

WESTERN WEBER PLANNING COMMISSION

MEETING AGENDA

August 14, 2018

5:00 p.m.

WS1: Discussion and input on the Western Weber Future public involvement process

Adjourn Work Session to Regular Meeting

- *Pledge of Allegiance*

- *Roll Call:*

1. Consent items

1.1 LVD061218: Consideration and action on a request for final approval of D.M. Hadley Subdivision, consisting of five lots, located at approximately 4300 West 3300 South, Ogden.

1.2 DR 2018-10: Consideration and action on a design review application for a 20,000 square foot parts storage building located at 2100 N Rulon White Blvd, Ogden.

Petitions, Applications, and Public Hearings

2. Administrative items

a. New Business

2.1 LVS120716: Consideration and action on a request for final approval of Sun Crest Meadows Subdivision Phase

3. Legislative items

a. New Business

3.1 ZTA 2018-02: Public hearing to discuss and take comment on a proposal to amend the following section of the Weber County Code: Standards for Detached Single-Family Dwelling (Chapter 108 Title 15) to add standards for single family dwellings with secondary kitchens.

3.2 ZTA 2018-02: Discussion regarding a proposed general plan amendment (GP 2018-02) and proposed rezone (ZMA 2018-02) for land at approximately 650 South, 7900 West. The general plan amendment would change area designated as future "industrial" to future "residential/agricultural." The rezone would change area currently zone M-1 to A-2.

Presenter: Charlie Ewert. Applicant: John Price

- a. Decision regarding File #GP 2018-02, a request to amend the West Central Weber County General Plan.
- b. Decision regarding File #ZMA 2018-02, a request to amend the County's zoning map, rezoning areas designated as the M-1 zone to the A-2 zone.

3.3 GP 2018-02: Discussion regarding a proposed general plan amendment (GP 2018-03) and proposed rezone (ZMA 2018-03) for land at approximately 4441 South 4300 West. The general plan amendment would change area designated as future "residential/agricultural" to future "community village center." The rezone would change area currently zone A-1 to either the C-1 or C-2 zone. Presenter: Charlie Ewert. Applicant: Dan and Tami Baugh

- c. Decision regarding File #GP 2018-03, a request to amend the West Central Weber County General Plan.
- d. Decision regarding File #ZMA 2018-03, a request to amend the County's zoning map, rezoning areas designated as the A-1 zone to the C-1 or C-2 zone.

Public Comment for Items not on the Agenda
Remarks from Planning Commissioners
Planning Director Report
Remarks from Legal Counsel
Adjourn to second Work Session

WS1: Discussion: Modification to the Flag lot access strip, private right-of-way, and access easement standards to amend the *Lot/parcel standards* by adding provisions regulating minimum yard setback requirements.

The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.

Please enter the building through the front door on Washington Blvd. if arriving to the meeting after 5:00 p.m.

A Pre-Meeting will be held at 4:30 p.m. in Commission Chambers Break Out Room. The agenda for the pre-meeting consists of discussion of the same items listed above, on the agenda for the meeting.
No decisions are made in the pre-meeting, but it is an open, public meeting.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791

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

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.
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Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for final approval of D.M. Hadley Subdivision, consisting of five lots, located at approximately 4300 West 3300 South, Ogden.

Type of Decision: Administrative

Agenda Date: Tuesday, August 14, 2018

Applicant: Jeff Hales

File Number: LVD 061218

Property Information

Approximate Address: 4300 West 3300 South

Project Area: 6.4 acres

Zoning: Agricultural (A-2) Zone

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 15-089-0006, 0010, 0020

Township, Range, Section: T6N, R2W, Section 33

Adjacent Land Use

North: Agriculture	South: Residential
East: Agriculture	West: Agricultural

Staff Information

Report Presenter: Steve Burton
sburton@co.weber.ut.us
801-399-8766

Report Reviewer: RG

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 7, Agricultural (A-2 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

Background and Summary

The applicant is requesting final approval of D.M. Hadley Subdivision, consisting of five lots, including road dedication area along 3300 South and 4300 West. Preliminary approval was granted by the Western Weber Planning Commission on July 10, 2018.

Out of the five proposed lots, three have existing homes, leaving two remaining lots for single family dwellings to be built on. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with the LUC.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area.

Zoning: The subject property is located in the Agricultural (A-2) Zone. Single-family dwellings are a permitted use in the A-2 Zone.

Lot area, frontage/width and yard regulations: In the LUC §104-7-6, the A-2 zone requires a minimum lot area of 40,000 square feet for a single family dwelling and a minimum lot width of 150'. Lots 2 through 5 maintain adequate lot width and area. Lot 1 has insufficient lot frontage and area, but is considered a non-conforming lot and is legal. Due to the road dedication area, Lot 1 will lose some area, but is still considered legal, as outlined in LUC §108-12-15(b).

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in LUC §106-1, and the A-2 zone standards in LUC §104-7. The proposed subdivision will not create any new public streets.

Culinary water and sanitary sewage disposal: Feasibility letters have been provided for the culinary water and the sanitary sewer for the proposed subdivision. The culinary water for the proposed subdivision will be provided by Taylor West Weber Water Improvement District. The sanitary sewage disposal will be an individual waste water treatment system. The development will not require the need for a state construction permit because the new lots will be served by the existing main lines.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division, Engineering Division, and Surveyor's Office along with the Weber Fire District. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Additional Design Standards: The LUC §106-4-2(f) requires sidewalk to be installed in developments that are within walking distance as established by a school district. This development is within 1 mile of a school, which is within walking distance. As such, sidewalk or an approved walking path will be required as part of the improvements. The improvement plans show a sidewalk/pathway along the lot frontages. A deferral agreement will be required for curb and gutter.

Tax Clearance: There are no outstanding tax payments related to these parcels. The 2018 property taxes are not considered due at this time but will become due in full on November 30, 2018.

Staff Recommendations

Staff recommends final approval of D.M. Hadley Subdivision, a five lot subdivision located at approximately 4300 West 3300 South. This recommendation is subject to all review agency requirements and the following conditions:

1. Sidewalk, or a walking path, is required to be installed and escrowed for, along with the other required improvements, prior to the recording of the final mylar, as outline in LUC §106-4-3.
2. A deferral for curb and gutter is required to be signed by the applicants prior to the recording of the final mylar.

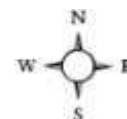
The recommendation is based on the following findings:

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

Exhibits

A. Subdivision plat

Area Map



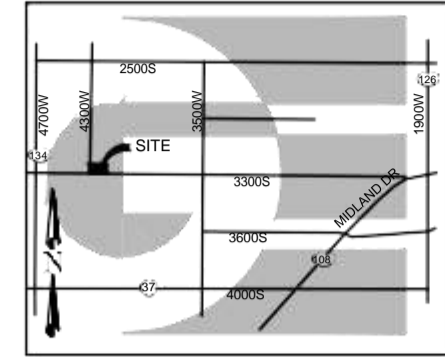
D.M. HADLEY SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 33,
TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,
WEBER COUNTY, UTAH
MAY 2018

BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION; RUNNING THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER NORTH 1°22'05" EAST 392.23 FEET TO THE PROJECTION OF AN EXISTING FENCE LINE; THENCE ALONG SAID PROJECTED FENCE LINE AND FENCE LINE SOUTH 89°37'43" EAST 706.35 FEET TO THE WEST TOP LINE OF THE OLD HOOPER CANAL; THENCE ALONG SAID LINE SOUTH 0°44'53" EAST 396.76 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG SAID LINE NORTH 89°16'10" WEST 720.93 FEET TO THE POINT OF BEGINNING. CONTAINING 281.475 SF, OR 6.46 AC, MORE OR LESS.

VICINITY MAP NOT TO SCALE



LEGEND

- ◆ WEBER COUNTY MONUMENT AS NOTED
- SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- LOT LINE
- - - ADJACENT PARCEL
- - - SECTION LINE
- - - PUBLIC UTILITY EASEMENT (PUE)
- - - EXISTING FENCE LINE
- - - ORIGINAL PROPERTY LINE
- - - EXISTING WATER LINE
- - - EXISTING IRRIGATION LINE
- - - EXISTING STORM DRAIN
- - - EXISTING OVERHEAD POWER
- - - EXISTING GAS LINE
- - - EXISTING FIBER OPTIC LINE
- - - EXISTING ASPHALT
- - - EXISTING CONCRETE
- EXISTING WATER METER
- EXISTING FIRE HYDRANT
- EXISTING IRRIGATION VALVE
- EXISTING IRRIGATION MANHOLE
- EXISTING POWER POLE
- EXISTING TELEPHONE PEDESTAL

NOTES

- ZONE A-2 CURRENT YARD SETBACKS: FRONT-30' // SIDE-10' WITH TOTAL OF TWO NOT LESS THAN 24' // REAR-30'
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER FEMA MAP NO. 49057C0425E WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005.

AGRICULTURAL NOTE:
AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURE ZONES. AGRICULTURE OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO ALLOWED AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION ON THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

WEBER MORGAN HEALTH DEPARTMENT
EVALUATION DATE: MAY 1, 2018. THE EXPLORATION PIT (S) IS LOCATED AT THE REFERENCED GPS COORDINATE AND DATUM. THE SOIL TEXTURE AND STRUCTURE, AS CLASSIFIED USING THE USDA SYSTEM, ARE AS FOLLOWS:

EXPLORATION PIT #1 LOT 2 (UTM ZONE 12T, NAD 83, 0409196E 4562210N)
0-5" GRAVELLY FINE SANDY LOAM (NEAR LOAMY FINE SAND), GRANULAR STRUCTURE
5-71" FINE SANDY LOAM, (NEAR LOAMY FINE SAND) MASSIVE STRUCTURE
GROUND WATER AT 71 INCHES

EXPLORATION PIT #2 LOT 4 (UTM ZONE 12T, NAD 83, 0409286E 4562158N)
0-8" GRAVELLY FINE SANDY LOAM (NEAR LOAMY FINE SAND), GRANULAR STRUCTURE
8-69" FINE SANDY LOAM, (NEAR LOAMY FINE SAND) MASSIVE STRUCTURE
GROUND WATER AT 69 INCHES

ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS.

AGREED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS.

I DO HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITION FOR THIS SUBDIVISION HAVE BEEN INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS.

THE PURPOSE OF THIS SURVEY WAS TO CREATE A FIVE LOT SUBDIVISION OF PARCEL NO. 150890010, 150890006 AND 150890020 AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY JEFF HALES. THE CONTROL USED TO ESTABLISH THE BOUNDARY IS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 89°16'10" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE WEST AND SOUTH BOUNDARY LINES WERE DETERMINED BY MONUMENTED SECTION LINES. THE EAST BOUNDARY LINE WAS DETERMINED BY AN EXISTING FENCE LINE BEGIN ON THE WEST BANK OF THE HOOPER CANAL AS CALLED FOR IN DEED AND FURTHER EVIDENCE IN RECORD OF SURVEY NUMBER 5237. VESTING DEED OF PARCEL 15-089-0020 RECORDED AS ENTRY 971754, PARCEL 15-089-0006 RECORDED AS ENTRY 1881569, PARCEL 15-089-0010 RECORDED AS ENTRY 1881568, DEEDS OF ADJOINING LAND OWNERS, RECORDED SURVEYS AND DEDICATED SUBDIVISION PLATS WITHIN AND SURROUNDING SAID SECTION 33 WERE USED TO DETERMINE THE SUBDIVISION BOUNDARY.

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS D.M. HADLEY SUBDIVISION IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS _____ DAY OF _____, 2018.



KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

D.M. HADLEY SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO WEBER COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY WEBER COUNTY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____, 2018.

HADLEY FAMILY TRUST AGREEMENT, DATED OCTOBER 14, 2002

BY: NELDA H. HADLEY, TRUSTEE

KELLY K. HADLEY AND CAROL HADLEY

BY: KELLY K. HADLEY

BY: CAROL HADLEY

ACKNOWLEDGEMENT

STATE OF UTAH)

COUNTY OF WEBER)

On this _____ day of _____, 2018, personally appeared before me NELDA H. HADLEY, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that they are the TRUSTEES OF THE HADLEY FAMILY TRUST AGREEMENT, DATED OCTOBER 14, 2002, and that said document was signed by them in behalf of said "Trust, and said NELDA H. HADLEY acknowledged to me that said "Trust executed the same.

STAMP _____ NOTARY PUBLIC _____

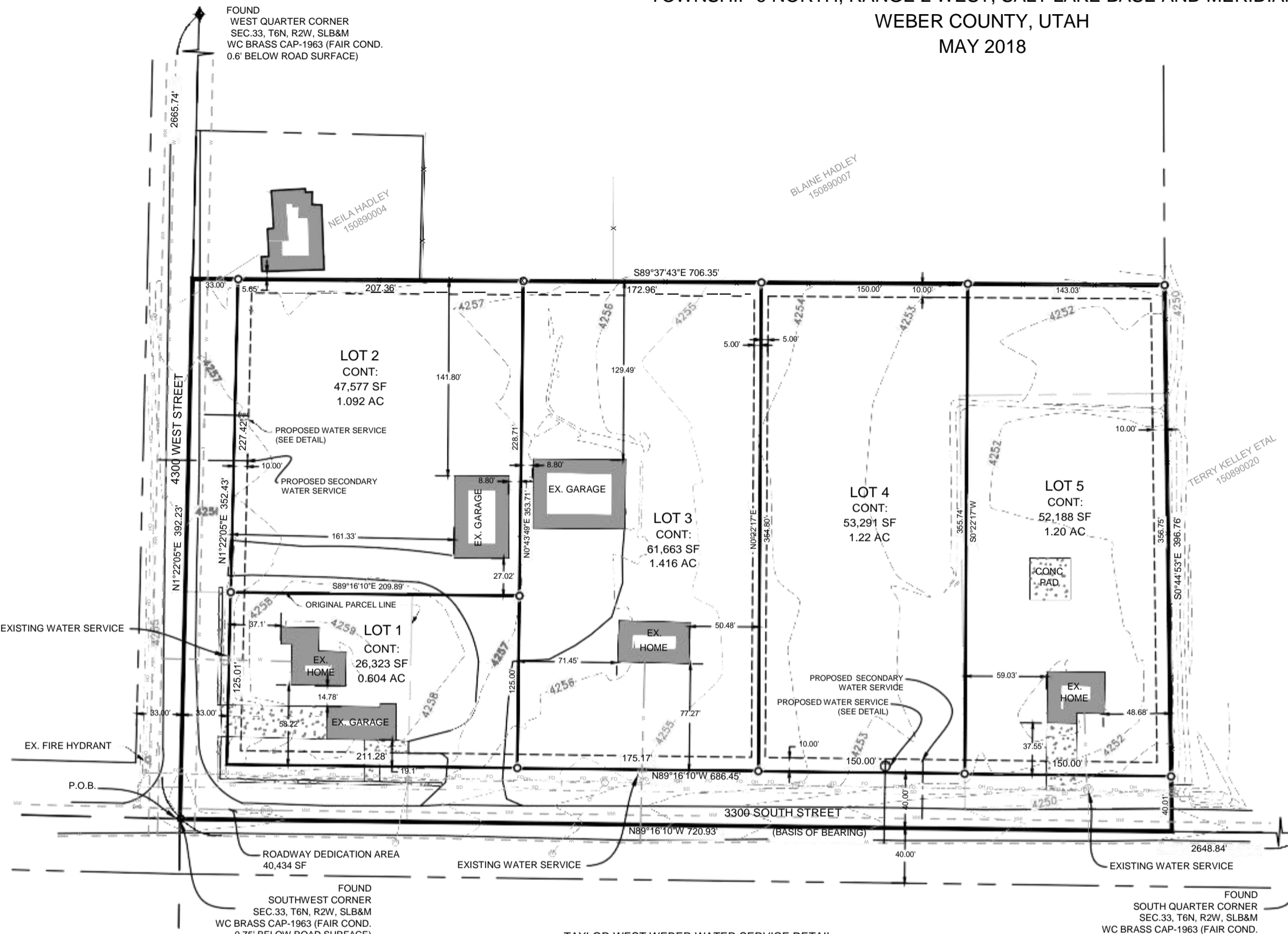
ACKNOWLEDGEMENT

STATE OF UTAH)

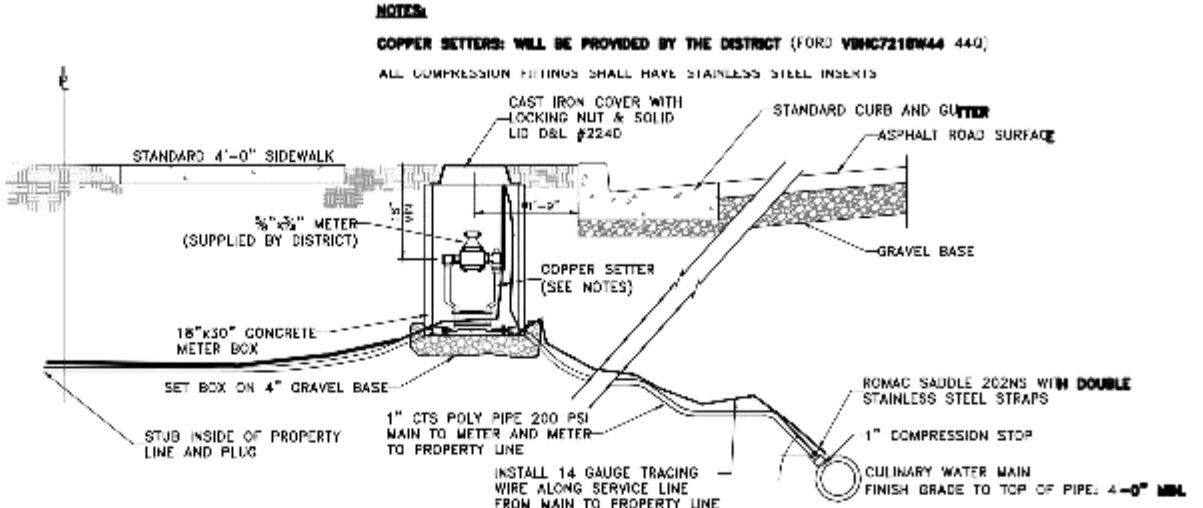
COUNTY OF WEBER)

On this _____ day of _____, 2018, before me _____, A Notary Public, personally appeared KELLY K. HADLEY AND CAROL HADLEY, Proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

STAMP _____ NOTARY PUBLIC _____



TAYLOR WEST WEBER WATER SERVICE DETAIL



NOTES:
COPPER SETTERS WILL BE PROVIDED BY THE DISTRICT (FORM VMC7218W444);
ALL COMPRESSION FITTINGS SHALL HAVE STAINLESS STEEL INSERTS

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.

SIGNED THIS _____ DAY OF _____, 2018.

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS _____ DAY OF _____, 2018.

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

SIGNED THIS _____ DAY OF _____, 2018.

WEBER COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.

SIGNED THIS _____ DAY OF _____, 2018.

CHAIRMAN, WEBER COUNTY COMMISSION

WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2018.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER - MORGAN HEALTH DEPARTMENT

I DO HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITION FOR THIS SUBDIVISION HAVE BEEN INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS.

SIGNED THIS _____ DAY OF _____, 2018.

DIRECTOR WEBER-MORGAN HEALTH DEPARTMENT

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A FIVE LOT SUBDIVISION OF PARCEL NO. 150890010, 150890006 AND 150890020 AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY JEFF HALES. THE CONTROL USED TO ESTABLISH THE BOUNDARY IS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 89°16'10" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE WEST AND SOUTH BOUNDARY LINES WERE DETERMINED BY MONUMENTED SECTION LINES. THE EAST BOUNDARY LINE WAS DETERMINED BY AN EXISTING FENCE LINE BEGIN ON THE WEST BANK OF THE HOOPER CANAL AS CALLED FOR IN DEED AND FURTHER EVIDENCE IN RECORD OF SURVEY NUMBER 5237. VESTING DEED OF PARCEL 15-089-0020 RECORDED AS ENTRY 971754, PARCEL 15-089-0006 RECORDED AS ENTRY 1881569, PARCEL 15-089-0010 RECORDED AS ENTRY 1881568, DEEDS OF ADJOINING LAND OWNERS, RECORDED SURVEYS AND DEDICATED SUBDIVISION PLATS WITHIN AND SURROUNDING SAID SECTION 33 WERE USED TO DETERMINE THE SUBDIVISION BOUNDARY.

