

July 11 -2023 Minutes

Minutes for Western Weber Planning Commission meeting of July 11, 2023, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 5:00 pm.

**Members Present:** Bren Edwards—Chair, Andrew Favero-Vice Chair, Jed McCormick, Casey Neville, Wayne Andreotti, Sarah Wichern.

**Members Excused:** Cami Clontz

**Pledge of Allegiance**

**Staff Present:** Charlie Ewert, Principal Planner; Steve Burton, Principal Planner; Bill Cobabe, Planner; Felix Lleverino, Planner; Liam Keogh, Attorney; Marta Borchert, Secretary

**1. Minutes: June 13. 2023 Approved**

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

**2. Consent items:**

2.1 DR 2023-03 – A request for consideration and possible action a design review application to expand an existing manufacturing building in the Weber Industrial Park (Chromalox building) located at 2150 N Rulon White Dr. Planner: Bill Cobabe

**MOTION:** Andrew Favero moved to approve the consent item as presented. Jed McCormick seconded. Motion passed (6-0)

**3.1 LVA042723: Consideration and action on a request for preliminary approval of Anselmi Acres Subdivision, consisting of 37 lots located at approximately 4100 W 1400 S. Planner: Steve Burton**

Mr. Burton stated that request for preliminary approval of Anselmi Acres Subdivision, consisting of 37 lots located at approximately 4100 W 1400 S. This application was accepted for review by the Planning Division on April 27, 2023. Prior to the owner submitting the application a rezoning ordinance (from A-1 to RE-15) and development agreement were approved by the County Commission on March 14, 2023. The applicant is requesting preliminary subdivision approval of 37 lots. The applicant has provided the water and sewer will-serve letters that are required for preliminary approval. The following is an analysis of this project and how it complies, or does not comply, with county ordinance requirements and previous approvals. On June 13, 2023 the Western Weber Planning Commission tabled a decision on a request for preliminary subdivision approval so that the applicant could present a phasing plan at the next meeting. The proposed phasing plan is shown on the following page for consideration.

Staff recommends that the Planning Commission grant preliminary approval of both phases of the Anselmi Acres subdivision. The recommendation is based on the following conditions: 1. The donation to the parks district listed in the development agreement will be paid by the developer before the Phase 1 subdivision plat records. 2. The building setback along 1400 S shall be shown on the final plat as a 37 foot front yard setback. 3. The final plat will reflect the development standards that were approved as part of the development agreement (eight foot side yard setbacks for dwellings). 4. Phase 2 will not receive a recommendation for final approval until an approved emergency egress is provided for those lots to have a second access.

**MOTION :** Commissioner Sarah Wichern moves to grant preliminary approval of both phases of the Anselmi Acres subdivision. The recommendation is based on the following conditions: 1. the donation to the parks district listed in the development agreement will be paid by the developer before the Phase 1 subdivision plat records. 2. The building setback along 1400 S shall be shown on the final plat as a 37 foot front yard setback. 3. The final plat will reflect the development standards that were approved as part of the development agreement (eight foot side yard setbacks for dwellings). 4. Phase 2 will not receive a recommendation for final approval until an approved emergency egress is provided for those lots to have a second access. 5. The plan must meet the substandard road ordinance, including improvements for 1400 S. Motion seconded by Commissioner Neville.

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

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

Motion passed 6-0.

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

**4. Legislative Items:**

**4.1 ZMA2023-03: A request for consideration and action on amendments to the Smart Fields Zoning Map Amendment concept plan and the provisions of the model motion. Planner: Felix Lleverino**

Felix Lleverino gives an overview. The Smart Fields Zoning Map Amendment was presented before the Planning Commission on March 14th 2023. In that meeting, the planning commission forwarded a positive recommendation to the County Commission with the conditions stated in model motion #2. The Smart Fields concept plan with the altered alignment of 1700 South and the approved model motion #2 are included with the memo as Exhibits C and D. On June 16th the Weber County Planning Division and the developer, Mr. Dade Rose, held a meeting in the Planning Office to discuss pathway and roadway alignments within the Smart Fields development because M. Rose feels that adequate connectivity and efficient roadway alignments are accomplished by the concept plan in Exhibit A. Mr. Rose requests that the Planning Commission consider an amendment to the conditions stated in the model motion and that they consider accepting the concept plan as shown in Exhibit A. Should the Planning Commission decide to accept the new concept plan, the Planning Staff recommends approving the revised model motion in Exhibit B to better reflect the intentions of the Smart Fields development plan.

