

Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis						
Application Information						
Application Request: Agenda Date:	To consider and take action on ZMA 2018-03, a request to amend the zone map to rezone approximately 22 acres from A-1 to C-2 at approximately 4311 West 1200 South.					
Applicant: File Number:	Tuesday, August 14, 2018 Dan and Tami Baugh ZMA 2018-03					
Property Information	Property Information					
Approximate Address: Zoning: Existing Land Use: Proposed Land Use: Township, Range, Sectio	4311 West 1200 South The area is currently Agricultural (A-1) Agricultural Commercial on: T6N, R2W, Sections 20					
Adjacent Land Use						
North: Commercial/Re East: Residential/Agr	esidential/Agricultural ricultural	South: West:	Railroad Residential/Agricultural			
Staff Information						
Report Presenter:	Charles Ewert cewert@webercountyutah.gov 801-399-8767					
Report Reviewer:	RG					
Applicable Ordinances	; ;					
§102-5: Rezoning Procedure	S					

Proposal History

This proposal was presented at public hearing to the Western Weber Planning Commission on July 10, 2018. At the time only a hearing was held. The details of the application were not quite ready for final recommendation from the Planning Commission.

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 (2003). In the July 10th planning commission hearing this item was packaged into a bigger decision regarding also changing the county zoning map for the 22-acre subject property from A-1 to C-2. Staff have split these issues into two separate reports and two separate decisions. This report is one.

Weber County Code §102-5-2 requires any changes to the zone map to comply with the directives of the general plan. A favorable decision on this item from the county commission will offer better support for a pending rezone application for this same property. That rezone application is on the same meeting agenda, in which staff has offered four alternatives. 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 two alternatives for the planning commission to consider for this decision.

The first alternative will support the first and second rezone alternative listed in the rezone staff report. Depending on how the planning commission desires to interpret and apply the current general plan, it might not be necessary for the rezone alternative one to run with this general plan amendment. More details on that is offered in the rezone staff report under 'alternative one.'

The second alternative listed herein will support the third alternative listed in the rezone staff report. An implied alternative, of course, is a denial of this application in favor of either alternative one or four in the rezone staff report.

Action on a general plan amendment has fairly wide discretion. Any action taken should be based on public need or desire and whether there are changed or changing conditions in the community that merit it.

Alternative one.

The text of the general plan and the future land use map of the general plan could be changed to support more commercial acreage than currently specified. Currently, the plan text only accounts for 7-14 acres of future commercial area at the intersection of 4700 West and 12th Street. It does not specify how this acreage should be divided up, but the map shows an asterisks over the intersection, leading some to believe that it is intended to be shared across all corners. The map also calls for 15 acres, not 7-14. See **Figure 1**¹ to view the plan's future land use map as it currently exists.



Figure 1: 2003 West Central Weber County General Plan Future Land Use Map

Exhibit C shows the existing and proposed text and the existing and proposed future land use map. **Figure 2**² shows this future land use map amendment graphically.

This alternative will enable additional commercial area for a little bit larger future village. Future developments would accommodate a smaller-scale neighborhood village feel with limits on automobile oriented uses in favor of a more walkable community.

Alternative one in the rezone and alternative two would support this development pattern to some degree.

¹ See also Exhibit B.

² See also Exhibit C.

Figure 2: Alternative one's future land use map amendment.



Alternative two.

As in alternative one, the text of the general plan and the future land use map of the general plan could be changed to support more commercial acreage than currently specified as well, but do so by allowing more automobile oriented uses. This would be a required amendment if the planning commission supports the alternative three of the rezone staff report in which the entire 22-acre parcel would be rezoned to the C-2 zone. The C-2 zone has a number of heavier intensity automobile oriented uses.

Exhibit D shows the existing and proposed text and the existing and proposed future land use map under this alternative. **Figure 3**³ shows this future land use map amendment graphically.

This alternative will enable additional commercial area for just the applicants 22-acre parcel. Developments could accommodate a number of larger-scale commercial uses.⁴



Figure 3: Alternative two's future land use map amendment.

³ See also Exhibit D.

⁴ See Exhibit F of the Baugh rezone staff report for a list of uses allowed in the C-2 zone.

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

Either of the staff-offered alternatives could lead to quality community outcomes – depending on the development desires of the planning commission, and ultimately, the county commission. Alternative one may have better planning outcomes, but the potential economic development value of alternative two also has public benefits.

