



COMBINED MEETING WITH WESTERN WEBER AND OGDEN VALLEY PLANNING COMMISSIONS

MEETING AGENDA

July 11, 2017

5:00 p.m.

- 1. Open Western Weber Planning Commission Meeting**
 - a. Roll call
 - b. Suspension of rules of order
 - c. Open public hearing
- 2. Open Ogden Valley Planning Commission Meeting**
 - a. Roll call
 - b. Suspension of rules of order
 - c. Open public hearing
- 3. Pledge of allegiance**
- 4. Public hearing for zoning text amendment (ZTA) 2017-10** – a proposal to amend the subdivision ordinance, Title 106, to add a letter of credit as an additional subdivision completion financial guarantee. Charles Ewert, Principal Planner for Weber County, to present.
- 5. Western Weber Planning Commission: close hearing**
- 6. Ogden Valley Planning Commission: close hearing**
- 7. Joint planning commission discussion for ZTA 2017-10.**
- 8. Western Weber Planning Commission action for ZTA 2017-10.**
- 9. Ogden Valley Planning Commission action for ZTA 2017-10.**
- 10. Ogden Valley Planning Commission adjourn.**

- 11. Western Weber Planning Commission: re-implement rules of order**

A. Consent Items

A.1 Approval of the following meeting minutes: 4/26/2017, 5/9/2017, 6/13/2017.

B. Action/Administrative Items

B.1 LVW040717: Consideration and action on a request for final approval of Winston Park Cluster Subdivision, located at approximately 2665 South 3500 West, Ogden, UT. Steve Burton, Weber County Planner, to present.

B.2 SPE2017-03: Discussion and action on a conceptual sketch plan endorsement request for Cameron Cove Cluster Subdivision, located at approximately 2275 South 4065 West. Steve Burton, Weber County Planner, to present.

C. Public comment for items not on the agenda

D. Remarks from Planning Commissioners

E. Planning Director Report

F. Remarks from Legal Counsel

The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.

Please enter the building through the front door on Washington Blvd. if arriving at the meeting after 5:00 p.m.

A Pre-Meeting will be held at 4:30 p.m. in Commission Chambers Break Out Room. The agenda for the pre-meeting consists of discussion of the same items listed above, on the agenda for the meeting.

No decisions are made in the pre-meeting, but it is an open, public meeting.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791

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.



Staff Report to the Ogden Valley and Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: To hold a joint planning commission public hearing and discussion/decision regarding a proposal to amend the subdivision ordinance, Title 106, to add a letter of credit as an additional subdivision completion financial guarantee; ZTA 2017-10.

Agenda Date: Tuesday, July 11, 2017

Staff Report Date: Wednesday, July 5, 2017

Applicant: Weber County Planning Division

File Number: ZTA 2017-10

Staff Information

Report Presenter: Charlie Ewert
cewert@co.weber.ut.us
(801) 399-8763

Report Reviewer: RG

Applicable Ordinances

§106-4: Subdivision Improvements Required

Legislative Decisions

Decision on this item is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

Summary and Background

After a subdivision with new proposed improvements receives final approval the developer has a choice to either install those improvements prior to recording the plat or submit to the County a financial guarantee for the cost of the improvements. This is done to ensure the proposed improvements get installed to the County's satisfaction. This is especially important for proposed public improvements.

During the recession the County amended the subdivision code to exclude all forms of financial guarantee except a cash escrow. The cash escrow is held in a County account and earns whatever interest the account earns. Because the money is only being held for the developer to ensure proper performance, all interest earned is returned to the developer.

For larger developments it can be challenging for a developer to have sufficient cash on-hand to offer a complete cash escrow for their subdivision. In these cases the developer must incur the debt necessary to offer the County the escrow. The debt interest can be many times the interest that the County's account earns, thereby potentially costing the developer significantly over the life of the loan.

Prior to the recession the County allowed the use of a letter of credit. A letter of credit can essentially be viewed as a line of credit (but it is not technically a line of credit – it is a promise for a line of credit). The developer is required to get approved for the letter of credit similar to a loan, however, rather than releasing all of the credit to the developer on the front end, they allow the developer to accrue the debt over time and in increments as the time to pay for the installation of improvements come due.

As seen from the County's previous action to remove the allowance of a letter of credit during the recession, a letter of credit is not as secure as funds being held by the County. The success of a letter of credit depends on the solvency of the financial institution being used. As banks were failing during the recession the County was put at

risk of losing funds needed to complete improvements in failed subdivisions.

This policy shift boils down to risk analysis. We believe the way the proposal is drafted helps to significantly reduce the risk associated with a letter of credit. It should offer the County optimal protection in the event of a future economic crisis wherein the developer and his or her financial institution fail.

Policy Analysis

The attached Exhibit B displays the proposed changes. The proposal redrafts and revises parts of the “subdivision improvements required” section of the subdivision code to better offer general clarity and grammatical edits. The substantial changes are in **§106-4-3** “guarantee of improvements.”

§106-4-3:

Part (a) better clarifies that the County expects a financial guarantee that is 110% of the total cost of required improvements. This is the maximum amount that can be required as per state law.

Part (a)(1) specifies in better clarity the expectations for escrows and escrow funds.

Part (a)(2) provides the new provision for allowing a letter of credit. This section puts the following limits on the use of a letter of credit, each aimed at avoiding the problems that were persistent for many jurisdictions during the recession:

- Only projects that are valued over \$1 million may use a letter of credit. This relies on the financial industry to vet their creditees to verify they can repay over a million in credit. This should filter many of the developers looking to gain on someone else's dollar and/or credit who may be less responsible in executing his or her contractual or credit obligations. It also has a likelihood of requiring a developer to put up significant collateral to give the financial institution security against default, which means that .
- Only developers with a good track record with Weber County may use a letter of credit. Because developers often set up individual developments into separate legal entities (most often a limited liability company) we felt it is necessary to also include in this qualification that the developer's subsidiaries, members, and shareholders can also be included in the County's determination of past positive performance.
- The applicant's financial institution must also have a history of positive performance. There are a number of ways that the County Treasurer can verify positive performance, including bond ratings and the Utah Department of Financial Institutions.
- The letter of credit has to be on our form – not on the financial institution's form. This gives the County the ability to offer itself optimal protection.
- The County Attorney, County Treasurer, and County Commission must all sign off on a letter of credit.
- The developer is still required to deposit a cash escrow for the revegetation of the development in the event the development and financial institution both fail. During the recession this was not an infrequent occurrence. However, as long as the site is reseeded to offer erosion and dust control the impact a partially completed subdivision has on the surrounding community is generally limited to a visual nuisance. When the economy bounces back and the development becomes marketable again the market swiftly resolves this issue.

Part (b) offers a system of partial releases of an escrow or letter of credit funds. This is required by state code.

Part (c) better specifies what occurs within a period of time after improvements have been completed. It calls this phase “conditional acceptance.” During the conditional acceptance phase there is also a warranty period where the County retains 10% of the financial guarantee to assure that the improvements perform to the satisfaction of the County Engineer. If the improvements fail to perform the County will require the developer to fix the problem. State code limits a warranty period to one year unless there is evidence in the record of poor past performance by the developer or unstable soils in the development. The warranty period can be restarted for items that fail during the warranty period. A developer's failure to fix the problem constitutes a default on the subdivision improvement agreement, at which time the County can claim the 10% funds to fix the problem.

Part (d) better specifies what occurs after the improvement warranty period ends and what occurs after the

County takes final acceptance of the improvements.

Analyzing risk. A solvent financial guarantee is not the only form of assurance the County has that a subdivision will be completed correctly. However, in lieu of the improvements being installed prior to a plat being recorded (meaning none of the subdivision lots exists, and therefore cannot be sold), a solvent financial guarantee is a very simple and effective mechanism to assure compliance. Here are a few other more challenging methods to assure a subdivision is completed correctly:

- *Withhold building permits.* The challenge with this method is that because lots are recorded they may also be sold and after they are sold the County has multiple others who have an interest in the subdivision getting completed. The greater the various interests the more challenging the politics of withholding permits, maintenance, etc, becomes. This is especially pronounced if the County begins to issue building permits at a time when positive developer performance is occurring, but then later withholds permits when the developer starts to fail.
- *Withhold building inspections.* This is a potential method to compel subdivision completion. This is even more challenging, both politically and legally, to execute because money has already been spent on buildings by owners who might not be the developer.
- *Withhold certificates of occupancy.* The challenge here is the same as above, but significantly more pronounced due to the value of a complete building being unusable.
- *Withhold other land use permits.* Even if a development fails to perform after a certificate of occupancy for a building has been issued, LUC §102-4-2(c) requires the County to withhold permits for properties where a violation exists. This could apply pressure to the building owner to find ways to get the subdivision completed.
- *Withhold approval of future phases.* For subdivisions that have future phases the County could withhold approval of future phases.
- *Record a notice of nonconformance.* As is the case with any land use code violation, a notice of noncompliance could be recorded to the property's title. This would make it difficult for a title company to insure it, leading to a high likelihood that existing owners or future purchasers can leverage the property for debt purposes (mortgage, second mortgage, etc.).

Each of the methods listed above, except withholding approval of future phases, involves drawing resulting lot owners into the conflict of the incomplete subdivision. These new owners are often unaware of the risks associated with purchasing lots in a development that has not been completed. Transferring a developer's failed responsibilities onto unsuspecting resulting lot owners is uncomfortable for all involved, and offers little to no consumer protection.

This sort of risk is avoided if the County is holding cash to be used in the event the developer fails (a cash escrow). The risk cannot be completely avoided if a letter of credit is used. In the event both the developer and the financial institution offering a letter of credit fail, the resulting lot owners – or if those lot owners are able to successfully lobby the County for reprieve, then tax payers – are on the hook for completing the subdivision. The combination of these failures occur infrequently, however many jurisdictions can suffer the effects of this occurring during a recession.

Balancing risk. The question for the Planning Commission(s) to determine is whether the risks of a letter of credit, as minimized by the limitations in the proposed ordinance, is balanced by the positive outcomes of allowing a letter of credit. The above risk analysis is posed only from the perspective of the County (vis-à-vis financial liability). A developer's perspective is going to be significantly different. Below are a couple of challenges a developer may have without the allowance of a letter of credit:

- If the developer fronts a cash escrow with his or her own funds then those funds are no longer earning the interest the developer could otherwise be earning through his or her conventional investments.
- If the developer gets a loan to front the cash escrow then the developer is immediately paying interest on that loan – as opposed to the funds being released by the financial institution over time as the developer needs to pay for the improvements.

The reason use of a letter of credit may be worth the risk to the County is because the cash-flow loss caused by loan-interest payments or the loss of investment-interest could negatively affect the overall success of a developer. This, in turn, could affect economic growth. The loss of interest can also be viewed as an inhibitor when trying to attract development-oriented economic growth by making the County less marketable to other

developers.

Given the strong restrictions governing the use of a letter of credit, as proposed in the draft ordinance, staff feel that a substantial portion of the risk of using a letter of credit can be mitigated, and this reduced risk is balanced by the economic benefits of the use of a letter of credit.

Conformance to the General Plan

The Ogden Valley General Plan broaches the subject of financial security for certain improvements. On page 39, the plan addresses security for improvements and restoration. The context of this section is more relevant to the installation of utility facilities; however, the concept remains the same when it comes to new subdivision improvements.

The West Central Weber General Plan is not specific to financial securities. The proposed ordinance does not run contrary to the general plan.

Noticing Compliance

A hearing for this item with the Planning Commission has been posted in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

Posted on the County's Official Website

Posted on the Utah Public Notice Website

Published in a local newspaper

Staff Recommendation

Staff recommends that the Planning Commission approve the proposed amendments to **§106-4: subdivision improvements required** with the following findings:

1. The changes are generally supported by the 2016 Ogden Valley General Plan.
2. The changes are not contrary to the vision, goals, or objectives of the West Central Weber General Plan.
3. The changes are necessary to reduce conflicting provisions in the Land Use Code.
4. The changes are necessary to provide clarity in the Land Use Code.
5. The clarifications will provide for a more efficient administration of the Land Use Code.
6. The risk of the proposed changes could be balanced by the positive economic outcomes.

Exhibits

- A. Key to Proposed Changes.
- B. Proposed Ordinance [Track-Changes]
- C. Proposed Ordinance [Clean Copy]

Exhibit A: Key to proposed changes

Key to reading track changes:

Three periods (...) indicates that there are codes sections that have been left out of the proposed changes. These code sections will remain unchanged.

Language that has been added is shown in blue underline

~~Language that has been moved to a new location is shown in green double strikeout~~

~~Language that has been deleted is shown in red strikeout~~

Language that has been moved from an old location is shown in green double underline

1 CHAPTER 4. - SUBDIVISION IMPROVEMENTS REQUIRED

2
3 Sec. 106-4-1. - ~~Owner of subdivision responsible for costs~~ General requirements.

- 4 (a) The owner of any land to be platted as a subdivision shall ~~at his own expense install or provide an~~
5 ~~escrow with Weber County for improvements prior to~~, before recording the final plat ~~according to~~,
6 either install all improvements required by this chapter or provide a financial guarantee for the
7 completion of the improvements as allowed by section 106-4-3.
- 8 (b) All improvements shall comply with the specifications and standards contained in the "County's
9 current Public Work Standards and Technical Specifications" ~~adopted January 26, 1982.~~
- 10 (c) All improvements shall be installed prior to issuance of any land use permit within a newly approved
11 subdivision. The only improvements that may not be required prior to construction of a dwelling are
12 the asphalt, chip and ~~under the inspection of~~ seal, landscaping, street monuments, secondary water
13 (if not in the right-of-way), and curb, gutter, and sidewalk.
- 14 (d) All public and private utilities within the road right-of-way shall be installed prior to the road being
15 asphalted. Cuts within one year of asphalt placement on a new road will require a special permit and
16 include requirements for special backfill and asphalt replacement.
- 17 (e) The applicant shall sign a survey monumentation improvement agreement and pay applicable fees
18 associated prior to the county surveyor signing the final subdivision plat Mylar.
- 19 (f) Upon completion of the construction of roads and utility lines, the developer's engineer ~~Septic tanks~~
20 ~~shall be installed according to the specifications and under the inspection of the county health officer.~~
21 shall prepare and submit as-built plans for all improvements for the approval of the county engineer.
22 As-built plans shall include a digital plan (dwg format) and one set of reproducible Mylars prior to
23 county acceptance for maintenance of roads.
- 24 (g) Whenever the applicant develops a subdivision a phase at a time, such development shall be in an
25 orderly manner and in such a way that the required improvements will be made available to the
26 buyers of the lots. The applicant shall be responsible for coordinating the installation of utilities,
27 streets, water lines, fire hydrants, and all other required improvements with the buyers of lots.
- 28 (h) New subdivisions with sole access from a substandard street shall not be approved until the
29 substandard street is fully improved to County Public Work Standards and adopted right-of-way
30 width.

31
32
33 Sec. 106-4-2. - Improvements required.

34 (a) *Water supply.*

35 (1) *Public system.*

- 36 a. Where an approved public water supply is reasonably accessible or procurable, the
37 applicant shall install water lines, or shall contract with the local water distributing agency
38 to make the water supply available to each lot within the subdivision, including laterals to
39 the property line of each lot. Water lines and fire hydrants shall be operational before
40 building permits are issued for any structures.
- 41 b. Capacity assessment letter is required prior to final approval from the planning
42 commission. A construct permit from the Utah State Department of Environmental Quality
43 Division of Drinking Water for expansion of the water system and water lines serving the

subdivision is required prior to the subdivision receiving final approval from the county commission.

(2) *New system.* Where an approved public water supply or system is not reasonably accessible nor procurable, the applicant shall install a water distribution system and provide a water supply to each lot from a source meeting the requirements of the Utah Division of Drinking Water and/or the Weber Morgan Health Department.

(3) *Wells.* If individual well permits are issued by the Utah State Division of Water Rights, one well permit must be obtained along with a letter of feasibility from the Division of Water Rights and the Weber Morgan Health Department, which states that well permits can be issued in the proposed area by the Division of Water Rights for exchange purposes. The owner of record of the proposed subdivision property shall record a covenant to run with the land which advises the new lot owner of the requirements to be fulfilled before a building permit can be obtained. This shall include but not be limited to:

- a. that a well permit must be obtained;
- b. the time it may take to obtain the permit;
- c. the well must be drilled;
- d. water quality to be satisfactory; and
- e. water quantity to be sufficient as required by the Weber County Health Department, before a building permit can be obtained.

If well permits cannot be obtained, the lot will no longer be deemed a buildable lot.

(b) *Sewage disposal.*

(1) Where any part of a building situated within the unincorporated areas of the county is within 300 feet of any street, alley, court, passageway or area in which a public sewer or sewer owned or operated by any special improvement sanitary sewer district is in existence and use, or where the building is close enough in the determination of the county health officer to require a connection, the applicant shall connect sanitary sewer and provide adequate lateral lines to the property line of each lot. Sewer systems shall be approved by the county health official, and connections shall comply with the public work standards of the county. Where the construction of a sewer trunk line is required to serve the subdivision, the applicant shall be required to construct the trunk line in accordance with plans and specifications approved by the county and sewer improvement district. The new trunk line shall be designed with sufficient capacity for the service area as determined by the county engineer. The applicant may be entitled to reimbursement for the oversized costs through impact fee or development agreement within the service area for a period of ten years from the date of acceptance by the county.

(2) Where a public sanitary sewer is not accessible, the applicant shall obtain approval from the county health officer for individual sewage disposal for each of the lots. Written approval from the county health officer shall be submitted to the planning division at the time the subdivision application is submitted. Septic tanks shall be installed according to the specifications and under the inspection of the county health officer. Where a sewer treatment facility is being approved by the State of Utah Department of Environmental Quality Division of Water Quality, a letter of feasibility is required for preliminary approval and a construct permit from the state is required before final approval can be granted by the planning commission.

(c) *Stormwater.*

(1) The county engineer shall require the applicant to dispose of stormwater, if such provision is deemed necessary, and provide drainage structures so that runoff from the subdivision does not exceed the runoff under undeveloped or natural conditions. If easements are required across abutting property to permit drainage of the subdivision, it shall be the responsibility of the applicant to acquire such easements.

(2) When drainage structures such as storm water detention and/or retention facilities are required by the county engineer, the county, at its option, may require the facility to be dedicated or otherwise transferred to Weber County or ~~it's designate~~ its designee. Weber County may also require the developer of the subdivision which the detention and/or retention facility serves, to form a Homeowners Association of all homes in the subdivision with articles of incorporation and by-laws filed with the department of commerce. Provision shall be made in said association for the contracting with the county engineer to do periodic inspections and maintain the drainage facilities. The purpose of the association shall be to own and maintain the detention and/or retention facility in satisfactory condition as specified by the county engineer. In such cases, the County shall be granted an easement over the detention/retention facilities to guarantee such facilities will remain and be used as intended for stormwater detention purposes.

(d) *Street grading and surfacing.* All public and private streets and private access rights-of-way shall be graded and surfaced in accordance with the public work standards.

(e) *Curbs and gutters.* Curbs and gutters shall be installed on existing and proposed streets by the applicant. Deferrals for curb and gutter will be required for lots in the Ogden Valley. Curb and gutter shall be installed by the applicant in subdivisions along ~~the~~ abutting Utah State Highways, if required by Utah State Department of Transportation.

