



OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

PLANNING MEETING AGENDA

March 25, 2014
5:00 p.m.

Pledge of Allegiance

Roll Call:

1. **Minutes:** Approval of the February 25, 2014
 2. **Consent Agenda:**
 - 2.1. **UVS1104-13** Consideration and action on an administrative application for final approval of the Silver Summit Estates Subdivision consisting of 13 lots located at approximately 9150 E 1300 S within the Forest Valley-3 (FV-3) Zone (Park City Premier Properties LLC, Applicant; Matthew Lowe, Agent)
 3. **Petitions, Applications and Public Hearings**
 - 3.1. **Administrative Items**
 - a. **New Business**
 1. **CUP 2014-01** Consideration and action on an administrative application expanding an existing Conditional Use Permit CUP 2014-01 for the removal of the existing filter buildings, two (2) sludge drying beds and construct three (3) new buildings and work site located at approximately 900 Canyon Road within the Forest-40 (F-40) and Forest Residential-1 (FR-1) (Ogden City, Applicant; Kenton Moffett, Agent)
 4. **Communication Policy**
 5. **Public Comment for Items not on the Agenda**
 6. **Remarks from Planning Commissioners**
 7. **Report of the Planning Director**
 8. **Remarks from Legal Counsel**
 9. **Adjourn to a Work Session**
- WS1. Administrative Approval Process Discussion**
- WS2. Cluster Subdivision Ordinance Discussion**

*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 Ogden Valley Planning Commission Regular meeting February 25, 2014, in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Ann Miller, Vice Chair John Howell; Laura Warburton, Kevin Parson, Will Haymond, Greg Graves

Absent/Excused: Pen Hollist

Staff Present: Sean Wilkinson, Planning Director; Jim Gentry, Planner; Charlie Ewert, Planner; Kary Serrano, Secretary

- *Pledge of Allegiance*
- *Roll call:* Vice Chair Miller declared that five Planning Commission members were present with Chair Hollist and Commissioner Graves excused.

1. Minutes

1.1. Approval of the January 28, 2014 meeting minutes

Vice Chair Miller declared the meeting minutes of January 28, 2014 approved as written.

Vice Chair Miller asked if any member had ex parte communications they would like to declare. No ex parte communications were declared.

2. Consent Agenda:

2.1. ZTA 2013-01 Discussion and action on amendments to the Weber County Land Use Code Title 108 (Standards) Chapter 1 (Design Review) Title 101 (General Provisions) Section 101-7-7 (Definitions) Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 106-1-8 Final Plat Requirements and Approval Procedures

MOTION: Commissioner Parson moved to approve Consent Agenda Item ZTA 2013-01. Commissioner Warburton seconded. A vote was taken and Vice Chair Miller indicated that the motion carried 5-0.

Commissioner Graves arrived at this time.

Petitions, Applications and Public Hearings

3. Legislative Items

3.1. New Business

a. **ZTA 2014-02** Consideration and action on a request to amend the Weber County Land Use Code Title 104 (Zones) Chapter 23 (Ogden Valley Manufacturing Zone MV-1) Section 2 (Permitted Uses) by adding Craft or Artisan Distillery as a permitted use. (Christopher Cross, Applicant)

Jim Gentry said the applicant is proposing to amend the Weber County Land Use Code Title 104 (Zones Chapter 23 (Ogden Valley Manufacturing Zone MV-1) Section 2 (Permitted Uses) by adding craft or artisan distillery as a permitted use. The purpose and intent of the MV-1, Ogden Valley Light Manufacturing Zone is to provide suitable areas that will accommodate the need for light intensity type manufacturing and its associated accessory uses, some of which may have an environmental impact requiring public review and regulation. The petitioner has included the definition for a Craft or Artisan Distillery and the Planning Commission should have the applicant explain this definition. Staff is also recommending that the Weber County Land Use Code Title 101 (General Provision) Section 101-7-7 (Definition) is amended by adding the following two definitions: Artisan: A person or company that makes a high quality or distinctive product in small quantities, usually by hand or using traditional methods. Craft Beer: A small brewery using traditional methods and ingredients to produce a handcrafted, uncompromised beer that is marketed locally. Staff recommends approval of the proposed amendment to add Craft or Artisan Distillery as a permitted use in the Manufacturing (MV-1) Zone with the following language: Small-batch artisan food processing limited to food for human consumption e.g., baked goods, confectioneries, craft beer, and/or artisan distillery. The Planning Commission's decision should be made as a recommendation to the County Commission.

Chris Cross, applicant who resident of Eden, said the existing ordinance definition did not fit his proposed use. He wrote the abatement to make it fit.

