



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

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

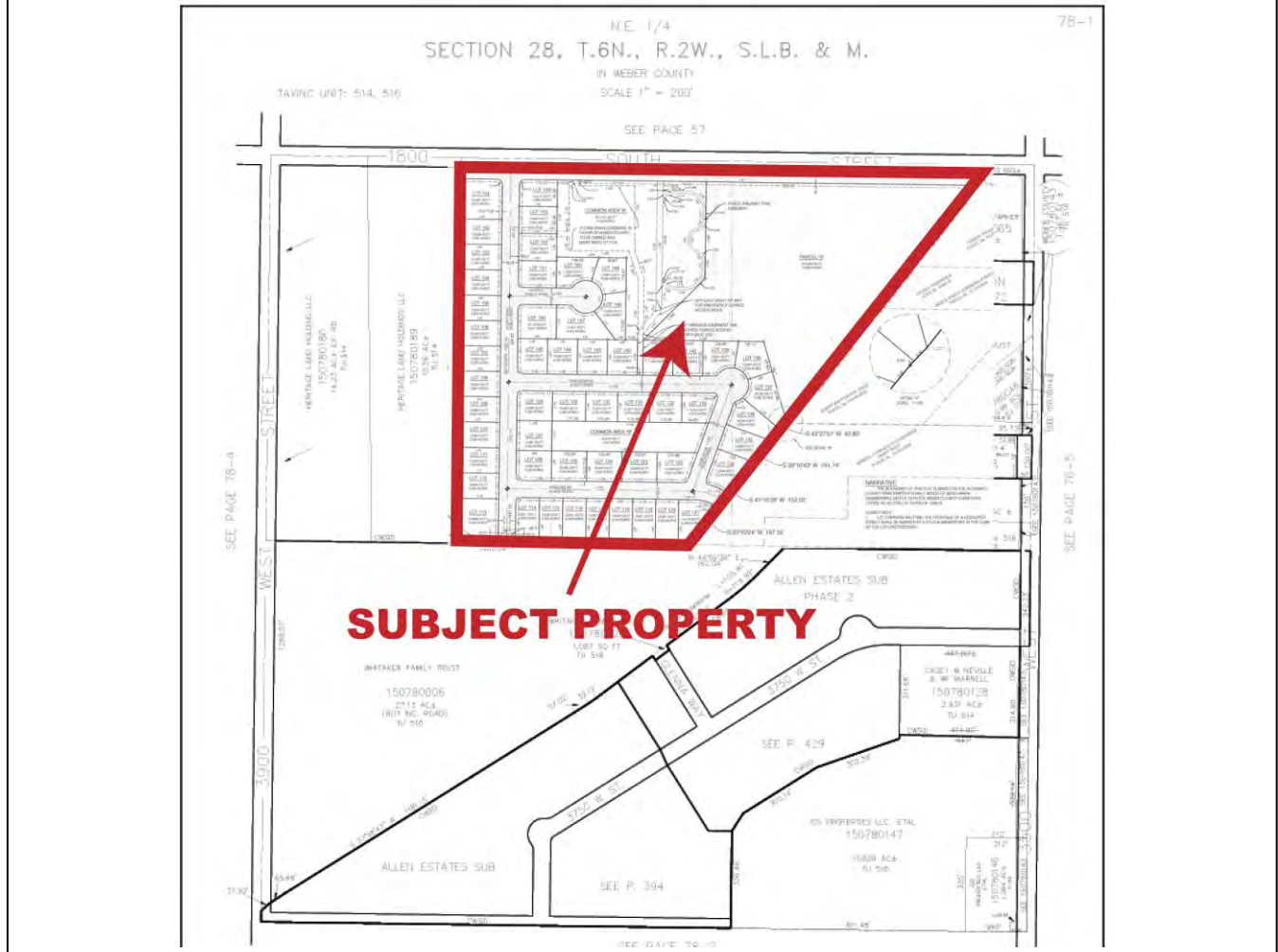
This rezone, if approved, is recommended to be accompanied with a development agreement. Through this development agreement the county can capture additional considerations unique to the property. Even though the rezone will be applicable to the entire subdivision, including existing lots owned by others, 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.

