

OGDEN VALLEY PLANNING COMMISSION

MEETING AGENDA

October 24, 2023

Pre-meeting 4:30/Regular Meeting 5:00



- *Pledge of Allegiance*
- *Roll Call*

1 Minutes: 8-01-2023

Petitions, Applications, and Public Hearings:

2. Administrative Items:

2.1 CUP 2023-06: Request for approval of a conditional use permit for a recreation lodge in the FV-3 (Forest Valley-3 acres) zone, located at 5597 E Hwy 39, Huntsville, UT, 84317. This proposal includes 6 sleeping rooms with onsite winter and summer amenities such as sledding, hiking, pickle ball courts, bike trails, and archery. **Planner: Tammy Aydelotte**

2.2 UVG052523 – Request for preliminary approval of Gateway Estates Phases 2-22, in the F-5(Forest 5 acres) and F-40 (Forest 40 acres) zones, located at approximately 748 E, Hwy 39, Huntsville, UT, 84317. This proposal includes both public and private roadways. **Planner: Tammy Aydelotte**

2.3 UVV071123: Consideration and action on a request for a recommendation of approval of the Village Nests Retreat at Powder Mountain, located at 5780 N Daybreak Ridge, Eden. **Planner: Steve Burton**

Petitions, Applications, and Public Hearings:

3. Legislative Items:

3.1 ZMA2023-12 – PUBLIC HEARING – Discussion and possible action on a request for approval of a zoning map amendment for a 2.26 acres parcel of land located at 2690 N 5600 E, Eden, UT, changing the zoning from AV-3 (Agricultural) to FBZ (Form Based Zone). **Planner: Bill Cobabe**

4. Public Comment for Items not on the Agenda:

5. Remarks from Planning Commissioners:

6. Planning Director Report:

7. Remarks from Legal Counsel

Adjourn to Work Session

WS1 ZTA2023-06 – Discussion on proposed changes to the street tree ordinance (Section 106-4-2.080) and a proposed list of approved street trees. **Planner: Bill Cobabe**

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

& Via Zoom Video Conferencing at <https://webercountyutah.zoom.us/j/86823311811> Meeting ID: 868 2331 1811

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 801-399-8761

Meeting Procedures

Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

Commenting at Public Meetings and Public Hearings

Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

Speak to the Point:

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments, then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

Handouts:

- ❖ Written statements should be accurate and either typed or neatly handwritten with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record will 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.

Minutes of the Work Session of the Ogden Valley Planning Commission for August 1, 2023. To join the meeting, please navigate to the following weblink at, <https://us02web.zoom.us/j/83437636044>, the time of the meeting, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Trevor Shuman, Chair, Jeff Barber, Jeff Burton, and Janet Wampler.
Absent/Excused: Dayson Johnson, Jared Montgomery, and Justin Torman.

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Steve Burton, Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Bill Cobabe, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

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

Chair Shuman conducted roll call and indicated Commissioners Johnson, Montgomery, and Torman were excused.

1. Minutes: June 6, 2023.

Chair Shuman asked if there are any corrections to be made to the minutes as presented. No corrections were made, and Chair Shuman declared the minutes approved as presented.

Adjourn to Work Session.

WS1: A work session to continue the Planning Commission's review of proposed changes to the Agritourism ordinance, and the proposal to add agritourism as a conditional use in the S (shoreline) and F (Forest) zones. Planner: Charlie Ewert.

Principal Planner Ewert explained that since the Planning Commission's last work session of July 18, staff has amended the proposal in the following ways pursuant to the Planning Commission's requests:

- The significant policy changes are highlighted in yellow to more easily catch your attention.
- The proposal adds agritourism as a conditional use in the F-X zones, as can be observed in the table starting on line 283. Lines 218 – 384 display proposed revisions to the F-X zone chapter. These revisions are not substantive and are only intended to create consistency between each zone chapter.
- Similarly, lines 385 – 492 also display proposed revisions to make a zone chapter consistent with other chapters. This chapter is for the Shoreline zone. The applicant's specific request to allow agritourism in the Shoreline zone can be found in the table on line 430.
- Line 529 – 530 adds an area qualifier for the agritourism uses in relation to the area of the agricultural operation.
- Lines 543 – 548 revises the qualifications for an agritourism operation in the context of the farmland assessment act. It reverts some of the confusing language back to current ordinance.
- Lines 549 – 552 add in some enforcement provisions, and tie the submitted application to the actual approval of the permit.
- Lines 566 – 567 add a requirement for the applicant to describe any new infrastructure they will be installing/building
- Lines 582 – 583 add a requirement for the applicant to explain the traffic, circulation, and parking needs of the proposed use.
- Lines 680 – 685 eliminates the smaller "ag" operations in favor of a minimum of six acres.
- The table starting on line 704 contains the following changes:
 - It eliminates the "garden" and "family" types of agricultural operations.
 - Adds dude ranch to the large agricultural operations.
 - Consolidates "corn maze" into "seasonal amusement."
- The table starting on line 718 provides greater setback distances for most uses.

Mr. Ewert reviewed the text amendments, and the first area of focus was the minimum lot size for an agritourism use; Chair Shuman suggested the minimum lot size for a large agritourism use should be nine acres, rather than six acres discussed during the last work session. Commissioner Barber suggested that aside from property size, there should be thresholds related to use of the property for a true agricultural purpose in order for someone to secure approval of an agritourism use. It is his opinion that agritourism should only be permitted when it is related to an actual agricultural use of the property; otherwise, someone can buy

a larger parcel of land and operate a campground there under the guise of agritourism. If those are the types of things the Commission wants to approve, that is what the ordinance should communicate. This led to debate among the Commission of the two different positions regarding lot size and agricultural use of the property and the debate expanded to the types of uses that can reasonably be defined as agricultural or agritourism. Discussion later shifted to whether agritourism uses should be permitted in single-family residential areas, with Planning staff communicating that it is not possible to anticipate the impacts of all possible uses, but the conditional use permitting process can be used to consider and mitigate potential impacts of certain types of agritourism.

The Commission debated whether a use should be allowed unless it is explicitly prohibited in the ordinance, or if the opposite is true. Legal Counsel Erickson suggested that uses are prohibited unless they are explicitly listed as a permitted or conditional use in the ordinance. He recommended the Commission employ the land use table in the ordinance to communicate permitted or conditional agritourism uses.

Commissioner Barber recommended scaled minimum lot sizes for different types of agritourism uses; for impactful uses/events such as large gatherings on a property, the minimum lot size should be 10 acres. Planning Director Grover asked if a minimum lot size between three and 10 acres would be appropriate for smaller/less impactful agritourism uses, such as uses that are educational in nature and associated with the agricultural use of the property. Commissioner Barber stated that he is not sure that it necessary to codify; his greatest concern is related to large events and uses that will have a negative impact on surrounding property owners and neighborhoods and those are the things he feels it is most appropriate for the County to regulate. Chair Shuman agreed and added that the regulations need to be sufficient enough that they can not be circumvented by 'bad actors' that are trying to operate a business on their property under the guise of an agritourism use. This led to high level discussion of the types of uses and events that should be more heavily regulated in order to mitigate impacts for neighboring property owners. Mr. Grover indicated staff can make changes to the proposed ordinance responsive to feedback provided tonight; he asked for guidance from the Commission as to when they are comfortable moving this forward to a public hearing. He discussed the upcoming meeting schedule and the format of an upcoming meeting that will be held in the Ogden Valley area and the Commission concluded they would like to see the changes in writing before deciding when to schedule the public hearing.

Before closing the meeting, there was brief discussion about pressure from the State of Utah to build a runaway truck ramp on Trapper’s Loop; the County’s ordinance regulating the keeping of livestock in the Valley; and the County’s noise ordinance. Mr. Grover indicated staff can research those matters in preparation for detailed discussion at a future meeting.

There was also a review of upcoming training opportunities for the Planning Commission to attend.

**Meeting Adjourned: The meeting adjourned at 7:00 p.m.
Respectfully Submitted,**

Weber County Planning Commission



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	File Number CUP 2023-06 - Consideration and/or action on a conditional use permit for the a recreation lodge located in the FV-3 zone, at approximately 5597 E Hwy 39, Huntsville, UT.
Agenda Date:	Tuesday, October 24, 2023
Applicant:	Jesse and Blythe Campanaro, Owners

Property Information

Approximate Address:	5597 E Hwy 39, Huntsville, UT, 84317
Project Area:	14.85 acres
Zoning:	Forest Valley - 3 Zone (FV-3)
Existing Land Use:	Residential
Proposed Land Use:	Recreation Lodge
Parcel ID:	20-178-0002
Township, Range, Section:	T6N, R1E, Section 14 SW

Adjacent Land Use

North:	Hwy 39	South:	Forest/Residential
East:	Forest/Residential	West:	Forest/Residential

Staff Information

Report Presenter:	Tammy Aydelotte Taydelotte@webercountyutah.gov 801-399-8794
Report Reviewer:	SB

Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Weber County Land Use Code Title 104 Chapter 14 (FV-3 Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)

Summary and Background

The applicant is requesting approval of a conditional use permit for a recreation lodge located in the FV-3 zone at 5597 East Hwy 39. The single-family dwelling on the property was built in 1981.

Analysis

General Plan: As a conditional use, this operation is allowed in the FV-3 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located within the Forest Valley (FV-3) Zone. The purpose of the FV-3 Zone can be further described in LUC §104-14-1 as follows:

The purpose of the FV-3 zone is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

A recreation lodge is defined by LUC §101-2-3 as follows:

The term "recreation lodge" means a lodge constructed in a mountainous or forested location, which may include up to 16 guest sleeping rooms for short-term rental lodging, and facilities for guest's meals, providing on-site winter sports amenities such as cross country ski trails, snowmobile trails, ice skating and/or similar activities, and, if open year-round, offers summer recreation amenities such as equestrian trails, mountain biking trails, hiking trails, rock climbing training stations, golf course, putting green, and/or tennis courts. Accessory uses, such as sports equipment rental and repair may

be included. The number of horses allowed, in the case of a riding stable, shall be calculated and may be permitted based upon acreage and site plan review, and recommended by the planning commission. Limited day use may be allowed based upon site plan review and approval of the overall project as a conditional use by the planning commission.

The Recreation Lodge doesn't list development standards regarding parking. As such, we have applied the parking standards for a bed and breakfast inn to this application. The FV-3 Zone has specific standards identified in LUC §104-14-3 (b), that shall be met as part of the development process. Applicable standards for a recreation lodge are listed below. Staff analysis of the proposed recreation lodge per these standards is provided as Italicized text following each standard:

One space per each sleeping room, in addition to the host required two spaces (See LUC 108-8-4, parking regulations for bed and breakfast inn.

Signs are limited to a nameplate identification sign not exceeding two square feet in area per dwelling; The owner will use an existing sign, whose color and materials meet the Ogden Valley Sign Ordinance (Weber County LUC 110-2). Additional signage will require approval from Weber County Planning.

A business license shall be obtained.

The applicant will be required to obtain a business license as a condition of conditional use permit approval.

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Thus far, the applicant has not yet received approval from the Weber Fire District, for the proposal. Meeting Weber Fire District requirements is a condition of approval for this application.

The following is an analysis of the proposal reviewed against the conditional use standards:

- 1) Standards relating to safety for persons and property.

The Weber Fire District and Weber County Engineering have requested the following:

- a) *The road must be a minimum of 20 wide from the highway to their property and be engineered to support 75,000 lbs. The tree canopy must be cut and removed to allow a 14' high clearance the entire road length.*
- b) *The applicant will install a 13D fire suppression system. A sprinkler plan shall be submitted to the Weber Fire District.*

- 2) Standards relating to infrastructure, amenities, and services.

The proposal is not anticipated or expected to negatively impact any existing infrastructure, amenities, or services in the area, however, there will be some additional impact to the existing access road. Weber Fire District is requiring that the access road be widened to 20 feet, and engineered to support 75,000 lbs. As this application is coming before the Ogden Valley Planning Commission so late in the year, Planning staff would recommend approval subject to the access road installation occurring no later than June of 2024, to allow for temperatures sufficient for proper installation/upgrading. This six bedroom, four-bathroom home, with a possible two additional sleeping rooms, is designed to accommodate a maximum of 16 people, though the owners anticipate groups of 6-12. For the time being, this proposed use will be year-round. Residential use, even part-time, is not proposed at this time.

The Weber-Morgan Health Department has reviewed this proposal, but not yet issued approval. Meeting Weber-Morgan Health Department requirements is a condition of approval for this conditional use permit application.

- 3) Standards relating to the environment.

The proposal is not anticipated or expected to negatively impact the environment.

- 4) Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan.

The proposal is not anticipated to substantially impact the surrounding area. As a conditional use, this operation is allowed in the FV-3 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation is not anticipated to negatively impact the surrounding areas or be at odds with any of the goals and policies of the General Plan.

Design Review: In addition to the conditional use review, a design review is required for Recreation Lodges, because of their commercial nature. The following design review standards were considered and an analysis of the project against the design review standards is in the italicized text below each standard.

Sec 108-1-4 Considerations in the review of applications

- (a) Considerations relating to traffic safety and traffic congestion.

Traffic safety concerns are not anticipated with this proposal, as long as the access issues are addressed satisfactorily with Weber Fire District, Weber County Engineering, and possibly UDOT (owner may need an access permit from UDOT, with the additional, commercial impact at this access). The guests will enter the property off of Highway 39, immediately south of Pineview. There is an existing 30' easement and asphalt access that leads up to the parking area for the home. The asphalt access is lined with trees that serve as a nature screening from adjacent properties. Applying bed and breakfast inn standards, as there are no parking standards for a recreation lodge, the parking requirement is one space per each rental sleeping (6) room in addition to the owner/host required two parking spaces. The required minimum number of spaces is 8. Applicant is proposing 12 parking spaces on site. Per Weber County LUC 108-8-7, all private parking facilities must be improved with a hard surface such as concrete or asphalt and must be sloped and graded to prevent drainage of storm water onto adjacent properties. The setback requirements for bed and breakfast guest parking conform to the minimum setback requirements of the FV-3 zone (front/rear – 30', side – 20').

- (b) Considerations relating to outdoor advertising.

The applicant has not proposed any additional signage. There is an existing 5'8" x 2'6" freestanding sign. The material are a natural wood color and a dark metal. There is no lighting associated with this sign.

- (c) Considerations relating to landscaping.

The commercial design standards require a minimum of 20 percent of the site to be landscaped. The project site consists of several acres of the site landscaped with evergreen trees and rock, as shown in the site plan. There are cleared areas to accommodate activities such as pickle ball, fire pits, star gazing, and walking trails.

- (d) Considerations relating to buildings and site layout.

The existing dwelling in which the recreation lodge will take place meets the current zoning setbacks and site development standards. It is tucked into the existing trees, and is mostly screened from neighbors and the access road. The structure will need to be inspected by the Weber County Building Official for commercial occupancy prior to issuance of a building license and conditional use permit.

- (e) Considerations relating to utility easements, drainage, and other engineering questions.

The engineering division has reviewed the project and has concerns with the access road.

- (f) Considerations relating to prior development concept plan approval associated with any rezoning agreement planned commercial or manufacturing rezoning, or planned residential unit development approval.

There are no prior development approvals or rezoning development agreements that apply to the subject property.

Staff Recommendation

Staff recommends approval of this conditional use permit application subject to the applicant meeting the following condition of approval in addition to all conditions of County review agencies and the Ogden Valley Planning Commission.

Planning conditions of approval:

- 1) The applicant shall obtain a valid Weber County Business License.
- 2) A conditional use permit shall be issued, conditioned upon meeting Weber Fire District, and Weber County Engineering's requirements for the access road, no later than June of 2024.
- 3) All other requirements shall be met prior to the conditional use permit being issued.
- 4) The applicant will obtain an access approval from UDOT.

This recommendation is based on the following findings:

- 1) The proposed use is allowed in the FV-3 Zone and meets the appropriate site development standards.
- 2) The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Exhibits

- A. Narrative
- B. Site Plan
- C. Floor Plan
- D. Site Photos

Map 1



Exhibit A - Narrative

We seek a conditional use permit to operate as a Recreational Lodge at 5597 E HWY 39, Huntsville UT 84317, parcel number 201780002 zoned FV-3.

