



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: A public hearing to consider an ordinance to rezone approximately 81.1 acres to the Form Based (FB) Zone, and approximately 343.1 acres to the Open Space (O-1) Zone in the Nordic Valley area. The rezones are to facilitate the development of the Nordic Valley Village as generally depicted in the Ogden Valley General Plan.

Agenda Date: Tuesday, December 20, 2022

Applicant: Skyline Mountain Base LLC & Nordic Valley Land Associates LLC
Agent: Laurent Jouffray

File Number: ZMA 2021-09

Frontier Web Address: <https://frontier.co.weber.ut.us/p/Project/Index/13888#info>

Property Information

Approximate Address: 3567 E Nordic Valley Rd. Nordic Valley Area (Unincorporated Weber County)

Current Zoning: FV-3, FR-3, CVR-1, O-1

Existing Land Use: Ski Resort, Open Space

Proposed Land Use: Varies: Recreation Resort, Hotel, Condo Hotel, Mixed-Use Commercial, Multi-Family Residential, small-Lot residential, ski resort support operations, trails, ski runs, etc.

Adjacent Land Use

North: Residential, Agriculture	South: Ski Resort/Recreation/Residential
East: Residential	West: Ski Resort/Recreational Amenities

Staff Information

Report Presenter: Charlie Ewert
cewert@webercountyutah.gov
801-399-8763

Report Reviewer: CE

Applicable Ordinances

§102-5: Rezoning Procedures
§104-22: Form-Based Zone (FB)

Legislative Decisions

This item relies on the County Commission’s legislative authority in which it has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

Summary

The applicant initially requested a Zoning Map Amendment (ZMA) to rezone approximately 510 acres in and around the Nordic Valley ski area from the FV-3, FR-3, CVR-1, and O-1 zones to a DRR-2 zoning classification. The DRR-2 zone does not currently exist so to accommodate the request the applicant further proposed to create one.

However, at the request of Planning Division staff, the applicant withdrew their request to create, and be rezoned to, a DRR-2 zoning classification in favor of a rezoning to the newly created Form-Based (FB) Zone. Under this staff-requested scenario, the FB zoning ordinance need to be amended through a Zoning Text Amendment (ZTA) to add specific Nordic Valley area provisions prior to rezoning the property to the FB classification. This zone text amendment was recently adopted on August 16, 2022. Accordingly, this Zoning Map Amendment (ZMA 2021-09) application is being reviewed in accordance with the new provisions of the zone.

The objective of this rezone request is to apply the zoning and regulatory framework designed to create cohesive neighborhood areas that are based on form and design themes. Through the Form-Based zoning allowances, the applicant will be able to transfer their development rights off of their land along the upper hillside and down into a village area at the base of the slopes. This will result in the preservation of the hillside as open space for outdoor recreation and the preservation of natural landscapes and viewsheds.

The most effective way to administer the effects of this rezone is through a development agreement. On this same agenda, a development agreement will also be presented for your approval.

Policy Analysis

Please find a detailed analysis in the attached Planning Commission Staff Report (Attachment B). In that report you will find three items that differ from the attached proposal.

First, the staff report suggests that the base density of the property is 488 units. After further legal review of a rezone that occurred in 2008 rezoning 4.65 acres from the FV-3 zone to the FR-3 zone, it appears prudent to increase the base density for the project to 565 units.

Second, the staff report indicates that only six residential lots will be allowed southeast of Viking Drive, and the remaining 22 lots that are entitled in the existing FV-3 zone would be transferred to the village core. The commission gave staff direction in their December 12, 2022 work session to allow that to be increased to 28 lots should the applicant choose not to transfer them elsewhere in the development.

And third, initially the applicant thought it appropriate to rezone the entire area not being rezoned to the FB zone to the O-1 zone. After additional consideration and understanding, the applicant realized this would make the 28 residential lots southwest of Viking Drive impossible. In order to facilitate the possibility for these lots, the applicant is requesting a portion of the property remain in the current FV-3 zone.

Planning Commission Consideration and Recommendation

On August 23, 2022, the Ogden Valley Planning Commission recommended approval of the rezone, provided a development agreement is recorded to ensure appropriate construction and timing of infrastructure, workforce housing, and management organization.

The Planning Commission's recommendation came with the following findings:

Findings:

1. The Ogden Valley General Plan provides for the transfer of density rights on this property. The proposal creates no new residential density than already entitled.
2. The proposed rezone will promote the health, safety, and general welfare of the Weber County by advancing many public interests and returning substantial economic impacts.

Attachment

Attachment A: Rezone Ordinance

Attachment B: Planning Commission Staff Report

ATTACHMENT A

ORDINANCE NUMBER 2022-_____

AN ORDINANCE AMENDING THE WEBER COUNTY ZONING MAP TO REZONE APPROXIMATELY 81.1 ACRES OF LAND LOCATED AT 3567 NORDIC VALLEY WAY TO THE FORM BASED (FB) ZONE AND TO REZONE APPROXIMATELY 343.1 ACRES TO THE OPEN SPACE ZONE (O-1)

WHEREAS, the Weber County Board of Commissioners has adopted a zoning map for the unincorporated areas of Weber County; and

WHEREAS, the Weber County Board of Commissioners has received an application to rezone approximately 81.1 acres of land from the O-1, FV-3, FR-3, and CVR-1 zones to the FB zone, and to rezone approximately 343.1 acres of land from the FV-3 to the O-1 zone; and

WHEREAS, the Weber County Board of Commissioners and the applicant mutually agree to rezones; and the Weber County Board of Commissioners and the applicant mutually agree to execute a development agreement that specifies, among other things, the use and development standards of the subject property; and

WHEREAS, on August 23, 2022, the Ogden Valley Planning Commission held a duly noticed public hearing to consider the rezone application and forwarded a positive recommendation to the Board of County Commissioners; and

WHEREAS, the Ogden Valley Planning Commission and the Board of County Commissioners have both found that the proposal provides substantial advancement of the Ogden Valley General Plan's goals, principles, and implementation strategies for the Nordic Valley area; and

WHEREAS, the Ogden Valley Planning Commission and the Board of County Commissioners have both determined that the rezone will promote the health, safety, and general welfare of the Weber County by advancing many public interests and returning substantial economic impacts;

NOW THEREFORE, the Weber County Board of Commissioners ordains an amendment to the Weber County Zoning Map to rezone approximately 81.1 acres of land from the O-1, FV-3, FR-3, and CVR-1 zones to the FB zone, and to rezone approximately 343.1 acres of land from the FV-3 to the O-1 zone. The graphic representation of the rezone is included and incorporated herein as Exhibit A. A written description of the Form Based Zone is included as Exhibit B. A written description of the Open Space Zone is included as Exhibit C. In the event there is conflict between the two, the legal description shall prevail. In the event the legal description is found by a licensed surveyor to be invalid or incorrect, the corrected legal description shall prevail as the description herein, if recommended by the County Surveyor, provided that the corrected legal description appropriately bounds the subject property and fits within the correct legal description of surrounding properties.

This ordinance shall become effective fifteen (15) days after publication or on the day the development agreement between Nordic Village Ventures, LLC and Weber County is signed and recorded, whichever is later.

Passed, adopted, and ordered published this 20th day of December, 2022, by the Weber County Board of Commissioners.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

By _____
Scott Jenkins, Chair

Commissioner Froerer voted _____
Commissioner Jenkins voted _____
Commissioner Harvey voted _____

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor

Exhibit A

Graphic Representation

A rezone of approximately 81.1 acres of land from the O-1, FV-3, FR-3, and CVR-1 zones to the FB zone, and to rezone approximately 343.1 acres of land from the FV-3 to the O-1 zone.

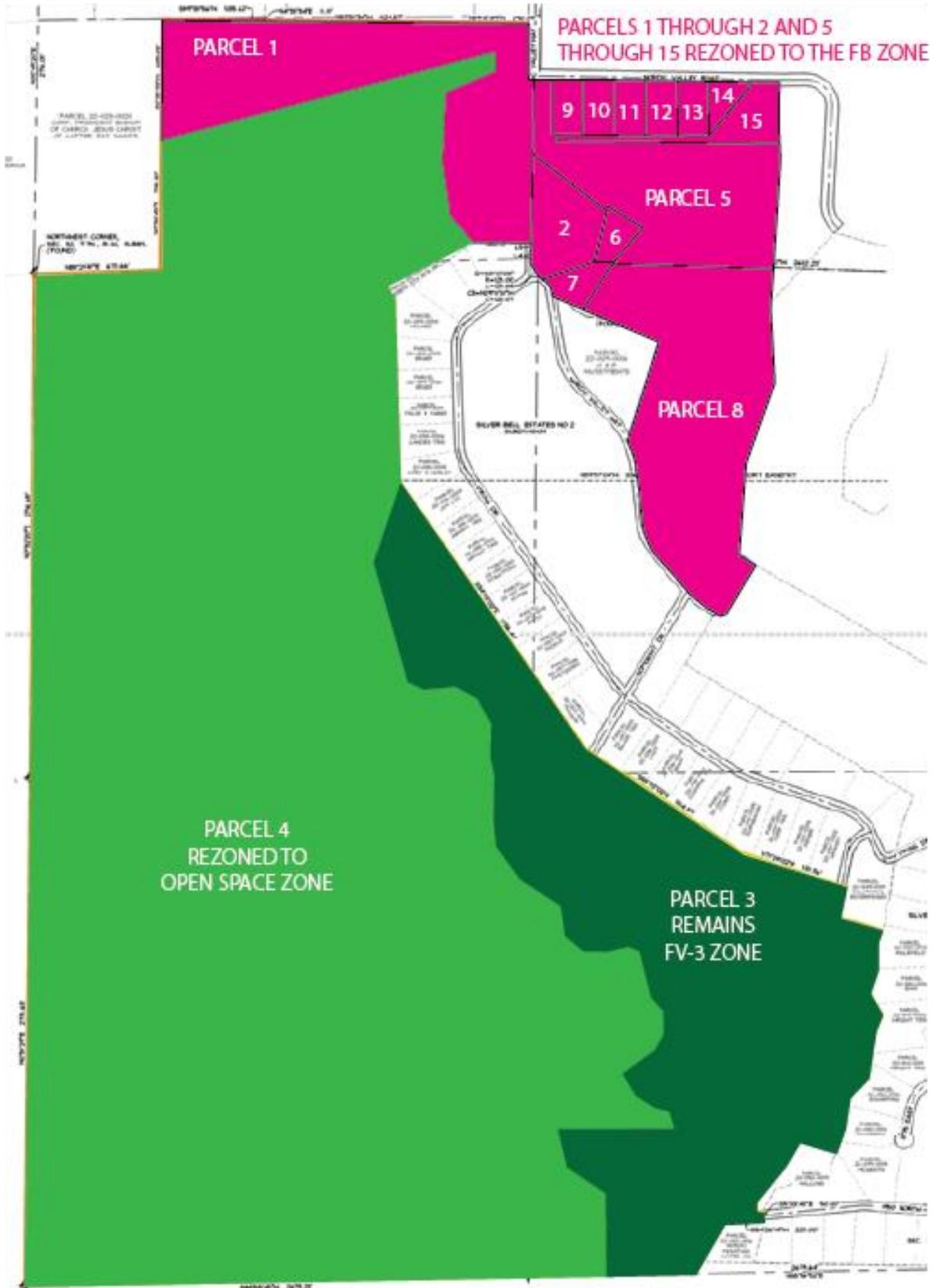


Exhibit B
WRITTEN DESCRIPTION OF THE FORM BASED ZONE

The area to be rezoned to the FB Zone is the exterior perimeter of the following legal descriptions. The "parcels" represented by each legal description are numbered based on the graphic depiction in Exhibit A:

PARCEL 1

THE BASIS OF BEARING FOR THIS SURVEY IS N 0°02'56" EAST 5318.64 FEET, MEASURED BETWEEN THE FOUND SOUTHEAST CORNER AND THE FOUND NORTHEAST CORNER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SLB&M.

BEGINNING AT A POINT WHICH IS ON THE ON THE WESTERN RIGHT-OF-WAY LINE OF 3500 EAST, SAID POINT BEING N 87°58'12" W 2632.23 FEET ALONG THE NORTH SECTION LINE OF SECTION 32, TO THE NORTH QUARTER OF SAID SECTION, THENCE N 0°24'08" EAST 100.38 FEET ALONG THE SECTION LINE, AND N 89°35'52" W 74.05 FEET FROM THE FOUND MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE N 89° 42' 02" W 282.10 FEET; THENCE N 40° 49' 15" W 190.57 FEET; THENCE N 07° 58' 23" W 288.47 FEET; THENCE N 02° 50' 24" E 371.18 FEET; THENCE N 66° 37' 10" E 299.68 FEET; THENCE N 02° 58' 07" W 95.99 FEET; THENCE S 75° 14' 48" W 1832.05 FEET; THENCE N 00° 38' 43" E 635.03 FEET; THENCE N 89° 33' 56" E 535.62 FEET; THENCE S 04° 33' 34" W 11.11 FEET; THENCE S 89° 31' 36" E 1124.87 FEET; THENCE S 89° 41' 49" E 290.39 FEET TOP THE WESTERN ROW LINE OF SAID 3500 WEST; THENCE ALONG SAID SECTION LINE S 01° 20' 16" W 1167.80 FEET, TO THE POINT OF BEGINNING.

LOCATED IN THE SOUTH HALF OF SECTION 29 AND THE NORTH HALF OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

CONTAINING 1,118,930 S.F. OR 25.687 ACRES

AFFECTING A PORTION WEBER CO. OF PARCELS: 22-023-0045, 22-023-0020, 22-023-0086.

PARCEL 2

THE BASIS OF BEARING FOR THIS SURVEY IS N 0°02'56" EAST 5318.64 FEET, MEASURED BETWEEN THE FOUND SOUTHEAST CORNER AND THE FOUND NORTHEAST CORNER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SLB&M.

BEGINNING AT A POINT WHICH IS ON THE ON THE EASTERLY RIGHT-OF-WAY LINE OF 3500 EAST, SAID POINT BEING N 87°58'12" W 2632.23 FEET ALONG THE NORTH SECTION LINE OF SECTION 32, TO THE NORTH QUARTER OF SAID SECTION, THENCE N 0°24'08" EAST 80.50 FEET ALONG THE SECTION LINE, AND N 89°35'52" W 8.36 FEET FROM THE FOUND MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 32; AND RUNNING THENCE N 01° 20' 16" E 468.20 FEET; THENCE S 52° 07' 34" E 455.97 FEET;

THENCE S 13° 54' 26" W 292.09 FEET; THENCE S 73° 24' 26" W 256.31 FEET TO THE EASTERN ROW LINE OF NORDIC VALLEY WAY; THENCE ALONG SAID ROW FOLLOWING 4 COURSES, 1) THENCE N 57° 37' 39" W 3.91 FEET, 2) THENCE ALONG NON TANGENT

CURVE TO THE RIGHT, HAVING A RADIUS OF 125.00 FEET, (LONG CHORD BEARS N 29° 11' 31" W 123.07 FEET), THROUGH A CENTRAL ANGLE OF 58° 58' 57", FOR AN ARC DISTANCE OF 128.68 FEET, 3) THENCE N 00° 18' 02" E 59.09 FEET, 4) THENCE S 89° 42' 02" E 8.00 FEET, TO THE POINT OF BEGINNING. LOCATED IN THE SOUTH HALF OF SECTION 29 AND THE NORTH HALF OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

CONTAINING 158,480 S.F. OR 3.628 ACRES

AFFECTING WEBER CO. PARCEL 22-023-0060

PARCEL 5

PART OF THE SOUTH 1/2 OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY; MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 29 WHICH IS NORTH 3D50'56" EAST 201.47 FEET FROM THE MOST WESTERLY CORNER OF LOT 12, NORDIC VALLEY ESTATES NO. 1, WEBER COUNTY, UTAH; AND RUNNING THENCE NORTH 88D13' WEST ALONG THE SOUTH LINE OF SAID SECTION 29 29852.61 FEET; THENCE NORTH 40D00' EAST 253.74 FEET; THENCE NORTH 59D30' WEST 220 FEET; THENCE SOUTH 13D35' WEST 28 FEET; THENCE NORTH 52D27' WEST 464.33 FEET (SHOULD BE 455.58 FEET) TO THE EAST LINE OF NORDIC VALLEY ROAD; THENCE NORTH 0D57'41" EAST 274.84 FEET (SHOULD BE 398.33 FEET) ALONG SAID EAST LINE; THENCE SOUTH 89D19'51" EAST 60.42 FEET ALONG THE SOUTH LINE OF NORDIC VALLEY ROAD; THENCE SOUTH 0D57'41" WEST 260 FEET; THENCE SOUTH 89D19'51" EAST 14.41 FEET; THENCE SOUTH 0D57'41" WEST 40 FEET; THENCE SOUTH 89D19'51" EAST 1207 FEET; THENCE SOUTH 5D20'58" EAST 67.82 FEET; THENCE SOUTH 3D50'56" WEST 601.75 FEET TO THE POINT OF BEGINNING.

PARCEL 6

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE EAST LINE OF 3500 EAST STREET (NORDIC VALLEY WAY) WHICH IS NORTH 81D00' EAST 50.00 FEET AND NORTH 9D00' WEST 274.44 FEET FROM THE MOST EASTERLY CORNER OF LOT 103, SILVER BELL ESTATES NO. 2, WEBER COUNTY, UTAH; RUNNING THENCE NORTH 9D00' WEST 37.67 FEET, AND NORTHWESTERLY ALONG THE ARC OF A 106.24 FOOT RADIUS CURVE TO THE LEFT 88.17 FEET ALONG SAID EAST LINE OF 3500 EAST STREET, THENCE NORTH 73D05' EAST 256.02 FEET, THENCE NORTH 13D35' EAST 4.20 FEET TO THE TRUE POINT OF BEGINNING, RUNNING THENCE NORTH 13D35' EAST 311.80 FEET, THENCE SOUTH 59D30' EAST 220 FEET, THENCE SOUTH 40D00' WEST 253.74 FEET, THENCE NORTH 88D13' WEST 99.68 FEET TO THE POINT OF BEGINNING.

PARCEL 7

PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE

EAST LINE OF 3500 EAST STREET(NORDIC VALLEY WAY) WHICH IS NORTH 81D00' EAST 50.00 FEET ANDNORTH 9D00' WEST 274.44 FEET FROM THE MOST EASTERLY CORNER OFLOT 103, SILVER BELL ESTATES NO. 2, WEBER COUNTY, UTAH;RUNNING THENCE NORTH 9D00' WEST 37.67 FEET, AND NORTHWESTERLYALONG THE ARC OF A 106.24 FOOT RADIUS CURVE TO THE LEFT 88.17FEET ALONG SAID EAST LINE OF 3500 EAST STREET, THENCE NORTH73D05' EAST 256.02 FEET, THENCE NORTH 13D35' EAST 4.20 FEET;THENCE SOUTH 88D13' EAST 99.68 FEET;. THENCE SOUTH 40D WEST56.26 FEET; THENCE SOUTH 29D30' WEST 230 FEET; THENCE NORTH67D30'43" WEST 150 FEET TO POINT OF BEGINNING.

PARCEL 8

PART OF LOT 33, SILVER BELL ESTATES NO. 1, AND PART OF THENORTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: MOREPARTICULARLY DESCRIBED AS BEGINNING 25.00 FEET NORTH60D00'00" WEST FROM THE MOST EASTERLY CORNER OF LOT 33,SILVER BELL ESTATES NO. 1, WEBER COUNTY, UTAH; AND RUNNINGTHENCE SOUTH 30D00' WEST 300.00 FEET TO THE EAST LINEOF 3500 EAST STREET; THENCE 6 COURSES ALONG SAID EAST LINEAS FOLLOWS: NORTH 60D00' WEST 200.02 FEET, NORTHERLYALONG THE ARC OF A 542.12 FOOT RADIUS CURVE TO THE RIGHT189.24 FEET, NORTH 40D00' WEST 233.42 FEET, NORTHERLY ALONGTHE ARC OF A 302.09 FOOT RADIUS CURVE TO THE RIGHT 179.26FEET, NORTH 6D00' WEST 252.68 FEET, AND NORTHERLY ALONG THEARC OF A 525.00 FOOT RADIUS CURVE TO THE LEFT 202.24 FEET;THENCE NORTH 17D00' EAST 545.66 FEET; THENCE NORTH 67D30'43"WEST 450.00 FEET; THENCE NORTH 29D30' EAST 230 FEET; THENCENORTH 40D EAST 56.26 FEET TO THE NORTH LINE OF SAID SECTION32; THENCE SOUTH 88D13' EAST ALONG SAID NORTH LINE 852.61FEET TO A POINT NORTH 3D50'56" EAST 201.47 FEET FROM THE MOSTWESTERLY CORNER OF LOT 12, NORDIC VALLEY ESTATES NO. 1;THENCE SOUTH 3D50'56" WEST 201.47 FEET TO THE WEST LINE OFNORDIC VALLEY ESTATES NO. 1, WEBER COUNTY, UTAH; THENCE 4COURSES ALONG SAID WEST LINE AS FOLLOWS: SOUTH 3D30' EAST410.00 FEET, SOUTH 19D50'07" WEST 442.42 FEET, SOUTH 4D14'52"WEST 516.27 FEET AND SOUTH 60D00' EAST 210.65 FEET TO THEPOINT OF BEGINNING.

PARCEL 9

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH,RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY:BEGINNING AT A POINT ON THE SOUTH LINE OF NORDIC VALLEY ROAD,WHICH IS 58.01 FEET EAST, 857.18 FEET NORTH 0D57'41" EASTALONG THE EAST RIGHT-OF-WAY LINE OF 3500 EAST STREET AND60.42 FEET SOUTH 89D19'51" EAST ALONG SAID SOUTH LINE OFNORDIC VALLEY ROAD FROM THE NORTHEAST CORNER OF LOT 102,SILVER BELL ESTATES NO. 2, WEBER COUNTY, UTAH; RUNNING THENCESOUTH 89D19'51" EAST 167.54 FEET ALONG SAID SOUTH LINE,THENCE SOUTH 0D57'41" WEST 260.00 FEET; THENCE NORTH 89D19'51"WEST 167.54 FEET; THENCE NORTH 0D57'41" EAST 260.00 FEET TOTHE POINT OF BEGINNING.

PARCEL 10

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE SOUTH LINE OF NORDIC VALLEY ROAD, WHICH IS 58.01 FEET EAST, 857.18 FEET NORTH 0D57'41" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF 3500 EAST STREET AND 227.96 FEET SOUTH 89D19'51" EAST ALONG SAID SOUTH LINE OF NORDIC VALLEY ROAD FROM THE NORTHEAST CORNER OF LOT 102, SILVER BELL ESTATES NO. 2, WEBER COUNTY, UTAH: RUNNING THENCE SOUTH 89D19'51" EAST 167.54 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 0D57'41" WEST 260.00 FEET; THENCE NORTH 89D19'51" WEST 167.54 FEET; THENCE NORTH 0D57'41" EAST 260.00 FEET TO THE POINT OF BEGINNING.

PARCEL 11

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE SOUTH LINE OF NORDIC VALLEY ROAD, WHICH IS 58.01 FEET EAST, 857.18 FEET NORTH 0D57'41" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF 3500 EAST STREET AND 395.50 FEET SOUTH 89D19'51" EAST ALONG SAID SOUTH LINE OF NORDIC VALLEY ROAD FROM THE NORTHEAST CORNER OF LOT 102, SILVER BELLS ESTATES NO. 2, WEBER COUNTY, UTAH; RUNNING THENCE SOUTH 89D19'51" EAST 167.54 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 0D57'41" WEST 260.00 FEET; THENCE NORTH 89D19'51" WEST 167.54 FEET; THENCE NORTH 0D57'41" EAST 260.00 FEET TO THE POINT OF BEGINNING.

PARCEL 12

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE SOUTH LINE OF NORDIC VALLEY ROAD, WHICH IS 58.01 FEET EAST 857.18 FEET NORTH 0D57'41" EAST ALONG THE EAST RIGHT OF WAY LINE OF 3500 EAST STREET AND 563.04 FEET SOUTH 89D19'51" EAST ALONG SAID SOUTH LINE OF NORDIC VALLEY ROAD FROM THE NORTHEAST CORNER OF LOT 102 SILVER BELL ESTATES NO. 2, WEBER COUNTY, UTAH, RUNNING THENCE SOUTH 89D19'51" EAST 167.54 FEET ALONG SAID SOUTH LINE, THENCE SOUTH 0D57'41" WEST 260.00 FEET, THENCE NORTH 89D19'51" WEST 167.54 FEET, THENCE NORTH 0D57'41" EAST 260.00 FEET TO THE POINT OF BEGINNING. CONTAINS 1.000 ACRE.

