



## Staff Report for Administrative Approval

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Consideration and action for final plat approval of Summit Eden Phase 1C Amendment 6  
**Type of Decision:** Administrative  
**Agenda Date:** Wednesday, March 28, 2018  
**Applicant:** 1st Avenue Capital, LLC  
**File Number:** UVS022618

#### Property Information

**Approximate Address:** 8465 E Copper Crest, Eden  
**Project Area:** 0.579 acres  
**Zoning:** Ogden Valley Destination and Recreation Resort Zone (DRR-1)  
**Existing Land Use:** Ski Resort  
**Proposed Land Use:** Resort Development  
**Parcel ID:** 23-130-0009  
**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:** Steve Burton  
[sburton@co.weber.ut.us](mailto:sburton@co.weber.ut.us)  
801-399-8768

**Report Reviewer:** RK

### 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, Hillside Development Review Procedures and Standards
- 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.
- Summit Eden Phase 1C Amendment 5, creating "Parcel A" and reducing the size of open space "Parcel J", was heard and received administrative approval by the Planning Director in a public meeting held on August 16, 2017.

## Background and Summary

The Planning Division recommends final approval of Summit Eden Phase 1C Amendment 6, removing the designated building envelope from Lot 44R. 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 building envelope is not required on the proposed Lot 143R because the lot will be required to go through the Hillside Review process prior to a building permit submittal. Removing the building envelope will allow the owner to have more area to place a single family dwelling on the lot.

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. 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, multi-family, commercial, and mixed use structures. The proposed

amendment will not alter the lot lines of the existing Lot 44R. The following development standards will be reviewed upon submittal for land use approval for a residential building:

- Front yard setback: 0 feet
- Side yard setback: 5 feet
- Rear yard setback: 10 feet
- Maximum building height: 35 feet

Based on the proposed lot configuration, the proposed lot meets 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 "X" as determined by FEMA to be within the 500 year floodplain. Areas designated as Zone "X" 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 on Lot 143R. A condition of approval that lot 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 the original 154 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 reviewed the proposal. Prior to the subdivision being released for Mylar, all review agencies comments will need to be addressed.

Additional design standards and requirements: Due to the slope of the lot, Lot 143R will be required to go through the Hillside Review process, as outlined in Title 108 Chapter 14, prior to building permit submittal.

Tax clearance: The 2017 property taxes have been paid in full. The 2018 property taxes will be due in full on November 1, 2018.

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 6, removing the designated building envelope from Lot 44R. This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

1. Lot 143R will be required to go through the Hillside Review process, as outlined in Title 108 Chapter 14, and obtain a Hillside Review approval prior to building permit submittal.
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 6 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: 3/28/18

  
Rick Grover  
Weber County Planning Director

## Exhibits

- A. Proposed Summit Eden Phase 1C Amendment 6

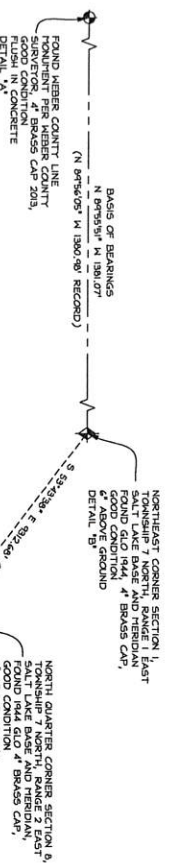
## Location Map 1





SUMMIT EDEN PHASE 1C, AMENDMENT 6  
AMENDING LOT 44R

LOCATED IN THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT RIVER COUNTY, UTAH  
MARCH 2016



