

Kimbal Wheatley's comments on the DRAFT1 General Plan.

In this document, the first page attempts to summarize the entire scheme for changing our land use laws as they exist in the goals, policies and implementations of DRAFT1. And the rest reviews and comments on only the visions, goals, policies, and implementations sections of DRAFT1. My comments on the remainder of the DRAFT1 (introduction, present and future conditions, etc) are in a different document.

The big picture

In general the county will not hand out additional development rights (DR), except perhaps to allow detached accessory dwelling units for each home or to give bonus DR in order to achieve some purpose of the new General Plan.

The county will do a few things to reduce the final build out numbers, but these are limited to not allowing TDR from wetlands, floodplains, slopes >30%, and geological instability. This is already in place except perhaps for mitigatable wetlands and floodplains. The county will also support voluntary retirement of DR.

Some areas of the Valley will pretty much continue with current DR and zoning. The shoreline zone around Pineview, the F40 zones in the hills, and the open space zones will not take on new density. However, F40 has the exception that a resort developer can acquire and rezone 1000 acres as Recreation Resort Zone, and can purchase and transfer an unlimited amount of DR from the Valley floor to it.

The plan contains policies and methods through which the county will attempt to make our 16,000+ units future have less negative impact and be more "consistent with our rural life style":

1. Allow **estate-lot subdivisions** of 5+ acres with relaxed requirements for roads, etc. in most zones. The concept includes quid-quo-pro retirement of excess development rights.
2. Allow transfer of development rights away from open-space **range and agricultural lands**. Range and Agricultural areas are defined by overlay map 2 in the DRAFT. Developments with 6+ units require clustering, PRUD, or estate subdivision and 12+ units require a mix of housing types. Developments are required to be buffered from agriculture. Additional density should not be granted here.
3. Allow transfer of development rights away from Ogden Canyon (now called **Canyon Gateway**). 12+ units require mix of housing types. Additional density should not be granted here.
4. Allow transfer development rights away from the Pineview **Shoreline**. 12+ units require mix of housing types. Additional density should not be granted here.
5. Encourage transfer development rights away from several "**sensitive areas**", defined as gateways, view corridors, wildlife habitat and corridors, ridgelines and steep slopes. The areas are to be defined by an overlay map.
6. Require transfer of development rights away from several even more "**sensitive areas**". Development is prohibited. These are defined as wildlife habitat and corridors, riparian areas, prominent ridgelines, setbacks from highwater marks and will be defined by an overlay map.
7. Encourage transfer of development rights away from and/or place additional requirements on **Gateways and Viewshed** areas, which will be defined by an overlay map. Developments of 6+

units require clustering and site planning. Require underground utilities for commercial and for 10+ units residential developments. Encourage preservation of vegetation in riparian and natural areas. Require setbacks and design standards for identified sections of SR 39, SR 166, and SR 158.

8. All transfer of development rights to “**small villages**”, which will be near our existing commercial zones and defined by an overlay map. The villages are encouraged to grow in both density and area by being TDR receiving areas, having boundaries that will grow outward when 80% of the village is occupied, allowing mixed use and requiring a mix of housing types. Sewer and water services will be required. Limits on density will be a result of restrictions like building height, lot size, etc., but none are defined.
9. Enable a kind of TDR free-for-all in an overlay zone called “**Rural Residential**”, allowing both receiving & sending TDR. The area is also defined by an overlay map. No limits on density or lot size except for health department well/septic field rules and/or the availability of sewer and water services. Although a development of 15+ lots requires sewer if it is within ¼ mile of a small village. 12+ units require mix of housing types. Clustering is encouraged.
10. **Resorts** are encouraged to grow. 15+ lots require expandable sewer. Resorts are TDR receiving area but with reduced DU bonus. Development occurs consistent with a resort master plan, but with few land use restrictions. It is not clear if Wolf Creek is considered a resort.

