## Synopsis



## Applicable Ordinances

- Title 104, Zones, Chapter 5, Agricultural (A-1) Zone
- Title 106, Subdivisions
- Title 108, Standards, Chapter 3, Cluster Subdivisions


## Development History

- The Western Weber Planning Commission reviewed and unanimously endorsed the Sketch Plan on October 11, 2016


## Background

The applicant has submitted a request for preliminary plan approval of the Winston Park Cluster Subdivision, a cluster subdivision consisting of 54 building lots, 17 open space parcels, and 3 common areas. The proposed subdivision is located at approximately 3701 West 1800 South, Ogden, UT and is in the A-1 zone. Public roads will be created with this proposal to provide access to each lot and the design will create connectivity to the surrounding area for future development.

The applicant is requesting a 50 percent bonus density based on meeting the purpose and intent of the cluster subdivision chapter, for up to a ten percent bonus density; providing and implementing an approved roadway landscape and design plan, for up to 20 percent bonus density; preserving an agricultural parcel at least ten acres but fewer than 20 acres with an agriculturally based open space preservation plan approved by the planning commission and records an agricultural preservation easement on the parcel, for up to a 15 percent a bonus density; providing for the development of excess sewage treatment capacity, for up to a five percent bonus density. With the 50 percent bonus density, the applicant will be able to add an additional 18 lots to the 36 base lots, for an overall density of 54 lots.

The proposal has been reviewed against the current subdivision ordinance, the standards in the A-1 zone, and the cluster subdivision standards. The proposed subdivision, in compliance with the recommended conditions, conforms to the zoning, subdivision, and cluster subdivision requirements including adequate frontage and access along future dedicated county roads, adequate lot width, and lot area. As part of the preliminary plan requirements and approval procedure, the preliminary plan must be presented to the Planning Commission for their recommendation. If the Planning Commission's recommendation is not appealed to the County Commission within 15 days of the Planning Commission's recommendation, then the Planning Commission's recommendation shall stand as the County's decision on preliminary approval.

The proposed application has been reviewed against certain standards in the Uniform Land Use Code of Weber County, Utah (LUC). The following is staff's evaluation of the request.

## Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of singlefamily residential development that is currently dominant in the area and by encouraging residential cluster style development with a minimum $30 \%$ open space.

Zoning: The subject property is located in the Agriculture (A-1) Zone.
The purpose of the Agricultural (A-1) zone is identified in the LUC-§ 104-5-1 as:
The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban -development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.

Cluster subdivisions, in accordance with the LUC, are permitted in the A-1 Zone. As stated on the proposed preliminary plat, the subdivision contains 40.259 acres not including the road area, allowing for 36 building lots at 40,000 square feet, the minimum lot size in the A-1 Zone. The applicant is proposing a 50 percent bonus density to increase the number of building lots by 18, for a total of 54 building lots.

Cluster subdivision design and layout standards: The minimum lot width requirement for cluster subdivision lots in the A1 zone is 60 feet per LUC§ 108-3-7(2)(c). The proposed cluster subdivision meets the lot width as well as the open space width requirements outlined in LUC §108-3-4 (1) which state:
"The open space area in between one cluster of lots and another shall not be less than 75 feet in width and the open space area in between lots and an exterior subdivision boundary shall not be less than 50 feet in width."

The proposed subdivision consists of open space areas between clusters of lots that are a minimum of 80 feet wide and the open space areas in between lots and exterior boundaries are a minimum of 125 feet wide.

The proposed cluster subdivision consists of 54 building lots and each cluster of lots consists of less than one third the total number of lots in the subdivision, complying with LUC § 108-3-4 (2).

The proposed lot sizes vary from 9,000 square feet to 14,473 square feet. The minimum lot based on meeting the criteria outlined in LUC-§ 108-3-7 which states:

## A lot's minimum area is reduced to 6,000 square feet if:

The lot lies within a cluster subdivision that is adjacent to an undeveloped parcel. A parcel is considered undeveloped if it:

> i. Does not contain an existing dwelling; or
> ii. Contains an existing dwelling that lies further than 150 feet away from all external boundaries of the proposed or subject cluster subdivision.

