



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 30.00 acres.
Agenda Date: Tuesday, March 14, 2023
Applicant: Pat Burns
File Number: ZMA 2023-03

PROPERTY INFORMATION

Approximate Address: 1650 S 4300 W, Ogden, UT, 84401
Zoning: The area to be rezoned is currently A-1
Proposed Land Use: Residential, RE-15

ADJACENT LAND USE

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

STAFF INFORMATION

Report Presenter: Felix Lleverino
flleverino@webercountyutah.gov
801-399-8767
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 rezone approximately 30 acres from A-1 to RE-15. The purpose of the rezone is to facilitate a residential development called Smart Fields Subdivision. If a rezone is approved, the potential number of lots can be increased from 32 lots to 87 lots. The local services that are available for this area include but are not limited to; Taylor West Weber Water District, Hooper Irrigation Company, and Central Weber Sewer District.

Policy Analysis

Section 102-5-6 of the Land Use Code provides direction regarding the duties of the Planning Commission when taking action on legislative items such as rezones:

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:

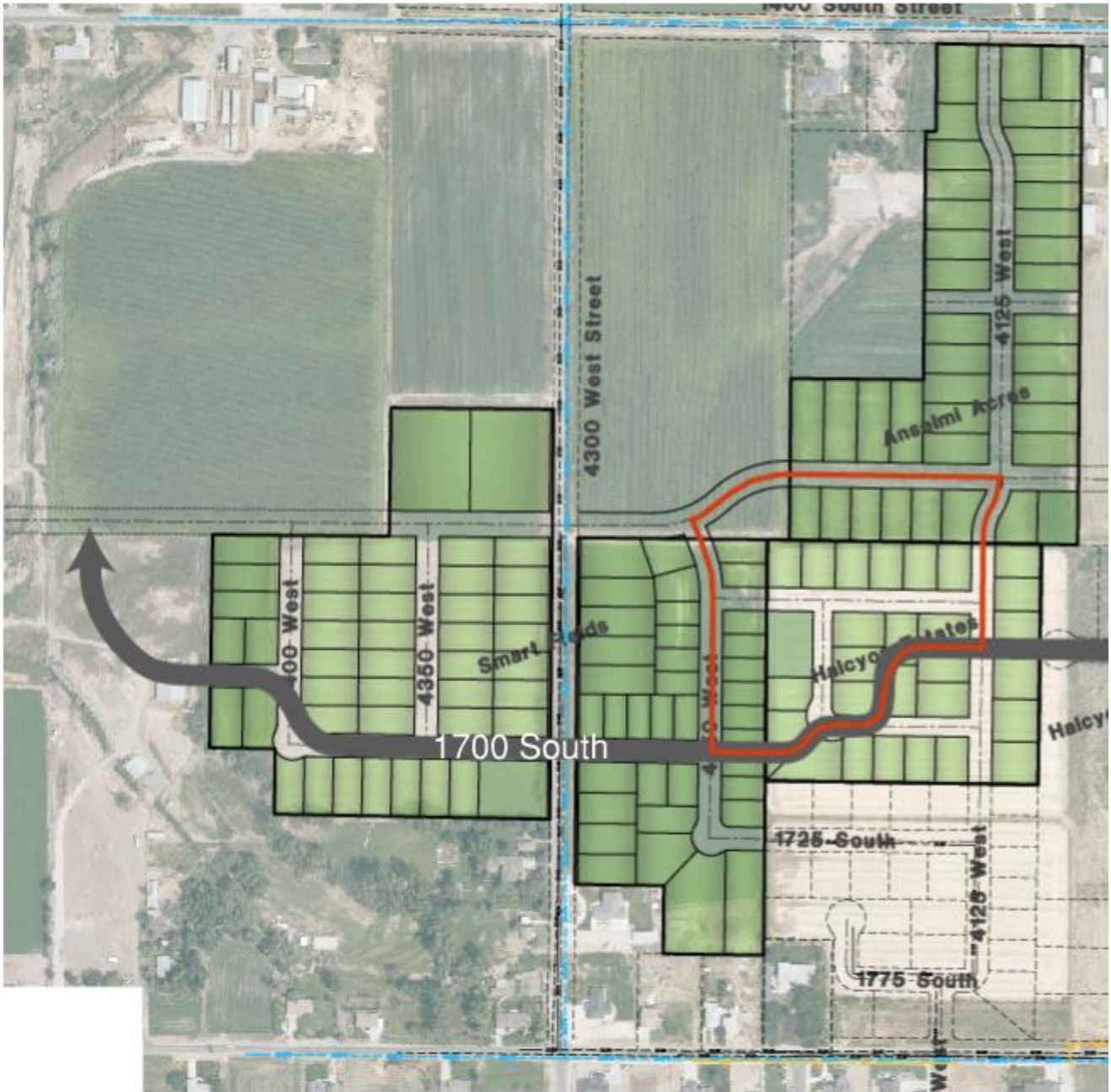
Each of the following sections is the staff's analysis of relevant factors when considering a rezone request. The following sections provide information to help the Planning Commission evaluate the request. Each subsequent section will be titled, County Rezoning Procedure (with its relevant factor).

