Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on GP 2018-02, a request to amend the General Plan Future Land Use Map to change some of the proposed manufacturing area along 900 South near the Little Mountain manufacturing area to a future Agricultural and one acre residential area.
Agenda Date: Tuesday, August 14, 2018
Applicant: John Price
File Number: GP 2018-02

Property Information

Approximate Address: 7900 West 900 South
Project Area: Approximately 372.58 Acres
Zoning: The area is currently Manufacturing (M-1).
Existing Land Use: Agricultural/Residential
Proposed Land Use: Agricultural/Residential
Parcel ID: 10-037-0009, 10-037-0010, 10-037-0032, 10-037-0037, 10-037-0041, 10-037-0042, 10-043-0010, 10-066-0001. 10-048-0027, 10-048-0029.
Township, Range, Section: T6N, R3W, Sections 15, 22

Adjacent Land Use

North: Residential/Agricultural
East: Residential/Agricultural
South: Residential/Agricultural
West: Residential/Agricultural

Staff Information

Report Presenter: Charles Ewert
cewert@webercountyutah.gov
801-399-8767
Report Reviewer: RG

Applicable Ordinances

§102-2-4 – Powers and Duties of the Planning Commission

Proposal History

This proposal was presented at public hearing to the Western Weber Planning Commission on July 10, 2018. It was combined into a bigger decision regarding a rezone of the area and other general plan and zoning text administrative cleanup. This report only addresses an amendment to the general plan's future land use map.

On the evening of June 12th, 2018, this proposal was on the agenda for consideration and action. Due to there not being a quorum, a final decision was not made. Instead, the planning division held an informal public comment meeting to discuss the proposal's concerns with the public that were present.

This proposal was also discussed by the planning commission in a work session on the evening of Tuesday, May 8, 2018.

Legislative Decisions

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

Background and summary

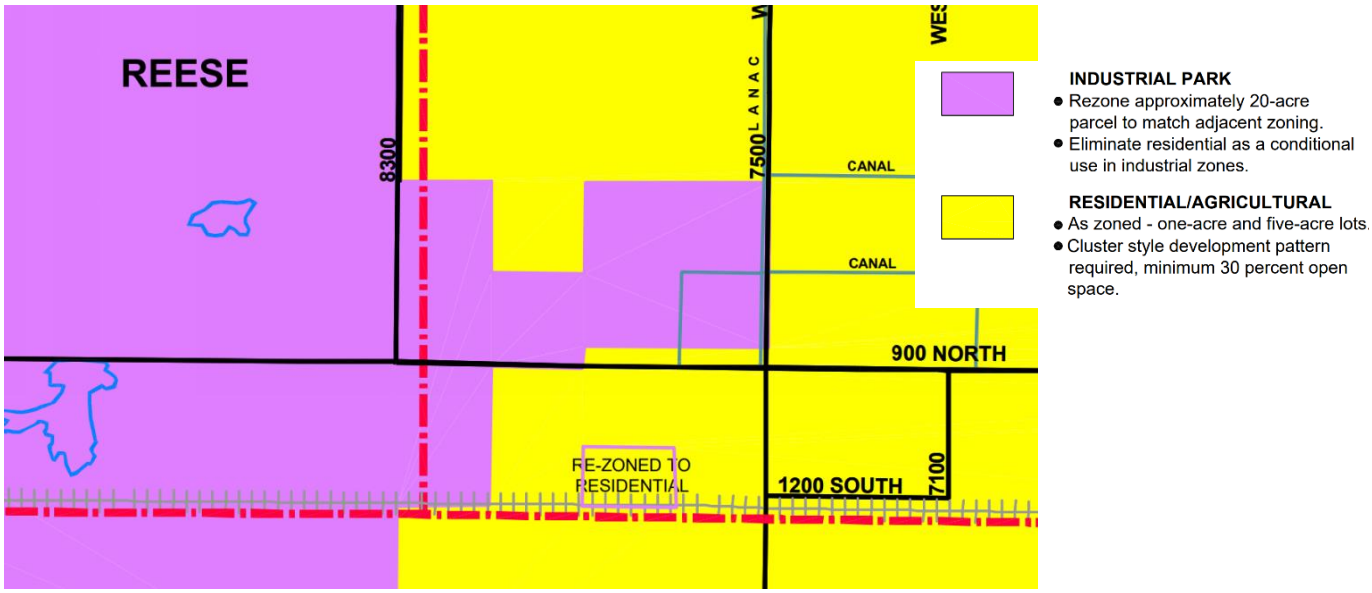
This application is concerning a change to the West Central Weber County General Plan. It has previously been packaged as a bigger decision regarding not just a change to the general plan, but also a change to the zoning map. In their July 10, 2018 meeting, the planning commission pulled apart the packaged decision in favor of making a decision on each item individually.

A favorable decision on this item from the county commission will offer better support for a pending rezone application for this same area. The rezone application is on the same meeting agenda, in which staff has offered three alternatives with several other alternative variants. The planning commission should be familiar with that in order to make an effective decision regarding this application. In order to support the various alternatives of the potential rezone, staff has provided three alternatives to this decision as well.

