



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

<b>Application Request:</b>	Staff amendment to the Weber County Land Use Code Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) Section 29 (Flag Lot Access Strip, Private Right-of-Way, and Access Easement Standards) updating access exception design standards
<b>Agenda Date:</b>	Tuesday, November 19, 2013
<b>Applicant:</b>	Weber County Planning Division
<b>File Number:</b>	ZTA 2013-06

### Staff Information

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<b>Report Reviewer:</b>	JG

## Applicable Ordinances

- Weber County Land Use Code Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations)

## Type of Decision

**Legislative Decisions:** When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. Typically the criteria for recommending in a legislative matter require compatibility with the general plan and existing ordinances.

## Background

The purpose and intent of 108-7-29 is to provide for safe and consistent access to lots/parcels using flag lot access strips, private rights-of-way, or access easements as the primary means of ingress and egress to a dwelling unit. These standards were last updated in 2012, but since that time the Planning Division has found that several of the standards require additional updates to provide clarity for applicants and review agencies, and to comply with County Engineering Division and Weber Fire District standards. The Planning Division has worked closely with both of these agencies to create access standards that are clear, flexible, and provide safety for property owners, public safety agencies, and others who may need to use the access.

The proposed amendments to 108-7-29 are addressed below with an explanation of the changes that were made. Please see Exhibit A for the specific language.

**Introductory Statement:** The introductory statement now clarifies that these standards apply only to access exceptions for dwellings. Bona-fide agricultural parcels with agriculture as the main use are exempt from the standards.

### Design Standards

**29(1)a.** This section clarifies that the access must be designed and built to a standard approved by the County Engineer.

**29(1)b.** This section identifies the width requirements for a flag lot (between 20 and 30 feet) and a private right-of-way or access easement (between 16 and 50 feet). The difference in these width standards is due to ownership requirements for the various access types. Flag lot access strips must be part of the lot and, therefore, owned by the same entity. They are also limited in length and can only serve a maximum of two lots. Private rights-of-way and access easements are typically not owned by the property owner of the lot/parcel they serve, and they may be much longer and serve more homes.

**29(1)c.** This section comes from the Fire Code and identifies the required width of the improved travel surface of the access.

**29(1)e.** This section comes from the fire code and increases the width and length of the required turn-out areas adjacent to the traveled surface. A provision was added to allow the County Engineer and Weber Fire District to modify the standards on a case by case basis.

**29(1)f.** This section reduces the maximum allowed access grade from 15% to 10%. A provision was added to allow the County Engineer and Weber Fire District to modify this standard on a case by case basis with the maximum allowable grade at 15%.

**29(1)i.** This section clarifies that new bridges, including decking and culverts shall be capable of supporting a minimum weight of 75,000 pounds. For existing bridges, a current certified engineer statement of load bearing capabilities must be submitted to the County Engineer and the Weber Fire District for review.

**29(1)j.** This section updates the general 75 foot radius standard to accurate standards of an inside travel-way radius of 26 feet, outside travel-way radius of 45 feet, and outside clear zone radius of 50 feet on all curves, particularly switchbacks. It also states that the width of the access may need to be increased to accommodate these standards.

### **Safety Standards**

**29(2)d.** This section clarifies site plan requirements that must be submitted to the Weber Fire District for review including the location of the home, any proposed access roads and driveways, and the location of and distance to the nearest fire hydrant (if available).

### **Summary of Planning Commission Considerations**

- Are the proposed amendments consistent with the introductory/purpose and intent statement in Section 29?
- Are the proposed amendments clear and reasonable?

### **Conformance to the General Plan**

This is a legislative matter. The draft ordinance is consistent with both General Plans.

### **Staff Recommendation**

Staff recommends that the Ogden Valley Planning Commission recommend that the Weber County Commission adopt the proposed amendments to 108-7-29.

### **Exhibits**

- A. Weber County Land Use Code Title 108 (Standards) Chapter 7 (Supplementary and Qualifying Regulations) proposed amendments