- Lakeview Haven Lodge is an existing structure surrounded and mostly hidden from view by mature scrub oak, pines and cottonwoods. Lakeview Haven Lodge is home to various species of Birds, Wild Turkeys, Deer and other forest animals. It will be a mountain recreation lodge constructed in the mountains and forest areas of Huntsville zoned Forest Valley 3.
- As a property near the Ogden Canyon gateway, the goal at Lakeview Haven Lodge is to share and protect, as much as possible, the naturalistic environment and openview mountain backdrop of the Ogden Valley while offering on site recreation and guest sleeping accommodations for lodging and ample dining and cooking areas for guest to prepare and enjoy their own meals or have their meals prepared and served by our private chef upon request.
- Lakeview Haven Lodge is a 4-season recreational lodge. At Lakeview Haven Lodge guests will be able to participate in recreation activities on and within the 14.8 acre forested property. Lakeview Haven Lodge offers the following on-site winter sports recreation amenities: Snowshoeing, Cross Country Skiing and Sledding. The following on-site spring/summer/fall recreational activities are available: AstroTourism, Bird Watching, Wildlife Watching, Deer Path Hiking Trails, Mountain Biking, Pickle Ball Court (local professional instructor available), walking access to a Pineview Reservoir swim beach. Life vests, beach towels, cooler, beach umbrella and kayaks are provided by the lodge upon request. To support the onsite recreational activities Lakeview Haven Lodge will provide at no additional charge: snow shoes and winter sleds, pickleball paddles and balls and hiking sticks. Guests will bring their own cross country skis or mountain bikes. Lakeview Haven Lodge may also provide rental equipment through local 3rd party rental partners. At Lakeview Haven Lodge guests will also be referred to local professional vendors to schedule guided tours of the Ogden Valley and all the great outdoor lifestyle it has to offer.
- Lakeview Haven Lodge will operate as a mountain recreational lodge offering on-site recreation, guest accommodation rooms with nightly minimums, full access kitchen and dining areas with available local chef and meal prep services focusing on local ingredients where available.
- At Lakeview Haven Lodge the core focus will be cohesive groups of 6 - 12 people who will book the entire lodge and property for 5 days of on site and local recreation. (Minimum nights 3 with a maximum allowable occupancy of 16 people). To maintain a private and unique experience for the guests and minimize the impact on our private road and to our neighbors, Lakeview Haven Lodge will provide transportation services for guests upon request in the Lakeview Haven Sprinter van (12 passenger 4x4) and will limit the number of vehicles allowed by the guests to 4 additional vehicles maximum. Lakeview Haven Lodge has ample parking for 8+ vehicles. (2 property vehicles, 1 staff vehicle, 4 guest vehicles and an extra spot for local vendors or service providers for the lodge.

Exhibit B – Site Plan

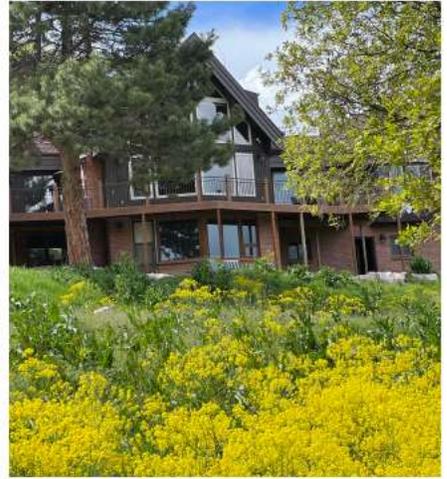


Exhibit C - Floor Plan



GROSS INTERNAL AREA
FLOOR 1: 1732 sq. ft. FLOOR 2: 2667 sq. ft.
FLOOR 3: 859 sq. ft. EXCLUDED AREAS:
GARAGE: 923 sq. ft. PORCH: 98 sq. ft.

Exhibit D – Site Photos





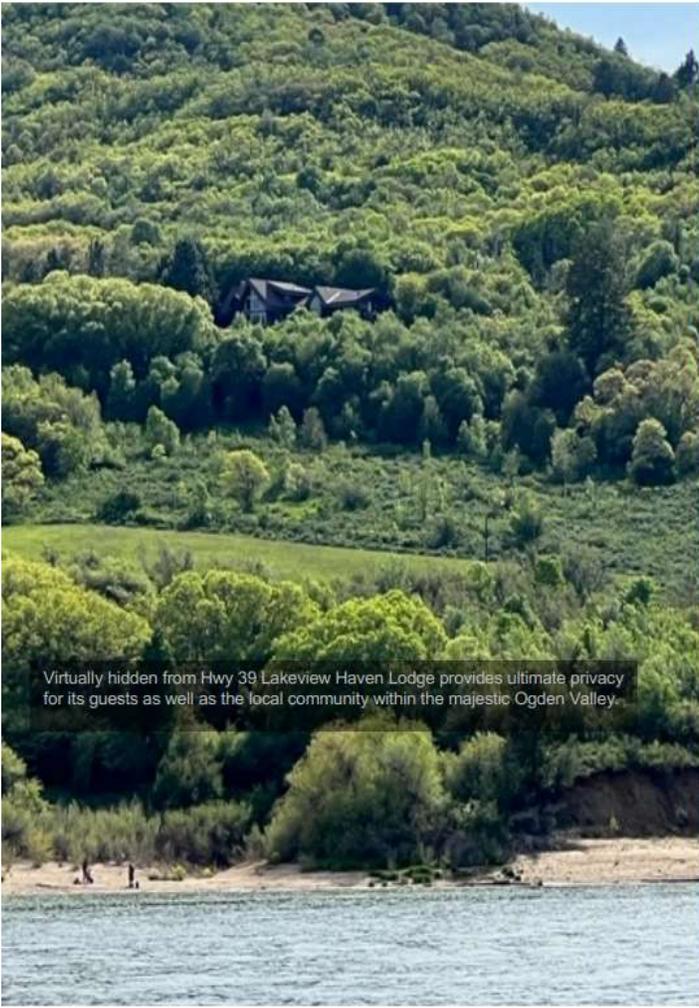












Virtually hidden from Hwy 39 Lakeview Haven Lodge provides ultimate privacy for its guests as well as the local community within the majestic Ogden Valley.



Lakeview Haven Lodge



Our natural forest/mountain landscaping setting provides opportunities for spectacular views of the Valley, the mountains, Pineview Reservoir, and the stars in the night sky.

The Lodge is not obtrusive and does not compromise views while allowing guest to enjoy nature and recreation. The Lodge flows with the natural landscaping of the forest and mountains. The Lodge is naturally shielded from neighboring properties.



Seasonally, we work with a landscaper who specializes in Forest Management to help remove invasive vegetation and clear dead trees that pose fire risk. All items are composted and returned to the forest.





Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on preliminary approval of Gateway Estates Subdivision Phases 2-22, consisting of 21 lots, and public and private road dedication.

Type of Decision: Administrative

Agenda Date: Tuesday, October 24, 2023

Applicant: **OVB Investments, LLC**

Representative: Nate Reeve

File Number: UVG052523

Property Information

Approximate Address: 748 E Hwy 39, Huntsville, UT, 84317

Project Area: 416.178 acres

Zoning: Forest (F-5, F-40)

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 21-013-0007, 21-013-0009, 21-013-0001

Township, Range, Section: T6N, R2E, Section 11 S

Adjacent Land Use

North: Vacant	South: Highway 39
East: Vacant	West: Vacant

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@webercountyutah.gov

Report Reviewer: SB

Applicable Land Use Codes

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Stream corridors, wetlands, shorelines)
- Weber County Land Use Code Title 104 (Zones) Chapter 9 (F-5 Zone)
- Weber County Land Use Code Title 108 (Standards) Chapter 22 (Natural Hazard Areas)

Background and Summary

The applicant is requesting preliminary approval of Gateway Estates Subdivision Phases 2-22, consisting of 21 lots, in the F-5 and F-40 zones. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). Dedication of a new County road is included with this proposal. The following is a brief synopsis of the review criteria and conformance with LUC.

Analysis

General Plan: The request is in conformance with the Ogden Valley General Plan as it is intended to preserve private property rights while also preserving the rural characteristics of the Valley.

Zoning: The subject property is located in the F-5 and F-40 Zones. Single-family dwellings are a permitted use in these zones.

Lot area, frontage/width and yard regulations: In the LUC § 104-9-4, the F-5 zone requires a minimum lot area of 5 acres for a single family dwelling and a minimum lot width of 300 feet. The width and area of all 15 phases in the F-5 zone this proposed subdivision meet this requirement. The width and area of the 6 phases in the F-40 zone also meet the minimum area of 40 acres and width of 660 feet. Dedication of a new public road, located along phases 2, 3, 9, 10, and 11 and is included as part of this proposal. The private right-of-way begins along the frontage of Phase 4, and continues north up to Phase 22 (see Exhibit A) .

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in the LUC § 106-1, and the F-5 zone standards in LUC § 104-9.

Culinary water and sanitary sewage disposal: Weber-Morgan Health Department has performed the necessary soil testing to provide feedback and recommendations regarding wastewater disposal systems, and the placement of private wells. The developer is proposing shared wells for these phases. The applicant has obtained start cards from the State of Utah. Prior to going before the planning commission for a recommendation of final approval, per LUC 106-4-2.1:

“(c) **Capacity assessment.** Prior to final plat approval by the planning commission, the applicant shall provide the county with a written capacity assessment for the culinary and secondary water supply and delivery system.

— (2) **Private well capacity assessment.** *For a private well's water supply and delivery system, the capacity assessment shall include: For a private well's water supply and delivery system, the capacity assessment shall include:*

1. *Written verification from the Utah Division of Water Rights that authorization to drill has been obtained for each proposed private well.*
2. *The following items, if secondary water is provided by contract with Weber Basin Water Conservancy District:*
 1. *Written verification from the District that an adequate allocation of water has been secured for each proposed well;*
 2. *Evidence that the annual cost for the District's allocation is, or will be, attached to the tax notice of each lot; and*
3. *Proof of adequate allocation of water shall be demonstrated for all intended uses of the well water, including, but not limited to, applicable secondary water uses and fire suppression appurtenances.”*

— **“Improvements required for private well.**

1. **Private well drilling and testing.** *Prior to final plat recording, each well shall be dug and pump-tested for a minimum of 48 hours, and a sample of water analyzed according to applicable agency requirements. A copy of pump-test results shall be submitted to the County and the local health department. The pump test results shall demonstrate that adequate flow and quality exists to serve all intended uses of the well. An inadequate pump-test shall result in that subdivision's approval being void unless another lawfully approved water source can be provided.*
2. **Metering.** *The applicant shall install a radio-meter, or other automated usage-reporting meter, pursuant to the standards and specifications of the Weber Basin Water Conservancy District, if applicable.”*

If there will be landscaping and watering restrictions on any of the lots, a note will need to be added to the final plat that generally explains the watering and landscaping restrictions, and references the recorded covenant or, if applicable, covenants, and specifies the automatic watering system requirements of Section 106-4-2.1, if applicable.

Natural hazards/wetlands: Per LUC § 104-28-2, the proposed subdivision area has intermittent streams that run through this it.

Structures, accessory structures, roads, or parking areas shall not be developed or located within 50 feet from the high water mark from the existing ephemeral streams located within the proposed subdivision, unless a stream alteration is approved by the Army Corps of Engineers and State Department of Natural Resources

The proposed subdivision is located within a ridgeline area. Per LUC § 104-28-4,

All structures located within the ridge line area shall not exceed 35 feet in height from lowest elevation of finished or natural grade, whichever is most restrictive, to the top of the structure. All ridge line developments shall be designed to minimize visual impact. All buildings constructed shall make use of neutral, natural colors (white may be used only as an accent color) that blend in to the surrounding area, non-reflective glass, metal and roofing materials, and varied roof lines. A landscape plan shall also be required and shall make use of trees designed to reduce visual impacts.

The proposed subdivision lies within a geologic hazard study area. Further reports have been required, and obtained. All recommendations contained within the submitted reports (AGEC project no. 1210067). Additional, site-specific, geotechnical reports will be required with each building permit submitted, per the recommendations outlined in the report. All recommendations contained in the submitted reports shall be followed, and a note shall be recorded on the plat indicating the need for further reports.

Street Standards: As the slopes and geology within these proposed subdivision phases are significant, Engineering and Planning are expecting that most of the roadway to the east, within this subdivision, will be privately owned and maintained.

In order to provide for future connectivity, the roadway coming north into the subdivision from Highway 39, and heading west, will be a public right-of-way.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division, Engineering Division, and the Weber Fire District. The County Surveyor's Office will review a proposed final plat, once one has been submitted. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Tax Clearance: There are no outstanding tax payments related to these parcels. The 2023 property taxes are not considered due at this time, but will become due in full on November 30, 2023.

Staff Recommendation

Staff recommends preliminary approval of Gateway Estates Subdivision Phases 2-22, consisting of 21 lots, dedication of new public and private roads, located at approximately 748 E Hwy 39, Huntsville. This recommendation is subject to all review agency requirements prior to recording of the subdivision, and the following conditions:

1. An approved plan with Weber Fire District must be submitted prior to going before the Planning Commission for a recommendation of final approval.
2. An onsite wastewater disposal covenant shall be recorded with the final plat
3. A private well covenant shall be recorded with the final plat.
4. All required improvements shall be either installed, escrowed for, or a combination of both, prior to County Commission approval.

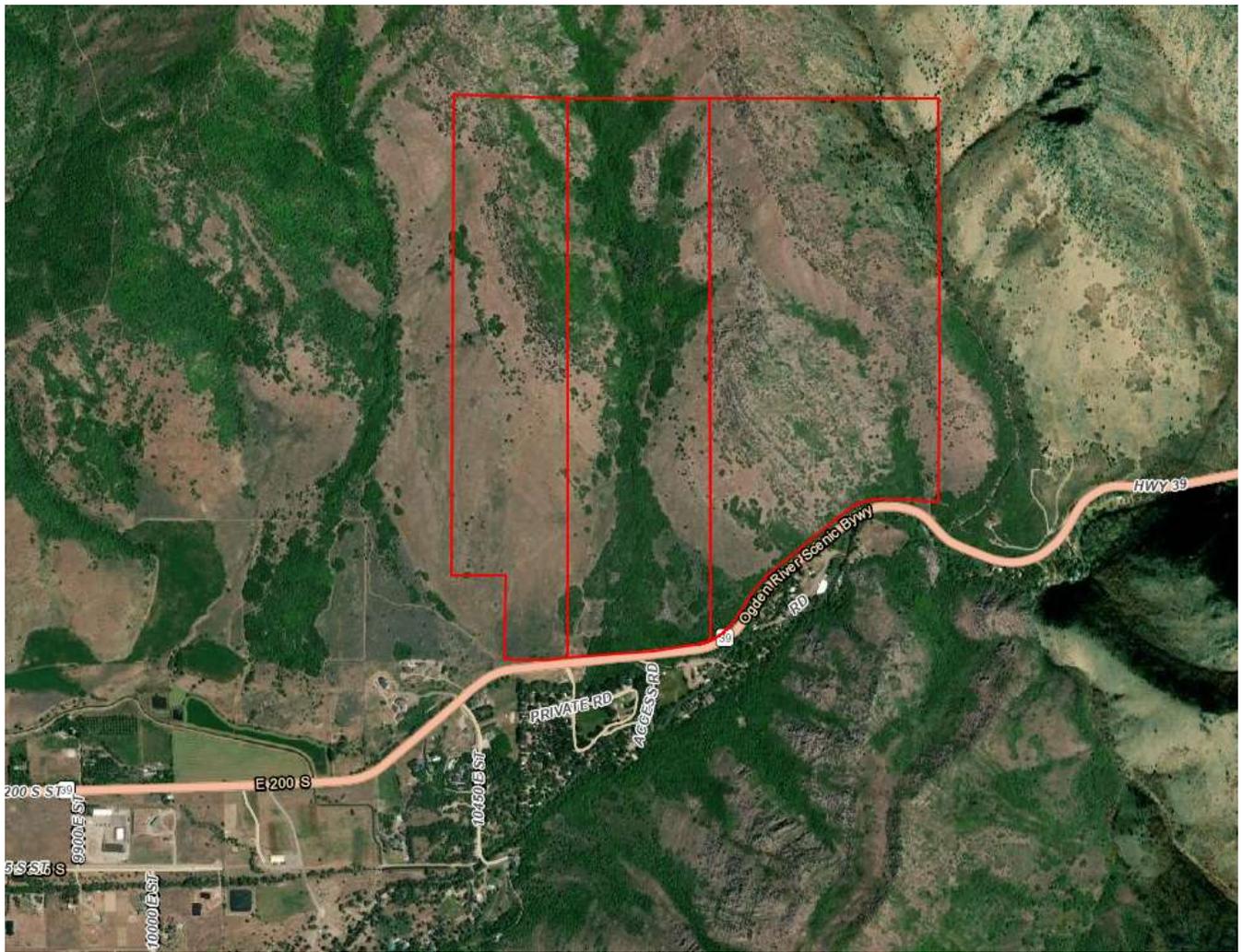
This recommendation is based on the following findings:

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

Exhibits

- A. Application
- B. Subdivision Plat
- C. Approved Water Leases & Septic Feasibility

Area Map



Application

[+ Add Building](#)

Project Description 10-lot subdivision with an alternative access request.

