



## Staff Report to the Weber County Commission

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** To consider and take action on GP 2018-02, a request to amend the General Plan Future Land Use Map to change some of the proposed manufacturing area along 900 South near the Little Mountain manufacturing area to a future agricultural and one acre residential area.

**Staff Report Date:** September 18, 2018

**Agenda Date:** Tuesday, October 02, 2018

**Applicant:** John Price

**File Number:** GP 2018-02

#### Property Information

**Approximate Address:** 7500 West 900 South

**Project Area:** Approximately 372.58 Acres

**Zoning:** The area is currently M-1 (manufacturing) and A-1 (agricultural).

**Existing Land Use:** Agricultural/Residential

**Proposed Land Use:** Agricultural/Residential

**Parcel ID:** 10-037-0009, 10-037-0010, 10-037-0032, 10-037-0037, 10-037-0041, 10-037-0042, 10-043-0010, 10-066-0001, 10-048-0027, 10-048-0029.

**Township, Range, Section:** T6N, R3W, Sections 15, 22

#### Adjacent Land Use

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

#### Staff Information

**Report Presenter:** Charles Ewert  
cewert@webercountyutah.gov  
801-399-8767

**Report Reviewer:** RG

### Applicable Ordinances

§102-2-4 – Powers and Duties of the Planning Commission

### Summary

This item is a proposal to amend the West Central Weber County General Plan's Future Land Use Map to reduce the area designated as "industrial" and increase the area designated as "residential/agricultural." The subject properties are located just east of the heavy manufacturing zone out at Little Mountain, in the 7500 West – 7900 West block, north of 900 South.

As recommended by the Planning Commission, this Future Land Use Map amendment will extend the industrial designation to 900 South for properties currently split by the industrial and residential/agricultural designation, and it will extend the residential/agricultural designation westward, changing future land designated for industrial to future agriculture and residential.

This Future Land Use Map amendment is being requested in order to support a rezone for the same lands. The rezone process is running concurrently with this general plan amendment, and will be on the same meeting agenda, after this item.

### 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

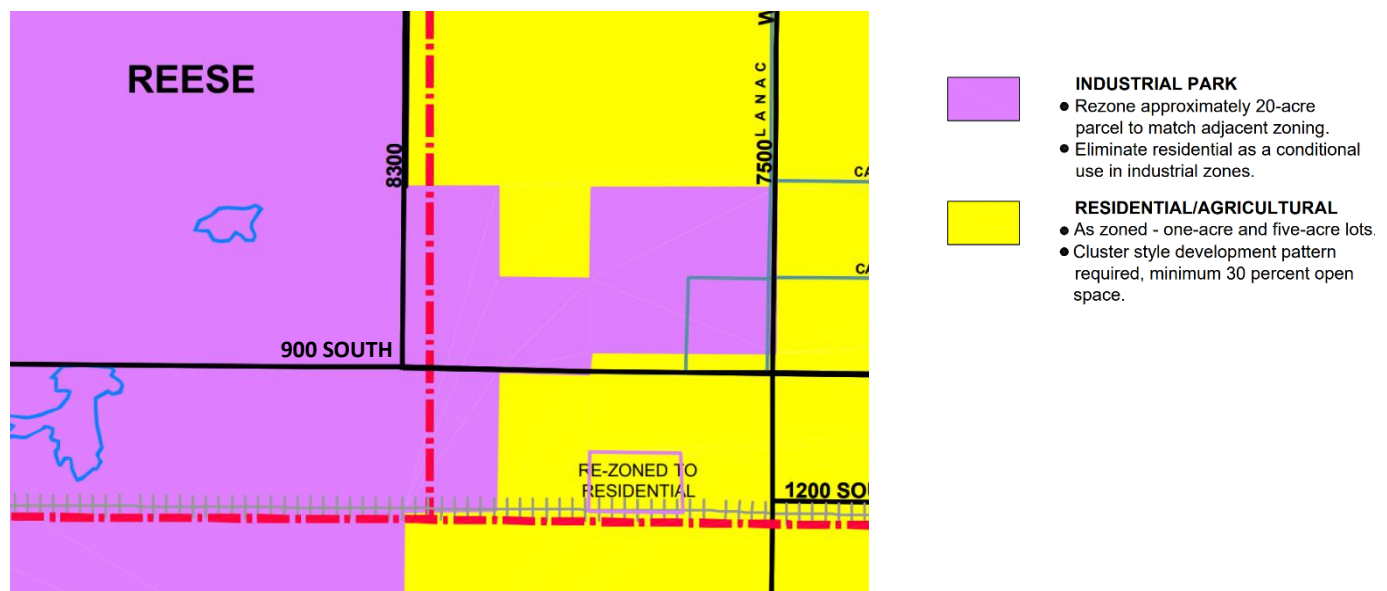
use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require compatibility with the general plan and existing ordinances.

## County Commission Considerations

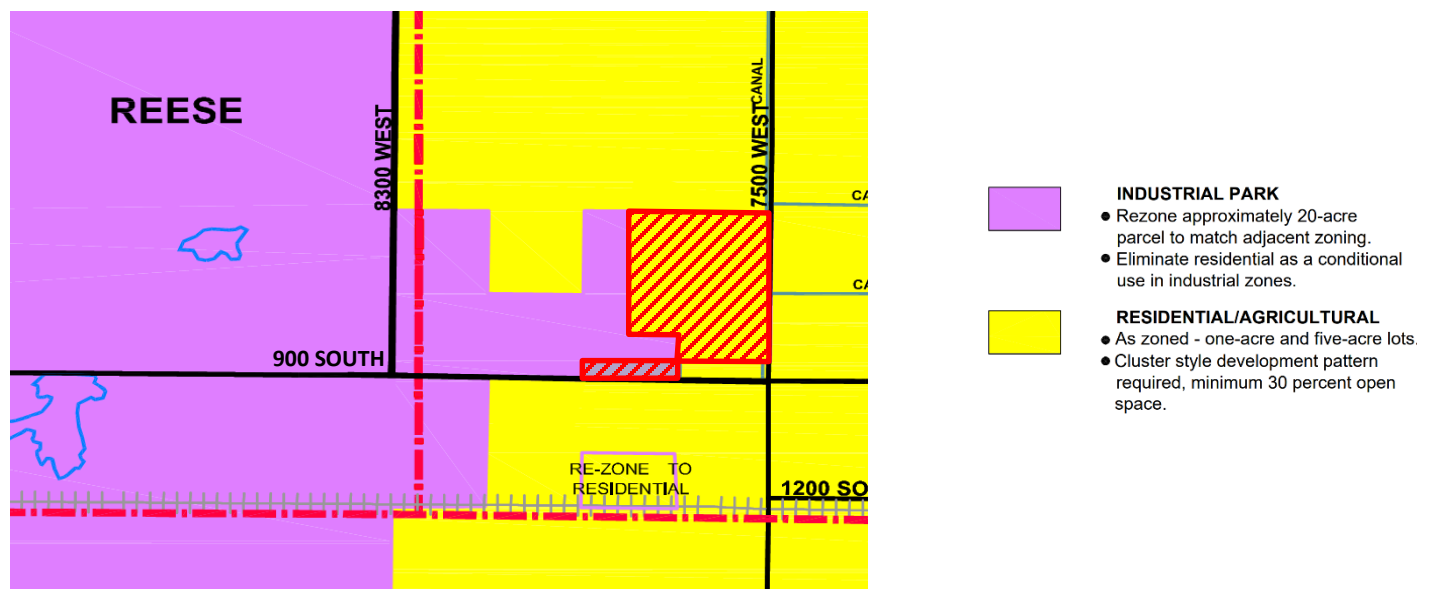
This application is concerning a change to the West Central Weber County General Plan. A favorable decision on this item from the county commission will offer better support for a pending rezone application for this same area. The rezone application is on the same meeting agenda.

