



## Staff Report for Administrative Approval

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Consideration and action for the final plat approval of Summit Eden Phase 1C Amendment 5  
**Type of Decision:** Administrative  
**Agenda Date:** Wednesday, August 16, 2017  
**Applicant:** SMHG Phase 1, LLC  
**File Number:** UVS072717A

#### Property Information

**Approximate Address:** 8569 East Spring Park, Eden, Ut  
**Project Area:** 46.342 acres  
**Zoning:** Ogden Valley Destination and Recreation Resort Zone (DRR-1)  
**Existing Land Use:** Ski Resort  
**Proposed Land Use:** Resort Development  
**Parcel ID:** 23-130-0070  
**Township, Range, Section:** T7N, R2E, Section 8

#### Adjacent Land Use

<b>North:</b>	Ski Resort	<b>South:</b>	Ski Resort
<b>East:</b>	Ski Resort	<b>West:</b>	Ski Resort

#### Staff Information

**Report Presenter:** Ronda Kippen  
[rkippen@co.weber.ut.us](mailto:rkippen@co.weber.ut.us)  
801-399-8768  
**Report Reviewer:** RG

### Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 104, Zones, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Natural Hazards Areas

### Development History

- Summit Eden Phase 1C received preliminary subdivision approval in conjunction with the County Commission's approval of the Summit at Powder Mountain PRUD on April 9, 2013 with subsequent amendments on July 9, 2013
- Summit Eden Phase 1C final subdivision was heard and received a positive recommendation by the Ogden Valley Planning Commission on October 22, 2013 and received final approval by the Weber County Commission on January 21, 2014
- Summit Mountain Holding Group, LLC petitioned Weber County to rezone approximately 6,198 acres from the CVR-1, FV-3 and F-40 zones to the DRR-1 zone to enable them to proceed with their development in a manner that would be consistent with the proposed Master Plan that was presented to Weber County as part of the rezone application (see Exhibit B for the Conceptual Land Use Plan). The petition to rezone the development to the DRR-1 zone was heard and approved on January 13, 2015 by the Weber County Commission after receiving a unanimous recommendation for approval from the Ogden Valley Planning Commission on October 28, 2014. Weber County entered into Zoning Development Agreement Contract # C2015-6 and the contract was recorded on January 14, 2015 as Entry# 2717835.
- Summit Eden Phase 1C Amendment 1, amending lot lines between Lot 57A & Open Space Parcel G Administratively Approved on June 24, 2015
- Summit Eden Phase 1C Amendment 2, combining Lots 87-95 and Open Space Parcel M into Develop Parcel D2 Administratively Approved on July 10, 2015

- The applicant petitioned Weber County to amend certain areas within the Uniform Land Use Code of Weber County (LUC) to allow for some various resort development standards. The petition to amend the LUC was heard and approved by the Weber County Commission on May 24, 2016 as Ordinance 2016-4.
- Summit Eden Phase 1C Amendment 3, combining Parcel E with a remnant parcel that was not included in the original development to create Development Parcel D8 Administratively Approved on July 12, 2016
- An amendment to reduced the overlaying PRUD footprint from the original 594.23 acres to approximately 14 acres (see Exhibit C for the application and narrative) after holding a public meeting with the Ogden Valley Planning Commission on July 5, 2016 and receiving a unanimous approval from the Weber County Commission on July 19, 2016. The areas to remain under the existing Summit at Powder Mountain Phase 1 PRUD will be three of the previously approved and platted development areas and one future development area (see Exhibit D). The approved and platted developments to remain under the PRUD are the Summit Eden Ridge Nest PRUD, a 15 unit "Nest" development and the Village Nests at Powder Mountain, a 20 unit condominium development and the Horizon Neighborhood at Powder Mountain PRUD, a 26 unit "Nest" development. The future phase of the PRUD will be Spring Park at Powder Mountain, which has received conceptual approval as Lot 76 in the existing PRUD for a 12 unit "Nest" development and a lodge.
- Summit Eden Phase 1C Amendment 4, consisting of 19 lots and four open space parcels was heard and approved by the Weber County Commission on January 31, 2017 after receiving a positive recommendation from the Ogden Valley Planning Commission.

## Background and Summary

The Planning Division recommends final approval of the Summit Eden Phase 1C Amendment 5, consisting of one open space parcel and "Parcel A" (see Exhibit A for the proposed amendment). The original Summit Eden Phase 1C consisted of 64 lots and 8 open space parcels (see Exhibit B for the recorded Summit Eden Phase 1C Subdivision plat). The proposed amendment to the open space parcel will reduce the area from 46.342 acres to 46.16 acres and will create "Parcel A" consisting of 0.178 acres. The proposed "Parcel A" will be combined with a development parcel in the Summit Eden Phase 1D subdivision.

The Uniform Land Use Code of Weber County (LUC) §101-1-7 identifies a subdivision amendment as a "Small Subdivision" and can be administratively approved by the Planning Director as long as the amendment consists of five or fewer lots. The proposed subdivision amendment and lot configuration is in conformance with the current zoning and the Zoning Development Agreement Master Plan as well as the applicable subdivision requirements as required in the LUC.

## Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related commercial areas.

Zoning: The subject property is located in the Ogden Valley Destination and Recreation Resort Zone more particularly described as the DRR-1 zone. The purpose and intent of the DRR-1 zone is identified in the LUC §104-29-1 as:

*"The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts that lie within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land."*

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, the standards in the DRR-1 zone in LUC §104-29 and the approved Zoning Development Agreement Conceptual Layout to ensure that the regulations and standards have been adhered to. Small subdivisions as defined in LUC §101-7 can be administratively approved per LUC §106-1-5(b)(1). The proposed subdivision is in conformance with county code and the approved conceptual plans that are part of the adopted Zoning Development Agreement. The following is a brief synopsis of the review criteria and conformance with the LUC.

### Lot area, frontage/width and yard regulations:

The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for a single family residential, two, three four and multi-family, commercial and mixed use structures. The proposed amendment will create "Parcel A" which will be combined with a development parcel in the Summit Eden Phase

1D subdivision. The proposed "Parcel A" will be 7,754 square feet (0.178 acres). The open space parcel will be reduced from 46.342 acres to 46.16 acres. "Parcel A" will be further developed as a recreation center as part of the resort development. The following development standards will be reviewed upon submittal for design review and land use approval for a commercial building:

- Front yard setback: 0 feet
- Side yard setback: 0 feet
- Rear yard setback: 0 feet
- Average building height: 55 feet at elevations lower than 6,200 feet above sea level. 75 feet at elevations of at least 6,200 feet above sea level

Based on the proposed lot configuration, the proposed lots meet the minimum lot area and minimum lot width requirement per LUC §104-29-2(h).

Natural Hazards Areas: The proposed subdivision is located in a Zone "D" as determined by FEMA to be an area of undetermined flood hazards. Areas designated as Zone "D" are typically areas in which no analysis of flood hazards have been conducted.

A geotechnical and geologic hazard investigation will be required to be provided prior to issuing a land use permit for the future structure in Phase 1D. A condition of approval that the commercial site will receive geologic clearance prior to the issuance of a land use permit and a "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

Culinary water and sanitary sewage disposal: Culinary water and sewer service are provided by Powder Mountain Water and Sewer Improvement District based on a will serve letter that has been submitted for an additional 313 units in the Summit at Powder Mountain development.

Review Agencies: The Weber County Engineering Division, the Weber County Surveyor's Office and Weber Fire District have not reviewed the proposal to date. Prior to the subdivision being released for Mylar, all review agencies comments will need to be addressed.

Additional design standards and requirements: There may be additional site preparation in conjunction with an approved building permit. The proposed subdivision does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report, additional standards and requirements are unnecessary at this time.

Tax clearance: The 2016 property taxes have been paid in full. The 2017 property taxes will be due in full on November 1, 2017.

Public Notice: The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

## Staff Recommendation

Staff recommends final approval of the Summit Eden Phase 1C Amendment 5, creating "Parcel A" and reducing the size of open space "Parcel J". This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

1. A geologist and geotechnical engineer report will be required prior to the issuance of a land use permit for the future commercial building.
2. A "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

This recommendation is based on the following findings:

1. The proposed subdivision amendment conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision amendment complies with all previous approvals and the applicable County ordinances.

## Administrative Approval

Administrative final approval of Summit Eden Phase 1C Amendment 5, a small subdivision creating "Parcel A" and reducing the size of open space "Parcel J", is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval: 8/16/17

  
Rick Grover  
Weber County Planning Director

## Exhibits

- A. Proposed Summit Eden Phase 1C Amendment 5
- B. Recorded Summit Eden Phase 1C Subdivision Plat

## Location Map 1













15-51

SUMMIT EDEN PHASE 1C  
 LOCATED IN THE NORTH 1/2 OF SECTION 5 AND THE NORTH 1/2 OF SECTION 6, T. 7 N., R. 26 W., S. 43N., WASHINGTON COUNTY, UTAH  
 JANUARY 2014

LOT #	OWNER
10	DAVE & JENNIFER HARRIS
11	DAVE & JENNIFER HARRIS
12	DAVE & JENNIFER HARRIS
13	DAVE & JENNIFER HARRIS
14	DAVE & JENNIFER HARRIS
15	DAVE & JENNIFER HARRIS
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97	DAVE & JENNIFER HARRIS
98	DAVE & JENNIFER HARRIS
99	DAVE & JENNIFER HARRIS
100	DAVE & JENNIFER HARRIS

SUMMIT EDEN PHASE 1C  
 LOTS 36-44, 76, & 77

LOCATED IN THE SOUTH 1/2 OF SECTION 5 AND THE NORTH 1/2 OF SECTION 6, T. 7 N., R. 26 W., S. 43N., WASHINGTON COUNTY, UTAH