PARCEL 13

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY: BEGINNING AT A POINT ON THE SOUTH LINE OF NORDIC VALLEY ROAD, WHICH IS 58.01 FEET EAST, 857.18 FEET NORTH 0D57'41" EAST ALONG THE EAST RIGHT OF WAY LINE OF 3500 EAST STREET AND 730.58 FEET SOUTH 89D19'51" EAST ALONG SAID SOUTH LINE OF NORDIC VALLEY ROAD FROM THE NORTHEAST CORNER OF LOT 102, SILVER BELL ESTATES NO. 2, WEBER COUNTY, UTAH, RUNNING THENCE SOUTH 89D19'51" EAST 167.54 FEET ALONG SAID SOUTH LINE, THENCE SOUTH 0D57'41" WEST 260.00 FEET, THENCE NORTH 89D19'51" WEST 167.54 FEET, THENCE NORTH 0D57'41" EAST 260.00 FEET TO THE POINT OF BEGINNING. CONTAINS 1.00 ACRE.

PARCEL 14

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE SOUTH LINE OF NORDIC VALLEY ROAD, WHICH IS 803.22 FEET NORTH 3D50'56" EAST 189.82 FEET NORTH 5D20'07" WEST 177.57 FEET NORTH 3D50'56" EAST AND NORTH 89D19'51" WEST 168.07 FEET FROM THE MOST WESTERLY CORNER OF LOT 12, NORDIC VALLEY ESTATES NO. 1, WEBER COUNTY, UTAH, RUNNING THENCE SOUTH 41D40' WEST 345.98 FEET, THENCE NORTH 0D57'41" EAST 260.00 FEET, THENCE SOUTH 89D19'51" EAST 226.93 FEET TO THE POINT OF BEGINNING.

PARCEL 15

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY; BEGINNING AT A POINT ON THE SOUTH LINE OF NORDIC VALLEY ROAD WHICH IS NORTH 3D50'57" EAST 803.22 FEET, NORTH 5D20'07" WEST 189.82 FEET AND NORTH 3D50'56" EAST 177.57 FEET FROM THE MOST WESTERLY CORNER OF LOT 12, NORDIC VALLEY ESTATES NO. 1 WEBER COUNTY, UTAH; RUNNING THENCE NORTH 89D19'51" WEST 168.07 FEET ALONG SAID SOUTH LINE OF NORDIC VALLEY ROAD, THENCE SOUTH 41D57' WEST 345.98 FEET; THENCE NORTH 89D19'51" WEST 790.59 FEET; THENCE SOUTH 0D57'41" WEST 40 FEET; THENCE SOUTH 89D19'51" EAST 1207 FEET, MORE OR LESS, TO A POINT WHICH IS SOUTH 3D50'56" WEST 177.57 FEET AND SOUTH 5D20'07" EAST 122 FEET, MORE OR LESS, FROM THE POINT OF BEGINNING, THENCE NORTH 5D20'07" WEST 122 FEET, THENCE NORTH 5D50'56" EAST 177.57 FEET TO THE POINT OF BEGINNING.

Exhibit C
Written Description of the Open Space Zone

The area to be rezoned to the Open Space Zone is the exterior perimeter of the following legal description. The "parcel" represented by the legal description is numbered based on the graphic depiction in Exhibit A:

PARCEL 4

THE BASIS OF BEARING FOR THIS SURVEY IS N 0°02'56" EAST 5318.64 FEET, MEASURED BETWEEN THE FOUND SOUTHEAST CORNER AND THE FOUND NORTHEAST CORNER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST, SLB&M.

BEGINNING AT A POINT BEING THE WESTERN CORNER FOR LOT 94 OF THE SILVER BELL ESTATES NO. 2 SUBDIVISION, SAID POINT BEING S 0°02'56" W 1102.90 FEET ALONG THE SECTION LINE OF SECTION 32, THENCE N 89°57'04" W 3367.49 FEET, FROM THE FOUND MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE S 18° 53' 23" W 439.33 FEET; THENCE S 15° 41' 13" E 682.00 FEET; THENCE S 66° 06' 31" E 102.75 FEET; THENCE N 82° 43' 51" E 160.50 FEET; THENCE S 61° 05' 39" E 135.04 FEET; THENCE S 28° 14' 47" E 159.93 FEET; THENCE S 02° 16' 56" W 165.23 FEET; THENCE S 10° 53' 45" E 129.95 FEET; THENCE S 04° 22' 42" W 169.37 FEET; THENCE S 05° 28' 14" E 189.57 FEET; THENCE S 35° 50' 36" E 210.42 FEET; THENCE S 56° 03' 43" E 262.60 FEET; THENCE S 09° 10' 35" E 167.27 FEET; THENCE S 50° 49' 22" E 118.93 FEET; THENCE S 84° 11' 27" E 117.52 FEET; THENCE N 76° 49' 00" E 131.14 FEET; THENCE S 69° 58' 40" E 62.78 FEET; THENCE S 15° 16' 49" E 162.30 FEET; THENCE S 10° 43' 14" E 92.15 FEET; THENCE S 42° 07' 29" E 107.05 FEET; THENCE S 02° 10' 20" W 115.87 FEET; THENCE S 28° 57' 01" W 106.54 FEET; THENCE S 53° 03' 59" W 210.78 FEET; THENCE S 30° 25' 49" E 126.89 FEET; THENCE S 57° 03' 53" E 115.12 FEET; THENCE S 71° 30' 54" E 99.97 FEET; THENCE S 16° 51' 53" E 95.44 FEET; THENCE S 89° 39' 32" W 622.78 FEET; THENCE S 12° 37' 21" E 201.78 FEET; THENCE S 55° 47' 19" E 246.88 FEET; THENCE S 05° 00' 31" E 153.57 FEET; THENCE S 01° 22' 58" W 299.76 FEET TO THE SOUTHERN LINE OF SAID SECTION 32; THENCE ALONG SAID SECTION LINE S 88° 56' 52" W 413.58 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 32; THENCE ALONG SAID SECTION S 88° 58' 48" W 2679.23 FEET TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE ALONG SAID SECTION LINE N 00° 31' 29" E 2715.63 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 32; THENCE ALONG SAID SECTION LINE N 00° 32' 20" E 2716.68 FEET TO THE NORTHWEST CORNER OF SAID SECTION 32; THENCE N 88°21'41" E 670.66 FEET; THENCE N 0°38'43" E 708.80 FEET; THENCE N 75°14'48" E 1832.05 FEET; THENCE S 2°58'07" E 95.99 FEET; THENCE S 66°37'10" W 299.68 FEET; THENCE S 2°50'24" W 371.18 FEET; THENCE S 7°58'23" E 288.47 FEET; THENCE S 40°49'15" E 190.57 FEET; THENCE S 62°03'22" W 517.63 FEET; THENCE S 34°41'57" E 80.00 FEET TO THE WESTERN BOUNDARY LINE OF SAID SILVER BELL ESTATES NO. 2 SUBDIVISION; THENCE ALONG SAID WESTERN LINE S 1°42'02" E 987.73 FEET, TO THE POINT OF BEGINNING. LOCATED IN T SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

CONTAINING 14,946,157 S.F. 343.117 ACRES

AFFECTING WEBER CO. PARCELS: 22-029-0008, 22-023-0019, AND A PORTION OF
PARCELS: 22-029-0010, 22-023-0045, 22-023-0020, 22-023-0086.

ATTACHMENT B



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Public hearing to discuss and/or take action on an application to rezone approximately 510 acres of land owned by Skyline Mountain Base LLC, Nordic Valley Land Associates LLC, in and around the Nordic Valley ski area to the Form-Based Village Zone.

Agenda Date: Tuesday, August 23, 2022

Applicant: Skyline Mountain Base LLC & Nordic Valley Land Associates LLC
Agent: Laurent Jouffray

File Number: ZMA 2021-09

Frontier Web Address: <https://frontier.co.weber.ut.us/p/Project/Index/13888#info>

Property Information

Approximate Address: 3567 E Nordic Valley Rd. Nordic Valley Area (Unincorporated Weber County)

Zoning: FV-3, FR-3, CVR-1, O-1

Existing Land Use: Ski Resort, Open Space

Proposed Land Use: Varies: Recreation Resort, Hotel, Condo Hotel, Mixed-Use Commercial, Multi-Family Residential, small-Lot residential, ski resort support operations, trails, ski runs, etc.

Adjacent Land Use

North:	Residential, Agriculture	South:	Ski Resort/Recreation/Residential
East:	Residential	West:	Ski Resort/Recreational Amenities

Staff Information

Report Presenter: Scott Perkes and Charlie Ewert
cewert@webercountyutah.gov
801-399-8763

Report Reviewer: CE

Applicable Ordinances

§102-5: Rezoning Procedures
§104-22: Form-Based Zone (FB)

Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

Summary

The applicant initially requested a Zoning Map Amendment (ZMA) to rezone approximately 510 acres in and around the Nordic Valley ski area from the FV-3, FR-3, CVR-1, and O-1 zones to a DRR-2 zoning classification. The DRR-2 zone does not currently exist so to accommodate the request the applicant further proposed to create one. However, at the request of Planning Division staff, the applicant withdrew their request to create, and be rezoned to, a DRR-2 zoning classification in favor of a rezoning to the newly created Form-Based (FB) Zone. Under this staff-requested scenario, the FB zoning ordinance need to be amended through a Zoning Text Amendment (ZTA) to add specific Nordic Valley area provisions prior to rezoning the property to the FB classification. This zone text amendment was recently adopted on August 16, 2022. Accordingly, this Zoning Map Amendment (ZMA 2021-09) application is being reviewed in accordance with the new provisions of the zone.

The objective of this rezone request is to apply the zoning and regulatory framework designed to create cohesive neighborhood areas that are based on form and design themes. Through the Form-Based zoning allowances, the applicant will be able to transfer their development rights off of their land along the upper hillside and down into a village area at the base of the slopes. See **Attachment A** for the applicant’s Concept Development Plan. This will result in the preservation of the hillside as open space for outdoor recreation and the preservation of natural landscapes and viewsheds.

It is important to note that the proposed development is, in effect, a type of clustered development that focuses the developable footprint into a much smaller area than would otherwise be allowed if developing the land using traditional subdivision regulations. Another method of developing a clustered development on this land would be to utilize the existing cluster subdivision code. While the resulting clustered development derived from the cluster code on this land will indeed utilize a smaller footprint, the proposed rezone and master plan shrinks that footprint even smaller – leading to less effect on the environment, wildlife, drainage, and viewsheds to name a few.

Another important point of consideration is that if the applicant utilizes the existing cluster subdivision regulations to develop the land, he is entitled to the exact same number of base density. However, most of the lower-sloped skiable base would need to be used for single-family housing, meaning the ski resort is likely to no longer exist, and less hillside open space could be preserved than in the current proposal

The applicant for this request is two entities, Skyline Mountain Base LLC, and Nordic Valley Land Associates LLC. Each are represented by the same individual, Laurent Jouffray. **Figures 1 & 2** display the subject parcels associated with the rezone request. These parcels are likely to change in the near future based on the applicant’s preparation for the rezone and transfer of development rights.

Figure 1: Applicant’s Parcels.

PARCEL ID	OWNERSHIP
220290008	SKYLINE MOUNTAIN BASE LLC
220230060	SKYLINE MOUNTAIN BASE LLC
220290010	SKYLINE MOUNTAIN BASE LLC
220230020	SKYLINE MOUNTAIN BASE LLC
220230045	SKYLINE MOUNTAIN BASE LLC
220230019	SKYLINE MOUNTAIN BASE LLC
220230086	SKYLINE MOUNTAIN BASE LLC
220230124	NORDIC VALLEY LAND ASSOCIATES LLC
220290013	NORDIC VALLEY LAND ASSOCIATES LLC
220230112	NORDIC VALLEY LAND ASSOCIATES LLC
220230087	NORDIC VALLEY LAND ASSOCIATES LLC
220290004	NORDIC VALLEY LAND ASSOCIATES LLC
220230121	NORDIC VALLEY LAND ASSOCIATES LLC
220230113	NORDIC VALLEY LAND ASSOCIATES LLC
220230114	NORDIC VALLEY LAND ASSOCIATES LLC
220230125	NORDIC VALLEY LAND ASSOCIATES LLC
220230088	NORDIC VALLEY LAND ASSOCIATES LLC
220230059	NORDIC VALLEY LAND ASSOCIATES LLC

Figure 2: Applicant's Parcels.



The current zoning of the subject property is a mix of FV-3, FR-3, CVR-1, and O-1. **Figure 2** displays current zoning of the subject parcels, and **Figure 3** displays the proposed zoning.

Figure 3: Current Zoning Map and the Subject Parcel(s).

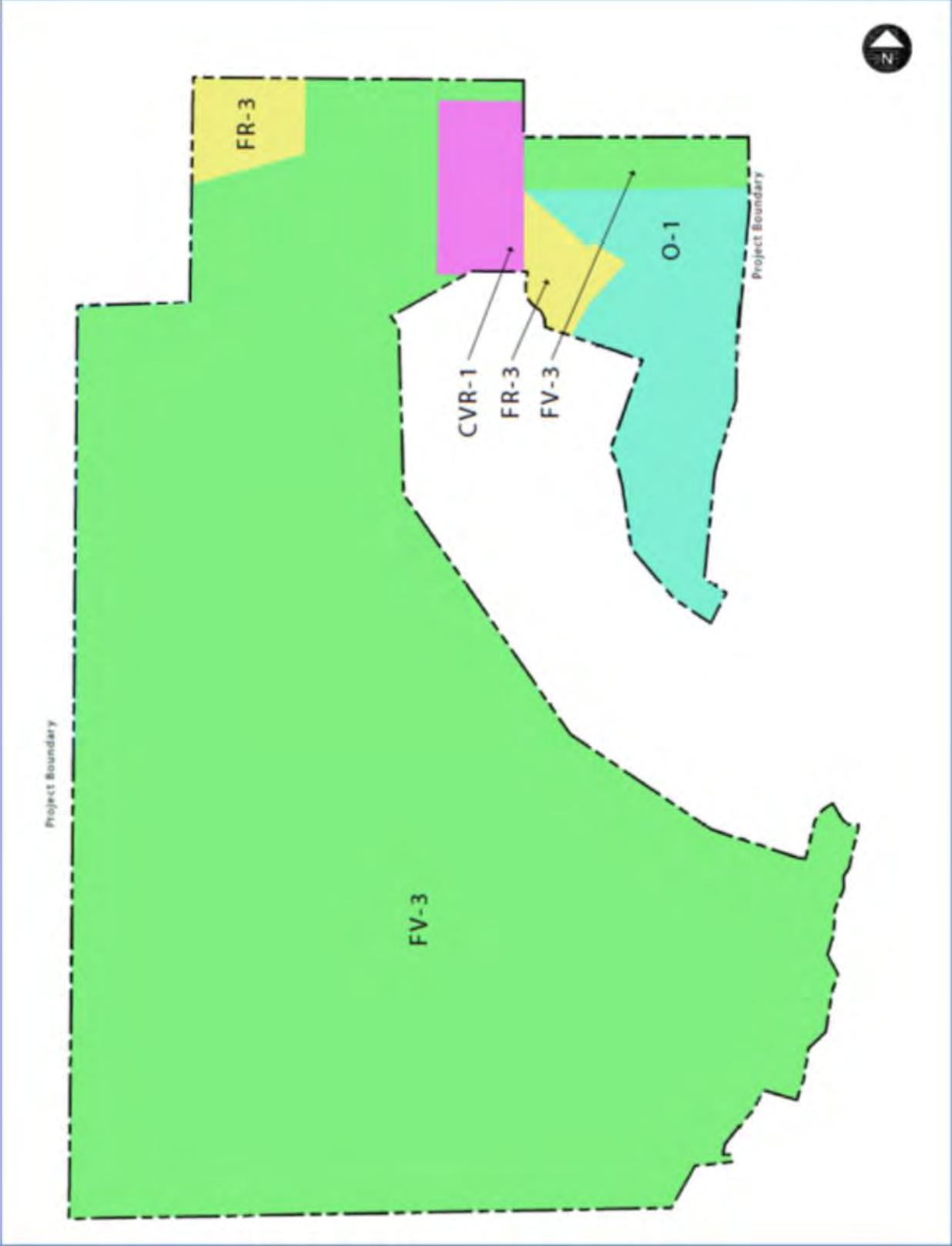
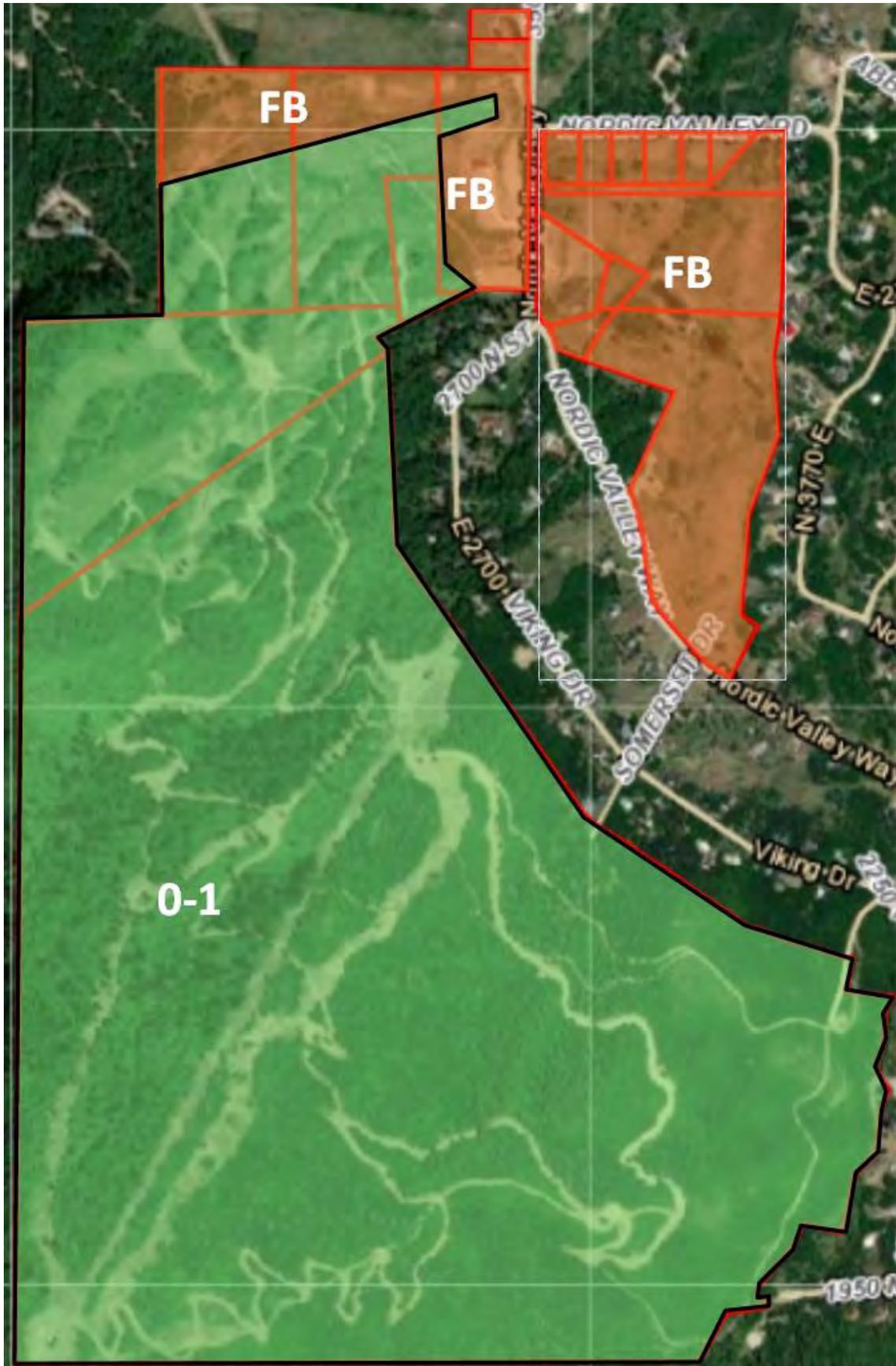


Figure 4: Proposed Zoning of the Subject Parcel(s).



Policy Analysis

Application Analysis:

As part of the submittal, the applicant provided a documentation packet consisting of the following items (See **Attachment B**):

1. Application Narrative (Including Concept Development Plan)

The applicant's narrative focuses on the desire to create a charming year-round destination resort. Current conditions and zoning limit the ability to consolidate the applicant's entitlements into a clustered year-round resort village complete with diverse accommodations, food & beverage establishments, ski facilities and lodges, retail, and other amenities. The applicant's vision for the resort is captured in the submitted Concept Development Plan (See **Attachment A**) and architectural precedents.

The narrative also details the applicant's view of how the proposal is consistent with the vision and goals of the 2016 Ogden Valley General Plan, how the proposal is in the public interest, and how the proposal will promote the health, safety, and welfare of the inhabitants of the County. Supplementary, the narrative packet also discusses geologic hazards, topography, floodplain, sensitive lands, recreational amenities, open spaces and trails, workforce housing demand, and an emergency services plan.

2. Exhibit 1 – Nordic Valley Cost Benefit Analysis

A cost benefit analysis of the proposed development was performed by Lewis Young Robertson and Burningham Inc. Estimated economic benefits include property tax, sales tax, tourism tax, transportation tax, sales tax, Class B&C Road Funds, and Income tax. In total, a best guess estimate points to a \$66.70 million fiscal benefit to the County, a \$118.65 million fiscal benefit to other taxing entities, and will create a \$471.74 million economic impact on the local economy over a 25-year analysis period.

3. Exhibit 2 – Nordic Valley Traffic Impact Study

At 478 pages in length, this study has not been appended to the application narrative packet or this staff report. However, this full study is available online through the following Frontier web link: <https://frontier.co.weber.ut.us/p/Project/ViewFile?ProjectDocumentId=59564>

Conclusions and recommended mitigation measures can be found on page 61 of the document. These recommendations are currently being reviewed by both the Planning Division and Engineering Division.

As part of the development phasing, impacts to the area's street system may need to be addressed by, and with the potential need for improvements funded by, the applicant so as not to decrease the current levels of service of existing infrastructure.

4. Exhibit 3 – Water Feasibility Narrative

At full buildout, the development will generate an estimated water demand of 445.52 GPM (641,428 GPD). The current Nordic Mountain Water Company infrastructure and storage capacity are insufficient to meet the resort's demand at buildout. Per the narrative, the developer is willing to invest in additional infrastructure to meet development demand including the drilling of new wells and the provision of additional storage capacity with the construction of additional tanks.

In the event the applicant cannot find sufficient water to support the development then the development cannot come to fruition. Access to water, or lack thereof, is self-limiting.

5. Exhibit 4 – Storm Water Feasibility Narrative

Due to the abundance of sloped topography, conveyance of water isn't anticipated to be problematic with the help of gravity moving water to dedicated storage areas. The applicant's narrative anticipates the use of both above and underground storm water infrastructure to accommodate the runoff generated in a consolidated form to maximize the areas for development and recreational uses.

6. Exhibit 5 – Sewer Feasibility Narrative

Wastewater demand is anticipated to be about 178 Acre-Ft. per year for Phase 1 and another 174 Acre-Ft. per year for Phase 2. The applicant is prepared to invest in wastewater infrastructure to meet its own needs for the first phase of anticipated development through a proposed Membrane Bioreactor (MBR) treatment and Rapid Infiltration Basin (RIB) disposal method. As an alternative, the applicant will continue to monitor the County's regional sewer study and any outcomes for opportunities to join a regional treatment system that may be available in the near or mid-distant future.

Working with the applicant to realize an economy of scale in sewer development will likely be in the best interest of sewer development in the valley. Sewer development in the valley is of significant importance considering the concerns over septic system effluent infiltrating the valley's shallow (reservoir) aquifer.

Zoning Analysis:

As summed up in this report's summary, the current zoning of the subject property (FV-3, FR-3, CVR-1, and O-1) allows the developer to develop similar uses as listed in the FB zone but in a much more sprawled pattern. Rezoning to the FB zone will allow the developer to consolidate their entitlements into a smaller more pedestrian friendly village setting, and rezoning the hillside to the O-1 zone will limit development of the mountainside and preserve recreational amenities, natural environment and viewsheds.

Weber County Code §104-22-1 says the purpose of the Form-Based (FB) zone is as follows:

The purpose and intent of the Form-Based Zone is to provide a form-based regulatory tool that focuses on the public street design and the buildings that frame the public street. This deemphasizes separation of land uses as is typically found elsewhere in this Land Use Code. Form-based regulations help enable a mixture of allowed uses, multimodal active transportation, and enhanced building design. Additionally:

1. **Implements the general plan.** *The Form-Based Zone regulations are intended to carry out the objectives of the 2016 Ogden Valley General Plan through the implementation of form-based small area zoning and transferable development rights.*
2. **Creates street regulating plans.** *Each area affected by the Form-Based Zone shall be governed by a Street Regulating Plan. The purpose of the Street Regulating Plan is to address specific design and functionality of streets and building facades along these streets. The intent is to stimulate the creation of buildings and streets that frame the public rights-of-way with architectural and design elements that are unified under a common design theme whilst enabling unique building facades.*

The street regulating plan associated with the Nordic Valley area anticipates a village/rural transect to allow the village uses and intensities to feather out from its highest anticipated intensity along the Mixed-Use Commercial corridor of Nordic Valley Way to the rural light intensity of Rural Residential and Estate Lot Residential uses around the periphery of the Nordic Area's boundaries. See **Figure 5** for the current draft of the Nordic Area Street Regulating Plan.

