

WEBER COUNTY PLANNING DIVISION

Administrative Review Meeting Agenda

May 25, 2022 4:00 p.m.

- 1. Minutes: April 27, 2022
- 2. Administrative Items
 - **2.1 UVE042022:** Consideration and action on a request for approval of Eagle Ridge Cluster Subdivision Phase 9, a three lot subdivision. **Presenter Steve Burton.**

Adjourn

The meeting will be held in Public Works Conference Room, in the Weber Center, 2nd Floor Suite240, 2380 Washington Blvd, Ogden Utah 84401

*Public comment may not be heard during administrative items. Please contact

thePlanningDivision Project Manager at 801-399-8374 before the meeting if you have questions or comments regarding an item*

In compliance with the Americans with Disabilities Act, persons needing auxiliary services fort these meetings should call the Weber County Planning Commission at 801-399-8374

April 27, 2022

Minutes of April 27, 2022, Administrative Review Hearing, held in the Weber County Planning Division Office, 2380 Washington Blvd., Suite 240, Ogden UT, commencing at 12:00 p.m.

Staff Present: Rick Grover, Planning Director; Felix Lleverino, Planner; June Nelson, Secretary

1. Minutes from April 20, 2022 Approved

Administrative Items

2.1 UVB032922 - Consideration and action on administrative approval of Brown's Subdivision 1st Amendment, a one-lot subdivision with a 16-acre remainder parcel not approved for development. **Presenter Felix Lleverino**

This is a proposal to amend Brown's Subdivision. The amendment would effectively create a one-lot subdivision, with a 16-acre remainder parcel not approved for development. The landowner intends to reserve the remainder parcel for farm ground at present and potential future development. No Public Utility easement will need to be vacated or realigned with the amendment. Both the building lot and the remainder parcel possess access from 2500 North Street, a public county road.

The Lance Roylance Subdivision abuts this development on the west. There is potential for a future neighborhood on the land abutting to the east. The County Planning Division recommends that Brown's Subdivision Amendment preserve a public ROW easement that connects to the existing ROW easement within the Lance Roylance Subdivision. However, at this time the Planning Division will not require right-of-way dedication because the remainder parcel is not a building lot.

Staff recommends approval of Brown's Subdivision 1st Amendment, a one-lot subdivision with a 16-acre remainder parcel not approved for development.

Administrative approval from the Planning Division is subject to the following conditions:

- 1. The County Commission will accept the area dedicated to the public ROW 2500 South Street and sign the final plat.
- 2. The owner shall enter into a deferral agreement for curb gutter and

sidewalk. The recommendation is based on the following findings:

- 1. This subdivision amendment is not in conflict with the Ogden Valley General Plan.
- 2. The public interest or any person will not be materially injured by the proposed subdivision amendment.
- 3. The amended subdivision plat complies with all local and state ordinances.

Administrative final approval of Brown's Subdivision 1st Amendment is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval: April 27, 2022
Rick Grover
Rick Grover
Planning Director

Adjourn

Respectfully Submitted, June Nelson Lead Office Specialist



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for approval of Eagle Ridge Cluster Subdivision

Phase 9, a three lot subdivision.

Agenda Date:Wednesday, May 25, 2022Applicant:Tysen Butters, owner

File Number: UVE042022

Property Information

Approximate Address: 3788 N 4375 E, Eden

Project Area: 6.39 acres

Zoning: Agricultural Valley 3 (AV-3)

Existing Land Use:VacantProposed Land Use:ResidentialParcel ID:22-015-0099

Township, Range, Section: T7N, R1E, Section 21

Adjacent Land Use

North:ResidentialSouth:ResidentialEast:ResidentialWest:Residential

Staff Information

Report Presenter: Steve Burton

sburton@webercountyutah.gov

801-399-8766

Report Reviewer: RG

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 2 (Agricultural Zones, AV-3)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)
- Title 108 (Standards) Chapter 22 (Natural Hazard Areas)

Development History

The Eagle Ridge Master Plan was adopted on March 28, 1997, rezoning the property with a master plan for the phasing of the Eagle Ridge Cluster Subdivisions. The proposal is the 9th phase proposed to be platted. The proposal meets the requirements of the Master Plan from 1997.

Background and Summary

The applicant is requesting approval of a three lot subdivision that will gain access from Ridge Road, a 60 foot wide public street. The proposal meets all applicable land use code requirements. The proposal includes the dedication of 60 foot wide right-of-way. As part of the approval process, the proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the AV-3 zone found in LUC §104-2. The following section is a brief analysis of this project against current land use regulations.

