



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on final approval of the Riverbend Cluster Subdivision Phase 1 (47 lots) located at 800 S 3600 W.
Agenda Date: Tuesday, September 21, 2021
Applicant: Ed Grampp
File Number: LVR051321

Property Information

Approximate Address: 800 South 3600 West
Project Area: 72.2 acres
Zoning: A-1 and A-2
Existing Land Use: Agricultural
Proposed Land Use: Residential
Parcel ID: 150430061, 150430062, 150430034, 150430033, 150450006, 150450070, 150450061, 150450042, 150450015
Township, Range, Section: 6N 2W Sec 15 and 16

Adjacent Land use

North:	Agricultural	South:	Agricultural/ Residential
East:	Agricultural	West:	Agricultural/ Residential

Staff Information

Report Presenter: Felix Lleverino
fleverino@co.weber.ut.us
801-399-8767
Report Reviewer: SB

Development History

On Tuesday, June 15, 2021, the Planning Commission granted preliminary approval with the following conditions:

- A. Taylor Wester Weber Water District will need to approve the plat, and issue a final approval letter before the subdivision can be forwarded to the Planning Commission for final approval.
 - The final approval letter will be supplied to the Planning Commission before the Planning Commission meeting on September 21st, 2021.
- B. The applicant will be required, as part of the final subdivision submittal, to submit a street tree landscaping plan so that a financial guarantee can be provided for those improvements.
 - The landscape plan is included with the report as Exhibit C. Escrow funds for the street trees and common area landscaping will be collected before going to the County Commission.
- C. A covenant explaining the ownership and use of the agricultural land with appropriate water shares and common area is required to be reviewed by the Planning Commission as part of the final subdivision review. The covenant shall be recorded with the subdivision plat.
 - The Open Space Covenant is included with the report as Exhibit D
- D. The applicant must demonstrate that the agricultural open space parcels are viable agricultural land.
 - The developer possesses soil test results to confirm that the areas selected as the agricultural ground are viable arable land.
- E. HOA documents including CC&Rs will need to be submitted as part of the final subdivision review. The HOA documents will need to specify how the common areas are to be maintained.
 - The CCR's are under final review by the planning staff
- F. The following language is required to be included on the final subdivision plat before review by the Planning Commission for final approval: ... *and additionally dedicate and convey to Weber County a perpetual open space easement on, under, and over all parcels and areas denoted as open space parcels or areas to guarantee to the*

public that those parcels and areas remain open and undeveloped in a manner consistent with the approved open space plan; ...

- This above-quoted language is added to the dedication plat.
- G. Engineering shall approval the secondary water storage plan.
 - The Secondary Water Model is uploaded to Frontier and is under review by the County Engineering Department.
- H. The plat must show a road stub between lots 144 and 145.
 - The plat shows the required road stub.
- I. The Fire District will conduct a review specific for ingress and egress
 - The Fire District has approved this proposal, including the ingress and egress provisions.
- J. The Health Department and County Engineer inspect the ditch for possible sewage contamination
 - “We did however found that two to three homes, constructed before 1960 have unknown septic system construction. At this time, our office is intending to reach out to the homeowners of these older septic systems and discuss possible funding options for the installation of new onsite wastewater system. If the homeowners are found to meet the requirement to be considered for the state sponsored funding source. Then our office would work through the process of helping complete the funding paperwork, designing new septic systems, and complete all required inspection of these septic systems.”

Ed Gramp, the developer, has provided a written response in Exhibit F detailing how the preliminary conditions have been satisfied.

Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7 Definitions
- Title 104, (Zones) Chapter 2 Agricultural Zones
- Title 106, Subdivisions

Summary

The applicant is requesting final approval of Riverbend Cluster Subdivision Phase 1 (47 lots) including Open space parcels A, B, C, D, E, F and G. Open space parcels A and G are preserved for continued crop production. Open space parcels B, C, and E are preserved as common areas with turf grass and plantings. Street trees will be placed every 50 feet and all the street lighting and residential home lighting will be dark sky compliant, under LUC 108-3-8.

Analysis

General Plan: This proposal conforms to page 5.1 of the Western Weber General Plan by utilizing cluster development to preserve agricultural land and open space.

Zoning: The property is located within the A-1 and A-2 Zones. The purpose of these zones is stated in the LUC §104-2.

