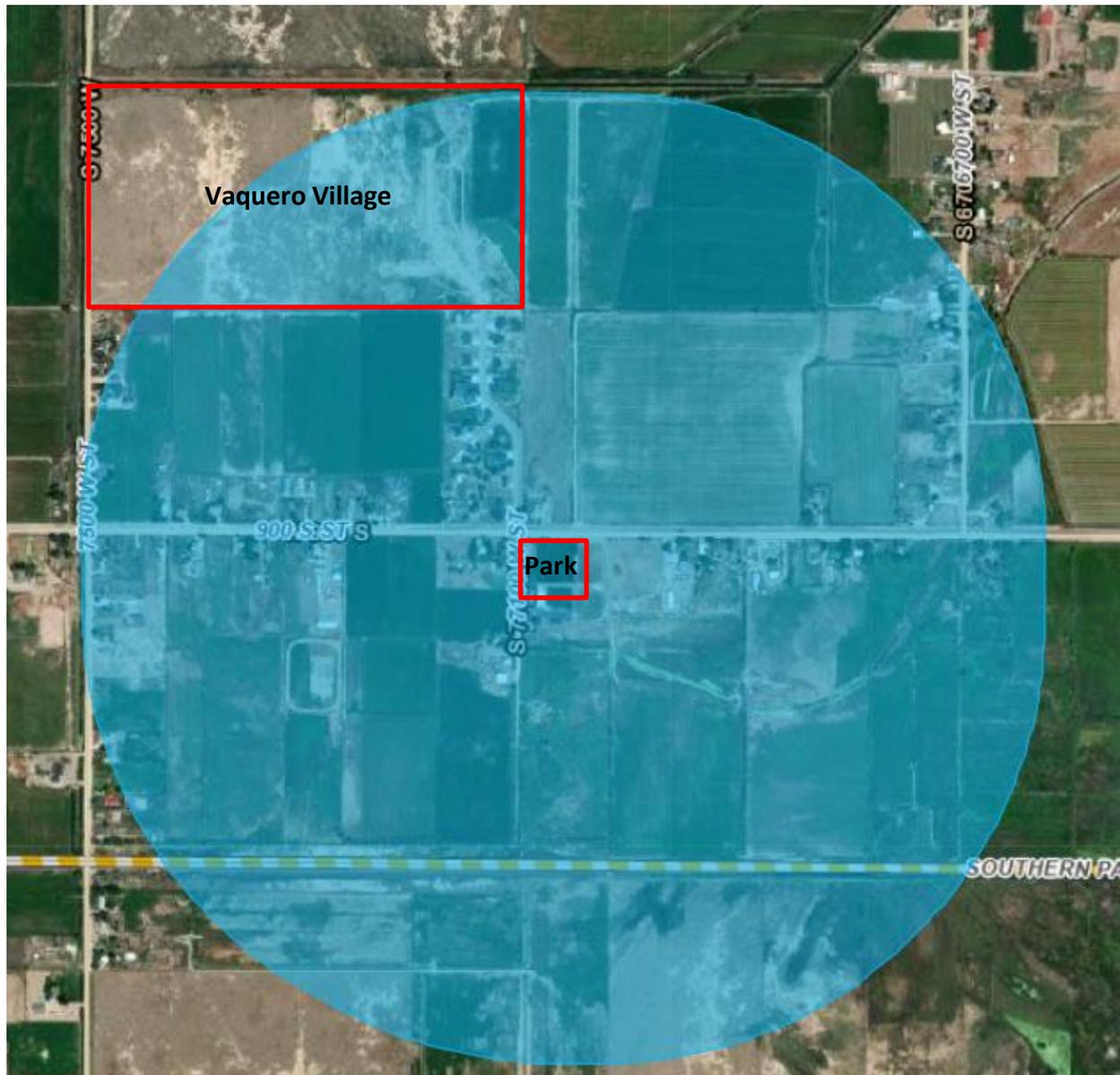
10' public pathway included with the road cross section

7100 West Street

1,209'-2 1/4"

Parks and Recreation (Open Space and Recreation Facilities)

The vision written in the Western Weber General includes a string of public parks connected by pathways, where residents and visitors can participate in recreational activities improving the life and well-being of families. The Reese Park located on the corner of 7100 West and 900 South is within a half mile of the Vaquero Village rezone property as shown in the image below.



Similar to what has been done for recent rezone proposals from this same developer, the planning staff anticipates that the Warren West Warren Park District will be the beneficiary of a voluntary donation from the developer of Vaquero Village. Mr. Pat Burns is scheduled to meet with the Park District Board on May 11th, 2023.

Culinary and Secondary Water Conservation Planning

The county has not yet adopted significant measures for water conservation in residential developments. The developer has not included specific details on water conservation. The planning staff is proposing several methods to reduce water consumption for irrigation and they are as follows:

1. The developer shall enforce the implementation of water-wise landscaping design, and be required to contract with a professional landscape architect for the creation of a Landscape Guide.

If the Planning Commission desires to implement outdoor water conservation practices, the planning staff has included this requirement in a model motion at the end of this report.