The general plan's future land use map currently has a finger of area denoted as an "industrial" area projecting from the main "industrial" area eastward along the north side of 900 South. This proposal would effectively change that projected finger to reflect the "residential/agricultural" designation that is currently adjacent to it.

See **Figure 1** for graphic reference.

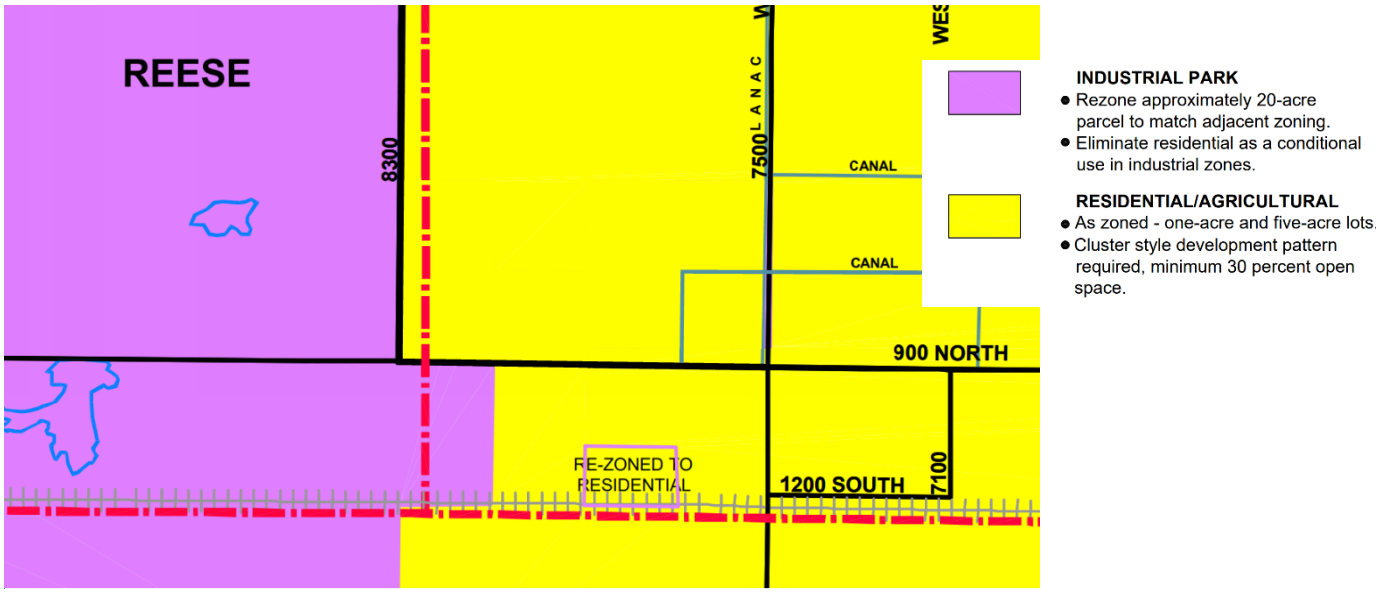
Image 1: Zoom of affect area showing the plan's existing "future land use map."



Alternative One.

This alternative one supports alternative one of the applicant's rezone. This alternative would change the "industrial" area on the map as it extends eastward along the north side of 900 South to "residential/agricultural." This change enables a rezone of this entire area to the A-2 zone. See **Figure 2** for graphic reference of this change. Please see the staff report for the rezone application for a list of pros and cons for this change. In order to support this change, the planning commission should consider the needs and desires of the community regarding their desired future development outcomes.

Figure 2: Zoom of affected area showing proposed change to the "future land use map."



Alternative Two.

This alternative two supports alternative two of the rezone application staff report. In it, this application and the rezone application are recommended to be denied due to lack of adequate public support and the disruption of the adopted plans that are currently in place for the area.

Alternative Three.

Like alternative three of the rezone application staff report, this alternative has variants. In it, the planning commission may find that part of the land included in the rezone application merits a zone change (and therefore, a future land use map change) but other parts do not. The rezone application has four variants that staff have prepared for the planning commission to choose from. This is not a finite list, but offers clear direction. If the planning commission would like to explore other variants this should be discussed with the applicant and staff in the meeting.

For a decision on this alternative, though, staff are only recommending two variants. Both give the ability for the planning commission to make any of the four rezone decision presented in alternative three of the rezone staff report. See **Figures 3-4** to review the two.

Variant one offers more future residential land uses for the subject area than manufacturing uses. It offers a future land use map that shows a greater amount of the land currently zoned M-1 to be rezoned [at a later time of the county's or landowner's choosing] to a large lot residential/agricultural zone. The future changes from the M-1 zone could then occur as a result of a landowner's rezone application, as is the case with this applicant's current rezone application, at any time in the future, and have the full support of the general plan. The future zone changes could also occur by the county taking the initiative to rezone in compliance with this new map at any time in the future. Changing this map in this manner does not rezone the property – but if offers a direction for future action.

