



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Request for preliminary approval of Osprey Ranch Subdivision Phase 2, consisting of 30 lots and three common area parcels. This proposal also includes dedication of new County right-of-way throughout this development.
Type of Decision:	Administrative
Agenda Date:	Tuesday, April 25, 2023
Applicant:	Osprey Ranch, LLC
File Number:	UVO032123

Property Information

Approximate Address:	1385 N Hwy 158, Eden, UT, 84310
Project Area:	275 acres
Zoning:	FV-3
Existing Land Use:	Vacant
Proposed Land Use:	Residential
Parcel ID:	See application for all parcel numbers
Township, Range, Section:	T6N, R1E, Sections 3 & 4 N and T7N R1E, Section 33 SE

Adjacent Land Use

North:	Vacant/Residential	South:	Vacant/USFS
East:	Hwy 158	West:	Vacant

Staff Information

Report Presenter:	Tammy Aydelotte taydelotte@webercountyutah.gov 801-399-8794
Report Reviewer:	SB

Applicable Ordinances

- Title 104, Zones, Chapter 14 Forest Valley Zone (FV-3)
- Title 106, Subdivisions, Chapters 1-8 as applicable
- Title 108, Chapter 17 Ogden Valley Pathways

Background and Summary

5/24/2022 – CUP 2022-06, approval of a water tank for the proposed subdivision, was granted by the Ogden Valley Planning Commission.

10/28/2022 – Phase 1 recorded.

3/21/23 – Phase 2 application accepted in for review.

This subdivision plat request consists of 30 lots, ranging in sizes from 4.138 acres to 26.855 acres. Lot sizes and widths vary but all meet the minimum lot standards for the FV-3 zone of 3 acres in area and 150 feet in width. This proposal consists of approximately 275 acres, public roads, common areas, and paved trails within the dedicated right-of-way, throughout the development.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by maintaining the existing density provided by the current zoning and existing approvals (2016 Ogden Valley General Plan, Land Use Principle 1.1).

Zoning: The subject property is located in the Forest Valley (FV-3) zone. The purpose and intent of the FV-3 zone is identified in the LUC §104-14-1 as:

“The purpose of the Forest Valley Zone, FV-3 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.”

Lot area, frontage/width and yard regulations: The site development standards for the FV-3 zone require a minimum lot area of 3 acres of net developable area. The FV-3 zone requires a minimum lot width of 150 feet. Lots located on the outside of the curved streets, or on the ends of cul-de-sacs may be reduced by up to one-third provided the lot has the required width at a distance of 70 feet back from the front lot line.

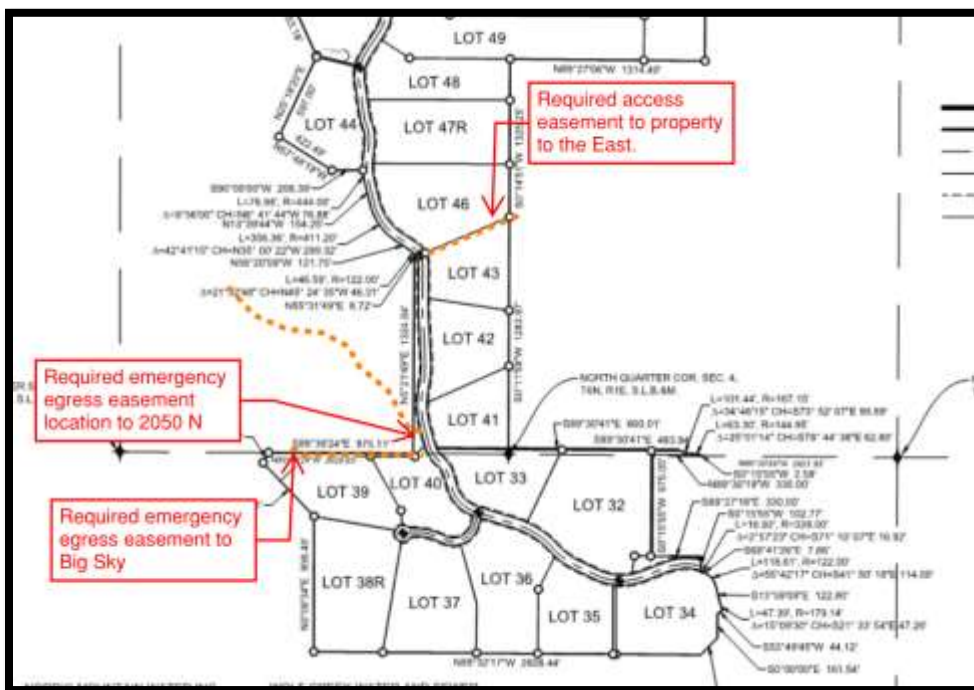
Culinary water, secondary water, and sanitary sewage disposal: Nordic Mountain Water Inc. has issued a will-serve letter to service Osprey Ranch Subdivision with culinary water, with allowances for a small amount of their water to be used for irrigation purposes, dated 5/10/2021 (see Exhibit C – Nordic Mountain Water will-serve letter). Residents shall be restricted to watering no more than 5000 square feet of residential landscape until such time as secondary water becomes available.

