

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

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:

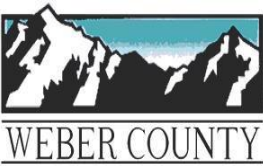
- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information 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 will 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.



OGDEN VALLEY PLANNING COMMISSION

MEETING AGENDA

December 17, 2024

Premeeting 4:30pm/Regular Meeting 5:00 pm



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

1. **Minutes:** 10/22/2024

2. **Administrative Items:**

2.1 UV102324: Request for preliminary approval of Eden Acres Phase 2 Subdivision, consisting of 15 single-family lots and public roadways, in the Form Based Zone, located at approximately 5555 East, 2700 North, Eden, UT, 84310.

Staff Presenter: 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

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

& Via Zoom Video Conferencing at <https://webercountyutah.zoom.us/j/88961050820> Meeting ID: 889 6105 0820

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8761

Minutes of the Work Session of the Ogden Valley Planning Commission for October 22, 2024. To join the meeting, please navigate to the following weblink at <https://webercountyutah.zoom.us/j/89622241014>, the time of the meeting, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Janet Wampler (Chair), Jeff Barber (Vice Chair), Bryce Froerer, David Morby (via Zoom), Mark Schweppe, Trevor Shuman.

Excused: Jeff Burton

Staff Present: Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Wampler conducted roll call and indicated Commissioner Burton was excused and Commissioner Morby was participating via electronic means. All other Commissioners were present.

1. Minutes: September 24, 2024.

Chair Wampler offered typographical error corrections for the minutes; there were no additional changes to the minutes and Chair Wampler declared them approved as amended.

Chair Wampler called for declarations of conflicts of interest or ex parte communication. No declarations were made.

Chair Wampler reported that the work session item that was scheduled to be heard at the conclusion of tonight's business meeting has been removed from the agenda and will not be discussed this evening.

2. Administrative Items:

2.1 CUP 2023-10: Request for approval of a conditional use permit for an Agri-tourism operation called the High Mountain Orchard. Presenter: Felix Lleverino.

A staff memo from Planner Lleverino explained the applicant is requesting approval of a conditional use permit for an agri-tourism operation fronting on Highway 39. The operation would be centered around sustainable agricultural and community engagement. The long-term vision of the operation includes a u-pick field that grows fruits, berries, and vegetables. The u-pick operation would invite members to participate in the harvest. A health farm with a two-story pole barn will serve as an area for indoor produce processing and accommodations for seasonal workers. A motor-coach caravan area will offer visitors a place to park and sleep in recreational vehicles when visiting. Tree windbreaks will be planted in areas along the boundaries of the property to reduce evaporation, invite wildlife habitation and mitigate potential disturbances to the neighboring properties.

Mr. Lleverino reviewed his staff memo and used the aid of a PowerPoint presentation to summarize staff's analysis of the application to determine conformance with the following:

- General Plan;
- Zoning guidelines;
- Design review requirements;
- Agri-tourism applicability;
- Conditional use standards;
- Considerations relating to traffic safety and congestion;
- Standards relating to infrastructure, amenities, and services; standards relating to the environment;
- Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the General Plan;
- Standards relating to performance; and
- Review agency requirements.

Mr. Lleverino concluded staff recommends approval of file# CUP 2023-10, a conditional use permit for an agri-tourism operation identified as the High Mountain Orchard located at 9356 East 200 South, Huntsville, UT. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. The sign may be placed no closer than ten feet from the property line adjacent to a street.
2. Access construction requirements from UDOT must be followed
3. The owner shall obtain the appropriate permits.
4. The owner applies for and keeps a valid business license
5. All Weber County Engineering requirements are satisfied.
6. All Fire Marshal requirements are satisfied.
7. All Weber-Morgan Health Department requirements are satisfied before infrastructure-dependent uses shall commence.

This recommendation is based on the following findings:

1. The proposed use conforms to the Ogden Valley General Plan.
2. The proposed use will protect and preserve agricultural property in Weber County.
3. The proposed use will not be detrimental to public health, safety, or welfare.
4. The proposed use will comply with applicable County ordinances.
5. The proposed use will not deteriorate the environment or the general area to negatively impact surrounding properties and uses.

Commissioner Shuman asked Mr. Lleverino to expound on parking requirements. Mr. Lleverino stated that parking areas will be required, but there is no requirement for the parking areas to be made of a hard surface. If the applicant chooses to install hard surface parking, those improvements must comply with engineering standards.

Chair Wampler stated it is her understanding the applicant is in discussions with the Utah Department of Transportation (UDOT) regarding ingress/egress points on the site. She believed there would be one exit, but the staff report references two exits. Mr. Lleverino stated there is currently one ingress/egress point, but the applicant is allowed to have two. Chair Wampler asked who will pay for that improvement, to which Mr. Lleverino answered the applicant.

Commissioner Schweppe referenced conditions number six and seven; he asked Mr. Lleverino to expound on the requirements of the Fire Marshal. Mr. Lleverino stated that if a structure is built in the forest, the Fire Marshal will require a clear zone for fire protection purposes; if the applicant is going to be operating a farm school, the Fire Marshal will require maximum capacity limits to be advertised, as well as for the ingress/egress points to be clearly marked. The Health Department primarily requires further review of the lodging for seasonal workers and the caravan area. Commissioner Schweppe asked if the development plan contemplates a septic dump station or will the travel motorhomes be required to haul off their gray water and wastewater. Mr. Lleverino stated that issue could be addressed in a few different ways; if the applicant decides to build a permanent restroom facility, they could possibly include a septic dump station, but that would require approval from the Health Department. Commissioner Schweppe asked if that needs to be addressed before the Commission takes action on the current application. Mr. Lleverino answered no; it is his understanding the applicant is 'starting small and ramping up' and as they do so, the County will ensure they have all required approvals from review agencies.

Commissioner Froerer stated the staff memo addressed the seasonality of the operation; he asked if it is accurate that operations will not occur year-round. Mr. Lleverino stated it is his understanding the u-pick area of the property will be operated in spring, summer, and fall, but there are also greenhouses on site and that will make it possible for them to grow crops year-round. He deferred to the applicant to provide a more detailed answer to that question.

Chair Wampler invited input from the applicant.

Tyson Lloyd stated that he has been a farmer in Uintah and wants to expand his operation to the subject property with hopes to continue farming long term in Weber County. The purpose of this application is for him to be able to diversify his income and operate sustainably. He understands many of the applications the Planning Commission reviews are for very concise development projects, but his goal is to try to create a long term plan for his farm that can be nimble in an effort to comply with ever-changing regulations, or to give him flexibility to change course as dictated by demand without having to come back to the Commission for an amended approval or approval of different uses. He understands the hesitancy the Commission is experiencing due to the

imprecise nature of his application, but he is committed to working with Planning staff to develop a plan that will allow for future expansion if feasible. He understands there are regulations he will need to comply with if his operation changes.

