

## Meeting Procedures

### Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

### Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

### Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

### Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

### Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

### Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

## Commenting at Public Meetings and Public Hearings

### Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

### Speak to the Point:

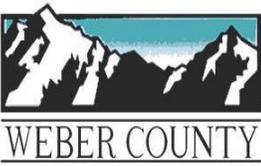
- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments, then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

### Handouts:

- ❖ Written statements should be accurate and either typed or neatly handwritten with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record will be left with the Planning Commission.

### Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.



## OGDEN VALLEY PLANNING COMMISSION

### MEETING AGENDA

June 24, 2025

Premeeting 4:30pm/Regular Meeting 5:00 pm



- *Pledge of Allegiance*
- *Roll Call:*

1. Minutes: April 29, 2025, May 20, 2025

2. Administrative items:

**2.1 CUP 2024-13:** A request for approval of a conditional use permit for a conference/education center located at 2630 North Highway 39, Huntsville. The project is known as Valo Refuge.

**Staff Presenter:** Felix Lleverino

3. Public Comment for Items not on the Agenda:

4. Remarks from Planning Commissioners:

5. Planning Director Report:

6. Remarks from Legal Counsel

Adjourn

*The meeting will be held in person at the Weber County Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.*

& Via Zoom Video Conferencing at <https://webercountyutah.zoom.us/j/87659033458> Meeting ID: 876 5903 3458

*In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8761*

Minutes of the Regular Meeting of the Ogden Valley Planning Commission for April 29, 2025. To join the meeting, please navigate to the following weblink at <https://webercountyutah.zoom.us/j/81277037651>, the time of the meeting, commencing at 5:00 p.m.

**Ogden Valley Planning Commissioners Present:** Janet Wampler (Chair), Jeff Barber (Vice Chair), Bryce Froerer, Mark Scheppe.

**Excused:** Planning Commissioners Jeff Burton, David Morby, and Trevor Shuman

**Staff Present:** Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Wampler conducted roll call and indicated Commissioners Burton, Morby, and Shuman were excused.

### 1. Minutes: February 25, 2025.

Chair Wampler declared them approved as presented.

Chair Wampler asked the Commissioners if they have any conflicts of interest or ex parte communications to declare; she declared that when the developments that are listed on tonight's agenda were first presented to the Planning Commission in 2023, she recused herself due to conflicts of interest at that time. She had a family member that was invested in the projects, but those interests are not present and the conflict no longer exists. She will be participating in discussion and action on the items listed on tonight's agenda.

No additional declarations were made.

### 2. Administrative Items:

**2.1 ZDA2025-1: A public hearing and possible action for an application to amend the development agreement for the previously approved Cobabe Ranch development, located at approximately 2720 North 5100 East. The amendments are intended to help clarify the roles and responsibilities of both the developer and the governing body. Staff Presenter: Charlie Ewert.**

A staff memo from Principal Planner Ewert explained the purpose of this application is to amend an existing development agreement for the Cobabe Ranch development project. The Cobabe Ranch project consumes about 176 acres and is located north of New Town Eden and south of the established Wolf Creek neighborhood. The property's current zoning is not being proposed to change. The proposed amendment will change the existing development agreement from its current format, simplify it, correct errors, and provide clearer roles and responsibilities for both the developer and the county. Staff is recommending approval of the rezone with specific considerations and recommendations.

Mr. Ewert reviewed his staff report and used the aid of a PowerPoint presentation to summarize staff's analysis of the application to determine policy compliance; the purpose for the amendment is to provide better clarity, reduce inconsistencies, correct errors, and better provide for the roles and responsibilities of both the county and the developer. The project's existing development agreement was recorded on September 11, 2023, and was recorded with a rezone ordinance (Ord #2023-25) that applied the county's Master Planned Development Overlay Zone to the property. The purpose of that rezone was to allow for alternative development standards and density for the project. Both the rezone ordinance and the development agreement applied to three separate projects, each being developed by the master developer (applicant). The agreement allowed density to be reallocated from properties within the Wolf Creek Resort development to this property and others. As a result, the development agreement and the Master Planned Development Overlay Zone have enabled more density in the Cobabe project than would otherwise be allowed using the underlying zones of AV-3 and F-5, thereby increasing it from its base density to 101 residential dwelling units; 33 single-family dwelling lots, and 68 townhome units. Because the existing agreement applies to three different developments and seven different zones, there are some unfortunate complications, ambiguities, and overlaps that have the potential to lead to unintended disagreements when interpreting and applying it. The applicant's intent is to separate each into their own development agreement to help eliminate this potential. This proposed amendment is not intended to materially

change the project's previous approval except to enhance the infrastructure being offered. Figure 1 illustrates the Cobabe Ranch master plan currently in the approved agreement. Figure 2 illustrates the applicant's proposed revised version. A few things to note:

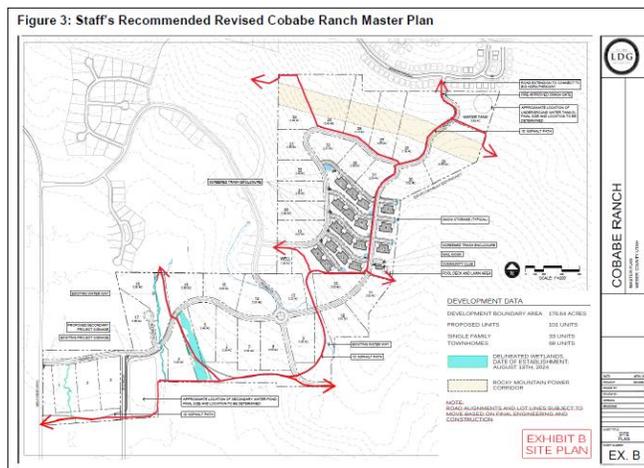
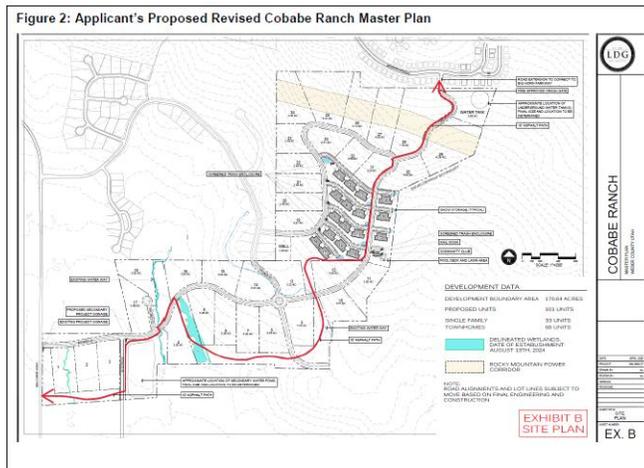
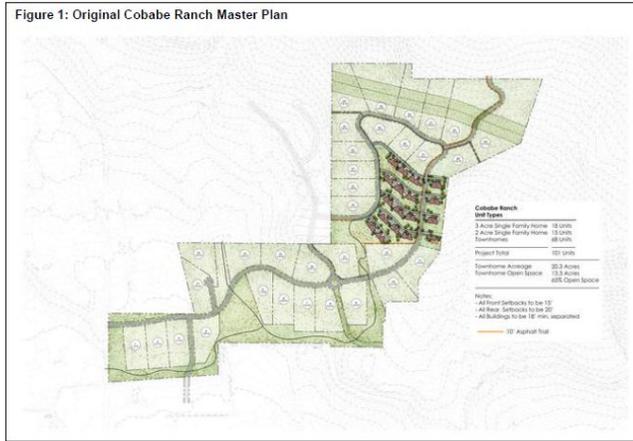
- The requested change does not materially affect the layout, configuration, and types/locations of lots and units.
- The original included a street right-of-way – but not street improvements – on the southeastern most street (Figure 2 labels it Road D). The applicant's revised version includes the street improvements, which will be a community asset that enables better neighborhood connectivity if the property to the east develops.
- The original had significantly less proposed 10-foot-wide asphalt multi-use pathway. It only contained about 3,260, or a little over half a mile of pathway. The applicant's revised proposal contains about one and a half miles, or about three times as much. The original shows other paths, but they are not labeled as 10' wide asphalt paths and are presumably dirt track.

While staff would agree that amending the development agreement for better clarity is in the best interest of the community, staff would also assert that amending it in a way that adds this additional infrastructure makes the amendment request even more worth considering. The following are relatively minor changes being proposed by either the applicant or staff, as well as other items to note:

- The original development agreement allowed Short-Term Rentals throughout the Cobabe Ranch development. The proposal does not change that.
- The applicant is requesting the right to grade the site and process materials onsite as a permitted use. The details, conditions, and circumstances in which this can occur is provided in the development agreement's Exhibit E. If the applicant desires to go beyond these standards this work will require a conditional use permit.
- The original agreement applied the zoning standards and uses of the RE-20 zone and FR-3 zone to the property, without actually rezoning the property to them. It appears to staff that this has the potential to create significant confusion, especially as institutional knowledge turns over. Staff is recommending, and the applicant has accepted, to drop any reference to these zones. Instead, we've recommended replacing them with a land use table and site development standards unique to the project. This can also be reviewed in the development agreement's Exhibit E.
- The same architectural standards are proposed as were approved in the original development agreement.
- New development entry monument signs are being proposed, also reviewable in Exhibit E.
- The same street and pathway standards are being proposed.
- There are a few development standards referenced in the original agreement, such as fire protection, flood plain protection, noxious weed control, construction staging and utilities that are not being included in the revised agreement as they either are not applicable to this project, or there are already laws that adequately apply to them. Less is probably more in this circumstance. If the planning commission wants any of them added back in, please include that in the motion.

A big ask that staff think the county should seek in the amendment of this agreement pertains to pedestrian facilities. Sidewalks are not being required in this development except along the streets adjacent to the Townhomes. While the added pathway length being proposed by the applicant will provide a benefit to the community because it will be open for public use, it's arguable that its need exists because of the advent of this development and perhaps should have been required with the original approval. For this reason, staff are further suggesting the applicant add more 10-foot-wide multi-use pathways in and through the development. These additional pathways are intended to help give the community better inter-neighborhood connectivity not just to this development, but across it. Figure 3 illustrates staff's suggested pathways, which would amount to approximately two and a half miles of total asphalt pathway. Figure 4 provides a rough illustration for how these pathways will benefit surrounding existing and planned neighborhoods. Staff is recommending approval of the request with the additional pathways and other suggested amendments provided as redlines and comment bubbles in the attached proposed Development Agreement. The attached agreement was converted from PDF to Word, so there may be some formatting errors, but the content should be consistent. The planning commission may notice that the agreement is significantly similar to the recently reviewed Bridges development agreement.

Mr. Ewert presented the original Cobabe Ranch Master Plan, the applicant's proposed revisions to the Master Plan, and staff's recommended revisions to the Master Plan:



Mr. Ewert noted the Planning Commission’s role in evaluating provisions in the development agreement is generally limited to land use regulations. In this context, state code defines a land use regulation as “... a rule that governs the use or development of land.”<sup>1</sup> The proposed development agreement contains quite a bit of rules that govern County administration and processes more than they govern the use or development of land. To help ease the Planning Commission’s discernment, staff has highlighted in gray each section or subsection that is believed to pertain to land use regulations. The planning commission can feel free to review and ask questions about non-land use regulations, being advised that staff may not have definitive answers for some that are subject to additional negotiations with other county divisions or the County Commission.

After reviewing the proposal within the intended context of the Ogden Valley General Plan, existing zoning, and existing development agreement(s), it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the development agreement amendment. This recommendation is offered with the following considerations:

1. Staff's comments and suggestion provided in the attached DA should be more fully addressed prior to County Commission approval.

