



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on a request to amend the Weber County zone map to rezone approximately 3.0 acres from RE-15 zone to R-1-10 at approximately 2220 E. Eastwood Boulevard.

Report Date: Monday, October 15, 2018

Agenda Date: Tuesday, October 30, 2018

Applicant: HCA Investments; Jeremy Jaggi (Agent)

File Number: ZMA 2018-06

Property Information

Approximate Address: 2220 East Eastwood Boulevard (Uintah Highlands, Unincorporated Weber County)

Zoning: The area is currently zoned RE-15

Existing Land Use: Vacant

Proposed Land Use: Residential (R-1-10)

Township, Range, Section: T5N, R1W, Section 23

Adjacent Land Use

North: Residential	South: School/Residential
East: Residential/Agriculture	West: School/Residential

Staff Information

Report Presenter: Charles Ewert
cewert@webercountyutah.gov
801-399-8763

Report Reviewer: RG

Applicable Ordinances

§102-5: Rezoning Procedures

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.

Summary

This application is a request for a rezone of 3.5 acres from the RE-15 zone to the R-1-10 zone. The RE-15 zone is intended for very low density residential and agricultural uses, with a minimum lot size of 15,000 square feet. The R-1-10 zone is intended for residential lots with a minimum lot size of 10,000 square feet. The R-1-10 zone does not allow most of the farm animal land uses that the RE-15 zone does. A review of the Planning Commission Staff Report exhibits (attachment two) will show the differences in land uses and development standards between the two zones. It also shows the development standards and uses in the R-2 zone for a broader frame of reference.

The general plan for the area indicates that the future of this area should be reserved for “low density” residential uses. The plan specifies that “low density” residential means that this area is planned for three to eight dwelling units per acre.¹ The plan specifically calls for either the R-1, R-2, or R-3 zones. Given that it also specifies that it is intended for three to eight dwellings per acre it could be found that a rezone to the R-1-10 zone, which is

¹ See page 72 of the Southeast Planning Area Comprehensive Master Plan.

approximately 4.4 dwellings per acre at maximum density, is well under the general plan's maximum anticipated density threshold for the area.

Staff is offered a positive recommendation to the Planning Commission. The Planning Commission has offered the County Commission a positive recommendation, with a 6-1 vote. Adopting the attached rezone ordinance will execute this recommendation.

Policy Analysis

The Western Weber Planning Commission has offered the County Commission a positive recommendation for the rezone, and did so using the findings listed in their staff report, which is attached. Please refer to that report for a complete rezone analysis.

Planning Commission Recommendation

The Planning Commission has forwarded a positive recommendation to the County Commission regarding File #ZMA 2018-06, a proposal to rezone approximately 3.5 acres from the RE-15 zone to the R-1-10 zone at approximately 2220 E Eastwood Blvd.

This recommendation comes with the following findings:

1. The Southeast Area Comprehensive Land Use Master Plan (the general plan) recommends the uses and densities of the R-1-10 zone.
2. The proposed rezone will promote the health, safety, and general welfare of the Weber County public by offering more affordable lot sizes than surrounding zoning.
3. The surrounding land uses do not pose a conflict with the proposed zone, and the new uses of the proposed zone are anticipated to fit into the area harmoniously.

Exhibits

Exhibit A: Rezone Ordinance

Exhibit B: Planning Commission Staff Report

Attachment A: Proposed Rezone Ordinance

ORDINANCE NUMBER 2018-_____

AN ORDINANCE AMENDING THE WEBER COUNTY ZONING MAP TO REZONE PROPERTY AT APPROXIMATELY 2220 E. EASTWOOD BLVD FROM RE-15 TO R-1-10.

WHEREAS, the Weber County Board of Commissioners have adopted a zoning map for the unincorporated areas of Weber County; and

WHEREAS, the Weber County Board of Commissioners have received an application to amend the adopted zoning map for certain properties at approximately 2220 E. Eastwood Blvd; and

WHEREAS, after a duly noticed public hearing, the Western Weber Planning Commission have given a favorable recommendation for the zoning map amendment to the Weber County Board of Commissioners; and

WHEREAS, after a duly noticed public hearing, the Weber County Board of Commissioners have determined that the zoning map amendment complies with the intent of the Southeast Planning Area Master Plan; and

WHEREAS, the Board of Weber County Commissioners has also determined that the proposed zoning map amendment is not detrimental to the health, safety, and general welfare of the area; and

WHEREAS, the Board of Weber County Commissioners have determined that this is an appropriate time and this is an appropriate location for the proposed zoning map amendment; and

WHEREAS, as part of their consideration, the Weber County Board of Commissioners have determined that strict compliance with a concept plan is unnecessary to facilitate the intent of the general plan or the purpose and intent of the existing or proposed new zone;

NOW THEREFORE, the Weber County Board of Commissioners ordains an amendment to the Weber County Zoning Map to rezone property from the RE-15 zone to the R-1-10 zone at approximately 2220 E. Eastwood Blvd. The graphic representation of the rezone is included and incorporated herein as Exhibit A. The legal description of the rezone is included as Exhibit B. In the event there is conflict between the two, the legal description shall prevail. In the event the legal description is found by a licensed surveyor to be invalid or incorrect, the corrected legal description shall prevail as the description herein, if recommended by the County Surveyor, provided that the corrected legal description appropriately bounds the subject property and fits within the correct legal description of surrounding properties.

The rezone shall extend to the centerline of the pavement of Eastwood Blvd.

This ordinance shall become effective fifteen (15) days after publication.