County Rezoning Procedure (a)

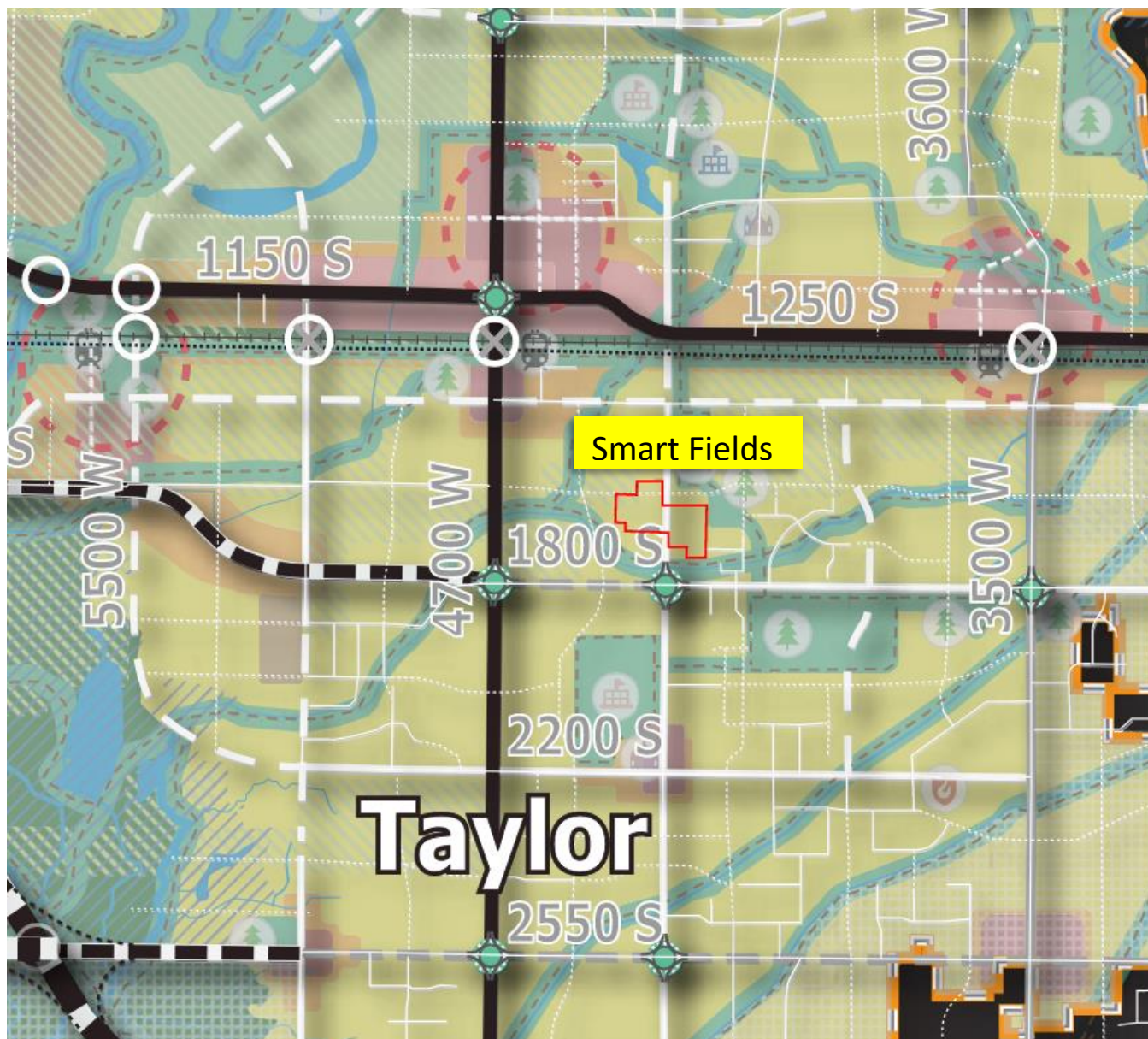
- a. *Whether the proposed amendment is consistent with goals, objectives, and policies of the County's general plan.*

