

Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application	Information
Application	information

Application Request: Agenda Date: Report Date: Applicant: File Number: Frontier Project Link:	File #GPA2024-05, an application to amend the Western Weber General Plan's future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, and to provide other land use map adjustments. November 12, 2024 November 5, 2024 Black Pine Group. Agents: Genneva Blanchard and Jeff Beck GPA2024-05 https://frontier.co.weber.ut.us/p/Project/Index/20894
Staff Information	
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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, existing ordinances, and community circumstances.

Summary and Background

This is an application for an amendment to the future land use map of the Western Weber General Plan. The requested amendment is intended to support a master planned mixed-use walkable community.

To implement the applicant's requested changes, if found desirable, a few other adjustments to the map are necessary, and proposed by staff herein. Staff have also included a handful of other optional map adjustments that are not related to this application should the planning commission determine this is a good opportunity to make the changes.

Policy Analysis

This item is a proposed amendment to the Western Weber General Plan's Future Land Use Map. It is intended as a means of supporting a forthcoming master planned development rezone of property between 4700 West and the Weber River to the west, and north of 12th Street.

Regulatory requirements -

Regarding general plan amendments, Weber County Code Section 102-2-4 Powers and Duties of the Planning Commission states the following:

The planning commission shall review the general plans and make recommendations to the county commission, as deemed necessary, to keep the general plan current with changing conditions, trends, and planning needs of the county.

Utah Code Annotated Section 17-27a-403 Plan Preparation states:

The planning commission shall make and recommend to the legislative body a proposed general plan for the unincorporated area within the county...

This provision applies to amendments to the general plan as well.

Considerations generally –

When reviewing the proposed future land use map amendments, the planning commission should consider how they might be applied to the properties affected. It is important to note that the future land use map is an aspirational map that sets forth a general direction on how to shape development. It is not a regulatory document, and as such is wholly discretionary and does not entitle any landowner to any given outcome. This means that the map can be general in nature. Landowner entitlements are given at the time of rezoning.

A rezone is intended to generally follow the guidance of the future land use map, but a rezone is intended to offer more specifics to what types of uses and land development can and cannot occur. A rezone will, in part, set the amount of development density and intensity. This means that the planning commission has quite a bit of latitude in the creation/amendment of the future land use map – knowing that most of the unknown specifics will be required when the property is rezoned.

The applicant is planning to rezone the property and provide those future specifics after the future land use map amendment is adopted.

Plan amendment -

The applicant's property is depicted in **Figure 1**. After several discussions with the planning commission and county commission, it became clear that the county is not interested in creating a plan amendment of this scale for just the applicant's property. The applicant was advised that the broader area should be considered. In response to this, the applicant has proposed an amendment to the future land use map as provided in **Figure 2**.



When stitching the applicant's proposed amendment into the broader context of the future land use map staff determined that a few adjustments are necessary to ensure mapping consistency. If the planning commission desires to forward a positive recommendation for this proposal, staff recommends using the future land use map prepared by staff, as illustrated in **Figure 3**.



Generally, the adjustments between the applicant's version and staff's version as it relates to the property are as follows:

 The applicant proposed a mixed-use residential overlay designation over some areas of medium-tolarge residential. Their intention was to make it clear that a variety of housing types can occur within that overlay including single-family detached, single-family attached, and two-, three-, four- and multi-family dwellings.

Staff's suggested adjustment is to simply designate all of the area within this overlay as mixed-use residential. This will help offer simplicity in map viewing while providing for the same effect. The plan explains the following about this designation:

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. (Pg. 38, Western Weber General Plan)

Thus, it can be observed that the mixed-use residential is intended to accommodate all housing types based on what the market demands. This gives the applicant wide latitude to create anything from large single-family lots to small condos. Under this designation, the composition of the actual housing types and the housing density will be better determined during rezone, development agreement, and concept development planning.



• The applicant proposed a mixed-use residential overlay designation over some areas of mixed-use commercial.



Staff is instead recommending the use of a mixed-use commercial overlay over the mixed-use residential. This will help convey that the intended default use of these areas is mixed-use residential, but that through rezoning and concept planning, some mixed-use commercial uses may be allowable therein. It is also an overlay type that is already used on the future land use map.