Staff's recommendation is offered with the following findings:

1. After the listed considerations are applied, the proposal helps advance the goals, and objectives of the Ogden Valley General Plan.
2. The proposed changes are not detrimental to the overall health, safety, and welfare of the community and provides for better project outcomes than.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Mr. Ewert concluded the applicant has asked for a decision from the Planning Commission tonight; the options available to the Commission are to recommend approval to the County Commission, recommend conditional approval to the County Commission, or recommend denial to the County Commission and that motion should be supported by findings included in the motion.

Chair Wampler stated that during the leadership meeting she and Vice Chair Barber participated in with County staff, she was told that the Commission had the option to table the application as well. Planning Director Grover stated that was an option at the time of the meeting, but the applicant has since requested a decision be made tonight.

Commission discussion then centered on ingress/egress points in the development area and placement of crash gates at appropriate locations; the length of pathways in the project area and whether they are publicly accessible and/or publicly maintained or maintained by the homeowner's association (HOA); utility infrastructure improvements; noxious weed control standards; density of the project area and lot sizes; requiring the developer to repair any damage that has occurred to the existing improvements in the area, including public rights-of-way and pedestrian accesses; and ensuring public areas remain open during construction.

Chair Wampler invited input from the applicant.

Bruce Baird, counsel for the developer, introduced himself as well as his client, John Lewis. He stated Mr. Ewert has done a thorough job of explaining why the proposed amendments to the development agreement will yield a better result. He addressed a few of the issues raised during the Commission's discussion of the proposal, including his client's willingness to make it clear in the development agreement that the HOA will maintain the public pathways until/if the improvements are eventually taken over by a government entity. He has also been engaged in discussions with the neighboring property owners to the north and the generic request is to keep the area gated, but he is agnostic as to whether the area should remain open or not and will await the decision of the County Commission. He feels that the simplified project agreement will benefit all parties, and he asked for support from the Planning Commission this evening. He also expressed a willingness to answer any questions that may be raised by the public.

Chair Wampler opened the public hearing.

Jan Fulmer, 3741 Redhawk Circle, Eden, referenced a road that goes into Trapper's Ridge and asked if there will be a crash gate there or if it will be an open thoroughfare. When the plans for this project were first presented publicly, the residents in Trapper's Ridge understood the need for a crash gate for emergency situations, but they were not keen on the road being a thoroughfare. She then stated there has been some mention of a short-term rental (STR) use being allowed in the project area; she understood townhomes may be used for STRs, but she asked if single-family homes can also be used as STRs.

Niko Filigiottie, 5956 East Bighorn Parkway, stated that Mr. Lewis has been a pleasure to work with, dating back to 2022. He asked what the hours of work will be for the project and how noise and dust will be mitigated for the existing residents living nearby. He would also like a phone number for who residents can call if they have a question or issue. He then referenced the top right corner of the plan, which identifies an underground water tank, and he asked if that will be visible at all or fully below grade. He stated there is an agreement Mr. Lewis dated October 25, 2022 regarding existing power infrastructure and limitations on the

developer in terms of where they can build and how close they can be to neighboring property lines. However, there is no stipulation about what happens if the power lines are going to be buried and he would like that to be specifically addressed. He asked that any reference on the plans to the power lines be demarked with a longitude and latitude location. For example, single family homes are to be located below power lines and any secondary structures, such as barns, can be above the powerlines, but there is a significant drop off on the land and Mr. Lewis has made agreements about building heights and it is important to expressly communicate how buffering will be achieved to prevent new construction from blocking the views of existing residents., which could be accomplished by burying powerlines. He stated some gentlemen agreements have been made with Mr. Lewis, and he would love him to memorialize those agreements and include language in the agreement that provides proper buffering between barns or other accessory buildings and neighboring residences. He would also like for the agreement to provide specific rules and regulations regarding the STR uses in the project. The crash gate was very important in past discussions with residents, and he asked that the applicant and the County carefully consider that element of the plan. He concluded by asking if streetlights are required in the development. He thanked the Commission and Mr. Lewis for everything done to this point.

Kirk Langford, Eden, expressed his concerns about performing any excavation on the property or the surrounding area that will impact the natural drainage paths in the area. A tremendous amount of water comes off of Wolf Creek and the Cobabe property and it no longer goes through the four-way stop and on to Pineview as it did previously. Berms have been built in the area that has rerouted water that is rolling off the mountain. The water is being diverted into manmade canals and ditches, and it heads east into another subdivision and into Eden Irrigation's main ditch that serves a good portion of Eden. The County had a project to capture that project even before building more units on Cobabe; the water floods Old Town Eden, people's basement, farms, and all up to Browning Ranch. The County was planning to install pipe to catch the water and reroute it into Pineview, but the County ran out of money to complete that project. Now, a new City will be incorporated and will be responsible for handling that problem. Many people are suffering due to the failure to complete the project, and he also asked the County to be considerate of any work being done on the Cobabe project that will obstruct canals or ditches that feed the agricultural properties of Eden.

Debra Mottlemog, 4833 E. 3925 N., Eden, stated before she moved to Eden, she looked at all future plans for the area because she planned to live here forever, but things have changed drastically, and she asked if anything can be done to slow or stop this project and other projects that will increase the density of the area.

Chair Wampler stated that the application before the Commission tonight is an amendment for a development agreement for a previously approved development. Ms. Mottlemog stated she attended one meeting but never received future communication about this project. Chair Wampler stated that the project and original agreement were originally approved in 2022 and 2023.

There were no further persons appearing to be heard and Chair Wampler closed the public hearing.

Chair Wampler asked Mr. Ewert to address the points raised by the public.

Mr. Ewert referenced questions about a crash gate; the current version of the proposed amendments to the development agreement do not include a crash gate, but also no prohibition of a crash gate. He stated the County does not have a strong position on the matter and it may not be needed in the long term; if it is in place for the duration of the construction or for building the first few homes, that would be sufficient. He then stated that construction work can only occur between the hours of 8:00 a.m. to 6:00 p.m., Monday through Saturday and that requirement is included in the agreement. The phone number residents can call to complain about violations is for the County's Code Enforcement Division and it is listed on the County's website. There have been some discussions about dust and noise mitigation, but it would be his recommendation to include a decibel rating in the development agreement to clearly communicate what constitutes a noise violation. He deferred to the applicant to answer whether the water tank is fully underground. The applicant indicated the water tank is fully underground. Mr. Ewert then addressed the matter of STRs; it is his understanding that STRs were allowed in the entire Cobabe project, but he will review the historical record to ensure if that is the case. He will communicate his findings before the application is considered by the County Commission. He then addressed the comments about the potential to bury power lines underground and stated that is very unlikely given that they are high power transmission lines. It is his understanding that Rocky Mountain Power will be replacing poles on those lines in the near future. If that were to ever change, it may be appropriate to provide a definitive standard for appropriate rear setbacks for structures that would be built where the power lines are currently located. There may be some adjustments on the setbacks for the townhomes, but he feels that has been reasonably clarified through discussions between the applicant and planning staff. Relative to drainage, the County Engineering staff has the same concerns as were expressed by Mr. Langford and they are carefully monitoring the situation and will discuss their concerns with the applicant before making a final recommendation. He concluded by addressing Ms. Mottlemog's question about the status of the project; the development has

been approved and that will not change; the amendments to the development agreement are pending a decision by the County Commission.

Vice Chair Barber inquired as to the maximum building height for an accessory building, to which Mr. Ewert answered 25 feet. Vice Chair Barbier asked if that also applies to an accessory building with a dwelling unit, to which Mr. Ewert answered yes.

Planning Director Grover then reviewed the minutes from the County Commission meeting on November 2, 2021, during which STRs were discussed; the minutes state “no STRs at Eagle Crest, but STRs will be allowed at both Exchange and Cobabe Ranch, including within single-family units.” Chair Wampler stated she thought actions were taken on this project in 2022 or 2023. Mr. Ewert stated that was likely when the development agreement was discussed. Legal Counsel Erickson clarified that the minutes document Mr. Grover was reviewing was actually from August 15, 2023; the footer for the document was likely not updated to reflect the correct meeting date.

Vice Chair Barber moved to forward a positive recommendation to the County Commission for application ZDA2025-1, an application to amend the development agreement for the previously approved Cobabe Ranch development, located at approximately 2720 North 5100 East. The amendments are intended to help clarify the roles and responsibilities of both the developer and the governing body. The recommendation is based on the findings and subject to the conditions listed in the staff report, as well as the following additional conditions recommended by the Planning Commission:

1. Similar language should be added to the agreement as is found in the Bridges Development Agreement with respect to outsourcing inspections services.
2. The 2.5 miles of paved path should be identified in the development agreement.
3. The HOA will be responsible to maintain the 2.5 miles of paved path on a year-round basis.
4. Language should be added to the agreement with respect to minimal earth disturbance throughout the project, including on the building lots.
5. Include specific language pertaining to noise mitigation and what constitutes a noise violation.

Chair Wampler referenced item one and asked Vice Chair Barber if he meant the language the Planning Commission had requested rather than the language that was agreed upon by the County Commission. Vice Chair Barber clarified that he meant the language the Planning Commission had requested; he feels the Planning Commission’s recommendation regarding the Bridges development was based upon a desire for uniformity and consistency and the same should be considered for this development.

Commissioner Froerer asked the other Commissioners how they feel about the crash gate at the top of the development; he is not sure the gate is needed, or if the issue is important enough to address in a motion. Vice Chair Barber stated he understands the County does not care about the gate and the County Commission may or may not care; however, residents above the development may care about the gate. He is not familiar enough with the traffic flow that may occur in the location of the gate to have a definitive position on the issue. He noted Mr. Ewert communicated it may be a good idea to have a gate during the construction of the project, but it may not be needed in the future. Commissioner Schweppe discussed his experience as a resident living near the project area; he has heard from the HOA that there would be a crash gate, but he spoke with the developer, and they indicated the gate may or may not be installed. The residents are accustomed to their development being closed and they would prefer something to prevent through traffic coming into their neighborhood. There is also an issue with egress and ease of access to main roads at lower points through the neighborhood. He feels transportation connectivity may be a benefit in the future and that perhaps a crash gate is only needed during construction.

Commissioner Froerer stated that based upon those comments, he would offer a friendly amendment to the motion to require a crash gate during construction. Vice Chair Barber accepted the friendly amendment.

Commissioner Froerer seconded the motion. Commissioners Froerer, Schweppe, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 4-0).