(f) *Sidewalks.* Sidewalks shall be required by the planning commission for reasons of safety and public welfare, and where the proposed subdivision is located within the walking distance ~~as~~ established by the local School District. Deferrals for sidewalk will be required for lots in the Ogden Valley. Weber County will not waive sidewalk requirements on state highways unless the Utah State Department of Transportation has waived the sidewalk requirement. If a letter is provided by the Utah State Department of Transportation for a waiver, then a deferral agreement may be approved by the county commission. Approved walking paths may be substituted for sidewalks.

(g) *Street monuments.* Permanent street monuments shall be accurately set at points necessary to establish all lines of the street. Street monuments shall be of a type specified by the county surveyor.

(h) *Street trees.* Street trees shall be planted by the applicant when so required by the planning commission and of a variety and location as approved by the planning commission.

(i) *Street signs.* Street signs shall be installed by the applicant at locations designated by the county engineer. Signs shall be a type and material prescribed by the county engineer. The county commissioners shall have the option to install signs and charge the costs to the applicant.

(j) *Fencing or piping of canals, etc.* A solid board, chain link, or other non-climbable fence not less than five feet in height shall be installed on both sides of existing irrigation ditches or canals which carry five second feet or more of water, or bordering open reservoirs, railroad rights-of-way or non-access streets, and which are located within or adjacent to the subdivision, except where the planning commission determines that park areas including streams or bodies of water shall remain unfenced. Fencing or piping of canals, etc., shall not be required on subdivisions of four or fewer lots, or where canals are located 600 feet from the homes.

(k) *Staking subdivision corners.* Survey markers shall be placed at all subdivision corners and lot corners to completely identify the boundaries on the ground. This shall be performed and confirmed by the surveyor's office before the subdivision is recorded.

(1) The minimum standard for a boundary or lot corner monument shall be a number five rebar 24 inches in length and visibly marked or tagged with the registered business name or the letters P.L.S. (Professional Land Surveyor) followed by the registration number of the surveyor in charge. Where ground conditions do not permit such monumentation, substitute monuments shall be noted on the subdivision plat and must be durably and visibly marked or tagged with the registered business name or the letters "P.L.S." followed by the registration number of the surveyor in charge.

(2) If the monument is set by a public officer, it shall be marked with the official title of the office.

- (l) *Peripheral fencing.* The planning commission may require fencing along the periphery of a subdivision in an agricultural zone to provide protection to adjacent farming lands from the adverse ~~affects~~effects of residential living and vice versa.
- (m) *Secondary water.* The term "secondary water" shall mean water furnished for other than culinary purposes. Where a subdivision is proposed within an existing culinary water district or service area of an existing water corporation or within a water district or water corporation service area created to serve such subdivision, the planning commission shall, as part of the approval of the subdivision, require the applicant to furnish adequate secondary water and install a secondary water delivery system to the lots in the subdivision sufficient to conform to the public works standards, if such water district or company files or has filed a written statement with the Weber County Planning Division which specifies that the policy of such water district or company is to the effect that its water is not to be used for other than culinary purposes and will not permit culinary water connections unless secondary water is provided by the applicant, ~~a.~~ A certified copy of the minutes of the board of trustees of such water district or company showing the enactment of such policy must be furnished to the planning commission. If secondary water is to be by shallow well, then a copy of the approved well permit shall be submitted, and the shallow well shall be pump tested with a copy of the test results submitted for review prior to the subdivision being recorded. When subdivisions are within the service area of a secondary water provider company or district, the applicant shall install a secondary water system in accordance with the provider's requirements or standards.
- (n) *Transfer of irrigation water rights.* Where the county, on behalf of a culinary water agency, requires irrigation water to be provided to each lot in a subdivision as part of the required improvements, the applicant shall provide for the transfer of irrigation water rights by either of the following methods as determined by the planning commission.
- (1) The applicant shall form a lot owners association as a non-profit corporation for owning the irrigation water rights or stock for the lots in the subdivision. The applicant shall transfer to the association at the time of subdivision recording, sufficient rights or stock as required by the irrigation agency for the number of lots in the subdivision. The articles of incorporation of the association shall provide, in addition to the association owning the required water rights or shares on behalf of each and every lot owner, that each lot owner shall automatically be a member of the association, is entitled to a pro rata share of irrigation water, is subject to a water distribution schedule and procedure established by the association, and is responsible for his share of the costs of ditch and system maintenance and assessments as made by the association from time to time, or
 - (2) The applicant shall provide the county with evidence that sufficient irrigation water rights or shares for all of the lots in the subdivision are held by the developer/property owner. At the time of recording the approved subdivision plat, the developer/property owner shall record a covenant to run with the land that these rights or shares will not be disposed of except to the lots in the subdivision and with the sale of each lot, a transfer at no cost, the required water rights or shares needed to properly irrigate the lot, to the lot purchaser who is to be responsible for the proper use of the water as outlined in the irrigation water district or company's distribution schedule and procedures.
- (o) *Fire protection.*
- (1) A letter from the Weber Fire District approving the fire protection method shall be provided prior to final approval of the subdivision by the planning commission. Before a land use permit is issued, the fire protection method shall be operational, and a letter to that ~~affect~~effect will be required from the Weber Fire District.
 - (2) Subdivisions located in the Forest and Forest Valley Zones shall have requirements in the Subdivision Covenants, Conditions, and Restrictions on Wildfire mitigation as outlined by the Weber County Fire District.

Sec. 106-4-3. - Guarantee of improvements.

~~(a) Deposit and escrow.~~

~~(1) All improvements shall be installed prior to issuance of any land use permit within a newly approved subdivision. The only improvement that may not be required prior to construction of a dwelling is the asphalt, chip and seal, landscaping, street monuments, secondary water (if not in the right-of-way), and curb, gutter, and sidewalk. All public and private utilities within the road right-of-way shall be installed prior to the road being asphalted. Cuts within one year of asphalt placement on a new road, will require a special permit and include requirements for special backfill and asphalt replacement.~~

~~(2) The applicant shall guarantee the installation of improvements by depositing the financial guarantee funds into the Weber County Engineer's Escrow which will allow the recording of a subdivision.~~

(a) Financial guarantee for the completion of improvements. An applicant who desires to record any subdivision plat prior to the completion of improvements shall provide a financial guarantee for the completion of the improvements. The applicant shall furnish and file with the county an escrow agreement or a letter of credit in an amount equal to 110% of the future cost of the installation of the improvements at the termination of the two-year improvement completion period, as estimated by the county engineer, to assure the installation of improvements within two years.

(1) Escrow agreement. An escrow agreement, and the associated funds, requires the approval of the county commissioners and county attorney. Escrow funds shall be deposited with the county treasurer at the time the escrow agreement is executed.

(2) Letter of credit. An applicant may only use a letter of credit if the following conditions are met:

a. the engineer's cost estimate for installation of the improvements exceeds one million dollars;

b. the applicant and, if applicable, the applicant's subsidiaries and the applicant's member's or shareholders has a history of positive performance in its development related contractual obligations with Weber County, and has a history of positive performance in completing developments in Weber County;

c. the applicant's financial institution has a history of positive performance in fulfilling its financial obligations, as determined by the county treasurer and based on typical conventions of the financial industry;

d. the applicant's financial institution provides the letter of credit on a standard letter of credit form supplied by Weber County or in a form that provides equal or greater financial protection to the county, as determined by the county attorney; and

e. the county attorney, county treasurer, and county commissioners approve the letter of credit, which they shall do if all of the conditions above are met unless they have reasonable, objective indications of a substantial risk that either the applicant or the applicant's financial institution will not fulfill its obligations related to the completion of improvements or the financial guarantee;

f. a cash escrow is deposited with the county treasurer at the time the letter of credit is executed equal to the full cost to revegetate any removed vegetation in the event the applicant, his successors or heirs, or his financial institution fails to perform.

(3) Acceptance of financial guarantee. A financial guarantee under this section is accepted when the county commissioners approve and sign a subdivision improvement agreement between the county and the applicant, and an escrow agreement or letter of credit. After the subdivision improvement agreement is approved, the applicant may record the subdivision, as long as all other recording requirements have been met. The recording of the subdivision will allow the developer to sell the lots, but not allow building and/or land use permits to be issued until all improvements are installed, except as listed above.

~~(3) The applicant shall furnish and file with the county commission the escrow of the Weber County Engineer in an amount equal to the future cost of the installation of the improvements at the termination of the financial guarantee period as estimated by the county engineer, to assure the installation of improvements within two years. The escrow shall be approved by the county commissioners and county attorney.~~

~~(4) Upon completion of the construction of roads and utility lines, the developer's engineer shall prepare and submit as-built plans for all improvements for the approval of the county engineer. As-built plans shall include a digital plan (dwg format) and one set of reproducible Mylars prior to the county acceptance for maintenance of roads.~~

~~(b) Upon completion of all improvements, ten percent of the approved financial guarantee shall be retained by Weber County for a period of one year at which time, upon recommendation of the county engineer, the roads may be accepted for maintenance by the county.~~

(b) Partial release of financial guarantee. Unless otherwise specified by the terms of the subdivision improvement agreement, the county is only obligated to offer a partial release of the financial guarantee for an independent improvement system, including but not limited to those specified in Section 106-4-2, that is completed to the satisfaction of the county engineer.

(c) Warranty, and conditional acceptance of improvements. Upon satisfactory completion of all improvements, as determined by the county engineer, the improvements shall enter a conditional acceptance period. Ten percent of the approved financial guarantee shall be retained by the county for an improvement warranty period as defined by UCA §17-27a-103. At the discretion of the county engineer, the warranty period may restart for any individual improvement needing replacement or repairs prior to the end of the conditional acceptance period.

~~(c) Whenever the applicant develops a subdivision a phase at a time, such development shall be in an orderly manner and in such a way that the required improvements will be made available. The applicant shall be responsible for coordinating the installation of utility, street, water lines, fire hydrants, and all other required improvements with the buyers of lots.~~

~~(d) The county engineer, at the request of the applicant, may release portions of the escrow agreement when all obligations have been fully performed by the installation of the improvements.~~

~~(e) The applicant shall deposit with the County Engineer at the time of final plat approval, an amount of money equal to the estimated cost of purchase and installation of the traffic control and street name signs.~~

~~(f) The applicant shall sign a survey monumentation improvement agreement and pay applicable fees associated prior to the county surveyor signing the final subdivision plat Mylar.~~

~~(g) New subdivisions having to utilize a road that is substandard in road right-of-way width and/or improvements shall not be consider for approval or extension, until the substandard road is fully improved to County Public Work Standards.~~

(d) Final acceptance of improvements After the warranty period has expired, if the improvements have performed to the county engineer's satisfaction, the county engineer shall release the remainder of the financial guarantee. At this time the county engineer may also offer final acceptance of the improvements. Final acceptance may be withheld if circumstances unforeseen at the time of conditional acceptance become known that expose the county or the public to unreasonable financial or safety risk. The county is not responsible for operations or maintenance of public improvements that have not received final acceptance.

Sec. 106-4-4. - Inspection of improvements.

285 The county engineer, building inspector, county surveyor, and county health officer shall inspect all
286 buildings, structures, streets, street monuments, fire hydrants, water supply, and sewage disposal
287 systems in the course of construction, installation or repair, etc. Excavations for fire hydrants, water and
288 sewer mains, and laterals shall not be covered over or back-filled until such installations have been
289 | approved by the County Engineer, or utility ~~owner's~~owner's representative. If any installation is covered
290 before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the
291 responsible person by the County Engineer.

CHAPTER 4. - SUBDIVISION IMPROVEMENTS REQUIRED

Sec. 106-4-1. - General requirements.

- (a) The owner of any land to be platted as a subdivision shall, before recording the final plat, either install all improvements required by this chapter or provide a financial guarantee for the completion of the improvements as allowed by section 106-4-3.
- (b) All improvements shall comply with the specifications and standards contained in the County's current Public Work Standards and Technical Specifications.
- (c) All improvements shall be installed prior to issuance of any land use permit within a newly approved subdivision. The only improvements that may not be required prior to construction of a dwelling are the asphalt, chip and seal, landscaping, street monuments, secondary water (if not in the right-of-way), and curb, gutter, and sidewalk.
- (d) All public and private utilities within the road right-of-way shall be installed prior to the road being asphalted. Cuts within one year of asphalt placement on a new road will require a special permit and include requirements for special backfill and asphalt replacement.
- (e) The applicant shall sign a survey monumentation improvement agreement and pay applicable fees associated prior to the county surveyor signing the final subdivision plat Mylar.
- (f) Upon completion of the construction of roads and utility lines, the developer's engineer shall prepare and submit as-built plans for all improvements for the approval of the county engineer. As-built plans shall include a digital plan (dwg format) and one set of reproducible Mylars prior to county acceptance for maintenance of roads.
- (g) Whenever the applicant develops a subdivision a phase at a time, such development shall be in an orderly manner and in such a way that the required improvements will be made available to the buyers of the lots. The applicant shall be responsible for coordinating the installation of utilities, streets, water lines, fire hydrants, and all other required improvements with the buyers of lots.
- (h) New subdivisions with sole access from a substandard street shall not be approved until the substandard street is fully improved to County Public Work Standards and adopted right-of-way width.

Sec. 106-4-2. - Improvements required.

(a) *Water supply.*

(1) *Public system.*

- a. Where an approved public water supply is reasonably accessible or procurable, the applicant shall install water lines, or shall contract with the local water distributing agency to make the water supply available to each lot within the subdivision, including laterals to the property line of each lot. Water lines and fire hydrants shall be operational before building permits are issued for any structures.
- b. Capacity assessment letter is required prior to final approval from the planning commission. A construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision is required prior to the subdivision receiving final approval from the county commission.

(2) *New system.* Where an approved public water supply or system is not reasonably accessible nor procurable, the applicant shall install a water distribution system and provide a water supply to each lot from a source meeting the requirements of the Utah Division of Drinking Water and/or the Weber Morgan Health Department.

(3) *Wells.* If individual well permits are issued by the Utah State Division of Water Rights, one well permit must be obtained along with a letter of feasibility from the Division of Water Rights and the Weber Morgan Health Department, which states that well permits can be issued in the proposed area by the Division of Water Rights for exchange purposes. The owner of record of the proposed subdivision property shall record a covenant to run with the land which advises the new lot owner of the requirements to be fulfilled before a building permit can be obtained. This shall include but not be limited to:

- a. that a well permit must be obtained;
- b. the time it may take to obtain the permit;
- c. the well must be drilled;
- d. water quality to be satisfactory; and
- e. water quantity to be sufficient as required by the Weber County Health Department, before a building permit can be obtained.

If well permits cannot be obtained, the lot will no longer be deemed a buildable lot.

(b) *Sewage disposal.*

(1) Where any part of a building situated within the unincorporated areas of the county is within 300 feet of any street, alley, court, passageway or area in which a public sewer or sewer owned or operated by any special improvement sanitary sewer district is in existence and use, or where the building is close enough in the determination of the county health officer to require a connection, the applicant shall connect sanitary sewer and provide adequate lateral lines to the property line of each lot. Sewer systems shall be approved by the county health official, and connections shall comply with the public work standards of the county. Where the construction of a sewer trunk line is required to serve the subdivision, the applicant shall be required to construct the trunk line in accordance with plans and specifications approved by the county and sewer improvement district. The new trunk line shall be designed with sufficient capacity for the service area as determined by the county engineer. The applicant may be entitled to reimbursement for the oversized costs through impact fee or development agreement within the service area for a period of ten years from the date of acceptance by the county.

(2) Where a public sanitary sewer is not accessible, the applicant shall obtain approval from the county health officer for individual sewage disposal for each of the lots. Written approval from the county health officer shall be submitted to the planning division at the time the subdivision application is submitted. Septic tanks shall be installed according to the specifications and under the inspection of the county health officer. Where a sewer treatment facility is being approved by the State of Utah Department of Environmental Quality Division of Water Quality, a letter of feasibility is required for preliminary approval and a construct permit from the state is required before final approval can be granted by the planning commission.

(c) *Stormwater.*

(1) The county engineer shall require the applicant to dispose of stormwater, if such provision is deemed necessary, and provide drainage structures so that runoff from the subdivision does not exceed the runoff under undeveloped or natural conditions. If easements are required across abutting property to permit drainage of the subdivision, it shall be the responsibility of the applicant to acquire such easements.

(2) When drainage structures such as storm water detention and/or retention facilities are required by the county engineer, the county, at its option, may require the facility to be dedicated or

otherwise transferred to Weber County or its designee. Weber County may also require the developer of the subdivision which the detention and/or retention facility serves, to form a Homeowners Association of all homes in the subdivision with articles of incorporation and by-laws filed with the department of commerce. Provision shall be made in said association for the contracting with the county engineer to do periodic inspections and maintain the drainage facilities. The purpose of the association shall be to own and maintain the detention and/or retention facility in satisfactory condition as specified by the county engineer. In such cases, the County shall be granted an easement over the detention/retention facilities to guarantee such facilities will remain and be used as intended for stormwater detention purposes.

- (d) *Street grading and surfacing.* All public and private streets and private access rights-of-way shall be graded and surfaced in accordance with the public work standards.
- (e) *Curbs and gutters.* Curbs and gutters shall be installed on existing and proposed streets by the applicant. Deferrals for curb and gutter will be required for lots in the Ogden Valley. Curb and gutter shall be installed by the applicant in subdivisions along abutting Utah State Highways, if required by Utah State Department of Transportation.
- (f) *Sidewalks.* Sidewalks shall be required by the planning commission for reasons of safety and public welfare, and where the proposed subdivision is located within the walking distance established by the local School District. Deferrals for sidewalk will be required for lots in the Ogden Valley. Weber County will not waive sidewalk requirements on state highways unless the Utah State Department of Transportation has waived the sidewalk requirement. If a letter is provided by the Utah State Department of Transportation for a waiver, then a deferral agreement may be approved by the county commission. Approved walking paths may be substituted for sidewalks.
- (g) *Street monuments.* Permanent street monuments shall be accurately set at points necessary to establish all lines of the street. Street monuments shall be of a type specified by the county surveyor.
- (h) *Street trees.* Street trees shall be planted by the applicant when so required by the planning commission and of a variety and location as approved by the planning commission.
- (i) *Street signs.* Street signs shall be installed by the applicant at locations designated by the county engineer. Signs shall be a type and material prescribed by the county engineer. The county commissioners shall have the option to install signs and charge the costs to the applicant.
- (j) *Fencing or piping of canals, etc.* A solid board, chain link, or other non-climbable fence not less than five feet in height shall be installed on both sides of existing irrigation ditches or canals which carry five second feet or more of water, or bordering open reservoirs, railroad rights-of-way or non-access streets, and which are located within or adjacent to the subdivision, except where the planning commission determines that park areas including streams or bodies of water shall remain unfenced. Fencing or piping of canals, etc., shall not be required on subdivisions of four or fewer lots, or where canals are located 600 feet from the homes.
- (k) *Staking subdivision corners.* Survey markers shall be placed at all subdivision corners and lot corners to completely identify the boundaries on the ground. This shall be performed and confirmed by the surveyor's office before the subdivision is recorded.
 - (1) The minimum standard for a boundary or lot corner monument shall be a number five rebar 24 inches in length and visibly marked or tagged with the registered business name or the letters P.L.S. (Professional Land Surveyor) followed by the registration number of the surveyor in charge. Where ground conditions do not permit such monumentation, substitute monuments shall be noted on the subdivision plat and must be durably and visibly marked or tagged with the registered business name or the letters "P.L.S." followed by the registration number of the surveyor in charge.
 - (2) If the monument is set by a public officer, it shall be marked with the official title of the office.
- (l) *Peripheral fencing.* The planning commission may require fencing along the periphery of a subdivision in an agricultural zone to provide protection to adjacent farming lands from the adverse effects of residential living and vice versa.

