

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:

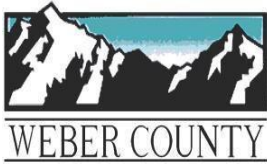
- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information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

February 11, 2025

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



- Pledge of Allegiance
- Roll Call:

1. Minutes: 11-12-2024, 12-3-2024 and 12-10-2024

Petitions, Applications, and Public Hearings:

2. Administrative items

2.1 LVK110824: Consideration and action on a request for preliminary approval of Kanesville Crossing Subdivision consisting of 78 residential lots, 2 commercial lots, 2 Special Use Area Lots, and 2 common area parcels, within C-1 and R-3 zones, located at approximately 3300 South 3500 W, Ogden. This project is subject to a recorded zoning development agreement dated March 14, 2024.

Staff Presenter: Tammy Aydelotte

3. Public Comment for Items not on the Agenda:

4. Remarks from Planning Commissioners:

5. Planning Director Report:

6. Remarks from Legal Counsel

Adjourn to Work Session (see next page)

Worksession

WS1: A discussion regarding a zoning map amendment application and associated development agreement for the Gibson Farms Rezone, a master planned development that will rezone approximately 550 acres of property located within the area bounded by 12th Street, 4700 West, and the Weber River. The proposed rezone is to a new proposed zone called the "Traditional Neighborhood Zone" (TN) which will allow a variety of uses within a master planned development, guided by a concept plan, including single-family residential, mixed residential, and mixed neighborhood commercial. The proposal may also include a dual zone, coupling the TN zone with the county's existing Form-Base Zone (FB). Applicant: Black Pine Group.

WS2: A discussion regarding a zoning map amendment application and concept plan for a project named the Bitton-Dee Zoning Map Amendment, which proposes to change to zoning from Agricultural A-1 to Residential R1-15. The project covers an area that is roughly 31 acres that spans the distance between 4100 West and 3600 West. Street and pathway design with a focus on the current condition of 4100 West Street and 3600 West Street could help guide the discussion.

WS3: A discussion regarding a zoning map amendment application and associated development agreement for the Westbridge Meadows rezone, a master planned development that will rezone approximately 1400 acres of property located within the area between the Weber River and 7500 West, and south of the Union Pacific Railroad. The zone(s) being proposed will include a Master Planned Development Overlay Zone (MPDOZ), and may include a variety of Single-Family Dwelling (R1), Two-Family Dwelling (R2), and Multi-Family Dwelling (R3) zones, as well as the Form-Based Zone (FB (mixed uses)) and the neighborhood commercial zone (C-1), and/or may include the creation of a new master-planned development zoning designation that is unique to the proposed development. Applicant: Fenix Development and Flagship.

WS4: A discussion regarding a potential zone map amendment to rezone approximately seven acres of property located at approximately 5015 West 2550 South from the A-2 zone to the R-3A zone. Applicant: Carson Jones.

WS5: A discussion regarding a potential zone map amendment to rezone approximately thirteen acres of property located at approximately 2615 South 4700 West from the A-1 zone to the R1-15 zone. Applicant: Carson Jones.

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

Minutes of the Regular Meeting of the Western Weber Planning Commission for November 12, 2024, Weber County Commission Chambers, 2380 Washington Boulevard 1st Floor, the time of the meeting, commencing at 5:00 p.m.

Western Weber Planning Commissioners Present: Bren Edwards (Chair), Andrew Favero (Vice Chair), Wayne Andreotti, Jed McCormick, Casey Neville.

Excused: Commissioners Camie Jo Clontz and Sarah Wichern

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Liam Keogh, Legal Counsel; Tiffany Snider, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Eddwards conducted roll call and indicated all Commissioners were present.

1. Administrative Items:

1.1 File No. LVW101424 – Request for preliminary approval for Windmill West I Subdivision, consisting of 89 lots (63 detached single-family and 26 townhome units) in the R1-15 and R-3 Zones. Located at approximately 800 South 4700 West, Ogden, UT, 84401. This application is tied to a recorded development agreement (entry # 3334501 recorded 7/30/2024). Staff Presenter – Tammy Aydelotte

A staff memo from Planner Aydelotte explained the applicant is requesting preliminary approval of Windmill West 1 subdivision consisting of 89 lots (63 detached units and 26 townhome units), located at approximately 800 S 4700 W, Ogden. This proposal meets the lot standards requirements of a connectivity-incentivized subdivision. The lot widths range from 60’- 145’. The area of lots range from 6,300-14,515 square feet, with the townhome footprints at 1190 square feet.

Ms. Aydelotte reviewed her staff memo and used the aid of a PowerPoint presentation to summarize staff’s analysis of the application relative to the following:

- Conformance with the General Plan;
- Adherence to zoning guidelines;
- Culinary water and sanitary sewage disposal;
- Compliance with review agency requirements;
- Additional design standards; and
- Differences between the submitted subdivision layout and the concept plan included in the approved development agreement.

Ms. Aydelotte concluded staff recommends preliminary approval of Windmill West 1 Subdivision consisting of 89 lots. This recommendation is based on all review agency requirements, including those outlined in this staff report, and the following conditions:

1. 10’ wide asphalt pathway along northern boundary of development, all the way to 4700 West Street.
2. Final plat shall show 90 lots, not 90.
3. Secondary egress secured prior to recording first plat.
4. Payment of the \$2,500 per lot will be made to the Western Weber Parks District before the subdivision plat records.
5. An unconditional final approval letter from the culinary and secondary water provider will be submitted before final approval.
6. All improvements shall be installed, escrowed for, or a combination of both, prior to final approval.
7. This development will need to annex into Central Weber Sewer District prior to final approval.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber General Plan.
2. The proposed subdivision complies with applicable county ordinances.

Ms. Aydelotte noted that the conditions of approval highlighted in red were not included in the original staff report, but staff does recommend that the Commission impose the additional conditions of approval.

Commissioner Favero moved to forward a positive recommendation to the Weber County Commissioner pertaining to application LVW101424 – Request for preliminary approval for Windmill West I Subdivision, consisting of 89 lots (63 detached single-family and 26 townhome units) in the R1-15 and R-3 Zones. Located at approximately 800 South 4700 West, Ogden, UT, 84401, based on the findings and subject to the conditions listed in the staff report and the staff presentation. Commissioner McCormick seconded the motion. Commissioners Andreotti, Edwards, Favero, McCormick, Neville voted aye. (Motion carried on a vote of 5-0).

1.2 File No. CUP 2024-14: A request for approval of a conditional use permit to operate a horse boarding business and riding commercial riding arena. Located at approximately 3928 N 3175 W, Ogden, UT, 84401, in the A-1 zone. Staff Presenter – Tammy Aydelotte

A staff memo from Planner Aydelotte explained the applicant is requesting approval of a conditional use permit for an equestrian training and stable facilities operation known as “Rail Trail Ranch - Equestrian”. This operation will take place within a 2.6-acre area inside of a 5.15-acre parcel located at 3928 N 3175 W, Ogden, UT, 84401. Equestrian training and stable facilities are considered a conditional use in the A-1 zone, with a limit of no more than 10 horses per acre of land use for the horses. With 2.6 acres of land dedicated to the horses, this would allow for up to 26 horses on this parcel. The applicant has indicated that no new building will be constructed, and that the existing barn (6,000 sq. ft) has the capacity for 11 stalls. Applicant has an indoor riding arena, as well as a large pasture (2+ acres) and a horse paddocks area to the rear of the property. Parking is shown on the submitted site plan. Applicant has indicated area for up to 10 parking stalls but does not anticipate more than just a few cars on site at a time. Landscaping requirements are already met, due to an existing conditional use permit tied to this parcel for the purposes of a kennel. Conditional use permits should be approved as long as any harmful impact is mitigated. The LUC already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. The proposed application meets these standards.

Ms. Aydelotte reviewed her staff memo and used the aid of a PowerPoint presentation to summarize staff’s analysis of the application relative to the following:

- Conformance with the General Plan;
- Adherence to zoning guidelines;
- Design review:
 - Outdoor advertising.
 - Landscaping.
 - Building and site layout.
- Conformance with Conditional Use standards;
- Considerations relating to traffic safety and traffic congestion;
- Standards relating to infrastructure, amenities, and services;
- Standards relating to the environment;
- Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the General Plan; and
- Compliance with review agency requirements;

Ms. Aydelotte concluded staff recommends approval of file# CUP 2024-14, a conditional use permit for an equestrian training and stable facilities located at 3928 N S 3175 W, Ogden, UT 84401. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. Any signs related to this proposed use shall be submitted to Weber County Planning for approval (application for a land use permit shall be submitted).
2. If applicable, the Weber County Building Official shall inspect the agricultural building for related uses.
3. The owner applies for and keeps a valid business license

This recommendation is based on the following findings:

1. The proposed use conforms to the Western Weber General Plan.
2. The proposed use will protect and preserve agricultural property in Weber County.

