

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:

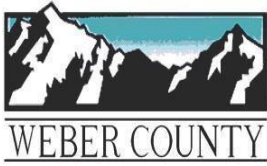
- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information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



WESTERN WEBER PLANNING COMMISSION MEETING

MEETING AGENDA

April 9, 2024

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



- Pledge of Allegiance
- Roll Call:

Petitions, Applications, and Public Hearings:

1. Legislative items

1.1 ZMA 2024-04 PUBLIC HEARING - West Creek Estates (GBAR) Rezone – Discussion and possible action on a request for recommendation of a zoning map amendment to rezone approximately 30 acres of property located at approximately 6200 W and 900 S, Ogden from A-1 (Agricultural) to R1-15 (Residential – 1/3 acre lots).

Staff Presenter: Bill Cobabe

1.2 ZMA 2024-03 PUBLIC HEARING – Taylor Landing Rezone - an application to rezone approximately 45.9 acres of land located at approximately 3900 West 1800 South from the A-1 zone to the R1-15 zone.

Staff Presenter: Charlie Ewert

2. Public Comment for Items not on the Agenda:

3. Remarks from Planning Commissioners:

4. Planning Director Report:

5. Remarks from Legal Counsel

Adjourn to Work session

WS1: Parks and Open Space Discussion

WS2: Windmill #2 Rezone (Formerly Bravia/Wilder Rezone) Discussion

WS3: A discussion on the latest Navy Meadows concept plan that reflects changes from the County Commission.

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 801-399-8371 before the meeting if you have questions or comments regarding an item.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8371



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Agenda Item: ZMA 2024-04 – West Creek Estates (GBAR) – PUBLIC HEARING - Discussion and possible action on a request for approval of a zoning map amendment to rezone approximately 30 acres of property located at approximately 6200 W 900 S, Ogden from A-2 (Agricultural) to RE-15 (Residential – approximately 1/3 acre lots).

Application Type: Legislative

Agenda Date: Tuesday, April 9, 2024

Applicant: John Newhall

File Number: ZMA 202-04

Property Information

Approximate Address: 6200 W 900 S, Ogden

Current Zoning: A-2

Existing Land Use: Vacant, agricultural

Proposed Land Use: Residential

Parcel Numbers: 100350072

Adjacent Land Use

North: Agricultural	South: Agricultural
East: Agricultural	West: Agricultural

Adjacent Land Use

Report Presenter: William Cobabe
bcobabe@webercountyutah.gov
801-399-8772

Report Reviewer: CE

Applicable Ordinances

§Title 102, Chapter 5 Rezone Procedures.
§Title 104, Chapter 2 Agricultural Zones.
§Title 104, Chapter 12 Residential Zones.

Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

Summary and Background

This is an application for a rezone from the A-2 Zone to the R1-15 Zone. The planning commission informally reviewed this request and the associated concept development plan in a work session at the March 12, 2024 planning commission meeting. At the time, the Planning Commission and staff offered the applicant feedback and recommended adjustments for the proposal. A complete staff review of the proposal was conducted a few days later in which staff offered the applicant formal written comments and recommendations that might help garner a favorable recommendation from the Planning Commission for the rezone.

The applicant has been attentive at resolving concerns expressed by the Planning Commission and staff regarding the proposal. The attached revised concept plan substantially addresses review comments and recommendations. With a few minor adjustments and reconsiderations, staff feels the concept plan is ready for a final decision.

This rezone, if approved, is recommended to be accompanied with a development agreement. Through this development agreement the County can modify the application of the street connectivity standards to allow for the developer’s proposal. If connectivity is not specifically resolved by the development agreement then the developer will be restricted to lot sizes of 15,000 square feet or greater. This means that in order for the entire development to come to fruition, the developer will need to ensure proper street connectivity in order to comply with the code.

Whether connectivity is resolved in a development agreement, or the typical code requirements are applied, it is staff’s determination that sufficient regulatory measures are in place or can be put in place to enable the development under the proposed zone. Staff is recommending approval of the rezone, with certain specific requirements being placed in a development agreement, as provided in the staff recommendation herein.

Policy Analysis

This is a proposed rezone of approximately 30 acres (parcel number 100350072). **Figure 1** shows the subject parcels outlined in red.



Figure 1: Areal Map Depicting Exterior Perimeter of the Subject Parcels.

The applicant’s concept plan suggests that the subject property contains 30 acres.

The Weber County Land Use Code has a chapter that governs application-driven rezones. The following is a policy analysis of the requested rezone based on the Land Use Code and best planning practices.

Zoning Analysis

The current zone of the subject property is A-2. **Figure 2** displays current zoning for the area of the subject property. It also shows the configuration of the property within the larger context of the West Weber area. The purpose and intent of the A-2 zone is:

*"The A-2 Zone is both an agricultural zone and a low-density rural residential zone. The purpose of the A-2 Zone is to designate moderate-intensity farming areas where agricultural pursuits and the rural environment should be promoted and preserved where possible."*¹

¹ Weber County Code Section 104-2-1.



Figure 2: Current Zoning Map and the Subject Parcel(s).

The proposed zone for the subject property is the R1-15 Zone. The purpose of the R1-15 Zone is:

“... to provide regulated areas for Single-Family Dwelling uses at three different low-density levels. The R1 zone includes the R1-15, R1-12, and R1-10 zones. [...]”²

The proposed rezone can be observed in **Figure 3**, with the yellow polygon depicting the proposed R1-15 zone.

² Weber County Code Section 104-12-1.



Figure 3: Proposed Zoning Map and the Subject Parcel(s) – Zone change shown in yellow.

The R1-15 Zone is intended to support single-family lots that are an average of 15,000 square feet in area. The R1-15 zone was specifically designed to support the residential directives that the Western Weber General Plan prescribes for this area. In addition to the creation of the R1-15 zone, following the directives of the general plan Weber County also adopted modifications to its previously adopted street connectivity incentivized subdivision standards and have since been applying the new standards to all new residential rezones. Typically, compliance with street connectivity incentives is voluntary. When applied to the project through a rezone development agreement, the county can obligate the developer to comply, and from there on the standards are compulsory.

Connectivity incentivized development allows the developer to maintain a consistent number of lots while still placing streets, pathways, and open spaces where they can be most optimal given the specific site and surrounding area characteristics.

Through a development agreement, the county can also apply other regulations to the project that may help soften the strict requirements of code if those requirements do not make sense for the specifics of the project, or strengthen sections of code that may not adequately govern the specifics of the project.

Working with the applicant, planning staff have a high degree of confidence that the proposal can meet the R1-15 zone requirements, as well as street and pathway connectivity standards. The site plan may need a few minor changes or reconfigurations here or there, as requested by staff, but the Planning Commission should be able to find that these changes can occur through the process of drafting a development agreement prior to final county commission consideration.

If a land survey finds that the property is accurately describes as 30 acres, this rezone will entitle the applicant to approximately 90 dwelling units. Please note that because the base acreage is different than expect by the applicant as noted on the concept plan, this density may be different from the applicant’s requested number of lots. Regardless, the applicant is currently only proposing up to 79 lots in the proposed development.

Exhibit B illustrates the proposed concept plan for the property.

As can be seen, with minimal adjustments, the plan should be sufficient to provide for the conceptual nature of the proposal. The pathways outlined, already depicted on the concept plan, show good interconnections within the site and connecting to trails yet to be developed outside the site. Staff outlined them with the intent to specify that

these should be 10-foot wide pathways, and not typical sidewalks. Otherwise, the applicant is proposing typical sidewalks along all other streets. The notes written on the concept plan could be clarified on this point.

Weber County Code has six general decision criteria for determining whether a rezone is merited. They are as follows:

- 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, and if not, consideration of the specific incompatibilities within the context of the general plan.*
- 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, 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.*

The following is an analysis of the proposal in the context of these criteria.

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

As a legislative decision, a rezone should advance the goals of the general plan, or at the very least, not be detrimental to them without good cause. The general plan is only a guiding document and not mandatory to follow, however, because it sets the desired future community outcome, deviation from it should be done with caution.

The community character vision is the filter through which all interpretation and understanding of the plan should be run. This is the vision to which all other visions and goals within the plan are oriented. It reads as follows:

"While the pressure to grow and develop will persist, there is a clear desire for growth to be carefully and deliberately designed in a manner that preserves, complements, and honors the agrarian roots of the community. To do this, Weber County will promote and encourage the community's character through public space and street design standards, open space preservation, and diversity of lot sizes and property uses that address the need for places for living, working, and playing in a growing community."³

The plan prioritizes the implementation of smart growth principles as development occurs. It encourages the county to utilize the rezone process as an opportunity to help developers and land owners gain the benefits of the rezone while implementing for the public the benefits of these principles. Because the general plan is *general* in nature, no one principle is absolutely mandatory except when adopted into the development code. Similarly, allowing a property to be rezoned is also not mandatory. Both the developer and the County have the ability to substantially gain if a rezone is negotiated well enough. **Figure 4** shows the Future Land Use Map for the County, highlighting the area under consideration for this proposed zoning map amendment (rezone) application.

³ Western Weber General Plan (p. 21)

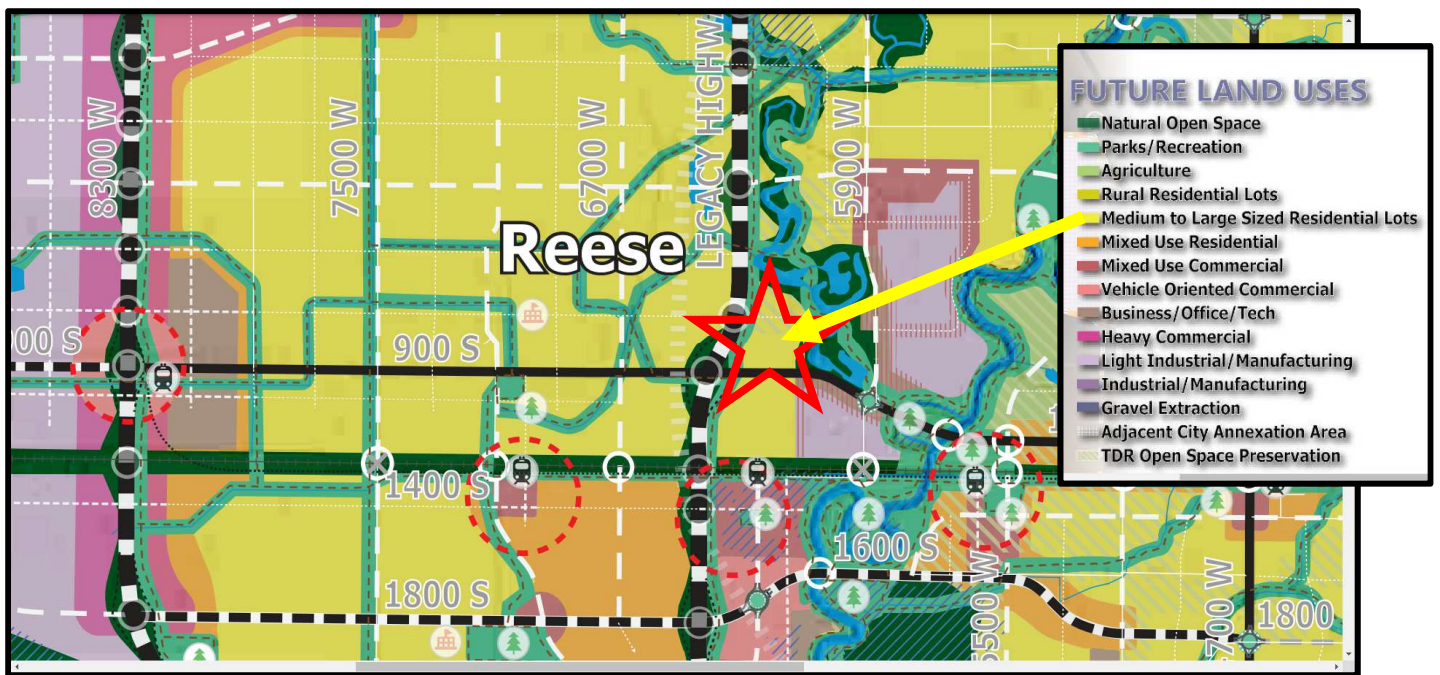


Figure 4: Future Land Use Map – Western Weber General Plan

General Plan Smart Growth Principles

The general plan lists both basic and exemplary smart growth principles. The seven basic smart growth standards are:

1. Street connectivity.
2. Pathway and trail connectivity.
3. Open space and recreation facilities.
4. Dark sky considerations.
5. Culinary and secondary water conservation planning.
6. Emission and air quality.
7. Renewable energy.

The proposal’s compliance with each of these standards are further provided in this report.

The following nine bullet points is a list of the general plan’s exemplary smart growth principles (in italics). A staff analysis regarding how they may relate to this potential project follows each bullet point. Some of these principles are similar to the basic smart growth principles aforementioned, but are designed to provide optimal community benefits to the community.