Passed, adopted, and ordered published this _____ day of _____, 2018, by the Weber County Board of Commissioners.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

By _____, James
H. "Jim" Harvey, Chair

Commissioner Harvey voted _____
Commissioner Ebert voted _____
Commissioner Jenkins voted _____

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor

Exhibit A
Graphic Representations
Rezoning from RE-15 to R-1-10



Exhibit B

**Legal Descriptions
Rezoning from RE-15 to R-1-10**

PART OF THE WEST HALF OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING N88°58'33"W 1008.99 FEET AND N01°01'27"E 140.47 FEET; THENCE N35°18'41"E 170.04 FEET; THENCE S33°18'08"E 35.00 FEET; THENCE N70°31'54"E 116.89 FEET; THENCE N70°31'55"E 50.15 FEET; THENCE N12°14'08"W 3.62 FEET; THENCE N77°45'19"E 60.00 FEET; THENCE N12°14'43"W 15.02 FEET; THENCE N77°45'17"E 125.00 FEET; THENCE S12°13'58"E 156.73 FEET; THENCE S77°44'57"W 38.07 FEET; THENCE S12°15'03"E 221.85 FEET; THENCE N89°41'07"W 52.36 FEET; THENCE N67°14'45"W 134.21 FEET; THENCE S35°18'26"W 100.00 FEET; THENCE N54°41'37"W 319.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 122711 SQUARE FEET OR 2.817 ACRES MORE OR LESS



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Summary

This application is a request for a rezone of 3.5 acres from the RE-15 zone to the R-1-10 zone. The RE-15 zone is intended for very low density residential and agricultural uses, with a minimum lot size of 15,000 square feet. The R-1-10 zone is intended for residential lots with a minimum lot size of 10,000 square feet. The R-1-10 zone does not allow most of the farm animal land uses that the RE-15 zone does. A review of Exhibit E will show the differences in land uses and development standards between the two zones. It also shows the development standards and uses in the R-2 zone for a broader frame of reference.

The general plan for the area indicates that the future of this area should be reserved for “low density” residential uses. The plan specifies that “low density” residential means that this area is planned for three to eight dwelling units per acre.¹ The plan specifically calls for either the R-1, R-2, or R-3 zones. Given that it also specifies that it is intended for three to eight dwellings per acre it could be found that a rezone to the R-1-10 zone, which is

¹ See page 72 of the Southeast Planning Area Comprehensive Master Plan.

approximately 4.4 dwellings per acre at maximum density, is well under the general plan’s maximum anticipated density threshold for the area.

Staff is offering a positive recommendation for the rezone based on its compliance with the general plan.

Policy Analysis

The Weber County Land Use Code has a chapter that governs application-driven rezones. The following is a policy analysis of the requested rezone based on the Land Use Code and best planning practices.

Zoning. The current zone of the subject parcel is RE-15. **Figure 1**² displays current zoning and the parcels affected by the proposed rezone. The RE-15 zone is intended for very-low density residential and agricultural uses, with a minimum lot size of 15,000 square feet.

Weber County Code § 104-3-1 says the purpose of the RE-15 zone is:

“to provide and protect residential development at a low density in a semi-agricultural or rural environment. It is also to provide for certain rural amenities on larger minimum lots, in conjunction with the primary residential nature of the zone.”

Figure 1: Current Zoning Map and the Subject Parcel(s).



The proposed zone for the subject parcel is the R-1-10 zone. Pursuant to § 104-12-1, the purpose of the R-1-10 zone is:

“to provide regulated areas for single-family residential use at two different low-density levels.”

The proposed rezone can be viewed in **Figure 2**³. Based on gross area, the existing RE-15 zone could yield approximately 10 residential dwelling units in the subject rezone area. Based on gross area, the proposed R-1-10 zone could yield approximately 15 residential dwelling units, an approximately five dwelling unit increase in density rights of the area. This might not be the actual potential density, as some of the land will likely be required to be reserved for a street.

² See also Exhibit B.

³ See also Exhibit C.

Figure 2: Proposed Zoning Map and the Subject Parcel(s).



Changing a zone from RE-15 to R-1-10 comes with a few things to consider. The Planning Commission should review the uses that are different in each zone and the differences in lot size requirements⁴. The most prominent difference in terms of intensity of uses is that the RE-15 zone requires residential lots to be 15,000 square feet but the R-1-10 zone allows lots to be as small as 10,000 square feet. Another difference is that the RE-15 zone anticipates agricultural farm animals and the R-1-10 zone does not.

General plan. Weber County Code § 102-5-2 specifies that rezoning should be in compliance with the general plan. The applicable general plan is an older one that has not been amended in some time. It is the Southeast Area Comprehensive Land Use Master Plan (1970-1990). The rezone proposal appears to comply with this general plan. **Figure 3**⁵ shows that the general plan’s future land use map has this area designated for “low density.” This map and the plan text is clear enough to suggest that the property’s current zoning, the RE-15 zone, is not in compliance with “low density” and should be changed. The proposed R-1-10 zone would change the zoning to a zone that better supports the low density classification.

The general plan anticipates “low density” to be three to eight dwelling units per acre. While the current RE-15 zone provides for only 2.9 units to the acre, the proposed rezone would enable 4.4 dwelling units to the acre, which is well within the recommended range.

Furthermore, the description of the R-1-10 zone better suits the plan’s description of “low density” than the RE-15 zone. The RE-15 zone is better compared to the plan’s “very low density” designation. The plan reads as follows:

Very low density

The very low density classification is designed as a transition zone between agricultural land uses and urban residential development. The classification permits the development of single and two family structures on a minimum of 15,000 square feet in the unincorporated areas of the county, and 20,000 square feet in Uintah [Township]. In both cases, the density requirements relate to the Suburban-Residential-Agricultural (S-1A)

⁴ See Exhibit E to compare the uses between the R-1-10 zone and the RE-15 zone.

⁵ See also Exhibit D.

zone.⁶ The density requirements of the “Very Low” classification would permit the development of one to two dwelling units per net residential acre.

The proposed area for development under very low density are located east of 2400 East, south of the Ogden City limits and north of 6450 South in what is known as the Uintah Highlands. The other very low density residential area is located in the Uintah Township⁷.

