

Meeting Procedures

Outline of Meeting Procedures:

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

Role of Staff:

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

Role of the Applicant:

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

Role of the Planning Commission:

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

Public Comment:

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

Planning Commission Action:

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

Commenting at Public Meetings and Public Hearings

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

Address the Decision Makers:

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

Speak to the Point:

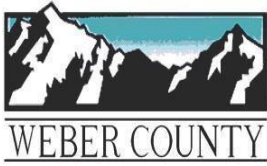
- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information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

Handouts:

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

Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.



WESTERN WEBER PLANNING COMMISSION MEETING

MEETING AGENDA

September 17, 2024

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



- Pledge of Allegiance
- Roll Call:

Administrative:

1. LVL053024 - A request for preliminary subdivision approval of Longhorn Estates Subdivision. A residential development consisting of 84 lots across 5 phases.

Legislative Items:

- 1.1 File #ZMA2024-08**, an application to rezone approximately 65 acres of land generally known as the Meibos Family LLC land, located at approximately 639 South, 6700 West, from the A-2 zone to the R1-15 zone. Applicant: Pat Burns. Staff Planner Felix Lleverino
- 1.2 ZTA2024-05** - A public hearing and possible action on a request to amend the residential zones to add an R1-5 single family zone and to amend the R3 zone to create R3-A and R3-S zones to provide for a multifamily attached zone and a multifamily stacked zone, and to amend the site development standards for all R1, R2, and R3 zones, and related clerical and administrative amendments. Applicant: Jeff Meads and Kameron Spencer. Staff Planner: Charlie Ewert

2. Public Comment for Items not on the Agenda:
3. Remarks from Planning Commissioners:
4. Planning Director Report:
5. Remarks from Legal Counsel

Adjourn to Work Session

Worksession Items:

WS 1: Discussion regarding an application to rezone part of the property located on the Southeast corner of 4700 West and 1150 South to the R-3 zone. Applicant: Fieldstone Homes. Applicant Representative: Randy Smith.

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

Public comment may not be heard during administrative items. Please contact the Planning Division Project Manager at 801-399-8371 before the meeting if you have questions or comments regarding an item.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8371



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	A request for preliminary subdivision approval of Longhorn Estates Subdivision. A residential development consisting of 84 lots.
Type of Decision:	Administrative
Agenda Date:	Tuesday, September 17, 2024
Applicant:	Pat Burns
File Number:	LVL053024
Approximate Address:	661 S 7100 W
Project Area:	40.26 acres
Zoning:	Residential (R1-15)
Existing Land Use:	Vacant
Proposed Land Use:	Residential
Parcel ID:	10-036-0066, 10-177-0017
Township, Range, Section:	T6N, R3W, Section 14

Adjacent Land Use

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

Staff Information

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

Applicable Ordinances

- Title 104, Chapter 12 Residential (R1-15)
- Title 106, Subdivisions
- Rezone Ordinance #2024-10
- Zoning Development Agreement, Longhorn Estates

Development History

The Longhorn Estates development was approved for a zoning map amendment by the County Commission on March 26th, 2024.

A development agreement between Weber County and the developer is recorded on title under entry number 3328294.

A request for preliminary subdivision approval was considered by the Western Weber Planning Commission on August 13th, 2024.

Background and Summary

This preliminary subdivision approval request comes from Mr. Pat Burns, a developer who would like to subdivide a 40-acre parcel into an 84-lot residential subdivision. The residential lots that range in size from 6,000 to 39,000 square feet. This residential development includes facilities designed to provide the residents with storm-water detention and irrigation water storage and delivery services. Pathways throughout the development will provide for efficient pedestrian and cycling mobility.

Public roads and pathways within this development are designed in accordance with the street cross sections from the development agreement. Standards that apply to the Longhorn Estates Subdivision are included as Exhibit E.

Following preliminary approval from the planning commission this development proposal will need to satisfy the preliminary conditions and the standards from the development agreement before being presented to the planning director for final approval. The developer is also aware that before the recordation of any phase within the Longhorn Estates development is

recorded, the planning division requires the satisfactory completion of infrastructure within the Vaquero Village Cluster Subdivision.

Analysis

General Plan: This proposal conforms to the Wester Central Weber General Plan by preserving open spaces and rural qualities (see page 1-7).

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

1. *The A-2 Zone is both an agricultural zone and a low-density rural residential zone. The purpose of the A-2 Zone is to designate moderate-intensity farming areas where agricultural pursuits and the rural environment should be promoted and preserved where possible.*

Each lot meets the zoning requirement of 9,000 square feet minimum and 60 feet of lot width.

Open Space: Pathway corridors and the open space surrounding the irrigation water holding pond will serve and open space for residents to enjoy.

There are three remaining open space parcels within the Vaquero Village Cluster subdivision, common area parcel A, that serves as a detention pond, will be deeded to the adjacent land owner, common area B, has already been deeded to adjacent land owners, and the privately owned 5 acre open space parcel C will be integrated in the Longhorn development.

Natural Hazards: A Geotechnical Investigation by Christensen Geotechnical, Dated July 15th 2020, with Project Number 145-006 provides valuable information regarding soil types, site grading, soil removal, structural fill, compaction, and types and severity of hazards present on the property. Pages 7 through 11 address earthwork, foundations, estimated settlement, lateral earth pressures, concrete slab on grade construction, moisture protection and surface drainage, and pavement design. The developer shall provide a design verification letter indicating that the subdivision improvements are done in accordance with the geotechnical study.

Secondary Egress: The Developer of the Longhorn Estate Subdivision shall provide for secondary egress with the development of phase 1 so not to exceed the maximum of 30 lots from a temporary terminal street. As more phases commence development, the Developer shall install an additional secondary egress in order to abide by Section 106-2-2.040 Terminal Streets.

Considering that the secondary egress will join with 7500 West Street. The Fire Marshal requires that 7500 West Street be widened to be at least 20' of asphalt. The developer agrees to this requirement and will make the needed improvements in concert with the phase 1 development.

Traffic Study: A traffic study prepared by Reeve and Associates is complete to address the roadways, intersections, traffic generation, and existing road conditions that will be impacted by 105 acres developed as a residential community with public parks. The results indicate that traffic generated from these two developments warrants a deceleration lane for the right turn and the left turn movements at 900 South and 7100 West.

Flood Zone: This parcel is within a Zone X flood area, and determined to be outside the 500-year flood level.

Culinary Water: West Warren Water Improvement District has provided a letter stating that water is available for Phase 2 upon meeting their conditions:

- All secondary water issues must be resolved affecting this development and the Vaquero Village Cluster Subdivision.
- The secondary water pond must be built to the specification of the District with the ability to provide pressurized secondary water to both phases.

The two items above are preliminary requirements, the District will require additional work including fees and inspections following preliminary approval and before final approval is granted.

Secondary Water: The developer has provided an acknowledgement letter confirming that "Mountain Views water LLC will take ownership and responsibility for the maintenance and operation of the irrigation pond and system in the Longhorn Estates Subdivision."

The developer possesses 20 class A share of Warren Irrigation water shares. 15 of those shares are used to provide irrigation water to phase 1 of Vaquero Village and Longhorn Estates. The planning staff require that the developer enter into a covenant that will require sufficient irrigation water for the entire development, that the water rights will not be disposed except to lots within the subdivision, and the rights will be transferred at no cost.

Sewer: A will-serve letter from the Central Weber Sewer Improvement District (CWSID) states that the District has the capacity to treat sanitary sewer flow from this subdivision. The letter attached in Exhibit C contains conditions that must be satisfied. The entire parcel of property to be served must be annexed into the Central Weber Sewer Improvement District prior to any sewer connections.

Review Agencies: The Planning Division has several review comments that will be addressed with plan amendments and will be addressed before final approval is granted. The primary concern from the Weber County Fire District relates to the 20' minimum width of 7500 West Street. Weber County Surveying is recommending preliminary approval with further comments expected upon final subdivision review. Weber County Engineering has posted a list of review comments regarding edits to the civil drawings and the subdivision plat, these will be addressed before considering final subdivision plat approval.

Staff Recommendation

Staff recommends preliminary approval of Longhorn Estates, consisting of 84 lots. This recommendation is based on the following conditions:

1. Requirements from the water and sewer districts are satisfied.
2. The developer will provide written verification from the LMSA for the ownership of the sewer lines before final subdivision approval.
3. An HOA is created to maintain and manage the pathways, and open spaces, and to enforce water-wise landscaping.
4. Standards from the development agreement are satisfied.
5. The developer agrees to re-plat the Vaquero Village Cluster Subdivision before the first phase of Longhorn is recorded.
6. Subdivision improvements within the Vaquero Village Subdivision are complete or escrowed for before the Longhorn Estates Subdivision plat is recorded.
7. Voluntary contributions are made to the Parks District before final plat recordation.

This recommendation is based on the following findings:

1. The proposed subdivision complies with West Central Weber General Plan.
2. The proposed subdivision complies with the applicable County codes.

Exhibits

- A. Longhorn Estates phasing plan
- B. Letter from West Warren Water (Culinary)
- C. Letter from Mountain Views Water LLC (Secondary)
- D. CWSID Sewer will-serve Letter
- E. Traffic Impact Study (Select Pages 1-8, 19)

Area Map

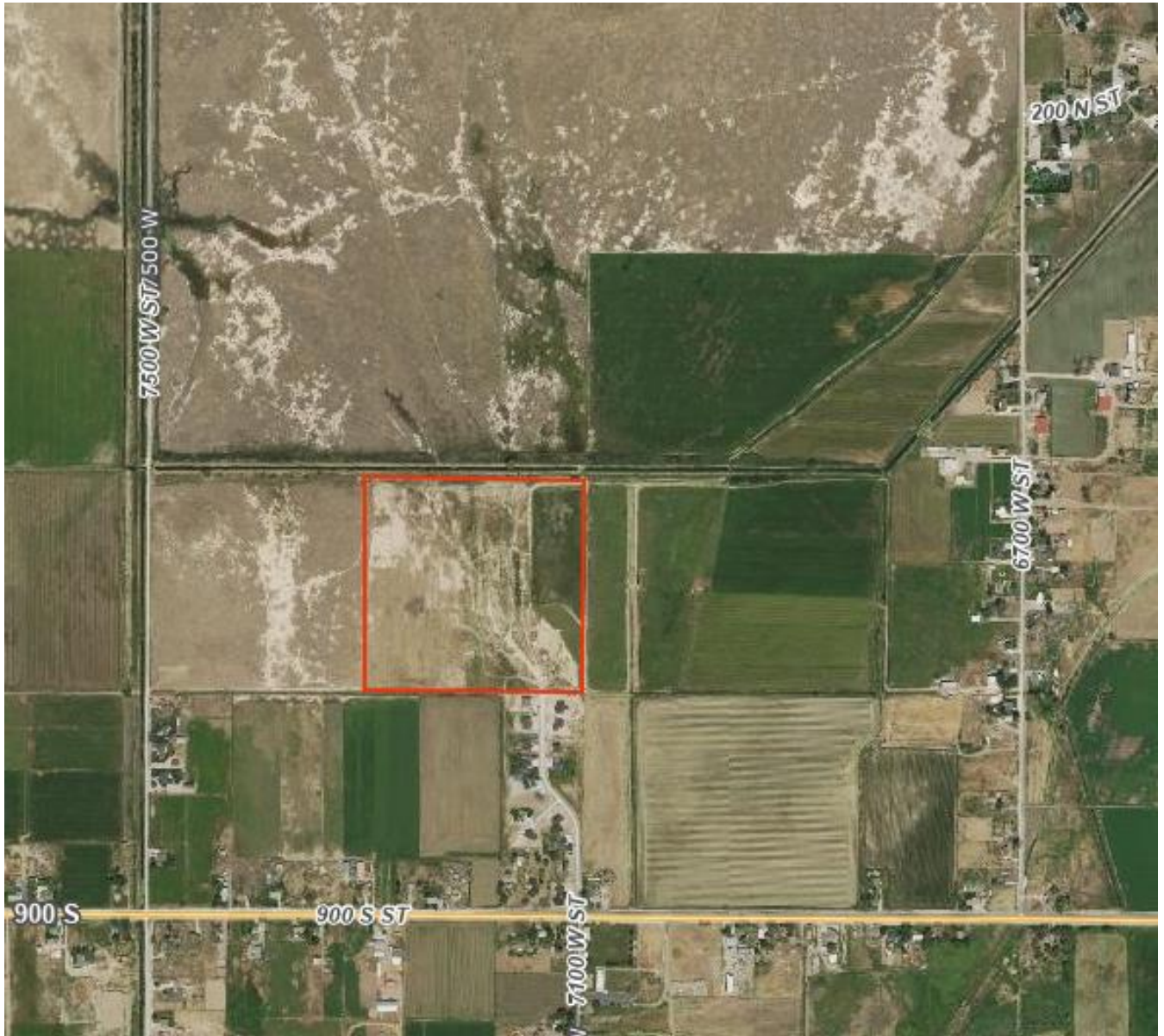


Exhibit B

West Warren-Warren Water Improvement District
1561 S. 7500 W.
Ogden, UT 84404
801-259-7614
westwarrentwtr@gmail.com

October 5, 2023

To Whom it May Concern:

RE: WATER AVAILABILITY LETTER FOR Pat Burns, Long Horn Development (Previously Known as Vaquero Village Phase 2)

This proposed development is located approximately 7100 W and slightly North of 900 S. The West Warren-Warren Water Improvement District (hereafter the District) does have culinary water available for this proposed development.

This letter only states that the above-mentioned project is in the boundaries of the District and water may be made available if the conditions previously discussed with Pat Burns are met. The previous conditions include, but are not limited to, the following issues, all secondary water issues must be resolved affecting both this proposed development as well as the first phase of the Vaquero Village development and a secondary water pond must be built to the specifications of the District with the ability to provide a pressurized secondary water system to both phase one and phase two of the development phases.

This letter is the first of two letters that will be issued for this development. When the previously stated issues and any other necessary additional conditions are met, the District will issue the Will-Serve Letter.

Should you have clerical questions or comments, please contact the district clerk. Please direct questions regarding water systems, materials, etc., to (801-791-7368) Randy Giordano, Chairman of the WWWID Board. This letter expires 1 year from the day it is issued.

Sincerely,



Melissa Murray, Clerk



Randy Giordano, Chairman



Pat Burns, Lync Construction

Exhibit C

To whom it may concern:

This letter serves to acknowledge and confirm that Mountain Views Water LLC will take ownership and responsibility for the maintenance and operation of the irrigation pond and system in the Longhorn Estates subdivision located at approximately 640 South 7100 West, Ogden, UT, 84404.

Sincerely,

Name: John Priez

Signature: 

Date: 1-29-24



Central Weber Sewer Improvement District

September 4, 2024

Felix Llevernio
Weber County Planning Commission
2380 Washington Blvd #240, Ogden, UT 84401

SUBJECT: Longhorn Estates
Sanitary Sewer Service
Will Serve Letter

Felix:

We have reviewed the request of Pat Burns to provide sanitary sewer treatment services to the subdivision called Longhorn Estates comprising 84 residential lots located at approximate address 7100 West 661 South, Weber County. We offer the following comments regarding Central Weber providing sanitary sewer service.

1. At this time, Central Weber Sewer Improvement District (District) has the capacity to treat the sanitary sewer flow from this subdivision. Inasmuch as the system demand continuously changes with growth, this assessment is valid for three (3) years from the date issued on this letter.
2. If any connection is made directly into the District's facilities the connection must be constructed in accordance with District standards and must be inspected by the District while the work is being done. A minimum of 48-hour notice for inspection shall be given to the District prior to any work associated with the connection.
3. Central Weber Sewer Improvement District is a wholesale wastewater treatment provider to Weber County. Connection to the sewer system must be through a retail provider, which we understand to be Weber County. The District will not take responsibility for the condition, ownership or maintenance of the proposed sanitary sewer lines (gravity or pressure) or system that will be installed to serve this subdivision.
4. We understand the intent of the developer is to connect to facilities currently planned by the Promontory Commerce Center Public Infrastructure Districts. Central Weber Sewer Improvement District is not responsible for the construction of these facilities and you are advised to coordinate directly with the Promontory Commerce Center Public Infrastructure Districts regarding the construction schedule and available capacity.



Central Weber Sewer Improvement District

5. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. The District's Wastewater Control Rules and Regulations state:

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allow to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer. Maximum of 500 gallons per day discharge per unit.

6. **The entire parcel of property to be served must be annexed into the Central Weber Sewer Improvement District prior to any sewer service connection or connection to the District's facilities.** This annexation must be complete before the sale of any lots in the subdivision. Annexation into the District is permitted by the District's Board of Trustees. This will serve letter is a statement of available capacity and does not guarantee board approval of annexation.
7. Impact fees must be paid no later than the issuance of any building permits.

If you have any further questions or need additional information, please let us know.

Sincerely,

Clay Marriott

Project Manager

CC: Chad Meyerhoffer, Weber County
Kevin Hall, Central Weber Sewer
Paige Spencer Central Weber Sewer
Pat Burns



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Traffic Impact Study

Longhorn Meibos – Weber County, UT



Submitted to:

Weber County Engineering
2380 Washington Blvd Suite #240
Ogden, Utah 84401



Prepared by:
Reeve & Associates, Inc.
5160 South 1500 West
Riverdale, UT 84405
801.621.3100
www.reeve.co

Prepared: August 23, 2024
Revised:

Reeve Job No.: 6298-32
Completed by: KAR

Executive Summary

This study addresses the traffic impact associated with the proposed residential development located at 7100 West 900 South in Weber County, Utah. The residential development consists of 290 lots. All of the units are expected to be used as single-family homes.

