



Staff Report for the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for final approval of Vaquero Village Cluster Subdivision.

Type of Decision: Administrative

Agenda Date: Tuesday, December 13, 2016

Applicant: Dean Barrow

File Number: LVV 041116

Property Information

Approximate Address: 7100 West 900 South, West Warren UT

Project Area: 12.424 acres

Zoning: Agricultural (A-1) and (A-2) Zones

Existing Land Use: Agricultural

Proposed Land Use: Residential

Parcel ID: 10-036-0063

Township, Range, Section: T6N, R3W, Section 14



Adjacent Land Use

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

Staff Information

Report Presenter: Ronda Kippen
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Report Reviewer: SM

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 5 Agricultural (A-1 Zone)
- Weber County Land Use Code Title 104 (Zones) Chapter 7 Agricultural (A-2 Zone)
- Weber County Land Use Code Title 106 (Subdivision)
- Weber County Land Use Code Title 108 (Standards) Chapter 3 Cluster Subdivisions

Background and Summary

The Planning Division is recommending final approval of the 13 lot subdivision known as Vaquero Village Cluster Subdivision (see Exhibit A). The proposed cluster subdivision was reviewed by the Western Weber Planning Commission for conceptual sketch plan endorsement on March 8, 2016. The preliminary plan approval for the Vaquero Village Cluster Subdivision was granted on August 9, 2016 by the area planning commission. The proposed subdivision is located on a 12.424 acre parcel in the A-1 and A-2 Zones. Based on the current acreage, the base density is 11 lots. As part of the preliminary approval, the planning commission granted a 7% bonus density for the proposed public access to development open space and a 10% bonus density for meeting the purpose and intent of the cluster subdivision requirements. The 17% bonus density allows the applicant to move forward with the design and approval process for the 13 lot subdivision located at approximately 7100 West 900 South.

The Uniform Land Use Code of Weber County (LUC) §106-1-8(f) identifies the approval process for final cluster subdivision. The proposed cluster subdivision requires a recommendation from the applicable planning area's planning commission; therefore, the final plat must be considered and approved by the County Commission after receiving a recommendation from the Planning Commission.

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, the Cluster Subdivision ordinance in LUC §108-3, and the applicable standards in the A-1 and A-2 zones (LUC §104-5 & §104-7) to ensure that the regulations and standards have been adhered to. The proposed subdivision, with the

recommended conditions listed in this staff report, is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

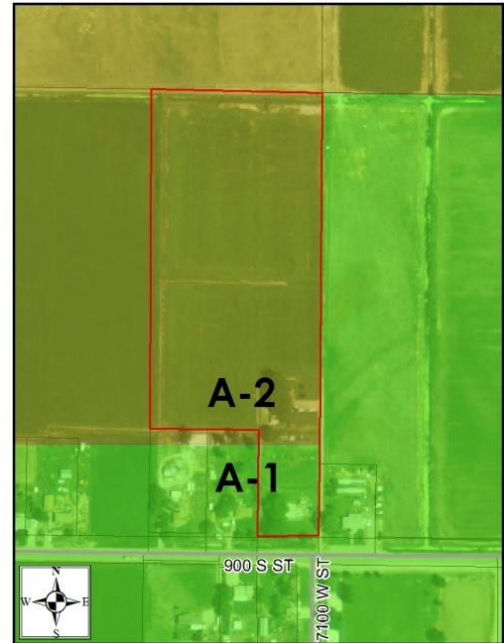
Analysis

General Plan: The proposal conforms to the Western Central Weber County General Plan by providing a cluster type development and preserving a minimum of 30% open space.

Zoning: The subject property lies in an area with a split zoning boundary. The zoning boundary is split along the front of the development between the A-1 and A-2 zones. Lots 1 & 2 will be located in the A-1 Zone; Lots 3-13 will be located in the A-2 Zone. It doesn't appear that a lot will be split by the zoning line but if Lot 2 or 3 is impacted by a zone line, LUC §104-1-4 explains that when a proposed lot is split by a zoning boundary the standards for area requirements depends on which of the zones has the more restrictive (or larger) area requirement. This is based upon a two-thirds rule.

- If two-thirds of the lot's area is contained in less restrictive zone, the lot may develop based upon the minimum standards of that zone. However the home must be built in that less restrictive zone.
- If this is not the case then the home can be built in the larger zone, but the lot must meet the lot standards of that zone. The area within the less restrictive zone may be applied to lot to meet the larger standard.

The area standards between the A-1 and A-2 Zone do differ for most uses, however for single family dwellings both zones only require a minimum area of 40,000 square feet per lot (LUC §104-5 and 104-7). The cluster subdivision development standards allow minimum lot sizes down to 15,000 square feet. The only differing element between the A-1 & A-2 zones that the development will have due to the split zone is the permitted and conditional uses for lots 3 through 13.



Zoning Development Standards (Lot area, frontage/width and yard regulations): The minimum frontage in a cluster subdivision is 60 feet. The yard setback standards are:

- Front yard: 20 feet
- Rear yard: 20 feet
- Side yard: 8 feet

Dwellings are allowed to be an average height of 40 feet. The proposed lots range in size from 20,000 square feet to 22,375 square feet. The proposed development will include approximately 3.739 acres (162,910 square feet) of open space that will be dedicated for public access. Based on the cluster subdivision standards, the proposed layout, lot configurations and lot sizes are acceptable.

Cluster Subdivision: The proposed subdivision is a "Cluster Subdivision"; therefore the subdivision title needs to be modified to include the word "Cluster" per LUC §106-1-8(c)(1)(b). A condition of approval has been added to staff's recommendation to ensure the subdivision title includes the word "Cluster" prior to moving the application forward to the County Commission.