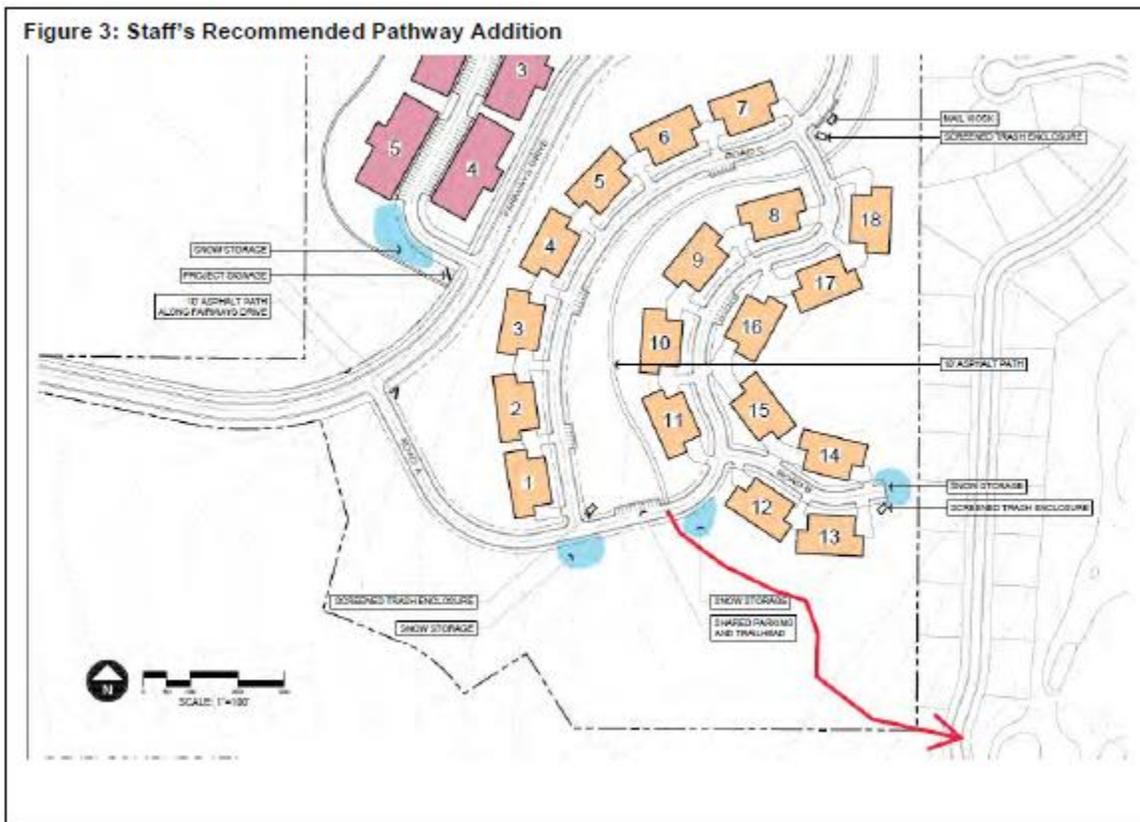
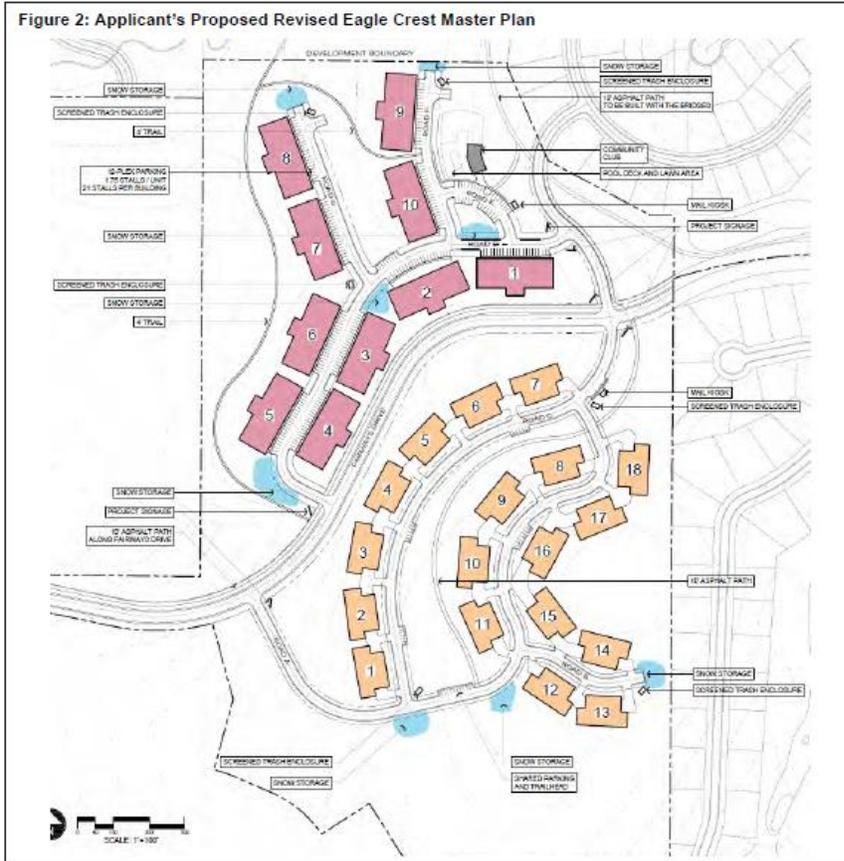
**2.2. ZDA2025-2: A public hearing and possible action for an application to amend the development agreement for the previously approved Eagle Crest development, located at approximately 4601 East Fairways Drive. The amendments are intended to help clarify the roles and responsibilities of both the developer and the governing body. Staff Presenter: Charlie Ewert**

A staff memo from Principal Planner Ewert explained the purpose of this application is to amend an existing development agreement for the Eagle Crest development project. The Eagle Crest project consumes about 66.63 acres and is located west of the established Wolf Creek neighborhoods. The property’s current zoning is not being proposed to change. The proposed amendment will change the existing development agreement from its current format, simplify it, correct errors, and provide clearer roles and responsibilities for both the developer and the county. The process to amend a legislatively adopted development agreement is the same process used for a rezone. While no zoning is being proposed to change with this amendment, there may be references in this report to rezone process requirements. Staff is recommending approval of the development agreement with specific considerations and recommendations. The purpose for the amendment is to provide better clarity, reduce inconsistencies, correct errors, and better provide for the roles and responsibilities of both the county and the developer. This application is being run in tandem with the applicant to amend the same existing development agreement as it pertains to Cobabe Ranch. Both will be reviewed on the same agenda, and the facts and circumstances of each are very similar. This report addresses unique considerations for Eagle Crest, but a more general analysis of the application can be reviewed in the Cobabe Ranch DA staff report. This proposed amendment is not intended to materially change the project’s previous approval except to enhance the infrastructure being offered. Figure 1 illustrates the Cobabe Ranch master plan currently in the approved agreement. Figure 2 illustrates the applicant’s proposed revised version. A few things to note:

- The requested change does not materially affect the layout, configuration, and types/locations of lots and units.
- The original had less proposed 10-foot-wide asphalt multi-use pathway. The proposed version includes:
  - The installation of a multi-use asphalt pathway along Fairway Drive;
  - An asphalt pathway connection to the Bridges Development to the north; and
  - A pathway trailhead parking area on the south side of the Project.

Mr. Ewert offered a comparison of the original Eagle Crest Master Plan with the developers proposed changes, and a third plan that includes staff’s recommended pathway addition.





Mr. Ewert noted that while staff would agree that amending the development agreement for better clarity is in the best interest of the community, staff would also assert that amending it in a way that adds this additional infrastructure makes the amendment request even more worth considering. The following are relatively minor changes being proposed by either the applicant or staff, as well as other items to note:

- Short-term rentals are not allowed.
- The applicant is requesting the right to grade the site and process materials onsite as a permitted use. The details, conditions, and circumstances in which this can occur is provided in the development agreement's Exhibit E. If the applicant desires to go beyond these standards this work will require a conditional use permit.
- The same architectural standards are proposed as were approved in the original development agreement.
- The same street and pathway standards are being proposed.

Like Cobabe, staff thinks the county should seek additional paved pathway length. For this project, the only additional paved pathway staff recommends requesting is an extension from the proposed trailhead southward to the south eastern property boundary. This extension can later help facilitate the pathway's extension through the golf course and the Wolf Creek's intended village area. Figure 3 illustrates the pathway extension. Staff is recommending approval of the request with the additional pathway and other suggested amendments provided as redlines in the attached proposed Development Agreement. To help ease the planning commission's review of the attached agreement, and because it is so similar to the Cobabe agreement, staff have only provided red lines that demonstrate only the differences between the two. Any redline or comment in the Cobabe agreement that is not in the attached should still be considered applicable.

Mr. Ewert concluded that after reviewing the proposal within the intended context of the Ogden Valley General Plan, existing zoning, and existing development agreement(s), it is staff's opinion that this development agreement amendment will help advance the vision and goals of the plan. Staff is recommending approval of the development agreement amendment. This recommendation is offered with the following considerations:

1. Staff's comments, suggestion, and edits regarding the DA should be more fully addressed prior to County Commission's approval.

Staff's recommendation is offered with the following findings:

1. After the listed considerations are applied, the proposal helps advance the goals, and objectives of the Ogden Valley General Plan.
2. The proposed changes are not detrimental to the overall health, safety, and welfare of the community and provides for better project outcomes than.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Commissioner Froerer asked if there is a proposed pathway to continue up State Road (SR) 158, or if that is just part of the road. Mr. Ewert stated the trail would be grade separated rather than as part of the road shoulder. The General Plan actually identifies a trail all the way to Powder Mountain, which would be a 'big lift', but it should be possible to get a trail to Fairways Drive at a minimum.

Vice Chair Barber asked if there is any potential for this development to cause a need for any modification to SR 158; he cited Old Snow Basin Road as an example, noting that as development occurred along that road, there because a question of mitigating traffic issues and what parties had created those issues. He asked if there is a potential for something similar to occur with this development along SR 158. Mr. Ewert stated he can discuss those concerns with County Engineering and the Utah Department of Transportation (UDOT). There will be many new driveways as part of this project and the Bridges project and he would assert that making the connection to Fairways Drive may actually alleviate some traffic issues on SR 158, but that depends on traffic flow. The majority of the working public that commutes from the Valley to their place of employment travels south. That data may be dated as it was collected before the COVID-19 pandemic, however. He stated there is some potential to shift traffic patterns as connectivity is made to 4100 North, which connects to the North Ogden Divide road. He noted a traffic study can be requested if the Planning Commission desires and he suggested including a recommended condition of approval to add language to the development agreement requiring a traffic study. That has been done for other development agreements.

Chair Wampler stated that the packet materials for this item actually include maps for Cobabe Ranch rather than Eagle Crest; she suggested that be corrected. She added that one map of Eagle Crest includes unit counts that are for Cobabe Ranch rather than

Eagle Crest. That error also needs to be corrected. Mr. Ewert stated the proposed development agreement includes the correct exhibits and the pages Chair Wampler was referencing are from the existing development agreement that does include maps for Cobabe Ranch, Eagle Crest, and the Exchange all in one document. That is part of the issue the County and the developer are trying to correct as part of this application.

Chair Wampler invited input from the applicant. The applicant indicated he had nothing to add to Mr. Ewert's presentation.

Chair Wampler opened the public hearing.

Megan Bowen, 4174 Sunrise, requested that before anything is approved, a traffic study be conducted. There will be a significant number of units added to the area due to this development and a traffic study should be completed to consider the true impact of the project and what that will mean for existing homeowners. She asked if the units will have two-car garages and how the connection of Fairway Drive will impact traffic flow in the area.

Jan Fulmer, Eden, asked for clarification on the name of Fairway Drive; she tried to perform a google search to search for the development address and she could not find it. She suggested a larger map be provided in order for the public to understand the location of the property and to see what uses surround it. She asked Mr. Ewert to point out if this project area is near the new road that connects the Fairways to River Road.

There were no further persons appearing to be heard and Chair Wampler closed the public hearing.

Chair Wampler invited Mr. Ewert to address the questions asked during the public hearing. Mr. Ewert stated that he believes a requirement for a traffic study can easily be included in the development agreement; that would include triggers that would dictate the timing of the traffic study. He noted, however, that he does not want anyone to have an unrealistic expectation of what a traffic study would produce; traffic impact studies are performed by engineers, and they are based upon efficiencies of streets rather than impacts to existing residents or adjoining landowners. He then responded to Ms. Fulmer's comments by identifying the project area on a map; he identified Fairway Drive and other roadways in the area and pointed out where larger townhomes will be located on the north side and smaller townhomes on the south side. He stated that it may be true that the address that was included in the staff report does not currently exist; it was a general address for the project and the formal address will not be designated until the property is subdivided.

Vice Chair Barber moved to forward a positive recommendation to the County Commission for application ZDA2025-2, an application to amend the development agreement for the previously approved Eagle Crest development, located at approximately 4601 East Fairways Drive. The amendments are intended to help clarify the roles and responsibilities of both the developer and the governing body, based on the findings and subject to the conditions listed in the staff report, as well as the following additional conditions recommended by the Planning Commission:

1. Similar language should be added to the agreement as is found in the Bridges Development Agreement with respect to outsourcing inspections services.
2. The path should be extended according to the map provided by Mr. Ewert.
3. The HOA will be responsible to maintain the new path on a year-round basis.
4. Language should be added to the agreement with respect to minimal earth disturbance throughout the project, including on the building lots.
5. Include specific language pertaining to noise mitigation and what constitutes a noise violation.
6. A traffic study should be conducted with respect to the mitigation of detrimental effects with the outlook toward potentially collecting funds for a future roadway adjustment to SR 158.