Property Address Approx. 748 E. Hwy 39
Huntsville, UT, 84317

Property Owner Matt Lowe
801-648-8229
matt@lowecompanies.com

Representative Nate Reeve
801-621-3100
nreeve@reeve-assoc.com

Accessory Dwelling Unit False
Current Zoning F-5
Subdivision Name Gateway Estates
Number of Lots
Lot Number 31
Lot Size 5 - 43 acres
Frontage 300
Culinary Water Authority Not Applicable
Secondary Water Provider Pineview Water
Sanitary Sewer Authority Health Department (Septic)
Nearest Hydrant Address N/A
Signed By Representative, Nave Reeve

Parcel Number

- [✖ Remove](#) 210130007 - [County Map](#)
- [✖ Remove](#) 210130009 - [County Map](#)
- [✖ Remove](#) 210130001 - [County Map](#)

Exhibit B- Subdivision Plat

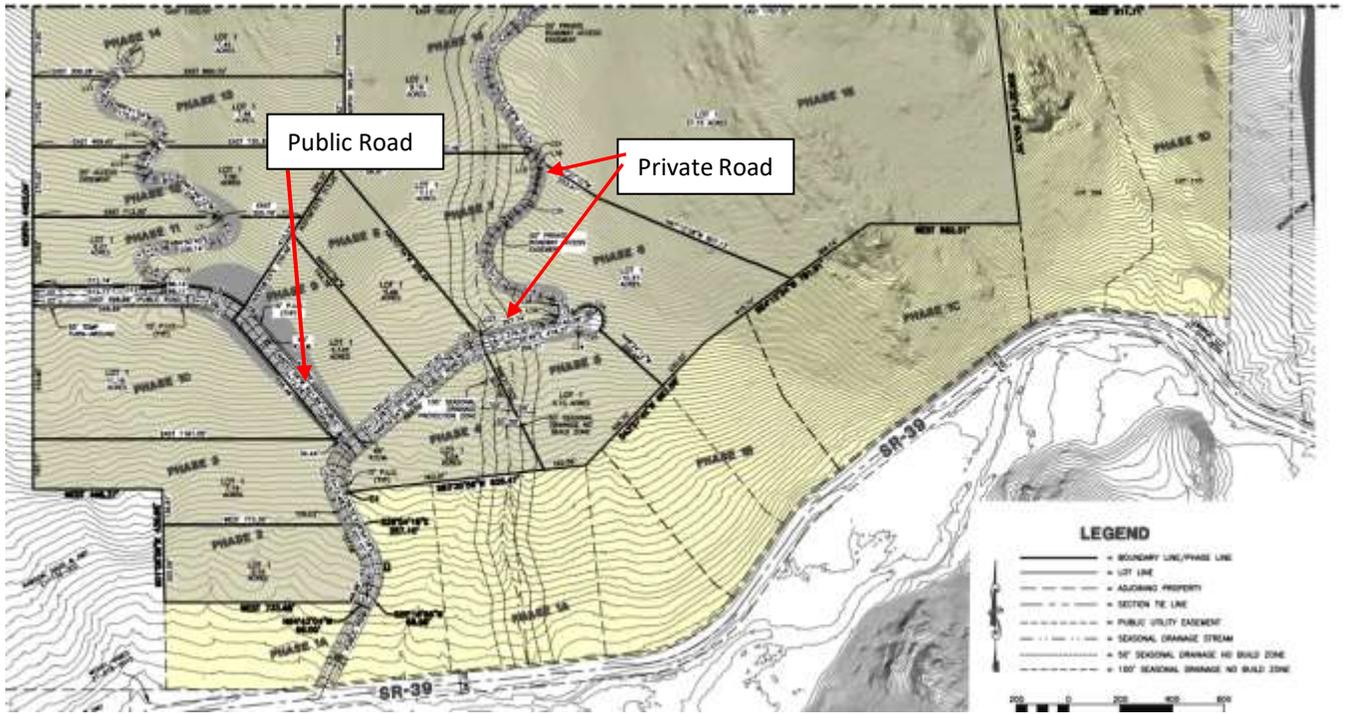


Exhibit C – Septic Feasibility/Well Permits

BRIAN COWAN, MPH, LEHS
Health Officer/Executive Director

October 17, 2023



Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Preliminary Subdivision **Determination**
Gateway Estates Phase 3, 8 lots
Parcel #21-013-0001, 21-013-0009, & 21-013-0007
Soil log #15128

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by a private well. **The placement of the well is critical so as to provide the required 100 foot protection zone.** The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Lot 24-31:

Anticipated ground water tables not to exceed 75 inches, fall within the range of acceptability for the utilization of a Packed Bed Media Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches. The absorption system is to be designed using a maximum loading rate of 0.35 gal/sq. ft. /day as required for a sandy clay loam, massive structure soil horizon with a documented percolation rate between 60-120 minutes per inch.

ENGINEERING NOTE:

- 1) A sufficient separation in elevation between the bottom of the absorption trench or drip irrigation system and the elevation of the seasonal drainage must be shown in the engineered onsite wastewater plan.
- 2) Some site may require a trench depth deeper than 18 inches to meet the regulatory requirement listed below. If the slope of the engineered onsite wastewater system exceeds 15% please request an updated letter of feasibility for the lot and or approval for a deeper trench via email. For approval of a deeper trench our office will need to verify that suitable soil to of depth of 36 inches below the bottom of the proposed trench have been classified and certified percolation test results submitted. If sufficient soils have not been classified, than the engineer will need to design a drip irrigation system as means of dispersal following the packed bed media.

UAC_R3117-4-6.14.b. Sloping Ground. Absorption systems placed in 10% or greater sloping ground shall be designed so that there is a minimum of 10 feet of undisturbed earth measured horizontally from the bottom of the distribution line to the ground surface. This requirement does not apply to drip irrigation.

LOT 26:

The soil evaluation test pit located on lot 26 is shown across the seasonal drainage from the area shown to meet the 20,000 contiguous square foot area with 25% slope or less. Sufficient area within 50-100 feet of soil evaluation test pit 26 is shown as 25% slope or less. The onsite wastewater system will need to be designed within 50 feet of the soil evaluation test pit 26. The system design may require a pump and pump chamber. Alternatively additional soils may be performed nearer the location of the proposed residence.

Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

BRIAN COWAN, MPH, LEHS
Health Officer/Executive Director



The following items are required for a formal **subdivision review**; application, receipt of the appropriate fee, and a full sized copy of the subdivision plats showing the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates. A subdivision review will not occur until all items are submitted. Mylars submitted for signature without this information will be returned

Each on-site individual wastewater disposal system must be installed in accordance with R317-4, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pedro Lozano". The signature is written in a cursive style with a long horizontal stroke at the end.

Pedro Lozano, LEHS
Environmental Health Division
801-399-7160

October 17, 2023



Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Preliminary Subdivision **Determination**
Gateway Estates Phase 2, 13 lots
Parcel #21-013-0001, 21-013-0009, & 21-013-0007
Soil log #15128

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by a private well. **The placement of the well is critical so as to provide the required 100 foot protection zone.** The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Lot 11-23:

Anticipated ground water tables not to exceed 75 inches, fall within the range of acceptability for the utilization of a Packed Bed Media Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches. The absorption system is to be designed using a maximum loading rate of 0.35 gal/sq. ft. /day as required for a sandy clay loam, massive structure soil horizon with a documented percolation rate between 60-120 minutes per inch.

ENGINEERING NOTE:

Some site may require a trench depth deeper than 18 inches to meet the regulatory requirement listed below. If the slope of the engineered onsite wastewater system exceeds 15% please request an updated letter of feasibility for the lot and or approval for a deeper trench via email. For approval of a deeper trench our office will need to verify that suitable soil to a depth of 36 inches below the bottom of the proposed trench have been classified and certified percolation test results submitted. If sufficient soils have not been classified, than the engineer will need to design a drip irrigation system as means of dispersal following the packed bed media.

UAC_R3117-4-6.14.b. Sloping Ground. Absorption systems placed in 10% or greater sloping ground shall be designed so that there is a minimum of 10 feet of undisturbed earth measured horizontally from the bottom of the distribution line to the ground surface. This requirement does not apply to drip irrigation.

LOT 15:

The soil evaluation test pit located on lot 15 is shown outside of the 20,000 contiguous square foot area with 25% slope or less. Sufficient area within 50-100 feet of soil evaluation test pit 15 are shown as 25% slope or less. The onsite wastewater system will need to be designed within 50 feet of the soil evaluation test pit 15. The system design may be achieved via gravity flow or may require a pump and pump chamber. Alternatively additional soils may be performed nearer the location of the proposed residence.

Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

The following items are required for a formal **subdivision review**; application, receipt of the appropriate fee, and a full sized copy of the subdivision plats showing the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates. A subdivision review will not occur until all items are submitted. Mylars submitted for signature without this information will be returned.

EDUCATE | ENGAGE | EMPOWER

phone: 801-399-7100 | fax: 801-399-7110 | 277 23rd Street | Ogden, UT 84401

BRIAN COWAN, MPH, LEHS
Health Officer/Executive Director



Each on-site individual wastewater disposal system must be installed in accordance with R317-4, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pedro Lozano", is positioned above the typed name.

Pedro Lozano, LEHS
Environmental Health Division
801-399-7160



SPENCER J. COX
Governor
DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

BRIAN C. STEED
Executive Director
TERESA WILHELMSEN
State Engineer/Division Director

ORDER OF THE STATE ENGINEER
For Exchange Application Number 35-13962 (E6227)

Exchange Application Number 35-13962 (E6227) in the name of OVB Investments LLC was filed on July 14, 2021, to exchange 1.00 acre-foot of water, as evidenced by Water Right Number 35-827 (A27608) owned by the U.S. Bureau of Reclamation and a contract (Number 52010 associated with Tax I.D. Number 21-013-0001 and others) for its use with Weber Basin Water Conservancy District. The 1.00 acre-foot of water is to be released from Pineview Reservoir and, in lieu thereof, 1.00 acre-foot of water will be diverted from a well to be located South 1083 feet and West 222 feet from the E $\frac{1}{4}$ Corner of Section 11, T6N, R2E, SLB&M (6-inch well, 100-500 feet deep). The water is to be used for the irrigation of 0.1833 acre from April 1 to October 31; and year-round, indoor, domestic requirements of 1.00 equivalent domestic unit. The water is to be used in all or portion(s) of Section 11, T6N, R2E, SLB&M.

Notice of the exchange application was published in the Standard Examiner on August 5 and 12, 2021. No protests were received.

It is the opinion of the State Engineer that this exchange application can be approved without adversely affecting existing rights. The applicant is put on notice that diligence must be shown in pursuing the development of this application, which can be demonstrated by the completion of the project as proposed in the exchange application.

It is, therefore, **ORDERED** and Exchange Application Number 35-13962 (E6227) is hereby **APPROVED** subject to prior rights and the following conditions:

- 1) The basis for this exchange right is a contract between the applicant and Weber Basin Water Conservancy District. This contract must be maintained for this exchange to remain valid. No water may be withdrawn under this application if a contract is not in effect.
- 2) Total diversion under this exchange application is limited to 1.00 acre-foot of water per year for the irrigation of 0.1833 acre (0.55 acre-foot) from April 1 to October 31; and year-round, indoor, domestic requirements of 1.00 equivalent domestic unit (0.45 acre-foot).
- 3) The water being exchanged shall be released from Pineview Reservoir into Ogden River as called for by the river commissioner.
- 4) The applicant shall construct or install and maintain controlling works and a measuring device as required by Section 73-5-4 of Utah Code.

ORDER OF THE STATE ENGINEER

Exchange Application Number

35-13962 (E6227)

Page 2

The applicant is strongly cautioned that other permits may be required before any development of this application can begin and it is the responsibility of the applicant to determine the applicability of and acquisition of such permits. Once all other permits have been acquired, this is your authority to develop the water under the above referenced application which under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water must be put to beneficial use and proof must be filed on or before **November 30, 2028**, or a request for extension of time must be acceptably filed; otherwise, the application will be lapsed. This approval is limited to the rights to divert and beneficially use water and does not grant any rights of access to, or use of land or facilities not owned by the applicant.

When the work is complete, an Affidavit of Beneficial Use may be submitted by an applicant without hiring a proof professional if it qualifies under statute. An affidavit qualifies if all of the following criteria are met:

- The water right is associated with a residence, either full- or part-time. (NOTE: Any irrigation or stock use on the affidavit must be associated with the residence.)
- The water use is for a quarter acre of irrigation or less.
- The water use is for the watering of ten head of livestock (or equivalent) or less.
- The water use does not include any uses in addition to the three listed above.

As noted, this approval is granted subject to prior rights. The applicant shall be liable to mitigate or provide compensation for any impairment of or interference with prior rights as such may be stipulated among parties or decreed by a court of competent jurisdiction.

Under the authority of Section 73-3-20 of the Utah Code, the applicant is required to submit a proof of diversion and beneficial use of water upon 60 days notification by the State Engineer. The proof shall be in the same form and contain the same elements as required for appropriation or permanent change of water under Section 73-3-16 of the Utah Code Annotated.

Proof of beneficial use is evidence to the State Engineer that the water has been fully placed to its intended beneficial use. By law, it must be prepared by a registered engineer or land surveyor, who will certify to the location, uses and extent of your water right.

Upon the submission of proof as required by Section 73-3-16, Utah Code, for this application, the applicant must identify every source of water used under this application and the amount of water used from that source. The proof must also show the capacity of the sources of supply and demonstrate that each source can provide the water claimed to be diverted under this right as well as all other water rights, which may be approved to be diverted from those sources.

ORDER OF THE STATE ENGINEER

Exchange Application Number

35-13962 (E6227)

Page 3

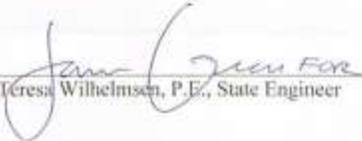
Failure on your part to comply with the requirements of the applicable statutes may result in the lapsing of this exchange application.

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership. Additionally, if ownership of this water right or the property with which it is associated changes, the records of the Division of Water Rights should be updated. For assistance in updating title to the water right, please contact the Division at the phone number below.

Your contact with this office, should you need it, is with the Weber River/Western Regional Office. The telephone number is 801-538-7240.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or for judicial review with the appropriate District Court. A Request for Reconsideration must be filed in writing with the State Engineer within 20 days of the date of this Order. The written request shall be filed in-person, by mail, or electronically. If the request is filed electronically it shall be submitted to: waterrights@utah.gov, which is the authorized general email for the Division. However, a Request for Reconsideration is not a prerequisite to filing for judicial review. A petition for judicial review must be filed within 30 days after the date of this Order or, if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 19 day of November, 2021.


Teresa Wilhelmson, P.E., State Engineer

ORDER OF THE STATE ENGINEER
Exchange Application Number
35-13962 (E6227)
Page 4

Mailed a copy of the foregoing Order this 19 day of November, 2021 to:

OVB Investments LLC
6028 South Ridgeline Dr, Suite 203
Ogden UT 84405

Weber Basin Water Conservancy District
2837 East Highway 193
Layton UT 84040

Cole Panter, River Commissioner
PO Box 741
OGDEN UT 84402

Division of Water Rights
Distribution Section
c/o Susan Odekirk
OGDEN RIVER

BY: Doralee Cannon
Doralee Cannon, Applications/Records Secretary

DRILLER (START) CARD for Exchange Application: E6227(35-13962)

IMPORTANT: THIS CARD MUST BE RECEIVED BY THE DIVISION OF WATER RIGHTS PRIOR TO THE BEGINNING OF WELL CONSTRUCTION – REQUIRED FOR WELLS DEEPER THAN 30 PROOF DUE/EXPIRATION DATE: November 30, 2028
START CARDS CAN BE SUBMITTED ONLINE WITH THE WATER RIGHT NUMBER OR NON-PRODUCTION WELL NUMBER AND THE PIN.
ONLINE SUBMISSION WATER RIGHT: E6227 ONLINE SUBMISSION PIN: 509201
ONLINE SUBMISSION URL: <http://waterrights.utah.gov/welldrilling/startcardOnline.asp>

OWNER/APPLICANT: OVB Investments LLC
MAILING ADDRESS: 6028 South Ridgeline Dr, Suite 203, Ogden, UT 84405
PHONE NUMBER: 801-648-8229
WELL LOCATION: S 1083' W 222' from E4 Cor, S11, T 6N, R 2E, SLB&M
WELL UTM COORDINATES: Easting: 442823 Northing: 4568786
WELL ACTIVITY: NEW(REPLACE(REPAIR(DEEPEN()
PROPOSED START DATE: _____
PROJECTED COMPLETION DATE: _____
LICENSE #: _____ LICENSEE/COMPANY: _____

Licensee Signature Date

NOTICE TO APPLICANT: THIS CARD IS TO BE GIVEN TO A UTAH-LICENSED WATER WELL DRILLER FOR SUBMITTAL TO THE DIVISION OF WATER RIGHTS PRIOR TO WELL CONSTRUCTION.
STATE OF UTAH DIVISION OF WATER RIGHTS Phone No. 801-538-7416 - FAX No. 801-538-7467

COMMENTS: _____

START CARDS MAY ALSO SUBMITTED BY PHONE*, FAX, OR EMAIL.
PHONE: 801-538-7416 - FAX: 801-538-7467 - EMAIL: waterrights_wells@utah.gov
*IF THE START CARD IS PHONED IN, THEN THE COMPLETED AND SIGNED START CARD MUST BE RETURNED TO THE DIVISION OF WATER RIGHTS BY FAX, EMAIL, OR MAIL.

