

## WESTERN WEBER PLANNING COMMISSION MEETING

### MEETING AGENDA

February 13, 2024

Pre-meeting 4:30/Regular meeting 5:00 p.m.



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

#### 1. Minutes: January 9, 2024

#### Petitions, Applications, and Public Hearings:

##### 2. Legislative items

**2.1 ZMA2023-04** A public hearing for consideration of a requested rezone from A-2 to R1-15 on approximately 93 acres of vacant land. The development names are the Longhorn Estates and the Vaquero Village Cluster Subdivision. **Planner: Felix Lleverino**

**2.2 GPA2024-01** A public hearing on a request to amend the Future Land Use Map of the General Plan to allow for a designation change to the property located at 3300 South and 3900 West. **Planner: Felix Lleverino**

**2.3 ZMA 2023-08** A public hearing for consideration on a request to rezone a 72.75-acre property from A-2 to R1-15, and R-3. The development is known as Navy Meadows, located at 3300 South 3900 West. **Planner: Felix Lleverino**

**2.4 GPA2024-02:** An application to amend the future land use map of Western Weber General Plan to redesignate area within the Winston Park Subdivision from open space to residential. **Staff Charlie Ewert. Applicant: Wade Rumsey.**

**2.5 ZMA2024-02:** An application to rezone approximately 40 acres of land generally known as the Winston Park Subdivision, located at approximately 3679 West, 1800 South from the A-1 (agriculture) zone to the R1-15 (residential) zone and R-3 zone. **Staff: Charlie Ewert Applicant: Wade Rumsey.**

##### 3. Public Comment for Items not on the Agenda:

##### 4. Remarks from Planning Commissioners:

##### 5. Planning Director Report:

##### 6. Remarks from Legal Counsel

#### Adjourn

*The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.*

*Public comment may not be heard during administrative items. Please contact the Planning Division Project Manager at 801-399-8374 before the meeting if you have questions or comments regarding an item.*

**A Pre-Meeting will be held at 4:30 p.m.** 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 801-399-8374***

## 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

**Public comment may NOT be heard during Administrative items, the Planning Division Project Manager may be reached at 801-399-8371 before the meeting if you have questions or comments regarding an item.**

### 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 for Western Weber Planning Commission meeting of January 09, 2024 held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 5:00 pm.

**Members Present:** Bren Edwards-Chair, Andrew Favero—Vice Chair, Sarah Wichern, Wayne Andreotti, Casey Neville, Cami Clontz, Jed McCormick

**Staff Present:** Charlie Ewert, Principal Planner; Bill Cobabe, Planner; Felix Lleverino, Planner; Liam Keogh, Attorney; June Nelson, Secretary

**Pledge of Allegiance**

**1. Minutes:** December 12, 2023 **Approved.**

**2. Vote: Rules of Order**

Casey Neville motioned to pass the Rules of Order as they are. Motion was seconded by Andrew Favero. Motion passed 7-0.

**Petitions, Applications, and Public Hearings:**

**3. Administrative items:**

**3.1 LVS060823:** Consideration and action on a request for final approval of the Singletree Acres Subdivision (25 lots) located at 2200 S 4520 W. **Planner: Felix Lleverino**

A rezone of this property was presented to the Western Weber Planning Commission on December 13<sup>th</sup>, 2022. On January 10<sup>th</sup>, 2023, the rezoning request returned to the Planning Commission at which time it received a unanimous positive recommendation.

This rezone proposal was presented to and unanimously approved by the County Commission on May 30<sup>th</sup>, 2023. Then returned before the County Commission on September 5<sup>th</sup>, 2023 to approve a revised version of the development agreement that specified the developer's responsibilities regarding the future pathway connection to the new Weber County High School.

Preliminary approval from the Planning Commission was granted on September 19<sup>th</sup>, 2023 with the following conditions:

1. A final subdivision plat and civil plans are under review by all applicable County review agencies before requesting a positive recommendation for final approval from the planning commission.
  - This condition is satisfied. A final subdivision plat and a second round of final civil drawings are currently under review.
2. An annexation plat, bringing land into the Central Weber Sewer Improvement District, is under review by the County Surveyor’s Office before requesting a positive recommendation for final approval from the planning commission.
  - The Annexation process is under way. This requirement will be carried over to a final condition of approval and must be completed before recording.
3. Before the Singletree Subdivision proposal may return for final approval, final will-serve letters from the culinary, secondary, and sewer providers shall be submitted.
  - A final will-serve letter from the Hooper Irrigation Company is included as Exhibit C with this report. The final letter from Taylor West Weber Water District is attached as Exhibit B with this report.

**Chair Edwards called for a motion. Motion was made by Andrew Favero and seconded by Casey Neville to approve following recommendations and findings in the Staff Report.**

**Staff recommends that the planning commission forward a positive recommendation to the County Commission for final approval of Singletree Acres Subdivision, a proposal to create 25 residential lots. This recommendation is based on the following conditions:**

4. **All subdivision improvements are designed in accordance with the development agreement.**
5. **At the time of recording, funds to cover the cost of all remaining unfinished subdivision improvements**

Approved \_\_\_\_\_

- must be held in an escrow account with the County Engineering Department.
- 6. An annexation plat, bringing land into the Central Weber Sewer Improvement District, is complete before the subdivision plat is recorded.
- 7. The civil plans and the subdivision plat have received final approval before the plan is presented before the County Commission.

The following findings are the basis for the staff’s recommendation:

- 1. The proposed subdivision conforms to the West Central Weber General Plan.
- 2. The proposed subdivision complies with the applicable county codes.
- 3. The subdivision conforms to zoning and subdivision ordinances.

**Petitions, Applications, and Public Hearings:**

**4. Legislative items:**

**4.1 ZMA2023-17**, an application to rezone approximately 134 acres of land located at approximately 500 North, 3600 West, from the A- 2 zone to the R1-15 zone. Applicant: Heritage Land Holdings LLC. **Planner: Charlie Ewert.**

This is an application for a rezone from the A-2 Zone to the R1-15 Zone. The planning commission informally reviewed this request and the associated concept development plan in a work session at the end of the December 2023 planning commission meeting. At the time, the planning commission and staff offered the applicant feedback and recommended adjustments for the proposal. A complete staff review of the proposal was conducted a few days later in which staff offered the applicant formal written comments and recommendations that might help garner a favorable recommendation from the planning commission for the rezone.

The applicant has been attentive at resolving concerns expressed by the planning commission and staff regarding the proposal. The attached revised concept plan substantially addresses review comments and recommendations. With a few minor adjustments and reconsiderations, staff feels the concept plan is ready for a final decision.

The only outstanding concern that poses a possible threat to the viability of the development plan is the code’s limitations on development on a terminal street. 3600 West is currently a terminal street. There is provision in the code for allowing additional development on a terminal street as long as there is sufficient secondary emergency

egress provided, and as long as the terminal nature of the street is temporary. The applicant is proposing the construction of one emergency egress for the entire development until such time that additional land can be acquired to extend 700 North (or other street connections) to other existing streets in the area.

This rezone, if approved, is recommended to be accompanied with a development agreement. Through this development agreement the county can modify the application of the terminal street standards to allow for the developer’s proposal. If egress is not specifically resolved by the development agreement then the developer will be restricted to 30 lots per emergency egress. This means that in order for the entire development to come to fruition, the developer will need several additional emergency egresses in order to comply with the code.

Whether egress is resolved in a development agreement, or the typical code requirements are applied, it is staff’s determination that sufficient regulatory measures are in place or can be put in place to enable the development under the proposed zone. Staff is recommending approval of the rezone, with certain specific requirements being placed in a development agreement, as provided in the staff recommendation herein.

**Chair Edwards called for a motion to open the public hearing. Motion was made by Casey Neville and seconded by Andrew Favero. Motion passed 7-0**

Dean Foust 2544 E 150 S Layton read a letter from attorneys Smith and Knowles, representing Brad Blanche. The staff report says that Hooper will provide water for this development. Water will be supplied by Terakee Water. Hooper will not provide water for this development. We request that the staff report be corrected.

Joseph Deru 405 S 2100 W Slaterville, I own property east of the river, 55 acres. I am familiar with the river. Every year I get some flooding, most years from ground water. Because of flooding, I have had to move my farm animals out of the flood areas.

Courtney Valentine 2275 S. I have property in the area. I gave up a lot to get my 2 lot subdivision. There is no egress. No one has talked to me about roads that appear to go through my property.

Jill Hipwell, West Weber. I just want to make sure that things that were promised in the development agreement with Terakee Farms agreement are done.

No more public comments.

**Motion was made to close Public Hearing by Casey Neville and seconded by Wayne Andreotti. Motion passed 7-0.**

Commissioner Edwards said that the staff report was amended to talk about water providers. We also go by the flood plain maps that are provided. They are sometimes redrawn.

Marsha Stokes Ogden representative for Heritage Land Holdings We have worked with staff. Staff has done a great job and we appreciate them.

Commissioner Wichern stated that she was worried about a pioneering agreement about pipe size for utilities. I would like them put in large enough for future use.

**With no further discussion, Chair Edwards called for a motion. Sarah Wichern motioned to approve based on the staff report and findings with the addition of item 6.**

After reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the rezone. This recommendation is offered with the following considerations, which are intended to be incorporated into a zoning development agreement:

1. **Concept plan update:**
  - a. **Provide concept plan amendments for compliance with connectivity standards.**
  - b. **Remove "by others" from the concept plan's Weber River Parkway proposal.**
  - c. **Provide a non-street adjacent pathway on the western edge of the property, as generally depicted on the general plan's future land use map.**
  - d. **To give the property owner the entire benefit of the rezone, instead of listing the proposed number of lots in the development, the concept plan and development agreement should rely on the county's adopted maximum density calculations to govern density. If the developer may choose to plat less than the maximum at its option.**
2. **Parks, open space, and trails:**
  - a. **The development's first subdivision plat should include the dedication of the entire linear park to the Taylor West Weber Park District.**
  - b. **Obligate applicant to install all pathways including the Weber River Parkway and pathway appurtenances as development occurs. If phased, ensure a proportionate amount of pathway and appurtenances is installed both within the phase and, if different, along the Weber River. Follow the adopted 10-foot paved or concrete pathway standards in the Land Use Code.**
  - c. **Provide a five foot wide equestrian pathway that generally parallels the paved parkway.**
  - d. **Unless negotiated otherwise with the parks district, pathway/nature park appurtenances should include:**
    - i. **At least one bench every 500 feet**
    - ii. **One shade tree per bench.**
    - iii. **ADA accessible parking, restrooms, ramps, and benches.**
    - iv. **Two trailheads, as generally located on the concept plan.**
      1. **A restroom per trailhead.**
      2. **A parking area per trailhead with sufficient parking for at least 15 typical passenger**

- vehicles and six spaces for large vehicles or vehicles towing trailers.
- 3. One bicycle fix-it stand per trailhead.
- 4. One drinking fountain or water bottle filling station per trailhead.
- v. For the northern trailhead, provide a waterfowl viewing area.
- e. Each pathway and sidewalk within the development should be lined with shade trees in intervals and of species such that the crown of one tree, on average at maturity, will touch the crown of the next tree. Use at least three different tree varieties dispersed in a manner to avoid transmission of pests/disease.
- f. Maintain existing tree canopy along the Weber River. Replace any tree that needs to be removed for park improvements with another of similar size (at maturity).
- g. If allowed by the owner of the parcel within the oxbow (shaded dark green on the concept plan), and as long as that parcel owner is willing to allow unrestricted public access along the parkway, construct the Weber River Parkway and associated equestrian trail through the parcel in a manner that is generally paralleling the river. If not allowed by the landowner, stub (construct) the Weber River Parkway to the parcel's property line for potential future connectivity.
- h. Construct an oxbow pathway, also 10-foot wide paved or concrete, around the outside edge of the oxbow.
- i. Wherever a pathway intersects with a street, install or cause to be installed a battery powered and solar charged user-activated rapid flashing beacon and associated crosswalk signage, and paint a zebra-style crosswalk on the street. Repaint after sealing the street.

### 3. Streets:

The applicant will escrow the total value to acquire and construct 700 North Street to county standards and in a manner that connects this development to the existing portion 700 North Street to the west. This escrow

- a. Until a second street connection that is compliant with minimum county standards is constructed and accepted by the county, the developer shall provide for the following related to the proposed emergency egress in order to plat more than 14 lots:
    - i. The emergency egress is fully constructed to the minimum 20-foot surface width;
    - ii. A 10-percent warrantee guarantee bond is provided to the county to assure performance for at least one year;
    - iii. The egress remains ungated for the entire time it is being constructed plus one month after the County Engineer inspects and approves it;
    - iv. The egress is fully operational and accessible for emergency use by any member of the public at any time; *and*
    - v. No lawsuits are filed challenging the easement prior to platting more than 14 lots; *or*
    - vi. A different emergency egress can be secured and constructed in compliance with adopted standards.
  - b. 3600 West Street should be improved offsite to minimum asphalt width standards from 400 South Street to the development.
  - c. Driveway access to 3600 West and 700 North streets should be prohibited.
  - d. At least 100 feet of street right-of-way width should be dedicated for 3600 West, and 80 feet for 700 North. The street paralleling the river should have at least a 66-foot dedicated street right-of-way, as should any street with an adjacent 10' pathway. Unless specified otherwise by the county engineer at the time of subdivision platting, other streets may be 60 feet wide.
  - e. Stub the street right-of-way (not improvements) for 3600 West to the northern-most part of the property to provide opportunity for potential future road connection over the river northward.
  - f. Stub the street right-of-way (not improvements) for 700 North to the eastern-most part of the property to provide opportunity for potential future road connection over the river eastward.
4. Air quality: Require each residence greater than 1800 square feet or not otherwise deed restricted for moderate income housing to:
- a. Have solar panels and backup batteries installed prior to certificate of occupancy.
  - b. Be constructed to an energy efficiency rating that is one climate zone colder than the area.
5. Weber County's outdoor lighting code should be applied to all lighting in the project.
6. All utilities shall be built to the required future buildout size requirement. A Pioneering Agreement may be included in the development agreement and shall only cover the cost of upsizing the utilities from the size required by the development

impact to the future buildout sizing.

7. **No building will occur on known flood plain boundaries.**

Staff’s recommendation is offered with the following findings:

1. **After the considerations listed in this recommendation are applied through a development agreement, the proposal generally supports and is anticipated by the vision, goals, and objectives of the Western Weber General Plan.**
2. **The project is beneficial to the overall health, safety, and welfare of the community, as provided in detail in the Western Weber General Plan.**
3. **A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.**

**Motion was seconded by Cami Clontz. Motion passed 7-0.**

**4.2 ZMA 2023-08** A public hearing for consideration on a request to rezone a 72.75-acre property from A-2 to R1-15, and R-3. The development is known as Navy Meadows, located at 4000 West 3300 South. **Planner: Felix Lleverino**

On November 15<sup>th</sup> 2023 the Weber County Planning Division and Weber County Engineering held a road and pathway connectivity discussion of the Navy Meadows site, it was agreed that several amendments to the concept plan should be made to better conform to the West Central Weber General plan and section 106-2-4.030, which directly pertains to subdivision design for connectivity.

The applicant, Mr. Doug Hamblin, requests that the West Weber Planning Commission forward a positive recommendation of this rezone from the Agricultural A-2 zone to the Residential R1-15 zone and the Residential R- 3 zone. The entire project area amounts to 72.75 acres.

To give the Planning Commission an understanding about of the potential number of units, the planning staff has prepared the following paragraph describing the calculations used for determining the residential development potential.

The concept plan is requesting approval for a total of 98 townhouse units which would require at least 5.87 acres. The concept plan designates 374,268 square feet or 8.59 acres for R-3 zoning. The remaining area that would be rezoned to R1-15 equates to 64.16 acres which would allow for the potential of 186 dwelling units.

Chair Edwards stated that in the pre-meeting there was some discussion about the R-3 zone and the need to have it amended to the general plan map.

**Chair Edwards called for a motion to open the public hearing. Commissioner Neville motioned to open the public hearing. It was seconded by Commissioner McCormick.**

Chair Edwards stated that he received an email from Carrie Call from the West Haven City Council asking that we postpone this until the city was properly notified.

Charlie Ewert stated that since the property is not adjacent to the city and more than 500 feet from the border, the County has no notification requirement.

Kristine Clark, 3743 W 3550 S West Haven stated that I live right across from this area. We already have plenty of condos, townhomes, apartments and patio homes. We should stick with larger lots, no townhomes.

Steven Cox, Taylor the Hooper Slough drainage is a concern. We need a good flood plain plan

**With no more comment, Chair Edwards called for a motion to close the public hearing. Commissioner Favero made the motion to close and it was seconded by Casey Neville. Motion passed 7-0**

Chair Edwards stated that since the property is not adjacent to the city and more than 500 feet from the border, the County has no notification requirement. The slough will be addressed at the subdivision site plan. 3300 is slated for widening for 80 foot width plus pedestrian walk ways. Commissioner Wichern stated that she has concerns with the R-3, townhomes is where we can address affordable housing.

Doug Hamblin, developer, said that anyway the planning commission decided about the R-3 for now or later is fine with him. I am also willing to add in connectivity. We are also eliminating some lots to add parking space to the park areas

Casey Neville stated that he feels that there are a lot of townhomes and apartments in the area. We need to think about the General Plan and make any changes thoughtfully. Chair Edwards stated that we need to consider the public as well as land owners.

**Sarah Wichern motioned the following: I motion to table this item until February Commission meeting so that we can notify and vote on a R-3 general plan amendment. Motion passed 7-0.**

**4.3 ZTA 2023-06 - Public Hearing – Discussion and possible action on amending the Weber County Land Use Code Section 106-4-2.080 – Street Trees, modifying the requirement for street trees in the public right-of-way and creating new requirements for their installation and maintenance. Also Section 108-7-7.040 – Public Tree Care, modifying the regulations regarding the care, maintenance, and removal of trees on County-owned property. Planner: Bill Cobabe**

Due to ongoing concerns related to the installation and maintenance of street trees throughout the County, County Commissioners have directed Planning Staff to review our procedures and requirements. On September 12, 2023, the Western Weber Planning Commission held a work session to discuss proposed changes and review the species list, and on October 24, 2023, the Ogden Valley Planning Commission held a similar work session. The proposed changes allow for a more orderly and efficient development standard for street trees in the County.

Sarah Wichern said: I drove through an area in West Haven with no trees. We really do need to have trees. There should be no fees for permits for these trees for the residents.

**Chair Edwards called for a motion. Sarah Wichern motioned the following:**

**The Planning Commission recommends approval of ZTA 2023-06 and the Planning Commission forwards a positive recommendation to the County Commission for the proposal with the following condition and findings.**

- 1. Any permits involved for removal of trees or vegetation on the County property is a fee-less permit.

**This recommendation may come with the following findings:**

- 1. The proposal helps to accomplish a general plan goal or policy related to development in the County.
- 2. The proposal supports beautification efforts in the County.

**Motion was seconded by Wayne Andreotti. Motion passed 5-2 with Casey Neville and Cami Clontz voting nay.**

**5. Public Comment for Items not on the Agenda: None**

**6. Remarks from Planning Commissioners:** Commissioner Andreotti stated that he had been looking for a retirement house. It is near impossible to find one. Average home price in Weber County is \$515,000. Average income is \$74,000 You have to make \$107,000 to afford the average home price. We need to figure out a way to address this issue. Maybe talk to developers. I also really appreciate the people that I serve with. We need to keep bringing up different ideas. Chair Edwards agreed. Commissioner McCormick said that good fences make good neighbors. He asked Charlie Ewert to check on any fencing code that was going to be added to the code. Chair Edwards stated that the County lost 2 of the biggest dairy farms in the area recently. There are some onion growers that need to add an onion shed or produce shed.

- 8. **Planning Director Report:** Reminder about the Nation Planning Conference in April. Also the Planning Commission Appreciation Dinner on February 22. Call or email June or Ann. There is also a large development that is coming your way with 14,000 units-homes. You can find it on Frontier under West Bridge Meadows

9. **Remarks from Legal Counsel:** Mr Keogh stated how much he appreciated the professionalism of this planning commission. I appreciate you all.
10. **Vote for Chair and Vice Chair for 2024. With little discussion Commissioner McCormick motioned to nominate Bren Edwards as Chair for 2024. Motion was seconded by Camie Clontz. Motion passed 7-0. Another motion was made to nominate Andrew Favero as Vice Chair for 2024. . That motion was seconded by Jed McCormick. Motion passed 7-0.**

Adjourn 7:45

**Respectfully Submitted**

*June Nelson*

Lead Office Specialist

Approved \_\_\_\_\_

## MEMO

**Date:** February 13, 2024

**To:** Western Weber Planning Commission

**From:** Felix Lleverino

**Re:** Zoning Map Amendment Application – Longhorn Estates and Vaquero Village rezone from Agricultural (A-1 and A-2) to Residential Estates (R1-15).

This proposal is returning to the planning commission for consideration on approval to rezone approximately 93 acres to prepare a way for a medium-large residential development and to allow for the Vaquero Village residents to re-plat their subdivision, at their option.

To provide a refresher on the details, the planning staff has included some general information regarding previous meeting discussions. Following that, the staff has included some details about how they feel that the developer's proposal addresses the comments and concerns from the planning commissioners.

On May 9 the Planning Commission held a public hearing to discuss this proposal. The Planning Commission decided to table the decision until the developer supplies water, sewer, and a park letter. The planning commission would like to have more information on the traffic impacts to 900 South.

On October 17<sup>th</sup>, 2023 the Western Weber Planning Commission held a work session to discuss development agreement standards that will be included with the zoning map amendment of 76 acres of undeveloped land that will be known as Longhorn Estates.

On November 7<sup>th</sup> 2023 the decision to take action on the Longhorn Estates and Vaquero Village rezone was tabled until the developer can: Obtain written confirmation from the Marriott's for access and an agreement to the standards in the development agreement, a review from the Fire District indicating that emergency egress is acceptable, until the Little Mountain Sewer District (LMSA) provides in writing that they will take ownership of the sewer lines serving this development, and that an organization capable of managing the secondary water system will step in.

The staff has included documentation from the parties involved that address the questions brought up by the Planning Commission on November 7<sup>th</sup>. Kami Marrott agrees that one emergency egress may be constructed across their land, as seen in Exhibit B. The Marroitts agreement for one emergency egress would allow for the Longhorn Estates to develop 45 lots, an additional separate emergency access will need to be negotiated at the 46<sup>th</sup> lot and beyond. Kami M. also acknowledges, in Exhibit B.2, that at the time when their land is developed, the standards written in the development agreement will apply.

To address the question regarding Fire District approval, the Weber Fire Deputy Chief David Reed could approve an emergency access if it is least 26' wide, maintained year round, and is built to support 75,000 pounds. The staff has included an email correspondence from the Fire Marshall in Exhibit H.

The longstanding issues with the secondary water system will need to be resolved. To help ensure that the secondary water system is designed, re-built, and managed properly, the county planning and engineering staff will enforce requirements from the Warren-West Warren Water Improvement District and verify that an organization capable of managing the water system is in place. When this proposal is ready for subdivision, new water system requirements of section 106-4-2.010 (1) (b) will apply. The developer has obtained a signed confirmation letter from Mountain Views Water LLC stating that they will take ownership and responsibility for maintenance and operation of the irrigation pond see Exhibit E.2.

Now that we have covered the outstanding comments and concerns from the public hearing the planning staff have inserted development agreement standards and several exhibits that will aid in visualizing the proposal. To start, please look over the standards in Exhibit A. This will help you to see the many on and off-site improvements that will need to be completed during the subdivision phase.

The latest concept plan, in Exhibit C, shows public right-of-way alignments and pathway locations. The planning staff will require a pathway that runs parallel to the canal, whether that be within the development or on the north side of the canal, the pathway would then be directed southward through the Vaquero Village Development or along the west of the canal. Staff anticipates that cooperation between Warren Irrigation, county staff, and the developer will result in a pathway alignment connecting to Reese park and further south to the long-distant planned transit station near the tracks.

The ability to serve letter from West Warren-Warren Water District, in Exhibit D, states the district has the capacity to serve only culinary water and that the secondary water pond must be built to their specifications.