Wolf Creek Water and Sewer has issued a will-serve letter, dated 6/24/2022, for sewer services only, specific to this development. The developer has not yet installed infrastructure necessary to connect from the proposed development of Phase 1 to the Wolf Creek Sewage treatment plant. This was a condition of final approval of Phase 1 that this infrastructure either be installed or escrowed for. Neither has occurred since the final plat for Phase 1 was recorded 10/28/2022.

Relation to Adjoining Street Systems/Ogden Valley Pathways: The proposed subdivision will continue a previously dedicated (in Phase 1) public road that will connect Highway 158 to Nordic Valley Drive. A 10 foot wide paved pathway will run adjacent to the new roadway, allowing for pedestrian access from Nordic Valley Drive to pathways that run adjacent to Pineview Reservoir. Proposed pathways shall be constructed or designated for public use on currently existing, or in proposed public rights-of-way.

An emergency egress is being requested by the county to connect to 2050 North Street, through parcel 22-040-0035 (to the proposed Hidden Brook Subdivision – 9 lots). A second emergency egress is being requested so that Big Sky Drive can connect to the main public road throughout Osprey. The developer will also be required to dedicate an access way to property to the east, between lots 46 and 43. The requirement to provide access comes from section 106-2-1 of the land use code which states “The configuration of streets in a new subdivision shall:

1. Ensure the continuation of existing streets that can logically and reasonably be connected along the same street alignment;
2. Provide for the continuation of new streets into adjoining undeveloped land;
3. Be designed to consider the block length specified in Section 106-2-3, as it relates to both the subject property and adjoining property;
4. Not avoid the requirements of this section by shifting the responsibility of providing a street onto landowners of adjacent undeveloped or underdeveloped parcels; and
5. Not create an unnecessary hardship to providing street connections on or to other parcels in the general area, as deemed appropriate by the Land Use Authority.



Natural hazards/wetlands/ stream corridors: This proposed subdivision lies within a geologic hazard study area. Per LUC § 104-22 a hazard study is required. All recommendations outlined in the submitted report (Western Geologic dated 1/3/2022), shall be followed throughout development of this subdivision, and subsequent construction of each lot.

The following are identified hazards/area of concern outlined in the above referenced reports, that are rated wither a medium or high likelihood to occur:

Earthquake ground shaking – High

Landslides and slope failures – High

Problem soil and rock – High

Shallow groundwater - Medium

Mitigation recommendations are outlined in the geologic hazard report submitted to the County. The developer will be required to supply a letter from the geologist and geotechnical engineer, after the roads are built, that verifies that the roads were built to the recommendations in the reports.

There are several streams mapped on the property that the developer has not shown on the preliminary plan. The developer will be required to show the streams and their 50 foot setback from the high water mark on the final plat.



Standards: Per LUC § 106-1-8.20, the developer will be required to define buildable areas on each lot that has slopes of 25% or greater. These buildable areas are required to be shown on a final plat, before consideration of final plat approval by the Planning Commission.

Review Agencies: To date, the proposed subdivision has been reviewed by the Planning Division. Per Weber County LUC 106-1-5.20 **“Agency review.** *The Planning Division shall distribute copies of the preliminary plan to other county divisions or departments, or other non-county agencies or organizations, as authorized by State Law that it deems necessary to ensure thorough review of the proposed plan. The reviewing agencies shall have 30 days to review the preliminary plans and return applicable information and recommendations to the planning division.*”

This project has not yet been reviewed by Weber County Engineering, Weber Fire District, nor Weber County Surveyor’s Office. The Weber County Surveyor typically begins their review process with a proposed final plat. Per Weber County LUC 106-1-5.30 *“After the applicable staff and agency reviews, the preliminary plan/plat, including the phasing plan, shall be presented to the Land Use Authority. The Land Use Authority shall review the preliminary plan/plat to verify compliance with applicable ordinances.”* At minimum, all review agency preliminary requirements must be addressed and completed prior to this subdivision being considered for final approval.