Chair Wampler asked Vice Chair Barber to clarify the intent of condition 6. Vice Chair Barber stated that his intent is to escape a similar situation to what occurred on Old Snow Basin Road as development continued along the road and caused issues on the roadway; a traffic study would examine opportunities for mitigating potential detrimental future effects of increased traffic in the future. If funding can be collected from developments that occur beyond the intersection at SR 158, that funding could be used to address future traffic issues.

Commissioner Schweppe seconded the motion.

Chair Wampler referenced condition number 5 and asked if it is necessary to specify certain decibel levels that would be defined as a noise violation. Mr. Grover stated that could be done, or staff could be directed to consider noise regulations in other municipalities. Chair Wampler stated she would like the development agreement to specify a certain decibel rating. She offered a friendly amendment to Vice Chair Barber’s motion to include that statement. Vice Chair Barber accepted the amendment.

Chair Wampler called for a vote on the motion. Commissioners Froerer, Schweppe, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 4-0).

**3. Public Comment for Items not on the Agenda:**

There were no public comments.

**4. Remarks from Planning Commissioners:**

Commissioner Schweppe referenced the comments he made regarding a crash gate in the Cobabe Ranch development; those was his opinion only and he would defer to the HOA of the respective communities to decide on the best way to move forward regarding that element of the project.

**5. Planning Director Report:**

Planning Director Grover reported Commissioner Morby is resigning from the Commission due to some health issues; the County Commission will be considering an appointment to replace Commissioner Morby soon.

**6. Remarks from Legal Counsel**

There were no remarks from Legal Counsel.

The meeting adjourned at 6:33 p.m.

**Respectfully Submitted,**

*Cassie Brown*

**Weber County Planning Commission**

Minutes of the Regular Meeting of the Ogden Valley Planning Commission for May 20, 2025. To join the meeting, please navigate to the following weblink at <https://webercountyutah.zoom.us/j/83778044512>, the time of the meeting, commencing at 5:00 p.m.

**Ogden Valley Planning Commissioners Present:** Janet Wampler (Chair), Jeff Barber (Vice Chair), Jeff Burton, Bryce Froerer, Mark Schweppe, Trevor Shuman, and Laura Warburton.

**Staff Present:** Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Wampler conducted roll call and welcomed new Commissioner Laura Warburton, who has been appointed to fill the vacancy created by Dave Morby's resignation from the Commission.

Chair Wampler asked the Commissioners if they have any conflicts of interest or ex parte communications to declare; she declared a community meeting was held in the Ogden Valley last night, and after that meeting a resident spoke publicly encouraging residents to attend the meeting tonight to hear the discussion of application CUP 2025-06. The public believed that the meeting was a 'water meeting', but she clarified that it is a meeting of the Ogden Valley Planning Commission, and the application is for a conditional use permit for a pump station. She encouraged people to attend and provide public input if they wished. She felt it appropriate to consider the application as an administrative item, rather than a consent item as it is listed on the agenda.

Commissioner Warburton moved to remove application CUP 2025-06 from the consent calendar and consider it as an administrative application. Commissioner Froerer seconded the motion; all voted in favor.

No additional declarations were made.

#### **1. Administrative Items:**

**1.1 CUP 2025-06: Request for approval of a well pump house to serve the Nordic Village water system. Water right approvals and well permits have been obtained through the State Division of Drinking Water and the Utah Division of Water Rights. Located in the AV-3 Zone at approximately 4000 N 3500 E, Liberty, UT, 84310.**

A staff memo from Planner Aydelotte explained the applicant is requesting approval of a conditional use permit for the installation of a well pump house to serve the Nordic Village water system. The AV-3 Zone allows a "public utility substation" as a conditional use. The proposal has demonstrated that the operation will comply with the applicable regulations, with reasonable conditions imposed. The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews.

Ms. Aydelotte reviewed her staff report and used the aid of a PowerPoint presentation to summarize staff's analysis of the application to determine compliance with the following:

- General Plan
- Zoning regulations
- Conditional use standards
- Design review standards
- Considerations relating to traffic safety and traffic congestion
- Considerations relating to landscaping
- Considerations relating to buildings and site layout

Ms. Aydelotte concluded staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agency requirements, and is based on the following findings:

- The proposed use is allowed in the AV-3 Zone and meets the appropriate site development standards.

- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Chair Wampler encouraged Planning Commission discussion of the application. Commission discussion centered on future development potential of properties surrounding the subject property upon which the applicant desires to build the pump station; they wondered if the pump station would still meet required setbacks and design standards if future roads and neighborhoods are built surrounding the property. Ms. Aydelotte stated that staff evaluated future development potential and connectivity opportunities and did not envision any connection at the location of the subject property on 3500 East; the likelihood of Utah Power and Light granting an easement for a future road is low, and the intent is for connections to occur to the west of the subject property.

Commissioner Froerer moved to accept public input. Commissioner Schweppe seconded the motion, all voted aye.

Chair Wampler invited public input. There were no persons appearing to be heard.

Commissioner Froer moved to close the public input period. Commissioner Bruton seconded the motion, all voted aye.

Chair Wampler asked the Commission if they had any questions for the applicant. Commissioner Shuman asked the applicant if he has any opposition to using textured concrete masonry units (CMU) rather than smooth. Applicant representative, Brian Christopherson, stated that he is not opposed to that change; he would prefer split-faced material. Commissioner Shuman stated there has been some confusion about whether the requirement for textured CMU applies to this application and the Commission wanted to understand if the applicant would be willing to use that material. Mr. Christopherson stated he will look into that change and is not opposed to it.

Vice Chair Barber moved to approve application CUP 2025-06, approval of a well pump house to serve the Nordic Village water system. Water right approvals and well permits have been obtained through the State Division of Drinking Water and the Utah Division of Water Rights. Located in the AV-3 Zone at approximately 4000 N 3500 E, Liberty, UT, 84310. Approval is based on the findings and subject to the conditions listed in the staff report. Commissioner Shuman seconded the motion.

Commissioner Warburton offered a friendly amendment to include an additional finding that the applicant has expressed willingness to consider textured CMU rather than smooth CMU. Vice Chair Barber accepted the friendly amendment and Commissioner Shuman indicated his second of the motion stands.

Commissioners Burton, Froerer, Schweppe, Shuman, Warburton, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 7-0).

## **2. Public Comment for Items not on the Agenda:**

There were no public comments.

## **3. Remarks from Planning Commissioners:**

Chair Wampler asked if there has been any movement on any the applications from Cowboy Partners or CW Basin. Mr. Grover stated he has not seen any updated application materials for Cowboy Partners, but the applicant for CW Basin has been working on amended application documents.

Chair Wampler then stated she has heard from a resident about the potential for Ogden City to approach the County about removing transfers of development rights (TDRs); she asked if that is accurate. Planning Director Grover stated Ogden City has expressed some interest on that topic, but no formal application has been submitted.

Commissioner Warburton stated she wished to be clear that she has never been to dinner with John Lewis and his wife, nor has she taken money from them for personal use and she does not plan on having any ex-parte communications with them about anything. She holds herself accountable to the Planning Commission and to the rules of order. She encouraged anyone who has any concerns to talk to her.

**4. Planning Director Report:**

Planning Director Grover indicated he had nothing to report.

**6. Remarks from Legal Counsel**

Legal Counsel stated that he does not have any objections to the Commission accepting public comment for the item on tonight's agenda, but since it was not advertised as a public hearing and no public hearing was required, it would be worth noting for the record that the Commission was not required to take public input. For an administrative item, no formal motion to accept public input is required and public input can be accepted at the discretion of the Chair.

Chair Wampler stated she typically makes a statement regarding the rules governing public input; as Chair, she understands it is her discretion to accept public input and in general she feels it is important to hear public input on most items. She understands the Commission's vote should not be based upon public clamor, but she does appreciate when the public provides their opinion.

The meeting adjourned at 5:22 p.m.

**Respectfully Submitted,**

***Cassie Brown***

**Weber County Planning Commission**



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

<b>Application Request:</b>	File Number CUP 2024-13 - A request for approval of a conditional use permit for a conference/education center located at 2630 North Highway 39, Huntsville. The project is known as Valo Refuge.
<b>Agenda Date:</b>	Tuesday, June 24, 2025
<b>Applicant:</b>	Mark Overdevest, Owner
<b>Representative:</b>	Steve Michalik, Representative

### Property Information

<b>Approximate Address:</b>	2630 North Highway 39, Huntsville, UT, 84317
<b>Project Area:</b>	10.03 acres
<b>Zoning:</b>	Forest (F-5)
<b>Existing Land Use:</b>	Residential
<b>Proposed Land Use:</b>	Conference/Education Center
<b>Parcel ID:</b>	23-114-0001, 23-114-0002
<b>Township, Range, Section:</b>	T7N, R3E, Section 33

### Adjacent Land Use

<b>North:</b>	Forest	<b>South:</b>	Forest/Residential
<b>East:</b>	Forest	<b>West:</b>	Forest

### Staff Information

<b>Report Presenter:</b>	Felix Lleverino flleverino@co.weber.ut.us 801-399-8767
<b>Report Reviewer:</b>	TA

## Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Title 104 Chapter 9 (F-5 Zone)
- Title 104 Chapter 28 Section 2 (Stream Corridors, Wetlands, and Shorelines)
- Title 108 Chapter 1 (Design Review)
- Title 108 Chapter 2 (Architectural, Landscape, and Screening Design Standards)
- Title 108 Chapter 4 (Conditional Uses)
- Title 108 Chapter 8 (Parking and Loading Space, Vehicle Traffic and Access Regulation)
- Title 110 Chapter 2 (Ogden Valley Signs)

## Development History

This proposal is within lots one and two of the Kathy Park Subdivision.

## Summary and Background

The applicant is requesting approval of a conditional use permit for a conference/education center located in the Forest (F-5) zone. See Exhibit A for the site plan. Each lot has a perfected well and a permitted septic system.

Access to this land is from Highway 39, for which a UDOT Access Permit is obtained and included as Exhibit F.

The applicant intends to host conferences and educational courses with the option of overnight stays. The applicant has provided a detailed narrative that further describes the intended uses. The county staff has performed a written analysis of the proposal to ensure compliance with applicable land use codes.

## Analysis

**General Plan:** As a conditional use, this operation is allowed in the F-5 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

**Zoning:** The subject property is located within the Forest (F-5) Zone. The purpose of the F-5 Zone can be further described in LUC §104-9-1 as follows:

- a) *The intent of the forest zones is to protect and preserve the natural environment of those areas of the county that are characterized by mountainous, forest or naturalistic land, and to permit development compatible to the preservation of these areas.*
- b) *The objectives in establishing the forest zones are:*
  1. *To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the natural resources, vegetation and attractions;*
  2. *To reduce the hazards of flood and fire;*
  3. *To prevent sanitation and pollution problems and protect the watershed;*
  4. *To provide areas for private and public recreation and recreation resorts; and*
  5. *To provide areas for homes, summer homes, and summer camp sites.*

A Conference/Education Center is defined by LUC §101-2-4-C as follows:

*"The term "conference/education center" means a facility designed for the purpose of conducting meetings for consultation, exchange of information and/or discussion which results in enhanced personal, business and/or professional development. A conference/education center may provide office facilities and schedule a range of business related and/or leisure activities (e.g., training workshops, seminars, retreats and similar type meetings). Such a facility may serve meals and offer day use and/or overnight lodging facilities."*

**Conditional Use Review:** A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Thus far, the applicant has received approval from:

1. Weber Fire District
2. Environmental Health-Food Services
3. Weber Basin Water (water quality testing)

The following is an analysis of the proposal reviewed against the conditional use standards:

- 1) Standards relating to safety for persons and property.

