



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on GP 2018-05, a request to amend the General Plan and Future Land Use Map to increase the neighborhood village center from 22 acres to 45 acres at the intersection of 4700 West and 1150 South.

Staff Report Date: October 29, 2018

Agenda Date: Tuesday, ~~November 06, 2018~~ December 04, 2018

Applicant: Weber County

File Number: GP #2018-04

Property Information

Approximate Address: Forest Service Land

Project Area: NA

Zoning: F-40

Existing Land Use: Forest

Proposed Land Use: NA

Staff Information

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

Report Reviewer: RG

Applicable Ordinances

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

Summary

This item is a proposal to amend the West Central Weber County General Plan's Future Land Use Map to increase the community village center at the intersection of 4700 West and 1150 South (12th Street) from 22 acres to 45 acres. This request immediately precedes a rezone request for 10 acres of property located on the southwest corner of this intersection. That applicant is seeking to change the zone from A-1 to C-1.

A few months ago the general plan was changed to increase the plan's previous allocation of the "community village center" for this area from 7-15 acres to a total of 22 acres. All of that acreage was then allocated to a rezone on the southeast corner of 4700 West and 12th Street. This applicant is now requesting the plan be changed enough to allow for his requested rezone too.

In reviewing this request, and after considering the County Commission's discussion regarding the earlier rezone, staff recommended that the Planning Commission consider 45 total acres (including those already zoned commercial) of all four quadrants of this intersection. To support this, staff recommended identifying definitive growth boundaries on the future land use map to better guide future commercial development in the area and safeguard against uncontrolled case-by-case commercial rezone expansion. This would take a more comprehensive approach to the future of this intersection and provide a more predictable outcome.

The Planning Commission considered staff's recommendation, but remain concerned that even the changes offered therein are insufficient to offer a comprehensive enough approach to the future of development in the Western Weber County Planning Area. The Planning Commission recommended denial of the general plan amendment and the applicant's rezone application. Their findings are offered below, but primarily hinge on the need for a complete redo of the general plan.

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.

Policy Analysis

Please review the Planning Commission staff report attached as Attachment B for a complete review of staff's analysis of this general plan amendment. Therein you will find that staff have recommended that if the plan is amended then both the future land use map and the plan text should be revised. The report offers staff's recommendation for these revisions.

If the Commission is desirous to deny the general plan amendment, then a motion for denial will be sufficient. If the Commission is desirous to approve the general plan amendment, then a motion to adopt the attached resolution will do so.

Planning Commission Recommendation

The Planning Commission has forwarded a negative recommendation to the County Commission regarding File #GP 2018-05, a proposal to amend the West Central Weber County General Plan to provide more neighborhood commercial at the intersection of 4700 West and 12th Street.

This recommendation comes with the following findings:

1. The decision is subject to a new general plan being created.
2. The proposal does not comply with the [current] general plan.
3. The planning commission would like to get [more] public input for this decision.

Staff Recommendation

In the event the County Commission is desirous to adopt the proposed general plan amendment, staff recommends using the attached resolution. Adoption of this resolution will enable the 10 acre Costesso rezone, File ZMA 2018-07.

Attachment

Attachment A: Proposed Resolution.

Attachment B: Planning Commission Staff Report.

RESOLUTION NUMBER _____

A RESOLUTION AMENDING THE WEST CENTRAL WEBER COUNTY GENERAL PLAN TO PROVIDE MORE ACREAGE FOR FUTURE NEIGHBORHOOD COMMERCIAL AT THE INTERSECTION OF 4700 WEST AND 12TH STREET.

WHEREAS, the Weber County Board of Commissioners have adopted a West Central Weber County General Plan (herein "Plan"); and

WHEREAS, the Plan offers general land use recommendations for future land uses and land use regulations; and

WHEREAS, Weber County Board of Commissioners have received an application to amend the Plan to enable more neighborhood commercial uses at the intersection of 4700 West and 12th Street; and

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

WHEREAS, after a duly noticed public hearing, the Weber County Board of Commissioners have determined that changed or changing conditions and trends and site specific considerations exist that merit the proposed Plan amendment; and

WHEREAS, the Board of Weber County Commissioners have also determined that the proposed Plan amendment is beneficial to the health, safety, and general welfare of the public;

NOW THEREFORE, the Weber County Board of Commissioners ordains an amendment to the Plan as provided in Exhibit A (future land use map) and Exhibit B (commercial section text).