3. The proposed use will not be detrimental to public health, safety, or welfare.
4. The proposed use will comply with applicable County ordinances.
5. The proposed use will not deteriorate the environment or the general area to negatively impact surrounding properties and uses.

Commissioner Neville moved to approve application CUP 2024-14: A request for approval of a conditional use permit to operate a horse boarding business and riding commercial riding arena. Located at approximately 3928 N 3175 W, Ogden, UT, 84401, in the A-1 zone, based on the findings and subject to the conditions listed in the staff report. Commissioner Favero seconded the motion. Commissioners Andreotti, Edwards, Favero, McCormick, and Neville voted aye. (Motion carried on a vote of 5-0).

2. Legislative items:

2.1 File #GPA2024-05 - a public hearing and possible decision regarding an application to amend the Future Land Use Map of the Western Weber General Plan to redesignate area between 4700 West and the Weber River north of 12th street from agriculture to rural residential lots, medium to large residential lots, mixed-use residential, mixed-use commercial, and vehicle-oriented commercial, and to make other future land use map adjustments to better plan for the future needs of the community. The primary purpose of the change is to plan for a master-planned development. Applicant: Black Pine Group. County Staff: Charlie Ewert.

A staff memo from Principal Planner Ewert explained this is an application for an amendment to the future land use map of the Western Weber General Plan. The requested amendment is intended to support a master planned mixed-use walkable community. To implement the applicant's requested changes, if found desirable, a few other adjustments to the map are necessary, and proposed by staff herein. Staff have also included a handful of other optional map adjustments that are not related to this application should the planning commission determine this is a good opportunity to make the changes.

Mr. Ewert reviewed his staff memo and used the aid of a PowerPoint presentation to summarize staff's analysis of the application relative to the following:

- The applicant's proposed development of the property;
- Staff's recommended Future Land Use Map amendments, which includes additional properties surrounding the applicant's property;
- Viability of mixed-use development in this area of the community;
- Parks and Recreation principles contributing to plans for linear park areas along the Weber River corridor;
- Additional Plan amendment opportunities; and
- Adherence to the West Weber Village Street Regulating Plan;

Mr. Ewert concluded a general plan adoption/amendment is highly dependent on the desired community outcomes. Staff may recommend certain best practices based on the facts and circumstances of the area, but it is ultimately up to the community, by means of a recommendation from the planning commission to the county commission, to determine whether the changes and timing will bring about desirable community outcomes. It is, however, staff's opinion that the type of development the applicant is pursuing follows some of the best industry practices of community planning. The community the applicant wants to emulate (Norton Commons) is known nationwide for implementing a mixture of land uses and design in a manner that has created a community that is livable, workable, and playable. These are all characteristics identified throughout the current general plan as characteristics worth pursuing. Paraphrasing a comment made by a neighbor of the applicant's property who is not excited to see the land develop: "if the land is going to be developed, this is the type of development it should be." It would be wise for the planning commission to consider the other types of development that is likely to occur on this land in the absence of this applicant's current master planning desires and efforts. Staff remains a little concerned about deviating from the 300-foot river setback. Once that corridor becomes private developed land the community is not likely to ever see it become community open space in the future. The setback was developed based purely on the assumption that distance is the key to the preservation of the public space and the promotion of the river's current and future environmental ecosystem. However, other than this assumption, staff does not currently have empirical evidence to suggest that alternatives cannot provide for the same level of protection and benefit. More research may be needed. Staff is optimistic that the applicant can provide the evidence necessary to support their desired alternative.

Discussion among the Commission and Mr. Ewert centered on topics such as potential density of the area subject to the Future Land Use Map amendment and whether the proposed amendments will apply to the land in the event ownership of the property changes.

Chair Edwards invited input from the applicant.

Jeff Beck, representative of Black Pine Group, approached the Commission and thanked them for their consideration of the application. He discussed the history of this application; development patterns along the Wasatch Front; his desire to create a community on the subject property that will allow people to 'age in place'; and the General Plan's support for master planned communities.

Chair Edwards opened the public hearing at 5:45 p.m.

Melissa Lowe stated she lives along the Weber River and will be impacted by this proposal; she attended a meeting last month during which this proposal was discussed and was very bothered by some of the things she heard at that meeting. Someone had made the comment that the countryside had cannibalized other communities in order to create large lots and large homes, rather than condensed housing. However, she feels the countryside is actually being cannibalized by the type of project Mr. Beck is proposing. Some have said there is a lack of a sense of community in the country because people live so far apart from one another and that a sense of community can be built with a high-density mixed-use project, but she would implore the Commission to listen to the song "Try that in a small town" to learn of her response to that sentiment. She stated she lives directly on the Weber River, and it is her understanding that the County would attempt to make the River and its frontage part of the public domain. That means her back yard would be stolen. There have already been problems with the open border and illegal immigrants coming to the area. She has had people come to her property trying to steal her animals to take them and eat them and she cannot imagine what will happen when the entire riverbank is open, and people have access to her backyard where her small children play. She stated Mr. Beck's plan is nice, but it is not appropriate for this area; the community is great, and it consists of open spaces and farming uses, and it should remain as it is. She stated she is a Christian and she concluded with a prayer asking that infiltration of the community for personal benefit be prevented.

John DiGiorgio stated he lives in West Weber, and he is no for or against the proposal; however, he would like to understand the Utah Department of Transportation's (UDOT) plans for improving the roads east of the intersection of 4700 West and 12th Street. This type of project will significantly increase traffic in the area, but 4700 West is essentially a 'cow trail' and cannot handle the traffic.

Jessica Manning stated she lives on 4700 West and also has heard of this proposal; she has been told that for the time being, property owners impacted by this General Plan amendment can keep their land to do what they want with it, but she knows that as soon as the population grows on the properties surrounding hers, people will complain about the impacts of farming, such as tractor sounds and lights and the smell of manure. She stated farmers cannot continue to farm they way they desire. Her husband's family has farmed in the community for over 100 years and some of them helped to found the West Weber community; it is a wonderful place to live, and this type of project will disrupt the current way of life. This may be the County's plan for West Weber, but it is not the residents' plan for West Weber. The community has been self sufficient for generations and that is how they would like it to stay.

Kenny McFarland stated he does not know the current population of West Weber, but he assumes it is around 2,000; this type of project and other planned developments in the area will easily double the population and there will be a dramatic increase in traffic. He is not opposed to smart growth, and he is grateful for a Planning Commission that endeavors to take time to do things the right way, but he believes strongly that government should move slowly in order to allow things to happen democratically. It is important that the County consider the people currently living and working in the community and be mindful of how this type of change will impact them. He knows that UDOT is comfortable waiting until there is a serious issue before they make a change, rather than being proactive. But he would ask that the County consider this type of project to be unprecedented in terms of the strain it will place on infrastructure and how those strains will impact existing residents. He owns a farm on 12th Street, and he plans to farm for many years into the future. He believes the County needs to prioritize the extension of the West Davis Corridor into western Weber County; the County should not wait for UDOT to pursue that project on their own timeframe.

Janae Anglen stated she lives in West Weber near the McFarland family farm, and she echoed the comments he made about the manner in which this proposal will change the community. She agreed growth will happen, but to subdivide and split the area into

quarter acre lots will eliminate the farming nature of the community. She referenced the rapid growth of communities surrounding West Weber and discussed the impact that growth has had; if it is allowed in West Weber as well, the farmers will be so negatively affected that they may no longer be able to farm. This year she was in a traffic accident on 4700 West with a high school student who was texting and driving; he struck her travelling over 40 miles per hour. Increased growth will result in an increase in those types of incidents, and she is not sure how the way of life in West Weber can be sustained. She urged the Commission to consider other options for growth that are not as aggressive.

Jody Manning stated she also attended a meeting last month regarding the proposed General Plan amendment; the plans that were shown at that time did not include her property, but the updated plans to include her property and all properties to the north end of the unincorporated area of Weber County near the Weber River. She agreed with those who have spoken before her but added that another aspect for the Commission to consider is how this type of project will impact the wildlife living along the Weber River. There are bald eagles, wood ducks, pelicans, and many other animals that live along the river and their habitat will be eliminated if homes are built right up against the River.

Jill Hipwell stated she also attended the meeting last month; one thing that came to her mind is the impact western Weber County will experience as a result of the recent vote to incorporate the Ogden Valley. Developers will be pushed to western Weber County as it will be the last unincorporated area of the County. She is also very concerned about the inability of the current infrastructure to handle this type of project.

