



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for final approval of Fall Widow Subdivision Phase 2
Type of Decision:	Administrative
Agenda Date:	Tuesday, October 10, 2017
Applicant:	Cliff Bell
File Number:	LVF062415

Property Information

Approximate Address:	120-292 South 7900 West, West Warren, UT
Project Area:	26.59 Acres
Zoning:	A-2
Existing Land Use:	Residential/Agricultural
Proposed Land Use:	Residential
Parcel ID:	10-037-0034
Township, Range, Section:	Township 6 North, Range 3 West, Section 15

Adjacent Land Use

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

Staff Information

Report Presenter:	Ronda Kippen rkippen@co.weber.ut.us 801-399-8768
Report Reviewer:	SB

Applicable Ordinances

- Title 101, General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 7, Agricultural (A-2) Zone
- Title 106, Subdivisions

Summary and Background

Staff recommends final approval of the Fall Widow Subdivision Phase 2, based on the findings and conditions outlined in this report. The proposed subdivision is located at approximately 120-292 South 7900 West Ogden, UT and is in the A-2 zone (see Exhibit A). The proposed subdivision has been reviewed by the Western Weber Planning Commission and received a positive recommendation on November 10, 2015 for a seven lot subdivision and a positive recommendation on March 8, 2016 for a five lot subdivision. The applicant appealed the planning commission's approval which required a road to be stubbed to the adjacent property owners to the north, east and west of the proposed subdivision. The County Commission approved the preliminary plans based on the applicant dedicating property for a public right of way that will address the required block length along 7900 West. The County Commission required that the applicant install a hammer head turn around along the dedicated right of way in order to adhere to the fire department's requirements. The remainder of the dedicated right of way will remain unimproved at this time per the County Commissions approval on September 27, 2016.

As part of the final plat requirements and approval procedure, the final plat must be presented to the Planning Commission for their recommendation to the County Commission. The proposed application has been reviewed against certain standards in the Uniform Land Use Code of Weber County, Utah (LUC) and the following is staff's evaluation of the request.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating larger lots which will preserve the openness of the area and maintain the rural atmosphere.

Zoning: The subject property is located in an Agricultural Zone more particularly described as the A-2 zone. The purpose of the Agricultural (A-2) zone is identified in LUC §104-7-1 as:

"The purpose of the A-2 Zone is to designate farming areas where agricultural pursuits and the rural environment should be promoted and preserved."

The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. The proposed subdivision, based on the recommended conditions, is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations: The A-2 zone requires a minimum lot area of 40,000 sq ft for a single family dwelling and a minimum lot width of 150 feet. The A-2 zone allows for additional permitted and conditional uses that require, at a minimum, 2 acres and up to 5 acres with a minimum lot width of 300 feet. The proposed subdivision will not qualify for any of the permitted uses requiring a 5 acre minimum due to insufficient lot width for these uses.

The proposed subdivision is a seven lot subdivision that fronts a county road identified as 7900 West. Additional road dedication will take place upon recording the final plat to provide the adequate frontage and access for Lot 10 & 11 and a new block intersection. The current configuration of the property is primarily agricultural; however, the adjacent properties are primarily residential with an accessory use of agriculture. The proposed lots have over 2 acres in the A-2 zone and conform to the required lot area, frontage and width development standards of the A-2 zone for the permitted and conditional uses requiring a minimum of 2 acres as found in LUC §104-7.

Natural Hazards Area: The proposed subdivision is located in the FEMA Flood Plain Zone "X" which is an area of minimal flood hazard and has been determined by FEMA to be outside of the 500 year flood level. The buildable portion of the site is at or above the elevation of 4,215 feet in elevation. The proposed subdivision per LUC §108-22-2(7) has been reviewed with the respect to lake-flooding potential and the compatibility of the proposed use. There will not be any construction below the elevation of 4,215 feet based on the 1986 lake level of 4,212 feet with consideration of a possible 3 foot wave action.