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

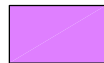
West Central Weber County General Plan Future Land Use Map Amendment


(On the following page)


WEST CENTRAL WEBER COUNTY GENERAL PLAN

PROPOSED LAND USE MAP 2-4

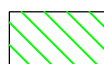
LEGEND

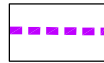
-  **INDUSTRIAL PARK**
 - Rezone approximately 20-acre parcel to match adjacent zoning.
 - Eliminate residential as a conditional use in industrial zones.

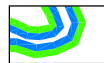
-  **RESIDENTIAL/AGRICULTURAL**
 - As zoned - one-acre and five-acre lots.
 - Cluster style development pattern required, minimum 30 percent open space.


-  **EXISTING STATE / FEDERAL LAND WATERFOWL MANAGEMENT AREA**


-  **COMMUNITY VILLAGE CENTER**
 - Commercial node of 45 acres of supportable neighborhood services.
 - First response emergency services.


-  **EXISTING AGRICULTURE PROTECTION AREAS**
 - Unchanged

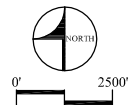
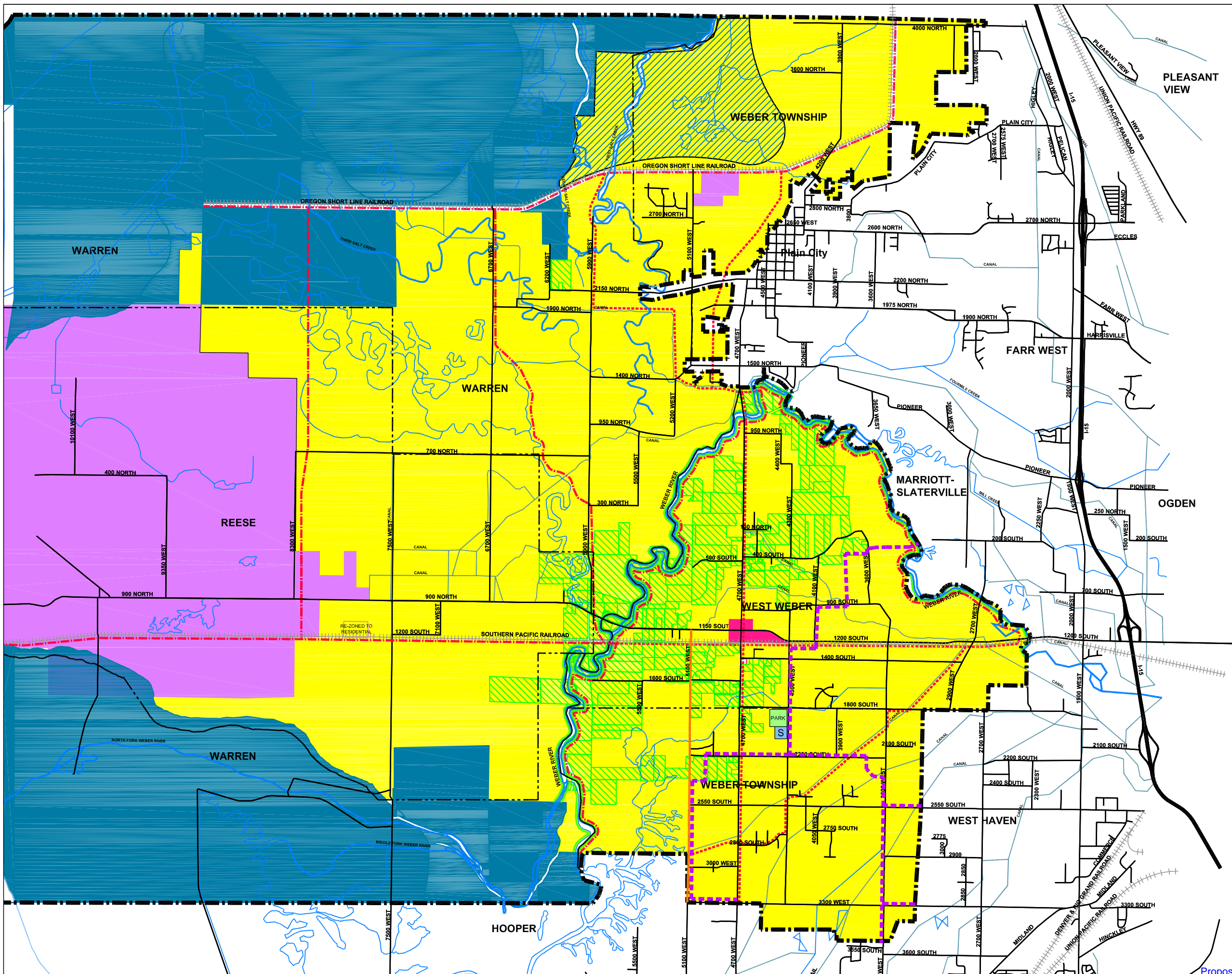
-  **EXISTING SEWER**

