



# Staff Report for Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on a request for preliminary approval of East Lake Meadows Subdivision (5 lots) at approximately 8600 East 500 South.

**Type of Decision:** Administrative

**Agenda Date:** Wednesday, June 29, 2016

**Applicant:** Brad Dobson, owner

**File Number:** UVE 050516

### Property Information

**Approximate Address:** 8600 East 500 South, Huntsville UT

**Project Area:** 19.02 acres

**Zoning:** Agricultural Valley AV-3 and Forest Valley FV-3

**Existing Land Use:** Agricultural

**Proposed Land Use:** Residential and agriculture

**Parcel ID:** 21-026-0120 and 21-026-0120

**Township, Range, Section:** T6N, R2E, Section 16 and 17

### Adjacent Land Use

<b>North:</b> Residential	<b>South:</b> N. Branch of the S. Fork of the Ogden River
<b>East:</b> Residential	<b>West:</b> Residential

### Staff Information

**Report Presenter:** Ben Hatfield  
bhatfield@co.weber.ut.us  
801-399-8766

**Report Reviewer:** RK

## Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 6 Agricultural Valley (AV-3 Zone)
- Weber County Land Use Code Title 104 (Zones) Chapter 14 Forest Valley (FV-3 Zone)
- Weber County Land Use Code Title 106 (Subdivision)

## Background

The applicant is requesting preliminary approval of East Lake Meadows Subdivision consisting of five lots. The proposed subdivision is 19 acres located at approximately 8600 East 500 South near Huntsville. Currently a home exists on the property and will be on Lot 5 consisting of 7.01 acres. A zoning boundary splits this property approximately where an irrigation ditch crosses through the subject property placing it into the AV-3 and FV-3 Zones.



## Analysis

**General Plan:** The proposal conforms to the Ogden Valley General Plan in a manner that does not detract from the Valley's rural character and natural setting. Subdivisions that meet the requirements of applicable Land Use Codes conform to the General Plan. This subdivision addresses water, wastewater, roads, and other issues which are discussed in the General Plan.

Land Use Code Standards: As part of the subdivision process, the proposal has been reviewed against the adopted current zoning and subdivision code (LUC §106) to ensure that the regulations and standards have been adhered to. It appears that the proposed subdivision is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Zoning:

Parcels Split by Zoning Boundaries: LUC §104-1-4 explains that when a proposed lot is split by a zoning boundary the standards for area requirements depends on which of the zones has the more restrictive (or larger) area requirement. This is based upon a two-thirds rule.

- If two-thirds of the lot's area is contained in less restrictive zone, the lot may develop based upon the minimum standards of that zone. However the home must be built in that less restrictive zone.
- If this is not the case then the home can be built in the larger zone, but the lot must meet the lot standards of that zone. The area within the less restrictive zone may be applied to lot to meet the larger standard.

Lot area, frontage/width and yard regulations: The proposed subdivision meets the minimum 3 acre lot area and 150 foot lot width requirements of the AV-3 and FV-3 Zones (LUC §104-8 and 104-14). Each lot meets each zones requirement, as the two zones have the same area and width standards.

Access: The lots in the proposed subdivision all front and can have access from 500 South or 8600 East. Both roads require road dedication and road widths of 66 feet.

Sensitive lands: Lot 5 is adjacent to the North Branch of the South Fork of the Ogden River and will require a 75 foot area of non disturbance for the high water mark of the river.

Flood Plain: Most of the proposed subdivision is located in Zone "X", however an area along the river is in Zone "AE" as determined by the FEMA maps. This Zone "AE" is typically referred to as the floodplain, and has a one percent chance of flooding.

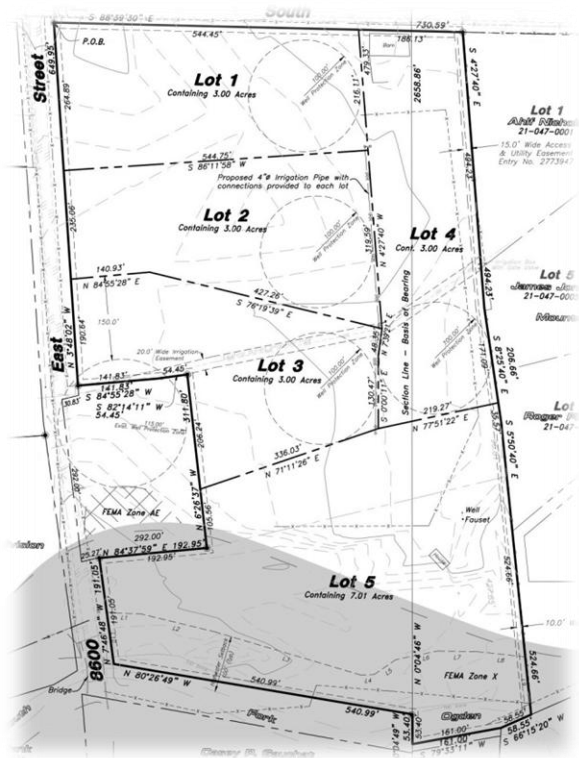
Culinary water and sanitary sewage disposal: A feasibility letter has been provided for the culinary and wastewater systems for the proposed subdivision. The culinary water for the proposed subdivision will be provided by a private wells and wastewater is controlled by individual septic systems. A private well and onsite wastewater systems agreements will need to be executed and recorded in conjunction with the Mylar to ensure adequate notice is given to future property owners of the required improvements prior to receiving a building permit through Weber County.

