

# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

#### **Synopsis**

**Application Information** 

Application Request: Consideration and action on a request for final approval of the Taylor Landing Cluster

Subdivision Phase 3, consisting of 34 lots and the dedication of Phase 3 open space.

Agenda Date: Tuesday, April 12, 2022

**Applicant:** Heritage Land Development, LLC.

Marshae Stokes (Representative)

File Number: LVT010622

**Property Information** 

**Approximate Address:** 4000 W 2200 S

Project Area: Phase 3 Lots: 12.85 Acres

Phase 3 Open Space: 13.16 Acres (58.25%)

Zoning: Agricultural (A-1)
Existing Land Use: Agricultural
Proposed Land Use: Residential
Parcel ID: 15-078-0176

Township, Range, Section: T6N, R2W, Section 28

**Adjacent Land Use** 

North:ResidentialSouth:ResidentialEast:Residential/AgriculturalWest:Residential

**Staff Information** 

**Report Presenter:** Scott Perkes

sperkes@co.weber.ut.us

801-399-8772

Report Reviewer: SB

#### **Applicable Ordinances**

- Title 101 (General Provisions) Section 7 (Definitions)
- Title 104 (Zones) Chapter 5 (Agricultural (A-1) Zone)
- Title 106 (Subdivisions)
- Title 108 (Standards) Chapter 3 (Cluster Subdivision)

#### **Background and Summary**

The applicant presented the overall cluster subdivision sketch plan on February 11, 2020. The applicant then submitted for preliminary approval based on the sketch plan design. The proposed subdivision included 5 phases and requested a 50% bonus density to create a total of 156 lots and a total of 55.97 acres of agricultural open space (see **Exhibit A**). Preliminary approval was denied by the Western Weber Planning Commission during their May 12, 2020 meeting based on findings that the proposed design did not prioritize the most prime agricultural land within the subdivision boundary for preservation. The Planning Commission's denial of preliminary approval was then appealed by the applicant to the County Commission. This appeal was heard by the County Commission during their June 16, 2020 meeting and resulted in the overturning of the Planning Commissions denial of preliminary approval by a County Commission vote of 2 to 1.

Following preliminary approval, the applicant was granted final approval of Phases 1A and 2 by the WWPC during their November 10, 2020 meeting. The applicant is now requesting final approval of Phase 3 (see **Exhibit B**).

The proposed Phase 3 is consistent with the approved preliminary plan and consists of 34 lots totaling 12.85 acres of developed land. This request for final approval also requires the dedication of a proportionate amount of open space (58.25%, per the preliminary/open space plan) consisting of 13.16 acres.

#### **Analysis**

<u>General Plan:</u> The Western Weber General Plan supports cluster type development as a means to preserve open space (see page 2-12 of the Western Weber General Plan).

Zoning: The subject property is located in the Agricultural Zone (A-1), the purpose of this zone is stated in the LUC §104-5-1.

"The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."

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

<u>Lot area, frontage/width and yard regulations</u>: Cluster subdivisions are listed as a permitted use with the A-1 Zone. A cluster subdivision requires a minimum lot area of 9,000 sq. ft. for a single family dwelling and a minimum lot width of 60 feet in the A-1 zone. The minimum yard set-backs for a single family dwelling are 20 feet on the front and rear, and a side yard of 8 feet (20 feet for a side yard adjacent to a street). The proposed lot sizes within Phase 3 range from 9,100 to 17,171 sq. ft. and lot widths range from 67.6 to 157 feet.

<u>Common and Open Space:</u> The proposal includes 13.16 acres of agricultural open space for all of Phase 3 that will be individually owned and leased for agricultural production.

<u>Bonus Density Criteria:</u> The applicant has been granted a 50% density bonus as outlined as part of the preliminary approval and "Open Space Preservation Plan" (see **Exhibit A**). The bonus density is based on meeting the bonus density requirements outlined in LUC§108-3-8:

- (a) Western Weber Planning Area bonus density. In the Western Weber Planning Area, bonus density shall be awarded as a percentage increase over base density for subdivisions that meet the conditions in this subsection (a). No bonus shall be awarded for a subdivision with a gross acreage of less than ten acres. For subdivisions with a gross acreage of ten acres or more, the bonus density percentage shall equal the gross acreage of the subdivision, up to a maximum of 50 percent. To qualify for bonus density, a subdivision shall:
  - (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 place on the final subdivision plat indicating this requirement.

