



## OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

### PLANNING MEETING AGENDA

October 28, 2014  
5:00 p.m.

*Pledge of Allegiance*

*Roll Call:*

1. Presentation
- 1.1. Report on Community Input for Future Development of Wolf Creek – Gary and Jan Fullmer
2. Petitions, Applications and Public Hearings
- 2.1. Administrative Items
  - a. New Business:
    1. Approval of a Conditional Use Permit for an accessory apartment located at 3778 North Willowbrook Lane, Eden, UT – Rachel Nielsen, Applicant
- 2.2. Legislative Items
  - a. New Business:
    1. ZMA 2014-01 Consideration and action on Zoning Petition ZMA #2014-01 by Summit Mountain Holding Group L.L.C. to rezone approximately 6,160 acres, at Powder Mountain Resort, from Commercial Valley Resort (CVR-1), Forest Valley-3 (FV-3), and Forest-40 (F-40) to the Ogden Valley Destination and Recreation Resort Zone (DRR-1) - Summit Mountain Holding group L.L.C. Applicant (Paul Strange, Summit Mountain Holding group, Eric Langvardt, Land Planning and Design, Langvardt Design Group – SLC, Utah; and Ray Bertoldi, Bertoldi Architects, Representatives)
3. Public Comment for Items not on the Agenda
4. Remarks from Planning Commissioners
5. Report of the Planning Director
6. Remarks from Legal Counsel
7. Adjourn to a Work Session

#### Work Session

- WS1. Ordinance Amendment Work Plan – Charles Ewert

*The meeting will be held in the Weber County Commission Chambers, Weber Center, 2380 Washington Blvd., Ogden UT  
A pre-meeting will be held at 4:30 p.m. in Room 108. No decisions are made at this meeting.*



*(In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission 24 hours in advance of the meeting at 801-399-8791)*

# MEMO

**TO:** Ogden Valley Planning Commission

**FROM:** Gary Fullmer, Jan Fullmer  
Full time residents  
The Highlands at Wolf Creek, Eden Utah

**DATE:** October 13, 2014

**SUBJECT:** Report on Community Input for the Future Development of Wolf Creek Resort

At the June 3, 2014 Ogden Valley (OV) Planning Commission Meeting, the Commission denied a request to amend the 2002 Wolf Creek Zoning Development Agreement. Based on the recommendations of three professional community planners, the Commission indicated it would be best to first complete a Wolf Creek Master Development Plan which should contain input from the surrounding communities.

The attached report provides the OV Planning Commission with the outcome of multiple meetings with communities within and surrounding Wolf Creek Resort on collecting input for future Wolf Creek development. This input also contains ideas from the related developers who were very receptive to the community input.

We are available to meet with the Commission should there be any questions on the report.



**Report for The  
Ogden Valley Planning Commission**

**Community Input  
For  
Future Development of Wolf Creek  
Resort**

October, 2014

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## 1. Introduction & Background

Weber County Planning approved a very specific number of development units for the Wolf Creek Resort community in 2002 (2002 Wolf Creek Zoning Development Agreement). Many of the development units were granted based on completion of a final Wolf Creek Resort Master Development Plan which would promote clustered development to preserve open space for the Wolf Creek Resort community. However, a final Wolf Creek Resort Master Development Plan was never completed. Development units were only assigned to specific parcels as the different sections/communities of Wolf Creek Resort were ready for planning and development.

Wolf Creek Resort entered Chapter 11 and then full bankruptcy with a public auction to liquidate all assets in June, 2012. At the public bankruptcy auction, five (5) entities obtained many of the Wolf Creek land parcels, most of which were not yet developed. At the time of the auction, it was assumed that approximately 492 remaining development units approved by Weber County Planning for Wolf Creek Resort were not yet assigned to specific Wolf Creek Resort parcels.

The five (5) entities who obtained many of the Wolf Creek parcels at the bankruptcy auction requested to amend the 2002 Wolf Creek Zoning Development Agreement to assign the remaining 492 development units to the parcels they obtained in the bankruptcy auction. The request to amend this agreement was submitted to the Ogden Valley (OV) Planning Commission on June 3, 2014, and after a lengthy discussion the OV Planning Commission voted 6 – 0 to deny the request.

