

WESTERN WEBER PLANNING COMMISSION

July 9, 2022 (Tuesday) Minutes

Minutes for Western Weber Planning Commission meeting and work session of July 9, 2024, 2380 Washington Blvd. 1st Floor Breakout Room

Members Present: Bren Edwards – Chair; Andrew Favero – Vice Chair; Cami Clontz; Casey Neville; Wayne Andreotti; Jed McCormick; Sarah Wichern

Staff Present: Rick Grover- Planning Director; Charlie Ewert – Principal Planner; Tammy Aydelotte – Planner III; Felix Lleverino – Planner II, Liam Keogh – Attorney; Tiffany Snider – Secretary

- **Pledge of Allegiance**
- **Roll Call:**
- **Minutes: Motion made to accept minutes from the May 14th, 2024 meeting. Received a 2nd, all members voted in the affirmative to accept the minutes. Motion passed. The regular June 11th meeting was cancelled. No minutes to approve.**
- **Commissioners Wichern and McCormick will not be able to vote this evening**

Petitions, Applications, and Public Hearings:

1. Legislative items

2.1 ZMA 2024-07: Request to amend the Master Development Agreement for JDC Ranch, to allow for an additional 275 dwelling units. This request is being made to address the need for more attainable housing within Weber County.

Director Rick Grover indicated this is part of a re-zone request that has a development agreement attached to it. The WWPC will be making a recommendation to the County Commission, which is the legislative body. WWPC will need to open and close a public hearing and then make a recommendation. Tammy Aydelotte will present.

Tammy Aydelotte presented a request to amend the Master Development Agreement for JDC Ranch to allow for an additional 275 dwelling units. Request is being made to provide more attainable housing within Weber County. Located at 2075 West 2600 North, Western Weber. Forwarded in 2021 from the Planning Commission to the County Commission with a recommendation of approval. Originally approved in 2022 by the County Commission. Total approved units 725 (including not more than 100 townhomes and not more than 200 attached residential products). The DA was approved with Flex Village area (C-2 zone), street connections, architectural standards, designated open space improvements – 4 open space areas dedicated for public use, maintained by HOA. Open space improvements include trails dedicated for use by the public, maintained by HOA.

The amendment stipulates all units will be designated as attainable housing. Proposed requirements would be deed restrictions, including prioritizing potential buyers in the following order:

- First-time home buyer, who works within Weber County
- Active-Duty military
- First responders, teachers, public service employees who work within Weber County
- Anyone else

The goal is to integrate attainable housing throughout the project area (must be detached single-family). They will be integrated in such a way so that not more than 80% of any village consists of these units. Initial base price must not exceed \$400,000, excluding garages, unfinished basements, & upgrades. Must be owner occupied for a period of X years (applicant suggests 10 years, CC suggests 50 years). To allow for the space necessary for an additional 275 detached single-family unit, certain changes are proposed:

- Increase in number of townhomes: for each c/o of an attainable unit, one SFD unit may be exchanged for a townhome or row house (up to an additional 100 of these type), not to exceed a total of 200 townhomes/row homes within the total project area (total number of overall proposed units is still 1000. No additional density).
- The applicant is also proposing a standard product type plan: The County would evaluate and approve a Standard Product Type Plan, and would maintain a 'card file' containing each product type. The expectation from the developer would be an expedited approval and issuance of each building permit.

Exhibits were presented with side-by-side before and after drawings of proposed changes. No questions for staff from the Planning Commission.

Bryan Bayles (1740 Combe Road Ogden, Utah 84403) from Nilson Homes presented. This project has been 2 years in the making. Reasons Nilson is asking for additional units:

- Utah ranked number 5 worst state to find a starter home
- Utah is one of the least affordable places to buy a home in the US
- Study predicts that average Utah home prices will hit \$1.1 Million by 2030
- Shortage of housing units

In order for Nilson homes to provide affordable housing, the business model requires additional units on the same amount of land. Definition of attainable housing:

- Single family detached
- \$400,000 and below
- Deed restricted for owner occupied for a period of time (State suggests 5/applicant suggests 10)
- Long term quality
- Will put at entrance to the community
- All with unfinished basements
- Not all homes will have a garage
- Will not build below 4238'
- Fully landscaped
- HOA professionally managed

Commissioner Neville:

- Clarified a full yard landscape instead of just front yard. Applicant confirmed it is the entire yard, not just the front yard.
- HOA professionally managed, how will the fees impact the attainability of the home? Applicant responded with a fee of \$50-60 monthly. Still working through the details with FCS HOA Management Company.

Commissioner Favero invited Steve Waldrip to present.

Steve Waldrip (5838 East 2500 North Eden):

- Homes costs in Utah are 6.5 times the median wage
- Inflation
- Population growth
- Supply chain problems
- Home ownership is the number one way to build wealth in the US
- 90% of those who do not own a home now, statistically, never will
- Need to go back to building smaller, more affordable homes instead of high-end offerings
- Median net worth of a renting family in the US as of 2023 is \$10,400
- Median net worth of a home owning family in the US as of 2023 is \$396,200
- Governor goal is to build 35000 attainable homes across the state in the next 5 years
- A community with integrated housing allows families to age up and down within the same community

Commissioner Andreotti:

- What are you using to evaluate the progress against the goals? SW: Can we drive the costs lower? It starts with land price. Design criteria (i.e. soft close doors, tile floors) intentional decisions about wants vs. needs.

