



## OGDEN VALLEY PLANNING COMMISSION

### MEETING AGENDA

September 24, 2019

5:00 p.m.

- *Pledge of Allegiance*
  - *Roll Call:*
1. Minutes:
    - 1.1. Approval of the June 25, 2019 meeting minutes
  2. Petitions, Applications and Public Hearings
    - 2.1. Administrative Items
      - a. New Business
        1. UVP043019: Consideration and action for preliminary and final approval of Parkside PRUD Phase 2, consisting of 20 lots, located at approximately 4870 E Paddleford Drive, Eden in the RE-15 Zone. (Bridges Holding Company LLC, Applicant) (Steve Burton, Presenter)
        2. UVR082319: Consideration and action for final subdivision approval of The Ridge Townhomes PRUD Phase 4, consisting of 8 units, located at approximately 5271 East Moose Hollow Drive, Eden in the FR-3 Zone. (Ridge Utah Development Corporation, Applicant; Eric Householder, Agent) (Tammy Aydelotte, Presenter)
  4. Public Comment for Items not on the Agenda
  5. Remarks from Planning Commissioners
  6. Planning Director Report
  7. Remarks from Legal Counsel
  8. Adjourn

*The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1<sup>st</sup> Floor, 2380 Washington Blvd., Ogden, Utah.*

***Please enter the building through the front door on Washington Blvd. if arriving to the meeting after 5:00 p.m.***

*A Pre-Meeting will be held at 4:30 p.m. in Commission Chambers Break Out Room. The agenda for the pre-meeting consists of discussion of the same items listed above, on the agenda for the meeting.*

*No decisions are made in the pre-meeting, but it is an open, public meeting.*

***In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791***

Minutes of the Ogden Valley Planning Commission Regular meeting June 25, 2019 in the Snowcrest Junior High School (GYM), located at 2755 N Hwy 162, Eden UT commencing at 5:00 p.m.

**Present:** John Lewis, Chair; Jami Taylor, John Howell, Chris Hogge, Shanna Francis, Bob Wood,

**Absent/Excused:** Steven Waldrip

**Staff Present:** Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Steve Burton, Planner III, Tammy Aydelotte, Planner I, Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary

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

**1. Petitions, Applications and Public Hearings**

**1.1. Legislative Items**

**a. New Business**

**1. ZMA 2019-04:** A public hearing regarding an application to rezone approximately 14.15 acres located at approximately 4720 East 2650 North in Eden from the (Agricultural Valley Three Acre) AV-3 Zone to the (Gravel) G Zone for the purpose creating a gravel pit. Applicant: Robert Edwards.

**Staff Presenter:** Charlie Ewert

Chair Lewis said before we get on to introducing Director Grover and the application; I would like to say give respect to the applicants as they deserve. We will open up for public comment as some point, and we will start off with questions no more than an hour. Then we will evaluate after an hour. We have a clock tonight, and we ask that you make your point within three minutes, and I would ask that you not repeat yourself, just make your point so you're not repeating yourself. Obviously no outburst, no cheering, no booing, no fruit, and we'll all be okay. He introduced Director Grover to explain the application, the decision type, and the flow and presentation of how this is going to go.

Director Grover thanked everyone for coming out. About two or three times a year, we try to bring a Planning Commission meeting up here to the valley. On this item, this is not a county driven petition; this petition has been submitted by the applicant. When an application is submitted for a possible rezone, it becomes a legislative item. On a legislative item, the Planning Commission is an advisory board, and they are going to make a recommendation to the County Commission either for or against this request. The applicant has due process, and it's important as the chair indicated to show proper respect, whether you are for or against we want to make sure your voice is heard. We will have the applicant Rob Edwards, who will explain the project and what he is wanting to do. After that, we will have Mr. Charlie Ewert who will explain the project and how it does or does not meet the code and the General Plan.

Cody Holter, Applicant/Petitioner; and introduced Rob Edwards, Designated Agent who will handle most of the inerrancies related to engineering. He thanked all those who attended where everyone's opinions matter. Anytime you submit an application that applies to all residents, that it has to be proven that it is in the best interest of the community and the General Plan. I would like to stick strictly to the facts and hopefully devoid of any emotional exchanges that is being presented here. We have reviewed and done extensive research; and have determined as we have done this in multiple locations, that this truly is the best location to provide a vital resource that we all consume. We don't have the choice of choosing where these deposits have been placed. We hope to show you in our presentation, that by allowing this, it will directly result in a lower cost of living for the residents in the valley. We will also be reducing contaminants in the air, and hopefully provide better health for the residents and future residents of the county. Having this will provide the backbone for many of your vital industries of your valley. Just want to say that I am honored to be here; and we truly do believe that this is good for the community in the long term, and the growth that the General Plan calls for. It will truly be an asset and be mindful and respectful to all the residents in the valley.

Rob Edwards gave a brief history of residency, his qualifications in mining engineering, and areas where his has worked in Utah. I spent a great deal of time, and this is critical for me in understanding in commodities, and provided a list of commodities. In 1935, each person consumed 3.5 metric tons of sand and gravel; almost a 100 years later we all consume individually 22 thousand pounds a year. This is consumed in the buildings, the roadways, dams, schools; and all of those things come from sand and gravel. Concrete is the most used building product in the world; it's about 70%

of the structure, or made from reinforced concrete. I wanted to talk about the local community; and I understand that the census will be out next year, and we're looking to have 8,000 people in the valley, and over 250 thousand in Weber County. He read a few articles about air quality in Utah. He showed different pictures of batch plants throughout the area. He showed a map of the travel time from various batch plants to deliver their materials. The valley consumes 80,000 tons of material that have to come from somewhere. He read some information from Fox 13 the prior week about air quality in Utah. This project will reduce road congestion, air quality emissions, improved air quality, lower prices, allow for affordable housing, safety on roadways, availability of a viable building product, opportunity for local contractors and homeowners, opportunity for new improved public utilities and roadways, and protecting the lives of families. Our proposal would cut the travel time, we would have the stock piled here, load the material and weigh out, and then distribute in the valley. He read an article about shutting down the canyon to repair three bridges. I have Doug Clements with American Eagle, one of the larger ready mix suppliers in Utah. He will answer any questions that you might have on ready mix.

Charlie Ewert said this is a rezone request that is legislative; essentially with the rezone you are creating new law. When you change the zoning map, you do so by ordinance. There's a wide discretion in decision making on legislative action, with administrative you are required to approve, but with this one you are not required to approve. The two criteria that you will be looking at in determining whether or not to recommend approval to the County Commission; is whether or not it complies with the General Plan. Whether or not it enhances or promotes the health, safety, and welfare of the public. In the staff report, it's voluminous and in depth; I tried to hit as much information on community impacts, in the event that the Planning Commission wants to recommend approval. Or in the end if the County Commission decides to approve; I did a full analysis of the community impacts, and plan accordingly as we move forward. What I have in front of you is the subject site, and its right over the fence line where the tennis courts are. He indicated the various zones on the map of the valley, and how this would impact those zones if this was changed to the Gravel (G) Zone. The county has a sensitive lands ordinance; that suggests that development should not occur within 100 feet of the high watermark of this particular part of the river. He showed the geologic hazards map and indicated the Ogden Valley North Fork fault that runs right through as indicated in the purple and orange color on the map.

Charlie Ewert said I am going to focus primarily to the impacts to the community as outlined in the staff report. There is a concern by the County Engineers about what the road is currently made of, would it support the additional truck traffic, and what changes would be made so the road can handle the additional traffic here. If this does get approved, we will be asking a Geotechnical Report to verify that the road can handle the additional traffic here. The engineers would like to see is test material; they are considering putting in the asphalt; this is essentially fiberglass material that goes into the overlay, that goes into the subgrade, and it has a mesh that lines both the asphalt and the subgrade. One thing I have suggested if this gets approved, is the noise impacts from the rock crushing operation. A recommendation to ensure that at the property boundaries, that you're not hearing over the sound of 70 decibels, which would be the same as a vacuum cleaner. Future permits that the applicant would need in proximity of this use to the river would require more permits. Once the permit is in place, the applicants will need to go through the conditional use permit process. Once the zone is in place, it's going to be difficult to deny the conditional use permit; provided the applicant can mitigate the detrimental impacts. They will have to do a site-design review; that shows where the batching plant will go, the road layout will be, the stacking lanes for all the trucks waiting to be filled, and where the crushers will be. Any type of sound mitigation like berms, walls, and vegetation.

Charlie Ewert said they will need get a flood-plain activity permit, and obtain an excavation permit if they work on a right-of-way. They will need to put together a Storm Water Pollution Prevention Plan for industrial. A stream alteration permit will need to be amended, they will need a 404 Permit from the Corp of Engineers. Air Quality compliance, Water Quality compliance, Animal Protection, and Drinking Water Protection from the Division of Drinking Water. This is in zone two of one of the drinking wells in the area. Eden Waterworks has a 60 ft. well just adjacent to where the extraction will be. It's really important that the county, as well as any other agencies verify that whatever is happening onsite, is not causing material derogation of water quality of the drinking water. As for the General Plan, I tried to list the pros and cons. What are the cons for having it here, can those cons be minimized or mitigated, what are the pros having that here, and is there any drawbacks having that here. He went through the staff report concerning the vision of the General Plan. He talked about the trees, removal and replacement. He talked about the peace and quiet, with truck traffic and the crusher. He talked about clean air and water, and are there ways to mitigate that. He talked

about abundance of wildlife, how that would affect that. He talked about views, being the most ideal location in the valley. He talked about Ogden Canyon, by reducing the amount of truck traffic, enhancing air quality. Staff's recommendation is denial of the rezone as listed in the staff report, and based on the findings listed in the staff report.

Chair Lewis thanked Commissioner Froerer for taking time to attend the meeting. We all recognize that growth is coming, and we need something like this, but whether this is the right place or the right time is questionable. If we don't recommend approval tonight, we need think about when and where something like this might be in the future.

Chair Lewis asked Mr. Edwards indicated that they would be producing about 30,000 cubic yards of concrete, and the other meeting we had he stated 50,000 cubic feet; so by my calculation that would be 3,000 to 5,000 trucks going past the junior high, pre-school, and old folk homes everyday. I know you've said either way this turns out, you've set lots of rules as how to contain that, and my experience has been because of lack of resources, so how reasonable is that to be able to put those kinds of restrictions to be upheld. Mr. Ewert replied that is one of the findings for denial that I am recommending; it's going to a hard thing to ensure enforcement. There are a lot of parts and a lot of agencies that were listed there, and they will all have to come together. I don't think it's impossible to mitigate the detrimental effects, it would require a little more enforcement capabilities, a little more administrative attention which requires times in order to verify that we can keep a handle on this on a regular basis.

