



## WESTERN WEBER PLANNING COMMISSION MEETING

### MEETING AGENDA

**December 13, 2022**

**Pre-meeting 4:30/Regular meeting 5:00 p.m.**

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

- 1. Minutes:** November 15, 2022
- 2. Approval of 2023 Calendar**

#### **3. Consent Items:**

**3.1 CUP 2022-17:** Consideration of a conditional use permit application for a public utility substation, a 3 million gallon concrete water reservoir for Bona Vista Water located at approximately 1850 West 4400 North, Pleasant View. **Planner: Steve Burton**  
<https://frontier.co.weber.ut.us/p/Project/Index/17309>

**3.2 LVB110921** - Consideration and action on a request for approval of the second iteration of the Buffalo Run Subdivision phasing plan. The subdivision is located at 2400 S 4700 W. **Planner: Felix Lleverino**

#### **Petitions, Applications, and Public Hearings:**

#### **4. Administrative items:**

**4.1 DR2022-06** - Request for approval of a design review for the construction of a new seminary building. **Planner: Felix Lleverino**

#### **Petitions, Applications, and Public Hearings:**

#### **5. Legislative Items:**

**5.1 ZMA 2022-04:** Public hearing to consider a request for approval of a zoning map amendment to rezone property located at 2139 S 4300 W, Ogden from A-1 to C-2. Link to project on county site:  
<https://frontier.co.weber.ut.us/p/Project/Index/17239> **Planner: Steve Burton**

**5.2 ZMA 2022-05:** Public hearing to consider a request for approval of a zoning map amendment to rezone property located at 4175 W 1400 S, Ogden from A-1 to RE-15. Link to project on county site:  
<https://frontier.co.weber.ut.us/p/Project/Index/17267> **Planner: Steve Burton**

**5.3 ZMA 2022-02:** Public hearing to consider a request for approval of a zoning map amendment to rezone approximately 23 acres located at approximately 4646 W 900 S from the A-1 zone. Approximately 4 acres is proposed to be rezoned to the C-1 zone and the remaining approximately 19 acres will be rezoned to the O-1 zone. Project link:  
<https://frontier.co.weber.ut.us/p/Project/Index/16613>. **Planner: Charlie Ewert**

**5.4 ZMA 2022-01:** Public hearing to consider a request for approval of a zoning map amendment to rezone approximately 10 acres located at approximately 4530 W 2200 S from the A-1 zone to the RE-15 zone. Project link: Project link:  
<https://frontier.co.weber.ut.us/p/Project/Index/14714>. **Planner: Tammy Aydelotte.**

**5.5 GPA 2022-01:** Public hearing to consider and take action on amending the Future Land Use Map of the General Plan to allow for a designation change to approximately 355 acres of property located at approximately 5900 W 1100 S. The designation change is from Medium Sized Residential Lots, Industrial/Manufacturing, and Business/Office/Tech to Mixed Use Residential, Industrial/Manufacturing, and Business/Office/Tech. **Planner: Bill Cobabe**

**5.6 ZTA 2022-04:** Public hearing to consider and take action on amending the Weber County Zoning Code to create a new zoning district, known as the M-T zoning district. **Planner: Bill Cobabe**

**5.7 ZMA 2022-03:** Public hearing to consider and take action on changing the zoning of approximately 355 acres of property located at approximately 5900 W 1100 S from A-2 (agricultural) to M-T (Manufacturing and Technology). **Planner: Bill Cobabe**

6. Public Comment for Items not on the Agenda:

7. Remarks from Planning Commissioners:

8. Planning Director Report:

9. Remarks from Legal Counsel:

**Adjourn to Work Session**

**WS1:** Smart Fields development redesign, with a potential rezone.

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

*Public comment may not be heard during administrative items. Please contact the Planning Division Project Manager at 801-399-8374 before the meeting if you have questions or comments regarding an item.*

**A Pre-Meeting will be held at 4:30 p.m.** 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 801-399-8374*

## 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

**Public comment may NOT be heard during Administrative items, the Planning Division Project Manager may be reached at 801-399-8371 before the meeting if you have questions or comments regarding an item.**

### 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.

**November 15-2022 Minutes**

Minutes for Western Weber Planning Commission meeting of November 15, 2022, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 5:00 pm.

**Members Present:** Andrew Favero—Chair

Cami Clontz

Jed McCormick

Sarah Wichern

Bren Edwards

**Excused:** Wayne Andreotti

Casey Neville

**Pledge of Allegiance**

**Staff Present:** Rick Grover, Director; Charlie Ewert, Principal Planner; Steve Burton, Principal Planner; Bill Cobabe, Planner; Tammy Aydelotte, Planner; Felix Lleverino, Planner; Liam Keogh, Attorney; June Nelson, Secretary

**1. Minutes:** November 1, 2022, **APPROVED**

**2. Consent Items:**

**2.1 DR 2022-03** – Request for approval of a design review application, for an office warehouse project, located at approximately 2167 Rulon White Blvd., in the M-1 zone. **Planner Tammy Aydelotte**

The applicant is requesting approval of a design review for Jeffrey Leeper, to add 48,000 square feet of warehouse office space to a vacant lot in a new subdivision, located in the M-1 zone at 2458 N Rulon White Blvd, Ogden, UT, 84404.

The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews.

**Commissioner Edwards motioned to approve this consent item based on the recommendations in the staff report. Motion was seconded by Commissioner McCormick:**

**Staff recommends approval of the Jeffrey Leeper Design Review Application. This recommendation is conditioned upon all review agency requirements, and the following conditions:**

1. **A detailed landscaping plan, that meets minimum requirements of Weber County LUC 108-1-4(c).**
2. **Any signage will need to be approved by Weber County Planning and Engineering, prior to implementation/installation.**
3. **Written approval of this design review application will be issued once subdivision approval has been issued by Weber County.**

**Motion passed 5-0.**

**3. Administrative items:**

**3.1 DR 2022-04** - Consideration and action on a design review for a 50,000-square-foot building with employee parking around the perimeter, located at 791 S 9350 W, Ogden, UT. **Planner Felix Lleverino**

The applicant is proposing a manufacturing building that will be available to tenants who may conduct a wide range of business activities within. New development on the site is in addition to the two businesses that are already in place. Harvest and Pinnacle Manufacturing are currently operating under legitimate approvals from the Weber County Business licensing and the Planning Division. Site preparation includes the construction of a 50,000-square-foot insulated metal building, a new compacted gravel access point from 9350 W Street, new storm water detention

**November 15-2022 Minutes**

facilities, and a compacted gravel parking area (see Exhibit A). The proposed application has been reviewed against certain standards in the Uniform Land Use Code of Weber County, Utah (LUC), and meets these standards. The following is the staff's evaluation of the request.

**Motion was made by Commissioner Edwards and seconded by Commissioner Clontz to approve this item based on the staff report and findings:**

**The Planning Division recommends approval of file# DR2022-04, design review for the Ryan Brown industrial building. This recommendation is subject to all review agency requirements and the following conditions:**

1. **If signage is used, all signage must comply with LUC 110-1-7 Sign/Zone regulations for the M-3 zone.**
2. **Landscaping shall be complete before the issuance of the land use permit.**
3. **Building tenants shall obtain the appropriate review, permits, and licenses from Weber County before business operations may begin.**
4. **Requirements from the Weber Fire District are satisfied before the issuance of a land use permit.**
5. **Requirements from the Weber County Engineering Department are satisfied before final occupancy is given.**

**This recommendation for approval is based on the following findings:**

1. **The proposed use conforms to the Western Weber General Plan.**
2. **The proposal, if conditions are imposed, will not be detrimental to public health, safety, or welfare.**
3. **The proposal, if conditions are imposed, will comply with applicable County ordinances.**
4. **The proposed design implements quality development standards and will not deteriorate the environment of the general area to negatively impact surrounding properties and uses.**

**Motion passed 5-0.**

**4. Public Comment for Items not on the Agenda: None**

**5. Remarks from Planning Commissioners: None**

**6. Planning Director Report:** There is a Water Conference going on right now that will be beneficial for the staff and Commissioners who are attending.

**7. Remarks from Legal Counsel**

**Adjourn to Work Session**

**WS1** Work session regarding Halcyon Estates Open Space - Keith Ward and Tylor Brenchley

**WS2** Discussion Regarding Black Pine Zoning Map Amendment

**WS3** Discussion of Terakee Village Rezone

**WS4** Discussion of General Plan Priorities- this item was tabled until the next work session

**Motion to adjourn by Commissioner Edwards. Motion passed 5-0.**

**Adjourn**

**Respectfully Submitted,**

*June Nelson*

**Lead Office Specialist**



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on a conditional use permit for the construction of a 3.0M gallon water reservoir and a pump house for Bona Vista Water.

**Agenda Date:** Tuesday, December 13, 2022

**Type of Decision:** Administrative

**Applicant:** Bona Vista Improvement District

**Authorized Agent:** Greg Seegmiller

**File Number:** CUP# 2022-17

### Property Information

**Approximate Address:** 1850 West 4400 North, Pleasant View

**Project Area:** 1.55 acres

**Zoning:** A-1

**Existing Land Use:** Public Utility

**Proposed Land Use:** Public Utility

**Parcel ID:** 190010005

**Township, Range, Section:** Township 7 North, Range 2 West, Section 13

### Adjacent Land Use

<b>North:</b>	Agriculture	<b>South:</b>	Agriculture
<b>East:</b>	Agriculture	<b>West:</b>	Agriculture

### Staff Information

**Report Presenter:** Steve Burton  
[sburton@webercountyutah.gov](mailto:sburton@webercountyutah.gov)  
801-399-8766

**Report Reviewer:** RG

## Applicable Ordinances

- Title 101, Chapter 1 (General Provisions) Section 7 (Definitions)
- Title 104, Chapter 2 (Agricultural) A-1 Zone
- Title 108, Chapter 1 (Design Review)
- Title 108, Chapter 4 (Conditional Uses)
- Title 108, Chapter 10 (Public Buildings and Public Utility Substations)

## Summary and Background

The applicant is requesting approval of a conditional use permit to construct a 3.0M Gallon water tank and a pump house. The project is located on 1.55 acres and is located at approximately 1850 W 4400 N. The proposed improvement includes the water tank and new pump station. This property is owned by Westside Investments LC

## Analysis

**General Plan:** The proposed use conforms to the West Central Weber County General Plan by improving water quality and availability in the area.

**Zoning:** The subject property is located within the A-1 zone. The A-1 zone code applies to this property regarding uses and site development standards. The purpose and intent of this zone are as follows:

*"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."*

Site Development Standards: The following site development standards are required by the A-1 zone:

Minimum lot area:

- 40,000 sq. ft

Minimum lot width:

- 150 feet

Minimum front yard setback

- 30

Minimum side yard setbacks (Accessory Building)

- 20 feet

Minimum rear yard setback

- 30 feet

The proposed use is conditionally allowed in the A-1 zone and has been reviewed as a “Public utility substation”. The location and arrangement of public utility substations and structures must be in accordance with construction plans submitted to and reviewed by the planning commission. The minimum lot area for all public utility substations per LUC §108-10-2 is waived and the rear yard requirements may be reduced in the agricultural zones to 10’ per LUC §108-10-3. The existing and proposed structures comply with the above-mentioned site development standards.

Conditional Use Review: As part of this review, the Planning Commission shall consider the following conditional use standards when determining which reasonable conditions should be imposed:

- Considerations relating to traffic safety and traffic congestion: Traffic safety concerns and traffic congestion are not expected to be a result of this project. The proposed access to the site is around 1,000 ft from the nearest public right of way, Highway 89. The distance of the private access road should provide enough length for any possible congestion to not impact the public or private street systems.
- Considerations relating to landscaping: The current proposal does not have any landscaping. The county ordinance requires that a minimum of 10 percent of the site be landscaped. A condition of approval is that the owner provide a new site plan that shows an area equal to 10 percent of the site being landscaped.
- Considerations relating to buildings and site layout: The diameter of the tank is 141 feet. Portions of the tank will be exposed. The tank will not be visible from the nearby public streets. The proposal includes a 16 foot by 14 foot pump house that will have a metal roof and tan split face CMU siding. The pump house and site comply with the provisions of the Architectural, Landscape, and Screening Design Standards (108-2).
- Considerations relating to utility easements, drainage, and other engineering questions: The Engineering division has stated that (1.) A Storm Water Construction Activity Permit is required to be submitted before construction begins. And (2.) A Construction General Permit SWPPP is required to be submitted before construction begins. Weber Fire District has imposed no further requirements from this proposal.
- Considerations associated with any rezoning agreement planned commercial or manufacturing rezoning, or planned residential unit development approval: There are no rezoning agreements associated with this property that restrict this proposed use.
- Safety for persons: A Geotechnical report has been completed for this proposal. The reports states that the “site appears suitable for the proposed construction from a geotechnical engineering perspective, provided that the recommendations presented in the geotechnical report are followed.”

Fencing requirements: Weber County LUC § 108-7-3 states the following regarding fencing requirements: “Projects may be encompassed in whole or in part by a perimeter fence of not more than six feet in *height*, subject to design review and provided that access to lots is allowed only from approved interior public or private streets that are part of the approved subdivision or project.” The proposal will be surrounded by a 6 foot chainlink fence.

## Staff Recommendation

The Planning Division recommends approval of file# CUP 2022-17, consideration, and action on a conditional use permit for the construction of a 3.0M gallon water reservoir and a pump house for Bona Vista Water. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. The applicant shall maintain the site with a good visual appearance and structural integrity.
2. The applicant shall adhere to all Federal, State, and County ordinances.
3. Before the conditional use permit is issued, the owner will provide a new site plan that shows compliance with the 10 percent landscaping requirement.

This recommendation is based on the following findings:

1. The proposed use will not cause harm to the natural surroundings.
2. The proposed use will not be detrimental to the public health, safety, or welfare by adhering to State and County regulations.
3. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
4. The proposed use will not deteriorate the environment of the general area to negatively impact surrounding properties and uses.

## Exhibits

- A. Application
- B. Site Plan & Structural Dimensions





## Seegmiller-Conditional Use Permits

[+ Add Follower](#)
[✎ Change Status](#)
[✎ Edit Project](#)

**Address:** Marriott Pit west of Pleasant View City, Pleasant View City, UT, 84414  
**Maps:** [County Map](#), [Google Maps](#)  
**Project Type:** Conditional Use Permits  
**Sub Type:** Conditional Use Permits  
**Created By:** [Greg Seegmiller](#)  
**Created On:** 11/22/2022  
**Project Status:** Submitted  
**Status Date:** 11/30/2022  
**File Number:**  
**Project Manager**

[Application](#)
[Documents 2](#)
[Comments 0](#)
[Reviews 0](#)
[Followers 1](#)
[History](#)
[Payments 0](#)

### Application

[+ Add Building](#)
[+ Add Parcel](#)
[+ Add a Contractor](#)
[✎ Edit Application](#)
[Print](#)

**Project Description** Construction of a 3Mgal Reservoir for Bona Vista

**Property Address** Marriott Pit west of Pleasant View City  
Pleasant View City, UT, 84414

**Property Owner** Bona Vista Water Improvement Dist.  
801-499-9977  
gseegmiller@jub.com

**Representative** Greg Seegmiller  
801-499-9977  
gseegmiller@jub.com

**Accessory Dwelling Unit** False

**Current Zoning**

**Subdivision Name**

**Number of Lots**

**Lot Number**

**Lot Size**

**Frontage**

**Culinary Water Authority** Bona Vista Water Improvement District

**Secondary Water Provider** Not Applicable

**Sanitary Sewer Authority** Not Applicable

**Nearest Hydrant Address** 200' away

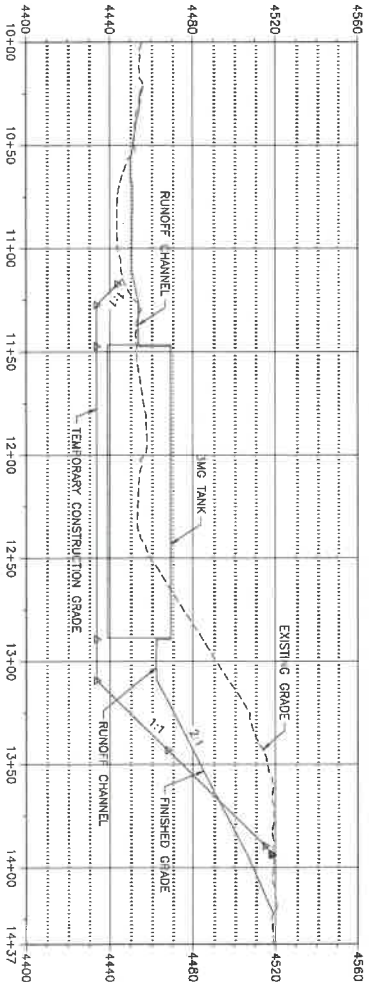
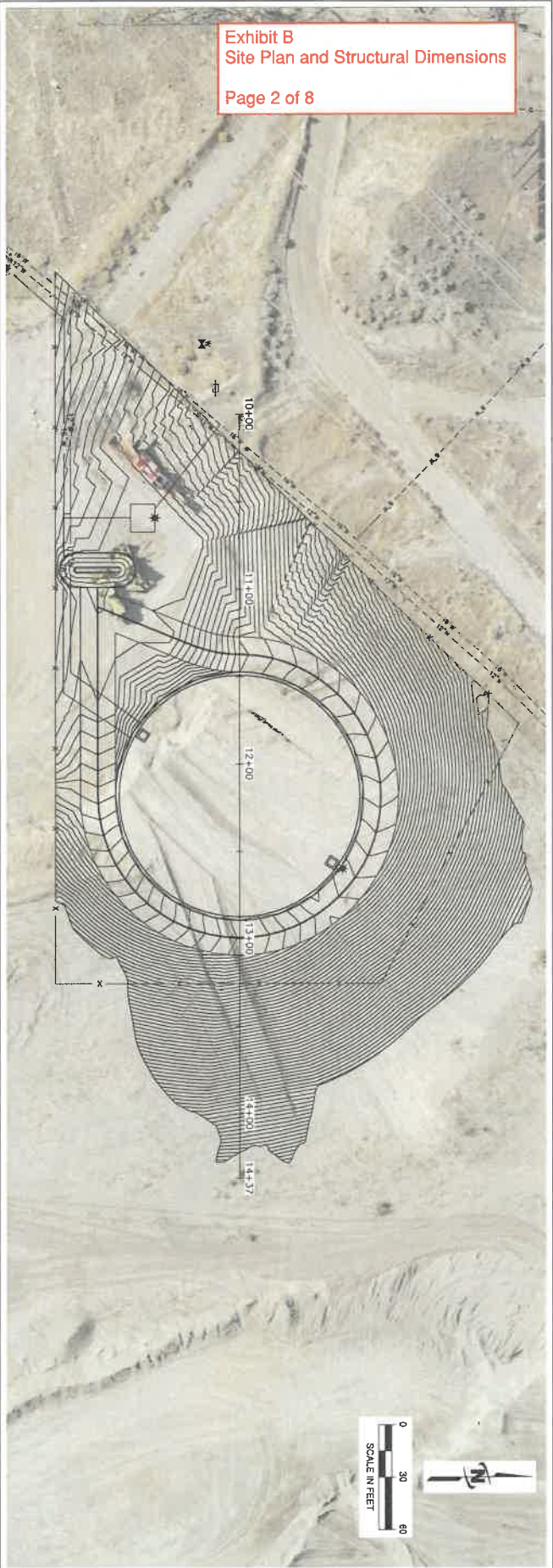
**Signed By** Representative, Blake Carlin

**Parcel Number**

✖ Remove 190010005 - [County Map](#)



**Exhibit B**  
**Site Plan and Structural Dimensions**  
 Page 2 of 8



DATE: 11/02/2022 9:24 AM  
 DRAWN BY: DARRELL JOHNSON  
 CHECKED BY: [Blank]  
 AT FULL SCALE IF NOT INDICATED  
 SHEET NUMBER: C-201

**HOT SPRINGS TANK**  
**BOH VISTA WATER IMPROVEMENT DISTRICT**  
 TANK SITE  
 PLAN AND PROFILE  
 WEST - EAST

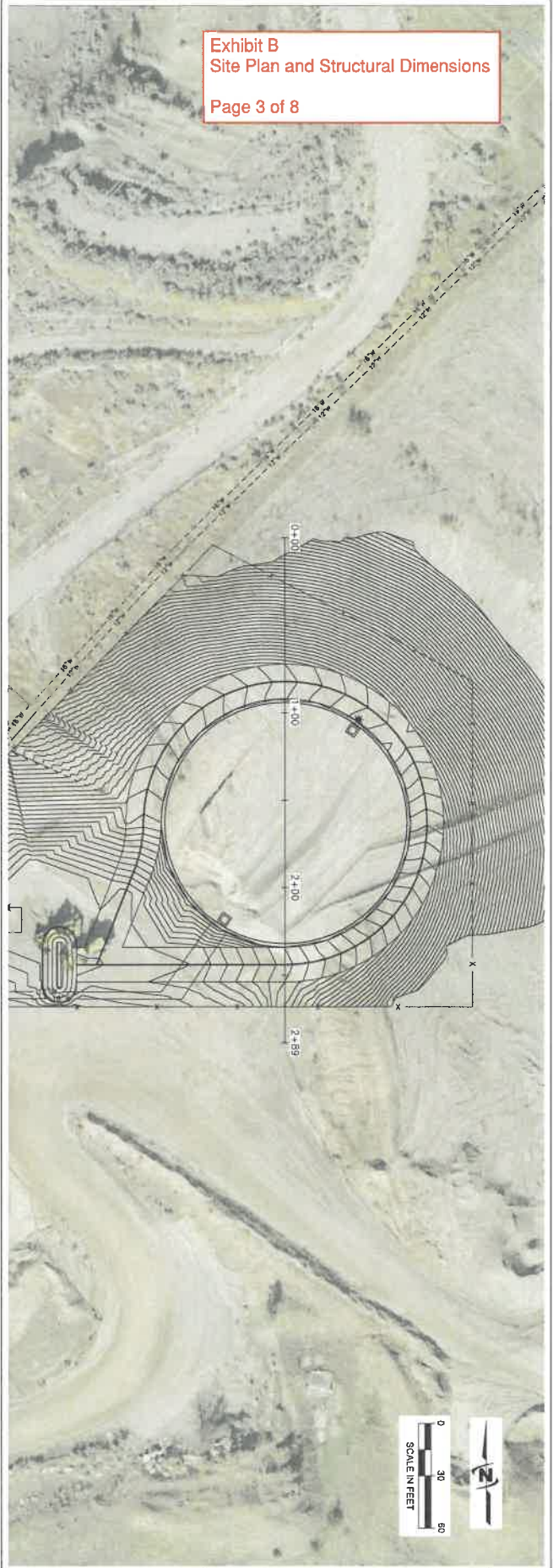
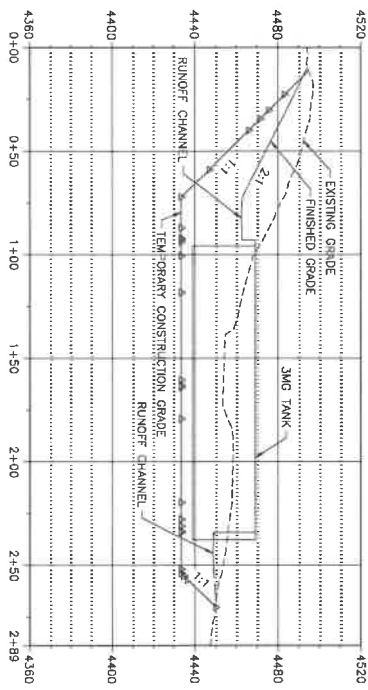
REVIEW

NO.	DESCRIPTION	BY	DATE

J-U-B ENGINEERS, INC.  
 466 North 900 West  
 Kaysville, Utah 84037  
 Phone: 801.547.0383  
 www.jub.com



Exhibit B  
 Site Plan and Structural Dimensions  
 Page 3 of 8



DATE PLOTTED: 11/02/2022  
 PLOTTED BY: DJ  
 CHECKED BY: GJS  
 SCALE: AS SHOWN  
 SHEET NUMBER: C-202

**HOT SPRINGS TANK**  
**BONA VISTA WATER IMPROVEMENT DISTRICT**  
 TANK SITE  
 PLAN AND PROFILE  
 NORTH - SOUTH

REUSE OF DRAWINGS  
 JUB SHALL RETAIN ALL COMMON LAW STATUTORY, COPYRIGHT AND OTHER RESERVED RIGHTS OF THESE DRAWINGS AND THE SAME SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT WRITTEN CONSENT BY JUB. JUB WILL BE AT CLIENT'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO JUB.

NO.	DESCRIPTION	BY	DATE

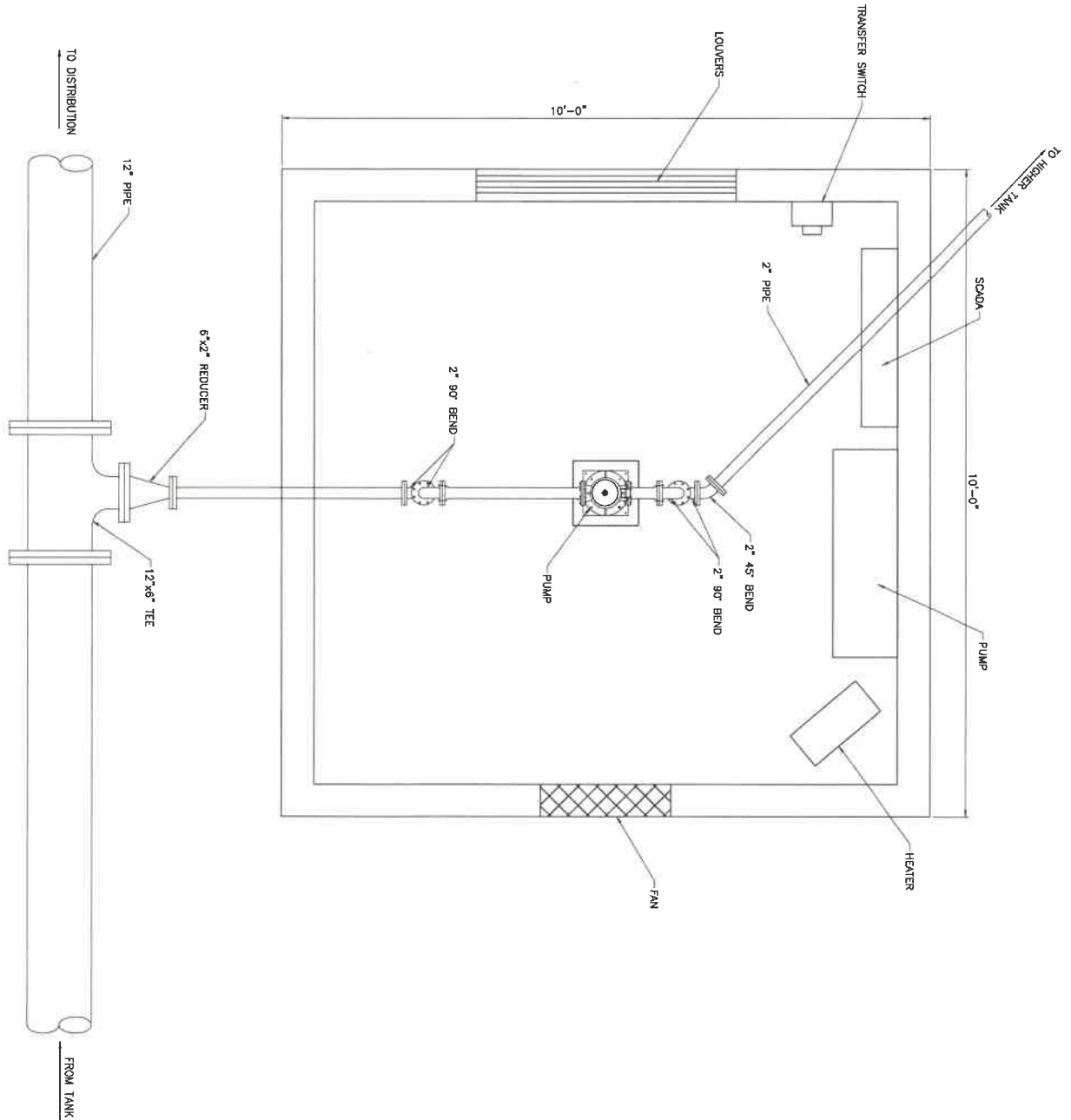
REVIEW

J-U-B ENGINEERS, INC.  
 466 North 900 West  
 Kaysville, Utah 84037  
 Phone: 801.547.0393  
 www.jub.com





Exhibit B  
 Site Plan and Structural Dimensions  
 Page 5 of 8



DATE: 11/06/2022 9:25 AM  
 DRAWN BY: DJ  
 CHECKED BY: GJS  
 SCALE: AS SHOWN  
 SHEET NUMBER: M-101

HOT SPRINGS TANK  
 BONA VISTA WATER IMPROVEMENT DISTRICT

PUMP HOUSE

REUSE OF DRAWINGS  
 JUB SHALL RETAIN ALL COPYRIGHT, STATUTORY, COPYRIGHT AND OTHER RESERVED RIGHTS OF THESE DRAWINGS AND THE SAME SHALL NOT BE REUSED WITHOUT JUB'S PRIOR WRITTEN CONSENT. ANY REUSE WITHOUT WRITTEN CONSENT BY JUB WILL BE AT CLIENT'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO JUB.

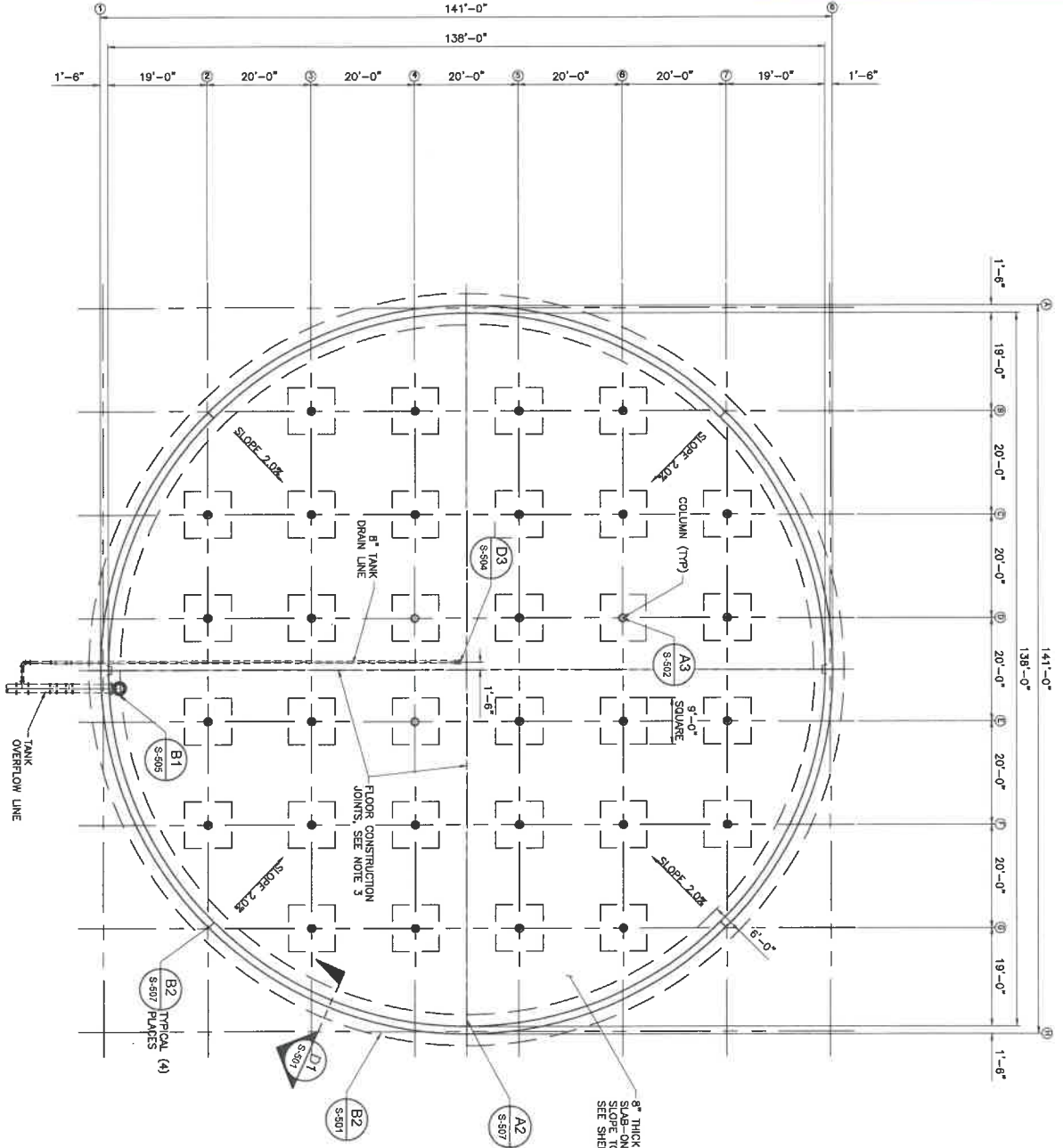
NO.	DESCRIPTION	BY	DATE

REVIEW

J-U-B ENGINEERS, INC.  
 466 North 900 West  
 Kaysville, Utah 84037  
 Phone: 801.547.0393  
 www.jub.com



TANK FOUNDATION PLAN  
 SCALE: 1/8" = 1'-0"



- TANK FLOOR AND FOOTING NOTES:**
1. PLACE 6" MIN. OF FREE DRAINING GRANULAR MATERIAL AND GEOTEXTILE FABRIC BENEATH ENTIRE FOUNDATION OVER 24" MINIMUM OF EXISTING GRADE. SEE SHEETS C-801 AND S-301 FOR GRADATION PER SPECIFICATIONS.
  2. BOTTOM BARS SHALL BE 3" MINIMUM CLEAR FROM BOTTOM OF CONCRETE SLAB ON GRADE.
  3. TANK FLOOR IS TO BE PLACED IN A MINIMUM OF FOUR POURS. IF CONSTRUCTION JOINT LOCATIONS ARE MODIFIED BY THE ENGINEER PRIOR TO CONSTRUCTION, SEE THE TANK WALL, FOOTING AND FLOOR SLAB CONSTRUCTION JOINT DETAIL (V2/S-507).
  4. FOR PILING SEE SHEETS M-101, C-202, AND C-203.
  5. ALL SURFACES, PILING, MISCELLANEOUS METAL FABRICATIONS, AND ALL RELATED COMPONENTS WITHIN THE TANK FOUNDATION IN CONTACT WITH WATER, SHALL BE NSF 31 APPROVED.

DATE: 01/11/2022 3:11 PM  
 DRAWN BY: EAK CHIKARAEV  
 CHECKED BY: [blank]  
 APPR'D BY: [blank]  
 TITLE: TANK FOUNDATION PLAN  
 SHEET NUMBER: S-101

HOT SPRINGS TANK  
 BONA VISTA WATER IMPROVEMENT DISTRICT  
 TANK FOUNDATION PLAN

NO.	DESCRIPTION	BY	DATE

PRELIMINARY PLANS  
 NOT FOR CONSTRUCTION

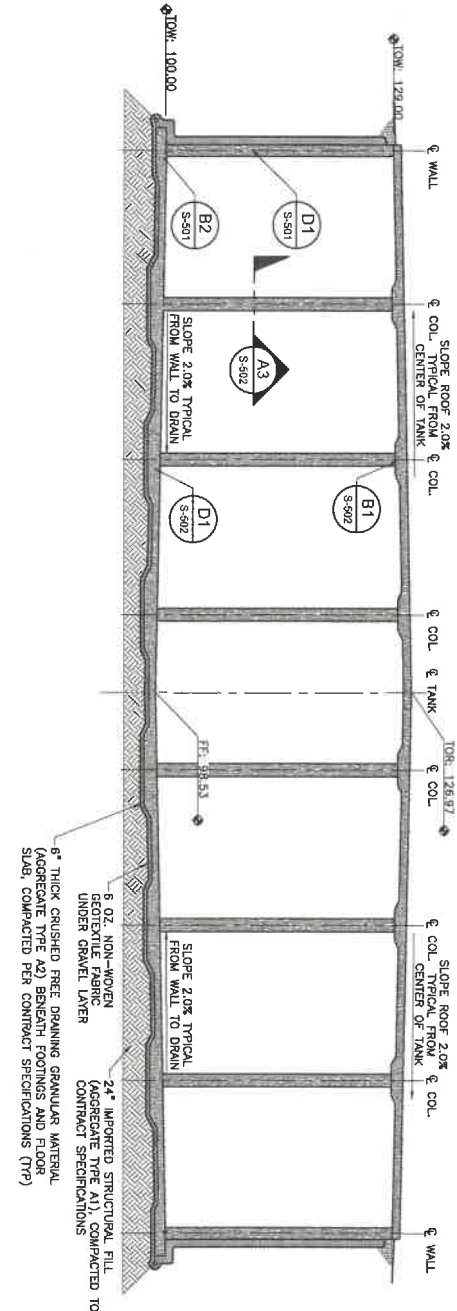
J-U-B ENGINEERS, INC.  
 466 North 900 West  
 Kaysville, Utah 84037  
 Phone: 801.547.0393  
 Fax: 801.547.0397  
 www.jub.com





Exhibit B  
 Site Plan and Structural Dimensions  
 Page 7 of 8

B1 TYPICAL TANK SECTION  
 SCALE: 1/8" = 1'-0"



NOTE:  
 VIEW SHOWN IS FOR A COLUMN STRIP SECTION ADJACENT TO THE TANK CENTER LINE WITH TANK PIPING.  
 OTHER COLUMN STRIP SECTIONS ARE SIMILAR.

DATE: 11/11/2022 3:28 PM  
 DRAWN BY: ERICK CHRISTENSEN  
 CHECKED BY: AMB  
 SHEET NUMBER: S-301

HOT SPRINGS TANK  
 BONA VISTA WATER IMPROVEMENT DISTRICT  
 TYPICAL TANK SECTION

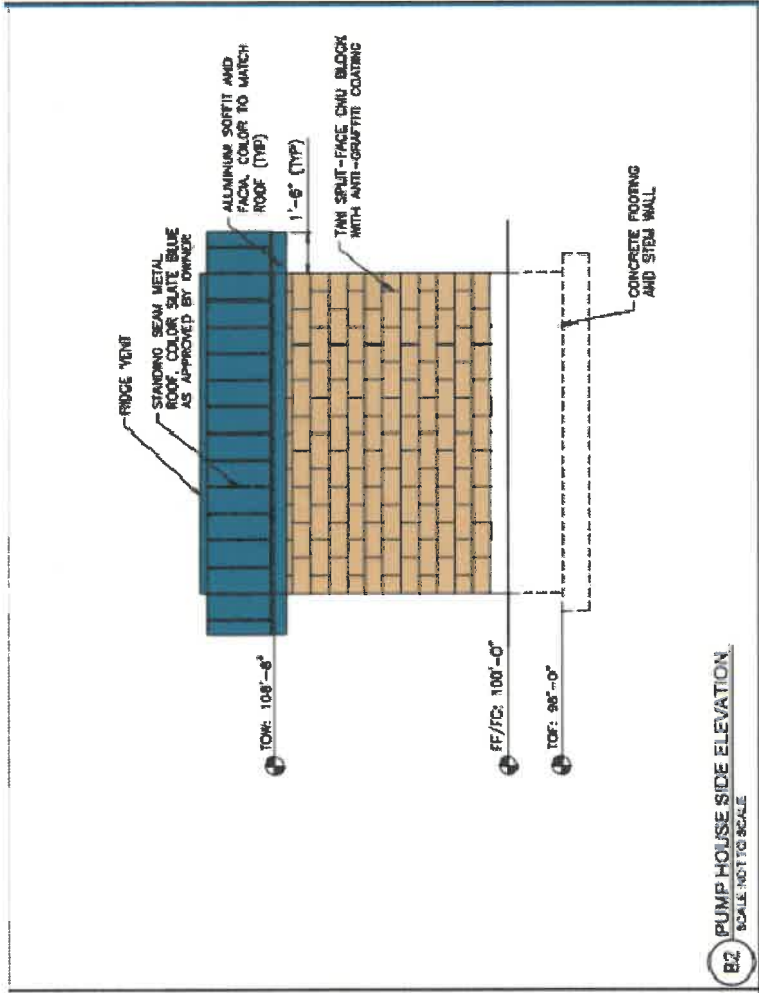
REVISIONS

NO.	DESCRIPTION	BY	DATE

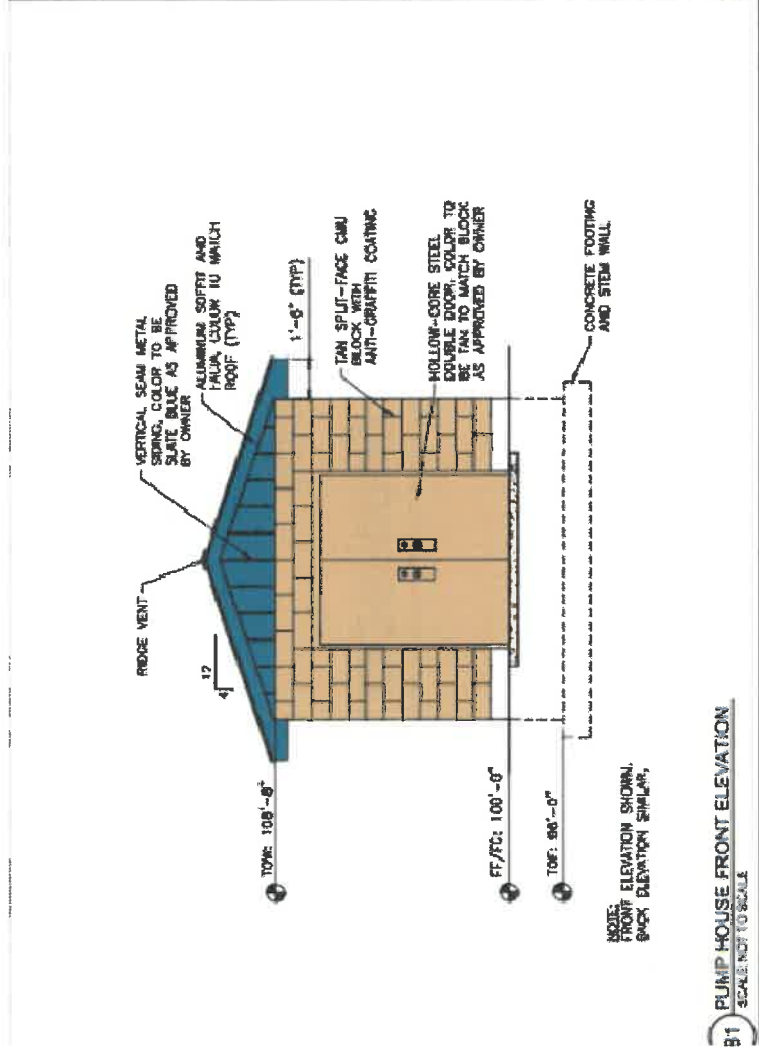
PRELIMINARY PLANS  
 NOT FOR CONSTRUCTION

J-U-B ENGINEERS, INC.  
 466 North 900 West  
 Kaysville, Utah 84037  
 Phone: 801.547.0393  
 Fax: 801.547.0397  
 www.jub.com





B1 PUMP HOUSE FRONT ELEVATION  
 SCALE: NOT TO SCALE



B2 PUMP HOUSE SIDE ELEVATION  
 SCALE: NOT TO SCALE

NOTE:  
 FRONT ELEVATION SHOWN.  
 BACK ELEVATION SIMILAR.



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** LVB110921, Consideration and action on a request for approval of the second iteration of the Buffalo Run Subdivision phasing plan. The subdivision is located at 2400 S 4700 W.

**Agenda Date:** Tuesday, December 13, 2022

**Applicant:** James Marziale (Owner)

**File Number:** LVB110921

### Property Information

**Approximate Address:** 4700 West 2400 South

**Project Area:** 18.8 acres

**Zoning:** A-1

**Existing Land Use:** Agricultural/Residential

**Proposed Land Use:** Residential

**Parcel ID:** 15-079-0120, 15-079-0121, 15-079-0122

**Township, Range, Section:** 6N 2W Section 29

### Adjacent Land use

<b>North:</b>	Agricultural/ Residential	<b>South:</b>	Agricultural/ Residential
<b>East:</b>	Agricultural/ Residential	<b>West:</b>	Agricultural/ Residential

### Staff Information

**Report Presenter:** Felix Lleverino  
fleverino@co.weber.ut.us  
801-399-8767

**Report Reviewer:** SB

## Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7 Definitions
- Title 104, (Zones) Chapter 2
- Title 106, Subdivisions

## Development History

On December 14<sup>th</sup> 2021 the West Weber Planning Commission granted preliminary approval of the Buffalo Run Subdivision (18 lots).

On March 1, 2022, the Planning Commission gave a positive recommendation for final approval of the Buffalo Run Subdivision.

On September 13<sup>th</sup>, 2022 the phasing plan to split the development into two phases was presented and approved by the Western Weber Planning Commission. In that meeting, the planning commission recommended adding a condition that curb, gutter, and sidewalk is installed on the west side 4700 West Street.

On December 13<sup>th</sup>, 2022 the developer requested approval to split the development into three phases.

## Summary

Due to the economic conditions existing within the housing market, the applicant is requesting approval for the Buffalo Run Subdivision phasing plan that would create three separate phases. Phase one will contain 5 lots, and phase two will contain 5 lots and phase three will contain 8 lots.

The following section is the staff's analysis of the proposal.

## Analysis

**General Plan:** This proposal conforms to pages 1-5 of the West Central Weber General Plan by placing residential development within areas that have a connection to sewer services while protecting property rights.

**Zoning:** The property is located within the A-1 Zone. The purpose of this zone is stated in the LUC §104-2.

*“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.”*

**Site Development Standards:**

**A-1 Zone:**

Minimum lot width: 150 feet

Minimum lot area: 40,000 square feet

**Connectivity Incentivized Subdivision:**

Minimum lot width: 75 feet

Minimum lot area: 20,000 square feet

Each lot within the development conforms to the minimum lot size allowable by the zoning code and the connectivity incentivized section of the subdivision code. The entire subdivision area, including roads, amounts to 18.83 acres, and the base density of 18.83 acres results in the maximum number of 20 lots.

During preliminary pre-application meetings, the planning division made several recommendations for public road connectivity. The developer voluntarily designed the street layout to conform with Weber County Planning and Engineering’s street layout. Section 106-2-4.30 contains provisions for a developer to use up to 1.8 acres taken up by roads towards the net developable acreage.

**Flood Zone:** This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level.

**Culinary Water:** Taylor West Weber Water District has provided a final will-serve letter stating that the District can serve culinary water for the entire Buffalo Run Subdivision (18 lots).

**Irrigation Water:** Hooper Irrigation Company has provided a final will serve letter that states they can serve this development. The final will serve letter is included as Exhibit C.

**Sewer Services:** Annexation into the Central Weber Sewer District is complete as of August 1<sup>st</sup>, 2022.

**Review Agencies:** Weber County Planning and Engineering concur that a phasing plan is a good approach to reduce the financial burden upon the landowner while providing an avenue to complete the development with a positive outcome.

## Staff Recommendations

Staff recommends approval of the Buffalo Run Subdivision phasing plan that would create a three-phase development, a proposal to create 18 residential lots in total. This recommendation is based on the following conditions:

1. Each phase's improvements are complete or guaranteed financially before each phase is recorded.
2. The developer enters into a Monument Improvement Agreement with the County Surveyor's Office for each phase.
3. A signature block for Taylor West Weber Water District is added to the dedication plat.
4. All Hooper Irrigation conditions of approval are satisfied.

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 the applicable County codes.
3. The subdivision conforms to zoning and subdivision ordinances.

Exhibits

A. Buffalo Run Subdivision Phasing plan

Area Map





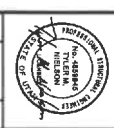
- SUMMARY:**
- PHASE 1 = 5 LOTS
  - PHASE 2 = 5 LOTS
  - PHASE 3 = 8 LOTS

DATE: 07/28/10  
 DRAWN: [Name]  
 CHECKED: [Name]



**GARDNER ENGINEERING**  
 CIVIL - LAND PLANNING  
 MUNICIPAL - LAND SURVEYING  
 5150 SOUTH 325 EAST OGDEN, UT  
 OFFICE: 801.476.0202 FAX: 801.476.0066

**PHASING PLAN**  
**BUFFALO RUN ACRES SUBDIVISION**  
 1300 NORTH 4500 WEST  
 WEST POINT, DAVIS, UTAH



REVISIONS	
DATE	DESCRIPTION

SCALE: 1" = 30'
DATE: 07/28/10
DESIGN: [Name]
DRAWN: [Name]
CHECKED: [Name]

DWG: \_\_\_\_\_

CEI-01



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Request for approval of a design review for the construction of a new seminary building.  
**Agenda Date:** Tuesday, December 13, 2022  
**Applicant:** Tony Pantone, Representative  
**File Number:** DR 2022-06

### Property Information

**Approximate Address:** 2200 S 4350 W, Ogden, UT 84401  
**Project Area:** 5.5 acres  
**Zoning:** Agricultural Zone (A-1)  
**Existing Land Use:** Agricultural  
**Proposed Land Use:** Seminary building  
**Parcel ID:** 15-080-0006, 15-080-0044  
**Township, Range, Section:** T6N, R2W, Section 29 NW

### Adjacent Land Use

<b>North:</b> Residential	<b>South:</b> 2200 South St.
<b>East:</b> 4300 West St.	<b>West:</b> Agricultural/Residential

### Staff Information

**Report Presenter:** Felix Lleverino  
 flleverino@co.weber.ut.us  
 801-399-8794  
**Report Reviewer:** SB

## Applicable Ordinances

- Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Title 104 Chapter 2 Agricultural (A-1) Zone
- Title 108 Chapter 1 (Design Review)
- Title 108 Chapter 2 (Architectural, Landscape, and Screening Design Standards)
- Title 108 Chapter 7 (Parking Lot Design and Maintenance)

## Background and Summary

The applicant is requesting approval of a design review application to construct a new seminary building in a location that is ideal for efficient pedestrian student access. The modern architecture of the new seminary building will conform to the new high school that is currently under construction within the neighboring parcel to the north.