-  **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**



Adopted September 23, 2003
Page Amended September 11, 2018
Page Amended October 2, 2018

Exhibit B

West Central Weber County General Plan Text Amendment

[Page 2-15]

Commercial Land Uses

~~By the year 2020, the~~ The area can support about ~~22-45~~ acres of retail-commercial, neighborhood services. A ~~commercial node~~ community village center, formed at the intersection of ~~1200-1150~~ South and 4700 West, should be created that includes mixed use retail, small offices, and community services such as a first response medical unit. ~~The commercial node may begin to serve as a "community" or "village" center for the area.~~ Residential uses, such as condominiums, apartments, or senior living units, ~~are~~ should not be included in the area.

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

Policy: Commercial Development

Direct new commercial development to contiguous parcels at the intersection of 1200 South and 4700 West. Approximately ~~22-45~~ acres of commercial development is ~~permitted~~ recommended.

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

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

Implementation Action: Develop commercial design standards to help commercial development better fit with the character of the area.



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on GP 2018-05, a request to amend the General Plan and Future Land Use Map to increase the neighborhood village center from 22 acres to 32 acres at the intersection of 4700 West and 1150 South.

Staff Report Date: October 2, 2018
Agenda Date: Tuesday, October 09, 2018
Applicant: Dennis Costesso
File Number: GP #2018-05

Property Information

Approximate Address: 4700 West and 1150 South
Project Area: Approximately 10 Acres
Zoning: The area around the intersection is currently zoned A-1, C-1, and C-2
Existing Land Use: Agricultural/Residential/Commercial
Proposed Land Use: Commercial
Township, Range, Section: T6N, R2W, Sections 20

Adjacent Land Use

North: Agricultural	South: Railroad
East: Agricultural (Zoned Commercial)	West: Residential/Agricultural

Staff Information

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

Report Reviewer: RG

Applicable Ordinances

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

Summary

This item is a proposal to amend the West Central Weber County General Plan's Future Land Use Map to increase the community village center at the intersection of 4700 West and 1150 South (12th Street) from 22 acres to 32 acres. This request immediately precedes a rezone request for 10 acres of property located on the southwest corner of this intersection. The landowner is seeking to change the zone from A-1 to C-1.

The general plan was recently changed to increase the plan's previous allocation of the community village center from 7-15 acres to a total of 22 acres. The applicant's request will increase it another 10 acres, to 32 acres.

Staff are recommending approval of the request. Given that the plan insinuates that the intersection should be the center of the village, it is appropriate and equitable to now consider enabling commercial zoning on all four quadrants of this intersection.

Staff are also recommending that the request be expanded to 45 acres, in order to give appropriate and equitable ability for the parcels on all four corners of the intersection to be developed consistently. This will encourage that intersection to be the center of the village. The applicant's parcel is approximately 10 acres, as is the parcel directly north (across 1150 South) of the applicant's parcel. Staff have conversed with the land owners of the parcel directly north. They are supportive of this plan change, even though they do not desire to rezone at this time.

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.

Planning Commission Considerations

This application is concerning a change to the West Central Weber County General Plan. 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.

The general plan’s future land use map currently indicates the location of this community village with an asterisk. The asterisk offers no definitive boundary for future changes, except limits future changes to no more than 22 acres. These 22 acres have already been allocated. A more definitive boundary with an updated acreage allocation will assist future planners and planning commissions understand the desire and intent of this map change. Staff’s recommendation shows a more definitive edge of this future community village center.

See **Figure 1** and **Figure 2** for graphic reference.

