



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action for final subdivision of the Mountainside Phase 1 PRUD.
Type of Decision:	Administrative
Agenda Date:	Tuesday, September 27, 2016
Applicant:	Bridges Holding Company, LLC
File Number:	UVM071316

Property Information

Approximate Address:	The Bridges at PRUD
Project Area:	11.884 acres
Zoning:	RE-15
Existing Land Use:	Vacant
Proposed Land Use:	PRUD
Parcel ID:	22-006-0033
Township, Range, Section:	T7N, R1E, Section 15

Adjacent Land Use

North:	Forestry	South:	Residential
East:	Residential	West:	Residential

Staff Information

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

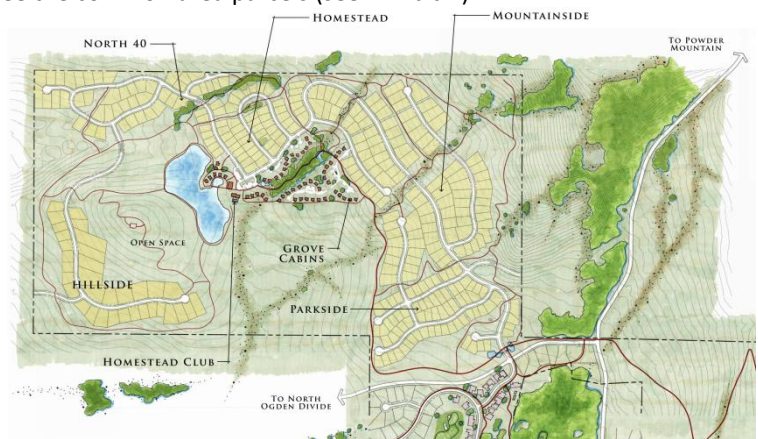
Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 3 Residential Estate Zones (RE-15)
- Title 104, Zones, Chapter 27 Natural Hazards Overlay Zone
- Title 104, Zones, Chapter 28 Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Chapter 5 Planned Residential Unit Development

Summary and Background

The Planning Division recommends final subdivision approval of the Mountainside Phase 1 PRUD. The proposed subdivision is in the RE-15 zone and will consist of 24 lots and approximately 1.649 acres of common area which will include a 4 foot soft trail running through two of the three the common area parcels (see Exhibit A).

The Mountainside Phase 1 PRUD is part of the master planned community within the Wolf Creek Resort known as "The Bridges PRUD" which consists of a multi-phased development including six communities (364 units) with a variety of housing options and approximately 143 acres of open space. The proposed subdivision "Mountainside Phase 1 PRUD" is one of the four phases (112 units) in the Mountainside community. The proposed subdivision received preliminary subdivision approval from the Weber County Commission on July 19, 2016 after receiving a positive recommendation from the Ogden Valley Planning Commission.



The Uniform Land Use Code of Weber County (LUC) §106-1-8(f) identifies the approval process for final subdivision. The proposed subdivision exceeds the amount of lots that can be administratively approved as part of a phasing process; therefore, the final plat must be considered and approved by the County Commission after receiving a recommendation from the Planning Commission. The proposed subdivision and lot configuration is in conformance with the current zoning, the approved PRUD and the Zoning Development Agreement Conceptual Land Use Plan as well as the applicable subdivision requirements as required in the LUC.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related areas.

