



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action on a request for the preliminary subdivision approval of Bobcat Ridge, a four phased 48 lot development located within the approved Powder Mountain Resort.

**Application Type:** Administrative

**Agenda Date:** Tuesday, August 07, 2018

**Applicant:** SMHG, LLC

**Authorized Agent:** Don Guerra

**File Number:** UVB0607

### Property Information

**Approximate Address:** Powder Mountain

**Project Area:** 42.369 Acres

**Zoning:** DRR-1

**Existing Land Use:** Resort

**Proposed Land Use:** Resort

**Parcel ID:** 23-012-0161

**Township, Range, Section:** T7N, R2E, Sections 8

### Adjacent Land Use

|   |   |
|---|---|
| <b>North:</b> Ski Resort/Resort Development | <b>South:</b> Ski Resort/Resort Development |
| <b>East:</b> Ski Resort/Resort Development  | <b>West:</b> Ski Resort/Resort Development  |

### Adjacent Land Use

**Report Presenter:** **Ronda Kippen**  
 rkippen@co.weber.ut.us  
 801-399-8768

**Report Reviewer:** **Steve Burton**

## 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 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. 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.
- An amendment to reduce the overlaying PRUD footprint from the original 594.23 acres to approximately 14 acres 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. 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.

## Background and Summary

The Planning Division recommends preliminary subdivision approval of Bobcat Ridge, consisting of four phases with a total of 48 lots (see Exhibit A for the preliminary plat). The Bobcat Ridge development is the next subdivision in a series of subdivisions that will be coming before the planning commission for review and approval. Bobcat Ridge will be located at the end of a public right of way known as Summit Pass and will be accessed by a private right of way known as White Pine Drive. The street system throughout the subdivision will be private right of ways and these private right of ways will serve as public utility easements for the required infrastructure for the development. The four phased development will have lots that range in size from 14,998 square feet (0.344 acres) to 66,883 square feet (1.535 acres) and all lots will gain access from the private right of way/street system within the development. The applicant has submitted the required information as outlined in the Uniform Land Use Code of Weber County (LUC) §106-1-5 and LUC Chapter 108 Section 5 for consideration and approval of the proposed subdivision.

As part of the preliminary subdivision requirements, the subdivision review process and approval procedure, the proposal has been reviewed against the current preliminary subdivision ordinance and the standards of the DRR-1 zone. The proposed subdivision and lot configuration are in conformance with the current zoning and the Zoning Development Agreement Conceptual Land Use Plan (see Exhibit B for the ZDA Concept Plan) as well as the applicable subdivision requirements as required in the LUC. The proposed development has also been reviewed by all reviewing agencies. Based on these reviews, the application has met or will conditionally meet all of the requirements for preliminary approval. The following is staff's analysis of the proposed preliminary subdivision.

## 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 Chapter 106 and the standards in the DRR-1 zone in LUC Chapter 104 Title 29. The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. It appears that the proposed subdivision, with the recommended conditions, is in conformance with county code. 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 structures. The proposed development will create 48 lots with access and frontage along a private right of ways identified as White Pine Drive, Meadow Drive, Bobcat Drive and Aspen Drive. The proposed lots range in size from 14,998 square feet (0.344 acres) to 66,883 square feet (1.535 acres). The lots range in width from 52.76 feet to 312.88 feet. The following development standards will be reviewed upon submittal for land use approval for a single family dwelling unit:

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

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 has been conducted.

Geotechnical and geologic hazard investigations have taken place by IGES for the proposed subdivision in accordance with the Natural Hazard Areas as outlined in LUC Chapter 108 Title 22. The site specific investigation for the proposed Lots 1 through 48 are in the IGES report Project # 01628-028 dated July 26, 2018. This report is currently in a draft form and a final report will be required as part of the final subdivision submittal. A condition of approval has been added to ensure this requirement is met. The draft report states that “The recommendations made in this report are based on the assumption that an adequate program of tests and observations will be made during the construction. IGES staff or other qualified personnel should be on site to verify compliance with these recommendations.” Specific recommendations have been made for the development of the Bobcat Ridge site and it is being made a condition of approval that IGES staff is onsite to verify compliance with the recommendations and a verification letter shall be provided by the engineering geologist prior to final approval stating that the design adequately meets the recommendations in the geologic report.

Wetlands have been identified on the property and “Wetland Delineation Map” have been prepared by Bio-West. The County Engineer will accept the maps for preliminary approval; however, a “Wetland Delineation Report” will be required to be submitted for review as part of the final subdivision submittal per the County Engineer. A condition of approval has been added to ensure this requirement is met.