1. *The AV-3 Zone and A-1 Zone are both an agricultural zone and a low-density rural residential zone. The purpose of the AV-3 Zone and A-1 Zone is to:*
 1. *Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern;*
 2. *Set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and*
 3. *Direct orderly low-density residential development in a continuing rural environment.*
2. *The A-2 Zone is both an agricultural zone and a low-density rural residential zone. The purpose of the A-2 Zone is to designate moderate-intensity farming areas where agricultural pursuits and the rural environment should be promoted and preserved where possible.*

Site Development Standards: The minimum lot size for lots within a cluster subdivision in the A-1 and A-2 Zones is 60 wide and 9000 sq. ft. in area. All lots within this development meet or exceed the minimum requirement.

Bonus Density: The following table provides area calculations for phase 1:

Gross Acreage	Area deducted for roads	Net developable Area	Open Space

36.664	1.48	35.184	19.408
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Weber County Code requires that each phase preserves the appropriate amount of open space. Phase 1 is preserving 55% of the total area within Phase 1. Since this development was granted a 50% bonus density, the following criteria must be met:

1. Provide a minimum 50 percent open space of the net developable acreage, as defined in section 101-1-7.
2. Provide one street tree of at least two-inch caliper, from a species list as determined by county policy, every 50 feet on both sides of each street within the subdivision boundaries. In the event infrastructure or a driveway approach makes a tree's placement impossible, that tree shall be located as close to the 50-foot spacing as otherwise reasonably possible, provided compliance with the clear view triangle as defined in section 108-7-7.
3. Comply with all provisions of title 108, chapter 16: Ogden Valley Outdoor Lighting Ordinance, which is incorporated by reference herein as applicable to a cluster subdivision in the Western Weber Planning Area that receives bonus density. A note shall be placed on the final subdivision plat indicating this requirement.

Open Space Covenant: The open space covenant attached in Exhibit D describes the intended ownership and uses for each open space parcel: Open space parcels A, and G will be owned by a farmer who will own continue to use them for crop production. All other open space parcels that cannot be farmed, due to their size, will be common area owned and maintained by the Home Owner's Association.

Flood Zone: This parcel is within the 500-year floodplain area of the Weber River according to the April 12, 2021 Flood Insurance Rate Map FIRM.

Culinary Water: The final will-serve letter from Taylor West Weber Water District will be provided to the Planning Commission on Monday, September 20th, or the night of the meeting on the 21st. The developer is confident that the District will provide the final will-serve letter after the water board has completed its review.

Irrigation Water: In an agreement between the developer and the Farmer, Mr. Ron Gibson, will obtain ownership of 27 shares of Hooper irrigation water. Mr. Gibson will then use 21 of those shares to irrigate parcel A and his Weber River water rights will be used to serve the irrigation needs on the west side of 3600 West for the lots, open space, and the agricultural parcels. The Secondary Water Model indicated that "Secondary water will be supplied by diverting from an existing irrigation ditch and be stored in a new off-site irrigation pond. Water rights are available or will be purchased for this use. This water will be supplemented by any storm water which falls on the site. The water will be stored in the aforementioned reservoir until used. Pumps will be provided which will deliver water from the new pond through new secondary water piping to each residential lot of this subdivision, as well as common areas for use with landscaping in these lots and common areas."

Storm Water Management: Several unique factors exist within this property that requires special attention to avoid the flood potential that exists in the area. The Herrick family, who are local long-time residents, have reported that springtime flooding has occurred as a result of inadequate drainage facilities and improper land grading. The Herricks contracted with CES Engineering, an independent engineering agency, to report on the extent of the flood plain boundary. The CES report indicates that the flood plain boundary extends westward from the Weber River into the area designated for lot development. To mitigate the risk from flooding, the Great Basin Engineering Firm completed and submitted a Storm Water Management Plan. The Improvement drawings, geotechnical study, stormwater, and secondary water studies are currently under review by the Weber County Engineering Department. Any requirements or revisions to those plans will be made before County Commission approval.

Sewer Services: Central Weber Sewer District has provided a will-serve letter stating that the District can serve this development. The District will need to approve the connection plans and inspect the connection. The entire parcel of property to be served needs to be annexed into the District.

Disputed Land: To avoid postponing the final approval of Phase 1 from the Planning Commission, the developer decided to exclude the 1.2-acre disputed land on the eastern side of open space parcel G (see Exhibit G).

