

Minutes of the February 11, 2014 Western Weber County Township Planning Commission, held in the Weber County Commission Chambers, 2380 Washington Blvd., 1st Floor, Ogden, UT

Members Present: Jannette Borklund, Chair
Mark Whaley
Doug Hansen
Ryan Judkins
Wayne Andreotti
John Parke

Member Excused: Andrew Favero

Staff: Sean Wilkinson, Planning Director; Ben Hatfield, Planner; Scott Mendoza, Planner;
Steve Parkinson, Planner; Monette Hurtado, Legal Counsel; Sherri Sillitoe, Secretary

- Pledge
- Roll Call

Chair Borklund called the meeting to order; she led those in attendance with the pledge of allegiance and conducted the roll call.

1. Minutes
 - 1.1. Approval of the January 14, 2014 minutes

Chair Borklund, Commissioner Andreotti and Commissioner Whaley previously submitted minor changes to the minutes. Chair Borklund declared the January 14, 2014 meeting minutes approved as amended.

Director Wilkinson read the Opening Meeting Statement.

Chair Borklund asked if the members had any conflicts of interest or exparte communications they wished to declare for any items on today's agenda and no conflicts of interest or exparte communications were reported.

Petitions, Applications and Public Hearings

2. Administrative Items

2.1. New Business

- a. DR 2014-01 Consideration and action on an administrative application, design review approval of the storage building that is more than twice the size of the home at 2139 S 4300 W, (Josh Skidmore, Applicant; Dan Scarbrough, Agent)

Jim Gentry presented a staff report and indicated that the applicant is requesting approval of a storage building that is approximately 9,700 square feet at 2139 South 4300 West Taylor. The property is zoned Agricultural A-1 and the lot is 40,216 square feet in size. There is a single family dwelling on the property as well as an accessory building. The new accessory building will tie into the existing accessory building. The building will be used for recreation vehicle storage, personal vehicles, storage, as well as a batting cage. The building will be "L" shape with the length of the building will be 135 feet long by 60 feet and the "L" portion will be 100 feet by 30 feet by 40 feet.

Section 108-7-16, Large accessory buildings (1,000 square feet or larger), number (c) states "Accessory buildings that exceed the dwelling in area by more than double as measured by the footprint of the dwelling shall require approval by the planning commission as a design review." The tax records indicate that the dwelling is 1,026 square feet in area; therefore Planning Commission approval is required.

In Section 108-7-4, Area of accessory building it states "No accessory building or group of accessory buildings in any residential estates zone, cluster subdivision, or PRUD shall cover more than 25 percent of the rear yard." Since this property is zoned Agricultural (A-1), there are no lot coverage standards.

Questions to ask: 1) Are the project layout and setbacks consistent with applicable requirements of the Weber County Land Use Code, and 2) Would this project impair the orderly and harmonious development of the neighborhood or impair investment in and occupation of the neighborhood?

Staff recommends approval of the site plan for large accessory buildings at 2139 South 4300 West subject to staff and other review agency requirements. This recommendation is based on the project complying with applicable County Ordinances. The Planning Commission may base the approval on the following findings:

- The proposed use is allowed in the A-1 Zone
- All development standards have been met

The area in the rear is vacant so the A-1 setbacks would need to be met. Jim Gentry replied that there would probably be a school on the rear property in the future.

The applicant did not wish to add anything to staff's presentation.

Commissioner Hansen said because of the size of the buildings that are there, is it a possibility that this could be a residence in the future? Jim Gentry replied yes, if they tore down the existing home, changed the records in the Recorder's office for the conversion, met the Health Department septic tank requirements and met all current building codes. Only one single-family dwelling is allowed per parcel.

Chair Borklund asked if they could further divide the lot, and Jim Gentry replied that the lot is not large enough to further divide.

No public comment was made.

MOTION: Commissioner Hansen moved to recommend approval of DR 2014-01 subject to staff and other agency recommendations. Commissioner Judkins seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried by a unanimous vote.

