



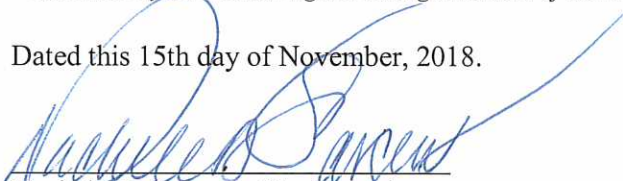
COALVILLE CITY PLANNING COMMISSION MEETING NOTICE AND AGENDA

Notice is hereby given that the Coalville City Planning Commission will hold its Regular Meeting on **Monday, November 19, 2018** at the Coalville City Hall located at 10 North Main Street, Coalville Utah. The meeting will begin at **6:00 P.M.** The agenda will be as follows:

1. Roll Call
2. Pledge Of Allegiance
3. **Public Hearing:** Public Hearing And Recommendation Of A Zoning Amendment Introducing A Planned Unit Development Overlay Zone Wohali Partners LLC
4. Planning Commission Updates
5. Community Development Updates
6. Review and Possible Approval of Minutes
7. Adjournment

** Coalville City reserves the right to Change the order of the meeting agenda as needed.*

Dated this 15th day of November, 2018.



Nachele D. Sargent, City Recorder

****In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Hall (435-336-5981) at least three days prior the meeting.**

Posted: November 15, 2018 City Hall, Coalville City Website, Utah State Public Notice Website

Mayor

Trever Johnson

Council

Adrienne Anson
Cody Blonquist
Arlin Judd
Rodney Robbins
Tyler Rowser

PO Box 188
10 North Main Street
Coalville, UT 84017

P: 435.336.5981
F: 435.336.2062
cityhall@coalvillecity.org
www.coalvillecity.org

Coalville City Planning Commission
Regular Meeting
HELD ON
November 19, 2018
IN THE
CITY HALL

Chair Isaac Rackliffe called the meeting to order at 6:05 P.M.

PLANNING COMMISSION MEMBERS PRESENT:

Chair: Isaac Rackliffe
Vice Chair: Linda Vernon
Commissioners: Nathanael Davenport
Dusty France
Shoat Roath (excused)
Jason Moore (excused)

CITY STAFF PRESENT:

Trever Johnson, Mayor
Derek Moss, Planner
Sheldon Smith, City Attorney
Zane DeWeese, Public Works Director
Nachele Sargent, City Recorder

PUBLIC IN ATTENDANCE:

Jim Boyden, Wade Budge, Eric Langvardt,
John Kaiser, Tom Rees, Sheryl Rees, Kim
Bowen, Stefanie Bowen, Greg Pyne, Jim
Robinson, Debbie Robinson, Dave Boyden,
Jack Walkenhorst, Dan Richins, Joe Myers,
Stephen Boyden, Mike Richins, Kevin
Richins, Blaire Simpson, Mike Judd, Ray
Hancock, Bryant Hull, Lynn Wood, Jim
Blonquist

Item 1 – Roll Call:

A quorum was present.

Item 2 – Pledge of Allegiance:

Chair Isaac Rackliffe led the Commissioners, Staff, and Public in the Pledge of Allegiance.

**Item 3 – Public Hearing: Public Hearing And Recommendation Of A Zoning Amendment
Introducing A Planned Unit Development Overlay Zone Wohali Partners LLC:**

Wade Budge stated he was the land use lawyer representing the Wohali Partners and tonight they just wanted to start a dialog for input for their project with the Commissioners and the public. Mr. Budge reviewed a power point presentation (Exhibit A). He stated the

project began with an annexation proposal which was approved as an agricultural zone. He stated they had revised their original proposal from information given at the annexation process meeting. He stated they thought a village concept for the project may be the best proposal. Mr. Budge reviewed the location of the project and stated the eastern ridge was their boundary and the development would occur behind the ridge line. He showed the maps for the location. Mr. Budge stated they had applied for a PUD overlay zone and that was what was before the Planning Commission for approval tonight (Exhibit B). He stated they had looked at the existing Zoning options available and rather than trying to amend one of those, they were proposing their own district which would work well for a master plan, but wouldn't impact the existing uses. Mr. Budge stated the overlay zone wouldn't change the underlying zoning. If the Developer didn't meet the requirements, the property would revert to the agricultural zone. This was an incentive for the developer to perform and meet their obligations. Mr. Budge stated a benefit of a master planned community would be that most people would have to pay more taxes as this would be their second home and their children wouldn't attend and impact the schools. The project would have amenities open to the public and would also provide financial resources in excess of what it would require in services. Mr. Budge stated this would be a year-round project and it may have primary residences. He reviewed the minimum requirements of the PUD overlay zone. He stated they were proposing a clustered development to allow the preservation of open space. They were proposing 393 single family properties and 127 town homes. Mr. Budge reviewed the map with the development plan. He stated the light red portion of the map was the village concept area and the orange portion were the single-family lots. Eric Langbart explained the green area was open space which was 48% of the project. There was an 18-hole golf course which followed the topography and preserved the cliffs and drainage ways. Over 1,000 acres would be left untouched. The village area would be a small rural village similar to Europe and there would be a wall which would be the basis of the area. There would be walkways that would lead to the amenities which included public trails, a club, restaurants, a spa, and other items as the project developed. The density would be equal to the R-4 zone with the density decreasing the further it moved out from the village area. It would allow for active recreation with access to 3,000 acres in conservation property. Wade Budge stated they could bring more details to another meeting if they wanted to see anything specific. He stated they didn't want this project to compete with Coalville, but to enhance the area. They would have uses that would support the community. Mr. Budge stated a development agreement would put the concepts in writing including identifying the uses and the specifics of the density. He stated the development would have to pay its own way including the water and sewer services. He reviewed the items from his presentation that would be needed for the development agreement. He stated Icy Springs Road would need to be updated and improved. Mr. Budge referred to the last page of the presentation which was their approval request.

Chair Isaac Rackliffe opened the public hearing at 6:43 PM

Mike Richins – adjoining land owner

Mike Richins stated there was a lot of wildlife in the area and he was concerned about them. He questioned if they had given any thought to them and what would happen to them.

Blaire Simpson – 273 S Main

Blaire Simpson stated the map they showed had different access points and stated one of the access points noted was not a valid access point. She stated it was part of the NS property and in order for this project to happen, it had to have a valid access point. Blaire Simpson pointed out on the map the different roadways that were not part of their property and questioned how they could come in with a plan when they didn't have all the parts to offer a valid plan. She stated this proposal was like saying I want to be a surgeon and I will get the schooling later if you will go ahead and hire me now. They only had one entrance at the top and one down at the bottom, she showed them on the map, that was available for the entire project. Blaire Simpson stated they were requesting the City to change the zoning for their one piece and that bothered her. They wanted to do this project, but in order to do it, they wanted the City to change the way it was run for them. She stated it bothered her that they could request to change everything just because they wanted their project to work. They wanted to force their puzzle piece into a spot that didn't fit, just because they could. She stated if they didn't have all the components needed, she didn't know how they could request to have anything changed as it already wasn't correct.