Analysis

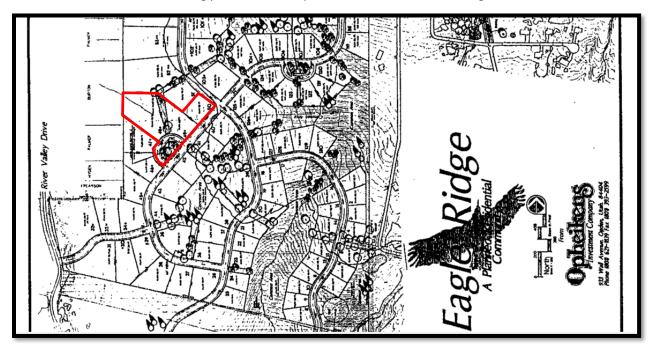
<u>General Plan</u>: This proposal conforms to Ogden Valley General Plan by platting residential lots with cluster type development, preserving public open space with public trail amenities.

Zoning: The property is located in the AV-3 Zone. The purpose of this zone is stated in the LUC §104-2.

"The AV-3 Zone and A-1 Zone are both an agricultural zone and a low-density rural residential zone. The purpose of the AV-3 Zone and A-1 Zone is to:

- 1. Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern;
- 2. Set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and
- 3. Direct orderly low-density residential development in a continuing rural environment."

Lot 72 is 1 acre and 150 feet wide, Lot 73 is 1 acre and 150 feet wide, and lot 74 is 2.09 acres and 92 feet wide. While none of these lot sizes meet the AV-3 zoning requirements, the lots meet the requirements of the master plan as shown below. Common area is being preserved, and a public trail easement runs through the common area.



<u>Small Subdivision</u>: The Planning Director is delegated administrative authority to approve small subdivisions if in his discretion there are no conditions which warrant its submittal to the planning commission LUC §106-1-8 (f)). This proposal qualifies as a small subdivision consisting of three or fewer lots for which no new streets are being created or realigned.

<u>Natural Hazards</u>: This property is located within a Geologic Study Area. The owner will need to obtain a Geologic Hazards study and submit it for review as part of a building permit submittal.

Flood Zone: This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level.

<u>Culinary Water and Sanitary Services</u>: The Wolf Creek Water and sewer has provided a will-serve letter for culinary water, secondary water, and sanitary sewer services for this development.

<u>Review Agencies</u>: The Weber County Fire District, Engineering, and the Surveyor's office have reviewed and approved the proposal.

Staff Recommendation

Staff recommends final plat approval of Eagle Ridge Cluster Subdivision Phase 9, consisting of three lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A notice of geologic hazards must be recorded with the final plat.

The following items are the basis for the staff's recommendation:

- 1. The proposed subdivision conforms to the Ogden Valley General Plan.
- 2. The proposed subdivision complies with the applicable County codes.

Administrative Approval

Administrative final approval of Eagle Ridge Cluster Subdivision Phase 9, is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval:		
Rick Grover Weber County Planning Director		