Dark Sky

All outdoor lighting within this development, including street lights and lighting affixed to the single-family dwellings, should be required to comply with the Weber County Outdoor Lighting ordinance. The planning staff has included this requirement in the model motion.

Emissions and Air Quality

The closest grocery store available for Vaquero Village residents is 8.9 miles from the Ogden City commercial district. Until there are more commercial districts built in Western Weber most residents in the area will likely need to visit the adjacent cities for everyday supplies. The Future Land Use Map of the General Plan places a commercial center at the corner of 1400 South and 7100 West, which would be within a half a mile of the Vaquero Village.

Facilities for local park and pathway activities such as walking, cycling, playgrounds, and social gatherings will reduce the need for residents to travel by automobile.

Renewable Energy

The developer has not specifically addressed this item, however, the Planning Commission may consider this as part of their application, and make recommendations that are proportionate to what the developer is asking for.

County Rezoning Procedure (b)

- b. *Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*

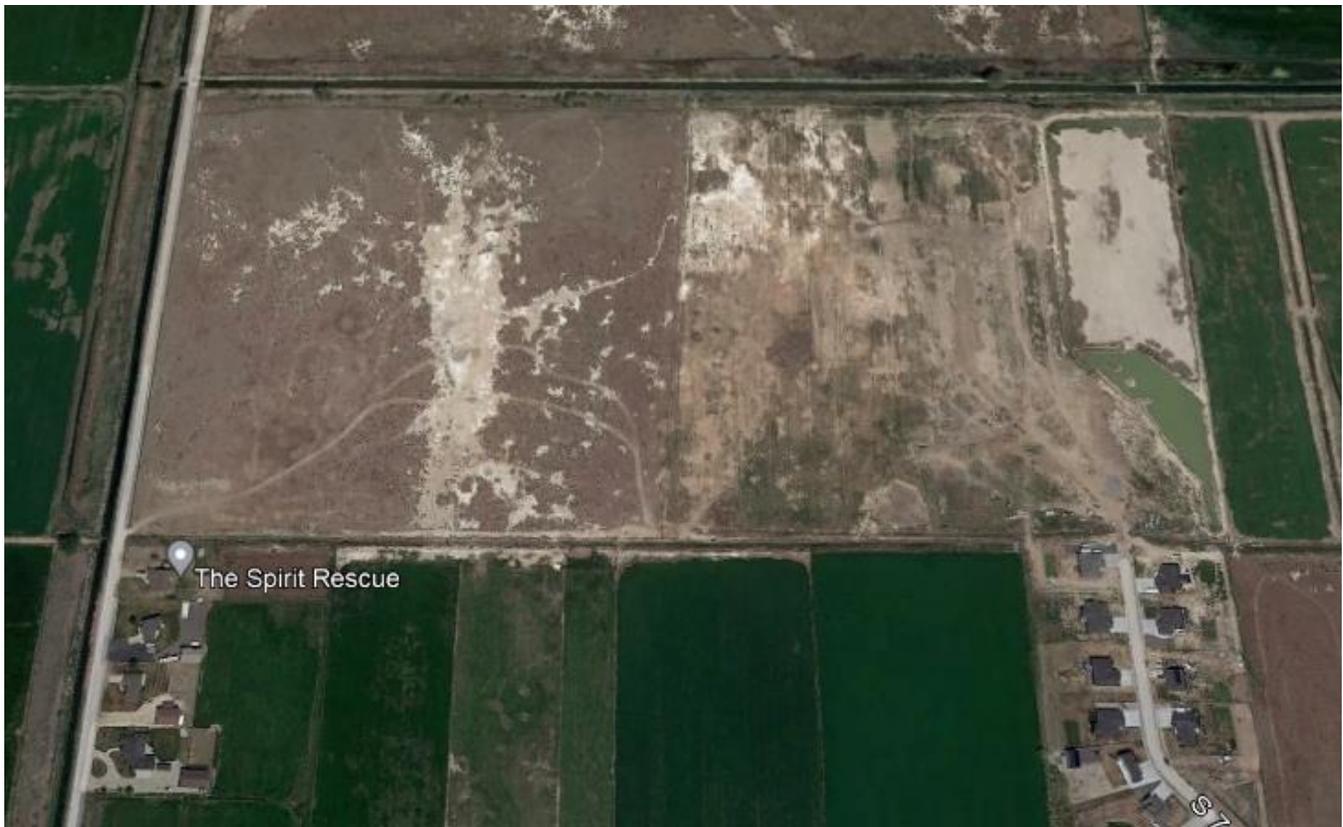
To make an objective analysis of whether the zone change is compatible with the character of existing development in the vicinity, we first need to examine the existing surrounding character.

Large swaths of open space and natural landscapes with grazing land remain a dominant feature within the surrounding area.

The Vaquero Village rezone area is a continuation northward of the Vaquero Village Cluster Subdivision that is platted as a rural development with ½ acre lots. An amendment to the zone from A-2 to RE-15 would optimize the property for residential uses while removing the potential for farms and animal husbandry due to the large amount of land needed for agricultural-related pursuits.

