



# Staff Report to the County Commission

Weber County Planning Division

## Synopsis

### APPLICATION INFORMATION

**Application Request:** A public hearing and second reading for consideration of a county initiated text amendment to the Subdivision Ordinance to exempt lot adjustments from preliminary and final subdivision review, and to amend the fee schedule for the land use code application fees.

**Agenda Date:** Tuesday, June 6, 2023

**Applicant:** Weber County

**File Number:** ZTA 2022-02

### STAFF INFORMATION

**Report Presenter:** Steve Burton  
sburton@webercountyutah.gov  
801-399-8766

**Report Reviewer:** CE

## Applicable Ordinances

Weber County Code, Part II, Title 106

## Legislative Decisions

This is a legislative matter. There is wide discretion in making legislative decisions. Criteria for recommendations on a legislative matter suggest compatibility with the general plan, existing ordinances, and best practices. Examples of legislative actions are general plan, zoning map, and land use code amendments.

## Summary

The Weber County subdivision code currently requires all subdivision amendments to receive an administrative subdivision approval at a formal meeting. This process can add several weeks to the approval timeline once an application is submitted to the county. There is currently no expedited process for individuals who are proposing to amend lot boundaries with adjacent lots, or who propose to remove plat restrictions that are no longer applicable.

This proposal will exempt lot line adjustments and plat restriction removals that are no longer applicable from the formal preliminary and final plat approval meeting. Under the proposed subdivision code change, a lot owner can submit a lot adjustment to the county for review and receive formal review comments, print a mylar plat, get county signatures, and record the plat without a formal approval meeting.

## Policy Analysis

This proposal is not anticipated to impact the Western Weber General Plan or the Ogden Valley General Plan. The proposal will shorten the review period for lot adjustments, the fee of which will be less than the normal subdivision review fee. This proposal can be considered to be a benefit to lot owners who simply want to adjust boundaries or remove irrelevant plat restrictions.

## Planning Commission Recommendation

On October 18, 2022, after holding a public hearing, the Western Weber Planning Commission forwarded a positive recommendation, in a 6-0 vote, to the County Commission to approve the changes proposed in this report.

This recommendation was forwarded with the following findings:

1. The proposal is an additional subdivision option for lot owners.
2. The proposal is not contrary to the goals and principles of the general plan.

On October 25, 2022, after holding a public hearing, the Ogden Valley Planning Commission forwarded a positive recommendation, in a 6-0 vote, to the County Commission to approve the changes proposed in this report.

This recommendation was forwarded with the following findings:

3. The proposal is an additional subdivision option for lot owners.
4. The proposal is not contrary to the goals and principles of the general plan.

## Exhibits

Exhibit A. Draft ordinance language

WEBER COUNTY  
ORDINANCE NUMBER 2023-\_\_\_\_\_

AN AMENDMENT TO THE WEBER COUNTY SUBDIVISION ORDINANCE TO EXEMPT CERTAIN LOT BOUNDARY  
CHANGES FROM FULL SUBDIVISION REVIEW AND TO ADJUST THE LAND USE FEE SCHEDULE

WHEREAS, the Board of Weber County Commissioners has heretofore adopted land use regulations governing subdivision of land in unincorporated Weber County; and

WHEREAS, these subdivision regulations include a staff review process to verify compliance with applicable regulations; and

WHEREAS, the existing subdivision regulations do not exempt lot line adjustments from the preliminary and final subdivision plat review; and

WHEREAS, the Board of Weber County Commissioners wishes to exempt lot line adjustments from the preliminary and final subdivision plat review; and

WHEREAS, the Board of Weber County Commissioners wishes to amend the Land Use Fee schedule to add a review fee for lot line adjustments and to amend the project size fees for certain land use applications;

WHEREAS, the Board of Weber County Commissioners has received a positive recommendation from the Western Weber Planning Commission, after holding a public hearing, in their October 18, 2022 regular meeting, for the amendments proposed

WHEREAS, the Board of Weber County Commissioners has received a positive recommendation from the Ogden Valley Planning Commission, after holding a public hearing, in their October 25, 2022 regular meeting, for the amendments proposed herein;

NOW THEREFORE, be it ordained by the Board of County Commissioners of Weber County, in the State of Utah, as follows:

**SECTION 1: AMENDMENT.** The Weber County Code is hereby *amended* as provided in **Exhibit A**.

**PASSED AND ADOPTED BY THE BOARD OF WEBER COUNTY COMMISSIONERS  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

Gage Froerer:	AYE____	NAY____	ABSENT____	ABSTAIN____
Jim "H" Harvey:	AYE____	NAY____	ABSENT____	ABSTAIN____
Sharon Bolos:	AYE____	NAY____	ABSENT____	ABSTAIN____