Based on the recommendations of the professional community planners present at the June 3, 2014 OV Planning Commission meeting, it was determined best to first complete a Wolf Creek Resort Master Development Plan, with input from the related communities, before making any changes to the number and assignment of development units.

Two volunteers from the Ogden Valley GEM (Growth with an Excellence Mandate) committee agreed to take on the task of soliciting input from multiple communities within and surrounding the Wolf Creek Resort area. While this task was not an official GEM project, the GEM committee offered to provide mentoring to help determine the process used and to ensure objectivity in the collection of community input.

## 2. The Process

Fourteen (14) communities within and surrounding Wolf Creek Resort were identified and leaders for each community (usually the President of the related Home Owners Association (HOA)) were contacted to explain the outcome of the June 3, 2014 OV Planning Commission meeting. These community leaders were asked to attend an initial meeting on July 8, 2014 to solicit their help in obtaining feedback from their respective communities on future development of Wolf Creek Resort. Sign-in sheets for this July 8, 2014 meeting are provided in Appendix A for review to validate meeting attendance.

The fourteen (14) communities contacted were the following:

- Wolf Ridge
- Fairway Oaks
- Trappers Ridge
- The Fairways
- Patio Springs
- The Highlands
- Wolf Star
- Eagles Ridge
- Moose Hollow & Cascades
- Elkhorn
- Eden Hills
- Wolf Lodge
- WorldMark by Wyndham
- Powder Mountain Road Communities

A brief presentation was delivered to the community leaders at the July 8, 2014 meeting and to pose several questions on Wolf Creek development to provide a starting point for the leaders to collect input from their respective communities.

The questions on Wolf Creek development posed at the July 8, 2014 meeting were the following:

- Should clustered development continue to be implemented to retain as much open space as possible?
- Is it desirable to retain and maintain the current Wolf Creek Golf Course? Is there a need and benefit from having another golf course developed?
- Should community recreation areas be considered, e.g., parks, picnic areas, soccer fields, outdoor concert areas, related parking areas, etc.?
- Should biking and hiking trails be continued through all the communities developed?
- Should there be some commercial areas to provide local shopping, restaurants, etc.?
- Should consideration be given to a commercial transportation hub to support the projected development and travel to Powder Mountain?

## Report on Wolf Creek Resort Future Development for Ogden Valley Planning Commission

- Will additional new roads or improvements to existing roads be required to handle increased development?
- Should there be requirements for emergency preparedness?
- Should wildlife conservation be considered?
- Should impact to schools be considered?

The community leaders were requested to return their initial feedback by July 25, 2014. A second meeting was held with the community leaders on July 29, 2014 to collectively review all the input received on future development of Wolf Creek (sign-in sheets for this meeting are also provided in Appendix A for review to validate meeting attendance). The communities providing feedback were the following:

- |                        |                           |
|------------------------|---------------------------|
| • Fairway Oaks         | • Moose Hollow & Cascades |
| • Trappers Ridge       | • Elkhorn                 |
| • The Fairways         | • Eden Hills              |
| • The Highlands        | • Powder Mountain Road    |
| • Eagles Ridge         | Communities               |
| • WorldMark by Wyndham | • Wolf Ridge              |

The next step in the process involved having a large community meeting on September 17, 2014 in Wolf Creek Pineview Lodge. However, approximately 2 weeks prior to this meeting Weber County Planning discovered that there were **NOT** 492 development units remaining to be assigned to undeveloped Wolf Creek parcels. After multiple re-reviews of all the numbers in the 2002 Wolf Creek Zoning Development Agreement, it was determined that there were 0 (zero) remaining units to be allocated to Wolf Creek Resort.

Approximately 200 individuals attended the September 17 meeting and the sign-in sheets for this meeting are also included in Appendix A. Meeting attendees included members of the surrounding communities as well as future developers of Wolf Creek Resort. All the input received to date was reviewed with the meeting attendees as well as providing multiple, large maps of Wolf Creek Resort showing related parcels and zoning. A large map was also provided by Langvardt Design which proposed a "picture" of a future Wolf Creek Resort land use plan with many of the amenities requested by the communities. All the maps presented at the September 17 meeting are available as PDFs on the following web page:

[http://www.co.weber.ut.us/mediawiki/index.php/Wolf\\_Creek\\_Resort\\_Community\\_Input\\_to\\_Future\\_Development\\_Information](http://www.co.weber.ut.us/mediawiki/index.php/Wolf_Creek_Resort_Community_Input_to_Future_Development_Information)



## Report on Wolf Creek Resort Future Development for Ogden Valley Planning Commission

Please note that since these maps are very large and detailed, they are very difficult to navigate on PC screens. Large, paper copies of each map will be provided for the Ogden Valley Planning Commission.

