

WESTERN WEBER PLANNING COMMISSION

VIRTUAL MEETING AGENDA

April 14, 2020

5:00 p.m

- *Pledge of Allegiance*
- *Roll Call:*

1. Minutes for February 11, 2020, and March 10, 2020 meeting.

2. Approval of 2020 Planning Commission Rules of Order

Petitions, Applications, and Public Hearings

3. Administrative Items

3.1 LVH 040419: Consideration and action on a request for a recommendation for final approval of Halcyon Estates PRUD subdivision consisting of 39 lots located at approximately 4100 W 1800 S, Ogden.

Applicant: Keith Ward; **Staff Presenter:** Steve Burton

3.2 LVK122019: Consideration and action on preliminary approval of Kastle Acres, a lot-averaged subdivision consisting of 11 lots located at approximately 2300 S 4700 W, Taylor.

Applicant: Lane Kap; **Staff Presenter:** Scott Perkes

4. Training: Open and Public Meetings Act - *Matt Wilson*

5. Public Comment for Items not on the Agenda:

6. Remarks from Planning Commissioners:

7. **Planning Director Report:** Discussion regarding amending South East general density to be very low density residential and fence sample to separate Ag. and residence in cluster subdivision.

8. Remarks from Legal Counsel:

9. Adjourn to Work Session

WS1: Discussion regarding amendments to the subdivision code regarding substandard streets.

WS2: Discussion regarding a proposed accessory dwelling unit ordinance.

WS3: Discussion regarding the planned residential unit development (PRUD) code.

WS4: Discussion regarding amendments to the rezone procedure ordinance.

ZOOM Video Conferencing – Connection Info:

Join Zoom Meeting

<https://zoom.us/j/596065827>

Meeting ID: 596 065 827

The Virtual Meeting will be held via Zoom.

A Pre-Meeting will be held at 4:30 p.m. via ZOOM. 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.

Minutes of the Western Weber Planning Commission meeting of February 11, 2020, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1. Ogden UT at 5:00 p.m.

Members Present **Bren Edwards**
 Andrew Favero
 Greg Bell
 Wayne Andreotti

Members Excused **John Parke**
 Jannette Borklund

Staff Present: Rick Grover, Planning Director; Steve Burton, Principle Planner; Tammy Aydelotte, Planner; Matt Wilson, Legal Counsel; Marta Borchert, Secretary

- **Pledge of Allegiance**
- **Roll Call**

1. Training: Frontier Development Application Processing Portal

Daniel Stringham gives an overview of Frontier the new program replacing Miradi.

Chair Edwards thanks Mr. Stringham for the walking everyone through Frontier.

Chair Edwards asks if there are any ex parte communications or conflicts of interest to declare. There is none.

2. Minutes for June 11, 2019 meeting. Minutes for June 11, 2019, were approved as presented.

3.1 SPE 0123-20: Discussion and action on a conceptual sketch plan endorsement request for Sunset Meadows Cluster Subdivision.

Director Grover states that this is a conceptual sketch plan. Planning Commission is welcome to ask questions of staff and the applicant. Steven Burton will give a quick overview. The applicant is also present for this meeting to address any questions. He adds that they just want to get a comfort level regarding the sketch plan. As part of a cluster subdivision, a sketch plan endorsement is required, before preliminary approval. This is an administrative item public comment is not required.

Steve Burton states that this is a sketch plan endorsement for a cluster subdivision. It is located at 1800 S and 300 W in Western Weber. The proposal includes a base density of 104 lots, this translates to 95 acres. The 95 acres is based on A-1 zoning. The design of the cluster is meant to have open space in one area and lots in the other area. The requested bonus density would be 50%. The total lot count that is being proposed is 156. Based on the conceptual review, staff has determined that it meets the intent of the cluster ordinance. If the proposal is brought back to the Planning Commission the applicant needs to demonstrate that proposal complies with the requirements of the cluster subdivision code and other applicable ordinances.

Mr. Burton states there is a subdivision to the west with some long narrow lots it is phase 1 of Sunset Equestrian, which was designed under an old cluster ordinance. Phase 1 one did record. Outside of that, this is essentially a new subdivision.

Chair Edwards asks if there are any questions.

Commissioner Bell asks Mr. Burton to explain the bonus density. Mr. Burton states that the bonus density section of the cluster code states that they can only get up to 50% bonus density. This depends on the amount of acreage that they have. If there is a piece of

land that is at least 50 acres. It is based on what it set aside for preservation. The ordinance requires street trees and some pathway, but they don't get additional bonus density for it and it maxes out at 50%.

Chair Edwards states that he would like to hear from the applicant.

Jessica Prestwich 470 N 2450: states that they have met with Mr. Burton several times to make sure they follow the County's new ordinances. They would like to start over. She states that they would like to get feedback from the Planning Commission.

Commissioner Bell states that there is some narrow open spaces sliver on the East and Westside. Who maintains those? Mr. Burton states that the idea for those slivers was to show them as easements. There would be an easement on one of those lots for the pathways. If it were open space, they would need an HOA. Commissioner Bell asks they are going to have access to farm equipment for the open space. Will it be accessed off 1800? Mr. Prestwich states that they do not have a solid plan yet on either farming or leasing it out for grazing. Once the proposal is submitted for preliminary that information will be in the preservation plan. Commissioner Bell states the Planning Commission would like to see studies showing that that open space parcel is the best portion of land for farming. Ms. Prestwich states that a study will be done on the land, to find the best farmland and that area will be preserved. Commissioner Atkinson states that they would like to make sure the best land is kept farmable. Director Grover asks if the study comes back saying that the proposed open space is not good farmland are they willing to switch the development around. Ms. Prestwich states that they are willing to redo the plat map. Commissioner Bell asks if they would need to see a different conceptual plan if this were the case. Director Grover states that there would be another sketch plan endorsement presented to the Planning Commission. He notes that if the area is viable farmland will be farmable with all the ins and outs. The square of open space on the current plat is contiguous. This will be looked at when they get to that stage.

Commissioner Atkinson asks if they have a park concept planned. Ms. Prestwich states that it not currently part of the plan because they don't want to have an HOA. She adds that if the city wants to take it they might be open to it. Chair Edwards states that there is a park district in the area that could look at some areas for the park. Director Grover states that staff can give Ms. Prestwich the contact information the Western Weber Park District.

Chair Edwards states that they will take some public comments. He reminds the public that this conceptual sketch plan and the item is not up for approval. It is a possible layout nothing is set in stone at this point.

Chair Edwards opens the public comment.

Eric Page 1891 S 4150 W: states that one of his concerns is the number of lots being shoved into a 40-acre spot. He states that the area is rural and the lots being proposed are quarter-acre lots or less. He asks how this will affect other surrounding properties with bigger acreage. He states that he proposes that half-acre lots be butted up against the already established rural properties. He asks if the farmland is grazable or useable. He states that it is overgrown. He asks if that is being looked at. He asks if there are going to be homes built in this area, and will the new owners be notified of this issue. In the code under maintenance and preservation regarding the farmland, how will it be maintained and kept viable? There is concern regarding preservation and maintenance. He states that there is concern regarding the water share rights in rural properties. What is the plan if they are not going to pipe to bring secondary water.

Tom Favero 1295 N 4700 W: states that his main operation has been in the Taylor area all his life. The portion of the land that is being reserved for farming is probably just as good as the other land. There probably is no need to make another plan. He adds that the previous farm ran out of the money because the ground wasn't very good. There are good spots and a bad spot in every area there. He states that there should not be anymore grazing there. He operates the land that is on the west side of 4300. The people that have been using that land for grazing have not placed adequate fencing, and he is tired of chasing cattle. They have caused him enough grief than if he operated the ground. Grazing should not be an option for that land, and the rest of the community suffers by that land being grazed. He states that he is interested in operating the ground if they still have the water shares. He adds that he has all the equipment to get it where it needs to be. Commission Bell asks is he has access to get to that land. Mr. Favero states that 1800 should be an adequate road.

Chair Edwards asks if there are any more questions. There are none.

Chair Edwards closes the public hearing.

Mr. Burton states that there were some great comments. Regarding the question about whether or not the first phase that was plated needs to be redesigned. No, it does not need to be changed. It plated and recorded and they are lots. Some of the lots may have sold. People have rights to those as they are. Nothing in the ordinance requires the lots to be replated. The second question was regarding how the land is going to be preserved and what it will be used for. He states that this is something that will be looked at when a preliminary plan is submitted. The third question was regarding irrigation. He states that when the plan gets submitted there are different items that are required such as feasibility letters, and improvement plans that will address these concerns.

Commissioner Andreotti asks regarding drainage plans. Mr. Burton states that they will provide that with the improvement plans. They will need to pay an engineer to have that all designed.

Chair Edwards states that since this item is just conceptual there is no need for a motion.

3.2 AAE 2019-04: Consideration and action on an alternative access request to use a private access easement as the primary access for the rear lot of a future two lot subdivision.

Director Grover states that administrative items are typically reviewed by the Planning Director. He states that he reviewed this item previously they have submitted some additional information and he does not feel comfortable reviewing it again. He states that at this point he wants the Planning Commission to be able to review it to see if it is or is not meeting code. Ms. Aydelotte is the Planner that has been reviewing the project. She will orient the Planning Commission. The applicant William and Jana Colvell.

Tammy Aydelotte states that she would like to give the Planning Commission some background regarding this item. Typically this is requested when a lot does not front the main road or have the typical frontage. The applicants would at some point like to apply for a 2 lot subdivision, they are first requesting approval on an access exception. She states that there are a couple of things to note. First, it is not required that the request for the access exception be run concurrently with subdivision. They have 18 months to act on the approval. During that time they can apply for a subdivision if they wish based on what was approved by Weber County, or they can run it concurrently. The other thing to note is that the burden is on the applicant to show why it would be impractical or infeasible to extend a road to serve such a lot. This lot is a little over 2 acres it is located in the A-1 Zone. It is located at approximately 4000 N 3175 W. She states that as Director Grover noted this item has before Planning Staff before and there is no requirement to notice for access exceptions but as a courtesy, all property owners within 500 ft have been notified. When it was brought back before the Planning Staff they were asked for a more substantial argument as to why an access exception should be approved. They pointed out a couple of things. It is important to look for connectivity where ever possible and in this situation, there is development to the East that would prohibit that. There are homes there, that will not allow for a road to be connected there. The conditions of the road within the subdivision are all private roads. There are substandard dirt roads. The engineer thought it was impractical to require a county standard road within this subdivision. It has been mentioned before that there is a canal that runs along the eastern boundary, it doesn't necessarily prohibit development.