Commissioner Shuman thanked Mr. Lloyd for his explanation of his plans for the property. He noted that there has been an issue in the County in recent years regarding the creation of short-term rental uses on agri-tourism properties. The Commission's goal is to incentivize the type of operation Mr. Lloyd has discussed, but there are concerns about accessory dwelling units on the property and parking areas for travel trailers and it would be his preference that those uses not be permanent in nature because the intent of the agri-tourism zone is not to provide for long term trailer parks. He would like to include conditions of approval that address matters of health/sanitation and noise associated with long term trailer parking and he asked Mr. Lloyd if he is willing to accept such a condition. Mr. Lloyd stated he understands those concerns.

Chair Wampler asked how many recreational vehicles/travel trailers will be parked in the RV parking area. Mr. Lloyd stated the code allows for 20, but he doubts that he will reach that maximum. Chair Wampler asked Mr. Lloyd how long he envisions the farming RVs to park on the site. Mr. Lloyd stated that the common practice is for a RV to stay on a farming site for just a few days, but if he chooses to one day invest in infrastructure to provide long-term parking, he expects that people will stay at the site for up to a week. He is comfortable with a condition that prohibits the use of generators for an RV and for RVs to be parked on site for no longer than a few days, but he would like some flexibility to expand those uses in the future if he installs permanent hook-ups for RVs. Commissioner Shuman stated it would be his preference for the Commission to approve a CUP that provides for RVs to park on site for just a few days at a time; if Mr. Lloyd made a change that would allow for long-term RV parking, he would like for him to resubmit an application for an amended CUP. Mr. Lloyd stated that his only concern is the potential for the County's agri-tourism code to change between now and then in a manner that would prevent him from expanding his operation. Commissioner Shuman stated he believes the new agri-tourism code is very similar to the agri-tourism code in terms of RV parking regulations.

Chair Wampler asked Mr. Lloyd his plans related to waste water and gray water from RVs. Mr. Lloyd stated that anyone parking an RV on the site will clearly understand they will not have access to power and water connections; additionally, they will need to contain their gray water and waste water and haul it from the site with them.

Commissioner Froerer asked Mr. Lloyd if he has applied for any agricultural grants or farming subsidies to assist him with growth. Mr. Lloyd answered yes.

Vice Chair Barber inquired as to Mr. Lloyd's current farming operations. Mr. Lloyd stated that he operates a farm near Valley Nursery in Uintah.

Commissioner Shuman stated the additional conditions he would recommend imposing on Mr. Lloyd would be that RVs shall not be parked on site for longer than four nights, that generators can only be operated during daylight hours, and that any changes to the CUP will require a new application.

Chair Wampler asked Mr. Lloyd about the structures he plans to build on the property; it is her understanding there will be a farm stand, a two-story pole barn, an RV caravan area, and a second home. Mr. Lloyd stated that the first area he will focus on is the u-pick site, next the RV caravan area, the second home and pole barn in five to 10 years, and the health farm in five years. All of these improvements are dependent on revenue generation at the site. Chair Wampler asked what type of structure the health farm will be contained in. Mr. Lloyd stated it is unplanned at this point, but he referred to the site plan that he provided to Planning staff to orient them to the location of each improvement/amenity. Chair Wampler stated that her understanding was that the health farm would be an area for special events. Mr. Lloyd stated that is correct and eventually he would like to build a structure to contain the health farm. Chair Wampler stated the packet materials do not address a structure to contain the health farm. Mr. Lloyd stated that initially he may consider a yurt for the health farm, but eventually it could be expanded into a second pole barn. Chair Wampler stated that the description of the initial pole barn is that it will potentially be used as housing for farm workers and as a processing area. She asked if housing for the farm workers will be seasonal or year-round. Mr. Lloyd stated that under his current operations, it will be seasonal. He currently does not employ year-round employees. Chair Wampler inquired as to the water/sewer infrastructure for the housing. Mr. Lloyd stated that he would need to dig a well to provide water to any additional structures. Commissioner Shuman stated that he would suggest a condition that addresses ADUs because he does not think that is an applicable use in the agri-tourism zone. He understands that farm workers will be needed at the operation, but there are development rights associated with the 90-acre parcel, and he does not believe ADUs are needed. Mr. Lloyd stated he understands that concern, but the agri-tourism code is specifically designed to help farmers generate income and he would like to have two

dwelling units for himself and farm workers. Mr. Lleverino stated that it is correct that Mr. Lloyd has several development rights based upon the size of the property, but he is only allowed to have one ADU according to the development code. He stated the main house will remain, and he is allowed one ADU for that home. Chair Wampler asked how Mr. Lloyd's development rights and density points are calculated based upon his proposed use of his property. Mr. Lleverino stated that if Mr. Lloyd decides to build an ADU, that will consume one of his development rights. Chair Wampler asked how many development rights he has. Mr. Lleverino answered that is based upon the property size, which is 96 acres in total. Chair Wampler asked if that is impacted at all by the proposed layout and use of the site. Commissioner Shuman stated he is not as concerned about the ADU, but he wants to ensure that the property is used as Mr. Lloyd is communicating and that is why he is trying to determine appropriate conditions that will ensure what Mr. Lloyd is committing to. This led to discussion among the Commission, Mr. Lloyd, and Mr. Lleverino regarding the intended use of the subject property and appropriate conditions to impose to ensure preservation of that use; Planning Director Grover clarified that the CUP, if approved, will run with the land and if Mr. Lloyd chooses to subdivide the property at some point in the future, it may be necessary to re-address the CUP and possibly require the operation to comply with the most current version of the agri-tourism ordinance.

Chair Wampler then addressed Exhibit C in the packet, titled "UDOT notes"; she asked for an explanation of the notes relating to the removal of existing access points and aligning new access points with one or both existing driveways across the highway. Mr. Lloyd stated that because Highway 39 is a major roadway as classified by UDOT, the attempt to minimize the number of access points to reduce restrictions on traffic flow. They asked him to move the driveways or access points on his property so that they align with the access points across the street. He noted he can add one or two new access points and eliminate the current driveway. Chair Wampler then asked Mr. Lloyd how many people he anticipates employing at the farm, to which Mr. Lloyd answered no more than six. Chair Wampler asked if they will be year-round employees. Mr. Lloyd stated they may eventually be employed year-round, but under the current scenario they will be employed seasonally, May through October. Mr. Lleverino stated that the agri-tourism ordinance does not provide a great amount of detail regarding how farm worker housing is to be constructed; he anticipates that basic necessities will be required, including kitchen and bathroom facilities. Chair Wampler asked how the County will know that the pole barn is being used for farm workers rather than as a short-term rental property. Mr. Lleverino stated the owner's past performance is a good indicator. Mr. Groer added that Code Enforcement can inspect the property if there is some believe that the property is not being used as intended under the CUP. Chair Wampler asked if it is necessary to include a condition that the pole barn is only to be used for farm workers. Mr. Grover stated the Commission could specify those types of conditions as part of their motion. The purpose of a CUP is to make the use compatible with its surroundings.