- *Provision for a wide variety of housing options.*
 - While this proposal is anticipated to be exclusively single-family residential, the flexible lot standards of the R1-15 zone and connectivity incentivized subdivision will help the developer create a wide variety of lot sizes. Smaller lots will be more affordable than the larger lots, which in turn will allow the developer to market to prospective single-family homeowners that are at different stages of life.
- *Use of lot-averaging to create smaller lots/housing that responds to the needed moderate income housing.*
 - The applicant has not proposed any moderate income housing for the development. It should be noted that the variety of lot sizes will result in smaller lots, as small as 6,000 square feet. This will

- help provide the market with a larger supply of smaller lots, which in turn will help curb the inflating housing costs the area has been experiencing. If the planning commission desires the developer to specifically provide deed-restricted moderate income housing within the development, the requirement can be inserted into the proposed development agreement.
- *Strong trail network with excellent trail connectivity that prioritizes bicycling and pedestrians over vehicles.*
 - The concept plan has strong pathway and sidewalk connectivity throughout. In a number of instances, pathways will run between lots instead of adjacent to streets, giving users a greater sense of safety away from vehicle traffic.
 - *Strong street connectivity and neighborhood connections that avoid the use of cul-de-sacs or dead ends.*
 - As can be reviewed on the concept plan, the applicant has done well to not use cul-de-sacs and permanent dead-end streets. More on this later in this report.
 - *Large and meaningful open space areas with improved parks, recreation, etc.*
 - Due to the limited size of this parcel, additional open space on the property is not feasible or desirable. The development agreement between the developer and the County will outline a donation in lieu of the dedication of open space, as agreed upon between the developer and the park district. There is a proposed park nearby in the Black Pine/Promontory Commerce Center development which will be close enough to walk to and enjoy by residents of this development.
 - *Homes that have higher efficiency ratings than required by local building codes.*
 - Buildings are required to be constructed to an efficiency standard based on the climate of the area. Usually, buildings located in higher (colder) elevations need to meet greater efficiency standards. However, given the wide degree of temperature swings in the Western Weber area over a one year period, requiring buildings to be constructed to better efficiency ratings will help alleviate the area's future demand on power and gas. This will also help provide better air-quality related to building emissions. Staff suggests buildings be built to an efficiency rating that is compliant with one climate zone greater than currently prescribed for the area.
 - *Homes that have solar-paneled rooftops and watt-smart compliant batteries.*
 - Similar to building efficiencies, providing energy independence when possible is integral in a smart-growth community. Staff recommends requiring rooftop solar panels, as well as power storage capabilities such as a solar-charged battery. To assist with affordability, perhaps this requirement can be waived for residences less than 1800 square feet or those deed restricted for moderate income housing.
 - *Provisions that create attractive communities for the long term and that create a distinctive sense of place.*
 - The planning commission may determine that the street and pathway connectivity and the Weber River Parkway and linear park dedication accomplishes this principle.
 - One additional item for the planning commission to consider on this point: When a limited access collector or arterial street serves a single-family residential area, these types of streets are likely to be lined with rear and/or side yards. As a result they can trend toward a less attractive aesthetic. The general plan suggests landscaping, fencing, and street art be located along limited access collector and arterial streets to enhance a greater sense of community character and aesthetic. The county does not currently have the organizational or financial structure to operate and maintain such street improvements, so if the planning commission desires to require these improvements in this development then it would be advisable to require a professionally managed homeowners association to care for the operations and maintenance. This is not included in staff's recommendation herein, but can easily be added by the planning commission if so desired.
 - *Use of transferable development rights from agricultural lands identified for protection.*
 - In a manner, by utilizing the flexible lot standards of connectivity-incentivized development this proposal centralizes potential development and private ownership. The applicant does not desire to transfer more development to this project.

(b) Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property, and if not, consideration of the specific incompatibilities within the context of the general plan.

It would be challenging to argue that the proposal matches the character of existing development in the area. However, "compatibility" and matching are not necessarily the same thing. There are currently a number of large lot residential properties along 900 South Street. Regardless of lot size, residential uses are traditionally compatible with, and most similar to, other residential uses than they are other types of land uses.

The General Plan identifies that heavy agricultural uses may not be very compatible with residential development/neighborhoods. It is worth evaluating how surrounding agricultural uses may affect this project, and vice versa.

The General Plan suggests and acknowledges some incompatibilities will occur as the area develops over time. If the plan is followed, in time, the surrounding area is likely to be more similar to the character of this development than it is the character of the existing area.

(c) The extent to which the proposed amendment may adversely affect adjacent property.

When considering how this rezone might adversely affect adjacent property, there are a wide array of factors at play. These include impacts on private property rights and nuisances, as well as other factors such as impacts on a landowner's desires for their neighborhood and the intrinsic values they've imbued into that neighborhood.

Most importantly, the Planning Commission should prioritize fact-based adverse impacts, then consider the perception-based impacts.

If rezoned, the development is likely to significantly change the immediate area. Existing streets will need to be upgraded and new streets will be constructed. Medium and medium-large-lot residential uses should be expected. The smaller and relatively denser development will change the visual nature of the area, traffic volumes and patterns, and noise potential. The proposed uses are not expected to be greater than that found in a typical residential neighborhood. When developing, the applicant will be responsible for correcting any material degradation in services that the development might create for the area. Thus, other than potential increases to noise, most of the fact-based effects will be required to be mitigated by the applicant.

From an intrinsic perspective, current neighbors who have grown accustomed to the quiet rural nature of the immediate area may find the increase in development intensity unpleasant and contrary to the current reasons they reside in the area. Even though residents in the area do not own a property right that ensures their neighbor's property will not change, they may find dismay in the perception that changes beyond their control could upend their desired future for the area. This could lead to their eventual self-determined displacement from the neighborhood.

(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, stormwater drainage systems, water supplies, wastewater, and refuse collection.

The County's currently adopted development regulations are designed to specifically require the developer to address their impact on local levels of service. As aforementioned, the applicant will be responsible for mitigating any material degradation of levels of service.

Roadways/Traffic.

Figure 5 shows the planned streets for the area, pursuant to the general plan. As it relates to the subject property and surrounding area, the plan recommends securing 900 South Street as a future major collector street. Other streets planned for the area, represented by thin dashed white lines, are intended to, in part, represent important smaller section line and quarter section line streets to serve residential neighborhoods. The specific configuration of these dashed lines within subject property's boundary is generally inconsequential. They follow the street alignment previously proposed (and now expired) by a past development approval on the property. As long as

residential street connections are being made in a manner that meet expected connectivity standards, the applicant should be given the latitude to arrange the streets as may be desirable for their development.

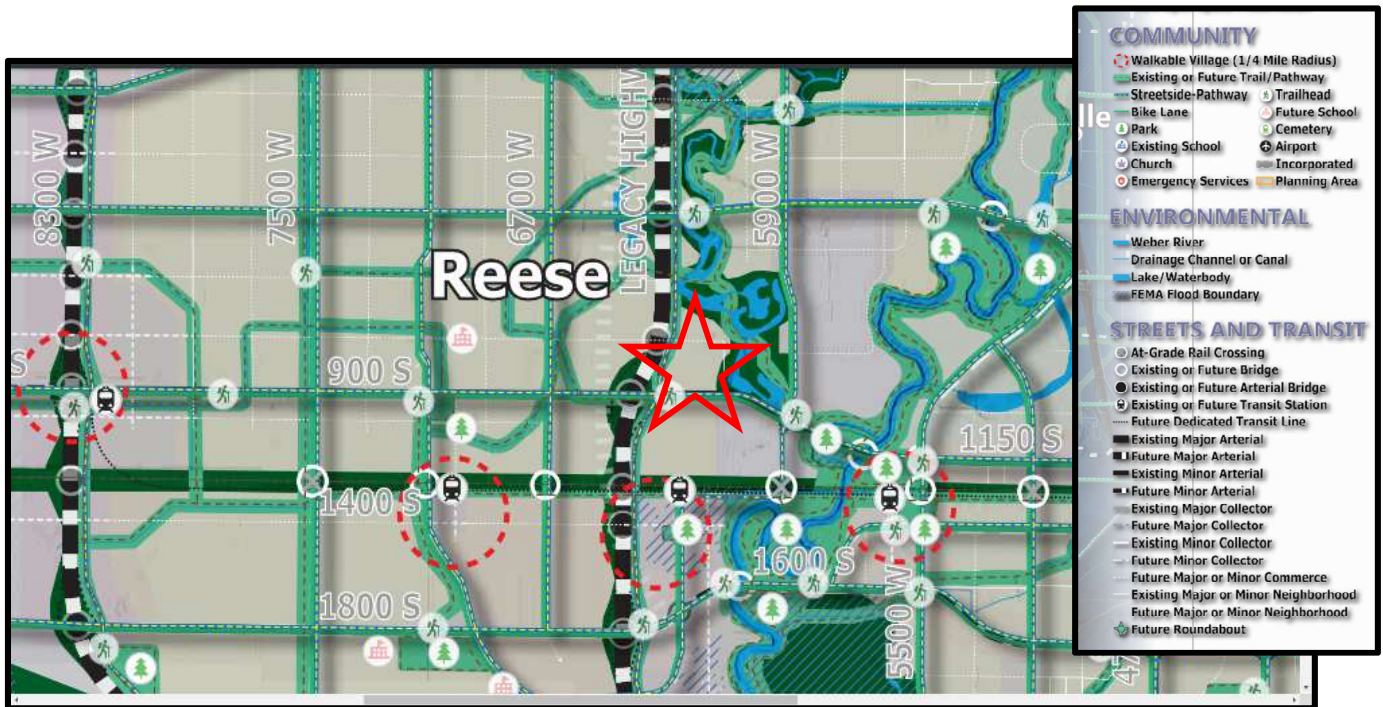


Figure 5: Planned Streets – Western Weber General Plan

Police and Fire Protection

It is not anticipated that this development will generate a greater per capita demand for police and fire protection than typical single-family residential development.

Stormwater Drainage Systems

This is not usually a requirement of rezoning, and is better handled at the time specific construction drawings are submitted. This occurs during subdivision application review.

Water Supply

The property is within the Warren=West Warren Water Improvement District boundaries. The applicant has provided a letter from the district that acknowledges the rezone application and the potential for them to serve. The letter, attached below, provides a general list of infrastructure improvements that will be needed and conditions and requirements that will be expected of the developer in order to gain access to this service. One important expectation of the district is for the property to be served with secondary water by Hooper Irrigation Company or another similarly qualified irrigation company. The property is within Hooper Irrigation Company's declared expansion area. Hooper Irrigation Company is the only irrigation company on record that has provided the county a mapped expansion area. Current county code states:

"If any lot within the subdivision is located within a distance of 50 feet multiplied by the number of proposed lots from a public culinary water service provider's existing and functional main delivery line, or that of a secondary water service provider, and the service provider is willing and able to serve the subdivision, then in accordance with the service provider's standards and any applicable County standards, each lot within the subdivision shall be connected to the service provider's water delivery system."⁴

⁴ Weber County Code, Section 106-4-2.010.

50 times the number of lots proposed in the development equals roughly 2/3rds of a mile. The closest known functioning and well established secondary water system is Hooper Irrigation Company's water system, which is about one mile away.

There may be more than one secondary water system in the area. Current code anticipates this. It states:

*"If multiple existing culinary water delivery systems are available, connection to the culinary system that will yield the best organization of culinary water infrastructure in the area is required. The same shall be required for the secondary water delivery system. If conflict arises in making such a determination, the County Engineer shall make the final determination. Overlapping culinary or secondary water infrastructure should be avoided whenever possible."*⁵

Unless there is a secondary water service provider with existing and functional service lines closer to the project than Hooper Irrigation Company's lines, and considering Hooper Irrigation's proven service track record, it is likely indisputable that Hooper Irrigation Company can provide the best organization of secondary water infrastructure to this project should they be willing and able to serve it. Like stormwater, that is likely unnecessary to nail down during the rezone, as it will be required during subdivision review.

Wastewater

The project is proposed to be served by sewer that will be collected by Little Mountain Service Area. A will serve letter has been provided by the developer for the proposed development.

Refuse Collection

It is expected at this time that this development will be served by the county's typical contracted garbage collection service. If different, this can be better fleshed out during subdivision review.

(e) Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.

The property is not in a floodplain area. **Figure 6** illustrates suspected wetlands and how they relate to the subject property. The map shows that there may be suspected wetlands on the property on the westerly portion of the property. The applicant's development proposal avoids these areas.



Figure 6: National Wetland Inventory Map of Area

⁵ Weber County Code, See Section 106-4-2.010.

(f) Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.

Based on the details already provided regarding street accessibility and street connectivity, the Planning Commission should be able to make a finding that the applicant is proposing sufficient compensation for their impact on both existing and proposed transportation corridors.

Staff Recommendation

After reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the rezone. This recommendation is offered with the following considerations, which are intended to be incorporated into a zoning development agreement:

1. Concept plan update:
 - a. Provide concept plan amendments for compliance with connectivity standards.
 - b. To give the property owner the entire benefit of the rezone, instead of listing the proposed number of lots in the development, the concept plan and development agreement should rely on the County's adopted maximum density calculations to govern density. If the developer may choose to plat less than the maximum at its option.
2. Parks, open space, and trails:
 - a. The development agreement should include provision for the donation agreement between the developer and the park district.
 - b. Obligate applicant to install all pathways indicated on the proposed plat. Follow the adopted 10-foot paved or concrete pathway standards in the Land Use Code.
 - c. Each pathway and sidewalk within the development should be lined with shade trees in intervals and of species such that the crown of one tree, on average at maturity, will touch the crown of the next tree. Use at least three different tree varieties dispersed in a manner to avoid transmission of pests/disease.
 - d. Wherever a pathway intersects with a street, install or cause to be installed a battery powered and solar charged user-activated rapid flashing beacon and associated crosswalk signage, and paint a zebra-style crosswalk on the street. Repaint after sealing the street.
3. Streets:
 - a. The applicant will escrow the total value to acquire and construct all streets within the subdivision per County standards.
 - b. The applicant should work with staff to create a street cross section for the streets in the project. The street cross sections should generally reflect those adopted in recent development agreements.
 - c. Developer shall construct all new utilities to be underground, and shall remove and replace existing overhead utilities to be underground as well.
4. Air quality: Require each residence greater than 1800 square feet or not otherwise deed restricted for moderate income housing to:
 - a. Have solar panels and backup batteries installed prior to certificate of occupancy.
 - b. Be constructed to an energy efficiency rating that is one climate zone colder than the area.
5. Weber County's outdoor lighting code should be applied to all lighting in the project.