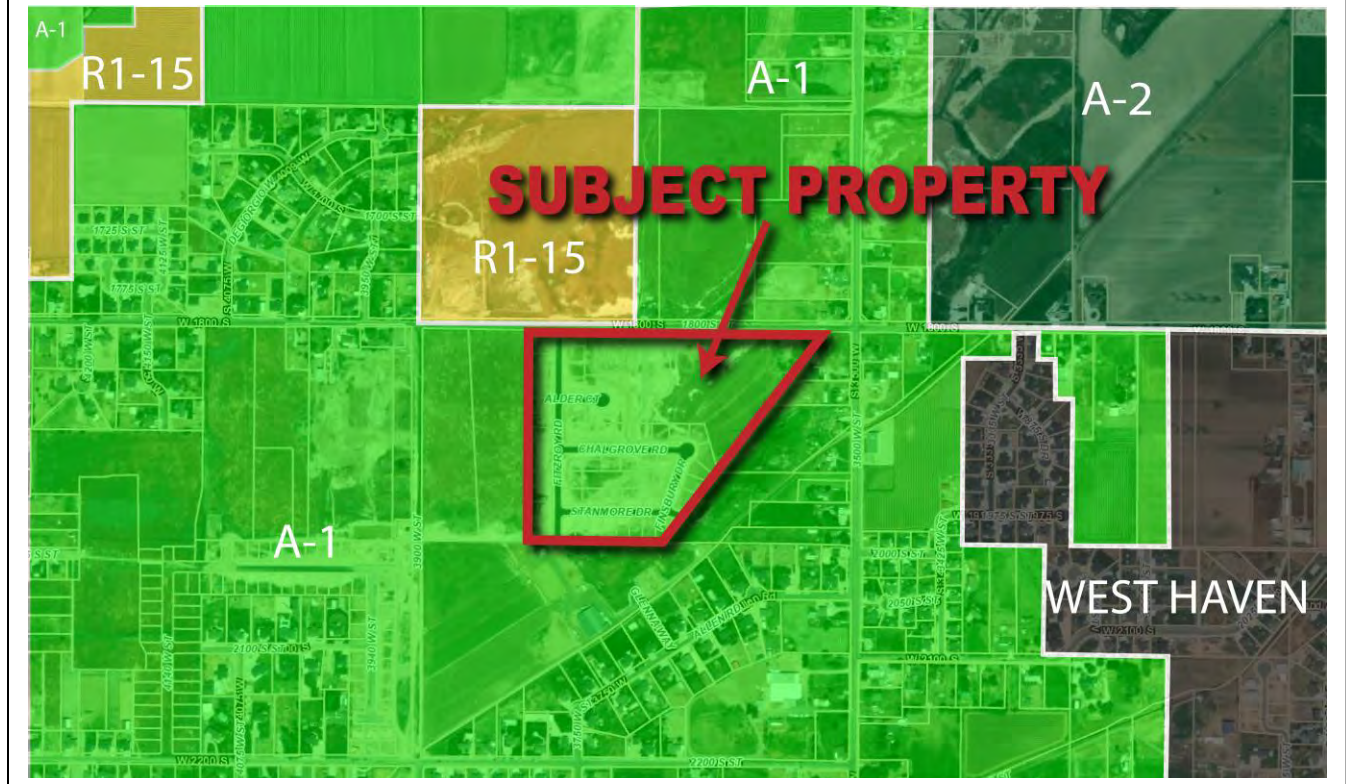
The rezone is not intended to modify or change any land uses on the existing lots with the Winston Park subdivision. The subdivision was initially platted as a cluster subdivision, which allowed smaller lot sized and lot development standards that those listed in the A-1 zone in exchange for meaningful 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 2¹** 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."*²

Figure 2: Current Zoning Map and the Subject Parcel(s).