At the September 17 community meeting, there were verbal commitments made by representatives of several entities now owning undeveloped Wolf Creek parcels. Specifically, these commitments were:

- Eden Valley Development LLC (Eagles Landing community) – The representative indicated that Eagles Landing did not require any additional development units and committed to retain the area previously allocated as open space for 9 holes of a second Wolf Creek golf course as open space to potentially be used for some type of outdoor recreation.
- Summit Mountain Holding Group – The representative from this organization committed to take action on the large parcels of Wolf Creek open space they own to ensure the parcels remain as open space (e.g., conservation easement, agreement with DWS).
- Galt Capital LLC (formerly Capon Capital LLC) – The representative proposed construction of a centrally located community center which would have community meeting rooms and potentially indoor recreation/exercise facilities.

The following section summarizes the community feedback, starting with the questions provided to the community leaders to help them get started. Additional feedback over and above responses to the initial questions was also provided. All the original feedback received from each community as well as from the large community meeting held on September 17, 2014 is provided for review in Appendices B - M.

### 3. Community Input for Future Wolf Creek Development

The following section summarizes all the community input obtained from the meetings held on future Wolf Creek development on July 8, 2014, July 29, 2014 and September 17, 2014.

#### 1. Should clustered development be considered to retain as much open space as possible?

The overwhelming response to this question from the communities was **YES**.

Additional comments relating to this question were the following:

## Report on Wolf Creek Resort Future Development for Ogden Valley Planning Commission

- Take some action to ensure that all existing and future open space remains open space and cannot be rezoned (e.g. via a conservation easement, permanent, non-changeable zoning for open space).
- Establish a density regulation to ensure retention of that "quaint feel" that draws people to Ogden Valley.
- Clustered development is likely the most important factor to prevent Ogden Valley from becoming like existing, over-developed resort areas.
- Clustered development can lessen the impact on natural resources such as water and also support central sewage processing similar to Wolf Creek Water and Sewer.
- Consideration should be given to establishing rental restrictions in clustered development units, e.g., use of 4 wheelers and other unlicensed vehicles on public streets, time frames to noise activities.
- Is it possible to have a limitation on second home owners in clustered/condo developments? Do they really contribute to the community?
- Clustered development is good, but it should not be comprised of all condos and townhomes. There should be a mix of condos, townhomes, single family homes, etc.
- While developers should be encouraged to develop clustered communities, there should **not** be a "density bonus" granted for clustering.
- Transfer of Development Rights (TDRs) should be explored to support clustering.
- Development within and adjacent to Wolf Creek should be capped so as not to exceed the water, sewer and septic capacity of the Wolf Creek Water & Sewer District.
- All future development within Wolf Creek should be in accordance with a Master Plan approved by the Ogden Valley Planning Commission and Weber County Planning to ensure it is a "total planned" community containing community amenities such as parks, play grounds, athletic fields and adequate parking areas.
- If condo/townhome units are planned for a clustered development, there should be height restrictions to ensure they do not block surrounding community views and to also include lighting restrictions to support the current "dark skies" initiative.
- Developers of new clustered communities (where dwelling units are very close together) need to consider incorporating CC&Rs supporting a formal Home Owners Association (HOA) for these communities. There must also be procedures in place to ensure compliance with the CC&Rs to ensure owner unit maintenance and the aesthetics of the community remain intact.

**2. Is it desirable to retain and maintain the current Wolf Creek Golf Course? Is there a need and benefit from having another golf course developed?**

The overwhelming response to this question indicated that there does not appear to be a need for a second golf course within Wolf Creek and that the current golf course should definitely be retained since it is a recreation asset to the entire valley.