Variant one also extends the "industrial" designation southward along 900 South to include all of the parcel in the area that is currently used for manufacturing purposes, as well as the local water company property. Both property owners expressed concern that they needed the front of their lots currently zoned A-1 to be rezoned to M-1 for their anticipated future uses of their property. This enables those future uses. This new configuration of the future "industrial" area also includes a few parcels that currently contain single family dwellings currently in the A-1 zone. Changing this map in this manner does not change the A-1 zone of the properties, but it does offer a directive for the future should those landowners or the county ever choose to do so.

Variant two offers more future manufacturing uses for the subject area than future residential land uses. It removes the eastern most end of the "industrial" finger from the "industrial" designation and changes it to "residential/agricultural." Like variant one, it also extends the "industrial" future land uses southward to 900 South and eliminates the strip of "residential/agricultural" land that currently buffers that street.

Figure 3: Variant 1 – More Future Residential than Future Manufacturing

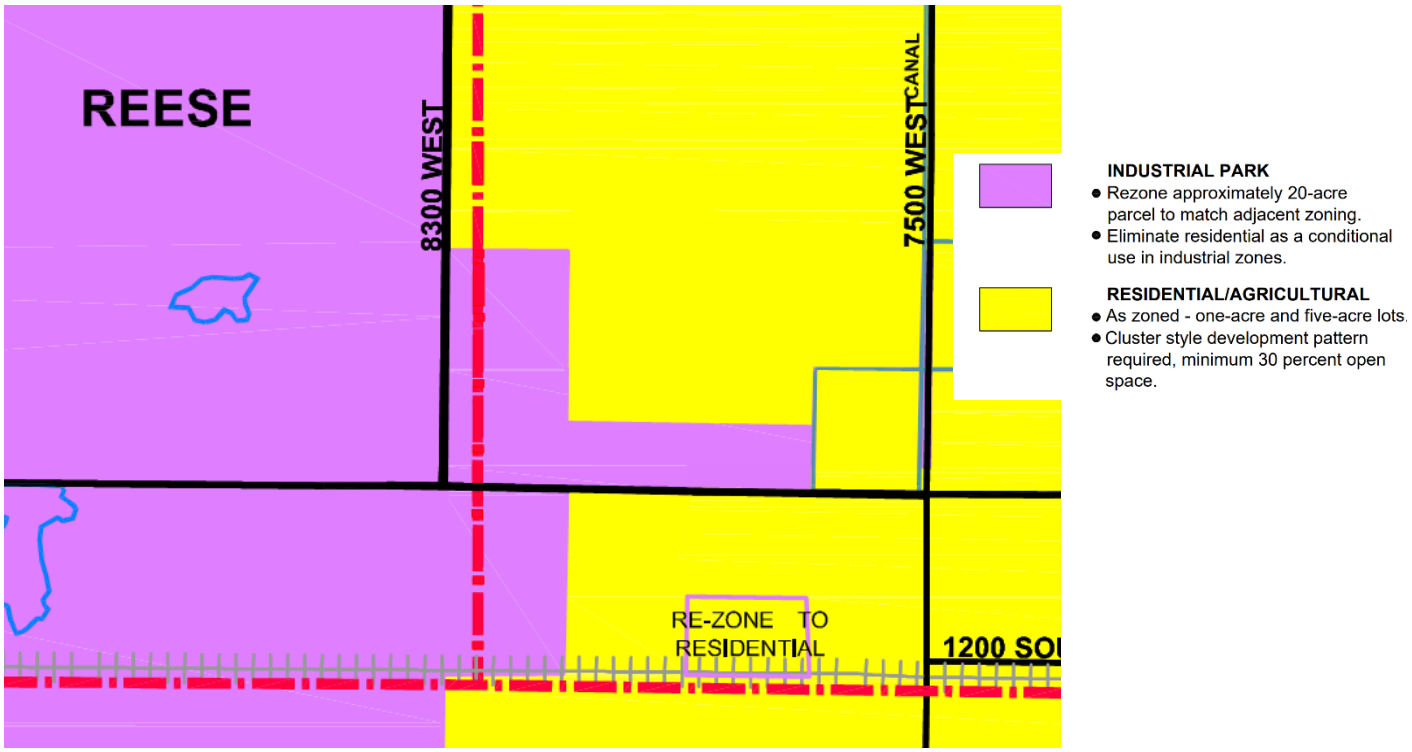
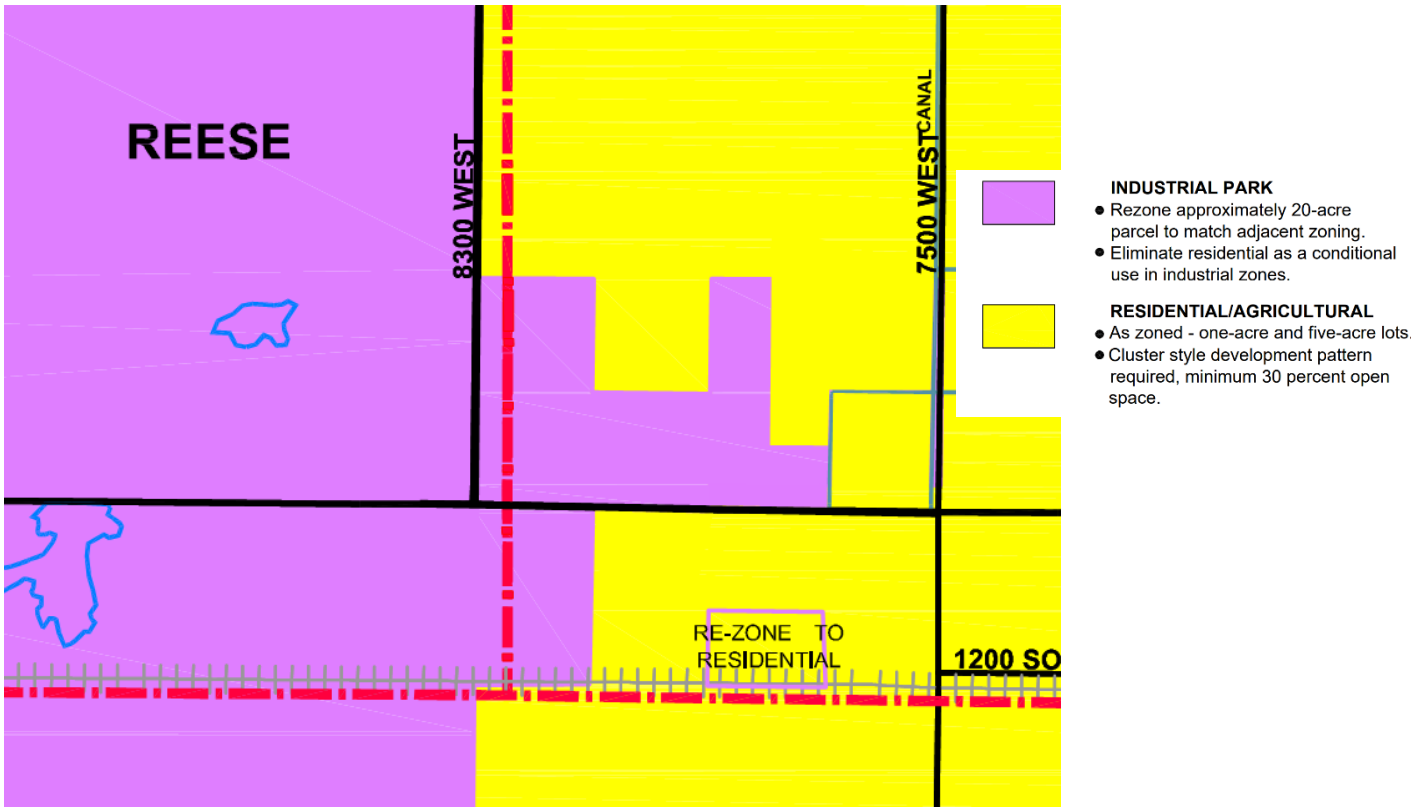