## Analysis

**General Plan:** The proposal is not contrary to the Western Weber Planning Area General Plan (2022).

**Zoning:** The subject property is located within the Agricultural (A-1) Zone. The purpose of the A-1 Zone can be further described in LUC §104-2-1 as follows:

1. *The purpose of the A-1 zone is Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern;*
2. *Set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and*
3. *Direct orderly low-density residential development in a continuing rural environment.*

The applicable standards are as follows:



- Minimum front yard setback: 30 feet
- Minimum side yard setback: 20 feet
- Minimum rear yard setback: 30 feet
- Maximum building height: 35 feet

The site plan indicates conformity to all minimum setbacks. The total building height of this proposal is 25'

Design Review: A design review of the seminary building is required to ensure that the general design, layout, and appearance of the building remain orderly and harmonious with the surrounding neighborhood. As part of this review, the Planning Commission shall consider the applicable matters based on the proposed use and impose conditions to mitigate deficiencies. The matters for consideration are as follows:

Considerations relating to traffic safety and traffic congestion: The existing parking lot will accommodate 229 passenger vehicles. There are four existing ADA stalls within the church parking lot and the seminary-building plan includes plans for two new ADA stalls abutting the seminary-building lot. The seminary building faculty and staff will use the church parking lot. While the majority of the students will access the seminary grounds by a concrete sidewalk north side of the parcel.

Considerations relating to landscaping, buildings and site layout. The landscape plan depicts a wide variety of landscaping that includes trees, shrubs, decorative grasses, turf grass, and landscape rock. The exterior finishes of the seminary building are of a hardy material. Honed blocks with gray painted metal make up the body of the building. Dark gray split-faced textured block will make up the base of the building (see Exhibit D).

During the planning staff review process, we identified a unique aspect that exists relating to the proposed building design. The Design Review ordinance offers the following in considering buildings and site layout:

*LUC 108-1-4(d) Considerations relating to buildings and site layout.*

1. *Consideration of the general silhouette and mass of buildings including location of the site, elevations, and relation to natural plant coverage, all in relationship to adjoining buildings and the neighborhood concept.*
2. *Consideration of exterior design and building materials in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on a street or streets, line and pitch of roofs, and the arrangements or structures on the parcel.*

The modern materials and architecture of the proposed building do not conform to the existing meetinghouse design. However, the planning staff has considered a couple of factors that would satisfy the intent for design review.

1. The modern architecture of the new seminary building is done to conform to the new high school building. For reference, an architectural drawing of the high school is in Exhibit E.
2. The building would be setback roughly 200' from 2200 South Street. Trees that line 2200 South Street could be planted as a screening device if the planning commission agrees it is necessary.

Considerations relating to utility easements, drainage, and other engineering questions. The applicant will need to adhere to all conditions of the Engineering Division including recommendations regarding retention ponds and pollution prevention methods.

Review Agencies: The Weber Fire District. Weber County Engineering. Planning has included conditions of approval that must be completed before the land use permit is issued.

## Staff Recommendation

Staff recommends approval of the Weber School District New High School Design Review Application. This recommendation is conditioned upon all review agency requirements, and the following conditions:

1. All review agency requirements must be addressed and completed before the written approval of the design review is issued.
2. Occupancy shall not occur until all improvements, including landscaping, have either been installed or guaranteed.

The following findings are the basis for the staff's recommendation:

3. This proposal is listed as a permitted use within the A-1 Zone.
4. This proposal conforms to the Land Use Code of Weber County, Utah.
5. The owners will obtain the appropriate permits before construction begins.
6. The modern architecture conforms to the modern architecture of the new high school.

## Exhibits

- A. Civil plan
- B. Site Plan
- C. Landscaping Plan
- D. Seminary Building Elevations
- E. High School plan

Map 1

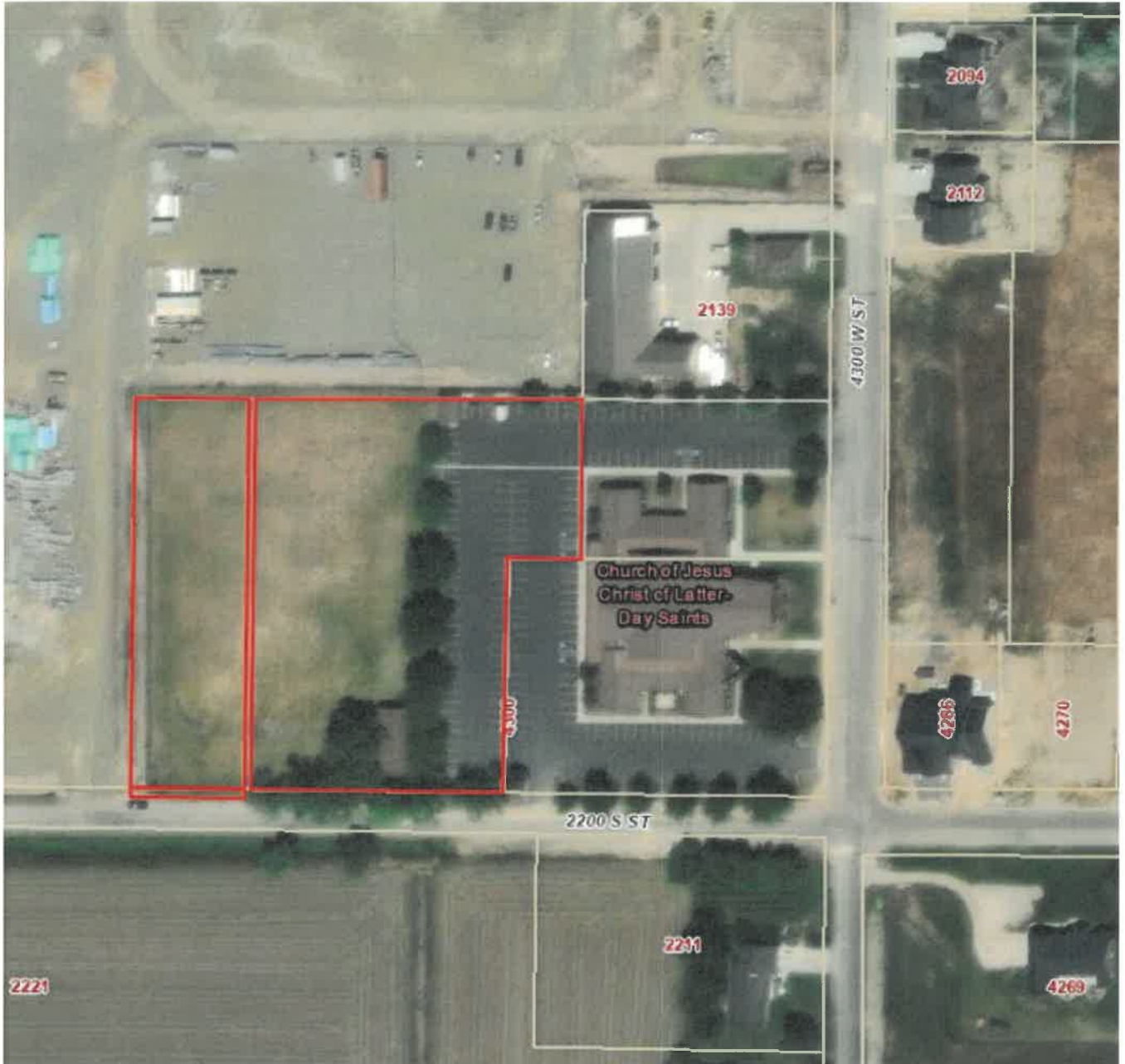
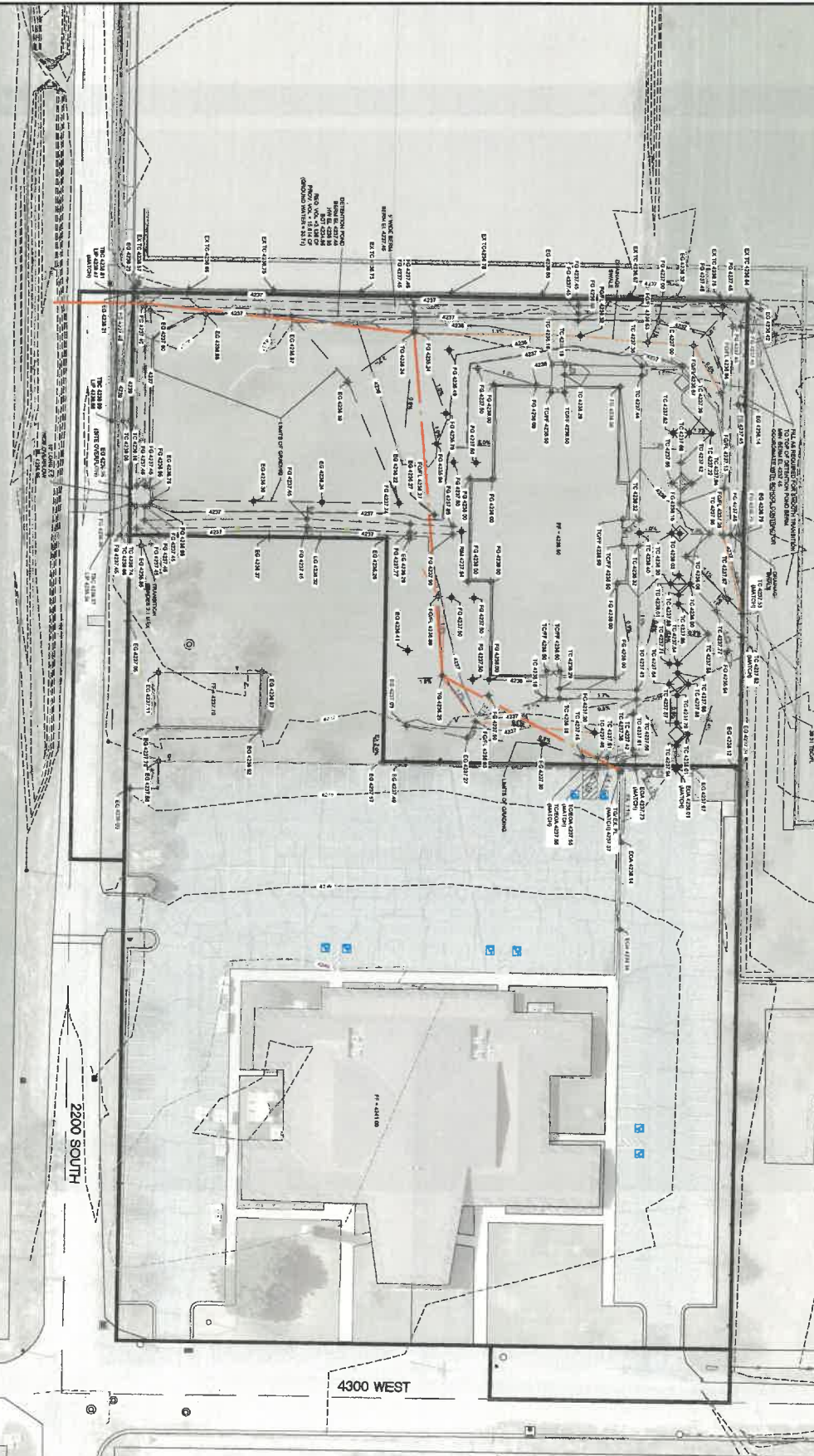


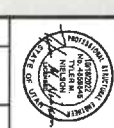
Exhibit A



CE2-01

**GARDNER ENGINEERING**  
 CIVIL • LAND PLANNING  
 MUNICIPAL • LAND SURVEYING  
 2150 SOUTH 122 EAST OGDEN, UT  
 OFFICE: 801-476-9292 FAX: 801-476-0066

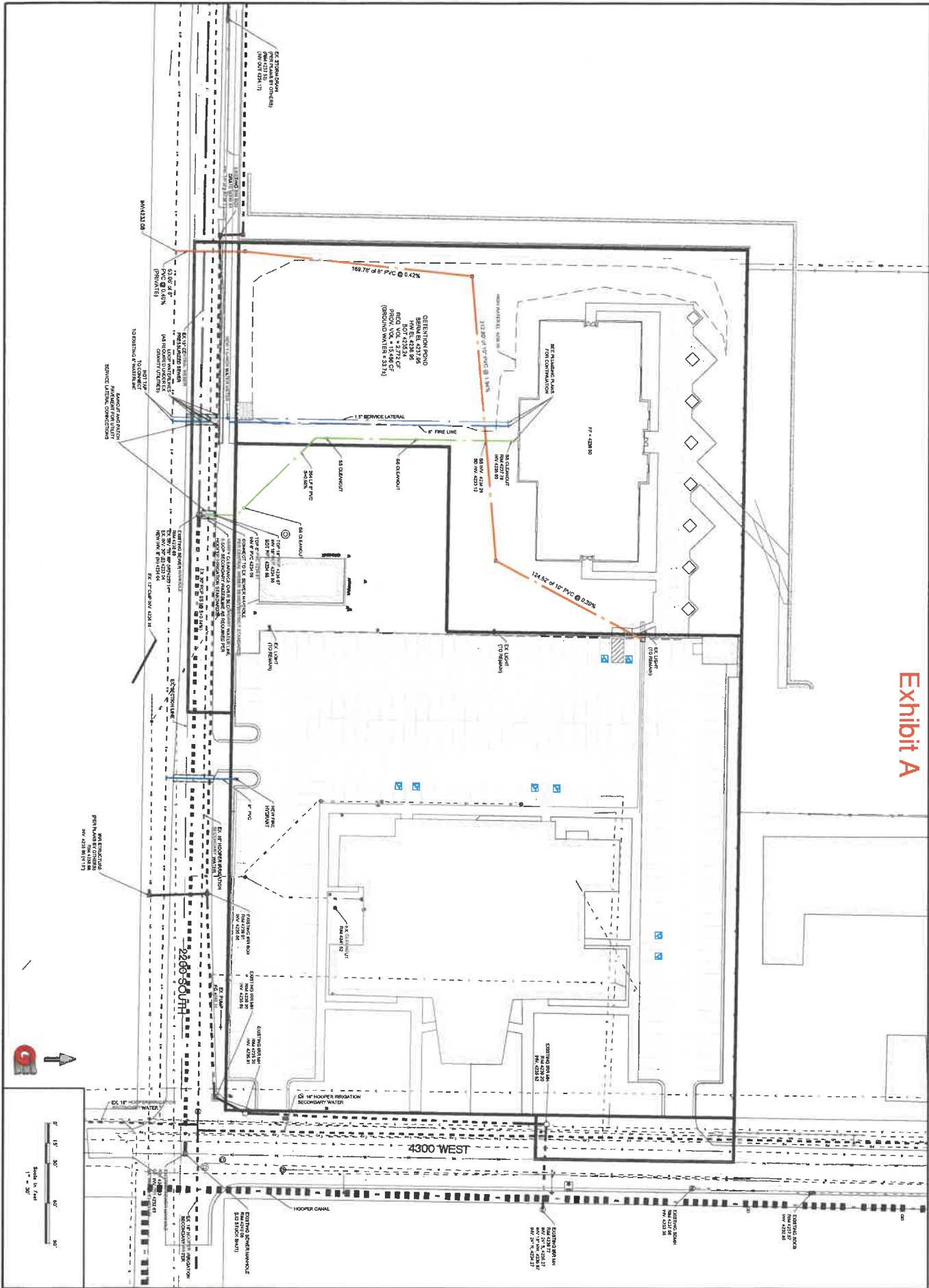
GRADING PLAN  
 WEST FIELD SR SEMINARY  
 2200 S 4350 W  
 TAYLOR, WEBER, UTAH



REVISIONS	
DATE	DESCRIPTION

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 DATE: 02/16/2008  
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 DRAWN: JOYAN  
 CHECK: TWR  
 DWG:

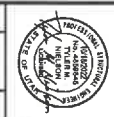
Exhibit A



CE3-01

**GARDNER ENGINEERING**  
 CIVIL - LAND PLANNING  
 MUNICIPAL - LAND SURVEYING  
 5150 SOUTH 375 EAST, OGDEN, UT  
 OFFICE: 801.476.0262 FAX: 801.476.0066

UTILITY PLAN  
 WEST FIELD SR SEMINARY  
 2200 S 4350 W  
 TAYLOR, WEBER, UTAH



REVISIONS	
DATE	DESCRIPTION

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DATE: 05/06/2022
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DWG:



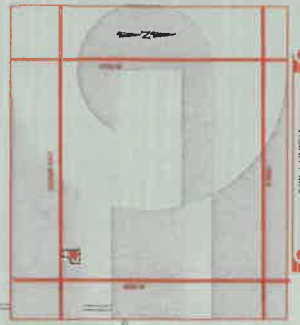
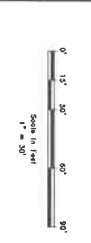


Exhibit B



THE SCHEDULED CONSTRUCTION SHALL BE COMPLETED & EXTERIOR LOT FINAL GRASSING SHALL BE IN PLACE WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION. THE SCHEDULED CONSTRUCTION SHALL BE COMPLETED & EXTERIOR LOT FINAL GRASSING SHALL BE IN PLACE WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION.

**DATELINES**  
 ALL DATELINES AT THIS SCALE  
 SHALL BE 1/4" HIGH  
 ALL DATELINES SHALL BE IN BLACK  
 DATELINES SHALL BE 1/4" HIGH  
 DATELINES SHALL BE 1/4" HIGH



CE1-01

**GARDNER ENGINEERING**  
 CIVIL - LAND PLANNING  
 MUNICIPAL - LAND SURVEYING  
 5150 SOUTH 375 EAST OGDEN, UT  
 OFFICE: 801-276-0202 FAX: 801-276-0066

SITE PLAN  
 WEST FIELD SR SEMINARY  
 2200 S 4350 W  
 TAYLOR, WEBER, UTAH



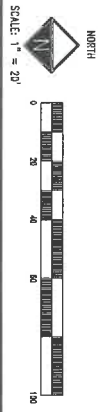
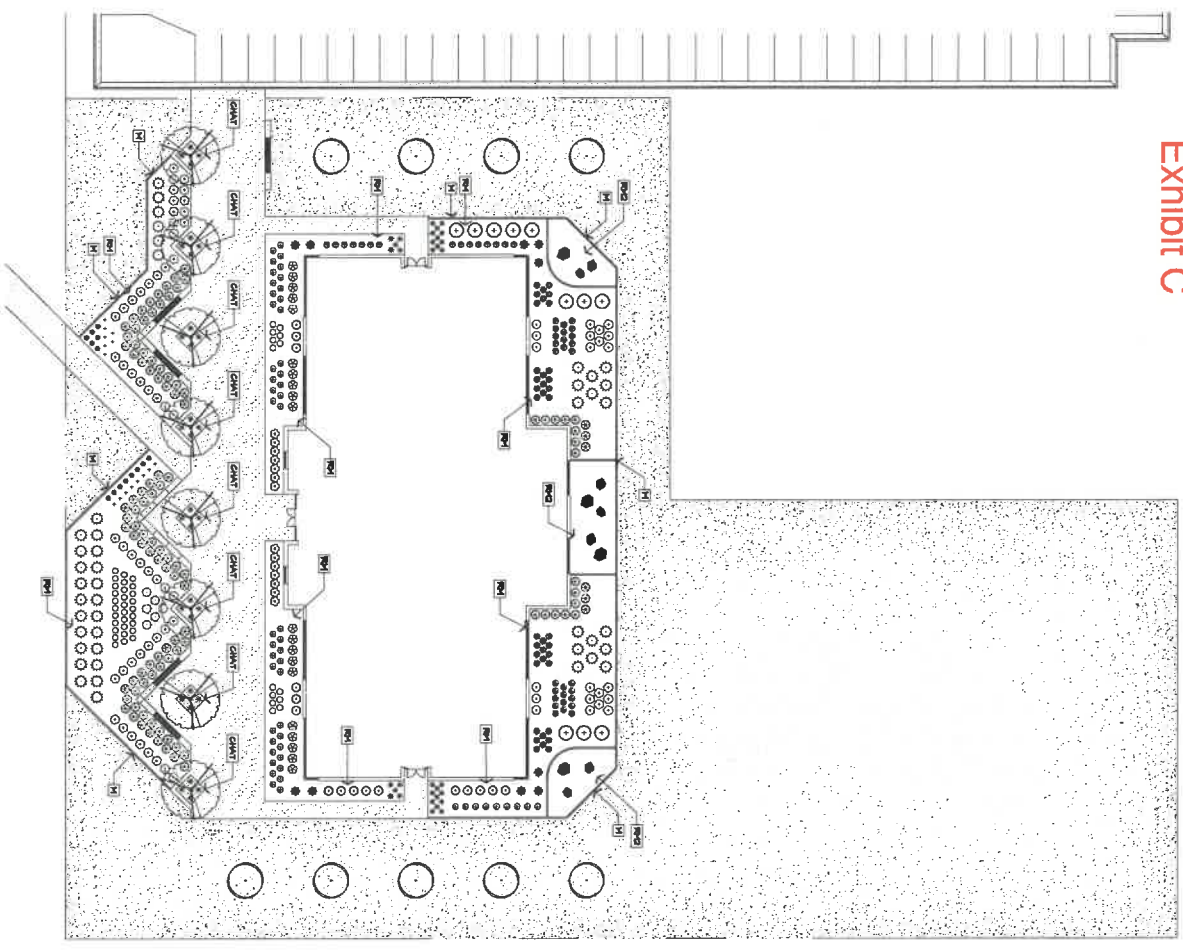
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		DRAWN: JWS
		CHECKED: TWS
DWG#:		

QUANTITIES ARE PROVIDED FOR CONTRACTORS CONFORMANCE ONLY. CONTRACTOR IS TO VERIFY ALL QUANTITIES. CONTRACTOR SHALL ALSO VERIFY THAT ALL ITEMS SHOWN ON THE PLANS ARE SHOWN SHOWN ON SCHEDULE AND SHALL REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT BEFORE BIDDING.

PLANT SCHEDULE	ITEM	SYMBOL	COMMON NAME	SIZE	CONTAINER
6	Asier luvetatum + pulchellus 1/2" x 1/4" DT 1M		Utah Sweet Maple	2" Cal.	B&B
9	Waves + 1/2" x 1/2" DT 1M		Spreading Spirea Cymose	2" Cal.	B&B
10	Asier cordata 3/4" x 1/4" DT 1M		Common Name	5" gals.	CONTAINER
11	Asier radicans 1/2" x 1/4" DT 1M		Low Spirea Muralis	5" gals.	CONTAINER
12	Asier luvetatum 1/2" x 1/4" DT 1M		Walled Japanese Barberry	5" gals.	CONTAINER
13	Asier luvetatum 1/2" x 1/4" DT 1M		Orange Flowered Barberry	5" gals.	CONTAINER
14	Asier luvetatum 1/2" x 1/4" DT 1M		Toy Gold Japanese Barberry	2" gals.	CONTAINER
15	Asier luvetatum 1/2" x 1/4" DT 1M		Golden Daywood	5" gals.	CONTAINER
16	Asier luvetatum 1/2" x 1/4" DT 1M		Spanish Broom	5" gals.	CONTAINER
17	Asier luvetatum 1/2" x 1/4" DT 1M		Alpine Cryptomeria	5" gals.	CONTAINER
18	Asier luvetatum 1/2" x 1/4" DT 1M		Downy 1" Larch	5" gals.	CONTAINER
19	Asier luvetatum 1/2" x 1/4" DT 1M		Japanese Tower Juniper	5" gals.	CONTAINER
20	Asier luvetatum 1/2" x 1/4" DT 1M		Shad Cherry	5" gals.	CONTAINER
21	Asier luvetatum 1/2" x 1/4" DT 1M		Chedoke Hill English Laurel	5" gals.	CONTAINER
22	Asier luvetatum 1/2" x 1/4" DT 1M		Five Line Budding	5" gals.	CONTAINER
23	Asier luvetatum 1/2" x 1/4" DT 1M		Common Name	5" gals.	CONTAINER
24	Asier luvetatum 1/2" x 1/4" DT 1M		Japanese Dwarf Japanese Anemone	5" gals.	CONTAINER
25	Asier luvetatum 1/2" x 1/4" DT 1M		Special var. One Dilly	5" gals.	CONTAINER
26	Asier luvetatum 1/2" x 1/4" DT 1M		Dark Redleafed Fernleaf Sage	5" gals.	CONTAINER
27	Asier luvetatum 1/2" x 1/4" DT 1M		Pro Professional Meadow Sage	5" gals.	CONTAINER
28	Asier luvetatum 1/2" x 1/4" DT 1M		Common Name	5" gals.	CONTAINER
29	Asier luvetatum 1/2" x 1/4" DT 1M		Witching Dead Grass	5" gals.	CONTAINER
30	Asier luvetatum 1/2" x 1/4" DT 1M		Parade Square Fountain Grass	5" gals.	CONTAINER

NOTES	DETAILS
1. See details and specifications for additional information.	
2. All plants to be installed from February 1st to May 31st.	
3. All plants to be installed from February 1st to May 31st.	
4. All plants to be installed from February 1st to May 31st.	
5. All plants to be installed from February 1st to May 31st.	
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29. All plants to be installed from February 1st to May 31st.	
30. All plants to be installed from February 1st to May 31st.	

# Exhibit C



Project for:  
**THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**

**TAYLOR SENIOR SEMINARY**

Scale: 1" = 20'

Project Number: \_\_\_\_\_

Sheet Number: \_\_\_\_\_

Property Number: \_\_\_\_\_

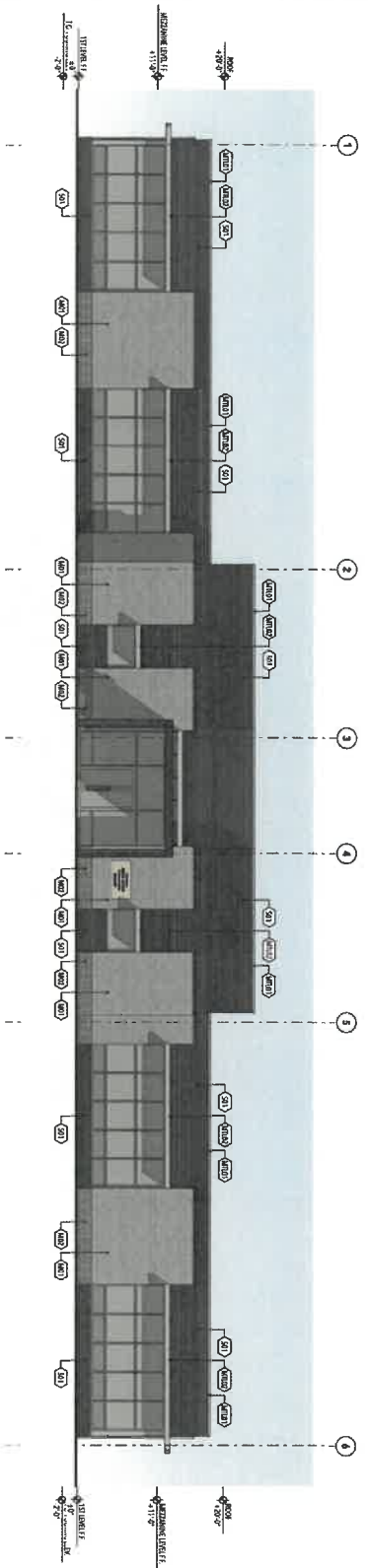
Planting Plan

**L101**

820 24th STREET  
SUITE 100  
BOULDER, CO 80501  
TEL: 303.440.8800  
WWW.PARTONE.COM

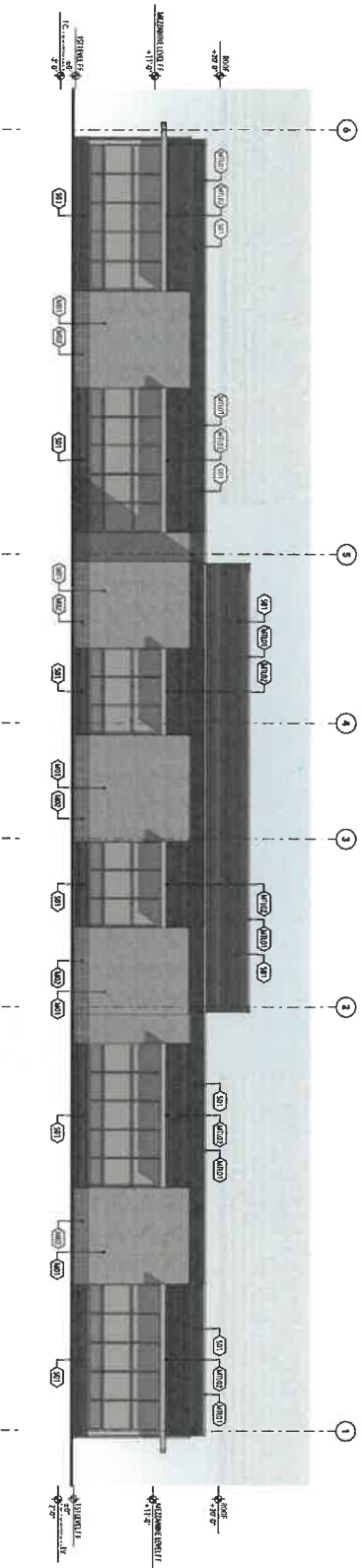


# Exhibit D



NORTH ELEVATION

1/8" = 1'-0"



SOUTH ELEVATION

1/8" = 1'-0"

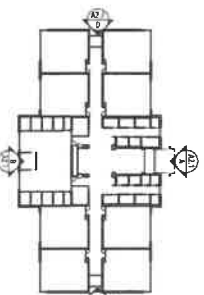
STUDIO 333 ARCHITECTS  
333 24TH STREET  
OGDEN, UT 84401  
801.394.3033

WEST FIELD SR SEMINARY  
2200 S STREET, TAYLOR, UT

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION

25% CD  
DATE: 10.10.22  
PROJECT NUMBER: 2154



### GENERAL EXTERIOR ELEVATION NOTES

1. All exterior elevations are to be shown as if they are to be constructed.
2. All exterior elevations are to be shown as if they are to be constructed.
3. All exterior elevations are to be shown as if they are to be constructed.
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10. All exterior elevations are to be shown as if they are to be constructed.

### GENERAL EXTERIOR FINISHES NOTES

1. The Contractor shall provide the full details of all exterior finishes to the Client. The Contractor shall provide the full details of all exterior finishes to the Client.
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10. The Contractor shall provide the full details of all exterior finishes to the Client. The Contractor shall provide the full details of all exterior finishes to the Client.

### EXTERIOR MATERIALS LEGEND

ID	NAME	MANUFACTURER	COLOR/NOTE
001	Concrete	Concrete	Concrete
002	Stucco	Stucco	Stucco
003	Brick	Brick	Brick
004	Tile	Tile	Tile
005	Paint	Paint	Paint
006	Window	Window	Window
007	Door	Door	Door
008	Roof	Roof	Roof
009	Foundation	Foundation	Foundation
010	Other	Other	Other

### REVISION NOTES

NO.	DESCRIPTION	DATE
1	Initial Design	10/10/22
2	Revised Design	10/10/22
3	Final Design	10/10/22





EXHIBIT D

Exhibit D



Exhibit D

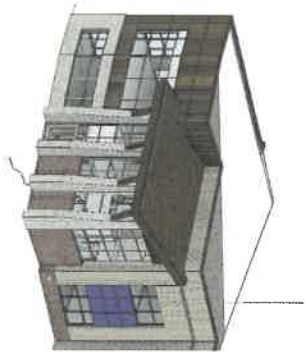




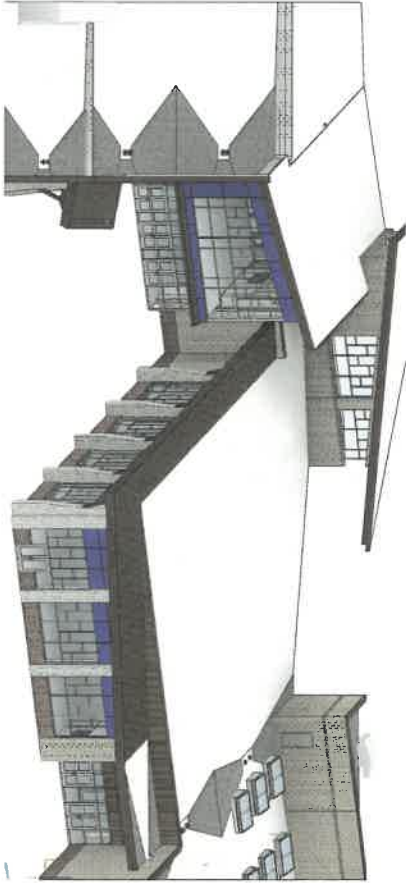
# Exhibit E



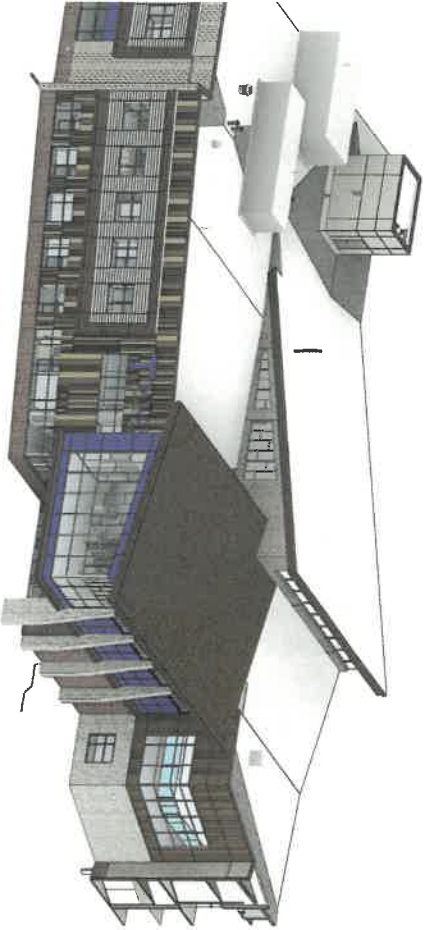
TYPICAL CLASSROOM WING



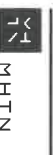
TYPICAL CLASSROOM STAIR



CAFETERIA AND REAR ENTRY



FRONT ENTRY



MHTN  
ARCHITECTS  
MHTN Architects, Inc.  
300 East 100 South  
Salt Lake City, UT 84143  
Tel: 801.462.1111  
www.mhtn.com



## WEBER SCHOOL DISTRICT

### NEW HIGH SCHOOL

4400 WEST 2200 SOUTH  
TAYLOR, UT



PROJECT NO. 2020-003  
DATE: 12/1/2021  
DRAWING NO. 2020-003-001  
PROJECT: NEW HIGH SCHOOL  
SHEET: EXTERIOR AXONOMETRICS  
DATE: 12/1/2021  
DRAWING NO. 2020-003-001

A210



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### APPLICATION INFORMATION

**Application Request:** A public hearing for consideration of a requested rezone from A-1 to RE-15 on approximately 14.93 acres.  
**Agenda Date:** Tuesday, December 13, 2022  
**Applicant:** Marie Buhler  
**File Number:** ZMA 2022-05

### PROPERTY INFORMATION

**Approximate Address:** 4175 W 1400 S, Ogden  
**Zoning:** The area to be rezoned is currently A-1  
**Proposed Land Use:** RE-15

### ADJACENT LAND USE

**North:** A-1, residential and agriculture  
**East:** A-1, residential and agriculture  
**South:** A-1, residential and agriculture  
**West:** A-1, school district property

### STAFF INFORMATION

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

## Applicable Ordinances

§ 102-5: Rezoning Procedures

§ 104-3: Residential Estates Zone (RE-15)

## Legislative Decisions

This is a legislative matter. When the Planning Commission is acting on a legislative matter, it is acting to make a recommendation to the Board of County Commissioners. There is wide discretion in making legislative decisions. Criteria for recommendations on a legislative matter suggest compatibility with the general plan, existing ordinances, and best practices. Examples of legislative actions are general plan, zoning map, and land use code amendments.

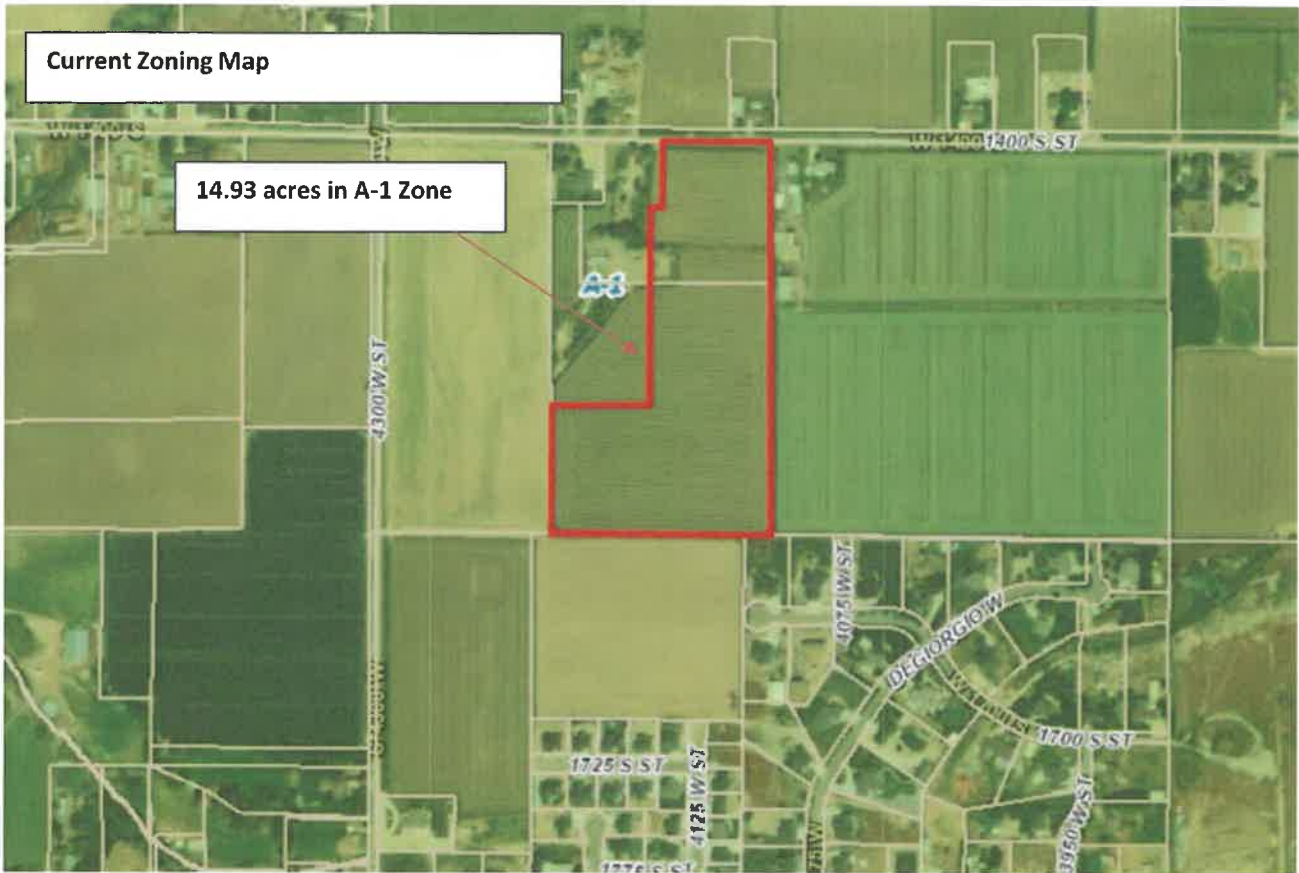
## Summary

This item is an applicant-driven request to amend the zoning map from A-1 to RE-15 on 14.93 acres. The applicant is proposing a 37 lot development with an average lot size of 13,077 square feet. Lot frontages range from 70 feet wide to 105 feet wide. The number of proposed lots does not exceed what would be allowed under the proposed RE-15 zoning. If the legislative body approves of the rezone as proposed, it is recommended that a development agreement be required, showing the concept plan, as the proposed lot sizes do not meet the RE-15 zoning minimums. The following maps show the existing zoning on the site and the proposed zoning.



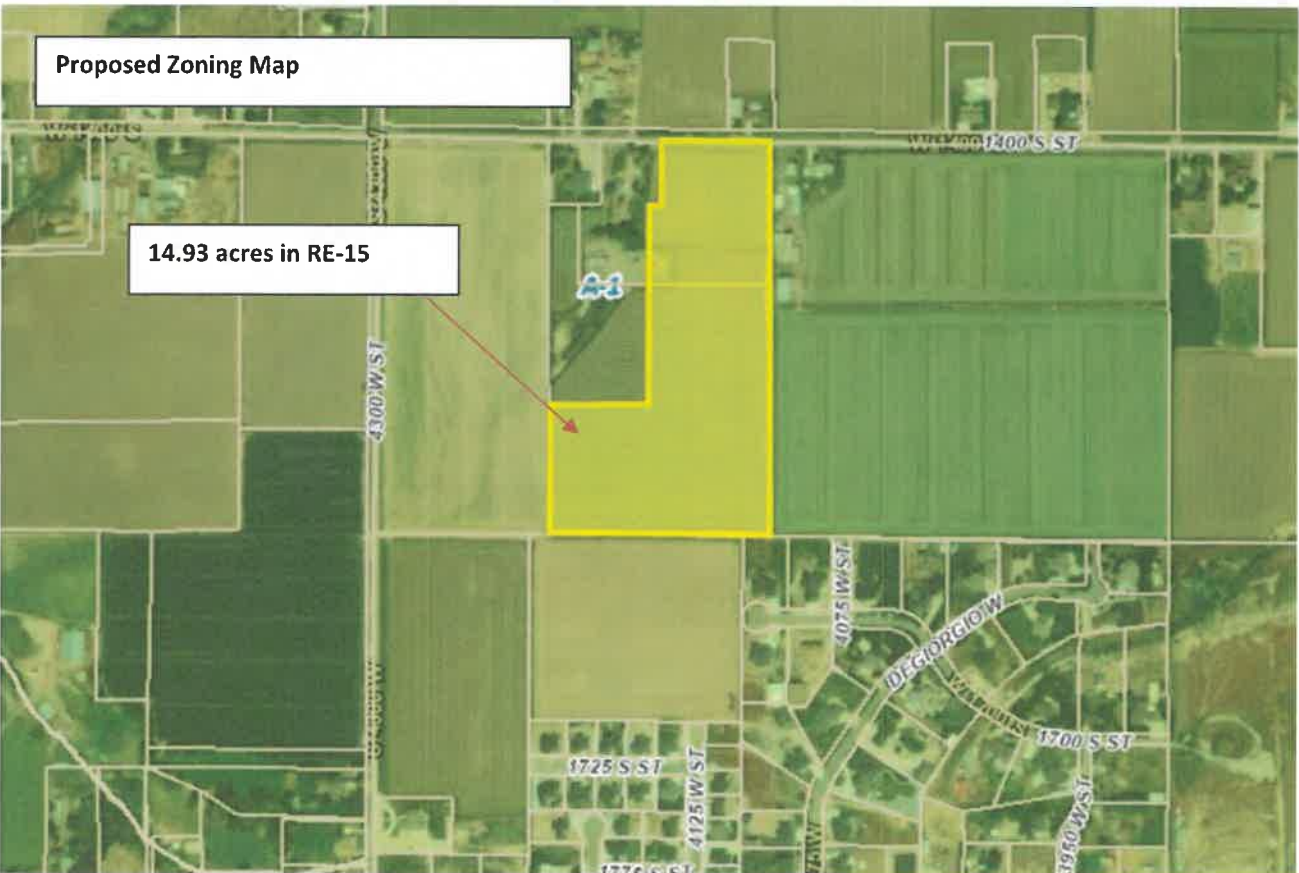
Current Zoning Map

14.93 acres in A-1 Zone



Proposed Zoning Map

14.93 acres in RE-15



# Policy Analysis

## Concept Plan

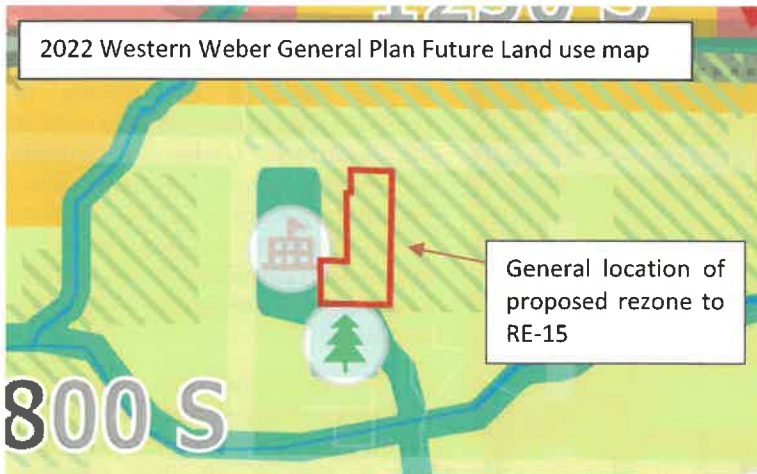
The concept site plan that was provided with this application is below.



## **Western Weber County General Plan**

The Western Weber County General Plan Future Land Use Map shows this site in an area planned for “medium sized lot” residential. The general plan also shows a ‘transferrable development right’ overlay as an area valuable for agriculture preservation. The general plan says the following regarding a proposed rezoning to medium-sized residential lots,

*“Rezoning property to a zone reflective of this designation is not intended to be a by-right or free zone change. When granting a rezone to a zone that provides greater land-use rights, the outcome, whether intentional or not, is a greater or more marketable land value. One criticism of development is that it creates profits for the landowner or developer while adding costs to the community. To address this concern, a land owner or developer looking to rezone into this zone should be required to provide a public benefit that is commensurate with the benefits the landowner or developer will enjoy by developing.”*



The general plan also promotes smart growth principles such as public street connectivity, pathway and trail connectivity, and open space contributions, to name a few, to be implemented as developers propose rezones to higher density than A-1. Regarding the public benefit this development provides, there is a possibility for public street and trail connectivity. The developer has not yet proposed any contributions to meaningful open space in this area. The Planning Division has recommended that the developer provide a contribution to open space and to speak with the Parks District to understand what that contribution could be.

If the developer does provide meaningful open space amenities outside of the subdivision boundaries, the Planning Commission may consider the proposal to have met enough of the smart growth principles (1. Street connectivity, 2. Trail and pathway connectivity, and 3. Open space contribution) to be considered a public benefit.

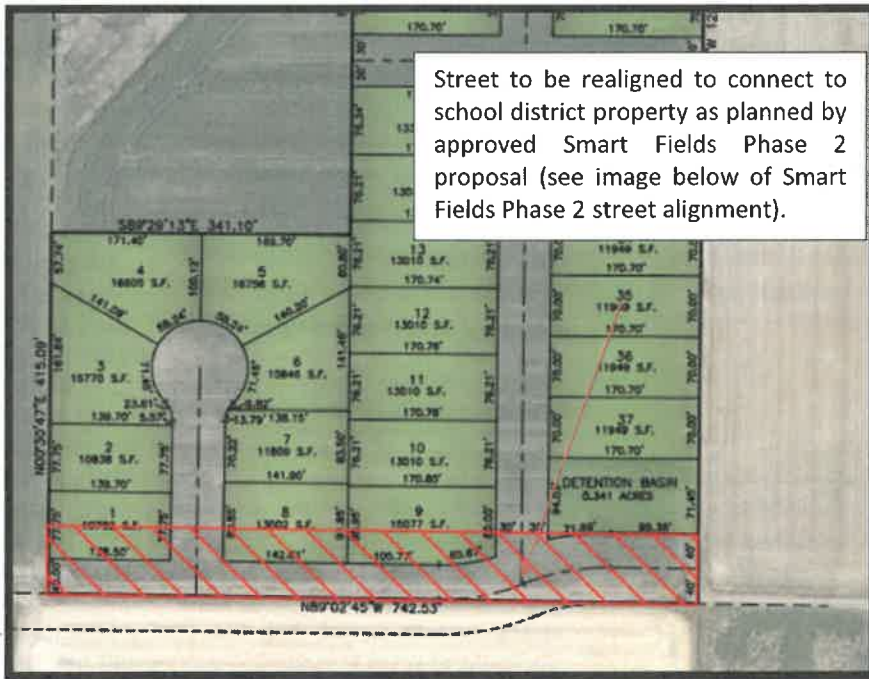
## **Zoning**

The RE-15 zone requires a minimum of 15,000 square feet lot sizes and 100 feet of lot width. This proposal can be considered to be a ‘connectivity incentivized’ subdivision, if the developer places the streets and trails where the planning division is requesting. A connectivity incentivized subdivision in the RE-15 zone allows the lot sizes to go to 12,000 square feet in size and 80 feet in width. The developer has some lots that are less than 12,000 square feet in size and less than 80 feet in width.

The legislative body, if they choose to approve this development, should require a development agreement that allows the proposed lot sizes and lot widths. The development agreement could be approved, and considered to be supported by the general plan, based on the “lot averaging” sections of the general plan that encourage a variety of housing options, provided the number of lots does not exceed the amount allowed by the proposed zone. In this scenario, 14 acres in RE-15 would allow for 40 lots and this proposal is for 37 lots.