Tax Clearance: There are no outstanding tax payments related to these parcels. The 2023 property taxes are not considered due at this time, but will become due in full on November 30, 2023.

Staff Recommendations

Staff recommends that the Planning Commission grant preliminary approval of Osprey Ranch Subdivision Phase 2, based on all review agency requirements and on the following conditions that will need to be met before the Planning Commission considers recommending approval of the final plat:

1. The owner needs to provide a slope analysis, and to show which lots are impacted by 25% slopes or greater so that a buildable area may be defined on lots impacted by 25% slopes or greater.
2. An access to adjacent property to the east of lot 43 shall be provided and shown on the plat between lot 43 and 46.
3. An emergency egress access shall be provided to adjacent properties on the common area above lot 39 and along a portion of the strip of Common Area E that runs adjacent to the main public street in this subdivision.
4. Streams and their associated setbacks will need to be shown on the final subdivision plat.
5. The proposal will need to demonstrate compliance with all other final subdivision plat requirements.

This recommendation is based on the following findings:

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

Exhibits

- A. Application & Narrative
- B. Proposed Plat
- C. Feasibility/Capacity Assessment Letters

Location Map



Exhibit A – Application & Narrative

Osprey Ranch Subdivision Phase 2

[+ Add Follower](#)
[✎ Change Status](#)
[✎ Edit Project](#)

Address: Near 1828 North Shamy Way, Eden, UT, 84310
Maps: [County Map](#), [Google Maps](#)
Project Type: Subdivisions
Sub Type: Subdivisions
Created By: [Taylor Lewis](#)
Created On: 2/13/2023

Project Status: Accepted
Status Date: 3/21/2023
File Number: UVO032123
Project Manager: [Tammy Aydelotte](#)

[Application](#)
[Documents 8](#)
[Comments 3](#)
[Reviews 0](#)
[Followers 6](#)
[History](#)
[Reminder 0](#)
[Payments 0](#)

[Area Fees](#)

Documents

[+ Add Document](#)
[Print](#)

List of project documents. Review documents can be found under the Review tab.

Document Name	Date Uploaded	Options
Annexation Plat		
Application		
Attestation		
Cost Estimate		
Culinary Water Will-Serve		
Revision Nordic Water Letter.pdf	3/8/2023	Download Remove Edit
Engineered Plans		
Revision Osprey Ranch PH2 Preliminary Design 3-7-23.pdf	3/7/2023	Download Remove Edit
Final Recorded Plat		
Geologic Hazards Evaluation		
Geotechnical Evaluation		
Notice of Decision		
Open Space Preservation Plan		
Other		
Revision DDW-2022-007019.pdf	3/9/2023	Download Remove Edit
Preapplication Meeting Notes		
Original osprey ph2 pre-app meeting notes.pdf	2/28/2023	Download Remove Edit
Proposed Final Plat		
Proposed Preliminary Plan		
Revision Osprey Ranch PH2 Preliminary 3-7-23 Plat.pdf	3/7/2023	Download Remove Edit
Public Street Connectivity Plan		
Original Connectivity plan.pdf	2/28/2023	Download Remove Edit
Response to Review Agencies		
Secondary Water Will-Serve		
Septic Feasibility		
Sewer Will-Serve		
Revision Osprey Sewer Can_Will Serve.pdf	3/8/2023	Download Remove Edit
Staff Report		
Time Extension		
Title Report		
Original TitleCommitment - Partner[1].pdf	2/28/2023	Download Remove Edit

Osprey Ranch
Subdivision Application
June 2022

Project Narrative

Osprey Ranch is a single family homesite project located in Eden, UT. The property is in the Forest Valley Zone (FV-3), consists of 566.97 acres with 61 lots. The homesites range in size from 3.19 to 18.74 acres. The project contains 43.02 acres of common area open space with a trail system. The property will be developed in two phases with the first phase consisting of 31 lots on 283.72 acres.