Ray Hancock – adjoining property owner

Ray Hancock stated he owned property that this project would dump onto. He stated he had just Googled the amount of water needed to run a golf course and the average amount was 500,000 gallons a week. He questioned where they would be able to come up with that much water. He stated he had heard the water for this project would not affect existing springs or wells, but he didn't know how that would be possible. There was a spring on his property, and a lot of other properties in this area, that a lot of guys used for irrigation and he didn't know how they could guarantee the water when they would need to pull out an average of 500,000 gallons a week to run a golf course. He stated he was totally confused at how they would be anticipating using the bottom entrance as an egress for the project. It was only drivable for five months of the year and it was totally useless if it ever stormed. He stated he didn't know what the zoning was up here, but where he lived, they wouldn't even look at the project unless there was another exit. Mr. Hancock referenced the California fires and stated if there was ever a fire, how would everyone get out without another egress. He stated they would just be sacrificial lambs. He stated at one point it was discussed having another egress going off the cliff which would cost a fortune, but it would make sense to have another way in or out of there. He stated there

wasn't another viable egress for the property and if there was a fire, how would anyone get out. He stated a fire in this area wouldn't just stay in one place. It would be all over the entire area, but maybe not the golf course so that may be a safe area, but he thought they really needed to consider the access to the property. He stated the road that came out at Coal Hollow was ridiculous and shouldn't be considered. He had buried a vehicle in that road several times in October and there were a lot of issues with it. He stated he didn't live here, and it wouldn't double the population where he lived, and he couldn't see where this was going to be a great advantage for Coalville City. He stated even taking care of the roads in the winter would be very difficult and if they were going to dump that in the City's lap, then they needed to be prepared.

Jim Blonquist – 179 Settlers Drive

Jim Blonquist questioned who would be responsible for all the roads. He stated the maintenance and the water was the biggest concerns for him. He stated he couldn't see where they were going to come up with all the water for the project. This was one of the driest areas in the State and he really didn't know where 500,000 gallons a week would come from. He stated if the City was going to be responsible for maintaining the roads, it would be a big concern for him. There hadn't been a lot of bad winters the last few years, but a lot of this area could be under six feet of snow and that would take a lot of manpower to take care of it. Mr. Blonquist stated he didn't think that should be the current taxpayer's responsibility.

Kevin Richins – adjoining property owner

Kevin Richins stated he was hoping to get the overlay zone detail information and not a power point presentation tonight. He questioned how they would get from A-20 to A-3 which was a huge jump on density. He stated his concern was having the overlay zone to allow them to put together the plan, which he assumed would have the hydrology details and survey to explain where the water flows and wells would be and where the water would be taken from so they would be able to tell if they were taking the water from their property, which would be after the approval. Mr. Richins stated he was hoping for numbers smaller than 500 units and as someone that used to live here and would like to move back here some time, he would encourage them to grow Coalville in a controlled fashion, but not to lock it down for no growth. He stated this seemed like an opportunity for some to invest in, but right now only coyotes, elk, and deer really loved the area. He stated if this could be a project that could be desirable for the community to enjoy, and he was a golfer, that would be fantastic. He was concerned about the 500 units and that was a hard number for him to swallow. He was also really worried about the water. Mr. Richins stated if they approved the overlay, so they could develop a plan, he requested for them to really do a good job with the water portion of the plan, so they could tell where they would be pulling the water from.

Lynn Wood – part time resident 40 W 100 N

Lynn Wood stated they were talking about one project, but it was really a bigger issue. She stated she liked what the previous woman had said and agreed we were taking a round peg and trying to put it in a square hole. She stated she knew the Planning Commissioners were familiar with the General Plan and questioned if this project fit within that plan. She stated she didn't think it did fit. Mrs. Wood stated opening the amenities to the public was a great step in the right direction to help make it fit, but it needed to go further and now was the time to get those other things in place. She stated now was the time before they made a zoning change because if they changed the vision of the General Plan which had years of work and surveys of what the public wanted; agriculture, open space, small town feel, for every new idea that came in, then in 20-30 years, they would have a real hodge-podge. She stated now was the time to take these projects and see if there was a way to mold and form them to the current General Plan and not the other way around. She stated the City wanted growth and they needed to make sure they didn't get mired in the details of what the developer wanted for their plan.

Bryant Hull – 455 Echo Dam Road

Bryant Hull stated he agreed with Blaire Simpson's statement about the road that came out by Coal Hollow and he would like an answer about it being part of their plan before they were able to proceed. Wade Budge agreed and stated that made sense to get that answer out there. Sheldon Smith stated they weren't quite ready for that at this point of the meeting. He stated the applicant could address it when the public hearing was finished.

Dusty France informed the public this meeting was also to get their feedback of what they wanted to see when the developer came back with his plans. They would like to hear the different ideas of what the public wanted so they could be addressed and encouraged them to state any concerns that hadn't been stated at this time.

Kevin Richins

Kevin Richins stated he would like access to the details of the plans like densities for the actual proposed overlay. Dusty France stated the information presented had given that information. Derek Moss stated he thought Mr. Richins was referring to the actual text amendment which had been touched on, but not presented with the power point. He stated the Planning Commission had read the text amendment and a review had been given and that could be made available to the public for review.

Sheldon Smith stated there had been a lot of good information presented by the applicant and a lot of good concerns had been expressed. He stated he had some concerns and felt there were several items that needed to be addressed before a decision could be made and recommended for the public hearing to be continued in order to give the applicant

time to present the other information needed. He stated the City would have the opportunity to meet with the applicant and analyze what the issues were and then be able to come back to the Planning with something they could decide on. Wade Budge agreed and stated they would be happy to come back with more information for them to consider. He stated they would be willing to set up a website or a link which would include the draft text amendment, maps, and the power point information presented tonight.

Wade Budge addressed some of the comments and concerns from the public. He stated it was not their intention to create a thoroughfare that would extend on the west side of the property or on anyone else's property. He stated they understood there was only one public roadway which had been identified as coming out at Coal Hollow and there wasn't any other public roads or intent to use other property. He stated some of the project would be gated and they would plan for anyone that may need to have access. They did not intend to create a use if there wasn't a use there now. Mr. Budge stated the concern of using the Coal Hollow road safely had been questioned and they only intended for that road to be used during the fire season and not during the winter. It was not feasible for ingress and they didn't intend to use it that way. It would have to be improved with gravel or some other all-season material for it to even serve as an emergency access. He stated they were only looking to use it as something in an emergency and wasn't looking to put traffic on the road. Any improvements would be all developer obligations. Wade Budge stated they were seeking to create another zoning district to create a customized project that would reflect the general plan values with open space and room around the density. He stated they were trying to strike the right balance and were open to discussion to achieve that. He stated they were willing to have a work session if the City staff thought it would be beneficial. Wade Budge stated he understood everyone was concerned about the water use. He stated an advantage of a golf course was the water used wasn't a 100% consumptive use as most of the water would go down and recharge the aquifers. They agreed water quality was important and agreed the golf course would need to operate the way it should, and it should serve as a resource. Mr. Budge stated they would have to meet State requirements as well as City requirements and they could not impair existing water rights. They wouldn't be able to draw down wells or impact springs for their development. He stated they had already had discussions with Weber Basin who was the primary water provider for this area for the water shed and there were available water resources to use for this project and it would not be cheap to do so. Mr. Budge stated all private roads would be maintained by the development and they would consider having the HOA maintain the public roads as well. He stated this would be determined with the development agreement with the City.