William Covell 3502 N 3900 W states that they want to subdivide their area and follow all the rules and regulations to make that feasible.

Chair Edwards asks if there are any questions for the applicant. There are none.

Ms. Aydelotte states that staff recommends approval of the access exception based on the findings listed in the staff report. Chair Edwards asks why the Fire District hasn't approved the proposal. Ms. Aydelotte states that the Fire District didn't want to give much

feedback until a subdivision was proposed, at that point they will give much more detailed feedback. Commissioner Bell asks what type of road 3171 is. Ms. Aydelotte notes that 3171 is a private road. Commissioner Favero asks if it will need to be brought up to the County standard for equipment. Ms. Aydelotte states that it doesn't for private roads as long as it can hold a 75,000-pound fire apparatus. She notes that the grade is flat in that area.

Chair Edwards opens the meeting for public comment.

Derek Kennedy 3932 N 3175 W states that he is part of the Home Owners Association. Along this road, there are eight original parcels. They were known as the Hickley Farms in 1981. He states that this was a planned community and has an HOA. He does not understand why the applicant is going to the County for an access easement on a private road. The waterline was put in by the HOA, not by the Bona Vista. Regarding the original landowner's agreement, it said that the land could be divided once so they could have 2 ½ acres with 150 ft of frontage. He states that the increased density that was not anticipated. The water line was designed to maintain a certain amount of lots. At what point is the burden of increased density going to be put on the landowners? He states that the community feels that the County is not listening to them as a community and an HOA. The increased bonus density puts a burden on all of the landowners.

Elwood Powell 4834 Vanburen states that he has two 5 acre lots in that area. 3175 W is a private street. He states that to get some lots approved they had to dedicate a 60 ft right of way to the County. It was to be developed and paved when the additional property was added. They have an obligation to make sure that whatever is put in meets all of the specifications and requirements and meets all the requirements to hook into a regular County road.

Kristen Zaugg 3944 N 3175 W states that she lives near the area in question. She notes that they filed and an appeal in October on behalf of the Association. She asks why that paperwork was not filed along with this proposal. The appeal was upheld and it was granted. She references Utah code 10-9a-708. Final decision. She states that she does not understand why the issue is being brought up again. The Planning Department was contacted several times regarding the issue, the approval was granted against County code and the 150 ft required frontage. The Covell property has the frontage now there is no need for an easement to access the back part of the property. In Utah code 10-9a-702 it is their responsibility to prove all the conditions justifying the reasons they are asking for the access and that every single one of the circumstances has to be proven. There is no reason that they need the access. It was approved to have 2 lots per 5 acres. When it was divided in half did have an adequate 150 ft frontage. There was no need to divide them into any more than 2 lots to keep the regulation that was required by Weber County in an A-1 zone.

Wendell Wineger 5190 W 2700 N states that when they petitioned to put it into a subdivision they went to several different areas to survey subdivisions and bring back the information and the dedication for them to accept and pass a 5-acre farm subdivision with 32 units. The agreement was that when it got 26 percent filled, the requirement would be for asphalt to be put in. Before that, the power and water were put in by the landowners at that time. The sewer is not in yet. They are 5-acre farm subdivision lots. Moving forward there are several problems that they might encounter. One of them is sewage. The septic tanks won't support it with the water levels the way they are. He adds that they spent many years planning the subdivision plan together with many people, and to see it torn apart and subdivided is not what it was set up for. They need to go back and look at the minutes from 2000 to 2001. It was put in and guaranteed to be retained as a farm subdivision.

Chair Edwards closes the public comments.

Commissioner Favero asks what the appeal constituted. Mr. Wilson states that they found that there were inefficient findings on the record. They denied the access at that point but allowed them to supplement the findings be allowed to be brought back. Commissioner Bell asks if the HOA has any authority over the zoning of the area. Mr. Wilson states that they may but it does not take any authority out from the County. Whether it is private property or not the laws and ordinances of the County and the States still apply. Commissioner Bell asks what if an HOA had CC&R that said there was a requirement of a minimum of 5 acres but A-1 zone allows 1 acre. Mr. Wilson states that the County can approve it but the County does not enforce the HOA's CC&Rs. It is up to the HOA to enforce their own CC&R's. The HOA does not supersede and the County does not supersede. Commissioner Favero asks if

the A-1 zoning supersedes what the HOA might have in the CC&R's. Mr. Wilson states that this is correct because the applicant is vested in that.

Ms. Aydelotte states that she would like to mention that the staff has requested a copy of the recorded document that does limit further subdivision and that has not been provided. Staff has looked through the abstracts of every lot within the subdivision and it hasn't been found.

Commissioner Bell asks that if the request is for a private access easement off of private roads why is the County getting involved. He asks where the County's authority lies. Director Grover states that typically subdivision is required to have a certain amount of frontage and if they don't have the frontage this is the provision that is in the code that allows them to be able to subdivide the land with the access exception if they meet certain requirements.

MOTION: Commissioner Bell moves to approve the request for an alternative access request to use a private access easement as the primary access for the rear lot of a two-lot subdivision, subject to the following conditions: That approval is based on the concept layout listed as Exhibit C of August 21, 2019 staff report. 2. That this approval offers no explicit or implicit rights of access along any connected private streets, roads or rights of way serving access to the property. This recommendation is based on the following findings: 1 Based on substantial evidence, it has been found that it is impractical to require installation of the county standard right of way to serve such lot/parcel property boundary conditions which limit typical access requirements in a unique way. Due to the existing development to the east of the proposed subdivision road connectivity is not feasible. The County Engineer has determined that it is impractical to run private or public to run along the southern boundary of the existing lot. Per 106-2-1 the arrangement of streets in a new subdivision shall make provisions for the continuation of existing streets in adjoining areas or their proper protection where adjoining land is not subdivided. Planning feels there is substantial evidence and reason for the recommendation. This recommendation is conditioned on the Fire Districts' approval. Commissioner Andreotti seconds. Motion carries (4-0)

CUP 2020-01: Consideration and action for a conditional use request for Halcyon, a Planned Residential Unit Development consisting of 39 residential units, and a 10.0-acre open space parcel.

Director Grover states that preliminary approval was previously granted to the applicant on this site. The applicant has come back is and is presenting a new proposal.

Tammy Aydelotte states that this a request for approval on a conditional use permit. It is located in the A-1 Zone. There were originally 2 phases to this development when it was brought before the Planning Commission. Phase 1 was platted in October 2019. It is a lot averaged subdivision and the second phase would be as well. The PRUD includes 2 phases. When they submit for subdivision, they are going to vacate the previously platted subdivision and included it with this as one phase. They are requesting a 30 percent bonus density with the base density they are allowed 30 lots. They are looking to dedicate 30 percent of the gross acreage towards open space, with that they are not allowed any more than 30 percent. They are getting 20 percent based on the landscaping plan and the dedication of 15 acres with a conservation easement and agricultural easement. This gives them 35 percent but they cannot acquire more than 30 percent. This would give them 9 additional lots. Phase 1 was already platted. The PRUD does allow for some flexibility with a lot averaging subdivision it allows for various sizes within the subdivision as long as the average size meets the minimum for the zone that it is in and the average width meets the minimum for the zone that it is in. With these being located in an A- 1 zone as long as they average out in both phases to 40,000 sq. ft. and 150 ft of lot width they would meet the requirement for a lot averaging subdivision.

Chair Edwards asks if their first phase is going to go away. On the conceptual plan, the landscaping only applies to the new section why won't it apply to the previous plan. Ms. Aydelotte states that Mr. Burton was involved with the approval planning of the first phase.

Mr. Burton states that there has been some confusion the concept of lot averaging and PRUD seem to be getting mixed up. He states that originally it was going to be a lot averaging subdivision with around 24 lots. The first phase was plated and it did not include the lake or the lots that were going to be off in the private drive. The first phase was plated and it was under the normal zoning requirements. If they are not going to go forward with the rest of the lot average subdivision the remaining lot need to exist with the smaller width. They are proposing to include it as the overall PRUD. Chair Edwards states the bonus density was because of the treescapes, they got 20 percent bonus density. The first phase does not show any of that if they are going to use the first phase as lot averaging or to make the lots smaller it should apply in the first phase. Mr. Burton states that it is a good question for the applicant. Chair Edwards states that if they are going to use the space for density that area should be encumbered in the same landscape plans for the first part as well. Commissioner Bell asks if this is a Cluster or a lot averaging, or a PRUD. He asks how can one phase be one type of subdivision and the second phase be a different type. Mr. Burton states that overall it will be considered a PRUD. For that to happen they would need to vacate those lots with a subdivision plat. This will come before the Planning Commission for approval when it gets platted. What the applicant is requesting at this point is a conditional use permit to be able to submit a PRUD subdivision. This will be a PRUD subdivision. Director Grover states that there two types of clustering type developments. In the Western Weber area Cluster code and PRUD. They have chosen the PRUD and it requires a conditional use permit. Commissioner Bell asks why they are allowed to have two different types of subdivisions in the same plat. Director Grover states that there are different requirements for the different for the Cluster and the PRUD. The calculations that Ms. Aydelotte is showing the requirements for the PRUD. Chair Edwards asks if when they vacate it all becomes one. What they do on one side they should do to the other. Commissioner Bell states that if the PRUD covers the first phase they should also have that same plan.

Chair Edwards asks if there are any further questions. there are none.

Tyler Brenchley 1064 Spyglass Hill states that this vacating lot averaging that does not exist anymore. This is a complete PRUD. Phase Phase 1 will meet all of the standards of phase 2. Commissioner Bell asks if they have developed on some the phase 1 lots. Mr. Brenchley states that they have sold some of the lots in Phase 1. There are 14 lots in the first 12 acres. The rest has been adjusted to the new plat, the lake subdivision is not happening.