Commissioner Wood said when we went on that field trip we were pretty close behind that tennis court, and I realize that a vacuum cleaner doesn't really make a lot of noise, but to have it there all day long when you're trying to explain and teach concerns me. The second thing that concerns me is the dust; when they are out there playing. Can you address my concerns of the dust and the noise? Mr. Ewert replied the question about sound is going to be hard to avoid sound, and from what I've studied a typical rock crusher will produce 70 decibels at 300 feet away. What we are going to recommend 70 decibels at 600 feet away. We're not going to know until we get the rock crusher up here how loud that actually is. As far as dust goes; if this is approved, there needs to be a recommendation for dust mitigation and it has be on a daily basis.

Commissioner Francis asked the applicant we can expect noises from the rock crusher, but what are some of the other noises that come to my mind, would be the backing of trucks, beeping, lowering of equipment, possibly air brakes, conveyor belts, squeaks and noises, machinery, excavation noises with backhoes. What other noises can we expect? Mr. Edwards replied everything you mentioned is going to create sound. There is a quantifiable measure that we have scientifically arrived at; I've measured sound and thankfully in our community we have strict ordinances, they have to be complied with. We wouldn't be able to conduct business, we would be shut down if we were in violation of those ordinances; they would carry that out with enforcement for those city ordinances. We are confident that we can operate within those ordinances, or we wouldn't have made the application and waste everybody's time.

Chair Lewis asked Legal Counsel, with their current stream restoration permit that they seem to have, does that give them the right gravel out of the river and take it away, or just restore it on the banks of the river? Mr. Ewert replied I can give you a planning point of view. I did read through the permits, and I don't see anything there that it can be exported from the site. Oftentimes we are looking at stream alterations, when we're talking about moving material around onsite. That's one of the reasons why I mentioned before that we need to ask the applicant to give an updated stream alteration permit, so we can verify with the state engineers that there's going to be import/export materials out on the site.

Commissioner Taylor said you mentioned that this doesn't necessarily comply and your recommendation is denial, and you talked a little bit about the villages, was largely on that it's not furthering the General Plan. I would like for you to explain how this does not comply. Mr. Ewert replied from my estimation of the General Plan; what we are going through here is a rural community that has recreational resources that don't overwhelm the people that live here with property rights here. The Villages in the General Plan, there are eight different villages that are planned out that will come to flourish at some point in the future without a timeline. The idea that the General Plan puts forth; is a pedestrian oriented walkable streetscape, that has shopping opportunities, recreation opportunities, and maybe included housing opportunities when we figure out that elusive TDR. Having that right next door with heavy equipment and heavy trucks on a regular basis; is not the kind of traffic that I would anticipate seeing in a resort oriented mainstream and that would be a challenge. As far as the sound goes; I would anticipate if you've got buildings lining

the street, and you've got walkable community, you may not hear sounds above and beyond what that street is doing, but I believe it would be the traffic that would be the challenge.

**MOTION:** Commissioner Wood moved to open for public comment. Commissioner Hogge seconded. A vote was taken with Commissioners Taylor, Howell, Hogge, Francis, Wood, and Chair Lewis voted aye. Motion Carried (6-0).

Wayne Pyle, 3746 E 2650 N, said the project does not meet the General Plan, the conditional uses, code enforcement, economic benefits, and the traffic benefits which have not been met. I recommend denial on this project.

Jan Fullmer, 3791 Red Hawk, said I am not pro or con. It is premature on the growth projection for the valley. We need to obtain the report of the water and septic system study being done by the state prior to the projected growth. We do not know if the aquifers will support the growth projection, and if growth continues with septic systems will that pollute the reservoirs. Need to review the health hazards reports pertaining to the silica and dust. I have 12 websites of research that is done by the CDC, NIA, and OSHA that needs to be forwarded to the County Commission prior to a decision being made.

Kellie Mackenzie, 4770 E 2650 N, said I do not support the changes of the gravel pit affect quality of life, with the traffic, air quality, safety and wellbeing of her family, and the wildlife in the area.

Stephanie Colquitt, 791 N Radford Lane, said this gravel pit will affect the clean air, the beauty of the area, the peace and the quiet, and I and my family are totally against this project.

Dee Staples, 4816 E 2800 N, President of Wolf Creek Irrigation, said their bylaws do not allow their water to be used for commercial operation. So if there are water shares for that gravel pit, all I can say is buyer beware.

Shawna Miller, resides in Nordic, said she had concerns with noise, public or private access, the expansion from the gravel pit, and air quality. She recommends denial of this project.

Kevin Parson, resides in Liberty, said he had concerns with the excess amount of water that will be used, sand being imported from Brigham City, not installing a catch basin, issues with the well near the site. Recommends denial.

Bryan Smith, 2920 Nordic Valley Drive, said he had concerns with the excessive noise that a gravel pit produces and this would impact his quality of life. If this gets approved, he will have to move, so he recommends denial.

H.A. Harris, representing Clark Farms, said there will irreversible consequences if you open up this area and rezone it for a gravel pit. This is an agricultural community and this project needs to be denied.

Terry Rasler, representing Utah Homes for Clean Air, said diesel trucks produce 26% emissions that will impact the Ozone Layer, as well as the children's brain dramatically since this is so close to schools. Recommends denial.

Gail Maegan, representing Ogden Valley Land Trust, read a statement of their position against this application and recommends denial.

Ashley Cross, 4795 E 2600 N, Owner of New World Distillery, said her concerns is the water, dust, noise, eco system, and the trucks being used for that business. She recommends denial of this application.

Rebecca Skordas, 3682 N Foothill Lane, said this community values clean air, wildlife, clean water, the beauty of the valley, economic development, and see if this applicant has other businesses and what is their enforcement record.

Don Moral, resides in Eden, said there are a lot restrictions and requirements when operating a mining operation and he recommends denial of this mining operation.

Thom Summers, 6212 E 2100 N, said he is the Waterworks Operator that takes care of that well, and a perk tester for Weber County Health Department. My biggest concern after running a perk test; with that gravel structure using a

large amount of water, that it would underneath my well into that aquifer, which serves this community and this school would be contaminated by cement water and I really don't want anything to happen to our water sources.

Ron Lackey, resides in Eden, President of Eden Waterworks, said this is about being in the wrong location. If something should happen to this well, the financial consequences would be great for all of us. If this well is gone or contaminated, and we need to protect it. He recommends denial of this project.

Tom Stevens, resides in Eden, said his concern is the water that serves 60% of the people; and what will happen if this water becomes contaminated. The elderly and children in this area, deserves deserve to have peace, tranquility, clean air, and safety. This project is going hurt the other business in this area and the impacts are greater than it's worth.

Frank Carl, resides in Eden, said there is a strong connection between public health and environmental health; because air, sound, and water pollutions and industrial sites. I don't agree with on the decibel levels; because studies show that 110-120 decibels is psychologically damaging, and anything 140 and above, that causes auditory damage. To allow this zoning to occur, you open the door for future rezoning's and future industry.

Shawn Hansen, Professor of Business Strategy Ethics at Weber State University and Direct the MBA Program; said I speak on my behalf, and my professional opinion of the applicants air quality and environmental impact analysis is inadequate. The data is there and it can cause emphysema, asthma, and other health issues that are scientific facts.

Beth Orchard, resides in Eden, asked during the snow season is that going to impact them if they are unable to do their work, and is that going to increase to makeup that lost time. At the Eden Store, as you're headed this way, it says one mile limit for the weight of the vehicles, would there be additional roads as this construction increases. As far as safety of the canyon with additional workers, would there be an increase in traffic.

Jessica Smith, resides in Eden, said her concern is dealing with the mental health of the residents, is there going to be enough water for the residents. Is this going to be an industrial community driving the current residents out of their home?

Kimber McCafferty, resides in Eden, said none of this is new; it's already there. I have lived with noise, trucks, dust, water, and health issues for over 20 years. There is an M1 Zone that is in place and this is where this needs to be.

Bill Christiansen, resides in Eden, said there are five restaurants that serve food outdoors. What protection is Weber County going to provide if my customers or the other customers are not going to get sick from the dust, contaminants, noise, and other issues related to that rock crusher?

Steve Erickson, resides in Eden, I have listened to petitioner, and I am not convinced. They are comparing 1935 with 2019, and that won't work. They want to instill fear in the valley, and fear is not how we should be making choices. I do hope that you choose to reject this plan and pass that on to the County Commission.

Pat McCafferty, resides in Eden, said I got the permits in my name, and I have a permit from the DNR, and I can screw up that river over there, and do wherever I want and there is nothing anyone here can do anything about it.

Kim Wheatley, reside on Southfork River, said in 2008 we spent 2 years developing the recreation chapter of the General Plan. This is really a financial plan and a business plan for the long term in the valley. Then in 2016, we spent another 2 years updating the General Plan, and part of it was to bring the wholesale and the recreation element. When we were looking at the last rezone, the first question we asked was would this rezone substantially enhance the values and the outcomes, of the General Plan. Now we're being asked to spot zone something that is inconsistent with our General Plan.

Chair Lewis read a letter written by Commissioner Waldrip's opinion and recommendation.

**MOTION:** Commission Hogge moved to close for public comments. Commissioner Francis seconded. A vote was taken with Commissioners Taylor, Howell, Hogge, Francis, Wood, and Chair Lewis voted aye. Motion Carried (6-0).

Cody Holter indicated that they have anticipated a lot of the comments that were made and they have made contingencies for those items that were made by the County Planner. What I viewed as a positive that the community would embrace and there are many regulatory agencies that would be involved. Some of you would view that as an obstacle, I would view that as a check and balance that would be appropriate. I welcome all the comments, and I would treat of you with courtesy as you would like to be treated. Just want you know that I love this place and would not do anything to hurt it. There are views that this is not the appropriate place and yet it is appropriate for some and not appropriate for me. I hold no disrespect for the people who voiced their opinion, nor do I hold any disrespect for this commission upon their decision of this application.

Rob Edwards stated that on the consumption; these are materials that we are consuming, and they do have to come from somewhere. I do understand that the community has been since 2002, trying to locate a source here in the valley. Everybody that's in this building knows that it's not okay that we have a source that is close, to haul 45 miles away and pollute the air of everybody else in Weber County. There is 250,000 people that live in this county, those people rights are important as well. Those emissions affect those children in the lower valley and the people that live in the canyon. We have to be responsible to find local resources, keep it at local market, and that's how we eliminate emissions.

**MOTION:** Commissioner Taylor said this application is to request to rezone approximately 14.15 acres in the Agricultural Valley Three Acre Zones located at approximately 4720 East 2650 North to a Gravel Zone for the purpose of gravel excavation and cement batching plant. Before I give my recommendation, the staff summary states, *"It may be more appropriate and significantly simpler for the Planning Commission to focus on the policy merits and community impacts of allowing a gravel pit on the subject property rather than questioning whether the science or other agencies, over which the county has no control, will support the use."* So with the rezone we're asked to consider the following questions:

1. How does this rezone apply to the General Plan.
2. Is this rezone enhance the overall intent of the Health, Safety, and General Welfare of the Community.