This proposed project is a total of 105-acres. The community will include a large park area of 17-acres and 13-acres open space with trails providing connections within the development. Amenities such as 2 little league baseball diamonds, a soccer field, 8 pickleball courts, 2 sand volleyball courts, 3 BBQ pavilions, a tot lot, a multi-gen playground, a trail around the irrigation pond with boardwalk/lookout, concessions, and restrooms are also planned on the development for use by the public and the residents. The accesses will be aligned with full turning movements onto 900 South and onto 6700 West. There are no existing improvements on the property.

Study Objectives:

The objectives of this study are:

- Document how the study intersections and accesses currently operate.
- Forecast the amount of traffic expected to be generated by the proposed development.
- Determine how the study intersections and accesses will operate in the future with and without the proposed development.
- Recommend appropriate mitigation measures if poor operations are identified.

Results:

The principal results of the study are:

- The proposed residential development is expected to generate 203 new trips during the a.m. peak hour and 273 new trips during the p.m. peak hour.
- The proposed Park Facilities is expected to generate 112 new trips during the a.m. peak hour and 51 new trips during the p.m. peak hour.
- The studied South and East Accesses of the development will operate at an acceptable approach LOS B or better.

Recommendations:

- It is recommended that a deceleration lane be installed for the right-turn and left turn movements at 900 South and 7100 West.
- All improvements shall be to Weber County Standard Specifications & Standard Drawings.





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Traffic Impact Study

Longhorn Meibos – Weber County, UT

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1.0 Introduction

1.1 Proposed Development

At the request of Weber County, Reeve & Associates was asked to perform a traffic impact analysis involving the proposed residential development located near 7100 West and 900 South in Weber County, Utah. Figure 1 contains a vicinity map showing the area of the proposed development.

Following are key attributes of the proposed development:

- a) Single Family Detached (Code: 210 per ITE Trip Generation Manual 11th Edition) 290 units.
- b) Project is 105-acres. Amenities are planned in the middle of the development.
- c) South Access (900 S and 7100 W) for the development will be a full movement access. This access will service approximately 50% of the homes.
- d) East Access (Street “C” and 6700 W) for the development will be a full movement access. This access will service approximately 50% of the homes.
- e) A deceleration lane is recommended for the right-turn movements into the development west bound on 900 South.
- f) Restriping of the two-way left-turn lane east bound for a dedicated left-turn lane.

1.2 Purpose of Study

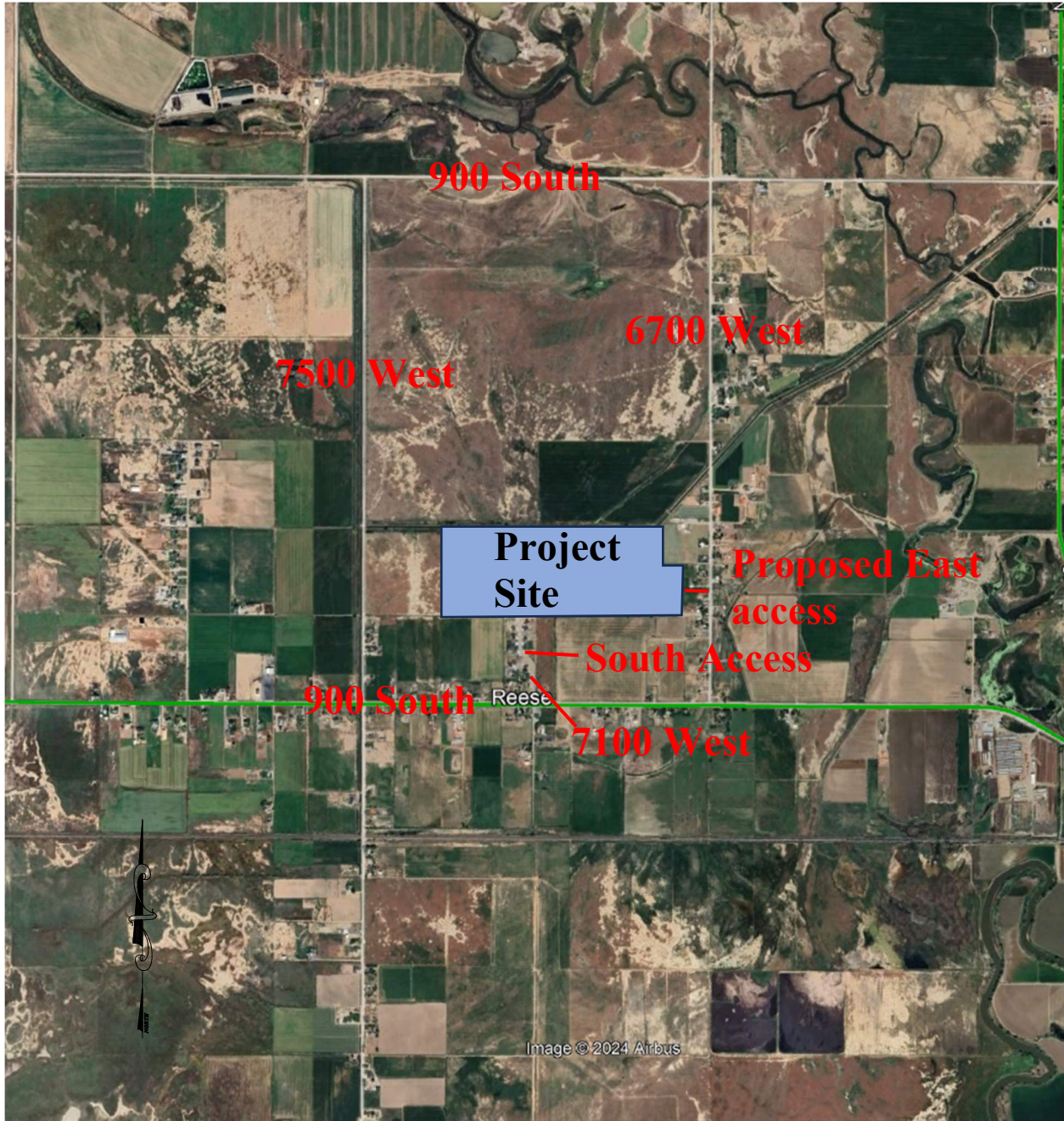
The traffic study area was determined by analyzing the roadways to be influenced by the development, as well as the proposed access roads. Existing, proposed, and future traffic conditions have been included for the impacted intersection and accesses.

The study intersections closest to the proposed development and where the greatest impacts are expected were chosen for review and includes:

- a) 900 South and 6700 West.
- b) 900 South and 7100 West.
- c) 6700 West and Street “C”.



Figure 1
Vicinity Map – 7100 West 900 South



2.0 Analysis Method

2.1 Level of Service Analysis

For this traffic impact study, the LOS was determined by calculating the average delay time per vehicle in seconds using Synchro 10. Each LOS is associated with a designated range of delay times in seconds per vehicle.

Table 1 demonstrates the LOS for a signalized intersection based on the delay in seconds per vehicle.

Table 1 - Signalized Intersections Level of Service

<i>LOS</i>	<i>Intersection Delay per Vehicle (sec/veh)</i>
<i>A</i>	≤ 10
<i>B</i>	$> 10 - 20$
<i>C</i>	$> 20 - 35$
<i>D</i>	$> 35 - 55$
<i>E</i>	$> 55 - 80$
<i>F</i>	> 80

Source: Highway Capacity Manual (HCM 6th), Transportation Research Board National Research Council Washington D.C. 2000.

Table 2 demonstrates the LOS for an unsignalized intersection based on the delay in seconds per vehicle.

Table 2 - Unsignalized Intersections Level of Service

<i>LOS</i>	<i>Intersection Delay per Vehicle (sec/veh)</i>
<i>A</i>	≤ 10
<i>B</i>	$> 10 - 15$
<i>C</i>	$> 15 - 25$
<i>D</i>	$> 25 - 35$
<i>E</i>	$> 35 - 50$
<i>F</i>	> 50

Source: Highway Capacity Manual (HCM 6th), Transportation Research Board National Research Council Washington D.C. 2000.

According to the Highway Capacity Manual, most facilities are designed for a service flow rate at LOS D or better to ensure acceptable operating conditions to users.



3.0 Existing Conditions

3.1 Existing Corridor Characteristics

Table 3 – Corridor Characteristics

<i>Name</i>	<i>Classification</i>	<i>Speed Limit</i>	<i>Lanes</i>
900 South	Major Collector	50	Two Lanes with TWLTL
7100 West	Local	25	Two Lanes
6700 West	Local	35	Two Lanes

3.2 Existing Traffic Volumes

The existing traffic volumes are based off of counts conducted on August 16, 2024. These counts provide a peak hour volume and distribution. The volume of heavy vehicles was kept at the default number of 2% provided by Synchro 11.

3.3 Existing Study Area Level of Service

Given the existing conditions of the studied area, the existing lowest approach LOS was determined using the HCM 6th Edition in Synchro 11. Future conditions were estimated by applying a growth rate of 1.00% (worldpopulationreview.com) for 20 years. The growth rate of Weber County is currently less than 1%, but the assumed growth rate was found to be more accurate to estimate future conditions based on the developments and schools that are planned on being built in the area.

Table 4 – AM Existing Level of Service for Study Area (s/veh)

<i>Studied Intersection</i>	<i>AM Peak Hour</i>	<i>NB</i>	<i>EB</i>	<i>WB</i>	<i>SB</i>
900 S/ 7100 W	Existing 2024	8.8 A	0.0 A	7.4 A	10.0 B
	Future 2044	8.9 A	7.5 A	7.5 A	10.4 B
900 S/ 6700 W	Existing 2024	-	7.5 A	0.0 A	9.6 A
	Future 2044	-	7.5 A	0.0 A	9.8 A



Table 5 – PM Existing Level of Service for Study Area (s/veh)

<i>Studied Intersection</i>	<i>PM Peak Hour</i>	<i>NB</i>	<i>EB</i>	<i>WB</i>	<i>SB</i>
<i>900 S/ 7100 W</i>	<i>Existing 2024</i>	8.9 A	7.4 A	7.4 A	10.1 B
	<i>Future 2044</i>	9.0 A	7.4 A	7.5 A	10.6 B
<i>900 S/ 6700 W</i>	<i>Existing 2024</i>	-	7.4 A	0.0 A	9.4 A
	<i>Future 2044</i>	-	7.5 A	0.0 A	9.6 A

3.5 Existing Queuing Analysis

A simulation was done with Synchro 11 for the existing traffic condition, showing there is adequate storage without blocking for the study intersections. Queue lengths were calculated to the 95th percentile for each intersection with the results shown in Tables 6 and 7. Full queuing reports can be found in the appendix

Table 6 – AM Existing Queuing by Movement (ft) (95th Percentile)

<i>Studied Intersection</i>	<i>AM Peak Hour</i>	<i>NB</i>	<i>EB</i>	<i>WB</i>	<i>SB</i>
<i>900 S/ 7100 W</i>	<i>Existing 2024</i>	LTR: 22	-	L: 5	LTR: 40
	<i>Future 2044</i>	LTR: 24	-	L: 7	LTR: 42
<i>900 S/ 6700 W</i>	<i>Existing 2024</i>	-	L: 1	-	LR: 9
	<i>Future 2044</i>	-	L: 6	-	LR: 25

Table 7 – PM Existing Queuing by Movement (ft) (95th Percentile)

<i>Studied Intersection</i>	<i>AM Peak Hour</i>	<i>NB</i>	<i>EB</i>	<i>WB</i>	<i>SB</i>
<i>900 S/ 7100 W</i>	<i>Existing 2024</i>	LTR: 23	LT: 3	L: 6	LTR: 38
	<i>Future 2044</i>	LTR: 25	LT: 4	L: 11	LTR: 40
<i>900 S/ 6700 W</i>	<i>Existing 2024</i>	-	L: 5	-	LR: 28
	<i>Future 2044</i>	-	L: 6	-	LR: 28



Figure 2
Existing AM Traffic Volumes



Figure 3
Existing PM Traffic Volumes



Figure 4
Future (2044) Existing AM Traffic Volumes



Figure 5
Future (2044) Existing PM Traffic Volumes



4.0 Projected Traffic

4.1 Trip Generation

The number of new trips generated for the proposed development were determined using trip generation figures obtained from ITE Trip Generation Manual 11th Edition (See Trip Generation in the Appendix).

Due to the public park being smaller than the sample sizes in the ITE Trip Generation manual, the soccer complex use was assumed to be the best representation of generated trips to the park area and the two baseball diamonds were subsequently added as fields. Reeve and Associates anticipates that the residents will utilize this park, but their proximity does not prompt additional trips at the studied intersections and only result in trips internal to the development.

The site consists of 290 single family residences and 3 sports fields.

Table 8 – Development Trip Generation

<i>Land Use:</i>	<i>Single- Family Detached Housing</i>	<i>Soccer Complex</i>
<i>Code:</i>	<i>210</i>	<i>488</i>
Units	290	3
Rate per Unit	0.70	37.48
AM Trips	203	112
AM Entering	53	54
AM Exiting	150	58
Rate per Unit	0.94	16.90
PM Trips	273	51
PM Entering	172	24
PM Exiting	101	27

4.2 Trip Distribution

The trip distribution pattern is based on the existing traffic volumes via traffic counts obtained by Reeve & Associates with consideration of access to the site and regional transportation system. The resulting distribution of project generated trips during the PM Peak Hour is as follows:

- a) 43% West
- b) 57% East

These trip distribution assumptions were used to assign the PM Peak Hour generated traffic at the study intersections to create trip assignments for the proposed development. See Figure 3 for the trip distribution assignments for the development.



4.3 Proposed Study Area Level of Service

The proposed lowest approach LOS was determined using HCM 6th Edition in Synchro 11. Future conditions were estimated by applying the development’s trips to the existing future condition model. All trips generated by the development are considered new trips and will be added to the existing counts provided.

Table 9 – AM Proposed Level of Service for Study Area (s/veh)

<i>Studied Intersection</i>	<i>AM Peak Hour</i>	<i>NB</i>	<i>EB</i>	<i>WB</i>	<i>SB</i>
<i>900 S/ 7100 W</i>	<i>Proposed 2024</i>	8.8 A	7.5 A	7.4 A	11.6 B
	<i>Future 2044</i>	9.2 A	7.6 A	7.5 A	12.8 B
<i>900 S/ 6700 W</i>	<i>Proposed 2024</i>	-	7.7 A	0.0 A	11.0 B
	<i>Future 2044</i>	-	7.8 A	0.0 A	11.6 A
<i>6700 W/ Street “C”</i>	<i>Proposed 2024</i>	7.3 A	8.9 A	-	0.0 A
	<i>Future 2044</i>	7.4 A	9.0 A	-	-

*Note: Street “C” is labeled Beefalo Dr. on synchro documents as a placeholder name.

Table 10 – PM Proposed Level of Service for Study Area (s/veh)

<i>Studied Intersection</i>	<i>PM Peak Hour</i>	<i>NB</i>	<i>EB</i>	<i>WB</i>	<i>SB</i>
<i>900 S/ 7100 W</i>	<i>Proposed 2024</i>	8.9 A	7.6 A	7.5 A	11.0 B
	<i>Future 2044</i>	9.5 A	7.8 A	7.5 A	12.1 B
<i>900 S/ 6700 W</i>	<i>Proposed 2024</i>	-	7.8 A	0.0 A	10.5 B
	<i>Future 2044</i>	-	8.0 A	0.0 A	11.1 A
<i>6700 W/ Street “C”</i>	<i>Proposed 2024</i>	7.4 A	8.8 A	-	-
	<i>Future 2044</i>	7.5 A	8.9 A	-	-

*Note: Street “C” is labeled Beefalo Dr. on synchro documents as a placeholder name.



4.4 Queuing Analysis

A simulation was done in Synchro 11 for the proposed traffic condition, showing there is adequate storage without blocking the study intersections. Queue lengths were calculated to the 95th percentile for each intersection with the results shown in Tables 12 and 13. Full queuing reports can be found in the appendix.

Table 11 – AM Proposed Queuing by Movement (95th percentile)

<i>Studied Intersection</i>	<i>AM Peak Hour</i>	<i>NB</i>	<i>EB</i>	<i>WB</i>	<i>SB</i>
900 S/ 7100 W	Proposed 2024	LTR: 21	LT: 5	L: 6	LTR: 72
	Future 2044	LTR: 26	LT: 15	-	LTR: 75
900 S/ 6700 W	Proposed 2024	-	L: 12	-	LR: 39
	Future 2044	-	L: 18	-	LR: 47
6700 W/ Street “C”	Proposed 2024	LT: 11	LR: 51	-	-
	Future 2044	LT: 8	LR: 13	-	-

*Note: Street “C” is labeled Beefalo Dr. on synchro documents as a placeholder name.