Kerry Gibson stated he lives next to a significant portion of the property included in this application. He shared his thoughts about the purpose of a General Plan; it has been referred to as a recommendation only, but that is a gross mischaracterization. It is meant to be a guiding document and something that provides protection of property rights for anyone who would like to pursue the highest and best use of their property in conformity with the General Plan. It is also protection for the community and the only opportunity residents have to be involved in how they want their community to look in the future. He referenced Marriott-Slaterville's General Plan, which identifies areas in which high-density development will never be considered. The area around the freeway has been allowed to be more dense and to include commercial uses and this makes sense due to the presence of that corridor. That community has employed protection of agricultural properties as they have avoided allowing mixed-use and high-density housing near agricultural uses. He noted 'the ink is barely dry' on the current version of the western Weber County General Plan; there was a very robust public process just a few years ago, during which the residents of the community were allowed to voice their opinions on what they wanted the community to look like in the future. The fact that the County Commission is considering this major change just a few years later is wrong; a decision to support the change and allow this type of development will have a major impact on other areas of the community. He stated spot zoning is improper and eliminates the voice of the community in this process. He could not have been more disappointed when he listened to the joint meeting of the County Commission and this Planning Commission just a month ago; members of both bodies expressed their opinions and support for this type of project. For this type of proposal to make such a major change to the General Plan, there should be a robust public process that would allow residents to provide their input. He feels this process has moved way too fast and the discussions have gone too far without sufficient public input. He stated there is a good turnout tonight, but there are five times as many residents in the community who are concerned and opposed to this proposal, but they feel the decision has already been made and it would be useless for them to participate in discussion of the project at this stage. He urged the Commission to slow the process and consider their role to protect property rights for all property owners; there are plenty of ways to build a community that everyone can be proud of without substantially increasing the density to the level that would be allowed if this change is approved. It makes no sense to allow high density on a property that is below the water level and has standing water on it several times a year. He stated the County Commission takes the recommendations of the Planning Commission very seriously and he urged them to carefully consider if their recommendation takes into consideration the feelings of the residents of this area.

Brian Opheikens stated 10 years ago he would have agreed with everything that has been said this evening and he would have opposed this type of project; however, he is aware of the shortage of housing in the area and throughout the entire State. He is not for or against the proposed General Plan amendment, but he does support more housing in the area to provide opportunities for future generations of the community.

There being no further persons appearing to be heard, the public hearing was closed at 6:13 p.m.

Chair Edwards briefly addressed the made during the public hearing specific to planned transportation improvements in the area; he noted that the State of Utah has not made a decision on the alignment of the future West Weber Corridor (the extension of

the West Davis Corridor), and it is difficult to plan future development until that alignment has been determined. He then invited the applicant to address the points raised during the public hearing.

Mr. Beck stated that he understands why people are concerned about change, especially when living in a farming community. He respects the public process and the right of residents to oppose this application. He noted that the first item on tonight's meeting agenda was a subdivision application, and it was approved. When considering development of small parcels one at a time, the County cannot consider things like open space and how the development impacts the human experience because the developer is simply trying to maximize yield of units. He stated that the type of development he is pursuing is opposite of that; it takes a lot of thought and planning to include public amenities and open space that will benefit all residents. He stated that the thought that western Weber County would remain open space forever is not realistic; residents who desire that are essentially seeking to benefit from someone else's preservation of open space and that is not fair. Property owners have the right to sell their land and allow for future development. He stated he still believes his proposal is reasonable and would appreciate a favorable recommendation from the Planning Commission to the County Commission.

Chair Edwards asked if there are any plans to take the properties along the River and make it part of the public domain. Planning Director Grover answered no; those areas will only be impacted as development of individual properties along the River occurs. Chair Edwards also noted that infrastructure improvements are not typically considered at the stage of a General Plan amendment and, rather, they are considered as actual development applications are made to the County; he addressed Mr. McFarland's comments about the need to consider transportation improvements and urge the State to move on the extension of the West Davis Corridor. He asked Mr. Beck to provide his understanding of planned infrastructure projects associated with the Promontory Commerce Center. Mr. Beck stated that the Promontory Commerce Center is west of the Weber River and is part of the Inland Port industrial project. There are plans to extend infrastructure all the way to the Center, including road widening and other utility infrastructure improvements.

Commissioner Favero stated that it is understanding that access to the Weber River is already permitted, and he asked if that is correct. Mr. Grover stated that accessing the River through private property would require an approved easement. Commissioner Favero stated that he is simply wondering if someone can be on the River without the approval of a private property owner. Mr. Grover stated that if someone accesses the River through public property, they can be on the river. Commissioner Favero asked if this development would change that; he asked if someone would legally be able to access the River through private property. Mr. Grover stated the developer would need to secure access points via an easement granted by the private property owner.

Commissioner Neville stated that he does not disagree with any of the public comments that were made tonight; however, the founding fathers granted private property rights to property owners. Government has crushed people's plans and ideas in terms of original private property rights, but for good reason because growth is needed. He has seen large projects like this approved in other communities, but they take many years to come fruition. If this application is approved, this is not a project that will be thrust upon the community in the near future.

Commissioner Andreotti stated that he has lived in western Weber County for 80 years; he hunted on the Weber River before any houses were built there. He has not been upset by the growth that has occurred because development is the future. There are wonderful farms in the community, but most family farms last just four generations. The farms in West Weber have lasted longer than average, but some people that have farmed their entire life now desire to move on and there is no one left who wants to continue the farm or dairy. He asked the residents of western Weber County if they volunteer to milk the cows at the dairy to allow them to continue to maintain it as a dairy. It is his opinion that the owners of the property have the right to get the best deal they can get for their property. He is happy with the General Plan that has been approved, but over the last two years there has been rapid growth in the area; middle-income housing is part of the future of the entire State of Utah. It is a painful process to watch farms and dairies go out of business, but it is important to understand how expensive and difficult it is to run those businesses, and it is unreasonable to demand that farmers continue to farm their land. The community is full of good people, and he loves the people here and he supports their right to get the best they can for their property. He would rather avoid planning that result in checkerboard development similar to what is seen in Syracuse; he supports planning that allows large master planned communities that include open spaces and places for kids to play freely outdoors. The subject project is a great place for that type of community, and he likes the developer's credentials and his ideas for the property. He also supports Mr. McFarland's farming business and hopes that he will continue to farm as long as he is able.

Commissioner Favero stated this is a very difficult decision for him; he has family and friends in the audience, and he sympathizes with their concerns and feelings. He also would love for the area to remain farmland and to be allowed to continue to hunt it.

Change is hard and sad, but he agreed that the property owner involved in this application has rights to do what they want with their land. He wants to respect everyone's rights and privileges. He stated that this may not be the type of development that he would choose to live in, but there are many people who would not want to live where he does on the size of lot that he does. He agreed with Mr. Opheikens regarding the shortage of housing in the area; he wants his children to be able to live close by if they desire, but that would not be possible at this time because of the shortage of housing opportunities. There are always pros and cons to every decision made by the County. He concluded he deeply respects Commissioner Andreotti and agrees with the comments he made about this application.

Commissioner McCormick discussed the challenges that everyone has faced over the last several years due to inflation and rising prices of housing; it is difficult for many to purchase a home, but this type of community will expand home ownership opportunities for future generations of western Weber County residents. He stated he is not just talking about opportunity and profitability of the current property owner; the democratic process should be employed to carefully consider this project and the long-term implications it will have on the entire community. He stated that the Planning Commission is a volunteer board, and no member of the Commission stands to gain whatsoever as a result of the decision that is made on this project, other than for the community they live in to develop in a responsible way. It is appropriate to plan for the next 50 to 100 years and this is not something that is done lightly. The Planning staff and Planning Commission spend a great deal of time and effort on these planning efforts, and they never consider how they can personally benefit as a result of any decision that is made.

Chair Edwards thanked the public for their input this evening; he is surprised there were only nine residents who spoke because this is a very significant change. He agreed that the property owner has the right to stop farming and sell their property. He asked the Commission if they are supportive of staff altering the area subject to the application by removing areas that have been added by staff and only focusing on the applicant's property on 4700 West between 12th Street and the Weber River. The Commissioners in attendance answered yes. Chair Edwards asked that be noted in a motion that is made; he called for a motion.

Commissioner Favero moved to forward a positive recommendation to the Weber County Commissioner pertaining to application GPA2024-05 - an application to amend the Western Weber General Plan's future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, but not to include other land use map adjustments, as illustrated in this staff report dated November 5, 2024. The effective date for these proposed amendments should be dependent on the adoption of a development agreement and rezone of the applicant's property. Positive motion is based upon the following findings:

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

Chair Edwards asked if the planned use of the property will revert back to how it is currently identified in the General Plan if the applicant is not successful in negotiating a deployment agreement and securing a zone change for the property. Mr. Grover answered yes.

Commissioner Andreotti seconded the motion. Commissioners Andreotti, Edwards, Favero, McCormick, and Neville voted aye. (Motion carried on a vote of 5-0).

3. Public Comment for Items not on the Agenda:

Jill Hipwell stated that the comment is made regularly that there are not enough citizens participating in these meetings and she believes the reason for that is that the County's notification procedures are lacking. In Morgan, there is an ordinance that requires the placement of a sign on any property that is subject to an application for a zone change or map amendment. Doing this in western Weber County would at least notify those driving by a property if there are applications that will impact the property. She then noted that when she first began participating in Planning Commission meetings, the public was allowed to participate in work session meetings, but that is no longer allowed and that is another problem with the process. She added there will eventually be a great deal of mixed-use development in the community and she noted that Ogden City has examined their ordinance about allowing mixed-use development on major corridors and she suggested Weber County pay attention to these discussions and any action taken by the Ogden City Council.

4. Remarks from Planning Commissioners:

Several Commissioners thanked the public for their participation in the meeting and expressed the care and concern they have for the community.

5. Planning Director Report:

Planning Director Grover reported the County Commission has directed staff to begin looking at a possible General Plan amendment along the 12th Street corridor; there are many property owners along 12th Street considering applying for development of their property and the County Commission wants to be sure that planning of that area is appropriate. The County will hire a consultant to help with that process and their findings will be presented to the Planning Commission and the County Commission.

6. Remarks from Legal Counsel

Legal Counsel did not provide remarks.

Chair Edwards called for a 10-minute break, after which the meeting adjourned to a work session at 6:59 p.m.

WS 1: A discussion regarding a rezone that would change the zoning on a 40-acre parcel from Agricultural A-1 to Residential R1-15 at 4093 West 1400 South, named Brook View Development. Applicant: Dave Laloli

The Commission heard from Mr. Laloli regarding his proposal to rezone the subject property from A-1 to R1-15; he presented a conceptual plan and identified the project layout and connectivity to other properties. He engaged in discussion with the Commission regarding topics such as connectivity to other properties and developments and the density of the project.

WS2: A discussion on a zoning map amendment that would change the zoning on a 25-acre parcel from Manufacturing M-1 to Residential R-3 at 1811 West 3300 South, named Midland Townhome Development. Applicant: Preston Mobius

The Commission heard from Mr. Morbius regarding a proposed zoning map amendment for a project called the Midland Townhome Development; the group discussed the allowed uses if the zoning change is approved; the layout of the townhome units; community amenities on the parcel; efforts to work with Ogden City on this type of project given close proximity to Ogden City boundaries; and whether residential development of this type is appropriate in a commercial/industrial area.

The meeting adjourned at 7:53 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission

Minutes of the Work Session Meeting of the Western Weber Planning Commission for December 3, 2024, Weber County Commission Chambers, 2380 Washington Boulevard 1st Floor, the time of the meeting, commencing at 5:00 p.m.

Western Weber Planning Commissioners Present: Andrew Favero (Vice Chair), Wayne Andreotti, Camie Jo Clontz, Jed McCormick, Sarah Wichern

Excused: Chair Bren Edwards and Planning Commissioner Casey Neville

Staff Present: Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Liam Keogh, Legal Counsel; Tiffany Snider, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Vice Chair Favero conducted roll call and indicated Chair Edwards and Commissioner Neville have been excused from the meeting; all other Commissioners were present.

WS1: A discussion on a zoning map amendment that would change the zoning on a 25-acre parcel from Manufacturing M-1 to Residential R-3 at 1811 West 3300 South, named Midland Townhome Development. The second work session for this proposal will present concept plan changes recommended by the Planning Commission. Applicant: Preston Mobius

Mr. Morbius indicated this project was initially presented to the Commission during their November work session meeting; he presented an updated concept plan for the project and identified the changes to the concept plan since the Commission's initial review. This included the addition of two amenity areas: two pickleball courts in the northern area of the project and a playground in the southern area of the project. He also identified changes to connectivity throughout the project and to surrounding properties. He is working to secure a trail connection to the existing trail south of the subject property. He stressed that he has worked to be responsive to the feedback from the Commission during their last meeting and expressed a willingness to continue to work with Planning staff and the Planning Commission to develop a quality project that can receive favorable approval from the body at a future meeting.

Discussion among the Commission, Planning staff, and Mr. Morbius centered on possible terms to be included in a development agreement for the project; opportunities for the applicant to secure approval from Ogden City for connection to their trail system; necessary transportation improvements in the area of the subject property; the need for affordable housing in the community; and whether residential development is appropriate for the subject property given its location within a commercial/industrial area.

Principal Planner Ewert indicated he will work with the applicant to begin negotiating a development agreement that takes into consideration the feedback provided by the Planning Commission tonight; the draft agreement will accompany a future application for the zone change.

WS3: A discussion regarding a potential zoning map amendment and potential text amendments to the Form-Based zone to accommodate a proposed development on approximately 22 acres of land located on the southeast corner of 1150 South and 4700 West. Applicant: Fieldstone Homes.

A representative of Fieldstone Homes, Dylan Young, thanked the Commission for their continued consideration of the proposed development of the subject property; he noted that the matter was initially discussed with the Commission during their September 17 meeting and at that time the proposal was to change the zoning of the property to R-3. The new proposal is to change the zoning to Form-Based and to consider a text amendment to that zoning ordinance to accommodate development of the 22 acres of property. He feels a housing development is an appropriate use of the property but would also consider including a commercial element on the project; both of these uses are allowed in the Form-Based zone. He presented a concept plan for the proposed development and highlighted the orientation of the residential units and garages, parking accommodations, the layout of the commercial area of the project, and ingress/egress points to the property.

Commissioners expressed concern regarding a residential development on the subject property, given that it is at a major intersection in the community and is located along a railroad line; the future land use of the property, as identified in the General Plan, is commercial. They also discussed the types of commercial entities that would be attracted to the property if the majority is developed for a residential use. Principal Planner Ewert indicated he will continue to discuss development opportunities of the property with Fieldstone Homes. Mr. Young thanked the Commission for their consideration of his proposal.

WS2: A discussion regarding a zoning map amendment application and associated development agreement for the Westbridge Meadows development, a master planned development that will rezone approximately 1,400 acres west of the Weber River and South of the Union Pacific Railroad Tracks. The zones being pursued are: Master Planned Development Overlay Zone (MPDOZ), Low Density Residential (R1-15), Medium-Low Density Single-Family Residential (R1-12), Medium Density Single-Family Residential (R1-10), Medium-High Density Single Family Residential (R1-5), Two-Family Residential (R2), Single-Family Attached and Multi-Family Residential (R3-A), Multi-Family Stacked Residential (R3-S), Form-Based (FB), and Open Space (O-1). Applicants: Jeff Mead and Kameron Spencer.

Principal Planner Ewert introduced applicants Jeff Mead and Kameron Spencer and invited them to present the merits of their zoning map amendment application for the 1,400 acres west of the Weber River and south of the Union Pacific Railroad Tracks. The application will be accompanied by a development agreement for the project, which would be a master planned development consisting of several zoning designations.

Mr. Mead and Mr. Spencer discussed preservation of the Weber River corridor; future transportation improvements needed in the area – including widening of 12th Street and extension of the West Davis Corridor into Weber County; negotiation with various property owners regarding inclusion of their property in the master planned community; potential density of the entire project; phasing of the project; potential amenities to be included in the project area; and the level of public involvement in the approval process for the zone change and development of the project. Mr. Ewert indicated he and other members of Planning staff will continue to correspond with the applicants for this project in preparation for presenting a formal application to the Commission at a future meeting.

The meeting adjourned at 8:46 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission

Minutes of the Work Session Meeting of the Western Weber Planning Commission for December 10, 2024, Weber County Commission Chambers, 2380 Washington Boulevard 1st Floor, the time of the meeting, commencing at 4:30 p.m.

Western Weber Planning Commissioners Present: Bren Edwards (Chair), Andrew Favero (Vice Chair), Jed McCormick, Sarah Wichern

Excused: Commissioners Wayne Andreotti, Cami Jo Clontz, and Casey Neville

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Liam Keogh, Legal Counsel; Tiffany Snider, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Edwards conducted roll call and indicated Commissioners Andreotti, Clontz, and Neville were excused from the meeting; all other Commissioners were present.

1. Minutes: August 13, 2024.

Chair Edwards asked if there were any corrections to be made to the minutes; no corrections were offered.

Commissioner McCormick moved to approve the August 13, 2024 minutes as presented. Vice Chair Favero seconded the motion, all voted in favor.