Review Agencies: The Weber County Planning, and Engineering have submitted comments that will be addressed by a revised subdivision plat and revised civil drawings. The County Surveyor's office will submit comments regarding final subdivision plat

revisions. The Weber Fire District has posted their approval, with a requirement to install a fire hydrant near lots 53 and 54 if a home within the development will exceed 3600 sq. ft.

Staff Recommendations

Staff recommends final approval of Riverbend Cluster Subdivision. This recommendation is based on all review agency requirements and upon the following conditions:

1. Final subdivision plat approval from the Weber County Surveyor
2. Cost Estimate for all subdivision improvements, including landscaping in the common area and street trees.
3. Subdivision improvement agreement
4. Monument improvements agreement
5. A final will-serve letter from Taylor West Weber Water District

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. The proposed subdivision complies with the applicable County codes.
3. The subdivision conforms to zoning and subdivision ordinances.

Exhibits

- ## Area Map

Area Map

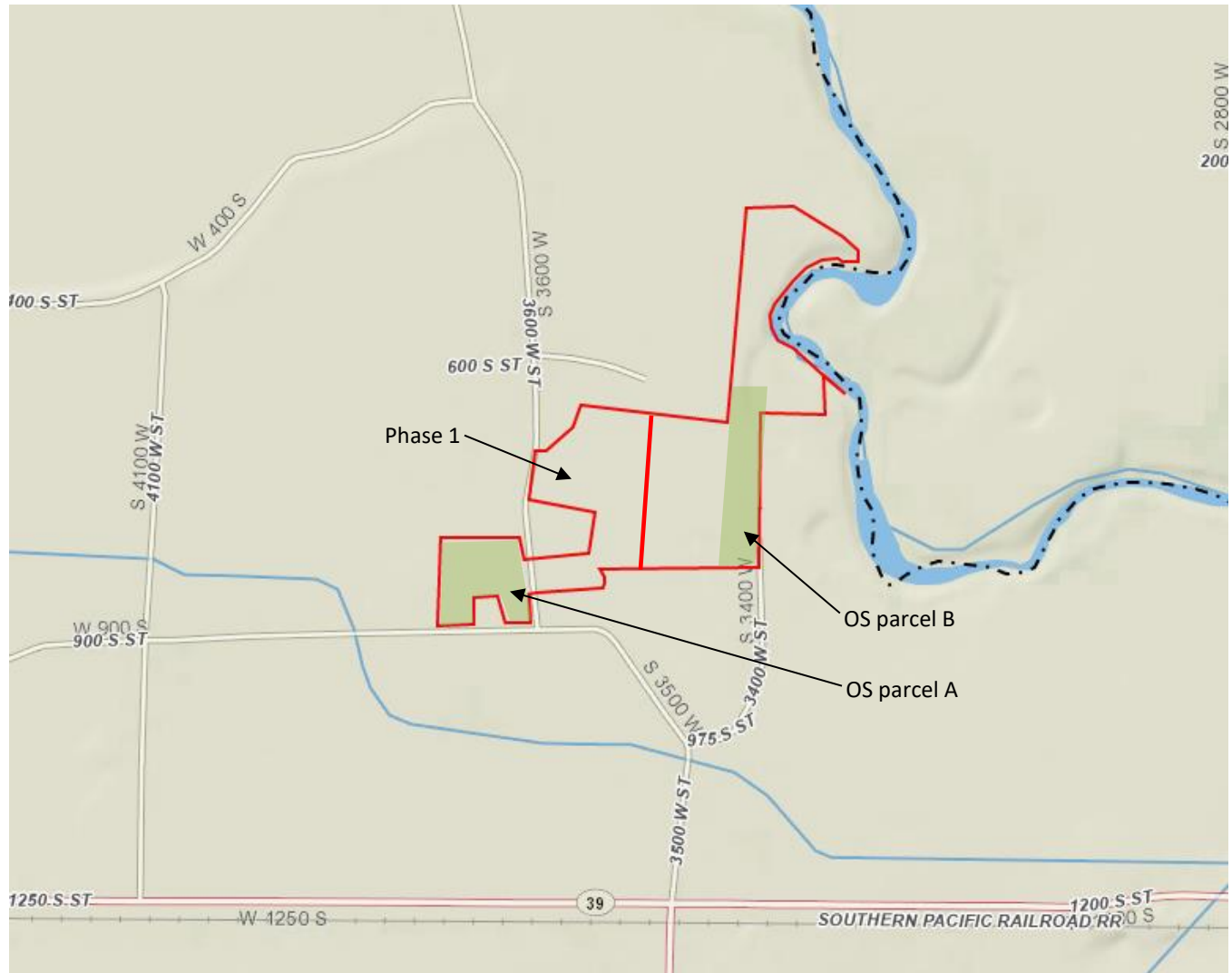
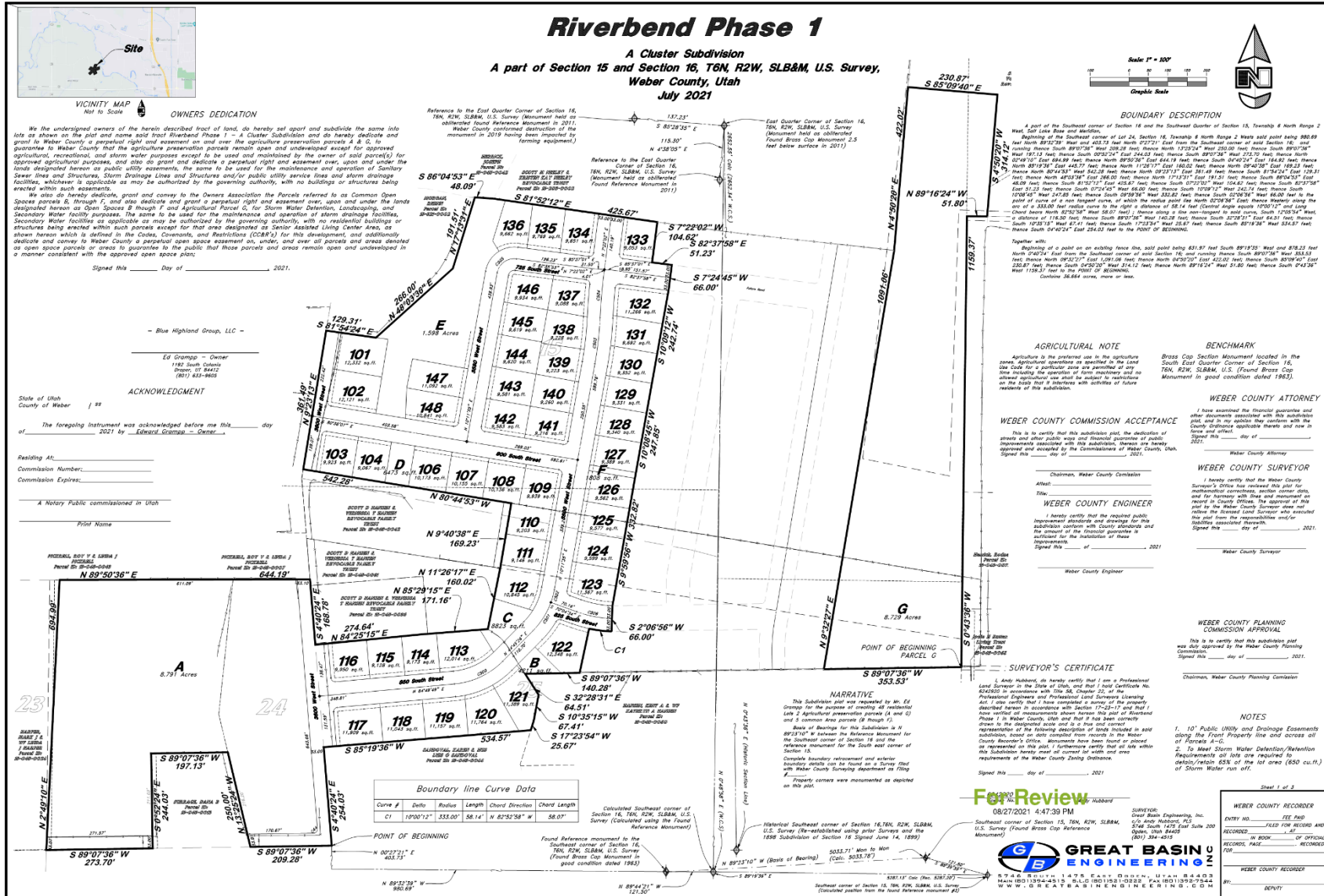
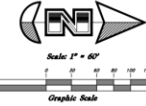


Exhibit A



Riverbend Phase 1

A part of Section 15 and Section 16, T6N, R2W, SLB&M, U.S. Survey,
Weber County, Utah
July 2021



