



WESTERN WEBER PLANNING COMMISSION

MEETING AGENDA

October 10, 2017

5:00 p.m.

- *Pledge of Allegiance*
- *Roll Call*

5:00 p.m. Regular Meeting of the Western Weber Planning Commission

1. Minutes: Approval of the meeting minutes: July 11, 2017, September 12, 2017.

2. Action/Administrative Item

2.1 LVF062415: Consideration and action on a request for final approval of Fall Widow Subdivision Phase 2.

3. Public comment for items not on the agenda

4. Remarks from Planning Commissioners

5. Planning Director Report

6. Remarks from Legal Counsel

7. Work Session Agenda

WS1. Training, review, and discussion regarding the West Central Weber County General Plan

Planning Commission Agenda Script:

CHAIR

1. Follows personal/meeting opening SOP's.
2. Reads application request line from agenda/staff report.
3. Requests that the Director explain the decision type and explain who will be presenting. For example, "Mr. Grover will you please explain the decision type and who will be presenting."

DIRECTOR

1. Explains decision type. Identifies (not necessarily explain) decision type on subsequent items.
2. Describes flow of specific item presentation. For example:
 - a. Mr./Ms. (Staff) will provide a brief outlineⁱ of the project
 - b. Followed by the applicant, Mr./Mrs. (applicant), who will present you with background information and the detailsⁱⁱ necessary to demonstrate his/her vision for the project and possibly code compliance.
 - c. Following the applicant's presentation, Mr./Ms. (Staff) will return and present information related to applicable codes, code compliance, review agency comments, and a Staff recommendation.
 - d. Mr./Ms. (Staff), the time is yours.

STAFF

1. Presents brief project outline provided in footnote i.

APPLICANT

1. Presentation as provided in footnote ii.
2. Offers to answer PC questions.

STAFF

1. Presentation as provided in 2(c).
2. Offers to answer PC questions.

CHAIR

1. Opens item to take public comment/Closes public comment.
2. Invites Staff and Applicant to answer questions.
3. Asks for a MOTION/SECOND in order to open a PC discussion.
4. Follows remaining SOP's.

Commenting at Public Meetings and Public Hearings

Address the Decision Makers

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

Speak to the Point

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

Handouts

- ❖ Written statements should be accurate and either typed or neatly hand written with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record shall be left with the Planning Commission.

Remember Your Objective

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.

ⁱ This is a subdivision located at approximately (address). It lies within the (Zone), covers (acres), consists of (# Lots), and consists of approximately 1,100 feet of public road improvements. Do you have questions about the outline...if so, I would be happy to answer them? If not, I will turn the time over to Mr. (applicant).

ⁱⁱ Possibly include personal introduction/information and resume, introduction of other professional contributors, property ownership time or lease situation, visuals (photos, renderings), anticipated impacts and offered mitigation or rationale behind impacts being acceptable, and statement of code compliance.

- *Pledge of Allegiance*
- *Roll Call*

Commissioners Present: Mark Whaley, Chair
Roger Heslop, Vice
Blake Hancock
Wayne Andreotti
Jannette Borklund
John Parke

Commissioners NOT Present: Jennifer Willener

5:00 p.m. Regular Meeting of the Western Weber Planning Commission

Chair Whaley moves to consent items on the agenda.

1. Consent Item

1.1 LVJ071217: Consideration and action on a request for final approval of Jacquelyn Estates Cluster Subdivision Phase 2.

1.2 LVS070317: Consideration and action on a request for final approval of Saddlebred Acres Subdivision, consisting of 2 lots, located at approximately 4000 W 2200 S. Comm. Heslop makes a motion to accept the two consent items for approval. Comm. Hancock seconds. Vote Taken: All ayes.

2. Action/Administrative Items

Director Grover notes that public comments are not mandatory, and mentions that these items have been noticed appropriately. He then goes over process.

2.1 CUP 2017-13: Consideration and action on a conditional use permit application for an Agri-Tourism operation identified as the Green Acres Dairy. Steve Burton, Weber County Planner, to present.

Steve Burton presents the staff report for this item, and gives an overview of the project. He then turns the time over to the applicant to present their plan.