(m) *Secondary water.* The term "secondary water" shall mean water furnished for other than culinary purposes. Where a subdivision is proposed within an existing culinary water district or service area of an existing water corporation or within a water district or water corporation service area created to serve such subdivision, the planning commission shall, as part of the approval of the subdivision, require the applicant to furnish adequate secondary water and install a secondary water delivery system to the lots in the subdivision sufficient to conform to the public works standards, if such water district or company files or has filed a written statement with the Weber County Planning Division which specifies that the policy of such water district or company is to the effect that its water is not to be used for other than culinary purposes and will not permit culinary water connections unless secondary water is provided by the applicant. A certified copy of the minutes of the board of trustees of such water district or company showing the enactment of such policy must be furnished to the planning commission. If secondary water is to be by shallow well, then a copy of the approved well permit shall be submitted, and the shallow well shall be pump tested with a copy of the test results submitted for review prior to the subdivision being recorded. When subdivisions are within the service area of a secondary water provider company or district, the applicant shall install a secondary water system in accordance with the provider's requirements or standards.

(n) *Transfer of irrigation water rights.* Where the county, on behalf of a culinary water agency, requires irrigation water to be provided to each lot in a subdivision as part of the required improvements, the applicant shall provide for the transfer of irrigation water rights by either of the following methods as determined by the planning commission.

(1) The applicant shall form a lot owners association as a non-profit corporation for owning the irrigation water rights or stock for the lots in the subdivision. The applicant shall transfer to the association at the time of subdivision recording, sufficient rights or stock as required by the irrigation agency for the number of lots in the subdivision. The articles of incorporation of the association shall provide, in addition to the association owning the required water rights or shares on behalf of each and every lot owner, that each lot owner shall automatically be a member of the association, is entitled to a pro rata share of irrigation water, is subject to a water distribution schedule and procedure established by the association, and is responsible for his share of the costs of ditch and system maintenance and assessments as made by the association from time to time, or

(2) The applicant shall provide the county with evidence that sufficient irrigation water rights or shares for all of the lots in the subdivision are held by the developer/property owner. At the time of recording the approved subdivision plat, the developer/property owner shall record a covenant to run with the land that these rights or shares will not be disposed of except to the lots in the subdivision and with the sale of each lot, a transfer at no cost, the required water rights or shares needed to properly irrigate the lot, to the lot purchaser who is to be responsible for the proper use of the water as outlined in the irrigation water district or company's distribution schedule and procedures.

(o) *Fire protection.*

(1) A letter from the Weber Fire District approving the fire protection method shall be provided prior to final approval of the subdivision by the planning commission. Before a land use permit is issued, the fire protection method shall be operational, and a letter to that effect will be required from the Weber Fire District.

(2) Subdivisions located in the Forest and Forest Valley Zones shall have requirements in the Subdivision Covenants, Conditions, and Restrictions on Wildfire mitigation as outlined by the Weber County Fire District.

Sec. 106-4-3. - Guarantee of improvements.

- 191 (a) *Financial guarantee for the completion of improvements.* An applicant who desires to record any
192 subdivision plat prior to the completion of improvements shall provide a financial guarantee for the
193 completion of the improvements. The applicant shall furnish and file with the county an escrow
194 agreement or a letter of credit in an amount equal to 110% of the future cost of the installation of the
195 improvements at the termination of the two-year improvement completion period, as estimated by the
196 county engineer, to assure the installation of improvements within two years.
- 197 (1) *Escrow agreement.* An escrow agreement, and the associated funds, requires the approval of
198 the county commissioners and county attorney. Escrow funds shall be deposited with the county
199 treasurer at the time the escrow agreement is executed.
- 200 (2) *Letter of credit.* An applicant may only use a letter of credit if the following conditions are met:
- 201 a. the engineer's cost estimate for installation of the improvements exceeds one million
202 dollars;
- 203 b. the applicant and, if applicable, the applicant's subsidiaries and the applicant's member's
204 or shareholders has a history of positive performance in its development related
205 contractual obligations with Weber County, and has a history of positive performance in
206 completing developments in Weber County;
- 207 c. the applicant's financial institution has a history of positive performance in fulfilling its
208 financial obligations, as determined by the county treasurer and based on typical
209 conventions of the financial industry;
- 210 d. the applicant's financial institution provides the letter of credit on a standard letter of credit
211 form supplied by Weber County or in a form that provides equal or greater financial
212 protection to the county, as determined by the county attorney; and
- 213 e. the county attorney, county treasurer, and county commissioners approve the letter of
214 credit, which they shall do if all of the conditions above are met unless they have
215 reasonable, objective indications of a substantial risk that either the applicant or the
216 applicant's financial institution will not fulfill its obligations related to the completion of
217 improvements or the financial guarantee;
- 218 f. a cash escrow is deposited with the county treasurer at the time the letter of credit is
219 executed equal to the full cost to revegetate any removed vegetation in the event the
220 applicant, his successors or heirs, or his financial institution fails to perform.
- 221 (3) *Acceptance of financial guarantee.* A financial guarantee under this section is accepted when
222 the county commissioners approve and sign a subdivision improvement agreement between the
223 county and the applicant, and an escrow agreement or letter of credit. After the subdivision
224 improvement agreement is approved, the applicant may record the subdivision, as long as all
225 other recording requirements have been met. The recording of the subdivision will allow the
226 developer to sell the lots, but not allow building and/or land use permits to be issued until all
227 improvements are installed, except as listed above.
- 228
- 229 (b) *Partial release of financial guarantee.* Unless otherwise specified by the terms of the subdivision
230 improvement agreement, the county is only obligated to offer a partial release of the financial
231 guarantee for an independent improvement system, including but not limited to those specified in
232 Section 106-4-2, that is completed to the satisfaction of the county engineer.
- 233 (c) *Warranty, and conditional acceptance of improvements.* Upon satisfactory completion of all
234 improvements, as determined by the county engineer, the improvements shall enter a conditional
235 acceptance period. Ten percent of the approved financial guarantee shall be retained by the county
236 for an improvement warranty period as defined by UCA §17-27a-103. At the discretion of the county
237 engineer, the warranty period may restart for any individual improvement needing replacement or
238 repairs prior to the end of the conditional acceptance period.

(d) *Final acceptance of improvements* After the warranty period has expired, if the improvements have performed to the county engineer's satisfaction, the county engineer shall release the remainder of the financial guarantee. At this time the county engineer may also offer final acceptance of the improvements. Final acceptance may be withheld if circumstances unforeseen at the time of conditional acceptance become known that expose the county or the public to unreasonable financial or safety risk. The county is not responsible for operations or maintenance of public improvements that have not received final acceptance.

Sec. 106-4-4. - Inspection of improvements.

The county engineer, building inspector, county surveyor, and county health officer shall inspect all buildings, structures, streets, street monuments, fire hydrants, water supply, and sewage disposal systems in the course of construction, installation or repair, etc. Excavations for fire hydrants, water and sewer mains, and laterals shall not be covered over or back-filled until such installations have been approved by the County Engineer, or utility owner's representative. If any installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the County Engineer.

Minutes of the Western Weber Planning Commission meeting of April 26, 2017 held in the Weber County Commission Chambers, 2380 Washington Blvd. Floor 1, Ogden UT

Members Present: Mark Whaley, Chair
Roger Heslop
Wayne Andreotti
Blake Hancock
Jannette Borklund

Member Excused: Jennifer Willener
John Parke

Staff Present: Rick Grover, Planning Director; Chris Crockett, Legal Counsel; Felix Leverino, Planner, Tammy Aydelotte, Planner

- Pledge of Allegiance
- Roll Call

1. Administrative Items

1.1 LVF051916: Consideration and action on a request for final approval of the Favero's Legacy Cluster Subdivision Phase 1.

Felix Leverino, County Planner, introduces the item on the agenda. He gives an overview of the application. The proposal has been approved by all agencies involved, and meets all requirements. It also conforms to the Western Weber General Plan. Mr. Leverino asks if there are any questions.

Chair Whaley turns the time over to Commissioner Heslop, who has a question on page 1, regarding bonus density. He is wondering what the final number is – 35% or 25%. Mr. Leverino states that the number should be 25% (typo).

Commissioner Borklund asks if the project has met all preliminary requirements.

Director Grover states that the Commission could put in a motion to meet all preliminary requirements.

Mr. Favero, the applicant, thanks the commission for having a special meeting. He states that the only thing lacking is power. Otherwise, most everything is done. He states that he needed 25% density in order to have the 9 lots.

Commissioner Wayne Andreotti has a question on the declaration of the covenants – who enforces them?

Director Grover states that counsel looks them over, but the developer is in charge of maintaining and enforcing all covenants. He then addresses the applicant and states the neighbor is looking to make changes to their property, and that perhaps the road can come through a bit faster. The road would come through the western side -3900 west, just as an FYI.

Chair Whaley asks if there is a motion.

Commissioner Heslop moves to approve the Favero Legacy Cluster Phase 1 based, on criteria met. Subject to review of all agencies, that the CC&R's are recorded with the final mylar. This recommendation is based on meeting all preliminary findings, as well as the following: The proposed subdivisions conforms to the Western Weber General Plan, the proposed subdivision complies with applicable County ordinances, the proposed subdivision has been granted up to a 25% bonus density, the proposed subdivision will not be detrimental to the public health, safety, or welfare, and the proposed subdivision will not deteriorate the environment of the general area, so as to negatively impact surrounding properties and uses.

Commissioner Borklund seconds the motion.

Vote taken: all ayes.

Commissioner Andreotti will not be in the meeting next month.

Director Grover mentions that the Planning Division will be sending John Parke to the APA Conf. in NY. He will present information when all return. Director Grover also states that he would like to begin looking at the current general plan, and begin implementing some updates and trainings.

Chair Whaley mentions that he will be more mindful of identifying speakers.

Director – announces 5/17 public outreach meeting/open house.

Motion to adjourn

Meeting adjourns.

DRAFT

Minutes of the Western Weber Planning Commission meeting of May 9, 2017 held in the Weber County Commission Chambers, 2380 Washington Blvd. Floor 1, Ogden UT

Members Present: Jennifer Willener
Roger Heslop
Wayne Andreotti
Blake Hancock
Jannette Borklund

Member Excused: Mark Whaley
John Parke
Wayne Andreotti

Staff Present: Charles Ewert, Acting Planning Director; Chris Crockett, Legal Counsel; Felix Lleverino, Planner, Tammy Aydelotte, Planner, Steve Burton, Planner

- Pledge of Allegiance
- Roll Call

Announcement of open house on 5/17, as well as hearing in the middle of the meeting.

1. Consent Items

1.1 CUP2017-17:

Acting Chair Heslop announces the 1st item. Motion by Commissioner Jannette Borklund to approve the CUP as a consent item, according to staff recommendations. Commissioner Blake Hancock seconds the motion. Vote taken: All ayes.

2. Administrative Items

2.1 LVS040417: Consideration and action on a request for preliminary plan approval of Staker Farmstead Estates Cluster Subdivision, located at approximately 2665 South 3500 West, Ogden, UT. Steve Burton, County Planner, presents an overview of project (technical difficulties prevent from showing on any screens). He reads the portion of the Land Use Code used as the basis for staff recommendations. He states that staff approval is subject to all review agencies conditions, along with additional conditions listed in staff report. This is a preliminary approval.

Acting Chair Heslop asks if there are any public comments.

Kary Snider, located on north side of property, runs livestock (cattle). Property owner asks when this goes in will this affect number of livestock I am allowed to have.

Steve Burton responds that this subdivision won't affect your lot or number of livestock. Only zoning ordinances dictate this.

Mr. Snider states that he wants to ensure the applicant puts up their own fence line, and not uses his fence line. He continues by stating that property lines should be used as the boundaries, not any fence lines that may exist.

He states that he has already examined the applicants' stakes. He is willing to move his fence line, if he has to.

Chair Heslop states the need to move to the open house for Resources Management

He then asks if there is a motion to amend agenda, and continue with agenda items, as there are no individuals present for the open house.

Commissioner Jannette Borklund motions to proceed with agenda items. Vote taken: All ayes.

Acting Chair Heslop asks if there is a motion to appoint a commissioner as hearing officer. Commissioner Blake Hancock moves to appoint Acting Chair Heslop as the hearing officer.

Val Carver -his property is located on the south side of 2669. He inquires regarding the ditches on the property. How will they be affected, and what is the plan with them?

The Planning Commissioners explain that law mandates that water flow will not be affected. Water rights will be maintained. County engineering will assist with the process to ensure water is not interrupted. They then suggest the property owner work with Hooper irrigation.

Mr. Carver inquires as to a roadway against the fence line – will there be additional fencing?

Developer/Applicant responds that he will leave the fence line. The project has been surveyed. Surveyor spoke with property owners who border the proposed subdivision. Property lines have been established by the surveyor. Acting Chair Heslop states that it appears there may be more communication needed between developer and surrounding property owners. He then suggests to the neighbors to get with the surveyor who performed the work. The Planning Commission cannot do anything about potential boundary disputes. The purpose this evening is strictly to decide whether the applicant can proceed with the proposed subdivision until the next review.

Mr. Carver asks if there is a proposed fence line around the development.

The applicant responds that the development will be open; there will be no fences, except for livestock fences. He will work around neighboring fencing.

Mr. Carver asks regarding debris and dust is the developer able to contain this? Can fences contain the debris? Is asphalt laid down, prior to building, to keep debris to a minimum?

Charles Ewert, County Planner, states that these concerns may be addressed in a separate meeting.

There is a question from the floor- is there a plan for the common area?

The applicant addresses this question and responds that there will be irrigated landscape with sidewalk going through it. The HOA will maintain and upkeep the common areas.

Mr. Carver asks questions regarding all aspects of development – landscaping, fence lines, size of homes and lots, roads, etc. The applicant/developer addresses all of these questions.

Acting Chair Heslop asks for a motion.

Commissioner Borklund states the need to confirm the project/proposal meets all applicable ordinance and Land Use Code requirements. She makes a motion to approve the preliminary plan of the Staker Farmstead Estates Cluster Subdivision, consisting of 18 building lots, 4 open space parcels, and 2 common areas. This recommendation for approval is subject to all review agency requirements and based on the following conditions: A capacity assessment letter will be required prior to receiving final approval from the Planning Commission and a construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission; The applicant will be required to establish a declaration of covenants, conditions, and restrictions prior to recording a final plat of the cluster subdivision, as stated in LUC §108-3-9; A guarantee of Improvements will be required as outlined in LUC §106-4-3; The applicant must label 'Open Space Parcel 3' and 'Open Space Parcel 4' as common area to be owned by the homeowners association as outlined in LUC §108-3-6(1)(b); The applicant must provide a site plan for the proposed sidewalk trails within the common areas prior to the receiving final approval from the Planning Commission. Commissioner Hancock seconds the motion. Vote taken: All ayes.

2.2 LVW040717: Consideration and action on a request for preliminary plan approval of Winston Park Cluster Subdivision, located at approximately 3701 West 1800 South, Ogden, UT.

Acting Chair Heslop introduces the item. Steve Burton presents project, and gives an overview of the Winston Park Subdivision.

The applicant, Jay Rice, presents information; 54 building lots and 15 acres of open space.

Steve Burton quickly goes over bonus density, zoning and staff recommendation, as well as conditions of approval that the applicant provides sewage requirement, as contained in the staff report. He goes over the proposed roads and connectivity for future development. Staff recommends preliminary plan approval, based on conditions in staff report. Mr. Burton then asks if there are any questions. Acting Chair Heslop has a question regarding the letter from the sewer district stating that there are currently no lines to connect to. Mr. Burton responds that the applicant will pick up the sewer line from about 1400 feet to the west.

Ardell Godrich – 3500 west. Concerned with water and drainage. He asks how the drainage ditch will be maintained so flow is not interrupted. The applicant/developer states that the ditch will remain, untouched. An HOA will probably address maintenance of the ditch. Mr. Godrich asks if an HOA is required. The Planning Commission responds in the affirmative. Acting Chair Heslop goes over this requirement in the staff report with the public. Mr. Godrich is concerned about fence lines. Will the developer put up fences? The developer states he has no plans to put up additional fences.

Charles Ewert states he is unaware of mandates regarding fence lines.

Acting Chair Heslop asks if there are additional public comments. He then asks the developer regarding any requests for access roads. The developer states that he was told where to put access roads. Commissioner Willener asks if there is an agricultural preservation plan to present? The developer states that he has not submitted a plan yet. He also explains access to landlocked parcels (must be sold to adjacent owners/buyers).

Acting Chair Heslop asks if there is a motion. Commissioner Hancock motions to approve the preliminary plan based on findings, and staff recommendations contained in the staff report, including possible bonus density. Commissioner Willener seconds the motion. Vote taken: All ayes.

Director report – during County Commission meeting a concern was mentioned that Western Weber Planning Commission only meets once a month. Brief discussion.

Legal – no items

Acting Chair Heslop motions to adjourn.

Director – announces 5/17 public outreach meeting/open house.

Meeting adjourns.

Minutes of the Western Weber Planning Commission meeting of June 13, 2017 held in the Weber County Commission Chambers, 2380 Washington Blvd. Floor 1, Ogden UT

Members Present: Mark Whaley, Chair
Roger Heslop
Blake Hancock
Jannette Borklund
Jennifer Willener
John Parke

Member Excused: Wayne Andreotti

Staff Present: Scott Mendoza, Assistant Planning Director; Courtlan Erickson, Legal Counsel; Steve Burton, Planner; Charles Ewert, Principal Planner; Tammy Aydelotte, Planner

- Pledge of Allegiance
 - Roll Call

1. Consent Item

1.1 CUP2017-08 – Consideration and action on a conditional use permit application for water storage tank and pumping facility for Hooper Water Improvement District.

Chair Whaley asks if this item should be pulled and moved to an action item for discussion.

Clark Roberts -3582 w 5350 s, Roy. The proposal appears to be right in our backyard. We were hoping to to get more information, how it will affect property values. Property owner explains notification received from the Planning Division.

Chair Whaley turns the time over to Steve.

Steve Burton describes the project, the location, and zoning, that allows for the project. Mr. Burton also explains the proposed landscaping plan. He then goes on to state that staff recommends approval of this CUP.

Scott Mendoza explains a courtesy notice.

Commissioner Borklund inquires as to the dimensions of the water storage tank, as well as the surrounding landscaping. She then asks about the paved area around the tank. Commissioner Willener asks about access other than off of 5500 west.

Design Engineer – Gardner Engineering: Dan White, there are no elevations of the tank in the packet. Cylindrical, 55 ft in diameter. About 8 feet above foundation (which is about 1.5 feet above existing grade). Mr. White explains landscaping surrounding project. He addresses questions regarding landscaping and pavement.

Commissioner Roger Heslop motions to approve the CUP2017-08, **quotes staff recommendations in staff report** (See report). Commissioner Borklund seconds the motion. Vote taken: All ayes.

2. Action/Administrative Items

2.1 LVW040717 – Consideration and action on a request for final approval of Winston Park Cluster Subdivision, located at approximately 2665 south 3500 west, Ogden, UT. Steve Burton to present.