The general plan's future land use map currently has a peninsula of area denoted as an "industrial" area projecting from the main "industrial" area at Little Mountain eastward along the north side of 900 South. This proposal will reduce that finger's projection eastward, and replace the subject area with the future "residential/agricultural" designation. It also eliminates the "residential/agricultural" area that is between 900 South and the "industrial" area to the north by extending the "industrial" designation to 900 South. See **Figure 1** and **Figure 2** for graphic reference.

**Image 1: Current Future Land Use Map of the area.**



**Figure 2: Proposed Future Land Use Map of the area.**



The County Code specifies very little process regarding a modification to the general plan. §102-2-4, “powers and duties of the planning commission,” specifies that 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 the changing conditions, trends, and planning needs of the county.”

Given this, the criteria for making a decision regarding changes to the general plan are whether or not there are changing conditions, trends, and planning needs. The question can really be boiled down to whether or not the proposed modification to the future land use map, if implemented through zoning, will produce desirable community outcomes.

### **Planning Commission Recommendation**

The planning commission has offered the county commission a favorable recommendation for amending the West Central Weber County General Plan’s Future Land Use Map in accordance with the resolution attached to this staff report. They did so with the following findings:

1. Public opinion regarding the future land uses of the area have changed since the 2003 adoption of the West Central Weber County General Plan, and residential and agriculture are deemed more desirable land uses in this subject area.
2. Current development trends will make the property more useful as residential than industrial.
3. The changes are not harmful to the health, safety, or general welfare of the public.

### **Attachment**

Attachment A: Resolution Changing the West Central Weber County General Plan’s Future Land Use Map.  
Attachment B: Planning Commission Staff Report.

RESOLUTION NUMBER \_\_\_\_\_

**A RESOLUTION AMENDING THE WEST CENTRAL WEBER COUNTY GENERAL PLAN TO  
PROVIDE MORE ACREAGE FOR FUTURE RESIDENTIAL/AGRICULTURAL AND TO EXTEND THE  
FUTURE INDUSTRIAL AREA TO 900 SOUTH FOR LAND IN THE 7500 WEST – 7900 WEST BLOCK,  
NORTH OF 900 SOUTH**

**WHEREAS**, the Weber County Board of Commissioners have adopted a West Central Weber County General Plan (herein “Plan”); and

**WHEREAS**, the Plan offers general land use recommendations for future land uses and land use regulations; and

**WHEREAS**, Weber County Board of Commissioners have received an application to amend the Plan to enable more residential/agricultural land uses in the 7500 West – 7900 West block, just north of 900 South; and

**WHEREAS**, after a duly noticed public hearing, the Western Weber Planning Commission have given the Weber County Board of Commissioners a recommendation regarding the amendment to the plan; and

**WHEREAS**, after a duly noticed public hearing, the Weber County Board of Commissioners have determined that changed or changing conditions and trends and site specific considerations exist that merit the proposed Plan amendment; and

**WHEREAS**, the Board of Weber County Commissioners have also determined that the proposed Plan amendment is not detrimental to the health, safety, and general welfare of the public;

**NOW THEREFORE**, the Weber County Board of Commissioners ordains an amendment to the Plan as provided in Exhibit A.

Passed, adopted, and ordered published this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the Weber County Board of Commissioners.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

By \_\_\_\_\_,  
James H. “Jim” Harvey, Chair

Commissioner Harvey voted \_\_\_\_\_  
Commissioner Ebert voted \_\_\_\_\_  
Commissioner Jenkins voted \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

**Exhibit A**

**West Central Weber County General Plan Amendment**

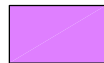



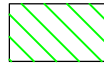

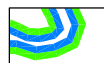



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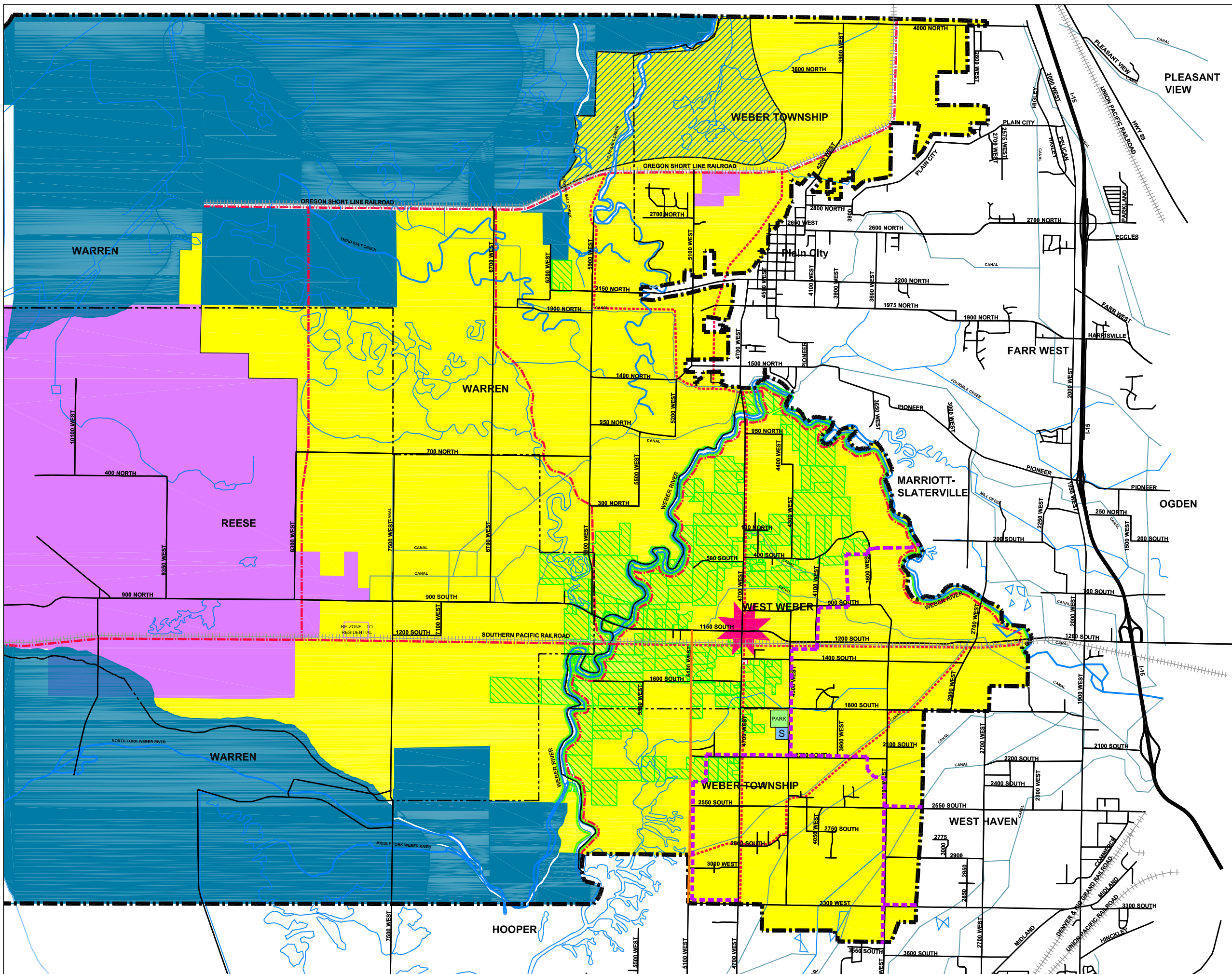