Staff's recommendation is offered with the following findings:

1. After the considerations listed in this recommendation are applied through a development agreement, the proposal generally supports and is anticipated by the vision, goals, and objectives of the Western Weber General Plan.
2. The project is beneficial to the overall health, safety, and welfare of the community, as provided in detail in the Western Weber General Plan.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Model Motion

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

Motion for positive recommendation **as-is**:

I move that we recommend approval of File # ZMA 2024-04, an applicant driven rezone application to amend the zoning map on 30 acres from A-2 to the RE-15 zone, property located at approximately 6200 W 900 S, Ogden. **I do so with the following findings:**

Example findings:

- The zone change is supported by the General Plan.
- [_____ add any other desired findings here _____].

Motion to **table**:

I move that we **table** action on File # ZMA 2024-04, an applicant driven rezone application to amend the zoning map on 30 acres from A-2 to the RE-15 zone, property located at approximately 6200 W 900 S, Ogden, **to [state a date certain _____], so that:**

Examples of reasons to table:

- We have more time to review the proposal.
- Staff can get us more information on [_____ specify what is needed from staff _____].
- The applicant can get us more information on [_____ specify what is needed from the applicant _____].
- More public noticing or outreach has occurred.
- [_____ add any other desired reason here _____].

Motion to recommend **denial**:

I move that we recommend denial of File # ZMA 2024-04, an applicant driven rezone application to amend the zoning map on 30 acres from A-2 to the RE-15 zone, property located at approximately 6200 W 900 S, Ogden. **I do so with the following findings:**

Examples of findings for denial:

- The proposal is not adequately supported by the General Plan.
- The proposal is not supported by the general public.
- The proposal runs contrary to the health, safety, and welfare of the general public.
- The area is not yet ready for the proposed change to be implemented.
- [_____ add any other desired findings here _____].

Exhibits

Exhibit A: Application Materials
Exhibit B: Proposed Lot Layout.

Exhibit A – Application Materials – Project Narrative

West Creek Estates Rezone Narrative

With the passing of the new master plan for West Weber, Cogburn LLC is respectfully asking for a rezone on its West Creek Estates project in accordance with the intent of the Commissioners after considering all options and public comment in proactively working towards and facilitating future growth in Weber County.

The proposed project will incorporate the Smart Growth Principles as laid out in the master plan and showcase responsible development that fosters nurturing neighborhoods, while simultaneously encompassing and embracing the agricultural heritage and legacy of the community upon which the area was founded.

We are engaged in ongoing conversations to receive feedback from agricultural producers to determine the best places to grow agriculture and the best place to build the necessary homes to support the thriving economy and growing population in Northern Utah as the next generation looks to stay closer to home. Fostering the continuation of family legacies and promoting and attracting new ones.



LITTLE MOUNTAIN SERVICE AREA DISTRICT (LMSA) WASTEWATER WILL-SERVE LETTER

January 21, 2024
Weber County Planning Office
2380 Washington Blvd #240, Ogden Utah 84401

SUBJECT: Will-Serve Letter

At the request of John Newhall, the LMSA board of Directors has reviewed an application for will-serve for the West Creek subdivision. This project is currently located in the LMSA sanitary sewer service district.

1. LMSA has the capacity to treat the sanitary sewer flow from this subdivision.
2. Prior to any connection being made, the petitioner must submit to the LMSA Board Manager:
 - a. **Connection Application** with engineer certified plans.
 - b. **Connection and Fee Schedule Agreement.**
3. Once approved, any connection must be inspected by LMSA's contracted engineer while the work is being done at the cost of the petitioner. A minimum of 48-hour notice for inspection shall be given to the LMSA Board Manager prior to any work associated with the connection commencing.
4. LMSA will not take ownership or responsibility for the condition, ownership or maintenance of the proposed sanitary sewer lines (gravity or pressure) or system that will be installed to serve this subdivision.
5. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction.
6. Impact fees will need to be paid to LMSA no later than the issuance of any building permits.

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allow to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.

If you have any further questions or need additional information, please let us know.
Best Regards,

Stephanie Russell
Little Mountain Service Area, Board Manager

CC: John Price, LMSA Board Chair

Exhibit A – Application Materials – West Warren- Warren Will Serve

West Warren-Warren Water Improvement District
1561 S. 7500 W.
Ogden, UT 84404
801-259-7614
westwarrentwtr@gmail.com

January 12, 2024

To Whom it May Concern:

RE: WATER AVAILABILITY LETTER FOR West Creek Estates

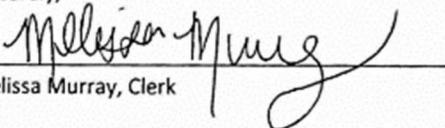
This proposed development is located at 6150 W 900 S in West Warren, Weber County, Utah. It is proposed to have 79 residential lots. John Newhall, who works with Reeve & Associates engineering group, brought tentative plans to propose. He said the secondary water is from Knight Irrigation. The West Warren-Warren Water Improvement District (hereafter the District) does have culinary water available for this proposed development.

This letter is only to state that the above-mentioned project is in the boundaries of the District and water will only be made available if the following conditions are met. This letter is the first of two letters that will be issued for this development. When these and any necessary additional conditions are met, the District will issue the Will-Serve Letter. The District board gave approval for a letter of water availability based on several contingencies as follows:

- The proposed development must be annexed into the taxation area of the District, if not already in taxation area.
- Proof of access to secondary water. A plan for installation of a functioning, pressurized, secondary water delivery system for any subdivision over 2 lots, to be inspected and approved by the WWWID board chairman, prior to the delivery of any culinary water, including water for construction use. Pressure requirements are a minimum of 50 to a maximum of 80 lbs/pressure.
- A plan for an engineered secondary water pond, that is lined, concrete on the bottom, rock on sides, adequate fencing, and an aerator to stay clean. Along with an engineered calculation of how much secondary water will be needed for the proposed development.
- The owner or contractor will need to furnish all materials and labor to run the service line. The District will furnish and place the water meter. All materials and workmanship must be in compliance with and approved by the District.
- The Weber Basin Water Rights Impact Fee of \$10,082.00 per proposed unit of service, must be paid prior to receiving a Will-Serve Letter and prior to the commencement of any development or construction as well as \$100.00 fee for water for construction.
- All remaining fees must be paid to the District before culinary water services will be made available. The District's fees are currently set at the following rates:
 - Capital Facilities Impact Fee \$4,588
 - Weber Basin Water Rights Impact Fee \$10,082
 - Connection fee with Existing service Lateral \$350

Should you have clerical questions or comments, please contact the district clerk. Please direct questions regarding water systems, materials, etc., to (801-791-7368) Randy Giordano, Chairman of the WWWID Board. This letter expires 1 year from the day it is issued.

Sincerely,


Melissa Murray, Clerk

DATE	DESCRIPTION

West Creek Estates
 PART OF THE S 1/2 OF SECTION 13, TOWNSHIP 6 NORTH,
 WEBER COUNTY, UTAH
Zoning Exhibit

Project Info.
 Prepared By: Reeve & Associates, Inc.
 Drawing No.: 2018-01
 Date: 11-19-2018
 Project Name: WEST CREEK ESTATES
 Number: 2018-01



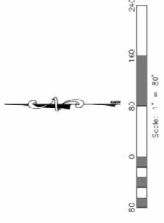
BOUNDARY DESCRIPTION
 PART OF THE SOUTH HALF OF SECTION 13, TOWNSHIP 6 NORTH,
 PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF 800
 SOUTH STREET, SAID POINT BEING 322.89 FEET NORTH 87°10'46"
 QUARTER CORNER OF SAID SECTION 13 (S40 SOUTH QUARTER
 SECTION 13); THENCE SOUTH 87°10'46" WEST 118.78 FEET TO
 SOUTHWEST CORNER OF SAID SECTION 13; THENCE NORTH
 1°42'29" EAST 897.00 FEET; THENCE SOUTH 89.56 FEET
 THENCE NORTH 87°20'48" WEST 3.42 FEET; THENCE SOUTH
 87°20'48" WEST 3.42 FEET; THENCE NORTH 87°20'48"
 SOUTH STREET BEING ALONG SAID NORTH LINE, THE FOLLOWING
 NORTH 87°20'48" WEST 118.78 FEET TO THE POINT OF BEGINNING.
 CONTAINING 120,826 SQUARE FEET OR 2.7666 ACRES.

Density Calculations

Total Area	120,826 sq. ft. / 2,766 ac.
Lot Area	77,620 sq. ft. / 1.780 ac.
Lot Count	79 Lots Proposed

■ ■ ■ SECTION OF PROPOSED LOT PATTERN

Developer:
 CogBurn, LLC
 Ogden, UT



West Creek Estates
 Weber County, Utah

THIS PLAN AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5108 S. 1100 W., PROVO, UTAH 84604, AND SHALL NOT BE REPRODUCED, RE-DESIGNED, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THE WRITTEN PERMISSION OF REEVE & ASSOCIATES, INC. DESIGN AND CONSTRUCTION OF THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE DESIGN PERSONNEL WHOSE NAMES ARE ON THIS PLAN.



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: File #ZMA2024-03, an application to rezone approximately 45.9 acres of land located in the Taylor Landing Subdivision at approximately 3900 West 1800 South from the A-1 zone to the R1-15 zone.

Agenda Date: April 9, 2024

Applicant: Heritage Land Holdings LLC. Agent: Marshae Stokes

File Number: ZMA2024-03

Frontier Project Link: <https://frontier.co.weber.ut.us/p/Project/Index/19812>

Property Information

Approximate Address: 3900 West 1800 South, Unincorporated Western Weber (Taylor)

Current Zone(s): A-1 Zone

Applicant Proposed Zone(s): R1-15 Zone

Staff Proposed Zones(s): R1-15 and O-1 Zones

Adjacent Land Use

North:	Residential	South:	Residential
East:	Residential	West:	Residential

Staff Information

Report Presenter: Charlie Ewert
cewert@webercountyutah.gov
801-399-8763

Report Reviewer: RG

Applicable Ordinances

§Title 102, Chapter 5 Rezone Procedures.
§Title 104, Chapter 2 Agricultural Zones.
§Title 104, Chapter 12 Residential Zones.
§Title 104, Chapter 26 Open Space Zone.
§Title 108, Chapter 3 Cluster Subdivisions.

Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

Summary and Background

This applicant has submitted a request to rezone approximately 45.9 acres of land within the Taylor Landing Cluster Subdivision from the A-1 zone to the R1-15 zone. The 45.9 acres comprises all of phases four and five of the Taylor Landing Cluster Subdivision and the associated open space.

The purpose of the applicant's request is to develop 72 lots on the property that would have otherwise been preserved as open space for phases four and five. See **Figure 2** for a graphic depiction of the original Taylor Landing Cluster Subdivision Phasing plan, including the original plan to phase in the open space areas. In exchange for the rezone, the applicant is proposing to donate the entire open space area of phases one through three, approximately 31.81 contiguous acres, to the West Weber Park District for a regional park. The lots within the

development area of the Taylor Landing Cluster Subdivision phases four and five are not being proposed to change. The applicant desires to leave them in their current configuration.

Even with the inclusion of the proposed 72-lot phase six, it appears the entire existing subdivision is well under the R1-15 averaged lot size minimums. The total area for the subdivision is approximately 104.54 acres. In the R1-15 zone this amount of acreage could yield upwards of 301 lots. With the inclusion of the 72-lot phase 6, the new total lot count in this subdivision is proposed to be 214.

With that in mind, and considering that phases one through five contain lots well under the A-1 zone's 40,000 square-foot minimum, staff is recommending that the planning commission not only consider the applicant's request to rezone phases four and five to the R1-15 zone, but to also include phases one through three. Each landowner within phases one through three have been notified of this possibility and of the hearing. Taking their public comments into consideration would be helpful.

Further, staff is also recommending that the entire 31.81 acre proposed park area be rezoned to the O-1 open space zone to properly reflect the use of the land on the County's zoning maps. This change is not intended to result in a reduction of potential lots.

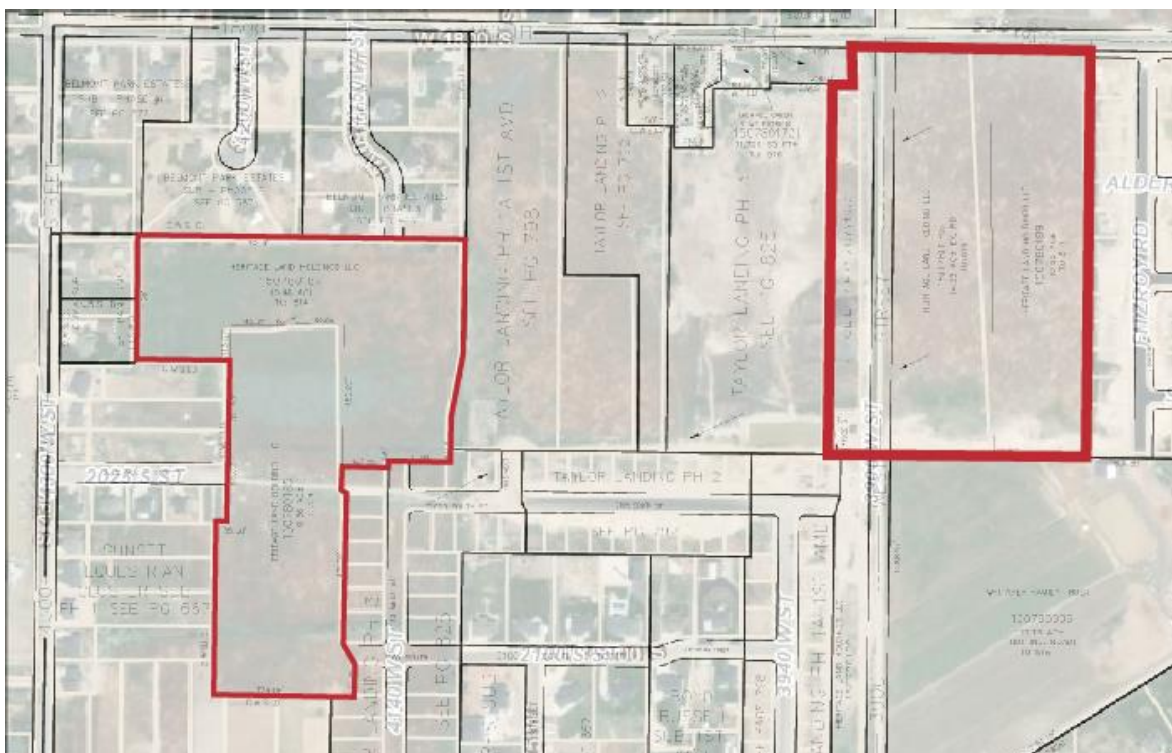
It appears the West Weber Park District is eager to receive the land donation from the applicant. They have offered their support for the applicant's proposal.