Steve Burton, County Planner, gives an overview of the Winston Park Cluster Subdivision. He goes through presentation and staff report. Outlines conditions for final approval (also contained in staff report). Recommendation for approval based on findings in staff report.

Commissioner Heslop inquires as to a potential issue with who will maintain and controls the parcels under the agriculture protection. Steve Burton suggests applicant answer this question. Commissioner Willener asks about ownership of 'landlocked parcels' as well as whether or not the HOA or the County will maintain the open space. Chair Whaley asks about bonus density, also.

Kevin Richter, rep Jay Rice. Ownership and maintenance of retention pond – not sure, no answers from Engineering regarding maintenance. Addresses ownership of ag protection parcels.

Commissioner Borklund asks if Planning Commission is comfortable approving as-is. Mr. Burton reminds the Commissioners that they are welcome to add condition to their approval.

Chair Whaley mentions that perhaps addressing the retention pond can be part of the motion.

Commissioner Parke responds that perhaps it is not appropriate to include retention ponds as open space and possible setting a precedent.

Chair Whaley suggests perhaps tabling the issue – citing bonus density issue, and including retention pond as open space, with the County as owner. Also, it doesn't seem to be very clear regarding ownership of the agricultural parcels.

Scott Mendoza, Assistant Planning Director outlines the options, regarding this decision, for the Planning Commission.

Kevin Richter states potential purpose (grazing fields) of these retention pond.

Commissioner Borklund motions to table item until all questions from the Commissioners are answered. John Parke seconds the motion. Vote Taken: All ayes.

2.2 SPE2017-02 – Discussion and action on a conceptual sketch plan endorsement request for Sunset Equestrian Cluster Subdivision located at approximately 4000 west 2200 south. Steve Burton to Present.

Steve Burton, County Planner, summarizes sketch plan endorsement.

Chris Artel – Developer. Adding multiple trail systems with easements through open space, lists various amenities. Mr. Artel points out location of open space within subdivision. Easement would be about 15 feet into the one acre parcels. Commissioner Borklund asks regarding trails through specific parcels.

Commissioner Heslop asks regarding ownership of adjacent parcels, that will not be developed. Several Commissioners inquire as to the bonus density and the proposed trail system, street scaping (trees every 25 ft). Commissioner asks regarding conflict of interest regarding maintenance of trails that cross privately owned property. Commissioner Heslop comments regarding future retention ponds.

Chair Whaley asks for a motion. Comm. Heslop motions to accept sketch plan as outlined with considerations of sidewalk, curb, gutter, retention ponds, located. Comm Hancock seconds. Vote taken: All ayes.

County Resource Management Plan – Charles Ewert to present changes. Goes over staff report, and comments received in hearing held last month. Asks for questions.

Roger Heslop recognizes staff in addressing concerns of public. Motion: Roger Heslop motions to recommend approval of Western Weber County Resource Mgmt Plan as amended following public hearing that satisfies current needs for state recommendations. Recommend approval be sent to County Commission, as applied. Willener seconds. Vote taken all ayes.

John Parke gives overview on APA conference in NY.

Legal Counsel addresses question asked in pre-meeting regarding ownership. He cites 17-27A-603 SS 2A(Utah State Code).

Motion to adjourn.

Meeting adjourns at 6:35pm.

Director – announces 5/17 public outreach meeting/open house.

Meeting adjourns.



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 Winston Park Cluster Subdivision.
Type of Decision:	Administrative
Agenda Date:	Tuesday, July 11, 2017
Applicant:	Jaymak Ogden, LLC
File Number:	LVW040717

Property Information

Approximate Address:	3701 West 1800 South
Project Area:	40 acres
Zoning:	A-1
Existing Land Use:	Agricultural
Proposed Land Use:	Residential
Parcel ID:	15-078-0002
Township, Range, Section:	Township 6 North, Range 2 West, Section 28

Adjacent Land Use

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

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RK

Applicable Ordinances

- Title 104, Zones, Chapter 5, Agricultural (A-1) Zone
- Title 106, Subdivisions
- Title 108, Standards, Chapter 3, Cluster Subdivisions

Development History

- The Western Weber Planning Commission reviewed and unanimously endorsed the Sketch Plan on October 11, 2016.
- The Western Weber Planning Commission reviewed and unanimously endorsed the Preliminary Plan on May 9, 2017.
- The Western Weber Planning Commission tabled the item on June 13, 2017 and requested that the applicant address the Commission's concerns as stated in the Notice of Decision. The notice of decision is attached as Exhibit E.

Staff Response to the Western Weber Planning Commission

During the Western Weber Planning Commission meeting held on June 13, 2017, the Commission had concerns with retention pond easements located on open space parcels that are to be individually owned by owners of lots within the subdivision. The Commission questioned whether or not the Land Use Code allows improvements such as retention ponds to be located on individually owned open space parcels.

A storm water plan is required as part of the preliminary and final subdivision application. The applicant is currently working with the County Engineering Division to ensure that the plan meets Engineering requirements. The Land Use Code does not prohibit improvements such as retention ponds to be located within individually owned open space parcels. The Open Space Preservation Plan addresses how these parcels are to be used and maintained. The plan specifically states that no crops are permitted on parcels A, B, and D in order to protect the retention ponds. The plan also prohibits buildings on parcel A for the same reason. Parcels B and D have enough area not affected by retention pond easements to allow agricultural structures, as allowed by the open space plan. The open space plan allows animal grazing on all parcels affected by retention pond easements.

The Commission also had concerns with ownership of the individually owned agriculture preservation parcels and felt unsure about recommending final approval without knowing how the applicant can ensure that the owners of the agriculture preservation parcels remain owners of lots within the same subdivision.

LUC §108-3-5 states that the ownership standard (Individually owned preservation parcels of less than ten acres in area may only be owned by an owner of a lot within the same cluster subdivision) shall be memorialized by placing a note on the final plat, explaining the ownership standard. A note on the plat would allow the county to enforce this standard by not approving land use permits for either the residential lots or the agriculture preservation lots if the ownership is not the same. A condition of approval has been added to the staff recommendation to ensure the note is placed on the final plat.

Background

The applicant has submitted a request for final approval of the Winston Park Cluster Subdivision, a cluster subdivision consisting of 54 building lots, 17 open space parcels, and 3 common areas. The Winston Park Cluster Subdivision is separated into 2 phases on one subdivision plat, both of which are being presented for final approval as part of the same application. The proposed subdivision is located at approximately 3701 West 1800 South, Ogden, UT and is in the A-1 zone. Public roads will be created with this proposal to provide access to each lot and the design will create connectivity to the surrounding area for future development.

The Western Weber Planning Commission granted the applicant a 50 percent during the May 9th planning commission meeting based on meeting the purpose and intent of the cluster subdivision chapter, for up to a ten percent bonus density; providing and implementing an approved roadway landscape and design plan, for up to 20 percent bonus density; preserving an agricultural parcel at least ten acres but fewer than 20 acres with an agriculturally based open space preservation plan approved by the planning commission and records an agricultural preservation easement on the parcel, for up to a 15 percent a bonus density; providing for the development of excess sewage treatment capacity, for up to a five percent bonus density. With the 50 percent bonus density, the applicant will be able to add an additional 18 lots to the 36 base lots, for an overall density of 54 lots.

The proposal has been reviewed against the current subdivision ordinance, the standards in the A-1 zone, and the cluster subdivision standards. The proposed subdivision, in compliance with the recommended conditions, conforms to the zoning, subdivision, and cluster subdivision requirements including adequate frontage and access along future dedicated county roads, adequate lot width, and lot area.

The proposed application has been reviewed against certain standards in the Uniform Land Use Code of Weber County, Utah (LUC). The following is staff's evaluation of the request.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area and by encouraging residential cluster style development with a minimum 30% open space.

Zoning: The subject property is located in the Agriculture (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."

Cluster subdivisions, in accordance with the LUC, are permitted in the A-1 Zone. As stated on the final plat, the subdivision contains 40.259 acres not including the road area, allowing for 36 building lots at 40,000 square feet, the minimum lot size in the A-1 Zone. The applicant is proposing a 50 percent bonus density to increase the number of building lots by 18, for a total of 54 building lots.

Cluster subdivision design and layout standards: The minimum lot width requirement for cluster subdivision lots in the A-1 zone is 60 feet per LUC§ 108-3-7(2)(c). The proposed cluster subdivision meets the lot width as well as the open space width requirements outlined in LUC §108-3-4 (1) which state:

"The open space area in between one cluster of lots and another shall not be less than 75 feet in width and the open space area in between lots and an exterior subdivision boundary shall not be less than 50 feet in width."

The proposed subdivision consists of open space areas between clusters of lots that are a minimum of 80 feet wide and the open space areas in between lots and exterior boundaries are a minimum of 125 feet wide.

The proposed cluster subdivision consists of 54 building lots and each cluster of lots consists of less than one third the total number of lots in the subdivision, complying with LUC § 108-3-4 (2).

The proposed lot sizes vary from 9,000 square feet to 14,473 square feet. The minimum lot based on meeting the criteria outlined in LUC-§ 108-3-7 which states:

"A lot's minimum area is reduced to 6,000 square feet if:

The lot lies within a cluster subdivision that is adjacent to an undeveloped parcel. A parcel is considered undeveloped if it:

- i. Does not contain an existing dwelling; or*
- ii. Contains an existing dwelling that lies further than 150 feet away from all external boundaries of the proposed or subject cluster subdivision."*

The proposed cluster subdivision is adjacent to multiple undeveloped parcels in all directions of the current parcel's boundaries, meeting the requirement to reduce lot size to 6,000 square feet. All lots within the proposed cluster subdivision meet the area and width requirements.

Bonus Density Requirements: The LUC§ 108-3-4 states that the minimum preserved open space requirement in the A-1 zone is 30 percent. The LUC§ 108-3-8(2) states that the county may grant a bonus density of up to 50 percent if the applicant preserves an open space percentage above the 30 percent requirement. The applicant is proposing to preserve 50 percent open space; which will allow up to a 50 percent bonus density to be granted. The applicant has been granted a 50 percent bonus density based on a combination of the following, as outlined in LUC§ 108-3-8:

a.) If a cluster subdivision meets the purpose and intent of the cluster subdivision chapter, up to a ten percent bonus density may be granted.

The purpose of the cluster subdivision chapter is stated in LUC§ 108-3-1 as:

"The purpose of this chapter is to provide flexible development standards to landowners that are committed to developing safe, attractive, conservation oriented neighborhoods that are thoughtfully designed and arranged in a manner that considers, gives deference to, and ultimately protects natural topography, environmentally sensitive areas, wildlife habitat, and agriculturally productive lands. It is intended to benefit those that create cluster subdivisions by offering an inherent gain in the form of reduced infrastructure costs and the possibility for a substantial increase in residential density in the Western Weber Planning Area. It is equally

intended to benefit the residents of Weber County by promoting public welfare through the reduction of long-term infrastructure maintenance costs and the permanent preservation of the county's functional open spaces, picturesque landscapes, and rural character."

b.) If a cluster subdivision provides and implements an approved roadway landscape and design plan that includes, but is not necessarily limited to, vehicle and pedestrian circulation, lighting, and street trees of an appropriate species, size of at least a two-inch caliper, and quantity of not less than eight trees for every 100 feet of road length, up to 20 percent bonus density may be granted.

The applicant has provided a roadway landscape and design plan including sidewalk, curb, and gutter on both sides of all proposed streets as well as street trees of the correct caliper, which will be planted according to LUC §108-3-8 (b). The applicant has also provided a streetlight plan consisting of three street lights that will be located throughout the subdivision, as shown on the improvement drawings (Exhibit C).

e.) If a cluster subdivision preserves an agricultural parcel with an agriculturally based open space preservation plan approved by the planning commission and records an agricultural preservation easement on the parcel, a bonus density may be approved as follows:

1. For a parcel containing at least ten acres but fewer than 20 acres, up to a 15 percent bonus density may be granted.

The proposed cluster subdivision includes contiguous agricultural preservation parcels. The combined agricultural parcels are 20 acres, meeting this requirement. The applicant has provided an open space preservation plan for the common area and agriculture preservation parcels. (Exhibit D).

i.) If a cluster subdivision provides for the development of excess sewage treatment capacity, up to a five percent bonus density may be granted.

The applicant has proposed to provide for the development of excess sewage treatment capacity by increasing the capacity of the proposed sewer pump station. A condition of approval has been added to the staff recommendation to ensure that the Weber County Engineering Division confirms that the proposed sewer pump station will provide the excess sewage treatment capacity during approval of subdivision improvement drawings.

Culinary water and sanitary sewage disposal: Will Serve letters have been provided by the Taylor West Weber Water Improvement District and the Central Weber Sewer Improvement District regarding culinary water and sanitary sewer disposal. The applicant has provided a water share certificate from Hooper Irrigation regarding secondary water. A capacity assessment evaluation has been provided by the Department of Environmental Quality Division of Drinking Water.

Additional design standards and requirements: The proposal includes a 60 foot wide public road extending through the subdivision from north to south. The proposal also includes two 50 foot wide cul de sac streets and a 50 foot wide public road along the east side of the subdivision that connects to the existing 1800 South road and stubs to the south. Road stubbing has also been provided for future development to areas to the east and west of the proposed subdivision.

A construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission.

As stated in LUC §108-3-9, *the applicant, prior to recording a final plat of the cluster subdivision, shall:*

1. Establish a homeowners association and submit for the county's review the necessary articles of incorporation, bylaws, and declaration of covenants, conditions, and restrictions that provide for:

- a. Compliance with Utah State Code;*
- b. The reason and purpose for the association's existence;*
- c. Mandatory membership for each lot or home owner and their successors in interest;*
- d. The perpetual nature of the easements related to all dedicated open space parcels;*
- e. Responsibilities related to liability, taxes, and the maintenance of recreational and other infrastructure and facilities;*
- f. Financial obligations and responsibilities, including the ability to adjust the obligations and responsibilities due to change in needs;*

g. Association enforcement remedies; and

h. A notification of the county's ability to enforce the terms of the owner's dedication on the subdivision dedication plat.

2. Register the homeowners association with the State of Utah, Department of Commerce.

This requirement has been added to the staff recommendation as a condition of approval.

Review Agencies: To date, the final plat for the proposed cluster subdivision has been reviewed by the Surveyor's Office. A condition of approval has been added to ensure that all conditions of the Review Agencies, including the Engineering Division and the Fire District, will be addressed prior to final consideration by the County Commission.

Tax clearance: There are no outstanding tax payments currently related to this parcel.

Staff Recommendation

Staff recommends final approval of the Winston Park Cluster Subdivision, consisting of 54 building lots, 17 open space parcels, and 3 common areas. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission.
2. The applicant will be required to establish a declaration of covenants, conditions, and restrictions and provide them for review and approval by the County prior to recording a final plat of the cluster subdivision, as stated in LUC §108-3-9.
3. A guarantee of Improvements will be required as outlined in LUC §106-4-3.
4. The applicant, prior to recording or as part of recording the final cluster subdivision plat, shall grant and convey to the county, to each lot owner, and to the homeowner association if applicable, an open space easement over all areas dedicated as common area or individually owned preservation parcels, as outlined in LUC §108-3-6.
5. The Weber County Engineering Division must confirm, prior to final subdivision approval from the County Commission, that the proposed sewer pump station will provide the excess sewage treatment capacity during approval of improvement drawings.
6. A note describing the applicable ownership standard shall be placed on the final recorded plat, as outlined in LUC §108-3-5 (2).

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 County ordinances.
3. Up to a ten percent bonus density may be granted for meeting the purpose and intent of the cluster subdivision.
4. Up to 20 percent bonus density may be granted based on providing and implementing an approved roadway landscape and design plan.
5. Up to a 15 percent a bonus density may be granted based on preserving an agricultural parcel of at least ten acres but fewer than 20 acres with an agriculturally based open space preservation plan approved by the planning commission and records an agricultural preservation easement on the parcel.
6. Up to a five percent bonus density may be granted based on providing for the development of excess sewage treatment capacity.
7. The proposed subdivision will not be detrimental to public health, safety, or welfare.
8. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Final plat
- B. Improvement drawings, including the streetscape and lighting design-
- C. Will serve letters
- D. Open space preservation plan
- E. Notice of decision from the meeting held on June 13, 2017

Map 1



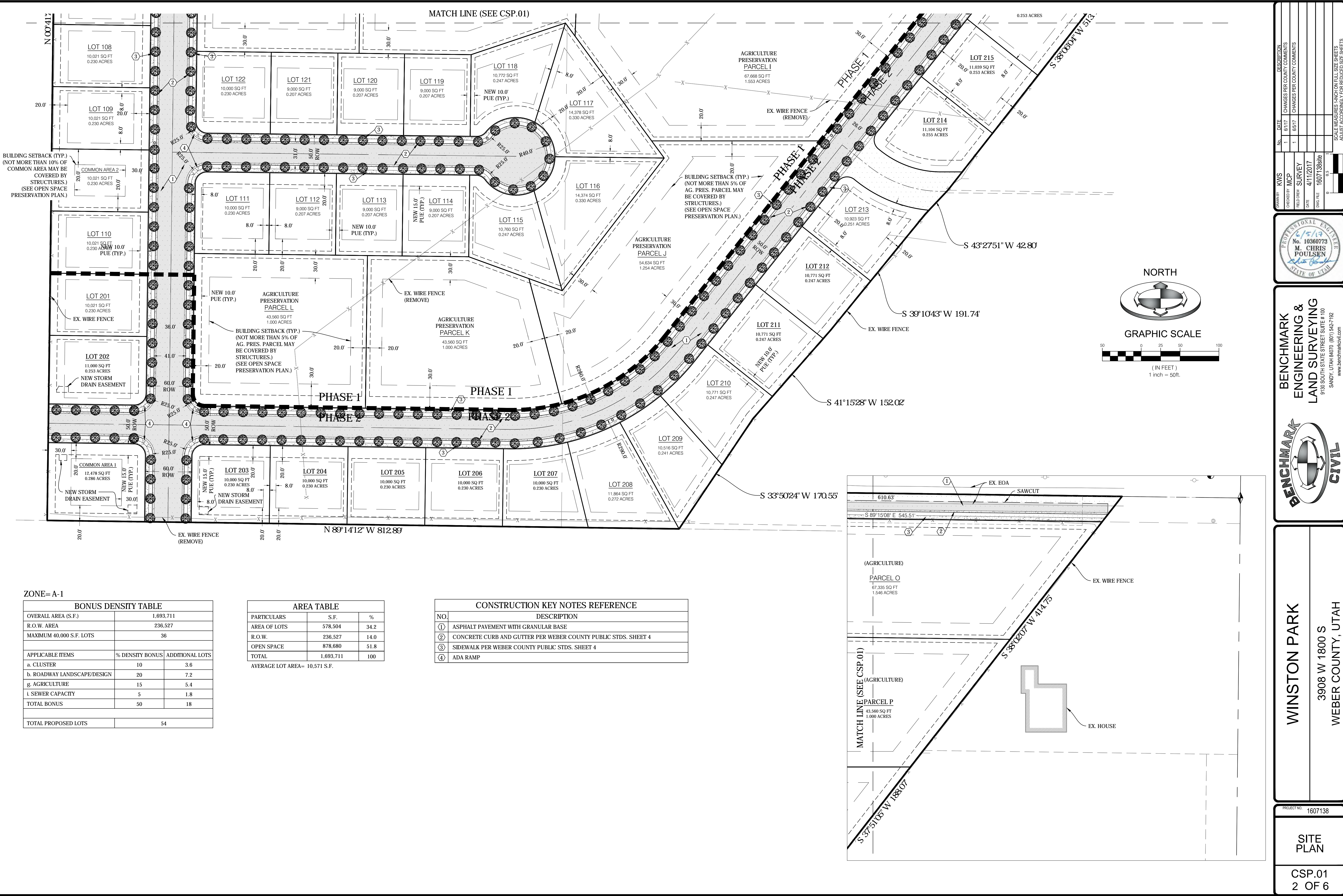
Map 2



Exhibit B



CSP.01
1 OF 6



ZONE= A-1

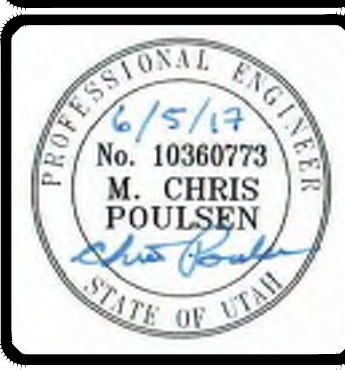
BONUS DENSITY TABLE		
OVERALL AREA (S.F.)	1,693,711	
R.O.W. AREA	236,527	
MAXIMUM 40,000 S.F. LOTS	36	
APPLICABLE ITEMS	% DENSITY BONUS	ADDITIONAL LOTS
a. CLUSTER	10	3.6
b. ROADWAY LANDSCAPE/DESIGN	20	7.2
g. AGRICULTURE	15	5.4
l. SEWER CAPACITY	5	1.8
TOTAL BONUS	50	18
TOTAL PROPOSED LOTS	54	

AREA TABLE		
PARTICULARS	S.F.	%
AREA OF LOTS	578,504	34.2
R.O.W.	236,527	14.0
OPEN SPACE	878,680	51.8
TOTAL	1,693,711	100
AVERAGE LOT AREA= 10,571 S.F.		