# WEST CENTRAL WEBER COUNTY GENERAL PLAN

## PROPOSED LAND USE MAP 2-4

### LEGEND

-  **INDUSTRIAL PARK**
  - Rezone approximately 20-acre parcel to match adjacent zoning.
  - Eliminate residential as a conditional use in industrial zones.
-  **RESIDENTIAL/AGRICULTURAL**
  - As zoned - one-acre and five-acre lots.
  - Cluster style development pattern required, minimum 30 percent open space.
-  **EXISTING STATE / FEDERAL LAND**  
**WATERFOWL MANAGEMENT AREA**
-  **COMMUNITY VILLAGE CENTER**
  - Commercial node of 22 acres of supportable neighborhood services.
  - First response emergency services.
-  **EXISTING AGRICULTURE PROTECTION AREAS**
  - Unchanged
-  **EXISTING SEWER**
-  **PROPOSED 100' WIDE SETBACK ALONG RIVER**
-  **SCHOOLS AND PARKS**
  - New High School as planned by Weber School District.
  - Adjacent 20-acre park.
-  **TRAILS**
  - Pedestrian and bicycle trails along railroad tracks, selected canals, major roadways, and Weber River.
  - Equestrian trails.
-  **TOWNSHIP BOUNDARY**





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**Application Request:** To consider and take action on GP 2018-02, a request to amend the General Plan Future Land Use Map to change some of the proposed manufacturing area along 900 South near the Little Mountain manufacturing area to a future Agricultural and one acre residential area.

**Agenda Date:** Tuesday, August 14, 2018

**Applicant:** John Price

**File Number:** GP 2018-02

#### Property Information

**Approximate Address:** 7900 West 900 South

**Project Area:** Approximately 372.58 Acres

**Zoning:** The area is currently Manufacturing (M-1).

**Existing Land Use:** Agricultural/Residential

**Proposed Land Use:** Agricultural/Residential

**Parcel ID:** 10-037-0009, 10-037-0010, 10-037-0032, 10-037-0037, 10-037-0041, 10-037-0042, 10-043-0010, 10-066-0001, 10-048-0027, 10-048-0029.

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801-399-8767

**Report Reviewer:** RG

### Applicable Ordinances

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### Proposal History

This proposal was presented at public hearing to the Western Weber Planning Commission on July 10, 2018. It was combined into a bigger decision regarding a rezone of the area and other general plan and zoning text administrative cleanup. This report only addresses an amendment to the general plan's future land use map.

On the evening of June 12<sup>th</sup>, 2018, this proposal was on the agenda for consideration and action. Due to there not being a quorum, a final decision was not made. Instead, the planning division held an informal public comment meeting to discuss the proposal's concerns with the public that were present.

This proposal was also discussed by the planning commission in a work session on the evening of Tuesday, May 8, 2018.

### 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 compatibility with the general plan and existing ordinances.

## Background and summary

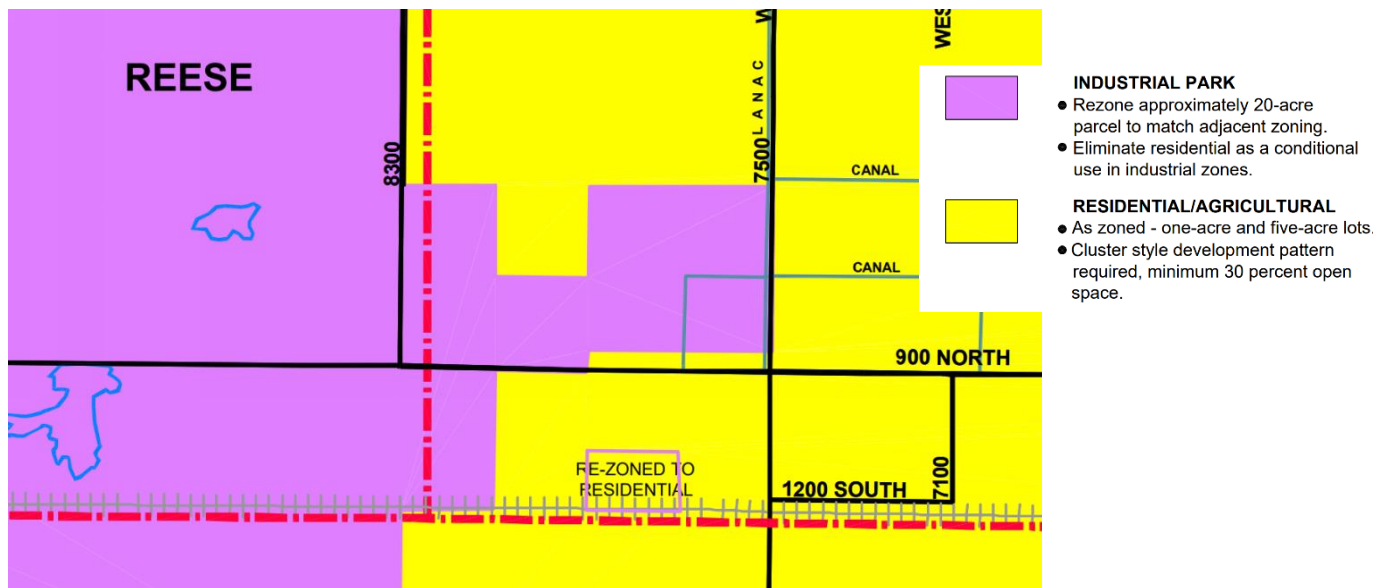
This application is concerning a change to the West Central Weber County General Plan. It has previously been packaged as a bigger decision regarding not just a change to the general plan, but also a change to the zoning map. In their July 10, 2018 meeting, the planning commission pulled apart the packaged decision in favor of making a decision on each item individually.

A favorable decision on this item from the county commission will offer better support for a pending rezone application for this same area. The rezone application is on the same meeting agenda, in which staff has offered three alternatives with several other alternative variants. The planning commission should be familiar with that in order to make an effective decision regarding this application. In order to support the various alternatives of the potential rezone, staff has provided three alternatives to this decision as well.