Comments about the vision(s)

1. The land use vision is silent on agriculture. Since continued agricultural and ranching uses as the main hope for preserving open space, I recommend we include a reference to something like

...agriculture is alive and well...

2. The land use vision is silent on our most desired outcome, that we don't overdevelop the Valley. I recommend the vision or goals or policy includes something like

...cognizant of the economic risk of overdevelopment...goal is to maintain the Valley as a high value recreational resource...

I think the policy should include the ...monitor and adjust...language used elsewhere. That is, monitor the risk of overdevelopment and adjust this General Plan as necessary to avoid it.

3. The Residential Development and Housing vision reads in part *"Neighborhoods should have convenient access to community amenities and be designed in a manner that protects the Valley's character."*

I hope we don't intend the bit about convenient amenities in the Rural Residential overlay zone because it means spot commercial zoning. I recommend something like

...neighborhoods in the small villages should have convenient access to community amenities and be designed in a manner that protects the Valley's character.

4. In the Commercial Develop vision we do not include the concept of avoiding big scale commercial development...instead preferring the Wasatch Front urban areas for big box, car dealerships, etc. Yet this is very much our vision for commercial development. I recommend this vision include something like

...commercial buildings/businesses are limited to 50,000 square feet for any single enterprise...

I don't know what they right number is, but I know there is one.

5. The Public Utilities and Services vision reads in part *"Residents of Ogden Valley will have a full range of utilities and public services that provide for the current and long-term needs of the community."*

This is probably the most controversial concept included in all the vision statement; in fact, some hold this vision and others hold the opposite. I think the compromise is somewhere around...

...in the areas surrounding the high density villages and in subdivisions larger than 12 parcels, residents will have a full range of...

This will still be controversial because some believe this is the first step on the march to unified sewer and water services for most of the Valley.

6. The Community Character vision reads *"The rural character of Ogden Valley is defined by its open fields, stands of trees, and small villages; by Pineview Reservoir; and by the surrounding foothills and mountain background."*

Then this concept becomes the standard throughout the policies; e.g., Commercial Development Goals 1 and 2 *"Ensure that the location of retail and commercial development is*

consistent with Ogden Valley's rural character" and "Ensure that the location of retail and commercial development is consistent with Ogden Valley's rural character" (there are some 14+ references to the rural character standard. Thus, we need to get it right...and we also need to enshrine it as a policy. I recommend we proclaim this policy, which has a more complete definition of "rural character".

Our policy is to define "rural character" as open fields, stands of trees, surrounding foothills, mountain background, Pineview Reservoir, **active agriculture, dark skies, clean air and water, abundant wildlife, and peace and quiet.**

I think we will find that Valley residents define our rural character to include these additional concepts and the addition seems to be consistent with other policy goals.

7. The Parks and Recreation vision reads *"Weber County will seek strategic recreation-oriented investments in Ogden Valley that enhance the recreational experience for residents and visitors."* This is more of a policy than part of vision. In any case, I interpret this to mean the County will actively seek additional recreational businesses for the Valley and I know that is not what we meant in the Recreation Element of the current plan. The idea there was to let the market for additional recreational facilities direct the type and location of additional businesses, and that the County would support them with RR zoning and TDR. So this is something new in the PLAN and we should be clear what this means. For example, does it mean more public financing and/or tax breaks to attract more businesses?

Comments about the Goals

8. Land Use Goal 1 reads in part *"There is sufficient authorized development potential in Ogden Valley to support any future growth scenario. No additional entitlements are needed or desired. Many of these authorized units are in areas that have very low development potential and are unlikely to be developed in the foreseeable future."*
If any TDR occurs from these areas, it effectively increases overall density potential in the near term. This a major concern I have about unintended consequences of allowing TDR from remote areas with "very low development potential". Instead of a low probability unit in the long term, TDR can turn it into a certain unit in the short term. We can expect this to be amplified by the expected low cost of a TDR from a place unlikely to develop in the owner's lifetime.