In a hypothetical scenario, we could expect the following if a developer were to utilize the development standards of the currently applied zoning classifications (FV-3, FR-3, CVR-1, O-1) of the subject property:

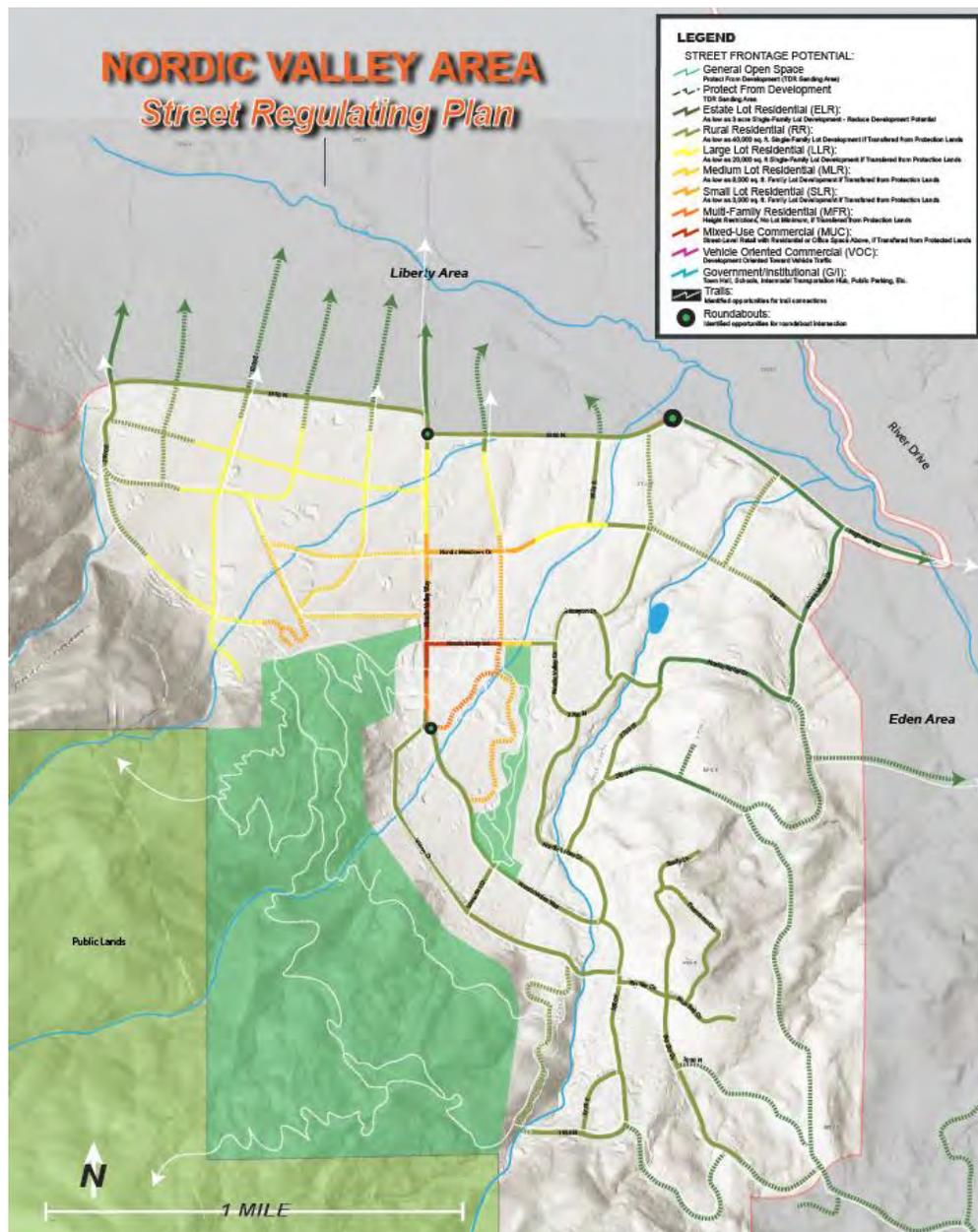
- Development in the areas zoned FV-3 (primarily the hillside) could be sprinkled all along steep mountain roads every 3 acres. This would necessitate multiple roads to be cut into the hillside with retaining walls to hug the steep contours. This would create a hillside pockmarked with home sites, deep scars in the hillside to install access roads, a reduction in recreational terrain, and a reduction in uphill viewsheds. At the applicant's option, he could avoid the expense of cutting development into the hillside and cluster most of the single-family residential lots onto 6,000 square-foot lots adjacent to the property's existing CVR-1 zone. This will allow the applicant to realize the same density without the expense of hillside development, and is a more likely course of action.
- Development in the areas zoned FR-3 (near the proposed base area and along the northern property boundary) could be developed as single and multifamily residential at a density of 20 units to the acre (if a community wastewater disposal facility is employed). These densities, would be closer in alignment to some of the densities permitted with the Form-Based Zone (FB). However under the FR-3 zoning classification, no emphasis would be placed on pedestrian-oriented street right-of-way design, or on the architectural requirements employed in the FB zone. This will reduce the chance that development design is coordinated.

- Development in the area zoned CVR-1 could certainly match all of the permitted uses in the FB zone, including commercial uses. The CVR-1 zone also permits mixed use buildings along the west side of Nordic Mountain Way. However, similar to the FR-3 zone, the CVR-1 zone does not implement any coordinated design standards for rights-of-way or architecture. Additionally, in this scenario, the east side of Nordic Valley Way (zoned FR-3) would not allow for mixed use development. The desired pedestrian-oriented ambiance in this core area is extremely unlikely without mixed-use development on both sides of the street.

In summary, in this hypothetical scenario where development proceeded under current zoning allowances, the resulting product would be less compact, occupy much of the hillside, and lack continuity in pedestrian-oriented right-of-way design or architectural elements.

On the other hand, the Form-Based zone has been crafted in a manner that addresses each of these components with the designed outcome of a consolidated, pedestrian-oriented, and community-focused inner-village area, as comprehensively prescribed by the Ogden Valley General Plan.

Figure 5: Current Draft Nordic Area Street Regulating Plan



Density analysis:

Section 104-22-11 of the Weber County Code governs the transfer of development rights into the Form-Based zone. The ordinance is written in a manner so as to make the transfer an administrative, and not legislative decision. In other words, once a property has been rezoned to the FB zone, the right to transfer density is a new entitlement that runs with the land and not an option subject to the legislative discretion of the county. The following is a summary analysis of how this ordinance applies to one density-sending parcel and one density-receiving parcel.

1. The assigned density of the density-receiving parcel (the parcels rezoned to the FB zone) is determined using the base density of the zone that applied to the parcel *prior* to the parcel being rezoned to the FB zone, then, any additional density that has been assigned to the parcel by other density transfers, if applicable, is added into the base density. This sum equals the parcel's total assigned density.
2. The base density of the density-sending parcel is determined by the base density of the zone applicable to the parcel.
3. The total density that the owner of the density-sending parcel transfers to the density-receiving parcel is then added to the previously assigned density of the density-receiving parcel. This sum equals the density-receiving parcel's new assigned density.
4. The total density that the owner of the density-sending parcel does not transfer remains assigned to the density-sending parcel, to be either later constructed or transferred in a separate transfer.

It is important to note that the density-receiving parcel may be limited by the FB zone's applicable minimum development standards in how many dwelling unit rights can be actually constructed. If for some reason more density is transferred to a density-receiving parcel than the FB zone will allow for that parcel, then that density cannot be realized on that parcel, and will later need to be transferred to a different receiving parcel in order to be realizable.

For this project, the base density of the entire property is somewhere between 488 dwelling units and 565 units. The difference is due to the potential lack of clarity in Ordinance #2008-21 (see Exhibit C). This is the ordinance that rezoned 4.65 acres of the northwest part of the subject property from the FV-3 zone to the FR-3 zone. This ordinance appears to be an early attempt at transferring development rights. It clearly indicates that 113 acres of the ski hill is being reserved as an "open space easement" in exchange for the density that might otherwise be built in the

easement area being transferred to the area rezoned to FR-3 zone. It also clearly indicates that the area being rezoned to the FR-3 zone equals 4.65 acres. The possible confusion of this ordinance is how many units were actually transferred from the 113 acre open space easement to the 4.65 acre FR-3 property and/or whether the base density calculation of the FR-3 zone should be used to determine the assigned density rather than drawing assumptions or conclusions from this ordinance.

In reviewing the ordinance's exhibits, planning staff concludes that the intention of the ordinance was to move 16 units from the 113 acres to the 4.65 acres. Exhibit C of the ordinance depicts the 4.65 acre property and provides the following note:

Proposed Zoning	FR3
Parcel Acreage	4.65 Acres
Proposed Units	16 Units

To further this conclusion, Exhibit D on the following page appears to provide a slope analysis identifying slopes on the 118 acre piece that are over 40 percent. It labels the areas not over 40 percent slope as "developable land." This appears to provide a calculation of developable acreage that is under 40 percent slope, which is shown as 44.3 acres. The relationship between the slope analysis and the 16 units shown assigned to the new FR-3 zone is unclear, but the exhibit illustrates the following, which staff interprets to mean that 16 units were intended to be assigned to the 4.65 FR-3 parcel.

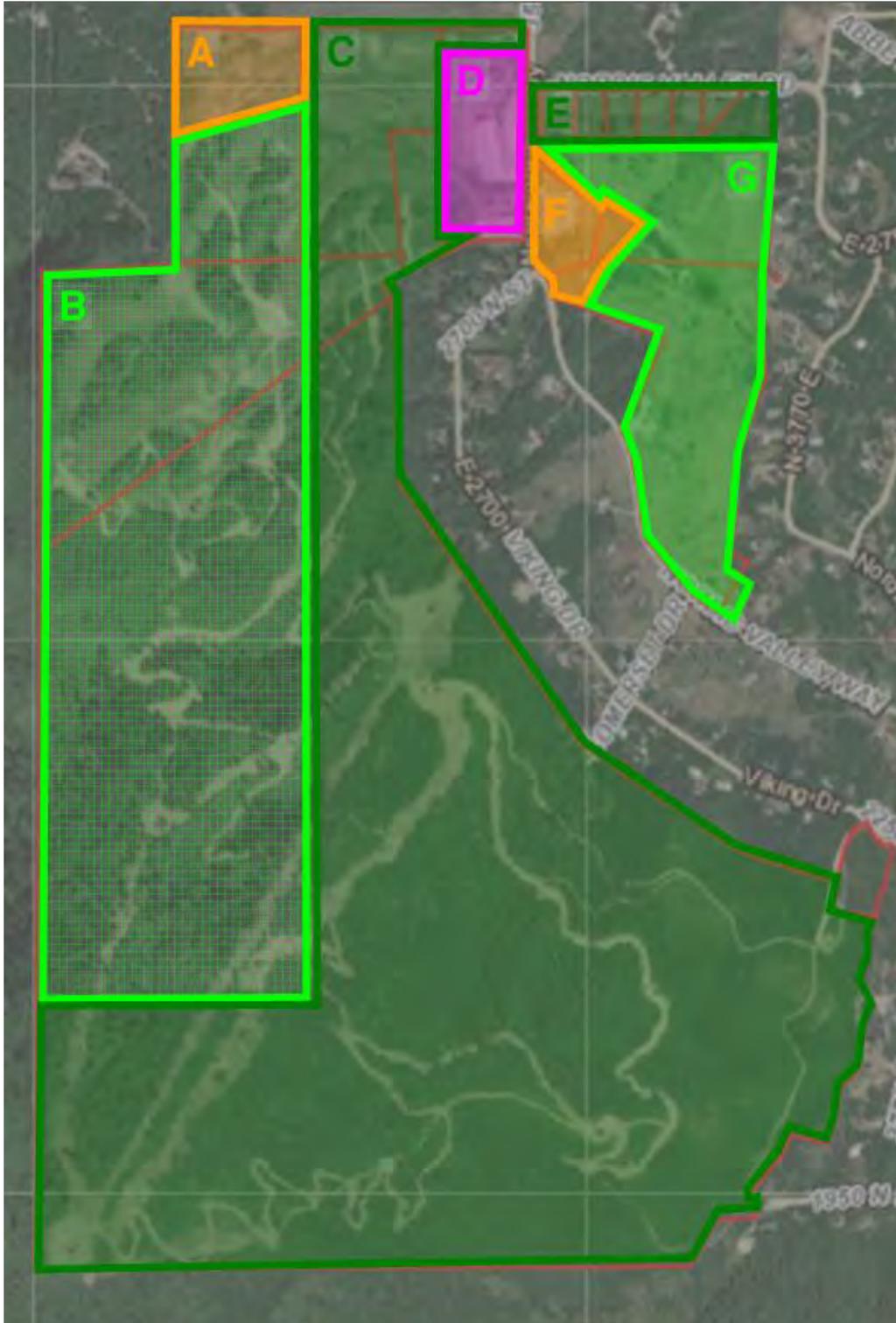


The applicant, however, has not drawn the same conclusion as planning staff, and estimates that the 4.65 FR-3 parcel carries approximately 93 density rights with it. This is based on the base-density of the parcel and the FR-3 zone (4.65 acres x 20 units per acre = 93 units).

Figure 6 provides the breakdown of units based on a property's zone.

Figures 6 and 7: Density Calculation.

POLYGON	ZONE	ACREAGE	SPECIAL CONDITIONS	BASE DENSITY
A	FR-3	4.65	SEE ORDINANCE #2008-21	16 OR 93 UNITS
B	FV-3	113.08	OPEN SPACE EASEMENT PER ORD. #2008-21	0 UNITS
C	FV-3	324.96		108 UNITS
D	CVR-1	12.02		240 UNITS
E	FV-3	8.95	7 LEGAL NONCONFORMING LOTS	7 UNITS
F	FR-3	5.86		117 UNITS
G	O-1	39.58		0 UNITS
TOTAL BASE DENSITY				488 OR 565 UNITS



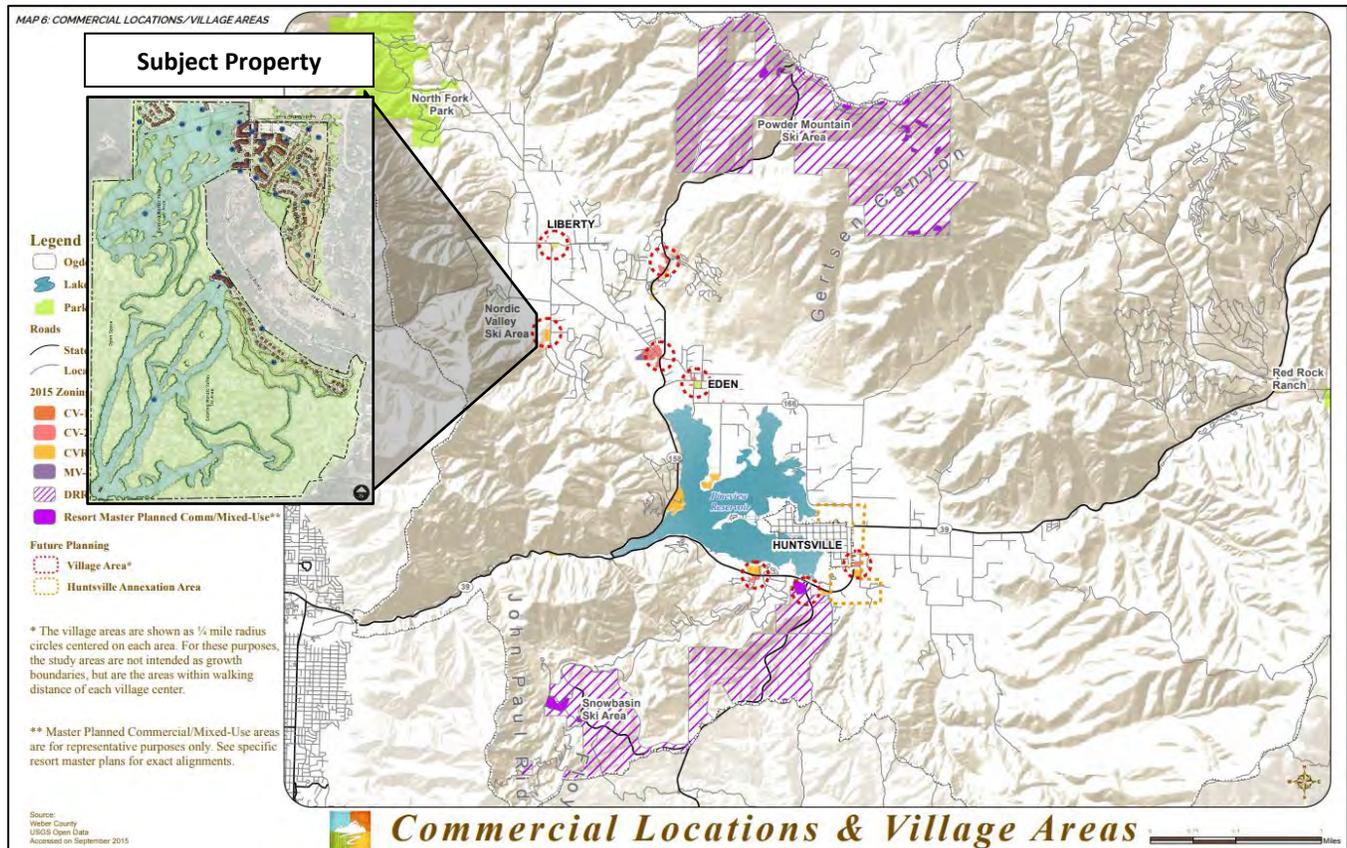
General plan Analysis:

The subject properties are located in an area designated as a village area within the 2016 Ogden Valley General Plan. A village area is noted in the General Plan as being a primary receiving area for residential and commercial uses.

Weber County Code § 102-5-2 specifies that rezoning should be in compliance with the general plan. It does not require that a rezone be approved if it complies with the plan, but rather, it suggests pursuing opportunities to implement the plan.

The rezone proposal seeks to further implement the visioned village area depicted in **Figure 7** below.

Figure 7: Ogden Valley Commercial Locations and Villages Map.



In addition to further implementing the village area concept, this proposal also advances several additional goals and strategies of the General Plan, as follows:

Gateways and Viewsheds Principle 3.1: Protect viewsheds throughout the Valley including views of the mountains and Pineview Reservoir.

- The proposal serves to pull density off of the hillside, thereby protecting mountain views and viewsheds.

Gateways and Viewsheds Principle 3.2: Avoid visually prominent structures, hillside cuts, and vegetation removal that alter the visual quality of the Valley’s viewsheds. Ensure that all development minimizes site disturbance and lot coverage and requires effective site restoration, revegetation, and weed control.

- Pulling the density off of the hillside prevents hillside cuts necessary to develop in the uphill areas currently zoned FV-3.

Clean Air and Water Principle 1.1: Promote energy-efficient & sustainable development practices to improve and protect air and water quality.

- The proposal necessitates that a community waste water treatment system or connection to a regional sewer system be used rather than development occurring under current zoning standards that would more than likely utilize septic systems. A community treatment system or a regional sewer system would greatly serve to protect the water quality.

Land Use Principle 1.1: In general, additional density should not be authorized in the Ogden Valley planning area above that allowed by current zoning. Minimal density bonuses (the exact amount to be determined by ordinance, master plan, development agreement, etc.) should only be allowed when they are granted to incentivize significant contribution to the advancement of the goals and principles found in this plan.

- Resort communities across the nation are faced with housing affordability challenges. This is especially problematic considering many service-industry workers employed in resort areas do not earn enough to live in the community in which they work. Couple this with the housing affordability crisis along the Wasatch Front driven, primarily, by a lack of supply of needed housing units, service-industry workers will have increasingly greater challenges trying to find housing that is affordable for their income. Their only option is to live some distance away from the resort and perhaps even some distance away from the populated areas of the Wasatch Front where housing is in less demand.
- This creates an undue burden on street facilities, increases vehicle miles traveled, creates more air pollution, reduces employee quality of life, and results in the creation of communities that lack the rich diversity of a variety of people from various socioeconomic thresholds.
- The location of this project increases the probability that employees will travel the North Ogden Divide or Ogden Canyon rather than Trappers Loop Road. Ogden Canyon is at 95 +/- percent capacity, and the North Ogden Divide, despite recent safety improvements, still poses a safety risk if significantly more commuters start using it. Trappers Loop Road is the only highway entering the Ogden Valley that has excess capacity and has been built to accommodate significantly greater traffic flows.
- Each of the concerns listed above are concerns that the Ogden Valley General Plan spells out as needing attention and redress in multiple different goals, policies, and implementations strategies beyond just Land Use Principle 1.1. For these reasons, among others, planning staff believe that allowing a slight amount of increased density for the exclusive provision of workforce housing is indeed a “significant contribution to the advancement of the goals and principles found in [the] plan.” Accordingly, workforce housing considerations are in the staff recommendation below, as required by the FB zone.

Land Use Implementation 1.1.1: Weber County will support the transfer of existing development rights (TDRs) as the primary means to increase densities in suitable project areas while proportionately decreasing density in other areas. Incentives – such as reduced road cross sections and other cost-saving measures for master-planned developments – should be proposed to reduce development intensities and as the primary means to incentivize the purchase and transfer of development rights. Bonus density should be used sparingly, and only in the event minimal bonuses can be leveraged for significant and meaningful advancement of the goals and principles of this plan. Development rights include residential (e.g. townhouses, single family detached units, etc.) and non-residential development rights (e.g. hotel units, accessory dwelling units, retirement center units, etc.).

- The proposal would utilize the TDR allowances of the Form-Based Village zone as the means to increase densities within the Nordic Village area. If rezoned to the FB zone, the applicant may also seek to transfer additional density at a later date from other areas of the Ogden Valley that are identified as important preservation areas.

Land Use Principle 1.2: To the extent allowed by law, development should not occur on sensitive areas including steep slopes, wetlands, floodplains, areas of geological instability, prominent ridgelines, wildlife habitat and corridors, natural riparian areas and natural waterways.

- The proposal pulls density off of the steep slopes and areas of possible geological instability where current entitlements lay.

Land Use Implementation 1.2.1: Amend the land use code to require that the development potential of steep slopes (slopes over 30%), wetlands, and floodplains will not be included in project density calculations, nor will be available for transfer pursuant to a TDR program.

- This item could be viewed as being contradictory to the rezone proposal as it would prevent the applicant from calculating density rights on much of its hillside property for the purposes of transferring those rights into a village area. However, planning staff believe that the Nordic slopes are developable

at their current slope percentages. Steep hillside development is found along the benches of Bountiful, along the hillsides in Park City, and along the majority of Los Angeles County, to name a few locations. If the density rights on the Nordic hillside are developed where they lay, we can expect a much less desirable outcome than allowing those units to be realized within a well-planned mixed-use village area. Unless the county changes traditional subdivision development (three acres per lot) to eliminate density attributed to steep slopes, it is very likely that a three-acre lot can accommodate significant slopes and still provide for a reasonably buildable area for a dwelling unit. This will incentivize traditional three-acre sprawl. Or in other words, reducing development due to steep slopes will disincentivize clustering development away from steep slopes and into smaller less intrusive footprints. This disincentive is counterproductive to most of the other strategies of the plan.

- With exception to this particular strategy, staff suggests that the applicant's proposal otherwise implements the general plan goals and strategies, and warrants less emphasis be placed on this strategy in favor of advancing the overall directives of the plan.

Land Use Implementation 1.2.3: in areas of geological instability, consider reducing and moving development rights from the instability in the interest of health and safety. Do not invest in, or accept dedication of, public infrastructure in areas of geological instability.

- Similar to Land Use Principle 1.2 above, the proposal reduces and moves development rights from geologic hazard study areas along the hillside.

Land Use Principle 1.4: Employ mechanisms such as TDRs to reallocate existing authorized development units from less suitable to more suitable locations.

- This principle is fairly self-explanatory. By rezoning to the FB zone, the applicant will then be able to reallocate development rights to planned desirable areas as demonstrated in the Nordic Valley Street Regulating Plan (see **Figure 4** above).

Land Use Principle 1.5: Encourage new development to locate in areas where water and sewer service could be provided by a sewer system. Encourage residential cluster developments with smaller building lots and larger areas of open space for most subdivisions.

- Under the proposal, all units will be connected to water and sewer service as opposed to current zoning which would anticipate septic systems and personal wells for many of the entitled density.

Commercial Development Principle 1.2: Focus on creating vibrant village areas. Encourage public spaces and plazas within villages that can accommodate cultural and social events and that can function as community gathering areas. Promote and extend the walkable, interconnected pattern in the Valley and extend non-motorized trails and pathways to commercial village areas.

- The proposal would serve as a catalyst to the formation and growth of a village within the Nordic Valley area. Such a village would promote public spaces, plazas, public programming, as well as walkable interconnected built environments leading to natural pathways and trails.

General Considerations

When considering whether a general plan implementation opportunity is appropriate, the Planning Commission should consider whether this is the right time and the right place for the proposed rezone. A review of land uses and development compatibility in the area is also important.

Relationship to Adjacent Uses. Determining whether a resort village is appropriate or compatible with the area's existing uses may be a foregone conclusion given the designated village areas in the general plan. In addition the existing 12.02 acres of CVR-1 and 10.51 acres of FR-3 zoning already applied to the project property designates resort and resort-oriented residential uses on 22.53 acres of the project property.