- The applicant had originally proposed some areas in the development for the "rural residential" designation. This designation generally refers to half-acre lots. It is also a designation that was previously retitled in the general plan to "very large lot residential." Upon additional consideration, the applicant would rather designate each of these areas as "medium-to-large residential lots," and then flesh out where they will ultimately locate the estate lots through the rezone and concept plan process. Consequently, staff's version does not show this designation.
- The applicant proposed more vehicle oriented commercial along 4700 West than staff is suggesting. This is, in
 part, because the plan advocates for the creation of commercial villages in mindfully selected areas along main
 street corridors areas instead of supporting strip commercial.
- In addition to the above, as it relates to the area of the applicant's property, staff's version:
 - Adds parks and trailhead icons in strategic locations.
 - Aligns streets to better reflect the 4700 West and 12th Street commercial node's street regulating plan, as provided in the Form-Based zone.
 - Preserves a potential large park area in the northern part of the planning area next to 4700 West.
 - o Extends similar land use designations to better consider the east side of 4700 West.
 - o Adds trail connections that were omitted from the applicant's version.

Weber River Corridor/Emerald Necklace Concept: Something worth considering at this time is the effect of this proposed general plan amendment on the Weber River corridor and the planned "Emerald Necklace" concept of a linear park area along the Weber River, with park nodes (emeralds). **Figure 4** generally illustrates the plan's currently adopted emerald necklace configuration.

The plan directs the county to do the following:

PARKS & RECREATION PRINCIPLE 1.1: In tandem with Land Use Goal 5, Support the creation of a regional, community, and neighborhood parks and trails system along the Weber River.

- Parks and Recreation Action Item 1.1.1: Create an "Emerald Necklace" regional park system along the Weber River that includes a linear park system along the river and both natural and improved parks, or "emeralds," along the linear park system.
- Parks and Recreation Action Item 1.1.2: Create Weber River Corridor Park that includes all land within 300 feet of the high-water mark of the Weber River. Exact this land from the landowner at the time of development where appropriate. Reserve an easement for the future park when exaction of the land is not appropriate. Establish a Weber River corridor setback where no permanent structures can be constructed within 300 feet of the high-water mark of the river.
- Parks and Recreation Action Item 1.1.3: In cooperation with the Park District, pursue opportunities to acquire park land along the Weber River. The areas shown on the Future Land Use Map present some opportunities, but pursue other opportunities with landowners as development along the river occurs.
- Parks and Recreation Action Item 1.1.4: Encourage areas in the floodplain to be held as public park land. Pursue opportunities to create nature parks in floodplains, unless a more formal park is more desirable in that area.

In response to this direction from the plan, in 2023 the county adopted a 300 foot setback from the Weber River. This setback is intended, in part, to help create the emerald necklace linear nature park. It is also intended to help provide area for better floodplain management, riparian protection, and a wildlife corridor.

The county is currently in negotiation for this 300 foot corridor with two other developers who are seeking a rezone. Together those developments comprise approximately two miles of riverfront properties.

For the applicant's project, which comprises approximately another two miles of riverfront properties (two miles x 300 feet =



approximately 84 acres), the applicant is seeking to reduce the 300 foot river buffer in favor of preserving alternative open space areas for the emerald necklace concept. The applicant has asserted that nature does not often conform to precise linear buffers, and as such the applicant is suggesting the county take a more nuanced approach to their property based on areas actually worth preserving as open space. The applicant is also requesting a future large regional park area on the property be removed from the future land use map. **Figure 5** generally illustrates this potential reconfiguration.

Staff requested that the applicant obtain and remit to the county best management practices specific to their desired alternative, but have not received it as of the writing of this report.

Staff did, however, reached out to the Utah Division of Wildlife Resources to get an expert opinion on best management wildlife practices, and whether this buffer is essential to wildlife management best practices. Their response states the following:

The DWR supports the Weber County General Plan's 300 ft setback from the Weber River to reduce impacts to riparian habitat, wildlife movement, and floodplain connectivity. The DWR supports consistency in imposing a 300 ft setback from the Weber River as per the County Development Ordinance.

While DWR is supportive of Weber County's established buffer, they did not provide specific scientific best practices that might help us better assess the benefits and protections that the buffer offers, or whether there are better and more supportable alternatives worth considering.

