

WESTERN WEBER PLANNING COMMISSION

MEETING AGENDA

March 13, 2018

5:00 p.m.

- *Pledge of Allegiance*
 - *Roll Call:*
1. **Approval of the 2018 Planning Commission Rules of Order**
 2. **Administrative items**
 - a. **New Business**
 - 2.1 LVB100114: Reconsideration and action on preliminary and final approval of Cameron Crossing Subdivision (Formerly known as Blue Acres Subdivision Phase 4)
 - 2.2 LVC101127: Consideration and action on a request for final approval of Cameron Cove Cluster subdivision, consisting of 27 lots
 3. **Public Comment for Items not on the Agenda**
 4. **Remarks from Planning Commissioners**
 5. **Planning Director Report**
 6. **Remarks from Legal Counsel**
 7. **Adjourn to work session.**

WS1. DISCUSSION: Open meetings training and Planning Commission Rules of Order

WS2. DISCUSSION: Modifications to the Cluster Subdivision ordinance to amend open space requirements and provide clarifications.

WS3. DISCUSSION: Modifications to the Planned Residential Unit Development (PRUD) ordinance to make a decision on a PRUD, a legislative – not administrative – action.

WS4. DISCUSSION: Modifications to the definition of “Height of Building” and additional clarification regarding standards and regulations governing the height of a building and Public Utility Substation.

WS5. (Time pending): Continuation of General Plan Review and Training.

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

Please enter the building through the front door on Washington Blvd. if arriving to the meeting after 5:00 p.m.

A Pre-Meeting will be held at 4:30 p.m. in Commission Chambers Break Out Room. The agenda for the pre-meeting consists of discussion of the same items listed above, on the agenda for the meeting. No decisions are made in the pre-meeting, but it is an open, public meeting.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791

Meeting Procedures

Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

Commenting at Public Meetings and Public Hearings

Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

Speak to the Point:

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

Handouts:

- ❖ Written statements should be accurate and either typed or neatly hand written with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record shall be left with the Planning Commission.

Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
 - ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.
-



Staff Report for the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Reconsideration and action on preliminary and final approval of Cameron Crossing Subdivision.
Agenda Date:	Tuesday, March 13, 2018
Applicant:	Doug Hamblin
File Number:	LVB100114

Property Information

Approximate Address:	4000 West 2200 South
Project Area:	10 acres
Zoning:	Agricultural (A-1)
Existing Land Use:	Residential
Proposed Land Use:	Residential
Parcel ID:	15-078-0131
Township, Range, Section:	T6N, R2W, Section 33

Adjacent Land Use

North:	Residential	South:	Agricultural
East:	Agricultural	West:	Residential

Staff Information

Report Presenter:	Felix Lleverino flleverino@co.weber.ut.us 801-399-8767
Report Reviewer:	RK

Applicable Land Use Codes

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (A-1 Zone)

Development History

Cameron Crossing Subdivision Formerly known as (Blue Acres Subdivision Phase 4) was granted preliminary approval on January 13th, 2015. Final approval of Cameron Crossing Subdivision was granted from the Western Weber Planning Commission on March 10, 2015. The applicant was granted a 12-month time extension on February 22, 2016. In adhering to Weber County Time Limitation Requirements, this application is being forwarded for reconsideration by the Planning Commission.

Background

The applicant is requesting final approval of Cameron Crossing (9 lots), located at approximately 4000 West 2200 South in the A-1 Zone. The subdivision meets the area and lot width requirements of this zone. Each parcel will contain an area of 40,000 to 50,726 square feet. Curb, gutter, and sidewalk will be installed within this subdivision and will be contiguous with surrounding subdivisions.

Since the time when this subdivision was granted a time extension, this subdivision name has changed and the original developer Romney Buck has sold this development to Doug Hamblin. The 12-month time extension window has lapsed, and now Mr. Doug Hamblin is requesting re-consideration for preliminary and final approval of Cameron Crossing Subdivision.

There is a canal that runs diagonally to the south of the subdivision. Hooper Irrigation has provided a letter requiring that the canal is piped, which has been done by the developer, and that the subdivision plat shows a Hooper Irrigation Canal Easements. Cameron Crossing and Cameron Cove Cluster Subdivision plats will show the Hooper Irrigation easement thereby conforming to this requirement.

Analysis

General Plan: The Western Weber General plan is designed to preserve open space and pasture land for the raising of farm animals while maintaining flexibility for landowners to enjoy managed growth.

Zoning: The subject property is located in the Agricultural Zone (A-1), the purpose of this zone is stated in the LUC §104-7-1

"The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."

Lot area, frontage/width, and yard regulations: The A-1 Zone requires a minimum lot area of 40,000 sq ft for a single family dwelling and a minimum lot width of 150 feet. All lots within this proposed subdivision meet these criteria.

Culinary Water: Taylor West Weber Water (TWWW) has provided a letter stating that water is available for all of Cameron Crossing Subdivision. TWWW has also provided a Capacity Assessment Letter and Project Notification form showing sufficient capacity and main water line extension approval.

Septic System: The development within this area is required to annex into Central Weber Sewer Improvement District. The District has provided a letter stating that "As long as the annexation process continues Central Weber will not delay the development of the subdivision and the connection to Central Weber's system."

Additional Standards: The Engineering Division's latest review contains several items that have already been addressed. The final requirement before recording the Mylar is that a cost estimate for the remaining improvements is approved.

Review Agencies: Surveying, Weber County Fire District, and Planning are ready to approve this proposal. Requirements from Hooper Irrigation and the Engineering Department will be addressed prior to final approval from the County Commission.

Tax Clearance: The 2017 property taxes have been paid in full. The 2018 property taxes are due in full as of November 30, 2018.

Public Notice: A notice has been mailed not less than seven calendar days before preliminary and final approval to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Planning Division Recommendations

Weber County Planning Division recommends approval of this proposal to reconsider and take action on preliminary and final approval of Cameron Crossing Subdivision. This recommendation is conditioned upon meeting all requirements from reviewing agencies and with the following conditions:

1. That an Engineer approved cost estimate be created by the applicant for the remaining improvements.
2. That an escrow account is created for the remaining subdivision improvements.

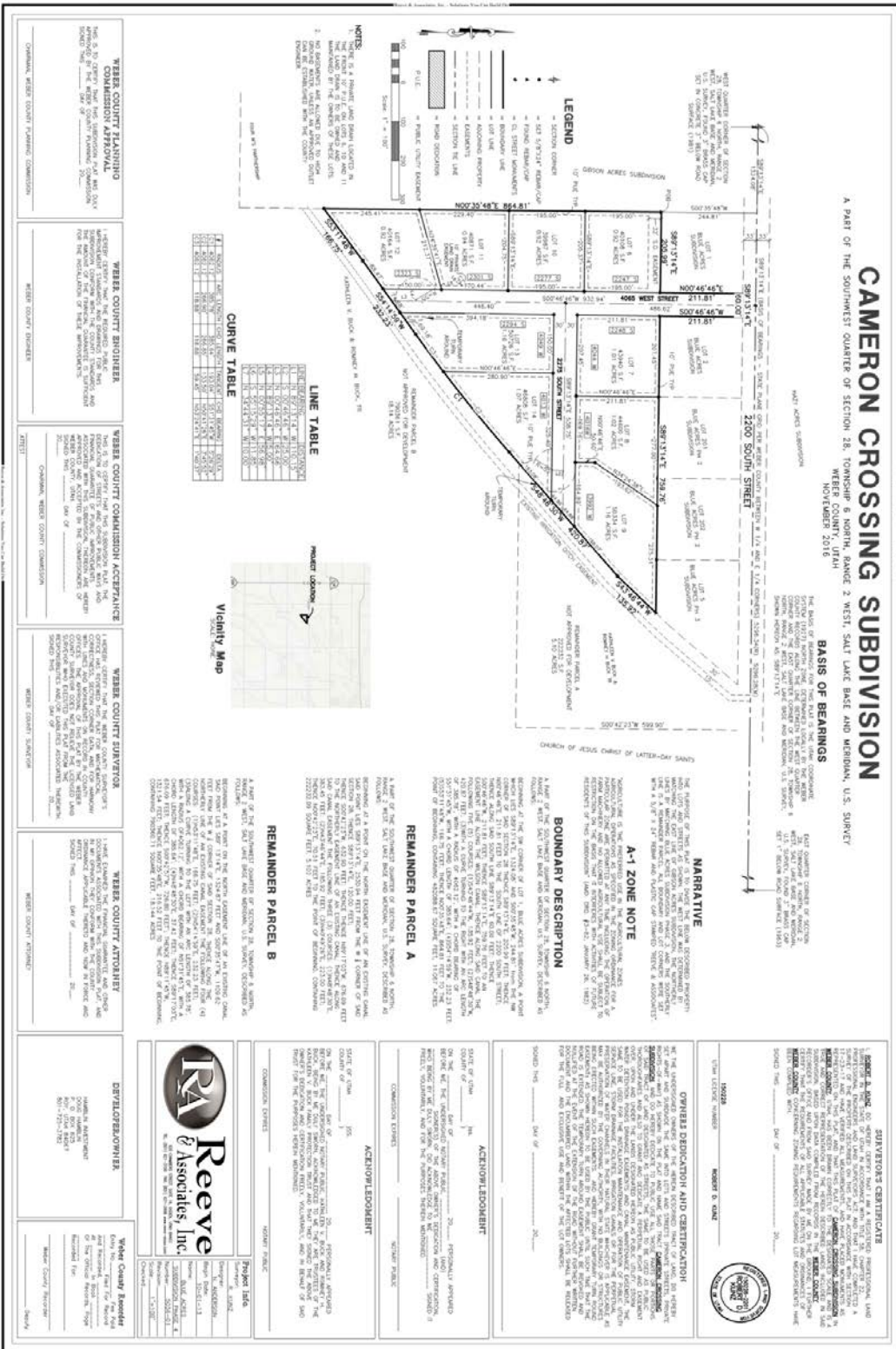
This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Subdivision Plat
- B. Taylor West Weber Water Letter
- C. Project Notification Form
- D. Capacity Assessment Letter





CAMERON CROSSING SUBDIVISION
 A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
 WHEELER COUNTY, UTAH
 NOVEMBER 2016

BASES OF BEARINGS
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NARRATIVE
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A-1 ZONE NOTE
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BOUNDARY DESCRIPTION
 A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, IS DESCRIBED AS FOLLOWS: THE PARTS OF THE LAND COMPREHENSIVE TO THIS SUBDIVISION ARE DESCRIBED AS FOLLOWS:

REMAINDER PARCEL A
 A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, IS DESCRIBED AS FOLLOWS: THE PARTS OF THE LAND COMPREHENSIVE TO THIS SUBDIVISION ARE DESCRIBED AS FOLLOWS:

REMAINDER PARCEL B
 A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, IS DESCRIBED AS FOLLOWS: THE PARTS OF THE LAND COMPREHENSIVE TO THIS SUBDIVISION ARE DESCRIBED AS FOLLOWS:

REMAINDER PARCEL C
 A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, IS DESCRIBED AS FOLLOWS: THE PARTS OF THE LAND COMPREHENSIVE TO THIS SUBDIVISION ARE DESCRIBED AS FOLLOWS:

WHEELER COUNTY PLANNING
 THIS IS TO CERTIFY THAT THE SUBDIVISION PLAN HAS BEEN REVIEWED BY THE WHEELER COUNTY PLANNING COMMISSION AND APPROVED FOR RECORDATION.

WHEELER COUNTY ENGINEERS
 I, THE ENGINEER, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

WHEELER COUNTY COMMISSION ACCEPTANCE
 I, THE COMMISSIONER, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

WHEELER COUNTY SURVEYOR
 I, THE SURVEYOR, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

WHEELER COUNTY ATTORNEY
 I, THE ATTORNEY, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

SURVEYOR'S CERTIFICATE
 I, THE SURVEYOR, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

OWNER'S DECLARATION AND CERTIFICATION
 I, THE OWNER, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

ACKNOWLEDGMENT
 I, THE ACKNOWLEDGER, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

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ACKNOWLEDGMENT
 I, THE ACKNOWLEDGER, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

DEVELOPER/OWNER
 I, THE DEVELOPER/OWNER, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.



WHEELER COUNTY ENGINEERS
 I, THE ENGINEER, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

WHEELER COUNTY COMMISSION ACCEPTANCE
 I, THE COMMISSIONER, HEREBY CERTIFY THAT THE SUBDIVISION PLAN IS CORRECT AND ACCURATE AND THAT THE LOTS ARE CORRECTLY DESCRIBED AND THE BEARINGS AND DISTANCES ARE CORRECT.

David & Associates, Inc. Address: 1001 East 1000 South, Salt Lake City, UT 84143

David & Associates, Inc. Address: 1001 East 1000 South, Salt Lake City, UT 84143

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT
2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

December 17, 2014

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

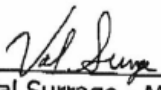
This is to inform you that ***preliminary*** approval has been given to provide culinary water only for nine lots of the Blue Acres Subdivision phase 4 at the approximate address of 4075 West 2000 South in Taylor, Utah.

Water rights impact fee will need to be received by District before final approval will be given. Pressurized secondary water must be provided by Hooper Irrigation to subdivision.

Final approval will be subject to meeting all the requirements of the District and all fees/shares being paid and received.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Val Surrage - Manager

VS/sph

Expires 06/17/15

Print Form

Submit by Email

PROJECT NOTIFICATION FORM (PNF)

Please provide the following information for all Drinking Water Projects by existing PWS's
Use with Plan Submittal [R309-500-6(1)] or when requesting Waiving of Plan Submittal [R309-500-6(3)]
If this is a new PWS, please complete the Supplemental PNF available on our website: drinkingwater.utah.gov/blank_forms.htm
Upon completion, Submit by Email, fax or mail to:

File No: _____
Date Rec'd: _____

1 Name of PWS [owner of system as recorded with DDW]
 System Name: Taylor West Weber Water District
 System Number: 29019
 Address: 2815 West 3300 South
 City, State, Zip: West Haven, Utah 84401
 Present No. of ERC's system is obligated to serve: 2240
 Present No. of ERC's physically connected to system: 1980
 Population Served: 6930
 No. of ERC's this project will add to system: 9

6 Description of Project [in sufficient detail for DDW to identify]

All piping and fittings for Blue Acres Subdivision phase 4
 1350 ft 10" pvc c-900 pipe
 2 hydrants
 3 10" valves
 1 2" blow off

2 Addressee for Official Correspondence [Mayor, Public Works Director, etc...]
 Name: Val Surrage
 Title: Manager
 Address: 2815 West 3300 South
 City, State, Zip: West Haven Utah 84401
 Phone No: 801 731 1668
 E-Mail Address: Taylor West Weber Water@msn.com

7 Anticipated Construction Schedule:
 Advertise for Bids: _____
 Bid Opening: _____
 Begin Construction: _____
 Complete Construction: _____

3 PE designated as Direct Responsible Engineer for Entire System (if applicable)
 Company Name: Gardner Engineering
 Name: Dan White
 Address: 5150 South 375 East
 City, State, Zip: Ogden, Utah 84405
 Phone No: 801 476 0202
 E-Mail Address: dan@gardnerengineering.net

8 Is this PNF for plan review waiver 3a? Yes No
 [see R309 500-6(3a) to verify]
 If Yes, you must have a previously approved Master Plan and Construction Standards.
Is this PNF for plan review waiver 3b? Yes No
 [see R309 500-6(3b) to verify]
 If Yes, you must have a designated PE responsible for the system and previously approved Construction Standards.
Does this project meet any of the criteria to be exempt from the hydraulic modeling rule requirements? Yes No
 [see R309 511-4(1)(a)(i) through (iv) to verify]
 If Yes, specify rule reference here: _____

4 PE responsible for design of this Project [if not same as item 3]
 Name: _____
 Address: _____
 City, State, Zip: _____
 Phone No: _____ Fax No: _____
 E-Mail Address: _____

9 Fire Suppression Authority [if system has fire hydrants]
 Name: Weber Fire District
 Address: _____
 City, State, Zip: Farr West Utah 84401
 Phone No: 801 782 3580 Fax No: _____
 E-Mail Address: _____
 Req'd flow (gpm): _____ Duration (hrs): _____

5 Name of Construction Inspector(s) and frequency of inspection
 Name: Val Surrage / Clay Penman
 Full Time: Part Time: _____

10 Funded by State or Federal Agency?
 Drinking Water Board (SRF or FSRF) Loan #: _____
 Community Impact Board
 None
 Other (Specify) _____

Revised: Nov 2013

[PNF = Project Notification Form; PWS = Public Water System; DDW = Division of Drinking Water; ERC = Equivalent Residential Connection; PE = Professional Engineer; SRF = State Revolving Fund]



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF DRINKING WATER
Kenneth H. Bousfield, P.E.
Director

February 19, 2015

Val Surrage
Taylor-West Weber WID
2815 W 3300 S
West Haven, UT 84401-9791

Dear Mr. Surrage:

Subject: **Feasibility**, Drinking Water Service from Taylor-West Weber WID for the Blue Acres Subdivision Phase 4, System #29019, File #9949

The Division of Drinking Water (the Division) received a request from John Reeve, P.E., concerning the capacity of the Taylor-West Weber WID (District) to provide drinking water service to Blue Acres Subdivision in the District. Per the Division's database, the District presently has 1860 residential connections, 7 commercial connections, and 12 agricultural connections. The Blue Acres Subdivision Phase 4 will add 9 new residential connections. The number of connections that may be served is based on (1) source water capacity, (2) storage capacity, and (3) available water rights. The Drinking Water Rule, *R309-510* Minimum Sizing Requirements, requires a water system to be able to provide 800 gallons per day per equivalent residential connection (ERC) from its sources to meet peak day indoor demand, to be able to provide 400 gallons per ERC of storage for indoor use, and to be able to provide average yearly indoor demand which is 0.45 acre-feet per ERC based on water rights. Additional source capacity, storage, and water rights are required if the system provides water for outdoor use. The water system component with the least capacity determines the allowable number of connections.

SOURCE CAPACITY

The District has the following approved drinking water sources and approved safe yields:

Source Number	Source Name	Safe Yield gpm
WS001	Big Well	900
WS002	Small Well	500
WS003	Weber Basin WCD Consecutive Connection	2000
	Total	3400

195 North 1950 West • Salt Lake City, UT
Mailing Address: P.O. Box 144830 • Salt Lake City, UT 84114-4830
Telephone (801) 536-4200 • Fax (801) 536-4211 • T.D.D. (801) 536-4414
www.deq.utah.gov
Printed on 100% recycled paper

In addition, the District provides outside irrigation water for some of their connections. The attached capacity calculation worksheet estimates the required source capacity is 1048.9 gpm for indoor used and 1419.7 gpm for outdoor use. Based on source capacity, the District has 931 gpm excess source capacity which is adequate to serve the Blue Acres Phase 4 Subdivision.

STORAGE CAPACITY

The District has the following approved storage tanks in service:

Storage Tank Number	Source Name	Volume gallons
ST001	Million Gallon Tank	1,000,000
ST002	2 Million Gallon Tank	2,000,000
ST003	250 K Gallon Tank	250,000
	Total	3,250,000

The attached capacity calculation worksheet estimates the required storage capacity is 1,896,208 gallons. This is based on a reserve of 120,000 gallons of water storage for fire suppression, and the balance of the storage being used for indoor and outdoor use storage. Based on storage capacity, the District has over 1.3 million gallons of excess storage capacity which is adequate to serve the Blue Acres Phase 4 Subdivision.

WATER RIGHTS

The District has the following water rights for their sources:

Water Right Number	Amount (acre-feet)
35-1613	788.45
35-11723	930.77
Weber Basin WCD	465.3
Total	2184.52

The attached capacity calculation worksheet estimates the required water rights of 1520 acre-feet for indoor and outdoor use. Based on water rights, the District has over 664 acre-feet of excess water rights which are adequate to serve the Blue Acres Phase 4 Subdivision.

SUMMARY

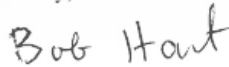
There is no limiting component at present, which would prevent the District from providing adequate drinking water service to the Blue Acres Phase 4 Subdivision.

Val Surrage
Page 3
February 19, 2015

The District has submitted a project notification form and was granted a plan review waiver by the Division, which allows the construction of this subdivision to proceed once approval is granted by Weber County.

If you have any questions regarding this letter, you can contact me either by phone at (801) 536-0054 or e-mail bhart@utah.gov.

Sincerely,



Bob Hart, P.E.
Environmental Engineer III

Enclosure — Taylor-West Weber WID Capacity Calculation

cc: Louis Cooper, Env. Director, Weber-Morgan Health Department, lcooper@co.weber.ut.us
Sean Wilkinson, Weber County Planner, swilkinson@co.weber.ut.us
Jared Andersen, P.E., Weber County Engineer, jandersen@co.weber.ut.us
Ying-Ying Macauley, Division of Drinking Water, ymaculey@utah.gov
Cameron Harry, P.E., Division of Drinking Water, caharry@utah.gov
Bob Hart, P.E., Division of Drinking Water, bhart@utah.gov
John Reeve, P.E., Reeve & Associates, Inc., jreeve@reeve-assoc.com

DDW-2015-004094.docx

Division of Drinking Water Water System Capacity Calculation Sheet (revised June 23, 2011)

Enter the green cells only.

System Name: **Taylor-West Weber WID February 19, 2015** System Number: **29019**

1. Indoor Water Use

Convert "Number of other connections" (Cell E9) to ERCs here. (ERCs of other connection = peak day demand of other connections / 800 gal per day)

Number of residential connections: 1,869
 Number of other connections: 19
 ERCs of other connections: 19.0
 Total Equivalent Residential Connections (ERCs): 1,888

Enter number of non-residential connections (e.g., 2 factory connections).

(Example: water use of 2 factory is equivalent to 30 homes.)

MINIMUM REQUIREMENTS FOR INDOOR WATER USE					
Source		Storage		Water Rights	
Per ERC (gpd/ERC)	Total (gpm)	Per ERC (gallons/ERC)	Total (gallons)	Per ERC (ac-ft/yr)	Total (ac-ft/yr)
800	1,048.9	400	755,200	0.45	849.60

2. Outdoor Water Use

Is the drinking water used for outdoor irrigation? Yes No
 Residential ERCs using drinking water for irrigation: 470
 Percentage of Residential ERCs using DW for irrigation: 25%
 Average irrigated acreage per residential connection: 0.75
 Total irrigated acreage of other connections: 6.00
 Enter total irrigated acres of other connections here: 4
 Irrigation zone: 4

Based on information from Water System Manager during 2013 Sanitary Survey

Enter total irrigated acres of other connections here.

Select Irrigated Zone # from the list (see "Irrigation Demands & Map" tab on the bottom of the screen).

MINIMUM REQUIREMENTS FOR OUTDOOR WATER USE					
Source		Storage		Water Rights	
Per ERC (gpd/ERC)	Total (gpm)	Per ERC (gallons/ERC)	Total (gallons)	Per ERC (ac-ft/yr)	Total (ac-ft/yr)
4.277	1,419.7	2,136	1,021,008	1.40	670.40

3. Fire Flow Requirement

Does the water system provide fire protection? Yes No
 Maximum fire suppression demand for water system or pressure zone (gpm): 1,000
 Maximum fire suppression duration for water system or pressure zone (hours): 2
 Required Fire Suppression Storage (gallons): 120,000

Weber Fire District has adopted Appendix B of the Fire Code which requires a minimum of 1000 gpm for two hours for fire flow.

Enter duration in hours.

Total Water System Requirements (= indoor use + outdoor use + fire flow demand)

MINIMUM REQUIREMENTS FOR WATER SYSTEM					
Source		Storage		Water Rights	
Per ERC (gpd/ERC)	Total (gpm)	Per ERC (gallons/ERC)	Total (gallons)	Per ERC (ac-ft/yr)	Total (ac-ft/yr)
5.077	2,468.5	2,536	1,896,208	1.85	1,520.00

Does this system have adequate source capacity per R309-510-7?

IPS points may be assessed for lacking adequate source capacity to meet peak day and/or average yearly flow requirements.

Existing Sources: 3,400.0 gpm
 Required Source Capacity: 2,468.5 gpm
 % of Req'd Capacity: 137.7%
 Difference: 931 gpm

Linked to Cell I99 below.
 Linked to Cell C51 above.
 Negative number means (1) additional source capacity is needed and (2) IPS points should be assessed.

Does this system have adequate storage capacity per R309-510-8?

IPS points may be assessed for lacking adequate storage capacity.

Existing Storage:	3,250,000	gal
Required Storage Capacity:	1,896,209	gal
% of Req'd Capacity:	171.4%	
Difference:	1,353,792	gal

Linked to Cell I118 below.

Linked to Cell E51 above.

Negative number means (1) additional storage volume is needed, and (2) IPS points should be assessed.

Non-Community Water Systems, ERCs for Indoor Water Use. (*See R309-510, Tables 510-1, 2, and 4, for other facility type calc.)									
Facility Type	Source			Storage		ERC/site or pad	# of Sites or pads	ERCs	
	GPD/person*	Calculated GPD/site or pad		GPD/person	Gallon/site or pad				
Modern Recreation Camp	60	240		30	120	0.30	6	2.4	
Semi-Developed Camp w/ flush toilets	20	80		10	40	0.10	25	2.5	
Semi-Developed Camp w/o flush toilets	5	20		2.5	10	0.03	20	0.5	
RV Park	N/A	100		N/A	50	0.13	15	1.9	
*Number of people per camp site	4								
	if applicable, enter number of people per camp site here.								
Roadway Rest Stop w/ flushometer valves	7	3.5		8.75	800	7.00			

Taylor-West Weber WID February 19, 2015

Equivalent Residential Connection Calc.	
Existing Residential Connections	1,869
Number of Obligated Future ERCs	9
Blue Acres Subdivision	9
Total Projected Number of ERCs	
	1,878

Linked to Cell I5 above.

Source (in gallons per minute)		
WS001	Big Well	900
WS002	Small Well	500
WS003	Weber Basin WCD CC	2000
Total Source Capacity		3400
Max. ERC allowed (for indoor use only)		6120

Storage (in gallons)		
ST001	Million Gallon Tank	1,000,000
ST002	2 Million Gallon Tank	2,000,000
ST003	250 K Gallon Tank	250,000
Total Storage Capacity		3,250,000

if you need to calculate projected future demand (including existing & future connections), insert this number to Cell I8 "Number of residential connection"

(Enter notes here if needed)

Diaphragm or air pressure tanks shall not be considered effective storage volume for community systems or NTNC with significant demand.



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for final approval of Cameron Cove Cluster subdivision, consisting of 27 lots.
Type of Decision	Administrative
Agenda Date:	Tuesday, March 13, 2018
Applicant:	Jason Hamblin
File Number:	LVC101217

Property Information

Approximate Address:	4065 West 2275 South Taylor, 84401
Project Area:	20.38 acres
Zoning:	Agricultural (A-1)
Existing Land Use:	Agriculture
Proposed Land Use:	Residential Subdivision
Parcel ID:	15-078-0149, 15-078-0150, 15-078-0151, 15-078-0152
Township, Range, Section:	T6N, R2W, Section 28

Adjacent Land Use

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

Staff Information

Report Presenter:	Felix Lleverino flleverino@co.weber.ut.us 801-399-8767
Report Reviewer:	SB

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions) 1-7 (Definitions)
- Weber County Land Use Code Title 104 (Zones) Chapter 5 (Agricultural-1 Zone)
- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 108 (Standards) Chapter 3 (Cluster Subdivision)

Development History

The Western Weber Planning Commission reviewed and unanimously endorsed the Sketch Plan on July 12, 2017.

Cameron Cove Cluster Subdivision was granted preliminary approval from the Western Weber Planning Commission during the meeting held on December 12, 2017.

Background

The applicant is requesting final approval for a 27 lot cluster subdivision, located at approximately 4065 west 2275 south, with a 10% bonus density for meeting the purpose and intent of the cluster code and an additional 12% for creating a publically accessible park. Western Weber Cluster Code requires a minimum of 30% of the developable area to be preserved as open space. Cameron Cove Cluster Subdivision will preserve 34.2% of the developable area that is to be owned, managed and maintained by an HOA. The subdivision will occupy an area that is 20.38 acres and lots within this subdivision will range in area from 15,000 square feet to 20,206 square feet. Access to this subdivision will be created by newly dedicated roads at four locations.

The developer has provided an Agricultural Preservation Plan and an Agricultural Preservation Easement, complying with final subdivision requirements of The Uniform Land Use Code of Weber County.

Analysis

General Plan: The Western Weber General Plan supports cluster type development as a means to preserve open space (see page 2-12 of the Western Weber General Plan).

Zoning: The subject property is located in the Agricultural Zone (A-1), the purpose of this zone is stated in the LUC §104-5-1.

"The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."

Lot area, frontage/width, and yard regulations: Cluster subdivisions are listed as a permitted use with the A-1 Zone. A cluster subdivision requires a minimum lot area of 6,000 sq ft for a single family dwelling and a minimum lot width of 60 feet. The minimum yard setbacks for a single family dwelling are 20 feet on the front and rear, and a side yard of 8 feet. The proposed lot sizes within this subdivision will range from 15,000 to 20,206 sq ft. and lot widths range from 100 to 150 feet.

Culinary, Secondary Water, and Sanitary System: Taylor West Weber Water District has provided a letter stating that water is available for each of these lots. A Project Notification Form has been submitted to the State by Taylor West Weber Water and the State has provided a Feasibility Evaluation. Hooper Irrigation has provided a letter stating that Cameron Cove is located in the service area, and can be serviced with secondary water. Central Weber Sewer Improvement District has provided a statement of feasibility for sewer services for this 27 lot subdivision.