DEVELOPER: JEFF HALES 5355 W 2150 N PLAIN CITY UT 84404 801-540-9947	S1 1	COUNTY RECORDER ENTRY NO. _____ FEE PAID _____ FILED FOR AND RECORDED _____ AT _____ IN BOOK _____ OF OFFICIAL _____ RECORDS, PAGE _____ RECORDED _____ FOR _____ COUNTY RECORDER _____ BY: _____
GARDNER ENGINEERING CIVIL • LAND PLANNING MUNICIPAL • LAND SURVEYING 5150 SOUTH 375 EAST OGDEN, UT OFFICE: 801.476.0202 FAX: 801.476.0000		

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Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a design review application for a 20,000 square foot parts storage building located at 2100 N Rulon White Blvd, Ogden.
Agenda Date:	Tuesday, August 14, 2018
Applicant:	Eric Shields
Agent:	Kenton Wall
Type of Decision:	Administrative
File Number:	DR 2018-10

Property Information

Approximate Address:	2100 N Rulon White Blvd, Ogden
Project Area:	133 acres
Zoning:	M-1
Existing Land Use:	Manufacturing
Proposed Land Use:	Manufacturing
Parcel ID:	19-041-0076
Township, Range, Section:	7N 2W 36 7N 1W 31 6N 2W 01 6N 1W 06

Adjacent Land Use

North:	Manufacturing	South:	Harrisville City
East:	Pleasant View City/ Harrisville City	West:	Manufacturing

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RK

Applicable Ordinances

- Title 104 (Zones) Chapter 22 Manufacturing (M-1)
- Title 108 (Standards) Chapter 1 (Design Review)
- Title 108 (Standards) Chapter 8 (Parking and Loading Space, Vehicle Traffic and Access Regulations)

Background and Summary

The applicant is seeking approval of a design review application for a 20,000 square foot parts storage building for the onsite Kimberly Clark building, located at 2100 N Rulon White Blvd, Ogden. Due to the size of the building and project area, the application requires Planning Commission approval, as outlined in the Weber County Land Use Code (LUC) Section 108-1-2. The proposed addition is in compliance with the applicable sections of the LUC.

Analysis

General Plan: The proposed use conforms to the Western Weber General Plan by increasing light industrial/ manufacturing uses in the existing industrial areas of the Western Weber planning area. (West Central Weber County General Plan, 2003, Page 2-1).

Zoning: Warehouses are a permitted use in the Manufacturing M-1.Zone. The parcel is approximately 133.48 acres, meeting the minimum lot size requirements outlined in LUC §104-22-4. The proposed structure meets the zoning setbacks as described in LUC 104-22-4. The building height of the proposed addition is approximately 27 feet and the zoning maximum height is none.

Design Review: The proposed manufacturing use mandates a design review as outlined in LUC §108-1 to ensure that the general design, layout and appearance of buildings remains orderly and harmonious with the surrounding neighborhood. As part of this review, staff has considered the applicable matters based on the proposed use and imposed conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

- *Considerations relating to traffic safety and traffic congestion.* The proposal does not include any new hard surface parking, as no new employees will be needed. A loading and unloading area is shown on the plans and meets the requirements of §108-8-8. Traffic congestion and safety concerns are not anticipated given the distance from the county road (Rulon White Blvd) which is approximately 500 feet.
- *Considerations relating to outdoor advertising.* The proposed storage building will not have any outdoor advertising.
- *Considerations relating to landscaping.* The site currently maintains the ten percent landscaping requirement with turf grass and deciduous trees.
- *Considerations relating to buildings and site layout.* The proposed addition will consist of similar colors and materials as the main building. The structure will maintain the existing manufacturing neighborhood feeling and concept.
- *Considerations relating to utility easements, drainage, and other engineering questions.* The applicant is not proposing any parking within the public utility easements on the lot. The applicant will need to adhere to all conditions of the Engineering Division.

Staff Recommendation

Staff recommends approval of the design review application for a 20,000 square foot parts storage building, located at approximately 2100 N Rulon White Blvd, Ogden. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. Prior to starting construction, the design review must be approved and a land use permit must be issued.

This recommendation is based on the following findings:

1. The proposed use conforms to the Western Weber General Plan.
2. The proposed use, if conditions are imposed, will not be detrimental to the public health, safety, or welfare.
3. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
4. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

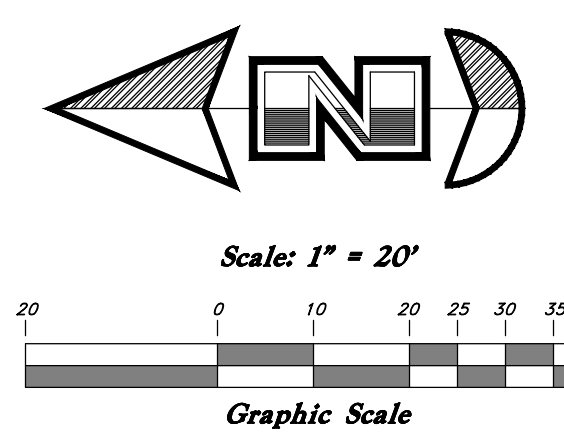
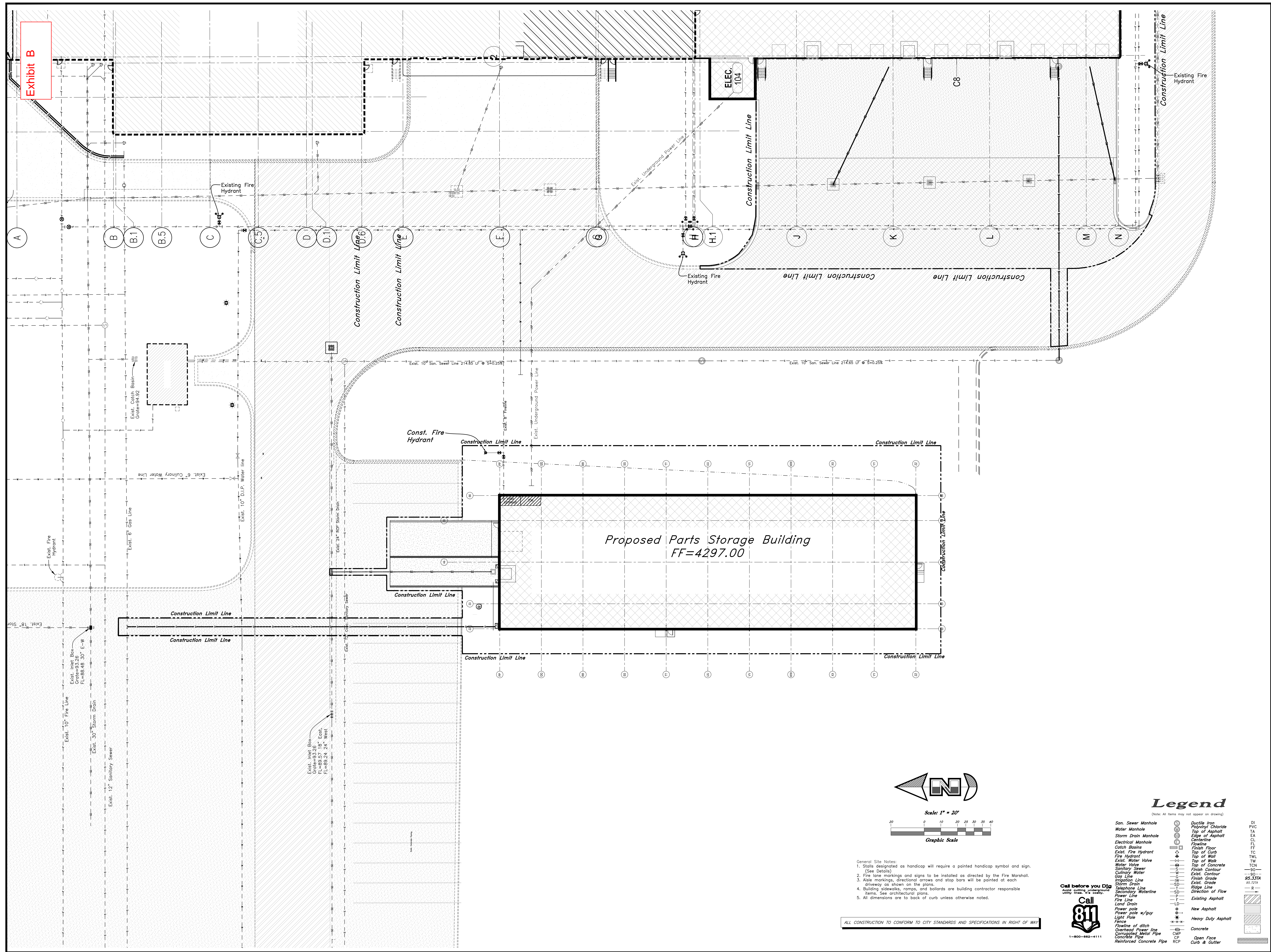
Exhibits

- A. Design Review Application
- B. Site Plan
- C. Building Elevation

Area Map 1



Weber County Design Review Application			
Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd Suite 240, Ogden, UT 84401			
Date Submitted / Completed 7-3-2018	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Property Owner Contact Information			
Name of Property Owner(s) Kimberly Clark contact Eric Schields		Mailing Address of Property Owner(s) 2010 Rulon White Blvd Ogden, Utah 84404	
Phone 801-786-2245	Fax		
Email Address eschield@kcc.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) Kenton Wall (Big-D Construction Corp)		Mailing Address of Authorized Person 5768 S 1475 W Ogden, Utah 84403	
Phone 801-430-0479	Fax		
Email Address kwall@big-d.com		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Information			
Project Name Kimberly Clark Warehouse Addition		Current Zoning	Total Acreage
Approximate Address 2010 N Rulon White Blvd Weber Industrial Park		Land Serial Number(s)	
Proposed Use Parts Storage Shed			
Project Narrative 20,000 Sq Ft Pre-Engineered Metal Storage building			



- General Site Notes:
1. Stalls designated as handicap will require a pointed handicap symbol and sign. (See Details).
 2. Fire lane markings and signs to be installed as directed by the Fire Marshal.
 3. Aisle markings, directional arrows and stop bars will be painted at each driveway as shown on the plans.
 4. Building sidewalks, ramps, and bollards are building contractor responsible items. See architectural plans.
 5. All dimensions are to back of curb unless otherwise noted.



Legend

San. Sewer Manhole	⊙	Ductile Iron	DI
Water Manhole	⊙	Polyvinyl Chloride	PVC
Storm Drain Manhole	⊙	Top of Asphalt	TA
Electrical Manhole	⊙	Edge of Asphalt	EA
Centerline	—	Centerline	CL
Catch Basins	⊙	Flowline	FL
Finish Floor	—	Top of Curb	TC
Existing Fire Hydrant	⊙	Top of Wall	TW
Fire Hydrant	⊙	Top of Concrete	TCN
Existing Water Valve	⊙	Finish Contour	FC
Water Valve	⊙	Top of Walk	TW
Sanitary Sewer	—	Top of Concrete	TCN
Culinary Water	—	Finish Contour	FC
Gas Line	—	Existing Contour	EC
Irrigation Line	—	Top of Grade	TOG
Storm Drain	—	Existing Grade	EG
Langhorne Line	—	Ridge Line	RL
Secondary Waterline	—	Direction of Flow	DF
Power Line	—	Existing Asphalt	EA
Fire Line	—	New Asphalt	NA
Land Drain	—	Heavy Duty Asphalt	HDA
Power pole	⊙	Concrete	C
Power pole w/guy	⊙	Reinforced Concrete	RC
Light Pole	⊙	Open Face	OF
Fence	—	Curb & Gutter	CG
Flowline of ditch	—		
Overhead Power line	—		
Corrugated Metal Pipe	—		
Concrete Pipe	—		
Reinforced Concrete Pipe	—		

Overall Utility Plan

Kimberly-Clark Parts Storage Building

2010 Rulon White Boulevard

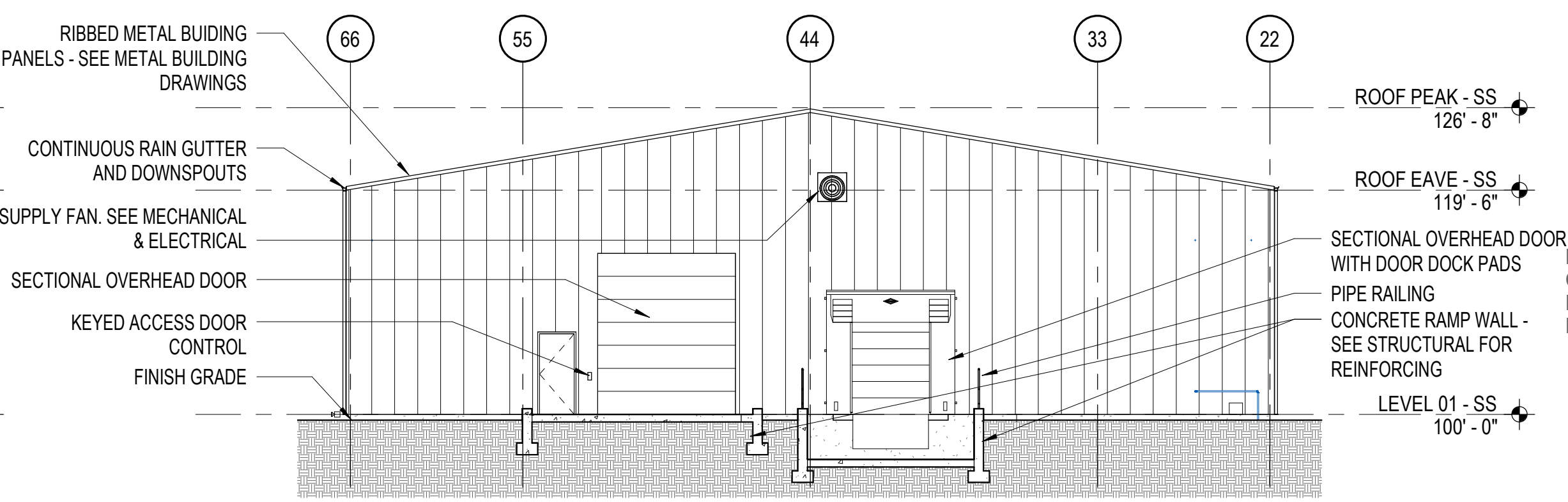
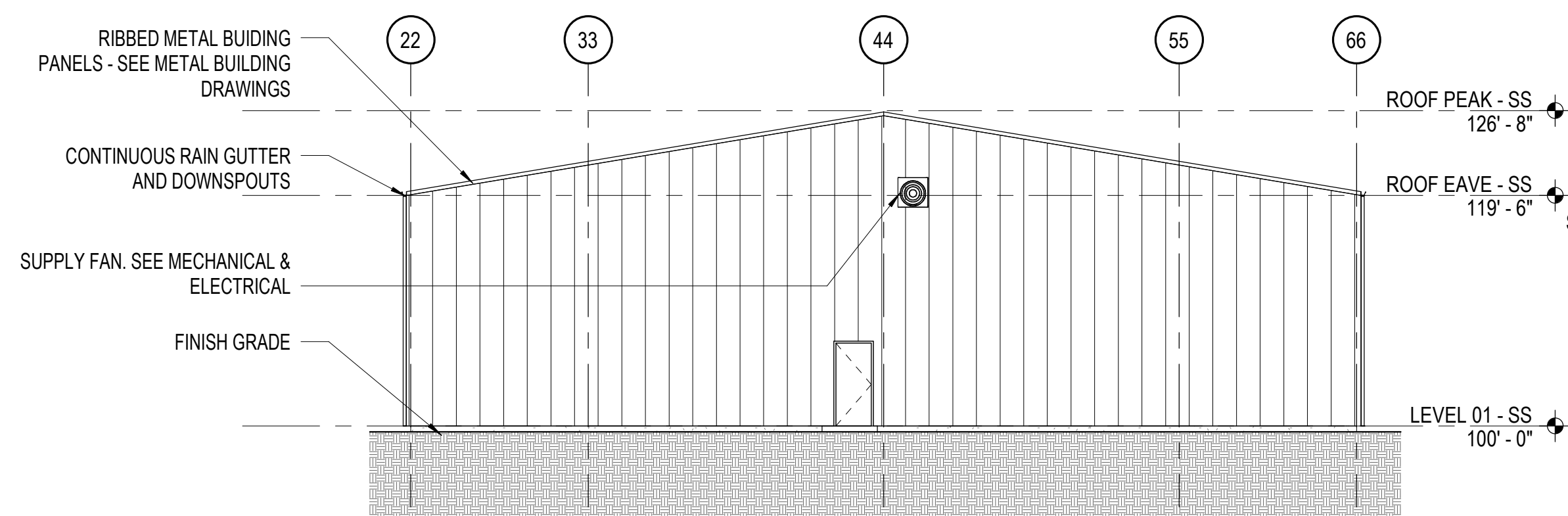
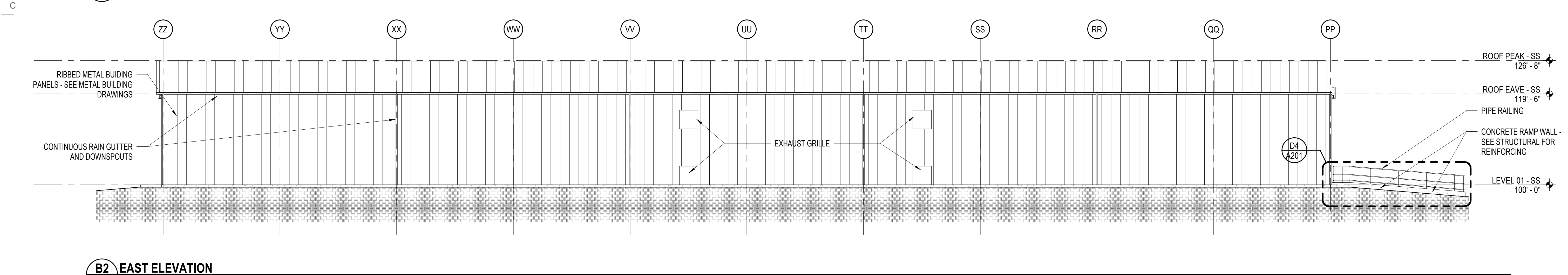
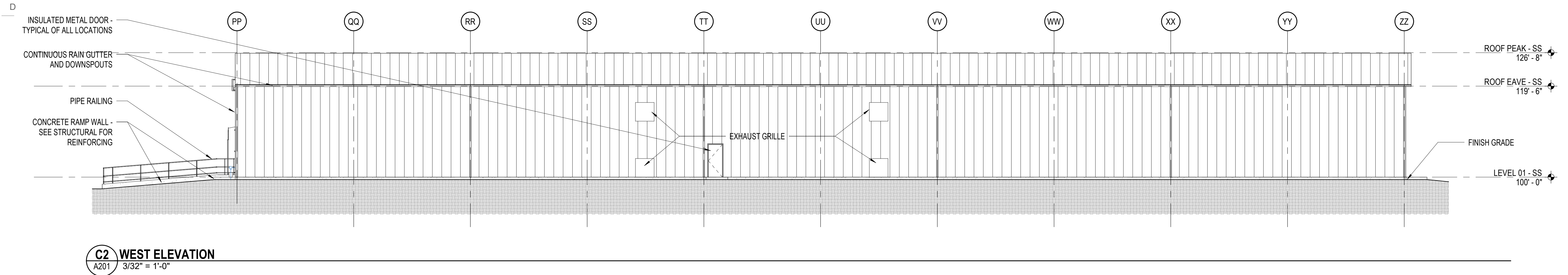
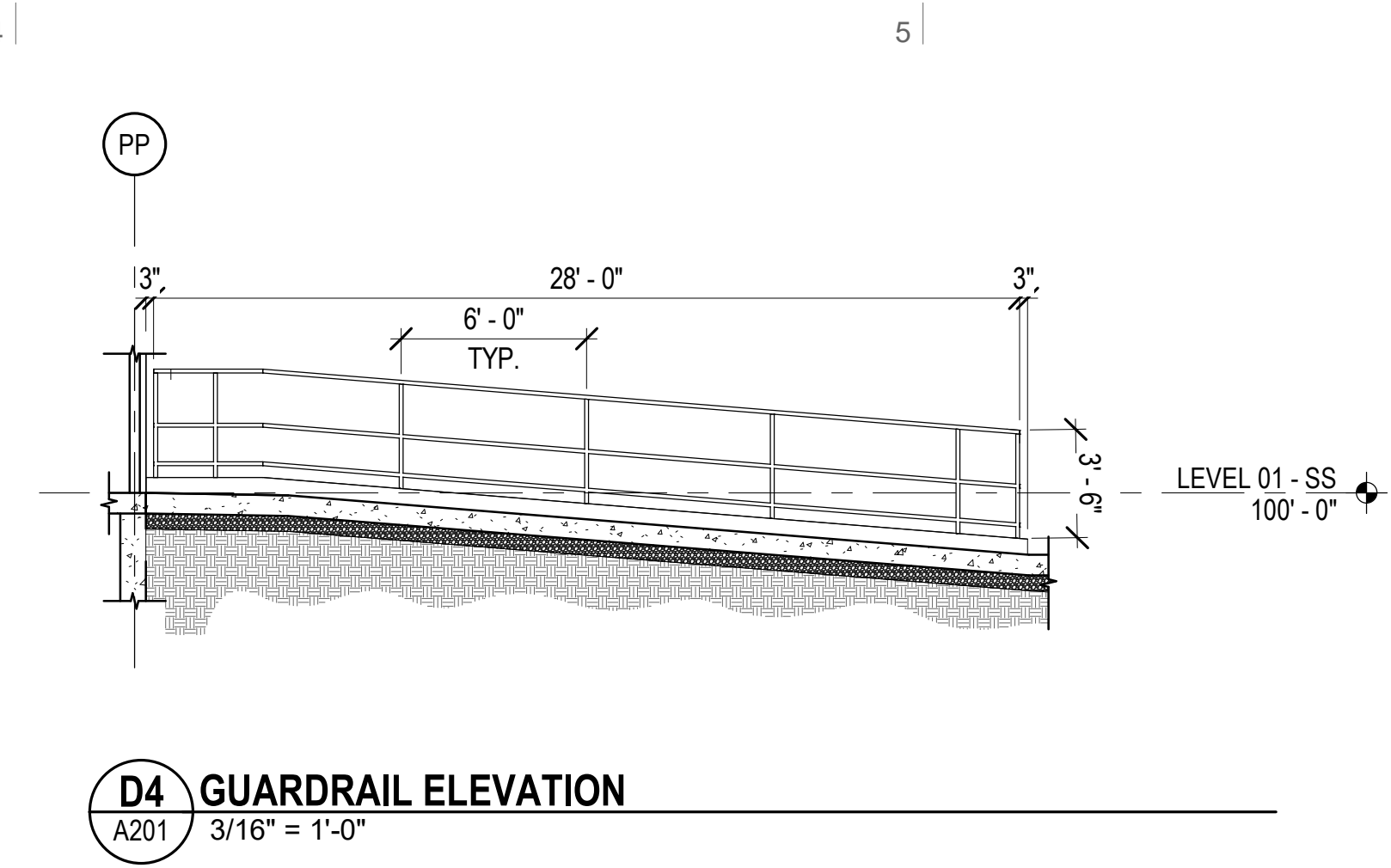
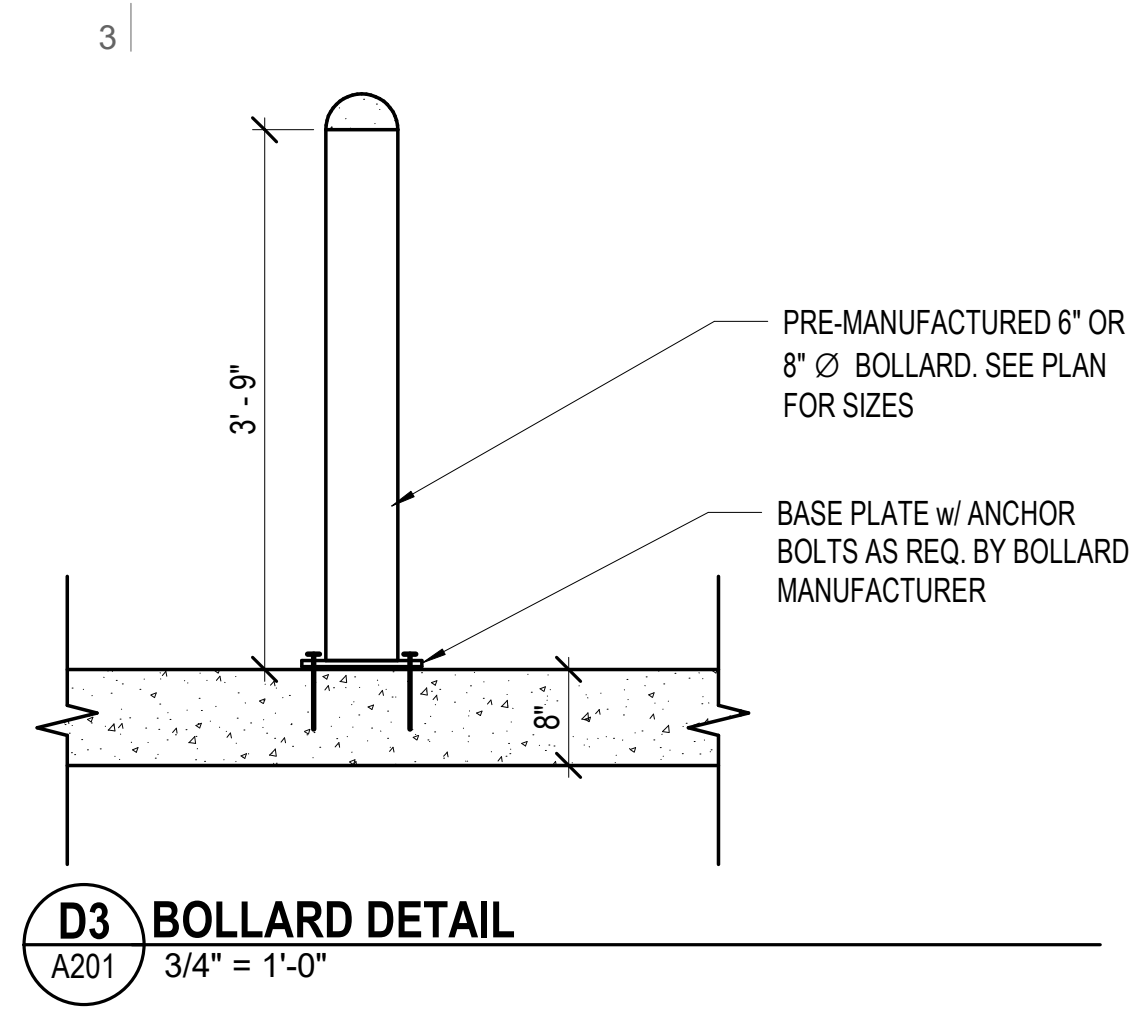
GREAT BASIN ENGINEERING