Image 1: Existing Future Land Use Map of the area.

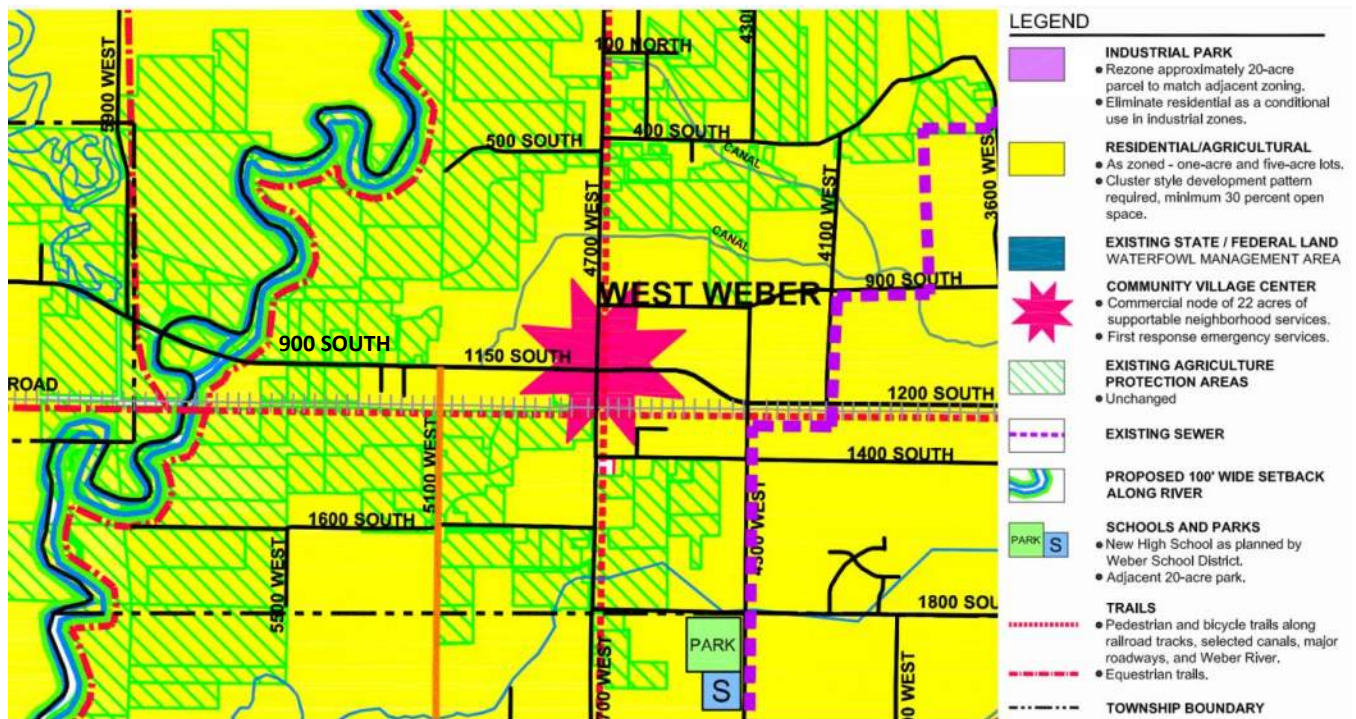
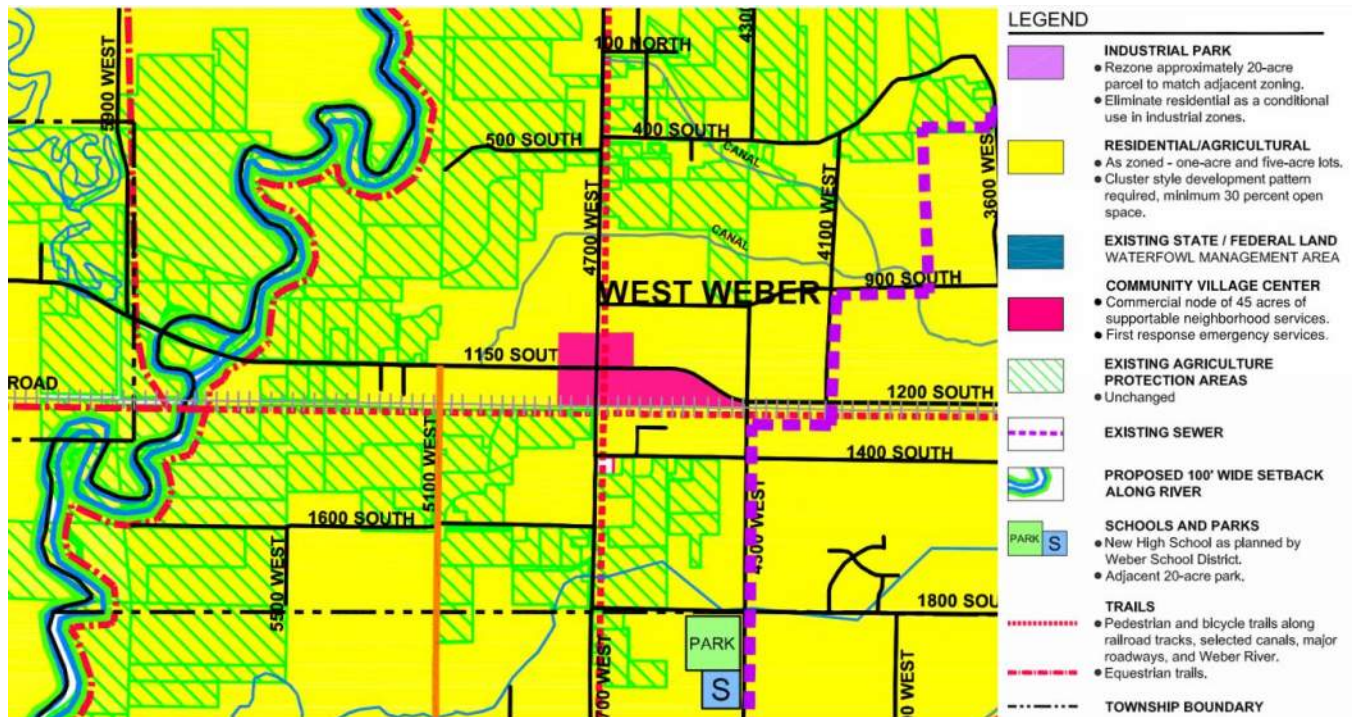