The proposed cluster subdivision is adjacent to multiple undeveloped parcels in all directions of the current parcel's boundaries, meeting the requirement to reduce lot size to 6,000 square feet. . All lots within the proposed cluster subdivision meet the area and width requirements.

Bonus Density Requirements: The LUC§ 108-3-4 states that the minimum preserved open space requirement in the A-1 zone is 30 percent. The LUC§ 108-3-8-(2) states that the county may grant a bonus density of up to 50 percent if the applicant preserves an open space percentage above the 30 percent requirement. The applicant is proposing to preserve 50 percent open space; which will allow up to a 50 percent bonus density to be granted. The applicant is proposing to be granted the 50 percent bonus density based on a combination of the following, as outlined in LUC-§ 108-3-8:
a.) If a cluster subdivision meets the purpose and intent of the cluster subdivision chapter, up to a ten percent bonus density may be granted.

The purpose of the cluster subdivision chapter is stated in- LUC-§ 108-3-1 as:

> "The purpose of this chapter is to provide flexible development standards to landowners that are committed to developing safe, attractive, conservation oriented neighborhoods that are thoughtfully designed and arranged in a manner that considers, gives deference to, and ultimately protects natural topography, environmentally sensitive areas, wildlife habitat, and agriculturally productive lands. It is intended to benefit those that create cluster subdivisions by offering an inherent gain in the form of reduced infrastructure costs and the possibility for a substantial increase in residential density in the Western Weber Planning Area. It is equally intended to benefit the residents of Weber County by promoting public welfare through the reduction of long-term infrastructure maintenance costs and the permanent preservation of the county's functional open spaces, picturesque landscapes, and rural character."
b.) If a cluster subdivision provides and implements an approved roadway landscape and design plan that includes, but is not necessarily limited to, vehicle and pedestrian circulation, lighting, and street trees of an appropriate species, size of at least a two-inch caliper, and quantity of not less than eight trees for every 100 feet of road length, up to 20 percent bonus density may be granted.

The applicant has provided a roadway landscape and design plan including sidewalk, curb, and gutter on both sides of all proposed streets as well as street trees of the correct caliper, which will be planted according to §108-3-8 (b). The applicant has also provided a streetlight plan consisting of three street lights that will be located throughout the subdivision, as shown on the improvement drawings (Exhibit C).
e.) If a cluster subdivision preserves an agricultural parcel with an agriculturally based open space preservation plan approved by the planning commission and records an agricultural preservation easement on the parcel, a bonus density may be approved as follows:

## 1. For a parcel containing at least ten acres but fewer than 20 acres, up to a 15 percent bonus density may be granted.

The proposed cluster subdivision includes contiguous agricultural preservation parcels. The combined agricultural parcels are 20 acres, meeting this requirement. The applicant will be required to provide a preservation plan in accordance with LUC§ 108-3-5(4) prior to receiving final approval from the planning commission. This requirement has been added as a condition of approval in the staff recommendation.
i.) If a cluster subdivision provides for the development of excess sewage treatment capacity, up to a five percent bonus density may be granted.

The applicant has proposed to provide for the development of excess sewage treatment capacity by increasing the capacity of the proposed sewer pump station. A condition of approval has been added to the staff recommendation to ensure that the Weber County Engineering Division confirms that the proposed sewer pump station will provide the excess sewage treatment capacity during approval of subdivision improvement drawings.

Culinary water and sanitary sewage disposal: Will Serve letters have been provided by the Taylor West Weber Water Improvement District and the Central Weber Sewer Improvement District regarding culinary water and sanitary sewer disposal. The applicant has provided a water share certificate from Hooper Irrigation regarding secondary water.