Commissioner Parson asked Mr. Cross if he had an existing building. Chris Cross replied yes. Jim Gentry said if this is approved the applicant would have to come before you with a site plan for a Design Review. Mr. Cross said that he has met with Fire Department for the proposed building and has talked to the Health Department for the septic system.

Commissioner Howell asked for the square footage of the building. Chris Cross replied that it is 1,600 sq. ft., which is smaller than what the state requirements are.

In response to a comment by Commissioner Haymond, Mr. Cross said that the plan was designed in accordance with the Health Department's requirements for water.

Commissioner Warburton asked if the Health Department had an issue. Chris Cross replied that they did not; this is manufacturing only for sales and is 6,000 sq. ft. from a church, school, and park.

Commissioner Warburton asked if Mr. Cross was going to have a distillery to sell product as indicated by state code and will the public visit the premises. Chris Cross replied no, and he will abide by state code.

Vice Chair Miller said your intent is not to have consumption on the property and Chris Cross replied that is correct.

MOTION: Commissioner Warburton moved to approve ZTA 2014 02 with the following amendments: to remove craft beer with distillery, remove artisan distillery, and add small bakery instead of artisan food processing. Also, delete everything after "human consumption." Commissioner Parson seconded.

Commissioner Howell suggested a friendly amendment to include that they are recommending to the County Commission.

DISCUSSION: Commissioner Parson asked what is the difference between a small distillery and a small brewery and how does that relate. Commissioner Warburton replied that distillery produces hard liquor where brewery produces beer and is limited in the amount produced. Vice Chair Miller asked does artisan define the size? Chris Cross replied according to the Art Institute, yes it does. Commissioner Warburton said that the state definition can be more restrictive and small distillery defines a small distillery or we could just say distillery. Vice Chair Miller asked if that is defined by state code. Commissioner Howell asked Mr. Cross if he had any idea how many liquids are produced at the distillery in Park City. Chris Cross replied that he did not but they could not exceed that maximum per state code, and there is no state code listed for a distillery. Commissioner Warburton asked staff if they could add distillery to the language. Sean Wilkinson replied that they could. Commissioner Warburton said she would like to add small brewery, so they would have two definitions one for a distillery and one for small brewery. Commissioner Graves said that a brewery is an implication that it is a smaller place.

AMENDED MOTION: Commissioner Warburton moved to recommend to the Weber County Commission to approve ZTA 2014-02 with the following amendments to add the following: Distillery: Distill, brew, rectify, mix, compound, process, ferment, or otherwise make alcoholic products for personal use or for sale or distribution to other. Small Brewery: A small brewery is a brewer who manufactures less than 60,000 barrels of beer, heavy beer, and flavored malt beverages per year. To include Small-batch bakery food processing limited to food for human consumption e.g., baked goods, confectioneries, and craft cheese. Commissioner Parson seconded.

VOTE: A vote was taken and Vice Chair Miller indicated that the motion carried 6-0.

4. Public Comment for Items not on the Agenda: Juan Sanchez, who resides in Eden, wanted to thank the Planning Commissioners for their hard work. He is in the process of opening his Bed and Breakfast, around July 4, 2014 and would like to invite everyone to the opening.

5. **Planning Commission Remarks:** Commissioner Parson stated his concern that the new Wolf Creek which is now Skyline will have the capacity to go higher. Sean Wilkinson said that staff could not do anything about that; Skyline would have to have go through the Forest Service because the county does not have jurisdiction on federal property. Commissioner Parson asked if Diamond Peak had any application submitted. Sean Wilkinson replied that there are no current proposals.
6. **Planning Director Report:** Sean Wilkinson indicated the Planning Commissioners names, position, and terms are now listed on the Website. Staff has created a project in Miradi under "Ogden Valley Project" to look up agendas, minutes, and packet.
7. **Legal Counsel Remarks:** No remarks from Legal Counsel were made.
8. **Adjourn:** The meeting was adjourned at 5:45 p.m.

Respectfully Submitted,



Kary Serrano, Secretary,
Weber County Planning Division



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for final approval of the Silver Summit Estates Subdivision, consisting of 13 lots.
Agenda Date:	Tuesday, March 25, 2014
Applicant:	Matthew Lowe representing Park City Premier Properties LLC.
File Number:	UVS1104-13

Property Information

Approximate Address:	9150 East and 1300 South - East Huntsville.
Project Area:	42.51 Acres
Zoning:	Forest Valley-3 (FV-3)
Existing Land Use:	Agriculture with one Single-Family Dwelling.
Proposed Land Use:	Residential Subdivision
Parcel ID:	21-035-0079; 20-035-0080
Township, Range, Section:	T6N, R2E, Section 21