CONSTRUCTION KEY NOTES REFERENCE	
NO.	DESCRIPTION
①	ASPHALT PAVEMENT WITH GRANULAR BASE
②	CONCRETE CURB AND GUTTER PER WEBER COUNTY PUBLIC STDS. SHEET 4
③	SIDEWALK PER WEBER COUNTY PUBLIC STDS. SHEET 4
④	ADA RAMP

NO.	DATE	DESCRIPTION
1	6/11/17	CHANGES PER COUNTY COMMENTS
1	6/5/17	CHANGES PER COUNTY COMMENTS
1	4/11/2017	SURVEY
1	4/11/2017	DATE
1	1607138.sib	DWG. FILE
0	0	SCALE

SCALE MEASURES SHOWN ON FULL SIZE SHEETS
ADJUST PROPORTIONALLY FOR REDUCED SIZE SHEETS



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3908 W 1800 S
WEBER COUNTY, UTAH

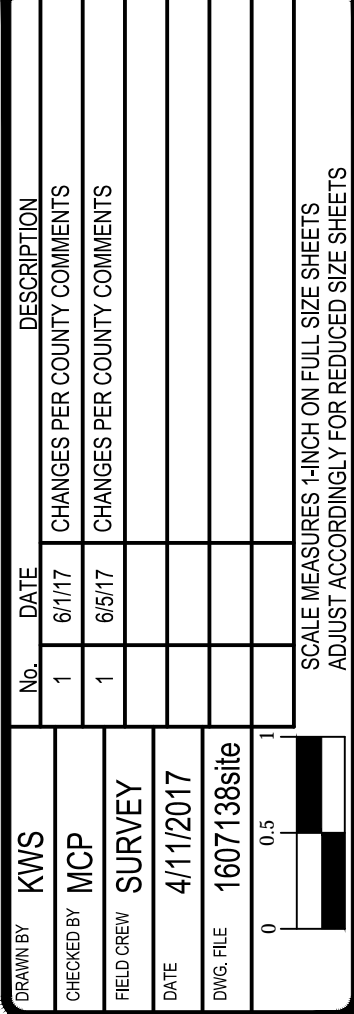
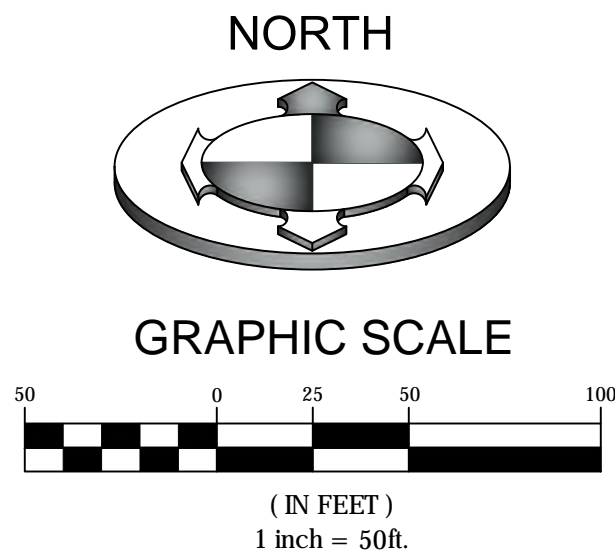
PROJECT NO. 1607138

SITE PLAN

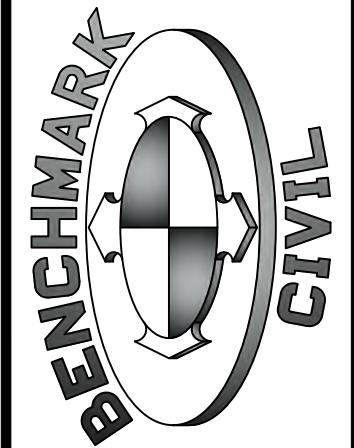
CSP.01
2 OF 6

NOTE:
PRIOR TO FABRICATION OR CONSTRUCTION, CONTRACTOR IS TO BEGIN AT THE LOW END OF ALL GRAVITY UTILITY LINES AND VERIFY THE INVERT ELEVATION OF THE POINT OF CONNECTION AND NOTIFY ENGINEER IF THIS POINT IS HIGHER THAN SHOWN ON THE PLANS FOR A REDESIGN.

NOTE:
CONTRACTOR IS RESPONSIBLE FOR POTHOLING TO IDENTIFY ANY CONFLICTS BEFORE ANY PIPE INSTALLATION. CONTACT ENGINEER IF ANY CONFLICTS ARE IDENTIFIED.



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WINSTON PARK
3908 W 1800 S
WEBER COUNTY, UTAH

PROJECT NO. 1607138

UTILITY PLAN

CUP.01
3 OF 6

CONSTRUCTION KEY NOTES REFERENCE

DESCRIPTION
8" PVC C-900 CULINARY WATER MAIN
3/4" TYPE K COPPER WATER SERVICE LINE
3/4" WATER METER PER APWA #521
3/4" POLY WATER SERVICE LINE
6" PVC C-900 FIRELINE
FIRE HYDRANT PER APWA #511
THRUST BLOCK PER APWA #561
GATE VALVE PER TAYLOR-WEST WEBER WATER ID STDS.
BLOW OFF VALVE PER TAYLOR-WEST WEBER WATER ID STDS.
8" PVC SDR-35 SEWER MAIN PER WEBER COUNTY ENGINEERING STDS.

NOTE:
PRIOR TO FABRICATION OR CONSTRUCTION, CONTRACTOR IS TO BEGIN AT THE LOW END OF ALL GRAVITY UTILITY LINES

PARCEL O
67,335 SQ FT
1.546 ACRES

PARCEL P
43,360 SQ FT
1.000 ACRES

WINSTON PARK
3908 W 1800 S
WEBER COUNTY, UTAH

BENCHMARK ENGINEERING & LAND SURVEYING
930 SOUTH STATE STREET SUITE #100
SANDY, UTAH 84070 (801) 542-7192
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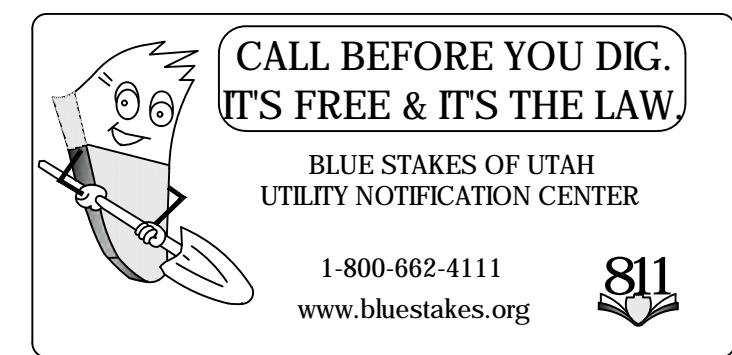
PROFESSIONAL ENGINEER
No. 10360773
M. CHRIS POULSEN
STATE OF UTAH

GRAPHIC SCALE
(IN FEET)
1 inch = 50ft.

CONSTRUCTION KEY NOTES REFERENCE

DESCRIPTION
8" PVC C-900 CULINARY WATER MAIN
3/4" TYPE K COPPER WATER SERVICE LINE
3/4" WATER METER PER APWA #521
3/4" POLY WATER SERVICE LINE
6" PVC C-900 FIRELINE
FIRE HYDRANT PER APWA #511
THRUST BLOCK PER APWA #561
GATE VALVE PER TAYLOR-WEST WEBER WATER ID STDS.
BLOW OFF VALVE PER TAYLOR-WEST WEBER WATER ID STDS.
8" PVC SDR-35 SEWER MAIN PER WEBER COUNTY ENGINEERING STDS.

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ANY CONFLICTS BEFORE ANY PIPE INSTALLATION. CONTACT
ENGINEER IF ANY CONFLICTS ARE IDENTIFIED.



PROJECT NO. 1607138

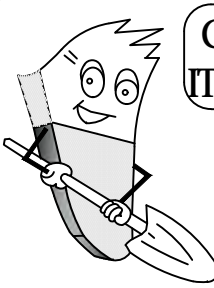
UTILITY
PLAN

CUP.01
4 OF 6

NOTE:
CONTRACTOR IS RESPONSIBLE FOR POTHOLING TO IDENTIFY
ANY CONFLICTS BEFORE ANY PIPE INSTALLATION. CONTACT
ENGINEER IF ANY CONFLICTS ARE IDENTIFIED.

NOTE:
PRIOR TO FABRICATION OR CONSTRUCTION, CONTRACTOR
IS TO BEGIN AT THE LOW END OF ALL GRAVITY UTILITY LINES
AND VERIFY THE INVERT ELEVATION OF THE POINT OF
CONNECTION AND NOTIFY ENGINEER IF THIS POINT IS
HIGHER THAN SHOWN ON THE PLANS FOR A REDESIGN.

BENCHMARK:
WEST QUARTER OF SECTION 1,
TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
ELEVATION: 4319.46'
DATUM: NAVD88 (PER SALT LAKE COUNTY TIE SHEET)



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STORM DRAINAGE CALCULATIONS DRAINAGE AREA #1 Rational Method (Q=CIA)

Area Identification (A)	Rational Coefficient (C)	C*A
*Roof = 117,500	0.9	105750 S.F.
**Pavement = 161,425	0.9	145283 S.F.
Landscaping = 355,828	0.2	71166 S.F.
Sum:		634753 S.F.

NOAA ATLAS 14 - 100 YEAR STORM					Allowable Discharge = .10cfs/acre
Time (min)	Intensity (in/hr)	Rainfall (inches)	Rainfall Excess (cu.ft.)	Allowed (cu.ft)	Volume to Detain (cu.ft)
15	4.560	1.14	30609	1311	29297
30	3.070	1.54	41215	2623	38592
60	1.900	1.90	51015	5246	45769
120	1.090	2.18	58533	10492	48041
180	0.750	2.25	60412	15738	44674
360	0.414	2.48	66695	31475	35220
720	0.254	3.05	81838	62951	18888
1440	0.143	3.43	92149	125901	0

* Assumed 2,500 sq. ft. per home
** Assumed 400 sq. ft. per driveway

STORMWATER DETENTION:
Detention Pond 1
Volume = 50,741 cf

Total Detention Volume : 50,741 cf

Is there enough existing storm water storage?

48,041 cf

YES

STORM DRAINAGE CALCULATIONS DRAINAGE AREA #2 Rational Method (Q=CIA)

Area Identification (A)	Rational Coefficient (C)	C*A
*Roof = 22,500	0.9	20250 S.F.
**Pavement = 47,439	0.9	42695 S.F.
Landscaping = 85,633	0.2	17127 S.F.
Sum:		155572 S.F.

NOAA ATLAS 14 - 100 YEAR STORM					Allowable Discharge = .10cfs/acre
Time (min)	Intensity (in/hr)	Rainfall (inches)	Rainfall Excess (cu.ft.)	Allowed (cu.ft)	Volume to Detain (cu.ft)
15	4.560	1.14	7607	321	7285
30	3.070	1.54	10243	643	9600
60	1.900	1.90	12678	1286	11392
120	1.090	2.18	14546	2571	11975
180	0.750	2.25	15013	3857	11156
360	0.414	2.48	16575	7714	8861
720	0.254	3.05	20338	15429	4910
1440	0.143	3.43	22901	30857	0

* Assumed 2,500 sq. ft. per home
** Assumed 400 sq. ft. per driveway

STORMWATER DETENTION:
Detention Pond 2
Volume = 14,765 cf

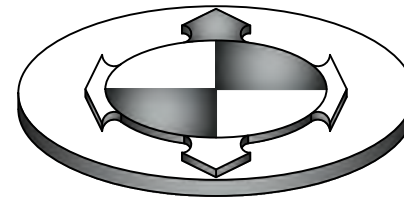
Total Detention Volume : 14,765 cf

Is there enough existing storm water storage?

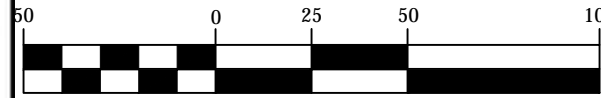
11,975 cf

YES

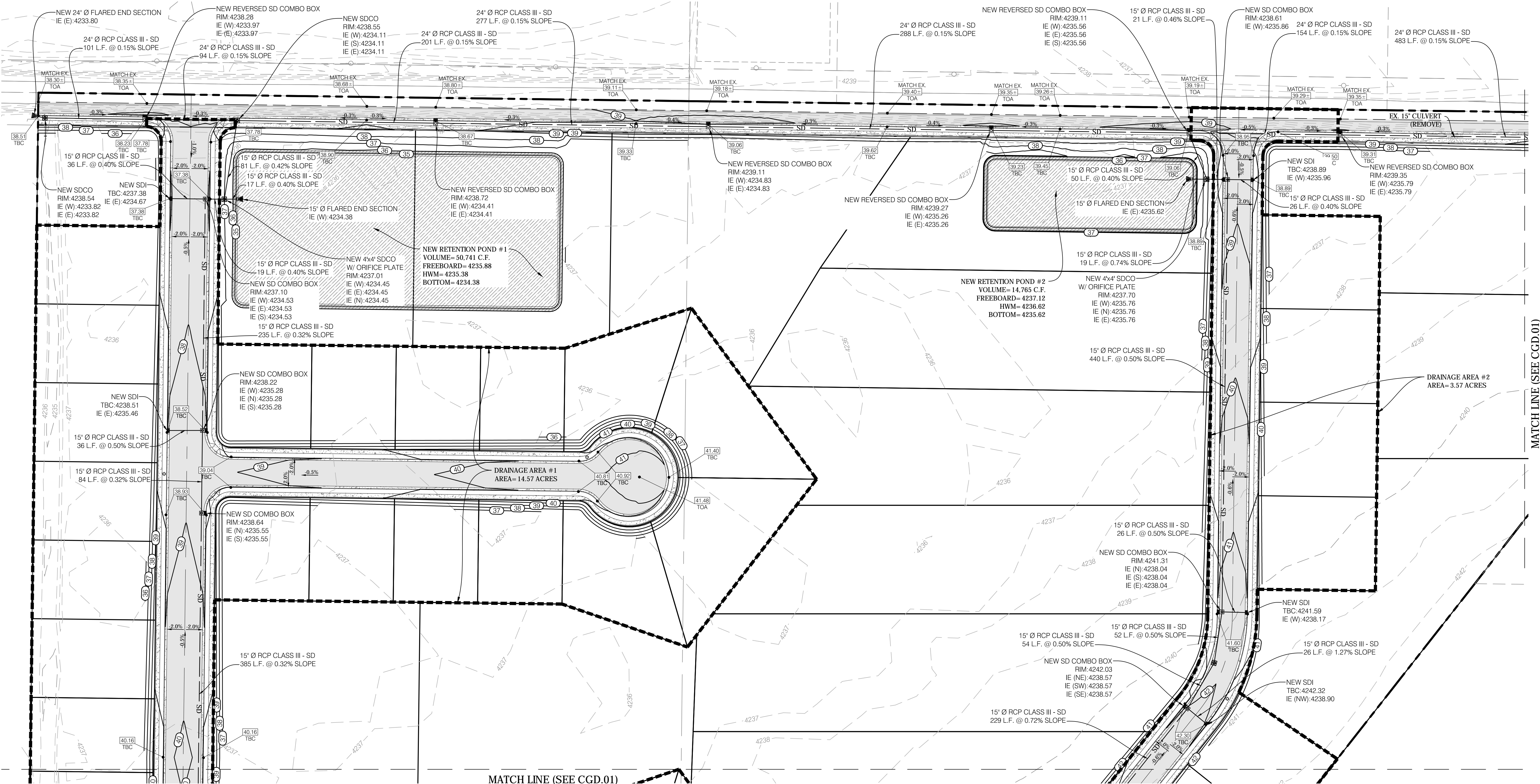
NORTH



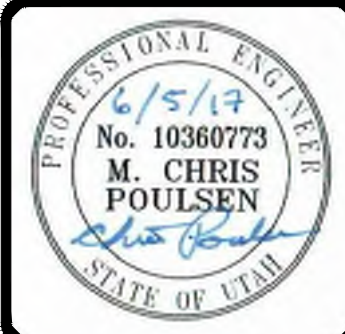
GRAPHIC SCALE



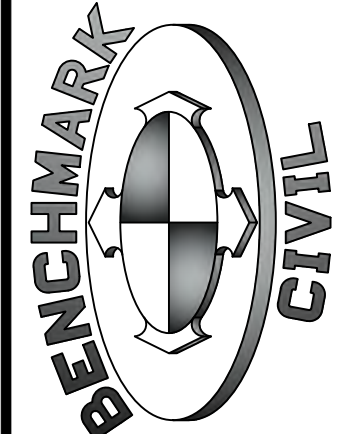
(IN FEET)
1 inch = 50ft.