Additional design standards and requirements: The proposal includes a 60 foot wide public road extending through the subdivision from north to south. The proposal also includes two 50 foot wide cul de sac streets and a 50 foot wide public road along the East side of the subdivision that connects to the existing 1800 South road and stubs to the south. Road stubbing has also been provided for future development to areas to the east and west of the proposed subdivision.

A capacity assessment letter will be required prior to receiving final approval from the planning commission. A construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission.

As stated in LUC §108-3-9, the applicant, prior to recording a final plat of the cluster subdivision, shall:

1. Establish a homeowners association and submit for the county's review the necessary articles of incorporation, bylaws, and declaration of covenants, conditions, and restrictions that provide for:
a. Compliance with Utah State Code;
b. The reason and purpose for the association's existence;
c. Mandatory membership for each lot or home owner and their successors in interest;
d. The perpetual nature of the easements related to all dedicated open space parcels;
e. Responsibilities related to liability, taxes, and the maintenance of recreational and other infrastructure and facilities;
f. Financial obligations and responsibilities, including the ability to adjust the obligations and responsibilities due to change in needs;
g. Association enforcement remedies; and
h. A notification of the county's ability to enforce the terms of the owner's dedication on the subdivision dedication plat.
2. Register the homeowners association with the State of Utah, Department of Commerce.

This requirement has been added to the staff recommendation as a condition of approval.
Review Agencies: To date, the preliminary plan for the proposed cluster subdivision has been reviewed by the Surveyor's Office. A condition of approval has been added to ensure that all conditions of the Review Agencies, including the Engineering Division and the Fire District, will be addressed prior to final plat submittal.

Tax clearance: There are no outstanding tax payments currently related to this parcel.
Public Notice: A notice has been mailed not less than seven calendar days before preliminary approval 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 preliminary plan approval of the Winston Park Cluster Subdivision, consisting of 54 building lots, 17 open space parcels, and 3 common areas. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A capacity assessment letter will be required prior to receiving final approval from the Planning Commission and a construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission.
2. The applicant will be required to establish a declaration of covenants, conditions, and restrictions prior to recording a final plat of the cluster subdivision, as stated in LUC-§ 108-3-9.
3. A guarantee of Improvements will be required as outlined in LU § 106-4-3.
4. All open space parcels that are less than 1 acre in size must be labeled as common area to be owned by the homeowners association as outlined in LUC-§ 108-3-6 (1) (b).
5. The applicant will be required to provide a preservation plan for the preserved agriculture parcels, in accordance with LUC-§ 108-3-5(4) prior to receiving final approval from the planning commission.
6. The Weber County Engineering Division must confirm, prior to final subdivision approval from the County Commission, that the proposed sewer pump station will provide the excess sewage treatment capacity during approval of improvement drawings.

This recommendation is 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. Up to a ten percent bonus density may be granted for meeting the purpose and intent of the cluster subdivision.
4. Up to 20 percent bonus density may be granted based on providing and implementing an approved roadway landscape and design plan.
5. Up to a 15 percent a bonus density may be granted based on preserving an agricultural parcel of at least ten acres but fewer than 20 acres with an agriculturally based open space preservation plan approved by the planning commission and records an agricultural preservation easement on the parcel.
6. Up to a five percent bonus density may be granted based on providing for the development of excess sewage treatment capacity.
7. The proposed subdivision will not be detrimental to public health, safety, or welfare.
8. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Exhibits

A. Proposed preliminary plan
B. Improvement drawings, including the streetscape and lighting design.
C. Will serve letters



## WINSTON PARK SUBDIVISION

## IOCATED IN THE NORTHEAST QUARTER OF SECTION 28 <br> SALT LAKE BASE ANT, RANGE 2 WEST

WEBER COUNTY, UTAH

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LAMP POLE = ALFL O8O
BASE = 13" DIA
ANCHOR PER DETALL
FINIAL = FP11O

