

WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

May 02, 2018
4:00-5:00 p.m.

1. Consideration and action on a request for final approval of Favero Legacy Cluster Subdivision Phase 1 1st Amendment, an amendment to open space parcels C and D.
2. Consideration and action on a request for approval of Circle N Subdivision, a three-lot subdivision, with right-of-way area to be dedicated on 3350 North Street.
3. *Adjournment*

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The meeting will be held in the Weber County Planning Division Conference Room, Suite 240, in the Weber Center, 2nd Floor, 2380 Washington Blvd., Ogden, Utah unless otherwise posted



In compliance with the American with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791



Staff Report to the Weber County Planning Division

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for approval of Circle N Subdivision, a three-lot subdivision, with right-of-way area to be dedicated on 3350 North Street.

Application type: Administrative

Agenda Date: Wednesday, May 02, 2018

Applicant: Gregory G Nelson, Authorized Representative

File Number: UVC 011118

Property Information

Approximate Address: 3240 E 3350 N Liberty

Project Area: 27.63 Acres

Zoning: Agricultural Valley 3 (AV-3)

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 22-023-0032

Township, Range, Section: T7N, R1E, Sections 29

Adjacent Land Use

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

Staff Information

Report Presenter: Felix Lleverino
flleverino@co.weber.ut.us
801-399-8767

Report Reviewer: SB

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 6 (Agricultural Valley Zone, AV-3)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)

Background and Summary

The applicant is requesting approval of a three-lot subdivision with a request to dedicated 32,408.64 sq ft to 3500 North Street for the purpose of future road widening. Each lot will be configured to have access from 3350 N Street. This 27.63-acre parcel will preserve the rural character of the surrounding area while creating three 9.6 acre agricultural/residential lots.

As part of the approval process, the proposal has been reviewed against the current Uniform Land Use Code of Weber County, Utah (LUC), and the standards of the AV-3 zone found in LUC chapter 104-6. The following section is a brief analysis of this project against current land use regulations.

Analysis

General Plan: This three-lot subdivision is in harmony with the Ogden Valley General Plan by preserving the rural character of the Valley as found on page 4 of the 2016 Ogden Valley General Plan.

Zoning: The property is located in the AV-3 Zone. The purpose of this zone is stated in the LUC §104-6-1.

“The purpose of the AV-3 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.”

AV-3 Zone Site development standards: Minimum lot area within the AV-3 Zone is 3 acres with a width of 150 feet. Each lot within this proposal complies with AV-3 Zone site development standards.

Flood Zone: This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level.

Secondary Water: Secondary water will be provided by Weber Basin Improvement District. A letter from the Utah Department of Natural Resources, Division of Drinking Water Rights states that the owner has the right to the 1-acre-foot of water per year for the irrigation of .1833 acres of land (see Exhibit C).

Culinary Water: Weber-Morgan Health Department has provided the applicant with a permit to dig a private well for this residential lot.

Sanitary System: Weber-Morgan Health Department has prepared a letter stating the feasibility for each lot within this proposal to install an at-grade septic system.

Review Agencies: The Weber County Fire District has conditionally approved this proposal with conditions and comments that must be read and adhered to. Weber County Engineering, Surveying, and Planning Departments have posted their reviews and have specified additional requirements and revisions that will need to be addressed prior to recording the final Mylar.

Tax clearance: The 2017 property taxes have been paid in full. The 2018 property taxes are due in full as of November 30, 2018.

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 small subdivision per noticing requirements outlined in LUC §106-1-6(c).

Planning Division Recommendation

Staff recommends final approval of Circle N Subdivision, consisting of 3 lots, with right-of-way area to be dedicated on 3350 North Street. This recommendation is based on the following conditions:

1. Prior to recording the final Mylar, all applicable Weber County reviewing agency requirements shall be met.
2. A deferral for asphalt, curb, gutter, and sidewalk shall be recorded with the final Mylar.
3. Weber County Commission shall approve the road dedication and sign the final Mylar.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with the applicable County codes.

