



## STAFF REPORT

**To:** Eastern Summit County Planning Commission  
**From:** Amir Caus, County Planner  
**Date of Meeting:** November 7, 2019  
**Type of Item:** Kelvin Judd Subdivision, Master Planned Development (MPD) – Work Session  
**Process:** Legislative

**RECOMMENDATION:** The applicant is seeking Eastern Summit County Planning Commission discussion, feedback, and direction on the proposed Master Planned Development. No formal action is requested at this meeting. A public hearing will be scheduled in the future.

### Project Description

**Project Name:** Kelvin Judd Subdivision Final Subdivision Plat  
**Applicant(s):** Kelvin Judd  
**Property Owner(s):** Kelvin Judd  
**Location:** 1479 S Hoytsville Rd (Parcel NS-101-A), Summit County, UT  
**Zone District:** Highway Corridor (HC) Zone and Agriculture Protection (AP) Zone – DENSITY DERIVED UNDER PREVIOUS ZONING  
**Parcel Number and Size:** NS-101-A (25.91 acres)  
**Type of Process:** Legislative  
**Final Land Use Authority:** Summit County Council

### Proposal

The applicant is requesting to subdivide Parcel NS-101-A (25.91 acres) into ten (10) lots through the MPD process with Highway Corridor (HC) Zone density.

### Background

On June 14, 2017, Summit County adopted the Master Planned Development process as identified in Section 11-4-12 of the Eastern Summit County Development Code. The applicant submitted the application on February 28, 2018. At that time the zoning for Parcel NS-101-A was Highway Corridor (HC) and Agriculture Protection (AP). On June 1, 2018 Summit County adopted the zoning as it currently exists. The subject density is vested under the previous zoning.

Parcel NS-101-A (25.91 acres) is a Conforming Parcel. The parcel is currently undeveloped.

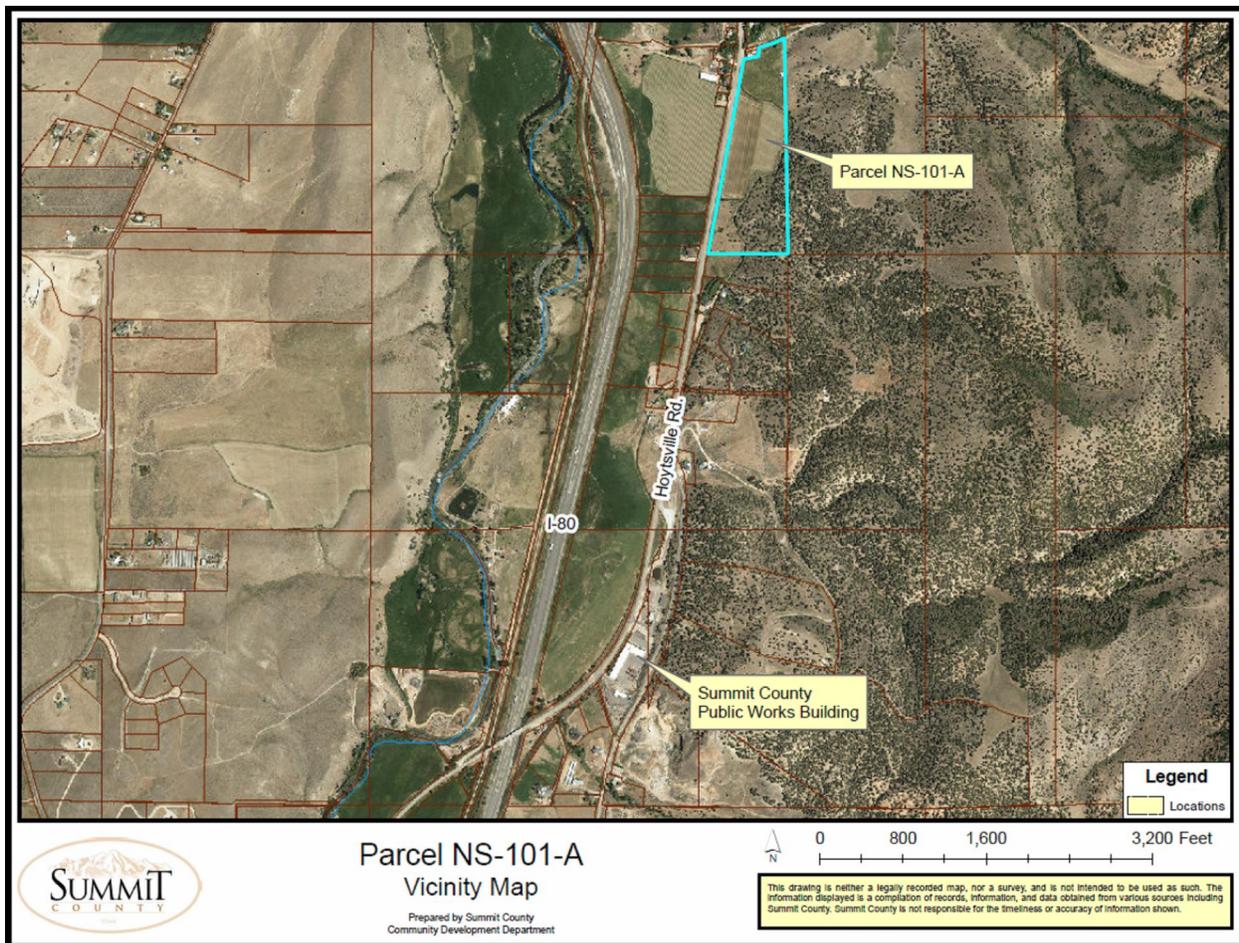
The applicant has entered into a purchase agreement for Lot 1 with Summit County Mosquito Abatement for a future Mosquito Abatement Building. According to Summit County Mosquito Abatement their future plans include;