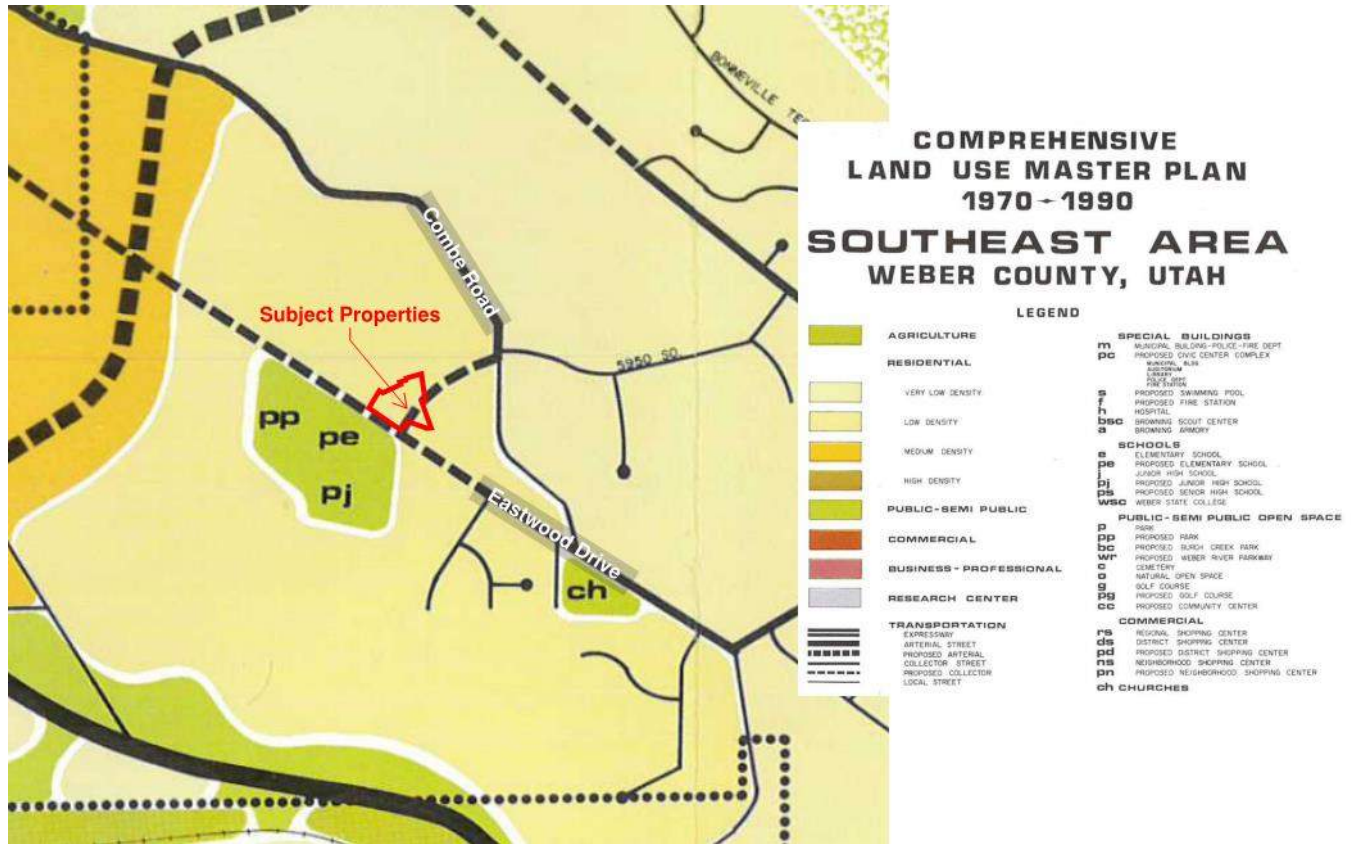
Low density

The low density classification consists of those uses which exist in R-1⁸, R-2, and R-3 or single family and duplex structures. The density for this classification provides for three to eight dwelling units per net residential acre. The minimum required area for building a single family home is 6,000 square feet.

The plan proposes that low density residential development should take place near collector streets with access to neighborhood school and park facilities. The plan envisions the continuation of existing low density areas particularly on the areas north of Washington Boulevard and south of the Burch Creek to the northern boundary of Golf City and in the areas around Weber State College and east of the proposed Skyline Drive. Other areas of low density housing are shown dispersed throughout the southwest portion of the planning area. The majority of the proposed low density area other than that described above is located in the property to be developed by Wasatch Hills Development Company. The low density residential areas should be served by a full complement of community facilities and be protected from intrusion of through traffic and non-residential oriented land uses.

Figure 3⁹ graphically presents the expected layout of the above described designations. Combe road is the edge between the “low density” classification and the “very low density” classification.

Figure 3: Future Land Use Map of the Southeast Area’s General Plan.



⁶ The county no longer has a S-1A zone, but does have the RE-15 and RE-20 zones that correspond to this designation.
⁷ The “Uintah Township” is now predominantly Uintah City.
⁸ The county no longer has the R-1 zone, but does have the R-1-10 zone that roughly corresponds to this designation.
⁹ See also Exhibit D

Attachment B: Planning Commission Staff Report

Even though the proposed rezone creates an island of one zone surrounded by another, this is not considered spot zoning because the general plan requests this type of zoning density in the area, thus this request is anticipated and recommended for not just the subject property, but also adjacent properties. The RE-15 zone and the R-1-10 zone are similar enough in nature to not create significant concern regarding adjacent conflicting uses.¹⁰ Over time, the general plan anticipates that future decisions will change surrounding RE-15 zoning to the R-1-10 or other similar zone. There is another R-1-10 zone approximately 1100 feet to the northwest of the subject property, which is immediately adjacent to property zoned R-2, so it can be observed that this proposed zone is not inconsistent with zones in the area. If the Planning Commission is concerned about a proposed R-1-10 island, then more consideration could be given to rezoning other surrounding land to the R-1-10 zone as well.

Rezoning. Weber County Code § 102-5-3 sets forth approval criteria when considering a rezone. Because a rezone is legislative, this criterion allows broad deference to the County Commission's legislative decision-make authority. The criterion is twofold:

- (a) *To promote compatibility and stability in zoning and appropriate development of property within the county, no application for rezoning shall be approved unless it is demonstrated that the proposed rezoning promotes the health, safety and welfare of the county and the purposes of this chapter.*
- (b) *The planning commission and the county commission will consider whether the application should be approved or disapproved based upon the merits and compatibility of the proposed project with the general plan, surrounding land uses, and impacts on the surrounding area. The commissions will consider whether the proposed development, and in turn the application-for rezoning, is needed to provide a service or convenience brought about by changing conditions and which therefore promotes the public welfare. The county commission may require changes in the concept plan in order to achieve compatibility and may impose any conditions to lessen or eliminate adverse impacts.*

Weber County Code § 102-5-4 and § 102-5-5 sets forth application submittal criteria. In these chapters the County Commission will find that Weber County has previously adopted very strict requirements for rezones. These application requirements expect engineered drawings for concept plans, water and waste water provisions, and storm water runoff. This is a challenging burden to meet when a landowner is considering a rezone, and each of these are required prior to actual development of the land, so it may be redundant to require them.

