



The Crossings at Lake Creek Phase 1 Amended Lots 139 & 140 Minor Plat Amendment

Project: DEV-9494 | Crossings 139 & 140 Amendment
Report Date: 18 September 2024
Report Author: Anna Anglin, Planner
Council Action Required: No
Type of Action: Administrative

Applicant: Derek Collette
Address: 2885 Cedar Ridge Circle
Zone: Residential Agriculture (RA-1)
Existing Plat: 47 lots on 79.708 acres
Proposed Amendment: Combine Lots 139 & 140

DETERMINATION ISSUE

Whether or not the proposed minor plat amendment to combine two lots meets the standards for 'good cause' as required by Utah Code Annotated §17-27a-609 and other applicable ordinances governing the land use in Wasatch County. As per 16.01.05(C)(1)(d) this determination is an administrative decision to be made by the Wasatch County Administrative Land Use Committee.

RECOMMENDATION

Based on the analysis in this staff report, it appears that the proposal is compliant with applicable laws. Therefore, it is recommended that the Administrative Land Use Committee APPROVE the proposed Minor Plat Amendment based on the findings and conditions listed under the recommended motion.



BACKGROUND

The Crossings at Lake Creek Phase 1 Subdivision was recorded by plat on March 30, 2002. The applicant is seeking to combine lots 139 and 140 to create one larger lot. The property is located at 2885 East Cedar Ridge Circle in the Residential Agriculture Zone (RA-1). The lots are currently vacant. The current lot sizes are 0.95 acres and 0.63 acres. If combined, the total size of the lot will be 1.59 acres (approximately 69,256 sq ft). The resulting lot will have approximately 271 feet of street frontage. There is a slope easement for the first 25' of the lot facing the street which was established for the maintenance of the adjacent road and will remain on the amended plat.

Lots #139 and 140 of the subdivision are called out on the original plat (see note 2) as requiring secondary irrigation. The proposed amended plat does not carry over this note and does not have any reference to the General Notes on the original plat. In order for the Planning Division to approve the lot combination, a note needs to be added to the proposed plat stating that all notes from the original Subdivision plat are carried over to the amended plat.

Wasatch County Code requires notice to be sent to all property owners within the plat, as well as property owners within 500 feet of the requested plat amendment. At the time of this report, no objections have been received in response to the notices sent.

Utah Code § 17-27a-609 allows the County to approve a plat amendment if the County finds that: (a) there is good cause for the vacation, alteration, or amendment; and (b) no public-street, right-of-way, or easement has been vacated or altered.

PURPOSE AND INTENT

The subject property is in the Residential Agriculture Zone (RA-1) where the residential lots for detached single-family homes (land use 1111) is listed as a permitted use in the zone. The purpose outlined in the Residential Agriculture Zone (RA-1) is quoted (in part) below:

16.08.01: PURPOSE

- A. *The purpose of this section is to encourage rural densities in accordance with the general plan. Subdivision design should preserve natural or prominent features of the site first and laying out the lots after the portions of the site worth preserving are addressed. The residential-agricultural zone (RA-1) is established to preserve the high quality of life for the citizens of Wasatch County by allowing residential development near the incorporated areas, while maintaining the rural atmosphere of Wasatch County.*
 - B. *The specific intent in establishing this residential-agricultural zone (RA-1) is to promote the protection of natural resource areas, prominent features of the site, farmland and other large areas of open land, while permitting residential development at low, rural densities. The intent of the code is to increase lot sizes as development moves away from incorporated areas and maintain, as much as possible, the rural character of the County.*
-

KEY ISSUES TO CONSIDER

- Compliance with zoning requirements, including supplementary development standards.
- Review for compliance with the original approvals of the subdivision plat and Development Agreement.
- Compliance with UCA §17-27a-609 and including WCC 16.04.02 definition of good cause.