NO.	DATE	DESCRIPTION
1	6/1/17	CHANGES PER COUNTY COMMENTS
1	6/5/17	CHANGES PER COUNTY COMMENTS
1	4/11/2017	SURVEY
1	4/11/2017	DATE
1	1607138.tif	DWG FILE
0	0	0



BENCHMARK
ENGINEERING &
LAND SURVEYING
9130 SOUTH STATE STREET SUITE #100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com



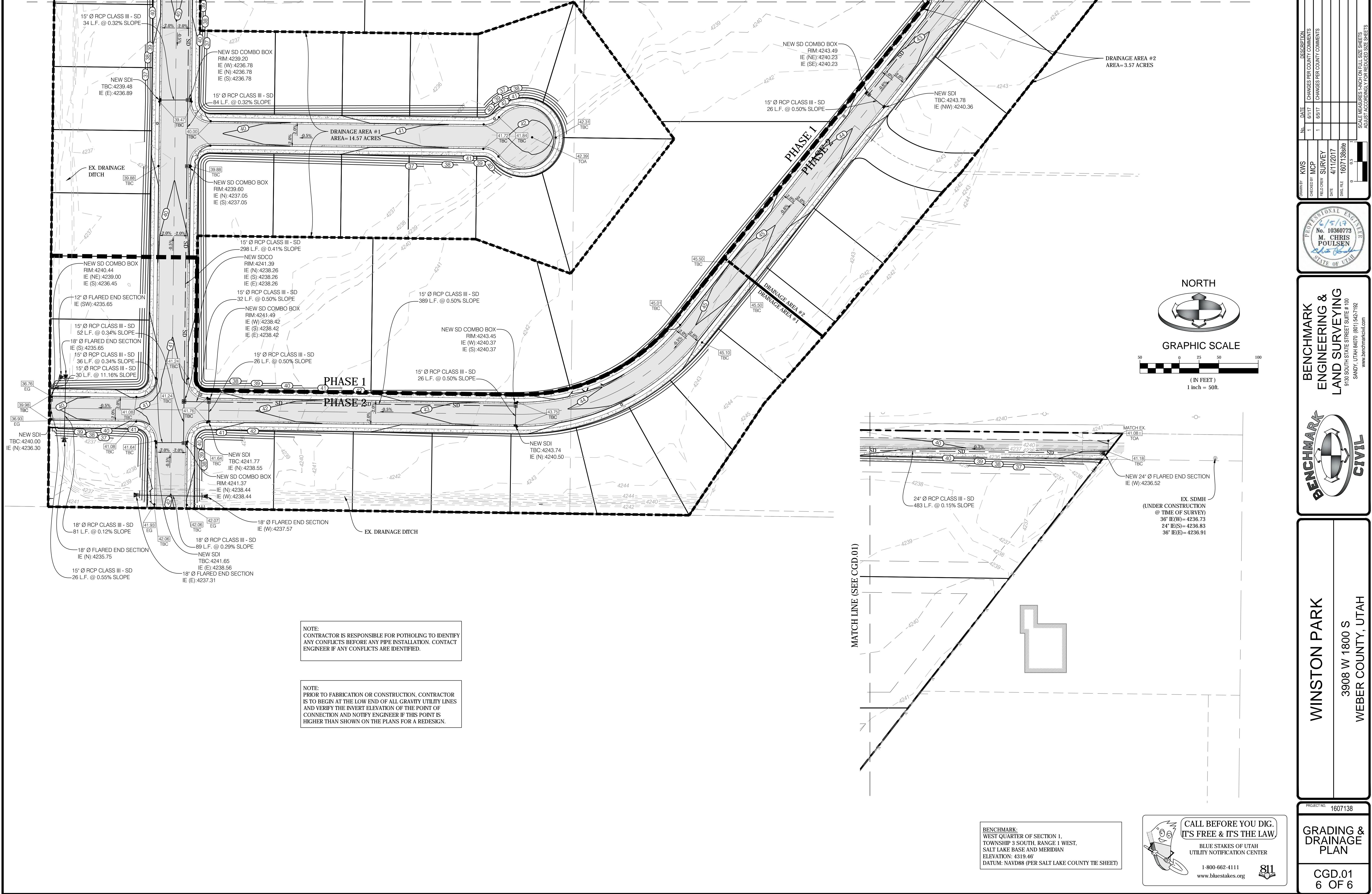
WINSTON PARK
3908 W 1800 S
WEBER COUNTY, UTAH

PROJECT NO. 1607138

GRADING &
DRAINAGE
PLAN

CGD.01
5 OF 6

MATCH LINE (SEE CGD.01)



TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT
2815 WEST 3300 SOUTH
WEST HAVEN, UTAH 84401

April 6, 2017

Weber County Planning Commission
2380 Washington Boulevard
Ogden, Utah 84401

To Whom It May Concern:

This is to inform you that **preliminary** approval has been given to provide culinary water only for 54 lots for the Winston Park subdivision to be located at the approximate address of 1800 South 3600 West in Taylor, Utah.

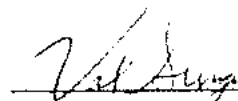
Requirements:

- *Plan review fee = \$1,350 (\$25 per lot)
- *Water rights fee = \$156,708 (\$2,902 per lot or current cost when paid)
- *Secondary water = must hook up to the pressurized secondary water system provided by Hooper Irrigation
- *Hookup/Impact fee will need to be paid by each lot owner (\$5,638 or current cost when paid) before building permit is issued by Weber County

Construction plans must be approved by the District before the start of the project. Final approval will be subject to meeting all of the requirements of the District and all fees being paid and received.

Sincerely,

TAYLOR WEST WEBER WATER IMP. DIST.



Val Surrage - Manager

VS/sph

Expires 10/06/17



Central Weber Sewer Improvement District

April 5, 2017

Weber County Planning Commission
2380 Washington Blvd.
Ogden, Utah 84401-1473

Reference: Proposed Winston Park Subdivision
3701 West 1800 South
Will Serve Letter

We have been asked review the possibility of providing sanitary sewer service for the proposed Winston Park Subdivision at 3701 West 1800 South. The Central Weber Sewer Improvement District (District) can accept the sanitary sewer discharge from this location. We add the following conditions that must be addressed prior to any connections being made.

1. The District does not have a gravity flow sanitary sewer line at this location. The closest lines to serve this area are either at the intersection of 1800 South 4300 West or due south of the proposed subdivision on 2200 South. The preliminary utility plans show a sanitary sewer pump station to be constructed in the northwest corner of the subdivision. The connection point from the discharge of the pump station to the District's line is not shown.
2. It would be the responsibility of the developer to work with Weber County on the sizing and details of any sewer line or pump station between the subdivision and connection to the District's line. The District will NOT install, own and/or maintain any of the sanitary sewer lines or sanitary sewer pump station being extended or constructed to serve this property.
3. The District will need to review the location and engineered detail of the point of connection to the District's sanitary sewer lines.
4. The utility drawings indicate a sanitary sewer line being constructed through Agricultural Lots A through E. While the District will not own or maintain these lines we feel there should be a dedicated easement provided to either the County or an entity that will have ownership responsibility for this sewer line.
5. Manholes through the agricultural lots should be raised manholes so groundwater, irrigation water and/or storm water does not enter into the sanitary sewer system. No

buildings or structures should be constructed over the sewer line or within the easement that runs through the agricultural lots.

6. The entire parcel of property to be served will need to be annexed into the District prior to any connection and prior to the selling of lots. An annexation petition is available from the District's Office.
7. The District must be notified at a minimum of 24 hours in advance for the inspection of any connections being made to the District's sanitary sewer lines.
8. The connection of any sump pumps (or similar type pumps) to the sanitary sewer system is prohibited during or after construction. Central Weber's Wastewater Control Rules and Regulations state:

Prohibited Discharge into Sanitary Sewer. No person shall discharge or cause or make a connection which would allowed to be discharged any storm water, surface water, groundwater, roof water runoff or subsurface drainage to any sanitary sewer.

9. Because of high groundwater table and the District's and State of Utah prohibition of ground water being discharged into sanitary sewer systems we strongly suggest that these residential lots be give a RESTRICTED "R" classification. Those restrictions should be spelled out on the subdivision plat.
10. Impact Fees must be paid prior to any connection to the sanitary sewer. As of this date the District's sanitary sewer impact fee is \$2333 per equivalent residential unit (ERU).

If you have further questions or need additional information please do not hesitate to contact us.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT



Lance L. Wood, P. E.
General Manager

cc: Jay Rice, JAR Development

Winston Park Cluster Subdivision Lots 101-134 & 201-220 (see attached plat)

Agricultural Preservation Plan

The best use of the common area is open space, as it will allow for the preservation of historic context and agricultural feel of the land. This action would allow for open space to be preserved and allow for the continued productive use of livestock and crops.

Open Space in the Winston Park Cluster Subdivision is divided into two types: Common Area and Agriculture Preservation Parcels. Details, permitted uses, and ownership of each are outlined below.

Common Areas (3 Parcels)

Common Area parcels within the Winston Park Cluster Subdivision are located along the west side of the subdivision along 3775 West (see attached plat). Each of the three Common Area Parcels are accessible by road and are between 10,000 and 13,000 square feet each.

Permitted Uses

Structures: Structures for agricultural or associated purposes may be built on the Common Area Parcels, but are limited to 10 percent of each lot. This includes but is not limited to structures used for the purpose of housing crops, animals, equipment, vehicles, tools, feed, and implements to support agricultural endeavors. Structures shall not be used for permanent or residential purposes.

Crops and Animals: Crops and animals are permitted in accordance with Weber County Land Use Code currently in force.

Waste & Maintenance: All animal or agricultural waste must be regularly removed from the Common Area Parcels. Waste may be used as fertilizer, provided the waste is tilled, churned, or otherwise integrated into the soil so as not to cause a nuisance to the residential properties.

Agricultural Uses: Except for items stored in appropriate containers or buildings, the Common Area Parcels shall be maintained such that trash, refuse, rubbish, inoperable or abandoned equipment, dead animals, scrap lumber, building materials, scrap material, grass clippings, plant waste, or other unsightly waste are not visible from the streets nearest the residential lots.

Ownership: The parties agreeing that the Common Area Parcels shall be owned by the Winston Park HOA.

The Common Area Parcels are required at all times to conform to the use restrictions stated above.

DATED this _____ day of _____, 20

Winston Park HOA

Agriculture Preservation Parcels (17 Parcels)

Agriculture Preservation Parcels within the Winston Park Cluster Subdivision area located throughout the central and east side of the subdivision. Agriculture Preservation Parcels have letter designations A-Q and are 1-acre minimum.

Structures: Agriculture Preservation Parcel A: no structures permitted. The integrity of storm drainage retention ponds serving the Winston Park Cluster Subdivision must be preserved.

All other Agriculture Preservation Parcels: Structures for agricultural or associated purposes may be built on the Agriculture Preservation Parcels, but are limited to 5 percent of each parcel. This includes but is not limited to structures used for the purpose of housing crops, animals, equipment, vehicles, tools, feed, and implements to support agricultural endeavors. Structures shall not be used for permanent or residential purposes.

Crops and Animals: Agriculture Preservation Parcels A, B, & D: No crops permitted. The integrity of storm drainage retention ponds serving the Winston Park Cluster Subdivision must be preserved. Animals are permitted in accordance with Weber County Land Use Code currently in force.

All other Agriculture Preservation Parcels: Crops and animals are permitted in accordance with Weber County Land Use Code currently in force.

Waste & Maintenance: All animal or agricultural waste must be regularly removed from the Agriculture Preservation Parcels. Waste may be used as fertilizer, provided the waste is tilled, churned, or otherwise integrated into the soil so as not to cause a nuisance to the residential properties.

Agricultural Uses: Except for items stored in appropriate containers or buildings, the Agriculture Preservation Parcels shall be maintained such that trash, refuse, rubbish, inoperable or abandoned equipment, dead animals, scrap lumber, building materials, scrap material, grass clippings, plant waste, or other unsightly waste are not visible from the streets nearest the residential lots.

Ownership: Ownership of Agriculture Preservation Parcels within the Winston Park Cluster Subdivision is restricted to individuals owning a residential lot within the Winston Park Cluster Subdivision. Land-locked Agricultural Lots without road access are restricted to being owned only by individuals also owning a residential lot which shares a property line with the land-locked Agricultural Lot.

The Agriculture Preservation Parcels are required at all times to conform to the use restrictions stated above.

STATE OF UTAH)

ss:

COUNTY OF WEBER)

On the _____ day of _____, 20____ personally

Appeared before me _____ and _____
the signers of the within instrument and who duly acknowledged to me that they executed the
same.

Notary Public

Residing at:

LEGEND

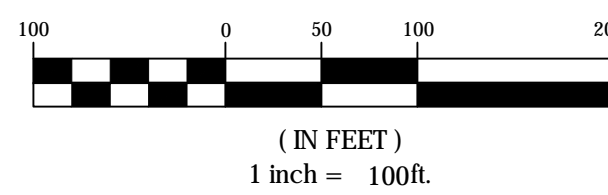
	WEBER COUNTY SECTION CORNER		SECTION LINE
	BOUNDARY CORNER (SET 1/8 REBAR AND CAP)		BOUNDARY LINE
	P.U.E. PUBLIC UTILITY EASEMENT		LOT LINE
	STREET MON. (TO BE CONST.)		STREET CENTERLINE
			EASEMENT LINE
			RIGHT OF WAY LINE

NORTH QUARTER CORNER OF SECTION 28,
TOWNSHIP 6 NORTH, RANGE 2 WEST
(FOUND BRASS CAP MONUMENT)

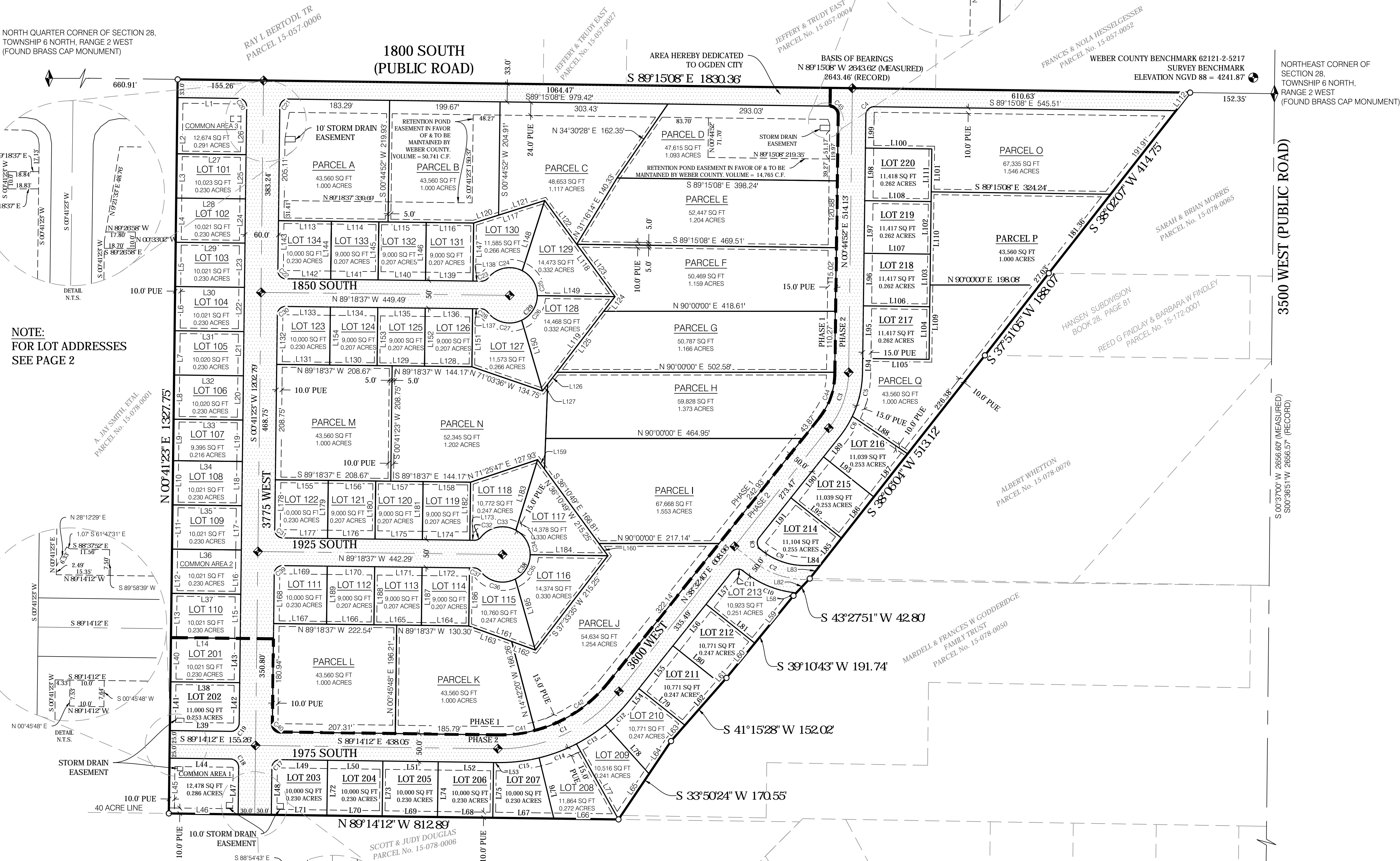
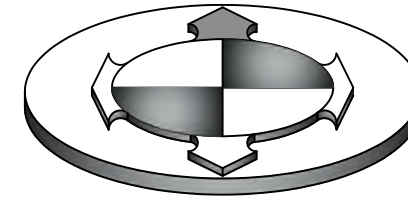
WINSTON PARK SUBDIVISION
CLUSTER SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
WEBER COUNTY, UTAH
APRIL 2017

GRAPHIC SCALE



NORTH



NOTE:
FOR LOT ADDRESSES
SEE PAGE 2

OWNER / DEVELOPER:
NAME: JAY RICE
RICE ASSET MANAGEMENT, LLC
TELEPHONE: (801) 633-3994
ADDRESS: 4968 HOLLADAY PINES CT.
HOLLADAY, UT 84117
JRRICE2014@GMAIL.COM



BENCHMARK
ENGINEERING &
LAND SURVEYING
9130 SOUTH STATE STREET SUITE #100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S
OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL
CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY
WITH LINES AND MONUMENTS OF RECORD IN COUNTY
OFFICES. 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 _____, 2017

SIGNATURE

WEBER COUNTY PLANNING
COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY
APPROVED BY THE WEBER COUNTY, PLANNING COMMISSION
ON THE _____ DAY OF _____, 2017

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC
IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS
SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND
THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT
FOR THE INSTALLATION OF THESE IMPROVEMENTS.
SIGNED THIS _____ DAY OF _____, 2017

SIGNATURE

WEBER COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE
DEDICATION OF STREETS AND OTHER 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 THIS _____ DAY OF _____, 2017

CHAIRMAN, WEBER COUNTY 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
AFFECT.
SIGNED THIS _____ DAY OF _____, 2017

SIGNATURE

WEBER COUNTY RECORDER

ENTRY NO. _____
FEE PAID _____
FILED FOR RECORD AND
RECORDED _____ AT _____
BOOK _____ OF OFFICIAL RECORDS,
PAGE _____
RECORDED FOR: _____

WEBER COUNTY RECORDER

DEPUTY

SURVEYOR'S CERTIFICATE

I, BRIAN A. LINAM DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF
UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, AND
THAT I HOLD CERTIFICATE NO. 7240531, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED
ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE
PLACED MONUMENTS AS REPRESENTED ON THIS PLAT ON THIS PLAT, AND THAT THIS PLAT OF WINSTON PARK
SUBDIVISION IN WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE
AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED
UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDERS OFFICE AND FROM SAID SURVEY
MADE BY ME ON THE GROUND, I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND
ORDINANCES OF WEBER COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE
BEEN COMPILED WITH.