Concept development plan. A concept development plan has been provided for the property¹¹. If the rezone is approved contingent on this concept development plan the ordinance requires that owner strictly comply with it. Staff does not recommend rezoning contingent upon this concept development plan. The concept shows a cul-de-sac turnaround for 5950 South rather than a through-street. Weber County Code § 106-2-3 might require this to be a through street that connects to the current stub from the east. The general plan map designates this as a through-street as well. The subdivision plat of the Smithing Subdivision, the property to the east from which 5950 South stubs, reserves an easement through the property sufficient to create a through street. In the event the planning commission or county commission does not desire a through street then the general plan will need to be amended to show as much. That need not necessarily affect this rezone application.

Under § 102-5-6(1) the county commission may:

“approve the proposed rezoning and concurrently approve a concept plan for the development, in whole or in part, with or without changes or conditions and adopt an ordinance rezoning the property;”

Locations of buildings and structures and their architectural designs. The ordinance requires that the concept plan show the location of buildings and structures and their architectural designs. The applicant asserts that the design and layout of lots and buildings will comply with the subdivision regulations and zoning standards in place at the time a subdivision is proposed. The applicant has provided conceptual renderings of examples of buildings that might go in the development. The planning commission may determine that this requirement has been satisfied with this explanation.

Access and traffic circulation. This property is located on Eastwood Boulevard. As previously mentioned, 5950 South stubs in from the east. If 5950 South is required to be extended through the subject property it is not likely to align with any other through street, as it would terminate at property owned by Weber School District, where Uintah Elementary is located. The close proximity of the 2250 East and Eastwood Boulevard intersection could pose a conflict with a potential intersection of 5950 South and Eastwood. Unless the planning commission feels strongly

¹⁰ See Exhibit E to compare the uses between the R-1-10 zone and the RE-15 zone.

¹¹ See Attachment F.

Attachment B: Planning Commission Staff Report

one way or the other that a stance should be taken now regarding this potential through street, this issue will be fleshed out during subdivision review. A connection could help facilitate traffic to Uintah Elementary School.

Water, waste water, fire, engineering, and other utilities. The applicant has provided a feasibility letter from the Uintah Highlands Improvement District for water and sewer. This application was sent for review by all relevant review agencies. None returned any negative responses.

Staff Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the County Commission regarding File #ZMA 2018-06, a proposal to rezone approximately 3.5 acres from the RE-15 zone to the R-1-10 zone. This recommendation comes with the following findings:

1. The Southeast Area Comprehensive Land Use Master Plan (the general plan) recommends the uses and densities of the R-1-10 zone.
2. The proposed rezone will promote the health, safety, and general welfare of the Weber County public by offering more affordable lot sizes than surrounding zoning.
3. The surrounding land uses do not pose a conflict with the proposed zone, and the new uses of the proposed zone are anticipated to fit into the area harmoniously.

Exhibits

Exhibit A: Application.

Exhibit B: Current Zone Map.

Exhibit C: Proposed Zone Map.

Exhibit D: Southeast Area Comprehensive Land Use Master Plan Map (General Plan's Future Land Use Map).

Exhibit E: Tabular Comparison of RE-15 and R-1-10 Zones.

Exhibit F: Concept Development Plan.

Authorized Representative Affidavit

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

(Property Owner)

(Property Owner)

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

(Notary)

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 <i>13 September 2018</i>	Received By (Office Use)	Added to Map (Office Use)
Property Owner Contact Information		
Name of Property Owner(s) <i>Brenda Burton Trust</i>		Mailing Address of Property Owner(s) <i>2277 E. 5950 S. Ogden, UT 84403</i>
Phone <i>801-726-2605</i>	Fax	
Email Address <i>orbit1962@armormax.com</i>	Preferred Method of Written Correspondence <input 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>Jeremy R. Jaggi</i>		Mailing Address of Authorized Person <i>6690 Willow Creek Rd Morgan, UT 84050</i>
Phone <i>805-559-0197</i>	Fax	
Email Address <i>jeremy.jaggi@hcaiinvestments.com</i>	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Information		
Project Name <i>HCA Highlands</i>	Current Zoning <i>R-15 (Ag)</i>	Proposed Zoning <i>R-10</i>
Approximate Address <i>2277 E. 5950 S. (~ 3 acres) Ogden, Utah 84403 (NW)</i>	Land Serial Number(s) <i>Parcel # 070860065 (West Portion)</i>	
Total Acreage <i>~3 acres</i>	Current Use <i>Agriculture</i>	Proposed Use <i>New Subdivision</i>
Project Narrative		
Describing the project vision. <i>See Attached Narrative document</i>		

Project Narrative (continued...)

How is the change in compliance with the General Plan?

see Attached

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

see attached

Project Narrative (continued...)

How is the change in the public interest?

See attached

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

Project Narrative (continued...)

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

See attached

Property Owner Affidavit

I (We), MARK BURTON, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

[Handwritten signature of Mark Burton]

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 13th day of September, 2018.

[Handwritten signature of Yvonne M Hill]

(Notary)



Project Narrative (continued...)

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

Property Owner Affidavit

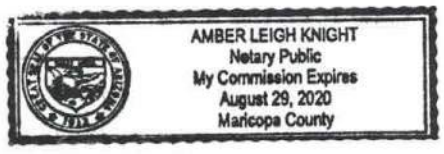
I (We), BRUCE STRATFORD, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

[Signature]
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 28 day of September, 2018.

[Signature] Amber Leigh Knight
Notary Public (Notary)



Authorized Representative Affidavit

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

[Signature]

(Property Owner)

(Property Owner)

Dated this 13th day of September, 20 18, personally appeared before me Mark Burton, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.