**Public Roads and Trails**

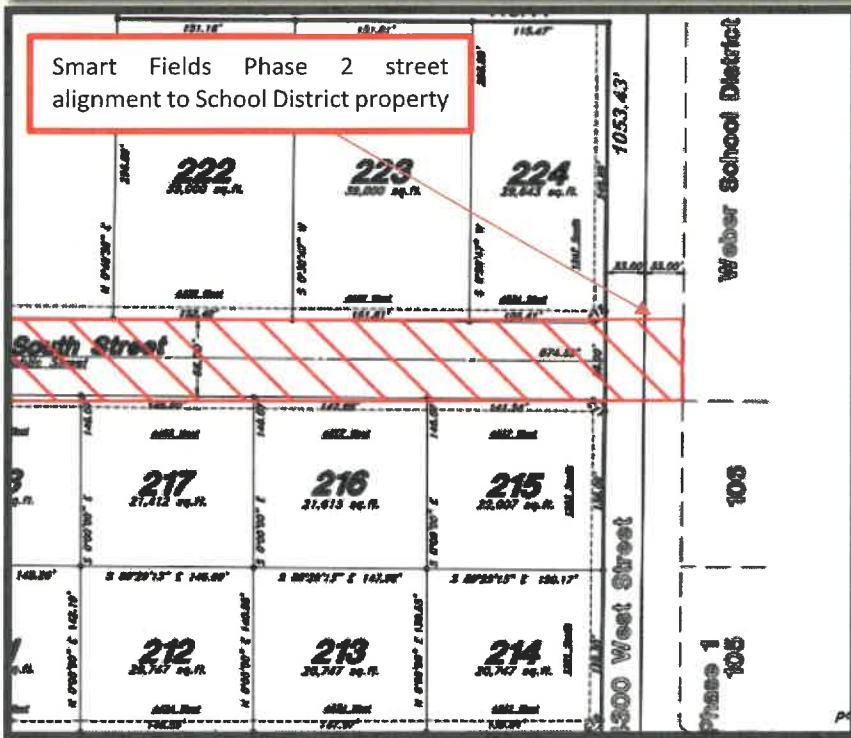
The current proposal includes 60 and 80 foot wide public rights of way with a new block forming every 500 to 650 feet. In order for the east west street to the south to connect to nearby developments, the east west street should be fully located on this development, and no curve should be made to force other properties to construct the street, unless those parties and the county can agree on a location of the curve before this rezone is approved.



If the developer is going to propose street connectivity as a smart growth principle, the county should consider requiring the developer to plat the entirety of 1600 South through their property. Their portion of 1600 south should only be 66 feet wide, not 80 feet wide.

The streets in this proposal will be considered temporarily terminal streets because no streets or access exists to the east and west of the proposal. Under the county subdivision code, a secondary emergency egress to the existing street network is required if a subdivision consists of more than 30 lots with temporarily terminal streets.

It is recommended that the legislative body require a 10 foot paved pathway on the north side of 1600 S and a 10 foot pathway easement through lots 4 and 5 to provide additional pedestrian access through the cul-de-sac.



## **County Rezoning Procedure**

The land use code lists the following as considerations when the Planning Commission makes a recommendation to the County Commission:

*A decision to amend the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission are encouraged to consider the following factors, among other factors they deem relevant:*

- a. Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.*
- b. Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*
- c. The extent to which the proposed amendment may adversely affect adjacent property.*
- d. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater, and refuse collection.*
- e. Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*
- f. Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

## Staff Recommendations

The following are recommended options for the Planning Commission to consider in forwarding a motion to the County Commission.

### Option 1.

Staff recommends that the Planning Commission table the proposal until the developer proposes a contribution to open space, as directed by the general plan.

### Option 2.

Staff recommends that the Planning Commission forward a positive recommendation to the County Commission based on the developer providing the following:

1. The developer is required to align 1600 South street to be a 66 foot wide right-of-way with a 10 foot paved pathway on the north side. The entirety of 1600 South through this development shall be located within this development with no curves.
2. A 10 foot pathway easement must be provided between lots 4 and 5.
3. A development agreement will be accompanied with the rezone that specifies that the owner and future owners waive their rights to protest annexation into an adjacent city.
4. The developer will provide a meaningful open space contribution prior to going before the County Commission for approval.

This recommendation comes with the following findings:

1. The proposal implements certain goals and policies of the West Central Weber General Plan.
2. The development is not detrimental to the overall health, safety, and welfare of the community.

## Exhibits

Exhibit A: Application

Exhibit B: Concept Plan

## Weber County Zoning Map Amendment Application

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

Date Submitted	Received By (Office Use)	Added to Map (Office Use)
----------------	--------------------------	---------------------------

### Property Owner Contact Information

Name of Property Owner(s) Tresorelle LLC		Mailing Address of Property Owner(s) 4605 W. 1400 S. Ogden, UT 84401
Phone 815-751-3813	Fax	
Email Address mabuhler1@gmail.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

### Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Brad Brown		Mailing Address of Authorized Person 1708 E. 5550 S., Ste. 18 Ogden, UT 84403
Phone 801-309-0399	Fax	
Email Address brad@stewardland.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

### Property Information

Project Name Anselmi Acres, LLC	Current Zoning A-1	Proposed Zoning RE-15
Approximate Address <del>4605 W. 1400 S.</del> 4300 W. 1400 S. Ogden, UT 84401	Land Serial Number(s) 15-057-0039 & 15-057-0040	
Total Acreage 15.25	Current Use Agricultural	Proposed Use Residential - Single Family

### Project Narrative

Describing the project vision.

Our vision for the proposed project is to develop a quality neighborhood for families. We would like this future neighborhood to be a great place for families, seniors, and others. The intent is to have 37 single family home lots and street connections to adjacent properties. This area of Weber County is growing and nearby properties will be home to future schools.

The proposed development will have a small variety of medium sized lots. The lots and future homes are intended to be respectable sizes and built to a high quality standard.

We believe that the RE-15 Zone will be the proper zone to develop the type and quality of neighborhood we're looking at developing.

The Western Weber Planning Area General Plan states the following:  
 "In West Central Weber, a recurring statement from the public was that a one-acre lot is "too small to farm and too large to mow." This sentiment reflects the challenges of the emerging large-lot suburban development patterns of the existing one-acre minimum zoning of the area" (pg. 11). Our request to rezone is concurrent with this statement and approach. This development would like to have medium size lots (approximately 11,000-15,000 square feet in size).

The proposed change is line with market requests and opportunities.



**Project Narrative (continued...)**

How is the change in compliance with the General Plan?

The proposed project streets, buildings, and setbacks would be similar to the area. This is compatible with the following General Plan goal.  
"Community Character Goal 4: A goal of Weber County is to preserve the character of current neighborhoods by encouraging new residences to have similar separation distances along street rights-of-way.  
Community Character Principle 4.1: Support maintaining the appearance of existing developed areas with lot design standards" (pg. 10 Western Weber Planning Area General Plan (WWPAGP).

The General Plan states:  
"Medium-sized residential lots. When reviewing the future land use map, the biggest proposed land acreage change is in West Central Weber. Most of the area is proposed to become medium-sized residential" (WWPAGP pg. 14). The General Plan designate 15,000 square foot lots as "medium-sized" lots. The proposed development is intended to have averages around 15,000 square foot lots. The proposed rezone land use of medium-sized residential is one of six residential land use types recommended in the General Plan.

The General Plan discusses street connectivity. This plan includes three street connections and only one minor cul de sac with four lots.

The General Plan recommends and prioritizes water conservation "Water conservation should be one of the highest priorities when considering new growth in the planning area. At the forefront of the planning area's water concerns is how little coordination is occurring between culinary water providers and secondary water providers" (WWPAGP pg. 19). Rezoning from one acre lots to 15,000 square foot lots will assist with water conservation. One acre lots typically have significant areas of grass, where as medium-sized lots have less grass and or water conservation areas.

The General Plan states "Land Use Principle 1.2, Residential: Areas planned for medium-sized residential lots should be the areas that have access to sewer services or, with the installation of sewer infrastructure at the sole expense of the developer, can be given access to sewer services. Land Use Action Item 1.2.1, Residential: In areas planned for medium-sized lots, the County should consider rezoning property to allow 15,000 square-foot lots. Generally, this coincides with the RE-15 zone. A rezone of this nature should only be allowed if smart-growth implementation strategies are volunteered by the developer, as provided in Land Use Principle XXX." (WWPAGP pg. 21). The property is intended to be serviced by sewer and the distance to sewer hook-up is reasonable.

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

This property is proposed to be developed as single family residential lots. One acre lots will consume more farm land, cost more, and use more water,

This property should be rezoned to RE-15 for the following reasons:

- Conformance to the Western Weber Planning Area General Plan
- Housing market conditions (more cost attainable)
- More efficient to service (roads, snowplows, sewer, water, etc)
- Water conservation
- New schools are coming to this area and growth will come with it

The General Plan recommends lots smaller than one acre lots. Medium-sized lots (approx. 15,000 sf) are less costly for home buyers and more attainable than one acre lots.

This property is within reasonable distance to existing sewer lines. It is expected that sewer will service the property.

**Project Narrative (continued...)**

How is the change in the public interest?

This rezone will lead to the construction of 37 new homes and provide single family housing opportunities for the public. Meeting the demand for growth is important to the public interest. The West Central Weber is projected to double over the next 20 years (WWPAGP pg. 4 of the housing chapter).

This rezone is near upcoming schools. Housing near schools is essential the public interest.

Through the General Plan process the public, staff, Planning Commission, and County Commissioners discussed the challenges of one acre lots (servicing, loss of farmland, efficiency, etc). This project is proposed to have medium-sized density which is smaller than one acre lots and is in the best interest of the public.

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

The Western Weber Planning Area General Plan was recently adopted over the last couple month. Minimal changes have happened in the area since the adoption of the new General Plan. The new General Plan recommends this type of rezone for this area.

This area is continuing to grow with new schools and new homes/residential growth. This area is seeing significant growth of single-family homes. RE-15 is more appropriate for the site according to the General Plan, housing market and demands of the area.

**Project Narrative (continued...)**

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

The proposed project proposes streets with sidewalks and street connectivity. This project proposes no threats to health, safety, and welfare to residents of the area and Weber County. This project is proposing 37 lots which will provide value to the area and future residents.

Medium-sized lots approximately 15,000 square feet in size will conserve more water per capita than one acre lots.

The proximity of the property to future school(s) is a benefit to Weber County residents.

All utilities are within reasonable distance to the property. The project will pay appropriate fees which will be used by local government to assist the area.

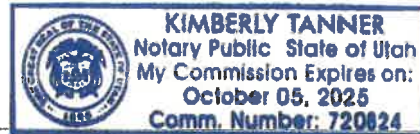
**Property Owner Affidavit**

I (We), Tree Sorelle, LLC, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Jessie Buckler for Tree Sorelle  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this 14 day of November, 2022,



\_\_\_\_\_  
(Notary)

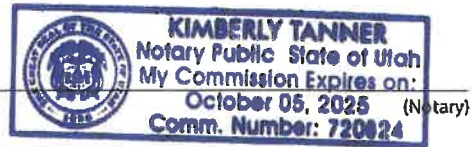
**Authorized Representative Affidavit**

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

Marie Buhler for Tree Sorrelle  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Dated this 14 day of November, 20 22, personally appeared before me Kimberly Tanner, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.



**Buhler-Marie-Zoning Map Amendments**

+ Add Follower / Change Status / Edit Project

**Address:** 4175 W 1400 S, Ogden, UT, 84401  
**Maps:** [County Map](#), [Google Maps](#)  
**Project Type:** Zoning Map Amendments  
**Sub Type:** Zoning Map Amendments  
**Created By:** Brad Brown  
**Created On:** 11/14/2022  
**Project Status:** Accepted  
**Status Date:** 11/15/2022  
**File Number:** ZMA 2022-05  
**Project Manager**

Application Documents (6) Comments (4) Reviews (0) Followers (8) History Payments (1)

**Application**

+ Add Building + Add Parcel + Add a Contractor Edit Application Print

**Project Description**

Our vision for the proposed project is to develop a quality neighborhood for families. We would like this future neighborhood to be a great place for families, seniors, and others. The intent is to have 37 single family home lots and street connections to adjacent properties. This area of Weber County is growing and nearby properties will be home to future schools. The proposed development will have a small variety of medium sized lots. The lots and future homes are intended to be respectable sizes and built to a high quality standard. We believe that the RE-15 Zone will be the proper zone to develop the type and quality of neighborhood we're looking at developing. The Western Weber Planning Area General Plan states the following: "In West Central Weber, a recurring statement from the public was that a one-acre lot is "too small to farm and too large to mow." This sentiment reflects the challenges of the emerging large-lot suburban development patterns of the existing one-acre minimum zoning of the area" (pg. 11). Our request to rezone is concurrent with this statement and approach. This development would like to have medium size lots (approximately 11,000-15,000 square feet in size). The proposed change is line with market requests and opportunities.

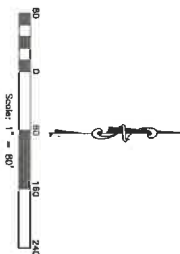
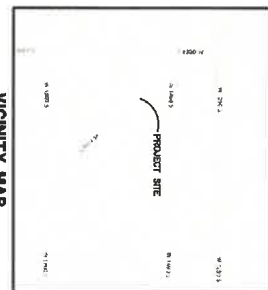
**Property Address** 4175 W 1400 S  
Ogden, UT, 84401

**Property Owner** Marie Buhler  
815-751-3873  
mabuhler1@gmail.com



# Anselmi Acres Subdivision

Weber County, Utah



**Design Spec.**  
 Total Depth: 4.43 feet  
 Right-of-Way: 15.31 feet  
 Open Space/Shoulder: 1.31 feet  
 Average Lane Size: 13,077 sq. ft.  
 Total Lot Frontage: 1,157 feet

**Storm Drain Note**  
 INCORPORATE UP STAIRS  
 WITH A RECESSED SECTION  
 SO THAT THE STORM DRAIN  
 DOWN DRAIN WITH THE  
 SWAYT FIELDS DISCRETEMENT.

**DEVELOPER:**  
 Steward Development  
 Brad Brown / SW Hazelhurst  
 South Ogden, UT 74405  
 (801) 437-2020

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC. 5100 S. 1300 W., WINDYBUSH, UTAH 84403. ANY SHALL NOT BE REPRODUCED, REVERSED, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNATED FOR WITHOUT THE WRITTEN PERMISSION OF REEVE & ASSOCIATES, INC. CONSULT THE LICENSE FOR ANY CHANGES OR ADDITIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.

Project Info	1
Project Name	1
Project No.	1
Revision	1
Date: 02/28/2022	
Name: ANSELMI ACRES	
Subdivision	
Number: 1182-19	
Sheet	1

**Anselmi Acres Subdivision**  
 PART OF THE SW 1/4 OF SECTION 21, T.6N., R.2W., S.1B & M., U.S. SURVEY  
 WEBER COUNTY, UTAH  
**Concept Plan**

DATE	REVISIONS	DESCRIPTION

**Reeve & Associates, Inc.**  
 5100 SOUTH 1300 WEST, WINDYBUSH, UTAH 84403  
 TEL: (801) 437-2020 FAX: (801) 437-2028  
 LAND PLANNING • CIVIL ENGINEERING • LAND SURVEYING  
 WATER ENGINEERING • STRUCTURAL ENGINEERING • LANDSCAPE ARCHITECTURE



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### APPLICATION INFORMATION

**Application Request:** A public hearing for consideration of a requested rezone from A-1 to C-2 on approximately 0.92 acres.  
**Agenda Date:** Tuesday, December 13, 2022  
**Applicant:** Joshua Skidmore  
**File Number:** ZMA 2022-04

### PROPERTY INFORMATION

**Approximate Address:** 2139 S 4300 W  
**Zoning:** The area to be rezoned is currently A-1  
**Proposed Land Use:** Commercial, C-2

### ADJACENT LAND USE

**North:** New High School  
**East:** Residential  
**South:** Future Nilson Homes project  
**West:** Residential (Plain City)

### STAFF INFORMATION

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

## Applicable Ordinances

§ 102-5: Rezoning Procedures

§ 104-20: Commercial Zones (C-2)

## Legislative Decisions

This is a legislative matter. When the Planning Commission is acting on a legislative matter, it is acting to make a recommendation to the Board of County Commissioners. There is wide discretion in making legislative decisions. Criteria for recommendations on a legislative matter suggest compatibility with the general plan, existing ordinances, and best practices. Examples of legislative actions are general plan, zoning map, and land use code amendments.

## Summary

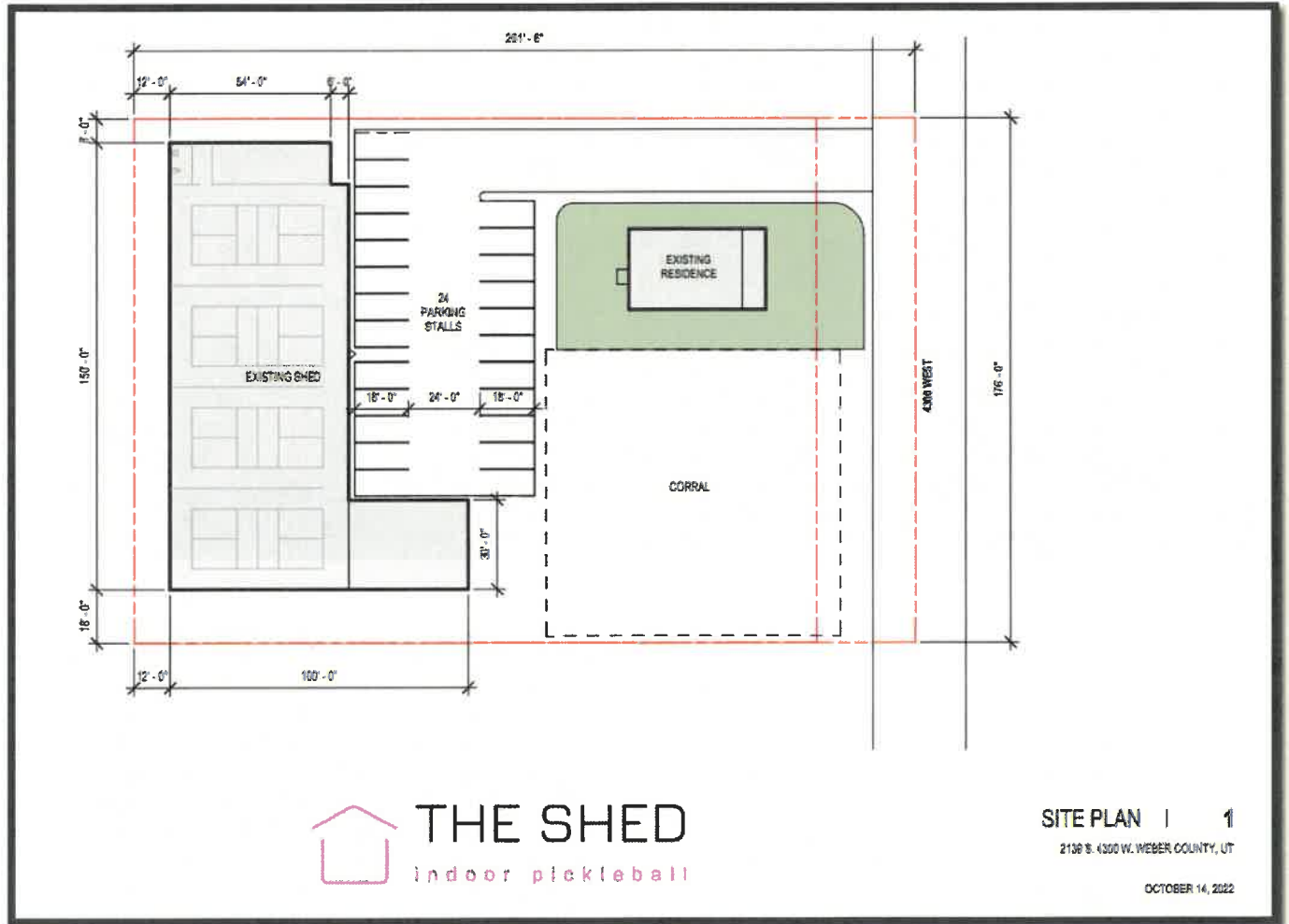
This item is an applicant-driven request to amend the zoning map from A-1 to C-2 on 0.92 acres. The owner seeks this zoning to allow a commercial pickleball court on the property. The C-2 zone lists "fitness, athletic, health, or recreation center, or gymnasium" as a permitted use in the C-2 zone. The following maps show the existing zoning and the proposed zoning for this project.



## Policy Analysis

### Concept Plan

The concept site plan that was provided with this application is below.



### Western Weber County General Plan

The Western Weber County General Plan Future Land Use Map shows this site in a future “mixed-use” commercial area. The general plan states the following regarding mixed-use commercial, “The areas of the future land use map designated as mixed-use commercial are intended to provide a village center in which a variety of land uses can occur nearby....In each mixed-use area there should be at least one community “main street.” The main street should provide retail sales, services, eateries, and related activities that make the street interesting to use. These uses should be located behind building facades that are at the level of the street and directly adjacent to the street’s sidewalk, with plenty of window and door openings facing the street to capture the attention and interests of pedestrians as they engage their public spaces, browse, shop, eat, and play” (Western Weber Planning Area General Plan (2022), pg. 35).



This proposal is not considered ‘mixed-use commercial’, however, a rezoning to C-2 with a covenant (or development agreement) to reserve the first 40 feet of front yard adjacent to the street would establish an



area for a future mixed-use commercial street anticipated by the general plan. Reserving the first 40 feet of front yard and restricting the allowed C-2 uses to only those that are not automobile-intensive will preserve a corridor for the planned mixed-use, pedestrian friendly, commercial street in this location.

### **Zoning**

The C-2 zone does not have a minimum lot area or lot width requirement. The current buildings comply with the front yard setback of the C-2 zone, which is 50 feet from the centerline of 4300 W, a collector street. The existing building that the pickleball court will be located in does not comply with the side yard (north property line) setback of 10 feet. The building is currently eight feet to the north side property line. The owner has an option to be closer than 10 feet to the side property line if they obtain a perpetual building maintenance agreement, as outlined in 104-20-4(e). The existing building meets the rear yard requirement of 10 feet.

The C-2 zone allows a maximum building height of 35 feet. The existing building height is 26 feet.

The C-2 zone does not list "single-family dwellings" as an allowed use. If the proposed rezone is approved, then the existing single-family dwelling will be considered a non-conforming use. Attached to this report as Exhibit A is the county's non-conforming use chapter.

### **Public Roads and Trails**

The Western Weber General Plan shows 4300 West as a minor collector street that should be 80 feet wide. The parcel on which the rezone is proposed has dedicated a 33 foot half width to 4300 W, and an additional 7 feet should be dedicated so that enough right-of-way exists for 40 foot half width.

### **County Rezoning Procedure**

The land use code lists the following as considerations when the Planning Commission makes a recommendation to the County Commission:

*A decision to amend the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission are encouraged to consider the following factors, among other factors they deem relevant:*

- a. Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.*
- b. Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*
- c. The extent to which the proposed amendment may adversely affect adjacent property.*
- d. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater, and refuse collection.*
- e. Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*
- f. Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

## Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation to the County Commission to approve the proposed rezone of approximately 0.92 acres from A-1 to C-2, File #ZMA 2022-04. This approval is based on the following conditions:

1. Prior to consideration by the County Commission, the owner will enter into a development agreement with the County, that development agreement will include provisions to ensure that 7 feet of right-of-way adjacent to 4300 W will be dedicated to the county. The agreement will also specify that the first 40 feet of front yard adjacent to 4300 West (after the 7 foot dedication) will be reserved for multi-use commercial. The agreement will also include provisions to ensure that the allowed uses in the first 40 feet will be pedestrian friendly and not vehicle intensive.
2. The existing building in which the use will occur will need to receive approval from the building Official and the fire marshal, as the building may not have been constructed to a commercial occupancy.

This recommendation comes with the following findings:

1. The proposal implements certain goals and policies of the West Central Weber General Plan.
2. The development is not detrimental to the overall health, safety, and welfare of the community.

## Exhibits

Exhibit A: County's nonconforming use ordinance.

## **Chapter 108-12 Noncomplying Structures, Nonconforming Uses, And Nonconforming Lots**

### **Sec 108-12-1 Purpose And Intent**

### **Sec 108-12-2 Maintenance, Repairs, And Alterations**

### **Sec 108-12-3 Additions And Enlargements**

### **Sec 108-12-4 Alteration Where Parking Insufficient**

### **Sec 108-12-5 Moving Noncomplying Structures**

### **Sec 108-12-6 Restoration Of Damaged Buildings**

### **Sec 108-12-7 One-Year Vacancy Or Abandonment**

### **Sec 108-12-8 Change Of Use**

### **Sec 108-12-9 Expansion Of Nonconforming Use**

### **Sec 108-12-10 Legal Use Of Nonconforming Lots**

### **Sec 108-12-11 Subdivision Plat Requirements For Nonconforming Lots; Exemptions**

### **Sec 108-12-12 Reconfiguring Nonconforming Lots**

### **Sec 108-12-13 Setback Requirements For Nonconforming Lots**

### **Sec 108-12-14 Parcels Previously Combined For Tax Purposes**

### **Sec 108-12-15 Effect Of Public Right-Of-Way Expansion**

**Editor's note**—Ord. No. 2015-8, Exh. A, adopted May 5, 2015, substantially amended portions of ch. 12 to add provisions for nonconformities due to public right-of-way expansions, including retitling ch. 12 from "Noncomplying Structures and Nonconforming Uses/Parcels" to read as herein set out.

### **Sec 108-12-1 Purpose And Intent**

The purpose and intent of this chapter is to provide standards for the development and use of noncomplying structures, nonconforming uses, and nonconforming lots. These structures, uses, and lots are considered legal, despite not meeting the current requirements of the zone in which they are located.

(Ord. of 1956, § 28-1; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015)

### **Sec 108-12-2 Maintenance, Repairs, And Alterations**

- (a) Maintenance, repairs, and structural alterations may be made to noncomplying structures on lots of record.
- (b) Dwellings or other structures built on lots or parcels which were once legal, but have since been modified in a manner that is in violation of applicable laws, shall not be issued land use or building permits, unless the structure is being strengthened or restored to a safe condition, or the lot or parcel is made to conform to current zoning regulations. In restoring the structure to a safe condition, no expansion of the structure is allowed.

(Ord. of 1956, § 28-2; Ord. No. 2009-2; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015)

### **Sec 108-12-3 Additions And Enlargements**

- (a) Except as provided in subsection (c), a structure which is occupied by a nonconforming use shall not be added to or expanded in any manner, unless such expansion is made to conform to all yard and use regulations of the zone in which the structure is located.
- (b) Except as provided in subsection (c), a noncomplying structure (main or accessory) shall not be added to or enlarged in any manner, unless such addition or enlargement conforms to all the

regulations of the zone in which it is located, or conforms to the reduced yard setbacks as allowed in section 108-12-13.

- (c) A legally constructed dwelling or other structure on a lot of record, which has yard setbacks that are less than the required yard setbacks for the zone in which it is located, shall be allowed to have an addition, provided that:
- (1) The addition does not encroach into the required yard setbacks further than the existing dwelling or other structure; and
  - (2) The addition is located completely on the same property as the existing structure and does not encroach into a road right-of-way or on to adjacent property.
- (d) A legally constructed dwelling or other structure on a lot of record, which is located within a stream corridor setback (as defined by the Weber County Land Use Code sections 108-7-23 and/or 104-28-2), may be added to or enlarged, provided that:
- (1) The addition does not encroach into the stream corridor setback further than the existing dwelling or other structure; and
  - (2) The addition meets the yard setback requirements of the zone in which it is located or conforms to the reduced yard setbacks as allowed in section 108-12-13; or
  - (3) The addition does not encroach into the required yard setbacks further than the existing dwelling or other structure.

(Ord. of 1956, § 28-3; Ord. No. 2008-7; Ord. No. 2009-2; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015; Ord. No. 2018-2, Exhs. A, B, 2-6-2018)

#### **Sec 108-12-4 Alteration Where Parking Insufficient**

A structure lacking sufficient automobile parking space as required by this chapter may be altered or enlarged, provided additional automobile parking space is supplied to meet the requirements of the Weber County Land Use Code.

(Ord. of 1956, § 28-4; Ord. No. 2010-22, § 1, 9-14-2010)

#### **Sec 108-12-5 Moving Noncomplying Structures**

A noncomplying structure shall not be moved in whole or in part to any other location on a lot or parcel, unless every portion of such structure is made to conform to all regulations of the zone in which it is located, or made to conform to the reduced yard setbacks as allowed in section 108-12-13.

(Ord. of 1956, § 28-5; Ord. No. 2008-7; Ord. No. 2009-2; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015)

#### **Sec 108-12-6 Restoration Of Damaged Buildings**

A noncomplying structure which is damaged or partially destroyed by fire, flood, wind, earthquake, or other calamity, act of God, or the public enemy, may be restored and the occupancy or use of such structure or part thereof, may be continued or resumed, provided that such restoration is started within a period of one year, by obtaining a land use permit, and is diligently pursued to completion.

(Ord. of 1956, § 28-6; Ord. No. 2010-22, § 1, 9-14-2010)

#### **Sec 108-12-7 One-Year Vacancy Or Abandonment**

- (a) A legal structure, or portion thereof, which is occupied by a nonconforming use, and which is or hereafter becomes vacant and remains unoccupied for a continuous period of one year, except for dwellings and structures to house animals and fowl, shall not thereafter be occupied except by a use which conforms to the use regulations of the zone in which it is located. Wherever a nonconforming use has been discontinued for a period of one year, such use shall not thereafter be re-established and any future use shall be in conformance with the current provisions of the Weber County Land Use Code.
- (b) Any building or structure for which a valid building permit has been issued and actual construction was lawfully begun prior to the date when the structure became noncomplying, may be completed and used in accordance with the plans, specifications and permit on which said building permit was granted. The term "actual construction" is hereby defined to be the actual placing of construction materials in their permanent position, fastened in a permanent manner, actual work in excavating a basement or the demolition or removal of an existing structure begun preparatory to rebuilding; provided that in all cases actual construction work shall be diligently carried on until the completion of the building or structure involved.

(Ord. of 1956, § 28-7; Ord. No. 2008-7; Ord. No. 2010-22, § 1, 9-14-2010)

### **Sec 108-12-8 Change Of Use**

The nonconforming use of a legal structure may not be changed except to a conforming use. Where such a change is made to a conforming use, the use shall not thereafter be changed back to a nonconforming use.

(Ord. of 1956, § 28-8; Ord. No. 2008-7; Ord. No. 2010-22, § 1, 9-14-2010)

### **Sec 108-12-9 Expansion Of Nonconforming Use**

A nonconforming use may be extended to include the entire floor area of the existing legal structure in which it was conducted at the time the use became nonconforming; provided, however, that a land use permit is first obtained for such extension of use.

(Ord. of 1956, § 28-9; Ord. No. 2009-2; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015)

### **Sec 108-12-10 Legal Use Of Nonconforming Lots**

Development on a nonconforming lot is permitted. Development on a nonconforming lot is limited to only those permitted and conditional uses allowed on the smallest minimum lot size for the applicable zone. A new use on a nonconforming lot is prohibited if the proposed use requires a lot size larger than the smallest lot size permitted in the zone. A legally established use may continue on a nonconforming lot regardless of the lot size requirements of the use.

(Ord. of 1956, § 28-10; Ord. No. 2001-9; Ord. No. 2008-7; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015)

**Editor's note**—Ord. No. 2015-8, Exh. A, adopted May 5, 2015, retitled § 108-12-10 from "Legal use of parcels" to read as herein set out.

### **Sec 108-12-11 Subdivision Plat Requirements For Nonconforming Lots; Exemptions**

All lots and parcels shall be platted as part of a subdivision in conformance with the requirements of title 106 of this Land Use Code, unless otherwise exempted by state code or this Land Use Code. The platting of nonconforming lots, and the amendment to a platted subdivision containing nonconforming lots are governed as follows:

- (a) The following rules govern the treatment of an unplatted lot that does not conform to the current lot standards and may not have complied with the requirements of the subdivision code in effect at the time of the lot's creation:
- (1) If the existing lot can be defined as a lot of record, as defined in section 101-1-7, the lot shall be exempt from subdivision platting requirements.
  - (2) If the existing lot was created prior to July 1, 1992 and contained a lawfully permitted single family dwelling unit, then the lot shall be exempt from subdivision platting requirements, and is a nonconforming lot.
  - (3) If the existing lot was created prior to July 1, 1992, and does not qualify for the provisions of subsections (a)(1) and (a)(2), then the lot shall be platted in accordance with title 106 of this Land Use Code. Lot standards applicable for such subdivision lot may be reduced to meet the minimum standards of the zone in effect at the time of the lot's creation so long as it does not create any more lots than currently exist, and the current lot size is not materially reduced from its current acreage, except for minor adjustments necessary to facilitate a more accurate legal description. All such platted lots that do not conform to current zoning standards shall thereafter be considered nonconforming lots. A lot that does not meet the minimum standards of the zone in effect at the time of the lot's creation may be reconfigured upon platting to comply with such standards as long as the reconfiguration does not cause any other lot to become nonconforming or more nonconforming. A lot platted pursuant to this subsection may be further reduced in size to accommodate any right-of-way dedication as may be required by title 106 of this Land Use Code. No unplatted lot or parcel governed by this subsection shall be granted a land use permit prior to subdivision platting.
- (b) Any lot legally platted within the bounds of a subdivision that was created pursuant to the standards of the zoning code and subdivision code in effect at the time of its creation, but no longer complies due to subsequent changes to these codes, may be amended pursuant to the minimum standards in effect at the time of its creation. The amendment shall not create any new lots. An amended plat shall be required.

(Ord. of 1956, § 28-11; Ord. No. 2003-17; Ord. No. 2008-7; Ord. No. 2008-19; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015; Ord. No. 2018-2, Exhs. A, B, 2-6-2018)

**Editor's note**—Ord. No. 2015-8, Exh. A, adopted May 5, 2015, retitled § 108-12-11 from "Parcels in areas subjected to change in zoning" to read as herein set out.

### **Sec 108-12-12 Reconfiguring Nonconforming Lots**

Nonconforming lots may be reconfigured in a manner that complies with the standards of the zone in effect at the time of the lot's creation if the reconfiguration does not create any more lots than currently exist. The reconfiguration shall not cause any other lot to become nonconforming or more nonconforming. If the nonconforming lot is part of a platted subdivision an amended subdivision plat is required.

(Ord. of 1956, § 28-12; Ord. No. 2007-4; Ord. No. 2008-7; Ord. No. 2009-2; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015; Ord. No. 2018-2, Exhs. A, B, 2-6-2018)

**Editor's note**—Ord. No. 2018-2, Exhs. A, and B, adopted Feb. 6, 2018, retitled § 108-12-12 from "Enlarging nonconforming lots" to read as herein set out.

### **Sec 108-12-13 Setback Requirements For Nonconforming Lots**

A nonconforming lot that has a smaller width than is required for the zone in which it is located may be developed in a manner that does not exceed the following allowed reduction in side yard setbacks:

- (a) A nonconforming lot's actual width (v) may be divided by the current required frontage/width (w) in order to formulate a ratio or proportional relation (x). (Formula: "v" divided by "w" equals "x".)
- (b) The ratio may then be multiplied by the current zone's side yard setback requirement (y) in order to establish a reduced setback (z). (Formula: "x" multiplied by "y" equals "z".)
- (c) The reduced side yard setback is subject to the conditions listed below.
  - (1) Under no circumstances shall an interior lot be allowed to reduce the side-yard setback requirement below five feet on one side and eight feet on the other.
  - (2) Under no circumstances shall a corner lot be allowed to reduce the side-yard requirement below ten feet when the side yard fronts on a street.

(Ord. of 1956, § 28-13; Ord. No. 2009-2; Ord. No. 2010-22, § 1, 9-14-2010; Ord. No. 2015-8, Exh. A, 5-5-2015)

**Editor's note**—Ord. No. 2015-8 Exh. A, adopted May 5, 2015, retitled § 108-12-13 from "Small lots/parcels created prior to zoning" to read as herein set out.

#### **Sec 108-12-14 Parcels Previously Combined For Tax Purposes**

- (a) Parcels that have been combined by the county recorder's office for tax purposes shall be allowed to separate one or more of the combined parcels on an approved and recorded form if:
  - (1) The parcels that are being separated were originally created prior to July 1, 1992;
  - (2) The properties as configured prior to the combination met area and frontage/width requirements for the zone in which they were created, or were considered nonconforming lots;
  - (3) The combination was done by the current owner or same owner acting as trustee, and was done by a quit claim, combination form, or other instrument, which states the consolidation of parcels is for tax purposes;
  - (4) No new lots are being created; and
  - (5) The separation of parcels results in a configuration consistent with the original parcels and conforms to the ordinance that was in place prior to the recording of the combination form, and the resulting lots conform with the provisions of section 108-12-11.
- (b) The separation of combined parcels authorized under this section does not authorize a change in the configuration of an approved and recorded subdivision or lots within such subdivision. Any change to the configuration of a subdivision must comply with title 106 of the Land Use Code, and any applicable state law.

(Ord. No. 2015-8, Exh. A, 5-5-2015)

#### **Sec 108-12-15 Effect Of Public Right-Of-Way Expansion**

- (a) Any structure that legally existed with conforming or nonconforming setback prior to the expansion of a public right-of-way where the expansion of such public right-of-way makes the structure noncomplying or more noncomplying to the setback requirements of this Land Use Code shall be deemed a legal, noncomplying structure.



- (b) Any lot that legally existed in a conforming or nonconforming status prior to the expansion of a public right-of-way where the expansion of such public right-of-way makes the lot nonconforming or more nonconforming to the standards of this Land Use Code shall be deemed a legal, nonconforming lot.
- (c) This section does not excuse or exempt any past or future action that creates or modifies a lot in a manner that is in violation of applicable laws.

(Ord. No. 2015-8, Exh. A, 5-5-2015)



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration of a request for approval of a zoning map amendment to rezone approximately 23 acres located at approximately 4646 W 900 S from the A-1 zone. Approximately 4 acres is proposed to be rezoned to the C-1 zone and the remaining approximately 19 acres will be rezoned to the O-1 zone. Project link: <https://frontier.co.weber.ut.us/p/Project/Index/16613>.

**Agenda Date:** Tuesday, December 13, 2022

**Applicant:** Terakee Properties. Owner/Agent: Brad Blanch

**File Number:** ZMA 2022-02

### Property Information

**Approximate Address:** Approximately 4646 W 900 S, West Weber - Unincorporated Weber County

**Zoning:** The area is currently zoned A-1

**Existing Land Use:** Vacant and Agriculture

**Proposed Land Use:** Commercial, Open Space, Agriculture

### Existing Adjacent Land Uses

<b>North:</b> Agriculture and Residential	<b>South:</b> Vacant and Residential
<b>East:</b> Vacant/Residential	<b>West:</b> Residential and Agriculture

### Planned (General Plan) Adjacent Land Uses

<b>North:</b> Third-Acre Development (Generally)	<b>South:</b> Mixed Commercial
<b>East:</b> Mixed Commercial, Mixed Housing	<b>West:</b> Mixed Commercial, Mixed Housing

### Staff Information

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

**Report Reviewer:** RG

## Applicable Ordinances

§102-5: Rezoning Procedures  
 §104-20: Commercial Zones  
 §104-22: Form Based Zone

## 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 a review for compatibility with the general plan and existing ordinances.

## Summary

This proposal is for the rezone of four acres of property to the Commercial C-1 zone, and 19 acres of property to the Open Space O-1 zone. The C-1 zoned area is intended to provide the beginning of a mixed use village center, and the open space area is intended to provide park space and agritourism.

The proposal appears to generally comply with the provisions of the general plan. Staff are recommending approval with a development agreement that applies architectural and street design standards.

Please note that Exhibit A, the applicant’s master development plan, contains a much larger master plan than the area currently under consideration. The larger area includes single family and multifamily buildings as well as properties for which the applicant will pursue further approvals at a later time.

## Policy Analysis

A change to zoning has the potential to change the character of an area. Careful analysis of the change should be considered in order to assure the protection of the overall health, safety, and general welfare of the community. Rezones may not always be optimally beneficial to everyone affected. The rezone process is a time in which the county should try to anticipate whether the detriments to some are appropriately and reasonably mitigated and balanced with the overall desired community outcomes.

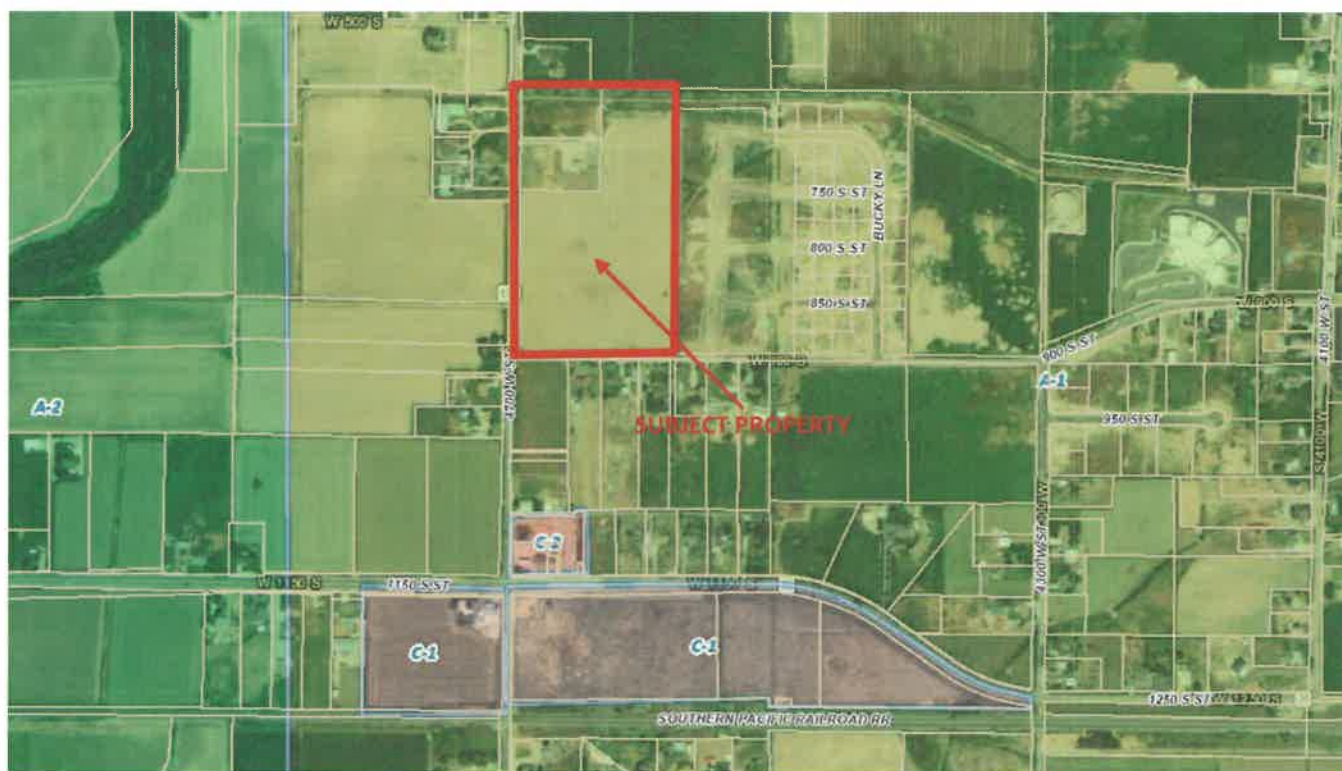
The Weber County Land Use Code has a chapter that governs application-driven rezones. The following is a policy analysis of the requested rezone based on the Land Use Code and best planning practices.

**Zoning.** The current zone of the subject parcel is A-1. **Figure 1**<sup>1</sup> displays current zoning and the subject parcel(s). The A-1 zone is intended for very-low density residential and semi-agricultural uses, with a minimum lot size of 40,000 square feet.

Weber County Code § 104-2-1 says the purpose of the A-1 zone is threefold:

*“Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern; set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and direct orderly low-density residential development in a continuing rural environment.”*

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



The proposed zones for the subject parcel is the C-1 zone (approximately four acres) and O-1 zone (approximately 19 acres). The applicant has expressed desire to rezone the property to the Form-Based Zone, using the same street regulating plan and architectural design standards as those found in the New Town Eden area.<sup>2</sup> The general plan advocates for the creation of a Form-Based zone approach for this area. However, a Form-Based approach requires a street regulating plan, and since a street regulating plan has not yet been adopted the area is not ready for the Form Based Zone.

<sup>1</sup> See also Exhibit B.

<sup>2</sup> See Weber County Code Sec 104-22.

Instead, the applicant has proposed to apply similar standards from the Form Based Zone to the subject property in through a development agreement. This is in order to move his development forward, with the anticipation that the Form Base Zone will one day regulate the area.

Pursuant to § 104-20-1, the purpose of the C-1 zone is:

*"to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of unincorporated Weber County. It is also to separate into three zones uses, based upon type of activity which are compatible and complementary, as well as intensity of land utilization and accessory use needs.*

*The C-1 Zone (Western Weber Planning Area Neighborhood Commercial Zone) ... is established for the purpose of providing shopping facilities and services within neighborhoods that are more likely to be primarily patronized by those in the surrounding neighborhood. Commercial uses that are primarily patronized by those outside the surrounding neighborhood are less suitable for this zone."*

The proposed rezone can be viewed in **Figure 2**<sup>3</sup>. The four-acre C-1 zone is intended to support small street-oriented commercial shops and restaurants. Applying form-based standards, the rezone focuses more on the form of the buildings and their relationship with the street instead regulating based on uses. This type of zoning tends to be friendlier to landowners by allowing a wide variety of market-demand uses. The key, however, is to design the buildings and streets to motivate uses of a specific type. In this case, the type of uses on the first-floor street-level will be retail-oriented. The uses on any level above the first floor may vary anywhere from more commercial uses to residential uses. Specific use limitations can be found in the Exhibit F.

The 19 acre O-S (Open Space) zone is intended to support a one acre public park, to be located immediately behind (northward of) the commercial properties, with a playground and pavilion area, and the remaining 18 acres are intended to be an agritourism operation,<sup>4</sup> with a deed restriction that reserves more area to the West Weber Parks District for the creation of a future park at a time of the applicant's choosing, or at a time the property is proposed for a different use, whichever comes first.

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



<sup>3</sup> See also Exhibit C.

<sup>4</sup> The agritourism operation to be approved by separate conditional use approval.

Changing a zone comes with a few things to consider. The Planning Commission should review the proposal in the context of the general plan to determine whether it fits the future of the area. The Planning Commission should also determine whether this is the right time for the change to occur.

**General plan.** Weber County Code § 102-5-2 specifies that rezoning should be in compliance with the general plan. It does not require a rezone be approved if it complies with the plan, nor does it require a rezone be denied if it does not comply. Rather, it suggests that rezoning should pursue opportunities to implement the plan.

The applicable general plan is the new Western Weber General Plan (2022). The rezone proposal appears to comply with the intention of the general plan. **Figure 3**<sup>5</sup> shows that the general plan’s Future Land Use Map has designated the future of the area requested for commercial zoning as “Mixed Use Commercial.” The proposal’s commercial rezone is generally in compliance with the intent of the Future Land Use Map.

Further, the plan designates the future of the area requested for open space zoning as “Parks/Recreation.” The applicant’s request to set aside one acre of land for a new park is in compliance with the Future Land Use Map. The applicant’s proposal to use the remaining acreage for an agritourism operation might not be in strict compliance with the Future Land Use Map. However, the applicant’s willingness to reserve some of that acreage for a future park may provide the Planning Commission with sufficient assurance that the land will eventually come into full compliance with the Future Land Use Map in time.

The general plan suggests that the smallest community park should be no less than five acres. This location is intended to eventually become a community park. Therefore, the total acreage of land reserved for a future park should be at least four acres, and be contiguous with the one acre park proposed by the applicant. Staff suggests that this acreage be transferred to the local park district when any part of the 19 acre agritourism operation is converted to another use(s).

**Figure 3: Future Land Use Map of the Area.**



<sup>5</sup> See also Exhibit D.

**General Considerations.** When considering whether a general plan implementation opportunity is appropriate, the Planning Commission should consider whether this is the right time and the right place for the proposed rezone. A review of land uses and development compatibility in the area is important.

One provision of the new general plan is that rezones that may result in double the housing should only be considered if smart growth planning principles are applied. The following is an analysis of the plan's smart growth principles in relation to this proposal, with staff commentary in italics.

- **Provision for a wide variety of housing options**
  - *Allowing housing in the C-1 zone where the C-1 zone does not otherwise allow it provides for better housing options. Allowing housing in the same building as commercial uses enables relief for a pent-up housing demand on a smaller footprint. This will help alleviate the market-pressure of pushing sprawl into areas not yet ready for development, and will help prolong the rural nature of other neighborhoods of West Weber.*
- **Use of lot-averaging to create smaller lots/housing that responds to the needed moderate income housing**
  - *Allowing multifamily dwellings above and behind and in the same building as commercial space provides even better opportunities for housing affordability than other single-family development patterns, including lot averaging.*
- **Strong trail network with excellent trail connectivity that prioritizes bicycling and pedestrians over vehicles**
  - *The proposal does not directly address trail network connectivity. Using the trail network planned in the general plan, as well as the street connectivity network and other connection opportunities in the area, staff have provided possible trail connections in Exhibit E. Staff's recommendation incorporates this exhibit.*
- **Strong street connectivity and neighborhood connections that avoid the use of cul-de-sacs or deadends**
  - *The proposal does not directly address street connectivity and street network improvements. Based on the general plan, staff recommends the streets of the area be developed in the grid pattern shown in Exhibit E. For this project this may mean providing street right-of-way width for both 900 South and 4700 West. It may also require partial dedication of 4600 West.*
  - *A mid-block alley general located at 4650 West should be provided between buildings, providing access to parking and the park north of the commercial buildings.*
- **Large and meaningful open space areas with improved parks, recreation, etc**
  - *The applicant's initial proposal to donate and construct a one acre park is a decent beginning for meaning park contribution to the area. Preserving the remaining four acres will help provide a community-sized park that is meaningful for all residents within a half-mile radius.*
- **Homes that have higher efficiency ratings than required by local building codes**
  - *Buildings are required to be constructed to an efficiency standard based on the climate of the area. Usually, buildings located in higher (colder) elevations need to meet greater efficiency standards. However, given the wide degree of temperature swings in the Western Weber area over a one year period, requiring buildings to be constructed to better efficiency ratings will help alleviate the area's future demand on power and gas. This will also help provide better for better air-quality related to building emissions. Staff suggests buildings are required to be built to a higher efficiency standard than the areas minimum.*
- **Homes that have solar-paneled rooftops and watt-smart compliant batteries**
  - *Similar to building efficiencies, providing energy independence when possible is integral in a smart-growth community. Staff suggests requiring solar energy collection and storage capabilities for the buildings/use in the commercial area.*
- **Provisions that create attractive communities for the long term and that create a distinctive sense of place**
  - *The applicant's desire apply the New Town Eden Area's architectural standards is one way the applicant desires to create a sense of place. The general plan suggests identifying architectural standards that complement the unique history of small areas. It also suggests that the built environment should pay tribute to the area's agrarian roots. The New Town Eden architectural standards requires agrarian-style architecture.*
- **Use of transferable development rights from agricultural lands identified for protection**
  - *Transferable development rights is a topic that we have yet to tackle in the Western Weber area. We have outlined on the Future Land Use Map where sending areas could/should be, but we have*

*not yet calculated how much density should be transferred, or at what ratio it should be transferred. Given that many other areas are shown on the Future Land Use Map with a general density of three units to the acre for the four acre parcel (12 units), it may be appropriate to grant the applicant a base density of three units to the acre. Any units desired thereafter could/should be transferred from other areas designated for preservation at a rate of one to three.*

**Locations of buildings and structures and their architectural designs.** Please refer to Exhibit A and E. Also, please note that Exhibit A contains a much larger master plan than the area currently under consideration. The larger area includes single family and multifamily buildings as well as properties for which the applicant will pursue further approvals at another time.

