

### HISTORY

Wolf Creek has been a Master Planned Community since 1984 with the most recent comprehensive revision to the Master Plan done in 2002. Wolf Creek was approved with a Master Plan, Concept Plan, and Zoning Development Agreement. The Planning Division's position is that the Wolf Creek Development Agreement/Master Plan is still valid and will be used as the baseline for any future approvals within the Wolf Creek Master Planned area.

Weber County does not enforce private agreements, including CC & R's; however, if there are issues related to County approvals such as detention ponds, retention ponds, or trails, and trail maintenance, the County may enforce those aspects. Properties and parcels that were agreed upon to remain open will have to remain open and maintained.

The concept plan as part of the 2002 revised Master Plan shows future open space and amenities that will have to be installed and maintained as Wolf Creek is developed. Some of the amenities included an extension of 4100 North, a second access through Eagles Landing, and a second golf course. The Wolf Creek Master Plan can be amended but it will take the cooperation of all parties and has to be approved by the County Commission after a recommendation by the Planning Commission.

Wolf Creek's original Master Plan was approved in 1984 by The Weber County Planning Commission which provided for a density of 2,152 units on 2,545 acres as follows:

<u>Zone</u>	<u>Density</u>	<u>Acres</u>	<u>Units</u>
O-1	0	1980.4	0
CR-1	0	15.5	0
C-2P	0	18	0
FR-3	6.0 DU/AC	237.1	1423
R-1-8	2.5 DU/AC	281.9	711
RE-15	1.5 DU/AC	12.1	18
Totals		<u>2,545</u>	<u>2,152</u>

Since the original Master Plan was approved there have been numerous revisions. A total revision to the Wolf Creek Master Plan was done in 2001 with the corrected maps and legal descriptions for the Master Plan and Zoning Development Agreement being approved in 2002.

The first thing that helps establish the density for Wolf Creek is the Zoning Development Agreement recorded on October 22, 2002. This agreement established the following density for the following zones in Wolf Creek:

<u>Zone</u>	<u>Density</u>	<u>Acres</u>	<u>Units</u>	<u>Units not Accounted for in unit total</u>
A. O-1	0	1731.45	0	
B. CV-2	0	21.12	250 (Not allowed in the zone)	
C. AV-3	0	84.74	0	
D. RE-15	1.75 DU/AC	517.56	664	
E. RE-20	1.5 DU/AC	46.94	28	
F. FR-3	6.0 DU/AC	160.47	704	
G. FV-3	1 DU/ 3 acres	40	13	
H. FRC-1	1 DU/ 1 acres	9.11	1	
I. Unknown				492
Totals		<u>2,611.39</u>	<u>1,660</u>	<u>2,152</u>

In reviewing the Zoning Development Agreement seven areas need further explanation. The following letters refer back to table above:

- A. The Open Space decreased from the original zoning in 1984, so to increase the amount of open space the Zoning Development Agreement requires an additional 190 acres within the developments.
  - o The 84.74 acres of AV-3 is added to the open space number since dwelling units were not planned for that parcel (total open space area 1,816.19 acres).
  - o The parcels given to DWR are part of the O-1 zoning.
- B. The CV-2 zone shows 250 dwelling units. The current commercial zones have no provision for dwelling units. Use variances cannot be granted. The CVR-1 zone allows for commercial and residential dwelling units. In 2006 Ordinance 2006-18 rezoned property from Commercial CV-2 and Open Space O-1 to Commercial Valley Resort for a condominium hotel. The minutes of 2006 indicate that the rezone was done after Wolf Creek owners realized that residential units were not allowed in the commercial zone. This rezone took place five years after the Zoning Development Agreement was approved.
- C. The property that is zoned AV-3 (22-021-0132) provides the recreation or park like amenities and has no density associated with the property.
- G. The 40 acre parcel of FV-3 (22-006-0014, 15, and 16) was added to Wolf Creek after the 1984 Master Plan but before the 2002 update. Thirteen units were approved for that parcel as part of this update.
- H. FRC-1 listed in this Zoning Developing Agreement is now shown on the Wolf Creek zoning map as FR-1 (22-017-0006 and a small portion of 22-016-0096) with a total of 9.11 acres and one unit associated with this property.
- D. Since the 2002 Master Plan 174 acres known as Eagle's Landing was rezoned to RE-15 with 16.04 acres zoned FR-3. The density for the 174 acres (less roads) was to be no greater than 106 units unless additional open space was provided by Wolf Creek. According to the concept development plan, the property's 106 units would be allotted to the 163.92 acres of RE-15 Zoning and 48 units (24 duplexes of Wolf Creek's Town Homes), of the 704 units of the FR-3 development rights would be allocated to the 16.04 acres of FR-3 zoning. In return for the 48 units of FR-3, 24 acres of Wolf Creek open space will be needed to meet the open space requirement.