With all this in consideration; I move to forward our recommendation to the Weber County Commissioners, a denial of the application ZMA 2019-04. This denial is based on the five following findings:

1. This application is not in line with the vision of Ogden Valley General Plan and does not advance the overall intent of this plan. Specifically, this gravel pit proximity to the valleys most prominent Village Area, could hamper the county's ultimate goals in regards to this area. This application could create potential transportation and noise impacts.
2. This rezone does not advance or protect the overall health, safety, and general welfare of the community. Specifically, the county lacks sufficient administrative capability to ensure adequate oversight compliance of a gravel pit in this proposed location. The potential health and safety to the nearby school, homes, and businesses. The potential of water and fire impact.
3. This is based on the emails sent by the public and the public hearing; that it's just clear that the residents overwhelming don't support it.
4. Based on the findings of the research findings as indicated in the staff report during this meeting.
5. The general constantly out-weights the pro's.

With that being said; should the Weber County Commissioners choose to approve the rezone; we would recommend you do so with the 21 recommendations, that the staff indicated in the staff report starting on Page 17. In conclusion, I would agree with Commissioner Lewis, that growth is inevitable and I am not against growth. I do believe that our community has natural incredible scenery, and I know that we have a planning staff and County Commissioners that are capable of continuing to enable our sceneries to match it residents, and I just don't think this would be able to do it. Commissioner Wood seconded. A vote was taken to recommend denial of this application to the County Commission with Commissioners Taylor, Howell, Hogge, Francis, Wood, and Chair Lewis voted aye.

Motion Carried (6-0).

2. **Public Comment for Items not on the Agenda:** A member of the audience asked what this commission was going to do if they continued to pursue with the application. Would there be any enforcement on that issue.
3. **Remarks from Planning Commissioners:** Chair Lewis stated that it is up to the County Commission to decide if they approve this or deny this application. We recommended to deny to the county Commission. I would suggest that you attend that meeting and voice your opinion to them. Director Grover can speak to you on the enforcement issue.

4. **Planning Director Report:** Director Grover said part of our staff looks at code enforcement and we will keep an eye on it and monitor possible violations and take care of it.
5. **Remarks from Legal Counsel:** None.
6. **Adjournment:** The meeting was adjourned at 8:00 p.m.

**Respectfully Submitted,**



**Kary Serrano, Secretary;  
Weber County Planning Commission**



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action for preliminary and final approval of Parkside PRUD Phase 2, consisting of 20 lots

**Type of Decision:** Administrative

**Agenda Date:** Tuesday, September 24, 2019

**Applicant:** Bridges Holding Company, LLC

**File Number:** UVP043019

### Property Information

**Approximate Address:** 4870 E Paddleford Drive, Eden

**Project Area:** 5.485

**Zoning:** RE-15

**Existing Land Use:** Vacant

**Proposed Land Use:** PRUD

**Parcel ID:** 22-006-0033

**Township, Range, Section:** T7N, R1E, Section 15

### Adjacent Land Use

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

### Staff Information

**Report Presenter:** Steve Burton  
[sburton@co.weber.ut.us](mailto:sburton@co.weber.ut.us)  
 801-399-8766

**Report Reviewer:** RG

## Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 3 Residential Estate Zones (RE-15)
- Title 104, Zones, Chapter 27 Natural Hazards Overlay Zone
- Title 104, Zones, Chapter 28 Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Chapter 5 Planned Residential Unit Development

## Summary and Background

The Planning Division recommends preliminary and final subdivision approval of the Parkside PRUD Phase 2. The proposed development area is zoned RE-15 and consists of 20 lots with common area surrounding each lot.

The Parkside PRUD Phase 1 is part of the master planned community within the Wolf Creek Resort known as "The Bridges PRUD" which consists of a multi-phased development including six communities (364 units) with a variety of housing options and approximately 143 acres of open space. The proposed subdivision "Parkside PRUD Phase 2" is one of the three phases (72 units) in the Parkside community.

The Uniform Land Use Code of Weber County (LUC) §106-1-8(f) identifies the approval process for final subdivision approval. The proposed subdivision exceeds the amount of lots that can be administratively approved as part of a phasing process; therefore the final plat must be considered and approved by the County Commission after receiving a recommendation from the Planning Commission. The proposed subdivision and lot configuration is in conformance with the current zoning, the approved PRUD and the Zoning Development Agreement Conceptual Land Use 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 maintaining the existing density provided by the current zoning and existing approvals (2016 Ogden Valley General Plan, Land Use Principle 1.1).

**Zoning:** The subject property is located in the Residential Estates Zone more particularly described as the RE-15 zone. The purpose and intent of the RE-15 zone is identified in the LUC §104-3-1 as:

*"The major purpose of the RE-15 and RE-20 Zones is to provide and protect residential development at a low density in a semi-agricultural or rural environment. It is also to provide for certain rural amenities on larger minimum lots, in conjunction with the primary residential nature of the zone."*

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, the PRUD ordinance in LUC §108-5, and the applicable standards in the RE-15 zone (LUC §104-3) to ensure that the regulations and standards have been adhered to. The proposed subdivisions, with the recommended conditions listed in this staff report, are 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 proposed subdivision is the second of three phases in the Parkside community as part of the "The Bridges PRUD" a multi-phased development.

The purpose and intent of a Planned Residential Unit Development (PRUD) is intended to *"allow for diversification in the relationship of various uses and structures to their sites and to permit more flexibility of such sites and to encourage new and imaginative concepts in the design of neighborhood and housing projects in urbanizing areas"* (LUC§ 108-5-2).

Parkside PRUD Phase 2 utilizes the allowed flexibility with lots ranging in size from 5,144 square feet to 7,174 square feet and lot widths ranging in size from approximately 49 feet to approximately 124 feet. The approved minimum single family yard setbacks for the PRUD are:

- Front Yard: 15 feet
- Side Yard: 7.5 feet
- Side; facing street on corner lot: 15 feet
- Rear Yard: 20 feet

Based on the allowed flexibility of a PRUD, the proposed layout, lot configurations and lot sizes are acceptable. In order to provide clear site standards, staff recommends adding the minimum setback standards on the final subdivision Mylar. A condition of approval has been added to staff's recommendation to ensure the minimum setback standards are added to the final subdivision Mylar.

**Ogden Valley Sensitive Lands Overlay Districts:** The development area falls within an area identified as an "Important Wildlife Habitat Area" that is part of the Ogden Valley Sensitive Lands Overlay Districts (LUC§ 104-28). The proposed subdivision has been designed to ensure that development standards in this area shall follow the principles established regarding the location of buildings, structures, roads, trails and other similar facilities to protect important wildlife habitat and their functions including wildlife movement across areas dominated by human activities by limiting the areas of disturbance. A condition of approval has been added to staff's recommendation to ensure a note providing adequate notice of the Important Wildlife Habitat area and the development standards that are required will be added to the final subdivision Mylar.

**Common Area:** The general requirements for a PRUD identify the need to preserve common open space. The proposed subdivision layout identifies common area surrounding all lots. The proposed common area for this phase follows the overall PRUD open space plan (exhibit C). This area will be required to be dedicated upon recording by one or more of the following methods:

- (1) Dedication of the land as Public Park or parkway system;
- (2) Granting to the county a permanent common open space easement on and over the said private open spaces to guarantee that the open spaces remain perpetually in access, parking, recreation or open space uses with ownership and maintenance being the responsibility of a home owners' association established with articles of association and bylaws which are satisfactory to the county; or

(3) Complying with the provisions of the Condominium Ownership Act, U.C.A. 1953, § 57-8-1 et seq., as amended, which provides for the payment of common expenses for the upkeep of common areas and facilities.

Any CC&R's will need to comply with the provisions of the Condominium Ownership Act, U.C.A 1953, §57-8-1 et seq. per LUC §108-5-6(d)(3) for the preservation, maintenance and ownership of the common area. Prior to receiving final approval of the subdivisions from the County Commission, the applicant will need to provide to the County a copy of the proposed CC&R's for review as well as a cash escrow to be held by Weber County for the proposed improvements including the amenities in the common area. The dedication language on the final plat will need to include language to grant ownership of the common area to the applicable ownership. A condition of approval has been added to ensure the final subdivision Mylar includes the correct dedication language for the common area located within the subdivision. A cost estimate for the improvements and a draft copy of any CC&R's will also be required prior to receiving final approval from the County Commission.

**Natural Hazards Overlay Zone:**

A geologic study has been performed and a report has been prepared by GSH dated July 25, 2016, identified as Project #1661-08N-16. All site development will need to adhere to the recommendations of this report. A note shall be added to the plat to notify the future property owners of the geologic and geotechnical report on file with the Weber County Planning Division as well as the requirement of further geologic and geotechnical investigation prior to submitting for a building permit from Weber County.

Upon recording the final subdivision Mylar a separate "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of the geotechnical and geological recommendations to future property owners. A condition of approval has been added to staff's recommendations to ensure that adequate notification is provided for future property owners regarding further development is noted on the subdivision Mylar.

**Culinary water, irrigation water and sanitary sewage disposal:** The applicant has provided a will serve letter from the Wolf Creek Water and Sewer District for the culinary and irrigation water and sanitary sewer (see Exhibit B). The applicant will need to provide a construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision prior to the subdivision receiving final approval from the County Commission. A condition of approval has been added to ensure that a construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water prior to approval by the County Commission.

**Review Agencies:** The Weber County Surveyor's Office, Engineering Division, and the Weber Fire District have reviewed the proposal and have provided the applicant with the additional items that will be required prior recording the final Mylar. A condition of approval has been made part of staff's recommendations to ensure that any conditions of the applicable reviewing agencies are strictly adhered to.

**Additional design standards and requirements:** If the applicant would like to utilize the ability to have nightly rentals as an option allowed in the PRUD ordinance for the owner's in the Parkside PRUD Phase 2, a note will need to be added to the final Mylar to declare that the subdivision is approved for nightly rentals. A condition of approval has been made part of staff's recommendations to ensure that if the applicant desires to allow nightly rentals as part of the Parkside PRUD Phase 2, a note will be added to the final subdivision Mylar to provide notice of the approved nightly rental option.