- b. DR 2013-13 Consideration and action on an administrative application, design review approval of the new West Weber Elementary School at 4178 W 900 S (Weber School District, Applicant; Paul Feser, NV 5 Engineering, Agent)

Steve Parkinson presented a staff report and indicated that the applicant is requesting a Design Review approval of a site plan for the West Weber Elementary School located at approximately 4178 West 900 South. The existing 8.29 acre site is in the A-1 Zone. This site currently is functioning as an elementary school. The existing school building is to be removed and the proposed school building is to be built in its stead. The proposed development is looking to demolish the existing school building and construct a new, more modern school.

There are some issues on the overall site: The site is designed on two separate parcels, with the proposed building having a property line running through it. The easiest way to resolve this concern is to combine the two (2) parcels together. There is a discrepancy between the county records and the proposed site plan on the configuration of the western-most parcel and the northern-most property line. According to county records, the property line goes further north than the eastern parcel, but within the proposed site plan the western parcel does not match the eastern parcel on the northern line. The issue is if this is the School District's property, then they need to maintain it. If it is not the district's property, then they need to create a subdivision combining the two parcels as well as dedicate that portion of the parcel to whomever it belongs to.

Commissioner Judkins indicated that the irrigation ditch previously ran on the rear of the property, but it is no longer in service.

Access and circulation for the parking area appears to function well; however, since it is an elementary school, the parking requirements should be based on the number of staff members. Nothing was provided to indicate that exterior light fixtures are to be installed at this site. If exterior lights are to be installed, they will need to ensure that light remains on the property and does not flood adjoining properties

The proposed building appears to meet the minimum setbacks for the A-1 Zone. However, no measurements are provided on the site plan. No landscape plan was submitted; therefore staff has not been able to determine exactly which non-labeled areas will be landscaped. The site plan shows two locations for signs; no plans have been submitted for these signs.

Weber Fire District had a few concerns that all fire hydrants be in working order throughout the construction as well as having access to the property throughout the construction. Since this is a school, it also needs approval from the Utah State Fire Marshal Office. Weber County Engineering has several issues regarding the construction of the site, i.e. storm drain, right of way and Storm Water Pollution Prevention Plan (SWPPP).

Staff recommends approval of the site plan for the West Weber Elementary School subject to staff and other agency review requirements. This recommendation is based on the project being in compliance with applicable County Ordinances and subject to the conditions listed in the staff report.

Commissioner Hansen indicated that he believes that the plans should be obtained from the School District even though the many of the options are not under their control. Steve Parkinson indicated that he notified the School District that this meeting would be held tonight, but he has not received any additional information from their engineer nor is anyone present in this meeting.

No public comment was made.

Commissioner Judkins believed that until the School District provides the documentation that the county requires such as parking stall dimensions, where the busses will come, discrepancy in the number of parking stalls, etc., he believes they should table the issue.

MOTION: Commissioner Hansen indicated that until they get a more complete site plan to show if the School District will combine the lots, the parking details, what will be done with the rear of the lots, as well as the other concerns listed in the staff report being addressed, he would table the agenda item. Commissioner Judkins seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried by a unanimous vote.

3. Legislative Items

3.1. New Business

- a. ZTA 2013-01 Discussion and action on amendments to the Weber County Land Use Code Title 108 (Standards) Chapter 1 (Design Review) Title 101 (General Provisions) Section 101-7-7 (Definitions) Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 106-1-8 Final Plat Requirements and Approval Procedure

Jim Gentry presented a report and indicated that changes are proposed that would require a .pdf file with a design review request, adding a provision allowing the County Engineer to approve financial guarantees of \$25,000 or less, clarifications to allow the Planning Director to approve certain design review applications, amending the definition for financial guarantees to make them consistent with the rest of the ordinance as well as allowing the County Engineer to approve escrow amounts up to 25,000.