In addition to previous rezone conclusions for the subject property(ies), both the applicant and planning staff have scaled back expectations on the future of Nordic Valley community. Staff's initial proposal for executing the Nordic village as prescribed in the general plan, and the Nordic Small Area Plan, as also prescribed in the general plan, was to provide for the applicant's

Traffic and Roadway Improvements. A key consideration is traffic impact. Per the submitted traffic analysis, the proposed development will impact levels of service at various intersections through development towards buildout. Planning staff rely on coordination with the Engineering Division to determine which mitigation measures are needed

as conditions of approval. These measures will be determined through Planning Commission input, recommendations from the Engineering Division, and negotiation with the County Commission before being agreed upon in a mutually agreeable development agreement to be executed prior any formal rezoning taking effect.

Workforce/Moderate-Income Housing. Another key consideration is demand for workforce/moderate-income housing. The applicant has submitted a workforce housing demand analysis as part of their application narrative. This analysis utilized the demand forecasting methodology associated with the County's DRR-1 zoning classification. The analysis concludes that the developer should be responsible for the provision of at least 33 workforce housing units before reaching buildout.

The recently adopted modifications to the FB zone prescribes a number of methods to meet the county's established threshold for moderate income housing provisions. One of these methods is the entering of a development agreement that provides for this housing on a case-by-case or development-by-development basis. The applicant has chosen to fulfill his workforce housing obligations using this method.

The applicant has indicated that he is willing to enter into a development agreement provides the following:

1. The developer will provide floor area for workforce housing. Five percent, rounded up to the nearest full residential unit, of the and in addition to the developer's total allowed market-rate residential units, shall be provided.
2. As buildings are constructed, the applicant will strive to reserve floor-area, with stubbed utilities. These areas will be reserved for the Weber Housing Authority to provide workforce housing.
3. 15,000 square feet of land shall be reserved as up-front collateral to provide for or assist in providing for the development's workforce housing obligation. In the event other workforce housing strategies fail to fully materialize, this property will be donated to the Weber Housing Authority for construction of workforce housing, or used by the housing authority to generate revenue for workforce housing nearby.

Utilities. Critical to any development proceeding is the connection of utilities. At present this application is based on feasibility narratives for culinary water and sanitary sewer. The applicant will need to undertake major improvements to Nordic Valley Water Company, or the creation of a standalone water system, as well as the creation of, or connection to, a sewer service district in addition to the construction of a waste water treatment facility. All of which will need to be completed before the first subdivision plat is recorded. The specific details for critical infrastructure will need to be reviewed by the applicable County agencies and negotiated with the County Commission before being agreed upon in a mutually agreeable development agreement.

Creation of a Master Ownership Association. Lastly, staff also believe a key consideration is regarding the need for some type of master association, or management association to be established as a quasi-governmental umbrella organization to oversee operations such as snow removal on common areas, plazas, and street parking. Additionally, this organization could be charged with the management and maintenance of trails, workforce housing units, programming of public spaces, etc. A funding mechanism for this organization would also need to be established to ensure its ongoing success. Similar to the items above, the specific provisions for this consideration will need to be reviewed by the applicable County agencies and negotiated with the County Commission before being agreed upon in a mutually agreeable development agreement.

Rezoning Approval Criteria. Weber County Code § 102-5-3 sets forth approval criteria when considering a rezone. Because a rezone is legislative, this criterion allows broad deference to the County Commission's legislative decision-make authority. The criterion is twofold:

- (a) *To promote compatibility and stability in zoning and appropriate development of property within the county, no application for rezoning shall be approved unless it is demonstrated that the proposed rezoning promotes the health, safety and welfare of the county and the purposes of this chapter.*
- (b) *The planning commission and the county commission will consider whether the application should be approved or disapproved based upon the merits and compatibility of the proposed project with the general plan, surrounding land uses, and impacts on the surrounding area. The commissions will consider whether the proposed development, and in turn the application-for rezoning, is needed to provide a service or convenience brought about by changing conditions and which therefore promotes the public welfare. The county commission may require changes in the concept plan in order to achieve compatibility and may impose any conditions to lessen or eliminate adverse impacts.*

Staff Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the County Commission regarding File #ZMA 2021-09, a proposal to rezone approximately 510 acres from the FV-3, FR-3, CVR-1, and O-1 zones to the FB and O-1 zones. This recommendation comes with the following requirements to be negotiated and memorialized by means of a development agreement:

Recommended Conditions:

1. The rezone approval should be conditioned on the applicant voluntarily entering into a mutually negotiated development agreement. The agreement should include the conditions below.
2. The development agreement should extend for a period of no more than ten years to allow the applicant time to work through financing and the creation and connection of critical infrastructure required to secure subdivision approval. After 10 years, and unless the county sends the applicant a notice otherwise, allow the agreement to be similarly extended in five-year increments.
3. The development agreement should memorialize no less than 488 development rights (residential dwelling units), and assign them to the areas of the property zoned FB; 483 of them to be permanently assigned to the property being rezoned to the FB zone, and five to remain on the property that will remain in the FV-3 zone (together with a covenant that runs with the land restricting development of it to no greater than five units).
4. The development agreement should make it clear that no dwelling unit rights remain within the area being rezoned to the O-1 zone.
5. The development agreement should make it clear that each application for a subdivision phase should be submitted with a traffic analysis to help determine when the development's impact materially degrades the local street infrastructure's level of service classification, and it should prescribe proportionate share improvements or improvement costs to mitigate the project's contribution to the level of service degradation.
6. The applicant will provide sufficient workforce housing opportunities in the project as follows:
 - a. As buildings are constructed, provide floor area for workforce housing. Five percent, rounded up to the nearest full residential unit, of (and in addition to) the developer's total allowed market-rate residential units should be provided. The floor area should have utilities stubbed.
 - b. Each workforce housing unit should be no less than 300 square feet with a storage space that has dimensions no less than 4'x9'x8' for each unit in addition to the 300 square foot minimum.
 - c. 15,000 square feet of land should be reserved as up-front collateral to provide for or assist in providing for the development's workforce housing obligation. In the event other workforce housing strategies fail to fully materialize, this property will be donated to the Weber Housing Authority for construction of workforce housing, or used by the housing authority to generate revenue for workforce housing nearby.
 - d. Prior to the county approving any building permits above and beyond 50 percent of the total allowed market-rate dwelling units, the floor area for at least 25 percent of the required unimproved workforce housing units shall be provided to the Weber Housing Authority.
 - e. Prior to the county approving any building permits above and beyond 75 percent of the total allowed market-rate dwelling units, the floor area for at least 50 percent of the required unimproved workforce housing units shall be provided to the Weber Housing Authority.
 - f. Prior to the county approving any building permits above and beyond 100 percent of the total allowed market-rate dwelling units, the floor area for at least 100 percent of the required unimproved workforce housing units shall be provided to the Weber Housing Authority.
7. The applicant should formulate a quasi-governmental management association or master HOA that serves as a primary point of village organization, operation, and maintenance. The formal tasks and responsibilities of this organization will be negotiated and memorialized through the development agreement.
8. The project should provide trails that are open and accessible to the public, including at least one stub on the northwest part of the property that connects to Forest Service property and one stub to the south to stub to Forest Service Property.
9. A lodge/restaurant should be allowed to be located at the top of a lift in the O-1 zone, which will require specific allowance in the development agreement.
10. If a multifamily building is constructed within 200 feet of the intersection of Viking Drive and Nordic Valley Way, the agreement should stipulate that it cannot be taller than 35 feet.
11. For the purpose of keeping construction traffic from interrupting the residential nature of the adjoining areas, the first improvements to be installed prior to any other construction onsite is a roundabout located at the intersection of Viking Drive and Nordic Valley Way, and a second roundabout on Nordic Valley

Drive/Road in front of Parcel 220230125 that has stubs into the project to the south and into the property to the north for future street infrastructure.

12. The developer should be required erect temporary directional and informational signage for construction vehicles that:
 - a. Guide construction traffic to use only Nordic Valley Way for construction access from Highway 162.
 - b. Direct construction access to use the roundabouts to turn around; and
 - c. Prohibits project-related construction traffic from entering adjacent residential areas.
13. The developer should be required to construct two offsite wayfinding signs, as depicted on the Ogden Valley's Wayfinding Signage Plan. Specifically, the one located at approximately 3300 North and Highway 162, and the one located at approximately 3627 North and Highway 162.
14. The open space area and trails plan, as presented in the applicant's submittal, should be required in the same size, location, and general configuration illustrated on the plan.

Findings:

1. The proposal provides substantial advancement of the Ogden Valley General Plan's goals, principles, and implementation strategies for the Nordic Valley area.
2. The Ogden Valley General Plan provides for the transfer of density rights on this property. The proposal creates no new residential density than already entitled except that which is minimal and necessary to motivate the creation of workforce housing to support the development's activities.
3. The proposed rezone will promote the health, safety, and general welfare of the Weber County by advancing many public interests and returning substantial economic impacts.

Exhibit A

Exhibit A: Concept Development Plan

Exhibit B: Application Packet

Exhibit C: Ordinance No. 2008-21

Exhibit A

(Next Page)

Overall Master Plan

The Overall Master Plan depicts conceptual development patterns. This plan identifies the general uses, development massing, open spaces, amenities, recreational components and pedestrian and roadway circulation proposed.

DEVELOPMENT LEGEND

- (A)** MULTI-FAMILY RESIDENTIAL
- (B)** MIXED USE COMMERCIAL/ RESIDENTIAL
- (C)** NORDIC STREET COMMERCIAL
- (D)** TOWNHOMES
- (E)** SINGLE FAMILY CHALETs
- (F)** RESORT MAINTENANCE FACILITY
- (G)** DAY SKIER AND RETAIL PARKING
- (H)** NORDIC SKI CENTER
- (I)** NORDIC ENVIRONMENTAL PURIFICATION FACILITY
- (J)** CROSS COUNTY AND SUMMER TRAILS
- (K)** BOAT HOUSE AND POND
- (L)** EXISTING SKI LIFT
- (M)** OUTDOOR AMPHITHEATER

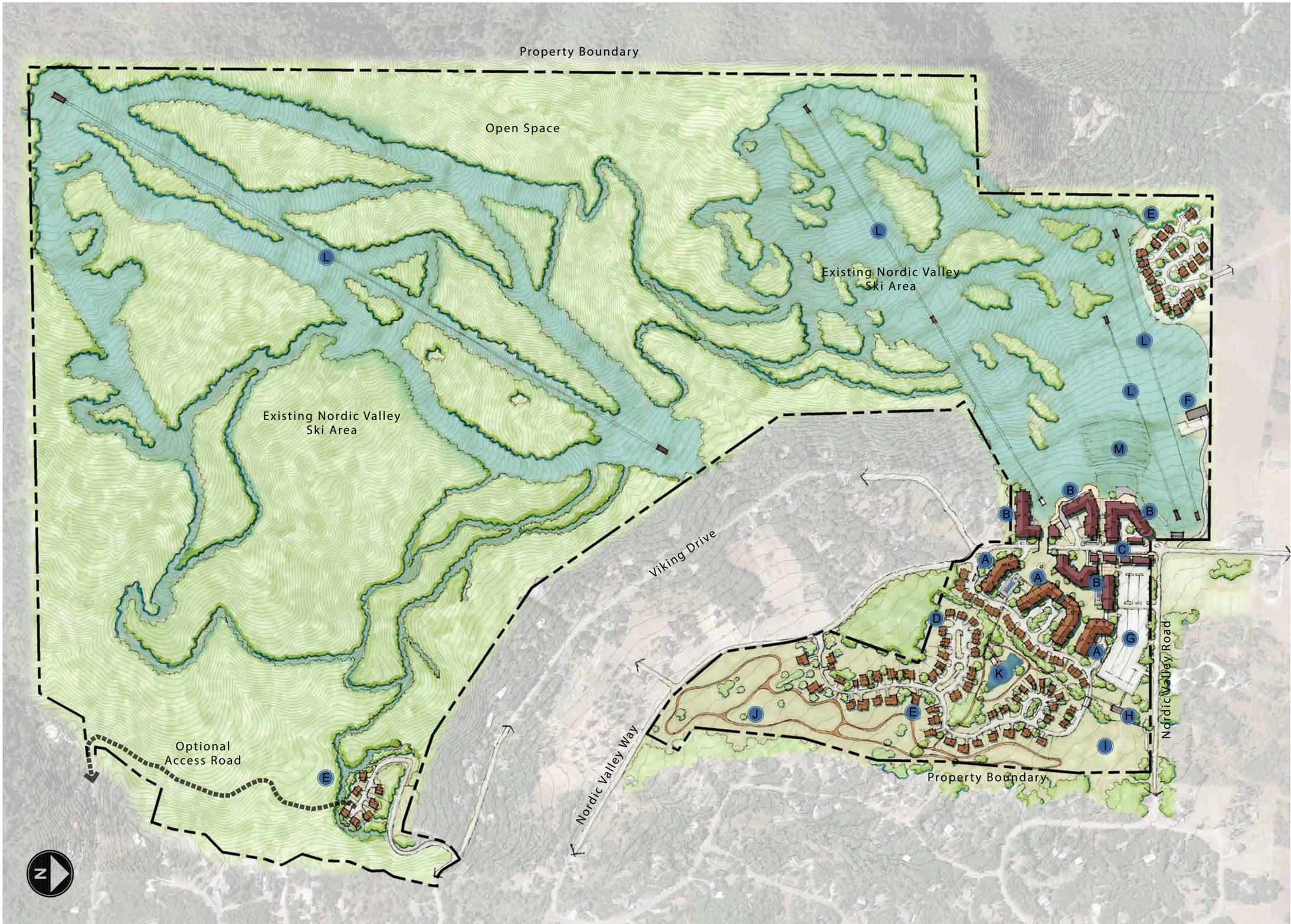


Exhibit B

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WEBER COUNTY REZONE APPLICATION

DESTINATION AND RECREATION RESORT ZONE: DRR-2
OCTOBER 2021

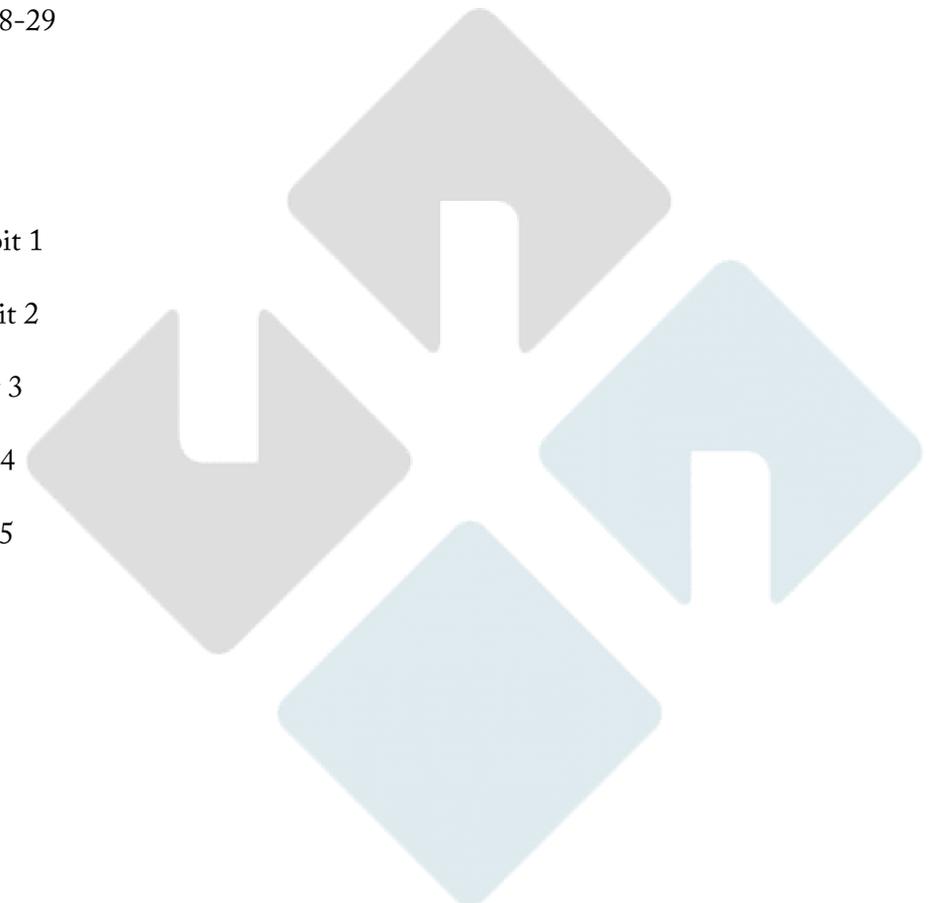
10.01.2021



NORDIC VALLEY

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		Wastewater Feasibility Letter	Exhibit 5



The Project Team



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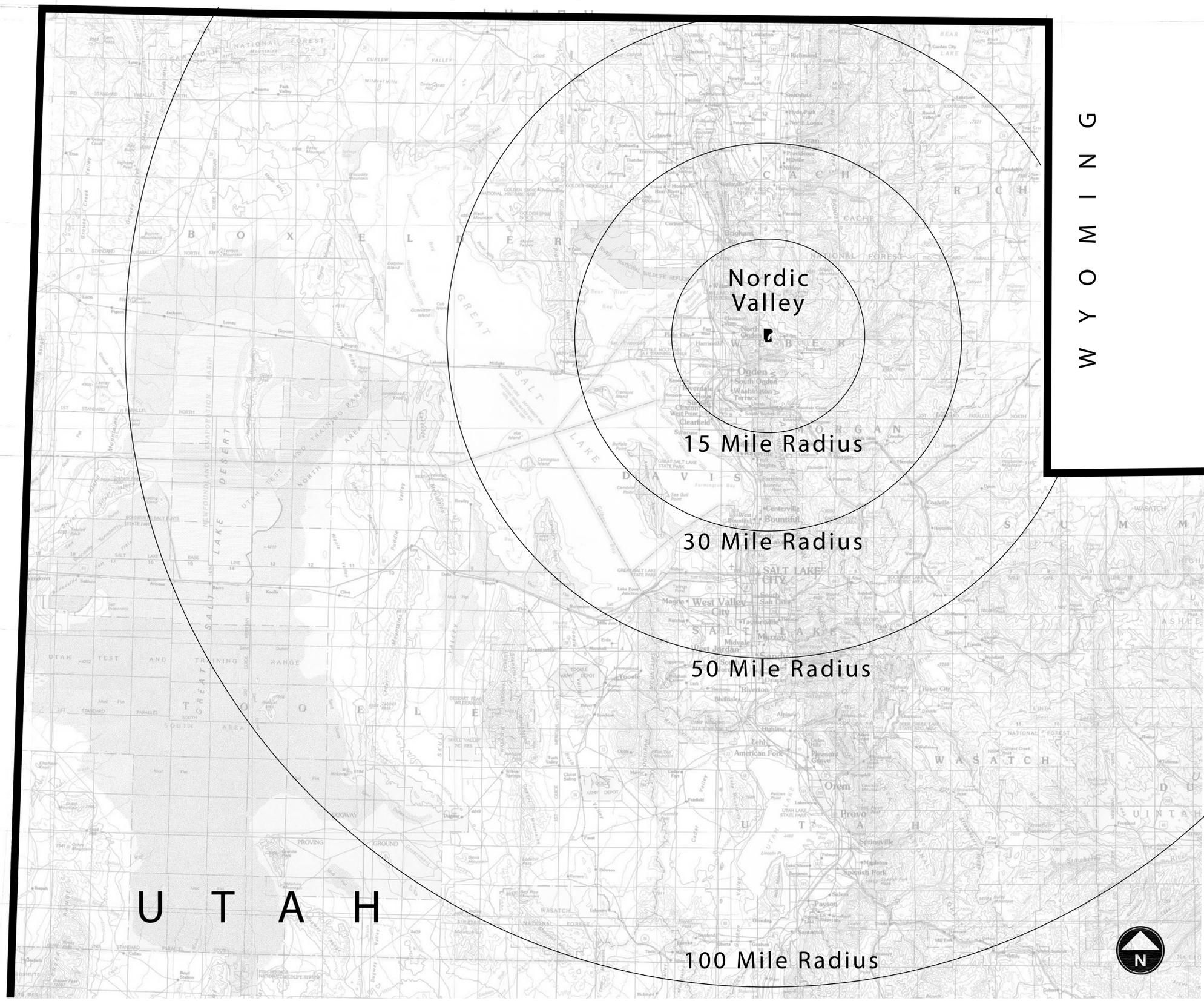
Location Map

I D A H O

N E V A D A

W Y O M I N G

U T A H



Nordic Valley is secluded into the west side of a mountain valley known as the Ogden Valley on the western edge of the small town of Eden, Liberty, and Huntsville. Nordic Valley lies along the eastern slope of the Rocky Mountains in northern Utah. It is approximately 15 miles east of Ogden and about 55 miles north of Salt Lake City.

Driving Distance from notable Locations to Nordic Valley:

Ogden	14 Miles
Snowbasin Resort	17 Miles
Layton	30 Miles
Salt Lake City	55 Miles
Park City	75 Miles
Provo	100 Miles
Boise	305 Miles
St. George	355 Miles
Cheyenne	440 Miles
Las Vegas	475 Miles
Denver	515 Miles
Reno	570 Miles

Introduction & Purpose of Rezone

NORDIC VALLEY HISTORY

In 1960 a developer and past president of the Utah Home Builder's Association from Ogden, Utah, by the name of Arthur Christiansen, purchased the 900-acre mountainside Silver Bell Ranch from Taylor Burton to develop it into a summer home area in Liberty, Utah. Over time he sold about 200 one-acre lots and built many homes in the Silver Bell development.

Arthur had dreams of creating a 9-hole golf course, and he opened a 5-hole course designed by Ernie Schneider Sr. in 1966. The remaining four holes were completed the following year. Funds were set aside to care for the golf course, and it was maintained for many years before it was eventually parceled out for home sites.

The favored sledding hill was graced with a tow rope in 1968, and Nordic Valley became another jewel in the crown of Northern Utah's powder country. The tow was suitable for beginners, and locals got their start on the gentle slopes of these Wasatch foothills. A few years later, a double chairlift was added, and more terrain was prepared to suit skiers with new runs in 1970. Shortly after, the original tow rope was replaced with a second lift.

The Old Barn

Nordic Valley's anchor and iconic ski lodge are called 'The Old Barn,' a relic of the original Silver Bell Ranch. A symbol of Ogden Valley's culture faithfully served as a hay barn for many years before hosting countless families, warm meals, and crackling fires. The Old Barn operates and houses Nordic Valley's rental shop, ticket office, and restaurant.

The main lift towers were equipped with lights over time, and Nordic Valley became one of the first ski areas in Northern Utah to provide locals and children with access to night skiing. Popular amongst locals was the Tuesday 'Ladies Night' where women skied free or half price. The convenience of skiing in the dark winter evenings brought many locals the opportunity to learn the sport.

NORDIC VALLEY SKI RESORT TODAY



Between the late 70s and 2014, Nordic Valley changed hands several times, resulting in a name change to Wolf Mountain and a switch back to Nordic Valley again when Wolf Mountain Ski Resort LLC declared bankruptcy in 2010. Skyline Mountain Base acquired the resort in 2013, invested and remodeled the lifts and the Barn, and entered into an operating agreement with Mountain Capital Partners in 2018 to operate the resort. Mountain Capital Partners holds and manages a collection of boutique resorts in the American Southwest.

In 2020, Nordic Valley ski resort added its first new chairlift in 20 years, the Nordic Express. The new lift, constructed by Leitner Poma, is over 4,000 feet long and features a 6-person chair. The 4.2-minute ride whisks guests up 1,400 feet in elevation. It will be the ski area's first high-speed chairlift. While a few new trails debuted for the 20/21 season, further expansion will include access to an additional 300 acres of terrain in future seasons.

Nordic Valley's claim to fame is its renowned ski school, intermediate and advanced slopes, and family-friendly atmosphere. Nordic Valley was immortalized as one of the best downhill training ski areas for the 2002 Winter Olympics, which the Austrians discovered was worth pure Gold.

PURPOSE OF THE REZONE APPLICATION REQUEST

To create a Nordic Valley Master Plan for the quaint community and propose a Master Development Plan to consolidate the existing zones into one zone for the establishment and the expansion of a year-round destination resort.

Plans to create a Master Plan for the approximate 510 acres at Nordic Valley began in the spring of 2021. The Master Plan contained within this document results from months of studies, programming, visioning, and processing. The Master Plan provided herein establishes the foundation for Skyline Mountain Base, LLC, Nordic Valley Land Associates, LLC, and Solution Enterprises to create a truly charming destination with varied, vibrant neighborhoods clustered throughout as the center of this Nordic Valley community.

The Master Plan process began with site observations and design development studies to ensure the Nordic Village will be unique and diverse.

This process includes a comprehensive analysis of slope maps, existing vegetation mapping, access feasibility, ski terrain, development connectivity, wildlife corridors, existing trails, viewsheds, and ingress and egress. In addition to the items above, maintaining open space preservation, Nordic Ski Resort is preserving 88% of the Open Space incorporated within this application.