Commissioner Froerer stated that Section 108-21-6(b) of the old agri-tourism ordinance address use activity standards and limitations, and – more specifically – the number of guest rooms allowed in an agri-tourism operation. He stated that a bed and breakfast type of operation may bring more revenue to the operation, and he asked Mr. Lloyd if he has thought of that option. Mr. Lloyd answered no, and indicated it was his understanding that the old ordinance required a bed and breakfast to be attached to the primary dwelling. He stated he has considered 'glamping' cabins for the property, but it was not feasible to pursue that type of operation. He has chosen to pursue a smaller farming operation, with the understanding that some overnight guests would be allowed under his scenario.

There was brief continued discussion among the Commission and Mr. Lloyd regarding his long-term plans for the property and opportunities for including conditions of approval for the current CUP application that may prevent the need for him to come before the Commission again in the future for adjustments to the CUP.

Chair Wampler reviewed the current layout of the property and compared it with Mr. Lloyd's proposed site plan to determine the percentage of the land that will remain undeveloped and used for agricultural purposes.

Chair Wampler invited public input. There were no individuals appearing to be heard.

Commissioner Shuman moved to approve CUP 2023-10, conditional use permit for an Agri-tourism operation called the High Mountain Orchard, subject to all review agency requirements and conditions of approval and based upon the findings listed in the staff report, and the following additional condition:

1. Any trailer or mobile home stay on the property shall be four-nights or less and no generator use is permitted outside of daylight hours.

Commissioner Schweppe wondered if an appropriate friendly amendment to the additional condition would be to allow camping up to 14 days given that is the State of Utah regulation for camping on Bureau of Land Management (BLM) property. Chair

Wampler stated the four-day limitation was taken from the applicant’s suggestion. Additionally, there is concern about the health and safety of camping in terms of dumping gray water and wastewater with no facilities on site. Commissioner Shuman asked Commissioner Schweppe if he is making a friendly amendment to the motion, to which Commissioner Schweppe answered no.

Commissioner Morby asked if there is some language or a clause that can be included in the motion to provide for some sort of revision if the business fails. Mr. Grover stated that if the business fails, the CUP will be valid for one year. If the business is not operated within one-year, the CUP will essentially be revoked.

Commissioner Schweppe seconded the motion. Commissioners Barber, Froerer, Morby, Schweppe, Shuman, and Wampler voted aye. (Motion carried on a vote of 6-0).

3. Public Comment for Items not on the Agenda:

There were no public comments.

4. Remarks from Planning Commissioners:

Commissioner Froerer thanked Mr. Lloyd for his time this evening and for fielding the questions the Commission had about his application. Chair Wampler agreed and wished Mr. Lloyd success.

5. Planning Director Report:

Planning Director Grover indicated he had nothing to report.

6. Remarks from Legal Counsel

Legal Counsel did not provide remarks.

The meeting adjourned at 6:18 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission



Staff Report to the Weber County Planning Division

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for preliminary approval of Eden Acres Phase 2 Subdivision, a 15-lot subdivision
Agenda Date:	Tuesday, December 17, 2024
Applicant:	Shawn Clegg, on behalf of Dog and Bone LLC
File Number:	UVE102324

Property Information

Approximate Address:	Approximately 2700 N 5600 E, Eden, UT 84310
Project Area:	22.94 Acres
Zoning:	Form Based (FB)
Existing Land Use:	Vacant
Proposed Land Use:	Residential
Parcel ID:	22-050-0017
Township, Range, Section:	T7N, R1E Section 35 NW Qtr

Adjacent Land Use

North:	2700 North Street	South:	Residential
East:	5600 East Street	West:	Residential

Staff Information

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

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 22 (Form Based, FB)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 5 (Preliminary Plat Requirements)

Development History

6/13/2023: Parcel was rezoned from AV-3 to the Form Based Zone (Ordinance # 2023-20, entry # 3286852)
 10/23/2024: Application accepted for Eden Acres Phase 2 Subdivision (formerly Camel Subdivision).

Background and Summary

This proposed subdivision is located along a Rural Residential street type, according to the Street Regulating plan for this area (**Exhibit B**). The applicant is requesting preliminary approval of a 15-lot subdivision that will gain access from 2700 North and 5600 East in Eden. 2700 N and 5600 E are built and maintained as public roads. Additional road dedication is required along these existing 66' wide roadways that run along the north and east boundaries of this development. The proposal includes two additional 60' wide public roadways that will stub to the western and southern boundaries of this subdivision. Adopted residential street design standards apply for these new roads within the subdivision.

Rural Residential lots can be as small as 40,000 square feet in area and 150 feet in width. The proposed sizes of the lots in this subdivision range from 48,630 – 69,361 square feet. Lot widths vary from 150' - 214.47'. Setbacks for residential use on these type of lots in the Form Based Zone are as follows:

- Front – 30'
- Rear – 30'
- Side – 10'

Maximum height for main buildings on a Rural Residential street type is 35' from finished grade.

Architectural standards do not apply to single-family dwellings in the form-based zone.

This area is also a designated Transferable Development Right (TDR) receiving area for the Ogden Valley, per the Street Regulating map. The applicant will be transferring 8 development rights to this parcel. Verification of this transfer will be required prior to recording the final plat.

Eden Water Works has issued a capacity assessment letter to confirming water availability to service this subdivision. Secondary water will be provided by the Ogden Valley Canal that runs along the northern boundary of this subdivision. A letter of septic feasibility has been issued by Weber-Morgan Health Department.

As part of the approval process, the proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the FB zone found in LUC §104-22. The following section is a brief analysis of this project against current land use regulations.