Mike Judd – 408 Old Farm Lane

Mike Judd questioned what other developments locally, in the Summit or Wasatch County, Mr. Budge and the others working on this project had previously worked on. Wade Budge stated he and Eric Langvardt had been involved with Tuhaye and Victory Ranch. He stated

Eric had worked on Glen Wilde and he had worked on Empire Pass with some work at Wolfe Creek and Promontory. He stated they were trying to achieve the right balance with benefits for the City and their project.

Ray Hancock

Ray Hancock questioned how far it was from the freeway exit and Icy Springs road to this project and who would be responsible for the maintenance of that road. Wade Budge stated he would guess one and a quarter mile. He stated that was a County road and he would assume the County would be responsible for that maintenance, but he didn't know. Mr. Hancock stated it was going to have to be maintained a lot better than it was for 500 homes. Wade Budge stated they would be willing to discuss assuming that maintenance as well as they wanted people to be able to access the property easily and safely.

Commissioner Dusty France questioned the purpose for the text being proposed and questioned with the existing zoning options what would prevent them from proceeding with a rezone instead of proposing a new overlay zone. Wade Budge stated they were looking at clustering the development and by doing the PUD, they could set aside a specific area for open space for perpetuity and have the other areas, from the map the light red and orange area, with the density needed. He stated clustering was the primary reason, but another reason was it would allow for a mechanism to put other requirements on the developer to keep them on track. Sheldon Smith stated the closest zone the City had right now would be a master planned development and questioned why that wouldn't work here. Wade Budge stated they could try and make it work but thought they may end up tweaking it and didn't want to have unintended consequences. He stated they could do another look at it to see if it would work. Sheldon Smith stated the City was already making changes to that part of the code and it may make sense to take another look at it. Wade Budge stated they would do that. He stated from setting the bar so high with the overlay, they also wouldn't have the risk of someone else coming in to try and use this zoning without offering the same trade of benefits for the City.

Ray Hancock

Ray Hancock questioned if the property to the west would have something done on it in the future. Wade Budge stated it was already part of a conservation easement now and nothing could be done with that property.

A motion was made by Commissioner Dusty France to continue the public hearing to Tuesday, January 22, 2019.

Commissioner Dusty France questioned if the Wohali Partners had a website set up with the overall plan and goal of what they wanted to achieve. Wade Budge stated they would

set one up and have a link for the City so those coming to the meeting would be able to know what their plan was.

Mayor Trevor Johnson stated he and Sheldon had worked closely on this and with the aftermath of the Allen Hollow project, they were trying to focus on the liability for Coalville City. He stated they had an annexation application from the Hoytsville area and they couldn't make it work and he had taken a lot of heat from denying that project. He stated he felt they really weren't comfortable with only having 18 days with this application to make a decision. He stated they didn't dictate what the Planning Commission did, but they would recommend pumping the brakes a little and giving the City time to maybe even have a third party look at this to make sure the City was doing their due diligence. He stated it wasn't their intent to not listen to the Wohali project, but there were a lot of comments on social media that were negative. He stated he had received calls that stated if it was done right, they were okay with it, but he didn't get a lot of calls with the concerns for the project. Mayor Johnson stated he and the Council wanted to hear the concerns from the public. Then the concerns could be addressed to see if they could make this project work for everyone and make sure the City was protected. Mayor Johnson stated when he ran for his first term, there was a recognition that growth was coming and the concern of how the City was going to handle it. The term "smart growth" was thrown around a lot, but it was difficult to determine what that was especially in a bedroom community. The average tax generated by the average house in the City paid for about 70% of the service generated to maintain it. It was not self-sufficient. On the commercial side, the tax generated was about 140%. He stated when they looked forward to the future, it was a difficult balance between people to go to the businesses and businesses for the City. He stated in the last year, there had been around 100 homes that had been built and impacted the City, but on paper if they had secondary homes that were not impacting the system every day, that number would flip dramatically. He stated there wasn't enough answers with this proposal to know if this was the right way to manage growth, but it had given him enough information to want to know more. He stated he first thought this development agreement would be the best way to go because the City could help shape how it would go. He stated but maybe it would be better to have them look at what the existing zoning would do. He stated there were private landowners that were operating under the zoning laws and they had a right to pursue what they wanted for their property. The City couldn't just stop development. This was a mechanism for the City to try a balance the development and allow them their property rights and protect the City at the same time. He would recommend tabling this decision at this time.

Commissioner Nathanael Davenport seconded the motion. All Ayes. Motion carried.

Commissioner Linda Vernon stated she would like to hear from Sheldon Smith and Derek Moss. Sheldon Smith stated he needed a lot more time to go over the information before he could give any comments that would be helpful to the Commissioners. Commissioner Dusty France questioned where the wording for the proposal came from. Wade Budge

stated he had drafted it. Derek Moss stated the City had some discussions earlier in the year for the next steps for the project and the Developer had received some guidance at that time, but there wasn't a time period when the text went back a forth for review. Commissioner Linda Vernon stated she thought they needed the master plan and the development agreement to be able to approve the overlay zone. Derek Moss stated their application was to approve the text amendment and allow for the PUD. He stated the City understood if it was approved, they knew it would lead to a master plan and a development agreement. Sheldon Smith stated he would recommend having all of it in place, the master plan and development agreement, before they considered approving this amendment. He stated other places like Summit County would require having the development agreement and the plan in place before approval. He stated it was good to be oriented of what they would like to have happen, but it was premature to expect a recommendation. Commissioner Isaac Rackliffe questioned if Zane DeWeese had seen anything beneficial or as a hindrance that had been discussed. Zane DeWeese stated it was difficult to give an accurate answer at this point. He stated he would need to see the findings and the development agreement before he could state any concerns. Commissioner Linda Vernon stated she would like to have a wildlife study completed to see what the impact would be from this development. Wade Budge stated he would add that information to the list of what they would bring back to the City. Chair Isaac Rackliffe stated he thought having the information from the hydrologist would also be beneficial. Wade Budge stated they would also bring that information to the City. Commissioner Dusty France agreed and stated if this project wasn't in the main water shed for the City, he didn't think they would have near the problems for approval.

Item 5 – Planning Commission Updates:

Commissioner Dusty France stated he would like to have a final copy of the Code revisions that was approved by the City Council.

Item 6 – Community Development Updates:

Derek Moss stated the Rivers Edge final plan would be coming to the next meeting. It was scheduled for tonight but had to be postponed because Courtney Richins couldn't be here.

Item 5 – Review And Possible Approval Of Minutes:

The Commissioners reviewed the minutes of the October 15, 2018 meeting.

A motion was made by Commissioner Linda Vernon to approve the minutes of October 15, 2018 as corrected. Commissioner Dusty France seconded the motion. All Ayes. Motion Carried.

Item 8 – Adjournment:

A motion was made by Commissioner Nathanael Davenport to adjourn the meeting. Commissioner Linda Vernon seconded the motion. All ayes. Motion Carried.

The meeting adjourned at 7:54 P.M.