1475 EAST DUBEN UTILITY CENTER
 8500-4515 S. C. 160TH AVE. #200
 W.W. GREAT BASIN ENGINEERING, C.O.M.

26 June, 2018

SHEET NO. **C100**

181103



KIMBERLY-CLARK PARTS STORAGE SHED
2010 RULON WHITE BOULEVARD, OGDEN UT 84404



Date Revision

REVIEW SET

NEXUS PROJECT #: 18059
CHECKED BY:
DRAWN BY:
DATE: 6/27/2018

BUILDING ELEVATIONS



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for final approval of Sun Crest Meadows Subdivision Phase 1.
Type of Decision:	Administrative
Agenda Date:	Tuesday, August 14, 2018
Applicant:	Stan Nielsen and Dee Wight
Authorized Representative:	Carson Jones
File Number:	LVS120716

Property Information

Approximate Address:	2550 S 4700 W, Taylor, UT
Project Area:	Approximately 52 acres
Zoning:	A-1, A-2
Existing Land Use:	Agricultural
Proposed Land Use:	Residential
Parcel ID:	15-086-0018
Township, Range, Section:	Township 6 North, Range 2 West, Section 32

Adjacent Land Use

North:	2550 S	South:	Agricultural
East:	Residential	West:	Residential/Agricultural

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RG

Applicable Ordinances

- Title 104, Zones, Chapter 5, Agricultural (A-1) Zone
- Title 104, Zones, Chapter 7, Agricultural (A-2) Zone
- Title 106, Subdivisions

Background

The applicants are requesting final approval of Sun Crest Meadows Subdivision Phase 1, consisting of 11 lots. Preliminary approval of the entire phasing plan of the subdivision, consisting of 47 lots, was granted by the Planning Commission on February 21, 2017. As part of the subdivision review process, the proposal has been reviewed against the subdivision ordinance and the standards in the A-1 and A-2 zones. With the recommended conditions, the proposal complies with the applicable standards.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area.

Zoning: The subject property is located in both the Agriculture (A-1) and (A-2) Zones.

The purpose of the Agricultural (A-1) zone is identified in the LUC §104-5-1 as:

The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.

The purpose of the Agricultural (A-2) zone is identified in the LUC §104-7-1 as:

The purpose of the A-2 Zone is to designate farming areas where agricultural pursuits and the rural environment should be promoted and preserved.

Lot area, frontage/width and yard regulations: Both the A-1 and A-2 zones require a minimum lot area of 40,000 square feet and a minimum lot width of 150 feet for a single family dwelling. Minimum yard set-backs for a single family dwelling in both zones are 30 feet on the front and rear, and a side yard of 10 feet with a total width of two side yards not less than 24 feet. The proposed lot sizes within this subdivision are 40,000 square feet and the lot widths range from 150 to 216 feet in length, conforming to the site development standards of both the A-1 and A-2 zones.

Culinary water and sanitary sewage disposal: Will Serve letters have been provided by the Taylor West Weber Water Improvement District and the Central Weber Sewer Improvement District regarding culinary water and sanitary sewer disposal. Hooper Irrigation Company has also provided a Will Serve letter regarding secondary water. The applicant has provided a plan submittal waiver from the State Division of Drinking Water regarding the construction of water lines.

Additional design standards and requirements: A guarantee of Improvements will be required as outlined in LUC § 106-4-3. As part of the conditions of preliminary approval, the applicant is required to install curb, gutter, and sidewalk along both sides of the existing and proposed streets.

Due to previous concerns of existing agricultural buildings on the site, the Planning Commission required the following condition of preliminary approval:

All land use and building code requirements being satisfied and the project cannot bring any other properties out of compliance and any buildings currently not meeting building code are required to be demolished.

The agricultural buildings that existed within the boundaries of phase 1 have been demolished.

Review Agencies: To date, the proposed subdivision has been reviewed by the Engineering Division, Surveyor's Office, and the Fire District. A condition of approval has been added to ensure that all conditions of the Review Agencies will be addressed prior to the recording of the final mylar.

Tax clearance: There are no outstanding tax payments currently related to these parcels.

Staff Recommendation

Staff recommends final approval of the Sun Crest Meadows Phase 1, consisting of 11 lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A guarantee of Improvements will be required as outlined in LUC § 106-4-3.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.

Exhibits

- A. Final plat

Area Map



un Crest do , bdivision P se 1

Weber County, Utah
A Part of the Northwest Quarter of Section 32,
Township 6 North, Range 2 West, Salt Lake Base & Meridian

SURVEYOR'S CERT/FICA TE

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in Accordance with Title 58, Chapter 22, Surveyor and Land Surveyors Act; and I have completed a Survey of the property described on this plat in accordance with Section 17-23-17 and have verified all measurements, and have placed monuments as represented on this plat, and have hereby subdivided said tract into eleven (11) lots, known hereafter as Sun Crest Meadows Subdivision in Weber County, Utah and has been correctly drawn to the designated scale and is true and correct representation of the herein described lands included in said Subdivision, based upon data compiled from records in the Weber County Recorder's Office and from said survey, made by me or under my supervision on the ground. I further hereby certify that the requirements of all applicable statutes and ordinances of Weber County Concerning Zoning Requirements regarding lot measurements have been complied with.

Signed this _____ day of _____ 2018.

K. Greg Hansen P.I.S.
Utah Land Surveyor Licence No. 167819



BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 6 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF 2550 SOUTH STREET LOCATED 807.96 FEET NORTH 89° 06' 33" WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER AND 23.55 FEET SOUTH 00° 34' 18" WEST FROM THE NORTHEAST CORNER OF SAID SECTION NORTHWEST QUARTER;

RUNNING THENCE SOUTH 00° 34' 18" WEST 279.45 FEET ALONG THE WEST BOUNDARY LINE OF NIELSEN ACRES SUBDIVISION FILED AS ENTRY NO. 1637888 IN THE FILES OF THE WEBER COUNTY RECORDER TO THE SOUTHWEST CORNER OF SAID NIELSEN ACRES SUBDIVISION; THENCE SOUTH 89° 06' 33" EAST 233.82 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID NIELSEN ACRES SUBDIVISION; THENCE SOUTH 00° 41' 00" WEST 232.19 FEET; THENCE NORTH 89° 15' 50" WEST 6.92 FEET; THENCE TO THE LEFT ALONG THE ARC OF A 220.00 FOOT RADIUS CURVE, A DISTANCE OF 72.65 FEET, CHORD BEARS SOUTH 81° 16' 19" WEST 72.32 FEET, HAVING A CENTRAL ANGLE OF 18° 55' 11"; THENCE SOUTH 00° 43' 54" WEST 246.66 FEET; THENCE NORTH 89° 19' 00" WEST 406.46 FEET; THENCE NORTH 84° 30' 36" WEST 61.51 FEET; THENCE NORTH 89° 19' 00" WEST 267.01 FEET; THENCE NORTH 09° 58' 17" EAST 149.66 FEET; THENCE NORTH 00° 41' 00" EAST 615.75 FEET TO SAID EXISTING SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89° 33' 42" EAST 554.73 FEET ALONG SAID EXISTING SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

CONTAINING 11.987 ACRES.

OWNER'S DEDICATION AND CERTIFICATION

Know all men by these presents that we, the undersigned Owners of the above described tract of land having caused the same to be subdivided into lots and streets, as shown on this plat and name said tract Sun Crest Meadows Subdivision Phase 1 and hereby dedicate, grant and convey, in perpetuity, pursuant to the provisions of 17-27a-807, Utah code, without condition, restriction or reservation to Weber County, Utah, all those parts or portions of said tract of land designated as streets the same to be used as public thoroughfares forever, and also dedicate to Weber County those certain strips as easements for public utility and drainage purposes as shown hereon. The same to be used for the installation, maintenance and operation of public utility service lines and drainage as may be authorized by the Governing Authority in witness whereunto, set our signature this _____ day of _____ 2018.

Reed D. Wight Trustee Velda H. Wight Trustee
of the Wight Family Revocable Trust

Michael Nielsen Joint Tenant Natasha M. Nielsen Joint Tenant
of the Michael and Natasha Nielsen Family Trust

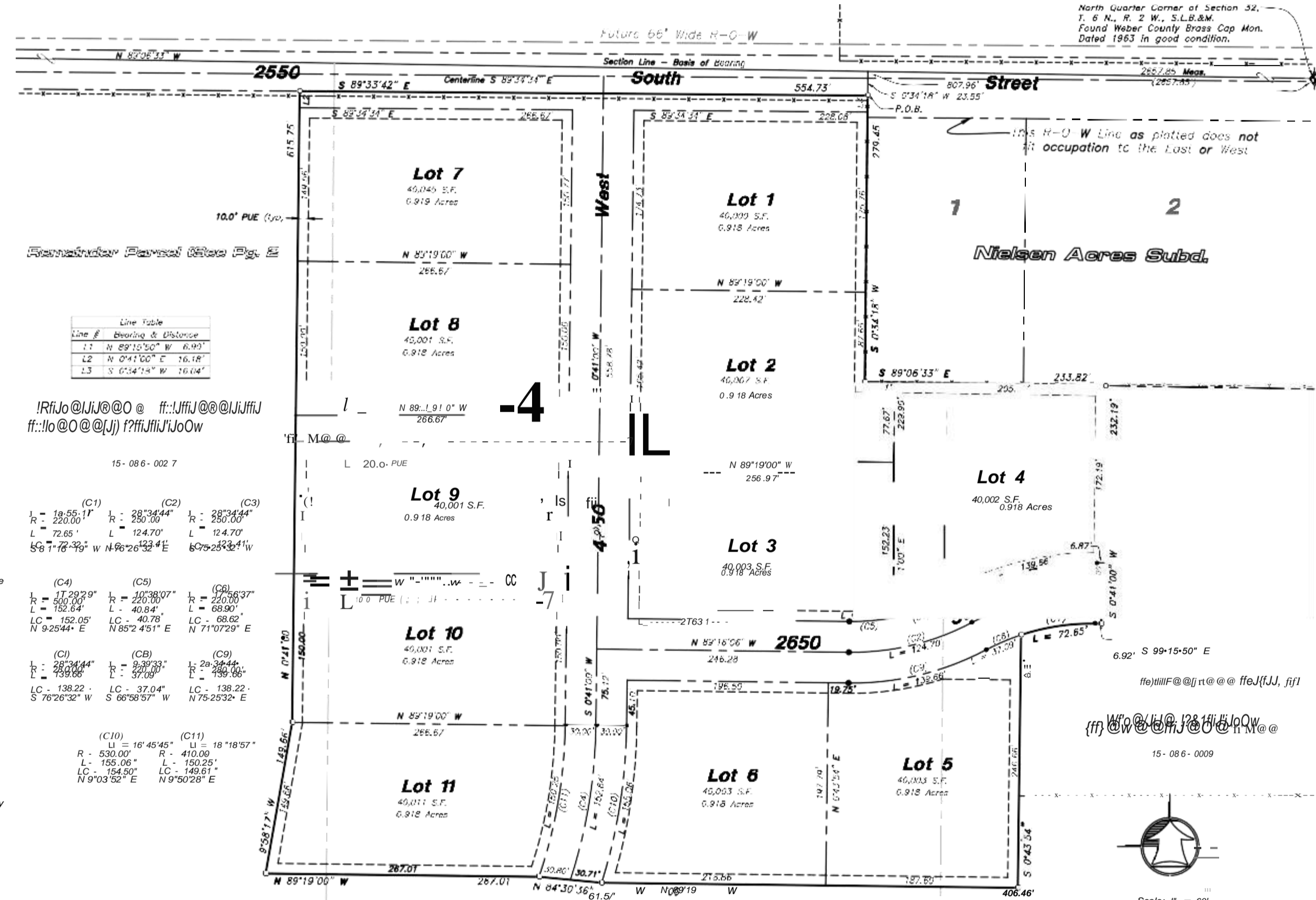
TRUST ACKNOWLEDGMENT

State of Utah
County of Weber
On this _____ day of _____ 20__.
I, _____, personally appeared before me, the undersigned notary public in and for said county, in the state of Utah, the signers of the attached owners dedication, two in numbers, who duly acknowledged to me they signed if freely and voluntarily and for the purpose therein mentioned on behalf of said trust.

TRUST ACKNOWLEDGMENT

State of Utah
County of Weber
On this _____ day of _____ 20__.
I, _____, personally appeared before me, the undersigned notary public in and for said county, in the state of Utah, the signers of the attached owners dedication, two in numbers, who duly acknowledged to me they signed if freely and voluntarily and for the purpose therein mentioned on behalf of said trust.

Northwest Corner of Section 32,
T. 6 N., R. 2 W., S.L.B.&M.
Found Weber County Brass Cap Mon.
Dated 2003 in good condition.



- LEGEND**
- Subject Property Line
- Interior Lot Lines
- Adjoining Property Line
- Previous Property Line
- Centerline
- Public Utility Easement (PUE) Line
- Field Separation Line
- Fence Line (Wire)
- Fence Line (wood or Vinyl)
- Street Monument
- Found rebar set by others
- Section Corner

Line Table

Line #	Bearing & Distance
1.1	N 89°15'50" W 6.91'
1.2	N 0°41'00" E 16.18'
1.3	S 0°34'18" W 16.04'

!RfiJo@JiJ@O@ @ ff::Jffij@O@JiJffij
ff::!lo@O@@JiJ) f?ffijJiJiJoOw

- (C1) R = 18.55, L = 72.65, LC = 152.05, N 9.2544° E
- (C2) R = 28.34, L = 124.70, LC = 40.78, N 85.2451° E
- (C3) R = 28.34, L = 124.70, LC = 68.90, N 71.0729° E
- (C4) R = 17.29, L = 152.64, LC = 152.05, N 9.2544° E
- (C5) R = 20.38, L = 40.84, LC = 37.04, S 66.5857° W
- (C6) R = 27.56, L = 68.90, LC = 49.06, N 75.2532° E
- (C7) R = 28.34, L = 124.70, LC = 152.05, N 9.2544° E
- (C8) R = 28.34, L = 124.70, LC = 37.04, S 66.5857° W
- (C9) R = 28.34, L = 124.70, LC = 49.06, N 75.2532° E
- (C10) R = 530.00, L = 155.06, LC = 194.50, N 9°03'52" E
- (C11) R = 410.00, L = 150.25, LC = 149.61, N 9°50'28" E

NARRATIVE

The Purpose of this Survey was to Establish and set the Properly Corners of the 11 Lot Subdivision as Shown and Described Hereon. This Survey was Ordered by Carson Jones of Blackburn Jones. The POB for this Subdivision is on the projection of the west boundary line of the Nielsen Acres Subdivision. The new south right-of-way line of 2550 South Street is that which seems to fit in best harmony for a future 66' wide right-of-way. Said south right-of-way line does not line up with that as plotted on the Nielsen Acres Subdivision. The Control used to Establish the Property Corners was the Existing Weber County Surveyor Monumentation Surrounding Section 32, Township 6 North, Range 2 West, S.L.B.&M. The basis of bearing is the North line of the Northwest Quarter of said Section which bears North 89°05'33" West, Utah North, State Plane, Calculated N.A.D.83 Bearing.

!RfiJo@JiJ@O@ @ ff::Jffij@O@JiJffij
ff::!lo@O@@JiJ) f?ffijJiJiJoOw

WEBER COUNTY COMMISSION ACCEPTANCE

This is to Certify that this Subdivision Plat, the Dedication of Streets and other Public Ways and Financial Guarantee of Public Improvements Associated with this Subdivision, Thereon are Hereby Approved and Accepted by the Commissioners of Weber County Utah
Signed this _____ Day of _____ 2018.