Commissioner Edwards (Chair) ready to accept a motion to open a public hearing. Motion from Commissioner Neville to open public hearing, Commissioner Favero motioned a second, all commissioners voted aye. Public hearing in process.

Public Comments

Michael Cain (3647 West 2100 North Plain City)

- Has experience living in Southern Utah relevant to this discussion. A developer in SU constructed a development with the same type of vision, mostly owner occupied (75/25). Over-sight for the enforcement for the owner occupied structures was neglected. Who will enforce the deed restrictions? Has infrastructure been addressed?

Braden Stander (2727 Prairie Circle)

- Expressed concern who will enforce deed restrictions
- Concerned with additional density
- Concerned with school systems
- Concerned with infrastructure
- \$400,000 not attainable

Deann Kennedy (2151 West 2700 North, Farr West)

- Concerned about 2700 North traffic and safety of children and community
- Concerned with exiting I-15 during rush hour traffic

Penny Barnes (3107 West 2600 North, Plain City)

- Concerned with increased traffic and safety of children
- Will there be a park and trails inside the new community?

Michelle Roylance (2682 West Meadow Court, Farr West)

- Had a hard time finding information on meeting
- Wants the PC to reject amendment
- How are the developers dealing with storm water?
- If homes do not have garages, where are people going to park?

Carl Mikkelsen (2498 West 2825 North, Farr West)

- Concerns with infrastructure, specifically roads)
- Concerned with bringing in people of lower socioeconomic status and the possible associated crime
- Concerned with increased density

Pat Burns (2702 North Burns Lane)

- Supports the attainable housing and the Nilson Homes project

Nate Weanington (?) (2484 North 450 West)

- Is 20 years old and cannot afford a home
- Supports the project

Commissioner Edwards (Chair) calls for a motion to close public hearing. Commissioner Andreotti moves to close public hearing. Commissioner Neville motions a 2nd. All commissioners voted in the affirmative to close the public hearing. Motion carried, public hearing is closed.

Commissioner Edwards call for PC comments.

Commissioner Wichern

- Acknowledges the difficulty associated with development. What is addressed first? Infrastructure or roof tops. Infrastructure can only be placed to a certain degree prior to development. The county cannot predict who will sell their land and where development will take place. The county does call for studies and analysis to determine appropriate impact fee to charge. By law, the developers are paying for the water, sewer and roads to access their developments.
- School district is its own taxing entity and the county cannot require developers to pay.
- Called for the developer to address the storm water topic
- The comment about lower socioeconomic status hit hard. Everyone in the room qualifies for that designation due to inflation and housing costs.
- Drove the point we are talking about attainable housing, not government subsidized/unemployed housing

Commissioner Edwards

- Served 10 years as a firefighter and had to leave the profession because he could raise a family on a public servant salary. Does not agree with the image of a crime riddled community due to attainable housing.
- Stated there have been numerous work sessions and meetings surrounding this development.
- Supports the integration of the community with starter homes and homes that can people will age into.
- This is a good opportunity due to the acreage to be a leader for the future.

Commissioner Neville

- Randall Acres was attainable housing in 1981
- Does business in other more affluent states and crime is the same there

Commissioner Andreotti

- Infrastructure doesn't happen until a certain amount of road exists. The question to ask is am I willing to absorb a tax increase to build a road to nowhere? The development drives the infrastructure.

Commissioner Favero

- Growth comes from both organic and inorganic means
- Children are living with their parents longer due to cost
- This is an opportunity to change the trajectory of the starter home market

Director Grover

- Storm water concerns are not looked at until a subdivision application has been presented. It is looked at in detail and state code is followed.

Bryan Bayles (1740 Combe Road Ogden, Utah 84403)

- Change is already here
- Nilson wants to develop an entire community instead of patchwork development
- Open space 2.5-3 acre park in this community, built up front after the first c/o
- The large central park will be built after the next 450 units
- The large open space will be delivered at 650 units
- A built park is what is shown on the map
- County will not maintain parks, HOA will
- Open space and park size decrease with additional density by 5 acres but all amenities stay the same
- It changes from passive to programmable space, thus reducing the cost of the HOA fees
- Developer will build traffic signal when there is enough traffic to support it
- Updates to UDOT provided by developer on a regular basis
- Detention basins – Weber County has strict standards compared to other entities in the state
- JDC has been broken up into certain prescribed areas with detention basins associated with that particular area. Developer will install detention basins one section at a time as the section develops
- All homes will have 2 parking spaces at a minimum
- Commissioner Edwards – enforceability of deed restrictions??
 - Nilson put in place the mechanism to require owner occupancy up front. Will leave enforceability to county
- Liam Keogh – If restriction is violated you must be able to go to the courts and have it enforced. The restriction is between the developer and owner/HOA/neighbor property. The county does not have policing power.
- Commissioner Neville – Townhomes are not affordable/attainable for anyone. Can we get more SFR vs townhomes? In order to get more density townhomes are the answer due to land space.
- Commissioner Wichern – Time line of deed restriction 5 years vs 10 years vs 25 years vs 50 years. Open to 15 years (allows one transfer of ownership)? First option to Weber County residence, how legal is that?