The secondary water plan, in Exhibit E, shows the pond expansion area that will be designed with an impervious membrane lining the secondary water storage pond.

The will-serve letter from the Little Mountain Service Area District, in Exhibit F, states the district requirements for annexation and connection. The LMSA has corrected their service letter, in that they will take ownership of the sewer lines serving this development, however, the private sewer laterals will be the lot owner's responsibility, which is standard practice.

Exhibit G contains a development agreement created by the West Warren Parks District. The amount of \$7,500 per lot is not the final amount. Further negotiations may take place and the type of contribution could change. The planning staff recommends that the language included in Exhibit A 7.3.1 be used to allow for further negotiations.

The planning staff has prepared several recommendations in the form of model motions in Exhibit I for the request to rezone the combined 76-acre parcels that make up the Longhorn Estates and the 17-acre Vaquero Village Cluster Subdivision. The total amount of land included in this proposal is approximately 93 acres.

## Exhibit A

### 7. Development Standards and Use Restrictions

#### 7.1 Public Improvements Required within Vaquero Village Phase 1

##### 7.1.1 Street right-of-way improvements

1. A ten-foot wide concrete or asphalt pathway is installed within the public ROW or within a designated pathway easement.
2. A bond for the ten-foot-wide sidewalk is created with the Weber County Engineering Department as part of the Longhorn Estates.
3. A sewer line is installed within the public utility easement so that the homeowners within Vaquero Village may connect.
4. Downward-directed and fully shielded street lights are placed on both corners at the entrance of 7100 West Street and 900 South Street.
5. Under the direction of the County Engineer, a push-button activated crosswalk shall be placed at the intersection of 7100 West Street and 900 South Street.

##### 7.1.2 Secondary water system

1. The secondary water system shall conform to all requirements of section 106-4-2.010 of the Weber County Code.
2. The secondary water system is redesigned to conform to the private water system industry standards and approved by the County Engineer and the culinary water authority.
3. The developer of Longhorn Estates shall install and/or bond for the secondary water system upgrades.

##### 7.1.3 Stormwater detention and management

1. Drainage canals are made to prevent water from pooling on the west and east edges of the subdivision.
2. Drainage canals are designed to move water from the west and east edge of the Vaquero Village subdivision and are connected to a functioning drainage that is connected to the larger regional drainage canal.

##### 7.1.4 Escrow

1. A full escrow for all incomplete items within the Vaquero Village Cluster Subdivision is submitted before conditional acceptance of improvements in Longhorn Estates.

##### 7.1.5 Landscaping

1. The landscaping of Parcel A of Vaquero Village Cluster Subdivision shall be escrowed and completed before conditional acceptance of improvements in Longhorn Estates.

#### 7.2 Public Improvements Required in Longhorn Estates

##### 7.2.1 Street right-of-way improvements

1. Developer agrees to provide secondary access to the subdivision pursuant to county code and fire authority requirements
2. Developer agrees to provide a traffic study with the subdivision application.

3. A pathway that runs parallel to the canal is dedicated and constructed on or adjacent to the canal property.
4. Street adjacent pathways and mid-block pathways are dedicated and constructed to conform to section 106-2-3.
5. The streets shall be lined with trees, spaced at a distance so that, at maturity, their canopies converge. The trees shall be of a species that are deep-rooted and have a high likelihood of survival, given the unique characteristics of the soils.
6. Developer provides cross-sections for all rights-of-way, to be included in this development agreement
7. The concept plan generally follows the right-of-way widths and alignments of the Western Weber General Plan.

#### 7.2.2 Landscaping

1. The developer shall create an HOA landscape review board for the enforcement of section 108-7-12 Water-Wise Landscaping.
2. Each lot owner shall submit an HOA-approved landscape plan with the building permit application for the primary structure.
3. The developer agrees to create an HOA. The association shall be given the responsibility and authority to review and approve all final landscape proposals and shall enforce the same. The HOA shall also be responsible for landscape maintenance along all pathways and pathway easements.

#### 7.3 Parks and Open Space

##### 7.3.1 Voluntary Contributions

1. The Parties agree that as part of the mutual consideration of this agreement and the rezone to which it is linked, the Developer will make a donation to the local park district before the final plat recordation. This donation may be actual funds, in-kind contribution, or any other equitable arrangement as mutually agreeable by the park district and developer, as evidenced in writing to the County from the park district.

#### 7.4 Developer Performance

##### 7.4.1 Subdivision Improvements Completion

1. All unfinished and inoperable subdivision improvements within the Vaquero Village Cluster Subdivision Phase 1 are completed and made operable before building permits are issued. This restriction shall not apply to the lots within the Vaquero Village Cluster Subdivision.
2. As a result of default, the zoning classification will be reverted back to its previous classification.

##### 7.4.2 Subdivision Plat Amendment of Vaquero Village Cluster Subdivision

1. It shall be the responsibility of the developer of the land called Longhorn Estates to hire a surveyor who will create the subdivision plat and pay all subdivision fees to amend the Vaquero Village Cluster Subdivision Phase 1 plat.

## Emergency Access Easement Agreement

This Emergency Access Easement Agreement ("Agreement") is made and entered into on 5 Jan 2024 by and between Western Basin Land & Livestock ("Grantor"), and Lync Construction LLC ("Grantee").

### Recitals

WHEREAS, the Grantor is the owner of certain property located at approximately 750 S 7500 W, Ogden, Utah 84404, parcel #10-036-0001, hereinafter referred to as the "Burdened Property";

WHEREAS, the Grantee is developing an adjacent subdivision known as Longhorn Estates, located at approximately 640 S 7500 W, Ogden, Utah 84404, hereinafter referred to as the "Benefited Property";

WHEREAS, the Grantee desires to obtain an easement for emergency ingress and egress over and across a portion of the Burdened Property to ensure proper access to the Benefited Property in case of emergencies, as well as for the installation of a sewer line, over and across a portion of the burdened property;

AND WHEREAS, as part of the consideration for this Easement, the Grantee agrees to assist in rezoning the Burdened Property to benefit the Grantor and to provide sewer stubbing to the Burdened Property for future development to benefit the Grantor;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Grant of Easement:** The Grantor hereby grants and conveys to the Grantee, its successors and assigns, a perpetual, non-exclusive easement over the Burdened Property for the purpose of emergency ingress and egress to and from the Benefited Property and for the installation of a sewer line within the easement (the "Easement").
2. **Location and Extent of Easement:** The Easement shall be located as described in Exhibit A attached hereto and made a part hereof, and shall be of sufficient width (26') and length to accommodate emergency vehicles and other necessary access requirements.
3. **Maintenance and Repair:** The responsibility for installation of maintenance and repair of the road, sewer lines Easement, including the access road and sewer line, shall rest with the Grantee. *installation, KJM PB*
4. **Use of Easement:** The Grantee shall use the Easement exclusively for emergency ingress and egress ONLY and for housing a sewer line to service the Benefited Property and

*PB  
KJM*

Exhibit B

shall not interfere with the Grantor's use and enjoyment of the Burdened Property.

- 5. **Alterations and Improvements:** <sup>1 km</sup> ~~Two~~ roads with a width of 26 feet, <sup>des. TBD km</sup> will be constructed. These roads will be made of a durable road base material, designed, and built to support a weight of up to 70,000 pounds. This specification is to ensure that the roads can accommodate heavy emergency vehicles, such as fire trucks and ambulances, without sustaining damage. Beneath the road base, a sewer line will be installed. The installation will be completed in accordance with all relevant regulations and standards to ensure functionality and safety. The sewer line will be laid out and constructed prior to the road construction to ensure seamless integration and avoid any future disruptions for maintenance or repairs.
- 6. **Term:** The term of this Easement shall be perpetual.
- 7. **Binding Effect:** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.
- 8. **Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

IN WITNESS WHEREOF, the parties have executed this Emergency Access Easement Agreement as of the day and year first above written.

[Signatures]

Western Basin Land & Livestock

By: Kami F. Marriott

Name: Kami F. Marriott

Title: Manager

Date: 1-5-2024

Lync Construction LLC

By: [Signature]

Name: Pat Burns

Title: Manager

Date: 1-5-2024

# Exhibit B

Exhibit A: Map of Easement Area

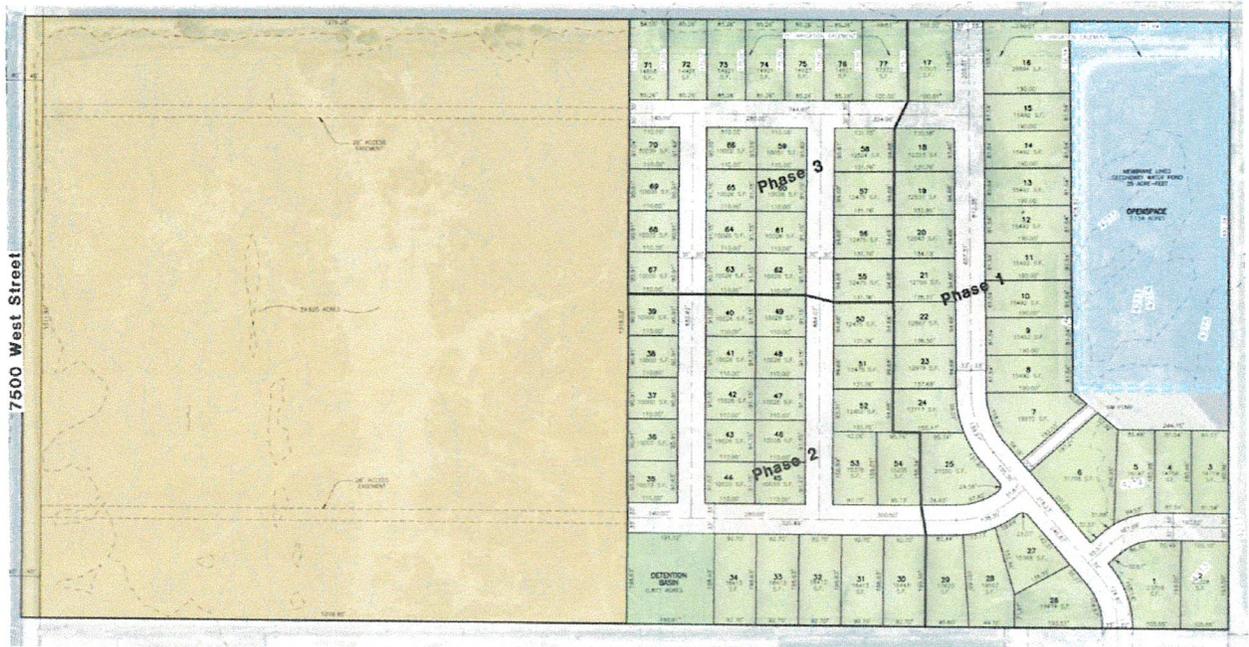


Exhibit B.2

To whom it may concern:

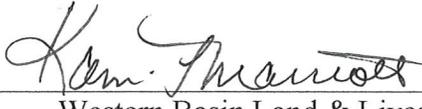
This letter serves to acknowledge and confirm that Western Basin Land & Livestock is the rightful property owner of the 40-acre land parcel, identified as parcel number 10-036-0001, located approximately at 750 S 7500 W, Ogden, Utah 84404 ("Property").

Western Basin Land & Livestock hereby authorizes Pat Burns of Lync Construction LLC to assist in the rezoning of the Property and to file the necessary rezoning application on behalf of Western Basin Land & Livestock.

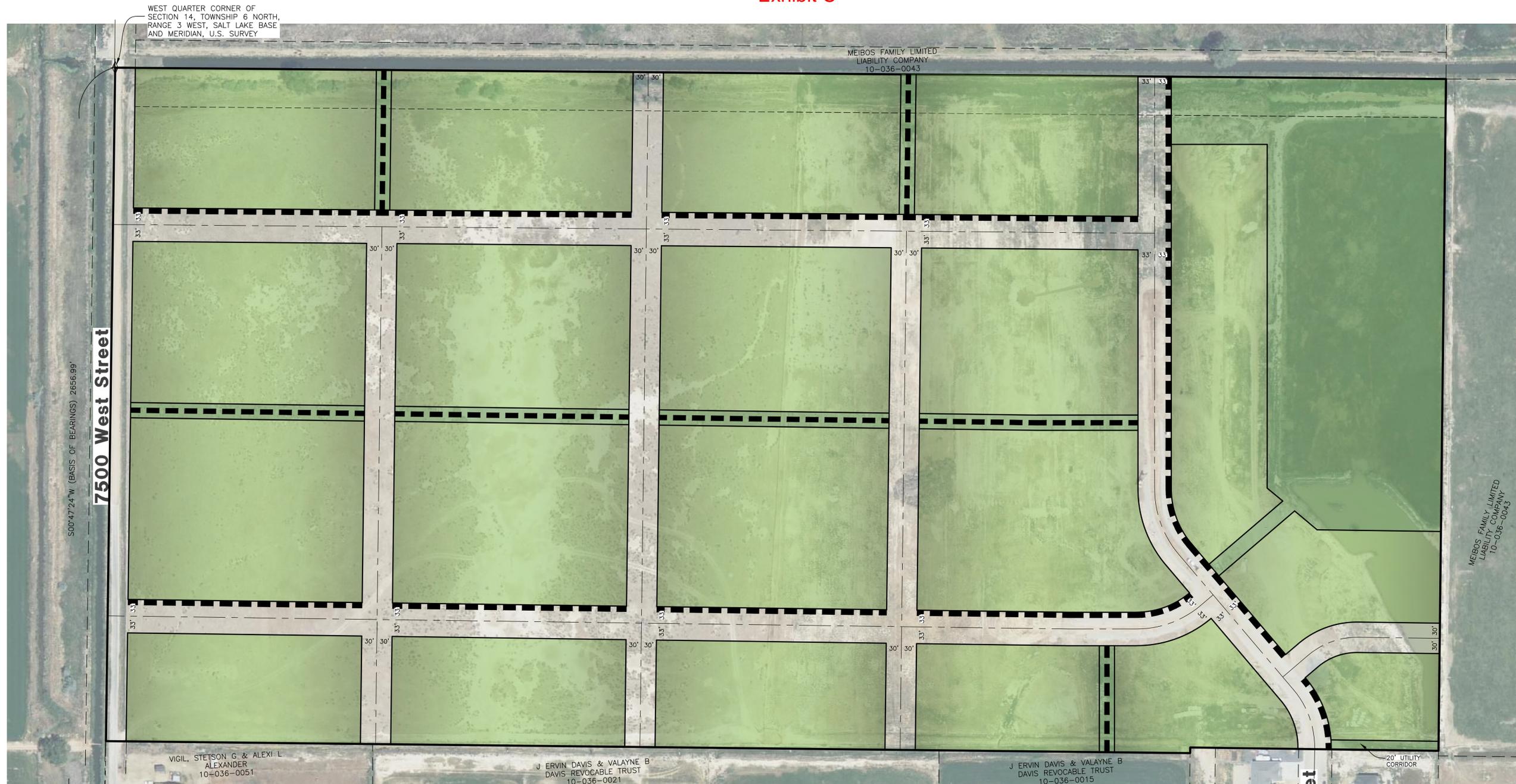
Western Basin Land & Livestock recognizes that, should they decide to develop the Property, they will be required to enter into a Development Agreement with the relevant county authority. This Development Agreement will likely mandate certain improvements to the Property prior to the approval of any subdivision. These improvements may include, but are not limited to, enhancements to the infrastructure on 7500W adjacent to the Property.

Sincerely,

Signature:  Date: 1/5/2024  
Lync Construction LLC

Signature:  Date: 1/5/2024  
Western Basin Land & Livestock

# Exhibit C



WEST QUARTER CORNER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY

MEIBOS FAMILY LIMITED LIABILITY COMPANY  
10-036-0043

VIGIL, STETSON G & ALEXI L ALEXANDER  
10-036-0051

J ERVIN DAVIS & VALAYNE B DAVIS REVOCABLE TRUST  
10-036-0021

J ERVIN DAVIS & VALAYNE B DAVIS REVOCABLE TRUST  
10-036-0015

MEIBOS FAMILY LIMITED LIABILITY COMPANY  
10-036-0043

SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY

### BOUNDARY DESCRIPTION

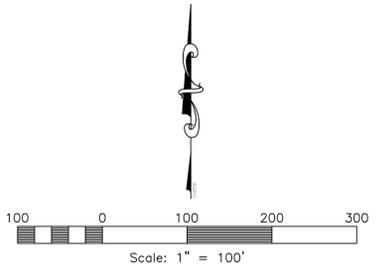
PART OF THE SOUTHEAST QUARTER OF SECTION 14 TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 14; THENCE SOUTH 89°31'02" EAST 2636.52 FEET; THENCE SOUTH 00°38'30" WEST 1328.33 FEET; THENCE NORTH 89°13'20" WEST 491.80 FEET; THENCE SOUTH 00°44'41" WEST 11.23 FEET; THENCE NORTH 89°22'10" WEST 2148.07 FEET; THENCE NORTH 00°47'24" EAST 1328.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,508,583 SQUARE FEET OR 80.546 ACRES.

### Density Calculations

Total Area.....80.55 ac. (3,508,583 s.f.)  
Density...3,508,583 s.f./15,000 s.f. = 233.91 Lots



■ ■ ■ = LOCATION OF PROPOSED 10' PATHWAY



VICINITY MAP  
NO SCALE



**Developer:**  
Pat Burns  
Lync Development  
1407 N Mtn. Rd  
Ogden, UT. 84404  
(801) 710-2234

**Reeve & Associates, Inc.**  
5160 S. 1500 W., RIVERDALE, UTAH 84405  
TEL: (801) 621-2100 FAX: (801) 621-2666 WWW: REEVE-ASSOCIATES.COM  
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

DATE	DESCRIPTION
1-19-24	County Comments
1-30-24	LAYOUT Updates

**Longhorn**  
PART OF THE SE 1/4 OF SECTION 14 T.6N, R.3W, S.14B & M., U.S. SURVEY  
WEBER COUNTY, UTAH

## Zoning Exhibit

**Project Info.**  
Engineer: N. Reeve  
Planner: C. Cove

Date: 3-16-23  
Name: LONGHORN  
Number: 6298-23

Sheet **1** of 1 Sheets

Revised: Jan 31, 2024

Exhibit D

West Warren-Warren Water Improvement District  
1561 S. 7500 W.  
Ogden, UT 84404  
801-259-7614  
westwarrentwtr@gmail.com

October 5, 2023

To Whom it May Concern:

RE: WATER AVAILABILITY LETTER FOR Pat Burns, Long Horn Development (Previously Known as Vaquero Village Phase 2)

This proposed development is located approximately 7100 W and slightly North of 900 S. The West Warren-Warren Water Improvement District (hereafter the District) does have culinary water available for this proposed development.

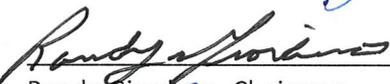
This letter only states that the above-mentioned project is in the boundaries of the District and water may be made available if the conditions previously discussed with Pat Burns are met. The previous conditions include, but are not limited to, the following issues, all secondary water issues must be resolved affecting both this proposed development as well as the first phase of the Vaquero Village development and a secondary water pond must be built to the specifications of the District with the ability to provide a pressurized secondary water system to both phase one and phase two of the development phases.

This letter is the first of two letters that will be issued for this development. When the previously stated issues and any other necessary additional conditions are met, the District will issue the Will-Serve Letter.

Should you have clerical questions or comments, please contact the district clerk. Please direct questions regarding water systems, materials, etc., to (801-791-7368) Randy Giordano, Chairman of the WWWID Board. This letter expires 1 year from the day it is issued.

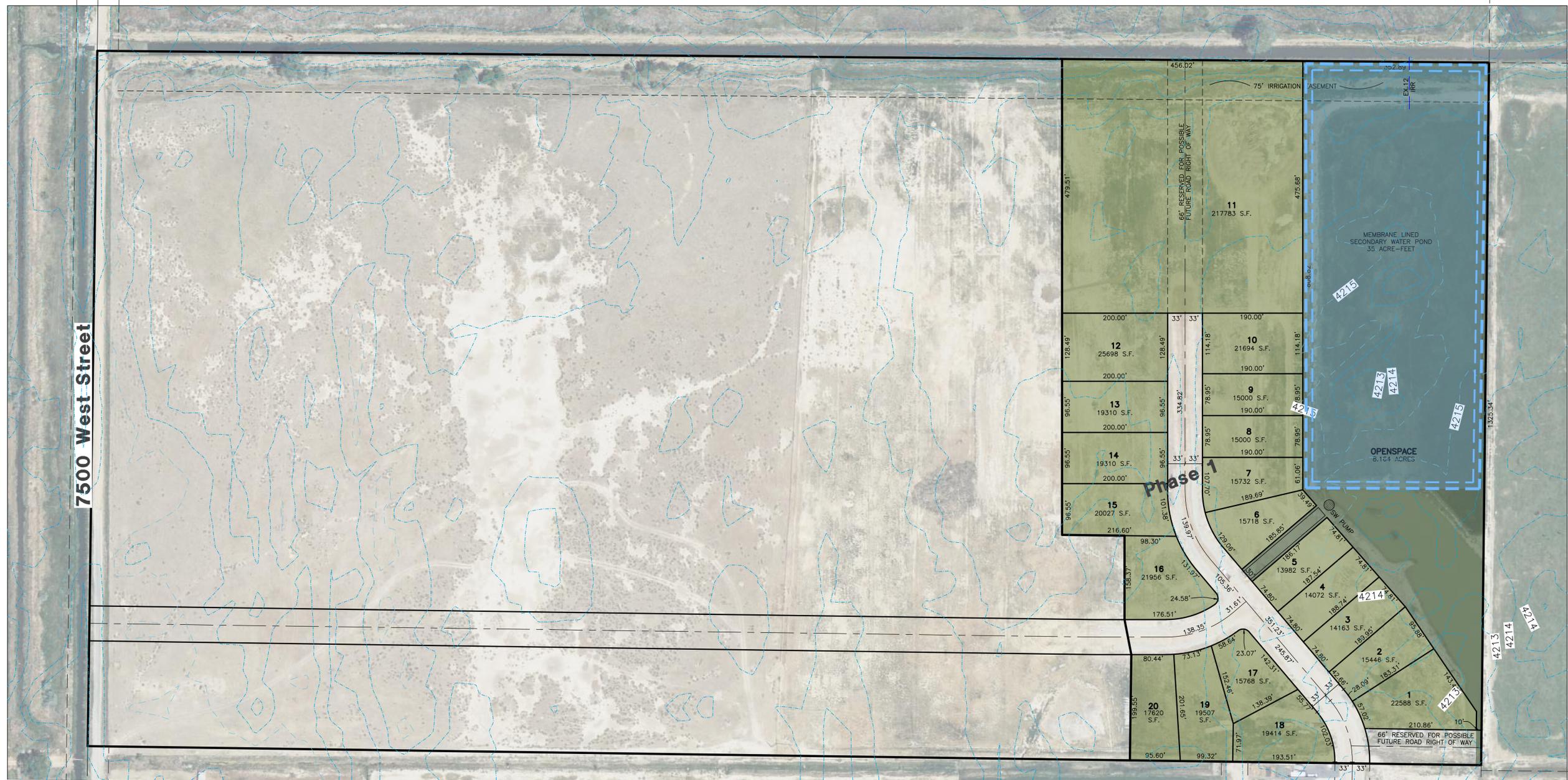
Sincerely,

  
\_\_\_\_\_  
Melissa Murray, Clerk

  
\_\_\_\_\_  
Randy Giordano, Chairman

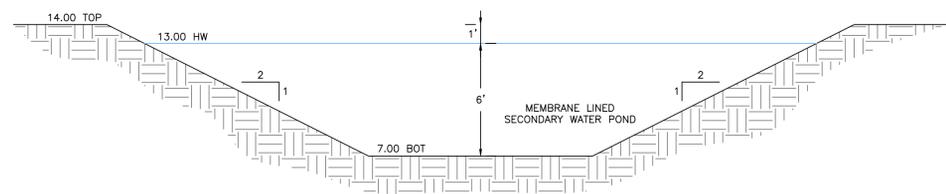
  
\_\_\_\_\_  
Pat Burns, Lync Construction

# Exhibit E



7500 West Street

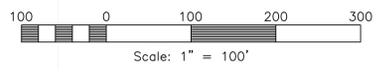
7100 West Street



**Secondary Pond Detail**  
SCALE: NO SCALE



**VICINITY MAP**  
NO SCALE



# Longhorn Estates

Weber County, Utah

**Developer:**  
 Pat Burns  
 Lync Development  
 1407 N Mtn. Rd  
 Ogden, UT. 84404  
 (801) 710-2234

Revised: June 20, 2023

**Reeve & Associates, Inc.**  
 5160 S. 1500 WEST RIVERDALE, UTAH 84405  
 TEL: (801) 621-3100 FAX: (801) 621-2666 WWW: REEVE-ASSOC.COM  
 LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
 TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DESCRIPTION
DATE	

**Longhorn Estates**  
 PART OF THE SE 1/4 OF SECTION 14 T.6N, R.3W, S.LB & M., U.S. SURVEY  
 WEBER COUNTY, UTAH

**Concept Plan**

--

**Project Info.**  
 Engineer: N. Reeve  
 Planner: C. Cove  
 Date: 3-16-23  
 Name: LONGHORN ESTATES  
 Number: 6298-23

Sheet	<b>1</b>
<b>1</b>	Sheets

Exhibit E.2

To whom it may concern:

This letter serves to acknowledge and confirm that Mountain Views Water LLC will take ownership and responsibility for the maintenance and operation of the irrigation pond and system in the Longhorn Estates subdivision located at approximately 640 South 7100 West, Ogden, UT, 84404.