I don't have any ideas for fixing this short of tossing the whole TDR business, but I think we need to somehow reduce this risk.
9. Land Use Goal 2 reads *"Protect and encourage agricultural land uses."*
The goal is to sustain as much open space-type agricultural activity as possible. Protect and encourage are implementation strategies. Suggest something like...
Our goal is for agriculture and ranching to continue to provide open spaces.
10. One of the biggest threats to agriculture is invasive weeds that reduce profitability and perhaps the biggest contributor to invasive weeds is development or infrastructure work without site weed control and/or speculation purchases that take land out of production, but without subsequent control. I recommend we add this policy in the Land Use section:
Our policy is to enforce required weed control on all property in the Valley, but especially on areas disturbed by development.
11. Residential Development Goal 1 reads *"Provide housing choices in neighborhoods that will allow residents to live in Ogden Valley for their entire life cycle."*

“Entire life cycle” needs to be defined. Does it mean mom and dad’s home, apartment, starter home, dream home, retirement home, assisted living center?

12. Moderate-Income Housing Goal 1 reads *“Ensure affordable homeownership and rental housing opportunities in Ogden Valley, and maintain the quality of existing single-family housing stock.”*

I don’t think the county can ensure this, nor is it a goal, and recommend something like...

Our goal is to have affordable homeownership and rental housing opportunities in Ogden Valley, and maintain the quality of existing single-family housing stock.

Further, I have no idea what *“...maintain the quality of existing single-family housing stock”* means. Need to clarify.

13. Moderate Income Housing Implementation 1.1.3 reads *“Encourage the development of low- to moderate-income housing in established cities and towns in order to protect agricultural lands and provide open spaces within the unincorporated areas of Weber County.”*

Huntsville is the only “established city or town” in the Valley and they won’t like this.

14. I believe we need an additional Community Character goal about minimizing the impact on residents of several upcoming decades of intense construction. I recommend we add the next three goal concepts to the Community Character element:

Our goal is that, during buildout, for construction activity to minimally impact Valley residents and visitors. This includes site containment, materials trucking, contour and vegetation recovery, and effective weed control.

Some of the worst violators of “rural character” are public and quasi-public utility infrastructure developments. There seems to be no requirement for route or site recovery, no requirements for something better than chain link and razor wire, no attention to dark sky lighting, no landscaping requirements, no requirements for on-going weed control, etc. I recommend an additional Community Character goal concept something like...

Our goal is full vegetation and aesthetic recovery of land disturbances when the infrastructure is built. For example, gas and electrical line routes need to be graded, reseeded, and weed controlled.

I think we need an additional Public Utilities and Services goal concept regarding the aesthetics of infrastructure facilities that goes something like this

Our goal is to have utility and public building facilities to be consistent with our rural character (e.g., no razor-wire, chain link fences, non IDS lighting, etc)

15. We have vision and policy statements about steering density to small villages, but there is no Residential Development goal about it. We should add a Residential Development goal something like...

Our goal is to have about one-third of residential housing to be in resort zones and small villages.

I have no idea what the percentage is; however, a guess is around 1000 (village),+2500 (Snowbasin)+ 2800 is around a third.

16. Commercial Development Goal 3 reads *“Ensure that future commercial development supports excellent civic function and community interaction.”*

We better define what *“excellent civic function and community interaction”* means.

17. Gateways and Viewsheds Implementation 2.2 reads in part *“Amend development standards to require undergrounding of all utilities for new commercial development projects and for residential development projects of 10 units or more.”*

Ten is too high for underground wiring. How about 1? What should absolutely be prohibited is more wires being strung across roadways...e.g., one per new house.

We should prohibit running overhead lines across scenic roads just because a homebuilder is too cheap to run the line under the road.

18. Public Utilities goal 1 reads in part [the goal is to] *“coordinate water and sewer services in Ogden Valley.”*

This is another controversial goal which overstates Valley sentiment. I recommend a compromise goal that goes something like...

Our goal is to understand the big picture regarding water and sewer services, including service areas, and capacity of facilities and resources.

