

WESTERN WEBER TOWNSHIP PLANNING COMMISSION MEETING AGENDA

Tuesday, February 10, 2015 5:00 P.M.

- Pledge of Allegiance
- Roll call
- 1. Minutes
 - 1.1. Approval of the January 13, 2015 meeting minutes

Petitions, Applications and Public Hearings

- 2. Administrative Items
 - 2.1. New Business
 - Consideration and action on preliminary approval of Winslow Farr Jr. Farm Subdivision (81 lots) and an Access Exception AE 2015-01 for lot 100 and lot 101 located at approximately 2269 South 3500 West; Bob Favero, Applicant
 - 2.2. Large Lot Subdivision Concept Discussion Scott Mendoza
- 3. Public Comment for Items not on the Agenda
- 4. Remarks from Planning Commissioners
- 5. Planning Director Report
- 6. Adjourn

The meeting will be held in the Weber County Commission Chambers, Weber Center, 2380 Washington Blvd., Ogden UT A pre-meeting will be held at 4:30 P.M. in Room 108, no decisions will be made in this meeting.



(In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission 24 hours in advance of the meeting at 801-399-8791)

Minutes of the Western Weber County Township Planning Commission meeting held on January 13, 2015 in the Weber County Commission Chambers, 2380 Washington Blvd., Ogden UT

Members Present:

Jannette Borklund, Chair

Andrew Favero Wayne Andreotti Roger Heslop Ryan Judkins

Member Excused:

Mark Whaley John Parke

Staff Present:

Jim Gentry, Principal Planner; Charles Ewert, Principal Planner; Ben Hatfield, Planner;

Sherri Sillitoe, Secretary

*Pledge of Allegiance

*Roll Call

1. Minutes

1.1. Approval of December 09, 2014 meeting minutes
Commissioner Andreotti indicated that he submitted a minor word change previously.
Chair Borklund declared the December 09, 2014 meeting minutes approved as amended.

The Opening Meeting Statement was read at this time.

2. Administrative Items

2.1

Discussion: Jared Andersen, Weber County Engineer
 Jared Anderson discussed the work that has been happening in the Western Weber County area.

The three main projects are:

- 1. The EDP Emergency Flood Control Project which has been going on for approximately two years.
- 2. 3500 W Roadway Upgrade Transportation Project. They were given funds from WACOG. Initially the first phase was from the county line and Kanesville Elementary (they have one more right of way (ROW) to obtain), the second phase is from Kanesville Elementary to 12th Street and they have begun to purchase right of way and design is the second phase of the project. He believes that this is one of the biggest road projects that unincorporated Weber County has done or where they have been the main manager of the funds.
- 3. They were given 50% of the monies for construction, design, and right of way acquisition from 4500 W out to the Little Mountain area.

Commissioner Favero asked on the river project if there was a time limit on the funding. Jared Anderson indicated that the NRCS time limit is 220 days (It started in 2011). The end of our existing 220 day period is March. They are looking for them to wrap that up as best as possible, however, they are hoping to have another 220 day extension which would extend the March time. If they receive an extension, they will hope to have it wrapped up by the end of the summer.

Commissioner Andreotti asked about the bank protection sites. Mr. Anderson stated that they are close to completing the bank protection sites. The debris removal is an interesting process. They are doing inkind work. When the time that Commissioner Favero talked about ends, they cannot receive reimbursement from NCRS. They are hoping that their guys can be out there as long as possible and hopefully they can obtain additional financing to continue on-going maintenance. The river has been neglected for too long in his opinion.

Commissioner Favero indicated that hopefully the Planning Commission will be working on an update to the General Plan. The projects will be part of that. They have begun the right of way acquisition process. When they design the ROW they like to come up with an initial design which they have done. When they had public meetings, it became clear that that design would not work.

Commissioner Favero asked the status of the 12th Street ROW at 4700 W. Jared Anderson indicated that the potential is a five-lane road. Planning documents for many years have shown that a five lane road is needed. They would like to get the full 100 ft. but they are just evaluating what they need now.

Chair Borklund indicated that the Planning Commission has no jurisdiction over this project. Mr. Anderson indicated that the things that you will work through as far as the General Plan has potential on the roadways.

Commissioner Favero asked if there was a time limit on the funding for this portion. Jared Anderson indicated that the funding source was created in 2008 by WACOG, but he is not aware of any deadline on that funding source.

MOTION: Commissioner Heslop moved to take public comment on this issue now.

Commissioner Andreotti seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried with all members present voting aye.

Mark Davis, 5172 W 5100 S in Hooper, he leases land in Western Weber County. He presented information to the County Commission this morning. The current General Plan was done in 2003 and under State Law Title 17 Chapter 27 Section 406 indicates that no public street or utility may be constructed or authorized until it conforms to the General Plan. He believes the County is acquiring land that they do not have the right to acquire.

Eldon Davis, showed a map from the General Plan, and the General plan does not show any proposed improvements in the area on 12th Street. He believes that the County does not have the right to use eminent domain for this purpose or proposed project. The road needs safety improvements but the County does not have the right to use eminent domain to acquire their property. He believes part of the problem is that they do not have a plan yet.

Chair Borklund indicated that as staff, they need to ask if they need to amend their General Plan or just have an update to include the proposed Engineering project area. Charles Ewert indicated that it is a possibility; he will raise the issue with Planning Director Wilkinson.

Clarissa Heaps indicated that they would like to be informed and asked their opinions on any general plan updates. They believe that they were out of the loop during the initial open house and that created a level of distrust. Jared Anderson had indicated that this is the biggest road project that they have been involved in; they would like to be involved as land owners.

b. Consideration and action on preliminary approval of Blue Acres Subdivision Phase 4 (9 lots) including a recommendation for a deferral of curb, gutter, and sidewalk, located at approximately 4000 West 2200 South; Romney Buck, Applicant

Jim Gentry presented a report and indicated that that the applicant is requesting preliminary approval. The subdivision meets the area and lot width requirements of this zone. Each parcel will be from 40,000 square feet to a little over an acre in size. A deferral agreement for curb, gutter and sidewalk is also being requested. Irrigation ditches or canals which carry five second feet or more of water are required to install a solid board, chain link, or other non-climbable fence not less than five feet in height installed on both sides of the existing irrigation ditches. The Wilson Irrigation canal will have to be fenced.

Staff is recommending Preliminary Approval. A five foot non-climbable fence is required.

The sewer has been approved and they are working on the secondary water approval right now.

Clarification.

Romney Buck indicated that the Engineer has the design of the curb and gutter, and it will be part of their final approval subdivision plan.

Commissioner Favero asked if they can require at final instead of pre-construction. Jim Gentry indicated that he can give a financial guarantee at the time of final approval. Usually it is one of the last things that go in.