A slope analysis must be completed to ensure that all lots have an average slope of less than 25% as part of the documents submitted for final subdivision. If any lots have any average slope of 25% or more, an “R” designation must be placed on the lot and the applicable plat note must be placed on the final plat, to ensure a “Hillside Review” is done prior to applying for a building permit.

A condition of approval that 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. A “Capacity Assessment Letter” and a construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision are required prior to the subdivision receiving final approval from the County Commission.

Review Agencies: The Weber County Surveyor’s Office and Weber County Engineering Division have reviewed the proposal and the applicant is addressing the areas of concern. The Weber Fire District have reviewed and approved the proposal.

Additional design standards and requirements: There may be additional site preparation in conjunction with each approved building permit. The proposed subdivision does require the creation of a new street system. A temporary turn around easement must be located at the end of all temporary stubbed streets. Staff recommends adding language to be placed on the final plat that will vacate the easements upon recording the future phases. The applicant will be required to provide a cash escrow to be held by Weber County for the applicable improvements within the subdivision. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Tax clearance: The 2017 property taxes are delinquent. The 2018 property taxes will be due in full on November 30, 2018. The 2017 taxes will need to be paid in full prior to recording the subdivision mylar.

Public Notice: The required noticing for the preliminary 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 preliminary subdivision approval of Bobcat Ridge, a four phased 48 lot development located within the approved Powder Mountain Resort. This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

1. The geologic and geotechnical report must be the final report and submitted with the final subdivision.
2. A geologist and geotechnical engineer are onsite during development to ensure that their recommendations are adhered to. A verification letter shall be provided by the engineering geologist prior to final approval stating that the design adequately meets the recommendations in the geologic report.
3. A cost estimate for the subdivision improvements shall be a part of the final subdivision submittal.

4. A draft copy of any CC&R's will be provided to the County for review by the applicable agencies prior to final approval.
5. A "Capacity Assessment Letter" and a construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision are required prior to the subdivision receiving final approval from the Planning Commission and County Commission.
6. A slope analysis must be completed to ensure that all lots have an average slope of less than 25% as part of the documents submitted for final subdivision.
7. A note as well as a "R" notation for any applicable lots that may be restricted due to slopes exceeding 25% will be added to the applicable lots on all final subdivision plats.
8. A note on the final subdivision plat and a separate "Natural Hazards Disclosure" document will be required to be recorded to provide notice of any recommendations to future property owners regarding the geotechnical and geologic report prepared by IGES dated July 26, 2018, identified as Project #01628-028.
9. A "Wetland Delineation Report" will be required to be submitted for review as part of the final subdivision submittal.
10. A temporary turn around easement must be located at the end of all temporary stubbed streets.
11. The 2017 property taxes must be paid in full prior to recording the subdivision mylar.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.
5. The proposed master planned development is in conformance with the approved Zoning Development Master Plan.

## Exhibits

- A. Bobcat Ridge Preliminary Plat
- B. Zoning Development Agreement Conceptual Map

Location Map



**BOBCAT RIDGE  
PRELIMINARY PLAT**

LOCATED IN ALL OF SECTION 1,  
TOWNSHIP 7 NORTH, RANGE 2 EAST  
SALT LAKE COUNTY, UTAH  
DATE OF RECORDING: \_\_\_\_\_  
JUNE 2008

**PLAT NOTES:**

**OWNERS' DEDICATION:**

THIS PLAT IS A DEDICATION OF THE ENTIRE DESCRIBED TRACT OF LAND, HEREINAFTER DESCRIBED, TO THE PUBLIC AS A TRACT OF LAND TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, INCLUDING BUT NOT LIMITED TO ELECTRICITY, GAS, WATER, SEWER, CABLE TELEVISION, AND TELEPHONE SERVICE. THE PUBLIC SHALL NOT BE ENTITLED TO A FUTURE EASEMENT OR OTHER INTEREST IN THE DESCRIBED TRACT OF LAND FOR ANY OTHER PURPOSES.

**GENERAL NOTE:** OWNER AND SUCCESSOR TO OWNER COUNTY A PUBLIC UTILITY SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, INCLUDING BUT NOT LIMITED TO ELECTRICITY, GAS, WATER, SEWER, CABLE TELEVISION, AND TELEPHONE SERVICE. THE PUBLIC SHALL NOT BE ENTITLED TO A FUTURE EASEMENT OR OTHER INTEREST IN THE DESCRIBED TRACT OF LAND FOR ANY OTHER PURPOSES.

**LEGAL DESCRIPTION:**

THE ENTIRE TRACT OF LAND DESCRIBED IN THIS PLAT IS THE PROPERTY OF SHHG PHASE I, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY AND THROUGH ITS GENERAL MANAGER, MR. PERRY ROBERTSON, AND IS DESCRIBED AS FOLLOWS:

\_\_\_\_\_ ACRES, BEING PART OF THE \_\_\_\_\_ ACRES TRACT OF LAND, AS DESCRIBED IN PLAT \_\_\_\_\_ OF SALT LAKE COUNTY, UTAH, RECORDED IN BOOK \_\_\_\_\_ OF SALT LAKE COUNTY RECORDS.