- 163.92 acres in Eagle's Landing provides for the 106 units that are being developed (1 unit per 1.5 acres as part of the lawsuit settlement. This agreement expires in 2017, which is also when all of the development needs to be completed.)
  - The 48 units (24 duplexes) of FR-3 is part of the Wolf Creek overall density of 704 units in the FR-3 zone.
  - When the 106 units in Eagle's Landing are added, the total Wolf Creek units will be 2,258.
- I. Where are the other 444 units located? The master plan will have to be amended in order to utilize the 444 units since they are not shown in the master plan. (Forty eight units were assigned to the FR-3 zoned townhome parcel adjacent to Eagle's Landing leaving 444 units unassigned)

The 2002 chart below has been updated with information from rezones that have taken place since the adoption of the 2002 master plan for Wolf Creek:

<u>Zone</u>	<u>Density</u>	<u>Acres</u>	<u>Units</u>	<u>Units not Accounted for in units total</u>
A. O-1	0	1731.571	0	
B. CV-2	0	16.837	185	Not allowed in the zone
C. AV-3	0	84.74	0	
D. RE-15	1.75 DU/AC	517.56	664	
E. RE-15	1 DU/1.5 AC	164.08	106	Eagle's Landing
F. RE-20	1.5 DU/AC	46.94	28	
G. FR-3	6.0 DU/AC	176.51	752	
H. FV-3	1 DU/ 3 acres	40	13	
I. FR-1	1 DU/ 1 acres	9.11	1	
J. Unknown				*444-13=431
K. CVR-1	15.61DU/1acre	4.162	65	
Totals		<u>2,789.77</u>	<u>1,814</u>	<u>2,258</u>

### SUMMARY

Wolf Creek as part of their Zoning Development Agreement created 18 (exhibit C) parcels which are comprised of multiple individual parcel numbers in some cases. This is where an in depth study of the parcels, acreage, and density was reviewed. This same study was done by the Householder Group for Wolf Creek. Even though the Zoning Development Agreement didn't account for the location of all the units, they were accounted for by taking the total acreage for each of the 18 parcels area and multiplying them by the density allowed under the 2002 Zoning Development Agreement. The Zoning Development Agreement also stated how much open space is required for each parcel, with much of the open space requirement being within the developments.

The Zoning Development Agreement established the density based on the zoning of the property, in many cases, being far less than what zoning would allow. Parcels 4 and 9 are examples of this. Parcel 4 has nine-plus acres with 1-acre zoning, but only one development unit is assigned to the parcel. Parcel 15 is almost 60 acres in size and is zoned Agricultural AV-3 and has zero density. There are other parcels such as parcel 3 that is zoned RE-15 and is developable, but the parcel has a golf course built on most of it. The County's spreadsheet includes this area as part of the overall development units for the RE-15

zone, whereas the Householder Group didn't include the acreage because of the golf course. The Householder Group in parcel 8 had significantly more acreage than the County, but this can be attributed to the parcel one density being with the in-parcel open space. It is also noted that not all parcels built the number of units allowed by the Zoning Development Agreement and zoning.