The A-2 zone does have allowances for agricultural-related uses and large-lot residential development. Strict adherence to the minimum standards of the A-2 zone will result in similar development patterns as the RE-15 zone, yet would cover a much larger area.

Maxar Technologies, Imagery Date 5-24-2023



As you can see the residential development fronting of 7500 West Street and the land to the south is used for crop production. Most of the surrounding land to the north, west, and east is devoted to agricultural pursuits which contribute to the rural feel of the area.

County Rezoning Procedure (c)

- c. The extent to which the proposed amendment may adversely affect adjacent property.*

This amendment to the zone and the subsequent residential development are sure to create impacts on the built infrastructure and the surrounding residents.

A noticeable increase in traffic cannot be completely avoided, however, a well-designed right-of-way corridor system will increase mobility and efficiency.

Future lot owners who are seeking out a place to reside that meets the needs of their family may choose to locate in this part of Western Weber primarily because it is removed from the crowded city suburbs. Being that there are few commercial and civic amenities in the immediate area a possible adverse effect that will be felt by new and existing residents will be the lack of easy access to necessary goods and services.

In its current state, most of the area surrounding this proposal is undeveloped. The addition of homes is also expected to bring noise and artificial light disturbances. It is anticipated that light pollution will be suppressed by requiring that all outdoor lighting comply with the Outdoor Lighting Code. On the topic of noise, except for seasonal holiday celebrations, a residential neighborhood of this nature will not be an issue.

County Rezoning Procedure (d)

- d. Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*

The County Development process includes a thorough review of each development on an individual basis. All construction projects are required to obtain the appropriate permits including Storm Water Pollution Prevention Plan.

Much of this area has long been devoted to large-scale crop production and grazing. Impacts that would degrade natural/ecological resources include large-scale feedlots, fertilizing, tilling, and irrigation inputs. If the rezone is allowed, and residential development occurs, degradation from large-scale agricultural uses will be reduced.

Connections to existing culinary water, secondary water, and sewer facilities eliminate the impacts resulting from the construction of new facilities.

County Rezoning Procedure (e)

- e. Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

Currently, traffic in the area is limited to the occasional farm vehicle and infrequent local residential traffic. The Vaquero Village Development will undoubtedly increase the traffic demands on roads and intersections, particularly at the intersections of 7100 West and 900 South and 7500 West and 900 South. The General Plan's Future Streets Map shows 7100 W and 7500 W becoming minor collectors that will help funnel traffic southward to 900 South. In anticipation of increased traffic demands, the General plan designates selected ROW corridors for widening and required road improvements. Specific to this development, 7100 W and 7500 W will require an 80' ROW, which is an increase from the current 66' ROW. The developer is responsible for road widening improvements on 7100 West and 7500 West for areas fronting the Vaquero Village development.

It is recommended by the County Engineering Department that a traffic study is conducted to determine if the increased traffic will result in a poor level of service. A traffic study will help guide needed improvements to the shoulder and intersections of 900 South Street.

County Rezoning Procedure (f)

- f. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, wastewater, and refuse collection.*

Residential development in Western Weber will take place in tandem with the expansion of facilities and services. The Vaquero Village Development is under consideration because of the proximity to, and location within, utility services that will be extended to serve this residential development. Culinary from Warren West Warren and secondary water from Western Irrigation (private pond) infrastructure connections exist within proximity to this proposal. Ability To Serve letters from the local service providers were not included with the application. Sewer service lines from Little Mountain Sewer District will be extended to serve this development. Upon review of the

1. *We have more time to review the proposal.*
2. *Staff can get us more information on secondary, culinary, and sewer services.*
3. *The applicant can get us more information on traffic impacts to 900 South Street.*
4. *More public noticing or outreach has occurred.*
5. [_____ *add any other desired reason here* _____].

Motion to recommend denial:

I move we forward a recommendation for denial to the County Commission for File #ZMA2023-04, a developer-initiated application to amend the Weber County Zoning Map to rezone a 76-acre parcel located at 640 South 7500 West from the A-2 Zone to RE-15 Zone, with the following conditions. I do so with the following findings:

Examples findings for denial:

1. *The proposal is not adequately supported by the General Plan.*
2. *The appropriate Ability to Server letters are not provided*
3. *The area is not yet ready for the proposed changes to be implemented.*
4. [_____ *add any other desired findings here* _____].

Exhibits

Exhibit A: Concept Plan & Narrative.



VAQUERO PHASE 2 REZONE NARRATIVE

With the passing of the new master plan for West Weber, Lync Construction is respectfully asking for a rezone on its Vaquero Phase 2 project in accordance with the intent of the Commissioners after considering all options and public comment in proactively working towards and properly facilitating future growth in Weber County.

The proposed development (as seen in the conceptual plans included) will incorporate the Smart Growth Principles as laid out in the master plan and showcase responsible development that fosters close neighborhoods while simultaneously encompassing and embracing the agricultural heritage and legacy of the community upon which the area was founded.

Ongoing conversations to receive feedback from local agricultural producers to determine the best places to grow agriculture and best place to grow the necessary homes to support the thriving economy and growing population as the next generation looks to stay closer to home. Fostering the continuation of family legacies and promoting and attracting new ones.