Legend

- Set Nail & Washer
- Set Rebar & Cap
- Set Hub & Tack
- Monument to be set
- (Rad.) Radial Line
- (N/R) Non-Radial Line
- Fence
- P.U.E. Public Utility Easement

Lot Line Curve Data

Curve #	Delta	Radius	Length	Chord Direction	Chord Length
C100	89°30'00"	10.50'	16.40'	N 40°04'46" E	14.78'
C101	5°31'46"	233.00'	23.84'	N 81°53'36" E	23.83'
C102	18°31'36"	233.00'	76.70'	N 89°32'16" E	76.35'
C103	15°21'00"	233.00'	82.42'	N 52°25'59" E	82.24'
C104	14°22'32"	233.00'	59.14'	N 37°29'09" E	59.80'
C105	79°42'32"	10.50'	14.61'	N 70°04'09" E	13.46'
C106	7°48'17"	353.00'	45.36'	S 72°58'42" E	45.33'
C107	17°48'30"	267.00'	82.99'	S 78°58'49" E	82.65'
C108	77°50'05"	10.50'	14.26'	S 31°11'14" E	13.19'
C109	3°14'26"	946.36'	53.53'	S 8°34'22" W	53.53'
C110	4°16'35"	946.36'	70.63'	S 4°48'51" W	70.63'
C111	0°17'37"	1431.84'	7.34'	S 2°49'22" W	7.34'
C112	2°30'42"	1431.84'	71.10'	S 4°23'32" W	71.08'
C113	91°33'09"	10.50'	16.78'	S 51°35'27" W	15.05'
C114	90°00'00"	10.50'	16.49'	S 53°37'36" E	14.85'
C115	50°02'04"	10.50'	16.50'	N 40°23'04" E	14.85'
C116	38°37'57"	75.00'	50.99'	N 72°55'30" E	50.01'
C117	48°15'17"	75.00'	63.17'	N 34°18'13" E	61.33'
C118	89°10'18"	10.50'	16.34'	N 84°46'44" E	14.74'
C119	90°01'41"	10.50'	15.71'	S 35°37'23" E	14.14'
C120	89°58'19"	10.50'	15.70'	S 34°22'33" W	14.14'
C121	90°49'42"	10.50'	16.65'	N 35°13'16" E	14.96'
C122	21°57'33"	167.00'	64.02'	N 21°10'31" E	63.63'
C123	12°33'58"	167.00'	36.72'	N 38°27'23" E	36.65'
C124	40°04'24"	167.00'	116.80'	N 64°47'57" E	114.44'
C125	90°29'53"	10.50'	16.58'	S 48°55'14" E	14.91'
C126	89°10'18"	10.50'	16.34'	N 84°46'44" E	14.74'
C127	2°04'28"	880.38'	31.86'	N 10°09'52" E	31.86'
C128	5°26'36"	880.38'	83.64'	N 5°23'52" E	83.61'
C129	3°26'36"	1412.59'	84.77'	N 4°17'51" E	84.76'
C130	89°31'00"	10.50'	16.22'	N 38°20'23" W	14.66'
C131	87°12'33"	15.00'	22.83'	S 53°47'51" W	20.69'
C132	90°49'42"	10.50'	16.65'	S 35°13'16" E	14.96'

Center Line Curve Data

Curve #	Delta	Radius	Length	Chord Direction	Chord Length
C500	40°04'24"	200.00'	139.88'	N 64°47'57" E	137.05'
C501	24°50'00"	200.00'	86.68'	N 32°20'26" E	86.01'
C502	9°43'51"	200.00'	33.91'	N 13°03'50" E	33.93'
C503	7°31'01"	913.36'	119.83'	N 6°26'04" E	119.74'
C504	4°41'38"	1484.84'	119.83'	N 5°01'18" E	119.80'
C505	87°12'33"	45.00'	68.49'	N 53°47'51" E	62.01'
C506	17°48'30"	300.00'	83.24'	S 78°58'49" E	82.87'

Sheet 3 of 3

WEBER COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
RECORDED _____ FILED FOR RECORD AND
INDEXED _____ IN BOOK _____ OF OFFICIAL
RECORDS PAGE _____