WEBER COUNTY PLANNING COMMISSION APPROVAL

This is to Certify that this Subdivision Plat was Duly Approved by the Weber County Planning Commission.
Signed this _____ Day of _____ 2018.

WEBER COUNTY ATTORNEY

I Have Examined the Financial Guarantee and Other Documents Associated with this Subdivision Plat, and in my Opinion they Conform with the County Ordinance Applicable Thereto and now in Force and Affect
Signed this _____ Day of _____ 2018.

WEBER-MORGAN HEALTH DEPARTMENT

I Hereby Certify that the Soils Percolation Rates, and Site Conditions for this Subdivision have been Investigated by this Office and are Approved for On-Site Wastewater Disposal Systems.
Signed this _____ Day of _____ 2018.

WEBER COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____ FILED FOR RECORD AND
RECORDED _____
_____ IN BOOK _____ OF OFFICIAL
RECORD, PAGE _____ RECORDED
FOR _____

COUNTY RECORDER

BY: _____ DEPUTY

WEBER COUNTY ENGINEER

I Hereby Certify that the Required Public Improvement Standards and Drawings for this Subdivision Conform with the County Standards and the Amount of the Financial Guarantee is Sufficient for the Installation of these Improvements.
Signed this _____ Day of _____ 2018.

Weber County Engineer

WEBER COUNTY SURVEYOR

I Hereby Certify that the Weber County Surveyor's Office has Reviewed this Plat for Mathematical Correctness and Monuments on Record in County Offices. The Approval of this Plat by the Weber County Surveyor does not Relieve the Licensed Land Surveyor who Executed this Plat from the Responsibilities and/or Liabilities Associated Therewith. Signed this _____ Day of _____ 2018.

Weber County Surveyor

AGRICULTURAL NOTE

Agriculture is the preferred use in the Agriculture Zones. Agriculture operations as specified in the zoning ordinance for a particular zone are permitted at any time including the operation of farm machinery and no allowed agriculture use shall be subject to restriction on that it interferes with activities of future residents of this subdivision

All Public Utility Easements are 10.0' Wide Unless Noted Otherwise.

Rebar w/HAI cap or curb nail set on all Property Corners.

Developer:
Blackburn Jones
995 24th Street
Ogden, Utah 84404
(BO) 1) 778-0088



HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 North Main Street, Brigham, Utah 84302
Visit us at www.haies.net
Brigham City Ogden Logan
(435) 723-3491 (801) 399-4905 (435) 752-8272



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Public hearing to discuss and take comment on a proposal to amend the following section of Weber County Code: Standards for Detached Single-Family Dwellings (Chapter 108 Title 15) to add standards for single family dwellings with secondary kitchens.
Agenda Date:	Tuesday, August 14, 2018
Applicant:	Weber County Planning Division
File Number:	ZTA 2018-02

Staff Information

Report Presenter:	Ronda Kippen rkippen@co.weber.ut.us 801-399-8768
Report Reviewer:	RG

Applicable Ordinances

- Weber County Land Use Code, Title 108, Chapter 15 (Standards for Detached Single-Family Dwellings).

Legislative Decisions

Decision on this item is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

Summary and Background

The current Uniform Land Use Code of Weber County, Utah (LUC) does not define "Second Kitchen" and does not specify its permissibility in Detached Single-Family Dwellings. A recent change to the County Land Use, Development, and Management Act (H.B. 232) states "If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application." By adding specific standards for more than one kitchen in a detached single family dwelling to the LUC Title 108, Chapter 15, the County will be able to regulate that the secondary kitchen is for the benefit of one family and will not be used to turn a detached single family dwelling into a multi-family dwelling. A detached single family dwelling is defined in LUC §101-1-7 as "a building arranged or designed to be occupied exclusively by one family, the structure having only one dwelling unit". A single-family is defined as "one or more persons related by blood, marriage, or adoption, plus domestic employees serving on the premises, or a group of not more than four persons who need not be so related, living together as a single nonprofit housekeeping unit". Detached single family dwellings should only be occupied by a single family unit unless authorized by a conditional use permit for an accessory apartment.

Policy Analysis

Detached Single-Family Dwellings are considered a permitted use in most zones in Weber County and it is permissible to have more than one kitchen in the dwelling as long as the dwelling is only being occupied by one family unit. Weber County has had a policy of recording a "Second Kitchen Covenant" when a building permit is being issued that has more than one kitchen to ensure that the dwelling will remain a single family dwelling, however, the LUC does not have specific standards for dwellings with more than one kitchen. By adding provisions for detached single-family dwellings with more than one kitchen, Weber County will adhere to H.B. 232 by adding plain language to the LUC to ensure that one family occupies the single-family dwelling with more than one kitchen.

Conformance to the General Plan

The current one-acre residential zoning dominant in the area is desired, as is the general concept of large lot development. Overall preference is for a continuation of single-family residential development, not high-density development described as apartments or condominiums (see West Central Weber County General Plan Adopted September 23, 2003).

Past Action on this Item

A public hearing was held and public comment was taken during the May 22, 2018 Ogden Valley Planning Commission Meeting.

Noticing Compliance

A hearing for this item was published in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

Posted on the County's Official Website

Posted on the Utah Public Notice Website

Published in a local newspaper

Staff Recommendation

Staff recommends that the Western Weber Planning Commission recommend approval of the text included as Exhibit B and Exhibit C of this staff report based on the following findings:

1. The changes cause no adverse effect on the intent of the general plans.
2. The clarifications will provide for a more efficient administration of the Land Use Code.
3. The changes will enhance the general welfare of County residents.

Exhibits

- A. Proposed Ordinance – Clean Copy.
- B. Proposed Ordinance – Track Change Copy.



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	South: Residential/Agricultural
East: 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.

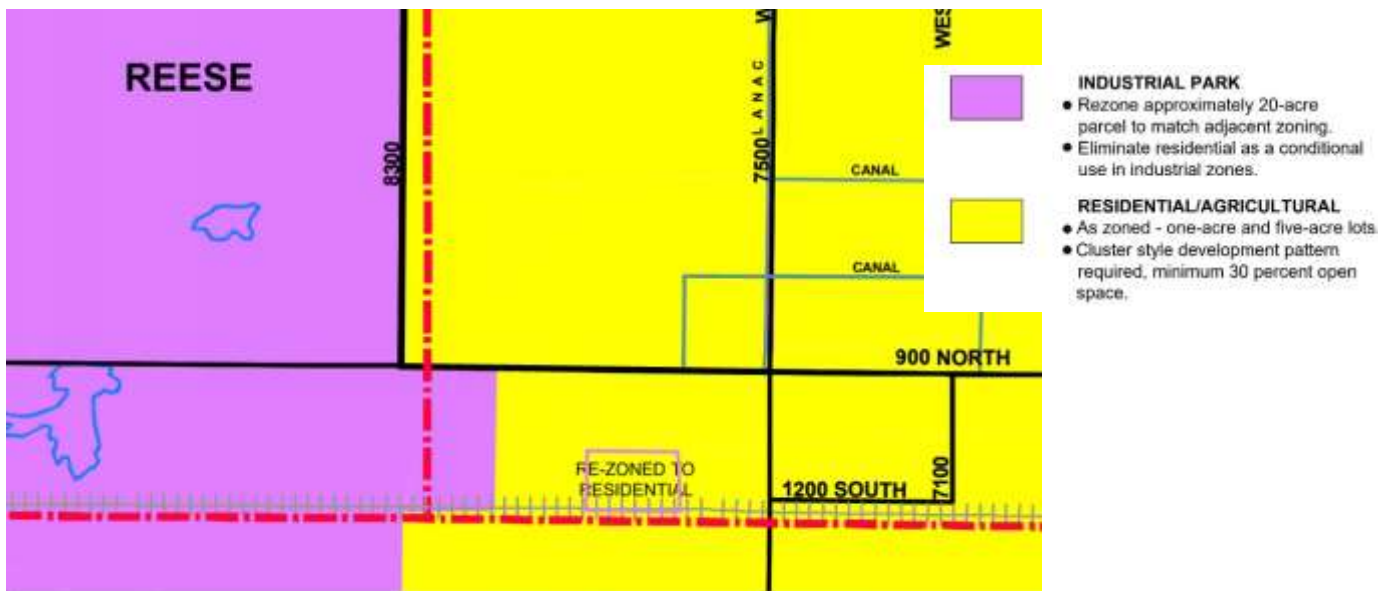
Image 1: Zoom of affect area showing the plan's existing "future land use map."



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 it 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

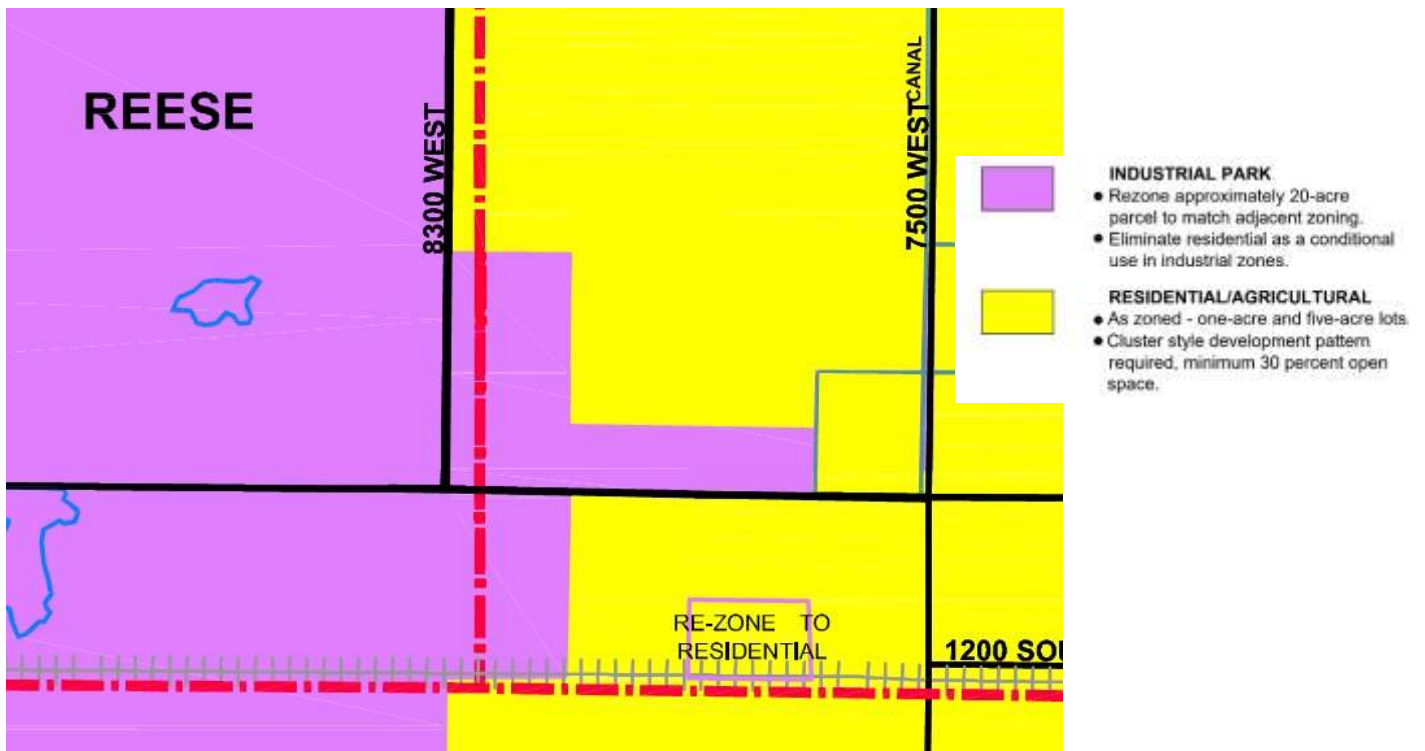
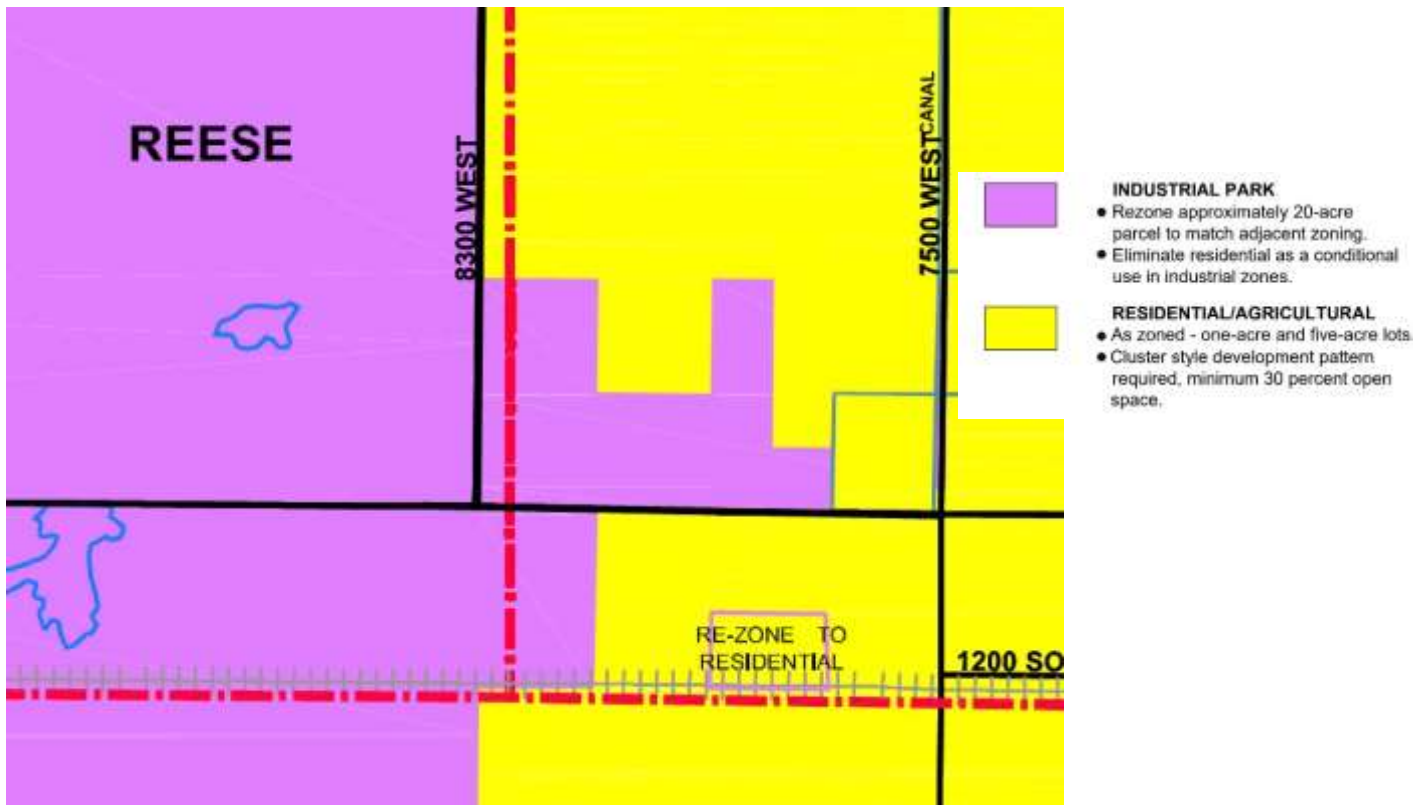


Figure 4: Variant 2 – More Future Manufacturing than Future Residential



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) <i>JP Farm Ranch Randy Giordano Barbara Hogg</i>		Mailing Address of Property Owner(s) <i>400 S. 6700 W West Warren 84404</i>									
Phone <i>801-391-7169</i>	Fax										
Email Address <i>jprice-4@hotmail.com</i>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail									
Authorized Representative Contact Information											
Name of Person Authorized to Represent the Property Owner(s) <i>John Price</i>		Mailing Address of Authorized Person <i>400 S. 6700 W Ogden UT 84404</i>									
Phone <i>801-391-7169</i>	Fax										
Email Address <i>jprice-4@hotmail.com</i>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail									
Property Information											
Project Name	Current Zoning <i>M-1</i>	Proposed Zoning <i>A-1 or A-2</i>									
Approximate Address <i>650 S. 7900 W. Ogden 84404</i>	Land Serial Number(s) <table border="1"> <tr> <td><i>100370030</i></td> <td><i>100370014</i></td> <td><i>100370004</i></td> </tr> <tr> <td><i>100370028</i></td> <td><i>100370013</i></td> <td></td> </tr> <tr> <td><i>100370003</i></td> <td><i>100370011</i></td> <td></td> </tr> </table>		<i>100370030</i>	<i>100370014</i>	<i>100370004</i>	<i>100370028</i>	<i>100370013</i>		<i>100370003</i>	<i>100370011</i>	
<i>100370030</i>	<i>100370014</i>	<i>100370004</i>									
<i>100370028</i>	<i>100370013</i>										
<i>100370003</i>	<i>100370011</i>										
Total Acreage <i>140</i>	Current Use <i>Farm/Residential</i>	Proposed Use <i>Farm/Residential</i>									
Project Narrative											
Describing the project vision. <i>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.</i>											

Project Narrative (continued. .)

How is the change in compliance with the General Plan?

change

opportunity for manufacturing '.....'

Why should the present zoning be changed? How does 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
A-1 or A-2. Also all current residents
favor of this change

Project Narrative (continued...)

How is the change in the public interest?

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Authorized Representative Affidavit

I (We), David J. G. [unclear] [unclear] the owner(s) of the real property described in the attached application, do authorize as my (our) agent (s) [unclear] [unclear] to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County concerning this application and to act in all respects as our agent in matters pertaining to the attached application.



(Property Owner)



(Property Owner)

On this day of [unclear] 20____ personally appeared before me _____ J the
signer(s) of the Representative Authorization Affidavit who acknowledged to me that they (each) executed the same.





