



WESTERN WEBER PLANNING COMMISSION

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REGULAR MEETING AGENDA

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September 13, 2016

5:00 p.m.

- *Pledge of Allegiance*
  - *Roll Call:*
1. Administrative Items
    - 1.1. LVF051916 Consideration and action on a request on preliminary approval of a redesign of the Favero's Legacy Subdivision Phases 1 and 2, a Cluster Subdivision, with a request for a 25% density bonus at approximately 3750 West 2200 South – Robert Favero, Applicant
    - 1.2. LVD053116 Consideration and action on a request for preliminary approval of the Dixie Land Estates Subdivision, consisting of 6 Lots. Each lot has access from 3600 N Street, located at approximately 4200 West 3600 N – Dale Satterthwaite, Applicant
  2. Public Comment for items not on the agenda
  3. Remarks from Planning Commissioners
  4. Planning Director Report
  5. Remarks from Legal Counsel
  6. Adjourn



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on preliminary approval of a redesign of the Favero's Legacy Subdivision Phases 1 and 2 a Cluster Subdivision, with a request for a 25% density bonus.

**Agenda Date:** Tuesday, September 13, 2016

**Applicant:** Robert Favero

**File Number:** LVF051916

### Property Information

**Approximate Address:** 3750 West 2200 South

**Project Area:** 8.302 Acres

**Zoning:** Agricultural (A-1)

**Existing Land Use:** Residential/ Agricultural

**Proposed Land Use:** Residential

**Parcel ID:** 15-078-0137

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

### Adjacent Land Use

<b>North:</b> Residential	<b>South:</b> Agricultural
<b>East:</b> Agricultural	<b>West:</b> Residential

### Staff Information

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

**Report Reviewer:** RK

## Applicable Ordinances

- Title 101, General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 5, Agricultural (A-1) Zone
- Title 106, Subdivisions, Chapters 1, 2, 4, 7, & 8
- Title 108, Standards, Chapter 3, Cluster Subdivision

## Background and Summary

The applicant received conceptual sketch plan approval from the Western Weber Planning Commission for the proposed cluster subdivision on May 10, 2016 (see Exhibit A). After meeting with Planning and Engineering an access issue arose with the previous design. In order to create safe public access into this subdivision, the Engineering Department has requested that 3750 West Street be in-line with the existing right of way to the north. To provide for a future road, a road dedication of 33' has been granted by the applicant to be used as a public right of way for the development of 3900 West. Additional improvements will be required to be installed including sidewalk, curb and gutter along 2200 South. Open space parcels A, B and C are one acre each, amounting to 37% of phase 1 being reserved for open space and 36% overall including phase 2 (see Exhibit A).

The subject property is zoned A-1 and is currently an 8.302 acre agricultural parcel. The applicant has requested bonus density based on the following qualifying criteria: 10% bonus for meeting the purpose and intent of the cluster subdivision and a 15% bonus density based on providing 4,275 square feet of open space to be used as a community garden in phase 2 (see Exhibit A).

## Analysis

**General Plan:** The proposal conforms to the Western Weber General Plan by encouraging development in areas of residential growth and preserving agricultural open space to maintain the rural atmosphere of the area.

Zoning: The subject property is located in an Agricultural Zone more particularly described as the A-1 zone. The purpose of the Agricultural (A-1) zone is identified in the LUC §104-5-1 as:

*“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.

Lot area, frontage/width and yard regulations: The A-1 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-1 zone allows permitted and conditional uses as well as additional permitted uses that require 2 and 5 acres at a minimum. The proposed subdivision will not qualify for any of the permitted uses requiring a 2 or 5 acre minimum due to insufficient lot width for these uses.

The proposed cluster subdivision allows for a reduction in lot width in Agricultural Zones to 60 feet and a reduction in lot area to 15,000 square feet. The lot area can further be reduced to not less than 6,000 square feet if the lot lies within a cluster subdivision that is adjacent to an undeveloped parcel. An undeveloped parcel is considered to be either a parcel of property that does not contain an existing dwelling or contains an existing dwelling that lies further than 150 feet away from all external boundaries of the proposed or subject cluster subdivision. The proposed residential lot sizes are roughly 18,500 square feet and the lot widths are roughly 130 feet. Approximately 1.49 acres will be dedicated to Weber County upon recording the final plat to provide the adequate right of way width.