## **Staff Recommendation**

Staff recommends preliminary and final subdivision approval of the Parkside PRUD Phase 2, consisting of 20 lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A note providing adequate notice of the Important Wildlife Habitat area and the development standards that are required will be added to the final subdivision Mylar.
2. Prior to recording the final Mylar, all lots that are impacted by a geologic hazard will be identified on the final Mylar with a note to provide notice that the final geologic and geotechnical reports are on file with Weber County Planning Division. 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.
3. A construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water must be submitted to Weber County prior to approval by the County Commission
4. If the applicant desires, a note will be added to the final Mylar to provide notice of the approved nightly rental option.

This recommendation is based on the following findings:

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

## Exhibits

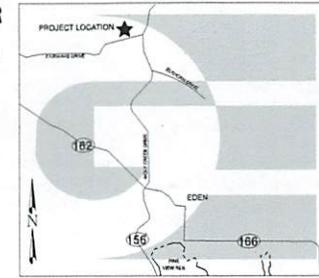
- A. Parkside PRUD Phase 2 plat
- B. Wolf Creek Water and Sewer District Capacity Assessment Letter
- C. Bridges phasing and open space plan

## Location Map



**PARKSIDE P.R.U.D. PHASE 2**  
**A PLANNED RESIDENTIAL UNIT DEVELOPMENT LOCATED IN THE NORTHWEST QUARTER**  
**OF SECTION 22, AND THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH,**  
**RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH**  
**APRIL 2019**

**VICINITY MAP**



A PART OF THE NORTHWEST QUARTER TOWNSHIP 7 NORTH, RANGE 1 EAST FOLLOWS:  
 BEGINNING AT A POINT OF THE B.O. WEST 1410.04 FEET ALONG THE SO FROM THE SOUTH QUARTER CORN THENCE SOUTH 83°21'03" WEST 214 WEST 88.73 FEET; THENCE SOUTH NORTH 38°29'58" WEST 110.00 FEET FEET; THENCE NORTH 48°00'04" EAST 141.88 FEET; THENCE NORTH SOUTH 63°39'31" EAST 74.30 FEET; FOOT RADIUS CURVE TO THE LEFT EAST 48.84 FEET TO SAG BOUNDARY SOUTH 50°07'17" EAST 182.00 FEET

I, KENT H. WHITNEY, DO HEREBY CE AND THAT I HOLD CERTIFICATE A ENGINEERS AND LAND SURVEYORS SURVEY OF THE PROPERTY AS SH AND STREETS, TOGETHER WITH EA WITH SECTION 17-23-17 AND HAVE ARE LOCATED AS INDICATED AND A REQUIREMENTS OF THE LAND USE ESTABLISH THE LATERAL BOUNDARY

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_



Scale in Feet  
 1" = 50'



- LEGEND**
- ◆ WEBER COUNTY MONUMENT AS NOTED
  - SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
  - SUBDIVISION BOUNDARY
  - - - LOT LINE
  - - - ADJACENT PARCEL
  - - - SECTION LINE
  - - - EASEMENT
  - - - EXISTING FENCE LINE

I THE UNDERSIGNED ON SUBDIVIDE THE SAME II TRACT:

AND HEREBY DEDICATE OF SAID TRACT OF LAND FOREVER, AND ALSO GR DESIGNATED ON THE PLU MAINTENANCE AND OPE THE PERPETUAL PRESER APPLICABLE AS MAY BE I BEING ERCTED WITHIN (UNIT) OWNERS ASSOCIA COMMON AREAS TO BE L EACH LOT (UNIT) OWNER SUBSEQUENT PHASES O PERPETUAL OPEN SPACE GUARANTEE TO WEBER ( FOR APPROVED RECREA AND CONVEY TO WEBE USED BY THE PUBLIC LI EASEMENT SHALL BE RE WITHOUT FURTHER WRI PROPERTY SHALL BE RE OWNERS.

SOUTH QUARTER CORNER SEC. 15, T7N, R1E, S.L.B.M. (FOUND WEBER COUNTY BRASS CAP MONUMENT GOOD CONDITION 1981)

SOUTHWEST CORNER SEC. 15, T7N, R1E, S.L.B.M. (FOUND WEBER COUNTY BRASS CAP MONUMENT GOOD CONDITION 1981)

55.00' RADIUS TEMPORARY TURN AROUND EASEMENT

LINE TABLE			LINE TABLE			LIN	
LINE #	LENGTH	BEARING	LINE #	LENGTH	BEARING	LINE #	LEN
L1	15.47	S7° 21' 55"E	L9	16.13	S63° 21' 03"W	L17	16
L2	16.00	S68° 26' 02"W	L10	16.13	S63° 21' 03"W	L18	16
L3	16.07	S76° 57' 46"W	L11	16.04	S54° 29' 50"W	L19	16
L4	16.00	S82° 26' 55"W	L12	26.77	S81° 32' 43"W	L20	18
L5	16.00	S77° 49' 22"W	L13	18.07	N81° 40' 13"W	L21	18
L6	16.00	S64° 23' 40"W	L14	16.02	N58° 24' 02"E	L22	16
L7	16.02	S55° 40' 38"W	L15	16.12	N56° 24' 02"E		
L8	16.19	S58° 08' 55"W	L16	16.00	N56° 24' 02"E		

**WEBER COUNTY SURVEYOR**  
 I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYORS OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT BELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.  
 SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.  
 COUNTY SURVEYOR

**WEBER COUNTY ATTORNEY**  
 I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.  
 SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.  
 COUNTY ATTORNEY

**WEBER COUNTY ENGINEER**  
 I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.  
 SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.  
 COUNTY ENGINEER

**WEBER COUNTY COMMISSION ACCEPTANCE**  
 THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.  
 CHAIRMAN, WEBER COUNTY COMMISSION  
 ATTEST: \_\_\_\_\_ NAME/TITLE

**WEBER COUNTY PLANNING COMMISSION APPROVAL**  
 THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION.  
 SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.  
 CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

STATE OF UTAH )  
 COUNTY OF WEBER )  
 On this \_\_\_\_\_ day of \_\_\_\_\_ 2019, personally appeared before me JOHN L. LEWIS, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the MANAGING MEMBER of THE BRIDGES HOLDING COMPANY, L.L.C. and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said JOHN L. LEWIS acknowledged to me that said "Corporation executed the same.

**ACKNOWLEDGEMENT**  
 STAMP  
 NOTARY PUBLIC



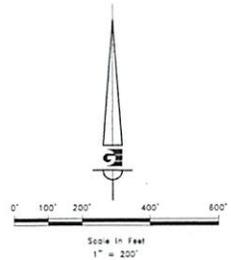
BY 2021, L. LEWIS, H. M. D. THE BRIDGES, PHASE 2 - PARKSIDE SURVEYING AND ENGINEERING, PHASE 2.DWG

PARKSIDE P.R.U.D. PHASE 2  
A PLANNED RESIDENTIAL UNIT DEVELOPMENT LOCATED IN THE NORTHWEST QUARTER  
OF SECTION 22, AND THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH,  
RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH  
APRIL 2019

1. SUBJECT PROPERTY FA ANNUAL CHANCE FLOOD ZONE
2. "N" DESIGNATION DESIGN AND/OR GEOTECHNICAL REBAR AND CAP TO BE EXTENSION.
3. ALL AREAS NOT WITHIN FACILITIES: CERTAIN OF THE LOTS ARE PERPETUALLY RESERVED FOR DRIVEWAYS ARE RESERVED FOR NIGHTLY RENTALS ARE RESERVED.
4. PARKSIDE P.R.U.D. PHASE 1 HAS BEEN PERFORMED WITH AN "N" WILL REQUIRE APPLICATION FOR A LAD THE WEBER COUNTY PL.
5. THE APPROVED MINIMUM

SIDE FA

THE PURPOSE OF THIS SURVEY AND DESCRIBED HEREON IS TO SHOW THE LOCATION OF THE SOUTH-WEST QUARTER OF SECTION 15 AND MERIDIAN WHICH BEAR BEARING THE RIGHT-OF-WAY PLATS CONTAINING AND ADJACENT



LEGEND

- ◆ WEBER COUNTY MONUMENT AS NOTED
- SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- LOT LINE
- - - ADJACENT PARCEL
- - - SECTION LINE
- - - EASEMENT
- - - EXISTING FENCE LINE

16  
21

BRIDGES HOLDING  
COMPANY LLC  
220060004

SUMMIT MOUNTAIN  
HOLDING  
GROUP LLC  
220060015

SUMMIT MOUNTAIN  
HOLDING  
GROUP LLC  
220060016

SUMMIT MOUNTAIN  
HOLDING  
GROUP LLC  
220060014

REMAINDER PARCEL  
220060033  
NOT APPROVED FOR  
DEVELOPMENT AT THIS TIME

MOUNTAINSIDE  
P.R.U.D.  
PHASE 1

REMAINDER PARCEL  
220060033  
NOT APPROVED FOR  
DEVELOPMENT AT THIS TIME

PARKSIDE  
P.R.U.D.  
PHASE 1

PARKSIDE  
P.R.U.D.  
PHASE 2

REMAINDER PARCEL  
220170020  
NOT APPROVED FOR  
DEVELOPMENT AT THIS TIME

16 15  
21 22

15  
22

PL1901 - LEWIS LAMBERT THE BRIDGES - PHASE 2 - PARKSIDE P.R.U.D. PHASE 2.DWG

DEVELOPER:  
BRIDGES OF WOOD  
DEVELOPMENT C  
3718 NORTH WOOD  
EDEN, UT 84310  
801-430-1607

5150 SOL  
OFFICE-401



**RE: The Bridges at Wolf Creek**

**Eric-**

*Based on our recent discussions, we understand that you are working with the County to adjust your master plan at The Bridges project referenced above. This leaves the following project densities:*

- *Parkside Phase 1 14 units*
- *Parkside Phase 2 33units*
- *Parkside Phase 3 25 units*
- *Homestead Phase 1 18 units*
- *Homestead Phase 2 15 units*
- *Homestead Phase 3 18 units*
- *Cabins Phase 1 19 units*
- *Cabins Phase 2 32 units*
- *Mountainside Phase 1 24 units*
- *Mountainside Phase 2 40 units*
- *Mountainside Phase 3 33 units*
- *Mountainside Phase 4 15 units*
- *North 40 Phase 1 29 units*
- *North 40 Phase 2 15 units*
- *Hillside Phase 1 34 units*
- *Total for the project 364 units*

*Within the master planning process Wolf Creek Water and Sewer Improvement District has previously anticipated service in accordance with the original master plans.*

As you are aware, we operate three separate systems, culinary water, irrigation/secondary water, and sewer with treatment. The capacity of each of these systems is subject to state laws and limitations applied by the Division of Drinking Water and Department of Environmental Quality. In particular, the amount of culinary water we are required to have available is dependent on 1) continuing to supply irrigation water, and 2) limiting outdoor use of culinary water. At the same time, the supply of irrigation water is dependent on flow to the Wolf Creek diversion, which as you know may change due to pumping related to development at Powder Mountain.

