

WESTERN WEBER PLANNING COMMISSION

MEETING AGENDA

March 12, 2019

5:00 p.m

- *Pledge of Allegiance*
- *Roll Call:*

1. Approval of January 8, 2019 Meeting Minutes

Petitions, Applications, and Public Hearings

2. Administrative items

a. New Business

2.1 Consideration and action on a request for reconsideration of preliminary approval for a final recommendation of the Favero's Legacy Cluster Subdivision Phase 2. Applicant: Robert Favero

2.2 Consideration and action on final approval of Uintah View Estates Subdivision, a 9 lot subdivision.
Applicant: Jeremy Jaggi

3. Legislative Items

3.1 Consideration and action on proposal to add the solar overlay zone (SOZ) to approximately 370 acres at approximately 1700 South 7500 West. Applicant: Strata Solar; Doug Larsen as Agent

4. Public Comment for Items not on the Agenda

5. Remarks from Planning Commissioners

6. Planning Director Report

7. Remarks from Legal Counsel

8. Adjourn to Work Session

WS1: Ongoing review of the proposed land use table ordinance amendment.

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 handwritten 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.
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Minutes of the Western Weber Planning Commission meeting of January 08, 2019 held in the Weber County Commission Chambers, 2380 Washington Blvd. Floor 1, Ogden UT at 5:00 p.m.

Members Present: Jennifer Willener – Vice Chair
Andrew Favero
Bren Edwards
Greg Bell

Member Excused: John Parke, Blake Hancock, Jeanette Borklund,

Staff Present: Rick Grover, Planning Director; Charles Ewert, Principle Planner; Steve Burton, Planner II; Iris Hennon, Code Enforcement Officer; Matt Wilson, Legal Counsel; Kary Serrano, Secretary

- Pledge of Allegiance
- Roll Call

1. Consent Agenda:

- 1.1 LVT100118:** Consideration and action on a request for final approval of Terakee Meadow Subdivision, consisting of 12 lots, located at 900 S 4300 W in the Agricultural (A-1) Zone. (Brad Blanch, applicant)
- 1.2 CUP 2018-13:** Consideration and action on a conditional use permit for a Kennel License in the Agricultural (A-2) Zone. This is a newly blended family, just married. they are combining their family of dogs; they are also taking in a very abused dog and Mrs. Dawn Miller's sister who recently passed away her dog as well; because of this they will be over the limit of dogs allowed without a Kennel License, and are applying for a Kennel so they can continue give their dogs a home and the other two dogs to join their menagerie and live as one blended family. (Gary and Dawn Miller, Applicant)

Commissioner Edwards moved to approve consent agenda items LVT100118 and CUP 2018-13 as written. Commissioner Bell seconded. A vote was taken with Commissioners Favero, Edwards, Bell, and Chair Willener voting aye. Motion carried (4-0)

2. Elections: Chair and Vice Chair for 2019

MOTION: Commissioner Favero nominated Bred Edwards for Chair. Commissioner Bell seconded. A vote was taken with Commissioners Favero, Edwards, Bell, and Chair Willener voting aye. Motion carried (4-0)

MOTION: Commissioner Edwards nominated Andrew Favero for Vice Chair. Commissioner Bell seconded. A vote was taken with Commissioners Favero, Edwards, Bell, and Chair Willener voting aye. Motion carried (4-0)

3. Meeting Schedule: Approval of the 2019 Meeting Schedule

MOTION: Commissioner Edwards moved to approve the 2019 Meeting Schedule. Commissioner Bell seconded. A vote was taken with Commissioners Favero, Edwards, Bell, and Chair Willener voting aye. Motion carried (4-0)

4. Approval of the 2019 Planning Commission Rules of Order

MOTION: Commissioner Bell approved the 2019 Planning Commission Rules of Order with no changes from the 2018 Planning Commission Rules of Order. Commissioner Favero seconded. A vote was taken with Commissioners Favero, Edwards, Bell, and Chair Willener voting aye. Motion carried (4-0)

5. Petitions, Applications and Public Hearings:

- 5.1 Legislative Items:**
New Business:

1. A public hearing to consider and take action on ZTA 2018-06, a request allows lot averaging subdivisions to occur in the A-3 zone.

Charlie Ewert said on August 21, 2018, the County Commission adopted an ordinance amendment that allow lot averaging in the A-1 and A-2 zones. Lot averaging allows reduced lots widths and lot acreage as long as the average width and acreage is equal to or greater than the minimum lot width and acreage of the zone. This proposal will extend lot averaging to the A-3 zone as well; as well as address administrative details necessary to track and administer lot averaged subdivisions. In the ordinance the purpose and intent of the A-3 zone is to designate farming areas where heavy agricultural pursuits can be permanently maintained. The preferred use of the A-3 zone is all agricultural operations shall be permitted at any time, including the operation of farm machinery and no agriculture sue shall be subject to restriction because it interferes with other uses permitted in the zone.

Charlie Ewert said in the A-3 zone the minimum lot size for certain used, including single family residential dwellings, is two acres. Despite the purpose, intent, and preferred use of the zone, the highest and best use of the land in this zone is often realized when it is divided into the minimum lot size possible. The cluster subdivision ordinance could help preserve some of this farming acreage, as it requires permanently preserved agricultural acreage of 10 acres or greater. The PRUD ordinance could also provide open spaces to help preserve agricultural acreage for the long term. However, neither the cluster subdivision ordinance nor the PRUD ordinance offer any provision for small acreage subdivision. Currently there I no tool to offer these small subdivisions flexible lot standards that could yield a little more acreage beneficial for agriculture and/or open space. The provision for smaller lots could help alleviate some of the affordable house concerns in our area, as less acreage could yield a more affordable product for families who cannot afford the larger acreage lots.

Kendall Harper, applicant, 6585 W 700 N, said he didn't have anything new to provide, and felt that staff did a great job in providing the information.

Charlie Ewert went through Chapter 2 – Subdivision Standards – Section 106-2-4 – Lots: He indicated that information in blue is the proposed changes and the information in red is the deleted changes. He went through that section and asked if there were question or concerns.

The Planning Commissioner reviewed the information and had a lengthy discussion and felt they needed more information and suggested this needed to be tabled.

MOTION: Commissioner Favero moved to table this item was tabled until the next meeting. Commissioner Edwards seconded. A vote was taken to table this item with Commissioners Favero, Edwards, Bell, and Chair Willener voting aye. Motion carried (4-0)

2. A public hearing to consider and take action on ZTA 2018-07, a request to allow large solar energy farms in the A-3 zone, to create a solar energy overlay zone (SOZ), to modify solar energy regulations in the M-3 zone, and to create standards and processes governing the same.

Charlie Ewert said we have received an application to enable a large solar energy installation in the A-3 zone. The project needs to be located in the A-3 zone due to the proximity to power infrastructure. The only zone the County currently allows large solar energy installations is in the M-3 zone. It should be noted that in the M-3 zone a solar energy installation is a conditional use permit, meaning it is allowed provided it can mitigate detrimental effects as specified by the conditional use code. The proposed ordinance, attached as Exhibits A and B, will create an overlay zone for the A-3 and M-3 zones that could enable a large solar energy system. The West Central Weber County General Plan does not offer much information by way of future power generation implementation goals or objectives. The plan's future land use map designates the A-3 area as "one acre and five-acre development" with "cluster style development pattern required (and) minimum 30 percent open space." If the reason that large-scale power is unlikely in the area is due to minimal available lands as a result of agricultural land is made available for large-scale power generation then this directive could be extended to large-scale solar thereon.

Charlie Ewert said the preference for heavy agricultural-industries in the A-3 zone, and possible support for solar energy framing, is reflected in the uses that are only allowed in the A-3 zone but not in the other agricultural zones. While the impact of the use of a solar energy farm is quite different than aerospace project and testing; the A-3 zone is currently the only zone in which a solar energy farm is allowed. This overlay would not be applied to any property until the County Commission adopts a rezone to it and approves a development agreement. No property owner is currently entitled to it, and the discretion to apply it to any property is up to the County Commission. The Western Weber Planning Commission discussed the idea in their December 11, 2018 work session. No formal action has been taken. The original idea was to allow large solar energy systems in the A-3 zone. While the planning commission seems accepting of the use, there was a concern that allowing it by-right in the A-3 zone could have unforeseeable consequences. There was a desire to address this type of use on a site-by-site basis. Staff recommends that the Planning Commission offer a positive recommendation to the County Commission for file ZTA 2018-07, the addition of a solar overlay zone to the County Land Use Code based on the findings listed in the staff report.

Doug Larson, Strata Solar, Agent, 285 S 400 E Moab, gave his presentation and concluded that solar farm systems generate significant increases in local property tax revenue to fund public service entities: The County, Weber school District, Park Districts, and other special service property taxing districts within Western Weber County with little or no demand on assets and services of such entities.

Open and Closed for public land closed public hearing period

The Planning Commissioner reviewed the information and had a lengthy discussion and it was suggested to leave it as it is.

MOTION: Commissioner Bell moved to recommend approval to the County Commission on ZTA 2018-07, a request to allow large solar energy farms in the A-3 zone, to create a solar energy overlay zone (SOZ), to modify solar energy regulations in the M-3 zone, and to create standards and processes governing the same. This is based on the findings listed in the staff report. Commissioner Favero seconded. A vote was taken with Commissioners Favero, Edwards, Bell, and Vice Chair Willener voting aye. Motion Carried (4-0)

3. A public hearing to consider and take action on ZTA 2018-08, a request to create architecture, landscaping, and screening standards for the Western Weber Planning Area and to offer administrative edits for these regulations for the entire unincorporated county area.

Charlie Ewert said this proposal is to address the new commercial properties that have been rezoned out west. Right now Weber County doesn't have any objective commercial design standards, there are a couple in our design review section. With the new commercial areas that you see out west, we want to make sure that we have objective standards that a developer has to develop to in order to provide for a development that actually fits with community.

Commissioner Favero asked this is only applicable to structures. Mr. Ewert replied sites, it's applicable to any sites.

Vice Chair Willener asked so this would apply to parks; does this need to go to Park District as well? Mr. Ewert replied not necessarily, the Park Districts are independent districts and would need to comply with the county's rules. I will see if I can reach out, either that or we can exempt public parks from the rules.

Charlie Ewert said on Section 108-2-4 – Minimum standards, architectural; Lines 78, 79, and 80. As I go through that Section 108-2-9 and just changed the title of that paragraph.

Charlie Ewert said as far as looking at the next lines down under Section 108-2-4, on paragraph 1, which is Lines 84-86 deleted out the sentence. On paragraph 2, I modified the term texture and applied a little bit more language

to that. We are specifically talking about Cement Masonry Unit (CMU); and they have a flat CMU and a split face CMU is the textured.

Charlie Ewert said moving to Section 108-2-5, I made some changes in the handout in Section 108-2-5 (b), (c), and (d); and read through this, and said this is just reorganized so that it flows better.

Commissioner Edward asked is that as far as building and parking. Mr. Ewert replied said actually this is technically anything that's next to a property line. This is one of the concerns that I have with this section is that we do really pick it up. The 15 feet in other sections is 20 ft., so I will need to rectify that. Another section talks about landscaping adjacent to the building; landscaping relative to when a parking lot fronts on a street.

Charlie Ewert read Section 108-2-5 (e) Side and rear of the building. There is a line in there that used to say, "*a minimum planting area of at least 10 feet in width shall be provided between any parking lot or sidewalk, and the front of the building.*" I felt this was burdensome to have a plant or area right up next to the building front.

Vice Chair Willener asked does this address any natural barriers or unnatural barriers that might attack the planting area; such as berms, hillside, or canal frontage. Mr. Ewert replied no, we do talk about berms as a result of creating berms, but not natural berms. There is a section that says to try and work things in to the natural topography as best you can, but these are the requirements.

Charlie Ewert said I took out language on line 141 in your staff report, it says "*unless otherwise specified.*" If you go to same page, lines 155 thru 158, just changing references to Ogden Valley. He read the revised version of trails. He asked if there were any questions or concerns.

Commissioner Favero asked is the 6 ft. and 10 ft. just want has to be preserved? Mr. Ewert replied yes, that's 10 feet with whatever else is necessary, so you might get a foot or two on either side, so that's 12 ft. The 10 ft. would be in anticipation of building a 10 ft. pathway. The 6 ft. would be the anticipation of building a sidewalk. That would be the discretion of the engineer. In Ogden Valley, 10 ft. is part of the law, and we don't have that out west, and the insulation could be different.

Charlie Ewert said in looking at line 231, I have proposed that this be amended. I am proposing to be a subset of the previous section, so instead of being (k), it's going to be (10). Instead of making this specific to manufacturing uses, requiring conditional use permit. That's why we addressed it this way. He read Section (k) subsection (1) and I have (a) and (b) which is what is in front of you.

Charlie Ewert said in Section 108-2-6, I strike out a lot and I added in a lot; but you will find a lot of similarities in here. So I just packaged into one Part A; and addressed the other sections differently; so instead of Part A having three paragraphs under it and Part B having three paragraphs. Now it's just now Part A having four paragraphs, and I am just trying to be a little more efficient.

Commissioner Edwards said so basically if you have parking facing towards the street, with some sort of a buffer berm, bush that's going to deter the headlights or whatnot from entering the end of that. Mr. Ewert replied it's actually more than parking facing the street; it's any parking lot that has essentially land space that is not being occupied by a building or other use between the parking lot and the streets. Whether it's 200 feet, 20 feet, or the other code said 15 ft. so I have to figure if it's 15 or 20 ft.

Charlie Ewert said the handout that I have gave you, I just took out two-inch caliper size, because we already addressed this somewhere else in this same code. I did make a minor adjustment in berms, in your staff report and read line 288 through 291 Item (4). So if you are more than 20 ft. away with your parking area; you need to provide some kind of a berm that is no taller than 36 inches.

Charlie Ewert said if you go own to Section 108-2-7, chain link fencing in the Ogden Valley has long been a little bit of a controversial thing. So in Western Weber, he read line 333 through 336, and what this does is chain link

fence with typical slats if you're driving at 40 MPH past it you can see right through it and see everything on the other side, so interlocking slats it will obscure the site on the other side. If you're going to use a chain link fence to screen the property, it needs to be a reasonable screening device.

Commissioner Favero asked is there a reason why do the same as Ogden Valley and eliminate chain link. Mr. Ewert replied no, there is no reason. Ogden Valley is trying to do a little more resort oriented kind of stuff; Western Weber seems to be more Agrarian in nature, and I thought chain link would be desired. The galvanized chain link fence, the shiny chain link fence, all that would need to be color coated or vinyl coated so it's a little bit more aesthetically pleasing.

Charlie Ewert said looking at Lines 339 through 341, paragraph (b), I just strike out along all street right-of way, that seems to be redundant and unnecessary. Lines 351 through 361 Trash dumpsters, I did a previous shift here with the previous code for the Ogden Valley. I wrote that to say trash dumpster shall comply with the following. Then we will make sure as we give consideration for all site plan, that specific approval for denial if they don't comply as addressed.

Charlie Ewert said looking at Line 362, Section 108-2-8 – Clear sight distance for landscaping and screening. I think this addresses it better; so what I am doing is lifting this from this section.

Charlie Ewert said the last page, Section 108-2-9 – Landscape, this is the section that I was talking about, instead of Landscape Plan Submittal, we just call it Site Plan Supplemental Requirements.

Charlie Ewert said the last Section 108-7-7 – Clear view of intersecting streets, a completely different chapter, and we just modified it just a little bit to accommodate the objective that was already there, but also put better standards in that. Section 108-7-7 has always applied to Western Weber as well as Ogden Valley; but now it's just a little bit better written. So basically if you've got that triangle there in the corner that you would be able to see on your driver side of the window to know where the traffic is coming.

Commissioner Bell asked is there a site minimum of the site landscaping for the size that's required. Mr. Ewert replied that is on line 109, Section 1108-2-5 Minimum standards and guidelines: general landscaping, subsection (a) Sites shall have a minimum of 20% of the total lot area landscaped and a minimum of 80% of the landscaping shall be living plant materials. In addition to that, if you go over to Section 108-2-6 – Minimum standards – Off-street parking on line 247, and what we have here in a parking lot you have to have a certain amount of trees per square foot of parking lot.

Commissioner Bell said I don't know if we're concerned with the islands in the parking lots; given their climate when you travel around in different places. They plant trees that the leaves fall, they don't maintain them that well, and just start being garbage areas. Or areas that shopping carts clutter, and I don't know how I feel, I am not a huge fan of islands in the parking lots.

Commissioner Edwards said I feel that they exclude that 20% it becomes a lot of landscaping, and if that's included then I am okay with the 20%. Commissioner Bell said that 20% seems quite high considering we've got drought, which we spend most of our time with and I would like to see that better. Mr. Ewert replied there's a line in here that my original proposal was that you shall plant some drought tolerant vegetation.

Commissioner Favero said I would like to see the zero scape; I think in a lot of these places from what Commissioner Bell mentioned earlier about the islands and parking lots, potentially that's what they turn into anyway. They aren't taken care of and people walk through them. Mr. Ewert replied what if we build in an incentive of 80% vegetation unless it's zero scape; and maybe we scale that back to 40% or something to that affect. Would that be a good compromise given with all the options and hopefully an encouragement. Commissioner Bell said the more we can push the zero scaping type options on this stuff, the better off we are.