Common and Open Space: The proposal includes 3 acres of open space that will be individually owned by residents within the cluster subdivision and approximately 4,275 square feet of open space to be used as a community garden. The community garden area will be located on Open Space C. The community garden area will need to have a conservation easement as well as a preservation/maintenance plan for this area approved prior to the final subdivision being forwarded for final approval.

Bonus Density Criteria Request: The applicant is requesting a 25% density bonus that is outlined in the “Open Space Preservation Plan” (see Exhibit C). The bonus density request is based on the accumulation of the following options outlined in LUC§108-3-8(2):

*The cluster subdivision meets the purpose and intent of this chapter, a ten percent bonus may be granted.*

*If a cluster subdivision provides common area that offers easily accessible amenities such as trails, parks, or community gardens, that are open for use by the general public, up to a 15 percent bonus density may be granted.*

Culinary water and sanitary sewage disposal: Will serve and feasibility letters have been provided from Taylor West Weber Water for the culinary water, secondary water and wastewater disposal systems for the proposed subdivision will be served by the Central Weber Sewer Improvement District.

Additional design standards and requirements: The applicant will be required to install the improvements prior to the recordation of the final plat or provide the County with a cash bond for 110% of the total cost of the proposed improvements.

Review Agencies: The revised preliminary subdivision plan has been reviewed by the Weber County Engineering Division and the Weber County Surveyor’s Office against the preliminary subdivision ordinances. The Engineering Division has outstanding conditions that will need to be addressed prior to submitting the final plat for approval.

Tax clearance: The 2015 property taxes have been paid in full. The 2016 property taxes are due in full as of November 1, 2016.

Public Notice: A notice has been mailed not less than seven calendar days before preliminary approval to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

## **Planning Commission Considerations**

The Planning Commission’s consideration will include reviewing the redesigned subdivision to determine if it supports the Western Weber General Plan in providing managed growth while preserving pasturelands, farmlands, and open space.

## Staff Recommendation

Staff recommends preliminary phasing plan approval of Favero’s Legacy Cluster Subdivision, 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. A note describing the applicable ownership standards shall be placed on the final plat to be recorded outlining the qualifying standards in LUC§ 108-3-8(2)(b)(2) and §108-3-8(2)(b)(3).
2. A final draft of the “Open Space Preservation Plan” that provides the details pertaining to the ownership, maintenance and preservation of the open space parcels will be submitted for review and approval.
3. A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
4. A note will be included on the remnant parcel on Phase 1 Stating “Future phase not approved for development.”

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.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Exhibits

- A. Preliminary Phasing Plan
- B. Phase 1

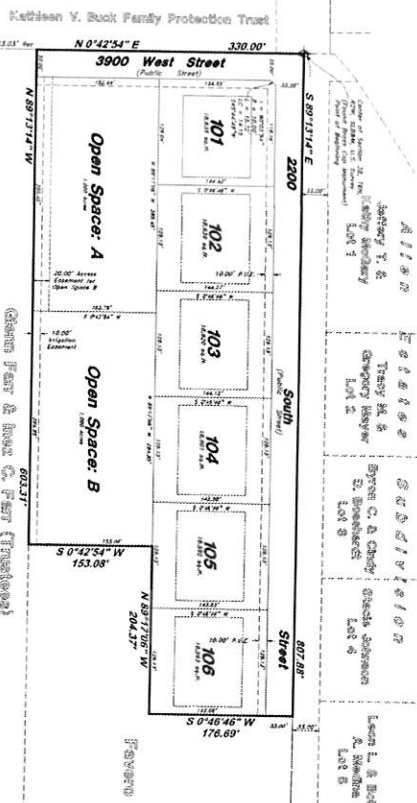






# Favero's Legacy Cluster Subdivision - Phase 1

A part of Section 28, 76N R2W, S184M U.S. Survey  
Weber County, Utah  
July 2016



**MARKETING**  
The subdivision map is for the lots shown on the map. The lots are to be marketed as individual lots. The lots are to be marketed as individual lots. The lots are to be marketed as individual lots.

**ZONING INFORMATION**  
The project is zoned as a residential subdivision and has the following building setbacks:  
Front Yard = 20 feet  
Side Yard = 10 feet  
Rear Yard = 20 feet  
Building Height = 12 feet

**FLOOD PLAN**  
The project is within the flood zone of the State of Utah. The project is within the flood zone of the State of Utah. The project is within the flood zone of the State of Utah.