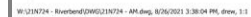
WEBER COUNTY RECORDER

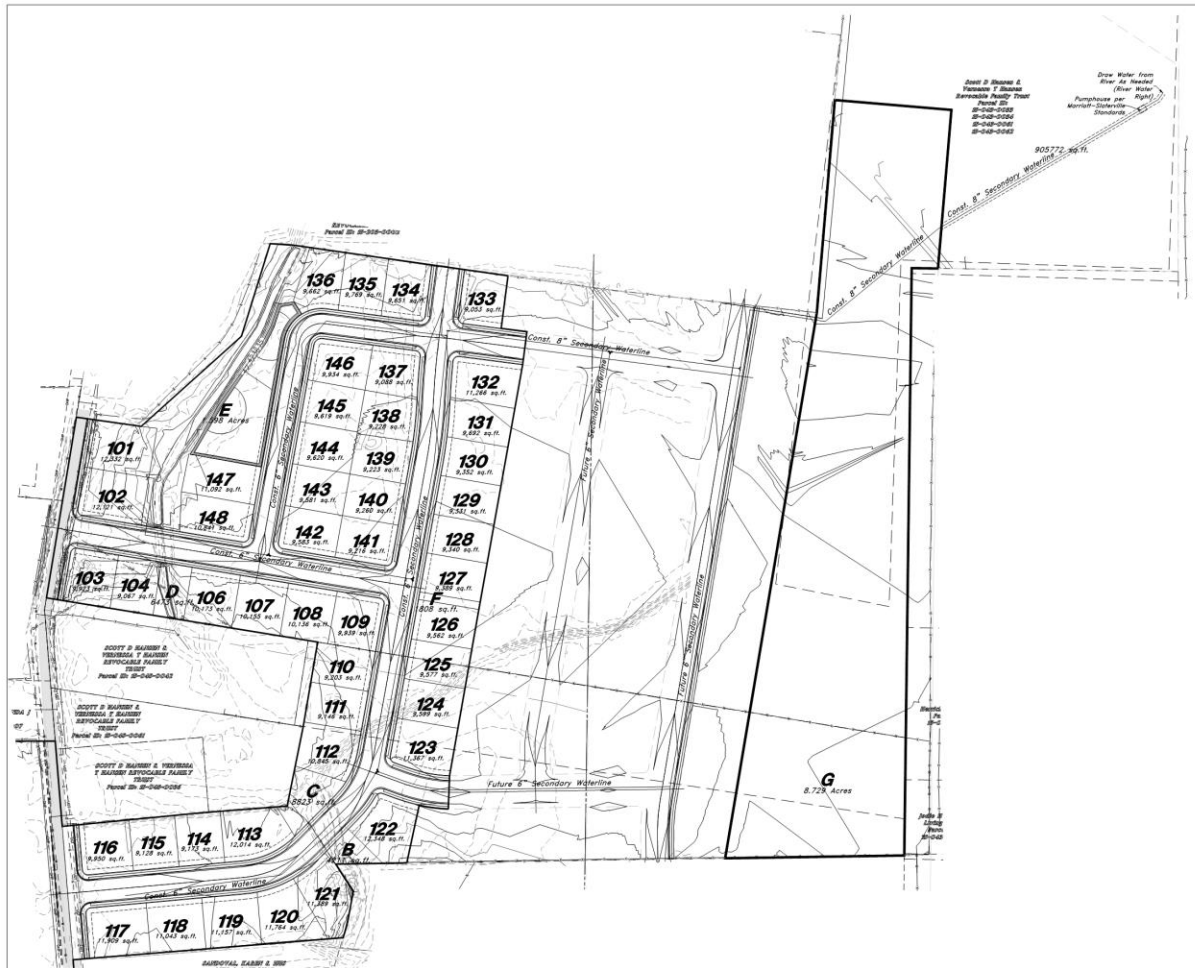
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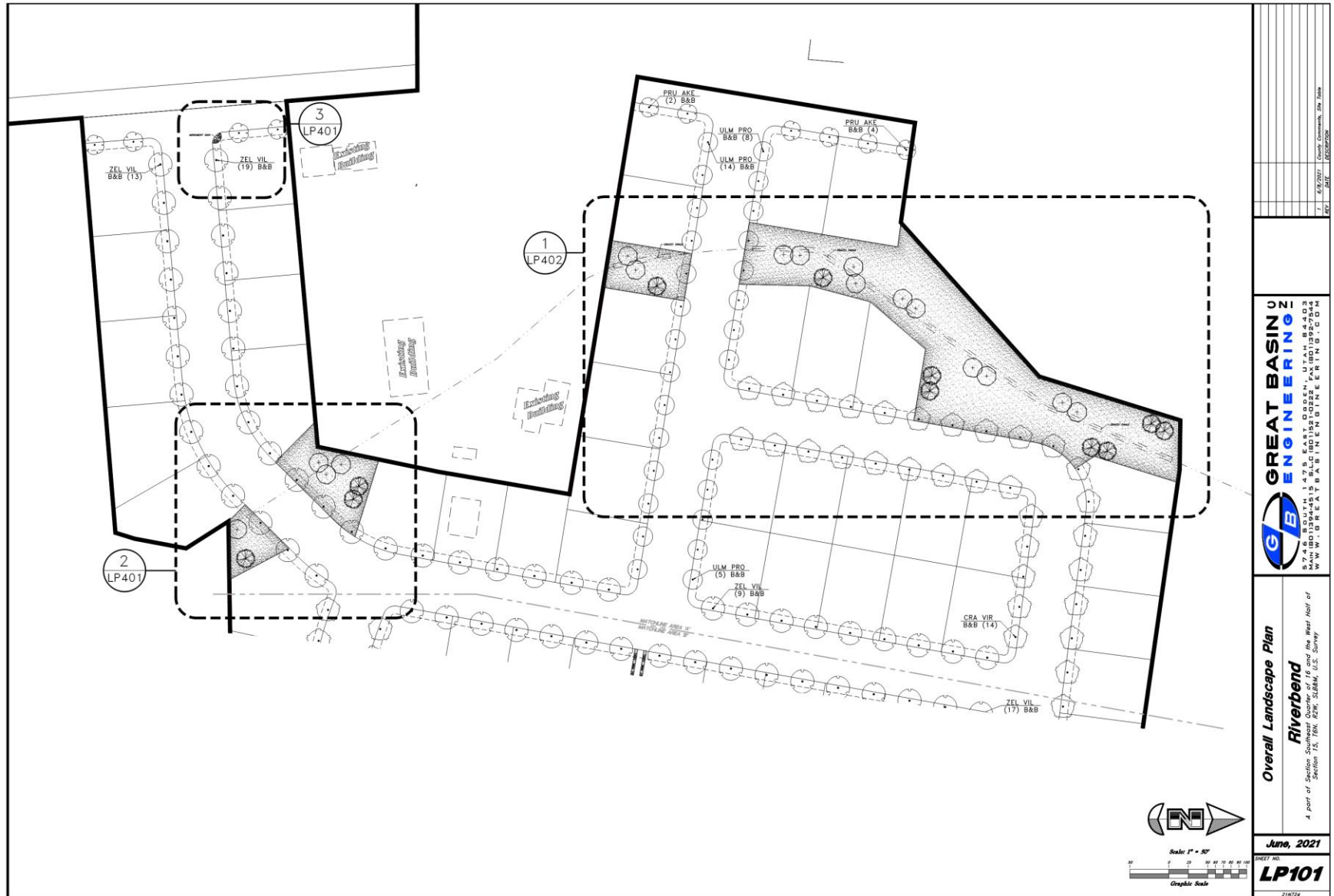