Commissioner Favero said putting information of the islands for traffic flow; and even if it does breakup the sea of asphalt a little bit, even if there's not anything that is very vertical, and that's those areas where you also see the water running in the middle of the day. When I know that they are hooked up to culinary for landscape it's a little tuff. Mr. Ewert said we do have a section in there that if it's turf grass, it has to be done on a different automatic irrigation valve than the other. Hopefully that will regulate itself out.

Vice Chair Willener asked how often do you see shading alternatives to trees; if we're going with the idea of zero scaping, or trees to break up the see of asphalt. I am just wondering what other alternatives there are out there, whether it's awnings, umbrellas, or something provides a little bit of shading in that sea of asphalt.

Commissioner Favero said there are shades that hang on two or three poles to give them a little bit of three dimensional type of shading. Vice Chair Willener added there are artistic things that can be put on too that can be texturally interesting, that are architecturally interesting; and I am wondering what alternatives we have that we might have that we could look in that area. Mr. Ewert replied I will do a little bit of research and see if there are any other ordinances out there that try and address this, and if not I will try and scratch one in ourselves.

Vice Chair Willener said maybe with outdoor sitting area with pergolas, or benches, and if we're looking at pedestrian encouragement in a commercial area; finding pedestrian friendly alternative to landscape or something be included. Commissioner Edwards said I don't mind the zero scape, but I think there's lots of value with trees being planted. I'm kind of on the lines of I don't mind eliminating turf grass but there definitely needs to be some vegetation.

Charlie Ewert said let me see if I can build some alternatives that doesn't eliminate landscaping; maybe allows for replacement or scale back on other bits here and there. Director Grover said you may also think with turf grass, of using more of the drought tolerant fescue plan. There are also grasses that are in the fescue family that don't grow tall so you don't have to mow as often.

Charlie Ewert said I will come back sometime with something more complete.

Vice Chair Willener opened and closed for a public hearing as there were no public present.

6. **Public Comment for Items not on the Agenda:** None
7. **Remarks from Planning Commissioners:** None
8. **Planning Director Report:** Director Grover reminded the Planning Commission about the Appreciation Dinner, at 6:30 p.m., at the Union Grill next Tuesday, January 15th.
9. **Remarks from Legal Counsel:** None
10. **Adjournment:** The meeting was adjourned at 7:00 p.m.

Respectfully Submitted,



**Kary Serrano, Secretary;
Weber County Planning Commission**



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for reconsideration of preliminary approval and for a final recommendation of the Favero’s Legacy Cluster Subdivision Phase 2.

Agenda Date: Tuesday, March 12, 2019

Applicant: Robert Favero

File Number: LVF051916

Property Information

Approximate Address: 3750 West 2200 South

Project Area: 8.302 Acres

Zoning: Agricultural (A-1)

Existing Land Use: Residential/ Agricultural

Proposed Land Use: Residential

Parcel ID: 15-078-0137

Township, Range, Section: T6N, R2W, Section 28

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 Ordinances

- Title 101 (General Provisions) Section 7 (Definitions)
- Title 104 (Zones) Chapter 5 (Agricultural (A-1) Zone)
- Title 106 (Subdivisions) Chapters 1, 2, 4, 7, & 8
- Title 108 (Standards) Chapter 3 (Cluster Subdivision)

Development History

Sketch plan endorsement of Favero’s Legacy Cluster Subdivision from the Western Weber Planning Commission was granted on May 10, 2016.

On September 13, 2016, the proposed cluster subdivision was granted preliminary approval for Favero’s Legacy Cluster Subdivision Phase 1 and 2 from the Western Weber Planning Commission.

Favero’s Legacy Cluster Subdivision Phase One was recorded on May 9th, 2017.

A one-year time extension was granted for final approval of phase 2. This time extension that has been granted requires that the plat is recorded by April 9th, 2019.

Background and Summary

Favero’s Legacy Cluster Subdivision Phase 2 will occupy a 3.517-acre parcel that preserves 1.179 acres for an individually owned open space parcel. This proposal qualified for and was granted bonus density based on the following qualifying criteria: 10% bonus for meeting the purpose and intent of the cluster subdivision and a 15% bonus density based on providing 1,782 square feet of open space to be used as a community garden on the open space parcel E in phase 2 (see Exhibit A). Open space parcels A, B are one acre. Open space parcel E is 1.179 acres, the total open space percentage for phases one and two

amounts to 43% of the total developable area reserved as individually owned open space parcels which are 13% above the minimum required for a cluster subdivision.

Mr. Favero has negotiated with the neighboring landowner to the east to acquire a space that measures 330'x81.4' to avoid creating a remainder parcel that will not easily be incorporated with neighboring developments (see the Area Map). This land has been included with Phase 2 as can be seen in Exhibit A. This acquisition and inclusion has resulted in one additional lot from what has been approved on September 13, 2016. It is for this reason that the owner is requesting reconsideration of the preliminary approval and for a positive final recommendation from the planning commission.

The proposed subdivision conforms to both the zoning and subdivision requirements including adequate frontage and access along a dedicated county road, adequate lot width, lot area and adequate setbacks per the Cluster Subdivision standards as required in the Uniform Land Use Code of Weber County (LUC).

The proposal has been reviewed against the adopted zoning, subdivision and cluster subdivision ordinances to ensure that the regulations and standards have been adhered to. The following section is a review of this proposal based on the Land Use Code of Weber County Utah (LUC).

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by encouraging development in areas of residential growth and preserving agricultural open space to maintain the rural atmosphere of the area, as found in the West Central Weber General Plan page 1-4.

Zoning: The subject property is located in an Agricultural Zone more particularly described as the A-1 zone. The purpose of the Agricultural (A-1) zone is identified in the LUC §104-5-1 as:

"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 proposed cluster subdivision allows for a reduction in lot width in Agricultural Zones to 60 feet and a reduction in lot area to 15,000 square feet. The lot area can further be reduced to 6,000 square feet if the lot is adjacent to an undeveloped parcel. An undeveloped parcel is one that does not contain a dwelling or contains a dwelling that is more than 150 feet away from the subdivision boundary. Lot sizes within phase 2 range from 17,686 to 18,779 square feet and range in width from 89 to 133 feet.

Common and Open Space: Phase 2 includes one 1.179-acre parcel that will be individually owned by a resident within the development. A conservation easement and a preservation/maintenance plan for the open space parcels were recorded with phase 1. The subdivision plat dedication language will describe the open space preservation easement and the open space preservation plan will be recorded with phase 2.

Bonus Density Criteria Request: The applicant has been granted a 25% density bonus that is outlined in the "Open Space Preservation Plan" (see Exhibit C). The bonus density was based on the accumulation of bonus density points outlined in LUC§108-3-8(2):

The cluster subdivision meets the purpose and intent of this chapter, a ten percent bonus has been granted.

If a cluster subdivision 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 has been granted. The Community Garden will be owned by one or more lot owners within the subdivision.

The planning commission may grant additional bonus density equal to the percentage that is above the 30% minimum. The planning commission may grant up to an additional 13% bonus density.

The total land area that is devoted to lots and open space is 321,729 sq. ft. divided by 40,000 comes to 8.04 lots. 8.04 divided by 25% equals 2.01. This equation tells us that the base density is 8.04 plus 2.01 which amounts to 10 lots allowable for this development.

Culinary water and sanitary sewage disposal: Taylor West Weber Water Improvement District has provided a will-serve letter for all four lots within phase 2 (see Exhibit E). The letter from Taylor West Weber Water also confirms that they have capacity to serve Phase 2 of Favero's Legacy Cluster Subdivision. Central Weber Improvement District has provided service approval letter with a condition that the entire Favero's Legacy Cluster Subdivision is annexed into the district (see exhibit F). As a condition of approval and prior to recording the plat, the space that measures 330' x 81.4' must be annexed into the district.

Additional design standards and requirements: The developer will be required to submit construction drawings to the County Engineer. Prior to seeking final approval from the County Commission, the developer must create an escrow account for all remaining improvements in addition to creating a ten percent contingency fund.

Review Agencies: This proposal has been reviewed by all County reviewing agencies. The County Engineering Department has listed several requirements that will need to be addressed prior to recording and subsequently following the submittal of the required construction drawings. The Weber County Fire District has posted with their review a list of items that includes fire flow, fire hydrant, and a temporary turn-around. Comments from Planning include the requirement to record the Open Space Preservation easement and CC&R's as well as creating an escrow account for the remaining improvements. The County Surveyor's comments will be addressed by a revised plat.

Tax clearance: The 2018 property taxes have been paid in full. The 2019 property taxes are due in full as of November 1, 2019.

Public Notice: Noticing requirements, according to LUC 106-1-6(c), have been met by mailing notices out to all property owners of record within 500 feet of the subject property during the preliminary subdivision process.

Planning Division Recommendation

The Planning Division recommends preliminary approval and a positive recommendation for final approval of the Favero's Legacy Cluster Subdivision Phase 2. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. Prior to going before the County Commission, the County Engineer shall approve the construction drawings and approve of the cost estimate for the remaining subdivision improvements.
2. Prior to recording the plat, the remaining 330' x 81.4' must be annexed in the Central Weber Sewer District.
3. The Covenants, Conditions, and Restrictions (CC&R's) shall be recorded with the final Mylar.
4. A Subdivision Improvement Agreement and Financial Guarantee must be submitted with the final Mylar.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. The proposed subdivision complies with applicable County ordinances.
3. The proposed subdivision has been granted up to a 25% bonus density.

Exhibits

- A. Phasing Plan
- B. Favero Legacy Cluster Subdivision Phase 1
- C. Favero Legacy Cluster Subdivision Phase 2
- D. Open Space Preservation Plan
- E. Taylor West Weber Water Improvement District Letter
- F. Central Weber Sewer Improvement District Letter

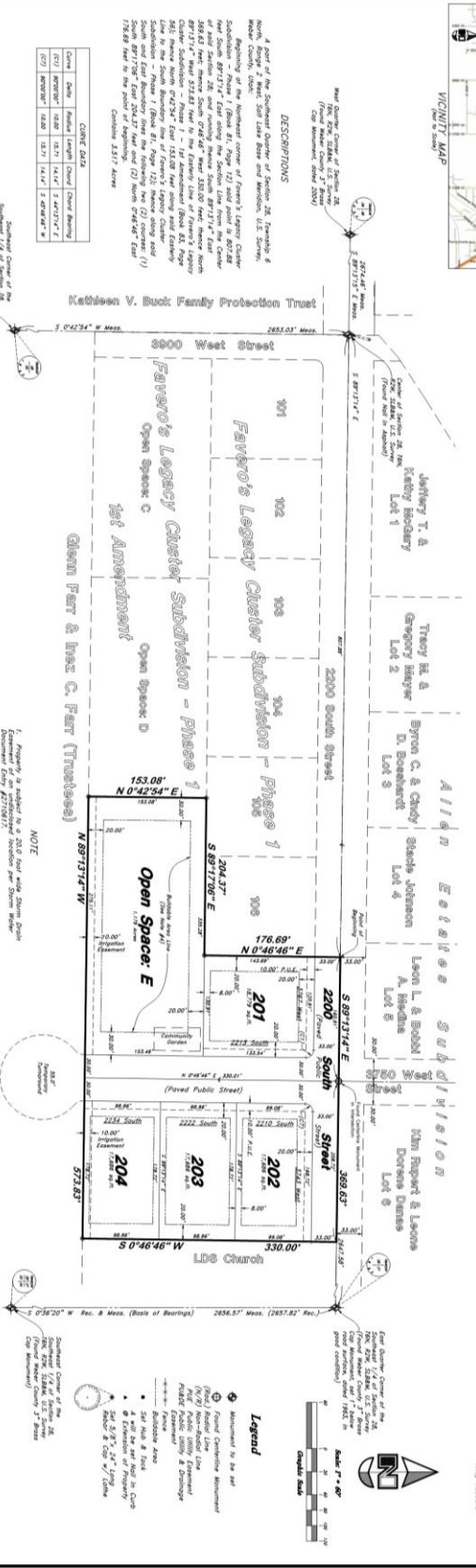
Location map





Favero's Legacy Cluster Subdivision - Phase 2

A part of the Southeast Quarter of Section 28, T8N, R2W, S18.8M U.S. Survey
Weber County, Utah
February 2018



OWNER'S CERTIFICATE

I, the undersigned owner of the above described lot, do hereby set apart and dedicate the area shown on the plat and shown and front Favero's Legacy Cluster Subdivision, and the portion of said lot shown on the plat, to the public for use as a public street, and I warrant that the area shown on the plat is free from all encroachments, easements, liens, and other claims of any kind.

Signed this _____ day of _____, 2018.

Owner's Name

OWNERS DEDICATION

The undersigned owners of the above described front of lot, do hereby set apart and dedicate the area shown on the plat and shown and front Favero's Legacy Cluster Subdivision, and the portion of said lot shown on the plat, to the public for use as a public street, and I warrant that the area shown on the plat is free from all encroachments, easements, liens, and other claims of any kind.

Signed this _____ day of _____, 2018.

Owner's Name

WEBER COUNTY SUPERVISOR

I hereby certify that the plat and all conditions hereon are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat has been approved by the Weber County Supervisor, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Weber County Supervisor

WEBER COUNTY ATTORNEY

I have examined the plat and conditions hereon, and I certify that the plat and all conditions hereon are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Weber County Attorney

WEBER COUNTY PLANNING COMMISSION APPROVAL

This is to certify that the subdivision plat was approved by the Weber County Planning Commission on the _____ day of _____, 2018.

Chairman, Weber County Planning Commission

WEBER COUNTY ENGINEER

I hereby certify that the subdivision plat and conditions hereon are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Weber County Engineer

WEBER COUNTY COMMISSION ACCEPTANCE

This is to certify that the subdivision plat, the plat conditions, and the subdivision plat are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Chairman, Weber County Commission

AGRICULTURE OPERATION AREA NOTICE

Notice is hereby given that the subdivision plat and conditions hereon are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Weber County Engineer

GREAT BASIN
1133 S. 400 WEST, SUITE 200
MOUNTAIN VIEW, UTAH 84032
PHONE: 801-375-3400
FAX: 801-375-3401
WWW.GREATBASIN.COM

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me, the undersigned, a Notary Public for the State of Utah, on the _____ day of _____, 2018, by _____, and _____, all of whom are personally known to me, and they acknowledged to me that they executed the foregoing instrument for the purposes and consideration therein expressed.

My Commission Expires: _____

Notary Public

NOTE

1. Property to be added to the subdivision plat shall be shown on the subdivision plat with the appropriate lot number and area.

2. Open Space (OS) areas shown on the subdivision plat shall be shown with their location and area.

3. An easement, right, or interest in land shown on the subdivision plat shall be shown with its location and area.

4. Building Size, when applicable, shall be shown on the subdivision plat with the appropriate lot number and area.

AGRICULTURE OPERATION AREA NOTICE

Notice is hereby given that the subdivision plat and conditions hereon are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Weber County Engineer

AGRICULTURE OPERATION AREA NOTICE

Notice is hereby given that the subdivision plat and conditions hereon are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Weber County Engineer

AGRICULTURE OPERATION AREA NOTICE

Notice is hereby given that the subdivision plat and conditions hereon are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Weber County Engineer

AGRICULTURE OPERATION AREA NOTICE

Notice is hereby given that the subdivision plat and conditions hereon are in conformity with the provisions of the Utah Subdivision Map Act, and that the plat is a true and correct copy of the original on file with the county clerk.

Signed this _____ day of _____, 2018.

Weber County Engineer

TENTATIVE FINAL

DATE: 02/27/2018
DRAWN BY: [Name]
CHECKED BY: [Name]
DESIGNED BY: [Name]

Open Space Preservation Plan for Farvero's Legacy Cluster Subdivision

Phases 1 and 2

Favero's Legacy Cluster Subdivision consists of 8.92 acres. It is divided into 10 residential lots and 3 open space lots. The residential ranging in size from approximately 17,700 square feet to 18,600 square feet. There are 2 one-acre open space lots, and one 1.179-acre open space lot. The land is in an A-1 zone, which allows for a minimum 40,000 square foot lot and one lot per acre. It would be expected that an owner could, under the current zoning of the land, develop approximately 8 to 9 lots on this property considering land configuration and required street improvements. This property is served by all utilities including sewer and secondary water, which is not common in western Weber County. The owners of the property have determined that a more efficient use of the land would be to develop it into a cluster subdivision, as allowed in an A-1 zone. The advantages of this type of development include:

- Open spaces surrounding residential lots. (In this subdivision they will be used for agricultural uses.)
- Open spaces will be preserved in perpetuity by deed restriction and CC&Rs
- Lot sizes will encourage better maintained residential lots, less weed patches
- Continued compatibility with the rural nature of the surrounding land in the area
- Open spaces could be more easily maintained and more productive with properly sized equipment
- Reduced amount of infrastructure to be maintained by government entities going forward
- This subdivision has been designed giving consideration to the rural nature of the land around it by sizing the lots at ranging in size from approximately 17,700 square feet to 18,600 square feet. The Open Space have been designed to separate lots from the adjacent farm land and sized so that an owner of an open space can effectively and efficiently use farm machinery to maintain the open space. The subdivision has been designed to meet or exceed the requirements set forth in the Cluster Subdivision Ordinance

The Cluster Subdivision Ordinance provides an incentive of bonus density or an increase of the number of residential lots if it is determined that the subdivision meets some or all of the criteria set forth in the ordinance. We request a bonus density of 15% based on the criteria that the subdivision meets the purpose and intent of the ordinance and amenities that are provided to the general public such as a community garden. The developer will construct a Community Garden that will be available to the general public.