In view of these concerns, we anticipate the following conditions will be placed upon all future developments:

- Landscaping plans shall limit irrigated areas and minimize installation of turf, both for building lots and common areas. Each building lot/unit shall be equipped with at least one hosebib tied to the irrigation system.
- Landscaping plans will be reviewed and approved by WCWSID, with an emphasis on xeriscaping and installed as approved
- Drip irrigation systems shall be used for all shrub and tree beds, consistent with the existing Design Guidelines (2010) of the Wolf Creek Master HOA. We strongly recommend design of the irrigation systems with zones based upon planting demand.
- **No basement sump pump or footing drain shall be connected to the sanitary sewer.**

*In summary, WCWSID is at present able to provide culinary water, sewer, and irrigation services to the project listed above upon payment of impact fees per our standard schedule. This commitment to Master Planned densities is subject to future review until the connection and impact fees have been paid.*

Let me know if you have any further questions.

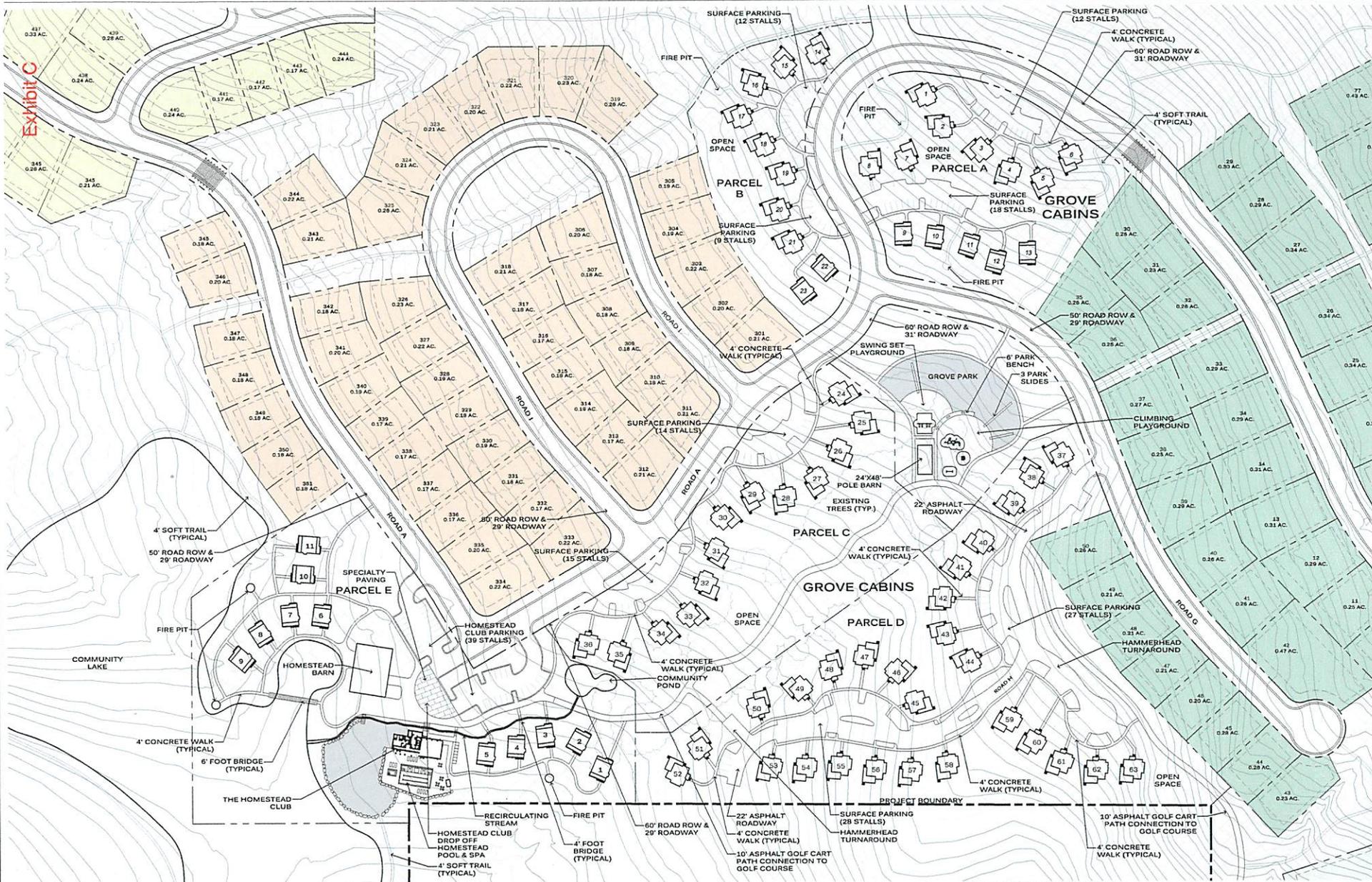
Thanks,



Rob Thomas

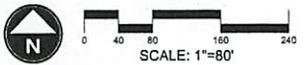
General Manager

WCWSID



NOTES:

1. PARKING FOR HOMESTEAD CABINS WILL BE PROVIDED AT THE HOMESTEAD CLUB.
2. PARKING FOR THE GROVE CABINS IS PROVIDED AS SURFACE PARKING. 135 SURFACE STALLS ARE PROVIDED FOR THE 63 UNITS. PARKING RATIO: 2.1 STALLS/UNIT



LOT LEGEND AND MIN. SETBACK STANDARDS

	THE NORTH 40 SINGLE FAMILY FRONT 15 SIDES 7.5 REAR 20		HILLSIDE SINGLE FAMILY FRONT 15 SIDES 7.5 REAR 20		HOMESTEAD SINGLE FAMILY FRONT 15 SIDES 7.5 REAR 20		MOUNTAINSIDE SINGLE FAMILY FRONT 15 SIDES 7.5 REAR 20		PARKSIDE SINGLE FAMILY FRONT 15 SIDES 7.5 REAR 20		HOMESTEAD CABINS FRONT 0 SIDES 0 REAR 0		GROVE CABINS FRONT 0 SIDES 0 REAR 0
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PRUD DEVELOPMENT DATA

TOTAL PRUD BOUNDARY AREA	262.81 ACRES	NET DEVELOPABLE AREA
ZONE RE-15	249.80 ACRES	PROPOSED UNITS
ZONE FR-3	13.01 ACRES	PARKSIDE MOUNTAINSIDE
ROAD ROW AREA	26.63 ACRES	GROVE CABINS
SLOPES > 40%	0.85 ACRES	HOMESTEAD CABINS
		HOMESTEAD
		THE NORTH 40
		HILLSIDE
		PROPOSED NET DENSITY
		PROPOSED OPEN SPACE
		PROPOSED TRAILS
		10' ASPHALT
		4' SOFT TRAIL



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

<b>Application Request:</b>	Consideration and action for final subdivision approval of The Ridge Townhomes PRUD Phase 4, consisting of 8 units.
<b>Type of Decision:</b>	Administrative
<b>Agenda Date:</b>	Tuesday, September 24, 2019
<b>Applicant:</b>	Ridge Utah Development Corporation, a Utah corporation
<b>Authorized Representative:</b>	Eric Householder
<b>File Number:</b>	UVR082319

### Property Information

<b>Approximate Address:</b>	5271 East Moose Hollow Drive
<b>Project Area:</b>	1.58 acres
<b>Zoning:</b>	FR-3
<b>Existing Land Use:</b>	Vacant
<b>Proposed Land Use:</b>	PRUD
<b>Parcel ID:</b>	22-281-0005
<b>Township, Range, Section:</b>	T7N, R1E, Section 27

### Adjacent Land Use

<b>North:</b>	Private Drive	<b>South:</b>	Vacant – Future Development
<b>East:</b>	Vacant/Future Development	<b>West:</b>	Residential

### Staff Information

<b>Report Presenter:</b>	Tammy Aydelotte <a href="mailto:taydelotte@co.weber.ut.us">taydelotte@co.weber.ut.us</a> 801-399-8794
<b>Report Reviewer:</b>	SB

## Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 17 Forest Residential Zone (FR-3)
- Title 104, Zones, Chapter 27 Natural Hazards Overlay Zone
- Title 104, Zones, Chapter 28 Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Chapter 5 Planned Residential Unit Development

## Summary and Background

The Planning Division recommends final subdivision approval of The Ridge Townhomes PRUD Phase 4. The proposed subdivision is zoned FR-3 and is part of the master planned community within the Wolf Creek Resort known as “The Ridge Townhomes at Wolf Creek PRUD” which consists of five phases (48 units) over 14.46 acres and approximately 10.11 acres (63%) of open space/common area (see Exhibit A). The proposed subdivision phase will consist of 1.58 acres with 8 townhomes in two 6,792 square foot 4-plex buildings and approximately 1.226 acres of common area (see Exhibit B).

The PRUD received the required Conditional Use Permit, Design Review, Ogden Valley Architectural, Landscape and Screening Design Standards and Preliminary Subdivision approval from the Weber County Commission on December 10, 2013 after receiving a positive recommendation from the Ogden Valley Planning Commission on November 11, 2013.

The Uniform Land Use Code of Weber County (LUC) §106-1-8(f) identifies the approval process for final subdivision. The proposed subdivision exceeds the amount of lots that can be administratively approved as part of a phasing process; therefore the final plat must be considered and approved by the County Commission after receiving a recommendation from the Planning Commission. The proposed subdivision and lot configuration is in conformance with the current zoning, the approved PRUD and the Zoning Development Agreement Conceptual Land Use Plan as well as the applicable subdivision requirements as required in the LUC.