Chair Isaac Rackliffe

Attest:

Nachele D. Sargent, City Recorder

"Exhibit A"
Planning 11/19/18

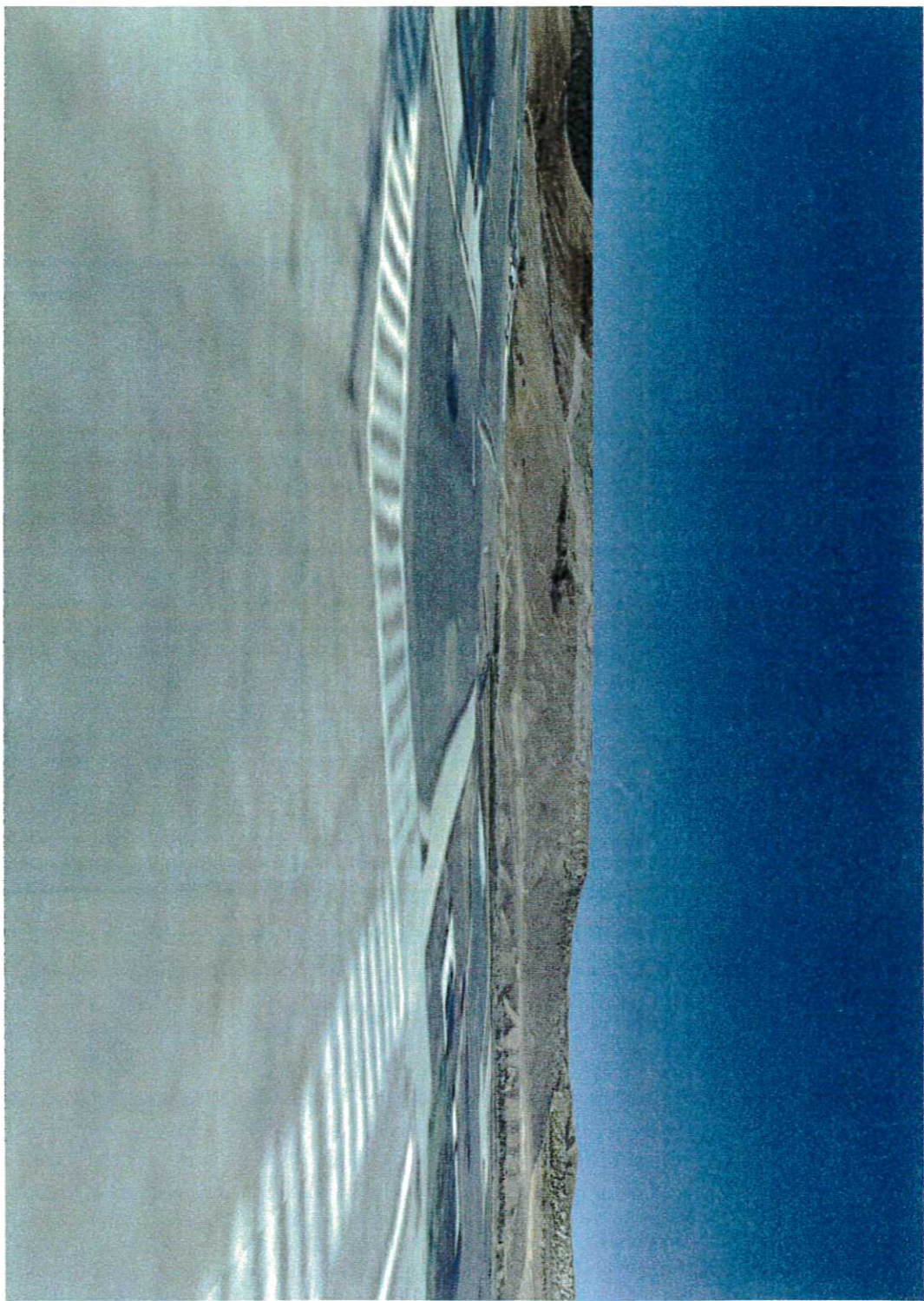
Wohali Partners



Project Evolution

- ▶ Since March hearing
 - ▶ Taken input on the need for public access.
 - ▶ Studied the water resources in the area.
 - ▶ Redesigned the project to reduce single family lots.
 - ▶ Designed a village concept centered on public access.
- ▶ Incorporated rural themes appropriate to the area.





PUD Overlay Zone

- ▶ Why a new zoning amendment?
- ▶ Existing zoning districts work with existing residential and commercial projects.
- ▶ Existing zoning districts also facilitate ongoing agricultural uses.
- ▶ Existing districts do not contemplate a project clustered over a large area.

PUD Overlay Zone

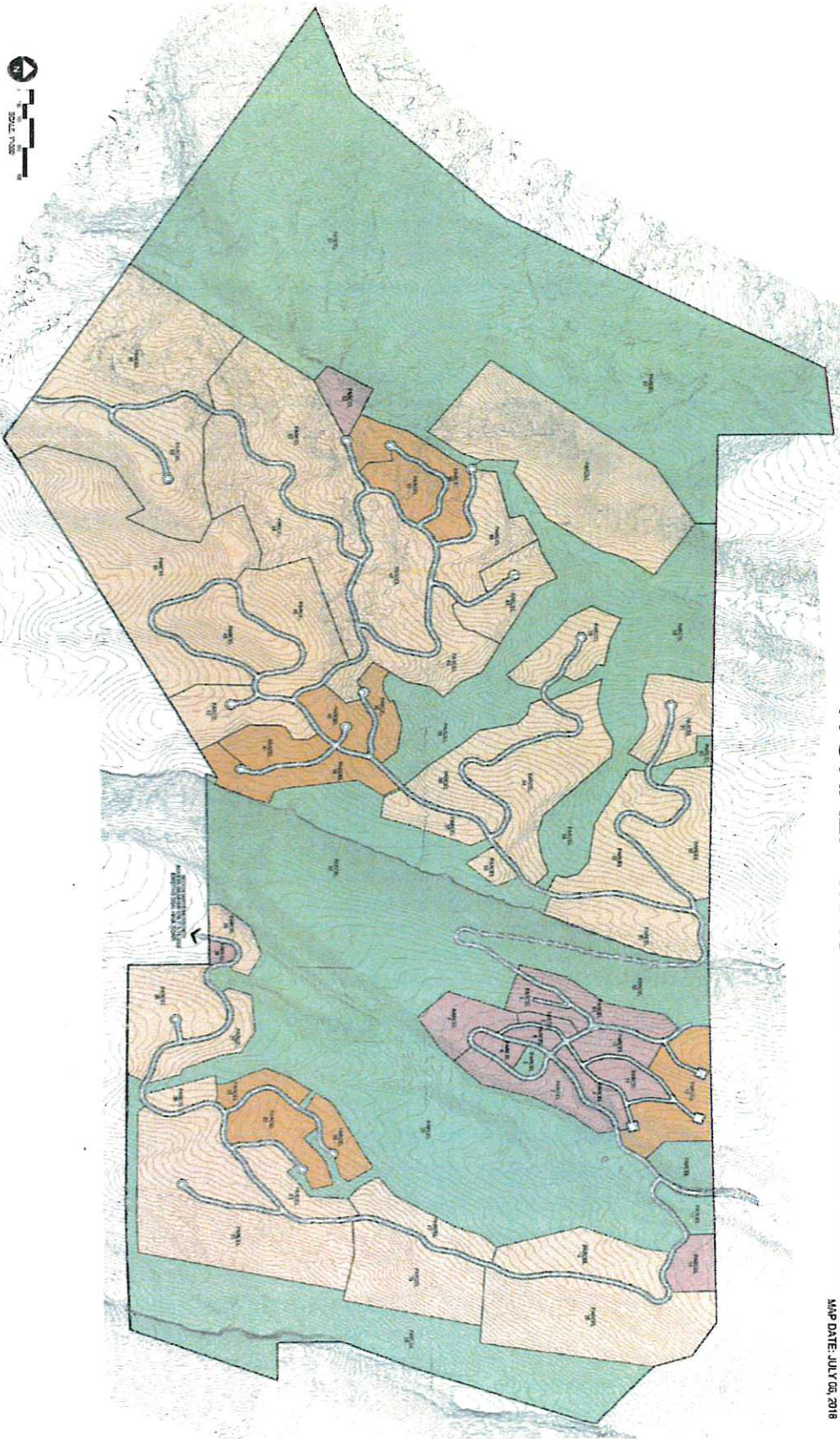
- ▶ The purpose of the overlay zone is to facilitate:
 - ▶ a large master planned community
 - ▶ a destination village
 - ▶ public trails
 - ▶ an increase in the tax base and associated public resources