### Staff Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the County Commission regarding File #ZMA 2022-02, based on the following conditions and findings:

Conditions:


1. That a mutually agreeable development agreement executed between the applicant and the developer be recorded to the property.
2. That at least one acre of land located directly behind the commercial area and with access to a public street is donated to the park district or other mutually agreeable entity.
3. That at least four acres, contiguous to the park and configured in a manner to provide optimal future park area, is reserved for donation to the park district or other mutually agreeable entity at a time the rest of the acreage is converted to a different use.
4. That up to 12 residential units are permitted either directly above or behind the street-level commercial space, and within the same building; greater if the additional density is transferred to the property from other property in the General Plan’s TDR Open Space Preservation designated area. Transfers should be incentivized at a rate of three units per one-unit transferred.
5. That the “Street Regulating Plan,” as provided in Exhibit E of this report, is implemented through the development agreement.
6. That buildings are constructed to a Zone 4 or better building efficiency standard.
7. That the proposal is in compliance with standards applicable to the Mixed-Use Commercial streets in the New Town Eden area of the Form-Based Zone (Section 104-22 of the Weber County Code). The street-front’s along 900 South, 4700 West, and 4600 West should all be designed and constructed to the same standard as found in that section; Except, however, 4700 West shall be provided with sufficient width to allow a center turn lane and right-turn pockets.

Findings:

1. The proposal is in compliance with the Western Weber General Plan.
2. The proposed rezone will promote the health, safety, and general welfare of the Weber County public by implementing certain parts of the Western Weber General Plan.
3. The proposal has a high likelihood of providing better housing affordability.
4. The proposal will initiate the creation of a village node, as provided in the general plan.

### Exhibits

- Exhibit A: Application.
- Exhibit B: Current Zone Map.
- Exhibit C: Proposed Zone Map.
- Exhibit D: Future Land Use Map.
- Exhibit E: Street Regulating Plan.
- Exhibit F: Applicable Form-Based Regulations.



**Terakee Farm**  
HOURS: 9AM TO 5PM MON-FRI, 10AM-5PM SAT, 10AM-4PM SUN

**Terakee Farms, Inc.**  
736 South 4700 West  
West Weber, Utah 84404 • USA  
801-668-8565  
brad@gmail.com

**Brad A. Blanch**  
Founder | CEO

**Terakee Farms, Inc.**

**Overall Development Plan**

October 2022



# Mission & Values

**Preserving open spaces and local ecology:** Nearly half of our land will be preserved as open space. These spaces will be a mixture of wild areas to preserve local habitats, parks, trails and an onsite farm. We are working closely with the University of Utah and other experts to ensure this is all done in the best possible way so we can protect as much open space as possible.

**Conserving Water:** Utah is an arid desert region, and we respect that. Within our communities we will prioritize drought tolerant and native landscaping practices. We will also continue working with the best in the industry to use water carefully along the river property and in all of our farming practices.

**Sustainable living:** Our communities will have access to fresh food that has been grown sustainably onsite. This allows residents to make healthy lifestyle choices with nutritionally dense food available right at home. It also reduces greenhouse gas emissions as our small-scale agricultural practices will require very little to no heavy machinery, and long-distance transport of our food will not be necessary.

**Value on community:** By providing onsite retail, and appealing shared community spaces, residents will be inclined to interact with and develop meaningful relationships with one another. When neighbors know and care for one another it creates safer communities. According to the CDC, these relationships can have a major impact on reducing crime rates and promoting individual wellbeing.

**Innovation for the future and Low Impact Development Techniques:** We will always do our part to protect the environment and the integrity of the land by looking to the best innovations and practices available to us. Preservation of vital open space is a top priority.

## VISION

Agri-communities are not a new concept in the United States. The idea was floating around as early as the mid 1800s according to Modern Farmer. **Several developments with a similar concept have been brought to life over the decades, including Village Homes, which was built in the late 1970s in Davis, California.** Agritopia in Gilbert, Arizona is one of the more popular agri-communities in the country today, and has been around and thriving for more than 15 years.



According to Smithsonian Magazine, "Americans have romanticized farming since the country began." With that in mind, **it really is not surprising that many people are looking for a way to accommodate the draw towards the agrarian lifestyle that many of our ancestors enjoyed, while still satisfying our desire for modern conveniences.** An agri-community offers an ideal solution, allowing residents to balance these wants with daily necessities.

Renowned architect and urban planner, Andres Duany, has remarked that this sort of community design is the way of the future. **Mixing small-scale agriculture with urban living will promote a sustainable lifestyle, which, if done correctly and on a large enough scale, could have a huge impact on the health of the planet in the future.**



## Agri-Community Design

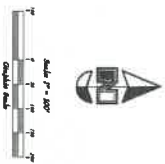
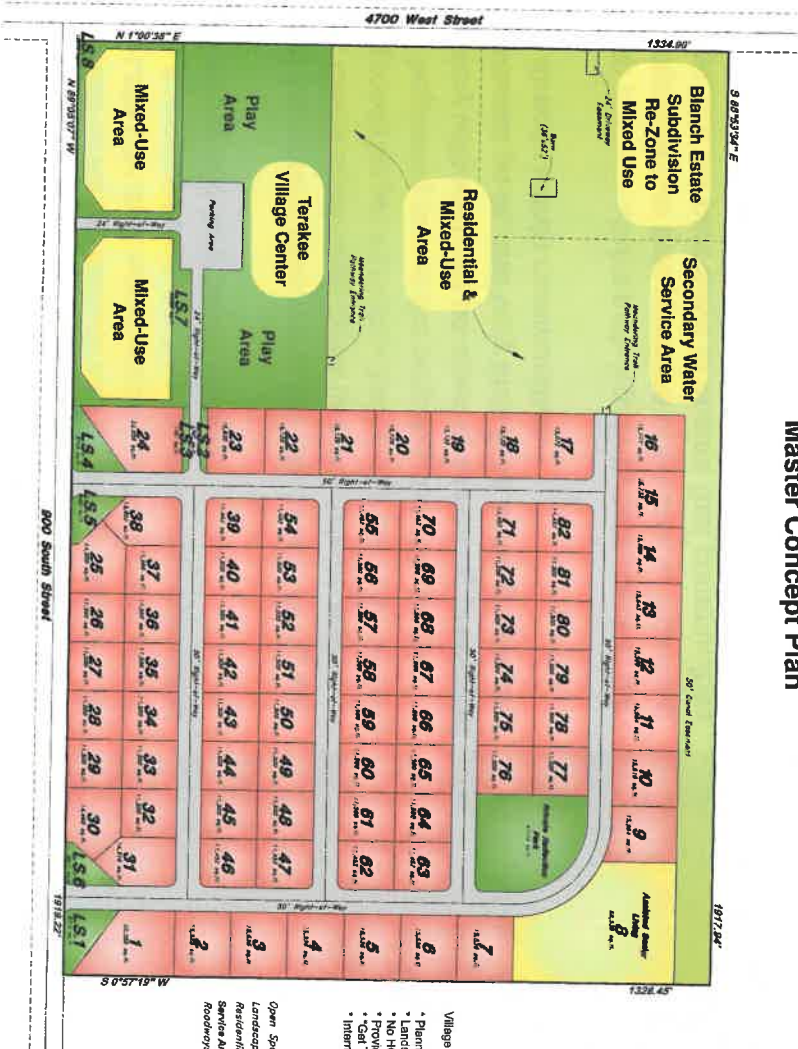
The agri-community concept is in-line with what early Utahn's valued as they built their communities. **According to Utah Historical Quarterly, the early Utah settlers valued diverse small-scale agriculture and communal support of those living nearby.** Salt Lake City itself was described as "very much part of America's urban surge, yet it remained a city the heart of which was committed to rural values and farm-based stability."

**This value system shifted for several reasons in the late 1800s.** Along with the rest of the country, Utah's small-scale farms turned into large scale operations and community growth began so rapidly that careful planning became difficult. **Today we are beginning to see the negative impacts of this approach all over the country with virtually no open-space being preserved when community developments go in, and very little food being grown and sold directly within communities.**

At Terakee Farm, we aim to preserve Utah's early legacy by going back to our roots. **Experts agree that approaches that preserve open-space, including the agri-community design, are the best ways to ensure that communities can sustain themselves in the future.**



# Terakee Village Master Concept Plan



<p><b>Overall Development Plan</b></p> <p><b>Terakee Village © PRUD Subdivision</b></p> <p>Webb County, Utah A part of Section 17, T6N, R2W, S28M, U.S. Survey</p>	<p><b>GREAT BASIN ENGINEERING</b></p> <p>1111 S. 1000 E. SUITE 1000 MIDLAND, UT 84402 PHONE: 435-735-1111 FAX: 435-735-1112 WWW.GREATBASINENGINEERING.COM</p>	<p>DATE: 10/20/2017</p> <p>SCALE: 1" = 40'</p> <p>PROJECT NO: 17-001</p>
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Exhibit A: Application Master Plan





***Local Example Ogden Redevelopment Project (23rd/24th & Fowler)***

***Font Porch***

***“Get to Know Your Neighbor Community”***

***Rear Set Garage (attached/detached)***

***20 Foot Front Setback***

***Single Family & Senior Residential***

***Streets & Parks Fully Landscaped***

***Downsize & Upscale Exterior/Interior***

***Low Impact Private Road Design***



## **Weber County**

### **Smart Growth**

#### **Planning:**

**Street Connectivity**

**Pathway & Trail  
Connectivity**

**Open Space &  
Recreational Facilities**

**Dark Sky Compliant**

**Secondary Water  
Conservation**

**Emissions & Air  
Quality**

**Renewable Energy**

## **Modern Farmhouse Townhome Design**

- Close proximity to multi-use commercial areas, public schools, metropolitan area, walking trails, parks, recreational activities. Addresses Western Weber County “missing middle” housing shortage.”



## Agritourism

A study on farm based recreation done in 2007 by the USDA describes agritourism as "a way for rural communities to diversify and stimulate their economies."



### **Benefits of agritourism according to the USDA study:**

- Diversifies a community or farm's income
- Expands employment opportunities
- Stimulates the local economy
- Provides economic incentives to farmers to preserve agricultural land and related natural amenities
- Improves quality of life in rapidly growing areas
- Adds to local government tax revenue to support schools and public services
- Enhances the sense of place for local residents, giving them a reason to stay and invest in the community

Examples of Permitted Uses: Agro-Ecology Research & Education Center, Conference and Education Center, Community Support Agriculture, Educational Classes, Nursery, Special Events, U-Pick Operations, Agricultural Arts Center, Bakery/Cafe, Restaurant.



### Nursery & Landscape Area

Approximately four and a half acres fully landscaped, including an outdoor gazebo and fire pit area.

Nursery and greenhouse focused on specialty cut flowers and herbs.

Outdoor reception area for small events, weddings, and other special occasions.

Useful photography areas for bridal parties, schools, community groups, athletic teams, clubs/associations, etc.

Full catering capability through coordination with the commercial kitchen located within the Agro-Ecology Research & Education Center.

Agricultural animals kept and maintained on the front one acre pasture.

### The Barn @ Terakee Farm

Sales Offices for Terakee Farms PRUDs.

Visual display of historic local agricultural heritage.

Approximately 3,000 square feet for small events, weddings, retail space, reunions, classes/workshops, and other special events and occasions.

Conference room for small meetings and social gatherings.

Local Community Center for Terakee Farms Residents.

Outdoor pavilion with patio area and outdoor fireplace (enclosed and heated during the winter) for family and company events and holiday parties.



Annual Primary Children's Hospital Pediatric Community Staff Report

# The Enchanted Barnyard

@ Terakee Farms

All Proceeds Donated to Charity

Modeled after The Enchanted Garden in Carefree, Arizona

On-Site Pumpkin Patch

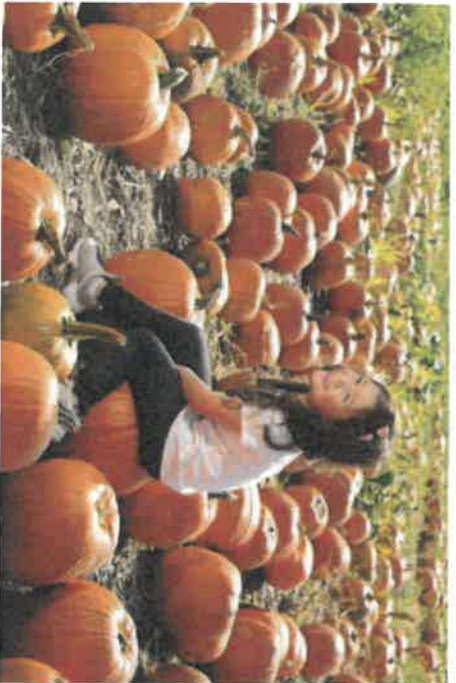
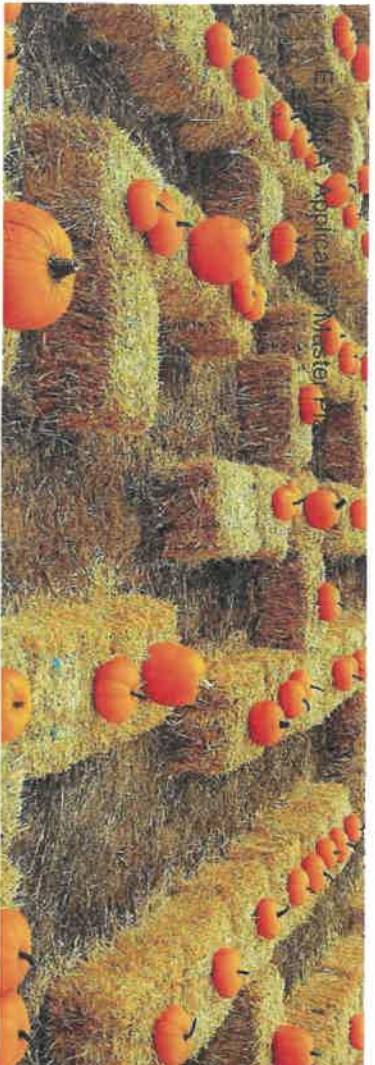
Straw Bale Children's Maze

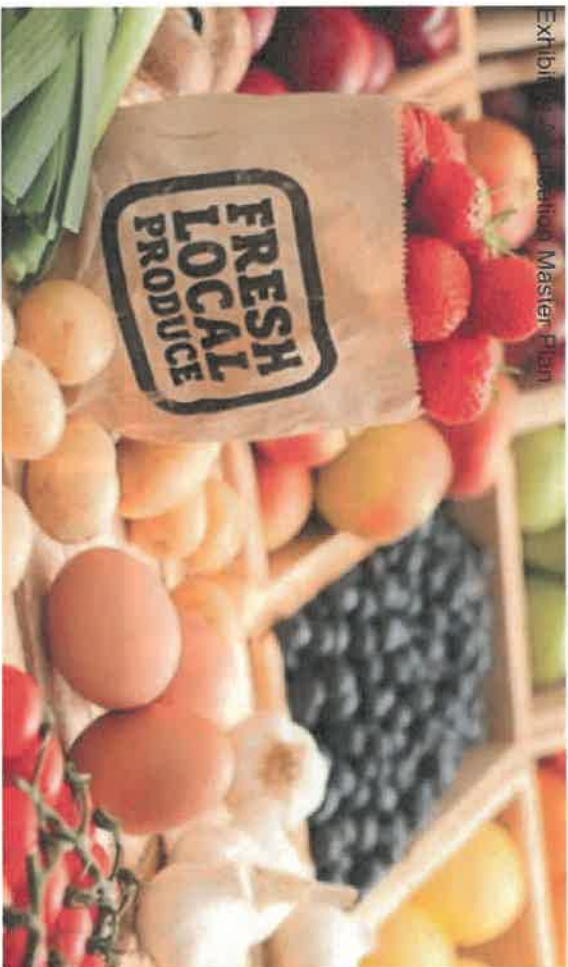
Art Displays & Pumpkin Carving

Hay Rides, Farm Animals, Family Experience

Apple Cider & Seasonal Foods

Begins Last Friday in September & Runs Daily Through Halloween





*Featuring  
Fresh Local Produce  
& Amenities*

*Farm-to-Table  
Market & Cafe  
@  
Terakee Farms*





# On Site Research & Production Facilities



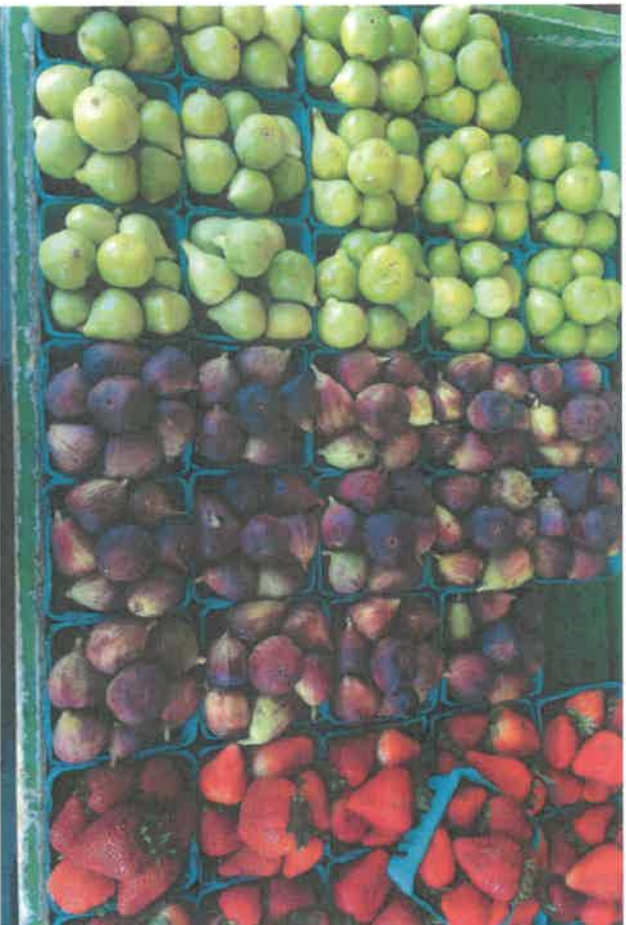
## COMMUNITY FARM

A fully-operating farm will surround the community at Terakee Farm, providing a unique living environment and maintaining the agricultural heritage of the area.

Our onsite produce stand will be open to the public, offering seasonal produce and artisan goods year-round.

During prime harvesting seasons, community residents will have the option to purchase seasonal produce baskets, filled with items from each weeks harvest.

We believe that everyone should have access to fresh, local food, and we are dedicated to making this contribution to the community.



## **BENEFITS OF THIS COMMUNITY DESIGN**

**After deciding to develop land that has been in our family for over one hundred years, we began weighing options, and we chose to forego the standard home-only and zero open space approach that has been a norm in Northern Utah for decades. Instead, being personally invested in the future benefit that this type of community could bring to the area, we carefully chose to design Terakee Farm as an agri-community.**

The Centers for Disease Control and Prevention have been focusing on what makes a community a healthy living environment for residents, and we are paying attention.

"A healthy community is one that enables people to make healthy choices as part of their day-to-day tasks," says Dee Merriam, the community planner with the Healthy Community Design Initiative (HCDI) in the Division of Emergency and Environmental Health Services at the National Center for Environmental Health.



An agri-community, at its core, is designed for that very purpose: to provide people with accessible and affordable options that make choosing a healthy lifestyle easier. Here are a few of the benefits as outlined by the CDC and expert urban planners in Northern Utah.

## 10 Benefits of the Agri-Community Design

- 1. Physical Activity** – Close access to trail entrances, open green space, and bike paths make it easier and more appealing for residents to get outside and ride a bike, walk, or run daily. Easy access to nature has also been shown to boost individual mood and productivity.
- 2. Close Proximity** – Onsite commercial spaces, such as a market, restaurant, and arts center also make walking, rather than driving, more appealing, which in turn reduces automobile traffic within the area.
- 3. Diversity** – The varying lot and home sizes, at both Terakee Farm and Terakee Village, provide affordable options and allow individuals and families at different stages of life to live together within the same community.
- 4. Fresh Produce** – An agri-community offers onsite access to healthy produce, where sustainable growing methods are practiced and the food is picked at its peak. Residents can have a stronger connection with where their food comes from and know their farmer, which will make choosing a healthier diet much easier.

Corina ardel@cornu



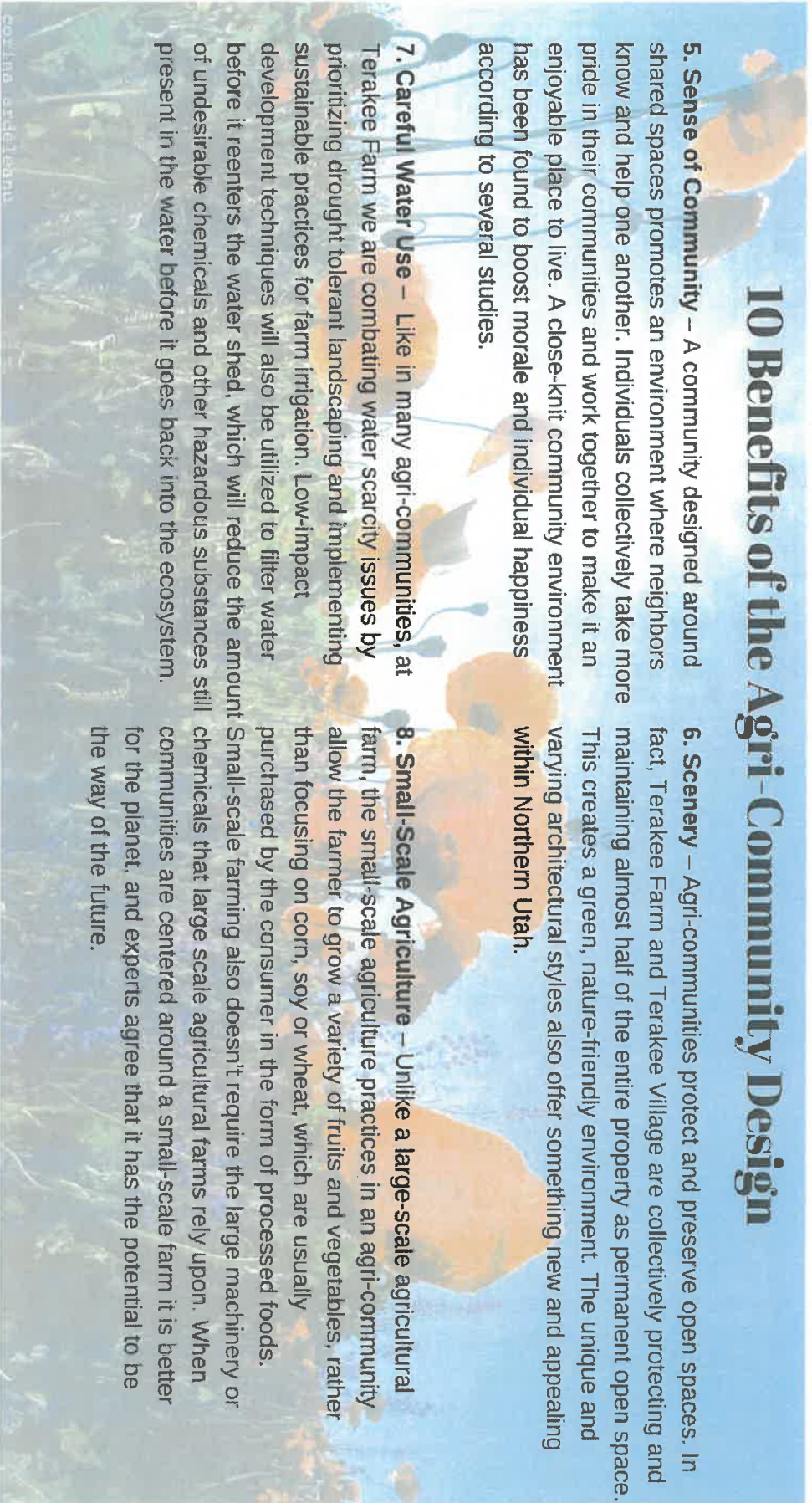
## 10 Benefits of the Agri-Community Design

**5. Sense of Community** – A community designed around shared spaces promotes an environment where neighbors know and help one another. Individuals collectively take more pride in their communities and work together to make it an enjoyable place to live. A close-knit community environment has been found to boost morale and individual happiness according to several studies.

**6. Scenery** – Agri-communities protect and preserve open spaces. In fact, Terakee Farm and Terakee Village are collectively protecting and maintaining almost half of the entire property as permanent open space. This creates a green, nature-friendly environment. The unique and varying architectural styles also offer something new and appealing within Northern Utah.

**7. Careful Water Use** – Like in many agri-communities, at Terakee Farm we are combating water scarcity issues by prioritizing drought tolerant landscaping and implementing sustainable practices for farm irrigation. Low-impact development techniques will also be utilized to filter water before it reenters the water shed, which will reduce the amount of undesirable chemicals and other hazardous substances still present in the water before it goes back into the ecosystem.

**8. Small-Scale Agriculture** – Unlike a large-scale agricultural farm, the small-scale agriculture practices in an agri-community allow the farmer to grow a variety of fruits and vegetables, rather than focusing on corn, soy or wheat, which are usually purchased by the consumer in the form of processed foods. Small-scale farming also doesn't require the large machinery or chemicals that large scale agricultural farms rely upon. When communities are centered around a small-scale farm it is better for the planet, and experts agree that it has the potential to be the way of the future.

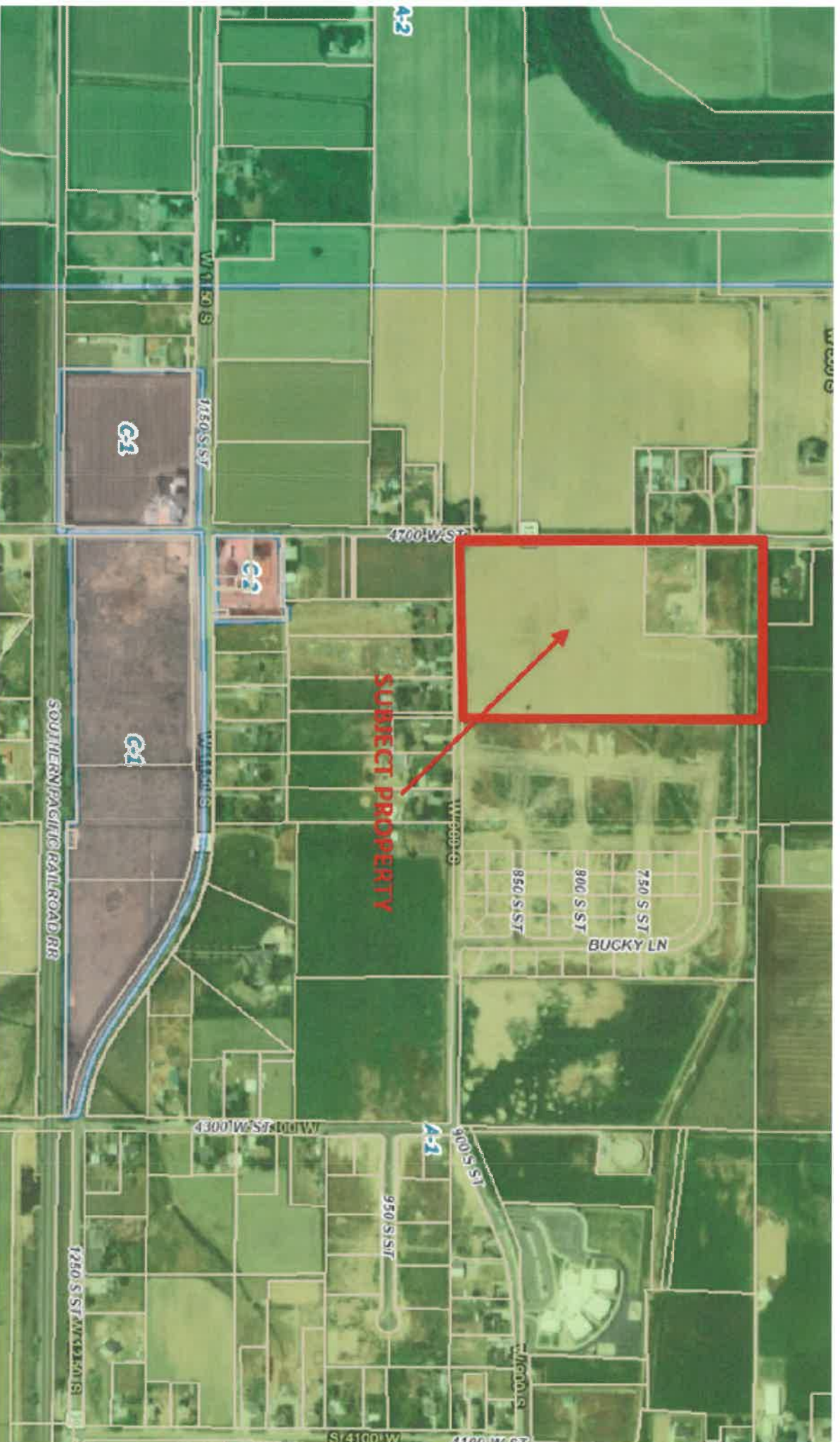


## 10 Benefits of the Agri-Community Design

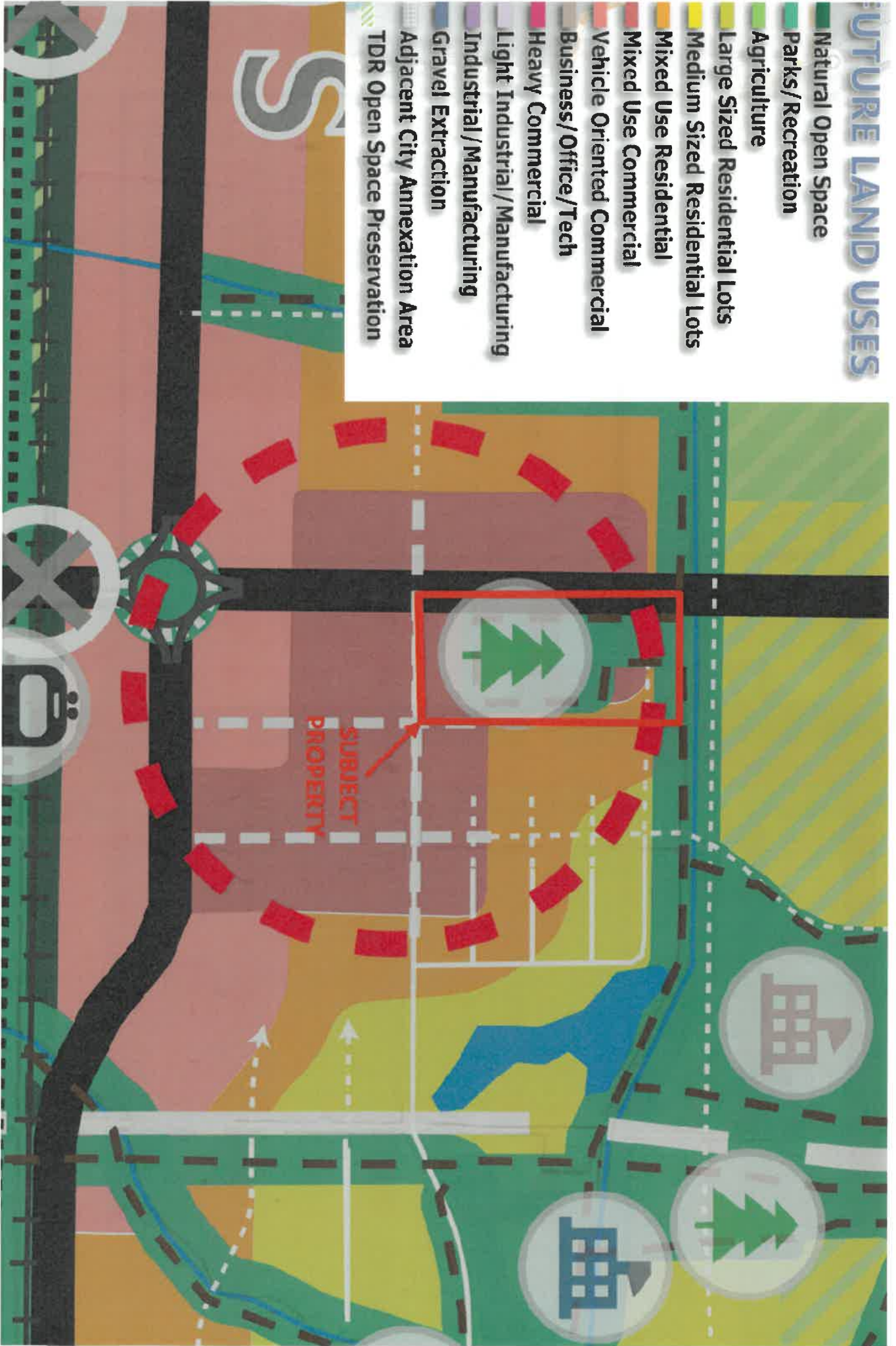
**9. Ecological Preservation** – Open spaces within agri-communities are protected and made useful. This ensures that habitats for some local wildlife can remain intact and unharmed. Terakee Farm is working closely with universities in the area to ensure that all building and development is done carefully. The use of drought tolerant landscaping within Terakee Farm also preserves local plants and wildlife, while offering residents the benefit of smaller yards with less maintenance required.

**10. Historic Respect** – Many agri-communities, like Terakee Farm, are being implemented in areas that are historically farming communities. By setting aside and protecting large pieces of land for farming and open space, the historical integrity of the area can be preserved as new developments take place while populations continue to grow and evolve around them.













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


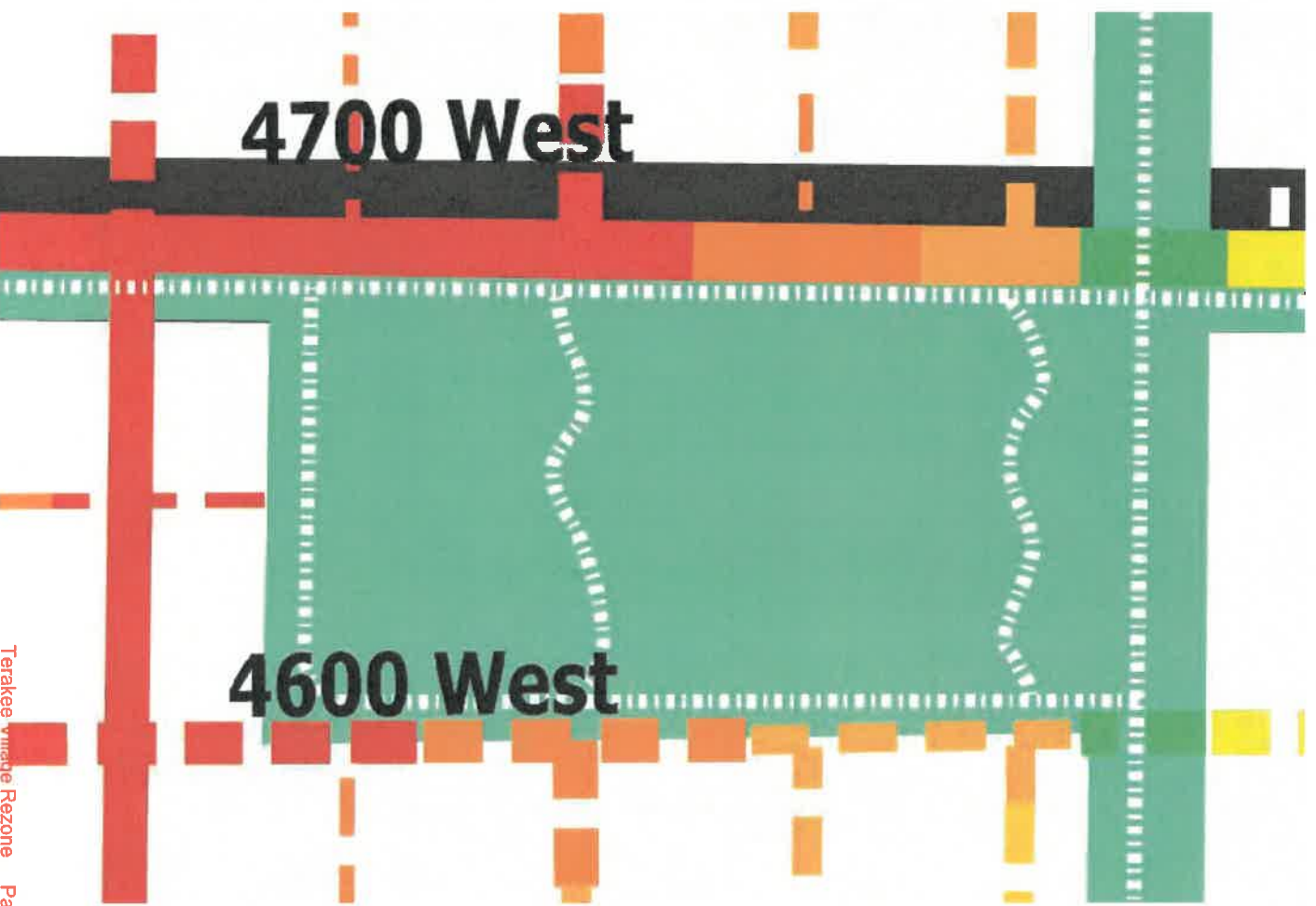
### STREET REGULATING PLANS

-  **General Open Space**  
TDR sending area.
-  **Estate Lot Residential (ELR)**  
As low as 3 acre single-family lot. TDR sending area.
-  **Rural Residential (RR)**  
As low as 40,000 sq. ft. single-family lot. TDR receiving area.
-  **Large Lot Residential (LLR)**  
As low as 10,000 sq. ft. single-family lot. TDR receiving area.
-  **Medium Lot Residential (MLR)**  
As low as 6,000 sq. ft. single-family lot. TDR receiving area.
-  **Small Lot Residential (SLR)**  
As low as 3,000 sq. ft. single-family lot. TDR receiving area.
-  **Multi-Family Residential (MFR)**  
No lot minimum, height restrictions, multi-family lot. TDR receiving area.
-  **Mixed-Use Commercial (MUC)**  
No lot minimum, height restrictions, commercial at street level, multi-family behind and above. TDR receiving area.
-  **Vehicle Oriented Commercial (VOC)**  
No lot minimum, height restrictions, commercial at street level, multi-family behind and above, uses oriented toward vehicles. TDR receiving area.
-  **Government/Institutional (GI)**  
No lot minimum, height restrictions, commercial at street level, multi-family behind and above, uses oriented toward vehicles. Plan for parking. TDR receiving area.
-  **Trails**  
Required link.
-  **Roundabout**  
Steel roundabout.

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### COMMUNITY FEATURES

-  **Long-Term Open Space**
-  **Trailhead**
-  **Water Body**



**Chapter 104-22 Form-Based Zone FB**[Sec 104-22-1 Purposes And Intent](#)[Sec 104-22-2 Applicability](#)[Sec 104-22-3 Land Use Table](#)[Sec 104-22-4 Special Regulations](#)[Sec 104-22-5 Lot Development Standards](#)[Sec 104-22-6 Building Design Standards](#)[Sec 104-22-7 Street Types And Street Design](#)[Sec 104-22-8 Street Regulating Plans](#)[Sec 104-22-9 Parking And Internal Block Access](#)[Sec 104-22-10 Signage](#)[Sec 104-22-11 Form-Based Zone Transferable Development Rights](#)[Sec 104 22-12 Workforce Housing](#)**Sec 104-22-1 Purposes And Intent**

The purpose and intent of the Form-Based Zone is to provide a form-based regulatory tool that focuses on the public street design and the buildings that frame the public street. This deemphasizes separation of land uses as is typically found elsewhere in this Land Use Code. Form-based regulations help enable a mixture of allowed uses, multimodal active transportation, and enhanced building design. Additionally:

- (a) ***Implements the general plan.*** The Form-Based Zone regulations are intended to carry out the objectives of the 2016 Ogden Valley General Plan through the implementation of form-based small area zoning and transferable development rights.
- (b) ***Creates street regulating plans.*** Each area affected by the Form-Based Zone shall be governed by a Street Regulating Plan. The purpose of the Street Regulating Plan is to address specific design and functionality of streets and building facades along these streets. The intent is to stimulate the creation of buildings and streets that frame the public rights-of-way with architectural and design elements that are unified under a common design theme whilst enabling unique building facades.

**Sec 104-22-2 Applicability**

- (a) ***New development to comply.*** The principles, standards and guidelines of this chapter apply to proposals for new development, changes in land uses, and site improvements to existing buildings, lots, or parcels that are in the Form-Based Zone. Exterior modifications to existing development shall comply if the exterior modification exceeds either 25 percent of the street-facing facade of the building, or 25 percent of the lot's street frontage.

- (b) **Other regulations apply.** In the Form-Based Zone, except when more specific regulations are provided in this chapter, the design review regulations and architectural, landscape, screening, and design standards of Title 108 Chapter 1 and Title 108 Chapter 2 apply to all lots, except a lot with only one single-family dwelling.
- (c) **Street regulating plan.** The applicable regulations herein are specific to the street type, as designated by the applicable street regulating plan. New development within the Form-Based Zone shall comply with the applicable street regulating plan. Development of any property along a street or that gains primary access from that street shall comply with the street design requirements, as provided in Section 104-22-7, and the building design standards in Section 104-22-6, for the specific type of street. A list and explanation of each street type is provided in Section 104-22-7.
- (d) **Effect of street regulating plan and graphics.** Details in a street regulating plan or any graphic in this chapter have no effect unless expressly provided by this chapter.

**Sec 104-22-3 Land Use Table**

The following land use table provides use regulations applicable for each street type. The table headers provide the street types, as described in Section 104-22-7, in abbreviated form. In the list, those uses designated for any street type as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Title 108, Chapter 4 of this Land Use Code. Uses designated "N" will not be allowed on property with frontage on, or that gains access from, that street type. All uses listed are indoor uses unless explicitly stated otherwise with the terms "outdoor" or "yard."

(a) **Accessory uses.** An accessory use is prohibited unless located on the same lot or parcel as the main use to which it is accessory.

	G AI	V OC	M UC	M FCR	S LRL	M LRL	LL R	R R	E LR	O S	SPECIAL REGULATIONS
<b>Accessory building.</b> A building that is accessory and incidental to the use of a main building.	P	P	P	P	P	P	P	P	P	P	
<b>Accessory dwelling unit.</b> A dwelling unit that is accessory to a single-family dwelling residential use.	N	N	N	N	P	P	P	P	P	N	See Title 108 Chapter 19.
<b>Accessory use.</b> A use that is accessory and incidental to the main use.	P	P	P	P	P	P	P	P	P	P	
<b>Agricultural hobby farm.</b>	P	P	P	P	P	P	P	P	P	P	
<b>Family food production.</b> Family food production as an accessory use to a single-family dwelling residential use.	N	N	N	N	N	N	P	P	P	N	See Section 104-22-4.



Exhibit F: Applicable Form-Based Regulations:

	P	P	P	P	P	P	P	P	P	N	Planning Commission Staff Report See Title 108 Chapter 13.
<b>Home occupation.</b> A home occupation that is accessory to a residential use.	P	P	P	P	P	P	P	P	P	N	
<b>Household pets.</b> Household pets that are accessory to a residential use.	P	P	P	P	P	P	P	P	P	N	
<b>Main building.</b> A main building that is designed or used to be accessory to an outdoor main use allowed in the zone.	P	P	P	P	P	P	P	P	P	P	
<b>Parking lot.</b> A parking lot that is accessory to a main use allowed in the zone.	P	P	P	P	P	P	P	P	P	P	See Section 104-22-9.
<b>Produce stand.</b> For produce grown on the premises only.	P	P	P	P	P	P	P	P	P	P	
<b>Temporary building or use.</b> A temporary building or use that is accessory and incidental to onsite construction work.	P	P	P	P	P	P	P	P	P	P	See Section 104-22-4.

(b) **Agricultural and open space uses, generally.**

	G & I	V O C	M U C	M F R	S L R	M L R	LL R	R R	E L R	O S	SPECIAL REGULATIONS
<b>Agriculture.</b> Agriculture as a main use of the property.	N	N	N	N	N	N	P	P	P	P	
<b>Agricultural experiment station.</b> An agricultural experiment station.	P	N	N	N	N	N	N	P	P	P	
<b>Agri-tourism.</b> An agri-tourism use.	N	N	N	N	N	N	N	P	P	P	See Title 108, Chapter 21.
<b>Aquaculture.</b> An aquaculture use.	N	N	N	N	N	N	N	P	P	P	
<b>Botanical or community garden.</b> Open space land for the purpose of growing plants. This use may be for private use or open to the general public with or without a fee.	P	P	P	P	P	P	P	P	P	P	
<b>Fruit and vegetable storage and packing plant.</b> For produce grown on premises.	N	N	N	N	N	N	N	P	P	P	10-acre minimum lot area required.
<b>Grain storage elevator.</b> A grain storage elevator.	N	N	N	N	N	N	N	N	P	P	10-acre minimum lot area required.
<b>Greenhouse and nursery.</b> Sales limited to plants produced on the premises.	P	P	N	N	N	N	P	P	P	P	
<b>Manure spreading, drying and sales.</b> The spreading, drying, and sales of manure.	N	N	N	N	N	N	N	N	P	P	
<b>Wildlife sanctuary.</b> A wildlife sanctuary.	N	N	N	N	N	N	N	N	P	P	10-acre minimum lot area required.

(c) **Agricultural uses, animal-oriented.** The following are animal-related uses that do not and shall not typically generate customer-oriented traffic to the lot or parcel.

	G & I	V O C	M U C	M F R	S L R	M L R	LL R	R R	E L R	O S	SPECIAL REGULATIONS

Exhibit F: Applicable Form-Based Regulations:

	N	N	N	N	N	N	N	P	P	P	Planning Commission Staff Report
<b>Animal grazing.</b> Animal grazing, as defined in Title 101 Chapter 2.	N	N	N	N	N	N	N	P	P	P	
<b>Apiary.</b> The keeping of bees.	N	N	N	N	C	P	P	P	P	P	
<b>Aquaculture, animal related.</b> The raising and potential harvesting of water animals or water plants.	N	N	N	N	N	N	P	P	P	P	
<b>Aviary.</b> The raising of birds.	N	N	N	N	N	P	P	P	P	P	No onsite slaughtering permitted.
<b>Corral or stable.</b> A corral, stable, or building for the keeping of agricultural animals or fowl.	N	N	N	N	N	N	P	P	P	P	See Section 104-22-4.
<b>Dairy farm.</b> Including milk processing and sale, when at least 50 percent of milk is produced on the farm.	N	N	N	N	N	N	P	P	P	P	10-acre minimum lot area required.

(d) **Amusement, entertainment, and recreation uses.** The following are uses oriented toward providing amusement or entertainment for patrons.

	G &I	V O C	M U C	M F R	S L R	M L R	LL R	RR	RR	RR	OS	SPECIAL REGULATIONS
<b>Amphitheater.</b> An outdoor open-air amphitheater with raising rows of spectator seating used for entertainment and performances.	C	C	N	N	N	N	N	N	N	N	C	
<b>Entertainment facility, large indoor.</b> An indoor entertainment facility, as defined in Title 101, Chapter 2, using greater than 20,000 square feet of floor area.	C	C	N	N	N	N	N	N	N	N	N	
<b>Entertainment facility, outdoor.</b> An outdoor entertainment facility, as defined in Title 101, Chapter 2.	C	C	N	N	N	N	N	N	N	N	N	
<b>Entertainment facility, small indoor.</b> An indoor entertainment facility, as defined in Title 101, Chapter 2.	C	C	C	C	N	N	N	N	N	N	N	Limited to no more than 20,000 square feet of floor area.
<b>Amusement park.</b> Amusement park.	C	C	N	N	N	N	N	N	N	N	N	
<b>Amusement park, temporary.</b> An amusement park, circus, petting zoo, pony ring, or carnival that is conducted or no longer than one month.	P	P	P	C	N	N	N	N	C	C	C	
<b>Botanical or zoological garden.</b> A botanical or zoological garden, including petting zoo and pony ring.	P	P	P	P	P	P	P	P	P	P	P	2-acre minimum lot or parcel area required
<b>Campgrounds or picnic areas, commercial.</b> A commercial campground or picnic area.	N	N	N	N	N	N	C	C	C	C	C	See Section 104-22-4. 2-Acre minimum lot or parcel area required.
<b>Dude ranch.</b> A dude ranch, as defined in Title 101 Chapter 2.	N	N	N	N	N	N	N	P	P	C	C	10-acre minimum lot or parcel area required.

Exhibit F: Applicable Form-Based Regulations.

<b>Golf course.</b> Golf course.	N	N	N	N	N	N	P	P	P	P	Planning Commission Staff Report This shall not include miniature golf.
<b>Private park, playground or recreation area, noncommercial.</b> A private park charging no fee or remuneration for use.	P	P	P	P	P	P	P	P	P	P	
<b>Public park, recreation grounds.</b> Recreation grounds that are owned and operated by a public entity.	P	P	P	P	P	P	P	P	P	P	
<b>Recreation lodge.</b> A recreation lodge, as defined in Title 101, Chapter 2.	P	P	P	P	P	N	N	N	C	N	
<b>Recreational resort.</b> A recreational resort, as defined in Title 101, Chapter 2.	P	P	P	N	N	N	N	N	N	N	
<b>Shooting range or training course.</b> A shooting range.	C	C	N	N	N	N	N	N	N	C	See Section 104-22-4. Five-acre minimum lot or parcel area required for an outdoor range.
<b>Ski area.</b> A ski area and associated skiing facilities such as lifts, lift towers, and ski runs and trails.	P	P	P	P	P	P	P	P	P	P	
<b>Ski lodge.</b> A ski lodge and associated services	N	N	P	P	N	N	N	N	N	P	When accessory to an allowed ski area.
<b>Swimming pools, private.</b> A private swimming pool.	P	P	P	P	P	P	P	P	P	P	
<b>Trails.</b> Trails for skiing, equestrian uses, hiking, biking, and similar.	P	P	P	P	P	P	P	P	P	P	
<b>Zoo.</b> A Zoo.	P	P	N	N	N	N	N	N	N	P	10-acre minimum lot or parcel area required.