Figure 4: Variant 2 – More Future Manufacturing than Future Residential



Summary of Planning Commission Considerations

The County Code specifies very little process regarding a modification to the general plan. §102-2-4, "powers and duties of the planning commission," specifies that the planning commission "shall review the general plans and make recommendations to the county commission, as deemed necessary, to keep the general plan current with the changing conditions, trends, and planning needs of the county."

Given this, the criteria for making a decision regarding changes to the general plan are whether or not there are changing conditions, trends, and planning needs. To make a favorable recommendation on this application to the county commission the planning commission will need to be able to make these findings.

The question can really be boiled down to whether or not the proposed modification to the future land use map, if implemented through zoning, will produce desirable community outcomes.

Staff Recommendation

If the planning commission finds that the land uses in this area are better suited for large lot residential or agriculture rather than industrial uses, then the planning commission should offer the county commission a favorable recommendation of amending the West Central Weber County General Plan, specifically citing either alternative one or three of this staff report as the recommendation.

This recommendation may come with the following findings, or any additional as the planning commission sees fit:

1. Public opinion regarding the future land uses of the area have changed since the 2003 adoption of the West Central Weber County General Plan, and residential and agriculture are deemed more desirable land uses in this subject area.
2. Current development trends will make the property more useful as residential than industrial.
3. The changes are not harmful to the health, safety, or general welfare of the public.

If the planning commission is desirous to deny this application to amend West Central Weber County General Plan, they may choose to do so with the following findings:

1. That changed or changing conditions are not present sufficient enough to merit an amendment to the plan.
2. That the amendment does not have sufficient community support.
3. That the amendment is not found to be in the best interest of the public health, safety, or general welfare.