## Analysis

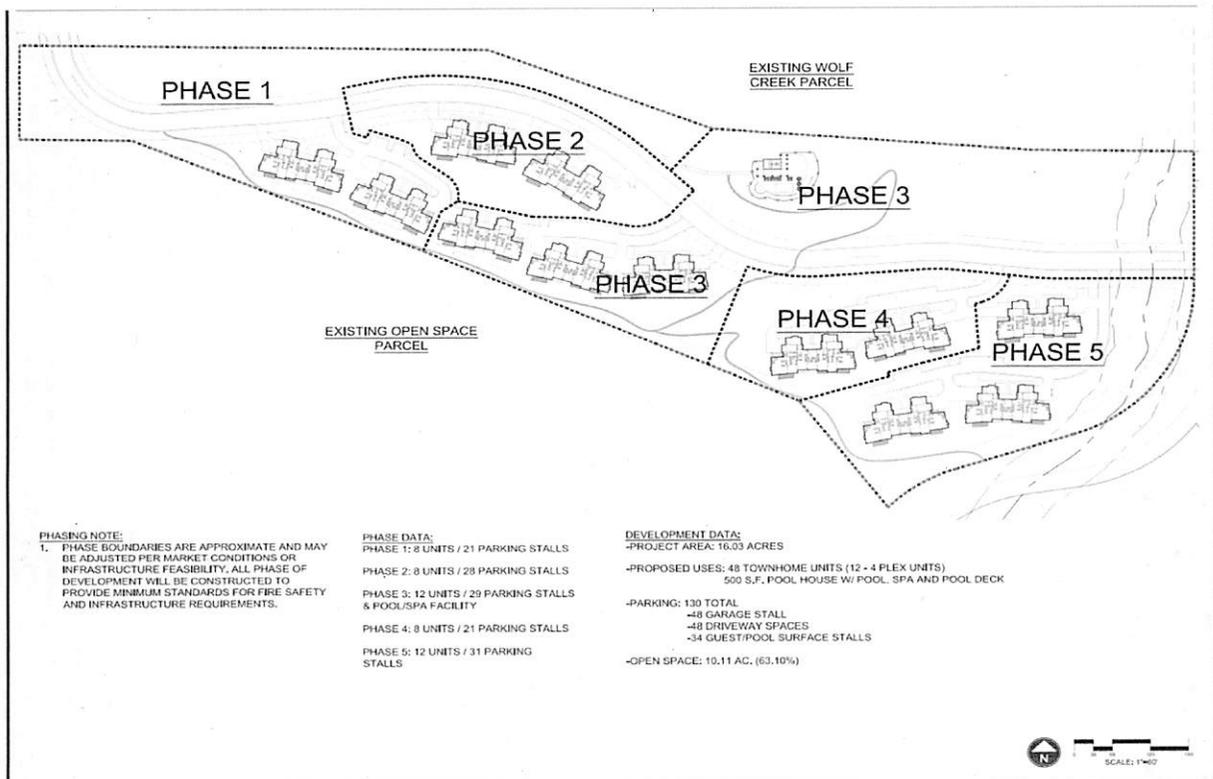
**General Plan:** The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related areas.

**Zoning:** The subject property is located in the Forest Residential Zone more particularly described as the FR-3 zones. The purpose and intent of the FR-3 zone is identified in the LUC § 104-17-1 as:

*"The purpose in establishing the Forest Residential, FR-3 zone is to provide for medium density residential uses of apartment clusters or condo-tels adjacent to and in conjunction with major recreational resorts, recreation areas and facilities in the mountain areas of Weber County on the basis that such medium density multiple-family housing is an integral and normal part of a recreational resort complex catering to the needs of both tourists and permanent home ownership. This zone is intended to be used in mountain locations in areas associated with major recreational resorts."*

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, the PRUD ordinance in LUC §108-5, and the applicable standards in the FR-3 zone (LUC §104-17) to ensure that the regulations and standards have been adhered to. The proposed subdivisions, with the recommended conditions listed in this staff report, are in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

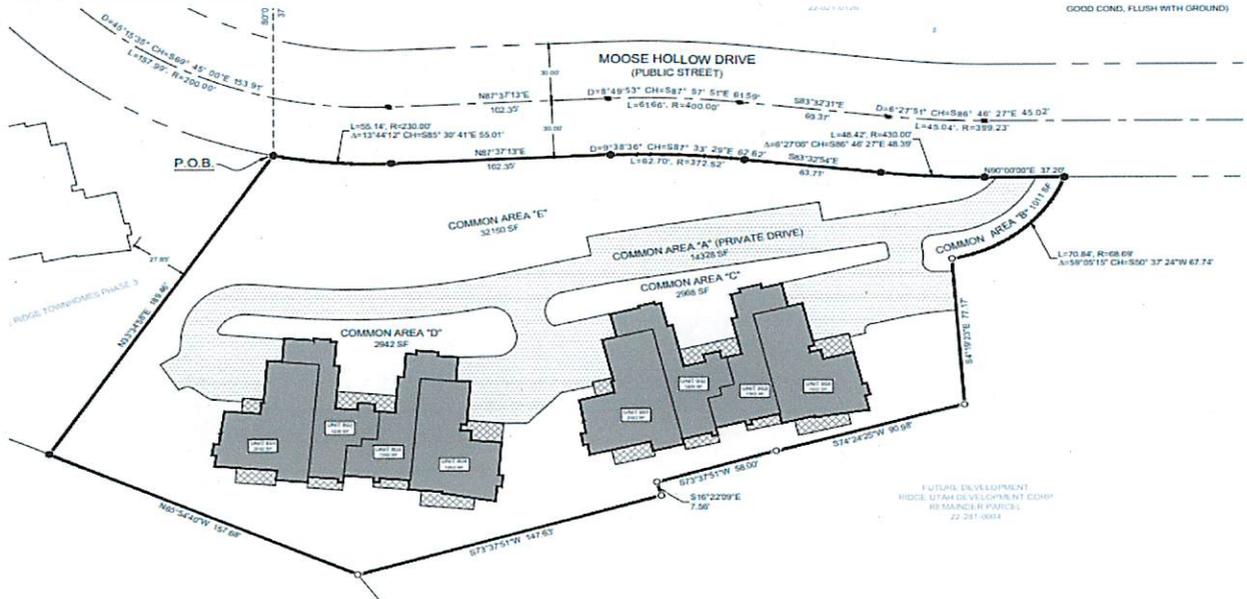
**Lot area, frontage/width and yard regulations:** The proposed subdivision is one of five phases in The Ridge Townhomes PRUD and is in compliance with the approved PRUD and preliminary subdivision for the multi-phased development.



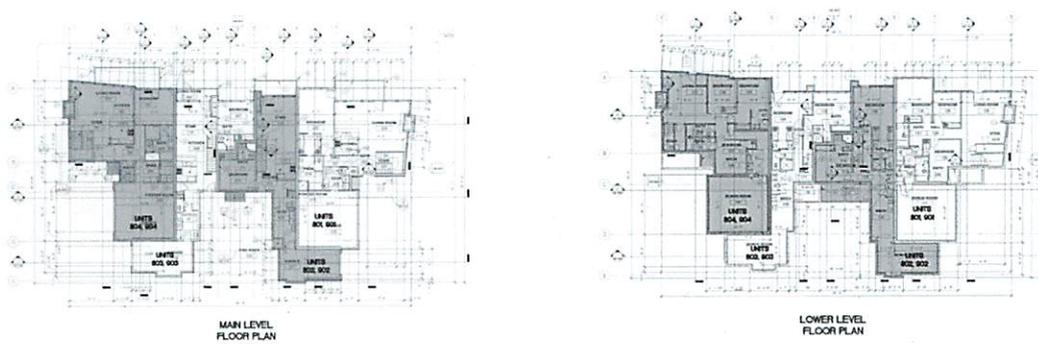
The purpose and intent of a Planned Residential Unit Development (PRUD) is intended to "allow for diversification in the relationship of various uses and structures to their sites and to permit more flexibility of such sites and to encourage new and imaginative concepts in the design of neighborhood and housing projects in urbanizing areas" (LUC§ 108-5-2). The Ridge Townhomes PRUD Phase 4 utilizes the allowed flexibility with the proposed townhomes. The proposed layout is arranged in such a way to provide the occupants of the townhomes views of Pineview Reservoir and Mt. Ogden. The 8 townhomes are all two stories with limited common area and common area surrounding the 4-plexes. Access to the townhomes will be off of Moose Hollow Drive with a 16 foot shared driveway. As part of the preliminary subdivision approval, the townhomes must be located a minimum of 15 feet from Moose Hollow Drive and will be constructed within the building envelope shown on the subdivision plat. The architectural style of the proposed townhomes is considered to be "Mountain Modern" and will vary in size

from approximately 1400 to 2100 square feet with a maximum building height of 26 feet. Based on the allowed flexibility of the approved PRUD, the subdivision layout, building configurations and unit sizes in Phase 4 the proposal is acceptable as reflected below:

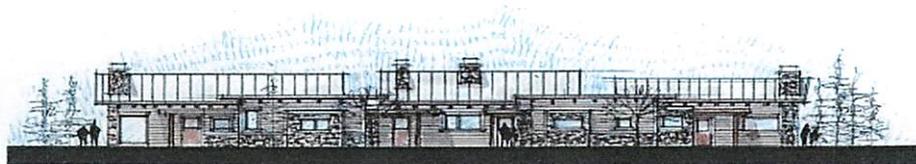
**Phase 4 subdivision plat layout:**



**Townhomes layout:**



**Townhomes architectural renderings:**



**Ogden Valley Sensitive Lands Overlay Districts:** The development area falls within an area identified as an "Important Wildlife Habitat Area" that is part of the Ogden Valley Sensitive Lands Overlay Districts (LUC§ 104-28). The proposed subdivision has been designed to ensure that development standards in this area will follow the principles and standards established regarding the location of buildings, structures, roads, trails and other similar

facilities to protect important wildlife habitat and their functions including wildlife movement across areas dominated by human activities by limiting the areas of disturbance.

**Natural Hazards Overlay Zone:** The proposed subdivision is located in a Zone "X" as determined by FEMA to be an area determined to be outside 500-year floodplain.

A geologic hazards assessment has been performed and a report has been prepared by IGES dated September 12, 2016, identified as Project #02348-001. All site development will need to adhere to the geologic and geotechnical recommendations in the report. According to the report, the location of the club/pool house will need additional site specific geologic and geotechnical investigation in conjunction with a building permit. A note shall be added to the plat to notify the future property owners of the geologic and geotechnical report on file with the Weber County Planning Division as well as the requirement for further geologic and geotechnical investigation prior to submitting for a building permit from Weber County for only the club/pool house.

Upon recording the final subdivision Mylar a separate "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of the geotechnical and geological recommendations to future property owners. A condition of approval has been added to staff's recommendations to ensure that a note is on the final Mylar to provide adequate notification for future property owners.

**Culinary water, irrigation water and sanitary sewage disposal:** The applicant has provided a will-serve letter from the Wolf Creek Water and Sewer District for the culinary and irrigation water and sanitary sewer (see Exhibit C). The applicant will need to provide a construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision prior to the subdivision receiving final approval from the County Commission. A condition of approval has been added to ensure that a construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water prior to approval by the County Commission.

**Review Agencies:** The Weber County Surveyor's Office and Weber Fire District have reviewed the proposal and have provided the applicant with the additional items that will be required prior recording the final Mylar. A review from the Weber County Engineering has not been provided to the applicant to date. A condition of approval has been made part of staff's recommendations to ensure that any conditions of the applicable reviewing agencies are strictly adhered to.