(e) **Animal services and uses.**

	G & I	V O C	M U C	M F R	S L R	M L R	LL R	R R	E R	O S	SPECIAL REGULATIONS
<b>Animal grooming, small animal.</b> Grooming for small animals.	P	P	P	P	N	N	N	N	P	N	A small animal generally weighs less than 250 lbs.
<b>Dog or cat facility.</b> Dog or cat breeding, kennels, lodging, or training school.	P	C	N	N	N	N	N	C	C	N	If located completely indoors, and inaudible from an adjoining lot or parcel, this use is permitted where listed as conditional.
<b>Horse or equestrian event center.</b> A horse or equestrian event center, including indoor concessions as an accessory use.	P	N	N	N	N	N	N	N	N	C	
<b>Horse or equestrian training facility and stabling, commercial.</b> A commercial	N	N	N	N	N	N	N	N	C	C	

equestrian training facility or horse stable.																		
<b>Stable for horses, noncommercial.</b> Horses shall be for noncommercial use only.	N	N	N	N	N	N	P	P	P	P								No more than two horses shall be kept for each one-half acre of land used for the horses.
<b>Stray animal shelter.</b> A shelter for stray, lost, or seized animals.	P	C	N	N	N	N	N	N	N	N								
<b>Veterinary facility.</b> Veterinary facility.	P	P	P	C	N	N	N	N	C	C								If located completely indoors, and inaudible from an adjoining lot or parcel, this use is permitted where listed as conditional.

(f) **Food, beverage, and other products sales for human consumption.**



**SPECIAL REGULATIONS**

**FOOD PREPARATION SERVICES**

<b>Alcoholic beverage production.</b> The production, manufacturing, brewing, and wholesale sales of alcoholic beverages.	P	P	N	N	N	N	N	N	N	N								
<b>Bakery, delicatessen, or catering, large.</b> Bakery or other food preparation services primarily intended for offsite consumption.	P	P	N	N	N	N	N	N	N	N								
<b>Bakery, delicatessen, or catering, small.</b> Bakery or small-batch food processing and retail sales of goods produced on premises. Offsite catering allowed as an incidental and accessory use.	P	P	P	P	N	N	N	N	N	N								Limited to 5,000 square feet floor area.
<b>Butcher or other custom meat products, large.</b> A shop in which meats are cut, prepared, cured, smoked, or wrapped for the purpose of sales onsite.	P	P	N	N	N	N	N	N	N	N								This use shall not include onsite slaughtering.
<b>Butcher or other custom meat products, small.</b> A shop in which meats are cut, prepared, cured, smoked, or wrapped for the purpose of sales onsite.	P	P	P	P	N	N	N	N	N	N								Limited to 5,000 square feet floor area. This use shall not include onsite slaughtering.

**EATING AND DRINKING ESTABLISHMENTS FOR PRODUCTS PRIMARILY FOR ONSITE CONSUMPTION**

<b>Bar.</b> A bar or any other establishment where the primary purpose is the sales and onsite consumption of alcoholic beverages.	P	P	P	P	N	N	N	N	N	N								
<b>Brewery or distillery with restaurant.</b> A brewery or distillery in conjunction with a restaurant.	P	P	P	P	N	N	N	N	N	N								

Exhibit F: Applicable Form-Based Regulations.

	P	P	C	N	N	N	N	N	N	N	N	Planning Commission Staff Report
<b>Restaurant with drive-up window.</b> Restaurant, all food types, with drive-up windows.												See drive up (drive-thru) window requirements of Section 104-22-4.
<b>Restaurant.</b> Restaurants, all food types, excluding those with drive-up windows.	P	P	P	P	N	N	N	N	N	N		
<b>RETAIL FOOD AND DRUG SALES OF PRODUCTS PRIMARILY FOR OFFSITE CONSUMPTION</b>												
<b>Candy or confectionary store.</b> The sales of candy, sweets, snacks, and small batch bakery goods and desserts.	P	P	P	P	N	N	N	N	N	N		
<b>Drugstore or pharmacy.</b> A drugstore or pharmacy.	P	P	P	P	N	N	N	N	N	N		If applicable, see drive up (drive-thru) window requirements of Section 104-22-4.
<b>Grocery store.</b> A grocery store, including a store that specializes in the sales of any type of food normally found in a grocery store.	P	P	P	P	N	N	N	N	N	N		
<b>Produce stand, commercial.</b> A commercial produce stand intended for the sales of agricultural products.	P	P	P	P	N	N	N	P	P	P		

(g) **Government and institutional uses.**

G & I	V O C	M U C	M F R	S L R	M L R	LL R	R R	E L R	O S
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**SPECIAL REGULATIONS**

<b>Cemetery.</b> A cemetery.	P	N	N	N	N	N	N	P	P	P	
<b>Convalescent, rest home, or sanitarium.</b> An establishment for long-term medical treatment of people.	P	P	P	P	P	N	N	N	N	N	
<b>Child daycare.</b> A daycare center operating in compliance with State regulation.	P	P	P	P	P	N	N	N	N	N	
<b>Fire station.</b> A fire and emergency medical service station.	P	P	P	P	P	P	P	P	P	P	
<b>Governmental offices.</b> The offices of a governmental entity.	P	P	P	N	N	N	N	N	N	N	
<b>Instructional facility, large.</b> A facility in which instructional lessons are taught, such as a school or education center, and that does not qualify as a small instructional facility.	P	C	C	N	N	N	N	N	N	N	
<b>Instructional facility, small.</b> An indoor facility in which instructional lessons are taught, such as a school or education center.	P	P	C	N	N	N	N	N	N	N	Limited to 10,000 square feet floor area.
<b>Medical facility.</b> A facility, such as a hospital or surgery center, that provides medical services that are typically unavailable from a medical or dental office.	P	C	C	N	N	N	N	N	N	N	

<b>Museum or art gallery.</b> A museum, art gallery, or similar space for historical or educational displays.	P	P	P	P	N	N	N	N	N	N	
<b>Post office.</b> A post office.	P	P	P	P	P	P	P	P	P	N	
<b>Preschool.</b> A preschool operating in compliance with State regulation.	P	P	P	P	P	P	P	P	P	N	
<b>Public library.</b> A library owned and operated by a governmental entity.	P	P	P	P	P	P	P	P	P	N	
<b>Public park.</b> A public park and related recreation grounds and associated buildings and structures.	P	P	P	P	P	P	P	P	P	P	
<b>Public recreation or community center.</b> A recreation or community center owned and operated by a public entity.	P	P	C	C	N	N	N	N	N	N	
<b>Public schools.</b> A public school or a private educational facility having a curriculum similar to that ordinarily given in public schools.	P	P	P	P	P	P	P	P	P	N	
<b>Public storage facilities.</b> Storage facilities used by a governmental entity.	P	C	N	N	N	N	N	N	N	N	
<b>Visitor's center.</b> A tourism visitor's center or offices.	P	P	P	P	N	N	N	N	N	N	
<b>Worship facility.</b> A church, synagogue or similar building used for regular religious worship.	P	P	P	P	P	P	P	P	P	N	

(h) Office uses.

G &I	V O C	M U C	M F R	S L R	M L R	L L R	R R	E L R	O S
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**SPECIAL REGULATIONS**

<b>Agency.</b> An agency for real estate, travel, property rental or management, insurance, detective, employment, or similar based on frequency of visiting clientele.	P	P	P	N	N	N	N	N	N	N	
<b>Bank or financial institution.</b> A bank or other financial institution.	P	P	P	N	N	N	N	N	N	N	This use shall not include payday loan services.
<b>Medical or dental office.</b> A medical or dental office for routine out-patient care.	P	P	P	N	N	N	N	N	N	N	
<b>Office, generally.</b> Office or studio space for office or studio uses not otherwise listed herein, in which goods or merchandise are not commercially created, exchanged or sold, and that operates with typical office equipment in a relatively quiet and nonintrusive manner.	P	P	P	N	N	N	N	N	N	N	

<b>(i) Residential uses.</b>	<b>G &amp; I</b>	<b>V O C</b>	<b>M U C</b>	<b>M F R</b>	<b>S L R</b>	<b>M L R</b>	<b>LL R</b>	<b>R R</b>	<b>E L R</b>	<b>O S</b>	<b>SPECIAL REGULATIONS</b>
<b>Dwelling, single-family.</b> A single-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	P	P	P	P	P	N	See Section 104-22-4, and TDR requirements of 104-22-11
<b>Dwelling, two-family.</b> A two-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	P	P	N	N	N	N	N	
<b>Dwelling, three-family.</b> A three-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	P	P	N	N	N	N	N	
<b>Dwelling, four-family.</b> A four-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	P	P	N	N	N	N	N	
<b>Dwelling, multi-family.</b> A multi-family dwelling, as defined by Title 101, Chapter 2.	P	P	P	P	N	N	N	N	N	N	
<b>Dwelling unit.</b> A dwelling unit or condominium dwelling unit, as defined by Title 101, Chapter 2 that is part of a commercial or multifamily dwelling building.	P	P	P	P	N	N	N	N	N	N	
<b>Residential facility for elderly persons.</b>	P	P	P	P	P	P	P	P	P	N	
<b>Residential facility for handicapped persons.</b>	P	P	P	P	P	P	P	P	P	N	
<b>Residential facility for troubled youth.</b>	P	P	P	P	P	P	P	P	P	N	
<b>Short-term rental.</b> A short-term (nightly) rental.	P	P	P	P	C	N	N	N	N	N	
<b>Short-term rental, owner occupied.</b> An owner occupied short-term rental.	P	P	P	P	P	C	C	C	C	N	
<b>Transient lodging.</b> A hotel, motel, lodginghouse, condominium rental apartment (condo-tel), or timeshare condominium.	P	P	P	P	N	N	N	N	N	N	This use may include lockout sleeping rooms, as defined by Title 101, Chapter 2, as an accessory use.
<b>Workforce housing.</b> Workforce housing, dormitory, or residence hall, or portion thereof.	P	P	P	P	P	P	P	P	P	N	See Section 104-22-4 and Section 104-22-12.

<b>(j) Sales with retail storefront.</b>	<b>G &amp; I</b>	<b>V O C</b>	<b>M U C</b>	<b>M F R</b>	<b>S L R</b>	<b>M L R</b>	<b>LL R</b>	<b>R R</b>	<b>E L R</b>	<b>O S</b>	<b>SPECIAL REGULATIONS</b>
<b>Agricultural implement sales or repair.</b> A facility that sells or repairs agricultural implements.	C	C	N	N	N	N	N	N	N	N	
<b>General retail sales, small items.</b> The sales of small items, as qualified in Section 104-22-4.	P	P	P	P	N	N	N	N	N	N	See Section 104-22-4.
<b>General retail sales, large items.</b> The sales of large items, as qualified in Section 104-22-4.	P	C	C	N	N	N	N	N	N	N	See Section 104-22-4.

Exhibit E: Applicable Form-Based Regulations

	P	C	N	N	N	N	N	N	N	P	Planning Commission Staff Report
<b>Nursery, commercial.</b> A plant nursery, with associated greenhouses for retail sales of plants and accessory products.	P	C	N	N	N	N	N	N	N	P	See Section 104-22-3 for maximum lot coverage by buildings.
<b>Pawn shop.</b> A shop where a pawnbroker holds items as collateral, then sells unredeemed items to the public.	C	C	N	N	N	N	N	N	N	N	
<b>Smoke shop.</b> A shop primarily devoted to the sale of tobacco or vaping products.	C	C	C	N	N	N	N	N	N	N	

(k) Sales typically without retail storefront.

	G BI	V OC	M UC	M FR	S LR	M LR	LL R	R R	E LR	O S	SPECIAL REGULATIONS
<b>Christmas tree sales.</b> The temporary siting of an outdoor Christmas tree sales establishment.	P	P	C	N	N	N	N	N	N	P	
<b>Fireworks sales.</b> The siting of a temporary fireworks booth or tent.	P	P	C	N	N	N	N	N	N	N	
<b>Vendor, short term.</b> The siting of a temporary vendor booth or vehicle for the sales of food or other hand-held items.	P	P	P	P	N	N	N	N	N	C	See Section 108-13-3 and Section 104-22-4.

(l) Services.

	G BI	V OC	M UC	M FR	S LR	M LR	LL R	R R	E LR	O S	SPECIAL REGULATIONS
<b>Dry cleaning, laundry, or linen cleaning establishment.</b> The professional cleaning of laundry and linens.	P	P	P	P	N	N	N	N	N	N	
<b>Household item repair, large.</b> The repair or service of devices that the average person cannot carry without aid of a moving device.	P	P	N	N	N	N	N	N	N	N	
<b>Household item repair, small.</b> The repair or service of devices that the average person can carry without aid of a moving device.	P	P	P	P	N	N	N	N	N	N	
<b>Gathering facility, indoor.</b> An indoor facility for rental to clubs, private groups, parties, and organizational groups for recreational activities, including dancing.	P	P	P	P	N	N	N	N	N	N	
<b>Laboratory.</b> A laboratory for the scientific processing, testing, experimenting, etc., of samples in small enough quantities to not be explosive, toxic, or otherwise hazardous.	P	P	P	N	N	N	N	N	N	N	
<b>Laundromat.</b> A facility that provides washers and dryers for self-serve laundry service.	P	P	P	P	N	N	N	N	N	N	
<b>Mortuary or funeral home.</b> Mortuary or funeral home and related sales and services.	P	P	P	N	N	N	N	N	N	N	



Exhibit F: Applicable Form-Based Regulations

	P	P	P	P	N	N	N	N	N	N	Planning Commission Staff Report
<b>Outdoor recreation guide base-operation.</b> A location that provides a base of operations for an outdoor recreation guide service.	P	P	P	P	N	N	N	N	N	N	
<b>Parcel drop-off service.</b> A service for the collection and shipment of small parcels, and accessory sales or services.	P	P	P	P	N	N	N	N	N	N	
<b>Printing and copying service without retail shop.</b> Printing, lithographing, publishing or reproductions sales and services, including engraving and photo engraving.	P	P	N	N	N	N	N	N	N	N	
<b>Tailor services.</b> The altering, pressing, or repairing of articles of clothing. Creation of new articles of clothing is permitted as long as the clothing is sold in an onsite retail establishment.	P	P	P	P	N	N	N	N	N	N	
<b>Taxidermist.</b> Taxidermy services.	P	C	N	N	N	N	N	N	N	N	

(m) **Storage.**

	G & I	V O C	M U C	M F R	S L R	M L R	LL R	RR	EL R	OS	SPECIAL REGULATIONS
<b>Outdoor storage.</b> The storage of anything that meets the definition of "outdoor storage" pursuant to Title 101 Chapter 2	N	N	N	N	N	N	N	N	N	N	
<b>Self-storage.</b> Indoor storage units for personal or household items or vehicles.	P	P	N	N	N	N	N	N	N	N	See Section 104-22-4.
<b>Warehouse storage.</b> The storage of products or goods that are or will be for sale.	C	N	N	N	N	N	N	N	N	N	

(n) **Utility uses.**

	G & I	V O C	M U C	M F R	S L R	M L R	LL R	RR	EL R	OS	SPECIAL REGULATIONS
<b>Public utility substations.</b>											
<b>Wastewater treatment or disposal facilities.</b>											See Title 108, Chapter 10.
<b>Water treatment or storage facility.</b>											
<b>Small wind energy system.</b>											See Section 108-7-24
<b>Solar energy system.</b>											See Section 108-7-27

(o) **Vehicle-oriented uses.**

	G & I	V O C	M U C	M F R	S L R	M L R	LL R	RR	EL R	OS	SPECIAL REGULATIONS
<b>Airport.</b> A private or commercial airport.	C	N	N	N	N	N	N	N	N	N	
<b>Automobile sales or rentals, indoor.</b> The	P	P	C	N	N	N	N	N	N	N	

Exhibit F: Applicable Form-Based Regulations

Planning Commission Staff Report

sale or rental of a passenger automobile.											
<b>Automobile sales or rentals, outdoor.</b> The sale or rental of a passenger automobile.	P	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
<b>Boat sales or rentals.</b> The sale or rental of a motorized boat.	P	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
<b>Car wash.</b> A car wash of any type that is not accessory to a gas or refueling station as regulated otherwise herein.	P	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
<b>Gas or refueling station.</b> A gas or refueling station, which may include a convenience store and an automatic carwash as an accessory use.	C	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
<b>Motor vehicles sales or rentals.</b> The rental or sales of motor vehicles not otherwise listed herein.	C	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
<b>Parking lot or structure.</b> A parking lot or parking structure.	P	P	P	P	N	N	N	N	N	N	
<b>Passenger vehicle repair or service of any kind.</b> The repair or service of any passenger automobile or any other motorized vehicle less than 10,000 lbs gross vehicle weight.	C	C	N	N	N	N	N	N	N	N	
<b>Trailer sales or rentals.</b> Sale or rental of trailers.	C	C	N	N	N	N	N	N	N	N	
<b>Transit terminal.</b>	P	P	N	N	N	N	N	N	N	N	
<b>Truck gas or refueling station.</b> A gas or refueling station oriented toward large freight vehicles, which may include a convenience store and an automatic carwash as an accessory use.	N	N	N	N	N	N	N	N	N	N	
<b>Trucking terminal.</b> The repair, service, and/or storage of freight trucks, or a station for transferring freight.	N	N	N	N	N	N	N	N	N	N	

**Editors note:** The color of each street type corresponds with the street colors on the street regulating plan map(s). The color codes for each are as follows:

	G&J	VOC	MUC	MFR	SLR	MLR	LLR	RR	ELR	OS	
RED	25	176	204	255	255	255	255	138	83	75	
GREEN	151	33	51	120	170	220	255	153	128	191	
BLUE	156	157	0	0	0	0	0	66	69	96	
HTML CODE	HEX	#19979c	#b0219d	#cc3300	#ff7800	#ffaa00	#ffdc00	#ffff00	#8a99942	#538045	#4bbf60

**Sec 104-22-4 Special Regulations****Sec 104-22-4.1 Special Regulations, Generally**

- (a) **All uses, generally.** All uses listed in the use table are indoor uses, unless specifically stated otherwise. All indoor uses shall not generate noise, outdoor lighting, vibration, smoke, dust or airborne particulate matter, refuse, or anything else that is uncommon to the established character of the neighborhood to such a degree as to be perceptible to constitute a nuisance to the occupants of the immediate area.
- (b) **Drive up (drive-thru) window.** Any business with a drive up (drive-thru) window shall comply with the following:
- (1) The window shall be located on the rear of the building. The rear of the building shall be determined as the side of the building opposite from the building's facade that faces the public street. If on a corner along a government or institutional street or vehicle-oriented commercial street, the window may be located on the side of the building that is visible from the less prominent street.
  - (2) The stacking lanes and drive up (drive-thru) queue, and the parking spaces devoted to the drive up (drive-thru) window shall be located in an area that is not visible from the more prominent street right-of-way when the area is fully built-out.
  - (3) One drive up (drive-thru) queue space that is at least 20 feet in length may substitute a parking space required by this Land Use Code.
- (c) **Perpetual building maintenance agreement.** When a building is set back less than ten feet from a property line, a perpetual building maintenance agreement is required between the building owner and the affected adjacent property owner, which shall allow for construction and maintenance of the side or rear of a commercial building, and shall:
- (1) Be reviewed for compliance with this section by the Planning Division and County Attorney's Office;
  - (2) Place responsibility on the building owner for prompt repairs and maintenance of the side or rear of the building;
  - (3) Require allowances of access to the property for repairs and maintenance purposes;
  - (4) Be signed by the owner of the building and the adjacent property owner and be recorded on the title of both properties.

**Sec 104-22-4.2 Special Regulations For Specific Uses**

- (a) **Automobile or other vehicle related uses.** The use of a lot for automobile repair of any kind, automobile sales, rental, or service, boat sales, rental, or service, gas or fuel station, a tire shop, or any other use governed by this section by reference shall only be conducted within a completely enclosed building that meets the standards of this chapter.
- (1) No vehicle awaiting service shall be stored outside for more than one day.
  - (2) Sufficient parking for all employee or customer uses, including the temporary parking of vehicles awaiting pickup from owners, shall be provided on the lot.
  - (3) No vehicles associated with the use shall be parked on the street. However, up to 20 vehicles may be temporarily parked in a parking lot meeting all applicable parking standards of this Land Use Code if the vehicles are available for immediate purchase, lease, or rent, and as long as all other standards of this Land Use Code are met.
- (b) **Automobile repair of any kind.** Refer to paragraph (b) of this section.
- (c) **Automobile sales, rentals, or service.** Refer to paragraph (b) of this section.
- (d) **Boat sales or service.** Refer to paragraph (b) of this section.
- (e) **Campgrounds or picnic areas, commercial.** A commercial campground or picnic area shall comply with Title 108, Chapter 20. If located along any street in the FB zone except open space, an opaque fence or wall shall surround the use. Vegetation screening shall be planted on the outside of the fence or wall to allow the use to blend in with surrounding uses. A drip irrigation system shall be installed to ensure long-term viability of the vegetation.
- (f) **Car wash.** Where allowed, a car wash is subject to the following restrictions:
- (1) Operation hours are only allowed between 6:00 a.m. and 10:00 p.m.
  - (2) There shall not be more than four washing bays for a manual spray car wash.
  - (3) Car wash facilities shall be set back from the street right-of-way at least 60 feet, reserving street frontage for buildings that provide street-facing commercial facades.
  - (4) The off-street vehicle spaces or queues required shall be as follows:
    - a. One bay car wash, four spaces in the approach lane;
    - b. Two bay car wash, three spaces in the approach lane for each wash bay;
    - c. Three or more bay car wash, two spaces in the approach lane for each wash bay.
- (g) **Corral or stable.** This use shall be located no less than 100 feet from a public street and not less than 25 feet from any side or rear lot line.
- (h) **Dwelling or dwelling unit.** The regulations for a dwelling unit use listed in the land use table are as follows:
- (1) **Construction standards.** A dwelling unit on a government and institutional, vehicle-oriented, mixed use commercial, or multi-family residential street shall be constructed to a multifamily residential standard in accordance with the International Building Code.
  - (2) **Dwelling unit location.** A dwelling unit proposed along a government and institutional, vehicle-oriented commercial, or a mixed-use commercial street shall be located on a lot as follows:

- a. Above or behind any street-level commercial space; or
  - b. Behind a building that provides street-level commercial space, or if no such building exists at the time of application, behind the area reserved for street-level commercial space as otherwise required herein. The location shall provide for the existing and future planned street layout of the area, including the future street-level commercial space that will face future streets, and internal block alleyways.
- (3) **Two, three, four, and multi-family residential.** Unless one of the units is owner occupied, a two, three, four, or multi-family residential building shall be operated and maintained by a professional management company that specializes in multi-family residential property management.
- (4) **Density allowance and transferable development rights.** No dwelling units in excess of the base density, as defined by Title 101, Chapter 2, and as provided in Section 104-22-11, are allowed in the Form-Based Zone except when in compliance with the transferable development rights requirements of Section 104-22-11.
- (i) **Family food production.** As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five turkeys, five ducks, five geese, or five pigeons.
- (1) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than 40,000 square feet.
  - (2) No more than six combined sets of Group A animals and Group B animals or fowl may be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater than two acres, except that an additional six combined sets of Group A and Group B animals or fowl may be kept per each additional acre greater than two.
- (j) **Gas or fuel station.** A gas or fuel canopy shall not be located closer to a public street right-of-way, excluding a mid-block alley, than 60 feet. The canopy shall be located to the rear of the convenience store associated with the canopy.
- (k) **General retail sales, small items.** This use is any store that primarily retails or rents items to be physically taken by the customer from the store, when those items weigh less than 80 pounds, including product packaging, or that are small enough to fit in a typical passenger vehicle. The use is limited to 4,000 square feet of retail floor-area. No sales yard is permitted. No sales of items intended to be explosive or hazardous to human health, safety, or welfare is permitted.
- (l) **General retail sales, large items.** This use is any store that primarily retails or rents items to be physically taken by the customer from the store, when those items weigh more than 80 pounds, including product packaging, or that are too large to fit in a typical passenger vehicle. This use may include an outdoor sales yard of no greater than 6,000 square feet as long as it is completely surrounded by an opaque wall. No sales of items intended to be explosive or hazardous to human health, safety, or welfare is permitted.
- (m) **Office uses.** A use listed in the “office uses” table may only be located above or behind first-floor street-level commercial space, reserving the street frontage for first-floor street-level commercial space. A local recreation and tourism office devoted to providing services, information, and events primarily for visitors to the Ogden Valley is exempt from this requirement provided that it is open and accessible to all members of the public.
- (n) **Shooting range or training course, indoor or outdoor.** The facility shall provide designated shooting positions for which ballistic backstops are designed. No shooting is allowed except in these designated shooting positions. All sides down range of a shooting position shall have a non-ricochet ballistic backstop, including overhead and on the ground or floor, capable of

containing all errant bullets. For an outdoor range, the overhead backstop may be a series of baffles. Approval shall be subject to the requirements and conditions of the local fire authority. The range operator shall be onsite at all times shooting is occurring.

- (o) **Short-term rental, owner occupied.** The residence shall be the owner's primary residence, be taxed as such, and the owner shall have owned the residence for at least two years prior to submitting a Land Use Permit for the owner-occupied short-term rental. Additionally, the owner must be present at all times in which the property is being rented on a short-term basis.
- (p) **Self-storage.** Self-storage is only allowed if located on the same lot or parcel with a building that has street-facing commercial space. The use shall comply with the following:
  - (1) Storage units shall be located behind or above building area that provides a first-story street-facing commercial façade and related commercial space. The building providing street-facing commercial space shall appear from the exterior as if office or residential space is offered in the area housing the storage units.
  - (2) If located in a separate onsite building than the building providing first-story street-facing commercial space specified herein, the separate building shall be located behind the building with first-story street-level commercial space, and shall be no wider than the building providing first-story street-level commercial space.
  - (3) Storage unit bay doors or garage doors shall face away and not be visible from the nearest property line, and shall be completely obscured from view from any public right-of-way.
- (q) **Ski area.** This use may include ancillary equipment and structures such as snow making equipment, snow grooming equipment, maintenance facilities, trail and wayfinding signage, ski lifts, ski fences, ticket booths, concession stands, restroom facilities, food and beverage sales, ski patrol facilities, emergency response facilities, and similar uses commonly found in ski areas. Outdoor storage and maintenance of ski related equipment is allowed provided that it is screened from view of the general public. Ski area trail wayfinding signage are exempt from other signage requirements of this Land Use Code. Any lighting associated with said signage is subject to the requirements of Section 108-16.
- (r) **Temporary building or use.** The building or use shall be removed upon completion or abandonment of the construction work.
- (s) **Tire shop.** Refer to paragraph (b) of this section.
- (t) **Vendor, short term.** No booth or vehicle shall be permanently affixed to the ground, nor shall it be stationary for more than four days at a time.

### **Sec 104-22-5 Lot Development Standards**

The following lot development standards apply to a lot or parcel in the Form-Based Zone, unless specified otherwise in this Land Use Code. A lot fronting or gaining access from one of these street types shall be developed in accordance with the corresponding development standard.

- (a) **Lot area.**

STREET TYPES		MINIMUM LOT AREA
Government and Institutional (G/I)		No minimum
Vehicle-Oriented Commercial (VOC)		
Mixed-Use Commercial (MUC)		
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)		3,000 square feet
Medium Lot Residential (MLR)		8,000 square feet
Large Lot Residential (LLR)		20,000 square feet
Rural Residential (RR)		40,000 square feet
Estate Lot Residential (ELR)		3 acres
Open Space (OS)		No minimum

**(b) Lot width and frontage.**

STREET TYPES		MINIMUM LOT WIDTH AND STREET FRONTAGE:
Government and Institutional (G/I)		12 feet
Vehicle-Oriented Commercial (VOC)		
Mixed-Use Commercial (MUC)		
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)		30 feet
Medium Lot Residential (MLR)		50 feet
Large Lot Residential (LLR)		100 feet
Rural Residential (RR)		150 feet
Estate Lot Residential (ELR)		
Open Space (OS)		No minimum

**(c) Front lot-line setback.**

FIRST-FLOOR STREET-LEVEL COMMERCIAL BUILDING FAÇADE	ALL OTHER BUILDING FAÇADES

STREET TYPES		MINIMUM FRONT LOT-LINE SETBACK	MAXIMUM FRONT LOT-LINE SETBACK	MINIMUM FRONT LOT-LINE SETBACK	MAXIMUM FRONT LOT-LINE SETBACK
Government and Institutional (G/I)	No minimum	5 feet, or 20 feet if providing public dining or gathering space.*	40 feet**	No maximum	
Vehicle-Oriented Commercial (VOC)					
Mixed-Use Commercial (MUC)					
Multi-Family Residential (MFR)			5 feet	10 feet*	
Small Lot Residential (SLR)	Not applicable			No maximum	
Medium Lot Residential (MLR)	Not applicable		20 feet	30 feet	
Large Lot Residential (LLR)	Not applicable		30 feet	No maximum	
Rural Residential (RR)	Not applicable				
Estate Lot Residential (ELR)	Not applicable				
Open Space (OS)	Not applicable				

\*This maximum front yard setback shall be waived if at least 90 percent of the lot's street frontage is already occupied by a similar building.

\*\*Except for a public plaza, this setback distance shall remain clear from permanent building improvements or significant financial investments until or unless a first-floor street-level commercial building facade is constructed that meets the five-foot maximum building setback. Any parking provided in this area shall not be included in the overall parking calculations.

(d) **Side lot-line setback.**

STREET TYPES	MINIMUM SIDE LOT-LINE SETBACK	MAXIMUM SIDE LOT-LINE SETBACK
Government and Institutional (G/I)	No minimum. See requirements of perpetual maintenance agreement in Section 104-22-4.1	No maximum. Any space between buildings shall be open for pedestrian passage to internal block areas, unless designed, constructed, and actively used (when weather permits) for outdoor dining, shopping, or other street activities that are open to the public.
Vehicle-Oriented Commercial (VOC)		
Mixed-Use Commercial (MUC)		
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)		No maximum
Medium Lot Residential (MLR)	5 feet	
Large Lot Residential (LLR)	10 feet	
Rural Residential (RR)		
Estate Lot Residential (ELR)		



Open Space (OS)

**(e) Rear lot-line setback.**

STREET TYPES		MINIMUM REAR LOT-LINE SETBACK
Government and Institutional (G/I)		No minimum. See requirements of perpetual maintenance agreement in Section 104-22-4.1
Vehicle-Oriented Commercial (VOC)		
Mixed-Use Commercial (MUC)		
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)		5 feet
Medium Lot Residential (MLR)		20 feet
Large Lot Residential (LLR)		30 feet
Rural Residential (RR)		
Estate Lot Residential (ELR)		
Open Space (OS)		

**(f) Lot coverage.**

STREET TYPES	MAXIMUM PERCENT OF LOT COVERAGE BY BUILDINGS	MAXIMUM NUMBER OF DWELLING UNITS ALLOWED PER LOT
Government and Institutional (G/I)	No maximum, provided compliance with all other requirements.	No maximum
Vehicle-Oriented Commercial (VOC)		
Mixed-Use Commercial (MUC)		
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)	85 percent	4
Medium Lot Residential (MLR)	50 percent	1*
Large Lot Residential (LLR)	30 percent	
Rural Residential (RR)	20 percent	
Estate Lot Residential (ELR)	10 percent	
Open Space (OS)	2.5 percent	Not applicable

\*Not including an accessory dwelling unit, as provided in Section 108-19.

(g) **Loading and unloading.** Each building anticipated to receive deliveries from a truck that has a gross vehicle weight greater than 26,000 lbs shall be provided with an off-street loading and unloading area behind the building.

(h) **Building location.** Each building shall be located on a lot in a manner that preserves space for the extension of street rights-of-way as shown in the street regulating plan, and the lot’s respective setback standard.

**Sec 104-22-6 Building Design Standards**

**Sec 104-22-6.1 Building Design Standards Per Street Type**

The follow table provides regulations applicable to all buildings in the FB Zone. They are broken out by street type, as represented in the applicable street regulating plan.

(a) **Height.**

STREET TYPES		MINIMUM BUILDING HEIGHT	MAXIMUM BUILDING HEIGHT
Government and Institutional (G/I)	Vehicle-Oriented Commercial (VOC)	25 feet	50 feet
Mixed-Use Commercial (MUC)			
Multi-Family Residential (MFR)			
Small Lot Residential (SLR)	One story	35 feet	
Medium Lot Residential (MLR)			
Large Lot Residential (LLR)			
Rural Residential (RR)			
Estate Lot Residential (ELR)			
Open Space (OS)	No minimum	25 feet, except a greater height is allowed for a grain storage elevator or similar agriculturally supportive use.	

**(b) Building area.**

STREET TYPES	MAXIMUM BUILDING FOOTPRINT
Government and Institutional (G/I)	No single commercial use shall occupy a footprint of more than 30,000 square feet*
Vehicle-Oriented Commercial (VOC)	
Mixed-Use Commercial (MUC)	No single commercial use shall occupy a footprint of more than 10,000 square feet
Multi-Family Residential (MFR)	
Small Lot Residential (SLR)	
Medium Lot Residential (MLR)	No maximum
Large Lot Residential (LLR)	
Rural Residential (RR)	
Estate Lot Residential (ELR)	
Open Space (OS)	

\*Government buildings and schools are exempt from building area maximum.

STREET TYPES		VERTICAL DISTANCE OF FIRST-FLOOR SURFACE ELEVATION FROM THE STREET SIDEWALK'S SURFACE ELEVATION	MINIMUM FIRST-FLOOR STORY HEIGHT	FIRST-FLOOR LOAD-BEARING SUPPORTS
	Government and Institutional (G/I)	30 inches maximum.	12 feet	Columns and beams, no interior load bearing walls. A column shall be at least 10 feet away from another column or exterior load-bearing wall.
	Vehicle-Oriented Commercial (VOC)		15 feet	
	Mixed-Use Commercial (MUC)			
	Multi-Family Residential (MFR)	5 feet minimum, except 30 inches for building area to be used for commercial purposes.	10 feet, except 15 feet for areas of the first floor to be used for commercial space.	For commercial area, same as MUC. Not applicable for residential parts of the building.
	Small Lot Residential (SLR)	Not applicable		
	Medium Lot Residential (MLR)			
	Large Lot Residential (LLR)			
	Rural Residential (RR)			
	Estate Lot Residential (ELR)			
	Open Space (OS)			

**(d) Transparent fenestration requirements.**

STREET TYPES		MINIMUM FENESTRATION FOR THE FIRST STORY FAÇADE OF A BUILDING		MINIMUM FENESTRATION FOR THE SECOND STORY AND ABOVE	
		STREET-FACING	ALLEY-FACING	STREET-FACING	ALLEY-FACING
	Government and Institutional (G/I)	50 percent		30 percent	
	Vehicle-Oriented Commercial (VOC)	70 percent		40 percent	
	Mixed-Use Commercial (MUC)				

Multi-Family Residential (MFR)	70 percent for commercial facade, 30 percent for residential facade.	
Small Lot Residential (SLR)	Not applicable	
Medium Lot Residential (MLR)		
Large Lot Residential (LLR)		
Rural Residential (RR)		
Estate Lot Residential (ELR)		
Open Space (OS)		

(e) **Main entrance requirements.** Each building along a government and institutional, vehicle-oriented commercial, mixed-use commercial, or multi-family street shall be provided with a main entrance that faces the street. Except when the building is set back from the street right-of-way at least four feet, the main entrance shall be recessed from the building’s façade no less than five feet.

**Sec 104-22-6.2 Building Design Standards By Village Area**

Except for single-family, two-family, three-family and four-family dwellings, the following regulations (Sections 104-22-6.3 through 104-22-6.5) are applicable to the architecture and design of buildings in each area. Each area, as depicted in the applicable street regulating plan, has a unique architectural theme as provided herein. Each building, except those aforementioned, is required to be designed by a licensed architect. After receiving recommendation from a licensed architect, the planning commission may allow minor modifications to the applicability of the standards in this section as long as it results in a design that better aligns with the intent of the design theme and blends well with the design features of adjacent buildings.

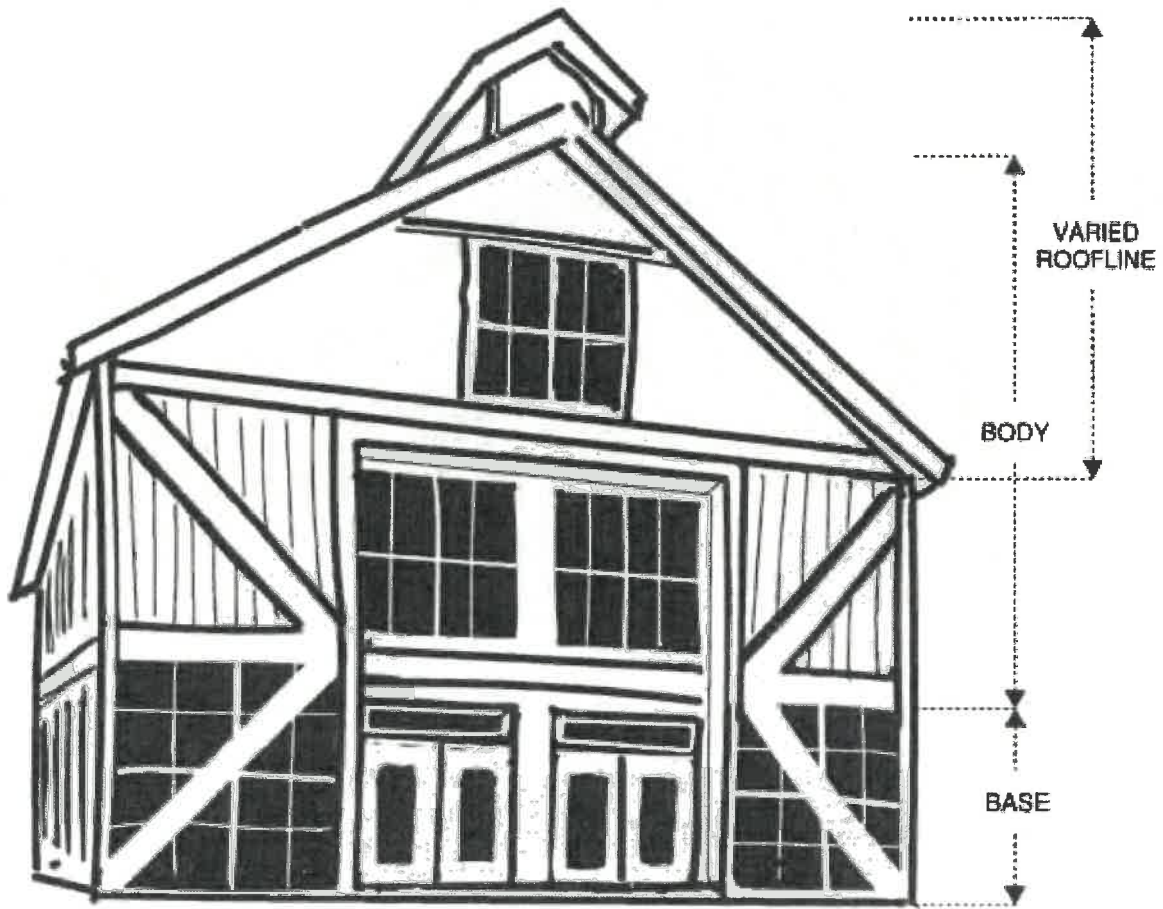
**Sec 104-22-6.4 Building Design Standards**

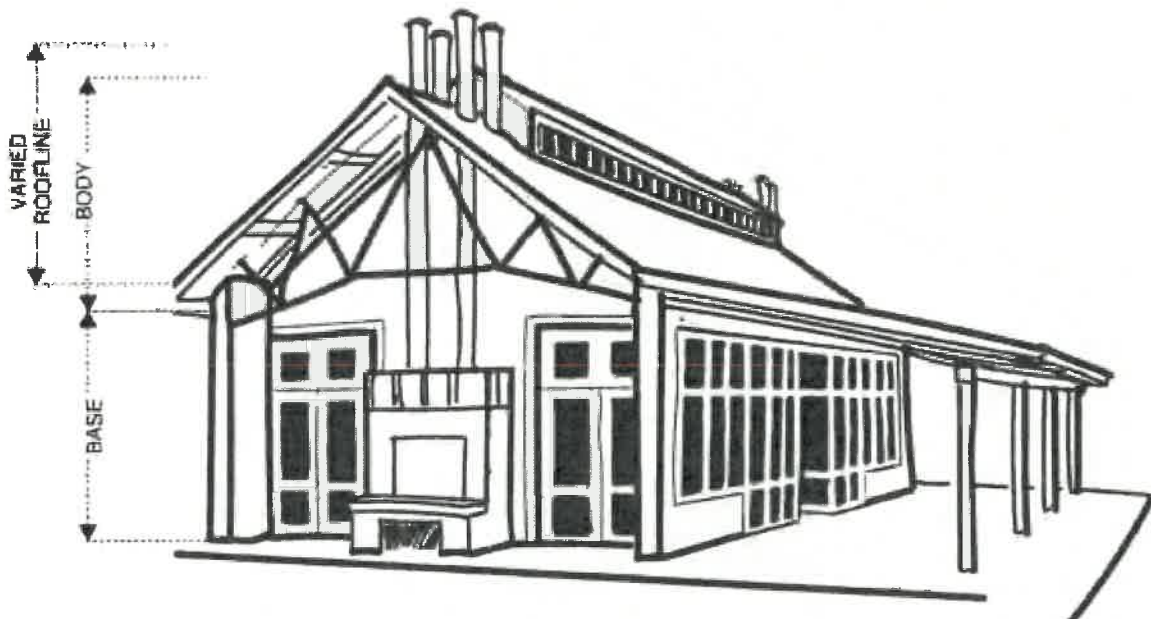
In addition to applicable standards in this chapter, the following standards apply to all buildings in the New Town Eden Area:

(a) **Design theme.** All buildings shall have architectural styling and materials that implement agrarian-style architecture. Agrarian-style architecture shall incorporate at least two of the

- (1) Either a gable roof at a 6/12 or greater slope, a gambrel roof, or a monitor roof.
  - (2) An attached shed-roof at a 4/12 or greater slope that is not attached to the main roof structure.
  - (3) A clerestory or cupola.
  - (4) Gable-style dormer windows.
- (b) **Building form.** A building's street-facing façade shall be designed to have a base, body, and varying roofline, each of varying design features and building material.
- (c) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.
- (d) **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with no less than a six inch shift in the plain of adjacent walls. Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.
- (e) **Building material.** Building façade walls shall be finished with no less than two diverse types of material. The primary building material shall be wood siding or similar appearing siding. At least one of the building materials used on the building façade shall also be used on all other sides of the building.
- (1) Brick or stone may be used in place of wood if approved by the Land Use Authority.
  - (2) Metal siding may be used on the building's body, as long as the building's base is made of brick or stone, and as long as the metal siding is broken horizontally by brick or stone every twenty feet, and is treated to create a natural-appearing aged patina.
- (f) **Colors.** Muted earth-tone colors are required. No more than 70 percent of a building's facade shall be white.
- (g) **Examples.** Examples of generally acceptable architectural features are depicted in the following images. Any conflict between details in the images and regulations in this chapter shall be interpreted in favor of the regulations in the chapter.







## Sec 104-22-7 Street Types And Street Design

### Sec 104-22-7.1 Street Types And Right-Of-Way Cross Sections

- (a) **Right-of-way dedication.** As development occurs on each lot or parcel, the owner shall dedicate area for public right-of-way with a width as depicted in the table below or as otherwise adopted, to form a block pattern as depicted in the applicable street regulating plan.
- (b) **Drawings required.** Each application for development shall provide engineered construction drawings of the street improvements required herein.
- (c) **Street type, description, and purpose.**
  - (1) **Government/institutional street.**



A government/institutional street or alley has street-front buildings that are intended to serve the traveling public. The primary purpose of the street is for the siting of government or public-service oriented buildings fronting the street. Public-service oriented buildings may include any governmental, nonprofit, or for-profit school as long as the school provides the same K-12 educational courses required by the State of Utah, or a school that is an accredited institution of higher education. Hospitals or other medical services buildings, including medical, dental, or mental-health offices, laboratories, or similar public-health related offices, a public transportation facility or a multimodal transportation hub are also intended to be street-adjacent. Except for a public transportation facility, pickup and drop off areas shall be located to the rear of the building.

(2) ***Vehicle-oriented commercial street.***

A vehicle-oriented commercial street or alley has street-front buildings that are intended to serve the traveling public, such as a large grocery store, drive-through or drive-up window service of varying kinds, and gas station. Street-front buildings that are not vehicle oriented are also allowed. Multi-family residential uses are allowed only if located above first-floor street-level commercial space.

(3) ***Mixed-use commercial street.***

A mixed-use commercial street has street-front buildings that are oriented toward pedestrian traffic. At the street-level, these buildings shall be exclusively used or reserved for commercial operations. Commercial and Multi-family residential uses are allowed above or behind first-floor street-level commercial space.

(4) ***Multi-family residential street.***

A multi-family residential street has street-front buildings that are used for multi-family dwellings, and are set back from the street enough to provide a stoop or door yard between the facade and the street's sidewalk. Where possible, given terrain, first-floor building space intended for residential uses shall be offset by half a story from the plane of the street's sidewalk. First-floor street-level commercial area is permitted, but not required. Commercial uses are not permitted above the first-floor street-level unless the first-floor street level is also occupied by a commercial space.

(5) ***Mid-block alley.***

Each street type may have an associated mid-block alley, where shown on the applicable street regulating plan. As development occurs, sufficient area shall be preserved and constructed to provide the mid-block alley to provide access to parking areas, garages, and other uses or buildings that are located in the middle of the block. The location of an alley shall be in the locations depicted by the applicable street regulating plan, and designed at a minimum in accordance with the standards herein, and at a maximum to the standards applicable for a public street. Some mid-block alleys connect to adjoining residential streets. Where they connect, the applicable standards shall change to residential street standards.

Snow removal for an alley is the responsibility of all landowners, collectively, or an HOA, that have a parking area that has an access from the alley.

(6) ***Small-lot residential street.***

A small-lot residential street has street-front buildings that may be set back more than multi-family residential street facades, but are less likely to have a noticeable front yard area.

(7) ***Medium-lot residential street.***

A medium-lot residential street has street-front buildings that may be set back more than small-lot residential street facades to provide a small front yard area.

(8) ***Large-lot residential street.***

A large-lot residential street has street-front buildings that may be set back enough to create a sizeable front yard on a lot that is large.

(9) ***Rural residential street.***

A rural residential street has street-front buildings that may be set back enough to create a sizeable front yard on a lot that is at least an acre large.

(10) ***Estate lot residential street.***

An estate lot residential street has street-front buildings that may be set back enough to create a sizeable front yard on a lot that contains multiple acres..

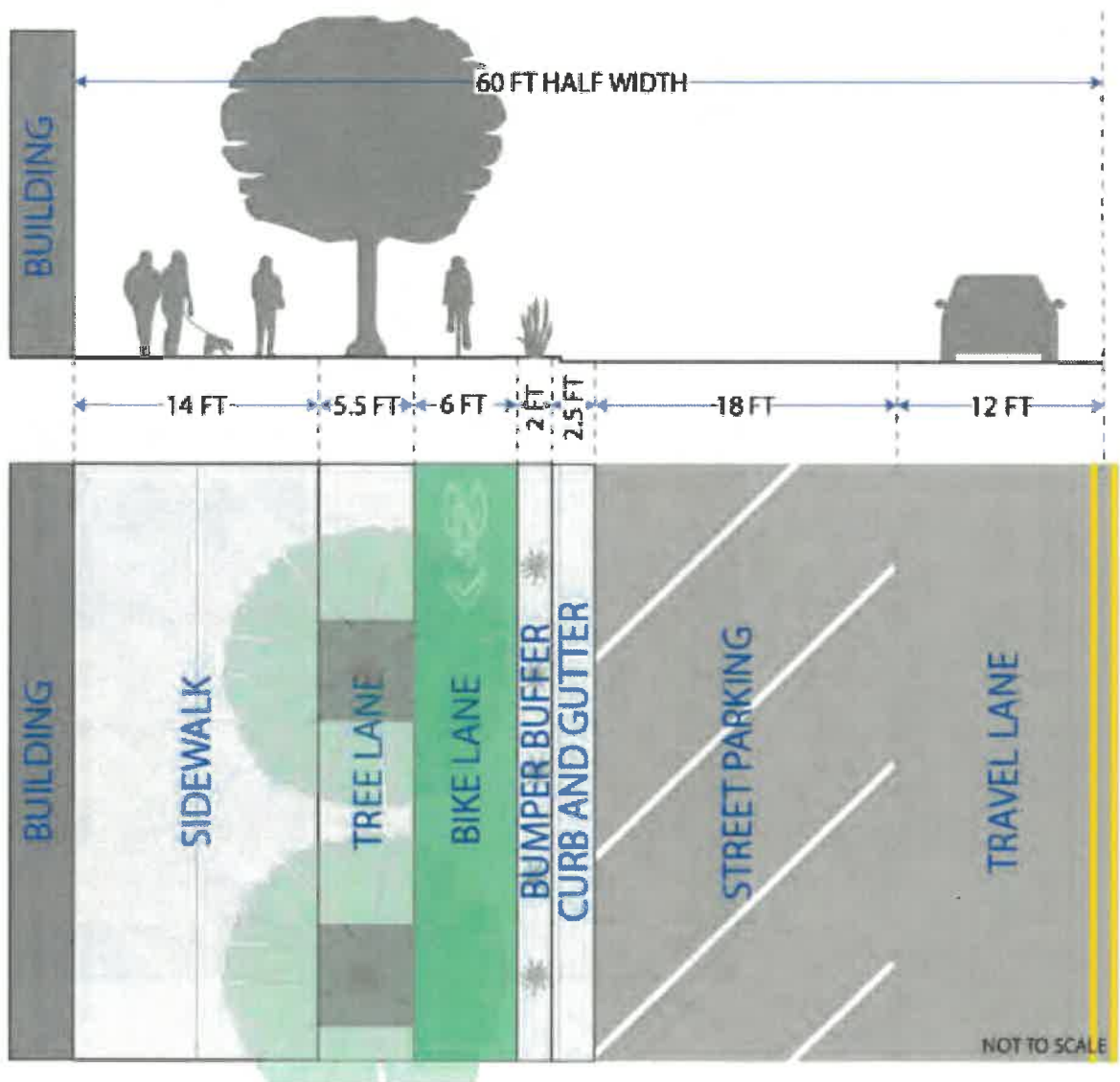
(11) ***General open space street.***

A general open space street has very limited buildings adjacent to the street, and only those that are incidental and accessory to the open space.