Administrative Approval

Administrative final approval of Circle N Subdivision, consisting of 3 lots, is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval: MAY 2ND, 16


Rick Grover
Weber County Planning Director

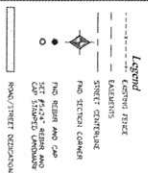
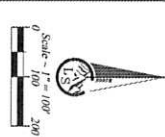
Exhibits

- A. Circle N Subdivision Plat
- B. Current Recorders Plat
- C. Weber Basin Water Conservancy and State Engineer Letter
- D. Health Department feasibility letters

Area Map



CIRCLE N SUBDIVISION
 PART OF THE NW 1/4 OF SECTION 29 TOWNSHIP 7 NORTH, RANGE 1 EAST SALT LAKE BASE & MERIDIAN
 UNINCORPORATED WEBER COUNTY, UTAH - DECEMBER 2017



PERCENTAGE TABLE

LOT	ACRES	PERCENTAGE
1	1.0000	100.00%
2	1.0000	100.00%
3	1.0000	100.00%
4	1.0000	100.00%
5	1.0000	100.00%

REMARKS:
 1. The area shown on this map is the same as that shown on the plat of the Circle N Subdivision, recorded in the Office of the County Clerk, Weber County, Utah, on December 15, 2017.
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WEBER-JORGAN HEALTH DEPARTMENT
 I hereby certify that the above described plat of the Circle N Subdivision, recorded in the Office of the County Clerk, Weber County, Utah, on December 15, 2017, is in compliance with the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code.

WEBER COUNTY SURVEYOR
 I hereby certify that the above described plat of the Circle N Subdivision, recorded in the Office of the County Clerk, Weber County, Utah, on December 15, 2017, is in compliance with the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code.

WEBER COUNTY ENGINEER
 I hereby certify that the above described plat of the Circle N Subdivision, recorded in the Office of the County Clerk, Weber County, Utah, on December 15, 2017, is in compliance with the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code.

SUBDIVISION ENGINEER
 I, David S. Taylor, Subdivision Engineer, do hereby certify that the above described plat of the Circle N Subdivision, recorded in the Office of the County Clerk, Weber County, Utah, on December 15, 2017, is in compliance with the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code.

Professional Stamp: David S. Taylor, Subdivision Engineer, No. 12345, State of Utah.

Notary Public: [Signature], State of Utah.

Witness: [Signature]

OWNER'S DECLARATION
 I, the undersigned, being the owner of the above described property, do hereby declare that the above described plat of the Circle N Subdivision, recorded in the Office of the County Clerk, Weber County, Utah, on December 15, 2017, is in compliance with the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code.

Additional Acknowledgments:
 I, the undersigned, do hereby acknowledge that the above described plat of the Circle N Subdivision, recorded in the Office of the County Clerk, Weber County, Utah, on December 15, 2017, is in compliance with the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code.

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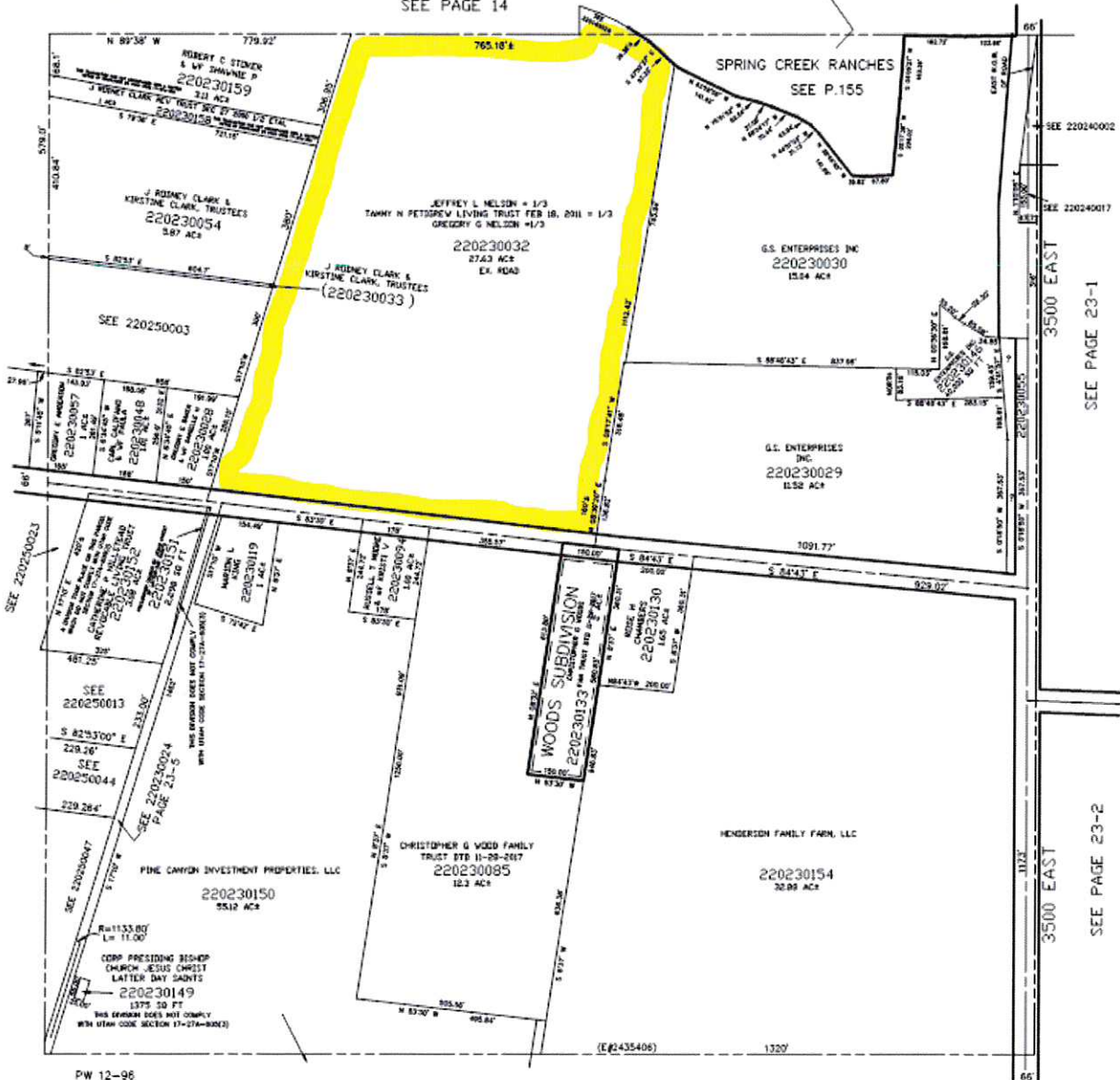
N.W. 1/4
SECTION 29, T.7N., R.1E., S.L.B. & M.
IN WEBER COUNTY
SCALE 1" = 200'