Table 12 – PM Proposed Queuing by Movement (95th percentile)

<i>Studied Intersection</i>	<i>AM Peak Hour</i>	<i>NB</i>	<i>EB</i>	<i>WB</i>	<i>SB</i>
900 S/ 7100 W	Proposed 2024	LTR: 23	LT: 22	L: 11 TR: 3	LTR: 53
	Future 2044	LTR: 26	LT: 22	L: 8	LTR: 61
900 S/ 6700 W	Proposed 2024	-	L: 19	-	LR: 42
	Future 2044	-	L: 23	R: 3	LR: 47
6700 W/ Street “C”	Proposed 2024	LT: 16	LR: 52	-	-
	Future 2044	LT: 18	LR: 53	-	-

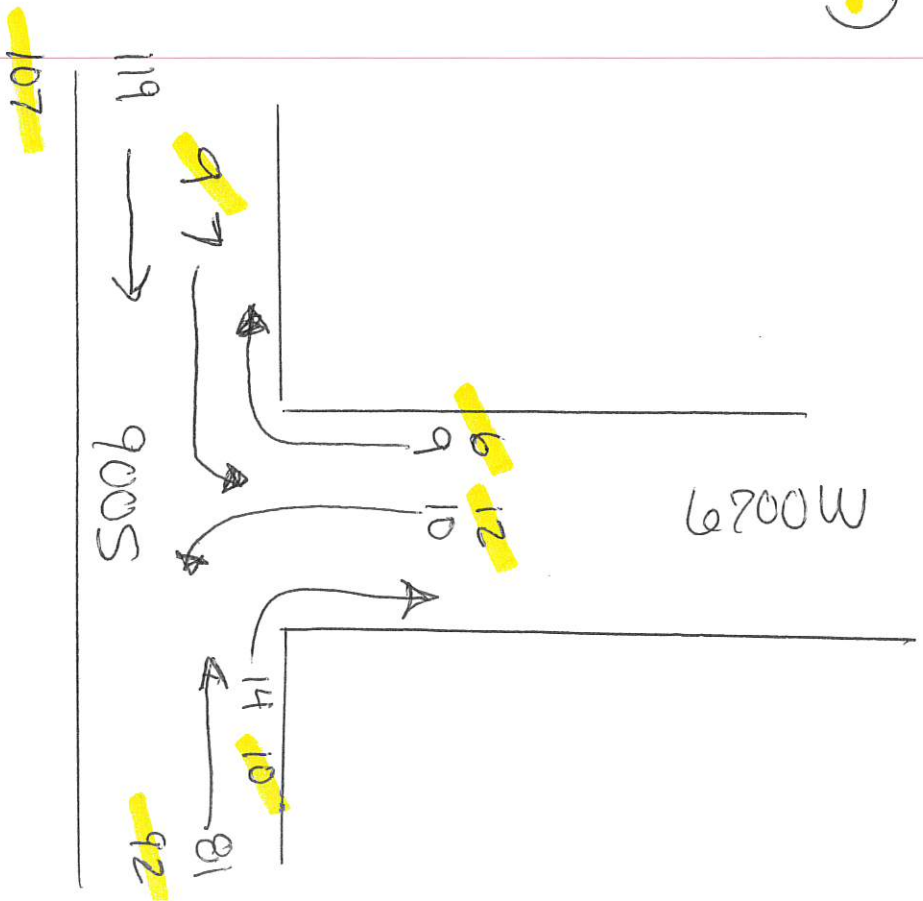
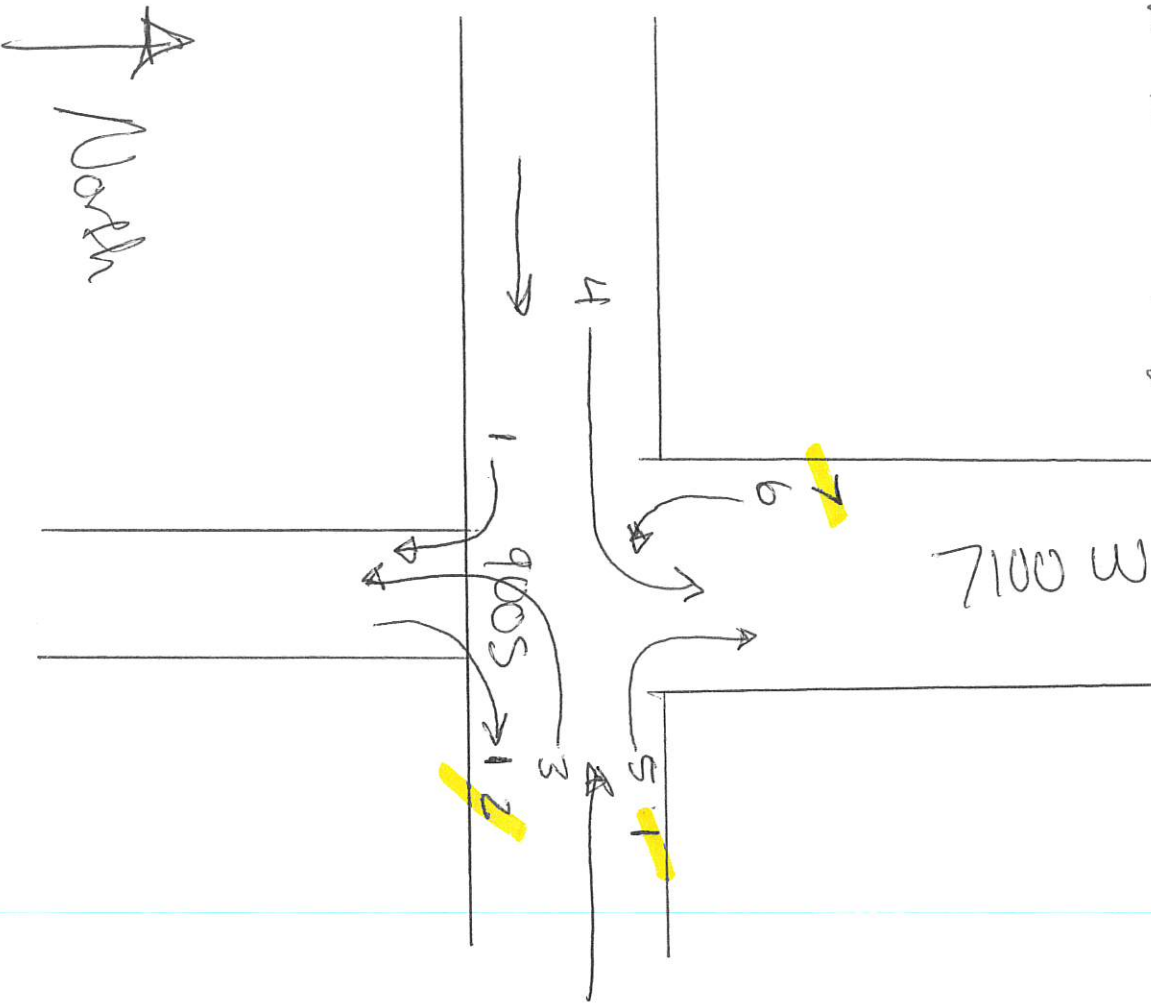
*Note: Street “C” is labeled Beefalo Dr. on synchro documents as a placeholder name.



Long Horn / Marbos (Longhorn East)

Traffic #'s -

PM Peak - Friday Aug 16, 2024 4:30 - 5:30 pm
 AM Peak - Friday Aug 16, 2024 7:30 - 8:30 AM ()





Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: File #ZMA2024-08, an application to rezone approximately 65 acres of land generally known as the Meibos Family LLC land, located at approximately 639 South, 6700 West, from the A-2 zone to the R1-15 zone.

Agenda Date: September 17th, 2024

Applicant: Pat Burns

File Number: ZMA2024-08

Frontier Project Link: <https://frontier.co.weber.ut.us/p/Project/Index/20328>

Property Information

Approximate Address: 639 South 6700 West, Unincorporated West Weber

Current Zone(s): A-2 Zone

Proposed Zone(s): R1-15

Adjacent Land Use

North: Agriculture	South: Agriculture and large-lot residential
East: Large-lot residential	West: Residential (Longhorn Estates)

Staff Information

Report Presenter: Felix Lleverino
fleverino@webercountyutah.gov
801-399-8767

Report Reviewer: CE

Applicable Ordinances

§Title 102, Chapter 5 Rezone Procedures.
§Title 104, Chapter 2 Agricultural Zones.
§Title 104, Chapter 12 Residential Zones.

Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

Summary and Background

The applicant's proposal to rezone the Meibos Family land from Agricultural A-1 to the R1-15 zone for the purpose of creating a residential development. The park space will be deeded to the West Warren Parks District.

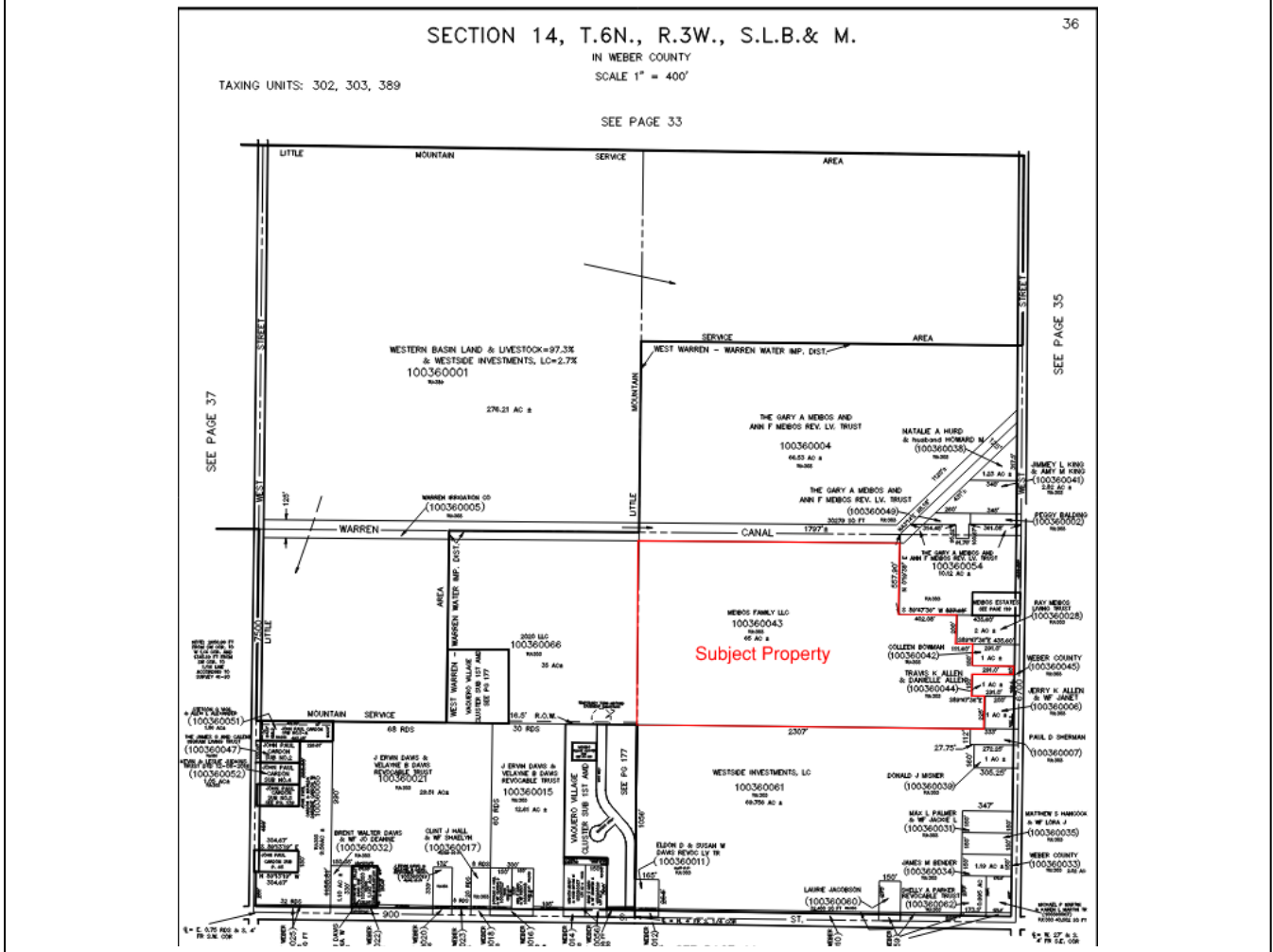
This rezone, if approved, is recommended to be accompanied with a development agreement. Through this development agreement the county can capture additional considerations unique to the property. Even though the rezone will be applicable to the entire subdivision, including existing lots owned by others, the development agreement will not apply to parcels not currently owned by the applicant/developer.

Staff is recommending approval of the rezone.

Policy Analysis

This is a proposed rezone of approximately 65 acres of ground that is currently being used for farming. A rezone to the residential R1-15 zone would create the potential for up to 188 lots. **Figure 1** shows the subject parcels outlined in red.

Figure 1: County Recorder's Plat Map Depicting Exterior Perimeter of the Subject Parcels.



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

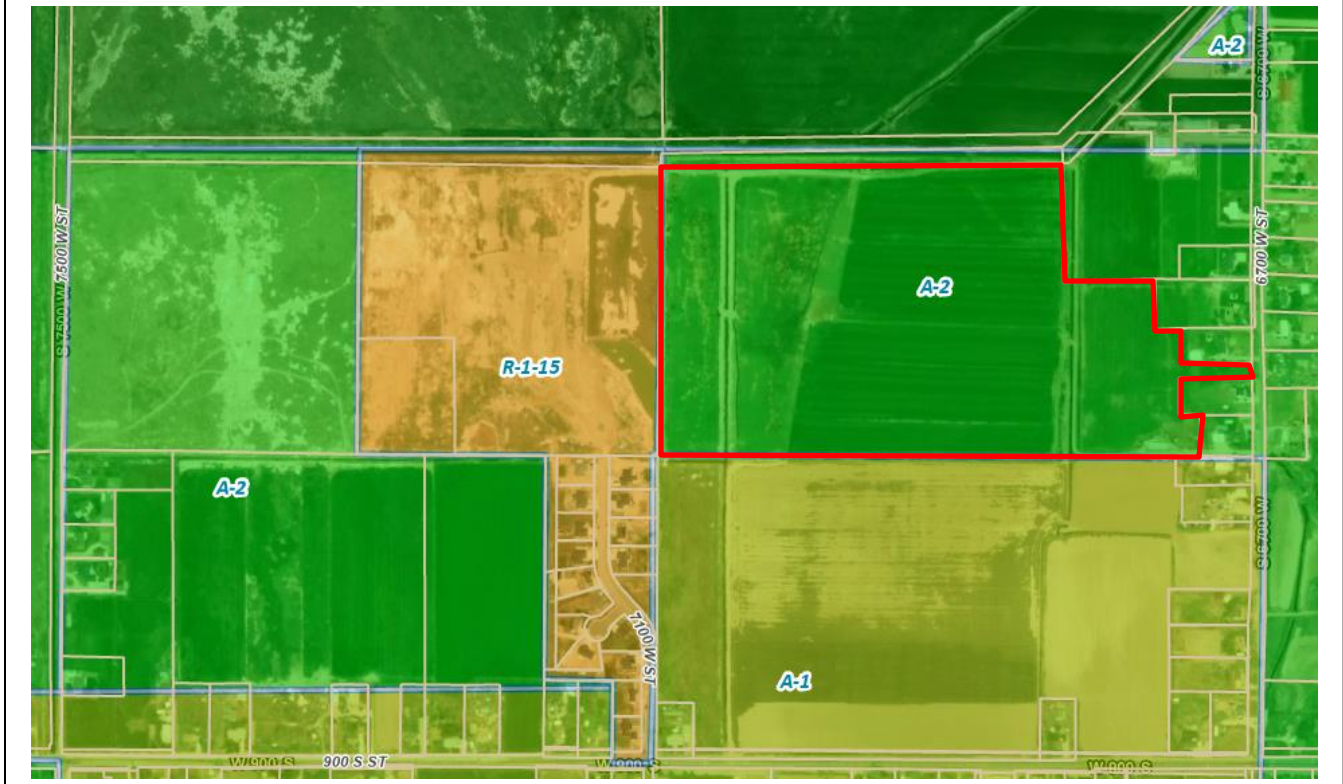
This rezone proposal would utilize the allowances written into the county subdivision code to allow for the developer to calculate the density allowance from the gross land area of 65 acres. If approved, the developer would be able to design within the bounds of the 15,000 square foot maximum density and reduce the lot sizes to a 6,000 SF minimum and a 60' width minimum.

Zoning Analysis

The current zone of the subject property is A-2. **Figure 2**¹ displays current zoning for the area of the subject property. It also shows the configuration of the property within the larger context of the West Weber area. The A-2 zone is an agricultural zone and a low-density rural residential zone for moderate-intensity farming areas where agricultural pursuits and rural environment should be promoted and preserved where possible, the purpose and intent below are intended for low-density rural residential:

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

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



The entire property would be zoned to residential R1-15. The purpose of the R1-15 Zone is:

“... to provide regulated areas for Single-Family Dwelling uses at three different low-density levels. The R1 zone includes the R1-15, R1-12, and R1-10 zones. [...]”³

The proposed rezone can be observed in **Figure 3**⁴, with the yellow polygon depicting the proposed R1-15 zone.