(d) ***Street right-of-way design.***

(1) ***Commercial street design.*** The dimensions and general design for a governmental and institutional street, vehicle-oriented commercial street, mixed-use commercial street, and multi-family residential street is as follows:

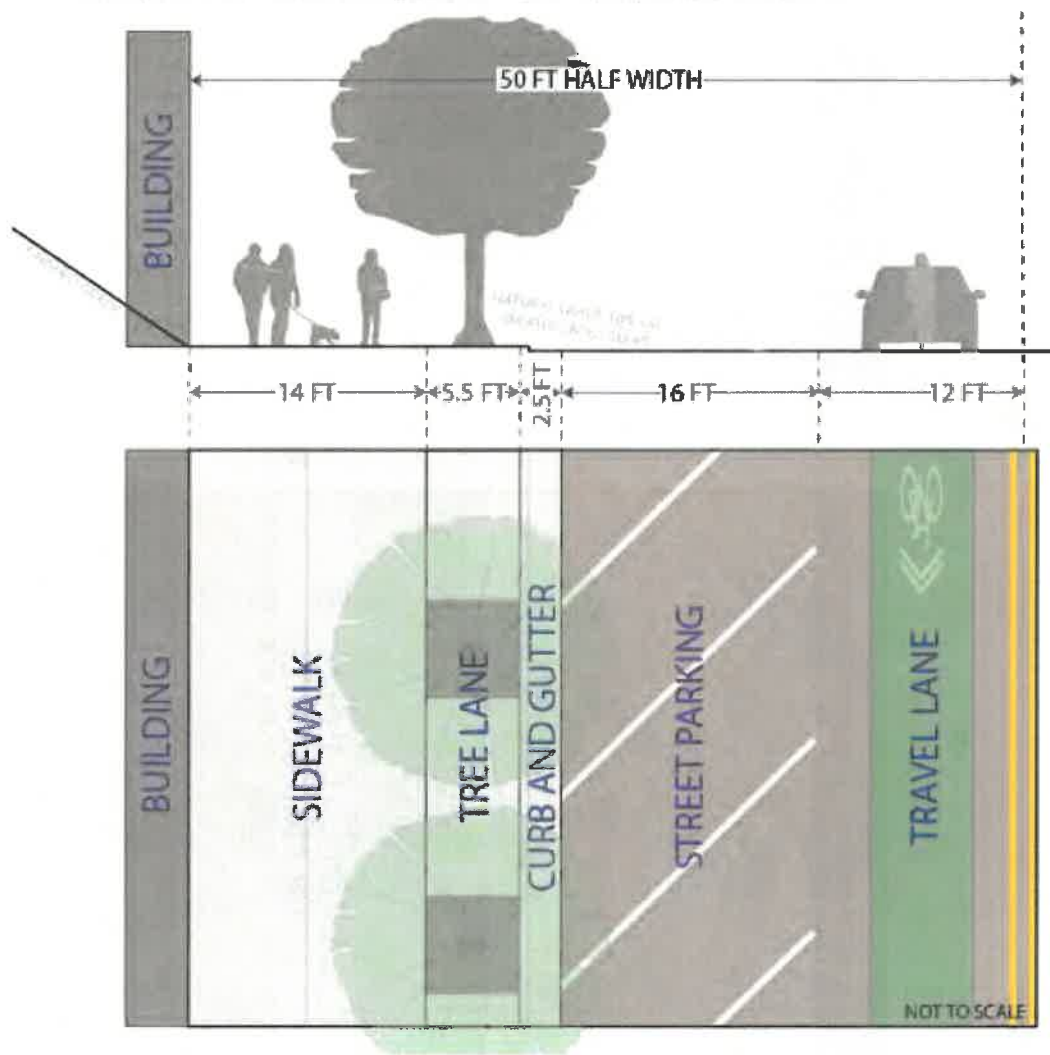
## TYPICAL VILLAGE CROSS SECTION



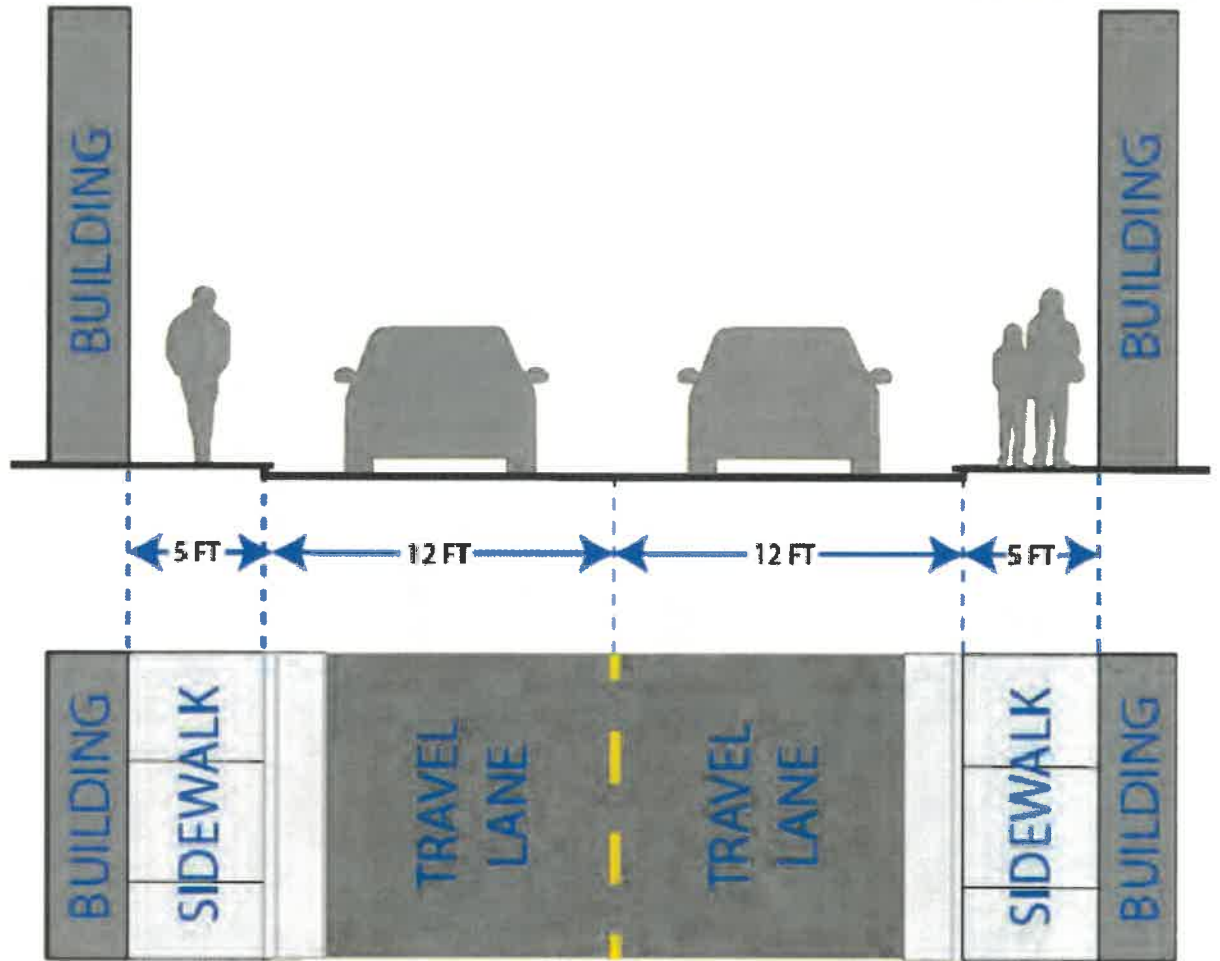
(2) **Commercial street design with challenging cross slopes.** Unless otherwise negotiated by development agreement, the design for a governmental and institutional street, vehicle-oriented commercial street, mixed-use commercial street and multi-family residential street with a cross slope that is greater than 10 percent shall provide a 50 foot right-of-way half-width, with design dimensions as follows:

- a. 12-foot travel lane with a painted shared bike lane.
- b. 16-foot 45 degree angled parking.
- c. 2.5-foot curb and gutter.
- d. 5.5-foot tree lane.
- e. 14-foot sidewalk.

### VILLAGE CROSS SECTION - WITH CROSS SLOPE



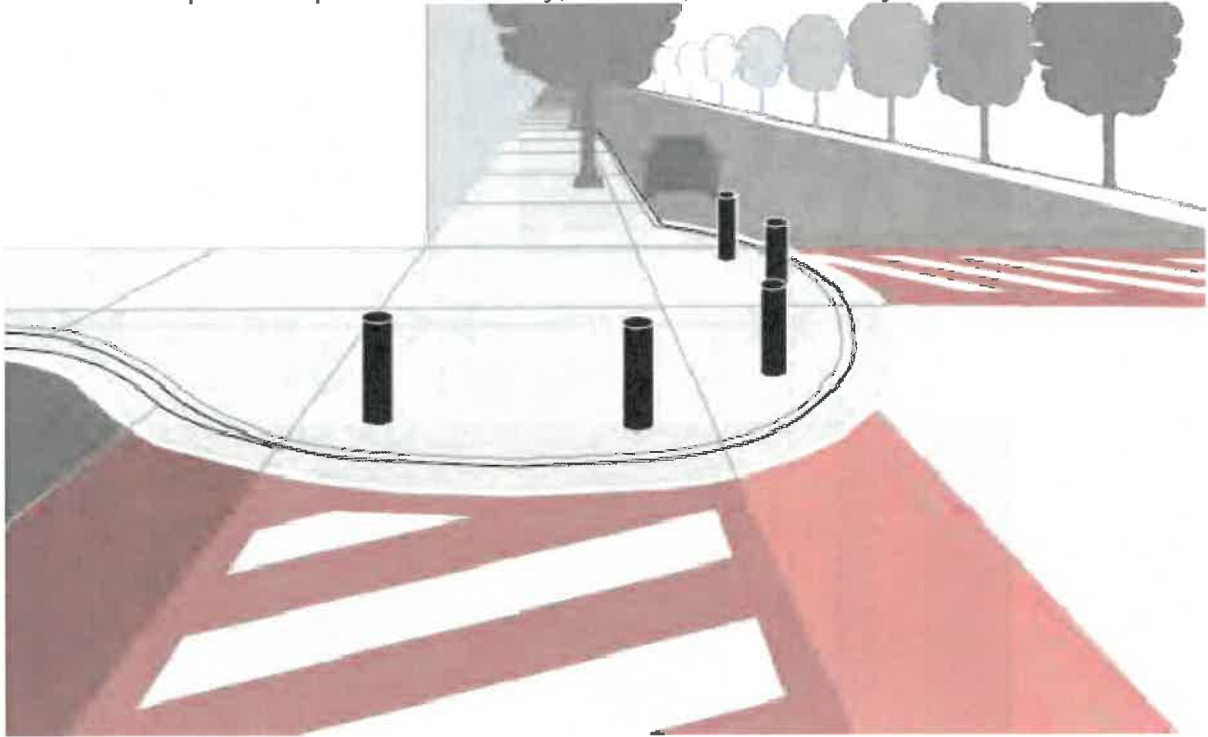
- (3) **Commercial alley design.** The design for a governmental and institutional alley, vehicle-oriented commercial alley, mixed-use commercial alley, and multi-family residential alley is as follows:



- (4) **Residential street design.** The design for all non-multi-family residential streets is as follows: See Section 106-4-5.

For all mixed-use commercial, vehicle oriented commercial, multi-family residential, and government/institutional street types, the following provisions shall apply. Other streets shall follow adopted residential street design standards.

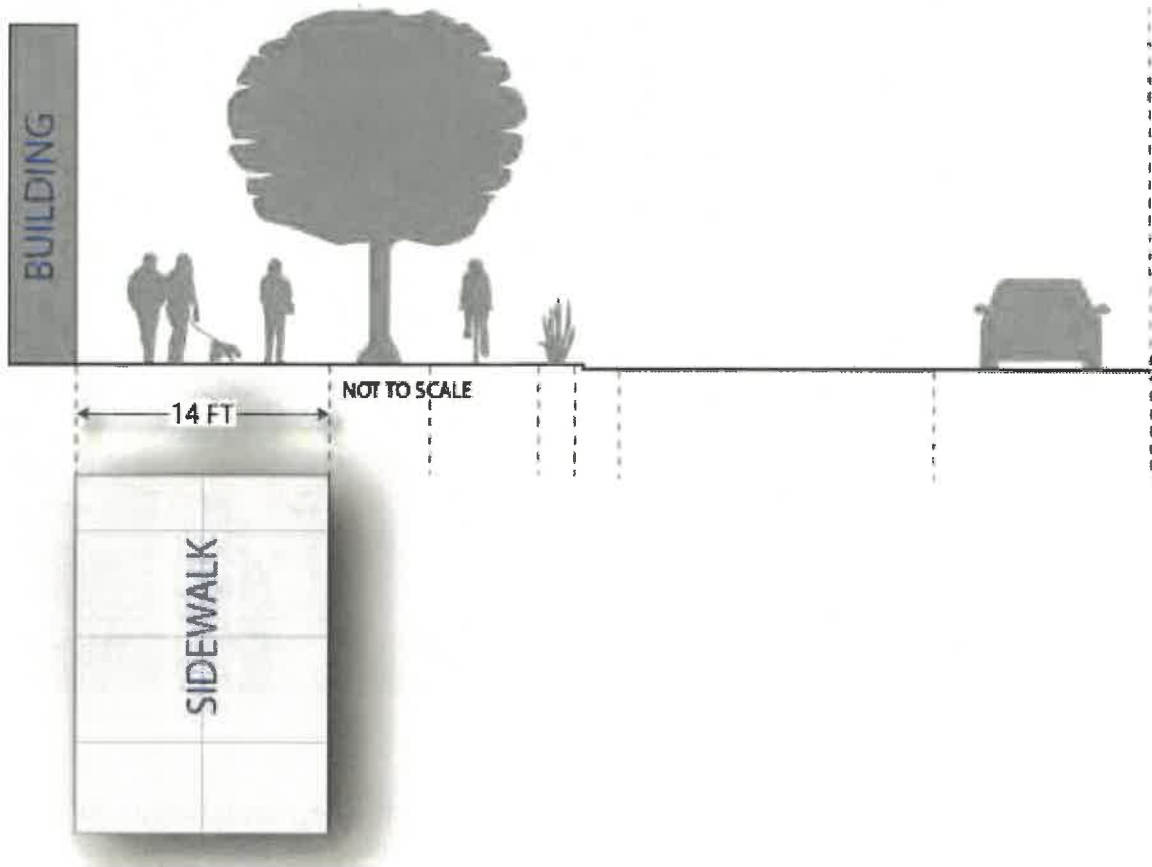
- (a) **Pedestrian priority design.** The street shall be designed to prioritize pedestrian use. At primary points of conflict between pedestrian uses and vehicle uses, the street facility shall be designed and constructed to promote pedestrian safety, comfort, and efficiency.



- (1) **Raised crosswalks.** Where a pedestrian-way intersects with a vehicle-way, the pedestrian-way shall be raised at least six inches above the grade of the vehicle-way, or to the level of the adjoining pedestrian-ways, whichever is higher. This shall include but is not limited to the installation of crosswalks and intersections that are raised to the same plane as the sidewalk or adjoining pathways.
- (2) **Curb extension bulb-outs.** In order to provide traffic calming and pedestrian safety, street improvements at intersections, pedestrian crossings, and mid-block alleys, if different, shall be constructed with curb extensions that bulb-out directly adjacent to the lane of travel. Bike lane widths shall not be obstructed or made narrower at any point along a curb extension bulb-out. Bulb-outs shall be designed to the specifications of this ordinance and the County Engineer, or as otherwise adopted. Where a bulb-out provides access to a raised pedestrian crosswalk, bollards shall be installed along the curve of the bulb-out to keep vehicles from entering the pedestrian-way. Examples of bulb-outs are depicted in the images above.
- (3) **Crosswalk contrast.** For enhanced noticeability, in addition to white retroreflective striping, crosswalks shall be constructed of stamped and colored concrete to provide clear contrast between the street and crosswalk.
- (4) **Mid-block crosswalk.** A block that has a length that is greater than 330 feet, as measured from the center of each bounding intersection, shall be provided with a mid-block crosswalk. Solar powered user-activated rapid flashing beacons shall be installed on midblock crosswalk signage.



(b) **Sidewalk required.** As part of the required street improvements within the FB zone, a sidewalk shall be installed in the designated sidewalk area, as depicted in Section 104-22-7.1, on the side of the street of the development and for the entire length of the development lot's street frontage.



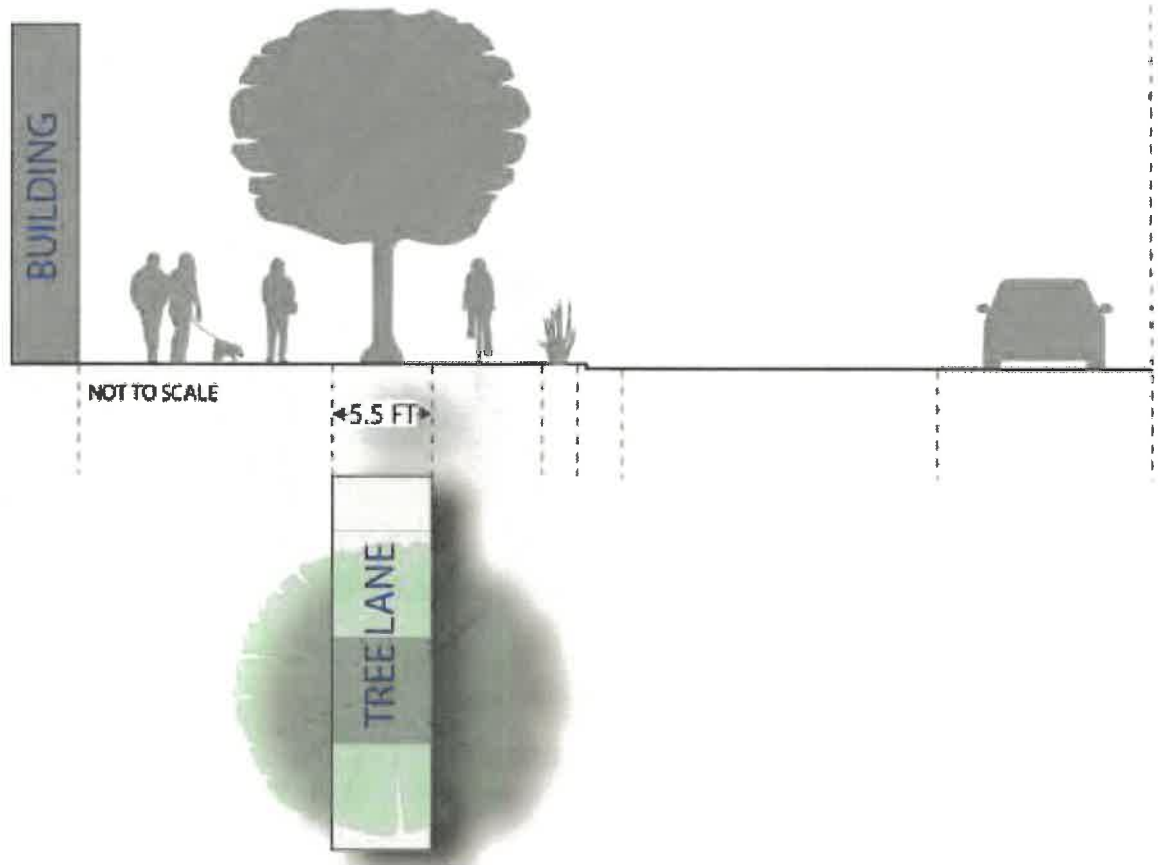
- (1) **Paved pathway alternative.** A 10-foot wide paved pathway may be installed in lieu of the required sidewalk along any street designated as residential except the multi-family residential street
- (2) **Covered boardwalk alternative.** The County Commission may, but is not obligated to, approve the encroachment of a covered boardwalk, or similar, by legislative approval of an encroachment and maintenance contract. The adjoining landowners shall bear full responsibility for the operations and maintenance of the boardwalk. The covered boardwalk shall comply with the overhead projections standards of this chapter.



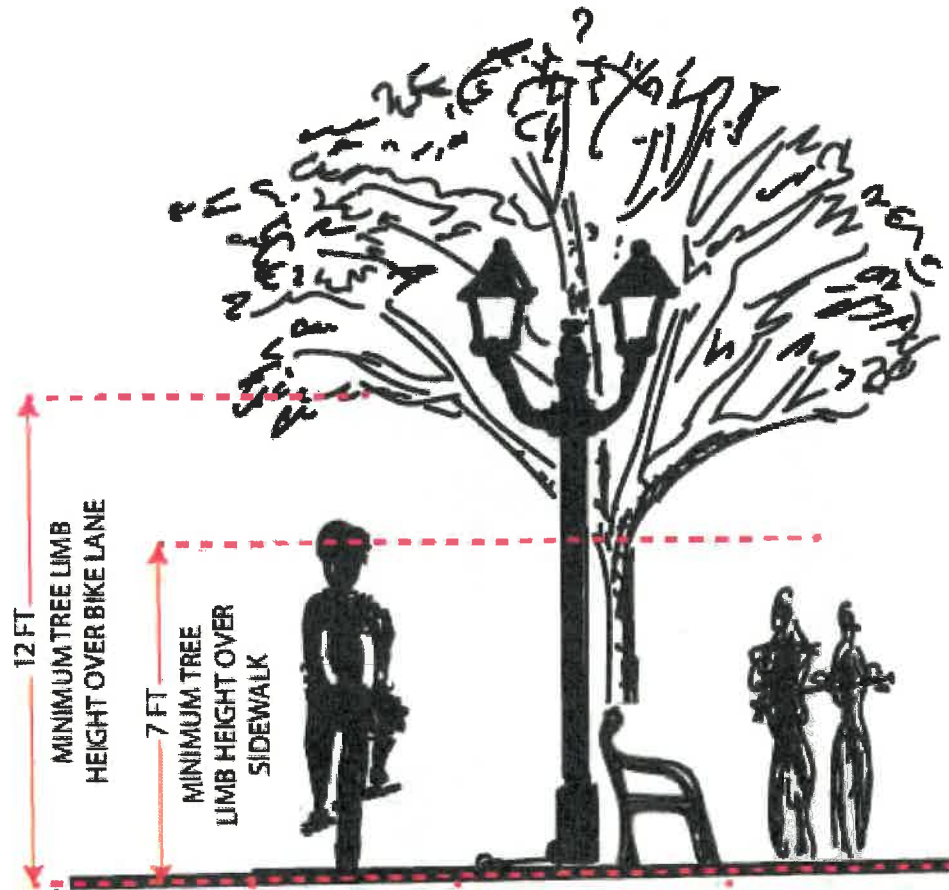
- (c) **Street trees required.** As part of the required street improvements within this zone, street trees shall be installed in the designated tree lane, as depicted in Section 104-22-7.1, on the same side of the street as the development and for the entire length of the development lot's street frontage. Tree species shall be approved by the Planning Director and County Engineer as part of the review of the development. A street tree plan shall be submitted as part of a development application and shall be accompanied by a letter from a certified arborist or landscape architect, certifying that the proposed tree type is suitable considering site conditions and local climate. The plan shall include planting methods that are specific to the site conditions. Planting methods shall provide means of protecting the longevity of the tree and the street infrastructure. Street trees shall be provided with a permanent watering method with irrigation infrastructure installed underground.



(1) **Tree planting.** No street tree shall be planted within the clear view triangle as provided in Section 108-7-7, Section 106-4-5, or the American Association of State Highway and Transportation Officials (AASHTO) standards. To provide continuous shade of the pedestrian areas, spacing between tree trunks shall equal the average diameter of the specific tree species' canopy at maturity. However, in the Nordic Valley Area, each block shall have the same number of trees that is equal to one tree per every 50 linear feet of street on both sides of the street, and the trees may be grouped in clusters of no greater than ten trees, rather than equally spaced along the right of way.

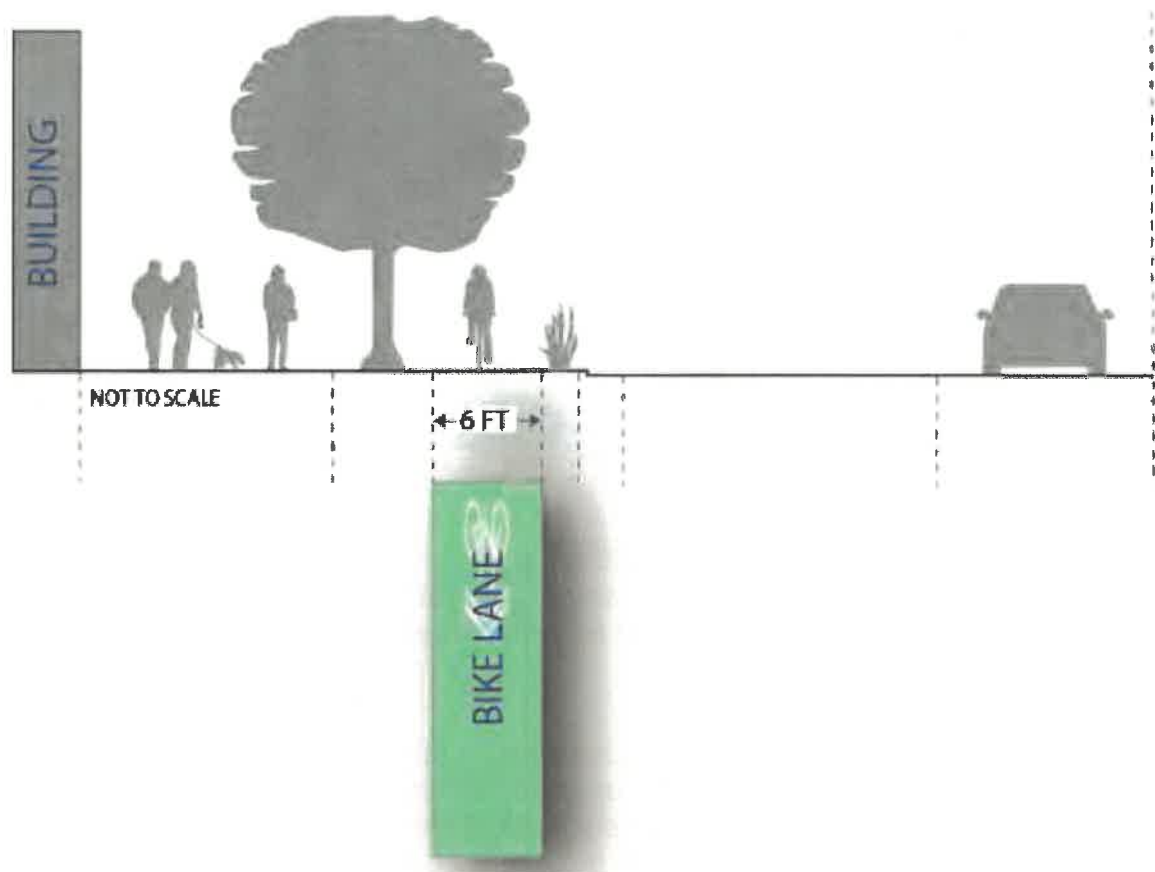


(2) **Tree maintenance.** Unless an association, district, or other collective funding and maintenance entity is approved by the County to provide tree maintenance, a street tree shall be maintained by the owner or proprietor of the property that is immediately adjacent to the street right-of-way where the tree is located. A tree maintenance plan shall be submitted as part of the development review for new development. Trees shall be pruned in a manner that gives at least a seven foot clearance above the sidewalk and a 12 foot clearance above a bike lane or parking area, as depicted by the following graphic:



(d) **Bike facilities required.**

- (1) **Separated bike lane.** Unless provided otherwise herein, a concrete bike lane that is five feet in width shall be installed as part of the required street improvements. The bike lane shall be on the same plane as the sidewalk, and shall be separated from the pedestrian walkway by the tree lane.



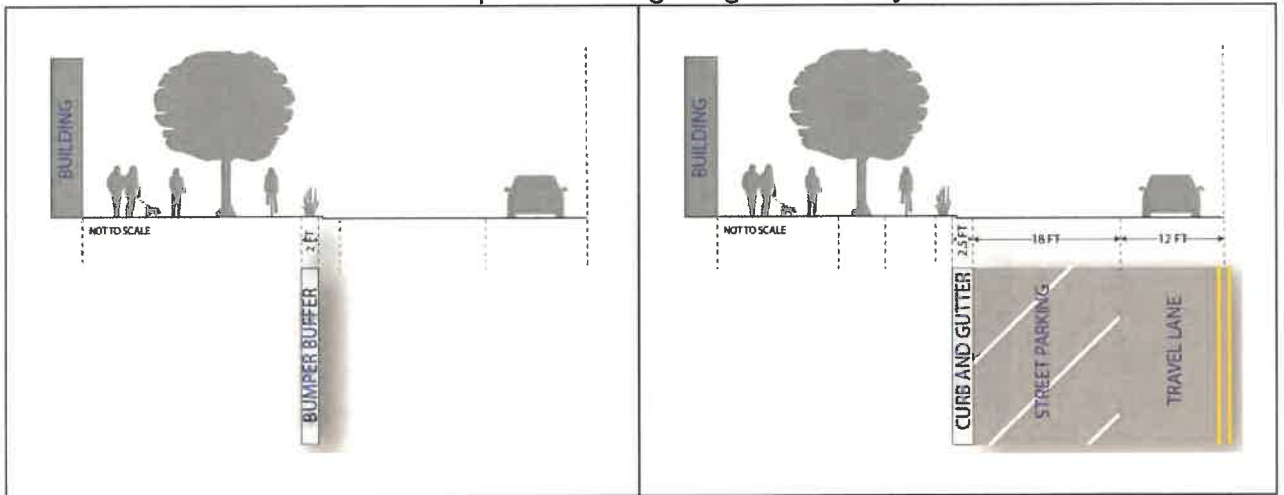
- (2) ***Bike lane alternative.*** When topography results in the inability to safely create sufficient street right-of-way width, the County Engineer has discretion to allow a bike lane to occupy the street's vehicle travel lane. In these cases, a five-foot wide retroreflective green bike lane shall be applied to the center of the lane, and marked with retroreflective sharrows as depicted by the following graphic:



(e) ***Street parking required.***

- (1) ***45-degree angle parking.*** Each street shall be designed and constructed to provide 45-degree angled parking.
- (2) ***Street parking alternative.*** When topography results in the inability to safely create sufficient street width, the County Engineer has discretion to allow a parallel street-parking design instead.
- (3) ***Parking bumper buffer.*** A three-foot parking buffer shall be provided between the bike

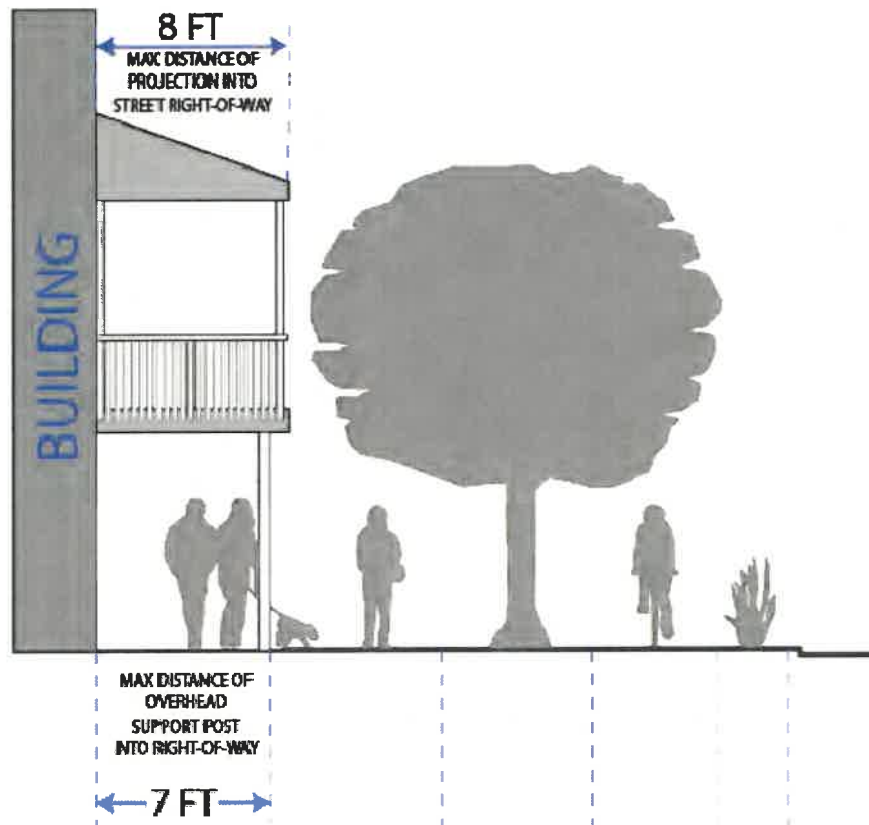
lane and the curb for vehicle bumper overhang. Vegetation may be in this buffer.



(f) **Curb, gutter, and drainage facilities.** Curb, gutter, and drainage facilities shall be installed along each street and internal alleyway in accordance with the County's standard curb and gutter cross sections and in a manner that accommodates the street designs herein.

(g) **Items in public right-of-way.**

(1) **Overhead projections.** Overhead building projections such as but not limited to awnings, canopies, balconies, and cantilevers, are permitted within the public right-of-way, provided that they leave a vertical clearance over the sidewalk or walkway of no less than nine feet, and shall not project more than eight feet into the public right-of-way. Any support post beneath the building projection shall be no greater than seven feet from the building façade, be designed to offer minimal disruption to sidewalk traffic, and meet all ADA clearance requirements.



(2) **Amenities and furniture.** Non-permanent street amenities, such as street furniture for

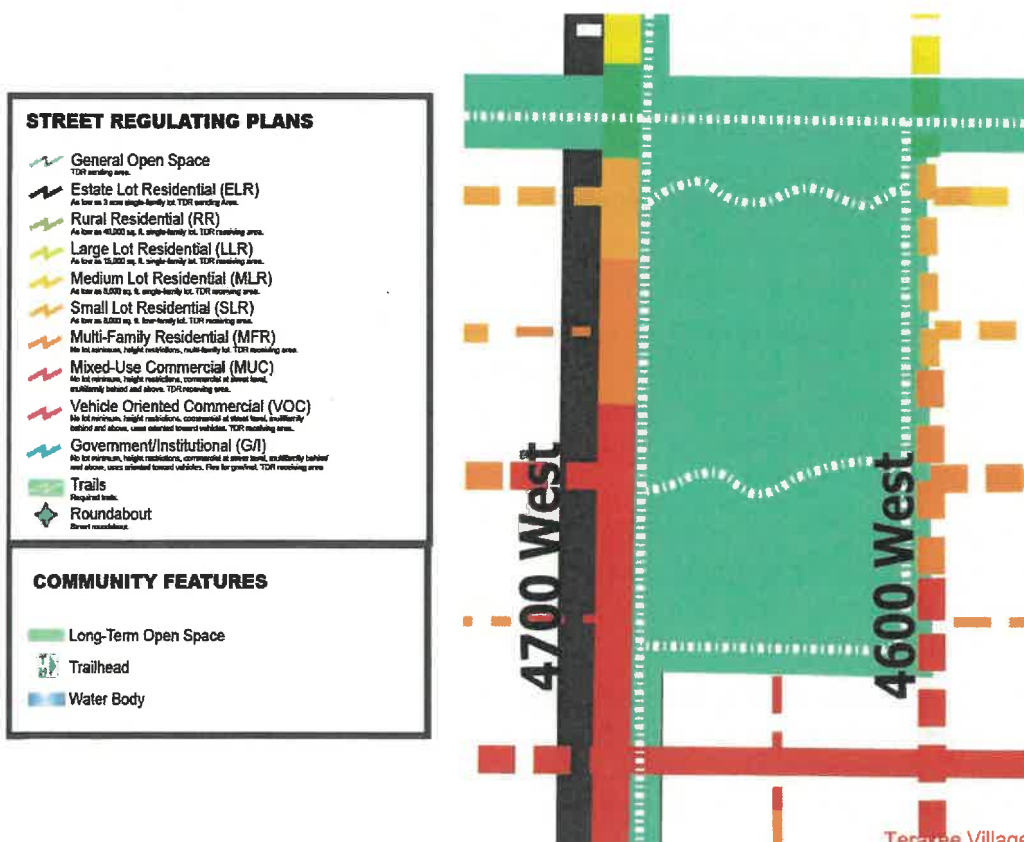
outside dining, benches, bike racks, planters, and street sales and displays are permitted between street trees and along sidewalks as long as they do not cause any hazard to the use of the bike lane; and they are located in a manner that leaves a continuous seven-foot wide pedestrian walkway.

- (3) **Street Lighting.** Street lighting shall be installed as part of the required street improvements within this zone. Street lighting shall complement the architectural design theme of the area.
- (4) **Overhead utilities.** All new development shall move all existing overhead utilities underground, and install all new utilities underground as well.

(h) **Round-a-bout.** A round circle along any street intersection on the street regulation plan indicates a planned round-a-bout. As development occurs, street right-of-way shall be dedicated to the County to accommodate at least a 110-foot diameter round-a-bout. Round-a-bout improvements shall be installed when required by the County Engineer. Otherwise, all improvements installed shall be installed in a manner that does not create an undue burden on the construction of a future round-a-bout.

**Sec 104-22-8 Street Regulating Plan**

The following maps depict the adopted Street Regulating Plans for their respective areas. The plans illustrate the intended street layout of the area and the designated street types. The plan is intended to be a guide for the placement of streets and mid-block alleys, and is not designed to survey-level accuracy. A mid-block alley shall be as close to the middle of the block as is practicable, and the street placement shall be within 200 feet of the location depicted on these maps. A land owner proposing development in an area that a street or alley is planned shall be responsible for dedicating the land and constructing the street or alley improvements.



**Sec 104-22-9 Parking And Internal Block Access**

- (a) **Parking Required.** Each application for development shall include a parking plan that demonstrates that sufficient parking will be provided by the street parking adjacent to the building or an off-street parking lot within 1000 feet of the building. All parking lots shall be hard-surface asphalt or concrete, or other improved surface otherwise approved by the County Engineer and local fire authority. Street parking not adjacent to the lot's street-frontage shall not be counted in determining that sufficient parking has been provided.
- (b) **Parking flexibility.** Except for residential uses, the Land Use Authority may reduce the minimum parking spaces required if sufficient evidence suggests that the required number of spaces is excessive for the building and proposed use or uses therein.
- (c) **Parking related to a change of use.** If a change of use occurs, more parking may be required if the new use merits it, as determined by the Land Use Authority. The applicant proposing to change the use shall be required to provide the additional off-street parking within 1000 feet of the use.
- (d) **Residential parking.** The minimum required parking for a residential use shall be located off-street within the same block as the residential use.
- (e) **Parking lot trees.** A surface parking lot shall have one tree for each four parking spaces, and a five-foot wide landscape planting area that runs the depth of the parking row shall be located at each end of a parking row.
- (f) **Parking structure design standards.** When located adjacent to a vehicle-oriented commercial, mixed use commercial, or multi-family residential street, a parking structure shall have first-floor street-level commercial space along the street's frontage. However, for a corner lot, this requirement applies to the façade that is adjacent to the more prominent street, as determined by the land use authority; the other façade shall have the same for no less than fifty percent of that façade's street frontage. The other fifty percent, and the area of the parking structure above the street level commercial space, shall have a street-facing facade that disguises the parking structure to generally look like other buildings in the area.
- (g) **Cross access and cross-access easement.** For all parcels or lots along a governmental or institutional, vehicle-oriented commercial, mixed-use commercial, or multi-family residential street, providing access to adjacent existing or future development without the need to access the public right-of-way is required. This access shall be provided by a mid-block alley, where shown on a street regulating plan, or other alley or shared driveway as may be deemed necessary by the land use authority. When no new alley access is deemed necessary because an alley access or street access is already provided to the lot or parcel through another lot or parcel, then a cross-access easement shall be provided along adjoining lot lines, as follows:

**Sec 104-22-9 Parking And Internal Block Access**

- (1) A cross access easement shall provide an easement to all landowners in the block that develop along a governmental or institutional, vehicle-oriented commercial, mixed-use commercial, or multi-family residential street that is framing the block. The easement shall allow ingress and egress to these other lots or parcels, including ingress and egress infrastructure.
- (2) At a minimum, each developed lot or parcel shall have two points of ingress and egress, at least one of which shall be stubbed to adjacent property where practicable. Except that a parking area is allowed to only provide a single access as long as it does not block the accessibility to other areas within the block that are or could be used for public parking.
- (3) Each parking area that is located within the block and that will be open to the public for public parking shall be designed to extend to the parcel boundary and shall provide a cross access easement along all sides of the parking area abutting the adjacent lot(s) or parcel(s) in a manner that allows the adjoining lot or parcel owner to extend that public parking area seamlessly into their parcel.

- (4) When locating a cross-access easement or designing the cross-access infrastructure, good faith efforts shall be made to coordinate the location and design with the adjoining land owner.
- (5) The Planning Director may require the cross-access to be located in a manner that optimizes internal block traffic circulation.
- (6) Construction of the cross-access infrastructure shall be completed prior to the issuance of a certificate of occupancy for any structure on the lot or parcel, or a completion bond may substitute for completion if allowed by the County Engineer.
- (7) When a lot or parcel is being developed that abuts an existing cross-access easement or existing cross-access infrastructure, a reciprocal cross-access easement shall be provided on the same lot line or parcel line in the same location and of equal width. The reciprocal cross-access infrastructure shall be constructed to the same standard as, or better than, the existing cross-access infrastructure on the adjacent parcel. A cross-access easement shall be recorded on the title of all affected properties, along with a perpetual operation and maintenance agreement between the property owners that specifies, at a minimum, that the infrastructure will be operated and maintained by the property owners in a manner that is safe and usable for two-way vehicle traffic.
- (8) If property owners fail to operate or maintain cross-access infrastructure that was required by the County under this section, the County may pursue enforcement measures as provided in this Land Use Code.

### **Sec 104-22-10 Signage**

In addition to the signage regulations in this Land Use Code, no signage shall be affixed to a building higher than the top of the second story.

### **Sec 104-22-11 Form-Based Zone Transferable Development Rights**

Density allowance and transferable development rights. As provided in the Ogden Valley General Plan, the creation of dwelling units in the FB Zone shall not create any new density in the Ogden Valley Planning Area unless otherwise provided in this Land Use Code. To establish the residential dwelling unit rights that exist on a lot or parcel in the FB Zone, or to increase or decrease residential dwelling unit rights on a lot or parcel in the FB Zone, the following apply:

- (a) For a lot or parcel rezoned to the Form-Based Zone from a zone that allows residential dwelling units, the base density, as defined in Title 101, Chapter 2, shall be the same as the density that was allowed in the prior zone. This shall be documented by recording a covenant to the lot or parcel that provides a calculation of the base density. The covenant shall run with land, and be between the owner and the County.
- (b) Additional residential dwelling units are permitted on any lot that has street frontage on, or gains primary access from, any street type in the street regulating plan except an Estate Lot Residential street and a general open space street. However, no additional density is allowed unless the landowner has successfully negotiated the reallocation of an equal number of dwelling unit rights from another lot or parcel that has an available dwelling unit right, as determined by

the lot or parcel's base density and adjusted for any previous dwelling unit right reduction or addition. The reallocation shall be made by recording a covenant to each affected lot or parcel. Each covenant shall run with the land and be between the owner and the County. Each covenant shall document the applicable lot or parcel's calculated base density; the number of dwelling units already developed on the lot or parcel; the number of dwelling unit rights subtracted from, or added to, the base density by any means; and the number of dwelling unit rights remaining for the lot or parcel.

- (c) Residential dwelling unit rights may be transferred to a lot or parcel in a FB Zone from any lot or parcel in the following zones within the Ogden Valley Planning Area: RE-15, RE-20, AV-3, F-5, FV-3, S-1, FR-1, FR-3, RMH-1-6, CVR-1, and FB.
- (d) Regardless of number of residential dwelling unit rights transferred to a lot or parcel in the FB Zone, the number of dwelling units actually constructed shall be limited by what can be constructed given compliance with the standards of this chapter.

### **Sec 104 22-12 Workforce Housing**

Participation in creating workforce housing is required.

- (a) **No transfer required.** Workforce housing will not be deducted from the lot or parcel's development rights and is not required to be established through transferable development rights.
- (b) **Lot development standard reduced.**
  - (1) Unless the applicable lot development standards are more permissive, a structure that is exclusively devoted to, and deed restricted for, workforce housing may have a front yard setback of 20 feet, and a side and rear yard setback of five feet, and has no minimum area requirement.
  - (2) In the event the provision for the required workforce housing results in the inability to realize the number of dwelling units that would otherwise be allowed if workforce housing was not required, then the applicable minimum lot development standards in the development may be reduced to no less than half of the applicable minimum lot development standard.
- (c) **Workforce housing requirements.** Unless otherwise negotiated by development agreement, one or more of the following workforce housing requirements shall be provided by the developer.
  - (1) **Building and reservation of dwelling units.** Dwelling units, in an amount that is equal to or greater than five percent of the non-workforce housing units being developed, shall be constructed and deed restricted for workforce housing;
  - (2) **Fee in lieu.** In lieu of building affordable housing units, a fee equaling up to two percent of the dwelling unit's market value, shall be paid for each dwelling unit constructed. This shall be implemented by a covenant recorded on title of each dwelling unit, and shall be paid at the time a building permit is issued, or prior to the transfer of the property's title after the dwelling unit has been completed;
  - (3) **Buildable lot in lieu.** In lieu of building affordable housing units, a lawfully subdivided lot or lots in a size and configuration that is capable of supporting dwelling units in an amount that is equal to or greater than 10 percent of the non-workforce housing units being developed, shall be donated, with stubbed utilities, to the Weber Housing Authority for the purpose of meeting this requirement; or



- (4) **Floor area in lieu.** Along G&I, VOC, MUC, MFR and SLR streets, floor area, in a size and configuration that is capable of supporting dwelling units in an amount that is equal to or greater than five percent of the non-workforce housing units being developed, shall be donated, with stubbed utilities, to the Weber Housing Authority for the purpose of meeting this requirement.
- (d) **Workforce housing location.** The required housing units, lots, or floor area provided for workforce housing may be located outside of the proposed development but no greater than one mile from a G&I, VOC, or MUC street designation, or within one mile of a CV-1, CV-2, or CVR-1 zone.
- (e) **Weber housing authority.** Eligibility and long-term monitoring of qualification for workforce housing is the responsibility of the Weber Housing Authority



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### APPLICATION INFORMATION

**Application Request:** A public hearing for consideration of a requested rezone from A-1 to RE-15 on approximately 10.00 acres.  
**Agenda Date:** Tuesday, December 13, 2022  
**Applicant:** Chad Buck  
**File Number:** ZMA 2022-12

### PROPERTY INFORMATION

**Approximate Address:** 2139 S 4300 W  
**Zoning:** The area to be rezoned is currently A-1  
**Proposed Land Use:** Residential, RE-15

### ADJACENT LAND USE

**North:** Agriculture  
**East:** New High School  
**South:** 2200 South St.  
**West:** Agriculture

### STAFF INFORMATION

**Report Presenter:** Tammy Aydelotte  
taydelotte@webercountyutah.gov  
801-399-8794  
**Report Reviewer:** CE

## Applicable Ordinances

§ 102-5: Rezoning Procedures

§ 104-2: Agricultural Zones (A-1), 104-3: Residential Estates Zones (RE-15)

## Legislative Decisions

This is a legislative matter. When the Planning Commission is acting on a legislative matter, it is acting to make a recommendation to the Board of County Commissioners. There is wide discretion in making legislative decisions. Criteria for recommendations on a legislative matter suggest compatibility with the general plan, existing ordinances, and best practices. Examples of legislative actions are general plan, zoning map, and land use code amendments.

## Summary

This item is an applicant-driven request to amend the zoning map from A-1 to RE-15 on 10.00 acres. The owner seeks this zoning to allow for "...greater housing densities near existing or planned school sites..." (see newly adopted General Plan, Land Use Goal 7.1.2, per applicant's narrative). The RE-15 zone has the following minimum site development standards:

Lot area: 15,000 square feet

Lot width: 100 feet

Setbacks:

Front – 30'

Rear – 30'

Side - 10 feet with total width of 2 side yards not less than 24 ft.