APPLICANT CARD for Exchange Application: E6227(35-13962)

IMPORTANT: THIS CARD MUST BE COMPLETED, SIGNED AND RETURNED BY THE WELL OWNER/APPLICANT AS SOON AS THE WELL IS DRILLED BY A LICENSED UTAH WELL DRILLER. PROOF DUE/EXPIRATION DATE: November 30, 2028

OWNER/APPLICANT: OVB Investments LLC
MAILING ADDRESS: 6028 South Ridgeline Dr, Suite 203, Ogden, UT 84405
PHONE NUMBER: 801-648-8229
WELL LOCATION: S 1083' W 222' from E4 Cor, S11, T 6N, R 2E, SLB&M
WELL UTM COORDINATES: Easting: 442823 Northing: 4568786
WELL ACTIVITY: NEW(X) REPLACE() REPAIR() DEEPEN()
WELL COMPLETION DATE: _____
NAME OF DRILLING COMPANY/LICENSEE: _____

Owner/Applicant Signature Date

NOTICE TO APPLICANT: COMPLETE AND RETURN THIS PORTION UPON FINAL WELL COMPLETION. DO NOT GIVE THIS CARD TO LICENSED WELL DRILLER. - YOU MUST RETURN IT.
STATE OF UTAH DIVISION OF WATER RIGHTS Phone No. 801-538-7416 - FAX No. 801-538-7467

COMMENTS: _____

START/APPLICANT CARD INSTRUCTIONS: First, for each well, you must give a Driller (Start) Card to licensed driller with whom you contract to construct your well. Second, it is your responsibility to sign and return this Applicant Card to this office immediately after completion of the well.
CAUTION: There may be local health requirements for the actual siting of your well. Please check with the proper local authority before construction begins. See enclosed sheet addressing construction information.

Remaining Start Cards on File with Weber County Planning.



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Agenda Item:	UVV071123 Consideration and action on a request for final approval of the Village Nests Retreat at Powder Mountain, located at 5780 N Daybreak Ridge, Eden
Type of Decision:	Administrative
Agenda Date:	Tuesday, October 24, 2023
Applicant:	Rick Everson
File Number:	UVV071123

Property Information

Approximate Address:	5780 N Daybreak Ridge, Eden
Project Area:	3.26 acres
Zoning:	DRR-1
Existing Land Use:	Residential
Proposed Land Use:	Residential
Parcel ID:	23-152-0021

Adjacent Land Use

North:	DRR-1 Resort	South:	DRR-1 Resort
East:	DRR-1 Resort	West:	DRR-1 Resort

Staff Information

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

Applicable Ordinances

- Title 104, Zones, Chapter 29 – Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 106, Subdivisions, Chapters 1-8 as applicable

Background and Summary

This application was accepted for review on July 11, 2023. The proposal is a twenty lot subdivision amending the original twenty lot subdivision called Village Nests East at Powder Mountain. The purpose for the amendment is to take in additional property and change the building envelopes to larger building lots. The proposal complies with the county land use code.

On September 26, 2023 the Ogden Valley Planning Commission granted preliminary approval of the proposal.

Analysis

General Plan: The proposal is not contrary to the Ogden Valley General Plan, as a master planned resort exists in this location and the owner is continuing to develop in accordance with the master plan and land use code.

Zoning: The property is zoned DRR-1, Destination and Recreation Resort zone. The following is the purpose and intent of the DRR-1 Zone as listed in the land use code.

Sec 104-29-1 Purpose and Intent

The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land.

The DRR-1 zoning ordinance states that there is no minimum lot size and no minimum lot width for the single family dwelling lots, which these lots are intended to be. The lots range in size from 2,900 to 3,900 square feet. Lot widths range in size from 67 feet to 40 feet.

On the previous plat, lot sizes ranged in size from 900 square feet to 1,500 square feet and lot width was 30 feet on all lots.

Culinary water, secondary water, and sanitary sewage disposal: The proposal does not include any new culinary water or sewer connections, and no new letters of approval from Powder Mountain Water and Sewer Improvement District have been requested.

Relation to Adjoining Street Systems/Ogden Valley Pathways: The entire Powder Mountain resort area has sole access through Powder Mountain Road. The development agreement and master plan anticipate a seasonal emergency egress in the future, but one has not yet been required by the county to connect to the recreation subdivisions to the east. This subdivision is not proposing any new lots, and there is no additional impact to county roads with this proposal.

The applicant proposes a private cul-de-sac. Under the subdivision code Sec. 106-2-2.040, the following rules govern a permanently terminal street:

- (a) Permanently terminal street.
 - (1) Maximum length and number of lots. A permanently terminal street (cul-de-sac or dead-end) or permanently terminal street-route shall:
 - a. Serve no more than 15 subdivision lots or lots of record as defined by Section 101-2;
 - b. Provide access to no more than 30 total dwelling units; and
 - c. Have a maximum length of 750 feet. This length shall be measured from the point at which the street or street-route becomes terminal to the furthest extent along the terminal street or terminal street-route. If the terminal street or terminal street-route loops back onto itself, the furthest extent shall be the midpoint of the loop.
 - (2) Alternative allowance due to constraints. If approved by the local fire authority, a permanently terminal street or street-route may serve a maximum of 30 subdivision lots or lots of record, and the maximum length of the street may be waived by the Land Use Authority, as long as the topography or other constraints of the land in the vicinity will not reasonably allow for a street connection to make the street or street-route non-terminal.
 - (3) Turn-around required. A terminal street shall be terminated by a turnaround of not less than 100 feet diameter, or as otherwise required by the local fire authority or the County Engineer. If stormwater drains into the turnaround, a stormwater catch basin and drainage easement shall be provided.

The Fire Marshal has approved the propose cul-de-sac. The applicant has stated that the cul-de-sac does not connect to existing streets because of topography.

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

Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation for final approval of UVV071123. This recommendation for approval is subject to all review agency requirements, and the following conditions:

1. A no access line will be added along Daybreak Ridge for the double frontage lots.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with the applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

A. Proposed Final Plat

Location Map



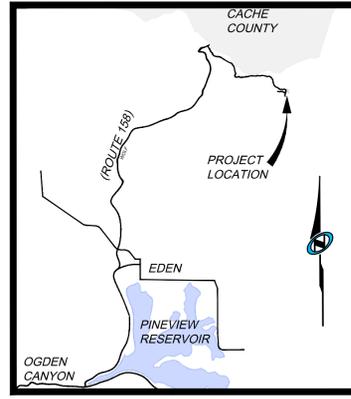
VILLAGE NESTS RETREAT AT POWDER MOUNTAIN

AMENDING VILLAGE NESTS EAST AT POWDER MOUNTAIN-PRUD

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,
TOWNSHIP 7 NORTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN, WEBER COUNTY
SEPTEMBER 2023

PLAT NOTES:

- THIS SUBDIVISION PLAT IS SUBJECT TO THAT CERTAIN NEIGHBORHOOD DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR VILLAGE NESTS RETREAT AT POWDER MOUNTAIN ("NEIGHBORHOOD DECLARATION") EXECUTED BY SMHG PHASE I LLC ("DECLARANT") AS WELL AS THAT CERTAIN MASTER DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS FOR POWDER MOUNTAIN ("MASTER DECLARATION") THAT HAVE BEEN OR WILL BE RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER WHICH SHALL SET FORTH THE RESTRICTIONS AND GENERAL PLAN OF IMPROVEMENT FOR THE PROPERTY DESCRIBED ON THIS PLAT. CAPITALIZED TERMS NOT OTHERWISE DEFINED IN THIS PLAT SHALL HAVE THE MEANINGS SET FORTH IN THE NEIGHBORHOOD DECLARATION OR MASTER DECLARATION.
- PURSUANT TO THE NEIGHBORHOOD DECLARATION, THE VILLAGE NESTS RETREAT AT POWDER MOUNTAIN ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("NEIGHBORHOOD ASSOCIATION") IS RESPONSIBLE FOR MAINTAINING ALL COMMON AREA, AND SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER ALL LOTS AND PARCELS FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE NEIGHBORHOOD DECLARATION. SUCH RESPONSIBILITY AND EASEMENT MAY BE DELEGATED AND ASSIGNED TO THE POWDER MOUNTAIN OWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("COMMUNITY ASSOCIATION"). DECLARANT SHALL CONVEY ALL COMMON AREA PARCELS TO THE NEIGHBORHOOD ASSOCIATION IN ACCORDANCE WITH THE NEIGHBORHOOD DECLARATION.
- THE PROPERTY AS DEPICTED ON THIS PLAT IS SUBJECT TO THE RIGHTS OF DECLARANT AS DESCRIBED IN THE NEIGHBORHOOD DECLARATION, AND THE RIGHTS OF MASTER DEVELOPER AS DESCRIBED IN THE MASTER DECLARATION, AND DECLARANT AND MASTER DEVELOPER SHALL HAVE THE RIGHT TO EXERCISE ANY APPLICABLE RIGHTS PROVIDED FOR IN SAID DECLARATIONS, INCLUDING, WITHOUT LIMITATION, RESERVATION AND GRANTING OF CERTAIN EASEMENTS, REDUCING OR RELOCATING IMPROVEMENTS WITHIN THE COMMUNITY, ADDING ADDITIONAL FACILITIES AND MAKING SUCH OTHER DEVELOPMENT DECISIONS AND CHANGES AS DECLARANT OR MASTER DEVELOPER SHALL DETERMINE IN EACH OF THEIR SOLE AND EXCLUSIVE DISCRETION.
- THE LOTS ARE SERVED BY PRIVATE WATER AND WASTEWATER LATERAL LINES. EACH OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPLACEMENT OF ALL WATER AND SANITARY SEWER LATERALS SERVING THE RESIDENCE ON SUCH OWNER'S LOT IN ACCORDANCE WITH THE REQUIREMENTS OF THE POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT.
- ALL UTILITIES WITHIN THE PROJECT SHALL BE UNDERGROUND. NOTWITHSTANDING DECLARANT'S GRANT OF BLANKET UTILITY EASEMENTS, DECLARANT RESERVES THE RIGHT TO RECORD ONE OR MORE INSTRUMENTS WHICH NARROW AND LIMIT SUCH GRANT OF UTILITY EASEMENT TO THE ACTUAL WIDTH OF THE UTILITY IN THOSE SPECIFIC AREAS WHICH ACTUALLY CONTAIN THE UTILITY FACILITIES AS DESCRIBED IN SUCH INSTRUMENT AND FOR THE PURPOSES DESCRIBED THEREIN. SUCH RESERVED RIGHT IS SUBJECT TO THE UTILITY COMPANIES' RIGHTS TO THE EQUIPMENT AND OTHER FACILITIES THEN LOCATED UNDER THE REAL PROPERTY DEPICTED ON THIS PLAT.
- DECLARANT HEREBY GRANTS TO ALL UTILITY PROVIDERS AN EASEMENT OVER AND ACROSS ALL COMMON AREAS, FOR THE PURPOSE OF INSTALLING, MAINTAINING AND OPERATING EQUIPMENT AND FACILITIES ABOVE AND BELOW GROUND AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY HAVE BEEN PLACED WITHIN THE EASEMENTS AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUBLIC UTILITY EASEMENTS WHICH INTERFERES WITH THE USE OF THE EASEMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE APPLICABLE UTILITY PROVIDERS.
- ALL COMMON WATER AND SEWER MAINS WITHIN THE COMMUNITY WILL BE OWNED AND MAINTAINED BY POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT.
- AS FURTHER DESCRIBED IN THE MASTER DECLARATION, ALL LOTS, AND ALL RESIDENCES AND IMPROVEMENTS CONSTRUCTED THEREON, SHALL COMPLY WITH THE DESIGN GUIDE. NO CONSTRUCTION, INSTALLATION, OR OTHER WORK WHICH IN ANY WAY ALTERS THE APPEARANCE OF ANY PROPERTY OR LOT WITHIN THE PROJECT, OR ANY RESIDENCES OR IMPROVEMENTS LOCATED THEREON, SHALL BE MADE OR DONE WITHOUT COMPLIANCE WITH THE DESIGN GUIDE AS DESCRIBED IN THE MASTER DECLARATION.
- DECLARANT RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO UNILATERALLY AMEND THE PLAT, WITHOUT THE CONSENT OF ANY AFFECTED OWNER, AT ANY TIME AND FROM TIME TO TIME IF SUCH AMENDMENT IS NECESSARY TO SATISFY THE REQUIREMENTS OF ANY GOVERNMENTAL AUTHORITY, TO CORRECT MISTAKES, REMOVE/CLARIFY AMBIGUITIES OR FOR ANY OTHER PURPOSE SO LONG AS SUCH AMENDMENT TO THE PLAT DOES NOT MATERIALLY ADVERSELY AFFECT TITLE TO ANY PROPERTY AND IS IN ACCORDANCE WITH WEBER COUNTY ORDINANCES AND UTAH LAW.
- NOTICE IS HEREBY GIVEN OF THE DECLARANT'S RIGHT TO RESERVE, CREATE AND GRANT EASEMENTS WITHIN ALL COMMON AREA, INCLUDING ALL LIMITED COMMON AREA, FOR CONSTRUCTING AND MAINTAINING HIKING AND BIKING TRAILS ("TRAIL EASEMENT"). THE EXACT LOCATION OF THE TRAILS MAY BE DESIGNATED, ADDED TO, DELETED, OR MODIFIED BY DECLARANT WITHOUT AN AMENDMENT TO THIS PLAT AS MORE FULLY DESCRIBED IN THE NEIGHBORHOOD DECLARATION. DECLARANT HEREBY GRANTS TO THE NEIGHBORHOOD ASSOCIATION, COMMUNITY ASSOCIATION, AND THEIR MEMBERS AN EASEMENT FOR USE AND ENJOYMENT OF THE TRAIL EASEMENT, IN THE AS-CONSTRUCTED LOCATIONS, AS MAY BE MODIFIED OR RELOCATED FROM TIME TO TIME, IN ACCORDANCE WITH ANY RULES AND REGULATIONS ADOPTED BY DECLARANT.
- DECLARANT GIVES NOTICE THAT THE LOTS SHOWN HEREON ARE IN A SKI RESORT AREA ("SKI RESORT") IN WHICH HEAVY SNOW FALLS, WIND PATTERNS, AND OTHER CONDITIONS HAVE THE POTENTIAL TO CAUSE AVALANCHES IN CERTAIN AREAS. NO STUDIES HAVE BEEN CONDUCTED TO DETERMINE WHETHER ANY OF THE LOTS OR BUILDING ENVELOPES SHOWN HEREON ARE WITHIN POTENTIAL AVALANCHE INFLUENCE AND AVALANCHE CONTROL ZONES. CERTAIN AREAS WITHIN THE SKI RESORT MAY BE SUBJECT TO AVALANCHE CONTROLS BY THE OPERATOR OF THE SKI RESORT AND SUCH CONTROL PROCEDURES MAY INVOLVE THE USE OF EXPLOSIVE CHARGES AND MAY TRIGGER AVALANCHES AS WELL AS OCCASIONAL ROAD, DRIVEWAY, AND SKI TRAIL CLOSURES. DECLARANT MAKES NO REPRESENTATION WITH RESPECT TO THE OPERATIONS OF THE SKI RESORT OR THE POTENTIAL RISKS OR HAZARDS ASSOCIATED WITH AVALANCHES OR AVALANCHE CONTROL. EACH OWNER OF A LOT SHOULD CONDUCT ITS OWN STUDIES PRIOR TO CONSTRUCTING ANY IMPROVEMENTS ON A LOT.
- ALL LOTS AS DEPICTED ON THIS PLAT ARE LOCATED IN A LIGHTLY DEVELOPED SEMI-WILDERNESS AREA CONTAINING ANIMALS TYPICALLY FOUND IN THE ROCKY MOUNTAINS, INCLUDING WITHOUT LIMITATION, BEARS, MOUNTAIN LIONS, MOOSE, DEER, ELK, SKUNKS, SQUIRRELS, RACOONS, AND OTHER ANIMALS, BIRDS, INSECTS, AND REPTILES NATIVE TO THE MOUNTAINOUS TERRITORY TO THE AREA. SUCH ANIMALS ROAM FREELY AND MAY ENTER THE LOTS AND OTHER PRIVATELY OWNED PROPERTIES, SCAVENGING, EATING AND DAMAGING PLANTS, FLOWERS, SHRUBS AND TREES, AND CREATING POTENTIAL HAZARDS, NUISANCES AND DAMAGE TO PERSONS AND PROPERTY. EACH OWNER SHALL ASSUME ALL SUCH RISKS AND CONDITIONS FOR ANY SUCH DAMAGE.
- DUE TO THE TOPOGRAPHY AND THE LOCATION OF THIS SUBDIVISION, THE NEIGHBORHOOD ASSOCIATION WILL ACCEPT RESPONSIBILITY FOR ANY STORM WATER RUNOFF FROM THE ROAD ADJACENT TO THIS PROPERTY UNTIL CURB AND GUTTER ARE INSTALLED.
- THE NEIGHBORHOOD DECLARATION AND MASTER DECLARATION SET FORTH THE TERMS AND RESTRICTIONS FOR NIGHTLY RENTALS AND LEASING OF LOTS IN THE PROJECT.
- ACCESS TO THE PROJECT IS BY WAY OF A STATE HIGHWAY MAINTAINED BY THE UTAH DEPARTMENT OF TRANSPORTATION, WEBER COUNTY PUBLIC ROADS, AS WELL AS PRIVATE ROADS. SEVERE WEATHER CONDITIONS MAY MAKE CERTAIN ROADS IMPASSABLE OR SUBJECT TO REDUCED VISIBILITY, SNOW, ICE, AND OTHER RISKS, AND ROADS MAY BE CLOSED DURING CERTAIN PERIODS.
- THIS PLAT DOES NOT AMEND ANY WEBER COUNTY ORDINANCES. IN THE EVENT OF A CONFLICT BETWEEN THIS PLAT AND WEBER COUNTY ORDINANCES, THE WEBER COUNTY ORDINANCES SHALL CONTROL.
- VILLAGE NESTS RETREAT AT POWDER MOUNTAIN IS LOCATED WITHIN A NATURAL HAZARDS SPECIAL STUDY AREA AS SHOWN ON THE NATURAL HAZARDS MAP. A GEOTECHNICAL AND GEOLOGICAL INVESTIGATION HAS TAKEN PLACE AND THE FINAL REPORT IS AVAILABLE FOR PUBLIC REVIEW AND INSPECTION. THE INVESTIGATION WAS PERFORMED BY IGES, PROJECT NUMBER 0628-015, DATED DECEMBER 1, 2016.
- THIS PLAT VACATES AND REPLACES THE ENTIRE VILLAGE NESTS RETREAT AT POWDER MOUNTAIN SUBDIVISION, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER IN BOOK 81, AT PAGE 68, 69, ENTRY NO. 2871994; THE VILLAGE NESTS AT POWDER MOUNTAIN CONDOMINIUM PLAT RECORDED IN THE OFFICIAL RECORDS OF WEBER COUNTY, UTAH ON FEBRUARY 5, 2016 AS ENTRY NO. 2777000. PUBLIC UTILITY EASEMENTS AND DRAINAGE EASEMENTS SHOWN ON SAID RECORDED PLAT ARE ALSO VACATED AND REPLACED BY THIS PLAT.