If the Planning Commission desires to forward a positive recommendation to the County Commission on alternative one, staff recommends doing so with the following findings:

- 1. That the general plan amendment has sufficient support from the public.
- 2. That the general plan amendment will offer necessary and essential community services for the surrounding areas.
- 3. That changed and changing conditions exist that merit the need for the changes.
- 4. That the plan amendment is not detrimental to the health, safety, or general welfare of the public.

If the Planning Commission desires to forward a positive recommendation to the County Commission on alternative two, staff recommends doing so with the following findings:

- 1. That the general plan amendment has sufficient support from the public.
- 2. That the general plan amendment will offer necessary and essential community services for the surrounding areas.
- 3. That after recent or foreseeable changes in the area, heavier intensity commercial uses are more desirable that smaller neighborhood commercial villages.
- 4. That the economic benefits of heavier commercial uses will offer better public outcomes than small neighborhood commercial uses.
- 5. That the plan amendment is not detrimental to the health, safety, or general welfare of the public.

Exhibits

Exhibit A: Application.

Exhibit B: 2003 West Central Weber County General Plan Future Land Use Map

Exhibit C: Alternative one's future land use map amendment.

Exhibit D: Alternative two's future land use map amendment.

Weber	Count	y Zoning Ma	p Amendmer	nt App	lication	
Application submittals wil	ll be accepted	i by appointment only. (8	01) 399-8791. 2380 Wash	ngton Blvd. S	Suite 240, Ogden, UT 84401	
Date Submitted 5/22/2018		Received By (Office Use)		Added to Map (Office Use)		
Property Owner Contact info	rmation	<u>дан каландалан колон колон колон колон колон</u> ала	A		A	
Name of Property Owner(s) Baugh Enterprises LLC			Mailing Address of Property Owner(s) 4441 S 4300 W			
Phone 801-732-8870	Fax		West Haven, Utah 84401			
Email Address	.		Preferred Method of Written Correspondence			
Authorized Representative C	ontact Infe	ormation				
Name of Person Authorized to Represent the Property Owner(s) Dan or Taml Baugh		Mailing Address of Authorized Person 4441 S 4300 W West Haven, Utah				
Phone 801-732-8870 or 801-698-3113	Fax		84401			
Email Address dansonct53@yahoo.com or tblonghalr@gmail.com		Preferred Method of Written Correspondence				
Property Information						
Project Name Baugh Business Development			Current Zoning		Pronosed Zoning C-2	
Approximate Address 4441 S 4300 W West Haven 84401			Land Serial Number(s) 15-055-0023	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
Total Acreage 21.9		Current Use vacant	I	Proposed Us Commercia		
Project Narrative		•				
Describing the project vision.						
Baugh Business Development- Reta	all Shopping I	Development				
-Grocery Store						
-Farm and Ranch/Hardware Slore.						
-Convenience Store/Gas Station						
-Bank/Credit Union						
-1-2 Fast Restaurants						
-Pizza type restaurant Dine in/Deilv	егу					
-Dry Cleaner						
-Small Retail Stores such as: Cloth	ing Store, Ha	Ilmark, Book Store, Baker	ry, Yogurt Shop, etc.			
The project goal is to give the comm local economy by providing much ne chooses. It will offer restaurants and and other meals. It will allow the sci needed services.	eded jobs. I d services no	It will increase the tax bas t currently easily accessit	e, thus giving the commu ble. It will help the local hi	nity options o gh school kld	f eventual incorporation, if it so is by giving them options for lunch	
The goal with this development is to future needs.	give the loca	al population a Centralized	1 Family Friendly Shoppin	g Experience	e in keeping with their current and	

Project Narrative (continued...)

How is the change in compliance with the General Plan? In conjunction with the Zoning change, we are asking tor the General Plan to be updated to accommodate the Currently proposed use.

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

The Community has grown to the point of necessitating turther intrastructure to accommodate the growing needs of the community.

-It would give the community a much needed Grocery Store and Farm & Ranch store within it's boundaries.

-It would give the high school kids another alternative tor eating lunch and other meals not eaten at home.

-It would give community members closer dining options.

-It would provide much needed service options such as dry cleaners and a bank or Credit Union.