Chair Edwards asks if moving forward will they need to put curb and gutter in through the whole first phase. Ms. Aydelotte states that to have platted they have either bonded for it or installed for it. Chair Edwards states that it was his understanding that when the first phase was approved all the roads were existing except for the cul-de-sac to the north. There was no curb and gutters installed with that. Mr. Burton states that there does not need to be curb and gutter, the cluster ordinance is specific about providing pedestrian access and street trees. He states that he believes that this can easily be done phased with the larger lots. There is no requirement for curb and gutter. Ms. Aydelotte states that noted in the plan the applicant is proposing sidewalk, curb, and gutter in both phases. The developer will maintain ownership of the open space and lease the land out to some local farmers.

Commissioner Bell asks how are they planning on getting the farm equipment there to take care of the 10 acres. He states that it is large farm equipment and access is a concern that needs to be addressed. Ms. Aydelotte states that this a good question for the applicant. Chair Edwards states that this not phased it is a PRUD. He states that he would like to see this item come back to the Planning Commission as one drawing. It looks too much like phase 1 and phase 2. Commissioner Bell asks if the applicant is asking for approval of the subdivision the request is for a conditional use permit. He states that whether or not the layout meets the requirement that is not necessarily what they are looking at. Chair Edward notes that his concern is based on the applicant getting a bonus density off of the conditional use permit without a proper look at the overall layout. Mr. Burton states that he has a visual for them so that they can get an idea of what those lots entail. There will be enough area within that right of way to install some kind of a pathway. Chair Edwards states that it is his understanding that what is being approved is the amenities. Mr. Burton states that this is correct, the amenity will be the pathway and trees. It is not something like a park that needs to show more detail. Commissioner Atkinson asks when the developer intends to do the expansion. He asks if they have anything that they might like to add regarding the expansion and the access to the farmland. Mr. Brenchley states that if they get the CUP they are looking at requesting preliminary approval at the March 10, 2020 meeting. The full plat is there. He adds that the drawing of the placement of the amenities will be presented at that time. Bruce Ward states that the access to the entire property is off of 1800 S. Almost the entire parcel is being farmed. The reason to put the 10 acres up in the back corner is that it creates the least amount of disruption to the property for irrigation as well as the neighboring properties. With agricultural property, the way it is essentially the flood irrigation property can stay the way that

it is for all the neighbors. The code allows for the 10 acres to be bought and sold over the years. I can be owned by anyone. With that in mind, it makes sense to have public access. There was a question regarding whether 4130 W is a hint of future development, he states he is not sure what will happen in the future. An easement would be required, there are no plans for development, but it does need public access. It being public access it would just be installed per County code. He notes that he lives in a similar situation and the farm equipment shows up four times a year. There should be adequate access for the farm equipment 36 ft should be more than adequate.

Chair Edwards opens the public comment. There are no public comments

Commissioner Bell states that the bonus density for the 10 acres based on phase 2 the density of the homes and the open space. It doesn't necessarily have anything to do with phase 1. Ms. Aydelotte states that phase 1 contributes to the overall gross acreage of which they are dedicating 30 percent. Chair Edwards stated that the larger lots from phase 1 make it so they can have smaller lots within the PRUD. Ms. Aydelotte states that the entire acreage from phases 1 and 2 is a little over 31 acres they are dedicating 10 acres of that as open space.

Commissioner Bell states that he has expressed concern regarding the farm equipment. He states that he does not want to defer curb and gutter and sidewalk especially if the main access for that equipment is coming up 4150 W and over to 4130 W to get to the 10 acres. He states that the children need to have a safe place to walk on the side of the road.

Commissioner Andreotti asks regarding the fencing. Commissioner Bell states that he understands a higher density around the property. Mr. Ward state that with any joint responsibility, there is agriculture everywhere. The homeowners will have every opportunity to build fencing.

Chair Edwards asks if there is a fencing requirement in County Code. Ms. Aydelotte states that the fencing requirement goes into play if there is an open canal or ditch within 600 ft. if this is the case staff would require fencing within the fencing boundary. Chair Edwards asks if this is within the PRUD code. Ms. Aydelotte states that it is within the subdivision standards.

MOTION: Commissioner Bell moves to recommend approval for a conditional use request for Halcyon, a Planned Residential Unit Development consisting of 39 residential units, and a 10.0-acre open space parcel used for agricultural purposes. 1. The following setback standard shall be added to the final subdivision plats for review and approval: Front – 20', side – 8', rear – 20', corner lot with a side facing a street – 20'. 2. Sidewalk, curb, and gutter will be installed within the subdivision and along 1800 South. This recommendation is based on the following findings: 1. The proposed PRUD conforms to the West Central Weber County General Plan. 2. The PRUD is intended to allow for more flexibility of residential building sites. 3. The building uses, locations, lot area, width, yard, height and coverage regulations proposed are acceptable as shown on the conceptual drawings. 4. Up to a 30 percent bonus density may be granted based on the following: a. If the applicant preserves open space area above 30 percent, the county may grant a bonus density of up to 50 percent; however, overall bonus density potential shall be no greater than a percentage equal to the percentage of the PRUD's total area preserved as open space. The proposal dedicates 10 acres of open space which is 30% of the adjusted gross acreage; therefore qualifying for up to the 30 percent bonus density. 5. The proposal will not be detrimental to the public health, safety, or welfare. 6. The proposal will not deteriorate the environment of the general area to negatively impact surrounding properties and uses. With the added condition that sidewalk curb and gutter will be installed within the second phase and along 1800 S. Commissioner Atkinson seconds (4-0).

4. Elections for Chair and Vice-Chair for 2020.

MOTION: Commissioner Andreotti nominates Chair Edwards for a second year. Commissioner Andreotti seconds. Motion carries (4-0).

MOTION: Commissioner Atkinson nominates Commission Bell for Vice-Chair. Commissioner Andreotti seconds. Motion carries (4-0).

5. Meeting Schedule: Approval of the 2020 Meeting Schedule.

MOTION: Commissioner Atkinson moves to approve the meeting schedule for 2020 as presented.

6. Approval of the 2020 Planning Commission Rules of Order. Chair Edwards asks if there were any significant changes from the previous years. Director Grover states with the Ogden Valley Planning Commission added a provision to be able to approve minutes via email in case there are no items on the agenda. He states that if the Planning Commissioners would like add that the language it can be transferred and added to Western Weber. Commissioner Bell states that he likes the idea of being able to approve minutes via email.

MOTION: Commissioner Bell moves to approve the Rules of Order for 2020 with the requested modification that a provision is added for meeting minutes to have the ability to be reviewed and approved via email. Commissioner Andreotti seconds. Motion carries (4-0)

7. Update on the incorporation in West Weber. Chair Edward states that this is just an update it is not open to public comment. He states that if there are questions the public may direct them to staff. Matt Wilson states that the public is allowed to make comments during the *public comments for items, not on the agenda* portion. He states that he reached out to the Lieutenant Governor's Office. The incorporation issue will be on the November ballot. The question on the ballot will be whether that area should incorporate. He adds that he asked about the potential annexation and they have refused to issue an opinion. At this point, they don't feel it is right to issue an official opinion. If a petition goes through they must certify those petitions. If a petition goes through and is certified they will issue a statement in writing. He adds that he spoke to some representatives from Plain City they have amended their declaration for annexation including a large portion of the area that is proposed for incorporation. They have adopted a resolution to review any petitions for annexation that they received and it was unclear whether they received any petitions that meet the code for them to that review. There is some pending legislation to provide border protection, once the feasibility study is filed no other city can annex even if its part of the declaration plan. Commissioner Bell asks if Mr. Wilson has reached out to West Haven City regarding any plans for annexation. Mr. Wilson states that he is not aware if they have amended their declaration. They have sent out a letter inviting a response from citizens in Unincorporated Weber County as to whether they would accept annexation into West Haven. Mr. Wilson notes he has not reached out to them.

Commissioner Atkinson states that he would like to note that the County is not the sponsor for the petition to incorporate. He states that as a body they are neutral. Mr. Wilson states that the County is not involved, any involvement by the County would be through the County Commission. Commissioner Bell states that he would like to note that as a private citizen he is one of the sponsors.

8. Training: Open and Public Meetings Act: Commissioner Bell moves to postpone the open meetings act training to a future meeting. Commissioner Andreotti seconds. Motion carries (4-0)

9. Public Comment for Items not on the Agenda: Chair Edwards states that for anyone who wants to comment on the incorporation issue, they need to keep in mind that the Planning Commission does not influence this issue. The next stage for this issue is the election in November. He adds that if the public wants to speak they need to address the Planning Commission, not the audience.

Tom Favero 1295 N 4700 W states that he has a farm in Taylor the family has been there for 125 years. There has not been enough public discussion, there is not enough information on this issue to move forward. How do you vote for a new city when you don't know what the zoning will be or what the plan is? They don't know where the money will come from. There is no industrial or commercial. It is going to be a burden on the residents. He believes the cost will be higher than the feasibility study showed. The community is divided. He states the there is no clear plan. There is no tax base in the city. If Warren and West Warren go to Plain City Weber County has built a nice road for Plain City. There should be a pause on any votes. There needs to be more information before moving forward. The best fit is to stay with Unincorporated Weber County. It suits the farming, and the residents better. It won't develop out as fast as if it becomes a city. He states that some of the residents feel that once they become a city they will be able to ward off any major developments. Once you become a city you will have to act like a city. There will need to be low-income-affordable housing.

John Degiorgio 5806 W 1600 S states that he owns some land in Taylor and West Weber. He states that he is operating a farm established in 1908. He asks if this can't be discussed at the Planning Commission meeting who can they discuss it with. He would like to get more information. He states that he has a lot of questions. He asks what the game plan is for the new city. The main concern is stopping development, but they can't stop development. The best option is to stay with Unincorporated Weber County. They can annex into Plain City or West Haven as the time comes. Once West Weber becomes a part of a city they will need to abide by city ordinances. Cities and agriculture don't mix.

John Price 646 S 7900 W states that there are some resident who don't want their ground in the new city. There are several landowners in the area who want nothing to do with the new city. Is there a way to opt-out?

Brad Blanch 736 S 4700 W states that when you look at the road numbers those numbers were short. He states that he appreciates the study done by Zions Bank but it seems to be short-sided. He notes that the Planning office completed the report of a substandard road in May of last year. He states that he would love to see some action be taken on the substandard roads report.