- A main office building of approximately 5,000 sq. ft.
- A parking/shop facility of approximately 6,250 sq. ft.,
- A chemical storage facility of approximately 1,000 sq. ft.
- A parking area to accommodate 30 vehicles

NOTE: Summit County Mosquito Abatement is an independent local government district and is not an official department of Summit County. A Conditional Use Permit would be required under the current code for the Mosquito Abatement building and use. Approval of this plat does not imply a future land use approval.

With the exception of Lot 1, the remaining nine lots are proposed to be single family lots.

## Vicinity Map



## Analysis and Findings

Per Section 11-4-12(B.2); The master planned development process shall be required for any application to subdivide at base density resulting in four (4) or more lots or parcels.

MPD Requirements: All applications for a master planned development shall meet the following minimum requirements. Additional project information necessary for the project analysis may be required at the discretion of the Community Development Director, Planning Commission, or County Council.

1. Density: The maximum density permitted on the project site will be determined as a result of a site analysis. The maximum density shall not exceed that set forth in the proposed or existing zone, except as otherwise provided in this section. In cases where a project site contains more than one (1) zone, the County Council may permit the clustering of density irrespective of zone boundaries so long as the relocation results in the project advancing the goals set forth in the General Plan.

**Analysis:** Parcel NS-101-A consists of 25.91 acres and breaks down into 9.73 acres in HC zone and 16.17 acres in the AP Zone. Using these numbers to calculate an equivalent zone base density would allow for 10 units. That is 9.73 acres at 1 unit per acre plus 16.17 acres at 1 unit per 40 acres = 10.13 Units. An average weighted density equivalent of 2.56 acres per unit of density. **COMPLIES**

2. Density Bonus: A density bonus may be permitted in accordance with appendix B of this title.

**Analysis:** The applicant is not seeking a Density Bonus. **N/A**

3. Setbacks: The minimum setback around the exterior boundary of an MPD shall match the setbacks of the more restrictive/larger abutting zone setback. In some cases, that setback may be increased to create an adequate buffer to adjacent uses. The County Council may reduce or increase setbacks within the project from those otherwise required provided the project meets minimum Building Code and Fire Code requirements and can demonstrate that such change:

- a. Maximizes agricultural land or open space; and/or
- b. Avoids important natural features of the site.

**Analysis:** The applicant is not requesting to deviate from the 25-foot front, 12-foot side and 12-foot rear development code setback requirements. There are adequate development areas outside of any natural features. Staff has not identified any features that would require an increase in setbacks. **COMPLIES AS CONDITIONED**

4. Building Height: The maximum building height for all structures within a master planned development shall not exceed the zone standard. The County Council may grant additional building height beyond the maximum zone standard up to forty-five feet (45') based on demonstrated good cause related, but not limited to, structured parking, affordable housing,

deed restricted open space, community outdoor common area improvements or superior architectural design.

**Analysis:** The applicant is not requesting to deviate from the 32-foot height limit in the development code. **COMPLIES**

5. Reduction of Minimum Lot Size Requirements: The County Council may reduce the minimum lot size specified in a zone if it finds the proposed decrease in minimum lot size improves the site design, clustering of buildings, and/or preservation of agricultural land or open space.