Bonus Density Requirements: The LUC §108-3-4 states that the minimum preserved open space requirement in the A-1 zone is 30 percent. The LUC §108-3-8(2) states that "the county may grant a bonus density of up to 50 percent if the applicant preserves an open space percentage above the 30 percent requirement. Overall bonus density potential shall be no greater than a percentage equal to the percentage of the subdivision's total area preserved as open space." The applicant is proposing to preserve 34.2 percent open space; which will allow up to a 44.2 percent bonus density to be granted. The applicant is requesting a 10% bonus density with an additional 12% for creating a public park located within parcel B based on the following, as outlined in LUC §108-3-8:

a.) *If a cluster subdivision meets the purpose and intent of the cluster subdivision chapter, up to a ten percent bonus density may be granted.*

"The purpose of this chapter is to provide flexible development standards to landowners that are committed to developing safe, attractive, conservation-oriented neighborhoods that are thoughtfully designed and arranged in a manner that considers, gives deference to, and ultimately protects natural topography, environmentally sensitive areas, wildlife habitat, and agriculturally productive lands. It is intended to benefit those that create cluster subdivisions by offering an inherent gain in the form of reduced infrastructure costs and the possibility for a substantial increase in residential density in the Western Weber Planning Area. It is equally intended to benefit the residents of Weber County by promoting public welfare through the reduction of long-term infrastructure maintenance costs and the permanent preservation of the county's functional open spaces, picturesque landscapes, and rural character."

e.) *If a cluster subdivision provides a common area that offers easily accessible amenities such as trails, parks, or community gardens, that are open for use by the general public, up to a 15 percent bonus density may be granted.*

Open Space Preservation Plan: The Open Space Preservation Plan states that each open space parcel will be owned, managed and maintained by the Cameron Cove Cluster Subdivision Home Owner's Association. The use of the open space throughout the development will be agricultural in nature. If agricultural structures will be located within the open space parcels, the building must be placed within a designated building envelope to be shown on the final plat.

Open Space Parcel B contains a detention basin that is already in operation. It will provide stormwater management for Mallard Springs Subdivision, Blue Acres, and Cameron Cove. The developer will write into the Agricultural Preservation Plan that Parcel B will be free of all animals to eliminate damage that could occur to the detention basin facilities from animal

grazing. The Agricultural Preservation Plan will not allow cattle to be placed within this development. Open space Parcel B will contain irrigated turf grass with a small play area that is open to the public. Open Space Parcels A and C will allow animals such as goats and horses. To address the concerns that Planning Commission had during the previous meeting concerning the open space where the grazing animals are to be held, the developer plans on keeping the animals with a fenced area.

Additional Standards: The Weber County Engineering Department has required that drainage easements be shown on the plat and that the area for all stormwater easements be dedicated. The Engineering Department also requires a geotechnical report to be completed for right-of-way improvements.

During the preliminary approval meeting, the applicant requested an allowance for a two-lot increase in the number of lots allowed within a cluster of lots due to complications that stem from the shape of the parcel, the existing detention basin, and the existing irrigation easement. The Planning Commission approved this request.

Review Agencies: Weber Fire District has approved this project. Weber County Engineering, Surveying, and Planning Departments have conditions that will need to be addressed prior to being forwarded to the County Commission for final approval.

Tax Clearance: The 2017 property taxes have been paid in full. The 2018 property taxes are due in full as of November 30, 2018.

Public Notice: A notice was mailed not less than seven calendar days prior to the preliminary approval meeting to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Staff Recommendation

The Weber County Planning Division recommends final approval of the Cameron Cove Cluster Subdivision consisting of 27 lots. This recommendation is conditioned upon meeting all requirements from county reviewing agencies and the following conditions:

1. As part of the final subdivision requirements, the Owner's Dedication shall contain language that grants and conveys easements to the appropriate parties, including showing all stormwater easements leading to the stormwater detention basin. These entry numbers for the easements will be required to be filled in on the final plan prior to recording the Mylar.
2. As part of the final subdivision requirements, the applicant shall establish a Home Owner's Association as described in LUC §108-3-9 and provide the County a copy to review and approve.
3. An open space preservation easement shall be reviewed by the County Attorney, and recorded with the final Mylar.
4. The developer shall provide a financial guarantee for all improvements that have not been completed prior to going before the County Commission for final approval as described in LUC § 106-4-3.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable ordinances.
3. Up to 10 percent bonus density may be granted for meeting the purpose and intent of the cluster subdivision and up to an additional 15 percent may be granted for providing public amenities such as trails and a publicly accessible park.
4. Due to the subdivision boundary shape, existing detention basin, and the existing Irrigation easement, it has been found that an allowance for an additional two lots within a cluster area is justifiable.

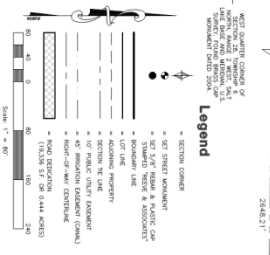
Exhibits

- A. Cameron Cove Cluster Subdivision Plat
- B. Agricultural Preservation Plan
- C. Agricultural Preservation Easement
- D. Landscape plan



Cameron Cove Cluster Subdivision

PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
WEBER COUNTY, UTAH
NOVEMBER, 2017



Notes

- 1- The 20' EASEMENT FOR SALT LAKE COUNTY, MAP# 422208, LOCATED ON THIS PLAN, (NOT SHOWN)
- 2- ALL STREETS ARE PUBLIC ROAD-OF-LAW
- 3- ALL EASEMENTS SHOWN ON THIS PLAN ARE OF PUBLIC UTILITY NATURE
- 4- IF RESURVEYING EASEMENT CROSSES THE CORNER CORNER OF LOT 5 FROM THE 20' EASEMENT AND THE SOUTH QUARTER CORNER SHOWN 6.0' THE EASEMENT IS EXTENDED TO THE SOUTH QUARTER CORNER AND THE 6.0' EASEMENT CORNER SHOWN

Curve Table

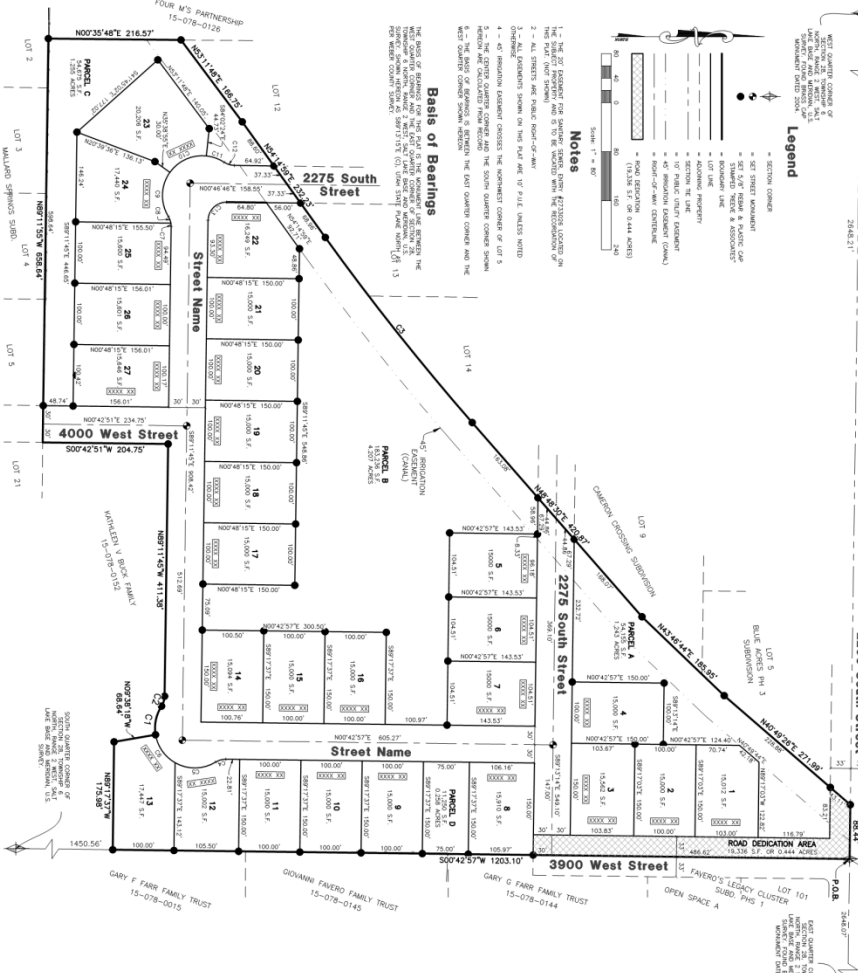
STATION	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE	PI	PC	PT	END POINT
1	N 120° 00' 00" E	120.00	120° 00' 00"	120.00	120.00	120.00	120.00	120.00
2	S 120° 00' 00" E	120.00	240° 00' 00"	120.00	120.00	120.00	120.00	120.00
3	N 120° 00' 00" E	120.00	120° 00' 00"	120.00	120.00	120.00	120.00	120.00
4	S 120° 00' 00" E	120.00	240° 00' 00"	120.00	120.00	120.00	120.00	120.00
5	N 120° 00' 00" E	120.00	120° 00' 00"	120.00	120.00	120.00	120.00	120.00
6	S 120° 00' 00" E	120.00	240° 00' 00"	120.00	120.00	120.00	120.00	120.00

Narrative

The purpose of this plat is to show the correct placement of the boundary lines of the subdivision. The boundary lines are shown by a solid line and the interior of the subdivision is shown by a dashed line. The boundary lines are shown by a solid line and the interior of the subdivision is shown by a dashed line. The boundary lines are shown by a solid line and the interior of the subdivision is shown by a dashed line.

Boundary Description

BOUNDARY DESCRIPTION: The boundary lines of the subdivision are shown by a solid line and the interior of the subdivision is shown by a dashed line. The boundary lines are shown by a solid line and the interior of the subdivision is shown by a dashed line. The boundary lines are shown by a solid line and the interior of the subdivision is shown by a dashed line.



WEBER-MORONG HEALTH DEPARTMENT

HIGHER CERTIFY THAT THE SOILS, POLLUTION ABSENCE, AND WATER RESOURCES OF THE PROJECT ARE IN COMPLIANCE WITH THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY. THIS CERTIFICATE IS VALID FOR THE PERIOD OF 30 DAYS FROM THE DATE OF ISSUANCE.

DATE: 11/15/2017

CHIEF

GOODY VALLEY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THE SUBDIVISION PLAN WAS ONLY REVIEWED AND APPROVED FOR THE PLANNING COMMISSION'S INFORMATION ONLY.

DATE: 11/15/2017

CHAIRMAN

WEBER COUNTY SHERIFF

HIGHER CERTIFY THAT THE WEBER COUNTY SHERIFF'S OFFICE HAS REVIEWED THE SUBDIVISION PLAN AND HAS APPROVED THIS PLAN FOR THE PURPOSES OF THE SHERIFF'S OFFICE. THIS CERTIFICATE IS VALID FOR THE PERIOD OF 30 DAYS FROM THE DATE OF ISSUANCE.

DATE: 11/15/2017

WEBER COUNTY SHERIFF

WEBER COUNTY PLANNING COMMISSION

HIGHER CERTIFY THAT THE SUBDIVISION PLAN, THE ZONING MAP, AND THE ZONING MAP AMENDMENT ARE IN COMPLIANCE WITH THE ZONING MAP AND THE ZONING MAP AMENDMENT. THIS CERTIFICATE IS VALID FOR THE PERIOD OF 30 DAYS FROM THE DATE OF ISSUANCE.

DATE: 11/15/2017

CHAIRMAN, WEBER COUNTY COMMISSION

WEBER COUNTY ENGINEER

HIGHER CERTIFY THAT THE REQUIRED PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAN ARE IN COMPLIANCE WITH THE PUBLIC UTILITY EASEMENTS ACT AND THE PUBLIC UTILITY EASEMENTS ACT. THIS CERTIFICATE IS VALID FOR THE PERIOD OF 30 DAYS FROM THE DATE OF ISSUANCE.

DATE: 11/15/2017

WEBER COUNTY ENGINEER

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE PUBLIC UTILITY AND OTHER EASEMENTS SHOWN ON THIS PLAN AND I AM Satisfied THAT THE PUBLIC UTILITY AND OTHER EASEMENTS SHOWN ON THIS PLAN ARE IN COMPLIANCE WITH THE PUBLIC UTILITY EASEMENTS ACT AND THE PUBLIC UTILITY EASEMENTS ACT. THIS CERTIFICATE IS VALID FOR THE PERIOD OF 30 DAYS FROM THE DATE OF ISSUANCE.

DATE: 11/15/2017

WEBER COUNTY ATTORNEY

SURVEYOR'S CERTIFICATE

I, **THOMAS J. JARVIS**, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN COMPLIANCE WITH TITLE 26, CHAPTER 2, PROFESSIONAL SURVEYORS AND LAND SURVEYING, AND THAT I AM THE SURVEYOR OF RECORD FOR THIS PLAN. I HAVE PERSONALLY REVIEWED THIS PLAN IN COMPLIANCE WITH SECTIONS 11-21-11 AND HAVE FOUND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT AND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT. I HAVE ALSO REVIEWED THE PLAN FOR THE PURPOSES OF THE SURVEYING ACT AND HAVE FOUND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT. I HAVE ALSO REVIEWED THE PLAN FOR THE PURPOSES OF THE SURVEYING ACT AND HAVE FOUND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT. I HAVE ALSO REVIEWED THE PLAN FOR THE PURPOSES OF THE SURVEYING ACT AND HAVE FOUND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT.

DATE: 11/15/2017

THOMAS J. JARVIS

UTAH LICENSE NUMBER: 8031945

OWNERS DEDICATION AND CERTIFICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET AND MAKE PUBLIC RECORD OF OUR INTENT TO DEDICATE TO THE PUBLIC THE TRACT OF LAND SHOWN ON THIS PLAN AND TO MAKE PUBLIC RECORD OF OUR INTENT TO DEDICATE TO THE PUBLIC THE TRACT OF LAND SHOWN ON THIS PLAN. WE HEREBY CERTIFY THAT WE HAVE READ THIS PLAN AND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT AND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT. WE HEREBY CERTIFY THAT WE HAVE READ THIS PLAN AND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT AND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT. WE HEREBY CERTIFY THAT WE HAVE READ THIS PLAN AND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT AND THAT THE PLAN IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT.

DATE: 11/15/2017

ACKNOWLEDGMENT

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DATE: 11/15/2017

THOMAS J. JARVIS

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DATE: 11/15/2017

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DATE: 11/15/2017

THOMAS J. JARVIS

RA & Associates, Inc.

REGISTERED PROFESSIONAL LAND SURVEYOR

UTAH LICENSE NUMBER: 8031945

1111 S. 4000 WEST, SUITE 100, OGDEN, UT 84403

PHONE: (435) 765-1111

CELL: (435) 765-1111

FAX: (435) 765-1111

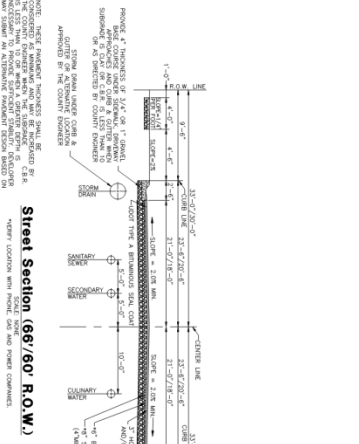
WWW.RA-ASSOCIATES.COM

WEBER COUNTY RECORDER

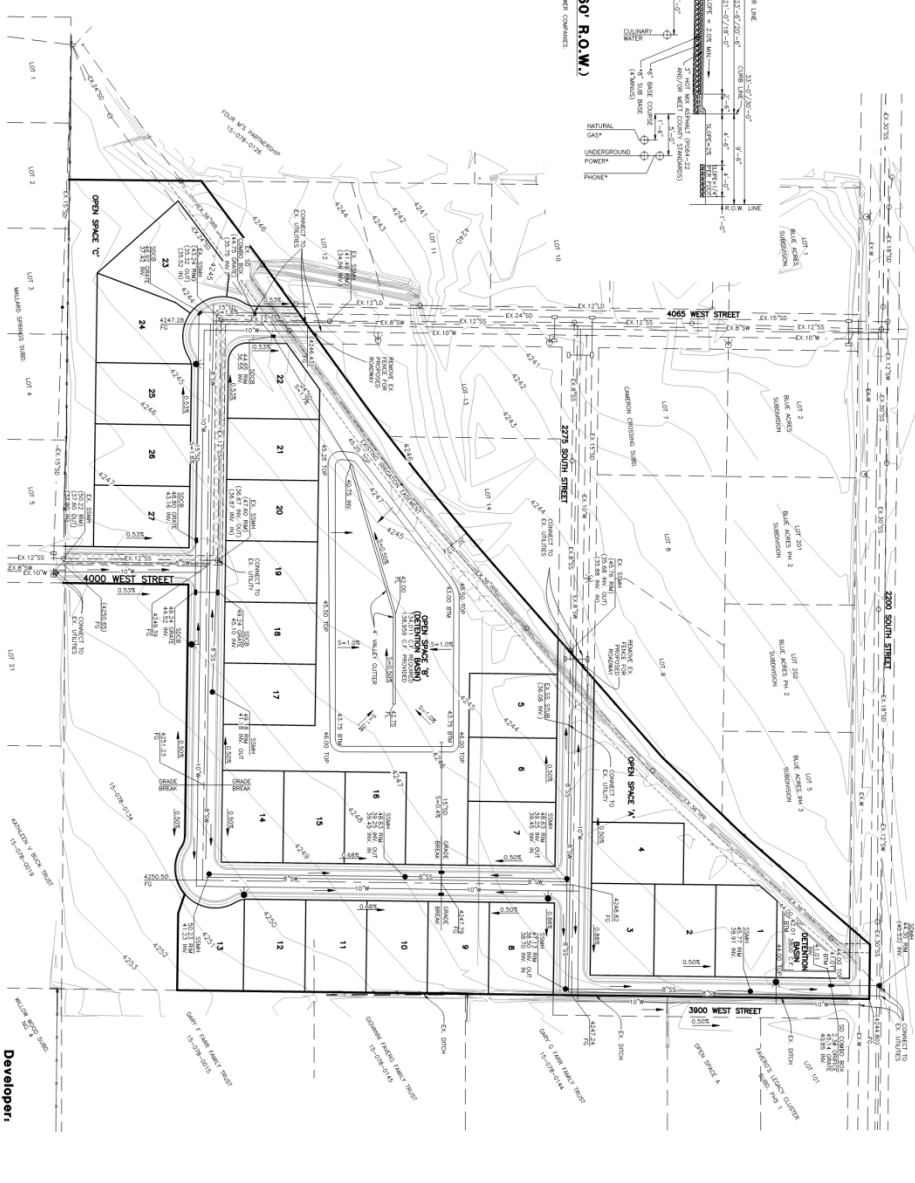
DATE: 11/15/2017

WEBER COUNTY RECORDER

Cameron Cove Cluster Subdivision
 PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASIN & MERRIDIAN, U.S. SURVEY
 Weber County, Utah



- ### Legend
- Boundary Line
 - LOT LINE PROPERTY
 - PROPOSED SHADY DRIVE LANE
 - PROPOSED SECONDARY WATER LANE
 - PROPOSED SANITARY SEWER LANE
 - EXISTING SECONDARY WATER LANE
 - EXISTING SANITARY SEWER LANE
 - EXISTING CULINARY WATER LINE (SIZE SHOWN)
 - PROPOSED CULINARY WATER LINE (SIZE SHOWN)
 - PROPOSED STORM SEWER LANE
 - EXISTING STORM SEWER LANE
 - PROPOSED FIRE HYDRANT
 - EXISTING FIRE HYDRANT
 - PROPOSED WATER SERVICE CONNECTION
 - PROPOSED SANITARY SEWER CONNECTION
 - EXISTING WATER SERVICE CONNECTION
 - EXISTING SANITARY SEWER CONNECTION
 - EXISTING FIRE HYDRANT
 - EXISTING SECONDARY WATER SERVICE
 - EXISTING STORM SEWER SERVICE
 - EXISTING CULINARY WATER SERVICE
 - EXISTING STORM SEWER SERVICE
 - EXISTING FIRE HYDRANT SERVICE
 - EXISTING SECONDARY WATER SERVICE
 - EXISTING SANITARY SEWER SERVICE
 - EXISTING WATER SERVICE



THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5150 SOUTH 1500 WEST, PROVO, UT 84601, AND SHALL NOT BE REPRODUCED, RE-SOLD, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNATED HEREON, WITHOUT WRITTEN PERMISSION. THE OWNERS AND COMPANIES OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY DAMAGES OR IMPROPERITIES MADE TO THESE PLANS OR THE RESULT THEREOF WITHOUT THEIR CONSENT.

Scale 1" = 80'

Developer:
 Doug Hornbush
 P.O. Box 625
 Roy, UT 84067
 (801) 725-3782

Project Info:
 Designer: Reeve & Associates, Inc.
 Issue Date: 5-26-17
 Project: CAMERON COVE
 Drawing Code: 3442.04B
 Number: 3442.04B

Cameron Cove Cluster Subdivision
 PART OF THE SW 1/4 OF SECTION 28, T.6N., R.2W., S.1B & M., U.S. SURVEY
 WEBER COUNTY, UTAH

Preliminary Utility Plan

REVISIONS	DATE	DESCRIPTION

Reeve & Associates, Inc.
 REGISTERED PROFESSIONAL ENGINEERS AND ARCHITECTS
 5150 SOUTH 1500 WEST, PROVO, UT 84601
 (801) 421-3700
 WWW.WEBSITE.COM

CAMERON COVE CLUSTER SUBDIVISION – LOTS 1 – 27**Agricultural Preservation Plan**

The best use of the common area is open space, as it will allow for the preservation of historic context and agricultural feel of the land. This action would allow for open space to be preserved and allow for the continued productive use of livestock and crops.

Open Space in the Cameron Cove Cluster Subdivision is used as Agriculture Preservation Parcels. Details, permitted uses, and ownership are outlined below.

Agriculture Preservation Parcels (3 Parcels)

Agriculture Preservation Parcels within the Cameron Cove Cluster Subdivision area located throughout the central, north and south side of the subdivision. Agriculture Preservation Parcels have letter designations A-C and are 1-acre minimum.

Structures: Agriculture Preservation part of Parcel B and the north part of Parcel A: no structures permitted. The integrity of storm drainage retention ponds serving the Cameron Cove Cluster Subdivision must be preserved.

The balance of Parcels A, B & C: used for structures for agricultural or associated purposes may be built on the Agriculture Preservation Parcels, but are limited to 5 percent of each parcel. This includes but is not limited to structures used for the purpose of housing crops, animals, equipment, vehicles, tools, feed, and implements to support agricultural endeavors. Structures shall not be used for permanent or residential purposes.

Crops and Animals: Agriculture Preservation Parcels A, B & C: Crops permitted only outside of retention ponds. The integrity of storm drainage retention ponds serving the Cameron Cove Cluster Subdivision must be preserved. Animals are permitted in accordance with Weber County Land Use Code currently in force.

Waste & Maintenance: All animal or agricultural waste must be regularly removed from the Agriculture Preservation Parcels. Waste may be used as fertilizer, provided the waster is tilled, churned, or otherwise integrated into the soil so as not to cause a nuisance to the residential properties.

Agricultural Uses: Except for items stored in appropriate containers or buildings, the Agriculture Preservation Parcels shall be maintained such that trash, refuse, rubbish, inoperable or abandoned equipment, dead animals, scrap lumber, building materials, scrap material, grass clippings, plant waste, or other unsightly waste are not visible from the streets nearest the residential lots.

Ownership: Ownership of Agriculture Preservation Parcels within the Cameron Cove Cluster Subdivision is will be owned and maintained by the HOA.

The Agriculture Preservation Parcels are required at all times to conform to the use restrictions stated above.

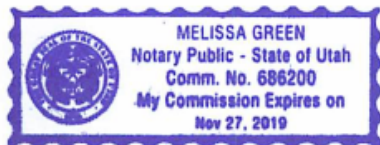
Kathleen V. Buck
Romney Buck

STATE OF UTAH)

SS:

COUNTY OF WEBER)

On the 6 day of October, 2017 personally appeared before me Kathleen BUCK the signer of the within instrument and who duly acknowledged to me that they executed the same.



Notary Public

Melissa Green

Residing at: 4810 S. 1900W
Roy, UT. 84067

DECLARATION OF AGRICULTURAL PRESERVATION EASEMENT

This Declaration of Agricultural Preservation Easement Agreement (hereinafter "Agreement") concerning Cameron Cove Cluster Subdivision (see Exhibit A) is made as of the ____ day of March 2018, by and between Doug Hamblin ("Developer"), Cameron Cove Cluster Subdivision the Homeowner's Association ("HOA") and Weber County, an incorporated county within the State of Utah ("County"). Developer, the HOA and the County are collectively referred to as the "Parties".

RECITALS

- A. Developer is the owner of certain property located within Weber County, State of Utah, which is more fully identified to the preliminary plat submitted to the County for the Cameron Cove Cluster Subdivision ("hereinafter the Subdivision").
- B. Developer is developing the subdivision into a "cluster" development with part of the Subdivision consisting of separate residential building lots and part of the Subdivision consisting of the property to be used as AGRICULTURAL property (hereinafter the "Agricultural Preservation Parcel"). The Agricultural Preservation Property as shown in Exhibit A attached hereto.
- C. Prior to the approval of the final plat for the Subdivision the Covenants, Conditions and Restrictions (CC&Rs") will be recorded against the Subdivision and the Agricultural Preservation Parcel. The CC&Rs shall restrict the use of the Agricultural Preservation Parcel consistent with this Agreement. The CC&Rs shall also allow the HOA to among other things, enforce the use restrictions placed on the Agricultural Preservation Parcel.
- D. In addition the HOA having authority to enforce use restrictions on the Agricultural Preservation Parcel, the County desires to have authority to enforce the use restrictions described herein on the Agricultural Preservation Parcel.

NOW THEREFORE, in consideration of the mutual promises, covenants and conditions herein contained and in consideration of the execution of this agreement, and for other good and valuable consideration, the receipt of which is hereby acknowledged, Developer, the HOA and the County agree as follows:

1. **Permitted Use of the Agricultural Preservation Parcel: Developer, the HOA and the County agree that the Agricultural Preservation Parcel shall be restricted to the following uses:**
 - a. **Structures:** Only structures used for agricultural purposes may be built on the Agricultural Preservation Parcel. For example including but limited to structures used for the purpose of housing crops, animals, equipment, vehicles, tools, feed and implements. Structures shall not be used for occupancy of humans.
 - b. **Crops:** Permitted crops include but are not limited to melons, wheat, barley, oats, alfalfa, corn and other crops consistent with general use of agricultural property in

Weber County. Harvested crops may be stored in appropriate sheds, barn, silos or other buildings located on the Agricultural Preservation Parcel.

- c. **Animals:** Permitted animals include but are not limited to horses, cattle, bison, elk, llama, dog, cats, sheep, goats and other animals consistent with the general use of agricultural property in Weber County. Animals that are not permitted include the following: reptiles, swine, mink, poultry and waterfowl. The maximum combined number of the animals is fifteen. Generally, waste from the animals must be regularly removed from the Parcel. Waste may be used as fertilizer, provided the waste is tilled, churned or disked into the soil within 30 days from application.
 - d. **Agricultural Preservation Parcel Use:** Except for items stored within appropriate containers, the Agricultural Preservation Parcel such that trash refuse, rubbish, in operable or abandoned equipment, dead animals, scrap lumber, scrap metal, silage, grass clippings, tree clippings, or plant waste that are not visible from the street nearest to the Agricultural Preservation Parcel. Such items may be stored in appropriate containers or structures or screened from street view. No Odor, including smoke from fires ignited for the sole purpose of consuming trash, refuse, rubbish or waste of any kind shall arise from the Agricultural Preservation Parcel so as to render neighboring and adjacent properties unsanitary, unsightly, or offensive. Barbeque grills, fire pits and fire places are allowed.
2. **Easement:** Developer dictates, grants and conveys a perpetual easement to the County and the HOA, upon the Agricultural Preservation Parcel, said easement to be used only to guarantee that the Agricultural Preservation Parcel will remain open and underdeveloped except for the approved uses as set forth above and does not grant the HOA, the County or public at large a right to use the Agricultural Preservation Parcel. The parties agree that this Easement is for the express purpose of enhancing the value and protecting the attractiveness of the Subdivision and as such, the use restrictions stated hereto shall run with the Agricultural Preservation Parcel. This agreement is binding upon all claiming any right, title or interest in the Subdivision and shall inure to the benefit of developer, the County and the members of the HOA and their successors, assigns heirs or nominees.
 3. **Ownership:** The parties agree that the Agricultural Preservation Parcel shall only be owned by a person or entity or combination of persons or entities that own a lot within the Subdivision.
 4. **Miscellaneous:** The parties agree that the Agricultural Preservation Parcel is required at all times to conform to the use restrictions stated herein and the Weber County Zoning Ordinances. To the extent that Weber County Zoning Ordinances conflict with this Agreement, the Zoning Ordinance shall govern. In the event an owner of the Agricultural Preservation Parcel violates any use restriction for the Agricultural Preservation Parcel, the County may enforce said violation to the extent provided by law.
 5. **Attorney's Fee:** If any legal action or any arbitration or other proceeding is brought or any action taken for the enforcement of this agreement or any related document, or because of an alleged dispute, breach, default or misrepresentation in connection with any of the provisions of the Agreement or any related document, the successful or prevailing party or

parties shall be entitled to recover reasonable attorney fees and other cost incurred, in addition to any other relief to which they may be entitled.