This development is designed to utilize the connectivity-incentivized subdivision ordinance that requires street and pathway design for efficient vehicle and pedestrian commuting. The staff has reviewed that section of the subdivision code for conformity. The topics below are from the code with added commentary on how the development plan generally complies. Street Blocks: A development plan should be designed to facilitate the creation of neighborhood blocks that are a maximum of 660 feet from one intersection to the other. The Smart Fields concept plan performs well to this test. The distance of block lengths ranges from 305' to 555'. Street Efficiency: The alignment of roads within a connectivity-incentivized development should be designed to facilitate the shortest connections possible. The concept plan shows multiple connections to the 4300 West major collector street and stubs for future streets from the 1600 South and 1700 South minor neighborhood collector streets. Intersections: The Smart Fields plan is designed to place four-way intersections where possible while still providing connections to adjacent existing roads. Directional continuity: The street entry and exit points to this development are in the same direction so they provide users with a consistent direction of travel. Permanently terminal streets: Dead-end streets and cul-de-sacs are not present within the Smart Fields concept plan. Alignment and connection to other streets: Streets alignments are designed to connect to existing streets, specifically 4300 West, and 1725 South. The Smart Fields street plan is inclusive of the Halcyon Estates, and Anselmi Acres street plans. Pathways and sidewalks: A mix of street adjacent and mid-block pathways are designed to fulfill this requirement. The concept plan in Exhibit A displays three 15' mid-block pathways and 10' street adjacent pathways strategically placed at 400' or fewer intervals. A discussion between and developer and the planning division highlighted a possible pedestrian crossing safety issue that could result at the intersection of 1600 South and 1700 South where they would cross 4300 West. A push button-activated crossing at designated locations could serve as a viable solution

Chair Edwards states that he would like a condition added that a parks donation taken care of prior to the execution of the development agreement.

Planning Commissioners Neville asks the Applicant if he has anything to add.

Dave Rose, states that he is happy to answer any questions. He states that he would like to put the money for the parks district in when the development agreement is signed.

**MOTION:** Commissioner Favero moves to forward a positive recommendation to the County Commission. Before consideration by the County Commission, the owner will voluntarily enter into a development agreement with the County; that development agreement will include provisions listed below: a. That the concept plan includes a 15' pathway entry-point at the corner of 4400 West and 1700 South b.

Approved \_\_\_\_\_

WESTERN WEBER PLANNING COMMISSION

The number of lots shall not exceed the gross area divided by a 1/3 acre (minimum lot size for a 'Medium-size' lot). c. The development agreement will specify that the R1-15 zoning will govern the allowed uses. d. Agricultural uses governed by the RE-15 zone code are permitted within the Smart Fields Development on lots greater than 20,000 sq. ft. e. The final layout of streets and infrastructure shall conform to the County Commission approved concept plan. f. Push button activated crossings for 4300 West are placed at designated locations. g. The streets shall be lined with trees, spaced at a distance so that, at maturity, their canopies touch. The trees shall be of a species that are deep-rooting and have a high likelihood of survival, given the unique characteristics of the soils. h. The park strips shall have six-inch angular rock or other stable ground covering that is acceptable by the Planning Director and the County Engineer. i. Multiple elements of water-conserving landscape measures, provided in the Smart Fields Landscape Guide, are implemented for all of the lots within the development. And an added condition that the donation to the park district be made available at the time of the development agreement approval and execution. The findings that it meets the general plan.

Commissioner McCormick seconds. Motion carries (6-0)

**4.2 ZMA 2023-08: A public hearing to consider a proposal to rezone 25.08 acres from A-1 Agricultural to R1-15 Residential zone, property located at 600 S 4700 W, Ogden. Planner: Steve Burton**

Steve Burton gives an overview of the proposal. On April 5, 2023 the application was accepted for review. On June 13, 2023, the applicant met with the Western Weber Planning Commission in work session. Prior to submitting the application, the applicant and their professional engineer met with the Planning Division staff to discuss the public street layout. The applicant has also met with, and received direction from UDOT regarding the proposed residential accesses onto 4700 W. This report contains an analysis of the proposal as it relates to the Weber County code

Commissioner Wichern moves to forward a positive recommendation that street regulation with trails is agreed upon with planning staff. A parks donation is agreed upon with the Parks District. UDOT shall be asked to approve right in right out access at 500 S. with the findings that this proposal meets the General Plan. Commissioner McCormick seconds. Motion carries (6-0)

**4.3 ZTA 2023-04: A public hearing to consider county initiated ordinance amendment to implement water wise landscaping regulations that align with the Weber Basin Water Conservancy District turf removal incentives. Planner: Steve Burton**