Given the park district's satisfaction with the proposal and the fact that a number of other developments in the area have already been changed to the R1-15 zone, staff is recommending approval of the rezone with a development agreement. Given the current designation in the general plan, the planning commission may desire to table this application pending a general plan amendment, if deemed favorable.

Policy Analysis

The applicant is ultimately requesting the right to develop 72 lots on what is currently preserved as open space area within phases four and five in the Taylor Landing Cluster Subdivision. **Figure 1** displays the subject properties in the context of the County Recorder's reference maps. Please refer to **Figure 2** for an illustration of how the subdivision is currently and proposed to be split into phases. Phases four and five open space area is approximately 24.3 combined acres and is currently held as "individually owned agricultural open space" pursuant to the restrictions and regulations of the cluster subdivision ordinance. The cluster subdivision ordinance allows open space area to be preserved as individually owned agriculture parcel(s), HOA common area, or dedicated park area.

Figure 1: County Recorder's Reference Map Depicting Exterior Perimeter of the Subject Parcels.



Under the terms of the existing cluster subdivision ordinance, even though an open space parcel may be individually owned, the open space restriction and preservation of it still renders it community open space that carries equal value to a public park¹. While it might be arguable that the community's usefulness of a privately owned agricultural open space parcel is not equal to the usefulness of the same acreage as a public park, the current cluster subdivision ordinance considers them as equal.

Thus, flipping this 24.3 acres for developable lots yields the loss of 24.3 acres of community open space. It also means that phases four (10.56 acres) and five (11.04 acres) of the Taylor Landing Cluster Subdivision will no longer have open space attributable to it, nor will the new 24.3 acre phase 6.

Other recent proposals to rezone open space properties within cluster subdivisions in this area have been expected to compensate the community not only for the impact of the new proposed lots on community open space, but also the loss of that subdivision's open space. More about this later in this report.

Even though the applicant is only requesting rezone consideration of the original phases four and five, staff is recommending a different rezone configuration. Staff's recommendation will hopefully suit the applicant's desires while also making all lots within all phases of the Taylor Landing development compliant with the R1-15 zone. This is not essential to the applicant's proposal, and can easily be disregarded from the planning commission's consideration and motion if desired by the planning commission. All owners within the subdivision have been notified about the possible rezone and scheduled public hearing. Hearing their desires expressed will provide valuable feedback on this suggested expansion of the rezone area.

Staff's recommendation also includes rezoning the 31.81 acre proposed park area to the Open Space (O-1) zone. Both of these rezone recommendations are intended to help keep the county's zoning map displaying what has actually been allowed in the area. While not imperative, it will help keep the record clear and assist others in doing their due-diligence when looking to invest in land in the area. **Figure 3** illustrates the current zoning in the area. **Figure 4** illustrates the applicant's proposed rezone, and **Figure 5** illustrates staff's recommendation.

Table 1 provides a tabulation regarding the development and open space areas in the Taylor Landing Cluster Subdivision as it was originally considered by the planning commission. **Table 2** provides a tabulation regarding how a potential rezone of the entire subdivision will change these calculations.

Table 1

Taylor Landing Original	Previously Approved A-1 Cluster Development								
	Total Area	Number of Lots	Lots and Streets Acreage (Incl. Small Common Areas)	Total O.S. Acreage	% O.S. Total	Park Open Space	% Park Open Space	Farm-land Open Space	% Farm-land Open Space
Phase 1	26.01	35	12.85	13.16	50.6%	9.5	36.5%	3.66	14.1%
Phase 2	11.54	20	5.46	6.08	52.7%	0	0.0%	6.08	52.7%
Phase 3	21.09	28	8.52	12.57	59.6%	0	0.0%	12.57	59.6%
Phase 4	25.6	28	10.56	15.04	58.8%	0	0.0%	15.04	58.8%
Phase 5	20.3	31	11.04	9.26	45.6%	0	0.0%	9.26	45.6%
Total Phases 1-5	104.54	142	48.43	56.11	53.7%	9.5	9.1%	46.61	44.6%

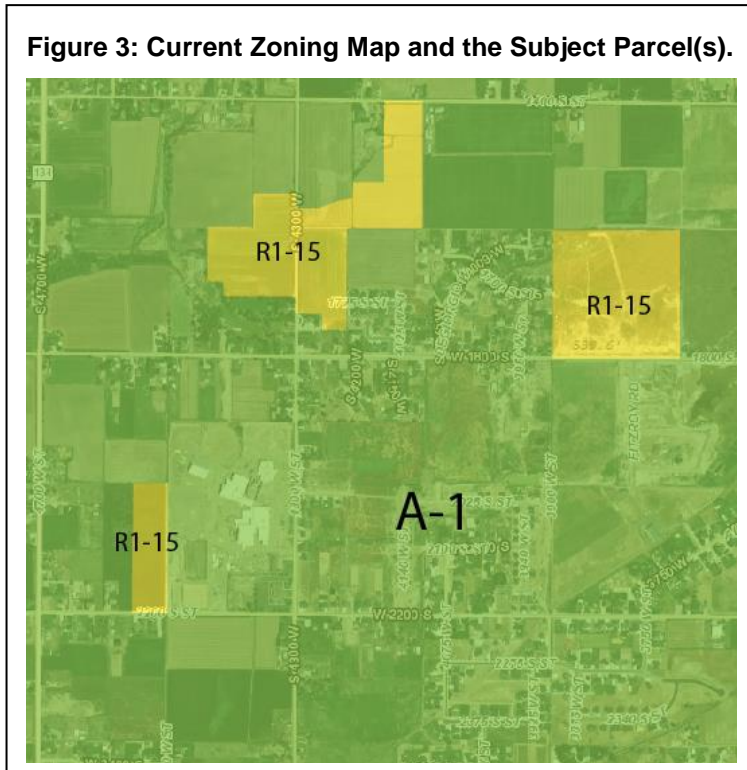
Table 2

Taylor Landing New (Non-Cluster)	R1-15 Development Potential									
	Total Area	Lots Allowed in R1-15 (Incentivized)	Lots Proposed	Lots and Streets Acreage	Total O.S. Acreage	% O.S. Total	Park Open Space	% Park Open Space	Farm-land Open Space	% Farm-land Open Space
Phase 1	26.01	76	35	12.85	13.16	17.4%	13.16	17.4%	0	0.0%
Phase 2	11.54	34	20	5.46	6.08	18.1%	6.08	18.1%	0	0.0%
Phase 3	21.09	61	28	8.52	12.57	20.5%	12.57	20.5%	0	0.0%
Phase 4	10.56	31	28	10.56	0	0.0%	0	0.0%	0	0.0%
Phase 5	11.04	32	31	11.04	0	0.0%	0	0.0%	0	0.0%
Phase 6	24.3	71	72	24.3	0	0.0%	0	0.0%	0	0.0%
Total Phases 1-6	104.54	304	214	72.73	31.81	30.4%	31.81	30.4%	0	0.0%

¹ See Section 108-3-5 Open Space Preservation Plan

Zoning Analysis

The current zone of the subject property is A-1. **Figure 3** displays current zoning for the area of the subject property. It also shows the configuration of the property within the larger context of the West Weber area. The purpose and intent of the A-1 zone is:



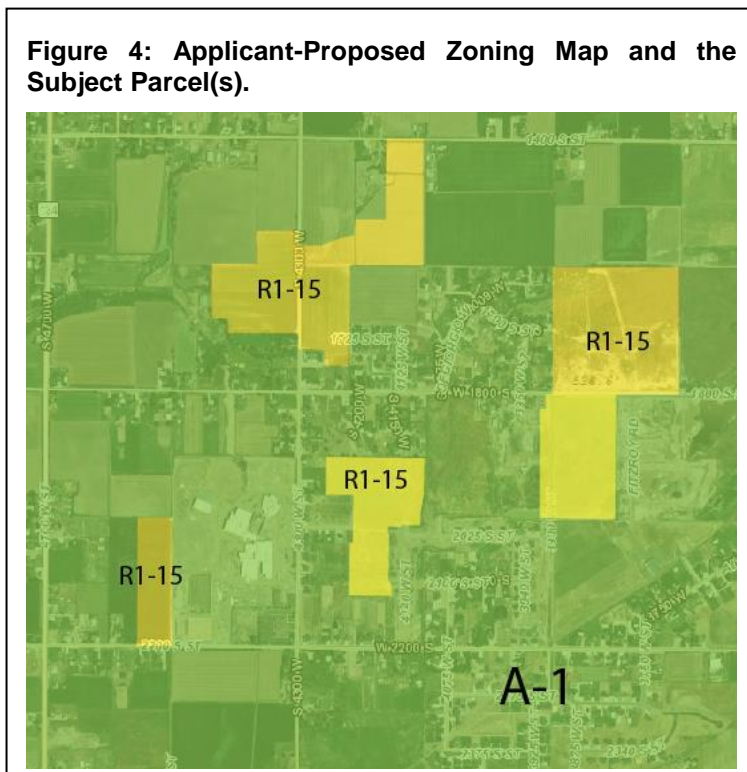
“The AV-3 Zone and A-1 Zone are both an agricultural zone and a low-density rural residential zone. The purpose of the AV-3 Zone and A-1 Zone is to:

- 1. Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern;
Set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and
Direct orderly low-density residential development in a continuing rural environment”²*

The proposed zone for the subject property is the R1-15 Zone. The purpose of the R1-15 Zone is:

“... to provide regulated areas for Single-Family Dwelling uses at three different low-density levels. The R1 zone includes the R1-15, R1-12, and R1-10 zones. [...]”³

The applicant’s proposal can be observed in **Figure 4**, with the yellow polygons depicting the proposed R1-15 zone. Staff’s proposal can be observed in **Figure 5**, with the yellow polygons depicting the R1-15 zone, and the green polygon depicting the O-1 zone.



The R1-15 zone is intended to support single-family lots that are an average of 15,000 square feet in area. The R1-15 zone was specifically designed to support the residential directives that the Western Weber General Plan prescribes for this area. In addition to the creation of the R1-15 zone, following the directives of the general plan Weber County also adopted modifications to its previously adopted street connectivity incentivized subdivision standards and have since been applying the new standards to all new residential rezones in Western Weber. Typically, compliance with street connectivity incentives is voluntary. When applied to the project through a rezone development agreement, the county can obligate the developer to comply, which make the standards compulsory.

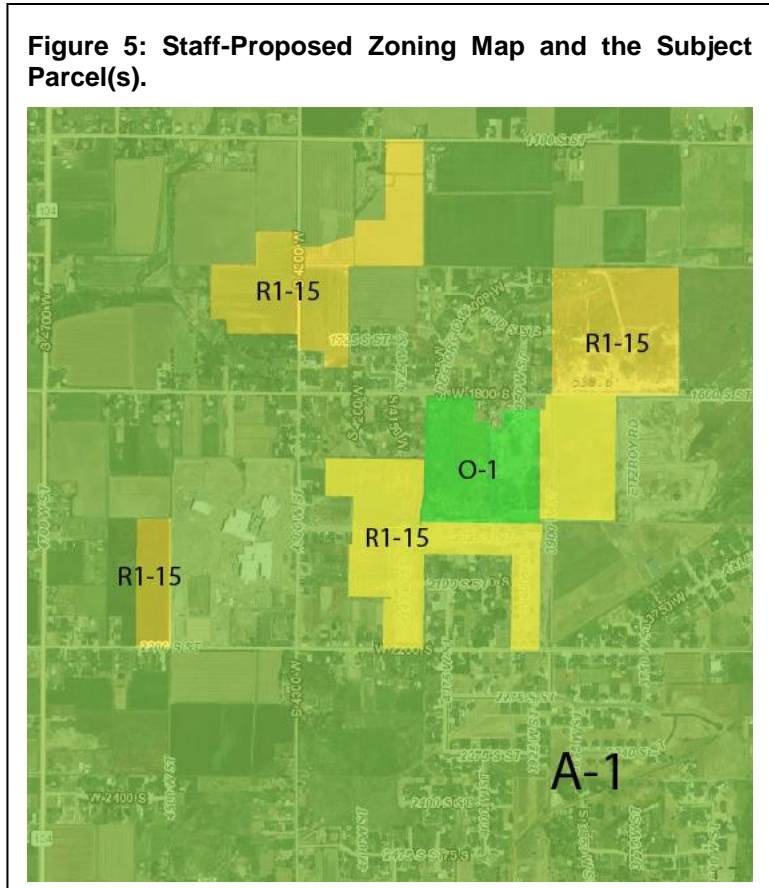
Connectivity incentivized development allows the developer to maintain a consistent number

² Weber County Code Section 104-2-1.

³ Weber County Code Section 104-12-1.

of lots while still placing streets, pathways, and open spaces where they are most optimal given the specific site and surrounding area characteristics.

Through a development agreement, the county can also apply other regulations to the project that may help soften the strict requirements of code if those requirements do not make sense for the specifics of the project, or strengthen sections of code that may not adequately govern the specifics of the project.