Vicinity Map
N.T.S.

OWNER'S DEDICATION:

SMHG PMDP PHASE II, LLC ("DECLARANT"), AS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, DOES HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND PARCELS AS SHOWN HEREON, SUBJECT TO ALL OF THE RESTRICTIONS, RIGHTS AND LIMITATIONS SET FORTH IN THE PLAT NOTES, AND NAME SAID TRACT, TO BE KNOWN AS VILLAGE NESTS RETREAT AT POWDER MOUNTAIN, AND DOES HEREBY:

- PRIVATE STREETS, ACCESS, RIGHTS-OF-WAY. DEDICATE AND RESERVE UNTO DECLARANT, ITS HEIRS, GRANTEEES AND ASSIGNS, AND SUMMIT MOUNTAIN HOLDING GROUP, L.L.C., AS MASTER DEVELOPER A RIGHT-OF-WAY TO BE USED IN COMMON WITH ALL OTHERS WITHIN SAID SUBDIVISION (AND THOSE ADJOINING SUBDIVISIONS THAT MAY BE SUBDIVIDED BY THE UNDERSIGNED OWNER, ITS SUCCESSORS OR ASSIGNS) ON, OVER AND ACROSS ALL THOSE PORTIONS OR PARTS OF SAID TRACT OF LAND DESIGNATED ON SAID PLAT AS PRIVATE STREETS AS ACCESS TO THE INDIVIDUAL LOTS, TO BE MAINTAINED BY POWDER MOUNTAIN OWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION ("COMMUNITY ASSOCIATION"), WHOSE MEMBERSHIP CONSISTS OF DECLARANT AND THE OWNERS OF THE LOTS DEPICTED ON THIS PLAT.
- PUBLIC UTILITY AND DRAINAGE EASEMENTS. GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED AS PUBLIC UTILITY, STORM WATER DETENTION PONDS AND DRAINAGE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.
- PRIVATE EASEMENTS. GRANT AND DEDICATE THOSE CERTAIN EASEMENTS DESCRIBED IN NOTES 6, AND 10 OF THIS PLAT. SUCH NOTES AND THE RESERVATION AND GRANT OF EASEMENTS DESCRIBED THEREIN ARE INCORPORATED HEREIN BY REFERENCE.
- OPEN SPACES. GRANT AND DEDICATE TO WEBER COUNTY A PERPETUAL OPEN SPACE RIGHT AND EASEMENT ON AND OVER THE OPEN SPACE PARCELS FOR THE LIMITED PURPOSE OF GUARANTEEING TO WEBER COUNTY THAT THE OPEN SPACE PARCELS REMAIN OPEN AND UNDEVELOPED EXCEPT FOR APPROVED RECREATIONAL, PARKING AND OPEN SPACE PURPOSES. THE FOREGOING SHALL NOT CONSTITUTE A DEDICATION OF THE OPEN SPACE PARCELS FOR PUBLIC USE, SUCH PARCELS BEING RESTRICTED TO USE BY THE ASSOCIATION MEMBERS AND THEIR GUESTS AND OTHERS AS SET FORTH IN THE NEIGHBORHOOD DECLARATION AND THE MASTER DECLARATION.

IN WITNESS WHEREOF, DECLARANT HAS EXECUTED THIS OWNER'S DEDICATION AS OF THE _____ DAY OF _____, 20____

SMHG PMDP PHASE II LLC, A UTAH LIMITED LIABILITY COMPANY
BY: SMHG PHASE II INVESTOR LLC, A DELAWARE LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER

BY: SMHG INVESTMENTS LLC, A DELAWARE LIMITED LIABILITY COMPANY
ITS: SOLE MEMBER

BY: _____
NAME: _____
TITLE: _____

ACKNOWLEDGEMENT:

STATE OF UTAH }
COUNTY OF _____ } ss.

ON THIS _____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____ AS THE AUTHORIZED SIGNATORY OF SMHG INVESTMENTS LLC, A DELAWARE LIMITED LIABILITY COMPANY, THE SOLE MEMBER OF SMHG PHASE II INVESTOR LLC, A DELAWARE LIMITED LIABILITY COMPANY, THE MANAGING MEMBER OF SMHG PMDP PHASE II LLC, A UTAH LIMITED LIABILITY COMPANY, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS INSTRUMENT, AND DULY ACKNOWLEDGED THAT HE/SHE EXECUTED THIS INSTRUMENT IN HIS/HER AUTHORIZED CAPACITY ON BEHALF OF SAID COMPANY, INTENDING TO BE LEGALLY BOUND. WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC SIGNATURE: _____, RESIDING IN: _____
COMMISSION #: _____, MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, NATHAN CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED IN THIS PLAT, AND THAT THIS PLAT VILLAGE NEST RETREAT AT POWDER MOUNTAIN, IN WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LANDS INCLUDING SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

NATHAN CHRISTENSEN
PROFESSIONAL LAND SURVEYOR
UTAH CERTIFICATE NO. 10175991

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MERIDIAN AVENUE, SAID POINT ALSO BEING ON THE NORTHEASTERLY BOUNDARY OF SUMMIT EDEN PHASE I0 AMENDMENT 1, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER, SAID POINT ALSO LIES NORTH 87°49'14" EAST 1,550.74 FEET ALONG THE SECTION LINE AND SOUTH 605.24 FEET, FROM THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 89°55'51" WEST ALONG THE LINE BETWEEN THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN AND THE MONUMENT AT THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE, THE FROM THE NORTHWEST CORNER OF SECTION 6 TO THE NORTH QUARTER CORNER OF SECTION 8 IS SOUTH 53°43'38" EAST 9312.68 FEET); THENCE ALONG SAID ROW LINE FOLLOWING 2 COURSES: 1) NORTHEASTERLY ALONG A 339.04 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARS NORTH 58°46'38" EAST 167.58 FEET), THROUGH A CENTRAL ANGLE OF 28°37'00", FOR AN ARC DISTANCE OF 169.34 FEET; 2) THENCE NORTH 72°35'08" EAST 125.36 FEET; THENCE SOUTH 17°24'52" EAST 463.50 FEET; THENCE SOUTH 23°17'35" WEST 140.62 FEET; THENCE SOUTH 18°14'18" WEST 100.94 FEET; THENCE WEST 58.61 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF DAYBREAK RIDGE; THENCE NORTH 30°01'02" WEST, ALONG SAID EASTERLY LINE 126.68 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A 307.00 FOOT RADIUS CURVE TO THE RIGHT, ALONG SAID EASTERLY LINE, (CHORD BEARS NORTH 17°51'53" WEST A DISTANCE OF 121.26 FEET), THROUGH A CENTRAL ANGLE OF 24°18'18", A DISTANCE OF 130.23 FEET; THENCE NORTH 05°42'44" WEST ALONG SAID EASTERLY LINE 87.37 FEET; THENCE NORTHWESTERLY ALONG A 118.00 FOOT RADIUS CURVE TO THE LEFT, ALONG SAID EASTERLY LINE, (CHORD BEARS NORTH 29°46'51" WEST A DISTANCE OF 36.25 FEET), THROUGH A CENTRAL ANGLE OF 48°28'14", A DISTANCE OF 49.14 FEET; THENCE NORTH 53°50'59" WEST ALONG SAID EASTERLY LINE 46.43 FEET; THENCE NORTHWESTERLY ALONG A 232.00 FOOT RADIUS CURVE TO THE RIGHT, ALONG SAID EASTERLY LINE, (CHORD BEARS NORTH 49°56'25" WEST A DISTANCE OF 31.63 FEET), THROUGH A CENTRAL ANGLE OF 07°49'07", A DISTANCE OF 31.66 FEET; THENCE NORTH 46°01'51" WEST ALONG SAID EASTERLY LINE 64.33 FEET; THENCE NORTHEASTERLY ALONG A 23.00 FOOT RADIUS CURVE TO THE RIGHT, ALONG SAID EASTERLY LINE, (CHORD BEARS NORTH 07°01'51" WEST A DISTANCE OF 32.53 FEET), THROUGH A CENTRAL ANGLE OF 00°00'01", A DISTANCE OF 36.13 FEET TO THE SOUTHERLY LINE OF MERIDIAN AVENUE; THENCE NORTH 43°58'09" EAST ALONG SAID SOUTHERLY LINE 18.79 FEET TO THE POINT OF BEGINNING.

CONTAINING: 142,306 S.F. OR 3.267 ACRES

SURVEY NARRATIVE:

- THE PURPOSE FOR THIS SURVEY AND PLAT IS TO AMEND THE ENTIRE VILLAGE NESTS EAST AT POWDER MOUNTAIN PRUD, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER IN BOOK 81, AT PAGE 68, 69, ENTRY NO. 2871994, WHICH REPLACE AND VACATE THE ENTIRE VILLAGE NESTS AT POWDER MOUNTAIN CONDOMINIUM PLAT, AS RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER IN BOOK 78, AT PAGE 80, ENTRY NO. 2777000.
- THE BASIS OF BEARINGS FOR THIS PLAT IS NORTH 89°55'51" WEST BETWEEN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND A FOUND WEBER COUNTY LINE MONUMENT SET BY THE WEBER COUNTY SURVEYOR'S OFFICE. THIS BASIS DIFFERS FROM WEBER COUNTY SURVEYORS BASIS BY 00°00'14" AS SHOWN ON COUNTY LINE DECLARATION RECORDED PLAT BOOK 74, PAGE 64.
- THE WESTERLY AND NORTHERLY BOUNDARY LINE WAS SET BY THE EASTERLY LINE OF DAYBREAK RIDGE, AND THE SOUTHERLY LINE OF MERIDIAN AVENUE, AS RECORDED IN SUMMIT EDEN PHASE I0, AMENDMENT 1, AND THE OVERLOOK AT POWDER MOUNTAIN PHASE I0 (WHICH WAS DETERMINED FROM THE FOUND CENTERLINE MONUMENT IN SUMMIT PASS AND THE FOUND SECTION CORNERS AS STATED ON THE RECORDED PLAT. THE EASTERLY AND SOUTHERLY LINE IS A PROPOSED LOCATION DETERMINED BY THE LAND OWNER.

Sheet 1 of 2

<p>SMHG PHASE I, LLC, 3632 N. WOLF CREEK DR. EDEN, UT, 84310</p>	<p>WEBER COUNTY ATTORNEY</p> <p>I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND AFFECT.</p> <p>SIGNED THIS _____ DAY OF _____, 20____.</p> <p>_____ SIGNATURE</p>	<p>WEBER COUNTY SURVEYOR</p> <p>I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL CONDITIONS FOR APPROVAL BY THIS OFFICE HAVE BEEN SATISFIED. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.</p> <p>SIGNED THIS _____ DAY OF _____, 20____.</p> <p>_____ COUNTY SURVEYOR</p>	<p>WEBER COUNTY ENGINEER</p> <p>I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION PLAT CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.</p> <p>SIGNED THIS _____ DAY OF _____, 20____.</p> <p>_____ SIGNATURE</p>	<p>WEBER COUNTY PLANNING COMMISSION APPROVAL</p> <p>THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THE DAY OF _____, 20____.</p> <p>_____ CHAIRMAN- WEBER COUNTY PLANNING COMMISSION</p>	<p>WEBER COUNTY COMMISSION ACCEPTANCE</p> <p>THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WORKS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.</p> <p>THIS _____ DAY OF _____, 20____.</p> <p>_____ CHAIRMAN, WEBER COUNTY COMMISSION</p> <p>ATTEST: _____ TITLE: _____</p>	<p>POWDER MOUNTAIN WATER AND SEWER DISTRICT</p> <p>THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE POWDER MOUNTAIN WATER AND SEWER DISTRICT ON THE DAY OF _____, 20____.</p> <p>_____ POWDER MOUNTAIN WATER AND SEWER DISTRICT</p>	<p>5217 SOUTH STATE STREET SUITE 200 MURRAY, UT 84107 801.743.1300</p> <p>RECORDED #</p> <p>STATE OF UTAH, COUNTY OF WEBER, RECORDED AND FILED AT THE</p> <p>REQUEST OF: _____</p> <p>ENTRY NO: _____</p> <p>DATE: _____ TIME: _____</p> <p>BOOK: _____ PAGE: _____</p> <p>FEE \$ _____</p> <p>WEBER COUNTY RECORDER</p>
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VILLAGE NESTS RETREAT AT POWDER MOUNTAIN

AMENDING VILLAGE NESTS EAST AT POWDER MOUNTAIN-PRUD

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,
TOWNSHIP 7 NORTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN, WEBER COUNTY
SEPTEMBER 2023

NORTHWEST CORNER SECTION 6,
TOWNSHIP 7 NORTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN
FOUND GLO 1944, 4" BRASS CAP,
GOOD CONDITION
DETAIL "B"

BASIS OF BEARINGS
N 89°55'51" W 1381.07'
(N 89°56'05" W 1380.98' RECORD
STATE PLANE GRID PER
WEBER COUNTY SURVEY
OFFICE)

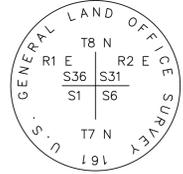
NORTH QUARTER
CORNER SECTION 8,
TOWNSHIP 7 NORTH,
RANGE 2 EAST
SALT LAKE BASE AND
MERIDIAN FOUND 1944
GLO BRASS CAP,
GOOD CONDITION

NORTHEAST CORNER SECTION
8, TOWNSHIP 7 NORTH,
RANGE 2 EAST
SALT LAKE BASE AND
MERIDIAN (CALCULATED)

FOUND WEBER COUNTY
LINE MONUMENT PER
WEBER COUNTY
SURVEYOR 2013
GOOD CONDITION
DETAIL "A"



DETAIL "A"

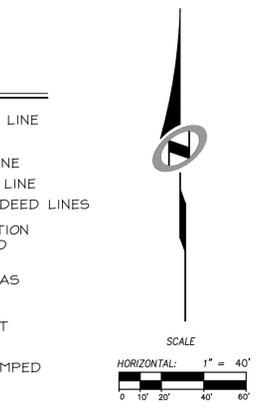


DETAIL "B"