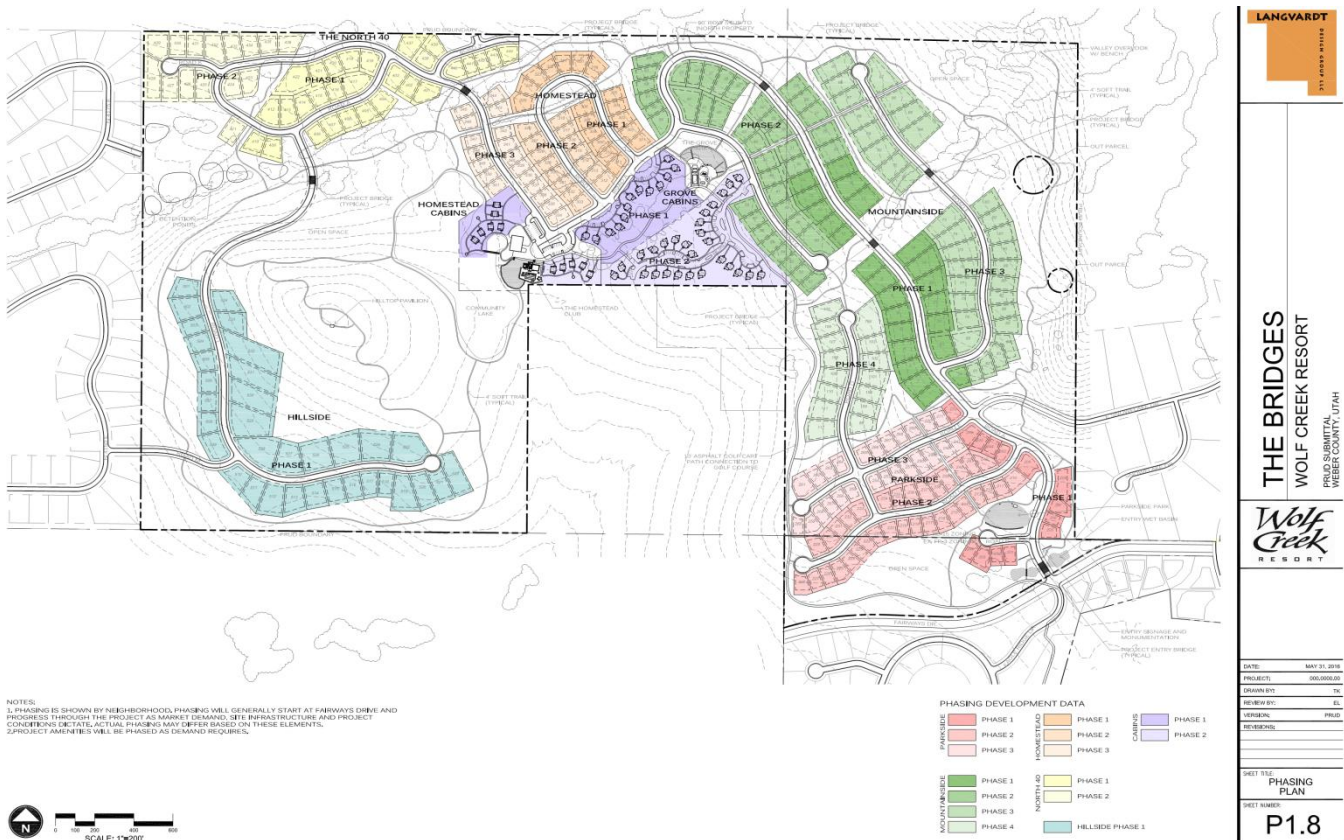
Zoning: The subject property is located in the Residential Estate Zone more particularly described as the RE-15 zone.

The purpose and intent of the RE-15 zone is identified in the LUC §104-3-1 as:

“The major purpose of the RE-15 and RE-20 Zones is to provide and protect residential development at a low density in a semi-agricultural or rural environment. It is also to provide for certain rural amenities on larger minimum lots, in conjunction with the primary residential nature of the zone.”

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, the PRUD ordinance in LUC §108-5, and the applicable standards in the RE-15 zone (LUC §104-3) to ensure that the regulations and standards have been adhered to. The proposed subdivisions, with the recommended conditions listed in this staff report, are 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 proposed subdivision is one of four phases in the Mountainside community and has received preliminary subdivision for “The Bridges PRUD” development.