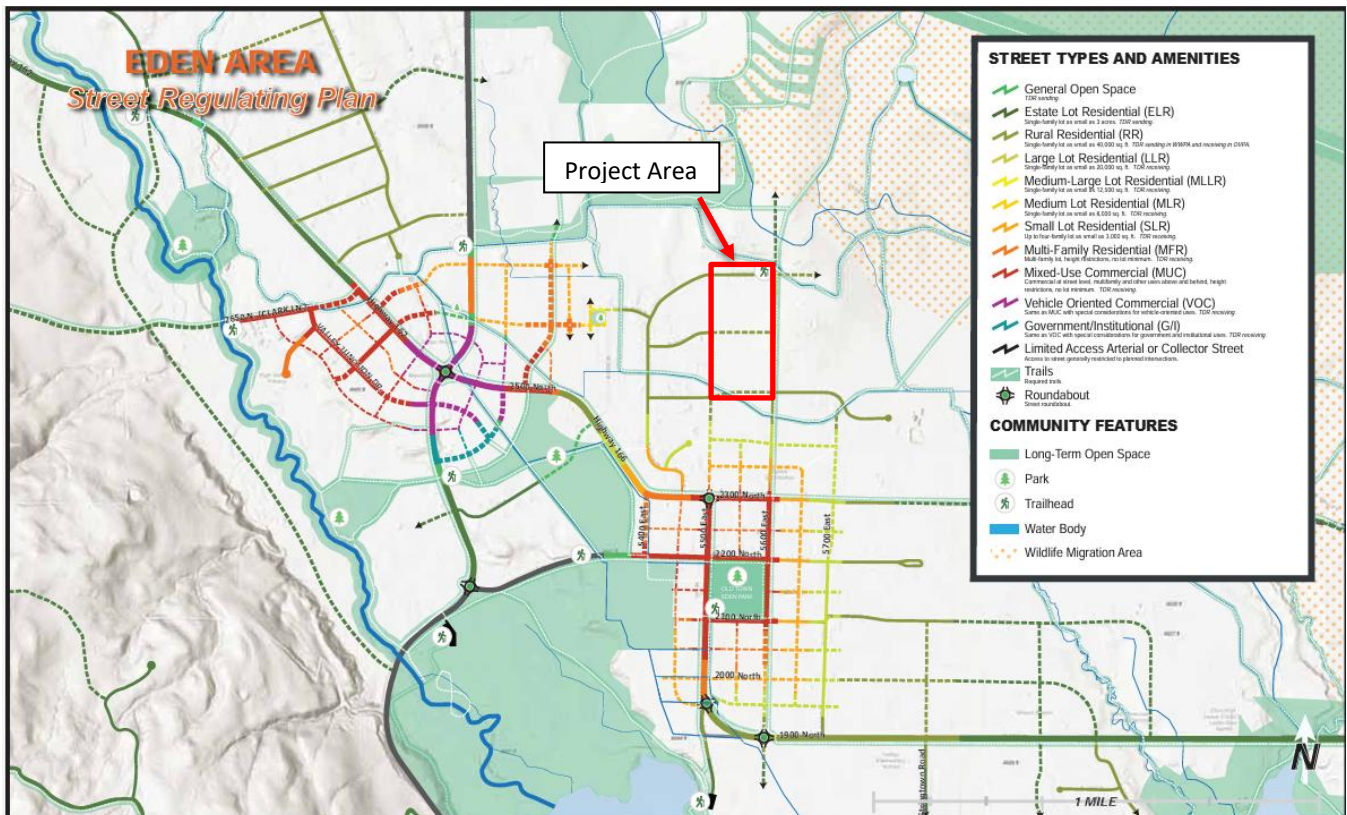
Analysis

General Plan: This proposal conforms with Ogden Valley General Plan (OVGP) by providing housing choices (smaller lots) in neighborhoods that will allow residents with a variety of incomes to live in Ogden Valley. (see page 33 of the OVGP).

Zoning: The property is within the FB Zone. The purpose of this zone is stated in the LUC §104-22-1.

“The purpose and intent of the Form-Based Zone is to provide a form-based regulatory tool that focuses on the public street design and the buildings that frame the public street. This deemphasizes separation of land uses as is typically found elsewhere in this Land Use Code. Form-based regulations help enable a mixture of allowed uses, multimodal active transportation, and enhanced building design. Additionally:

- 1. Implements the general plan.** The Form-Based Zone regulations are intended to carry out the objectives of the 2016 Ogden Valley General Plan through the implementation of form-based small area zoning and transferable development rights.
- 2. Creates street regulating plans.** Each area affected by the Form-Based Zone shall be governed by a Street Regulating Plan. The purpose of the Street Regulating Plan is to address specific design and functionality of streets and building facades along these streets. The intent is to stimulate the creation of buildings and streets that frame the public rights-of-way with architectural and design elements that are unified under a common design theme whilst enabling unique building facades.”



STREET TYPES AND AMENITIES

	General Open Space <i>TDR sending.</i>
	Estate Lot Residential (ELR) <i>Single-family lot as small as 3 acres. TDR sending.</i>
	Rural Residential (RR) <i>Single-family lot as small as 40,000 sq. ft. TDR sending in WWPA and receiving in OVPA.</i>
	Large Lot Residential (LLR) <i>Single-family lot as small as 20,000 sq. ft. TDR receiving.</i>
	Medium-Large Lot Residential (MLLR) <i>Single-family lot as small as 12,500 sq. ft. TDR receiving.</i>
	Medium Lot Residential (MLR) <i>Single-family lot as small as 8,000 sq. ft. TDR receiving.</i>
	Small Lot Residential (SLR) <i>Up to four-family lot as small as 3,000 sq. ft. TDR receiving.</i>
	Multi-Family Residential (MFR) <i>Multi-family lot, height restrictions, no lot minimum. TDR receiving.</i>
	Mixed-Use Commercial (MUC) <i>Commercial at street level, multifamily and other uses above and behind, height restrictions, no lot minimum. TDR receiving.</i>
	Vehicle Oriented Commercial (VOC) <i>Same as MUC with special considerations for vehicle-oriented uses. TDR receiving.</i>
	Government/Institutional (G/I) <i>Same as VOC with special considerations for government and institutional uses. TDR receiving.</i>
	Limited Access Arterial or Collector Street <i>Access to street generally restricted to planned intersections.</i>

Large Subdivision: “The Administrative Land Use Authority for preliminary plat approval of a subdivision other than a small subdivision, as defined in Section 101-2-20 of this Land Use Code, is the applicable planning area Planning Commission.” This proposal qualifies as a large subdivision consisting of more than nine lots.

Drinking-Water Source Protection Zone: This proposal is not located within a Drinking Water Source Protection Zone.

Natural Hazards: This property is located within a FEMA flood zone area classified as Zone X, which is outside of the 500-year flood risk. This property is not located within a geologic hazard study area.

Irrigation and Domestic Water: The owner has secured a capacity assessment letter from Eden Water Works. Secondary water will be provided by several shares owned by developer from the Ogden Valley Canal Company. Developer owns 44 acre-feet, and plans to dedicate a portion of these to this subdivision. The mechanism for securing these shares to the lots will be worked out by final approval.