MOTION: Commissioner Favero moved to recommend that Preliminary Approval is given to Blue Acres Subdivision Phase 4 (9 lots) located at approximately 4000 West 2200 South contingent upon the installation of curb, gutter and sidewalk and subject to all other staff and agency recommendations including the subdivision ordinance requirements. Commissioner Heslop seconded the motion. Vote: The motion carried with a unanimous vote of all members present with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund voting aye.

c. Consideration and action on final approval of Jacquelyn Estates Cluster Subdivision Phase 1 (6 lots) with a recommendation to the deferral of curb, gutter, and sidewalk improvements on 2200 South as well as on 4900 West; Craig Standing, agent CJ Homes Inc.

Ben Hatfield presented a staff report. This is in the A-1 Zone which allows for cluster subdivisions. Since July the applicant has been working on the final improvement plans for phase 1. When the Planning Commission discussed this in the past, they questioned where the sign would be located. It has since been installed. Not much has changed on the landscaping plan since preliminary approval. Before any construction could begin, final approval of the reviewing agencies would be required.

Chair Borklund asked Mr. Hatfield to show the public where the common area would be located.

Commissioner Heslop asked if the common area was in phase 1 or phase 2 and Mr. Hatfield indicated that there is common area in both phases.

Commissioner Favero asked if Central Weber played a role in this subdivision. Ben Hatfield indicated that they are currently working on an annexation plat to annex the development into the sewer district.

Craig Standing indicated that they are here for final approval and excited to get the project going to enhance the area and establish the aesthetics in the community. They will have a common garden area in the development. They hope to be able to start the project in early spring. They have agreed to hold the improvement funds in escrow to finish the project.

Commissioner Andreotti asked if the trees are tied into the common area? Craig Standing indicated that the garden area is more for people to go in and plant vegetables. The trees will be deciduous fruitless trees. Jacqueline Drive will be a private street and the HOA will provide maintenance.

Dan Holgate indicated that he lives adjacent to this area on the other side of the fence. When he built on his property, he put a drain across the front of his lot. How will that connect? If there is a fence down 4900 W and across 2200 S, he would be concerned with what will be outside of that fence and if it would be an eyesore. When he was here last July he expressed concern, but it wasn't talked about. He understands that if he is within 300 ft. that they would be forced to connect. He would oppose this. Will Jacqueline Drive residents be forced to put in solid driveways? His understanding is that some of these initial lots would be allocated to low income housing. If so, he would recommend that they be on south west end of the property. Also, who will maintain the areas left in weeds? His other question is the timing of the clubhouse and amenities that will be done.

Layne Clarke indicated that he is fine with the subdivision, but he wants to make sure that the values of their properties are maintained there. The community garden may turn into weed gardens. He believes there are questions about the 50% bonus rising up to 19 with the houses going in here. They would like to have time to study the issue as neighbors.

John Gibson expressed his concern about the intersection at 2200 S. 4700 W. does not line up. He believes now would be the time to make them line up.

Dan Holgate indicated that his concern is whether a solid fence would be extended along his two acres.

Chair Borklund indicated that the Planning Commission's recommendation is to the County Commission and it would not go to the County Commission until their Planning Commission has made a recommendation.

Commissioner Heslop asked if the cluster subdivision bonus densities granted met the current cluster subdivision ordinance. Ben Hatfield indicated that the county has had a cluster subdivision section in the code for many years and it was amended recently. When the Planning Commission granted preliminary approval, they were in compliance with the cluster subdivision ordinance at that time.

What does low-income housing home look like? Ben Hatfield indicated that they will still be single-family homes but marketed to lower income with federal funding to help pay their rent.

Commissioner Judkins asked who would pay the HOA fees.

Craig Standing stated that he wanted to assure the community that the intent is to market the homes. The low-income housing is a method to get the bonus density. The home will be a very nice home and it will not degrade the value of the subdivision. He will mandate the requirements that they have to meet on the exterior. The profit margin will be less on the two homes but that is the option he had to meet the bonus densities offered.

Chair Borklund asked what if they cannot find a low-income tenant when he markets the home. Chair Borklund asked Craig Standing if he can offset some trees outside of the fence, and Mr. Standing replied yes.

Craig Standing stated that they are relooking at whether they should curb and gutter. The driveways will be solid driveways. He hasn't looked at the timing of building the clubhouse. There will be some guarantees and it would be built sometime before the second phase is proposed.

Until the HOA is established he would have to maintain the landscaping and amenities.

He does not know if the alignment of the two streets mentioned is his responsibility. Commissioner Judkins indicated that he believes it is UDOT's jurisdiction.

Jared Andersen indicated that any changes on those intersections would have to go through UDOT.

MOTION:

Commissioner Judkins moved to recommend final approval as presented. Commissioner Andreotti seconded the motion. A vote was taken and Chair Borklund said the motion carried with all members present voting unanimous with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund voting aye.

d. Consideration and action on a request to amend an existing Conditional Use Permit Site Plan for Compass Minerals International by adopting a Master Signage Plan, located at approximately 765 North & 10500 West; Compass Minerals International, Applicant; Aaron Cain (Yesco Signs), Representative

Ben Hatfield indicated that staff has done a number of administrative approvals for the property over the years. The scope of this project is to unify the signage across their group of parcels on their 543.25 acre site. Installation of 83 new non-illuminated Business and Identification Signs to provide orientation and direction to employees and visitors is requested. The applicant has presented a spreadsheet which indicated the signs could be grouped into two categories: Business signs and Identification signs. Staff has determined that the 8 ft. identification standard allowed in the zone could be altered. Staff is recommending approval of conditional use application CUP 2014-35, subject to the conditions of approval and staff suggestions in the staff report.

Aaron Cain indicated that they are not making any changes to the site; they have just submitted a master signage plan. The company wants to unify the branding across the plant.

MOTION:

Commissioner Heslop moved to approve an existing Conditional Use Permit Site Plan for Compass Minerals International by adopting a Master Signage Plan, located at approximately 765 North & 10500 West; Compass Minerals International, Applicant; Aaron Cain (Yesco Signs), Representative. Commissioner Andreotti seconded the motion. A vote was held and Chair Borkund indicated that the motion carried unanimously with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund voting aye.

e. Consideration and action on a request to amend, Title 110 (Signs) Chapter 1 (Western Weber Signs) and Title 104 Chapter 25 (M-3 Zone, of the Weber County Land Use Code by increasing the size of Identification Signs in the M-3 Zone from 8 square feet to 20 square feet

Ben Hatfield presented a report and indicated that Compass Minerals International (Formerly Great Salt Lake (GSL) Minerals) is requesting approval of an amendment to signage area standards regarding Identification Signs in the M-3 Zone. The current standard for Identification Signs in all zones (large and small) allows only one sign per building with a maximum size of 8 square feet. The applicant is requesting that in the M-3 Zone only that the size per building be increased to 20 square feet. This increase would allow for signs in the range of 4 x 5 feet or 3 x 6.5 feet. This size is still moderate in comparison to most buildings currently in this zone.

Chair Borklund asked how they are allowing more than one identification sign. Ben Hatfield indicated that under (6) they took that to mean per building.