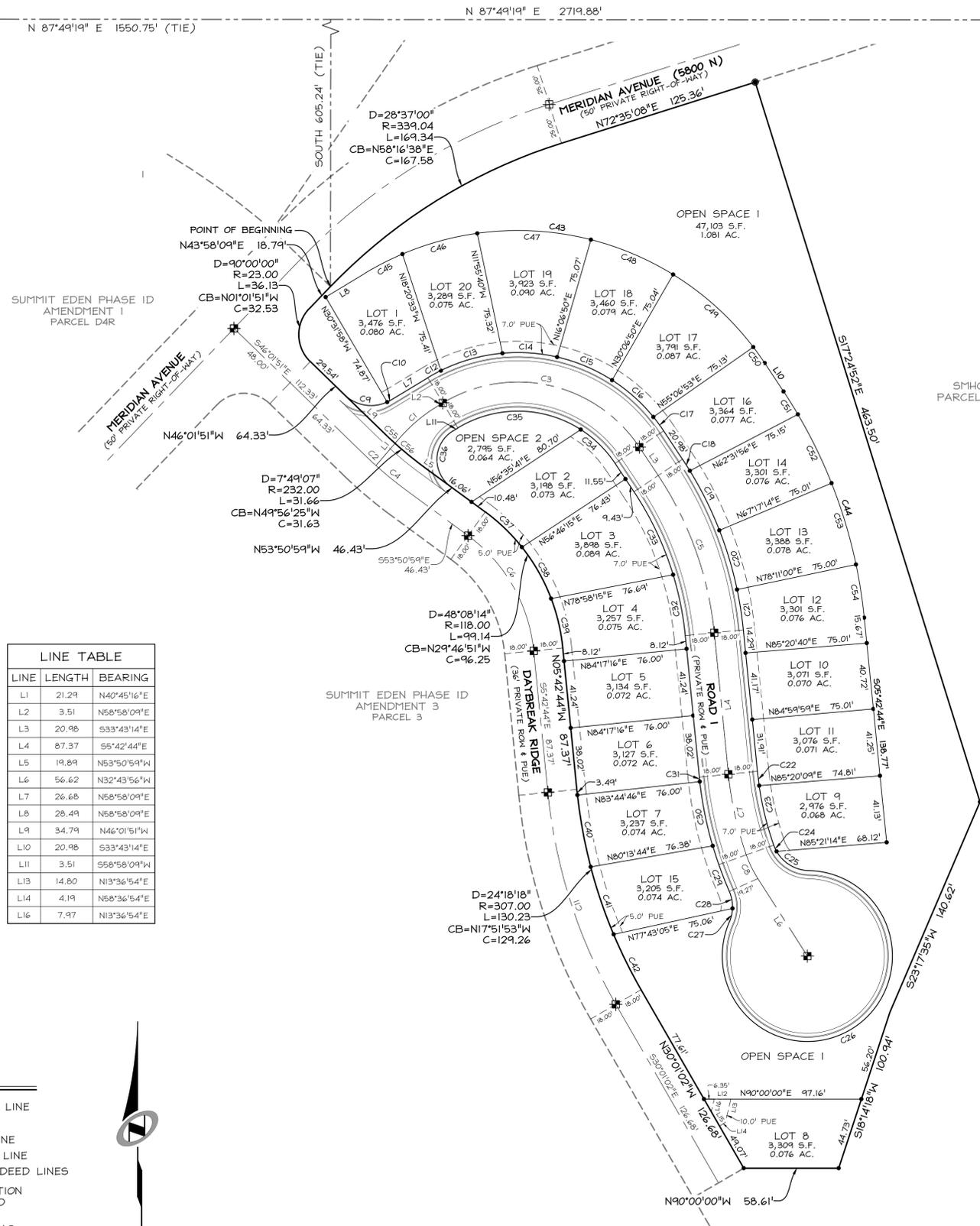
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	100.69	32.01	18°12'53"	N49°51'42"E	31.88
C2	250.00	9.21	2°06'41"	S47°05'12"E	9.21
C3	90.00	137.15	87°18'37"	S77°22'33"E	124.26
C4	250.00	24.90	5°42'26"	S50°59'46"E	24.89
C5	212.00	103.63	28°00'30"	S19°42'59"E	102.60
C6	100.00	84.02	48°08'14"	S29°46'51"E	81.57
C7	213.00	50.89	13°41'22"	S12°33'25"E	50.77
C8	69.90	16.26	13°19'50"	N26°04'01"W	16.23
C9	23.50	28.30	69°00'07"	S80°31'55"E	26.62
C10	23.50	2.46	5°59'53"	N61°58'05"E	2.46
C11	325.00	137.86	24°18'18"	S17°51'53"E	136.83
C12	108.00	9.21	4°53'16"	N61°24'47"E	9.21
C13	108.00	39.68	21°03'04"	N74°22'57"E	39.46
C14	108.00	33.95	18°00'31"	S86°05'16"E	33.81
C15	108.00	36.97	19°36'56"	S67°16'32"E	36.79
C16	108.00	34.19	18°08'09"	S48°24'00"E	34.04
C17	108.00	10.58	5°36'41"	S36°31'35"E	10.57
C18	230.00	8.44	2°06'12"	S32°40'08"E	8.44
C19	230.00	40.90	10°11'23"	S26°31'20"E	40.85
C20	230.00	38.04	9°28'35"	S16°41'22"E	38.00
C21	230.00	25.04	6°14'20"	S08°49'54"E	25.03
C22	195.00	8.90	2°36'53"	S07°01'11"E	8.90
C23	195.00	37.69	11°04'28"	S13°51'52"E	37.63
C24	23.50	4.21	10°16'04"	S24°32'08"E	4.21
C25	23.50	24.31	59°16'29"	S59°18'25"E	23.24
C26	52.50	267.95	292°25'27"	S57°16'04"W	58.39
C27	23.50	8.65	21°04'53"	N12°56'21"E	8.60
C28	23.50	10.74	26°11'32"	N10°41'51"W	10.65
C29	231.00	29.85	7°24'11"	N20°05'32"W	29.83
C30	231.00	40.28	9°59'26"	N11°23'43"W	40.23

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C31	231.00	2.77	0°41'16"	N06°03'22"W	2.77
C32	194.00	38.25	11°17'43"	N11°21'36"W	38.18
C33	194.00	56.59	16°42'47"	N25°21'51"W	56.39
C34	72.00	29.88	23°46'33"	N45°36'31"W	29.66
C35	72.00	79.84	63°32'04"	N89°15'49"W	75.81
C36	20.50	40.37	112°49'07"	S02°33'35"W	34.15
C37	118.00	31.36	15°13'41"	S46°14'08"E	31.27
C38	118.00	36.52	17°43'59"	S29°45'19"E	36.38
C39	118.00	31.26	15°10'35"	S13°18'02"E	31.16
C40	307.00	44.92	8°23'00"	S10°33'20"E	44.88
C41	307.00	43.87	8°11'12"	S18°50'26"E	43.83
C42	307.00	37.95	7°05'00"	S26°28'32"E	37.93
C43	183.00	278.87	87°18'37"	S77°22'33"E	252.66
C44	305.00	149.10	28°00'30"	S19°42'59"E	147.62
C45	183.00	25.85	8°05'38"	N63°00'58"E	25.83
C46	183.00	48.03	15°02'14"	N74°34'54"E	47.89
C47	183.00	70.67	22°07'38"	S86°50'10"E	70.24
C48	183.00	55.30	17°18'48"	S67°06'57"E	55.09
C49	183.00	66.92	20°57'04"	S47°59'01"E	66.55
C50	183.00	12.10	3°47'14"	S35°36'51"E	12.09
C51	305.00	16.64	3°07'30"	S32°09'29"E	16.63
C52	305.00	47.12	8°51'07"	S26°10'11"E	47.07
C53	305.00	52.30	9°49'32"	S16°49'51"E	52.24
C54	305.00	33.04	6°12'21"	S08°48'55"E	33.02
C55	232.00	8.20	2°01'33"	N47°02'38"W	8.20
C56	232.00	23.46	5°47'34"	N50°57'12"W	23.45

LINE	LENGTH	BEARING
L1	21.29	N40°45'16"E
L2	3.51	N58°58'09"E
L3	20.98	S33°43'14"E
L4	87.37	S5°42'44"E
L5	19.89	N53°50'59"W
L6	56.62	N32°43'56"W
L7	26.68	N58°58'09"E
L8	28.49	N58°58'09"E
L9	34.79	N46°01'51"W
L10	20.98	S33°43'14"E
L11	3.51	S58°58'09"E
L13	14.80	N13°36'54"E
L14	4.19	N58°36'54"E
L16	7.97	N13°36'54"E



SMHG PHASE I, LLC.
3632 N. WOLF CREEK DR.
EDEN, UT, 84310



SMHG LANDCO LLC
PARCEL NO. 23-012-0186

5217 SOUTH STATE STREET
SUITE 200
MURRAY, UT 84107
801.743.1300

RECORDED #

STATE OF UTAH, COUNTY OF WEBER,
RECORDED AND FILED AT THE

REQUEST OF: _____

ENTRY NO: _____

DATE: _____ TIME: _____

BOOK: _____ PAGE: _____

FEE \$ _____

WEBER COUNTY RECORDER



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Agenda Item: ZMA 2023-12 Seth Herway Rezone – PUBLIC HEARING - Discussion and possible action on a request for approval of a zoning map amendment to rezone 2.76 acres of property located at approximately 2690 N 5600 E, Eden from AV-3 (Agricultural) to FB (Form Based Zone).

Application Type: Legislative

Agenda Date: Tuesday, October 24, 2023

Applicant: Seth Herway

File Number: ZMA 2023-12

Property Information

Approximate Address: 2690 N 5600 E, Eden

Current Zoning: AV-3

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel Numbers: 22-050-0012 and 22-050-0025

Adjacent Land Use

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

Adjacent Land Use

Report Presenter: William Cobabe
bcobabe@webercountyutah.gov
 801-399-8772

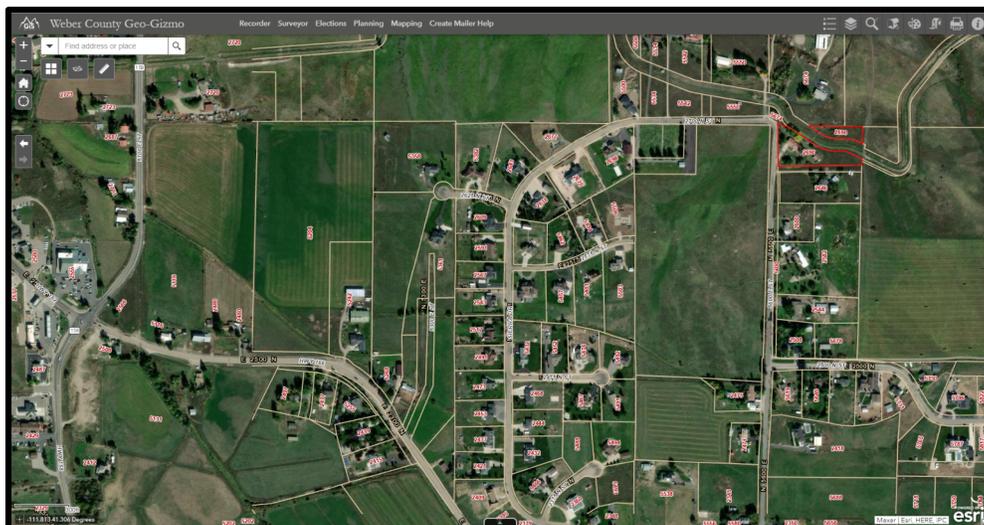
Report Reviewer: CE

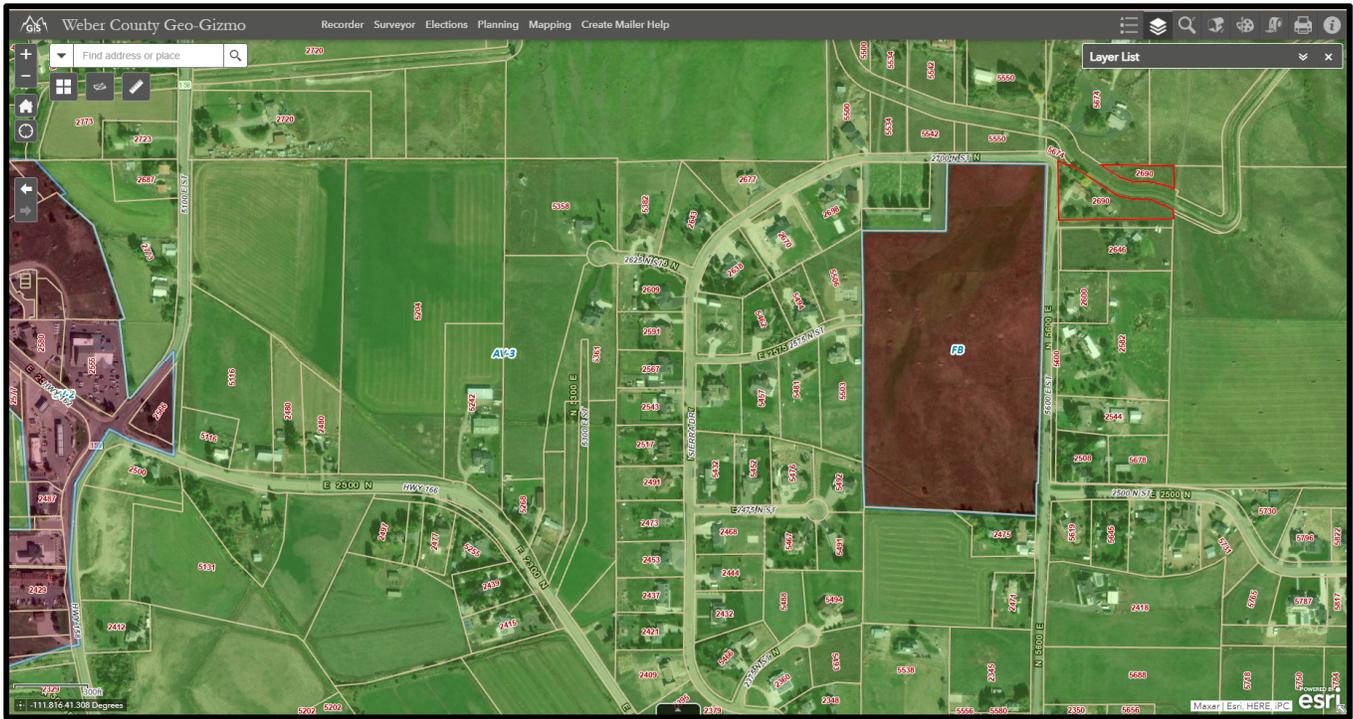
Summary

On July 6, 2023 the application was accepted for review. On August 22, 2023, the applicant met with the Ogden Valley Planning Commission in work session. At that work session, the applicant heard from the Planning Commission regarding any concerns that they may have. This report contains an analysis of the proposal as it relates to the Weber County codes.

Area Map

The following images show the subject properties location and on existing zoning map.





Policy Analysis

This application appears to meet the minimum requirements for a complete application.

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 Planning Commission and County 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.*

Ogden Valley General Plan: This property is located between the two Eden Village Areas. The General Plan, under Residential Development Goal 1, states the following regarding this kind of development:

A goal of Weber County is to provide housing choices in neighborhoods that will allow residents with a variety of incomes and at different stages of life to live in Ogden Valley. (Ogden Valley General Plan, 2016, Page 27)

The proposed zoning map amendment appears to be in line with this goal, providing for the potential for smaller lots and additional housing choice.