**LIEN HOLDER'S CONSENT:**

I, \_\_\_\_\_, GENERAL MANAGER OF SHHG PHASE I, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DO HEREBY CONSENT TO THE RECORDING OF THIS PLAT AND TO THE DEDICATION OF THE DESCRIBED TRACT OF LAND FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, INCLUDING BUT NOT LIMITED TO ELECTRICITY, GAS, WATER, SEWER, CABLE TELEVISION, AND TELEPHONE SERVICE.

**SURVEYOR'S CERTIFICATE:**

I, \_\_\_\_\_, A LICENSED PROFESSIONAL LAND SURVEYOR AND MEMBER IN GOOD STANDING WITH THE STATE OF UTAH, HAVE SURVEYED THE TRACT OF LAND DESCRIBED IN THIS PLAT AND HAVE FOUND THAT THE SAME COMES TO ME AS DESCRIBED BY THE GENERAL MANAGER OF SHHG PHASE I, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY AND THROUGH ITS GENERAL MANAGER, MR. PERRY ROBERTSON. I HAVE FOUND THAT THE TRACT OF LAND DESCRIBED IN THIS PLAT IS THE PROPERTY OF SHHG PHASE I, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY AND THROUGH ITS GENERAL MANAGER, MR. PERRY ROBERTSON, AND IS DESCRIBED AS FOLLOWS:

\_\_\_\_\_ ACRES, BEING PART OF THE \_\_\_\_\_ ACRES TRACT OF LAND, AS DESCRIBED IN PLAT \_\_\_\_\_ OF SALT LAKE COUNTY, UTAH, RECORDED IN BOOK \_\_\_\_\_ OF SALT LAKE COUNTY RECORDS.

**SURVEYOR'S NARRATIVE:**

1. THE PURPOSE OF THIS SURVEY AND PLAT IS TO DEDICATE THE DESCRIBED TRACT OF LAND FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, INCLUDING BUT NOT LIMITED TO ELECTRICITY, GAS, WATER, SEWER, CABLE TELEVISION, AND TELEPHONE SERVICE.

2. THE AREA OF THE TRACT OF LAND DESCRIBED IN THIS PLAT IS 1.00 ACRES, BEING PART OF THE \_\_\_\_\_ ACRES TRACT OF LAND, AS DESCRIBED IN PLAT \_\_\_\_\_ OF SALT LAKE COUNTY, UTAH, RECORDED IN BOOK \_\_\_\_\_ OF SALT LAKE COUNTY RECORDS.

3. ALL BOUNDARY LINES, LOT LINES, AND RIGHT-OF-WAY LINES ARE SHOWN AS BOUNDARIES, LOT LINES, AND RIGHT-OF-WAY LINES AND SETBACKS ARE SHOWN AS DASHED LINES.

**ACKNOWLEDGEMENT:**

STATE OF UTAH, \_\_\_\_\_, I, SA,  
COUNTY OF \_\_\_\_\_, I SA,  
THE UNDERSIGNED HEREBY AND ACKNOWLEDGE BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008, THAT THE GENERAL MANAGER OF SHHG PHASE I, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY AND THROUGH ITS GENERAL MANAGER, MR. PERRY ROBERTSON, HAS APPLIED TO ME FOR THIS PLAT.

WITNESS MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.  
NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_  
OFFICE IN \_\_\_\_\_

**OWNER:**  
SHHG PHASE I, LLC  
3632 N. HOFFER CREEK DR.  
EDDIE, UT 84301

**GENERAL MANAGER:** \_\_\_\_\_  
**DEVELOPER:** \_\_\_\_\_  
**AGENT:** \_\_\_\_\_  
**AGENT:** \_\_\_\_\_

Sheet 1 of 2

**TALISMAN**  
LAND SURVEYING & CONSULTING  
1000 N. 1000 W. SALT LAKE CITY, UT 84119  
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# Exhibit B- Zoning Development Agreement Conceptual Map

## Overall Master Plan



The Overall Master Plan depicts conceptual development patterns and connectivity within the proposed Rezone boundary. These areas identify the general development massing, open spaces, recreational components and pedestrian and roadway circulation proposed.

Each development area identified is represented in greater detail within the Rezone Application.

- DEVELOPMENT AREAS
- A - Mid-Mountain
  - B - The Ridge
  - C - Earl's Village
  - D - Summit Village
  - E - Gertsen
  - F - The Meadow