Andrea Gibson – 4790 West 500 South, West Weber. They are looking to diversify their agriculture. Using existing materials, with no waste. Any questions?

Chair Whaley – no questions from the Commissioners.

Steve Burton goes through his presentation, and how the project fits with Western Weber General Plan, and complies with zoning, as well as considerations for the Planning Commission to look at. He goes over site plan, with parking. He explains, waste plan, fire district approval, as well as how personnel will be distributed throughout the site. Mr. Burton goes through the activities that will be included with this CUP. He then goes over hours of operation during September and October. The remainder of the year will have different hours. He points out the single existing residence located on the property to be

used for bookkeeping purposes only. He then explains how this operation would coincide with the General Plan, and any Farmstay agreement that would come into play, should additional structures be constructed on the property, for purposes of non-agricultural uses. Staff recommends approval.

Comm. Andreotti commends the project.

Chair Whaley asks for public comment.

Kathy Charters – 1860 s 4150 w. Supports project.

Motion: Comm. Parke recommends approval subject to staff recommendations and findings in the staff report. Second to the motion: Comm. Heslop. Vote taken: all ayes.

2.2 LVS080717: Consideration and action on a request for preliminary plan approval of Sunset Equestrian Cluster Subdivision. Steve Burton, Weber County Planner, to present.

Director Grover reiterates that public comment is not necessary, but merely a courtesy. He cautions Chair Whaley to limit time on the comments, and to try to avoid repetition.

Steve Burton gives an overview of the project. He turns the time over to the applicant to present.

Mr. Hartell– Kaysville. Applicant goes over modifications to project to adhere to code and density requests.

Commissioner Heslop asks regarding easements to any trails.

Applicant states that there will be an easement that will be maintained by the HOA, and potential buyers will know that the land will be subject to these easements.

Commissioner Borklund asks about Agriculture Preservation Plan.

Applicant states that the details were included in application. It will be recorded with the plat, if required.

Mr. Burton shows an aerial image. He goes through acreage and bonus density – 180 total lots. He then goes through standards to consider: General Plan, Zoning Requirements, Improvements, and Subdivision Requirements. Staff recommends preliminary approval of this project. Mr. Burton specifies conditions of approval, as stated in the staff report. Any questions from the Commissioners?

No questions.

Chair Whaley reiterates that all information related to this project is available for public viewing online, and opens the floor for public comment.

Kathy Charters – 1860 S 4150 W. The understanding when she purchased her home was that 1 acre minimum size lots were used as a guideline. She is not intending to fight development, just the less than one acre development. Does the developer own enough water shares to support the proposed subdivision (180 units, vs. 134)? Can we ask the developer, or have the Commission look into this? Second, will the roads leading into the development support the number of potential drivers? Narrow existing roads, no sidewalks, no traffic lights, or lighting on the roads. Can the existing roads absorb additional drivers safely? Will this overload existing school system?

Steve Buck – 4087 w 2200 s, Taylor: Also concerned regarding traffic congestion – is there a traffic study? Will there be traffic lights, cross walks, etc?

Dave Nuble 1731 s 4300 w, Taylor: Can the public roads that go through this property be identified?

Heather Hadley 1885 s 4300 w: Spoke with the local elementary school regarding capacity – they are currently at maximum capacity. Due to the development occurring, schools are above capacity. Looking at potentially 600 additional children with this new development. No new school bonds for new school development.

Eric Paige 1889 s 4150 w: Just purchased adjacent lot. Will this development affect irrigation canals? Also, how will the road development occur and interrupt existing agriculture?

Richard Garth 1858 s 4200 w: Concern is how this will affect water flow through the irrigation ditches. Have past experience with an HOA that failed to maintain agriculture. How will this be enforced? Really concerned with how the open space will be maintained? How will this be guaranteed?

Bryson Peterson 1863 s 4150 w: Reads section from General Plan, addressing preservation of open space.

Chair Whaley interrupts and states that the Commission is already familiar with the General Plan.