The Applicants requests a zoning change for the approximately 510-acre Nordic Valley Village to one zone. The applicant proposes a smaller resort zone than the Ogden Valley Destination, and Recreation Resort Ordinance (DRR1) passed and signed on August 18, 2009 (Ord. 2009-16). A previous application has been submitted as a text amendment to Weber County Planning Department for a Small Destination and Recreation Resort Zone (DRR2). The intent for the smaller resort ordinance is for resorts in the Ogden Valley that do not meet the required acreage of the larger resorts but have been actively functioning since their creation as a resort or want to become one; this will enable them to do so. The smaller resort zone will promote quality resort development in appropriate locations within Weber County. Rezoning the property to a Small Destination and Recreation Resort will allow Nordic Valley to move into its position as one of the world's most unique mountain destinations combining a truly enhanced mountain experience with a leading-edge master-planned community.

Process

This Small Destination and Recreation Resort Rezone application contains all documents required and requested by Weber County to obtain zoning and entitlements for the Properties identified herein. This application has been prepared in compliance with the Weber County Destination and Recreation Resort Ordinance.

This application and subsequent approval will allow the applicants to continue with the development plans outlined in this document and build upon their Phase 1 approvals and development progress with more flexibility in design and density placement.

Upon acceptance of the rezone application documents, the applicant is prepared to present the plan to the Ogden Valley Planning Commission (OVPC) as necessary to receive Commission and Public comments on the rezone application. Working with the Planning staff, the applicant will fulfill all the required requests for approvals.

Following the OVPC findings, a public hearing(s) will be held with the County Commission to obtain full rezone approvals.

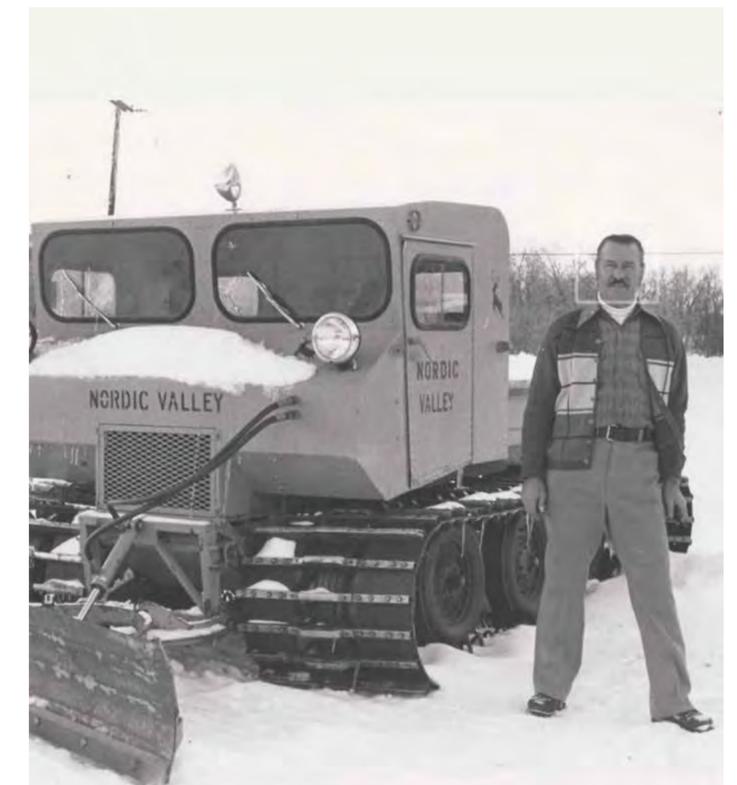
Why Present Zoning Should Be Changed

Nordic Valley Ski Resort has been a popular ski mountain destination in northern Utah and Weber County. It is well known within Utah as a mountain with varying terrain that attracts skiers

of all ages. Despite missing key elements for a thriving destination resort, this includes high-quality and diverse accommodations, retreats, top-notch food and beverage, ski lifts, lodges, retail, and other amenities. The current zoning on the property allows for adequate mountain development but is not entirely appropriate to enable the applicants to maximize their potential as an exceptional mountain destination. Rezoning the property to a Small Destination and Recreation Resort will allow the landowner to create an extraordinary recreation and residential experience while preserving and promoting the goals and objectives identified within the Ogden Valley General Plan. The rezone will enable new and yet traditional resort development planning strategies to be implemented.

Public Interest

The Master Plan for Nordic Valley Village will provide visitors and residents with a unique and rare mountain experience. The Master Plan provides for both residential communities and recreational properties within the project. The new commercial developments supporting the proposed residential, commercial uses, recreational uses, and open spaces at Nordic Valley Ski Resort will provide additional tax revenues to Weber County. These new uses will give Nordic Valley a sustainable development base to grow and benefit the community while continuing the recreational focus as identified by the County.



SUBSTANTIAL PUBLIC BENEFITS

The rezone will allow the development to move forward with development plans that will provide the following Substantial Public Benefits:

- The process requires the development of a complete Master Plan for the Rezone area. This will provide the public with the vision for the resort and adjacent properties and ensure public input is provided as part of the rezone approval process that would otherwise not be available under the current zoning approval process and development applications. Substantial agency review of the project is required as part of the rezone application. The Master Plan includes implementing important public trail links to and thru the resort as identified on the Open Space and Trails Plan.

- The rezone allows the development to further cluster development areas, preserving more open spaces through the rezone's flexibility and its permitted uses, building heights, and overall design flexibility.

- Establishes Design Guidelines and Sustainability practices within the rezone application far superior to current zone development requirements minimizing the overall impact of the community.

- Establishes traffic mitigation practices with the rezone application reducing the overall traffic impacts to the existing transportation system and existing community that far exceed current zone requirements

Changes to the General Area Since the Adoption of the General Plan

The Nordic Valley ski resort area is recognized as a recreation/resort area with potential for further development to support and enhance the existing recreational components within the resort, providing a viable long-term project. Since the adoption of the General Plan, the applicants have come together to create a unique destination community with a vision for a diverse mountain village and associated mountain neighborhoods that would provide economic stability for the existing resort while also providing substantial expansion and diversity of this amenity.

The County General Plan supports and promotes appropriate resort facilities as a significant element within the County. Nordic Valley is also a village center, ideal for responsible, well-balanced, and sustainable resort development.

The proposal conforms to the Ogden Valley General Plan by “preserving the Valley’s rural character” in the following ways:

- A goal of Weber County is to protect the valley’s sense of openness and rural character. (Page 7 of the Ogden Valley General Plan.)

- The proposed location of the structures is away from steep or unstable slopes.

- The proposed location is not along a “prominent ridgeline.”

- The proposed location is outside of the “Important Wildlife Habitat Areas.”

- The proposed location meets the adopted requirements about stream corridors, wetlands, and shorelines.

- The Ogden Valley community desires sustainable and thriving local businesses in Ogden Valley. Ogden Valley capitalizes on recreational tourism to support its economic base. New commercial development should be focused in and near existing commercial areas and resorts. New commercial development should be designed to be compatible with the rural character of Ogden Valley. (page 29 of the Ogden Valley General Plan).

- The Ogden Valley General Plan Recreation Element identifies the Nordic Valley Resort’s development potential and the “need for a variety of progressive resort developments” in the Ogden Valley.

The recommended policies throughout the Recreation Element are to “encourage quality resort and recreation development,” support nodal development as opposed to sprawl development to “protect as much open space as possible” and “encourage existing resorts to expand to generate economic benefits for Weber County as well as to pull densities from other parts of the Ogden Valley into the expanded resort. The result would be development concentrated in the expanded resorts with other areas left permanently undeveloped across Ogden Valley.” (See pages 40-44, 61-67, 115-118, 152-160 of the Ogden Valley General Plan Recreation Element Oct 2005).

PROMOTE HEALTH, SAFETY AND WELFARE TO WEBER COUNTY

The Master Plan proposed in this rezone document for the Nordic Valley Village promotes Weber County residents’ health, safety, and welfare by creating a family-centered distinct year-round resort. This variety will provide stability and long-term benefits to Weber County and the Ogden Valley while also preserving significant open space within the project.

The project will provide long-term economic benefits as outlined in the Benefits Analysis, ensuring the County and its residents are not negatively impacted fiscally.

The Master Plan includes important trails and ski in-ski out connections between neighborhoods.

Traffic mitigation plans will be implemented to minimize all new development impacts to existing and future roadways, providing safe, appropriate access while mitigating those impacts to existing and future neighborhoods in the Valley.

The development areas within the project were designed with respect to the land attributes preserving sensitive lands and stream corridors, and avoiding sky lining. The importance of economic, environmental, community and aesthetic benefits was taken into consideration to ensure a quality development that benefits the owners, Weber County, and the community.

As outlined in Chapter 35 of the Weber County code (35-3), the project meets the approval criteria as follows:

A. The proposed Resort can be developed in a manner that will not substantially degrade natural/ecological resources or Ogden Valley Sensitive Lands Overlay Zone in Chapter 104-28, Ogden Valley Lands Overlay Zone, or the Weber County Zoning Ordinance.

- The Geologic Areas as outlined in Chapter 108-14 of the Weber County Code.

The Wildlife Habitat exhibit shows that the Nordic Valley Village project is outside the critical wildlife habitat area. No development is proposed within this vital wildlife habitat area.

While there is a stream corridor within the project area, the primary potential impact site includes access to the chalets off Viking Drive. The Road exists, and all effects have previously been mitigated as this roadway serves as the existing access to the existing lift. No other stream corridors exist within proximity to any proposed development area within the rezone Master Plan.

Nordic Valley’s proposal is located within proximity of the 2.5-mile Scenic Roads Buffer. All design standards are meant to mitigate any potentially harmful impact that could be visible from Highway 162. Mitigation measures will be defined within these exhibits.

B. A professional study has provided substantial evidence that the proposed Nordic Valley Ski Resort is viable and contributes to the surrounding community’s economic well-being. A cost-benefit analysis summary is provided on pages 29 and 30. This study was conducted by Lewis Young Robertson & Burningham, Inc out of Salt Lake City, Utah, and is attached as Exhibit A. Highlights of the Cost-Benefit Analysis are as follows:

Economic Impact

The total economic impacts of the Nordic Valley Village project are anticipated to increase over the next 25 years continually. The addition of condominiums, hotels, townhomes, chalets, cabins, commercial and educational retreats, expanded and new recreational amenities, and joint ventures will help the Nordic Valley Village advances. After full build-out, ongoing economic impacts are projected to provide continued positive effects as follows:

- Based on the development assumptions utilized, the proposed development produces a net taxable value to Weber County of \$555.48 million of new assessed value.

- Direct jobs created by the development are projected at 538 at full build-out.

- Direct labor income is projected at \$6.406 million annually



Fiscal Impact

The proposed Nordic Valley Village project is identified to provide a substantially positive fiscal impact for Weber County.

After project build-out, Nordic Valley Village is projected to generate approximately \$52.30 million in cumulative net revenue projected over 25 years is anticipated to be a net benefit of \$2.091 million annually.

By the 25 years build out a scenario in the Cost-Benefit analysis, the Fiscal Benefit to Weber County shows a net gain to Weber County of \$52.30 million.

Most residential units will be second homeowner classification, while the assessment of most residential units will be a total market value. This will result in high per capita spending and resulting sales tax revenues and a moderate cost of service profile consistent with similar projects throughout western resorts. Other growth-sensitive Weber County funds are projected to experience positive fund balances throughout the project's construction period and after build-out providing a comprehensive fiscal benefit to the County.

C. A professional traffic study has explored and provided substantial evidence determining that proposed traffic mitigation plans will prevent transportation corridors serving the Project from diminishing below an acceptable Level of Service. (See attached Fehr and Peers Study Exhibit 2).

Overall, the road network can provide appropriate access to and from Nordic Valley Ski Resort, with some improvements required for mitigation as the project is built out.

D. The natural and developed recreational amenities provided by the Resort shall constitute a primary attraction and offer an exceptional recreational experience by enhancing quality public recreational opportunities.

Nordic Valley Ski Resort is currently a well-established ski resort. The proposed Master Plan enhances the visitor experience with expanded recreational services, new and diverse overnight accommodations, varied retail shops, and services including restaurants, a mountain village main street, and various destination attractions. Publicly accessible recreation facilities and activities are planned throughout the project to establish Nordic Valley Ski Resort as a year-round destination. These activities include walking/hiking trails, mountain biking, ski trails, horseback riding, naturalist's tours, camping, rental of non-occupied units, and other outdoor special events.

E. The proposed Seasonal Workforce Housing Plan will provide a socially, economically, and environmentally responsible development.

The seasonal workforce housing plan is provided on page 26. At full project build-out, it is estimated that Nordic Valley Ski Resort will generate 538 full-time equivalent employees and 326 workforce housing units.

As calculated on Page 23, Nordic Valley Ski Resort will provide at least 33 seasonal workforce housing units on site.

F. Public safety services are and will be feasible and available to serve the Resort in a manner that is acceptable to the County Commission.

Throughout the Phase 1 plans and the Master Plan development, the development team has continually met with representatives from the Sheriff's Office and Fire Department, providers gathering input to the plans and incorporating that input into this application.

The proposed Master Plan reflects the input received from these departments regarding necessary Emergency Services.

Feasibility letters from both the Fire Department and Sheriff's Department are attached on Page 27.

The proposed Master Plan for Nordic Valley presented in this application is following the Ogden Valley General Plan Goals and Objectives as outlined in the Ogden Valley General Plan as follows:

PROTECT THE NATURAL BEAUTY AND NATURAL RESOURCES OF THE VALLEY

Protect Air Quality and Water Resources Nordic Valley maintains a solid commitment to Weber County's goal of preserving the natural beauty and natural resources of the Ogden Valley. The Master Plan was developed with the ethos that all development must be light on the land. All development impacts should be minimized or mitigated to the greatest extent possible, balancing the built and natural environments. Measures to protect the natural resources and the beauty of the Ogden Valley during and after both the planning and construction stages include:

Clustering all development within areas that allow for minimized development impacts, thus maximizing significant open spaces. Much of the development is centered around "village" infrastructure allowing for walkable trips or reduced traffic impacts and limiting the size of the project "footprint" on the mountain.

Water

Water quality controls will be implemented on the following levels.

As awareness of the importance of conservation of resources and implementation of sustainable practices grows, Nordic Valley Ski Resort has a goal to introduce a higher level of performance than almost any project yet envisioned in Utah. Nordic Valley Ski Resort is using an integrated water management strategy to develop a truly sustainable project.

Groundwater

Nordic Valley Village understands the value of groundwater as an essential resource. Nordic Valley Village is adopting water conservation and efficiency requirements to minimize impacts to

groundwater resources for both indoor and outdoor water use.

Promote a sense of pride in the valley's sense of character

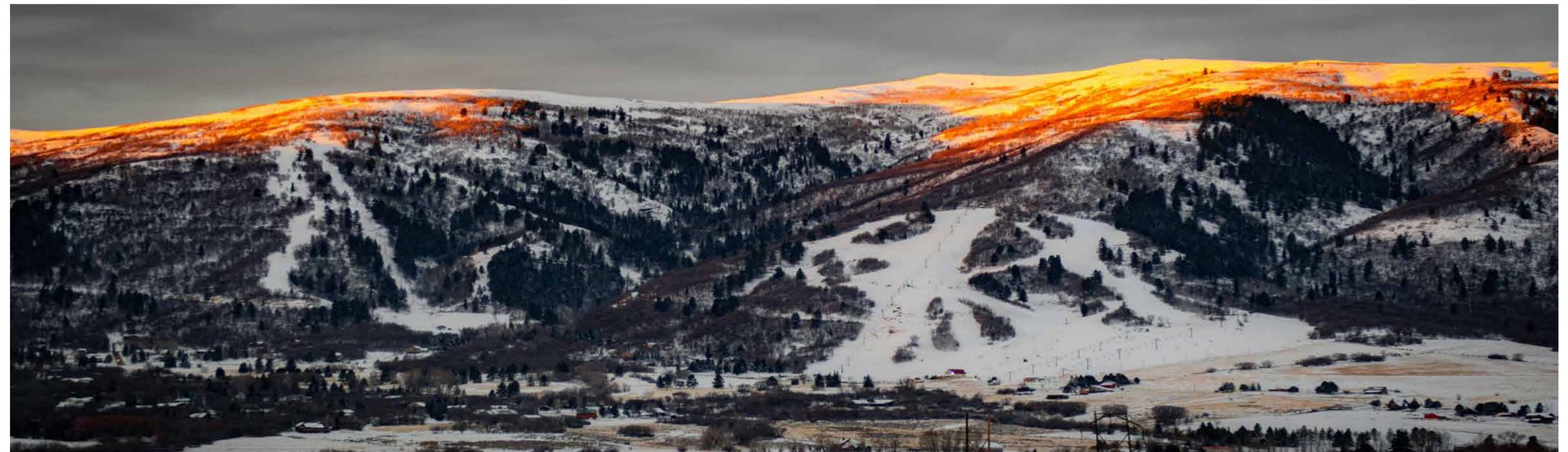
There are no identified cultural and historic resources within the Nordic Valley Village project area. The applicant is committed to preserving the existing ski area at Nordic Valley as a community resource. Nordic Valley Ski Resort is committed to maintaining the wide open and rustic nature of the resort while providing tasteful upgrades and updates to the facilities. We are dedicated to appropriately addressing the elements that make the resort unique and enhancing those elements.

Require that Development be Compatible with the Valley's Rural Character and Natural Setting

To ensure that development is compatible with the Valley's rural character and natural setting, a set of Design Guidelines has been established to govern the style and characteristics of buildings, landscaping, signage, etc. This style pulls from the Valley's architectural vernacular, utilizes timeless forms and materials, and requires structures to be placed sensitively to become part of the landscape, not dominate the landscape.

Dark Sky Compliance

With the exception of the notorious night skiing, it is the developers uppermost goal to develop Nordic Valley as a dark sky compliant village.





In General, Additional Density Should not be Authorized in the Ogden Valley Planning Area Above that Allowed by Current Zoning. Minimal Density Bonuses (The Exact Amount to be Determined by Ordinance, Master Plan, Development Agreement, etc.) Should Only be Allowed When they are Granted to Incentive Significant Contribution to the Advancement of the Goals and Principles Found in this Plan.

The Applicant will plan and provide adequate development compatible with the Nordic Village throughout the development process and provides the Valley with additional incentives. The developer's team will install all infrastructure to support all proposed development per Weber Counties' guidelines. This will include calculated phasing of units, concurrency measures for water and sewer, and working with the Valley developers to create a Valley-wide sewer.

Create Subdivision Tools that Provide Design Regulations that Decrease the Required Subdivision Infrastructure, such as a Reduced Right-of-Way or Road Cross-Section, in Ogden Valley General Plan Exchange for Meaningful Voluntary Reductions of Development Units. Such Decreased Infrastructure Should be Privately Owned.

Nordic Valley Village has diligently worked with property owners to receive connectivity. The right of way will only be an extension of an existing road instead of a new mountainous road.

Provide Adequate Emergency and Medical Services

Substantial coordination with the County Emergency Services Departments has taken place, and the emergency feasibility letters have been implemented in the Master Plan. The Emergency Services Plan on page 30 of this application outlines the discussions with the Sheriff and Fire Marshall and letters of feasibility from each. Emergency and medical services will be phased appropriately and adequately as development occurs and these Emergency Service Providers require.

Surface Water

Nordic Water will also focus on protecting surface water by limiting grading and preparing erosion control plans and Stormwater Pollution Prevention Plans (SWPPPs) to incorporate the appropriate best management practices to preserve drainages, wetlands, and surface waters



Protect Open Space and Sensitive Lands

The most substantial and essential portion of the Master Plan is what is not being developed. The Master Plan was sensitive to identified steep slopes, wetlands, stream corridors, and drainages and factored in visually sensitive lands, critical wildlife corridors, recreational open spaces, and open space buffers.

Additionally, and as part of this application requirement, Weber County's sensitive land maps were overlaid on the Master Plan to ensure that all proposed development is mitigated. Areas identified as geologic hazards, stream corridors, scenic road buffers, and critical wildlife habitats or within have been considered during the design process. See Pages 10-15.

Preserve Wildlife and Wildlife Habitat

The Sensitive Lands Exhibit on Page 13 shows that the proposed development boundary does not overlap with important wildlife habitat areas.

Recognize and Respect Private Property Rights

The proposed Master Plan is entirely located on the applicants' private property and does not negatively impact any adjacent private land.

Facilitate the Smooth Flow of Traffic In and Out of the Valley

A comprehensive transportation study has been prepared by Project Fehrs and Peer and is included with this application as Exhibit C. The report studies the transportation impacts anticipated to be associated with the proposed Master Plan, provides an analysis of phased development steps to identify what and when any necessary roadway improvements would be needed, and identify any traffic mitigation measures to be utilized by the project to ensure the existing and future road systems continue to provide adequate operations throughout the valley as the development progresses to build out.

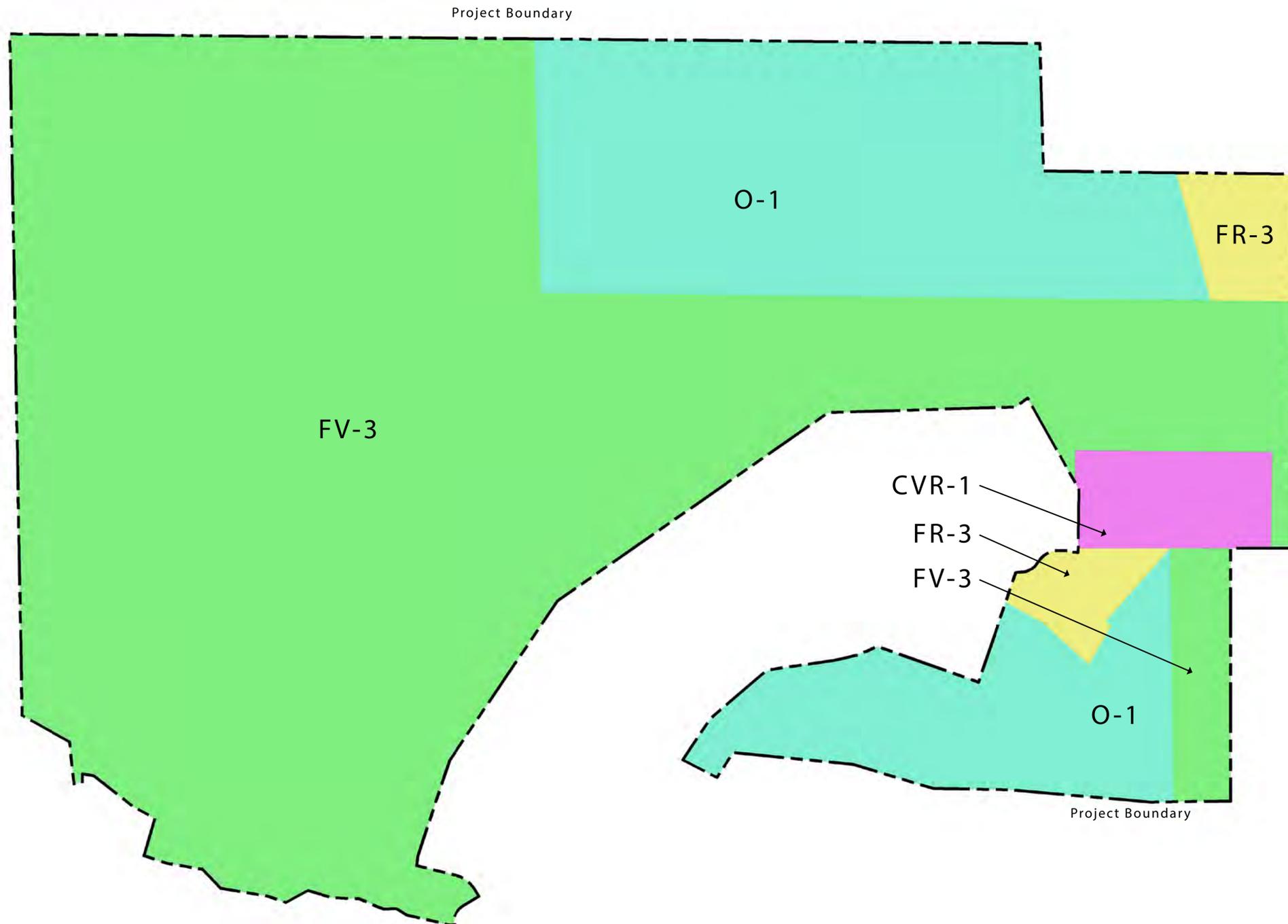
Enhance Quality Recreational Opportunities

The Recreation Plan and the Open Space and Trails Plan outline the proposed recreation opportunities for Nordic Valley Ski Resort. These plans highlight the additional recreational amenities that may be provided in addition to those that currently exist within the project and as part of the existing ski area. In addition to skiing, snowboarding, snowshoeing, etc., which are already enjoyed at Nordic Valley Resort, the recreation facilities plan expands the recreation opportunities to include non-skiing activities, such as hiking, mountain biking, night skiing, tubing, as well as facilities for special events and equestrian experiences.



Existing Zoning

The Nordic Valley property located in Weber County is currently zoned Commercial Valley Resort Recreation Zone (CVR-1), Forest Valley (FV-3), Forest Residential Zone (FR-3) and Open Space Zone (O-1).