Sanitary System: Weber-Morgan Health Department has provided a septic feasibility letter for all 15 lots in this subdivision.

Review Agencies: The Weber County Fire District has posted requested a hydrant site plan. Weber County Engineering has reviewed, but not yet approved of this subdivision. Weber-Morgan Health is aware of this project, and has but has not yet approved of this project in Frontier. Final approval from Weber-Morgan Health Department shall be required prior to recording of the final plat.

Staff Recommendation

Staff recommends preliminary plat approval of Eden Acres Phase 2 Subdivision, consisting of 15 lots. This recommendation is subject to all review agency requirements and based on the following conditions:

1. Prior to final approval, Engineering shall approve of submitted improvement plans. all applicable Weber County reviewing agency requirements shall be met.

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

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with the applicable County codes.

Exhibits

- A. Application
- B. Eden Acres (previously named Camel Subdivision) Preliminary Subdivision Plat
- C. Eden Area Street Regulating Plan
- D. Feasibility Letters



Exhibit A – Application

Eden Acres Phase 2 Subdivision-Preliminary

[+ Add Follower](#)
[✎ Change Status](#)
[✎ Change Review Due Date](#)
[✎ Edit Project](#)

Address: Weber County Parcel #220500017, Eden, UT, 84310 6752	Project Status: Accepted
Maps: County Map , Google Maps	Status Date: 10/23/2024
Project Type: Subdivisions	File Number: UVE102324
Sub Type: Preliminary Subdivision	Project Manager: Tammy Aydelotte
Created By: Shawn Clegg	
Created On: 1/25/2024	

[Application](#)
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[Comments 3](#)
[Reviews 3](#)
[Followers 15](#)
[History](#)
[Reminder 0](#)
[Payments 1](#)

[Area Fees](#)
[Internal 0](#)

Application

[+ Add Building](#)
[+ Add Parcel](#)
[+ Add a Contractor](#)
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[Building Permit](#)

Project Description 15 lot subdivision on Parcel #220500017 zoned FB. Lot is 22.94 acres which would allow for 7 lots and owner would transfer TDR's for the remaining 8 lots.

Property Address Weber County Parcel #220500017
Eden, UT, 84310 6752

Property Owner Dog and Bone, LLC Shawn Clegg (Manager)
801-232-4153
shawnclegg@outlook.com

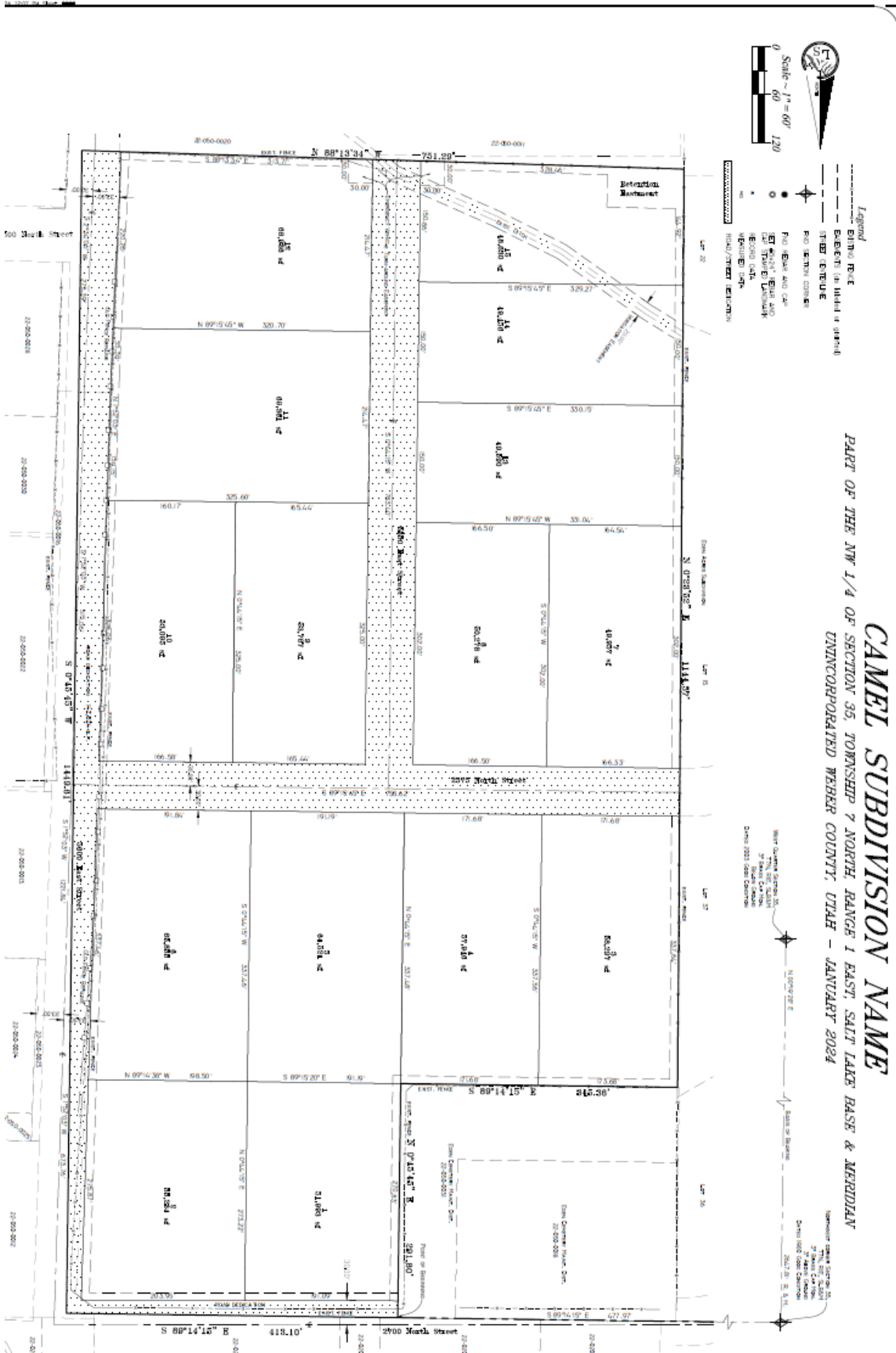
Representative Shawn Clegg
801-232-4153
shawnclegg@outlook.com

Accessory Dwelling Unit	False
Current Zoning	N/A
Subdivision Name	Eden Acres Phase 2
Number of new lots being created	15
Number of lots affected	0
Number of lots approved	0
Lot Number	2205000017
Lot Size	22.94
Frontage	751.29
Culinary Water Authority	Eden Water Company
Secondary Water Provider	Not Applicable
Sanitary Sewer Authority	Health Department (Septic)
Nearest Hydrant Address	Northwest corner of parcel on 2700 N next to cemetery and east side of parcel on 5600 E (midway)
Signed By	Owner, Shawn Clegg