23-6

TAXING UNIT: 36

SEE PAGE 14

SEE PAGE 25



SEE 220240002

SEE 220240017

SEE PAGE 23-1

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SEE PAGE 23-1

SEE PAGE 23-1

SEE PAGE 23-1

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SEE PAGE 23-2

SEE PAGE 23-2

SEE PAGE 23-2

PW 12-96

SEE PAGE 23-5

*ADDRESS AFFIDAVIT E#2007020

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF EXCHANGE)
) MEMORANDUM DECISION
 APPL. NO. 1276 (35 Area))

Exchange Application No. 1276 (35 Area) filed by Nelson Children Trust, c/o Lynn Nelson, 824 North Tremont Street, Tremonton, Utah seeks the right to exchange a maximum of 25.0 acre feet of water obtained by Appl. No. 27608, U.S. Bureau of Reclamation and contract with Weber Basin Water Conservancy District, which has storage rights in Pineview Reservoir. The 25.0 acre feet of water will be released from Pineview Reservoir into the Ogden River and, in lieu thereof, 25.0 acre feet of water will be diverted from an eight-inch diameter well, 100 to 300 feet deep, located the following points: (1) South 50 feet and East 1250 feet; (2) South 50 feet and East 1650 feet, both from the NW Corner of Section 29, T7N, R1E, SLB&M. The water will be used for the domestic purposes of 25 families and for the irrigation of 6.0 acres of land.

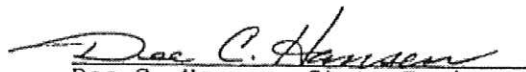
It appears that this exchange can be made provided certain precautions are taken.

It is, therefore, ordered and Exchange Appl. No. 1276 (35 Area) is hereby APPROVED subject to prior rights and the following conditions:

1. No more water may be diverted from the well each year than the applicant is entitled to under the contract with Weber Basin Water Conservancy District.
2. The applicant shall install a permanent totalizing water meter to measure the water obtained and the meter shall be available for inspection by the river commissioner at all reasonable times as may be required by the river commissioner in regulating this exchange.
3. The water being exchanged shall be released into the Ogden River as called for by the river commissioner.

This decision is subject to the provisions of Section 73-3-14, Utah Code Annotated, 1953, which provides for plenary review by the filing of a civil action in the appropriate district court within sixty days from the date hereof.

Dated this 25th day of August, 1978.


 Dee C. Hansen, State Engineer

DCH:RAL:jj

cc: Weber Basin Water Conservancy District
 cc: J. Floyd Barnett

#56634

H. Eng. 1276

ASSUMPTION OF CONTRACT BY SUCCESSOR OWNER

WHEREAS, under date of April 8, 1978, Mary L. Nelson, Trustee & Lynn H. Nelson, entered into a certain contract with the Weber Basin Water Conservancy District, for the purchase of 25.0 acre-feet of Weber Basin Project water for domestic and miscellaneous purposes, which contract was thereafter recorded in the office of the County Recorder of Weber County, Utah, Entry No. 750788, Book 1261, Page 301, and

WHEREAS, the undersigned have succeeded to the ownership of the lands described in said contract and are now the owners thereof,

NOW, THEREFORE, in consideration of the premises, the undersigned do hereby assume responsibility for and hereby agree and undertake to perform and discharge all of the terms and conditions of the said contract, the same as if they were the original purchasers thereunder.