Additional comments relating to this question were the following:

- Walking trails should be provided through the communities to the golf course to provide safe walking access.
- The current golf course is a recreation draw (company tournaments, vacationers, etc.) to the valley which helps support local businesses
- It is also important to retain a central "club house", putting greens, driving range, etc.
- Given the current utilization of the current golf course, there does not appear to be any need for a second golf course which would not be an effective use of our limited water resources.
- The land proposed in the original Wolf Creek Development plan for a second golf course should be retained as open space.
- Retaining the current golf course is more than sufficient, and consideration should be given to open up this golf course for Nordic activities in the Winter.
- Consideration should be given to building a tunnel or overpass over Powder Mountain road to provide a safe road crossing by golf carts and people. At the very minimum, at least post reduced speed signs on the road where people and golf carts cross.

**3. Should community recreation areas be considered, e.g., parks, picnic areas, soccer fields, outdoor concert areas, related parking areas, etc.**

The majority of responses definitely favored development of community recreation areas within Wolf Creek. However, there was some opposition voiced on having recreation areas include an outdoor swimming pool.

Additional comments relating to this question were the following:

- Developers have provided community recreation areas throughout Weber County, and Wolf Creek should not be an exception.
- Definitely include community parks which support activities consistent with existing resident activities.
- A centrally located Wolf Creek community center should be included to provide community meeting rooms and some types of indoor recreation/exercise activities.

## Report on Wolf Creek Resort Future Development for Ogden Valley Planning Commission

- Community recreation areas are a definite YES. These areas will support young families and individuals with active life styles, and without these areas, the livability of our communities is reduced.
- Recreation areas should include outdoor concert/amphitheater areas, community gathering/picnic areas, farmers markets and possibly a local rodeo area.
- There should be recreation areas that can be used year round, e.g., swimming/lap pool, workout areas, racquet ball; a community center supporting these activities in the center of the Wolf Creek Resort area should be considered and have it be open to all residents in the valley; the community center should also consider supporting children's activities, indoor/outdoor pool, art/craft shows, and weddings/receptions.
- Any new recreation areas need to have adequate parking.
- Could a small parcel of land on Pineview be purchased as a future Wolf Creek owners club/boat house? A lake front Wolf Creek owner's club house could feature fire pit, grills, beach, docks, canoe/kayak, etc.
- The golf course property for Eagles Landing should remain part of the open space area for Wolf Creek and potentially be developed as a park.

### **4. Should biking and hiking trails be continued through all the communities developed?**

The overwhelming response to this question was **YES**. Additional comments relating to this question were the following:

- More trails (biking, hiking, walking, running) need to be included to connect all communities to each other and also to some type of "heart" of the resort like a community center. The community trails should also be designed to connect to the Weber Pathways trails.
- Biking and hiking trails attract healthy people of all ages, and are a low environmental, lighting and noise impact to communities.
- Developing a master plan of trail networks is highly recommended; have these trails tie in with trails to Liberty/North Fork and with the trail around Pineview.
- There definitely needs to be biking/walking trails from the Wolf Creek communities down to the Valley Market intersection. Bikers and walkers (including children) are now using SR 158 which creates some serious safety issues.

### **5. Should there be some commercial areas to provide local shopping, restaurants, etc.?**

While the majority of responses definitely supported some additional commercial facilities provided by local businesses, the development of

## Report on Wolf Creek Resort Future Development for Ogden Valley Planning Commission

these facilities should be completed based on need and market viability to ensure success.

Additional comments relating to this question were the following:

- There seems to be a well suited commercial area on the valley floor.
- Franchise food options, large franchise commercial operations of any type and big box stores are not wanted; undesirable commercial signs and lighting would appear.
- Local or unique one of a kind businesses are favored and encouraged as the demographics permit; an Asian restaurant was recommended.
- A mini lakeside (on Pineview) commercial area was recommended, done with taste and planning (and sufficient parking) --- having a seasonal restaurant available all day and providing a boat pier so the facilities could be easily accessed by boaters.
- The commercial areas should also be clustered and not just developed willy-nilly where the land is cheaper.
- New shopping and new restaurants in current commercial zones would be welcomed, especially restaurants.
- Commercial areas should be developed within reason and with an aesthetic oversight; caution on overbuilding commercial areas to avoid far exceeding demand which would lead to business failures.
- A wine/liquor store would be nice (does not have to be a full size DACB store as found in Ogden).
- There were opposing views on hotel/day lodging facilities. Some indicated it is best for hotel/day lodging facilities to be built near or directly in the ski areas and others indicated that a destination hotel is needed within the valley (in or near Wolf Creek).
- The best place for additional commercial area would be along Powder Mountain Road (SR 158).
- Encourage retail business investments (possible through tax incentives?) to provide services for local residents as well as visitors – absolutely no large franchise food services.
- It may be better to develop additional commercial areas in the Eden square area in lieu of within the Wolf Creek area.
- In terms of new restaurants, how about a wine bar/après ski/coffee bar/bakery?