Figure 2: Proposed Future Land Use Map of the area.



Further, the plan text should change to reflect this amendment. Staff recommends the following changes:

Commercial Land Uses

By the year 2020, the The area can support about 22-45 acres of retail-commercial, neighborhood services. A commercial node community village center, formed at the intersection of 1200-1150 South and 4700 West, should be created that includes mixed use retail, small offices, and community services such as a first response medical unit. The commercial node may begin to serve as a "community" or "village" center for the area. Residential uses, such as condominiums, apartments, or senior living units, are should not be included in the area.

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

Policy: Commercial Development

Direct new commercial development to contiguous parcels at the intersection of 1200 South and 4700 West. Approximately 22-45 acres of commercial development is permitted recommended.

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

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

Implementation Action: Develop commercial design standards to help commercial development better fit with the character of the area.

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. 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

Staff recommends that the Planning Commission forward a positive recommendation to the County Commission regarding File #GP 2018-05, a proposal to amend the General Plan and Future Land Use Map to increase the neighborhood village center from 22 acres to 45 acres at the intersection of 4700 West and 1150 South, as provided in this staff report. This recommendation comes with the following findings:

1. That the amendment will offer necessary and essential community services for the surrounding areas.
2. That changed and changing conditions exist that merit the need for the proposed commercial area.
3. That the rezone will support the health, safety, or general welfare of the public by offering commercial services and an economic tax-base in the appropriate community location.

Attachment

Attachment A: Application.

Attachment B: Affected excerpts from current general plan.

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>Dennis Dario Costesso Family Living Trust</i>		Mailing Address of Property Owner(s) <i>4206 W 1800 S Ogden, Utah 84401</i>
Phone <i>801 731 1542</i>	Fax	
Email Address <i>dennisdc48@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>Dennis D. Costesso</i>		Mailing Address of Authorized Person <i>4206 W 1800 S Ogden, Utah 84401</i>
Phone <i>801 731 1542</i>	Fax	
Email Address <i>dennisdc48@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 <i>Costesso rezoning.</i>	Current Zoning <i>A1</i>	Proposed Zoning <i>C1</i>
Approximate Address <i>4733 W 1150 S Ogden Utah 84401</i>	Land Serial Number(s) <i>15-054-0020</i>	
Total Acreage <i>9.84</i>	Current Use <i>Agriculture</i>	Proposed Use <i>Community Village Center</i>
Project Narrative		
Describing the project vision.		

o/c



Project Narrative (continued...)