**Additional design standards and requirements:** If the applicant would like to utilize the ability to have nightly rentals as an option allowed in the PRUD ordinance for the owner's in The Ridge Townhomes PRUD Phase 4, a note will need to be added to the final Mylar to declare that the subdivision is approved for nightly rentals per LUC§ 108-5-4(d) which states:

*"Any housing units to be developed or used, in whole or in part, for sleeping rooms (including lockout sleeping rooms) for nightly rentals shall be declared and designated on the site development plan, and shall adhere to the additional parking requirements for rental sleeping rooms as provided in title 108, chapter 8, section 2 of this Land Use Code."*

A condition of approval has been made part of staff's recommendations to ensure that if the applicant desires to allow nightly rentals as part of The Ridge Townhomes PRUD Phase 4, a note will be added to the final subdivision Mylar to provide notice of the approved nightly rental option.

**Tax clearance:** The 2018 property taxes have been paid in full. The 2019 property taxes will be due in full on November 1, 2019.

## Staff Recommendation

Staff recommends final subdivision approval of The Ridge Townhomes PRUD Phase 4, consisting of 8 units. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A cost estimate for the improvements and a draft copy of any CC&R's will be required prior to receiving final approval from the County Commission.
2. Prior to recording, a note will be added to the final subdivision Mylar to provide notice that the final geologic and geotechnical report is on file with Weber County Planning Division.
3. A "Natural Hazards Disclosure" document will be required to be recorded with the final subdivision Mylar to provide adequate notice of any geotechnical and geological recommendations for future property owners.
4. A construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water must be submitted to Weber County Planning Division prior to forwarding the application for approval by the County Commission
5. If the applicant desires, a note must be added to the final Mylar to provide notice of the approved nightly rental option.

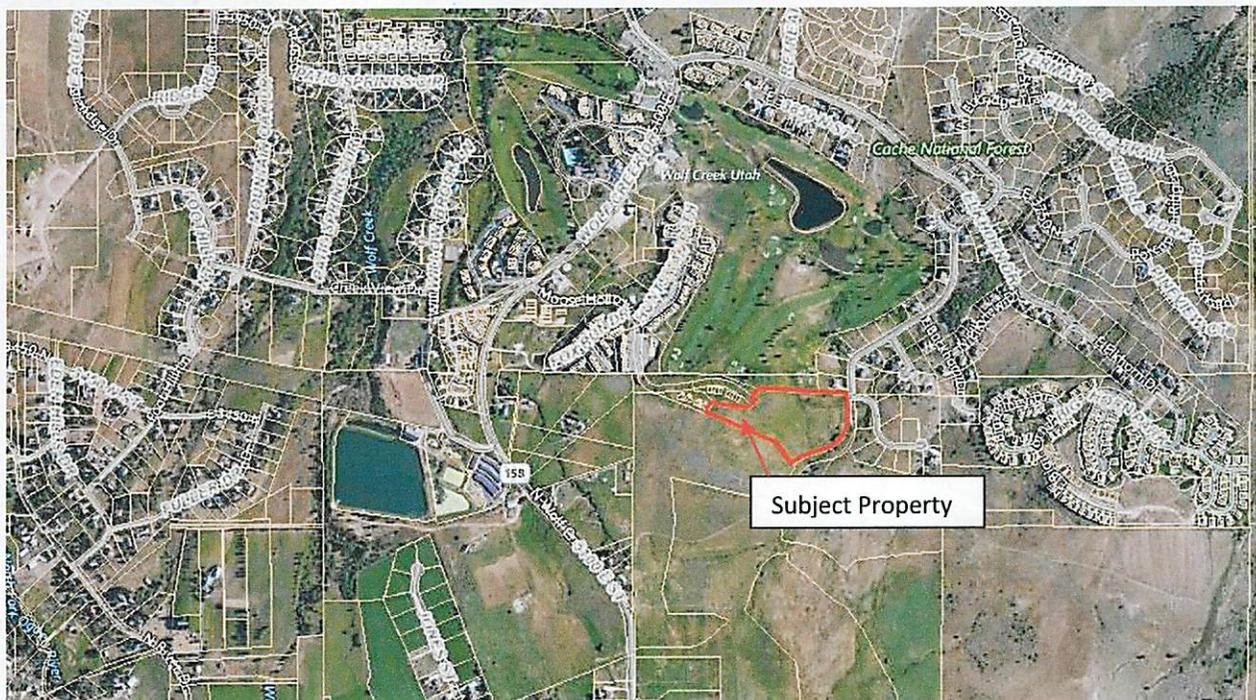
This recommendation is based on the following findings:

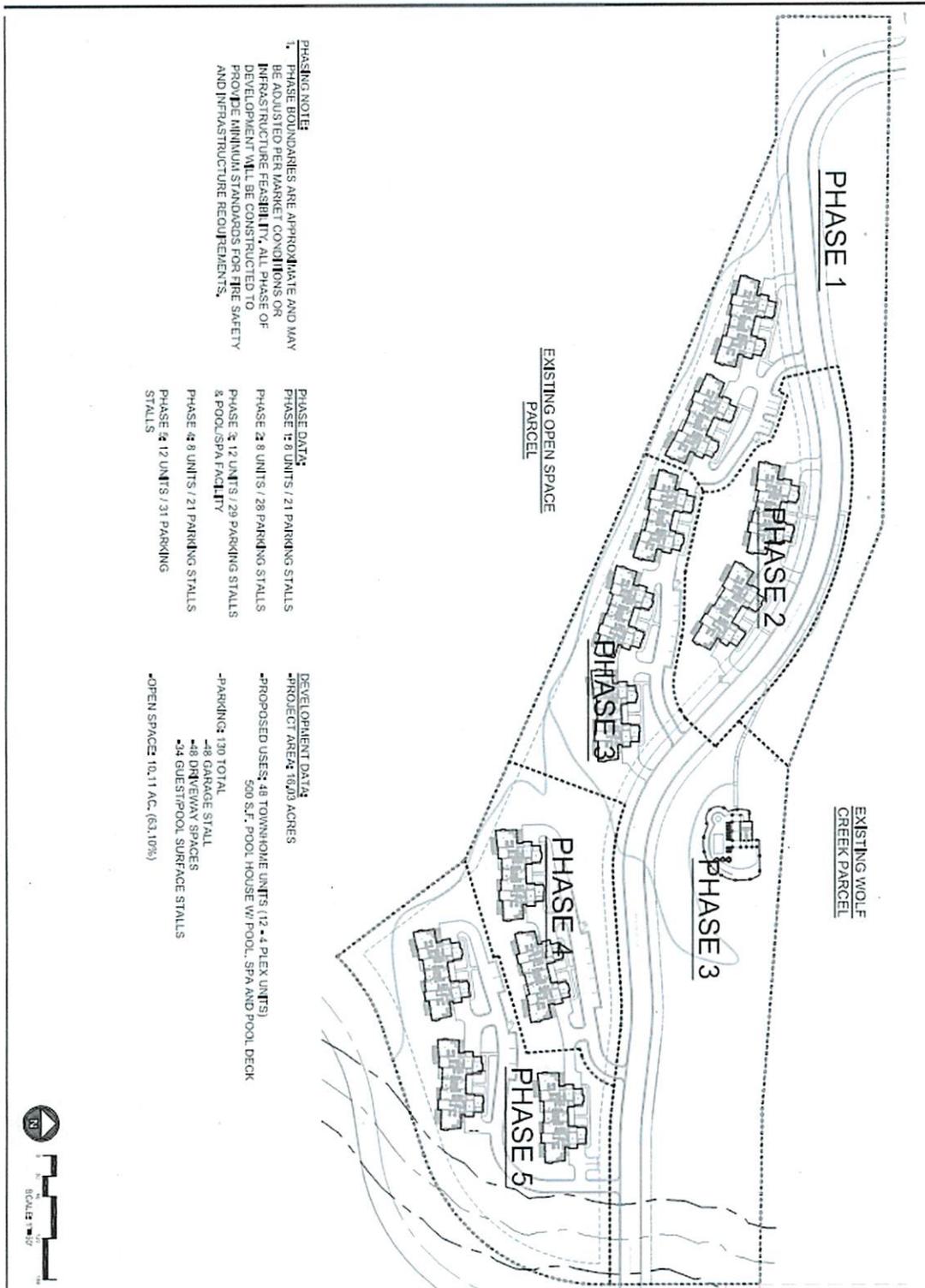
1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision conforms to the approved Zoning Development Agreement.
3. The proposed subdivision conforms to the approved PRUD.
4. With the recommended conditions, the proposed subdivision complies with all previous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

## Exhibits

- A. The Ridge Townhomes at Wolf Creek PRUD Phasing Plan
- B. The Ridge Townhomes PRUD Phase 4
- C. Wolf Creek Water and Sewer District Will Serve Letter

## Location Map





**PHASING NOTE:**  
 1. PHASE BOUNDARIES ARE APPROXIMATE AND MAY BE ADJUSTED PER MARKET CONDITIONS OR INFRASTRUCTURE FEASIBILITY. ALL PHASE OF DEVELOPMENT WILL BE CONSTRUCTED TO PROVIDE MINIMUM STANDARDS FOR FIRE SAFETY AND INFRASTRUCTURE REQUIREMENTS.

**PHASE DATA:**  
 PHASE 1: 8 UNITS / 21 PARKING STALLS  
 PHASE 2: 8 UNITS / 28 PARKING STALLS  
 PHASE 3: 12 UNITS / 29 PARKING STALLS & POOL/SPA FACILITY  
 PHASE 4: 8 UNITS / 21 PARKING STALLS  
 PHASE 5: 12 UNITS / 31 PARKING STALLS

**DEVELOPMENT DATA:**  
 -PROJECT AREA: 16.03 ACRES  
 -PROPOSED USES: 48 TOWNHOME UNITS (12 • 4 PLEX UNITS) 500 S.F., POOL, HOUSE W/ POOL, SPA AND POOL DECK  
 -PARKING: 130 TOTAL  
 -88 GARAGE STALL  
 -48 DRIVEWAY SPACES  
 -24 GUEST/POOL SURFACE STALLS  
 -OPEN SPACES: 10.11 AC. (63.10%)