WINSTON PARK SUBDIVISION

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EXISTING FENCE LINE EXTENDED DEFINED AS THE WESTERLY BANK OF A SLOUGH
BE PREVIOUS SURVEYS, SAID POINT BEING NORTH 89°15'08" WEST ALONG THE SECTION LINE 152.35 FEET FROM
THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
AND RUNNING THENCE ALONG SAID EXISTING FENCE AND WESTERLY BANK OF SAID SLOUGH THE FOLLOWING
SEVEN (7) COURSES: 1) SOUTH 38°02'07" WEST 414.75 FEET; 2) SOUTH 37°51'05" WEST 188.07 FEET; 3) SOUTH
38°00'04" WEST 513.12 FEET; 4) SOUTH 43°27'51" WEST 42.80 FEET; 5) SOUTH 39°10'43" WEST 191.74 FEET; 6) SOUTH
41°15'28" WEST 152.02 FEET; 7) SOUTH 33°50'24" WEST 170.55 FEET TO A POINT ON THE 40 ACRE LINE; THENCE
NORTH 89°14'12" WEST 812.89 FEET ALONG SAID 40 ACRE LINE; THENCE NORTH 07°41'23" EAST 1327.75 FEET TO THE
POINT OF BEGINNING.

CONTAINS 40.259 ACRES
54 RESIDENTIAL LOTS, 17 AGRICULTURE LOTS AND 3 COMMON AREAS

OWNER'S DEDICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND
SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT, WINSTON
PARK SUBDIVISION, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND
AND ROADS INTENDED FOR PUBLIC USE AND ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND
EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER
DETENTION PONDS, SEWER EASEMENTS, AND DRAINAGE EASEMENTS, THE SAME TO BE USED FOR THE
INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, AND STORM DRAINAGE
FACILITIES, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____, 2017

WINSTON PARK SUBDIVISION

ACKNOWLEDGMENT

State of _____ } S.S.
County of _____

ON THE _____ DAY OF _____, 20____, _____ PERSONALLY
APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ OF THE
ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID
ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN
MENTIONED.

MY COMMISSION NUMBER: _____ NOTARY PUBLIC (PRINT NAME) _____

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
RESIDING IN _____ COUNTY

WINSTON PARK SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
WEBER COUNTY, UTAH

PAGE 1 OF 2



Weber County Planning Division
www.co.weber.ut.us/planning_commission
2380 Washington Blvd., Suite 240
Ogden, Utah 84401-1473
Voice: (801) 399-8371
Fax: (801) 399-8862

Weber County Planning Division
NOTICE OF DECISION

June 15, 2017

Jaymak Ogden, LLC
4968 So. Holladay Pines Ct.
Holladay, UT 84117

You are hereby notified that your application for final approval of Winston Park Cluster Subdivision, located at approximately 3701 W 1800 S, Ogden, UT, was heard and tabled by the Western Weber Planning Commission in a public meeting held on June 13, 2017. The commission tabled the item based on the following concerns:

1. The Commission had concerns with retention pond easements, to be maintained by Weber County, located on agriculture preservation parcels that are to be individually owned by a lot owner in the subdivision. The Commission felt that the proposed retention pond easements may result in the loss of bonus density granted, as the proposed easements may impact how the owner of the preservation parcels may use them.
2. The Commission had concerns with ownership of the individually owned agriculture preservation parcels. The Commission felt unsure about recommending final approval without knowing how the applicant can ensure that the owners of the agriculture preservation parcels remain owners of lots within the same cluster subdivision.
3. The Commission had concerns with the agriculture preservation plan, specifically the structures allowed on the preservation parcels that have proposed retention pond easements. The commission did not understand why the plan does not allow structures on 'Parcel A' but allows them on 'Parcel B' and 'Parcel D'.

A response to the Planning Commission's concerns must be submitted to the Planning Division in order for the tabled item to be reconsidered at the next Western Weber Planning Commission meeting. This letter is intended as a courtesy to document the status of your project. Appeals are subject to the provisions of LUC § 106-1-5(b)(1). If you have further questions, please contact me at sburton@co.weber.ut.us or 801-399-8766.

Sincerely,

Steve Burton
Planner II
Weber County

Burton,Steven

From: Kevin Simmons [ksimmons@benchmarkcivil.com]
Sent: Thursday, July 06, 2017 11:49 AM
To: J Rice
Cc: Dale Bennett; Chris Poulsen; Mendoza, Scott P.; Burton,Steven
Subject: [CAUTION]RE: A new document has been added to Winston Park Subdivision
Attachments: Open Space Preservation Plan 7.6.17.pdf

Jay,

See responses below:

1. The Commission had concerns with retention pond easements, to be maintained by Weber County, located on agriculture preservation parcels that are to be individually owned by a lot owner in the subdivision. The Commission felt that the proposed retention pond easements may result in the loss of bonus density granted, as the proposed easements may impact how the owner of the preservation parcels may use them.

The retention ponds are necessary with the release rate for the development restricted to 0.1 cfs/acre and there isn't anywhere else to put them. The only activity otherwise allowed that is being restricted on the parcels containing retention ponds is growing crops. Animals are still allowed and only Parcel A is restricted entirely from containing structures.

2. The Commission had concerns with ownership of the individually owned agriculture preservation parcels. The Commission felt unsure about recommending final approval without knowing how the applicant can ensure that the owners of the agriculture preservation parcels remain owners of lots within the same cluster subdivision.

This is a legal issue that will need to be worked out by an attorney and recorded with the deeds. We have added a statement to the Open Space Preservation Plan under 'Ownership' describing how this situation is to be handled in the event that a residential lot granting ownership privilege of one or more Agricultural Preservation Parcels is sold.

3. The Commission had concerns with the agriculture preservation plan, specifically the structures allowed on the preservation parcels that have proposed retention pond easements. The commission did not understand why the plan does not allow structures on 'Parcel A' but allows them on 'Parcel B' and 'Parcel D'.

As part of the Preservation Plan requirements, we were required to show building setbacks for the Agricultural Parcels on our site plan. Parcels B and D have enough remainder area less the retention pond easements to contain setbacks for structures whereas Parcel A does not.

Thanks,

Kevin Simmons



BENCHMARK

Engineering & Land Surveying
9138 South State Street, Suite 100
Sandy, Utah 84070
Tel: 801.810.2411 / Office
801.542.7195 / Fax
ksimmons@benchmarkcivil.com

Winston Park Cluster Subdivision Lots 101-134 & 201-220 (see attached plat)

Agricultural Preservation Plan

The best use of the common area is open space, as it will allow for the preservation of historic context and agricultural feel of the land. This action would allow for open space to be preserved and allow for the continued productive use of livestock and crops.

Open Space in the Winston Park Cluster Subdivision is divided into two types: Common Area and Agriculture Preservation Parcels. Details, permitted uses, and ownership of each are outlined below.

Common Areas (3 Parcels)

Common Area parcels within the Winston Park Cluster Subdivision are located along the west side of the subdivision along 3775 West (see attached plat). Each of the three Common Area Parcels are accessible by road and are between 10,000 and 13,000 square feet each.

Permitted Uses

Structures: Structures for agricultural or associated purposes may be built on the Common Area Parcels, but are limited to 10 percent of each lot. This includes but is not limited to structures used for the purpose of housing crops, animals, equipment, vehicles, tools, feed, and implements to support agricultural endeavors. Structures shall not be used for permanent or residential purposes.

Crops and Animals: Crops and animals are permitted in accordance with Weber County Land Use Code currently in force.

Waste & Maintenance: All animal or agricultural waste must be regularly removed from the Common Area Parcels. Waste may be used as fertilizer, provided the waste is tilled, churned, or otherwise integrated into the soil so as not to cause a nuisance to the residential properties.

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Ownership: The parties agreeing that the Common Area Parcels shall be owned by the Winston Park HOA.

The Common Area Parcels are required at all times to conform to the use restrictions stated above. The Common Area Parcels are required to conform to the codes and regulations currently in force in Weber County at all times which may override the conditions stated herein should they become different.

DATED this _____ day of _____, 20

Agriculture Preservation Parcels (17 Parcels)

Agriculture Preservation Parcels within the Winston Park Cluster Subdivision area located throughout the central and east side of the subdivision. Agriculture Preservation Parcels have letter designations A-Q and are 1-acre minimum.

Structures: Agriculture Preservation Parcel A: no structures permitted. The integrity of storm drainage retention ponds serving the Winston Park Cluster Subdivision must be preserved.

All other Agriculture Preservation Parcels: Structures for agricultural or associated purposes may be built on the Agriculture Preservation Parcels, but are limited to 5 percent of each parcel. This includes but is not limited to structures used for the purpose of housing crops, animals, equipment, vehicles, tools, feed, and implements to support agricultural endeavors. Structures shall not be used for permanent or residential purposes.

Crops and Animals: Agriculture Preservation Parcels A, B, & D: No crops permitted. The integrity of storm drainage retention ponds serving the Winston Park Cluster Subdivision must be preserved. Animals are permitted in accordance with Weber County Land Use Code currently in force.

All other Agriculture Preservation Parcels: Crops and animals are permitted in accordance with Weber County Land Use Code currently in force.

Waste & Maintenance: All animal or agricultural waste must be regularly removed from the Agriculture Preservation Parcels. Waste may be used as fertilizer, provided the waste is tilled, churned, or otherwise integrated into the soil so as not to cause a nuisance to the residential properties.

Agricultural Uses: Except for items stored in appropriate containers or buildings, the Agriculture Preservation Parcels shall be maintained such that trash, refuse, rubbish, inoperable or abandoned equipment, dead animals, scrap lumber, building materials, scrap material, grass clippings, plant waste, or other unsightly waste are not visible from the streets nearest the residential lots.

Ownership: Ownership of Agriculture Preservation Parcels within the Winston Park Cluster Subdivision is restricted to individuals owning a residential lot within the Winston Park Cluster Subdivision. Land-locked Agricultural Lots without road access are restricted to being owned only by individuals also owning a residential lot which shares a property line with the land-locked Agricultural Lot. Individuals owning one or more Agricultural Preservation Parcels within the Winston Park Cluster Subdivision are required to sell their Agricultural Preservation Parcel(s) prior to or concurrent to the sale of the residential lot granting privilege of ownership of their Agricultural Preservation Parcel(s).

The Agriculture Preservation Parcels are required at all times to conform to the use restrictions stated above. The Agricultural Preservation Parcels are required to conform to the codes and regulations currently in force in Weber County at all times which may override the conditions stated herein should they become different.

STATE OF UTAH)

SS:

COUNTY OF WEBER)

On the _____ day of _____, 20____ personally

Appeared before me _____ and _____
the signers of the within instrument and who duly acknowledged to me that they executed the
same.

Notary Public

Residing at:

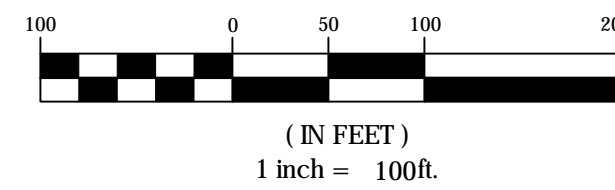
LEGEND

	WEBER COUNTY SECTION CORNER		SECTION LINE
	LOT CORNER (SET 1/2 REBAR AND CAP)		BOUNDARY LINE
	BOUNDARY CORNER (SET 1/2 REBAR AND CAP)		LOT LINE
	P.U.E. PUBLIC UTILITY EASEMENT		STREET CENTERLINE
	STREET MON. (TO BE CONST.)		EASEMENT LINE
			RIGHT OF WAY LINE

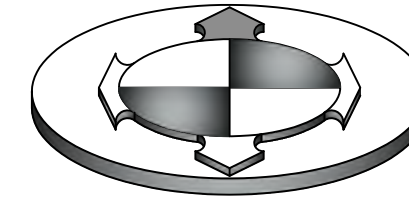
WINSTON PARK SUBDIVISION

CLUSTER SUBDIVISION
LOCATED IN THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
WEBER COUNTY, UTAH
APRIL 2017

GRAPHIC SCALE



NORTH



WEBER COUNTY
BENCHMARK 62121-2-5217
SURVEY BENCHMARK
ELEVATION NGVD 88 = 4241.87
(FOUND 3" BRASS CAP SET
IN 6" CONCRETE POST.
SET IN 1954 BY BUREAU
OF RECLAMATION, GOOD
CONDITION)

NORTHEAST CORNER OF
SECTION 28, TOWNSHIP 6
NORTH, RANGE 2 WEST
(FOUND 3" BRASS CAP
MONUMENT SET IN CONCRETE
2" BELOW ROAD SURFACE.
MONUMENT SET IN 1963
BY WEBER COUNTY SURVEYOR
DEPARTMENT, GOOD
CONDITION)



WINSTON PARK SUBDIVISION

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EXISTING FENCE LINE EXTENDED DEFINED AS THE WESTERLY BANK OF A SLOUGH BE PREVIOUS SURVEYS, SAID POINT BEING NORTH 89°15'08" WEST ALONG THE SECTION LINE 152.35 FEET FROM THE NORTHEAST CORNER OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID EXISTING FENCE AND WESTERLY BANK OF SAID SLOUGH THE FOLLOWING SEVEN (7) COURSES: 1) SOUTH 38°02'07" WEST 414.75 FEET; 2) SOUTH 37°51'05" WEST 188.07 FEET; 3) SOUTH 38°00'04" WEST 513.12 FEET; 4) SOUTH 43°27'51" WEST 42.80 FEET; 5) SOUTH 39°10'43" WEST 191.74 FEET; 6) SOUTH 41°15'28" WEST 152.02 FEET; 7) SOUTH 33°50'24" WEST 170.55 FEET TO A POINT ON THE 40 ACRE LINE, THENCE NORTH 89°14'12" WEST 812.89 FEET ALONG SAID 40 ACRE LINE, THENCE NORTH 07°41'23" EAST 1327.75 FEET TO THE QUARTER SECTION LINE; THENCE SOUTH 89°15'08" EAST ALONG SAID QUARTER SECTION LINE 1830.36 FEET TO THE POINT OF BEGINNING.

CONTAINS 40.259 ACRES
54 RESIDENTIAL LOTS, 17 AGRICULTURE LOTS AND 3 COMMON AREAS

OWNER'S DEDICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT, WINSTON PARK SUBDIVISION, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND AND ROADS INTENDED FOR PUBLIC USE AND ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, SEWER EASEMENTS, AND DRAINAGE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINE, AND STORM DRAINAGE FACILITIES, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

AND DO ALSO GRANT AND CONVEY TO THE SUBDIVISION LOT 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 OWNERS ASSOCIATION MEMBER IN COMMON WITH ALL OTHERS IN THE SUBDIVISION AND GRANT AND DEDICATE TO THE 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.

SIGNED THIS _____ DAY OF _____, 2017

WINSTON PARK SUBDIVISION

ACKNOWLEDGMENT

State of _____ } S.S.
County of _____

ON THE _____ DAY OF _____, 20____, _____ PERSONALLY
APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ OF THE
ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID
ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN
MENTIONED.

MY COMMISSION NUMBER: _____ NOTARY PUBLIC (PRINT NAME) _____

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
RESIDING IN _____ COUNTY

WINSTON PARK SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
WEBER COUNTY, UTAH

PAGE 1 OF 2

OWNER / DEVELOPER:
NAME: JAY RICE
RICE ASSET MANAGEMENT, LLC
TELEPHONE: (801) 633-3994
ADDRESS: 4968 HOLLADAY PINES CT.
HOLLADAY, UT 84117
JRRICE2014@GMAIL.COM



BENCHMARK
ENGINEERING &
LAND SURVEYING
9130 SOUTH STATE STREET SUITE #100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com

WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND MONUMENTS OF RECORD IN COUNTY OFFICES. 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 _____, 2017

SIGNATURE

WEBER COUNTY PLANNING COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY, PLANNING COMMISSION ON THE _____ DAY OF _____, 2017

CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS. SIGNED THIS _____ DAY OF _____, 2017

SIGNATURE

WEBER COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER OTHER PUBLIC WORKS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH THIS _____ DAY OF _____, 2017

CHAIRMAN, WEBER COUNTY 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 AFFECT. SIGNED THIS _____ DAY OF _____, 2017

SIGNATURE

WEBER COUNTY RECORDER

ENTRY NO. _____
FEE PAID _____
FILED FOR RECORD AND
RECORDED _____ AT
BOOK _____ OF OFFICIAL RECORDS,
PAGE _____
RECORDED FOR: _____

WEBER COUNTY RECORDER

DEPUTY

WINSTON PARK SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 6 NORTH NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
WEBER COUNTY, UTAH
APRIL 2017

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	250.63'	275.00'	52°13'08"	N 64°39'14" E	242.05'
C2	100.91'	150.00'	38°32'40"	S 70°43'40" E	99.02'
C3	108.85'	165.00'	37°47'49"	N 19°38'46" E	106.88'
C4	23.56'	15.00'	89°59'55"	N 45°44'49" E	4247.13'
C5	81.86'	190.00'	24°41'12"	N 13°05'28" E	81.23'
C6	43.48'	190.00'	13°06'37"	N 31°50'22" E	43.38'
C7	125.34'	190.00'	37°47'49"	N 19°38'46" E	123.08'
C8	23.56'	15.00'	90°00'00"	N 03°27'20" W	21.21'
C9	84.09'	125.00'	38°32'40"	N 70°43'40" W	82.51'
C10	105.08'	175.00'	34°24'12"	S 67°36'44" E	103.51'
C11	23.84'	15.00'	91°02'41"	N 84°04'01" E	21.41'
C12	63.14'	300.00'	12°03'34"	N 44°34'27" E	63.03'
C13	62.46'	300.00'	11°55'43"	N 56°34'05" E	62.35'
C14	72.25'	300.00'	13°47'56"	N 69°25'54" E	72.08'
C15	75.57'	300.00'	14°25'56"	N 83°32'50" E	75.37'
C16	273.42'	300.00'	52°13'08"	N 64°39'14" E	264.05'
C17	23.58'	15.00'	90°04'25"	N 45°43'36" E	21.23'
C18	23.54'	15.00'	89°56'35"	S 44°16'24" E	21.20'
C19	23.58'	15.00'	90°04'25"	S 45°43'36" W	21.23'
C20	23.55'	15.00'	89°56'32"	N 44°16'53" W	21.20'
C21	23.58'	15.00'	90°03'28"	S 45°43'07" W	21.22'
C22	23.56'	15.00'	90°00'00"	S 44°18'37" E	21.21'
C23	13.59'	15.00'	51°55'26"	N 64°43'40" E	13.13'
C24	68.34'	50.00'	78°18'36"	S 77°55'15" W	63.14'
C25	55.43'	50.00'	63°30'55"	N 31°09'59" W	52.63'
C26	55.55'	50.00'	63°39'30"	N 32°25'14" E	52.74'
C27	68.55'	50.00'	78°33'22"	S 76°28'20" E	63.31'
C28	13.64'	15.00'	52°06'58"	N 63°15'08" W	13.18'
C29	247.87'	50.00'	284°02'24"	N 00°47'09" E	61.54'
C30	23.56'	15.00'	90°00'00"	S 45°41'23" W	21.21'
C31	23.56'	15.00'	90°00'00"	S 44°18'37" E	21.21'
C32	13.59'	15.00'	51°55'26"	N 64°43'40" E	13.13'
C33	69.78'	50.00'	79°57'42"	S 78°44'48" W	64.25'
C34	53.99'	50.00'	61°51'50"	N 30°20'27" W	51.40'
C35	54.11'	50.00'	62°00'10"	N 31°35'34" E	51.51'
C36	70.00'	50.00'	80°12'43"	S 77°18'00" E	64.42'
C37	13.64'	15.00'	52°06'58"	N 63°15'08" W	13.18'
C38	247.87'	50.00'	284°02'24"	N 00°47'09" E	61.54'
C39	23.56'	15.00'	90°00'00"	S 45°41'23" W	21.21'
C40	23.54'	15.00'	89°56'35"	S 44°16'24" E	21.20'
C41	67.50'	250.00'	15°28'06"	N 83°01'44" E	67.29'
C42	160.35'	250.00'	36°45'00"	N 56°55'10" E	157.62'
C43	227.85'	250.00'	52°13'08"	N 64°39'14" E	220.04'
C44	92.59'	131.40'	40°22'28"	N 19°38'46" E	90.69'
C45	23.56'	15.00'	90°00'00"	N 44°15'08" W	21.21'