[Signature]

(Notary)

To: Weber county planners:

Re: Parcel # 070860065 (west side)

Owner: Brenda Burton Trust

This letter is regarding the proposed rezoning of the parcel listed above. The current zoning is RE-15 and the west side of the property has been dormant agricultural land for many years. It is proposed to rezone to RE-10 so that 10 brand new homes (smaller square footage) may be placed on the property. The community needs smaller lots that require less home and less land for maintenance. As the population base of the Uintah Highlands has shifted (to be described in more detail), a majority of the resident's desire to stay in the area but are looking for newer amenities including energy efficiency and upgraded living conditions without spending the time or money to remodel.

The minor change in zoning is a change that follows and is in addition to the general plan. Two years ago, a small rezoning from RE-15 to RE-10 materialized just ½ mile from this property to the north (waterfall development) at the newly created roundabout on Skyline and Combe roads setting a precedent for an RE-10 development in Uintah Highlands.

The current zoning of RE-15 requires 30% greenspace in addition to their large lots. The current residents of Uintah Highlands are seeking to reduce their environmental (water and energy) impact as they age. This rezoning should be allowed as another has recently been approved and the current residents want new options in housing.

The neighborhood (public interest) is interested in changes like this because of their demographics. The Uintah Highlands neighborhood is now composed primarily of "baby-boomers," or those 55 years of age and older. As they have aged, they have expressed the desire to "get out of their big old homes and large yard" and to manage something more simply. The residents love their neighborhood, raised most of their families in the area and want to stay in the area. There haven't been options for smaller homes and smaller yards due to the current zoning restrictions.

Conditions and circumstances have changed from the general plan for this neighborhood. The general plan was built and approved in the 1980's and is now outdated. "Through streets" were a part of the plan, but Skyline drive and the roundabout that has been added as a key outlet for residents east of Combe road. Large homes on large lots was the preference for young professionals, physicians and lawyers who occupied the neighborhood in their 30's and 40's. The "recently retired" or "soon-to-be retired" want more options.

The project promotes the health and safety of aging residents by providing them with a new home that doesn't have many stairs (could prevent falls). The newer homes will have state-of-the art equipment including new furnaces, air conditioners, water conditioners and easy-to-use

appliances that may prevent other accidents including fires or carbon-monoxide poisoning. The new subdivision may also add to property values as it will have community covenants and standards of the highest quality.

An inventory of surrounding area properties is attached in subsequent pages (county assessor documents). There are very few comparable properties to the Burton property. The land use type within this project is basic housing consisting of mostly patio homes. The smallest lot size is 8,100 square feet with the largest lot being ~13,800 square feet.

The approximate locations of the lots and building structures are contained on the initial Reeves plan concept proposal attached.

Home renderings are also attached. (courtesy of Nilson Homes) one of the contracted builders for the development.

Uintah Highlands Water and Weber Basin Water Conservancy as well as Rocky Mountain Power and Questar Gas have provided letters of affirmation to serve the new community.

The existing site is composed of weeds and a barn. Some former irrigation material remains. The barn and other material will be cleared. There is a beautiful stone wall that runs along Eastland Road that will be expanded to run the entire length of the development.

HCA Highlands will be composed of 10 individual patio, rambler or 2-story homes built by 2 or 3 builders. The covenants will be established such that the look and feel will be consistent with high standards of construction and color. Homeowners will be encouraged to utilize "water wisely." No homeowner's association will be established but homeowners will utilize a basic tenet of governance document that is voluntarily signed.

Legal description of the PIQ (Property in Question), Brenda Burton Trust Parcel # 070860065 , located at 2277 East 5950 South, Ogden, Utah, 84403. The POB (point of beginning) of proposed rezoned property starts directly southwest of the Burton property garage at the aforementioned address. Measuring 221.85 feet 61.56 feet on the SE corner (Lot 7) of said property. The opposing terminus of the northwest corner (Lot 1) of the parcel of the proposed rezoned property measures 124.54 feet by 70.00 feet. The southwest corner of proposed property (Lot 10) measures 122.54 feet by 70.00 feet. The opposing terminus on the northeast corner spans two lots (5 and 6) and measures 53.36 and 99.45 on the north with an additional 25.57 feet hitting the northwest corner. Lot 6 north border measures 197.93 feet. The lot is flat. The soil is soft. Geotechnology survey and sampling on the lot may not be necessary as there is no slope.



REVISIONS	DESCRIPTION
DATE	

Burton Property
 PART OF THE NE 1/4 OF SECTION 23, T.5N., R.1W., S.L.B. & M., U.S. SURVEY
 WEBER COUNTY, UTAH

Sketch Plan



SCALE:
1"=30'

Burton Property
 Weber County, Utah

Developer:
 Mark Burton
 2277 E 5950 S
 Ogden, UT. 84403
 (801) 726-2605

Project Info.

Engineer:	N. Reeve
Designer:	C. Cove
Begin Date:	May 22, 2017
Name:	BURTON PROPERTY
Number:	7013-01

Traffic Flow



Burton Property

Weber County, Utah

Developer

Mark Burton
2277 E 5950 S
Ogden, UT, 84403
(801) 728-2605

THIS PLAN AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 3102 S. 1900 W., HERRING, UTAH 84003, AND SHALL NOT BE REPRODUCED, RE-CREATED, OR USED IN ANY MANNER OTHER THAN THE PROJECT SPECIFICALLY DESIGNATED FOR WITHOUT THE WRITTEN PERMISSION OF REEVE & ASSOCIATES, INC. ANYONE WHO VIOLATES THIS PLAN OR ANY CHANGE OR ADDITION MADE TO THIS PLAN OR THE DESIGN THEREON WITHOUT REEVE & ASSOCIATES, INC. SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES AND COSTS INCURRED THEREBY.