MOTION:

Commissioner Heslop moved to recommend approval to amend, Title 110 (Signs) Chapter 1 (Western Weber Signs) and Title 104 Chapter 25 (M-3 Zone, of the Weber County Land Use Code by increasing the size of Identification Signs in the M-3 Zone from 8 square feet to 20 square feet. Commissioner Judkins seconded the motion. Vote: A vote was held and Chair Borklund indicated that the motion carried unanimously with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund voting aye.

f. Election of Chair Gibson and Vice Chair for 2015

Commissioner Judkins moved that the Chair and Vice Chair for 2015 remain the same as 2014 with Commissioner Borklund as Chair and Mark Whaley as Vice Chair. Commissioner Heslop seconded the motion. A vote was taken and Chair Borkund indicated that the motion carried unanimously with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund voting aye.

g. Approval of 2015 Planning Commission Meeting Calendar

MOTION:

Commissioner Heslop moved to approve the 2015 Planning Commission meeting calendar. Commissioner Favero seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried unanimously with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund voting aye.

Commissioner Judkins asked to be excused at this time.

- 3. Public Comment for Items not on the Agenda
- 4. Remarks from Planning Commissioners
- 5. Planning Director Report

Charles Ewert reminded the members of the Planning Commission dinner tomorrow night.

National APA Conference: Staff indicated that it is Commissioner Andreotti's turn to attend the National APA Conference if he is able to. Commissioner Andreotti expressed his interest in attending.

Chris Allred introduced Chris Crockett as a new Attorney in his office.

6. Adjourn to a Work Session

A Brief discussion was held regarding the improvements proposed on 12th Street. Charles Ewert indicated that the County Engineer is working on a Weber County Transportation Master Plan and working with Hales Engineering. Mr. Ewert had suggested to Mr. Anderson that they take it through a general plan process and Mr. Anderson had told him that it was not part of the original scope, although he might be rethinking that idea after the discussions held lately. Mr. Ewert will discuss this further with Jared Anderson in the near future.

Chair Borklund indicated that the Landfill Master Plan also needs updating due to the discussions regarding the locating of a gun range on the Transfer Station property.

WS1. Discussion

Weber County Land Use Code Revision Process: Conditional Use Standards

WS2.

Discussion

Weber County Land Use Code Revision Process: Land Use Table

Charles Ewert indicated that he will discuss WS2 first and then WS1.

Mr. Ewert indicated that prepared a flow chart of tasks that showed the phasing process of the Weber County Ordinance update. They want to consolidate the uses that they know could be listed in the same category. Their goal is to group like things together. We are not trying to change the intent of our current code, but revise it in a way it makes the most sense for our revisions. From there they will review every use and verify that it is in the right place. This is a very long-term project and it probably won't be done for at least two years.

Commissioner Favero asked if it would be better to be done before the update or after the update. Charles Ewert indicated that he believes that the land use table should be done before the update.

Charles Ewert explained form-based codes. Form-based codes are less about keeping uses separate and more about building a community and having it look a certain way. You might have a bar next to dance studio. The goal is to group things that are similar or group like things together and/or group like zones. They can ask if the use is a negative thing. Are they trying to eliminate certain elements or people? ? Do they just let the market rule? Do they start looking at the aesthetics, the streetscape, the landscaping, parking, access, circulations, pathways, etc.?

Chair Borklund indicated that they can identify where the nodes might be in a general plan update process.

Mr. Ewert urged the members to write down their questions so they can have a conversation about it as they go along. During future work sessions where this topic is on the agenda, he asked that they bring their copies with them. As they accomplish things along the way, staff will make a fresh set of copies.

Chris Allred was excused at 7:08.

WS1. Discussion Weber County Land Use Code Revision Process: Conditional Use Standards

Commissioner Favero indicated that he believes it is the time to update their general plan. Chair Borklund agreed with Commissioner Favero. Charles Ewert indicated that he will raise the topic with Director Wilkinson.

Charles Ewert indicated that in his opinion every conditional use permit needs to be tied to your general plan. Granted, you can deny it if it doesn't follow your general plan but does all of your ordinances. It just means that your ordinances are out of sync with your general plan. It is a stepping point to reevaluate your general plan.

State Code: UCA 17-27a-506 Conditional uses. This section is the polar opposite of what our land use code says. Staff tries to find out what the harmful impact is to a proposal. Under UCA 17-27a-508 1(a)ii states that an

applicant is entitled to approval of a land use application. The county's code is not in compliance with state code and they will work on it.

Commissioner Heslop asked if the Planning Commission has kept a record of comments and issues raised in the 2003 General Plan and its updates so that they do not have to reinvent the wheel when they go to revisit or update the General Plan. Charles Ewert replied they keep a record of every decision they make. Commissioner Favero also replied yes; the issues are listed under administrative agenda items. The public also has an opportunity to comment on the issues.

Charles Ewert reviewed the conditional uses with the members and indicated that he would like to determine what level of detail that the members want to see in the code.

Commissioner Favero indicated that he liked the organization of the Morgan County Code. Chair Borklund indicated that she liked the organization as well although there is probably too much in it. Charles Ewert indicated that previous legal counsel Dustin Parmley was interested in keeping that level of specificity out of the code because he felt that if you open it up a little bit, they are not so locked down that you cannot creatively identify harmful impact.

A brief discussion followed regarding administrative versus legislative decisions.

Chair Borklund asked if State law requires the Planning Commission to hear Conditional uses. Charles Ewert replied no, neither conditional uses nor subdivisions need to be heard by the Planning Commission.

Charles Ewert indicated that he doesn't believe that all conditional uses need to be heard by the Planning Commission. In some jurisdictions, they allow some conditional uses to be approved by staff. Sometimes there are things that the staff does not know about. Commissioner Favero indicated that notice to property owners still go out, even if staff approves them administratively so property owners could still have their say.

Where is the line where public input is absolutely necessary and where it is not? Somewhere in between there they can make a point to allow staff to make the decision administratively. That would allow the Planning Commission to actually look at the ordinances.

Charles Ewert referred the members to a Conditional Use Deliberation Method worksheet that he created. Step 2 is to provide the detrimental effects, and Step 3 Reasonable conditionals to apply. There is some discretion built into the model. Step 4 is to provide findings.

When a case goes before a judge, the only thing that the judge can go on is the record or meeting minutes. Without the findings, the decision can be denied. Chair Borklund indicated that the minutes are the official record that goes to court. They should read the minutes to make sure that what happened is properly recorded.

Charles Ewert indicated that as he reviewed the existing code, he saw the progression that happened over the years in the code organization per zone. He showed the progression of uses in each zone to the members by map. The agricultural zones stood out the most to him. As they move away from the city core, the uses became heavier.

There being No Further Business, the work session was adjourned at 8:04 p.m.

Respectfully Submitted,

Sherri Sillitoe, Secretary Weber County Planning Division



Staff Report for Western Weber County Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on preliminary approval of Winslow Farr Jr. Farm Subdivision (81

lots) and an Access Exception AE 2015-01 for lot 100 and 101.