Density on the property was determined by using the net developable acreage of 458.64 which translates into 152 entitlements in the FV-3 zone. Osprey Ranch will use 61 units for the project and the remaining balance of the entitlements will be allocated for future Transfer of Density Rights (TDR).

Project Density Calculation

Total Property - 566.97 acres
Roadway - 30.06 acres
Slopes Over 40% - 62.12
Sensitive Lands Stream Corridor - 16.15 acres
Net Developable Acreage - 458.64 acres
Forest Valley Zone (FV-3) requires three acre minimum
Entitlements - $458.64 / 3 = 152.88$ or 152 units

A community trail system will be an amenity to the project. For public benefit, an asphalt pathway will be constructed through the project connecting Hwy 158 to the Nordic Valley neighborhood. Soft trails will provide access to the Forest Service property located south of Osprey and will be privately owned with public access allowed. The site plan includes nearly four miles of both hard and soft trails.

Gardner Engineering prepared the civil design. The geotechnical study was done by Christensen Geotechnical, while Western Geologic evaluated potential geologic hazards.

The project contains over four miles of public roadways and will have no grades above 12%. The Fire Marshal from the Weber Fire District has reviewed the road design layout.

Osprey Ranch will be governed by a Homeowners Association (HOA), Covenants, Conditions and Restrictions (CC&Rs) and Building Design Guidelines. Nightly rentals are not permitted.

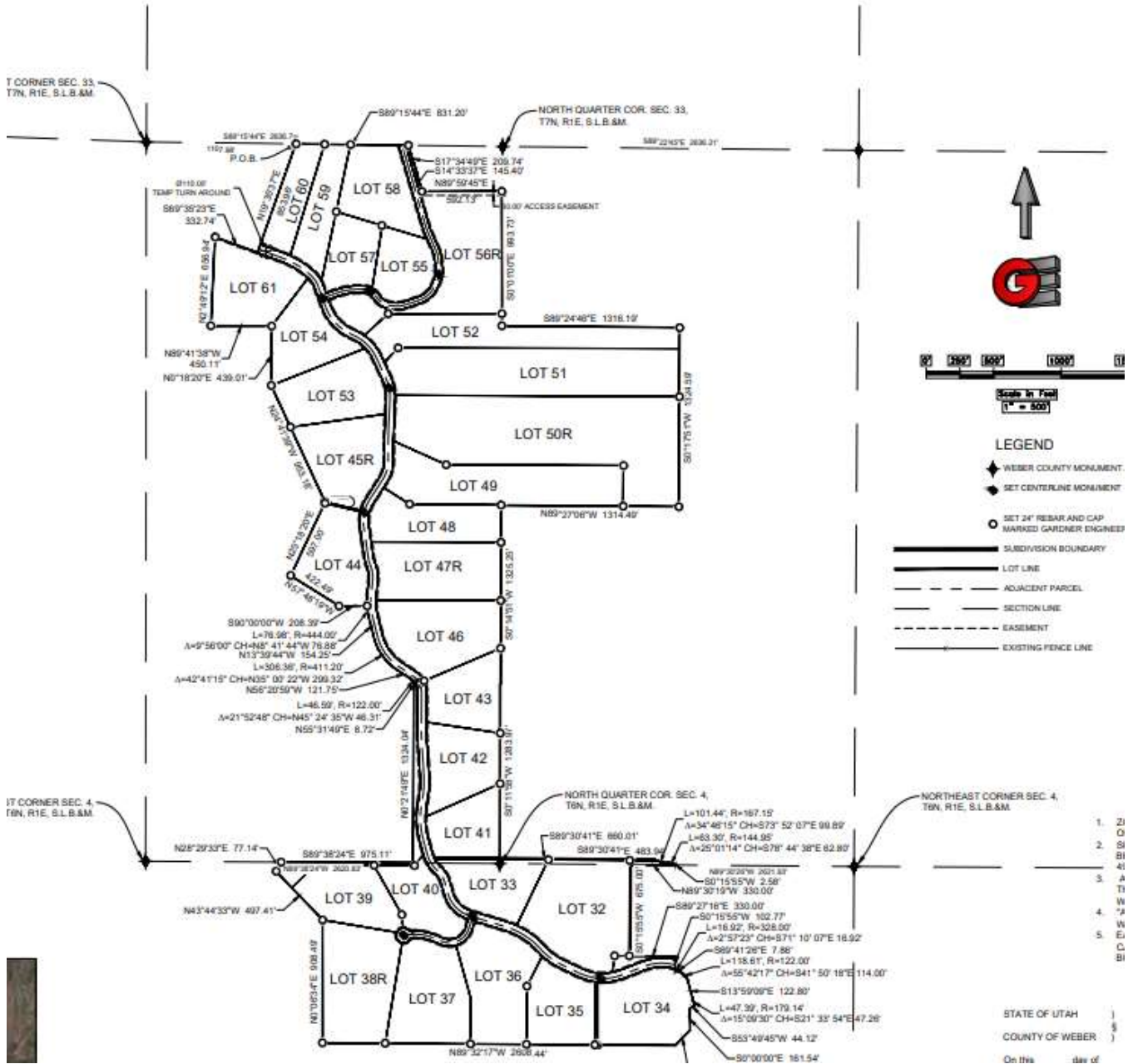
Nordic Mountain Water will provide water to the project. A new Membrane Bioreactor (MBR) facility will treat the wastewater. Weber County will act as the body politic over the sewer district. A Preliminary Engineering Report prepared by Aqua Engineering for the MBR has received conceptual approval from the Utah Department of Environmental Quality (DEQ).