Adjacent Land Use

North:	Residential	South:	Agriculture
East:	Residential	West:	Agriculture

Staff Information

Report Presenter:	Jim Gentry jgentry@co.weber.ut.us 801-399-8767
Report Reviewer:	SM

Applicable Ordinances

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 14 (Forest Valley-3 Zone)
- Weber County Land Use Code Title 104 (Zones) Chapter 28 (Ogden Valley Sensitive Lands Overlay Districts)
- Weber County Land Use Code Title 108 (Standards) Chapter 17 (Ogden Valley Pathways)

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 little 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 final approval of the Silver Summit Estates Subdivision located at approximately 9150 East and 1300 South in the east Huntsville area. The proposed subdivision will occupy 42.51 acres and will consist of 13 (3 acre) lots and 2,100 feet of road improvements. It falls within the Forest Valley-3 (FV-3) Zone which requires a minimum lot size of 3 acres and a minimum lot width of 150 feet. See Map 1 below for location map. See Exhibit A for proposed dedication plat.

The proposed roadway will be dedicated as a public road and will extend northerly off of 1300 South Street where it will provide one access to an adjacent parcel before extending further north and forming a cul-de-sac.

Wastewater treatment will be provided by individual septic systems and culinary water will be provided by private wells.

The Weber County Engineer's Office has reviewed the project and has responded with corrections that need to be made to the construction drawings. These corrections will be made prior to County Commission approval.

The Weber Fire District has reviewed the project and has responded with an approval that is conditioned upon specific requirements such as sprinklers in the home.

There are delinquent taxes on the property that will have to be paid prior to the recording of the subdivision.

Weber Pathways is requiring a pathway along 1300 south. Weber Pathway is also requesting a pathway along the South side of the river on the North side of this subdivision in the flood plain. This could be a portion of a connecting East/West pathway along the river.

Summary of Ogden Valley Planning Commission Considerations

- Does this subdivision meet the requirements of applicable County Codes?
- Should the Planning Commission defer the construction of all of the curb, gutter, and sidewalk?

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Codes conform to the General Plan.

Staff Recommendation

The Planning Division recommends final approval of the Silver Summit Estates Subdivision, subject to the following:

1. Compliance with all applicable standards (including construction of dedicated streets).
2. The final plat showing stream corridor setbacks.
3. A deferral for curb, gutter, and sidewalk may be granted; however, a gravel side path shall be provided (within the ROW) along 1300 South Street.
4. All other review agencies comments.

Exhibits

- A. Proposed dedication plat.



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on CUP 2014-01 – Expanding the Ogden City Water Treatment Facility in Ogden Canyon by removing the existing filter building and two (2) sludge drying beds and constructing three (3) new buildings, and site work

Agenda Date: March 25, 2014

Applicant: Kenton Moffett; Ogden City

File Number: CUP2014-01

Property Information

Approximate Address: 900 Ogden Canyon

Project Area: Ogden City Water Treatment Facility

Zoning: Forest Residential FR-1 & Forest F-40 Zones

Existing Land Use: Water Treatment Facility

Proposed Land Use: Water Treatment Facility

Parcel ID: 20-017-0006; 20-017-0008; 20-017-0010

Township, Range, Section: 6N 1E Section 16

Staff Information

Report Presenter: Steve Parkinson
sparkinson@co.weber.ut.us
801-399-8768

Report Reviewer: JG

Applicable Ordinances

- Land Use Code Title 104 Chapter 9 (Forest Zone)
- Land Use Code Title 104 Chapter 13 (Forest Residential Zone)
- Land Use Code Title 108 Chapter 1 (Design Review)
- Land Use Code Title 108 Chapter 2 (Architectural, Landscape, and Screening Design Standards)
- Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Land Use Code Title 108 Chapter 10 (Public Buildings and Public Utility Substations and Structures)

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 approval to expand their existing conditional use permit # 2014-01 for a Water Treatment Facility at approximately 900 Ogden Canyon. Ogden City is the operator of the plant and leases the property from the U.S. Government.

No changes are proposed to the actual use as a water treatment plant, but significant changes and upgrades are proposed to the site and buildings. The applicant is proposing the following changes:

<u>Removal</u>	<u>Proposed to Install</u>
Filter building (the large building to the south)	New Microfiltration building (south of main building)
Two (2) sludge drying beds	Pall microfiltration membrane equipment
Steel backwash tank	Yard piping
Influent channels	Mechanical dewatering equipment
	Additional landscaping & site work.

All of these proposed changes are improvements to the existing site. Two (2) of the three (3) sludge drying beds are being removed and replaced with vegetation.