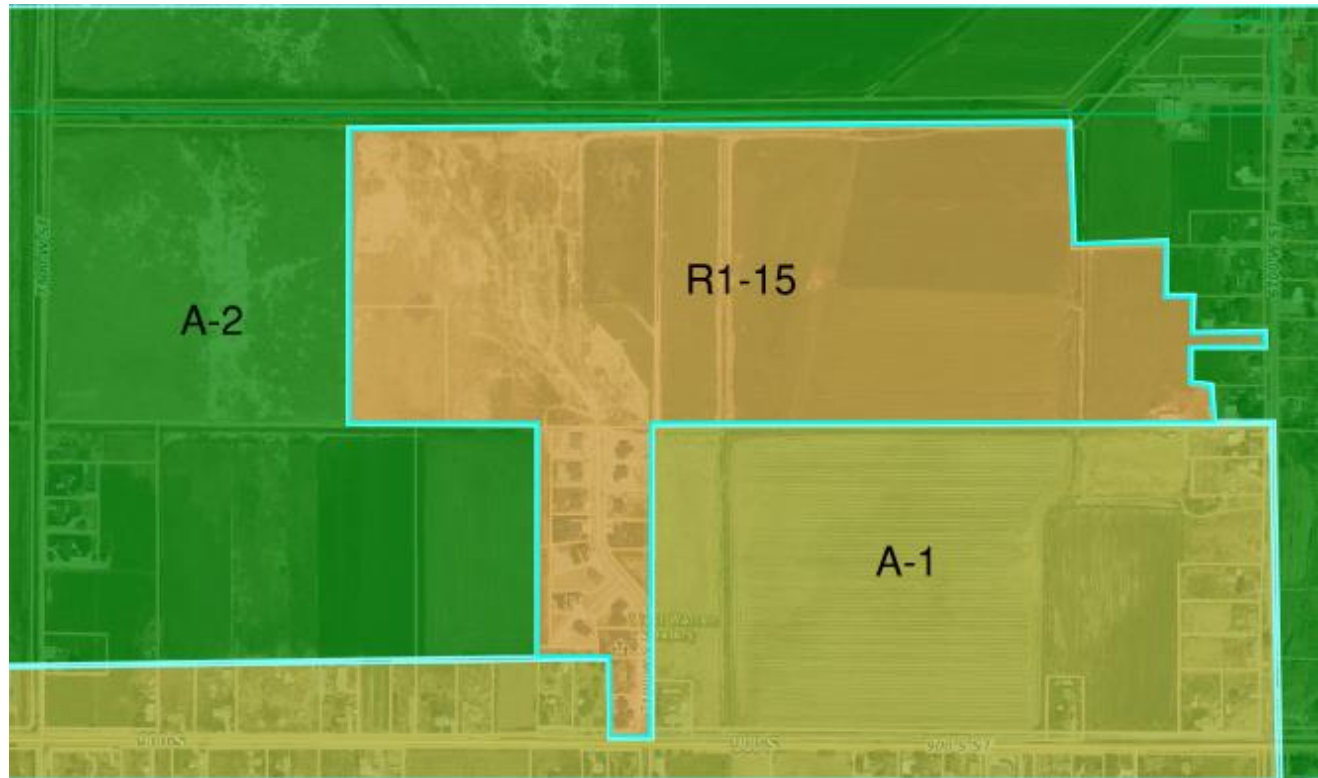
¹ See also Exhibit B.

² Weber County Code Section 104-2-1.

³ Weber County Code Section 104-12-1.

⁴ See also Exhibit C.

Figure 3: Proposed Zoning Map and the Subject Parcel(s).



The R1-15 Zone is intended to support single-family lots that are an average of 15,000 square feet in area. The R1-15 zone was specifically designed to support the residential directives that the Western Weber General Plan prescribes for this area. In addition to the creation of the R1-15 zone, following the directives of the general plan Weber County also adopted modifications to its previously adopted street connectivity incentivized subdivision standards and have since been applying the new standards to all new residential rezones. Typically, compliance with street connectivity incentives is voluntary. When applied to the project through a rezone development agreement, the county can obligate the developer to comply, and from there, all of the standards are compulsory.

Connectivity incentivized development allows the developer to maintain a consistent number of lots while still placing streets, pathways, and open spaces where they can be most optimal given the specific site and surrounding area characteristics.

Through a development agreement, the county can also apply other regulations to the project that may help soften the strict requirements of code if those requirements do not make sense for the specifics of the project, or strengthen sections of code that may not adequately govern the specifics of the project.

Working with the applicant, planning staff have a high degree of confidence that the proposal can meet the R1-15 zone requirements, as well as street and pathway connectivity standards. The site plan may need a few minor changes or reconfigurations here or there, as may be requested by staff prior to final adoption, but the planning commission should be able to find that these changes can successfully occur through the process of drafting a development agreement prior to final county commission consideration.

Exhibit D illustrates the proposed concept plan for the property. Figure 4⁵ illustrates additional staff-suggested details and/or amendments to the proposed concept plan that are anticipated to bring it into full compliance with connectivity standards.

Figure 4: Applicant's Concept Plan, With Staff Comments/Edits



⁵ See also Exhibit E

Weber County Code has six general decision criteria for determining whether a rezone is merited. They are as follows:

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

The following is an analysis of the proposal in the context of these criteria.

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

As a legislative decision, a rezone should advance the goals of the general plan, or at the very least, not be detrimental to them without good cause. The general plan is only a guiding document and not mandatory to follow, however, because it sets the desired future community outcome, deviation from it should be done with caution.

The community character vision is the filter through which all interpretation and understanding of the plan should be run. This is the vision to which all other visions and goals within the plan are oriented. It reads as follows:

*"While the pressure to grow and develop will persist, there is a clear desire for growth to be carefully and deliberately designed in a manner that preserves, complements, and honors the agrarian roots of the community. To do this, Weber County will promote and encourage the community's character through public space and street design standards, open space preservation, and diversity of lot sizes and property uses that address the need for places for living, working, and playing in a growing community."*⁶

The plan prioritizes the implementation of smart growth principles as development occurs. It encourages the county to utilize the rezone process as an opportunity to help developers and land owners gain the benefits of the rezone while implementing the public benefits of these principles. Because the general plan is *general* in nature, no one principle is absolutely mandatory except when adopted into the development code. Similarly, allowing a property to be rezoned is also not mandatory. Both the developer and the County have the ability to substantially gain if a rezone is negotiated well enough.

General Plan Smart Growth Principles

The general plan lists both basic and exemplary smart growth principles. The seven basic smart growth standards are:

1. Street connectivity.
2. Pathway and trail connectivity.
3. Open space and recreation facilities.
4. Dark sky considerations.
5. Culinary and secondary water conservation planning.
6. Emission and air quality.

The proposal's compliance with each of these standards are further provided in this report.

The following nine bullet points is a list of the general plan's exemplary smart growth principles (in italics). A staff analysis regarding how they may relate to this potential project follows each bullet point. Some of these principles

⁶ Western Weber General Plan (p. 21)

are similar to the basic smart growth principles aforementioned, but are designed to provide even greater community benefits.

- *Provision for a wide variety of housing options.*
 - Allowing the developer to plan a residential development with a variety of lot sizes will help prevent the monotony of single-family suburbs while enhancing availability of different housing options.
- *Use of lot-averaging to create smaller lots/housing that responds to the needed moderate income housing.*
 - The developer has not proposed any moderate income housing for this development, however, what has been done in other areas would be to designate a certain percentage of the homes to be made available to the Weber Housing Authority, thereby increasing the supply of more affordable option will help curb the inflation of the housing market.
 - Staff is not specifically recommending a deed restriction for moderate income housing. If the planning commission desires the developer to specifically provide deed-restricted moderate income housing then the planning commission should add the requirement into the recommendation being sent to the commission.
- *Strong trail network with excellent trail connectivity that prioritizes bicycling and pedestrians over vehicles.*
 - The concept plan has strong sidewalk connectivity throughout, especially if staff's additional suggestions are provided.
- *Strong street connectivity and neighborhood connections that avoid the use of cul-de-sacs or deadends.*
 - While the applicant is proposing one short cul-de-sac street, it appears to be necessary given the layout of the park and irrigation pond facilities within the planned Meibos and the Longhorn Estates communities. The applicant has done well to work with staff to provide quality street connectivity wherever else possible.
- *Large and meaningful open space areas with improved parks, recreation, etc.*
 - The applicant is working with the West Warren Park District to provide land and park amenities that will be included with negotiations between the developer and the park district.
- *Homes that have higher efficiency ratings than required by local building codes.*
 - Buildings are required to be constructed to an efficiency standard based on the climate of the area. Usually, buildings located in higher (colder) elevations need to meet greater efficiency standards. However, given the wide degree of temperature swings in the Western Weber area over a one year period, requiring buildings to be constructed to better efficiency ratings may help alleviate the area's future demand on power and gas. This will also help provide better air-quality related to building emissions. Staff suggests that all of homes within the Meibos development are built to include efficiency upgrades such as LED lighting, house wraps, and extra attic insulation.
- *Homes that are built with smart appliances such as thermostats and sprinkler controllers.*
 - Staff recommends requiring smart thermostats and smart sprinkler controllers that will optimize efficiency while being an affordable upgrade. Onsite power generation with solar panels remains to be a wise investment. If the developer is able to include these features as a built-in upgrade, the planning commission may consider adding this limited requirement to the development agreement. To assist with affordability, perhaps this requirement can be waived for residences less than 1800 square feet or those deed restricted for moderate income housing, if any.
- *Provisions that create attractive communities for the long term and that create a distinctive sense of place.*
 - The planning commission may determine that the street and pathway connectivity, park donation, and park dedication accomplishes this principle.
 - One additional item for the planning commission to consider on this point: There are two limited access through streets within the Meibos plan. These types of streets are likely to be lined with rear and/or side yards that may be enhanced with landscaping, fencing, and street art. The county does not currently have means to operate and maintain such street improvements, so if the planning commission desires to require these improvements in this development then it would be advisable to require a professionally managed homeowners association to care for the operations and

maintenance. This is not included in staff's recommendation herein, but can easily be added by the planning commission if so desired.

- *Use of transferable development rights from agricultural lands identified for protection.*
 - The applicant does not desire to transfer more development to this project.

(b) Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property, and if not, consideration of the specific incompatibilities within the context of the general plan.

Since the adoption of the General Plan, many developers have begun the process of transitioning this area from large-lot rural residential and agriculture to medium-lot residential. Longhorn Estates, which is located directly west, was rezoned to the R1-15 zone and is currently being platted into medium-sized lots.

There are also large-lot and agricultural uses nearby. The general plan identifies that many agricultural uses may not be very compatible with residential development/neighborhoods. It is worth evaluating how surrounding agricultural uses may affect this project, and vice versa.

The general plan suggests and acknowledges some incompatibilities will occur as the area develops over time. If the plan is followed, in time, the surrounding area is likely to be more similar to the character of this development than it is the character of the existing area.

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

When considering how this rezone might adversely affect adjacent property, there are a wide array of factors at play. These include impacts on private property rights and nuisances, as well as other factors such as impacts on a landowner's desires for their neighborhood and the intrinsic values they've imbued into that neighborhood.

First and foremost, the Planning Commission should prioritize fact-based adverse impacts. Then consider the perception-based impacts.

If rezoned, the development will change the immediate area. New streets and street connections will be constructed. Small, medium, and medium-large-lot residential uses should be expected. The smaller and relatively denser development will change the visual nature of the area, traffic volumes and patterns, and noise potential. The proposed uses are not expected to be greater than that found in a typical residential neighborhood. When developing, the applicant will be responsible for correcting any material degradation in services that the development might create for the area. Thus, other than potential increases to noise, most of the fact-based effects will be required to be mitigated by the applicant.

(d) The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, stormwater drainage systems, water supplies, wastewater, and refuse collection.

The County's adopted development regulations are designed to specifically require the developer to address their impact on local levels of service. As aforementioned, the applicant will be responsible for mitigating any material degradation of levels of service.

Roadways/Traffic.

Figure 5 shows the planned streets for the area, pursuant to the general plan.

Public roads planned throughout this development are designed for connectivity following the county code. Traffic from the Meibos development and the Longhorn development will be directed to the already built 7100 West Street and 6700 West Street. A Traffic Study for both developments finds that both 7100 West and 6700 West are capable to operate at a level of service B or better with the construction of a deceleration lane at the intersection of 7100 West and 900 South.

Police and Fire Protection

It is not anticipated that this development will generate a greater per capita demand for police and fire protection than typical residential development in the area.

Stormwater Drainage Systems

This is not usually a requirement of rezoning, and is better handled at the time specific construction drawings are submitted. This occurs during subdivision application review.

Water Supply

The property is within the West Warren-Warren Water Improvement District boundaries. The applicant has provided a letter from the district that acknowledges the rezone application and the potential for them to serve.

In addition to the letter from West Warren-Warren Water, County Code⁷ further specifies minimum culinary and secondary water requirements that are applicable to any subdivision. Like stormwater, these requirements are not actually applicable until the owner files an application for a subdivision, and they may change from time to time. But they are worth noting during the rezone process to provide the planning commission with sufficient evidence and a sense of confidence that the provision for both culinary and secondary water is possible for the subject property.

Wastewater

Central Weber Sewer Improvement District will provide sewer services while the gravity sewer lines will be owned and operated by the Little Mountain Sewer District.

Figure 5: Planned Streets – Western Weber General Plan



⁷ Weber County Code, Section 106-4-2.010.

Refuse Collection

It is expected at this time that this development will be served by the county's typical contracted garbage collection service. If different, this can be better fleshed out during subdivision review.

(e) Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.

The Utah Geological Survey provides an inventory of suspected wetlands across the Utah. The map shows that there are no wetlands on the property.

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

Based on the details already provided regarding street accessibility and street connectivity, the planning commission should be able to find that the applicant is proposing sufficient compensation for its impact on both existing and proposed transportation corridors.

Staff Recommendation

After reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the rezone. This recommendation is offered with the following considerations, which are intended to be incorporated into a zoning development agreement:

1. Concept plan update:
 - a. Provide concept plan amendments for compliance with connectivity standards.
2. Density:
 - a. The total density for the entire 65-acre Meibos property shall be limited to 188 dwelling units. No such lots shall be less than 6,000 square feet and no such lots shall be less than sixty feet wide.
3. Parks, open space, and trails:
 - a. Land deeded to the Park District including park amenities is mutually agreed upon between the developer and the park district. Donation for existing lots shall occur with the donation of all lots or units paid prior to the first plat being recorded.
 - b. All 10-foot pathways shall follow the adopted 10-foot paved or concrete pathway standards in the Land Use Code.
 - c. Unless negotiated otherwise with the parks district, the sidewalk and pathway in the proposed park area should include at least one bench every 500 feet of sidewalk or pathway.
 - d. Each pathway and sidewalk within the development should be lined with shade trees in intervals and of species such that the crown of one tree, on average at maturity, will converge with the crown of the adjacent trees. Use at least three different tree varieties dispersed in a manner to avoid transmission of pests/diseases.
4. Streets:
 - a. The proposed street and pathway layout illustrated in the concept plan is sufficient to meet the connectivity standards of the county code.
5. Efficiency: Require each residence greater than 1800 square feet or not otherwise deed restricted for moderate-income housing to:
 - a. Have a smart sprinkler controller, a smart thermostat, extra attic insulation, and house wrap before certificate of occupancy.
6. Weber County's outdoor lighting code should be applied to all lighting in the project.

Staff's recommendation is offered with the following findings:

1. After the considerations listed in this recommendation are applied through a development agreement, the proposal generally supports and is anticipated by the vision, goals, and objectives of the Western Weber General Plan.
2. The project is beneficial to the overall health, safety, and welfare of the community, as provided in detail in the Western Weber General Plan.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Model Motion

The model motions herein are only intended to help the planning commissioners 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 planning 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 we forward a positive recommendation to the County Commission for File #ZMA2024-08, an application to rezone approximately 65 acres of land located at approximately 691 South 6700 West, from the A-2 zone to the R1-15, as illustrated in Exhibit C.

I do so with the following findings:

Example findings:

1. *The changes are supported by the Western Weber General Plan.*

Project Name: -Meibos Family LLC-Zoning Map Amendments
Address: 691 S 6700 W
Project Type: Zoning Map Amendments
Project Sub Type: Zoning Map Amendments
Created By: Pat Burns
Created On: 5/14/2024
Project Status: Accepted
Status Date: 6/13/2024
File Number: ZMA2024-08
Project Manager: Felix Lleverino

Application

Project Description:

Meibos Farms Subdivision changing from an A1 zone to R1-15.

Property Address:

691 S 6700 W

Property Owner:

Meibos Family LLC

801-710

pat@lynconstruction.com

Representative:

Pat Burns

801-710

pat@lynconstruction.com

Accessory Dwelling Unit:

False

Current Zoning:

A-1

Subdivision Name:

Number of Lots:

0

Lot Number:

Lot Size:

Frontage:

Culinary Water Authority:

West Warren-Warren Water

Secondary Water Provider:

Not Applicable

Sanitary Sewer Authority:

Little Mountain

Nearest Hydrant Address:

Signed By:

Pat Burns

Parcel Number(s):

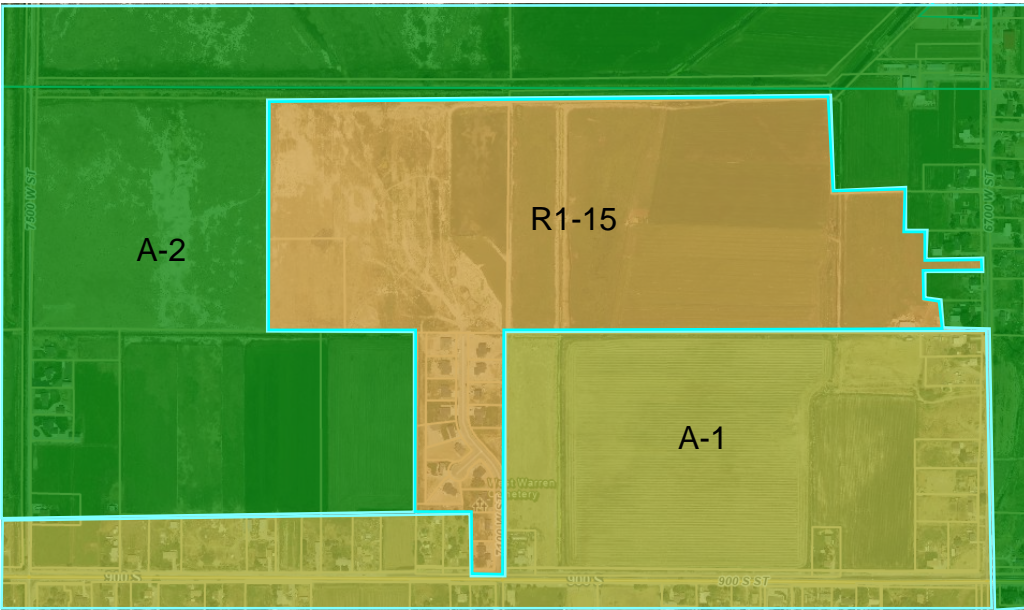
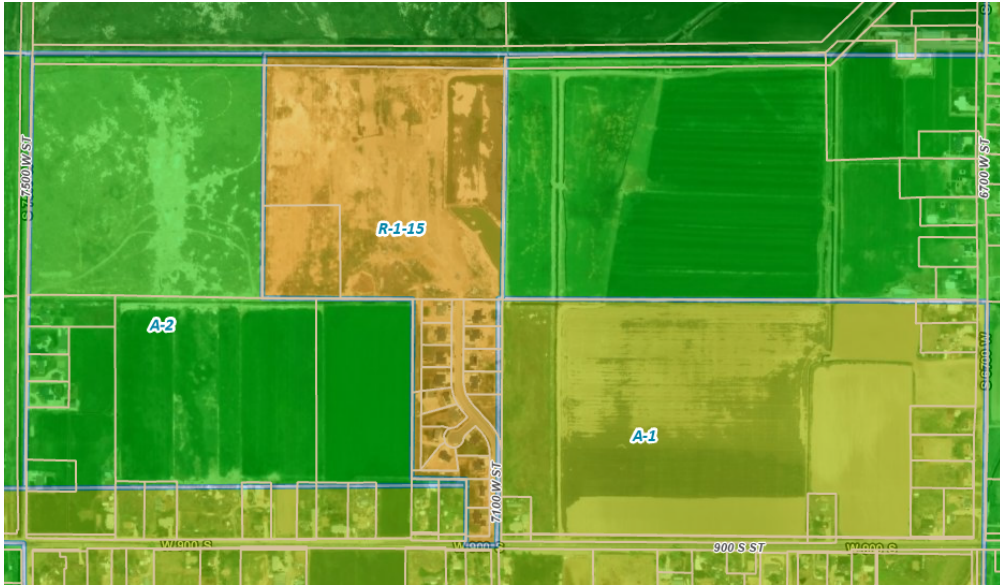
100360043

Building Descriptions:

Description:	Building Square Feet:	Valuation:
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Contractors:

Type:	Name:	Contact:	Address:
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Vicinity Map
NOT TO SCALE



REVISIONS	DESCRIPTION

DATE

Longhorn/
Longhorn East
WEBER COUNTY, UTAH

Longhorn East Concept Plan



Project Info.
 Engineer: J. NATE REEVE, P.E.
 Planner: C. CAVE
 Drafter: J. MEYERS
 Name: Longhorn/
 Longhorn East
 Number: 6298-32



What is planned for this space?