Mr. Peterson quotes portion that states “It is NOT the intent to create a subdivision with open space that sprawls along roadways...” (Check reference) Question as to when the HOA will be established (during which phase). Would like to see the open space maintained during ALL phases. Looking to NOT lose rights to irrigation water.

Jason Wilson 1800 s 3982 w: Impact of subdivision on existing road infrastructure. Water – water table is high – where are the retention ponds? When are water samples being taken? During the dry part year? Is the water data complete?

Trevor Gold 1887 s 4200 w: Cites a geotech report looking at liquefaction likelihood (high). How will this be mitigated? How are the geohazards being addressed?

Shae Bitton 4088 w 2200 s, Taylor: Been fighting zoning changes with the development. Zoned as A-1. Wondering how the 1 acre requirement fits with this project? Will the Commission consider tabling this decision to a later date, to allow for a modification of the development with less units (125)?

Chair Whaley suggest that Director Grover explains cluster subdivisions, and how they comply with the general plan, and how they preserve ag land, and what the role of the Planning Commission plays in this process. He states that if the project complies with all requirements, the application cannot be denied by the Planning Commission.

Greg Bell 4023 w 2100 s, Taylor: Not against project. Wondering who enforces the maintenance of the open space? Who decides if the project adhere to the requirements? Concerned with the high water table. Environmental impacts?

Michelle 4245 w 1800 s, Taylor: Concerned with parking? There is no street parking now. She is concerned with high water table.

Kathy Charters 1860 s 4150 w, Taylor: Understand obligation of the Planning Commission to approve, just concerned with the bonus density that has been granted.

Shae Bitton 4088 w 2200 s: The geotechnical survey states that site will not be approved for development unless mitigating measures are taken.

Raylene Russell 2683 s 4300 w: Own a couple lots in the area. She references talks about annexation into West Haven years ago. How the 1 acre requirement changed?

Greg Bell 4023 w 2100 s, Taylor: Is there a sewer impact study? There are recurring backup.

Steve Buck – What is considered ‘general public’ with regards to the amenities. Is there public access to the pool? Also, how does a cluster subdivision preserve agriculture areas?

Mike Muirbrook 4022 w 2100 s: Where will the easements be located to ensure no access interruption with the water?

Steve Buck – 4087 w 2200 s, Taylor: How is providing roads a benefit to the general public?

Carolyn Jones 1741 s 3950 w: Will this impact home values for existing structures?

Tim Hair – Concerns with water route.

Sam Peterson 2488 s 4300 w: Guarantee for bonus density?

Chair Whaley closes public comments. He asks the County attorney to address issue with HOA enforcement.

Chris Crockett, Weber County Attorney, cites 108-3-9, addressing HOA organization and responsibilities. He states that the requirements in place prior to recording the subdivision plat, addressing a mandatory of an HOA organization, and enforcement.

Chair Whaley then asks regarding A-1 zoning and 1 acre lots. Director Grover goes over options with development; Standard Subdivision (1 acres lots – no preservation of open space), Cluster Subdivision (preservation of open space), PRUD (preservation of open space). Makes a point to the Commission as they review bonus density points – this is not a guarantee the bonus density will be granted. The PC is not obligated to grant bonus density if they feel the requirements have not been met.

Chair Whaley turns the time over to Steve to address concerns.

Steve Burton suggests the developer answer the questions first.

Mr. Artell 1294 san, Kaysville: Addresses bonus density, taken 10-11 months to carefully plan this project with the open space. He addresses traffic. Initially there were less entrances and roads, but this was not approved. Curb, gutter, and sidewalks are part of the plan. Project has met road width. Regarding water, aware of infrastructure with this, water flow will not be interrupted. Applicant will purchase additional shares to meet the water requirement. Applicant will not be drawing water from irrigation pipes/canals. New phases will not be introduced until the water issue is dealt with. Looking at a 4-5 year project, to allow to new schools and churches to be built. Applicant is aware of the groundwater situation. Applicant states he will meet building codes to try to avoid putting more pressure on water table. Regarding sewer; new lift station will be installed to handle additional need with this development. Mr. Artell addresses storm water – will provide a zero outflow, to avoid any water ending up on other properties. Parking plan allows for more off street than required. The trails will the amenity that is open to the general public. Trails will be installed with each phase, maintained by HOA. The idea is to keep everything up. Believe property values will increase as a result of this development.