Weber County Code has six general decision criteria for determining whether a rezone is merited. They are as follows:

- 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, and if not, consideration of the specific incompatibilities within the context of the general plan.*
- 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, 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.*

The following is an analysis of the proposal in the context of these criteria.

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

As a legislative decision, a rezone should advance the goals of the general plan, or at the very least, not be detrimental to them without good cause. The general plan is only a guiding document and not mandatory to follow, however, because it sets the desired future community outcome, deviation from it should be done with caution.

The community character vision is the filter through which all interpretation and understanding of the plan should be run. This is the vision to which all other visions and goals within the plan are oriented. It reads as follows:

"While the pressure to grow and develop will persist, there is a clear desire for growth to be carefully and deliberately designed in a manner that preserves, complements, and honors the agrarian roots of the community. To do this, Weber County will promote and encourage the community's character through public space and street design standards, open space preservation, and diversity of lot sizes and property uses that address the need for places for living, working, and playing in a growing community."⁴

⁴ Western Weber General Plan (p. 21)

Figure 6: Future Land Use Map (Western Weber General Plan).

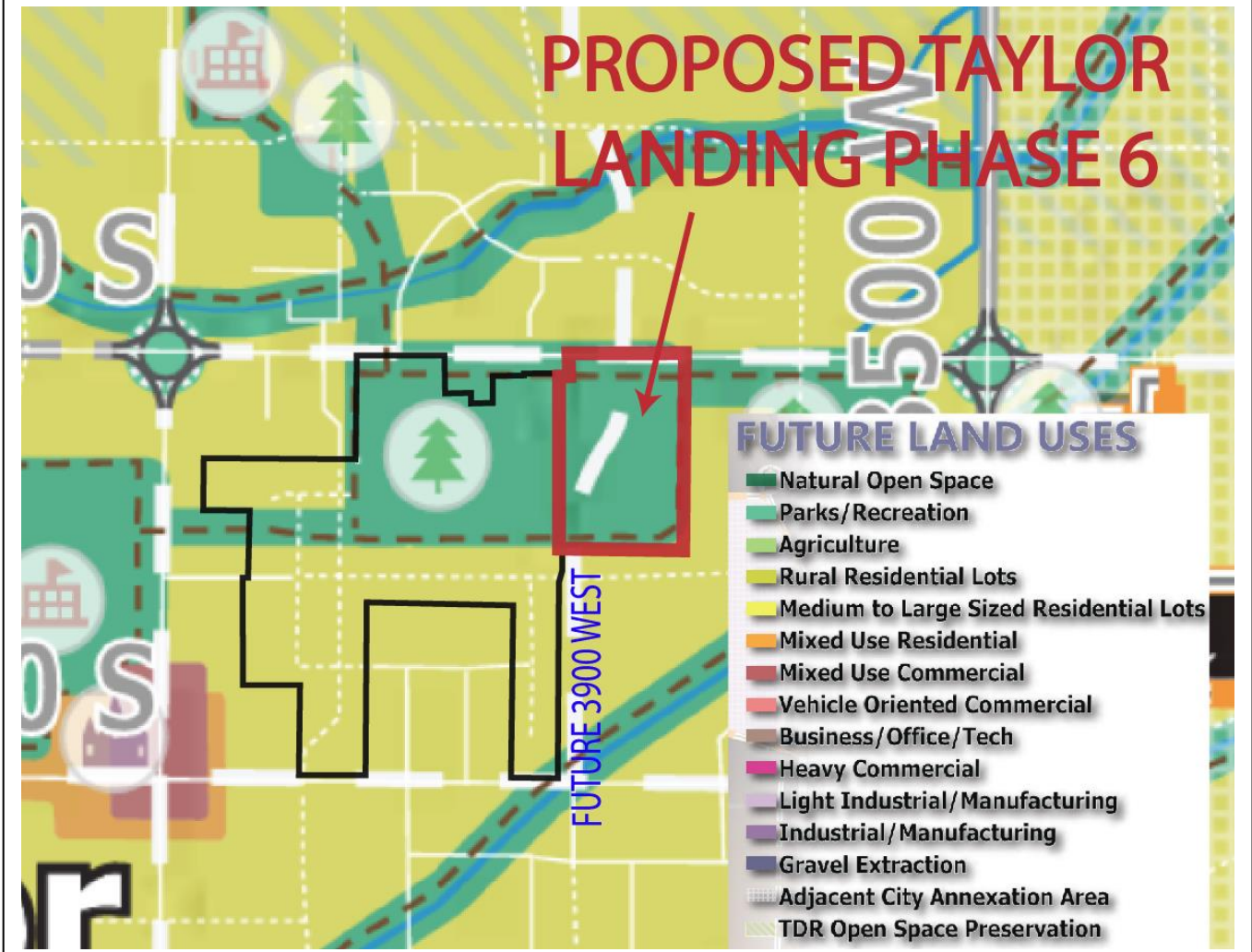


Figure 6 displays an excerpt from the Future Land Use Map of the general plan. The applicant's proposed phase 6 is outlined in red, and the other phases of the Taylor Landing development is outlined in black. At the time of the plan's creation, the subject property was designated as parks/recreation because it was open space previously approved in a cluster subdivision. Recent rezones of land designated as parks/recreation have generated discussion about possibly needing to change the general plan first before rezoning. Given the property's current designation, the planning commission would be well justified in rejecting this zone change. The planning commission may also desire to table action on this rezone until the general plan is amended. Staff does not think the general plan change is absolutely necessary if the planning commission is comfortable with this rezone as proposed, as we can update the map later with other planned updates. The staff recommendation contemplates these three options from which the planning commission can choose.

The plan describes the parks/recreation land use designation as follows:⁵

⁵ Western Weber General Plan, pg 124.

PARK LAND ACQUISITION & DEVELOPMENT

To help meet future needs in the most cost-efficient manner, land should be secured as soon as possible to meet future park needs, which is especially critical given increasing land costs. It is recommended that no parks smaller than three acres are acquired or developed, as they are small, difficult to maintain and challenging to operate, placing a significant burden on maintenance staff and resources. Weber County should instead focus on providing Neighborhood and Community Parks to the greatest degree possible, which will offer the most "bang for the buck" and more efficiently utilize maintenance and operations funds.



OPEN SPACE

Open space, whether publicly or privately owned, provides physical and visual relief from the more developed areas. The area is fortunate to have the Great Salt Lake shorelines and a wide range of waterways, drainages, natural corridors and sensitive lands to serve as an open space system. Open space provides a host of ecological benefits. It helps purify the soil, water and air, can absorb and deflect noise, wind and visual disturbances, helps absorb carbon and reduces urban heat. These valuable lands ensure that natural drainages are available to convey stormwater and assist with stormwater infiltration into the soil. Open space is also important for protecting critical habitat and, when carefully developed with trails, can serve as connections to parks and neighborhoods.

According to public input, the preservation and incorporation of open spaces into the future community structure is important to Western Weber residents. To meet this desire, open space should be acquired and preserved as opportunities arise, providing places to extend the parks and trail system, preserve waterways, natural drainages and viewsheds, and preserve agricultural land in the community.

The applicant's request better fits the medium-to-large residential lot designation. The plan describes this land use designation as follows:⁶

MEDIUM-TO-LARGE RESIDENTIAL LOTS



When reviewing the future land use map, the biggest proposed land acreage change is in West Central Weber. Most of the area is proposed to become medium-to-large residential lots. In the Uintah Highlands, the area on the map with this designation is already mostly developed as 15,000 square-foot lots. The same or a similar development pattern should be expected for all areas with the medium-to-large residential lot designation.

Rezoning property to a zone more reflective of the medium-to-large residential lot designation is not intended to be freely available to any landowner within the designation. Rather, it should only be offered to land that provide commensurate public investment.

When granting a rezone to a zone that provides greater land-use rights, the outcome, whether intentional or not, is a greater or more marketable land value. One criticism of development is that it creates profits for the landowner or developer while adding costs to the community. To address this concern, a land owner or developer looking to rezone into this zone should be required to provide a public benefit that is commensurate with the benefits the landowner or developer will enjoy by developing.

The plan prioritizes the implementation of smart growth principles as development occurs. It encourages the county to utilize the rezone process as an opportunity to help developers and land owners gain the benefits of the rezone

⁶ Western Weber General Plan, pg 37.

while implementing for the public the benefits of these principles. Because the general plan is *general* in nature, no one principle is absolutely mandatory except when otherwise adopted into the development code. Similarly, allowing a property to be rezoned is also not mandatory. Both the developer and the County have the ability to substantially gain if a rezone is negotiated well enough.

General Plan Smart Growth Principles

The general plan lists both basic and exemplary smart growth principles. The seven basic smart growth standards are:

1. Street connectivity.
2. Pathway and trail connectivity.
3. Open space and recreation facilities.
4. Dark sky considerations.
5. Culinary and secondary water conservation planning.
6. Emission and air quality.
7. Renewable energy.

The proposal's compliance with each of these standards are further provided in this report.

The following nine bullet points is a list of the general plan's exemplary smart growth principles (in italics). A staff analysis regarding how they may relate to this potential project follows each bullet point. Some of these principles are similar to the basic smart growth principles aforementioned, but are designed to provide even greater community benefits.

- *Provision for a wide variety of housing options.*

While this proposal is anticipated to be exclusively single-family residential, the flexible lot standards of the R1-15 zone and connectivity incentivized subdivision will help the developer create a wide variety of lot sizes. Smaller lots will be more affordable than the larger lots, which in turn will allow the developer to market to prospective single-family homeowners that are at different stages of life.

- *Use of lot-averaging to create smaller lots/housing that responds to the needed moderate income housing.*

The applicant has not proposed any moderate income housing for the development. It should be noted that the variety of lot sizes will result in smaller lots, potentially as small as 6,000 square feet. This will help provide the market with a larger supply of smaller lots, which in turn will help curb the inflating housing costs the area has been experiencing. If the planning commission desires the developer to specifically provide deed-restricted moderate income housing within the development, the requirement can be inserted into the proposed development agreement and should be captured in the planning commission's motion.

One potential way of helping with affordability is the applicant's proposal for smaller lot widths. The R1-10 zone allows lot widths to be reduced to no less than 60 feet. The applicant is asking for a deviation from this rule to no less than 50 feet. If favorable, this should be accounted for in the development agreement.

- *Strong trail network with excellent trail connectivity that prioritizes bicycling and pedestrians over vehicles.*

Staff's analysis of this is provided in greater detail elsewhere herein.

- *Strong street connectivity and neighborhood connections that avoid the use of cul-de-sacs or deadends.*

As can be reviewed on the concept plan, the applicant has done well to not use cul-de-sacs and permanent dead-end streets. More on this later in this report.

- *Large and meaningful open space areas with improved parks, recreation, etc.*

Other recent proposals to rezone properties within cluster subdivisions in this area have been expected to compensate the community not only for the impact of the new proposed lots on community open space, but also the loss of the open space itself. In other words, the planning commission has considered the turnover of open space preservation parcels within cluster subdivisions as a double community impact worthy of double the compensatory offset of the impact. Thus, simply rezoning phases four, five, and the new phase six to the R1-15 zone without further open space considerations may not adequately compensate for the impact of those phases on the community. For example, the proposal to flip the open space area in both Halcyon Estates and Winston Park led to the conclusion that the developer should either provide a financial donation that is double what would otherwise be expected per each new lot, or provide a one-to-one financial donation for *all* of the lots within the

original boundary of the subdivision, both those previously approved as well as new. While Halcyon's proposal has yet to gain traction, the Winston Park developers have committed to providing a 1:1 contribution for all of their lots previously platted as well as all lots that are proposed to be platted over the land otherwise preserved as open space. They also are contributing a small amount of open space within their development to the park district.

While these other negotiations do not set a precedent on what should occur for the applicant's proposal, they do provide valuable context when considering how to best help the applicant accomplish their goal while adequately compensating the community for the loss of open space.

For compensation, the applicant is proposing to donate their individually owned agricultural open space parcels attributable to phases one, two, and three of the Taylor Landing Cluster Subdivision to the West Weber Park District. If considering this in the context of previous proposals and within the context that individually owned open space is equal to park open space under the cluster subdivision ordinance, the planning commission could determine that this donation is insufficient for the overall impact of the loss of phase four and five's open space, as it is a donation of land already preserved as community open space.

To conceptualize adequate community compensation, it may be beneficial to analyze the sufficiency of the applicant's proposed donation in the context of generalized dollar amounts. Even though the cluster subdivision ordinance considers the individually owned open space as equal to park area open space, there is certainly some value imbued in the ability for the public to use the open space as a public park. The value of individually owned open space to the community can essentially be distilled down to the reserved viewshed and reduced development impact. The value of useable park open space not only includes viewshed preservation and impact reductions, it also provides the benefit of community recreation and leisure opportunities. The general plan prioritizes useful park open space over most other types of open space⁷. Thus, from a financial perspective, a park likely carries a higher beneficial value over individually owned open space.

The new phase six will have 72 lots, phase four has 28 lots, and phase five has 31 lots, for a total of 131 lots. Recently adjusted calculations for the cost of park improvements shows that creating a park level of service of 10 acres per 1000 population, as prescribed by the general plan, lends to a per dwelling unit cost of about \$7,500. This, multiplied by 131 lots, equals a value of \$982,000. This shows that if keeping up with the desired level of service, these 131 lots equals a community park and open space cost of about \$1M. Plugging this cost into the applicant's proposal, we might find that the current value of agriculture-only (no development potential) property is about \$30,000 per acre.⁸ About 9.50 acres of the open space preserved for phases one through three are already owned by the West Weber Park District. This means that only about 22.31 acres of the total 31.81 acres should be counted toward the applicant's donation. 22.31 acres multiplied by \$30,000 per acre equals a financial contribution to the park district of about \$669,300. This means that the applicant's proposed contribution might be low by about \$312,700.