STAFF ANALYSIS

– LAND USE AND DENSITY –

The subdivision was created under a prior zoning regulation and is now a nonconforming subdivision. The proposed amendment will decrease the density of the previously approved plat and bring the subdivision more into compliance with current County ordinance. In addition, Addendum 6 of the development agreement states any lot consolidations made by a property owner does not affect any future density of the unplatted areas of the overall project. In other words, the developer does not acquire an extra lot because one of the lots in this phase is deleted.

– SETBACKS –

The approved building setbacks for the recorded plat are found on page 6 under Note to Purchasers #4. The front and rear yard requirements are 30' and the minimum side yard setback is 10' with a total of 30' foot side yard setback requirement. The RA-1 zones setbacks require a front yard setback of not less than sixty feet (60') from the center of the road, or thirty feet (30') from the edge of the right of way, whichever is greater and a 30' rear yard setback. The side yards requirements are a minimum of 10 with a sum of the two (2) side setbacks being at least twenty-four feet (24'). The zoning district setbacks are listed on the proposed plat amendment instead of the approved setbacks for the original plat. The applicant will need to change what is proposed to

what was approved during the original subdivision plat process to avoid any conflicts when the lot is ready to be developed.

– GOOD CAUSE –

UCA §17-27a-609 allows the County to approve a plat amendment if the County finds that: (a) there is good cause for the vacation, alteration, or amendment; and (b) no public street, right-of-way, or easement has been vacated or altered. Wasatch County Code 16.04.02 has defined “good cause” as follows:

16.04.02: DEFINITIONS

...

GOOD CAUSE: Providing positive benefits and mitigating negative impacts, determined on a case-by-case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Wasatch County and furthering the health, safety, and welfare of Wasatch County.

...

The Development Review Committee has reviewed the plat amendment and finds the proposal complies with the need to meet “good cause” as required by State Law. The changes will lower density, and any new construction is required to meet all Wasatch County Code requirements, utilizing best planning and design practices. The Crossing at Lake Creek Development has established building setback and other requirements that are in place. It is not anticipated the proposed action would affect the neighboring landowners negatively due to there will be no increase in density for the current project or any future projects. No public roads or easements are being affected by the proposed plat amendment.

– PUBLIC RIGHT-OF-WAY OR EASEMENTS –

The proposal does not impact the public street, right-of-way access, or any easement.

DEVELOPMENT REVIEW COMMITTEE

This proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance with the respective guidelines, policies, standards, and codes. A report of this review has been attached in the exhibits. The Committee has forwarded the item for the Administrative Land Use Committee to render a decision. Conditions proposed by the DRC have been provided in the recommended motion.

RECOMMENDED MOTION

Move to Approve the proposed The Crossings at Lake Creek Phase 1- lot 140 Amendment consistent with the findings and subject to the conditions presented in the staff report.

– FINDINGS –

1. The proposal combines two lots into one lot, decreasing the density of the plat.

2. The subject property is two lots. Lot 139 totaling 0.95 acres and Lot 140 totaling 0.63 acres.
3. The subject property is in the Residential Agriculture Zone (RA-1).
4. Addendum 6 of the development agreement states any lot consolidations made by a property owner does not affect any future density of the unplatted areas of the overall project.
5. There is Good Cause for the amendment because it is not anticipated the proposed action would affect the neighboring landowners negatively due to there will be no increase in density for the current project or any future projects, and any new construction is required to meet all Wasatch County Code requirements, utilizing best planning and design practices.
6. No public or private roads are being vacated as part of this plat amendment.
7. With Conditions, the proposed revision conforms with the Wasatch County Development standards and will meet the original approvals for the development.
8. The Development Review Committee has reviewed the technical requirements of the proposed project and determined the project is ready for a decision by the Land Use Authority with conditions.
9. The proposal is consistent with Utah Code §17-27a-609.
10. Notice has been provided in compliance with state and local laws.