**LINE TABLE**

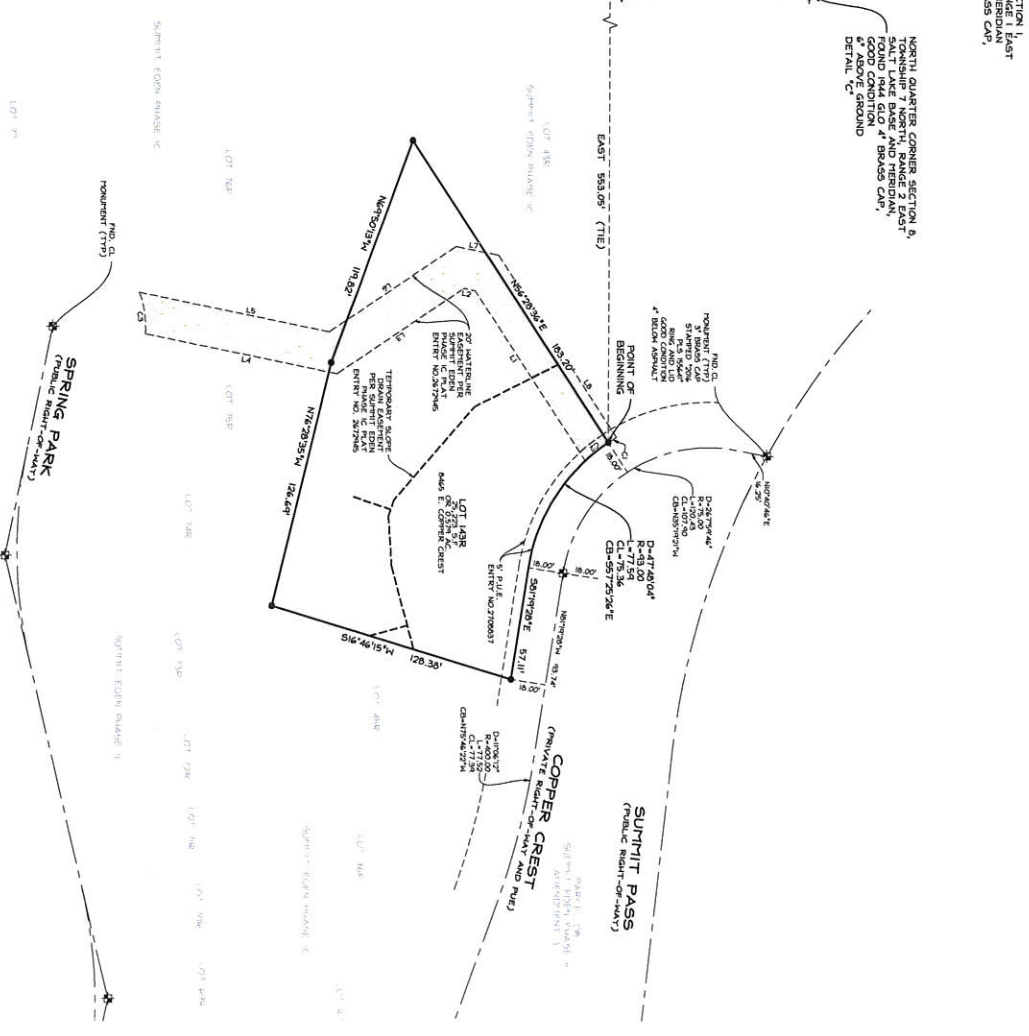
LINE	LENGTH	DIRECTION
L1	803.27'	N 89°59'41" E
L2	5.12'	N 89°59'41" E
L3	78.02'	N 89°59'41" E
L4	803.27'	N 89°59'41" E
L5	78.02'	S 89°59'41" E
L6	803.27'	S 89°59'41" E
L7	22.46'	S 89°59'41" E
L8	100.34'	S 89°59'41" E

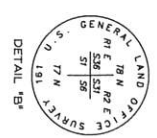
**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	5.00'	63.00'	5.00°	5.00'	S89°59'41" W
C2	80.00'	63.00'	90.00°	80.00'	S89°59'41" W
C3	2.00'	63.00'	2.00°	2.00'	S89°59'41" W

- LEGEND**
- BOUNDARY LINE
  - - - SECTION LINE
  - - - ADJOINER DEED LINES
  - - - RIGHT-OF-WAY LINE
  - - - ROAD CENTERLINE
  - - - SECTION CORNER AS NOTED
  - FOUND C.L. MONUMENT
  - PIND NOS 1 X 24 LONG REBAR WITH PLASTIC CAP STAMPED "MOLTE"



SMHG PHASE 1, LLC  
3632 N. WOLF CREEK DR.  
EDEN, UT, 84310



STATE OF UTAH COUNTY OF HERRING  
RECORDED AND FILED AT THE  
DEEDS CLERK'S OFFICE  
MARCH 2016  
FILE #