



STAFF REPORT

To: Eastern Summit County Planning Commission
From: Sean Lewis, County Planner
Date of Meeting: February 1, 2018
Type of Item: Coleman Acres Final Subdivision Plat
Process: Administrative Review

RECOMMENDATION: Staff has reviewed the application for compliance with all standards in the Eastern Summit County Development Code and found that it meets the minimum required for approval. Accordingly, staff recommends that the Eastern Summit County Planning Commission review the proposed subdivision final subdivision plat, and recommend approval of the plat to the Summit County Community Development Director.

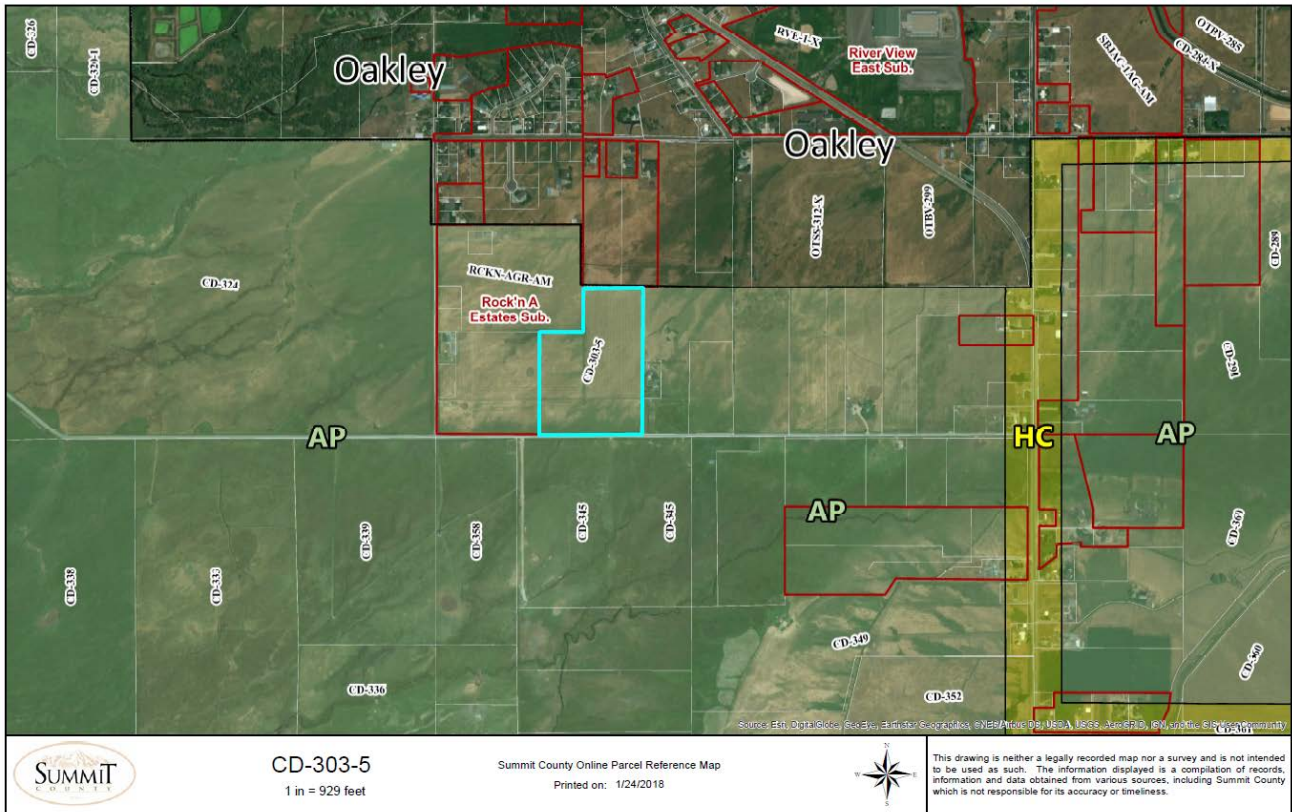
Project Description

Project Name: Coleman Acres Final Subdivision Plat
Applicant(s): Scott Coleman
Property Owner(s): Scott Coleman
Location: Near 800 W Rob Young Lane
Zone District: Agricultural Protection (AP)
Parcel Number and Size: CD-303-5, 23.76 acres
Type of Process: Administrative
Final Land Use Authority: Community Development Director

Proposal

The applicant is requesting to subdivide Summit County Assessor's Parcel CD-303-5, measuring 23.76 acres, into a two (2) lot minor subdivision under section 11-4-5.B of the Eastern Summit County Development Code. The two lots would be 6.00 acres and 17.77 acres in size.

