

WESTERN WEBER PLANNING COMMISSION

MEETING AGENDA

May 14, 2019

5:00 p.m

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

1. Approval of February 12, 2019 and April 9, 2019 Meeting Minutes

Petitions, Applications, and Public Hearings

2. Administrative items

a. New Business

- 2.1 Consideration and action for final approval of Terakee Villiage Phase 1, a PRUD Subdivision, consisting of 36 residential lot for an assisted living center.

Applicant: Brad Blanch; Presenter Ronda Kippen

- 2.2 LVS032119: Consideration and action on preliminary approval of Summerset Farms, a 3 phase, subdivision consisting of approximately 50 lots.

Applicant: Ed Green; Presenter Tammy Aydelotte

- 2.3 LVH040419: Consideration and action on a request for preliminary approval of Halcyon Lake Estates Subdivision.

Applicant: Tylor Brenchley; Presenter: Steve Burton

3. Legislative Items

a. New Business

- 3.1 GPA 2019-01: To consider and take action on GPA 2019-01, a request to amend the General Plan Future Land Use Map from Industrial Park to Residential/Agricultural use at the intersection of 900 South and 7900 West.

Presenter Steve Burton

- 3.2 ZMA 2019-02: To consider and take action on ZMA 2019-02, a request to amend the Zoning Map from Manufacturing (M-1) to Agricultural (A-2) on 32 acres at the intersection of 900 South and 7900 West.

Presenter Steve Burton

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: Discussion regarding a general plan amendment and rezone for land on the periphery of Marriott-Slaterville for a film school and film studio. The general plan amendment would be to allow the commercial use. The rezone would be for the C-2 zone with limitations specified in a development agreement. The site's master plan will be presented and discussed, as well as the proposed uses.

Presenter: Charles Ewert

WS2: Discussion regarding a forthcoming subdivision code amendment to culinary and secondary water provisions.

Presenter: Charles Ewert

WS3: Discussion regarding the land use table and supplemental standards.

Presenter: Charles Ewert

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 meeting of February 12, 2019, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1. Ogden UT at 5:00 p.m.

Members Present: Bren Edwards-Chair
Andrew Favero-Vice Chair
Jannette Borklund
John Parke
Jennifer Willener

Members Excused: Greg Bell
Blake Hancock

Staff Present: Rick Grover, Planning Director; Charles Ewert, Principle Planner/ Long Term Planner; Tammy Aydelotte, Planner I; Matthew Wilson, Legal Counsel; Marta Borchert, Secretary

- Pledge of Allegiance
- Roll Call

1. Approval of minutes for September 11, 2018, October 9, 2018, and December 11, 2018 minutes.

There was a correction on October 9, 2018, on page 3. Second to last paragraphs where it says Jennifer it should be specified that it means Jennifer Drive not Commissioner Jennifer Willener. On page 15 there is a motion that does not include findings. On the minutes from December 11, 2018, it says Commissioner Favero was not present. Commissioner Favero was present. The only Commissioner not present for this meeting was Commissioner Edwards. Minutes approved with noted corrections.

Chair Edwards asks if there are any conflicts of interest or ex parte communications to declare. There are none.

2. Consent Items

2.2 DR 2019-01 – A request for design review approval to construct a new greenhouse that will be added to a large scale growing operation named Pineae Greenhouses.

MOTION: Commissioner Parke moves to approve item DR- 2019-01 A request for design review approval to construct a new greenhouse that will be added to a large scale growing operation named Pineae Greenhouses. Commissioner Willener Seconds Motion carries (5-0)

Petitions, Applications, and Public Hearings

3. Administrative items

a. New Business

Chair Edwards asks Director Grover to explain the administrative items. Director Grover states that since these are administrative items it is up to him if he wants to take public comment. It is not a public hearing. Typically, they do take public comment on items of this nature.

3.1 Consideration and action on preliminary approval of Uintah View Estates Subdivision, an 8 lot subdivision.

Tammy Aydelotte gives an overview of the proposal as listed in the staff report. She gives an explanation of the map.

Jeremy Jaggi 6690 Willow Creek Rd. would like to thank Weber County Staff and the Planning Commission for all the planning that has gone into the General Plan amendment for the rezone since September. This land was dormant for a long time. He wants to help revitalize the area with patio style homes and bring in younger families.

Tammy Aydelotte states that Staff recommends preliminary approval at this time with the added conditions "subject to all review agency requirements and the following condition that a paved 6 ft. walking path be required where 5950 stubs into the cul de sac. She adds that there are still some items that will need to be addressed to final approval such as secondary water, updated improvement plans with the water district." At this point, Uintah highland will be servicing the wastewater and Weber Basin will be servicing the secondary water. She adds that staff recommends approval it meets requirements for the R-10 zone. It conforms to the South East area of the Masterplan. The geologic hazards have been addressed by a geologist. A letter from the Geologist is included in the staff report.

Commissioner Borklund asks if the pavement would extend the end of the subdivision. Ms. Aydelotte states they are required to have a paved walking path from 5950 to the sidewalk in the cul de sac to the end of the property owner's property. It an easement that would overlay that and would be maintained by the adjacent property owners on either side.

Ms. Aydelotte notes that they do anticipate increased foot traffic in the future, there is an Elementary school just across Eastwood Blvd. This is the reason requiring the walking path.

Commissioner Parke asks how much will remain unpaved. Are they willing to put in an easement to make it stand alone? Ms. Aydelotte states that as far as feet it is 12ft. the easement does not extend to the 5950. The property is owned by the same owner. Mr. Jaggi states that with regards to the easement, the way the ordinance works is it connects. He adds that they brought this to the Commission because there are some concerns because there is no sidewalk or crosswalk on Combe road. There doesn't seem to be any liability there. He adds that they are willing to do what County requires. If the pavement isn't added it is recommended that soft dirt is added to match the property owners that live there.

Commissioner Borklund asks if it going to be gated. Mr. Jaggi states that the pedestrian walkway they have not made that decision yet. Owners and Developer are nervous because there is no crosswalk, they will do what needs to be done.

Chair Edwards opens for public comments

Bart Nielson 2274 E 5950 states that he is not there to protest but he can't embrace it because he doesn't feel decreasing the lot size is good for the long term health of the neighbors. He adds that the representatives should notify each member of the involved neighborhood. If there is going to be a sweeping zoning change that involves their property. If this is the case it appears that special interest groups are getting their way and not involving the remainder of the property owners. This was zoned and no one knew about it.

Rick Buyer 6040 Combe Rd. asks what are the lot sizes. Commissioner Edwards states that since it was just rezoned to the R-1-10 the lot sizes went down to 10, 000 sq. ft.

Chair Edwards closes the public comment.

MOTION: Commissioner Willener moves to recommend preliminary approval of Uintah View Estates Subdivision an 8 lot Subdivision located at approximately 2277 East 5950 South, 84403 this recommendation subject to all review including those of the Uintah Highland District, and that a paved 6ft walking path from the proposed cul de sac to the border of the plat line be included. This recommendation is based on the findings that the proposed subdivision conforms to the South East Area Masterplan, the proposed subdivision complies with the applicable county ordinances. Borklund seconds. Motion carries (5-0).

3.2 Consideration and action on final approval of Fenster Farms Phase 2 Subdivision, an 8 lot subdivision.

Director Grover states that this is an administrative item and it is not required to take public comment, but they can if they choose.

Tammy Aydelotte gives an overview of the proposals. She notes that preliminary approval had already been granted, the minimum lot size in the A-2 zone 40,000 sq. ft. All of the lots range from 40,000 to 45,000 sq. ft. they all meet the minimum lot width.

Allan Karras 5419 S 3275 W states that he is one of the owners. He is standing in for Mr. Palmer who recently had surgery. He notes that regarding the lot sizes they meet all requirements and they have done extensive work with the Board of Health to get the septic systems approved. The utility and drainage have been worked over well. Commissioner Borklund states that the previous time there were some concerns with the last phase and the groundwater. Have these issues been resolved? Mr. Karras states that he is not aware of a groundwater problem. It is his understanding that some of the issues they were having were because a farmer overwatered and another issue not to do with them as developers. He adds that there will be no more flood irrigation. There has been a lot of work done to get the stormwater taken care of.

Tammy Aydelotte notes that they did speak Engineering and building inspections after preliminary approval. There were no deficiencies in the part of the County as far as what was required. Chad Meyerhoffer stated in his review that he would require the same baseline elevations when submitting for a building permit for this phase as was done in phase 1. Staff recommends final approval subject to all review agency and based the following conditions. A letter from the Water District and secondary water provider approving the design of any new infrastructure and escrow established for the improvements to be installed. It does conform to the Western Weber General Plan, it meets the zoning requirements and the subdivision standards.

Chair Edwards asks if there are any questions for staff from the Planning Commission. There is none.

Chair Edwards opens to public comment. There is none.

Chair Edwards closes the public comment.

MOTION: Commissioner Parke moves grant final approval of item LVF071318 Fenster Farms Phase 2 Subdivision, and eight-lot subdivision. This recommendation is subject to all review agency requirements and based on the following conditions A letter from the water district and secondary water provider approval design of the new infrastructure. An escrow established for improvement to be installed. The recommendation is based on the following findings. The proposed subdivision conforms to the West Central Weber General Plan. The proposed subdivision complies with applicable county ordinances. Commissioner Borklund seconds. Motion carries (5-0)

4. Legislative items

a. New Business

4.1 A public hearing regarding a proposal to add the solar overlay zone (SOZ) to approximately 370 acres at approximately 1700 South 7500 West.

Charles Ewert gives an overview of the proposal. This involves 4 different parcels; the parcels are owned by the Wilson Family Trust. The Wilson Family will be leasing the property to the solar entity. They will be leasing between 250 to 300 acres. He notes that they have complied with the new setback standards of the solar overlay zone. There is a hundred-foot buffer all the way along the outside. The fencing is a hundred foot in on the inside of the project. It is security fencing with barbed wire on the top. They are proposing chain link fencing. There has been a request for special treatment on the fencing to get rid of the sheen.

Commissioner Borklund asks if there is going to be landscaping on the outside of the fence. Mr. Ewert states that currently no landscape plan has been submitted. It is one of the recommendations for approval. There was also some discussion regarding pollinators, growing wildflowers out there and also have a weed management plan. They will be working with Weber State University and Utah State University to figure out how to treat the site.

Mr. Ewert notes that if the overlay zone gets adopted it will get adopted with a development agreement. They will memorialize all the rights and entitlements, including the site plan in a development agreement. It is anticipated that the development agreement will be to the benefit of the owner. It is written in such a way that if the project is ever sold there is an option to revoke the rezone, it does not mean that the County will it just means that the County needs to know who the next County owner will be. If it gets recommended for approval, it will be sent to the County Commission for final approval. The County Commission can make some changes if necessary. After that, the applicant may go in and apply for building permits.

Mr. Ewert gives an overview of the conditions of approval as listed in the staff report. He notes that there are some concerns with regard and lake effect, this referring to the effect of the solar panels look like water from the sky. There is a condition of approval that the panels are treated specifically for this issue. Also, they will work with UDWR to mitigate other concerns. One thing that has asked been asked of the applicant is to defer to UDWR. He adds that they are also asking that all power lines be grounded at least at grade level with conduit so that animals don't get electrocuted. There is one overhead power line that is going to have to happen, it is a high voltage transmission line connector. There will be a power line of some sort coming into the transmitter line which runs across the property, and everything else will be at grade. He notes that the Planning Commission can ask for specific types of vegetation requirements. Staff did not ask for it because they are setting the project around 1200 ft. about a quarter of a mile away from the nearest home. It seems like a good enough distance to provide a buffer, but if the Planning Commission disagrees they can make changes like a row of trees or something to offer a buffer. If this is the case, there will need to be access to water. There hasn't been a discussion about this. Commissioner Favero asks if this is the closest potential to the site. Mr. Ewert states that regarding the properties up to the North there are some owners anticipating some kind of development in the area, 2-acre development in the A-3 area. Once this is implemented the expectation is that people that are looking at property there will have full disclosure that they are building next to a solar farm. There is no inherent risk in building next to a solar farm but they want to make sure future owners to be aware. He adds that if this a concern, it is something that can be addressed. Commissioner Favero asks what is recommended for the future. Mr. Ewert states that the distance required for a setback is 30 ft. and the applicant is doing 100 ft. It will be on the site plan and the development agreement. Commissioner Willener asks if there is an option in terms of deferred landscaping since there is no nearby residential or is it recommended that landscaping plan is done at this point. Mr. Ewert state it could be deferred to a later time; it would be a challenge to uphold or administer because when current detrimental effects get mitigated it goes back to what is in effect at this point. If there is reasonable anticipation it could be done, but to require a six-foot hedge would be excessive to anticipate something in the future. Commissioner Borklund asks regarding the fowl and the lake effect. She asks if

this is happening because of the size. Mr. Ewert states that it has more to do with the solar panels reflecting blue skies. He adds that there are other mitigating factors. There has been some research done on this subject. There are some grants and programs in place to implement treatment. The goal is to just make it look like black solar panels. Mr. Ewert states that regarding future residential, the new residents that come in the area will be the impact. They are looking to shield and buffer they will need to do that on their side. If there are proposal like this in the future, it will be easier to anticipate the detrimental effects. It is also important to note that there are still a few review agencies that have not made their final comments yet.

Doug Larsen 285 S 400 notes that this is a land lease, they are asking for the zone change on the entire 370 acres in case there is a need for expansion in the future. The intent is to consume the 300 acres. He notes that they are over 400 yards from the 7500 W and the chain-link fence. He states that at this point they are most interested in concerns and questions.

Chair Edwards opens the public comment.