In 1994 there was an approval given for an expansion of the CUP to add a building (the Pretreatment Building), along with some landscaping, which was an improvement to the site back then. The Planning Commission was concerned about the potential odor coming from the sludge ponds, but found that they were virtually odorless. Today's proposed expansion is to remove two (2) of the three (3) ponds, thus reducing the previous concern. The new proposal is an improvement to the overall site and use.

There are three (3) new buildings that are proposed. The largest is 100' x 110' and the other two buildings are 30' x 40'. (See exhibit "E & F" for the architectural elevations) The proposed buildings will be located further from the road than the current pretreatment building on the east of the property.

Ogden City is also proposing a large amount of landscaping to be added to the site. This landscaping can be found throughout the entire site as shown in exhibit "D".

The following are the concerns that staff has regarding this project that have yet to be resolved:

- Need a materials board, including color and material samples.
- The proposed Mechanical Dewatering Building and the Solids Storage Building are proposed to be built with property lines splitting the buildings.
- Parking stalls are to be no less than nine (9) feet in width and are to be no less than 180 sq.-ft (9'x20').
- One (1) ADA Parking stall is required.
- Dumpster? Where will it be located? It must be screened.
- There are areas to be hydro-seeded, what type of mixture is being proposed?
- Egress & Ingress going onto or from HWY 39. All drive accesses need to have the largest sight-triangle possible for safety reasons, regardless if it is a main or secondary access.

Only two (2) other departments or agencies have responded with a reviews:

- Weber County Fire – has no issues with the CUP
- US Forest Service – has only one concern – They suggest that the exterior of the building continue to appear harmonious with the surrounding natural environment. This primarily means that the colors of the brick & and roof remain as close to what exists now.

Many of these issues mentioned above are simple and can be resolved during the Planning Commission meeting or by staff.

Summary of Planning Commission Considerations

Conditional uses shall be approved on a case-by-case basis. The Planning Commission shall not authorize a conditional use permit unless evidence is presented to establish:

1. Reasonably anticipated detrimental effects of a proposed amended conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.
2. That the existing use does comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

Staff feels that there are fewer detrimental effects (i.e. noise, smoke, dust, odor, vibration or light) for this use with the modifications to the site than the existing site. Staff has yet to receive any complaints for the use regarding these issues.

The applicant is not changing the existing use, but is expanding or modifying the site. The current use has been at this location and has been functioning for several decades. The proposed amendments comply with all Land Use Codes

Conformance to the General Plan

This application conforms to the Ogden Valley General Plan by providing additional infrastructure for anticipated water needs.

Conditions of Approval

1. Requirements and recommendations of the County Engineering Division.
2. Requirements and recommendations of the Weber Fire District.
3. Requirements of the Weber County Health Department.
4. Requirements of the Weber County Building Inspection Division.
5. Requirements of the Utah Department of Transportation (UDOT).

Staff Recommendation

Staff's recommends *approval* of the expansion of the Ogden City Treatment Facility and requires that all County & State review requirements are satisfied.

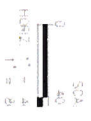
Exhibits

- A. Aerial Map
- B. Existing Site Plan
- C. Proposed Site Plan
- D. Landscaping Plan
- E. Architectural Elevations for the Microfiltration building
- F. Architectural Elevations of the Mechanical Dewatering & Solid Storage Buildings



