



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on final approval of Sunshine Valley Estates Phase 3 Subdivision, consisting of three lots, in the FV-3 zone, located at approximately 940 S 9270 E, Huntsville, UT, 84317.

Type of Decision: Administrative

Agenda Date: Wednesday, November 16, 2022

Applicant: **Low Properties, LC**

File Number: UVS03012022

Property Information

Approximate Address: 940 S 9270 E, Huntsville, UT, 84317

Project Area: 9.265 acres

Zoning: Forest Valley (FV-3)

Existing Land Use: Agricultural/Residential

Proposed Land Use: Residential

Parcel ID: 21-162-0040, 21-023-0039, 21-023-0042

Township, Range, Section: T6N, R2E, Section 16 SE

Adjacent Land Use

North: South Fork River	South: 850 South Street
East: Residential	West: Residential

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@co.weber.ut.us

Report Reviewer: RG

Applicable Land Use Codes

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Stream corridors, wetlands, shorelines)
- Weber County Land Use Code Title 104 (Zones) Chapter 14 (FV-3 Zone)

Background and Summary

The applicant is requesting final approval of Sunshine Valley Estates Phase 3 Subdivision, consisting of three lots. There is an existing bridge to cross, in order to access one of the lots. The other two lots will have a shared driveway that straddles the lot boundary between proposed lots 302 & 303 (on the proposed final plat). This driveway will need to be installed by the homebuilder. The applicant has met County Engineering's requirements regarding lot access across the Southfork River. The idea is to minimize the number of bridges within this subdivision. This proposed subdivision is located in the FV-3 Zone. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with LUC.

Analysis

General Plan: The request is in conformance with the Ogden Valley General Plan as it is intended to preserve private property rights while also preserving the rural characteristics of the Valley.

Zoning: The subject property is located in the FV-3 Zone. Single-family dwellings are a permitted use in the FV-3 Zone.

Lot area, frontage/width and yard regulations: In the LUC § 104-14-5, the FV-3 zone requires a minimum lot area of 3 acres for a single family dwelling and a minimum lot width of 150 feet. All lots in this proposed subdivision meet this requirement.

As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in the LUC § 106-1, and the FV-3 zone standards in LUC § 104-14. The proposed subdivision will create a new public street that will be reviewed to ensure it meets the County standards during the final subdivision process.

Culinary water and sanitary sewage disposal: Weber-Morgan Health Department has performed the necessary soil testing to provide feedback regarding on-site wells, as well as recommendations for design requirements for on-site septic systems for each lot. Proof of water shares have also been provided for secondary water.

The Utah Division of Water Rights has approved a contract with Mr. Lowe for 3 acre feet of water (1-acre foot per lot). Each acre foot of water assigned to every lot will be used for both culinary and secondary water purposes, per Weber Basin. As there will be less than a half acre-foot of water allocated for irrigation purposes, which won't be sufficient to irrigate the minimum requirement of 30 percent of the proposed lot, the following applies to this subdivision:

Per LUC § 106-4-2.1(b)2b. "A restricted-landscape covenant is recorded to the lot that restricts the area of non-drought tolerant vegetation to the actual area allowed by the lot's water allocation, water rights, or water shares, given the water duty for crop irrigation as prescribed by the Utah Division of Water Rights, and specifies the automatic watering system requirements herein, if applicable..."

Natural hazards/wetlands: Per LUC § 104-28-2, a seasonal stream runs through the proposed subdivision area.

Structures, accessory structures, roads, or parking areas shall not be developed or located within 50 feet from the high water mark from the existing ephemeral streams located within the proposed subdivision, unless a stream alteration is approved by the Army Corps of Engineers and State Department of Natural Resources

The proposed subdivision lies within designated wetlands areas. It has been determined that a wetlands delineation report is not necessary, as setbacks from the river have already been shown on the plat which will protect and preserve the wetland areas and stream corridors.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division, Weber-Morgan Health Department, and Surveyor's Office along with the Weber Fire District. All review agency requirements must be addressed and completed prior to this subdivision being recorded.

Tax Clearance: There are no outstanding tax payments related to these parcels. The 2022 property taxes are not considered due at this time, but will become due in full on November 30, 2022.