Exhibits

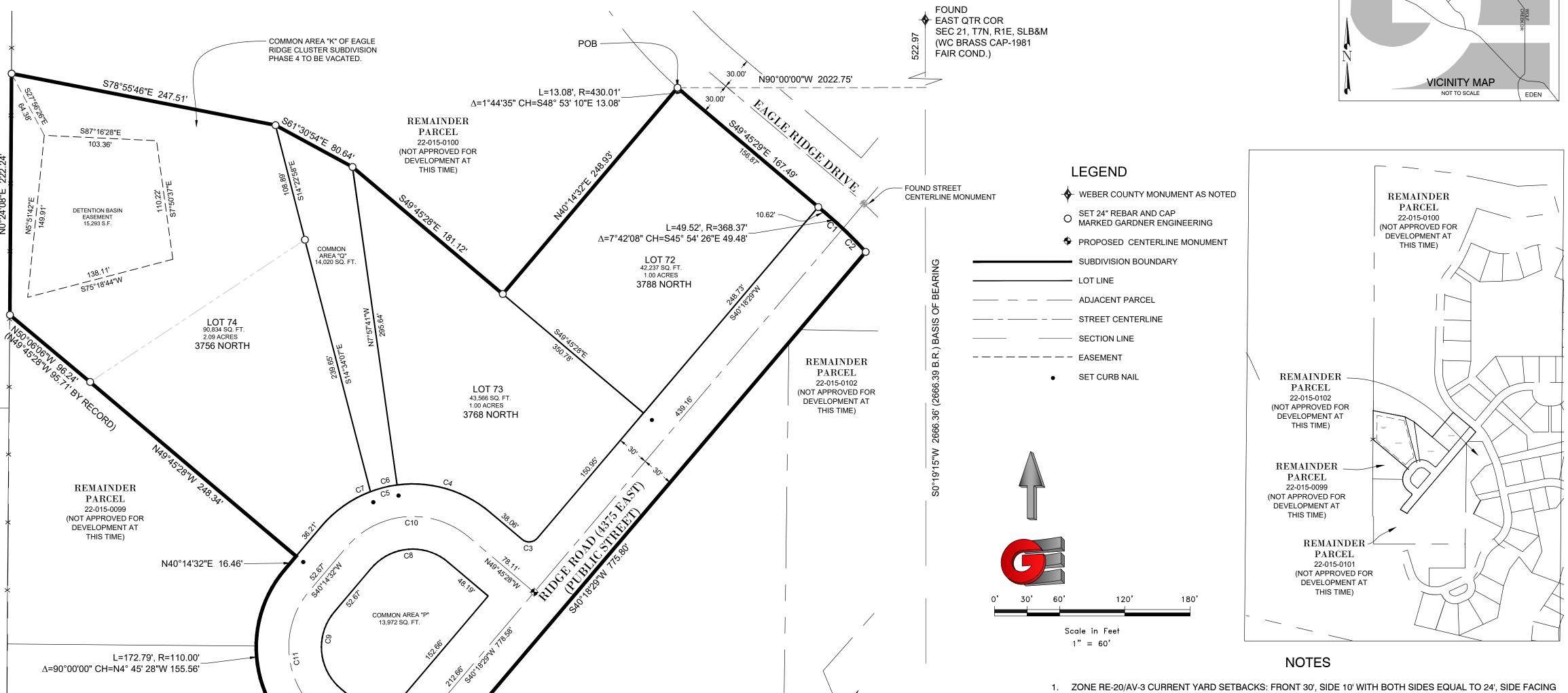
A. Eagle Ridge Cluster Phase 9 Subdivision Plat

EAGLE RIDGE CLUSTER SUBDIVISION PHASE 9

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21,

TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN,

WEBER COUNTY, UTAH **MARCH 2022**



EAGLE RIDGE CLUSTER -

SUBDIVISION PHASE 5

LOT 64

REMAINDER

PARCEL 22-015-0101

(NOT APPROVED FOR

THIS TIME)

DEVELOPMENT AT

VICINITY MAP

NOT TO SCALE

2. SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER FEMA MAP NO. 49057C0229F WITH AN EFFECTIVE DATE OF JUNE 2, 2015. 3. BOUNDARY AND LOT CORNERS ARE SET AS REQUIRED BY STATE CODE AND COUNTY ORDINANCE. FRONT LOT CORNERS TO BE SET WITH NAIL AND WASHER IN CURB AT LOT LINE EXTENSION

4. LOT SIZE, ZONING AND SETBACK REQUIREMENTS ARE DETERMINED BY THE DEVELOPMENT AGREEMENT WITH

5. LAND DRAIN SYSTEM OWNERSHIP AND MAINTENANCE IS TO BE THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION.

AGRICULTURAL NOTE:

FOUND

SE COR

FAIR COND.)

(WC BRASS CAP-1981

AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURE ZONES. AGRICULTURE OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND NO ALLOWED AGRICULTURE USE SHALL BE SUBJECT TO RESTRICTION ON THAT IT ◆ SEC 21, T7N, R1E, SLB&M INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A THREE LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY ORLUFF OPHEIKENS AND TYSEN BUTTERS. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND DESCRIBED HEREON. THE BASIS OF BEARING IS THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS SOUTH 00°19'15" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING.

ACKNOWLEDGEMENT

STATE OF UTAH COUNTY OF WEBER

2022, before me personally appeared TYSEN BUTTERS, Proved on the basis of satisfactory evidence to be the person(s) whose name(s) and said (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same. Witness my hand and official

STAMP NOTARY PUBLIC **ACKNOWLEDGEMENT** STATE OF UTAH COUNTY OF WEBER

2022, personally appeared before me whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the was signed by him/her in behalf of said *Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), acknowledged to me that said *Corporation executed the same.

