



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: A public hearing to discuss and take comment on a proposal to amend Section 106-2-4 of the Weber County Code regarding allowing "lot averaging" to occur in the AV-3 zone and to provide standards therefor.

Agenda Date: Tuesday, December 03, 2019
Staff Report Date: Tuesday, November 26, 2019
Applicant: Weber County Planning Division
File Number: ZTA 2019-10

Staff Information

Report Presenter: Charlie Ewert
cewert@co.weber.ut.us
(801) 399-8763

Report Reviewer: RG

Applicable Ordinances

§106-2-4: Lots

Legislative Decisions

Decision on this item is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

Summary and Background

Lot averaging is a tool that was previously adopted and made applicable to the A-1, A-2, and A-3 zones. The county commission has requested the planning commission consider and make recommendation to them regarding allowing in the AV-3 zone as well. The attached changes will enable and provide standards for it.

Policy Analysis

The planning commission should consider whether the AV-3 zone is an appropriate zone for lot averaging. Lot averaging allows a diversity of lot sizes, but the average of all lots cannot exceed the area and width permitted by the AV-3 zone. In effect, if lot sizes or widths are reduced below the AV-3 zone's minimums for some lots, it will force other lots in the same subdivision to be larger and/or wider than the AV-3 zone's minimums.

For consistency's sake, staff suggest lot averaging in the AV-3 zone at least follow the same minimum lot standards of the A-3 zone's lot-averaging standards, which is a minimum area of one acre and a minimum width of 100-feet. However, reducing these standards even further may encourage greater efficiency of land uses, which could appear as clustered lots adjacent to large-lot open spaces. The planning commission should consider whether the one-acre/one-hundred-foot standard is appropriate for the zone or if further reductions are desirable.

Conformance to the General Plan

The Ogden Valley General Plan does not address lot averaging. However, it does suggest clustering development in several locations. For example, Land Use Principle 1.5 states:

Encourage new development to locate in areas where water and sewer service could be provided by a sewer system. Encourage clustered residential developments with smaller building lots and larger areas of open space for most subdivisions.

Lot averaging will enable a type of clustering development tool. In most cases, the clusters are unlikely to be as

compact as would otherwise be allowed by the cluster subdivision code, but optimally clustered development is unlikely unless the land has access to sewer services.

Past Action on this Item

The planning commission discussed this amendment in a recent work session while also reviewing other proposed amendments of the subdivision code. This specific amendment was separated from the larger amendments for fast tracking at the request of the county commission.

Noticing Compliance

A hearing for this item before the Planning Commission has been posted for public notice in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

- Posted on the County's Official Website
- Posted on the Utah Public Notice Website
- Published in a local newspaper

Staff Recommendation

Staff recommends that the County Commission forward a positive recommendation to the County Commission on the proposed amendments (attached Exhibit A). The changes are supported by the Ogden Valley General Plan. The planning commission's recommendation could come with the following findings, or as otherwise amended by the planning commission:

1. The amendment will provide a flexible cluster-type development option that will help create open spaces and reduce the footprint of developments.
2. The amendment is supported by the general plan.
3. The changes are not detrimental to the general health and welfare of county residents.

Exhibits

- A. Proposed Ordinance Changes – Track Change Copy.

1 **Sec. 106-2-4. - Lots.**

2 (a) The lot arrangement and design shall ~~be such that lots will~~ provide satisfactory and desirable sites for
3 buildings, and be properly related to topography and to existing and probable future
4 ~~requirements.~~ development conditions.

5 (b) All lots shown on the subdivision plat must conform to the minimum area and width requirements of
6 the Land Use Code for the zone in which the subdivision is located, except:

7 (1) *Variance.* When otherwise permitted by the granting of a variance by the board of adjustment as
8 authorized by the Land Use Code;

9 (2) *Cluster subdivision or PRUD.* When in accordance with the cluster subdivision or PRUD
10 provisions of the Land Use Code;

11 (3) *Septic system and wellhead protection.* As required by the county health officer as being the
12 minimum area necessary for septic tank disposal and water well protection if greater than the
13 above area requirements;

14 (4) *Restricted lots and lots with designated building area.* For "restricted lots" and lots with a
15 designated "building area", the minimum area and width requirements shall be increased in
16 accordance with the slope density tables contained in the Land Use Code;

17 (5) *Lot averaging.* In the A-1, A-2, ~~and A-3~~ and AV-3 zones, flexible lot area and width standards
18 shall be allowed in accordance with the following provisions:

19 a. The minimum lot area allowed in the A-1 and A-2 zones shall be 20,000 square feet. The
20 minimum lot area in the A-3 and AV-3 zones shall be 40,000 square feet.

21 b. The minimum lot width allowed in the A-1 and A-2 zones shall be 80 feet. The minimum lot
22 width allowed in the A-3 and AV-3 zones shall be 100 feet.

23 c. The average area of lots within any zone in the subdivision shall equal or exceed the
24 minimum lot area for the zone.

25 d. The average width of lots within any zone in the subdivision shall equal or exceed the
26 minimum lot width for the zone.

27 e. A table shall be provided with the subdivision application and on the final subdivision plat
28 showing the area and width of each lot within the overall subdivision boundary, the average
29 area and width of all lots within the overall subdivision boundary, and the average area and
30 width of all lots within each zone in the ~~subdivision.~~ overall subdivision boundary. If platted in
31 phases, the "overall subdivision boundary" shall mean the boundary of all phases in the
32 approved preliminary plat.

33 f. A subtitle shall be displayed on the final subdivision plat that reads "A Lot-Averaged
34 Subdivision."

35 g. A note shall be placed on the final subdivision plat that reads "for each zone in this
36 subdivision, the average area and average width of lots within the zone equal or exceed the
37 minimum area and minimum width allowed in the zone. An amendment to any part of ~~this~~ the
38 overall subdivision shall comply with Section 106-2-4(b) of the Weber County Code."