- 6. This Agreement may be amended or modified only by a written instrument executed by the County, the HOA and the owners of the Agricultural Preservation Parcel.

IN WITNESS WHEREOF, the parties have executed the foregoing Agreement as of the day and year first written above.

Dated this ___ day of March, 2018.

Doug Hamblin

State of Utah)
) :ss
County of Weber)

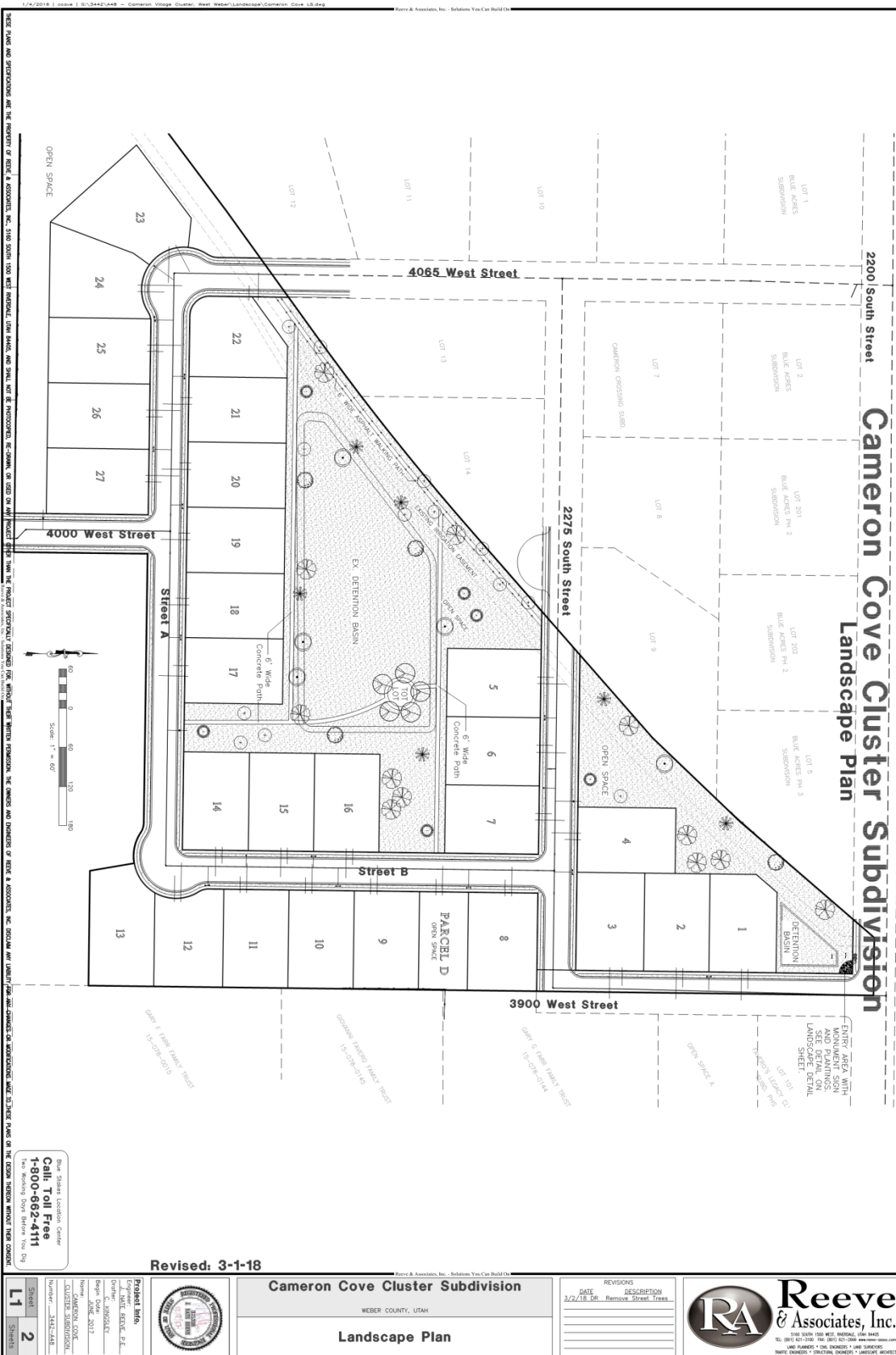
On the ___ day of March, 2018 personally appeared before me this signer of the within instrument, who duly acknowledged to me he executed the same.

BY:
ITS:

State of Utah)
) :ss
County of Weber)

On the _____ day of _____, 2018, personally appeared before me _____ who, being first duly sworn, did say that he is the _____ of Weber County, and that the above instrument was signed on behalf of said County.

Notary Public



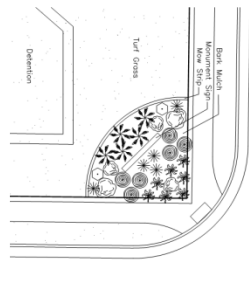
Cameron Cove Cluster Subdivision Landscape Cluster Plan

Plant Table

Quantity	Symbol	Scientific Name	Common Name	Planting Size
13	○	Acer freemanii 'Jefferson'	Autumn Blaze Maple	2" cal.
4	○	Acer platanoides 'Crimson King'	Crimson King Norway Maple	2" cal.
12	○	Cedrelia tris. 'Imperial'	Imperial Honeylocust	2" cal.
6	○	Pinus pungens	Colorado Blue Spruce	6" B&B
6	○	Pinus nigra	Austrian Pine	6" B&B
4	○	Pinus coccinea 'Aristocrat'	Aristocrat Flowering Pear	2" cal.
5	○	Zelkova serrata 'Schmidtow'	Wireless Zelkova	2" cal.

Quantity	Symbol	Scientific Name	Common Name	Planting Size
6	○	Syringa japonica 'Magic Carpet'	Magic Carpet Syringa	5 gal.

Quantity	Symbol	Scientific Name	Common Name	Planting Size
5	○	Colonnaria 'Karl Foerster'	Karl Foerster Grass	5 gal.
7	○	Hamamelis 'Salem de Oro'	Salem de Oro Dogwood	1 gal.
2	○	Ilex pedunculata	Concordia	1 gal.
5	○	Salix 'May Night'	May Night Salix	1 gal.



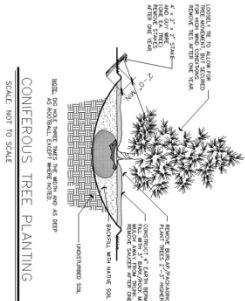
Entry Planting Detail

Decorative Boulders
Benches at Top Lot. Top lot shall have a ploy structure, to be specified by owner.

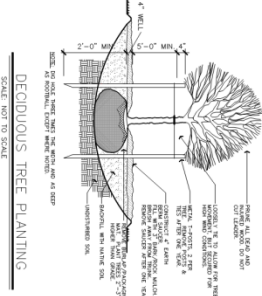
Turf Grass - To be sodded.

NOTE: Very heights of evergreen trees for a natural look.

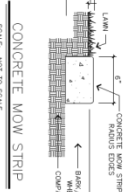
NOTE: A water-conserving, automatic, underground irrigation system shall be designed by owner's licensed landscape contractor. Sprinkler heads shall be drip irrigated. Turf grass shall be irrigated by spray heads. Monitor the system to watch for over-spray and runoff.



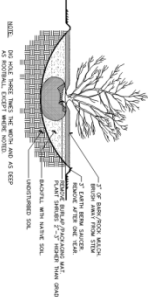
CONIFEROUS TREE PLANTING



DECIDUOUS TREE PLANTING



CONCRETE MOW STRIP



SHRUB PLANTING

Blue Stained Location Center
Call Toll Free
1-800-662-4111
Two Working Days Before You Dig

Revised: 3-1-18

	Cameron Cove Cluster Subdivision WEBER COUNTY, UTAH	REVISIONS DATE: 3/2/18 BY: [Redacted] DESCRIPTION: Remove Street Trees	<p>5115 SOUTH 1000 WEST, PARKDALE, UTAH 84055 TEL: (801) 633-1200 FAX: (801) 633-4178 www.reeveandassociates.com LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS TRAIL DESIGNERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS</p>
	Project Info: Owner: ANSLEY Design: [Redacted] City: CAMERON COVE Number: 1447-7448 Name: [Redacted] Begin Date: 2017	Scale: 1" = 10' Sheet: 2 Sheets: 2	

RULES OF ORDER
WEBER COUNTY PLANNING COMMISSIONS
January 3, 2018

A. ORGANIZATION

1. Appointment and Removal of Planning Commissioners

The Weber County Code describes how Planning Commission members are appointed and removed. Planning Commissioners are appointed by a majority vote of the County Commission. Planning Commissioners may be removed for cause, also by a majority vote of the County Commission.

2. Appointment of Chair and Vice Chair

The Commission, at its first regular meeting in January of each year, shall select a Chair and Vice Chair, who may be elected to succeed themselves for one additional term only. If a vacancy arises in one of these offices during the year, the Commission shall elect a new Chair or Vice Chair at its next meeting. That person shall serve in that position for the rest of the year and may then be elected for one additional year.

3. Chair - Duties

(a) The Chair shall preside at all meetings of the Commission providing general direction for the meetings, assuring proper order of the Commission and public in all proceedings. Such duties shall include:

- i. Announcing the business before the Commission in the order in which it is to be acted upon;
- ii. Receiving and submitting in the proper manner all motions and propositions presented by the members of the Commission;
- iii. Putting to a vote all questions, which are properly moved, or necessarily arise in the course of proceedings and to announce the result thereof;
- iv. Informing the Commission, when necessary, or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon Legal Counsel for advice;
- v. Maintaining order at the meetings of the Commission;
- vi. Moving the agenda along, holding down redundancy, referencing handouts and procedures in a respectful way during meetings;
- vii. Recognizing speakers and Commissioners prior to receiving comments and presentations of physical evidence, i.e., plans and pictures; and
- viii. Receiving documents or other physical evidence as part of the record.

(b) It shall be the duty of the Chair to authenticate by signature when necessary, or when directed by the Commission, all of the acts, orders and proceedings of the Commission.

(c) The Chair may rule out of order any comment which is irrelevant, personal, or not pertinent to the matter being heard.

4. Duties of the Vice Chair

The Vice Chair, during the absence of the Chair, shall have and perform all the duties and functions of the Chair.

5. Temporary Chair

In the event of the absence of, or disability of both the Chair and Vice Chair, the Commission shall elect a temporary Chair to serve until the Chair or Vice Chair so absent or disabled shall

45 return, or the disability shall be removed, as the case may be. In such event, the temporary
46 Chair shall have all the powers and perform the functions and duties herein assigned to the
47 Chair of the Commission.

48 6. Secretary - Duties

49 The Planning Director or his/her designee shall serve as secretary of the Commission. The
50 secretary shall have the following duties:

- 51 (a) Give notice of all Commission meetings as hereinafter provided; attend every meeting
52 of the Commission, to record for the record all members in attendance, to read
53 communications, resolutions and other papers which are ordered to be read by the
54 Chair of the meeting, and to receive and bring to the attention of the Commission
55 messages and other communications from other sources;
- 56 (b) Keep the minutes of the proceedings of the Commission and to record the same;
- 57 (c) Keep and maintain a file of all records pertaining to the work of the Commission, in
58 accordance with state and county record retention laws and policies; and
- 59 (d) Perform such other duties as may be required by these rules.

60 **B. CONDUCT OF MEMBERS OF THE COMMISSION**

61 1. Addressing Members

62 Commission members shall be addressed as "Commissioner" or Mr. or Ms. and their last name.

63 2. Preparation

64 Members of the Commission shall take such time as necessary to prepare themselves for
65 meetings. If members visit a site or have familiarity with a site, they shall disclose any
66 observations.

67 3. Members Shall Attend Meetings

68 Every member of the Commission shall attend the meetings of the Commission unless duly
69 excused or unless unable to attend because of extenuating circumstances. Any member desiring
70 to be excused shall notify the secretary. The secretary shall call the same to the attention of the
71 Chair. If a member of the Planning Commission is absent from three consecutive regular or work
72 session meetings or four regular or work session meetings within a calendar year without being
73 excused by the Chair, the Chair may recommend to the County Commission that the member be
74 removed from the Commission for cause.

75 Planning Commission members shall attend all training that is required by state or county law.

76 4. Conflict of Interest

77 Near the beginning of each meeting, the Chair shall ask whether any member of the Planning
78 Commission has any conflicts of interest to disclose. A member who knows that he/she has a
79 conflict of interest in a matter on the agenda for that meeting shall state that such a conflict of
80 interest exists. A member who feels that he/she, or any other member of the Commission, *may*
81 have a conflict of interest on any matter that is on the agenda shall explain the possible conflict
82 to the Commission, and the Commission shall then vote to decide whether an actual, apparent,
83 or reasonably foreseeable conflict of interest does exist. A Commissioner who has a conflict of
84 interest shall not participate in the discussion and voting on that matter, but shall leave the
85 meeting during the time in which the matter in question is being discussed and voted upon, and
86 shall not attempt to influence other Commissioners regarding that matter before, during, or
87 after the meeting, except as allowed in paragraph 4(d) (below).

88

89 (a) Disqualification

90 No member of the Planning Commission shall participate in the discussion of an application or
91 vote on an application for any action when any of the following conditions exist:

- 92 i. Any of the following have a direct or substantial financial interest in the
93 proposal: members of the Planning Commission or the member's spouse,
94 brother, sister, child, parent, father-in-law, or mother-in-law; any business in
95 which the member is then serving or has served within the past two (2) years; or
96 any business with which the member is negotiating for or has an arrangement
97 or understanding concerning prospective partnership or employment.
- 98 ii. For any other reason, the member has determined that participation in the
99 decision cannot be in an impartial manner.

100 (b) Disclosure of Potential Conflict of Interest

101 Whether or not he/she is disqualified, a public official shall disclose any potential conflict of
102 interest as required by state law, including Chapter 17-16a of the Utah Code.

103 (c) Ex Parte Contacts

104 An ex parte contact is any communication with a party or person outside of a planning
105 commission meeting regarding administrative applications. Commissioners are not to engage in
106 these communications. Anyone speaking to Commissioners on administrative matters should do
107 so at a regular meeting so their comments, concerns, and evidence are on the public record.
108 Administrative matters, generally speaking, are applications that are to be reviewed for
109 compliance with existing ordinances, and the Planning Commission is typically the decision
110 maker (although county ordinances may require county commission approval in some cases).
111 Examples include subdivision reviews, conditional use permit applications, and design reviews.

112 On the other hand, communications regarding legislative matters are permitted. Legislative
113 matters, generally speaking, are policy decisions to be made by the county commissioners,
114 following consideration of the Planning Commission's recommendations. Examples include
115 adoption or amendment of the General Plan, adoption or amendment of land use ordinances,
116 and zoning and rezoning decisions.

117 Communication with planning staff members is not an ex parte contact and is allowed.

118 Planning Commission members shall reveal any pre-meeting or ex parte contacts with regard to
119 administrative matters at the commencement of the public meeting on the matter. Prearranged
120 private meetings between a Planning Commissioner and applicants, their agents, or other
121 interested parties are prohibited. Partisan information on an application received by a Planning
122 Commissioner whether by mail, telephone or other communication should be made part of the
123 public record. If such contacts have impaired the member's impartiality or ability to vote on the
124 matter, the member shall so state and shall abstain.

125 (d) Planning Commission Members Wishing to Give Comment

126 A member who desires to comment on a matter in which the member has a conflict of interest
127 may do so only after declaring the conflict, declaring an intent to comment as an interested
128 member of the public and not in his/her capacity as a member of the Commission, abstaining
129 from voting on the proposal, and vacating the seat and physically joining the audience. When
130 commenting, the member shall again make full disclosure of his/her position and state that
131 he/she is commenting in an individual capacity. After commenting, the member shall leave the
132 Commission Chamber during the time in which the matter in question is being discussed and
133 voted upon. If a member is an applicant, he/she can fully participate in the matter.

134 (e) Gifts and Favors

135 Gifts and favors standards are found in UCA 17-16a-4. No public officer or employee shall
136 knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift, compensation or
137 loan for themselves or another if it tends to influence them in the discharge of duties.
138 Exceptions to this are: an occasional non-pecuniary gift having a value less than \$50 or an award
139 publicly presented in recognition of public service.

140 (f) Treatment of Information

141 Reports and official records of a public planning agency must be open on an equal basis to all
142 inquiries. Planning advice should not be furnished to some unless it is available to all. All reports
143 in an official meeting agenda are public information.

144 (g) Political Activity

145 Membership in a political party and contributions to its finances or activities are matters of
146 individual decision that should neither be required of nor prohibited to Planning Commissioners.
147 The extent of participation in political activities should be governed by professional judgment as
148 well as limited by any applicable civil service law or regulation. The special position of a Planning
149 Commissioner should not be used to obtain contributions or support for a political party and
150 should not be used to obtain partisan favors.

151 **C. MEETINGS**

152 1. Place

153 Meetings of the Commission shall be held in the Weber County Commission Chambers on the
154 first floor of the Weber Center Building, Ogden, Utah, 2380 Washington Blvd., Ogden. If the
155 Chambers is not available on those dates, then the meeting may be held in another room of the
156 Weber Center Building or at such other place in Weber County as the Commission may
157 designate. A meeting having been convened at the place designated, may be adjourned by the
158 Commission to any other place within Weber County for the sole purpose of investigating some
159 particular matter of business which may be more conveniently investigated at such other place.

160 2. Regular Meetings

161 Regular meetings of the Western Weber Planning Commission shall be held on the second
162 Tuesday of each month at 5:00 p.m. Field trips may be held on the second Tuesday of each
163 month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip
164 is not held then a pre-meeting will be held at 4:30 p.m.

165 Regular meetings of the Ogden Valley Planning Commission shall be held on the fourth Tuesday
166 of each month at 5:00 p.m. Field trips may be held on the fourth Tuesday of each month at the
167 hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held
168 then a pre-meeting will be held at 4:30 p.m.

169 The purpose of a pre-meeting is to help Commissioners be better prepared for the meeting. The
170 Commission reviews and discusses the agenda, and staff is available to answer clarifying
171 questions. The pre-meeting is a public meeting, complying with the notice and recording
172 requirements for public meetings. No decisions are made during the pre-meeting.

173 The date of the regular meeting may be changed by the majority of the total membership of the
174 Planning Commission provided at least one week notice is given each member of the new date
175 of a regular meeting.

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3. Special Meetings

A special meeting may be called at any time by the Chair or by a majority vote of the Commission at any regular meeting of the Commission. Notice shall be given to each Commission member of the time and purpose of every special meeting of the Commission at least twenty four (24) hours prior to such meeting. Such notice shall be delivered to each member of the Commission personally, or may be given by telephone to the member of the Commission. Such notice may also be given by United States Mail, directed to the member of the Commission so to be notified at the member's residence and mailed not less than three (3) days prior to the time fixed for such special meeting. It is specifically provided, however, that any member may, in writing, waive prior notice of the time, place and purpose of such meeting; and such waiver, if made, shall be deemed a waiver of prior notice of the time and purpose thereof.

4. Meetings - Matters Considered

Any matter pertaining to the affairs of the Planning Commission and falling within the authority and jurisdiction of the Commission may be considered and acted upon at any regular or special meeting of the Commission.

5. Quorum

Four members of the Commission shall constitute a quorum thereof for the transaction of all business except where unanimous consent of all members is required. An abstaining or disqualified member of the Planning Commission shall not be counted as if present for purposes of forming a quorum. Except as otherwise specifically provided in these Rules, a majority vote of the Commission members present at a meeting shall be required and shall be sufficient to transact any business before the Commission. If a quorum is not present, the Chair shall call the meeting to order, announce the lack of a quorum, and adjourn the meeting.

6. Work Sessions

Work sessions are meetings in which the Commission may discuss matters at greater length or obtain additional background information on issues that will be coming before it. The Commission shall take no vote during work sessions, except to give directions to Staff regarding the presentation of options for future consideration. Regular work sessions are as follows:

A regular work session of the Western Weber Planning Commission shall be held on the second Tuesday of each month, at the end of the regular meeting.

A regular work session of the Ogden Valley Planning Commission shall be held on the first Tuesday of each month at the hour of 5:00 p.m.

No pre-meeting is held before a work session. If necessary, a special meeting may be called and held together with the regular work session, to allow consideration of an application or other matter requiring Commission action. Additional work sessions may be held as part of regular or special Commission meetings or may be called separately in the same manner as a special meeting.

7. Open Meetings Law

All meetings of the Planning Commission, including pre-meetings and work sessions, shall be open to the public and shall be noticed in conformance with the requirements of the Open and Public Meetings Law of the State of Utah.

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8. Length of Meetings
At 8:30 p.m. the Planning Commission will finish the item presently being considered. All items remaining to be heard will be forwarded to the next agenda for consideration.

D. PROCEDURE - ORDER OF BUSINESS

1. Order of Business

The order of business in the Commission shall be as follows:

- (a) Chair opens the meeting and welcomes those in attendance
- (b) Pledge of Allegiance
- (c) Chair notes absences, and the names of those present and those absent shall be entered on the record
- (d) Chair reads opening meeting statement, as needed
- (e) Chair asks commissioners if there have been any ex parte communications or if there are any conflicts of interest to disclose
- (f) Approval of minutes of prior meetings
- (g) Consent Agenda
- (h) Petitions, Applications and Public Hearings
 - i. Administrative Items
 - (1) Old Business
 - (2) New Business
 - ii. Legislative Items
 - (1) Old Business
 - (2) New Business
- (i) Public Comment for Items not on the Agenda
- (j) Planning Commission Remarks
- (k) Planning Director Report
- (l) Legal Counsel Remarks
- (m) Chair Adjourns Meeting

2. Agenda for Meetings

The secretary shall prepare a written agenda for each meeting as far in advance thereof as possible. The secretary shall make every effort to deliver the agenda, along with Staff Reports and related documents, to the members of the Commission at least seven (7) days in advance of a regular meeting.

3. Approval of Minutes from Prior Meetings

The Chair shall ask the Commissioners if they have had the opportunity to read the minutes and if there are any additions or corrections. Upon hearing from the Commission, the Chair shall declare the minutes approved either as presented or amended. If the Commission has not had an opportunity to review the minutes, approval shall be postponed to the next meeting.

4. Consent Agenda

A consent agenda consists of items that do not require discussion or debate, typically because they are routine procedural items or because it is believed that they will be non-controversial and will be unanimously supported. Consent agenda items are approved together, through a single vote, without discussion. The following procedure shall be used for consent agendas:

- (a) The Planning Director shall determine which items shall be on the consent agenda, list those items on the consent agenda, and include all supporting reports and documents with the packet that is delivered to Commissioners before the meeting.

- 267 (b) Commissioners, as part of their duties in preparing for the meeting, shall become
 268 familiar with all consent agenda items and shall decide whether or not they support
 269 approval of those items, as well as whether or not, in their opinion, each item will
 270 require discussion during the meeting.
- 271 (c) When the consent agenda comes up during the meeting, the Chair shall read the items
 272 on the consent agenda and ask whether any Commissioner wants any item removed, to
 273 allow that item to be discussed and voted on separately during the meeting.
- 274 (d) If any Commissioner opposes an item on the consent agenda or believes that the item
 275 requires discussion, the Commissioner shall request that the item be removed from the
 276 consent agenda.
- 277 (e) If any Commissioner requests that an item be removed from the consent agenda, it
 278 must be removed. The Chair shall decide when the item shall be discussed during the
 279 meeting.
- 280 (f) When there are no more items to be removed, the Chair shall note, for the record,
 281 which items have been removed and shall call for a vote on approval of the remaining
 282 items on the consent agenda. There shall be no discussion. Approval requires a
 283 unanimous vote.
- 284 (g) If any person other than a Commissioner asks for a consent agenda item to be
 285 discussed, the Chair shall decide whether or not the item should be removed from the
 286 consent agenda.

287 5. Deadline for Agenda

288 Requests to be on a Planning Commission agenda shall be filed 45 days prior to consideration by
 289 the Planning Commission. The Planning Staff shall certify completeness of requests. Certified
 290 requests which have been filed in a timely manner shall be placed on the agenda. The deadline
 291 may be waived by the Planning Director if he/she determines that good cause exists for waiving
 292 the deadline, the application is complete, and Staff has sufficient time to analyze the request,
 293 adequately prepare a Staff Report and give proper notice.

294 6. Special Order of Business

295 The Commission may suspend the rules as to the order of business, or return to an order already
 296 passed, on a motion supported by a majority of the members present.

297 **E. ORDER AND DECORUM**

298 1. Order of Consideration of Items

299 The following procedure will normally be observed; however, it may be rearranged by the Chair
 300 for individual items, if necessary, for the expeditious conduct of business:

- 301 (a) Chair introduces item;
- 302 (b) Staff orients the project (type of use and decision, criteria and standards to be applied,
 303 location, zoning, etc.);
- 304 (c) Applicant or applicant's agent explains the proposal and presents supporting evidence;
- 305 (d) Staff reports on staff recommendations;
- 306 (e) If it is a public hearing, then other interested people may comment;
- 307 (f) Planning Commission members may question staff, applicant, or others on all the above;
- 308 (g) Applicant's rebuttal if requested;
- 309 (h) Closing of the public hearing, if applicable;
- 310

- 311 (i) Concluding comments of Staff or Staff summary and recommendations;
312 (j) The Planning Commission makes its decision, following the processes described below.

313 2. Consideration of Items

314 All parties shall have an opportunity to be heard, to present and rebut evidence before an
315 impartial tribunal, to have the proceedings recorded, and to have a decision rendered in
316 accordance with the facts on record and the law.

317 The Chair of the Planning Commission shall have authority to:

- 318 (a) Regulate the course and decorum of the meeting.
319 (b) Address procedural requests and similar matters.
320 (c) Set reasonable time limits for individual public input, oral presentations, questions,
321 rebuttal information, and discussion.
322 (d) Question any person appearing, and allow other members to question any such person.
323 (e) Waive, at his/her discretion, the application of any rule herein where the circumstances
324 of the meeting indicate that it would be expedient and proper to do so, provided that
325 such waiver does not act to prejudice or deny any party his/her substantial rights as
326 provided herein or otherwise by law.
327 (f) Take such other action as authorized by the Planning Commission to appropriately
328 conduct the meeting.

329 A ruling of the Chair may be challenged by any member of the Planning Commission present at
330 the meeting. The challenge must be seconded. A ruling may be reversed by a majority of the
331 members present and voting. A tie vote upholds the Chair's decision.

332 3. Conduct of Persons before the Commission

333 Proceedings shall at all times be orderly and respectful. The Chair may refuse to recognize or
334 exclude from the meeting anyone who:

- 335 (a) Is disorderly, abusive, or disruptive.
336 (b) Takes part in or encourages audience demonstrations such as applause, cheering,
337 display of signs, or other conduct disruptive to the meeting.
338 (c) Comments without first receiving recognition from the Chair and stating his/her full
339 name and residence.
340 (d) Presents irrelevant, immaterial, or repetitious evidence.

341 Persons making presentations or providing comments to the Planning Commission shall address
342 the Commission from the podium or microphone and not from the audience; shall address all
343 comments to the Planning Commission; and may not directly question or interrogate other
344 persons in the audience.

345 4. Questions and Comments by Commissioners

346 During all meetings, the Chair shall maintain order when Commissioners are discussing items,
347 both with each other and with other people. A Commissioner who wants to make a comment or
348 ask a question shall obtain the floor by asking to be recognized by the Chair. If the Chair
349 consents, then the Commissioner may make the comment or ask the question. The Chair may
350 choose to allow a continuing line of discussion without the need for Commissioners to seek
351 recognition before each question or comment, but the Chair must ensure that discussions
352 remain appropriate and relevant to the matter at hand, and may at any time require
353 Commissioners to obtain recognition from the Chair before further questions or comments.

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F. PROCEDURE - MOTIONS

1. Motions—Typical Process

Planning Commission decisions are made through the process of making and voting on motions. The following is a summary of the typical process and some of the key foundational rules for motions:

- (a) After the Planning Commissioners have reviewed the full public record and heard any presentations or comments regarding a request, the Chair invites Commissioners to make a motion. The Chair may choose to outline possible actions, such as approval, denial, tabling, or approval with conditions.
- (b) Any Planning Commissioner, except for the Chair, may make a motion to propose what decision the Commission should make on the request. The motion shall include not only the proposed decision, but also a recitation of specific findings of fact supporting the proposed decision.
- (c) Any Commissioner, including the Chair, may second the motion, which will allow for discussion and voting on the motion.
- (d) A motion dies in the absence of a second.
- (e) Once the motion has been seconded, the Chair “states the motion” and opens it up for discussion by saying something like, “We have a motion and a second. Is there any discussion?”
- (f) Members discuss the motion. Discussion of the motion should not take place until after it has been seconded and the Chair has stated the motion and called for discussion. During this time, members are allowed to openly discuss the proposal and may further question any party appearing for or against the proposal as necessary (but generally, questions should be asked during the time for presentations and comments).
- (g) After the discussion, the Chair calls for a vote on the motion. Voting procedures are as follows:
 - i. Voting
Voting occurs by voice vote. The Chair shall announce the votes and the result, and the secretary shall record each member’s vote and shall also note those who are absent or otherwise not voting.
 - ii. How a Motion Passes
A motion only passes if a majority of Planning Commissioners in attendance vote in favor of the motion, unless otherwise specified in these rules.
 - iii. Tie Votes
If a motion regarding any matter before the Commission receives an equal number of votes in the affirmative and in the negative, the motion fails. If this happens, a Commissioner may make a different motion on the same subject, and this may continue until a majority vote is obtained. The option of continuing an item with the possibility that an odd number of members of the Commission will be at a subsequent meeting may be considered.
 - iv. Voting or Changing a Vote After Decision Announced
No member shall be permitted to change his/her vote after the decision is announced by the Chair.