It is not absolutely imperative to address this topic at this time as the county and applicant can better negotiate the details during the rezone process. However, if the 300 foot buffer or the regional park area is something the planning commission deems necessary, then the applicant would be better off knowing before pursuing the rezone.

Regardless of whether the 300 foot buffer and/or the regional park area is applied or waived, the applicant has stated that they are committed to providing ten acres of open space for every 1,000 residents, as otherwise suggested by the general plan.

Other plan amendment opportunities -

As the county addresses the general plan's future land use map as it relates to this area, it may also be prudent to look for other areas on the map that may need some adjustments. With the exception of the 4700 W and 12th Street village area, none of these are directly related to the applicant's potential project, and as such should only be considered as part of this item so long as they do not delay a decision on this item. The planning commission may be interested in looking at the following possible amendments:

• Reconfiguring the 4700 West and 12th Street commercial node's land use designations (**Figures 6 and 7**) to more precisely reflect what was adopted in the Form-Based zone's street regulating plan (**Figure 8**).







 Adding a vehicle-oriented commercial node at the potential future West Weber Freeway and 900 South interchange, and adjusting surrounding land uses for mixed-use residential, office, industry, and open space. See Figures 9 and 10.



• Adding mixed-use residential along west 900 South, between the West Weber Freeway corridor and the western industrial area. Figures 11 and 12.



The county commissioners have set aside some funds for the purpose of helping implement the general plan and/or make possible adjustments, so these opportunities can wait until that time if they become too challenging to address as part of these amendments.

Staff Recommendation

A general plan adoption/amendment is highly dependent on the desired community outcomes. Staff may recommend certain best practices based on the facts and circumstances of the area, but it is ultimately up to the community, by means of a recommendation from the planning commission to the county commission, to determine whether the changes and timing will bring about desirable community outcomes.

It is, however, staff's opinion that the type of development the applicant is pursuing follows some of the best industry practices of community planning. The community the applicant wants to emulate (Norton Commons) is known nationwide for implementing a mixture of land uses and design in a manner that has created a community that is livable, workable, and playable. These are all characteristics identified throughout the current general plan as characteristics worth pursuing. Paraphrasing a comment made by a neighbor of the applicant's property who is not excited to see the land develop: "if the land is going to be developed, this is the type of development it should be." It would be wise for the planning commission to consider the other types of development that is likely to occur on this land in the absence of this applicant's current master planning desires and efforts.

Staff remains a little concerned about deviating from the 300-foot river setback. Once that corridor becomes private developed land the community is not likely to ever see it become community open space in the future. The setback was developed based purely on the assumption that distance is the key to the preservation of the public space and the promotion of the river's current and future environmental ecosystem. However, other than this assumption, staff does not currently have empirical evidence to suggest that alternatives cannot provide for the same level of protection and benefit. More research may be needed. Staff is optimistic that the applicant can provide the evidence necessary to support their desired alternative.

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 #GPA2024-05, an application to amend the Western Weber General Plan's future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, and to provide other land use map adjustments, as illustrated in this staff report dated November 5, 2024. The effective date for these proposed amendments should be dependent on the adoption of a development agreement and rezone of the applicant's property.

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

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- 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 #GPA2024-05, an application to amend the Western Weber General Plan's future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, and to provide other land use map adjustments, as illustrated in the staff report dated November 5, 2024. The effective date for these proposed amendments should be dependent on the adoption of a development agreement and rezone of the applicant's property. This motion comes with the following additional edits and corrections:

Example of ways to format a motion with changes:

- 1. Example: Do not make any of the adjustments mentioned in the staff report dated November 5, 2024 except for the ones in the area of the applicant's proposal.
- 2. Example: Amend staff's consideration item # [_]. It should instead read: [___desired edits here__].
- 3. 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 #GPA2024-05, an application to amend the Western Weber General Plan's future land use map to better contemplate and guide a potential development proposal between 4700 West and the Weber River, north of 1150 South, and to provide other land use map adjustments, as illustrated in the staff report dated November 5, 2024. 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.



August 5, 2024

Weber County General Plan Amendment Application

Project Name: West Weber Master-Planned Community



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Project Narrative

On August 16, 2022, the Weber County Commissioners approved a new Western Weber General Plan (WWGP) with considerable thought and foresight focused on community and economic growth to support the needs of Western Weber County. Situated in the heart of the West Weber planning area between the intersections of 12th Street, 4700 West, and the Weber River is the largest contiguous acreage on 12th street immediately ready for development. Per the General Plan, the future designated use for this site is a mix of vehicle oriented commercial, mixed-use commercial, mixed-use residential and rural agricultural lots. BlackPine, an Ogden based real estate development group, desires to develop this area into a community-oriented traditional neighborhood. Given immediate proximity to in-place infrastructure, natural river amenities, and large contiguous size, the area presents the unique opportunity for an immediate master-planned development consistent with the goals set forth in the WWGP.



How is the change in compliance with the General Plan?

The residents and stakeholders of West Weber have clearly articulated their vision for the identity and character of the Community through the following vision statement, found in the General Plan.

"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**."





In studying communities that possess this strong sense of identity and character sought after in the WWGP, a clear difference can be observed between those guided by principles of "Traditional Neighborhood Development" (TND) versus those that follow "Conventional Neighborhood Development" (CND) practices.

Most CNDs are characterized by an auto-centric, disconnected environment. Land uses remain separate and at low intensities. Living, working, and playing all happen at independent locations and usually require driving from one location to the next. This environment is not typically conducive to the sense of place and community that is described in the WWGP.

Alternatively, TNDs provide a more community-oriented approach, aligned with the goals and principles found in the WWGP. These communities are typified by pedestrian-oriented neighborhoods, a mix of commercial and residential uses, a variety of housing types, and public places, parks, and open space where people have opportunities to interact with each other in a variety of environments. These neighborhoods still accommodate automobiles but are no longer centered around them. Successful examples of TNDs can be found across the Country in neighborhoods like <u>Norton Commons, Kentucky; Kentlands, Maryland; Seaside, Florida;</u> and <u>Serenbe, Georgia</u>.



BlackPine is requesting an amendment to the General Plan to enable this type of TND to be developed in the heart of West Weber. The proposed project ("The Project"), will be designed in a way that both honors and compliments the historic and ongoing agrarian community, while also provides much needed housing and commercial amenities to serve a diverse and growing range of households and businesses. The WWGP has already established the foundational goals and principles required for a community of this nature to be successful, and the location and size of The Project presents a unique opportunity to now implement this vision in reality.

WWGP: Land Use Goal 1 (pg. 51)

"As residential growth occurs, a goal of Weber County is to ensure it is deliberately and thoughtfully planned in patterns that support efficient organization of infrastructure and services, provide for a





WWGP: Land Use Goal 2 (pg. 56)

"In areas planned for mixed-use commercial, provide zoning or other regulatory tools that enable the creation of a community village that offers a wide variety of multi-family housing and commercial opportunities, and focuses on attractive building, site, and street design more than land uses."

Why should the present zoning be changed to allow this proposal?

The uses currently planned for the land in and surrounding The Project, as shown in the future land use map of the WWGP, are a combination of Mixed-Use Residential, Mixed-Use Commercial, Vehicle Oriented Commercial, and Agricultural. BlackPine is proposing that the future land use map of the WWGP be modified to expand and relocate the mixed-use residential and mixed-use commercial areas to accommodate a large-scale TND, as shown in Exhibit A: The Project Land Use Map.

While this type of TND is both wanted and needed to accommodate future growth in West Weber, there are several challenges to implementation. Many areas of West Weber lack the surrounding transportation and utility infrastructure to allow for near-term development of such projects. Additionally, significant size and scale is required to implement all the WWGP "Smart Growth Principles" in a cohesive and uniform manner. Finding land that is controlled at this scale by one contiguous owner is difficult.

The Project is unique in that its size and location present solutions to these challenges. The surrounding transportation infrastructure along 12th Street and at the 4700W intersection is in the process of being upgraded to a 3-lane road and a lighted intersection. Many aspects of the utility infrastructure surrounding the project are being improved through the development of the adjacent Promontory Commerce Center business park. The size and scale of The Project allows for a master-planned approach to planning and design of this area, which is supported in the WWGP. The plan states:

Working with landowners to master plan large swaths of land provides community benefits that due to the economy of scale cannot usually be realized for smaller subdivisions. The county should encourage master-planned communities that create a distinct sense of place and provide for all stages of life and family situations."

The combination of these factors suggests that the modified land use map as proposed by BlackPine in **Exhibit** A: The Project Land Use Map would result in more immediate and impactful benefit to West Weber and better fulfill the intent of the WWGP than what is currently planned for this area.

How is the change in the public interest?

When considering an area development, the WWGP establishes two public interests as top priorities: first to provide sufficient housing supply for incoming residents, and second to preserve the current resident's desire for openness. While CNDs often accomplish one of these goals, they rarely succeed at both. Further, CNDs tend to diminish a neighborhood's sense of community and age diversity by grouping housing types together by location. A neighborhood development that best serves the wider public interest could, therefore, be





characterized as one that sufficiently provides housing for new residents in all stages of life while also preserving desired openness.

TNDs serve the interest of future residents by providing sufficient housing for a diverse and growing range of households while enhancing community feel. A residential street block in a traditional neighborhood would typically feature a wide variety of housing types together on the same street including large mansion homes, connected patio homes, quadplexes, and townhomes. Guided by TND principles, these streets and buildings adhere to consistent architectural and thematic design thus accomplishing the goal to provide needed homes while creating a strong sense of place.

Second, TNDs serve the public interest by preserving openness through the improvement of public places, parks, trails and open space.

Weber County is situated in the path of growth along the Wasatch Front as evidenced by 7.5% population growth over the last 5-years. Additionally, the Kem C. Gardner Policy Institute projects over 37,300 new household formations in Weber County by 2044. Both current and future Weber County residents stand to benefit from the development of traditional neighborhoods consistent with the WWGP's goals as the region continues to experience rapid growth.

"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-/quadplexes, 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."

Strong Economic Trends in Weber County







What conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?

Since the adoption of the General Plan in 2022, the barrier to home ownership has increased at a rate greater than that of population growth, expediting the need for readily available master-planned communities consistent with the principles found in the WWGP.

Additionally, an unforeseeable opportunity to implement the goals and principles of the WWGP on a large contiguous piece of property has recently become available. While this opportunity does require altering the Land Use Map in the WWGP, the goals and principles represented therein are unchanged and even strengthened by what is being proposed through The Project.

How does this proposal promote the health, safety, and welfare of the inhabitants of Weber County?

Health: TNDs provide health-related amenities and resources within walking distance of resident homes.

Safety: Traditional neighborhoods greatly reduce the need for automobiles while catering to safer forms of travel to and from work, school, and play including walking and cycling.

Welfare: Resident welfare and quality of life increase within traditional neighborhoods where people can work, play, shop, and recreate within walking distance of where they live.





Source: https://www.cnu.org/publicsquare/2019/02/04/health-benefits-new-urbanism

Describe the Project Vision

The Project is envisioned to be a vibrant, walkable, and interconnected community available to all ages and demographics. Located at the heart of West Weber, this area will be crucial in defining the identity and character of the broader community. BlackPine feels confidently that a TND in this location would benefit future generations of West Weber for years to come, providing a safer, healthier, and happier way of living.



GENERAL PLAN AMENDMENT MAP: FUTURE LAND USE



The design is subject to change. Not for construction.



Key



Notes

General Plan Amendment Area Parks and Recreation Medium-to-Large Residential Mixed-Use Residential Mixed-Use Commercial Vehicle-Oriented Commercial

1. Boundaries between Future Land Uses are subject to refinement.

2. In addition to the areas shown as Parks and Recreation on this map, smaller Civic Spaces will also be distributed throughout the other Future Land Uses.

3. Specific uses and regulations will be determined by zoning, but will generally conform to the intent of the Future Land Uses shown on this map.



GENERAL PLAN AMENDMENT MAP: THOROUGHFARES



The design is subject to change. Not for construction.



Key

Subject Property Collector Street Local Street

Notes

1. Specific trajectories of thoroughfares and trails are subject to refinement. 2. Local Streets in addition to those shown on this map are anticipated.

General Plan Amendment Area Minor Arterial Street



GENERAL PLAN AMENDMENT MAP: ALL AMENDMENTS



The design is subject to change. Not for construction.







Subject Property General Plan Amendment Area Minor Arterial Street

Parks and Recreation Medium-to-Large Residential Mixed-Use Residential Mixed-Use Commercial Vehicle-Oriented Commercial