POST STD. COLOR - BLACK CUSTOM COLOR UPON REQUEST
(POWDER COAT)
METAL IS CAST ALUMINUM LAMP WATTAGE MADE TO ORDER CONCRETE BASE = PRECAST


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# TAYLOR WEST WEBER WATER HMPROVEMENT DISTRICT 2815 WEST 3300 SOUTH <br> WEST HAVEN, UTAH 84401 

April 6, 2017

Weber County Planning Commission 2380 Washington Boulevard
Ogden, Utah 84401

## To Whom It May Concern:

This is to inform you that preliminary approval has been given to provide culinary water only for 54 lots for the Winston Park subdivision to be located at the approximate address of 1800 South 3600 West in Taylor, Utah.

Requirements:
*Plan review fee $=\$ 1,350$ ( $\$ 25$ per lot)
*Water rights fee $=\$ 156,708(\$ 2,902$ per lot or current cost when paid)
*Secondary water = must hook up to the pressurized secondary water system provided by Hooper Irrigation
*Hookup/Impact fee will need to be paid by each lot owner (\$5,638 or current cost when paid) before building permit is issued by Weber County

Construction plans must be approved by the District before the start of the project. Final approval will be subject to meeting all of the requirements of the District and all fees being paid and received.

Sincerely,
TAYLOR WEST WEBER WATER IMP. DIST.


## Central Weber Sewer Improvement District

April 5, 2017

Weber County Planning Commission 2380 Washington Blvd.<br>Ogden, Utah 84401-1473<br>Reference: Proposed Winston Park Subdivision 3701 West 1800 South Will Serve Letter

We have been asked review the possibility of providing sanitary sewer service for the proposed Winston Park Subdivision at 3701 West 1800 South. The Central Weber Sewer Improvement District (District) can accept the sanitary sewer discharge from this location. We add the following conditions that must be addressed prior to any connections being made.

1. The District does not have a gravity flow sanitary sewer line at this location. The closest lines to serve this area are either at the intersection of 1800 South 4300 West or due south of the proposed subdivision on 2200 South. The preliminary utility plans show a sanitary sewer pump station to be constructed in the northwest corner of the subdivision. The connection point from the discharge of the pump station to the District's line is not shown.
2. It would be the responsibility of the developer to work with Weber County on the sizing and details of any sewer line or pump station between the subdivision and connection to the District's line. The District will NOT install, own and/or maintain any of the sanitary sewer lines or sanitary sewer pump station being extended or constructed to serve this property.
3. The District will need to review the location and engineered detail of the point of connection to the District's sanitary sewer lines.
4. The utility drawings indicate a sanitary sewer line being constructed through Agricultural Lots A through E. While the District will not own or maintain these lines we feel there should be a dedicated easement provided to either the County or an entity that will have ownership responsibility for this sewer line.
5. Manholes through the agricultural lots should be raised manholes so groundwater, irrigation water and/or storm water does not enter into the sanitary sewer system. No

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buildings or structures should be constructed over the sewer line or within the easement that runs through the agricultural lots.
6. The entire parcel of property to be served will need to be annexed into the District prior to any connection and prior to the selling of lots. An annexation petition is available from the District's Office.
7. The District must be notified at a minimum of 24 hours in advance for the inspection of any connections being made to the District's sanitary sewer lines.
8. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. Central Weber's Wastewater Control Rules and Regulations state:

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allowed to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.
9. Because of high groundwater table and the District's and State of Utah prohibition of ground water being discharged into sanitary sewer systems we strongly suggest that these residential lots be give a RESTRICTED "R" classification. Those restrictions should be spelled out on the subdivision plat.
10. Impact Fees must be paid prior to any connection to the sanitary sewer. As of this date the District's sanitary sewer impact fee is $\$ 2333$ per equivalent residential unit (ERU).

If you have further questions or need additional information please do not hesitate to contact us.
Sincerely,
CENTRAL WEBER SEWER IMPROVEMENT DISTRICT


Lance L. Wood, P. E.
General Manager
cc: Jay Rice, JAR Development