(Notary)


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

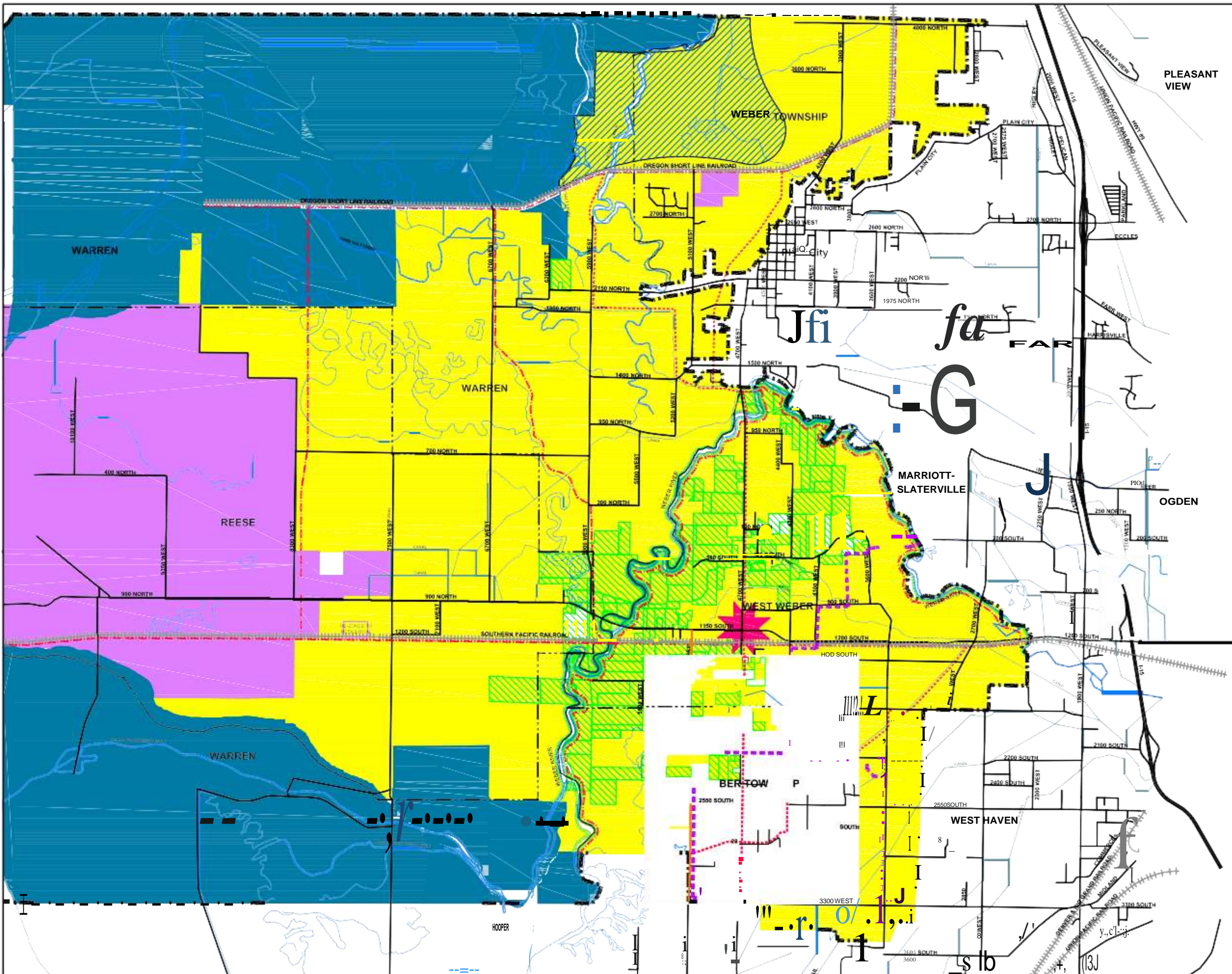
-  **EXISTING SEWER**

-  **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**



G3
0- 2100-
1" = 500'





LANDMARK
DESIGN
UNSCAPE ARCHITECTURE
AND URBAN PLANNING
2311 W. GIU. NODIUV L.
SALT LAKE CITY
UTAH 84106
PHONE (801) 333-1100
FAX (801) 333-1101


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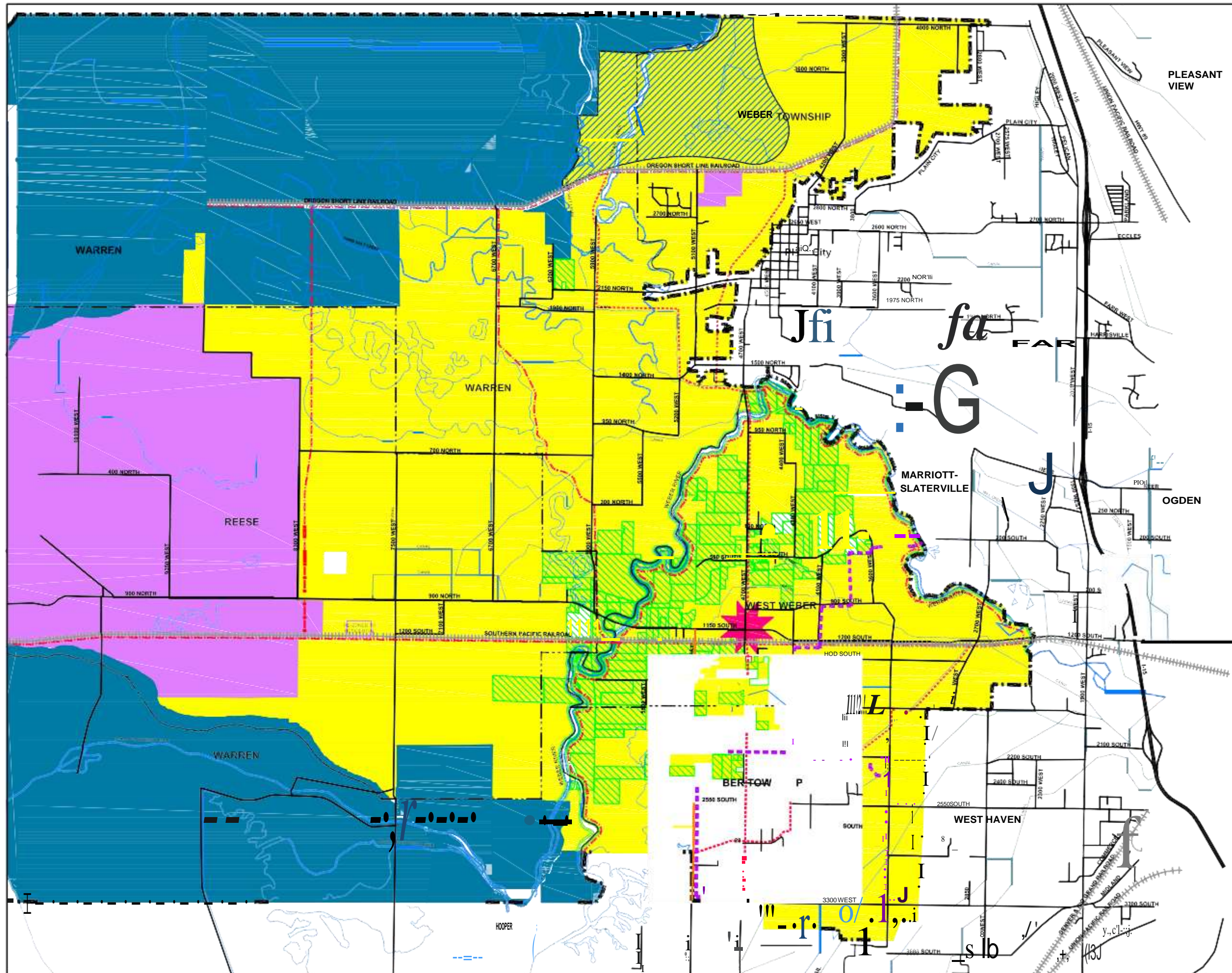
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Map amended on





LANDMARK UNISCAPE ARCHITECTURE AND URBAN PLANNING
 DESIGN ZHUJI GUO NODIUV L-SALT LAKECH UTAH UUDS IN COCKO RATH> FAX (801) 343-3800


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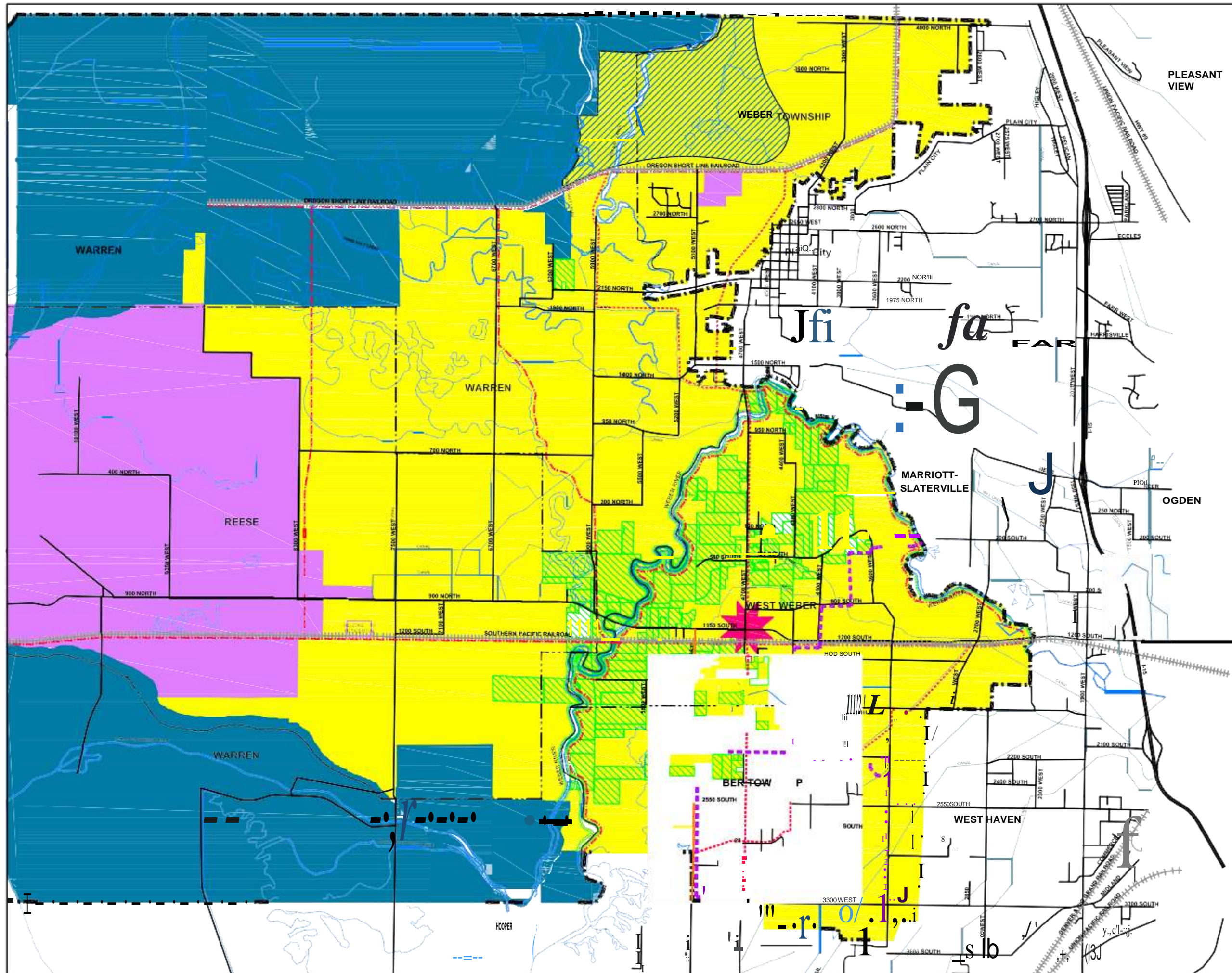
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Map amended on













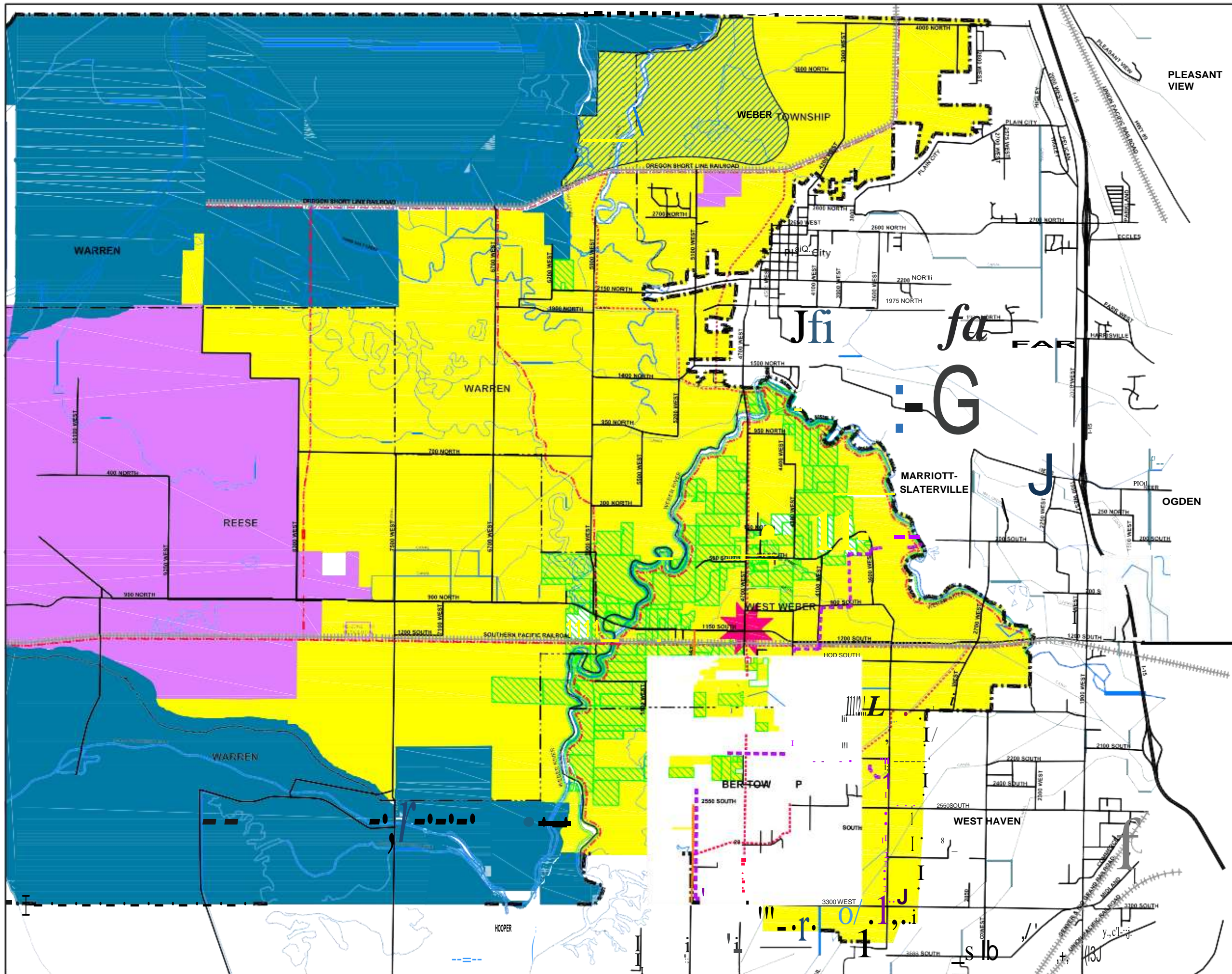
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ZHU WU GROUP
SALT LAKE CITY
UTAH 84103
PACIFIC ARCHITECTURE
PACIFIC ARCHITECTURE

G3

0' 2100'
1" = 500'



September 23, 2003

Map amended on



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on ZMA 2018-02, a request to amend the zone map to change parcels currently zoned M-1 near the Little Mountain manufacturing area to A-2.
Agenda Date: Tuesday, August 14, 2018
Applicant: John Price
File Number: ZMA 2018-02

Property Information

Approximate Address: 7900 West 900 South
Zoning: The area is currently Manufacturing (M-1).
Existing Land Use: Agricultural/Residential
Proposed Land Use: Agricultural/Residential
Township, Range, Section: T6N, R3W, Sections 15, 22

Adjacent Land Use

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

Staff Information

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

Applicable Ordinances

§102-5: Rezoning Procedures

Proposal History

This proposal was presented at public hearing to the Western Weber Planning Commission on July 10, 2018. At the time it was combined into a bigger decision regarding a rezone of the area and other general plan and zoning text administrative cleanup. The planning commission requested that decision to be broken into smaller components. This report only addresses an amendment to the zone 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 weber county zone map. It has previously been packaged as a bigger decision regarding not just a change to the zone map, but also a change to the general plan. In their July 10, 2018 meeting, the planning commission pulled apart the packaged decision in favor of making a decision on each item individually.

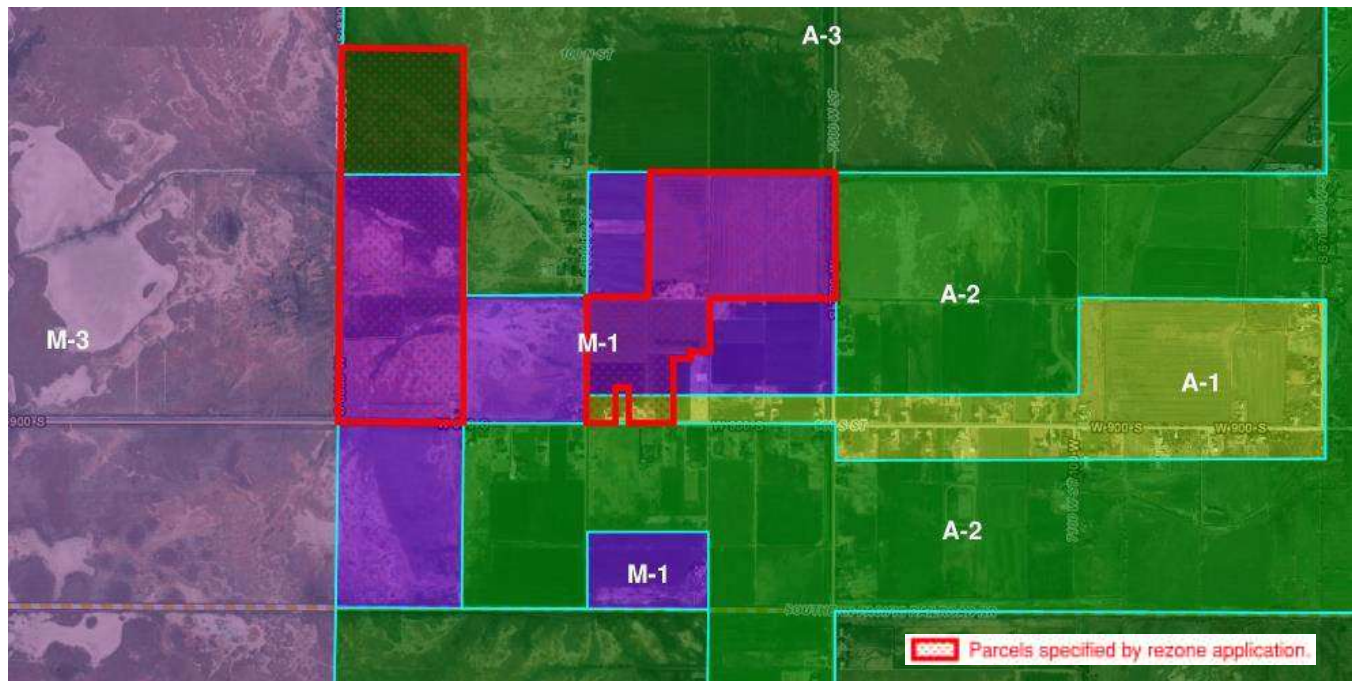
§102-5-2 requires a change to the zone map to comply with the general plan. The analysis herein offers a number of options and option variants for rezoning the property. Regardless of the planning commission's decision, it should be found to comply with the general plan. The proposed zone change does not comply with the current general plan's future land use map. That map should be changed in accordance with the planning commission's desired outcome for this item prior to making a decision on this item.

Summary of Planning Commission Considerations

In order to streamline decision making and in an attempt to keep the infinite options narrow enough to make a reasonable decision, staff are offering three different alternative recommendations at this time and an analysis of each. There are certainly more possible outcomes and if the planning commission would like to consider more it can be discussed in the meeting or in future meetings.

First, an understanding of the applicant's request is important. **Figure 1**¹ offers a graphic representation of the parcels included in the rezone application. It overlays those parcels onto the existing zone map. These parcels are those the applicant desires to rezone from M-1 to A-2 (excepting out the area already zone A-1).

Figure 1: Existing zoning with application parcels.



As can be seen, if *only* the parcels that are the subject of the application are rezoned then the contiguity of the existing M-1 zone is interrupted. This leads to an increased risk of future A-2 oriented uses (primarily single family dwellings on 40,000 square feet of land) being interspersed amongst future manufacturing uses².

As the current zone map is configured, there are a few areas where single family residential uses could be located adjacent to manufacturing uses. Perpetuating this practice may have future unforeseen land use consequences that should not be underestimated at this time³. The purpose of different and distinct zoning designations with

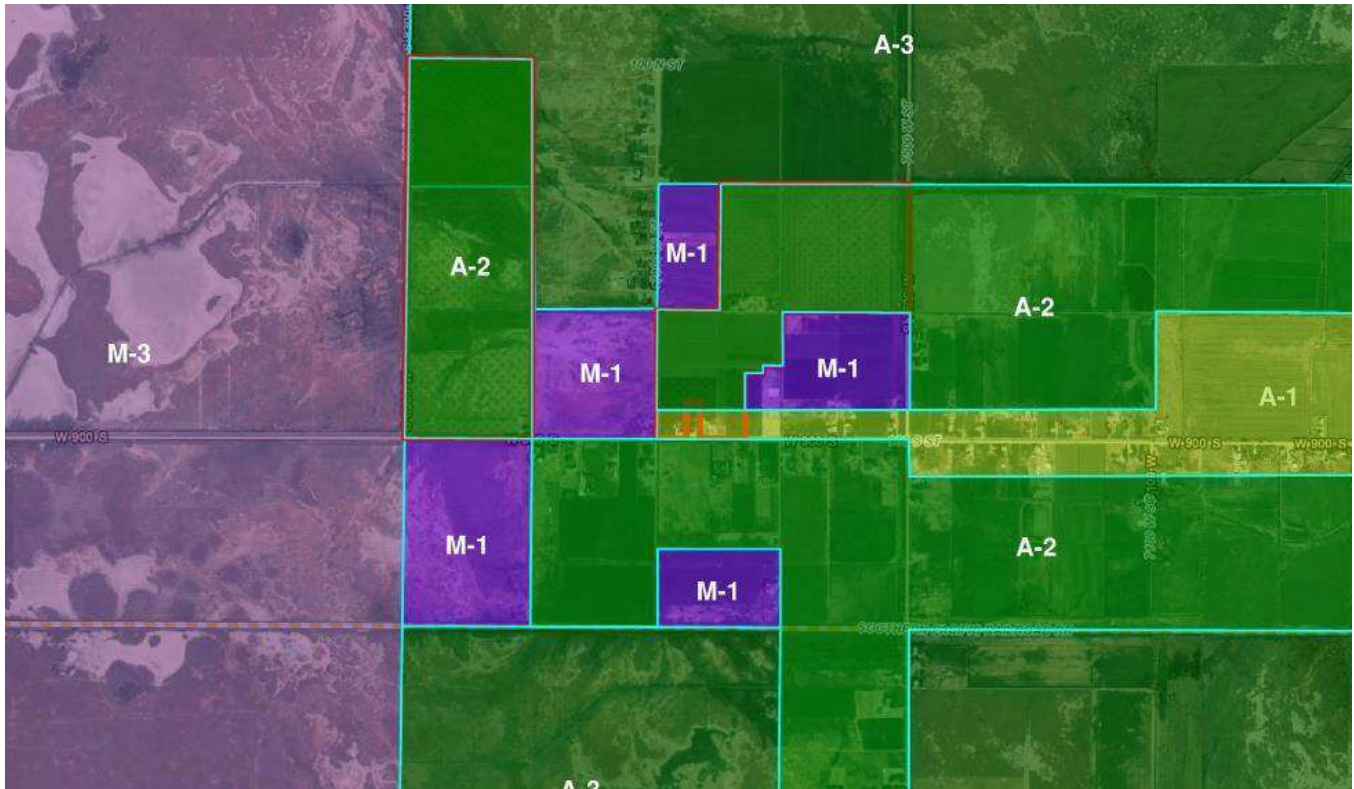
¹ See also Exhibit B

² See Exhibit G for a non-exhaustive list of manufacturing or commercial uses that are currently allowed in the M-1 zone that are generally incompatible with single family dwelling neighborhoods.