**Analysis:** The lots are designed in a single row format, fronting Hoytsville Road. The lot frontages range from 129.16 feet to 267.70 feet in width at an average of 160.16 feet. The lot sizes range from 1.34 acres to 4.06 acres at an average size of 2.24 acres. The minimum lot size in the HC Zone is 1 acre. At an average lot size of 2.24 acres, the lots are not clustered and there is no meaningful preservation of agricultural land. The applicant is not seeking a reduction in lot size requirements. **COMPLIES AS CONDITIONED**

6. Open Space: Master planned developments shall provide for open space of at least ten percent (10%) of the site area.

**Analysis:** The applicant is proposing a 10% (2.64-acre) "common area" and trail to be used for *non-motorized hiking/biking/horseback riding* trail around development. The Development Code defines Open Space as; *Land that is left undeveloped. Open space does not include open areas in private individual residential lots, public roads, private roads, parking spaces and drive aisles in parking lots, land covered by structures not designated for active civic recreational use, and outdoor storage areas.* Because common area is not a defined term and because this requirement is an Open Space requirement, Staff has requested that the applicant revise the labeling and use a defined Open Space term.

The applicant has stated that each of the lot owners will have an undivided interest in the "common area."

Staff recommends that a note be placed on the plat which states that no development is permitted on the "common area"/open space. **PENDING LABELING/NOTE CHANGE**

7. Off-Street Parking: Master planned developments shall meet the following off-street parking standards:

Single family dwelling units have a minimum requirement of 2 spaces per unit.

Office and Commercial uses have a minimum requirement of 2.5 and 3 spaces per 1,000 sq. ft. net leasable area.

**Analysis:** With the exception of Lot 1, the remaining nine lots are proposed to be single family lots. The applicant is planning to sell individual lots and parking requirements are going to be enforced during the building permit review.

Due to the large lot sizes, Staff does not anticipate any minimum parking issues.

**COMPLIES AS CONDITIONED**

8. Designing with The Topography: Master planned developments shall be designed to fit into the topography of the site. The County Council may consider flexibility in the siting of development so as to best fit into the natural terrain, minimize excessive site grading and mitigate impacts on the natural environment and resources of the surrounding area. The project design shall demonstrate the preservation of watercourses, drainage areas, wooded areas, rough terrain and similar natural features and areas.

**Analysis:** Slopes over 30% have been identified on Lots 1, 10, and the “common area.” The Eastern Summit County Development Code prohibits development on slopes over 30%. There appear to be adequate development areas outside of any natural features. In order to avoid development of excessively long driveways, drainage areas, rough terrain and similar natural features, it would not be unreasonable for the Planning Commission to require that that building pads be designated. **REQUEST DISCUSSION**

9. Designing with Adjacent Uses: The master planned development plan shall take adjacent land uses into consideration. Development along the project perimeter shall adequately mitigate any potentially adverse effects, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances.

**Analysis:** The adjacent uses are primarily agricultural and undeveloped parcels with sparsely located single family residences. The project does not appear to adversely affect potential for flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances. **COMPLIES AS CONDITIONED**

10. Access: All master planned developments shall have vehicular access from a public road. All projects shall have a secondary point of access/emergency access unless otherwise mitigated to the satisfaction of the County Engineer and/or Fire Marshal. All roads/streets shall follow the natural contours of the site wherever possible to minimize the amount of grading.

**Analysis:** The applicant initially submitted a design which included a loop road which would remove individual driveway access from Hoytsville Road. The applicant has since redesigned the subdivision to not include the loop road. A secondary access has not been provided. The applicant has cited cost and wishing to increase lot size as the reasons they chose not to include a loop road.

The applicant proposes two (2) private driveways (Lots 1 and 10) and four (4) shared driveways (Lots 2-9), six (6) driveways total. All driveways would access the development off Hoytsville Road, a public road.

**North Summit Fire District** in their first comment stated that they would prefer a loop road design versus the Hoytsville Road concept. From a fire fighting and EMS standpoint the engines and ambulances would be off Hoytsville Road when responding to emergency. This would allow the apparatus to stage on the proposed loop road and not block Hoytsville Road.

With respect to the North Summit Fire District preference, they are acceptable of the Hoytsville Road access proposal and have requested that water supply be planned around 1,000 gallons a day per residence and a minimum of a 30,000-gallon water tank. They stated that fire hydrants will need to be 500 feet apart along the Hoytsville Road. They have also stated that the driveways will need to meet Summit County driveway requirements.