1. OPEN SPACE PLAN:

- a. This subdivision provides Open Spaces of 3.179 acres (approximately 43% of the total acres) adjacent to residential lots in an effort to preserve the rural nature of the area around it. The Subdivision provides lot sizes that most home owners can responsibly care for without looking like a high density small lot development. It also accommodates the individuals that would like to own a larger tract of land close to their home that is part of a well developed subdivision. Open Space is divided into four one acre parcels to maintains the rural feel of the area. This approach should encourage substantial homes of a high quality. The Open Spaces are sized to allow an owner to equip the property for good maintenance.

- b. The Open Space will be individually owned and preserved by a recorded preservation easement on each parcel identifying it perpetually as an Open Space Parcel. Deed restrictions to this effect will be placed in each Open Space Parcel deed or as shown on the recorded plat.
 - c. Individual owners will be responsible for the ongoing maintenance of their part of the Open Space.
 - d. The Final Plat - show a proposed building envelope for each Open Space parcel, or subdivision of an Open Space parcel, which will not exceed 5% of the total size of the parcel. These are non residential building. Building built inside of these designated envelopes will be used for agricultural purposes, storage of equipment, shelter for animal and commodities. All buildings will be built with new materials and completed within 12 months from the time they are started. These requirements will be regulated by the CC&Rs that will be recorded with the final plat .
2. OWNERSHIP:
- a. Open space in this subdivision will be sold to and owned in the future by individuals who own a lot in the subdivision.
 - b. A plot is being designated as a COMMUNITY GARDEN. This plot will be owned by one who is an owner of a lot in the subdivision.
 - c. A note on the final recorded plats will describe the ownership standard for all lots in - the subdivision, along with restriction on each deed.
3. MAINTENANCE:
- a. The preferred approach will be to sell the Open Space in parcels sized, so an owner would have sufficient land to justify the acquisition of a small amount of equipment to maintain his land.
 - b. The developer will record, Covenants, Conditions and Restriction on all lots and Open Spaces in the subdivision that will require a high standard of maintenance for items such as weed control, upkeep and repair of all improvements and abandoned vehicles and equipment removal. This will provide other property owners the ability to resolve maintenance concerns.
 - c. Owners are required to manage and maintain the Open Space in a manner that is consistent with the Open Space Preservation Plan.
4. PRESERVATION:
- a. An approved preservation easement will be recorded on each Open Space parcel, identifying each as an Open Space along with deed restrictions or noted on the recorded plat.
 - b. Purchaser and subsequent purchasers will be required to use these Open Space parcels and associated building for agricultural uses only as restricted by the easement.
5. Community Garden Parcel:
- a. In the Open Space as shown on the subdivision preliminary plan, the developer will create a community garden parcel. This garden parcel will be open to the general public. The developer will fence the perimeter of the parcel. On half of the space, 4' by 12' grow boxes will be built with 5-foot paths in between each box for access. The remainder of that the parcel will be prepared for regular gardening plots. The developer will provide access to irrigation water. A portion of the parcel would be set aside for future development by an Association of Users and their management (see below) according to their desires.
 - b. An Association of Users will be created by the developer to oversee the management and future development of the parcel. The association would consist of and be managed by a president and a board member. All shall be owners of lots in the subdivision. Each would serve for a period of

- two years in their appointed position. Then the board member, in turn, would move to be president, at the end of the first president's term. Each two years, a new board member would be called to serve on the board and ultimately become president. Their responsibilities would include insuring that the parcel is well maintained, leasing out of the undeveloped portion, receiving, depositing and safeguarding performance deposits and rents, if any, as appropriate and paying for assessments, liability coverage and future development of the parcel.
- c. This parcel will be open to the neighborhood for production of vegetables, fruits and other food stuffs for personal use only.
 - d. The developer will create an appropriate marker and entryway that will set the community garden parcel apart from the other Open Spaces of the subdivision.

Reasons for creating a Community Garden:

Community workers, public health officials and urban planners are increasingly concerned about declining levels of physical and psychological health of the public.

The reasons behind this alarming trend are complex.

Research found that community gardens have resulted in a broad range of positive physical and psychological well-being outcomes for the public. These included providing opportunities for individuals to relax, undertake physical activity, socialize and mix with neighbors, sharing across culturally different backgrounds and religions. The gardens also afforded opportunities to learn about horticulture and sustainable environmental practices, such as composting and recycling, as well as being an important source of low-cost fresh produce for a healthy diet.

Research confirms that community gardens can play a significant role in enhancing the physical, emotional and spiritual well-being necessary to build healthy and socially sustainable communities. The importance of community gardens to the public is likely to grow as the trend for consolidated and densely populated urban areas increases.

Not only is a community garden a safe place for active children's play, it is where many families grow fresh fruit and vegetables, as well as ornamental flowers while they grow closer together. Gardening involves regular and enjoyable physical activity and when the work is done, the area is an ideal place for recreation with friends and relatives.

- There are many in the larger community that would like to have the advantage of raising their own vegetables in a clean rural environment, but lack the space to do so.
- Community gardens increase a sense of community ownership and stewardship.
- Community gardens foster the development of a community identity and spirit.
- Community gardens bring people together from a wide variety of backgrounds (age, race, culture, social class).
- Community gardens build community leaders.
- Community gardens offer a focal point for community involvement, and can lead to community-based efforts to deal with other social concerns.
- Community gardens provide opportunities to meet neighbors.
- Community gardens increase eyes on the street.
- Community gardens produce traditional crops otherwise unavailable locally,

- Community gardens take advantage of the experience of older community members to produce a significant amount of food for the household,
- **Youth**
- Community gardens offer unique opportunities to teach youth about:
 - Where food comes from
 - Practical math skills
 - Basic business principles
 - The importance of community and stewardship
 - Issues of environmental sustainability
 - Job and life skills
- Community gardens allow families and individuals without land of their own the opportunity to produce food.
- Community gardens provide access to nutritionally rich foods that may otherwise be unavailable to low-income families and individuals.
- Urban agriculture is 3-5 times more productive per acre than traditional large-scale farming!
- Community gardens donate thousands of pounds of fresh produce to food pantries and involve people in processes that provide food security and alleviate hunger.
- Studies have shown that community gardeners and their children eat healthier diets than do non-gardening families.
- Eating locally produced food reduces asthma rates, because children are able to consume manageable amounts of local pollen and develop immunities.
- Exposure to green space reduces stress and increases a sense of wellness and belonging.
- The benefits of Horticulture Therapy can be and are used to great advantage in community gardens.
- Community gardens provide a place to retreat from the noise and commotion of urban environments.
- Development and maintenance of garden space is less expensive than that of parkland.

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

February 22, 2019

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that ***preliminary*** approval has been given and the District has the capacity to provide culinary water only for 4 lots of the Favero's Legacy subdivision Phase 2 in Taylor, Utah.

Requirements:

- *Plan review fee = \$100 (\$25 per lot)
- *Water rights fee = \$17,452 (\$4,363 per lot or current cost when paid)
- *Hookup/Impact fee = \$5,638 per lot (or current cost when paid)
- *Secondary water = each lot must be hooked up to the pressurized secondary water system provided by Hooper Irrigation.

BUILDING PERMITS SHOULD NOT BE ISSUED UNTIL FINAL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER. Final approval is subject to meeting all of the requirements of the District and all fees being paid and received.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.

Val Surrage by Kelly Gladley
Val Surrage - Manager

VS/sph

Expires 8/22/19



Central Weber Sewer Improvement District

May 17, 2016

Weber County Planning Commission
2380 Washington Blvd.
Ogden, Utah 84401-1473

Reference: Proposed Favero's Legacy Subdivision
3750 West and 2200 South

We have been asked review the possibility of providing sanitary sewer service for a proposed Favero's Legacy Subdivision at approximately 3750 West and 2200 South. Central Weber can accept the sanitary sewer discharge from this location. We add the following conditions that must be met prior to any connections being made.

1. The entire parcel of property to be served will need to be annexed into the Central Weber Sewer Improvement District (District) prior to any connection and prior to the selling of lots. An annexation petition is available from the District's Office.
2. The District must be notified for inspection at any time connections are being made to the District's sanitary sewer lines. The District will NOT install, own and/or maintain any of the sanitary sewer lines being extended to serve this property.
3. The plans and details for the sanitary sewer connection into the District's collection system must be submitted to the District for review and approval. The District does not take the responsibility for the review of the design of the collection system for the subdivision.
4. Impact Fees must be paid prior to any connection to the sanitary sewer.

If you have further questions or need additional information please do not hesitate to contact me.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

A handwritten signature in blue ink that reads "Lance L. Wood". The signature is fluid and cursive.

Lance L. Wood, P. E.
General Manager

cc: Robert L. Favero



Synopsis

Application Information

Application Request: Consideration and action on final approval of Uintah View Estates Subdivision, a 9 lot subdivision.
Type of Decision: Administrative
Agenda Date: Tuesday, March 12, 2019
Applicant: Jeremy Jaggi, Representative
File Number: LVU111318

Property Information

Approximate Address: 2277 East 5950 South, Ogden, UT, 84403
Project Area: 2.799 acres
Zoning: Residential (R-1-10)
Existing Land Use: Residential/Vacant
Proposed Land Use: Residential
Parcel ID: 07-783-0002, 07-340-0011, 07-086-0065
Township, Range, Section: T5N, R1W, Section 23 SE

Adjacent Land Use

North: Agricultural	South: Eastwood Blvd
East: Residential/5950 South St.	West: Residential

Staff Information

Report Presenter: Tammy Aydelotte
 taydelotte@co.weber.ut.us
Report Reviewer: SB

Applicable Land Use Codes

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 12 (R-1-10 Zone)

Background and Summary

The applicant is requesting final approval of Uintah View Estates Subdivision, consisting of 9 lots, located at approximately 2277 East 5950 South, Ogden, 84403 in the R-1-10 Zone. The proposal includes amending the Stratford Highlands Subdivision, to the north. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with LUC.

Analysis

General Plan: The proposal conforms to the 1970 South East Planning Area Master Plan, by creating lots for the continuation of single-family residential development that is currently dominant in the area.

Geologic Hazards: The proposed development is located in a geologic hazard study area. The submitted report indicates no hazards located within the development site. Attached is a letter from the Geologist who performed the study, stating that no imminent hazards exist on or near the development site.

Zoning: The subject property is located in the R-1-10 Zone. Single-family dwellings are a permitted use in the R-1-10 Zone.

Lot area, frontage/width and yard regulations: In the LUC § 104-12-4, the R-1-10 zone requires a minimum lot area of 10,000 square feet, as well as a minimum lot width of 80 feet. All lots in this proposed Uintah View Estates Subdivision meet this requirement.

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in the LUC § 106-1, and the R-1-10 zone standards in LUC § 104-12. The proposed subdivision will create a new public street.

Culinary water and sanitary sewage disposal: Feasibility letters have been provided for culinary water and sanitary sewer services (Uintah Highlands). Feasibility for secondary water will be required prior to scheduling for final approval.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division, Engineering Division, Uintah Highlands Improvement District, the Surveyor's Office, and the Weber Fire District. All review agency requirements must be addressed and completed prior to this subdivision being forwarded for final approval.

Tax Clearance: There are no outstanding tax payments related to these parcels. The 2019 property taxes are not considered due at this time, but will become due in full on November 30, 2019.

Public Notice: A notice has been mailed not less than ten calendar days before preliminary 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.

Staff Recommendation

Staff recommends preliminary approval of Uintah View Estates Subdivision, a nine lot subdivision located at approximately 2277 East 5950 South, 84403. This recommendation is subject to **all** review agency requirements, including those of the Uintah Highlands Improvement District, and the following condition:

1. A paved, 6' wide walking path is required from E 5950 South to the proposed cul-de-sac shown on the subdivision plat.
2. Secondary water will be provided by
3. Improvements will either need to be installed, or escrowed for, prior to recording of this subdivision.
4. Perc test holes must be shown on the final plat.
5. A signature block for Uintah Highlands Improvement District must be included on the final plat.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the South East Planning Area Master Plan
2. The proposed subdivision complies with applicable county ordinances

Exhibits

- A. Subdivision plat
- B. Feasibility letters

Area Map

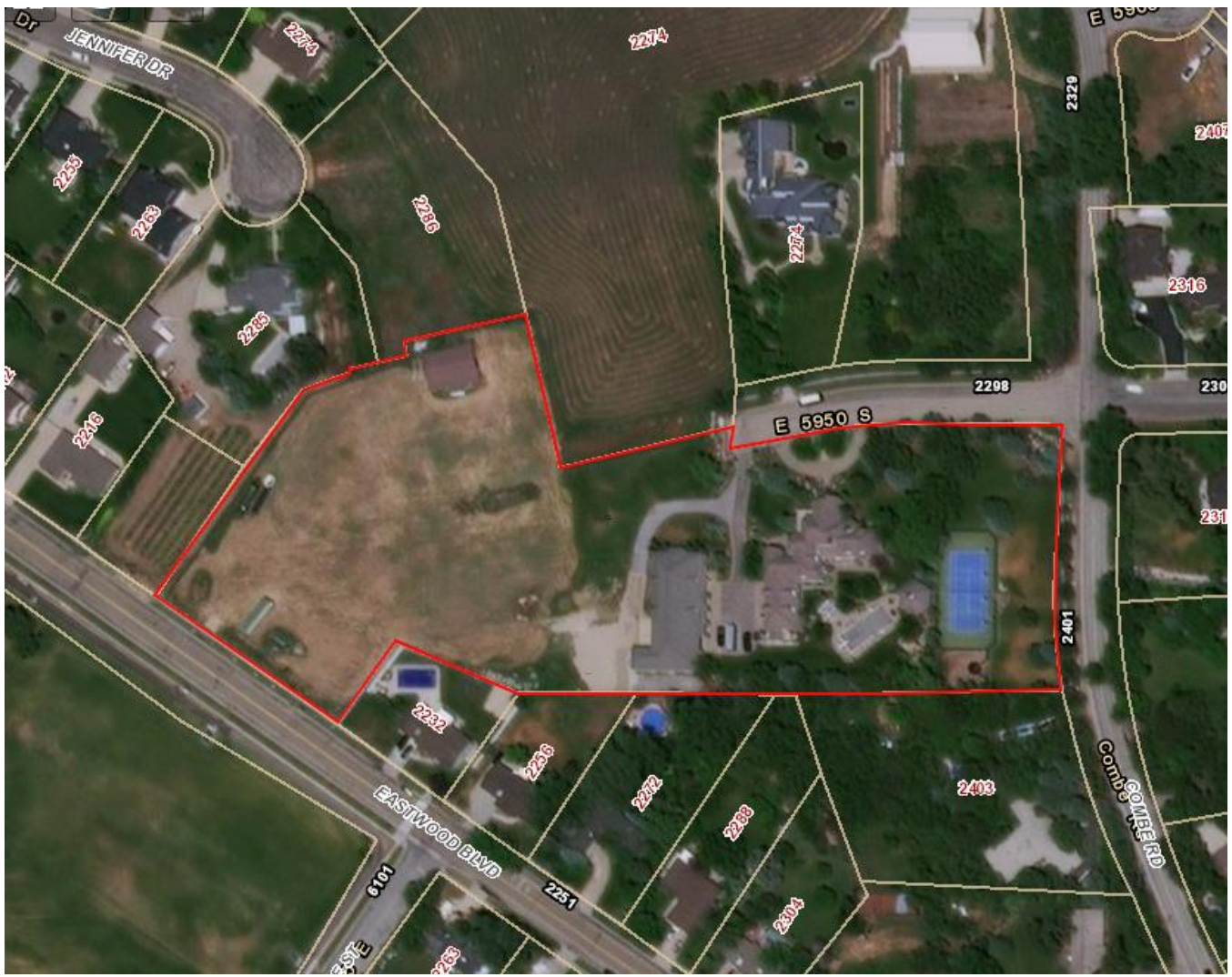
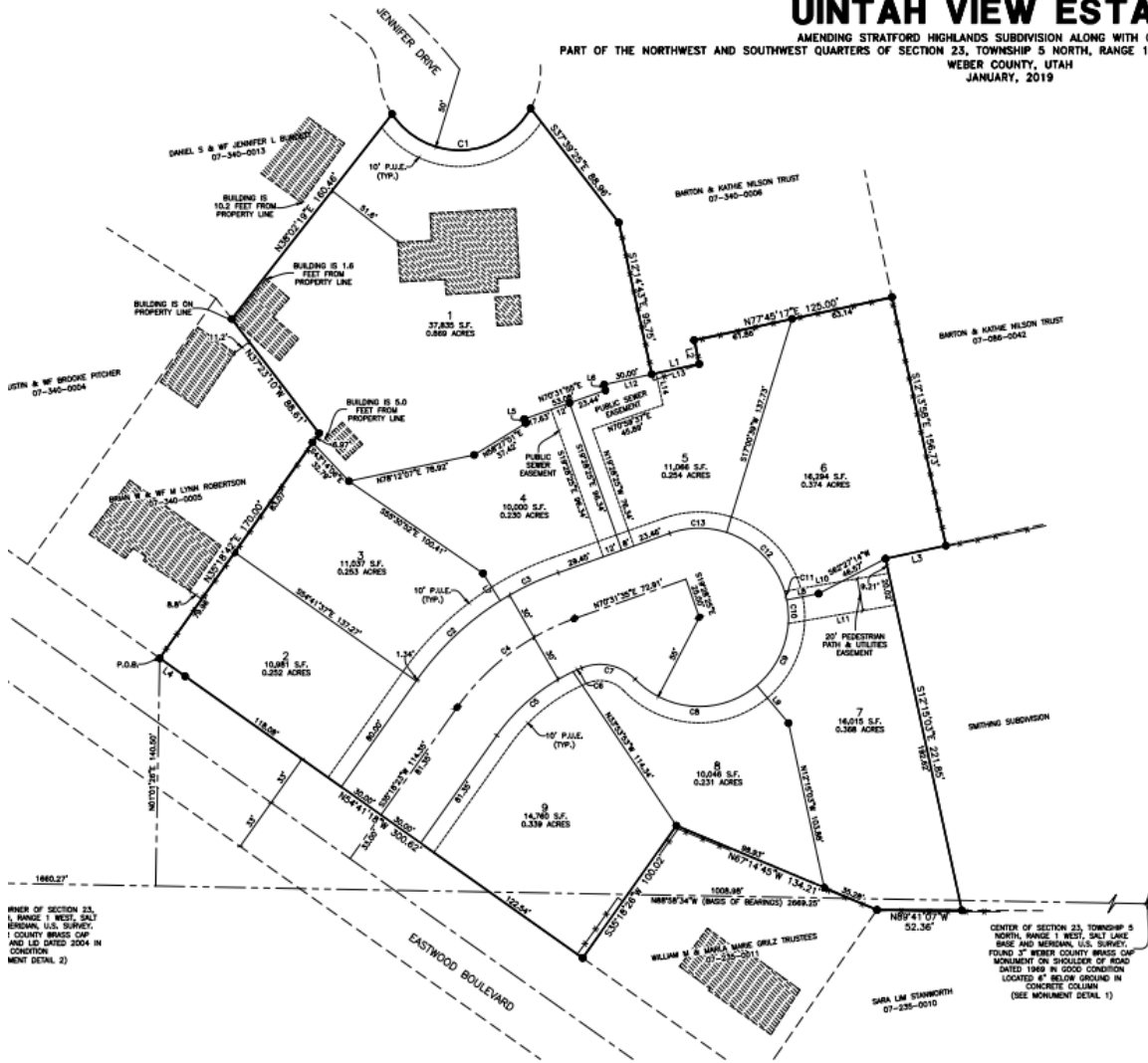