Commercial Valley Resort Recreation Zone - CVR-1
 The purpose of this zone is to provide locations in the Ogden Valley and at major recreation resort areas, where service facilities and goods normally required by the public in the pursuit of general recreation activities can be obtained.

Forest Valley Zone - FV-3
 The purpose of the this zone is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

Forest Residential Zone - FR-3
 The purpose of this 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.

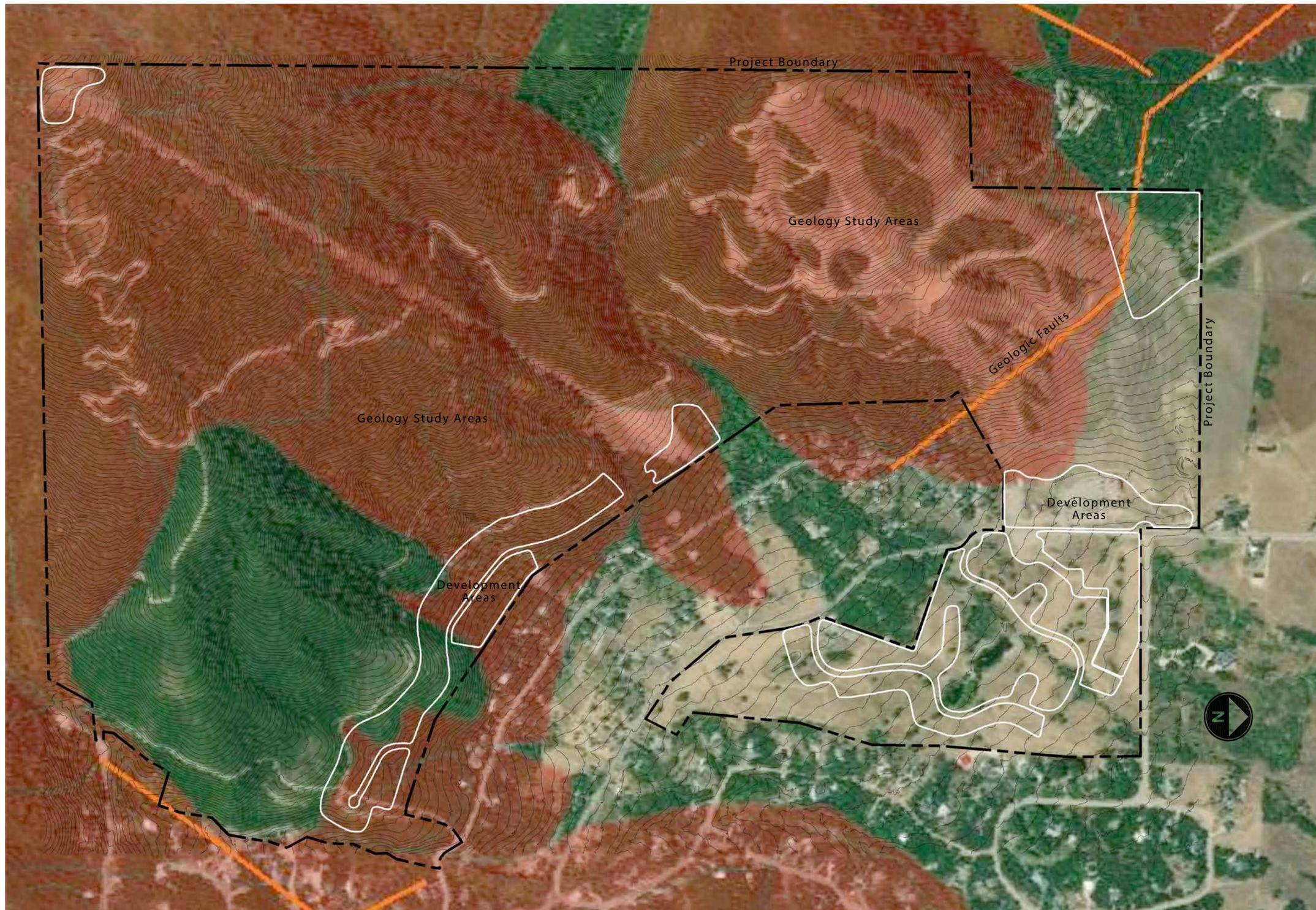
Open Space Zone - O-1
 The purpose of this zone is intended to encourage the preservation of a natural environment in an otherwise urban setting; to hold for future generations open space in which plants and animals can be protected and studied; to inhibit erection of unnecessary buildings on a floodplain, on areas of severe slope, areas of fault line and rock slides; to provide suitable areas for recreation and relaxation, and to alleviate stream pollution.



Geological Hazards

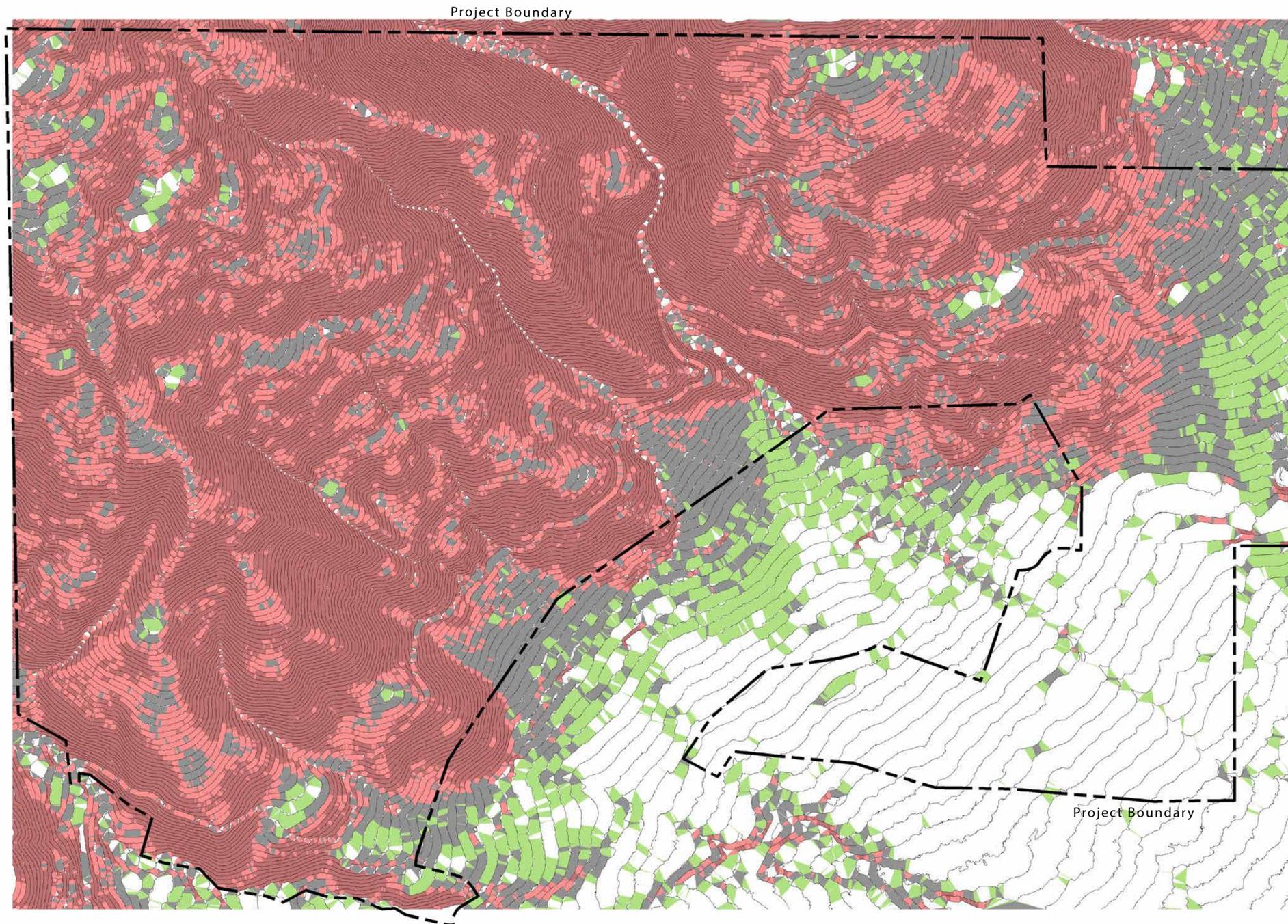
The Geology Study Area and Fault Exhibit here identifies surficial geologic conditions at the Project and identifies potential risk from geologic hazards.

While the majority of the proposed Master Plan development falls outside of the study areas, those areas proposed for development within the Geology Study areas within the project will require additional studies at the time of Site Plan or Building permit submittals as required by Weber County.



Existing Topography / Slopes

The Slope Analysis illustrates that much of the Nordic Valley property contains slopes most suitable to ski terrain. The project's topography does vary greatly from flat meadows to steep ski terrain and mountain slopes. The Master Plan was developed with sensitivity to placing development on steep slopes with the majority of the project density clustered around the gentle meadows that exist near the current ski base area and the flat lands south and east of the base area, portions of which were the former golf course property.



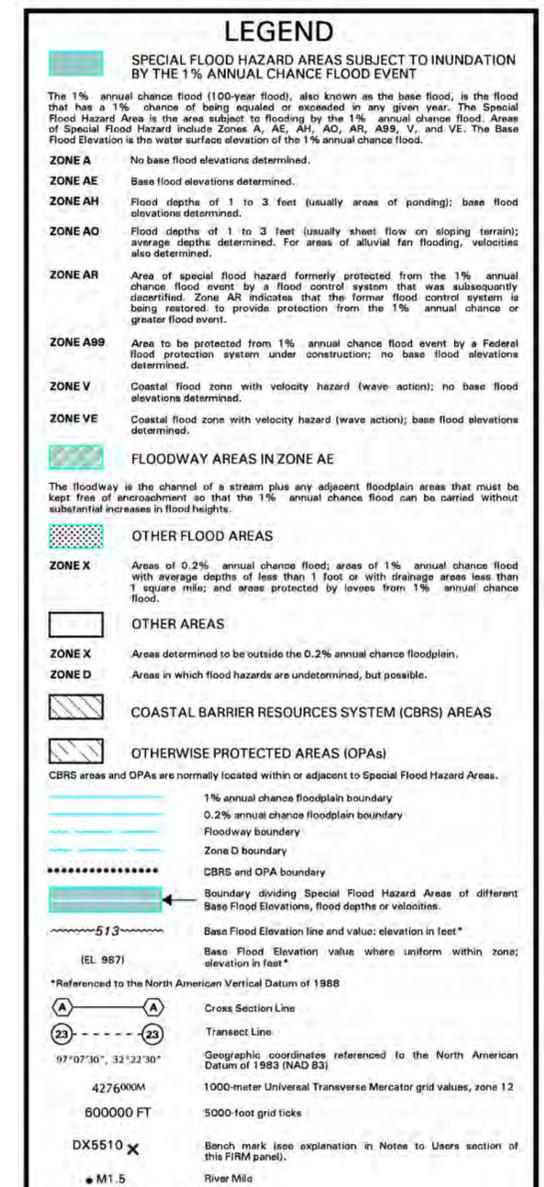
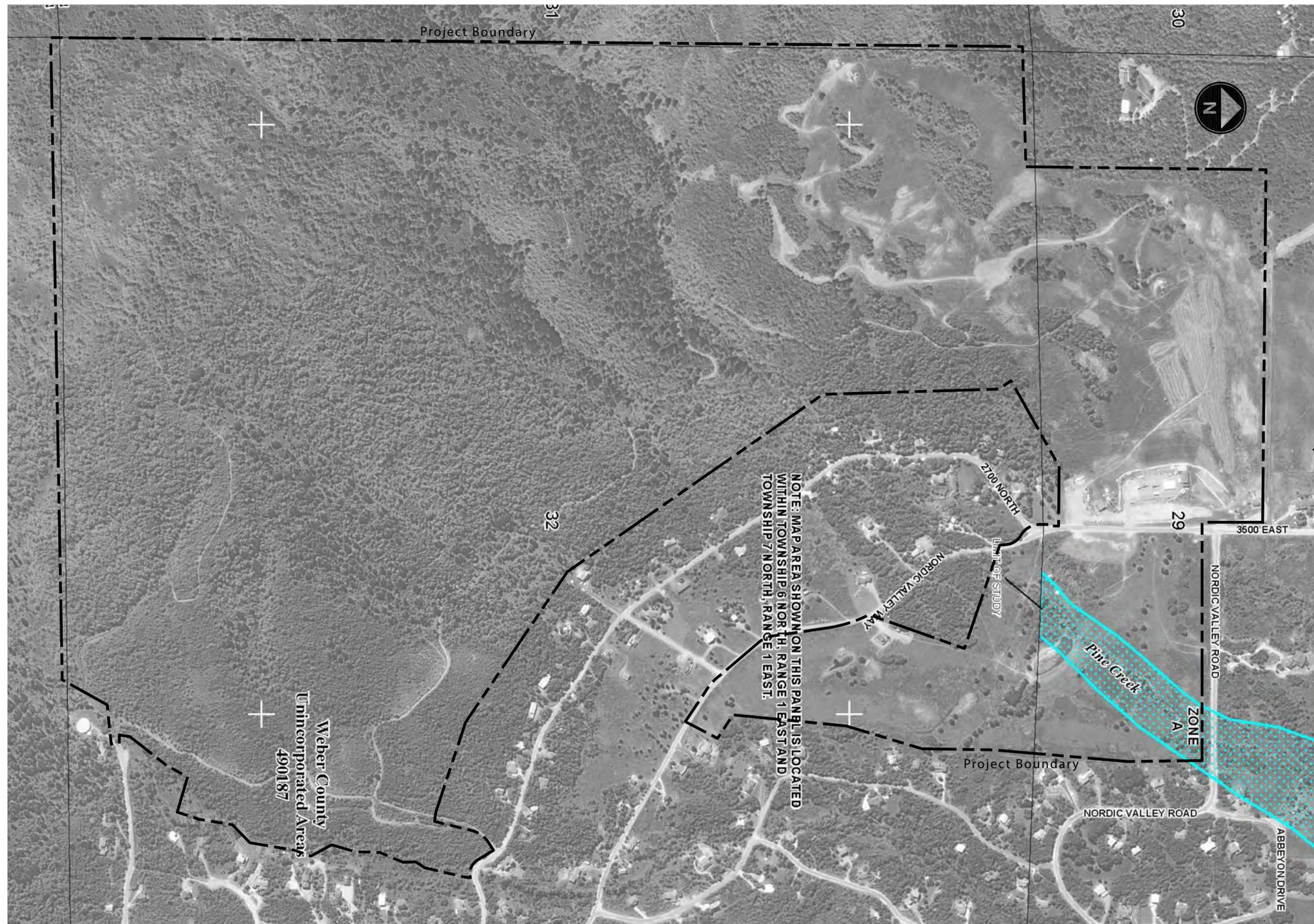
Slope Legend



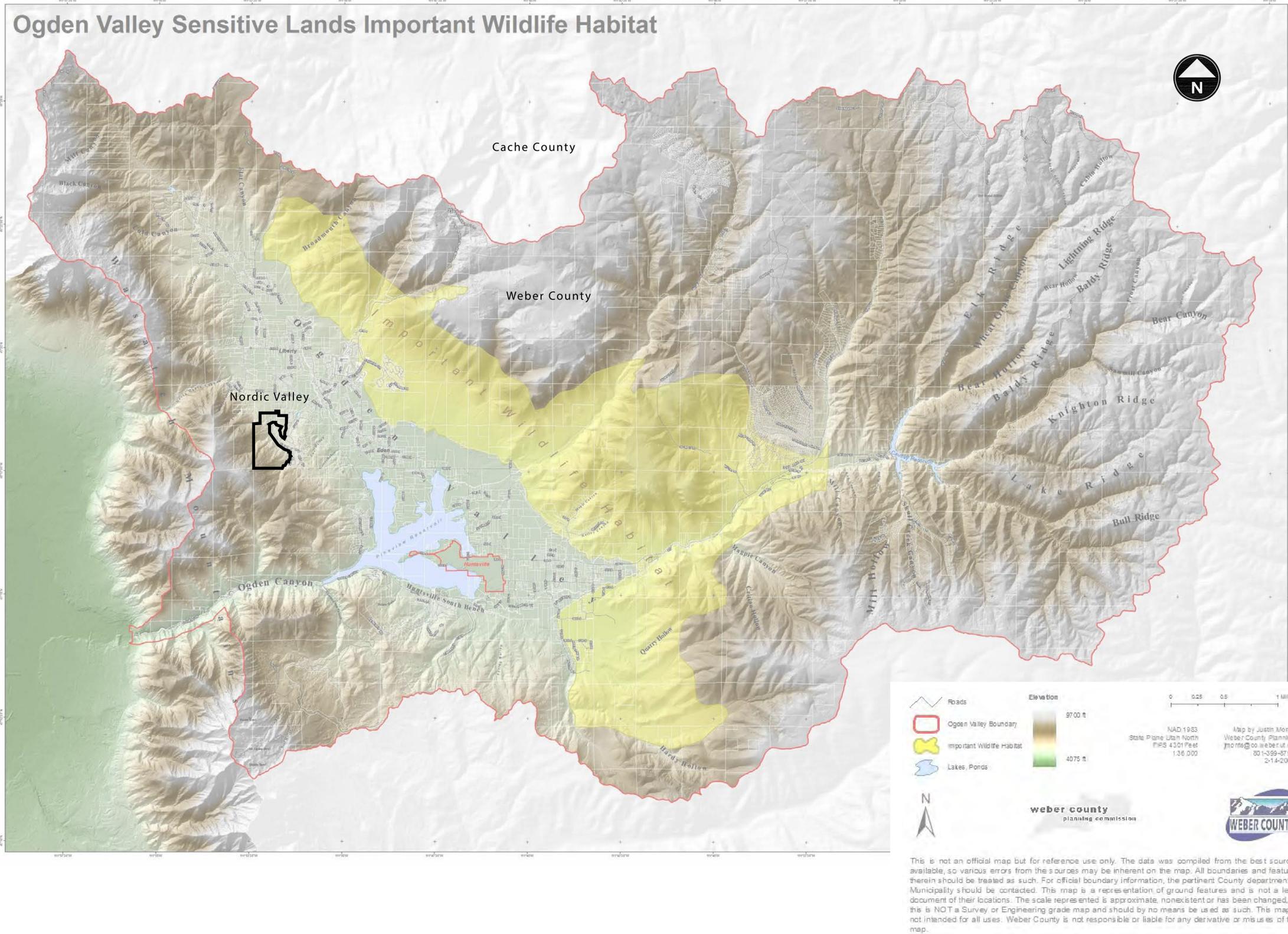
Floodplain Map

The FEMA Flood Insurance Rate Maps for Weber County illustrate that there is one flood area mapped within the Nordic Valley project boundaries. This Zone is identified as Zone A. As defined, Zone A base flood elevations are undetermined. All development within this Zone A area will provide further detail for floodway avoidance at the time of building permit or site plan applications.

The majority of the Nordic Valley property is generally located at an elevation above flood hazards.

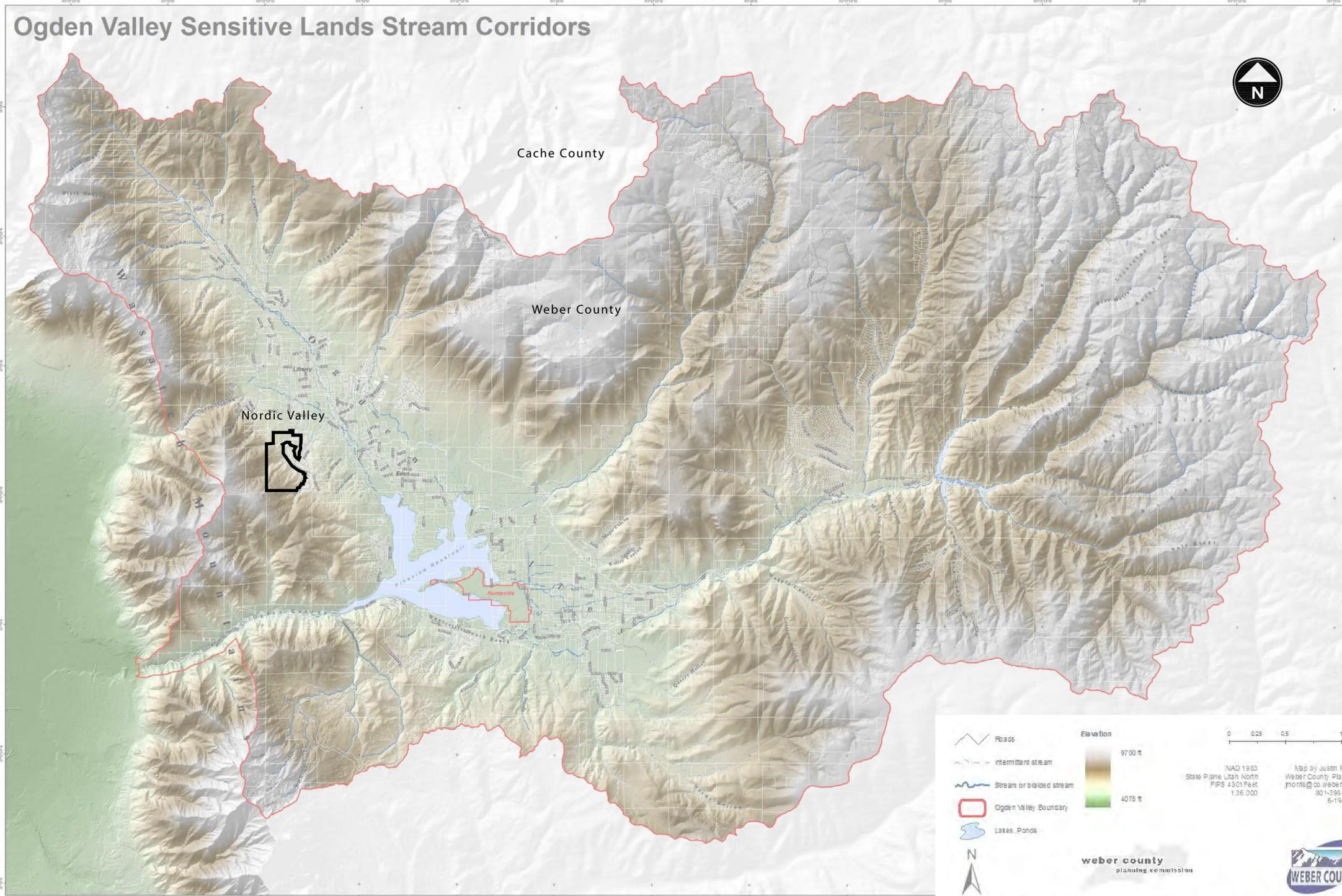


Sensitive Land Areas: Wildlife Habitat



The Nordic Valley property does not overlap with the Important Wildlife Habitat Zone as indicated here. Future development has been located to account for significant open spaces and buffers to facilitate wildlife habitat and wildlife corridors throughout the project and continued coordination with Weber County and the Utah Division of Wildlife Resources will be a priority to maintain these habitats throughout the project.

Sensitive Land Areas: Stream Corridors



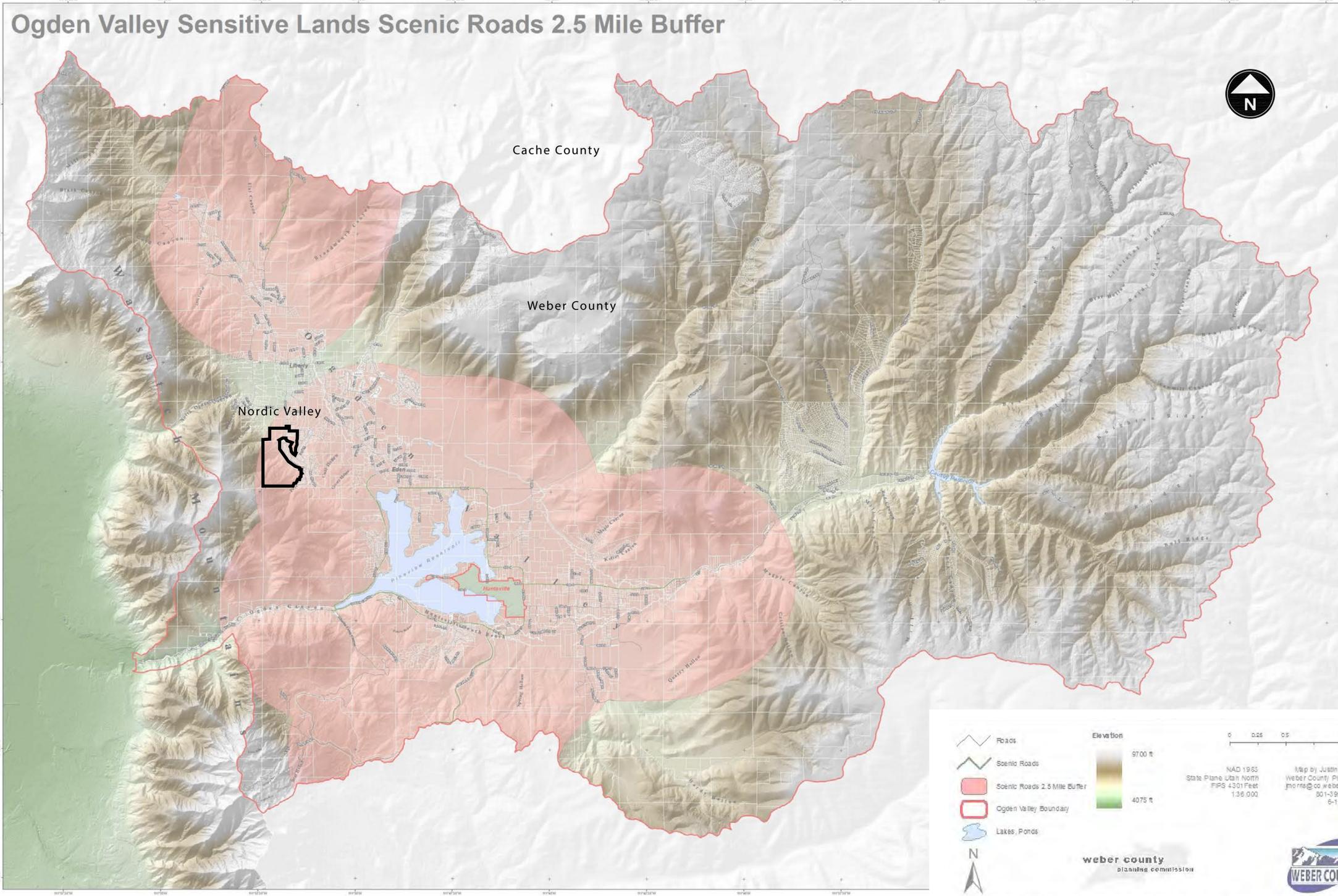
The Nordic Valley property is not affected by the Ogden Valley Sensitive Lands Overlay District for stream corridors, wetlands and shorelines.