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. [...]"*³

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."*⁴

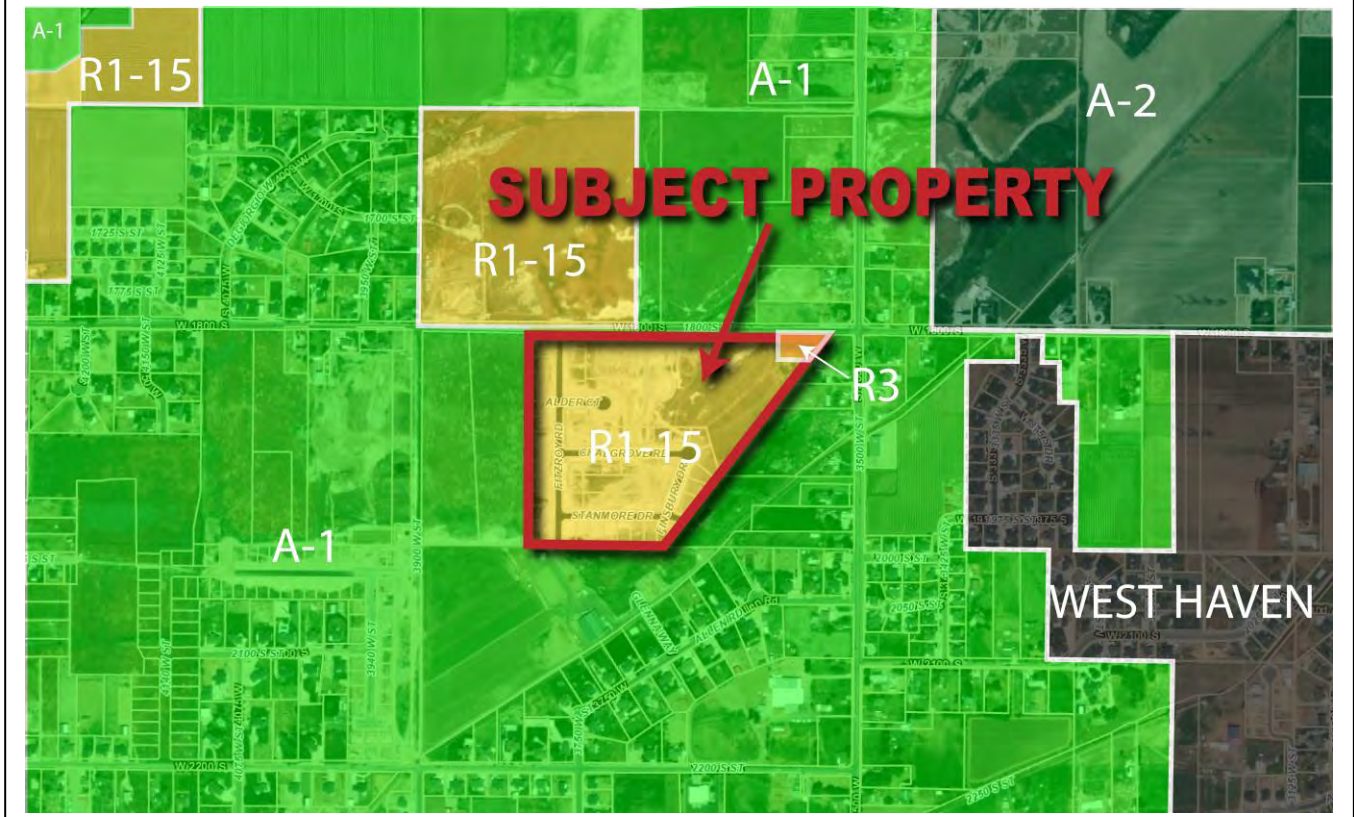
¹ See also Exhibit B.

² Weber County Code Section 104-2-1.

³ Weber County Code Section 104-12-1.

⁴ Weber County Code Section 104-12-1.

Figure 3: Proposed Zoning Map and the Subject Parcel(s).



The proposed rezone can be observed in **Figure 3⁵**, with the yellow polygon depicting the proposed R1-15 zone and the orange polygon depicting the R-3 zone.

The R1-15 Zone is intended to support single-family lots that are an average of 15,000 square feet in area. The R1-15 zone was specifically designed to support the residential directives that the Western Weber General Plan prescribes for this area. In addition to the creation of the R1-15 zone, following the directives of the general plan Weber County also adopted modifications to its previously adopted street connectivity incentivized subdivision standards and have since been applying the new standards to all new residential rezones. Typically, compliance with street connectivity incentives is voluntary. When applied to the project through a rezone development agreement, the county can obligate the developer to comply, and from there on the standards are compulsory.