Vicinity Map



Background

The current legal description for Parcel CD-303-5 dates to 1992. Parcel CD-303-5 is a conforming parcel as described in the Eastern Summit County Development Code. Parcel CD-303-5 is located in the Agricultural Protection (AP) zoning district which requires 40 acres per unit for density purposes. On August 31, 2017, the Summit County Council adopted a temporary zoning ordinance to allow for properties in the AP zone to obtain 1 additional unit of density if certain conditions are met. Parcel CD-303-5 qualifies for 2 units of density under the temporary ordinance.

Analysis and Findings

The Land Use Authority may approve, approve with conditions, or deny a Minor Subdivision based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance:

Standard 1: All of the land required for the density needed to create the lots within the subdivision, including a remnant parcel, which on its own would not be large enough to qualify for any density, shall be contained within the boundaries of the final subdivision plat, and any remnant parcel shall bear a plat note stating that no density exists on such remnant parcel until such time (if ever) as the zone is changed to permit additional density rights and the remnant parcel is, if necessary, re-subdivided in accordance with this chapter; or the remnant parcel is otherwise vacated from the final subdivision plat for the purposes of a parcel boundary adjustment, which shall constitute good cause thereof under State law. **COMPLIES**

Analysis: The proposed Coleman Acres Subdivision would be comprised of two (2) lots, one 6.00 acres and the other 17.77 acres in size, utilizing the entire 23.76 acres of Parcel CD-303-5. No remnant parcels are proposed.

Standard 2: In the event that the parcel(s) being subdivided contain more land than that which is needed to establish the density for the subdivision, such remainder parcel(s) do not need to be included within the boundaries of the final subdivision plat if each of such remainder parcel(s) (or such number of them if contiguous) conform to the minimum size requirement of the applicable zone at the time. In such cases, a certificate executed by the County shall be recorded with the County Recorder, at the same time as the final subdivision plat is recorded, against the remainder parcel(s) located outside of the final subdivision plat stating that such remainder parcel(s) are conforming parcels pursuant to this chapter. **COMPLIES**

Analysis: No remnant parcels are proposed.

Standard 3: Each proposed lot shall have legal access through a recorded right-of-way or easement. The applicant shall demonstrate that adequate access to the property from a public road may be granted by the State or County, whichever is applicable. **COMPLIES**

Analysis: Access to both lots of the Coleman Acres subdivision is proposed via Rob Young Lane, a County road.

Standard 4: Compliance with the development evaluation standards provided in chapter 2 of [the Eastern Summit County Development Code]. **COMPLIES**

Analysis: Staff review of the application indicates that it meets the minimum requirements for approval in the Eastern Summit County Development Code.

Code Requirement	Analysis	Finding
1. Agriculture	Required notes appear on plat. No fencing proposed. Land is not used for active agriculture operations.	COMPLIES
2. Water and Sewage	Water to be provided by private well. ESAC recommended traditional septic for wastewater	COMPLIES

	treatment.	
3. Natural Resources	CD-303-5 is not on a hillside, near critical lands, or in a view corridor.	COMPLIES
4. County Infrastructure	No major traffic increases. Not a remote location. No locked gates.	COMPLIES
5. Infrastructure Design	Access via Rob Young Lane. No expansion of County /State roads required.	COMPLIES

Standard 5: The project must comply with the infrastructure standards in chapter 6 of [the Eastern Summit County Development Code]. **COMPLIES**

Analysis: Houses built within subdivision may be required to install fire suppression sprinklers. No new intersections, roads, or other infrastructure is proposed. Engineer has no concerns.