Lance Peterson 3831 W 2150 S states that he can appreciate has been stated. He is proud to live in Taylor and West Weber Unincorporated. He asks what other options are available. He states that the sheriff numbers came straight from Sheriff Arbon. He states that he has met with the sponsors and has discussions with them, not one of the sponsor wants to be the Mayor or part of the Council. They stated that they do not have the skills. He states regarding the question about the cost, people from Zions Bank say it's feasible. The sponsors have not said they want to stop development. They want to be able to do it smartly. He states that they are proud to live in Taylor and West Weber. There are four very unique communities, they should be able to come together instead of being divided. There will be a planning meeting on the 3rd Thursday of March to have the community come together to share their opinions. He states that he can't vote for something if he doesn't know what he is voting for. If the community wants to get involved and learn what is happening they should start meeting. The meeting will be held at West Weber Elementary. He states that they do not feel that their opinion matters more than someone who moved out there in the last year.

Commissioner Bell recuses himself from the rest of the meeting to comment as a private citizen.

Greg Bell 4023 W 2100 S states that he is a sponsor for this petition and part of the reason is that he feels it is the best way to preserve what the citizens of Western Weber County need for their future. It was explained to him that the only reason to incorporate would be to provide the services that they are currently not getting or to provide benefits that they are currently not getting. He states that with all due respect the only representation that the people in Western Weber are getting is the Planning Commission and the only authority the Planning Commission has is to make recommendations to the County Commission. He states that they have seen it happen time and time again the County Commission doesn't uphold their decisions as the Planning Commission. He states that he feels that they have no control. If they are going to continue to raise their taxes why not collect the taxes as a city and have so that they can have some control. He states that he has been living in Taylor for seven years and he has not seen any road repair. He states that he trusts the feasibility study they have been doing it for that sort of work for years. The point of incorporation is to bring the community together rather than letting two County Commissioners who live outside of city boundaries decide.

Anna Giordano 7852 W 900 S asks if Plain City annexes in does it change the feasibility study? Would they have to do a new feasibility study?

Lewis Petterson 4114 W 1400 S states that based on what he has seen, he likes what Weber County has done. He would like to remain a part of Unincorporated Weber County.

Chair Edwards closes the public comment.

Mr. Wilson states that if they want more information they can contact the Lieutenant Governors Office. He states that the County is not that involved in that matter. Statue does not allow for the County to get involved. He notes that they can contact the sponsors of the incorporation petition to more information. He states that Mr. Greg Bell as a private citizen is a sponsor they can get in contact with him and he may share contact information for other sponsors. This information is also available through the Lieutenant Governor's office.

Mr. Wilson states that regarding Mr. Price's question about opting out. It is his understanding that the time has passed for this. Some landowners were able to opt because they meet certain requirements for opting out. It is a question for the Lieutenant Governors Office but he believes that there wasn't anyone who was able to successfully opt-out.

Mr. Wilson states that regarding Ms. Giordano's question if it is annexed, it is his opinion that it would change it completely. There was a feasibility study and a petition that is based on those numbers. It could be invalidated but it is up to the Lieutenant Governor's Office. The Lieutenant Governors office would have to make that determination.

Director Grover states that regarding the comment made by Mr. Blanch concerning the substandard road agreement. This is something that the Commission asked staff to look at. Staff ranked substandard roads within the County. They are using that with the road funds to determine where the roads should be placed. He notes that currently, they are working with Wolf Creek concerning Fairways. There is supposed to be a connection from North Ogden divide over to Wolf Creek. A portion of that is connected but if it was full connected people wouldn't have to travel by Maverick to get to Powder Mountain. That was one of the high priorities for the developer and the County is working with them on that.

10. Remarks from the Planning Commissioners: Chair Edwards states that he would like to thank the people who showed up and commented. He reiterates that when it comes to the annexation and the incorporation of Planning Commissioners have no input as individuals they are voting members just like the public. It will come down to the November vote. It seems that the committee is going to have some public meetings, this is the opportunity for the community to get involved. He states that one thing that he has noticed in the last two years is that there is has been times when they are voting on something and there is nobody in the audience it is important for the community to show up and give their opinion. It's hard for the Planning Commission to weigh in when they don't know some of those areas.

11. Planning Directors Report: there is none.

12. Remarks from Legal Counsel: there is none.

13. Adjourn: 7:30pm

Minutes for the Western Weber Planning Commission meeting of March 10, 2020, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 5:00 p.m.

Members Present: Bren Edwards
Gene Atkinson
Janette Borklund
Wayne Andreotti

Members Excused: Greg Bell
John Parke

Staff Present: Rick Grover, Planning Director; Steve Burton, Principle Planner; Tammy Aydelotte, Planner I; Matt Wilson, Legal Counsel; Marta Borchert, Secretary

- Pledge of Allegiance
- Roll Call

1. Approval of minutes for August 13, 2019. Commissioner Borklund pointed out the following errors: Page 2 at the top paragraph CCNR's should be CC&R's The last sentence in that paragraph should say "Commissioner Atkinson" rather than Mr. Atkinson. Page 3 the paragraph about halfway down the page beginning with Director Grover "rod iron" should be "wrought iron" - pond cape should be pondscape? Chair Edwards pointed out that in Commissioner Borklunds motion on page 4 regarding the pond should say secondary water pond, not stormwater. Minutes are approved with noted conditions.

Chair Edwards moves item 2.2 up on the agenda to give applicant Pat Burns for item 2.1 time to show up.

2.2 LVH 040419: Consideration and action on a request for preliminary approval of Halcyon Estates PRUD consisting of 39 lots located at approximately 4100 W 1800 S, Ogden.

Regarding this item Chair Edwards asks if this item was changed from a PRUD to a Cluster subdivision. Director Grover states that it is still under a PRUD. They got conditional approval at the last meeting and they are requesting subdivision approval at this meeting.

Steve Burton gives an overview of the layout of the subdivision. There are already some platted lots that are included as part of the PRUD. There is also a parcel to the West. Half of it will be a 10-acre open space with agriculture parcel and the other half will be lots. They are requesting preliminary approval from the Planning Commission, which is the next step in the PRUD. The overall number of lots is 39 lots. Staff is recommending approval of the project based on the findings and the conditions outlined in the staff report and with the added condition that the conditional use permit is approved by the County Commission. He notes that the conditional use permit did not make it on this week's agenda for the County Commission. It should be approved before it comes back for final approval in April.

Commissioner Borklund states that it is awkward with the cul de sac ending in the open space. It seems odd. Mr. Burton states that originally, it was meant to be a subdivision with a lake, the lake was in phase 2, but instead of doing that proposing that it be a PRUD rather than redesigning the infrastructure for that phase and the cul da sac they are leaving it as is.

MOTION: Commissioner Favero moves to recommend preliminary approval of Halcyon Estates PRUD Subdivision consisting of 39 lots. This recommendation is based on the review agency requirements and the following condition: 1. A deferral agreement for curb, gutter, and sidewalk will be required along 1700 S and 4075 West streets before recording the final Mylar. 2. An approval letter from Hooper Irrigation is required before receiving a recommendation for final approval from the Planning Commission. 3. That conditional use permit be approved by County Commission. 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. Commissioner Borklund seconds. Motion carries (4-0)

2.1 LVS021320: Consideration and action on a request for preliminary approval of Stagecoach Estates Cluster Subdivision consisting of 56 lots located at approximately 1800 S 3800 West, Ogden.

Tammy Aydelotte states that this item was before the Planning Commission for sketch plan endorsement in December. The lots range in size from 9,000 to 21,000 sq. ft. Feasibility was received at sketch plan endorsement. All the area to the North is the open space. Engineering has several requirements that they need to meet. There was a request for a soil study. The applicant has the study on order, he has not received it yet.

Patrick Burns 1407 N Mountain RD asks if there are any questions for him.

Chair Edwards asks about the horse stalls, is that area going to be private or part of an HOA. Mr. Burns states that it will be private he will own it himself. Commissioner Borklund asks if it is a cluster subdivision. Is Mr. Burns allowed to have smaller lots because of the open space? The lots don't have a lot of open space on them. Is there any recreation area for the residents to use. Mr. Burns states that the riding area will be available for use to residents. There will be a trail all around the subdivision. It will be privately owned and maintained to avoid an HOA.

Commissioner Favero asks how it will work going forward into perpetuity. How does it carry forward from the applicant being the owner of the open space in the future? Director Grover states that the ordinance different types of open space parcel area. The applicant is requesting to do an individually owned open space parcel.

Chair Edwards states that the area can have agricultural buildings but never a residence.

Commissioner Atkinson asks if the trail will be a walking trail or a horse trail. Mr. Burns states that throughout the subdivision there will be a trail that can be accessed in three ways. It will just be grass but it will be accessible to everyone.

Commissioner Borklund states that she has some concerns regarding the residents having green space to play on. They might feel awkward using Mr. Burn's area. Mr. Burns states that the only other open space will be the detention space. He states that his main concern is the HOA and the fees. It is 18 acres that are never going to be developed.

Commissioner Borklund states that there was mention Engineering is requiring wide rows, the layout may change. If that creates fewer lots will this be in the plan for final approval? If those changes are made will they still be compliant for final approval? Ms. Aydelotte states that they are not increasing the number of lots if the engineering changes the number of lots it would decrease.

Chair Edwards states he would like to see the soil analysis. He would see the findings of the soil sample be included as conditions.

Commissioner Andreotti asks if they do or don't have water. Ms. Aydelotte states that they have yet to show they have secured their secondary water. This is a requirement for final approval. Director Grover states that this can be included in the motion but the ordinance will take care of this.

MOTION: Commissioner Favero moves recommend preliminary approval of Stagecoach Estates Cluster Subdivision consisting of 54 lots. This recommendation is based on all review agency requirements, including those outlined in this staff report, and the following conditions: 1. A final approval letter, showing secured water shares, from Hooper Irrigation is required prior to receiving a recommendation for final approval from the Planning Commission. 2. On the final improvement plans, the improved surface of the pathway within the subdivision, including along 1800 South, must be shown to be 10 feet wide. 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. With the added condition that soil samples be provided for final approval.

Commissioner Atkinson seconds. Motion carries (4-0)

3.1 ZTA 2019—01:Public hearing to discuss and take comment on a proposal to amend the following sections of Weber County Code: §101-1-7 and §108-7 to add a definition of agricultural building, amend the definition of the agricultural parcel, and include provisions for agricultural building exemptions.