Connectivity incentivized development allows the developer to maintain a consistent number of lots while still placing streets, pathways, and open spaces where they can be most optimal given the specific site and surrounding area characteristics.

Through a development agreement, the county can also apply other regulations to the project that may help soften the strict requirements of code if those requirements do not make sense for the specifics of the project, or strengthen sections of code that may not adequately govern the specifics of the project.

Working with the applicant, planning staff have a high degree of confidence that the proposal can meet the R1-15 zone requirements, as well as street and pathway connectivity standards. The site plan may need a few minor changes or reconfigurations here or there, as may be requested by staff prior to final adoption, but the planning commission should be able to find that these changes can successfully occur through the process of drafting a development agreement prior to final county commission consideration.

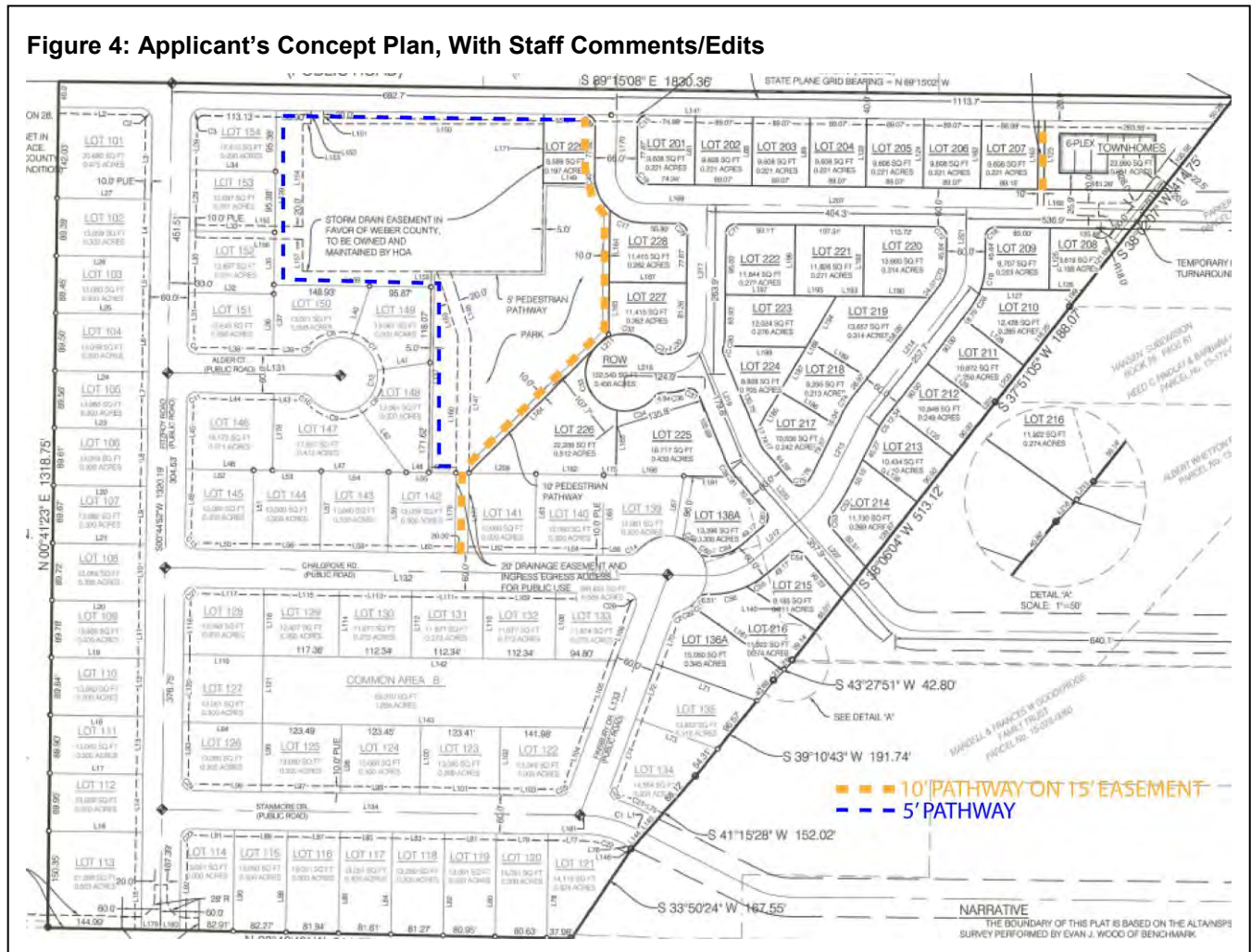
Even though there are an existing 54 lots within the development attributable to the cluster subdivision ordinance and related density bonuses of the past, any easy analysis of this rezone can be made by imagining the entire 40 acre parcel as if development approvals have not yet occurred. When doing this, the planning commission can find that if in the R1-15 zone the 40 acre parcel can support 116 residential lots. If this density is maximized, the developer is potentially entitled to another 62 lots. However, the applicant is only seeking to obtain 28 additional