Staff Recommendation

Staff recommends final approval of Sunshine Valley Estates Phase 3 Subdivision, consisting of three lots located at approximately 940 S 9270 E, Huntsville. This recommendation is subject to all review agency requirements prior to recording of the subdivision, and the following conditions:

1. All wells shall be drilled and pump-tested, with final approval of the well given from Weber-Morgan Health Department, prior to recording the final plat.
2. A restricted-landscape covenant is recorded to the lot that restricts the area of non-drought tolerant vegetation to the actual area allowed by the lot's water allocation, water rights, or water shares, given the water duty for crop irrigation as prescribed by the Utah Division of Water Rights, and specifies the automatic watering system requirements herein, if applicable;
3. An onsite wastewater covenant shall be recorded with the final plat.

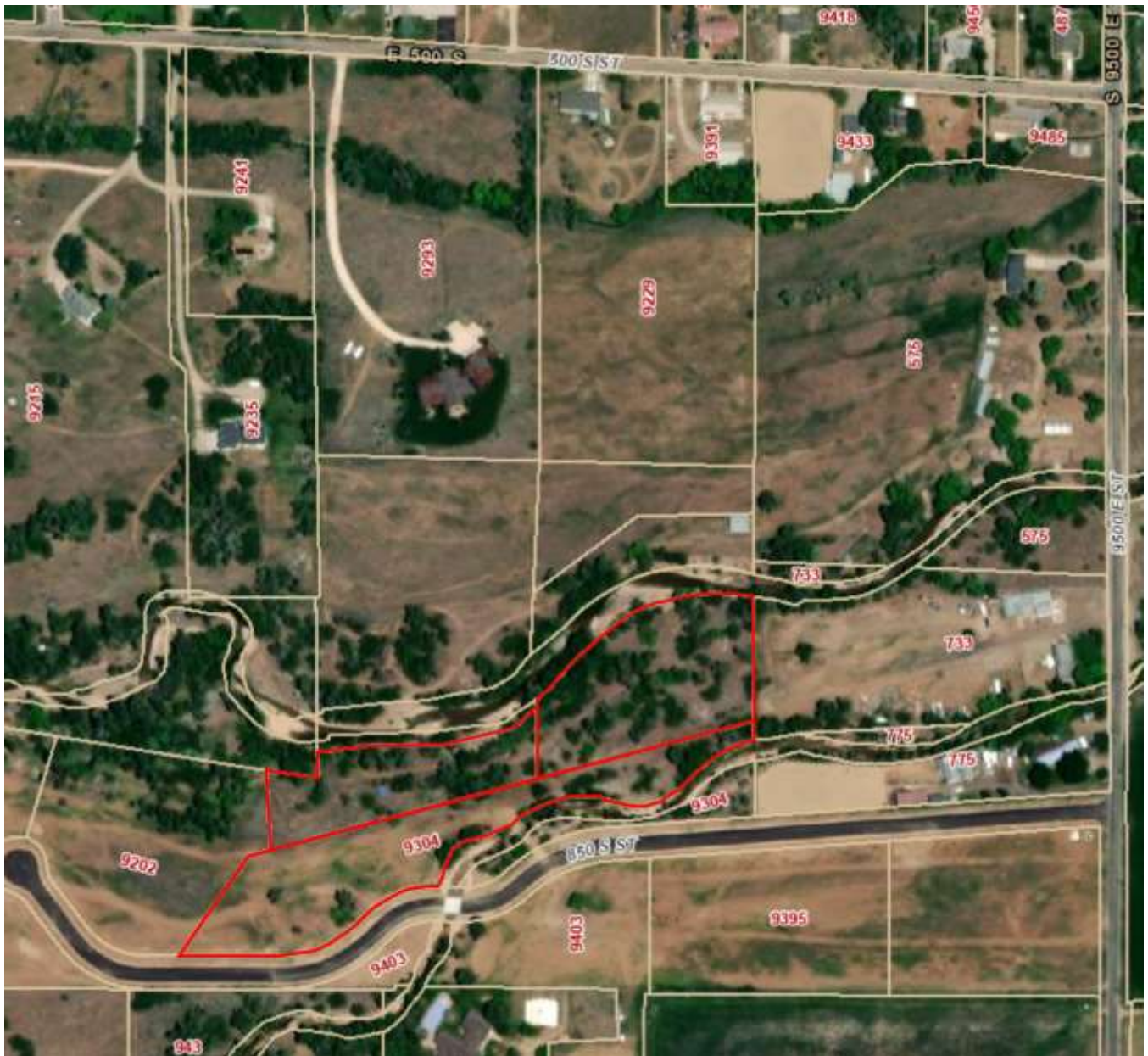
This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan
2. The proposed subdivision complies with applicable county ordinances