- Commissioner Favero – Could be problematic regarding discrimination by the county
- Commissioner Clontz – What does the HOA cover? Every unit will be part of a master HOA. Maintenance for all open spaces. There will be specific areas that have additional services. An example is the townhome area will have mowing and snow removal services.

Commissioner Edwards

- Amend 100 townhomes to 50 and leave 50 as SFR's
- Amend to say total housing units at 100 and no less than 275 are the attainable housing
- Additional amendment of Christensen Park that the restroom of 2 holes per gender and the off street parking with a minimum of 25 spaces be required
- 25 years on deed restrictions

Commissioner Wichern

- Concerned about the HOA paying for a restroom for a public park

Bryan Bayles (1740 Combe Road Ogden, Utah 84403)

- Any units above 725 will be attainable housing
- Nilson Homes wants the county to absorb the maintenance fees for bathrooms
- Nilson is not ok with the amendment from 100 to 50 townhomes

Director Grover

- Amendment to DA, not a rezone. Parks on subdivision plat. Size will be voted on now. Rezone was approved with a DA. To amend anything the DA would need to be amended.

Commissioner Wichern

- Not concerned with trading open space for attainable housing

Bryan Bayles (1740 Combe Road Ogden, Utah 84403)

- Quality open space is more important than quantity. It needs to be functional. Trails are the focus.

Commissioner Wichern

- What are the lot sizes for the attainable housing?
- 85 ft. deep to 50 ft. wide, some wider and deeper (4000 to 5500 sq. ft.)

Commissioner Edwards (Chair) ready for a motion/recommendation. Commissioner Neville motions on item 2.1 ZMA 2024-07 to make a positive recommendation to the county commission as written in the staff report. The DA should limit the number of townhomes to no more than 150 total units per stipulations outlined above. The DA should limit the total housing units to no more than 1000. Anything above 725 will be attainable. The DA shall require a time specific owner occupied deed restriction for every attainable housing unit. The deed restriction should include a list of those groups that have a right of first refusal and the deed restriction should last for 25 years. The deed restriction for the 14-day pre-sale period should prioritize sales of the attainable homes to the best qualified applicants within the following order. Those who work within boundaries of Weber County and are first time home buyers. Those who work within boundaries of Weber County and are active military, first responders or teachers. Those who work within boundaries of Weber County and are in the public service sector or non-profit sector employees that work within the boundaries of Weber County. Those that do not work

within the boundaries of Weber County and are active duty military, first responders or teachers and anyone else. The DA should allow for necessary flexibility to make minor adjustments to the street alignments and widths as well as open space parks improvements on an as needed basis to allow for the development of additional residential units. All other agencies or agency should be accounted for as may be necessary in the development agreement. Christensen Park should provide a 2-hole restroom per gender and off street parking of 25 spaces. This recommendation is based on the following findings: The proposal offers public recreation shopping jobs and has potential to offer a mixture of housing options and cornerstones of sustainable community planning principles. The impacts of the development on adjacent land owners is proposed to be appropriately minimized by buffering similar land uses and screening higher density housing from view by locating it in the middle of the project. The development is not detrimental to the overall health, safety and welfare of the community. It is recognized and is within the current general plan.

Commissioner Edwards (Chair) has a motion, Commissioner Clontz offers a 2nd. Commissioner Andreotti – no, Commissioner Favero – no, Commissioner Neville – aye, Commissioner Clontz – aye, Commissioner Edwards – aye. The requirement is four to pass, motion dies.

Commissioner Andreotti – Wants to see the townhomes stay at 200.

Commissioner Neville - New motion, verbatim, with the exception of keeping 200 townhomes instead of 150, as recommended by staff (item #1).

Commissioner Edwards (Chair) has a motion, Commissioner Favero offers a 2nd. Commissioner Andreotti – aye, Commissioner Favero – aye, Commissioner Neville – aye, Commissioner Clontz – aye, Commissioner Edwards – aye. Motion passes.

Public comments for items not on today's agenda - none

Thank you to the community for being a part of this process from all of the Planning Commission.

Thanks to Steve Waldrip for his comments and support.

Adjourn to work session

Work Session Items

Felix – WS1: A discussion on a request to amend the general plan future land use map expanding the mixed residential boundary to include a portion of the West Creek (GBAR) development.

Commissioner Edwards (Chair) – General plan does not support a change to R-3

All commissioners agree to have Pat Burns run it through the process to go to county commission

Liam Keogh – New rules of order

Adjourn meeting