Longhorn East

Weber County, Utah

Developer:
 Lync Construction
 Pat Burn
 1946 W. 5600 S.
 Roy, UT. 84067
 (801) 710-2234



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: ZTA2024-05 - A public hearing and possible action on a request to amend the residential zones to add an R1-5 single family zone and to amend the R3 zone to create R3-A and R3-S zones to provide for a multifamily attached zone and a multifamily stacked zone, and to amend the site development standards for all R1, R2, and R3 zones, and related clerical and administrative amendments.

Applicant: Jeff Meads and Kameron Spencer.

Agenda Date: Tuesday, September 17, 2024

File Number: ZTA 2024-05

Staff Information

Report Presenter: Charlie Ewert
cewert@co.weber.ut.us
(801) 399-8763

Report Reviewer: RG

Applicable Ordinances

§101-2: Definitions	§106-2-1: Street Configuration
§104-1-1: Establishment of Zones	§106-2-2: Street Standards
§104-12: Single-Family Residential Zones	§106-2-4: Lot Standards

Legislative Decisions

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

Summary and Background

The Western Weber General Plan's Future Land Use Map designates much of the Western Weber Planning Area for "medium-sized residential" lots and land uses. The plan also calls for some areas along major transportation corridors and villages to have a mixture of various housing types (mixed housing). Mixed housing, generally, is described as various housing types that the private market is demanding. This designation is intended to allow the market to drive the types of residential land uses, and will hopefully result in a wide variety and mixture of housing types in a medium-to-high density development pattern.

On May 16, 2023, the county amended various land use ordinances to help implement these new housing development policies in the unincorporated Western Weber area (Ord No. 2023-10). Among these amendments there was a new zone created, the R1-15 zone, and density incentives were implemented for quality street and pathway connectivity.

The county has had a little over a year to negotiate quality development patterns with various developers based on these new ordinances and the general plan. Along the way, one emerging theme seems to be that good street and pathway connectivity should not need to be incentivized. It should be required. Another emerging theme is the desire to encourage a variety of lot sizes and development patterns in a manner that creates diverse age-in-place communities rather than only implementing one lot size for each new neighborhood.

In addition, the county has received an application to amend the residential zones to enable more flexible lot development standards in a manner that will modernize the county's residential (R1, R2, and R3) zones and help create communities that are based on new urbanism zoning reform principles.

On September 3, 2024, the planning commission reviewed the proposed changes in work session and requested

a few clarifications/modifications. The attached Exhibit A contains the amendments created through this effort, and the requested changes/modifications are highlighted in yellow.

Policy Analysis

Policy Considerations:

Ordinance Amendments (See Exhibit A):

General Revisions:

When reviewed together, the R1, R2 and R3 zones create the original basis of a typical residential zoning ordinance. It is believed that the county initially adopted a typical R1, R2, and R3 residential zoning ordinance, but due to unique changes over time, the ordinances crept away from the simplicity of the three zone stratification toward a more complicated and less structurally organized amalgamation ordinances.

With the adoption of Ord No. 2023-10, the county reunited these three successive residential zoning tools into one zoning chapter. That amendment consolidated two single family residential zones under one parent R1 zone, but still provided for the separate R1 zone types as subzones R1-15, R1-12, and R1-10. This proposal adds an R1-5 zone to the mix to allow for even greater residential densities where deemed appropriate by the general plan. It also will stratify the R3 zone into two R3-A and R3-S subzones. The A stands for attached residential (or horizontal residential development), and the S stands for stacked (or vertical residential development).

For the revised R1, zones, the proposal steers away from the typical minimum lot sizes of 15,000, 12,000, 10,000, and 5,000 square feet in favor of a maximum density allowance. The maximum density allowance of an areas will still be based on these 15,000, 12,000, 10,000, and 5,000 square feet standards, but rather than using them as lot minimums, they are instead used to inform the max density allowed while allowing much more flexible minimum lot standards.

The following provide a synopsis of each change, listed in the order they appear in the proposed ordinance.

§101-2: Definitions:

The proposal refines the definition of “single-family residential” to make it clear that unless the code explicitly states otherwise, as would be the case for “attached single-family residential,” whenever it uses the term single family-residential it is referring to “detached single-family residential.”

§104-1-1: Establishment of Zones

These edits are clerical in nature. Simply attempting to provide better organization while adding in the new proposed subzones.

§104-12: Residential Zones R1, R2, and R3

§104-12-1: Purpose and Intent

These amendments add in the R1-5 zone and separate the R3 zone into the R3-A and R3-S zones, and explain the purpose and intent of each.

§104-12-3: Land Use Table

These changes add in the new R1-5 and R3-A and R3-S zones to the residential zone’s land use tables, and sets land use permissions in each based on the purpose of the zone.

§104-12-4: Special Regulations

This section of code is a new proposal that the planning commission has not previously reviewed. It is intended primarily to spell out the minimum development standards for all non-single-family-detached dwelling units. For consistency’s sake across other zones it also includes a provision for “temporary buildings or uses.”

§104-12-5: Site Development Standards

This section is where the substantial amendments reside. It adds a new “allowed density” development standard, a significantly reduces minimum lot sizes, widths, and setbacks without enabling more density than that in the “allowed density” standard. If some lots are platted at the minimum size allowed, then by the nature of the max density standard other lots in the development will have to be bigger, or more area will need to be set aside for open spaces or community areas.

2. PATHWAY & TRAIL CONNECTIVITY

Street connectivity is an important smart growth principle, and pathway, trail, and sidewalk connectivity is an even more important principle. If a community is designed to focus transportation resources only on vehicles, then the residents of that community are only given one safe choice.

Strong pathway and trail connectivity considers that human nature leads to the use of paths of least resistance. Pathway connectivity should occur more frequently than street connectivity. More regarding pathway design and connectivity can be found in **Chapter 5: Transportation**.

3. OPEN SPACE & RECREATION FACILITIES

Providing for the emotional, mental, and physical wellbeing of residents is another smart growth principle. Communities with plenty of open space and recreational opportunities tend to have lower crime rates, better overall physical health, better social connections, and a better and more meaningful quality of life. More regarding open space and recreation can be found in **Chapter 7: Parks & Recreation**.

1

GOAL 1 – RESIDENTIAL LAND USE: As residential growth occurs, a goal of Weber County is to ensure it is deliberately and thoughtfully planned in patterns that support efficient organization of infrastructure and services, provide for a variety of housing options and familial situations and, in tandem with Transportation Goal 1, is implemented in a manner in which infrastructure keeps pace with growth rather than stimulating leap-frog development patterns.

- **Land Use Action Item 1.2.1:** In areas planned for medium-sized lots, the County should consider rezoning property to allow 15,000 square-foot lots. Generally, this coincides with the RE-15 zone. A rezone of this nature should only be allowed if smart-growth implementation strategies are volunteered by the developer, as provided in **Land Use Principle 1.4**.
- **Land Use Action Item 1.2.2:** Smaller lot sizes, generally as small as ¼ acre on average, in areas planned for medium-sized lots could be allowed for master-planned communities, lot averaged subdivisions, connectivity incentivized subdivisions, cluster or conservation subdivisions, and other developments that propose to implement exemplary smart-growth principles, as provided in **Land Use Action Item 1.4.6**. There may be benefit to encouraging and incentivizing large acreage master planned development with additional density based on commensurate public benefit both inside and outside of the proposed master plan. Additional density should be considered to provide this incentive.

LAND USE PRINCIPLE 1.3: In areas planned for mixed-use residential, as illustrated on the **Map 5: Future Land Use**, a variety of housing types and lot designs should be allowed.

- **Land Use Action Item 1.3.1:** Create a mixed-use residential zone, or similar development regulatory tool such as a form-based code, that allows a wide variety of housing options. A variety of housing options can be created by substantially reducing lot development standards, allowing more than one residential unit per lot, allowing zero or very low side-yard setbacks, and increasing building height allowances. Establish building height allowances that are sensitive to the surrounding existing and planned land use and development.
- **Land Use Action Item 1.3.2:** With the creation of the mixed-use residential zone or similar, create two-, three-, four-, and multi-family building design standards that will support context-appropriate scale and help avoid unsightly appearing mobile-home or tiny-home developments. Ensure a building's wall massing and vertical and horizontal lines, contours, and edges are broken at certain intervals to avoid buildings that appear plain and uninteresting. Continue to support a minimum width requirement for a single-family dwelling.

The residents of the Western Weber Planning Area recognize that housing attainability is essential to the stability of sustainable communities. Residents want housing options that provide for the housing needs and desires of a diverse, vibrant, and inclusive population. Residents recognize that current housing options and supply are so constrained that housing affordability is becoming unattainable for newer families that are less economically established, as well as the aging population that might be on fixed incomes. Housing choices should be attainable for people at various incomes, ages, and stages of life. Locating higher housing densities in close proximity to walkable village areas and better transportation options will help secure access to opportunities for many, and providing other areas in which medium and large-lot single-family neighborhoods can organically evolve will provide for the rest.

2

GOAL 2 – HOUSING: Provide housing choices in neighborhoods that will allow residents with a variety of incomes and at different stages of life to live in West Central Weber.

HOUSING PRINCIPLE 2.1: Encourage residential development projects to incorporate a mix of housing sizes, types, and prices while aligning with neighborhood design standards and supporting community sustainability.

1

GOAL 1 – TRANSPORTATION: Consistent with Land Use Goal 2, ensure the transportation network is designed and implemented in a smart growth manner in tandem with population increases and installation of new or higher intensity land uses.

TRANSPORTATION PRINCIPLE 1.2: Provide efficient regional street access.

- **Transportation Action Item 1.2.1:** Locate and design new development with direct, redundant, and multi-modal access to major corridors.

4

GOAL 4 – TRANSPORTATION: Plan, design, and build connected street and pathway networks.

TRANSPORTATION PRINCIPLE 4.1: Generally, establish a regular, connected network of collector streets at quarter section (half-mile) lines.

TRANSPORTATION PRINCIPLE 4.2: Follow the basic principles for street and pathway connectivity – connected streets, frequent intersections, and small blocks.

TRANSPORTATION PRINCIPLE 4.3: Create connected streets for all land use contexts.

- Transportation Action Item 4.3.2:** Continue to support connectivity incentivized subdivisions by offering smaller lot sizes as a bonus for good connections, as provided in *Land Use Action Item 1.2.2.*

Staff Recommendation

Staff recommends that the Planning Commission consider the text included as Exhibit A and offer staff feedback for additional consideration, if any. Alternatively, when/if the Planning Commission is comfortable with the proposal, a positive recommendation should be passed to the County Commission.

Model Motion

The model motions herein are only intended to help the planning commissioners 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 planning 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 we forward a positive recommendation to the County Commission for File #ZTA2024-05, an application to add an R1-5 single family zone and to amend the R3 zone to create R3-A and R3-S zones to provide for a multifamily attached zone and a multifamily stacked zone, and to amend the site development standards for all R1, R2, and R3 zones, and related clerical and administrative amendments as provided in Exhibit A. I do so with the following findings:

Example findings:

- The changes are supported by the Western Weber General Plan.*
- The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
- The changes will enhance the general health and welfare of Western Weber residents.*
- _____ add any other desired findings here _____.

Motion for positive recommendation **with changes:**

I move we forward a positive recommendation to the County Commission for File #ZTA2024-05, an application to add an R1-5 single family zone and to amend the R3 zone to create R3-A and R3-S zones to provide for a multifamily attached zone and a multifamily stacked zone, and to amend the site development standards for all R1, R2, and R3 zones, and related clerical and administrative amendments as provided in Exhibit A, **but with the following additional edits and corrections:**

Example of ways to format a motion with changes:

- Example: On line number _____, it should read: _____ [state desired edits here] _____.*
- Etc.*

I do so with the following findings:

Example findings:

- The changes are supported by the Western Weber General Plan.*
- The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
- The changes will enhance the general health, safety, and welfare of Western Weber residents.*
- [Example: allowing short-term rentals runs contrary to providing affordable long-term rental opportunities]*
- [Example: etc]*

Motion to table:

I move we **table** action on File #ZTA2024-05, an application to add an R1-5 single family zone and to amend the R3 zone to create R3-A and R3-S zones to provide for a multifamily attached zone and a multifamily stacked zone, and to amend the site development standards for all R1, R2, and R3 zones, and related clerical and administrative amendments as provided in Exhibit A, 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 we forward a recommendation for **denial** to the County Commission for File #ZTA2024-05, an application to add an R1-5 single family zone and to amend the R3 zone to create R3-A and R3-S zones to provide for a multifamily attached zone and a multifamily stacked zone, and to amend the site development standards for all R1, R2, and R3 zones, and related clerical and administrative amendments as provided in Exhibit A. **I do so with the** following findings:

Examples 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 changes to be implemented.*
- *_____ [add any other desired findings here] _____.*

Exhibits

- A. Proposed Amendments (Redlined Copy).

EXHIBIT A

WEBER COUNTY
ORDINANCE NUMBER 2024-_____

AN AMENDMENT TO VARIOUS SECTIONS OF THE COUNTY'S LAND USE CODE TO UPDATE THE STANDARD RESIDENTIAL ZONES AND RELATED PROVISIONS AND STANDARDS, STREET AND PATHWAY CONNECTIVITY AND IMPROVEMENT REQUIREMENTS, AND RELATED CLERICAL AMENDMENTS.

WHEREAS, The Board of Weber County Commissioners has heretofore adopted land use regulations that govern the uses and development of land in unincorporated Weber County; and

WHEREAS, The Western Weber General Plan recommends development patterns and outcomes that the County's current land use regulations are not likely to optimally provide; and

WHEREAS, The Board of Weber County Commissioners desire to implement land use and development regulations and guidance that will help achieve the goals and objectives of the new Western Weber General Plan; and

WHEREAS, on [REDACTED], the Western Weber Planning Commission, after appropriate notice, held a public hearing to consider public comments regarding the proposed amendments to the Weber County Land Use Code and offered a positive recommendation to the Board of Weber County Commissioners for the proposed amendments; and

WHEREAS, on [REDACTED], the Board of Weber County Commissioners, after appropriate notice, held a public hearing to consider public comments on the same; and

WHEREAS, the Board of Weber County Commissioners hereby find that the proposed amendments herein substantially advance many goals and objectives of the Western Weber General Plan; and

WHEREAS, the Board of Weber County Commissioners find that the proposed amendments serve to create the necessary regulatory framework that will guide future development of neighborhoods and communities;

NOW THEREFORE, be it ordained by the Board of County Commissioners of Weber County, in the State of Utah, as follows:

SECTION 1: AMENDMENT. The Weber County Code is hereby *amended* as follows:

2 **Part II Land Use Code**

3 ...

4 **TITLE 101 General Provisions**

5 ...

6 **Chapter 101-2 Definitions**

7 ...

8 **Sec 101-2-5 D Definitions**

9 ...

10 **Dwelling.** The term "dwelling" means a building or portion thereof, which is constructed in compliance with
11 the county's adopted building codes and designed as a place for human habitation. This does not include
12 a hotel or hotel room, condominium rental apartment (condo-tel), boardinghouse, lodging house, tourist
13 court or apartment court.

14 **Dwelling, four-family.** The term "four-family dwelling," also referred to as a "quadplex," means a building
15 arranged or designed to contain only four dwelling units with approximately the same floor area, and
16 occupying one lot or parcel.