Based on the zoning development agreement acreage; density associated with each zone classification shows a potential of 2,568 units, while the Householder Group shows there is a potential for 2,487. However the zoning development agreement limits the number of units to 2,258. Exhibit C shows 1,382 lots platted, recorded, or units planned as part of a Planned Residential Unit Development.

Based on the exhibits below, staff has made the following interpretations regarding Wolf Creek Master Plan Development:

The Zoning Development Agreement of 2002 shows 250 residential units in the Commercial CV-2 Zone. The current Land Use Code does not allow residential units in the Commercial Zones. Exhibit G shows a map amendment (ORD. 2006-18) that took place to allow rezoning of Commercial CV-2 property to a Commercial Valley Resort Recreation (CVR-1) Zone for a Condominium Hotel. Staff would continue to support rezoning of CV-2 to a CVR-1 zone for commercial and residential units. There are 185 residential units in the CV-2 zone that would have to be rezoned to a CVR-1 zone.

The Zoning Development Agreement lists acreage and density for each parcel based on zoning. Taking the acreage and multiplying it by the density leaves approximately (400 plus or minus) units that appear not to be assigned, but when taking the acreage for parcels as shown on the spreadsheets (not included) and multiplying by the density in the Zoning Development Agreement, all units are accounted for and assigned to a parcel. Therefore each owner/developer will be allowed to develop according to the Zoning Development Agreement density, open space requirements, and amenities assigned to each parcel. The developers may or may not be able to build all the density allowed under the Zoning Development Agreement and those units will be lost.

### **CONCLUSION**

The acreage and number of units from the two different spreadsheets (not included) match exactly in most cases, but there are differences in interpretations that the numbers will not match. There are 2,258 units allowed in Wolf Creek with 1,086 units already platted and another 296 units planned as additional phases of existing developments (See Exhibit C). There are 1,172 units remaining to be platted. The developers may or may not be able to build all the density allowed under the Zoning Development Agreement. Any density that does not fit on their parcels will be lost.

### **NEXT STEP**

The final thing that needs to be determined is the process for amending the Master Plan for Wolf Creek: The Land Use Code Title 102 Chapter 5 Section 4 (Application Submittal) requires the applicants to submit the following:

- The application shall be signed by the landowner(s) or his/her duly authorized representative. Wolf Creek is a master planned community so all developers within Wolf Creek will have to sign the application.
- Fees
- Concept plan (see Sec. 102-5-5. Concept development plan)
- Legal Description of the property
- Written explanation and visual illustration showing project

- Density calculation table showing proposed density calculations
- The applicant shall provide a narrative addressing the following information:
  - How is the change in compliance with the General Plan?
  - Why should the present zoning be changed to allow this proposal?
  - How is the change in the public interest?
  - What conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?
  - How does this proposal promote the health, safety, and welfare of the inhabitants of Weber County?
  - Project narrative describing the project vision.
  - How is the proposed change better?
- Other information as needed

Staff would also recommend that with any changes proposed to the Wolf Creek Master Plan, that the owners involve the home owners association(s) within Wolf Creek.

#### **EXHIBITS**

- Wolf Creek Parcel Map from the 2002 Wolf Creek Master Plan update
  - Exhibit A
- Recorded Zoning Development Agreement with legal descriptions from the 2002 Wolf Creek Master Plan update
  - Exhibit B
- List of Subdivisions with the number lots built on and the number of vacant lots and map
  - Exhibit C
- Zoning actions by Wolf Creek since the 2002 Wolf Creek update
  - Exhibit D
- Zoning Map of Wolf Creek
  - Exhibit E
- Wolf Creek Open Space Plan 2002
  - Exhibit F
- Wolf Creek Master Plan 2013 Land Use Study
  - Exhibit G
- Letter of Support for the Project to The Householder Group from the stake holders
  - Exhibit H