Chair Whaley brings up the issue with school overcrowding. Mr. Artell states that the school district will have to address the issue with continued development. Public roads within the subdivision are maintained by the County.

Chair Whaley reiterates that public may ask additional questions after the developer addresses all that have been asked so far. Timing will be a phase every 6-12 months. There are 8 phases.

Commissioner Heslop – asks if the developer anticipates if owners will be required to tap into the pressurized system.

Mr. Artell states that there may be a request to sprinkle irrigate vs. flood irrigating.

Commissioner Andreotti – asks regarding process of sizing the irrigation pipe, and ensuring adjacent farmers are still receiving their water?

Commissioner Hancock – are all lots bordering roads? Will there be any open space along any of the roads?

Mr. Artell states that they tried to put the open space along the roads, but the requirements are very strict.

Chair Whaley asks if all questions have been addressed.

Kathy Charters asks if Engineering has addressed the lack of room on either side of the road for sidewalks. There are irrigation ditches.

Mr. Artell states that he can only develop on land that they already own.

Director Grover states that traffic studies will be addressed prior to final approval. Applicant doesn't recall exactly which lots where the retention ponds will be located.

Mr. Burton clarifies future roads going through the subdivision. Detention basin proposed located on lot CC lot through lot Y.

Chair Whaley reminds the public that all of this information is available on the County websites.

Steve Burton addresses flooding, irrigation, and storm water. Irrigation will be under pressure, which will mitigate flooding. The detention basin is part of the plan, and will be addressed by Engineering at a later approval. Engineering considers road width, and may require a traffic study. Typically no traffic study is required unless the Planning Commission requires it. Director Grover reminds the PC that there should be findings that would prompt the PC to require such a study. Also, if the planning commission isn't comfortable counting the detention basin as agriculture area, the planning commission may modify their definition of agricultural space.

Steve Burton addresses water tables – engineering will address at final approval. The construction impact – typically construction vehicles would be required to remain on county roads. Again, engineering would address this.

Mr. Artell addresses the detention basin; the aesthetics will go along with pasture land. The land is engineered as a gradual slope to encompass a larger area. Also, regarding density, the applicant settled for 20 less lots than the maximum density.

Chair Whaley asks if there are any questions.

Mr. Paige disagrees with the road size and potential use. Also, he takes issue with lack of notice for this meeting.

Director Grover restates that this is not a public hearing. Noticing was a courtesy. There is no requirement to notice for final approval. He then promises that notices will be sent out for final approval.

Mr. Artell states that the roads are 50-60 feet wide.

Steve Burton points out that where the road will be widened to 66 feet along 4300 west. 2200 south will also be widened.

Chair Whaley reminds the public that the planning commission members are also members of the community.

Kathy Charters doesn't believe there are enough water shares to purchase to support the entire subdivision.

Commissioner Heslop outlines the process of purchasing water shares from Weber Basin (Hooper water is a subsidiary of Weber Basin). He states that there are plenty of water shares to purchase.

There are questions regarding mosquitoes around the detention pond.

Mr. Artell addresses how mosquitoes are abated. He explains backflow rates, and outflow. The question is asked how irrigation flow will continue. Mr. Artell explains gravity flows and pressurized flows that will occur to avoid interruption of water flow.

Chair Whaley addressed noticing. He then asks if there is a motion. Commissioner Borklund requests a discussion on the density. She doesn't believe the trail alone is worth 20% density. The ag preservation plan lacks detail, and doesn't feel that is worth another 20% density. Commissioner Parke states that the intent was never to have detention ponds as ag space. He would like to see more open space as a buffer between some of the homes. Commissioner Andreotti agrees with Commissioner Parke. Chair Whaley asks Steve Burton for the bonus density breakdown.

Steve Burton presents the bonus density breakdown. He mentions Winston Park Subdivision and reminds the planning commission that detention ponds were approved then as ag space. He shows that the request of open space bonus density is only 0.2%.

Commissioner Heslop discusses reasoning for not locating open space along the roads.