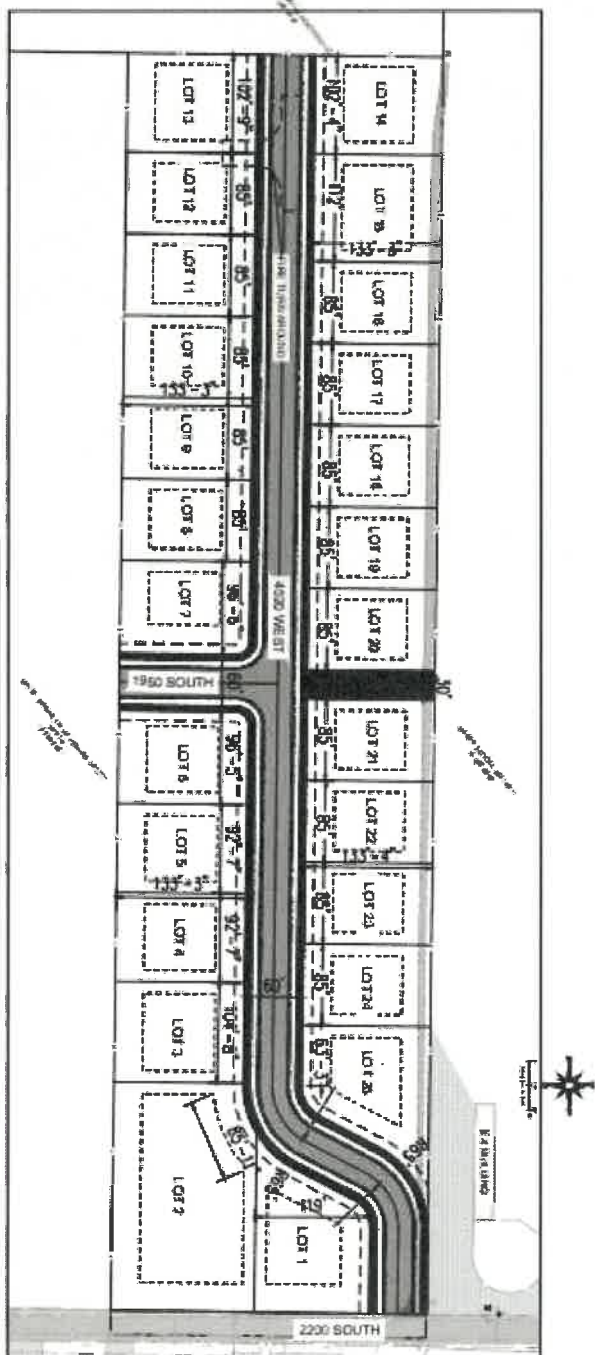
The following maps show the existing zoning and the proposed zoning for this project.



# Policy Analysis

## Concept Plan

The concept site plan that was provided with this application is below.





The applicant has not proposed any unique park area or amenities. The applicant is suggesting use of the adjacent school facilities should be sufficient. However, information submitted to Planning from the School District is that the campus will not be open to the public for park purposes. The Planning Commission should determine the minimum park investment to merit this rezone request. Staff recommends getting input from the parks district before making a decision on this item.

#### **Culinary and Secondary Water Conservation Planning**

The developer is proposing 8-foot wide park strips with rock/gravel. Planning is asking for a minimum 6-inch angular rock in the park strips.

#### **Dark Sky**

The developer is proposing compliance, with street lighting as well as residential lighting, to the Weber County Dark Sky ordinance.

#### **Emissions and Air Quality**

Along with requirements from Planning, the developer is proposing efficient street connectivity to reduce air pollution.

#### **Renewable Energy**

The developer has not specifically addressed this item, however, the Planning Commission may consider this as part of their application, and make recommendations that are proportionate to what the developer is asking for.

#### **County Rezoning Procedure**

The land use code lists the following as considerations when the Planning Commission makes a recommendation to the County Commission:

*A decision to amend the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and*

*Planning Commission are encouraged to consider the following factors, among other factors they deem relevant:*

- a. Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.*
- b. Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*
- c. The extent to which the proposed amendment may adversely affect adjacent property.*
- d. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, wastewater, and refuse collection.*
- e. Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*
- f. Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

## Staff Recommendation

Staff recommends one of the following options to the Planning Commission:

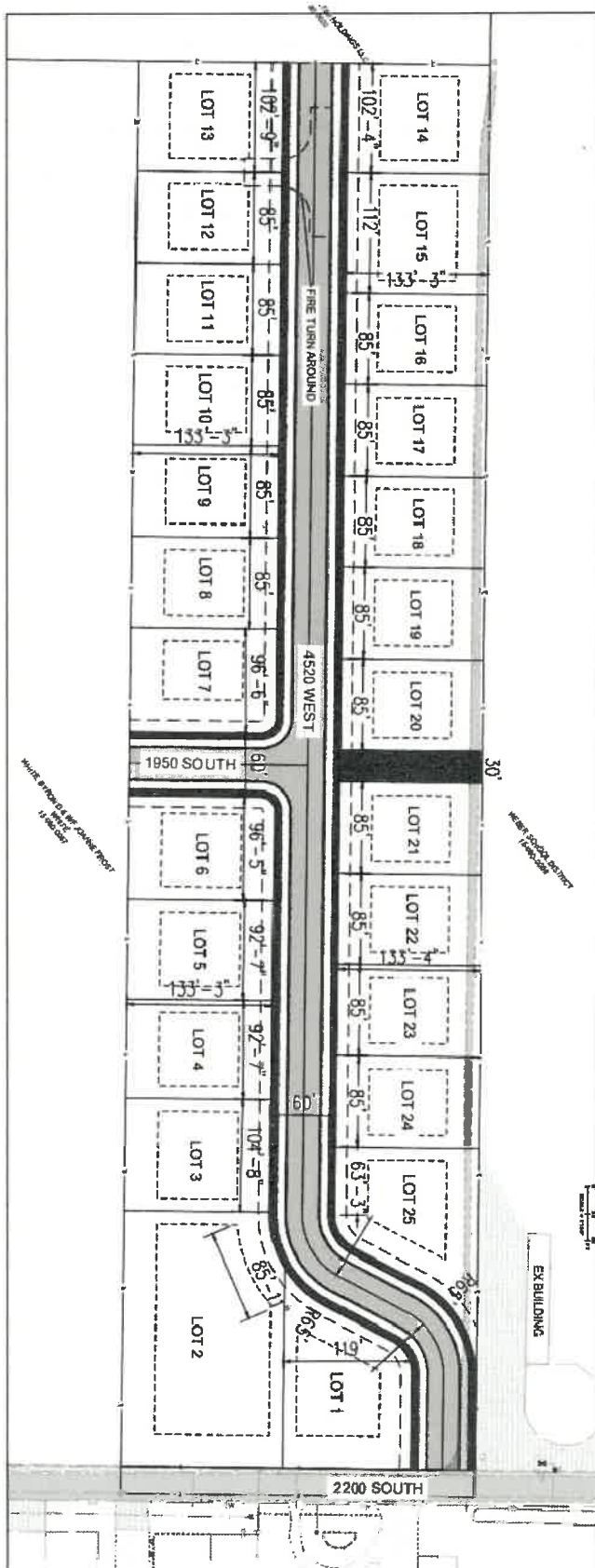
1. Table this item until the open space requirement has been addressed by the developer. This is a smart-growth principle that Planning feels would be a great public benefit to the residents of Western Weber County. Planning would recommend this option.
2. Prior to consideration by the County Commission, the owner will voluntarily enter into a development agreement with the County; that development agreement will include provisions listed below:
  - a. That the appropriate amount of right-of-way (40 feet of half-width) along 2200 South St. will be dedicated to the county , along with installation of pathway along 2200 South St., per the newly adopted Western Weber General Plan (2022).
  - b. The number of lots shall not exceed the gross area divided by a 1/3 acre (minimum lot size for a 'Medium-size' lot).
  - c. Prior to submittal of the first plat, the developer shall submit to the County a park plan acceptable to the park district.
  - d. The concept plan be updated to show dedication of right-of-way along the northern boundary of the project area.
  - e. The final layout of streets and infrastructure shall conform to the updated concept plan.
  - f. The streets shall be lined with trees, spaced at a distance so that, at maturity, their canopies touch. The trees shall be of a species that are deep-rooting and have a high likelihood of survival, given the unique characteristics of the soils.
  - g. The park strips shall have six-inch angular rock.

This recommendation comes with the following findings:

1. The proposal implements certain goals and policies of the West Central Weber General Plan.
2. The development is not detrimental to the overall health, safety, and welfare of the community.

# Exhibits

## Exhibit A: Concept Plan & Narrative.



LOT AREAS			
LOT #	AREA	LOT #	AREA
LOT 1	15 780 30 SQ FT (0.36 ACRES)	LOT 14	13 639 32 SQ FT (0.31 ACRES)
LOT 2	34 646 30 SQ FT (0.80 ACRES)	LOT 15	14 827 49 SQ FT (0.34 ACRES)
LOT 3	13 850 80 SQ FT (0.32 ACRES)	LOT 16	11 329 82 SQ FT (0.26 ACRES)
LOT 4	12 349 75 SQ FT (0.28 ACRES)	LOT 17	11 330 62 SQ FT (0.26 ACRES)
LOT 5	12 348 80 SQ FT (0.28 ACRES)	LOT 18	11 331 41 SQ FT (0.26 ACRES)
LOT 6	12 825 42 SQ FT (0.29 ACRES)	LOT 19	11 332 22 SQ FT (0.26 ACRES)
LOT 7	12 824 37 SQ FT (0.29 ACRES)	LOT 20	11 333 10 SQ FT (0.26 ACRES)
LOT 8	11 315 18 SQ FT (0.26 ACRES)	LOT 21	11 334 01 SQ FT (0.26 ACRES)
LOT 9	11 319 41 SQ FT (0.26 ACRES)	LOT 22	11 334 90 SQ FT (0.26 ACRES)
LOT 10	11 321 33 SQ FT (0.26 ACRES)	LOT 23	11 335 79 SQ FT (0.26 ACRES)
LOT 11	11 327 25 SQ FT (0.26 ACRES)	LOT 24	11 336 49 SQ FT (0.26 ACRES)
LOT 12	11 326 45 SQ FT (0.26 ACRES)	LOT 25	16 317 28 SQ FT (0.37 ACRES)
LOT 13	15 997 81 SQ FT (0.36 ACRES)		



**Singletree Acres Application for Rezone**  
4520 West 2200 South, Taylor

September 15, 2022

This is a request to rezone 10 acres from A1 zone to medium density residential per the newly approved Western Weber County General Plan. This subdivision will be a lot averaged subdivision, with the street connectivity incentive, which means it's eligible for 25 lots. (Land Use Action Item 1.2.2) This also fits in well with the utilities section of the new General Plan which states in Goal 7.1.2, "Consider supporting slightly greater housing densities near existing or planned school sites." This project will be next to the new high school being built in Taylor. This subdivision will also have various lot sizes (Land Use Action 1.4.6 bullets 1&2) which could give variety to the home sizes, price points, and demographics of the neighborhood.

This subdivision is approximately a quarter of a mile from existing sewer. We are willing to pay a substantial cost to bring the sewer to this subdivision, benefiting 11 current residents and potentially hundreds more. All other utilities are in 2200 South and accessible to the subdivision.

I understand that the county wishes for Smart Growth principles to be included as much as possible. I will address how we have tried to implement those principles into this project.

**1 – Street Connectivity.** The main subdivision road connects to 2200 South at the east end of the project, allowing the county proposed north-south road at 4500 west to continue.

In addition, the east-west road of the subdivision is located on the property line of land to the west, allowing a future connection to 4700 West without disturbing existing homes. This road is also in the middle of the subdivision, keeping block lengths within county parameters.

**2 – Pathway Connectivity.** This subdivision will not be near any of the county trails, but we will provide sidewalks throughout the subdivision, as well as a 30-foot-wide dedicated walkway to the new high school. These will allow safe access to the school and the church.

**3 – Open Space / Recreation facilities.** This community will be next to the soccer fields and tennis courts of the new school. Sidewalks and the walkway should make these easily accessible.

**4 – Dark Sky.** Any street lights required will have fixtures that point down to the ground. Homebuilding requirement could allow only can lights on the exterior of the home. (Community Character 3.1 & 3.2.2)

**5 – Water Conservation.** Park strips will be an 8 foot wide xeriscape (gravel/rocks) area with a slight dip to carry storm water to the retention basin.

I believe this subdivision would be a great benefit to Taylor and fits well with the stated goals of the new Western Weber General Plan.

Chad Buck  
Singletree Acres LLC





# Staff Report to the West Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** This request involves three steps:

1. To consider and take action on amending the Future Land Use Map of the General Plan to allow for a designation change to the property (GPA 2022-01).
2. To consider and take action on amending the Weber County Zoning Code to create a new zoning district, known as the M-T zoning district (ZTA 2022-04).
3. To consider and take action on changing the zoning of the property from A-2 (agricultural) to M-T (Manufacturing and Technology) (ZMA 2022-03).

*Each of these steps is a separate agenda item and requires a public hearing.*

**Agenda Date:** Tuesday, December 13, 2022  
**Applicant:** BlackPine Group. Agent: Daniel Stephens  
**File Numbers:** ZMA 2021-03  
**Report Author:** Bill Cobabe  
(bcobabe@webercountyutah.gov)  
(801) 399-8772

### Property Information

**Approximate Address:** 355 acres at 5900 W 1100 N, Unincorporated Weber County  
**Zoning:** The area is currently zoned A-2  
**Existing Land Use:** Agricultural/vacant  
**Proposed Land Use:** Business park, light manufacturing, office spaces

### Adjacent Land Use

<b>North:</b> Agriculture	<b>South:</b> Agriculture
<b>East:</b> Agriculture	<b>West:</b> Agriculture

### Planned Land Use (General Plan)

<b>North:</b> Medium Sized Residential Lots	<b>South:</b> Mixed Use Commercial
<b>East:</b> Agriculture	<b>West:</b> Medium Sized Residential Lots

## Applicable Ordinances

- § 101-1-8 – Amendments to Code
- § 102-2-4 – Powers and Duties of the Planning Commission
- § 102-5-2 – Development to be in Conformance to the General Plan
- § 102-5-6 – Rezone Procedure
- § 104-21-1 – Manufacturing Zones – Purpose and Intent
- § 104-21-3 – Land Use Tables
- § 108-2-3 – Architectural, Landscape, and Screening Design Standards – Applicability

## Legislative Decisions

Decision on these items is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

## Summary and Background

This proposal has three parts, discussed below:

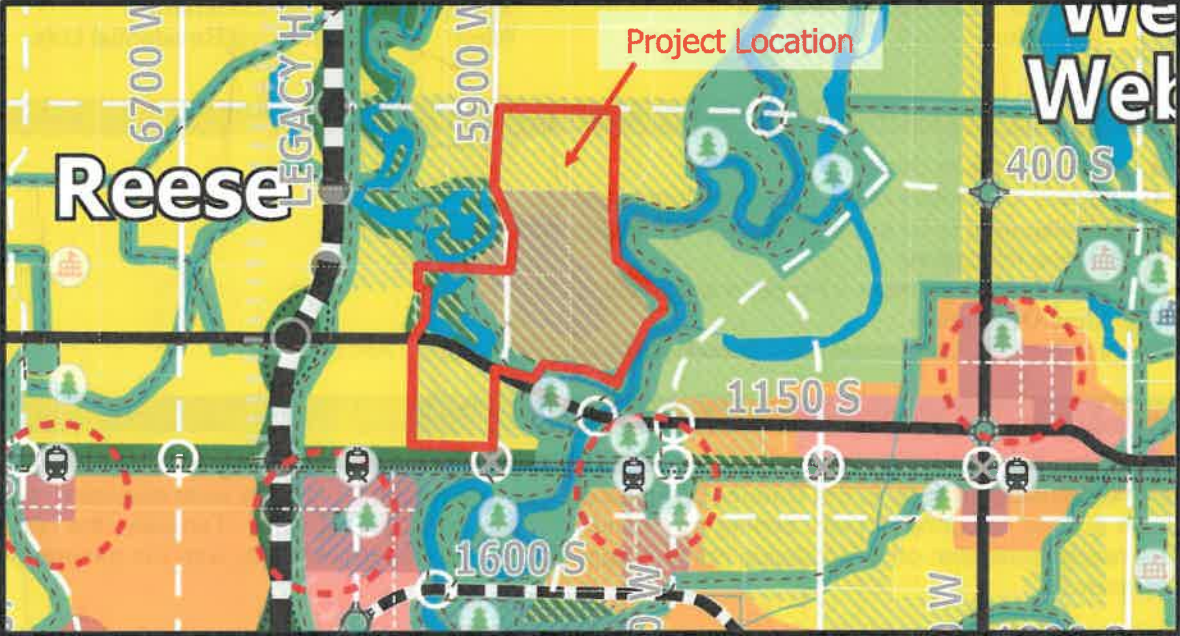
1. *Amending the Future Land Use Map of the General Plan.* Please refer to the map in Exhibit 1. The currently adopted map shows that the property is designated as “Business/Office/Tech”, surrounding a core of “Industrial/Manufacturing”. The revised map shows the property with a designation of “Mixed Use Residential” and “Business/Office/Tech”, surrounding a core of “Industrial/Manufacturing”. It also has expanded to cover all of the property in this proposal, and also shows the inclusion of a mix of uses in the area. This is an appropriate change and fits better with both what the community would benefit most from as well as matching what the developer envisions for the area.
2. *Amending Sections 104-21-1, 104-21-3, and 108-2-3.* These changes are reflected in Exhibit 2 and create a Manufacturing-Technology zone as anticipated by the General Plan. This new zoning district will enable a greater degree of flexibility within an otherwise manufacturing-centered section of the Code, allowing the developer and future tenants a broader range of uses for the property. The complete draft of the proposed language is attached, showing the purpose and intent, amended use tables (uses highlighted in yellow are new), and a changed applicability section, ensuring that the architectural design standards are applicable in this zone.
3. *Rezone.* According to the procedure for rezone as outlined in the Code, and working based on the idea that the new zone is adopted, the developer is requesting the zoning of the property be changed from agricultural (A-2) to the new Manufacturing-Technology zone. It should also be noted that the County will work with the developer to create a development agreement which will cover things like architecture, landscaping, road layout, trails and open space, infrastructure and many other items that will govern the overall implantation of a phased approach to development of the site.

It should be noted that there will be a Development Agreement in connection with the development of this property, including site plans, building layouts, architectural and landscaping standards, street connectivity, infrastructure improvements, and other items that will be addressed as the development progresses. The project narrative (see Exhibit D) demonstrates the developers’ commitment to a quality project and adherence to all applicable County codes and standards. While the project renderings (see Exhibit E) are for general information purposes only and will be subject to change, they further reflect the overall theme and style of the buildout of the project, which will take place in phases and over several years.

**Policy Analysis**

The applicant has provided a detailed policy analysis, which staff has reviewed and agrees with. Please refer to Exhibit D for the review of applicable General Plan sections and the County Code requirements.

*General Plan.* As noted above, the West Weber General Plan currently envisions this property to be an area with an industrial/manufacturing center and a business/office/tech surrounding boundary.



The proposed amendment would change the designation to include all of the property for consideration and includes more of the area to the north and south. Further, there is a small amount of mixed use residential along the periphery of the site, allowing for a mix of uses and a live-work arrangement that may be beneficial for property owners and workers in the area.

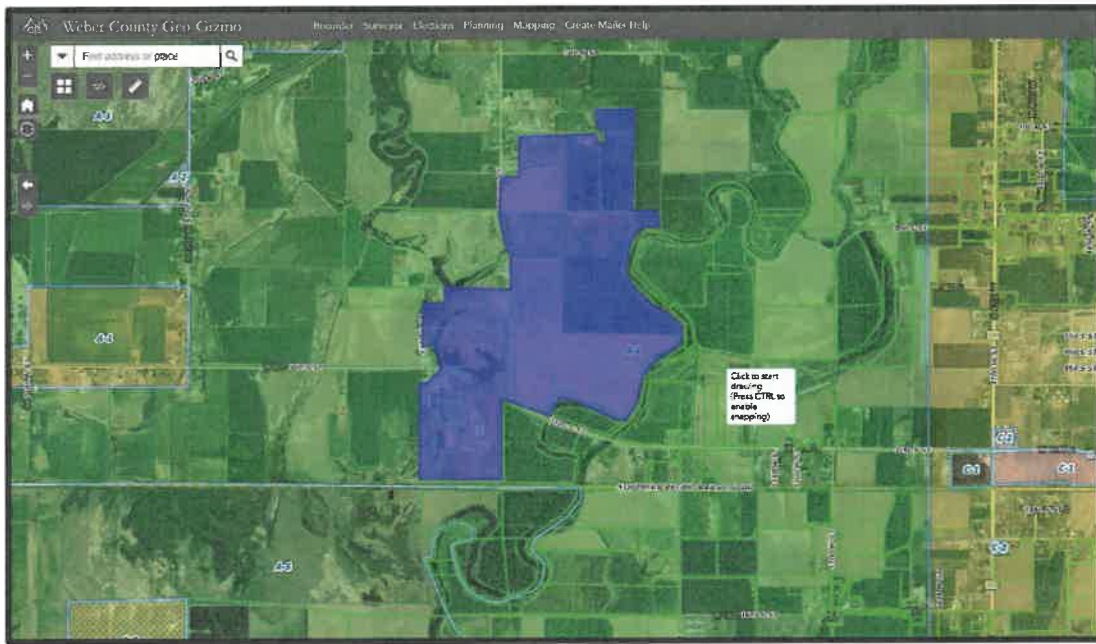


**Zoning Text Amendment:** The Code allows for certain areas to be designated as Manufacturing, much of which allows for more intensive and permissive uses than would be desirable in and around residential areas. The proposed M-T zoning district notes the following:

**Section 104-21-1 (e)** The purpose of the Manufacturing and Technology (M-T) District is to provide for and encourage the development of well-planned and designed technological and manufacturing parks. These areas are characterized by uses such as research, development, manufacturing, fabrication, processing, storage, warehousing and wholesale distribution. These areas are to be located in proximity to adequate transportation facilities and infrastructure so that the needs of these users may be met in an efficient manner with consideration to adjoining uses.

This zone would be much more compatible with a surrounding residential area as anticipated by the General Plan, and reflects the less-intensive uses desirable on the property. See Exhibit B for a full list of anticipated uses (new uses and the new zoning district are highlighted in yellow).

**Zoning Map.** Current zoning shows an area completely zoned for agriculture. The proposed zone change incorporates the new M-T zoning district and applies it to the entire property as shown below.



## Staff Recommendation

Staff recommends that the Planning Commission offers a positive recommendation to the County Commission for files:

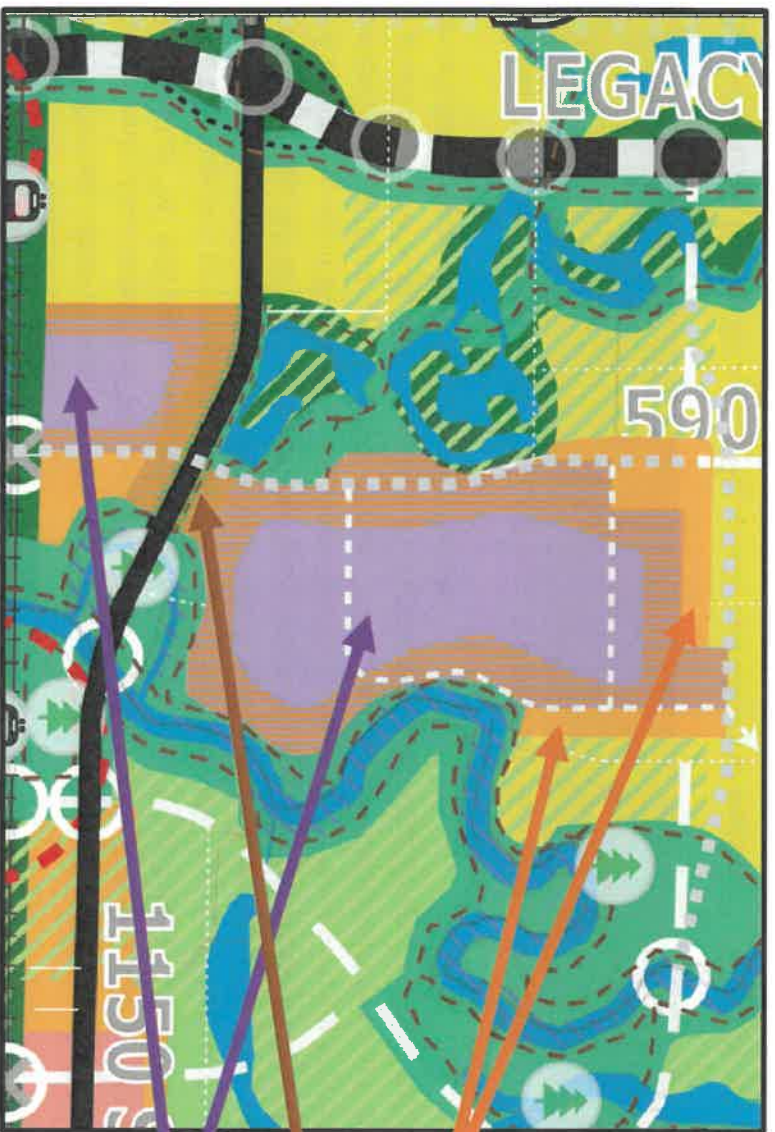
1. GPA 2022-01, which includes amendments to the General Plan and Future Land Use Map of the General Plan, reflecting administrative and clerical edits, and changes to the map shown in Exhibit A;
2. ZTA 2022-04, amending the Code sections referenced as shown in Exhibit B; and,
3. ZMA 2022-03, amending the County zoning map and changing the zone of the property described in Exhibit C from A-2 (agricultural) to M-T (Manufacturing-Technology), with a development agreement that implements the goals and requirements of the County, and the details provided by the applicant in the attached project narrative.

The recommendation is supportable with the following findings:

1. The proposals will meet the anticipated needs and goals outlined in the General Plan;
2. The proposals reflect the desires of the developer and property owners;
3. The proposals demonstrate a continued orderly progression to development in the area; and,
4. The proposals are in the best interest of the health, safety, and welfare of the general public.

## Exhibits

- A. Proposed Future Land Use Map of the General Plan Amendments
- B. Proposed Draft of Zoning Text Amendments
- C. Proposed Property Descriptions of Areas to be Rezoned
- D. Project Narrative
- E. Project Renderings (Tentative)



**Chapter 104-21 Manufacturing Zones MV-1, M-1, M-2, And M-3**

**Sec 104-21-1 Purpose And Intent**

..  
**Section 104-21-1 (c)** The purpose of the Manufacturing and Technology (M-T) District is to provide for and encourage the development of well-planned and designed technological and manufacturing parks. These areas are characterized by uses such as research, development, manufacturing, fabrication, processing, storage, warehousing and wholesale distribution. These areas are to be located in proximity to adequate transportation facilities and infrastructure so that the needs of these users may be met in an efficient manner with consideration to adjoining uses.

..  
**Sec 104-21-3 Land Use Tables**

In the following tables of possible uses, a use designated in any zone as "P" is a permitted use. A use designated in any zone as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Title 108, Chapter 4 of this Land Use Code. Uses designated as "N" will not be allowed in that respective zone. Unless more specifically regulated in the following table, any use listed as "P" in the C-3 zone is a permitted use in the M-T, M-1, M-2, and M-3 zones, and any use listed as "C" in the C-3 zone is a conditional use. Likewise, any use listed as "P" in the CV-2 zone is a permitted use in the MV-1 zone, and any use listed as "C" in the CV-2 zone is a conditional use. All uses listed are indoor uses, unless explicitly stated otherwise with the terms "outdoor" or "yard." When a use fits more than one use listed in these tables, the more specific or more restrictive provision applies. In all manufacturing zones, any manufacturing process that will result in odors, dust, fumes, or other airborne contaminants that have the potential of negatively affecting the manufacturing of products, or the work environment in which this manufacturing occurs, shall provide mechanisms, by installation or otherwise, that keep the airborne contaminants from leaving the site.

..  
**Sec 104-21-3.010 Aeronautical, Space-Based, Or Defense-Based Manufacturing Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Aircraft engine testing, including jet, missile and chemical engines.</i>	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
<i>Aircraft or aircraft parts manufacturing.</i>	N	N	N	P	P	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.



*Missile and missile parts manufacturing.*

N N N N C

This use shall be located at least 600 feet from any zone boundary.

*Spacecraft and spacecraft parts manufacturing.*

N N N N C

This use shall be located at least 600 feet from any zone boundary.

**Sec 104-21-3.020 Animal Byproduct Harvesting, Processing, Or Refining Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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*Animal byproduct manufacturing, generally.*

N N N N C

This use shall be located at least 600 feet from any zone boundary.

*Fat rendering.*

N N N N C

This use shall be located at least 600 feet from any zone boundary.

**Sec 104-21-3.030 Animal-Related Uses Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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*Animal feeding operation.* An animal feeding operation, as defined in Section 101-2.

N N N N C

*Animal feeding operation, large concentrated.* A large concentrated animal feeding operation, as defined in Section 101-2.

N N N N C

*Animal grazing.* Animal grazing, as defined in Section 101-2.

N P P P P

*Animal hospital.* An animal hospital.

N P P P P

*Apiary.* The keeping of bees.

N P P P P

*Aviary.* The keeping and feeding of birds.

N P P P P

*Kennel.* Kennel.

N N P P P

**Stockyard.** A stockyard.

N N N N C

This use shall be located at least 600 feet from any zone boundary.

**Slaughterhouse.** A slaughterhouse.

N N N N C

This use shall be located at least 600 feet from any zone boundary.

**Veterinarian and small animal grooming.** Veterinarian or animal grooming services.

P P P P P

**Sec 104-21-3.040 Commercial Services Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<b>Building maintenance services.</b> Services for the maintenance of buildings.	P	P	P	P	P	
<b>Building material sales yard.</b>	N	N	P	P	P	See Section 104-21-4.
<b>Conference Center and Convention Center.</b>	P	P	P	P	P	
<b>Contractor's equipment storage yard.</b> A contractor's equipment storage yard or rental of equipment used by contractors. (Indoor or outdoor)	N	C	C	P	P	
<b>Fertilizer and soil conditioner.</b> The manufacturing or processing of fertilizer and soil conditioner. (Indoor or outdoor)	N	N	N	N	C	No animal products or byproducts allowed to be used.
<b>Gas station or convenient store.</b> A gas station or convenience store, with accessory and incidental outdoor uses.	P	P	P	P	P	
<b>Laboratory.</b> A laboratory.	P	N	P	P	P	
<b>Light Office/Warehouse Combination.</b>	P	P	P	P	P	
<b>Machine shop.</b> A machine shop.	P	P	P	P	P	
<b>Medical and Dental Clinics.</b>	P	P	P	P	P	
<b>Medical Research Facility.</b>	P	P	P	P	P	
<b>Metal working shop.</b> Metal working, shaping, or assembling shop.	P	N	P	P	P	

<i>Motion picture studio.</i> A motion picture studio.	P	N	C	C	C	P
<i>Motion picture studio, outdoor.</i> An outdoor motion picture studio.	P	N	C	C	C	P
<i>Printing and Publishing Facilities.</i>	P	P	P	P	P	P
<i>Repairing of vehicles.</i> The repairing of motor vehicles, trailers, bicycles, boats, and similar.	P	C	P	P	P	P
<i>Research and Development Facilities.</i>	P	P	P	P	P	P
<i>Retail Facilities and Services accessory to a principal use.</i>	P	P	P	P	P	P
<i>Schools - Vocational and Technical.</i>	P	P	P	P	P	P
<i>Sandblasting.</i> Sandblasting.	P	N	P	P	P	P

Allowed in the M-T zone as an indoor use only

**Sec 104-21-3.050 Commercial Sales Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Fertilizer and soil conditioner sales.</i> Fertilizer and soil conditioner sales. (Indoor or outdoor)	N	N	C	C	C	
<i>Wrecked car sales.</i> Wrecked car sales. (Indoor or outdoor)	N	N	N	C	C	

**Sec 104-21-3.060 Temporary Construction Material Manufacturing Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Mixing facility for asphalt or concrete, temporary.</i> An onsite asphalt or concrete mixing facility, incidental to large site development. (Indoor or outdoor)	N	N	C	C	C	See Section 104-21-4
<i>Rock crusher, temporary.</i> A mobile rock crushing operation incidental to large site development. (Indoor or outdoor)	N	N	C	C	C	
<i>Temporary Construction Buildings &amp; Yards (12 months maximum)</i>	P	P	P	P	P	

**Sec 104-21-3.070 Food Manufacturing And Packaging Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Alcohol distillery.</i> An alcohol distillery.	P	P	P	P	P	
<i>Bakery goods manufacturing.</i> The manufacturing of bakery goods.	P	P	P	P	P	
<i>Brewery.</i> A brewery.	P	P	P	P	P	
<i>Dairy and dairy product processing.</i> The processing of dairy and dairy products.	N	N	P	P	P	
<i>Fat rendering.</i> The rendering of fat.	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary
<i>Food packaging and distribution, onsite.</i> The packaging and distribution of food products produced onsite.	P	P	P	P	P	
<i>Food packaging and distribution, offsite.</i> The packaging and distribution of food products produced offsite.	P	N	P	P	P	
<i>Food products, small-batch artisan.</i> The creation of small-batch artisan food products.	P	P	P	P	P	Limited to food for human consumption. e.g., baked goods, confectionaries, and craft cheese.
<i>Food products manufacturing.</i> The manufacturing of food products, which may include use of potentially hazardous chemicals incidental and accessory to the processing of food onsite.	P	N	C	P	P	
<i>Meat custom cutting and wrapping.</i> The custom cutting and wrapping of meat, excluding slaughtering.	P	P	P	P	P	
<i>Meat products smoking, curing, and packaging.</i> The smoking, curing, and packaging of meat products.	N	N	C	C	C	
<i>Tobacco manufacturing.</i> The manufacturing of tobacco products.	N	N	N	N	C	

**Sec 104-21-3.080 Gaseous Or Liquid Nonfood Manufacturing Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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**Hazardous products.** Gaseous or liquid nonfood products, such as chemicals, paints, inks, and other products that are or have potential of being combustible, explosive, oxidizers, organic peroxides, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property, or environment.

**Nonhazardous products.** Gaseous or liquid nonfood products that are not hazardous.

**Sec 104-21-3.090 Mining, Rock, Or Gravel Production Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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**Mining or extraction of metals or other minerals.** The mining or extraction of metals or other minerals. (Indoor or outdoor)

**Gravel extraction.** The extraction of gravel. (Indoor or outdoor).  
This use shall be located at least 600 feet from any zone boundary.

**Rock crusher.** A rock crusher. (indoor or outdoor)  
This use shall be located at least 600 feet from any zone boundary.

**Sec 104-21-3.100 Pharmaceutical Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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**Cannabis cultivation establishment.** A cannabis cultivation establishment.  
See Section 108-7-34.

**Cannabis production establishment.** A cannabis production establishment.  
See Section 108-7-34.

**Pharmaceuticals, generally.** The general manufacturing of pharmaceuticals.

**Sec 104-21-3.110 Basic Materials Manufacturing Table**

**Basic materials manufacturing.** The processing or refining of raw material into the basic material from which a final or semi-final nonfood product can be made.

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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**Metals processing or refining, hazardous.** The processing or refining of metals that are or have potential of being combustible, explosive, oxidizers, organic peroxides, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property, or environment.

This use shall be located at least 600 feet from any zone boundary.

**Metals processing or refining, nonhazardous.** The processing or refining of nonhazardous metals.

**Foundry or forage plant, large.** A large foundry or forage plant for the processing or refining of metals.

**Foundry, small.** A small foundry for the processing or refining of lightweight and nonferrous metals.

**Organics processing or refining, hazardous.** The processing or refining of organics that are or have potential of being combustible, explosive, oxidizers, organic peroxides, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property, or environment.

This use shall be located at least 600 feet from any zone boundary.

**Organics processing or refining, nonhazardous.** The processing or refining of nonhazardous organics.

**Plastic processing or refining.** The processing or refining of plastics.

**Sec 104-21-3.120 Final Product Manufacturing Table**

**Final product manufacturing table.** Processing, compounding, assembling, or fabricating of a final or semi-final product from solid materials previously processed or refined.

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<b>Batteries.</b> The compounding, assembling, or fabricating of batteries or battery parts.	P	N	C	C	C	
<b>Mixing plant for certain construction material.</b> A mixing or batching plant for cement, cinder, mortar, brick, plaster, paving or similar construction material. (Indoor or outdoor)	N	N	N	N	C	See Section 104-21-4.
<b>Vehicle assembly.</b> The assembly of motor vehicle, bicycle, boat, and similar manufacturing, including parts thereof.	N	N	N	P	P	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
<b>Products, hazardous.</b> The creation of hazardous products that are or have potential of being combustible, explosive, oxidizers, organic peroxide, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property, or environment.	N	N	N	N	C	
<b>Products, nonhazardous.</b> The creation of nonhazardous products.	P	P	P	P	P	
<b>Rubber products.</b> The creation of real or synthetic rubber products.	N	N	N	N	P	This use shall be located at least 600 feet from any zone boundary.

**Sec 104-21-3.130 Public, Quasi-Public, And Institutional Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<b>Public or quasi-public uses.</b> A public or quasi-public use, including public buildings. (Indoor or outdoor)	P	P	P	P	P	
<b>Public safety training facility.</b> A public safety training facility. (Indoor or outdoor)	P	N	C	C	C	
<b>Public transit facility.</b> A public transit storage or maintenance facility. (Indoor or outdoor)	N	N	P	P	P	

*Recreation center.* A recreation center, which may also include a daycare center as an incidental and accessory use.

P P P P P

**Sec 104-21-3.140 Recreational Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Go cart racing or drag strip, indoor.</i> A go cart or drag strip racing facility. (Indoor)	P	P	P	P	P	
<i>Go cart racing or drag strip, outdoor.</i> A go cart or drag strip racing facility. (Outdoor)	N	N	N	N	C	
<i>Race track, indoor.</i> A track or course for motor vehicle competition. (Indoor)	N	N	C	C	C	
<i>Race track, outdoor.</i> A track or course for motor vehicle competition, with spectators. (Outdoor)	N	N	N	C	P	
<i>Recreation area, private.</i> A private recreation area. (Outdoor)	N	N	N	N	C	
<i>Shooting range or training course.</i> A shooting range or training course. (Indoor or outdoor)	N	N	N	N	C	See Section 104-21-4.
<i>Vehicle training course.</i> A track or course for motor vehicle training, without spectators. (Outdoor)	N	N	C	P	P	
<b><u>Sec 104-21-3.150 Storage Table</u></b>						
USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Commercial Storage and Distribution Center.</i> A center for the storage and local distribution of commercial products.	P	P	P	P	P	
<i>Self-storage.</i> Indoor self-storage units for personal and household items.	N	P	P	P	P	



*Recreational vehicle storage.* The indoor storage of a recreational vehicle.

*Outdoor storage.* Outdoor storage.

**Sec 104-21-3.160 Textiles Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Carpet and rug manufacturing and dyeing.</i> The manufacturing and dyeing of a carpet or rug.	P	N	P	P	P	
<i>Dry cleaning plant.</i> A dry cleaning plant.	P	N	P	P	P	
<i>Textile manufacturing or maintenance.</i> The manufacturing or maintenance of textiles.	N	N	P	P	P	
<i>Upholstering.</i> Upholstering, including furniture manufacturing, rebuilding, and renovating.	P	P	P	P	P	

**Sec 104-21-3.170 Transportation Table**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Airport.</i> An airport	N	N	P	P	P	
<i>Freight transfer, indoor.</i> The indoor transfer of freight.	P	N	P	P	P	
<i>Freight transfer, outdoor.</i> The outdoor transfer of freight.	P	N	P	P	P	
<i>Parking lot.</i> An outdoor parking lot.	P	P	P	P	P	
<i>Parking structure.</i> A parking structure.	P	P	P	P	P	

**Railroad yard.** A railroad yard, which may include a shop and/or a roundhouse. (Indoor or outdoor)

N N N C C

**Truck service station.** A truck service station.

P N P P P

**Sec 104-21-3.180 Waste Disposal And Recycling**

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<b>Automobile wrecking yard or junkyard.</b> A junkyard or automobile wrecking yard. (Indoor or outdoor)	N	N	N	N	N	
<b>Automobile recycling and parts dismantling.</b> The dismantling and recycling of automobile or automobile parts.	N	N	N	C	C	See Section 104-21-4.
<b>Incinerator.</b> An incinerator.	N	N	N	N	N	
<b>Solid waste disposal facility.</b> A solid waste disposal facility as defined in Section 101-2-20. (Indoor or outdoor)	N	N	N	N	N	
<b>Solid waste transfer station, indoor.</b> The indoor transfer of solid waste.	N	N	N	N	N	
<b>Solid waste transfer station, outdoor.</b> The outdoor transfer of solid waste.	N	N	N	N	N	
<b>Radioactive waste disposal.</b> The disposal of radioactive waste.	N	N	N	N	N	
<b>Recycling facility.</b> The recycling of metals, plastics, paper, or glass.	N	N	C	C	P	

**Sec 108-2-3 Applicability**

Applicability. The architectural, landscape and screening design standards, as set forth in this chapter, shall only apply to the following: All commercial, and public or quasi-public uses, except public park facilities;

Multi-family dwellings of three or more units, including townhouses, condominiums, apartments and bed and breakfast inns; Industrial, tech-oriented, and manufacturing uses, except those uses located in an M-1, M-2, or M-3 zone; and

Yurts, except the standards of Section 108-2-4(b) if this chapter shall not apply.

## Exhibit E: Legal Description

### PARCEL 1:

PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U S SURVEY:

BEGINNING AT A POINT 56 RODS SOUTH AND 1650 FEET EAST FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION; RUNNING THENCE EAST 558.44 FEET, MORE OR LESS, TO AN EXISTING FENCE; THENCE SOUTH ALONG SAID FENCE LINE 104 RODS, MORE OR LESS, TO AN EXISTING FENCE; THENCE WEST ALONG SAID EXISTING FENCE LINE 558.44 FEET, MORE OR LESS, TO AN EXISTING FENCE; THENCE NORTH ALONG SAID EXISTING FENCE LINE 104 RODS, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING: A PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U S SURVEY:

BEGINNING AT A POINT 56 RODS SOUTH AND 1650 FEET EAST AND 350.4 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION, RUNNING THENCE EAST 100 FEET; THENCE SOUTH 270 FEET; THENCE WEST 100 FEET, MORE OR LESS, TO AN EXISTING FENCE; THENCE NORTH ALONG SAID FENCE 270 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

### PARCEL 1A:

A RIGHT OF WAY 25 FEET IN WIDTH FOR INGRESS AND EGRESS AND DRAINAGE OVER THE FOLLOWING DESCRIBED CENTERLINE, BEING 12.5 FEET EITHER SIDE OF SAID CENTERLINE AS FOLLOWS: BEGINNING AT A POINT 56 RODS SOUTH AND 1650 FEET EAST AND 396 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, RUNNING THENCE NORTH 50° EAST 90 FEET, MORE OR LESS, TO THE NORTH LINE OF THE EXCEPTED PARCEL HEREINABOVE DESCRIBED.

### PARCEL 1B:

A RIGHT OF WAY FOR INGRESS AND EGRESS AND DRAINAGE, ACROSS THE NORTH 25 FEET OF THE EAST 50 FEET OF THE EXCEPTED PARCEL HEREINABOVE DESCRIBED.

### PARCEL 2:

PART OF THE WEST HALF OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER SECTION 18, THENCE WEST 60 RODS, THENCE NORTH 80 RODS, THENCE WEST 1294 FEET, THENCE SOUTH 150 FEET, THENCE WEST 73 FEET, THENCE SOUTH 150 FEET, THENCE EAST 23.24 FEET; THENCE SOUTH 00°45'59" WEST 129.22 FEET; THENCE WEST 23.24 FEET; THENCE SOUTH 20.78 FEET, THENCE WEST 283 FEET, THENCE SOUTH 990.45 FEET, MORE OR LESS, THENCE SOUTH 14° EAST 792 FEET, THENCE SOUTH 00°42' EAST 1136 FEET, THENCE SOUTH 72°50' EAST 2162 FEET TO SOUTH LINE OF SAID SECTION; THENCE EAST 282 FEET TO CENTER CHANNEL OF WEBER RIVER, THENCE NORTHERLY, THENCE EASTERLY, THENCE NORTHWESTERLY AND NORTHEASTERLY ALONG SAID RIVER TO A POINT 342 FEET SOUTH OF BEGINNING, THENCE NORTH 342 FEET TO BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING: PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT 633.0 FEET NORTH 00°45'59" EAST ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE NORTH 00°45'59" EAST 237.00 FEET ALONG SAID SECTION LINE TO THE SOUTH LINE OF THE VERNAL HILL PROPERTY, THENCE SOUTH 89°14'01" EAST ALONG SAID SOUTH LINE 172.87 FEET, THENCE NORTH 62°05'41" EAST 43.31 FEET, THENCE SOUTH 89°14'01" EAST 95.37 FEET, THENCE NORTH 00°45'59" EAST 129.22 FEET, THENCE NORTH 89°14'01" WEST 23.24 FEET, THENCE NORTH 00°45'59" EAST 150.00 FEET, THENCE SOUTH 89°14'01" EAST 72.83 FEET, THENCE SOUTH 00°45'59" WEST 537.00 FEET, THENCE NORTH 89°14'01" WEST 355.83 FEET TO THE POINT OF BEGINNING.

### PARCEL 2A:

A RIGHT OF WAY FOR INGRESS AND EGRESS AS DISCLOSED BY QUIT CLAIM DEED RECORDED MARCH 09, 2016 AS ENTRY NO. [2782055](#) OF OFFICIAL RECORDS:

BEGINNING AT A POINT 703.00 FEET NORTH 00°45'59" EAST ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION AND RUNNING THENCE NORTH 00°45'59" EAST 20.00 FEET ALONG SAID SECTION LINE, THENCE SOUTH 89°14'01" EAST 335.83 FEET, THENCE NORTH 00°45'59" EAST 101.00 FEET, THENCE NORTH 89°14'01" WEST 335.83 FEET, THENCE NORTH 00°45'59" EAST 20 FEET, THENCE SOUTH 89°14'01" EAST 355.83 FEET, THENCE



SOUTH 00°45'59" WEST 141.00 FEET, THENCE NORTH 89°14'01" WEST 355.83 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE COUNTY ROAD AND THE SOUTH LINE OF SAID QUARTER SECTION, RUNNING THENCE NORTH ALONG SAID EAST LINE 682.8 FEET, THENCE SOUTH 72°50' EAST 675 FEET, THENCE SOUTH 00°42' EAST TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE WEST TO THE PLACE OF BEGINNING.

PARCEL 4:

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT NORTH 682.8 FEET AND SOUTH 72°50' EAST 1418 FEET FROM THE INTERSECTION OF THE EAST LINE OF THE COUNTY ROAD, AND THE SOUTH LINE OF SAID QUARTER SECTION, AND RUNNING THENCE SOUTH 72°50' EAST 744 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE WEST ALONG SAID LINE TO POINT SOUTH 0°42' EAST OF BEGINNING, THENCE NORTH 0°42' WEST TO BEGINNING.

PARCEL 5:

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT NORTH 682.8 FEET AND SOUTH 72°50' EAST 675 FEET FROM THE INTERSECTION OF THE EAST LINE OF THE COUNTY ROAD AND THE SOUTH LINE OF SAID QUARTER SECTION 18, AND RUNNING THENCE SOUTH 72°50' EAST 742 FEET, THENCE SOUTH 00°42' EAST TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE WEST ALONG SAID LINE TO A POINT SOUTH 00°42' EAST OF BEGINNING, THENCE NORTH 00°42' WEST TO BEGINNING.

PARCEL 6:

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING ON THE NORTH LINE OF SAID QUARTER SECTION 1390 FEET, MORE OR LESS, EAST OF THE EAST LINE OF THE COUNTY ROAD, AND RUNNING THENCE EAST TO THE WEST BANK OF THE WEBER RIVER, THENCE SOUTH ALONG SAID WEST BANK 1050 FEET, MORE OR LESS, THENCE ALONG THE NORTH BANK OF SAID RIVER IN A NORTHWESTERLY DIRECTION TO A POINT SOUTH 00°42' EAST OF BEGINNING, THENCE NORTH 00°42' WEST TO BEGINNING.

PARCEL 7:

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING ON THE NORTH LINE OF SAID QUARTER SECTION 675 FEET, MORE OR LESS, EAST OF THE EAST LINE OF THE COUNTY ROAD, AND RUNNING THENCE EAST 720 FEET, MORE OR LESS, THENCE SOUTH TO THE NORTH BANK OF THE WEBER RIVER, THENCE ALONG SAID RIVER BANK IN A WESTERLY DIRECTION TO A POINT SOUTH 00°42' EAST OF BEGINNING, THENCE NORTH 00°42' WEST TO BEGINNING.

PARCEL 8:

PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT INTERSECTION OF THE EAST LINE OF COUNTY ROAD AND NORTH LINE OF NORTHWEST QUARTER OF SECTION 19, THENCE SOUTH 582.4 FEET, SOUTH 62°20' EAST 630 FEET TO WEST LINE OF WEBER RIVER, THENCE NORTHERLY, EASTERLY TO A POINT EAST 670 FEET, MORE OR LESS, AND SOUTH 0°42' EAST OF BEGINNING, THENCE NORTH 00°42' WEST TO NORTH LINE OF SAID SECTION DUE EAST OF BEGINNING, THENCE WEST TO BEGINNING.

EXCEPT COUNTY ROAD AS DESCRIBED BY WARRANTY DEED RECORDED SEPTEMBER 25, 1959 AS AS ENTRY NO. [321655](#) IN BOOK 624 AT PAGE 596 OF OFFICIAL RECORDS.

LESS AND EXCEPT THE PORTION OF PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED JUNE 27, 2016 AS ENTRY NO. [2800625](#) OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF LAND, SITUATE IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH ALSO KNOWN AS PROJECT NO. LG\_WC\_1200 SOUTH, THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF GRANTOR'S PROPERTY, SAID POINT LIES 563.34 FEET SOUTH 00°42'09" EAST ALONG THE WEST LINE OF SAID SECTION 19 AND 200.71 FEET EAST FROM THE NORTHWEST CORNER OF SAID SECTION 19 AND RUNNING THENCE NORTH 44.11 FEET ALONG GRANTOR'S WEST PROPERTY LINE TO A POINT ON THE PROPOSED NORTH RIGHT OF WAY LINE OF 1200 SOUTH STREET (900 SOUTH STREET) ROAD WIDENING PROJECT (LG\_WC\_1200 SOUTH) THENCE SOUTH 59°34'37" EAST 157.74 FEET ALONG THE PROPOSED NORTH RIGHT OF WAY LINE OF SAID PROJECT TO A POINT OF CURVATURE ON SAID NORTH RIGHT OF WAY LINE, THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE SOUTHEASTERLY 483.97 FEET ALONG THE ARC OF A 4445.20 FOOT RADIUS CURVE TO THE LEFT (CENTRAL ANGLE EQUALS 06°14'17" AND LONG CHORD BEARS SOUTH 62°41'45" EAST 483.73 FEET) ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE GRANTOR'S EAST PROPERTY LINE, THENCE SOUTH 12°44'31" WEST 35.74 FEET ALONG GRANTOR'S EAST PROPERTY LINE TO GRANTOR'S SOUTH PROPERTY LINE, THENCE NORTH 62°20'00" WEST 630.00 FEET ALONG GRANTOR'S SOUTH PROPERTY LINE TO THE POINT OF BEGINNING.