Mr. Burton states that the Weber County ag. exempt code is not consistent with Utah State code. He goes over the changes listed in the staff report.

Chair Edwards opens the public comment. There is none.

Chair Edwards states that he feels this is the reason in Western Weber are griping. They feel they are not being heard, but they don't show up the public hearings. These types of changes affect them. This is a chance for the public to be heard.

Commissioner Favero states that it doesn't matter what type of governing body you have if you don't participate. Chair Edwards states that he appreciates staff putting this together and sending out public notice but is disheartening to make the code changes when the public is not present.

MOTION: Commission Borklund moves to close the public hearing. Commission Atkinson seconds. Motion carries (4-0)

MOTION: Commission Borklund moves to recommend approval of the text included in Exhibit A of the staff report based on the following findings: 1. The changes cause no adverse effect on the intent of the General Plans. The clarification will provide for the more efficient administration of the Land Use Code. 3. The changes will enhance the general welfare of County Residents. Commissioner Favero seconds Motion carries (4-0).

4. Public comments for items not on the agenda: There is none

5. Remarks from the Planning Commissioners: Commissioner Borklund asks that staff consider amending the South East General Plan. It says low density, she would like to see it say very low density in all of the Uintah Highlands. She states that it should be RE-15 because this is how it has been developed. Director Grover states that he will approach the County Commission. They need a Commissioner to sponsor it. He states that he will approach Commissioner Harvey because he lives in the area, to get his take on the issue. Commissioner Borklund asks if he goes in to reapply for that if there are any vested rights in that for the plan to be amended. Director Grover states that there are no vested rights, it went through the process and it was denied. Director Grover states that he will take it before the County Commissioners to see if they can get some traction on it. The key is that this is how it has been developed. In that area, a higher density would not be appropriate because that is not how it has been built out. Long term it would have been better to have more density in, because it is in an urban area and there should be more density there and then transition into that to be able to have more farmland and other similar things in other areas. This is not how it happened.

Commissioner Favero states based on her reasoning that makes sense. As a Planning Commission body, they deal with a lot of administrative items, but there are also some legislative items. He notes that as Chair Edwards mentioned there is not a lot of participation. He states that they need to be looking at density. Right now the only way for people to be able to afford to live in the area is for the lots to be smaller. As much as people in the area don't want higher density and for things to stay the same they can't the population and the economics are driving other things. It is unfortunate but it is the reality. He states that he is not for or against it but it needs to be discussed. They are a lot of obstacles and they are coming fast. There is a lot of discussion regarding this issue because of the city being planned and there is a lot of emotion about it. Because of what was started with the County officials 20 or 30 years ago before the Olympics. They wanted Utah to grow and now it's growing. There are people and companies and that are interested in being here. There needs to be planning for this. He states that nothing is being done on this front.

Commissioner Andreotti states that the affordable housing plan has always been in there, pretty soon if nothing is done somebody is going to decide for them. This would be the worst possible thing to do. Regarding income levels and cost of real estate and rent is out of range. It is expensive to live in Utah. Somehow in all of this, we need to figure out how to have smaller lots with smaller buildings, so that people don't have to decide whether they are going to pay their bills or pay their mortgage. This body needs to start having discussions about that. It is going to get done either way and if the government gets involved it will not be congruent with the community. He adds that the County is based on vehicles and roads. There was a meeting about roads regarding the Legacy highway, it is an important road. The East and West corridors are more important. If there is going to be a sustainable area in Weber County there need to be good roads. The roads must accommodate farm machinery. He states that we need to continue

building these roads because they will serve us well in the future. The worst thing that can happen is to create a situation with affordable housing and people living in the area with different size lots that won't be sustainable. For a new city or an old city, the roads are going to be paramount for the ability to accommodate the growth of the new businesses. A good transportation plan is where it starts.

6. Planning Directors Report: Director Grover states that staff has been looking at the transportation plan for the area in Western Weber and Ogden Valley. The transportation plan is part of the General Plan. Staff is looking at the Engineering plan to see where there are discrepancies to make changes and update it. Certain roads have changed from local streets to collector streets or roads that were collector streets and have grown to arterial streets. He states that like Commissioner Andreotti stated the road connections are important and they also need to look at how they are maintained over the years.

7. Remarks from Legal Counsel: there is none

8. Adjournment: 5:45pm

Respectfully Submitted

-Marta Borchert

DRAFT



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for a recommendation for final approval of Halcyon Estates PRUD subdivision consisting of 39 lots located at approximately 4100 W 1800 S, Ogden.

Type of Decision: Administrative

Agenda Date: Tuesday, April 14, 2020

Applicant: Tyler Brenchley, Keith Ward

File Number: LVH 040419

Property Information

Approximate Address: 4100 W 1800 S

Project Area: Approximately 31 acres

Zoning: Agricultural (A-1) Zone

Existing Land Use: Agricultural

Proposed Land Use: Residential

Parcel ID: 15-057-0011, -0039

Township, Range, Section: T6N, R2W, Section 21

Adjacent Land Use

North: Agricultural	South: Residential
East: Residential	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 5, Agricultural (A-1 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)

Background and Summary

The Western Weber Planning Commission unanimously recommended preliminary approval of Halcyon Estates PRUD subdivision on March 10, 2020. The PRUD received conditional use permit approval from the County Commission on March 17, 2020. The platting of the subdivision is the final step in the PRUD process. The proposal meets the final subdivision plat requirements outlined Section 106-1-8 of the Land Use Code.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by preserving agricultural open space.

Zoning: The A-1 zone conditionally allows Planned Residential Unit Developments. Although the proposed lot sizes are smaller than otherwise allowed by the A-1 zone, the platting of the lots is in conformance with the approved site plan provided as part of conditional use permit approval.

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 will be provided by Taylor West Weber Water Improvement District. The sanitary sewage disposal will be provided by Central Weber Sewer Improvement District. The culinary water will-serve letter states that the applicant must provide pressurized secondary water to each lot. Hooper Irrigation has given approval of the 39 lot subdivision.

Agricultural Protection Easement: As part of the conditional use permit that was approved by the County Commission, the applicant is required to provide an agricultural protection easement over the open space shown as Lot AG on the subdivision plat. The applicant has provided the following language on their subdivision plat dedication language:

HALCYON LAKE ESTATES PHASE 1 AMENDED- A PRUD SUBDIVISION

Part of the Southwest Quarter of Section 21, Township 6
North, Range 2 West S.L.B&M
Weber County, Utah

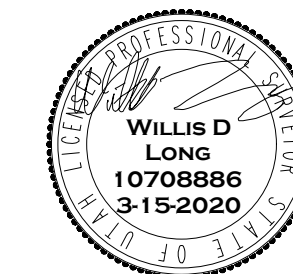


SUBDIVISION LOCATION

SURVEYOR'S CERTIFICATE

I, WILLIS D. LONG DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, AND THAT 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 THAT THIS PLAT OF HALCYON LAKE ESTATES PHASE 1 AMENDED, A PRUD SUBDIVISION, IN WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A 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 ON THE GROUND. I FURTHER 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 15TH OF MARCH, 2020



8334 SOUTH WILSON CREST WAY
WEST JORDAN, UTAH 84081
801-663-1641
WILLISLONG21@YAHOO.COM

OWNERS' DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT HALCYON LAKE ESTATES PHASE 1 AMENDED, A PRUD SUBDIVISION, AND DO HEREBY DEDICATE, GRANT AND CONVEY TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DO HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT EASEMENT OVER, UPON, AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, STORM WATER DETENTION PONDS AND DRAINAGE EASEMENTS, 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 APPLICABLE AS MAY BE AUTHORIZED BY GOVERNMENTAL AUTHORITY WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS, FURTHER MORE THE UNDERSIGNED OWNERS GRANT AND CONVEY TO THE COUNTY A PERPETUAL OPEN SPACE RIGHT AND EASEMENT ON AND OVER THE AGRICULTURAL PRESERVATION PARCEL TO GUARANTEE TO THE PUBLIC THAT THE AGRICULTURAL OPEN SPACE PARCEL REMAINS OPEN AND UNDEVELOPED EXCEPT FOR APPROVED OPEN SPACE PURPOSES IN A MANNER CONSISTENT WITH THE APPROVED SPACE PLAN.

SIGNED THIS ____ DAY OF _____, 2020

KEITH R. WARD, A MEMBER OF WAKELSS HOLDINGS, LLC

TYLOR BRENCFLY, A MEMBER OF WAKELESS HOLDINGS, LLC

LARSON, JAKE TROY & WF MADISON NICOLE LARSON

BRENCFLY, BRANDON C & WF MELISSA W BRENCFLY

NANNEY, ADAM K & WF ELIZABETH M NANNEY

STONE PEAK CONSTRUCTION LLC

BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASIN AND MERIDIAN. BEGINNING AT A POINT WHICH IS N89°07'58"W 826.00 FEET FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE N89°07'58"W 1119.47 FEET; THENCE N00°30'47"E 290.00 FEET; THENCE N89°07'58"W 177.60 FEET; THENCE N00°34'25"E 1025.57 FEET; THENCE S89°02'25"E 705.17 FEET; THENCE S89°02'21"E 357.93 FEET; THENCE S00°50'00"W 239.00 FEET; THENCE N89°02'25"W 57.93 FEET; THENCE S00°50'00"W 190.60 FEET; THENCE S34°01'02"W 162.76 FEET; THENCE N89°02'21"W 53.00 FEET; THENCE S28°28'50"E 222.32 FEET; THENCE S55°58'58"E 60.00 FEET; THENCE N34°01'02"E 130.43 FEET; THENCE S55°58'58"E 268.39 FEET; THENCE S34°01'02"W 27.01 FEET; THENCE S00°52'02"W 461.46 FEET TO THE POINT OF BEGINNING.

EXCEPTING THAT AREA WITHIN THE DEDICATION OF 4075 WEST STREET PER DEGIORGIO SUBDIVISION PHASE 3.

CONTAINING 1,424,807.06 SQFT/32.71 ACRES, MORE OR LESS

SURVEYOR'S NARRATIVE:

THE PURPOSE OF THIS SURVEY IS THE ACCURATELY LOCATE THE EXTERIOR BOUNDARIES OF SAID PROPOSED SUBDIVISION AND TO MAKE THE SUBDIVISION OF THESE LANDS AND MARK THE SAME ON THE GROUND IN HARMONY WITH EXISTING BOUNDARIES.