Concept Plan

The concept plan included in the latest master plan with an altered alignment of 1700 South by the Planning Division



Future Land Use Map 2022 Western Weber General Plan



Western Weber County General Plan

Section 102-5-2 of the Weber County Code suggests that a rezone should comply with the applicable general plan. The general plan that applies to the subject property is the Western Weber General Plan (2022).

The General Plan's Future Land Use Map shows that this location is planned for medium-density residential development. Page 52 of the general plan guides the allowance of medium-sized residential lots:

"In areas planned for medium-sized lots, the County should consider rezoning the 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 1.2. Proposed roadway layouts should provide for good network connectivity, and limit dead-end/cul-de-sac streets (2022, pg. 86). Street and pathway networks should be proposed to connect neighborhoods and adjacent land uses (2022, pg. 100, Transportation Principle 6.2)

Zoning

The RE-15 zone would be considered a 'medium-density' zone, with a minimum lot area of 15,000 square feet, and a minimum lot width requirement of 100 feet. However, with a development agreement, and the standards in the RE-15 zoning ordinance, the actual area standards may be averaged across all lots within the development. The table below is included to help make a comparison between the existing A-1 zone and the RE-15 zone code:

Site Development Standards

Zone	A-1	RE-15
Area	40,000	15,000
Width	150	100
Front	30	30
Side	10,14	10, 14
Rear	30	30
Max height	35	35

The development agreement for the Smart Fields Rezone will include lot development standards specific to this proposal. The following standards about site development, or some slight variation of them, shall be included in the recorded development agreement:

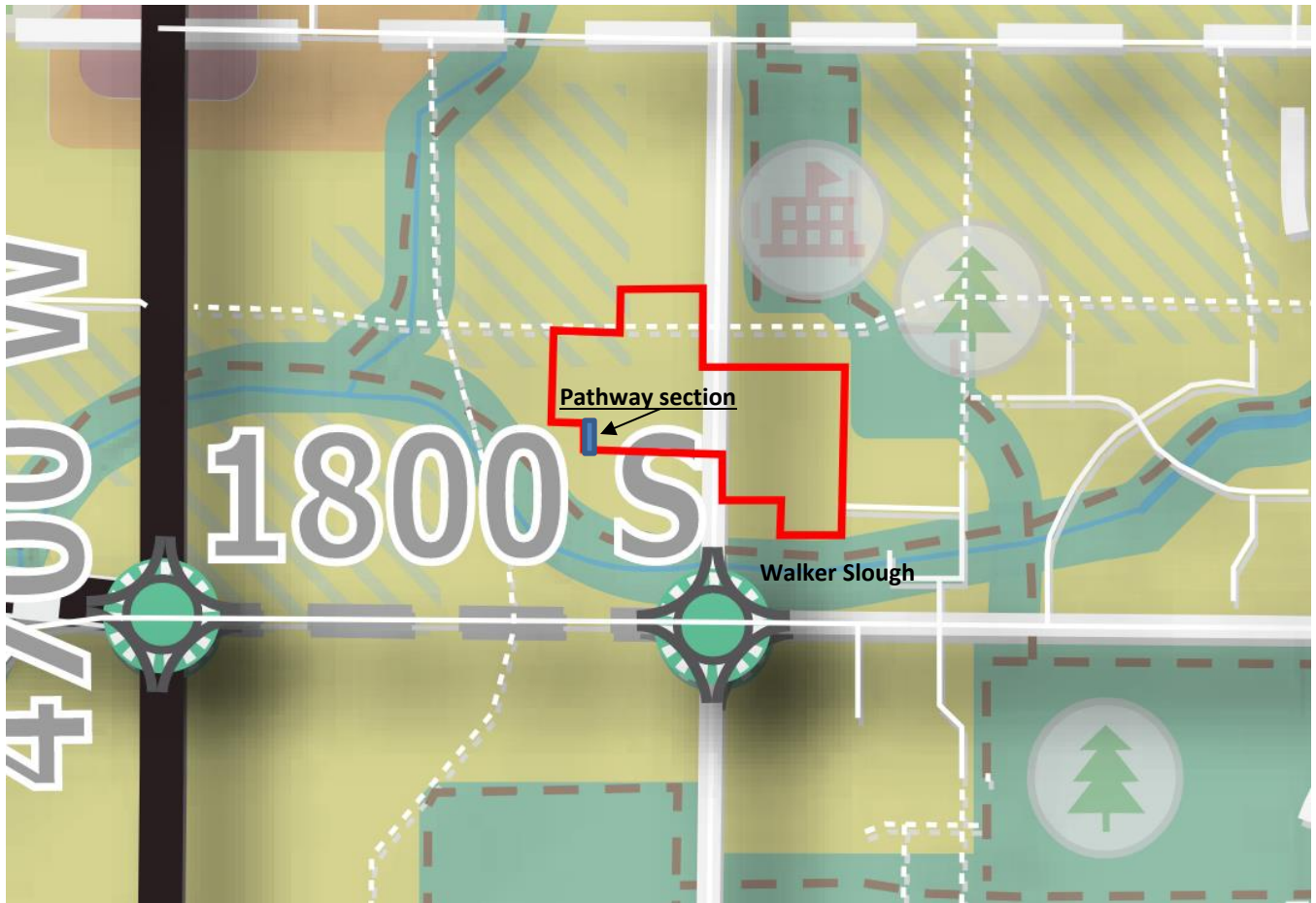
- In a subdivision, the actual allowed minimum lot area may be reduced to no less than 6,000 square feet if in compliance with the following:
- The total number of lots allowed in the subdivision shall be no greater than the gross developable area divided by the minimum Lot area specified in the RE-15 zone.
- Each lot adjacent to a lot in another subdivision, including across a street, shall be no smaller than 80 percent of the minimum lot area of 15000 square feet.

Smart-Growth Principles

The following are smart growth principles and how the developer is proposing to meet these goals as a requirement of their rezoning request.