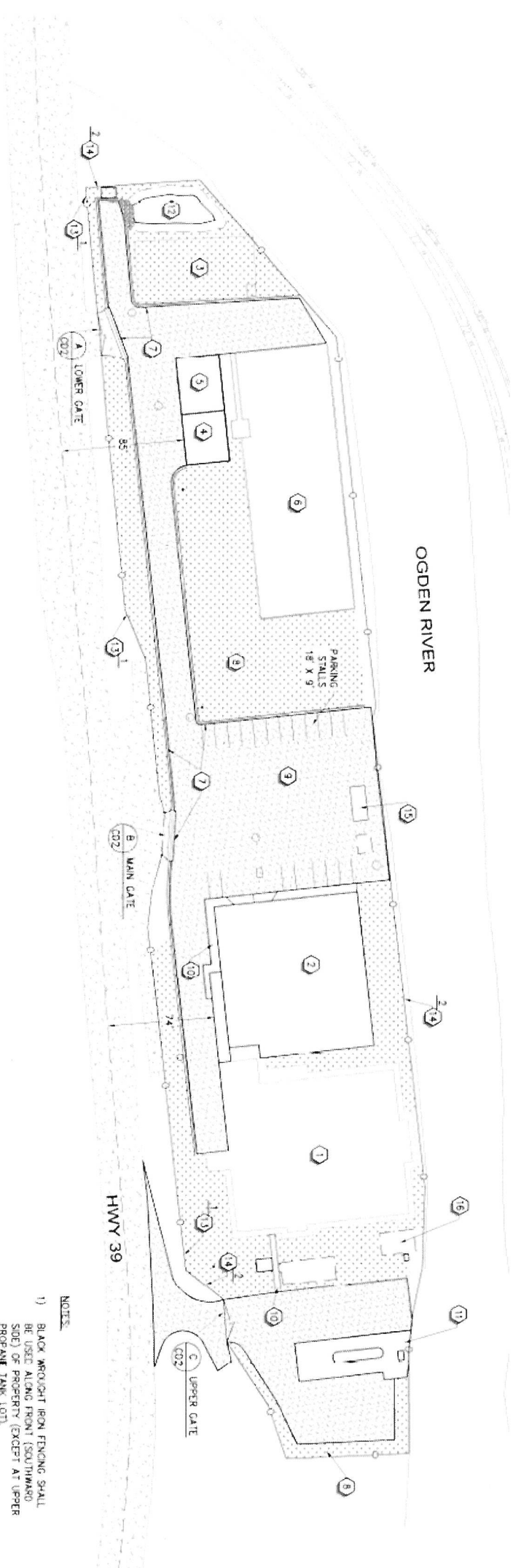


EXISTING	ACTION
1 PRETREATMENT BUILDING	— LEAVE IN SERVICE
2 FILTER BUILDING	— DEMOLISH (A)
3 SOLIDS DRYING BID	— KEEP #1, DEMOLISH #2 & #3
4 FILTER WASTE WASH WATER VAULT	— MODIFY TO SLURRY SLUDGE VAULT
5 BACK WASH TANK	— DEMOLISH
6 PROPANE TANK & PAD	— RELOCATE
7 EXISTING ASPHALT	— SAWCUT & REPLACE AS NEEDED
8 EXISTING FENCE	— REPLACE WITH WROUGHT IRON OR CHAINLINK FENCE (A) (203)



JEFFREY W. BURT
PROFESSIONAL ENGINEER
LICENSE NO. 10000
STATE OF UTAH

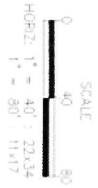
OGDEN
WATER TREATMENT
EXISTING



SITE STATISTICS

TOTAL ACREAGE	136.522	SF	11,134	ACRES
ASPHALT	43,116	SF	33	2
BUILDINGS	26,636	SF	20	2
LANDSCAPING	40,037	SF	30	2
SIDEWALK	3,443	SF	10	2
CONCRETE	16,436	SF	10	2
GRAVEL & DIRT	4,877	SF	4	2

- NOTES**
- 1) BLACK WROUGHT IRON FENCING SHALL BE USED ALONG FRONT (SOUTHWARD) SIDE OF PROPERTY (EXCEPT AT UPPER PROPRANE TANK LOT)
 - 2) BLACK VINYL CHAINLINK FENCING SHALL BE USED ON WEST AND EAST AND NORTHWARD SIDES OF PROPERTY AND AROUND ENTIRE UPPER PROPRANE TANK LOT