*The proposal is not anticipated or expected to negatively impact this property, surrounding properties, or persons. The Weber Fire District has conditioned its approval on the following:*

1. *The owner shall place a monument-style address sign*
2. *The bridge will need a weight limit marked on it*
3. *Each unit will require clear space around it to protect the wilderness from a structure fire*
4. *The fire pits will need to be improved.*

- 2) Standards relating to infrastructure, amenities, and services.

*The proposal is not anticipated to harm any existing infrastructure, amenities, or services in the area. Two water wells for culinary and secondary water are in place, tested and passed for quality, and fully functional. Two permitted, installed, and recently serviced septic systems serve these properties.*

- 3) Standards relating to the environment.

*The proposal is not anticipated or expected to negatively impact the environment.*

*The Beaver Creek year-round stream runs through the property. The parking lot and the permanent structures must be located at least 75' from the high water mark of the stream or within the platted buildable area.*

*The Weber Morgan Health Department has performed water quality tests for each well, the results indicate that each well is approved. The Health Department has identified two septic permits for the site, with permit*

numbers 94146 and 94073. Lot one has a 1,500-gallon tank, and lot two has a 1,250 + gallon tank. The latest review from the Weber-Morgan Health Department indicates that they cannot grant final approval until:

- 1) *The owner shall submit a design by a certified onsite wastewater professional designer to expand the original absorption area of both systems to a minimum of 1243 sq ft.*
  - 2) *A replacement drainfield must be installed with an alternating valve to allow for alternating flows.*
  - 3) *The original absorption system must be installed with an alternating valve to allow for alternating flows.*
  - 4) *The owner/operator must apply for an Engineered Design and On-Site Wastewater Application.*
- 5) Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan.

*With the establishment of appropriate conditions as determined by the Planning Commission, this operation is not anticipated to negatively impact the surrounding areas or be at odds with any of the goals and policies of the General Plan.*

- 6) Standards relating to performance

*The Planning Division's condition of approval requires that the owner obtain a business license for each year of operation and that the operation remains lawful.*

*Requirements from the Fire District and the Weber-Morgan Health Department will ensure that the site remains safe.*

- 7) Standards generally

*The owner is responsible for keeping the operation free of nuisances such as noise, light, and traffic issues. The planning staff's conditions of approval will serve to mitigate potential issues.*

- 8) Voluntary contributions providing satisfactory compliance with applicable standards

*If the planning commission identifies issues not covered in this report, the applicant has the opportunity to volunteer solutions.*

**Parking and Loading Space, Vehicle Traffic and Access Regulations:** Since the parking section does not specifically name regulations for a Conference/Education Center, the planning staff recommends that the planning commission establish parking requirements based on the reasonable number of spaces for staff and customers, and similar requirements of like businesses. It is the planning commission's discretion to require bumper guards or curbs where needed to protect property or pedestrians. The applicant's narrative states that they anticipate the max capacity of ten vehicles, four vehicles for overnight guests, and six vehicles for retreats. The minimum parking lot size for ten vehicles would be 3,000 to 3,500 SF. Or a space dimensioned at roughly 40' X 88'.

The county parking code, Section 108-8-7 (d) (6) requires that all private parking facilities be hard surfaced with material like concrete or asphalt. The applicant would prefer to use a 4-inch deep compacted structural fill as an alternative to asphalt or concrete.

**Design Review:** In addition to the conditional use review, a design review is required for a Conference/Education Center. The following design review standards were considered, and an analysis of the project against the design review standards is in the italicized text below each standard.

Sec 108-1-4 Considerations in the review of applications

- (a) Considerations relating to traffic safety and traffic congestion.

*Traffic safety concerns are not anticipated with this proposal. Visitors will park in a designated area shown on the site plan. Access to the property from Highway 39 will be through a 28-foot-wide gate. Visitors to the site will pull off the road onto an improved asphalt shoulder before entering the property. Once they have entered through the gate, the visitors will park in a designated hard surface parking lot where they will walk across the bridge.*

The Fire Marshal has approved this proposal with the following requirements:

1. *That the vehicle bridge have a weight limit marked on it.*

2. *That each dwelling unit have clear space around it to protect the wilderness from a structure fire.*
3. *The fire pits will need to be improved.*
4. *Long dead ends will require a turnaround for a brush truck or ambulance.*

The County Engineering Department has posted the review comments below:

1. *Please provide an engineered site plan showing elevations, roadway widths with turnarounds, materials the roadways and turnarounds are made of. Show existing and proposed structures.*
2. *Please provide a UDOT access permit for the site.*
3. *What are the bridges rated for? Can the use you are proposing be handled by the existing bridges?*

(b) Considerations relating to outdoor advertising.

*The entrance sign will state Valo Refuge with eight-inch metal characters fixed to a large boulder. The sign shall be set back at least ten feet from the front property line adjacent to the street. The sign will be lit with a fully shielded downward-directed light and may not exceed 3,000 kelvin.*

(c) Considerations relating to landscaping.

*The existing vegetation covering this property is largely natural, with a mix of wild grasses and wild shrubs, and trees. No further landscaping is required to meet the minimum 20 percent site landscaping.*

(d) Considerations relating to buildings and site layout.

*The site is secluded by foliage and berms. Each of the existing structures on site complies with the minimum yard setbacks. Each new permanent structure shall be placed within the designated buildable area depicted on the subdivision plat.*

(e) Considerations relating to utility easements, drainage, and other engineering questions.

*The Engineering Department has no concerns with drainage from the parking area due to its size. However, they do recommend a hard surface parking area like concrete or asphalt.*

(f) Considerations relating to prior development concept plan approval associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval.

*There are no prior development approvals or rezoning development agreements that apply to the subject property.*

## Staff Recommendation

Staff recommends approval of the Valo Refuge Conference and Education Center, subject to the applicant meeting the following conditions of approval in addition to any conditions of the various reviewing agencies or the Ogden Valley Planning Commission.

Planning conditions of approval:

1. The owner shall obtain and maintain a Weber County Business License.
2. The land use authority shall review any changes to the site or day-to-day operations beyond what is presented in the applicant's submittal.
3. The site and all structures shall be kept and maintained for safety and good visual appearance.
4. Parking on Highway 39 is prohibited.
5. The water source and septic system are maintained, as directed by the Health Department.
6. The owner shall obtain final approval from the Weber Morgan Health Department before a conditional use permit is issued.
7. Requirements from the UDOT Access Permit are complete or escrowed before a conditional use permit is issued.
8. The hard surface parking lot is complete or escrowed before a conditional use permit is issued.

This recommendation is based on the following findings:

1. The proposed use is allowed in the F-5 Zone and meets the appropriate site development standards.
2. The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

## Exhibits

- A. Site plan
- B. Narrative
- C. Conditional Use Review
- D. Well Test Results
- E. Existing Septic System Summary Letter
- F. UDOT Access Permit

## Area Image





April 28th, 2025

## Valo Refuge - Application for Conditional Use Permit

### Narrative

*Conference/education center. The term "conference/education center" means a facility designed for the purpose of conducting meetings for consultation, exchange of information and/or discussion which results in enhanced personal, business and/or professional development. A conference/education center may provide office facilities and schedule a range of business related and/or leisure activities (e.g., training workshops, seminars, retreats and similar type meetings). Such a facility may serve meals and offer day use and/or overnight lodging facilities.*

We are seeking a conditional use permit of the Weber County Code pursuant to Chapter 102-4 c, for a conference/education center, in the forest zone F-5.

Our retreat center will be called Valo Refuge, and will be used for the purpose of conducting meetings as above, to result in enhanced personal development. It will include leisure activities, specifically retreats and similar type meetings. We seek to offer day use and overnight lodging facilities.

The vision for our retreat center began with volunteer work abroad fourteen years ago at an ashram in southern India and monastery in Tibet. Our goal is to create a quiet place to introduce, educate and exchange information on the benefits of communion with nature through meditation, yoga, silence (silent retreats), sauna and sound baths, to assist the mind and body with healing and personal growth. We believe tapping into these methods in this serene natural environment is an optimal way to help folks rebuild and grow stronger.

We have been searching for many years for the right location, and found it in this quiet canyon, with minimal development, dark skies and Beaver Creek snaking through. We have visited Causey Reservoir countless times in the last twenty years and believe this is a very special area that is also very accessible to urban areas of Ogden and Salt Lake City.

Our site is along State Road/Highway 39 just North of the Causey Reservoir turnoff, 10.03 acres along Beaver Creek, located in the Forest Zone F-5 area. There are multiple compacted crushed rock RV sites along Beaver Creek, with utilities stubbed to each. Each of the North sites feed into a 1500 gallon permitted septic tank on the North parcel. There is also a 1500 gallon permitted septic tank on the South parcel, which was not being utilized. The previous owners had installed the South tank with the intent to construct a large home but abandoned their plans before selling. Two permitted artesian wells are on the property, one on the West and one on the East side of Beaver Creek. The well to the East also has a pump house and 1500 gallon storage tank with small kitchenette. There is also a converted shipping container we intend to house a tandem bathroom with toilet, sink and shower. We have a four person sauna on the East side of the property and a sixteen by twenty foot converted shipping container on an old crushed rock pad West of the creek. This room we want to use as a place to conduct our retreats of meditation, yoga and sound baths. This room can only house ten occupants (space for ten mats). We plan to conduct most of the gatherings outside as the sounds of the creek and fresh air will be an integral aspect of our retreats, but will also use this space with the doors/windows open when conditions are right.

We purchased the property in February of 2023. It had up until our possession been used as a private family RV campground, with grounds sprayed with harmful pesticides to create a non native grass, field environment. We knew it was special as early on we had a young moose bedding down on the grounds and witnessed a bald eagle soaring over the creek.

Upon recording we had the existing septic lines and tanks emptied and inspected, and both artesian wells tested by Weber Basin Water Quality Lab which passed with clear results. We contacted the health department for approval and obtained a Land Use Permit for each parcel in October of 2023 to allow four RVs as an RV Campground permitted use. There are currently three mirrored RV homes on site. We hope to acquire the fourth and final unit once we are able to. We have a mirrored plexiglass dome on the fourth site for the interim which does not have plumbing, just a place to sleep and get out of the elements. We have berms on the property for road noise abatement from SR 39 as well as along both property lines to the North and South to shield our quiet environment from vehicles and neighbors.

We are seeking a conditional use permit to ensure that any impact to the environment and our neighbors is mitigated and our business operations are done legally, safely and properly.

#### Traffic concerns:

Our silent, meditation, sound bath and yoga retreats for day use will be limited in scope, given that our shelter can only house room for ten yoga mats. For overnight guests, we have only three RV mirror homes (eventually four), and each 220 sq. ft. unit contains only a king size bed, meaning three vehicles max for overnight guests, someday four at full build out. The fourth unit for now (currently a plexiglass dome) is for the caretaker to sleep in to supervise the retreats and overnight guests. This keeps in line with our goal to minimize our impact to the site and the native flora and fauna. Therefore, we are looking, at max capacity, having four vehicles for overnight guests and six vehicles for retreats. We plan for these retreats to happen primarily on select weekends when our instructor friends are available and interested. The cadence is likely to be monthly - and probably more likely in the warmer months. We don't anticipate the cadence to happen more than once or twice per month.

Per our call with UDOT, we will have a metal sign at the gate entrance at the 2630 N parcel entry gate. When budget allows we would like to have have a large boulder out front to clearly and more aesthetically show the entrance.