THIS SUBDIVISION PLAT IS AN AMENDMENT OF HALCYON LAKE ESTATES PHASE 1 " A LOT AVERAGED SUBDIVISION ". THIS PLAT WILL NO LONGER BE A LOT AVERAGED SUBDIVISION AND WILL CHANGE TO A PRUD SUBDIVISION PER THE CLIENTS' REQUEST.

BASIS OF BEARINGS IS BETWEEN THE W/1 CORNER AND THE SOUTH QUARTER CORNER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 2 WEST, AS MONUMENTED BY WEBER COUNTY SURVEYORS OFFICE, WHICH BEARS N44°25'34"W 3741.99 FEET (GRID BEARING AND GROUND DISTANCE), SURROUNDING ENTITIES TO INCLUDE IRRIGATION, STORM, SEWER, SUBDIVISIONS, ROAD RIGHTS OF WAY AND INDIVIDUAL PROPERTIES WERE PLACED USING DEEDS OF RECORD PROVIDED ON MULTIPLE TITLE REPORTS AS WELL AS BEST AVAILABLE PHYSICAL EVIDENCE TO INCLUDE FOUND LOT / SUBDIVISION CORNERS AND EXISTING FENCE LINES, EDGES OF ROADS, EXISTING OCCUPATION AND PAROLE EVIDENCE.

ACKNOWLEDGEMENT

STATE OF UTAH)
) SS:
COUNTY OF WEBER)
ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED

KEITH R. WARD, A MEMBER OF WAKELESS HOLDINGS, LLC

TYLOR BRENCFLY, A MEMBER OF WAKELESS HOLDINGS, LLC

SIGNER(S) OF THE ADJACENT INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ RESIDING AT _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
) SS:
COUNTY OF WEBER)
ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED

LARSON, JAKE TROY & WF MADISON NICOLE LARSON

SIGNER(S) OF THE ADJACENT INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ RESIDING AT _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
) SS:
COUNTY OF WEBER)
ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED

NANNEY, ADAM K & WF ELIZABETH M NANNEY

SIGNER(S) OF THE ADJACENT INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ RESIDING AT _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
) SS:
COUNTY OF WEBER)
ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED

BRENCFLY, BRANDON C & WF MELISSA W BRENCFLY

SIGNER(S) OF THE ADJACENT INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ RESIDING AT _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
) SS:
COUNTY OF WEBER)
ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED

STONE PEAK CONSTRUCTION LLC

SIGNER(S) OF THE ADJACENT INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ RESIDING AT _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
) SS:
COUNTY OF WEBER)
ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED

INSERT OWNER NAME HERE

SIGNER(S) OF THE ADJACENT INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ RESIDING AT _____

MY COMMISSION EXPIRES: _____

NOTE: AN IMPROVEMENT GUARANTEE AND ESCROW WILL BE SET ASIDE FOR THE SUBDIVISION IMPROVEMENTS TO INCLUDE STREET TREES, SIDEWALK, AND STREET LIGHTS.

NOTE: AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURAL ZONES. AGRICULTURAL 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 AGRICULTURAL SHALL BE SUBJECT TO RESTRICTION ON THE BASIS THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

NOTE: DISTANCES TO EXISTING STRUCTURES SHOWN IF STRUCTURE IS WITH IN 30' OF THE SUBDIVISION BOUNDARY (SEE PAGE 2)

NOTE: 5' WIDE PUBLIC FOR EACH ZONE IN THIS SUBDIVISION THE AVERAGE AREA AND AVERAGE WIDTH OF LOTS WITHIN THE ZONE MEET OR EXCEED THE MINIMUM WIDTH ALLOWED IN THE ZONE. AN AMMENDMENT TO ANY PART OF THIS SUBDIVISION SHALL COMPLY WITH SECTION 106-2-4(B) OF THE WEBER COUNTY CODE

NOTE: BASIS OF BEARING AND DETAILED BOUNDARY INFORMATION FOR EACH LOT SHOWN ON PAGE 2

NOTE: STANDARD SET BACK FOR ALL LOTS IS 20' ON THE FRONT AND REAR AND 20' ON A CORNER LOT FACING A STREET. STANDARD SET BACK FOR ALL LOTS IS 8' ON THE SIDE YARDS.

NOTE: LOTS ONE THROUGH FOURTEEN ARE TO RETAIN THEIR OWN STORM WATER AS SHOWN ON THE IMPROVEMENT PLANS. ALL INHABITABLE SPACE BELOW NATURAL GRADE WILL REQUIRE THE APPROVAL OF THE ENGINEER TO VERIFY THAT SUMP PUMPS ARE NOT DISCHARGING INTO THE SEWER SYSTEM.

NOTE: 5' WIDE PUBLIC UTILITY EASEMENT FOR ALL SIDE YARDS AND 10' WIDE PUBLIC UTILITY EASEMENT FOR ALL REAR AND FRONT PORTIONS OF DISPLAYED LOTS UNLESS OTHERWISE NOTED.

ACKNOWLEDGEMENT

STATE OF UTAH)
) SS:
COUNTY OF WEBER)
ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED

INSERT OWNER NAME HERE

SIGNER(S) OF THE ADJACENT INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ RESIDING AT _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
) SS:
COUNTY OF WEBER)
ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED

INSERT OWNER NAME HERE

SIGNER(S) OF THE ADJACENT INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ RESIDING AT _____

MY COMMISSION EXPIRES: _____

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 FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS. SIGNED THIS _____ DAY OF _____, 2020.

SIGNATURE WEBER COUNTY ENGINEER

WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____, 2020.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THIS 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 _____, 2020

SIGNATURE WEBER COUNTY ATTORNEY

COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILE FOR RECORD AND RECORDED:
_____ 020, AT _____

IN BOOK _____ PAGE _____

OF OFFICIAL RECORDS

RECORDED FOR: _____

COUNTY RECORDER _____

BY: _____

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 THIS _____ DAY OF _____, 2020.

TITLE

CHAIRMAN, WEBER COUNTY COMMISSION

ATTEST

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL CONDITIONS FOR APPROVAL BY THIS OFFICE HAVE BEEN SATISFIED. 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 _____, 2020.

SIGNATURE WEBER COUNTY SURVEYOR

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 _____, 2020

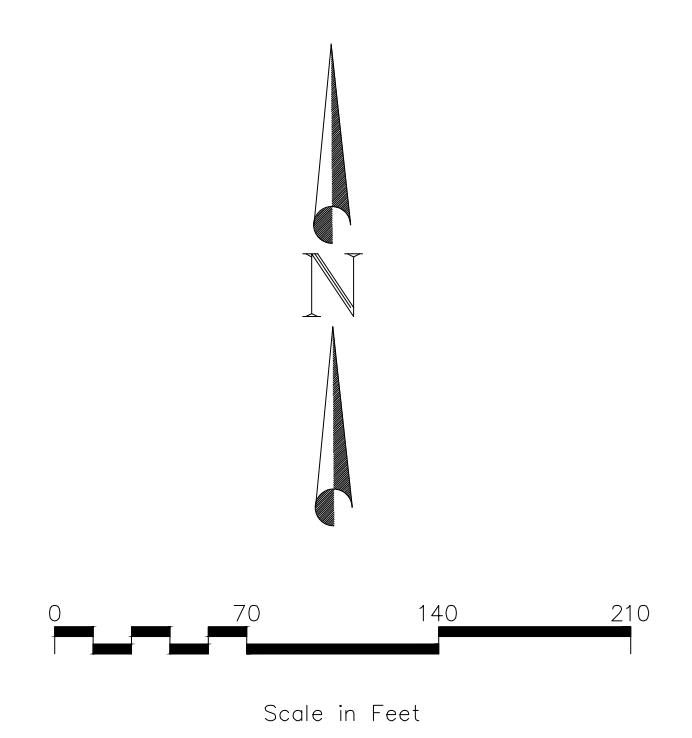
DIRECTOR, WEBER-MORGAN HEALTH DEPARTMENT

Range 2 West, S.L.B.&M., West 1/4 Corner of Section 21, Township 6 North, Weber County Surveyors Office 2004 Monument 3" Brass Cap in Manhole Collar