If the planning commission wants to review this in the context of all six phases of Taylor Landing, with the addition of the 72 lots in phase 6 there are 214 lots total. The planning commission could determine that this would equal a financial impact that may be closer to \$1.6M, a deficit of almost \$1M.

Whatever final open space determination and recommendation the planning commission might decide to give to the county commission, the planning commission should be aware that the West Weber Park District has indicated that they are agreeable to the proposed donation as sufficient compensation. They are eager to use the donation to create a 31.81 acre regional park complex. They are also working with the developer to acquire other assets that they are not yet ready to make public which may provide them equitable compensation overall. The planning commission could consider the park district's satisfaction as sufficient for community open space considerations.

- *Homes that have higher efficiency ratings than required by local building codes.*

Buildings are required to be constructed to an efficiency standard based on the climate of the area. Usually, buildings located in higher (colder) elevations need to meet greater efficiency standards. Given the wide degree of temperature swings in the Western Weber area over a one year period, requiring buildings to be constructed to better efficiency ratings will help alleviate the area's future demand on power and gas. This will also help provide better air-quality related to building emissions. From the general plan:

While planning for growth county leaders should be cognizant of the impact that new buildings and cars have on air quality. Not only will better street efficiencies help reduce air pollution as previously

⁷ Western Weber General Plan, pg. 131.

⁸ This value is based on staff's review of the Weber County Assessor's valuation of other individually owned open-space parcels in the area.

mentioned (approximately 42 percent of air pollution results from automobile uses), increasing the efficiency of buildings will further help reduce pollution sources. Approximately 30 percent of the area's poor air quality is created by residential and residential supporting uses.⁹

Staff suggests buildings be built to an efficiency rating that is compliant with one climate zone greater than currently prescribed for the area.

- *Homes that have solar-paneled rooftops and watt-smart compliant batteries.*

Similar to building efficiencies, providing energy independence when possible is integral in a smart-growth community. The general plan provides the follow on this subject:

Supporting the local electrical grid with renewable resources will help the area become more energy independent. While it is unlikely the area will ever be fully energy independent, energy resources to provide for an increasing population is and will continue to become more important. As one of the most arid states in the nation, the solar index of the planning area is also optimal for photovoltaic power generation. Solar generation should be a consideration when the county considers development proposals that seek above the zone's minimum allowance.¹⁰

Staff recommends requiring rooftop solar panels, as well as power storage capabilities such as a solar-charged battery. To assist with affordability, perhaps this requirement can be waived for residences less than 1800 square feet or those deed restricted for moderate income housing.

- *Provisions that create attractive communities for the long term and that create a distinctive sense of place.*

The planning commission may determine that the street and pathway connectivity and the donated park area accomplishes this.

One additional item from the general plan for the planning commission to consider on this point: When a limited access collector or arterial street serves a single-family residential area, these types of streets are likely to be lined with rear and/or side yards. As a result they can trend toward a less attractive aesthetic. The general plan suggests landscaping, fencing, and street art be located along limited access collector and arterial streets to enhance a greater sense of community character and aesthetic. Because the county does not currently have the organizational or financial structure to operate and maintain all of these street improvements, it's advisable to be selective. Staff are working with the Winston Park Developers on a fence or wall that will line 1800 South along the rear lots of their development. The planning commission can require this developer to follow suit.

- *Use of transferable development rights from agricultural lands identified for protection.*

The applicant has not suggested the use of any transferable development rights.

(b) Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property, and if not, consideration of the specific incompatibilities within the context of the general plan.

As can be observed from aerial imagery and the current zoning map, this rezone is consistent with other recent rezones of property in the area, and is generally consistent with the lot area of the existing Taylor Landing development to the west, the Winston Park development to the east, and the approved development of Stagecoach Estates to the north. The DeGiorgio subdivision is an older development also to the north and west of Stagecoach Estates. It is comprised of one-acre or greater residential lots. Given that a residential use generally tends to create the same impacts as other residential uses regardless of lot size, while this proposal will be denser, it is still likely to be compatible with the character of that development as well.

Dark sky considerations.

The general plan advocates for outdoor lighting throughout Western Weber area to be dark-sky friendly. Specifically, it states:

Although finding relief from skyglow resulting from the adjacent urbanized Wasatch Front may be a challenge, many residents of West Central Weber expressed their desire to preserve the appearance of the night sky as it is now. If new development in the area follows the same dark sky

⁹ Western Weber General Plan, pg. 49.

¹⁰ Western Weber General Plan, pg. 49.

regulations already applicable in the Ogden Valley, then future residents might be able to enjoy star gazing like current residents can. At the very least, adopting dark sky regulations will help keep new development from creating additional skyglow. The Wasatch Front's ever increasing skyglow is already threatening the North Fork Park's Bronze status as designated by the International Dark Sky Association.¹¹

The staff recommendation includes a provision for this development's compliance with the county's adopted outdoor lighting code, which is not currently mandatory in the western weber area, but can be made applicable to this development through the development agreement.

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

When considering how this rezone might adversely affect adjacent property, there are a wide array of factors at play. These include impacts on private property rights and nuisances, as well as other factors such as impacts on a landowner's desires for their neighborhood and the intrinsic values they've imbued into that neighborhood.

First and foremost, the Planning Commission should prioritize fact-based adverse impacts. Then consider the perception-based impacts thereafter.

If rezoned, the development will change the immediate area. Existing streets will need to be upgraded and new streets will be constructed. Small, medium, and medium-large-lot residential uses should be expected. The smaller and relatively denser development will change the visual nature of the area, traffic volumes and patterns, and noise potential. The proposed uses are not expected to be greater than that found in a typical residential neighborhood. When developing, the applicant will be responsible for correcting any material degradation in services that the development might create for the area. Thus, other than potential increases to noise, most of the fact-based effects will be required to be mitigated by the applicant.

From an intrinsic perspective, current neighbors who have grown accustomed to the quiet rural nature of the immediate area may find the increase in development intensity unpleasant and contrary to the current reasons they reside in the area. Even though residents in the area do not own a property right that ensures their neighbor's property will not change, they may find dismay in the perception that changes beyond their control could upend their desired future for the area. This could lead to their eventual self-determined displacement from the neighborhood.

(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, stormwater drainage systems, water supplies, wastewater, and refuse collection.*

The County's currently adopted development regulations are designed to specifically require the developer to address their impact on local levels of service. As aforementioned, the applicant will be responsible for mitigating any material degradation of levels of service.

Streets.

Figure 7 provides an excerpt of the area from the Future Streets and Transit Map of the general plan. 1800 South Street is the collector street that is likely to be most affected by this proposal. It is designated on the general plan as a minor collector. The applicant will be required to upgrade their frontage along this street to currently adopted standards.

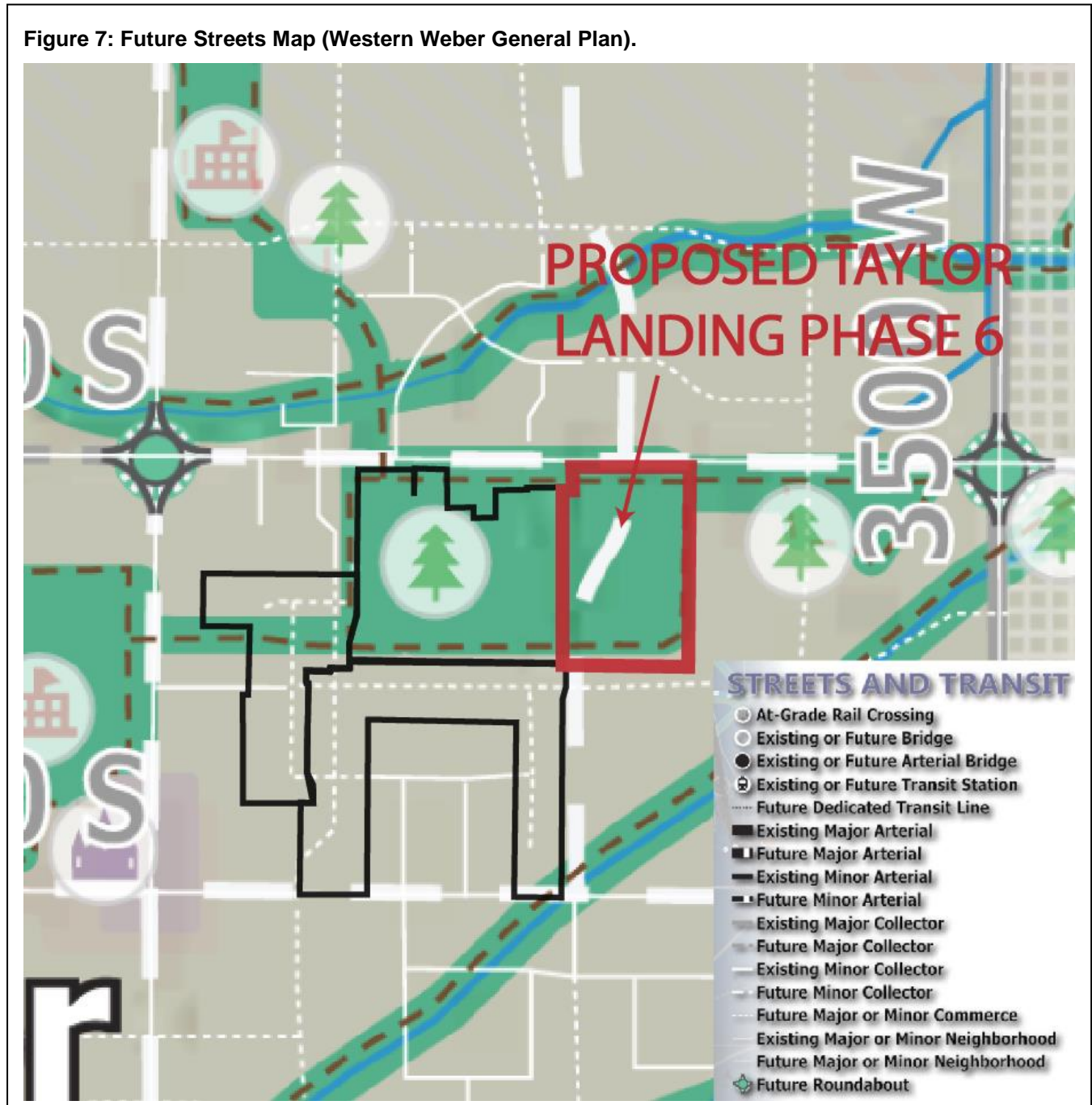
The future 5900 West Street is also shown as a minor collector in the general plan; however, because of the limited direct connection running south of 2200 South Street, it is likely this street will only become a major neighborhood street. For this reason, the Stagecoach Estates development to the north is being allowed to dedicate and build 3900 West Street to the major residential standard. As such, so should it be through this development. The concept plan shows that this development will pick up 3900 West Street from where it intersects 1800 South Street at the entrance of the Stagecoach Estates development, and extend it southward to where it will intersect with 2200 South.

¹¹ Western Weber General Plan, pg. 47.

Staff recommends that the applicant's portion of 5900 West is installed all the way to 2200 South as part of this development and development agreement.

In addition to the greater planned street network as shown on the Future Streets and Transit Map, the plan advocates for frequent street connections within neighborhoods. Newly adopted connectivity standards require that

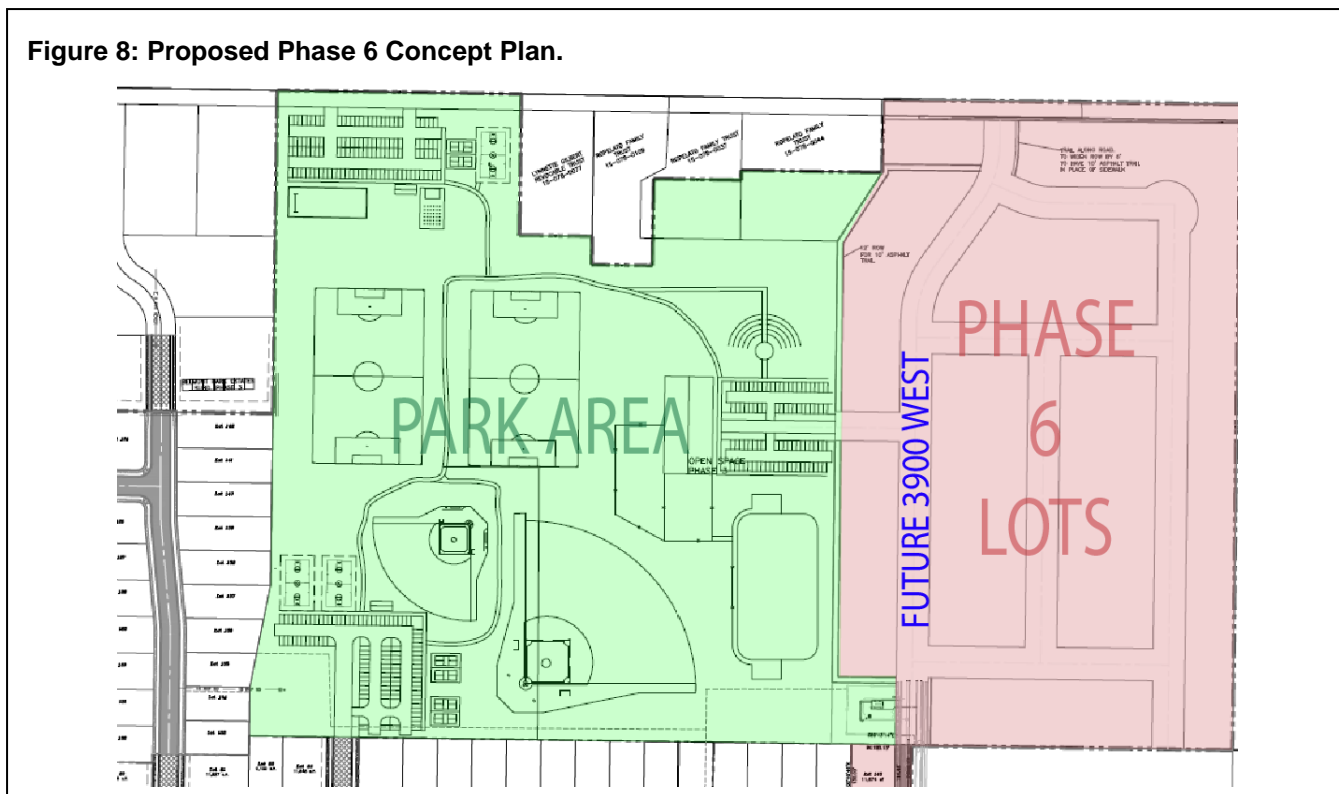
Figure 7: Future Streets Map (Western Weber General Plan).



street intersections be located no greater than 660 feet from each other. The applicant's proposed concept plan for the new 72-lot development is illustrated in **Figure 8**. The applicant worked with staff to locate the street connections for optimal connectivity given the existing layout of the property in the context of adjacent properties.