Agenda Date:

Tuesday, February 10, 2015

Applicant:

Bob Favero

File Number:

LVW 1209-14 and AE 2015-01

Property Information

Approximate Address:

2269 South 3500 West

Project Area:

69.943 acres

Zoning:

Agricultural (A-1)

Existing Land Use: Proposed Land Use: Residential/Agricultural

Parcel ID:

Residential 15-078-011 to 0015, 15-078-0039 to 0040, 15-078-0046, and 15-078-0009

Township, Range, Section: T6N, R2W, Section 28

Adjacent Land Use

North:

Residential

South:

Agricultural

East:

Agricultural

West:

Residential

Staff Information

Report Presenter:

Jim Gentry

jgentry@co.weber.ut.us

801-399-8767

Report Reviewer:

JG

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)
- Weber County Land Use Code Title 108 (Zones) Chapter 3 (Cluster Subdivision)

Type of Decision

Administrative Decisions: When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting preliminary approval of Winslow Farr Jr. Farm Subdivision (81 lots), located at approximately 3500 West 2269 South in the A-1 Zone. The minimum frontage in a cluster subdivision is 60 feet with the setbacks being 20 feet on the front and rears with the sides a minimum of 8 feet. Dwellings are allowed to be 40 feet in height.

Since this is a cluster subdivision, the applicant is asking for a 25 percent bonus, 10 percent for doing a cluster subdivision, and 15 percent for having a one acre community garden that is open to the public. The perimeter of the community garden will have a split rail fence. On half of the space, there will be ten 4' by 12' grow boxes with 5 foot paths in between each box for access. The remainder of that half of the parcel will be prepared for regular gardening plots. The developer will provide access to irrigation water (see applicant's open space narrative). The Planning Commission needs to consider for approval the bonus density that is being requested.

The proposed project will occupy 69.943 acres and consist of 81 lots, with 21.595 acres of open space which meets the requirement of 30 percent. The subdivision will be serviced by approximately 9.185 acres of public road improvements. The property has 60.758 acres of net developable area once the road is subtracted. Since the zoning requires 40,000 square feet of area, 66.165 lots would be allowed on this property. The applicant is asking for 25 percent bonus for the items listed above which will give them the requested 81 lots (66.165 lots plus 25 percent bonus = 82 lots).

The lots range from 13,000 square feet to 25,000 square feet meeting lot area and frontage requirements of the cluster subdivision code. The cluster code requires the lots to be in a cluster with up to 20 units per cluster with an allowance of up to 5 additional units. The code further requires a separation of these clusters with a strip of open space at least 75 feet wide. Roads cannot be used as a separator. In order to meet this requirement, open space J was added so the kitty corners of Lots 401 and 412 will meet the 75 foot separation. This area will be maintained by a Home Owners Association.

There are 21.08 acres of open space, which meets the open space requirement of 30 percent. The proposal is to sell the open space to lot owners within the subdivision as well as the area for the community garden in order not to have to form a Home Owners Association. The open space J and D requires a Home Owners Association for the maintenance of that space. How will open space D be accessed?

Irrigation ditches or canals which carry five second feet or more of water is required to install a solid board, chain link, or other non-climbable fence not less than five feet in height. Therefore, a fence shall be installed on both sides of existing irrigation ditches. A large ditch runs through the property for which the applicant will have to install a non-climbable fence of not less than five feet on both sides of this irrigation ditch.

The Weber County Engineer's Office has reviewed the project and a copy of their review is attached as an exhibit. All items need to be addressed prior to submitting for final approval. The roadway cross section shows curb, gutter, and sidewalk are to be installed as part of this subdivision. There is curb, gutter, and sidewalk on the north side of 2200 South, and the subdivision to the west (Blue Acres Phase 4) proposed to install these improvements as part of their subdivision.

Taylor-West Weber Water gave preliminary approval with the condition that secondary water is provided by Hooper Irrigation and a Weber Basin contract for the water rights. A final approval letter from Taylor-West Weber Water is required prior to Planning Division final approval. A capacity Assessment letter on the water system is required from the state prior to final approval from the Planning Commission. A construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision is required prior to the subdivision receiving final approval from the County Commission.

Central Weber Sewer will provide sewer services with the condition that the property is annexed into the sewer district and all plans are approved by the district. Annexation into the sewer district is required prior to final approval by the Planning Commission.

The Fire District stated that the fire hydrant spacing is incorrect and corrections need to be made and resubmitted to the fire district. As phases of this development are done, a second access is required when the number of homes reach 30.

As part of this subdivision application, the applicant is also requesting approval of Access Exception 2015-1 (AE 2015-1) for lots 100 and 101 to be accessed by a 30 foot easement from 3600 West. Lot 101 has a home located on the property and is currently being accessed on a 16.5 foot right of way easement from 3500 West. There is an out building located on the property line that will have to be removed. The existing easement will be vacated from 3500 West to what is being shown as 3600 West. Since one new lot is being accessed by this right of way easement, approval needs to be granted for an access exception.

Summary of Planning Commission Considerations

- Does this subdivision meet the requirements of the Land Use Code including the Cluster Subdivision Ordinance?
- Should a 25 percent bonus be granted?
- How will open space D be accessed?

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Division.
- Requirements of the Central Weber Sewer District.
 - Annexation into the sewer district
 - District impact fees

- Requirements of Taylor West Weber Water.
 - Connect to Hooper Irrigation
 - Irrigation plans need to be approved by Hooper Irrigation.
 - Impact fees
- Requirements of the Weber Fire District.
 - o Fire District Impact fees
- Fencing of the irrigation ditch.
- A construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines.
- Capacity Assessment letter on the water system.
- All improvements need to be either installed or escrowed for prior to recording of the subdivision.
- An Access Exception application and approval for Lot 100 and Lot 101. The building that is on those two property lines needs to be removed or moved.
- The open space distance between Lot 503 and lot 100 needs to be 75 feet. Please check and show distance.
- Curb, gutter, and sidewalk are to be installed as part of this subdivision.
- If the open space is to be sold, will structures be allowed in the open space? If so, those locations shall be shown on the subdivision plat. A open space plan is required and needs to be submitted.
- Home Owners Association for the maintenance for open space J and D. Provide access to open space D

Staff Recommendation

Staff recommends that the Planning Commission grants preliminary approval of Winslow Farr Jr. Farm Subdivision (81 lots plus 9 open space parcels), subject to staff and other agency comments. Staff recommendation includes the approval of Access Exception (AE 2015-1) for lots 100 and 101 to be accessed by a 30 foot easement from 3600 West.