<p>Sheet 1 of 1</p>	<p>Burton Property PART OF THE NE 1/4 OF SECTION 23, T54N, R11W, S18 & M, U.S. SURVEY WEBER COUNTY, UTAH</p> <p>Sketch Plan</p>	<table border="1"> <thead> <tr> <th colspan="2">REVISIONS</th> </tr> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	REVISIONS		DATE	DESCRIPTION							 <p>Reeve & Associates, Inc.</p>
REVISIONS													
DATE	DESCRIPTION												



Uintah Highlands Improvement District

2401 East 6175 South
Ogden, UT 84403-5344
Phone: 801-476-0945
Fax: 801-476-2012
uhid1@qwestoffice.net

September 5, 2018

Subdivision Planner
Weber County Planning and Engineering
2380 Washington Blvd.
Ogden, Utah 84401

Re: Availability of services for Culinary Water and Sanitary Sewer within Uintah Highlands Improvement District for the: Proposed 10 Lot Development - Parcel 07-086-0065

Officials of the Uintah Highlands Improvement District, have been contacted about the proposed development of 10 lots on the property owned by Brenda Burton Trust parcel 07-086-0065, which is located within the boundaries of the District. The proposal is to divide this parcel into a 10 lot subdivision. Based upon the information from the phone conversation with Mr. Jeremy Jaggi, a representative for the proposed development, and under existing conditions, the District hereby states that culinary water and sanitary sewer collection services would be available for the proposed 10 lot development. When the existing lot is subdivided, the district does have the availability to provide services for each of the proposed 10 lots. The Developer would be responsible to make the connection to the existing services of the District, at the expense of the developer. The lines may be considered private from the connection at the main, which would then become the sole responsibility of the owner of the lateral. Detailed plans must be submitted and approved and all fees must be paid before a commitment-to-serve is granted and before construction begins.

Please note that:

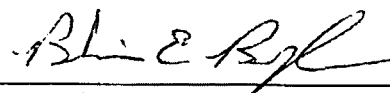
Secondary Water for the area is provided by Weber Basin and is NOT part of this Commitment to Serve - District Rules and regulations (section 4.1.4) states, Use of District water for secondary Irrigation purposes on lawns and gardens or outside use is strictly prohibited. (See complete Rules and Regulations for full explanation.)

A separate source for secondary water is required and must be approved and provided for.

This commitment is made expressly subject to the condition that the Developer of the proposed 10 lot subdivision shall be required to comply with all applicable development procedures of the District, including, without limitation, the Developer shall agree to construct all water and sewer system improvements in strict conformance with and subject to the Uintah Highlands Improvement District current 'Public Works Standards', obtain proper easements, and to abide by all applicable rules and regulations of the District, as the same currently exist, or as they may be amended from time-to-time.

Dated this 5th day of September, 2018.

UINTAH HIGHLANDS IMPROVEMENT DISTRICT

By: 
Blaine E. Brough, District Manager



Jeremy Jaggi <jeremy.jaggi@hcainvestments.com>

Weber Basin Water Application

Riley Olsen <rolsen@weberbasin.com>
To: Jeremy Jaggi <jeremy.jaggi@hcainvestments.com>

Wed, Sep 5, 2018 at 3:12 PM

Jeremy,

I've calculated the amount of water required for each lot in the proposed subdivision based on the plat you sent over, and it looks like the existing property has enough water allocated to it to serve the subdivision. Weber Basin will provide secondary water to the Development assuming that an engineering review of the construction drawings is completed and the conditions resulting from said review are met.

Will this email be sufficient to meet the County's needs? Or do you need an official signed letter?

Thanks,

Riley J. Olsen, P.E.
Engineer
Weber Basin Water

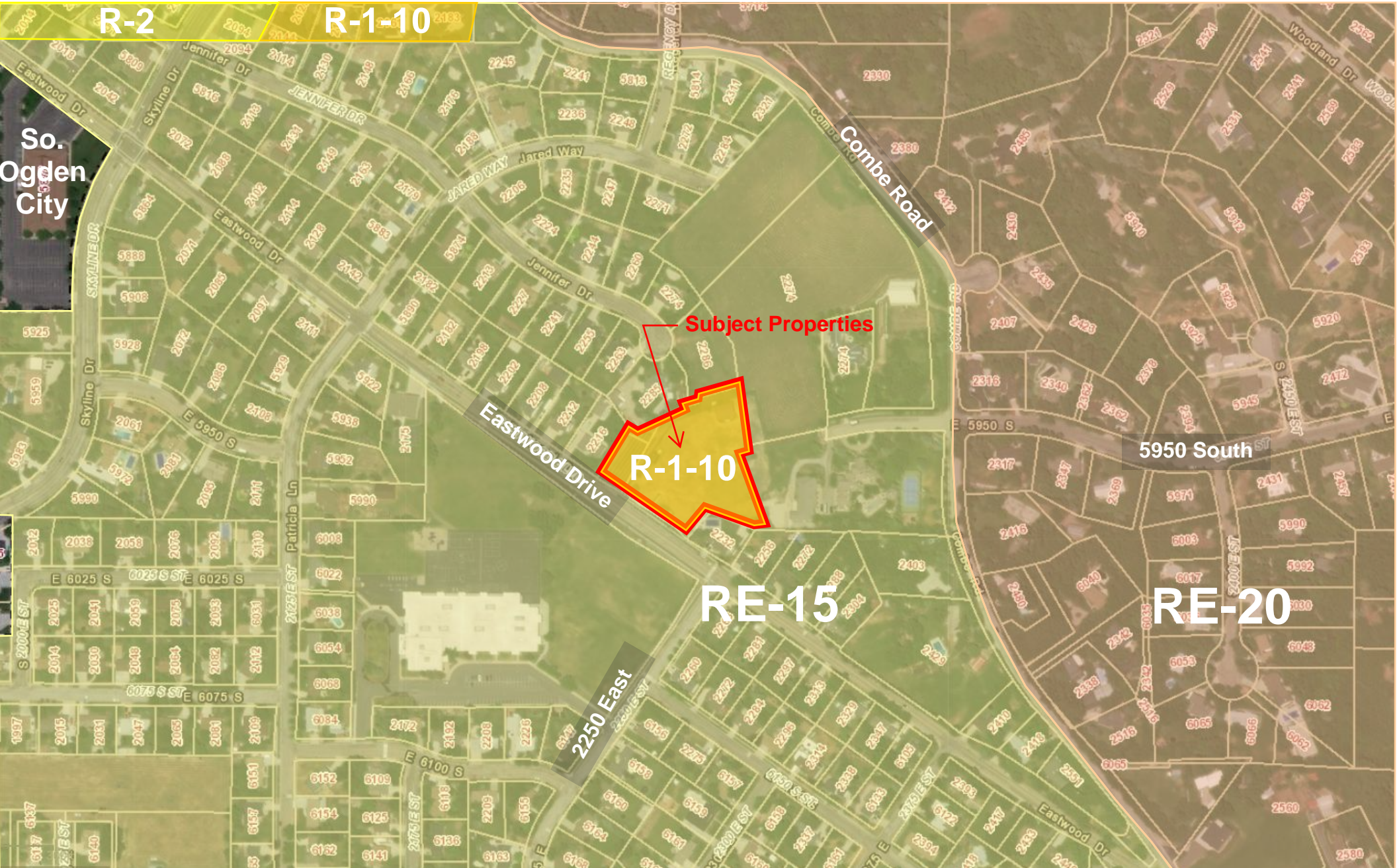
From: Jeremy Jaggi <jeremy.jaggi@hcainvestments.com>
Sent: Wednesday, September 5, 2018 4:08 PM

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Current Zone Map of Area





So. Ogden City

Subject Properties

R-1-10

RE-15















RE-20

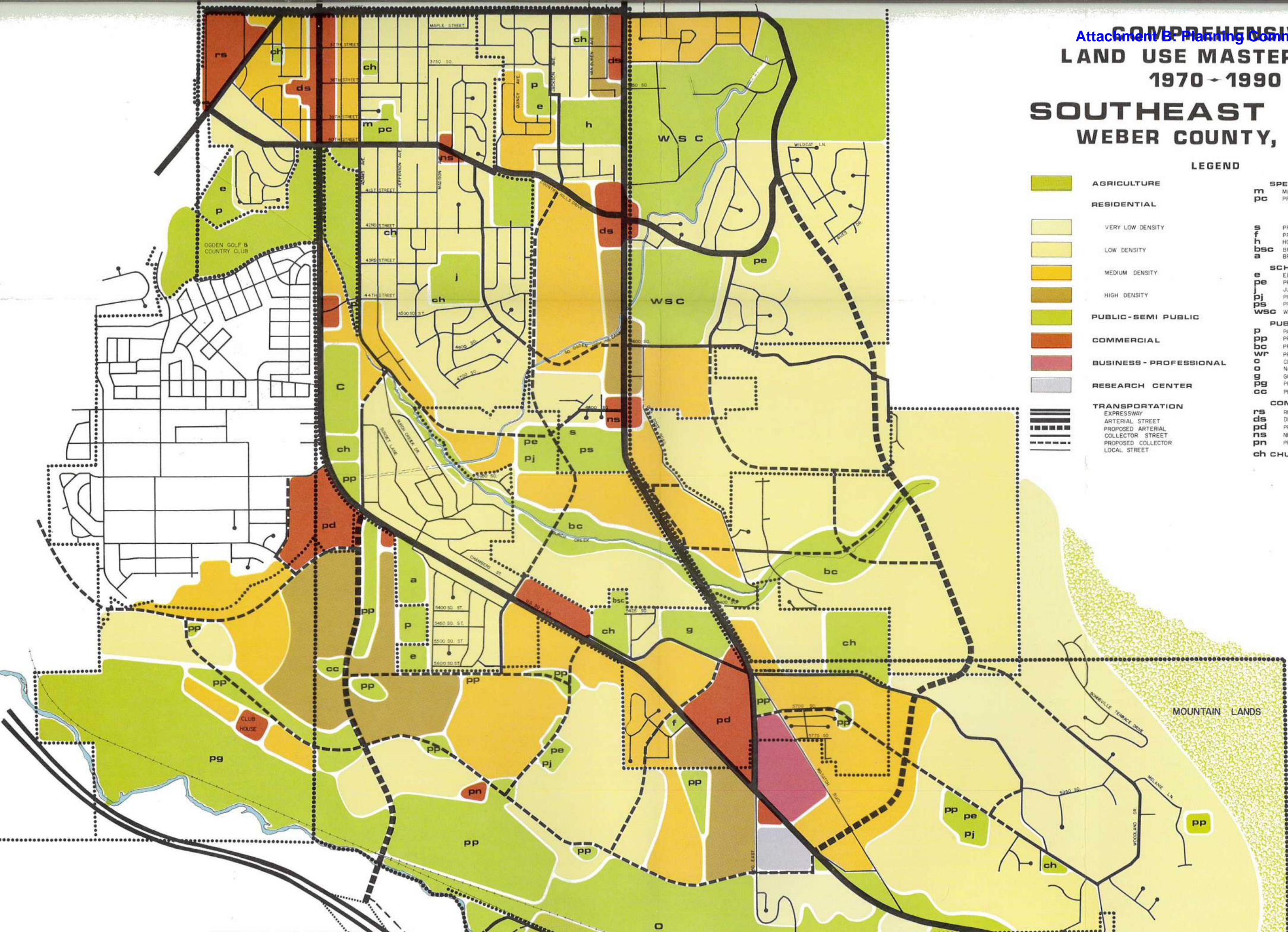
LAND USE MASTER PLAN

1970 - 1990

SOUTHEAST AREA WEBER COUNTY, UTAH

LEGEND

	AGRICULTURE		SPECIAL BUILDINGS
	RESIDENTIAL		m MUNICIPAL BUILDING-POLICE-FIRE DEPT.
	VERY LOW DENSITY		pc PROPOSED CIVIC CENTER COMPLEX
	LOW DENSITY		MUNICIPAL BLDG
	MEDIUM DENSITY		AUDITORIUM
	HIGH DENSITY		LIBRARY
	PUBLIC-SEMI PUBLIC		POLICE DEPT
	COMMERCIAL		FIRE STATION
	BUSINESS - PROFESSIONAL		s PROPOSED SWIMMING POOL
	RESEARCH CENTER		f PROPOSED FIRE STATION
	TRANSPORTATION		h HOSPITAL
	EXPRESSWAY		bsc BROWNING SCOUT CENTER
	PROPOSED ARTERIAL STREET		a BROWNING ARMORY
	PROPOSED COLLECTOR STREET		SCHOOLS
	PROPOSED LOCAL STREET		e ELEMENTARY SCHOOL
			pe PROPOSED ELEMENTARY SCHOOL
			j JUNIOR HIGH SCHOOL
			pj PROPOSED JUNIOR HIGH SCHOOL
			ps PROPOSED SENIOR HIGH SCHOOL
			wsc WEBER STATE COLLEGE
			PUBLIC-SEMI PUBLIC OPEN SPACE
			p PARK
			pp PROPOSED PARK
			bc PROPOSED BURCH CREEK PARK
			wr PROPOSED WEBER RIVER PARKWAY
			c CEMETERY
			o NATURAL OPEN SPACE
			g GOLF COURSE
			pg PROPOSED GOLF COURSE
			cc PROPOSED COMMUNITY CENTER
			COMMERCIAL
			rs REGIONAL SHOPPING CENTER
			ds DISTRICT SHOPPING CENTER
			pd PROPOSED DISTRICT SHOPPING CENTER
			ns NEIGHBORHOOD SHOPPING CENTER
			pn PROPOSED NEIGHBORHOOD SHOPPING CENTER
			ch CHURCHES