– *CONDITIONS* –

1. Add a reference for the notes on the original plat to be transferred to the amended plat.
2. Change the proposed setbacks to reflect what is in the Notes To Purchasers #4 on the original plat.
3. Resolve any Addressing issues with the GIS Department.
4. The applicant is required to abandoned one of the water and sewer services to the lots prior to recording the final plat.
5. A \$4,000 deposit must be made to TCSSD prior to recording of the plat to ensure the work is contracted and completed.

POSSIBLE ACTIONS

The following is a list of possible motions the Administrative Land Use Committee (ALUC) can take. If the action taken is inconsistent with the recommended findings listed in the staff report, the ALUC should state new findings.

1. Approve. This action may be taken if the ALUC finds that the Minor Plat Amendment request is compliant as proposed with Wasatch County Code and all other applicable laws.
2. Approve with Conditions. This action can be taken if the ALUC feels comfortable that remaining issues can be resolved through specified conditions. ****This action would be consistent with the staff analysis.****
3. Continue. This action can be taken if the ALUC needs additional information before rendering a decision, if there are issues that have not been resolved, or if the application is not complete.
4. Deny. This action can only be taken if the ALUC finds that the proposal does not meet the ordinance or that the application is insufficient to comply with applicable law.

NEXT STEPS

If the requested plat amendment is approved, the applicant will need to satisfy any conditions, if applicable, and deliver a mylar plat to the planning office for recording. Actions must be taken to pursue the approval with reasonable diligence as outlined in Wasatch County Code 16.01.16.

If the requested plat amendment is denied, there is no further action required. If the applicant desires to request an alternative plan for approval, it will need to be made as a new application.

Any person adversely affected by a final decision made by the Land Use Authority can be appealed under the provisions outlined in Wasatch County Code 2.02.02.

EXHIBITS

Exhibit A – Vicinity Plan..... 7

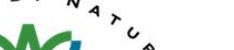
Exhibit B – Existing Subdivision Plat88

Exhibit C – Proposed Amended Plat.....99

Exhibit D – DRC Report.....100

Exhibit A – Vicinity Plan





The Crossings at Lake Creek Phase 1

Amended Lots 139 & 140

Minor Plat Amendment

VICINITY MAP





**Wasatch County
DESIGN REVIEW
COMMITTEE (DRC)
COMMENTS**

PROJECT ID: DEV-9494
PROJECT NAME: PLAT AM - THE CROSSINGS LOT 140
AMENDMENT
VESTING DATE: 7/18/2024
REVIEW CYCLE #: 2

REVIEW CYCLE STATUS: READY FOR DECISION

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

When uploading revisions please name your documents exactly the same as it was previously uploaded. Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

Entity	Decision
DRC - SSA 1 Water	No Action Taken
DRC - Twin Creeks SSD	No Action Taken
Recorder's Office	No Action Taken
Planning Department	Ready for Decision

Approved = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

Ready for Decision = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

Changes Required = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

No Action = Reviewing entity has not taken any action for the review cycle.

OVERALL PROJECT COMMENTS

DRC Project Comments		
Comment ID	Entity	Comment
DRC-TCSSD1	DRC – Twin Creeks SSD	It appears that there will need to be an abandonment of water and sewer services to one of the lots. Determination of the services to be kept should be determined based on proximity to the building envelope. A \$4,000 deposit must be made to TCSSD prior to approval to ensure the work is contracted and completed. Inspection of the work is also required. Once the deposit is made the amendment can be approved by TCSSD.

PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

DRC - GIS Dept		
Comment ID	Sheet Name	Comment
DRC-GIS1	02b - 24033 Crossings Lot 140 Amended Plat-stamped-2	Address is incorrect: 2890 E is the address of lot 147. The previous addresses for these parcels were 2891 E (Lot 139) and 2885 E (Lot 140). 2891 E would be the better address to use unless the home entrance will be off the end of the cul-de-sac. If that is the case, please let us know (gis@wasatch.utah.gov) and we'll use 2885 E instead.