Culinary water and sanitary sewage disposal: West Warren-Warren Water Improvement District have accepted the waterlines that have been installed and has committed to assume responsibility for the newly installed waterlines. Per the feasibility letter regarding the wastewater disposal systems, the seven lot subdivision will need to install Wisconsin Mound Onsite Wastewater Systems on each individual lot and will need to meet all requirements of the Weber-Morgan Health Department for all onsite wastewater system improvements. This will be required as part of the building permit process.

Street and Block Standards: The infrastructure required has been installed for the Fall Widow Subdivision Phase 2 including additional drainage improvements and approximately 9,024 square feet of property will be dedicated to Weber County which will extend 7900 West approximately 68.29 feet to the north upon recording the final plat (see Exhibit A).

The review and approval procedures include an analysis of the proposed road connectivity plan showing how future roads can connect to provide circulation to future neighborhoods. Per LUC §106-2-1(a) *"the street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it."* In areas of flat land where topography presents no development barriers, minor terminal streets or cul-de-sacs proposed in subdivisions shall have a maximum length of 650 feet to the beginning of the turnaround and block lengths shall at a maximum be 1,300 feet with a minimum block length of 500 feet. During the preliminary approval in 2006 of Fall Widow Subdivision Phase 1, the applicant removed the lot located to the north of Lot 4 in order to reduce the maximum block length below 1,300 feet as measured from an uninstalled and undedicated future roadway identified in the Barbara Flats Subdivision. Currently 7900 West terminates at approximately 3,983 feet from the intersection with 900 South and the applicant has developed 18 lots along 7900 West, including the seven additional proposed lots. The proposed street expansion will increase the terminal street length to approximately 4,052 feet.

The applicant has revised the subdivision based on discussion with staff and the County Commission to address the maximum block length as measured from a 60' easement for a future road identified on Lot 1 of the Barbara Flats Subdivision. The Planning Division, County Engineering Division and Weber County Fire District all recommended to the County Commission that the applicant dedicate the stubbed roadways without installing the required improvements to the adjacent properties located to the north of the proposed subdivision and to the further most east and west boundaries of the proposed subdivision along the northern boundary of the proposed subdivision, in order to provide safe vehicular ingress/egress and to enable future development.

The County Commission agreed that a variation or exception was warranted in relation to the subdivision standards based on staff's analysis that the literal enforcement of this standard is not roughly proportionate when compared to the cost of the exaction and the public expense to address the impact, such a variation or exception can be made by the County per LUC §106-1-2 which states:

"In cases where unusual topographical or other exceptional conditions exist, variations and exceptions from this title may be made by the county commissioners, the appeal board for the subdivision ordinance, after a recommendation by the planning commission."

Additional design standards and requirements: The proposed subdivision is relatively flat. There may be additional site preparation in conjunction with an approved building permit. The applicant has installed the improvements and has submitted a cash escrow in the amount of 10% of the total cost of the improvements to be held for a one year warranty period. With the exception of the recommended conditions identified in this staff report, additional standards and requirements are unnecessary at this time.

Review Agencies: The proposed subdivision has been reviewed by the Weber County Engineering Division, the Weber County Surveyor's Office and the Weber Fire District. The Engineering Division has outstanding conditions that will need to be addressed prior to the final plat being recorded. The Surveyor's office and the Weber Fire District have approved the proposal. A condition of approval has been added to ensure that all conditions of the review agencies will be addressed prior to final plat submittal.

Tax clearance: The 2016 property taxes have been paid in full. The 2017 property taxes are due in full as of November 1, 2017.

Staff's Recommendation

Staff recommends final approval of the Fall Widow Subdivision Phase 2, consisting of seven lots. This recommendation for approval is subject to all review agency requirements and based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.
3. The literal enforcement of the standard to install all improvements within the dedicated road way is not roughly proportionate when compared to the cost of the exaction and the public expense to address the impact.

Exhibits

- A. Revised Proposed Preliminary Plan
- B. Revised Proposed Improvement Drawings

Map 1



FALL WIDOW SUBDIVISION PHASE 2
 A PART OF THE NORTHEAST QUARTER AND NORTHWEST QUARTER OF SECTION 15, T6N, R3W, S364W
 WEBER COUNTY, UTAH
 SEPTEMBER 2016