Dr. Heidi Hoven 231 W 500 S STE E SLC states that she is an assistant manager of the National Audubon Society Gillmor Sanctuary. She is at the meeting representing the National Audubon Society. Audubon 2014 climate report posted online states that 314 species of North American birds are threatened on their breeding and wintering grounds by changes on climate suitability depending on how fast emissions can be reduced. Transforming the energy sector to emissions-free generation is a key strategy to combat the effects of climate change on birds while providing jobs and economic benefits for people it is a priority for Audubon. At the national, state, and local level in Utah and elsewhere there are supporting policies that drive rapid deployment of renewable energy as well as the adoption of site and guidelines and other policies to help mitigate effectively for impact on birds and other wildlife. She notes that the site of this project is north of Ogden Bay which is part of the Great Salt Lake. She adds that her main concern is proximity. It is 4000 acres located on the South shore of Great Salt Lake and encompassed mud flats and other wetlands. Audubon's Gillmor sanctuary is a part of the Great Salt Lake wetland ecosystem it is an internationally recognized site on the Western hemisphere shorebird reserve network. It is a vital pathway for millions of nesting migrating birds. The five major bays are individually recognized as globally significant. She states that they appreciate Strata commitment to address the possible lake effect that the photovoltaic panels may be perceived as water and attract water birds because of the proximity to bird areas and the wetlands around the Great Salt Lake. Strata Solar has made a commitment to implement proven industry standard patterns to eliminate the lake effect from this site. However, currently, there are no industry standard avoidance minimization or compensatory mitigation measures available to eliminate possible lake effect from this site. The possible lake effect is under research by USGS, Utility Scale PV Projects in California to verify if the lake effect exists. It will be completed for a year or so. If the lake effect is shown, then the research will also make recommendations for measures to avoid and minimize that effect. Therefore, Audubon requests that a bird and bat conservation strategy a standard document on solar and wind projects in consultation with fish and wildlife service and UDWR as part of the development agreement. The document cannot line the commitment of Solar Strata take adaptive management measures that commit the project to implement the avoidance and minimization that may be shown to be scientifically shown to be effective. Outline a program to monitor the impact of the projects on the bird. Provide measures to avoid impact from cooling and other problems that may be at risk to birds. Provide avoidance and minimization measure for migratory or nesting birds during construction. She adds that they appreciate their concerns and are happy to provide information on the important natural resources of the lake as they pertain to the project.

Rich Hansen 4786 S 7500 W manager of the Ogden bay waterfowl management area, states that they hope to work with the applicant to monitor and mitigate any issues that may arise from this project. He wants a condition added that the applicant has to work with the UWDR to work through any issues. He wants to work with the applicant to help mitigate the loss of habitat that is going to be used to in the project.

Steve Davis 7500 W states that he is there with an open mind and he fully supports the Wilson's they have been neighbors for a lot of years. He feels that the Wilson's have a right to develop their property and use it to the best use he can. He notes that as he was reading through the staff report it did raise a few questions. The staff report there is no mention of a revised overlay zone has been received. There are a lot of things being pushed forward as a development agreement because it hasn't been available to look at. He asks if they have seen the development agreement. He notes that the staff report also says there will be an increase in property taxes because this would be a benefit to the surrounding school district, Weber County, the Water District. He asks how that will work will it remain in greenbelt under the lease agreement, who's going to pay the increase in property taxes. He states that it has been noted it was mentioned that there was not going to be a need for a lot of water but he read that there will be more need for water to clean the solar panels. He asks what kind of solar panels these are. He states that he sits on the panel for the West Warren Improvement District. He adds that they do not provide secondary water. He asks if there is going to be bare ground underneath the solar panels, they have had a lot of issues with bare ground and dust. This would be a problem particularly keeping the solar panels clean. The substation that is being proposed is almost a mile away, and that is where the fire hydrants would be. A concern that he has is that the staff report states that the impact on neighboring property values has not been studied in depth. He adds that they have a property adjoining to some of the overlay, he adds that he may want to develop that in the future. There is not enough information about the effects of the values in other parts of the state. He feels that a lot of things are being pushed forward without having all the answers. There needs to be some planning done regarding infrastructure in the Western part of the County. This is a critical concern for that area. He reiterates that he is in full support of the Wilson's, but he feels that it is a bit premature in making a recommendation when not all the questions have been answered.

Chair Edwards asks if there are any further comments on the matter. There are none.

Chair Edwards closes the public comment on this item.

Mr. Ewert states that one of the concerns that he is in giving the UDWR discretion to apply whatever condition they want to the applicant is that they don't always deal in land use law. There are some very specific requirements that can't be done in land use. For example, an exaction or taking something from the applicant in order to offset something else, it has to follow a certain process. One thing that is being asked and it is in the recommendations is that UDWR work with the applicant together they can come up with a mitigation strategy. They can then get with staff to make sure that it works and they are legal and can be upheld. He feels that monitoring ongoing impact is really important. This can be seen in the conditions of approval. One thing that can be done with this regard is to do regular inspections of the site and verify how many birds have been lost to get metrics to see how impactful. He notes that with regard to potential property tax increase he does not foresee a lot of differences there, but there hasn't been an extensive property valuations research for this point. Commissioner Borklund asks regarding fire protection. Mr. Ewert states that they are still working with the fire chief has never approved something of this nature. Strat Solar has connected the fire chief with other authorities in other jurisdictions that have. At the very least staff is asking for road base from the access from 7500 all the way back into the site to be able to support a 7500-pound fire apparatus. It is important to understand the impacts are and they should be addressed. If there are outstanding concerns, there are ways to work through those concerns and make sure they get documented through the development agreement. Chair Edwards asks regarding the property tax does it stay in Greenbelt or does it go into another. Doug Larsen states that he is very grateful for all questions and concerns. Regarding property taxes and property values and weed mitigation. Strata solar will pay the taxes on the property that is consumed by the solar project. The county assessor will assess the solar panels as personal property in Utah if you have a business you pay property tax on things like furniture and equipment. I will be assessed by the County Assessor in that way. They will tax the real estate portion that is consumed, the land leased will not be in Greenbelt. There will be a bump in revenue to the taxing entities in the area, and the taxes paid on the personal property this will be a few years down the road. There hasn't been a lot of data gathered on property values surrounding solar farm projects but

there has been a fair amount of research surrounding wind farms. He feels that wind farms are more impactful. The data on wind farms suggest that the impact is very minimal.

Matthew Neeson Moab UT, states that regarding the water, there has been a station out there for a year and it will be out there for another year. What that does is it helps monitor soiling or the amount of debris that gets up on the panels. The type of farm that is being proposed is the tracker. It goes all the way perpendicular to the ground. Snow and a lot of things like this can be mitigated in this fashion. The data is in for the first year and the way they've designed panels there can be a light film on them and they will still produce quite a bit of power. This has been factored in. Even if the panels need to be cleaned offsite water would be used. He notes that no chemicals used to clean the panels. He adds that weed mitigation around the perimeter of the fence. No formal weed control has been done. Looking at the site nothing really grows above 3 feet, the preference is to leave the native vegetation as long as they are not blocking the panels. Regarding the bee pollination, there are no chemicals used to promote the wildflower growth on site. The ground underneath the panels is bare ground. He notes that dust mitigation has been done. There is a process in which brine from the Salt Lake is used as a dust control measure, it has not yet been tested. They are not anticipating a lot of dust on the first year based on the soiling study. If there is a fire on site, there is a fault and the power will be switched off. Firefighters in the area will want to contain the fire versus spreading water on it. With the setbacks, it should be a good containable area to mitigate any fire spread. Commissioner Borklund asks if there is any reason why there is a solid mass of panels. Would it be better for the wildlife if they were spread out? Mr. Neeson states that they will be 20 to 25 ft. apart from each other, this allows it to capture more sunrise and sunset daylight, because of the site at 300 acres they have more than they need, they will be spread out. This will also help mitigate the lake effect. There is going to be more open space in-between panels than actual panels. He notes that he has spoken to Pam with UDWR about the nighttime lake effect and the migratory birds the panels will be in the perpendicular position. There won't be any reflection of the panels. He adds that they still have work to do with Audubon society. Commissioner Borklund notes that this area is between the Weber River and the bird refuge. Mr. Neeson states there are more reports to be done on the site.

Brad Wilson the landowner states that it has been farmed for 58 years. Regarding the dust, he states that up until last fall there was 90 head of cows on that land. A lot of them were sold. The ground in that area has a lot of vegetation. There are a few bare spots where there is salt flat type soil. It has never been barren. Since he has owned with cattle he hasn't seen birds in the area and he is not sure if they nest in the area but he hasn't seen nests. There might be some pheasants or geese in the area.

Commissioner Favero notes that since there are not going to be cows grazing the growth will be a potential fire hazard. He asks what the mitigation for this is. Doug Larsen states that these sorts of mitigation issue will be addressed in the pending weed mitigation plan.

Chair Edwards closes the public comment.

Chair Edwards asks if there is a motion. There is none.

Commissioner Borklund states that perhaps they should make a motion to table the action.

Commissioner Willener states that the motion to table was put into place to get additional details from UDWR. She asks if in terms of timelines are there any time limitation from the applicant. What kind of turn around can be expected to get those details? Mr. Ewert notes that based on his discussions with Pam Cramer it is not immediately clear what UDWR is going to require. What is clear is that they want to do some research, there needs to be monitoring. They would like the ability to make requirements in the future. This seems fair and it could easily be made a condition of approval. He states that it will likely take some time to get all that together and it might push

some deadlines. Commissioner Borklund states that she heard that they aren't putting the panels up until after the initial test is completed, possibly a year. She doesn't feel that putting it off for another month should be a big deal. Mr. Ewert states that they won't be constructing until 2020 but they have other deadlines.

Commissioner Willener asks if they can hold up the process if there is no purview. This would be entirely dependent on the UDWR. Mr. Ewert notes that state code does talk a bit about obligating a developer to outside review agencies. There are some limitations and restrictions on this. He adds that one table should not be a flagrant violation of any sort. He notes that they are not likely to get a comprehensive plan from UDWR anytime soon, the best thing might be to provide a plan that meets UDWRs requirements in the development agreement and let them work through it together. They want to make sure that the impact can be mitigated. Commissioner Borklund states that they are not really asking for a resolution they are simply asking for more information. Commissioner Willener notes that in tabling this the next meeting would be in a month. Is that sufficient time to get more information in that month in order to move forward? Is that the only that there are concerns about. What would be the time frame for gathering that information, without hindering the applicant? What deadlines is the Planning Commission facing? Mr. Ewert states that he doesn't feel that they can put a timeline on UDWR. They were concerned that they didn't get notice of this until a week before the meeting. They were scrambling and they were not able to put a comprehensive plan together. It may be a month it may be longer than a month. Secondly, they mentioned that they are hoping to be able to monitor and implement a monitoring program of some sort. He states that once they identify what needs to be mitigated they want to be able to take some measurables to make sure they are even an impact. At this point, they are not even sure what the impacts are. Commissioner Favero states that as much as they would like to have more information the job at hand is to push the overlay forwarded whether it be with a positive or negative recommendation. Commissioner Parke states that once it is approved it won't come back to the Planning Commission. Chair Edwards states that they are not required to make a recommendation at this point, they can table if needed. He adds that they need to have specific reasons for this. Director Grover asks Mr. Hansen if he has any input on how long it might take. Mr. Hansen states that likely it would take a couple of weeks and it is a high priority. Director Grover asks if it would be possible to get some measurables to get to the Planning Commission by the next meeting. Mr. Hansen states that he is not sure about this he is more of the on the ground guy. Director Grover states that it really just depends on the Planning Commissioners comfort level, but it should include reasonable conditions to avoid putting a hardship on the applicant. Typically, if its ever challenged it usually goes in favor of the developer. He adds that it is in their purview to table it. They do not need to look at the developer's timeline this is more of an economic issue, as Planning Commission does not need to be taken in to account. He states that he does appreciate them bring it up because it is very considerate looking at those things. He states that he wants to make sure they feel comfortable with this approving it, but it should be tabled to a time certain date. He states that they will get with UDWR and get more comfort measures. Condition number seven meets the what that the Planning Commission wants to be done but it is important to note that it is approved The Planning commission won't be able to see what the effects are. It all depends on the comfort level. Mr. Ewert states that when it comes to deferring to outside review agencies there are limitations on what can and cannot be done. He asks if UDWR has a list of things that should be implemented would it make a difference to the Planning Commission one way or other? One thing that Pam did mention was the possibility of having a kind of exchange of habitat loss. Any habitat that is lost should be offset. That is an exaction, in applying that exaction it needs to meet all the test of an exaction. UDWR may not understand how an exaction works or under land use law, Planning Staff does know. If UDWR states that some needs to be done it is important for staff to pull back and touch base with the legal team. He adds that he spoke to Mr. Larsen on this very specific subject and Strata is happy to work with UDWR. The main question that should be asked is whether there will be specific information available that would help the Planning Commission make a more complete decision. If this is the case perhaps tabling the item might be a good option. Chair Edwards states that he will defer to the professionals because he doesn't know anything about birds. He asks if by the way it's written will it cover the conditions. Mr. Ewert states that this is correct and he notes that this would give the Planning Director the ability to negotiate both with UDWR and Strata. He states the Director will work with legal. Commissioner Borklund asks if there are issues besides the UDWR that need to be addressed. She asks if there is concern regarding

the growth of the ground cover. She adds that if they are going to table the item they need to have a specific question to look at for the next meeting. She states that nobody is opposed to it, but there some questions. Mr. Ewert states that if wildfire hazard is a concern. It can be added as a condition of approval and have the fire chief look at this and provide mitigating measures. Chair Edwards states that this is a concern for him also. He states that this property burned two or three years ago burned into the bird refuge. Someone from the audience notes that the burning occurred south of the property in question. Commissioner Willener states that the staff recommendation outlines weed mitigation and specifies irrigation. If vegetation is proposed or required for this site and it is not a requirement yet is it intended to be a part of the weed mitigation or would it be a separate condition. Mr. Ewert states that it would be a separate condition. The weed mitigation plan without looking at specific vegetation is anticipated to be plants like wildflowers, which will hopefully grow in the soil with the need for additional irrigation. Commissioner Borklund asks if this would be for the 100 ft. the barrier around the property. Commissioner Willener asks if this needs to be specified, to keep the natural landscape. Chair Edwards notes that they ought to pay attention to imports and whether or not it will disturb the natural landscape. Mr. Ewert states there are currently no plans to bring imports in, they plan, he notes that avoiding birds on site is not the goal either. He adds that with cows out of the pasture there will likely be more nests. The important thing is that the waterfowl that need water to land don't try to land there. Mr. Ewert notes that in doing some of his own research he found that this sort of environment for birds. Commissioner Willener asks if there is not going to be a landscape plan what is the need for an irrigation plan. Mr. Ewert states it can be stricken. He felt that he should add it as an option, and a discussion could be had.