REGISTERED PROFESSIONAL ENGINEER

SUN ENGIN
 12217 S. BUSINESS PARK DR.
 SCALES, UTAH 84600
 TEL: 801.373.0100 FAX: 801.373.0101
 WWW.SUNENGINE.COM

OGDEN CITY

WATER TREATMENT PLANT I
 PROPOSED SITE PLAN

DATE	NO.	DESCRIPTION	BY	CHECKED	DATE
11/14/24	1	ISSUED

Exhibit D - Proposed Landscaping Plan

Proposed Mechanical Dewatering
& Solid Storage Buildings

Proposed Microfiltration Building



Exhibit E - Architectural Elevations of the Microfiltration building

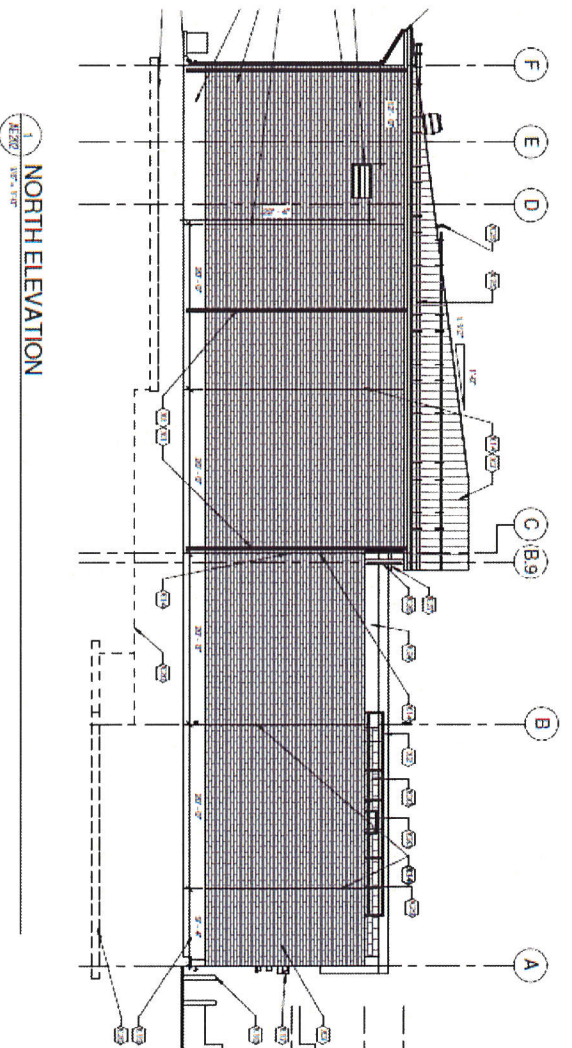
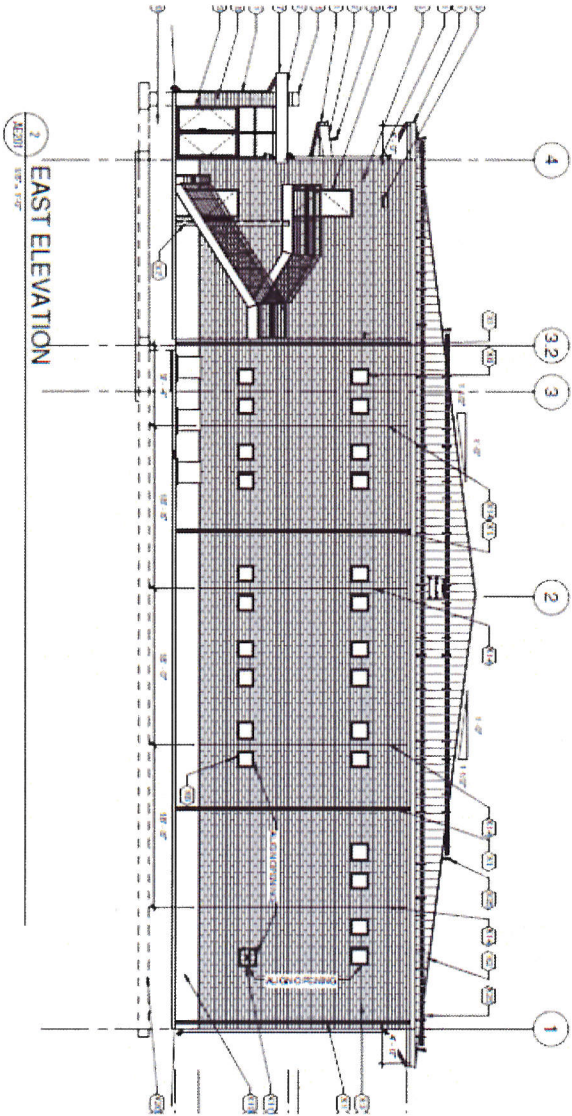
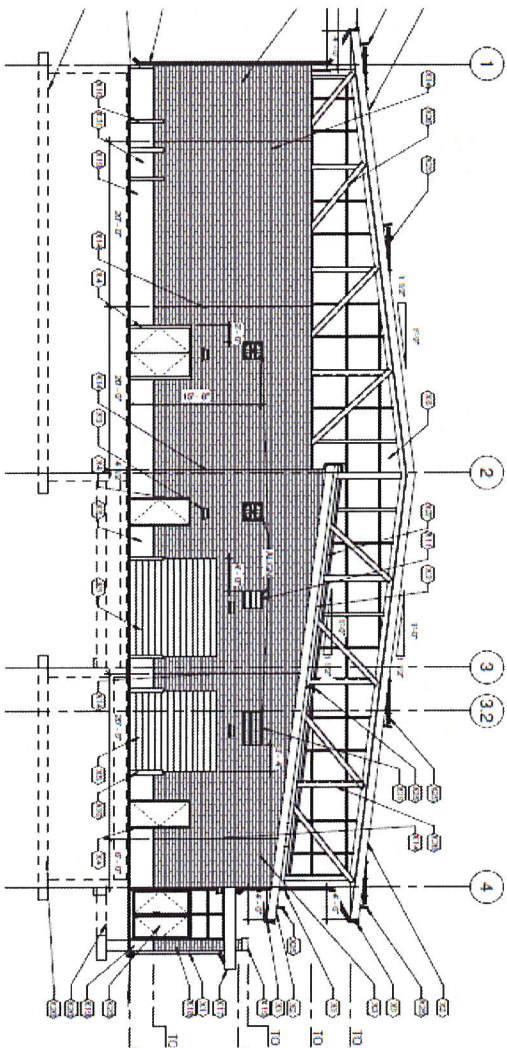
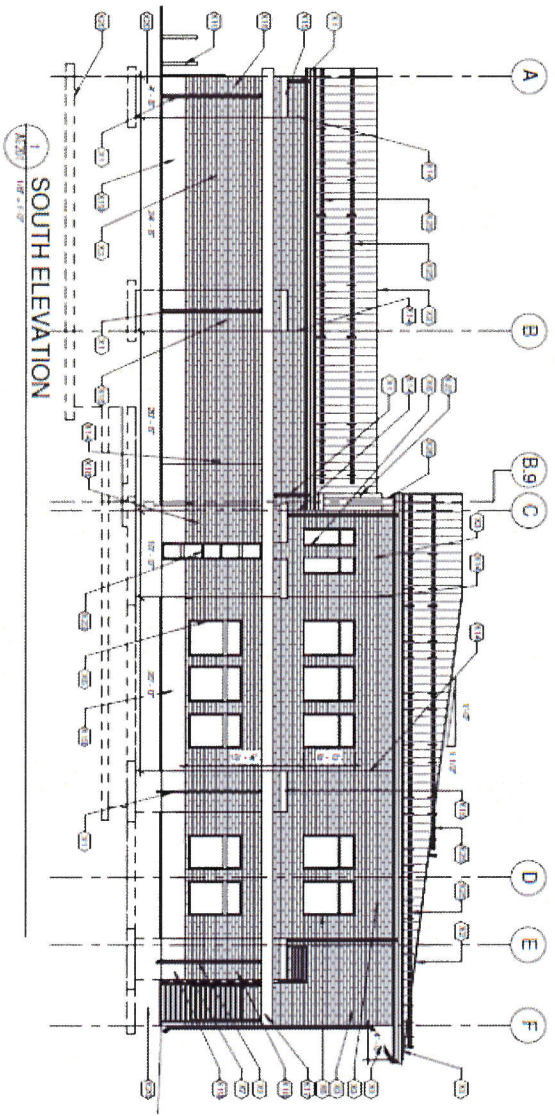
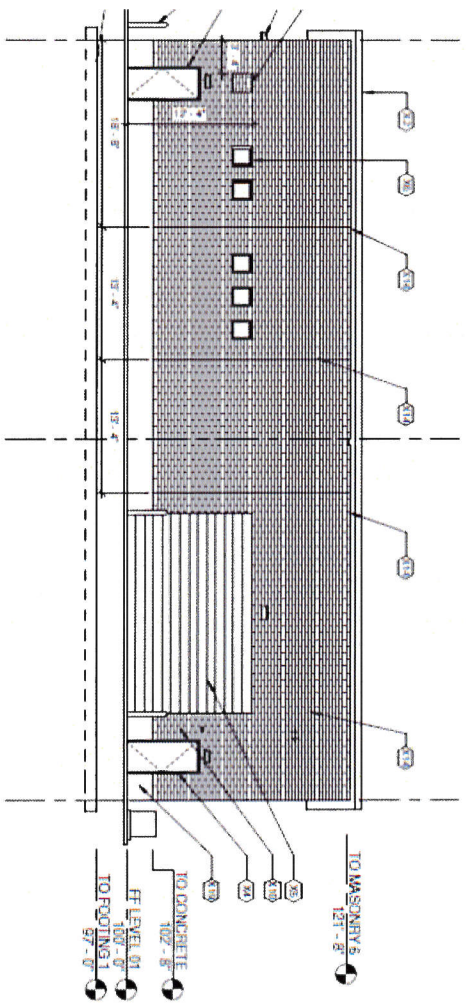
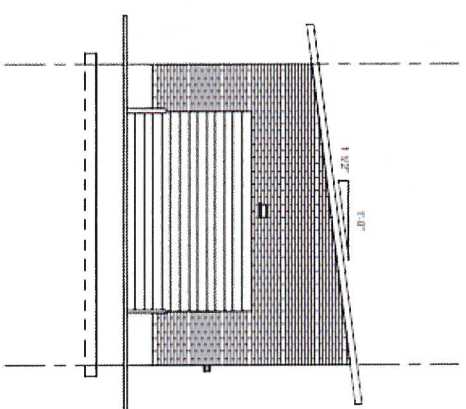