The general plan's future land use map currently has a finger of area denoted as an "industrial" area projecting from the main "industrial" area eastward along the north side of 900 South. This proposal would effectively change that projected finger to reflect the "residential/agricultural" designation that is currently adjacent to it.

See **Figure 1** for graphic reference.

**Image 1: Zoom of affect area showing the plan's existing "future land use map."**

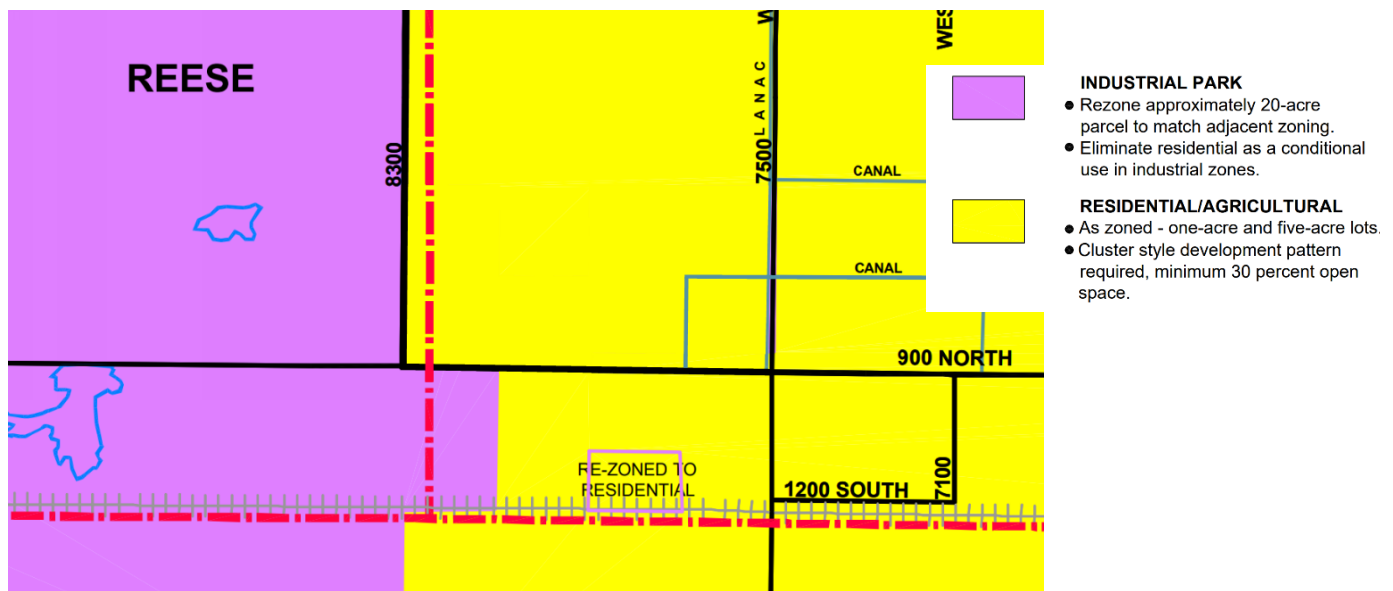


### *Alternative One.*

This alternative one supports alternative one of the applicant's rezone. This alternative would change the "industrial" area on the map as it extends eastward along the north side of 900 South to "residential/agricultural." This change enables a rezone of this entire area to the A-2 zone. See **Figure 2** for graphic reference of this change. Please see the staff report for the rezone application for a list of pros and cons for this change. In order to support this change, the planning commission should consider the needs and desires of the community regarding their desired future development outcomes.

**Figure 2: Zoom of affected area showing proposed change to the "future land use map."**





#### *Alternative Two.*

This alternative two supports alternative two of the rezone application staff report. In it, this application and the rezone application are recommended to be denied due to lack of adequate public support and the disruption of the adopted plans that are currently in place for the area.

#### *Alternative Three.*

Like alternative three of the rezone application staff report, this alternative has variants. In it, the planning commission may find that part of the land included in the rezone application merits a zone change (and therefore, a future land use map change) but other parts do not. The rezone application has four variants that staff have prepared for the planning commission to choose from. This is not a finite list, but offers clear direction. If the planning commission would like to explore other variants this should be discussed with the applicant and staff in the meeting.

For a decision on this alternative, though, staff are only recommending two variants. Both give the ability for the planning commission to make any of the four rezone decision presented in alternative three of the rezone staff report. See **Figures 3-4** to review the two.

Variant one offers more future residential land uses for the subject area than manufacturing uses. It offers a future land use map that shows a greater amount of the land currently zoned M-1 to be rezoned [at a later time of the county's or landowner's choosing] to a large lot residential/agricultural zone. The future changes from the M-1 zone could then occur as a result of a landowner's rezone application, as is the case with this applicant's current rezone application, at any time in the future, and have the full support of the general plan. The future zone changes could also occur by the county taking the initiative to rezone in compliance with this new map at any time in the future. Changing this map in this manner does not rezone the property – but it offers a direction for future action.

Variant one also extends the “industrial” designation southward along 900 South to include all of the parcel in the area that is currently used for manufacturing purposes, as well as the local water company property. Both property owners expressed concern that they needed the front of their lots currently zoned A-1 to be rezoned to M-1 for their anticipated future uses of their property. This enables those future uses. This new configuration of the future “industrial” area also includes a few parcels that currently contain single family dwellings currently in the A-1 zone. Changing this map in this manner does not change the A-1 zone of the properties, but it does offer a directive for the future should those landowners or the county ever choose to do so.

Variant two offers more future manufacturing uses for the subject area than future residential land uses. It removes the eastern most end of the “industrial” finger from the “industrial” designation and changes it to “residential/agricultural.” Like variant one, it also extends the “industrial” future land uses southward to 900 South and eliminates the strip of “residential/agricultural” land that currently buffers that street.

Figure 3: Variant 1 – More Future Residential than Future Manufacturing

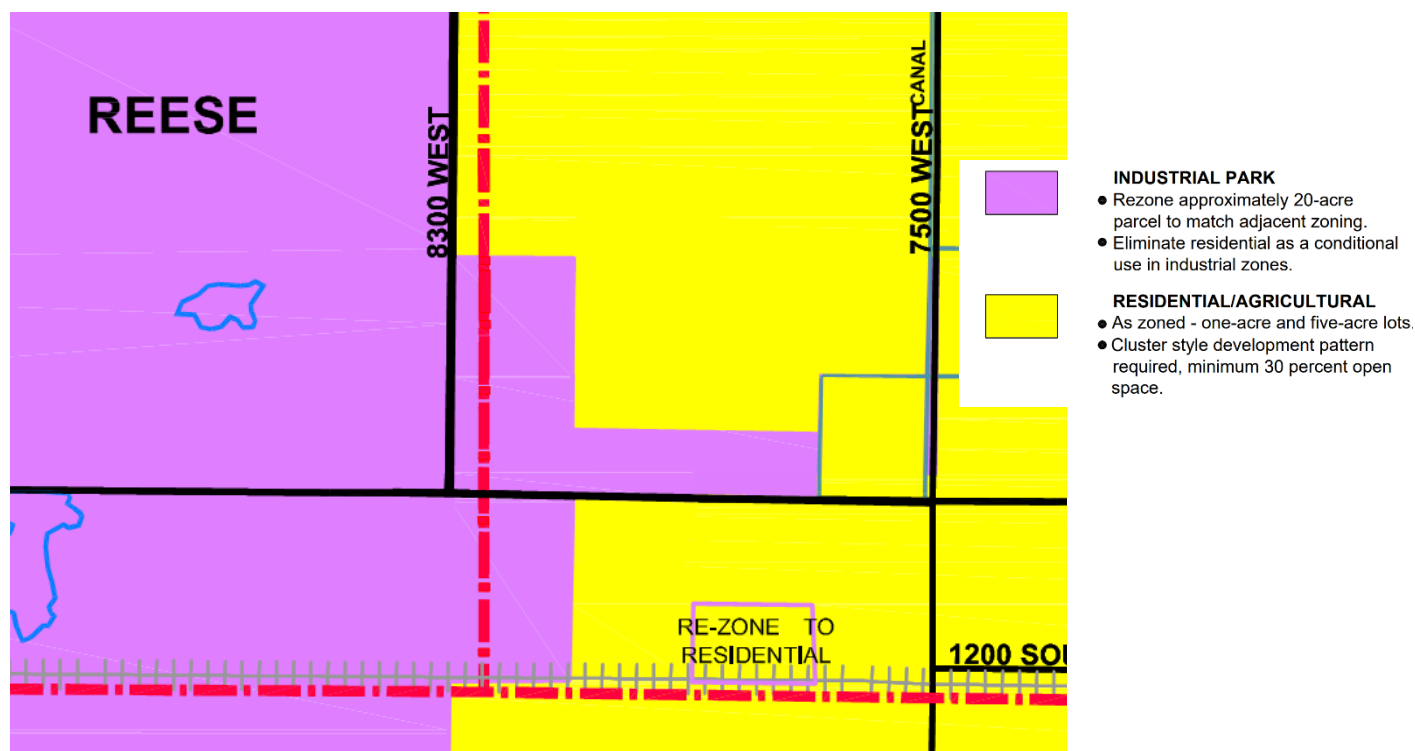
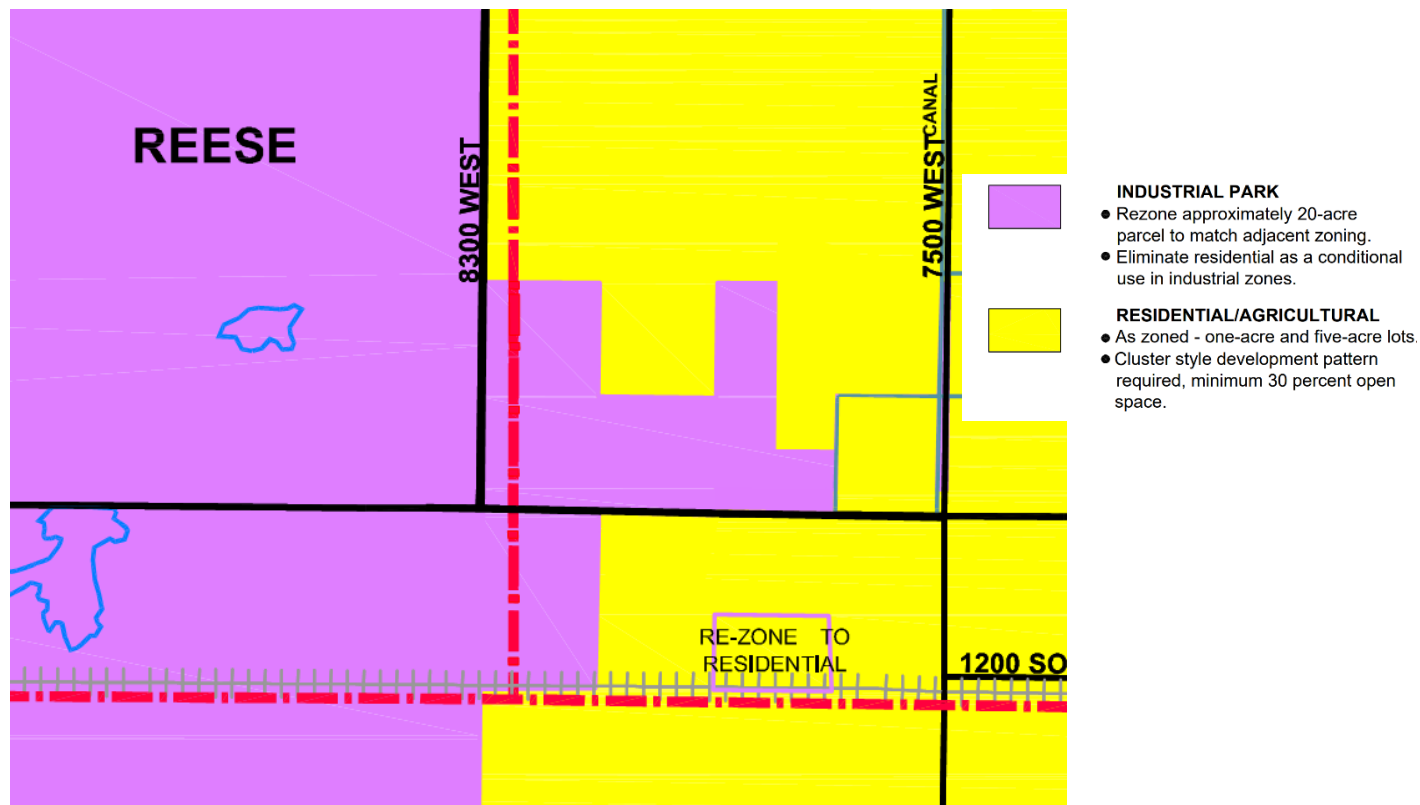


Figure 4: Variant 2 – More Future Manufacturing than Future Residential



## Summary of Planning Commission Considerations

The County Code specifies very little process regarding a modification to the general plan. §102-2-4, “powers and duties of the planning commission,” specifies that 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 the changing conditions, trends, and planning needs of the county.”

Given this, the criteria for making a decision regarding changes to the general plan are whether or not there are changing conditions, trends, and planning needs. To make a favorable recommendation on this application to the county commission the planning commission will need to be able to make these findings.

The question can really be boiled down to whether or not the proposed modification to the future land use map, if implemented through zoning, will produce desirable community outcomes.

## Staff Recommendation

If the planning commission finds that the land uses in this area are better suited for large lot residential or agriculture rather than industrial uses, then the planning commission should offer the county commission a favorable recommendation of amending the West Central Weber County General Plan, specifically citing either alternative one or three of this staff report as the recommendation.

This recommendation may come with the following findings, or any additional as the planning commission sees fit:

1. Public opinion regarding the future land uses of the area have changed since the 2003 adoption of the West Central Weber County General Plan, and residential and agriculture are deemed more desirable land uses in this subject area.
2. Current development trends will make the property more useful as residential than industrial.
3. The changes are not harmful to the health, safety, or general welfare of the public.

If the planning commission is desirous to deny this application to amend West Central Weber County General Plan, they may choose to do so with the following findings:

1. That changed or changing conditions are not present sufficient enough to merit an amendment to the plan.
2. That the amendment does not have sufficient community support.
3. That the amendment is not found to be in the best interest of the public health, safety, or general welfare.

## Exhibits

- A. Application and project narrative
- B. Future Land Use Map (Current)
- C. Alternative One Future Land Use Map
- D. Alternative Two Future Land Use Map

Weber County Zoning Map Amendment Application		
Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401		
Date Submitted	Received By (Office Use)	Added to Map (Office Use)
<b>Property Owner Contact Information</b>		
Name of Property Owner(s) JP Farm + Ranch Randy Giordano Barbara Hays		Mailing Address of Property Owner(s) 400 S. 6700 W West Warren 84404
Phone 801-391-7167	Fax	
Email Address jprice-4@hotmail.com	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<b>Authorized Representative Contact Information</b>		
Name of Person Authorized to Represent the Property Owner(s) John Price		Mailing Address of Authorized Person 400 S. 6700 W. Ogden UT 84404
Phone 801-391-7167	Fax	
Email Address jprice-4@hotmail.com	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<b>Property Information</b>		
Project Name	Current Zoning M-1	Proposed Zoning A-1 or A-2
Approximate Address 650 S. 7900 W. Ogden 84404	Land Serial Number(s) 100370030 100370014 100370004 100370028 100370013 100370026 100370011	
Total Acreage 140	Current Use Farm / Residential	Proposed Use Farm / Residential
<b>Project Narrative</b>		
Describing the project vision.  Desire to change our M-1 zoning to A-1 or A-2. Currently there is far greater advantage for us having A-1 or A-2. There is no realistic opportunity for Manufacturing to ever purchase our property.		



**Project Narrative (continued...)**

How is the change in compliance with the General Plan?

change Doesn't change any opportunity for manufacturing growth.

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

current zoning has no logical reason for this particular M-1 location. it would be far better for county and property owners to have this in A-1 or A-2. Also all current residents in community are in favor of this change

Project Narrative (continued...)

How is the change in the public interest?

This provides a buffer from manufacturing being put in the middle  
of residential areas.

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

More desire for Residential Development,

**Project Narrative (continued...)**

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

Helps keep residents home values and safety.

**Property Owner Affidavit**

I (We), John Price, Randy Gordiner, Barbara Higgins depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 20 day of March, 2018.

(Notary)



### Authorized Representative Affidavit

I (We), Randy Gordon Barbara Higgs, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), Julia Price, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this 23 day of March, 20 18, personally appeared before me \_\_\_\_\_, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

(Notary)