⁵ See also Exhibit C.

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 4⁶** 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



⁶ 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."*⁷

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

⁷ 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

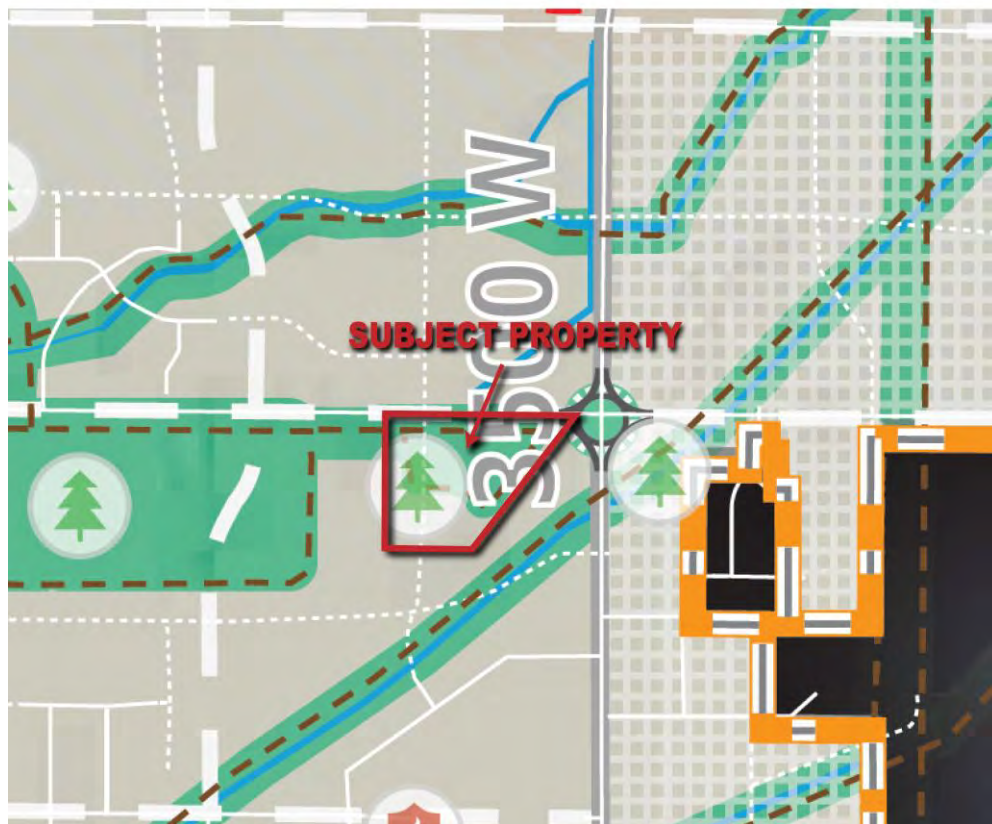
This is not usually a requirement of rezoning, and is better handled at the time specific construction drawings are submitted. This occurs during subdivision application review.

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 Code⁸ 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



⁸ 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.

Figure 6: National Wetland Inventory Map of Area



(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.

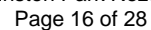
Ogden 3, LLC, Igor Maksymiw & Wade Rumsey

TOWNHOME EX
DWG. NO. 2006142.dwg
PROJECT. NO. 2006142

APPROVED:

TOWNHOME EXHIBIT

(IN FEET)
1 inch = 30 ft.





