

ORDINANCE NUMBER 2019-_____

AN ORDINANCE AMENDING THE WEBER COUNTY ZONING MAP TO OVERLAY THE SOLAR OVERLAY ZONE (SOZ) TO PROPERTY LOCATED AT APPROXIMATELY 1700 SOUTH 7500 WEST FOR THE LITTLE MOUNTAIN L.L.C. SOLAR FARM

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 from Strata Solar, AKA Little Mountain Solar LLC to amend the adopted zoning map for land located at approximately 1700 South 7500 West to overlay the solar overlay zone (SOZ); and

WHEREAS, after a duly noticed public hearing, the Western Weber Planning Commission has given a positive recommendation on the map amendment to the Weber County Board of Commissioners; and

WHEREAS, after a duly noticed public hearing, the Weber County Board of Commissioners has determined that the zoning map amendment complies with the intent of the West Central Weber County General 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 has determined that this is an appropriate time and this is an appropriate location for the proposed zoning map amendment; and

WHEREAS, the SOZ requires development standards implemented through a development agreement between the county, the landowner, and solar entity; and

WHEREAS, the SOZ requires eventual future solar overlay zone expiration and termination, which renders this overlay zone, and development rights available therefrom, only available for a period of time, after which time any previously and lawfully established solar use will be allowed to continue until abandoned as a nonconforming use;

NOW THEREFORE, the Weber County Board of Commissioners ordains an amendment to the Weber County Zoning Map to apply the solar overlay zone to property located at approximately 1700 South 7500 West, as better described in the exhibits herein. The graphic representation of the rezone is included and incorporated herein as Exhibit A. A written description of the rezone is included as Exhibit B. In the event there is conflict between the two, the graphic representation shall prevail.

This ordinance shall become effective fifteen (15) days after publication or on the day the development agreement between Little Mountain LLC and Weber County is signed, whichever is later.

Passed, adopted, and ordered published this _____ day of _____, 2019, by the Weber County Board of Commissioners.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

By _____,
Scott K. Jenkins, Chair

Commissioner Jenkins voted _____
Commissioner Harvey voted _____
Commissioner Froerer voted _____

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor

Exhibit A

Graphic Representation
Little Mountain, L.L.C. Solar Overlay Zone

Image 1: County Recorder's Reference Maps, Sections 23 and 26 of Township 6 North Range 3 West, Stitched Together