Due to the layout of the neighboring development to the east, there is little ability to provide an eastern street connection to that development, but the applicant has otherwise provided for the 660 foot standard within the development and is proposing connections westward, northward, and southward.

Figure 8: Proposed Phase 6 Concept Plan.



The county is still in the process of developing and adopting a standard street cross section. The staff recommendation includes a provision for the applicant to work with the county to settle on a street cross section design in the development that is similar in nature to what others in the area are doing. Staff also recommends the undergrounding of any existing overhead power both within the project area as well as in adjacent street rights-of-way.

Figure 9: Future Active Transportation, Parks, and Recreation Map (Western Weber General Plan).



Pathways.

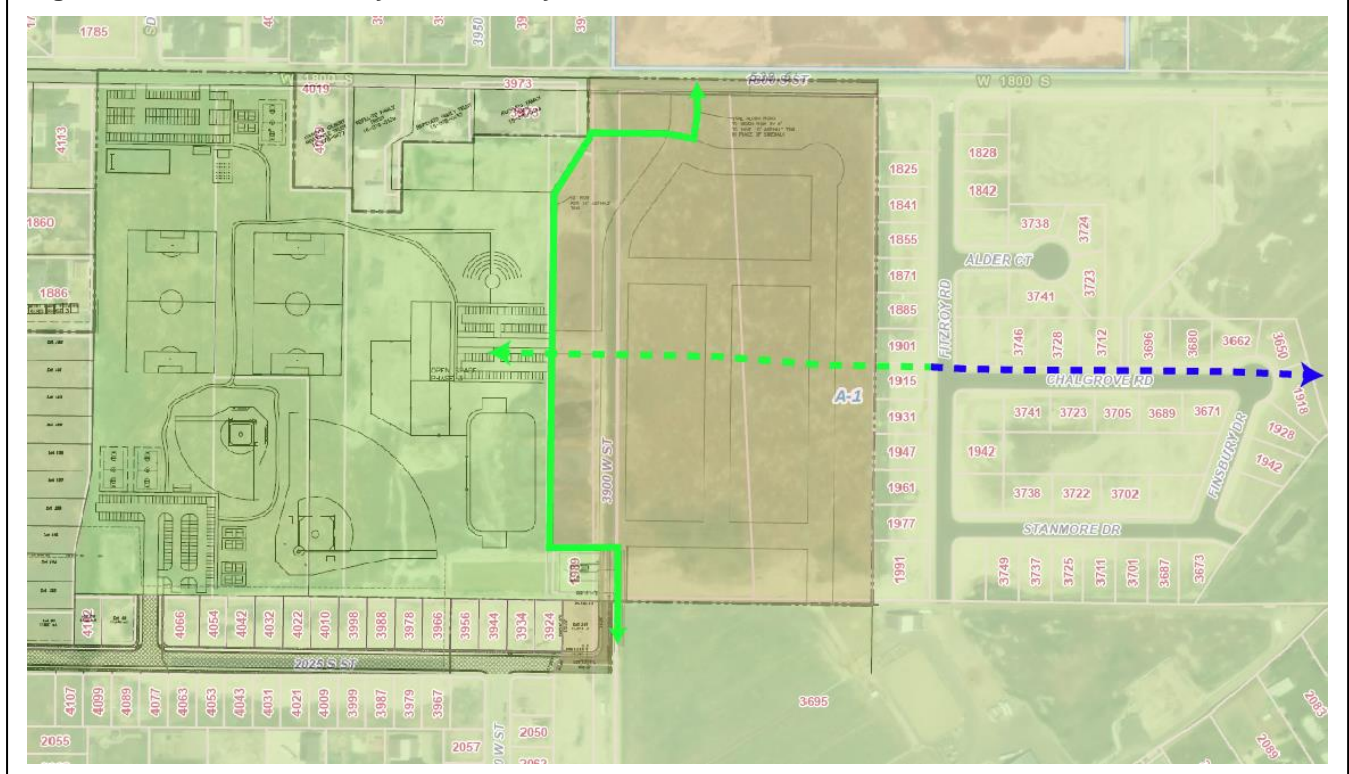
Figure 9 provides an excerpt of the area from the Future Active Transportation, Parks, and Recreation Map of the general plan. It shows that both 1800 South Street and 3900 West Street should be lined with bike lanes and a 10-foot wide pathway.

In addition to the regional trails shown on the Future Active Transportation, Parks, and Recreation Map, the plan calls for neighborhood pathways and pathway connections. Adopted connectivity standards require pathway intersections (where pathways meet each other or sidewalks) no greater than 400 feet from each other. The Stagecoach Estates subdivision to the north will include a 10-wide pathway on the east side of the future 3900 West Street. The developer of that subdivision is also required to install a rapid flashing beacon and crossing on 1800 South to connect this pathway to the southeast corner of 3900 West, where it will be picked up and continued through this applicant's development. The southeast corner of the 3900 West and 1800 South intersection appears to be less than 400 feet away from the eastern edge of the applicant's development. Therefore, another north/south pathway might not be needed through this development.

However, to better benefit the connection to the park, Staff asked that the 3900 West Street pathway deviate from the east side of 3900 West Street westward toward the eastern edge of the new park, then run south through the park to later rejoin 3900 West Street on the southern edge of this project. This pathway alignment is illustrated with a green solid line in **Figure 10**. This deviation lengthens the distance between this pathway and the eastern edge of the applicant's development beyond the 400-foot maximum. Because staff asked the applicant to move the pathway from 3900 West Street to the park where it would have complied, staff has not asked for an additional north/south pathway. The planning commission could, however, require it if desired.

Similar to the street situation, the configuration of the existing subdivision on the east of the applicant's proposed development does not provide an east/west pathway connection. To meet the minimum 400-foot distance standard, staff has suggested that perhaps the applicant should extend an east/west pathway connection to their eastern street. The applicant has requested to not be required to install this pathway extension, explaining that the proximity of their internal streets to this pathway location should suffice for pedestrian connectivity to the eastern side of their development, and that the expense to provide this east/west pathway connection is not justified due to the few residences it will actually serve because there is no existing through connection to Winston Park development to the east. Staff is working with the owners of various lots in Winston Park, and it may be possible to secure a pathway through one of the western lots. Given the new connections the county is negotiating within the Winston Park

Figure 10: Potential Pathway Connectivity.



development, getting this pathway connection could very well result in the eventual pedestrian connection of all development from 3500 West to the new park in a manner that completely avoids 1800 South Street. This could become a critical connection for the block if successfully implemented. Staff's recommendation reflects this possibility.

Police and Fire Protection

It is not anticipated that this development will generate a greater per capita demand for police and fire protection than typical single-family residential development.

Stormwater Drainage Systems

This is not a usual consideration for a typical rezone, and is better handled at the time specific construction drawings are submitted. This occurs during subdivision application review.

Water Supply

The property is within the Taylor West Weber Water Improvement District boundaries. The applicant has provided a letter from the district that acknowledges the rezone application and the potential for them to serve. The letter, attached within Exhibit A, provides a general list of infrastructure improvements that will be needed and conditions and requirements that will be expected of the developer in order to gain access to this service. One important expectation of the district is for the property to be served with secondary water by Hooper Irrigation Company or another similarly qualified irrigation company. The property is within Hooper Irrigation Company's service area, and the applicant has submitted an acknowledgement letter from them, also provided in Exhibit A.

Wastewater

The project is proposed to be served by the existing sewer lift station in the Taylor Landing development. From there it will be conveyed to the Central Weber Sewer Improvement Districts infrastructure.

Refuse Collection

It is expected at this time that this development will be served by the county's typical contracted garbage collection service. If different, this can be better fleshed out during subdivision review.

(e) Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.

There are no known natural or ecological resources or sensitive lands in this proposed area.

(f) Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.

Based on the details already provided regarding street accessibility and street connectivity, the planning commission should be able to make a finding that the applicant is proposing sufficient compensation for their impact on both existing and proposed transportation corridors.

Staff Recommendation

After reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of a rezone of the entire Taylor Landing development to the R1-15 (residential) zone, except for the 31.8 acres reserved for park area, which is recommended to be zoned O-1 (open space). If the planning commission is favorable to the rezone, it may desire to table a formal recommendation pending a proposed general plan amendment. If the planning commission does not consider the rezone favorable, the planning commission should deny the application.

Staff's favorable recommendation is offered with the following considerations, which are intended to be incorporated into a zoning development agreement:

1. Concept plan update: Show an east/west pathway connection that connects the park on the west directly through this development to western edge of the Winston Park subdivision.
2. Parks, open space, and trails:
 - a. Include a provision in the development agreement that requires the east/west pathway connection from the park on the west through the development and to the western edge of the Winston Park Subdivision as long as the county is able to acquire the right of way through one of those western most lots in Winston Park. Waive the requirement in its entirety if a through link cannot be obtained.
 - b. Donation of the proposed park open space to the park district should occur prior to any plat being recorded for the property
 - c. Each pathway and sidewalk within the development should be lined with shade trees in intervals and of species such that the crown of one tree, on average at maturity, will touch the crown of the next tree. Use more than one tree variety dispersed in a manner to avoid transmission of pests and disease.
3. Streets:
 - a. The applicant's portion of 5900 West should be installed to 2200 South as part of this development and development agreement.
 - b. Any lot that rears or sides on 1800 South Street should be screened with an attractive fence or wall that is visually consistent with other proposals in the area.
 - c. 1800 South Street should be dedicated and designed as an 80-foot right-of-way.
 - d. Streets should be stubbed to adjacent property as shown on the concept plan.
 - e. The applicant should work with staff to create a street cross section for the streets in the project. The street cross sections should generally reflect those adopted in recent development agreements.
 - f. All overhead power both within the project and within any street right-of-way or utility easement should be undergrounded.
4. Lots:
 - a. Lots widths may be allowed to be decreased to no less than 50 feet.
5. Air quality: Require each residence greater than 1800 square feet or not otherwise deed restricted for moderate income housing to:
 - a. Have solar panels and backup batteries installed prior to certificate of occupancy.
 - b. Be constructed with HVAC systems and water heaters that have a minimum 95 percent efficiency rating.
 - c. Be constructed to an energy efficiency rating that is one climate zone colder than the area.
6. Weber County's outdoor lighting code should be applied to all lighting in the project.

Staff's recommendation is offered with the following findings:

1. After the considerations listed in this recommendation are applied through a development agreement, the proposal generally supports and is anticipated by the vision, goals, and objectives of the Western Weber General Plan.
2. The project is beneficial to the overall health, safety, and welfare of the community, as provided in detail in the Western Weber General Plan.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Model Motion

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

Motion for positive recommendation **as-is**:

I move we forward a positive recommendation to the County Commission for File #ZMA2024-03, an application to rezone approximately 104.54 acres of land located at approximately 3900 West 1800 South, from the A-1 zone to the R1-15 zone and approximately 31.81 acres of land to the O-1 zone, as illustrated in Exhibit C.

I do so with the following findings:

Example findings:

1. *The changes are generally 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 general plan future land use map is not intended to provide survey-level accurate designations, and this proposal is close enough to the appropriate land use designation.*
4. *The changes will enhance the general health and welfare of Western Weber residents.*
5. *[_____ add any other desired findings here _____].*

Motion for positive recommendation with changes:

I move we forward a positive recommendation to the County Commission for File #ZMA2024-03, an application to rezone approximately 104.54 acres of land located at approximately 3900 West 1800 South, from the A-1 zone to the R1-15 zone and approximately 31.81 acres of land to the O-1 zone, as illustrated in Exhibit C, **but with the following additional edits and corrections:**

Example of ways to format a motion with changes:

1. *Example: Add a requirement for roadside beautification, water wise vegetation, and street art/décor to the development agreement for the two collector streets in the development. Include decorative night sky friendly street lighting at reasonable intervals. Require the creation of a homeowner's association to operate and maintain.*
2. *Example: Amend staff's consideration item # []. It should instead read: [desired edits here].*
3. *Etc.*

I do so with the following findings:

Example findings:

1. *The proposed changes are supported by the General Plan. [Add specifics explaining how.]*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the General Plan*
3. *The changes will enhance the general health, safety, and welfare of residents.*
4. *[Example: allowing short-term rentals runs contrary to providing affordable long-term rental opportunities]*
5. *Etc.*

Motion to recommend denial:

I move we forward a recommendation for **denial** to the County Commission for File #ZMA2024-03, an application to rezone approximately 104.54 acres of land located at approximately 3900 West 1800 South, from the A-1 zone to the R1-15 zone and approximately 31.81 acres of land to the O-1 zone, as illustrated in Exhibit C. **I do so with the following findings:**

Examples findings for denial:

- *Example: The proposal is not adequately supported by the General Plan.*
- *Example: The proposal is not supported by the general public.*
- *Example: The proposal runs contrary to the health, safety, and welfare of the general public.*
- *Example: The area is not yet ready for the proposed changes to be implemented.*
- *[_____ add any other desired findings here _____].*

Exhibits

Exhibit A: Application.