Attachment B: Planning Commission Staff Report

Site Development Standards

Zone	R-1-10	RE-15	R-2
Minimum Lot Area	10,000 square feet.	15,000 square feet.	6,000 square feet.
Minimum Lot Width	80 feet.	100 feet.	60 feet.
Minimum Yard Setbacks			
Front	20 feet.	30 feet.	25 feet.
Side			
Dwelling	10 feet; with total of two sides not less than 24 feet.	10 feet; with total of two sides not less than 24 feet.	8 feet; with total of two sides not less than 18 feet.
Other Main Building	20 feet.	20 feet.	20 feet.
Accessory Building	10 feet; except 1 foot when at least 6 feet from rear of dwelling and not less than 10 feet from dwelling on adjacent lot.	10 feet; except 1 foot when at least 6 feet from rear of dwelling and not less than 10 feet from dwelling on adjacent lot.	8 feet; except 1 foot when at least 6 feet from rear of dwelling and not less than 8 feet from dwelling on adjacent lot.
Side; on corner lot	20 feet.	20 feet.	20 feet.
Rear			
Main Building	20 feet.	30 feet.	30 feet.
Accessory Building	1 foot; except 10 feet where accessory building rears on side yard of adjacent corner lot.	1 foot; except 10 feet where accessory building rears on side yard of adjacent corner lot.	1 foot; except 8 feet where accessory building rears on side yard of adjacent corner lot.
Height			
Main Building	35 feet.	30 feet.	35 feet.
Accessory Building	25 feet.	25 feet.	25 feet.

Land Uses

N = Not Permitted

P = Permitted

C = Conditionally Permitted

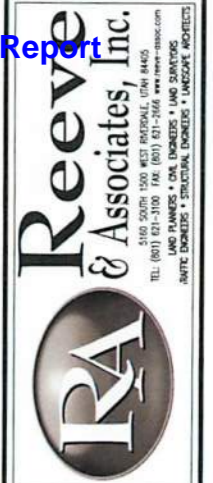
Zone	R-1-10	RE-15	R-2
Agricultural and Animal Uses			
Agriculture.	P	P	P
Agricultural experimentation center	N	P	N
Animals and fowl kept for family food production as an incidental and accessory use to the residential use of the lot.	N	P	
		P	
Chinchilla raising.	N	Requires 40,000 square feet minimum lot area	N

Attachment B: Planning Commission Staff Report

Corral, stable or building for keeping of animals or fowl, provided such building shall be located not less than 100 feet from a public street, and not less than 25 feet from any side or rear lot line.	N	P	N
Farms devoted to the hatching, raising (including fattening as incident to raising) of chickens, turkeys or other fowl, rabbit, fish, frogs or beaver hatched or raised on the premises.	N	P Requires 5 acre minimum lot area	N
Private stables; horses for private use only, and provided that not more than one horse may be kept for each one-half acre of land used for horses within any lot and no horses shall be kept on any lot of less than one-half acre in area.	N	P	N
Raising and grazing of horses, cattle, sheep or goats, including the supplementary feeding of such animals, provided that such raising or grazing is not a part of, nor conducted in conjunction with any livestock feed yard, livestock sales yard, slaughterhouse, animal by products business or commercial riding academy.	N	P Requires 5 acre minimum lot area	N
Residential Uses			
Bachelor and/or bachelorette dwelling with 24 or less dwelling units.	N	N	P
Cluster subdivision	P	P	N
Group dwelling with 24 or less dwelling units	N	N	P
Home occupations.	P	P	P
Household pets, which do not constitute a kennel.	P	P	P
Planned residential unit development	C	C	C
Residential facilities for persons with a disability	P	C	P
Residential facility for elderly persons	C	C	P
Single-family dwelling.	P	P	P
Two-family dwelling.			P
Public and Quasi-Public Uses			
Public utility substations.	C	C	C
Cemetery with customary incidental uses including, but not limited to mortuary, mausoleum, crematory, staff housing, service shops and chapel.	P	P	C
Church, synagogue or similar building used for regular religious worship.	P	P	P
Educational institution.	P	N	P
Educational/institutional identification sign.	C	C	C
Public building, public park, recreation grounds and associated buildings.	P	P	P
Water storage reservoir developed by a public agency	C	C	C
Commercial Uses			
Child day care or nursery.	N	C	N
Golf course, except miniature golf course.	P	P	P

Attachment B: Planning Commission Staff Report

Greenhouse and nursery limited to sale of material produced on premises and with no retail shop operation.	N	P	N
Other Uses			
Accessory building incidental to the use of a main building; main building designed or used to accommodate the main use to which the premises are devoted; and accessory uses customarily incidental to a main use.	P	P	P
Greenhouse, for private use only.	P	P	P
Parking lot accessory to uses permitted in this zone.	P	P	P
Private park, playground or recreation area, but not including privately owned commercial amusement business.	C	C	C
Temporary building for use incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work.	P	P	P
Small wind energy system.	N	C	N



REVISIONS	DESCRIPTION
DATE	

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 PART OF THE NE 1/4 OF SECTION 23, T.5N., R.1W., S.L.B. & M., U.S. SURVEY
 WEBER COUNTY, UTAH

Sketch Plan



Project Info.	
Engineer:	N. Reeve
Designer:	C. Cove
Begin Date:	May 22, 2017
Name:	BURTON PROPERTY
Number:	7013-01

Sheet	1
Sheets	



SCALE:
1"=30'

Burton Property
 Weber County, Utah

Developer:
 Mark Burton
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