Chair Edwards asks if there is any further discussion on the item.

MOTION: Commissioner Parke moves table item 4.1 A public hearing regarding a proposal to add the solar overlay zone (SOZ) to approximately 370 acres at approximately 1700 South 7500 West for 30 days. This item is tabled to allow the applicant and staff to get more concise information from UDWR and the Fire Marshall regarding the potential impact on wildlife and potential risk for wildfires and mitigation tactics in the area. Commissioner Borklund seconds. Motion carries (5-0)

4.2 Consideration and action on ZTA 2018-06, a request allows lot averaging subdivisions to occur in the A-3 zone.

Mr. Ewert states that this item was discussed in the previous meeting and he will touch on the major points. He states the Planning Commission requested that in the A-3 zone the lot sizes be no less than an acre and no less than the standard lot width of 150 ft.

Chair Edwards asks if there are any further questions on the matter. There are none.

MOTION: Commissioner Favero moves to approve 4.2 Consideration and action on ZTA 2018-06, a request to allow lot averaging subdivisions to occur in the A-3 zone, this recommendation is based on the following findings: 1. The changes offer another tool that could help implement the general plans objective of clustering parcels in exchange for more open areas. 2. The changes will provide additional clarity to the existing ordinance. 3. The changes will strengthen the administration and long-term tracking of lot averaged subdivisions. 4. The changes are not detrimental to the health, safety, and welfare of the public. Commissioner Parke seconds. Motion carries (5-0)

4.3 Consideration and 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.

Mr. Ewert notes that a public hearing for this item was held at the last Western Weber planning meeting. He notes that the biggest change was whether or not it was going to be applied to a park and other public facilities. This was added it in as a specific exemption. There was a couple of minor changes after going to the Ogden Valley Planning

Commission, there some changes to the language to make sure it's not affecting them. There were a couple of changes that the Western Weber Planning Commission liked that the Ogden Valley Planning Commission liked as well.

Chair Edwards asks if there are any questions for staff.

MOTION: Commissioner Parke moves to forward a positive recommendation on the County Commission for file ZTA 2018-08, the extension of the county's existing architectural, landscaping, and screening design standards to all areas of the unincorporated county. This comes with the following findings: 1. That the proposal executes a directive of the West Central Weber County General Plan. 2. That the proposal will provide for orderly and aesthetically pleasing commercial areas. 3. That the proposal is in the best interest of the health, safety, and welfare of the public. Commissioner Favero seconds. Motion carries (5-0)

5. Public Comment for Items not on the Agenda: there was none.

6. Remarks from Planning Commissioners: Commissioner Borklund states that when the people come up to the podium they need to address the Commission, not the audience.

7. Planning Director Report: Director Grover states that they handled the solar farm very well. He adds that when they start to feel uneasy about these items they should not hesitate to table the item within reason. On a different note, staff received a request for incorporation of a city. The boundary includes unincorporated West of 1900 and south. There are representatives in this request from West Weber, Taylor, West Warren, Warren, and a few others from the northern section of Warren and a few other sections from the Southern section of Warren. There has been a discussion about redoing the General Plan. When redoing General Plans there is a proclivity to bring the community together. At this point, there is a division in the community. There is some concern with proceeding with the General Plan because it might cause the opposite. He gives them an overview of the process. He states the County Commission is asking that The Planning Commission weigh in with their opinion. Based on experience with the Ogden Valley General Plan, the results could be positive. There has been unity in the community. He adds that he never thought that this could happen. There is a lot of divided interest in the Ogden Valley. They were working for a common purpose and the concern with Western Weber is this request that is going in a different direction. The question if they move forward with the General plan update are they creating a document that is just going to sit on a shelf.

Commissioner Favero asks how soon would the incorporation take place. Director Grover states it would be close to a year before it is put on the ballot. He notes that this is just a guess because they are waiting to hear from the lieutenant governor's office. The feasibility study is going to be critical. One thing the county will be on the hook for is it doesn't pass is the election cost. If it does pass the new municipality will have to reimburse the county for the election cost. He adds that he visited with Ryan Cowley who is over Elections who stated that the cost should not be too significant. Commissioner Willener states that in the process of having all the amendments for the general plan proposed there has been pretty strong public opinion in one direction or the other. The general concise is to stick to the General Plan, and many of them noting that their needs have changed and will continue to change. She states that her concern in doing nothing is that people who are on the fence about incorporation might use inaction on the County for the General Plan as a reason to become an incorporated entity. Possibly thinking the incorporated entity would be more responsive. She states that she is very hesitant to say "move forward with the General Plan". The public has been very clear, they believe the General Plan is the guiding document, and they are uncomfortable not having input. She asks if by not acting they are swaying people who are undecided by not acting. She reiterates that she is not comfortable doing nothing. Director Grover states that the County Commissioners made it clear that if the Lieutenant governor and says there is no feasibility for this, they will go for the General Plan. They feel that this something that they owe to the citizens out in Western Weber, they do have some concern with regards to this petition. He notes that the County Commissioners don't have any issues with incorporation. Their only has to do

with the timing. Commissioner Favero asks what the criteria are for fast-tracking this issue. He states that as far as he knew this process usually takes two to five years. Director Grover states that it could be the signatures that they were able to garner. He notes that it requires 10%. Mr. Wilson states that the lieutenant governor's office needs to verify the signatures. Director Grover states the request that he received, he took straight to the recorder's office. The legal description was certified by the recorder's office to make sure that it meets all the standards. They have reviewed it stated that it does meet those standards. He adds that they weren't expecting this to come in for some time. It's not that it the lieutenant governor's office has speed things up, they just got it in sooner than Expected. He had spoken to the County Commissioner and were ready to proceed with the RFP when the request for incorporation was received. The County Commissioner have some concerns if they end up spending 50,000 dollars and it just sits on the bookshelf or creates more of a division amongst the community. It could be a disservice. Chair Edwards states that he personally wants to see what the lieutenant governor's office has to say. He agrees with Director Grover there is a lot of division and it might not produce the best results for the General Plan. However, the study comes back it possible that they might be more inclined to be more involved with the General Plan. Commissioner Willener states that if they can get a response from the lieutenant's office in a timely fashion she would agree with Chair Edwards, but there has been discussion regarding the General Plan update for a long time. She does not feel good about wasting time, and there will continue to be requested from the petitioner about amending the General Plan. She adds that she feels some of the petitioners have been done a disservice. She feels the message from the Community has been "don't touch the General Plan", they want to have a say. Commissioner Willener feels that any petitioner that had to ask for an amendment to the General Plan is being disserved. She adds that if they don't have the flexibility or the public mandate to make adjustments until incorporation or a General Plan update. Chair Edwards states that he agrees with Commissioner Willener comment but the General Plan is a lived document it can be amended and it is meant to be a guide. He adds that it is the Planning Commissions job to represent the public, to see what is in their best interest. He adds that it might be best to give it some time. Mr. Wilson gives an over of the timelines for incorporation. He states that the incorporation process has quick timelines. He asks if this helps with their concerns or discussions. Commissioner Willener states that it does help her. It gives her more home for more of a six-month timeline. Mr. Ewert notes that there are two diverging dichotomies out West. The 2003 General Plan clearly states the dichotomy big landowners versus small landowners. It still exists. When the Ogden Valley General Plan was being worked on they were able to find a common interest. When it comes to the large versus the small it's going to be hard to find the common interest. He adds that it might be good to stop focusing on density and start focusing on something else. So long as there is an incorporation petition moving forward there are going to be people that are very on board with the incorporation. He adds that with this they may not engage the process meaningfully. If plans of the General Plan update move forward and owners who are looking forward to incorporation might feel that the plan is not theirs or there will be hostility towards it. Having a plan that 50 percent of the people don't support might be worse than having an old plan. He notes that one thing he did notice when first hired on was that Ogden Valley meetings were awful. There has been a lot of improvement in this regard. There has been quite a bit of unification.

8. Remarks from Legal Counsel: Mr. Wilson states that he appreciates the Planning Commissions question and concerns and their active involvement.

9. Adjourn to Work Session

WS1: Ongoing review of the proposed land use table ordinance amendment. Mr. Ewert gives an overview of the land use table. He states that what might be allowed in one chapter might not be allowed in another chapter. There is not a lot of consistency. If it's not listed as allowed in the zone it's not allowed. He notes that he found few issues with this, where staff Planning Commission and the County Commission have allowed uses in different zones and didn't think how it would affect those uses in other zones. He adds that he wants to get everything on to one table and adopted into the County Code. Modifying the entire zoning titles so that the chapters will only have development standards. Purpose, intent and development standards. The table will be the guiding document for the uses. He notes that he wants to add some criteria to each use. Some zones just have agriculture. Agriculture is a large concept,

so the intent is to add some criteria with each of the uses. Everything on the table is going to need a definition in the definition section. He states that he is adding some definitions. He notes that the intention here is to document what the code says in both the land use table and how it is applied and adopted with minimal differences. After it's been adopted it can easily change some of the permitted and conditional to something different. There will also be some changes in the language to clarify.

Adjournment-

DRAFT

Minutes of the Western Weber Planning Commission meeting of April 9, 2019, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1. Ogden UT at 5:00 p.m.

Members Present: Bren Edwards - Chair
Greg Bell
Jannette Borklund
Jennifer Willener
Blake Hancock

Members Excused: Andrew Favero - Vice Chair
John Parke

Staff Present Rick Grover, Planning Director; Tammy Aydelotte, Planner I; Matthew Wilson, Legal Counsel; Marta Borchert, Secretary

- Pledge of Allegiance
- Roll Call

1. Approval of March 12, 2019 meeting minutes. There were some changes added to clarify the intent of the motion regarding item 2.2 Consideration and action on final approval of Uintah View Estates Subdivision, a 9 lot subdivision. On page four, paragraph three where it says Commissioner Froerer it is meant to say, Favero. Minutes approved with noted corrections.

Director Grover states that the next item is an administrative item. They can choose to take public comment but it is not required.

2.1 Consideration and action on preliminary approval of Fenster Farms Phase 3 Subdivision, a nine-lot subdivision. Applicant: Kenny Palmer; Presenter Tammy Aydelotte. Tammy Aydelotte gives an overview of the project. It will continue 560 N through there. Also creating two new streets within the subdivision boundaries. She notes that they do have letters from the Health Department and the applicant will need to submit updated letters. There are fewer lots than originally submitted so the number needs to be redone. She notes that when they come in for final approval they will have a corrected plat that will have updated numbers and a letter from the health department and their recommendations based on those specific plot numbers. Engineering has noted that when building commences lot owner should be aware that water levels fluctuate, through the seasons. Flood elevations should be reported in the plat. They will make recommendations when building permits come into that. These items should be added as a part of the motion.

Kenny Palmer 3062 W 4375 S Roy UT, thanks the Planning Commission for the opportunity to present. He notes that he does not have much to add. It is a 9-lot subdivision; it is an extension of phase 2. They are one-acre lots. He adds that they are after standard primary review. This phase is designed with the same concept.

Chair Edwards asks if there are any questions or comments for the applicant. There are none.

Tammy Aydelotte states that Staff recommends preliminary approval of Fenster Farms Subdivision Phase 3, a nine-lot subdivision located at approximately 560 North 5500 West. This recommendation is subject to all review agency requirements, and the following conditions: 1. A letter from the water district and secondary water provider approving the design of the new infrastructure, prior to scheduling final approval. 2. An escrow established for improvements to be installed, prior to recording the subdivision. 3. Proof of secured culinary and

secondary water prior to the scheduling of final approval. 4. A fence must be installed along the irrigation ditch to the east and south of the proposed subdivision. 5. An updated letter from the Health Department reflecting the updated and redrawn phase three be submitted prior to scheduling for final approval. This recommendation is based on the following findings: 1. The proposed subdivision conforms to the West Central Weber General Plan 2. The proposed subdivision complies with applicable county ordinances and meets all zoning requirement for the A-2 zone.

Chair Edwards asks if there are any questions from staff. There are none.

Eric South 522 N 5500 W states that he was present for the preliminary discussion for phase two. On the plat map, there is a stormwater retention area on the West end of phase two. Currently, this is a field and all the water drains from the East to the West. It collects in the South Corner of the pond. According to the plans that have been submitted the storm drain is on the North end but all water collect on the South end. There needs to be some significant changes done by engineering. The flow of the water needs to be from the South to the North. He asks that engineering be updated on this so that these changes can be reflected during the build-out of phase two and three. He states that everybody in phase one has had significant issues with water. It is water that drains from the East to the West. Phase one is in the West.

Chair Edwards closes public comment.

Tammy Aydelotte states that she can request that County Engineering update their review to make sure that any potential issues with the water collecting are being mitigated.

Commissioner Bell states the plat map they were given does not indicate the same location of the retention pond. Ms. Aydelotte states that this is just a preliminary sketch. She is not sure if the applicant plans to make that change. Mr. Palmer states lot twelve has been eliminated. It will be in the same spot and the lots will be renumbered. Commissioner Hancock asks if the retention pond is moving to the North? Mr. Palmer states regarding Mr. Souths comments the pond was designed to have the water go into the storm drain. He notes that if the elevations are changed the water won't go down the drain.

Commissioner Willener asks if in order to address these concerns because phase two is already approved would the current engineering plans already accommodate the concern. Is it something that needs to be addressed additionally? Director Grover states that in phase two the improvement drawings haven't been installed when they are they will have met code because they have to hold the water on sight for a certain time before it is discharged into the storm drain system. Once that is installed it would be meeting engineering requirements. At preliminary approval typically the detail drawings and the information that is done on final approval. Once phase 2 is installed it should be meeting engineering standards and requirements. This should address storm water issues. Chair Edwards states all the improvements for phase 2 will need to be done prior to starting phase 3. If they so choose to just do the improvement they can do that. It has to be brought up to standards prior to phase 3.