Staff recommends that the Planning Commission consider the proposed changes to Weber County Land Use Code Title 108 (Standards) Chapter 1 (Design Review) Title 101 (General Provision) Section 101-7-7 (Definition) Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 106-1-8 Final Plat Requirements and Approval Procedure as these changes will make ordinances consistent and allow more flexibility with developers and stream line planning processes.

MOTION: Commissioner Andreotti moved to recommend approval of ZTA 2013-01 amending the Weber County Land Use Code Title 108 (Standards) Chapter 1 (Design Review) Title 101 (General Provisions) Section 101-7-7 (Definitions) Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 106-1-8 Final Plat Requirements and Approval Procedure as presented based on the finding that this will streamline the planning process and provide more flexibility. Commissioner Hansen seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried with all members present voting aye.

- b. ZTA 2014-01 Consideration and action on a proposal to amend Title 104 (Zones) Chapter 5 (Agricultural-1), Section 7 (Site Development Standards), of the Weber County Land Use Code by reducing the minimum separation (setback) standard in between a main building and an accessory structure

Scott Mendoza presented a staff report and indicated that the A-1 Zone requires a lot area of 40,000 square feet, a minimum lot width of 150 feet and a variety of setbacks depending on what type of structure is being built. For an accessory structure, the A-1 Zone currently requires a minimum separation of ten feet in between the rear facing wall of a main structure and the front facing wall of an accessory structure. This separation standard is only applied when a landowner chooses to site an accessory building in a yard area that is less than ten feet from a side lot line. All structures are required to be site at least 30 feet from a front lot line.

This proposed amendment would change the current separation standard from 10 feet to 6 feet in the A-1 Zone. This change would make the separation standard consistent with the County's existing A-2, A-3, AV-3, RE-15 and RE-20, and Single-Family Residential R-1-10, R-1-12 Zones. The Planning Commission may consider the benefits of having an accessory structure separation standard that is consistent throughout the County. Staff recommends approval of the proposed amendment to the A-1 Zone.

In answer to a question by Commissioner Judkins, Scott Mendoza indicated that accessory buildings over 1,000 sq. ft. have a different set of setbacks. However, when the square footage of an accessory building exceeds twice the square footage of a home, other standards are introduced.

MOTION: Commissioner Hansen stated that in order to achieve consistency, he moved to recommend approval of ZTA 2014-01 amending Title 104 (Zones) Chapter 5 (Agricultural-1), Section 7 (Site Development Standards), of the Weber County Land Use Code by reducing the minimum separation (setback) standard in between a main building and an accessory structure. Commissioner Andreotti seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried by a unanimous vote of those members present.

4. Policy and Information Items

a. 2014 Planning Division Work Program

Director Wilkinson presented the 2014 Planning Division Work Program as an information item and indicated that the 2014 Planning Division work program builds on significant progress made in 2013 on several projects, code amendments, general plan updates, and other items. Most of the items are long range planning issues. The work program is a sampling of the major projects that are anticipated to be completed in the coming year, though not every project is listed. The work program is always subject to change based on staff work loads, unanticipated submittals, County Commission direction, or other issues that may arise.

The work program does not show the large amount of current planning work that takes place on a daily basis and takes up a significant amount of staff time. Long range projects are often set aside in order to meet deadlines with current planning projects. With the addition of two new planners in 2014 we hope to complete the work program, stay ahead of the current planning projects, and further streamline our processes to make the Planning Division more efficient and effective.

Director Wilkinson read the definition of a therapeutic school at Commissioner Judkins' request.

b. 2013 General Plan Implementation Update

Director Wilkinson presented the 2013 General Plan Implementation update and stated that The Ogden Valley General Plan was adopted and in 1998 and the Recreation Element of the General Plan was adopted in 2005. The West Central Weber County General Plan was adopted in 2003. The general plan is a combination of goals, objectives, and policies that guide land use planning and zoning within the county for the present and the future. The General Plan provides for compatibility and continuity within the unincorporated county and within individual neighborhoods. Once policy direction is established, ordinances are then created to implement the policies. The following shows the summary of updates that have taken place in 2013 to implement the General Plans for the Ogden Valley and Western Weber County:

c. Contact Information Policy

Director Wilkinson stated that on December 3, 2013, the Ogden Valley Planning Commission (OVPC) entertained a proposal to establish a policy on whether the planning commissioner names should be put on the Planning Division website. Chris Allred, Legal Counsel, indicated that they are trying to protect the Planning Commission from being bipartisan and he advised the members to use good judgment in regard to talking to the press as well.