The proposed project will occupy 12.424 acres and consist of 13 lots, with 3.739 acres (30%) of common area which will be dedicated as public open space. The proposal meets the requirement of 30 percent open space. The lots are centered in the subdivision design and surrounded by 50 feet of common area. This area will be maintained by a Home Owners Association. A Home Owners Association will be created with specific Community Covenants and Restrictions (CC&R's) to include the maintenance and upkeep of the common area and landscaping. The final CC&R's must be provided to the County for review and acceptance prior to the application being forwarded to the County Commission for final approval. A condition of approval has been added to staff's recommendation to ensure that a Home Owner's Association is established and that the CC&R's are submitted and reviewed prior to moving the application forward to the County Commission.

Subdivision: The proposed subdivision is located in the Agricultural Zone (A-1 & A-2) in Western Weber County. To ensure that property owners within the subdivision are aware that this area of the County is an active agricultural area a note must be added to the subdivision plat per LUC §106-1-8(c)(5) which states:

"Agriculture is the preferred use in the agricultural zones. Agricultural operations as specified in the Land Use Code for a particular zone are permitted at any time including the operation of farm machinery and no allowed agricultural use shall be subject to restriction on the basis that it interferes with activities of future residents of this subdivision."

The improvement plans for the proposed subdivision show the main corridor to be a 66 foot wide right of way, with a short 66 foot wide cul de sac that will provide access and frontage for lots 4-7. The new roadway will extend north from 900 South completing an intersection at 7100 West and will stub to the property located to the north. The improvements plans include curb, gutter, and sidewalk on both sides of the street with 13 street trees and grass park strip. Six lamp posts have been proposed to be placed along the main roadway. The landscaping plan also includes a trail in the common area along with many other trees surrounding the subdivision. The improvements associated with the trails, landscaping and irrigation of the open space areas must be included in the subdivision improvement agreement; therefore, the engineered cost estimate must include these items. All improvements need to be either installed or escrowed for prior to recording of the final subdivision Mylar.

A condition of approval has been added to staff's recommendation to ensure that the required agricultural note is added to the final plat prior to printing the Mylar and a condition to ensure that the engineered cost estimate include the trail, landscaping and irrigation improvements that will be part of the subdivision improvement agreement entered into with Weber County for all subdivision improvements that have not been installed prior to moving the application forward to the County Commission.

Culinary water: A capacity assessment letter has been submitted by West Warren-Warren Water District. The capacity assessment letter submitted to the County is directly from the district due to the district receiving culinary water from Weber Basin Water Conservancy District. The State of Utah Division of Drinking water monitors Weber Basin Water Conservancy District to ensure adequate water capacity is available for the water districts operating under Weber Basin. Prior to the application being forwarded to the County Commission for final approval, a "construct permit" from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision is required to be submitted to the Planning Division per (LUC §106-4-2(a)(1)(b)). A condition of approval has been added to staff's recommendation to ensure that a "construct permit" from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision is submitted to the Planning Division prior to moving the application forward to the County Commission.

Secondary Water: The applicant has provided a stock certificate with Warren Irrigation Company. The improvement plans provided for final subdivision review include the secondary water layout, design and construction. The applicant will need to continue to work with the County Engineering Division to ensure that the system meets all of the necessary regulations and requirements.

Sanitary sewage disposal: The proposed subdivision will be serviced by individual septic systems for each lot. The final plat identifies the soil data taken as required by the Weber Morgan Health Department. A condition of approval has been added to staff's recommendation that a letter to the Planning Division from the Weber Morgan Health Department stating the feasibility of the waste water design will be required prior to moving the application forward to the County Commission.

Review Agencies: The Weber Morgan Health Department, the Weber County Engineering Division, the Weber County Surveyor's Office, and the Weber Fire District have reviewed the proposal. The applicant will need to address each agency review comments prior to forwarding the application to the County Commission for approval.

Tax clearance: The 2015 property taxes have been paid. The 2016 property taxes are due in full. Prior to recording the subdivision Mylar, the County Commission may with hold approval until the 2016 taxes are paid in full per LUC §106-1-8(h).

Public Notice: The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Staff Recommendation

Staff recommends final plat approval of Vaquero Village Cluster Subdivision, consisting of 13 lots, located at 7100 West 900 South. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. The word "Cluster" needs to be added to the subdivision title prior to moving the application forward to the County Commission.
2. A Home Owners Association will be created with specific Community Covenants and Restrictions (CC&R's) to include the maintenance and upkeep of the common area and landscaping. The CC&R's will need to be provided to the County for review prior to the application being forwarded to the County Commission for final approval.
3. The required agricultural note must be added to the final plat prior to the application being forwarded to the County Commission.
4. A cost estimate must be provided to the County Engineer for review and approval prior to the application being forwarded to the County Commission.
5. The applicant will enter into a subdivision improvement agreement with Weber County for all subdivision improvements that have not been installed prior to moving the application forward to the County Commission.
6. A "construct permit" from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision is submitted to the Planning Division prior to moving the application forward to the County Commission.
7. A letter to the Planning Division from the Weber Morgan Health Department stating they have approved the waste water design that will be required prior to moving the application forward to the County Commission.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber County General Plan.
2. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
3. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.
4. With the recommended conditions, the proposed subdivision complies with all applicable County codes.
5. The proposed cluster subdivision meets the purpose and intent of the cluster subdivision standards (10%), and that adequate open space with public access has been made part of the design (7%) to approve a bonus density of 17% to the development.

Exhibits

- A. Subdivision Plat

Location Map