**FAVORO WEST WEBER WATER**  
The project is within the Weber Water Conservancy District. The project is within the Weber Water Conservancy District. The project is within the Weber Water Conservancy District.

**HOOPER WATER IMPROVEMENT DISTRICT**  
The project is within the Hooper Water Improvement District. The project is within the Hooper Water Improvement District. The project is within the Hooper Water Improvement District.

**WEBER COUNTY PLANNING**  
The project is within the Weber County Planning Commission. The project is within the Weber County Planning Commission. The project is within the Weber County Planning Commission.

**WEBER COUNTY SURVEYOR**  
The project is within the Weber County Surveyor's Office. The project is within the Weber County Surveyor's Office. The project is within the Weber County Surveyor's Office.

**WEBER COUNTY ENGINEER**  
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**WEBER COUNTY ATTORNEY**  
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**WEBER COUNTY RECORDS**  
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**WEBER COUNTY ENGINEER**  
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**TENTATIVE FINAL**



## Staff Report to the Western Weber Planning Commission

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Consideration and action on a request for preliminary approval of the Dixie Land Estates Subdivision, consisting of 6 lots. Each lot has access from 3600 N Street.

**Type of Decision:** Administrative

**Agenda Date:** Tuesday, September 13, 2016

**Applicant:** Dale Satterthwaite

**File Number:** LVD053116

#### Property Information

**Approximate Address:** 4200 West 3600 N

**Project Area:** 27.80 acres

**Zoning:** Agricultural (A-2)

**Existing Land Use:** Agriculture

**Proposed Land Use:** Residential Subdivision

**Parcel ID:** 19-009-0024

**Township, Range, Section:** T7N, R2W, Section 21

#### Adjacent Land Use

<b>North:</b>	Residential	<b>South:</b>	Agriculture
<b>East:</b>	Agriculture	<b>West:</b>	Agriculture

#### Staff Information

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

**Report Reviewer:** RK

### Applicable Ordinances

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 7 (Agricultural-2 Zone)

### Background

The applicant is requesting preliminary approval of the Dixie Land Estates Subdivision located at approximately 4600 West 3600 North. The applicant has requested approval for the subdividing of 27.80 acres to create 6 lots. The lots within this subdivision vary in size from 1.60 acres to 8.14 acres. Each lot fronts on 3600 North Street that is currently does not have curb, gutter or sidewalk. There is a 10' ditch easement approximately 472 feet south of 3600 North Street that will remain for irrigation purposes, considering that the primary use for this subdivision will become residential the secondary use will remain agricultural.

### Analysis

**General Plan:** The Western Weber General plan is designed to preserve open space and pasture land for the raising of farm animals while maintaining flexibility for land owners to enjoy managed growth.

**Zoning:** The subject property is located in the Agricultural Zone (A-2), the purpose of this zone is stated in the LUC §104-7-1

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

**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.

Culinary Water: Bona Vista Water Improvement District has provided a letter stating that water is available for each of these lots. It has been made clear that secondary water is required for all irrigation purposes, and prior to issuing water services, the owner must furnish BVW with their secondary water information.

Septic System: Weber County Health Department has provided a letter indicating that a percolation tests have been conducted to determine the feasibility of septic systems and their locations within each lot.

Additional Standards: Upon request of the applicant a deferral agreement will be considered following approval from the Engineering Division. If the applicant does not receive approval for the deferral of curb, gutter and sidewalk a cash bond of 110% of the total cost of the proposed improvements will be the responsibility of the applicant.

Review Agencies: Planning, Engineering, and Surveying have conditions that will need to be addressed prior to submitting final plat for approval.

Tax Clearance: There is no outstanding tax payments currently related to this parcel.

Public Notice: A notice has been mailed not less than seven calendar days before preliminary approval to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

## Staff Recommendation

The Planning Division recommends preliminary approval of the Dixie Land Estates Subdivision. This recommendation is conditioned upon meeting all requirements from county reviewing agencies and the following conditions:

1. Final submittal including a capacity assessment letter and State Construction permit
2. Approval of the deferral of sidewalk, curb and gutter or financial guarantee of 110% of the cost for improvements

This recommendation is 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 ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Exhibits

- A. Dixie Land Estates subdivision plat