<u>Culinary water and sanitary sewage disposal:</u> Preliminary will-serve letters have been provided by Taylor West Weber Water and Hooper Irrigation Company the culinary water and secondary water connections (see **Exhibits C & D**). Wastewater disposal systems (sewer) for the proposed subdivision will be served by the Central Weber Sewer Improvement District (see **Exhibit E**). Final letters of approval will need to be submitted by each of these providers prior to recording the final plat.

<u>Review Agencies:</u> This proposal will be reviewed by all County reviewing agencies. Any comments and conditions will need to be addressed prior to recording the final plat.

Tax clearance: Current property taxes have been paid in full.

#### **Planning Division Recommendation**

The Planning Division recommends final approval of the Taylor Landing Cluster Subdivision Phase 3 based on the proposed plan adhering to the requirements of the Weber County Land Use Codes including the design standards in the Cluster Subdivision Ordinance. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

- 1. Per LUC 108-3-5(f)(3), an agreement shall be recorded with the final plats to the title of all open space preservation parcels that details the open space preservation plan and any conditions necessary to execute the open space preservation plan.
- 2. Final letters of approval shall be submitted from Taylor West Weber Water, Hooper Irrigation Company, and the Central Weber Sewer Improvement District prior to recording the final plat.
- 3. Approved subdivision improvements shall be installed, or an escrow established for their installation prior to recording the final plat.

This recommendation is based on the following findings:

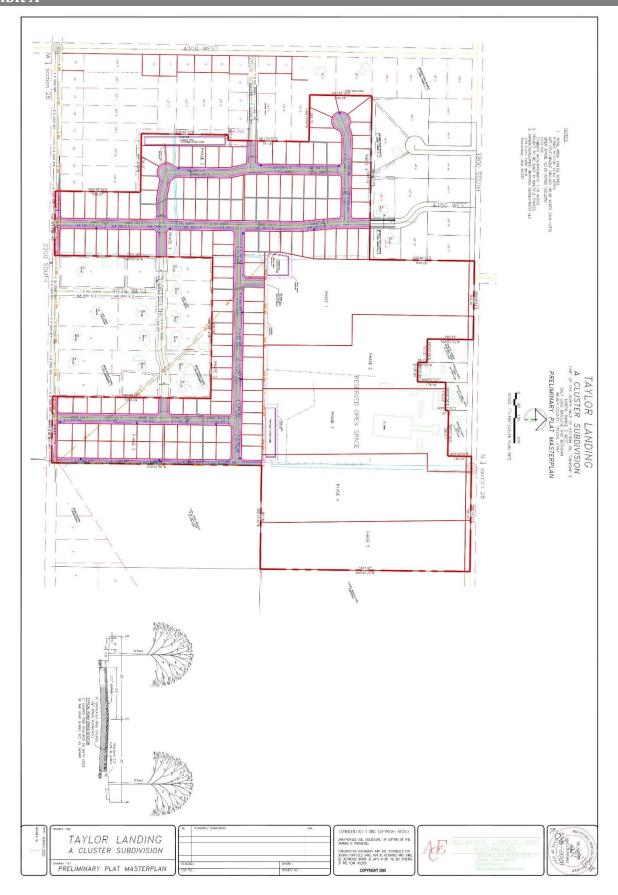
- 1. The proposed subdivision conforms to the Western Weber General Plan.
- 2. The proposed subdivision complies with applicable County ordinances.