After the applicant contacted North Summit Fire District further comments were received which stated; *I meet with Kelvin Judd to review what he is proposing for the Kelvin Judd subdivision and here are some of the items we agreed to.*

*He is planning to install 4 separate driveways off of Hoytsville Road servicing 2 building lot [sic] each. The driveway will meet the code requirements of Summit County for driveways. Driveways that are over 275 feet well have a pull out where to emergency vehicles can pass.*

*Water supply is 3 well serving 3 residents each. Mr Judd agree [sic] to install 3 water tanks 2500 gallons will service as water for fire suppression. One tank servicing 3 residents. 2.5 inch male fire thread with a protective cap that a fire engine can draft from with a 15 foot suction hose [sic]*

*Install 3 water risers next to the three driveways that are connected to pressurized irrigation system for Summer use if needed for fire suppression. Install 2.5 male fire thread hose fitting on the risers with protective caps.*

The North Summit Fire District has stated that these were the minimum requirements that the applicant has requested. They further stated that this minimum requirement is not the best option.

Staff has requested that the water tanks be identified on the plat.

**Summit County Engineer** has stated the following regarding the access; *Access could be classified as good, better and best. Currently shared driveways have been platted along sections of Hoytsville Road. This reduced the number of driveways by half. [NOTE: The total number of driveways is 6] This is good. This reduces the number of conflict points and spaces out the encroachments along Hoytsville Road. A better option would be is the driveways were shared by more than just two adjacent properties. For example, three lots are sharing a well, could those same three parcels share the same encroachment off of the road? This would further reduce the number of encroachments [sic]. The best option that I've seen would be the loop road – reducing the encroachments for the subdivision to two.*

*We discussed the section of code that state road standards including road surface. Road surfaces shall be capable of providing all weather, year around access as approved by the appropriate fire district and the county.* **REQUEST DISCUSSION**

11. Utilities: Existing or proposed utilities, including private and public services for master planned developments will be adequate to support the proposed project at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources. Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite infrastructure standards found in chapter 6 of this title.

<b>Code Requirement</b>	<b>Analysis</b>	<b>Finding</b>
<b>Fire Protection Standards</b>	<p>The proposed development is in the Wildland Urban Interface zone.</p> <p>The North Summit Fire District has stated that these were the minimum requirements that the applicant has requested. They further stated that this minimum requirement is not the best option.</p> <p>Please refer to MPD Requirement #10 analysis for additional consideration.</p>	<b>COMPLIES AS CONDITIONED</b>
<b>Wildfire Hazard Guidelines</b>	<p>The property will be serviced by the North Summit Fire Station in Wanship which is approximately 2.5 miles from the property.</p> <p>If required, the fuel break limits shall be determined by the North Summit Fire District.</p>	<b>COMPLIES AS CONDITIONED</b>
<b>Road Standards</b>  <b>Road Grades</b>  <b>Intersections</b>  <b>Turnaround/Cul-De-Sacs</b>	<p>Because the applicant is proposing to access off Hoytsville Road, there are no road standards, road grades, road grades at intersection, and turnaround requirements to be met.</p>	<b>REQUEST DISCUSSION</b>
<b>Bridges and Culverts</b>	<p>A culvert design has not been submitted. The Engineering Department will review the culvert design and confirm adequacy prior to any development approvals. The Engineering Department has stated that they don't anticipate any issues.</p>	<b>COMPLIES AS CONDITIONED</b>

<b>Driveway Access</b>	The applicant proposes two (2) private driveways (Lots 1 and 10) and four (4) shared driveways (Lots 2-9). All driveways would access the development off Hoytsville Road, a public road.	<b>REQUEST DISCUSSION</b>
<b>Irrigation Ditch Easements</b>	The ditch that runs north-south through the property has been abandoned. A notarized letter from the Hoytsville Irrigation Company has been received to confirm this.	<b>COMPLIES</b>
<b>Water Storage for Firefighting Purposes</b>	<p>The North Summit Fire Department initially requested a preferred option for water storage for firefighting purposes.</p> <p>After the applicant contacted North Summit Fire District further comments were received where the North Summit Fire District stated that the applicant will install three 2,500-gallon water tanks for fire suppression.</p> <p>The North Summit Fire District has stated that these were the minimum requirements that the applicant has requested. They further stated that this minimum requirement is not the best option.</p>	<b>COMPLIES AS CONDITIONED</b>
<b>Revised Standards Applicable</b>	The proposed development is subject to revised general engineering standards and ordinances which are in effect at the time the application is submitted for review and approval by the County.	<b>COMPLIES AS CONDITIONED</b>
<b>Appeals</b>	Appeals of requirements imposed by the North Summit Fire District and the Wildland Fire District (Summit County Fire Warden) are made to the Summit County Council pursuant to the appeals procedure identified in section <u>11-7-16</u> of this title. Appeals of requirements imposed by the South Summit Fire District are made to the South Summit Fire Commission.	<b>N/A</b>

12. Building Locations: All buildings shall be located to avoid, to the extent practicable, wetlands, riparian areas, steep slopes and ridgelines. Building locations and associated lot configurations should be oriented to encourage active and passive solar design principles wherever practicable.