19. Parks and Recreation goal 1 reads in part *“...recreational facilities and amenities to keep pace with increasing demand”*.

We know our proximity to the Wasatch Front will create an insatiable demand for our recreational resources, so keeping pace with it is both impossible and wrong headed...if we build it, they will come. Instead, we need to take the approach the forest service does. Their main driver is to maintain the quality of the experience, so they attenuate expansion by looking at impact on congestion, noise, wildlife, etc. I recommend we change the concept and language to something like...

...balance the expansion of recreation areas and facilities with overused and saturated resources to maintain a high quality recreation experience...

20. Recently in the UDOT Canyon study meetings some new thinking occurred: that the Canyon should be seen and treated as a recreation resource, not just as a corridor for utilities and transportation. To this end, I recommend a new Parks and Recreation goal something like:

Our goal is for Ogden Canyon to be utilized as a scenic destination recreation area, as well as a transportation and utility corridor.

Comments about the policies

21. In Land Use Policy 1.1 first sentence reads *“In general, additional density should not be authorized in Ogden Valley for more intense uses”*.

I believe the policy is more clearly stated as...

In general, additional density **will not** be authorized...

It is too squishy to have *...in general...should not...* The stronger statement puts developers on notice that requests for additional density are ordinarily denied.

22. Land Use Policy 1.1 second sentence reads *“Weber County should support the purchase and transfer of existing development rights as the primary means to increase densities in suitable project areas while proportionately decreasing it in other areas.”*

Given the whole strategy is tied to this policy, we don't need the “should language, and should change to...

Weber County policy is **to use** the purchase and transfer...

23. I think we need an additional Land Use Policy that goes something like:

Our policy is to discourage or prohibit development in sensitive lands and view sheds.

Several of the implementations would fall under this policy.

24. Land Use Policy 1.1 reads *“Density bonuses should only be allowed when they are granted to achieve specific and significant policy objectives of this General Plan.”*

I count 25+ goals (policy objectives) where density bonuses could easily be used to achieve specific and significant policy objectives. Instead, I recommend we recast this policy as something like...

Our policy is that, in general, density bonuses will not be granted.

The concept and language should be parallel to the first sentence of Land Use Policy 1.1.

25. Land Use Policy 1.1 reads *“Incentives other than density bonuses, such as reduced road cross sections and other cost-saving measures for master-planned developments, should be proposed to reduce development intensities and to incentivize the purchase and transfer of development entitlements.”*

It seems ridiculous to have a policy that essentially says “someone should propose...”. In any case, here is an idea proposed...

Our policy is to allow transfer of TDR into new clustered subdivisions in Rural Residential and Agricultural and Rangeland overlay zones, up to .33 units per acre in the subdivision.

This would effectively double the density in the subdivision, but should be fairly un-intrusive. I’m not sure if the idea is appropriate for Ag and Rangeland zones.

26. Land Use Policy 1.2 first sentence reads *“No development potential should be assigned to sensitive lands such as steep slopes, wetlands, and areas of geological instability.”* I believe this is already the case in ordinance and in practice. Hence, I recommend...

Our policy is that no development potential is assigned to sensitive lands...

27. Land Use Policy 1.2 second sentence reads *“Other sensitive areas such as important wildlife habitat and corridors and riparian areas should not be developed, but development credit for the acres affected should be allowed in other areas of the development project or for transfer to other more suitable areas.”*

I recommend we add flood plains and natural waterways to this second tier of sensitive lands...

Other sensitive areas such as important wildlife habitat and corridors, riparian areas, natural waterways and flood plains should not be developed, but development credit for the acres affected will be allowed in other areas of the development project or for transfer to other more suitable areas.