- LEGEND**
- BOUNDARY LINE
  - LOT LINE
  - SECTION LINE
  - QUARTER SECTION LINE
  - CONVEY LINE
  - ADJACENT DEED LINES
  - ANGLE TIE LINES
  - ALPH. EDEN EXCEPT
  - GROUNDWATER NO ACCESS LINE
  - PARCEL LINE
  - CALCULATED SECTION CORNER AND NOTED
  - SECTION CORNER AS NOTED
  - STREET PROSPECT
  - 1/4 SECTION CORNER WITH 1/4 SECTION CORNER AND NOTED
  - BUILDING FOOTPRINT
  - EXISTENT

**NVS**  
 NORTH VERMONT SURVEYING  
 1000 W. 1000 S. ST. SUITE 100  
 P.O. BOX 1000  
 CANTON, VT 05747  
 TEL: 802-253-1111  
 FAX: 802-253-1112  
 WWW.NVSURV.COM

Sheet 3 of 6  
 PROJECT: SUMMIT EDEN PHASE 1C  
 DATE: 1/15/14  
 DRAWN BY: JLS  
 CHECKED BY: JLS  
 DATE: 1/15/14  
 PROJECT NO: 20127145  
 SHEET NO: 37  
 TOTAL SHEETS: 37

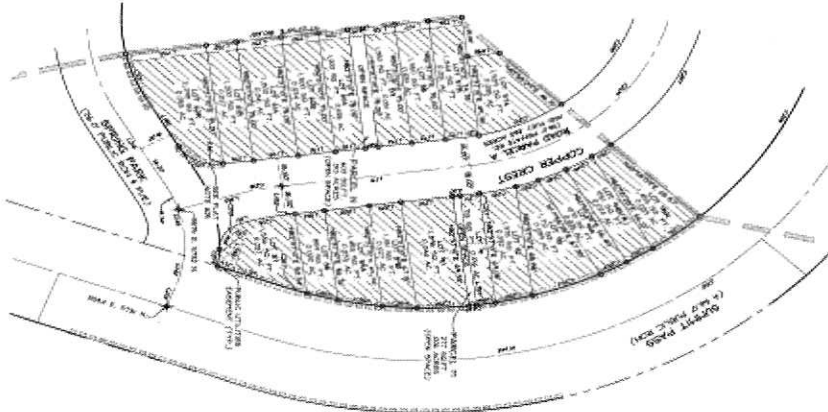
76-37



# Exhibit B-Summit Eden Phase 1C

78-39

SUMMIT EDEN PHASE 1C  
 LOCATED IN THE SOUTH 1/2 OF SECTION 8 AND THE NORTH 1/2 OF SECTION 9, T. 11 N., R. 2E, 235th, WARDEN COUNTY, UTAH  
 JANUARY 2014



**LEGEND**

- MONUMENT LINE
- LOT LINE
- SECTION LINE
- QUARTER SECTION LINE
- COUNTY LINE
- ADJACENT DEED LINES
- AREA TIE LINES
- OBSOLETE NO ACROSS LINES
- ROAD CENTER LINE
- CALCULATED SECTION CORNER AS NOTED
- SECTION CORNER AS NOTED
- STREET FOOTPRINT
- 1/2" WIDE X 2" DEEP WITH 1/4" RADIUS AS SHOWN
- BUILDING ENVELOPE
- EXPOSURE

**ADDRESS TABLE**

LOT #	STREET ADDRESS
51A	51A N. COPPER CREST
51B	51B N. COPPER CREST
51C	51C N. COPPER CREST
51D	51D N. COPPER CREST
51E	51E N. COPPER CREST
51F	51F N. COPPER CREST
51G	51G N. COPPER CREST
51H	51H N. COPPER CREST
51I	51I N. COPPER CREST
51J	51J N. COPPER CREST
51K	51K N. COPPER CREST
51L	51L N. COPPER CREST
51M	51M N. COPPER CREST
51N	51N N. COPPER CREST
51O	51O N. COPPER CREST
51P	51P N. COPPER CREST
51Q	51Q N. COPPER CREST
51R	51R N. COPPER CREST
51S	51S N. COPPER CREST
51T	51T N. COPPER CREST
51U	51U N. COPPER CREST
51V	51V N. COPPER CREST
51W	51W N. COPPER CREST
51X	51X N. COPPER CREST
51Y	51Y N. COPPER CREST
51Z	51Z N. COPPER CREST

SUMMIT EDEN PHASE 1C  
 LOTS 51A-62, 67-76 & PARCEL H & I  
 ADDRESS TABLE

LOCATED IN THE SOUTH 1/2 OF SECTION 8 AND THE NORTH 1/2 SECTION 9 OF TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, WARDEN COUNTY, UTAH

Sheet 5 of 6

**NVS**  
 NORTH VALLEY SURVEYING

STATE OF UTAH, COUNTY OF WARDEN  
 REGISTERED ENGINEER IN THE  
 DISTRICT OF UTAH  
 DISTRICT NO. 2222245  
 DATE: 1/15/14  
 SHEET: 39

78-39