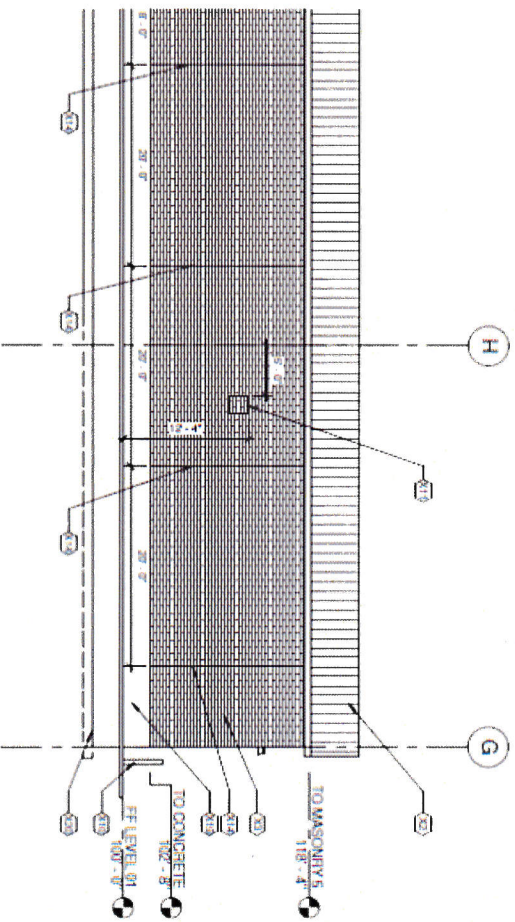
Exhibit F - Architectural Elevations of the Mechanical Dewatering & Solids Storage buildings