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	hooperirrigationco@msn.com

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,

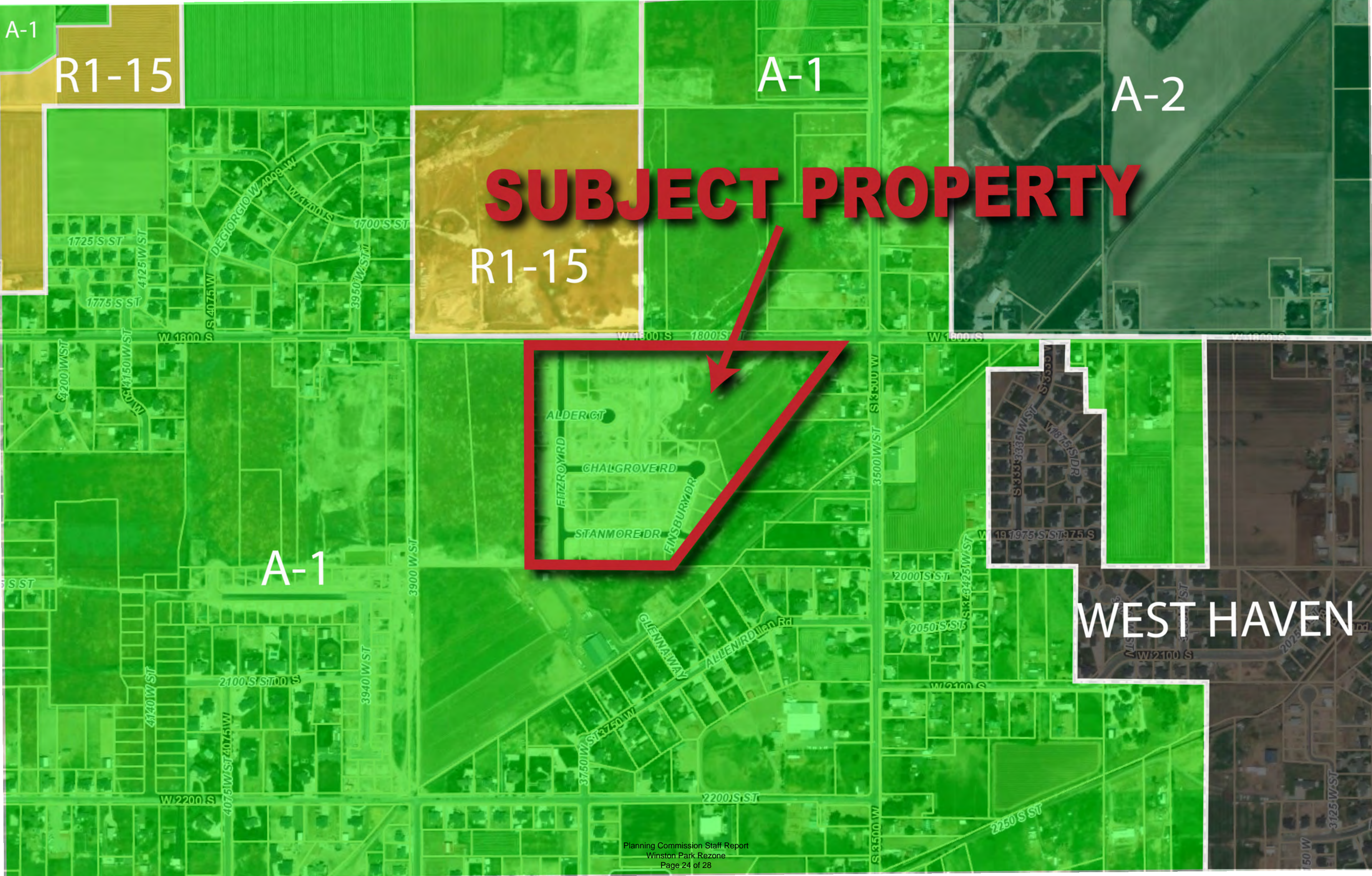
Clay Marriott

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

R1-15

A-1

A-2

SUBJECT PROPERTY

R1-15

R3

R1-15

A-1

WEST HAVEN

EXHIBIT D

PROPOSED CONCEPT PLAN