Sincerely,

Name: John Priez

Signature: 

Date: 1-29-24



# LITTLE MOUNTAIN SERVICE AREA DISTRICT (LMSA) WASTEWATER WILL-SERVE LETTER

October 30, 2023  
Weber County Planning Office  
2380 Washington Blvd #240, Ogden Utah 84401

**SUBJECT: Will-Serve Letter (Conditional, pending annexation)**

At the request of Pat Burns, the LMSA board of Directors has reviewed an application for will-serve for the Longhorn Estates subdivision. This project is currently not located in the LMSA sanitary sewer service district, but is currently being evaluated for annexation.

1. LMSA has the capacity to treat the sanitary sewer flow from this subdivision.
2. If any connection is made directly into LMSA's line, the connection must be inspected by LMSA while the work is being done. A minimum of 48-hour notice for inspection shall be given to LMSA prior to any work associated with the connection commencing.
3. LMSA will not take ownership or responsibility for the condition, ownership or maintenance of the proposed lateral sewer lines (gravity or pressure) or on site system that will be installed to serve this subdivision.
4. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. LMSA's Wastewater Control Rules and Regulations state:
5. 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. The entire parcel of property to be served will need to be annexed into the District prior to any connection to the District's line. This annexation must be complete before the sale of any lots in the subdivision.
7. Impact fees will need to be paid to LMSA no later than the issuance of any building permits.

If you have any further questions or need additional information, please let us know.

Best Regards,

A handwritten signature in black ink, appearing to read "Stephanie Russell".

Stephanie Russell  
Little Mountain Service Area, Board Manager

CC: John Price, LMSA Board Chair

## DEVELOPMENT FEE AGREEMENT

This Development Fee and Services (“**Agreement**”) is made and entered into on the date of execution below (“**Contract Date**”), by and between the **WEBER COUNTY SERVICE AREA #6/WEST WARREN PARK DISTRICT**, a political subdivision within the state of Utah (“**District**”), and **LYNC CONSTRUCTION**, a Utah corporation (“**Developer**”). District and Developer are referred to herein as the “**Parties**” and sometimes individually as a “**Party**.”

### RECITALS

- A.** The District owns Parcel No’s. 100440013 100440058, which is located at 7100 West 900 South within the District’s boundaries and within unincorporated Weber County (“**Park Property**”).
- B.** The Developer has applied for a development agreement with Weber County.
- C.** As part of the application process, the Developer has entered into an agreement with West Warren Park District as required by Weber County’s Master Plan.
- D.** The Developer is willing to pay to the District a per-lot fee.
- E.** Developers shall pay to the District \$7,500 (seventy five hundred dollars) for each lot that Weber County approves for development in the Developer’s development agreement (the “**Development Fee**”). Developer is currently seeking approval for 107 lots, and therefore the Development Fee equals \$802,500. If Weber County otherwise approves more or fewer than 107 lots, then the Development Fee shall be adjusted to equal \$7,500 multiplied by the final number of lots approved for residential development. Prior to each development phase construction, West Warren Park requires payment of the full amount due (\$7,500 X total homes in that phase) before the phase begins.

### Article II

#### TERM AND TERMINATION

- A. Term.** The term of this agreement is one year. The term shall begin upon the day of execution.
- B.** The contract between Lync Construction/Marriot Properties Longhorn Subdivision will require a yearly review as well as with each phase by the West Warren Park Board and Pat Burns. The park board has the right to amend the amount with each review.
- C.** If the Developer, sales any piece of the property currently outlined in the attached rezone application, our agreement goes with it.
- D. Termination.** This agreement may be terminated before the term expires upon mutual written and signed consent of both parties. Developers shall pay the District any outstanding Development Fee within 60 days of early termination.

**ARTICLE III**  
MISCELLANEOUS

- A. Indemnification.** Developer shall indemnify and hold harmless District and its agents and employees from and against any and all claims, damages, losses, and costs, whether direct, indirect, or consequential, arising out of or resulting from Developer's negligent acts or omissions related to this agreement. Developer's negligent acts or omissions shall also include negligent acts or omissions by any subDeveloper, any person or organization directly or indirectly employed by Developer or any subDeveloper to perform or furnish any of the In-Lieu Services, or anyone for whose acts any of them may be liable. Developer's obligation to indemnify District is not limited or waived in any way by Developer's insurance coverage limits. Developer will be required to indemnify District to the fullest extent allowed by law, regardless of whether District has sufficient insurance to cover this obligation.
- B. Governing Law.** The provisions of this Agreement shall be governed by and construed in accordance with the laws of the State of Utah.
- C. Severability.** If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the extent permitted by applicable law, unless the invalidation of the term materially alters this Agreement. If the invalidation of the term materially alters the Agreement, then the Parties shall negotiate in good faith to modify the Agreement to match, as closely as possible, the original intent of the Parties.
- D. Whole Agreement.** This Agreement sets forth the entire understanding of the Parties with respect to the subject matter hereof, and all prior negotiations, understandings, representations, inducements, and agreements, whether oral or written and whether made by a party hereto or by anyone acting on behalf of a Party, shall be deemed to be merged in this Agreement and shall be of no further force or effect.
- E. Effect of Non-Enforcement.** The failure of either Party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as subsequently waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

**SIGNATURES**

FOR: **Weber County Service Area #6/West Warren Park District**

\_\_\_\_\_

Joe Giordano, Chair

ATTEST

\_\_\_\_\_

Calene Ingram, Clerk

FOR: \_\_\_\_\_

\_\_\_\_\_

Name/Title: \_\_\_\_\_

**Lleverino, Felix**

---

**From:** Mike Lync <mzurn@lynconstruction.com>  
**Sent:** Friday, January 12, 2024 9:27 AM  
**To:** Ewert, Charles; Lleverino, Felix  
**Cc:** Alexander Owens; Ashley Hampton; Pat Burns  
**Subject:** [EXTERNAL] Fwd: Emergency Access Approval for a Development in Weber County  
**Attachments:** 2023.12.21 Concept Plan.pdf

**CAUTION:** This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Good morning Charlie Felix,

This is regarding Longhorn Estates.

I have attached an email from David Reed (Weber County Fire Marshal) let me know he is good with the emergency access road were we have indicated it as long as it is 26ft wide, can support 75,000 pounds, maintained year round and if we have a legal agreement signed by the Mariotts. We have a verbal from the Mariotts and will be getting you a signed letter.

Please let me know what additional questions you have.

Thank you,

Michael Zurn  
385-205-1318  
Lync Development

Begin forwarded message:

**From:** David Reed <dreed@weberfd.com>  
**Date:** January 11, 2024 at 2:17:59 PM MST  
**To:** Mike Lync <mzurn@lynconstruction.com>, Jared Taylor <jtaylor@weberfd.com>, "Aydelotte, Tamara" <taydelotte@webercountyutah.gov>  
**Cc:** Alex Owens <alex@lynconstruction.com>, Ashley Hampton <ashley@lynconstruction.com>, Pat Burns <pat@lynconstruction.com>  
**Subject:** **Re: Emergency Access Approval for a Development in Weber County**

Mike,

The emergency access will work if it has the legal agreement, is at least 26' wide, and has a drivable surface that can support 75,000 lbs. It will also need to be maintained year-round. The full review will be documented when the project enters Frontier as a subdivision.

Exhibit H

Tamara,

I can't find Charlie's email, so would you please forward this to him?

Thanks!



David Reed  
Deputy Chief  
8017823580 ext.205

---

**From:** Mike Lync <mzurn@lynconstruction.com>  
**Sent:** Wednesday, January 10, 2024 1:11 PM  
**To:** David Reed <dreed@weberfd.com>; Jared Taylor <jtaylor@weberfd.com>  
**Cc:** Alex Owens <alex@lynconstruction.com>; Ashley Hampton <ashley@lynconstruction.com>; Pat Burns <pat@lynconstruction.com>  
**Subject:** Emergency Access Approval for a Development in Weber County

Hello David and Jared,

My name is Michael Zurn and I work with Lync Development. In speaking to the county we need to get signed off from the fire marshal our emergency access for our development. Below is a plat map of the development and outlined in red is the proposed easement.

Our address is roughly 600 S 7100 W, Ogden, Utah 84404.

Can you help direct me on what additional information you need from me to get this approved and signed off?

Thank you and have a great day.

Michael Zurn  
385-205-1318  
Lync Development

## Exhibit I

### Model Motion

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

#### Motion for positive recommendation **as is**

I move we forward a positive recommendation to the County Commission for File #ZMA2023-04, a developer-initiated application to amend the Weber County Zoning Map to rezone a total of 93-acres located at 640 South 7500 West and all of the Vaquero Village Cluster Subdivision Phase 1 from the A-1 and A-2 Zones to the R1-15 Zone. I do so with the following findings:

*Example findings:*

1. *The zoning map amendment are supported by the Western Weber General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
3. *The changes will enhance the general health and welfare of Western Weber residents.*
4. [ \_\_\_\_\_ *add any other desired findings here* \_\_\_\_\_ ].

#### Motion for positive recommendation **with changes**

I move we forward a positive recommendation to the County Commission for File #ZMA2023-04, a developer-initiated application to amend the Weber County Zoning Map to rezone a total of 93-acres located at 640 South 7500 West and all of the Vaquero Village Cluster Subdivision Phase 1 from the A-1 and A-2 Zones to the R1-15 Zone. I do so with the following findings:

1. The development standards, or some variation of these standards, contained within Exhibit A of this memo are included with the final development agreement.
2. The concept plan includes the appropriate ROW widths as indicated by the Future Streets and Transportation Map of the 2022 Western Weber General Plan.
3. The concept plan shall display conformity with the staff-recommended ROW alignments and the planned ROW alignments within the 2022 Western Weber General Plan.
4. That the concept plan includes a pathway parallel to the canal.
5. The number of lots shall not exceed the gross area divided by a 1/3 acre (minimum lot size for a 'Medium-size' lot).
6. The final layout of streets and pathways shall generally conform to the County Commission-approved concept plan and applicable code requirements.
7. All outdoor lighting for residential purposes shall conform to the Weber County Outdoor Lighting Code.

Findings:

1. The proposal implements certain goals and policies of the West Central Weber General Plan.
2. The development is not detrimental to the overall health, safety, and welfare of the community.

#### Motion to table

I move we table action on File #ZMA2023-04, a developer-initiated application to amend the Weber County Zoning Map to rezone total of 93-acres located at 640 South 7500 West and all of the Vaquero Village Cluster Subdivision Phase 1 from the A-1 and A-2 Zones to the R1-15 Zone to [ \_\_\_\_\_ *state a date certain* \_\_\_\_\_ ], so that:

*Examples of reasons to table:*

1. *We have more time to review the proposal.*

2. *Staff can get us more information on secondary, culinary, and sewer services.*
3. *The applicant can get us more information on traffic impacts to 900 South Street.*
4. *More public noticing or outreach has occurred.*
5. [ \_\_\_\_\_ *add any other desired reason here* \_\_\_\_\_ ].

**Motion to recommend denial:**

I move we forward a recommendation for denial to the County Commission for File #ZMA2023-04, a developer-initiated application to amend the Weber County Zoning Map to rezone a total of 93 acres located at 640 South 7500 West and all of the Vaquero Village Cluster Subdivision Phase 1 from the A-1 and A-2 Zones to the R1-15 Zone. I do so with the following findings

*Examples findings for denial:*

1. *The proposal is not adequately supported by the General Plan.*
2. *The appropriate Ability to Server letters are not provided*
3. *The area is not yet ready for the proposed changes to be implemented.*
4. [ \_\_\_\_\_ *add any other desired findings here* \_\_\_\_\_ ].





# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** GPA2024-01 A public hearing on a request to amend the Future Land Use Map of the General Plan to allow for a designation change to the property located at 3300 South and 3900 West.

**Agenda Date:** Tuesday, February 13, 2024

**Applicant:** Doug Hamblin (owner) Jason Hamblin (Representative)

**File Numbers:** GPA 2024-01

**Report Author:** Felix Lleverino  
fleverino@webercountyutah.gov  
(801) 399-8767

### Property Information

**Approximate Address:** 3300 South 3900 West

**Current Zoning:** Agricultural A-2

**Existing Land Use:** Agricultural/Vacant

**Proposed Land Use:** Medium-Large Single Family Dwelling Lots, Townhomes

### Adjacent Land Use

<b>North:</b> Agriculture	<b>South:</b> Agriculture
<b>East:</b> Agriculture	<b>West:</b> Agriculture

### Planned Land Use (General Plan)

<b>North:</b> Medium-Large Residential Lots	<b>South:</b> Medium-Large Residential Lots
<b>East:</b> Mixed use residential	<b>West:</b> Medium-Large Residential Lots

## Applicable Ordinances

- § 101-1-8 – Amendments to Code
- § 102-2-4 – Powers and Duties of the Planning Commission
- § 102-5-2 – Development to be in Conformance to the General Plan

## Legislative Decisions

The decision on these items is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances. Minutes from the Western Weber Planning Commission meeting held on December 13, 2022, are attached herein as Exhibit D. Discussion on this item begins on page 7.

## Summary and Background

This is a developer-driven request to amend the Future Land Use Map of the Western Weber General Plan. The currently adopted map shows that the property is designated as medium to large-lot residential, R1-15 zoning, for the creation of single-family dwellings. The developer requests to amend the Future Land Use Map to expand the area planned for mixed-use residential, thereby allowing for the developer to place multi-family dwellings within the southeast corner of the Navy Meadows development. This request comes after the Navy Meadows rezone was presented before the Planning Commission on January 9<sup>th</sup>, 2024, when the Planning Commission unanimously motioned to table the request to rezone until the developer also included a request to amend the general plan. The planning staff have prepared this report to assist in providing the Planning Commission with map exhibits and analysis related to the general plan amendment request.

## Policy Analysis

The planning staff has performed some additional analysis of existing infrastructure and of the Western Weber General Plan to provide some references in facilitating the creation of townhomes and mixed residential in this area. Please refer to the information below and review the analysis of the applicable General Plan sections.

*General Plan.* As noted above, the West Weber General Plan currently envisions this property to be developed as a medium-large lot single-family residential area with a pedestrian corridor on 3300 South, Hooper Slough, and the Hooper Canal.

### Area Map

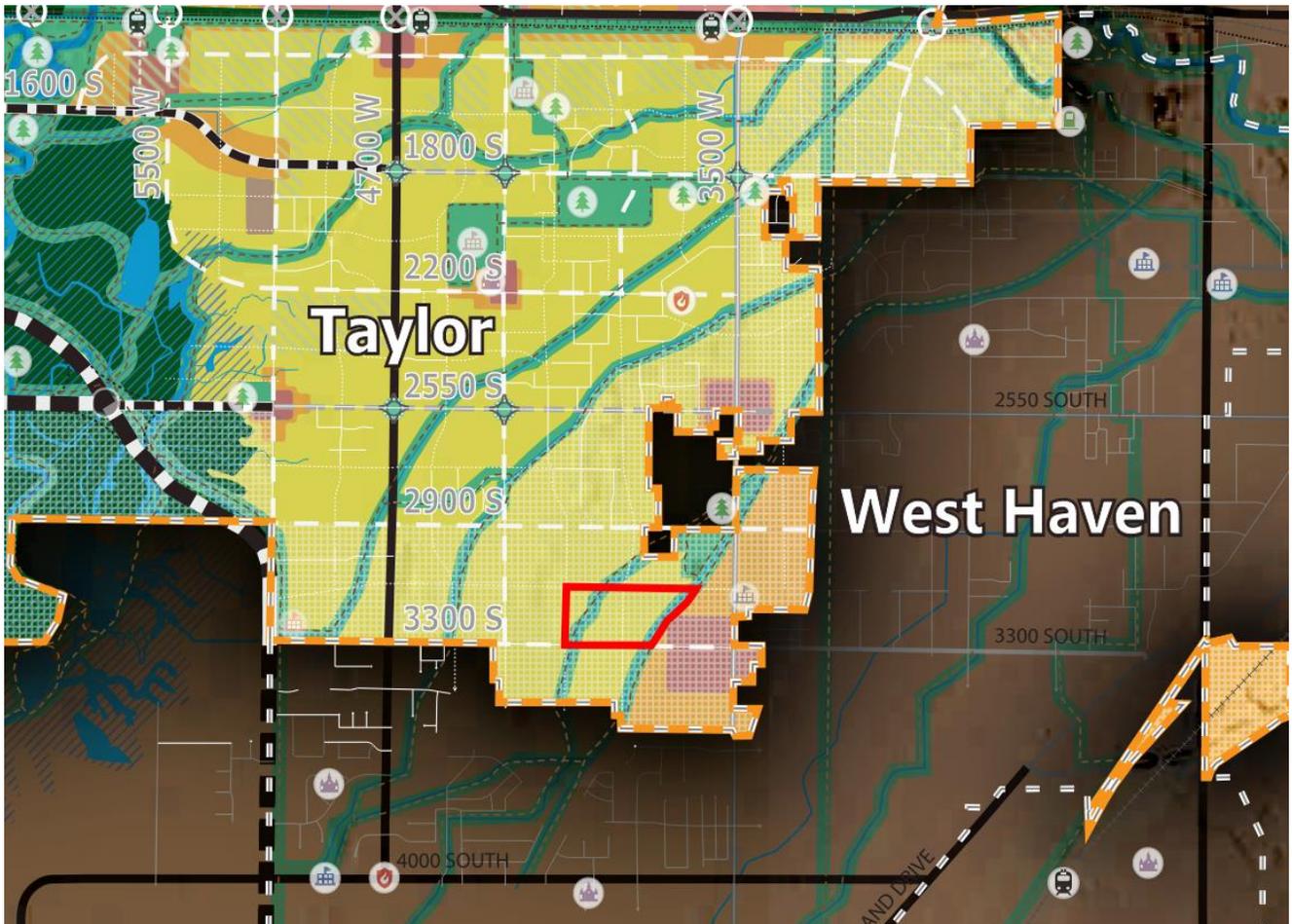


The concept plan is designed for a total of 98 townhouse units which would require at least 5.87 acres in the R-3 zone. The concept plan designates 374,268 square feet or 8.59 acres for R-3 zoning. The remaining area that would be rezoned to R1-15 equates to 64.16 acres which would allow for the potential of 186 single-family dwelling units.

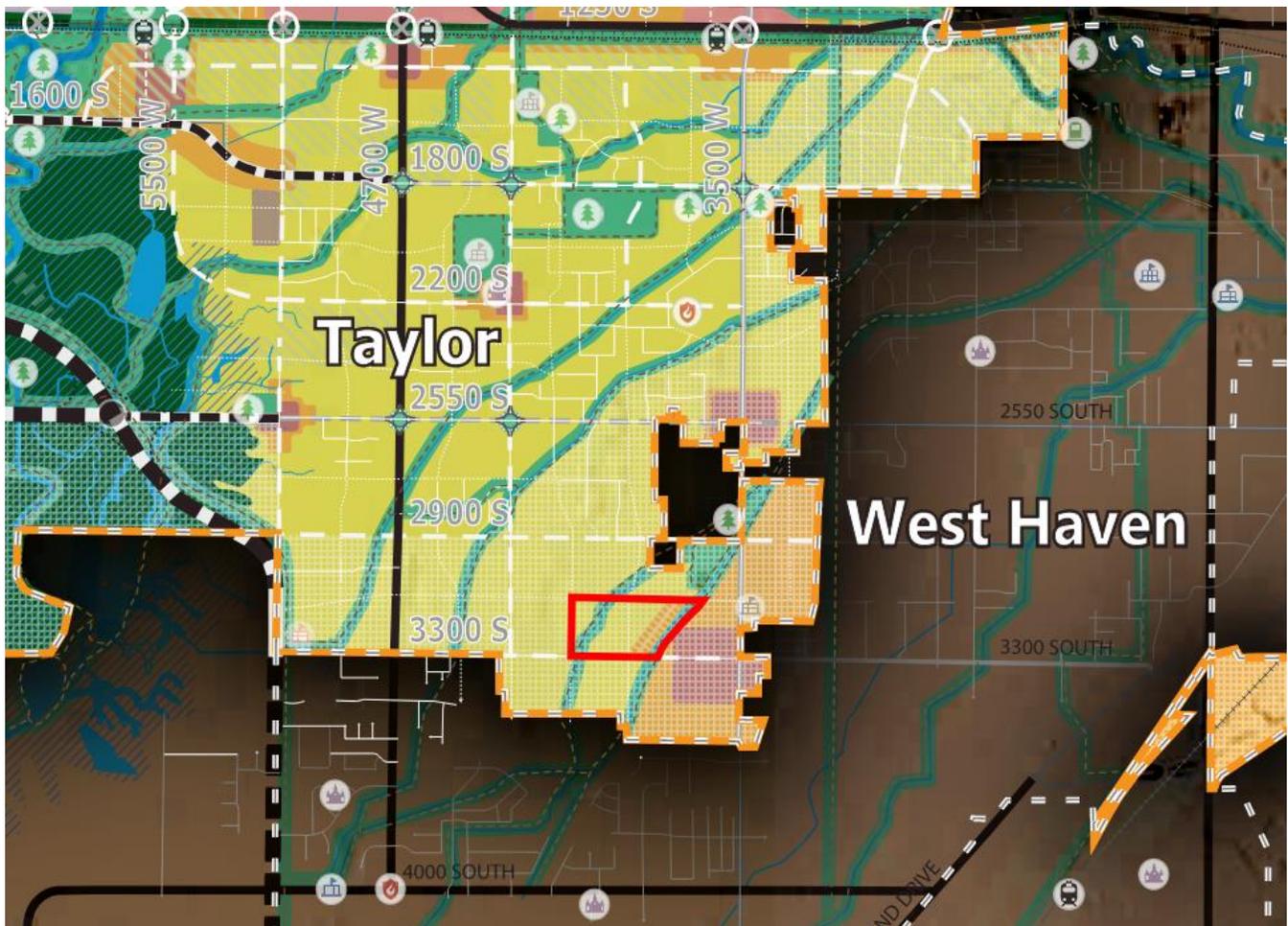
**Concept Plan**



**Future Land Use Map Existing**



## Future Land Use Map Proposed

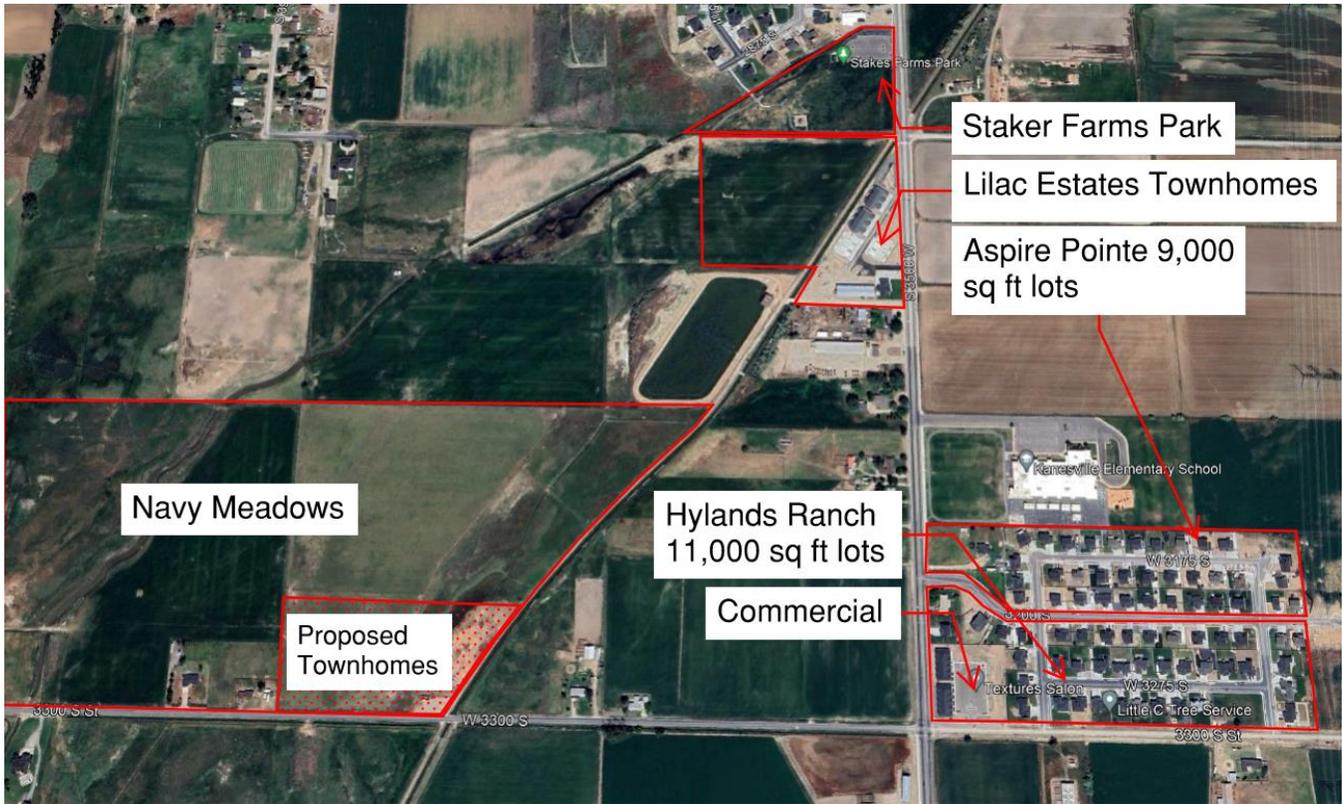


### Planning Staff Analysis

The Western Weber General Plan includes some information about the “Mixed Use Residential and Missing Middle Housing” that would support the creation of townhomes or multi-family dwellings within areas designated on the future land use map. Page 38 expounds upon the need for a variety of housing types for families across a wider spectrum of household incomes. The housing types that are specifically mentioned would fill in the gap between single-family lots and high density apartments.