Also per UDOTs request our entry gate has now been roughly doubled in width from twelve to twenty eight feet. We have deleted the southern access gate per their second request. Sign lighting will consist only of a light to illuminate the entrance signage and drive into the large parking lot on the south side of 2630 N, which lies east of Highway 39 and West of Beaver Creek. We have been instructed to pave the entry gate area as well as the parking lot, and can do so when weather permits, though we feel strongly gravel is a not only much more economical but also more environmentally friendly. It is also what appears to be utilized just down the road at the entry for the four very similar yurts at Dancing Moose. Though we recognize their conditional use permit is agritourism we think the ultimate use is very comparable and crushed gravel works great for us as well as them. We have been plowing for the last two winters over gravel and even raw dirt with no issues as we have a neighbor four miles up the road with a plowing service. We have two electric vehicle charging stations in place in our parking area just inside the fence on the Southwest portion of our property along the chain link fence line, that is eighty feet from Beaver Creek, and can accommodate the ten vehicles at max occupancy (one for each of four tiny home/RVs and 6 additional day use guests during retreats.

#### Fire and safety concerns:

In light of the tragic fires in California of late this is a key priority for us. Our three (eventually four) RV tiny homes are constructed off site of floor to ceiling steel and glass on three sides, with the fourth side thermal treated ash. Our understanding is that wood decks can be a very flammable combustion source and we have decided at this point to therefore omit them altogether, which also helps our budget considerably. We will have a set of steps leading up to the unit. This also will allow us to remove the units from the site altogether if absolutely necessary. The mirrored plexiglass dome on site four does not concentrate light due to the angle of each of the panels and presents zero fire danger.

Our other buildings are a combination of non flammable metal roofs and metal shipping containers. Our access bridge is a rail car, which are rated when constructed to hold in excess of 140,000 lbs. To be absolutely certain we had it inspected by Kim Johansen, structural engineer, and he has signed off that it is sufficiently strong to hold in excess of 80,000 lbs, which meets the specs needed by the fire department (75,000 lbs). There is also abundant space on both sides of the creek to accommodate emergency vehicles and turnarounds as we have cleared out all of the deadfall we found when we acquired the property.

The existing fire pit that was once in the middle of the grounds has been moved, now away from foliage and reconstructed with large rocks and gravel on the perimeter as fire barrier. Our rolled steel containment cylinder is four feet deep. We have a hydrant nearby and have custom fabricated a thick steel manhole cover to extinguish oxygen when folks are done and “think” a fire is out.

#### Flood risk:

We are utilizing existing RV sites on the East side of Beaver Creek, and one pad on the west side where the meditation/yoga room is situated. These long established sites have been there for decades and have never been at risk of flood, even in the historic record breaking flow of 2022/23, only months after we closed on the property (which was a great litmus test on what to expect). Crazy as the torrent of water was flowing through, not for a moment was any part of our entire creek frontage in jeopardy of flooding. The only flooding witnessed that season was on the property to the south of us which we have been told lies in the flood plain. As an added precaution, each of our RV mirror homes are elevated thirty six inches off the ground, and to go even further, they are on wheels. Simply put, none of our structures are in any way exposed to flood risk.

#### Noise levels:

Our guests will be required to observe quiet hours from 10 pm until 7 am. Overnight silent retreats will, obviously, be silent. Conference/education retreats for yoga and mindfulness are by their very nature quiet in scope and principally during daytime hours (depending on season). They are for introspection and resetting. Loud music will not be permitted at any time. We want to preserve quiet not just for our neighbors but also for our guests and wildlife. We want this to be a place for serenity, for us as well as the visiting animals that take refuge in and around Beaver Creek. Partying and loudness will not be tolerated. Alcohol will not be permitted as it does not align with our values nor our wellness focus.

#### Environmental concerns:

The code specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. We have a keen desire to be custodians of wild places, and feel that this starts with what impact we can have on the land we care for. Preserving, repairing and fostering a collective stewardship of the fragile riparian ecosystem here is of utmost importance to us.

When we took possession of the land, we had a strong interest in returning the habitat to its native state. The previous owners cared deeply for it, but had been heavily watering and

fertilizing non native grass in an effort to alter the landscape from the original riparian habitat. We feel this was not only a waste of water but also didn't like the idea of harmful pesticides leeching into the creek, affecting water quality downstream, and putting local wildlife at risk. We understand that with all development comes with it stressors on our environment. We are addressing this wherever possible - from prefabricated RV/mirror home construction off site to sparse and downward lighting to preserve our dark skies. We have left a dead cottonwood tree stump of no danger to occupants as we noticed a great horned owl nesting in it. We have deleted the irrigation system, opting instead for low water use native plants. Our lawns we inherited will give way with the aid of drylands pasture mix, meadow lawn blend, great basin wildflower mix, annual wildflower mix, and Rocky Mountain wildflower mix, to restore native flora that can feed and sustain native fauna. We have seen badger, moose, elk, beaver, osprey, whooping crane, fox, skunk, bald eagle, and of course deer already during our brief stewardship and recognize our responsibility.

We will be planting additional pine trees this year- blue spruce and Austrian pine primarily, to supplement the beautiful natural riparian landscape and native flora that we inherited.

We selected the mirrored prefabricated RV homes as we believe they seamlessly blend into nature, reflecting our surroundings seamlessly and the steel and glass units are constructed off site to minimize impact of exterior construction. These mirrored panes of glass are treated with special stickers to prevent bird strikes.

As applicants we are seeking a general layout that allows for a harmonious development of the parcels with nature, a symbiotic relationship to educate and inform about wellness and coexist with the landscape.

#### Waste Management and Water:

Our retreats may on seldom occasions serve healthy food. If so, the protocol will be for each guest to bring a dish to share. If something needs to be heated, we have a microwave for that. For those guests that stay overnight in our 3 (eventually 4) mirrored RV tiny homes, each are supplied with water from our pump house/artesian fed permitted and Weber Basin Water District - tested well. Each unit has a small kitchenette (microwave, sink, and mini fridge) as well as toilet and shower. Our north septic system is 1500 gallons. Our septic needs on the north lot with the four tiny homes will utilize this tank.

The stand alone kitchen/pumhouse and external bathroom empties into the preexisting second (South) septic system, which is also 1500 gallons. This tank will be functioning for the caretaker using the dome on RV site four until we can replace it with another mirrored RV tiny home, as well as occasional day guests using the sauna or meditation/yoga room for retreats. The wells and septic tanks were both fully permitted and the water tested by Weber Basin water plant as mentioned, for our Land Use Permits.

We are long time backpackers and believe in adhering strongly to the "leave no trace" wilderness ethic. We are familiar with the danger unsecured food and garbage poses to wildlife as well as the general public. Garbage generated during retreats will be hauled away with day retreat guests when they leave, or by housecleaning for overnight guests. Given the small scope of our retreat center, we do not anticipate needing a dumpster, but it is on our radar and we do foresee eventually needing one if occupancy ramps up. We will place the dumpster behind a screen just inside our entrance gate.

Guests will be prohibited from bringing dogs on site to prevent any contamination of water supply and the creek.

#### Lighting:

We also may on some occasion hold a retreat consisting of a night viewing event in association with the Salt Lake Astronomical Society, of which my wife and I are members, again with five to ten vehicles at max occupancy. "Valo" means "light" in Finnish, and we think this name captures the aim for folks to come and observe starlight and planetary objects from the cosmos with telescopes.

One of the drivers for our vision of Valo was to have a place to regularly see fainter stars. We are cognizant of the need to keep light pollution at bay and keep the Ogden Valley dark sky compliant. We do have concerns about recent development and what that will do to the night sky over our property.

With that in mind, our lighting choices we now have less light pollution than when we inherited the land from the previous owners. The Stansbury Park Observatory Complex ("SPOC") already is encountering issues of light pollution and its days may be numbered. We don't want that to happen up here at our retreat center.

Lighting at Valo will therefore be limited to what is needed for safety and will consist of downward facing fixtures with minimal lumens. We presently have only a few lights on the property, along pathways as needed, and we very much like it that way. We want enough luminosity for safe navigation, and nothing more.

As mentioned, the RV homes are designed to blend into the environment (with a coating on the glass to protect birds), and we have noticed the heavy glazing makes this the case after dark, as one can barely see in. They have a dark tint to the mirrored finish. In keeping with the dark sky objective and our mission to provide a good venue for our friends at the Salt Lake Astronomical Society and other user education groups, we are adhering closely to creating an atmosphere of very limited lighting.

Thank you for your time and consideration of our application to create a safe quiet space in a natural environment to educate about various aspects of wellness, mindfulness and nature. Please reach out with any questions or concerns.

Sincerely,

Mark Overdeest

## Exhibit C

### Conditional Use Review

1. Provide written verification that the source of culinary water meets the requirements of the Health Department. This shall be based on a test of water quality.

The water was tested in Fall of 2023 by Weber Basin Water District and certified free of contaminants; results are uploaded to Frontier. We are also in contact with Ryan Klinge and Summer Day at the Health Department and waiting for their reply to see if anything else is needed. Ryan mentioned we may need to have the water tested again since it has been longer than twelve months.

2. Provide written verification that the septic system is functioning and is adequate for the intended use.

We have engaged the services of Nate Bseiso at Johansen Engineering and he has done a thorough site analysis that has been submitted to Summer Day at the Health Department. There are two permitted 1500 gallon septic tanks, one that will service the four mirrored RV homes and the other will service a tandem/2 stall standalone bathroom for the retreats.

We had the tanks inspected by A1 Septic Pumping after they were each emptied out, and records showing the tank size (1250 gallons pumped from each tank) is uploaded to Frontier.

3. Provide the hours of operation.

Our retreats will vary depending on type (yoga, silent, meditation) but retreat hours and activities will be between the hours of 8 am and 7 pm. For overnight guests staying in our four RV homes, quiet hours will be strictly observed from 10 pm until 8 am. Alcohol will not be permitted.

4. If the asphalt improvements are not complete at the time of business license, the developer shall deposit funds into an escrow account with the county engineering for all off-site and on-site improvements.

Understood. We respectfully request that in lieu of asphalt we install a different hardscape - 4 inch depth compacted structural fill which we believe to be more cohesive with the riparian environment. Although we understand we are not going to operate under agritourism, we think the actual operation in terms of number of guests and use will be quite similar to that of Dancing Moose Farm (with 4 roadside yurts) just down the road. The difference is principally the experience. Rather than teach people about the importance and benefits of farming, we will be teaching about mindfulness, meditation and yoga.

We don't want to put a black parking lot in in this environment, but will do as required.

### Design Review

1. Show how the parking area is adequate for the number of guest vehicles. How is this best accomplished?

We will at max capacity have ten vehicles. There are four RV homes, each with a king size bed (so four vehicles since folks won't want to share a bed with someone they don't drive up with). The yoga/meditation studio is 16' by 20' and can only fit ten mats in terms of surface area.

Each parking space shall encompass 180 SF of net area. Each parking space shall be not less than nine feet wide. Show the location with dimensions on the site plan. Also, show that it will meet the 75' setback from the high water mark of the stream.

We have taken measurements and have greater than 75 feet clearance from the high water level of Beaver Creek, along the Southwest corner of the property adjacent to the fence line. This will be our parking area.

2. Will the parking area have lighting? If so, provide a lighting plan.

Part of what makes this property so special in our view is the *lack* of light. We want to minimize the lighting everywhere we can. We intend to have a few scattered downward facing path lights, but it will be so minimal as to only provide a safe walking path from the parking lot to the accommodations. We will instruct all guests to bring headlamps, and will have extra on hand. We think this is part of what makes this place special.

#### Architectural and Landscape

1. Where will the dumpsters be placed? They will need to be screened by a six-foot screening device on three sides, the fourth side shall be a gate of opaque material.

We will place a metal dumpster just inside (North of) our entrance gate, on a six inch concrete pad as required and will construct an enclosure of steel around it. We do not want to have it outside the gate due to traffic and potential for unwanted public use for those heading up and down Highway 39. We will pour a 6 inch concrete pad for the metal dumpster.

2. If using a metal dumpster, it shall be placed on a six-inch concrete pad.  
Will do per above.

3. Include an image of the selected enclosure.  
We have not yet constructed this. We intend to do so as soon as occupancy warrants.