In coordination with the Utah Division of Wildlife Resources (UDWR) all existing riparian corridors within proximity to proposed development areas within the project will be identified and protections put in place at the time of individual project approvals to insure these areas are preserved.

An approved jurisdictional wetland delineation report and concurrence report from the United States Army Corps of Engineers shall be required with the submittal for each phase of development if it is determined that jurisdictional wetlands may exist within any proposed development areas on the property.

This is not an official map but for reference use only. The data was compiled from the best sources available, so various errors from the sources may be inherent on the map. All boundaries and features therein should be treated as such. For official boundary information, the pertinent County department or Municipality should be contacted. This map is a representation of ground features and is not a legal document of their locations. The scale represented is approximate, nonexistent or has been changed, so this is NOT a Survey or Engineering grade map and should by no means be used as such. This map is not intended for all uses. Weber County is not responsible or liable for any derivative or misuses of this map.

Sensitive Land Areas: Scenic Roads 2.5 Mile Buffer



The Nordic Valley property lies within the Ogden Valley Sensitive Lands Overlay District for Scenic Corridors, Ridge lines and Historical/Cultural Resources.

Nordic Valley falls within the Sensitive Land Overlay for Scenic Roads but does not directly connect with Highway 162. The project will be adding additional road connections to Nordic Valley Way and Nordic Valley Road but will use them only where necessary to minimize impact on current roadway design. Existing and proposed connections will be enhanced as to not disturb the current flow of traffic along Nordic Valley Way and Nordic Valley Drive. All proposed development is located at the base of the slopes as they begin to rise above the Valley floor and the Highway 162 corridor keeping the visual integrity of the view corridor.

Any and all fencing within Nordic Valley shall meet the development standards of the Ogden Valley Architectural, Landscaping and Screening Ordinance.

Roads
 Scenic Roads
 Scenic Roads 2.5 Mile Buffer
 Ogden Valley Boundary
 Lakes, Ponds

Elevation
 9700 ft
 4075 ft

0 0.25 0.5 1 Miles
 NAD 1983
 State Plane Utah North
 FIPS 4301 Feet
 1:36,000

Map by Justin Morris
 Weber County Planning
 jmorris@co.weber.ut.us
 801-399-5791
 6-18-2008

weber county
 planning commission

WEBER COUNTY

This is not an official map but for reference use only. The data was compiled from the best sources available, so various errors from the sources may be inherent on the map. All boundaries and features therein should be treated as such. For official boundary information, the pertinent County department or Municipality should be contacted. This map is a representation of ground features and is not a legal document of their locations. The scale represented is approximate, nonexistent or has been changed, so this is NOT a Survey or Engineering grade map and should by no means be used as such. This map is not intended for all uses. Weber County is not responsible or liable for any derivative or misuses of this map.

PLANNING AND DESIGN PRINCIPLES

The Nordic Valley Resort properties total approximately 510 acres with properties that include 3 different owners within Weber County. The project area also includes the existing Nordic Valley Ski Area, including existing lifts, base area amenities such as the old historic Nordic Barn and existing surface parking and maintenance area.

This application for the DRR2 rezone will create a four season recreation destination within the existing Nordic Valley base area and surrounding properties that will include a balanced mix of on-mountain accommodations, food and beverage opportunities, neighborhood and resort retail, recreational outlets from skiing, hiking and biking, tubing, snowshoeing, fishing, etc. The project is also designed to accommodate community events such as concerts, farmer's markets, group meetings and more making the area a true year round, activated mountain village.

In early 2021, the Skyline Mountain Base, LLC development team began to assemble a team of design and development professionals to initiate the Master Plan and Rezoning process and design development that would appropriately integrate the vision for Nordic Valley. This planning process involved several varied and skilled professionals and focused on every aspect of mountain design from roadway and ski design to snow storage and snow removal strategies. This planning process was thorough and extensive.

The concept plans within this submittal identify those areas most suitable for development and those mountain areas that will remain open space. This distinction has been identified as the most important element of the Master Plan. The areas NOT shown for development are as important or more important than those areas that are suitable for development. The development areas throughout the property are shown in two land uses that follow Weber County's DRR2 Zone Land Uses. The most intense use (Mixed Use) allows for all permitted and conditional Land

Uses as identified by the DRR2 Zone while the Residential use only allows those uses identified as permitted or conditional residential uses within the zone per the Land Use Code.

The proposed plan for the project emphasizes the development of a mountain "village" that is located at the existing Nordic Valley base area and is the most suitable and appropriate location to provide resort and residential land uses, vehicular and pedestrian access, community amenities, retail opportunities, parking and access to open spaces based on their locations and proposed functions within the resort.

The village core will include hotels and resort oriented condominiums for overnight accommodations at the existing base of the mountain as well as a mix of townhomes and mountain chalets for full or part time residents. This area is designed to be the primary destination for year round visitors providing direct mountain and open space access. This area also includes the Nordic Commercial "Main Street" retail corridor anchoring both sides of Nordic Valley way with opportunities for community and resort based retail and office shops at the central core of the village. This retail street will provide for on-street angled parking, walkable streetscapes with various shop frontages, outdoor dining, and landscaped plazas and gathering spaces to give the Nordic Valley area a true ski village mass and energy throughout the year at the heart of the Nordic Valley project.

This location is best suited for the most intense uses within the project and preserves views and provides for a secluded and protected environment at the base of the slope where development is most appropriate to be built. This village location provides for direct ski access onto the mountain as well as ski in access at the end of the day for a majority of the village uses. The project also includes clustered residential development tucked amongst the existing trees and just beyond the village core to the south at the base of the existing ski slopes and just above the existing

residential neighborhoods. This area includes both single family "chalet" residential products that begin the density transition to the open spaces as well as a condominium lodge at the base of the new Nordic Express ski lift.

Throughout the master planning process, open space access, existing and new trail corridors and connections took center stage as seen on the Open Space and Trail Plan. This ensured that access to the beautiful and abundant natural features within the project and beyond its property boundaries remained accessible and preserved as much of this natural environment as possible.

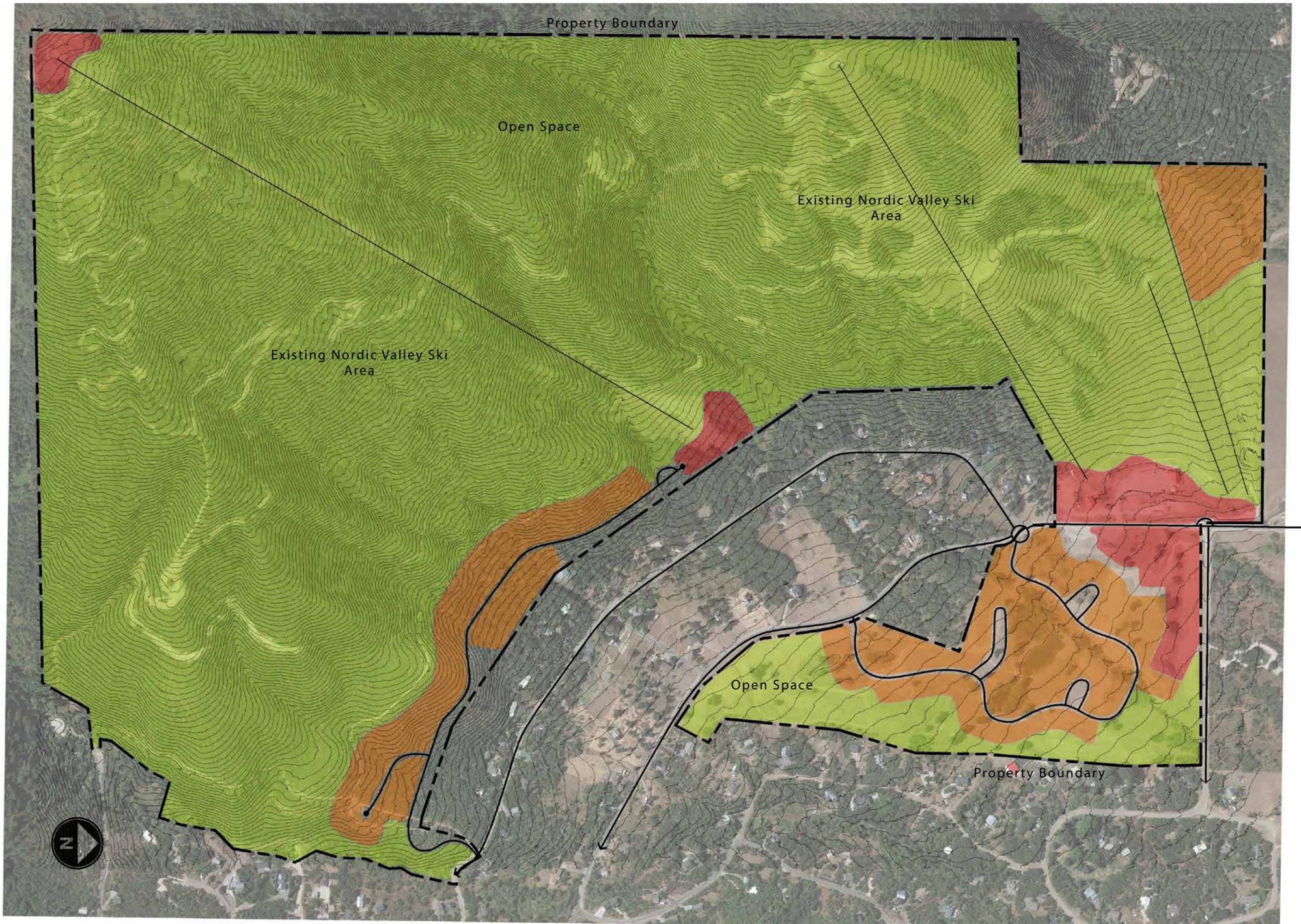
The proposed Nordic Valley project is compatible with surrounding land uses and, as outlined herein, is in compliance with the goals and objectives identified in the Ogden Valley General Plan. The impact to the

surrounding area will be positive as outlined in the Benefit Analysis. The impact on traffic congestion through the Valley will be minimal as outlined in the traffic study completed as part of the transportation element which is included as Exhibit 2. Nordic Valley will be a positive community component providing neighborhood services and recreational opportunities while also providing a unique on-mountain development that will include a well placed and well balanced mix of mountain uses that will provide the Nordic Valley community and all of Weber County with a project that is sustainable and advances the community goals of a Destination Recreation Resort.

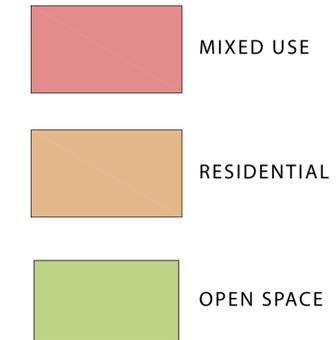


Overall Land Use Plan

The Overall Land Use Plan depicts general areas for development within the proposed 510 acre Rezone boundary. These areas indicate general land use areas and roadway circulation proposed.



DEVELOPMENT LEGEND



DEVELOPMENT DATA

COMMERCIAL/SKIER	38,200 SF
MULTI-FAMILY RESIDENTIAL	661 UNITS
TOWNHOME RESIDENTIAL	55 UNITS
SINGLE FAMILY RESIDENTIAL	47 UNITS
TOTAL UNITS	763 UNITS

NOTES:

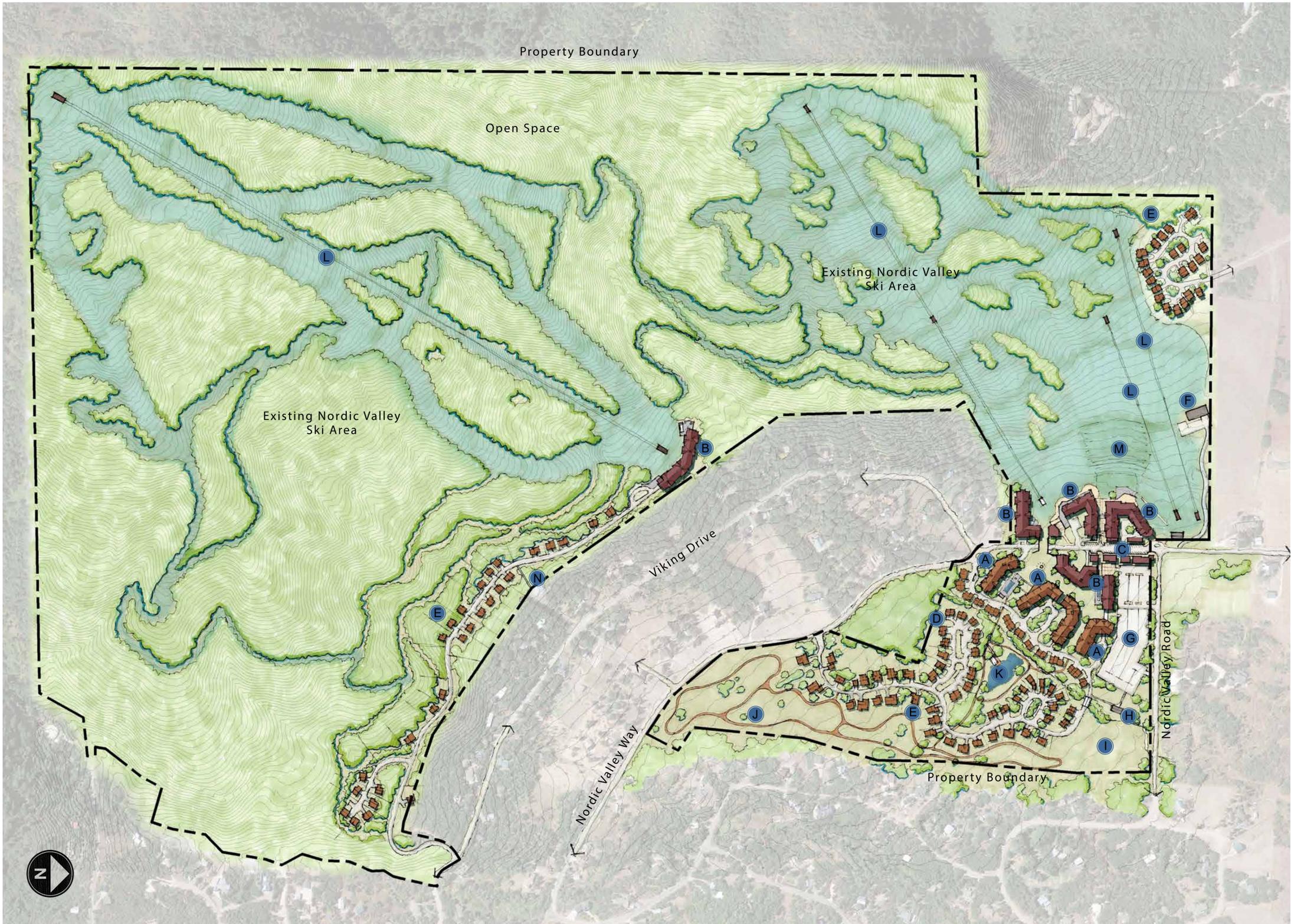
1. MIXED USE LAND USE INCLUDES ALL PERMITTED OR CONDITIONAL USES AS IDENTIFIED WITHIN THE DRR-2 ZONE USE TABLE
2. RESIDENTIAL USES SHALL INCLUDE ALL PERMITTED OR CONDITIONAL USES AS IDENTIFIED FOR RESIDENTIAL USES WITHIN THE DRR-2 ZONE USE TABLE. SINGLE FAMILY, MULTI FAMILY AND TOWNHOMES EQUAL 1 UNIT EACH FOR DENSITY CALCULATIONS.
3. HOTEL ROOMS EQUAL .33 UNITS EACH FOR DENSITY CALCULATIONS.
4. CONDOMINIUM HOTEL UNITS EQUAL .50 UNITS EACH FOR DENSITY CALCULATIONS.
5. COMMERCIAL SQUARE FOOTAGE AND ALL WORKFORCE HOUSING DOES NOT COUNT AGAINST APPROVED DENSITIES.

Overall Master Plan

The Overall Master Plan depicts conceptual development patterns. This plan identifies the general uses, development massing, open spaces, amenities, recreational components and pedestrian and roadway circulation proposed.

DEVELOPMENT LEGEND

- A** MULTI-FAMILY RESIDENTIAL
- B** MIXED USE COMMERCIAL/ RESIDENTIAL
- C** NORDIC STREET COMMERCIAL
- D** TOWNHOMES
- E** SINGLE FAMILY CHALETs
- F** RESORT MAINTENANCE FACILITY
- G** DAY SKIER AND RETAIL PARKING
- H** NORDIC SKI CENTER
- I** NORDIC ENVIRONMENTAL PURIFICATION FACILITY
- J** CROSS COUNTY AND SUMMER TRAILS
- K** BOAT HOUSE AND POND
- L** EXISTING SKI LIFT
- M** OUTDOOR AMPHITHEATER
- N** 'PARK CITY' STAIRS ACCESS TO SOMMERSET DRIVE



Architectural Precedents: Mountain Houses



Building design at Nordic Valley will blend mountain design elements that are proven over time to be appropriate for the mountain setting, local climate and materials that blend into the existing setting.

All architecture within the project will strive to preserve the pristine views and natural beauty while creating an identifiable and cohesive US Alpine modern mountain design aesthetic. This style “Alpine Modern” is intentionally open-ended in its definition to allow for diversity yet consistency of common elements that create the basis for all designs.

All architecture must balance with the natural landscape. The land and its magnificent panoramas shall remain the dominant design feature, and improvements are not to detract from the site’s natural surroundings. Buildings should be sited to minimize grading by following the natural features of the topography. Building masses and articulation are to create shadow, texture, and patterns that help buildings recede into the landscape rather than dominate it.

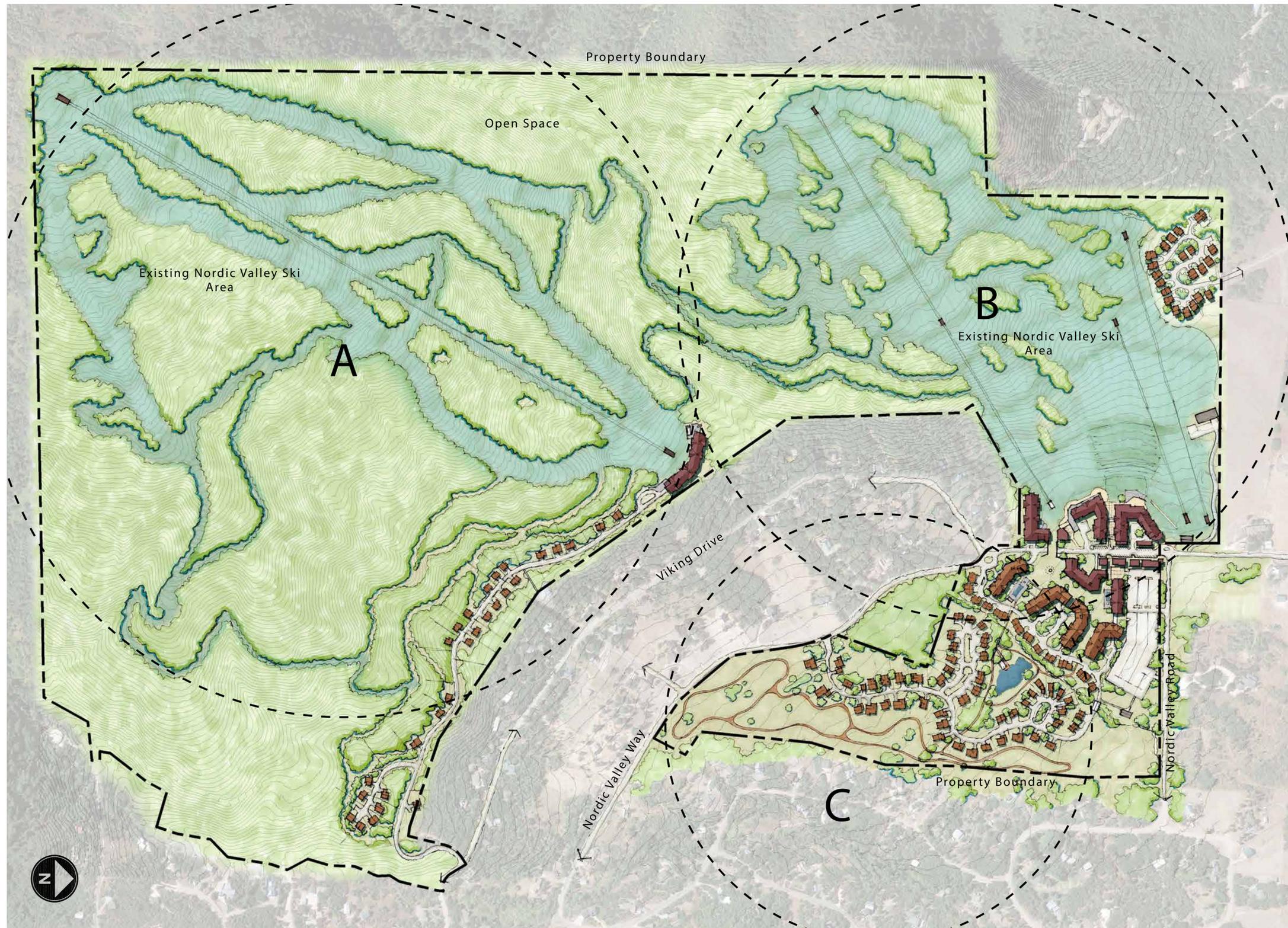


Architectural Precedents: Hotels & Commercial



Building, site and landscape materials will be used that are timeless, natural in appearance and available locally or regionally. All structures at Nordic Valley are to be built of materials that appear to have been taken from the site and/or nearby resources in order to reinforce the connection between buildings and their natural surroundings creating a more authentic and natural built environment.





The Nordic Valley Master Recreation Plan offers a wide variety of recreational activities for its residents, visitors and the local community. Each area offers different amenities and activities based on the natural features, location and relationship to the built environment around it. For example, Area A offers predominantly mountain-based amenities while Area C offers more variety of recreational activities including trails. Multi-use trails meander throughout the entire property's open space and cater to walking, hiking, mountain biking, snowshoeing and equestrian uses. All Recreation Facilities are available to the public. Some uses will be fee based such as skiing, guided events, spas, etc. Uses will be phased with the related development area phasing.