28. Land Use Policy 1.3 reads *“Pursue a voluntary reduction in overall development entitlements in Ogden Valley by such voluntary measures as conservation easements, donations of development rights, voluntary downzoning, purchases of development rights, and land purchases.”*

This will not work unless there is a functional “cap” on DU and land use policy 1.1. is currently pretty weak (which is why I recommend strengthening it). Additionally, I think there should be at least one implementation statement stopping additional density. The donor appeal of protecting the Valley by giving up development rights (i.e., future money) is near zero today because people are rightfully fearful the County will simply give those units to someone else, who will make money on them.

29. Land Use Policy 1.4 is redundant with the second sentence of Land Use Policy 1.1. I think we should drop the second sentence in 1.1.

30. Land Use Policy 1.5 reads *“Encourage clustered residential developments with smaller lots rather than large-lot single-family developments for most subdivisions. Allow for large-lot estate subdivisions with provisions for efficient land use and effective maintenance of large residential lots.”*

I recommend it be changed to...

[our policy is to] Encourage clustered residential developments **with smaller building lots and larger areas of open space**. [our policy is to] **encourage** large-lot estate subdivisions with provisions for efficient land use and effective maintenance of large residential lots.

In Land Use Implementation 1.5.2 and in Residential Development Policy 2.1, we see the concept *“...provide for the efficient land use and effective maintenance of large residential lots”*. The meaning of these two concepts are not defined in the DRAFT that I can find.

31. Residential Development Policy 1.2 reads *“Manage accessory dwelling units (ADUs) to allow for affordable housing opportunities without increasing the overall impact of residential development in Ogden Valley.”*

My understanding is that we currently do not allow ADU’s, only accessory apartments. I think the idea has merit where homes can have a guest house, caretaker quarters, etc. However, I think an ADU needs to use a density point. Hence, I recommend something like...

[our policy is to] allow a transferable development right to be utilized to create an accessory dwelling unit (ADU) for a single family home.

32. Residential Development policy 2.1 seems totally redundant with Land Use Policy 1.5. The PLAN is long enough; is there way to have the policy and implantation steps in only one of the two sections?

33. Residential Development Policy 3.1 reads *“Ensure that second homes in Ogden Valley are taxed at their full taxable value.”* I believe this should be changed to...

Ensure that **property** in Ogden Valley **is** taxed at its full taxable value.

This change allows two implementations; something like...

3.1 – Implement a program to determine the primary or secondary status of residential properties in Ogden Valley to ensure equitable collection of property taxes for all taxing entities.

3.2 -- Implement a program to ensure that all land designated agricultural is properly classified to ensure equitable collection of property taxes for all taxing entities.

34. Commercial Development Policy 1.1 reads *“Encourage all new commercial development in Ogden Valley to locate in the Huntsville, Eden, Old Eden, Trapper’s Loop junction, and ski resort areas. Discourage scattered and strip commercial and retail development in other areas of the Valley.”*

This seems way too weak and invites rezone requests for commercial outside of where we want commercial to locate. I recommend we change the policy to...

[our policy is to...] Restrict all new commercial development in Ogden Valley to commercial zones in the Huntsville, Eden, Old Eden, Trapper’s Loop junction, and resort areas.

[our policy is to...] prohibit scattered and strip commercial and retail development in other areas of the Valley

35. Commercial Development Policy 3.2 reads *“Encourage public spaces and plazas within commercial developments that can accommodate cultural and social events and that can function as community gathering areas. Promote and extend the walkable, gridlike pattern in*

the Valley and extend trails and pathways to commercial village areas." I recommend to include the concept of non-motorized use with something like...

[our policy is to...] Promote and extend the walkable, gridlike pattern in the Valley and extend **non-motorized** trails and pathways to commercial village areas."

36. Gateways and Viewsheds Policy 2.1 reads *"Encourage the preservation and maintenance of significant trees, shrubs, and other natural vegetation in riparian and other natural areas. Ensure that large-lot (3 acres and larger) development standards minimize site disturbance and lot coverage."*

This seems like a good idea, but why shouldn't it apply to all development with something like...

Our policy is to ensure that all development standards minimize site disturbance and lot coverage.