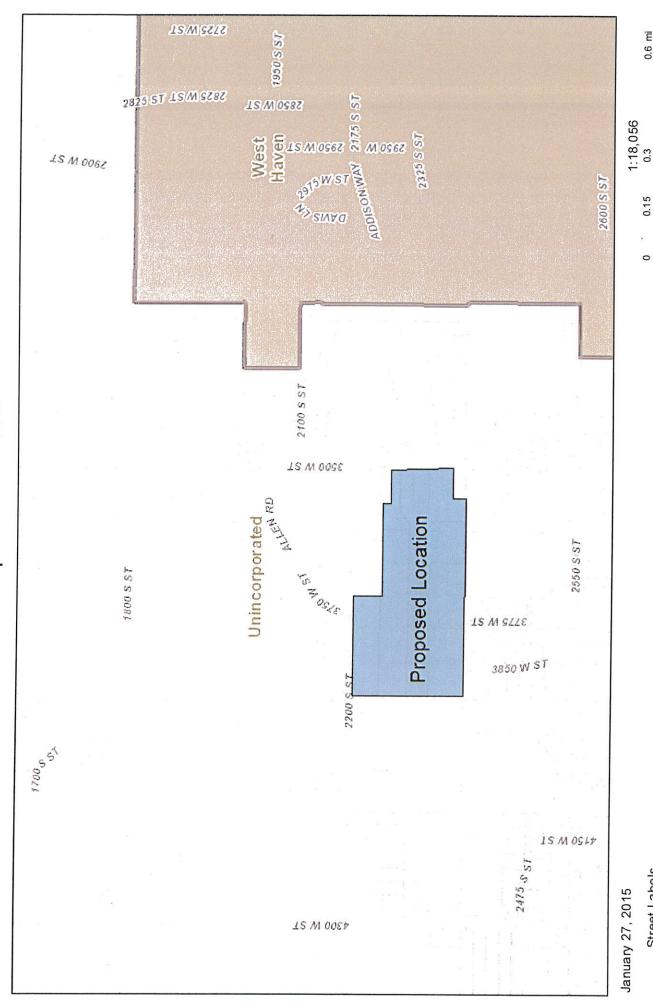
Exhibits

- A. Location map
- B. Subdivision plat
- C. Engineering review letter
- D. Map with the open space highlighted
- E. Open Space Preservation Narratives
- F. Drawings on the community gardens
- G. Access exception application
- H. Access exception drawing

0.6 mi

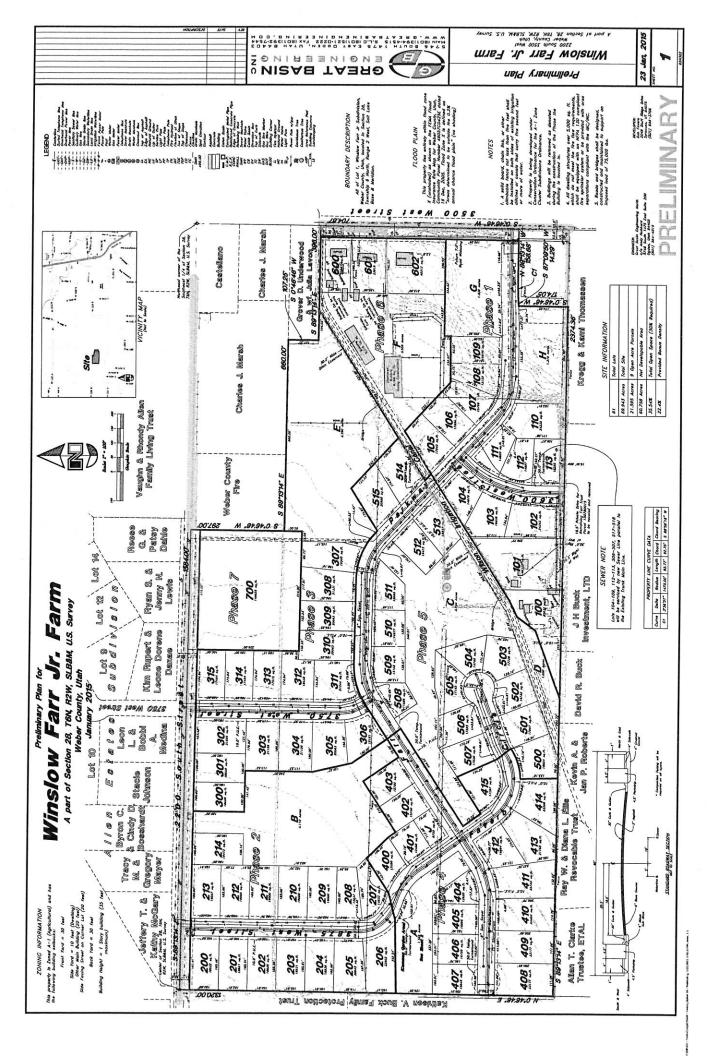
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Street Labels

City Labels



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Preliminary Review

Project: Winslow Farr Jr. Farm Subdivision

User: Dana Shuler

Department: Weber County Engineering Division

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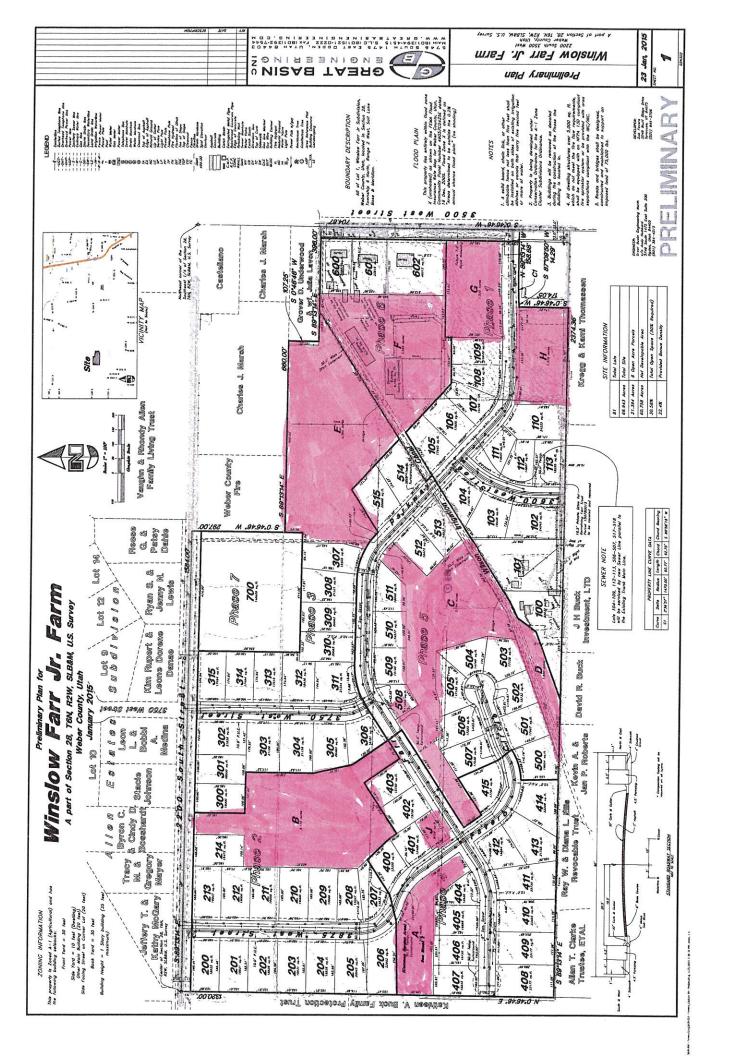
Notes

I have had a chance to review the preliminary plan and have the following comment(s): Written responses to the following comments are required.