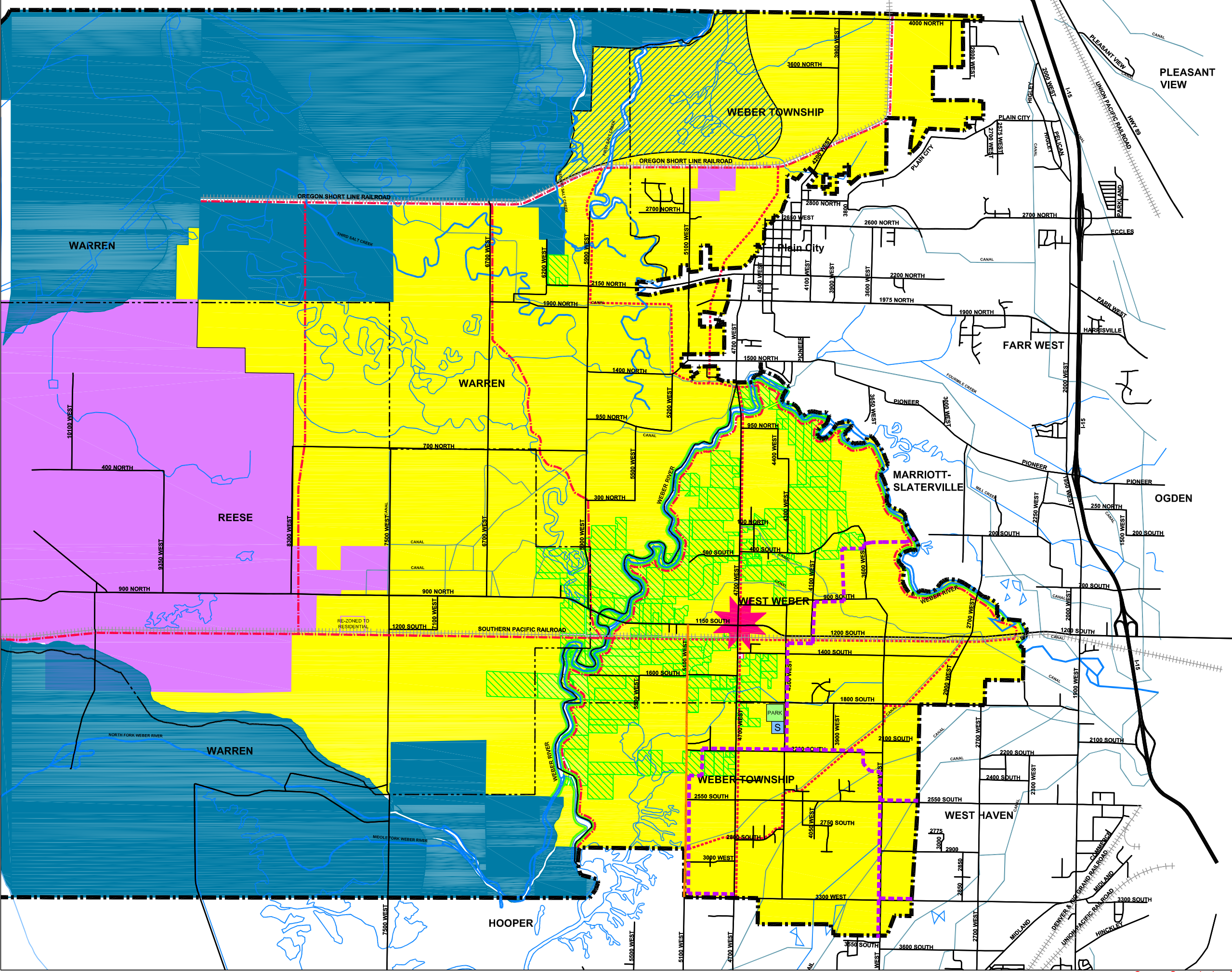


# WEST CENTRAL WEBER COUNTY GENERAL PLAN

## PROPOSED LAND USE MAP 2-4

### LEGEND

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  - Rezone approximately 20-acre parcel to match adjacent zoning.
  - Eliminate residential as a conditional use in industrial zones.
-  **RESIDENTIAL/AGRICULTURAL**
  - As zoned - one-acre and five-acre lots.
  - Cluster style development pattern required, minimum 30 percent open space.
-  **EXISTING STATE / FEDERAL LAND WATERFOWL MANAGEMENT AREA**
-  **COMMUNITY VILLAGE CENTER**
  - Commercial node of 7 to 14 acres of supportable neighborhood services.
  - First response emergency service.
-  **EXISTING AGRICULTURE PROTECTION AREAS**
  - Unchanged
-  **EXISTING SEWER**
-  **PROPOSED 100' WIDE SETBACK ALONG RIVER**
-  **SCHOOLS AND PARKS**
  - New High School as planned by Weber School District.
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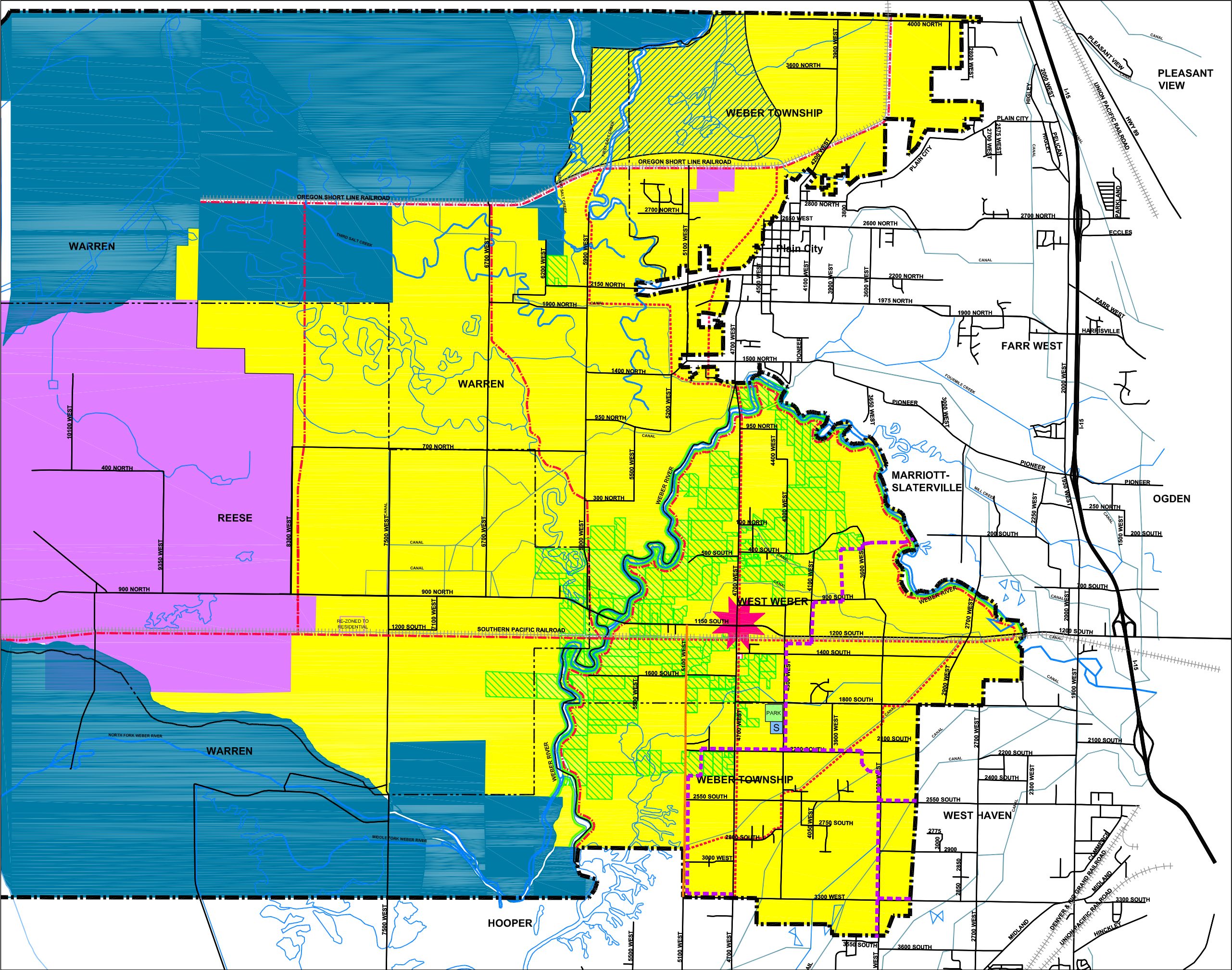




LANDMARK  
DESIGN

LANDSCAPE ARCHITECTURE  
AND LAND PLANNING  
2834 HIGHLAND DRIVE  
SALT LAKE CITY  
UTAH 84106  
PHONE (801) 474-3300  
FAX (801) 474-3301



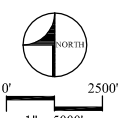


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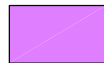