But I don't know what "lot coverage" means. I think what we want to be going for with this policy is minimal disturbance to the site, then restoration.

I presume this policy applies only to the gateway and viewshed overlay areas, but it does not say so.

37. Gateways and Viewsheds Policy 3.1 reads *"Develop view corridor development overlays with setbacks and design standards for identified sections of SR 39, SR 166, and SR 158. The overlays should protect views of the mountains and Pineview Reservoir from these roadway sections."*

I like the policy, but I think we should include SR 162...

...for identified sections of SR 39, **SR 162**, SR 166, and SR 158. **The overlays protect** views of...

Further, developing something is not a policy. The policy here is something more like...

"[our policy is to] **use setback and design standards to protect views...**

38. I recommend an additional Community Character policy something like...

[our policy is to...] Protect the Valley's clean air and clean water.

39. Transportation Policy 2.1 reads *"Coordinate with UDOT on planning for SR 39 (Ogden Canyon) and SR 167 (Trappers Loop) to inform UDOT decision making on timing and locations of investments in state highways that serve Ogden Valley."* This policy should include all state highways affecting the Valley be more like...

[our policy is to...] Coordinate with UDOT on planning for all highways affecting the Valley to inform UDOT decision making on timing and locations of investments in state highways that serve Ogden Valley."

40. Utilities and Public Services Policy 1.2 reads *"Weber County should ensure that adequate water and sewer services are available as a condition of approval of all future developments."*

This is current policy and ordinance, so surely we can have a stronger statement of policy something like...

Weber County **requires that** adequate water and sewer services are available as a condition of approval of all future developments.

41. Utilities and Public Services Policy 2.1 reads *"New developments in the village areas, the resort areas, and the rural residential areas on the Future Land Use Map should provide limited-capacity sewage treatment facilities for identified service areas. The facilities should be designed to be expandable to accommodate additional development in the village or resort areas."*

This policy should include a bias toward connecting to existing sewage treatment facilities rather than building more. Further, requiring sewer for *all* new development in rural residential areas seems inconsistent with the estate Residential Development Implementation 2.1.2. I recommend this policy be re-worded.

42. Utilities and Public Services Policy 3.1 reads *“Weber County should support a program to construct or improve natural swales in the more rural areas of the Valley to intercept overland flows outside the development areas.”* Any reason not to strengthen County resolve to...
 Weber County should **pursue** a program to construct or improve natural swales in the more rural areas of the Valley to intercept overland flows outside the development areas.
 If the County does not pursue it, who will?
43. Utilities and Public Services Policy 3.2 reads *“Weber County should require the design and construction of more advanced retention and detention facilities in new developments to reduce off-site stormwater effects.”*
 I think the intent of the policy is more like...
Weber County will require the design and construction of retention and detention facilities in new developments to minimize off-site stormwater effects.
44. Parks and Recreation Policy 1.1 first sentence reads *“Weber County will proactively partner with the U.S. Forest Service and other stakeholders to help manage Pineview Reservoir.”*
 I think this policy needs to be broadened to include more USFS recreational facilities than just Pineview. For example, Causey, South Fork campgrounds, and trails. All have the same problems high use brings as does Pineview. I recommend this policy be more like...
 Weber County will proactively partner with the U.S. Forest Service and other stakeholders to help manage Pineview Reservoir **and other Forest Service recreational facilities.**
 It also seems like the second sentence with detail about current Pineview problems should show up in implementation instead of policy.
45. Parks and Recreation Policy 1.2 reads *“Weber County will strive to provide or support adequate recreation facility improvements in the Valley. The County will support local recreation districts, organizations, and groups in their efforts to expand recreation areas and facilities necessary to provide adequate levels of service for the increasing demand.”*
 The “strive to provide or support” language is contorted if not tortured. Why not something like...
Weber County will pursue adequate recreation facility improvements and will support local recreation districts, organizations, and groups in their efforts to expand recreation areas and facilities.
 The same comment about *“...will strive to provide or support...”* applies to Parks and Recreation Policy 3.1.
46. Nowhere in the DRAFT do we see anything about equestrian recreation or lifestyle, yet it has a significant impact on land use and is a major recreation use and attraction. Pasturing horses does not count as ranching or agricultural use (unless for economic benefit), yet contributes substantially to open space as well as recreation. It seems like something important is missing.