Standard 6: The minimum lot size for new lots created through this process will meet the minimum lot size requirements for the applicable zone. **COMPLIES**

Analysis: The proposed Coleman Acres Subdivision consists of two lots, one 6.00 acres in size and the other 17.77 acres in size. The minimum lot size for density in the AP zone is 40 acres. The temporary zoning ordinance allows for subdivision of lots less than 40 acres in size but greater than 10 acres in size into two development parcels.

Standard 7: If the subdivision includes any land located within one hundred feet (100') of the center line of a canal, the Community Development Director shall:

(1) Within thirty (30) days after the day on which the application is filed, notify the canal company or canal operator responsible for the canal, if the canal company or canal owner has provided information under Utah Code Annotated 17-27a-211.

(2) Wait at least ten (10) days after the day on which the Community Development Director notifies a canal company or canal operator to approve, approve with conditions or reject the final subdivision plat. **COMPLIES**

Analysis: No portion of Parcel CD-303-5 is located within 100' of a canal that has provided notice per 17-27a-211.

Standards 8/9: A positive recommendation from the Eastern Summit County Water Conservation Special Service District on the proposed wastewater system. And a positive approval from the County Manager on the subdivision's proposed wastewater system. **COMPLIES**

Analysis: The Eastern Summit County Water Conservation Special Service District recommended approval of the wastewater system to the Summit County Manager on

January 25, 2018. The Manager is expected to provide final approval prior to the February 1 meeting of the Planning Commission.

Standard 10: Proof that property taxes for the applicable property have been paid. **COMPLIES**

Analysis: Staff has verified that property taxes on Parcel CD-303-5 are current.

Standard 11: Compliance with all applicable County regulations. **COMPLIES**

Analysis: Staff is unaware of any current or potential violations of Summit County regulations as a result of this proposal.

Recommendation

Staff recommends that the Commission consider the issues outlined in this report regarding the application and vote to recommend approval the proposed Minor Subdivision to the Summit County Community Development Director based on the following Findings of Fact and Conclusions of Law.

Findings of Fact

1. Scott Coleman is listed as the fee title owner of record for Parcel CD-303-5.
2. Parcel CD-303-5 is 23.76 acres in size.
3. Parcel CD-303-5 is located near 800 W Rob Young Lane.
4. Parcel CD-303-5 is considered a conforming parcel for development purposes.
5. Parcel CD-303-5 is currently zoned Agricultural Protection (AP)
6. On August 31, 2017, the Summit County Council adopted a temporary zoning ordinance to allow for properties in the AP zone to obtain 1 additional unit of density if certain conditions are met. Parcel CD-303-5 qualifies for 2 units of density under the temporary ordinance.
7. Parcel CD-303-5 is not located within a previously approved subdivision plat.
8. The name of the proposed subdivision is: Coleman Acres Subdivision.
9. Coleman Acres is not a duplicate name of any previously recorded plat.
10. The applicant took ownership of parcel CD-303-5 on November 14, 2017 via deed recorded as book: 2437 page: 1662.
11. The proposed Coleman Acres Subdivision would be comprised of two (2) lots, one 6.00 acres and the other 17.77 acres in size, utilizing the entire 23.76 acres of Parcel CD-303-5. No remnant parcels are proposed.
12. Access to both lots of the Coleman Acres subdivision is proposed via Rob Young Lane, a County road.
13. Staff review of the application indicates that it meets the minimum requirements for approval in the Eastern Summit County Development Code.

14. No portion of Parcel CD-303-5 is located within 100' of a canal that has provided notice per Utah Code Annotated 17-27a-211.
15. The Eastern Summit County Water Conservation Special Service District recommended approval of a traditional septic wastewater system to the Summit County Manager on January 25, 2018. The Manager is expected to provide final approval prior to the February 1 meeting of the Planning Commission.
16. Staff has verified that property taxes on Parcel CD-303-5 are current.
17. Staff is unaware of any current or potential violations of Summit County regulations as a result of this proposal.

Conclusions of Law

1. Based upon the findings of fact listed above, Parcel CD-303-5 is eligible for subdivision as the 2 lot Coleman Acres Subdivision.

Attachments:

Exhibit A – Proposed Subdivision Plat