To use the PUD Overlay Zone, a project must:

- ▶ Be a minimum 1,500 acres in size
- ▶ Pursued by a single developer
- ▶ The density may not exceed one unit per two acres
 - ▶ Many current zoning districts are more dense
 - ▶ R-1 (1 per acre), R-2 (2 per acre), R-4 (4 per acre), R-8 (8 per acre)
- ▶ Residential uses clustered to allow preservation of open space

WOHALI - MASTER DEVELOPMENT PLAN

MAP DATE: JULY 05, 2018



Items for Development Agreement

- ▶ Uses:
 - ▶ Residential dwellings including single family attached, single family detached and townhomes.
 - ▶ Resort uses associated with the golf resort
 - ▶ Public trails
 - ▶ Commercial uses, including uses associated with the village concept (open to the public)

Additional Items for Development Agreement

- ▶ Density:
 - ▶ Since annexation request, the project has been redesigned to reduce single family home lot count from 500 lots to 393 lots.
 - ▶ The balance of units will be approximately 127 residential unit equivalents for townhomes and village cottages.
 - ▶ Commercial areas will be located within the village specified in the master plan

Additional Items for Development Agreement

- ▶ Infrastructure Requirements:
 - ▶ Master developer to install needed water and sewer lines to service the project
 - ▶ Project will include the installation of a forced main sewer line and lift station
 - ▶ Project will also include the development of culinary and irrigation water sources
 - ▶ New water sources will not impair existing wells and sources

More Infrastructure Items for Development Agreement

- ▶ As plats are recorded, developer will be required to dedicate sufficient water to the city to serve the lots identified in each plat
- ▶ Developer will be required to design and construct a water system which complies with federal, state and county clean water requirements
- ▶ Golf and landscaping areas to be operated in accordance with best available technology from a water quality and water use perspective

Additional Items for Development Agreement

- ▶ Obligation to respect Water Source Protection Areas
 - ▶ Specifically, development will not impact existing wells and springs.
- ▶ Golf to be offered as a use with local access
 - ▶ Golf course to be available for the high school golf team
- ▶ Allocated golf times each week for local public play

Additional Items for Development Agreement

- ▶ Road Access:
 - ▶ Public access will be maintained
 - ▶ Relocation of roads will allow continued public access.
 - ▶ Neighborhood pods may be gated but not the public road in and out of the project
- ▶ Developer to improve access into the project through Icy Springs Road

Our Request

- ▶ We seek the Planning Commission's input and formal recommendation on:
 - ▶ The draft PUD Overlay Zone text
 - ▶ The boundaries of the lands to be placed in the proposed PUD Overlay Zone
- ▶ We seek the Planning Commission's input and informal comments on items to be included in a future Development Agreement along with other items to make the project one suitable for the community.

"Exhibit B"
Planning 11/19/18



DATE: November 15, 2018

TO: Coalville City Council

CC: Mayor Trevor Johnson; Zane DeWeese, Public Works Director;
Sheldon Smith, City Attorney;

FROM: Shane McFarland P.E., City Engineer
Derek Moss, AICP, City Planner

SUBJECT: Zone Text Amendment

Application Information:

Applicant: Waholi Partners LLC

Applicable Ordinances: Title 10, Chapter 3, Section 080: Zoning Map and Text Amendments

Background: Coalville City annexed approximately 1,795 acres in April 2018. The land was zoned as Agriculture (AG) at that time. At the time the City Council and Planning Commission were reviewing the proposed annexation, the annexation petition sponsor (Waholi Partners) provided concepts to help the City better understand the purpose of the petition and the desired outcome. In consultation with the City, the applicant has continued to develop the concept plan and review with staff considerations of water and water quality, infrastructure and other city services, etc.

The purpose of this proposal is to consider an overlay zone that would be applied to developments greater than 1,500 acres and would result in development and conservation that promote a sense of community, high quality design standards, walkable neighborhoods, and centers of recreation and activity.

Decision to be Made: Following a public hearing, the Planning Commission shall recommend approval, approval with modifications, or denial of the proposed amendment and shall submit its recommendation to the Legislative Body for review and decision (see 10-3-080, subsection D-3-a).

10-3-080-E provides Standards for Decision regarding zone text amendments, the Planning Commission and City Council should consider:

1. Is the amendment consistent with the goals, objectives, and policies of the General Plan.
2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property.
3. Is the proposed amendment consistent with the standards of any applicable overlay zone.
4. Does the proposed amendment adversely affect adjacent property.

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

Staff Comments:

Standards for Decision comments are as follows:

1. Consider the goals, objectives and policies of the General Plan:
 - a. Community Vision Goal 1, Objective 1, Policy 3 states: *Land development should be organized in clustered patterns and not sprawled over the countryside.* The overlay zone stresses clustering of lots and/or units to prevent sprawled development.
 - b. Community Vision Goal 1, Objective 2, Policies 3 and 4 state: *New development should minimize visual effects on viewsheds, hillsides and riparian areas; and, Recreational opportunities for boating, biking, hiking and camping should be expanded and enhanced throughout the community and surrounding areas.* The overlay zone would provide the means (through a master plan and development agreement) to develop design standards that minimize visual effects and to maximize opportunities for recreation. This is also consistent with Goal 2, Objective 1, to *provide amenities and opportunities for residents and visitors.*
 - c. Land Use Goal 1, Objective 1, Policy 6 states: *Development approval should be tied to the construction of primary culinary and secondary water, sewer, storm drainage, and transportation systems.* A development agreement would be required in the proposed overlay zone and is the tool cities have to ensure that major developments provide appropriate secondary water, sewer, storm drainage, and transportation systems.
 - d. Economic Development, Recreation and Tourism states: *The area surrounding the city is already a destination for recreation. A new aspect of economic development for the city is to capture more of those visitors by expanding a recreational support services. Central to this effort will be to connect these activities to the city and draw visitors to the Main Street District. Activities that span the four seasons abound, but further enhancement of recreational activities is needed.* The overlay zone would increase opportunities to capture more visitors and draw visitors to the Main Street District. The overlay zone could be improved to address commercial and mixed-use development. It provides density for residential development, but not for commercial or mixed-use development.
 - e. The Parks, Open Space, and Environment Vision states: *Preserve essential natural features while accommodating residential development; and, Mitigate natural hazards.* The overlay zone may provide opportunities to preserve natural features while accommodating residential development and to mitigate natural hazards such as wildfire.
2. The proposed amendment would be applied to land owned and/or managed by Waholi Partners, the area that was annexed by Coalville City in 2018. There is currently no existing development in the vicinity, unless the Planning Commission and City Council consider the entrance to Icy Springs Road and the west side of Coalville City as "in the vicinity" and an area for opportunity for commercial and recreational growth. Also consider the current zoning and permitted and conditional uses in that zone