- 398 v. Commission Members Required to Vote - Late Arrival
399 No member may abstain from voting unless there is a conflict of interest, except
400 as noted below. A member entering the meeting late, but any time before the
401 final vote is taken, may vote. A member who has not been present during the
402 discussion of any matter and feels that he/she has insufficient information on
403 which to act may abstain.
- 404 vi. Explaining Vote
405 After the vote is taken, any member of the Commission desiring to explain
406 his/her vote shall be allowed an opportunity to do so.
- 407 vii. Not to Vote Unless Present
408 No member of the Commission shall vote on any question unless the member is
409 present when the vote is taken. Voting by proxy shall not be allowed.

410 2. Additional Options After a Motion Is Made

411 (a) Withdraw or Modify a Motion Before the Motion Is Stated

- 412 i. When a motion has been made but not yet stated by the Chair, whether or not
413 it has been seconded, it can be withdrawn by the mover by simply notifying the
414 Chair that he/she withdraws the motion.
- 415 ii. When a motion has been made but not yet stated by the Chair, whether or not
416 it has been seconded, the mover can modify his/her motion. To do so, the
417 mover notifies the Chair that he/she modifies the motion and what the
418 modification is.
- 419 iii. Modifying a motion after it has been seconded cancels the second. A new
420 second is required for the modified motion to proceed to discussion and a vote.
- 421 iv. Before a motion is stated by the Chair, any member may suggest that the mover
422 withdraw or modify his/her motion, but only the mover may do so. If the
423 motion is seconded and not modified or withdrawn, the Chair must state the
424 motion and call for discussion.
- 425 v. After the Chair states a motion, it is the property of the Commission. It can be
426 withdrawn or amended only by an additional motion, as described below.

427 (b) Motions in Order During Debate

428 After a motion has been stated and is open for discussion, no additional motion shall be
429 received except the following:

- 430 i. To fix the time to adjourn (requires a second but is not debatable)
431 ii. To adjourn (requires a second but is not debatable)
432 iii. To postpone to a specified time (requires a second and is debatable)
433 iv. To withdraw the original motion
- 434 (1) Only the member who made the original motion can make this request.
435 (2) The first step is for the mover to notify the Chair of his/her request to
436 withdraw the motion. The Chair shall announce that the mover has
437 made this request and shall ask for unanimous consent. If no member
438 objects, then the Chair shall declare the original motion withdrawn.
- 439 (3) If a member objects, then the request to withdraw is considered denied;
440 however, at that time, the mover may make a formal motion to

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withdraw the original motion, in which case the Chair shall call for a second. If there is no second, then the motion to withdraw dies, and the discussion of the original motion continues. If there is a second, then the Chair shall state the motion to withdraw and put it to a vote, without debate.

- (4) If a request or motion to withdraw is granted, then it is as if the motion had not been made in the first place, so the mover (or any other Commissioner) can make that same motion again at the same meeting.

v. To amend

- (1) All amendments must relate to the same subject as the original motion.
- (2) A "friendly amendment" is an amendment that makes no substantive changes, but is a minor technical amendment appropriate for clarification or correction. A Commissioner may offer a friendly amendment without a formal motion, and if the Chair determines that no member objects, then the Chair shall declare the original motion so amended. If any member objects to the friendly amendment, then the request dies, although any member may then make the request again through a formal motion, following the procedure described below.
- (3) Any amendment other than a friendly amendment must be offered by motion. If the motion to amend is seconded, then the Chair shall state the motion and call for discussion and then a vote on whether or not to amend the original motion. If the motion to amend fails, then the original motion is back under consideration. If the motion to amend passes, then the original motion is superseded, and the amended motion is under consideration and shall be put to a vote after any necessary discussion.
- (4) A motion to amend may be withdrawn or tabled without prejudice to the original motion. Likewise, if a motion to amend passes, but the amended motion then fails to pass, then any Commissioner may make the original motion again. In other words, if an attempt is made to amend an original motion, and the Commission does not end up voting in favor of the amended motion, then the original motion may be re-made.

- vi. To refer to committee (requires a second and is debatable)
- vii. To call the question (i.e., immediately close debate and vote on the motion that is before the Commission) (requires a second but is not debatable)
- viii. To limit or extend limits of debate (requires a second but is not debatable)
- ix. To take a recess (requires a second but is not debatable)
- x. To call for orders of the day (i.e., insist that the schedule and agenda be followed) (does not require a second and is not debatable)
- xi. To suspend the rules (requires a second but is not debatable)
- xii. To appeal rulings by the Chair (requires a second and is debatable except when the ruling addresses indecorum, priority of business, or an undebatable underlying question)
- xiii. To reconsider an undebatable motion (requires a second but is not debatable)

487 3. Additional Rules Regarding Motions

488 (a) Motions to Deny

489 Where a motion to deny a request has been defeated, a member of the Commission
490 shall make another motion to dispose of the issue.

491 (b) Motion to Reconsider

492 A motion to reconsider a previous decision must be made in the same meeting as the
493 motion that was voted on. It can only be made by a member who voted on the
494 prevailing side and must be seconded. Any Commission member, regardless of vote on
495 the main motion, may second the motion. It is a debatable motion, as long as the main
496 motion was debatable. It can be made to a vote that was either affirmative or negative.
497 A motion to reconsider proposes no specific change in a decision but simply proposes
498 that the original question be reopened. It requires a majority vote and cannot be
499 reconsidered.

500 **G. DOCUMENTS OF THE COMMISSION**

- 501 1. Any and all materials submitted to the Planning Commission regarding a request shall be
502 entered into the public record by the Chair by indicating that the material is "accepted for the
503 record." The Staff Report submitted to the Planning Commission as part of the agenda shall
504 automatically become part of the public record.
- 505 2. All notices, agendas, requests, agency or consultant letters or reports, Staff Reports, minutes of
506 meetings, and resolutions of record shall constitute the documents of the Planning Commission
507 and shall be indexed as public record.

508 **H. AMENDMENT**

509 Any person may propose an amendment to these Rules of Order. The person shall present the proposal
510 to the Planning Commission, either orally or in writing, in any meeting or work session. The Planning
511 Commission may then amend the Rules of Order at any regular or special meeting that is held at least 14
512 days after the meeting in which the initial proposal was made. The regular rules for quorums, motions,
513 and voting apply.

514 **I. RECORDING OF RULES - COPIES TO BE FURNISHED**

515 These Rules, and all subsequent amendments thereto, shall be recorded by the secretary in the book
516 kept for the recording of such business and shall be furnished to each member of the Commission.

517
518 Effective Date: _____

Effective Date: _____

519
520 _____
521 Jami Taylor, Chair
522 Ogden Valley Planning Commission

Blake Hancock, Chair
Western Weber Planning Commission

100 Acre Tract

	Standard Sub	30% Bonus	50% Bonus
Acres (Excluding Roads)	100	100	100
Lots	100	130	150
Acres in Lots	100	70	50
Acres in Open Space	0	30	50
Average Lot Acreage	1	0.54	0.33
Value per lot	\$150,000	\$110,000	\$100,000
Value of all lots	\$15,000,000	\$14,300,000	\$15,000,000
Value of Open Space	\$0	\$300,000	\$500,000
Total value	\$15,000,000	\$14,600,000	\$15,500,000

50 Acre Tract

	Standard Sub	30% Bonus	50% Bonus
Acres (Excluding Roads)	50	50	50
Lots	50	65	75
Acres in Lots	50	35	25
Acres in Open Space	0	15	25
Average Lot Acreage	1	0.54	0.33
Value per lot	\$150,000	\$110,000	\$100,000
Value of all lots	\$7,500,000	\$7,150,000	\$7,500,000
Value of Open Space	\$0	\$300,000	\$500,000
Total value	\$7,500,000	\$7,450,000	\$8,000,000

20 Acre Tract

	Standard Sub	30% Bonus	50% Bonus
Acres (Excluding Roads)	20	26	30
Lots	20	26	30
Acres in Lots	20	14	10
Acres in Open Space	0	6	10
Average Lot Acreage	1	0.54	0.33
Value per lot	\$150,000	\$110,000	\$100,000
Value of all lots	\$3,000,000	\$2,860,000	\$3,000,000
Value of Open Space	\$0	\$300,000	\$500,000
Total value	\$3,000,000	\$3,160,000	\$3,500,000

Notes

\$10,000 per acre (undevelopable but farmable)

Notes

\$10,000 per acre (undevelopable but farmable)

Notes

\$10,000 per acre (undevelopable but farmable)

1 **Sec. 101-1-7. - Definitions.**

2 ...

3 *Agricultural parcel.* The term "agricultural parcel" means a single parcel of land, at least 5.0 acres
4 in area if vacant, or 5.25 acres with a residential dwelling unit. This definition needs to be fulfilled in
5 order to qualify for the agricultural building exemption.

6 *Agricultural land, prime.* The term "prime agricultural land" means the area of a lot or parcel best
7 suited for large-scale crop production. This area has soil types that have, or are capable of having,
8 highest nutrient content and best irrigation capabilities over other soil types on the property, and are of a
9 sufficient size and configuration to offer marketable opportunities for crop-production. Unless otherwise
10 specified by this land use code, actual crop production need not exist onsite for a property to be
11 considered to contain prime agricultural land.

12 *Agriculture.* The term "agriculture" means use of land for primarily farming and related purposes
13 such as pastures, farms, dairies, horticulture, aquaculture, animal husbandry, and crop production, but
14 not the keeping or raising of domestic pets, nor any agricultural industry or business such as fruit
15 packing plants, fur farms, animal hospitals or similar uses.

16 ...

17 *Agri-tourism.* The term "agri-tourism" means an agricultural accessory use that can provide a
18 means of diversifying a farm's income through broadening its offerings and adding value to its products.
19 ~~Agri-tourism businesses are permitted conditionally in designated zones, excepting those areas within~~
20 ~~residential subdivisions that are dedicated for the purpose of open space or common area.~~ They operate
21 during more than six (consecutive or non-consecutive) days per year and provide agriculturally related,
22 and in some instances, non-agriculturally related products and activities that attract members of the
23 public to the farm for retail, educational, recreational, and/or general tourism purposes. ~~Educational and~~
24 ~~recreational agri-tourism activities/uses may include, but not be limited to, educational activities, nightly~~
25 ~~accommodations, entertainment opportunities, and/or outdoor recreation (e.g., farm tours,~~
26 ~~farm/cooking/ecological classes, farm stays, corn mazes, and special occasions including weddings and~~
27 ~~family reunions, special events including harvest festivals and musical events, U-pick operations,~~
28 ~~agriculturally related competitions, and other similar events).~~ Consumer direct sales of farm products
29 may include, but not be limited to, open air or farmers markets, on farm produce stands, and value
30 added product processing and packaging and retail sales facilities (e.g., process pumpkins grown on
31 premises, into pumpkin pies).[c1]

32 ...

33 *Club or fraternal lodge/organization, private.* The term "club or fraternal lodge/organization, private"
34 means a non-profit association of persons who are bona fide members which owns or leases a building
35 or portion thereof, the use of such premises being restricted to members and their guests.

36 *Cluster of residential lots.* The phrase "cluster of residential lots" means a grouping of residential
37 lots, as provided Title 108 Chapter 3 of this land use code, that are contiguous and uninterrupted by
38 other non residential parcels except parcels required for a street and other allowed access or as
39 otherwise allowed by this land use code.

40 *Code.* The term "Code" means the Land Use Code of Weber County, Utah.

41 ...

42 **Title 108 - STANDARDS**

43 ...

44 **CHAPTER 3. - CLUSTER SUBDIVISIONS**

45 **Sec. 108-3-1. — Purpose and Intent.**

46 The purpose of this chapter is to provide flexible development standards to landowners that are
47 committed to developing safe, attractive, conservation oriented neighborhoods that ~~are:~~

48 (1) ~~thoughtfully are~~ designed and arranged in a manner that considers, gives deference to, and
49 ultimately protects natural topography, environmentally sensitive areas, wildlife habitat, and
50 agriculturally productive lands;

51 (2) offer predictable support and encouragement in agricultural areas for a wide variety of long-term
52 agricultural operations on open space parcels;

53 (3) ~~It is intended to~~ benefit those that create cluster subdivisions by offering an inherent gain in the
54 form of reduced infrastructure costs and the possibility for a substantial increase in residential
55 density in the Western Weber Planning Area;

56 (4) ~~It is equally intended to~~ benefit the residents of Weber County by promoting public welfare
57 through the reduction of long-term infrastructure maintenance costs; and ~~the~~

58 (5) permanently preserve ~~preservation preserve of~~ the county's functional open spaces, picturesque
59 landscapes, and rural character.

60 **Sec. 108-3-2. - General regulations.**

61 Subject to the requirements of this chapter, cluster subdivisions are permitted in all ~~classified Weber~~
62 County zone areas/zones except for the commercial, manufacturing, gravel, residential mobile home,
63 open space, and shoreline zones.

64 **Sec. 108-3-3. - Approval Supplemental subdivision procedure/procedural requirements.**

65 (a) Subdivision procedures and requirements apply. All procedures and requirements of Title 106 shall
66 apply to a cluster subdivision unless there is a conflict or supplement in this chapter, in which case
67 the provisions of this chapter shall prevail.

68 (b) Conceptual sketch plan. ~~The~~In addition to the subdivision procedure requirements of Title 106, the
69 cluster subdivision approval procedure requires a conceptual sketch plan endorsement from the
70 planning commission prior to the submission of a formal subdivision application. An application for a
71 conceptual sketch plan endorsement shall demonstrate compliance with all applicable standards
72 contained within the Weber County Code. The completed application must be submitted at least 21
73 calendar days prior to the planning commission meeting at which the applicant wishes to be heard.
74 Endorsement from the planning commission is only a means to assist in the creation of a complete
75 subdivision application and shall not vest for final approval. The application is complete upon
76 submission of the following: ~~consists of four phases as follows:~~

77 (1) ~~A conceptual sketch plan endorsement from the appropriate planning area planning commission;~~

78 (2) ~~A preliminary approval by the appropriate planning area planning commission;~~

79 (3) ~~A recommendation from the appropriate planning area planning commission for final approval by the~~
80 ~~board of county commissioners; and~~

81 (4) ~~A final approval and acceptance by the board of county commissioners.~~

82 (b) ~~An application for a conceptual sketch plan endorsement shall demonstrate compliance with all~~
83 ~~applicable standards contained within the Weber County Code. The completed application must be~~
84 ~~submitted at least 14 calendar days prior to the planning commission meeting at which the applicant~~
85 ~~wishes to be heard. The application is complete upon submission of the following:~~

86 (1) Payment of a fee, as required by title 16, chapter 2 of the Weber County Code of Ordinances,
87 and submission of a complete sketch plan endorsement application on a form provided by the
88 county planning department.

89 (2) One 8.5-inch by 11-inch vicinity map, underlain by an aerial photo, showing the subject
90 property, surrounding streets, and relevant landmarks.

91 (3) One 11-inch by 17-inch conceptual plan, drawn at a reasonable scale, that demonstrates in a
92 suitable manner compliance with all applicable codes. The plan shall include, but not
93 necessarily be limited to, a north arrow and scale, subdivision boundary according to county
94 records, approximate locations of proposed streets, lots with approximate area calculations,

95 common areas and open space parcels with approximate area calculations, easements,
96 waterways, suspected wetlands, floodplains, existing structures, and contour lines. Information
97 related to topography and contour lines may be submitted on a separate map. Contour
98 information may be omitted if the planning director or his designee determines that the subject
99 property lacks topographic characteristics that warrant representation.

100 (4) An electronic copy of all forms, documents, materials, and information submitted as part of the
101 application.

102 (c) Preliminary and final cluster subdivision application.

103 (1) Submission for preliminary cluster subdivision approval. An application for a submission for
104 preliminary cluster subdivision approval shall:

105 a. conform to the endorsed sketch plan;

106 b. contain an open space plan, as required in Section 108-3-5.

107 (2) Submission for final cluster subdivision approval. A submission for final cluster subdivision
108 approval shall conform to the approval of the preliminary cluster subdivision approval. If
109 applicable, submission shall also include final Conditions, Covenants, and Restrictions or
110 Homeowner's Association Declaration that clearly explain the maintenance method for each
111 common area parcel, as required by this chapter or any condition of preliminary cluster
112 subdivision approval. Submission shall also include drafts of any other relevant instrument
113 required for the execution of applicable provisions of this Land Use Code.

114 (d) Subdivision phasing time limitations. A cluster subdivision may be phased. The entire parcel shall be
115 presented for preliminary approval with a phasing plan. Despite the provisions of Section 106-1-7(c2),
116 a cluster subdivision shall comply with the following:

117 (1) Preliminary approval constitutes approval of the phasing plan. Each phase shall include
118 sufficient open space and any approved amenities in a manner that ensures if other phases do
119 not occur the requirements herein are still met.

120 (2) Preliminary approval expires if the first phase (c3) is not recorded within 12 months.

121 (3) Additional phases shall be recorded within 24(c4) months of the previous phase, however,
122 preliminary approval expires if the last phase is not recorded within six years.

123 (4) Pre(c5)liminary approval may be extended by the Planning Director provided the preliminary plat
124 still complies with all current standards, and provided that the approval procedure has not
125 changed in a manner that would have affected the original outcome.

126 (5) Any subdivision that has received preliminary or final approval that has become nonconforming
127 in any manner due to changes in applicable ordinances shall be allowed to retain the density
128 which was most recently approved under the former ordinance, provided that the originally
129 approved phasing plan is followed and the time limitations for preliminary and final approval are
130 met.

131 ~~by the appropriate planning commission, recommendation for final approval, or final approval and~~
132 ~~acceptance by the board of county commissioners shall comply with all applicable standards of the~~
133 ~~Weber County Land Use Code, including this chapter and title 106, Subdivisions. The approval~~
134 ~~process shall proceed as directed by Weber County Land Use Code title 106, chapter 1.~~

135 **Sec. 108-3-4. — Residential Cluster subdivision design and layout standards, generally.**

136 ~~The planning commission and county commission shall approve an application for a cluster subdivision if~~
137 ~~the planning commission and county commission find that the subject proposal meets all applicable~~
138 ~~standards of the Weber County Land Use Code, including the following:~~

139 (1) Overall configuration. A cluster subdivision's general design shall concentrate residential
140 building lots, with their adjoining ~~road~~ street rights-of-way and any approved ~~access~~
141 ~~exceptions~~ alternative access, if applicable, into separate and individual clusters that are entirely

142 surrounded by open space dedicated as common area, individually owned preservation parcels,
143 or both, together in accordance with the following:

144 a. in all zones, clusters shall be designed to avoid lands that have characteristics generally
145 valuable for conservation, including but not limited to viewsheds, waterways, stands or
146 groupings of mature vegetation, wildlife habitat, and other sensitive ecology.

147 b. in an agricultural zone, only one cluster of residential lots is allowed unless more are
148 necessary to avoid development on prime agricultural land, as defined in Section 101-1-7,
149 [c6]or sensitive lands as provided in 108-3-5(b)(4). [c7]The cluster or clusters shall be
150 organized in a manner that supports viability of crop production on the open space lands
151 including optimizing ease of access and maneuverability to and on the open space lands of
152 large equipment commonly used to support crop production. The clusters shall be
153 configured to support the required open space design and layout standards of this chapter.
154 Subdivision phasing that avoids this requirement shall not be allowed.

155 (2) Street configuration [c8]. Streets shall have logical and efficient connections and shall generally
156 follow existing street grid design. When practicable, section lines and quarter section lines shall
157 denote the general location of through streets. If current parcel configuration does not make this
158 practicable, a through-street, or stubbed-street that will be a future through-street, shall be
159 located as close to these lines as otherwise reasonably possible. The planning commission may
160 waive this requirement for the following:

161 a. environmental constraints that render a through-street, or a stubbed-street that will become
162 a through-street, unreasonable and unnecessary; or

163 b. agricultural open space that is or would otherwise be permanently preserved as provided in
164 this land use code would be interrupted by the street in a manner that creates a hardship for
165 crop production.

166 c. In allowing a waiver under this subsection the planning commission may require the street to
167 be placed in another location to offer optimal compensation for the lack of the connection
168 required herein.

169 (3) Pathways [c9]. In lieu of a sidewalk on both sides of the street, as required by 106-4-2(f) [c10], a
170 ten foot wide asphalt pathway may be allowed on one side of the street. If only developing a half
171 width, where otherwise allowed by this Land Use Code, the pathway shall be located on that
172 side; otherwise, preference shall be given to the side that could best support pathway
173 connectivity based on other existing or planned future pathways in the vicinity and based on the
174 least pedestrian conflicts. In the event street configuration does not yield an efficient pedestrian
175 connection to nearby rights-of-way outside the subdivision, pathways are required to connect to
176 adjacent abutting public rights-of-way or stub into adjacent parcels in the direction of those
177 rights-of-way.

178 ~~The open space area in between one cluster of lots and another shall not be less than 75 feet [c11] in~~
179 ~~width and the open space area in between lots and an exterior subdivision boundary shall not be~~
180 ~~less than 50 feet in width. The open space required in between lots and a subdivision's exterior~~
181 ~~boundary shall be waived if:~~

182 a. ~~Lots sharing a common line with the subdivision boundary contain 15,000 square feet or more;~~

183 b. ~~Lots are located along an internal phasing line when that phasing line is acting as a temporary~~
184 ~~external boundary;~~

185 c. ~~The proposed cluster subdivision lies adjacent to an existing subdivision that contains at least~~
186 ~~one lot that is smaller or not more than 5,000 square feet larger than the smallest lot lying within~~
187 ~~the proposed cluster subdivision; or~~

188 d. ~~Lots located along an external boundary lie adjacent to a parcel that:~~

189 1. ~~Does not contain an existing dwelling; or~~

190 ~~2. Contains a single existing dwelling that lies further than 150 feet away from all external~~
191 ~~boundaries of the proposed cluster subdivision.~~

192 ~~(2) In a subdivision consisting of 60 or more lots, each cluster shall contain no less than three lots and~~
193 ~~no more than 20 lots. In a subdivision consisting of fewer than 60 lots, each cluster shall contain no~~
194 ~~less than three lots and no more than one-third of the total number of lots in the subdivision. The~~
195 ~~county may approve up to a five lot increase in the number of lots in a cluster if:~~

196 ~~a. The total number of lots cannot be equally divided into thirds and leaves a remaining number of~~
197 ~~lots that does not meet the standard for the minimum number of lots in a cluster; or~~

198 ~~b. There are unusual circumstances, such as complications involving topography, infrastructure,~~
199 ~~geotechnical, or geologic conditions, which warrant an increase.~~

200 ~~(3) To ensure that a cluster subdivision reflects the characteristics of the zone in which it is located, a~~
201 ~~minimum percentage of a cluster subdivision's adjusted gross acreage shall be preserved as open~~
202 ~~space and dedicated as described in subsection (1) [c12]above. The minimum open space areas are~~
203 ~~as follows:~~

204 ~~a. In the Forest (F-40) Zone, a minimum of 90 percent of a cluster subdivision shall be preserved as~~
205 ~~open space.~~

206 ~~b. In the Forest (F-5) and Forest (F-10) Zones, a minimum of 80 percent of a cluster subdivision shall~~
207 ~~be preserved as open space.~~

208 ~~c. In the Agricultural Valley (AV-3), Forest Valley (FV-3), and the Ogden Valley Destination and~~
209 ~~Recreation Resort (DRR-1) Zones, a minimum of 60 percent of a cluster subdivision shall be~~
210 ~~preserved as open space.~~

211 ~~d. In all other zones where a cluster subdivision is an allowed development type a minimum of 30~~
212 ~~percent of a cluster subdivision shall be preserved as open space.~~

213 ~~(4) Lands that can be mitigated such as floodplain and wetlands are considered developable~~
214 ~~and shall be counted towards density. Floodways within river corridors, lakes, and naturally~~
215 ~~occurring pond areas, which could not be developed but provide an amenity may also be a~~
216 ~~part of the open space, with 25 percent of this land credited towards the overall density of the~~
217 ~~development if this land is used to provide amenities and is accessible to the development.~~

218 ~~(5) Areas designated as floodplain, as defined by the Federal Emergency Management Agency or other~~
219 ~~qualified professional determined appropriate by the county engineer, rivers and streams, with and~~
220 ~~including their designated river or stream corridor setbacks, as defined by the Weber County Land~~
221 ~~Use Code, shall be located within a cluster subdivision's open space area.~~

222 **Sec. 108-3-5. - Open space plan [c13]approval, ownership, maintenance, preservation, and**
223 **guarantee of improvement standards and development standards. [c14]**

224
225 ~~Open space parcels, and any improvements proposed thereon, shall be approved, owned,~~
226 ~~maintained, preserved, and financially guaranteed as follows:~~

227 ~~(a) Open space preservation plan procedure.(1) Plan approval.~~

228 ~~(1) Initial open space preservation plan approval. An open space preservation plan shall~~
229 ~~accompany an application for preliminary and final subdivision approval. Preliminary subdivision~~
230 ~~approval constitutes approval of the open space plan. A final plat shall comply with the~~
231 ~~approved open space plan. approval of a cluster subdivision.~~

232 ~~(2) Open space preservation plan amendment. After submittal of a new application and application~~
233 ~~fee [c15]an open space preservation plan may be amended, from time to time in accordance~~
234 ~~with the standards of this chapter. If an amendment of an open space preservation plan affects~~
235 ~~any part of the recorded subdivision plat, or if an amendment to a subdivision plat affects any~~
236 ~~part of an approved open space preservation plan, then the two shall be amended together and~~

237 final approval of the amended subdivision plat shall constitute final approval of the open space
238 preservation plan. Otherwise, each may be amended independently. Submission for an
239 independently amended open space preservation plan shall be in compliance with the open
240 space plan submittal requirements of this chapter and shall require the approval of the planning
241 commission.

242 (b) Open space preservation plan submittal requirements. The open space preservation plan submittal
243 shall include the following:

244 (1) An overall cluster subdivision map identifying all open space areas and open space area
245 amenities.

246 (2) A site plan that identifies the open space parcel ownership types specified in (c)(5) of this
247 section^[c16]; each proposed ownership type shall be identified with a unique color; and the
248 locations of existing and proposed future structures and other open space amenities.

249 a. For open space that will be common area parcels, the site plan shall show the location of
250 existing and future structures by identifying the structure's footprint. Structures housing a
251 subdivision utility or serving as a subdivision amenity shall be subject to all applicable
252 standards including all design review and applicable architectural standards found in title
253 108 of the Weber County Land Use Code.

254 b. For open space that will be gifted as a park parcel to a local park district, the site plan shall
255 include all park improvements and be accompanied by a letter of approval from the local
256 park district.

257 c. For open space that will be an individually owned preservation parcel whereon a building
258 will be located, the site plan shall identify a locatable building envelope, as defined in
259 Section 101-1-7^[c17], within which all existing and future buildings shall be located.

260 (3) ~~A~~ narrative describing all proposed open space parcels, their proposed method of ownership,
261 their proposed method of maintenance, all their proposed uses, and any proposed building
262 envelopes.

263 (4) A written explanation of the proposed method of maintenance of all open space parcels. This
264 may be included in the written narrative. However, an open space plan with a common area
265 parcel or parcels shall be submitted with proposed Conditions, Covenants, and Restrictions or
266 Homeowner's Association Declaration that clearly explains the maintenance method for each
267 common area parcel. At a minimum, the document shall explain vegetation grooming practices,
268 weed mitigation, and refuse disposal.

269 (5) The phasing of open space parcels and their relationship to the overall subdivision phasing
270 plan, if any.

271 ~~, and maintenance methods for all open space parcels, and~~

272 ~~a site plan that shows proposed common areas, individually owned preservation parcels, and the~~
273 ~~locations of existing and proposed future structures.~~

274 ~~a. For open space dedicated as common area parcels, the site plan shall show the location of~~
275 ~~existing and future structures by identifying the structure's footprint. Structures housing a~~
276 ~~subdivision utility or serving as a subdivision amenity shall be subject to all applicable standards~~
277 ~~including all design review and applicable architectural standards found in title 108 of the Weber~~
278 ~~County Land Use Code.~~

279 ~~b. For open space dedicated as individually owned preservation parcels, the site plan shall identify~~
280 ~~locatable building envelopes within which all existing and future buildings must be located.~~

281 (c) Open space development standards and ownership regulations. All open space area proposed to
282 count toward the minimum open space area required by this chapter shall be clearly identified on the
283 open space plan map. The following standards apply to their creation. Open space area in excess of
284 the minimum required by this chapter is exempt from these standards.

285 (1) *Minimum required open space area.* Unless more is required to gain additional density, as
286 provided in XXX, [c18]the minimum percentage of a cluster subdivision's adjusted gross
287 acreage, as defined in Section 101-1-7, shall be preserved as open space. The minimum open
288 space areas are as follows:

289 a. In the Forest (F-40) Zone, a minimum of 90 percent of a cluster subdivision shall be
290 preserved as open space.

291 b. In the Forest (F-5) and Forest (F-10) Zones, a minimum of 80 percent of a cluster
292 subdivision shall be preserved as open space.

293 c. In the Agricultural Valley (AV-3), Forest Valley (FV-3), and the Ogden Valley Destination
294 and Recreation Resort (DRR-1) Zones, a minimum of 60 percent of a cluster subdivision
295 shall be preserved as open space.

296 d. In all other zones where a cluster subdivision is an allowed development type a minimum
297 of 30 percent of a cluster subdivision shall be preserved as open space.