Exhibits

A. Application and project narrative
B. Future Land Use Map (Current)
C. Alternative One Future Land Use Map
D. Alternative Two Future Land Use Map

Weber County Zoning Map Amendment Application

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

Date Submitted	Received By (Office Use)	Added to Map (Office Use)

Property Owner Contact Information

Name of Property Owner(s)	Mailing Address of Property Owner(s)
JP Farm & Ranch Randy Giordano Barbara Hoss	400 S. 6700 W West Warren 84404
Phone: 801-391-7169 **Fax**:	
Email Address: jprice-4@hotmail.com	**Preferred Method of Written Correspondence**: ☑ Email ☐ Fax ☐ Mail

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)	Mailing Address of Authorized Person
John Price	400 S. 6700 W. Ogden UT 84404
Phone: 801-391-7169 **Fax**:	
Email Address: jprice-4@hotmail.com	**Preferred Method of Written Correspondence**: ☑ Email ☐ Fax ☐ Mail

Property Information

Project Name	Current Zoning	Proposed Zoning
	M-1	A-1 or A-2

Approximate Address	Land Serial Number(s)
650 S. 7900 W. Ogden 84404	10037 0038 10037 0014 10037 0004 10037 0028 10037 0013 10037 0029 10037 0011

Total Acreage	Current Use	Proposed Use
140	Farm / Residential	Farm / Residential

Project Narrative

Describing the project vision.

Desire to change our M-1 zoning to A-1 or A-2. Currently there is far greater advantage for us having A-1 or A-2. There is no Realistic opportunity for Manufacturing to ever purchase our property.

Project Narrative (continued...)

How is the change in compliance with the General Plan?

change Doesn't change any opportunity for manufacturing growth.

Why should the present zoning be changed to allow this proposal?

Current zoning has no logical reason for this particular M-1 location. It would be far better for county and property owners to have this in A-1 or A-2. Also all current residents in community are in favor of this change

Project Narrative (continued...)

How is the change in the public interest?

This provides a buffer from manufacturing being put in the middle of Residential areas.

What conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?

More desire for Residential Development,

Project Narrative (continued...)

How does this proposal promote the health, safety and welfare of the inhabitants of Weber County?

Helps keep residential home values and safety.

Property Owner Affidavit

I (We), Jeff Price, Randy Gardner, Barbara Higgs depose and say that I (we) am (are) the owner(s) of the property identified in 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.

(Property Owner)

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 28 day of March, 20 18.

(Notary)

ANGELA MARTIN
NOTARY PUBLIC • STATE of UTAH
COMMISSION NO. 685669
COMM. EXP. 11-24-2019

Authorized Representative Affidavit

I (We), Randy Gordon Barbara Higgs, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), John Price, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this 28 day of March, 20 19, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

(Notary)

ANGELA MARTIN
NOTARY PUBLIC • STATE of UTAH
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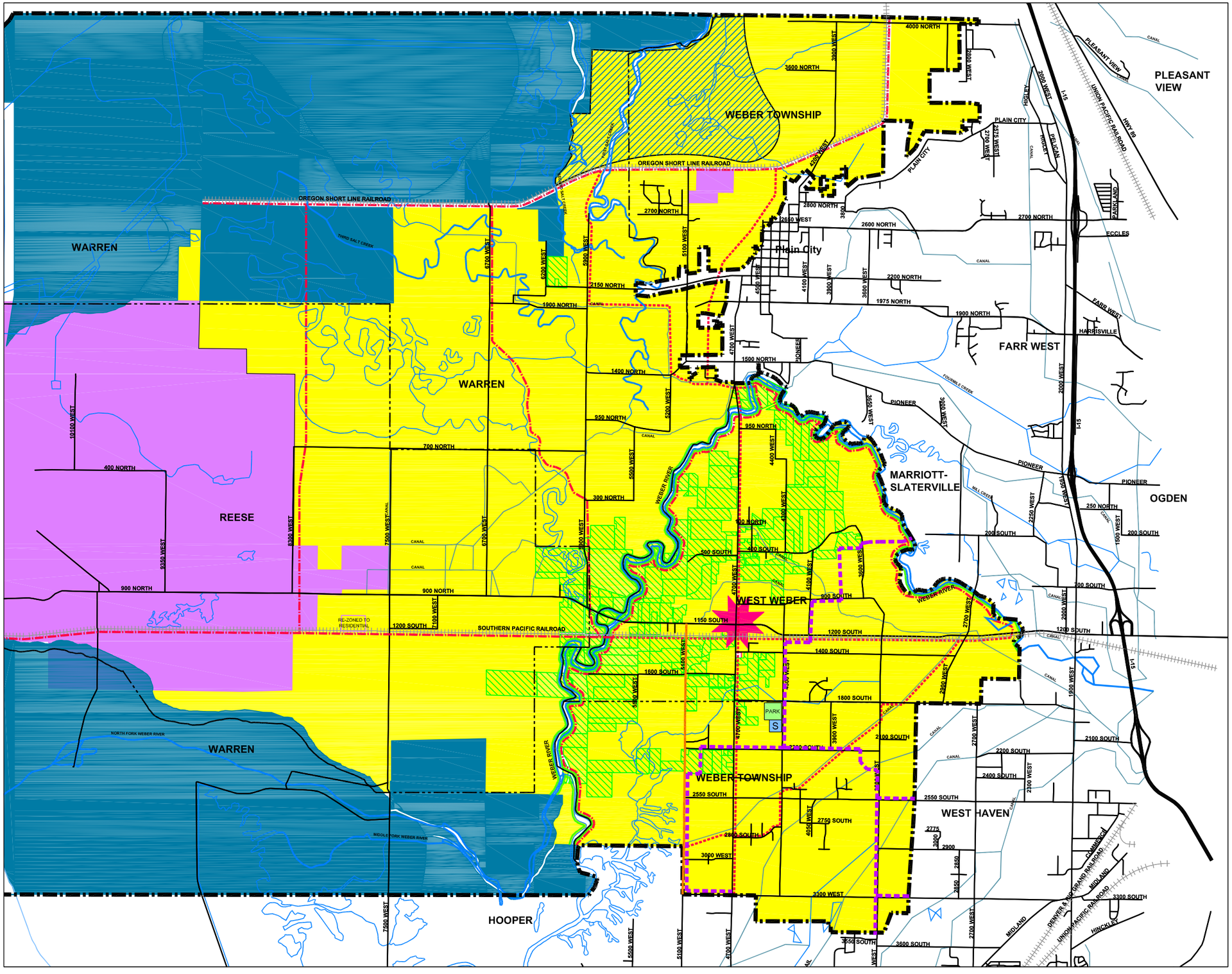
Exhibit B: Future Land Use Map (Current)