The expansion of the mixed-use residential zoning surrounding the areas planned for mixed use commercial zoning would mimic what is done in other areas to create a transition between commercial areas and single-family dwelling areas. The proposed future land use map above is used for general reference, the final edited map will be drawn with greater detail to follow the curve of the Hooper slough and reflect the general area within Navy Meadows.

Upon analysis of the uses in the surrounding area, staff would like to provide the planning commissioners with information regarding existing development in the vicinity, the map below points to these areas.



## Goals, Principles, and Actions of the General Plan

### Housing

Page 81 of the General Plan “encourages the development of low-to-moderate-income multiplexes, townhomes, and other missing middle housing types within or near established cities, towns, and walkable village areas in order to balance housing opportunities with the protection of agricultural lands and open spaces...”

### Transportation

Transportation principle 2.1.2 (pg. 102) of the General Plan directs us to collaborate with UDOT to design a main street corridor. The Future Streets and Transit Map indicates that 3300 South Street will become a collector street eventually joining with Hinckley Drive, a major arterial, and ultimately connecting to Interstate 15.

Transportation Principle 3.2 (Pg. 104) supports the creation of corridors that will support and emphasize pedestrian uses. The area planned for R-3 zoning includes a system of pathways within the development that will ultimately connect to and through future developments resulting in a safe route for elementary students who choose to walk along 3300 South Street or the Hooper Slough pathway. Another aspect of this principle is to avoid an automobile-dependent system.

### Parks and Recreation

Action Item 1.1.4 of the General Plan encourages us to pursue opportunities to create nature parks in floodplains in these areas. The Navy Meadows development concept plan includes one roughly 5-acre park, a pathway corridor along the Hooper Slough which aligns well with the planned 200’ pathway corridor depicted on the annexation and land use map of West Haven City, and a pathway corridor along the Hooper Canal. The Western Weber Parks District will own and operate the park spaces and the pathways, which coincides with the Parks and Recreation Principal 1.2. With the donation of land area toward park space, pathways, and natural pathway buffers, action item 1.3.2 places the responsibility for the cost and installation of park improvements on the developer. Further, Pressurized secondary water shares should also be provided by the developer for each neighborhood park. The planning staff will include these types of special requirements in the development agreement to accompany the rezone ordinance.

## Staff Recommendation

Staff recommends that the Planning Commission consider the General Plan Amendment request and offer staff feedback for additional consideration, if any. Alternatively, when/if the Planning Commission is comfortable with the proposal, a positive recommendation should be passed to the County Commission.

## Planning Commission Model Motion

Staff provides to the planning commission the following model motions:

Motion for positive recommendation **as is**:

I move we forward a positive recommendation to the County Commission for File #GPA2024-01, a developer-initiated application to amend the future land use map of the Western Weber General Plan to expand the Mixed residential zone. The development is known as Navy Meadows, located at 4000 West 3300 South. I do so with the following findings:

*Example findings:*

1. *The amendment is supported by the Western Weber General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
3. *The changes will enhance the general health and welfare of Western Weber residents.*
4. [ add any other desired findings here ].

Motion for a positive recommendation **with changes**:

Forward a positive recommendation to the County Commission. Before consideration by the County Commission, the owner will voluntarily enter into a development agreement with the County; that development agreement will include provisions listed below:

1. The developer communicate with the Weber County Housing Authority to find acceptable means of contributions that would further the goals, principals, and actions of the Moderate Income Housing plan.

This recommendation comes with the following findings:

1. The proposal implements certain goals and policies of the West Central Weber General Plan.
2. The development is not detrimental to the overall health, safety, and welfare of the community.

**Motion to table:**

I move we table action on File #GPA2024-01, a developer-initiated application to amend the future land use map of the Western Weber General Plan to expand the Mixed Residential Zone. The development is known as Navy Meadows, located at 4000 West 3300 South to [ state a date certain ], so that:

*Examples of reasons to table:*

1. *We have more time to review the proposal.*
2. *Staff can get us more information to support this general plan amendment.*
3. *The applicant can get us more information on traffic impacts to 900 South Street.*
4. *More public noticing or outreach has occurred.*
5. [ add any other desired reason here ].

**Motion to recommend denial:**

I move we forward a recommendation for denial to the County Commission for File #GPA2024-01, a developer-initiated application to amend the future land use map of the Western Weber General Plan to expand the Mixed residential zone. The development is known as Navy Meadows, located at 4000 West 3300 South, with the following conditions. I do so with the following findings:

*Examples findings for denial:*

1. *The proposal is not adequately supported by the General Plan.*
2. *The area is not yet ready for the proposed changes to be implemented.*
4. [ add any other desired findings here ].



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### APPLICATION INFORMATION

**Application Request:** ZMA 2023-08 A public hearing for consideration on a request to rezone a 72.75-acre property from A-2 to R1-15, and R-3. The development is known as Navy Meadows, located at 4000 West 3300 South.

**Agenda Date:** Tuesday, February 13th, 2024

**Applicant:** Doug Hamblin

### PROPERTY INFORMATION

**Approximate Address:** 4000 W 3300 S, Ogden, UT, 84401

**Zoning:** The area to be rezoned is currently A-2

**Proposed Land Use:** Residential, R1-15 and Residential R-3

### ADJACENT LAND USE

<b>North:</b> Agriculture	<b>South:</b> Residential
<b>East:</b> Agriculture	<b>West:</b> Residential/Agricultural

### STAFF INFORMATION

**Report Presenter:** Felix Lleverino  
flleverino@webercountyutah.gov  
801-399-8767

**Report Reviewer:** CE

## Applicable Ordinances

§ 102-5: Rezoning Procedures

§ 104-2: Agricultural Zones (A-2), 104-12: Residential Estates Zones (R1-15)

## Legislative Decisions

This is a legislative matter. When the Planning Commission is acting on a legislative matter, it is acting to make a recommendation to the Board of County Commissioners. There is wide discretion in making legislative decisions. Criteria for recommendations on a legislative matter suggest compatibility with the general plan, existing ordinances, and best practices. Examples of legislative actions are general plan, zoning map, and land use code amendments.

## Development History

This request was presented before the Planning Commission on December 12th 2023 as a work session item. In that meeting, the planning commission discussed roadway alignments and park space.

On January 9<sup>th</sup>, 2024 this proposal was heard by the Planning Commission in a public hearing. It was unanimously agreed to table the request until the developer applies for a General Plan Amendment to amend the Future Land Use Map.

## Summary

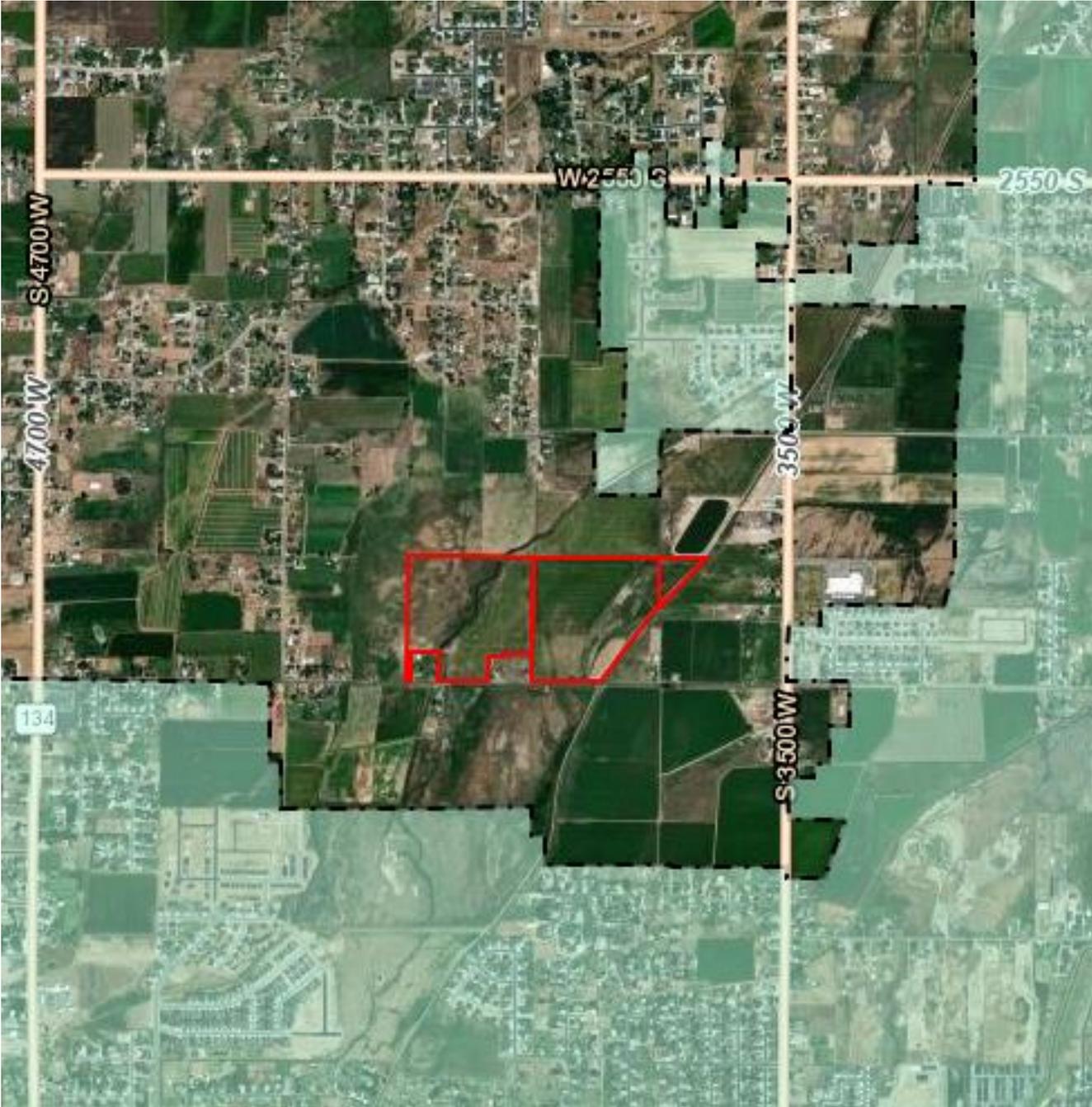
On November 15<sup>th</sup> 2023 the Weber County Planning Division and Weber County Engineering held a road and pathway connectivity discussion of the Navy Meadows site, it was agreed that several amendments to the concept plan should be made to better conform to the West Central Weber General plan and section 106-2-4.030, which directly pertains to subdivision design for connectivity.

The applicant, Mr. Doug Hamblin, requests that the West Weber Planning Commission forward a positive recommendation of this rezone from the Agricultural A-2 zone to the Residential R1-15 zone and the Residential R-3 zone. The entire project area amounts to 72.75 acres.

To give the Planning Commission an understanding of the potential number of units, the planning staff has prepared the following paragraph describing the calculations used for determining the residential development potential.

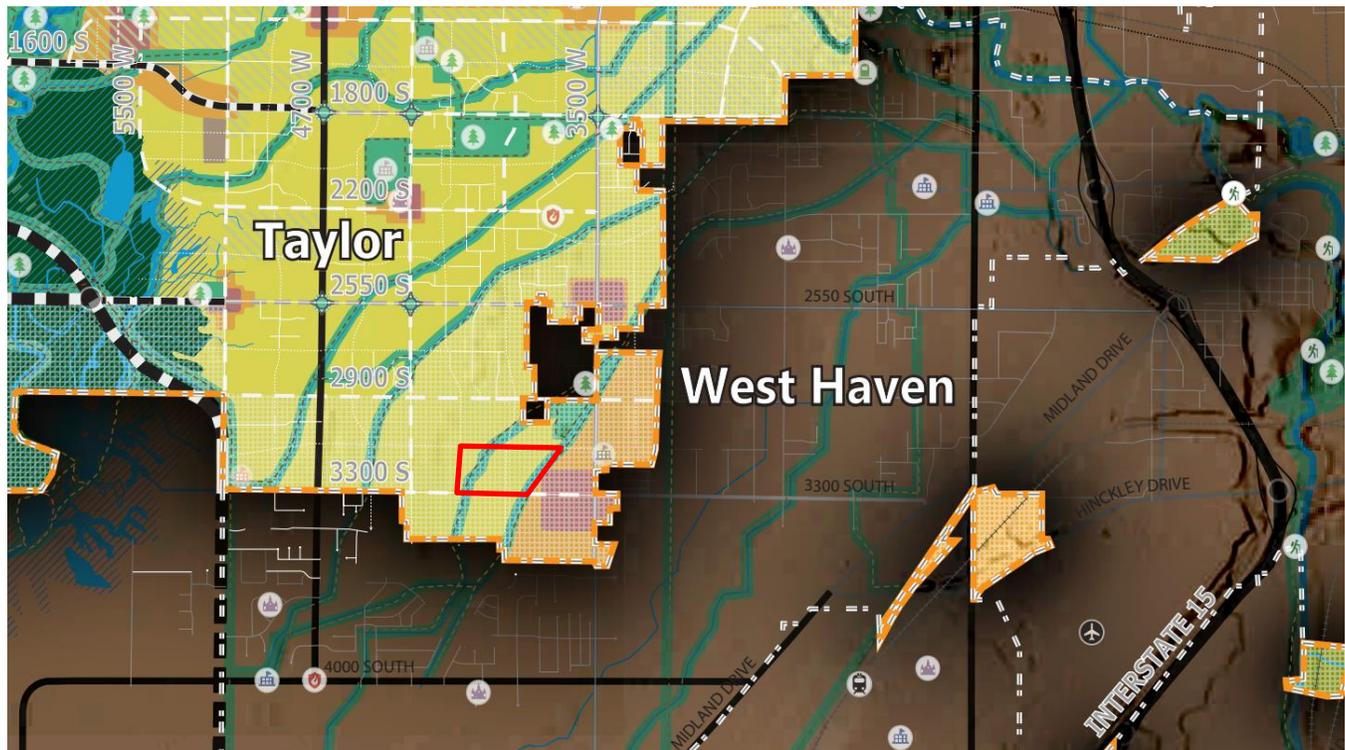
The concept plan is requesting approval for a total of 98 townhouse units which would require at least 5.87 acres. The concept plan designates 374,268 square feet or 8.59 acres for R-3 zoning. The remaining area that would be rezoned to R1-15 equates to 64.16 acres which would allow for the potential of 186 dwelling units.

**Area Map**





## Future Land Use Map 2022 Western Weber General Plan



### Western Weber County General Plan

Section 102-5-2 of the Weber County Code suggests that a rezone should comply with the applicable general plan. The general plan that applies to the subject property is the Western Weber General Plan (2022).

The General Plan's Future Land Use Map shows that this location is part of the West Haven City Annexation plan while also planned for medium-density residential development. For the developer to create multi-family housing in the form of townhouses, the Planning Commission may consider designating the southeast corner of the property as R-3 zoning after considering the proximity of neighboring mixed-use commercial and mixed-use residential development planned to the east. Pages 52 and 56 of the general plan guide the allowance of medium-sized residential lots and multi-family housing:

*"In areas planned for medium-large sized lots, the County should consider rezoning the property to allow 15,000 square-foot lots."*

Generally, this coincides with the R1-15 zone. A rezone of this nature should only be allowed if smart-growth implementation strategies are volunteered by the developer, as provided in Land Use Principle 1.2. Proposed roadway layouts should provide for good network connectivity, and limit dead-end/cul-de-sac streets (2022, pg. 86). Street and pathway networks should be proposed to connect neighborhoods and adjacent land uses (2022, pg. 100, Transportation Principle 6.2). With the inclusion of the staff-recommended pathway and street connections, this development will be able to meet the needs of the local users while aligning with the intentions of the general plan.

*"Townhomes, connected patio homes, du, tri, and quad plexes, and similar housing styles may provide a more palatable option for families who cannot afford a single-family residence, but do not want the lifestyle of a higher density apartment complex."*

The townhouse is a great option for young couples and first-home buyers who are looking for more affordable housing options. The creation of townhouses in this location will provide for a better mix of housing options while creating an incentive for the developer to afford the park spaces with park amenities.

## **Zoning**

The R1-15 zone would be considered a 'medium-density' zone, with a minimum lot area of 15,000 square feet, and a minimum lot width requirement of 100 feet. However, with a development agreement, and the standards in the R1-15 zoning ordinance, the actual area standards may be averaged across all lots within the development. The table below is included to help make a comparison between the existing A-1 zone and the R1-15 zone code:

The R-3 zone would accommodate Single-family Dwellings and Multi-family dwellings. It would also serve as a transition from medium and low-density zoning, found within the A-1, RE-15, and R1-15 zones, to more intensive mixed-use residential and mixed-use commercial.

### **Site Development Standards**

<b>Zone</b>	<b>A-1</b>	<b>R1-15</b>	<b>R-3</b>
<b>Area</b>	<b>40,000</b>	<b>15,000</b>	<b>8,000</b>
<b>Width</b>	<b>150</b>	<b>100</b>	<b>50</b>
<b>Front</b>	<b>30</b>	<b>30</b>	<b>15</b>
<b>Side</b>	<b>10,14</b>	<b>10, 14</b>	<b>8</b>
<b>Rear</b>	<b>30</b>	<b>30</b>	<b>20</b>
<b>Max height</b>	<b>35</b>	<b>35</b>	<b>35</b>

Unique standards that apply to the Navy Meadows development can be found in the development agreement. There are several standards related to pathways, right-of-way improvements, and Parks District contributions that will help ensure fulfillment. The following standards about site development, or some slight variation of them, shall be included in the recorded development agreement:

- In a subdivision, the actual allowed minimum lot area may be reduced to no less than 6,000 square feet in the R1-15 zone and 8,000 square feet in the R-3 zone for a multi-family building if in compliance with the following:
- The total number of lots allowed in the subdivision shall be no greater than the gross developable area divided by the minimum Lot area specified in the R1-15 zone and the R-3 zone.
- Each lot adjacent to a lot in another subdivision, including across a street, shall be no smaller than 80 percent of the minimum lot area of 15000 square feet. The area proposed for the R-3 zone is adjacent to vacant land and will not be subject to this requirement.

### **Smart-Growth Principles**

The following are smart growth principles and how the developer is proposing to meet these goals as a requirement of their rezoning request.

#### ***Public Roads and Trails (Street Connectivity and Pathway & Trail Connectivity)***

Mr. Hamblin has created a concept plan that shows a mix of residential street widths throughout Navy Meadows that are designed as minor neighborhood collector streets of 50'-60' wide, major neighborhood streets that are 66', and minor collector streets that are 80'. The Minor Neighborhood Collector Streets from the Future Streets and Transit Map indicate that 50' to 60' ROW is sufficient for two-way travel with enough space for street parking and a sidewalk on both sides. These neighborhood streets can be designed in a manner that provides for slow speeds with many residential driveway accesses, and local pedestrian use. The Major Neighborhood Streets are designed to extend through local residential areas while providing multimodal connectivity. The Navy Meadows plan facilitates connections northward and westward for further residential adjacent development. The planning staff review of the concept plan includes the creation of a 10' pathway surrounding the 4.82 acre park with connections to adjacent pathways and a mid-block pathway connection northward.

### **Parks and Recreation (Open Space and Recreation Facilities)**

The vision written in the Western Weber General includes public parks that are connected by pathways, where residents and visitors can participate in recreational activities improving the life and well-being of families. The Staker Farms Park to the north includes a pathway along the Hooper Slough with a 100' open space corridor on both sides of the slough which will eventually align with the Navy Meadows pathway.

The Taylor West Weber Park District will be the owner of the park and two parkways within the Navy Meadows development. Discussions with the Parks District indicate that the typical amount of water shares needed is one share per acre, and it is preferable by the District that the developer remove a couple of lots from the east side of the park to accommodate a parking lot. The developer and the District will organize further negotiations for park amenities such as trees, benches, parking areas, restrooms, a playground, and a pavilion. The Planning Division will write into the development agreement that the developer include the sufficient amount of water shares with the voluntary donation and other mutually agreed upon park amenities.

### **Culinary and Secondary Water Conservation Planning**

Water-wise landscaping is regulated by a recently adopted code that will apply to all new development. Section 108-7-12 states that no more than 35 percent of the front and side yard or 3,000 square feet of the lot may be irrigated turfgrass, the turf grass within a landscaped area is capped at 15 percent within multi-family developments, and irrigated land areas less than eight feet in width may not be planted with turfgrass.

### **Dark Sky**

Outdoor lighting standards found in Chapter 108-16 apply to all new developments in the unincorporated western weber area. Community Character Action Item number 3.1.1. states that all new lighting is downward-directed away from the sky.

### **Emissions and Air Quality**

With the addition of interconnected pathways and streets residents will have more options to efficiently access their community rather than complete reliance on a vehicle.