How is the change in the public interest?

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 is the change in compliance with the General Plan?

for
OK

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

for
OK

Project Narrative (continued...)

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

Property Owner Affidavit

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

(Property Owner)

(Property Owner)

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

(Notary)

Authorized Representative Affidavit

I (We), Dennis + Cecilia Costesso, 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.

Dennis Costesso
(Property Owner)

Dennis Costesso
(Property Owner)

Dated this 25th day of September, 20 18, personally appeared before me Dennis Costesso, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

Kary C. Serrano
(Notary)



(1) Project Narrative, describe project vision

In September of 2003, the Weber County planning committee had the foresight to plan for a community village center to support the growth expected in the West Weber area. These visionaries earmarked the acreage bordering the intersection of 4700 W and 12th Street as an ideal centralized location to provide these services.

The services that may be required of a village center include but are not limited to a single level office complex that would generate invoices and collect payments for sewage, culinary water and secondary water.

Potential additional uses for the complex in the future includes:

- Banking services,
- Post office drop,
- Cemetery support services,
- Election and voting support services,
- Animal control support services and a
- Senior Center

The vision of this application is to rezone the 10 (ten) acre property making up the South West quadrant of the 12th Street intersection to a C1 or C2 classification so that the zoning requirements for a village center are met, allowing city planners to move forward unencumbered by zoning restrictions should they so desire.

Setting aside a 10 acre parcel provides plenty of room the buildings, parking, grasslands and room for additional growth in the future.

2 How is the change in the public interest?

The proposed change is intended to be the first step in meeting the objectives of the West Central Weber County "General Plan" that proposes a "Commercial node of 7 to 14 acres" be set aside for a future "Community/Village Center". The "Community/Village Center" would provide for supportable neighborhood services and emergency services.

Changing the zoning of the 10-acre parcel on the South-West quadrant of the intersection of 12th Street and 4700 West will be the first step in meeting the objectives of the "General Plan."

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

The current zoning assigned the property in question is A1 for agricultural use. The proposed project for a community village will require public building and potentially a bank or financial institution of some type. Based on Weber the County Code of Ordinances, a zoning of either C1 or C2 is required.

(2) How is the change in public Interest?

This proposal is not for a change in public interest but rather a continuation and follow through of the existing General Plan for West Central Weber County.

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

Since the General Plan was proposed in September of 2003, the growth rate in unincorporated Weber County continued to grow at a rapid rate. Over the past last two years unincorporated Weber County has seen a localized growth rate of 7 % per year.

However, no steps have been taken to identify real-estate for a community center, as proposed in the General Plan, to support past or future growth. Rezoning the proposed 10 acre parcel to a C1 or C2 classification would be the first step in this direction

Project narrative describing the project vision.

The vision of the project at this time is to rezone the Costesso property as the first step in moving forward with a community village center in the future.

It is versioned that an office complex could eventually be built on the (10) acre property that would eventually be utilized similarly to the community office complex built by West Haven.

Attached are photographs of the West Haven community office, that was also built on an approximate 10 (ten) acre parcel.

102-5-(4) Letters of feasibility from county agencies for water and waste water.

- Secondary water shares can be made available for purchase from current land owner.
- See attached letter from Taylor West Weber Water Improvement district stating it has the capacity to serve this project
- This is not an engineered ready project, however the storm water concept plan is to follow all appropriate storm water regulations at the time of development.

West Central Weber County General Plan

Dedication to County

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

Commercial Land Use

By the year 2020, the area can support about 22 acres of retail commercial, neighborhood services. A commercial node, formed at the intersection of 1200 South and 4700 West, includes mixed-use retail, small offices, and community services such as a first response medical unit. The commercial node may begin to serve as a "community" or "village" center for the area. Residential uses, such as condominiums, apartments, or senior living units, are not included in the area.

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

Policy: Commercial Development

Direct new commercial development to contiguous parcels at the intersection of 1200 South and 4700 West. Approximately 22 acres of commercial development is permitted.