Steve Burton gives an overview of the proposal. Weber Basin Water Conservancy District is administering water-wise landscaping incentives to communities that have adopted specific landscaping requirements intended to restrict the use of irrigated turf grass. The attached ordinance amendments will implement Weber Basin’s landscaping requirements for municipalities and counties to adopt, and if adopted, will allow residents in unincorporated Weber County to participate in the District’s “Flip your Strip” and “Landscape Lawn Exchange” programs. The most notable change to the current landscaping regulations is the addition of 108-7-12 titled “Water-wise Landscaping”. This section restricts new single-family residential developments from having no more than 35 percent of the front and side yard of a lot or parcel to include irrigated turf grass, and no more than 3,000 square feet of total lot area to be irrigated turf grass. The section also restricts commercial, industrial, institutional, and multi-family residential developments to having no more than 15 percent of the total landscaped area to be irrigated turf grass.

Commissioner Wichern asks why they decided on 6 inch angular rock. Mr. Burton states that it was suggested by County Engineering. Commissioner Wichern states that it rare for people to use that size of rock and it is difficult to find. It’s hard to find a decorative zone with different sizes and colors and shapes. She adds that it is limiting the options to large river rock and she is not sure that it will be aesthetically pleasing. She has not notices small rocks being a problem. It would be best to stick to what Weber Basin is recommending. Mr. Burton notes that Weber Basin is only concerned about grass not being planted, they did not specify what type. Commissioner Neville notes that the 6 inch rock is harder to get. Bark is a bad idea. He adds that he is also concerned for safety, kids falling on the 6inch rock is dangerous. There needs to be more options. Mr. Burton states that he is happy to look into different options. He notes that this section applies to the commercial and multifamily institutional uses and they would like to see that uniform across the board. In a normal residential single family, they just can’t use turf grass. They have more options.

Concerning the limitation of turf grass Commissioner Wichern states that it is hard for to put a limitation on that because they are not enough parks and the children need grassy fields to play. It is a sensitive point. She states that this is not the place to regulate it. We need Water Districts to step up. Chair Edwards states that he likes it and this is the direction they need to go. We live in a drought we need to act like it, as Commissioner Andreotti stated previously.

Commissioner Favero moves to open the public hearing. Commissioner McCormick seconds. Motion carries (6-0)

Chair Edwards asks if there are any comments, there are none.

Commissioner Favero moves to close the public hearing. Commissioner Neville seconds. Motion carries (6-0)

Approved\_\_\_\_\_

Commissioner Wichern moves to forward a positive recommendation for 4.3 ZTA 2023-04: A public hearing to consider county initiated ordinance amendment to implement water wise landscaping regulations that align with the Weber Basin Water Conservancy District turf removal incentives. With the addition of two recommendations 1. That section 108-2-5 item F number 1. The minimum be 2 inch angular rock be altered to allow more options and that 108-7-12 item A instead of stating no more than 3000 sq. ft. of total lot area it states not greater than 3000 sq. ft. or 35 percent of total lot area. Commissioner McCormick seconds.

Commissioner Andreotti and Chair Edwards vote nay. Commissioner Wichern, Commissioner Favero, Commissioner McCormick, Commissioner Neville vote aye. Motion carries (4-2)

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

**6. Remarks from Planning Commissioners:** Commissioner Andreotti states that they need to get serious about affordable housing. There are two recommendations. Eight houses per acre. A hawkish look at impact fees. He notes that they need to figure it out or somebody is going to tell them what to do. Chair Edwards states that they do not want incomplete items brought before them. Commissioner McCormick states that a checklist would be good. Other Planning Commissioners agree. Mr. Ewert states he is working with IT.

**7. Planning Director Report:** Mr. Ewert states that updated General plan with Black Pine updates has been approved. The Black Pine Development is not yet signed but it is on its way. The new General Plan will be on the website shortly. County Commission updated the future land use map.

**8. Remarks from Legal Counsel:** none

**Adjourn to Work Session**

**WS1: Ali Farms-Zoning Map Amendments**

Steve Burton states that the first step in the rezone process is to do a work session, he notes that no one has been assigned to work on the project yet. The owner will be presenting, and is present to get some feedback.

Mr. Ewert states that they met some part of the applicant’s team and part of the reason staff believed they should go to work session was because they have the new general plan and the street regulating plan for the form based area and have them overlap. For this particular piece of land, staff and the applicant want to know is how flexible they are with boundaries of the village. Are they comfortable with R1-15 zoning instead of form based zoning? It comes down to how closely they want to follow the planning maps.