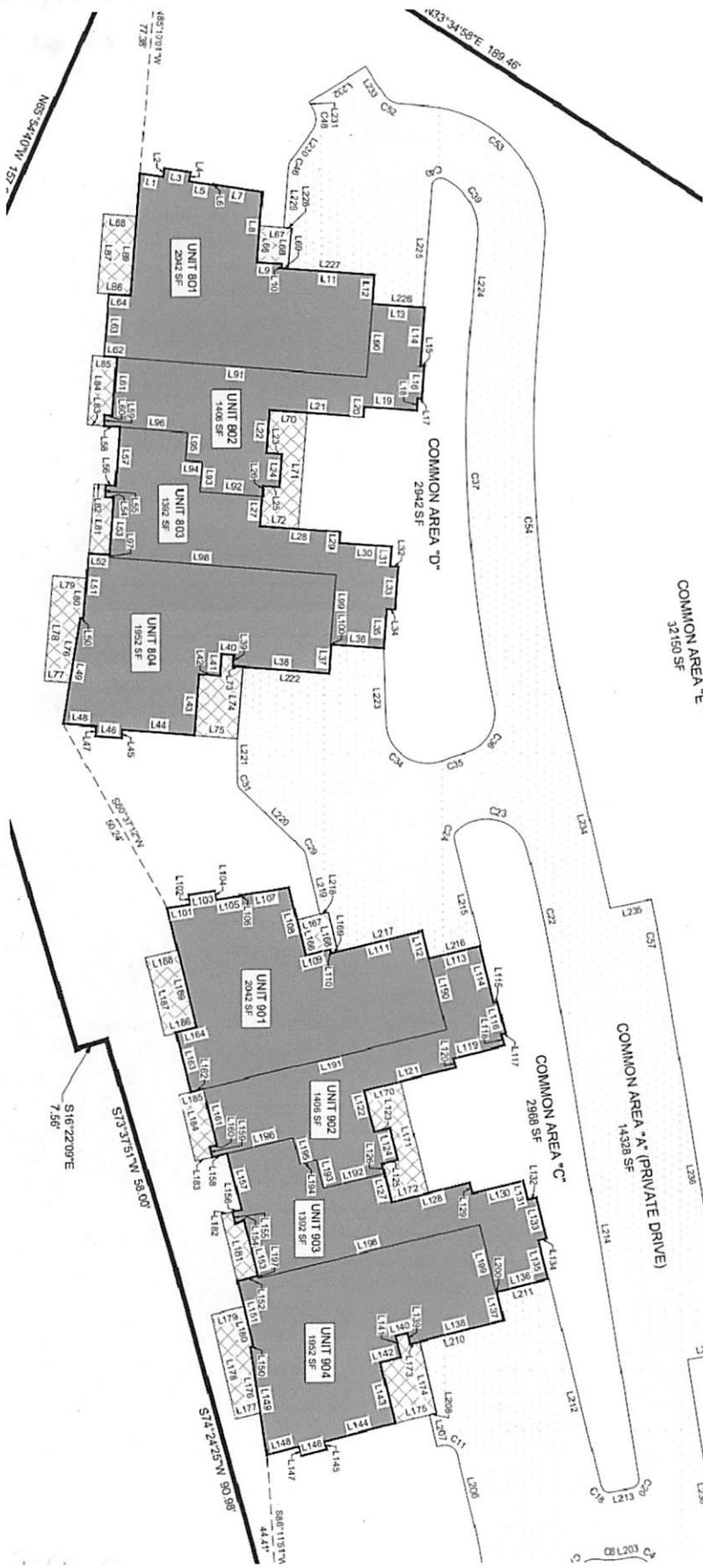


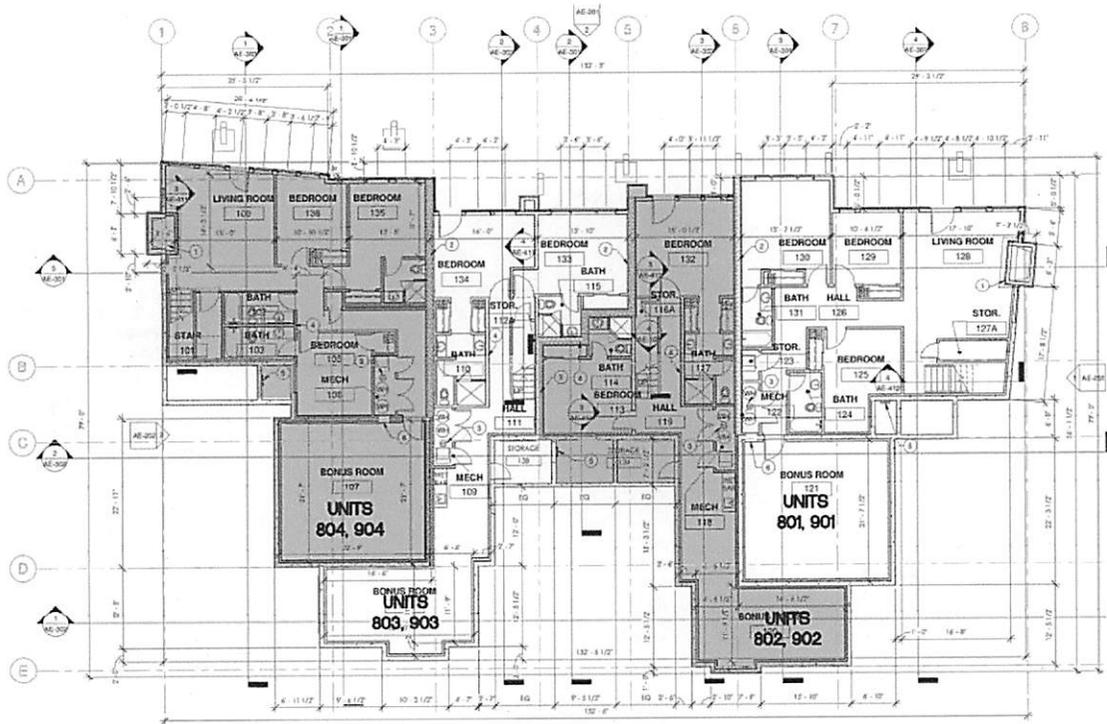
<h2 style="margin: 0;">THE RIDGE TOWNHOMES</h2> <p style="margin: 0;">WEBER COUNTY, UT</p>	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 8px;">                 8 2410                  APPROPRIATE                  WEBER COUNTY, UT             </div> <div style="text-align: center;"> </div> </div> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 8px;"> <tr> <td style="width: 20%;">DATE</td> <td style="width: 20%;">DRAWN BY</td> <td style="width: 20%;">CHECKED BY</td> <td style="width: 20%;">SCALE</td> <td style="width: 20%;">PROJECT NO.</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> <p style="margin-top: 10px; font-weight: bold;">PROJECT TITLE                  OVERALL PHASING PLAN                  SHEET NUMBER  <b>P1.0</b></p>	DATE	DRAWN BY	CHECKED BY	SCALE	PROJECT NO.																									
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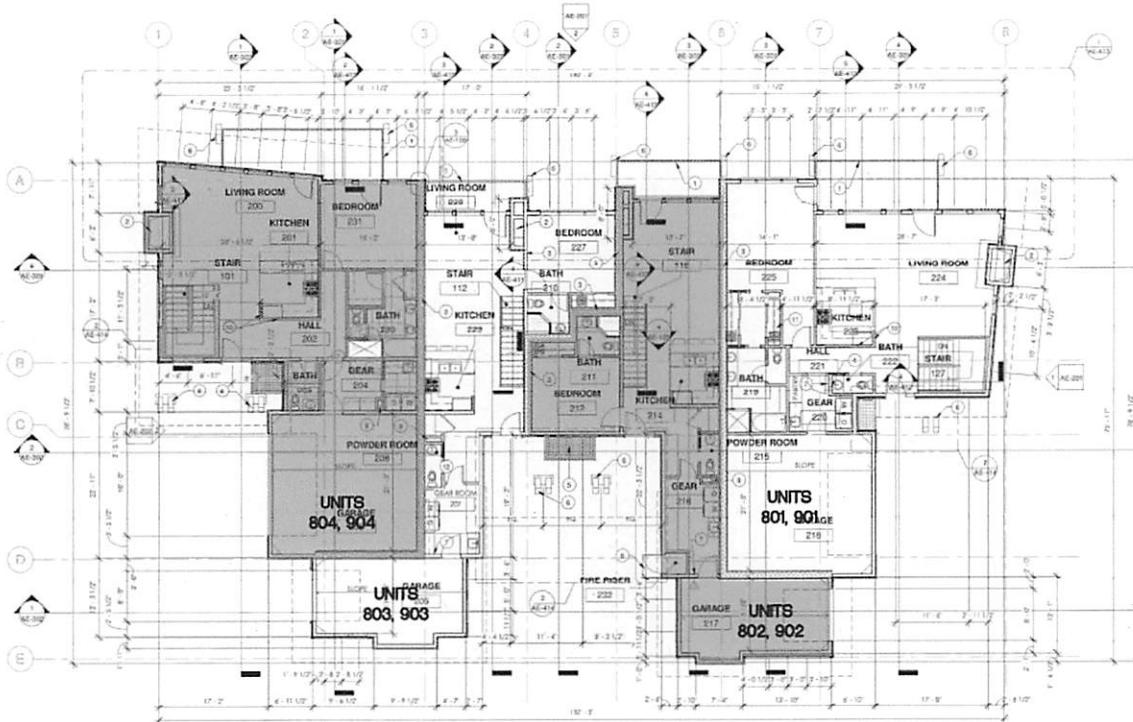
# Exhibit B-The Ridge Townhomes PRUD Phase 4





LOWER LEVEL  
FLOOR PLAN

Exhibit B-The Ridge Townhomes PRUD Phase 4



MAIN LEVEL  
FLOOR PLAN



*Wolf Creek Water and Sewer Improvement District*

P.O. Box 658  
3932 N. Wolf Creek Dr.  
Eden, Utah 84310  
(801) 745-3435  
Fax (801) 781-4100

Weber County

RE: Wolf Creek Water and Sewer Improvement District services to Address(s):

The Ridge 48-Multi-Family Units Eden, Utah

To whom it may concern,

This letter confirms that Wolf Creek Water and Sewer Improvement District has determined it will provide culinary water, irrigation water and sewer services to the above referenced address(s).

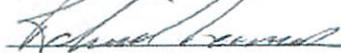
Except for scheduled maintenance and construction, power failures, natural disasters, and unforeseen circumstances, water and sewer services will be provided in accordance with applicable federal, state and local statutes, laws, rules, regulations, ordinances and standards.

Culinary water, Irrigation water and Sewer services to the above lot(s) are subject to and contingent on the following:

1. Compliance with the Wolf Creek Water and Sewer Improvement District policies and procedures as those policies and procedures may change from time to time;
2. Natural fluctuations in water supplies;
3. Subsequent decisions and regulation by local government, the Utah State Engineer, Utah Division of Water Resources, the United States Department of the Interior, or any other applicable governmental agency.
4. Payment of hook up costs and standard billings for service. Failure to pay these costs and billings will result in temporary suspension and/or permanent cessation of service.

As recipient of said service, you agree to the above terms and to the terms set forth in the Wolf Creek Water and Sewer Improvement District policies and procedures as those policies may change from time to time. If you have any questions regarding the contents of this letter, please contact Annette Ames (801) 745-3435.

Wolf Creek Water and Sewer Improvement District

  
Robert Thomas, General Manager

Date: 11-7-13