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

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

Manufacturing Land Use

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

Policy: Industrial Development


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


Implementation Action: Eliminate permitted single-family residential uses in all manufacturing zones in this area to reduce potential conflicts between residential and agricultural uses, and manufacturing uses. If this is not consistent throughout Weber


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 22 acres of supportable neighborhood services.
 - First response emergency services.


- 
EXISTING AGRICULTURE PROTECTION AREAS
 - Unchanged

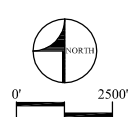
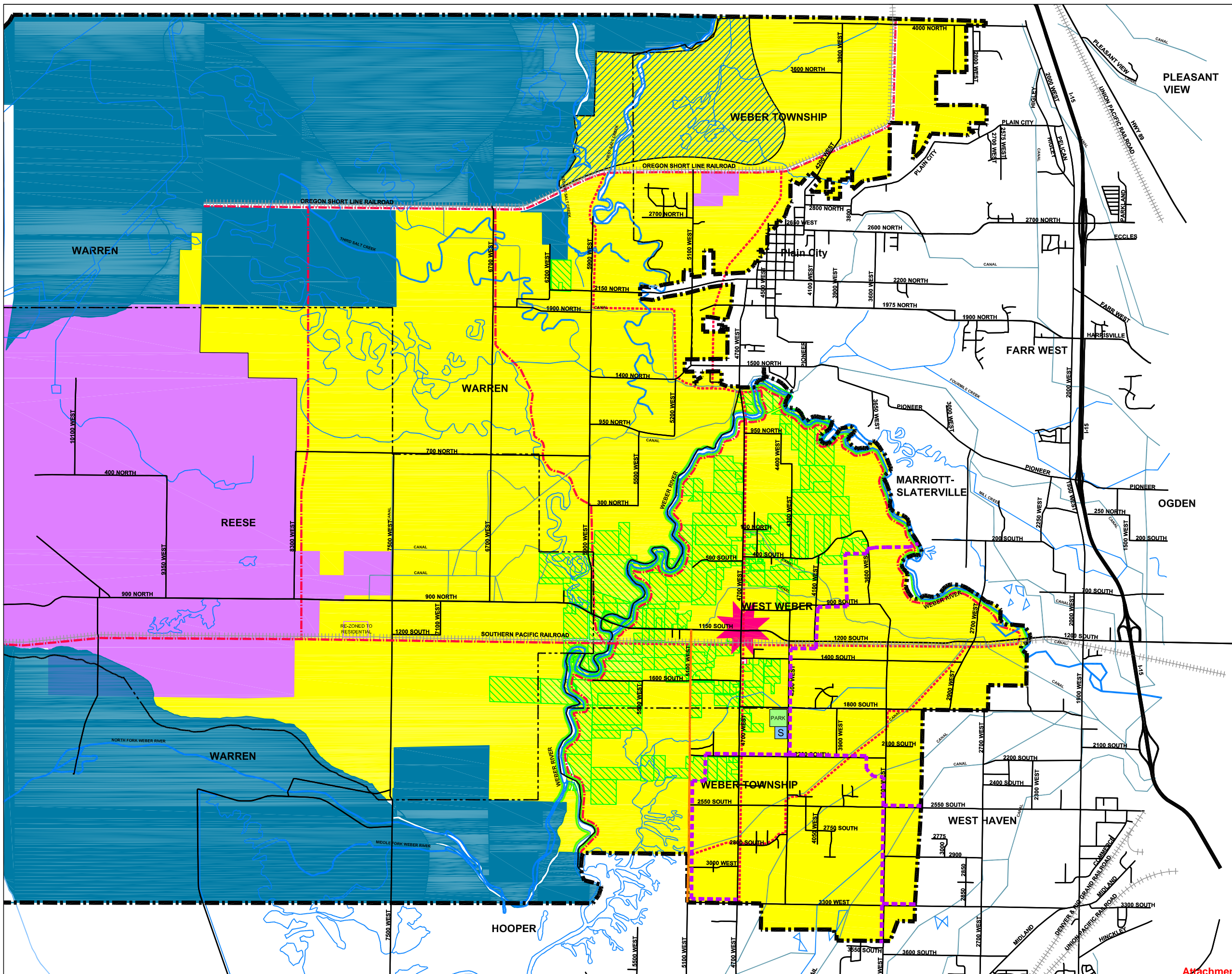
- 
EXISTING SEWER

- 
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



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