**Analysis:** There are adequate development areas outside of sensitive lands. All lots are facing west and will have the opportunity for active and passive solar design.

**COMPLIES**

13. Connectivity: Internal and external vehicular/pedestrian/bicycle circulation should be demonstrated at the time of application as deemed necessary by the County Council. Pedestrian/equestrian/bicycle circulation should be separated from vehicular circulation wherever reasonable.

**Analysis:** The applicant is proposing to improve an internal 15-ft wide trail (crushed rock, road base, and gravel) that will serve for non-motorized hiking/biking/horseback riding. The development code does not specify when the improvements need to be made. Staff recommends that a condition of approval and a note be placed on the plat which require the trail improvements to be completed prior to issuance of the first Certificate of Occupancy in the subdivision. **REQUEST DISCUSSION**

14. Snow Storage: Master planned developments shall include adequate areas for snow removal and snow storage. An appropriate form of landscaping plan shall allow for snow storage areas. Structures shall be set back from any hard surfaces so as to provide adequate areas to remove and store snow. The assumption is that snow should be able to be stored on site and not removed to an off-site location.

**Analysis:** At an average size of 2.24 acres for the lots, there is adequate snow storage area. **COMPLIES**

15. Outdoor Lighting: All outdoor lighting shall be down directed and fully shielded. All outdoor lighting shall be designed and installed to prevent light trespass on adjacent properties. Lighting of the United States flag is exempt from this provision.

**Analysis:** The applicant is not proposing to develop the parcels and plans to sell them to individual lot owners. Lighting requirements are going to be enforced during the building permit review. **COMPLIES AS CONDITIONED**

16. Compliance with Development Evaluation Standards: Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite development evaluation standards found in Chapter 2 of the Eastern Summit County Development Code.

Code Requirement	Analysis	Finding
<b>Agriculture</b>		
Non-agricultural development shall not be approved without appropriate plat notes.	The following note shall be placed on the plat prior to recordation; <i>The owners of property within Eastern</i>	<b>COMPLIES AS CONDITIONED</b>

	<p><i>Summit County recognize the importance of agricultural lands and operations and small rural business enterprises. It is recognized that agricultural lands and operations and rural business enterprises have unique operating characteristics that must be respected. (Owners of each lot platted in this subdivision/the owner of the residence constructed upon this lot) have/has been given notice and recognizes that there are active agriculture lands and operations and rural business enterprises within Eastern Summit County and acknowledges and accepts that, so long as such lands and operations exist, there may be dust, noise, odor, prolonged work hours, use of roadways for the purposes of herding/moving animals, and other attributes associated with normal agricultural operations and rural businesses.</i></p>	
Fencing	All State of Utah fencing laws will need to be complied with should new fencing be proposed.	<b>COMPLIES AS CONDITIONED</b>
Preservation of Agricultural Land	<p>The proposal results in loss of existing productive agricultural land.</p> <p>Staff is requesting discussion on the development layout and whether the development can <i>preserve productive agricultural land to the extent possible and practical.</i></p>	<b>REQUEST DISCUSSION</b>
Irrigation Patterns and Systems	The ditch that runs north-south through the property has been abandoned. A notarized letter from the Hoytsville Irrigation Company has been received to confirm this.	<b>COMPLIES</b>
<b>Water and Sewage</b>		
The applicant shall submit documentation indicating what type of water system shall be utilized within the subdivision.	The applicant is proposing to install four wells (Lots 1, 3, 6, & 9) to be shared by the owners of the subdivision.	<b>PENDING</b>