Three options were given for the OVPC's consideration: 1) Put contact information on the website including contact information, 2) Put names only on the website, identify officers, and appointment terms, or 3) do not put any information on the website. Staff's recommendation is that irrespective of which option is chosen, staff recommends that if either option 1 or 2 are chosen, then it should be all names listed. This is a policy decision; staff recommends either option 2 or 3. The Planning staff has now brought forth this issue for a recommendation from the Western Weber County Planning Commission.

A vote was taken and Chair Borklund indicated that the vote was unanimous that the member names and term expiration dates will be listed on the website for consistency.

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

6. Planning Commission Remarks: None

7. Planning Director Report

8. Legal Counsel Remarks: None

9. Adjourn to a Work Session

The meeting was adjourned to convene a work session.

WS1. Cluster Subdivision Ordinance Discussion

Scott Mendoza stated that at the last work session it was felt that the present ordinance should be tweaked first rather than being completely rewritten.

Scott Mendoza presented a summary from January's work session.

Commissioner Andreotti indicated that it may be interesting to have someone come speak with them about common area maintenance issues. They need to have something that looks right in their community. Maybe the color used on the homes would be a part of that.

Commissioner Judkins indicated that he believes water is something that they need to consider when they are considering cluster subdivisions or future development.

Scott Mendoza stated that they heard at the last work session that the developers do not want to propose cluster subdivisions. Commissioner Whaley indicated that there are those developers who would be interested if the incentives were enticing enough.

Commissioner Judkins voiced his opposition to cul-de-sacs.

Commissioner Hansen stated that they want to incentivize contractors or developers to develop subdivisions in a way that would be attractive or pleasing to the community or that would meet the general plan goals.

Commissioner Judkins was excused at 6:20 P.M.

Discussion was held regarding an alternative type of subdivision (Conservation Subdivision). Scott Mendoza indicated that Mel Petersen phoned him after the last work session and indicated that he would be very interested in developing this type of subdivision. Mr. Mendoza added that Conservation Subdivisions would be another tool to offer developers.

Commissioner Whaley stated that he believes they are not in a position that Ogden City is in terms of building density on property. He believes higher density standards were introduced by HUD and low income housing needs. He is trying to understand where they are heading with the cluster subdivision discussion. He doesn't believe they should allow developers to buy their density points.

Commissioner Hansen believes in the philosophy here of "it is possible with." The key is design.

Commissioner Borklund stated that it would be nice if someone were putting money into a fund (conservation easement funds) for future park development.

The members determined that they were interested in amending the ordinance to include the following:

- a. Clarify that amenity-type structures (e.g., clubhouse) are allowed in dedicated common area
- b. Early sketch plan approval
- c. Transitional area in between new small lots and existing large lots
- d. Increase open space requirement (from 30% to 50%)
- e. Lower bonus density or strengthen performance criteria to earn bonus density
- g. Open space retained by farmer or other non-lot owner versus ownership by HOA
- i. Transfer of Development Rights (TDR) or Purchase of Development Rights (PDR). Bonus densities could focus on TDR's i.e., lower existing bonuses and create a substantial bonus for TDR's.
- j. Design standard that requires "visual diversity" in development pattern
- l. Multi-family dwelling unit lots with plat designation (e.g., Lot 1MF) in lieu of PRUD. Relevant if open space requirement is increased and bonuses don't reduce.

Commissioner Andreotti indicated that it is more of getting options and ideas out there and then decide if it would work.

The meeting was adjourned at 6:55 P.M.

Respectfully Submitted, Sherri Sillitoe, Secretary, Weber County Planning Division