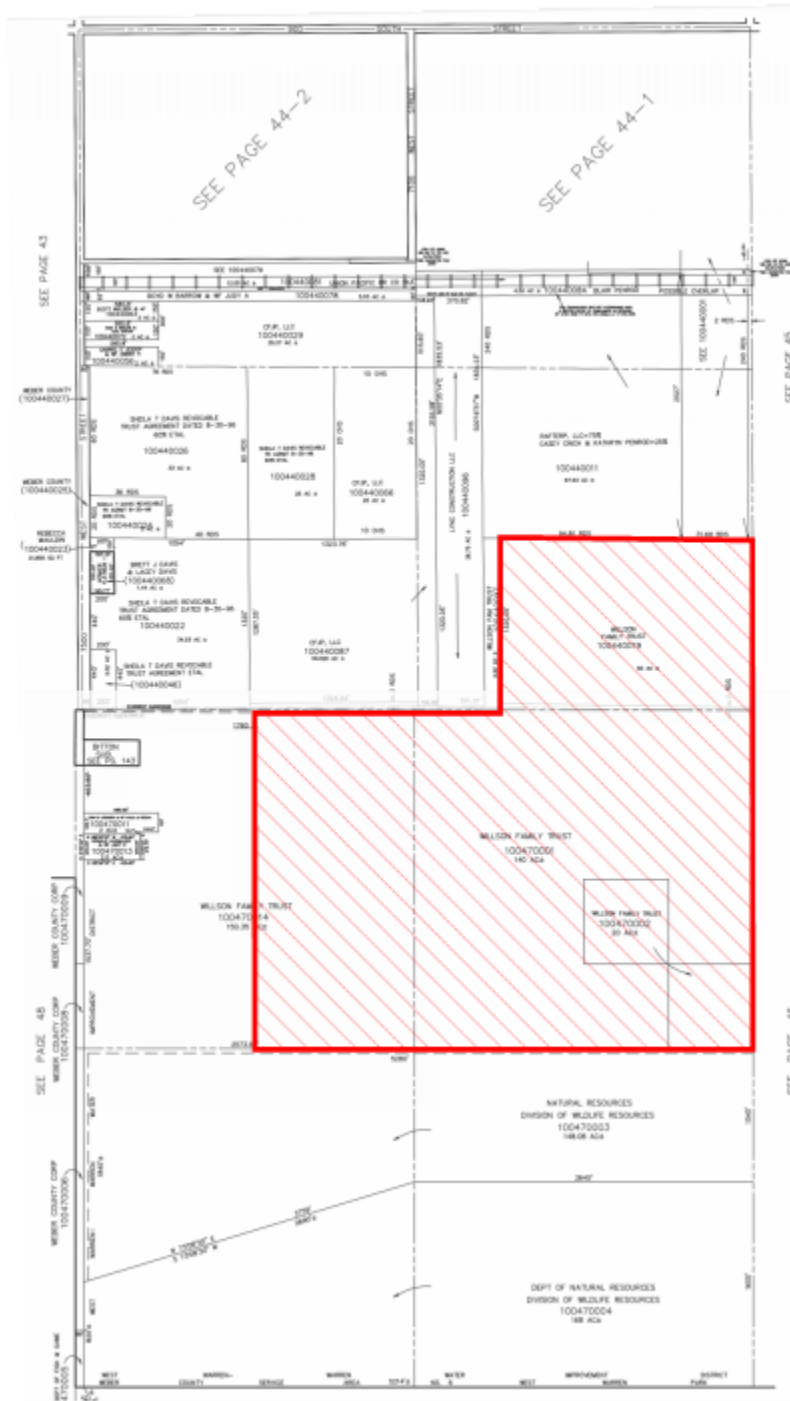


Image 2: Aerial Image with Estimated "Project Site" Boundary

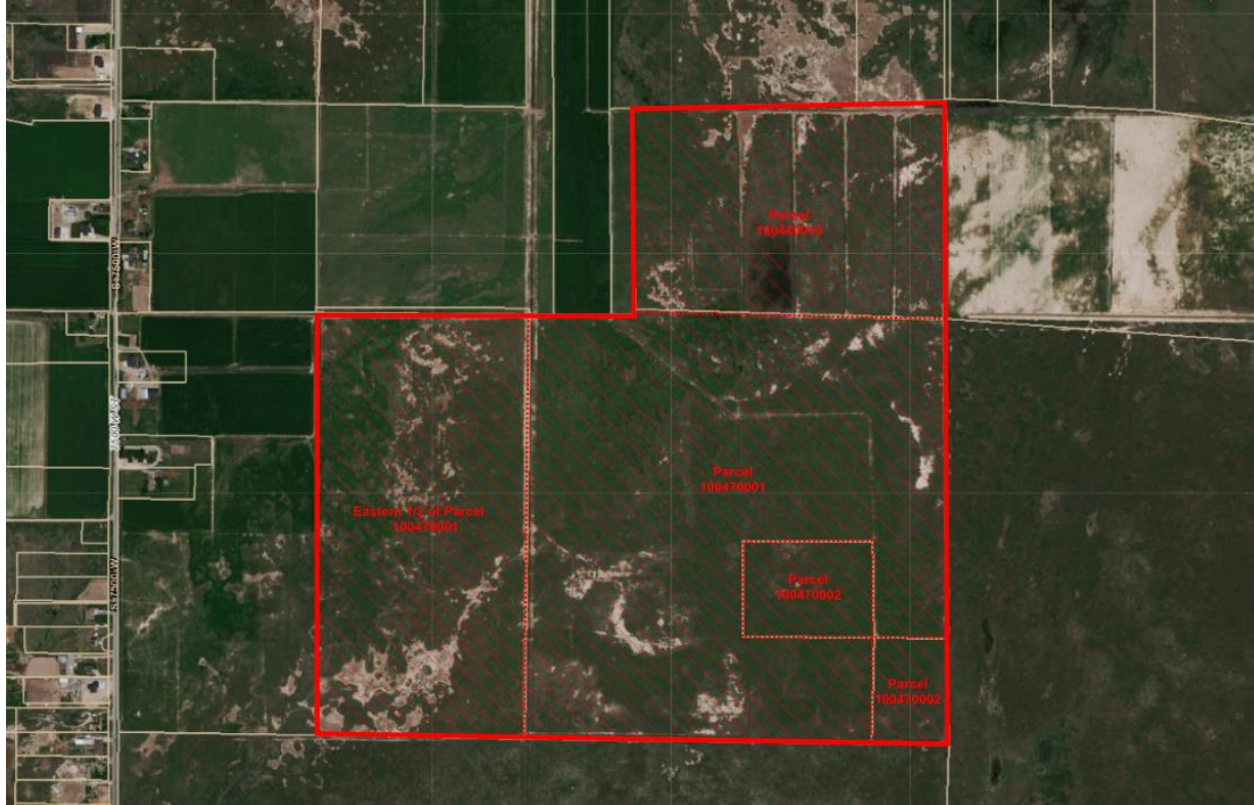


Image 3: Project Site Boundary

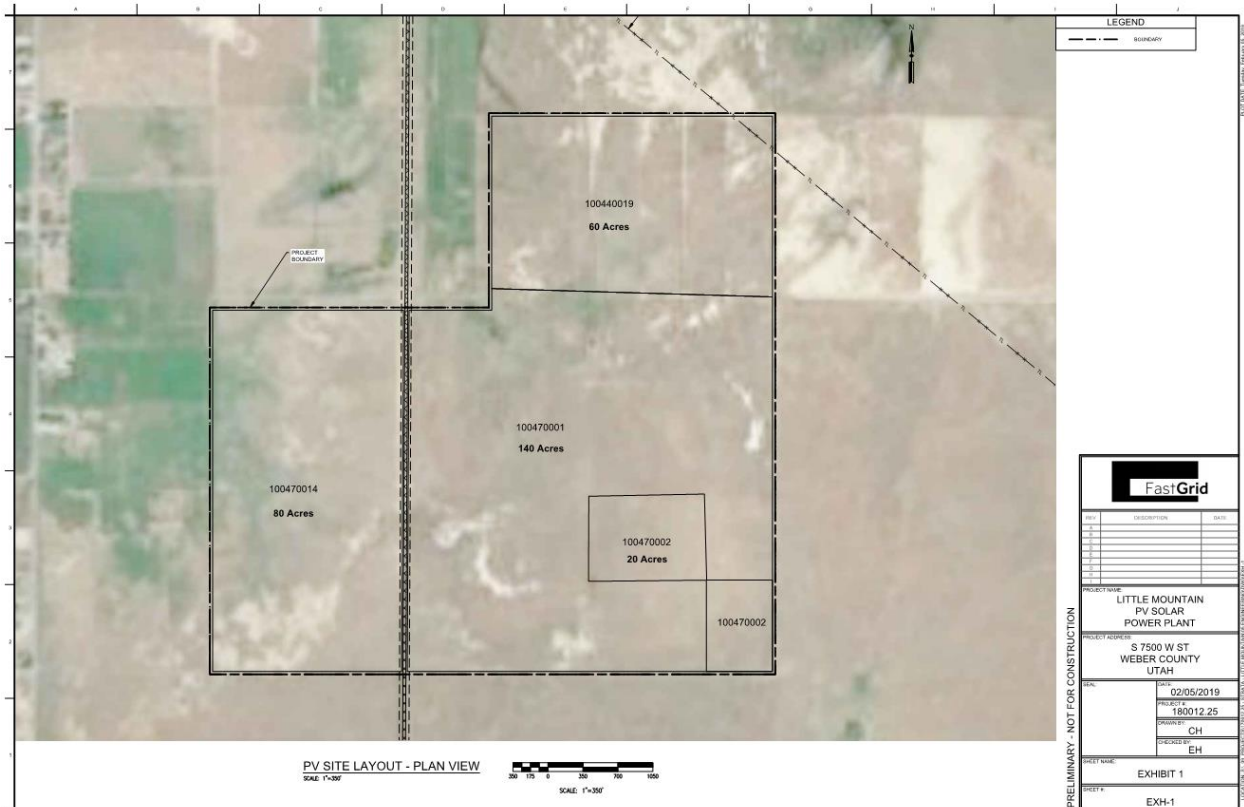


Image 4: Area Zoning Before Overlay Zone Adoption

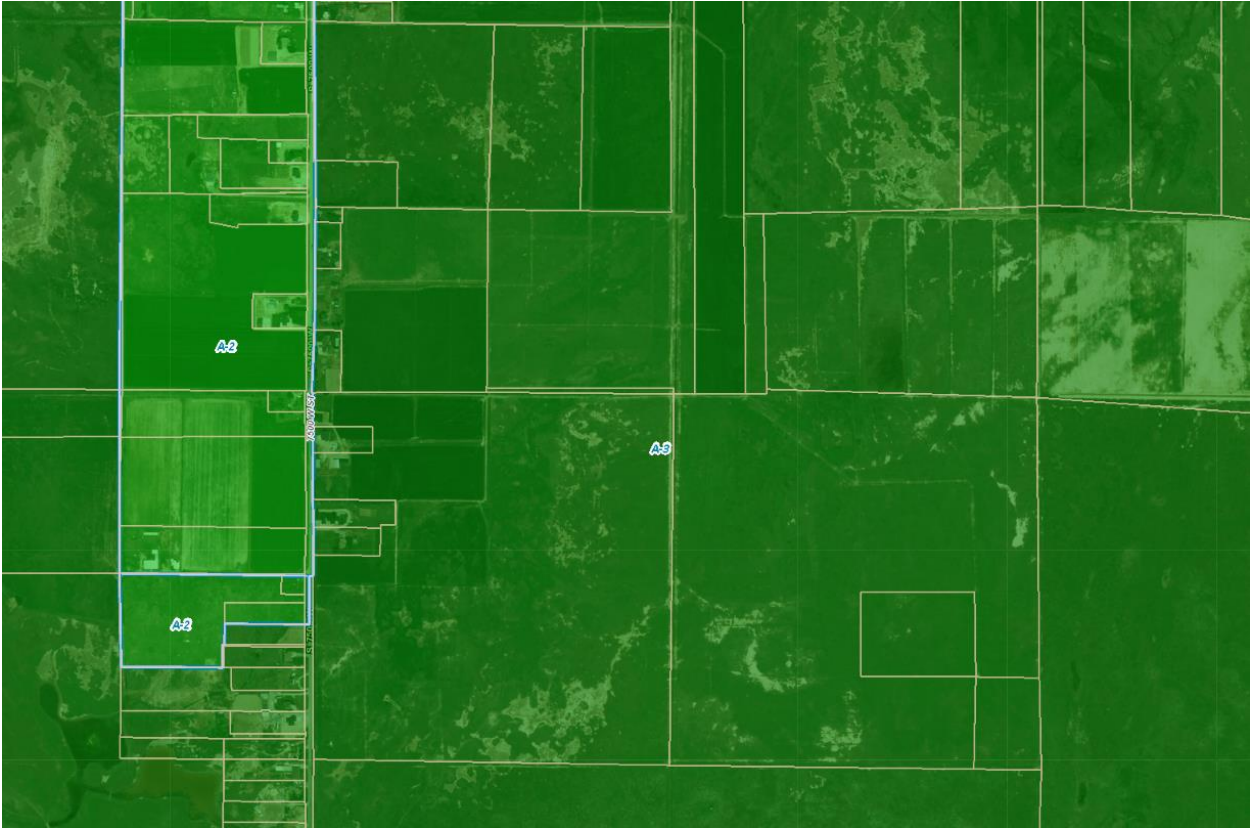


Image 5: Area Zoning After Overlay Zone Adoption

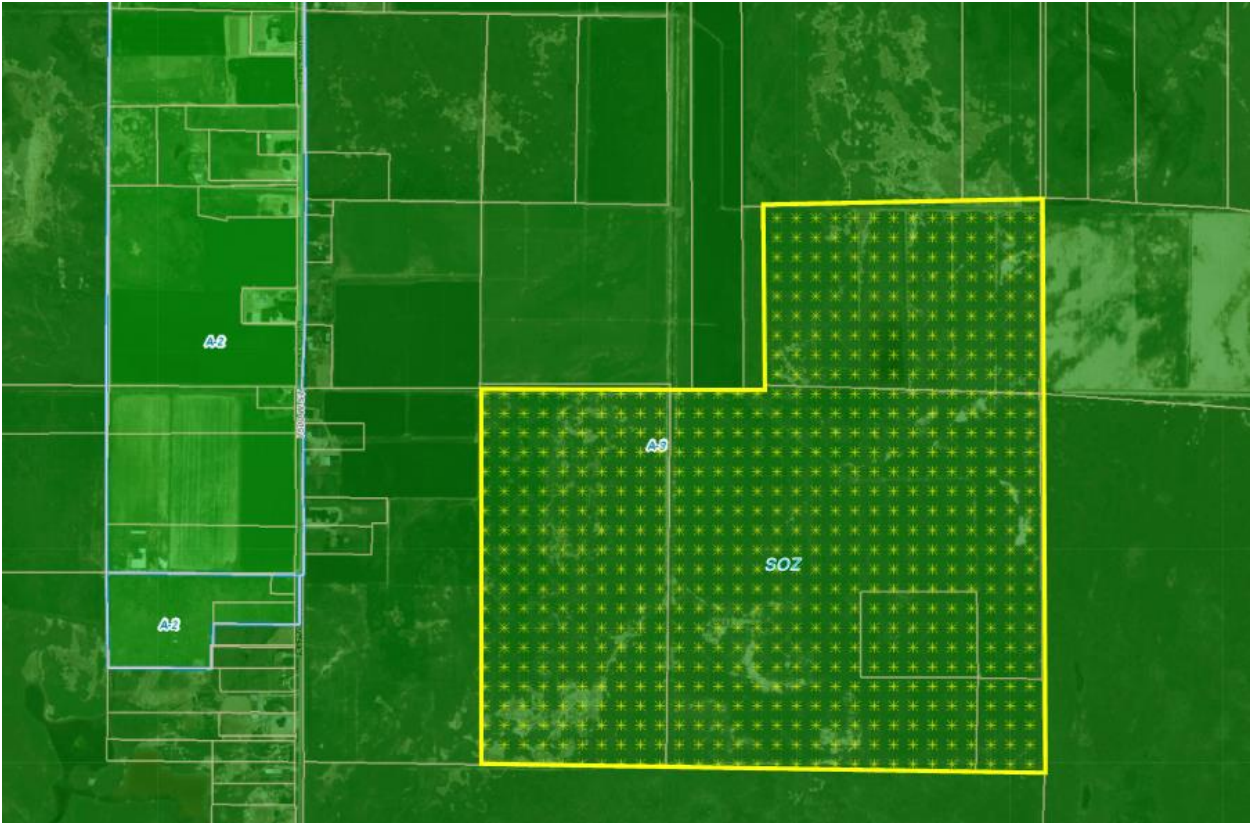


Exhibit B

Written Description Solar Overlay Zone

All of **Parcel #10-044-0019** being more particularly described as follows:

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE EAST 1/2 OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: EXCEPTING A STRIP OF LAND 2 RODS WIDE ON THE SOUTHSIDE OF THE ABOVE DESCRIBED LAND.