-It would provide a much needed boost to the community tax base.

-It would bring local jobs.

-It would bring support to the School programs.

and the second		
How does this proposal promote the health, safety and welfare of the inhabitants of Wel	eber County?	
-It would give the kids at the high school and also, the community closer options fo providing those options at a closer distance, it would reduce accidents by reduce	for food, clothing, farm and ranch supplies, banking and fuel. In ucing travel.	
-It would reduce emissions by reducing travel.		
-It would give much needed food options.		
-It would provide jobs for the local residents.		
-It would benefit residents by offering services not currently within easy access.		
-It would allow those with disabilities options of closer proximity and lessen the burn	urden of accessing necessary living needs.	
 -It would give families an opportunity to spend more time together in reducing the a restaurants. 	amount of travel to and from schools and grocery stores and	
-It would offer those visiting the area more options of services while visiting the area	rea.	
and that the statements herein contained, the information provided in the attached pl my lour) knowledge. Antha Aui San Paugh	th (we) am (are) the owner(s) of the property identified in this applications and other exhibits are in all respects the and correct to the be (Property Owner) (Property Owner) Mary C. SERRANO Notary Public • STATE of UTAH COMMISSION NO. 680641 COMMISSION NO. 680641 COMMI. EXP. 11-19-2018	st of

er.

Project Narrative (continued...)

How is the change in the public interest?

It would bring much needed Shopping options.

it would bring dining options.

It would bring new business opportunities.

It would increase jobs in the area.

It would increase the local tax base.

It would increase the local economy, in general.

It would help the schools to have additional business and community support.

It would increase options for schools and businesses to host events by offering more services available to them.

It would help to give the community the opportunity to incorporate by giving it a stronger tax base, if it so chooses.

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

There are many more homes in the area and even more proposed.

The growth Is here and we need to be proactive to give the community the proper supports.





Weber County Corporation Weber County 2380 Washington Blvd Ogden UT 84401

Exhi	pit A: Application.	omer Receipt
	Receipt Number	77861

Receipt Date

05/22/18

Received From: Baugh Enterprises LL

		Time:	10:57		
		Clerk:	tbennett		
	Comment		Amount		
general and rezone a			\$1,000.00		
Payment Type	Quantity	Ref	Amount		
CHECK		15550			
AMT TENDERED:	\$1,000.00				
	AMT APPLIED:	\$1,000.00			
	CHANGE:	\$0.00			
		general and rezone a Payment Type Quantity CHECK AMT TENDERED: AMT APPLIED:	Clerk: Comment general and rezone a Ref Payment Type Quantity Ref CHECK 15550 AMT TENDERED: \$1,000.00 AMT APPLIED: \$1,000.00		



Exhibit B: 2003 West Central Weber County General Plan Future Land Use Map. Page 1 of 1

Dedication to County

- Open space is dedicated to the County.
- Ownership and management of open space shifts to County.
- County may develop as public open space, i.e. natural park, developed park, combination natural and developed, equestrian park, etc.
- County may lease or sell open space for agricultural purposes, wildlife management, etc. but not for other development.
- County may retain for sale one development right (one estate property) if over 20 acres in size, with conservation easement.
- Conservation easement is retained by a holding agency (County, conservation organization, etc.)

Commercial Land Use

By the year 2020, the area can support somewhere between 7 and 14 acres (50,000 to 94,000 square feet) of retail commercial, neighborhood services. A commercial node, formed at the intersection of 1200 South and 4700 West, includes mixed-use retail, small offices and community services such as a First Response medical unit. The commercial node may begin to serve as a "community" or "village" center for the area. Residential uses such as condominiums, apartments, or senior living units are not included in the area.

Zoning for this commercial node should be C-1, which excludes most large uses, large box retail concerns, and intense uses such as auto sales; or create a new mixed-use zone designed to support small community center uses.

Policy: Commercial Development

Direct new commercial development to contiguous parcels at the intersection of 1200 South and 4700 West. To accommodate approximately 50,000 to 94,000 square feet of retail space, a maximum of 15 acres of commercial development is permitted.

Implementation Action: As new commercial development is proposed, properties should be rezoned to C-1.

Implementation Action: Rezone the existing C-2 properties to C-1.