BOUNDARY DESCRIPTION

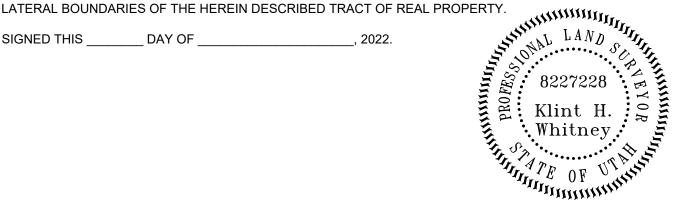
A PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAGLE RIDGE DRIVE BEING LOCATED SOUTH 0°19'15" WEST 522.97 FEET ALONG THE EAST LINE OF SAID QUARTER AND NORTH 90°00'00" WEST 2022.75 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION: RUNNING THENCE ALONG SAID SOUTH RIGHT-OF-WAY FOLLOWING TWO (2) COURSES; (1) ALONG THE ARC OF A 430.01 FOOT RADIUS CURVE TO THE LEFT 13.08 FEET, HAVING A CENTRAL ANGLE OF 1°44'35" WITH A CHORD BEARING SOUTH 48°53'10" EAST 13.08 FEET; (2) SOUTH 49°45'29" EAST 167.49 FEET; THENCE ALONG THE ARC OF A 368.37 FOOT RADIUS CURVE TO THE RIGHT 49.52 FEET. HAVING A CENTRAL ANGLE OF 7°42'08" WITH A CHORD BEARING SOUTH 45°54'26" EAS1 49.48 FEET; THENCE SOUTH 40°18'29" WEST 775.80 FEET; THENCE ALONG THE ARC OF 217.79 FOOT RADIUS CURVE TO THE LEFT 41.64 FEET, HAVING A CENTRAL ANGLE OF 10°57'20" WITH A CHORD BEARING SOUTH 35°22'22" WEST 41.58 FEET; THENCE NORTH 59°27'05" WEST 60.00 FEET; THENCE ALONG THE ARC OF A 305.63 FOOT RADIUS CURVE TO THE RIGHT 51.83 FEET. HAVING A CENTRAL ANGLE OF 9°43'02" WITH A CHORD BEARING NORTH 35°22'55" EAST 51.77 FEET; THENCE NORTH 40°18'29" EAST 86.72 FEET; THENCE ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE TO THE LEFT 15.72 FEET, HAVING A CENTRAL ANGLE OF 90°03'57" WITH A CHORD BEARING NORTH 4°43'29" WEST 14.15 FEET; THENCE NORTH 49°45'28" WEST 38.38 FEET; THENCE ALONG THE ARC OF A 110.00 FOOT RADIUS CURVE TO THE RIGHT 172.79 FEET. HAVING A CENTRAL ANGLE OF 90°00'00" WITH A CHORD BEARING NORTH 4°45'28" WEST 155.56 FEET: THENCE NORTH 40°14'32" EAST 16.46 FEET; THENCE NORTH 49°45'28" WEST 248.34 FEET; THENCE NORTH 50°06'06" WEST 96.24 FEET; THENCE NORTH 0°24'08" EAST 222.24 FEET; THENCE SOUTH 78°55'46" EAST 247.51 FEET; THENCE SOUTH 61°30'54" EAST 80.64 FEET; THENCE SOUTH 49°45'28" EAST 181.12 FEET; THENCE NORTH 40°14'32" EAST 248.93 FEET TO THE POINT OF BEGINNING. CONTAINING 278,229 SQUARE FEET OR 6.39 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I. KLINT H. WHITNEY. DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58. CHAPTER 22. OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT. AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS EAGLE RIDGE CLUSTER SUBDIVISION PHASE 9 IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE

DAY OF



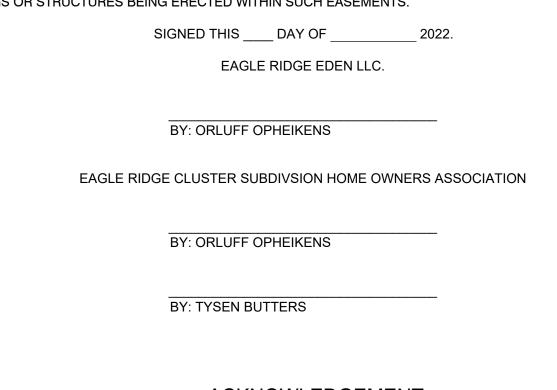
KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