Exhibits

- A. Subdivision Plat
- B. Application
- C. Septic Feasibility and Orders from the State Engineer

Area Map



SUNSHINE VALLEY ESTATES SUBDIVISION PHASE 3

AMENDING LOT 204 OF SUNSHINE VALLEY ESTATES SUBDIVISION PHASE 2 TOGETHER WITH OTHER LANDS
PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
WEBER COUNTY, UTAH
NOVEMBER, 2022

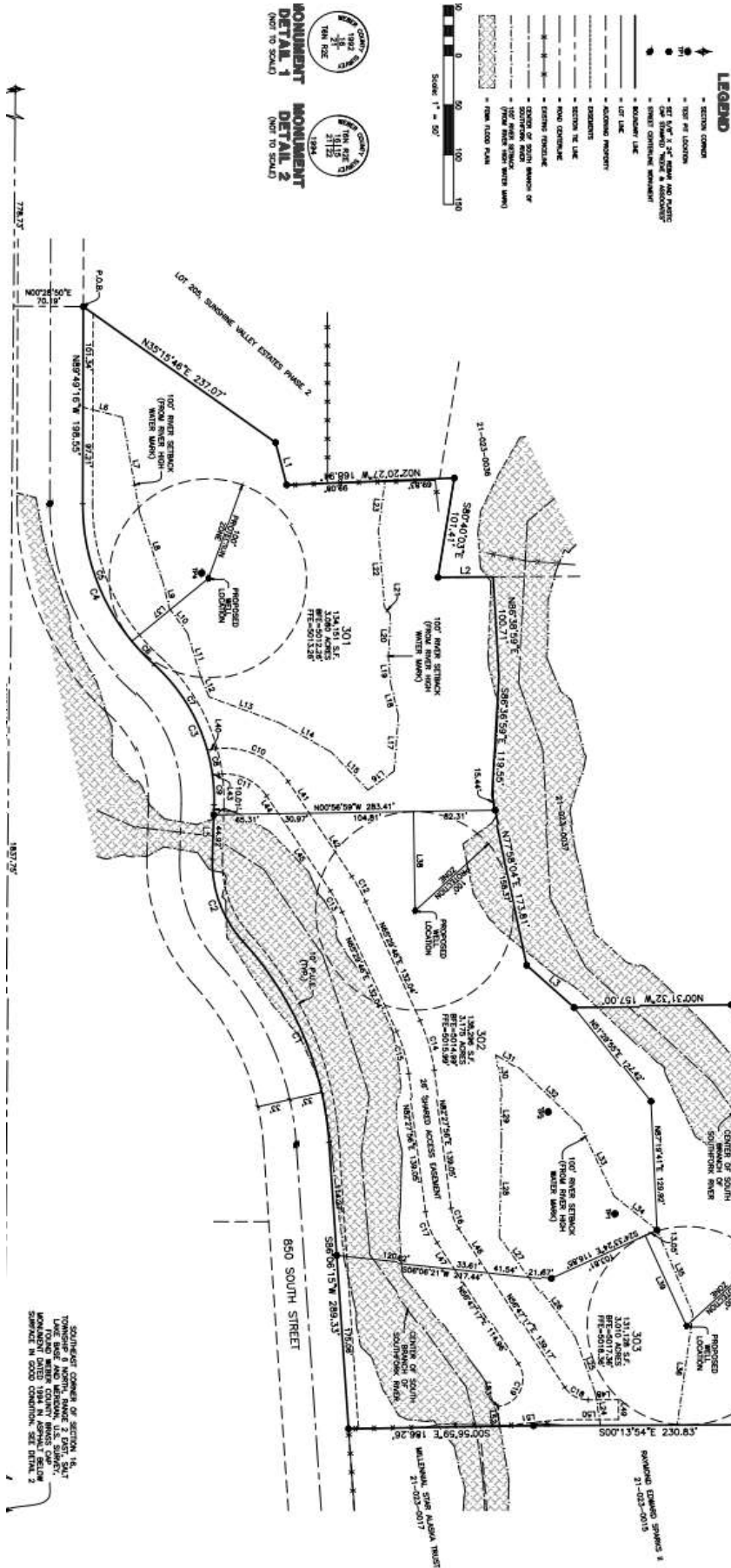


Exhibit B – Application

Sunshine Valley Estates Phase 3 -Subdivisions

[+ Add Follower](#) [/ Change Status](#) [/ Edit Project](#)

Address: 940 S 9270 E., Huntsville, UT, 84317
Maps: [Google Maps](#)
Project Type: Subdivisions
Sub Type: Subdivisions
Created By: Emilee Roche
Created On: 2/11/2022
Project Status: Accepted
Status Date: 5/18/2022
File Number: LVS03012022
Project Manager: Tammy Aydelotte

[Application](#) [Documents 19](#) [Comments 3](#) [Reviews 2](#) [Followers 11](#) [Status](#) [Notifications](#) [Payments 1](#)

Application

[+ Add Building](#) [+ Add Parcel](#) [+ Add a Contractor](#) [/ Edit Application](#) [Print](#)

Project Description Sunshine Valley Estates Phase 3 & 4

Property Address 940 S 9270 E.
Huntsville, UT, 84317

Property Owner Matt Lowe
801-648-8229
matt@lowecompanies.com

Representative --

Accessory Dwelling Unit False
Current Zoning FV-3
Subdivision Name Sunshine Valley Estates Phase 3
Number of Lots
Lot Number 7
Lot Size 3.0
Frontage 100
Culinary Water Authority Health Department (Well)
Secondary Water Provider
Sanitary Sewer Authority Health Department (Septic)
Nearest Hydrant Address
Signed By Representative, Emilee Roche

Parcel Number

[✖ Remove](#) 210230038 - County Map