Exhibit B: Current Zone Map.

Exhibit C: Proposed Zone Map.

EXHIBIT A APPLICATION DOCUMENTS

Taylor Landing Phase 4 & 5 (including open space parcels) Rezone Narrative

Overall Project Vision

The overall vision of the project is to reconcile the previously approved plan to better align with the Weber County Masterplan. It would allow for greater road connectivity, pathways and great contributions to the Parks Department.

Compliance with the General Plan

The newly redesigned concept is in compliance with the General Plan based around the allowed R-1-15 zone, focused on fulfilling the Smart Growth Practices which allowed for responsible addition of lots, providing parks and open space that can be utilized for the greater good of the community.

The present zoning should be allowed to be changed based on the new concept of the community can more appropriately address the needs for new and additional road connectivity and the demand of public open spaces and parks.

Making the zone change would be in the public interest for multiple reasons. The development will be creating connectivity that seems to be crucial to the General Plan, preserving, and building master planned roads that facilitate connectivity currently being sought after by the General Plan. It is our intent to donate a large number of acres to the Parks Department and make sure there are appropriate stub-outs for the parks to access utilities.

The new concept for this project can better the welfare, health, and safety of the Weber County inhabitants. In this area of Weber County there is a need for public use of land which we can provide by donating not only land to the Parks department but creating and financing the access to land, pathways, trailhead and restrooms. We would be able to provide safe access to the river pathway but also having areas of public land, families and everyone can enjoy what nature has to offer in the own backyards which promotes healthier living.



Taylor West Weber Park District

October 5, 2023

To Whom it May Concern,

Heritage Land Holdings LLC (the "Developer"), proposed to the Board of Trustees of the Taylor West Weber Park District (the "District") a donation to the District as part of its proposed rezone of the development of the **Taylor Landing Cluster Subdivision**, located within the District boundaries (the "Subdivision"). The District Board discussed and voted on the proposed donation in an open and public meeting.

The District will accept from the Developer a donation of parcels 157920021, 157980030, and 150780182, which are located within the Subdivision. The donated parcels will allow the District to develop a large public park for the benefit of the new residents of the Subdivision and surrounding communities.

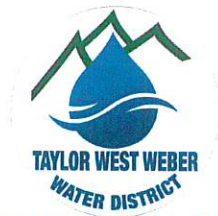
In exchange for the donation, the District hereby declares its support of the proposed rezone of the Subdivision's Phases 4 and 5 to R1-15 and the associated rezone for parcels 150780185, -86, -87, and -89. This declaration is only valid to the extent that it satisfies Weber County's conditions for the rezone and the County's associated development agreement. If the Developer does not provide the donation to the District, then the District withdraws its support of the proposed Subdivision and rezone.

This letter does not contractually bind the Developer to provide the Donation to the District. Rather, it is a commitment from the District that, if the Developer provides the donation to the District, the District will support the Developer's proposed Subdivision and associated rezone.

Sincerely,

A handwritten signature in blue ink that reads "Roger Heslop".

Roger Heslop, Chair
Taylor West Weber Park District



**2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401
801-731-1668
11/14/2023**

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

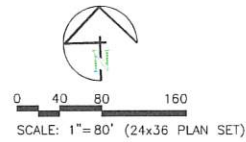
To Whom It May Concern:

Taylor West Weber Water Improvement District ("The District"). Has received a notice of intent to request rezone for an area known as Taylor Landing open space with a park in Taylor, Utah. This application is adjacent to Taylor Landing Phases 4&5. Attached is a map of the area, it has approx. 72 lots and a park The District has the capacity to support this area to be rezoned to approx. 1/3 acre lots for culinary use only. The area needs to have pressurized secondary water supported by either Hooper Irrigation or a qualified Irrigation Company making this application supportive. Once a plan is presented a review will need to be completed. The District board of directors and the engineer must review the plan before it is approved. The District board of directors may indicate other requirements so a revised letter may be issued. This is in no way a letter of feasibility for a subdivision or will serve of any kind, this is only a letter of acknowledgment supporting the application to rezone the area. If you have any questions, feel free to contact me.

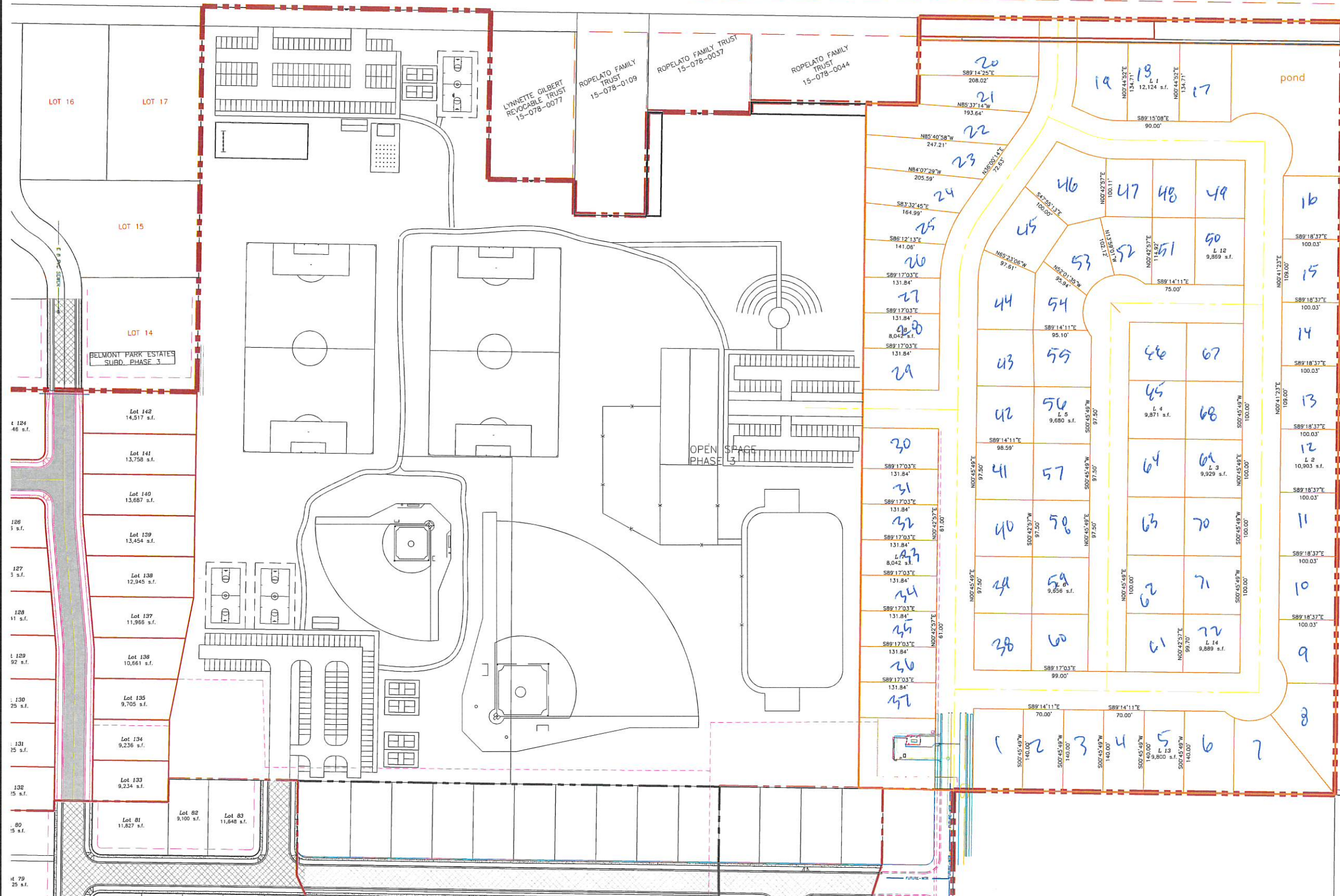
Best Regards,

Ryan Rogers
Manager
Taylor West Weber Water Imp.

TAYLOR LANDING
 A CLUSTER SUBDIVISION
 MASTERPLAN



AREA Requesting Rezone



ALLIANCE CONSULTING ENGINEERS
 1505 21ST AVENUE, SUITE 111
 DENVER, COLORADO 80202
 (303) 733-4444
 alliance-engineers.com

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NO.	REVISIONS / SUBMISSIONS	DATE	DRAWN	PROJECT NO.

TAYLOR LANDING
 A CLUSTER SUBDIVISION
 MASTERPLAN

DATE: SEPT, 2023
 DRAWING NO. 2



PO Box 184	Phone: (801)985-8429
5375 S 5500 W	Fax: (801)985-3556
Hooper, Utah 84315	hooperirrigationco@msn.com

December 7th, 2023

Weber County Planning Commission
2380 Washington Blvd, #240
Ogden, Utah 84401

RE: Plat Change Acknowledgement – Taylor Landings Subdivision, PH 4 & 5

Hooper Irrigation has been provided with revised plans for Taylor Landings Phases 4 & 5. The previous plat plan showed common areas reserved in both phases 4 & 5, however those common areas will now be revised to building lots. The former common areas will be amended to phases 6 & 7, so the current building lots for phases 4 & 5 will not change.

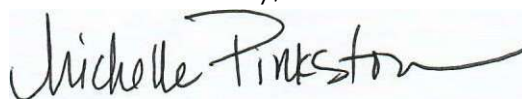
The subdivision plat plan has been reviewed by Hooper Irrigation. The preliminary plans have been conditionally approved for the above subdivision phases.

A final will serve letter will follow this letter after all plans have received final approval, fees have been paid, and water shares have been turned in to Hooper Irrigation.

Hooper Irrigation's specifications are available at the Company office.

If you have questions, please call 801-985-8429.

Sincerely,



Michelle Pinkston
Office Manager
Board Secretary

EXHIBIT B CURRENT ZONE MAP

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R1-15

R1-15

R1-15

A-1

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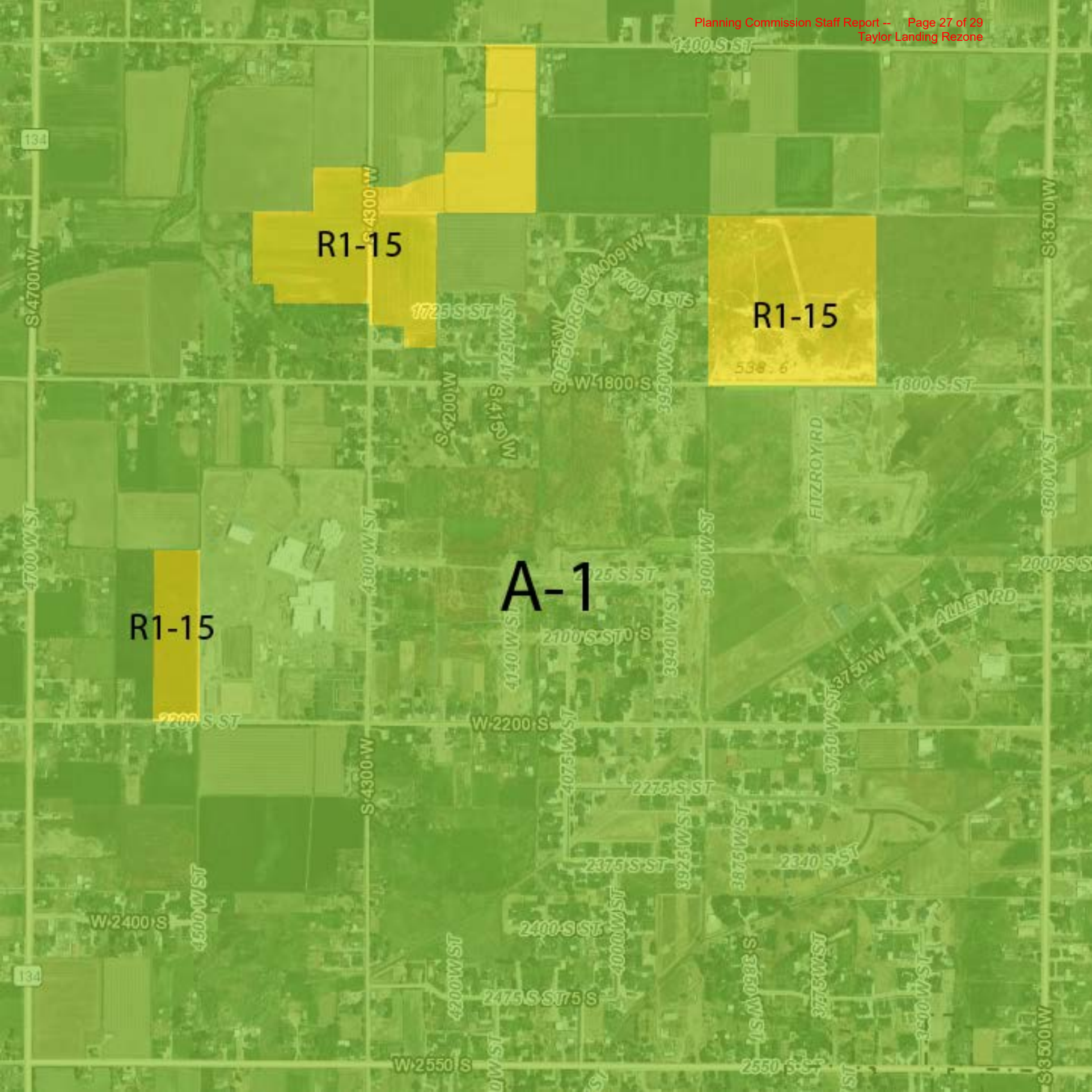


EXHIBIT C RECOMMENDED ZONE MAP