Exhibit B – Subdivision Plat

UINTAH VIEW ESTATES

AMENDING STRATFORD HIGHLANDS SUBDIVISION ALONG WITH OTHER LANDS
 PART OF THE NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MER
 WEBER COUNTY, UTAH
 JANUARY, 2019



OWNER OF SECTION 23,
 TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE
 BASE AND MERIDIAN, U.S. SURVEY,
 1 COUNTY BRASS CAP
 AND L.S. DATED 2004 IN
 CONDITION
 (MENT DETAIL 2)

CENTER OF SECTION 23, TOWNSHIP 5
 NORTH, RANGE 1 WEST, SALT LAKE
 BASE AND MERIDIAN, U.S. SURVEY,
 FOUND 3" WEBER COUNTY BRASS CAP
 MONUMENT ON SHOULDER OF ROAD
 DATED 1969 IN GOOD CONDITION
 LOCATED 6" BELOW GROUND IN
 CONCRETE COLUMN
 (SEE MONUMENT DETAIL 1)

LEGEND

- SECTION CO
- SET 5/8" & STAMPED "A"
- SET CENTER
- BOUNDARY
- LOT LINE
- ROAD CENT
- EASEMENT
- EXISTING FE
- ADJOINING I
- EXISTING SI

Scale: 1" = 30'



PROJECT INFO.	
Surveyor:	T. HATCH
Client:	J. ANDERSON
Begin Date:	1-18-19
Project Name:	UINTAH VIEW ESTATES
Number:	2019-01
Revision:	
Scale:	1"=30'

Uintah Highlands Improvement District

2401 East 6175 South
Ogden, UT 84403-5344
Phone: 801-476-0945
Fax: 801-476-2012
uhid1@qwestoffice.net

September 5, 2018

Subdivision Planner
Weber County Planning and Engineering
2380 Washington Blvd.
Ogden, Utah 84401

Re: Availability of services for Culinary Water and Sanitary Sewer within Uintah Highlands Improvement District for the: Proposed 10 Lot Development - Parcel 07-086-0065

Officials of the Uintah Highlands Improvement District, have been contacted about the proposed development of 10 lots on the property owned by Brenda Burton Trust parcel 07-086-0065, which is located within the boundaries of the District. The proposal is to divide this parcel into a 10 lot subdivision. Based upon the information from the phone conversation with Mr. Jeremy Jaggi, a representative for the proposed development, and under existing conditions, the District hereby states that culinary water and sanitary sewer collection services would be available for the proposed 10 lot development. When the existing lot is subdivided, the district does have the availability to provide services for each of the proposed 10 lots. The Developer would be responsible to make the connection to the existing services of the District, at the expense of the developer. The lines may be considered private from the connection at the main, which would then become the sole responsibility of the owner of the lateral. Detailed plans must be submitted and approved and all fees must be paid before a commitment-to-serve is granted and before construction begins.

Please note that:

Secondary Water for the area is provided by Weber Basin and is NOT part of this Commitment to Serve - District Rules and regulations (section 4.1.4) states, Use of District water for secondary Irrigation purposes on lawns and gardens or outside use is strictly prohibited. (See complete Rules and Regulations for full explanation.)

A separate source for secondary water is required and must be approved and provided for.

This commitment is made expressly subject to the condition that the Developer of the proposed 10 lot subdivision shall be required to comply with all applicable development procedures of the District, including, without limitation, the Developer shall agree to construct all water and sewer system improvements in strict conformance with and subject to the Uintah Highlands Improvement District current 'Public Works Standards', obtain proper easements, and to abide by all applicable rules and regulations of the District, as the same currently exist, or as they may be amended from time-to-time.

Dated this 5th day of September, 2018.

UINTAH HIGHLANDS IMPROVEMENT DISTRICT

By: 
Blaine E. Brough, District Manager

March 6, 2019

Mr. Jeremy Jaggi
HCA Investments, LLC
4287 Harrison Boulevard #135
Ogden, Utah 84403

RE: Uintah View Estates Subdivision

Dear Mr. Jaggi:

The District has reviewed the subdivision construction drawings dated February 18, 2019 for the Uintah View Estates Subdivision (8 building lots) located at approximately 2220 Eastwood Blvd., Ogden, Utah. Weber Basin Water Conservancy District (District) will provide secondary water to the referenced development provided the following requirements are met:

1. The property on which the Uintah View Estates development is to be built has an existing Weber Basin secondary water allocation sufficient to supply secondary water to all lots of the development. No additional water is required.
2. An engineering review of the secondary water system pipelines and appurtenances has been conducted by the District. The construction drawings shall incorporate the District's standards and details (see attached). In general the following shall apply:
 - a. General: All work pertaining to installation of the secondary water system shall meet the requirements as set forth in Weber Basin Water Conservancy District's Pressurized Irrigation Construction Specifications and Drawings. A copy of the specifications is attached to this review letter for reference.
 - b. The United States Bureau of Reclamation's (BOR) 48-inch diameter Weber Aqueduct and associated easement is located on the north side of Eastwood Drive, adjacent to the southern border of the proposed development. Before any utilities can be installed across (or work completed within) this easement, a License Agreement will need to be approved by the BOR. The aqueduct will also need to be potholed in the presence of the District's inspector prior to any work being done in the easement. It is our understanding that you are currently working through this process with Zeke Bardwell of our office. Please contact him with any questions about the License Agreement process.
 - c. The plans currently show the secondary waterline into the new subdivision connecting to an existing line in Eastwood Drive. This secondary waterline in Eastwood Drive does not exist. The nearest secondary waterline to the development is located at the end of 5950 South Street to the northeast of the development, where an 8-inch diameter line is currently stubbed. The new secondary waterline into the subdivision shall connect to this existing stub and run through a public utility easement into the subdivision. The developer shall be

responsible for locating the pipe at the point of connection to the existing system. The District shall be notified at least 48 hours prior to potholing of the lines.

- d. A gate valve shall be installed at the point of connection to the existing system.
- e. All lines shall be a minimum of 72-inches from the top back of curb (TBC) in the asphalt and shall have a minimum burial depth of 30-inches. Burial depths are not to exceed 72-inches.
- f. Secondary water lines shall be C900 DR-14 PVC.
- g. Hot-tapping the District's lines is NOT allowed. The connections shall be made during the irrigation off season (October 15 – April 1).
- h. All fittings shall be class 350 ductile iron that is protected from corrosion by a three-part wax tape system. See attached corrosion specifications for details.
- i. All water valve lids shall be stamped "irrigation". All concrete collars around the secondary water valve cover and lids shall be square shaped.
- j. All secondary service connections shall be constructed in accordance with the District's 1-inch Secondary Water Service Connection with Meter detail. This detail has been enclosed for reference.
 - i. The plans do not show a secondary service connection for Parcel A. A 1-inch metered connection shall be installed for this parcel.
- k. Drains shall be installed at all low points in the system. Gravity drains shall be installed when the storm drain is lower in elevation than the secondary water line. Pump drains shall be installed when the storm drain is higher in elevation than the secondary water line. The District's 4-inch drain and gravity drain details have been enclosed for reference.
- l. Combination air-vacuum valves shall be installed at all high points in the system. The District's 2-inch combination air-vac detail has been enclosed for reference.
- m. A secondary water utility plan that is stamped by a professional engineer shall be submitted to the District for approval. The plan shall include the District's specifications and shall be approved by the District in writing. An as-built record of the subdivision drawings shall be submitted to the District.
- n. The District shall be present at the pre-construction meeting that shall be held prior to installation of the secondary water system. All revised design drawings which address the comments in this letter shall be received by the District a minimum of one week prior to scheduling the pre-construction meeting.

- o. Following installation, the system shall be pressure tested to 200 psi for a minimum of two (2) hours.
3. An inspection fee of \$270.00 (\$30.00 inspection fee per connection) is due for the development. **The District's inspector must be present during installation and shall be scheduled at least 48 hours in advanced.**
4. A Subdivision Takeover Agreement will need to be signed, notarized and returned to the District before connection to our system is allowed. A Takeover Agreement for the Subdivision has been enclosed.
5. The fees, specifications and details referenced in this review letter are subject to periodic changes; therefore, should the referenced secondary connections associated with the Uintah View Estates Subdivision not be completed to the District's current standards during the off season of this year the connections will be subject to any updated fees and specifications that the District may implement.

If you have any questions, please contact Riley Olsen of our office.

Sincerely,

Scott W. Paxman, PE
Assistant General Manager

RJO/

cc: Jeremy Jaggi (jeremy.jaggi@hcainvestments.com)

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Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on ZMA 2019-01, a request to to apply the solar overlay zone (SOZ) to approximately 370 acres of land at approximately 1700 South 7500 West

Agenda Date: Tuesday, March 12, 2019

Applicant: Strata Solar; Doug Larson as Agent

File Number: ZMA 2019-01

Property Information

Approximate Address: 1700 South 7500 West

Zoning: Currently zoned A-3

Existing Land Use: Agricultural

Proposed Land Use: Solar Farm

Township, Range, Section: T6N, R3W, Section 23 and 26

Adjacent Land Use

North: Agricultural/Rangeland	South: State of Utah (Ogden Bay)
East: Agricultural/Rangeland	West: Agricultural and Large Lot Residential

Staff Information

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

Report Reviewer: RG

Applicable Ordinances

§102-5: Rezoning Procedures
 § 104-30: Large Solar Energy System Overlay Zone

Summary

This application is a request to apply the newly created solar overlay zone (SOZ) to approximately 370 acres of land. The actual acreage is likely to be reduced to 200-250 acres prior to final county commission approval due to a forthcoming revised legal description of the requested overlay zone area, which will not consume 100% of all of the subject parcels, but until then this review assumes all 370 acres is the subject property.

The SOZ will enable the construction and operation of an unmanned utility-scale solar energy facility as a permitted use with a development agreement.

The subject parcels are located east of 7500 West at approximately 1700 South. They receive access from 7500 West. The parcels are wholly within the A-3 zone.

The SOZ allows utility scale solar energy collection with non-reflective collection devices for areas 100 acres or greater in the A-3 and M-3 zones. The SOZ requires a development agreement to provide site specific development conditions. This agreement will be negotiated between the County Commission and Strata Solar, however, the site specific development conditions should be vetted through the planning commission.

If favorable, after the commission adopts a development agreement and applies the SOZ to the property, a utility scale solar energy operation will be entitled to occur there with no additional approvals, provided it complies with the SOZ and development agreement.

A few community effects to consider when reviewing this application is the aesthetic effect, the transportation effect, the construction and disassembly effect, and the weed management effect.

Staff are recommending that the planning commission offer a positive recommendation to the county commission for the overlay zone with the specific requirements listed herein to be incorporated into a development agreement prior to final adoption.

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 subject property is comprised of the following four contiguous parcels: #10-044-0001, #10-044-0002, #10-044-0014, #10-044-0019, which combined, form approximately 370 acres. The parcels are currently owned by the Willson Family Trust. The Willson Family Trust will lease 200-250 acres to Strata Solar. The remainder of the land will continue to be used as agricultural property. Figure 1 shows the general area of the project. Figure 2 shows the specific parcels included in this application.