Phil Holland 590 N Kays Drive, Kaysville UT states that he is the owner of the property, and he is glad to be present. He notes that over a year and half ago they got a preliminary approval on this project. During that time, the update on the General Plan was occurring, so they decided to hold off and get the preliminary approval. He notes that he would like to point out a few things. There are stubbed roadways and UDOT is likely only going to allow the one access. To the south that area is in need of utilities. They have met with the county commissioners to see what is available. County Commission advised them to hold off until the General Plan was complete. To the south they have land dedicated for a sewer lift station. Hooper irrigation has an easement through this 26 acres. In the plan it is shown as trail. He adds that they would like that amenity for the pedestrians. This proposal meets the General Plan. This is in an area where they need to start to define the town center area. He has heard discussion of this being town homes or commercial. He adds that they are willing to pioneer. They are willing to do some of the major utilizes provide the land for them. He states that they created this plan will feedback from County staff.

Mr. Ewert overlays the formbased map over the development. County Commission has decided that the want to grow the village center from the inside out. This proposed development is just a bit far out and Staff is not sure how the County Commission would feel about that. He notes that there is some ambiguity there. He explains how the form based code would be laid out. He asks how closely they want to follow the form based lay out.

Commissioner McCormick states if they don’t put commercial on 4700, they will to put commercial on the other side of the road. There will be a room full of angry people. Chair Edwards’s notes that the other side of the road is meant to stay open. It is meant to be open ground, a public park. Commissioner Wichern states that there is a lot of validity, but there is not enough density. The roads cannot handle the density. Commissioner Favero states that he agrees with Commissioner

Approved\_\_\_\_\_

McCormick they need to start somewhere. Charlie Ewert states that there are options. Commissioner Andreotti states that they need to be careful they don't want to end up like Ogden. Chair Edwards states that commercial is going to go where the traffic is. He states that he feels that this proposal fit the General Plan. Commissioner McCormick states that he agrees. Commissioner Neville states that they need to look at more affordable housing and this development would check more of the boxes. Commissioner Favero states that what they are presenting fits the area the way it is now but his disagreement with is that he would hate to lose the area as it is designated in the general plan. Because of the density it is important to keep those areas as planned in the General Plan, either that or do an in lieu of. They could go with this plan here and move the commercial area to one of the form based areas. Losing those area would be the wrong thing to do within the General Plan. Mr. Ewert states that the County pushed pause on the rezone for the landowner across the street because the landowner owes the County some money. He notes that if they make things to hard for that landowner they might get tired and divide it by one acre parcels. He states that they need to be sure to be open to more options. He states that he will work with Phil to get the R-3 on the front, the R1-15 behind that and make some adjustment to the ingress and egress for emergency services. Chair Edwards states that problem with the canal is that it is probably not structural pipe, and it likely won'y support the weight of the fire truck. Mr. Ewert states that they could have the developer provide a pathway that will be able to support emergency services vehicles.

**WS2: the Halcyon Open Space Rezone.**

Bill Cobabe states that this was 10 acres of approved open space which was part of the original Halcyon Estates subdivision. The owners stated that having 10 acres of farm in between the other subdivisions is not the best use of the land. They want to know if the Planning Commission and the County Commissioner would be interested in rezoning the property and develop it out in a similar pattern to what other developments in the area are seeing. He shares the overall roads plan that Engineering has been working on. Interconnectivity is shown in these plans.

Chair Edwards asks if the street trees have been planted in the first phase. It will be a sticking point until its done. Mr. Cobabe defers to the representative Tyler Brenchley.

Mr. Brenchley states that his understanding was that they were to escrow the money, and make sure the owners were aware of it. He added that there was no agreement for the developer to mandate that trees be put in. They were going to provide the funds and the information to do it. As the developer they were not going to go in and put the trees in. He adds that they are willing to dig up the landowners yard if that is what the planning commissioners want. He adds that they are willing to use the tree funds and send them over to the parks. They are open to it. They are open to whatever is best for the community.

Steve Burton states that the County is not going to force the developer to do anything, they will just hang on to the money until it is done.

Mr. Brenchley states that he feels they met the commitments by escrowing the funds.

Commissioner Wichern states that concerning the road connections, there are a lot of the bulb outs and streets that aren't connecting. She asks that they help her understand why they have that in that area. 1725 S is not going through. They have between 1600 and 1700 without any streets going through and it is isolated. Mr. Brenchley states that there are homeowners that own that property. The cul de sac does not go to the property line. Mr. Ewert states that the Planning Commissioners can require that pathway to be a stub. That makes it easier for the county to go in aquire, whether it is through eminent domain or negotiations. He adds that they are fine with it because they are more worried about the pedestrian connectivity. Commissioner Neville states that he fine with the pathway and he does not feel comfortable with the eminent domain

**Adjourn**

**Respectfully Submitted,  
Marta Borchert**