WEST CENTRAL WEBER COUNTY GENERAL PLAN

PROPOSED LAND USE MAP 2-4



LEGEND

INDUSTRIAL PARK
- Rezone approximately 20-acre parcel to match adjacent zoning.
- Eliminate residential as a conditional use in industrial zones.

RESIDENTIAL/AGRICULTURAL
- As zoned - one-acre and five-acre lots.
- Cluster style development pattern required, minimum 30 percent open space.

EXISTING STATE / FEDERAL LAND
WATERFOWL MANAGEMENT AREA

COMMUNITY VILLAGE CENTER
- Commercial node of 7 to 14 acres of supportable neighborhood services.
- First response emergency service.

EXISTING AGRICULTURE PROTECTION AREAS
- Unchanged

EXISTING SEWER

PROPOSED 100' WIDE SETBACK ALONG RIVER

SCHOOLS AND PARKS
- New High School as planned by Weber School District.
- Adjacent 20-acre park.

TRAILS
- Pedestrian and bicycle trails along railroad tracks, selected canals, major roadways, and Weber River.
- Equestrian trails.

TOWNSHIP BOUNDARY

0' 2500'
1" = 5000'

LANDMARK DESIGN INCORPORATED
LANDSCAPE ARCHITECTURE AND LAND PLANNING
2834 HIGHLAND DRIVE
SALT LAKE CITY
UTAH 84106
PHONE (801) 474-3300
FAX (801) 474-3303