- 1. Per the County subdivision ordinance, a preliminary plan is required to be submitted with the subdivision application.
 - 1. The preliminary plan shall be prepared in conformance with the requirements of this ordinance and all other County codes and regulations regulating the subdivision of land.
 - 1. The registered land surveyor of the subdivision and the owners of the land immediately adjoining the land to be subdivided.
 - Existing and proposed sanitary sewers, storm drains, water supply mains, water wells, land drains, and culverts within the tract and immediately adjacent thereto.
 - The location, widths and other dimensions of proposed public streets, private streets, or private access rights-of-way, alleys, utility easements, parks, other open spaces and lots with proper labeling of spaces to be dedicated to the public or designated as private streets or private access rights-of-way.
- Open space and common area improvements shall be submitted including but not limited to landscaping, structures, signs, parking, and other amenities.
- 3. The ditch in the front of the property will need to be piped with a properly sized culvert. If the curb, gutter, and sidewalk are deferred, then the grade will need to be brought up to a foot below the edge of asphalt.
- 4. There will need to be an easement given for the existing ditches in the subdivision.
- 5. Because soil conditions vary throughout the county, it is now necessary to provide an engineered pavement design showing required sub-base, road base, fabric, and asphalt thickness, as needed for soil type. The County Engineer is now requiring:
 - 1. Minimum asphalt thickness of 3 inches.
 - 2. Minimum untreated base course thickness of 6 inches.
 - 3. Minimum 4"-minus sub-base thickness of 8 inches.
 - 4. Compaction tests on all layers are required.
- 6. An excavation permit is required for all work done within the existing right-of-way.
- 7. All improvements need to be either installed or escrowed for prior to recording of the subdivision.
- 8. A Storm Water Construction Activity Permit is required for any construction that:
 - 1. disturbs more than 5000 square feet of land surface area,
 - 2. consists of the excavation and/or fill of more than 200 cubic yards of material, or
 - 3. requires a building permit for which excavation or fill is a part of the construction.
- 9. A Storm Water Pollution Prevention Plan (SWPPP) is required to be submitted for all new development where construction is required. The State now requires that a Utah Discharge Pollution Elimination Systems (UPDES) permit be acquired for all new development. A copy of the permit needs to be submitted to the County before final approval. Permits can now be obtained online thru the Utah State Department of Environmental Quality at the following web site: https://secure.utah.gov/swp/client.
- 10. Will CWSID allow laterals on the trunk line? Or are you paralleling it on Farr Parkway? Please clarify sewer layout.
- 11. Existing or proposed sewer easement needs to be shown.
- 12. Are lots 100 and 101 served by sewer or septic? What about water?
- 13. Will all buildings on parcel E be removed?
- 14. Lot 307 has no sewer service.
- 15. Provide phasing plan for utilities and/or road if different from subdivision phasing.
- 16. If phased, roads will need temporary cul-de-sacs.
- 17. Road in front of lot 308 needs to be included in phase 3, if phase 4 is not concurrent with phase 3.
- 18. Asphalt width mislabeled in roadway section.
- 19. Road pavement section does not meet County minimum standards. Geotech recommended section is also acceptable upon County Engineer's approval.
- 20. Need storm water calculations including detention/retention.
- 21. What is the radius of the cul-de-sac on Favero Circle?

I have tried to address all items of concern from the Engineering Department. However, this review does not forego other items of concern that may come to this department's attention during additional reviews or during construction of improvements. If you have any comments or questions concerning this review, feel free to contact me.

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Open Space Preservation Plan for Winslow Farr Jr. Farm Subdivision:

The Winslow Farr Jr. Farm subdivision consists of 68 acres and is in an A-1 zone, which allows for a minimum 40,000 square foot lot and one lot per acre. It would be expected that the owners could, under the current zoning of the land, develop approximately 57 to 59 lots on this property considering land configuration and required street improvements. This property is served by all utilities including sewer and secondary water, which is not common in western Weber County. The owners of the property have determined that a more efficient use of the land would be to develop it into a cluster subdivision, as allowed in an A-1 zone. The advantages of this type of development include:

- Open spaces surrounding residential lots. (In this subdivision they will be used for agricultural uses.)
- Open spaces will be preserved in perpetuity by deed restriction and CC&Rs
- Lot sizes will encourage better maintained residential lots, less weed patches
- Continued compatibility with the rural nature of the surrounding land in the area
- Open spaces could be more easily maintained and more productive with properly sized equipment
- Reduced amount of infrastructure to be maintained by government entities going forward
- This subdivision has been designed giving consideration to the rural nature of the land around it by sizing the lot from 25000 square feet to no less than 15,000 square feet. Open spaces have been designed to separate clusters of no more than 20 residential lots and are sized so that an owner of an open space can effectively and efficiently use farm machinery to maintain the space. The subdivision has been designed to meet or exceed the requirements set forth in the Cluster Subdivision Ordinance

The Cluster Subdivision Ordinance provides an incentive of bonus density or an increase of the number of residential lots if it is determined that the subdivision meets some or all of the criteria set forth in the ordinance. We request a bonus density of 10% based on the criteria that the subdivision meets the purpose and intent of the ordinance. We also request an additional bonus density of 15% based on the criteria that amenities are provided to the general public such as a community garden. The developer will construct a Community Garden that will be available to the general public (see details below). This will be a total of 25% bonus density.

1. OPEN SPACE PLAN:

a. This subdivision provides Open Spaces of ___ acres (approximately __ % of the total acres) interspersed with residential lots in an effort to preserve the rural nature of the area around it. The Subdivision provides lot sizes that most home owners can responsibly care for without looking like a high density small lot development. It also

accommodates the individuals that would like to own a larger tract of land close to their home that is part of a well developed subdivision. Open Spaces of ____ to ___ acres divide clusters of residential lots in a way that maintains the rural feel of the area. This approach should encourage substantial homes of a high quality. The Open Spaces are sized to allow an owner to equip the property for good maintenance.

- b. The subdivision will be developed in phases. Each phase will, when approved, identify the Open Space that will be associated with a particular phase of the overall project. The preliminary plan will show all Open Spaces and the phase to which they will correspond.
- c. The Open Space will be individually owned and preserved by a recorded preservation easement on each parcel identifying it perpetually as an Open Space Parcel. Deed restrictions to this effect will be placed in each Open Space Parcel deed.
- d. Individual owners will be responsible for the ongoing maintenance of their part of the Open Space.
- e. The Final Plat for each phase will show a proposed building envelope for each Open Space parcel, or subdivision of an Open Space parcel, which will not exceed 5% of the total size of the parcel. These are non residential building. Building built inside of these designated envelopes will be used for agricultural purposes, storage of equipment, shelter for animal and commodities. All buildings will be built with new materials and completed within 12 months from the time they are started. These requirements will be regulated by the CC&Rs that will be recorded with each phase.