Administrative items:

2.1. LVC071824 - Consideration and action on a request for preliminary subdivision approval of Creekside at JDC Ranch Subdivision consisting of 119 units. Presenter: Tammy Aydelotte

A staff memo from Planner Aydelotte explained Creekside at JDC Ranch Phases 1-8 includes 119 detached single-family lots with 4.23 acres of open space. So far, the Master Developer received approval for 262 out of the recently approved 1000 units allowed under the development agreement. With the addition of these 119 units, the developer will have approvals for 381 out of the recently approved 1000 units, leaving 618 residential units left to plat in other phases of development. The proposal follows the development agreement that has been recorded to the property. Ms. Aydelotte presented an aerial image to identify the location of the subject property; she then used the aid of a PowerPoint presentation to summarize staff's analysis of the application to determine conformance with the following:

- General Plan;
- Zoning guidelines;
- Lot area, frontage/width and yard regulations;
- Master Plan and Development Agreement;
- Common and open space requirements;
- Culinary water and sanitary sewage disposal;
- Public Street infrastructure; and
- Requirements of Review Agencies.

Ms. Aydelotte concluded the Planning Division recommends preliminary approval of Creekside at JDC Ranch Phases 1 through 8, located at 2850 W 2600 N, consisting of 119 single-family lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. Final letters of approval shall be submitted from the culinary and secondary water providers prior to recording the final plat.
2. Dual ingress/egress needs to be provided/shown on the final plat to an existing public street that is not temporarily terminal before any final plats can be considered.
3. Open spaces will need to be properly labeled as common area, with appropriate dedication language, on each final plat.

4. Street cross sections will be verified for compliance with the development agreement once final improvement drawings are submitted for each phase.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. The proposed subdivision complies with applicable County ordinances and development agreement.

Commissioner McCormick asked the applicant to discuss the progress of the development of the park within the project area. Brian Bayles of Nilson Homes explained that all of the grass has been installed at the park, sidewalks have been built throughout, several pavilions still need to be installed, and the playground equipment still needs to be installed. Outside of the sidewalk, some planters will be installed in conjunction with the construction of homes on adjacent building lots.

Commissioner Favero moved to approve application LVC071824, request for preliminary subdivision approval of Creekside at JDC Ranch Subdivision consisting of 119 units, based on the findings and subject to the conditions listed in the staff report, and subject to all review agency requirements. Commissioner McCormick seconded the motion. Commissioners Edwards, Favero, McCormick, and Wichern voted aye. (Motion carried on a vote of 4-0).

Legislative Items:

3.1 File #ZMA2024-14 - A public hearing on an application to rezone approximately 40 acres of land generally known as the Martini Family Trust land, located at approximately 4083 West 1400 South, from the A-1 zone to the R1-15 zone. Applicant: David Laloli Staff Planner Felix Lleverino

A staff memo from Planner Lleverino explained the applicant's proposal is to rezone the Martini Family land from Agricultural A-1 to the R1-15 zone for the purpose of creating a residential development. This rezone, if approved, is recommended to be accompanied by a development agreement. Through this development agreement, the county can capture additional considerations unique to the property. The change in zoning will apply to the entire 40-acre parcel and the standards in the development agreement will apply to all lots within the rezone boundary. In a work session with the planning commission that took place on November 13, 2024, the planning commission was willing to entertain the possibility for town houses on the large lot that will remain owned by the Martinis. After evaluation by the staff, the option for townhouses in this location would require a General Plan Amendment and a rezone to Residential R-3. Considering that the Martini lot is roughly two acres in area, the planning staff recommends that the uses listed in the Agricultural (A-1) zone remain available for the owner and on lots greater than 40,000 square feet.

Mr. Lleverino used the aid of a PowerPoint presentation to review the subdivision plat with the Commission, the concept plan provided by the applicant and including staff comments, and to summarize staff's analysis of the application, including the following:

- Conformance with the General Plan and Smart Growth Principles;
- Compliance of zoning guidelines;
- Compatibility 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;
- The extent to which the proposed amendment may adversely affect adjacent property;
- Adequacy of facilities intended to serve the subject property;
- Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands; and
- Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.

Mr. Lleverino that 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. The standards from the development agreement are included with this recommendation.
2. The proposed street and pathway layout illustrated in the concept plan is sufficient to meet the connectivity standards of the county code.

3. The developer will communicate with the Weber Housing Authority to set aside ten percent of the total housing units for affordable housing or attainable housing.
4. Lots within the Brook View development with at least 40,000 SF may pursue conditional and permitted uses listed in the Agricultural A-1 zone, section 104-2-3.
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.

Chair Edwards thanked staff for addressing the need to widen 1400 South; if something is not done to widen the road, he cannot vote to recommend approval of the rezone because he feels the road is too narrow to accommodate the type of growth contemplated in this application.

Vice Chair Favero stated that he feels strongly that the zoning of the entire parcel should be changed rather than leaving a portion of the property designated as agricultural; this would eliminate any extra expectation for the two-acre portion of the property that would remain agricultural.

Commissioner Wichern inquired as to the number of units the applicant is proposing. Mr. Lleverino stated that the applicant intends to maximize the density of the property, meaning they could build as many as 116 units. If the Commission would like to reserve some density for the two-acre portion of the property that the Martini's intend to retain, the maximum units on the larger portion of the parcel could be limited to 110 units.

Commissioner McCormick asked Chair Edwards if he feels the widening of the road should occur to the east or west. Chair Edwards stated that he believes widening is necessary to the east of the subject property because he believes most traffic from the property will travel east to 3500 West to exit the area. The previous subdivision should have been responsible for widening of the road to the west.

Chair Edwards opened the public hearing at 5:24 p.m.

Randy Ropelato stated that he lives near the subject property; he is interested in the current status and alignment of the corridor in the area and asked why that has changed. He also asked who will pay for the widening of 1400 South. He added that at some point, the County took actions to allow two different standards for curb and gutter improvement in the area; he feels that needs to be reconciled to provide a uniform standard. He asked who is planning to develop the area and noted that the neighborhood will not 'put up with' what has occurred on other projects during the excavation phase.

Scott Arvy stated he lives near the subject property as well; many people are concerned with the amount of growth in the area and those concerns are increased when residents are aware that the infrastructure is not improved commensurate with the growth. He asked who will pay for the repairs to existing roadways and where that money will come from. He stated that the flyer that residents received regarding this application indicated that the lots will be 15,000 square feet, but he wondered if that is accurate and whether the lot sizes will be decreased when all infrastructure improvements are calculated. He echoed Mr. Ropelato's concerns about the impact that excavation of other project areas have had on neighboring property owners. He also agreed that the roads must be widened to accommodate the dramatic increase in vehicular traffic in the area. He hopes the project does not move forward as it is designed because he feels larger lots are more suitable for the area.

Jake Larsen stated his property abuts the subject property and he agrees with those who spoke before him about concerns regarding the increased traffic in the area. Additionally, irrigation infrastructure in the project area is insufficient and something must be done to ensure that existing residents continue to receive their irrigation water. He is very concerned with the dramatic growth in the area, and he suggested larger lot sizes or some other mechanism to slow the growth until it is possible to address the consequences of the growth that has already occurred. Small lots do not compliment the area, especially given that the DiGiorgio Subdivision has one-acre lots.

J.D. Smith stated he lives in the DiGiorgio Subdivision, and he echoed Mr. Larsen's comments; he has a large pond in his backyard that he uses to irrigate his backyard. He would also like to know the developer of this project and to understand the plans for providing secondary water to current residents throughout the construction of the project. Residents have experience interruption of service during past construction projects, and this is very concerning.

Lewis Petterson stated he lives on 1400 South, and he is very concerned about the traffic on that road; if the road is going to be widened, it should be widened on the side of the subject property, not on the side where there are existing residences. He asked that the developer avoid using D.J. Construction in their project; they have worked on past projects in the area, and they dug up his front yard as part of the project and never repaired the damage that was done. He stated he has contacted the County about the issue, and nothing has been done. He suggested the Planning Commission and County Commission visit the project area to understand the potential impacts their approval will have on adjacent property owners.

Megan Arbon stated that there is a community Christmas party in the neighborhood that this property is part of and that is likely why more people are not in attendance to voice their concerns. She stated that she and many others moved to country to enjoy larger lots and open space; adding additional homes, widening roads, and even adding curb and gutter changes the feeling of the country. She is also worried about safety in the area; there are many more children in the area now and with the construction of the new high school nearby, traffic has increased dramatically. The narrow roads present a safety concern for children who live in the area.

Vice Chair Favero moved to close the public hearing. Commissioner McCormick seconded the motion, all voted aye.

Chair Edwards invited the applicant to address concerns raised during the public hearing.

David LaLoli approached and expressed a willingness to answer any questions the Commission has. Commissioner Wichern asked Mr. LaLoli if he is aware of the flow of irrigation water to and through the property and to adjoining properties. Mr. LaLoli answered yes and reported that the irrigation will be piped along the subject property and will ensure flow continues to the properties down the line.