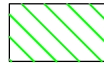

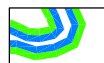



Map amended on

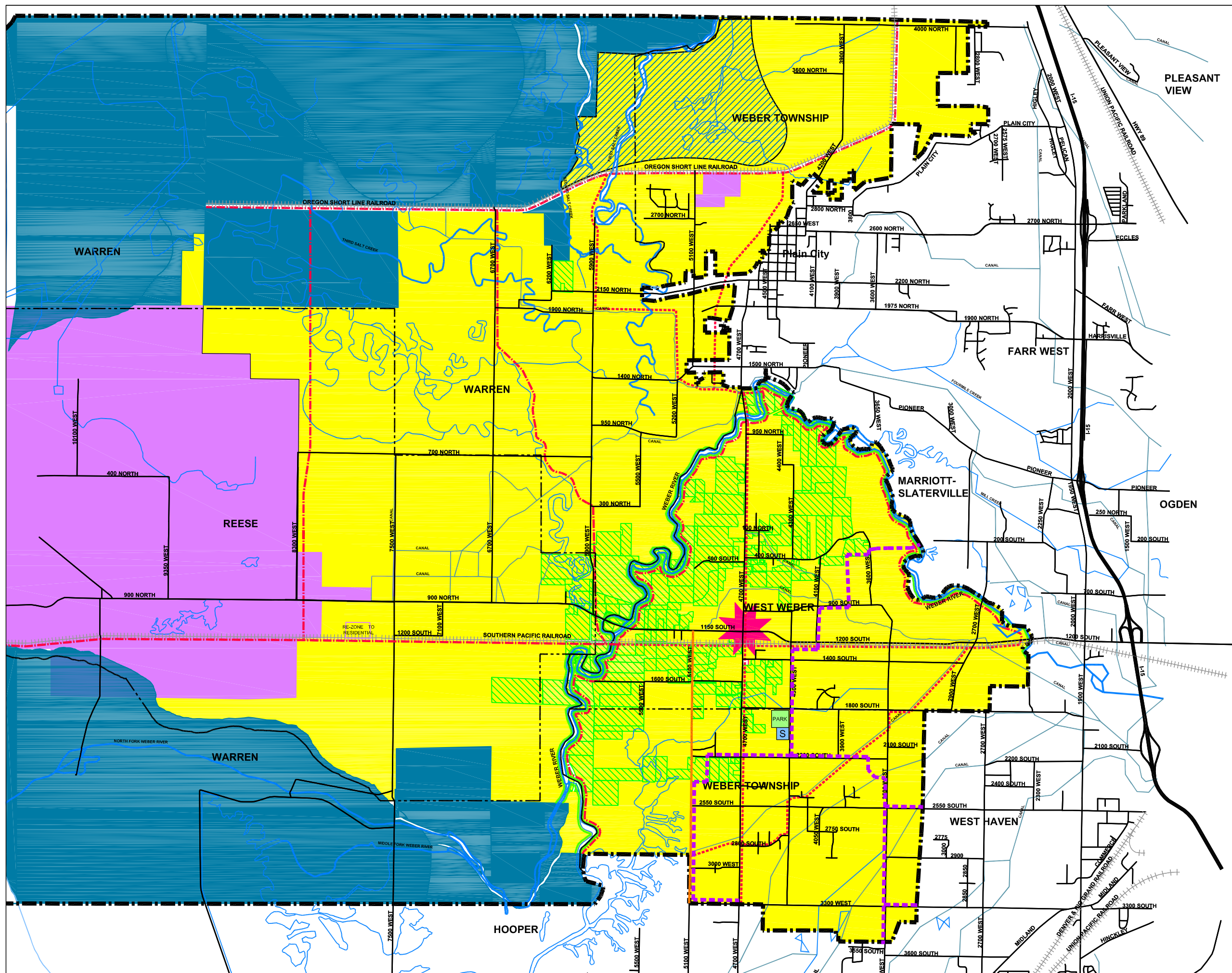


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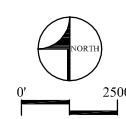
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  - Adjacent 20-acre park.
-  **TRAILS**
  - Pedestrian and bicycle trails along railroad tracks, selected canals, major roadways, and Weber River.
  - Equestrian trails.
-  **TOWNSHIP BOUNDARY**



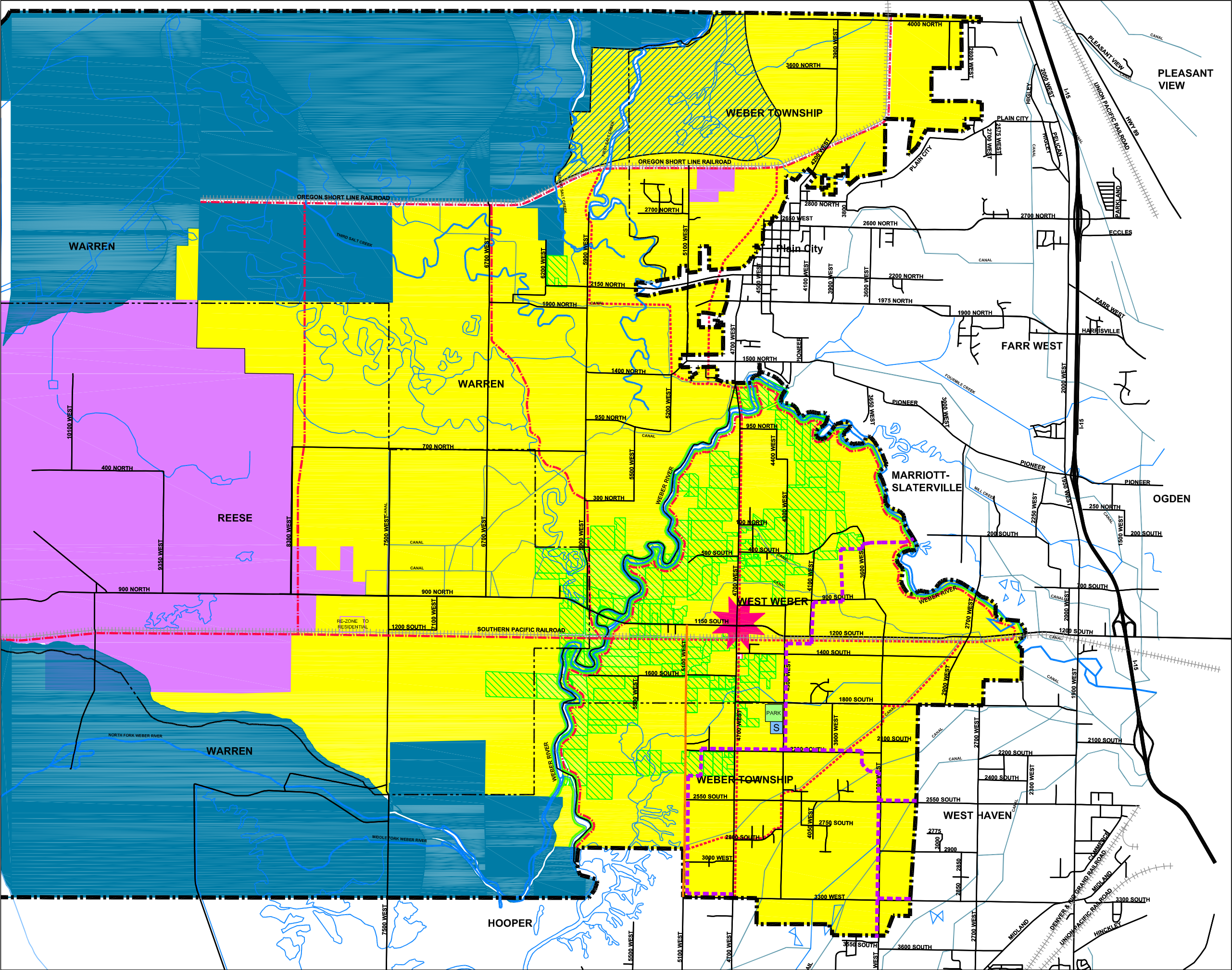
Map amended on



**LANDMARK  
DESIGN**  
LANDSCAPE ARCHITECTURE  
AND LAND PLANNING  
2834 HIGHLAND DRIVE  
SALT LAKE CITY  
UTAH 84106  
PHONE (801) 474-3300





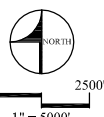


# WEST CENTRAL WEBER COUNTY GENERAL PLAN

## PROPOSED LAND USE MAP 2-4

### LEGEND

- INDUSTRIAL PARK**
  - Rezone approximately 20-acre parcel to match adjacent zoning.
  - Eliminate residential as a conditional use in industrial zones.
- RESIDENTIAL/AGRICULTURAL**
  - As zoned - one-acre and five-acre lots.
  - Cluster style development pattern required, minimum 30 percent open space.
- EXISTING STATE / FEDERAL LAND WATERFOWL MANAGEMENT AREA**
- COMMUNITY VILLAGE CENTER**
  - Commercial node of 7 to 14 acres of supportable neighborhood services.
  - First response emergency service.
- EXISTING AGRICULTURE PROTECTION AREAS**
  - Unchanged
- EXISTING SEWER**
- PROPOSED 100' WIDE SETBACK ALONG RIVER**
- SCHOOLS AND PARKS**
  - New High School as planned by Weber School District.
  - Adjacent 20-acre park.
- TRAILS**
  - Pedestrian and bicycle trails along railroad tracks, selected canals, major roadways, and Weber River.
  - Equestrian trails.
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