

Weber County General Plan or Text Amendment Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted	12-22-11	Received By (Office Use)	418	Added to Map (Office Use)	ZT 2012-01
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Property Owner Contact Information

Name of Property Owner(s) John Lewis Moose Hollow		Mailing Address of Property Owner(s) 5577 E. Eikhorn Dr. Eden, UT. 84310	
Phone 8014301507	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address John@Destinationeden.com			

Ordinance Proposal

Ordinance to be Amended chap. 15 FR3 Zone

Describing the amendment and/or proposed changes to the ordinance:

We at Moose Hollow / Cascade Condos are having a hard time w/ vandalism, theft, broken water lines and other problems that we feel could be best resolved or minimized by having an HOA employee / night watchman have a unit onsite - preferably in our existing clubhouse.

We hereby propose to amend chap 15, sec 2 of the FR3 zone to include the following language: - " Dwelling unit as part of a HOA common facility building for use by an on-site employed manager or night watchman."

We feel this added language over →

Ordinance Proposal (continued...)

will benefit not just our community,
but others like ours in FR3 zones
that desire to have better supervision,
management and safety.

Sincerely,
Thank you

John Lewis, UP
Moose Hollow, HOA

Applicant Affidavit

I (We), John L. Lewis, depose and say that I (we) am (are) the interested member(s) of this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

John L. Lewis
(Signature)

(Signature)

Subscribed and sworn to me this _____ day of _____, 20 _____

(Notary)

X

December 22, 2011

DESTINATION
E D E N
LUXURY RESORT ACCOMMODATIONS

Mr. Sean Wilkinson
Weber County Planning Division
2380 Washington Blvd., Suite 240
Ogden, UT 84401

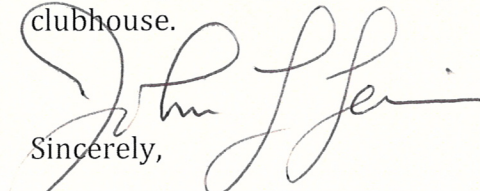
RE: A Formal request to amend Chapter 15, Sec 2 of the FR3 zone to allow an onsite manager/night watchman unit.

Sean, thanks again for taking the time to discuss with me the steps needed to get an on-site manager/night watchman unit at Moose Hollow in Eden Utah. As I said, we have recently filed the appropriate paperwork with the Sherriff's office regarding our ongoing problem with vandalism. We feel very strongly at Moose Hollow that having someone employed by the HOA living on-site will help reduce the damage we often have. (including a break-in / theft the other night)

Last year we also had over \$200,000 worth of water damages due to burst pipes etc. Usually, a lot of those kind of issues can be minimized or even avoided by simply having someone there more often, and at late hours. There is just no substitute for having a responsible manager on hand at all times – including and most importantly – really late at night, and really early in the morning.

Thanks again for your help in getting a little manager unit added to our existing clubhouse.

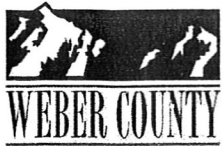
Sincerely,



John L Lewis

Vice-President

Moose Hollow HOA



WEBER COUNTY CMS RECEIPTING SYSTEM
OFFICIAL RECEIPT

*** Save this receipt for your records ***

Date: 06-JAN-2012

Receipt Nbr: 418

ID# 935

Employee / Department: ANGELA MARTIN - 4181 - PLANNING
Monies Received From: JOHN LEWIS
Template: PUBLIC WORKS
Description: ZONING TEXT AMENDMENT

The following amount of money has been received and allocated to the various accounts listed below:

Total Currency	\$	_____	.00
Total Coin	\$	_____	.00
Total Debit/Credit Card	\$	_____	300.00
Pre-deposit	\$	_____	.00
Total Checks	\$	_____	.00
Grand Total	\$	=====	300.00

Account Number	Account Name	Comments	Total
2012-01-4181-3419-0550-000	ZONING FEES		300.00
TOTAL \$			300.00