17 **Dwelling, group.** The term "group dwelling" means two or more dwellings arranged around a court.

18 **Dwelling, multiple-family (multi-family).** The term "multiple-family dwelling," also referred to as a "multi-
19 family dwelling," means a building or portion thereof arranged or designed to contain more than four
20 dwelling units, including an apartment building and condominium building.

21 **Dwelling, primary.** The term "primary dwelling" means a single-family dwelling comprising a single
22 building, not attached to other buildings, and is the building designed to be the main dwelling on the lot.
23 Typically, the main dwelling is in the building that is most visually prominent when viewed from the front lot
24 line.

25 **Dwelling, single-family.** The term "single-family dwelling," [also referred to as "single-family detached](#)
26 [dwelling,"](#) means a building or portion thereof arranged or designed to exclusively contain only one dwelling
27 unit, unless specified otherwise by this Land Use Code, and occupying one lot or parcel.

28 **Dwelling, single-family attached.** The term "single-family attached dwelling" means a building containing
29 two or more dwelling units attached by a common wall or walls, where each dwelling unit is located on a
30 separate lot. This is traditionally known as a townhome or townhouse.

31 [Dwelling, single-family detached. See "single-family dwelling."](#)

32 **Dwelling, three-family.** The term "three-family dwelling," also referred to as a "triplex," means a building
33 arranged or designed to contain only three dwelling units with approximately the same floor area, and
34 occupying one lot or parcel.

35 **Dwelling, two-family.** The term "two-family dwelling" also referred to as a "duplex," means a building
36 arranged or designed to contain only two dwelling units with approximately the same floor area, and
37 occupying one lot or parcel.

38 **Dwelling unit.** The term "dwelling unit" means any building or portion thereof that contains living facilities,
39 including provisions for sleeping, eating, cooking and sanitation, for not more than one family.

40 **Dwelling unit, accessory.** The term "accessory dwelling unit," also referred to as an "ADU," means a
41 dwelling unit, as defined by this chapter, that is incidental and accessory to a main use of a lot or parcel, as
42 may be allowed in this Land Use Code.

43 **Dwelling unit, condominium.** See "condominium dwelling unit."

44 **Dwelling unit, detached accessory.** The phrase "detached accessory dwelling unit" means an accessory
45 dwelling unit that is located in an accessory building.

46 **Dwelling unit, internal accessory.** The phrase "internal accessory dwelling unit" means an accessory
 47 dwelling unit that is created within the footprint of a primary dwelling unit for the purpose of offering a long-
 48 term rental.

49 **Dwelling unit, owner occupied.** The phrase "owner occupied dwelling unit" means a dwelling unit that is
 50 occupied by the owner of record for a minimum of seven months of the calendar year, except that temporary
 51 leave for religious, military, or other legitimate purposes does not disqualify owner occupancy. A primary
 52 dwelling, as designated by the County Assessor, qualifies as an owner occupied dwelling unit, unless clear
 53 evidence exists to the contrary.

54 **Dwelling unit, townhome.** See "single-family attached dwelling."

55 ...

56 **TITLE 104 ZONES**

57 **Chapter 104-1 In General**

58 **Sec 104-1-1 Establishment Of Zones**

59 For the purpose of this title, the Territory of Weber County to which this title applies is divided into classes
 60 of zones as follows:

ZONE DISTRICT	ZONE CATEGORY	ZONE NAME	
Gravel Zone	Gravel	G	
Agricultural Zones	Agricultural	A	A-1
			A-2
A-3			
	Agricultural Valley	AV	AV-3
Forest Zones	Forest	F	F-5
			F-10
			F-40
	Forest Valley	FV	FV-3
Shoreline Zone	Shoreline	S	S-1
Residential Zones	Residential Estates	RE	RE-15
			RE-20
	Single-Family	R1	R1-15
			R1-12
			R1-10

Commercial Zones			R1-5
	Two-Family	R2	R2
	Multi-Family	R3	R3-A
			R3-S
	Forest Single-Family	FR	FR-1
	Forest Multi-Family		FR-3
	Mobile/Manufactured Home Park	RMH	RMHP
	Manufactured Home		RMH-1-6
	Neighborhood Commercial	C	C-1
	Community Commercial		C-2
	Regional Commercial		C-3
	Neighborhood Commercial Valley	CV	CV-1
Community Commercial Valley	CV-2		
Manufacturing Zones	Manufacturing and Technology	M	M-T
	Light Manufacturing		M-1
	Medium Manufacturing		M-2
	Heavy Manufacturing		M-3
	Valley Manufacturing	MV	MV-1
Form-Based Zone	Form-Based	FB	
Open Space Zone	Open Space	O-1	
Master Planned Development Overlay Zone	Master Planned Development	MPDOZ	
Ogden Valley Sensitive Lands Overlay Zone	Sensitive Lands	SLOZ	
Recreation Resort Zones	Commercial Valley Resort Recreation	CVR-1	

	Ogden Valley Destination and Recreation Resort	DRR-1
Large Solar Energy System Overlay Zone	Solar Energy	SOZ

61 ...

62

63 **Chapter 104-12 Residential Zones R1, R2, and R3**

64

65 **Sec 104-12-1 Purpose And Intent**

66 (a) The purpose of the R1 zone is to provide regulated areas for Single-Family Dwelling uses at ~~three-four~~
67 different low-~~to-medium~~- density levels. The R1 zone includes the R1-15, R1-12, ~~and R1-10, and R1-5~~
68 zones. Any R-1-12 and R-1-10 zones shown on the zoning map or elsewhere in the Land Use Code
69 are ~~synonymous with~~~~references to~~ the R1-12 and R1-10 zones, respectively.

70 (b) The purpose of the R2 Zone classification is to accommodate a need for moderate density residential
71 districts incorporating both Single-Family Dwellings and Two-Family Dwellings. Any R-2 zone shown
72 on the zoning map or elsewhere in the Land Use Code is ~~synonymous with~~~~with a reference to~~ the R2
73 zone.

74 (c) The purpose of the R3 Zone classification is to provide residential areas that will accommodate the
75 development of ~~a wide variety of~~ dwelling types, ~~ranging~~ from Single-Family Dwellings through Multiple-
76 Family Dwellings with their associated necessary public services and activities. ~~The R3 zone includes~~
77 ~~the R3-A and R3-S zones. The "A" in R3-A stands for attached and generally allows all types of~~
78 ~~residential dwellings except stacked residences. The "S" in R3-S stands for stacked and generally~~
79 ~~allows all types of residential dwellings, including stacked, but excluding single-family detached. ~~†~~The~~
80 ~~R3 zone~~ is also to provide an orderly transition from less intensive, lower density uses to more intensive,
81 higher density uses. Any R-3 zone shown on the zoning map or elsewhere in the Land Use Code is
82 synonymous with the R3 zone.

83 **Sec 104-12-2 (Reserved)**

84 **Sec 104-12-3 Land Use Table**

85 The following tables display the uses permitted, conditionally permitted, or not permitted in these Residential Zones. The letter "P" indicates a permitted use
 86 in the zone. The letter "C" indicates a use that requires a conditional use permit, as governed by Title 108, Chapter 4, in the zone. The letter "N" indicates a
 87 use that is prohibited in the zone. A use listed is a main use, unless specifically listed as an accessory use.

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

	R1				R2	R3		SPECIAL REGULATIONS
ACCESSORY USES	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Accessory building , when accessory and incidental to the use of a main building and when not otherwise specified in this table.	P	P	P	P	P	P	P	
Accessory Dwelling Unit.	P	P	P	P	P	P	N	See Title 108, Chapter 19. This use is only allowed when accessory to one Single-Family Dwelling per Lot.
Accessory use , when accessory and incidental to a permitted or conditional use and when not otherwise specified in this table.	P	P	P	P	P	P	P	
Accessory uses for a cemetery , including but not limited to a mortuary, crematory, staff housing, service shop and chapel.	N	N	N	N	P	P	P	
Home occupation , when accessory to a residential use.	P	P	P	P	P	P	P	See Title 108, Chapter 13.
Household pets , when accessory to a residential use.	P	P	P	P	P	P	P	

Main building , which is accessory to, and designed or used to accommodate, a main use.	P	P	P	<u>P</u>	P	P	<u>P</u>	
Parking lot , when accessory to a main use allowed in the zone.	P	P	P	<u>P</u>	P	P	<u>P</u>	
Temporary building or use , accessory and incidental to onsite construction work typical for the area.	P	P	P	<u>P</u>	P	P	<u>P</u>	The building or use shall be removed upon completion or abandonment of the construction work.

89

90 (b) **Agricultural uses, non-animal**

	R1				R2	R3		SPECIAL REGULATIONS
AGRICULTURAL USES, NON-ANIMAL	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Agriculture, limited.	P	P	P	<u>P</u>	P	P	<u>P</u>	Limited to noncommercial crop production in private or community gardens no greater than one acre.

91

92 (c) **(Reserved)**

93 (d) **Commercial uses.** The following are uses that typically generate customer-oriented traffic to the Lot or Parcel.

	R1				R2	R3		SPECIAL REGULATIONS
COMMERCIAL USES	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Child day care.	C	C	C	<u>C</u>	C	C	<u>C</u>	

94 (e) **Institutional or governmental uses.**

INSTITUTIONAL OR GOVERNMENTAL USES	R1				R2	R3		SPECIAL REGULATIONS
	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Cemetery.	P	P	P	P	P	P	P	At least half an acre devoted to the cemetery shall be provided.
Church, synagogue, or similar building used for regular religious worship.	P	P	P	P	P	P	P	
Convalescent or rest home.	N	N	N	N	P	P	P	
Private park, playground or recreation area. Fees collected, if any, shall be devoted to operations and maintenance of the park. No commercial venture allowed.	C	C	C	C	C	C	C	A private park and related infrastructure approved as part of a subdivision or development agreement shall be a permitted use provided compliance with the standards of Title 108, Chapter 4.
Public building. A building used by a governmental agency, or a nonprofit entity that provides typical governmental or government-sponsored functions.	P	P	P	P	P	P	P	
Public park, recreation grounds and associated buildings.	P	P	P	P	P	P	P	
Public school, or private educational institution having a curriculum similar to that ordinarily given in public schools.	P	P	P	P	P	P	P	

95 (f) **Residential uses.**

RESIDENTIAL USES	R1				R2	R3		SPECIAL REGULATIONS
	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Dwelling, Group. A group dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	P	P	P	See Section 108-7-11. No more than 24 Dwelling units allowed per Lot.
Dwelling, Single-Family. A Single-Family Dwelling, as defined by Title 101, Chapter 2.	P	P	P	P	P	P	N	
Dwelling, Single-Family Attached. A Single-Family Attached Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	P	P	P	In the R2 zone, no more than two dwelling units allowed per Lot.
Dwelling, Two-Family. A Two-Family Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	P	P	P	See Section 104-12-4
Dwelling, Three-Family. A Three-Family Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	N	P	P	See Section 104-12-4
Dwelling, Four-Family. A Four-Family Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	N	P	P	See Section 104-12-4
Dwelling, Multi-Family. A Multi-Family Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	N	P	P	See Section 104-12-4
Residential facility for elderly persons.	P	P	P	P	P	P	P	See Section 108-7-15.
Residential facility for handicapped persons.	P	P	P	P	P	P	P	See Section 108-7-13.
Residential facility for troubled youth.	P	P	P	P	P	P	P	See Section 108-7-14.
Short-term rental. A short-term rental.	N	N	N	N	N	N	N	See Section 108-7-11.

96

97 (g) **Utility uses.**

UTILITY USES	R1				R2	R3		SPECIAL REGULATIONS
	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Public utility substations.	C	C	C	C	C	C	C	See Section 108-10-2.
Water storage reservoir, when developed by a utility service provider.	C	C	C	C	C	C	C	See Title 108, Chapter 10.

98

99 **Sec 104-12-4 (Reserved) Special Regulations**

100 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-12-3. Due to the nature of the use, each shall be further
101 regulated as follows:

102 (a) **Dwelling unit design standards.** All Dwellings except for a Single Family Detached Dwelling shall be designed in accordance with the following minimum
103 design standards:

- 104 (1) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.
- 105 (2) **Building massing.** The wall massing of building facades shall be broken at least every 30 feet with no less than a six inch shift in the plane of
106 adjacent walls.
- 107 (3) **Building material.** Each building facade that faces the street shall consist of brick, stone, or wood, or a faux material, such as fiber cement, that is
108 hard for the Land Use Authority to distinguish from real brick, stone, or wood. Metal may be used for accent material covering less than 25 percent
109 of any facade, excluding area for window and door openings. At least one of the building materials used on the building facade shall also be used on
110 all other sides of the building.
- 111 (4) **Colors.** At least two muted earth-tone colors generally visible from the site are required.
- 112 (5) **Repetitious building facades.** When multiple Dwelling Units with substantially similar floor plans will be located on the same Street Block, whether
113 mirrored or not, no less than seven unique Dwelling Unit facade patterns that use unique architectural design features and materials shall be used
114 and distributed in a manner that avoids the obvious repetition of the same pattern, whether mirrored or not, within visual proximity of another. This
115 provision shall not apply to a stacked Multi-Family Dwelling or to any Dwelling Unit within a building that has one common street-facing front entrance
116 and a street-facing facade that gives the visual appearance of a Single-Family Dwelling.

117 (b) **Temporary building or use.** The building or use shall be removed upon completion or abandonment of the construction work.

118

119 **Sec 104-12-5 Site Development Standards**

120 The following site development standards apply to the Residential Zones R1, R2, and R3, unless specified otherwise in this Land Use Code

121 (c) Allowed density:

	R1				R2	R3		SPECIAL REGULATIONS
<u>ALLOWED DWELLING UNIT DENSITY</u>	<u>R1-15</u>	<u>R1-12</u>	<u>R1-10</u>	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
<u>Total allowed units.</u> The total number of dwelling units allowed in any given area shall be no more than the gross area divided by:	<u>15,000 square feet</u>	<u>12,000 square feet</u>	<u>10,000 square feet</u>	<u>5,000 square feet</u>	<u>4,000 square feet</u>	<u>3,000 square feet</u>	<u>1,800 square feet</u>	
<u>Maximum allowed units per acre.</u> Maximum allowed dwelling units per acre:	<u>2.90</u>	<u>3.63</u>	<u>4.36</u>	<u>8.71</u>	<u>10.9</u>	<u>14.5</u>	<u>24.2</u>	

122

123 (a)(d) Lot area:

LOT AREA	R1				R2	R3		SPECIAL REGULATIONS
	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Minimum Lot area, Single-Family Dwelling. The minimum Lot area for a Single-Family Dwelling shall be:	15,000 square feet	12,000 square feet	10,000 square feet		6,000 square feet	3,000 square feet		See alternative Lot area allowances elsewhere in this Land Use Code for cluster subdivisions, lot-averaged subdivisions, and connectivity-incentivized subdivisions
Minimum Lot area, non-Single-Family Dwelling. The minimum Lot area for all Dwellings other than a Single-Family Dwelling:	NA	NA	NA		9,000 square feet	8,000 square feet		A development with multiple Dwellings per Lot shall provide the minimum Lot area per building. An additional 2,000 square feet of Lot area is required for each Dwelling Unit in excess of two per building.
Dwelling: The minimum Lot Area for a Dwelling:	6,000 square feet	5,000 square feet	4,000 square feet	2,500 square feet	2,500 square feet	No minimum		See Note 1. If a flag lot, see Section 106-4-4.010 for alternative development standards.
Public utility substation:								See Section 108-10-2 for public utility substation site development standards.
Other main building or use. The minimum Lot Area for a main building or use other than a Dwelling:	15,000 square feet	12,000 square feet	10,000 square feet	9,000 square feet	9,000 square feet	8,000 square feet		

124 ¹ This minimum lot area notwithstanding, at no time shall any subdivision or other development project have a Dwelling Unit density greater than specified in
 125 Subsection (a) of this Section. After a subdivision or development project has received final approval under these standards, all excess Dwelling Unit density
 126 not included in the approval shall be forfeit unless the density in the entire original project area is reconsidered for compliance with density regulations and
 127 all owners within that area consent to the reconsideration. Accessory dwelling units are exempt from this part.

128

129 ~~(b)~~(e) Lot Width and Lot Frontage:

		R1				R2	R3		SPECIAL REGULATIONS
<u>MINIMUM LOT WIDTH AND LOT FRONTAGE</u>		R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Minimum Lot width:		80	70	60		50	50		Unless located at least 30 feet behind the front-most part of the Dwelling, one or more front-facing garage door(s) shall have a cumulative width no greater than 18 percent of the width of the Lot.
Dwelling:	<u>Lot Width: The minimum Lot Width for a Dwelling:</u>	60 feet	50 feet	40 feet	40 feet	30 feet	No minimum		If a flag lot, see Section 106-4-4.010 for alternative development standards.
	<u>Lot Frontage: The minimum Lot Frontage for a Dwelling:</u>	The minimum Lot Frontage shall be the same as the minimum Lot Width, except if the Lot Frontage is on the outside curve of a street right-of-way the minimum Lot Frontage shall be reduced by one-third.							
<u>Other main building or use. The minimum Lot Width and Street Frontage for a main building or use other than a Dwelling:</u>		100 feet	90 feet	80 feet	70 feet	60 feet	50 feet		
<u>Public utility substation:</u>									See Section 108-10-2 for public utility substation site development standards.