The purpose and intent of a Planned Residential Unit Development (PRUD) is intended to “allow for diversification in the relationship of various uses and structures to their sites and to permit more flexibility of such sites and to encourage new and imaginative concepts in the design of neighborhood and housing projects in urbanizing areas” (LUC§ 108-5-2). Mountainside Phase 1 PRUD utilizes the allowed flexibility with lots ranging in size from 0.224 acres to 0.46 acres and lot widths ranging in size from approximately 72 feet to approximately 137 feet. The various lot sizes will allow for the future lot owners to build custom homes ranging from 2000 to 4000 square feet. The approved minimum single family yard setbacks for the PRUD are:

- Front Yard: 15 feet
- Side Yard: 7.5 feet
- Side; facing street on corner lot: 15 feet
- Rear Yard: 20 feet

Based on the allowed flexibility of a PRUD, the proposed layout, lot configurations and lot sizes are acceptable. In order to provide clear site standards, staff recommends adding the minimum setback standards on the final subdivision Mylar. A condition of approval has been added to staff’s recommendation to ensure the minimum setback standards are added to the final subdivision Mylar.

Ogden Valley Sensitive Lands Overlay Districts: The development area falls within an area identified as an “Important Wildlife Habitat Area” that is part of the Ogden Valley Sensitive Lands Overlay Districts (LUC§ 104-28). The proposed subdivision has been designed to ensure that development standards in this area shall follow the principles established regarding the location of buildings, structures, roads, trails and other similar facilities to protect important wildlife habitat and their functions including wildlife movement across areas dominated by human activities by limiting the areas of disturbance. A condition of approval has been added to staff’s recommendation to ensure a note providing adequate notice of the Important Wildlife Habitat area and the development standards that are required will be added to the final subdivision Mylar.

Common Area: The general requirements for a PRUD identify the need to preserve common open space. The proposed subdivision layout identifies common area with an integrated foot trail. The common area is approximately 1.649 acres which is 13.87% of the 11.884 acres. This area will be required to be dedicated upon recording by one or more of the following methods:

- (1) Dedication of the land as Public Park or parkway system;
- (2) Granting to the county a permanent common open space easement on and over the said private open spaces to guarantee that the open spaces remain perpetually in access, parking, recreation or open space uses with ownership and maintenance being the responsibility of a home owners' association established with articles of association and bylaws which are satisfactory to the county; or
- (3) Complying with the provisions of the Condominium Ownership Act, U.C.A. 1953, § 57-8-1 et seq., as amended, which provides for the payment of common expenses for the upkeep of common areas and facilities.

Any CC&R’s will need to comply with the provisions of the Condominium Ownership Act, U.C.A 1953, §57-8-1 et seq. per LUC §108-5-6(d)(3) for the preservation, maintenance and ownership of the common area. Prior to receiving final approval of the subdivisions, the applicant will need to provide to the County a copy of the proposed CC&R’s for review as well as a cash escrow to be held by Weber County for the proposed improvements including the amenities in the common area. The dedication language on the final plat will need to include language to grant ownership of the common area to the applicable ownership. A condition of approval has been added to ensure the final subdivision Mylar includes the correct dedication language for the common area located within the subdivision. A cost estimate for the improvements and a draft copy of any CC&R’s will also be required prior to receiving final approval from the County Commission.

Natural Hazards Overlay Zone: The proposed subdivision is located in a Zone “X” as determined by FEMA to be an area determined to be outside 500-year floodplain.

A geologic study has been performed and a report has been prepared by GSH dated April 25, 2016, identified as Project #1661-07N-16 including an addendum dated August 5, 2016. All site development will need to adhere to

the recommendations of these reports. According to the report Lots 207, 208, 209, 210 & 218 will need additional site specific geologic and geotechnical investigation in conjunction with a building permit. A note shall be added to the plat to notify the future property owners of the geologic and geotechnical report on file with the Weber County Planning Division as well as the requirement of further geologic and geotechnical investigation prior to submitting for a building permit from Weber County. It also appears that lots 203, 204 & 222 have areas at or exceeding 25% slope. The final Mylar shall either identify a building envelope with a building area of less than 25% slope or identify the lot with an "R" and include the required "Restricted" note on the plat.