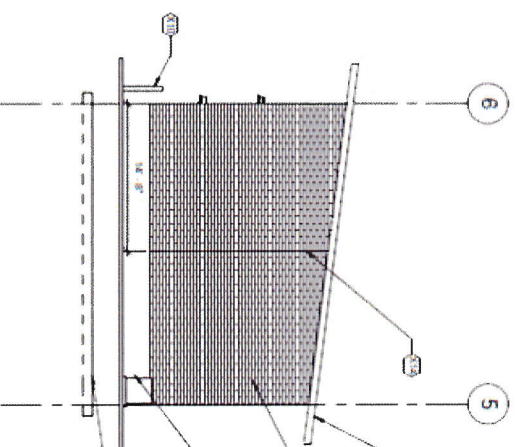
1 SOUTH ELEVATION
ASDC 1/8\"/>



3 WEST ELEVATION
ASDC 1/8\"/>



1 NORTH ELEVATION
ASDC 1/8\"/>



2 EAST ELEVATION
ASDC 1/8\"/>

Ogden Valley Planning Commission Report on Effect of Ogden Valley TDR's to Date

Weber County's only transferring parcel (to date) is owned by Snowbasin Resort Company and consists of 26.32 acres lying within the Commercial Valley Resort (CVR-1) Zone along the shoreline of Pineview Reservoir. Development rights, associated with this parcel, are calculated to be 572. Snowbasin has successfully transferred 520 of those development rights.

The following are considered to be benefits as they relate to Snowbasin's approved transfer:

Traffic

A reduction of approximately 758 vehicle trips (to/from transferring parcel) per/weekday and a reduction of approximately 1,480 vehicle trips (to/from transferring parcel) per/weekend day. The result is improved traffic conditions and safety. This reduction in daily trips becomes more of a benefit when considering its positive impact on the intersection located at SR 158 & SR 39.

Air Quality

520 of the transferring parcel's "trip-producing units" have been transferred to a resort development that is designed in a manner that will eliminate the need for vehicle trips and will utilize/offer an internal transportation system for the trips that cannot be eliminated. The result is improved air quality.

Visual

The overall visual quality (natural landscape, built environment, etc.) of a community provides it with a sense of pride and individuality which sets it apart from other places. It (the visual appeal) contributes significantly to quality of life, property values, and to a community's desirability and livability. The permanent removal of 520 units, from the transferring parcel, results in: 1) the preservation of inherent visual qualities offered by properties located adjacent to Pineview Reservoir and 2) the dramatic reduction in negative visual impacts that a project consisting of 572 units on 26.32 acres, as currently zoned, could have along an Ogden Valley "scenic corridor".

Enabling the Conservation of 1,124 Acres within Snowbasin Resort

The Destination & Recreation Resort (DRR-1) Zone (and possibly the Cluster Ordinance) requires the clustering of development areas and the preservation of open space, with a certain number of those acres being preserved as conservation open space. By allowing the transfer of development rights to a Resort Zone (and possibly a Cluster Subdivision), Weber County enables the permanent preservation of (in Snowbasin's case, 3,053 acres) other open space within Recreation Resorts (and possibly Cluster Subdivisions). NOTE: Of the 3,053 open space acres, located within Snowbasin, 1,124 are permanently preserved as conservation open space.