	<p>The applicant has provided partial water information from the State Engineer.</p> <p>The Division of Drinking Water has not yet forwarded their approval of the proposed water system method.</p>	
No development shall be approved in the vicinity of existing well and spring protection zones which are used for domestic purposes without a contained sewage system.	<p>The applicant has identified the four well locations on the plat and each well has been identified with a 100 foot well protection zone.</p> <p>The applicant has also identified septic tank locations which are outside of the identified well protection zones.</p>	<b>COMPLIES AS CONDITIONED</b>
No development shall be approved without suitable sewage treatment capacity point of discharge and dependability for the specific use.	The applicant is proposing individual septic systems. The Eastern Summit County Sewer Advisory Committee forwarded the approval of the proposed septic systems to the County Manager who subsequently approved the proposal (September 5, 2019).	<b>COMPLIES AS CONDITIONED</b>
<b>Natural Resources</b>		
Development shall not contribute to the acceleration of the erosion of soil and rock and stream sedimentation.	Permitting for grading and construction will be required prior to development.	<b>COMPLIES AS CONDITIONED</b>
Development shall minimize the highly visible placement of homes on hillsides. It should be sensitively sited.	<p>Building pads to identify development areas are not being proposed.</p> <p>The proposed subdivision is not located on a prominent hillside, however all homes on this property will be visible.</p>	<b>COMPLIES</b>
Development is discouraged in a 100-year floodplain.	The property is not located within the FEMA 100-year floodplain.	<b>COMPLIES</b>
No development is permitted in wetlands.	There are no designated wetlands present on this property.	<b>COMPLIES</b>
No development is permitted on slopes in excess of 30%.	<p>Areas that are located on slopes over 30% are identified on the plat.</p> <p>Staff recommends that a note be placed on the plat which prohibits development on slopes over 30%.</p>	<b>COMPLIES AS CONDITIONED</b>

Development shall not be placed on any hillside or ridgetop that causes a structure to extend into the skyline as viewed from public roadways.	Due to the low elevation compared to the adjacent ridgetops, Staff is not anticipating structures to extend into the skyline.	<b>COMPLIES</b>
Development shall not contribute significantly to the degradation of air quality.	Staff does not anticipate significant unregulated contribution to the degradation of air quality.  Compliance will be verified during the Building Permit process.	<b>COMPLIES AS CONDITIONED</b>
<b>Infrastructure/Facilities/Services</b>		
No development shall cause the traffic volume on any public road to fall below the design capacity of the roadway.	Based on the Summit County Engineering Department review, the addition of ten lots will not cause the traffic volume on Hoytsville Road to fall below the design capacity.	<b>COMPLIES</b>
Development that presents an unusual fire hazard which is beyond the capability of the fire district will not be approved.	The North Summit Fire District reviewed the subdivision and they have agreed with the applicant on a minimum firefighting requirement.	<b>COMPLIES AS CONDITIONED</b>
Development in remote locations that could affect emergency services will not be approved.	The proposed subdivision has year-round access and is not located in a remote area.	<b>COMPLIES</b>
Residential development with private roads will not be approved if there is a locked gate at the entrance, unless emergency services have access to the property.	The applicant has stated that they are not proposing gates.	<b>COMPLIES</b>

17. Site Design Narrative: An application for a master planned development shall include a written explanation of how the project plan addresses the following design questions:

a. Neighborhood Connectivity: How does the proposed development interconnect and the surrounding properties, neighborhood, and area? Including but not limited to:

(1) Where will vehicles enter and exit the site?

**Analysis:** The applicant plans to run six driveways onto Hoytsville Road. Four of the driveways are proposed to be shared. Please refer to MPD Requirement #10 analysis for additional consideration. **REQUEST DISCUSSION**

(2) Where will new streets be developed?

**Analysis:** The applicant is not proposing any new streets. See analysis in MPD Requirement 10 (Access) above. **REQUEST DISCUSSION**

(3) Is there a need for pedestrian and bicycle routes (including trails and sidewalks) through the project area? If so, how are such needs addressed?

**Analysis:** The applicant is proposing to improve an internal 15-ft wide trail (crushed rock, road base, and gravel) that will serve for non-motorized hiking/biking/horseback riding. See analysis in MPD Requirement 13 (Connectivity) above. **REQUEST DISCUSSION**

b. Availability of Neighborhood Facilities and Services: Is the location of the proposed development within reasonable proximity (including walking and biking) to community facilities such as schools, retail centers, parks, etc.?

**Analysis:** Apart from the amenities provided, none of the community facilities and services are within reasonable walking or biking distance. Amenities are available via car in Coalville. Given the nature and location of the project, Staff is assuming that the internal open space and trail amenities would meet reasonable requirement. Please refer to MPD Requirement #13 (Connectivity) analysis above for additional consideration. **REQUEST DISCUSSION**

c. Meeting Housing Needs: How does the proposed development advance the community need for a mix of housing types and affordability?

