



Staff Report for Administrative Subdivision Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application for final plat approval of Green Hill Country Estates Phase 6, a Cluster Subdivision, 1st Amendment
Agenda Date: Wednesday, May 06, 2015
Applicant: Faith Hope Bachman
Authorized Agent: Jason Peterson
File Number: UV031815

Property Information

Approximate Address: 1176 North Maple Drive
Project Area: 4.615 Acres
Zoning: F-5
Existing Land Use: Residential
Proposed Land Use: Residential
Parcel ID: 21-084-0005
Township, Range, Section: Township 6 North, Range 2 East, Section 4

Adjacent Land Use

North:	Residential/Forest	South:	Residential/Forest
East:	Residential/Forest	West:	Residential/Forest

Staff Information

Report Presenter: Ronda Kippen
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801-399-8768
Report Reviewer: SW

Applicable Ordinances

- Title 101, General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 9, Forest (F-5) Zone
- Title 104, Zones, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable and amended by Title 26, Filing of Preliminary and Final Plans (amended by Ordinance 2012-14)
- Title 108, Standards, Chapter 3 Cluster Subdivisions (amended by Ordinance 2014-20)

Type of Decision

Administrative Decisions: When the Planning Director is acting as the land use authority, he is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Director if the application demonstrates compliance with the approval criteria.

Background

The applicant has submitted a request for final plat approval of Green Hill Country Estates Phase 6, a Cluster Subdivision, 1st Amendment, a small subdivision consisting of one lot. The proposed subdivision is located at approximately 1176 North Maple Drive Huntsville, UT and is in the F-5 zone. The proposed subdivision conforms to both the zoning and subdivision requirements including adequate frontage and access along a dedicated County road, adequate lot width, lot area and adequate setbacks for the existing home located on the lot, as required in the Uniform Land Use Code of Weber County (LUC).

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing community areas and maintaining the Valley's Rural Character and natural setting.

Zoning: The subject property is located in a Forest Zone more particularly described as the F-5 zone. The purpose of the Forest Zone in the LUC §104-9-1 is:

- a. The intent of the forest zones is to protect and preserve the natural environment of those areas of the county that are characterized by mountainous, forest or naturalistic land and to permit development compatible to the preservation of these areas.
- b. The objectives in establishing the forest zones are:
 - (1) To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the natural resources, vegetation and attractions;
 - (2) To reduce the hazards of flood and fire;
 - (3) To prevent sanitation and pollution problems and protect the watershed;
 - (4) To provide areas for private and public recreation and recreation resorts; and
 - (5) To provide areas for homes, summer homes, and summer camp sites.

The original subdivision was initially reviewed and approved as a "Cluster Subdivision" which is a permitted use in the F-5 zone and has been reviewed against the original approval of the "Green Hill Country Estates Phase 6, a Cluster Subdivision" (see Exhibit A) to ensure that the original regulations and standards have been adhered to.

The proposed amendment consists of a one lot subdivision, modifying the buildable area of lot 104 from the previously recorded subdivision plat line (see Exhibit B) and will not create or realign any streets, therefore, meeting the definition of a "Small Subdivision".

Small subdivisions can be administratively approved per LUC §26-1-9(E) and as part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106 as amended by Ordinance 2012-14 (Title 26, Filing of Preliminary and Final Plans), the current standards for Cluster Subdivision in LUC §108-3 as amended by Ordinance 2014-20 and the standards in the F-5 Zone in LUC §104-9 to ensure that the regulations and standards have been adhered to. It appears that the proposed subdivision is in conformance with applicable county codes.

The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations: In the LUC §104-9-4, the F-5 Zone requires a minimum lot area of 5 acres and a minimum lot width of 300'. The Cluster Subdivision chapter of the LUC allows for a reduction in the minimum lot width and lot area required for a lot in a subdivision provided that the provisions of the LUC §106 & 108 are met. One of the requirements for a cluster subdivision in the F-5 Zone is for a minimum of 80 percent of the subdivision to be preserved as permanent open space. The minimum lot width in the F-5 zone has been reduced to 80' and the lot area can be reduced to a minimum of 15,000 square feet. The proposed amendment does not modify or decrease any of the open space that was originally approved as part of the "Green Hill Country Estates Phase 6, a Cluster Subdivision" (see Exhibit A), the lot width of the parcel is greater than 80' and the lot area exceeds the minimum requirement of 15,000 square feet (see Exhibit B). The proposed amendment has adequately demonstrated conformance with the yard regulations of the F-5 Zone, the stream corridor setbacks for ephemeral streams as found in LUC §104-28-2(b) and the minimum standards of the Cluster Subdivision as found in LUC §108-3-7 as amended.

Flood Plain: The proposed subdivision is located in a Zone "D" as determined by FEMA to be an area of possible but undetermined flood hazards, as no analysis of flood hazards has been conducted. Part of the plat amendment was to more accurately identify the slope on Lot 104 and the actual stream corridor. The stream has been identified on the Ogden Valley Stream Corridor map as an ephemeral stream per LUC §104-28-2(b); therefore, a 50' setback is required and has been illustrated on the proposed subdivision plat.

Culinary water and sanitary sewage disposal: Culinary water and sewer for the proposed subdivision amendment are provided by Green Hills Water and Sewer District.

Review Agencies: The Weber Fire District has reviewed and approved the proposed subdivision. The Weber County Surveyor's Office and the Weber County Engineering Division have reviewed the proposed subdivision and have

outstanding conditions that will need to be addressed prior to recording the final mylar; a condition of approval has been added to ensure that all conditions of the Surveyor's Office and Engineering Division will be met prior to recording.

Additional design standards and requirements: The proposed subdivision has areas of significant slope and a buildable area of 22,171 sq ft has been identified on the plat. There may be some site preparation in conjunction with an approved building permit for an accessory structure. The proposed subdivision does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report, additional standards and requirements are unnecessary at this time.

Owner association required: The County Recorder may require that the applicant record a statement that the original CC&R's are still in effect for the amended subdivision. A condition that the proposal meets the requirements of the County Recorder has been made part of the recommended conditions of approval.

Tax clearance: The 2014 property taxes have been paid in full. The 2015 property taxes will be due in full on November 1, 2015.

Public Notice: A notice has been mailed not less than ten calendar days before final approval to all property owners of record within 500 feet of the subject property regarding the proposed small subdivision per noticing requirements outlined in LUC §26-1-7.

Staff Recommendation

Staff recommends final plat approval of Green Hill Country Estates Phase 6, a Cluster Subdivision, 1st Amendment, a small subdivision consisting of one lot. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. Requirements of the Weber County Engineering Division.
2. Requirements of the Weber-Morgan Health Department.
3. Requirements of the Weber Fire District.
4. Requirements of the Weber County Surveyor's Office.
5. Requirements of the Weber County Recorder.

This recommendation is based on the following findings:

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

Administrative Approval

Administrative final approval of Green Hill Country Estates Phase 6, a Cluster Subdivision, 1st Amendment, a small subdivision consisting of one lot, 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: Wednesday, May 6, 2015



Sean Wilkinson
Weber County Planning Director

Exhibits

- A. Original Subdivision
- B. Proposed Subdivision Amendment

Map 1



Map 2