HALCYON LAKE ESTATES PHASE 1 AMMENDED- A PRUD SUBDIVISION

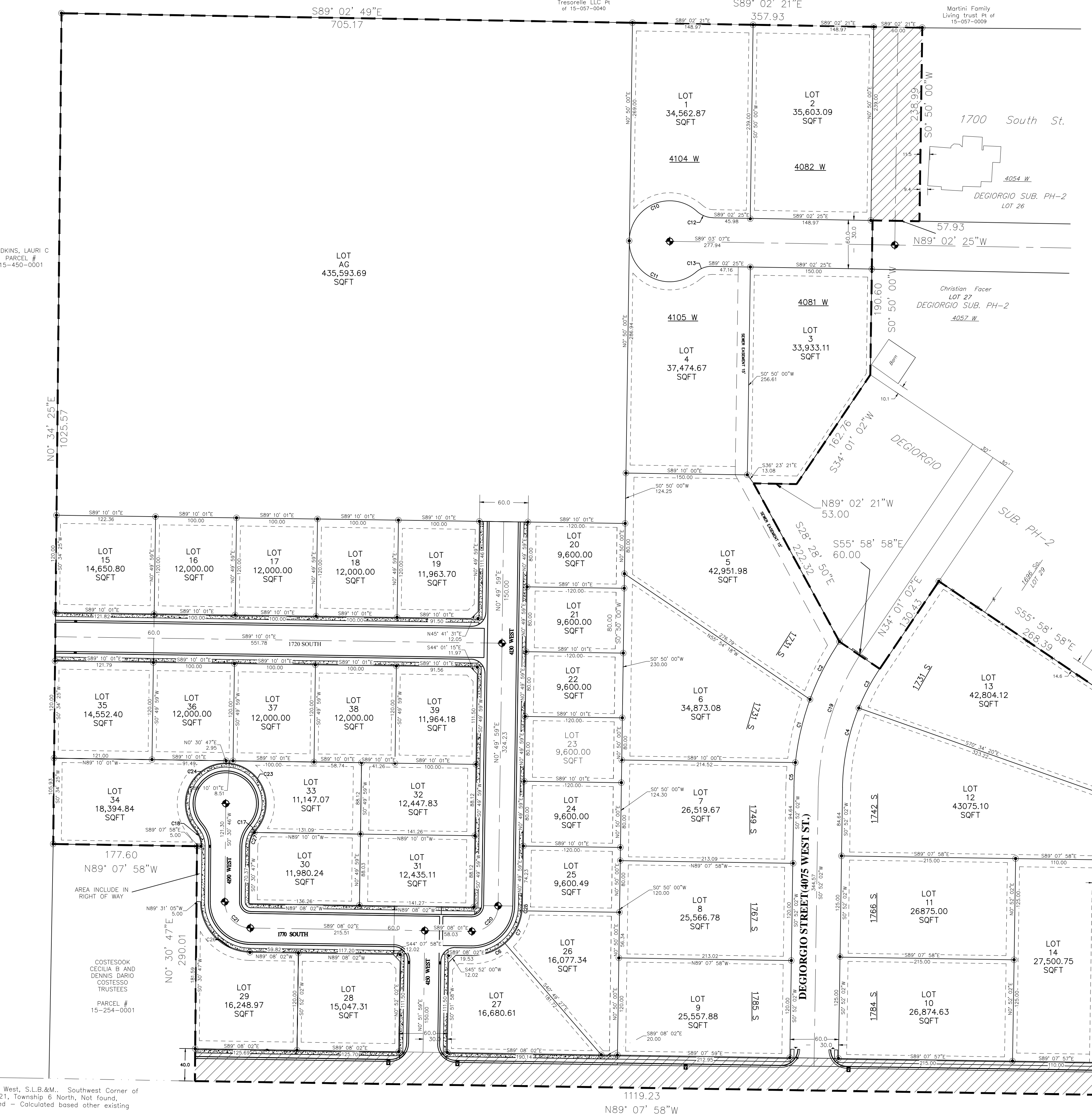
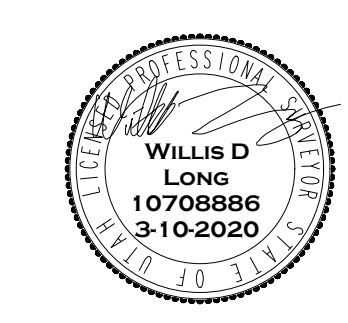
Part of the SW Quarter of Section 21, Township 6 North,
Range 2 West S.L.B.&M
Weber County, Utah

Curve #	Length	Radius	CHORD DIST	CHORD BRG
C1	190.242	328.823	187.599	N17° 26' 25"E
C2	190.242	328.823	187.599	N17° 26' 25"E
C3	155.525	268.842	153.365	N17° 26' 24"E
C4	155.525	268.842	153.365	N17° 26' 24"E
C5	190.242	328.823	187.599	N17° 26' 25"E
C6	45.116	61.965	44.126	S70° 01' 14"W
C7	46.533	62.000	45.449	S27° 40' 24"W
C10	114.894	50.000	91.233	S66° 32' 14"W
C11	114.536	50.000	91.086	S64° 55' 03"E
C12	21.683	30.001	21.214	N68° 20' 12"W
C13	21.683	30.001	21.214	S70° 15' 09"W
C17	2.931	30.208	2.930	N39° 07' 09"E
C18	21.681	30.000	21.213	S20° 11' 35"E
C19	172.524	328.483	170.548	N17° 26' 01"E
C20	50.284	32.000	45.268	N45° 50' 59"E
C21	50.068	32.000	45.115	S44° 18' 37"E
C23	114.676	50.000	91.144	N23° 46' 52"W
C24	114.676	50.000	91.144	S24° 48' 30"W
C25	5.777	62.000	5.775	S3° 30' 09"W
C26	97.007	62.000	87.411	N44° 18' 37"W
C27	18.75	30.01	18.444	S18° 25' 03"W



LEGEND

- SET REBAR AND CAP MARKED "10708886"
- SUBDIVISION LINE
- LOT LINES
- PUBLIC UTILITY EASEMENT
- CENTER LINE
- SECTION LINE
- ◆ SUBDIVISION MONUMENT
- ROAD WAY DEDICATION
- /// FENCE
- ◆ SECTION CORNER



NOTE: 5' WIDE PUBLIC UTILITY EASEMENT FOR ALL SIDE YARDS AND 10' WIDE PUBLIC UTILITY EASEMENT FOR ALL REAR AND FRONT PORTIONS OF DISPLAYED LOTS UNLESS OTHERWISE NOTED.

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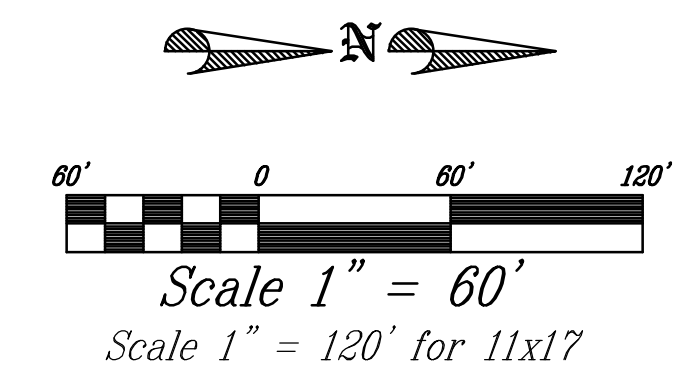
NOTE: BASIS OF BEARING AND DETAILED BOUNDARY INFORMATION FOR EACH LOT SHOWN ON PAGE 2

Dated 1963, +/- 0.4' Below Rd Surface. Fnd: Weber County Surveyors Monument Township 6 North, Range 2 West, S.L.B.&M., South Quarter Corner of Section 21, 3" Brass Cap

BASIS OF BEARINGS IS BETWEEN THE WEST QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 2 WEST, AS MONUMENTED BY WEBER COUNTY SURVEYORS OFFICE. WHICH BEARS N44°25'34"W 3741.99 FEET (GRID BEARING AND GROUND DISTANCE), SURROUNDING ENTITIES TO INCLUDE IRRIGATION, STORM, SEWER, SUBDIVISIONS, ROAD RIGHTS OF WAY AND INDIVIDUAL PROPERTIES WERE PLACED USING DEEDS OF RECORD PROVIDED ON MULTIPLE TITLE REPORTS AS WELL AS BEST AVAILABLE PHYSICAL EVIDENCE TO INCLUDE FOUND LOT / SUBDIVISION CORNERS AND EXISTING FENCE LINES, EDGES OF ROADS, EXISTING OCCUPATION AND PAROLE EVIDENCE.

Range 2 West, S.L.B.&M., Southwest Corner of Section 21, Township 6 North, Not found, Obliterated - Calculated based other existing records

1800 SOUTH STREET



LAND USE CALCS

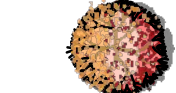

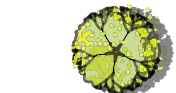
# OF RESIDENTIAL LOTS	39	AREA OF RESIDENTIAL LOTS PH. 1	12.15 ACRES
# OF AGRICULTURE LOTS	1	AREA OF RESIDENTIAL LOTS PH. 2	9.54 ACRES
TOTAL # OF LOTS	40	AREA OF AGRICULTURE LOT	10.00 ACRES
		TOTAL AREA	31.69 ACRES

LENGTH OF ROADS	3,096 LF
REQUIRED TREES (8/100 LF ROAD)	248 TREES
PROPOSED TREES	173 TREES

*STREET TREES ARE SPACED 25' O.C.


If a PRUD provides and implements an approved roadway landscape and design plan that includes, but is not necessarily limited to, vehicle and pedestrian circulation, lighting, and street trees of an appropriate species, size of at least a two-inch caliper, and quantity of not less than eight trees for every 100 feet of road length, up to 20 percent bonus density may be granted.

PLANT SCHEDULE

TREES	QTY	COMMON / BOTANICAL NAME	CONT	CAL
	104	Autumn Blaze Maple / Acer freemanii 'Autumn Blaze'	B&B	2" Cal
	31	Littleleaf Linden / Tilia cordata	B&B	2" Cal
	59	Shademaster Locust / Gleditsia triacanthos inermis 'Shademaster'™	B&B	2" Cal

WEBER
HALCYON ESTATES

SITE PLAN



380 E Main St, Suite 204
Midway, Ut 84049 ph. (801) 723-2000

DESIGN BY: CNB	DATE: 3 MAR 2020	SHEET
DRAWN BY: CNB	REV:	L1



Synopsis

Application Information

Application Request: Consideration and action on preliminary approval of Kastle Acres, an 11-lot subdivision.
Type of Decision: Administrative
Agenda Date: Tuesday, April 14, 2020
Applicant: Lane Kap, Owner; Chris Cave, Representative
File Number: LVK122019

Property Information

Approximate Address: 2300 S 4700 W, Taylor, UT, 84401
Project Area: 13 acres
Zoning: Agricultural (A-1)
Existing Land Use: Agriculture
Proposed Land Use: Residential
Parcel ID: 15-079-0119
Township, Range, Section: T6N, R2W, Section 29 SE

Adjacent Land Use

North: Agriculture	South: Residential
East: Agriculture	West: 4700 West St, Residential, Agriculture

Staff Information

Report Presenter: Scott Perkes
 sperkes@co.weber.ut.us
Report Reviewer: SB

Applicable Land Use Codes

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (A-1 Zone)

Background and Summary

The applicant is requesting preliminary approval of Kastle Acres, an 11-lot subdivision, including continuation of a county, dedicated road (4700 West St) located at approximately 2300 S 4700 W in the A-1 Zone. 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 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 (2003 West Central Weber County General Plan, Residential Uses, Page 1-4).

Zoning: The subject property is located in the A-1 Zone, and is a lot averaged subdivision (LUC 106-2-4). Single-family dwellings are a permitted use in the A-1 Zone. See **Exhibit A** for the proposed subdivision plat.

Lot area, frontage/width and yard regulations: In the LUC § 104-7-6, the A-1 zone requires a minimum lot area of 40,000 square feet for a single family dwelling and a minimum lot width of 150 feet. However, in a lot-averaged subdivision, the minimum requirements are as follows: Lot area in the A-1 zone – 20,000 square feet. Lot width in the A-1 zone: 80 feet. The average area and width of lots within the subdivision shall equal or exceed the minimum requirements for the zone. Analysis of the proposed lot configuration has shown compliance with the lot-averaging minimums for the A-1 zone.