Osprey Ranch will have a subdivision entry monument. Any lighting will be dark sky compliant and the Ogden Valley Sign Land Use code requirements will be followed. A temporary project management trailer will be on site for the duration of the construction.

Exhibit B - Proposed Plat

OSPREY RANCH SUBDIVISION PHASE 2

LOCATED IN SECTION 33 TOWNSHIP 7 NORTH RANGE 1 EAST AND THE NORTH HALF OF SECTION 4 OF TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH, MARCH 202



Scale in Feet
1" = 500'

LEGEND

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

1. ZI
2. SI
3. A
4. W
5. E
6. BI

STATE OF UTAH)
 COUNTY OF WEBER)
 On this day of

Exhibit C – Capacity Assessment/Feasibility Letters

Nordic Mountain Water Inc.

Mr. Shane Dunleavy
Osprey Ranch LLC
65 10-acre Single Family Home Sites
Liberty, Utah

Ref: Reservation of Service Agreement

May 10, 2021

Nordic Mountain Water Inc. (NMWI) agrees to provide culinary water service to the Osprey Ranch Subdivision, a subdivision containing 65 Single Family Home Sites hereafter referred to as lots, under the following Terms and Conditions:

1. A 10% non-refundable deposit is required on the total number of metered connections rounded to the next whole lot multiplied by the Infrastructure Fee currently in effect.
 - a. Reservation of Service remains valid for one year from date this service agreement is signed by legal representatives of both parties and the full deposit has been made as outlined in this document.
 - b. Outstanding balance is due within one year from date this document is signed or when project is completed – whichever date is earliest.
 - i. Each lot will be assessed our normal monthly fee at time subdivision is completed.
 - ii. Each lot will be assessed a one-time membership fee as required at time subdivision is completed.
2. Options after one year if subdivision is not completed:
 - a. Pay Outstanding balance – each lot will be assessed our normal monthly fee and one-time membership fee.
 - b. Service Agreement is nullified, deposit is forfeited.
 - c. Renew this Reservation of Service Agreement for an additional year at the discretion of NMWI as outlined in paragraph 1 above and at fee rates in effect at time of renewal.
3. Details
 - a. Our current fee rates are:
 - i. Infrastructure fee: \$7,500/lot.
 - ii. One-time membership fee: \$300/lot.
 - iii. Monthly fee for water: \$75/lot for 20,000 gal. Cost increases per 1000 gals above the monthly allotment of 20,000 gal.
 - b. 65 lots at one (1) residential ¾" Connection per lot.
 - c. Total Infrastructure fee is 65 lots X \$7,500/lot = \$487,500.
 - d. Non-refundable deposit due at signing of this document is \$52,500 based on 65 lots X 10% rounded to whole lot multiplied by infrastructure fee/lot.
 - e. Deposit(s) are credited towards the original balance identified in 3c.
 - f. Final payment of original balance (3c) less deposit(s) is due not later than one year from date this agreement is signed or upon completion of subdivision – whichever date is earliest.
 - g. Monthly water fee charge per lot at completion:
 - i. Each lot will be assessed a monthly fee and water allocation in effect at date of completion (3a.iii).
 - ii. Each lot will be assessed a one-time membership fee, at the current rate in effect at date of completion as required by NMWI for water service (3a.ii)