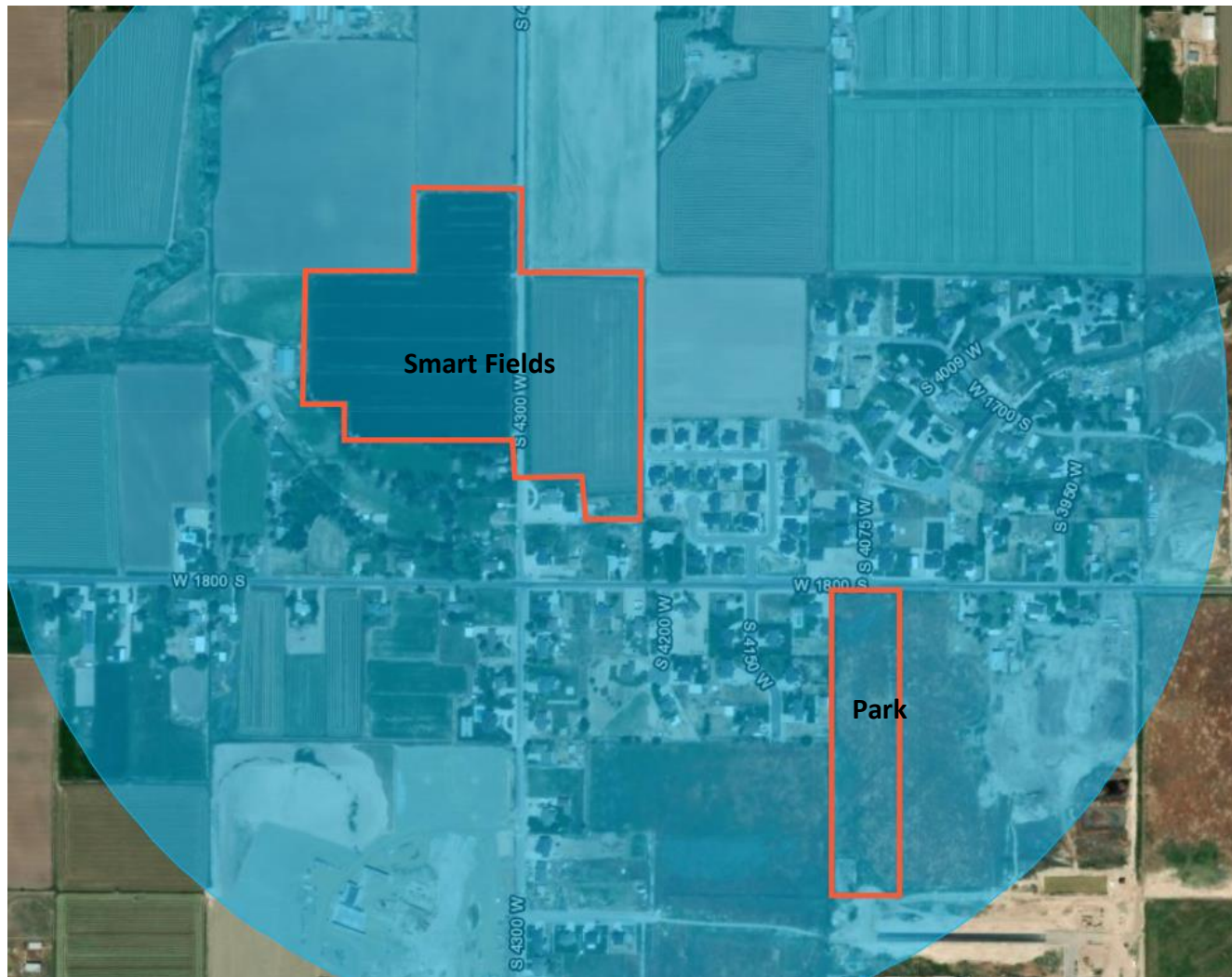
Public Roads and Trails (Street Connectivity and Pathway & Trail Connectivity)

All roads throughout the Smart Fields Rezone concept plan show a mix of Minor Neighborhood Collector Streets 50'-60', Major Neighborhood Streets 66', and Minor Collector Streets 80'. The Minor Neighborhood Collector Streets from the Future Streets and Transit Map indicate that 50' to 60' ROW is sufficient for two-way travel with enough space for street parking and a sidewalk on both sides. These neighborhood streets can be designed in a manner that provides for slow speeds with many residential driveway accesses, and local pedestrian use. The Major Neighborhood Streets are designed to extend through local residential areas while providing multimodal connectivity. Smart Fields contains one major neighborhood street called 1700 South that connects to and through Halcyon Estates and Degiorgio Subdivision. This would provide efficient mobility to major and minor collector streets called 4300 West and 1800 South. The Minor Collector street called 1600 South is designed to collect traffic from local area neighborhoods and should be wide enough for two-way traffic, bike lanes, and a sidewalk on both sides. The planning staff review of the concept plan includes the creation of a 30' pathway southward from the corner of 4400 West and 1700 South. This section of Pathway could serve as access to a planned pathway that aligns with the Walker Slough. The Planning Division feels that the Walker Slough and the surrounding open spaces are important place-making features of Western Weber.