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Secondary Water System
Riverbend
A part of the Subarea 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 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RIVERBEND CLUSTER SUBDIVISION OPEN SPACE COVENANT

The Riverbend Cluster Subdivision ("Riverbend") Phase 1 shall be subject to the following covenants:

1. There are three categories of Open Space in Riverbend:
 - a. Common Area Open Space
 - b. Agricultural Preservation Open Space
 - c. Sensitive Lands Open Space
2. Common Area Open Space
 - a. Parcels B, C, D, E, F are to be designated as Common Area Open Space.
 - b. Common Area Open Space is to be owned and maintained as by the Homeowners Association.
3. Agricultural Preservation Open Space
 - a. Parcels A, and G are to be dedicated as Agricultural Preservation Open Space.
 - b. Agricultural Open Space is to be owned by a private entity (or entities) and is to be used for agricultural and/or agritourism purposes.
 - c. Agricultural Open Space may include agricultural, agritourism and utility buildings.
 - d. Agricultural Open Space shall have secondary water available in sufficient quantities as required for its agricultural use in accordance with generally accepted agricultural practices for the specific agricultural or agritourism uses.
 - e. Secondary water for the Agricultural Open Space may be supplied from:
 - i. Weber River water rights
 - ii. Shares of irrigation company water using existing irrigation canals or ditches
 - iii. A private irrigation system for the subdivision
 - iv. A connection to an existing or future secondary water irrigation system
 - v. A combination of one or more of the foregoing sources, or
 - vi. Another source to be determined.
4. Sensitive Lands Open Space
 - a. The Weber River is to be dedicated as Sensitive Lands Open Space.
 - b. Sensitive Lands Open Space is to be owned by a private entity (entities), with a blanket public access easement.
5. This covenant shall be recorded with the Riverbend Phase 1 plat.