2. OWNERSHIP:

- a. Open space in this subdivision will be sold to and owned in the future by individuals who own a lot in the subdivision.
- b. A one acre plot will be designated as a COMMUNITY GARDEN. This plot will be owned by one who is an owner of a lot in the subdivision.
- c. A note on the final recorded plats will describe the ownership standard for all lots in each phase of the subdivision, along with restriction on each deed.

3. MAINTENANCE:

- a. The preferred approach will be to sell the Open Space in parcels of 3 acres or more, so an owner would have sufficient land to justify the acquisition of a small amount of equipment to maintain his land.
- b. The developer will record with each phase, Covenants, Conditions and Restriction on all lots and Open Spaces in the subdivision that will require a high standard of maintenance for items such as weed control, upkeep and repair of all improvements and abandoned vehicles and equipment removal. This will provide other property owners the ability to resolve maintenance concerns.
- c. Owners are required to manage and maintain the Open Space in a manner that is consistent with the Open Space Preservation Plan.

4. PRESERVATION:

a. An approved preservation easement will be recorded on each Open Space parcel, identifying each as an Open Space along with deed restrictions.

b. Purchaser and subsequent purchasers will be required to use these Open Space parcels and associated building for agricultural uses only as restricted by the easement.

5. Community Garden Parcel:

- a. In Open Space _____, as shown on the subdivision preliminary plan, the developer will create a community garden parcel of one acre. This garden parcel will be open to the general public. The developer will fence the perimeter of the one acre parcel. On half of the space it will build ten 4' by 12' grow boxes with 5 foot paths in between each box for access. The remainder of that half of the parcel will be prepared for regular gardening plots. The developer will provide access to irrigation water. The balance of the acre parcel would be set aside for future development by an Association of Users and their management (see below) according to their desires.
- b. An Association of Users will be created by the developer to oversee the management and future development of the parcel. The association would consist of and be managed by a president and two board members. All shall be owners of lots in the subdivision. Each would serve for a period of two years in their appointed position. Then the two board members, in turn, would move to be president, at the end of the first president's term. Each two years, a new board member would be called to serve on the board and ultimately become president. Their responsibilities would include insuring that the parcel is well maintained, leasing out of the undeveloped portion, receiving, depositing and safeguarding performance deposits and rents, if any, as appropriate and paying for assessments, liability coverage and future development of the parcel.
- c. This parcel will be open to the community for production of vegetables, fruits and other food stuffs for personal use only.
- d. The developer will create an appropriate marker and entryway that will set the community garden parcel apart from the other Open Spaces of the subdivision.

Reasons for creating a Community Garden:

Community workers, public health officials and urban planners are increasingly concerned about declining levels of physical and psychological health of the public.

The reasons behind this alarming trend are complex.

Research found that community gardens have resulted in a broad range of positive physical and psychological well-being outcomes for the public. These included providing opportunities for individuals to relax, undertake physical activity, socialize and mix with neighbors, sharing across culturally different backgrounds and religions. The gardens also afforded opportunities to learn about horticulture and sustainable environmental practices, such as composting and recycling, as well as being an important source of low-cost fresh produce for a healthy diet.

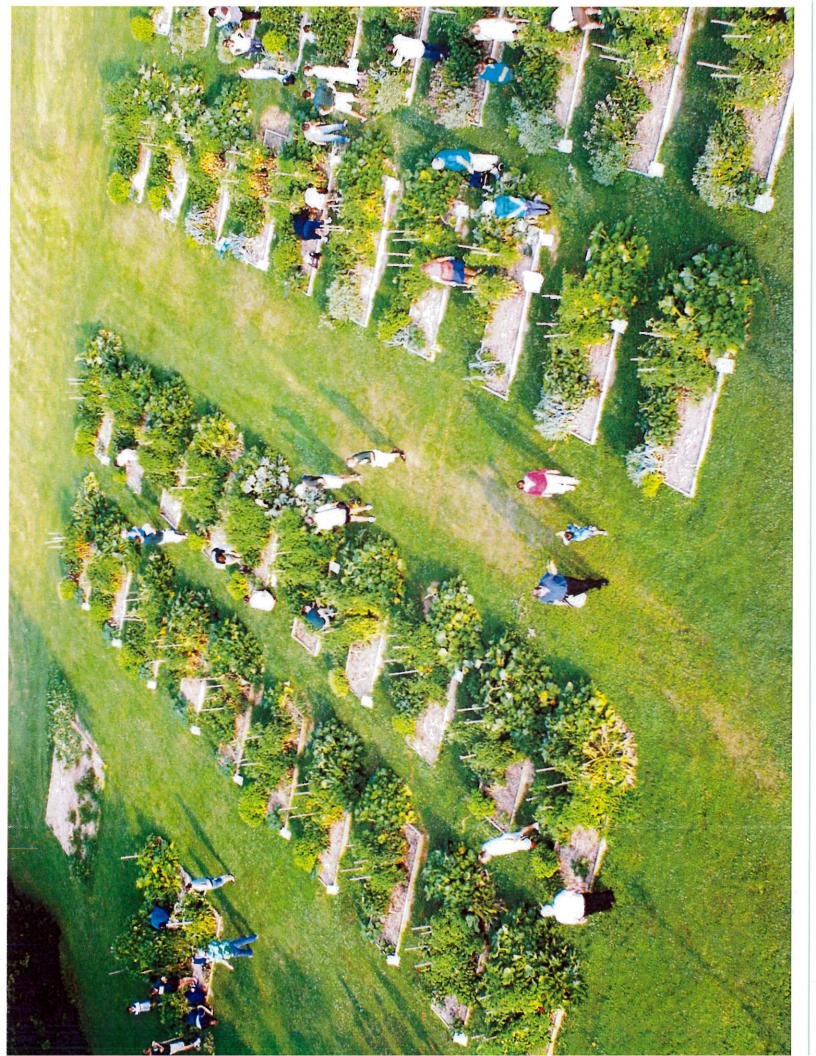
Research confirms that community gardens can play a significant role in enhancing the physical, emotional and spiritual well-being necessary to build healthy and socially sustainable communities. The importance of community gardens to the public is likely to grow as the trend for consolidated and densely populated urban areas increases.