(AG) and the surrounding properties and whether those uses have similar risks and benefits to the city.

3. There are no other overlay zones, however the proposed amendment is consistent with other applicable ordinances, including sensitive lands.
4. Because the amendment would be applied to development in the area recently annexed, staff reviewed the concept plans and determined that there are no known adverse impacts that could not be mitigated.
5. The proposed overlay requires a master plan and development agreement. This way, the City has the tools necessary to review and approve only those developments that have adequate services intended to serve the subject property.

Other Staff comments:

1. It is recommended in Section 10-30-050: Submittal, that the utility plan be specific to each utility. Include language to be specific on water services. This should include culinary, irrigation and storm water utilities.
2. It is recommended that the overlay zone outline at a minimum the items that need to be included in the development agreement. Add language to ensure that other applicable ordinances regarding infrastructure and utilities applies to the development agreement.
3. It is recommended that the overlay zone include language for parks, open space, and trails, with a range of recommended and/or required, developed open space and required in the master plan or development agreement.
4. Staff advises the Planning Commission and City Council to consider how an overlay zone provides a means of protection (through a master plan and development agreement); the City has an interest in helping plan master planned developments to ensure proper protections are in place and provide for opportunities that would not otherwise exist. An overlay zone, when properly applied, provides these protections and opportunities.

If you have any questions feel free to contact us.



APPLICATION for
ZONING AMENDMENT, (TEXT / MAP) within
COALVILLE CITY:

For Office Use Only:

Application Date: _____
PC Approval Date: _____ CC Approval Date: _____
Community Development Director Review Date: _____ Initial: _____
Expiration Date: _____ Denial Date: _____
Fee Paid: \$ _____ Receipt #: _____

Project Name: Wohali

Project Address or Area: See Exhibit 6

Name of Owner: Wohali Partners LLC

Address of Owner: [Redacted]

Phone: [Redacted] **Cell:** [Redacted]

Email: [Redacted] **Fax:** [Redacted]

☒ Check box if same as owner

Name of Applicant: _____

Address of Applicant: _____

Phone: _____ **Cell:** _____

Email: _____ **Fax:** _____

Please include with the application:

- ☒ 1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
- ☒ 2. A complete description of the proposed use of the property where appropriate.
- ☒ 3. Reasons why the present zoning may not be appropriate for the area.
- ☒ 4. If the proposed amendment requires a change in the zoning map, the application shall include:

- a. accurate property map showing present and proposed zoning classifications;
 - b. all abutting properties showing present zoning classifications; and
 - c. accurate legal description and an approximate common address of the area proposed to be rezoned.
- X 5. If the proposed amendment requires a change in the text of this Title, the application shall include chapter and section references.
- X 6. Legal description of the property.
- N/A 7. Three (3) copies of site plans drawn to scale, two (2) 11 x 17 inch reduced copy of each plan and elevation drawing, and an electronic format available to the city.
- N/A 8. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as agent
- X 9. City will prepare address labels for all property owners within 450 feet of the subject property. **The cost of first class postage for each address is due at time of application.**
- X 10. **Filing fee of \$500 + Notification and Publication Costs due at time of application. This fee is for one initial review and a final or follow-up review. If additional costs do incur do to the need for additional fees, the applicant will be responsible for all additional fees.**

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis.

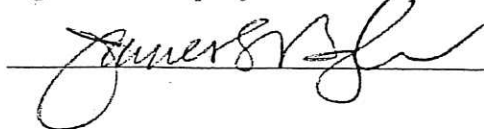
All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

If you have any questions regarding the requirements of this application, please contact the Community Development Director prior to submitting the petition.

File the complete application at:

Coalville City Hall
10 North Main Street
Coalville, Utah 84017

Signature of Property Owner or Representative:



Date

11/1/18

EXHIBIT 1

Statement of the Text Amendment or Map Describing the Purpose for the Amendment and the Exact Language, Boundaries and Zoning District

CHAPTER 30 PLANNED UNIT DEVELOPMENT OVERLAY ZONE

- 10-30-010: Purpose**
- 10-30-020: Eligibility**
- 10-30-030: Permitted Uses**
- 10-30-040: Process**
- 10-30-050: Submittal**
- 10-30-060: City Council Approval or Disapproval**
- 10-30-070: Phasing**
- 10-30-080: Amendments to Master Plan or Development Agreement**

10-30-010: Purpose

The purpose of the Planned Unit Development (PUD) Overlay Zone is to provide a regulatory tool which allows large properties to be developed pursuant to a development agreement and in accordance with a master plan adopted in connection with approving a development agreement. The PUD relies on the submission of a master plan and negotiated development agreement to promote inventive land use patterns that would otherwise be difficult or impossible to accomplish under other city zoning ordinances. Such areas will result in a unified development that promotes a sense of community, high quality design standards, walkable neighborhoods, centers of activity, and increased compatibility with surrounding properties.

The PUD Overlay Zone encourages creative and efficient utilization of land through large-scale development and by providing greater flexibility in the location of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units.

10-30-020: Eligibility

To be considered for a PUD Overlay Zone, a property shall encompass a minimum of fifteen hundred (1500) acres to assure reasonable internal and external land use compatibility. The property in question shall be solely owned by an individual, partnership, or corporate entity, or under option to purchase by an individual, partnership, or corporate entity, at the time a proposed development owner, or group of owners, submit(s) an application to have a land use regulation adopted to apply a PUD Overlay Zone to a particular property or group of properties. A PUD Overlay Zone shall only be applied to land where a property owner has requested its application and where city council and owner(s) have negotiated a development agreement to govern the development of the project. In advance of negotiating a development agreement, the owner shall submit a draft master plan demonstrating that a proposed project will offer unique advantages over traditional forms of development, as shall be determined by the city council.

10-30-070: Phasing

Projects may be phased over a number of years as described in the development agreement and depicted in the master plan.

10-30-080: Amendments to Master Plan or Development Agreement

After adoption of the PUD Overlay Zone, the master plan or development agreement may be amended through a land use application submitted to the city council acting as the land use authority as that term is defined in Utah Code Ann. 10-9a-103. Each amendment to the master plan or development agreement shall be an administrative act of the city council.