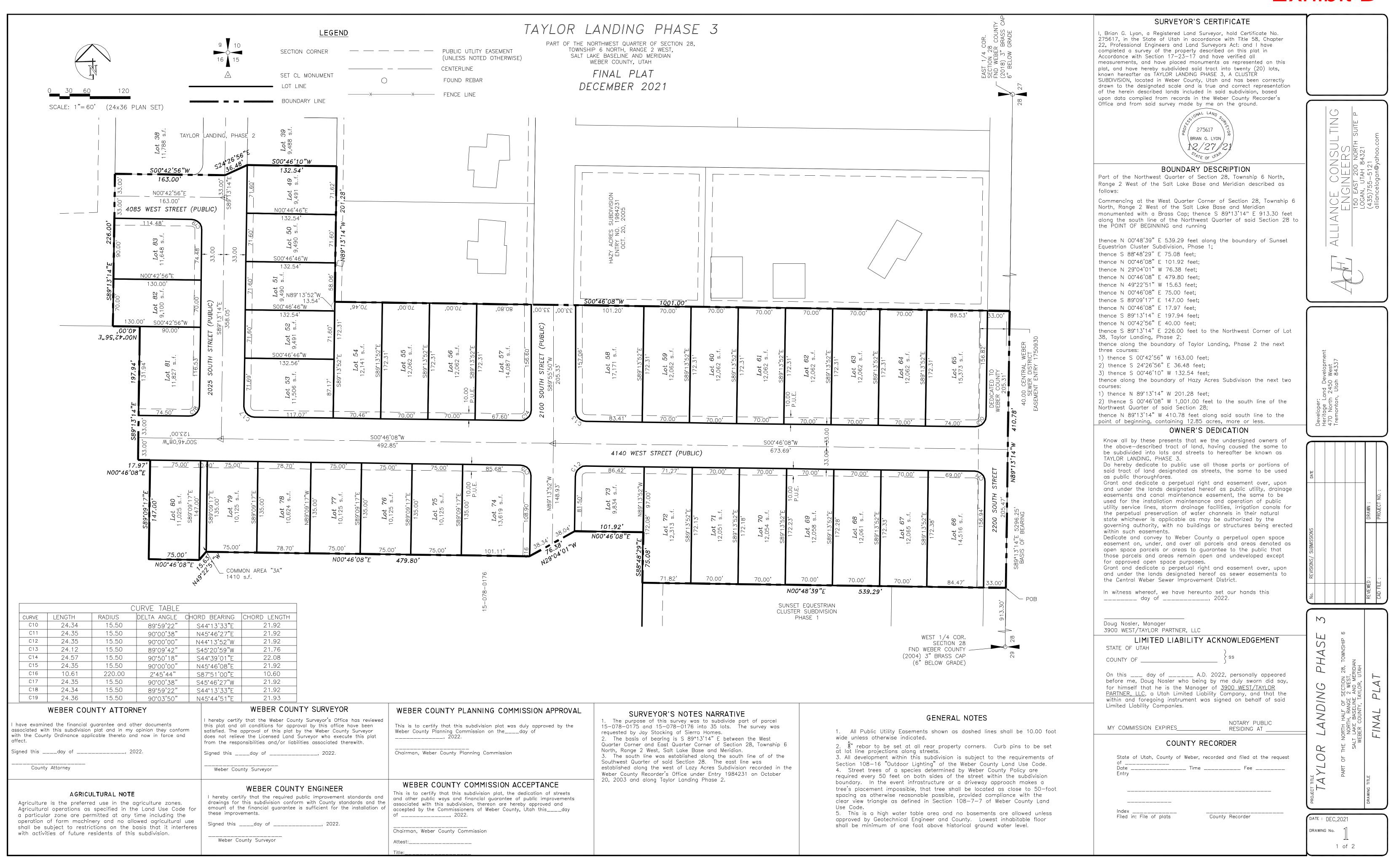
#### **Exhibits**

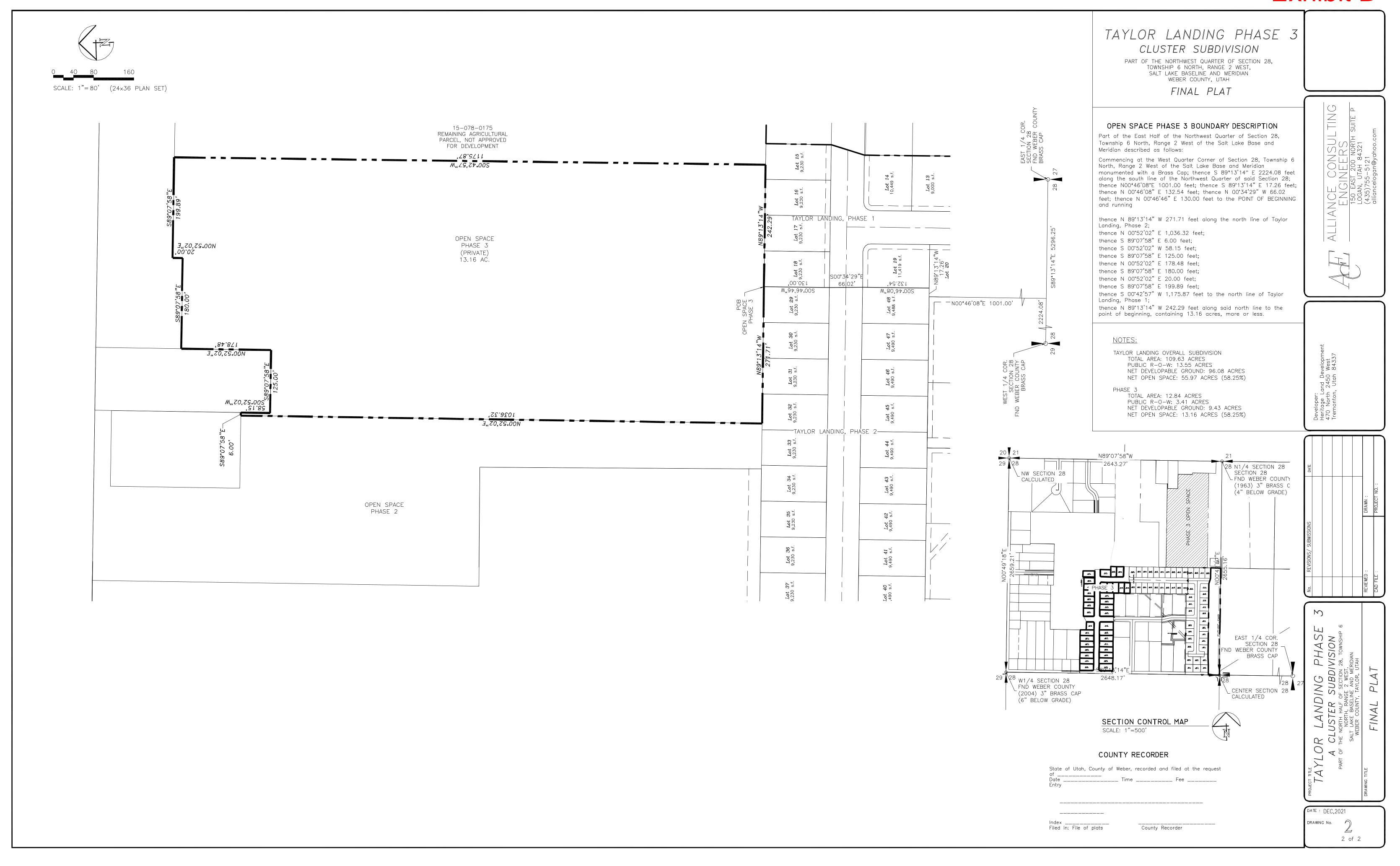
- A. Open Space Preservation Plan
- B. Phase 3 Final Plat
- C. Taylor-West Weber Water Will-Serve Letter
- D. Hooper Irrigation Will-Serve Letter
- E. Central Weber Sewer Will-Serve Letter

#### **Location map**











#### 2815 WEST 3300 SOUTH WEST HAVEN, UTAH 84401 801-731-1668 1/25/2022

Weber County Planning Commission 2380 Washington Boulevard Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that **PRELIMINARY** approval has been given and the Taylor West Weber Water District (the "District") has the capacity to provide **only** culinary water for Taylor Landing Phase 3 subdivision consisting of 35 lots. By means of an 8" water line on 2100 S. The property is located near 2100 S. 4100 W. Taylor UT

A pressurized secondary water system. A pressurized secondary water system must be working and homes in this subdivision must use pressurized secondary water for outdoor watering. An escrow must be set up for both the culinary and secondary water infrastructure and escrow should only be released upon approval from the District. A **signature block** must be included on the final mylar plat and must be signed by a certified representative of the District prior to recording with the Weber County Recorder. The District's specifications and standards must be followed in all installation procedures.