Figure 1: Vicinity and Boundaries of Project Parcels

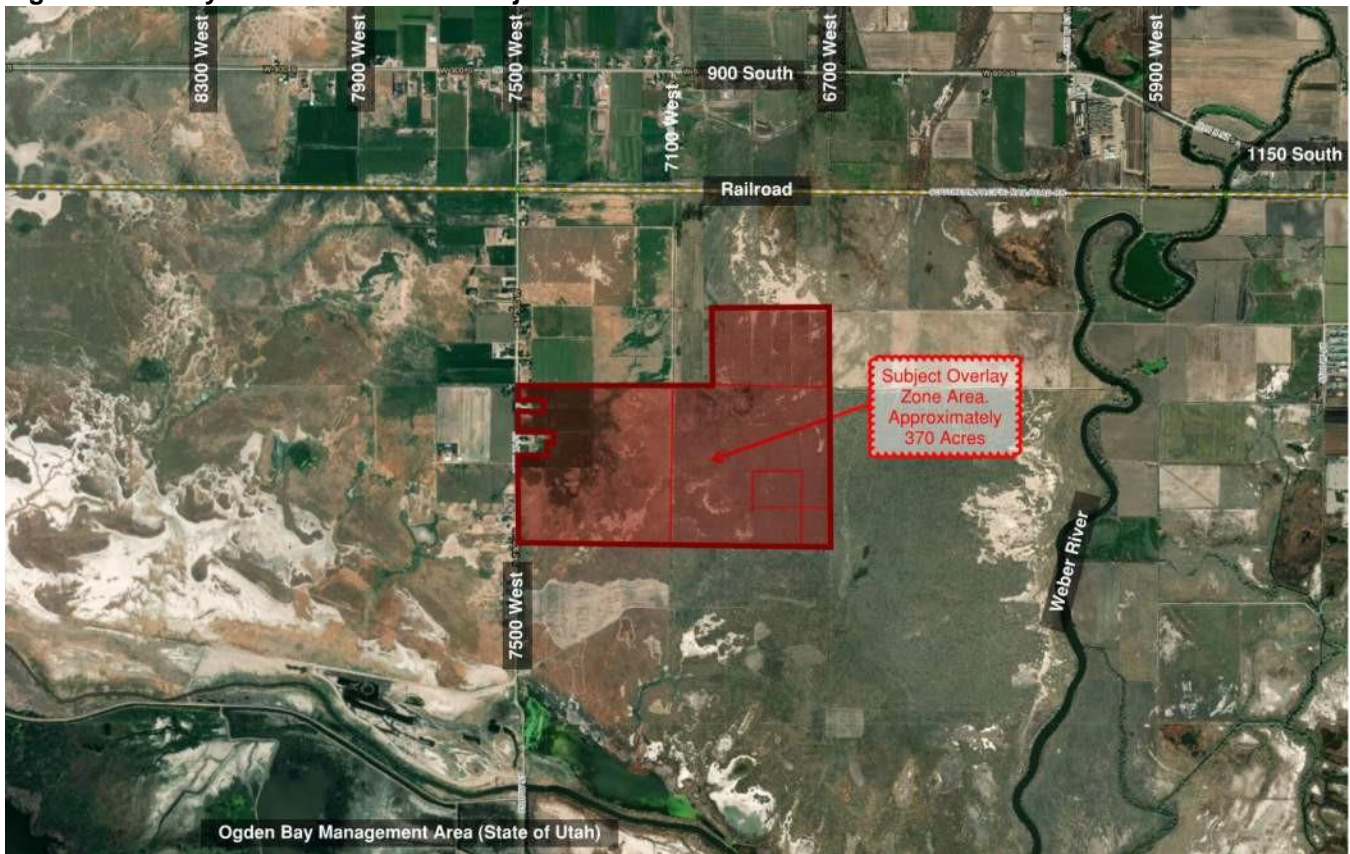
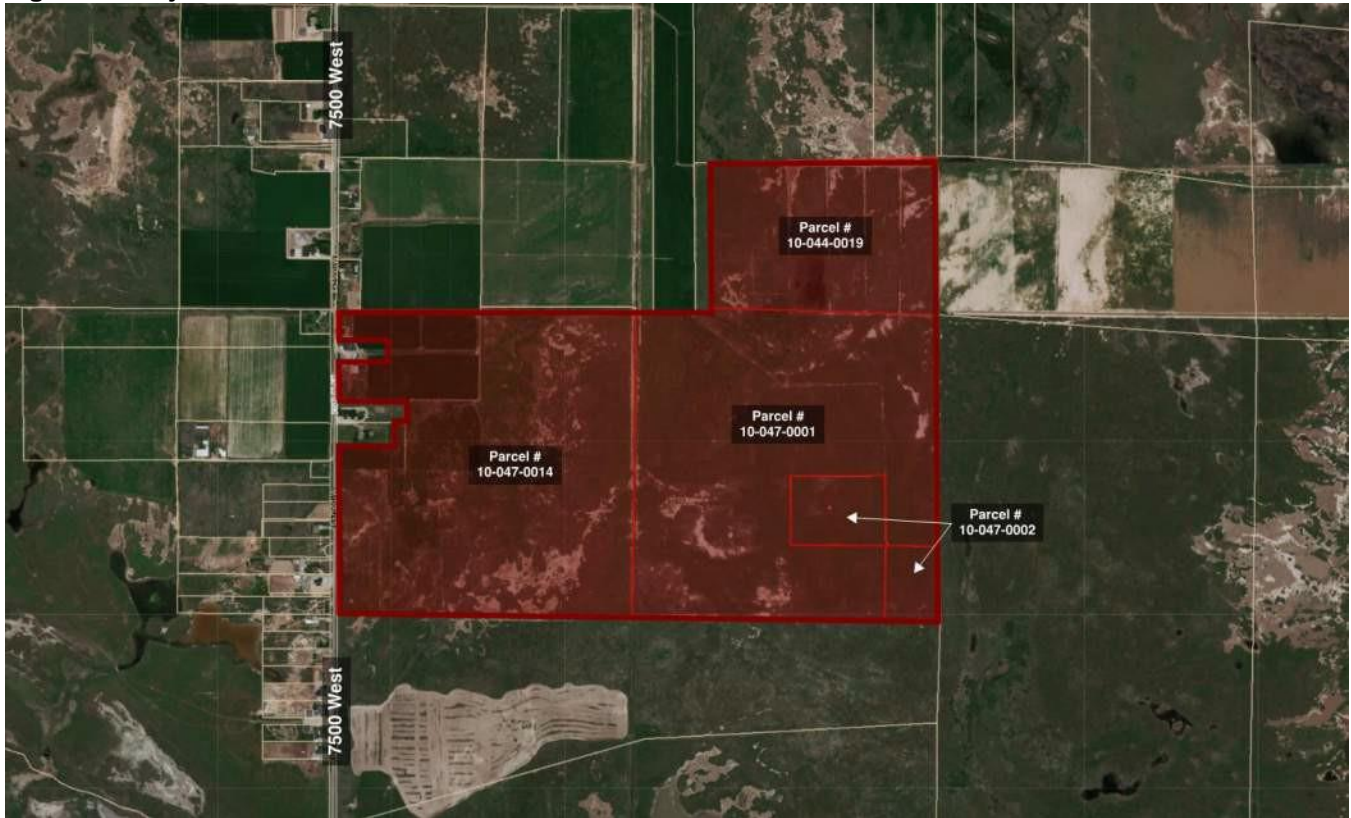


Figure 2: Project Parcels.



The Weber County Land Use Code has provisions that govern application-driven rezones. The following is a policy analysis of this requested rezone based on those provisions and relevant best-planning practices.

Zoning. The subject parcels are currently located in the A-3 zone. That is not being proposed to change. Rather, a solar overlay zone (SOZ) is being proposed to overlay the parcel's A-3 zoning. Figure 3 shows the current zoning of the parcels and the parcels' outer boundary. Figure 4 shows the parcels with the proposed SOZ.

The purpose and intent listed in the A-3 zone is:

"...to designate farming areas where heavy agricultural pursuits can be permanently maintained."¹

The preferred use of the A-3 zone is:

Agriculture is the preferred use in Agriculture Zone A-3. All agricultural operations shall be permitted at any time, including the operation of farm machinery and no agriculture use shall be subject to restriction because it interferes with other uses permitted in the zone.²

The purpose and intent of the SOZ is:

The solar overlay zone (SOZ) is intended to allow a legislatively adopted overlay zone that permits a large solar energy system. This chapter also establishes minimum requirements and regulations for the placement, construction, and modification of large solar energy systems, as defined in Section 101-1-7, while promoting the safe, effective and efficient use of these energy systems.³

¹ § 104-8-1 of the Weber County Code ²
³ § 104-8-2 of the Weber County Code ³ §
 104-30-1 of the Weber CountyCode

Figure 3: Current Zoning and Boundaries of Project Parcels.

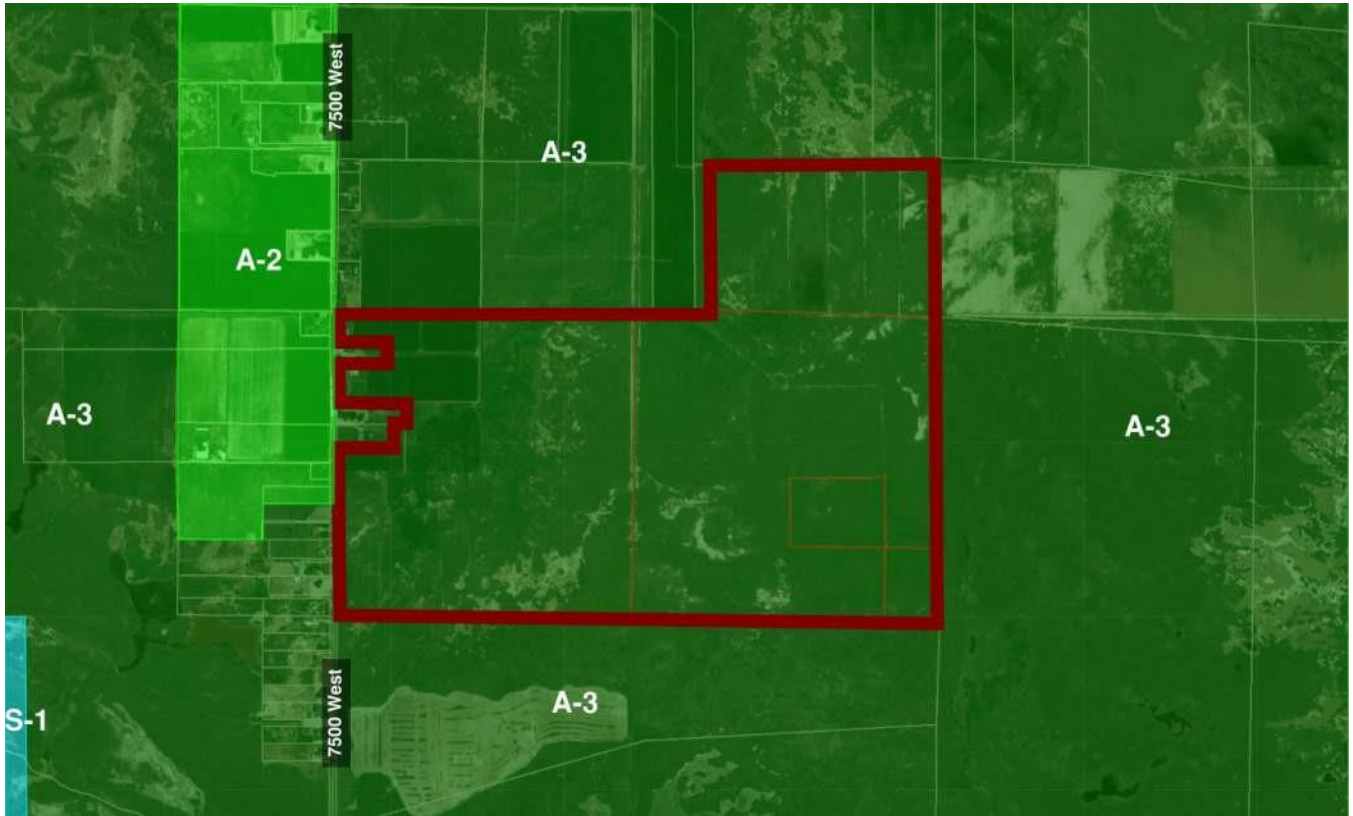


Figure 4: Proposed Zoning and Boundaries of Project Parcels.



The SOZ requires a solar project to encumber at least 100 acres with a development agreement that specifies, among other things, the development standards and performance of the solar farm. Those standards are as follows, with an evaluation of how they may be applied to this application.

- *Site plan.* Exhibit F, also seen, in part, in Figure 6, shows the proposed concept plan for the site.
 - The solar project will not consume the entire 370 acres of the site, but rather will consume between 200 and 250 acres on the eastern side of the site. The unused western side is proposed to continue to be used for agriculture.
 - The site will be fenced with a six foot chainlink fence with barbed wire on top. The fence will be setback 100 feet from the property boundary's northern, eastern, and southern boundary. The fence will be approximately 1,200 feet from the property's western boundary, 650 feet from the nearest parcel boundary containing a residence, and approximately 1,000 feet from any residence. This demonstrates compliance with the SOZ setback requirements.
 - There will be a proposed power substation onsite. No conditional use permit is required for this substation under the SOZ rules. The substation will be on the eastern edge of the site, nearly one mile from the nearest residence. It appears to comply with the county's public utility substation requirements.⁴
 - The site will be accessed from 7500 West. There is a proposed concrete approach from the project boundaries to 7500 West that will protect the edge of asphalt on that street. We recommend this be asphalt to seam better with the street's asphalt.
 - The site plan proposes a gravel driveway along the southern edge of the property. We recommend this be compacted road-base with dust treatment, sufficient to support a 75,000 lbs. fire truck.
 - Given the distance from the nearest residence, no screening has been proposed. The planning commission should determine whether this is satisfactory given site conditions and neighboring uses.

- *Vegetation plan.* No formal vegetation plan has been proposed. Where the project's perimeter is more than 1,000 feet from any residence and 1,200 feet from any street, it may be determined by the planning commission that the distance offers a satisfactory buffer in lieu of vegetation. We recommend requiring, at the very least, a viable weed mitigation plan for the entire site and an appropriate financial security, as approved by the County Attorney, Treasurer, and Planning Director, to ensure perpetual compliance.

- *Waterfowl and other wildlife mitigation.* It is our understanding that the solar panels are a photovoltaic panel with a surface treatment intended to capture as much sunlight as possible. They are intended to be nonreflective and will slowly move throughout the day to track the sun. The motion is slow enough to not create an unreasonable risk of harm to birds and other wildlife. The panels do not generate heat at dangerous levels. One element of concern, especially for this location, is the "lake effect" that a large solar system can create in which birds mistake the panels for water. Some waterfowl are unable to take flight if not on water. We recommend the panels be treated with special industry-standard patterns, or other reasonable mitigation strategies, to eliminate the "lake effect" from this site.

- *Performance measures.* As mentioned above, we recommend that the company maintain a financial security to ensure perpetual performance with development standards. The form of this security will need to be approved by the County Attorney and County Treasure. This will likely result in the company maintaining a surety policy, naming the county as a beneficiary. A surety is similar to an insurance policy, but, in this case, is intended to ensure satisfactory compliance with requirements.

- *Height requirements.* Exhibit F, also seen, in part, in Figure 7, shows the proposed height of the solar structures, which is 10 feet. The SOZ limits this height to 15 feet.

- *Relevant conditional use requirements.*
 - *Fire.* The construction of the solar farm will be required to meet the requirements of the local fire authority.

⁴ See § 108-10 of the Weber County Code.

- *Law enforcement.* The difference in demand for services from the local law enforcement and local EMS may increase during the construction period, but are anticipated be reduced virtually back to existing levels once the site is constructed and the security fence is erected.
- *Local infrastructure.* Traffic in the area may be impacted during the construction and future reclamation of the site, but once completed, the impact will be fairly negligible. All construction staging should remain onsite. The proposed drive approach will mitigate street-shoulder damage caused by occasional maintenance vehicles coming to the site.
- *Water and septic.* It is not anticipated that the site will require permanent culinary water or sanitary sewer facilities, as the site is intended to be unmanned except during occasional maintenance. If the planning commission desires to apply any vegetation requirements for the site then secondary or irrigation water will be necessary.
- *Environmental concerns.*
 - *Site prep and earth movement.* The land is relatively flat and is not anticipated to need significant earth movement. In the event earth movement is required the applicant will be required to provide storm drainage mitigation.
 - *Wetlands.* As can be seen in Figure 5, the site has a large amount of delineated wetlands. It is often permissible to develop in wetland areas, provided any reduction to wetland is appropriately compensated with the creation of other wetland area. A wetland mitigation/management plan has not been submitted for our review. We recommend that the development agreement give reference to the Army Corps of Engineers and the need for their approval of the proposal.

Figure 5: National Wetland Inventory Map

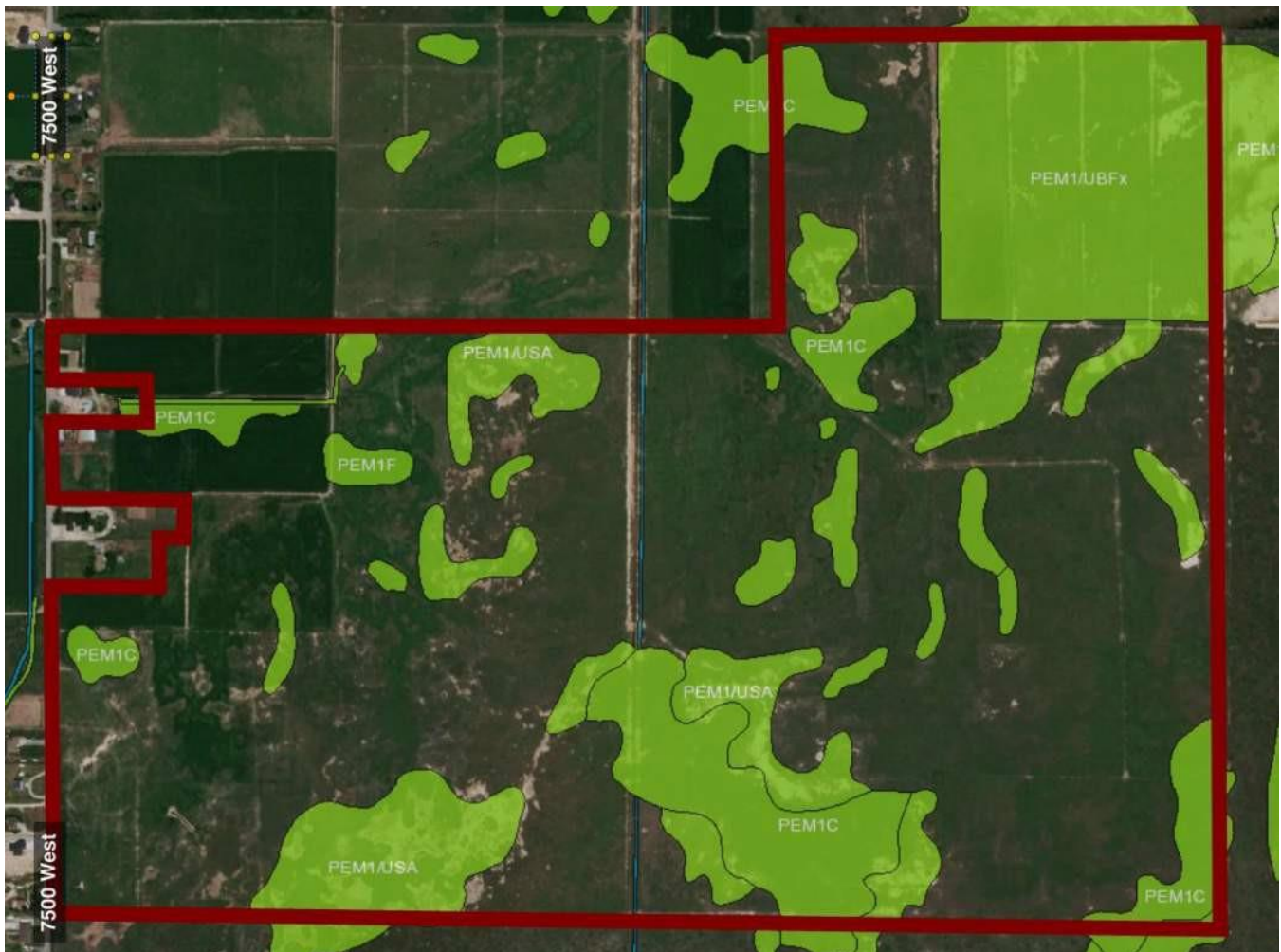


Figure 6: Concept Site Plan (excerpt)

