
**NORTH OGDEN CITY
STAFF REPORT**

TO: PLANNING COMMISSION

FROM: CRAIG BARKER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST A VARIANCE TO THE SUBDIVISION REGULATIONS OF THE CITY WHICH REQUIRES PIPING OF IRRIGATION DITCHES WITHIN THE BOUNDARY OF A SUBDIVISION AND THE FENCING OF BOTH IRRIGATION DITCHES AND DRAINAGE CHANNELS WHICH ARE ADJACENT TO SUBDIVISIONS.

DATE: 10/3/2013

The developer of Country Boy Subdivision Phase IV has submitted an application to the City Council to **not** require the piping nor fencing of the Four Mile Creek drainage. This historic drainage carries both irrigation water and natural drainage from the mountains to the east. The Country Boy Subdivision was approved years ago but, the property adjacent to this drainage was taken out of the subdivision proposal because of wetland and floodplain issues. The developer's engineers performed the necessary studies required by the Army Corps of Engineers and the Federal Emergency Management Agency to revise the FEMA Flood Maps and the identified Wetlands at the site. The drainage channel extends from east to west and cuts through the property which is now Mystery Meadows Subdivision. The drainage area and wetlands adjacent to this subdivision was left out of the subdivision and, the Army Corps of Engineers accepted the revisions to the wetland designation identified by the developer's engineer. The same is true for a revised Floodplain map.

This drainage channel crosses 200 West just north of Country Boy Drive. Where it crosses, the property it enters is Lot 54 R of Country Boy Subdivision Phase IV. This lot is over 24,000 sq. ft. to accommodate non-

buildable wetland areas on the north side of this lot. The remaining lot area is buildable. The required piping means additional study and determination by the Army Corps of Engineers of the advisability of doing so. This timeframe may be quite lengthy.

The subdivision ordinance (12-6-12) allows the council to determine that “the area(s) should remain open and unfenced.” Additionally, Section 12-6-13 states “...Existing features which would add value to a residential development or to the city as a whole, such as trees, historic spots, and similar irreplaceable assets, are encouraged to be preserved in the design of the subdivision.”

Previously, the North Ogden City Council was asked not to require fencing and piping of the drainage channel in the Country Boy Estates development. Staff has received calls again from concerned residents in Harrisville that whose land abuts this drainage.