Chair Edwards asks if there are any further questions. There is none.

MOTION: Commissioner Borklund moves to recommend preliminary approval of Fenster Farms Subdivision Phase 3, a nine-lot subdivision located at approximately 560 North 5500 West. This recommendation is subject to all review agency requirements, and the following conditions: 1. A letter from the water district and secondary water provider approving the design of the new infrastructure, prior to scheduling final approval. 2. An escrow established for improvements to be installed, prior to recording the subdivision. 3. Proof of secured culinary and secondary water prior to the scheduling of final approval. 4. A fence must be installed along the irrigation ditch to the east and south of the proposed subdivision. 5. Lot numbers are corrected. 6. An updated letter from the health department be provided. 7. The base flood elevations be provided on the final plat. This recommendation is based

on the following findings: 1. The proposed subdivision conforms to the West Central Weber General Plan 2. The proposed subdivision complies with applicable county ordinances. Commissioner Willener seconds. Motion carries (5-0)

3. Public Comment for Items not on the Agenda-there was none.

4. Remarks from Planning Commissioners-There were none.

5. Planning Director Report-there was none.

6. Remarks from Legal Counsel-there were none

7. Adjourn to Work Session

WS1: Ongoing review of the proposed land use table ordinance amendment. Presenter: Charles Ewert-
Postponed

Adjournment-5:20 pm
Respectfully submitted
Marta Borchert



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for final approval of Terakee Village Phase 1, a PRUD Subdivision, consisting of 36 residential lots and one lot for an assisted living center.

Type of Decision: Administrative

Agenda Date: Tuesday, May 14, 2019

Applicant: Five Blanch Properties LLC

Authorized Representative: Brad Blanch

File Number: LVT101917

Property Information

Approximate Address: 4700 West 900 South

Project Area: 17.341 Acres

Zoning: A-1

Existing Land Use: Agricultural

Proposed Land Use: Residential

Parcel ID: 15-048-0037

Township, Range, Section: T6N, R2W, Section 17



Adjacent Land Use

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

Staff Information

Report Presenter: Ronda Kippen
rkippen@co.weber.ut.us
801-399-8768

Report Reviewer: RG

Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 5 Agricultural A-1 Zone
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Chapter 5 Planned Residential Unit Development

Development History

- Received a unanimous positive recommendation for the CUP for Terakee Village PRUD from the Western Weber Planning Commission on March 14, 2017
- Received approval for the CUP for Terakee Village PRUD from the County Commission on April 11, 2017
- Submitted application for preliminary subdivision review and approval of Terakee Village Phase 1 PRUD on October 19, 2017
- Received preliminary approval December 12, 2017 from the Western Weber Planning Commission

Summary and Background

The Planning Division recommends final approval of the Terakee Village Phase 1, a PRUD Subdivision located at approximately 4700 West 900 South in West Weber. The proposal is phase one of a three-phased master planned project consisting of 79 residential lots with four accessory dwelling units, one lot for an assisted living center, and 10 open space parcels (see Exhibit A for the phasing plan). Terakee Village Phase 1, a PRUD Subdivision will be 36 residential lots, an additional lot that will be dedicated as an Assisted Living Center and an Open Space on Parcel D (see Exhibit B), two open space parcels will be at the entrance of the development and a parcel for a private park known as "Reflections Park" located on Parcel C (see Exhibit A & B). The proposed subdivision is zoned A-1 and is considered an "agro-community".

The applicant would now like to move forward with the final subdivision approval process and has submitted the required information as outlined in LUC §106 and LUC Chapter 108 Section 5 for consideration and approval of the proposed subdivision. As part of the final subdivision requirements, the subdivision review process and approval procedure, the proposal has been reviewed by the reviewing agencies and is being forward for final approval at this time. The following is staff's analysis of the proposed final subdivision.

Analysis

General Plan: The proposal conforms to the West Central Weber County General Plan by supporting agriculture and encouraging residential cluster style development with a minimum 30% open space.

Zoning: The subject property is located in the Agricultural A-1 Zone. The purpose and intent of the 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."

PRUD: The PRUD is a multi-phased development consisting of 79 single family lots ranging in size from 10,548 square feet to 19,221 square feet with four accessory dwelling units (ADU's) and one lot for an assisted living center (see Exhibit A for phasing plan and Exhibit B for the Terakee Village Phase 1 final plat). The PRUD will offer a variety of housing options and includes approximately 39 acres of open space. The open space accounts for approximately 67% of the entire PRUD gross acreage. The open space will include an extensive pathway, a neighborhood park, and two agricultural parcels that will be used for agri-tourism operations attained by a separate conditional use permit in the future.

The applicant was granted a 32 percent bonus density based on the following:

- A 20 percent roadway landscape and design plan
- A 15 percent bonus density for each five percent increment of open space preserved over 50 percent

With the 32 percent bonus density, the applicant has been able to design Terakee Village adding an additional 21 lots to the 63 base density rights for an overall density of 84 units.

Lot area, frontage/width and yard regulations: The A-1 Zone requires a minimum lot area of 40,000 square feet and a minimum lot frontage/width of 150 feet. The PRUD utilizes the allowed flexibility to create neighborhoods with lots in phase one ranging in size from 0.24 acre lots to 0.44 acre lots and sized to accommodate single family homes. One lot (Lot 6-A) will be designed to allow for up to one "Carriage House" or accessory dwelling unit. The lots vary in frontage and width from 80.17 feet to 111.11 feet

The proposal includes the following minimum single family development standards (see Exhibit A):

- Single Family Dwelling Site Development Standards:
 - Front Yard: 30 feet
 - Side Yard: 10 feet
 - Side Facing Street on Corner Lot: 20 feet
 - Rear Yard: 10 feet
- Other Main Building:
 - Front Yard: 30 feet
 - Side Yard: 10 feet
 - Side Facing Street on Corner Lot: 20 feet
 - Rear Yard: 10 feet
- Building Height:
 - Minimum: One Story Building
 - Maximum: 40' (average building height)

Based on the allowed flexibility of a PRUD, the proposed layout, lot configuration and lot size have been deemed acceptable by the reviewing agencies.

Common Area: The applicant is proposing to dedicate approximately 39.26 acres of open space within the entire PRUD with approximately 3.94 acres being dedicated in phase one; which is approximately 22.7% of the net developable area in phase one. The final plat identifies the common area as "Open Space" and will dedicate it upon recording to a Community Association. The CC&R's have been submitted and reviewed by the legal division during the final subdivision process to ensure they comply with the provisions of the Community Association Act, U.C.A 1953, §57-8a-101 et seq. per LUC §108-5-6(d)(2) for the preservation, maintenance and ownership of the common area. The Planning

Commission as part of the original conditional use permit for the PRUD needs to approve the landscape design for the PRUD. The landscaping and maintenance details were deferred to the subdivision process. The complete landscape and irrigation plan including the streetscape are attached as Exhibit C & D for the Planning Commissions review and approval. The applicant has made the landscape preservation and maintenance plan part of the developments CC&R's. The Planning Commission needs to review and approve the verbiage in the document pertaining to the landscaping due to this being the preservation plan for the overall PRUD. Staff has attached the applicable portions of the CC&R's with staff's recommended changes to the document (see Exhibit D). A condition of approval has been added to staff's recommendations to ensure that staff's redlines will be made part of a separate landscape maintenance and preservation plan separate from the CC&R's shall be provided as approved by the Western Weber Planning Commission to the Weber County Planning Department for enforceability purposes prior to moving the subdivision forward to the County Commission for final approval. If the Planning Commission would like to make any additional modifications to the preservation plan, an additional condition of approval will need to be added to staff's recommendations.

Natural Hazards Overlay Zone: The proposed subdivision is located in a Flood Zone "X" as determined by FEMA. This area has been determined to be outside a 500-year floodplain. A geotechnical study has been performed and a report has been prepared by CMT Engineering Laboratories dated October 2, 2017, identified as Project #10241. All site development will need to adhere to the recommendations of this reports and a note has been added to the final plat to provide notice to future property owners of the geotechnical report on record with Weber County Planning Division.

Areas have been identified in the Wetlands Study that was required as part of the conditional use permit for the approval for the PRUD (see Exhibit B) as being deemed both non-jurisdictional and jurisdictional on the existing parcel. Mitigation measures are being finalized during the final subdivision process as the engineering division continues to work with the applicant and the State of Utah to ensure that these areas are conserved in their natural state as much as possible. A condition of approval will be added to staff's recommendations to ensure that the wetlands mitigation will be finalized prior to County Commission approval.

Culinary water, irrigation water and sanitary sewage disposal: The applicant has provided a will serve/capacity letter and a waiver for a State Construction Permit from Taylor West Weber for the culinary water. Wastewater services will be provided by Central Weber Sewer District.

A feasibility letter from Hooper Irrigation for secondary water has been provided. Hooper Irrigation has stated that the project is within the service area boundary of Hooper Irrigation and is able to serve the project based on the conditions listed in the feasibility letter (see Exhibit E). The applicant would like to move forward planning to utilize Hooper Irrigation; however the applicant would like to maintain the ability to have an onsite secondary water system as an alternative option. If the applicant opts to have an onsite secondary water system and it alters the development design and layout in a manner that is considered to be more than a "de minimus" change as determined by the Planning Director, the conditional use permit for the PRUD will have to be amended prior to the application being forward for final approval by the County Commission. A condition of approval has been added to ensure that if the secondary water system is going to be an "onsite secondary water system" and it is determined to be a substantial change to the development, a conditional use permit amendment will be required prior to approval by the County Commission.

Review Agencies: The Weber County Surveyor's Office, Fire District, and Engineering's Division have reviewed the proposal and are working with the applicant on the final plans outlining specific items that will be necessary to address prior to County Commissions approval. A condition of approval has been made part of staff's recommendations to ensure that any conditions of the applicable reviewing agencies are strictly adhered to.

Additional design standards and requirements: The proposed subdivision does require the creation of a new street system. The applicant will be required to provide a cash escrow to be held by Weber County for the applicable improvements within the subdivision. The applicant has provided a detailed landscaping and lighting design to be reviewed by the Planning Commission (see Exhibits C & D). Based on staff's review it does meet the landscape requirements in the PRUD Chapter 108 Title 5 and the Design Review Process in Chapter 108 Title 1. If the Planning Commission would like to have the applicant add some additional landscaping or open space features, a condition of approval will need to be added as well as a finding that will support such a request.

Tax clearance: The 2018 property taxes have been paid in full. The 2019 property taxes are not considered due at this time but will become due in full on November 30, 2019.

Staff Recommendation

Staff recommends final approval of the Terakee Village Phase 1, a PRUD Subdivision located at approximately 4700 West 900 South in West Weber. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. All redlines and outstanding conditions of approval from all county and outside review agencies shall be addressed and finalized prior to the subdivision being forwarded to the County Commission for final approval.
2. A separate landscape maintenance and preservation plan separate from the CC&R's shall be provided as approved by the Western Weber Planning Commission to the Weber County Planning Department prior to moving the subdivision forward to the County Commission for final approval.
3. Wetland mitigation measures will be finalized with the Engineering Division and the State of Utah to ensure that these areas are conserved in their natural state as much as possible prior to the subdivision being forward to the County Commission for final approval.
4. If the secondary water system is going to be an "onsite secondary water system" and it is determined to be a substantial change to the development by the Planning Director, a conditional use permit amendment will be required to be approved prior to the subdivision being forwarded to the County Commission for final approval.
5. A Subdivision Improvement Agreement and Financial Guarantee must be in place prior to the subdivision being forwarded to the County Commission for final approval.

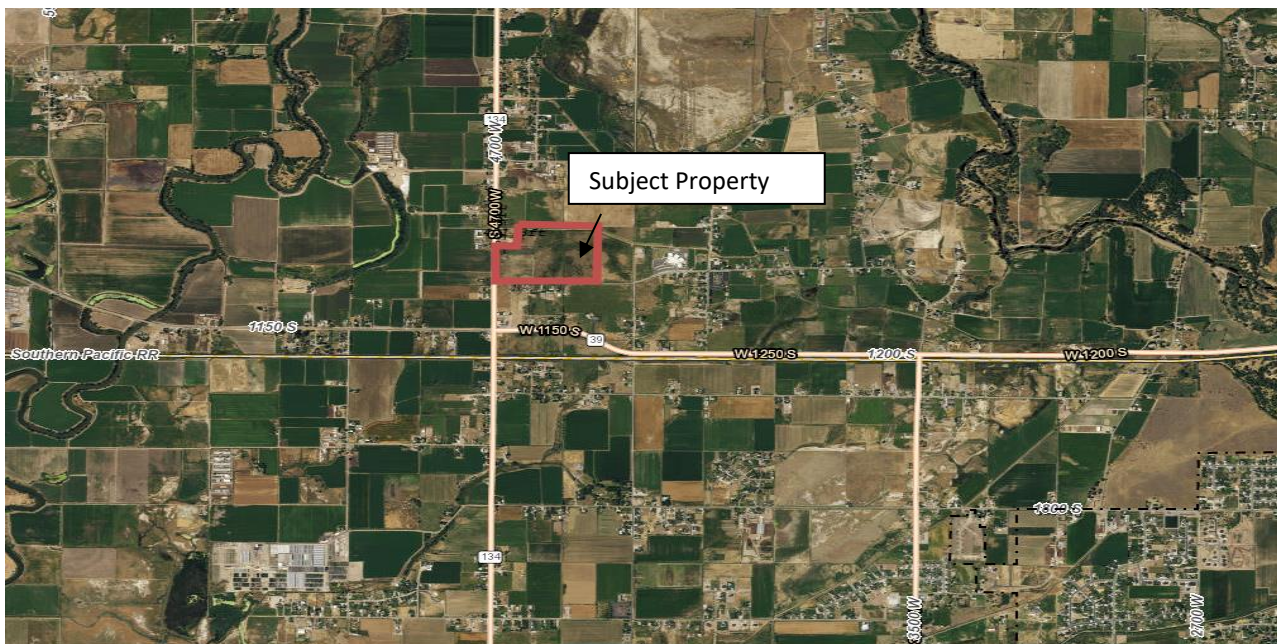
This recommendation is based on the following findings:

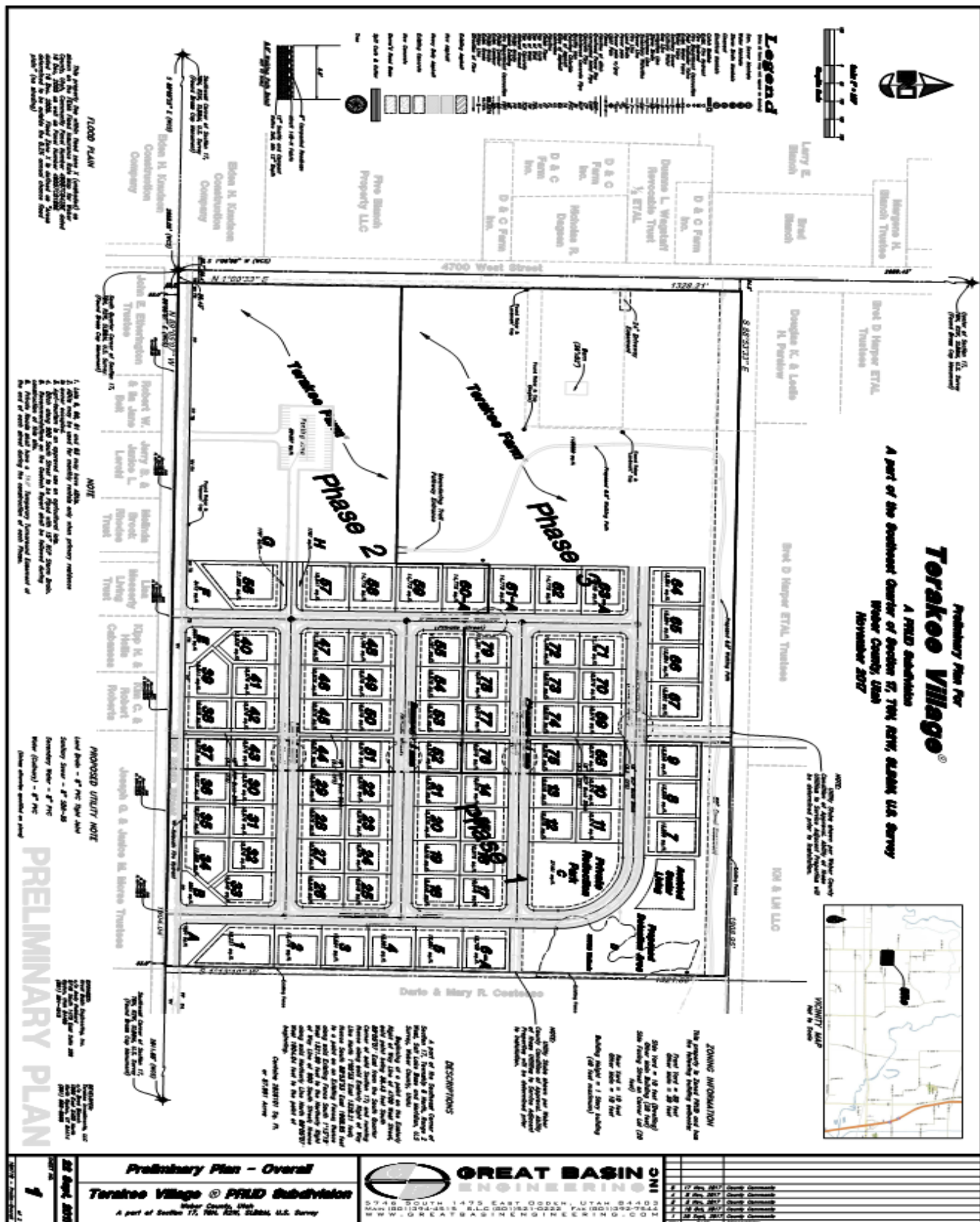
1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.
3. The applicant during the CUP for the PRUD was granted an overall bonus density of 32 percent for the entire project for an overall density of 84 dwelling units.

Exhibits

- A. Terakee Village PRUD Master Plan
- B. Terakee Village Phase 1 PRUD Subdivision
- C. Landscape and Streetscape Designs
- D. Landscape Preservation Plan
- E. Hooper Irrigation Feasibility Letter

Location Map

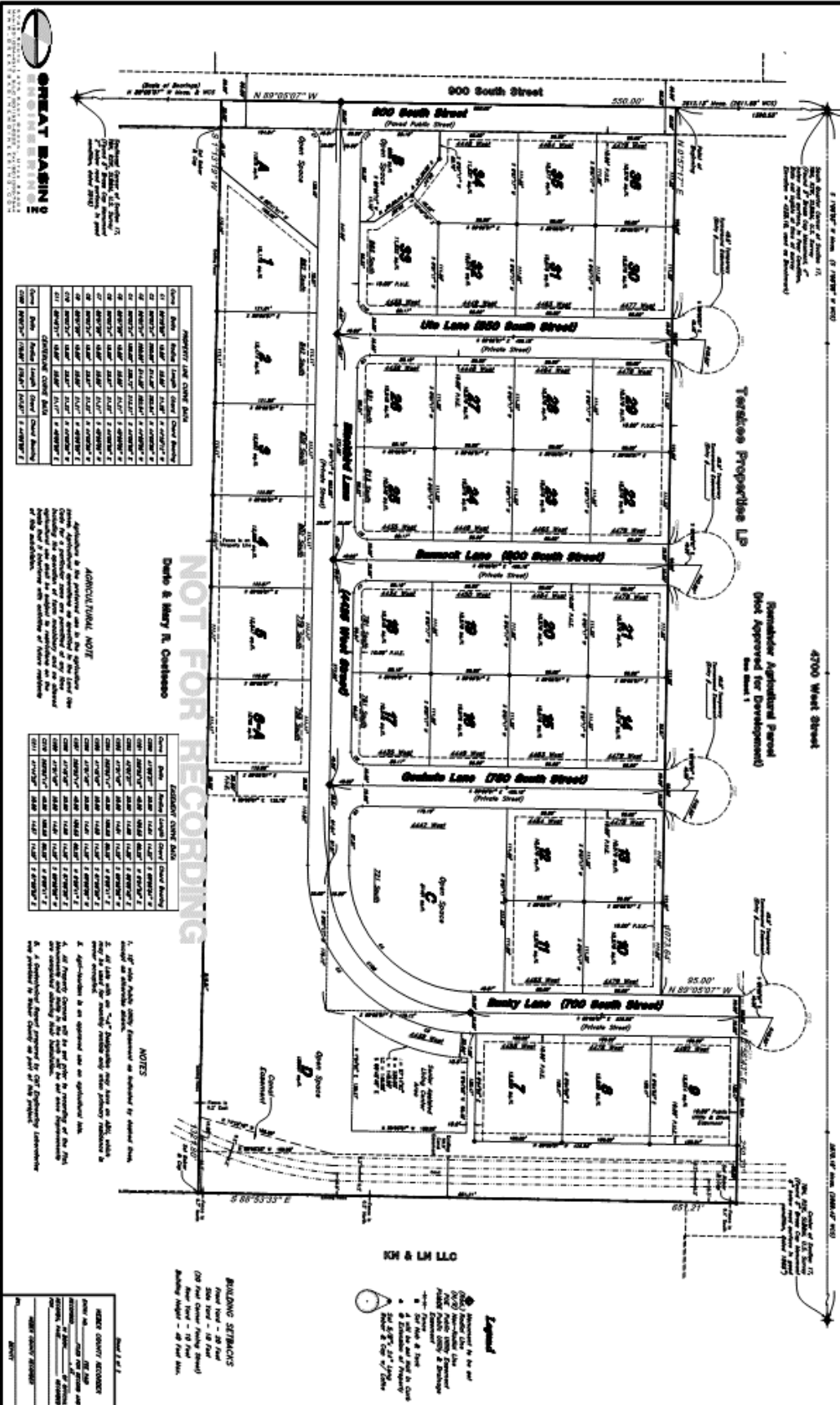






Torakoo Village® No. 1

A PRIDE Publication
A part of the Southwest Division of Section 57, TBM, RTM, & LBM, U.S. Survey
Webster County, Utah
April 2019



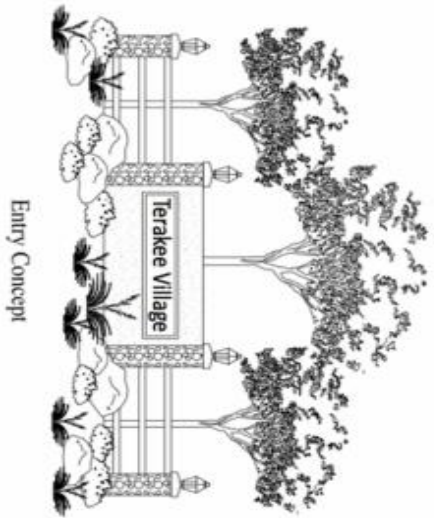
Phase One
Plant Table

Quantity	Symbol	Scientific Name	Common Name	Planting Size
18	○	Acer freemanii "Jefferson"	American Blue Maple	2" cal.
25	○	Acer glaberrimum	Horseshoe Maple	2" cal.
3	○	Quercus troiana "Thalassia"	Thalassia White Oak	2" cal.
0	○	Prunus nigra	Black Cherry	2" cal.
1	○	Prunus nigra	Black Cherry	6" - 8" B&B
2	○	Prunus nigra	Black Cherry	6" - 8" B&B
1	○	Prunus nigra	Black Cherry	6" - 8" B&B
3	○	Prunus nigra	Black Cherry	2" cal.
25	○	Prunus nigra	Black Cherry	2" cal.

Quantity	Symbol	Scientific Name	Common Name	Planting Size
6	○	Prunus nigra "Purpurea"	Purple Leafed Black Cherry	3" cal.
0	○	Prunus nigra "Purpurea"	Purple Leafed Black Cherry	3" cal.

Quantity	Symbol	Scientific Name	Common Name	Planting Size
0	○	Prunus nigra "Purpurea"	Purple Leafed Black Cherry	3" cal.
7	○	Prunus nigra "Purpurea"	Purple Leafed Black Cherry	3" cal.
3	○	Prunus nigra "Purpurea"	Purple Leafed Black Cherry	3" cal.

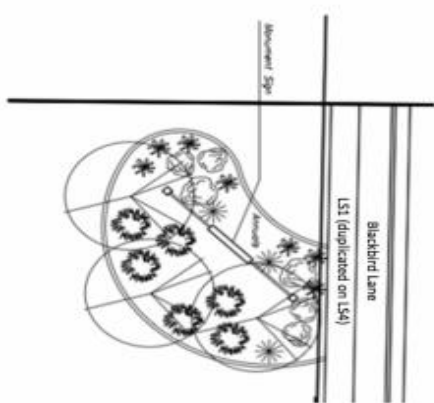
Decorative Boulders



LS5 & LS6
Between Lots 221 & 222*

North & South Sides of Road
*Phase Two

Additional Detention Basin Area
LS2 (duplicated on LS3)