Parks and Recreation (Open Space and Recreation Facilities)

The vision written in the Western Weber General includes public parks that are connected by pathways, where residents and visitors can participate in recreational activities improving the life and well-being of families. The parks district has acquired a park property adjacent to the Taylor Landing open space that is within a half mile of the Smart Fields property as shown in the image below.



The Taylor West Weber Park District will be the beneficiary of a voluntary donation from Mr. Pat Burns to the District towards park improvements.

Culinary and Secondary Water Conservation Planning

The county has not yet adopted significant measures for water conservation. The developer is in conversations with water organizations to conserve and account for water usage, see the Smart Fields Rezone Presentation dated February 21, 2023 included as Exhibit C. If the Planning Commission desires to implement outdoor water conservation practices, these requirements should be placed in a development agreement.

There are several ways that this might be done; One possible option is for the developer to provide three or four typical water-wise yard designs, based on varying lot areas, that are prepared by a professional landscape architect and are made applicable to the various lots through the development agreement.

Dark Sky

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

Emissions and Air Quality

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 (c)

- c. The extent to which the proposed amendment may adversely affect adjacent property.*

It is displayed in existing developments throughout Western Weber that a harmonious relationship between agricultural and residential uses can flourish if each party understands that for each to co-mingle there needs to be a mutual understanding of the resulting impacts that come from each related use. For instance, the current A-1 zone expressly protects agricultural uses and nuisances that exist from farming practices. A plan for residential development is required to expressly state that agricultural uses and their resulting nuisances are protected even if they interfere with the activities of future residents. Looking through the lens of the local farmer, we must ask ourselves the following question. How does this more than doubling of potential homes in the area adversely affect the adjacent property? The most immediate and noticeable effects will be the increased traffic and the interruption of views. The Weber County Planning and Engineering staff hold weekly discussions on development proposals to optimize road design, create alignments with adjacent developments, facilitate the efficient flow of traffic, and to determine conformity with the General Plan Future Streets and Transit map. While the noticeable increase in traffic cannot be completely avoided, it is proven that, with careful consideration, a well-designed right-of-way corridor system will increase mobility and efficiency. Regarding the interruption of views, unfortunately, this will be primarily noticed by adjacent existing homes. Some residents will no longer have the same view from their property, however, with the preservation of land for local pocket parks and regional parks and a pathway along the Walker Slough, open spaces with captivating views can still be easily accessed.

County Rezoning Procedure (d)

- d. Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*

The County regards the Walker Slough as an important local place-making feature of Western Weber. The Walker Slough and the natural buffer of trees and grasses have the potential to become an invaluable public amenity. It is for this reason, that the General Plan identifies this area for preservation. A rezone of this land and subsequent development of this land will not degrade areas designated by the General Plan.

County Rezoning Procedure (e)

- e. Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

Currently, traffic in the area is limited to the occasional farm vehicle and local residential traffic. The Smart Fields Development will undoubtedly increase the traffic demands on roads and intersections, particularly at the intersections of 4300 West and 1800 South and 4300 West and 1250 South. The General Plan's Future Streets Map shows 1600 South as becoming a minor neighborhood collector that will help funnel traffic in an east-west direction. With further residential development in the area a system of corridors will result but only if we follow the transportation elements of the general plan and if careful consideration is taken when reviewing development proposals for right-of-way connectivity. In anticipation of increased traffic demands, the General plan designates selected ROW corridors for widening and required road improvements. Specific to this development, 4300 West street will require an 80' ROW, which is an increase from the current 66' ROW and 1600 South will require a 66' ROW. The developer is responsible for road widening improvements on 4300 West for areas fronting the Smart Fields development.

County Rezoning Procedure (f)

- f. 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.*

Residential development in western weber will take place in tandem with the expansion of facilities and services. The Smart Fields Development is under consideration because of the proximity to, and location within, utility services that will be extended to serve this residential development. Culinary and secondary water infrastructure connections exist within proximity to this proposal, for which, the district has provided an Ability To Serve letter. This property is annexed into the sewer district which indicates that the district can serve this development. Upon review of the subdivision improvement plans, the county staff will be able to determine the utility of the stormwater drainage system.