Implementations

47. Land Use Implementation 1.2 reads in part *“...prohibit development in wetlands and floodplains, on slopes steeper than 30%, and in areas of geological instability. Reduce the allocation of development credits in these areas to zero. Prohibit development in identified critical habitat areas and wildlife corridors, on identified prominent ridgelines, and within established setbacks from the high-water mark of waterbodies, as provided in Chapter 28 of the Weber County Land Use Code. Allow development credits for such affected lands to be used elsewhere in the development area or for transfer to other more suitable areas, as identified in this General Plan.*

48. In the Community Character element, we discourage or restrict development in the “gateways” and Ogden Canyon involves two gateways. One is at the dam and the other is at the entrance to Ogden Canyon from Ogden. Currently the lower Ogden Canyon gateway is not being developed “consistent with rural character.” I recommend we change Gateways and Viewsheds Implementation 1.1.1: to:

Establish an Ogden Valley Gateway Overlay Zone to manage development in identified gateway areas, and establish overlay zone boundaries at each of the **five** Ogden Valley gateways: Ogden Canyon **top and bottom**, Trappers Loop, North Ogden Divide/Avon, and the Monte Cristo Road. ...

49. Land Use Implementation 1.4 includes a coordinator position and publicizing TDR, but also contains the single most controversial concept in the PLAN as kind of a buried sub-topic. I believe we need a separate implementation for this second sentence...

Identify sending areas where open space and agricultural operations are most desirable (mapped in green on Future Land Use Map 2), and receiving areas where additional density of development is most suitable (mapped in yellow and red on Future Land Use Map 2).

A procedural question is whether adopting the plan also adopts, as policy, Future Land Use Map 2? Or will there be specific legislation required to adopt it so the public will have an opportunity to study it in detail?

The first sentence of this implementation reads “Establish a coordinator’s position to promote and educate about conservation easements and other voluntary programs to reduce development intensity.” This has little to do with the policy it falls under, which is about TDR.

50. Land Use Implementation 1.5.1 reads “Require all residential development projects larger than six units that are located in predominantly agricultural areas (mapped in green on Future Land Use Map 2) to be cluster subdivisions or planned residential unit developments, unless they are proposed as estate subdivisions.”

I recognize the rationale that this biases development away from agriculture areas to residential areas, but it seems we need a parallel bias for clustering in the Rural Residential area. Otherwise we could end up with significant development of very small lots and no open space. Maybe the threshold needs to be higher than six units, but why not bias toward cluster subdivisions in rural residential? This seems especially important if any significant density gets shifted via TDR; perhaps we need an additional Land Use Implementation something like...

Require all residential development projects larger than 12 units that are located in Rural Residential areas (mapped in yellow on Future Land Use Map 2) to be cluster subdivisions or planned residential unit developments, unless they are proposed as estate subdivisions.

51. Land Use Implementation 1.5.2 reads “Create a new Estate Subdivision ordinance for Ogden Valley for residential development projects with average lot sizes of 5 acres or larger.”

I would rather see the threshold be 6 or 7 acres so it can qualify for the agriculture property tax subsidy.

The “such as...” should include road grades and cul de sac. Here again we see the “efficient land use and effective maintenance” idea which needs definition...probably as an additional implementation.