130

131 ~~(e)~~(f) Yard setbacks:

132 (1) Front ~~y~~Yard ~~s~~Setback:

R1	R2	R3	SPECIAL REGULATIONS
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FRONT YARD SETBACK		R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Minimum for Single-, Two-, Three-, and Four-Family Dwelling:		20 feet, except 15 feet if the Lot's only vehicle access is over a side or rear Lot Line adjacent to an Alley ¹ .						No parking area, pad, or driveway within the front setback shall be less than 20 feet deep when measured from the Front Lot Line.	
<u>Dwelling:</u> The minimum Front Yard Setback for a Dwelling:		15 feet	15 feet	15 feet	15 feet	12 feet	10 feet		<u>In the R3-S zone, the required parking, if surface parking, shall be located on the opposite side of the building than the Public Street on which the building fronts; if a Corner Lot, the predominant Public Street shall be used.</u>
<u>Garage door facing a public street:</u> The minimum Front Yard Setback for a public street-facing garage door or doors with a cumulative width that is:	30 percent of the Lot Width or greater; less than 30 percent of the Lot Width:	30 feet			25 feet	20 feet		<u>At no time shall the cumulative width of a public street-facing garage door or doors be greater than 50 percent of the width of the dwelling's façade when viewed from the public street.</u>	
Minimum for Multi-Family Dwelling:		N/A			15		Parking shall be located on the opposite side of the building than the Public Street on which the building fronts; if a Corner Lot, the predominant Public Street.		
<u>Other main building:</u> The minimum Front Yard Setback for other main building:		30 feet							
<u>Accessory building:</u> The minimum Front Yard Setback for an accessory building:		30 feet							

Public utility substation:

See Section 108-10-2 for public utility substation site development standards.

~~⁴To qualify for the reduced setback, the Alley shall first comply with Section 106-2-2-100.~~

(2) Side yYard sSetback:

SIDE YARD SETBACK	R1				R2	R3		SPECIAL REGULATIONS
	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Minimum for Dwellings other than multi-family Dwellings:	5 feet on one side, 10 feet on the other.					5 feet		Both sides may be 5 feet if the Lot's only vehicle access is over a side or rear Lot Line adjacent to an Alley⁴. No parking area, pad, or driveway shall be provided within the 15-foot front setback.
<u>Dwelling: The minimum Side Yard Setback for a Dwelling:</u>	<u>5 feet for single story; 7 feet for more than one story²; 10 feet for an attached garage.</u>				5 feet	No minimum		<u>In the R3 zones, the minimum distance between buildings, both onsite and off, shall be 10 feet.</u>
Minimum for Multi-Family Dwelling:	N/A				NA	8 feet ²		Parking shall be located on the opposite side of the building than the Public Street on which the building fronts; if a Corner Lot, the predominant Public Street.
<u>Minimum for o<u>O</u>ther main building: The minimum Side Yard Setback for other main building:</u>	20 feet							

Minimum for side fronting street on Corner Lot:	15 feet		
<u>Corner Lot: The minimum Side Yard Setback for a side fronting on a street:</u>	<u>Front Yard Setback regulations apply.</u>		
Accessory building: The minimum Side Yard Setback for an accessory building.	Same as main building, except 1 foot if located at least 6 feet in rear of main building.	<u>No minimum</u>	If an accessory building greater than 1000 square feet, see <u>Section 108-7-16</u> for <u>sSide Yard sSetback</u> requirements.
<u>Public utility substation:</u>			<u>See Section 108-10-2 for public utility substation site development standards.</u>

¹ No minimum Side Yard Setback is required for a detached garage that shares a common wall with a similarly proportioned and appearing garage on the adjacent lot, as long as both garages are built at the same time.

² More than one story is when any part of a second story exists behind the façade wall that faces the Side Yard, excluding area within a basement. For example, if a second story is under a gabled roof, and the gable faces the subject Side Yard, then that side of the building is more than one story, but if the gable faces the Rear Yard or Front Yard, and all of the second story on the façade that faces the subject Side Yard is above the roof's eave, then that side of the building is one story.

~~To qualify for the reduced setback, the Alley shall first comply with Section 106-2-2-100.~~

²~~This shall be increased to 18 feet for a side adjacent to a Lot that has an existing Single-, Two-, Three-, or Four-Family Dwelling.~~

(3) Rear yard setback:

	R1				R2	R3		SPECIAL REGULATIONS
REAR YARD SETBACK	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Minimum rear yard setback for main building:	30 feet				20 feet			

<u>Dwelling</u> : The minimum Rear Yard Setback for a Dwelling:	<u>20 feet</u>			
<u>Garage door facing Alley or Shared Private Lane</u> : The minimum Rear Yard Setback for a garage door that faces an Alley or Shared Private Lane:	<u>5 feet</u>			
<u>Other main building</u> : The minimum Rear Yard Setback for other main building:	<u>30 feet</u>			
Minimum rear yard setback for accessory building:	1 foot, except 10 feet when on a corner Lot and adjacent to the adjoining Lot's front yard.			The entrance of an Alley facing garage, carport, or similar shall be setback from the Alley right-of-way no less than 15 feet.
<u>Accessory building</u> : The minimum Rear Yard Setback for an accessory building:	<u>1 foot, except 10 feet when on a corner Lot and adjacent to the adjoining Lot's front yard.</u>			
<u>Public utility substation</u> :				<u>See Section 108-10-2 for public utility substation site development standards.</u>

147

148 ~~(d)(g)~~ Building Height:

	R1				R2	R3		SPECIAL REGULATIONS
BUILDING HEIGHT	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
<u>Minimum building height</u> : The minimum building height for a main building:	1 story							

Maximum building height for main building	35 feet				
<u>Maximum building height: The maximum building height for a main building:</u>	35 feet	40 feet	45 feet	50 feet	See also Section 108-7-5.
Maximum building height for accessory building:	25 feet				See Section 108-7-16 for an accessory buildings over 1,000 sq. ft.

149

150 (e)(h) Lot coverage Building Width:

	R1				R2	R3		SPECIAL REGULATIONS
LOT COVERAGE <u>BUILDING WIDTH</u>	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Maximum percent of Lot coverage by buildings:	Not applicable				40 percent			
<u>Maximum dwelling width: The maximum width of any dwelling shall be the lesser of:</u>	No minimum					8 attached units or 240 feet		The minimum distance between buildings on the same lot shall be <u>ten feet.</u>
<u>Maximum width of other main building: The maximum width of a main building other than a dwelling shall be the lesser of:</u>	240 feet							

151

152 (f)(i) Floor to Area Ratio:

	R1				R2	R3		SPECIAL REGULATIONS
FLOOR AREA RATIO	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	

Maximum ratio of total floor-area of buildings to Lot area:

N/A

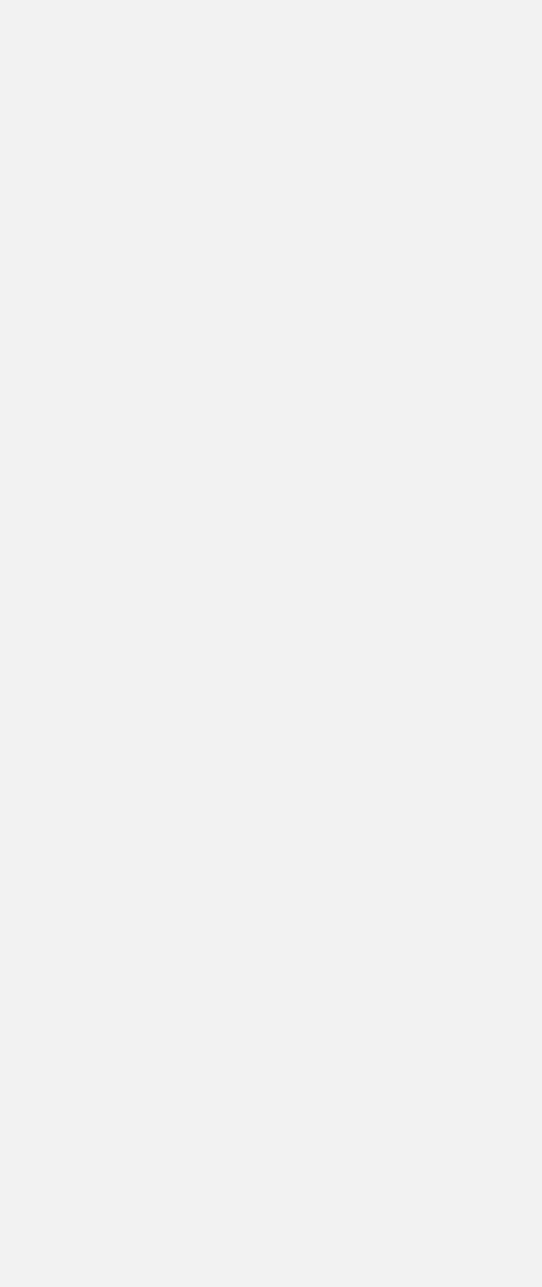
1:1

Maximum floor area ratio: The maximum floor to area ratio, found by dividing the entire floor area of all buildings by the site area.

Not applicable

1.5

2.0



154 ...

155 **TITLE 106 SUBDIVISIONS**

156 ...

157 **Chapter 106-2 Subdivision Standards**

158 **Sec 106-2-1 Street Configuration and Circulation**

159 **Sec 106-2-1.010 Street Configuration Generally**

160 A subdivision shall be designed to follow the street configuration requirements herein and elsewhere in this
161 Land Use Code. Where this code allows an applicant flexibility on street location or configuration, that
162 flexibility shall not be construed to relieve the applicant from requirements of this section.

163 (a) **General street configuration and alignment.** The configuration of streets in a new subdivision shall:
164

- 165 (1) Ensure the continuation of existing streets that can logically and reasonably be connected along
166 the same street alignment;
- 167 (2) Provide for the continuation of new streets into adjoining undeveloped land;
- 168 (3) Be designed to consider the block length specified in Section 106-2-3, as it relates to both the
169 subject property and adjoining property;
- 170 (4) Not avoid the requirements of this section by shifting the responsibility of providing a street onto
171 landowners of adjacent undeveloped or underdeveloped parcels; and
- 172 (5) Not create an unnecessary hardship to providing street connections on or to other parcels in the
173 general area, as deemed appropriate by the Land Use Authority.

174 (b) **Master planned street.** A street shown in an applicable general plan, small area plan, master streets
175 plan, development agreement, or similar adopted planning document, shall be installed by the applicant
176 in the general location depicted in the planning document.

177 (c) **Section line and quarter section line street.** A street shall be installed by the applicant along the
178 general alignment of a section line and quarter section line, in compliance with the following:

- 179 (1) **Minor deviations from section lines.** The alignment of a section line or quarter section line street
180 may be adjusted up to 400 feet so the applicant may gain lots on both sides of the street, provided
181 that the radii of the curves are appropriate for the type of street, as determined by the County
182 Engineer. The street shall realign at some point downstreet with the same section line or quarter
183 section line, or a previously created street or dedicated street right-of-way intended to be or become
184 the same section line or quarter section line street.
- 185 (2) **Alternative street alignment.** The Land Use Authority may, but is not required to, allow a street's
186 alignment to be rerouted or, if it does not violate the terminal street requirements of Section 106-2-
187 2.4, terminated if strict compliance with this subsection is inappropriate for the following reasons:
 - 188 a. It will result in unreasonable public costs for operations or maintenance of the street;
 - 189 b. It will conflict with a railway, waterway, wetland, critical wildlife habitat, or other environmental
190 concern that cannot be mitigated with reasonable effort;
 - 191 c. It will result in a conflict with another section of this Land Use Code; or
 - 192 d. It will advance a goal of a general plan, small area plan, or similar planning document applicable
193 to the land.

194 (d) **Angle of intersecting streets.** Any street approaching an arterial or collector street shall approach at
195 an angle of not less than 80 degrees.

196 (e) **Half-street.** A half-street shall be governed as follows:

- 197 (1) **Within a subdivision.** A half-street is not allowed within a subdivision except as more specifically
198 provided in this Land Use Code.

- 199 (2) **On a subdivision boundary.** Where a subdivision's boundary shares a common line with
 200 undeveloped land, an approximate half-width street right-of-way is allowed as long as:
- 201 a. The required street improvements include half of what is otherwise typically required for the
 202 type of street plus at least a 20-foot wide vehicle travel surface, designed to specifications of
 203 the County Engineer; and
 - 204 b. The street right-of-way within the bounds of the subdivision is wide enough to accommodate
 205 these street improvements.

206 **Sec 106-2-1.020 Street Connectivity and Circulation**

207 (a) **Intent.** The intent of this section is to provide efficient, convenient, logical, and frequent street and
 208 pathway connections to, within, through, and out of a proposed subdivision in a manner that other
 209 provisions of this Land Use Code do not. In all zones except the R1, R2, and R3 zones. In exchange
 210 for providing the additional infrastructure, the applicant may use the acreage otherwise occupied by
 211 streets and pathways as credit toward creating Lots.

212 (b) **Mandatory and Voluntary compliance.**

213 (1) Mandatory compliance. The provisions of this section are mandatory in the R1, R2, and R3 zones.

214 (b)(2) Voluntary compliance: connectivity-incentivized subdivision. In other allowed zones,
 215 the provisions of this section offer a voluntary alternative to traditional and typical Lot development
 216 standards otherwise set forth in the applicable zone. An applicant shall not be allowed to use this
 217 section unless the applicant volunteers to comply with all provisions herein. Applying for a
 218 connectivity-incentivized subdivision constitutes the applicant's agreement to be governed by this
 219 section, and constitutes the applicant's acknowledgement that the discretionary authority this
 220 section offers to the Land Use Authority may result in a decision contrary to the applicant's initial
 221 intent. The applicant accepts all risk, including lost time and money, for voluntarily applying for
 222 subdivision review under these provisions. Otherwise, the applicant shall use other development
 223 types authorized by this Land Use Code to subdivide their land.

224 (e)a. Maximum allowed density. If the applicant provides a street and pathway layout that
 225 complies with this section and is approved at the discretion of the Land Use Authority after
 226 receiving a favorable recommendation from staff, the applicant may use the Base Density
 227 calculation, as defined in Section 101-2-3, to compute the maximum allowed Lots in the
 228 subdivision. Further, when calculating the Base Density, the area of the subdivision proposed
 229 to be occupied by public improvements is not required to be omitted from the net developable
 230 acreage.

231 (d)b. Allowed zones. A connectivity-incentivized subdivision is allowed only in the following
 232 zones: S-1, F-5, AV-3, FV-3, A-3, A-2, A-1, RE-20, RE-15, ~~R1-15, R1-12, R1-10, R2, R3, FR-~~
 233 ~~3, and CVR-1~~

234 (1) Unless excepted in Subsection (d)(2)b.2. of this ~~section~~ Subsection (b)(2), at no time shall
 235 the Lot Area and Lot Width of any residential Lot be less than provided in this table:

	S-1	F-5	AV-3	FV-3	A-3	A-2	A-1	RE-20	RE-15	FR-3	R1	R2	R3	CVR-1
Reduced minimum Lot area:	50-percent of the zone's minimum.							80-percent of the zone's minimum.			6000+ square feet	80-percent of the zone's minimum.	No minimum.	
Reduced minimum Lot width:											60-feet			

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¹ Each Lot adjacent to a Lot in another subdivision, including across a street, shall be no smaller than the lesser of: 80 percent of the square footage specified for the maximum allowed density; or the actual Lot area of the Lot or Lots to which it is adjacent.

236 (4)2. The following are exceptions to the Lot Area and Lot Width provisions of Subsection
237 ~~(d)(1)~~b.1. of this Subsection (b)(2):

238 a.i. A lot in a cluster subdivision shall not be reduced to less than 90 percent of the lot area
239 and lot width standards of the cluster subdivision ordinance.

240 b.ii A pre-existing nonconforming lot of record that is smaller than fifty-percent of the lot
241 area or lot width may continue with smaller dimensions as long it is not made more
242 nonconforming.

243 ~~(b)~~(c) **Public-s**Street layout. Nothing here shall waive the minimum street or pathway requirements as
244 provided elsewhere in this Land Use Code. A subdivision shall be designed in a manner that prioritizes
245 circulation efficiencies both within the subdivision and to adjacent neighborhoods. Priority shall be given
246 to both vehicular and pedestrian connectivity. ~~To this end, a connectivity incentivized subdivision is only~~
247 ~~allowed if it meets t~~he following minimum standards are required:-

248 (1) **Street-Block.** A Street-Block, as defined in Section 101-2-20 shall have a length of no greater than
249 ~~660-800~~ feet. The Land Use Authority may, but is not obligated to, approve an exception to this rule
250 if a Street-Block cannot be formed as a result of one or more of the following. However, in each
251 case the applicant shall provide a Street-Block or a connection that will help form a future Street-
252 Block as near as is otherwise reasonably practicable:

253 a. The adjacent area to which a street could otherwise be extended is built-out such that no
254 reasonable street connection can be made thereto;

255 b. The adjacent area to which a street could otherwise be extended has characteristics that
256 significantly reduce the likelihood the Street-Block will be needed, as determined by the Land
257 Use Authority. These characteristics include, but are not limited to, sensitive lands such as
258 geologic hazards, riverways, floodplains, wetlands, and slopes on which no reasonable street
259 configuration can be created that complies with allowed street grades;

260 c. The adjacent area to which a street could otherwise be extended has culturally or locally
261 important lands that can, are, or will be permanently preserved in a manner that benefits the
262 general public. The Land Use Authority may require the applicant to secure the permanent
263 preservation in a manner satisfactory to the Land Use Authority;

264 d. Adherence to the maximum Street-Block length will interrupt a regionally significant pedestrian
265 pathway delineated in the area's general plan or similar planning document; or

266 e. Strict adherence to the maximum Street-Block length will result in a Street-Block that is less
267 than ~~200-300~~ feet in length.

268 ~~(2) **Street efficiency.** A street or street segment shall provide the shortest connection reasonably~~
269 ~~possible without compromising the buildability of adjoining lots given compliance with other~~
270 ~~requirements of this Land Use Code.~~

271 ~~(3)~~(2) **Intersections.** Street intersections shall be four-way intersections wherever possible.