**Analysis:** The applicant is proposing all lots to be single-family residence lots with the exception of Lot 1. The applicant has stated; *...The development certainly best addresses community and market demands, as there are very few parcels of ground in Eastern Summit County that can provide spacious, rural living. This is a unique parcel that satisfies a niche need for a one-of-a-kind development for families that want to work their own land and have their own space...*

The development repeats a historic highway corridor development trend. It is similar to the traditional highway corridor development seen throughout the Eastern Summit County and more specifically Hoytsville Road corridor development. The MPD process was chiefly created to avoid highway corridor development. The open space and trail proposed as part of the development may outweigh some of the negative effects of the highway corridor design.

Goal 7.1 of the Eastern Summit County General Plan promotes Moderate Income Housing and mix of housing types and availability. The applicant is seeking single-family detached market rate units only and is not placing any deed restrictions. **REQUEST DISCUSSION**

d. Character: What are the architectural design character objectives of the proposed development? How do these design objectives address the local context, climate, and/or community needs?

**Analysis:** The applicant has stated; *The development will require a minimum 1900 square foot main floor custom homes.*

There are no specific plat notes which set restrictions or specific design requirements. The requirements would divert to the Eastern Summit County Development Code standards which have no restrictions beyond setbacks and height. **REQUEST**

**DISCUSSION**

e. Site Design: How is the proposed development designed to take advantage of the existing topography, landscape features, trees, wildlife corridors, existing structures, minimize site grading, etc.?

**Analysis:** The applicant has stated that *“the homes will be built on a relatively flat ground that has been a cultivated field for a very long time. Minimal grading required, minimal environmental impact. Plenty of space to still grow alfalfa or have pastures for domestic animals that the wildlife will still benefit from as well.*

The applicant has also stated; *The homes should be built not directly facing East Hoytsville Road. Homes should be built a minimum of 175 feet from the East Hoytsville Road Centerline. Landscaping will be designed with a berm along East Hoytsville Road, with trees, shrubs, and rocks to reduce the visibility of driveways and grading.*

175 feet from the centerline of Hoytsville Road would be approximately 120 feet from the front property line. The applicant has not identified building pads in the subdivision. The berm details have not been provided.

Staff recommends that a note be placed on the plat which prohibits development on slopes over 30%. Staff also recommends that a note be placed that all fencing be wildlife friendly fencing. **REQUEST DISCUSSION**

f. Complete Street Design: How is the proposed development street/circulation system designed to accommodate a variety of transportation modes (where appropriate), easy route finding, and safe speeds?

**Analysis:** Hoytsville Road does not have pedestrian type facilities/amenities. There are no internal streets in the subdivision. The applicant is requesting to place two individual driveways and four shared driveways which would access onto Hoytsville Road. The four shared driveways will help reduce curb cuts on Hoytsville Road. The applicant has not stated why Lots 1 and 10 will not be part of the shared driveway system. Please refer to MPD Requirement #10 analysis for additional consideration.

**REQUEST DISCUSSION**

g. Parking Areas: How does the proposed development balance the need for parking with the need to design parking areas in a manner that minimize visibility, site grading, and exterior lighting?

**Analysis:** The applicant has stated that the large size of the lots accommodates this requirement. The applicant is proposing a berm as a solution to minimize visibility. Berm details have not yet been provided. The applicant has not proposed plat notes which would restrict over-lot grading. **REQUEST DISCUSSION**

h. Public and Private Outdoor Spaces: What are the proposed development's need(s) for outdoor space, open space, habitat/wildlife areas, parks, or outdoor amenity areas? How does the proposed development address these needs?

**Analysis:** The applicant meets the minimum 10% open space requirement as part of an internal trail and open space combination. See previous analysis on timing for the proposed trail improvements and wildlife friendly fencing. **COMPLIES AS CONDITIONED**

i. External Storage: How does the proposed project address needs for garbage collection, equipment storage, etc.?

**Analysis:** The applicant is relying on large lot sizes to address this item. Staff recommends that a note be placed on the plat which prohibits unscreened outdoor storage. **REQUEST DISCUSSION**

## Summary

Staff has summarized the list of pending and discussion items below;

- MPD Requirement #6; Open Space:
  - Plat note restricting development on “common area”/open space.
- MPD Requirement #8; Designing with The Topography:
  - Discuss building pad designation.
- MPD Requirement #10; Access:
  - Discuss the merits of the proposed and alternative layout.
- MPD Requirement #13; Connectivity:
  - Is the internal and external vehicular/pedestrian/bicycle circulation satisfactory?
  - Staff recommends that a condition of approval and a note be placed on the plat which require the trail improvements to be completed prior to issuance of the first Certificate of Occupancy in the subdivision.
- MPD Requirement #16; Development Evaluation Standards:
  - Does the development “*preserve productive agricultural land to the extent possible and practical*”?
  - Water sources to be finalized prior to Planning Commission action.
- MPD Requirement #17; Site Design Narrative:
  - Vehicle access, streets, connectivity, and Open Space; see above.
  - Neighborhood Facilities and Services:
    - Apart from the amenities provided (open space and trail), no community facilities and services are within reasonable walking or biking distance. Amenities are available via car in Coalville. Given the nature and location of the project, Staff is