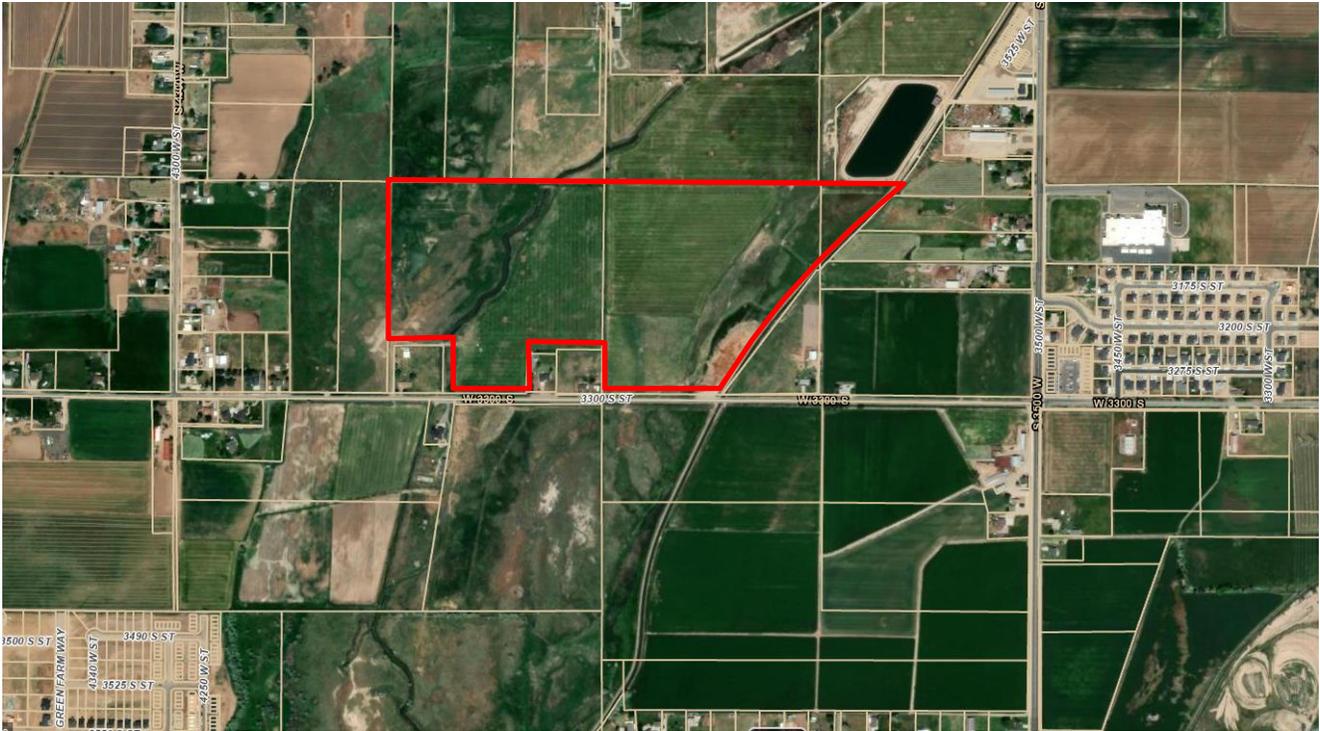
### **Renewable Energy**

The developer has not specifically addressed this item, however, the Planning Commission may require added measures, and make recommendations that are proportionate to what the developer is asking for.

## **County Rezoning Procedure (b)**

- b. *Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*

Existing development eastward is largely compatible with the Navy Meadows Proposal and other vacant parcels can be anticipated to develop similarly. Property to the north and west can become medium-large size residential, according to the general plan. Surrounding landowners have the option to convert the land to residential uses, doing so will create opportunities to create a more cohesive built environment along major transportation corridors.



As you can see, residential uses are intermingled with agricultural uses of the surrounding land. Several residential subdivisions to the south and east have a mix of lot sizes from 1,075 square feet to one acre.

### **County Rezoning Procedure (c)**

*c. The extent to which the proposed amendment may adversely affect adjacent property.*

Agricultural land throughout Western Weber that is actively producing a seasonal crop carries with it impacts that affect the natural landscape and create numerous nuisances such as noise, dust, light pollution and others. New residents who choose to live in an area that remains largely agricultural must understand that the sites and smell of agriculture contribute to the rural feel of Western Weber, making it a unique place for the enjoyment of all walks of life. It remains undeniable that the addition of over two hundred dwelling units will result in more traffic and more people, which in-turn will place an increased load on utilities, facilities, and services. However, with the extension of sewer services, the implementation of water conservation measures, and the enforcement of county codes intended to implement smart growth principles, the impacts will be lessened.

### **County Rezoning Procedure (d)**

*d. Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*

The County regards the Hooper Slough as an important local place-making ecological feature of Western Weber. The Hooper Slough pathway with its natural buffer of trees and grasses has the potential to become an invaluable public amenity. It is for this reason that the General Plan identifies this area for preservation. A rezone of this land and subsequent development of this land will not degrade areas designated by the General Plan. The image below is taken from the Utah Geological Survey Wetlands Mapper and indicates the presence of what is classified as a Freshwater Emergent Wetland. The County Code contains standards for the identification, preservation, and replacement of these wetlands. A discussion with the County Engineering Department indicates that this feature should first be investigated by the Army Corp of Engineers. If they are found to be wetlands, the County will enforce mitigation and replacement measures.



## **County Rezoning Procedure (e)**

- e. *Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

The Navy Meadows Development will undoubtedly increase the traffic demands on roads and intersections, particularly at the intersections of 3300 South. The General Plan's Future Streets Map shows 3300 South becoming 80' wide minor collector street which will facilitate 3300 South becoming a three-lane road with curb, gutter, and a ten-foot pathway on the north side of the street. These improvements to 3300 South will be made to the entire length of the development. 3300 South Street is included as part of the Wasatch Front Regional Council's Regional Transportation Plan as being re-aligned to connect to Hinckley Drive which will provide direct access to Interstate I-15.

## **County Rezoning Procedure (f)**

- f. *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, wastewater, and refuse collection.*

Residential development in western weber will take place in tandem with the expansion of facilities and services. The Navy Meadows Development is under consideration because of the proximity to, and location within, utility services that will be extended to serve this residential development. Culinary and secondary water infrastructure connections exist within proximity to this proposal, for which, the district has provided an Ability to Serve letter. The Central Weber Sewer District will require annexation into the district. The total number of units has increased since the initial application submittal which has led to a discrepancy between the total number of units shown on the concept plan and the total number of units stated in the ability to serve letters. Before this is presented before the County Commission, the staff will require updated letters.

## **Staff Recommendation**

Staff recommends that the Planning Commission consider the rezone request and offer staff feedback for additional consideration, if any. Alternatively, when/if the Planning Commission is comfortable with the proposal, a positive recommendation should be passed to the County Commission.

## **Planning Commission Model Motion**

Staff provides to the planning commission the following model motions:

Motion for positive recommendation **as is**:

I move we forward a positive recommendation to the County Commission for File #ZMA2023-08, a developer-initiated application to rezone a 72.75-acre property from A-2 to R1-15, and R-3. The development is known as Navy Meadows, located at 4000 West 3300 South. I do so with the following findings:

*Example findings:*

1. *The zoning map amendment are supported by the Western Weber General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
3. *The changes will enhance the general health and welfare of Western Weber residents.*
4. [ add any other desired findings here ].

Motion for a positive recommendation **with changes**:

Forward a positive recommendation to the County Commission. Before consideration by the County Commission, the owner will voluntarily enter into a development agreement with the County; that development agreement will include provisions listed below:

1. That the concept plan includes the appropriate width of right-of-way for all planned streets within the development to conform with the latest version of the general plan.
2. The streets and pathways are designed to comply with the Section 106-2-4.030 Connectivity-Incentivized Subdivision code.

3. Coordinating with the Parks District, the concept plan includes the creation of a 10' pathway surrounding the 4.82 acre park with connections to adjacent pathways and a mid-block pathway connection northward.
4. Coordinating with the Parks District, the developer includes sufficient water shares for the park spaces.
5. The Pathways include shade trees, plantings and benches placed at distances recommended by the Parks District.
6. The final layout of streets and infrastructure shall conform to the County Commission-approved concept plan.
7. The streets shall be lined with trees, spaced at a distance so that, at maturity, their canopies touch. The trees shall be of a species that are deep-rooting and have a high likelihood of survival, given the unique characteristics of the soils.

This recommendation comes with the following findings:

1. The proposal implements certain goals and policies of the West Central Weber General Plan.
2. The development is not detrimental to the overall health, safety, and welfare of the community.

**Motion to table:**

I move we table action on File #ZMA2023-08, a developer-initiated application to rezone a 72.75-acre property from A-2 to R1-15, and R-3. The development is known as Navy Meadows, located at 4000 West 3300 South to [ state a date certain ], so that:

*Examples of reasons to table:*

1. *We have more time to review the proposal.*
2. *Staff can get us more information on secondary, culinary, and sewer services.*
3. *The applicant can get us more information on traffic impacts to 900 South Street.*
4. *More public noticing or outreach has occurred.*
5. [ add any other desired reason here ].

**Motion to recommend denial:**

I move we forward a recommendation for denial to the County Commission for File #ZMA2023-08, a developer-initiated application to rezone a 72.75-acre property from A-2 to R1-15, and R-3. The development is known as Navy Meadows, located at 4000 West 3300 South, with the following conditions. I do so with the following findings:

*Examples findings for denial:*

1. *The proposal is not adequately supported by the General Plan.*
2. *The appropriate Ability to Server letters are not provided*
3. *The area is not yet ready for the proposed changes to be implemented.*
4. [ add any other desired findings here ].

# Exhibits

## Exhibit A: Concept Plan & Narrative.



# **Hamblin Investments**

Weber County Planning  
2380 Washington Blvd., Suite 240  
Ogden, Utah 84401

**Re: Navy Meadows- Recreational Facilities Plan**

To whom it may Concern,

With the passing of the new Master Plan of Western Weber County, we are requesting Navy Meadows be zoned to R-1-15 Zoning. We have met with the Planning Department Staff and have provided the requested roadway and pathway connections. The Development is in accordance with the General Plan. It provides a mix of lot sizes needed to create a livable community.

We met with the Western Weber Parks District on September 26, 2023 to show them our plans for a large community park, several natural parkways and a walking trail that runs throughout the subdivision. We plan on donating this property to Weber County to ensure its use as open space for future residents within and around the community. The Western Weber Parks District is excited to receive this property to meet future demands of the residents of West Weber County.

There will be a large community park within the center of the subdivision that is 2.74 acres. There will be a large natural parkway which incorporates a walking trail that runs through it which is 4.98 acres on the western side of the subdivision. There will also be a smaller natural parkway that will incorporate a walking trail that runs through it which is 2.28 acres on the eastern side of the subdivision.

The proposed development will incorporate the Smart Growth Principals of the Master Plan. We look forward to working with the Weber County staff; Planning Commission and County Commission on creating a well thought out and planned community.

Please contact us with any questions or concerns.

Sincerely,

Hamblin Investments  
Jason Hamblin  
Phone: 801-726-5886 / Email: [jasonhamblin34@gmail.com](mailto:jasonhamblin34@gmail.com)

Doug Hamblin  
Phone: 801-725-3782 / Email: [db\\_hamblin@msn.com](mailto:db_hamblin@msn.com)

Exhibit B: Ability to serve letters



2815 WEST 3300 SOUTH  
WEST HAVEN, UTAH 84401  
801-731-1668

Weber County Planning Commission  
2380 Washington Boulevard  
Ogden, Utah 84401

~~5/24/2023~~  
1/5/24 RR

To Whom It May Concern:

This is to inform you that Taylor West Weber Water District (the "District") has the **Ability to serve** the District has the capacity to provide **only** culinary water for the Navy subdivision consisting of ~~24~~ <sup>RR</sup> ~~245~~ <sup>245</sup> eru's and possibly connections for facilities at the parks. By means of a 10" water line on 3300 S. The property is located near 3300 S. 3700 W. Taylor UT. This is simply an ability to serve letter.

Requirements:

Requirements will be issued pending Board approval and a preliminary will serve letter will be issued.

Taylor West Weber Water reserves the right to make or modify the level of service based on the engineering review or other circumstances that may arise before subdivision approval is issued.

**FINAL APPROVAL AND SUBDIVISION APPROVAL MUST NOT BE ISSUED UNTIL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER.**

Expires 11/24/~~2023~~  
2024  
RR

Sincerely,

Ryan Rogers – Manager

Taylor West Weber Water District

changes made by Ryan Rogers  
1/5/24 RR



Hooper Irrigation Co.

PO Box 184	Phone: (801)985-8429
5375 S 5500 W	Fax: (801)985-3556
Hooper, Utah 84315	<a href="mailto:hooperirrigationco@msn.com">hooperirrigationco@msn.com</a>

June 14, 2023

Weber County Planning Commission  
2380 Washington Blvd, #240  
Ogden, Utah 84401

RE: PRELIMINARY WILL SERVE LETTER – Navy Meadows

The Navy Meadows Subdivision is located at approximately 3300 South and 4300 West. The subdivision is in the boundaries of the Hooper Irrigation Company service area. A formal application has been made to our office and an escrow for application has been paid.

The subdivision plat plan has been reviewed by Hooper Irrigation. The preliminary plans have been conditionally approved for the above subdivision phase. The plans are still preliminary and there will be items confirmed prior to final approval of the plans, specifically piping of private ditches and considerations for the Hooper Irrigation Canal which traverses within the boundaries of the proposed subdivision. There are sufficient shares affiliated with the property to connect to the secondary pressurized system for the building lots and the shares are in good standing.

This development alone is in consideration and guaranteed service and the plan review are good only for a period of one year from the date of this letter, if not constructed. A final will serve letter will follow this letter after all plans have received final approval, fees have been paid, and water shares have been turned in to Hooper Irrigation.

Hooper Irrigation's specifications are available at the Company office.

If you have questions, please call 801-985-8429.

Sincerely,

Michelle Pinkston  
Office Manager  
Board Secretary



## Central Weber Sewer Improvement District

May 25, 2023

Felix Lleverino  
Weber County Planning Commission  
2380 Washington Blvd #240, Ogden, UT 84401

SUBJECT: Navy Meadows  
Sanitary Sewer Service  
Will Serve Letter

Felix:

At the request of Jason Hamblin, for Hamblin investments proposed 211 residential residences, located approximately 3300 S. 3500-4300 W Weber County. This property has previously been annexed into the district. We offer the following comments regarding Central Weber providing sanitary sewer service.

1. At this time, Central Weber has the capacity to treat the sanitary sewer flow from this subdivision. The Inasmuch as system demand continuously changes with growth, this assessment is valid for three (3) years from the date issued on this letter.
2. If any connection is made directly into Central Weber's line the connection must be inspected by Central Weber while the work is being done. A minimum of 48-hour notice for inspection shall be given to Central Weber prior to any work associated with the connection.
3. Central Weber will not take ownership or responsibility for the condition, ownership or maintenance of the proposed sanitary sewer lines (gravity or pressure) or system that will be installed to serve this subdivision.
4. 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.*

5. The entire parcel of property to be served will need to be annexed into the district prior to any connection to the district's line. This annexation must be complete before the sale of any lots in



## Central Weber Sewer Improvement District

the subdivision.

6. Impact fees will need to be paid to Central Weber Sewer Improvement District no later than the issuance of any building permits. Annexation Book 86 page 6.

If you have any further questions or need additional information, please let us know.

Sincerely,

Clayton Marriott

Digitally signed by Clayton Marriott  
DN: C=US,  
E=Claym@centralweber.com,  
O="CENTRAL WEBER SEWER",  
OU="CENTRAL WEBER SEWER",  
CN=Clayton Marriott  
Reason: I am the author of this  
document  
Date: 2023.05.25 14:35:41-0600

Clay Marriott

Project Manager

CC: Kevin Hall, Central Weber Sewer  
Paige Spencer  
Jason Hamblin



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** GPA2024-02 A public hearing on a request to amend the Future Land Use Map of the General Plan to change the land use designation from Open Space to Medium-Large Residential and Mixed Residential at approximately 3679 West 1800 South.

**Agenda Date:** Tuesday, February 13, 2024

**Applicant:** Wade Rumsey

**File Numbers:** GPA 2024-02

**Report Author:** Charlie Ewert  
cewert@webercountyutah.gov  
(801) 399-8763

### Property Information

**Approximate Address:** 3679 West 1800 South

**Current Land Use Designation:** Open Space

**Proposed Land Use Designation:** Medium-Large Single Family Dwelling Lots, and Mixed Residential

### Adjacent Land Use Designations (on current Future Land Use Map)

<b>North:</b> Medium-Large Single Family Dwelling Lots	<b>South:</b> Medium-Large Single Family Dwelling
<b>East:</b> Medium-Large Single Family Dwelling Lots	<b>West:</b> Medium-Large Single Family Dwelling

## Applicable Ordinances

- § 101-1-8 – Amendments to Code
- § 102-2-4 – Powers and Duties of the Planning Commission
- § 102-5-2 – Development to be in Conformance to the General Plan

## Legislative Decisions

The decision on these items is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

## Summary and Background

This is a developer-driven request to amend the Future Land Use Map of the Western Weber General Plan at approximately 3679 West 1800 South. The currently adopted map shows that the property is designated for open space. At the time of the creation of the future land use map in the general plan, this designation was based on this property being preserved as permanent open space as a part of the Winston Park cluster subdivision.

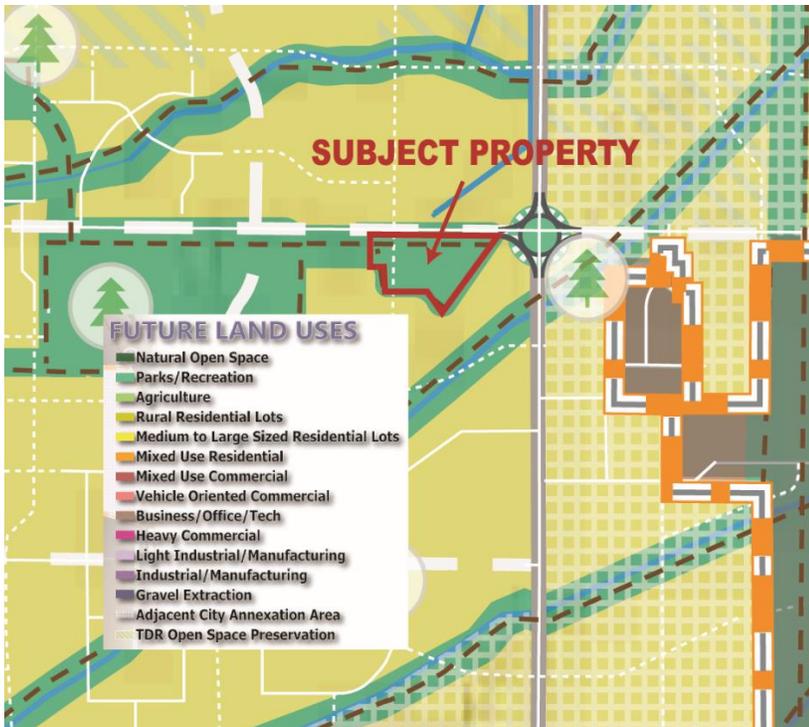
The applicant is currently pursuing a rezone of the property, and is interested in the future land use map reflecting the requested rezone. To compensate for the loss in open space designation, the applicant is proposing to pay \$2,000 per lot, including the lots already platted in the existing Winston Park Subdivision. We have a letter from the Taylor West Weber Park District that indicates that they would like \$5,000 per lot, but this request is based only on potential new lots, and not on both new lots and pre-existing lots. \$2,000 per lot for both pre-existing and new lots will net the park district more than originally requested.

The applicant initially desired medium-to-large lot residential designation for the subject property. After discussion in work session with the planning commission, the applicant is willing to provide for some townhome development as well. If desired by the planning commission, the future land use map should be updated to provide for both.

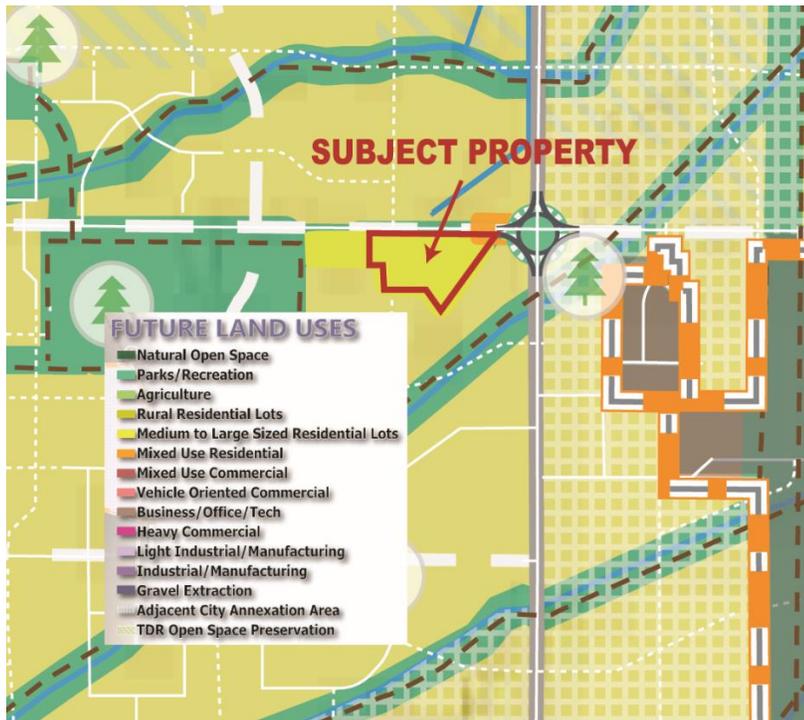
Staff is recommending approval of the future land use map amendment. Additional information regarding the applicant’s proposal can be reviewed in the Winston Park Rezone staff report.



**Future Land Use Map (Existing)**



**Future Land Use Map (Proposed)**



**Planning Staff Analysis**

The Western Weber General Plan includes information about the “Mixed Use Residential and Missing Middle Housing” that would support the creation of townhomes or multi-family dwellings within areas designated on the future land use map. Page 38 of the plan provides for the need for a variety of housing types for families across a wider spectrum of household incomes.

Given that the future land use map was given the open space designation as a result of the Winston Park cluster subdivision's open space area, the planning commission may find that reasoning irrelevant if the property is to be rezoned for residential uses.

The change will result in the loss of open space designated on the map. However, the planning commission may determine that the applicant is compensating for the loss with the donation to the parks district. The donation may be used by the district as they deem fit, but should be viewed by the planning commission as the applicant's method of helping relocate the open space to a more appropriate location, as determined by the park district.

Changes to the general plan should not conflict with the primary vision of the plan. That vision is:

*While the pressure to grow and develop will persist, there is a clear desire for growth to be carefully and deliberately designed in a manner that preserves, complements, and honors the agrarian roots of the community. To do this, Weber County will promote and encourage the community's character through public space and street design standards, open space preservation, and diversity of lot sizes and property uses that address the need for places for living, working, and playing in a growing community.<sup>1</sup>*

Regarding medium-to-large residential lots, the plan has the following to say:

### MEDIUM-TO-LARGE RESIDENTIAL LOTS



Image 15 - Medium-sized Residential Lots

When reviewing the future land use map, the biggest proposed land acreage change is in West Central Weber. Most of the area is proposed to become medium-to-large residential lots. In the Uintah Highlands, the area on the map with this designation is already mostly developed as 15,000 square-foot lots. The same or a similar development pattern should be expected for all areas with the medium-to-large residential lot designation.

Rezoning property to a zone more reflective of the medium-to-large residential lot designation is not intended to be freely available to any landowner within the designation. Rather, it should only be offered to land that provide commensurate public investment.

When granting a rezone to a zone that provides greater land-use rights, the outcome, whether intentional or not, is a greater or more marketable land value. One criticism of development is that it creates profits for the landowner or developer while adding costs to the community. To address this concern, a land owner or developer looking to rezone into this zone should be required to provide a public benefit that is commensurate with the benefits the landowner or developer will enjoy by developing.

<sup>1</sup> Western Weber General Plan, pg. 21

Regarding mixed-use residential, the plan says the following:

### MIXED-USE RESIDENTIAL & MISSING MIDDLE HOUSING



The areas on the future land use map designated as mixed-use residential, are intended to create opportunities for a wide variety of housing options. The desire is to allow and encourage the market to provide for the current housing scarcity that is currently driving up housing and real estate costs. Currently, there are more families than available housing across the Wasatch Front region. This scarcity, in turn, has created an affordable housing crisis in the planning area. Providing sufficient supply to balance the supply and demand forces will contribute to providing a better balance of housing affordability in the area.