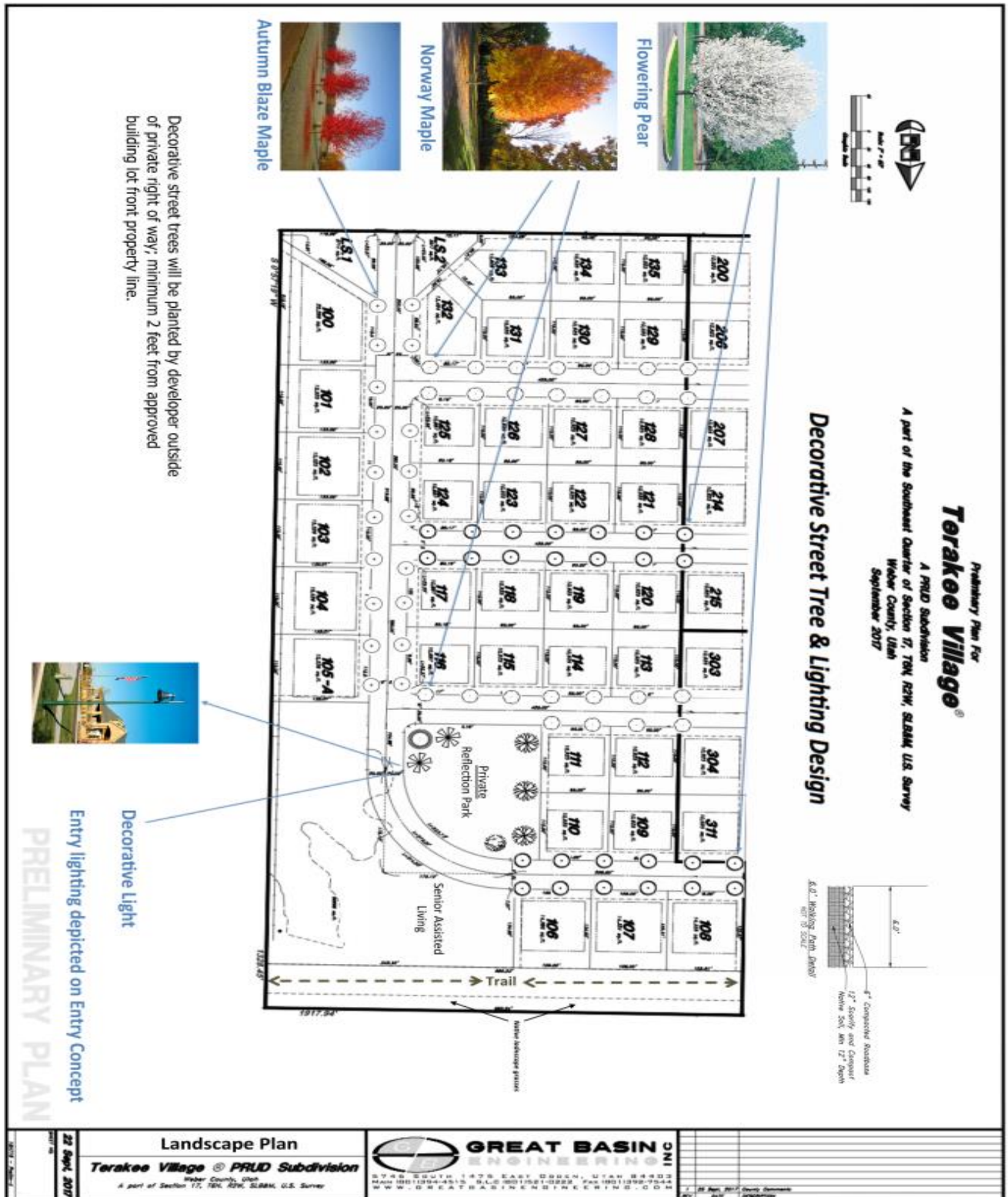
PRELIMINARY PLAN

Exhibit C- Landscape and Street Lighting Plan



Depiction of Proposed Trees,
Shrubs & Perennials
Terakee Village PRUD

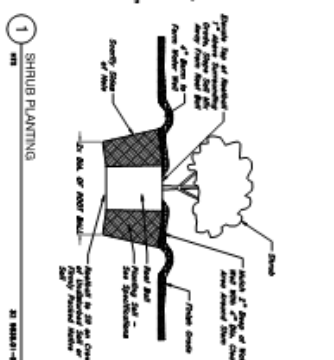
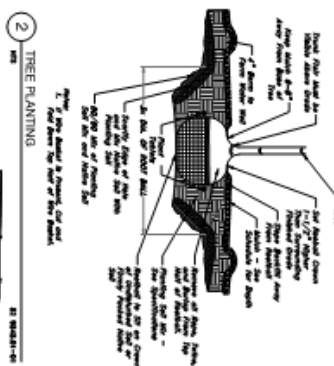
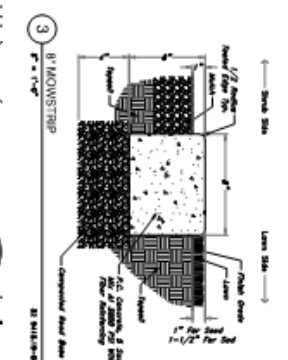
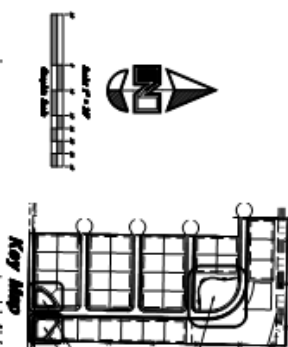
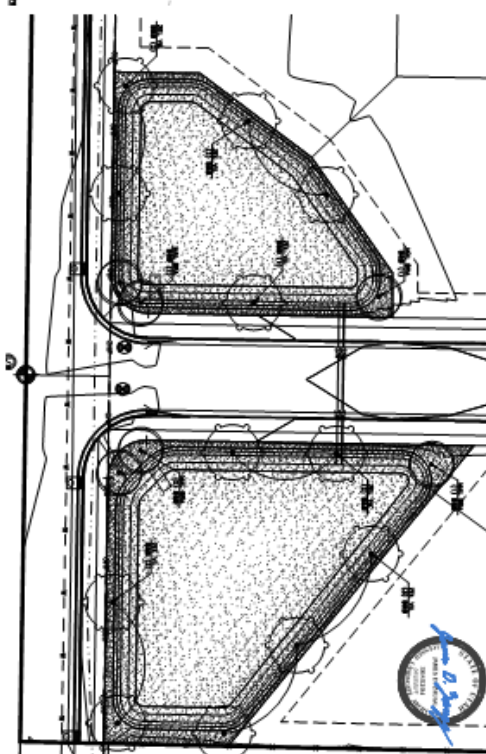
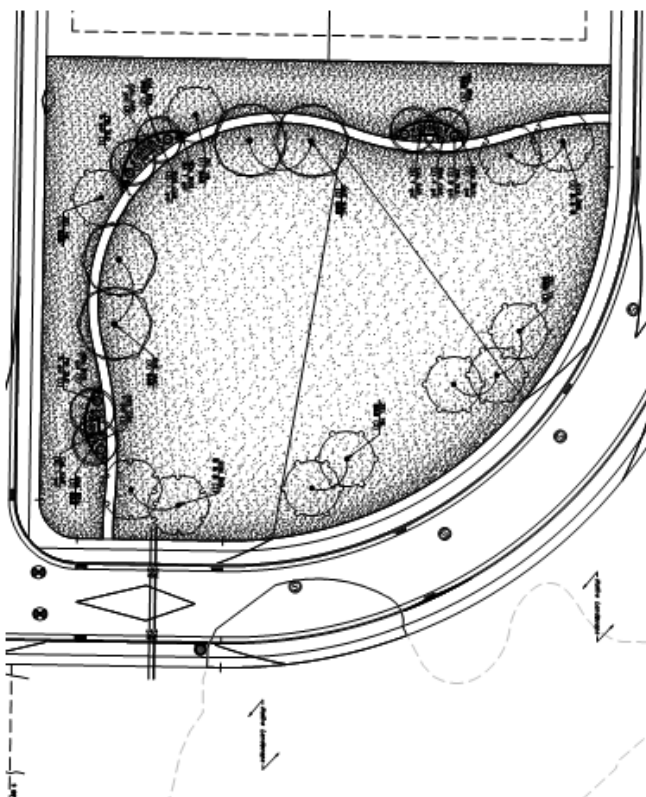




PLANT SCHEDULE

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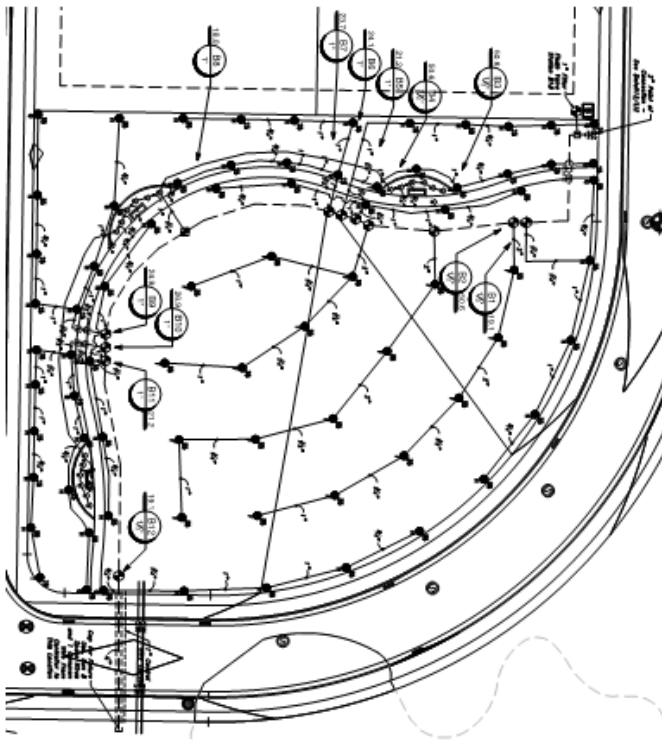
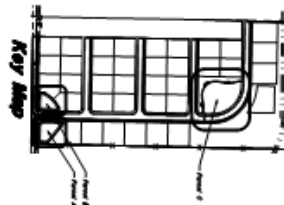
167

Landscape Plan
Terabee Village No. 1
Approx. 800 South 4300 West
Weber County, Utah
A part of Section 17, T6N, R2W, S18N, U.S. Survey



GREAT BASIN ENGINEERING **LLC**
4455 East 93rd Ave., Suite 204
Denver, CO 80231
303.751.9100
www.gbeng.com

5746 SOUTH 1475 EAST SALT LAKE CITY, UTAH 84143
HARRIS (801)294-4818 K.L.C. (801)821-0222 FAX (801)292-7544
WWW.BREATHBASINENGINEERING.COM

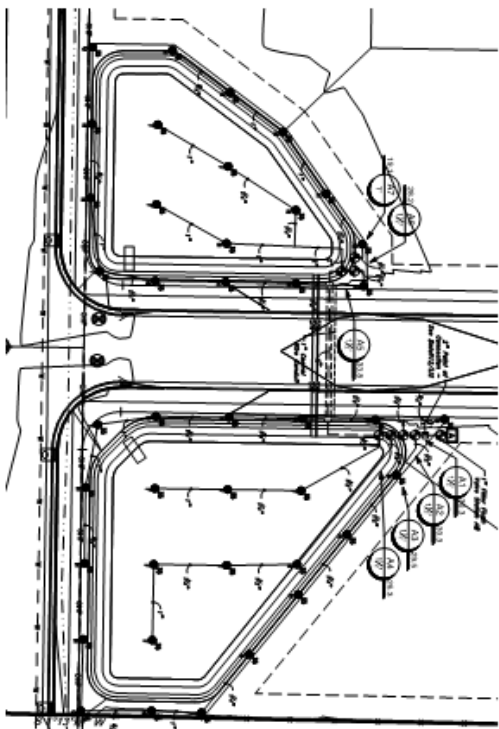


Parcel 12

- IRRIGATION NOTES**
1. All structures shall be constructed in accordance with the standards of the Utah Department of Water.
 2. All structures shall be constructed in accordance with the standards of the Utah Department of Water.
 3. All structures shall be constructed in accordance with the standards of the Utah Department of Water.
 4. All structures shall be constructed in accordance with the standards of the Utah Department of Water.
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 16. All structures shall be constructed in accordance with the standards of the Utah Department of Water.
 17. All structures shall be constructed in accordance with the standards of the Utah Department of Water.
 18. All structures shall be constructed in accordance with the standards of the Utah Department of Water.
 19. All structures shall be constructed in accordance with the standards of the Utah Department of Water.
 20. All structures shall be constructed in accordance with the standards of the Utah Department of Water.

IRRIGATION SCHEDULE

STRUCT.	MANUFACTURER/MAKE/DESCRIPTION	SIZE	QTY	AMOUNT
1	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
2	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
3	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
4	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
5	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
6	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
7	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
8	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
9	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
10	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
11	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
12	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
13	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
14	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
15	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
16	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
17	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
18	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
19	1-1/2" x 10'-0" gate valve	1 1/2"	1	175
20	1-1/2" x 10'-0" gate valve	1 1/2"	1	175



Parcel 13

Parcel 14

PERMIT SET - NOT FOR CONSTRUCTION

Terakoe Village No. 1
Approx. 800 South 4000 West
Weber County, Utah
A part of Section 17, T8N, 63E, S38M, U.S. Survey

GREAT BASIN ENGINEERING
5746 SOUTH 1475 EAST OGDEN, UTAH 84403
PHONE (801) 231-1111 FAX (801) 231-1111
WWW.GREATBASINENGINEERING.COM

Exhibit D- Landscape Preservation Plan

- Installation and Maintenance of Landscaping Improvements. Within ninety (90) days after the date on which Weber County issues a Certificate of Occupancy for a Dwelling Unit on a Lot, the Owner of each Lot shall install plants and other landscaping improvements (together with a sprinkle or drip system sufficient to adequately water the plants and other landscaping improvements) in the front yard and side yard (if such side yard is Visible From The Street) of his Lot (if and to the extent not previously installed by the Declarant) in a manner that, together with the grass or other landscaping already installed in the front yard and the landscaping already installed in the landscape strips of his Lot, would give such portion of the Lot an attractive and fully landscaped appearance. All shrubs, trees and other plants of any kind installed (other than those initially installed by the Declarant) or, from time to time, replaced in the front yard and side yard (if such side yard is Visible From The Street) of his Lot, must be selected from a list approved by the Architectural Committee. If disease or other natural hardships for a particular species of plant occurs, the Architectural Committee may elect to replace such species of plant with an equivalent plant of a different species. If required by the Board, the grass, plants, trees and other landscaping improvements shall be installed in accordance with plans approved in writing by the Architectural Committee. All landscaping on a Lot and in Common Areas shall be maintained in accordance with approved landscaping plans for the Project and good landscaping maintenance practices. Dead plants shall be promptly replaced by identical specimens or other approved plants; except that flowers and other annuals may be replaced or changed at the discretion of the Owner. Notwithstanding anything in this Declaration to the contrary, neither the Architectural Committee, the Architectural Rules nor this Declaration shall or may prohibit low-water usage landscaping.
- Irrigation. Terakee Farm agricultural parcels have historically been flood irrigated with Hooper Irrigation Company water shares. At, or before, the completion of the ^{each} final phase of Terakee Village PRUD a pressurized sprinkle and/or drip irrigation system will be designed and implemented ~~at the sole discretion of Terakee Farm to irrigate agricultural portions.~~ ^{as approved by Weber County for all Open Spaces or Common Areas within the development. All agricultural parcels may be irrigated at the sole discretion of Terakee Farm.}



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

April 26, 2019

Weber County Planning Commission
Attn: Ronda Kippen, County Planner
2380 Washington Blvd, Suite 240
Ogden, UT 84401

RE: Secondary Water Feasibility Letter – Terakee Village, Weber County

Dear Ronda,

Hooper Irrigation Company provides both flood irrigation water and pressurized irrigation to the western portion of Weber County, south of the Weber River. The pressurized irrigation system was initiated in 2001 for lawn and garden irrigation use and has been successfully operating since then.

The developer of Tarakee Village phase 1, Mr. Brad Blanch, is seeking pressurized irrigation water from Hooper irrigation for the development of 36 lots and 4 open space parcels located at 4425 E 900 N in Weber County. The project is within the service area boundary of Hooper Irrigation and able to be served with the conditions that include but are not limited to the following:

1. Water Shares must be given to Hooper Irrigation for the parcels
2. Review Fees and Connection fees must be calculated and paid to Hooper Irrigation.
3. Plans for the secondary water within the development must be approved and details in accordance with our standards.
4. Plans for secondary water running to the development along with the Pioneering Agreement and Oversize Agreement must be approved.
5. There may be other agreements required from other entities for construction, namely UP Railroad, UDOT and Weber County.