Presiding Officer

Attest

\_\_\_\_\_  
Gage Froerer, Chair

\_\_\_\_\_  
Ricky D. Hatch, Clerk

Exhibit A

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2 106-1-9 Subdivision Lot Adjustment

3 (a) Exemption qualifiers. A subdivision amendment is exempt from typical preliminary and final  
4 plat review if it consists solely of one or more proposed subdivision lot adjustments. For  
5 purposes of this section, a subdivision lot adjustment is a subdivision amendment in compliance  
6 with the following:

- 7 1. The purpose of the amendment is only to amend a common boundary between lots or to  
8 amend an internal lot restriction that is no longer applicable pursuant to this Land Use Code.
- 9 2. Each affected lot shall be within the boundaries of the same platted subdivision, or within  
10 the boundaries of a phased subdivision platted with an approved preliminary plan.
- 11 3. All lots proposed to be amended shall comply with each lot's zoning requirements, or, if  
12 applicable, comply with the provisions of Sec 108-12-12 (Reconfiguring Nonconforming  
13 Lots).
- 14 4. All lots proposed to be amended shall comply with any additional applicable standards as  
15 may have been adopted by previous approvals, including but not limited to a Master Plan, a  
16 Development Agreement, a Planned Residential Unit Development, etc.

17 (b) Application. A subdivision lot adjustment application shall be submitted in a form as approved  
18 by the Planning Division. The application shall include:

- 19 1. An electronic copy of the proposed amended plat that complies with Utah Code Ann.  
20 Section 17-27a-608, prepared by a surveyor licensed in the State of Utah.
- 21 2. All information from the original subdivision plat referenced on the amended plat.
- 22 3. An application fee.

23 (c) Procedure.

- 24 1. After all applicable review agencies have recommended approval of the proposed  
25 subdivision amendment, the applicant shall submit to the Planning Division a signed and  
26 notarized printed mylar copy.
- 27 2. The County will send any notices required by statute.
- 28 3. After collecting signatures from applicable review agencies, the Planning Division shall  
29 submit the proposed subdivision amendment for approval and signature by the Land Use  
30 Authority.
- 31 4. The Land Use Authority for a subdivision lot adjustment application is the Planning Division  
32 Director.
- 33 5. Upon signature of the Land Use Authority the applicant may submit the signed mylar to the  
34 County Recorder's Office for recordation.

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Sec 16-2-5 Land Use Code Application Fees

Planning Division Fees		Engineering Division Fees		Surveyor's Office Fees	
Base Fee	Size Fee	Base Fee	Size Fee	Base Fee	Size Fee

<a href="#">Subdivision Lot Adjustment Fee</a>	<a href="#">\$260.00</a>	<a href="#">+\$25.00 per lot</a>	<a href="#">\$115.00</a>	<a href="#">+\$25.00 per lot</a>	<a href="#">\$400.00</a>	<a href="#">+\$25.00 per lot; or +\$50 per condo unit</a>
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Large Subdivision ( <del>5+</del> Lots) Fee *	\$815.00	+\$25.00 per lot	\$385.00	+\$50.00 per lot	\$400.00	+\$25 per lot; or +\$50 per condo unit
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Small Subdivision ( <del>Less than 5 Lots</del> )-Fee **	\$520.00	+\$25.00 per lot	\$230.00	+\$25.00 per lot	\$400.00	+\$25 per lot; or +\$50 per condo unit
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Conditional Use Permit with Design Review Fee ***	\$770.00	+\$30.00 per 1000 square feet of total building area <del>\$100k of project valuation.</del> ; and +\$30.00 per 1000 square feet of site area being modified excluding building footprint	\$230.00	-	-	-
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Conditional Use Permit Amendment with Design Review Fee ***	\$400.00	+\$30.00 per 1000 square feet of total building area being modified; and +\$30.00 per 1000 square feet of site area being modified excluding building footprint <del>\$100k of project valuation.</del>	\$100.00	-	-	-
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Design Review Fee ***	\$450.00	+\$30.00 per 1000 square feet of total building area; and +\$30.00 per 1000 square feet of site area being modified excluding building footprint <del>\$100k of project valuation</del>	\$50.00	-	-	-
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Design Review Amendment Fee ***	\$270.00	+\$30.00 per 1000 square feet of total building area being modified; and +\$30.00 per 1000 square feet of site area being modified <del>\$100k of project valuation.</del> excluding building footprint	\$30.00	-	-	-

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