Additionally, the General Plan has as a stated goal:

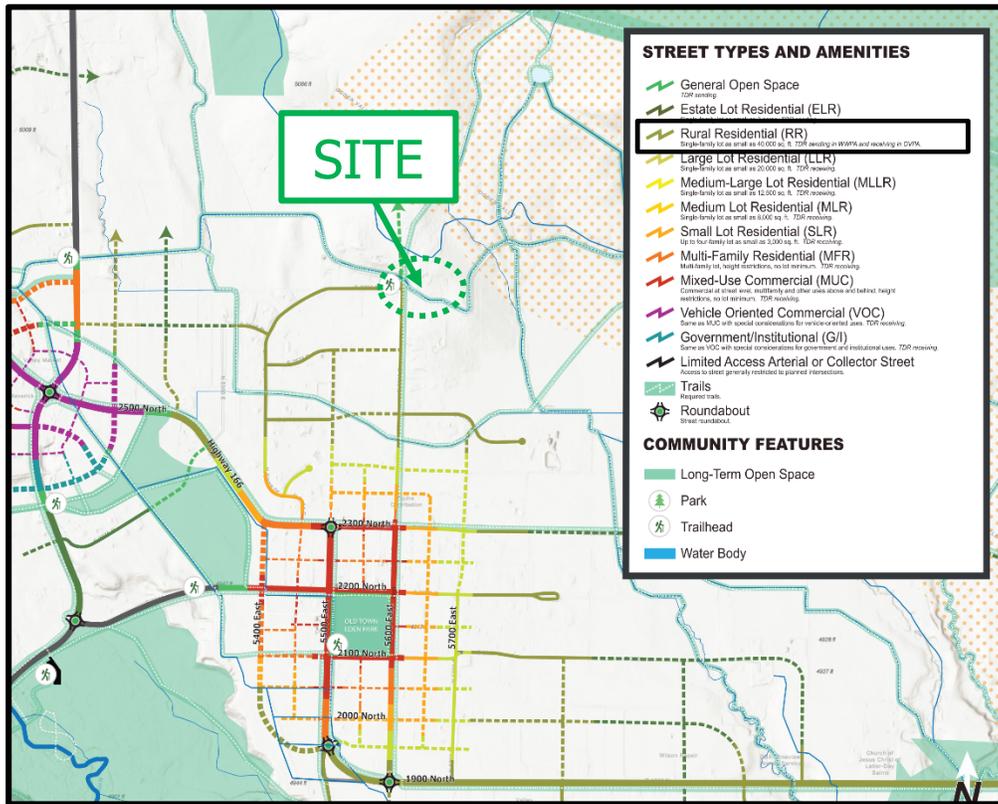
Land Use Implementation 1.1.1: *Weber County will support the transfer of existing development rights (TDRs) as the primary means to increase densities in suitable project areas while proportionately decreasing density in other areas. Incentives – such as reduced road cross sections and other cost-saving measures for master-planned developments – should be proposed to reduce development intensities and*

as the primary means to incentivize the purchase and transfer of development rights. Bonus density should be used sparingly, and only in the event minimal bonuses can be leveraged for significant and meaningful advancement of the goals and principles of this plan. Development rights include residential (e.g. townhouses, single family detached units, etc.) and non-residential development rights (e.g. hotel units, accessory dwelling units, retirement center units, etc.).

The transfer of development rights from a place where the desire is to preserve open space to the Form-Based Zone is anticipated by the General Plan. Changing this property to FB Zone allows for this kind of transfer to take place. The recently-adopted Form Based Zone allows for the following on rural residential streets:

A rural residential street has street-front single-family buildings that may be set back enough to create a sizeable front yard on a lot that is at least an acre large. (Section 104-22-2 (e)(9))

As can be seen in the Street Regulating Plan below, this area is anticipated to be a Rural Residential Street. Additional development rights will need to be acquired and transferred to this property prior to any subdivision or future development.



County Rezoning Procedure (b)

b. Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.

The purpose and intent of the Form-Based zone is listed in 104-22-1 as follows:

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.

The surrounding area consists mainly of agriculture and residential lots ranging in size from one acre to much larger parcels. The property across the street to the west was recently rezoned as part of the Dog and Bone development. This development, as proposed, will allow for the creation of two lots approximately one acre in area, intended for single-family residential use. The proposal will not be incompatible with the overall character of existing development in the area.

County Rezoning Procedure (c)

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

The permitted and conditional uses listed in the FB zone for this street type are primarily residential and related uses that are not expected to adversely impact adjacent properties. There are currently processes and ordinances that landowners in this area are required to follow during the county's subdivision review and design review process for development of this land. The subdivision and design review process are intended to help mitigate adverse impacts of the allowed uses in each zone.

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 subject properties are not located within any mapped sensitive lands, as defined by county code. There are no wetlands, geologic hazards, or floodplain mapped on the property.

County Rezoning Procedure (e)

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

Staff has not requested traffic mitigation plans at this point. The possible addition of one single family dwelling is not likely to have a significant impact on the existing public streets in the area.

County Rezoning Procedure (f)

e. 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.

Planning staff have not requested a traffic mitigation plan or traffic study. The Planning Commission and County Commission may request that information before making a decision on the proposed rezone.

Staff has not reached out to police, schools, and refuse collection to determine if adequate services exist for this rezone, however, the Planning Commission and County Commission may wish to consult these service providers if they feel it is warranted.

Development Analysis

As noted above, the property will need to transfer in development rights in order to subdivide or otherwise develop the property. Once this right is available, and due to the size of the lot, there will be a maximum of two lots on the property, one of which would contain the existing home. The property owner has not submitted to the County a suggested or conceptual layout, but it a review of the Code demonstrates how this might be done. Options include:

- 1) Flag lot. A flag lot may be considered for this property. The requirements for having a flag lot are outlined in Section 106-2-4.010 (e). These requirements note the minimum lot area, frontage, and access standards that must be adhered to.
- 2) A standard subdivision. Because the existing frontage of the lot is only about 270', the development of the property may require the dedication of additional right of way in order to allow for the total required frontage. The smaller lot – the parcel to the south of the main structure – is already about 30' wide and is used as an access for the property to the south. Dedication of this access – either as a public roadway or a private drive – may facilitate the access needed and frontage required.
- 3) The property owner may also decide not to pursue development at this time and wait until the properties in the area develop with their roadways and accesses. Coordination in these efforts could result in the necessary frontage/access requirements.

While still speculative, this analysis demonstrates that there are options for the developer should any of them be desirable.

Staff Recommendation

Staff recommends that the Planning Commission forward a positive recommendation of the requested zoning map amendment application, based on the following:

1. That the Future Land Use Map of the General Plan and Form-Based Zone Street Regulating Plan support the requested zone change.
2. The proposed zone change does not adversely impact the surrounding neighborhood, open spaces, or anticipated uses in the area.

Model Motion

The model motions herein are only intended to help the planning commission provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

Motion for positive recommendation **as-is**:

I move that we approve File # ZMA 2023-12, an applicant driven rezone application to amend the zoning map on 2.76 acres of property located at approximately 2690 N 5600 E, Eden from AV-3 (Agricultural) to FB (Form Based Zone). **I do so with the following findings:**

Example findings:

- The zone change is supported by the General Plan.
- [_____ add any other desired findings here _____].

Motion to **table**:

I move that we **table** action on File # ZMA 2023-12, an applicant driven rezone application to amend the zoning map on 2.76 acres of property located at approximately 2690 N 5600 E, Eden from AV-3 (Agricultural) to FB (Form Based Zone) to [_____ state a date certain _____], so that:

Examples of reasons to table:

- We have more time to review the proposal.
- Staff can get us more information on [_____ specify what is needed from staff _____].
- The applicant can get us more information on [_____ specify what is needed from the applicant _____].
- More public noticing or outreach has occurred.
- [_____ add any other desired reason here _____].

Motion to recommend **denial**:

I move that we deny File # ZMA 2023-12, an applicant driven rezone application to amend the zoning map on 2.76 acres of property located at approximately 2690 N 5600 E, Eden from AV-3 (Agricultural) to FB (Form Based Zone). I do so with the following findings:

Examples of findings for denial:

- The proposal is not adequately supported by the General Plan.
- The proposal is not supported by the general public.
- The proposal runs contrary to the health, safety, and welfare of the general public.
- The area is not yet ready for the proposed change to be implemented.
- [_____ add any other desired findings here _____].

Exhibits

Exhibit A - Application narrative.

Exhibit A - Application narrative.

We propose to rezone the property located at 2690 N 5600 E in Eden Utah, comprised of parcels 22-050-0025 and 22-050-0012, to form based zoning. This rezoning would allow a development right located in a open, natural, and scenic area of the Ogden Valley to be reallocated to a village area where the property exists. The referenced property is immediately next to a housing subdivision (Eden Acres) that consists of dozens of parcels of 1 acre lots and a parcel that was recently rezoned (April 2023 to transfer development from Sunnyfield Farms area to the subdivision/village area of the property in question) from AV3 to form based zoning. Rezoning the lot in question would be consistent with the recent rezoning of the parcel across the street from the 2690 N 5600 E and consistent with the Ogden Valley General Plan by maintaining the village nature of the housing in the immediate vicinity while eliminating development in more natural and scenic areas.

106-4-2.080 Purpose

The purpose of this section is to provide guidance for the development and maintenance of landscaped areas, both natural and enhanced, and recognize the importance of trees within the community. The County has adopted and implemented landscaping standards to address both aesthetics and conservation concerns for new development. These provisions are included in various chapters of this Code relating to but not limited to water connection/development fees for residential and commercial development, master planned development and subdivision applications, and construction projects subject to sensitive lands criteria. Trees add to the beauty of the community, stabilize surface drainage, soil erosions, and mitigate siltation of streams. A well-designed landscape planting can reduce air and sound pollution, mitigate impacts due to urban heat islands, increase shady areas for pedestrian, and regulate solar radiation and wind control.

(a) Street Trees Required

All new development shall submit a landscaping plan showing areas to be landscaped, including street cross sections and park strips, common areas, and other landscaped areas. Trees, shrubs, and other plantings shall be shown on the plans in accordance with the appropriate regulations and as noted herein. Street trees shall be included in the Financial Guarantee as outlined in Section 106-4-3.

(b) Regulations For Planting Trees And Landscaping In The County's Right-Of-Way

Tree planting on public ways shall be coordinated with required open or landscaping areas on private property so as to achieve the most effective use of these areas and to accomplish the purposes of aesthetics and conservation. All trees planted in the public rights-of-way and all tree planting spaces shall be approved by the Planning Division Director who shall supervise such locating and planting according to approved plans and in a manner meeting the following considerations:

- (1) **REPLACEMENT.** Trees that must be removed shall be replaced by a new planting except in circumstances which the Planning Division Director deems impractical.
- (2) **QUANTITY AND SPACING.** Street trees shall be provided sufficient to create a full canopy. This means that if the crown of a selected and installed street tree is 30' at full growth, trees shall be planted not further than 30' apart. The number of street trees required will thus vary based on the species selected.
- (3) **DISTANCE FROM CURB AND SIDEWALK, STREET CORNERS, FIRE HYDRANTS, UTILITIES AND SNOW STORAGE.** The County shall give special consideration to locations and species of plantings from curb and sidewalk, street corners (clear view triangle areas, as defined in **Sec 108-7-7.030 Clear View of Intersecting Streets**), fire hydrants, utilities and for snow removal. Determinations will be based on health and safety issues and will be based on what is best for the County's needs.
- (4) **SPECIES LIST.** A list of plant materials and trees is hereby adopted and maintained separately. These plant materials and trees are approved for use in the County's rights-of-way and public spaces. Any deviation from this list must be approved by the planning director. Information for each plant regarding botanical name, mature size, light exposure, foliage color, flower season, fruit, and if the plant is native or drought tolerant is available through contacting the Planning Division.
- (5) **ADDITIONS TO REQUIRED LANDSCAPING.** Any deviation from the required landscaping plans may be reviewed and approved by the Planning Commission, provided they meet the minimum standards stated in this Section and other Sections of this Code.

...

Section 108-7-7.040 Public Tree Care

The County shall have the right, at its sole discretion, to plant, prune, maintain, and remove trees, plants and shrubs within rights-of-way, streets and public property as may be necessary to ensure public safety or to preserve or enhance public grounds.

(a) Illegal To Cut Trees And/Or Tree Topping

It is unlawful for any person to remove trees situated on County property, including streets and roadways of the County, without obtaining permission from the Planning Division Director for that purpose.

It is unlawful as a normal practice for any person, firm, or County department to top any tree. Topping is the severe cutting back of limbs to stubs larger than three inches (3") in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted from this section at the determination of the Planning Division Director.

(b) Pruning, Corner Clearance

Subject to the provisions of Section (d), every owner of any tree or shrub overhanging any street, sidewalks, or right-of-way within the County shall prune the branches so that such branches shall not severely obstruct the light from any street lamp, obstruct the view of any street intersection, or obstruct and create a hazard on a sidewalk. Said owners shall remove and replace all dead, diseased, or dangerous trees and shrubs, or broken or decayed limbs, which constitute a menace to the safety of the public. The County shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light, interferes with visibility of any traffic control device, sign or sight triangle at intersections, or constitutes a hazard on a sidewalk. Any costs incurred by the County will be collected from the adjacent property owner.

(c) Removal and Replacement Of Dead and/or Hazardous Trees/Plantings on the County's Right-Of-Way; Property Owner Responsibility

The removal of any tree, living or dead, is subject to the permit process, as outlined in Section (g). Dead trees and/or hazardous planting on the County's right-of-way will be removed and replaced at the adjacent property owner's expense. If the dead tree is determined by the County to be a hazard and the adjacent property owner refuses to cooperate with its removal, it shall be removed and replaced by the County and any costs incurred will be collected from the adjacent property owner. The County accepts responsibility for maintenance of planted areas on public property and the County's rights-of-way for County installed projects, which are regularly maintained by County staff.

(d) Permit To Remove Trees Or Vegetation From County Property

Any person desiring to cut and remove trees or vegetation from County property, including the County's rights-of-way, shall first make written application to the Planning Division and the application shall contain the following information:

- (1) The exact number of trees to be removed and the location of each with reference to street designations.
- (2) A statement that the applicant will cut and remove the trees at his/her own cost and expense within thirty (30) days of the date of the permit.

- (3) A statement that the applicant will restore the County property to the satisfaction of the County and will replant such trees as the County may require and where the County may specify.
- (4) That the applicant will indemnify the County against any damage to the County property or to the adjacent property owners or to any injury to persons or property sustained in cutting and removing of the trees.



Weber County Planning Division

MEMORANDUM

To: Ogden Valley Planning Commission
From: William Cobabe, Planning
Date: October 24, 2023
Subject: Proposed Zoning Code Text Amendment – Street Trees

Planning Commissioners,

Attached to this memo is an update to the County's Land Use Code governing street trees. This extensively modifies Section 106-4-2.080, which currently reads:

Sec 106-4-2.080 Street Trees

Street trees shall be planted by the applicant when so required by the planning commission and of a variety and location as approved by the planning commission.

We are also proposing to add a new Section to Chapter 108-7-7, indicating how trees in the public right of way should be maintained.

The attached documents have two parts: one is the proposed amendments to the Code, while the other is a proposed list of approved trees, plants, and ground covers that meet local requirements and conditions. The proposed approved vegetation list is to be adopted as a resolution rather than an ordinance for ease of adaptation/modification in the future.

Please feel free to contact me with any questions.