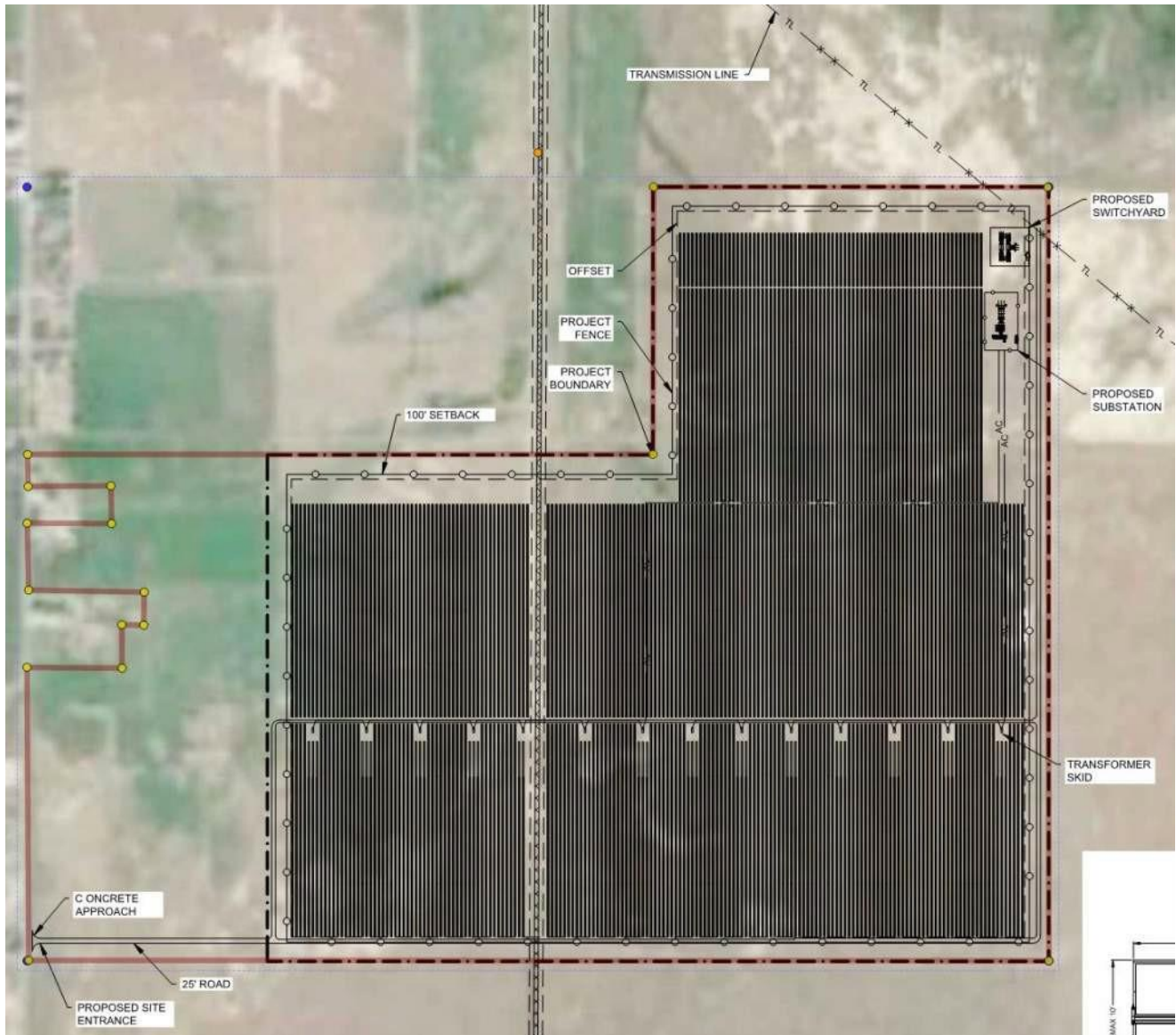
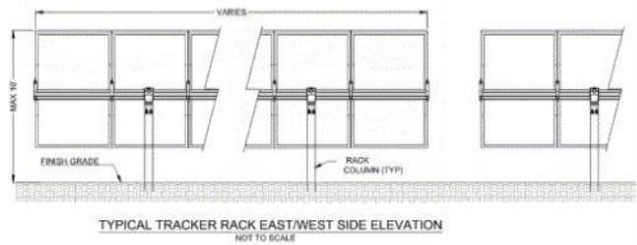


Figure 7: Solar Panel Side Elevation View



General plan. The West Central Weber County General Plan does not offer any specific recommendations regarding energy generation, however, the Western Weber County Resource Management Plan does. It suggests that there may not be sufficient acreage for large-scale solar generation given the existing agricultural uses of the area.⁵ However, it does offer this recommendation:

Policy: Energy Resources Support the development of renewable energy resources, such as solar,

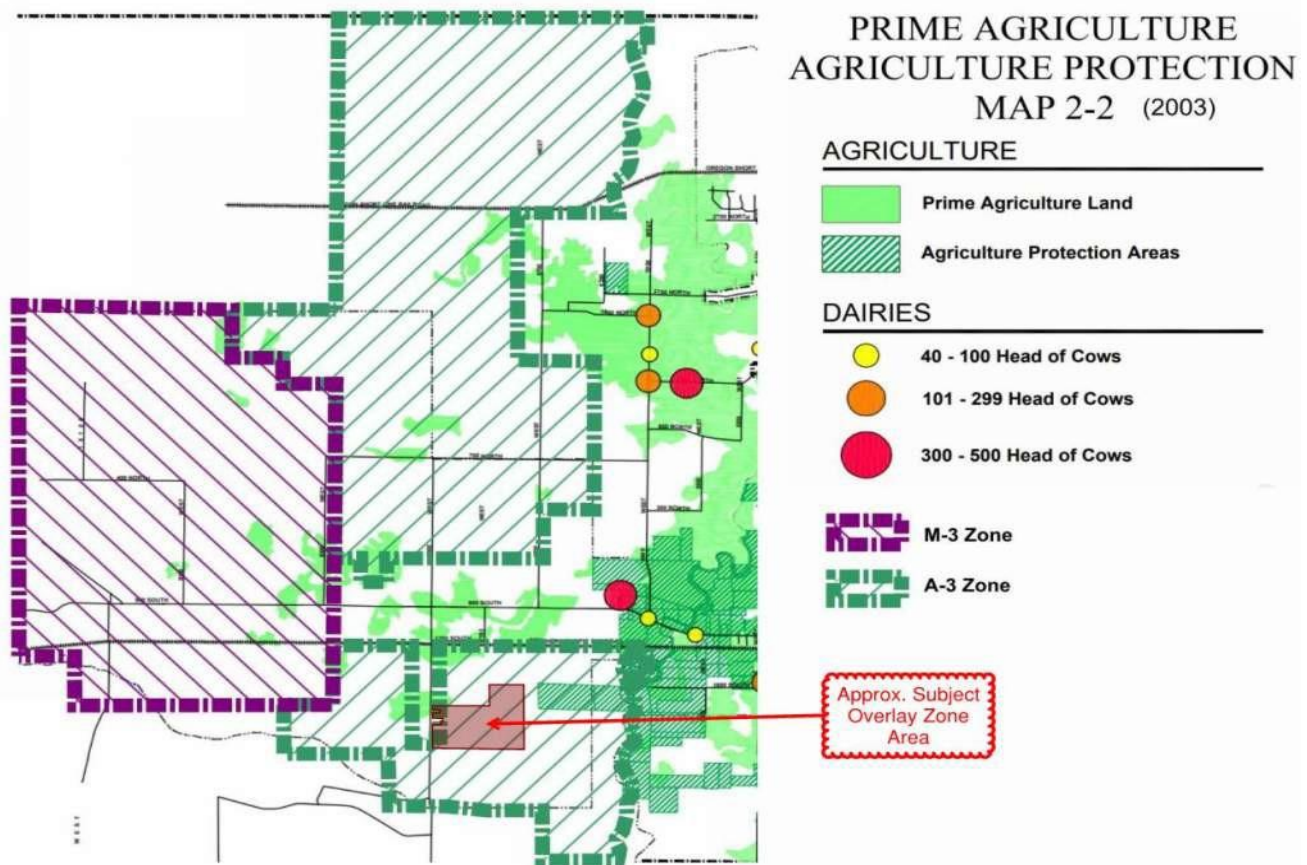
⁵ Western Weber County Resource Management Plan, p. 18.

wind power, and geothermal energy for private or small-scale commercial uses.⁶

The author's dismissal of larger solar farms is based on land-acreage as opposed to other community impact concerns. This could be interpreted to mean that allowing large-scale solar systems may be supportable if sufficient land is available that is not already better used by agricultural uses.

The West Central Weber County General Plan suggests that the A-3 zone has very little prime agricultural land. Figure 8 offers a map showing the A-3 boundaries and prime agricultural land (as of 2003). This map shows that other than a small portion on the western border of the subject parcels, an area where agricultural operations are intended to continue onsite, the majority of the subject property, and all of the area where the proposed solar panels will be constructed⁷, contains no prime agricultural land.

Figure 8: Prime Agricultural Land and A-3 and M-1 Zoning in Western Weber County.



Noticing Compliance

A hearing for this item before the Planning Commission has been posted for public notice in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

- Posted on the County's Official Website
- Posted on the Utah Public Notice Website
- Published in a local newspaper

Staff Recommendation

⁶ Western Weber County Resource Management Plan, p. 32.

⁷ See Exhibit F for the concept site plan.

Staff recommends the planning commission recommend approval to the county commission for file #ZMA 2019-01, a solar overlay zone for approximately 370 acres located at approximately 1700 S. 7500 W. This recommendation comes with the following recommended development agreement requirements:

1. A building permit is required for the solar structures.
2. Area for accessory structures anticipated to be needed in the future should be shown on the site plan and provisions for their permitting should be established such that it isn't necessary to amend the development agreement.
3. Keys or access codes to any security gate should be given to local law enforcement, fire, and EMS; or, at the request of one of those authorities, a special lock should be used that enables access during emergency situations.
4. Chainlink fencing should be vinyl or powder coated with an earth-toned color that blends well with the natural colors of the site area and eliminates the shine of untreated chainlink.
5. The drive approach to the property lines should be compacted and asphalted to the satisfaction of the County Engineer. At the owner's option, the approach may be completed after completion of construction of the site or within six months after commencement of construction of the site. A photo survey of the existing edge of asphalt on 7500 West at the site's entrance should document the current asphalt condition prior to commencement of construction. Any excess damage to the existing asphalt should be replaced at the time of asphaltting the drive approach. No final building inspection should be given until the approach is installed or a cash escrow has been offered to secure its construction.
6. A weed mitigation plan should be provided to the satisfaction of the Planning Director.
7. The owner and operator should be required to agree to provide reasonable treatment methods to mitigate the impact on waterfowl and other wildlife in the area. In doing so, all reasonable efforts should be made to accommodate and mitigate any concerns from the Utah Division of Wildlife Resources (UDWR), if required by the planning director. If not in conflict with the recommendations of UDWR, and if no other mitigation of "lake effect" is offered, recommended, or required, special patterns should be added to the panels to significantly reduce their appearance as a body of water to waterfowl. Performance measures should be implemented to determine whether additional mitigation treatments are necessary in the future, as may be recommended by the UDWR or Planning Director. The owner and operator should be required to allow county staff or UDWR staff to inspect the site at any reasonable time, with or without notice. If accessing without a company representative present, staff should be accompanied by law enforcement.
8. All power or other utility lines should be underground.
9. The wetlands impact and any necessary mitigation should be approved by the Army Corps of Engineers.
10. Construction staging should be restricted to the subject parcels.
11. An irrigation plan should be provided and a will-serve letter or feasibility letter should be provided from the relevant irrigation/water entity if vegetation is proposed or required for the site.
12. Upon discontinuance of the use, the site should be returned to its current condition, with all solar infrastructure onsite removed. A financial security should be provided to ensure this reclamation occurs.
13. Any outstanding review agency requirements should be appropriately applied in accordance with the law and to that review agency's satisfaction.

Exhibits

Exhibit A: Application.

Exhibit B: Vicinity Map.

Exhibit C: Current parcel layout.

Exhibit D: Current Zoning Map.

Exhibit E: Proposed Zoning Map.

Exhibit F: Concept Site Plan.

Exhibit G: Prime Agriculture Map (2003 General Plan).

Exhibit H: National Wetland Inventory Map.

Weber County Zoning Map | *Rezone 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)
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Property Owner Contact Information

Name of Property Owner(s) Wilson Family Trust		Mailing Address of Property Owner(s) 1700 South 7500 West Ogden, Utah 84404
Phone	Fax	
Email Address		Preferred Method of Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Mail

Authorized Representative Contact Information | APPLICANT

Name of Person Authorized to Represent Request Project Douglas Larsen Mathew Niesen (Strata Solar)		Mailing Address of Authorized Person Strata Solar Development LLC. 285 South 400 East Suite 216 Moab, Utah 84532
Phone 801.726.9048 435.260.0366	Fax	
Email Address Welev8@gmail.com mniesen@gmail.com		Preferred Method of Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

Property Information

Project Name Little Mtn. Solar Farm	Current Zoning A-3	Proposed Zoning A-3 Solar Zoning Overlay (SOZ)
Approximate Address 1700 South 7500 West	Land Serial Number(s) 10-044-0019 10-047-0001 10-047-0002 10-047-0014	
Total Acreage 250 (+/-)	Current Use Agricultural	Proposed Use Utility Scale Solar Farm

Project Narrative

Describing the project vision

Under the umbrella and direction of Weber County Land Use Ordinance: Chapter 30: Large Solar Energy System Overlay Zone (SOZ), Strata Solar (Developer) desires to develop a 48MW solar farm (large solar energy system) on approximately 250 acres of vacant land located in the western area of the unincorporated Weber County. (Conceptual Site Plan attached as Exhibit A).

The Solar farm system will be comprised of non-reflective solar photovoltaic panels (modules) set in an array mounted to the ground on steel or aluminum frames, a substation, inverters, monitoring systems and security fencing. Lower voltage clean energy generated from the solar farm system will be converted to high voltage energy and will then interconnect with the regional power grid (electricity distribution network) via existing transmission lines located north east of the development site. Access to the system will be from 7500 west. The system will be monitored remotely with maintenance crews attending the site on a monthly basis at minimum, and as needed.

Project Narrative (continued...)

How is the change in compliance with the General Plan?

Solar farm projects align well with certain components of the West Central Weber County Vision Statement:

Values and protects its rural character, lifestyle, and atmosphere: Development of solar farms protect large tracts of open acreage from other forms of development such as: residential, commercial, mixed use or industrial with very little impact on environmental and community assets. Once installed (planted) solar farms will not create increased traffic, utilize culinary or secondary water, create sewer waste and do not create any measurable demand on, or need for public safety services. Solar farms across the country exist harmoniously with their rural neighbors. In addition, at the end of a solar farm projects useful life, the ground at a subject site will be returned to the conditions that existed prior to development of the solar farm – open space, often farm ground.

Manages growth to strike a balance between preservation and development: Solar farms can be considered almost a perfect balance between preservation and development as they perpetuate both perspectives. Solar farms inhibit typical growth within a subject site for 25 to 35 years while at the same time allowing and supporting a development project that increases the tax base substantially with minimal use and impact on public services. Furthermore, allowing development of solar farms fosters the concept of enabling property rights opportunities that can provide a feasible pathway to sustaining open-space within communities.

Maintains a community that is safe from environmental hazard and criminal activity: Solar farms are a renewable energy producer. The system will generate “clean” electric power with very limited, if any impact on the surrounding and regional environment.

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

The development of the solar farm can, in a sense protect the integrity of open-space and will inhibit residential subdivision sprawl that is likely to occur over time in Western Weber County.

The harvesting of energy from the sun via ground mounted infrastructure is by all means a process very similar to other harvesting agricultural activity wherein the land is dedicated to the development of a crop. Such crops are dependent on the sun, in addition to water and often other nutrients as well as maintenance and care of the crops – crops are then harvested with the purpose of providing some form of value.