September 23, 2003

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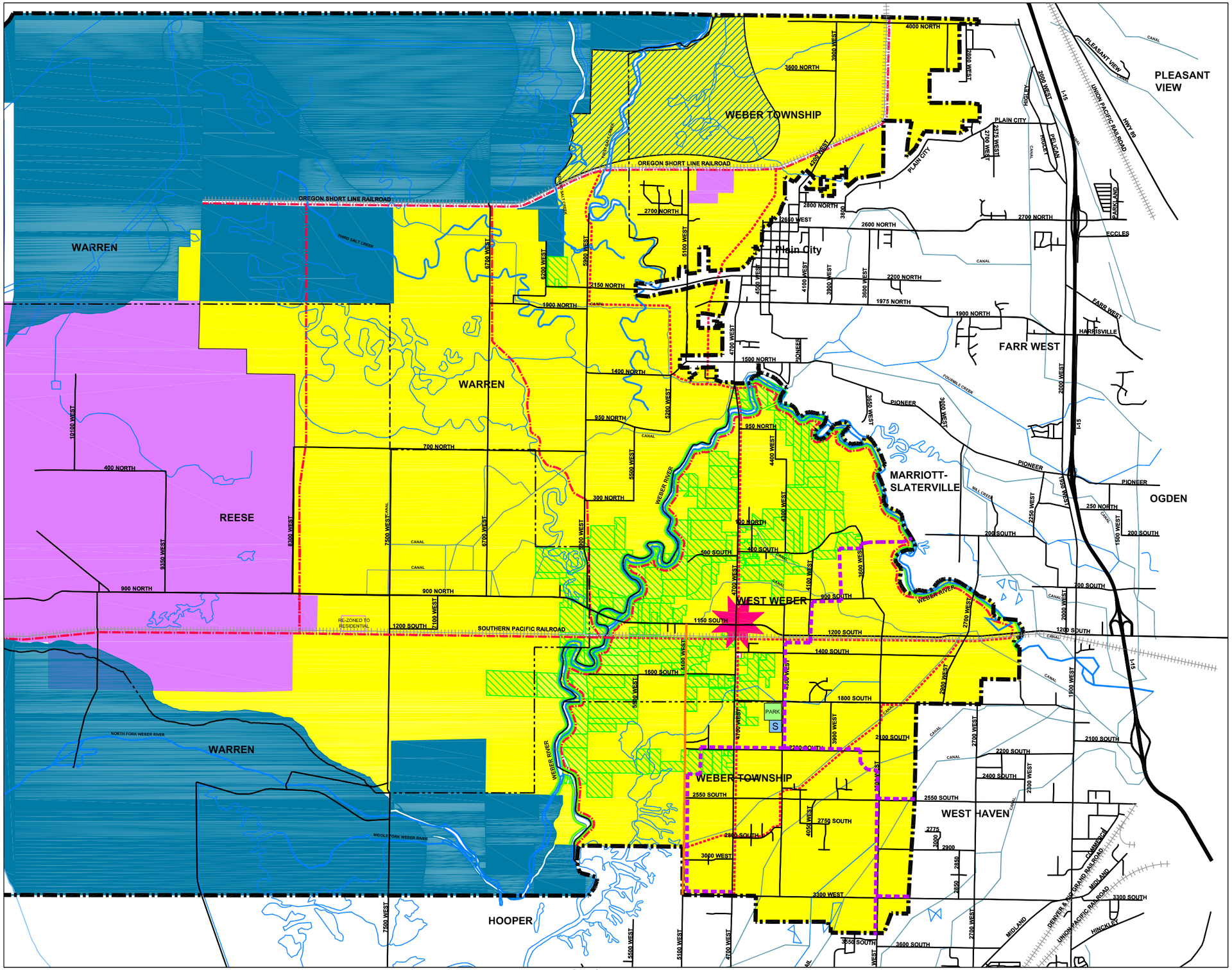

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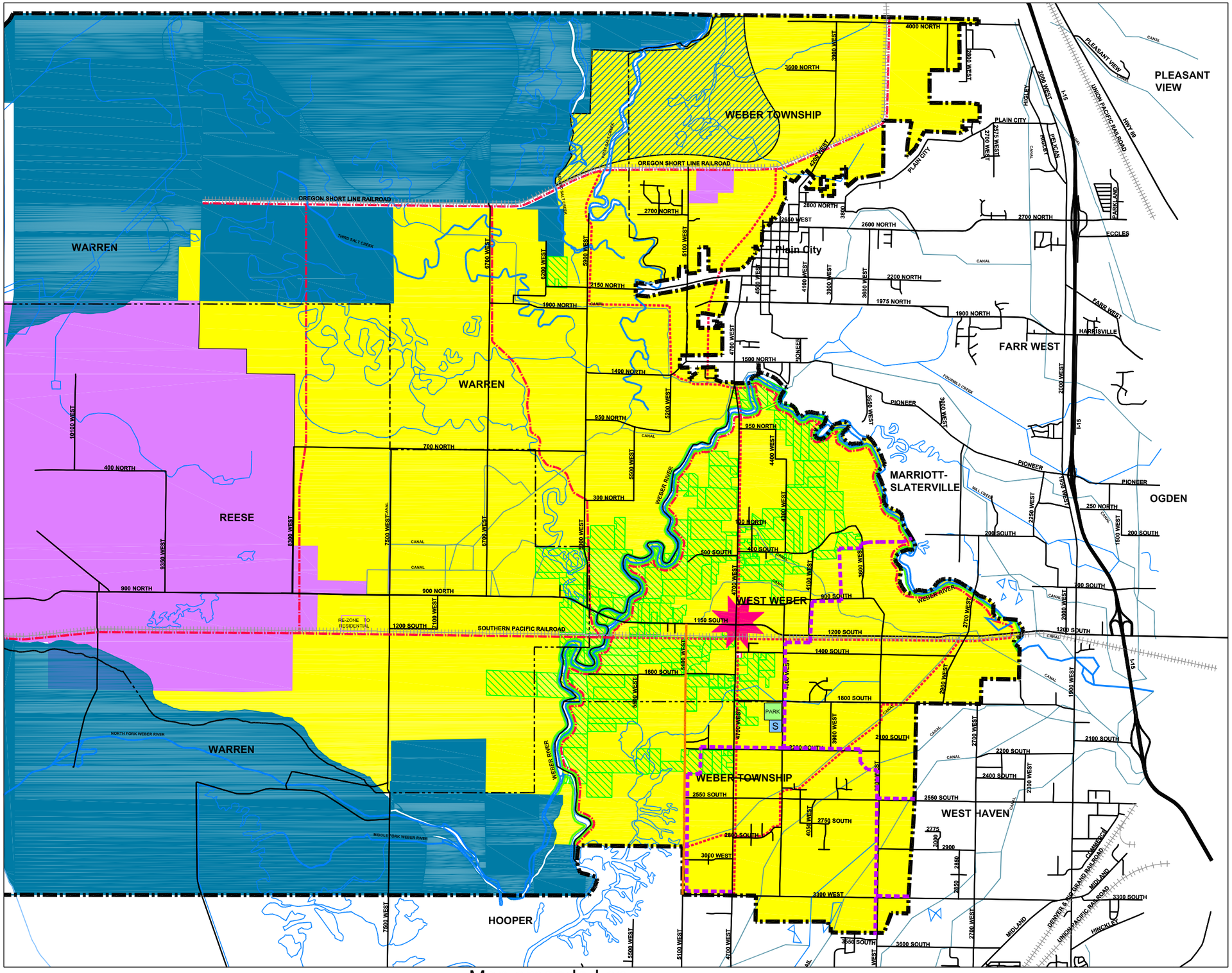