Commissioner Borklund suggests tabling a decision after modifying percentages and the basis for them. She is looking to reconsider bonus density, and to look at the intent of the bonus density.

Steve Burton points to page 3 addressing bonus density. He reads the staff report on page three, regarding bonus density. He feels the requirements are met to grant the requested amount of bonus density.

Chair Whaley restates Commissioner Borklund's request to table a decision in order to address the bonus density.

Comm. Heslop mentions water, traffic studies. Do they need to be addressed at preliminary approval? Director Grover confirms that these are not required until final approval. At that point, modifications may be required.

Comm. Heslop asks about the impact on the school district. Should the planning commission consider this impact? Director Grover states that it would be up to the school district to address. Commissioner Borklund asks if the school district is made aware of incoming subdivision applications. Director Grover confirms they are notified as the County receives these applications.

Chair Whaley asks for a motion. Director Grover asks for more clarification as to what needs to be addressed?

Chair Whaley asks Commissioner Borklund to suggest which density bonus points need to be addressed. Commissioner Borklund specifies the 15% granted for the trails. Commissioner Hancock asks where the suggested 5% (from Commissioner Borklund) comes from. Commissioner Borklund feels 5% may be more appropriate.

Commissioner Heslop points to the 0.2%, and asks if the bonus points will be redistributed. Chair Whaley suggests a concrete argument for reducing to a particular number. He asks if the total number granted could change completely, if tabled.

Commissioner Andreotti isn't sure that modifying the bonus density allocation will make a difference. He feels that the requirements are met, and that tabling really won't matter. He feels the project fully meets the intent of the zoning. He disagrees with delaying a decision.

Commissioner Borklund states that the intent is to have a planned open space, rather than neglected land.

Steve Burton comments that the applicant is present to address any questions from the planning commission.

Chair Whaley agrees that a decision shouldn't be delayed. He asks for a motion.

Chris Crockett suggests that motion should be open from any Commissioner.

Commissioner Hancock motions to approve the preliminary plan, based on staff recommendations and findings contained in the staff report. Also to look at bonus density percentages to meet planning commission recommendation, also to request an updated ag preservation plan. Commissioner Andreotti recommends an amendment that the trail easement be recorded with the plat, and also reminds the planning commission that this project conforms to the plan and meets the applicable ordinances. Commissioner Andreotti seconds the motion. Vote taken: Commissioners Andreotti, Hancock, Heslop, and Whaley vote aye. Commissioners Parke and Borklund vote nay.

Questions/Public Comment after the motion:

Craig Bell – are ag preserved lots the same as open space/common area?

Steve Burton – typically common area is owned by the HOA. Ag Preservation parcels are owned by individuals. Director Grover offers his time to answers questions from the public in the County Office, during business hours.

Chair Whaley reiterates the role of the planning commission.

Sam Peterson – comments regarding density.

Raylene Russell – applicant states open space will be a benefit to the county.

Heather Hadley – asks regarding mosquito abatement, what is the turnaround time on a request. Chris Crockett defers to Mosquito Abatement.

- 4. Public comment for items not on the agenda**
- 5. Remarks from Planning Commissioners None**
- 6. Planning Director Report**

Mr. Grover appreciates comments from the public. He feels the best way to handle public comment is to only address relevant comments. It is up to the planning commission to decide which comments are relevant. PC may defer to staff, for any unanswered questions, instead of moving back and forth to the public. It keeps things a bit more streamlined.

Chair Whaley asks regarding when to stop public comment. Chris Crockett states that more formality could be helpful, especially with public comment, not public hearing.

7. Remarks from Legal Counsel There are none.

8. Remarks from Staff –Assistant Director Scott Mendoza compliments Chair Whaley on handling the public comments. He then addresses the design – advises the planning commission to scrutinize sketch plan phase of the process. Mr. Mendoza then discusses the 1 acre requirement. He then encourages the planning commission to make suggestions regarding wording in the code.

Chair Whaley addresses the intent of the code regarding development vs. what is contained in the project, and mentioning this during a public meeting.

Director Grover advises addressing during a work session. Can we postpone the next item until the next meeting? Affirmative response.