Accordingly, the solar panel and related infrastructure can be thought of as the crop, dependent *only* on the sun and maintenance of the components – ultimately producing a product, clean (renewable) energy that provides sustainable monetary and environmental value.

The solar farm will be a quiet neighbor and can certainly enable the desire of the West Weber community to maintain “...a sense of quiet, country living”.

As well, the Weber County Land Use Ordinance anticipates the potential development of solar farms within the A-3 zone under the direction of Chapter 30: Large Solar Energy System Overlay Zone (SOZ) and such direction provides significant protection the County and project neighbors as the approval is tied to a negotiated Development Agreement – (DRAFT attached as Exhibit B) that binds the development to certain site design and project retirement/termination standards.



Project Narrative (continued...)

How is the change in the public interest?

The development of commercial solar farms will have very minimal impact on public services and infrastructure. The table below represents the impact and public costs associated with a residential development consisting of 124 single family dwellings. (124 represents the quantity of homes needed at the current average assessed value in order to generate an amount of property tax revenue to public entities equal to that of a solar farm development at a significantly depreciated value of \$19M).

Public Service Public Asset	Public Cost Impact Est. of 124 Residential Dwellings	Impact Use of Public Services & Assets from Solar Farm
Education (Weber School District)		
Average Cost Per Student	\$ 6,500	None
Average Estimated Number of K-12 Students Per Household	1.50	
Yearly Cost to District from Residential Development	\$ 1,213,840	
Water (Utah Department of Natural Resources Data)		
Average Household Size	3.00	Relatively minimal use during construction only.
Average Gallons Per Person Per Day	256	
Average Yearly Household Water Use	280,320	
Yearly Water Use (gallons) from Residential Development	34,898,826	
Sewer (Central Weber Sewer Data)		
Average Gallons Per Household Per Day	450	Relatively minimal use during construction only.
Average Gallons Per Household Per Year	164,250	
Yearly Sewer Use (gallons) from Residential Development	20,448,531	
Public Safety (Weber County Sheriff Data)		
Total Subdivision Population Estimate	373	Minimal to None
Local Cost Basis:		
Unincorporated Weber County Cost per Resident - Public Safety	\$ 78.00	
Anticipated cost associated with residential development	\$ 29,094	
National Cost Basis:		
One officer per 1,000K people (373/100)	0.37	
Resource cost based on National Est. of \$125k per officer.	\$ 46,625	
Traffic Generation (2012 Utah Travel Study)		
Estimated number of vehicles per household	2	Construction traffic: 6 to 8 months. Post construction estimate @ 50 (+/-) trips annually
Estimated number of vehicles in subdivision	248	
Wasatch Front daily trip rates by households with 2 vehicles	13	
Estimated number of daily trips generated from subdivision	3,214	
Estimated number of weekday trips	16,070	
Estimated number of annual trips generated on weekdays	835,661	

Project Narrative (continued...)

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

Weber County, like other healthy economies in Utah has and will continue to experience measurable growth. Population estimates are projected to double along the Wasatch Front by 2050. Accordingly, western Weber County is a target area for growth and residential sprawl. Development can often strain community resources such as water, sewer and transportation systems. The “general area” of the proposed development site has experienced a notable increase in residential subdivision development over the last 10 to 15 years. The development of the large-scale solar farm will inhibit residential development on the sites 250(+) acres of farm ground for a period of 25 to 35 years. As such, the strain on resources that is currently occurring within the region, and will likely occur as articulated within the table above should positively warrant approval of the change.

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

According to the U.S. Department of Energy’s National Renewable Energy Lab – While the impacts of a solar farm on neighboring property values have not been studied in-depth, numerous studies have found the impact of wind energy generation on neighboring property values to be negligible. As solar farms do not have the same impacts as wind farms (i.e., PV facilities do not cast a shadow on neighboring properties, cause light flicker, or have the same visual impact as wind farms), *the impacts on property values caused by solar farms are anticipated to be very minimal.*

Additionally, photovoltaic (PV) solar panels are coated with non-reflective materials designed to maximize light absorption and, as a result, minimize glare. According to a 2014 study, solar panels produce less glare and reflection than standard window glass. Regarding noise, a study conducted by Tech Environmental, Inc., for the Massachusetts Clean Energy Center, that investigated two utility-scale solar projects concludes: any sound from the PV array and equipment was inaudible at set back distances of 50 to 150 feet from the (project) boundary. In fact, solar is a quiet and, typically, visually appealing neighbor that can *block the path of undesirable development for decades to come.* The same study also concludes that the electrical and magnetic fields generated by solar panels and their inverters are lower than background electrical and magnetic fields created by other devices that surround our daily lives, such as computers and cell phones, and emit fields that are several hundred times less than recommended exposure limits.

Photovoltaic solar farms produce no air emissions, do not release toxic materials, and emit no radiation. Photovoltaic technology does not produce excessive heat. In fact, solar farms are frequently home to nesting birds, and with the right plant and grass mix, can attract bees, butterflies and other species.

Compared with reserves of fossil fuel, which are essentially finite, solar energy productions is a renewable resource of almost unlimited capacity and scale. As the International Energy Agency noted in a 2011 report, “Solar energy is the largest energy resource on Earth -- and is inexhaustible.” The amount of solar energy received by Earth in a year exceeds the energy that has been developed from oil, natural gas, coal, and nuclear sources in the history of humankind. The amount received by the planet in an hour is greater than the earths entire yearly energy consumption. Additionally, the volatile price fluctuations typical of fossil fuels -- stemming from political tension, strife and other regional factors -- solar offers the potential for more stable energy costs, which benefits consumers as well as utilities.

From an economic development perspective, renewable energy is quickly becoming a requirement for corporate expansion and relocation decisions, particularly by tech and new generation business. Since 2010, renewable energy power purchase agreements generated over 18,000 mega-watts of clean power from wind and solar operations – tech companies alone have purchased 47% of the 18,000mw’s with government and universities in second place at only 13%. Beyond environmental and sustainability objectives, the long-term fixed utility rate from renewables feeds the health of a positive bottom-line. Communities supportive of renewables will have increased opportunities for tactical commercial growth that takes place in the urban centers while inhibiting such in the rural environments where the renewable systems may be located.

Finally, solar farm systems generate increases in local property tax revenue to fund public service entities: The County, Weber School District, Park Districts and other special service property taxing districts within western Weber County with little to no demand on assets and services of such entities.

Source(s):

Strata Solar at <https://www.stratasolar.com/g>

Bloomberg Opinion, Tech Investments are Powering Up Clean Energy at <https://www.bloomberg.com/opinion/articles/2018-09-29/tech-companies-are-big-spenders-on-renewable-energy>

National Renewable Energy Laboratory, TOP FIVE LARGE-SCALE SOLAR MYTHS (Feb. 3, 2016), at <https://www.nrel.gov/technical-assistance/blog/posts/top-five-large-scale-solar-myths.html>.

Tech Environmental, Inc., STUDY OF ACOUSTIC AND EMF LEVELS FROM SOLAR PHOTOVOLTAIC PROJECTS (Dec. 2012), at <http://files.masscec.com/research/StudyAcousticEMFLevelsSolarPhotovoltaicProjects.pdf>

Sciencing, Positive Effects of Solar Energy (April 2017), at <https://sciencing.com/positive-effects-solar-energy-6192992.html>

Authorized Representative(s):



Douglas S. Larsen


L E V8 Consulting (dba of Apple Eye LC) on behalf of Strata Solar Development LLC

State of Utah

Weber County

This instrument was acknowledged before me on:

Date: 1/28/19 By: Douglas Larsen



Notary Signature



Weber County Corporation

Weber County
2380 Washington Blvd
Ogden UT 84401

Customer Receipt

Receipt Number **98452**

Receipt Date
01/29/19

Received From:

Doug Larsen

Time: 10:10
Clerk: amorby

Description	Comment	Amount
ZONING FEES		\$2,900.00

Payment Type	Quantity	Ref	Amount
CREDIT CARD		138016	

AMT TENDERED: \$2,900.00
 AMT APPLIED: \$2,900.00
 CHANGE: \$0.00



900 South

1150 South

Railroad

Subject Overlay
Zone Area.
Approximately
370 Acres

Ogden Bay Management Area (State of Utah)

Exhibit B: Vicinity Map

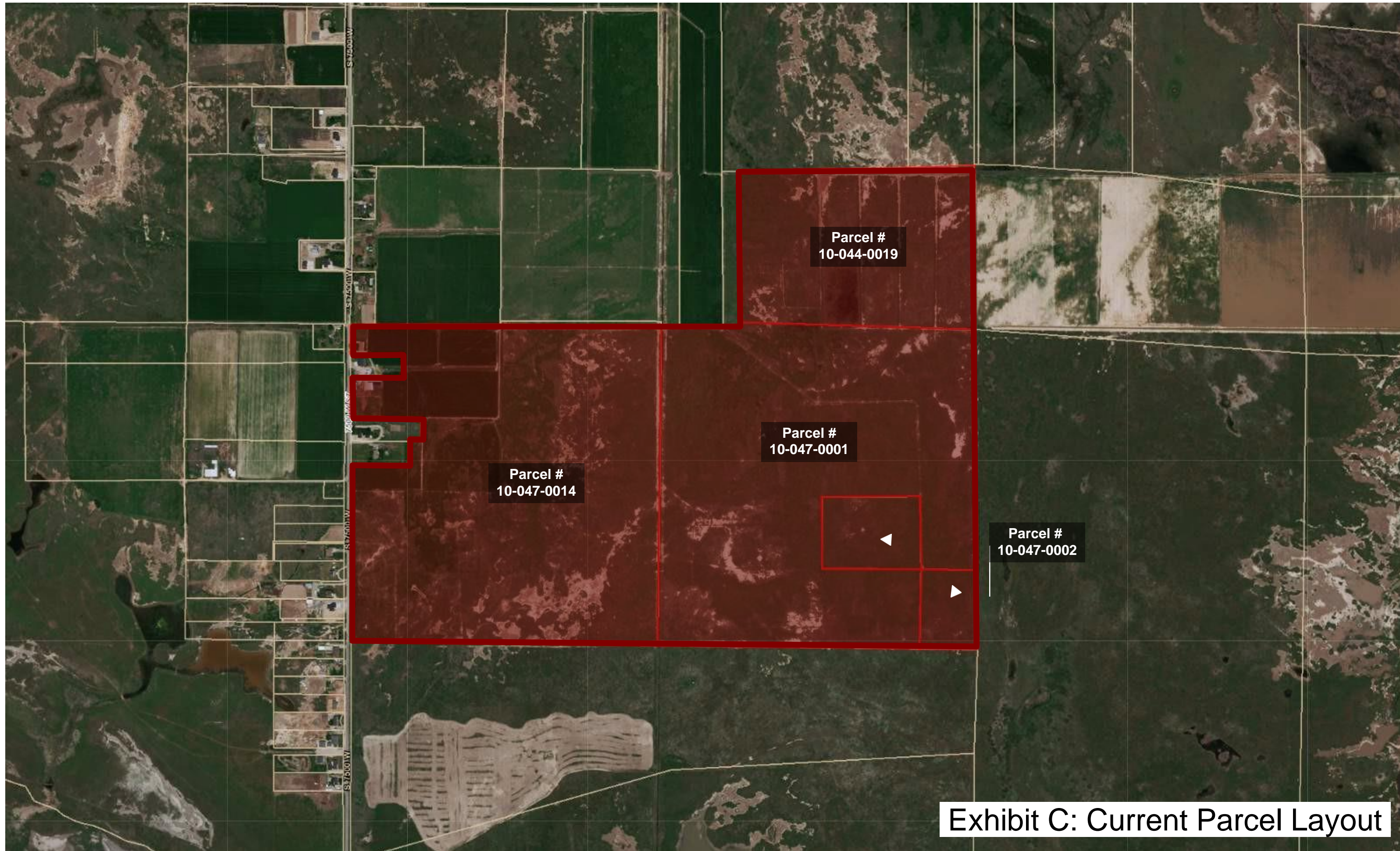
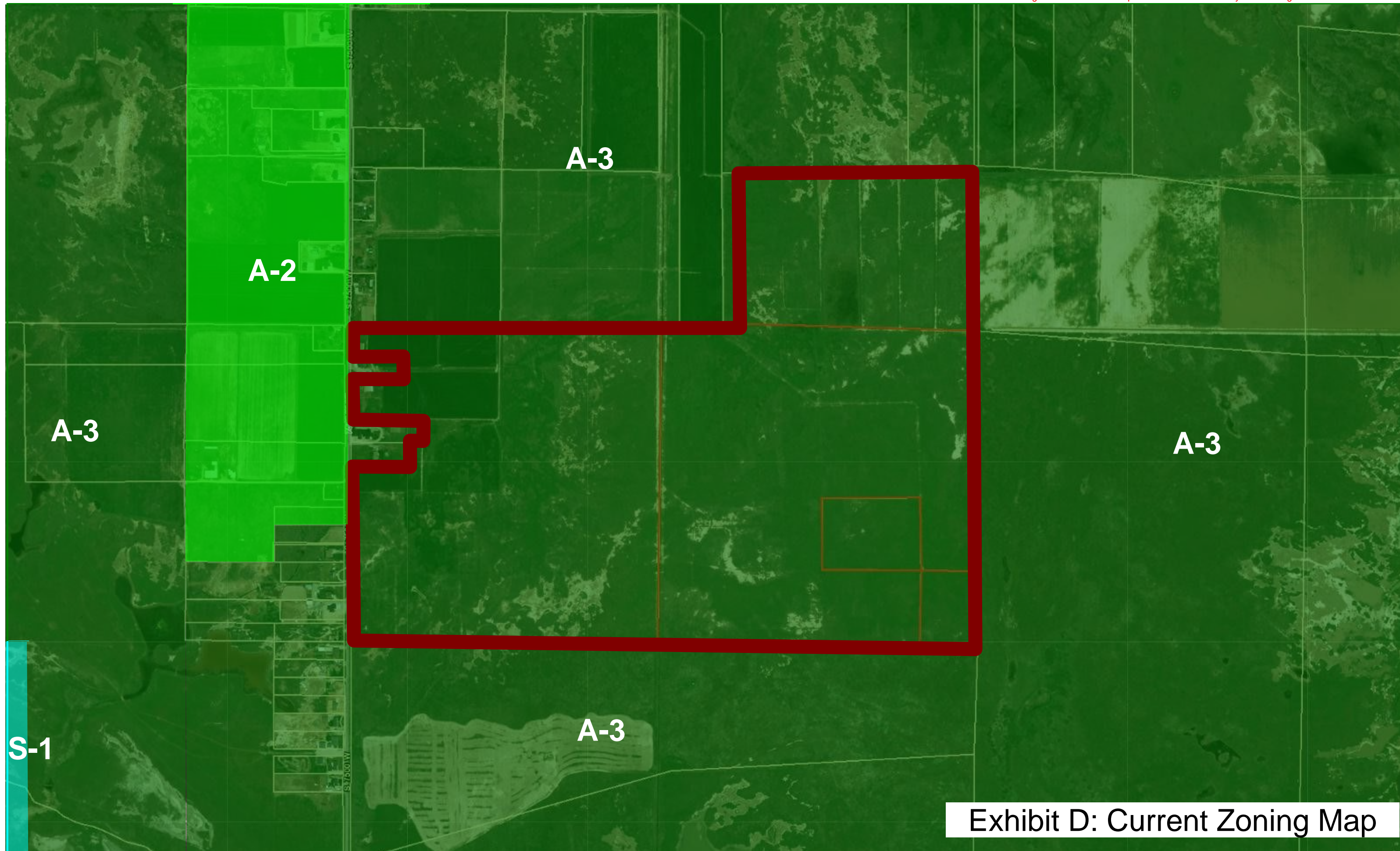