Parcel Number

[✖ Remove](#) 220500017 - [County Map](#)

Exhibit B - Eden Acres Phase 2 Preliminary Plat



- Legend**
- Existing Route
 - Proposed to be added or altered
 - OTHER ROUTE
 - FID BOUNDARY
 - FID BEARS AND CAP
 - FID BEARING, BEARS AND CAP
 - FID BEARING, BEARS AND CAP
 - BEARING DATA
 - BEARING DATA

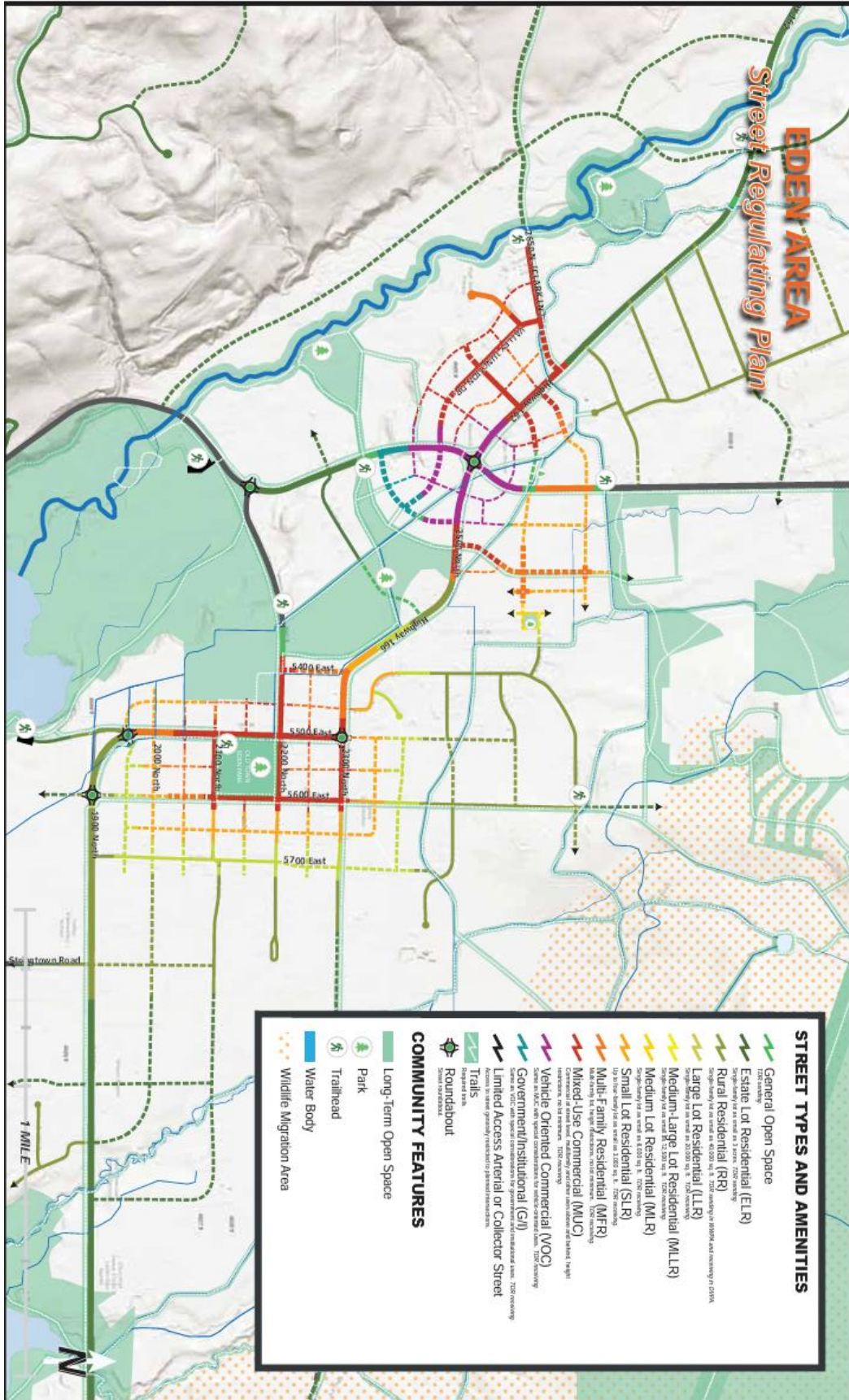
CAMEL SUBDIVISION NAME
 PART OF THE NW 1/4 OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
 UNINCORPORATED WEBER COUNTY, UTAH - JANUARY 2024

NEW DRAWING SET BY: [Name]
 DATE: [Date]
 DRAWING NO: [Number]



STATE OF UTAH
 DEPARTMENT OF HERITAGE
 LAND DIVISION

Exhibit C – Eden Area Street Regulating Plan



Box 223

Harold A. Newey

PETITION TO
WEBER BASIN WATER CONSERVANCY DISTRICT FOR THE ALLOTMENT
OF WATER FOR USE BY INDIVIDUALS

File No. Ogden Valley Canal

#11

Harold A. Newey
LaVerne B. Newey

herein styled Petitioner, elects to purchase and hereby applies to the Weber Basin Water Conservancy District, herein styled the District, for the allotment of the beneficial use of 85.0 acre-feet of Weber Basin Project water annually for the irrigation of 46.7 acres of land situated in Weber County, Utah, and described as follows:

DESCRIPTION OF LAND: SECTION 27 & 35: TOWNSHIP 7N : RANGE 1E : ACRES 46.78 : ACRE-FEET 85.0

ED2063

A part of the W 1/2 of the NW 1/4 of Sec 35, 7thN, R1E, S18E^{1/2}: Beg at a pt 6.26 chs E fr the NW cor of sd 80 acres; and running th. S 88°30' E alg sec ln 7.35 chs; th. S 1°30' W 22 chs; th. N 88°30' W 11.5 chs; th. N 1°30' E 19 chs; th. E 4.15 chs; th. N 88°30' W 3 chs to beg. Cont. 24 acres.