[✖ Remove](#) 210230037 - County Map

Address: 940 S. 9270 E., Huntsville, UT, 84317
Maps: [Google Maps](#)
Project Type: Access Exception
Sub Type: Access Exception
Created By: Emilee Roche
Created On: 3/21/2022
Project Status: Accepted
Status Date: 5/18/2022
Parent Project: Sunshine Valley Estates Phase 3 -Subdivisions
File Number: AAE 2022-04
Project Manager: Tammy Aydelotte

Application | Documents 3 | Comments 1 | Reviews 0 | Followers 2 | Status | Notifications | Payments 1

Application

+ Add Building | + Add Parcel | + Add a Contractor | Edit Application | Print

Project Description Phase 3 of Sunshine Valley Estates Subdivision which includes 3 lots. In order to limit the disturbance of the natural area and the creek, we request a shared driveway for the 3 lots

Property Address 940 S. 9270 E.
Huntsville, UT, 84317
Property Owner Matthew Lowe
801-648-8229
matt@lowecompanies.com
Representative Steve Droste
435-302-5868

Accessory Dwelling Unit False
Current Zoning FV-3
Subdivision Name Sunshine Valley Estates Phase 3
Number of Lots
Lot Number 3
Lot Size 3 acres
Frontage 150
Culinary Water Authority Weber Basin Water Conservancy District
Secondary Water Provider
Sanitary Sewer Authority Health Department (Septic)
Nearest Hydrant Address Unknown
Signed By Representative, Steve Droste

Parcel Number

[Remove](#) 210230036 - County Map

[Remove](#) 211620004 - County Map

[Remove](#) 211620004 - County Map

Alternative Access Narrative:

Phase 3 consists of 3 lots. In order to limit the disturbance of the natural area and the existing creek, we request a shared driveway access for the 3 lots.