Exhibit C: Current Parcel Layout



A-3

A-2

A-3

A-3

A-3

S-1

Exhibit D: Current Zoning Map

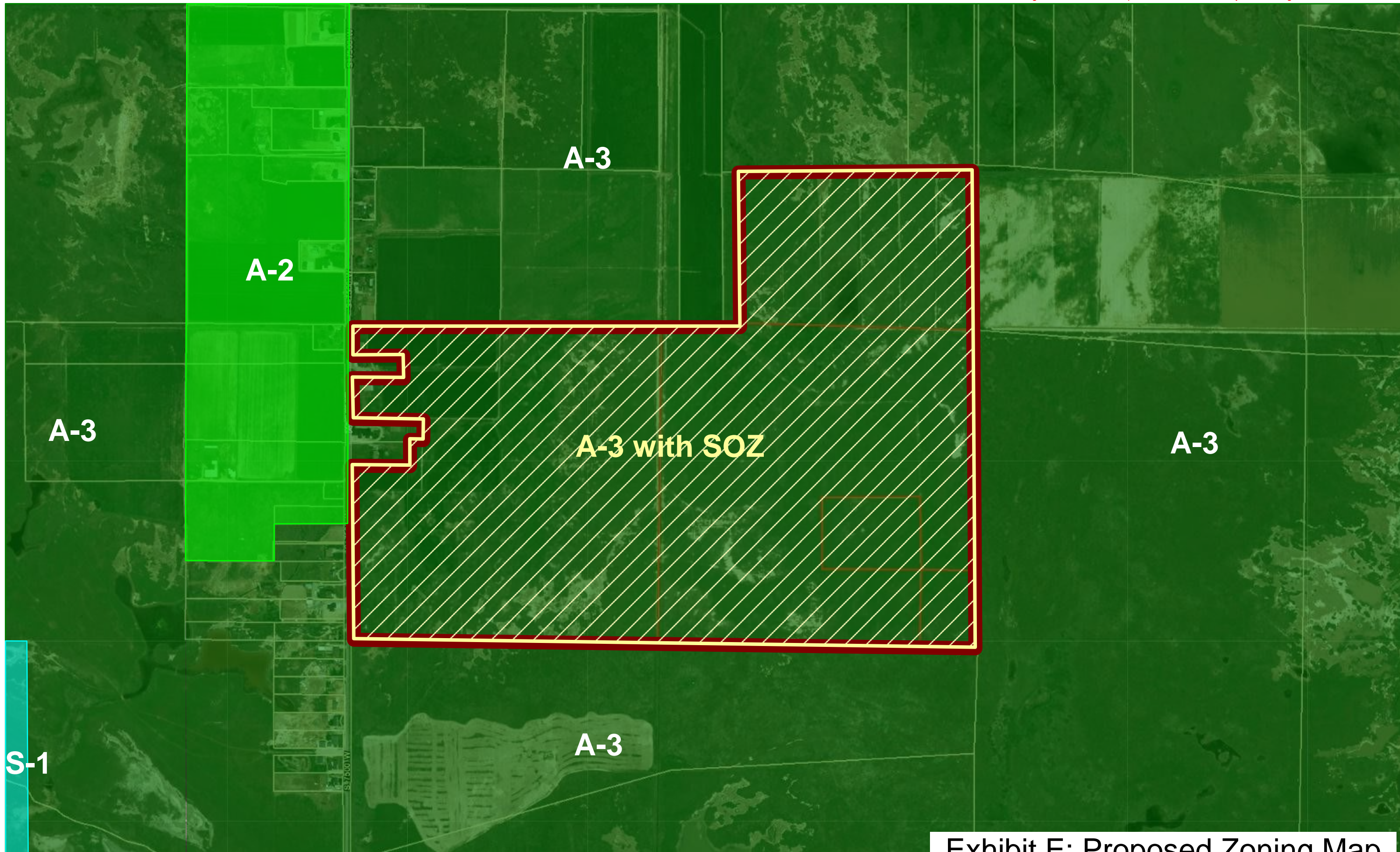


Exhibit E: Proposed Zoning Map

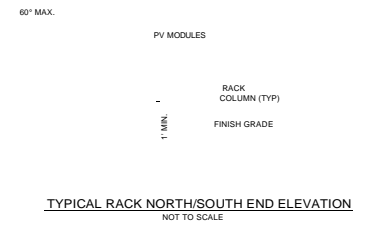
LEGEND

ARRAY SUMMARY

BOUNDARY	SYSTEM SIZE GROSS (kW AC):	38,125
SITE FENCE	SYSTEM SIZE NET (kW AC): *	34,985
25' OFFSET	OVER BUILD %	8.9%
UNDERGROUND MV/AC CABLE	SYSTEM SIZE (kW DC):	45,540
GRAVEL ROAD	SYSTEM VOLTAGE:	1500
	DC/AC RATIO:	1.30
WET LAND STREAM	INVERTER SPEC #:	SUNGROW GS125HV
	INVERTER TOTAL QUANTITY:	305
	MODULE TYPE:	CRYSTALLINE
	MODULE SPEC:	HANWHA Q-CELL
	MODULE WATTAGE (w)	395
	MODULE TOTAL QUANTITY:	115,290
	MODULES PER STRING:	27
	TOTAL # OF STRINGS:	4,270
	RACKING TYPE:	SAT-ATI
	AZIMUTH (deg):	180
	ROW SPACING (ft/m):	21.32/6.5
	RACKING ROTATION (deg):	+/- 52
	GROUND COVER RATIO:	30.2%
	SITE ACCESS GATES:	1
	ACREAGE (FENCE):	304
	MV CABLE LENGTH (ft)	9,912
	* = .95PF, 3% AC LOSS. PLANT CONTROLLER LIMIT 35 MW	

GENERAL NOTES:

1. PROPOSED ROAD SHALL BE 20' WIDE WITH ENGINEERING APPROVED AGGREGATE
2. PROPOSED FENCE SHALL BE 6' TALL WITH 1' OF 3 STRAND BARBED WIRE
3. PROPOSED SITE CONSTRUCTION ENTRANCE SHALL BE 30' WIDE WITH PEDESTRIAN ENTRANCE



REV	DESCRIPTION	DATE
A	UPDATED MODULES TO 395	09/04/2018

PROJECT NAME:
LITTLE MOUNTAIN PV SOLAR POWER PLANT

PROJECT ADDRESS:
S 7500 W ST WEBER COUNTY UTAH

SEAL: _____ DATE: **01/14/2019**

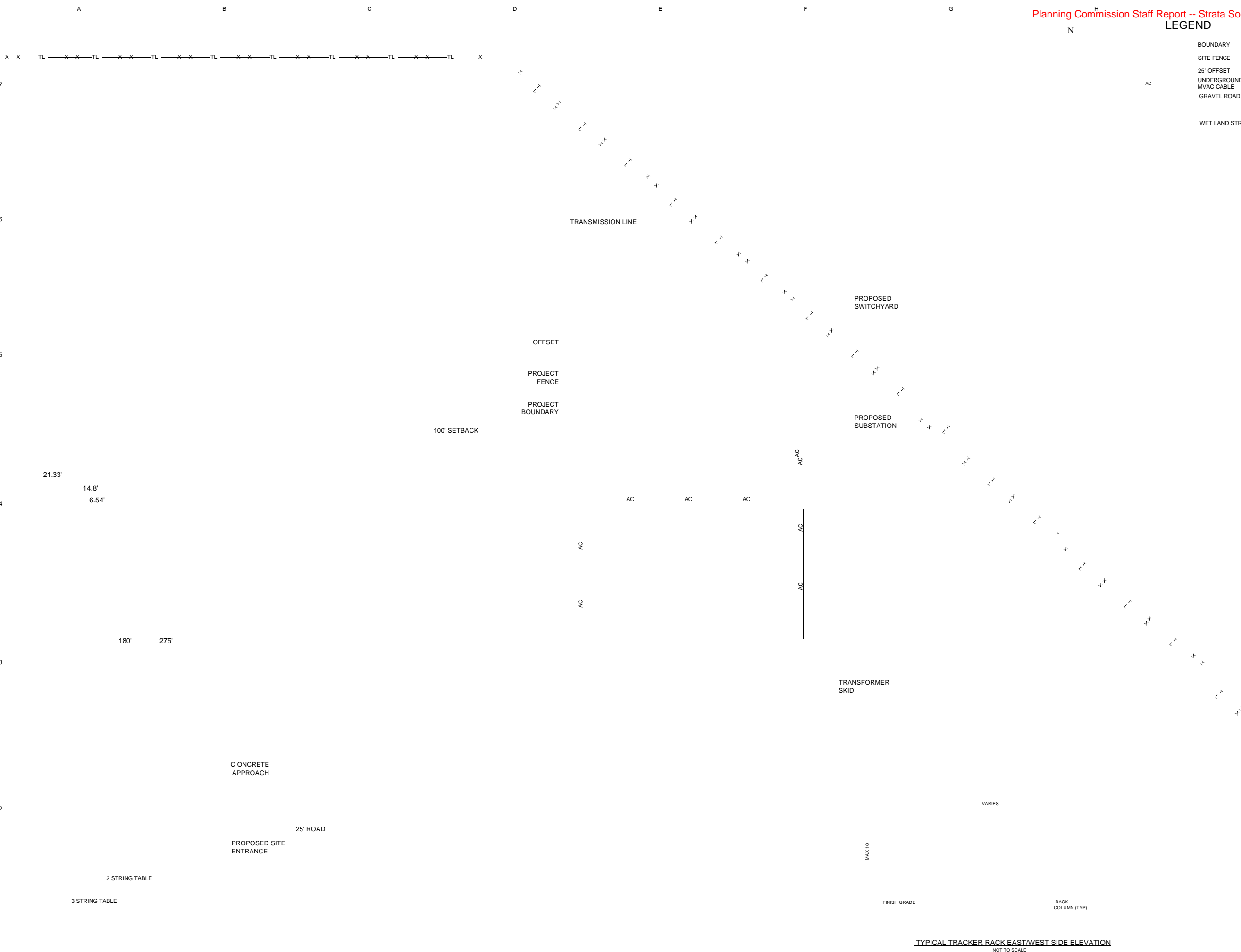
PROJECT #: **180012.25**

DRAWN BY: **LL**

CHECKED BY: **EH**

- NOT FOR CONSTRUCTION

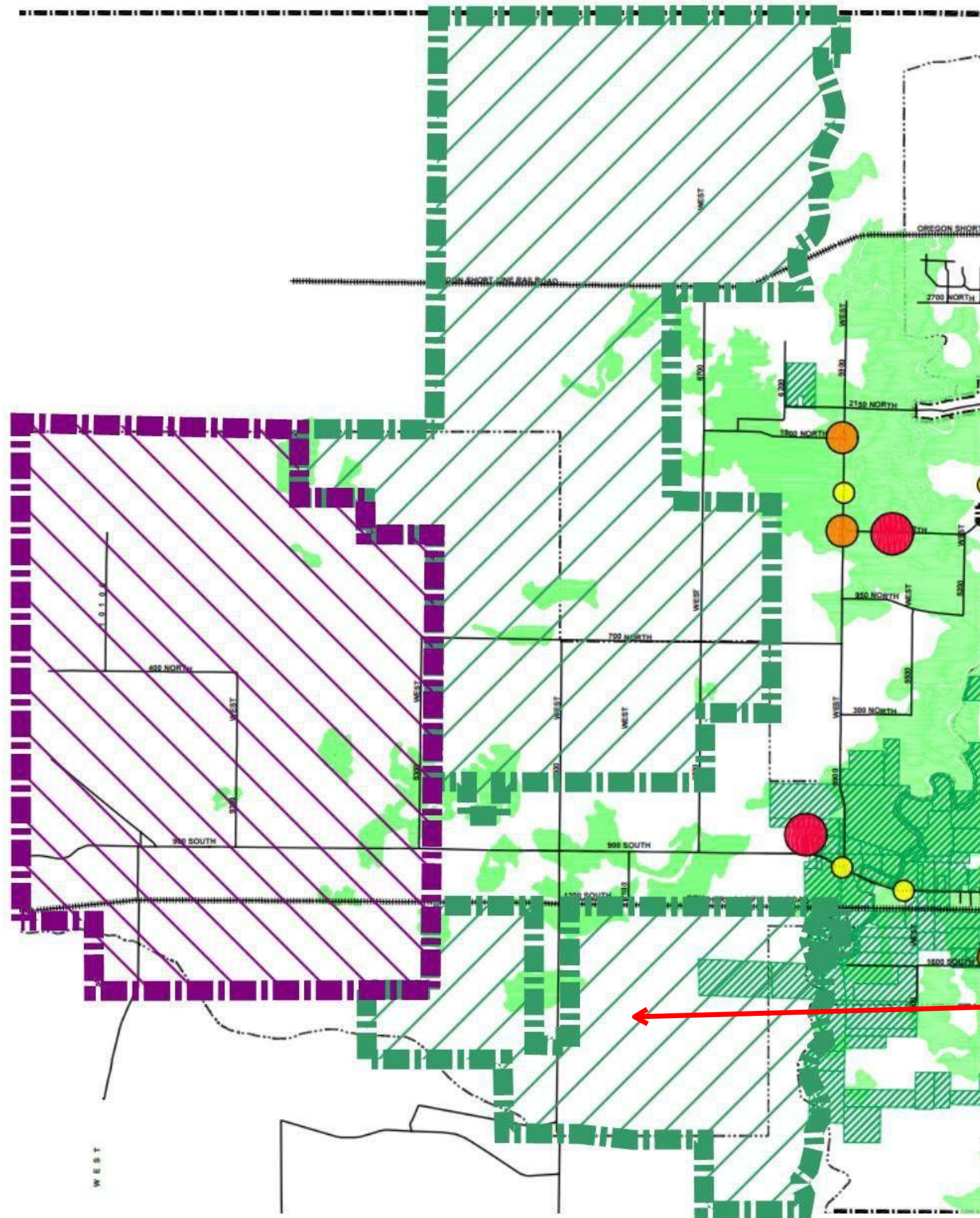
SHEET NAME:



TYPICAL TRACKER RACK EAST/WEST SIDE ELEVATION
NOT TO SCALE

PV SITE LAYOUT - PLAN VIEW

PRIME AGRICULTURE AGRICULTURE PROTECTION MAP 2-2 (2003)



AGRICULTURE

- Prime Agriculture Land
- Agriculture Protection Areas

DAIRIES

- 40 - 100 Head of Cows
- 101 - 299 Head of Cows
- 300 - 500 Head of Cows
- M-3 Zone
- A-3 Zone

Approx. Subject
Overlay Zone
Area

Exhibit G: Prime Agriculture Map

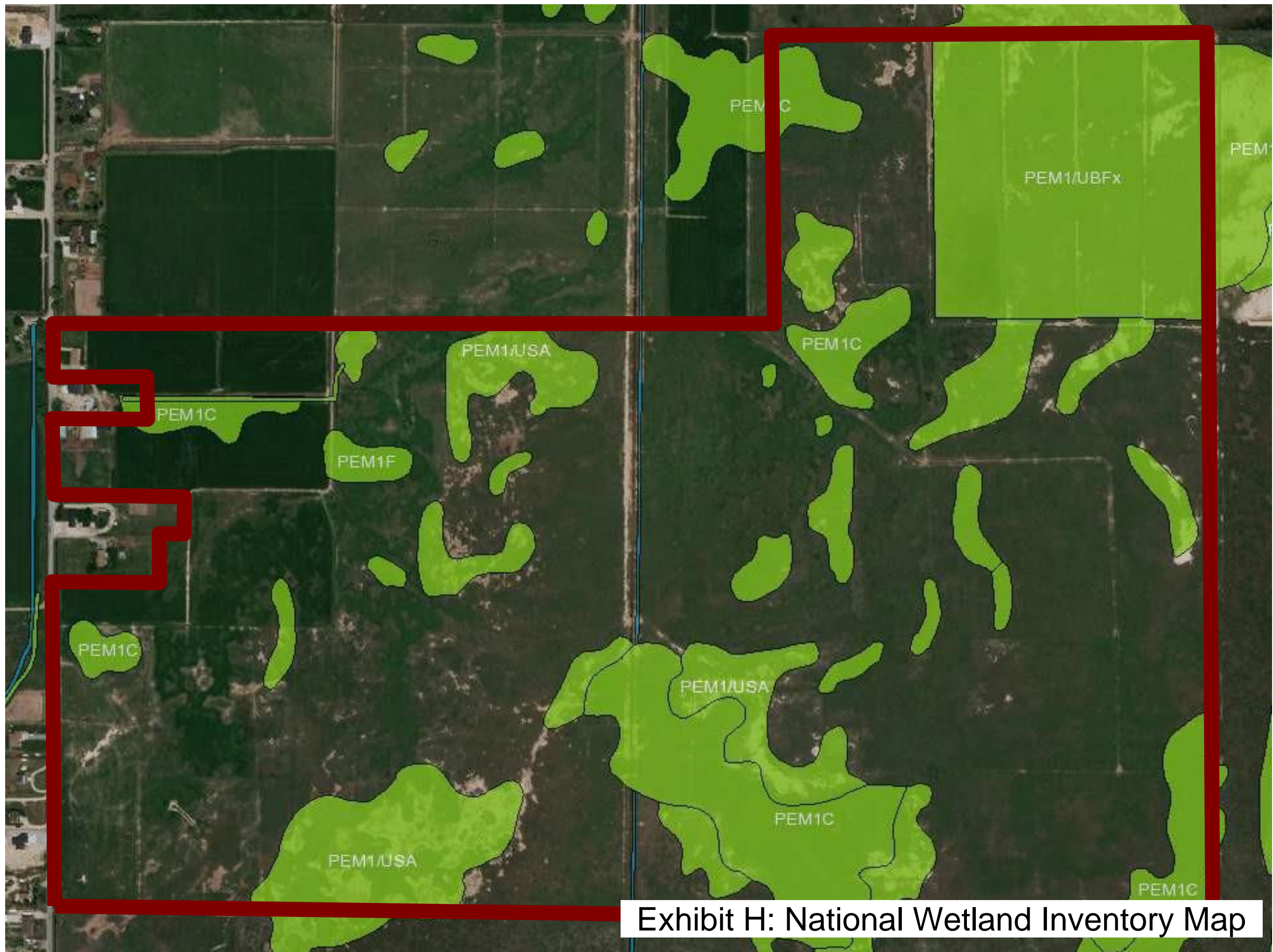


Exhibit H: National Wetland Inventory Map