Upon recording the final subdivision Mylar a separate "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of the geotechnical and geological recommendations to future property owners. A condition of approval has been added to staff's recommendations to ensure that adequate notification is provided for future property owners regarding further development is noted on the subdivision Mylar.

Culinary water, irrigation water and sanitary sewage disposal: The applicant has provided a capacity assessment letter from the Wolf Creek Water and Sewer District for the culinary and irrigation water and sanitary sewer (see Exhibit B). The applicant will need to provide a construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision prior to the subdivision receiving final approval from the County Commission. A condition of approval has been added to ensure that a construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water prior to approval by the County Commission.

Review Agencies: The Weber County Surveyor's Office, Engineering Division, and the Weber Fire District have reviewed the proposal and have provided the applicant with the additional items that will be required prior recording the final Mylar. A condition of approval has been made part of staff's recommendations to ensure that any conditions of the applicable reviewing agencies are strictly adhered to.

Additional design standards and requirements: If the applicant would like to utilize the ability to have nightly rentals as an option allowed in the PRUD ordinance for the owner's in the Mountainside Phase 1 PRUD, a note will need to be added to the final Mylar to declare that the subdivision is approved for nightly rentals. A condition of approval has been made part of staff's recommendations to ensure that if the applicant desires to allow nightly rentals as part of the Mountainside Phase 1 PRUD, a note will be added to the final subdivision Mylar to provide notice of the approved nightly rental option.

Tax clearance: The 2015 property taxes have been paid in full. The 2016 property taxes will be due in full on November 1, 2016.

Staff Recommendation

Staff recommends final subdivision approval of the Mountainside Phase 1 PRUD, consisting of 24 lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. In order to provide clear site standards, staff recommends adding the minimum yard setback standards on the final subdivision Mylar including the "Side; facing street on corner lot" setback.
2. A note providing adequate notice of the Important Wildlife Habitat area and the development standards that are required will be added to the final subdivision Mylar.
3. The dedication language on the final Mylar will need to include language to grant ownership of the common area to the applicable ownership.
4. A cost estimate for the improvements and a draft copy of any CC&R's will be required prior to receiving final approval from the County Commission.
5. Prior to recording the final Mylar, all lots that are impacted by a geologic hazard will be identified on the final Mylar with a note to provide notice that the final geologic and geotechnical reports are on file with Weber County Planning Division. A "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.
6. Lots 203, 204 & 222 have areas at or exceeding 25% slope. The final Mylar shall either identify a building envelope with a building area of less than 25% slope or identify the lot with an "R" and include the required "Restricted" note on the plat.
7. A construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water must be submitted to Weber County prior to approval by the County Commission

8. If the applicant desires, a note will be added to the final Mylar to provide notice of the approved nightly rental option.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision conforms to the approved Zoning Development Agreement.
3. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
4. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
5. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Mountainside Phase 1 PRUD
- B. Wolf Creek Water and Sewer District Capacity Assessment Letter

Location Map



Exhibit B-Capacity Assessment Letter



August 26, 2016

RE: Capacity

Lewis Homes
3615 N. Wolf Creek Dr.
Eden, Utah 84310

To whom it may concern:

This is official notice that Wolf Creek Water and Sewer Improvement District has the capacity to serve the Bridges Parkside Phase 1 with 14 units and Mountainside Phase 1 with 24 units. WCWSID has reviewed the plans and has approved them as presented by Gardner Engineering.

If you have any questions or concerns please feel free to contact me at 801-430-4647

Thank You,

A handwritten signature in black ink, appearing to read "Rob Thomas", is written over a light blue horizontal line.

Rob Thomas
General Manager
Wolf Creek Water and Sewer
Improvement District

P.O. Box 658 Eden, UT 84310, Office 801-745-3435 Fax 801-745-3454