ED1878- A pt of the SE 1/4 of Sec 27, 7thN, R1E, S18E^{1/2}: Beg at the SE cor of sd 1/4 Sec & run. W 80 rds; th. N 50 rds; th. E 80 rds; th. S 50 rds to place of beg., except 2.28 acres sold to U.S.A. (OgdenValley Canal) by deed in book 727, page 84. Balance 22.78 acres net. The Petitioner agrees;

1. To purchase and pay for the right to use such water, whether or not petitioner actually takes and uses the same, at the price to be fixed annually by the Board of Directors of the District, which shall include the following items:

- (a) An amount not to exceed \$1.40 annually per acre-foot for all water allotted, to apply on the District's obligations under the repayment contract between the United States and the District, dated December 12, 1952, No. 14-06-400-33, as amended under date of June 30, 1961.
- (b) An amount not to exceed \$ 8.00 annually as determined by the District, to pay the District's special costs and expenses in administering this allotment, including the costs of processing the special assessments relating to the collection of the annual amounts payable hereunder. In the event of the division of the said land into separate ownerships, the annual charge provided for under this subparagraph shall be made for each parcel in new ownership.
- (c) A fair proportionate amount of the operation and maintenance charges of the District additional to those covered under item (b) above.

2. The aggregate of the amounts so fixed shall be a tax lien upon the above described lands and shall be paid in accordance with the provisions of the Water Conservancy Act of Utah and as the same may be amended. Nothing contained in this paragraph shall be construed to exempt the Petitioner from paying the taxes levied pursuant to Sections 73-9-16 and 73-9-20 Utah Code Annotated, 1953, as amended.

3. The charges specified in paragraph (1) shall remain effective against the land herein described, provided that upon application to the District its board of directors may reallocate the water allotted pursuant to this petition, and the charges specified in paragraph (1), to parcels of said land in separate ownership in accordance with rules and regulation of the District.

4. Project water so allotted shall be delivered and measured at a point or points designated by the District after consultation with Petitioner or his representative. It shall not be the responsibility of the District to provide facilities to convey the water from such point or points to the place of use. The Petitioner agrees to bear a pro rata share of all conveyance and evaporation losses from project storage reservoirs to the point or points of delivery.

5. The waste seepage or return flow from water delivered pursuant to this petition shall belong to the United States for the use and benefit of the project. The District may substitute in lieu of stored water any other water available to the project to the extent that it can be delivered at points where it can be used, provided such water is of quality suitable for project irrigation use.

6. In the event there is a shortage of project water caused by drought, inaccuracy in distribution not resulting from negligence, hostile diversion, prior or superior claims, or other causes not within the control of the District, no liability shall accrue against the District, or the United States, or any of their officers, agents or employees or either of them, for any damage, direct or indirect, arising therefrom and the payments to the District provided for herein shall not be reduced because of any such shortage or damage. Deliveries of water allotted pursuant to this petition shall be reduced in the proportion that the number of acre-feet of such shortage, as determined by the District, bears to the total number of acre-feet allocated for irrigation use.

7. The provisions of the Water Conservancy Act of Utah, and the rules and regulation of the board of directors of said District shall be binding upon the Petitioner, and this petition shall be subject to the repayment contracts between the District and the United States.

Dated this 18th day of December, 1963.

Johnna B. Newey
Harold A. Newey
 Petitioner and Owner of Lands above described

ACKNOWLEDGMENT

STATE OF UTAH)
)
 COUNTY OF Weber) ss

On the 18th day of December, 1963, personally appeared before me Harold A. Newey and Johnna B. Newey who being by me duly sworn did say that they are the signers of the within instrument, who duly acknowledged to me that they executed the same.

(SEAL)
 Residing at: Donnell Felt Notary Public
Odessa, Utah
 My commission expires: 1-3-65

ORDER ON PETITION

Due notice having been given and hearing had, it is ordered that the foregoing petition of Harold A. Newey & Johnna B. Newey be granted and an allotment of 850 acre-feet of irrigation water is hereby made to the lands described, upon the terms, at the rates, and payable in the manner as in said petition set forth.

Dated this 18th day of December, 1963.

Attest:
 Secretary [Signature]
 (SEAL)

WEBER BASIN WATER CONSERVANCY DISTRICT
 By [Signature]
 Chairman, Board of Directors

Approved: [Signature]
 Secretary of Interior
 Proj. Mgr., U. S. Bur. of Reclamation
 for Secretary of Interior



Checked as to Inputting Data
 By [Signature] Date 6/17/63

FILED AND RECORDED FOR
 405231
 746 PAGE 539
 BOOK
 1963 JUL 1 AM 10:46

August 23, 2024

Dog & Bone LLC
2261 N. Hwy 158
Eden, UT 84310

RE: Wastewater Site and Soils Evaluation #15570
5600 E. 2500 N., Eden, UT (Approx)
Parcel # 22-050-0017

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on August 21, 2024. The exploration pit(s) is located at the referenced GPS coordinate and datum. The soil texture and structure, as classified using the USDA system, are as follows:

Exploration Pit #1 (UTM Zone 12 Nad 83 0431930 E 4573163 N)
0-21" Loam, Granular Structure
21-39" Silty Clay Loam, Blocky Structure
39-82" Silty Clay, Blocky Structure

Conduct the required percolation tests so that the bottom of the percolation test hole(s) are at 22 and 45 inches deep from the original grade.

Exploration Pit #2 (UTM Zone 12 Nad 83 0431908 E 4573160 N)
0-20" Silt Loam, Granular Structure
20-32" Silty Clay Loam, Blocky Structure
32-76" Silty Clay, Blocky Structure
Groundwater Encountered At @ 76" Many Red and Gray Mottles Below 76"

Conduct the required percolation tests so that the bottom of the percolation test hole(s) are at 26 and 44 inches deep from the original grade.

Exploration Pit #3 (UTM Zone 12T, Nad 83, 0431931E 4573113N)
0-15" Clay Loam, blocky structure,
15-30" Silty Clay Loam, blocky structure
30-77" Silty Clay Loam, massive structure, red mottles 71"
Groundwater Encountered At @ 77"

Conduct the required percolation test so that the bottom of the percolation test hole is at 12, 27, and 42 inches deep from the original grade.

Exploration Pit #4 (UTM Zone 12T, Nad 83, 0431908E 4573115N)
0-17" Loam, blocky structure
17-33" Clay Loam, blocky structure
33-79" Silty Clay Loam, massive structure, red mottles 51"
Groundwater Encountered At @ 79"

Conduct the required percolation test so that the bottom of the percolation test hole is at 29 and 45 inches deep from the original grade.

Exploration Pit #5 (UTM Zone 12 Nad 83 431848 E 4573122 N)
0-15" Silty Loam, Granular Structure
15-51" Silty Clay Loam, Blocky Structure, Many Red and Gray Mottles at 50"
51-75" Sandy Clay Loam, Granular Structure, Many Red and Gray Mottles

Conduct the required percolation test so that the bottom of the percolation test hole is at 27 inches deep from the original grade.

Exploration Pit #6 (UTM Zone 12 Nad 83 431800 E 4573113 N)
0-18" Loam, Granular Structure
18-55" Silty Clay Loam, Blocky Structure
55-78" Sandy Clay Loam, Blocky Structure
Groundwater Encountered At @ 78"

Conduct the required percolation test so that the bottom of the percolation test hole is at 30 inches deep from the original grade.