Chair Edwards stated that he would prefer that the entire property be rezoned to R1-15 rather than holding a portion of the property out of the project area and retaining the A-1 zoning designation. He is also interested in the concept of limiting the density on the larger portion of the property in order to preserve some development rights for the two-acre parcel in the future. Commissioner Wichern stated that if the entire parcel were rezoned, the Martinis would lose their agricultural access to the property; if they want to preserve the agricultural use, they must separate that portion of the property from the rest of the property. Chair Edwards inquired as to the applicant's preference. Mr. LaLoli stated that it is his understanding that the Martini family does not intend to develop the two-acre portion of the property any time soon in the future, but he acknowledged that could change depending on future ownership. He stated it may be appropriate to get input from the Martini family regarding that matter. Chair Edward then asked Mr. LaLoli if he is willing to entertain a requirement to widen 1400 South to the east of the subject property. Mr. LaLoli stated he would need additional time to consider that request; widening of the road has not been accounted for in the proposal.

Chair Edwards then asked Mr. Ropelato what corridor he was referring to. Mr. Ropelato's response was not audible. Mr. Lleverino noted that engineers hired to design these types of projects identify corridors that follow as closely as possible the County's General Plan Future Roads and Streets Map. He suspects that the corridor was moved to limit impacts on adjacent parcels; it appears to veer east to avoid existing homes.

Mr. Lleverino then addressed the current agricultural use of the property by the Martinis; if the zoning of the larger parcel is changed, but the two acres are still farmed by the family, the use will be considered an approved non-conforming use that will be allowed to continue. The only limitation non them will be that they will not be able to expand that use beyond its current nature.

Commissioner Wichern asked if the road referenced by Mr. Ropelato originally followed the boundary of the subject property on the Future Roads and Streets Map. Mr. Lleverino provided the map for review and Planning Director Grover stated that the Map is a suggestion and not an exact requirement.

Chair Edwards then acknowledged Mr. Ropelato's comment about the different curb and gutter standards in the area and asked that Mr. Grover look into that issue and discuss the problem with County Engineering. He also addressed the concerns raised regarding the development of smaller lots in the area and stated is also pains him to see open space eliminated for these types of projects; however, this type of project is allowed in the County's General Plan. He asked Mr. Grover to address the question regarding the lot sizes after the amount of property needed for infrastructure improvements is extracted. Mr. Grover stated that the infrastructure development is considered in the density calculation; the gross acreage is used to determine the maximum density. Chair Edwards added that the developer can also average lot sizes; some lots may be smaller and some larger than 15,000 square feet. Commissioner Wichern asked if this project is connectivity incentivized. Mr. Grover answered yes but indicated that County staff is considering shifting connectivity to a requirement rather than something that is incentivized.

Commissioner McCormick asked if there will be a development agreement for this project, to which Mr. Lleverino answered yes. Commissioner McCormick asked that the development agreement include a requirement for continuous flow of irrigation water to the surrounding properties. Mr. Grover stated that issue will also be addressed in the water approval letter for the project, but indicated a development agreement requirement would strengthen that requirement.

Commissioner Wichern stated that Mr. Ropelato asked who will pay for the widening of 1400 South. Chair Edwards stated he believes the developer is responsible for that project. Commissioner Wichern asked if the Commission would consider a pioneering agreement. Chair Edwards stated he would be willing to consider a pioneering agreement as long as that does not result in creation of a public infrastructure district (PID); he would leave that matter up to Planning and Engineering Staff to consider that option and to work with the applicant to determine what improvements are necessary. Commissioner McCormick stated that the Commission also received questions and suggestions about which side of the road should be widened, and he believes that is also an issue that staff should resolve. Chair Edwards agreed. This led to discussion among the Commission regarding appropriate conditions of approval for the application relative to the road widening and negotiation of a development agreement.

Commissioner Wichern acknowledged the concerns that have been raised tonight; he sympathizes, and in many instances agrees, with the points that have been made, but will be voting in favor of the project based on its conformance with the General Plan and other land use regulations that govern Weber County.

Commissioner Wichern moved to forward a positive recommendation to the County Commission for application ZMA2024-14 to rezone approximately 40 acres of land generally known as the Martini Family Trust land, located at approximately 4083 West 1400 South, from the A-1 zone to the R1-15 zone, subject to all review agency requirements, based on the findings listed in the staff report, and subject to the following conditions of approval:

1. The standards from the development agreement are included with this recommendation.
2. The proposed street and pathway layout illustrated in the concept plan is sufficient to meet the connectivity standards of the county code.
3. The developer will communicate with the Weber Housing Authority to set aside ten percent of the total housing units for affordable housing or attainable housing.
4. Weber County's outdoor lighting code should be applied to all lighting in the project.
5. Improvements will be made to 1400 South eastward to the 3500 West arterial collector road in accordance with Planning and Engineering recommendations.
6. Irrigation water delivery to surrounding properties will be continuous and undisturbed throughout development of the subject property.

Commissioner McCormick seconded the motion. Commissioners Edwards, Favero, McCormick, and Wichern voted aye. (Motion carried on a vote of 4-0).

4. Public Comment for Items not on the Agenda:

There were no public comments.

5. Remarks from Planning Commissioners:

Commissioner Wichern thanked the public who were in attendance this evening and noted their input helps the Commission to control those items that they can control throughout this process.

6. Planning Director Report:

Planning Director Grover complimented the Commission on the manner in which they handled the items on tonight's agenda. He then reported on staffing of the Planning Division of the County; due to vacant positions in the Division, there has been some delay in the transcription of minutes of these meetings and he intends to contract that service out rather than handle the minutes in-house. It is important to get the correct information regarding the actions taken by this body to the County Commission. Additionally, Chair Edwards has agreed to attend County Commission meetings to be able to answer any questions that body may have about recommendations that have been made by the Planning Commission. He then provided the Planning Commission with a report of recent actions of the County Commission, including their approval of a General Plan amendment related to the Gibson Farms proposal.

7. Remarks from Legal Counsel

There were no remarks from Legal Counsel.

The meeting adjourned to a work session at 6:18 p.m.

WS1: A discussion regarding a zoning map amendment application and associated development agreement for the Gibson Farms Rezone, a master planned development that will rezone approximately 550 acres of property located within the area bounded by 12th Street, 4700 West, and the Weber River. The zone(s) being proposed will include a Master Planned Development Overlay Zone (MPDOZ), and may include a variety of Single-Family Dwelling (R1), Two-Family Dwelling (R2), and Multi-Family Dwelling (R3) zones, as well as commercial zones, or may include the creation of a new master-planned development zoning designation that is unique to the proposed development. Applicant: Black Pine Group.

Principal Planner Ewert facilitated a discussion with the Planning Commission and the applicant regarding work on a zoning map amendment application for the Gibson Farms project; this will include negotiation of a development agreement and contemplation of several different zoning designations for the 550 acres of property involved in the application. Mr. Ewert concluded that this item will be discussed further during the January 7, 2025 work session meeting.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for preliminary approval of Kanesville Crossing Subdivision consisting of 77 residential lots, 2 commercial lots, 2 Special Use Area Lots, and 2 common area parcels, within C-1 and R-3 zones, located at approximately 3300 South 3500 W, Ogden. This project is subject to a recorded zoning development agreement dated March 14, 2024.

Type of Decision: Administrative

Agenda Date: Tuesday, February 11, 2025

Applicant: Rick Scadden

File Number: LVK110823

Property Information

Approximate Address: 3300 S 3500 W

Project Area: Approximately 7.44 acres

Zoning: Commercial (C-1) and Residential (R-3) Zones

Existing Land Use: Vacant

Proposed Land Use: Mixed-Use Residential

Parcel ID: 08-029-0092

Township, Range, Section: T5N, R2W, Section 03 NW Qtr

Adjacent Land Use

North: 3300 South Street	South: 1800 South
East: Residential/Agricultural (West Haven City Boundary)	West: 3500 West Street

Staff Information

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

Report Reviewer: FL

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 12, Residential (R-3) Zone
- Weber County Land Use Code Title 104 (Zones) Chapter 20, Commercial (C-1) Zone
- Weber County Land Use Code Title 106 (Subdivisions)

Background and Summary

03/14/2023 – Approved Development Agreement was recorded with Weber County

11/8/2024 – Subdivision application accepted by Weber County Planning Division.

Kanesville Crossing Subdivision consisting of 77 residential lots (townhomes), 2 commercial lots, 2 Special Use Area Lots, and 2 common area parcels, within C-1 and R-3 zones, located at approximately 3300 South 3500 W, Ogden. The townhome units all have an approximate square footage of

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by proposing street and pathway/trail connectivity (2022 Western Weber General Plan, Pages 46 - 47). The developer has met with the Western Weber Parks District and offered to donate funds (\$5,000/lot) toward park improvements (Parks and Recreation Principle 1.1, See Western Weber General Plan, pg 129).