PARCEL LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 89°15'08" W	110.28'
L2	S 00°41'23" W	101.63'
L3	S 00°41'23" W	80.03'
L4	S 00°41'23" W	80.00'
L5	S 00°41'23" W	80.00'
L6	S 00°41'23" W	80.00'
L7	S 00°41'23" W	79.98'
L8	S 00°41'23" W	79.98'
L9	S 00°41'23" W	75.00'
L10	S 00°41'23" W	80.00'
L11	S 00°41'23" W	80.00'
L12	S 00°41'23" W	80.00'
L13	S 00°41'23" W	80.00'
L14	N 89°18'37" W	125.26'
L15	N 00°41'23" E	80.00'
L16	N 00°41'23" E	80.00'
L17	N 00°41'23" E	80.00'
L18	N 00°41'23" E	80.00'
L19	N 00°41'23" E	75.00'
L20	N 00°41'23" E	80.00'
L21	N 00°41'23" E	80.00'
L22	N 00°41'23" E	80.00'
L23	N 00°41'23" E	80.00'
L24	N 00°41'23" E	80.00'
L25	N 00°41'23" E	80.00'
L26	N 00°41'23" E	86.52'
L27	S 89°18'37" E	125.14'
L28	N 89°19'32" W	125.26'
L29	N 89°19'32" W	125.26'
L30	N 89°19'32" W	125.26'
L31	N 89°19'32" W	125.26'
L32	N 89°19'04" W	125.26'
L33	S 89°18'37" E	125.26'
L34	N 89°18'37" W	125.26'
L35	N 89°18'37" W	125.26'
L36	N 89°18'37" W	125.26'
L37	N 89°18'37" W	125.26'
L38	N 89°18'37" W	125.26'
L39	N 89°14'12" W	110.24'
L40	S 00°41'23" W	80.00'

PARCEL LINE TABLE		
LINE #	BEARING	DISTANCE
L41	S 00°41'23" W	88.12'
L42	S 00°41'23" W	73.26'
L43	S 00°41'23" W	80.00'
L44	S 89°14'12" E	110.28'
L45	S 00°41'23" W	100.00'
L46	N 89°14'12" W	125.26'
L47	S 00°41'23" W	85.02'
L48	N 00°41'23" E	84.98'
L49	S 89°14'12" E	85.53'
L50	S 89°14'12" E	100.00'
L51	S 89°14'12" E	100.00'
L52	S 89°14'12" E	100.00'
L53	S 89°14'12" E	7.47'
L54	N 38°32'40" E	26.54'
L55	N 38°32'40" E	98.92'
L56	N 38°32'40" E	95.94'
L57	N 38°32'40" E	74.12'
L58	S 43°27'51" W	7.31'
L59	S 39°10'43" W	110.64'
L60	S 39°10'43" W	81.10'
L61	N 41°15'28" E	14.87'
L62	N 41°15'28" E	99.03'
L63	N 41°15'28" E	38.12'
L64	N 33°50'24" E	71.21'
L65	N 33°50'24" E	99.34'
L66	N 89°14'12" W	116.80'
L67	N 89°14'12" W	75.79'
L68	N 89°14'12" W	100.00'
L69	N 89°14'12" W	100.00'
L70	N 89°14'12" W	100.00'
L71	N 89°14'12" W	100.42'
L72	S 00°45'48" W	100.00'
L73	S 00°45'48" W	100.00'
L74	S 00°45'48" W	100.00'
L75	S 00°45'48" W	100.00'
L76	S 13°40'08" E	113.03'
L77	S 29°04'38" E	156.43'
L78	S 41°51'04" E	118.87'
L79	S 51°27'20" E	106.55'
L80	S 51°27'20" E	111.24'

PARCEL LINE TABLE		
LINE #	BEARING	DISTANCE
L81	S 51°27'20" E	112.84'
L82	S 43°27'51" W	35.49'
L83	S 38°08'04" W	29.90'
L84	N 90°00'00" E	27.04'
L85	S 38°08'04" W	63.10'
L86	S 38°08'04" W	94.64'
L87	S 38°08'04" W	99.10'
L88	S 55°53'38" E	120.83'
L89	N 38°32'40" E	46.65'
L90	N 38°32'40" E	94.63'
L91	N 38°32'40" E	92.19'
L92	S 51°27'20" E	117.02'
L93	S 51°27'20" E	116.28'
L94	N 00°44'52" E	25.56'
L95	N 00°44'52" E	95.14'
L96	N 00°44'52" E	95.14'
L97	N 00°44'52" E	95.14'
L98	N 00°44'52" E	95.15'
L99	N 00°44'52" E	60.00'
L100	S 89°15'08" E	120.00'
L101	S 00°44'52" W	77.69'
L102	S 00°44'52" W	95.14'
L103	S 00°44'52" W	55.83'
L104	S 00°44'52" W	95.14'
L105	N 89°15'08" W	120.00'
L106	S 89°15'08" E	120.00'
L107	S 89°15'08" E	120.00'
L108	S 89°15'08" E	120.00'
L109	N 00°44'52" E	134.45'
L110	S 00°44'52" W	168.43'
L111	N 00°44'52" E	95.15'
L112	S 38°02'07" W	41.48'
L113	S 89°18'37" E	95.70'
L114	S 89°18'37" E	85.71'
L115	S 89°18'37" E	69.04'
L116	S 89°18'37" E	85.71'
L117	S 72°26'22" W	134.75'
L118	N 36°10'49" W	215.25'
L119	N 37°33'35" E	215.25'
L120	N 72°26'22" E	47.31'

PARCEL LINE TABLE		
LINE #	BEARING	DISTANCE
L121	N 72°26'22" E	87.44'
L122	S 36°10'49" E	98.08'
L123	S 36°10'49" E	117.16'
L124	S 37°33'35" W	33.50'
L125	S 37°33'35" W	139.10'
L126	N 37°33'35" E	27.20'
L127	N 37°33'35" E	15.45'
L128	N 89°18'37" W	85.71'
L129	N 89°18'37" W	85.71'
L130	N 89°18'37" W	85.71'
L131	N 89°18'37" W	95.70'
L132	S 00°41'23" W	90.00'
L133	N 89°18'37" W	80.70'
L134	N 89°18'37" W	85.71'
L135	N 89°18'37" W	85.71'
L136	N 89°18'37" W	85.71'
L137	N 89°18'37" W	15.34'
L138	S 89°18'37" E	15.48'
L139	N 89°18'37" W	85.71'
L140	S 89°18'37" E	85.71'
L141	S 89°18'37" E	85.71'
L142	S 89°18'37" E	80.70'
L143	S 00°41'23" W	90.00'
L144	N 00°41'23" E	105.00'
L145	N 00°41'23" E	105.00'
L146	N 00°41'23" E	105.00'
L147	S 00°41'23" W	105.00'
L148	N 17°44'29" E	133.36'
L149	S 89°18'37" E	140.47'
L150	S 16°21'49" E	133.20'
L151	S 00°41'23" W	105.00'
L152	S 00°41'23" W	105.00'
L153	S 00°41'23" W	105.00'
L154	S 00°41'23" W	105.00'
L155	N 89°18'37" W	95.70'
L156	N 89°18'37" W	85.71'
L157	N 89°18'37" W	58.46'
L158	S 89°18'37" E	85.71'
L159	N 36°10'49" W	21.10'
L160	N 36°10'49" W	27.35'

PARCEL LINE TABLE		
LINE #	BEARING	DISTANCE
L161	S 70°03'01" E	127.93'
L162	N 70°03'01" W	45.53'
L163	N 70°03'01" W	82.40'
L164	N 89°18'37" W	85.71'
L165	S 89°18'37" E	85.71'
L166	S 89°18'37" E	85.71'
L167	S 89°18'37" E	95.70'
L168	S 00°41'23" W	90.00'
L169	N 89°18'37" W	80.70'
L170	N 89°18'37" W	85.71'
L171	N 89°18'37" W	85.71'
L172	N 89°18'37" W	85.71'
L173	S 89°18'37" E	8.28'
L174	S 89°18'37" E	85.71'
L175	S 89°18'37" E	85.71'
L176	S 89°18'37" E	85.71'
L177	S 89°18'37" E	80.70'
L178	S 00°41'23" W	90.00'
L179	N 00°41'23" E	105.00'
L180	N 00°41'23" E	105.00'
L181	N 00°41'23" E	105.00'
L182	N 00°41'23" E	105.00'
L183	N 17°07'59" E	133.62'
L184	S 89°18'37" E	140.47'
L185	S 15°45'11" E	133.46'
L186	S 00°41'23" W	105.00'
L187	S 00°41'23" W	105.00'
L188	S 00°41'23" W	105.00'
L189	S 00°41'23" W	105.00'

LOT	ADDRESS
101	1825 SOUTH
102	1887 SOUTH
103	1849 SOUTH
104	1861 SOUTH
105	1875 SOUTH
106	1887 SOUTH
107	1987 SOUTH
108	1911 SOUTH
109	1923 SOUTH
110	1947 SOUTH
111	1942 SOUTH/3765 WEST
112	3751 WEST
113	3737 WEST
114	3727 WEST
115	3713 WEST
116	3701 WEST
117	3694 WEST
118	3714 WEST
119	3726 WEST
120	3738 WEST
121	3752 WEST
122	3764 WEST
123	1870 SOUTH/3763 WEST
124	3751 WEST
125	3737 WEST
126	3711 WEST
127	3713 WEST
128	3701 WEST
129	3702 WEST
130	3714 WEST
131	3726 WEST
132	3738 WEST
133	3752 WEST
134	3764 WEST/1846 SOUTH
135	3701 WEST

LOT	ADDRESS
201	1959 SOUTH
202	1971 SOUTH/3792 WEST
203	1994 SOUTH/3755 WEST
204	3749 WEST
205	3735 WEST
206	3719 WEST
207	3705 WEST
208	3693 WEST
209	1978 SOUTH
210	1947 SOUTH
211	1958 SOUTH
212	1948 SOUTH
213	1936 SOUTH
214	4032 WEST/1918 SOUTH
215	1906 SOUTH
216	1898 SOUTH
217	1866 SOUTH
218	1852 SOUTH
219	1838 SOUTH
220	1824 SOUTH
A	3757 WEST/1822 SOUTH
B	3727 WEST
C	3686 WEST
D	3643 WEST
E	1833 SOUTH
F	1861 SOUTH
G	1869 SOUTH
H	1891 SOUTH
I	1913 SOUTH
J	1951 SOUTH
K	3720 WEST
L	3756 WEST/1962 SOUTH
M	1894 SOUTH
N	N/A
O	1812 SOUTH
P	N/A
Q	1884 SOUTH



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Discussion and action on a conceptual sketch plan endorsement request for Cameron Cove Cluster Subdivision.		
Type of Decision:	Administrative		
Agenda Date:	Tuesday, July 11, 2017		
Applicant:	Jason Hamblin		
File Number:	SPE 2017-03		
Approximate Address:	2275 S 4065 W		
Project Area:	31.09 acres		
Zoning:	Agricultural (A-1)		
Existing Land Use:	Agricultural		
Proposed Land Use:	Residential		
Parcel ID:	15-078-0136, -0134, -0019, -0126		
Township, Range, Section:	T6N, R2W, Section 28		

Adjacent Land Use

North:	Agricultural	South:	Agricultural
East:	Agricultural	West:	Agricultural

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
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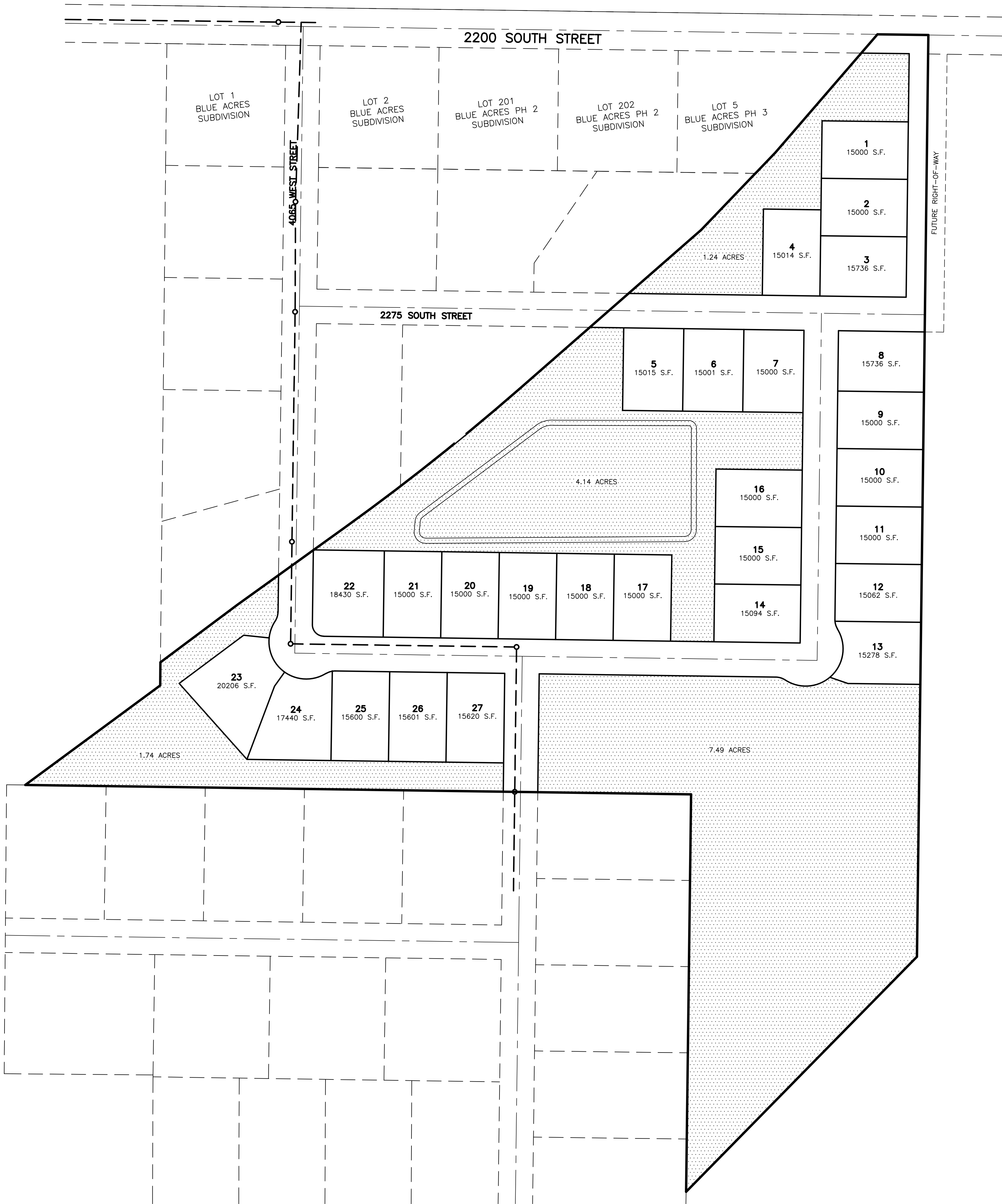
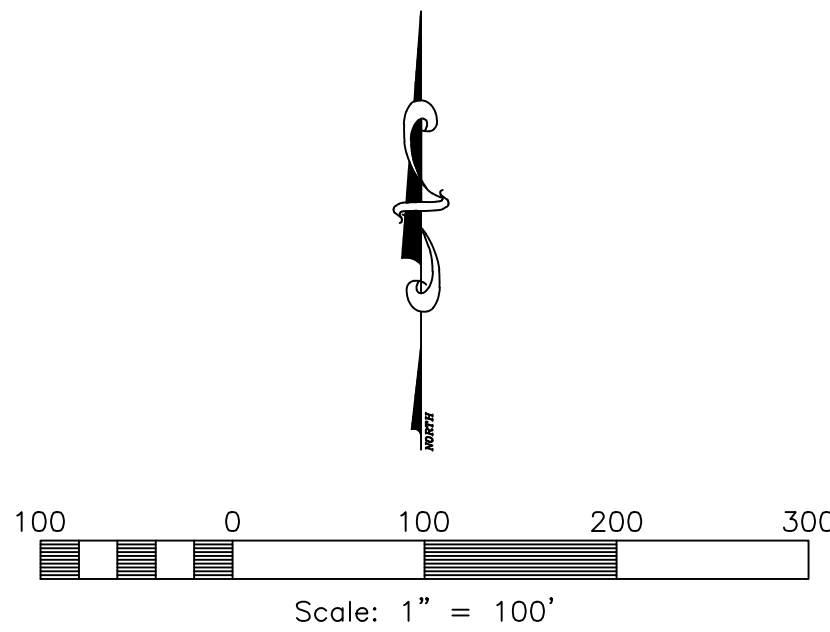
Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Chapter 5 Agricultural Zone (A-1)
- Title 108, Chapter 3 Cluster Subdivisions

Summary

The applicant has submitted a conceptual sketch plan for a 27 lot cluster subdivision for review and endorsement by the Planning Commission as required in the Uniform Land Use Code of Weber County (LUC). The proposed cluster subdivision is zoned A-1 and will have a total area of 31.09 acres. The applicant is proposing to preserve 47 percent open space and has requested a 10 percent bonus density based on meeting the criteria outlined in LUC §108-3-8. The conceptual sketch plan process is meant to be a discussion item between the applicant and the Planning Commission without an in depth review by the Planning Division Staff. The required application, vicinity map and subdivision plan are attached as Exhibit A.

Design Specs.	
Total Area.....	31.09 ac.
Right-of-Way.....	3.78 ac.
Developable Area.....	27.31 ac.
Open Space.....	14.61 ac. (47%)
Base Density.....	29.74 lots
Bonus Density	
10% Purpose and Intent	
Total Lots Proposed.....	27 lots(No Bonus)



Cameron Cove Cluster Subdivision

Weber County, Utah

Developer:
Doug Hamblin
Hamblin Investments
P.O. Box 625
Roy, UT. 84067
(801) 725-3782

Revised: May 8, 2017

Reeve & Associates, Inc.

5160 S. 1500 W. RIVERDALE, UTAH 84405
TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-assoc.com

LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DESCRIPTION
DATE	

Cameron Cove Cluster Subdivision

PART OF THE SW 1/4 OF SECTION 28, T.6N., R.2W., S.12B & M., U.S. SURVEY
WEBER COUNTY, UTAH

Sketch Plan

Project Info.	
Engineer:	N. Reeve
Designer:	C. Gave
Begin Date:	MARCH 1, 2017
Name:	CAMERON COVE CLUSTER SUBD.
Number:	3442-A47

Sheet	1
1	Sheets