³ Exhibit H offers a local NPR article explaining the risk of rezoning without properly considering potential land use conflicts. While Weber County's M-1 zone does not allow a medical waste incinerator (the subject of the article), a review of the uses allowed in the M-1 zone (see Exhibit G) might offer a compelling reason why allowing future residential areas to buffer M-1 areas would result in unnecessary land use conflict.

allowances or prohibitions for different uses, also known as “Euclidean Zoning”⁴, is to offer a separation of conflicting uses in order to establish a more harmonious community and enhance community character. The outcome that best supports a separation of incompatible uses will be one that minimizes the abutting of A-2 (and A-1) zones to the M-1 zone. **Figure 2**⁵ shows how the zoning map would appear if *only* the applicant’s requested parcels are rezoned.

Figure 2: Appearance of zoning map if only application parcels are rezoned.



Alternative one.

In staff’s original recommendation, parts of the area currently zoned M-1 would be rezoned to A-2. All parts currently zoned A-1 would remain the same. **Figure 3**⁶ shows how that would appear on the zoning map. In order for this proposal to merit consideration, the general plan would need to be amended to show that there is general plan support for agricultural and residential land uses in this area.

This recommendation was, at the time, based on staff’s understanding that there would be little to no opposition. During the public process staff has become aware that there is opposition to this proposal. See **Figure 4**⁷ to review the parcels that have owners who have expressed opposition in one form or another. Please note that some of this opposition may already be resolved.

⁴The term “Euclidean Zoning” comes from the landmark case that occurred at the height of the industrial era (*Village of Euclid, Ohio v. Ambler Realty Co.*, 272 U.S. 365 (1926)) in which a real estate company wanted to build industrial uses on property in the Village of Euclid (just outside Cleveland, Ohio), but the Village of Euclid wanted to protect its residential suburban character. The Village protected the residential uses from industrial uses through zoning designations with land use exclusions. It was the first case in which using zoning to separate conflicting uses was upheld by the courts.

⁵See also Exhibit C.

⁶See also Exhibit D.

⁷See also Exhibit E.

The following are the pros and cons of this alternative:

Pros:

- Keeps opposing land uses separated.
- Enhances the area for rural residential uses, enhancing existing community character
- Protects local agricultural uses.
- Existing manufacturing uses, as currently established, will be protected through nonconforming rights.

Cons

- Requires a change to the general plan.
- Changes the anticipated/expected and planned future uses of the area.
- Prohibits existing land owners from expanding or adding new manufacturing uses.
- Abuts the A-2 zone to the M-3 zone – creating potential for future land use conflicts.

The primary concern expressed in the opposition revolves around a removal of manufacturing rights. Concerned landowners have expressed that they acquired the land in the M-1 zone with the uses of the M-1 zone in mind. One of them developed the land in accordance with the requirements of the M-1 zone. By no fault or action of their own, their expected rights in the land might change if this alternative is the preferred alternative.

For the single parcel that is currently used for manufacturing uses, this change will make the uses nonconforming (also known as a “grandfathered use”) that are entitled to continue in accordance with its current operations in perpetuity (even if the property changes hands). The land owner has expressed concern over the limiting of *future* manufacturing uses on the land and desires any and all uses allowed in the M-1 zone to be available for future use.

However, under Utah law, no land owner has explicit entitlement to the uses of the zone being available in perpetuity unless or until the use becomes *vested*. Vesting occurs either when an application for approval of the use has been submitted, or for those uses that do not require a land use permit, when the use is actually initiated. This allows the legislative authority to make changes to development laws, including changes to zoning designations, based on their legislative duties and obligations to shaping a quality community. As uncomfortable as it may seem, nonconforming rights preserve the rights as they are currently being used, but allow for sufficient flexibility for the legislative body to plan *around* those rights in order to shape the community according to the need, with the hopes that the future will offer sufficient motivation for those nonconforming rights to be retired in favor of surrounding land uses (which occasionally does not happen).

One idea put out about this proposal was to avoid rezoning the parcel currently used in accordance with the M-1 manufacturing uses to the A-2 zone, but instead to change the zoning of the front of this parcel to M-1 so that manufacturing uses can expand or change on the property. If the community character of the area is intended to change to rural residential uses over time, staff discourages this and instead suggests resting this decision on the entitled nonconforming rights of the property owner that would exist if this proposal is approved. This will ensure that, regardless of property ownership, manufacturing uses on the parcel will be not likely expand to the extent that it creates an overwhelming burden on surrounding (future residential) property owners.

Otherwise, if the planning commission desires to assist this particular land owner in rezoning the front of the property to M-1, staff recommends a different alternative.

Figure 3: Staff's initial proposal.

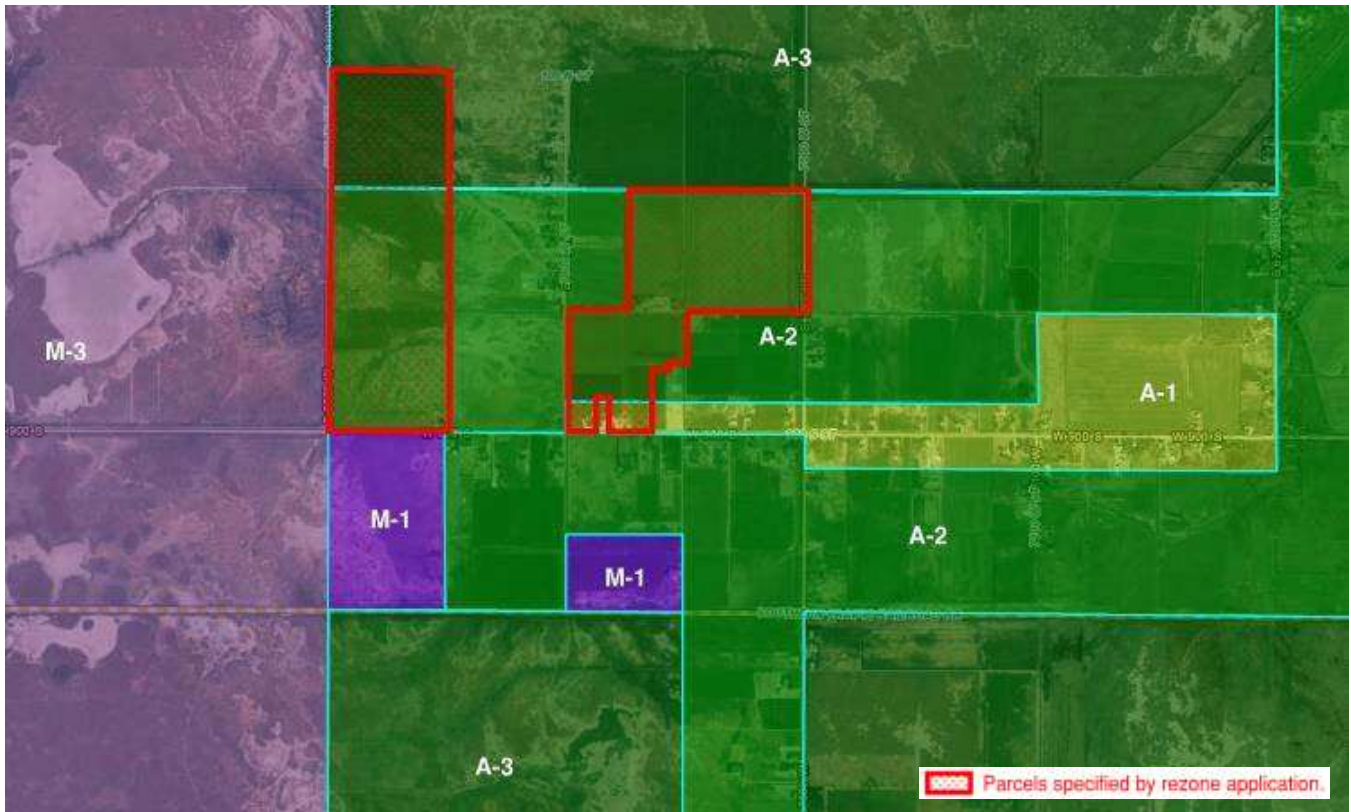
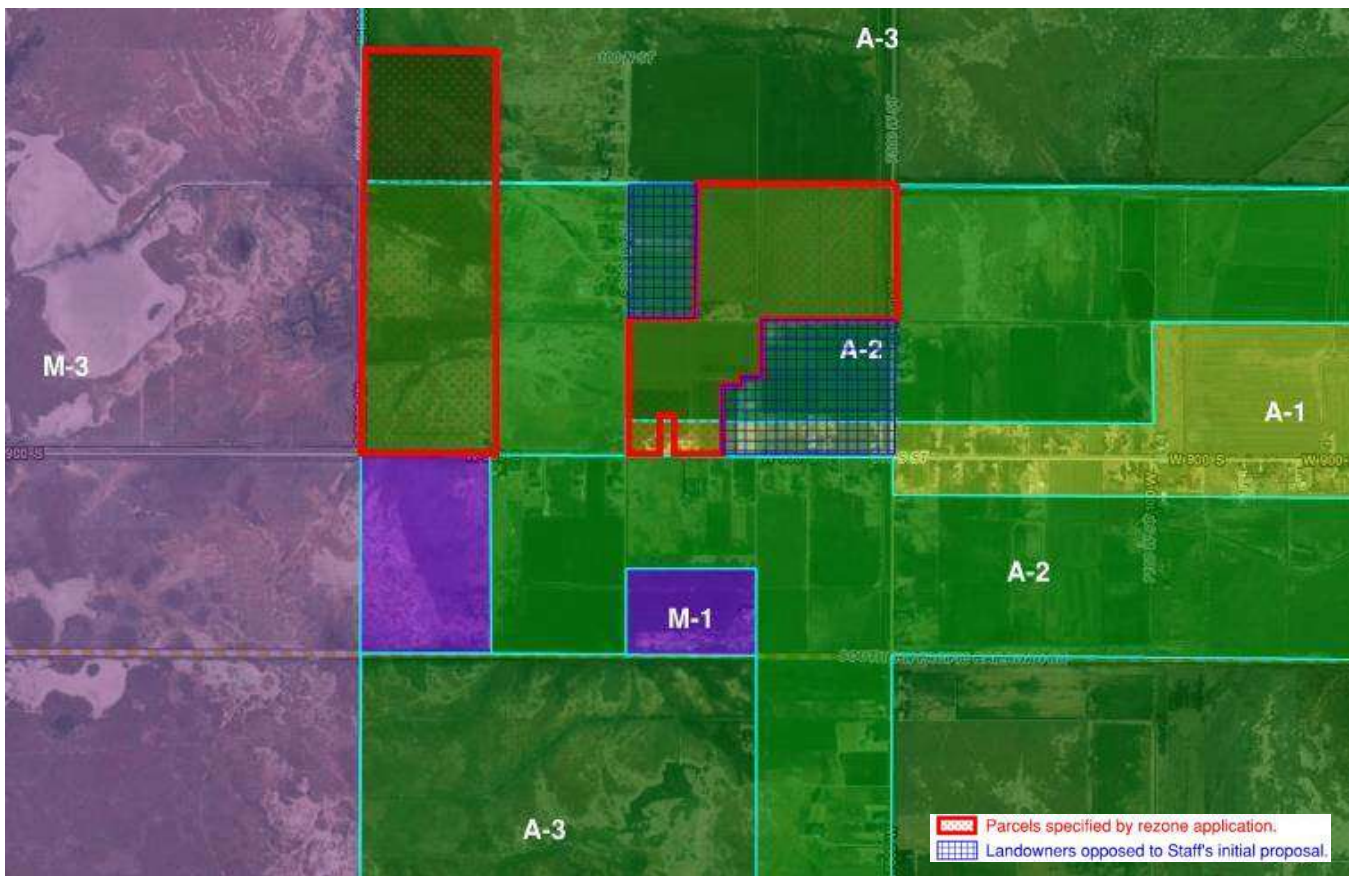


Figure 4: Parcels owned by those opposed to staff's proposed rezone.



Alternative Two.

The alternative that is supported by the current general plan is a recommendation for denial of the application. The planning commission can make a finding that the consequences of the rezone – and the general plan amendment that it would require – are too great to overcome at this time and do not have sufficient community support.

The following are the pros and cons of this alternative:

Pros:

- Requires no change to the general plan.
- Keeps future land uses in accordance with the communities currently planned future.
- Protects existing manufacturing uses – and enables expansion to new manufacturing uses.
- Does not employ nonconforming rights.

Cons

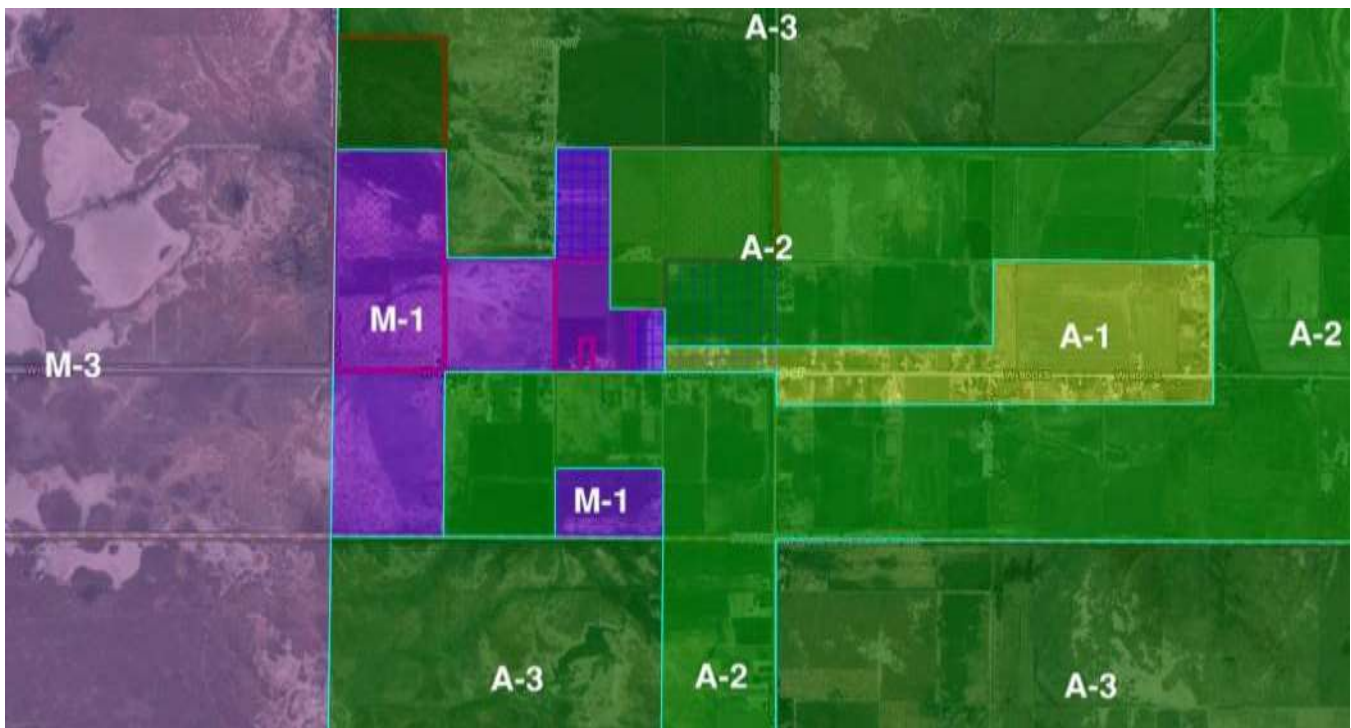
- The applicant does not get the change desired.
- Landowners will likely need to continue to wait until a market for manufacturing uses exists in the area to get the highest and best use of the land.

Alternative Three (The Compromise).

In an effort to find a solution that may best serve the most amount of people, staff and the applicant have devised a series of possible rezone options that could be mutually beneficial to all involved. In each, the entire rezone area of the application is not considered, but rather parred back to allow some of the A-2 rezone but still preserve the M-1 zone to some effect. Each would extend the A-2 zone westward in some fashion, and extend the M-1 zone to 900 South in some fashion. See **Figures 5-8⁸** to review each variant.

If the planning commission desires to execute one of these variants, either variant one or variant four is staff's preferred variants, as variant two bisects the A-1 zone with the M-1 zone along 900 South, and variant three intermingles A-2 uses and M-1 uses a little more than comfort calls. However, any of these four variants may prove to offer the best case compromise for all land owners involved. In order for any of these variants to be executed, the general plan's future land use map will need to be changed proportionately.

Figure 5: Compromise Variant 1.



⁸See also Exhibit F.

Figure 6: Compromise Variant 2.

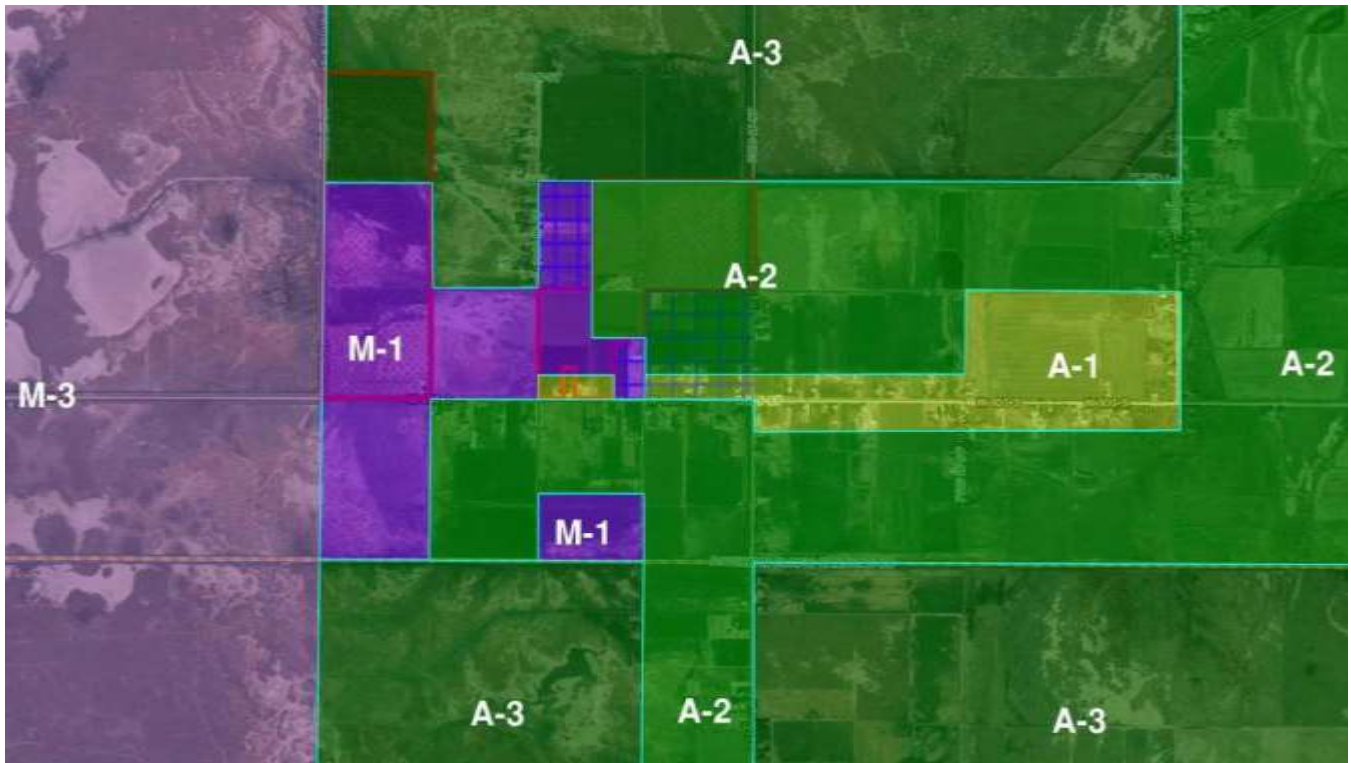


Figure 7: Compromise Variant 3.