Best,

William Cobabe
Planner III
801-399-8772

Weber County Street Trees - Small Trees at Maturity (for park strips less than 5' wide)

Common Name	Botanical Name	Common Cultivars	Mature Height	Canopy Spread	Shape	Flowers	Fruit	Fall Color	Additional Notes
American Smoke Tree *	Cotinus obovatus		20-30'	20-30'	irregular oval	yellowish green	small, sparse, unnoticeable	yellow, red, orange, purple	produces some of the best fall color of any of the native American trees
Amur Maackia	Maackia amurensis		20-30'	15-20'	rounded vase	white fragrant in summer	flat see pods	yellow	tolerant of urban conditions
Beech, Tricolor	Fagus sylvatica	Tri Color, Roseo-marginata	20-30'	15-20'	oval	yellow green, insignificant	spiny capsule	light bronze	very showy purple, rose with cream leaves
Chinese Catalpa	Catalpa ovata		20-30'	20-30'	spreading	yellow-white flowers	long slender green pods	yellow	tolerant of heat and a wide range of soil conditions
Chokecherry	Prunus x virginiana	Sucker Punch	20-30'	18-20'	rounded	bright white, fragrant	dark purple	deep purple	sucker-free, leaves emerge green turning dark purple
Dogwood, Corneliancherry	Cornus mas	Various	15-20'	15-20'	low branched/rounded	yellow, before leaves	red, edible	reddish purple	scaly exfoliating bark when mature
Eastern Redbud *	Cercis canadensis	Various	15-25'	20-30'	irregular	pink/purple before leaves	small, brown pod 2-3" long	yellow	tolerant of partial shade, vibrant in the spring
Flowering Cherry, Akebono *	Prunus x yedoensis	Akebono	20-25'	20-25'	spreading	double, light pink	black purple	yellow	blossoms are showy in the spring
Flowering Cherry, Kwanzan	Prunus serrulata	Kwanzan	20-25'	15-20'	vase shaped	double deep pink	sterile flowers do not produce fruit	yellow	blossoms are showy in the spring
Flowering Crabapple *	Malus spp. Various	Spring Snow, Snow Drift, Sargent, Zumi	15-25'	15-25'	rounded to oval	varies with cultivar	fruit varies with cultivar	yellow	showy in spring
Flowering Plum, Krauter Vesuvius	Prunus cerasifera	Krauter Vesuvius	15-20'	10-15'	upright	light pink showy	sparse plums	purple	dark purple leaves year round
Fringetree *	Chionanthus virginicus		20-25'	20-25'	spreading oval	green-white in spring, fragrant	1/2"-3/4" blue-black fruit	yellow	stunning when in full bloom
Fringetree, Chinese *	Chionanthus retusus		20-25'	20-25'	broadly oval	large green-white clusters in spring, fragrant	1/2"-1" blue-purple fruit	yellow	light brown exfoliating young bark
Hawthorn *	Crataegus laevigata	Pauls Scarlet, Crimson Cloud	20-25'	15-20'	broad round	double rose red	red edible	no fall color	vibrant in the spring
Hawthorn, Lavelle *	Crataegus x lavellei	Lavelle	20-30'	15-20'	dense oval	white in spring	red edible	coppery red	lustrous green leaves, persistent fruit
Hawthorn, Thornless Cockspur *	Crataegus crus-galli	Thornless Cockspur	20-30'	20-35'	rounded, spreading	white in spring	red edible	orange-scarlet	persistent fruit in to winter, thornless
Hawthorn, Winter King *	Crataegus viridis	Winter King	20-30'	20-30'	wide vase	white in spring, showy	bright red edible	purplish red	tolerant of urban pollution
Lilac, Japanese Tree Lilac *	Syringa reticulata	Ivory Silk	20-25'	15-20'	upright, oval/rounded	creamy white fragrant dense clusters	dry capsules	yellow	tolerant of urban conditions
Lilac, Peking Lilac *	Syringa pekinensis	China Snow, Summer Charm	20-25'	15-20'	rounded	creamy white fragrant dense clusters	dry capsules	yellow	attractive exfoliating, amber colored bark
Linden, Summer Sprite	Tilia cordata	Summer Sprite Linden	18-20'	12-15'	dense pyramidal	tiny yellow fragrant in spring	gray nutlets with bracts	yellow	perfect for confined urban spaces
Maple, Amur	Acer ginnala		15-20'	15-20'	round spreading	white, clusters	samaras	red	showy red samaras in fall
Maple, Bigtooth*	Acer grandidentatum	Rocky Mt. Glow, Mesa Glow	20-25'	15-25'	oval to round	small green-yellow in spring, insignificant	green samaras	yellow to orange	native to Utah
Maple, Paperbark*	Acer griseum		20-25'	15-20'	upright oval	small green in spring, insignificant	brown samaras	Yellow-orange-red	attractive exfoliating cinnamon colored bark
Maple, Rocky Mountain	Acer glabrum		20-25'	10-15'	oval	small green-yellow in spring, insignificant	green samaras	Yellow-orange-red	native to Utah, heat tolerance may be a concern, prone to develop strong branching structure
Maple, Shantung	Acer truncatum	Pacific Sunset, Norweigan	20-30'	20-30'	rounded to oval	pale yellow insignificant	samaras	yellow, orange,	heat tolerant
Maple, Shantung	Acer truncatum	Ruby Sunset	20-25'	18-20'	broad oval to round	pale yellow insignificant	samaras	deep red	heat tolerant, glossy green leaves
Maple, Trident	Acer buergerianum	Streetwise	20-30'	15-25'	oval/round	small green-yellow in spring, insignificant	green samaras	orange-red	slow growing
Maple, Tatarian*	Acer tataricum	Hot Wings, Pattern Perfect, Rugged Charm	20-25'	15-20'	oval to round	white clusters in spring	red samaras	yellow-red	showy seeds
Mimosa	Albizia julibrissin		20-30'	20-40'	vase to spreading	Showy pink in early summer	Bean-like seed pods	no fall color	Fragrant flowers attractive to bees, long bloom time
Netleaf Hackberry *	Celtis reticulata		20-25'	20-25'	rounded, spreading	green in spring, insignificant	orange-red	yellow	very tolerant to adverse growing conditions
Oak, Gambel	Quercus gambelii		20-25'	20-30'	round, clump	insignificant	acorns	brow-brownish red	native to Utah, clump form
Parrotia	Parrotia persica	Vanessa	20-30'	15-20'	upright vase	insignificant	insignificant	yellow-orange-red	slow growing
Serviceberry *	Amelanchier laevis	Spring Flurry, Snow Cloud, Autumn Brilliance	20-28'	15-20'	upright oval	white clusters in spring	purplish-blue, edible	orange-red	great for naturalizing or as a specimen
Serviceberry *	Amelanchier x grandiflora	Robin Hill	20-25'	15-18'	upright oval	light pink in spring	small purple-red, edible	orange-red	great for naturalizing or as a specimen
Zelkova, City Sprite *	Zelkova, City Sprite *	City Sprite	20-24'	15-18'	compact oval to vase	insignificant	insignificant	yellow	perfect for confined urban spaces
Zelkova, Wireless *	Zelkova, Wireless *	Wireless	20-24'	30-35'	flat topped broad spreading	insignificant	insignificant	reddish orange	ideal under utility lines

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Trees with BOLD heights indicated are to be planted under utility lines.
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Weber County Street Trees - Medium Trees at Maturity (for park strips 5' - 8' wide)

Common Name	Botanical Name	Common Cultivars	Mature Height	Canopy Spread	Shape	Flowers	Fruit	Fall Color	Additional Notes
Amur Corktree *	Phellodendron amurense	Macho, Eye Stopper, His Majesty	30-45'	30-60'	rounded broad spreading	non showy yellow-green	pea sized black	yellow	once established very tolerant to urban conditions
Black tupelo	Nyssa sylvatica	Wildfire, Firestarter	30-50'	20-30'	rounded	small, greenish white	oval, dark blue	red, orange	striking fall color
Catalpa *	Catalpa speciosa	Heartland	45-50	20-25	narrow upright	white, large bell shaped	long slender seed pods	greenish-yellow	tolerant of urban conditions
Elm, Emerald Flair	Ulmus parvifolia	Emerald Flair	40-45'	30-35'	spreading vase	insignificant	flat round samara	red-orange red	has better red fall color than most cultivars
Elm, Emerald Sunshine	Ulmus propinqua	Emerald Sunshine	30-35'	20-25	vase	inconspicuous	small, flat, papery	yellow	tolerant of all urban conditions
Elm, Frontier *	Ulmus. carpinifolia and U. parvifolia.	Frontier	30-40'	20-30'	upright, vase	inconspicuous	small, flat, papery	burgandy-purplish	tolerant of all urban conditions
European Alder	Alnus glutinosa		40-50	20-40'	pyramidal	drooping male catkins	small woody cones	none	tolerates a wide range of soils
Ginkgo *	Ginkgo biloba	Autumn Gold, Princeton Sentry, Magyar, Colonade	40-45'	15-30'	pyramidal	insignificant	fruitless	yellow-golden	tolerant of a wide range of soil conditions, adapts well to urban environments
Goldenrain *	Koelreuteria paniculata		30-40'	30-40'	round	very showy bright yellow flowers in upright clusters	black seed in papery capsule	yellow-orange	tough adaptable tree
Hackberry	Celtis occidentalis		40-60'	30-50'	rounded spreading	insignificant	berry-like drupe	yellow	tough adaptable tree with attractive bark
Hardy Rubber Tree	Eucommia ulmoides	Emerald Point	35-40'	15-20'	narrow oval	insignificant	winged seed	none	tolerates a wide range of soil conditions, glossy green leaves
Honeylocust *	Gleditsia triacanthos inermis	Street Keeper, Skyline, Shademaster, Northern Acclaim, Sunburst, Perfection	35-50'	20-40'	pyramidal to round dependent on cultivar	insignificant yet smell very sweet	reported as fruitless	golden yellow	small fine leaves give filtered shade
Hophornbeam	Ostrya virginiana	Autumn Treasure, Sun Beam	25-40'	20-30'	oval to rounded	brown-green in summer	hop-like sac	yellow	tolerant of urban conditions once established
Horsechestnut, Red	Aesculus x carnea	Briotii, Fort McNair	30-40'	25-35'	oval to rounded	deep pink	nut	yellow	large showy flowers
Hornbeam, American	Carpinus caroliniana		20-35'	20-30	oval, vase	catkins	clusters of small nutlets in bracts	yellow-orange	smooth gray bark with fluting
Hornbeam, European	Carpinus betulus		40-60'	30-40'	oval, vase	catkins	clusters of small nutlets in bracts	yellow-orange	smooth gray bark with fluting
Katsura	Cercidiphyllum japonicum		40-60'	20-35'	pyramidal to round	insignificant	small green pods, female only	yellow-orange	foliage may scorch in hot, dry conditions
Linden, Crimean	Tilia x euchlora		40-50	20-30'	rounded pyramidal	fragrant creamy yellow	gray nutlets with bracts	yellow	reported to have more resistance to aphids
Maple, Hedge	Acer campestre	Metro Gold, Queen Elizabeth	25-35'	25-35'	oval/round, dense	small green-yellow in spring, insignificant	green samaras	yellow	doesn't tend to get leaf scorch
Maple, State Street	Acer miyabei	State Street, Rugged Ridge	30-45'	30-35'	oval to rounded	Small green-yellow in spring, insignificant	green samaras	yellow-orange	hardy, tough, pest free maple
Maple, Sycamore	Acer pseudoplatanus		40-55'	35-55'	round	Small green-yellow in spring, insignificant	green samaras	yellow	Gray flaking bark
Maple, Sugar	Acer saccharum	John Pair Caddo, Flash Fire Caddo, Autumn Splendor Caddo	30-45'	30-45'	rounded to oval	Small green-yellow in spring, insignificant	green samaras	orange-red	tolerant of harsh urban conditions and alkaline soil
Mayday Tree	Prunus padus	Merlot	30-40'	18-30'	pyramidal to round	showy white pendulous	pea sized black	yellow	showy in spring
Mulberry, Fruitless	Morus alba	Fruitless Mulberry	30-50'	30-50'	wide spreading	small yellowish green	fruitless	none	tough tolerant tree
Osage Orange	Maclura pomifera	White Shield, Wichita	30-25'	30-35'	upright spreading	none	none	yellow	tough tolerant, thornless,
River birch	Betula Nigra	Dura Heat, Cully	30-40'	25-35'	Pyramidal to rounded	drooping male catkins, upright green female catkins	insignificant	yellow	attractive, exfoliating bark
Turkish Filbert	Corylus colurna		40-50'	15-35'	pyramidal	insignificant	edible nut		tolerant tree once established
Yellowwood *	Cladrastis kentukea	American, Perkins Pink	30-50'	30-50'	round	large hanging fragrant white or	flat papery pod	yellow	very showy flowers in late
Zelkova *	Zelkova serrata	Village Green, Green Vase	40-55'	30-50'	vase	insignificant	small wingless drupe	rusty red	mature smooth gray bark exfoliates to reveal orange inner bark

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Weber County Street Trees - Large Trees at Maturity (for park strips 8' wide or wider)

Common Name	Botanical Name	Common Cultivars	Mature Height	Canopy Spread	Shape	Flowers	Fruit	Fall Color	Additional Notes
Catalpa *	Catalpa speciosa		50-70'	20-50'	irregular open	white with spots inside	long slender	yellow	beautiful when in flower
Elm, Accolade *	Ulmus japonica × wilsoniana 'Morton'	Accolade	50-60'	30-40'	arching vase	insignificant	flat round samara	yellow	excellent DED resistance
Elm, Commendation *	Ulmus (japonica x wilsoniana Morton) x (pumila x carpinifolia)	Commendation	50-70'	40-50'	pyramidal	insignificant	flat round samara	yellow	fast growing but not wild
Elm, Green stone *	Ulmus davidiana 'JFS KW2UD'	Greenstone	50-60'	40-50'	upright vase	insignificant	flat round samara	yellow	strong branch attachments at open angles
Elm, New Horizon *	Ulmus japonica × pumila 'New Horizon'	New Horizon	50-55'	30-40'	upright oval	insignificant	flat round samara	yellow	proven rugged street tree
Elm, Triumph *	Ulmus wilsoniana, U. japonica, and U. pumila	Triumph	50-60'	40-45'	upright oval to vase	insignificant	flat round samara	yellow	very dark green glossy leaves
Elm, Valley Forge	Ulmus americana 'Valley Forge'	Valley Forge	60'	40-50'	upright vase	insignificant	flat round samara	yellow	American elm cultivar
European Beech	Fagus sylvatica	various	50-60'	35-50'	rounded, pyramid	Inconspicuous	nuts in a prickly husk	bronze-yellow	thin, smooth gray bark
Ginkgo *	Ginkgo biloba	Autumn Gold, Princeton Sentry, Magyar, Colonade	50-70'	15-30'	pyramidal	insignificant	fruitless	yellow-golden	tolerant of a wide range of soil conditions, adapts well to urban environments
Hackberry *	Celtis occidentalis	Chicagoland	40-60'	40-60'	rounded spreading	insignificant	purple drupe	pale yellow	tolerates both wet and dry conditions
Hardy Rubber Tree	Eucommia ulmoides	Hardy Rubber Tree	40-60'	30-50'	rounded	insignificant	winged seed	none	tolerates a wide range of soil conditions, glossy green leaves
Hornbeam	Carpinus betulus	Emerald Avenue, Frans Fontaine	40-60'	15-40'	narrow fastigate to broadly pyramidal	insignificant	nutlets in papery bracts	yellow	very symmetrically shaped
Horsechestnut	Aesculus hippocastanu		50-75'	40-65'	upright oval	deep pink or white	nutlets in papery bracts	yellow	large showy flowers
Honeylocust *	Gleditsia triacanthos inermis	Street Keeper, Skyline, Shademaster, Northern Acclaim	40-45'	20-35'	pyramidal to round	insignificant yet smell very sweet	reported as fruitless	golden yellow	small fine leaves give filtered shade
Kentucky Coffee *	Gymnocladus dioicus	Espresso, Prairie Titan, Stately Manor	60-80'	40-45'	irregular open	Greenish white, female are fragrant	seedless	yellow	leaves drop early in the fall
Linden, Silver *	Tilia tomentosa	Sterling Silver, Green Mountain, Satin Shadow	50-70'	25-40'	pyramidal	fragrant creamy yellow	gray nutlets with bracts	yellow	best heat and drought tolerant of all lindens
London Plane *	Platanus × acerifolia	Bloodgood, Exclamation, Ovation	60-70'	30-60'	spreading rounded	insignificant	round fuzzy seed ball in clusters of 2-3	brown	exfoliating cream colored bark
Maple, black	Acer nigrum		60-75'	40-50'	oval to rounded	green-yellow in spring, insignificant	Green samaras	yellow-orange-red	similar to sugar maple but more heat and drought tolerant
Maple, State Street	Acer miyabei	State Street, Rugged Ridge	30-45'	30-35'	oval to rounded	Small green-yellow in spring, insignificant	green samaras	yellow-orange	hardy, tough, pest free maple
Maple, Sycamore	Acer pseudoplatanus		40-55'	35-55'	round	Small green-yellow in spring, insignificant	green samaras	yellow	Gray flaking bark
Mulberry, Fruitless	Morus alba	Fruitless Mulberry	30-50'	30-50'	wide spreading	small yellowish green	fruitless	none	tough tolerant tree
Oak, Bur *	Quercus macrocarpa	Bullet Proof, Cobblestone	60-80'	60-80'	broad rounded	insignificant	oval acorns with fringed cap	yellow brown	tolerant of all soil conditions
Oak, Chinkapin	Quercus muehlenbergii	Red Autumn	40-60'	50-60'	oval to rounded	insignificant	acorn	yellow brown or red	tolerant of alkaline soils
Oak, English *	Quercus robur		50-70'	50-70'	broad rounded	insignificant	acorn	none	tolerant of alkaline soils
Oak, Sawtooth	Quercus acutissima		40-60'	40-60'	broad spreading	insignificant	acorn	dull yellow-brown	adapts to a wide range of soils
Oak, Northern Pin Oak	Quercus ellipsoidalis		55-60'	30-40'	broadly pyramidal	insignificant	acorn	red	tolerant of alkaline and dry soils
Oak, Shingle	Quercus imbricaria		50-60'	50-60'	conical broadening with age	insignificant	acorn	yellow-brown to red-brown	adapts to a wide range of soils
Oak, Shumard	Quercus shumardii		40-60'	30-40'	oval	insignificant	acorn	brownish red	does well in wet and dry soil
Oak, Swamp White	Quercus bicolor	American Dream	50-60'	50-60'	broad rounded	insignificant	acorn	orange gold	tolerant of urban conditions
Sweet Gum	Liquidambar styraciflua		60-80'	40-60'	oval, rounded	non-showy yellow-green	gum ball hard brown spherical cluster	yellow, orange, red, purple	large shade tree, brilliant fall color
Tulip Tree	Liriodendron tulipifera		60-70'	30-50'	broad conical	yellow with orange bands	dry brown oblong	golden yellow	flowers somewhat hidden by leaves
Zelkova *	Zelkova serrata	Village Green, Green Vase	40-55'	30-50'	vase	insignificant	small wingless drupe	rusty red	mature smooth gray bark exfoliates to reveal orange inner bark

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