272 ~~(4)~~(3) **Directional continuity.** A Major Neighborhood Street, Collector Street, and Arterial Streets
273 shall provide directional continuity. Regardless of how a street may wind through a subdivision,
274 whenever possible it shall exit the subdivision in the same general direction it entered so that it
275 provides users a consistent direction of travel along the same street.

276 ~~(5)~~(4) **Permanently terminal streets.** Cul-de-sac and dead end streets shall be avoided. A cul-
277 de-sac or dead end street may be allowed in rare circumstances if the same or similar
278 characteristics as specified in the exceptions of Subsection (e)(1) of this section are present.

β79 ~~(6)~~(5) **Alignment and connection to other streets.** Whenever possible, streets shall connect or
280 be aligned to provide a future connection to other existing streets in the general area, with special
281 deference for connecting to existing stubbed streets.

β82 ~~(e)~~(d) **Pathway location and design standards.** Nothing here shall waive the minimum street or
283 pathway requirements as provided elsewhere in this Land Use Code. A subdivision shall be designed
284 in a manner that prioritizes circulation efficiencies both within the subdivision and to adjacent
285 neighborhoods. Priority shall be given to both vehicular and pedestrian connectivity. ~~To this end, a~~
286 ~~connectivity incentivized subdivision is only allowed if it meets t~~he following minimum standards are
287 required:

288 (1) **Pathways and sidewalks, generally.**

289 a. Each development shall be configured so that the maximum pathway or sidewalk walking-
290 distance between a pathway or sidewalk intersection is 400 feet.

β91 1. This distance may be increased for a segment of a pathway that travels through a
292 permanently preserved open space area or an area very unlikely to ever develop, as
293 determined by the Land Use Authority.

294 2. A pathway or sidewalk intersection is where a pathway or sidewalk intersects with another
295 pathway, sidewalk, or street that has pedestrian facilities, or an alley or shared private lane,
296 provided each are perpetually open for use by the general public for non-automobile
297 purposes.

298 b. Pathway and sidewalk layout shall be designed in a manner that prioritizes efficiency of non-
299 motorized modes of transportation.

β00 c. Pathways shall connect to each other using shortest distance reasonably possible.

β01 d. Pathway and sidewalk layout shall provide for the continuation of existing pathways or
302 sidewalks in the general area, and for future planned pathways, as shown on an adopted
303 pathway plan, general plan, master trails plan, or other applicable adopted planning document.

β04 e. A pathway or sidewalk stubbed from an adjacent property shall be connected to a pathway or
305 sidewalk within the subdivision.

β06 f. Continuation of a pathway or sidewalk to adjacent undeveloped property shall be provided with
307 a stub to the subdivision boundary.

β08 g. Pathway and sidewalk arrangement shall not cause any unnecessary hardship for creating
309 convenient and efficient access to nearby Lots or Parcels that are likely to eventually be
310 developed.

β11 (2) **Street-adjacent pathway.** Along each Arterial Street, Collector Street, and Major Neighborhood
312 Street, as provided in an adopted general plan, master streets plan, or similar adopted document,
β13 or along a section line street as provided in Section 106-2-1, a 10-foot wide hard-surfaced pathway
314 shall be installed.

β15 a. When determining which side of the street the pathway is required, preference shall be given
316 to the side of the street that has optimal sun exposure during winter months.

β17 b. The Planning Director may require a pathway be located on the other side of the street to
318 support pathway connectivity based on other factors such as existing or planned future
319 pathways in the vicinity and potential pedestrian conflicts.

β20 c. The pathway shall be located within the street right-of-way unless expressly authorized
321 otherwise by the County Engineer. If not located within the street right-of-way, a pathway
322 easement is required.

β23 d. Unless required otherwise by the County Engineer, the pathway shall have an asphalt width of
324 at least nine feet and be bounded on both sides by a six-inch concrete ribbon that is flush with
325 the top of asphalt travel surface. The pathway shall be constructed of three inches of asphalt
326 on eight inches of base-course. Greater thickness may be required where it intersects a
327 vehicle-way.

328

e. Example of street-adjacent pathway:



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e.

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(3) **Non-street-adjacent pathway.** Where generally depicted on a map or in the text of an applicable street regulating plan, general plan, master streets plan, or when otherwise required herein or in a development agreement, a 10-foot wide hard-surfaced pathway shall be installed through the development.

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a. Where a pathway runs between buildings or fenced Lots, a minimum 30-foot wide pathway public right-of-way is required. The pathway shall run down the center of the 30-foot wide right-of-way. The width of the pathway right-of-way may be reduced to 15 feet if both of the adjoining Lots or Parcels are or will be used for Single-Family Dwellings, and are deed-restricted to:

335

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1. Only allow a solid fence that is no greater than four-feet; or

339

2. Only allow a fence that is 30 percent open with the openings evenly distributed.

340

b. The adjoining land owners are responsible for the maintenance and upkeep of vegetation and waste on the half of the pathway right-of-way that is adjacent to their Lot or Parcel.

341

342

c. Example: Non-Street-Adjacent Pathway:



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343 4.
 344 ~~(d)~~(e) **Final plat note.** Except for subdivisions in the R1, R2, or R3 zones, Pursuant to Section 106-1-
 345 8.020, a subtitle and plat note regarding connectivity-incentivized subdivision shall be placed on the
 346 final plat.

347 **Sec 106-2-2 Street Standards**

348 **Sec 106-2-2.010 Public Street Requirement**

349 The standard method of ensuring ease of access, efficient mobility, reduced response time for first
 350 responders, effective emergency management, strong neighborhood relationships through
 351 interconnectivity, and a more equitable means of access to community opportunities, is by requiring Public
 352 Streets and Public Street connectivity at the time new development is proposed. As such, the default
 353 requirement for each subdivision Lot is to provide Lot Frontage on a street dedicated to the County as a
 354 public right-of-way and thoroughfare.

355 (a) **Public Street dedication.** Each street in a subdivision shall be dedicated to the county as a Public
 356 Street, except when a Private Street is allowed or required as provided in this section.

357 (b) **Standard street cross-sections.** All proposed Public Streets shall conform to the county street cross-
 358 section standards, unless explicitly specified otherwise.

359 **Sec 106-2-2.020 Private Street Option**

360 The provisions of Section 106-2-2.010 notwithstanding, the County, and in some cases the applicant, may
 361 find benefit from a street being temporarily or permanently private. In those cases, the Land Use Authority
 362 may require or an applicant may volunteer a proposed street to be privately owned or privately operated
 363 and maintained. Development of or along a Private Street shall comply with the following:

364 (a) **Private Street open for general public use.** A private street that is perpetually open to the public for
 365 use and through-passage is allowed only under the following circumstances:

366 (1) The Private Street shall never be closed to the public and no signage shall be erected to indicate
 367 or insinuate that the street is not open for public use and passage, except to allow for occasional
 368 and routine maintenance necessary to ensure the longevity of the street.

369 (2) The Private Street shall be owned, operated, and maintained in perpetuity by a homeowner's
 370 association that has at least 40 Dwelling Units as evidenced by an approved preliminary subdivision

371 plat and recorded homeowner's declaration. If final plat recordation is phased, the homeowner's
372 association declaration shall be recorded to the entire legal description of the preliminary
373 subdivision plat at the time the first plat is recorded. The declaration shall include the approved
374 preliminary plat. Special provisions or deviations from this requirement may be approved in a
375 development agreement.

376 (3) At no time shall a Private Street conflict with, or create non-routine operations and maintenance
377 demand on, any Public Street.

378 (4) A Private Street that complies with this Subsection (a) shall be allowed to count as a Public Street
379 for the purposes of creating a Street Block pursuant to Section 106-2-3 or other Street Block
380 regulations in this Land Use Code.

381 (b) Private Street not open for general public use.

382 (1) **No entitlement.** An applicant is not entitled to make a street private. The Land Use Authority has
383 full discretion, subject to the regulations herein, to allow or require a street to be private.

384 (2) **Prohibition.** A Private Street shall not be allowed if:

- 385 a. It creates a hardship for other landowners in the area to provide access to develop their land
386 in accordance with the provisions of this Land Use Code, or
- 387 b. A Public Street is needed in the location of the proposed Private Street, as determined by the
388 Land Use Authority.
- 389 c. It is in the Western Weber Planning Area and is not a permanently terminal street, as provided
390 in Subsection (g) of this section.

391 ~~(b)~~(3) **Responsibility for construction.** The applicant shall pay for and construct the Private
392 Street.

393 ~~(e)~~(4) **Ownership.** The final plat shall dedicate the land under the Private Street to the County
394 for the purpose of future conversion to a Public Street at a time the governing body determines a
395 Public Street is necessary, if ever.

396 ~~(4)~~a. **Street-Parcel dedication waiver.** The Land Use Authority may waive this requirement if
397 development or further development on adjacent Lots or Parcels to which the street could be
398 extended is extremely unlikely, or to which future public access offers very little public benefit,
399 or future development benefit, as determined by the Land Use Authority.

400 a.1. **No Street-Block waiver.** A street needed to satisfy the Street-Block requirements of
401 Section 106-2-3 is not eligible for this waiver unless there is no way in which that street can
402 be configured in the subdivision to support the creation of the Street-Block.

403 b.2. **Pathway in lieu waiver.** In circumstances where current or future public access by vehicle
404 is unwarranted, the Land Use Authority may grant a waiver and in lieu require the
405 dedication and installation of a 12-foot wide public easement and pathway or trail
406 connection. The minimum pathway or trail design shall provide for either a 10-foot wide
407 hard-surface pathway with a maximum average grade of 10 percent, or a single-track dirt
408 trail with a maximum average grade of 18 percent.

409 e.3. **Waiver requires joint ownership.** If a waiver is granted, the street-Parcel shall be held in
410 joint ownership of the owners of all Lots that gain access from it.

411 ~~(2)~~b. **Street-Parcel configuration.** The Parcel being dedicated to the county shall be the length
412 of the Private Street and extend to adjacent developable land or another street regardless of
413 whether the Private Street infrastructure does. The Parcel shall be the same width required for
414 a Public Street right-of-way, and be configured at a grade that will not create an unreasonable
415 burden for future street-building and connectivity given typical grading and construction
416 methods.

417 ~~(3)~~c. **Transfer of street-Parcel.** If adjacent Parcels to which the Private Street could connect
418 reach full build-out or otherwise change in a manner that renders a future Public Street
419 connection extremely unlikely, or if future public access to those Parcels offers very little public

420 benefit, the county, at its sole option, may transfer the land, in accordance with all legal
421 requirements, to the joint ownership of the owners of all Lots that gain access from it.

422 ~~(d)~~(5) **Operation, maintenance, and use.** Except after the county assumes responsibility for the
423 street, if ever, the operations and maintenance of the installed Private Street improvements shall
424 be the sole responsibility of the owners of each Lot gaining access from the Private Street or a
425 homeowner's association. The Land Use Authority may allow these owners to restrict access to
426 the street by the general public, except county officials conducting official county business on a
427 county-owned street-Parcel.

428 ~~(e)~~(6) **Building setback standards.** The minimum building setbacks shall be measured from the
429 boundary of the county-owned street-Parcel.

430 ~~(f)~~(7) **Private Street required.** Unless the County Engineer or the Land Use Authority authorizes
431 otherwise based on the public benefit outweighing the long term operations and maintenance
432 expense, a Public Street is not allowed in the following circumstances:

433 ~~(1)~~a. **Permanent terminal street.** A non-temporary terminal street;

434 ~~(2)~~b. **Geologic hazards.** A street that traverses a geologic hazards study area shall be a Private
435 Street, unless the hazards study, as required by Title 108, Chapter 22, provides compelling
436 evidence that demonstrates the hazard risk to a Public Street is low.

437 ~~(g)~~(8) **Construction standards.** Unless otherwise required by the local Fire Authority or County
438 Engineer, a Private Street shall be constructed to Public Street standards.

439 ~~(h)~~(9) **Plat notes.** On the final plat, the county-owned street-Parcel, where applicable, shall be
440 labeled and noted as required by Section 106-1-8.020.

441 ~~(i)~~(10) **Recording requirements.** At the time of final plat recording, the applicant shall record a
442 covenant to run with the land that provides that:

443 ~~(1)~~a. The owners of all Lots that gain access from the Private Street are solely and equally
444 responsible for operations and maintenance of the street.

445 ~~(2)~~b. If applicable, that by purchasing a Lot that gains access from a Private Street, the owner
446 acknowledges that the street-Parcel is owned in fee by the governing body for possible future
447 Public Street purposes, but that the governing body assumes no responsibility or liability for
448 the street or for the uses thereof or thereon until and unless, if applicable, the governing body
449 assumes responsibility for it.

450 ~~(3)~~c. The owner is responsible for disclosing the nature of the street to prospective purchasers,
451 renters, or lessees.

452 ~~(4)~~d. The landowner of record or authorized representative agree to pay a proportionate amount
453 of the costs associated with improving or restoring the street to operational Public Street
454 standards at the time the governing body assumes responsibility for it; and agrees to not protest
455 the creation of a special assessment area or other similar revenue generating mechanism the
456 governing body deems necessary to bring the Private Street to operational Public Street
457 standards.

458 **Sec 106-2-2.030 Shared Private Lane**

459 **Shared private lane.** Unless specified otherwise in this section a shared private lane is only allowed in
460 locations where a street or street connection is not otherwise required or planned as provided in the
461 applicable general plan, and where its placement will not violate the applicable Street-Block requirement of
462 Section 106-2-3. Construction of a shared private lane is a subdivision improvement requirement and shall
463 comply with the relevant sections of Title 106, Chapter 4 of this Land Use Code.

464 (a) **Shared private lane design, configuration, and construction requirements.** A shared private lane
465 shall be:

466 (1) Designed and constructed to have a minimum right-of-way width of 24 feet, with a minimum
467 improved surface width of 20 feet. A greater right-of-way width may be required by the County
468 Engineer for a cross-slope easement.

- 469 (2) Configured and constructed so that any curve will safely facilitate the turning radius and weight of
470 the Fire Authority's largest fire apparatus.
- 471 (3) Constructed of all-weather material, have a grade of no greater than ten percent, a clearance no
472 less than 14 and a half feet. In a development with an average density that is greater than one unit
473 per acre, the lane shall be hard-surfaced.
- 474 (4) Be on a Parcel that is held in common ownership by a homeowner's association that governs the
475 Lots that gain access therefrom, or be an easement recorded in favor of the owners of all Lots that
476 gain access therefrom.
- 477 (5) If terminal, the shared private lane shall be no longer than
- 478 a. 200 feet in the Western Weber Planning Area, and provide access to no more than seven
479 Dwelling Units.
- 480 b. 600 feet in the Ogden Valley Planning Area, and provide access to no more than 15 Dwelling
481 Units. However, if longer than 200 feet in length it shall be designed with a fire apparatus turn-
482 around approved by the local fire authority at the end.
- 483 (b) **Shared private lane temporarily in lieu of street.** As long as development on other properties in the
484 general area to which a street could extend is not imminent, a private lane may be installed in place of
485 a required public or Private Street, and in the Ogden Valley it may be longer than 600 feet in length,
486 under the following circumstances:
- 487 (1) **No interruption of street connectivity.** Doing so shall not disrupt the orderly build-out or inhibit
488 the future street connectivity of the area.
- 489 (2) **Compliance with general plan.** It shall not be contrary to the General Plan's recommendations
490 that are specifically applicable to the area.
- 491 (3) **Easement required.** With the final plat, an easement shall be given over the shared private lane
492 to Weber County for the purpose of reserving an area that can become a future Public Street right-
493 of-way at a time the governing body determines that a Public Street is necessary, if ever.
- 494 a. The easement being dedicated to the county shall be the length of the Private Street and extend
495 to adjacent developable land or another street regardless of whether the Private Street
496 infrastructure does.
- 497 b. The easement shall be the same width required for a Public Street right-of-way, and be
498 configured at a grade that will not create an unreasonable burden for future street-building and
499 connectivity given typical grading and construction methods.
- 500 (4) **Operation, maintenance, and use.** The operations and maintenance of the shared private lane
501 shall be the sole responsibility of the owners of each Lot gaining access from it.
- 502 (5) **Building setback standards.** The minimum front building setback shall be 33 feet greater than
503 otherwise required, and shall be measured from the centerline of the shared private lane.
- 504 (6) **Plat note.** On the final plat, the area of the county-owned easement shall be labeled and noted as
505 required by Section 106-1-8.020.
- 506 (7) **Recording requirements.** At the time of final plat recording, the applicant shall record a covenant
507 to run with the land that provides for the following:
- 508 a. The owners of all Lots that gain access from the shared private lane are solely and equally
509 responsible for operations and maintenance of the lane.
- 510 b. If applicable, that by purchasing a Lot that gains access from a Shared Private Street, the
511 owner acknowledges that the lane easement is owned by the governing body for possible future
512 Public Street purposes, but that the governing body assumes no responsibility or liability for
513 the lane or for the uses thereof or thereon until and unless, if applicable, the governing body
514 assumes responsibility for it.
- 515 c. The owner is responsible for disclosing the nature of the lane to prospective purchasers,
516 renters, or lessees.

517 d. The landowner of record or authorized representative agree to pay a proportionate amount of
518 the costs associated with improving or restoring the street to operational Public Street
519 standards at the time the governing body assumes responsibility for it; and agrees to not protest
520 the creation of a special assessment area or other similar revenue generating mechanism the
521 governing body deems necessary to bring the shared private lane to operational Public Street
522 standards.

523 ...

524 **Sec 106-2-4.030 Connectivity-Incentivized Subdivision**

525 [Alternative minimum Lot standards for a connectivity-incentivized subdivision can be found in](#)
526 [Section 106-2-1.020.](#)

527 ...