10-30-030: Density, Uses and Configurations

Densities, uses, lot sizes, setbacks and configurations in the PUD Overlay Zone shall be as described and generally depicted in the development agreement and the master plan; provided, however, that maximum density for any PUD shall not exceed one (1) unit per two (2) acres, subject to the clustering of lots and/or units. Application of a PUD Overlay Zone to a property shall effect a rezone of the property depicted in the master plan, and the recorded development agreement and master plan attached as an exhibit thereto shall operate as the zoning regulation for such property.

10-30-040: Process

An owner desiring to have the PUD Overlay Zone apply to a particular project shall submit a draft master plan to the planning staff for review and comment. Once planning staff has provided its comments, the master plan shall be reviewed by the planning commission at a public hearing to be noticed in accordance with Utah Code Ann. § 10-9a-205 as a proposed modification of a land use regulation and zoning map amendment. The planning commission shall make a recommendation on the master plan to the city council in accordance with Utah Code Ann. § 10-9a-302(2). The planning commission shall not hold more than one public hearing on a master plan without the consent of the project's owner.

10-30-050: Submittal

A master plan submitted in advance of the city council approving a PUD Overlay Zone to a particular project shall contain the following information and materials: (a) complete and accurate legal description of the real property comprising a project to be included in a PUD; (b) topographic maps of the entire project, including contour intervals; (c) a tabulation of the total acreage of the project, and the percentages thereof to be designated for various uses, i.e., parking, residential, commercial, open space, streets, etc.; (d) proposed circulation pattern, including private and public streets and pedestrian paths; and (e) a utility concept plan showing the general manner in which sewage disposal and water services are to be provided to the project, including the point from which said services are to be extended.

10-30-060: City Council Approval or Disapproval

The city council shall approve or disapprove the application of a PUD Overlay Zone to the project described in a master plan at a public hearing held after a recommendation is received from the planning commission. A public hearing shall be noticed as a public hearing to amend the zoning map and land use regulations of the city. Any approval of the master plan and the application of a PUD Overlay Zone to the property within a project shall be confirmed in a development agreement approved by the city council, together with the master plan, which master plan shall be included as an exhibit to the development agreement. If owner(s) and city council do not agree on the terms of a development agreement, the PUD Overlay Zone shall not be applied to a project. If a master plan is approved then the city's zoning map shall be amended to reflect the application of the PUD Overlay Zone to the area described in the development agreement and depicted in the master plan.

EXHIBIT 2

A Complete Description of the Proposed Use of the Property Where Appropriate

Residential uses, commercial uses, resort uses, including recreational uses for golf and outdoor community, and uses to operate nightly rental or lodge units.

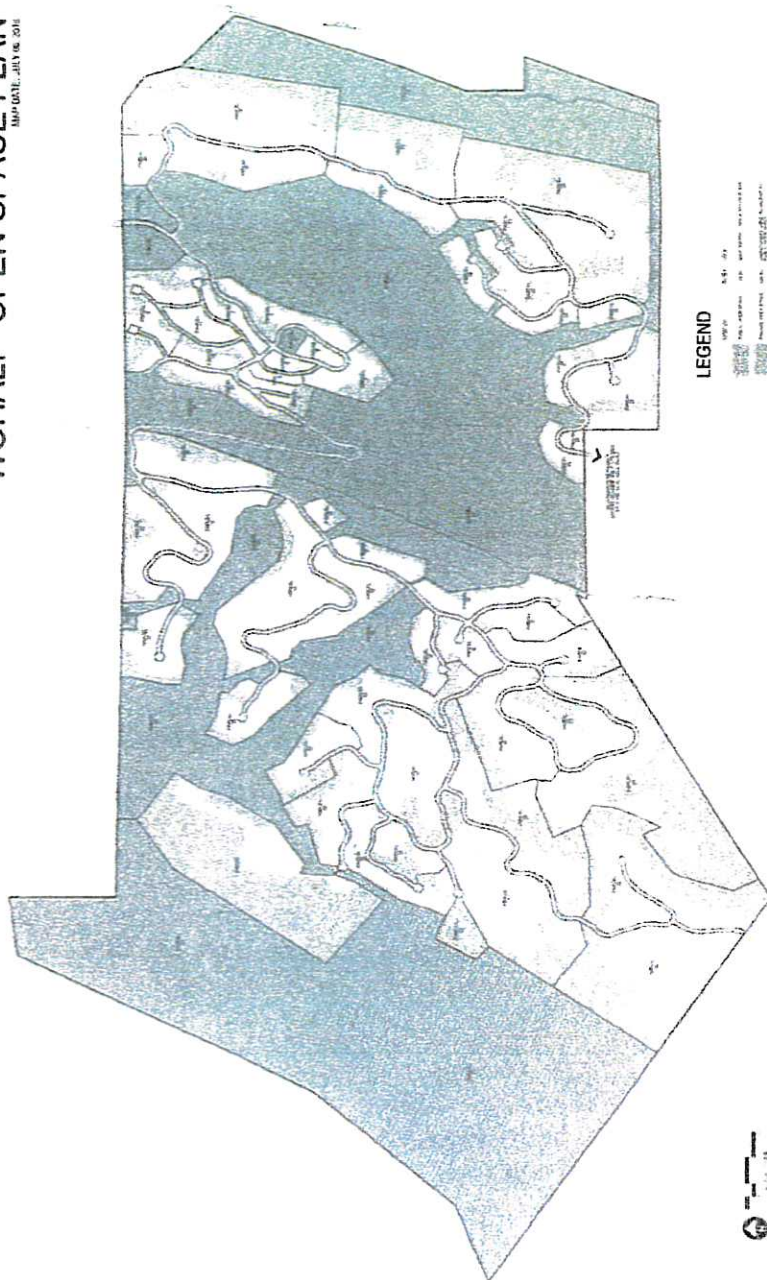
EXHIBIT 3

Reasons Why the Present Zoning May Not Be Appropriate for the Area

The Property's current agriculture zoning designation does not support the contemplated uses.