EAGLE RIDGE CLUSTER SUBDIVISION PHASE 9

AND HEREBY DEDICATE, GRANT AND DEDICATE TO WEBER COUNTY, UTAH A PERPETUAL EASEMENT OVER. UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY WEBER COUNTY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS, AND HEREBY GRANT AND CONVEY TO THE SUBDIVISION LOT (UNIT) OWNERS ASSOCIATION, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS COMMON AREAS TO BE USED FOR RECREATIONAL AND OPEN SPACE PURPOSES FOR THE BENEFIT OF EACH LOT (UNIT) OWNERS ASSOCIATION MEMBER IN COMMON WITH ALL OTHERS IN THE SUBDIVISION AND GRANT AND DEDICATE. TO WEBER COUNTY A PERPETUAL OPEN SPACE RIGHT AND EASEMENT ON AND OVER THE COMMON AREAS TO GUARANTEE TO WEBER COUNTY THAT THE COMMON AREAS REMAIN OPEN AND UNDEVELOPED EXCEPT FOR APPROVED RECREATIONAL, PARKING AND OPEN SPACE PURPOSES. AND GRANT DEDICATE AND CONVEY TO WEBER COUNTY ANY LAND DESIGNATED AS DETENTION BASIN EASEMENT FOR THE PURPOSE AND USE OF STORM DRAIN FACILITIES OPERATION AND MAINTENANCE. WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.



ACKNOWLEDGEMENT

STATE OF UTAH COUNTY OF WEBER

On this day of 2022, personally appeared before me whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the was signed by him/her in behalf of said *Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors). acknowledged to me that said *Corporation executed the same.

STAMP NOTARY PUBLIC **COUNTY RECORDER** DEVELOPER: ORLUFF OPHEIKENS ENTRY NO. 933 WALL AVENUE, OGDEN, UT 84404 FILED FOR AND RECORDED 801-621-1839 . IN BOOK _____ OF OFFICIAL RECORDS, PAGE COUNTY RECORDER MUNICIPAL - LAND SURVEYING

5150 SOUTH 375 EAST OGDEN, UT OFFICE: 801.476.0202 FAX: 801.476.0066

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL CONDITIONS FOR APPROVAL BY THIS OFFICE HAVE BEEN SATISFIED. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.

SIGNED THIS____DAY OF ______, 2022. COUNTY SURVEYOR

WEBER COUNTY ENGINEER

RECORD OF SURVEY #

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

SIGNED THIS____DAY OF ______, 2022.

WEBER COUNTY COMMISSION ACCEPTANCE

N49°45'28"W 38.38'-L=15.72', R=10.00'

Δ=90°03'57" CH=N4° 43' 29"W 14.15'

∠POB FUTURE

REMAINDER

PARCEL

22-015-0101

(NOT APPROVED FOR

DEVELOPMENT AT

L=51.83', R=305.63'

 Δ =9°43'02" CH=N35° 22' 55"E 51.77"

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH,

> SIGNED THIS____DAY OF ______, 2022. CHAIRMAN, WEBER COUNTY COMMISSION NAME/TITLE

WEBER - MORGAN HEALTH DEPARTMENT

I DO HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITION FOR THIS SUBDIVISION HAVE BEEN INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS. SIGNED THIS____DAY OF ______2022

DIRECTOR WEBER-MORGAN HEALTH DEPT. COUNTY ENGINEER

WEBER COUNTY PLANNING **COMMISSION APPROVAL** THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION.

Δ=10°57'20" CH=S35° 22' 22"W 41.58'

SIGNED THIS ____DAY OF _____, 2022.

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE FINANCIAL **GUARANTEE AND OTHER DOCUMENTS** ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS ____DAY OF _____, 2022.

COUNTY ATTORNEY

CURVE TABLE						
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	
C1	19.38	368.37	3.01	S48° 15' 03"E	19.38	
C2	30.14	368.37	4.69	S44° 23' 59"E	30.13	
С3	15.70	10.00	89.93	S85° 16' 31"W	14.13	
C4	92.42	110.00	48.14	S73° 29' 04"E	89.73	
C5	173.45	110.00	90.34	N85° 24' 50"E	156.03	
C6	25.32	110.00	13.19	S75° 51' 09"W	25.26	
C7	55.71	110.00	29.02	S54° 45' 03"W	55.12	
C8	78.98	50.00	90.51	S85° 29' 49"W	71.02	
С9	78.54	50.00	90.00	S4° 45' 28"E	70.71	
C10	126.22	80.00	90.40	S85° 26' 37"W	113.53	
C11	125.66	80.00	90.00	S4° 45' 28"E	113.14	
C12	46.73	275.63	9.71	S35° 22' 49"W	46.67	

STAMP

NOTARY PUBLIC