298 (2) *Non-agricultural conservation open spaces.* In all zones, and except as provided otherwise in
299 parts (4) or (5) [c19]of this subsection, open space parcels shall preserve lands that have
300 characteristics generally valuable for preservation or conservation, including but not limited to
301 viewsheds, waterways, stands or groupings of mature vegetation, wildlife habitat, and other
302 sensitive ecology. Open space parcels shall be organized into one contiguous area, except
303 contiguity may be interrupted for the purpose of preserving or conserving multiple and
304 noncontiguous areas valuable for preservation or conservation.

305 (3) *Agricultural open spaces to be contiguous and useful.* In all agricultural zones, open space
306 parcels shall be arranged to create long-term agricultural opportunities. Open space parcels
307 shall be organized into one contiguous area and be of a sufficient size and configuration that can
308 easily sustain, support, and encourage a variety of large-scale crop producing operations and
309 any related large equipment commonly used to support them. Contiguity may be interrupted for
310 the purpose of preserving or conserving multiple and noncontiguous areas valuable for
311 preservation or conservation as specified in part (2) of this subsection [c20], or to avoid areas that
312 are not prime agricultural land.

313 a. In order to encourage a variety of large-scale crop producing operations in the future, the
314 distance between any point of roughly paralleling lines of the exterior boundary of any
315 contiguous open space area shall be no less than 450 feet [c21]. This may be reduced by the
316 planning commission for portions of the parcel affected by the following: [c22]

317 i. The configuration of the existing exterior boundary of the proposed subdivision makes it
318 impossible;

319 ii. A street required by Section 108-3-4 [c23] constrains the width of the parcel; or

320 iii. Natural features, or permanent man-made improvements onsite that cannot be moved
321 or realigned, cause an interruption to crop producing capabilities. [c24]

322 b. Open space parcels form a contiguous area if each open space parcel shares a common
323 boundary line that is no less than 100 linear feet or lies directly across a street right-of-way,
324 or other approved access, from another open space parcel, with the common boundaries
325 shared with the street right-of-way being no less than 100 linear feet.

326 c. This does not apply to parcels necessary to meet the requirements of part (4) or (5) [c25] of
327 this subsection.

328 (4) *Small open space parcels between lots within clusters.* In order to maximize the contiguous
329 open space acreage as required in part (2) and (3) of this subsection [c26] on, an open space parcel
330 or portion thereof that is located within a cluster of residential lots, as defined in Section 101-1-
331 7, [c27] or that interrupts contiguity of a cluster of residential lots and is not intended to satisfy
332 part (2), (3), or (5) of this subsection shall be constrained in area and width to provide the
333 minimum acreage reasonably necessary for the functionality, operation, and maintenance of the

intended open space use. The open space preservation plan shall offer sufficient information regarding the use and any proposed structures to allow the Planning Commission to verify compliance. See also part (6) and part (8) [c28] of this subsection for additional applicable area and coverage regulations.

(5) *Sensitive lands requirements.* Cluster subdivisions in or on sensitive lands shall be governed as follows:

- a. Lands that can be mitigated such as floodplain and wetlands are considered developable for the purpose of calculating adjusted gross acreage, as defined in Section 101-1-7.
- b. Floodways within river corridors, lakes, and naturally occurring pond areas, which are not developable but are offered as a community amenity on an open space parcel with public access and a blanket public access easement, shall receive 25 percent of the undevelopable acreage credited to the adjusted gross acreage calculation for the development.
- c. Regardless of developability, the following areas shall be located within a cluster subdivision's open space area:
 1. areas designated as floodplain, as defined by the Federal Emergency Management Agency or other qualified professional determined appropriate by the county engineer; and
 2. rivers and streams, with and including their designated river or stream corridor setbacks, as defined by the Weber County Land Use Code.

(6) *Open space parcel area.* The minimum area for an open space parcel located within a cluster subdivision is as follows:

- a. Common area. An open space parcel designated as common area is not subject to minimum area requirements.
- b. Park area. An open space parcel conveyed to a local park district shall be of a sufficient size to adequately accommodate park infrastructure, amenities, and parking.
- c. Individually owned open space parcel area. An open space parcel designated as an individually owned preservation parcel shall contain an area of not less than five acres and shall be part of a contiguous area of open space consisting of not less than ten acres in total; and shall be in compliance with the following:
 1. The ten acre minimum contiguous area does not need to be platted in the same subdivision.
 2. Each individually owned open space parcel shall be provided clear and perpetual legal access from a public or private street right of way.
 3. Drainage detention or retention facilities may be located on an individually owned preservation parcel and count towards overall open space area, but the acreage of that facility shall be reduced from the minimum required acreage of the individually owned preservation parcel, and shall not be included as useful agricultural acreage in the open space plan.
- d. Estate lot area. Up to eighty percent of a lot of 5.25 acres or greater may count towards open space acreage provided the following standards are applied:
 1. The area of the lot designated as open space shall contain an area of not less than five acres and shall be part of a contiguous area of open space consisting of not less than ten acres in total;
 2. The estate lot shall contain a survey-locatable building envelope on the recorded plat that shares a common boundary with a neighboring residential lot, or in the case of a

380 neighboring estate parcel, shares a common boundary with the neighboring estate
381 parcel's building envelope; and

382 (7) Parcel width, frontage, and access. Open space parcels located within a cluster subdivision are
383 not subject to frontage requirements and do not have a minimum width standard. Section 106-2-
384 4(c) ~~[c29]~~ notwithstanding, all open space parcels without street frontage shall be provided an
385 access easement, recordable at the time of plat recordation, across other parcels and
386 connecting to a public or private street. ~~[c30]~~

387 (8) Parcel coverage.

388 a. Coverage of common area or open space parcels under five acres by any roofed
389 structures or any structures/facility that requires a building permit shall not exceed ten
390 percent of the total parcel area.

391 b. Coverage of individually owned preservation parcels by roofed structures or any
392 structures/facility that requires a building permit shall not exceed two and a half percent
393 [c31]of the total parcel area.

394 c. Coverage of the open space area of an estate lot of 5.25 acres or greater by roofed
395 structures or any structures/facility that requires a building permit shall be not exceed two
396 and a half percent of the lot's platted open space preservation easement area.

397 (9) Open space parcel ownership.

398 a. Common area parcel. ~~An~~ open space parcels dedicated as common area shall be
399 commonly owned by an appropriate homeowner's association established under U.C.A.
400 1953, § 57-8a-101 et seq., the Community Association Act.

401 b. Park parcel. An open space parcel may be conveyed to a local park district, as approved
402 by the park district.

403 c. Individually owned open space parcel. An open space parcels may be owned as an
404 individually owned preservation parcel by any person, regardless of whether the person
405 owns a residential lot within the subdivision. ~~In order to keep an individually owned~~
406 ~~preservation parcel from becoming uncondusive to multiple-acreage preservation uses, an~~
407 ~~individually owned preservation parcel shall not be sectioned into sub-areas less than five~~
408 ~~acres by fencing or other physical barriers. Pasture ground intended for the rotation of~~
409 ~~grazing animals shall be exempt provided consistent rotation occurs. The planning~~
410 ~~commission may modify this requirement for uses that support the longevity of the~~
411 ~~preservation, maintenance, and large-acreage use of the parcel.~~

412 1. ~~Individually owned preservation parcels of ten acres or more in area may be owned by~~
413 ~~any person, regardless of whether the person owns a residential lot within the~~
414 ~~subdivision.~~

415 2. ~~Individually owned preservation parcels of less than ten acres in area may only be~~
416 ~~owned by an owner of a lot within the same cluster subdivision.~~

417 3. ~~The applicable ownership standard in subsection (2)a.1. or 2. shall [c32]be~~
418 ~~memorialized in the following manner:~~

419 i. ~~An explanation of the applicable ownership standard and a perpetual restriction~~
420 ~~conforming thereto shall be written into all agriculture, forest, or other type of~~
421 ~~preservation easements granted pursuant to subsection (4); [c33]and~~

422 ii. ~~A note describing the applicable ownership standard shall be placed on the final~~
423 ~~recorded plat.~~

424 d. Estate parcel. An estate parcel of 5.25 acres or greater may be owned by any person. In
425 order to keep an individually owned preservation parcel from becoming uncondusive to
426 multiple-acreage preservation uses, the preserved open space area shall not be sectioned
427 into sub-areas less than five acres by fencing or other physical barriers. Pasture ground

intended for the rotation of grazing animals shall be exempt provided consistent rotation occurs. The planning commission may modify this requirement for uses that support the longevity of the preservation, maintenance, and large-acreage use of the parcel.

(d) Open space phasing. If development phasing is proposed and approved during preliminary cluster subdivision approval, the percent of open space of the overall platted acreage shall at no time be less than the percent of proposed open space approved in the open space plan.

(e) Maintenance. The open space parcel owner, whether an individual or an association, shall use, manage, and maintain the owner's parcel in a manner that is consistent with ~~the an approved~~ open space preservation plan ~~approved under subsection (1),~~ and the agriculture, forest, or other type of preservation easement executed under subsection (4).

(4f) Preservation. [c34]

(1) a. Open space parcels ~~are to be~~ shall be permanently preserved in a manner that is consistent with the approved open space preservation plan.

(2) b. ~~The cluster subdivision plat shall dedicate to Weber County a perpetual open space easement for each open space preservation parcel. Language shall be added to the dedication language on the final plat in a form as approved by the County Attorney and County Surveyor that generally states the following:~~

... and additionally dedicate and convey to Weber County a perpetual open space easement on and over all parcels and areas denoted as open space parcels to guarantee to the public that those parcels and areas remain open and undeveloped in a manner consistent with the approved open space plan; ...[c35]

(3) ~~The applicant, prior to recording or as part of recording the final cluster subdivision plat, shall grant and convey to the county, to each lot owner, and to the homeowner association if applicable, an open space easement over all areas dedicated as common area or individually owned preservation parcels. The open space easement shall incorporate and conform to the open space preservation plan approved under subsection (1).~~

(4) e. If a cluster subdivision contains open space intended to preserve substantial or crucial wildlife habitat, as defined by the Utah Division of Wildlife Resources, a wildlife habitat easement meeting the requirements of the Utah Division of Wildlife Resources shall be offered to the division.

(5) d. If a cluster subdivision contains an individually owned preservation parcel or estate lot with an open space area, the applicant shall:

1. a. Identify all open space preservation areas and label on the final plat ~~each with a unique hatch or shading such parcel as an agricultural, forest, or other type of preservation parcel;~~

2. b. Further identify each individually owned preservation parcel ~~by placing a unique identifying letter of the alphabet immediately after the label;~~ with a unique identifying letter;

3. c. For an estate lot, the area of the lot being preserved as open space shall be delineated with survey locatable bearings and calls. Present an agricultural, forest, or other type of preservation easement to the planning commission and gain their approval; and

4. ~~Record an approved preservation easement on each parcel identified as an agricultural, forest, or other type of preservation parcel.~~

(7) e. The planning commission may impose any additional conditions and restrictions it deems necessary to reasonably ensure maintenance of the open space and adherence to the open space preservation plan. Such conditions may include a plan for the disposition or re-use of the open space property if the open space is not maintained in the manner agreed upon or is abandoned by the owners.

~~(5) Guarantee of open space improvements. [c36]~~

~~a. The county shall not require an applicant to deposit a financial guarantee for open space improvements (e.g., clubhouse, pool, pergola, gazebo, etc.) that require a certificate of occupancy and that remain incomplete at the time of final approval and acceptance of the proposed cluster subdivision from the board of county commissioners. The applicant or developer shall complete the improvements according to the approved phasing component of an open space preservation plan. If the applicant fails to complete improvements as presented in the open space preservation plan, the county may suspend final plat approvals and record an instrument notifying prospective lot buyers that future land use permits may not be issued for any construction.~~

~~b. The county shall require an applicant to deposit a financial guarantee for all open space improvements (e.g., landscaping, trails, fencing, sheds, parking surfaces, etc.) that do not require a certificate of occupancy and that remain incomplete at the time of final approval and acceptance of the proposed cluster subdivision from the board of county commissioners. The applicant or developer shall complete all improvements according to the approved phasing component of an open space preservation plan.~~

Sec. 108-3-6. — Reserved[c37]. Open space parcel development standards.

~~Unless otherwise provided for in this section, open space parcels shall be developed in a manner that meets all applicable standards, including but not limited to those found in the Weber County Land Use Code. Open space parcels shall adhere to the following specific site development standards:~~

~~(1) Parcel area. Unless otherwise regulated by the Weber-Morgan Health Department or Weber County Land Use Code title 108, chapter 14, Hillside Development Review Procedures and Standards, the minimum area for an open space parcel located within a cluster subdivision is as follows:~~

~~a. Open space parcels dedicated as common area are not subject to minimum area requirements.~~

~~b. Open space parcels dedicated as individually owned preservation parcels shall contain an area of not less than three acres.~~

~~1. The minimum area of an individually owned preservation parcel may be reduced to not less than one acre if the preservation parcel is part of a contiguous area of open space parcels consisting of not less than three acres in total. Open space parcels form a contiguous area if each open space parcel in the area shares a common boundary line with another open space parcel or lies directly across a road right-of-way, or other approved access, from another open space parcel.~~

~~2. Parcels containing less than five acres are not agricultural parcels for purposes of agricultural exemptions granted by the Weber County Land Use Code.~~

~~(2) Parcel width. Notwithstanding section 106-2-4(c) and title 108, chapter 14, Hillside Development Review Procedures and Standards, and unless otherwise regulated by the Weber-Morgan Health Department, open space parcels located within a cluster subdivision are not subject to frontage requirements and do not have a minimum width standard other than the standard described in section 108-3-4(1).~~

~~(3) Parcel coverage.~~

~~a. Coverage of common area parcels by roofed structures shall not exceed ten percent of the total parcel area.~~

~~b. Coverage of individually owned preservation parcels by roofed structures shall not exceed five[c38] percent of the total parcel area.~~

Sec. 108-3-7. - Lot development standards.

~~Unless otherwise provided for in this section, residential building lots shall be developed in a manner that meets all applicable standards, including but not limited to those found in the Weber County Land Use Code and the requirements and standards of the Weber-Morgan Health Department, if applicable. The following specific site development standards apply to lots in cluster subdivisions:~~

519 (1) *Lot area.* ~~Unless otherwise regulated by the Weber-Morgan Health Department or Weber~~
 520 ~~County Land Use Code, title 108, chapter 14, Hillside Development Review Procedures and~~
 521 ~~Standards, a lot located within a cluster subdivision shall contain an area of not less than~~
 522 ~~159,000 square feet.~~

523 ~~a. Unless otherwise regulated by the Weber-Morgan Health Department or Weber County Land~~
 524 ~~Use Code, title 108, chapter 14, Hillside Development Review Procedures and Standards, a lot~~
 525 ~~located within a cluster subdivision shall contain an area of not less than 15,000 square feet.~~

526 ~~b. A lot's minimum area is reduced to 6,000 [c39]square feet if:~~

527 ~~1. The lot is located 50 feet or more from its own cluster subdivision boundary, not~~
 528 ~~including those boundaries formed by existing streets or internal phasing lines if the~~
 529 ~~phasing lines act as a temporary external boundary;~~

530 ~~2. The lot lies within a cluster subdivision that is adjacent to an existing subdivision that~~
 531 ~~contains at least one lot that is smaller or not more than 5,000 square feet larger than~~
 532 ~~the smallest lot lying within the subject cluster subdivision; or~~

533 ~~3. The lot lies within a cluster subdivision that is adjacent to an undeveloped parcel. A~~
 534 ~~parcel is considered undeveloped if it:~~

535 ~~i. Does not contain an existing dwelling; or~~

536 ~~ii. Contains an existing dwelling that lies further than 150 feet away from all external~~
 537 ~~boundaries of the proposed or subject cluster subdivision.~~

538 (2) *Lot width.* ~~Unless otherwise regulated by the Weber-Morgan Health Department, or Weber~~
 539 ~~County Land Use Code, title 108, chapter 14, Hillside Development Review Procedures and~~
 540 ~~Standards, the minimum lot width in a cluster subdivision per zone is as follows:~~

<u>ZONE</u>	<u>LOT WIDTH</u>
<u>F-40 and F-10 zones:</u>	<u>100 feet</u>
<u>FR-1, F-5, and AV-3 zones:</u>	<u>80 feet</u>
<u>RE-15, RE-20 zones:</u>	<u>60 feet</u>
<u>A-1, A-2, and A-3 zones:</u>	<u>60 feet</u>
<u>FR-3 zone:</u>	<u>50 feet</u>
<u>DRR-1 zone:</u>	<u>50 feet</u>

541 ~~a. One hundred feet in the Forest (F-40) and the Forest (F-10) Zones.~~

543 ~~b. Eighty feet in the Forest Residential (FR-1), Forest (F-5), Agricultural Valley (AV-3), and~~
 544 ~~the Forest Valley (FV-3) Zones.~~

545 ~~c. Sixty feet in the Residential Estates (RE-15 and RE-20) and Agricultural (A-1, A-2, and A-~~
 546 ~~3) Zones.~~

547 ~~d. Fifty feet in the Forest Residential (FR-3) and the Ogden Valley Destination and Recreation~~
 548 ~~Resort (DRR-1) Zone.~~

549 (3) *Yard setbacks for dwellings.* ~~The M~~minimum yard setbacks ~~for dwellings~~ in a cluster
 550 subdivision are as follows:

<u>YARD</u>	<u>SETBACK</u>
<u>Front:</u>	<u>20 feet</u>
<u>Side:</u>	
<u>Dwelling:</u>	<u>8 feet</u>
<u>Accessory building:</u>	<u>8 feet; except one foot if located at least six feet in rear of dwelling.</u>
<u>Accessory building over 1,000 square feet:</u>	<u>See Section 108-7-16</u>
<u>Corner lot side facing street:</u>	<u>20 feet</u>
<u>Rear:</u>	<u>20 feet</u>

551 a. Front: 20 feet. [c40]

552 b. Side: 8 feet.

553 c. Rear: 20 feet.

554 (4) Dwelling-Building height. The maximum height for dwelling-a building in a cluster subdivision
 555 is 40 feet as follows:

<u>BUILDING</u>	<u>HEIGHT</u>
<u>Dwelling</u>	<u>40 feet</u>
<u>Accessory building</u>	<u>30 feet</u>

556

557 **Sec. 108-3-8. - Bonus density.**

558 The county may, in its discretion, allow for an increased number of residential lots by awarding
 559 bonus densities to those cluster subdivisions developed within the Western Weber County Planning Area.
 560 Cluster subdivisions within the Ogden Valley Planning Area are not eligible for bonus densities. The
 561 following presents the bonus density opportunities that are available to cluster subdivisions located within
 562 specific zoning boundaries:

563 (a) Western Weber Planning Area bonus density. In the Western Weber Planning Area, bonus density
 564 shall not exceed 30 percent except as allowed herein.

565 (1) (INSERT AMENITIES REQUIRED TO EARN POINTS HERE. (i.e. street trees, pathway
 566 landscaping[c41], dark sky preservation, public-accessible recreational amenities, public park (if
 567 district will accept it)...[c42]

568 (2) In an agricultural zone, up to 20 percent additional bonus may be earned in accordance with the
 569 following:

570 a. the subdivision shall demonstrate qualification for the basic 30 percent bonus density;

571 b. 90 percent of the total open space acreage, but no less than ten acres, shall be:

572 1. demonstrated through a soils and irrigation analysis produced by a competent soils
573 engineer to be quality farmland capable of competitive marketability to typical crop-
574 producing agricultural operations.

575 2. be permanently preserved with an agricultural-specific preservation easement across
576 all 90 percent of the total open space acreage that conforms to the requirements of
577 this chapter.

578 c. the subdivision shall preserve more than the 30 percent minimum open space area. The
579 allowed bonus density percentage may be increased at a one for one ratio with the open
580 space percentage increases that are over 30 percent, up to a maximum of 50 percent
581 bonus density award.

582 (b)[c43] No bonus density is allowed in the Ogden Valley.

583 ~~(1) In the Forest (F-40) Zones, the county may award a maximum bonus density of 20 percent~~
584 ~~based on an accumulation of any combination of the following:~~

585 ~~a. If the cluster subdivision meets the purpose and intent of this chapter, up to a five percent~~
586 ~~bonus may be granted.~~

587 ~~b. If the cluster subdivision provides a minimum of one road stub to an adjacent property~~
588 ~~where the planning commission determines that streets are needed to provide for current~~
589 ~~or future traffic circulation, up to a five percent bonus density may be granted.~~

590 ~~c. If the cluster subdivision provides a minimum of one approved public access to public~~
591 ~~lands, up to a five percent bonus density may be granted.~~

592 ~~d. If the cluster subdivision provides common area that offers easily accessible amenities,~~
593 ~~such as a trail, park, or community garden, that are open for use by the general public, up~~
594 ~~to a five percent bonus density may be granted.~~

595 ~~e. If the cluster subdivision dedicates and conveys to the county, the state division of wildlife~~
596 ~~resources, or both, an open space easement that permanently preserves areas that have~~
597 ~~been identified by the state division of wildlife resources as having substantial or crucial~~
598 ~~wildlife habitat value, up to a 15 percent bonus density may be granted.~~

599 ~~(2) In the Agricultural (A-1, A-2, and A-3) Zones, the county may grant a bonus density of up to 50~~
600 ~~percent if the applicant preserves an open space percentage above that required by section~~
601 ~~408-3-4(3)d; otherwise, the county may grant a bonus density of up to 30 percent. Overall~~
602 ~~bonus density potential shall be no greater than a percentage equal to the percentage of the~~
603 ~~subdivision's total area preserved as open space. The county may award bonus densities~~
604 ~~based on an accumulation of any combination of the following:~~

605 ~~a. If a cluster subdivision meets the purpose and intent of this chapter, up to a ten percent~~
606 ~~bonus may be granted.~~

607 ~~b. If a cluster subdivision provides and implements an approved roadway landscape and~~
608 ~~design plan that includes, but is not necessarily limited to, vehicle and pedestrian~~
609 ~~circulation, lighting, and street trees of an appropriate species, size of at least a two-inch~~
610 ~~caliper, and quantity of not less than eight trees for every 100 feet of road length, up to 20~~
611 ~~percent bonus density may be granted.~~

612 ~~c. For each five percent increment of open space preserved over 50 percent: a five percent~~
613 ~~bonus density shall be granted up to the total bonus density allowed by subsection (3).~~

614 ~~d. If a cluster subdivision provides a minimum of one approved access to public lands, up to a~~
615 ~~ten percent bonus density may be granted.~~

616 ~~e. If a cluster subdivision provides common area that offers easily accessible amenities such~~
617 ~~as trails, parks, or community gardens, that are open for use by the general public, up to a~~
618 ~~15 percent bonus density may be granted.~~

- 619 ~~f. If ten percent of the lots and homes in a cluster subdivision are permanently set aside for~~
620 ~~affordable housing as outlined by the Affordable Housing Act of 1990, up to a 20 percent~~
621 ~~bonus density may be granted.~~
- 622 ~~If a bonus density is granted for affordable housing, the applicant shall:~~
- 623 ~~1. Present and gain Planning Commission approval of an effective plan and method for~~
624 ~~guaranteeing and enforcing perpetual affordability. Any method used, such as an~~
625 ~~affordable housing deed restriction, shall limit the sale or rental of the affected lots and~~
626 ~~homes to a household with an income at or below 80 percent of the county median~~
627 ~~income;~~
- 628 ~~2. Identify and label, on the final plat, the lots set aside as affordable housing Lots; and~~
- 629 ~~3. Provide a note on the final plat explaining the nature of the housing restriction on the~~
630 ~~lot and the method by which occupancy and affordability will be regulated.~~
- 631 ~~g. If a cluster subdivision preserves an agricultural parcel with an agriculturally based open~~
632 ~~space preservation plan approved by the planning commission and records an agricultural~~
633 ~~preservation easement on the parcel, a bonus density may be approved as follows:~~
- 634 ~~1. For a parcel containing at least ten acres but fewer than 20 acres, up to a 15 percent~~
635 ~~bonus density may be granted.~~
- 636 ~~2. For a parcel containing at least 20 acres but fewer than 30 acres, up to a 20 percent~~
637 ~~bonus density may be granted.~~
- 638 ~~3. For a parcel containing at least 30 acres but fewer than 40 acres, up to a 30 percent~~
639 ~~bonus density may be granted.~~
- 640 ~~4. For a parcel containing at least 40 acres but fewer than 50 acres, up to a 40 percent~~
641 ~~bonus density may be granted if the parcel standing alone is greater than the~~
642 ~~minimum open space requirement for the subdivision.~~
- 643 ~~5. For a parcel containing at least 50 acres or more, up to a 50 percent bonus density~~
644 ~~may be granted if the parcel standing alone is greater than the minimum open space~~
645 ~~requirement for the subdivision.~~
- 646 ~~h. If a cluster subdivision provides for the preservation of historical sites and buildings that~~
647 ~~have been identified by the state historic preservation office as having notable historical~~
648 ~~value, up to a five percent bonus density may be granted.~~
- 649 ~~i. If a cluster subdivision provides for the development of excess sewage treatment capacity,~~
650 ~~up to a five percent bonus density may be granted.~~
- 651 ~~j. If a cluster subdivision dedicates and conveys to the county, the state division of wildlife~~
652 ~~resources, or both, an open space easement that permanently preserves areas that have~~
653 ~~been identified by the state division of wildlife resources as having substantial or crucial~~
654 ~~wildlife habitat value, up to a 15 percent bonus density may be granted.~~
- 655 ~~k. If a cluster subdivision includes an open space parcel that consists of five acres or more~~
656 ~~and is contiguous to permanently preserved open space on an adjoining property located~~
657 ~~outside of the cluster subdivision, up to a 20 percent bonus density may be granted.~~

658 **Sec. 108-3-9. - Homeowners association required.**

659 In order to provide for proper management and maintenance of commonly owned areas and private
660 improvements, all cluster subdivisions with such areas or improvements are required to have a
661 homeowners association. The applicant, prior to recording a final plat of the cluster subdivision, shall:

- 662 (1) Establish a homeowners association and submit for the county's review the necessary articles
663 of incorporation, bylaws, and declaration of covenants, conditions, and restrictions that provide
664 for:

- 665 a. Compliance with Utah State Code;
 - 666 b. The reason and purpose for the association's existence;
 - 667 c. Mandatory membership for each lot or home owner and their successors in interest;
 - 668 d. The perpetual nature of the easements related to all dedicated open space parcels;
 - 669 e. Responsibilities related to liability, taxes, and the maintenance of recreational and other
 - 670 infrastructure and facilities;
 - 671 f. Financial obligations and responsibilities, including the ability to adjust the obligations and
 - 672 responsibilities due to change in needs;
 - 673 g. Association enforcement remedies; and
 - 674 h. A notification of the county's ability to enforce the terms of the owner's dedication on the
 - 675 subdivision dedication plat.
- 676 (2) Register the homeowners association with the State of Utah, Department of Commerce.

677 **Sec. 108-3-10. – Guarantee of improvements**^[c44].

- 678 (a) *Guarantee of improvements.* The county shall require an applicant to deposit a guarantee of
- 679 improvements, as provided in Section 106-4-3, for all improvements required by this chapter or as
- 680 otherwise volunteered by the applicant that are incomplete at the time of subdivision plat recording.
- 681 This includes improvements on open space parcels unless otherwise specified in **subsection (b) of**
- 682 this section.
- 683 (b) *Improvements requiring certificate of occupancy.* The county shall not require an applicant to deposit
- 684 a financial guarantee for open space improvements that require a certificate of occupancy and that
- 685 remain incomplete at the time of final approval of the proposed cluster subdivision from the board of
- 686 county commissioners. The applicant or developer shall complete the improvements according to
- 687 the approved phasing component of an open space preservation plan. If the applicant fails to
- 688 complete improvements as presented in the open space preservation plan, the county may suspend
- 689 final plat approvals and record an instrument notifying prospective lot buyers that future land use
- 690 permits may not be issued for any construction.

691

MEMORANDUM

To: Western Weber Planning Commission
From: Charles Ewert, AICP
Date: December 28, 2017
Subject: PRUD code amendment from administrative approval to legislative

Planning Commissioners,

In the Ogden Valley Planning Commission's last meeting they discussed the proposed amendment to the PRUD code that you discussed in your last meeting. They were less receptive to the proposed changes. Their primary issue was that there is too much "discretionary" flexibility in the PRUD ordinance to continue to allow it to be a matter for administrative approval.

Staff agrees with this concern. Attached you will find a rough proposal to amend the PRUD code to make it a legislative rezone rather than an administrative conditional use permit. This will give both the planning commission and the county commission wide discretion and control over the final outcome of a PRUD – or whether one exists at all. As is being proposed, a PRUD would require a PRUD overlay zone.

I would like to discuss the merits of this modification and any concerns the planning commission may have with it in a work session on January 9, 2018.



1 Title 102 – ADMINISTRATION

2 CHAPTER 1. - GENERAL PROVISIONS

3 ...

4 Sec. 102-1-5. - ~~Reserved. Hearing and publication notice for county commission.~~

5 ~~Before finally adopting any such legislative amendment, the board of county commissioners shall hold a~~
6 ~~public hearing thereon, at least 14 days' notice of the time and place of which shall be given as per state~~
7 ~~code. The unanimous vote of the full body of the county commission is required to overturn the~~
8 ~~recommendation of the planning commission, if there was a unanimous vote of the planning commission~~
9 ~~in favor or denial of the petition.~~

10 ...

11 Title 104 - ZONES

12 ...

13 CHAPTER 3. - RESIDENTIAL ESTATES ZONES RE-15 AND RE-20

14 ...

15 Sec. 104-3-5. - Conditional uses.

16 The following uses shall be permitted only when authorized by a conditional use permit as provided
17 in title 108, chapter 4 of this Land Use Code:

18 ...