Motion to adjourn: Comm. Heslop.

Meeting adjourns at 7:45pm.



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 Fall Widow Subdivision Phase 2
Type of Decision:	Administrative
Agenda Date:	Tuesday, October 10, 2017
Applicant:	Cliff Bell
File Number:	LVF062415

Property Information

Approximate Address:	120-292 South 7900 West, West Warren, UT
Project Area:	26.59 Acres
Zoning:	A-2
Existing Land Use:	Residential/Agricultural
Proposed Land Use:	Residential
Parcel ID:	10-037-0034
Township, Range, Section:	Township 6 North, Range 3 West, Section 15

Adjacent Land Use

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

Staff Information

Report Presenter:	Ronda Kippen rkippen@co.weber.ut.us 801-399-8768
Report Reviewer:	SB

Applicable Ordinances

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

Summary and Background

Staff recommends final approval of the Fall Widow Subdivision Phase 2, based on the findings and conditions outlined in this report. The proposed subdivision is located at approximately 120-292 South 7900 West Ogden, UT and is in the A-2 zone (see Exhibit A). The proposed subdivision has been reviewed by the Western Weber Planning Commission and received a positive recommendation on November 10, 2015 for a seven lot subdivision and a positive recommendation on March 8, 2016 for a five lot subdivision. The applicant appealed the planning commission's approval which required a road to be stubbed to the adjacent property owners to the north, east and west of the proposed subdivision. The County Commission approved the preliminary plans based on the applicant dedicating property for a public right of way that will address the required block length along 7900 West. The County Commission required that the applicant install a hammer head turn around along the dedicated right of way in order to adhere to the fire department's requirements. The remainder of the dedicated right of way will remain unimproved at this time per the County Commissions approval on September 27, 2016.

As part of the final plat requirements and approval procedure, the final plat must be presented to the Planning Commission for their recommendation to the County Commission. The proposed application has been reviewed against certain standards in the Uniform Land Use Code of Weber County, Utah (LUC) and the following is staff's evaluation of the request.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating larger lots which will preserve the openness of the area and maintain the rural atmosphere.

Zoning: The subject property is located in an Agricultural Zone more particularly described as the A-2 zone. The purpose of the Agricultural (A-2) zone is identified in LUC §104-7-1 as:

"The purpose of the A-2 Zone is to designate farming areas where agricultural pursuits and the rural environment should be promoted and preserved."

The proposal has been reviewed against the adopted zoning and 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.

Lot area, frontage/width and yard regulations: The A-2 zone requires a minimum lot area of 40,000 sq ft for a single family dwelling and a minimum lot width of 150 feet. The A-2 zone allows for additional permitted and conditional uses that require, at a minimum, 2 acres and up to 5 acres with a minimum lot width of 300 feet. The proposed subdivision will not qualify for any of the permitted uses requiring a 5 acre minimum due to insufficient lot width for these uses.

The proposed subdivision is a seven lot subdivision that fronts a county road identified as 7900 West. Additional road dedication will take place upon recording the final plat to provide the adequate frontage and access for Lot 10 & 11 and a new block intersection. The current configuration of the property is primarily agricultural; however, the adjacent properties are primarily residential with an accessory use of agriculture. The proposed lots have over 2 acres in the A-2 zone and conform to the required lot area, frontage and width development standards of the A-2 zone for the permitted and conditional uses requiring a minimum of 2 acres as found in LUC §104-7.

Natural Hazards Area: The proposed subdivision is located in the FEMA Flood Plain Zone "X" which is an area of minimal flood hazard and has been determined by FEMA to be outside of the 500 year flood level. The buildable portion of the site is at or above the elevation of 4,215 feet in elevation. The proposed subdivision per LUC §108-22-2(7) has been reviewed with the respect to lake-flooding potential and the compatibility of the proposed use. There will not be any construction below the elevation of 4,215 feet based on the 1986 lake level of 4,212 feet with consideration of a possible 3 foot wave action.