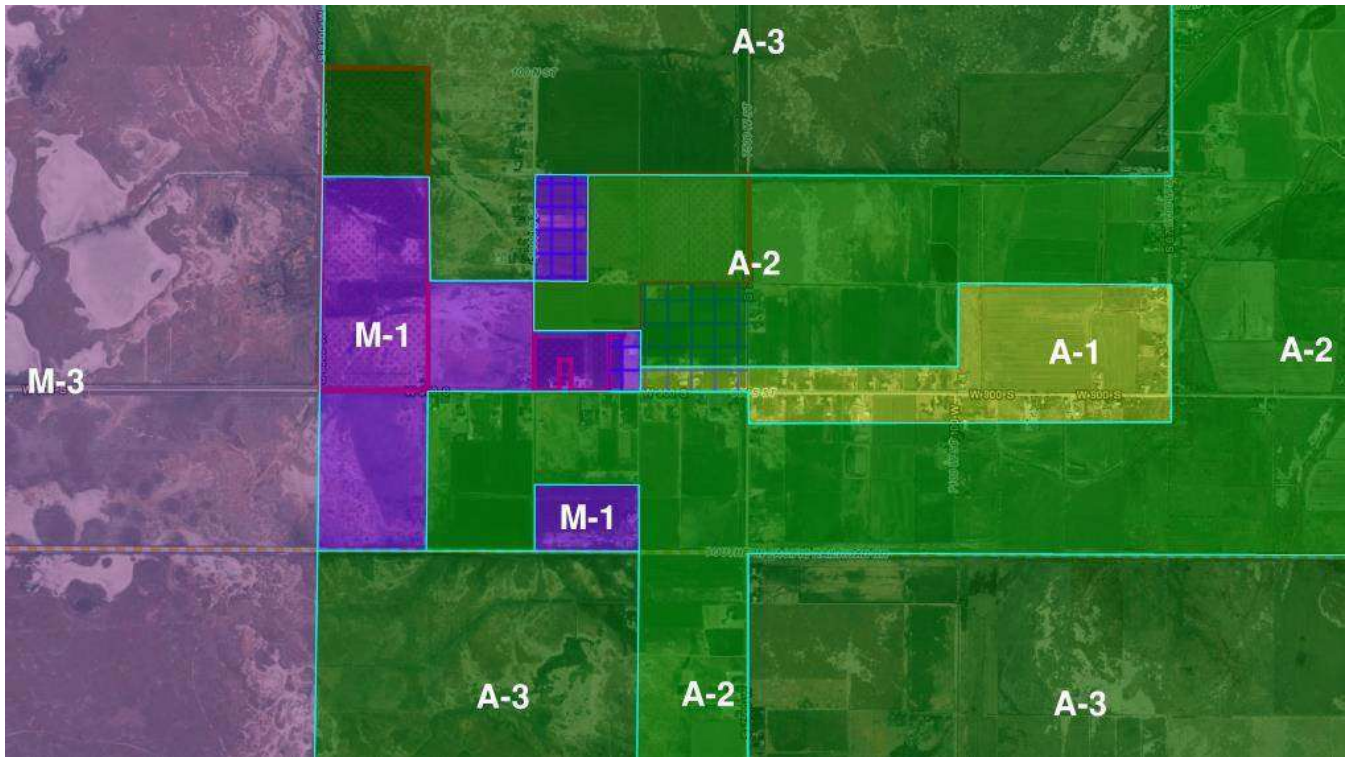
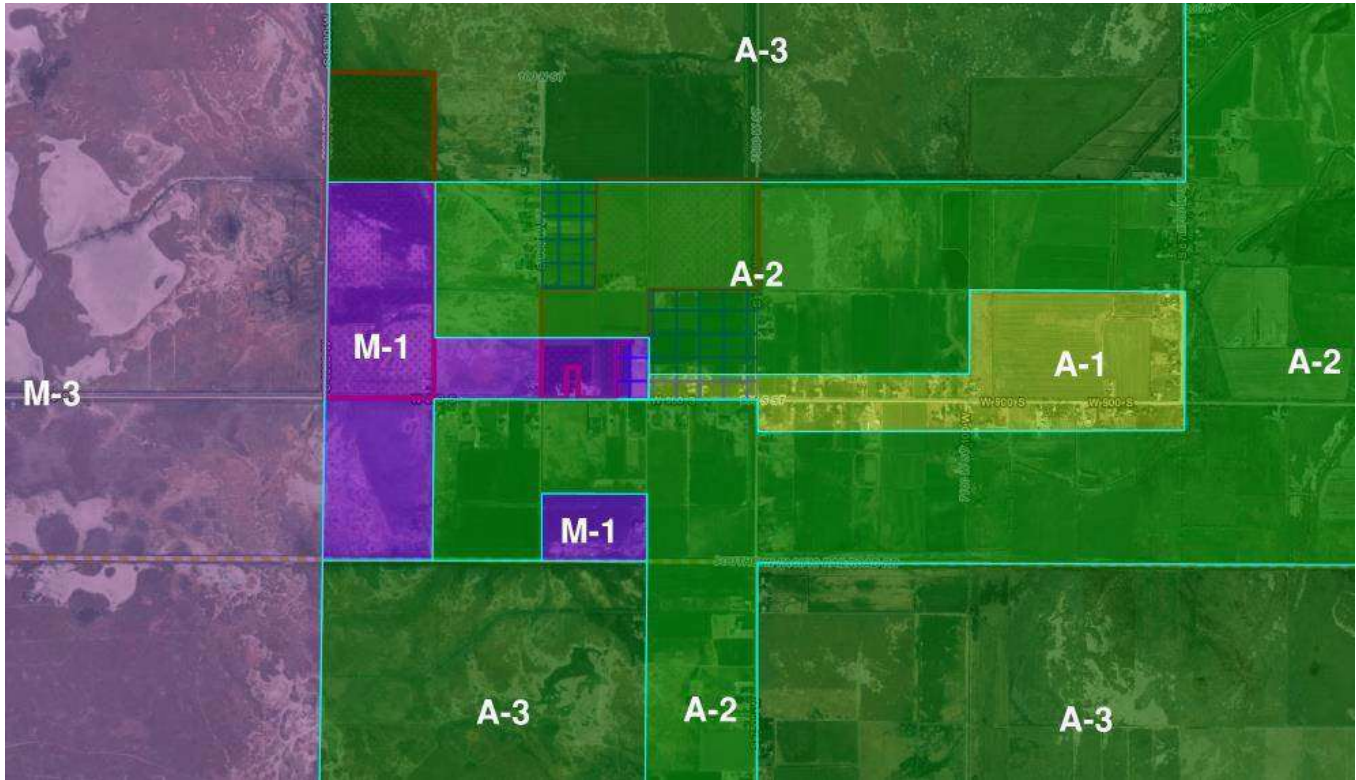


Figure 8: Compromise Variant 4.



Staff Recommendation

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 after changes to the general plan's future land use map, the rezone complies with general plan.
2. That the rezone better supports the majority desires of the local community.
3. That the rezone will still protect the existing manufacturing uses through nonconforming rights.
4. That the rezone 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. The proposed rezone is not in compliance with the general plan.
2. There is insufficient public support for the rezone.
3. The rezone would not be in the best interest of the health, safety, or general welfare of the public.

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

1. That after changes to the general plan's future land use map, the rezone complies with general plan.
2. That the rezone better supports the majority desires of the local community.
3. That the rezone offers better buffering between zones that have conflicting uses
4. That the rezone is not detrimental to the health, safety, or general welfare of the public.

Exhibits

Exhibit A: Parcels specified by rezone application.

Exhibit B: Current zoning and parcels specified by rezone application.

Exhibit C: Result of proposed rezone.

Exhibit D: Staff's initial proposal for rezone from M-1 to A-2.

Exhibit E: Landowners opposed to Staff's initial proposal.

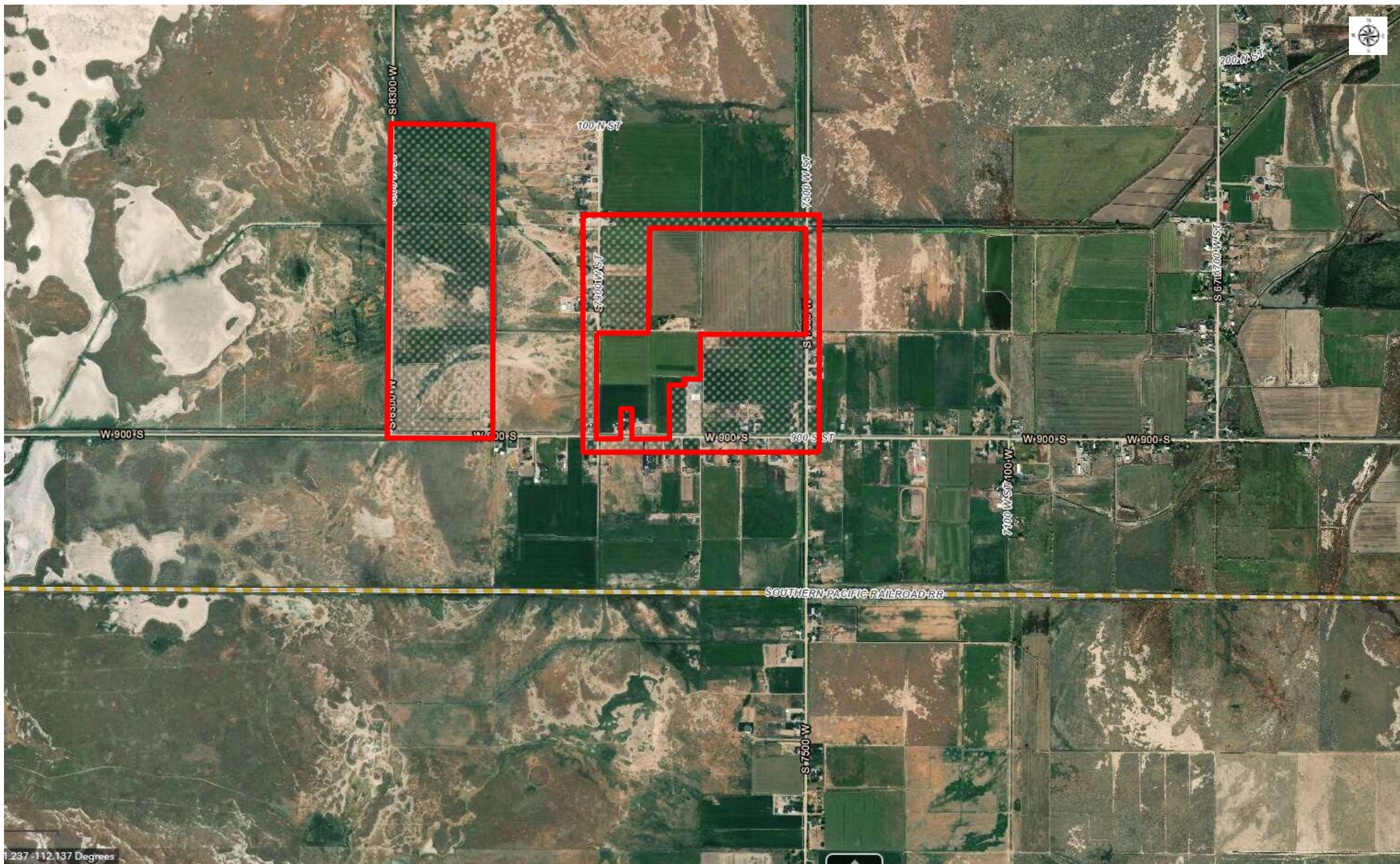
Exhibit F: Alternative 3: Extend A-2 westward, extend M-1 to 900 South.

Exhibit G: List of uses allowed in M-1 zone that are specifically incompatible with adjacent residential uses.

Exhibit H: 2013 NPR article "What's Burning in the Backyard: Stericycle and the Foxboro Neighborhood."

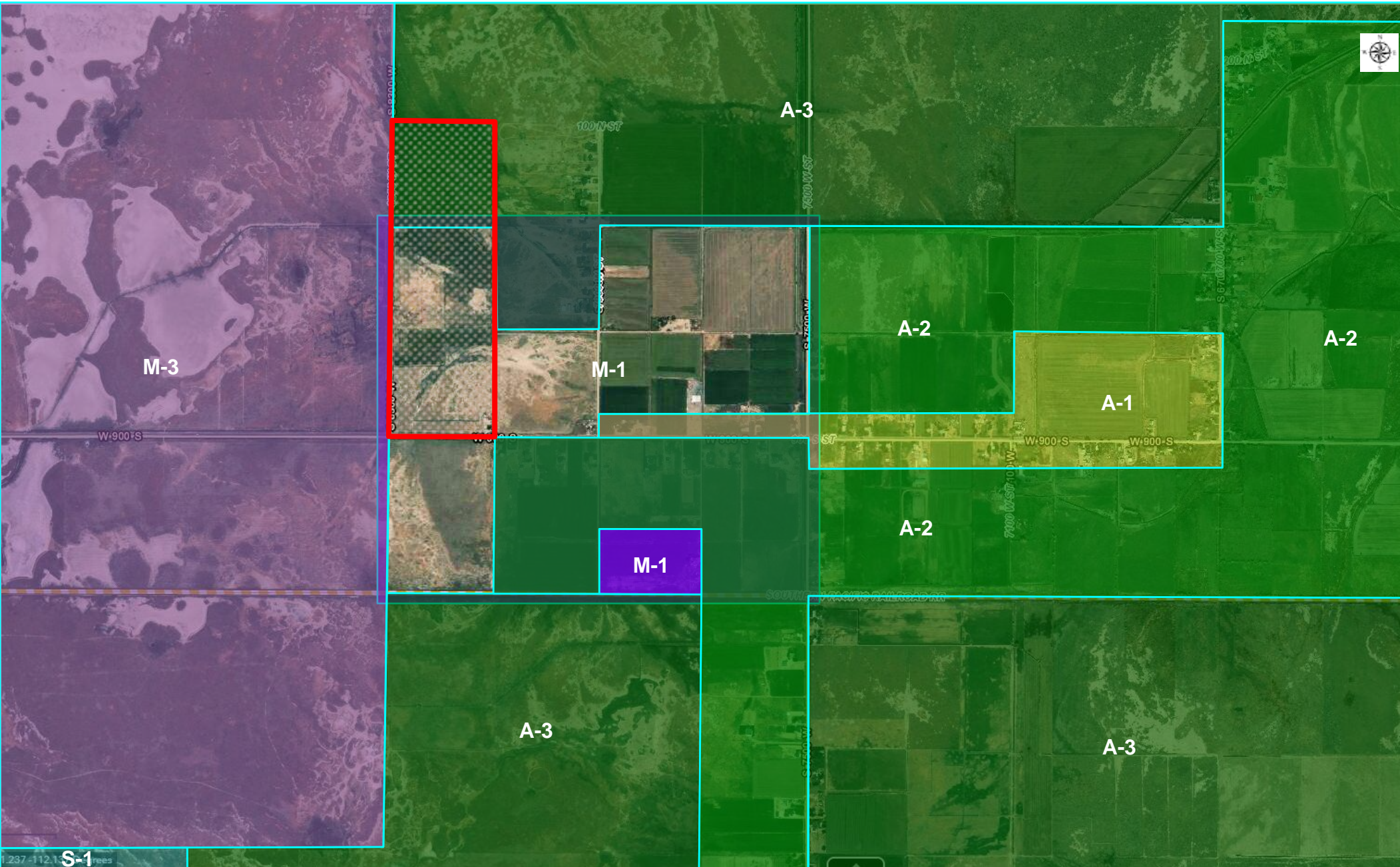
Exhibit I: Application.

Exhibit A: Parcels specified by rezone application.

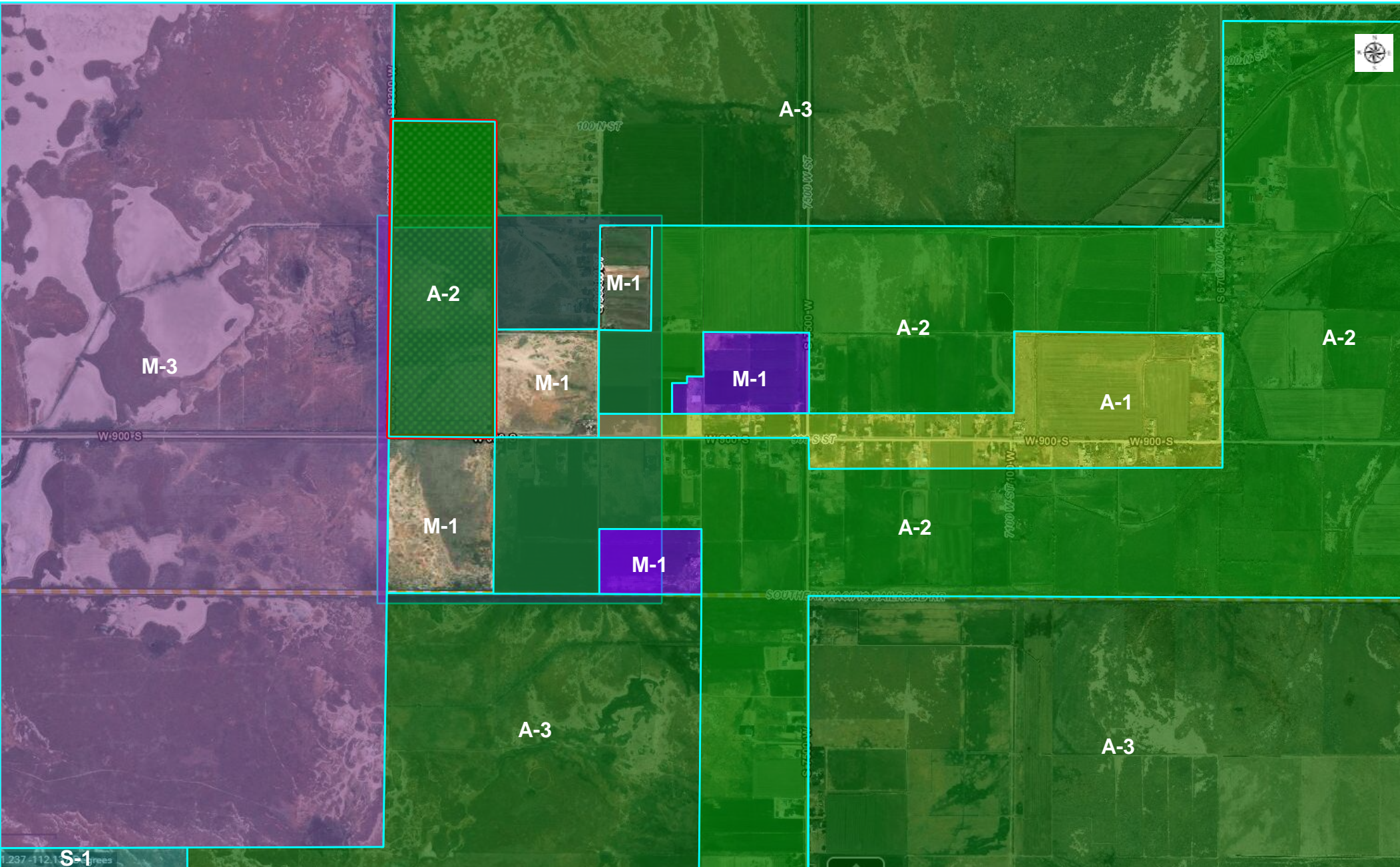


Parcels specified by rezone application.