19 (3) Private park, playground or recreation grounds and buildings not open to the general public and
20 to which no admission is made but not including privately owned commercial amusement
21 business.

22 (4) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 5 of this~~
23 ~~Land Use Code.~~

24 (5) Public utility substation.

25 ...

26 CHAPTER 5. - AGRICULTURAL ZONE A-1

27 ...

28 Sec. 104-5-6. - Conditional uses.

29 The following uses shall be permitted only when authorized by a conditional use permit obtained as
30 provided in title 108, chapter 4 of this Land Use Code:

31 ...

32 (6) Greenhouse and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide
33 and insecticide products, tools for garden and lawn care and the growing and sale of sod.

34 (7) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 5.~~

35 (8) Private park, playground or recreation grounds and buildings not open to the general public and
36 to which no admission charge is made, but not including private owned commercial amusement
37 business.

38 ...

39 CHAPTER 6. - AGRICULTURAL VALLEY AV-3 ZONE

40 ...

41 Sec. 104-6-5. - Conditional uses.

42 The following uses shall be allowed only when authorized by a conditional use permit obtained as
43 provided in title 108, chapter 4 of this Land Use Code.

44 ...

45 (9) Petting zoo where accessed by a collector road as shown on the county road plan.

46 (10) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 4 of this~~
47 ~~Land Use Code.~~

48 (11) Private park, playground or recreation area not open to the general public and to which no
49 admission charge is made, but not including privately owned commercial business.

50 ...

51 CHAPTER 7. - AGRICULTURAL A-2 ZONE

52 ...

53 Sec. 104-7-5. - Conditional uses.

54 The following uses shall be permitted only when authorized by a conditional use permit obtained as
55 provided in title 108, chapter 4 of this Land Use Code.

56 (12) Outdoor recreation club activities for horse riding, bow and arrow shooting, snowmobiling, etc.

57 (13) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 4 of this~~
58 ~~Land Use Code.~~

59 (14) Private park, playground or recreation area not open to the general public and to which no
60 admission charge is made, but not including privately owned commercial business.

61 ...

62 CHAPTER 8. - AGRICULTURAL ZONE A-3

63 ...

64 Sec. 104-8-5. - Conditional uses.

65 The following uses shall be permitted only when authorized by a conditional use permit obtained as
66 provided in title 108, chapter 4 of this Land Use Code.

67 ...

68 (14) Outdoor recreation club activities for horse riding, bow and arrow shooting, snowmobiling, etc.

69 (15) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 5.~~

70 (16) Private park, playground or recreation area not open to the general public and to which no
71 admission charge is made, but not including privately owned commercial amusement business.

72 ...

73 **CHAPTER 9. - FOREST ZONES F-5, F-10, AND F-40**

74 ...

75 **Sec. 104-9-3. - Conditional uses.**

76 The following uses shall be permitted only when authorized by a conditional use permit obtained as
77 provided in this Land Use Code:

78 ...

79 (6) Mines, quarries and gravel pits, sand and gravel operations subject to the provisions of the
80 Weber County Excavation Ordinance.

81 (7) ~~Reserved. Planned Residential Unit Development in accordance with this Land Use Code.~~

82 (8) Private parks and recreation grounds. Private campgrounds and picnic areas meeting the
83 requirements of the Forest Campground Ordinance of Weber County. Dude ranches.

84 ...

85 **CHAPTER 11. - COMMERCIAL VALLEY RESORT RECREATION ZONE CVR-1**

86 ...

87 **Sec. 104-11-4. - Conditional uses.**

88 The following uses shall be allowed only when authorized by a Conditional Use Permit obtained as
89 provided in title 108, chapter 4 of this Land Use Code:

90 ...

91 (26) Travel agency.

92 (27) ~~Reserved. Planned residential unit development (PRUD) as part of a recreation resort complex~~
93 ~~subdivision, where part of a PRUD in a recreation resort complex.~~

94 (28) Dwelling unit as part of a commercial building for proprietor or employee who also serves as a
95 night watchman provided that an additional 3,000 square feet of landscaped area is provided for
96 the residential use.

97 ...

98 **CHAPTER 12. - SINGLE-FAMILY RESIDENTIAL ZONES R-1-12, R-1-10**

99 ...

100 **Sec. 104-12-3. - Conditional uses.**

101 The following uses shall be permitted only when authorized by a conditional use permit as provided
102 in title 108, chapter 4 of this Land Use Code:

103 (1) Educational/institutional identification sign.

104 (2) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 5 of this~~
105 ~~Land Use Code.~~

106 (3) Private park, playground or recreation area, but not including privately owned commercial
107 amusement business.

108 ...

109 **CHAPTER 13. - FOREST RESIDENTIAL ZONE FR-1**

110 ...

111 **Sec. 104-13-3. - Conditional uses.**

112 The following uses shall be permitted only when authorized by a conditional use permit obtained as
113 provided in title 108, chapter 4 of this Land Use Code:

114 ...

115 (7) Parking lot accessory to uses permitted in this zone.

116 (8) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 5 of this~~
117 ~~Land Use Code.~~

118 (9) Private park, playground or recreation area, but not including privately owned commercial
119 amusement business.

120 ...

121 **CHAPTER 14. - FOREST VALLEY ZONE FV-3**

122 ...

123 **Sec. 104-14-3. - Conditional uses.**

124 The following uses shall be permitted only when authorized by a conditional use permit obtained as
125 provided in title 108, chapter 4 of this Land Use Code:

126 ...

127 (9) Parking lot accessory to uses permitted in this zone.

128 (10) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 5 of the~~
129 ~~Land Use Code.~~

130 (11) Private park, playground or recreation area, but not including privately owned commercial
131 amusement business.

132 ...

133 **CHAPTER 15. - TWO-FAMILY RESIDENTIAL ZONE R-2**

134 ...

135 **Sec. 104-15-3. - Conditional uses.**

136 The following uses shall be permitted only when authorized by a conditional use permit as provided
137 in title 108, chapter 4 of this Land Use Code.

138 ...

139 (2) Educational/institutional identification signs.

- 140 (3) ~~Reserved. Planned residential unit development, in accordance with title 108, chapter 5 of this~~
141 ~~Land Use Code.~~
- 142 (4) Private park, playground, or recreation area, but not including privately owned commercial
143 amusement business.

144 ...

145 **CHAPTER 16. - MULTIPLE-FAMILY RESIDENTIAL ZONE R-3**

146 ...

147 **Sec. 104-16-3. - Conditional uses.**

148 The following uses shall be permitted only when authorized by a conditional use permit as provided
149 in title 108 of this Land Use Code.

150 ...

- 151 (7) Nursing home.
- 152 (8) ~~Reserved. Planned residential unit development, in accordance with title 108, chapter 5 o this~~
153 ~~Land Use Code.~~
- 154 (9) Private park, playground, or recreation area, but not including privately owned commercial
155 amusement business.

156 ...

157 **CHAPTER 17. - FOREST RESIDENTIAL ZONE FR-3**

158 ...

159 **Sec. 104-17-3. - Conditional uses.**

160 The following uses shall be permitted only when authorized by a conditional use permit obtained as
161 provided in title 108, chapter 4 of this Land Use Code:

162 ...

- 163 (7) Nightly rental.
- 164 (8) ~~Reserved. Planned residential unit development in accordance with title 108, chapter 5.~~
- 165 (9) Private park, playground and/or recreation area, but not including privately owned commercial
166 amusement business.

167 ...

168 **CHAPTER 19. - RESIDENTIAL MANUFACTURED HOME ZONE RMH-1-6**

169 ...

170 **Sec. 104-19-3. - Conditional uses.**

- 171 (a) Manufactured home subdivision in accordance with the site development standards prescribed by
172 the Weber County Subdivision Ordinance.
- 173 (b) ~~Reserved. Manufactured home PRUD in accordance with the site development standards and~~
174 ~~planned residential unit development chapter of this Land Use Code.~~
- 175 (c) Public utility substations.

176 ...

177 **CHAPTER 530. - PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD) OVERLAY ZONE**^[c1]

Sec. 108-5-1. - Definitions.

When used in this chapter, the following words and phrases have the meaning ascribed to them in this section, unless the context indicates a different meaning:

Common open space means land area in a planned residential unit development reserved and set aside for recreation uses, landscaping, open green areas, parking and driveway areas for common use and enjoyment of the residents of the PRUD

Common open space easement means a required right of use granted to the county by the owner of a planned residential unit development, on and over land in a planned residential unit development designated as common open space, which easement guarantees to the county that the designated common open space and recreation land is permanently reserved for access, parking and recreation and open green space purposes in accordance with the plans and specifications approved by the planning commission and county commission at the time of approval of the PRUD or as such plans are amended from time to time with the approval of the county commission.

Planned residential unit development (PRUD) means a development in which the regulations of the zone, in which the development is situated, are waived to allow flexibility and initiative in site, building design and location in accordance with an approved plan and imposed general requirements.

Sec. 108-5-2. - Purpose and intent.

- (a) A planned residential unit development (PRUD) overlay zone is intended to allow for diversification in the relationship of various uses and structures to their sites and to permit more flexibility from traditional zoning of such sites and to encourage new and imaginative concepts in the design of neighborhood and housing projects in urbanizing areas. To this end, the development should be planned as one complex land use.
- (b) A PRUD overlay zone approval should advance the purpose and intent of the underlying ~~Substantial compliance with the~~ zone. However, if a proposed PRUD offers material advancement of a goal or objective of an applicable general plan then concessions may be made, at the legislative discretion of the county commission. ~~Development of any PRUD shall adhere to the applicable regulations and other provisions of this chapter Land Use Code in requiring~~ and the county commission may apply any condition of approval reasonably necessary to promote ~~adequate standards related to the~~ public health, safety, and general welfare ~~shall be observed, without whilst being conscientious of~~ unduly inhibiting the advantages of large scale planning for residential and related purposes. ~~However, when any provisions of an approved PRUD overlay zone conflicts with the provisions of the underlying zone the provisions of the PRUD overlay zone approval shall prevail.~~

Sec. 108-5-3. - ~~Permitted zones~~ Approval procedures and requirements.

- (a) ~~A planned residential unit development overlay zone may only be considered in the following zones: shall be permitted as a conditional use in all forest, agricultural, residential zones, and notwithstanding any other provisions of this chapter, the provisions as hereinafter set forth shall be applicable if any conflict exists:~~
 - (1) Residential estates zones;
 - (2) Agricultural zones;
 - (3) Forest, forest residential, and forest valley zones;
 - (4) Single-family, two-family and three-family residential zones;
 - (5) Commercial valley resort recreation zone; and

(6) Residential manufactured home zone.

(b) Approval of a PRUD overlay zone shall follow the provisions and requirements as specified herein and the rezone provisions of Title 102, Chapter 5. A development agreement that clearly documents the County's roles and responsibilities to the developer and the developer's roles and responsibilities to the County shall be prepared and approved prior to the validity of any approved PRUD overlay zone. The development agreement shall, at a minimum, provide any other provision necessary to effectively execute the flexible provisions of this chapter, or any other provision as may be required by the County Commission or County Attorney's office.

Sec. 108-5-4. - Use requirements.

- (a) An overall development plan for a planned residential unit development showing residential uses, housing types, locations, sizes, height, number of residential units, access roads, common area and other open spaces, etc., may be approved by the planning commission and county commission and building permits issued in accordance with such plan, even though the residential uses and dwelling types and the location of the buildings proposed may differ from the residential uses and dwelling types and regulations governing such uses in effect in the zone in which the development is proposed provided the requirements of this chapter are complied with. Accessory nonresidential uses may be included in planned residential unit developments of 100 units or more to provide a necessary service to the residents of the development as determined by the planning commission provided agreements and restrictive covenants controlling the proposed uses, ownership, operational characteristics and physical design to the county's satisfaction are filed by and entered into by the developer to assure that the approved necessary services intent is maintained.
- (b) Once the overall development plan showing details of buildings, structures and uses has been approved by the county commission, after recommendations of the planning commission, no changes or alterations to said development plan or uses shall be made without first obtaining the approval of the planning commission and county commission, except for landscaping, provided subsection (c) of this section has been complied with.
- (c) The landscaping plan submitted for approval of the PRUD, shall be considered the minimum acceptable landscaping for the PRUD. Any alterations to the landscape plan shall be submitted to the planning area planning commission and shall be stamped by a licensed landscape architect certifying the following:
 - (1) That the area of landscaping area exceeds the approved landscape plan;
 - (2) That the number and quality of plants exceed the approved landscape plan;
 - (3) That the portion of landscaping per phase exceeds the portions per phase of the approved plan; and
 - (4) That all requirements of the Land Use Code have been met.

No money held in the financial guarantee for the completion of landscaping of any phase of a PRUD shall be released until all landscaping requirements are completed for that phase, with the exception of single-family dwellings. In the case of single-family dwellings, that portion of the guarantee, equal to that portion of the phase represented by the dwelling, may be released.

- (d) Any housing units to be developed or used, in whole or in part, for sleeping rooms (including lockout sleeping rooms) for nightly rentals shall be declared and designated on the site development plan, and shall adhere to the additional parking requirements for rental sleeping rooms as provided in title 108, chapter 8, section 2 of this Land Use Code.

Sec. 108-5-5. - Area and residential density regulations.

- (a) A PRUD shall contain a minimum area of ten acres and consist of at least 24 housing units in all forestry and agricultural zones, and contain a minimum area of four acres in all residential zones.

- (b) The number of dwelling units in a PRUD shall be the same as the number permitted by the lot area requirements of the same zone in which the PRUD is located. Land used for schools, churches, other nonresidential service type buildings and uses, for streets and exclusively for access to the useable area of a PRUD shall not be included in the area for determining the number of allowable dwelling units.
- (c) Notwithstanding section 108-5-5(b), [c2]the county may, at its discretion, allow for an increased number of residential lots in a PRUD by awarding bonus densities to those PRUDs developed within the Western Weber County Planning Area. PRUDs developed within the Ogden Valley Planning Area are not eligible for bonus densities. The following presents the bonus density opportunities that are available to PRUDs located within specific zoning classification boundaries:
- (1) In the Forest (F-40) and the Residential Estates (RE-15 and RE-20) Zones, the county may award a maximum bonus density of ten percent based on an accumulation of any combination of the following:
 - a. If the PRUD provides a minimum of one road stub to an adjacent property where the planning commission determines that streets are needed to provide for current or future traffic circulation, up to a five percent bonus density may be granted.
 - b. If the PRUD provides a minimum of one approved public access to public lands, up to a five percent bonus density may be granted.
 - c. If the PRUD provides common area that offers easily accessible amenities, such as a trail, park, or community garden, that are open for use by the general public, up to a five percent bonus density may be granted.
 - d. If the PRUD dedicates and conveys to the county, the state division of wildlife resources, or both, an open space easement that permanently preserves areas that have been identified by the state division of wildlife resources as having substantial or crucial wildlife habitat value, up to a ten percent bonus density may be granted.
 - (2) In the Agricultural (A-1, A-2, and A-3) Zones, the county may grant a bonus density of up to 30 percent if the applicant preserves open space area equal to or greater than 30 percent of the PRUD's adjusted gross acreage as defined in section 101-1-7. However, if the applicant preserves open space area above 30 percent, the county may grant a bonus density of up to 50 percent. Overall bonus density potential shall be no greater than a percentage equal to the percentage of the PRUD's total area preserved as open space. The county may award bonus densities based on an accumulation of any combination of the following:
 - a. If a PRUD provides and implements an approved roadway landscape and design plan that includes, but is not necessarily limited to, vehicle and pedestrian circulation, lighting, and street trees of an appropriate species, size of at least a two-inch caliper, and quantity of not less than eight trees for every 100 feet of road length, up to 20 percent bonus density may be granted.
 - b. For each five percent increment of open space preserved over 50 percent: a five percent bonus density shall be granted up to the total bonus density allowed by subsection (c)(2).
 - c. If a PRUD provides a minimum of one approved access to public lands, up to a ten percent bonus density may be granted.
 - d. If a PRUD provides common area that offers easily accessible amenities such as trails, parks, or community gardens, that are open for use by the general public, up to a 15 percent bonus density may be granted.
 - e. If a PRUD donates and/or permanently preserves a site determined to be desirable and necessary, to a local park district or other county approved entity, for the perpetual location and operation of a public park, cultural, or other recreation facility; up to a 20 percent bonus may be granted.

- f. If ten percent of the lots and homes in a PRUD are permanently set aside for affordable housing as outlined by the Affordable Housing Act of 1990, up to a 20 percent bonus density may be granted. If a bonus density is granted to affordable housing, the applicant shall:
 - 1. Present and gain county approval of an effective plan and method for guaranteeing and enforcing perpetual affordability. Any method used, such as an affordable housing deed restriction, shall limit the sale or rental of the affected lots and homes to a household with an income at or below 80 percent of the county median income;
 - 2. Identify and label, on the final plat, the lots set aside as affordable housing lots; and
 - 3. Provide a note on the final plat explaining the nature of the housing restriction on the lot and the method by which occupancy and affordability will be regulated.
 - g. If a PRUD preserves an agricultural parcel with an agriculturally based open space preservation plan approved by the planning commission and records an agricultural preservation easement on the parcel, a bonus density may be approved as follows:
 - 1. For a parcel containing at least ten acres but fewer than 20 acres, up to a 15 percent bonus density may be granted.
 - 2. For a parcel containing at least 20 acres but fewer than 30 acres, up to a 20 percent bonus density may be granted.
 - 3. For a parcel containing at least 30 acres but fewer than 40 acres, up to a 30 percent bonus density may be granted.
 - 4. For a parcel containing at least 40 acres but fewer than 50 acres, up to a 40 percent bonus density may be granted.
 - 5. For a parcel containing at least 50 acres or more, up to a 50 percent bonus density may be granted.
 - h. If a PRUD provides for the preservation of historical sites and buildings that have been identified by the state historic preservation office as having notable historical value, up to a five percent bonus density may be granted.
 - i. If a PRUD provides for the development of excess sewage treatment capacity, up to a five percent bonus density may be granted.
 - j. If a PRUD dedicates and conveys to the county, the state division of wildlife resources, or both, an open space easement that permanently preserves areas that have been identified by the state division of wildlife resources as having substantial or crucial wildlife habitat value, up to a 15 percent bonus density may be granted.
 - k. If a PRUD includes an open space parcel that consists of five acres or more and is contiguous to permanently preserved open space on an adjoining property located outside of the proposed PRUD, up to a 20 percent bonus density may be granted.
- (d) If a PRUD is located in two or more zones, then the number of units allowed in the PRUD is the total of the units allowed in each zone, however, the units allowed in each zone must be constructed in the respective zone.
- (e) It is not the purpose of the PRUD provision to allow an increase in the housing density of a PRUD beyond what county development ordinances would normally allow, by requesting housing unit credit and transfer for lands to be included in the PRUD boundary as common open space which have little or no possibility of housing development. Such areas may include swamp lands, bodies of water, excessively steep slopes and hillsides, mountain areas which do not have the capability of housing development due to lack of water, access, natural resource limitations, etc. ~~Therefore, the planning commission shall~~ After recommendation from the planning commission the county commission, has legislative discretion to determine what part if any, of such lands may be included in a PRUD as useable open space common area for which dwelling unit credit is being requested for transfer to

developable portions of the PRUD ~~and, when such a~~ determination justifies ~~such an~~ inclusion, ~~the planning commission shall allow~~ the transfer of units ~~may be allowed~~. ~~In making this determination, the planning~~ Among other considerations, the county commission's decision ~~shall should be guided by the following factors~~ give general preference to the following standards:

- (1) The physical relationship of the proposed common areas to the developable areas of the PRUD ~~shall be~~ are such that the common areas are suitable for landscaped and/or developed open space or for recreational use of direct benefit, access and usability to the unit owners.
- (2) The lands ~~shall should~~ contribute to the actual quality, livability and aesthetics of the PRUD and ~~shall should~~ be physically integrated into the development design.
- (3) The lands ~~must be~~ are suitable for and possess the capability for housing development.
- (4) Lands with an average slope of 40 percent or more in the FR-1, FV-3, F-5, F-10, and F-40 Zones and 30 percent or more in all other zones ~~shall should be discouraged from being not be~~ classified as developable land and ~~shall should~~ not be considered when determining the number of allowable units in a proposed PRUD.

Sec. 108-5-6. - General requirements.

- (a) The development shall be in a single or corporate ownership at the time of development or the subject of an application filed jointly by the owners of the property.
- (b) The property adjacent to the planned residential unit development shall not be detrimentally affected without the county imposing reasonable conditions or, in the absence of appropriate natural or constructed buffers, require that uses of least intensity or greatest compatibility be arranged around the perimeter boundaries of the project. Yard and height requirements of the adjacent zone may be required on the immediate periphery of a PRUD.
- (c) Building uses, building locations, lot area, width, yard, height and coverage regulations proposed shall be determined acceptable by approval of the site development plan.
- (d) The county commission may, at its discretion and after receiving a recommendation from the planning commission, consider and approve a plan that provides for ownership, preservation, maintenance, and guarantee of improvements for proposed open space(s). Open space parcels, and any improvements proposed thereon, shall be approved, owned, maintained, preserved, and financially guaranteed as follows:
 - (1) *Plan approval.* An open space preservation plan shall accompany an application for PRUD approval. The plan shall include a narrative describing all proposed uses, phasing, and maintenance methods for all open space parcels, and a site plan that shows proposed common areas, individually owned preservation parcels, and the locations of existing and proposed future structures.
 - a. For open space dedicated as common area parcels, the site plan shall show the location of existing and future structures by identifying the structure's approximate footprint. Structures housing a utility or serving as a development amenity shall be subject to all applicable standards including all design review and applicable architectural standards found in title 108 of the Weber County Land Use Code.
 - b. For open space dedicated as individually owned preservation parcels, the site plan shall identify locatable building envelopes within which all existing and future buildings must be located.
 - (2) *Ownership.*
 - a. Open space parcels of any size and dedicated as common area shall be commonly owned by an appropriate homeowner's association established under U.C.A. 1953, § 57-8-1 et seq., the Condominium Ownership Act, or § 57-8a-101 et seq., the Community Association Act.
 - b. Other open space parcels, consisting of five acres or more, may be owned individually.

1. Individually owned preservation parcels of ten acres or more in area may be owned by any person, regardless of whether the person owns a residential lot within the PRUD.
2. Individually owned preservation parcels of less than ten acres in area may only be owned by an owner of a lot within the same PRUD.
3. The applicable ownership standard in subsection (2)b.1. or 2. shall be memorialized in the following manner:
 - i. An explanation of the applicable ownership standard and a perpetual restriction conforming thereto shall be written into all agriculture, forest, or other type of preservation easements granted pursuant to subsection (3); and
 - ii. A note describing the applicable ownership standard shall be placed on the final recorded subdivision plat.
 - iii. A notice describing the applicable ownership standard shall be recorded on each individually owned preservation parcel at the time of recording a subdivision plat.

(3) *Preservation.*

- a. Open space parcels are to be permanently preserved in a manner that is consistent with the approved open space preservation plan.
- b. The applicant, after receiving an approval for a PRUD and prior to recording or as part of recording the final subdivision plat, shall grant and convey to the county, to each lot owner, and to the homeowner association if applicable, an open space easement over all areas dedicated as common area or individually owned preservation parcels. The open space easement shall incorporate and conform to the open space preservation plan approved under subsection (1).
- c. If a PRUD and subsequent subdivision plat contains open space intended to preserve substantial or crucial wildlife habitat, as defined by the Utah Division of Wildlife Resources, a wildlife habitat easement meeting the requirements of the Utah Division of Wildlife Resources shall be offered to the division.
- d. If a PRUD and subsequent subdivision plat contains an individually owned preservation parcel, the applicant shall:
 1. Identify and label on the final plat each such parcel as an agricultural, forest, or other type of preservation parcel;
 2. Further identify each preservation parcel by placing a unique identifying letter of the alphabet immediately after the label;
 3. Present an agricultural, forest, or other type of preservation easement to the county and gain its approval; and
 4. Record an approved preservation easement on each parcel identified as an agricultural, forest, or other type of preservation parcel.
- e. The county may impose any additional conditions and restrictions it deems necessary to ensure maintenance of the open space and adherence to the open space preservation plan. Such conditions may include a plan for the disposition or re-use of the open space property if the open space is not maintained in the manner agreed upon or is abandoned by the owners.

(4) *Guarantee of open space improvements.*

- a. The county shall not require an applicant to deposit a financial guarantee for open space improvements (e.g., clubhouse, pool, pergola, gazebo, etc.) that require a certificate of occupancy and that remain incomplete at the time of final approval and acceptance of a proposed subdivision (resulting from the approval of a PRUD) from the board of county commissioners. The applicant or developer shall complete the improvements according to

the approved phasing component of an open space preservation plan. If the applicant fails to complete improvements as presented in the open space preservation plan, the county may revoke the approval of the PRUD and suspend final plat approvals and record an instrument notifying prospective lot buyers that future land use permits may not be issued for any construction.

b. The county shall require an applicant to deposit a financial guarantee for all open space improvements (e.g., landscaping, trails, fencing, sheds, parking surfaces, etc.) that do not require a certificate of occupancy and that remain incomplete at the time of final approval and acceptance of a proposed subdivision (resulting from the approval of a PRUD) from the board of county commissioners. The applicant or developer shall complete all improvements according to the approved phasing component of an open space preservation plan.

(5) *Maintenance.* The open space parcel owner, whether an individual or an association, shall use, manage, and maintain the owner's parcel in a manner that is consistent with the open space preservation plan approved under subsection (1), and the agriculture, forest, or other type of preservation easement executed under subsection (3).

Sec. 108-5-7. - Submission of application.

(a) An application for a planned residential unit development shall be to the planning commission and shall be accompanied by an overall development plan, including an open space preservation plan, showing uses, dimensions and locations of proposed structures, areas reserved for public uses such as schools and playgrounds, landscaping, recreational facilities, areas reserved and proposals for accommodating vehicular and pedestrian circulation, parking, etc., development phases, and architectural drawings and sketches demonstrating the design and character of the proposed development.

(b) Additional information shall be included as may be necessary to determine that the contemplated arrangement of uses make it desirable to apply regulations and requirements differing from those ordinarily applicable under this chapter.

Sec. 108-5-8. - Planning commission consideration.

In considering the proposed planned residential unit development, the planning commission shall consider:

- (1) The architectural design of buildings and their relationship on the site and development beyond the boundaries of the proposal.
- (2) Which streets shall be public and which shall be private; the entrances and exits to the development and the provisions for internal and external traffic circulation and off-street parking.
- (3) The landscaping and screening as related to the proposed uses within the development and their integration into the surrounding area.
- (4) Lighting and the size, location, design, and quality of signs.
- (5) The residential density of the proposed development and its distribution as compared with the residential density of the surrounding lands, either existing or as indicated on the zoning map or general plan proposals of the county as being a desirable future residential density.
- (6) The demonstrated ability of the applicant to financially carry out the proposed project under total or phase development proposals within the time limit established.

Sec. 108-5-9. - Planning commission action.

The planning commission, after considering applicable codes and any anticipated detrimental effects, may recommend an approval, recommend an approval with conditions, or recommend denial of the PRUD to the county commission.

Sec. 108-5-10. - County commission action.

The county commission, after holding a public meeting, may approve or disapprove the application for a PRUD. If approving an application, the county commission may attach conditions as it may deem necessary to secure the purposes of this chapter. Approval of the county commission, together with any conditions imposed, constitutes approval of the proposed development as a conditional use in the zone in which it is proposed.

Sec. 108-5-11. - Land use permit issuance.

The planning division shall not issue any land use permit for any proposed building, structure, or use within the project unless such building, structure, or use complies with the approved plans and any conditions imposed. Approved development plans shall be filed with the planning division, building inspector and county engineer.

Sec. 108-5-12. - Time limit.

Unless substantial action has been taken, leading toward completion of a PRUD or an approved phase thereof, within a period of 18 months from the date of approval, the approval shall expire unless an extension, not to exceed six months, is approved by the planning director. Upon expiration, the land and structures thereon, if any, may be used for any other permitted use in the zone in which the project is located. Reserved open space shall be maintained where necessary to protect and blend existing structures into alternate land use proposals after abandonment of a project.

...

Title 108 - STANDARDS

...

CHAPTER 5. - RESERVED.^[c3] ~~PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD)~~

1 **Title 101 - GENERAL PROVISIONS**

2 ...

3 **Sec. 101-1-7. - Definitions.**

4 ...

5 *Building envelope.* The term "building envelope" means a portion of a lot, parcel, or tract of land which is
6 to be utilized as the building site as may be required by the cluster subdivision ordinance or as otherwise
7 volunteered on a subdivision plat. "Building envelope" shall not be construed to mean "buildable area"
8 as provided in this section.

9 *Building, height of.* The ~~term phrase~~ "height of building," or any of its variations, normally means the
10 vertical distance between the highest point of the building or structure and the average elevation of the
11 land at the exterior footprint of the building or structure using the finished grade. See Section 108-7-5 for
12 supplemental height provisions. ~~from the average of the highest natural grade and the lowest natural~~
13 ~~grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the~~
14 ~~highest point of the ridge of a pitch or hip roof.~~

15 *Building, main.* The term "main building" means the principal building or one of the principal buildings
16 located on a lot or parcel designed or used to accommodate the primary use to which the premises are
17 devoted. Where a permissible use involves more than one structure designed or used for the primary
18 purpose, as in the case of apartment groups, each such permitted building on one lot as defined by this
19 title shall be deemed a main building.

20 ...

21 *Glare.* The term "glare" means light, originating from a direct artificial light source, or any light reflected
22 off a reflective surface, that causes visual discomfort or reduced visibility.