52. I can find any implementations that define how TDR to rural residential areas will actually work. Further, this is most important to be clear on since it affects a large number of residents. In the Future Land Uses we define Rural Residential as “Rural Residential is a low-density residential

use typically requiring 3-acres of land per residential unit. Density increases beyond this may occur provided the increases are offset by density reductions from land categorized as Agriculture or other lands categorized as Rural Residential. Community facilities such as schools, churches, and neighborhood parks and recreation centers may be present. Land use character is provided by diverse and unique homes that are encouraged, but not required, to be clustered into smaller lots surrounded by open spaces or farmland, with trails connecting neighborhood clusters to each other and to nearby villages and recreation areas. Rural Residential areas are both sending areas and receiving areas for transferable development rights.”

Currently, the PLAN seems to mean a developer could transfer an unlimited number of DR’s to anywhere in rural residential, with no limits on minimum lot size, existing adjacent or nearby uses, or the rural character of the area. The scenario that frightens me is that a developer could buy a lot in a 5+ acre subdivision (like mine) and subdivide into as many tiny lots as other requirements allow. Residents who purchased property in a large-lot area (like mine) would freak out at the devaluation of property values, open space, peace and quiet, etc. I personally would see it as a breach of trust by county government and would sell out as quickly as possible, probably to a developer of higher density, and move on...which would change the actual long-term status of my land from one DU per 12 acres to 12+ DU per 12 acres. This would create a cascade in the area, transforming one of the lowest density areas in the Valley to one of the highest.

This is why residents are so cautious when it comes to water and sewer systems. If a water and sewer system were to be nearby, the nightmare scenario is quite probable. This is why people like Kirk (one DU on 40 acres) are ok with being in an agricultural area, but want to be yellow if the area around him is yellow. Otherwise, if high density is allowed adjacent to him, he doesn’t have the option of selling to a high density developer. In other words, his land has much lower market value in order to provide open space for an adjacent high density, subdivision.

53. Residential Development Implementation 1.1 reads in part *“Revise Cluster Subdivision and PRUD ordinances to require a variety of housing types within development projects larger than 12 units.”* This requirement increases the odds of large cluster and PRUD subdivisions in all areas and increases the odds of 12 unit or less subdivisions. Is it worth it?

54. Utilities and Public Services Implementation 1.2 reads *“For all residential development projects in Ogden Valley that are not planned for independent water wells and/or septic drainfield services, Weber County will require a willserve letter from an established water service provider as a condition of approval.”* This implementation is not clear. Perhaps better, but longer...

For all residential development projects that are not planned for independent water wells, Weber County will require a willserve letter from an established water service provider as a condition of approval. For all residential development projects that are not planned for septic drainfield services, Weber County will require a willserve letter from an established sewer service provider as a condition of approval. The only exceptions to these requirements are when the development includes creation of a new water or sewer company to serve the development having received permits from appropriate agencies.

55. Residential Development Implementations 1.1 and 1.2 are redundant with the Land Use Implementations. It lengthens the PLAN as is confusing. Why is it necessary?

56. Moderate-Income Housing Implementation 1.1.1 reads in part *“...and investigate the potential for adding accessory dwelling units as an allowed use in the zoning ordinance.”* In general, I don’t think we should even start down this path unless an ADU uses up a density unit. We already have accessory apartments, which doubles potential effective density, and adding ADU without cost would double it again. The impact on final density could be staggering.

57. Parks and Recreation Implementation 1.2.2 reads in part “...development of the park that has been reserved by the Snowbasin Zoning Development Agreement and will work with Snowbasin and other stakeholders, such as the Town of Huntsville and local park districts, to ensure proper completion of park improvements.”

This presupposes the creation of a new park district as there is no district in the south end of the Valley.

58. Parks and Recreation Implementation 1.2.5 reads in part “...support an impact fee for the creation of capacity in the Valley’s trails network. Weber County should pursue a recreation impact fee to support future recreation investments that are necessary to support future residents.”

I will argue this implementation should be expanded to include impact fees for everything allowed by state law. It took over 100 years to build the first 3000 housing units and infrastructure to support them. Now we are growing at a 12% per decade clip and the next 3000 will come in the next 20 years or so. The county will need all the money it can get to have even a ghost of a chance of growing public recreation facilities proportionally.