BRIAN COWAN, MPH, LEHS
Health Officer/Executive Director

March 22, 2022



Weber County Planning Commission
2380 Washington Blvd.
Ogden, UT 84401

RE: Preliminary Subdivision **Determination**
Sunshine Valley Estates Subdivision Phase 3, 3 lots
Parcel #21-023-0038 & 21-023-0037
Soil log #14658 & 15273

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by a private well. **The placement of the well is critical so as to provide the required 100 foot protection zone.** The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Lot 301, 302 & 303: Anticipated ground water tables not to exceed 36 inches, and soil classified as Type 1, fall within the range of acceptability for a Packed Bed Media Treatment System with non-chemical disinfection followed by a conventional trench or drip irrigation with a maximum trench depth limited to 24 inches. The absorption system is to be designed using a maximum loading rate of 0.9gal/sq. ft. /day as required for a coarse loamy sand, single grained structure with high gravel content soil horizon.

ENGINEERING CONSIDERATIONS Lots 302 & 303:

The proposed lot sizes for lot 302 and 303 are very restrictive for placement of an onsite wastewater treatment system. The Health Department cannot warrant or guarantee the size, shape, or square footage of a structure per individual lot. The structure size, shape and number of bedrooms will need to be determined in conjunction with an appropriate wastewater treatment system design. As part of the subdivision review the developer was required to show that the lots were sized to allow for the installation of an original and replacement drainfield sufficiently sized for a four bedroom residence. Designing the wastewater system utilizing a drip irrigation drainfield may aid in increasing the number of bedroom of the potential residence.


Plans for the construction of any wastewater disposal system are to be prepared by a Utah State certified individual and submitted to this office for review prior to the issuance of a Wastewater Disposal permit.

The following items are required for a formal **subdivision review**; application, receipt of the appropriate fee, and a full sized copy of the subdivision plats showing the location of exploration pits and percolation tests as well as the documented soil horizons and percolation rates. A subdivision review will not occur until all items are submitted. Mylars submitted for signature without this information will be returned

Each on-site individual wastewater disposal system must be installed in accordance with R317-4, Utah Administrative Code, Individual Wastewater Disposal Systems and Weber-Morgan District Health Department Rules. Final approval will be given only after an on-site inspection of the completed project and prior to the accomplishment of any backfilling.

Please be advised that the conditions of this letter are valid for a period of 18 months. At that time the site will be re-evaluated in relation to rules in effect at that time.

Sincerely,



Summer Day, LEHS
Environmental Health Division
801-399-7160

EDUCATE | ENGAGE | EMPOWER

phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org

Exchange Details for E1521

Utah Division of Water Rights

3/7/2019 4:32 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Exchange: E1521 (35-6910)

Base Water Right Number: 35-827

General:		
Status: Approved	Stock/Contract #: 42514	County Tax ID:
Right Evidenced By: U.S. Bureau of Reclamation and Contract with Weber Basin Water Conservancy District, under 35-87 (A10989) and 35-827 (A27608)		
Proposed Det. Book: 35-	Map:	Pub. Date:
Water Company:		
Water Company/District associated with this Exchange: Weber Basin Water Conservancy District		
Owners:		
Name: John E. and Nancy S. Lowe Address: 2752 E 5900 N Liberty, UT 84310-9891		
Remarks:	Interest:	
Dates:		
Filing:	Filed: 06/20/1979	Priority: 06/20/1979
Advertising:	Publication Began:	Publication End:
	Protest End Date:	Protested: Not Protested
		Newspaper:
		Hearing Held:
Approval:	State Eng. Action:	Action Date: 10/26/1979
	Recon. Req. Date:	Recon. Req Action:
Certification:	Proof Due Date:	Extension Filed Date:
	Election or Proof:	Election/Proof Date:
	Certificate Date:	Lapsed, Etc. Date:
		Lapsed Letter
Wells:	Prov. Well Date:	Well Renov. Date:
--- Current Right ---		
Current General:		
Quantity of Water: 1 ACFT Source: Pineview Reservoir County: Weber		

Current Points of Diversion:

Points of Diversion - Surface:
 Stream Alteration Required:
 (1) N 1699 ft. E 603 ft. from S4 corner, Sec 16 T 6N R 1E SLBM
 Diverting Works: Source:
 Elevation: UTM: 429438.517, 429438.517 (NAD83)

Current Water Uses:

Supplemental to Other Water Rights
 Miscellaneous: Irrigation, domestic, municipal, industrial, power, and Period of Use: 01/01 - 12/31

--- Proposed Exchange ---

Proposed General:

Quantity of Water - CFS: 0 And/Or: Acre Feet: 1
 From: 01/01 To: 12/31
 Source: Underground Water Well
 County: Weber
 Common Description: 3 mi. South of Huntsville

Proposed Points of Exchange:

Points of Exchange - Underground:
 (1) S 761 ft. W 1020 ft. from NE corner, Sec 21 T 6N R 2E SLBM
 Well Diameter: 6 in. Depth: 50 to 400 ft. Year Drilled: Well Log: Well Id#:
 Elevation: UTM: 439301.207, 4566488.833 (NAD83)
 Source/Cmnt:

Proposed Points of Release:

Quantity of water: 0 cfs And/Or: 1 acft
 Period of Use: 01/01 To 12/31
 *** Location of Release Point(s) is the SAME as Point(s) of Diversion in CURRENT RIGHT above ***

Proposed Water Uses:

Proposed Water Uses - Group Number: 207770
 Water Rights Appurtenant to the following use(s):
 E1521(APP),

Water Use Types:

Irrigation-Beneficial Use Amount: 0.25 acres	Group Total: 0.25	Period of Use: 04/01 to 10/31
Comments:		
Stock Water-Beneficial Use Amount: 2 ELUs	Group Total: 2	Period of Use: 01/01 to 12/31
Comments:		
Domestic-Beneficial Use Amount: 1 EDUs	Group Total: 1	Period of Use: 01/01 to 12/31
Comments:		

Place Of Use:	North West				North East				South West				South East				Section Totals
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	
Sec 21 T 6N R 2E SLBM					X												
Group Acreage Total :																	

Proposed Use Totals:

Irrigation sole-supply total: 0.25 acres	for a group total of: 0.25 acres
Stock Water sole-supply total: 2 ELUs	for a group total of: 2 ELUs
Domestic sole-supply total: 1 EDUs	for a group total of: 1 EDUs

Place of Use Stock:

	North West				North East				South West				South East			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
Sec 21 T 6N R 2E SLBM						X										

- - - Common Right - - -

Segregation History:

This Right was Segregated from: none

as originally filed:	Flow in CFS	AND/OR/BLANK	Quantity in Acre-Feet	Water Uses						
				Irrigated Acreage	Stock (ELUs)	Domestic (Families)	Acre-Feet			
							Municipal	Mining	Power	Other
			1.0	0.25	2.0	1.0				

This Right as currently calculated:	Flow in CFS	AND/OR/BLANK	Quantity in Acre-Feet	Water Uses						
				Irrigate Acreage	Stock (ELUs)	Domestic (Families)	Acre-Feet			
							Municipal	Mining	Power	Other
			1.0	0.25	2.0	1.0				

Exchange Details for E1522

Utah Division of Water Rights

3/7/2019 4:33 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Exchange: E1522 (35-6911)

Base Water Right Number: 35-827

General:		
Status: Approved	Stock/Contract #: 42514	County Tax ID:
Right Evidenced By: U.S. Bureau of Reclamation and Contract with Weber Basin Water Conservancy District, under 35-87 (A10989) and 35-827 (A27608)		
Proposed Det. Book: 35-	Map:	Pub. Date:

Water Company:
Water Company/District associated with this Exchange: Weber Basin Water Conservancy District

Owners:
Name: John E. and Nancy S. Lowe Address: 2752 E 5900 N Liberty, UT 84310-9891
Interest:
Remarks:

Dates:
Filing: Filed: 06/20/1979 Priority: 06/20/1979
Advertising: Publication Began: Publication End: Newspaper: Protest End Date: Protested: Not Protested Hearing Held:
Approval: State Eng. Action: Action Date: 10/01/1979 Recon. Req. Date: Recon. Req Action:
Certification: Proof Due Date: Extension Filed Date: Election or Proof: Election/Proof Date: Certificate Date: Lapsed, Etc. Date: Lapsed Letter
Wells: Prov. Well Date: Well Renov. Date:

--- Current Right ---

Current General:
Quantity of Water: 1 ACFT Source: Pineview Reservoir County: Weber