#### Requirements:

- Plan review fee= \$100 per lot (\$3,500.00)
- Water rights impact fee= \$1,078.00 Per lot. (\$37,000.00) Must be paid before construction is started.
- Secondary Water= Must have a pressurized secondary water system operational before building permits are issued.
- Impact fee=\$6,250.00 per lot this fee will be collected at the time building permits are requested. This fee includes the cost of the meter.
- The District reserves the right to make or revise changes as needed or as advised by the District's engineer or the District's attorney.

Sincerely,

**FINAL APPROVAL AND SUBDIVISION APPROVAL MUST NOT BE ISSUED UNTIL APPROVAL IS GIVEN BY TAYLOR WEST WEBER WATER.** Water right and plan review fees must be paid before approval for construction of the water infrastructure is given. This letter expires six months from the date it is issued.

Expires 6/25/2022

Ryan Rogers – Manager

Taylor West Weber Water District



### Exhibit D

PO Box 184 Phone: (801)985-8429 5375 S 5500 W Fax: (801)985-3556

Hooper, Utah 84315 hooperirrigationco@msn.com

March 4, 2022

Weber County Planning Commission 2380 Washington Blvd, #240 Ogden, Utah 84401

RE: PRELIMINARY WILL SERVE LETTER – Taylor Landings Subdivision, PH 3

The phase 3 portion of the Taylor Landings subdivision is located at approximately 2100 South and 4140 West and consists of 35 building lots and a 13.16-acre large agricultural open space. The subdivision is in the boundaries of the Hooper Irrigation Company service area. A formal application has been made to our office and an escrow for application has been paid.

The subdivision plat plan has been reviewed by Hooper Irrigation. The preliminary plans have been conditionally approved for the above subdivision. There are sufficient shares affiliated with the property to connect to the secondary pressurized system for the building lots and the shares are in good standing.

There may be private ditches, tailwater, drain, and/or waste ditches, on the property that would need to be piped to ensure a continuation of water flow for irrigation users. Any existing ditches which require piping, must be a minimum of 18" RCP pipe according to Hooper Irrigation standards and specs. Only this project is in consideration and guaranteed service and the plan review are good only for a period of one year from the date of this letter, if not constructed. A final will serve letter will follow this letter after all plans have received final approval, fees have been paid, and water shares have been turned in to Hooper Irrigation.

Hooper Irrigation's specifications are available at the Company office.

If you have questions, please call 801-985-8429.

Sincerely,

Michelle Pinkston Office Manager

**Board Secretary** 

February 24, 2020

Weber County Planning Commission 2380 Washington Blvd. Ogden, Utah 84401-1473

SUBJECT: The Residences at Sunset Meadows

Sanitary Sewer Will Serve Letter

We have reviewed the preliminary subdivision plans for the Sunset Meadows development that consists of 156 residential units on 109.62 acres located near 4300 West 2200 South in the Taylor area of Weber County. This project is being developed by Jessica Prestwich and Sierra Homes will be the owner. We can treat the sanitary sewer from this proposed development and offer the following comments.

- 1. Central Weber does have the capacity to treat the sanitary sewer flow from this proposed development.
- 2. This property will need to be annexed into the Central Weber Sewer Improvement District prior to any connections being made to the District's sanitary sewer lines on 2200 South or 4100 West.
- 3. Details of any connection and/or manhole construction being made directly to Central Weber's main line will need to be submitted to Central Weber and approved prior to construction and the connection being made.
- 4. Any connection to Central Weber's line must be inspected by Central Weber while the work is being done. A minimum of 48-hour notice for inspection shall be given to Central Weber prior to any work associated with the connection.
- 5. Central Weber will not take ownership or responsibility for the condition, ownership or maintenance of the proposed sanitary sewer lines (gravity or pressure) or system that are proposed as a part of this development.

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6. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. Central Weber's Wastewater Control Rules and Regulations state:

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allow to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.

7. The Central Weber Sanitary Sewer Impact Fee for each lot will need to be paid to Weber County at the time of issuance of a Building Permit. The current Residential Impact fee is \$2,395.

If you have any further questions or need additional information please let us know.

Sincerely,

Lance L Wood, P. E. General Manager

Attachments: Preliminary Development Plans

Fanier & Word

cc: Jessica Prestwich, jessicap@sierrahomes.com

## Exhibit E