Check Amounts

Total Checks: Total Check Amounts: \$.00

*** SAVE THIS RECEIPT FOR YOUR RECORDS ***

Staff process checklist for Zoning Map amendment

- Date
- _____ Verify that the application for zoning map amendment is sufficiently complete for consideration. If not complete, inform the appellant, specifically, how the application is deficient
 - _____ Have the application fees been paid
 - _____ Review Chapter 35 (Petitioner Requirements-Rezone Procedures-Development Agreement), for review requirements. Prepare staff report and place on Land Use Authority agenda (Planning Commission)
 - _____ Notify applicant of meeting and provide copy of staff report
 - _____ Send out notices as required. (A Planning Commission public meeting is considered a public hearing because the public is given a reasonable opportunity to speak)
 - _____ Place a copy of the label list of property owners in the file
 - _____ The Planning Commission should consider relevant evidence and opinion related to whether the proposed zone change or text amendment should receive a positive recommendation. Important references are whether the zone change or text amendment does the following:
 - a. no application for rezoning shall be approved unless it is demonstrated that the proposed rezoning promotes the health, safety and welfare of Weber County and the purposes of this Ordinance
 - b. complies with the County's General Plans
 - c. compatibility with surrounding land uses, and impacts on the surrounding area
 - _____ Supplementary approval criteria for a Destination and Recreation Resort Zone:
 - a. the proposed Resort can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands as identified in Chapter 43, Ogden Valley Sensitive Lands Overlay District, of the Weber County Zoning Ordinance
 - b. a professional and empirical study has provided substantial evidence determining that the proposed Resort is viable and contributes to the surrounding community's economic well being
 - c. a professional and empirical study has provided substantial evidence determining that proposed traffic mitigation plans will prevent transportation corridors, serving the Resort, from diminishing below an acceptable Level of Service
 - d. the natural and developed recreational amenities, provided by the Resort, shall constitute a primary attraction and provide an exceptional recreational experience by enhancing quality public recreational opportunities
 - e. the proposed Resort's Seasonal Workforce Housing Plan will provide a socially, economically, and environmentally responsible development
 - f. the proposed Resort can demonstrate that public safety services are and/or will be feasible and available to serve the project in a manner that is acceptable to the County Commission
 - _____ The Planning Commission must vote and recommend approval or denial of a map change or land use ordinance amendment to the legislative body. A proposed zone change or text amendment may be reviewed and revised by the Planning Commission as part of its recommendation
 - _____ Prepare zoning development agreement for map amendments
 - _____ Prepare the notice for the public hearing
 - _____ Place the item on the legislative agenda to set a date for a public hearing at least 14 days (consider the time it takes to publish the notice)from the date of the meeting to set a public hearing
 - _____ Prepare ordinances, and summary of ordinance

- _____ The legislative body takes a vote and approves, modifies, or denies the plan amendment. A plan amendment may be reviewed and revised by the legislative body prior to taking action without referring the matter back to the Planning Commission
- _____ Take public comment concerning the General Plan amendment
- _____ Preserve the record of the proceedings to document the information considered in granting the map or text amendment
- _____ Have the summary of the ordinance published

*The authority to regulate land use is derived from LUDMA and must be preceded by a General Plan. A General Plan must advance the purpose of LUDMA. Those purposes are:

1. To provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the county and its present and future inhabitants and businesses.
2. To protect the tax base;
3. To secure economy in government expenditures;
4. To foster the state's agricultural and other industries;
5. To protect both urban and nonurban development;
6. To protect and ensure access to sunlight for solar energy devices;
7. To provide fundamental fairness in land use regulations; and
8. To protect property values.

Definitions:

Public hearing means a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Public meeting means a meeting that is required to be open to the public under Title 52, Chapter 4, Open and Public Meetings Act.

The Planning Commission meetings are regarded as public hearings because the meetings provide a reasonable opportunity for the public to comment on the subject of the hearing.

The Planning Commission is required to have a public hearing on adoptions of Ordinances. The County Commission is to have a public meeting on ordinances. In Weber County, the public hearing is with the County Commission, since they are the adopting body.

The Planning Commission is require having a public hearing on adoptions of General Plans, and the County Commission is required to have a public hearing.

Public hearings require a 10-business day notice, but Weber County has a 14-day public hearing notice requirement.