Zoning: The R-3 zone allows for Connectivity-Incentivized Subdivision Development. This ordinance also includes provisions in the lot-averaged subdivisions section of the Weber County Land Use Code. This proposal fits into the R3-A zoning standards. The total number of units allowed is calculated by taking the gross area and dividing it by 3,000 square feet. The applicant is proposing 77 townhomes in this project. There is no minimum area or width. These units will have rear-facing garages. The applicant is proposing approximately 1,800 square-foot units.

The C-1 zone has no minimum requirements for area or width, and has a maximum height of 35', and a maximum lot coverage of 60%. There are requirements, per the ordinance and as stated in the recorded development agreement of cross-access easements, and complete street designs. Per the development agreement, a complete street shall be designed and installed per Weber County Ordinance.

Per Weber County LUC 104-20-4 (c) **"Complete street."**

- (1) *A complete street, as defined in Chapter 101-2, shall be installed to span the street-frontage of the lot for the width of existing or proposed completed improvements, including parking facilities and required landscaped area. If this width is 75 percent of the lot width or greater, the complete street shall span the lot's entire street-frontage in the commercial zone.*
 1. *Modification of existing site improvements that affect less than 25 percent of the lot area is exempt from complete street requirements.*
 2. *For portions of a lot's frontage in the commercial zone where a complete street is not required by this Subsection (c)(1), a 10-foot wide sidewalk is required, as prescribed by the Planning Director after consultation with the County Engineer.*
- (2) *A complete street design shall include a ten-foot pedestrian pathway or sidewalk, pedestrian lighting, shade trees, appropriate clear view of intersection, and shall also include safe street crossings for pedestrians in no greater than 300-foot intervals. The complete street design, tree species and planting techniques, and pedestrian lighting are subject to approval by the Planning Director, after consultation with the County Engineer."*

Culinary water and sanitary sewage disposal: A will-serve letter has been provided for the sanitary sewer from Central Weber Sewer, for the proposed subdivision (see Exhibit B). A final will-serve letter/final approval letter for culinary water, will be required prior to recording the final plat. Per Taylor West Weber, a requirement for final approval for culinary water, is that pressurized secondary water must be provided to each lot. Weber Basin Irrigation has provided a capacity assessment letter (see Exhibit B), dated 2/27/2023. The County may request an updated letter prior to final approval. A condition of approval has been added to the staff recommendation that requires a final approval letter from Weber Basin Irrigation be submitted prior to receiving final approval from the County.

Review Agencies: The subdivision application will be required to comply with all review agency requirements, including County Engineering's requirements to annex into Central Weber Sewer District, and address any potential issues, prior to receiving final approval from the County. Weber Fire District has reviewed and requested turnarounds within this project. These, and any other items shall be addressed prior to final approval from Weber County.

Additional Design Standards: The applicant shall comply with the recorded development agreement, and additional requirements from Planning and Engineering regarding street standards, and pathways throughout the development. The developer is required to install a 10' wide asphalt trail parallel to and along the east side of the 3500 West Street, per the recorded development agreement. The applicant is required to install trees along 3500 West and 3300 South Streets, at intervals where the canopies will touch at maturity. The applicant is also required to deed restrict at least five percent (5%) of the dwelling units within the project as Moderate Income Housing for a period of 25-years, per the development agreement. The applicant is proposing private driveways (26' wide minimum) and 50' private roadways throughout this development. Cross sections for all roadways, private, drives, and pathways will be required to be approved by County review agencies prior to final approval, as well as all improvement plans prior to receiving final approval (LUC 106-1-5 (a)(11)).

Staff Recommendations

Staff recommends preliminary approval of Kanesville Crossing Subdivision consisting of 77 residential lots, 2 commercial lots, 2 special-use area lots, a storm water detention pond, and common area throughout this proposed subdivision. This recommendation is based on all review agency requirements, including those outlined in this staff report, and the following conditions:

1. Payment of the \$2,500 per lot will be made to the Western Weber Parks District before the subdivision plat records, and an additional payment of \$2,500 shall be made with each building permit, per the recorded development agreement.
2. The proposed Special Use Area lots meet minimum requirements for distances of parking lots from lot lines/roadways, per Weber County Ordinance.
3. Additional landscaping/buffering may be required along 3500 West Street and 3300 South Street until the C-1 portion of this zone is developed.
4. An unconditional final approval letter from the culinary and secondary water provider will be submitted before the Planning Commission considers offering a recommendation for final approval.
5. All improvements shall be approved by County review agencies prior to receiving final approval.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber General Plan.
2. The proposed subdivision complies with applicable county ordinances.

Exhibits

- A. Preliminary subdivision plat
- B. Application & Feasibility Letters

Area Map

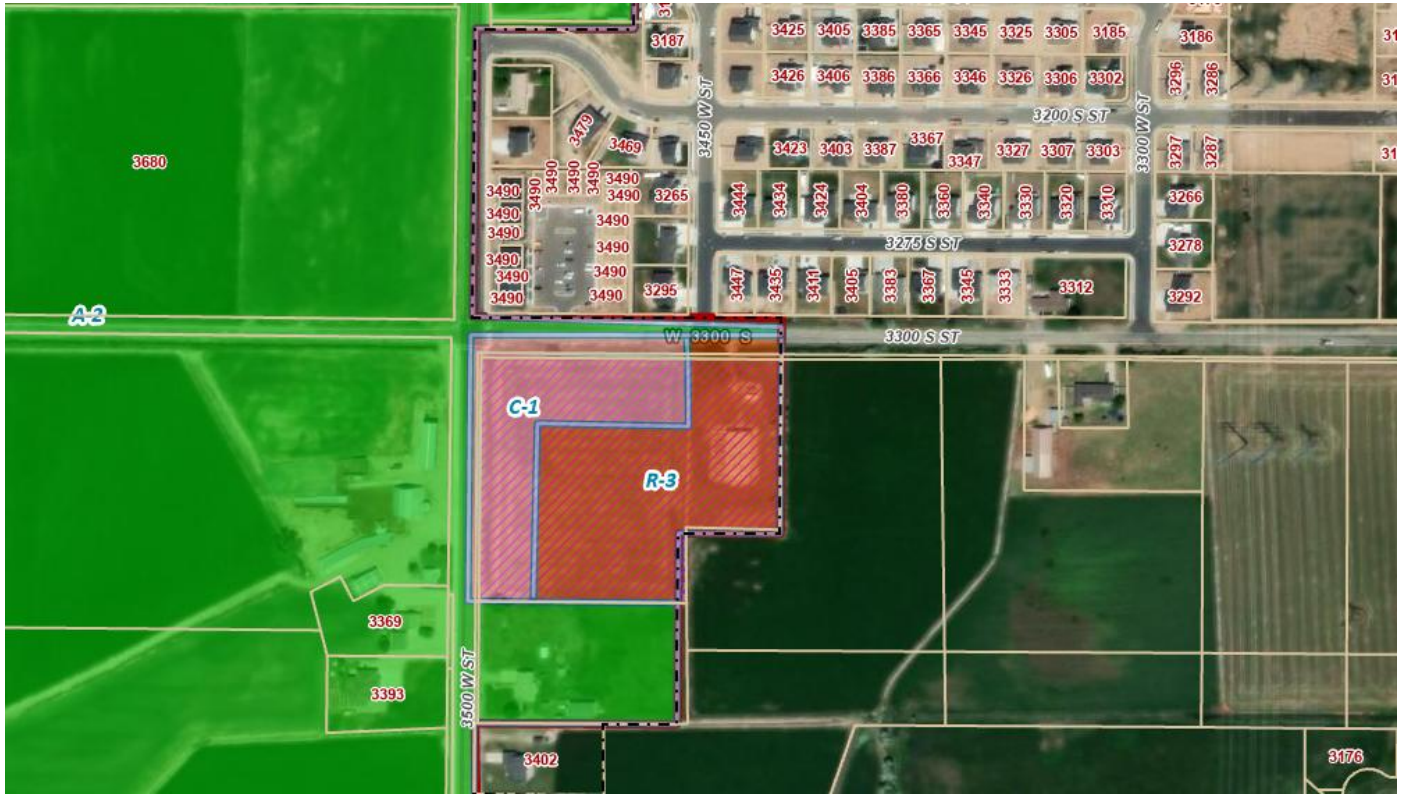
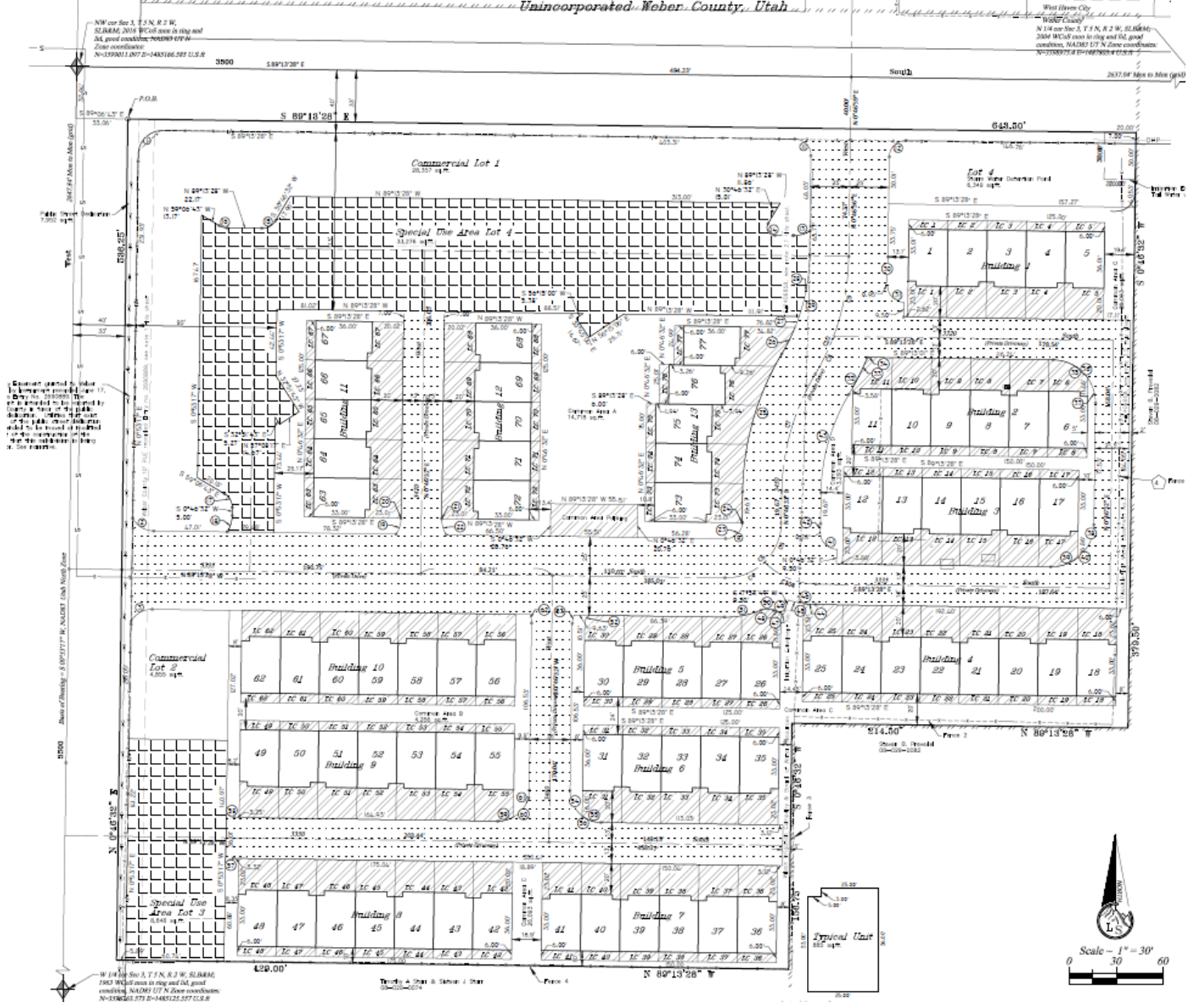