Exploration Pit #7 (UTM Zone 12T, Nad 83, 0431934E 4572956N)
0-14" Clay Loam, blocky structure
14-36" Silty Clay Loam, blocky structure
36-81" Silty Clay Loam, massive structure

Conduct the required percolation test so that the bottom of the percolation test hole is at 12, 26, and 48 inches deep from the original grade.

Exploration Pit #8 (UTM Zone 12T, Nad 83, 0431933E 4572913N)
0-13" Fine Sandy Loam, blocky structure, 10% gravel
13-24" Gravelly Coarse Sandy Loam, single grain, 70% gravel-cobble
24-75" Gravelly Loamy Coarse Sand, single grain, 85% gravel-cobble

Conduct the required percolation test so that the bottom of the percolation test hole is at 36 inches deep from the original grade.

Exploration Pit #9 (UTM Zone 12T, Nad 83, 0431927E 4572846N)
0-14" Fine Sandy Loam, granular structure, 15% gravel
14-28" Coarse Sandy Loam, massive structure
28-77" Loamy Coarse Sand, blocky structure

Conduct the required percolation test so that the bottom of the percolation test hole is at 40 inches deep from the original grade.

Exploration Pit #10 (UTM Zone 12 Nad 83 431783 E 4572969 N)
0-18" Loam, Granular Structure
18-58" Sandy Clay Loam, Blocky Structure, Many Red and Gray Mottles at 48"
58-71" Gravelly Coarse Sandy Loam, Granular Structure, 100% gravel
71-85" Sandy Loam, Blocky Structure

Conduct the required percolation test so that the bottom of the percolation test hole is at 30 inches deep from the original grade.

Exploration Pit #11 (UTM Zone 12 Nad 83 0431787 E 4572932 N)
0-24" Loam, Granular Structure
24-58" Silt Loam, Blocky Structure, Few Red Mottles Beginning at 50"
58-77" Fine Sandy Loam, Massive Structure, Sand Lens at 59", Red Mottles Common below 59"

Exploration Pit #12 (UTM Zone 12 Nad 83 0431787 E 44572891 N)
0-31" Loam, Blocky Structure, few red mottles beginning at 25"
31-58" Silt Loam, Blocky Structure, few red mottles
58-84" Fine Sandy Loam, Massive Structure, mottling increases at 76"

Exploration Pit #13 (UTM Zone 12 Nad 83 0431847 E 4572847 N)
0-24" Loam, Granular Structure
24-51" Coarse Sandy Loam, Massive Structure
51-55" Very Coarse Sand Lens, distinct red mottled layer just below 55"
55-68" Medium Sandy Loam, Massive Structure, Red and Gray mottles common
68-78" Gravelly Medium Sandy Loam, bordering on Loamy Sand, single grain structure

Conduct the required percolation test so that the bottom of the percolation test hole is at 45 inches deep from the original grade.

Exploration pits should be backfilled immediately upon completion to prevent a hazardous environment that may cause death or injury to people or animals.

Percolation tests may be completed by any individual on the enclosed list. The stabilized percolation test results are to be submitted to this office for review prior to the recommendation for further development to the appropriate planning agency or prior to the issuance of a wastewater disposal permit.

Monitoring of the maximum ground water table is required in the location of the above listed exploration pits. Please complete the enclosed application for maximum ground water table monitoring and return it along with the appropriate fees. The wells should be constructed in accordance with the enclosed diagram in order to provide the most accurate water table readings possible.

If you have any further questions, contact this office at your convenience.

Sincerely,

Summer Day, LEHS, Program Manager
Environmental Health Division
801-399-7160

October 18, 2022

Weber County

RE: Eden Water Works Statement of Feasibility

Dog & Bone LLC

Parcel # 22-050-0017

To whom it may concern,

This letter is in response to Weber County land use code Sec. 106-1-4.1.4. This letter confirms that Eden Water Works (EWW) presently has the capacity to provide culinary water for **DOG & BONE LLC DEVELOPMENT**, consisting of **16 LOTS**. EWW will not provide secondary water or sewer for the Project. This Statement is that EWW has culinary water capacity for the Project at the current time, it is no guarantee that EWW will have capacity for the Project at the time the parcel owner applies for a can and will serve letter from EWW for building permits for lots within the Project. This Statement is issued on the above date and expires in one year for any lot within the Project if application for building permit is not completed.

EWW will require a full set of construction plans of the development prior to authorizing any laying of pipe for infrastructure. The Developer will connect to main supply line, install all main lines in the development. All connections will be subject to EWW's design and construction specifications and standards and subject to EWW's approval. Developer will bear all costs of connection to EWW's system. The proposed source of culinary service will be EWW's water rights and sources including, but not limited to, 35-7189, E5208, E5966, and E3098.

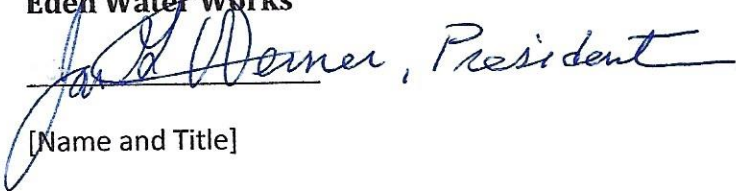
Service is subject to scheduled maintenance and construction, power failures, natural disasters, and unforeseen circumstances, water services will be provided in accordance with applicable federal, state and local statutes, laws, rules, regulations, ordinances and standards. Culinary water service to the Project is subject to and contingent on the following:

1. Compliance with EWW's articles, bylaws, and policies and procedures as each may change from time to time;
2. Natural fluctuations in water supplies;
3. Subsequent decisions and regulation by local government, the Utah State Engineer, Utah Division of Drinking Water, Utah Division of Water Resources, the United States Department of the Interior, or any other applicable governmental agency.
4. Payment of hook up costs and standard billings for service that apply at the time a building permit is sought for each lot within the Project. Failure to pay these costs and billings will result in

temporary suspension and/or permanent cessation of service. Residential "Class D" Stock is currently \$13,792.14 per connection.

5. Developer conveying to EWW easements for and ownership of all components of the water facilities installed for the Project, extending to the individual lot meter. Developer agrees to the above terms and to the terms set forth in EWW's articles, bylaws, and policies and procedures as they each may change from time to time and agrees that each lot within the Project will be bound to the same.

Eden Water Works

A handwritten signature in blue ink that reads "Joe D. Werner, President". The signature is written over a horizontal line.

[Name and Title]

[Developer]

[Name and Title]

Printed Name:

Date: _____