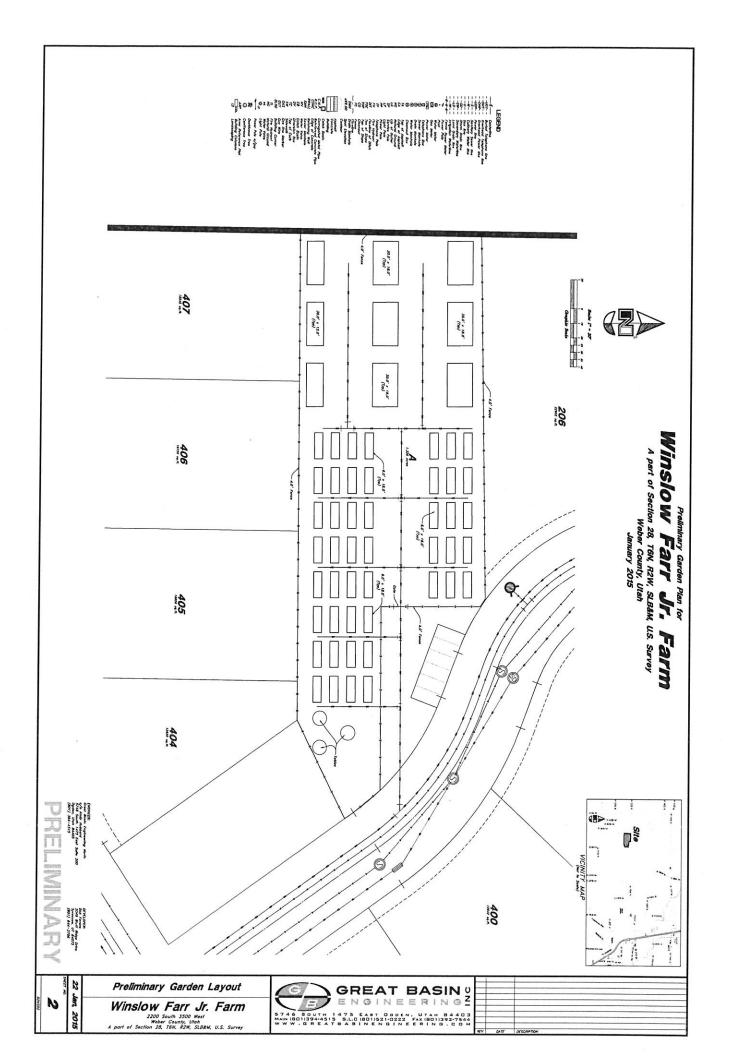
Not only is a community garden a safe place for active children's play, it is where many families grow fresh fruit and vegetables, as well as ornamental flowers while they grow closer together. Gardening involves regular and enjoyable physical activity and when the work is done, the area is an ideal place for recreation with friends and relatives.

- There are many in the larger community that would like to have the advantage of raising their own vegetables in a clean rural environment, but lack the space to do so.
- Community gardens increase a sense of community ownership and stewardship.
- Community gardens foster the development of a community identity and spirit.
- Community gardens bring people together from a wide variety of backgrounds (age, race, culture, social class).
- Community gardens build community leaders.
- Community gardens offer a focal point for community involvement, and can lead to community-based efforts to deal with other social concerns.
- Community gardens provide opportunities to meet neighbors.
- Community gardens increase eyes on the street.
- Community gardens produce traditional crops otherwise unavailable locally,
- Community gardens take advantage of the experience of older community members to produce a significant amount of food for the household,
- Youth
- Community gardens offer unique opportunities to teach youth about:
 - Where food comes from
 - Practical math skills
 - Basic business principles
 - The importance of community and stewardship
 - Issues of environmental sustainability
 - Job and life skills
- Community gardens allow families and individuals without land of their own the opportunity to produce food.
- Community gardens provide access to nutritionally rich foods that may otherwise be unavailable to low-income families and individuals.
- Urban agriculture is 3-5 times more productive per acre than traditional large-scale farming!
- Community gardens donate thousands of pounds of fresh produce to food pantries and involve people in processes that provide food security and alleviate hunger.
- Studies have shown that community gardeners and their children eat healthier diets than do non-gardening families.
- Eating locally produced food reduces asthma rates, because children are able to consume manageable amounts of local pollen and develop immunities.
- Exposure to green space reduces stress and increases a sense of wellness and belonging.
- The benefits of Horticulture Therapy can be and are used to great advantage in community gardens.
- Community gardens provide a place to retreat from the noise and commotion of urban environments.
- Development and maintenance of garden space is less expensive than that of parkland.









Wel	per County Access E	Exception Permit Applic	cation					
Application submittals will	be accepted by appointment only	y. (801) 399-8791, 2380 Washington Blvd	d. Suite 240, Ogden, UT 84401					
Date Submitted /Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)					
Application Type								
Access by Private Right o	f Way	Access at a location other than across the front lot line						
Property Owner Contact I	nformation							
Name of Property Owner(s)		Mailing Address of Property Owner	·(s)					
Glenn Farr and Inez C.	Farr Trust	2361 South 3500 West						
Phone 801-731-1964	Fax	Ogden, Utah 84401	•					
Email Address (required)	I	Preferred Method of Written Corre	spondence					
ggfarr@q.com		Email Fax Mail						
Authorized Representative	Contact Information							
Name of Person Authorized to Repr	esent the Property Owner(s)	Mailing Address of Authorized Person	on					
Robert Favero		2049 Bluff Ridge Dr.						
Phone	Fax	Syracuse, Utah 84075						
801 644-3706	2							
Email Address (required)	L	Preferred Method of Written Corres	spondence					
robertlfavero@hotmail.c	om	Email Fax Mail						
Property Information								
Project Name		Total Acreage	Current Zoning					
Winslow Farr Jr. Farm		71 acres (total acres) A-1						
Approximate Address		Land Serial Number(s)	<u> </u>					
2361 South 3500 West		1507800015 (15.54 acre parcel)						
Proposed Use								
The site of an existing ho	me and future residentia	al lot.	1					
subdivision will provide be the street, to the property building and the amount access and driveway spa	etter access to a county	ed by a lane easement from a street and utilities by shorted on of the existing house, irrigated of the property makes it vertices by private easement. 30' width and benefit lots 10	ening the distance from ation canal, other existing ery difficult to provide					
	duce to 20' and burden I	lot 102 and also the open sp						

		of Access by										
certain circi	umstances,	not have fronta , use a private r iance with the fo	ight-of-way	y or access	easemer	nt as the pi	y a privat rimary ad	e right-	of-way pprova	or access al is subjec	easement t to the ap	may, under plicant
b. Based of Financial ad easement a Please expla Owners been fro Owners	on substant versity sha s access to ain the sub- chip of the om a lan hip bour	a bona-fide agric tial evidence, it all not be consid a lot/parcel ma stantial evidence ne parcel will be easement ndary to the	shall be shered; howe ered; howe by include be: e: I not cha in the s east and	own that in ever, circuit out not be ange and ame loc d the loc	t is unfeating to the stances limited to the stances ation assistance to the stance of	sible or im that may o unusual s s to the s the Pri	support support soil, topo proper ivate R	to exter an apprographic rty as Right o rigatio	nd a st oval of , or pro it is n f Way n can	reet to ser a private poperty bou ow conf that is aal and t	rve such lo right-of-wa ndary con- igured, l being re he desir	ay/access ditions. has alwa equested re to retai
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decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.

XX The landowner of record or authorized representative agrees to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the County deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots. The agreement shall be in the form considered appropriate and acceptable to the office of the Weber County Recorder and shall recite and explain all matters of fact, including a lot/parcel boundary description, which are necessary to make the agreement intelligible and show its successive nature.

Attach proof to this application that the agricultural parcel or other lot/parcel has appropriate and legal access due to historic use, court

ollowing criteria:	els at a location other than across the front lot line may be approved as the primary access, subject to the
he applicant demo	onstrates that special or unique boundary, topographic, or other physical conditions exist which would cause a gerous condition to be created for property access across the front lot line as follows:

