



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on a request to amend the Weber County zone map to rezone approximately 10 acres from A-1 zone to C-1 at approximately 4733 West 1150 South.

Report Date: Monday, October 29, 2018

Agenda Date: Tuesday, ~~November 06, 2018~~ December 04, 2018

Applicant: Dennis Costesso

File Number: ZMA 2018-07

Property Information

Approximate Address: 4733 West 1150 South

Zoning: The property is currently zoned A-1

Existing Land Use: Agriculture and Residential

Proposed Land Use: Neighborhood Commercial (C-1 zone)

Township, Range, Section: T6N, R2W, Section 20

Adjacent Land Use

North: Agricultural	South: Railroad
East: Agricultural (Zoned Commercial)	West: Residential/Agricultural

Staff Information

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

Report Reviewer: RG

Applicable Ordinances

§102-5: Rezoning Procedures

Legislative Decisions

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

Summary

This application is a request to rezone approximately 10 acres from the A-1 zone to the C-1 zone for property located on the southwest corner of 4700 West and 12th Street (4733 West 1150 South). The A-1 zone is intended for very low density residential and agricultural uses, with a minimum lot size of 40,000 square feet. The C-1 zone is intended for neighborhood oriented commercial services, with no minimum lot size.

Currently, the general plan does not provide for this rezone. The general plan was recently changed to allow up to 22 acres of C-1 zoning in the area, and all of that was consumed by another recent rezone. To support this rezone, the general plan will first need to be amended to allow more acreage in the C-1 zone. A proposed amendment to the general plan reflecting the same precedes this proposal on the same meeting agenda.

Staff offered the planning commission a positive recommendation for this rezone and the associated general plan amendment. Staff's recommendation was based on the County Commission's recent decision to rezone the Baugh property to the same zone, which is directly east of this property. During deliberations over the Baugh rezone it appeared that the Commission favored stimulating a commercial center at this intersection. Staff's recommendation

also came with a suggestion to clarify the general plan to better denote the limits and extent of the commercial center at this intersection, so as to avoid expansive and uncontrolled commercial zoning prior to the community readiness.

After careful deliberation, the Planning Commission rejected the rezone and the general plan amendment, and forwarded a recommendation for denial to the County Commission. This was a six-to-one vote. At the forefront of the Planning Commission's deliberation was the need for a new comprehensive plan for all of the western weber planning area, and the desire to not make piecemeal decisions in the absence of a better plan.

Policy Analysis

A complete policy analysis for this rezone petition can be reviewed in the planning commission staff report, attached as attachment B. A review of the general plan staff report and associated planning commission staff report will better help offer context for the analysis as well.

Planning Commission Recommendation

The Planning Commission has forwarded a negative recommendation to the County Commission regarding File #ZMA 2018-07, a proposal to rezone approximately 10 acres from the A-1 zone to the C-1 zone at approximately 4733 West 1150 South.

This recommendation comes with the following findings:

1. The decision is subject to a new general plan being created.
2. The proposal does not comply with the general plan.
3. The planning commission would like to get [more] public input for this decision.

Staff Recommendation

In the event the County Commission is desirous to adopt the proposed rezone, staff recommends using the attached rezone ordinance. Adoption of this ordinance will adopt the rezone. However, prior to adopting the attached ordinance, staff recommends adopting the general plan amendment with the resolution attached to that staff report (on the same agenda, preceding this item).

Attachments

Attachment A: Rezone Ordinance

Attachment B: Planning Commission Staff Report

ORDINANCE NUMBER 2018-_____

AN ORDINANCE AMENDING THE WEBER COUNTY ZONING MAP TO REZONE PROPERTY AT 4733 WEST 1150 SOUTH FROM A-1 TO C-1

WHEREAS, the Weber County Board of Commissioners have adopted a zoning map for the unincorporated areas of Weber County; and

WHEREAS, the Weber County Board of Commissioners have received an application to amend the adopted zoning map for a parcel of land located on the southwest corner of 4700 West and 12th Street; and

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

WHEREAS, after a duly noticed public hearing, the Weber County Board of Commissioners have determined that the zoning map amendment complies with the intent of the West Central Weber County General Plan; and

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

WHEREAS, the Board of Weber County Commissioners have determined that this is an appropriate time and this is an appropriate location for the proposed zoning map amendment; and

WHEREAS, as part of their consideration, the Weber County Board of Commissioners have determined that strict compliance with a concept plan is unnecessary to facilitate the intent of the general plan or the purpose and intent of the existing or proposed new zone;

NOW THEREFORE, the Weber County Board of Commissioners ordains an amendment to the Weber County Zoning Map to rezone property from the A-1 zone to the C-1 zone at approximately 4733 West 1150 South. The graphic representation of the rezone is included and incorporated herein as Exhibit A. A written description of the rezone is included as Exhibit B. In the event there is conflict between the two, the graphic representation shall prevail.

This ordinance shall become effective fifteen (15) days after publication.

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

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

By _____,
James H. "Jim" Harvey, Chair

Commissioner Harvey voted _____
Commissioner Ebert voted _____
Commissioner Jenkins voted _____

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor

Exhibit A

Graphic Representations
Rezoning from A-1 to C-1

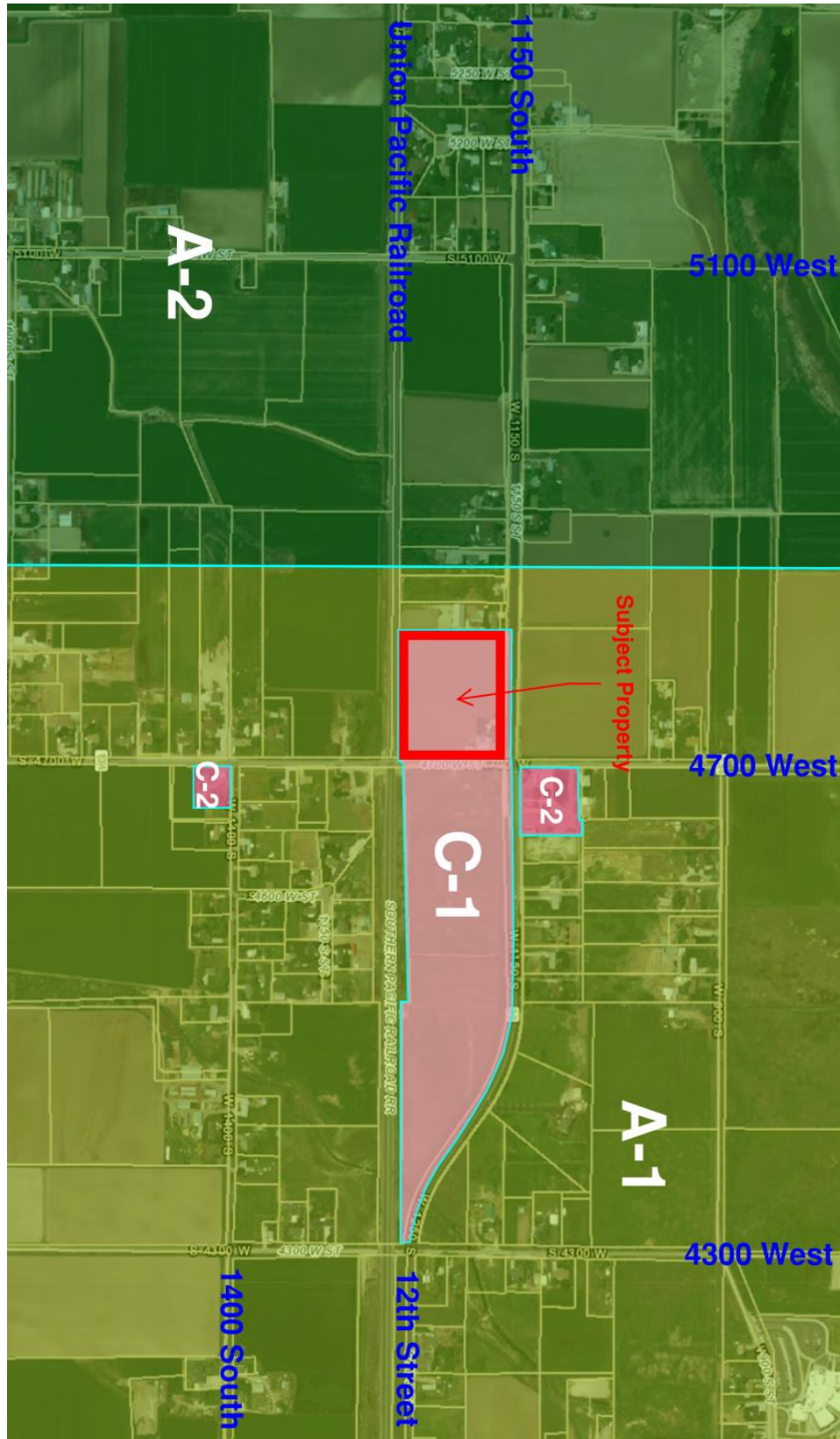


Exhibit B

Written Description Rezoning from A-1 to C-1

All of Parcel #15-054-0020 being more particularly described as follows:

PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 17.9 CHAINS SOUTH OF THE NORTHEAST CORNER OF SAID QUARTER SECTION 20; THENCE SOUTH 10 CHAINS; THENCE NORTH 89D36' WEST 10 CHAINS; THENCE NORTH 10 CHAINS; THENCE SOUTH 89D36' EAST 10 CHAINS TO THE PLACE OF BEGINNING. CONTAINING 10 ACRES, M/L. EXCEPT THAT PORTION IN STATE ROAD AND RAILROAD RIGHT-OF-WAY. EXCEPT COUNTY ROAD BOOK 624 PAGE 577. LESS AND EXCEPTING: BEGINNING AT A POINT ON THE CENTER CONTROL LINE FOR THE 1200 SOUTH STREET (1150 SOUTH STREET) ROAD WIDENING PROJECT (LG_WC_1200 SOUTH) SAID POINT LIES 1503.10 FEET NORTH 01D30'06" EAST ALONG THE WEST LINE OF SAID SECTION 20 TO A POINT ON SAID CENTER LINE CONTROL LINE AND 1670.97 FEET SOUTH 88D48'23" EAST ALONG SAID CENTER CONTROL LINE FROM THE WEST QUARTER CORNER OF SAID SECTION 20 AND RUNNING THENCE CONTINUING ALONG SAID CENTER CONTROL LINE SOUTH 88D48'23" EAST 150.00 FEET TO A POINT ON AN EXTENSION OF THE EAST LINE OF THE GRANTORS PROPERTY LINE, THENCE SOUTH 01D42'06" WEST 50.00 FEET ALONG AN EXTENSION OF SAID EAST PROPERTY LINE TO A POINT ON THE PROPOSED SOUTH RIGHT OF WAY LINE FOR THE 1200 SOUTH STREET (1150 SOUTH STREET) ROAD WIDENING PROJECT (LG_WC_1200 SOUTH) THENCE NORTH 88D48'23" WEST 150.00 FEET ALONG SAID PROPOSED SOUTH RIGHT OF WAY LINE TO A POINT ON AN EXTENSION OF THE WEST LINE OF THE GRANTORS PROPERTY, THENCE NORTH 01D42'06" EAST 50.00 FEET ALONG AN EXTENSION OF SAID WEST PROPERTY LINE TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PART OF AN ENTIRE TRACT OF LAND CONTAINS 7500 SQUARE FEET OR 0.172 ACRES OF WHICH 6000 SQUARE FEET OR 0.138 ACRES ARE NOW OCCUPIED BY THE EXISTING HIGHWAY, BALANCE 1500 SQUARE FEET OR 0.034 ACRES. E# 2779729 ALSO: A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF LAND, SITUATE IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH, ALSO KNOWN AS PROJECT NO. LG_WC_1200 SOUTH, THE BOUNDARIES OF SAID PARCEL OF LAND AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER CONTROL LINE FOR THE 1200 SOUTH STREET (1150 SOUTH STREET) ROAD WIDENING PROJECT (LG_WC_1200 SOUTH) AND THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20 SAID POINT LIES 1113.88 FEET SOUTH 00D45'12" WEST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, AND RUNNING THENCE SOUTH 00D44'58" WEST 50.00 FEET ALONG THE EAST LINE OF THE GRANTORS PROPERTY TO A POINT ON A PROPOSED SOUTH RIGHT OF WAY LINE OF SAID PROJECT, THENCE NORTH 88D48'23" WEST 703.85 FEET ALONG SAID PROPOSED SOUTH RIGHT OF WAY LINE TO THE WEST LINE OF THE GRANTORS PROPERTY, THENCE NORTH 01D42'06" EAST 50.00 FEET ALONG SAID WEST PROPERTY LINE TO A POINT ON THE CENTER CONTROL LINE FOR THE 1200 SOUTH STREET (1150 SOUTH STREET) ROAD WIDENING PROJECT (LG_WC_1200 SOUTH) THENCE SOUTH 88D48'23" EAST 703.02 FEET ALONG SAID CENTER CONTROL LINE TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 35171 SQUARE FEET OR 0.807 ACRES OF WHICH 28133 SQUARE FEET OR 0.646 ACRES ARE NOW OCCUPIED BY THE EXISTING HIGHWAY, BALANCE 7037 SQUARE FEET OR 0.162 ACRES. E# 2791810

Also extending to the centerline of 1150 South and 4700 West for the entire extent of the property.



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on ZMA 2018-07, a request to amend the zone map to rezone approximately 10 acres from A-1 to C-2 at approximately 4733 West 1150 South.

Agenda Date: Tuesday, October 09, 2018

Applicant: Dennis Costesso

File Number: ZMA 2018-07

Property Information

Approximate Address: 4733 West 1150 South (Southwest corner of 4700 West and 12th Street)

Zoning: The area is currently Agricultural (A-1)

Existing Land Use: Agricultural/Residential

Proposed Land Use: Commercial

Township, Range, Section: T6N, R2W, Section 20

Adjacent Land Use

North: Agricultural	South: Railroad
East: Agricultural (Zoned Commercial)	West: Residential/Agricultural

Staff Information

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

Report Reviewer: RG

Applicable Ordinances

§102-5: Rezoning Procedures

Summary

This application is a request to rezone approximately 10 acres from the A-1 zone to the C-1 zone for property located on the southwest corner of 4700 West and 12th Street (4733 West 1150 South). The A-1 zone is intended for very low density residential and agricultural uses, with a minimum lot size of 40,000 square feet. The C-1 zone is intended for neighborhood oriented commercial services, with no minimum lot size.

Currently, the general plan does not provide for this rezone. The general plan was recently changed to allow up to 22 acres of C-1 zoning in the area, and all of that was consumed by another recent rezone. To support this rezone, the general plan will first need to be amended to allow more acreage in the C-1 zone. A proposed amendment reflecting the same precedes this proposal on the same meeting agenda.

Provided the Planning Commission can support the amendment to the general plan first, staff is offering a positive recommendation for the rezone.

Legislative Decisions

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

Policy Analysis

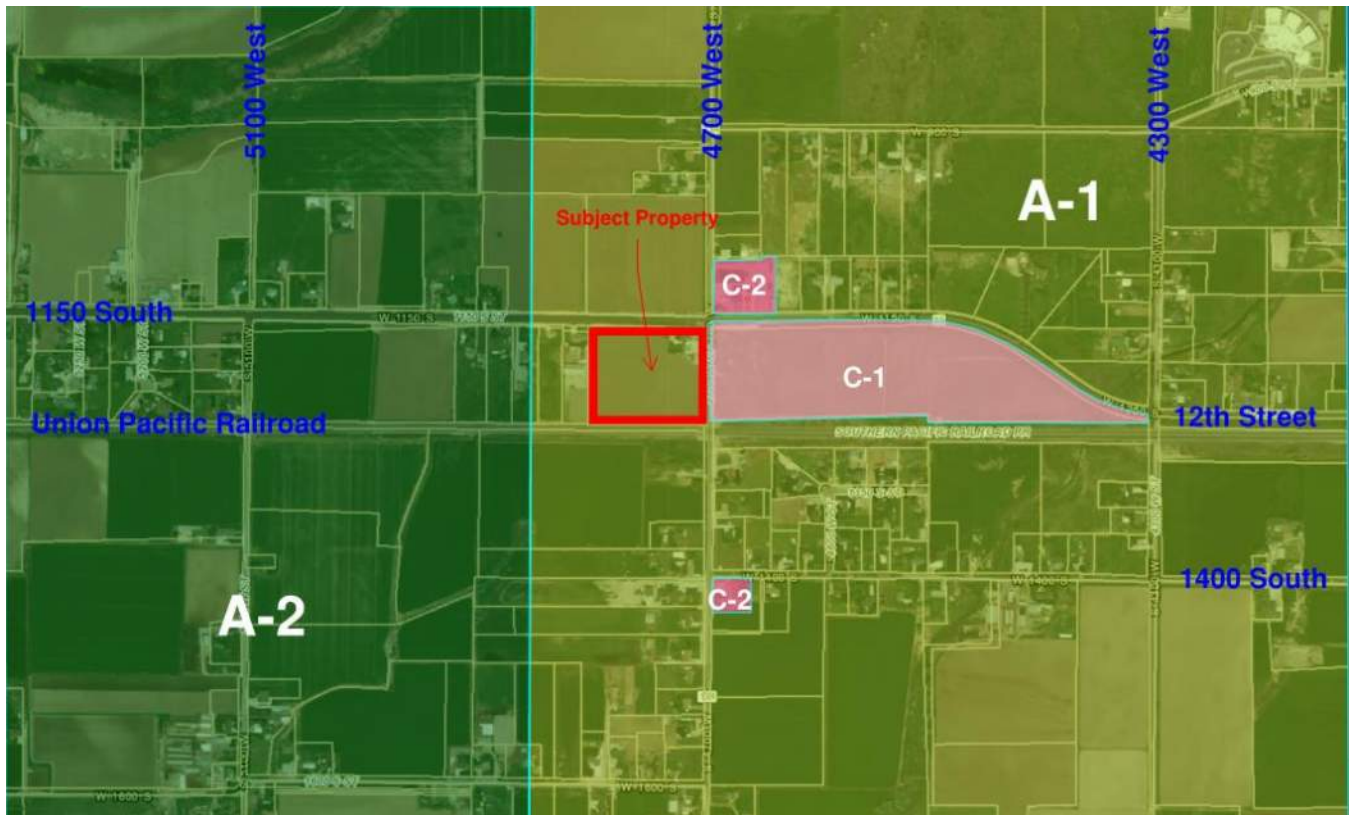
The Weber County Land Use Code has a chapter that governs application-driven rezones. The following is a policy analysis of the requested rezone based on the Land Use Code and best planning practices.

Zoning. The current zone of the subject parcel is A-1. **Figure 1**¹ displays current zoning and the parcels affected by the proposed rezone. The A-1 zone is intended for very-low density residential and agricultural uses, with a minimum lot size of 40,000 square feet.

Weber County Code § 104-5-1 says 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.”

Figure 1: Current Zoning Map and the Subject Parcel(s).



The proposed zone for the subject parcel is the C-1 zone. Pursuant to § 104-20-1, the purpose of the C-1 zone is:

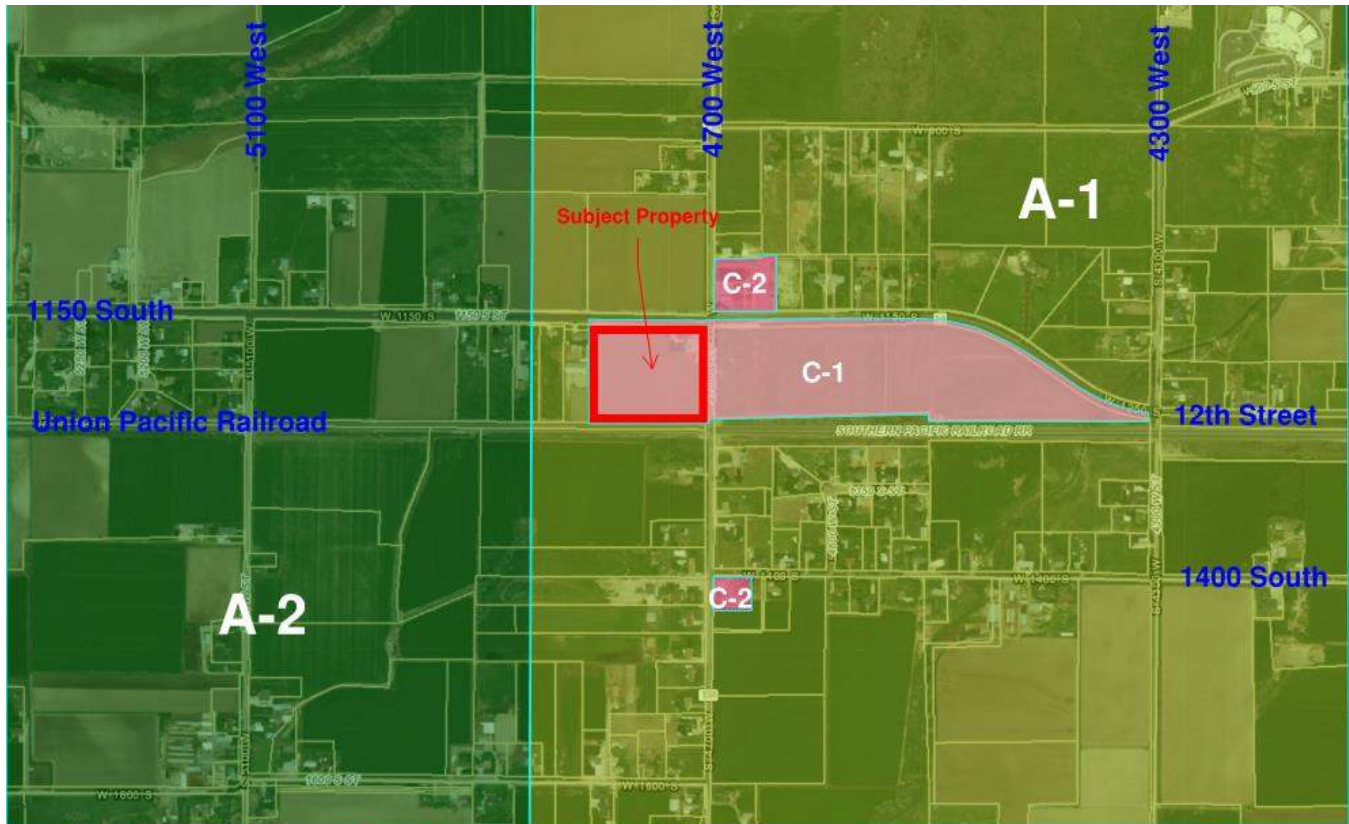
“The purpose of the C-1 Neighborhood Commercial, C-2 Community Commercial, and C-3 Regional Commercial Zones is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of unincorporated Weber County. It is also to separate into three zones uses, based upon type of activity which are compatible and complementary, as well as intensity of land utilization and accessory use needs.”

The proposed rezone can be viewed in **Figure 2**². It will extend the newly rezoned C-1 property to the east westward across 4700 West and encompass the entire ~10-acre parcel on the southwest corner of the 4700 West and 12th Street intersection. This rezone will enable commercial development on three of four quadrants of that intersection.

¹ See also Exhibit B.

² See also Exhibit C.

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



Changing a zone from A-1 to C-1 comes with a few things to consider. The Planning Commission should consider whether more commercial zoning in the area is appropriate, and if so, what type? The general plan is supposed to assist in making these types of decisions. Supposing the applicant's general plan amendment is successful, then this rezone should be fairly straightforward.

General plan. Weber County Code § 102-5-2 specifies that rezoning should be in compliance with the general plan. If the general plan is amended to enable this rezone, then the merits of that amendment should extend to this rezone. Please refer to the Staff Report for GP #2018-05 (Costesso General Plan Amendment), which is on the same meeting agenda.

Rezoning. Weber County Code § 102-5-3 sets forth approval criteria when considering a rezone. Because a rezone is legislative, this criterion allows broad deference to the County Commission's legislative decision-making authority. The criterion is twofold:

- (a) *To promote compatibility and stability in zoning and appropriate development of property within the county, no application for rezoning shall be approved unless it is demonstrated that the proposed rezoning promotes the health, safety and welfare of the county and the purposes of this chapter.*
- (b) *The planning commission and the county commission will consider whether the application should be approved or disapproved based upon the merits and compatibility of the proposed project with the general plan, surrounding land uses, and impacts on the surrounding area. The commissions will consider whether the proposed development, and in turn the application-for rezoning, is needed to provide a service or convenience brought about by changing conditions and which therefore promotes the public welfare. The county commission may require changes in the concept plan in order to achieve compatibility and may impose any conditions to lessen or eliminate adverse impacts.*

Weber County Code § 102-5-4 and § 102-5-5 sets forth application submittal criteria. In these chapters the County Commission will find that Weber County has previously adopted very strict requirements for rezones. These application requirements expect engineered drawings for concept plans, water and waste water provisions, and storm water runoff. This is a challenging burden to meet when a landowner is considering a rezone, and each of these are required prior to actual development of the land, so it may be redundant to require them at this time.

Concept development plan. A concept development plan has been provided for the property³. The owner envisions a development similar to the city offices of West Haven City, which is also on a 10-acre parcel. If the rezone is approved contingent on this concept development plan the ordinance requires that owner strictly comply with it. Staff does not recommend rezoning contingent upon this concept development plan. Under § 102-5-6(1) the county commission may:

“approve the proposed rezoning and concurrently approve a concept plan for the development, in whole or in part, with or without changes or conditions and adopt an ordinance rezoning the property;”

Locations of buildings and structures and their architectural designs. The ordinance requires that the concept plan show the location of buildings and structures and their architectural designs. The applicant has offered a real-world example of the type of building/development he would like to eventually see on the property. The planning commission may determine that this requirement has been satisfied with this explanation. Without application of a concept development plan or development agreement the county will have no entitlement to this specific development in the future. It should be viewed as an example of what could occur, and not a definitive of what will occur if the parcel is rezoned to C-1. The C-1 zone has many various uses to which the landowner will be entitled in the future.

Access and traffic circulation. This property is located on the corner of 4700 West and 1150 South (12th Street). An entrance to the site is likely possible off of 4700 West with approval from UDOT. UDOT will review whether the proximity of the 4700 West and 12th Street intersection and the proximity of the 4700 West and Union Pacific Railroad intersection pose a circulation or safety problem when an actual development proposal is made. The land owner will very likely receive county approval for access from 12th Street. The County's code offers a little bit of authority to influence internal traffic circulation for any future proposed development. Those standards are not very strong, and a future update to them could prove beneficial for this and other future commercial development in the area.

Water, waste water, fire, engineering, and other utilities. The applicant has provided feasibility letters from the Taylor West Weber Water Improvement District and Central Weber Sewer Improvement District. This application was sent for review by all relevant review agencies. There were no negative responses.

Staff Recommendation

Normally a recommendation for approval for a commercial rezone would come with a recommendation for a development agreement. Inasmuch as the 22 acre Baugh property to the south was just rezoned to the C-1 zone without a development agreement, staff is not inclined to recommend a development agreement for this property.

Staff will, however, strongly advise the commercial design standards be updated to appropriately govern development of this and adjacent commercial properties.

Provided that a positive recommendation is offered for an amendment to the general plan to enable this rezone, staff recommends that the Planning Commission forward a positive recommendation to the County Commission regarding File #ZMA 2018-07, a proposal to rezone approximately 10 acres from the A-1 zone to the C-1 zone at 4733 West 1150 South. This recommendation comes with the following findings:

1. That after changes to the general plan's future land use map and plan text, the rezone complies with general plan.
2. That the rezone will offer necessary and essential community services for the surrounding areas.
3. That changed and changing conditions exist that merit the need for the proposed commercial area.
4. That the rezone will support the health, safety, or general welfare of the public by offering commercial services in the appropriate community location.

Exhibits

Exhibit A: Application.

Exhibit B: Current Zoning Map.

Exhibit C: Proposed Zoning Map.

Exhibit D: Tabular Review of Uses allowed in the C-1 Zone.

Exhibit E: Review of Uses allowed in the A-1 Zone.

Exhibit F: Concept Development Plan.

³ See Attachment F.

Weber County Zoning Map Amendment Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted	Received By (Office Use)	Added to Map (Office Use)
Property Owner Contact Information		
Name of Property Owner(s) <i>Dennis Dario Costesso Family Living Trust</i>		Mailing Address of Property Owner(s) <i>4206 W 1800 S Ogden, Utah 84401</i>
Phone <i>801 731 1542</i>	Fax	
Email Address <i>dennisdc48@hotmail.com</i>	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information		
Name of Person Authorized to Represent the Property Owner(s) <i>Dennis D. Costesso</i>		Mailing Address of Authorized Person <i>4206 W 1800 S Ogden, Utah 84401</i>
Phone <i>801 731 1542</i>	Fax	
Email Address <i>dennisdc48@hotmail.com</i>	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Information		
Project Name <i>Costesso rezoning.</i>	Current Zoning <i>A1</i>	Proposed Zoning <i>C1</i>
Approximate Address <i>4733 W 1150 S Ogden Utah 84401</i>	Land Serial Number(s) <i>15-054-0020</i>	
Total Acreage <i>9.84</i>	Current Use <i>Agriculture</i>	Proposed Use <i>Community Village Center</i>
Project Narrative		
Describing the project vision.		

o/c

Authorized Representative Affidavit

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

Dennis Costesso
(Property Owner)

Dennis Costesso
(Property Owner)

Dated this 25th day of September, 20 18, personally appeared before me Dennis Costesso, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

Kary C. Serrano
(Notary)



(1) Project Narrative, describe project vision

In September of 2003, the Weber County planning committee had the foresight to plan for a community village center to support the growth expected in the West Weber area. These visionaries earmarked the acreage bordering the intersection of 4700 W and 12th Street as an ideal centralized location to provide these services.

The services that may be required of a village center include but are not limited to a single level office complex that would generate invoices and collect payments for sewage, culinary water and secondary water.

Potential additional uses for the complex in the future includes:

- Banking services,
- Post office drop,
- Cemetery support services,
- Election and voting support services,
- Animal control support services and a
- Senior Center

The vision of this application is to rezone the 10 (ten) acre property making up the South West quadrant of the 12th Street intersection to a C1 or C2 classification so that the zoning requirements for a village center are met, allowing city planners to move forward unencumbered by zoning restrictions should they so desire.

Setting aside a 10 acre parcel provides plenty of room the buildings, parking, grasslands and room for additional growth in the future.

2 How is the change in the public interest?

The proposed change is intended to be the first step in meeting the objectives of the West Central Weber County "General Plan" that proposes a "Commercial node of 7 to 14 acres" be set aside for a future "Community/Village Center". The "Community/Village Center" would provide for supportable neighborhood services and emergency services.

Changing the zoning of the 10-acre parcel on the South-West quadrant of the intersection of 12th Street and 4700 West will be the first step in meeting the objectives of the "General Plan."

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

The current zoning assigned the property in question is A1 for agricultural use. The proposed project for a community village will require public building and potentially a bank or financial institution of some type. Based on Weber the County Code of Ordinances, a zoning of either C1 or C2 is required.

(2) How is the change in public Interest?

This proposal is not for a change in public interest but rather a continuation and follow through of the existing General Plan for West Central Weber County.

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

Since the General Plan was proposed in September of 2003, the growth rate in unincorporated Weber County continued to grow at a rapid rate. Over the past last two years unincorporated Weber County has seen a localized growth rate of 7 % per year.

However, no steps have been taken to identify real-estate for a community center, as proposed in the General Plan, to support past or future growth. Rezoning the proposed 10 acre parcel to a C1 or C2 classification would be the first step in this direction

Project narrative describing the project vision.

The vision of the project at this time is to rezone the Costesso property as the first step in moving forward with a community village center in the future.

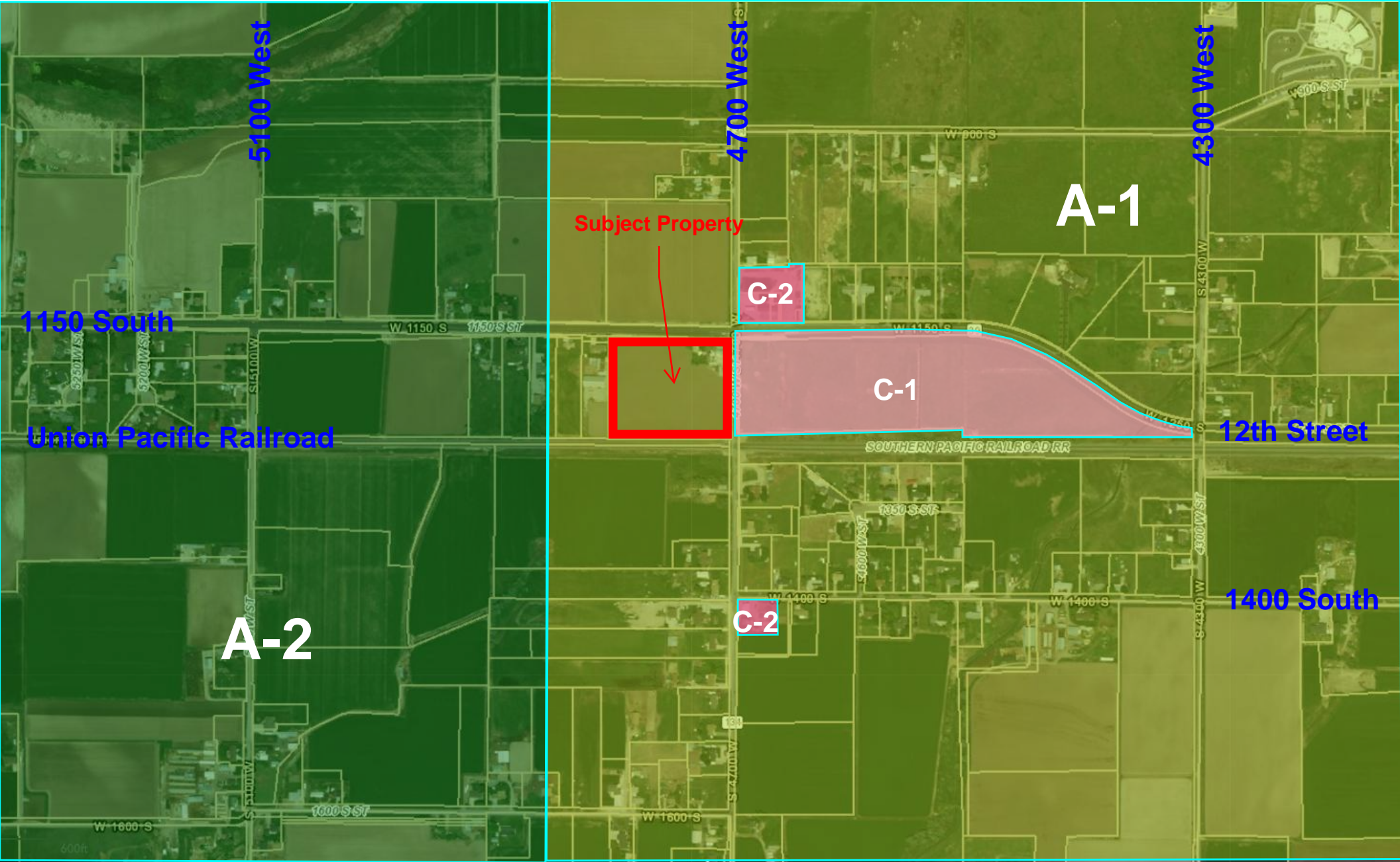
It is versioned that an office complex could eventually be built on the (10) acre property that would eventually be utilized similarly to the community office complex built by West Haven.

Attached are photographs of the West Haven community office, that was also built on an approximate 10 (ten) acre parcel.

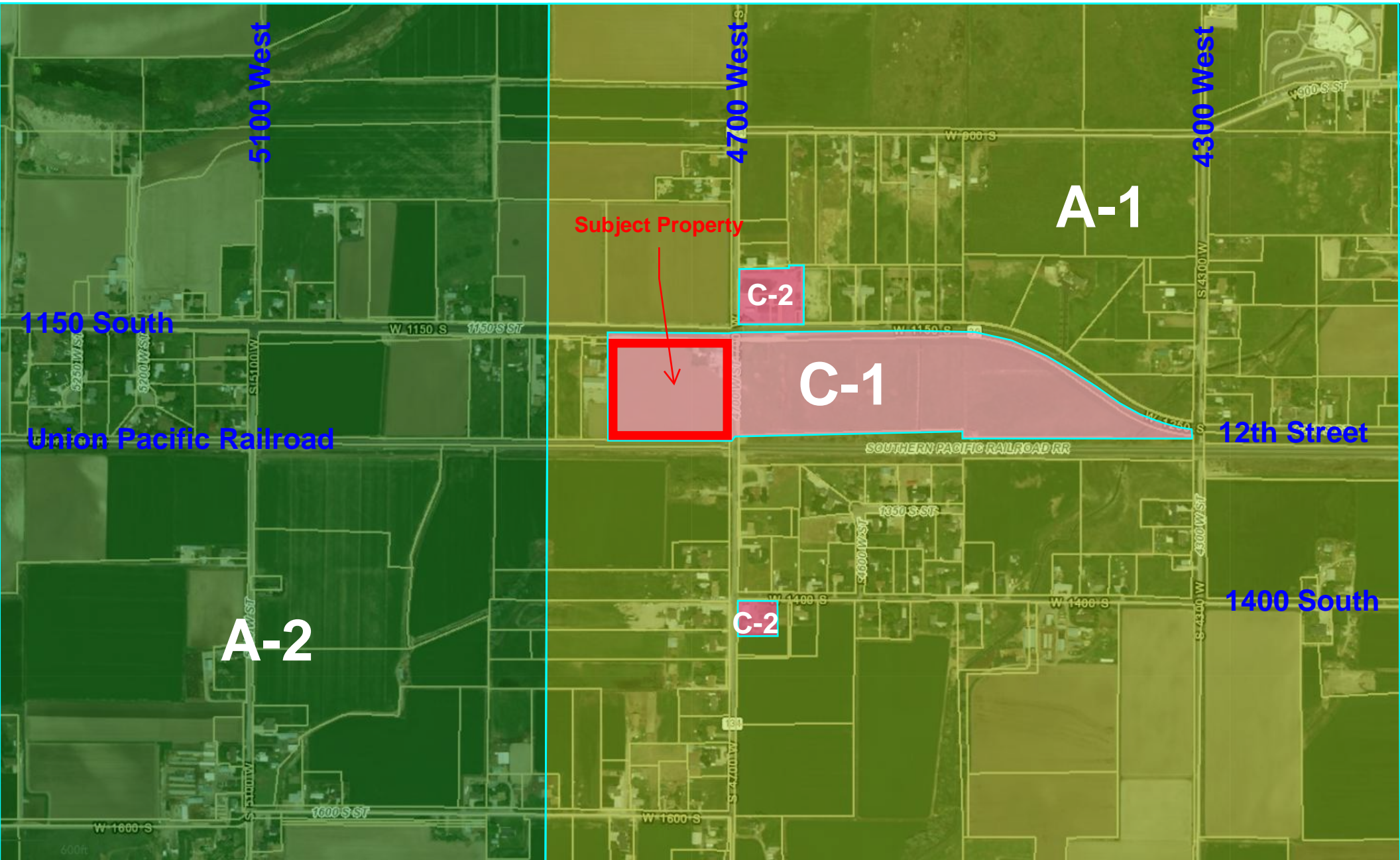
102-5-(4) Letters of feasibility from county agencies for water and waste water.

- Secondary water shares can be made available for purchase from current land owner.
- See attached letter from Taylor West Weber Water Improvement district stating it has the capacity to serve this project
- This is not an engineered ready project, however the storm water concept plan is to follow all appropriate storm water regulations at the time of development.

Current Zoning Map.



Proposed Zoning Map.



Commercial Zone Uses

Sec. 104-20-5. - Uses.

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in title 108, chapter 4 of this Land Use Code. Uses designated "N" will not be allowed in that zone.

	C-1	C-2	C-3
Accessory building incidental to the use of a main building; main building designed or used to accommodate the main use to which the premises are devoted; and accessory uses customarily incidental to a main use	P	P	P
Air conditioning, sales and service	N	N	P
Altering, pressing and repairing of wearing apparel	P	P	P
Ambulance base stations	N	C	P
Amusement enterprises	N	N	C
Animal hospital, small animals only and provided it is conducted within completely enclosed building	N	N	C
Antique, import or souvenir shop	N	P	P
Archery shop and range, provided it is conducted within completely enclosed building.	N	P	P
Art and artists supply store	N	P	P
Athletic and sporting goods store, excluding sale or repair of motor vehicles, motor boats or motors	N	P	P
Athletic and sporting goods store including sale or repair of motor vehicles, motor boats or motors	N	N	P

Athletic club	N	P	P
Auction establishment	N	N	C
Automobile repair including paint, body and fender, brake, muffler, upholstery or transmission work, provided it is conducted within completely enclosed building	N	N	P
Automobile, new or used, sales and service	N	N	P
Awning sales and service	N	P	P
Baby formula service	P	P	P
Bakery manufacture limited to goods retailed on premises	P	P	P
Bakery goods manufacturing	N	N	P
Bank or financial institution	P	P	P
Barbershop	P	P	P
Bath and massage establishment	N	P	P
Beauty culture school	N	N	P
Beauty parlor for cats and dogs	N	P	P
Beauty shop	P	P	P
Bed and breakfast inn	N	P	P
Bed and breakfast hotel	N	C	P
Beer parlor, sale of draft beer	N	N	C
Bicycle sales and service	P	P	P

Billiard parlor	N	N	P
Blue printing or photostatting	N	P	P
Boardinghouse	N	C	P
Boat sales and service	N	C	P
Bookbinding	N	N	P
Bookstore, retail	P	P	P
Bottling and distribution plant	N	N	P
Bowling alley	N	C	P
Boxing arena	N	N	P
Building materials sales or yard	N	N	P
Bus terminal	N	P	P
Cabaret	N	N	C
Cafe or cafeteria	P	P	P
Camera store	P	P	P
Candy manufacture	N	N	P
Candy store, confectionery	P	P	P
Carbonated water sales	N	P	P
Carpenter and cabinet shop	N	N	P
Carpet and rug cleaning	N	N	P

Carpet, rug and linoleum service	N	P	P
Car wash, laundry type	N	C	P
Car wash, manual spray	C	P	P
Cash register sales and service	N	P	P
Catering establishment	N	P	P
China, crystal and silver shop	C	P	P
Christmas tree sales	P	P	P
Church	N	C	P
Church, temporary revival	N	C	C
Circus, carnival or other transient amusement	N	N	C
Cleaning and dyeing establishment	N	P	P
Clinics, medical or dental	P	P	P
Clothing and accessory store	N	P	P
Coal and fuel sales office	N	N	P
Communication equipment building	N	P	P
Contractor shop, provided work is conducted within a completely enclosed building	N	N	P
Costume rental	N	P	P
Dairy products store	P	P	P
Dance hall	N	N	C

Data processing service and supplies	N	P	P
Delicatessen	P	P	P
Department store	N	P	P
Detective agency	P	P	P
Diaper service, including cleaning	N	P	P
Drapery and curtain store	N	P	P
Drive it yourself agency or business	N	P	P
Drugstore	P	P	P
Dry cleaning establishment	N	N	P
Dry cleaning pickup station	P	P	P
Dwelling unit as part of a commercial building for proprietor or employee who also serves as a night watchman provided that 3,000 sq. ft. of green area is provided for the family	C	C	N
Educational institution	N	P	P
Educational/institutional identification sign	C	C	C
Egg and poultry store, providing no live bird slaughtering or eviscerating permitted	P	P	P
Electrical and heating appliances and fixtures sales and service	N	P	P
Electronic equipment sales and service	N	P	P
Employment agency	N	P	P

Express and transfer service	N	N	C
Fabric and textile store	P	P	P
Farm implement sales	N	N	P
Film exchange establishment	P	P	P
Five and ten cent store	P	P	P
Florist shop	P	P	P
Frozen food lockers, incidental to a grocery store or food business	P	P	P
Fruit store or stand	P	P	P
Furniture sales and repair	N	P	P
Fur apparel sales, storage or repair	N	P	P
Garden supplies and plant materials sales	P	P	P
Gift store	P	P	P
Glass sales and service	N	P	P
Government buildings or uses, nonindustrial	C	P	P
Greenhouse and nursery; soil and lawn service	N	P	P
Grocery store	P	P	P
Gunsmith	N	P	P
Gymnasium	N	P	P
Hardware stores	N	P	P

Health club	N	P	P
Health food store	P	P	P
Heliport	N	C	C
Hobby and crafts store	P	P	P
Hospital supplies	N	P	P
Hotel	N	C	P
House cleaning and repair	N	P	P
House equipment display	N	P	P
Household appliance sales and incidental service	N	C	P
Household pets, dwelling units only	P	P	P
Ice cream manufacture	N	N	P
Ice cream parlor	P	P	P
Ice manufacture and storage	N	N	P
Ice store or vending station	P	P	P
Insulation sales	N	P	P
Insurance agency	N	P	P
Interior decorator and designing establishment	N	P	P
Janitor service and supply	N	P	P
Jewelry store sales and service	P	P	P

Knitting mills	N	N	C
Laboratory, dental or medical	N	P	P
Laundry or dry cleaners, laundromat type	P	P	P
Laundry or dry cleaning establishment	N	N	P
Launderette or laundromat	P	P	P
Lawn mower sales and service	N	P	P
Leather goods, sales and service	N	P	P
Legal office	N	P	P
Library	P	P	P
Linen store	N	P	P
Linen supply service	N	N	P
Liquor store	N	C	C
Locksmith	P	P	P
Lodge or social hall	N	P	P
Lodginghouse	N	C	P
Lounge	N	N	C
Luggage store	N	P	P
Lumber yard	N	N	C
Machine shop operations incidental to any use permitted in C 3 district	N	N	P

Manufacture of goods retailed on premises	N	C	C
Meat custom cutting and wrapping excluding slaughtering	N	C	C
Meat, fish and seafood store	P	P	P
Medical office	P	P	P
Millinery	N	P	P
Miniature golf	N	N	C
Mobile home sales	N	C	P
Mobile home service	N	N	P
Monument works and sales	N	P	P
Mortuary	N	C	P
Motel	N	C	P
Motorboat sales and service	N	C	P
Motorcycle and motor scooters sales and service	N	C	P
Museum	C	P	P
Music store	N	P	P
Needlework, embroidery or knitting store	P	P	P
Newsstand	P	P	P
Nightclub or social club	N	N	C
Notion store	P	P	P

Novelty store	N	P	P
Nursery school	C	P	P
Office in which goods or merchandise are not commercially created, exchanged or sold	N	P	P
Office supply	N	P	P
Office machines sales and service	N	P	P
Oil burner shop	N	N	C
Optometrist, optician or oculist	P	P	P
Ornamental iron sales or repair	N	C	P
Paint or wallpaper store	N	P	P
Paperhanger shop	N	P	P
Park and playground	P	P	P
Parking lot or garage for passenger automobiles	C	C	C
Pawnshop	N	N	P
Penny arcade	N	N	C
Pest control and extermination	N	P	P
Pet and pet supply store	N	P	P
Pharmacy	P	P	P
Photographic supplies	P	P	P
Photo studio	P	P	P

Physician or surgeon	P	P	P
Pie manufacture	N	P	P
Plumbing shop	N	C	P
Pony ring, without stables	N	N	C
Pool hall	N	N	P
Popcorn or nut shop	P	P	P
Post office	C	P	P
Printing, lithographing publishing or reproductions sales and services	N	C	P
Private liquor club	N	N	C
Professional office	N	P	P
Public utilities substation	C	C	C
Public building	P	P	P
Radio and television sales and service	C	P	P
Radio, television of FM broadcasting station	N	P	P
Real estate agency	N	P	P
Reception center or wedding chapel	N	C	P
Recreation center	N	C	P
Recreational vehicle storage	C	C	P
Rental agency for home and garden equipment	N	P	P

Restaurant	P	P	P
Restaurant, drive in	N	P	P
Roller skating rink	N	C	P
Roofing sales or shop	N	P	P
Secondhand store	N	P	P
Seed and feed store, retail	N	P	P
Service station, automobile excluding painting, body and fender and upholstery work	P	P	P
Service station automobile with rotating brush car wash as accessory use	P	P	P
Sewing machine sale and service	N	P	P
Sheet metal shop and retinning, provided all operations are conducted within completely enclosed bldg.	N	N	C
Shoe repair or shoe shine shop	P	P	P
Shoe store	N	P	P
Shooting gallery	N	N	P
Sign manufacture or sign painting	N	N	P
Sign, animated	*P	P	P
Sign, business	P	P	P
Sign, flat	P	P	P

Sign, construction project	P	P	P
Sign, directional	P	P	P
Sign, freestanding	P	P	P
Sign, identification and information	P	P	P
Sign, marquee	P	P	P
Sign, nameplate	P	P	P
Sign, off premises	N	P	P
Sign, projecting	P	P	P
Sign, roof	N	P	P
Sign, temporary	P	P	P
Sign, wall	P	P	P
Supermarket	P	P	P
*only time and temperature animated sign in C-1 Zone			
Tailor shop	N	P	P
Tavern	N	N	C
Taxicab stand	P	P	P
Taxidermist	N	P	P
Telegraph office	P	P	P

Temporary building for uses incidental to construction work. Such buildings shall be removed upon the completion of the construction work.	P	P	P
Theatre, indoor	N	P	P
Theatre, outdoor	N	N	C
Tire recapping or retreading sales and service	N	N	C
Tobacco shop	P	P	P
Tool design (precision) repair and manufacture	N	N	C
Toy store, retail	P	P	P
Trade or industrial school	N	C	P
Trailer sales and service	N	N	P
Travel agency	P	P	P
Truck terminal	N	N	C
Upholstery shop	C	P	P
Used car lot	N	N	C
Variety store	P	P	P
Vegetable store or stand	P	P	P
Vendor, short term (see definition under 1-6)	P	P	P
Ventilating equipment sales and service	N	C	P
Warehouse storage	N	N	P

Weather stripping shop	N	P	P
Welding shop	N	N	C
Wholesale business	N	N	P
Window washing establishment	N	P	P

(Ord. of 1956, § 18-5; Ord. No. 10-83; Ord. No. 2-85; Ord. No. 16-89; Ord. No. 95-19; Ord. No. 96-42; Ord. No. 97-20; Ord. No. 20-94; Ord. No. 30-94; Ord. No. 2015-7, Exh. A, 5-5-2015)

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Sec. 104-5-3. - Permitted uses.

The following uses are permitted in Agriculture Zone A-1:

- (1) Accessory building incidental to the use of a main building; main building designed or used to accommodate the main use to which the premises are devoted; and accessory uses customarily incidental to a main use.
- (2) Agriculture, agricultural experiment station; apiary; aviary; aquarium.
- (3) Animals or fowl kept for family food production as an accessory use.
- (4) Cemetery; chinchilla raising, convalescent or rest home.
- (5) Church, synagogue or similar building used for regular religious worship.
- (6) Cluster subdivision in accordance with this Land Use Code.
- (7) Corral, stable or building for keeping animals or fowl, provided such structure shall be located not less than 100 feet from a public street and not less than 25 feet from any side or rear lot line.
- (8) Fruit or vegetable stand for produce grown on the premises only.
- (9) Golf course, except miniature golf course.
- (10) Greenhouse, and nursery limited to sale of materials produced on premises and with no retail shop operation.
- (11) Home occupations.
- (12) Household pets.
- (13) Parking lot accessory to uses allowed in this zone.
- (14) Private park, playground or recreation area but not including privately owned commercial amusement business.
- (15) Private stables; horses for private use only, provided that not more than two horses may be kept for each one-half acre of land used for horses within any lot.
- (16) Public building; public park, recreation grounds and associated buildings; public school; private educational institution having a curriculum similar to that ordinarily given in public schools.
- (17) Residential facility for handicapped persons meeting the requirements of section 108-7-13.
- (18) Residential facility for elderly persons meeting the requirements of section 108-7-15.
- (19) Single-family dwelling.
- (20) Sugar beet loading or collection station.
- (21) Temporary buildings or use incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.

(Ord. of 1956, § 5-2; Ord. No. 7-76; Ord. No. 12-91; Ord. No. 14-92; Ord. No. 96-35; Ord. No. 2009-14; Ord. No. 2010-20; Ord. No. 2015-7, Exh. A, 5-5-2015)

Sec. 104-5-4. - Permitted uses requiring two acres minimum lot area.

The following uses requiring two acres minimum lot area are permitted: Two-family dwelling.

(Ord. of 1956, § 5-3; Ord. No. 7-76)

Sec. 104-5-5. - Permitted uses requiring five acres minimum lot area.

The following uses requiring two acres minimum lot area are permitted:

- (1) Dairy farm and milk processing and sale provided at least 50 percent of milk processed and sold is produced on the premises.
- (2) Farms devoted to the hatching, raising (including fattening as an incident to raising) of chickens, turkeys, or other fowl, rabbits, fish, frogs or beaver.
- (3) Fruit and vegetable storage and packing plant for produce grown on premises.
- (4) The keeping and raising of not more than ten hogs, more than 16 weeks old, provided that no person shall feed any such hog any market refuse, house refuse, garbage or offal other than that produced on the premises.
- (5) The raising and grazing of horses, cattle, sheep or goats as part of a farming operation including the supplementary or full feeding of such animals provided that such raising and grazing when conducted by a farmer in conjunction with any livestock feed yard, livestock sales or slaughterhouse shall:
 - a. Not exceed a density of 25 head per acre of used land;
 - b. Be carried on during the period of September 15 through April 15 only;
 - c. Be not closer than 300 feet to any dwelling, public or semi-public building on an adjoining parcel of land; and
 - d. Not include the erection of any permanent fences, corrals, chutes, structures or other buildings normally associated with a feeding operation.

(Ord. of 1956, § 5-4; Ord. No. 9-65; Ord. No. 7-76; Ord. No. 2008-31)

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

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

- (1) Agri-tourism; meeting the requirements of title 108, chapter 21 (agri-tourism).
- (2) Animal hospital or clinic; dog breeding, dog kennels, or dog training school on a minimum of two acres and not exceeding ten dogs of more than ten weeks old, per acre, at any time; provided any building or enclosure for animals shall be located not less than 100 feet from a public street and not less than 50 feet from any side or rear property line.
- (3) Child day care.
- (4) Circus or transient amusement.
- (5) Educational/institutional identification sign.
- (6) Greenhouse and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.
- (7) Planned residential unit development in accordance with title 108, chapter 5.
- (8) Private park, playground or recreation grounds and buildings not open to the general public and to which no admission charge is made, but not including private owned commercial amusement business.
- (9) Private equestrian training and stable facilities on a minimum of five acres of land and at a density of not more than ten horses per acre.
- (10) Public equestrian training and stable facilities on a tract of land with a minimum of ten acres in area and at a density of not more than five horses per acre.

- (11) Public storage facilities developed by a public agency and meeting requirements of title 108, chapter 10.
- (12) Public utility substations.
- (13) Radio or television station or tower.
- (14) Raising and slaughtering of rabbits limited to a maximum of 500 rabbits at any one time.
- (15) School bus-parking, provided the vehicle is parked at least 30 feet from a public street.
- (16) Slaughtering, dressing, and marketing on a commercial scale of chickens, turkeys, or other fowl, rabbits, fish, frogs or beaver in conjunction with the hatching and raising of such animals on farms having a minimum area of five acres.
- (17) The overnight parking of not more than one vehicle other than an automobile, light truck or recreational vehicle, of not more than 24,000 pounds net weight, on property of not less than two acres in area and upon which the operator has his permanent residence provided that the vehicle is parked at least 50 feet from a public street.
- (18) The use and storage of farm equipment and other related equipment such as a backhoe, front-end loader or up to a ten-wheel truck, to be used by a farm owner, farm employee and/or a contracted farm operator of a bona-fide farm operation consisting of five acres or more, for off-farm, non-agricultural related, construction work to supplement farm income.
- (19) Wastewater treatment or disposal facilities meeting the requirements of the Utah State Division of Health Code of Waste Disposal Regulations.
- (20) Residential facility for troubled youth subject to the requirements listed in section 108-7-14.
- (21) Laboratory facility for agricultural products and soils testing.
- (22) Small wind energy system.

(Ord. of 1956, § 5-5; Ord. No. 3-72; Ord. No. 16-72; Ord. No. 7-76; Ord. No. 11-77; Ord. No. 4-79; Ord. No. 7-81; Ord. No. 3-84; Ord. No. 10-87; Ord. No. 30-85; Ord. No. 6-92; Ord. No. 20-94; Ord. No. 30-94; Ord. No. 96-42; Ord. No. 97-8; Ord. No. 99-9; Ord. No. 2008-8; Ord. No. 2008-31; Ord. No. 2009-14; Ord. No. 2010-20; Ord. No. 2012-19, pt. 3(§ 5-5), 12-18-2012)

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Weber County Geo-Gizmo



West Haven offices
Aerial View

200ft
41.189 -112.067 Degrees



Weber County Geo-Gizmo



West Haven offices
Aerial View

200ft
41.246 -112.091 Degrees

Concept Development Plan

Attachment B

Google Maps 4150 3900 W St



Image capture: Sep 2011 © 2018 Google

West Haven, Utah

Google, Inc.

Street View - Sep 2011

West Haven Offices
Street View