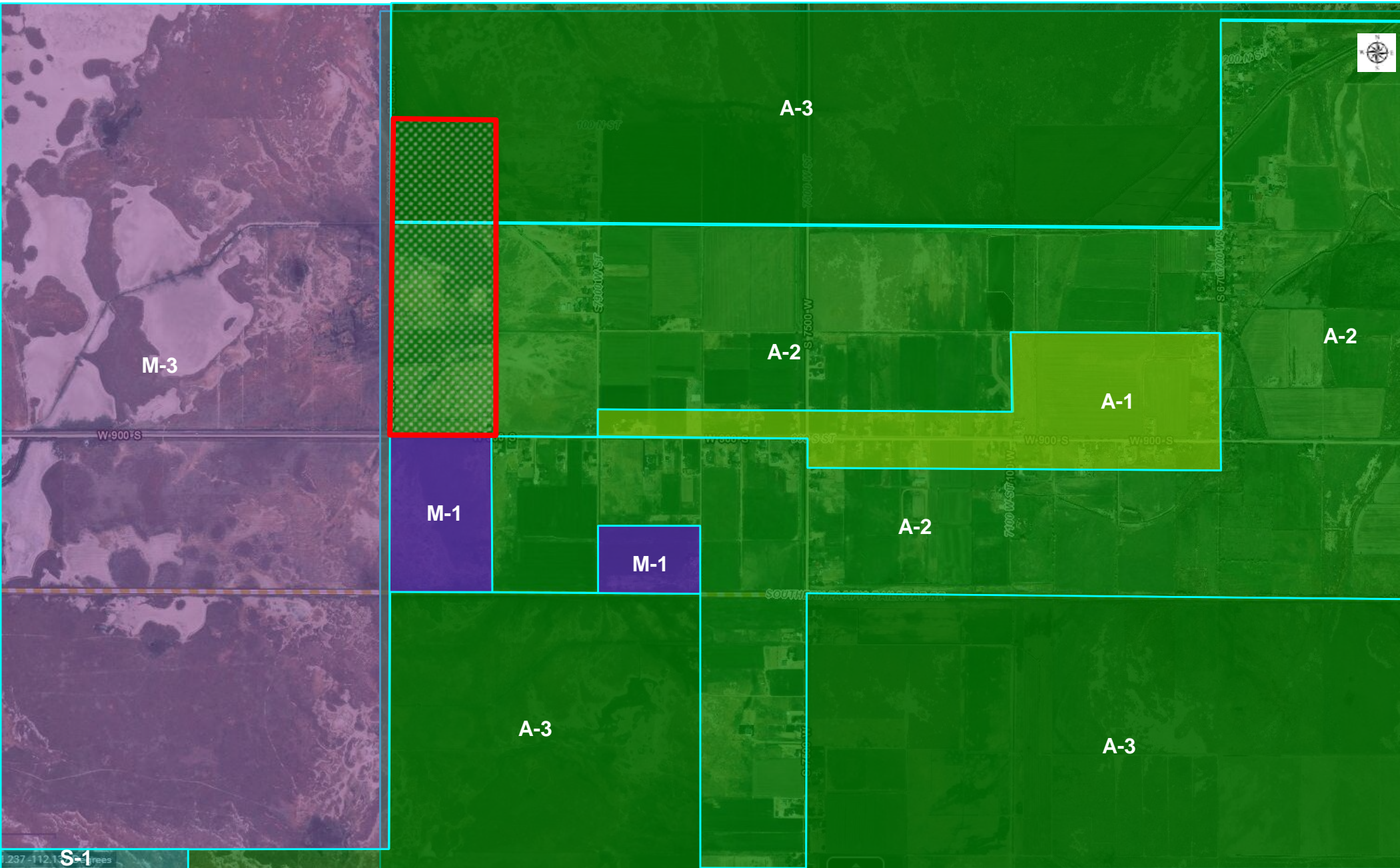
Exhibit B: Current zoning and parcels specified by rezone application.



Parcels specified by rezone application.

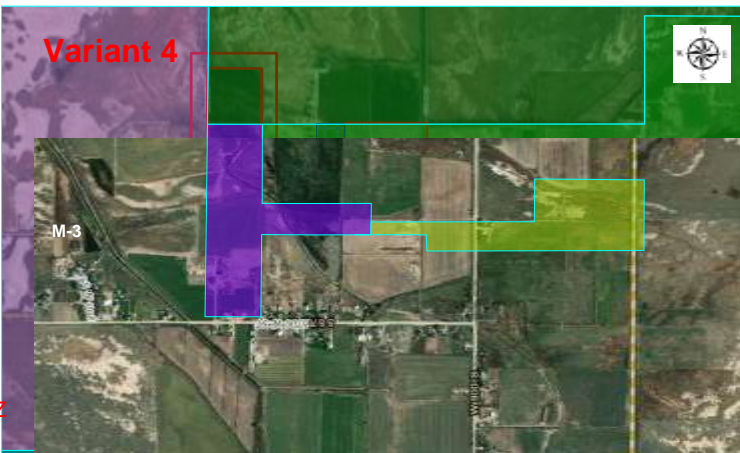
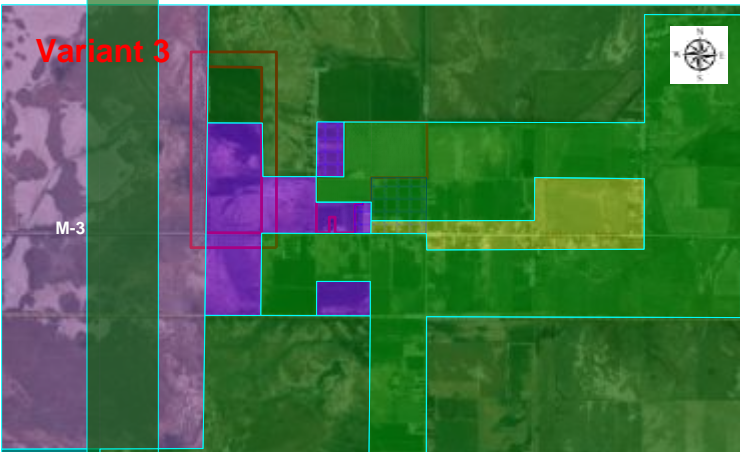
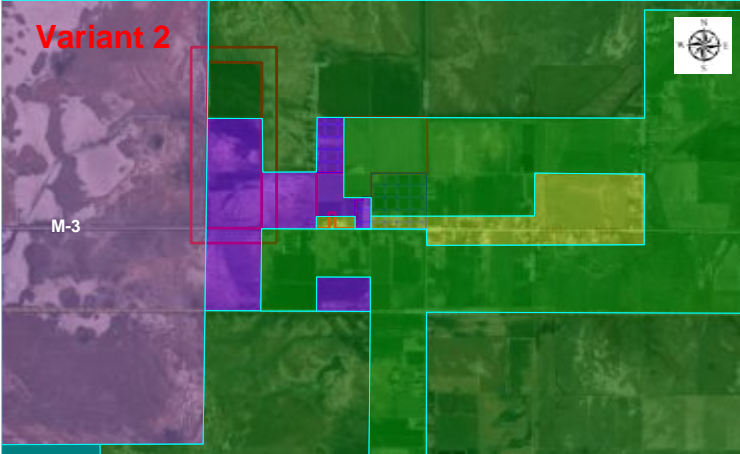


Parcels specified by rezone application.



Parcels specified by rezone application.

Variant 1



Z

Uses Generally Incompatible with Single Family Dwelling 40,000 Square Foot Lots

Manufacturing or processing plant (various materials and products, but not ferrous metals).

Animal services

- Pest Control
- Pet and pet supply

Transportation Facilities

- Bus terminal
- Trucking terminal

Rubber Works

- Rubber welding
- Tire retreading and/or vulcanizing

Metal works

- Welding shop
- Gunsmith
- Machine shop

Vehicle Service and Repair

- Motor vehicles, trailers, bicycles and machinery repairing, rentals, sales and reconditioning
- Truck (Semi) service station
- Auto body shop
- Car wash
- Boat building or service
- RV Storage
- Trailer service

Vehicle sales

- New car lot
- Used car lot
- Boat and other motorsports sales
- Trailer sales

Amusement businesses

- bowling alley
- Boxing arena
- Motion picture studio
- Cabaret
- Circus
- Dance and social hall
- Lounge (AKA night club)
- Pool hall

- Rec center
- Roller skating rink
- Shooting range/club/gallery
- Indoor theater
- Outdoor theater

Alcohol establishment

- Beer parlor/tavern/bar
- Liquor store
- Lounge (AKA night club)
- Private liquor club (AKA: bar; "private club" is an archaic reference)

Commercial Lodging

- Boarding/lodging house
- Hotel or motel

Building material yard

- Construction of buildings to be sold and moved off the premises.
- Sales of build materials (outdoor)

Wood work

- Cabinet shop
- Lumber mill
- Lumber yard

Textile work

- Dry cleaning plant.
- Dyeing

Medical and Health

- Medical or dental clinic or offices
- Gym (public and private)
- Medical or dental laboratory

Retail and stores (allows big-box)

- Various retail establishments
- Department store
- Furniture sales
- Grocery store
- Hardware
- Pawnshop
- Supermarket
- Tobacco shop
- Variety store

Wholesale

- Hospital supply

Greenhouse/nursery

Air travel

Heliport/helipad

Food or food processing

Custom meat cutting, but not slaughtering
dairy processing
Bottling works, soft drinks
Restaurant (all types)

Other

Reception center
Mortuary
Trade school
Mobile home manufacturing, sales, and service
Sand blasting

(L)

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What's Burning in the Backyard: Stericycle and the Foxboro Neighborhood

By BRIAN GRIMMETT & ANDREA SMARDON • OCT 30, 2013

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[url=http://www.tinyurl.com/2Fv7g3crtl&text=What%27s%20Burning%20in%20the%20Backyard%3A%20Stericycle%21](http://www.tinyurl.com/2Fv7g3crtl&text=What%27s%20Burning%20in%20the%20Backyard%3A%20Stericycle%21)

Listen

9:35

North Salt Lake is home to one of the last medical waste incinerators in the country. Stericycle (<http://www.stericycle.com/>), the company that operates the incinerator, came under scrutiny this summer after state officials cited it for violating emissions standards. Residents of the Foxboro neighborhood became concerned about this plant operating next door. Many bought homes there without knowing that pollutants were being released into their neighborhood. In the first of a two-part series, What's Burning in the Backyard, we tell the story of how Foxboro grew up around a medical waste incinerator.

We start our story with some Foxboro residents, who live just across the street from Stericycle's medical waste incinerator, Dan and Becca Hubrich and their three children just home from school, bouncing on a trampoline in the backyard.

Just behind those bobbing blonde heads, there's a white plume of smoke that kind of looks like steam. When Dan and Becca decided to build a home in Foxboro more than six years ago, the new neighborhood seemed ideal for a young family.

"We really were drawn to the community," Becca says. "We knew this would be a community with a lot of young families. There was a lot of appeal, they have a lot of parks, there was a lot of togetherness, the homes are kind of close knit."

Becca's husband Dan liked the location - the convenience of being right between 1-15 and Legacy Parkway. The Hubrichs say their neighborhood is all that they had hoped for, but they did wonder why they would sometimes see black smoke coming from the plant across the street.

"You know our kids would say mom, the building's on fire again," Becca says. "And we would always say that can't be good, but we had a meeting, and they had a team of doctors telling us - telling us what a medical incinerator was, what

they were burning, and what that was polluting our air with."

City leaders held this meeting because the state division of air quality cited

(<http://www.airquality.utah.gov/Public-Interest/Current-Issues/stericycle/novintro.htm>) Stericycle (<http://www.airquality.utah.gov/Public-Interest/Current-Issues/stericycle/novintro.htm>)

in May (<http://www.airquality.utah.gov/Public-Interest/Current-Issues/stericycle/novintro.htm>) this year for exceeding permitted levels of pollutants like dioxins and for falsifying the results of stack tests. Becca and Dan learned that dioxins are a highly toxic byproduct of burning plastic -that they can cause cancer, and affect human fertility and development.

"You know our kids would say mom, the building's on fire again." - Becca Hubrich

The Hubrichs' learned that even when operating the incinerator legally, Stericycle is allowed to release limited amounts of these dioxins, as well as lead, mercury, and nitrogen oxide. They also learned that the black smoke they saw a few times a year was an emergency bypass incident ([http://www.airquality.utah.gov/Public-Interest/Current-Issues/stericycle/docs/2013/April/Stericyclewebupdate%20\(1\).pdf](http://www.airquality.utah.gov/Public-Interest/Current-Issues/stericycle/docs/2013/April/Stericyclewebupdate%20(1).pdf)). That means waste is released directly into the air without any of the usual filters.

"I was upset, I felt deceived," Dan says. 'The two things I was upset with was why was I not told this from the beginning? And the second things that made me upset, how did they get a permit to build right next door to this thing in the first place?'"

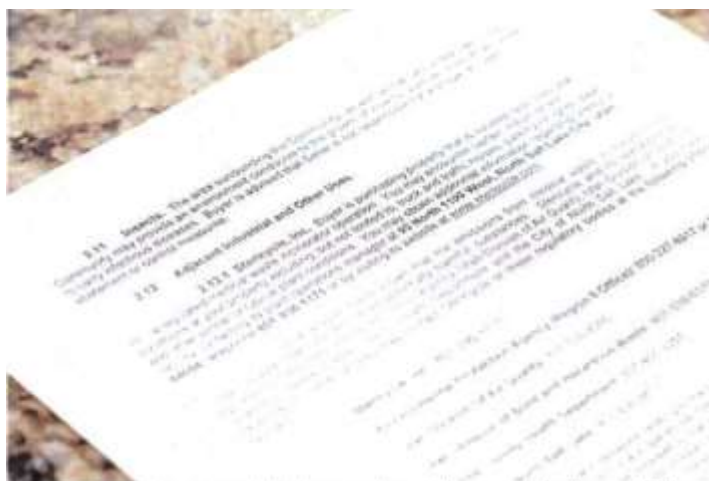
Looking back at the closing documents they signed when they bought their house, Becca and Dan were warned about truck and traffic noises, parking lot lights, and steam, but nothing about pollutants.

Stericycle's corporate office did not respond to our request for an interview. In a statement, the company claims to be operating under the parameters of its permit.

Even if that's the case, Dan and Becca say they don't feel safe in their home.

"Had I known what was actually coming out of that thing. I would never have built a home right next to it," Dan says.

"We are moving," adds Becca.



[. \(http://mediad.RUblcbroadcasting.net/P-/kuer/files/styleE](http://mediad.RUblcbroadcasting.net/P-/kuer/files/styleE)

Clause in the Hubrich's closing documents in regards to Stericycle.

CREDIT BRIAN GRIMMETT

But moving might not be so easy. Dan happens to be a loan officer and is concerned about property values in the neighborhood.

"I've definitely seen a big increase in people wanting to sell their homes, and a lot of it because of Stericycle. It's a very real possibility that values could be affected."

We talked to a number of families who say they were not aware of what actually went on at the incinerator until after they bought their home. They all say that information may well have influenced their decision whether or not to buy.

The question is, how did thousands of people come to live near a medical waste incinerator?

That story begins in 1990 when a company called Browning Ferris Industries - or BFI - wanted to buy some land over on the west side of North Salt Lake to operate an incinerator. When city officials reviewed BFI's permit, there were no residents within a mile of the facility. But even then, locals at the time were concerned about public safety and medical waste in their community.

We looked back at the planning commission meeting minutes (<https://www.documentcloud.org/documents/802493-stericycle-cup-timeline-5-9-89-10-2-12.html#document/p43/a127599>). One resident asked what the restriction would be for building residential homes near the proposed plant. The Chair of the planning commission Jerald Seelos said, "residential plans would be rejected because they would not comply with the overall intent of the West District."

Stericycle bought the incinerator in 1999. Fast forward to 2002 - city leaders amended the general plan (<https://www.documentcloud.org/documents/803870-general-plan-1991.html#document/p30/a125520>) and rezoned the land for residential development.

Some prominent families in Utah owned the land next to the incinerator, and wanted to develop it. They hired Bill Wright who worked as a consultant for a company called Sear Brown. Wright saw an opportunity.

"At that time the bulk of the land was vacant, and it was large in size," Wright says. "It was an opportunity to envision a future that was not just typical industrial development."

They made a deal with developer Woodside Homes (<http://www.woodside-homes.com/>) to build a mixed-use development. But in order for all of this to work, they needed city officials to rezone the land to build residential homes. As it happens, consultant Bill Wright was on the city's planning commission. And you know who else was on the planning commission? The current mayor of North Salt Lake Len Arave. At the time, Arave was the Chief Financial Officer for Woodside Homes. We asked Mayor Arave if that was a conflict of interest.

"There were concerns on the council that there would be conflicts of interest," Arave says. "We all understood that. I had to recuse myself. I didn't participate in any debate, discussions, and I was very careful to keep myself out of it."

Bill Wright said the same thing. And neither of them voted on this rezone issue.

As far as we can see in the meeting minutes , Arave really did stay out of it. But in a May 2002 Planning Commission meeting



<http://mediad.publicbroadcasting.net/p/kuer/files/style14-2004.jpg>

The beginning of the Foxboro residential development.

CREDIT GOOGLE EARTH

(<https://www.documentloud.org/documents/802338-nsl-planning-commission-minutes-2002.html#document/p56/a129462>), Bill Wright presented the initial plan for a mixed use community. In the presentation, he described it as a premier development with mixed income homes, some commercial businesses, and a wonderful view.

We asked Mayor Arave if he thought it was appropriate for Wright to advocate for his plan while also serving as a commissioner.

"It probably isn't a decision I would have been made if I were him, but it's not my job to criticize people. I hate to throw rocks because we all live in a glass house. If it were happening under my administration, it would be my job to try and make sure it was fixed."

We also asked him if, as mayor now, if that situation were happening, would you have something to say about it?

"Yeah, I think so. I realize people have to make a living, but I think at that point they should probably make a choice to serve on the planning commission or make a living doing that kind of stuff."

Wright says he believed in the plan amendment that was proposed, but doesn't think he had any undue influence on its approval. He says there was a healthy debate on the proposal. Other commissioners we talked to said they made up their own minds, and were not influenced by Wright.

What about public safety concerns? Well, there were concerns about the noise from trucks and visual disturbances from lights. But not a word in the planning commission meeting minutes about air pollution in relation to Stericycle. All the city leaders we interviewed say they had no reason to suspect that the incinerator's emissions would be unsafe. The State Division of Air Quality assured them that the company was in compliance with their permit.

There was really only one commissioner who had serious concerns - Jim Gramoll, president of a construction business close to Foxboro. Gramoll was worried that the residents would force the existing businesses out. In fact, there were a number of businesses in the area who objected to the rezone for this reason. Stericycle did not object, but Gramoll says it wasn't hard to foresee that there would be problems with neighbors next to a medical waste incinerator.



<http://mediad.P-ublicbroadcasting.net!P-/kuer/files/style>

Stericycle Medical Waste Incinerator

CREDIT BRIAN GRIM METT

"We did know what was going on at Stericycle, and the risk involved in that type of work," he says. "We certainly could have and should have been aware that there is a potential for problems."

An Internet search shows that there were medical waste incinerators around the country at that time that were coming under intense public pressure to close in California, Missouri, and Arizona. But all of the city leaders we spoke to say they were not aware of these conflicts at the time.

It took about six months from the time the idea was introduced to when the city leaders gave final approval of the re-zone. Gramoll's term ended before a decision was made. Today, he says there is a lesson to be learned.

"We did know what was going on at Stericycle, and the risk involved in that type of work. We certainly could have and should have been aware that there is a potential for problems." - Former Planning Commissioner Jim Gramoll

"We shouldn't rush and push the development of those areas and make exceptions to good land planning just for the sake of making it profitable for an entity," he says. "Let's do our homework. That's the area we could have done a better job."

City residents are watching their leaders closely to see how they handle this situation. Local elections are coming up, and residents like Dan Hubrich say Stericycle's incinerator is their number one issue.

"It's a big enough issue now, Erin Brockovich came out here," he says. "It's gotten a lot of attention. Whoever is leading in the city, needs to have this at the forefront of their priorities."

For more on how the city's leaders are planning to respond to the situation check out part two of our series, **What's Burning in the Backyard**

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) [Illegible]		Mailing Address of Property Owner(s) [Illegible]
Phone [Illegible]	Fax [Illegible]	Preferred Method of Written Correspondence Email <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/>
Email Address [Illegible]		
Authorized Representative Contact Information		
Name of Person Authorized to Represent the Property Owner(s) [Illegible]		Mailing Address of Authorized Person [Illegible]
Phone [Illegible]	Fax [Illegible]	Preferred Method of Written Correspondence Email <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/>
Email Address [Illegible]		
Property Information		
Project Name [Illegible]	Current Zoning M-	Proposed Zoning A-1 O A-t..-
Approximate Address [Illegible]	Land Serial Number(s) [Illegible]	
Total Acreage to	Current Use [Illegible]	Proposed Use [Illegible]
Project Narrative		
Describing the project vision. [Illegible]		

Project Narrative (continued ...)

How is the change in compliance with the General Plan?

change Doesn't change opportunity for manufacturing growth

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

current zoning has no

it would be far better for county and property owners to have this

Pr. 1 A-2. Also residents community are

in favor of this change

Project Narrative (continued ...)

How Is the change In the public interest?

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What conditions and circumstances have taken place In the g neral area since the General Plan was adopted to WJrrant such a change?

,viuv-t. dcr 11'c . r /Zt!!(16vt,\k,,, (O.:.,_-fop ,.

Project Narrative (continued ...)

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

"I'm

and safety.

Property Owner Affidavit

I (We), _____, do hereby 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

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

Barbara Sigurd

(Property Owner)
Nancy Sigurd

Angela Martin

(Notary)





Weber County Corporation

Weber County
2380 Washington Blvd
Ogden UT 84401

WEBER COUNTY

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Exhibit Location Page	
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Receipt Date
04/19/18

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John Price

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Clerk: tbennett

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<u>Zone and General</u>	Zone and General Ame	<u>\$2,352.00</u>
	Payment Type	Quantity
	CHECK	1
	Ref	Amount
	AMT TENDERED:	\$2,352.00
	AMT APPLIED:	\$2,352.00
	CHANGE:	\$0.00