4. General Restrictions:

- a. No Home Owner's Association (HOA) organized by Osprey Ranch Subdivision or its residents can include any culinary water provided by NMWI.
- b. No extensions to the water system developed for the Osprey Ranch Subdivision that includes water provided by NMWI will be allowed beyond the initial 65 lots.
- c. Osprey Ranch Subdivision cannot resale, manage, restrict, or charge any additional fees for water provided by NMWI under any circumstance.
- d. All water provided by NMWI shall be used for culinary purposes only. Minimal residential landscape watering will be allowed up to 5000 sq. feet until such time as secondary water may become available.

5. Costs to the Developer

- a. Developer pays all costs including required modifications to existing NMWI infrastructure necessary to provide NMWI water to the Osprey Ranch Subdivision as identified by NMWI or its approved agent.
- b. Necessary modifications to existing NMWI infrastructure as well as all water line extension design and associated construction is subject to the following:
 - i. Must meet all State, County, and County Fire District Specifications and Requirements
 - ii. Must meet Water System Specifications as provided by NMWI and agreed upon, by signed agreement, at a pre-construction meeting.
 - iii. All Waterline construction must be inspected and approved by NMWI or its identified Agent during all water system construction and/or modifications at the expense of the developer. Frequency of inspection will be determined during the pre-construction meeting and/or as specified in NMWI Standards and Specifications document.
 - iv. NMWI will take possession of new and modified portion of the water system at time of completion and Developer will warranty the full installation and modifications for a period of at least 1 year from completion date at discretion of NMWI.

6. NMWI uses a gravity-flow distributions system. Since an engineering study has not been completed for the proposed subdivision, NMWI will not guarantee adequate water pressure.

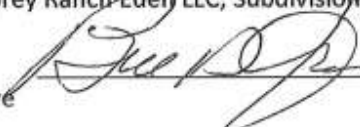
7. This agreement is subject to change contingent upon legal review by an NMWI legal representative.

If these conditions are acceptable, please submit the appropriate deposit and sign this agreement. If you have any questions, please feel free to contact Bill Green at (801)791-3976 anytime or through our NMWI office. This unsigned document remains valid for 7 days from original document date.

Sincerely,

Bill D. Green
President
Board of Directors
Nordic Mountain Water, Inc.

Agreement of Terms:  Date: 5/10/21
Shane Dunleavy, Osprey Ranch Eden LLC, Subdivision Developer

Signature Date:  Date: 5/10/2021
NMWI Representative



June 24, 2022

Weber County

RE: Wolf Creek Water and Sewer Improvement District Sewer services to Osprey Ranch 61 units, Cobabe Ranch 104 units and Eden Crossing 35 units - 200 Units Total

To whom it may concern,

This letter confirms that Wolf Creek Water and Sewer Improvement District has reviewed the capacity of its sewage treatment facilities, and determined it will provide sewer services to the above referenced developments. This Can and Will Serve commitment applies to the above developments only and is non-transferable. This can and will serve letter applies only to sewer services and no other services of District. It is offered subject to the terms of the Eden Sewer Service Area Agreement dated June 24, 2022 between the District and Osprey Ranch LLC, Cobabe Ranch LLC, Eden Crossing LLC, Wolf Creek Resort Holdings, LLC & Watts Enterprises, Inc.

- Sewer services are delivered through connection to the main sewer lines of the District, leading to the Willow Brook Lane MBR Wastewater Treatment Plant and disposal system. Point of connection to be approved by the District.
- Service is subject to scheduled maintenance and construction, power failures, natural disasters, and unforeseen circumstances.
- Sewer services will be provided in accordance with applicable federal, state, and local statutes, laws, rules, regulations, ordinances, and standards.

Sewer services are subject to and contingent on the following:

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

As recipient of said service, you agree to the above terms and to the terms set forth in the Wolf Creek Water and Sewer Improvement District policies and procedures as those policies may change from time to time.

If you have any questions regarding the contents of this letter, please contact the office at (801) 745-3435.

Wolf Creek Water and Sewer Improvement District

E. Miranda Menzies
E. Miranda Menzies, Chair of Board of Trustees

Date: 6/24/22