Dated: November 28, 1979

Lynn H. Nelson
Mary L. Nelson Trustee
Original Owners

James N. Sittigren
Gregory D. Nelson
Alfred L. Nelson
Successor Owners

Address: _____
Zip _____

STATE OF UTAH)
) : SS
COUNTY OF Wasatch)

On the 28th day of Nov., 1979, personally appeared before me the signer S of the above instrument, who duly acknowledged to me that They executed the same.

Donald G. DeHart
Notary Public

(SEAL)

My commission expires:
2.20, 1982

BRIAN W. BENNION, M.P.A., L.E.H.S.
Health Officer/Executive Director

November 22, 2017



Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Preliminary Subdivision **Determination**
Nelson Subdivision, 3 lots
Parcel #22-023-0032
Soil log #14602

Gentlemen:

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by a private well. **The placement of the well is critical so as to provide the required 100 foot protection zone.** The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Lot 3: Anticipated ground water tables not to exceed 60 inches, fall within the range of acceptability for the utilization of a Conventional Treatment System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches. The absorption field is to be designed using a maximum loading rate of 0.45 gal/sq. ft. day as required for the gravelly sandy clay loam, massive structure soil horizon with a documented percolation rate of 8.3 minutes per inch.


Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

All subdivisions plats submitted for review **are to show the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates.** Mylars submitted for signature without this information will be returned.

Each on-site individual wastewater disposal system must be installed in accordance with R317-4, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

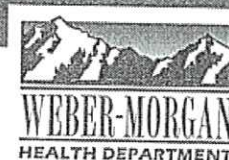
Sincerely,


Summer Day, LEHS
Environmental Health Division
801-399-7160

EDUCATE | ENGAGE | EMPOWER
ECHO

phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org

BRIAN W. BENNION, M.P.A., L.E.H.S.
Health Officer/Executive Director



November 14, 2017

Gregory Nelson
4620 S West View Dr
Salt Lake City, Ut 84124

RE: Wastewater Site and Soils Evaluation #14602
3240 E 3350 N Eden, Ut 84310
Parcel # 22-023-0032

An evaluation of the site and soils at the above-referenced address was completed by staff of this office on November 7, 2017. The exploration pit is located on the enclosed plat developed during the site evaluation along with the assigned numerical code for each exploration pit. The soil horizons, required percolation depths, actual and anticipated maximum ground water tables have been logged as follows:

Exploration Pit #1 (UTM Zone 12 Nad 83 0427315 E 4574618 N)

0-20" Loam, granular structure
20-46" Gravelly clay loam, granular structure, 15% fine gravel
46-72" Gravelly sandy clay loam, massive structure, 35% fine gravel
72-111" Gravelly sandy clay loam, massive structure, 75% fine-coarse gravel

Conduct the required percolation test so that the bottom of the percolation test holes are at 60 inches deep from the original grade.

Exploration Pit #2 (UTM Zone 12 Nad 83 0427202 E 4574640 N)

0-36" Loam, granular structure
36-56" Clay loam, granular structure, 10% fine gravel
56-104" Gravelly sandy clay loam, massive structure, 55% fine-coarse gravel

Conduct the required percolation test so that the bottom of the percolation test holes are at 42 inches deep from the original grade.

Exploration Pit #3 (UTM Zone 12 Nad 83 0427103 E 4574657 N)

0-33" Loam, granular structure, 10% fine gravel
33-53" Gravelly sandy clay loam, blocky structure, 55% fine gravel
53-108" Gravelly sandy clay loam, massive structure, 75% fine-coarse gravel

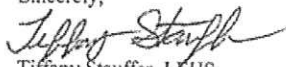
Conduct the required percolation test so that the bottom of the percolation test holes are at 48 inches deep from the original grade.

Exploration pits should be backfilled immediately upon completion of percolation testing to prevent a hazardous environment that may cause death or injury to people or animals.

Percolation tests may be completed by any individual on the enclosed list. The stabilized percolation test results are to be submitted to this office for review prior to the recommendation for further development to the appropriate planning agency or prior to the issuance of a wastewater disposal permit.

If you have any further questions, contact this office at your convenience.

Sincerely,


Tiffany Stauffer, LEHS
Environmental Health Division
801-399-7160

TS/gk

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phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org