DESIGN DATA	
TOTAL AREA.....	13.00 ACRES
AREA OF RIGHT-OF-WAY...	2.24 ACRES
NET AREA.....	10.76 ACRES
AVERAGE LOT SIZE:	42,610 S.F.
AVERAGE FRONTAGE:	192.91 FEET

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in the LUC § 106-1, and the A-1 zone standards in LUC § 104-5.

Culinary water, secondary water, and sanitary sewage disposal: Taylor West Weber Water has given Feasibility and preliminary approval for culinary water services, for 10 lots (see **Exhibit B**). An updated letter will need to be provided indicating capacity to service an additional lot, for a total of 11 lots.

Taylor West Weber Water requires that pressurized secondary water be provided to each lot. As such, the applicant has begun the application process with Hooper Irrigation to provide secondary water. A feasibility letter from Hooper Irrigation for secondary water will be required prior to submitting for final approval.

Central Weber Sewer Improvement District has provided a will-serve letter to accept sanitary sewer discharge from the project (see **Exhibit C**).

Review Agencies: To date, the Planning Division and Engineering Division along with the Weber Fire District and Hooper Irrigation Company have reviewed the proposed subdivision. All review agency requirements must be addressed and completed prior to this subdivision being forwarded for final approval.

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. In consultation with the Weber School District, it has been determined that this project is located within walking distance (1.5 miles) of District property that is slated for immediate development of a future high school (see **Exhibit D**). As such, sidewalk or an approved walking path will be required as part of the improvements. The County also requires sidewalks to be installed along 4700 W Street along the subdivision frontage unless UDOT provides a waiver letter. If waived by UDOT, a deferral agreement may be approved by the County Commission.

The submitted preliminary plat depicts sidewalks being provided on both sides of the new right-of-way. However a sidewalk will need to be depicted along 4700 W Street, or a UDOT waiver letter must be provided, prior to scheduling for final approval.

Regional Connectivity:

The proposed subdivision will create one new public street along with a turnaround easement to provide primary access for all 11 lots. The development will also dedicate approximately 5 feet of ROW along its frontage of 4700 West to complete the full 50' of ROW required along the western half of 4700 West. Prior to scheduling for final approval, this public street will require an access approval letter from UDOT.

Finally, the development will dedicate 19 feet of right of way along the eastern property boundary in anticipation of future development on adjacent properties. This 19 feet of dedicated ROW represents the half-width portion of ROW that falls on the subject property to allow for the future extension of 4500 West to the North. The property owner to the East (Lena M Jusko Trustee) was consulted regarding the alignment of this ROW dedication to determine if they would be interested in developing alternative scenarios that could better accommodate their property for future development. This property owner indicated that they do not intend to develop their property and thereby have no desire to negotiate alternative alignment scenarios.

For the time being, this 19 feet of dedicated ROW will be improved as a pathway and bollards will be required on either end to ensure it is not used as a substandard street.

Tax Clearance: There are no outstanding tax payments related to this parcel. The 2020 property taxes are not considered due at this time.

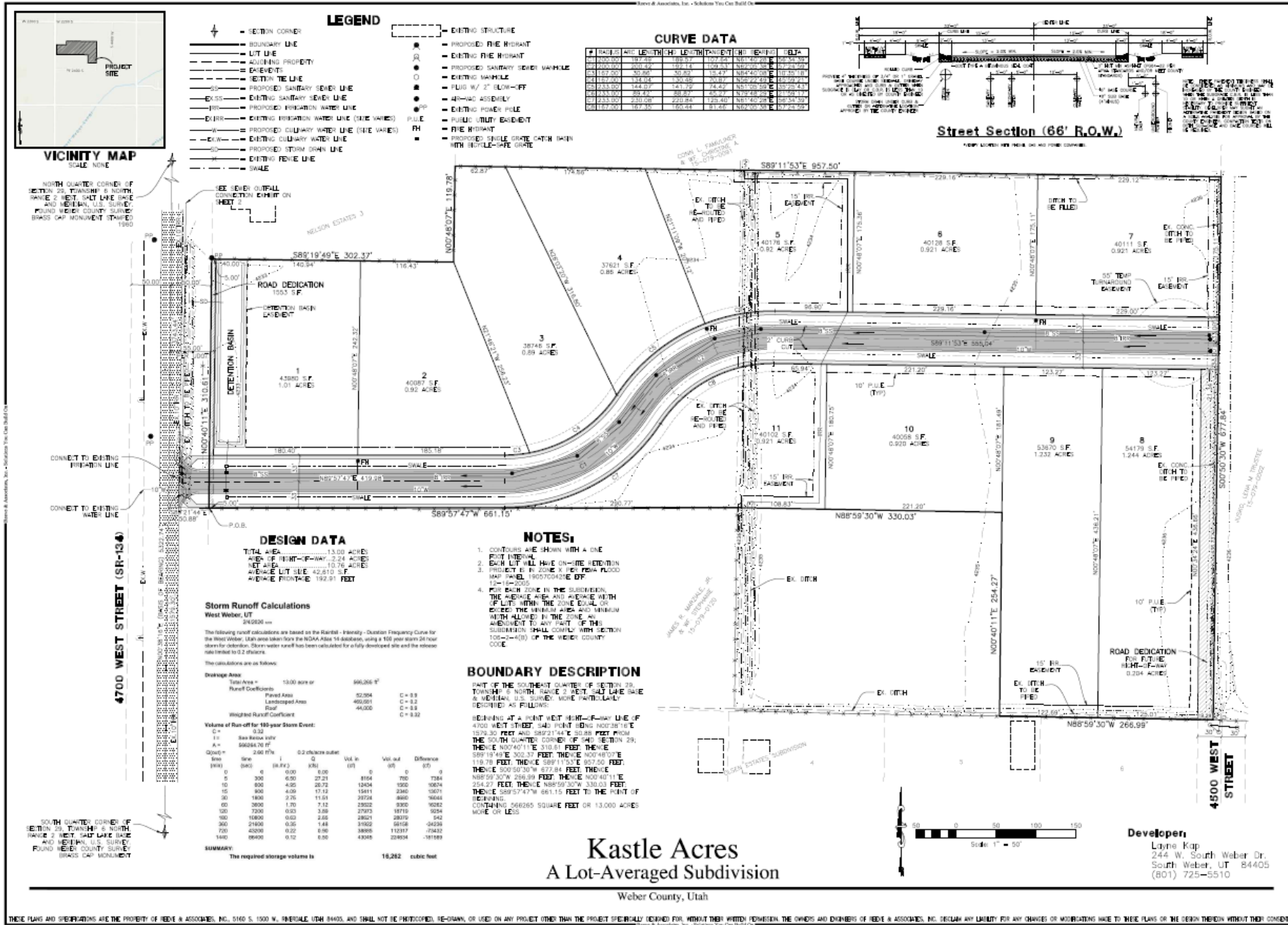
Public Notice: A notice has been mailed not less than seven calendar days before preliminary approval to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC § 106-1-6. These notices were modified to accommodate preliminary approval being considered during a planning commission meeting held electronically in accordance with Utah Executive Order 2020-5. This order suspended the enforcement of provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020.

Staff Recommendation

Staff recommends preliminary approval of Kastle Acres Subdivision, an 11-lot subdivision, located at approximately 2300 South 4700 West, Taylor. This recommendation is subject to all review agency requirements, and the following conditions:

1. An updated will-serve letter from Taylor West Weber Water Improvement District indicating capacity for an 11th lot prior to scheduling for final approval.
2. A feasibility letter be provided from Hooper Irrigation prior to scheduling for final approval.

Exhibit A - Subdivision Plat



TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401
December 11, 2019

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that *preliminary* approval has been given and the District has the capacity to provide culinary water only for 10 lots for Layne Kap at the approximate address of 2362 S. 4700 W Taylor Ut. (The Green Property)

Requirements:

- *Plan review fee=10 x \$25.00=\$250
- *Water rights fee = (\$4,363 per lot or current cost when paid)=\$43,630.00
- *Secondary water = Must provide pressurized secondary water system to each lot.
- *Connection /Impact fees will need to be paid by the lot owner at the time of building construction (Impact fee \$5,228 per lot (or current cost when paid).
- *Cost for the water meter is \$375 plus \$100 for water use during construction.

SUBDIVISION PERMITS SHOULD NOT BE ISSUED UNTIL FINAL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER. Final approval is subject to meeting all of the requirements of the District and all fees being paid and received. This letter expires six months from the day it is issued.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Ryan Rogers - Manager

Expires 6/11/2020



Central Weber Sewer Improvement District

December 18, 2019

Weber County Planning Commission
2380 Washington Blvd.
Ogden, Utah 84401-1473

Reference: Kastle Acres Subdivision
4700 West 2300 South (approximately)
Sanitary Sewer Will Serve Letter

Weber County Planning Commission:

We have been asked review the possibility of providing sanitary sewer service for the eleven (11) lot Kastle Acres Subdivision located at approximately 4700 West 2300 South. Central Weber Sewer Improvement District can accept the sanitary sewer discharge from this location. The following conditions that must be met prior to any connections being made to the District's sanitary sewer line.

1. If any sanitary sewer connections are made to the District's lines they will need to be designed and constructed according to the District's standard details and specifications. A copy of the District's details and specifications can be found at: <https://www.centralweber.com/information>.
2. The plans and details for any sanitary sewer connection into the District's collection system must be submitted to the District for review and approval. The District does not take the responsibility for the design of the collection system for the subdivision.
3. The District will not take ownership nor responsibility for ongoing maintenance and operation of the collection system within the Kastle Acres Subdivision nor the collection line from the subdivision to the connection point on 2200 South
4. The District must be notified for inspection at any time connections are being made to the District's sanitary sewer lines. The District will NOT install, own and/or maintain any of the sanitary sewer lines being extended to serve this property.

5. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. Central Weber's Wastewater Control Rules and Regulations state:

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allow to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.

6. Impact Fees for each residential lot must be paid prior to or at the time a building permit is obtained.

If you have further questions or need additional information please do not hesitate to contact us.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

Lance L. Wood, P. E.
General Manager

cc: Emilee Roche, Reeve & Associates

Exhibit B – Future High School Site Map