One type of housing that is especially missing -- known as the "missing middle" -- is the type between higher density apartments/condos and single-family residences. Townhomes, connected patio homes, du-/tri-/quad-plexes, and similar housing styles may provide a more palatable option for families who cannot afford a single-family residence, but do not want the lifestyle of a higher density apartment complex. Encouraging regulations that support the creation of this housing option, and ensuring the viability of long-term maintenance, will be an important component of creating a community that can provide for all stages of life and family situations.



### Staff Recommendation

Staff recommends that the Planning Commission consider the General Plan Amendment request and offer staff feedback for additional consideration, if any. Alternatively, when/if the Planning Commission is comfortable with the proposal, a positive recommendation should be passed to the County Commission.

This general plan amendment should occur prior to final decision on the Winston Park rezone application.

### Planning Commission Model Motion

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

#### **Motion for positive recommendation as-is:**

I move we forward a positive recommendation to the County Commission for File # GPA2024-02, an application to change the future land use map of the general plan for land located at approximately 3679 West, 1800 South, from the open space designation to the medium-large lot and mixed residential designations, as illustrated in Exhibit C.

I do so with the following findings:

*Example findings:*

1. *The changes are supported by the Western Weber General Plan.*

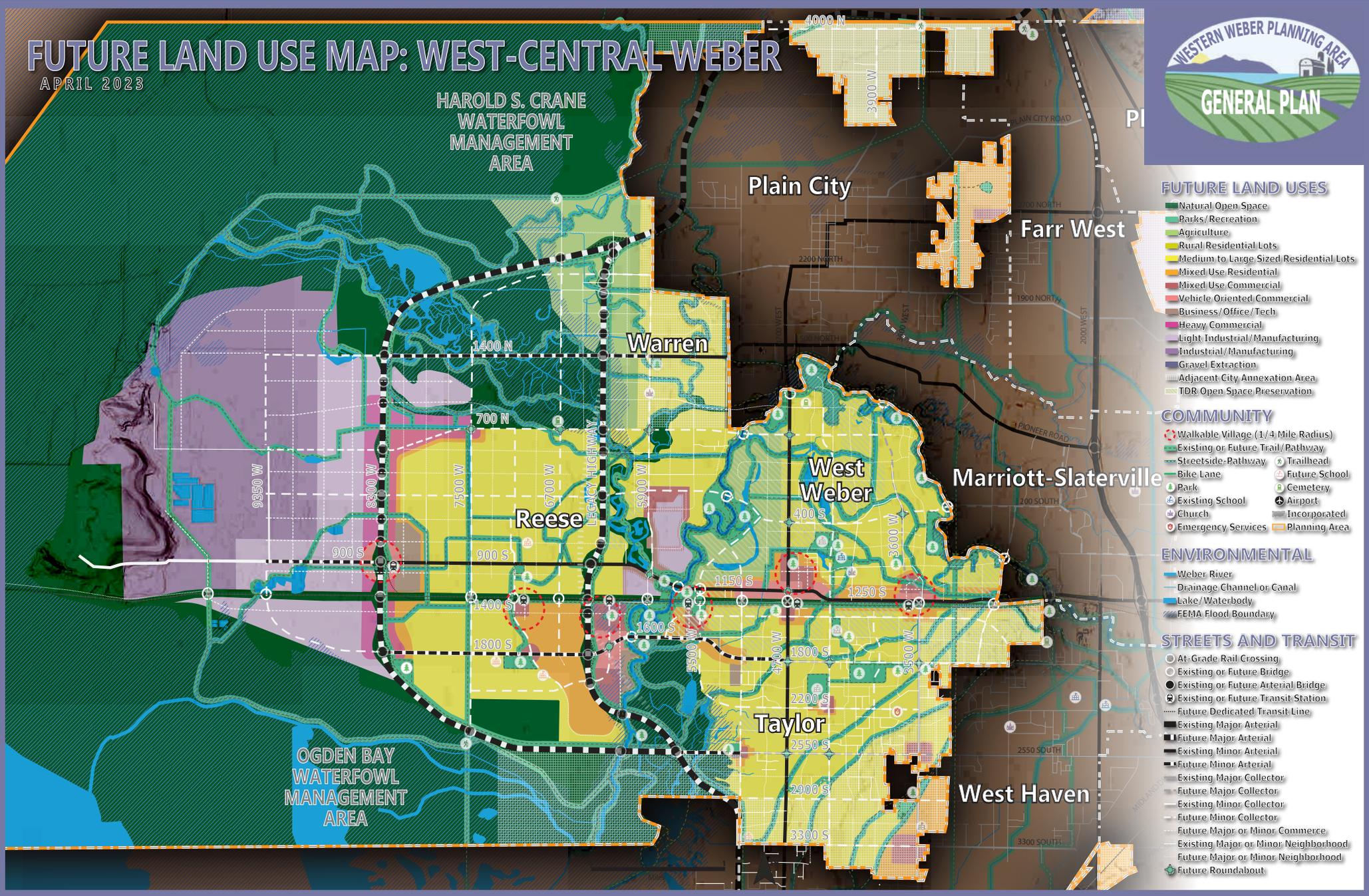


**EXHIBIT A:**

**CURRENTLY  
ADOPTED  
FUTURE LAND  
USE MAP**

# FUTURE LAND USE MAP: WEST-CENTRAL WEBER

APRIL 2023



### FUTURE LAND USES

- Natural Open Space
- Parks/Recreation
- Agriculture
- Rural Residential Lots
- Medium to Large Sized Residential Lots
- Mixed Use Residential
- Mixed Use Commercial
- Vehicle Oriented Commercial
- Business/Office/Tech
- Heavy Commercial
- Light Industrial/Manufacturing
- Industrial/Manufacturing
- Gravel Extraction
- Adjacent City Annexation Area
- TDR Open Space Preservation

### COMMUNITY

- ⊙ Walkable Village (1/4 Mile Radius)
- Existing or Future Trail/Pathway
- Streetside-Pathway
- Bike Lane
- ⊙ Park
- ⊙ Existing School
- ⊙ Church
- ⊙ Emergency Services
- ⊙ Trailhead
- ⊙ Future School
- ⊙ Cemetery
- ⊙ Airport
- ⊙ Incorporated
- ⊙ Planning Area

### ENVIRONMENTAL

- Weber River
- Drainage Channel or Canal
- Lake/Waterbody
- FEMA Flood Boundary

### STREETS AND TRANSIT

- At-Grade Rail Crossing
- Existing or Future Bridge
- Existing or Future Arterial Bridge
- ⊙ Existing or Future Transit Station
- Future Dedicated Transit Line
- Existing Major Arterial
- Future Major Arterial
- Existing Minor Arterial
- Future Minor Arterial
- Existing Major Collector
- Future Major Collector
- Existing Minor Collector
- Future Minor Collector
- Future Major or Minor Commerce
- Existing Major or Minor Neighborhood
- Future Major or Minor Neighborhood
- ⊙ Future Roundabout



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** File #ZMA2024-02, an application to rezone approximately 40 acres of land generally known as the Winston Park Subdivision, located at approximately 3679 West, 1800 South, from the A-1 zone to the R1-15 zone and approximately ½ acre to the R-3 zone.

**Agenda Date:** February 13, 2024

**Applicant:** Wade Rumsey

**File Number:** ZMA2024-02

**Frontier Project Link:** <https://frontier.co.weber.ut.us/p/Project/Index/19524>

### Property Information

**Approximate Address:** 3679 West, 1800 South, Unincorporated West Weber

**Current Zone(s):** A-1 Zone

**Proposed Zone(s):** R1-15 and R-3 Zones

### Adjacent Land Use

<b>North:</b> Vacant (proposed medium and large lot res.)	<b>South:</b> Agriculture and large-lot residential
<b>East:</b> Large-lot residential	<b>West:</b> Vacant (proposed medium lot res.)

### Staff Information

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

**Report Reviewer:** RG

## Applicable Ordinances

§Title 102, Chapter 5 Rezone Procedures.  
§Title 104, Chapter 2 Agricultural Zones.  
§Title 104, Chapter 12 Residential Zones.

## Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

## Summary and Background

The applicant's original proposal was to rezone the open space parcel of the Winston Park subdivision to the R1-15 zone for the purpose of removing the open space conservation easement dedicated to Weber County through the Winston Park plat and then subdividing the parcel thereafter. After discussing the proposal with the county staff and the planning commission in a work session, the applicant has amended the requested rezone to include the entire Winston Park subdivision, and to use a small part of the open space parcel for townhomes. To facilitate this, the request now is to rezone the entire subdivision to the R1-15 zone, and include a small corner (approximately half an acre) for the R-3 zone, which allows townhomes.

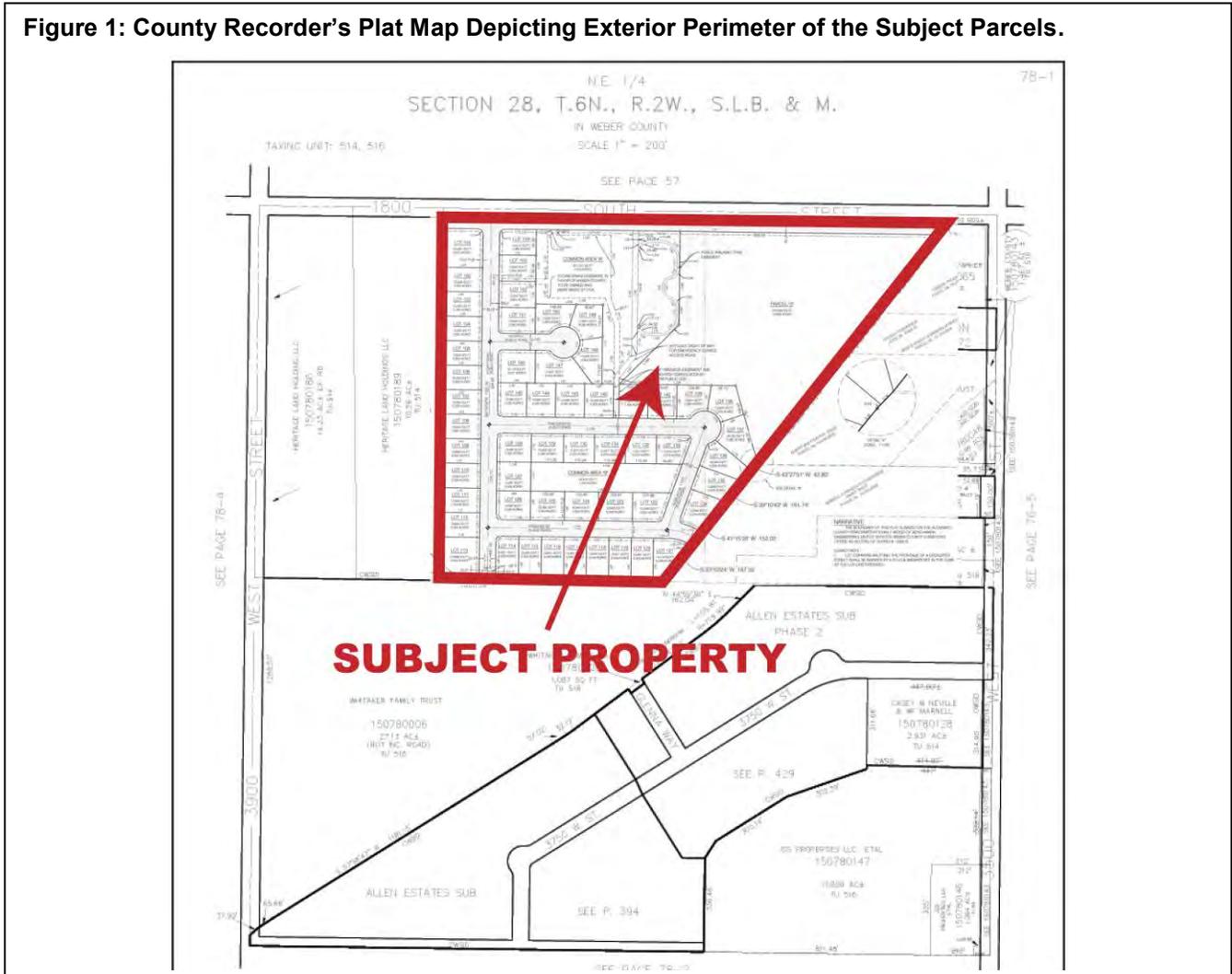
This rezone, if approved, is recommended to be accompanied with a development agreement. Through this development agreement the county can capture additional considerations unique to the property. Even though the rezone will be applicable to the entire subdivision, including existing lots owned by others, the development agreement will not apply to parcels not currently owned by the applicant/developer.

Staff is recommending approval of the rezone.

## Policy Analysis

This is a proposed rezone of approximately 40 acres. It includes all 54 lots within the existing platted Winston Park Subdivision, as well as the open space areas within that subdivision. **Figure 1** shows the subject parcels outlined in red.

**Figure 1: County Recorder's Plat Map Depicting Exterior Perimeter of the Subject Parcels.**



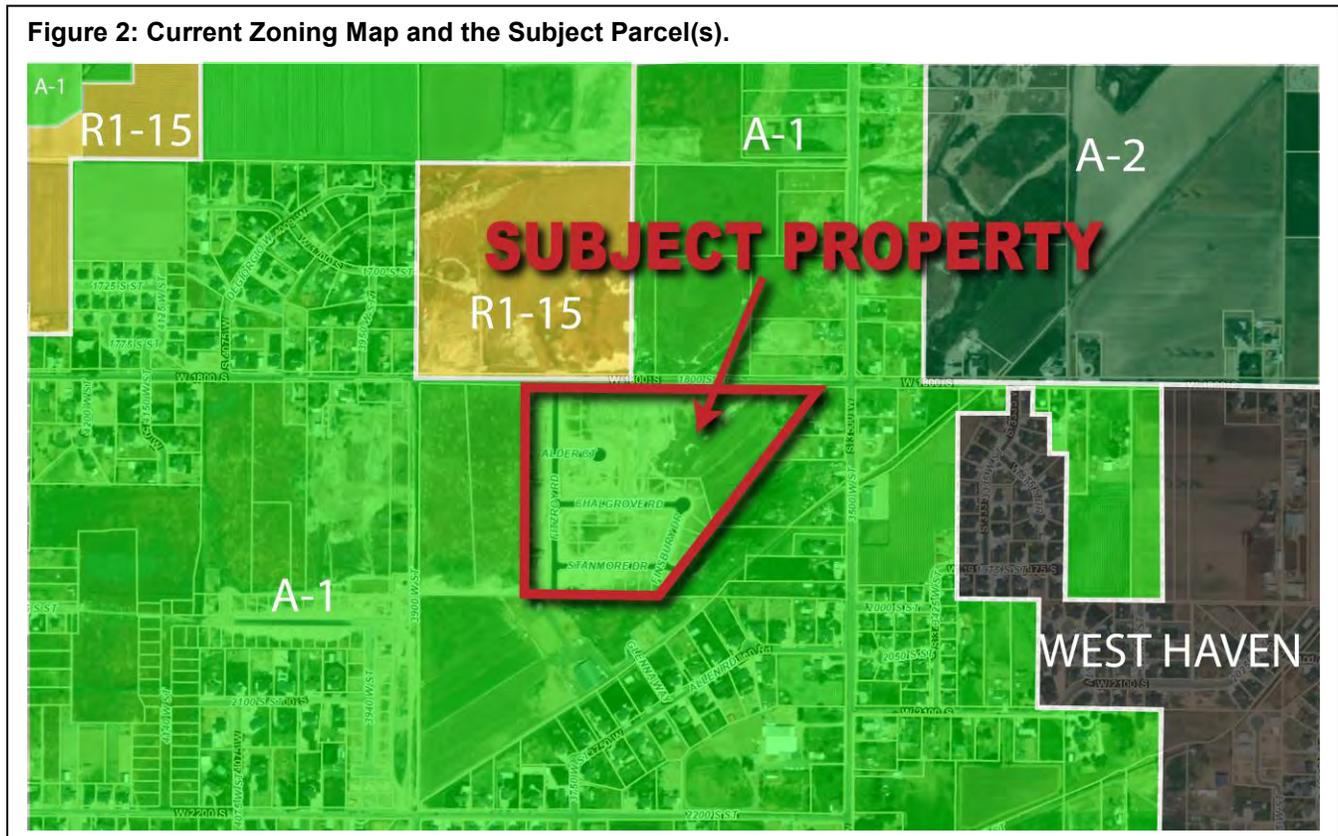
The Weber County Land Use Code has a chapter that governs application-driven rezones. The following is a policy analysis of the requested rezone based on the Land Use Code and best planning practices.

The rezone is not intended to modify or change any land uses on the existing lots with the Winston Park subdivision. The subdivision was initially platted as a cluster subdivision, which allowed smaller lot sized and lot development standards that those listed in the A-1 zone in exchange for meaningful open spaces. This rezone, if approved, will apply the R1-15 zone to each lot. The R1-15 zone has lot area and site development standards that are more permissible than the cluster subdivision and the A-1 zone. Thus, it can be expected that the existing lots will conform to the standards of the R1-15 zone. In some cases, the R1-15 zone is more permissive than those initially applied to the subdivision. If any lot owner has lawfully established a use that is allowed in the A-1 zone that is not allowed in the R1-15 zone, the use will be "grandfathered" so long as it is continuously maintained as originally approved.

## Zoning Analysis

The current zone of the subject property is A-1. **Figure 2<sup>1</sup>** displays current zoning for the area of the subject property. It also shows the configuration of the property within the larger context of the West Weber area. The purpose and intent of the A-1 zone is:

- “1. Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern;
2. Set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and
3. Direct orderly low-density residential development in a continuing rural environment.”<sup>2</sup>



The proposed zone for the subject property is substantially the R1-15 Zone. The purpose of the R1-15 Zone is:

*“... to provide regulated areas for Single-Family Dwelling uses at three different low-density levels. The R1 zone includes the R1-15, R1-12, and R1-10 zones. [...]”<sup>3</sup>*

The other proposed zone for about half an acre of land is the R-3 Zone. The purpose of the R-3 Zone is:

*“The purpose of the R3 Zone classification is to provide residential areas that will accommodate the development of dwelling types from Single-Family Dwellings through Multiple-Family Dwellings with their associated necessary public services and activities. It is also to provide an orderly transition from less intensive, lower density uses to more intensive, higher density uses. Any R-3 zone shown on the zoning map or elsewhere in the Land Use Code is synonymous with the R3 zone.”<sup>4</sup>*

<sup>1</sup> See also Exhibit B.

<sup>2</sup> Weber County Code Section 104-2-1.

<sup>3</sup> Weber County Code Section 104-12-1.

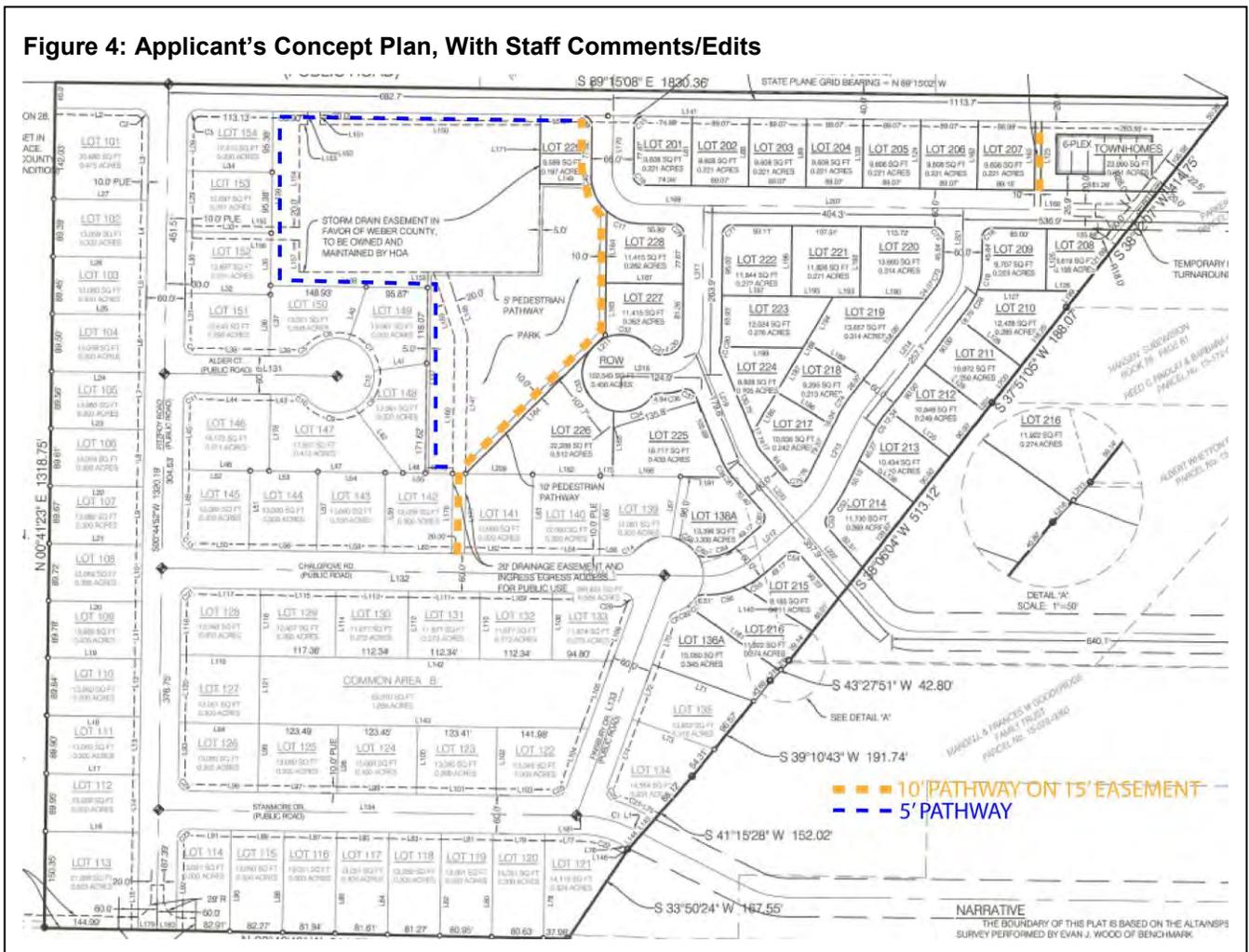
<sup>4</sup> Weber County Code Section 104-12-1.



lots. Given the 34 lot difference, the planning commission asked the applicant to consider a few townhomes to help provide the community with a better level of housing affordability. The applicant has included one six-plex townhome building to provide for this request. Bringing the applicant's proposal up to a total of 34 new lots out of a possible 62. The applicant's concept plan is only conceptual in nature and may not be the final lot layout for the additional proposed 28 single-family lots, but the development agreement should be written to limit total density to no more than a total of 62 additional units. Of the total 62 units, the planning commission may be inclined to allow, but not require, more than six townhomes. Staff is recommending that the applicant be allowed no less than six, and up to 12 townhomes, as long as the townhomes are located adjacent to 1800 South Street.

**Exhibit D** illustrates the proposed concept plan for the property. **Figure 4<sup>6</sup>** illustrates additional staff-suggested details and/or amendments to the proposed concept plan that are anticipated to bring it into full compliance with connectivity standards.

**Figure 4: Applicant's Concept Plan, With Staff Comments/Edits**



<sup>6</sup> See also Exhibit E

Weber County Code has six general decision criteria for determining whether a rezone is merited. They are as follows:

- a. *Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.*
- b. *Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property, and if not, consideration of the specific incompatibilities within the context of the general plan.*
- c. *The extent to which the proposed amendment may adversely affect adjacent property.*
- d. *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, stormwater drainage systems, water supplies, wastewater, and refuse collection.*
- e. *Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*
- f. *Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

The following is an analysis of the proposal in the context of these criterion.

**(a) *Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.***

As a legislative decision, a rezone should advance the goals of the general plan, or at the very least, not be detrimental to them without good cause. The general plan is only a guiding document and not mandatory to follow, however, because it sets the desired future community outcome, deviation from it should be done with caution.