Exhibit A - Preliminary Subdivision Plat

KANESVILLE CROSSING

A Part Of The NW 1/4 Of Section 3, Township 5 North, Range 2 West, Salt Lake Base And Meridian
Unincorporated Weber County, Utah





2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401
801-731-1668

January 17, 2025

West Haven City
4150 South 3900 West
West Haven, Utah 84401

To Whom It May Concern:

This is to inform you that **Preliminary Will Serve** approval has been given and Taylor West Weber Water District has the capacity to provide **only** culinary water for a mixed-use area and a portion of the area being mixed use. The property is located near 3300 S. 3500 W. parcel #080290075 West Haven City Weber County Utah. Plan review fees and water rights and impact fees must be paid for Final Will Serve. The project must use Weber Basin Irrigation as their source of secondary water. A plan review must be completed for final acceptance. Construction of the water line must meet Taylor West Weber Water standards. All installation of the water lines must be inspected by a Taylor West Weber Water inspector. If the property remains private a perpetual easement agreement must be signed. A pre-construction meeting must be held before construction of the project.

Requirements:

- Plan review fee= (a financial assessment for plan review will be assessed by the district engineer once the plans are submitted)
- Plan approval
- Water Right Impact fee= (a financial assessment for water rights will be assessed by the district engineer once the plans are submitted)
- Board approval
- Will serve letter from Weber Basin Water.
- Impact fees= (will be assessed and based on eru's and will be determined once plan review is completed) impact fee will need to be paid before building permits are issued.
- Installation of the water line and services. The District will need to be notified prior to working on the water lines. Taylor West Weber standards must be followed in all installation procedures.
- The construction of the pipelines must pass all inspections.
- Taylor West Weber Water reserves the right to make or revise changes as needed or as advised by the district engineer or the district attorney.

FINAL APPROVAL MUST NOT BE ISSUED UNTIL FINAL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER. Final approval is subject to meeting all the requirements of the district.

Thank you,

A handwritten signature in blue ink, appearing to read "Ryan Rogers".

Ryan Rogers – Manager
Taylor West Weber Water Improvement District



WEBER BASIN WATER CONSERVANCY DISTRICT

2837 EAST HIGHWAY 193 • LAYTON, UTAH • PHONE (801)771-1677 • SLC (801) 359-4494 • FAX (801) 544-0103

February 27, 2023

Scott W. Paxman, PE
General Manager/CEO

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Weber County

Christopher F. Robinson
Summit County

Paul C. Summers
Davis County

Rick Scadden
2637 North 400 East #127
North Ogden, UT 84414

RE: Will Serve Letter, THIS IS NOT A FORMAL REVIEW OR APPROVAL LETTER – ADDITIONAL SUBMITTALS REQUIRED.

Dear Mr. Scadden:

The District has reviewed the proposed subdivided property located on the southeast corner of 3300 South 3500 West in West Haven. The District currently has secondary water lines in 3300 South and 3500 West. The District will serve secondary water to a new portion of the subdivided property provided the following requirements are met:

1. The construction plans are submitted to the District with an application for secondary water and review fee paid.
2. The water development, annual assessment, bonding, and inspection fees are paid once an official review has been completed.
3. Required petitions and water shares are received by the District.
4. All District water efficiency standards are met for the proposed development.
5. The new secondary system for these subdivisions will be installed to the District's standards and specifications.

If you have any questions, please contact Casey Potter of our office.

Sincerely,

Brad D. Nelson, P.E.
Assistant General Manager/CTO

BDN/CP/dh
Enclosures
E-16



Central Weber Sewer Improvement District

November 25, 2024

Tamara Aydelotte
Weber County Planning Commission
2380 Washington Blvd #240, Ogden, UT 84401

SUBJECT: Kanesville Crossing
Sanitary Sewer Service
Will Serve Letter

Tamara:

We have reviewed the request of BLOX Development to provide sanitary sewer treatment services to the subdivision called Kanesville Crossing located at approximate address 3300 S. 3500 W. of 77 residences and 20,000 Sq. Ft. of commercial space. We offer the following comments regarding Central Weber Sewer Improvement District ('the District') providing sanitary sewer service.

1. At this time, the District has the capacity to treat the sanitary sewer flow from this subdivision. Inasmuch as the system demand continuously changes with growth, this assessment is valid for three (3) years from the date issued on this letter.
2. If any connection is made directly into the District's facilities the connection must be constructed in accordance with District standards and must be inspected by the District while the work is being done. A minimum of 48-hour notice for inspection shall be given to the District prior to any work associated with the connection.
3. Central Weber Sewer Improvement District is a wholesale wastewater treatment provider to Weber County. Connection to the sewer system must be through a retail provider, which we understand to be Weber County. The District will not take 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.
4. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. The District's Wastewater Control Rules and Regulations state:



Central Weber Sewer Improvement District

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.

5. The entire parcel of property to be served must be annexed into the Central Weber Sewer Improvement District prior to any sewer service connection or connection to the District's facilities. This annexation must be complete before the sale of any lots in the subdivision. Annexation into the District is permitted by the District's Board of Trustees. This will serve letter is a statement of available capacity and does not guarantee board approval of annexation.
6. Impact fees must be paid no later than the issuance of any building permits.

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

Sincerely,

Clayton Marriott
Digitally signed by Clayton Marriott
DN: cn=Clayton Marriott, o=Central Weber Sewer Improvement District, email=cmariott@centralweber.org, c=US

Clay Marriott

Project Manager

CC: Chad Meyerhoffer, Weber County
Kevin Hall, Central Weber Sewer
Paige Spencer
Rick Scadden