Manufacturing Land Use

The existing manufacturing zones in the West Central Weber County amount to just over 20,000 acres, and have the potential to provide additional tax base as new development occurs in the future. The current amount of property zoned for manufacturing (M-1, M-2, and M-3) is adequate and should be maintained and reserved for manufacturing uses.

Policy: Industrial Development

Any new industrial uses should be directed to existing planned and zoned industrial areas. Industrial uses that are non-polluting and which do not harm the environment, the health and safety of residents, or create nuisances for nearby property owners are favored.

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Commercial Land Uses

The private market is likely to pressure the land uses at the intersection of 12th Street (1150 South) and 4700 West to covert to commercial land uses at some point in the future. The community is desirous that the commercial uses do not overwhelm the rural agrarian nature of the area, and desire that they complement the community and serve the area's residents rather than act as a commercial draw for other communities. When the market demands and the community supports, a neighborhood-village node should be allowed at this intersection. The village should include a mix of commercial uses including grocery store, farm store, small offices and other related small community services. Residential uses should not be allowed without the commercial village element being the primary use, and only if the County creates a transferable development right program as specified in the "Conservation Easements" section of p. 5-4, or "Transfer of Development Right (TDR)" section of 5-7 of this general plan.

Zoning for the village should limit large commercial uses, large-box retail, and uses that are heavily dominated by automobile-oriented commercial uses. Uses should maintain a small walkable neighborhood village character that compliments the local rural agrarian community both in use, building scale, and building design.

Policy: Village Development

As new commercial development is proposed at the intersection of 4700 West and 12th Street, employ land use regulations and/or development agreements that enable a mixed-use walkable neighborhood-oriented village of no more than 30 total acres. Equal consideration should be given to all four corners of the intersection, with more acreage being allowed if 15-20% of a site or project area is reserved for a park or other similar community gathering place that is connected to the community by trails or pathways.

Manufacturing Land Use

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Policy: Industrial Development

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EXISTING



PROPOSED



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- Conservation easement is retained by a holding agency (County, conservation organization, etc.)

Commercial Land Use

By the year 2020, the area can support somewhere between 7 and 14 acres (50,000 to 94,000 square feet) of retail commercial, neighborhood services. A commercial node, formed at the intersection of 1200 South and 4700 West, includes mixed-use retail, small offices and community services such as a First Response medical unit. The commercial node may begin to serve as a "community" or "village" center for the area. Residential uses such as condominiums, apartments, or senior living units are not included in the area.

Zoning for this commercial node should be C-1, which excludes most large uses, large box retail concerns, and intense uses such as auto sales; or create a new mixed-use zone designed to support small community center uses.

Policy: Commercial Development

Direct new commercial development to contiguous parcels at the intersection of 1200 South and 4700 West. To accommodate approximately 50,000 to 94,000 square feet of retail space, a maximum of 15 acres of commercial development is permitted.

Implementation Action: As new commercial development is proposed, properties should be rezoned to C-1.

Implementation Action: Rezone the existing C-2 properties to C-1.

Manufacturing Land Use

The existing manufacturing zones in the West Central Weber County amount to just over 20,000 acres, and have the potential to provide additional tax base as new development occurs in the future. The current amount of property zoned for manufacturing (M-1, M-2, and M-3) is adequate and should be maintained and reserved for manufacturing uses.

Policy: Industrial Development

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PROPOSED

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Commercial Land Uses

The private market is likely to pressure the land uses at the intersection of 12th Street (1150 South) and 4700 West to covert to commercial land uses at some point in the future. When the market demands and the community supports, a commercial center of approximately 25 acres should be allowed at this intersection. The commercial center should be an extension of the existing C-2 zone in the area, or similar zoning tool.

Policy: Village Development

As new commercial development is proposed at the intersection of 4700 West and 12th Street, rezone 22-25 acres of land to the C-2 zone, or apply a similar zoning regulations.

Manufacturing Land Use

The existing manufacturing zones in the West Central Weber County amount to just over 20,000 acres, and have the potential to provide additional tax base as new development occurs in the future. The current amount of property zoned for manufacturing (M-1, M-2, and M-3) is adequate and should be maintained and reserved for manufacturing uses.

Policy: Industrial Development

Any new industrial uses should be directed to existing planned and zoned industrial areas. Industrial uses that are non-polluting and which do not harm the environment, the health and safety of residents, or create nuisances for nearby property owners are favored.