- _____ The legislative body should consider the Planning Commission recommendation and any other relevant evidence and opinion related to whether or not the proposed zoning map or land use or ordinance amendment:
 - a. no application for rezoning shall be approved unless it is demonstrated that the proposed rezoning promotes the health, safety and welfare of Weber County and the purposes of this Ordinance
 - b. complies with the County's General Plans
 - c. compatibility with surrounding land uses, and impacts on the surrounding area
- _____ The legislative body takes a vote and approves, modifies, denies the zoning map or ordinance text amendment. A proposed map change or text amendment may be reviewed and revised by the legislative body prior to taking action without referring the matter back to the Planning Commission
- _____ The unanimous vote of the full body of the County Commission is required to overturn the recommendation of the Planning Commission, if there was a unanimous vote of the Planning Commission in favor or denial of the petition
- _____ Take public comment concerning the map or text amendment
- _____ Preserve the record of the proceedings to document the information considered in granting the map or text amendment
- _____ Have applicant sign the zoning development agreement for map amendments
- _____ Have the summary of the ordinance published
- _____ Record the zoning development agreement

Staff process checklist for amendments to the General Plan

- _____ Place the amendment on the Planning Commission agenda
- _____ Prepare public hearing notice
- _____ Provide the required notice of meeting and hearing by the Planning Commission to consider the application. Provide notice for a public hearing at least 14 days (consider the time it takes to publish the notice) in advance of the public hearing
- _____ Notify the affected entities as listed in state code
- _____ Place a copy of the label list of affected entities in the file
- _____ Prepare staff report
- _____ Have a public comment period
- _____ The Planning Commission considers relevant evidence and opinion related to the content of the plan, the plan's conformity with state codes, and whether or not the proposed plan complies with goals of *LUDMA, and the plan contains the essential elements:
 - a. a land use element, including agricultural protection zones if an issue
 - b. a transportation element
 - c. moderate income plan
- _____ The Planning Commission takes a vote and recommends approval or denial of the plan amendment to the legislative body. A proposed General Plan amendment may be revised by the Planning Commission as part of its recommendation to the legislative body. Important considerations are whether the proposal is in the best interest of the citizens and the community, and whether it complies with *LUDMA
- _____ Prepare the notice for the public hearing
- _____ Notify the affective entities as listed in state code
- _____ Place a copy of the label list of affected entities in the file
- _____ Place the item on the legislative agenda to set a date for a public hearing at least 14 days (consider the time it takes to publish the notice)from the date of the meeting to set a public hearing
- _____ The legislative body should consider the Planning Commission recommendation and any other relevant evidence and opinion related to whether or not the proposed plan amendment is in the interest of its citizens and the community, complies with the goals of *LUDMA, and contains the elements outlined above



Weber County Planning Division

WEBER COUNTY AGENCY REVIEW OF ZONING TEXT AMENDMENTS

<u>PAPER</u>	<u>ELECTRONIC</u>	<u>AGENCY</u>
<input type="radio"/>	<input checked="" type="radio"/>	ENGINEERING
<input type="radio"/>	<input checked="" type="radio"/>	HEALTH
<input type="radio"/>	<input checked="" type="radio"/>	BUILDING INSPECTION

OTHER AGENCY REVIEW

<u>PAPER</u>	<u>ELECTRONIC</u>	<u>AGENCY</u>
<input type="radio"/>	<input type="radio"/>	<u>USFS OGDEN RANGER DISTRICT</u>
<input type="radio"/>	<input type="radio"/>	<u>UTAH DEPT OF TRANSPORTATION</u>
<input type="radio"/>	<input type="radio"/>	<u>UTAH PUBLIC LANDS OFFICE</u>
<input type="radio"/>	<input type="radio"/>	<u>WEBER PATHWAYS</u>
<input type="radio"/>	<input type="radio"/>	_____
<input type="radio"/>	<input type="radio"/>	_____

--If processing by paper, please respond to this review request **by returning this form** and the attached plan **within 14 days** to:

Weber County Planning Commission, 2380 Washington Blvd., Ste 240, Ogden, UT 84401-1473

--If processing through Miradi, submit your response **within 14 days**

-- If you have any questions or need further information, please call 399-8791, Fax 399-8862

Thank You, Kary Serrano