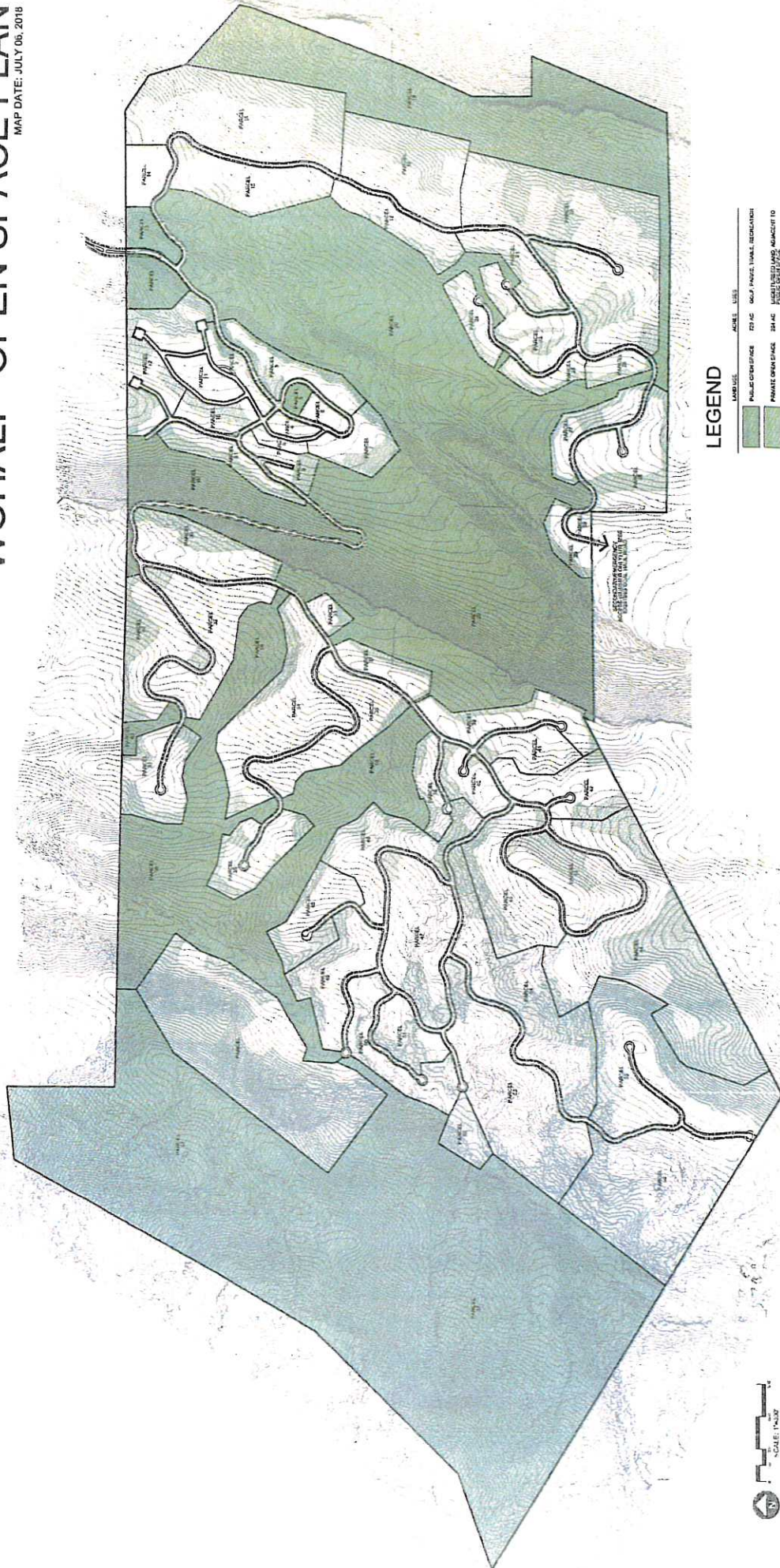
(Entire Project to be included in the PUD Overlay Zone)

WOHALI - OPEN SPACE PLAN



WOHALI - OPEN SPACE PLAN

MAP DATE: JULY 06, 2018



LEGEND

LAND USE	ACRES	FEET
PUBLIC OPEN SPACE	279 AC	0.64 AC
PRIVATE OPEN SPACE	284 AC	0.64 AC
TOTAL	563 AC	1.28 AC

NOTE: PRIVATE OPEN SPACE IS NOT TO BE USED FOR ANY OTHER PURPOSES.

EXHIBIT 4.B.
All Abutting Properties Showing Present Zoning Classifications

1	Parcel NS-449 – AG-40 ~~Parcel NS-449 – AG-40~~
2	Parcel NS-447-A – AG-40 ~~Parcel NS-447-A – AG-40~~
3	Parcel NS-349-A ~~Parcel NS-349-A~~
4	Parcel NS-450 – AG-40 ~~Parcel NS-450 – AG-40~~
5	Parcel NS-349-B ~~Parcel NS-349-B~~
6	Parcel NS-451 – AG-40 ~~Parcel NS-451 – AG-40~~
7-8	Parcels NS-290 and NS-300 – AG-80 ~~Parcels NS-290 and NS-300 – AG-80~~
9-10	Parcels NS-284 and NS-302 – AG-40 ~~Parcels NS-284 and NS-302 – AG-40~~
11-12	Parcels NS-286 and NS-304 – AG-40 ~~Parcels NS-286 and NS-304 – AG-40~~
13-14	Parcels NS-279 and NS-288 – AG-80 ~~Parcels NS-279 and NS-288 – AG-80~~
15	NS-281 – AG-40 ~~NS-281 – AG-40~~
16	NS-281-A – AG-40 ~~NS-281-A – AG-40~~
17	NS-282 – AG-40 ~~NS-282 – AG-40~~

**Eastern Summit County Zoning District

- Agricultural-40 (AG-40)
- Agricultural-80 (AG-80)

EXHIBIT 4.C.

Accurate Legal Description and Approximate Common Address of the Area Proposed to be
Rezoned

BEGINNING AT THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 5 EAST,
SALT LAKE BASE & MERIDIAN AND RUNNING THENCE NORTH 89°11'21" EAST 3743.70 FEET;
THENCE SOUTH 56°22'29" EAST 406.43 FEET; THENCE SOUTH 17°05'28" EAST 369.20 FEET;
THENCE SOUTH 48°07'57" EAST 780.00 FEET; THENCE SOUTH 12°44'02" WEST 123.14 FEET;
THENCE SOUTH 19°38'38" WEST 291.90 FEET; THENCE SOUTH 19°38'38" WEST 1180.02 FEET;
THENCE SOUTH 19°38'38" WEST 160.08 FEET; THENCE SOUTH 23°08'38" WEST 700.00 FEET;
THENCE SOUTH 0°42'14" EAST 201.86 FEET; THENCE SOUTH 0°42'14" EAST 387.14 FEET;
THENCE SOUTH 89°59'49" EAST 387.39 FEET; THENCE SOUTH 21°37'45" WEST 483.72 FEET;
THENCE SOUTH 21°37'45" WEST 960.50 FEET; THENCE SOUTH 88°26'37" WEST 1148.59 FEET;
THENCE NORTH 89°17'17" WEST 2616.35 FEET; THENCE NORTH 0°11'51" WEST 746.45 FEET;
THENCE SOUTH 89°14'02" WEST 245.57 FEET; THENCE SOUTH 89°14'02" WEST 1732.04 FEET;
THENCE NORTH 24°14'35" EAST 114.04 FEET; THENCE SOUTH 61°22'24" WEST 4028.44 FEET;
THENCE NORTH 57°24'30" WEST 5260.39 FEET; THENCE NORTH 69°41'17" EAST 935.37 FEET;
THENCE NORTH 43°11'17" EAST 1900.00 FEET; THENCE NORTH 28°56'17" EAST 1025.00 FEET;
THENCE NORTH 28°01'17" EAST 2293.08 FEET; THENCE NORTH 83°49'36" EAST 682.00 FEET;
THENCE SOUTH 0°05'27" EAST 1048.23 FEET; THENCE SOUTH 88°52'20" EAST 5453.59 FEET; TO THE
POINT OF BEGINNING.

CONTAINS: 66,460,626 sq.ft or 1,525 ac.

EXHIBIT 5

The Application Shall Include Chapter and Section References

See Exhibit 1

EXHIBIT 6

Legal Description of the Property

See Exhibit 4.c