4. Show the location of the enclosure on the site plan.

#### Parking and Access

1. All private parking facilities must be improved with a hard surface such as concrete or asphalt and must be sloped and graded to prevent drainage of stormwater onto adjacent properties.

As discussed earlier, really hoping we can put down four inches of road base, mechanically compacted. This will facilitate drainage better than asphalt, tie in better with the natural environment, and avoid petrochemicals.

# Analytical Microbiology Report

Mark Overdeest  
 2162 S Belaire  
 Salt Lake City, UT 84401

Reporting Time: 10/03/2023 11:33  
 Sample Submission Time: 10/02/2023 12:55  
 Sampler Name: MARK

Lab Sample ID	Sampling Location	Location State ID	Collection Time	Sample Type†	Analyte	Result	MRL	Analysis Method ID	Analysis Start Time	Analyst	Qualifier Flag‡
PT09077	2630 Pumphead		10/02/2023 10:00	IN	Total Coliform, P/A	Absent		SM 9223 B	10/02/2023 15:53	AD	
					Escherichia coli, P/A	Absent		SM 9223 B	10/02/2023 15:53	AD	
PT09078	2680 Artesian Well		10/02/2023 10:00	IN	Total Coliform, P/A	Absent		SM 9223 B	10/02/2023 15:53	AD	
					Escherichia coli, P/A	Absent		SM 9223 B	10/02/2023 15:53	AD	

**Analysis Comments:**

None

**Sample Comments:**

None

Approved By:   
 Jason D. Kim / Lab Director

**Notation Definition**

MRL – Minimum Reporting Limit, a detection level that the analysis method can detect the analyte in certain level of confidence.

NC – Not Collected

< – The result is less than the numerical value.

> – The result is greater than the numerical value.

\* – Non-NELAP-certified analysis.

ND – Not Detected

**†Sample Type**

RT = Routine

IN = Investigative

RP = Repeat

TG = Triggered

**‡Qualifier Flag**

B – The result is blank corrected.

D – The result of duplicate field sample on the same batch is outside of its control limits. Nonhomogeneous sample matrix may be suspected.

H – The analysis was performed past the EPA specified holding time.

L – The result is less than the MRL.

M – The result of spiked field sample on the same batch is outside of its control limits. Matrix interference may be suspected.

O – The analysis was performed by an outside contract laboratory.

Q – One or more results of quality control parameters are outside of their control limits.

U – Not detected

For Internal Use Email Id: 4177



# Weber Basin Water Conservancy District

## Water Quality Laboratory

2837 East Highway 193, Layton, Utah 84040, Phone (801) 771-4361, Email: lab-report@weberbasin.gov

# Analytical Report

Valo Refuge Reporting Time: 6/4/2025 1:12:53 PM  
 Mark Overdeest  
 2162 S Belaire Dr Sample Submission Time: 5/21/2025 1:40:00 PM  
 Salt Lake City, Utah 84109 Sampler Name: Michelle Lundberg

Lab Sample ID	Sampling Location	Location State ID	Collection Time	Sample Type	Analyte	Result	Unit	SRL	Analysis Method ID	Analysis Start Time	Analyst	Qualifier Flag
B1138-01	2680 UT-39 Huntsville		05/21/2025 12:40	Investigative	Nitrate, as N	0.482	mg/L	0.4	EPA 300.0	06/03/2025 02:00	KH	H
					Escherichia coli	Absence			SM 9223 B	5/21/2025 15:25	AD	
					Total Coliform	Absence			SM 9223 B	5/21/2025 15:25	AD	

Approved By: Jason D. Kim  
 Lab Director

*This report contains only the result(s) for the sample(s) that were received and tested by the lab for the analyses requested by the customer. Unless otherwise noted, the sample(s) were received in acceptable condition, the result(s) have not been blank-corrected, and all quality control samples processed for the analyses yielded acceptable results. The analyses presented on this report were performed in accordance with the National Environmental Laboratory Accreditation Program (NELAP) unless noted. This report shall not be altered or partially reproduced. If you have any questions regarding your sample results, please contact us at (801) 771-4361.*

## Comments

Nitrate analysis of sample B1138-01 was conducted in duplicate. A quality control sample analyzed after sample B1138-01 during the initial run failed to meet quality control limits due to an unknown instrument issue. Based on other quality control samples, the result for B1138-01 was considered valid, yielding a Nitrate (as Nitrogen) concentration of 0.436 mg/L. To ensure compliance with analysis method requirements, the sample was re-analyzed, producing a result of 0.482 mg/L with all required quality control parameters passing. This second result is included in the report, though it was obtained beyond the 48-hour EPA holding time. Consequently, an H qualifier has been assigned. The initial result (0.436 mg/L) may provide a more accurate representation of the sample, even though a quality control sample failed in the first analysis. Consult NCR-250603-01 for additional information.

## Notation Definition

\* – Non-ELAP-certified Analysis

**SRL** – Sample Reporting Limit, the minimum concentration that can be reported as a quantitated value considering limitations inherent in the sample matrix including dilution factor.

**NA** – Not applicable

**NC** – Not collected

**ND** – Not detected

< – The result is less than the numerical value.

> – The result is greater than the numerical value.

## Qualifier Flag

**A** – One or more instrument quality control sample(s) in the same batch is outside its control limits. Detailed information can be found in the comments section or obtained from the lab.

**B** – The target analyte is detected in the method blank sample in the same batch above its reporting limits. Detailed information can be found in the comments section or obtained from the lab.

**C** – The result is blank-corrected.

**D** – The result of a duplicate field sample in the same batch is outside its control limits. A nonhomogeneous sample matrix may be suspected.

**H** – The analysis was performed past the EPA-specified holding time.

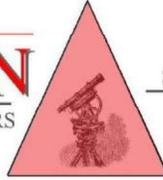
**M** – The result of a spiked field sample in the same batch is outside its control limits. Matrix interference may be suspected.

**O** – The analysis was performed by an outside contract laboratory.

**Q** – A method quality control sample in the same batch is outside its control limits. Detailed information can be found in the comments section or obtained from the lab.

**S** – The sample did not meet the sample acceptance criteria. Analysis was performed per client request. Detailed information can be found in the comments section or obtained from the lab.

*This report contains only the result(s) for the sample(s) that were received and tested by the lab for the analyses requested by the customer. Unless otherwise noted, the sample(s) were received in acceptable condition, the result(s) have not been blank-corrected, and all quality control samples processed for the analyses yielded acceptable results. The analyses presented on this report were performed in accordance with the National Environmental Laboratory Accreditation Program (NELAP) unless noted. This report shall not be altered or partially reproduced. If you have any questions regarding your sample results, please contact us at (801) 771-4361.*



April 15, 2025  
Job. No. S-25-251

**Attention: Mark Overdevest**  
**801-440-6140**

Re: Summary Letter  
Existing Waste Water System Review

2680 North Highway 39  
Parcel# 231140001

Lot 1  
Kathy Park Subdivision

## **1. INTRODUCTION**

### **1.1 GENERAL**

This Letter Summarizes the results of a review of an existing on-site wastewater system for the above described lot/parcel located in Weber County, Utah. The data collection was performed by Nathan Bseiso (02891-OSP-III) on April 24<sup>th</sup>, 2024.

### **1.2 OBJECTIVE AND SCOPE**

The objectives and scope of our services were developed in discussions between Mr. Mark Overdevest and Mr. Nathan Bseiso (Johanson Surveying). At the time the original intent was to perform a topographic survey for possible future development, however knowing septic would be an issue in the future, Johanson surveying did collect available septic data at the time.

On March 21<sup>st</sup>, 2025 Nathan Bseiso (Johanson Surveying) had a phone conversation with Summer Day (Weber County Health Department). During that conversation, it was discussed the need to have the existing system reviewed for sizing to verify adequate absorption area and sizing. Likewise, we discussed offering my professional advice into possible improvements to avoid future issues.

The objectives of our services were to:

1. Review existing system for sizing restrictions
2. Review system for possible malfunction or failures.
3. Determine system sizing requirements
4. Write report summarizing findings.

In accomplishing the above objectives, our scope included:

1. Review site and collect sizing and location data on available septic tanks and absorption area on site.
2. Review existing site and records
3. Determine possible areas of concern.
4. Calculate required absorption area for proposed site improvements
5. Preparation of this summary letter.

### 1.3 AUTHORIZATION

Authorization was provided by Mark Overdeest via multiple phone conversations and email.

### 1.4 PROFESSIONAL STATEMENTS

Supporting data upon which our recommendations are based are presented in subsequent sections of this report as well as provided data from Weber County Health Department and Mark Overdeest. Recommendations presented herein are governed by the provided data and the available data of the existing system and no further testing has been performed on the physical properties of the soils, projected groundwater conditions, bedrock depth, and the layout and design of the system absorption area. If subsurface conditions other than those described in this report are encountered and/or if design and layout changes are encountered or implemented, Johanson Surveying and Waste Water Engineering must be informed so that recommendations can be reviewed and amended, if necessary.

This system review is for a 4 Temporary RV Units (max.) single family dwelling . Failure to uses the system appropriately or over surge of the system could cause a short circuit and system failure.

Our Professional services have been performed, our findings obtained, and our recommendations prepared in accordance with generally accepted engineering principals and practices in use at this time in this area.

## 2. REVIEW OF THE EXISTING SYSTEM

### Septic and Pump Tank

Based upon County records and field verification, this site does have an existing septic tank. On the date reviewed the Septic tank was recently pumped, with measured dimensions in engineering scale being....

- Inside Tank Width = 5.4'
- Inside Tank Length = 9.4'
- Fill Depth to I.E. out = 4.0'

**Calculated tank size as 1,500 Gal.**

Tank Volumes		
88.9% Full	Total Capacity	Filled Volume*
U.S. Gallons	1,708.70	1,518.84
Imp. Gallons	1,422.79	1,264.70
Liters	6,468.13	5,749.45
Cubic Meters	6.4681	5.7495
Cubic Feet	228.4200	203.0400

- Supporting Evidence found in A1 pumping Septic System Report dated October 10<sup>th</sup>, 2023 showing 1,250 gallons and a sludge depth of only 2”.

### **Absorption Area**

Based upon County records and field verification, this site does have an existing Absorption Area. On the date reviewed, the absorption area was not connected to the existing septic tanks. Location was collected but size verification was not possible. Records indicate the available absorption area provided with the design is **1,440 sq./ft** (Reeve and Reeve, Inc septic design; dated June 3<sup>rd</sup>, 1994).

### **Effluent Loading Rate**

The Loading Rate utilized in original design (Reeve and Reeve, Inc septic design; dated June 3<sup>rd</sup>, 1994) was **0.35 Gal/Ft/Day**.

## **3. REVIEW OF REQUIRED SYSTEM**

### **Required Septic System**

To best determine the required septic system design calculations for a 4 RV unit development, Johanson Surveying is using the gallons per day rate of 125 (R-317-4 Recreation Vehicle Park-temporary or transient with sewer connection). Utilizing this rate, Johanson Surveying calculations are as follows...

- Daily Wastewater flow
  - 125 (GPD) X 4 (UNITS) = 500 (GPD)
- Septic Tank Volume
  - 1,250 Gallon (min.)
- Application Rate (from original design) (Reeve and Reeve, Inc septic design; dated June 3<sup>rd</sup>, 1994)
  - 0.35
- Minimum required absorption area
  - 1,429 sq/ft.

## **4. SUMMARY**

Based upon the review of the records, provided receipts, and the found onsite data, it is the opinion of Johanson Surveying that **the sizing of the existing system will satisfy the installation of 4 temporary RV pads** (see Professional Statement).

### **4.1 RECOMMENDATIONS**

1. Connect absorption area to tanks

2. Install effluent screen
3. Install/update system alarm for pump tank
4. Secure and protect any water crossing with a metal pipe, securely fastened and grounded on both sides of crossing to protect in case of flooding

We appreciate the opportunity to perform this service for you, If you have any questions, please do not hesitate to call us.