- assuming that the internal open space and trail amenities would meet reasonable requirement. Staff is seeking confirmation from the Planning Commission regarding satisfaction of Neighborhood Facilities and Services.
- Meeting Housing Needs: How does the proposed development advance the community need for a mix of housing types and affordability?
    - The development repeats a historic highway corridor development trend.
    - The applicant is proposing one housing type.
  - Character: What are the architectural design character objectives of the proposed development? How do these design objectives address the local context, climate, and/or community needs?
    - No design requirements being proposed. Default to code minimum.
  - Site Design:
    - No plat notes that identify design specifics or define what may be allowed.
    - No building pads being proposed.
    - Should building pads be required?
    - Staff recommends that a note be placed on the plat which confirms prohibition of development on slopes over 30%. Staff also recommends that a note be placed that any fencing be wildlife friendly fencing.
  - Complete Street Design: “...designed to accommodate a variety of transportation modes (where appropriate)” ...
    - No internal streets proposed.
    - Is the proposed trail adequate or should sidewalk/bike path be added adjacent to Hoytsville Road?
  - Parking Areas: How does the proposed development balance the need for parking with the need to design parking areas in a manner that minimize visibility, site grading, and exterior lighting?
    - No plat notes which would restrict over-lot grading.
    - Should notes be added to limit areas of disturbance?
  - External Storage:
    - Staff recommends that a note be placed on the plat which prohibits unscreened outdoor storage.

## Recommendation

The applicant is seeking Eastern Summit County Planning Commission discussion, feedback, and direction on the proposed Master Planned Development. No formal action is requested at this meeting. A public hearing will be scheduled in the future.

Per Section 11-4-12(D.3) of the Eastern Summit County Development Code; *Planning Commission Review and Public Hearing; County Council Action: The County Council is the Land Use Authority for master planned developments. Prior to final action by the County Council, the Planning Commission is required to hold a minimum of one (1) public hearing prior to forwarding a recommendation to the County Council. The County Council shall take final action on the application for a master planned development. County Council action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval.*

Per Section 11-4-12(F) of the Eastern Summit County Development Code; *Required Findings and Conclusions of Law: The County Council must find sufficient evidence that supports the following conclusions in order to approve a master planned development. In some cases, conditions of approval will be attached to the final action to ensure compliance.*

- 1. The master planned development is designed to fit well into the natural terrain, minimize excessive site grading and protect and preserve the surrounding area.*
- 2. The master planned development makes suitable provisions for the protection, preservation, and enhancement of watercourses, drainage areas, wooded areas, rough terrain and similar natural features.*
- 3. The master planned development takes adjacent land uses into consideration and mitigates potential impacts, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances, through careful planning.*
- 4. The master planned development has direct vehicular access from a public road or suitable private road or driveway access meeting all requirements of the County Engineer and Fire Marshal.*
- 5. The master planned development has a secondary point of access/emergency access or other mitigation satisfactory to the Summit County Engineer and Fire Marshal.*
- 6. All roads/streets within master planned development follow the natural contours of the site wherever possible to minimize the amount of grading.*
- 7. Existing or proposed utility and public services are adequate to support the proposed master planned development at normal service levels and are designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources.*
- 8. The proposed structures within the master planned development are located on reasonably developable portions of the site. The open areas within the master planned development are designed so that existing significant vegetation can be maintained to the greatest degree possible.*
- 9. The master planned development includes adequate internal vehicular and, where deemed necessary, pedestrian/equestrian/bicycle circulation.*
- 10. The master planned development includes adequate areas for snow removal and snow storage.*
- 11. All exterior lighting within the master planned development is down directed and fully shielded.*
- 12. The master planned development, as conditioned, complies with all the requirements of this chapter.*

*13. The master planned development, as conditioned, is consistent with the General Plan.*

*14. The master planned development has been noticed and a public hearing held in accordance with this chapter. (Ord. 868, 6-14-2017)*

**Attachments**

Exhibit A – Proposed Plat

Exhibit B – Slope Analysis (Lots do not match, but topo does)

Exhibit C – Applicant Narrative of MPD Requirements

Exhibit D – Sketch Rendering

Exhibit E – Photos

Exhibit F – Original Submittal