Review Agencies: The Weber County Engineering Division, the Weber County Surveyor's Office, and the Weber Fire District have reviewed and approved the proposal. All review agency comments have been attached as Exhibit B.

Additional design standards and requirements: As this is a rural subdivision in an agricultural area of the Ogden Valley the applicant is requesting that a recommendation be made to the Weber County Commission to defer the street improvements of curb, gutter, and sidewalk on both 8600 East and 500 South.

Tax clearance: The 2015 property taxes have been paid.

Public Notice: The required noticing for the preliminary subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6b.



## Summary of Considerations

Does the subdivision meet the requirements of the Land Use Code?

- The subdivision meets the requirements for a subdivision and the zones it is located in.

## Staff Recommendation

Staff recommends preliminary plat approval of East Lake Meadows Subdivision. 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.
6. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

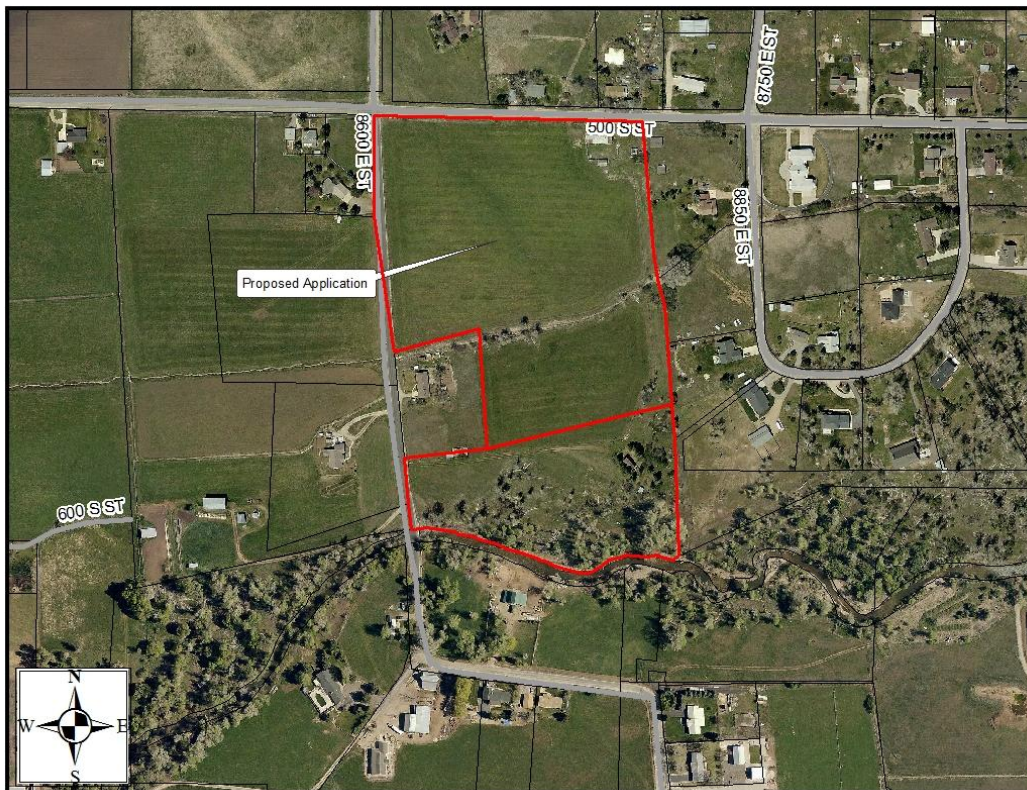
This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with all applicable County codes.
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.

