



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for final approval of The Sanctuary (6 Lots)
Agenda Date: Tuesday, October 26, 2010
Applicant: Timothy Charlwood
File Number: UVS 082807

Property Information

Approximate Address: East of Green Hill Country Estates Phase 6 past the end of Maple Drive
Project Area: 517.41 Acres
Zoning: Forest 40 Zone (F-40)
Existing Land Use: Forest/Recreation
Proposed Land Use: 6 Lot Residential Subdivision
Parcel ID: 21-001-0008, 0009, 0010, 0011, 0012, and 23-012-0022
Township, Range, Section: T6N, R2E, Sections 3 & 4, and T7N, R2E, Section 34

Adjacent Land Use

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

Staff Information

Report Presenter: Sean Wilkinson
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Report Reviewer: JG

Applicable Ordinances

- Weber County Subdivision Ordinance
- Weber County Zoning Ordinance Chapter 8 (F-40 Zone)
- Weber County Zoning Ordinance Chapter 40 (Ogden Valley Pathways)
- Weber County Zoning Ordinance Chapter 43 (Ogden Valley Sensitive Lands Overlay Districts)

Background

The Sanctuary (formerly known as Golden Eagle Ranch) received preliminary approval from the Ogden Valley Planning Commission on November 8, 2007. An 18 month extension of preliminary approval was granted administratively by the Planning Director in May 2009 upon repayment of the subdivision fees. Preliminary approval now expires on November 8, 2010, unless the subdivision receives a recommendation for final approval from the Planning Commission prior to that date.

The Sanctuary consists of 6 lots on 521 acres and lies in an F-40 Zone which requires a minimum lot area of 40 acres and a minimum lot width of 660 feet on a road. Lots 1, 2, and 3 meet these requirements, but lots 4, 5, and 6 do not have the required access from the road. However, these lots were granted access by a private right-of-way by the Weber County Board of Adjustment prior to preliminary approval, which supersedes the zoning requirement.

While each of the lots has at least 40 acres, the majority of the property is steep and unable to be developed. Each of the lots has a building pad for a dwelling and an accessory building shown on the plat. These building pads exceed the 75 x 100 foot requirement, but several of the building pads do not meet the setback requirements. On lots 2 and 6 the accessory building pad needs to be at least 40 feet from the side property line, which can easily be done. On Lot 1 both of the building pads need to be moved to meet lot and stream corridor setbacks. A 75 x 100

foot building pad for the dwelling could fit within the required setbacks, but the accessory building pad would have to be significantly reduced or eliminated. If the building pads cannot be shown on this lot, it will be designated as a restricted lot and the future structures will be required to go through a hillside review process. The Planning Commission should ask the applicant to decide what will be done with this issue. The building pads on lots 3, 4, and 5 meet the necessary requirements.

Access to the subdivision is over a right-of-way through Green Hill Country Estates Common Area, which is allowed by a legal agreement. This right-of-way will be improved to meet County road standards. The road extends approximately 2,600 from the end of Maple Drive and terminates in a cul-de-sac. Chapter 2-2-D of the Weber County Subdivision Ordinance states "Minor terminal streets (cul-de-sacs) proposed in the subdivision of foothill or mountainous lands where topography dictates or limits the options in road design to a considerable extent, the Planning Commission will establish a maximum length based upon each individual situation. As a guide for design, a maximum length of 2000 feet to the beginning of the turnaround is established."

The length of the cul-de-sac is necessary due to topographical limitations on the property, but the road must meet the requirements of the Weber County Engineering Department and the Weber Fire District. Currently, the road is designed with a 12% maximum grade. A hillside review has been conducted on the property to address areas where the road crosses slopes of more than 25%. One of the retaining walls associated with this Hillside Review still needs to be approved by a geotechnical engineer, which must be done as a condition of approval. The road follows an existing stream, but this is allowed because the subdivision received preliminary approval prior to approval of the Ogden Valley Sensitive Lands Ordinance. In addition, the subdivision was given preliminary approval to have a gated access (see Exhibit C).

Lots 4 through 6 are served by the approved private rights-of-way. These rights-of-way are also designed with a maximum grade of 12% and they are subject to the requirements of the Weber County Engineering Department and the Weber Fire District.

Culinary and secondary water will be provided by individual wells, and wastewater treatment will be provided by individual septic tanks. The percolation test location for Lot 1 is shown on Lot 3, and should be moved unless written approval is granted by the Weber County Health Department. Each of the lots has an appropriate well protection area.

The subdivision already has extensive horse trails on the property which are and will remain open to the Green Hills Home Owners Association as per the existing Loop Trail Agreement. The subdivision also contains 250 acres of private open space with trails, which is not required but is being provided as an amenity for the six lots. The subdivision is in compliance with Zoning Ordinance Chapter 40 (Ogden Valley Pathways).

This subdivision lies within an area identified by the Ogden Valley Sensitive Lands Ordinance as "Important Wildlife Habitat." When development occurs in important wildlife habitat areas the ordinance describes principles that should be incorporated into the development. This subdivision has incorporated these principles in the following ways:

- The 40 acre lots with small building areas provide large contiguous open areas for wildlife and limit areas of disturbance.
- The subdivision has a 250 acre open space area which is adjacent to Green Hill Country Estates Common Area and state and federal lands.
- There is no fencing proposed for the subdivision.
- Except for the building pads and road, the natural vegetation has been preserved throughout the subdivision.

Summary of Planning Commission Considerations

- Does this subdivision meet the requirements of applicable Weber County Ordinances?
- Should Lot 1 be designated as a restricted lot?
- Has the subdivision incorporated design principles that will protect the important wildlife habitat?

Conformance to the General Plan

Subdivisions that meet the requirements of applicable County Ordinances conform to the General Plan. This subdivision addresses water, wastewater, traffic, and other issues which are discussed in the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Division (including approval from a geotechnical engineer on the retaining wall design)
- Requirements of the Weber County Health Department
- Requirements of the Weber Fire District

Staff Recommendation

Staff recommends final approval of The Sanctuary, subject to review agency requirements, based on the following reasons:

- The subdivision meets the requirements of the Weber County Subdivision Ordinance.
- The subdivision meets the requirements of the F-40 Zone, or has approval from the Weber County Board of Adjustment.
- The final plan is consistent with the preliminary approval.
- The subdivision design has incorporated principles to protect important wildlife habitat.

Exhibits

- A. Subdivision plat
- B. Subdivision improvement drawing
- C. Gated access design
- D. Applicant's response to preliminary engineering review comments
- E. Current review agency letters

Map 1