By: _____
Its: _____

Date: _____

STATE OF UTAH)
 :ss
COUNTY OF WEBER)

On this _____ day of _____, 20____, personally appeared before me _____, the signer of the above instrument, who duly acknowledge to me that he is the _____ of _____, named above, and the ___ he executed the above instrument on behalf of the _____ as such _____.

Notary Public

Exhibit E

Final Culinary Will serve (to be included on September 20th or 21st)



Weber County Planning Division
www.co.weber.ut.us/planning_commission
2380 Washington Blvd., Suite 240
Ogden, Utah 84401-1473
Voice: (801) 399-8791
Fax: (801) 399-8862

Western Weber Planning Commission
NOTICE OF DECISION

June 15, 2021

Ed Grampp
800 S 3600 W
Ogden, UT 84401

You are hereby notified that preliminary approval of Riverbend Cluster Subdivision (98 lots) was heard on June 15, 2021, by the Western Weber Planning Commission, and was approved subject to the following conditions:

1. Taylor Wester Weber Water District will need to approve the plat and issue a final approval letter before the subdivision can be forwarded to the Planning Commission for final approval. *Taylor West Weber Water District is completing plat approval and a final approval letter to be presented to the Planning Commission.*
2. The applicant will be required, as part of the final subdivision submittal, to submit a street tree landscaping plan so that a financial guarantee can be provided for those improvements. *The Landscaping Plan has been submitted to the County.*
3. A covenant explaining the ownership and use of the agricultural land with appropriate water shares and common area is required to be reviewed by the Planning Commission as part of the final subdivision review. The covenant shall be recorded with the subdivision plat. *The covenant has been submitted to the County. Agricultural Preservation Open Space is the owned and maintained by a private entity (a farmer) and is to be used for agricultural and/or agri-tourism purposes. Plans call for secondary water for the agricultural land to be supplied by Weber River Water Rights (east parcel) and existing Hooper Irrigation water system ditches (west parcel).*
4. The applicant must demonstrate that the agricultural open space parcels are viable agricultural land. *The soils have been analyzed using various methods and it has been determined that the best land has been saved for agricultural purposes. The proposed farmer has stated he will farm the proposed agricultural open space.*
5. HOA documents including CC&Rs will need to be submitted as part of the final subdivision review. The HOA documents will need to specify how the common areas are to be maintained. *HOA documents including CC&Rs have been submitted to the County. The Common Area Open Space will be maintained by the HOA.*
6. The following language is required to be included on the final subdivision plat before review by the Planning Commission for final approval: ... *and additionally dedicate and convey to Weber County a perpetual open space easement on, under, and over all parcels and areas denoted as open space parcels or areas to guarantee to the public that those parcels and areas remain open and undeveloped in a manner consistent with the approved open space plan; ... The language has been included on the final plat.*
7. Engineering shall approve the secondary water storage plan. *Engineering has been advised of the secondary water plan, which includes the use of Weber River Water Rights, with pumps on the river, and separate distribution systems for residential and east agricultural parcel uses. Hooper Irrigation water will be used on the west agricultural parcel. Final engineering plans will be reviewed.*
8. The plat must show a road stub between lots 144 and 145. *The road stub has been reflected on the plat.*
9. The Fire District will conduct a review specific for ingress and egress. *The Fire District has approved the plans and has determined the ingress and egress is sufficient.*
10. The Health Department and County Engineer inspect the ditch for possible sewage contamination. *The Health Department and County Engineer have investigated the issue. The Health Department indicated that 2-3 older homes adjacent to Riverbend have unknown septic system construction and has stated that it intended to reach out to the homeowners of the older septic systems and discuss possible funding options.*

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. The proposed subdivision complies with the applicable County codes.
3. The subdivision conforms to zoning and subdivision ordinances.

If you have any questions, feel free to call me at 801-399-8767.