23 ~~*Grade, natural/existing (adjacent ground elevation).* The term "grade, natural/existing (adjacent ground~~
24 ~~elevation)" means the lowest point of elevation of the finished surface of the natural ground, paving or~~
25 ~~sidewalk within the area between the building and the property line or, when the property line is more~~
26 ~~than five feet from the building, between the building or structure and a line five feet from the building or~~
27 ~~structure.~~

28 *Grade, finished.* The term "finished grade," or any of its variations, means the final slope of the ground
29 after being altered from natural grade.

30 *Grade, natural.* The term "natural grade," or any of its variations, means the slope of the ground as it
31 existed immediately prior to any grading or recontouring done as part of or in anticipation of approval of
32 a land use permit.

33 *Guest house.* The term "guest house" means a separate dwelling structure located on a lot with one or
34 more main dwelling structures and used for housing of guests or servants and not rented, leased, or sold
35 separate from the rental, lease or sale of the main dwelling.

36 ...

37 *Quasi-public.* The term "quasi-public" means the use of premises by a ~~public~~-utility, the utility being
38 available to the general public, such as utility substations and transmission lines (see also "utility"); also
39 a permanently located building or structure, together with its accessory buildings and uses, commonly
40 used for religious worship, such as churches and monasteries.

41 ...

42 *Utility.* The term "utility" means utility facilities, lines, and rights of way related to the provision,
43 distribution, collection, transmission, transfer, storage, generation or disposal of culinary water,
44 secondary water, irrigation water, storm water, sanitary sewer, solid waste, oil, gas, power, information,
45 telecommunication, television or telephone cable, electromagnetic waves, and electricity. See also
46 "quasi-public."

47 Public utility substation. The phrase “public utility substation” means an unattended building or structure
48 designed for the provision of services of a public or quasi-public utility, excluding utility transportation lines
49 and incidental supports and their rights-of-way.

50 ...

51 Structure. The term "structure" means anything constructed or erected which requires location on the
52 ground or attached to something having a location on the ground.

53 Structure, height of. The phrase “height of structure,” or any of its variations, shall have the same
54 meaning as “height of building” as defined in this Section.

55 ...

56 Tower. The term "tower" means a structure that is intended to support antennas for transmitting or
57 receiving wireless signals including but not limited to television, cellular, radio, or telephone
58 communication signals. A tower is also a “public utility substation” as defined in this section.

59 ...

60 **Title 108 - STANDARDS**

61 ...

62 **CHAPTER 7. - SUPPLEMENTARY AND QUALIFYING REGULATIONS**

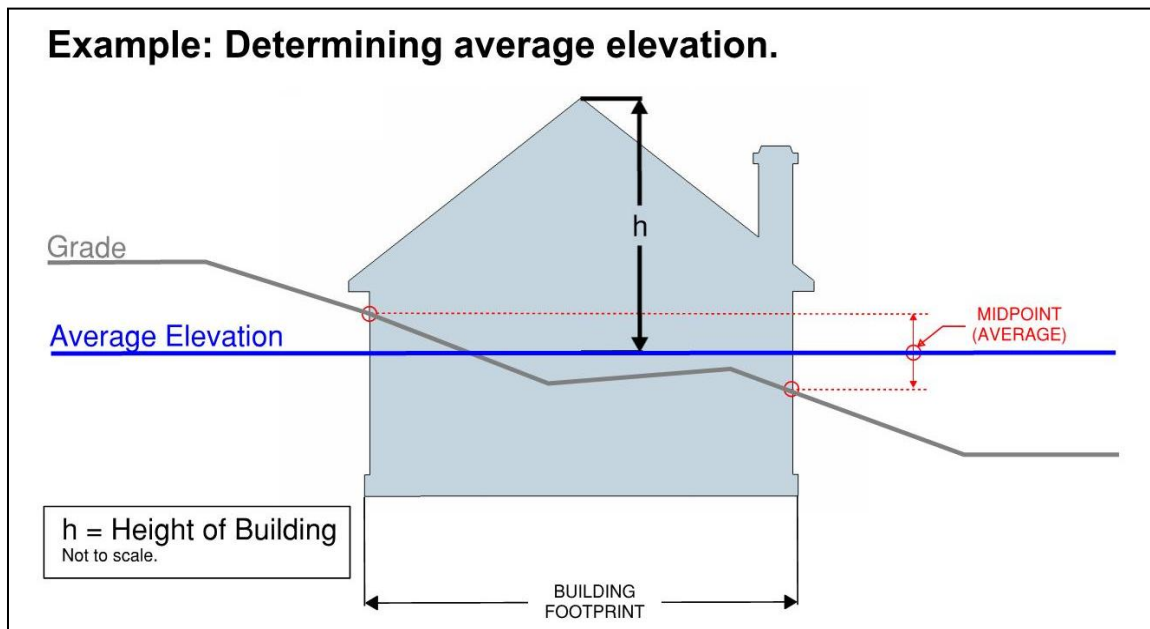
63 ...

64 **Sec. 108-7-5. - ~~Exceptions to height~~ Building or structure height limitations requirements.**

65 (a) Measuring height. For the purpose of determining “height of building,” as defined in Section 101-1-7,
66 the following shall apply:

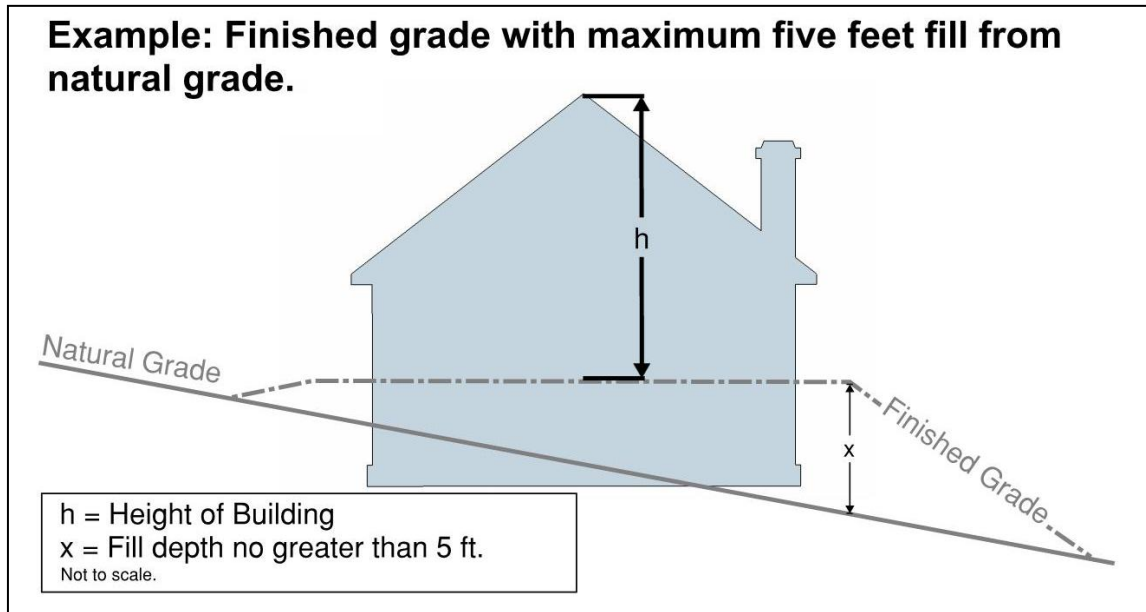
67 (1) Average elevation. Average elevation shall be determined by averaging the highest elevation and
68 the lowest elevation at the exterior footprint of the building or structure, including any support
69 posts that require a footing. An alternative means of calculating average elevation may be
70 approved by the Planning Director for an individual building if it follows industry best practices and
71 is proposed by a licensed surveyor, engineer, or architect.

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(2) Fill affecting building height. Except as provided in this subsection, when grading a site to obtain the finished grade, as defined in Section 101-1-7, no fill may exceed five vertical feet at any point from the site's natural grade, as also defined in 101-1-7.

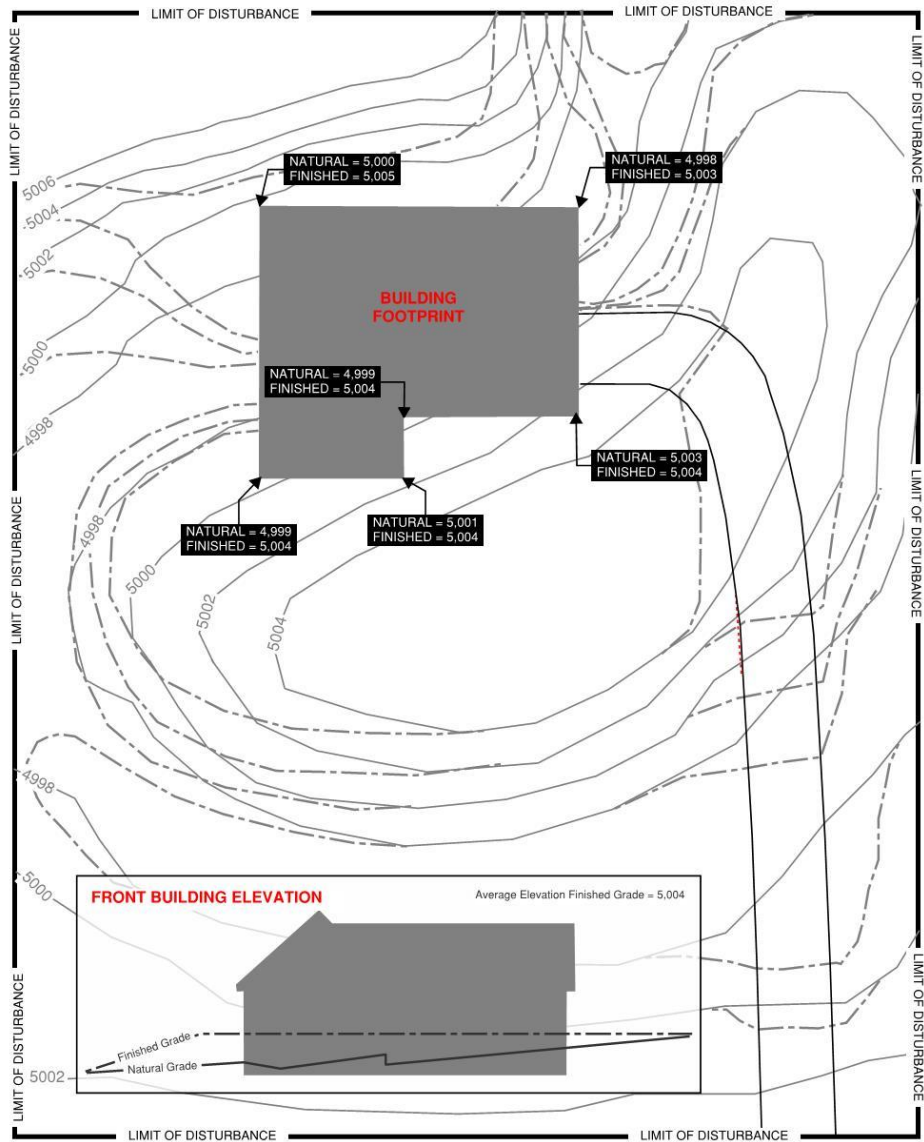


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- a. Additional fill is allowed if required by county, state, or federal law, or to meet the standards of the National Flood Insurance Program. In this case the fill shall be no higher than the minimum of the other regulation or standard; or
- b. If the building or structure is within 75 feet of a public or private street upon which its lot or parcel has frontage, fill is allowed that will provide an average elevation of finished grade that is equal to the elevation of the street. In this case, the street's elevation shall be determined to be at the midpoint of the lot's front lot line. If on a corner lot the elevation of both streets at the midpoint of each lot line shall be averaged.

(3) Site plan submittal requirements. A site plan shall contain both existing and proposed topographic contours at two foot intervals for the entire limits of disturbance, unless more is required by another section of this Land Use Code or by the Planning Director or County Engineer for the purpose of determining compliance with other laws or standards. Grading that is proposed across lot or parcel lines shall require the consent of all affected owners. Building elevation drawings shall display natural grade and finished grade, and shall present the finished grade's elevation at each corner of the building. This requirement may be waived by the Planning Director or County Engineer for sites that are relatively flat, or if evidence is presented that clearly show the proposed structures will not exceed the maximum height of the zone.

Example: Site plan showing existing and proposed topographic contours and building elevation drawing showing natural and finished grade.



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95 (b) Roof structure height exception. Penthouse or roof structures for the housing of elevators, stairways,
96 tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or
97 parapet walls, skylights, cupolas, solar panels, steeples, flagpoles, chimneys, smokestacks, water
98 tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the
99 height limit of the zone in which they are located, but no space above the height limit shall be
100 allowed for the purpose of providing additional floor space, and at no time shall the height be greater
101 than 15 feet higher than the maximum height of the zone. ~~and if in proximity to an airport, no~~
102 ~~heights exceptions are permitted above the maximum allowed under airport height regulations.~~

103 (b) All exceptions to height shall be subject to applicable design review requirements and all mechanical
104 equipment shall be screened by materials consistent with those used on the exterior of the main
105 building.

106 (c) Air traffic height conflicts. If in proximity to an airport, no building or structure or other appurtenance
107 is permitted above the maximum height allowed by the Federal Aviation Administration, or other
108 applicable airport or airspace regulation.

109 (d) Minimum height of a dwelling. Unless on a lot or parcel five acres or greater, no dwelling shall be
110 erected to a height less than one story above natural grade.

111 **Sec. 108-7-6. - ~~Minimum height of dwelling~~Reserved.**

112 ~~No dwelling shall be erected to a height less than one story above natural grade.~~

113 ...

114 **Sec. 108-7-12. - ~~Reserved Towers.~~**

115 ~~(a) — No commercial tower installation shall exceed a height equal to the distance from the base of~~
116 ~~the tower to the nearest overhead power line by less than five feet.~~

117 ~~(b) — A tower that exceeds the height limitation of the zone in which it is to be located as permitted~~
118 ~~by section 108-7-5, shall be considered a conditional use.~~

119 ~~(c) — In all zones, except in commercial and manufacturing zones, towers shall not be located within~~
120 ~~the minimum front yard setback of any lot, nor within the minimum side yard setback facing a street on a~~
121 ~~corner lot, nor on the roof of a residential structure.~~

122 ~~(d) — A building permit shall be required for a tower. An application for a permit shall include~~
123 ~~construction drawings showing the method of installation and a site plan depicting structures on the~~
124 ~~property and on any affected adjacent property and a structural engineering certification by a registered~~
125 ~~structural engineer from the state.~~

126 **CHAPTER 10. - PUBLIC BUILDINGS AND PUBLIC UTILITY SUBSTATIONS ~~OR STRUCTURES~~**

127 **Sec. 108-10-1. - Location.**

128 The location and arrangement of public buildings and public utility substations ~~or structures~~ will comply
129 with requirements set forth in this chapter and will be in accordance with construction plans submitted
130 to and approved by the planning commission.

131 **Sec. 108-10-2. - Site development standards for public utility substation ~~or structure.~~**

132 (a) Lot area, width, setback, and street frontage regulations. The lot area, width, ~~depth,~~ setback, and
133 street frontage regulations for ~~an unmanned culinary or secondary water system facility, storage~~
134 ~~tank, or well house; unmanned sanitary sewer system facility; unmanned oil or natural gas pipeline~~
135 ~~regulation station; unmanned telecommunication, television, telephone, fiber optic, electrical facility;~~
136 ~~or other unmanned utility service regeneration, transformation, or amplification facility~~ a public utility
137 substation, as defined in Section 101-1-7, are as follows:

138 (1) *Lot area and lot width.* No minimum lot area or width, provided that the lot or parcel shall contain
139 an area and width of sufficient size and dimension to safely accommodate the utility facility or
140 use, any necessary accessory use, any landscaping required by this Land Use Code, the
141 required setbacks, and space to park two maintenance vehicles.

142 (2) *Front yard setback.* Front yard setback requirement may be reduced to no less than ten feet if
143 the lot does not directly front on a public or private street right-of-way, provided that ~~the~~ no
144 substation ~~or structure~~ shall be located closer to a public or private street right-of-way than the
145 minimum front yard setback of the zone, or 20 feet, whichever is more restrictive.

146 (3) *Side yard setback.* The side yard setback requirement shall comply with the typical setback
147 specified in the applicable zone regulating the property.

148 (4) *Rear yard setback.* The rear yard setback requirement may be reduced to the following:

149 a. In a residential zone: five feet.

150 b. In an agricultural zone: ten feet.

- 151 c. In a forest zone: 20 feet.
- 152 d. In a zone not specifically listed above: typical zone setback as provided in the chapter for
- 153 that zone.
- 154 (5) Street Frontage. No frontage is required along a public right-of-way if clear and legal access
- 155 exists from a public right of way to the site for the purpose of the utility use.
- 156 (b) Co-location. Co-location of a public utility substation with other existing public utility substations is
- 157 required provided that the co-location does not cause interference with any public utility, or the
- 158 reasonable operation of the public utility substation.
- 159 (c) Towers. The following regulations govern the installation of public utility substation towers:
- 160 (1) Tower distance from overhead power. The height of a tower shall be one foot less than the
- 161 linear distance between the base of the tower and the nearest overhead power line, or lesser
- 162 height.
- 163 (2) Tower setbacks. In all zones, except in commercial and manufacturing zones, a tower shall not
- 164 be located within the minimum front yard setback of any lot, nor within the minimum side yard
- 165 setback facing a street on a corner lot, nor on the roof of a residential structure.
- 166 (3) Tower building permit. A building permit shall be required for a tower. An application for a permit
- 167 shall include construction drawings showing the method of installation and a site plan depicting
- 168 structures on the property and on any affected adjacent property and a structural engineering
- 169 certification by a registered structural engineer from the state.
- 170 (4) Tower disguise. A public utility substation tower may exceed the maximum height allowed in the
- 171 zone. A public utility substation tower that exceeds 35 feet and which cannot be reasonably co-
- 172 located on an existing tower shall be disguised so that the average person cannot discern that it
- 173 is a public utility substation from a distance greater than 200 feet.
- 174 a. With the exception of part b.1. herein, the disguise shall be constructed of painted, stained,
- 175 sandblasted or carved wood, log timbers, brick, stone, textured concrete or similar material.
- 176 Glass, metal, or metallic leaf, which is painted, anodized, or otherwise treated to prevent
- 177 reflective glare may also be used. Copper, brass, wrought iron, and other metals may
- 178 remain untreated and allowed to develop a natural patina. Support structures shall use
- 179 natural, muted earth-tone colors including browns, black, grays, rusts, etc. White shall not be
- 180 used as a predominant color, but may be used as an accent.
- 181 b. The disguise shall be designed by a licensed architect and shall:
- 182 1. replicate natural features found in the natural environment within 1000 feet such that the
- 183 average person cannot discern that it is not a natural feature from a distance greater
- 184 than 200 feet. If it replicates vegetation it shall be located no greater than 20 feet from,
- 185 and be no greater than ten feet taller than, three other native plants of the same species.
- 186 Any proposal for new vegetation intended to satisfy this requirement shall:
- 187 i. be located no more than 1000 feet from the same species naturally occurring in the
- 188 area;
- 189 ii. cluster the new planting around the tower in a natural-appearing manner; and
- 190 iii. demonstrate sufficient availability of soil nutrients and soil moisture necessary for
- 191 species survival. A planting that dies shall be replaced no later than fall or spring,
- 192 whichever comes first, with a plant of equal or greater size as the originally proposed
- 193 planting.
- 194 2. architecturally replicate structures that are commonly accessory to onsite agricultural
- 195 uses;
- 196 3. if in a village area as depicted in the Ogden Valley General Plan's Commercial
- 197 Locations and Village Areas map, architecturally replicate structures that were

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commonly found in historic old-west or western mining towns prior to 1910, excluding poles, structures, or other features that were used for overhead utilities; or

4. if in an area governed by a master plan or development agreement that contains a specific architectural theme, replicate architectural structures that support the architectural theme.

c. The requirement for the disguise may be waived by the appropriate land use authority in cases where the disguise is inconsistent with existing or future-planned land uses onsite or in the area.

MEMORANDUM

To: Western Weber Planning Commission
From: Charles Ewert, AICP
Date: December 29, 2017
Subject: General Plan Review and Training

Planning Commissioners,

If there is time at the end of our work sessions on January 9, 2018 I would like to continue our review and training regarding existing planning documents, their relationships, and their implementation status.

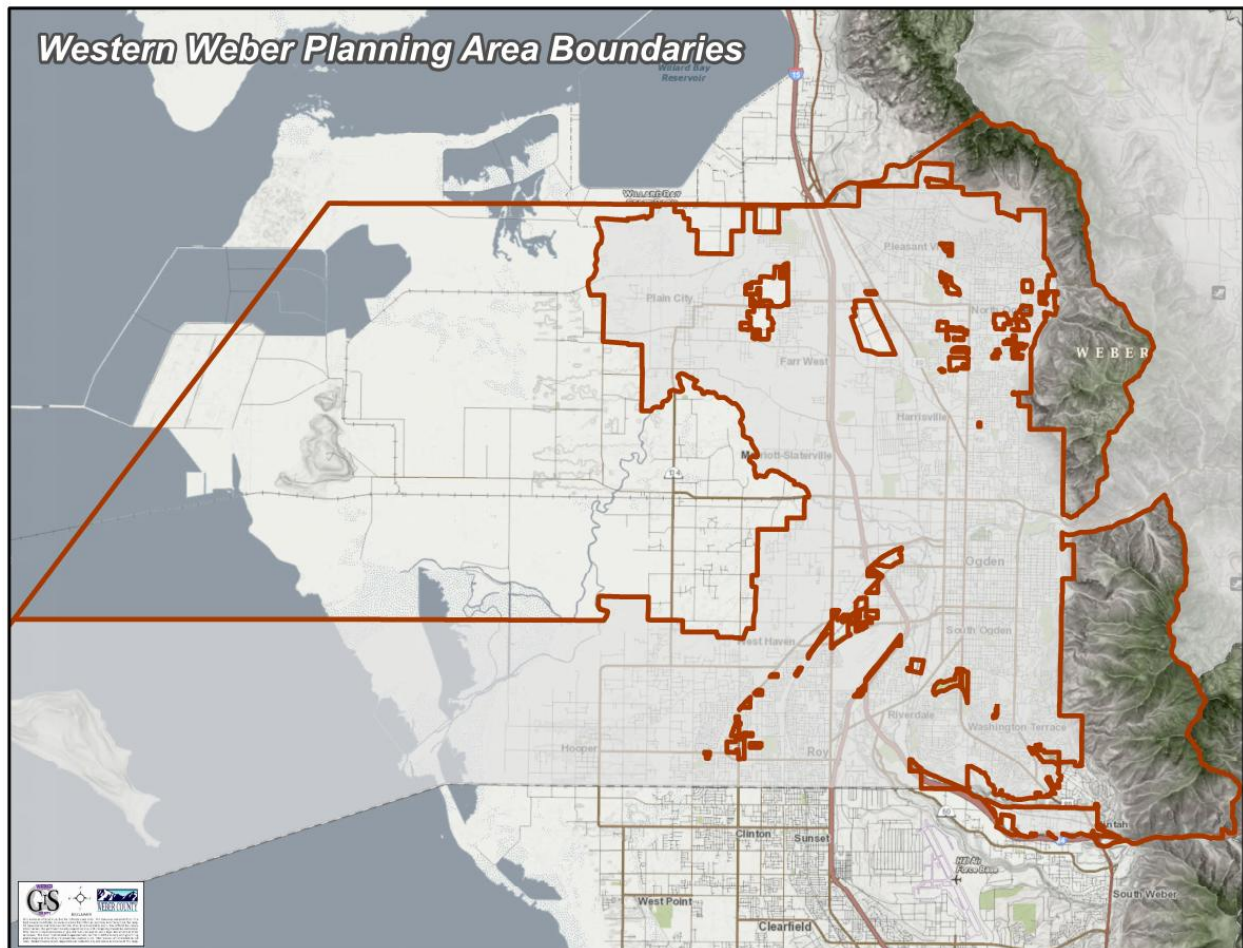
Please bring your copies of your general plan documents and see the attached. If are missing anything please email me and I will be sure I have another copy for you.
cewert@co.weber.ut.us.



Western Weber Planning Advisory Area

Analysis of current status of General Plan implementation
September 12, 2017

This outline offers a basic training guide and analysis of the general plan documents of the Western Weber Planning Advisory Area. It highlights basic concepts found in the plan elements and annotates complete and incomplete implementation strategies.



The plan documents outlined herein are:

- State Code
- West Central Weber County General Plan (2003)
- Weber County Housing Assessment and Plan 2012-2014
- Western Weber County Resource Management Plan (2017)
- South East Planning Area Master Plan (1970)

State Code §17-27a-4

§17-27a-401

- Requires the adoption of a general plan for present and future needs of the County, for growth and development of all or any part of the land within the unincorporated portions of the County, and as a basis for communicating and coordinating with the Federal Government on land and resource management issues.
- The general plan is **required to contain** a resource management plan.
- Offers specific requirements if a County is to offer location of a nuclear waste storage or transfer facility.

§17-27a-402

- Specifies the State's responsibility to assist the County in obtaining information.

§17-27a-403

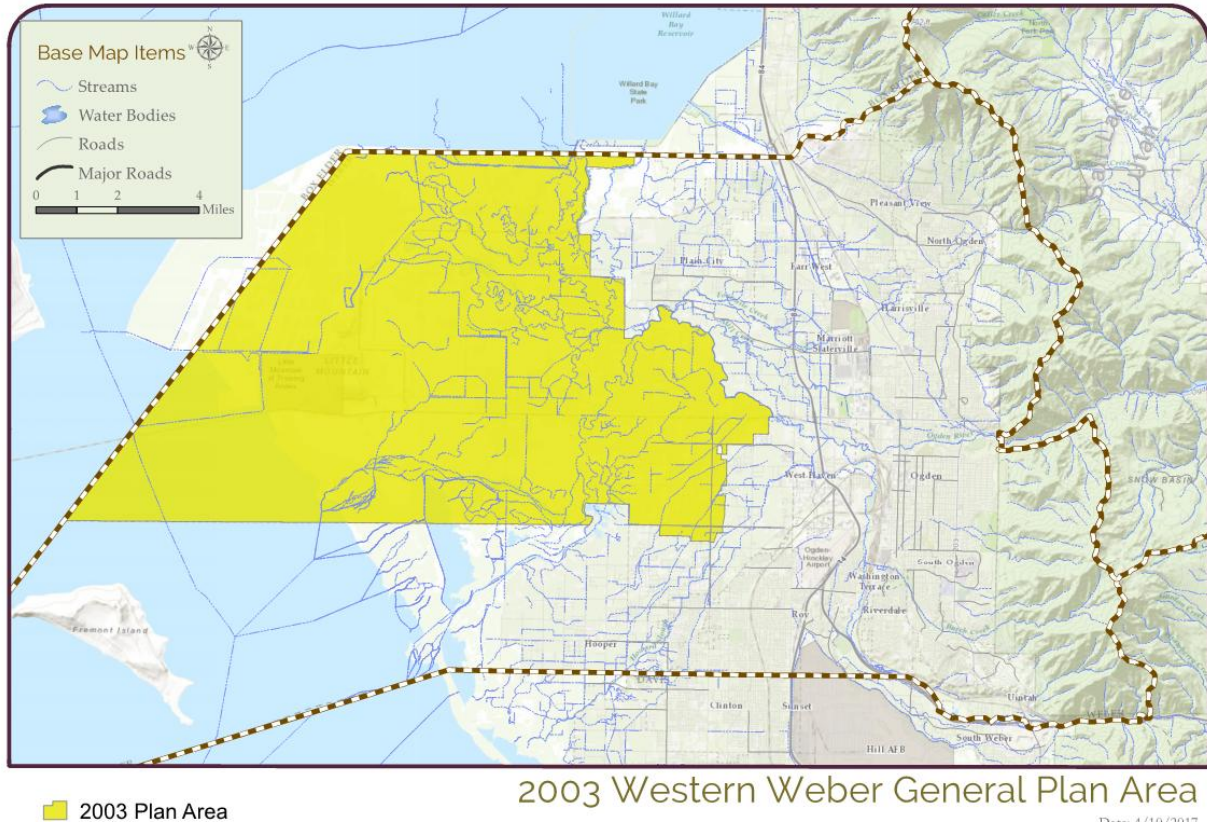
- *"The planning commission shall make and recommend to the legislative body a proposed general plan..."*
- If a County's plan only pertains to unincorporated areas (unless a municipality also adopts it).
- The general plan is **required to contain** the following elements:
 - Land use element
 - Transportation element
 - Moderate income housing element
- The general plan **may (but is not required to)** also address the following elements:
 - **Environmental element**, including the protection, conservation, development, and use of natural resources, including the quality of air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources; the reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards.
 - **A public services and facilities element**, including sewage, water, waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them, police and fire protection, and other public services.
 - **A rehabilitation, redevelopment, and conservation element**, including historic preservation, elimination of blight, and redevelopment of land.
 - **An economic element** including review of existing and projected county revenue and expenditures, revenue sources, identification of basic and secondary industry, primary and secondary market areas, employment, and retail sales activity

§17-27a-404

- Specifies public hearing requirements for the adoption of the plan and the process for the County Commission to adopt the plan.