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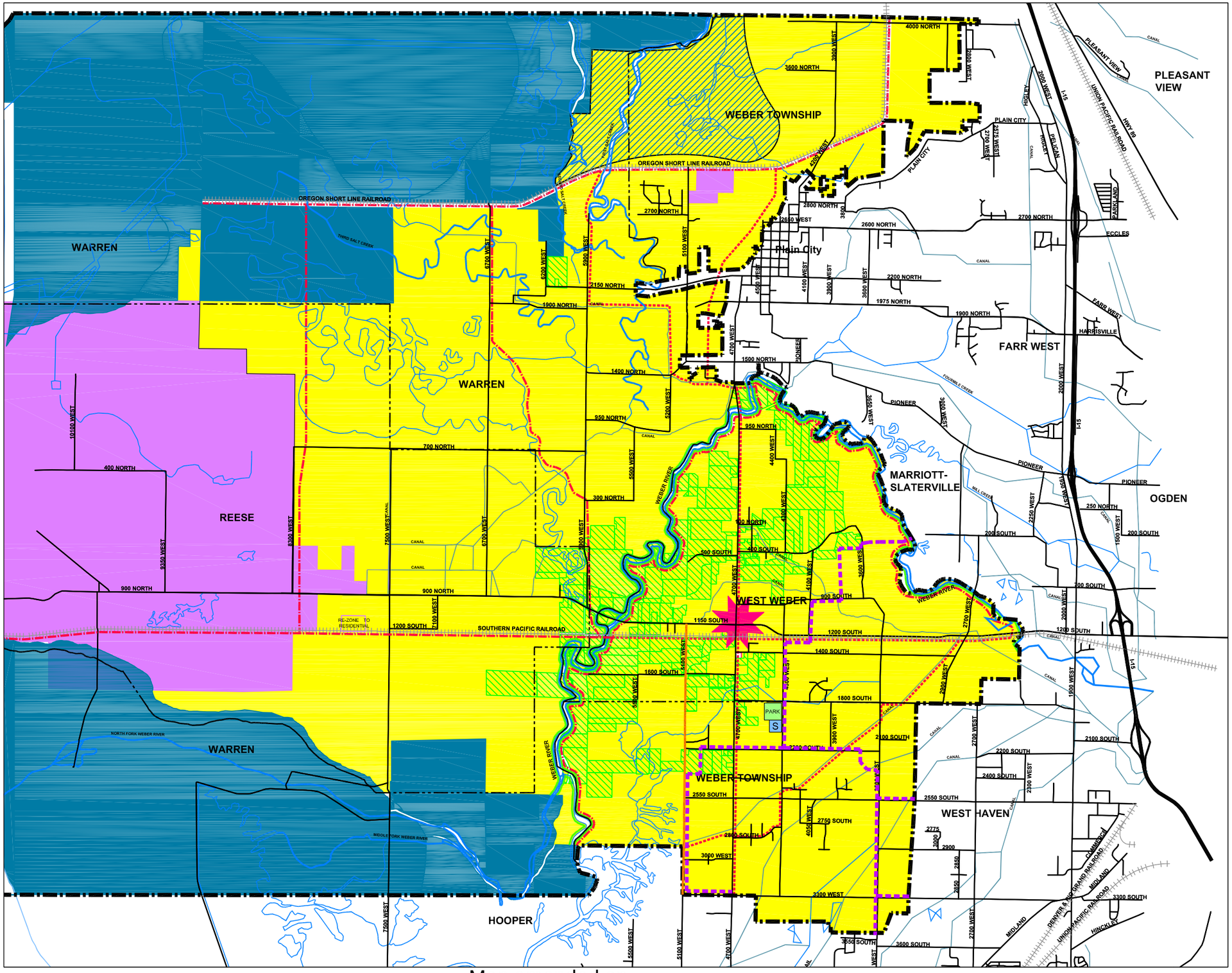

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