Planning Commission Model Motion

Staff provides to the planning commission the following model motions:

1. Table this item until the Planning Commission feels that all appropriate Smart-Growth principles have been adequately addressed, with feedback from both the Planning Commission, as well as Weber County Planning and Engineering Staff.
2. Forward a positive recommendation to the County Commission. Before 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 concept plan includes the appropriate width of right-of-way for 1600 South at 66' and 4300 West at 80'
 - b. The concept plan shall display that 1700 South Street continues through adjacent developments eastward
 - c. That the concept plan includes a 30' pathway southward from the corner of 4400 West and 1700 South.
 - d. The number of lots shall not exceed the gross area divided by a 1/3 acre (minimum lot size for a 'Medium-size' lot).
 - e. The development agreement will specify that the zoning will govern the allowed uses, except that uses that require a one-half acre of land or more shall not be permitted.
 - f. The final layout of streets and infrastructure shall conform to the County Commission-approved concept plan.
 - g. 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.
 - h. The park strips shall have six-inch angular rock.
 - i. Multiple elements of water-conserving landscape plans, designed by a licensed landscape architect, are implemented for all lots within the development.

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.



SMART FIELDS REZONE NARRATIVE

With the passing of the new master plan for West Weber, Lync Construction is respectfully asking for a rezone on its Smart Field project in accordance with the intent of the Commissioners after considering all options and public comment in proactively working towards and properly facilitating future growth in Weber County.

The proposed development (as seen in the conceptual plans included) will incorporate the Smart Growth Principles as laid out in the master plan and showcase responsible development that fosters close neighborhoods while simultaneously encompassing and embracing the agricultural heritage and legacy of the community upon which the area was founded.

Ongoing conversations to receive feedback from local agricultural producers to determine the best places to grow agriculture and best place to grow the necessary homes to support the thriving economy and growing population as the next generation looks to stay closer to home. Fostering the continuation of family legacies and promoting and attracting new ones.

Exhibit B: Letter from Taylor West Weber and Taylor West Weber Park District and Engineering Comments Regarding Sewer

Weber County Engineering has confirmed that the existing development plan for Smart Fields displayed a viable plan for connecting to the main truck line located within the 4300 West Street ROW.



2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401
801-731-1668
12/19/2022

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that Taylor West Weber Water has the "**Ability**" to serve the proposed area of the Smart Fields subdivision at approximately 1600 S. 4300 W. This is simply an ability to serve the area further reviews of designs and plans will need to be processed.

FINAL APPROVAL AND SUBDIVISION APPROVAL MUST NOT BE ISSUED UNTIL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER. THIS LETTER EXPIRES SIX MONTHS FROM THE DATE IT IS ISSUED.

Expires 6/19/2022

Sincerely, 

Ryan Rogers – Manager

Taylor West Weber Water District



Taylor West Weber Park District

January 9, 2023

To Whom it May Concern,

Pat Burns, on behalf of Lync Construction (the "Developer"), appeared before the Board of Trustees of the Taylor West Weber Park District (the "District") in an open and public meeting and proposed a donation to the District as part of its development of the **Smart Fields Subdivision** located within the District boundaries (the "Subdivision").

The District will accept from the Developer a donation of \$2,000 per lot in the Subdivision. Alternatively, the Developer may provide park development services to the District that, at fair market value, is equal to the donation. This donation will help the District provide parks and recreational services to the Subdivision and surrounding communities.

In exchange for the donation, the District hereby declares its support of the Subdivision and the proposed rezone for the Subdivision. This declaration is only valid to the extent that it satisfies Weber County's conditions for the rezone and the County's associated development agreement. If the Developer does not provide the donation to the District, then the District withdraws its support of the proposed rezone for the Subdivision.

This letter does not contractually bind the Developer to provide the Donation to the District. Rather, it is a commitment from the District that, if the Developer provides the donation to the District, the District will support the Developer's proposed Subdivision and associated rezone.

Sincerely,

A handwritten signature in blue ink that reads "Roger Heslop". The signature is written in a cursive, flowing style.

Roger Heslop, Chair

Taylor West Weber Park District