Culinary water and sanitary sewage disposal: West Warren-Warren Water Improvement District have accepted the waterlines that have been installed and has committed to assume responsibility for the newly installed waterlines. Per the feasibility letter regarding the wastewater disposal systems, the seven lot subdivision will need to install Wisconsin Mound Onsite Wastewater Systems on each individual lot and will need to meet all requirements of the Weber-Morgan Health Department for all onsite wastewater system improvements. This will be required as part of the building permit process.

Street and Block Standards: The infrastructure required has been installed for the Fall Widow Subdivision Phase 2 including additional drainage improvements and approximately 9,024 square feet of property will be dedicated to Weber County which will extend 7900 West approximately 68.29 feet to the north upon recording the final plat (see Exhibit A).

The review and approval procedures include an analysis of the proposed road connectivity plan showing how future roads can connect to provide circulation to future neighborhoods. Per LUC §106-2-1(a) *"the street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it."* In areas of flat land where topography presents no development barriers, minor terminal streets or cul-de-sacs proposed in subdivisions shall have a maximum length of 650 feet to the beginning of the turnaround and block lengths shall at a maximum be 1,300 feet with a minimum block length of 500 feet. During the preliminary approval in 2006 of Fall Widow Subdivision Phase 1, the applicant removed the lot located to the north of Lot 4 in order to reduce the maximum block length below 1,300 feet as measured from an uninstalled and undedicated future roadway identified in the Barbara Flats Subdivision. Currently 7900 West terminates at approximately 3,983 feet from the intersection with 900 South and the applicant has developed 18 lots along 7900 West, including the seven additional proposed lots. The proposed street expansion will increase the terminal street length to approximately 4,052 feet.

The applicant has revised the subdivision based on discussion with staff and the County Commission to address the maximum block length as measured from a 60' easement for a future road identified on Lot 1 of the Barbara Flats Subdivision. The Planning Division, County Engineering Division and Weber County Fire District all recommended to the County Commission that the applicant dedicate the stubbed roadways without installing the required improvements to the adjacent properties located to the north of the proposed subdivision and to the further most east and west boundaries of the proposed subdivision along the northern boundary of the proposed subdivision, in order to provide safe vehicular ingress/egress and to enable future development.

The County Commission agreed that a variation or exception was warranted in relation to the subdivision standards based on staff's analysis that the literal enforcement of this standard is not roughly proportionate when compared to the cost of the exaction and the public expense to address the impact, such a variation or exception can be made by the County per LUC §106-1-2 which states:

"In cases where unusual topographical or other exceptional conditions exist, variations and exceptions from this title may be made by the county commissioners, the appeal board for the subdivision ordinance, after a recommendation by the planning commission."

Additional design standards and requirements: The proposed subdivision is relatively flat. There may be additional site preparation in conjunction with an approved building permit. The applicant has installed the improvements and has submitted a cash escrow in the amount of 10% of the total cost of the improvements to be held for a one year warranty period. With the exception of the recommended conditions identified in this staff report, additional standards and requirements are unnecessary at this time.

Review Agencies: The proposed subdivision has been reviewed by the Weber County Engineering Division, the Weber County Surveyor's Office and the Weber Fire District. The Engineering Division has outstanding conditions that will need to be addressed prior to the final plat being recorded. The Surveyor's office and the Weber Fire District have approved the proposal. A condition of approval has been added to ensure that all conditions of the review agencies will be addressed prior to final plat submittal.

Tax clearance: The 2016 property taxes have been paid in full. The 2017 property taxes are due in full as of November 1, 2017.

Staff's Recommendation

Staff recommends final approval of the Fall Widow Subdivision Phase 2, consisting of seven lots. This recommendation for approval is subject to all review agency requirements and based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.
3. The literal enforcement of the standard to install all improvements within the dedicated road way is not roughly proportionate when compared to the cost of the exaction and the public expense to address the impact.

Exhibits

- A. Revised Proposed Preliminary Plan
- B. Revised Proposed Improvement Drawings

Map 1



FALL WIDOW SUBDIVISION PHASE 2
 A PART OF THE NORTHEAST QUARTER AND NORTHWEST QUARTER OF SECTION 15, T6N, R3W, S34E
 WEBER COUNTY, UTAH
 SEPTEMBER 2016