THE PRECEDING DESCRIPTION NEEDS TO BE ROTATED 00°14'13" COUNTER CLOCKWISE TO MATCH PROJECT ALIGNMENT.

PARCEL 9:

PART OF THE EAST HALF OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING 570 FEET SOUTH FROM THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 24, AND RUNNING THENCE SOUTH TO RIGHT-OF-WAY OF THE CENTRAL PACIFIC RAILROAD, THENCE EAST ALONG SAID RIGHT-OF-WAY 80 RODS; THENCE NORTH 85 RODS, MORE OR LESS, TO THE COUNTY ROAD; THENCE NORTHWESTERLY ALONG SAID ROAD TO A POINT WHICH IS SOUTH 00°30'30" EAST 439.87 FEET, AND NORTH 67°36'20" WEST 737.87 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 24, THENCE SOUTH 00°30'30" EAST 481.06 FEET, THENCE NORTH 73°53' WEST 200.00 FEET, THENCE WEST 460.0 FEET, MORE OR LESS, TO BEGINNING.

EXCEPT COUNTY ROAD AS DESCRIBED BY WARRANTY DEED RECORDED SEPTEMBER 25, 1959 AS ENTRY NO. 321643 IN BOOK 624 AT PAGE 584 OF OFFICIAL RECORDS.

ALSO: PART OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT WHICH IS SOUTH 00°30'30" EAST 439.87 FEET ALONG SECTION LINE AND NORTH 67°36'20" WEST 737.87 FEET, AND SOUTH 00°30'30" EAST 481.06 FEET AND NORTH 73°53' WEST 200.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 24, AND RUNNING THENCE WEST 460.0 FEET, MORE OR LESS, TO WEST LINE OF EAST HALF OF NORTHEAST QUARTER OF SAID SECTION 24, THENCE NORTH 270.0 FEET, MORE OR LESS, TO A POINT 300 FEET SOUTH OF NORTH LINE OF SAID SECTION; THENCE EAST 200 FEET; THENCE NORTH 267 FEET, MORE OR LESS, TO SOUTH LINE OF 900 SOUTH STREET; THENCE EASTERLY ALONG SOUTH LINE OF SAID STREET TO A POINT NORTH 00°30'30" WEST OF THE PLACE OF BEGINNING, THENCE SOUTH 00°30'30" EAST 481.06 FEET TO THE PLACE OF BEGINNING.

ALSO: PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT 300 FEET SOUTH FROM THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER, AND RUNNING THENCE NORTH 267 FEET, MORE OR LESS, TO THE SOUTH LINE OF 900 SOUTH STREET, THENCE EASTERLY ALONG SAID SOUTH LINE OF 900 SOUTH STREET 200 FEET, MORE OR LESS, THENCE SOUTH 267 FEET, MORE OR LESS, THENCE WEST 200 FEET TO THE PLACE OF BEGINNING.

LESS AND EXCEPTING THE PORTION OF PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED JUNE 27, 2016 AS ENTRY NO. 2800632 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE BEING PART OF AN ENTIRE TRACT OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH ALSO KNOWN AS PROJECT NO. LG\_WC\_1200 SOUTH. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE PROPOSED SOUTH RIGHT OF WAY LINE OF THE 1200 SOUTH STREET (900 SOUTH STREET) ROAD WIDENING PROJECT AND THE EAST LINE OF THE GRANTOR'S PROPERTY, SAID POINT LIES 76.11 FEET SOUTH 00°27'54" WEST AND 866.33 FEET WEST FROM THE NORTHEAST CORNER OF SAID SECTION 24 AND RUNNING THENCE NORTHWESTERLY 336.16 FEET ALONG THE ARC OF A 1447.52 FOOT RADIUS CURVE TO THE LEFT,

(CENTRAL ANGLE EQUALS 13°18'21" AND LONG CHORD BEARS NORTH 81°53'34" WEST 335.40 FEET) ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 88°32'45" WEST 123.59 FEET ALONG SAID RIGHT OF WAY LINE TO THE GRANTOR'S WEST PROPERTY LINE THENCE NORTH 00°13'14" EAST 14.66 FEET ALONG SAID WEST PROPERTY LINE TO THE NORTH LINE OF GRANTOR'S PROPERTY, THENCE SOUTH 89°46'46" EAST 200.00 FEET ALONG SAID NORTH PROPERTY LINE TO AN ANGLE POINT IN THE GRANTOR'S NORTH PROPERTY LINE; THENCE SOUTH 77°26'12" EAST 261.78 FEET ALONG SAID NORTH PROPERTY LINE TO THE GRANTOR'S EAST PROPERTY LINE, THENCE SOUTH 00°17'16" EAST 7.38 FEET ALONG SAID EAST PROPERTY LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THE PORTION OF PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED JUNE 27, 2016 AS ENTRY NO. [2800633](#) OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF LAND, SITUATE IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH ALSO KNOWN AS PROJECT NO. LG\_WC\_1200 SOUTH. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE PROPOSED SOUTH RIGHT OF WAY LINE OF THE 1200 SOUTH STREET (900 SOUTH STREET) ROAD WIDENING PROJECT AND THE GRANTOR'S NORTH PROPERTY LINE, SAID POINT LIES 201.27 FEET SOUTH 00°27'54" WEST ALONG THE EAST LINE OF SAID SECTION 24, AND 548.01 FEET WEST FROM THE NORTHEAST CORNER OF SAID SECTION 24, AND RUNNING THENCE NORTHWESTERLY 138.96 FEET ALONG THE ARC OF A 1447.52 FOOT RADIUS CURVE TO THE LEFT (CENTRAL ANGLE EQUALS 05°30'01" AND LONG CHORD BEARS NORTH 64°27'27" WEST 138.91 FEET) ALONG SAID PROPOSED RIGHT OF WAY LINE TO A WEST LINE OF THE GRANTOR'S PROPERTY, THENCE NORTH 00°02'44" WEST 16.39 FEET ALONG SAID WEST PROPERTY LINE TO THE GRANTOR'S NORTH PROPERTY LINE, THENCE SOUTH 58°40'33" EAST 146.73 FEET ALONG SAID NORTH PROPERTY LINE TO THE POINT OF BEGINNING.

PARCEL 10:

PART OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WEST 60 RODS, THENCE NORTH 20 RODS, THENCE WEST 20 RODS, THENCE NORTH 20 RODS, THENCE EAST 80 RODS, THENCE SOUTH 40 RODS TO BEGINNING.

EXCEPT COUNTY ROAD AS DESCRIBED BY WARRANTY DEED RECORDED SEPTEMBER 25, 1959 AS ENTRY NO. [321626](#) IN BOOK 624 AT PAGE 567 OF OFFICIAL RECORDS.

LESS AND EXCEPTING THE PORTION OF PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED JUNE 27, 2016 AS ENTRY NO. [2800628](#) OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF LAND SITUATE IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH ALSO KNOWN AS PROJECT NO. LG\_WC\_1200 SOUTH. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 13 AND THE GRANTOR'S WEST PROPERTY LINE, SAID POINT LIES 990.00 FEET WEST ALONG THE SOUTH LINE OF SAID SECTION 13 FROM THE SOUTHEAST CORNER OF SAID SECTION 13, AND RUNNING THENCE NORTH 37.90 FEET ALONG SAID WEST PROPERTY LINE TO A POINT ON THE PROPOSED NORTH RIGHT OF WAY LINE FOR THE 1200 SOUTH STREET (900 SOUTH STREET) ROAD WIDENING PROJECT (LG\_WC\_1200 SOUTH); THENCE SOUTHEASTERLY 185.66 FEET ALONG THE ARC OF A 1547.52 FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE EQUALS 06°52'26" AND LONG CHORD BEARS SOUTH 78°12'45" EAST 185.55 FEET) ALONG SAID RIGHT OF WAY LINE TO THE SOUTH LINE SAID SECTION 13, THENCE WEST 181.64 FEET ALONG THE SOUTH LINE OF SECTION 13 TO THE POINT OF BEGINNING.

THE PRECEDING DESCRIPTION NEEDS TO BE ROTATED 00°48'40" CLOCKWISE TO MATCH PROJECT ALIGNMENT:

PARCEL 11:

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT THE NORTHEAST CORNER OF SECTION 24, AND RUNNING THENCE SOUTH 463 FEET, THENCE NORTH 62°20' WEST

990 FEET, THENCE EAST 875 FEET TO BEGINNING.

LESS AND EXCEPTING THE PORTION OF PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED JUNE 27, 2016, AS ENTRY NO. [2800627](#) OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF LAND, SITUATE IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH ALSO KNOWN AS PROJECT NO. LG\_WC\_1200 SOUTH. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID SECTION 24 AND THE GRANTOR'S SOUTH PROPERTY LINE, SAID POINT LIES 463.00 FEET SOUTH ALONG THE EAST LINE OF SAID SECTION 24, FROM THE NORTHEAST CORNER OF SAID SECTION 24, AND RUNNING THENCE NORTH 62°20'00" WEST 990.00 FEET TO THE NORTH LINE OF GRANTOR'S PROPERTY, THENCE EAST 96.81 FEET TO THE PROPOSED NORTH RIGHT OF WAY LINE OF THE 1200 SOUTH STREET (900 SOUTH STREET) ROAD WIDENING PROJECT (LG\_WC\_1200 SOUTH); THENCE SOUTHEASTERLY 352.69 FEET ALONG THE ARC OF A 1547.52 FOOT RADIUS CURVE TO THE RIGHT (CENTRAL ANGLE EQUALS 13°03'29" AND LONG CHORD BEARS SOUTH 66°48'31" EAST 351.93 FEET) ALONG SAID PROPOSED NORTH RIGHT OF WAY LINE, THENCE SOUTH 60°16'46" EAST 525.66 FEET ALONG SAID PROPOSED NORTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 24; THENCE SOUTH 60.49 FEET ALONG THE EAST LINE OF SAID SECTION 24 TO THE POINT OF BEGINNING.

THE PRECEDING DESCRIPTION NEEDS TO BE ROTATED 00°27'57" CLOCKWISE TO MATCH PROJECT ALIGNMENT.

PARCEL 12:

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 19; THENCE SOUTH 463 FEET, THENCE SOUTH 62°30' EAST 183 FEET, THENCE NORTH 00°42' WEST TO THE NORTH LINE OF SAID SECTION. THENCE WEST TO BEGINNING.

EXCEPT COUNTY ROAD AS DESCRIBED BY WARRANTY DEED RECORDED SEPTEMBER 25, 1959 AS [ENTRY NO. 321656 IN BOOK 624 AT PAGE 597](#) OF OFFICIAL RECORDS.

LESS AND EXCEPTING THE PORTION OF PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED JUNE 27, 2016, AS ENTRY NO. [2800626](#) OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF LAND, SITUATE IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH ALSO KNOWN AS PROJECT NO. LG\_WC\_1200 SOUTH. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SECTION 19 AND THE SOUTH LINE OF THE GRANTOR'S PROPERTY, SAID POINT LIES 463.00 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID SECTION 19 AND RUNNING THENCE NORTH 60.49 FEET ALONG SAID WEST PROPERTY LINE, THENCE SOUTH 60°16'46" EAST 186.17 FEET ALONG THE PROPOSED NORTH RIGHT OF WAY LINE OF SAID PROJECT TO THE EAST LINE OF GRANTOR'S PROPERTY, THENCE SOUTH 00°42'00" EAST 52.69 FEET ALONG THE EAST LINE OF THE GRANTOR'S PROPERTY TO A POINT ON THE SOUTH LINE OF THE GRANTOR'S PROPERTY; THENCE NORTH 62°30'00" WEST 183.00 FEET ALONG THE SOUTH LINE OF THE GRANTOR'S PROPERTY, TO THE POINT OF BEGINNING.

THE PRECEDING DESCRIPTION NEEDS TO BE ROTATED 00°27'57" CLOCKWISE TO MATCH PROJECT ALIGNMENT.

PARCEL 13:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18, AND RUNNING THENCE NORTH 40 RODS; THENCE EAST TO COUNTY ROAD; THENCE SOUTH 00°42' EAST ALONG SAID ROAD TO THE SOUTH LINE OF SAID SECTION; THENCE WEST TO BEGINNING.

PARCEL 14:

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN:



BEGINNING AT A POINT 658.7 FEET, NORTH FROM THE SOUTHWEST CORNER OF SAID SECTION 18, AND RUNNING THENCE NORTH 40 RODS, MORE OR LESS, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 18, THENCE EAST 138.2 FEET TO THE WEST LINE OF COUNTY ROAD; THENCE SOUTH 00°42' EAST 40 RODS ALONG THE WEST LINE OF COUNTY ROAD, THENCE WEST 146.2 FEET TO BEGINNING.

**PARCEL 15:**

THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.

EXCEPT THAT PART DEEDED TO JAMES LEROY WYATT AND BRENDA K. WYATT, HUSBAND AND WIFE RECORDED MARCH 01, 1978 AS **ENTRY NO. 730060 IN BOOK 1227 AT PAGE 877** OF OFFICIAL RECORDS.

**PARCEL 16:**

PARCEL OF LAND LYING AND SITUATE IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, COMPRISING 4.34 ACRES OF LAND BY ADJUSTING THE BOUNDARIES OF THOSE TWO CERTAIN PARCELS OF LAND DESCRIBED IN THOSE CERTAIN DEEDS RECORDED AS ENTRIES 3037317 AND 3017482 OF THE WEBER COUNTY RECORDS.

BASIS OF BEARING FOR SUBJECT PARCEL BEING SOUTH 89°35'47" EAST 2654.54 FEET COINCIDENT WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 24. SUBJECT PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 24, THENCE SOUTH 89°45'08" EAST 1306.10 FEET COINCIDENT WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 00°01'38" WEST 47.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF 900 SOUTH STREET AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°04'09" EAST 1050.18 FEET TO A NUMBER FIVE REBAR AND CAP STAMPED "PLS 356548"; THENCE NORTH 89°22'10" WEST 186.58 FEET TO A NUMBER FIVE REBAR AND CAP STAMPED "PLS 356548"; THENCE NORTH 00°37'50" EAST 1048.94 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID 900 SOUTH STREET. THENCE SOUTH 89°45'08" EAST 173.76 FEET COINCIDENT WITH SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

**PARCEL 17:**

PARCEL OF LAND LYING AND SITUATE IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, COMPRISING 5.12 ACRES OF LAND BY ADJUSTING THE BOUNDARIES OF THOSE TWO CERTAIN PARCELS OF LAND DESCRIBED IN THOSE CERTAIN DEEDS RECORDED AS ENTRIES 3037317 AND 3017482 OF THE WEBER COUNTY RECORDS.

BASIS OF BEARING FOR SUBJECT PARCEL BEING SOUTH 89°35'47" EAST 2654.54 FEET COINCIDENT WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24.

SUBJECT PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 24, THENCE SOUTH 89°45'08" EAST 1306.10 FEET COINCIDENT WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 00°01'38" WEST 47.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF 900 SOUTH STREET; THENCE NORTH 89°15'08" WEST 203.76 FEET COINCIDENT WITH SAID RIGHT OF WAY LINE TO A NUMBER FIVE REBAR AND CAP STAMPED "PLS 356548" AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°45'08" EAST 30.00 FEET COINCIDENT WITH SAID RIGHT OF WAY TO A NUMBER FIVE REBAR AND CAP STAMPED "PLS 356548"; THENCE SOUTH 00°37'50" WEST 1048.94 FEET TO A NUMBER FIVE REBAR AND CAP STAMPED "PLS 356548"; THENCE SOUTH 89°22'10" EAST 186.58 FEET TO A NUMBER FIVE REBAR AND CAP STAMPED "PLS 356548"; THENCE SOUTH 00°04'09" EAST 863.58 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SOUTHERN PACIFIC RAIL ROAD AND A NUMBER FIVE REBAR AND CAP STAMPED "PLS 356548"; THENCE NORTH 89°38'59" WEST 227.13 FEET COINCIDENT WITH SAID RAIL ROAD PARCEL TO A NUMBER FIVE REBAR AND CAP STAMPED "PLS 356548"; THENCE NORTH 00°37'50" EAST 1913.37 FEET TO THE POINT OF BEGINNING.

**PARCEL 18:**

PART OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN, US SURVEY:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE COUNTY ROAD WHICH IS SOUTH 00°30'30" EAST 439.87 FEET ALONG THE SECTION LINE AND NORTH 67°36'20" WEST 737.87 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 24, SAID POINT IS ALSO NORTH 67°36'20" WEST 737.87 FEET FROM THE RAILROAD SPIKE AT THE INTERSECTION OF THE CENTER LINE OF THE COUNTY ROAD AND THE EAST LINE OF SAID SECTION 24, RUNNING THENCE SOUTH 00°30'30"

EAST 481.06 FEET, THENCE NORTH 73°53' WEST 200.00 FEET, THENCE NORTH 00°30'30" WEST 481.06 FEET TO THE SOUTH LINE OF THE COUNTY ROAD, THENCE SOUTH 73°53' EAST 200.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THE PORTION OF PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED JULY 28, 2015, AS ENTRY NO. 2748029 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH, ALSO KNOWN AS PROJECT NO. LG\_WC\_1200 SOUTH. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE PROPOSED SOUTH RIGHT OF WAY LINE OF THE SAID 1200 SOUTH STREET (900 SOUTH STREET) ROAD WIDENING PROJECT (LG\_WC\_1200 SOUTH) AND THE GRANTOR'S WEST PROPERTY LINE, SAID POINT LIES 76.13 FEET SOUTH 00°27'54" WEST AND 866.26 FEET WEST FROM THE NORTHEAST CORNER OF SAID SECTION 24, AND RUNNING THENCE NORTH 00°16'46" WEST 7.40 FEET ALONG THE GRANTOR'S WEST PROPERTY LINE TO A POINT ON THE GRANTOR'S NORTH PROPERTY LINE; THENCE SOUTH 73°39'46" EAST 200.00 FEET ALONG SAID NORTH PROPERTY LINE TO A POINT ON THE GRANTOR'S EAST PROPERTY LINE, THENCE SOUTH 00°16'46" EAST 16.42 FEET ALONG SAID EAST PROPERTY LINE TO A POINT ON THE PROPOSED SOUTH RIGHT OF WAY FOR SAID (LG\_WC\_1200 SOUTH) PROJECT, THENCE NORTHWESTERLY 202.93 FEET ALONG THE ARC OF A 1447.52 FOOT RADIUS CURVE TO THE LEFT (CENTRAL ANGLE EQUALS 08°01'56" AND LONG CHORD BEARS NORTH 71°13'15" WEST 202.76 FEET) ALONG SAID PROPOSED SOUTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

Exhibit D - Project Narrative (Attached Separately)  
Exhibit E - Project Renderings (Tentative) (Attached Separately)



## Promontory Commerce Center: Project Narrative

On August 16, 2022, the Weber County Commissioners approved a new Western Weber General Plan with considerable thought and foresight focused on community and economic growth to support the needs of Western Weber County. As part of the future vision of the Western Weber General Plan, the Planning Commission and Commissioners identified a 355+ acre area on 12th Street and 5900 W (currently known as the Wadeland Farm & Dairy) as a key contributor to the economic growth and employment for Weber County. Per the General Plan, the zoning of this site contains a mix of industrial/manufacturing, business/office/tech, and medium sized residential lots. BlackPine, an Ogden based real estate development group, is pursuing the development of a business park on this property referred to throughout this application as the *Promontory Commerce Center*. A preliminary site plan for *Promontory Commerce Center* is shown in **Exhibit A: Preliminary Site Plan**.

### How is the change in compliance with the General Plan?

BlackPine is seeking to rezone the subject land from its current agricultural use to a mix of business/office/tech and industrial land use. This proposed change is in line with the land uses proposed for this approximate area in the recently adopted West Weber General Plan. The proposed zoning change will greatly assist the County in achieving Land Use Goal 3 of the General Plan. The goal is as follows:

*“Land Use Goal 3, Business, Tech, and Industry: As part of the County’s economic growth strategy, the County will pursue options to bring basic sector jobs to the area. In appropriate locations, Weber County will strive to attract a diversity of basic sector jobs, including tech, innovation jobs, industrial, and manufacturing jobs.”*

As this site is one of the largest contiguous areas available on 12<sup>th</sup> Street, it provides the County with a unique opportunity for the development of a blended business and industrial park that is projected to yield over **3,600 direct jobs and over 6,400 indirect jobs** per an economic impact study performed by Newmark. The size of the subject site would also foster continuity of a pleasant and harmonious look and feel throughout the project. The combination of size, location, proximity to both I-15 and the future Legacy Corridor, proximity to rail line, and access to one of the nation’s most qualified workforces makes this site a prime candidate for economic growth, job creation, and industrial land use in Weber County.

The Western Weber General Plan states the following about land use related to the proposed business/office/tech zoning:



**Business/Office/Tech** – *“Business, tech, and innovation parks, where land uses rarely occur outdoors, are generally a low-intrusive use on their neighbors as long as traffic impacts and site design, architecture, and landscaping are addressed to provide a pleasant and harmonious built environment. A business or tech park can provide significant contributions toward onsite public recreation and green-space investments that can tie adjoining land uses or neighborhoods together through the park’s campus.”*

**Industrial/Manufacturing:** *“Weber County desires this area to build-out as an industrial, manufacturing, innovation, and tech mega site that provides jobs for current and future residents of Weber County, especially the growing population of the Western Weber Planning Area. Attract diverse employers that offer a wide range of jobs and salaries, the area should be designed in a manner that is attractive and well kempt; similar to Ogden City’s newer BDO facilities.*

*The area should have a layout that is truck-traffic friendly, but that also provides opportunities for employees to walk...or enjoy the outdoors during breaks.”*

BlackPine is working in detail with design architects, landscape architects, and traffic and civil engineers to ensure that the development meets the mandate of providing a pleasant and harmonious built environment, particularly along any street frontage. All buildings facing 12<sup>th</sup> Street will be Business/Office/Tech oriented, providing an attractive buffer between this major corridor and any larger industrial buildings. Please see **Exhibit B: Preliminary Renderings** for preliminary renderings of the proposed Business/Office/Tech buildings. The design of larger, industrial focused buildings will be governed by predetermined CC&R’s to ensure a consistent, harmonious look and feel throughout the park. The project also plans to provide significant contributions towards green-space investments, as shown in **Exhibit C: Trails & Open Space Renderings**.

Building footprints at the *Promontory Commerce Center* will vary in size to accommodate a variety of tenants and use scenarios, accomplishing the General Plan mandate to “attract diverse employers that offer a wide range of jobs and salaries”. BlackPine is also investigating the possibility of a “Foreign Trade Zone” designation for this project, creating further economic benefit for the County. A mix of Business/Office/Tech buildings, trails and open space, and industrial buildings will create an “area that is truck-traffic friendly, but that also provides opportunities for employees to walk...or enjoy the outdoors during breaks.”

The General Plan places a heavy emphasis on the development of an industrial mega-site past 8300 West. The proposed industrial buildings at the *Promontory Commerce Center* will be synergistic to the future development of the mega-site, helping to expedite tenant interest, infrastructure, and job creation as development continues to push westward.



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

With the adoption of the new West Weber General Plan, the subject site is no longer planned for agricultural use. The zoning changes requested for the *Promontory Commerce Center* will foster land and economic development in West Weber County in accordance with the well-defined growth strategies described in the General Plan.

BlackPine recognizes that Weber County has a desire to have buffers between dissimilar land uses, as stated below in the General Plan:

*“Land Use Action Item 1.5.1, Residential: As provided on the Future Land Use Map, provide land use buffers between dissimilar uses. Commercial areas should be buffered from single-family residential areas with mixed-use residential. Heavier commercial or manufacturing uses should be buffered from residential uses with uses that gradually increase in intensity.*

In the proposed zoning change for *Promontory Commerce Center*, these buffers are provided by existing and planned infrastructure, along with natural amenities that help to separate different land uses. The southern portion of the site is separated naturally by the Union Pacific Railroad. The Weber River and Little Weber Creek provide natural buffers on the eastern and western edges of the proposed zoning. The existing and planned minor collector roads of 5900 W and 200 S serve as natural zoning divisions on the western and northern boundaries of the site. Extending the industrial zoning north allows for contiguous land use through the entire site and creates a natural buffer between the industrial use and residential neighborhoods.

Additionally, the *Promontory Commerce Center* would allow for utilization of the adjacent rail line to further economic development and employer interest in Weber County. The adjacent rail line is one of the only shared rail lines between Union Pacific and BNSF in the state of Utah, which makes it an ideal option for transportation of goods and materials from manufacturing and industrial users. } ©-zoning this land from the designated use of residential to industrial would allow Weber County to capitalize on this unique advantage for prospective industrial tenants. BlackPine has engaged with short line and rail switch operators to discuss the feasibility of servicing tenants through the rail.

## **How is the change in the public interest?**

Accepting this zoning change would also allow for expedited development of industrial space in Weber County, for which there is extremely high demand. Vacancy for industrial space in Ogden remains at historically low levels of 1.5%, with over 15.2 million square feet of tenant demand shopping in the market. BlackPine has engaged one of the top industrial leasing brokers in Utah to ensure that high quality tenants and jobs are brought to the *Promontory Commerce Center*. Through an economic



impact study performed by Newmark, it is estimated that the *Promontory Commerce Center* would generate over 3600 direct and 6,400 indirect jobs, approximately \$1.7B in annual GDP, and over \$350M of annual employee compensation for the area. These jobs, revenue streams, and income streams to local citizens would contribute greatly to the planned vision of economic growth along the 12<sup>th</sup> Street corridor.

Approving this zoning change and allowing the *Promontory Commerce Center* to progress would also expedite improvements to the surrounding infrastructure, allowing for faster development of other land uses along the 12<sup>th</sup> Street corridor. Initial utility and infrastructure improvement plans can be seen in **Exhibit D: Utility Master Plans**. BlackPine is planning to make large offsite improvements to the surrounding sewer and water utility lines which will also benefit to future developments along the 12<sup>th</sup> Street corridor.

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

As the updated West Weber General Plan was adopted relatively recently, zoning on the subject site has not yet been changed to align with the current General Plan designations. The proposed zoning changes are congruent with these recently adopted designations.

Additionally, since the adoption of the General Plan, BlackPine has received several inquiries from equity partners, lenders, and tenants for investment in the *Promontory Commerce Center*. Much of this interest is fueled by the positive growth trends and strong tenant demand for industrial space, supporting the request for expanded industrial zoning on the site.

Weber County's employment base, location, and manufacturing specialty makes it an attractive market for potential tenants. Over the last 5 years, Ogden's population has grown by 8.3%, providing new businesses with available laborers to fill open positions. Even amidst a 7.4% job growth rate over the last 5 years, Weber County's unemployment rate remains historically low at 2.3%, speaking to the quality of the local labor force. Weber County's cost of living is also approximately 4.4% lower than other nearby major metros, making it an attractive option for employees seeking refuge from inflated cost of living. Weber County's national connectivity through interstate and rail infrastructure makes it a natural candidate for large, national tenants who are looking to expand. Roughly 40% of Weber County's labor force works in industrial related industries, producing over \$3.2B of manufacturing exports annually. All of these drivers suggest an opportunity and need for further development of space similar to what would be offered in *Promontory Commerce Center*.



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

**Health:** BlackPine is exploring multiple environmentally conscious development initiatives that would promote the overall health of the surrounding geographic area (solar energy, environmentally friendly building materials, etc.). The approval of this proposal also would allow for major infrastructure improvements that would allow for easier and cleaner access to culinary water, secondary water, and sewer for the inhabitants of West Weber. From a more high-level perspective, the employees of *Promontory Commerce Center* would need to be serviced with basic healthcare, pharmacies, and other life-supporting auxiliaries. As these services are built out in the surrounding areas, all inhabitants of West Weber County will benefit.

**Safety:** BlackPine's proposed zoning for *Promontory Commerce Center* promotes increased safety for the surrounding inhabitants by creating natural buffers and barriers to the surrounding residential uses. By approving the proposed zoning, there would be a natural buffer (Weber River, Little Weber Creek) or infrastructure buffer (minor collector roads, railroad, etc.) on nearly the entire perimeter of the subject site. BlackPine has also engaged traffic consultants to perform a Traffic Impact Study, ensuring that the development is planned in a way that facilitates responsible traffic patterns to promote safety throughout the development.

**Welfare:** The *Promontory Commerce Center* is expected to create over 6,400 direct and indirect jobs, approximately \$1.7B in annual GDP, and over \$350M of annual employee compensation for the area. This amount of economic growth and development will dramatically impact the inhabitants of West Weber County in a positive way.

### Describe the project vision

The *Promontory Commerce Center* is envisioned to be an exciting and vibrant economic hub for Weber County. With a variety of business, office, tech, industrial, and manufacturing uses, businesses of many types and functions will be able to call the *Promontory Commerce Center* home. Tenants will approach the park along the 12<sup>th</sup> Street corridor, being met by a buffer of several smaller, attractive business/office/tech buildings at each entrance. After entering the park, tenants and visitors will find the buildings, landscaping, and roads to be well maintained and well designed. The park will be "designed in a manner that is attractive and well kempt; similar to Ogden City's newer BDO facilities", as requested by the recently adopted General Plan. Examples of this design can be seen in **Exhibit B: Preliminary Renderings**.

Employees and visitors of the *Promontory Commerce Center* will be able to enjoy a variety of outdoor trails, open space, and landscaped areas throughout the park. Trails running along the bank of the Weber River will connect users to a larger trail system located on the west side of the park. Tenants





will enjoy a stunning backdrop of the Wasatch Mountain range while utilizing the outdoor amenities available to them.

This vision has been brought together by a plethora of contributors, all seeking to develop a top-tier economic hub for Weber County. The development of the *Promontory Commerce Center* would spur significant economic and residential growth and serve as a major employment center for the surrounding inhabitants.



# Map 1: Current Land Uses





## Map 2: General Plan Land Uses



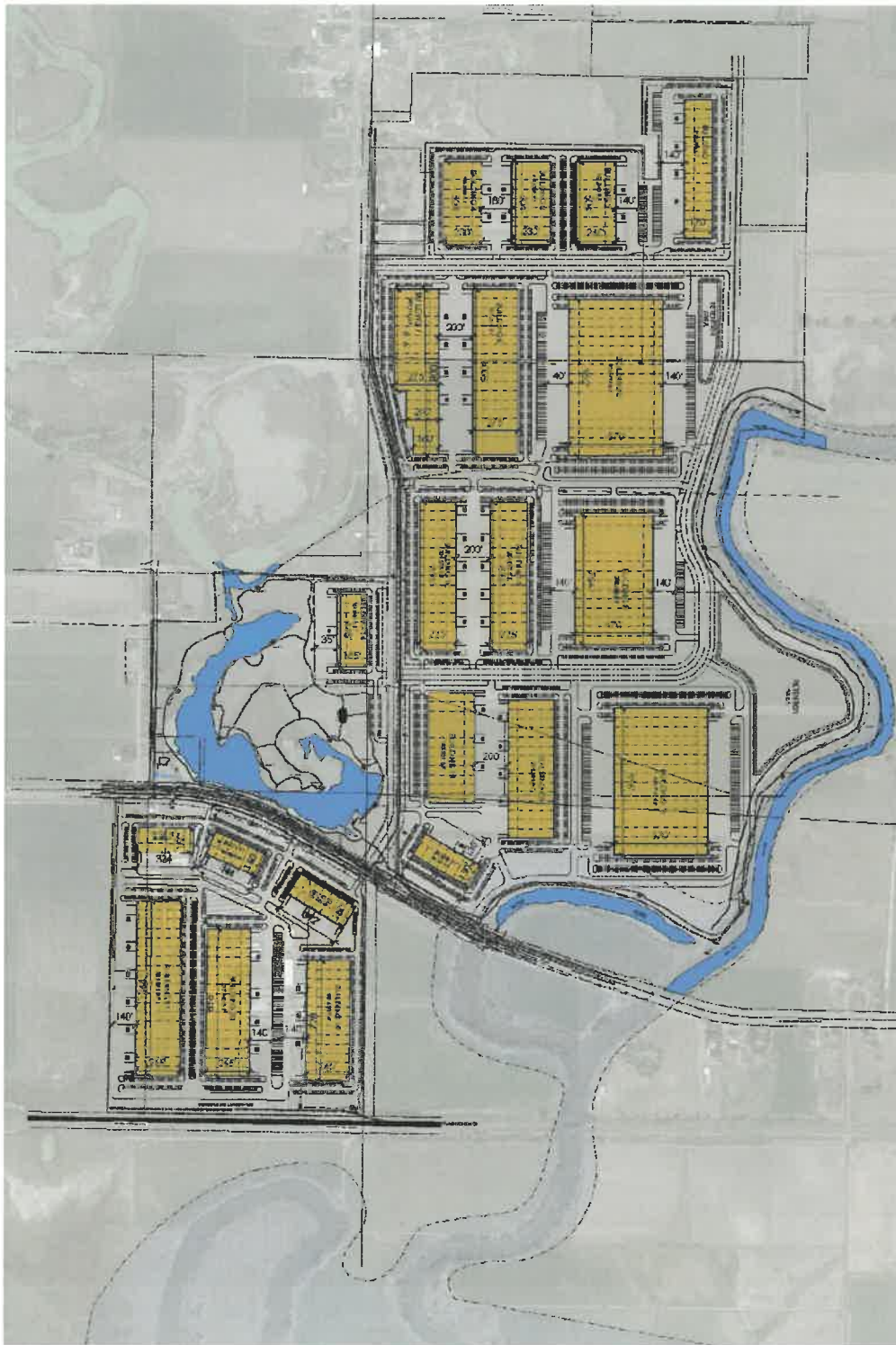


### Map 3: Site Characteristics





# Exhibit A: Preliminary Site Plan





# Exhibit B: Preliminary Renderings\*



\*Subject to change

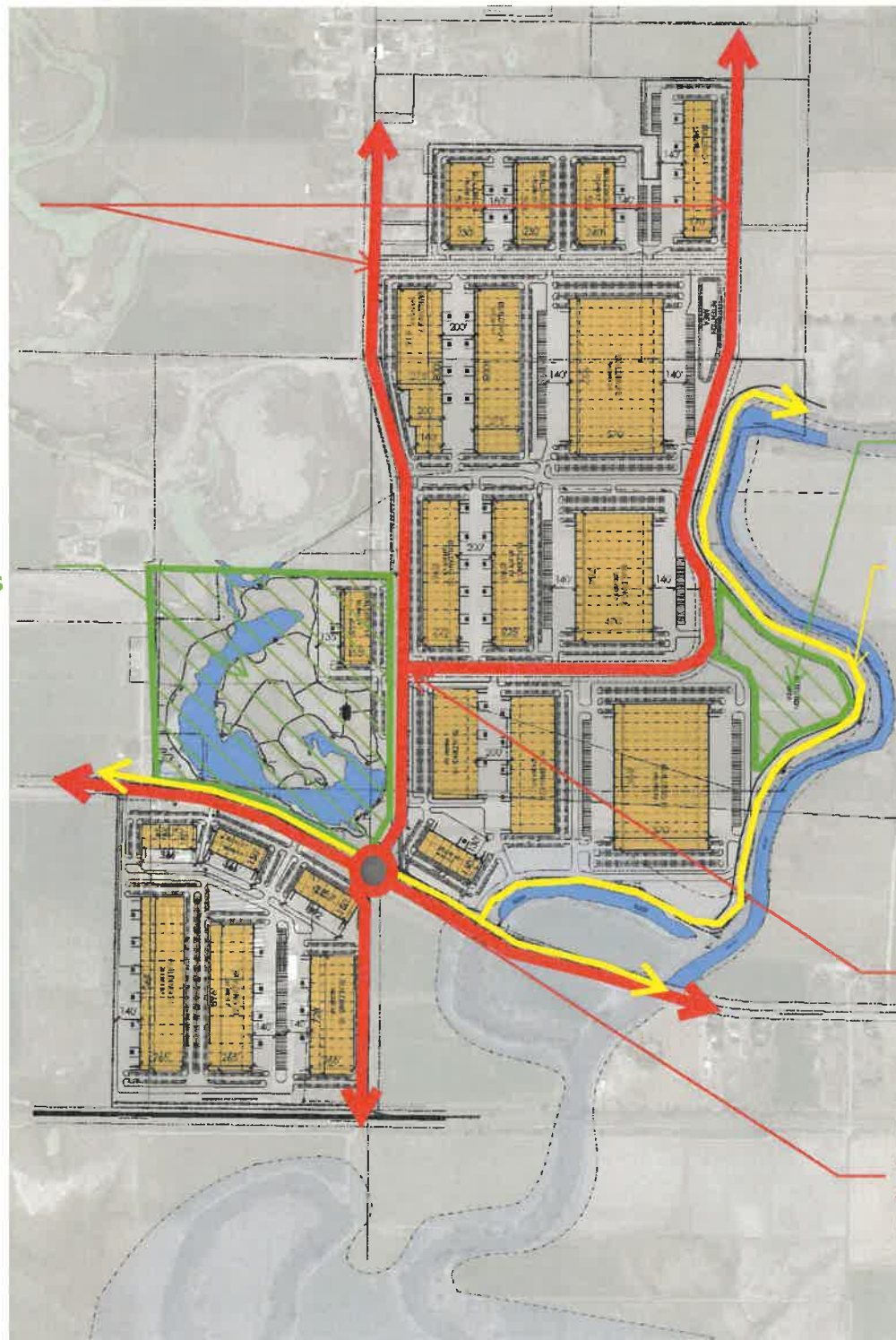


# Exhibit C: Trails and Open Space Renderings

Forthcoming.



# Exhibit A: Preliminary Site Plan



Street/parcel interconnectivity

Development of passive park areas

River access/open space

Trails along river and roadways

Utility connections and other infrastructure

Potential roundabout and realignment for access to the south (across railroad)

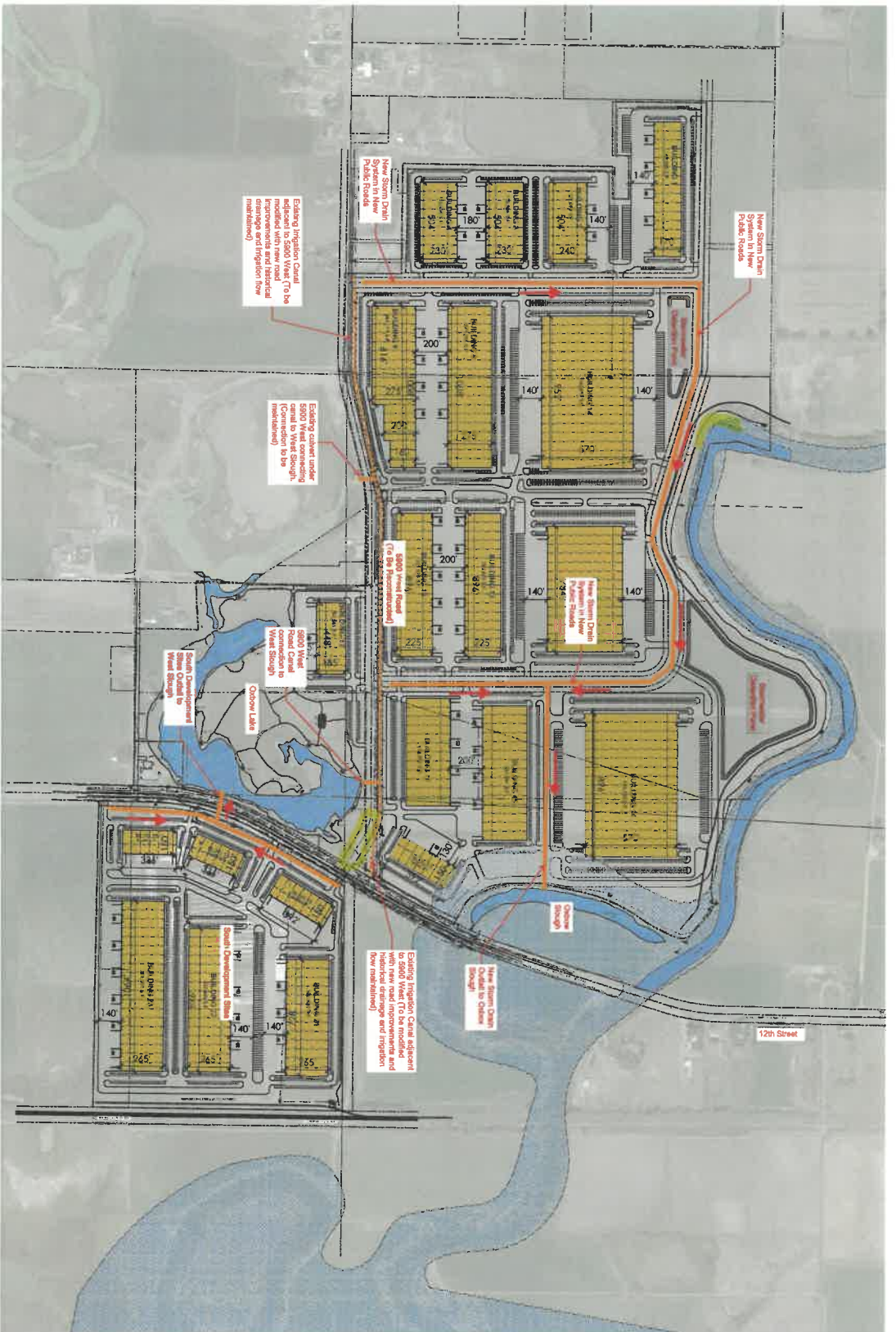




## Exhibit D: Utility Master Plans



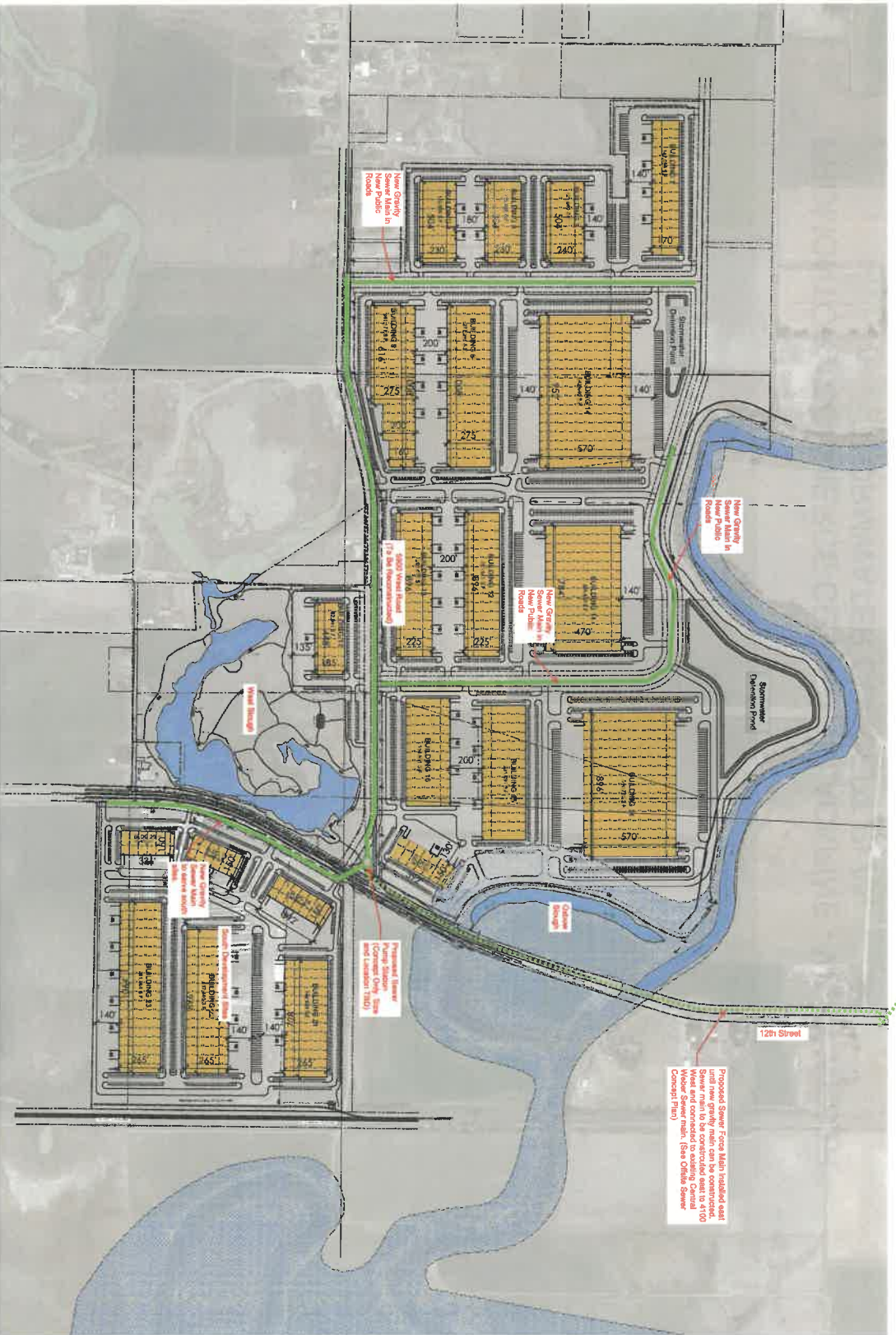
# PROMONTORY COMMERCE CENTER - BLACKPINE - WEST WEBER STORMWATER CONCEPT PLAN



### Stormwater Notes:

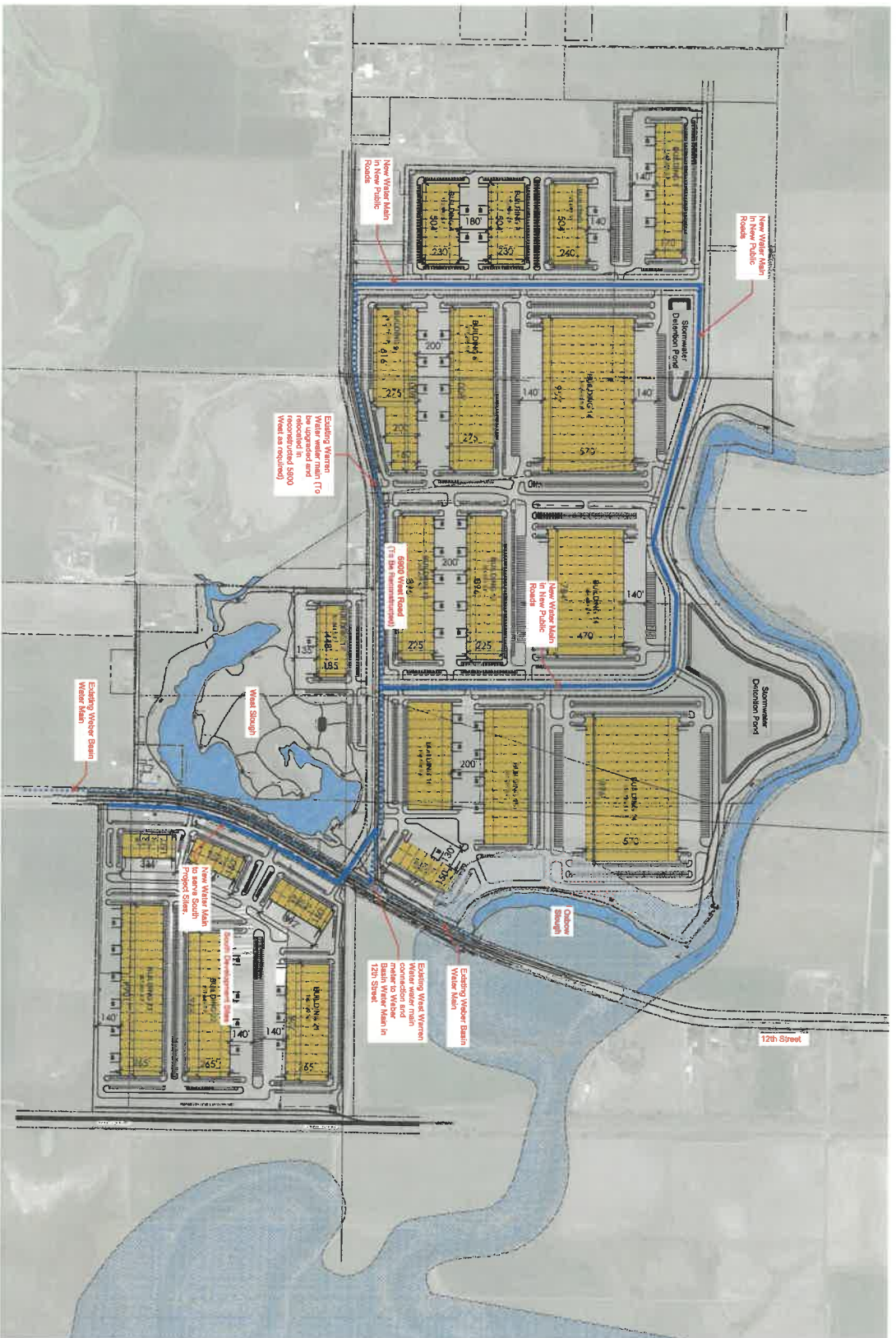
- 1) This is a concept plan for planning purposes only. Prior to construction, design plans will be provided and approved with all required governing agencies.
- 2) Design of Public and Private Stormwater Systems within this development will meet the requirements of all approving governing agencies with regard to capacity, outfall locations, water quality and stormwater detention.

# PROMONTORY COMMERCE CENTER - BLACKPINE - WEST WEBER SEWER CONCEPT PLAN



**Sewer Notes:**

- 1) This is a concept plan for planning purposes only. Prior to construction design plans will be provided and approved with all required governing agencies.
- 2) There is currently not existing sewer infrastructure in this area of the county. It is proposed that this development will provide infrastructure as needed to serve this project site. See Offsite Sewer Concept Plan for more information.



# PROMONTORY COMMERCE CENTER - BLACKPINE - WEST WEBER WATER CONCEPT PLAN



### Water Notes:

- 1) Warren Irrigation Co. will require a separate secondary water main to be installed with this development so that sites are not using culinary water to irrigate landscape.
- 2) This is a concept plan for planning purposes only. Prior to construction design plans will be provided and approved with all required governing agencies.