Respectfully submitted,

Nathan Bseiso (02891-OSP-III)



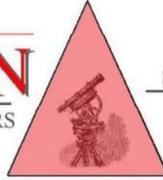
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Johanson Surveying and Waste Water Engineering

P.O. Box 18941

Salt Lake City, Ut. 84118





April 15, 2025  
Job. No. S-25-251

**Attention: Mark Overdevest**  
**801-440-6140**

Re: Summary Letter  
Existing Waste Water System Review

2630 North Highway 39  
Parcel# 231140002

Lot 2  
Kathy Park Subdivision

## **1. INTRODUCTION**

### **1.1 GENERAL**

This Letter Summarizes the results of a review of an existing on-site wastewater system for the above described lot/parcel located in Weber County, Utah. The data collection was performed by Nathan Bseiso (02891-OSP-III) on April 24<sup>th</sup>, 2024.

### **1.2 OBJECTIVE AND SCOPE**

The objectives and scope of our services were developed in discussions between Mr. Mark Overdevest and Mr. Nathan Bseiso (Johanson Surveying). At the time the original intent was to perform a topographic survey for possible future development, however knowing septic would be an issue in the future, Johanson surveying did collect available septic data at the time.

On March 21<sup>st</sup>, 2025 Nathan Bseiso (Johanson Surveying) had a phone conversation with Summer Day (Weber County Health Department). During that conversation, it was discussed the need to have the existing system reviewed for sizing to verify adequate absorption area and sizing. Likewise, we discussed offering my professional advice into possible improvements to avoid future issues.

The objectives of our services were to:

1. Review existing system for sizing restrictions
2. Determine system sizing requirements
3. Write report summarizing findings.

In accomplishing the above objectives, our scope included:

1. Calculate required absorption area for proposed site improvements
2. Preparation of this summary letter.

### **1.3 AUTHORIZATION**

Authorization was provided by Mark Overdeest via multiple phone conversations and email.

### **1.4 PROFESSIONAL STATEMENTS**

Supporting data upon which our recommendations are based are presented in subsequent sections of this report as well as provided data from Mark Overdeest. Recommendations presented herein are governed by the provided data and no further testing has been performed on the physical properties of the soils, projected groundwater conditions, bedrock depth, and the layout and design of the system absorption area. If subsurface conditions other than those described in this report are encountered and/or if design and layout changes are encountered or implemented, Johanson Surveying and Waste Water Engineering must be informed so that recommendations can be reviewed and amended, if necessary.

This system review is for a multi use facility with 10 camp visitors, 10 additional food service with toilets, 1 camp (boarding house) employee with up to 2 guests, 10 gym spectators, and 1 gym employee. Failure to use the system appropriately or over surge of the system could cause a short circuit and system failure.

Our Professional services have been performed, our findings obtained, and our recommendations prepared in accordance with generally accepted engineering principals and practices in use at this time in this area.

## **2. REVIEW OF THE EXISTING SYSTEM**

### **Existing Septic System**

Based upon provided data and conversations with the local Health Department, this site does have an existing septic system that was designed for a three bedroom single family home.

**Calculated tank size as 1,250 + Gal.**

- Supporting Evidence found in A1 pumping Septic System Report dated October 10<sup>th</sup>, 2023 showing 1,250 gallons and a sludge depth of only 2”.

### **Effluent Loading Rate**

The Loading Rate utilized in original design (Reeve and Reeve, Inc septic design; dated June 3<sup>rd</sup>, 1994) was **0.35 Gal/Ft/Day**.

## **3. REVIEW OF REQUIRED SYSTEM**

## Required Septic System

To best determine the required septic system design calculations, Johanson Surveying read the Conditional Use Application narrative and formulated the possible usages as described. These were done in conservative effort to calculate maximum possible use during any one event. All information on the gallons per day rate have been found and utilized using R-317-4 Table 3. Johanson Surveying calculations are as follows...

1. 10 camp guests with flush toilets
  - a.  $20 \text{ (GPD)} \times 10 \text{ (guests)} = 200 \text{ (GPD)}$
2. 10 food service guests with toilet and kitchen waste
  - a.  $10 \text{ (GPD)} \times 10 \text{ (guests)} = 100 \text{ (GPD)}$
3. 1 boarding house employee with additional 2 guests
  - a. 50 (GPD) boarding house employee
  - b.  $10 \text{ (GPD)} \times 2 \text{ (guests)} = 20 \text{ (GPD)}$
  - c.  $50 \text{ (employee)} + 20 \text{ (guests)} = 70 \text{ (GPD)}$  Total
4. 1 gym employee and 10 gym guests (spectators)
  - a.  $25 \text{ (GPD)} \times 1 \text{ Employee} = 25 \text{ (GPD)}$
  - b.  $4 \text{ (GPD)} \times 10 \text{ (guests)} = 40 \text{ (GPD)}$
  - c.  $25 \text{ (employee)} + 40 \text{ (guests)} = 65 \text{ (GPD)}$

Based upon these extremely conservative calculations, Johanson Surveying determined the Daily Waste Water flow to be **435 gal/day**.

- Septic Tank Volume
  - 1,000 Gallon (min.)
- Application Rate (from original design) (Reeve and Reeve, Inc septic design; dated June 3<sup>rd</sup>, 1994)
  - 0.35
- Minimum required absorption area
  - 1,243 sq/ft.

## 4. SUMMARY

Based upon the review of the records, provided receipts, and the conversation with both Mark Overdeest and Weber County Health, it is the opinion of Johanson Surveying that **the sizing of the existing system will satisfy the installations as described in the conditional use permit provided to Johanson Surveying and dated April 3<sup>rd</sup> 2025** (see Professional Statement).

### 4.1 RECOMMENDATIONS

1. Inspect and pump existing system before use
2. Install effluent screen if not installed

3. Install/update system alarm for pump tank if needed
4. Secure and protect any water crossing with a metal pipe, securely fastened and grounded on both sides of crossing to protect in case of flooding

We appreciate the opportunity to perform this service for you, If you have any questions, please do not hesitate to call us.

Respectfully submitted,

Nathan Bseiso (02891-OSP-III)



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Johanson Surveying and Waste Water Engineering

P.O. Box 18941

Salt Lake City, Ut. 84118





## GENERAL INFORMATION

Issuance Date	Region	Project Name	OLP Application ID
8/19/2024	Region 1	(24-062) SR-39, Valo Refuge	152273
Physical Address	City	Permit Type	Access Use Type
2630 North and 2680 North (adjacent N/S	HUNTSVILLE	New	Commercial

## PERMITEE INFORMATION

Property Owner Name	Primary Contact	Primary Phone	Email
Mark Overdevest / Valo Refuge	Mark Overdevest	(801) 440-6140	mark.overdevest@gmail.com

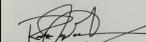
## LOCATION, WIDTH, AND ACCESS CATEGORY INFORMATION

State Route	Milepost Marker	DD Center Latitude	DD Center Longitude	Access Width	Access Category
0039	28.41			27	7 - Community Rural
0039	28.41	41.3060519	-111.6169325	27	7 - Community Rural
0039	28.415	41.3061217	-111.6169153	27	7 - Community Rural

A Conditional Access Permit is hereby authorized subject to the Utah Department of Transportation's (the Department's) Access Management Rule (Utah Administrative Code R-930-6), the Utility Accommodation Rule (Utah Administrative Code R930-7), the Standard Specifications for Road and Bridge Construction, and any terms, conditions, and limitations set forth herein. Per Utah Administrative Code R930-6-8(6)(g), a Conditional Access Permit shall expire if the access construction is not completed within twelve (12) months of the issuance date as identified at the top left of this document.

By carrying out the activities authorized by this approval the permittee and the permittee's successors in interests and/or assigns agree to accept all terms, conditions, and, limitations, of the approval including any attachments submitted with the Conditional Access Permit Application. In addition, the permittee certifies they will comply with all applicable regulations, properly control and warn the public of said work to prevent accident, and shall defend, indemnify and hold harmless the Department from all damages arising out of any and all operations performed during construction and operation of said access. Per Utah Administrative Code R930-6-8(5)(e), the permittee understands any intentional misrepresentation of existing or future conditions or of information requested for the application for the purposes of receiving a more favorable determination is sufficient grounds for permit revocation. The access allowed under this permit creates a license to only access a state highway to the extent provided in the permit. The access may be closed, modified or relocated by UDOT if, at any time, UDOT determines in its sole discretion that safety, efficiency or other reasons so require. UDOT will not be liable for any costs, losses or damages resulting from UDOT's review and comments on the submitted plan sets for a Conditional Access Permit.

**This conditional access permit does NOT allow construction or other activities within a state right-of-way. An encroachment permit must be separately applied for and issued before any construction within a state right-of-way may commence. Work on UDOT's right-of-way is seasonally restricted from October 15 to April 15. Work is not allowed on the right-of-way during the AM/PM peak traffic hours of 6:00 A.M. to 9:00 A.M. and 3:30 P.M. to 6:00 P.M. Some exceptions to this A.M./P.M. peak travel work restriction may be permissible for low AADT routes in rural areas. Any such exception requires special Region approval and must be explicitly stated on the approved encroachment permit.**

Authorizing Name (printed)	Rodger Genereux	Authorizing Name (signed)	
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## TERMS, CONDITIONS, AND LIMITATIONS

- A copy of this permit must be posted in a conspicuous location and be available for immediate review at the location of the permitted activity. No exceptions.
- This agreement and/or permit is UDOT approval only. The permittee is responsible for obtaining clearances, authorizations, or permits from railroads, private property owners, other utility owners, and other government agencies as may also be required.
- By the accepting this permit, the permittee acknowledges the hazardous nature of conducting activities within the right-of-way and assumes full responsibility in the event of an accident or other incident involving death, injury, or damages to any party resulting from the permittee's authorized use of the right-of-way.
- All work performed under this permit must be in accordance with UDOT approved plans and standard drawings unless otherwise stated in writing.
- The primary function of the highway is for transportation purposes. All other highway purposes are subordinate to this primary purpose. By conducting the activities authorized by this permit, the permittee agrees to timely prosecute the permitted activities in a manner that minimizes transportation-related impacts including but not limited to; ensuring overall site safety as an overarching priority, and by applying systematic efforts to minimize, or shorten, the project schedule.
- UDOT may cancel, suspend, or revoke this permit due to:
  - Non-compliance with the permit provisions including terms, conditions, and limitations



- B) Deviating from the approved permit provisions without written authorization
- C) Misrepresentation(s) discovered on the originating application, or associated documents
- D) Adverse weather or traffic conditions
- E) Concurrent transportation construction or maintenance operations in conflict with the permit
- F) Any condition deemed unsafe for workers or for the traveling public
- G) Any other condition that arises where work stoppage may be warranted for cause

In the event of a cancellation, suspension, or revocation the permittee shall promptly terminate occupancy of the right-of-way.

7. At all times the permittee and all activities authorized under this permit will comply with all applicable federal and state constitutions, law, rules, codes, orders, and regulations, including applicable licensure and certification requirements.
8. Use current edition of UDOT standard drawings for traffic control. Use Utah MUTCD standards for traffic control elements not shown in UDOT standard drawings. Traffic control must be maintained at the encroachment site for the entire encroachment period.
9. Before constructing the access connection authorized by this conditional access permit, an encroachment permit must be secured first.
10. The permittee agrees to maintain the permitted access in a professional workmanlike manner, free from physical defects including but not limited to potholes or other similar substandard conditions for the life of the permit. The permit holder's maintenance-related responsibilities shall extend to UDOT's edge of asphalt where said permitted access physically connects to UDOT's main traveled way and shall be guaranteed in perpetuity. Failure to properly maintain said private access point shall be grounds for permit revocation and for the closure of the permitted access point.