§17-27a-405 - §17-27a-409 Address the general effects of the general plan

West Central Weber County General Plan (2003)



Chapter 1, Introduction (p. 1-1)

- This section offers introductory information and general statistical data used to create the plan. It specifies details regarding the purpose of the plan, the public process, and issues identified during the public process. It also contains the plan's vision statement:

Vision (p. 1-6):

“West Central Weber County is a place that values and protects its rural character, lifestyle, and atmosphere, manages growth to strike a balance between preservation and development, provides the necessary and desired community services to assure a high standard-of-living to its residents, encourages safe, efficient, and varied transportation systems, maintains a community that is safe from environmental hazard and criminal activity.”

- p. 1-6 – p. 1-8 offers detail about the breadth and importance of each part of the vision statement.

Chapter 2, Land Use Element (p. 2-1)

- p. 2-1 – p. 2-5: Offers a snapshot assessment of land uses as they existed in 2003.
- p. 2-5 – p. 2-6: Offers a review of zoning as it existed in 2003.
- p. 2-6: Compares 2003 and uses with 2003 zoning and concludes that they are generally consistent. However, it also concludes that there is not zoning in the planning area that offers protection of the areas “rural character” and is therefore inconsistent with the plans vision statement.
- p. 2-7 – p. 2-10 present two alternative growth scenarios that were presented to the public during the planning process.
- p. 2-11 – p. 2-18 synthesizes the public’s responses to the two alternative growth scenarios into one “*preferred future.*” In essence, this growth scenario documents that even though the public has a future vision based the preservation of their current “rural character,” there was little support for implementation of tools necessary to keep the community rural.
 - No support for downzoning (making minimum lot sizes larger).
 - Agricultural protection areas are not agricultural preservation areas – land owner can remove a protection area at any time of their choosing.
 - No support to direct growth into specific growth centers while allowing open spaces to exist in others.

“This presents a dichotomy of interests regarding density and lot sizes in the region. On one end of the spectrum land owners are seeking higher density for greater development opportunity. On the other end, many existing residents desire a continuation of 1 unit per acre, 1 unit per 2 acre, and 1 unit per 3 acre densities to maintain animal rights, and to keep separation between housing units. Some residents favor the option to cluster this density onto smaller lots to maintain some open space within developing areas. Others are less favorable of a cluster option, arguing that lots below one acre are too small for the desired character of the area. Public hearing comments also indicated a desire to see a continuation of agricultural landscapes, although many who enjoy the views of agriculture do not own or operate farmland, and do not rely on their land for a future retirement.” (p. 2-11)

- p. 2-11 – p. 2-12: This dichotomy led to ‘the big punt.’ The plan advocates for growth at the status quo unregulated growth patterns until a time where there are more dwelling units in the area. Base on 2020 projected growth, the plan set a “trigger” for a new plan to be initiated. That trigger is the creation 580 new homes.

Note: Since 2003, approximately 410 permits for new single family dwellings have been issued. The number of new subdivision lots approved or in process in 2017 alone equals 291 (not including the 316 Terakkee Village and Farms entitlements).

- P. 2-12 – p. 2-18: Land use element policy and implementation status:

Residential Land Uses – Policy or implementation strategy:	Status:
<p>Policy: When 580 building permits have been issued in the plan area, there is automatically “triggered” an update of the West Central Weber County General Plan. The “wait and see” approach is difficult to manage without a trigger to start the updated planning effort. The trigger allows residents and planning commissioners to re-look and reevaluate their direction, to make a change if desired, and to take into account new information as it becomes available.</p>	In progress.
<p>Policy: The existing one and two-acre zoning lends itself to a cluster subdivision pattern of development with preservation of open space...</p> <p>Implementation Action: Create an overlay in all A-1, A-2, and A-3 zones in the West Central Weber County area. The intent is to encourage clustering, which is further explained in the following example on a 20 acre parcel.</p>	<p>Complete.</p> <p>The new cluster subdivision ordinance generally implements this strategy. Although the plan advocates for more cluster density.</p>
<p>Policy: Managed Open Space (part 1)</p> <ul style="list-style-type: none"> • Agricultural conservation • Homeowner’s association. • Dedication to County 	<p>Complete.</p> <p>The new cluster subdivision ordinance generally implements this strategy.</p>
<p>Policy: Managed Open Space (part 2)</p> <p>An optional consideration is provided, in which a retained open space parcel no smaller than 20 acres may be sold as a single family residence, thus creating an “estate”. In this case the single-family owner is responsible for management and maintenance of the 20 acre or larger parcel, may use it for agricultural or other open space uses, but may never develop it further due to the conservation easement. This provides an opportunity for the farmer/rancher/dairyman to either live on the property (20 acres or larger) or sell the estate to another individual.</p>	Not implemented.

Commercial Land Use – Policy or implementation strategy:	Status:
<p>Policy: Commercial Development Direct new commercial development to contiguous parcels at the intersection of 1200 South and 4700 West. To accommodate approximately 50,000 to 94,000 square feet of retail space, a maximum of 15 acres of commercial development is permitted.</p> <p>Implementation Action: As new commercial development is proposed, properties should be rezoned to C-1.</p> <p>Implementation Action: Rezone the existing C-2 properties to C-1.</p>	<p>Not implemented.</p> <p>Land owners in the area have commercial options. Some are scoping possibilities at this time.</p>

Manufacturing Land Use – Policy or implementation strategy:	Status:
<p>Policy: Industrial Development</p> <p>Any new industrial uses should be directed to existing planned and zoned industrial areas. Industrial uses that are non-polluting and which do not harm the environment, the health and safety of residents, or create nuisances for nearby property owners are favored.</p> <p>Implementation Action: Eliminate permitted single-family residential uses in all manufacturing zones in this area to reduce potential conflicts between residential and agricultural uses, and manufacturing uses. If this is not consistent throughout Weber County, it may require new zones or an amendment that specifically states it applies to the West Central Weber County area.</p> <p>Implementation Action: Rezone approximately 20 acres along the Union Pacific Railroad, which is not contiguous to the existing major manufacturing zone, currently zoned M-1 to A-2 or A-3. This eliminates an isolated manufacturing parcel that is surrounded by property zoned A-2 or A-3.</p> <p>Implementation Action: Improve access to the existing industrial area by improving 1200 South Street or developing an additional access road.</p>	<p>Not implemented.</p> <p>Unknown.</p> <p>Completed with the 12th street rebuild.</p>

Agricultural Land Use – Policy or implementation strategy:	Status:
<p>Policy: Agricultural Protection – Encourage property owners who are engaged in agricultural production and business to expand agricultural protection areas whenever possible, and encourage additional property owners to commit their property to agricultural protection.</p>	<p>Ongoing:</p> <ul style="list-style-type: none"> • Agritourism ordinance • Agricultural open space via cluster subdivision
<p>Policy: Agricultural Preservation – Encourage farmers to sell development density to developers interested in developing at higher densities near developing sewer infrastructure. Work with property owners and Utah Open Lands, The Nature Conservancy, or other conservation organization toward obtaining conservation easements or other agreements that permanently preserve agricultural lands into active production.</p>	<p>Not implemented.</p>

Trails – Policy or implementation strategy:	Status:
<p>Policy: Off-street Bicycle and Pedestrian Paths</p> <p>Trails are highly desired amenities for communities. As primary roads are improved, separated bicycle and pedestrian trails should be included. The community is rural and does not have sidewalks, so it is important to provide safe paths for children going to and from school, and for the enjoyment of residents and the many others who bicycle and walk in the area.</p> <p>Implementation Action: Work with Weber Pathways Committee, UDOT, property owners, local transportation agencies, and others affected to identify an alignment for trails and to secure funding for trails development. Coordinate with adjacent communities and their trail development plans. Typical separated multi-purpose, paved and un-paved trail cross-sections follow.</p>	<p>Complete and ongoing.</p> <ul style="list-style-type: none"> • Weber pathways cooperative plan • Impact fees for specific trails • New expanded trail plan in the CRMP • Ongoing partnership with UDOT to identify trail opportunities. • Organization and ongoing coordination of the Weber Active Transportation Committee.
<p>Policy: Equestrian Trails</p> <p>The rural quality of the area and the abundance of horses used for leisure activity indicates that equestrian trails are highly desired and will be used. The loop system shown on the plan should be implemented with developed trailheads.</p> <p>Implementation Action: Work with Weber Pathways Committee, local equestrian interests, property owners, and others affected to secure</p>	<p>Not implemented.</p>

funding for development of equestrian trails and trailhead facilities.

Policy: Trails Development on Private Property

Trails development shall not occur on private property unless the consent of the owner is received.

Ongoing.

Policy: Trails Development on Canal Rights-of-Way

Canals are routinely identified as trail corridors throughout Utah and the West, and are appropriate locations for trails in West Central Weber County.

Ongoing coordination between County and Weber Pathways.

Implementation Action: The Weber Pathways organization is the leading grass-roots organization promoting the development of trails in Weber County. Weber Pathways should take the lead in securing access rights to canal rights-of-way for use as pedestrian, bicycle, and equestrian trails.

Wildlife/waterfowl management areas – Policy or implementation strategy:

Status:

The existing wildlife and waterfowl management areas are zoned S-1 and remain unchanged.

Complete.

Schools – Policy or implementation strategy:

Status:

Schools Policy: As development occurs in the West Central Weber County area, new schools will be needed and should be planned.

Ongoing.

Implementation Action: Work with Weber School District to identify additional future locations for schools, as growth in the area demands.

Parks – Policy or implementation strategy:

Status:

Parks Policy: As development occurs in the West Central Weber County area, new public parks will be needed and should be planned, and generally located adjacent to new schools.

Ongoing.

Implementation Policy: Work with Weber School District to locate additional public parks adjacent to schools, and negotiate joint management and maintenance agreements for shared facilities.

- New parks district as recently voted by public.

- Following p. 2-18 are the following maps
 - Existing Land Use Map, which shows land uses as they were in 2003.
 - Prime Agriculture and Agricultural Protection Map, which shows the agricultural land as it was in 2003
 - Existing Zoning Map, which shows zoning as it was in 2003.
 - Proposed Land Use Map, which shows the land uses that this plan should implement.

Chapter 3, Transportation Element (p. 3-1)

- p. 3-1: Offers an assessment of transportation systems as they existed in 2003.
- p. 3-1 – p. 3-2: projects transportation needs and identifies essential transportation projects based on Wasatch Front Regional Council’s Regional Transportation Plan (RTP).
- p. 3-2: Applies the transportation projections to the alternative growth scenarios mentioned in the land use element. I found that there was no significant difference in transportation needs between the two.
- p. 3-3 – p. 3-5: Transportation element policy and implementation status:

Transportation – Policy or implementation strategy:	Status:
<p>Policy: Road Improvements 1200 South</p> <p>Turn lanes at major intersections as well as wider shoulders on 1200 South will improve overall safety on the road, and should help to alleviate issues related to slow-moving vehicles such as tractors. Included within an improved cross-section for 1200 South is a multi-purpose trail.</p> <p>Implementation Action: Weber County should begin preserving right-of-way and requiring sufficient setbacks along this transportation facility to accommodate future expansion of these facilities.</p>	<p>Partially complete.</p> <p>12th Street under construction. Transportation studies only justify three lanes on 12th street at this time, not five.</p> <p>§108-7-10 requires increased setback to preserve ROW corridor.</p> <p>The plan also calls for a multiuse trail parallel to 12th street, which has not been implemented.</p>
<p>Policy: Road Improvements 4700 West</p> <p>While traffic capacity on this road is not of concern, safety is. The addition of turn lanes at major intersections and shoulders would help to alleviate safety concerns in the corridor.</p> <p>Implementation Action: Weber County should begin preserving right-of-way and requiring sufficient setbacks along this transportation facility to accommodate future expansion of these facilities.</p>	<p>Complete.</p> <p>4700 West is not a County right-of-way. The County has limited control.</p> <p>§108-7-10 requires increased setback to preserve ROW corridor.</p>
<p>Policy: Commercial Development Road Improvements</p> <p>With commercial development planned at the intersection of 1200 South and 4700 West, driveway spacing and possible shared access should be examined during the development approval process.</p> <p>Implementation Action: As commercial development is proposed, require access control actions such as shared driveways, master planned commercial development, and other means to reduce the number of access points onto 1200 South and 4700 West.</p>	<p>In progress.</p> <p>This will be completed as commercial development occurs in the area.</p>
<p>Policy: Transportation and Residential Development</p> <p>As West Central Weber County begins to see increasing residential</p>	<p>Complete.</p> <p>This is implemented in the</p>

development, impacts of that development should be carefully examined.

Although the population increase in the area is not expected to impact traffic congestion in the area, the impacts of development on internal circulation and access issues on major roads are potential issues. Driveway spacing, increased turn movements, and safety concerns such as turn lanes and shoulders are in important part of the future of the West Weber County area.

design standards, conditional use permit standards, and subdivision review standards.

Implementation Action: As part of the development review and approval process, take into consideration impacts to roadways caused by access to new residential development areas.

Policy: Alternative North/South Roadway Corridors

North/south corridors shall be improved including 4700 West, 5100 West, and 3500 West south of 1200 South. Weber County has been preserving approximately 100 feet of right-of-way along 4700 West with plans to upgrade that facility to a four or five lane arterial. A similar approach is needed for 5100 West and 3500 West.

In progress.

3500 West complete.

Policy: Alternative Road to Industrial Area

The County should identify and preserve a 66-foot right-of-way to accommodate a three-lane facility in the southern part of the study area.

Options for this alignment include the 2550 South alignment, tying into the existing 2100 South interchange on I15, 2100 South coming out of West Haven, or some other acceptable alignment. Coordinate with West Haven and UDOT.

In progress.

2550 reconstruction being planned at this time.

Policy: Transportation Impact Fees

As development pressures increase, Weber County should consider implementing an impact fee program to assist in minimizing the impacts of development, and as a growth management tool, allowing the County to better define areas where development will be encouraged and discouraged.

Complete.

This was completed in 2005.

Implementation Action: Complete an impact fee feasibility study for new roads and other public infrastructure (water, sewer, parks), which are needed because of new development.

Due to state code changes, a new Impact Fee Analysis and Impact Fee Facilities Plan is necessary, and is currently in the works.

Implementation Action: Weber County should pursue the use of transportation impact fees to fund development related infrastructure. The County should consider preparing a capital facilities plan in preparation for the use of impact fees.

- Following p. 3-5 is the following map:
 - Transportation Map, which shows the planned road improvements as of 2003.

Chapter 4, Sensitive Lands Element (p. 4-1)

- p. 4-1 – p. 4-4: Provides a brief analysis of slopes, soils, wetlands, stream and river corridors, flood plains, and liquefaction hazards.
- p. 4-3 – p. 4-4: Sensitive lands element policy and implementation status:

Sensitive Lands – Policy or implementation strategy:	Status:
<p>Policy: Sensitive Area Management Planning</p> <p>Weber County should begin working with the Corps of Engineers and other local governmental agencies to fund a wetland delineation study, which could be combined with a Sensitive Area Management Plan (SAMP) and a shoreline protection plan. The SAMP engages government agencies, property owners, and local planning staff in the development of a management plan that treats property owners equitably, resolves critical issues, and at the same time protects valuable natural resources. Options that resolve property owner concerns with resource agency concerns will need to be addressed in the near future.</p> <p>Implementation Action: As sensitive lands are identified and determined to be inappropriate for development, the land should be zoned as Open Space O-1 as per Chapter 22E of the Weber County Zoning Ordinance.</p>	<p>Not implemented</p> <p>Coordination with the Army Corps is required during the development review process.</p>
<p>Policy: Weber River Floodplain Setback</p> <p>The Weber River floodplain, wetland areas associated with the meander corridor, and streamside vegetation should be protected from development. A setback of 100’ from the high water line on either side of the river, as determined by the County Engineer, is recommended. As development occurs, public trails for bicycles, pedestrians, and horses may be provided within the setback and with property owner approval, and if properties are purchased or donated, parks and open spaces can be developed for recreational and educational purposes.</p> <p>Implementation Action: Require a 100 foot setback from the high water line on either side of the river, as determined by the County Engineer.</p>	<p>Not implemented</p> <p>Through the CRMP process the Planning Commission desired to not specify this setback as it makes lands undevelopable.</p>

- Following p. 4-4 are the following maps:
 - Slope Analysis Map, Showing the slopes of the area.
 - General Soils Map, showing soil formations.
 - Hydric Soils Map, showing very wet soils.
 - Priority Streams and Flood Plain Map.

Chapter 5, Possible Implementation Tools (p. 5-1)

- p. 5-1 – p. 5-10: these pages offer the following possible implementation strategies and tools:

Possible implementation strategies and tools:	Status:
Open Space Design Standards (Cluster Subdivisions)	Adopted generally in cluster subdivision code.
Sensitive Land Overlays	Not implemented. New geologic hazards ordinance addresses liquefaction for critical service facilities only.
Fee Simple Title (Out-right Purchase)	Not implemented. Staff continue to be on the lookout for opportunities.
Purchase and Sellback or Leaseback	Not implemented.
Conservation Easements (Through Donated Development Rights, Purchased Development Rights or Transfer of Development Rights)	Implemented in part through cluster subdivision code. Bigger program not implemented.
Transfer of Development Rights (TDR)	Not implemented.
Land Banking	Not implemented.
United States Department of Agriculture Programs	Not intended to be implemented by County.

**Weber County Housing Assessment and Plan 2012-2014
(Moderate Income House Element)**

Note: The housing assessment and plan was a cooperative plan from multiple participating jurisdictions and consequently takes a more macro approach to housing in the County. This outline will only cover those sections specific to unincorporated Weber County – and will emphasize the Western Weber planning area over Ogden Valley planning area. To get a more thorough sense as to why the objectives for the unincorporated area are what they are a more thorough review of the entire plan may be necessary. The entire plan can be found here: <http://www.webercountyutah.gov/planning/plans.php>.

Section 1, Executive Summary (p. 3 – p. 14). The executive summary comprehensively addresses the details of the plan. On page 12 it emphasizes the follow key findings/goals:

Goal 1: *Seek to maintain the quality of existing single-family housing stock and affordable homeownership opportunities, by facilitating the mix of new construction and in-fill in keeping with neighborhood design standards and community sustainability.*

Goal 2: *Seek to maintain the overall quality of existing multi-family housing stock and affordable rental housing opportunities, by facilitating the mix of new construction and in-fill in keeping with neighborhood design standards and community sustainability.*

Goal 3: *Seek to update and/or put in place the necessary tools enabling the community to track the: 1) mix of existing housing stock, 2) the condition of existing housing stock, 3) delivery of existing housing education made available to the public, 4) the availability of local resources enabling single- and multi- family rehabilitation and/or new construction which facilitates access and affordability for special needs populations.*

Goal 4: *Seek to monitor market data and barriers over time for all housing sectors to assure prioritization and implementation in keeping with moderate income housing plan compliance every two years.*

Section 2, Demographics, Economic and Housing Study Element (p. 15)

- **p. 15 – p. 21: Offers a comparative analysis of demographic trends, primarily based on US Census data between 2000 and 2010, including population changes and shifts within the county, household changes, age, household sizes, and minority ratios. Key points for the unincorporated County area (Ogden Valley not separated from Western Weber):**
 - 1.6 percent population increase.
 - 10.7 percent household increase.
 - 11.4 percent population over 65 years.
 - 27 percent under 19 years.
 - Average household size of 3.08 people.

- 7.3 percent minority population
- **P. 22 – p. 41: Offers an in depth analysis of economic and employment trends as they primarily relate to housing choices throughout the County. Key points for the unincorporated County area (Ogden Valley not separated from Western Weber):**
 - There is very little distribution of affordable housing in the unincorporated area.
 - There was an additional 1,315 dwelling units added in the unincorporated areas between 2000 and 2010.
 - 10.7 percent increase in owner occupied dwelling units.
 - 40.6 percent change in renter occupied dwelling units.
 - 60.6 percent reduction for single-family home sales price and 63.9 percent reduction in condominium sales prices.
 - The unincorporated areas of the county need to add 145 “extremely low income” housing units, 265 “very low income” housing units, and 344 “low income” housing units in order to offer fair housing market opportunities across these incomes within the area.
- **p. 42 – p. 52: Offers economic, housing and demographic trends specific to Unincorporated Weber County (Ogden Valley not separated from Western Weber). Key points are:**
 - Since 2004 unincorporated Weber County has issued 693 permits for single-family homes, 102 condominiums, 6 apartments and 10 cabins.
 - New home construction has fallen from a high of 257 units in 2005 to 20 units in 2011, a decline of 92 percent.
 - Of the 325 homes sold between 2005 and 2011 about 16 percent of all homes sold were affordable to the moderate income household.
 - 54 were affordable to households at 80 percent AMI.
 - Seven were affordable for low income households (2.2 percent).
 - Of the 112 condominiums sold between 2005 and 2011 about 50 percent were affordable to moderate income households
 - 19 percent were affordable to low income households.
 - ***Without condominiums as a housing alternative housing affordability in unincorporated Weber County is reduced.***
 - From 2005 to 2011, housing prices in unincorporated Weber County have fallen from above \$300,000 to \$258,000.
 - Short sales account for about 11 percent of all home sales in the past between 2007 and 2011 (pushing median sales price down).
 - Maps 3-6 (p. 49 – p. 52) show the distribution of affordable single-family housing and rental housing in unincorporated Weber County as well as minority owner and renter occupied units. Minorities own 109 homes and rent 27 rental units. These maps have specific data for Western Weber planning area.

Section 3, Community Assessment and Plan (p. 134)

- p. 134 – p. 141: Offers discussion and finding points related to the following subjects: neighborhood stabilization, housing education opportunities, multi-family development and

housing opportunities, housing for persons with special needs, homeless and domestic violence victims, housing for the disabled, elderly housing, persons being released from incarceration, youth aging out of foster care, and implementation of new housing-based policies and ordinances. Perhaps the most relevant to the unincorporated areas statement is:

Weber County and participating jurisdictions recognize that while there appears to be an ample supply of affordable housing stock at this time in most areas, that the need for the creation of new diversified housing opportunities in strategic locations will still be needed to serve moderate-, low- and very-low income households as the community continues to grow.

- p. 141 – p. 144: Outlines the housing plan, goals, and objectives generally applicable to the entire County. They are as follows:

County-Wide Goals, Objectives, and Policies:	Status:
<p>Goal 1: Single Family – Seek to make the improvement and maintenance of existing single family housing stock a priority; while facilitating new in-fill construction in keeping with neighborhood design standards and community sustainability.</p>	<p>NA. Applicable for urban jurisdictions.</p>
<p>Objective 1.1: Determine the current mix and condition of 1-4 unit owner and non-owner occupied single family housing types located within each participating jurisdiction.</p>	<p>Weber County supports the Housing Authority.</p>
<p>Policy 1.1.1: Within one year of plan adoption, accurately inventory and map in-fill lots and 1-4 unit owner and non-owner occupied single family housing stock by type, price, square footage and condition into a usable data base to determine target housing type(s) for programmatic focus in all participating jurisdictions.</p>	<p>Geogizmo offers most of these mapping capabilities. Weber County supports the Housing Authority.</p>
<p>Policy 1.1.2: Review and adopt design standards, explore financial and technical assistance resources and partnerships to leverage for renovation or build out of new housing of the target type(s) while promoting housing choice and maintaining affordability.</p>	
<p>Goal 2: Multi-Family – Seek to maintain the overall quality of existing multi-family housing stock and affordable rental housing opportunities, by facilitating the mix of new construction and in-fill in keeping with neighborhood design standards and community sustainability.</p>	<p>This goal is partial executed with the adoption of the new cluster subdivision code.</p>
<p>Objective 2.1: Within one year of plan adoption accurately inventory and map in-fill lots and multi-family housing stock by type, rental rate, square footage and condition into a usable data base to determine target housing type(s) for programmatic focus in all participating jurisdictions.</p>	<p>NA Weber County supports the Housing Authority.</p>

Policy 2.1.1: Encourage enactment of a program like or similar in scope to the Good Landlord Program and review city ordinances to assure the ability to enforce maintenance of these facilities as a long term community asset in participating jurisdictions.	Not implemented.
Objective 2.2: Preserve and maintain existing multi-family properties, promote in-fill and new site development in keeping with local market demand, neighborhood design standards and community sustainability.	Ongoing.
Goal 3: Tools – Participating jurisdictions will take action to implement on the following coordinated research and planning tools, including: land use mapping, form based ordinance assessments, housing stock inventory and condition, rehab and in-fill design standards, consideration of future ‘visitability’ policies related to subsidized housing, creation of a bilingual housing resource and referral marketing materials, upgrading the WHA web-site and setting up municipal web-sites linkages to ease access to information by the general public.	Land use mapping is ongoing. Form based codes have not been implemented. Weber County supports the Housing Authority.
Goal 4: Monitoring – Participating jurisdictions will continue to monitor market data for all housing sectors, regulatory barriers and RDA project proposal priorities every two years and update the moderate income housing plan as needed for state reporting compliance.	Weber County supports the Housing Authority.

- p. 145 – p. 149: Offers an overview of federal, state, and local resources, including private and nonprofit partners that could be useful to help implement the plan’s goals, objectives, and implementation strategies.
- p. 152: Offers Unincorporated Weber County’s Individual Plan for West Central Weber County. The goals and implementation strategies for West Central Weber are as follows:

West Central Weber Goals and Implementation Strategies:	Status:
Goal 1: Maintain the quality of existing single family housing stock and affordable homeownership opportunities.	Ongoing.
Implementation Strategies: facilitate a mix of new construction in keeping with neighborhood design standards and community sustainability; support the Weber Housing Authority in re-establishing an emergency home repair program to assist in housing maintenance for moderate to low income home owners.	Incomplete and/or ongoing. Subdivision and cluster codes offer neighborhood design standards. Cluster code offers smaller lot sizes conducive to smaller home styles.

<p>Goal 2: Maintain the quality of existing multi-family housing stock and affordable rental housing opportunities.</p>	<p>Ongoing.</p>
<p>Implementation Strategies: facilitate a mix of new construction in keeping with neighborhood design standards and community sustainability; encourage the development of urban housing development in nodes; develop cluster and node ordinances that will allow for mixed type of housing choices in compact areas consistent with the General Plan locations to preserve the remaining agricultural lands and open spaces and develop and adopt design standards for the nodes and mixed use communities.</p>	<p>Partially completed with new cluster subdivision code – including increased density in exchange for affordable housing. PRUD code allows mixed use development.</p> <p>Higher density “nodes” are not supported by the West Central Weber General Plan.</p>
<p>Goal 3: Provide housing choices in neighborhoods that will allow residents to live in the same neighborhood for their entire life-cycle.</p>	<p>Ongoing.</p>
<p>Implementation Strategies: support the Weber Housing Authority’s role in developing mixed use housing projects resulting in additional housing opportunities; where mixed use development occurs provide a variety of housing types and investigate the potential for adding accessory dwelling units as an allowed use in the zoning ordinance.</p>	<p>Not implemented – or implemented only by PRUD.</p> <p>Weber County supports the Housing Authority.</p>
<p>Goal 4: Update and or put in place the necessary tools enabling the community to track the:</p> <p>1) mix of existing housing stock, 2) the condition of existing housing stock, 3) delivery of existing housing education made available to the public, 4) the availability of local resources enabling single and multi – family rehabilitation and or new construction which facilitates access and affordability for special needs populations.</p>	<p>Ongoing.</p> <p>Weber County supports the Housing Authority.</p>
<p>Implementation Strategies: maintain land use inventory maps and analysis to track land use and housing and the transitioning of various land uses; establish a mechanism to track housing condition of the existing housing stock, including multifamily and single family residences and conduct a survey of how other communities are tracking their housing stock in order to determine the most efficient and effective way to track housing stock and condition in unincorporated Weber County.</p>	<p>Generally offered through ongoing land use and development.</p> <p>Weber County supports the Housing Authority.</p>
<p>Goal 5: Seek to monitor market data and barriers over time for all housing sectors to assure prioritization and implementation in keeping with moderate income housing plan compliance every two years.</p>	<p>Not implemented.</p>
<p>Implementation Strategy: conduct a housing barriers analysis as part of the two year update of the moderate income housing plan. Coordinate this effort with the Weber Housing Authority.</p>	<p>Not implemented.</p>

- p. 154 – p. 155 offers additional County-wide goals:

Additional County-wide Goals:	Status:
Collaboration of Housing Goals: continue to have collaboration between Weber County and the cities within the county to accomplish common housing needs and goals.	Ongoing.
Single Family Housing Goals: preserve existing housing stock and conduct infill development as a primary focus; work with local jurisdictions to develop new outreach materials for rehabilitation; explore partnerships to leverage available resources to expand program impact via Home Depot 203K, financial institutions, foundations and municipal funding strategies and create a Volunteer Service Programs; and map future infill and re-use sites.	NA. This implementation is more appropriate for urban areas.
Multi-Family Housing Goals: Promote Fair Share Housing and work on geographic de-concentration and project set asides to address future demand/needs for housing affordable to households at 30 percent of AMI and seek to collectively support applications and provide funding for priority community-wide housing development activities to meet future market demand and identify priority projects for next one to five years for households at 40 to 80 percent of AMI.	Weber County supports the Housing Authority.
Miscellaneous Additional Goals: Utilize collaboration and sustainability as a driving implementation force; conduct housing dispersion, commercial nodes and land use mapping for Master Planning analysis; use life-cycle philosophy; conduct roof-top surveys; establish educational resources in English and Spanish hosted centrally by Weber County Housing Authority; use a “put a face on it” strategy as a community education and marketing campaign; jointly sponsor education initiatives through local municipal councils; consider implementation of Good Landlord Program and seek to monitor market data and barriers over time for all housing sectors to assure prioritization and implementation in keeping with moderate income housing plan compliance every two years.	Weber County supports the Housing Authority.

Section 4, Appendices (p. 187 – p. 212): The appendices offer a 10 year plan implementation matrix, documents stakeholder interviews, provides planning forms and offers additional resource materials to help execute the housing plan.