## Exhibits

- A. Subdivision Plat
- B. Agency review comments

## Photo of the proposed subdivision





## Exhibit B-Review Agencies Comments

### Engineering Review 1

**Project:** East Lake Meadows Subdivision

**User:** Blane Frandsen

**Department:** Weber County Engineering Division

**Created:** 2016-06-08

**Approved:** Not Approved

**Notes:** I have had a chance to review the plan(s) and have the following comment(s): **Written responses to the following comments are required.**

1. Per the County subdivision ordinance, a preliminary plan is required to be submitted with the subdivision application.
  1. The preliminary plan shall be prepared in conformance with the requirements of this ordinance and all other County codes and regulations regulating the subdivision of land. The preliminary plan shall be drawn to a scale not smaller than one hundred (100) feet to the inch and shall show:
    1. Please label the solid contour lines as to elevation, to enable one to see the Flood zone limits for the AE Flood Zone.
    2. The location of percolation test holes on each lot.
    3. Plans or written statements prepared by a licensed civil engineer regarding the width and type of proposed pavement, location, size, and type of proposed sanitary sewers or other sewage disposal facilities, proposed water mains and hydrants and other proposed storm water drainage facilities and other proposed improvements such as sidewalks, planting and parks and any grading of individual lots. Engineering drawings may be required during preliminary approval in subdivisions.
    4. Please be sure all structures surrounding and or in near proximity to the subdivision are shown. The Zelenic property would appear to have a home on it.
  2. The proposed subdivision will need to have curb, gutter and sidewalk as per the county commission. As a bare minimum there will need to be a deferral on the curb, gutter and sidewalk, which has been signed by the developer prior to final approval.
  3. The ditch in the front of the property will need to be piped with. If the curb, gutter and sidewalk are deferred, then the grade will need to be brought up to a foot below the edge of asphalt.
  4. A note will need to be added to the plat stating: "Due to the topography and the location of this subdivision all owners will accept responsibility for any storm water runoff from the roads adjacent to these properties until curbs and gutters are installed."
  5. There will need to be a drainage easement given for the South Fork of the Ogden River.
  6. A geotechnical report needs be completed for the subdivision.
  7. Because soil conditions vary throughout the county, it is now necessary to provide an engineered pavement design showing required sub-base, road-base, fabric, and asphalt thickness as needed for soil type. Asphalt thickness shall not be less than 3 inches. The county engineer is now requiring a minimum of 8" of 4" minus sub-base and 6" road-base. Compaction tests on both will be required.
  8. The 8600 East is projected to need a 66' ROW. Please dedicate the applicable ROW.
  9. 500 South shall have a right of way of 66'.
  10. An excavation permit is required for all work done within the existing rights-of-way from Weber County.
  11. All improvements need to be either installed or escrowed for prior to recording of the subdivision.
  12. Pursuant to the 2016 Weber County MS4 Storm Water Permit provisions for onsite retention of a 90 percentile storm shall be considered as well as for Low Impact Development BMP's when developing the lots of this Subdivision.
  13. At the time of development Storm Water Construction Activity Permits will be required for any construction that:
    1. disturbs more than 5000 square feet of land surface area, or
    2. consist of the excavation and/or fill of more than 200 cubic yards of material, or

3. Requires a building permit for which excavation or fill is a part of the construction, and less than one acre if part of a common plan of development.
14. Storm Water Pollution Prevention Plans (SWPPP) are now required to be submitted for all new developments over 5 acres of total area or less than where development occurs as part of a common plan of development where construction is required. The State now requires that a Utah Discharge Pollution Elimination Systems (UPDES) permit be acquired for all new development. Each new lot must be considered as falling within a common plan of development for the new subdivision. A copy of the permit needs to be submitted to the county before final approval. Permits can now be obtained online thru the Utah State Department of Environmental Quality at the following web site: <https://secure.utah.gov/swp/client>.
15. After all items have been addressed a wet stamped copy of the improvement drawings will be required.

I have tried to address all items of concern from the Engineering Department. However, this review does not forego other items of concern that may come to this department's attention during additional reviews or during construction of improvements. If you have any comments or questions concerning this review, feel free to contact me.

**Weber County Surveyor 1st Review**

**Project:** East Lake Meadows Subdivision

**User:** Bahy Rahimzadegan

**Department:** Weber County Surveyor's Office

**Created:** 2016-06-02

**Approved:** Not Approved

**Notes:** In reviewing the above referenced plat, we have marked areas that still require attention. We have included a copy of the plat marked with these changes. If you have any questions or comments we are here to serve and help you in any possible way to expedite the approval process for this subdivision.

We can be reached at the Weber County Surveyors Office at (801) 399-8075. Thank you.

**Weber Fire District Review**

**Project:** East Lake Meadows Subdivision

**User:** Brandon Thueson

**Department:** Weber County Special Events, Weber Fire District

**Created:**

**Approved:** No review has been submitted yet.