With the above items adequately addressed, it is feasible for Hooper Irrigation Company to provide secondary water for this development.

Please let us know of any questions or concerns.

Sincerely,
J-U-B ENGINEERS, Inc.

A handwritten signature in blue ink, reading "Gregory L Seegmiller".

Gregory Seegmiller, P.E.
Consulting Company Engineer

Cc: Theo Cox, Hooper Irrigation Co.
Rex Hancock, Hooper Irrigation Co.
Brad Blanch, Developer

insert file name here



Staff Report to the Western Weber County Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on preliminary approval of Summerset Farms, a 3 phase, subdivision consisting of approximately 50 lots.

Type of Decision: Administrative

Agenda Date: Tuesday, May 14, 2019

Applicant: Ed Green, Representative

File Number: LVS032119

Property Information

Approximate Address: 2267 S 3500 W, West Haven, UT, 84404

Project Area: 48.833 acres

Zoning: Agricultural (A-1)

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 15-078-0011, 15-078-0046, 15-078-0401

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

Adjacent Land Use

North:	Residential	South:	Residential
East:	3500 West St	West:	3900 West St

Staff Information

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

Report Reviewer: RK

Applicable Land Use Codes

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

Background and Summary

The applicant is requesting preliminary approval of Summerset Farms, a three-phase subdivision, consisting of approximately 50 lots. This subdivision is currently being slightly reconfigured, in order to meet the minimum requirements for a lot averaged subdivision. This proposal includes continuation of a county, dedicated road (3900 West St) located at approximately 2267 S 3500 W in the A-1 Zone. 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 Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area.

Zoning: The subject property is located in the A-1 Zone, and is a lot averaged subdivision (LUC 106-2-4). Single-family dwellings are a permitted use in the A-1 Zone.

Lot area, frontage/width and yard regulations: In the LUC § 104-7-6, the A-1 zone requires a minimum lot area of 40,000 square feet for a single family dwelling and a minimum lot width of 150 feet. However, in a lot-averaged subdivision, the minimum requirements are as follows: Lot area in the A-1 zone – 20,000 square feet. Lot width in the A-1 zone: 80 feet. The average area and width of lots within the subdivision shall equal or exceed the minimum requirements for the zone.

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 A-1 zone standards in LUC § 104-5. The proposed subdivision will create four new public streets, as well as continue two previously dedicated public streets, from adjacent subdivisions (Favero Legacy Cluster Subdivision, and Cameron Cluster Subdivision).

Culinary water and sanitary sewage disposal: Taylor West Weber Water has given Feasibility and preliminary approval for culinary water services, for 50 lots. This letter must be amended to include all lots in the subdivision. Applicant must provide a feasibility letter from Hooper Irrigation for secondary water. This subdivision will need to be annexed into Central Weber Sewer District, per the County Engineer.

Review Agencies: to date, the Planning Division, Engineering Division, and Surveyor's Office along with the Weber Fire District have reviewed the proposed subdivision. 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 2018 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 seven 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 Summerset Farms Subdivision, a three-phase subdivision, consisting of approximately 50 lots, located at approximately 2267 South 3500 West, West Haven. This recommendation is subject to all review agency requirements, and the following conditions:

1. Annexation into the Central Weber Sewer District
2. A feasibility letter be provided from Hooper Irrigation.
3. Proof of secured culinary and secondary water prior to scheduling of final approval.
4. An escrow established for the improvements, prior to scheduling for final approval.
5. A fence must be installed along the Wilson Canal, if there is no fencing presently.
6. A plat must be provided, prior to final approval, showing the average of all lots within this subdivision meeting the minimum area and width requirements for the A-1 zone.

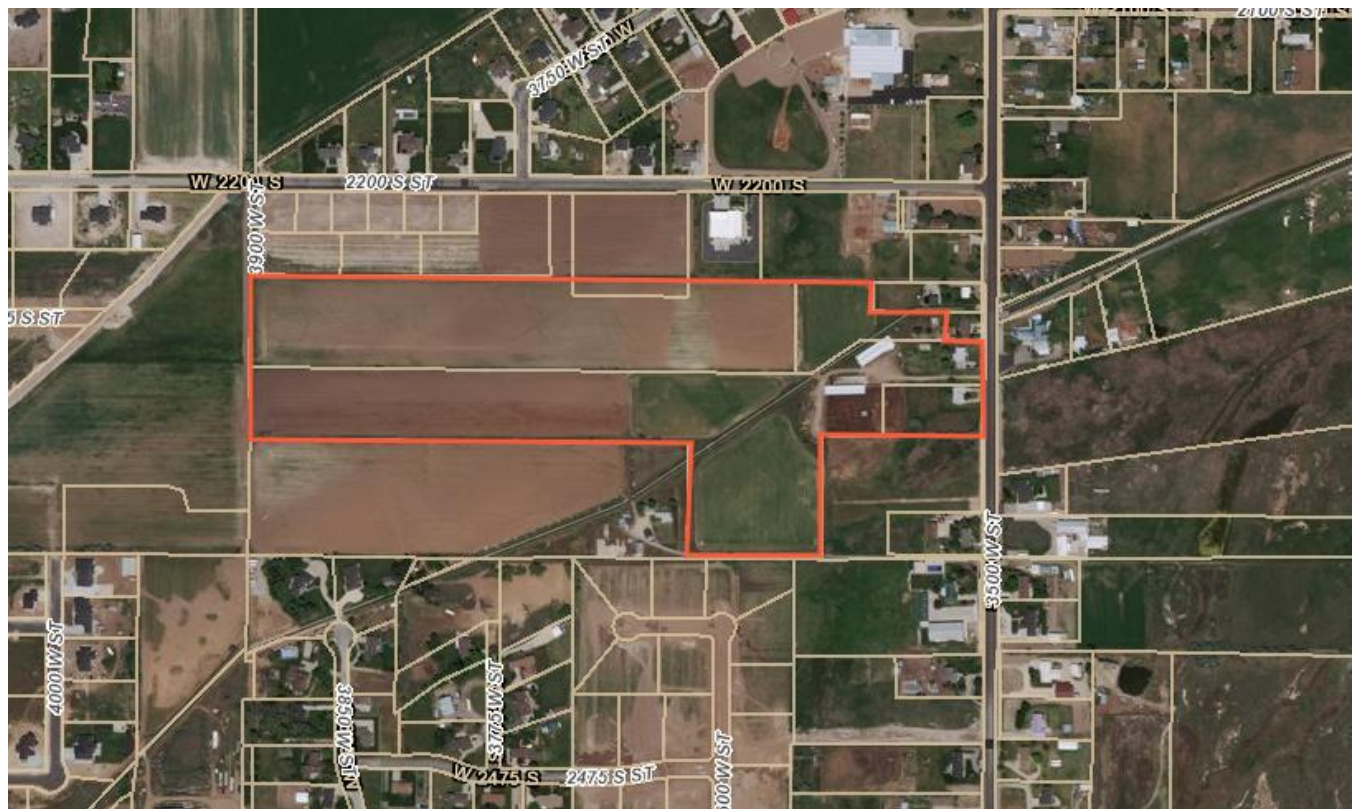
This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan
2. The proposed subdivision complies with applicable county ordinances

Exhibits

- A. Subdivision plat
- B. Feasibility letter

Area Map



[illegible]

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

March 7, 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 50 lots of the Summerset Farms subdivision to be located at the approximate address of 2400 South 3500 West in Taylor, Utah.

Requirements:

- *Plan review fee = \$1,250 (\$25 per lot)
- *Water rights fee = \$218,150 (\$4,363 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.
- *Hookup/Impact fees will need to be paid by each lot owner (\$5,638 per lot (or current cost when paid) before building permits are issued.

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 - Manager

VS/sph

Expires 9/07/19



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for preliminary approval of Halcyon Lake Estates Subdivision, consisting of 28 lots located at approximately 4100 W 1800 S, Ogden.
Type of Decision:	Administrative
Agenda Date:	Tuesday, May 14, 2019
Applicant:	Tyler Brenchley, Keith Ward
File Number:	LVH 040419

Property Information

Approximate Address:	4100 W 1800 S
Project Area:	Approximately 40 acres
Zoning:	Agricultural (A-1) Zone
Existing Land Use:	Agricultural
Proposed Land Use:	Residential
Parcel ID:	15-057-0011, -0039
Township, Range, Section:	T6N, R2W, Section 21

Adjacent Land Use

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

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RG

Applicable Ordinances

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

Background and Summary

The applicant is requesting preliminary approval of Halcyon Lake Estates Subdivision, consisting of 28 lots, located at approximately 4100 W 1800 S, Ogden. The proposal includes a recreation lake in the middle of the development which will be surrounded by residential lots. The proposed subdivision, if the recommended conditions are imposed, is 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 the LUC.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of one acre single family residential development in the area (2003 West Central Weber County General Plan, Residential Uses, Page 1-4).

Zoning: The subject property is located in the Agricultural (A-1) Zone. Single-family dwellings are a permitted use in the A-1 Zone.

Lot area, frontage/width and yard regulations: In the LUC §104-5-7 the A-1 zone requires a minimum lot area of 40,000 square feet for a single family dwelling and a minimum lot width of 150'. All lots within the proposed subdivision meet the zoning requirements for area and width.

The A-1 zoning allows for lot averaging subdivisions, provided that the proposal does not include more lots than are otherwise allowed by zoning, and that the average lot width and area for lots within the subdivision conforms to the zoning standard of 150 feet of lot frontage and 40,000 square feet of area. The average lot width in this subdivision is 150 feet and the average lot area is approximately 41,000 square feet. The applicant has shown a lot summary table on the preliminary plan, indicating the widths and area of each lot.

As part of the subdivision process, the proposal has also been reviewed for compliance with the current subdivision ordinance in LUC §106-1. This proposal contains a remainder parcel boundary which is not currently shown on the preliminary plan. According

to the final plat requirements (106-1-8(c)(3)) the remaining boundary and area must be shown on the plat. If the remainder parcel has an area of 5 acres or greater the final plat shall indicate that the parcel is not approved for development. Prior to receiving final subdivision approval from the planning commission the applicant is required to demonstrate compliance with all final subdivision requirements.

Culinary water and sanitary sewage disposal: Feasibility letters have been provided for the culinary water and the sanitary sewer for the proposed subdivision. The culinary water will be provided by Taylor West Weber Water Improvement District. The sanitary sewage disposal will be provided by Central Weber Sewer Improvement District. A condition of the will serve letter from Central Weber Sewer is that the property be annexed into the Central Weber Sewer Improvement District prior to any connections to the system. This requirement has been made a condition of preliminary approval.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division, Engineering Division, and Surveyor's Office along with the Weber Fire District. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Additional Design Standards: The applicant is proposing that lots 15 through 27 gain access through a private road known as Ski Lake Drive. The applicant has shown that access will be provided to undeveloped properties to the north of this development. The applicant is proposing sidewalk, curb and gutter, along Ski Lake Drive as well as 1800 S. The applicant is requesting to enter into a deferral agreement for curb, gutter, and sidewalk along 1700 S and 4075 West streets.

Public Notice: A notice has been mailed not less than seven 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 Recommendations

Staff recommends preliminary approval of Halcyon Lake Estates Subdivision consisting of 28 lots. This recommendation is subject to all review agency requirements and the following conditions:

1. That the property be annexed into the Central Weber Sewer Improvement District prior to recording the final subdivision plat.
2. The boundary and area of the remainder parcel must be shown on the final plat, as required by LUC 106-1-8(c)(3).
3. A note shall be placed on the final subdivision plat that reads "for each zone in this subdivision, the average area and average width of lots within the zone equal or exceed the minimum area and minimum width allowed in the zone. An amendment to any part of this subdivision shall comply with Section 106-2-4(b) of the Weber County Code."

The recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber General Plan.
2. The proposed subdivision complies with applicable county ordinances.

Exhibits

- A. Preliminary subdivision plat

Area Map





Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on GPA 2019-01, a request to amend the General Plan Future Land Use Map from Industrial Park to Residential/Agricultural use at the intersection of 900 South and 7900 West.

Agenda Date: Tuesday, May 14, 2019

Applicant: Weber County

File Number: GPA #2019-01

Property Information

Approximate Address: 900 South 7900 West

Project Area: NA

Zoning: M-1

Existing Land Use: Residential

Proposed Land Use: NA

Staff Information

Report Presenter: Steve Burton
sburton@webercountyutah.gov
801-399-8766

Report Reviewer: RG

Applicable Ordinances

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

Summary

This item is a proposal to amend the Future Land Use Map of the West Central Weber County General Plan. The proposed amendment is to change the land use designation from Industrial Park to Residential/Agricultural on approximately 50 acres on the north east corner of the intersection of 900 South and 7900 West.

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

On October 2, 2018 the County Commission approved and adopted an amendment to the future land use map that changed land use designations in this area. One of the applicants of this proposal did not fully understand or approve of the changes that were made from this amendment. This has resulted in a county initiated general plan amendment to change the land use designation in this area from Industrial Park to Residential/Agricultural. The following page shows what the future land use map looked like prior to the amendment that occurred on October 2, 2018, as well as what the current future land use map looks like in this area.