AREA A

- Skiing/Snowboarding
- Walking/Hiking Trails
- Biking Trails
- Hammocking

AREA B

- Skiing/Snowboarding
- Walking/Hiking Trails
- Biking Trails
- Hammocking
- Events Plaza
- Amphitheater
- Snowshoeing
- Spa
- Swimming Pools

AREA C

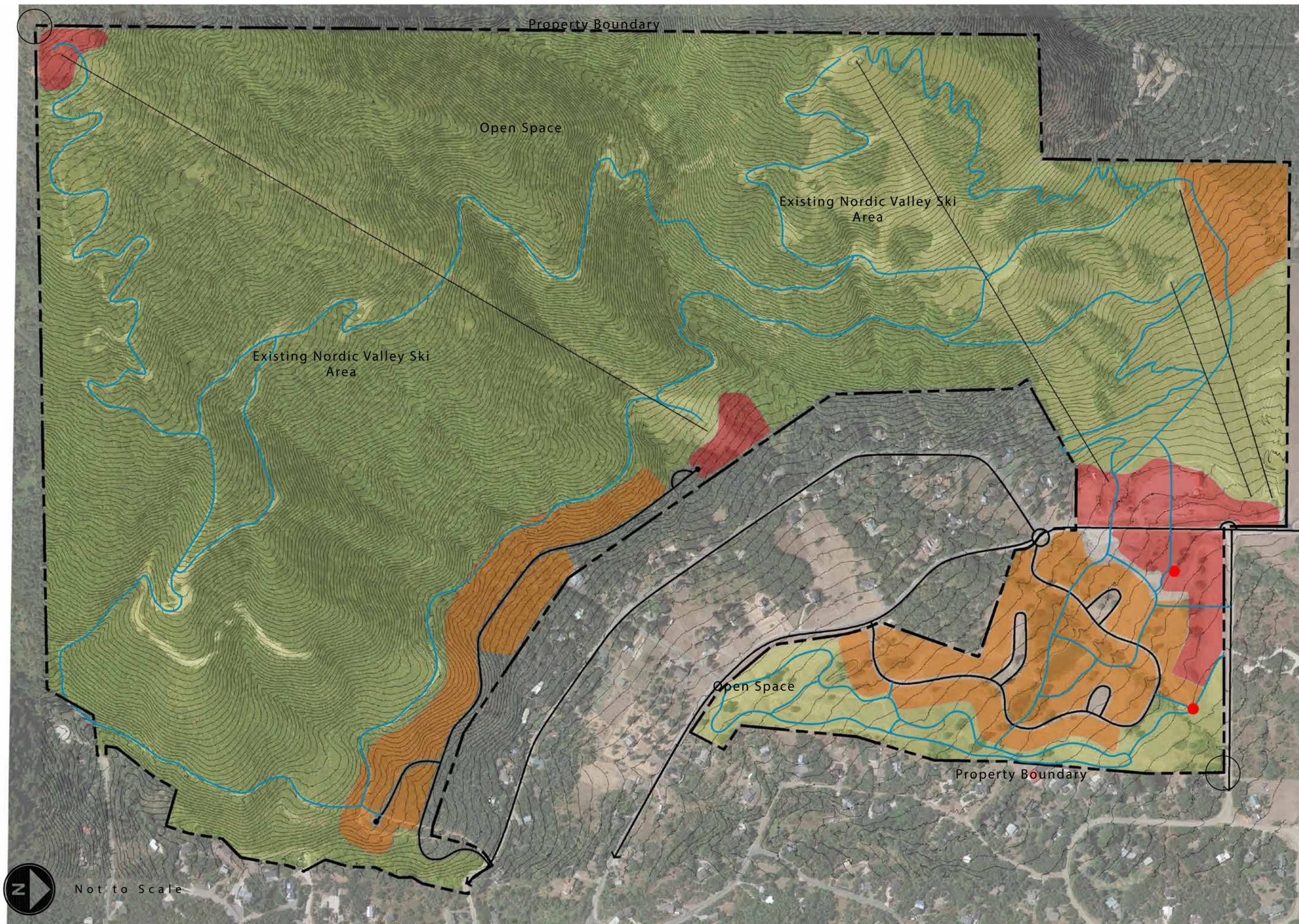
- Sledding / Tubing
- Walking / Hiking Trails
- Biking Trails
- Pump Track
- Hammocking
- Boathouse
- Pond
- Nordic Skiing Center
- Cross Country Skiing
- Swimming Pools

Open Space with Trails Plan

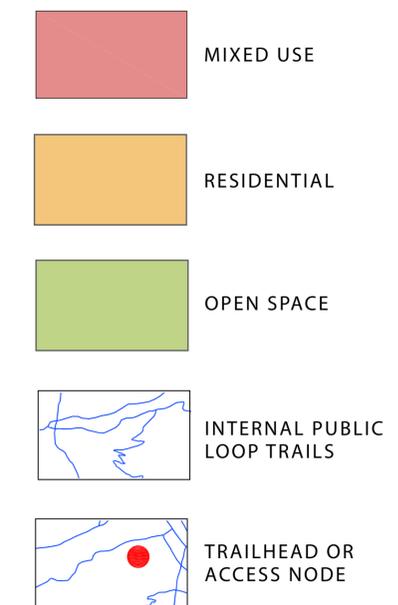
The Open Space and Trails System diagram illustrates project trails that will connect neighborhoods to one another and to the proposed new local trail head within the dayskier parking lot. Nordic Valley is committed to providing Regional Public Trail Connectors thru the project (shown in blue) to insure public trail access to and thru the project. Nordic Valley will work with the adjacent landowners to provide better trail connections throughout the region as the opportunities present themselves. There will be a variety of trails within and around Nordic Valley area that will include multi-use trails, single-track for mountain biking and general use trails for walking and hiking.

OPEN SPACE CALCULATION

There are approximately 510 acres within the Nordic Valley DRR-2 property. Development is planned on approximately 61 acres, leaving 449 acres or approximately 88% of the Project Master Plan preserved as open space.



DEVELOPMENT LEGEND



Seasonal Workforce Housing Plan

Employee generation for the proposed Nordic Valley Village plan has been calculated according to the formula included within the current Destination and Recreation Resort Ordinance. It is estimated that a total of 538 full time equivalent employees (FTEE) will be generated by Nordic Valley at full build out. These workforce additions will be created within the hotels, retail uses, food and beverage outlets and rental unit maintenance and management throughout the village.

At full build out, Nordic Valley will generate the overall need for 326 workforce housing units and will be required to provide approximately 33 of these workforce housing units. These housing units may be provided in the form of group dwelling (dormitories) or multi-family dwelling (condominiums/townhomes) within the Village, and will be phased with development. Conceptually, the seasonal employees will be housed within the Village core, nearest their employment to reduce the need for automobile use and within close proximity to services within the Village. It is estimated that the additional 293 units will be located off-site and within existing communities surrounding the project to support the seasonal workforce housing requirements. With the proximity of Ogden and the Ogden Valley to the resort and the availability of mass transit alternatives and the further development of these mass transit alternatives, there exists available seasonal housing options to serve the resort's needs. Here, employees and their families are near to and have reliable access to essential goods and services such and schools and shops.

In order to ensure affordable housing remains available and affordable in perpetuity, the on mountain seasonal workforce housing units will be deed restricted. Upon request, an annual report that outlines the previous year's employment level, workforce housing needs, housing type/availability and occupancy will be generated and presented to Weber County Planning Staff.

Uses	# Employees Generated	Per Room/Unit/SF	Source
Hotel	0.7	1 Room	Canyons Resort
Multi Family	0.3	1 Unit	Canyons Resort
Retail	2	1,000 SF	Weber County DRRO
Office	2.3	1,000 SF	Weber County DRRO
Restaurant/Bar	3.5	1,000 SF FF	Weber County DRRO
Estimated # of Employees in WF housing Unit	1.65		Weber County DRRO
Required # of Seasonal WF Housing Units	0.1		Weber County DRRO

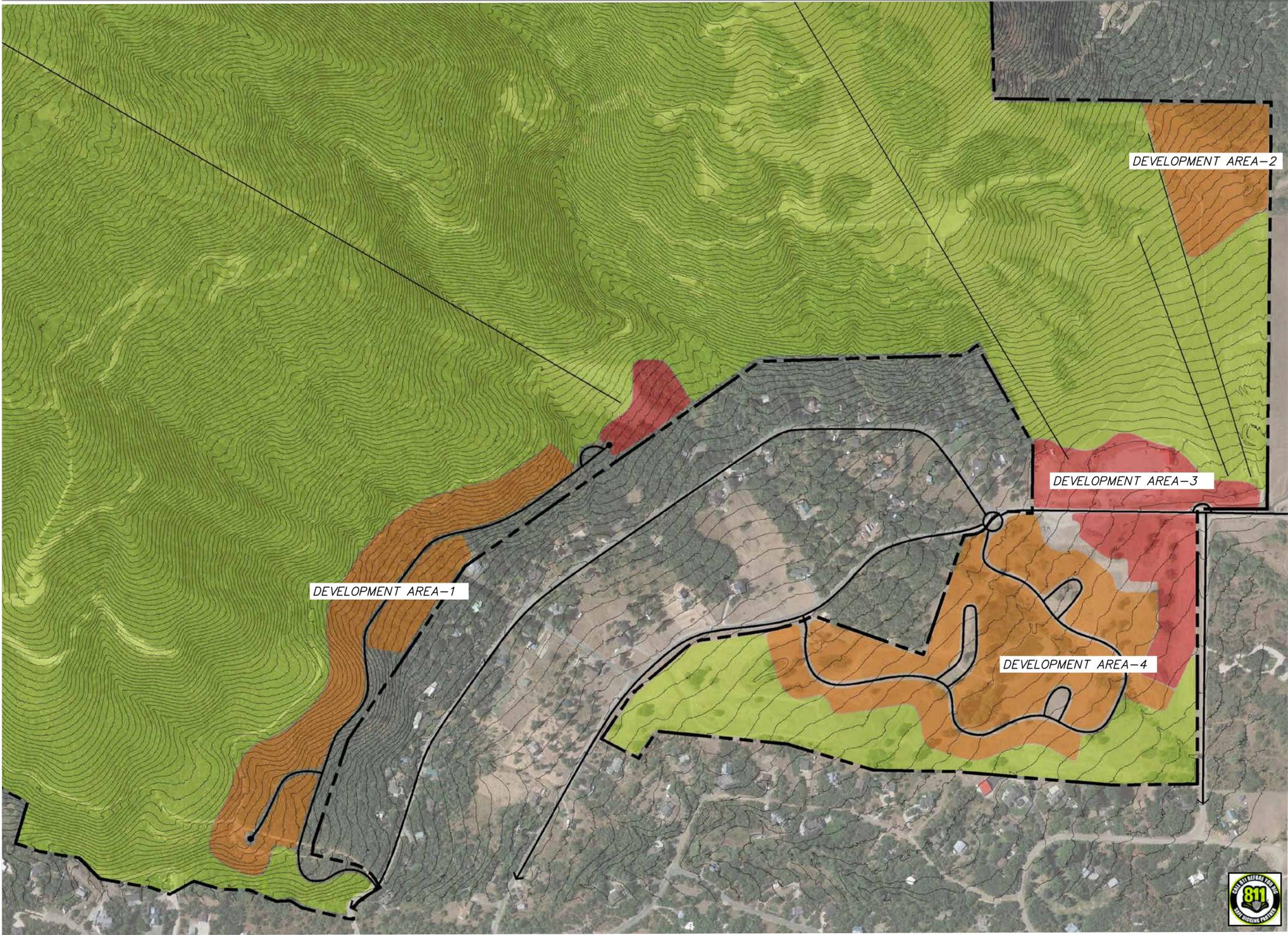
Overall - 763 Units						
Uses	Total Rooms or SF	% in Rental Pool	Rental Units	FTEE Employees Gen.	Emps/WF Unit (/1.65)	Required # Units (10%)
Hotel	210	-	-	147	89	9
Multi Family	646	68%	439	299	181	18
Retail	24,200	-	-	48	29	3
Office	4,000	-	-	9	6	1
Restaurant/Bar	10,000	-	-	35	21	2
Totals				538	326	33

Conceptual Stormwater System

NORDIC VALLEY STORMWATER

The general strategy for Stormwater mitigation at Nordic Valley will be that typical of similar mountainous developments in Utah. Being on a mountain with slope abundantly available, available pipe capacities for storm water aren't anticipated to be problematic. However, because Nordic Valley wants to maximize the areas for development and recreational uses, space for detention facilities may be limited, and thus we anticipate creative solutions for detention volume mitigation, stormwater reuse, and a combination of above and underground solutions to be used.

(For the full report - See attached Stormwater Letter Exhibit 4)





RYAN ARBON, SHERIFF
AARON PERRY, CHIEF DEPUTY
PHILLIP REESE, CHIEF DEPUTY
NEALY ADAMS, CHIEF DEPUTY

October 5, 2021

Ronda Kippen
Kippen Planning and Development, LLC

The Sheriff's Office has reviewed the DRR2 Master Plan map for at Nordic Valley. The master plan map shows an expansion plan that includes residential and commercial units. The plan includes several commercial buildings including 2 ski retail buildings, 2 restaurants, a ski school building and a Nordic street commercial building. The total residential units are approximately 763.

The project is entirely in Weber County. The Weber County Sheriff's Office is responsible for law enforcement services to this area. This project when completed has the potential of having a significant impact on the calls for service from the Sheriff's Office. Two primary areas that this project is anticipated to impact law enforcement response are in traffic related calls and other crime related calls for service.

With increased residential units and restaurants, we can expect the traffic in the area to increase which will likely increase the demand for traffic related calls such as accidents and stranded vehicles as well as a need for increased enforcement of traffic laws.

With the increased residential units, commercial space and the additional retail space we anticipate an increase in the number of calls related to retail theft, domestic violence, intoxication, fraud and others. With current staffing levels the Sheriffs would be unable to properly respond to the anticipated increase in calls for service.

Further evaluation is required to determine the exact number of positions that should be added to properly handle the anticipated increase in calls for service.

If you have further questions, please feel free to contact me.

Sincerely,

Ryan Arbon
Weber County Sheriff



801-778-6600 Enforcement / 801-778-6700 Corrections / 1400 Depot Drive, Ogden Utah 84404
www.webercountyutah.gov/Sheriff

The Nordic Valley project team met with representatives from the Weber County Sheriff's Office and the Weber Fire District throughout the Master Plan development process.

In meetings with the Weber Fire Deputy Chief and Fire Marshall, David Reed it was identified that while there are challenges presented within the mountainous nature of the plan that will require specific plan reviews for fire safety compliance, there are options within the plan to provide adequate fire safety measures. For Instance, most structures will require a 13-type fire suppression system and acceptable accesses will be required to each structure as required of the Weber Fire District.

The Nordic Valley team is committed to the health, safety and welfare of visitors and residents of the Project and will work with the emergency services providers to ensure adequate services are accounted for and readily available.

NORDIC VALLEY WATER FEASIBILITY

This narrative is meant to inform Nordic Mountain Water Company of the anticipated demands to the water system, and the improvements required to meet future build out at Nordic Valley Ski Resort.

The proposed development at Nordic Valley Ski Resort will put additional demand on the Nordic Mountain Water Company infrastructure. The existing source capacity and storage capacity are insufficient to meet Nordic Valley's source and storage demands for Phase 1 and Phase 2. As a result, Skyline Mountain Base is willing to invest in additional Nordic Mountain Water Company infrastructure to meet Phase 1 and Phase 2 demands for the Nordic Valley Ski Resort Base Development. This includes developing additional source capacity in terms of drilling a new well and providing additional storage capacity by construction of new tanks.

To complete our re-zone application with the County to approve new development, a feasibility letter from Nordic Mountain Water Company is required. To reiterate, this feasibility letter does not need to provide any will serves or commitments to Nordic Valley. The purpose is to show the County that Nordic Mountain Water is willing to work with Skyline Mountain Base and their proposed development. Nordic Water is in receipt of this feasibility letter/application and is currently reviewing it for project feasibility.

(For the full report - See attached Water Feasibility Letter Exhibit 3)

Residential	Unit Count	ERC (800 GPD)	GPD	GPM	
Units	320.00	320.00	256,000.00	177.81	
Retail & Restaurant					
Unit Count	Demand (GPD)	ERC (800 GPD)	GPD	GPM	
Restaurant (Seats)	666.67	35.00	29.17	23,333.33	16.21
Retail (People)	59.10	10.00	0.74	590.97	0.41
Total			29.91	23,924.30	16.62
Irrigation					
Acres	GPM/Acre	ERC (800 GPD)	GPD	GPM	
1.38	3.39	8.40	6,720.63	4.67	
Total ERCs	358.31				
Total GPD	286,644.93				
Total GPM	199.10				

Phase 1 Water Demand Summary

Residential	Unit Count	ERC (800 GPD)	GPD	GPM	
Units	443.00	443.00	354,400.00	246.16	
Retail & Restaurant					
Unit Count	Demand (GPD)	ERC (800 GPD)	GPD	GPM	
Restaurant (Seats)	0.00	35.00	0.00	0.00	0.00
Retail (People)	38.32	10.00	0.48	383.23	0.27
Total			0.48	383.23	0.27
Irrigation					
Acres	GPM/Acre	ERC (800 GPD)	GPD	GPM	
11.54	3.39	70.38	56,302.03	39.11	
Total ERCs	443.48				
Total GPD	354,783.23				
Total GPM	246.43				

Phase 2 Water Demand Summary

	ERCs	GPD	GPM
Phase 1	358.31	286,644.93	199.10
Phase 2	443.48	354,783.23	246.43
Total	801.79	641,428.15	445.52

Proposed Total Water Demand Summary

NORDIC VALLEY WASTEWATER FEASIBILITY

Skyline Mountain Base is prepared to invest in wastewater infrastructure to meet its own needs for Phase 1. As discussed within Exhibit 5 (Nordic Valley Ski Resort Base Development Feasibility Study: Wastewater Mitigation), this could be accomplished by means of a Membrane Bioreactor (MBR) treatment and Rapid Infiltration Basin (RIB) disposal method. The capacity of the MBR can be scaled up relatively easily as demand increases. An early investment of MBR on-site provides Nordic Valley with the future possibility of wastewater reuse for snowmaking in the future.

As conclusions are drawn from the Weber County regional sanitary sewer system study, Skyline Mountain Base will adapt its approach to treatment of sanitary sewer for the Nordic Valley Ski Resort Base Development. At that time, the sanitary sewer feasibility letter will be pursued.

(For the full report - See attached Nordic Valley Ski Resort Base Development Feasibility Study: Wastewater Mitigation - Exhibit 5)

Phase 1				
Residential	Unit Count	Residential Equivalents (RE)		
Single/Multi Family	320	320		
Retail & Restaurant	Unit Count	Demand (GPD)	Total Demand (GPD)	Residential Equivalents (RE)
Restaurant (Seats)	666.67	35	23,333	72.92
Retail (People)	59	10	591	103.69
Total				177
Total REs	497			
Total GPD	158,915			
Total Acre-ft/Year	178.12			

Phase 1 Wastewater Demand Summary

	RE	GPD	Acre-ft/year
Phase 1	497	158,915	178.12
Phase 2	487	155,712	174.53
Total	983	314,627	352.66

Proposed Total Wastewater Demand Summary

Phase 2				
Residential	Unit Count	Residential Equivalents (RE)		
Single/Multi Family	443	443		
Retail & Restaurant	Unit Count	Demand (GPD)	Total Demand (GPD)	Residential Equivalents (RE)
Restaurant (Seats)	0	35	0	0.00
Retail (People)	38	10	383	44
Total				44
Total REs	487			
Total GPD	155,712			
Total Acre-ft/Year	174.53			

Phase 2 Wastewater Demand Summary

Lewis Young Robertson and Burningham, Inc. (“LYRB”) was retained by Nordic Valley (the “Developer”) to complete a Cost Benefit Analysis related to the rezoning application for the Nordic Valley Development Master Plan (the “Development”), a multi-use resort development in and around the Nordic Valley Ski Resort. LYRB has prepared an analysis of the fiscal and economic benefits to be derived from the Development, as well as the corresponding costs associated with the Development. The assumptions used in this analysis are based on data presented by the Developer, comparable community data, and current economic and market factors. This report is prepared in good faith as a best guess estimate of the costs and benefits of the Development. Prevailing economic and other conditions may influence the actual costs and benefits either favorably or unfavorably. But for these unknown and unpredictable events, the information contained in this report is considered accurate accounting of the reasonable expectations of the Development.

The Development will create both a net fiscal benefit and an overall economic benefit. The County and other taxing entities will receive fiscal benefits, including: 1) property tax, 2) sales tax, 3) tourism tax, 4) transportation sales tax, 5) Class B&C Road Funds, and 6) income tax. The proposed Development will produce \$66.70 million in fiscal benefits to the County over the 25-year analysis period.

Additionally, the Development will produce \$118.65 million in fiscal benefits to the other taxing entities over the 25-year analysis period. The economic benefits of the Development include: 1) job creation, 2) construction wages and supplies, and 3) local purchases by new County residents. The proposed Development will create a \$471.74 million economic impact on the local economy during the 25-year analysis period.

(For full report - See attached Cost Benefit Analysis from Lewis Young Robertson and Burningham, Inc. , Exhibit 1)

TABLE 4.1: NORDIC VALLEY COST-BENEFIT

	YEAR 1	YEAR 5	YEAR 10	YEAR 15	YEAR 20	YEAR 25	TOTAL
REVENUE							
Property Tax	\$342,461	\$1,072,981	\$1,821,980	\$1,961,729	\$2,112,278	\$2,274,462	\$42,280,256
Sales Tax	\$101,282	\$239,488	\$369,649	\$415,870	\$468,357	\$528,034	\$9,209,320
Tourism Tax	\$9,789	\$298,689	\$636,157	\$702,369	\$775,472	\$856,183	\$14,863,563
Class B&C Road Funds	\$1,275	\$6,941	\$15,633	\$16,922	\$18,683	\$20,629	\$349,882
Total Revenue	\$454,806	\$1,618,099	\$2,843,113	\$3,096,890	\$3,374,790	\$3,679,307	\$66,703,021
EXPENSE							
General Government	(\$8,619)	(\$50,413)	(\$111,715)	(\$132,874)	(\$158,042)	(\$187,976)	(\$2,809,674)
Public Safety	(\$14,908)	(\$87,199)	(\$193,229)	(\$229,829)	(\$273,360)	(\$325,137)	(\$4,859,810)
Streets and Public Improvements	(\$15,402)	(\$90,087)	(\$199,631)	(\$237,443)	(\$282,416)	(\$335,909)	(\$5,020,815)
Parks, Recreation & Public Facilities	(\$5,262)	(\$30,777)	(\$68,202)	(\$81,120)	(\$96,485)	(\$114,760)	(\$1,715,313)
Total Expense	(\$44,192)	(\$258,477)	(\$572,777)	(\$681,266)	(\$810,303)	(\$963,782)	(\$14,405,612)
NET BENEFIT/(COST)	\$410,615	\$1,359,622	\$2,270,336	\$2,415,624	\$2,564,487	\$2,715,525	\$52,297,409

Nordic Valley Cost-Benefit Summary Table

Based on the development assumptions utilized in this analysis, the Development produces a net benefit to Weber County with \$52.30 million of cumulative net revenue projected over 25 years. The absorption and timing of the development will impact the current projections. The development may provide additional benefit to the County through additional development, business and guest purchases and other multiplier effects not analyzed in this study.

ECONOMIC IMPACTS

In addition to the \$52.20 million fiscal benefit, the proposed Development will have a substantial economic benefit for the local community over the 25-year analysis period. It is projected that the Development could generate a \$471.74 million economic impact in the following areas.

- New Job Wages
- Construction Wages and Materials
- New Residents Per Capita Spending

The actual economic impact of the Development is likely much higher, due to additional indirect and induced benefits. Positive economic impacts will likely be felt through associated business and economic activity, including employment multipliers.

NEW JOBS

It is anticipated that 125 new jobs will be created by the proposed Development for the resort operations alone with additional jobs created as hotels, nightly rentals and village commercial uses are developed. Future employee estimates were provided by the Developer. The jobs will produce \$160.15 million in cumulative wages during the 25-year analysis period. The analysis assumes an annual salary increase of 2 percent. The salaries were then multiplied by the total annual jobs

CONSTRUCTION

In addition to permanent jobs and wages created by the Development, there will be a significant number of construction jobs and wages as the Development is constructed. It is anticipated that construction will begin in 2023 with a final build out date of 2032. This 10-year build out period will have approximately 1 million hours of construction labor that will generate \$28.01 million in construction wages.

(For the full report - See attached Cost Benefit Analysis from Lewis Young Robertson and Burningham, Inc. , Exhibit 1)

TABLE 5.1: ECONOMIC IMPACTS

	YEAR 1	YEAR 5	YEAR 10	YEAR 15	YEAR 20	YEAR 25	TOTAL
ECONOMIC IMPACT							
New Job Wages (125 Jobs)	\$5,000,000	\$5,412,161	\$5,975,463	\$6,597,394	\$7,284,056	\$8,042,186	\$160,151,499
Construction	\$2,500,000	\$2,759,532	\$3,122,157	-	-	-	\$28,008,454
New Resident Per Capita Spending	\$1,180,347	\$5,937,504	\$11,875,008	\$13,435,481	\$15,201,014	\$17,198,552	\$283,577,851
TOTAL IMPACT	\$8,680,347	\$14,109,197	\$20,972,628	\$20,032,875	\$22,485,070	\$25,240,738	\$471,737,804

Nordic Valley Economic Impacts Summary Table

TABLE 5.2: NEW JOB WAGES

NEW JOB WAGES	ASSUMPTION
New Jobs	125
Average Annual Salaries	\$51,248
Annual Salary Increases	2.0%
Average Annual Cumulative Wages	\$6,406,060
TOTAL CUMULATIVE NEW JOB WAGES	\$160,151,499

Nordic Valley New Job Wages Summary Table

TABLE 5.3: CONSTRUCTION WAGES

CONSTRUCTION WAGES	ASSUMPTION
Average Annual Construction Hours	100,000
Average Hourly Wage	\$28.01
Annual Salary Increases	2.5%
Total Construction Hours	1,000,000
Average Annual Construction Wages	\$2,800,845
TOTAL CONSTRUCTION WAGES	\$28,008,454

Nordic Valley Construction Wages Summary Table