



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for preliminary plan approval of Old Town Eden Condominiums.
Type of Decision:	Administrative
Agenda Date:	Tuesday, January 24, 2017
Applicant:	Ben Toone
File Number:	UVO080116

Property Information

Approximate Address:	5510 E 2200 N, Eden, UT
Project Area:	1.37 acres
Zoning:	CV-2
Existing Land Use:	Commercial
Proposed Land Use:	Commercial
Parcel ID:	22-051-0082
Township, Range, Section:	Township 7 North, Range 1 East, Section 35

Adjacent Land Use

North:	Agriculture	South:	2200 N
East:	Weber Fire District	West:	5500 East

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RK

Applicable Ordinances

- Title 104, Zones, Chapter 21, Commercial Valley Zones (CV-1) Zone
- Title 106, Subdivisions

Background

The applicant has submitted a request for preliminary plan approval of the Old Town Eden Condominiums, consisting of 4 units. As part of the preliminary plan requirements and approval procedure, the preliminary plan must be presented to the Planning Commission for their recommendation. As part of the subdivision review process, the proposal has been reviewed against the current subdivision ordinance and the standards in the CV-2 zone. If the Planning Commission's recommendation is not appealed to the County Commission within 15 days of the Planning Commission's recommendation, then the Planning Commission's recommendation shall stand as the County's decision on preliminary approval.

The proposed subdivision is located at 5510 E 2200 N, Eden, UT and is in the CV-2 zone. All 4 units within the subdivision are existing buildings, 3 of the units are currently commercial businesses and 1 unit is a closed shop/garage for storage. The proposed subdivision conforms to both the zoning and subdivision requirements including adequate frontage and access along existing county roads, adequate lot width, and lot area (see Exhibit A).

The proposed application has been reviewed against certain standards in the Uniform Land Use Code of Weber County, Utah (LUC). The following is staff's evaluation of the request.

Analysis

General Plan: The General Plan for Ogden Valley is intended to preserve private property rights and to protect the features and character of Ogden Valley that residents value. The Ogden Valley General Plan also explains the vision for

commercial development as follows. *The Ogden Valley community desires sustainable and thriving local businesses in Ogden Valley.*

As such, this proposal is in conformance with the Ogden Valley General Plan.

Zoning: The subject property is located in the Commercial Valley (CV-2) zone.

The purpose of the CV-1 and CV-2 zones is identified in the LUC §104-21-1 as:

The purpose of the CV-1 and CV-2 zones is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of the Ogden Valley in unincorporated Weber County. It is also to separate, into two commercial zones, uses based upon the type of activity which are compatible and complementary, as well as the intensity of land utilization and accessory use needs.

- (c) *The CV-2 Zone (General Commercial) has been established for the purpose of providing a broad range of commercial services and goods to serve a larger region of the county like the Ogden Valley. Areas with CV-2 zoning have a principal patronage which originates throughout the Ogden Valley or is due to recreation in the Ogden Valley. CV-2 areas are to be a commercial hub or node of activity. These areas, as outlined in the General Plan, are to be near the traditional town centers of the Ogden Valley and not to be strung out along the highways. Uses in the CV-2 Zone may provide goods and services not typically found amongst commercial areas within resorts including automobile sales and service, sporting goods, service stations, hotels, and professional offices.*

The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. The proposed subdivision is in conformance with County code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations: There are no minimum lot area or minimum lot width requirements for the CV-2 zone. There are also no minimum side yard setbacks in this zone. Per the LUC 104-21-4 (c), *A complete street design is required when the front setback is less than 20 feet, and may include a ten foot pathway, pedestrian lights, shade trees, clear view of intersection, and safe street crossings for pedestrians. The design is to be approved by the planning commission.*

This requirement has been included in the Planning Division's recommendation as a condition of approval.

Culinary water and sanitary sewage disposal: A will serve letter has been provided by the Eden Water Works Company regarding culinary water. As a review agency for this proposal, the Weber Morgan Health Department has stated that condominiums are able to have multiple dwelling units under individual ownership, serviced by a single onsite wastewater system without the sponsorship of a body politic.

Additional design standards and requirements: The proposed subdivision does not require the realignment of or the creation of a new street system. An encroachment agreement between the applicant and Weber County was recorded in 2008, allowing the existing buildings and facilities to encroach upon the county right-of-way.

Deferrals for curb and gutter, and sidewalk will be required as outlined in LUC 106-4-2 (e) and (f).

Review Agencies: To date, the proposed subdivision has received approval from the Weber Fire District and the Weber Morgan Health Department. A condition of approval has been added to ensure that all conditions of the Review Agencies will be addressed prior to final plat submittal.

Tax clearance: According to the preliminary title report, delinquent taxes for the property exist for previous years.

Public Notice: A notice has been mailed not less than seven calendar days before final approval to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Staff Recommendation

Staff recommends preliminary plan approval of the Old Town Eden Condominiums, consisting of 4 units. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A deferral agreement for curb and gutter, and sidewalks must be filed and recorded with the final Mylar.
2. The proposed subdivision must comply with the Complete Street standards as outlined in LUC 104-21-4(c).

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 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. Proposed Preliminary Plan
- B. Culinary will serve letters

Map 1



Map 2