The community character vision is the filter through which all interpretation and understanding of the plan should be run. This is the vision to which all other visions and goals within the plan are oriented. It reads as follows:

*"While the pressure to grow and develop will persist, there is a clear desire for growth to be carefully and deliberately designed in a manner that preserves, complements, and honors the agrarian roots of the community. To do this, Weber County will promote and encourage the community's character through public space and street design standards, open space preservation, and diversity of lot sizes and property uses that address the need for places for living, working, and playing in a growing community."*<sup>7</sup>

The plan prioritizes the implementation of smart growth principles as development occurs. It encourages the county to utilize the rezone process as an opportunity to help developers and land owners gain the benefits of the rezone while implementing the public benefits of these principles. Because the general plan is *general* in nature, no one principle is absolutely mandatory except when adopted into the development code. Similarly, allowing a property to be rezoned is also not mandatory. Both the developer and the County have the ability to substantially gain if a rezone is negotiated well enough.

**General Plan Smart Growth Principles**

The general plan lists both basic and exemplary smart growth principles. The seven basic smart growth standards are:

1. Street connectivity.
2. Pathway and trail connectivity.
3. Open space and recreation facilities.
4. Dark sky considerations.
5. Culinary and secondary water conservation planning.
6. Emission and air quality.

The proposal's compliance with each of these standards are further provided in this report.

The following nine bullet points is a list of the general plan's exemplary smart growth principles (in italics). A staff analysis regarding how they may relate to this potential project follows each bullet point. Some of these principles

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<sup>7</sup> Western Weber General Plan (p. 21)

are similar to the basic smart growth principles aforementioned, but are designed to provide even greater community benefits.

- *Provision for a wide variety of housing options.*
  - Allowing the developer to construct townhomes as part of the overall development will help prevent the monotony of single-family suburbs while enhancing availability of different housing options.
- *Use of lot-averaging to create smaller lots/housing that responds to the needed moderate income housing.*
  - The applicant has not proposed any moderate income housing for the development. It should be noted, however, allowing the developer to construct townhomes as part of the entitled density will help provide a more affordable housing option to the local market. Increasing the supply of this more affordable option will help curb the inflation of the housing market.
  - Staff is not specifically recommending a deed restriction for moderate income housing. If the planning commission desires the developer to specifically provide deed-restricted moderate income housing then the planning commission should add the requirement into the recommendation being sent to the commission.
- *Strong trail network with excellent trail connectivity that prioritizes bicycling and pedestrians over vehicles.*
  - The concept plan has strong sidewalk connectivity throughout, especially if staff's additional suggestions are provided.
- *Strong street connectivity and neighborhood connections that avoid the use of cul-de-sacs or deadends.*
  - While the applicant is proposing one short cul-de-sac street, it appears to be necessary given the layout of the previously existing cul-de-sac in the currently platted portion of the Winston Park subdivision. If this was a blank slate, staff would recommend these cul-de-sacs connect to each other. Where one already exists, it is likely a lost cause. The applicant has done well to work with staff to provide quality street connectivity wherever else possible.
- *Large and meaningful open space areas with improved parks, recreation, etc.*
  - The applicant is working with the Taylor West Weber Park District to provide a per-lot donation for both existing and future lots/units. This donation will be \$2,000.00 per unit.
  - The applicant is also working with the Taylor West Weber Park District to provide a small open space park area within the development. The open space adjacent to 1800 South Street will become a park area as well as a detention facility.
- *Homes that have higher efficiency ratings than required by local building codes.*
  - Buildings are required to be constructed to an efficiency standard based on the climate of the area. Usually, buildings located in higher (colder) elevations need to meet greater efficiency standards. However, given the wide degree of temperature swings in the Western Weber area over a one year period, requiring buildings to be constructed to better efficiency ratings may help alleviate the area's future demand on power and gas. This will also help provide better air-quality related to building emissions. Staff suggests buildings be built to an efficiency rating that is compliant with one climate zone greater than currently prescribed for the area.
- *Homes that have solar-paneled rooftops and watt-smart compliant batteries.*
  - Similar to building efficiencies, providing energy independence when possible is integral in a smart-growth community. Staff recommends requiring rooftop solar panels, as well as power storage capabilities such as a solar-charged battery. To assist with affordability, perhaps this requirement can be waived for residences less than 1800 square feet or those deed restricted for moderate income housing, if any.
- *Provisions that create attractive communities for the long term and that create a distinctive sense of place.*
  - The planning commission may determine that the street and pathway connectivity, park donation, and park dedication accomplishes this principle.
  - One additional item for the planning commission to consider on this point: When a limited access collector or arterial street serves a single-family residential area, these types of streets are likely to be lined with rear and/or side yards. As a result they can trend toward a less attractive aesthetic.

The general plan suggests landscaping, fencing, and street art be located along limited access collector and arterial streets to enhance a greater sense of community character and aesthetic. The county does not currently have the organizational or financial structure to operate and maintain such street improvements, so if the planning commission desires to require these improvements in this development then it would be advisable to require a professionally managed homeowners association to care for the operations and maintenance. This is not included in staff's recommendation herein, but can easily be added by the planning commission if so desired.

- *Use of transferable development rights from agricultural lands identified for protection.*
  - The applicant does not desire to transfer more development to this project.

***(b) Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property, and if not, consideration of the specific incompatibilities within the context of the general plan.***

This area is rapidly transitioning from large-lot rural residential and agriculture to medium-lot residential. Stagecoach estates, which is located across the street, was rezoned to the R1-15 zone last year and is currently being platted into medium-sized lots. Further to the west of stagecoach, Anselmi Acres and Smart Fields are following suit. To the west of this proposal lies the Taylor Landing Development, which also includes small-to-medium lot sizes with a large preserved open space area for park and open space purposes.

There are also large-lot and agricultural uses nearby. The general plan identifies that many agricultural uses may not be very compatible with residential development/neighborhoods. It is worth evaluating how surrounding agricultural uses may affect this project, and vice versa.

The general plan suggests and acknowledges some incompatibilities will occur as the area develops over time. If the plan is followed, in time, the surrounding area is likely to be more similar to the character of this development than it is the character of the existing area.

***(c) The extent to which the proposed amendment may adversely affect adjacent property.***

When considering how this rezone might adversely affect adjacent property, there are a wide array of factors at play. These include impacts on private property rights and nuisances, as well as other factors such as impacts on a landowner's desires for their neighborhood and the intrinsic values they've imbued into that neighborhood.

First and foremost, the Planning Commission should prioritize fact-based adverse impacts. Then consider the perception-based impacts.

If rezoned, the development will change the immediate area. New streets and street connections will be constructed. Small, medium, and medium-large-lot residential uses should be expected. The smaller and relatively denser development will change the visual nature of the area, traffic volumes and patterns, and noise potential. The proposed uses are not expected to be greater than that found in a typical residential neighborhood. When developing, the applicant will be responsible for correcting any material degradation in services that the development might create for the area. Thus, other than potential increases to noise, most of the fact-based effects will be required to be mitigated by the applicant.

From an intrinsic perspective, current neighbors who have grown accustomed to the quiet rural nature of the immediate area may find the increase in development intensity unpleasant and contrary to the current reasons they reside in the area. Even though residents in the area do not own a property right that ensures their neighbor's property will not change, they may find dismay in the perception that changes beyond their control could upend their desired future for the area. This could lead some to their eventual self-chosen displacement from the neighborhood.

***(d) The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, stormwater drainage systems, water supplies, wastewater, and refuse collection.***

The County's currently adopted development regulations are designed to specifically require the developer to address their impact on local levels of service. As aforementioned, the applicant will be responsible for mitigating any material degradation of levels of service.

Roadways/Traffic.

**Figure 5** shows the planned streets for the area, pursuant to the general plan.

The applicant has already made street improvements to 1800 South Street along the entire property. This is likely sufficient to provide for their impact to the greater area. Each home will also pay impact fees to help the county provide planned transportation system improvements needed as a result of new growth.

One thing for the planning commission to note. The improvements made along 1800 South Street were made using ordinance that were in effect at the time. Ordinances have since changed that may merit a closer look at what was installed. The existing improvements only include a four-foot wide sidewalk. New code requires a five-foot wide sidewalk. As part of this rezone the planning commission could require an additional one foot strip to be added to the sidewalks. If desired, the planning commission will need to include it in their recommendation to the county commission.

Police and Fire Protection

It is not anticipated that this development will generate a greater per capita demand for police and fire protection than typical residential development in the area.

Stormwater Drainage Systems

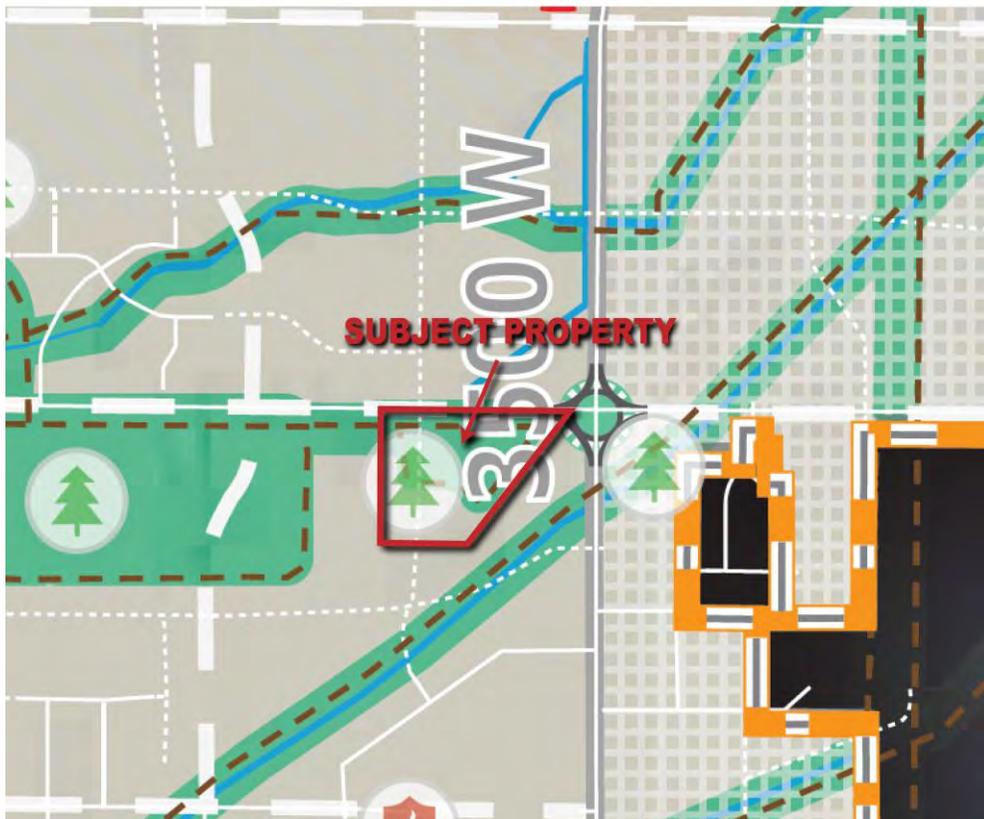
This is not usually a requirement of rezoning, and is better handled at the time specific construction drawings are submitted. This occurs during subdivision application review.

Water Supply

The property is within the Taylor West Weber Water Improvement District boundaries. The applicant has provided a letter from the district that acknowledges the rezone application and the potential for them to serve.

In addition to the letter from Taylor West Weber, County Code<sup>8</sup> further specifies minimum culinary and secondary water requirements that are applicable to any subdivision. Like stormwater, these requirements are not actually applicable until the owner files an application for a subdivision, and they may change from time to time. But they

**Figure 5: Planned Streets – Western Weber General Plan**



<sup>8</sup> Weber County Code, Section 106-4-2.010.

are worth noting during the rezone process to provide the planning commission with sufficient evidence and a sense of confidence that the provision for both culinary and secondary water is possible for the subject property.

Wastewater

The existing Winston Park subdivision is being served by sewer that is collected by Central Weber Sewer Improvement District. The additional proposed development will follow suit.

Refuse Collection

It is expected at this time that this development will be served by the county's typical contracted garbage collection service. If different, this can be better fleshed out during subdivision review.

**(e) Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.**

The US Fish and Wildlife Service provides an inventory of suspected wetlands across the nation. **Figure 6** illustrates suspected wetlands and how they relate to the subject property. The map shows that there are suspected wetlands on the property. Some of it is on property already developed by the applicant. If the applicant has not already done so, they will need conduct a wetland delineation study to show whether these suspected wetlands exist. If they do, the applicant will be require to remediate them in accordance with the Army Corps' requirements prior to developing.



**(f) Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.**

Based on the details already provided regarding street accessibility and street connectivity, the planning commission should be able to make a finding that the applicant is proposing sufficient compensation for their impact on both existing and proposed transportation corridors.

## **Staff Recommendation**

After reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the rezone. This recommendation is offered with the following considerations, which are intended to be incorporated into a zoning development agreement:

1. Concept plan update:
  - a. Provide concept plan amendments for compliance with connectivity standards.
  - b. Provide a 15-foot pathway right-of-way between the townhome site and the adjacent lot.
  - c. Provide a 5-foot sidewalk that encircles the entire open space parcel in Phase 1, except that part of the eastern edge already planned for a 10-foot pathway.
2. Density:
  - a. The total density for the entire 40 acre Winston Park property shall be limited to 116 dwelling units. No less than six and no more the 12 of these units shall be townhomes located adjacent to 1800 South street.
  - b. The remaining shall be single-family dwellings on lot that meet the minimum lot development standards for the R1-15 zone.
3. Parks, open space, and trails:
  - a. At least \$2,000.00 per lot unit, including the existing lots within Winston Park, will be donated to the Taylor West Weber Park District. Donation for existing lots shall occur with the donation of all lots or units paid prior to the first plat being recorded.
  - b. All 10-foot pathways shall follow the adopted 10-foot paved or concrete pathway standards in the Land Use Code.
  - c. Unless negotiated otherwise with the parks district, the sidewalk and pathway in the proposed park area should include at least one bench every 500 feet of sidewalk or pathway.
  - d. Each pathway and sidewalk within the development should be lined with shade trees in intervals and of species such that the crown of one tree, on average at maturity, will converge with the crown of the adjacent trees. Use at least three different tree varieties dispersed in a manner to avoid transmission of pests/diseases.
4. Streets:
  - a. The proposed street and pathway layout illustrated in the concept plan is sufficient to meet the connectivity standards of county code. Specifically, the distance between 3500 West street and the first entrance to the development from 1800 South Street is acceptable given the configuration of the property in proximity to existing streets and other lots.
5. Air quality: Require each residence greater than 1800 square feet or not otherwise deed restricted for moderate income housing to:
  - a. Have solar panels and backup batteries installed prior to certificate of occupancy.
  - b. Be constructed to an energy efficiency rating that is one climate zone colder than the area.
6. Weber County's outdoor lighting code should be applied to all lighting in the project.

Staff's recommendation is offered with the following findings:

1. After the considerations listed in this recommendation are applied through a development agreement, the proposal generally supports and is anticipated by the vision, goals, and objectives of the Western Weber General Plan.
2. The project is beneficial to the overall health, safety, and welfare of the community, as provided in detail in the Western Weber General Plan.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

## Model Motion

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

### Motion for positive recommendation **as-is**:

I move we forward a positive recommendation to the County Commission for File #ZMA2024-02, an application to rezone approximately 40 acres of land located at approximately 3679 West, 1800 South, from the A-1 zone to the R1-15 and R-3 zones, as illustrated in Exhibit C.

I do so with the following findings:

*Example findings:*

1. *The changes are supported by the Western Weber General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
3. *The changes will enhance the general health and welfare of Western Weber residents.*
4. *[\_\_\_\_\_ add any other desired findings here \_\_\_\_\_].*

### Motion for positive recommendation **with changes**:

I move we forward a positive recommendation to the County Commission for File #ZMA2024-02, an application to rezone approximately 40 acres of land located at approximately 3679 West, 1800 South, from the A-1 zone to the R1-15 and R-3 zones, as illustrated in Exhibit C., **but with the following additional edits and corrections:**

*Example of ways to format a motion with changes:*

1. *Example: Add a requirement for roadside beautification, water wise vegetation, and street art/décor to the development agreement for the two collector streets in the development. Include decorative night sky friendly street lighting at reasonable intervals. Require the creation of a homeowner's association to operate and maintain.*
2. *Example: The four-foot sidewalk along 1800 South Street should be upgraded to a 5-foot sidewalk.*
3. *At least \_\_\_ townhome[s] should be deed restricted under the authority of the Weber Housing Authority for moderate income homeowners.*
4. *Example: Amend staff's consideration item # [ ]. It should instead read: [ desired edits here ].*
5. *Etc.*

I do so with the following findings:

*Example findings:*

1. *The proposed changes are supported by the General Plan. [Add specifics explaining how.]*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the General Plan*
3. *The changes will enhance the general health, safety, and welfare of residents.*
4. *[Example: allowing short-term rentals runs contrary to providing affordable long-term rental opportunities]*
5. *Etc.*

### Motion to recommend **denial**:

I move we forward a recommendation for denial to the County Commission for File #ZMA2024-02, an application to rezone approximately 40 acres of land located at approximately 3679 West, 1800 South, from the A-1 zone to the R1-15 and R-3 zones, as illustrated in Exhibit C. **I do so with the following findings:**

*Examples findings for denial:*

- *Example: The proposal is not adequately supported by the General Plan.*
- *Example: The proposal is not supported by the general public.*
- *Example: The proposal runs contrary to the health, safety, and welfare of the general public.*
- *Example: The area is not yet ready for the proposed changes to be implemented.*
- *[\_\_\_\_\_ add any other desired findings here \_\_\_\_\_].*

## Exhibits

Exhibit A: Application.

Exhibit B: Current Zone Map.

Exhibit C: Proposed Zone Map.

Exhibit D: Proposed Concept Plan.

# **EXHIBIT A**

# **APPLICATION**

## Winston Park

### Phase 2, Preliminary Concept Design

#### Request for Work-Session/Sketch Plan Review for Planning Commission

**Purpose:** Winston Park is located near 3500 W and 1800 S. in West Weber County. We are requesting the Planning Commission to review our phase 2 concept to help us determine how we can rezone our open space in order to subdivide into additional single family lots. Our proposed phase 2 follows much of the same consistency as phase 1. The phase 2 parcel is a 10.884 acre parcel. We will have 1/3 acre lots or (15,000 sq ft in size). Some lots may be a little smaller due to the overall design of the odd shaped land.

**Parks District:**

We have also reached out to the Parks District and received ideas to better enhance the walking trail and detention pond area. If allowed, we would greatly enhance that area for not only those that live within Winston Park but also the public. We would look forward to work with the Park District on the walking trail and detention pond. In addition, we have agreed to provide \$5,000 per lot toward the park further down on 1800 S. As developers we believe this will really help enhance the area and goes above and beyond what would normally be required.

**Critical Infrastructure upgraded and available:**

All of the necessary improvements along our frontage along 1800 S has already been upgraded and improved due to the requirements of Winston Park, phase 1. For example, the road (1800 So.) has been widened. Culinary water, secondary water lines have been increased from 6 to 8" mains to 3500 W. The main trunk line for sewer was set further down in order to accommodate further growth. All of the critical infrastructure is there and we would be able to tap into.

**Connectivity:**

Considering the pedestrian and vehicular flow, we have inserted arrows to show the flow or connectivity. We have designed a connecting road from Phase 1 to Phase 2 through lot 137 in phase 1. This will connect the 2 subdivisions. There will also be connectors through the emergency road will still remaining for Emergency services. In terms of walking path connectivity, they will go in conjunction where the road will now connect them as well as the emergency road (20ft) section. There will be great connectivity.

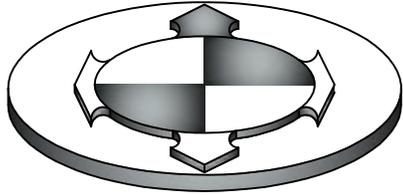
**Building Requirements:**

Phase 2, as phase 1 would only be considered as single-level, or split-level, or 2 story homes. No basements would be allowed.

We look forward to hear your suggestions, feedback and ideas to make it a nice addition to Winston Park.

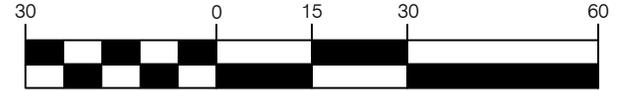
Ogden 3, LLC, Igor Maksymiw & Wade Rumsey

NORTH



# EXHIBIT

## GRAPHIC SCALE



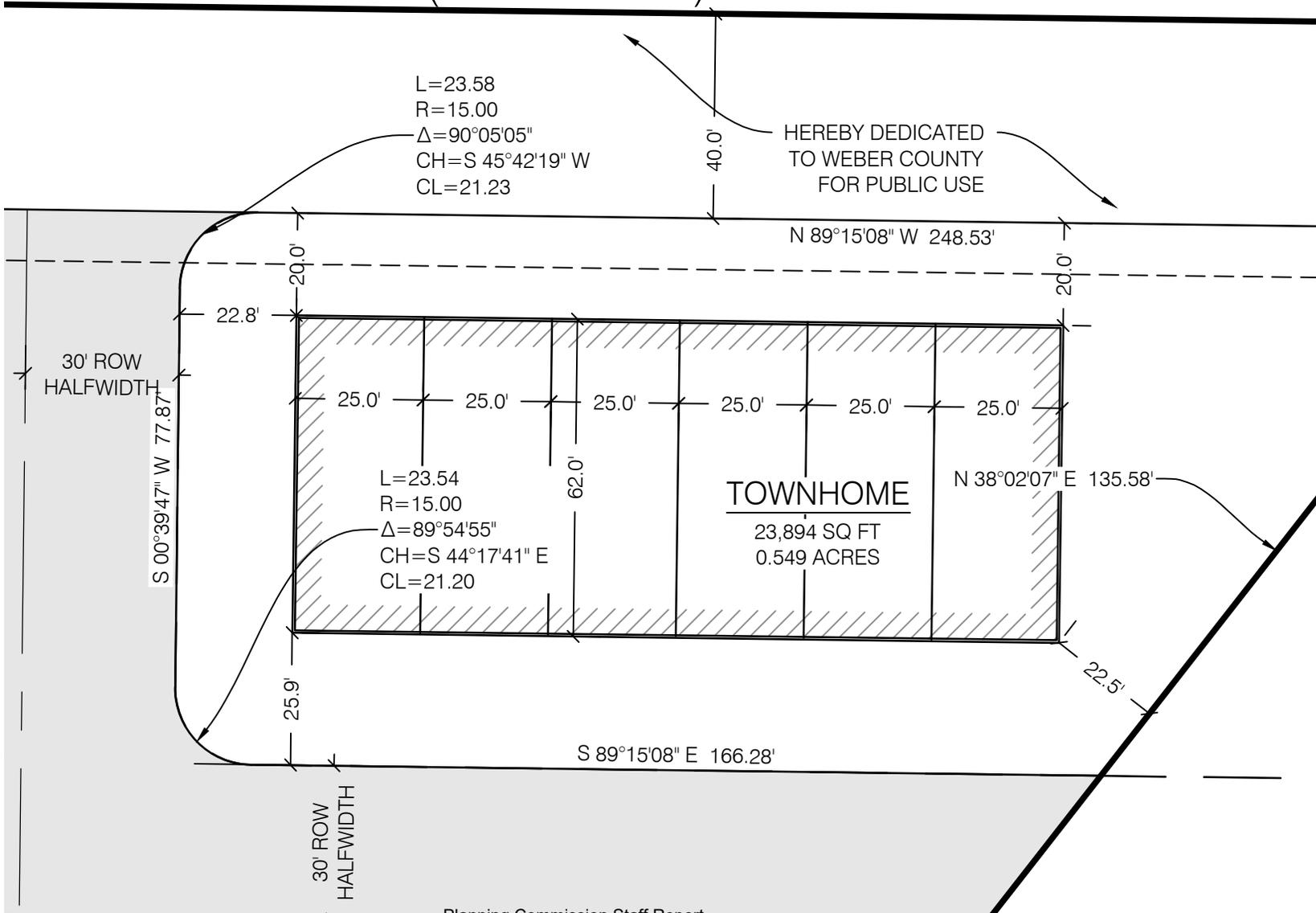
(IN FEET)  
1 inch = 30 ft.