'Future Land Use Map' Prior to October 2, 2018



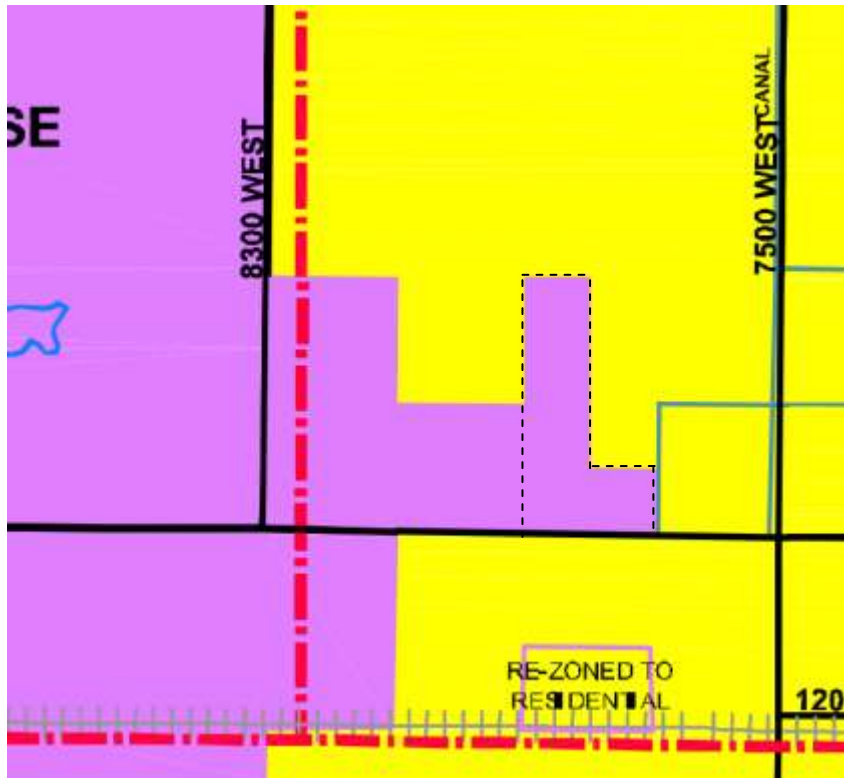
Current 'Future Land Use Map'



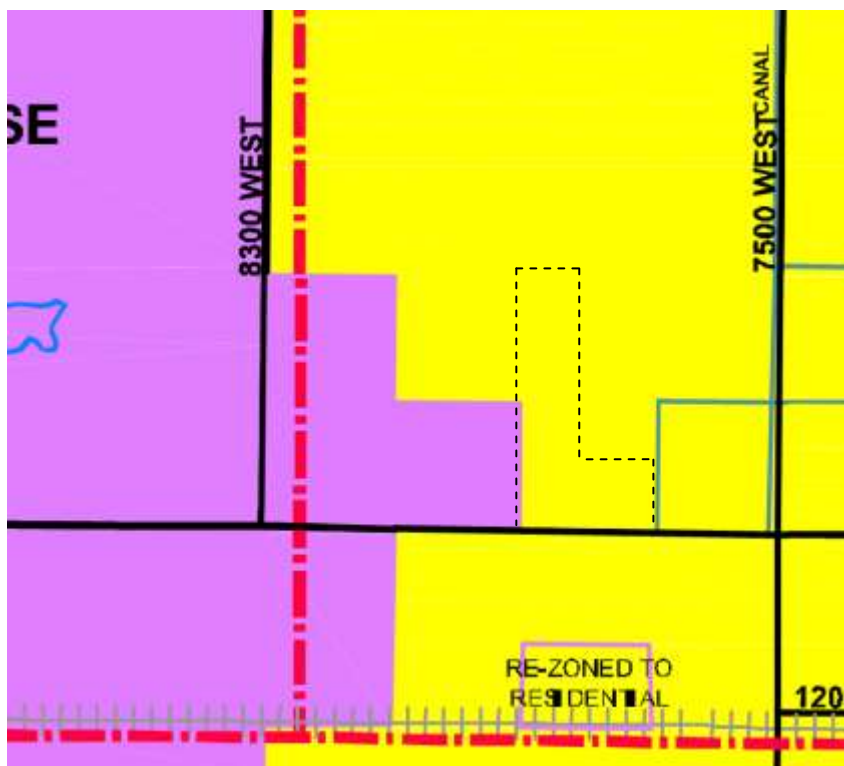
Policy Analysis Continued

The county is proposing the following change to the future land use map. The dashed black line indicates the area proposed to be Residential/Agricultural and is included on these images only to emphasize where the proposed changes will occur.

Current 'Future Land Use Map'



Proposed 'Future Land Use Map'



Policy Analysis Continued

The Manufacturing Land Use section of the General Plan (pg. 2-15) states the following implementation action:

Eliminate permitted single-family residential uses in all manufacturing zones in this area to reduce potential conflicts between residential and agricultural uses, and manufacturing uses. If this is not consistent throughout Weber County, it may require new zones or an amendment that specifically states it applies to the West Central Weber County area.

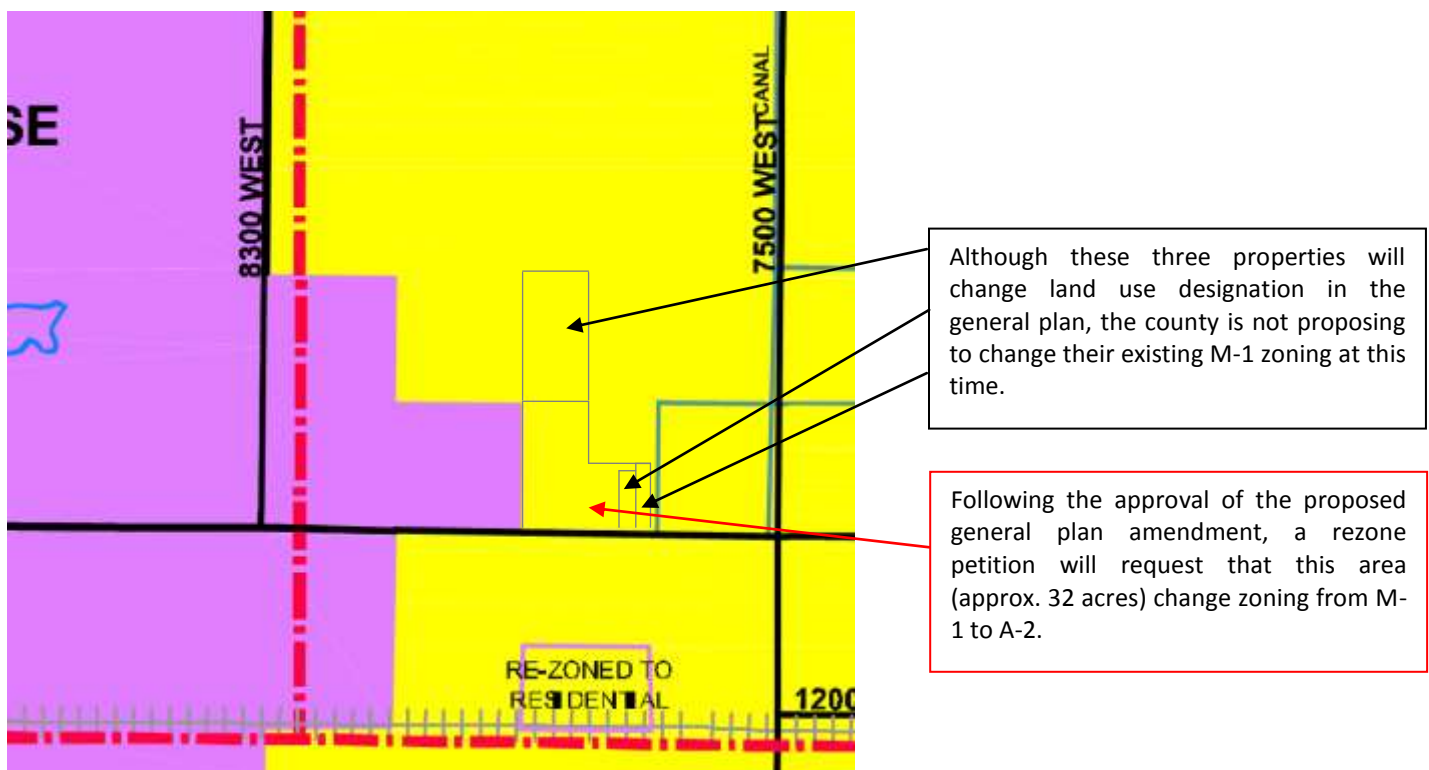
The proposed general plan amendment is supported by the above implementation action as the change of use from Industrial Park to Residential/Agricultural would reduce conflicts between residential/agricultural and manufacturing uses in the future.

Additional Information to Consider

After the County Commission approved and adopted the general plan amendment on October 2, 2018, a rezone petition was later approved and adopted, rezoning a portion of the subject area from residential to industrial. Those portions of the subject area that were rezoned to industrial will still continue to have industrial zoning until they are rezoned.

Below is an image showing parcels where the owners have expressed that they wish to keep their industrial zoning. While the general plan, if the amendment is approved, will show these areas as residential, the M-1 zoning will still exist until rezoned.

Proposed 'Future Land Use Map'



Staff Recommendation

Staff recommends approval of File #GPA 2019-01, a proposal to amend the Future Land Use Map of the West Central Weber County General Plan to change the land use designation on approximately 50 acres at the north east corner of 900 South 7900 West from Industrial Park to Residential/Agricultural.

This recommendation comes with the following findings:

1. The proposal complies with the general plan.



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To consider and take action on ZMA 2019-02, a request to amend the Zoning Map from Manufacturing (M-1) to Agricultural (A-2) on 32 acres at the intersection of 900 South and 7900 West.

Agenda Date: Tuesday, May 14, 2019

Applicant: Weber County

File Number: ZMA #2019-02

Property Information

Approximate Address: 900 South 7900 West

Project Area: NA

Zoning: M-1

Existing Land Use: Residential

Proposed Land Use: NA

Staff Information

Report Presenter: Steve Burton
sburton@webercountyutah.gov
801-399-8766

Report Reviewer: RG

Applicable Ordinances

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

Summary

This item is a proposal to amend the Weber County Zoning Map on approximately 32 acres at the intersection of 900 South and 7900 West. The proposal is to change zoning designation from M-1 to A-2. This proposal is being driven by the county, as one of the applicants of the rezone petition that occurred on October 2, 2018 (2018-02, Ordinance number 2018-17) did not fully understand or consent to that rezone.

Legislative Decisions

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

Policy Analysis

Prior to considering this application, the Western Weber Planning Commission had the opportunity to consider and take action on a county initiated general plan amendment (GPA 2019-01) in a public hearing held on May 14, 2019. The purpose of the general plan amendment was to ensure that the rezone petition is in compliance with the future land use map of the general plan. Below are images of both the existing zoning and the proposed rezone. The black dashed lines are only shown to emphasize the location of the proposal.

Existing zoning



Proposed zoning



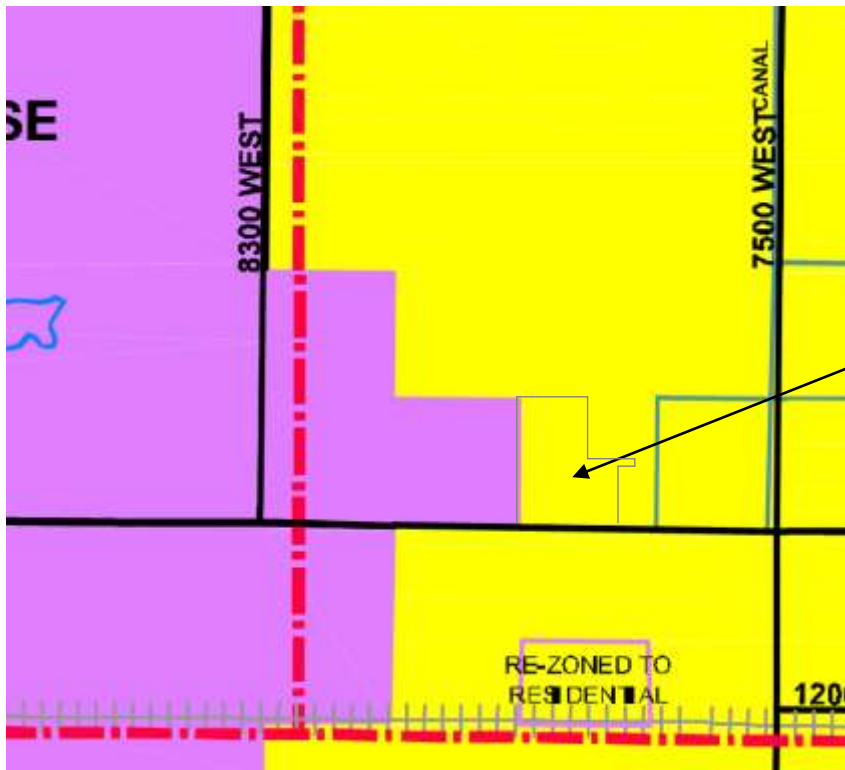
Policy Analysis Continued

Although not yet approved by the County Commission, the general plan amendment (GPA 2019-01) indicates that the zoning in this area should be agricultural. If the County Commission does not approve of the general plan amendment (GPA 2019-01) then the proposed rezone would not comply with the general plan, and should not be approved.

In considering the surrounding uses, this proposal will move the boundary of the manufacturing zone further away from the agricultural zones, and toward the manufacturing zones. This change will reduce potential conflicts between residential and agricultural uses.

The rezone, if approved and adopted by the county commission, will result in an island of M-1 zoning. The island will consist of 2 parcels and contain approximately 5.5 acres. The parcels within the island will not be allowed to expand use to surrounding properties as they will be entirely surrounded by agricultural zoning. While spot zoning is generally discouraged, the island of M-1 zoning will have minimal impact on the surrounding agricultural zoning, as such, the proposal is still recommended for approval.

Additional Information to Consider



If approved by the County Commission, the general plan will show this area as 'agriculture/residential', and the rezone proposal will comply with the general plan.

Planning Commission Consideration

Under Section 102-5-3 of the Land Use Code, The Planning Commission and the County Commission have the following approval criteria for rezone petitions:

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

Staff Recommendation

Staff recommends approval of File #ZMA 2019-02, a request to amend the Zoning Map from Manufacturing (M-1) to Agricultural (A-2) on 32 acres at the intersection of 900 South and 7900 West.

This recommendation comes with the following findings:

1. The proposal complies with the general plan.
2. The proposal meets the approval criteria as outlined in Sec. 102-5-3.