All of **Parcel #10-047-0001** being more particularly described as follows:

THE NORTH 1/2 OF THE NORTHEAST QUARTER, AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. SUBJECT TO PERPETUAL NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT FOR EMERGENCY AND FARM USE ONLY TO RUN WITH THE LAND FOR THE BENEFIT OF THE GRANTEE AND ITS SUCCESSORS AND ASSIGNS AND TO BE APPURTENANT TO THE ABOVE DESCRIBED LAND OVER AND ACROSS THE FOLLOWING: A PART OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT LOCATED ON THE NORTH LINE OF SAID SECTION 26 AND THE EAST LINE OF 7500 WEST WHICH IS SOUTH 89°16'52" EAST 66.00 FEET ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SAID SECTION 26 BEING A WEBER COUNTY SURVEY BRASS CAP MONUMENT; RUNNING THENCE SOUTH 89°16'52" EAST 3102.75 FEET ALONG SAID SECTION LINE; THENCE SOUTH 0°38'41" WEST 16.00 FEET; THENCE NORTH 89°16'52" WEST 3102.71 FEET TO THE EAST LINE OF SAID 7500 WEST; THENCE NORTH 0°30'42" EAST 16.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING. (E# 2939626)

All of **Parcel #10-047-0002** being more particularly described as follows:

THE NORTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.

Part of **Parcel #10-047-0014** being more particularly described as follows:

A TRACT, CONTAINING APPROXIMATELY 75 ACRES, AND BEING THE EASTERN ONE-HALF OF THE PROPERTY DESCRIBED AS FOLLOWS:
PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER; THENCE EAST TO THE NORTH QUARTER CORNER; THENCE SOUTH TO THE CENTER OF SAID SECTION 26; THENCE WEST 2573.99 FEET, TO PROPERTY CONVEYED TO WEBER COUNTY; THENCE NORTH 1537.70 FEET; THENCE SOUTH 88°26'18" EAST 435.60 FEET; THENCE NORTH 0°30'42" EAST 216.7 FEET; THENCE EAST 145.2 FEET; THENCE NORTH 150 FEET; THENCE SOUTH 88°57' WEST 580 FEET; THENCE NORTH 463.80 FEET; THENCE WEST 66 FEET; THENCE NORTH 338.5 FEET TO THE POINT OF BEGINNING. LESS: ANY PORTION LYING WITHIN THE BOUNDS OF BITTON SUBDIVISION, ENTRY NO. 2692136.

Also described as: THE EASTERN HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.