



# Staff Report to the Weber County Commission

Weber County Planning Division

## Synopsis

### Application Information

<b>Agenda Item:</b>	LVA042723. Request for final approval of Anselmi Acres Subdivision Phase 1, consisting of 33 lots located at approximately 4100 W 1400 S.		
<b>Type of Decision:</b>	Administrative		
<b>Agenda Date:</b>	Tuesday, December 19, 2023		
<b>Applicant:</b>	Sky Hazelhurst		
<b>File Number:</b>	LVA042723		
<b>Approximate Address:</b>	4100 W 1400 S		
<b>Project Area:</b>	15 acres		
<b>Zoning:</b>	RE-15		
<b>Existing Land Use:</b>	Vacant/Agricultural		
<b>Proposed Land Use:</b>	Residential Subdivision		
<b>Parcel ID:</b>	15-057-0068		

### Adjacent Land Use

<b>North:</b>	Agricultural	<b>South:</b>	Agricultural
<b>East:</b>	Agricultural	<b>West:</b>	Agricultural

### Staff Information

<b>Report Presenter:</b>	Steve Burton sburton@webercountyutah.gov 801-399-8766
<b>Report Reviewer:</b>	RG

## Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Chapter 3 Residential Estates Zones RE-15
- Title 106, Subdivisions

## Background and Summary

This application was accepted for review by the Planning Division on April 27, 2023. On August 8, 2023, the Western Weber Planning Commission made a recommendation to approve the final plat as proposed, based on the following conditions:

- The donation to the parks district listed in the development agreement will be paid by the developer before the Phase 1 subdivision plat records.
- The applicant will provide a cost estimate for all subdivision improvements including street trees and pathway improvements in the subdivision, to be reviewed and approved by county staff before the subdivision plat records.
- Final approval letter from Hooper Irrigation or a plat signature before recording.

The recommendation is based on the following findings:

- With conditions imposed, the project complies with the approved development agreement.
- The project follows the general plan.
- With conditions imposed, the project meets the requirements of the Weber County Land Use Code.

The applicant has not yet addressed the three items that are required before the plat records, however, they are requesting to receive a conditional approval from the Commission. Section 106-1-8.030 of the county subdivision code states that “after determining compliance with applicable ordinances, or determining compliance after adding conditions of approval to ensure compliance with applicable laws, the Land Use Authority shall approve the final plat.” Though it is recommended that an applicant meet all final plat requirements before bringing it to the land use authority for approval, the ordinance does allow a conditional approval.

## Analysis

General Plan: When this property was rezoned in March of 2023, the County Commission made the determination that rezoning the property from A-1 to RE-15 was supported by the Western Weber General Plan, as 'medium density' residential, along with the owner's proposed open space contribution and street/pathway connectivity. The proposed subdivision layout follows the plan and the density that was approved with the rezone.

Zoning: The subject property is located in the RE-15 zone. Weber County land use code, Sec 104-3-1 describes the purpose and intent of the RE-15 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."

Lot area, frontage/width and yard regulations: The typical lot size requirement in the RE-15 zone is 15,000 square feet with a required width of 100 feet. The images on the following pages show the lot sizes and layout of the concept plan compared to the lot sizes and layout of the proposed preliminary plan. Phase 1 lots are the same size and width that they were during preliminary approval and when final approval was considered by the planning commission.

Culinary water and sanitary sewage disposal: Taylor West Weber Water has issued preliminary approval for this subdivision for the proposed number of lots, for culinary water only. Central Weber sewer has issued a will serve letter for the proposed number of lots for sewer service. Hooper Irrigation has issued a preliminary will serve letter for irrigation service for the proposed number of lots. Before the plat records, the culinary and secondary water providers

The subdivision code states that the developer is required to provide a capacity assessment letter for culinary water before receiving a recommendation for final approval from the Planning Commission. The applicant has provided a 'final approval' letter for culinary water which acts as the capacity assessment letter for culinary. The secondary water provider does not issue a capacity assessment letter, therefore, Planning staff have requested a final approval letter from Hooper Irrigation to be submitted before the subdivision is approved by the County Commission.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division, Engineering Division, and the Weber Fire District. The County Surveyor is currently reviewing the final plat.

Public Streets and Pathways: The proposal consists of 60 and 66 foot wide public streets. A 10 foot trail is shown along the north side of 1600 S street. The proposal will include four foot sidewalk along all both sides of all other streets and type G curb with a five foot wide park strip with six inch diameter rock.

Previous approvals: The development agreement that was approved by the owner and the County Commission states that the developer "shall make a donation of \$2,000 per lot in the subdivision to the Taylor West Weber Parks District." The development agreement does not state when that will be paid, however, staff recommends that the donation be paid before the subdivision plat can record.

## Staff recommendation

Staff recommends that the County Commission accept the recommendation of the Planning Commission, as stated on the first page of this report.