1800 SOUTH ST.  
(PUBLIC ROAD)

SCALE: 1" = 30'
DRAWN: 01-09-24
CHECKED: 01-09-24
APPROVED: 01-09-24

WINSTON PARK PHASE 2 & AMENDING  
 LOTS 136, 137, & 138 WINSTON PARK  
 ADDRESS  
 WEBER COUNTY, UTAH

TOWNHOME EXHIBIT  
 DWG. NO. 2006142.dwg  
 PROJECT. NO. 2006142



HEREBY DEDICATED  
 TO WEBER COUNTY  
 FOR PUBLIC USE

**TOWNHOME**  
 23,894 SQ FT  
 0.549 ACRES

LEGEND

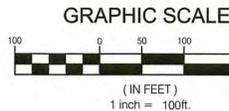
- WEBER COUNTY SECTION CORNER
LOT CORNER (SET 1/2 REBAR AND CAP)
BOUNDARY CORNER (SET 1/2 REBAR AND CAP)
P.U.E. PUBLIC UTILITY EASEMENT
STREET MON. (TO BE CONST.)
SECTION LINE
BOUNDARY LINE
LOT LINE
STREET CENTERLINE
EASEMENT LINE
RIGHT OF WAY LINE
20' PUBLIC RIGHT OF WAY FOR EMERGENCY SERVICE ACCESS ROAD

WINSTON PARK PHASE 2 & AMENDING LOTS 136, 137, & 138 WINSTON PARK

136, 137, & 138 WINSTON PARK

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN WEBER COUNTY, UTAH

"CONCEPT B"



NORTH



SURVEYOR'S CERTIFICATE

I, BRIAN A. LINAM 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 ACT, AND THAT I HOLD CERTIFICATE NO. 7240531...

CONCEPT

WINSTON PARK PHASE 2 & AMENDING LOTS 136, 137, & 138 WINSTON PARK

BOUNDARY DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. SAID TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EXISTING FENCE LINE EXTENDED DEFINED AS THE WESTERLY BANK OF A SLOUGH, SAID POINT BEING NORTH 89°15'08" WEST ALONG THE QUARTER SECTION LINE 152.35 FEET AND SOUTH 38°02'07" WEST 50.28 FEET FROM THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 38°02'07" WEST 364.48 FEET...

CONTAINS 16.458 ACRES, MORE OR LESS
25 RESIDENTIAL LOTS

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, WINSTON PARK SUBDIVISION, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND, TRAILS AND ROADS INTENDED FOR PUBLIC USE...

AND DO ALSO GRANT AND CONVEY TO THE SUBDIVISION LOT OWNERS ASSOCIATION, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS COMMON AREAS TO BE USED FOR RECREATIONAL AND PURPOSES FOR THE BENEFIT OF EACH LOT OWNERS ASSOCIATION MEMBER...

SIGNED THIS \_\_\_ DAY OF \_\_\_, 2022

ACKNOWLEDGMENT

ON THE \_\_\_ DAY OF \_\_\_, 20\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WADE RUMSEY, OF THE ABOVE OWNERS DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME THAT HE SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION NUMBER: \_\_\_ NOTARY PUBLIC (PRINT NAME)
MY COMMISSION EXPIRES: \_\_\_ NOTARY PUBLIC RESIDING IN \_\_\_ COUNTY

WINSTON PARK PHASE 2 & AMENDING LOTS 136, 137, & 138 WINSTON PARK

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN WEBER COUNTY, UTAH

OCTOBER, 2023 PAGE 1 OF 2

OWNER / DEVELOPER: NAME: OGDEN 3, LLC TELEPHONE: (801) 209-6759 IGMMAKSYMIV@AOL.COM



TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND WATER DESIGN IS APPROVED BY TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT ON THE DAY OF \_\_\_, 2022.

REPRESENTATIVE (TWWWD)

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYORS 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 \_\_\_, 2022. WEBER COUNTY SURVEYOR RECORD OF SURVEY #

WEBER COUNTY PLANNING COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY, PLANNING COMMISSION ON THE \_\_\_ DAY OF \_\_\_, 2022.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

SIGNED THIS \_\_\_ DAY OF \_\_\_, 2022. SIGNATURE

WEBER COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER 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 \_\_\_, 2022.

CHAIRMAN, WEBER COUNTY COMMISSION

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE 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 \_\_\_, 2022. SIGNATURE

WEBER COUNTY RECORDER

ENTRY NO. \_\_\_ FEE PAID. FILED FOR RECORD AND RECORDED AT \_\_\_ BOOK \_\_\_ OF OFFICIAL RECORDS, PAGE \_\_\_ RECORDED FOR: WEBER COUNTY RECORDER DEPUTY



## Taylor West Weber Park District

September 6, 2023

To Whom it May Concern,

**Wade Rumsey and Igor Maksymiw** (the “Developer”), appeared before the Board of Trustees of the Taylor West Weber Park District (the “District”) in an open and public meeting and proposed a donation to the District as part of its development of open space at the **Winston Park Subdivision** located within the District boundaries (the “Subdivision”).

The District will accept from the Developer a donation of \$5,000 per lot in the Subdivision. Consideration was also given of donating the subdivision park which at present to be maintained by the HOA if sufficient acreage (5) is available the park board will maintain it. This donation will help the District provide parks and recreational services to the Subdivision and surrounding communities.

In exchange for the donation, the District hereby declares its support of the Subdivision and the proposed rezone for the Subdivision open space. This declaration is only valid to the extent that it satisfies Weber County’s conditions for the rezone and the County’s associated development agreement. If the Developer does not provide the donation to the District, then the District withdraws its support of the proposed rezone for the Subdivision.

This letter does not contractually bind the Developer to provide the Donation to the District. Rather, it is a commitment from the District that, if the Developer provides the donation to the District, the District will support the Developer’s proposed Subdivision and associated rezone.

Sincerely,

**Roger Heslop**, Chair  
Taylor West Weber Park District



**2815 WEST 3300 SOUTH  
WEST HAVEN, UTAH 84401  
801-731-1668  
9/12/2022**

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 Taylor West Weber Water District (the "District") has the capacity to provide **only** culinary water for Winston Park Phase 2 subdivision consisting of 21 lots. By means of a 12" water line on 1800 S. The property is located near 3600 W. 1800 S. Taylor UT

A pressurized secondary water system must be working and homes in this subdivision must use Hooper Irrigation for pressurized secondary water for outdoor watering. An escrow must be set up for both the culinary and secondary water infrastructure with Weber County and escrow should only be released upon approval from the District. If the developer decides to record before the subdivision is complete. The secondary water shares will also need to be held at Taylor West Weber office in both the name of Taylor West Weber and the developer until the secondary water system is complete. A **signature block** must be included on the final mylar plat and must be signed by a certified representative of the District prior to recording with the Weber County Recorder. The District's specifications and standards must be followed in all installation procedures.

Requirements:

- Plan review fee= \$100 per lot (\$2,100.00)
- Water rights impact fee= \$1,078.00 Per lot. (\$22,638.00) This is the current water right fee the District is currently undergoing an impact fee study and fees will most likely change in January 2024. Must be paid before construction is started.
- Secondary Water= Must use Hooper Irrigation for a pressurized secondary water system and it must be operational before building permits are issued.
- Impact fee=\$6,350.00 per lot this fee will be collected at the time building permits are requested. This fee includes the cost of the meter. This is the current impact fee.
- The District reserves the right to make or revise changes as needed or as advised by the District's engineer or the District's attorney.

**FINAL APPROVAL AND SUBDIVISION APPROVAL MUST NOT BE ISSUED UNTIL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER.** Water right and plan review fees must be paid before approval for construction of the water infrastructure is given. This letter expires January 1, 2024.

Sincerely,

Ryan Rogers – Manager

Taylor West Weber Water District



PO Box 184	Phone: (801)985-8429
5375 S 5500 W	Fax: (801)985-3556
Hooper, Utah 84315	<a href="mailto:hooperirrigationco@msn.com">hooperirrigationco@msn.com</a>

October 6, 2023

Weber County Planning Commission  
2380 Washington Blvd, #240  
Ogden, Utah 84401

RE: PRELIMINARY WILL SERVE LETTER – Winston Park Subdivision, PH 2

Phase 2 of the development is located at 1800 South and 3500 West approximately and consists of 21 lots and a 4.6 acre common area. Hooper Irrigation Company has pressure irrigation water available for the aforementioned project located at the above-noted address.

This letter states that the afore-named project is in the boundaries of Hooper Irrigation Company. A formal application has been made to our office and the fee for application has been paid.

The subdivision plat plan has been reviewed by Hooper Irrigation. The preliminary plans have been conditionally approved for the above subdivision. This project alone is in consideration and guaranteed service and the plan review is good only for a period of one year from the date of this letter, if not constructed.

Hooper Irrigation's specifications are available at the Company office.

If you have questions, please call 801-985-8429.

Sincerely,

Michelle Pinkston  
Office Manager  
Board Secretary



## Central Weber Sewer Improvement District

September 26, 2023

Steve Burton  
Weber County Planning Commission  
2380 Washington Blvd #240, Ogden, UT 84401

SUBJECT: Winston Park Phase 2  
Sanitary Sewer Service  
Will Serve Letter

Steve:

At the request of Wade Ramsey, for Winston Park Phase 2 of 24 residential lots, located at the approximate address of 3701 W 1800 S. The following development has previously been annexed into the Sewer District. We offer the following comments regarding Central Weber providing sanitary sewer service.

1. At this time, Central Weber has the capacity to treat the sanitary sewer flow from this subdivision. The Inasmuch as system demand continuously changes with growth, this assessment is valid for three (3) years from the date issued on this letter.
2. If any connection is made directly into Central Weber's line the connection must be inspected by Central Weber while the work is being done. A minimum of 48-hour notice for inspection shall be given to Central Weber prior to any work associated with the connection.
3. Central Weber will not take ownership or responsibility for the condition, ownership or maintenance of the proposed sanitary sewer lines (gravity or pressure) or system that will be installed to serve this subdivision.
4. 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.*



## Central Weber Sewer Improvement District

5. **The entire parcel of property to be served will need to be annexed into the District prior to any connection to the District's line.** This annexation must be complete before the sale of any lots in the subdivision.
6. Impact fees will need to be paid to Central Weber Sewer Improvement District no later than the issuance of any building permits. Annexation Book 86 page 6.

If you have any further questions or need additional information, please let us know.

Sincerely,

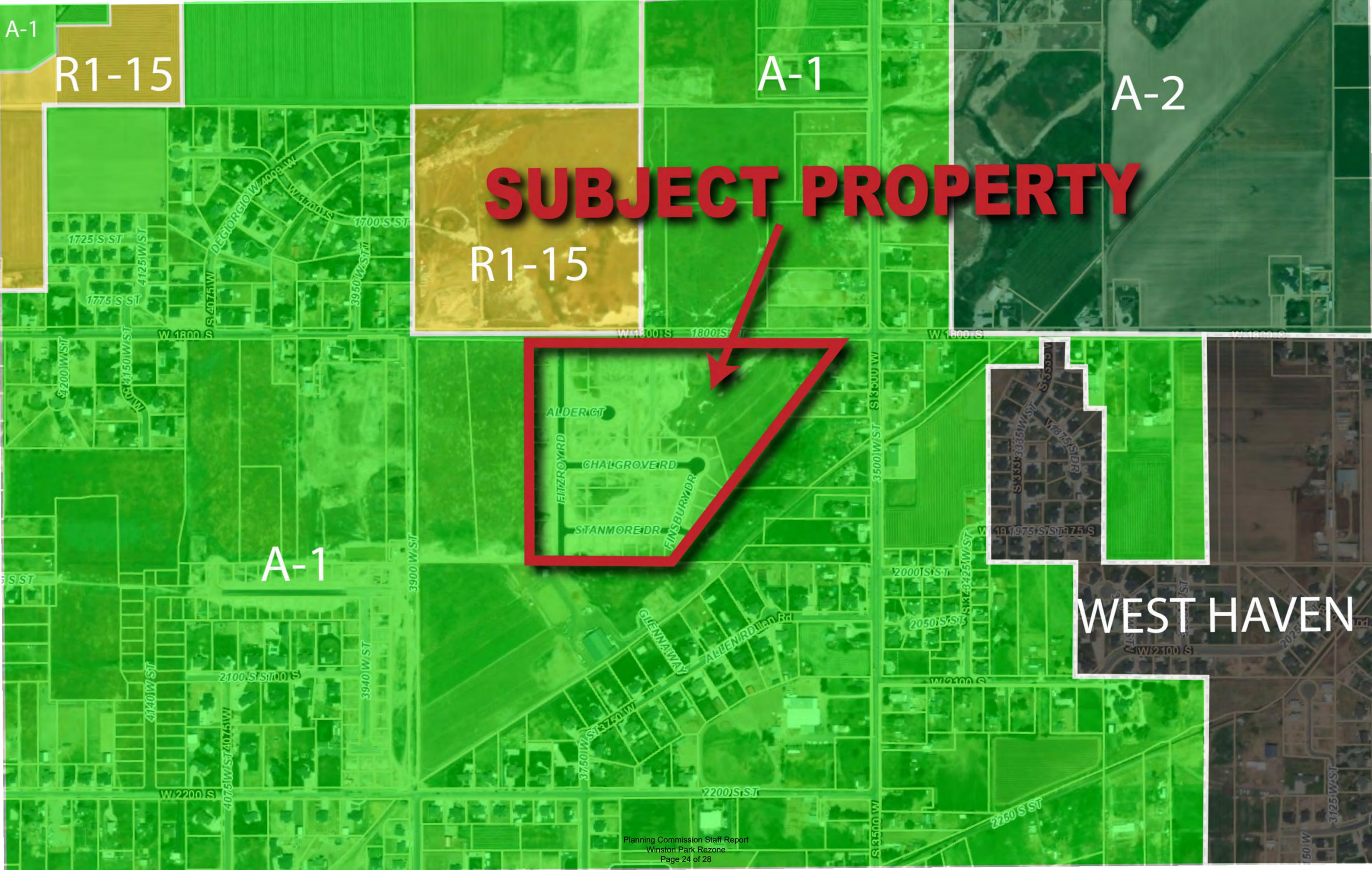
Clay Marriott

Project Manager

CC: Chad Meyerhoffer, Weber County  
Kevin Hall, Central Weber Sewer  
Wade Ramsey

# **EXHIBIT B**

# **EXISTING ZONING**



A-1

R1-15

A-1

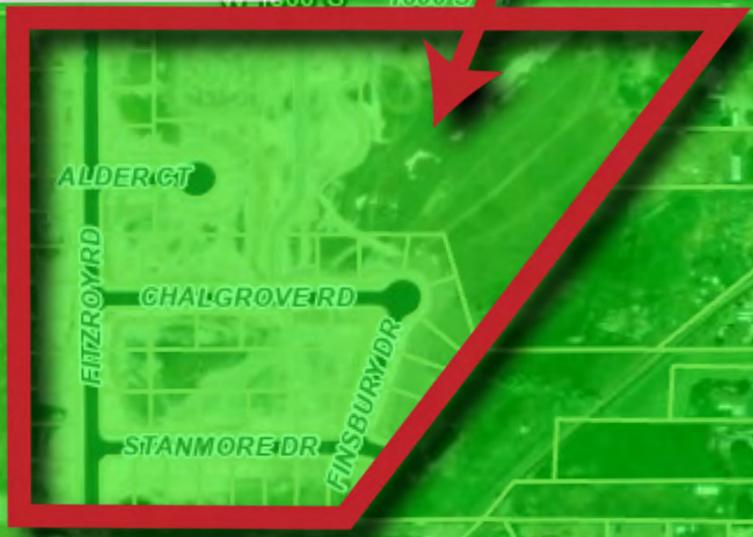
A-2

**SUBJECT PROPERTY**

R1-15

A-1

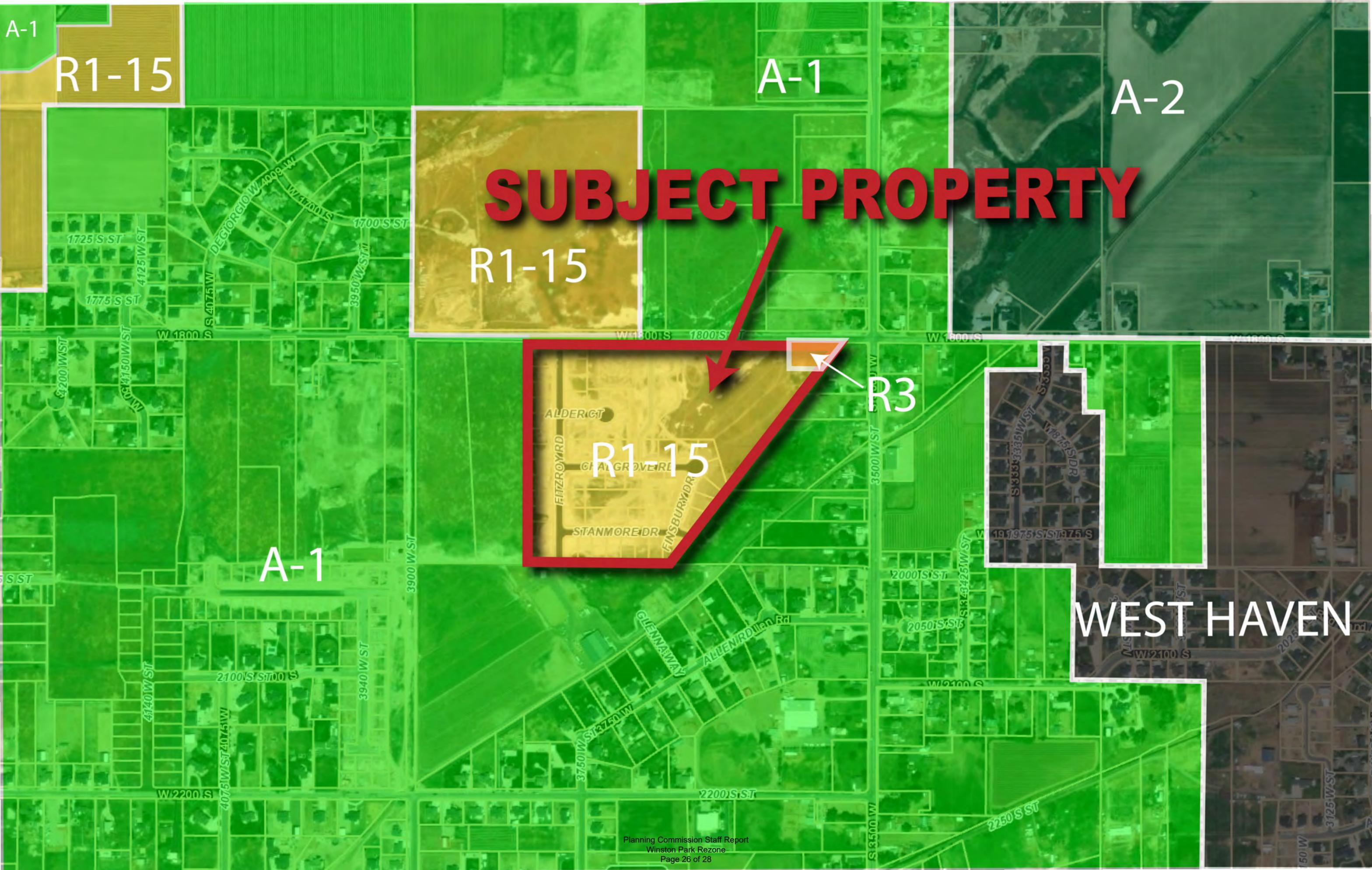
WEST HAVEN



# **EXHIBIT C**

# **PROPOSED ZONING**



A-1

R1-15

A-1

A-2

**SUBJECT PROPERTY**

R1-15

R1-15

R3

A-1

WEST HAVEN

**EXHIBIT D**

**PROPOSED**

**CONCEPT**

**PLAN**

LEGEND

- WEBER COUNTY SECTION CORNER
LOT CORNER (SET 1/2 REBAR AND CAP)
BOUNDARY CORNER (SET 1/2 REBAR AND CAP)
P.U.E. PUBLIC UTILITY EASEMENT
STREET MON. (TO BE CONST.)
SECTION LINE
BOUNDARY LINE
LOT LINE
STREET CENTERLINE
EASEMENT LINE
RIGHT OF WAY LINE
20' PUBLIC RIGHT OF WAY FOR EMERGENCY SERVICE ACCESS ROAD

WINSTON PARK PHASE 2 & AMENDING LOTS 136, 137, & 138 WINSTON PARK

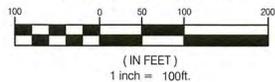
136, 137, & 138 WINSTON PARK

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN WEBER COUNTY, UTAH

OCTOBER, 2023

"CONCEPT B"

GRAPHIC SCALE



NORTH



SURVEYOR'S CERTIFICATE

I, BRIAN A. LINAM 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 ACT, AND THAT I HOLD CERTIFICATE NO. 7240531...

CONCEPT

WINSTON PARK PHASE 2 & AMENDING LOTS 136, 137, & 138 WINSTON PARK

BOUNDARY DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. SAID TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EXISTING FENCE LINE EXTENDED DEFINED AS THE WESTERLY BANK OF A SLOUGH, SAID POINT BEING NORTH 89°15'08" WEST ALONG THE QUARTER SECTION LINE 152.35 FEET AND SOUTH 38°02'07" WEST 50.28 FEET FROM THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 38°02'07" WEST 364.48 FEET...

CONTAINS 16.458 ACRES, MORE OR LESS
25 RESIDENTIAL LOTS

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, WINSTON PARK SUBDIVISION, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND, TRAILS AND ROADS INTENDED FOR PUBLIC USE...

AND DO ALSO GRANT AND CONVEY TO THE SUBDIVISION LOT OWNERS ASSOCIATION, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS COMMON AREAS TO BE USED FOR RECREATIONAL AND PURPOSES FOR THE BENEFIT OF EACH LOT OWNERS ASSOCIATION MEMBER IN COMMON WITH ALL OTHERS IN THE SUBDIVISION AND GRANT AND DEDICATE TO THE COUNTY A PERPETUAL RIGHT AND EASEMENT ON AND OVER THE COMMON AREAS TO GUARANTEE TO WEBER COUNTY THAT THE COMMON AREAS REMAIN OPEN AND UNDEVELOPED EXCEPT FOR APPROVED RECREATIONAL, PARKING AND OPEN SPACE PURPOSES.

SIGNED THIS \_\_\_ DAY OF \_\_\_, 2022

ACKNOWLEDGMENT

WADE RUMSEY
State of } S.S.
County of }
ON THE \_\_\_ DAY OF \_\_\_, 20\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WADE RUMSEY, OF THE ABOVE OWNERS DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME THAT HE SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION NUMBER: \_\_\_ NOTARY PUBLIC (PRINT NAME)
MY COMMISSION EXPIRES: \_\_\_ NOTARY PUBLIC RESIDING IN \_\_\_ COUNTY

WINSTON PARK PHASE 2 & AMENDING LOTS 136, 137, & 138 WINSTON PARK

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN WEBER COUNTY, UTAH

OCTOBER, 2023

PAGE 1 OF 2

OWNER / DEVELOPER:
NAME: OGDEN 3, LLC
TELEPHONE: (801) 209-6759
IGORMAKSYMIV@AOL.COM



TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND WATER DESIGN IS APPROVED BY TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT ON THE DAY OF \_\_\_, 2022.

REPRESENTATIVE (TWWWD)

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYORS 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.

WEBER COUNTY SURVEYOR RECORD OF SURVEY #

WEBER COUNTY SURVEYOR

WEBER COUNTY PLANNING COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY, PLANNING COMMISSION ON THE \_\_\_ DAY OF \_\_\_, 2022.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

SIGNATURE

WEBER COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER 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 \_\_\_, 2022.

CHAIRMAN, WEBER COUNTY COMMISSION

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE 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.

SIGNATURE

WEBER COUNTY RECORDER

ENTRY NO. \_\_\_
FEE PAID \_\_\_
FILED FOR RECORD AND RECORDED AT \_\_\_
BOOK \_\_\_ OF OFFICIAL RECORDS, PAGE \_\_\_
RECORDED FOR: \_\_\_

WEBER COUNTY RECORDER

DEPUTY