### **6. Should consideration be given to a commercial transportation hub to support the projected development and travel to Powder Mountain?**

With the exception of one community responding to this question, the majority of communities responding were in favor of a transportation hub. However, in addition to supporting travel to Powder Mountain, some communities voiced a larger perspective for public transportation throughout the valley to support all valley residents and seasonal recreation areas.



Additional comments relating to this question were the following:

- Close the Powder Mountain road after the last residential home and allow only Powder Mountain residents and their guests to use the road to encourage use of a shuttle system.
- Any commercial transportation hub should be developed in conjunction with UTA so public transportation in/out of the valley can be included and coordinated with all valley recreation areas. More bus/shuttle stops should be designated.
- For transportation to Powder Mountain, expansion of the current parking area across from the Eden Post Office should be considered.
- Regarding a transportation hub to support Powder Mountain, strong opposition to locating this hub by the Wolf barn area was noted.
- If the primary objective of a transportation hub is to support transit to Powder Mountain, then it should be built and maintained by land owned by Powder Mountain. It should also be located in an area that minimizes traffic impact to local communities. Another option would be to consider using the Forest Service's port ramp facility for the winter skier traffic.
- If a transportation hub is created, it should be located away from residential communities, in a commercial area.
- If Powder Mountain grows as planned, this type of hub is a must for just safety reasons. The Powder Mountain road is dangerous.

### **7. Will additional new roads or improvements to existing roads be required to handle increased development?**

The majority of the responses indicated that a few more roads would be required depending on the density of units. The primary reason for the additional roads was for safety, since the densest areas in Wolf Creek have only one major exit road which is Powder Mountain road (SR 158).

Additional comments relating to this question were the following:

- Practical but limited road expansion is supported. For example, the connection from the lower part of the Powder Mountain road, meandering NE to meet up the road that comes down from Elkhorn, providing a loop to the Highlands/Trappers and other hillside neighborhoods, seems to make much sense, and will reduce overall Powder Mountain road (SR 158) traffic. This should be better for the increased foot traffic along both sides of that road for residents and golfers.
- Completion of the North Ogden Divide road connection to the Powder Mountain road (SR 158). This too would reduce traffic on the lower part of Powder Mountain road and at the 4 way stop.

## Report on Wolf Creek Resort Future Development for Ogden Valley Planning Commission

- Yes, a few more roads will be required, especially for evacuation in the event of fire, emergency or natural disaster.
- The current infrastructure cannot handle a significant expansion of residents. The roads will have to add capacity. Traffic on big snow days (skiing), traffic to the lake in the summer, and during festivals in the valley becomes extremely congested.
- This is important to minimize the amount of additional traffic in existing neighborhoods. Roads should be required to provide access to new developments that do not go through existing neighborhoods wherever possible to minimize traffic in existing areas and protect the residents of the existing neighborhoods. Construction equipment should access the development sites via the new roads so that the heavy equipment does not go through existing residential areas.
- One community did not support the development of an additional road that would run from Powder Mountain road (SR 158) through their community.
- Before any additional roads are constructed, traffic studies should be conducted.
- It would be beneficial to have a road completed that connects Liberty and Powder Mountain road (SR 158).

### 8. Should there be requirements for emergency preparedness?

The overwhelming response to this question was **YES**. However, some community responses indicated they did not know what emergency preparedness plans were in place.

Additional comments relating to this question were the following:

- CERT (Community Emergency Response Team) facilities should be a priority throughout the entire valley since the valley is so isolated and not likely to get any immediate help from the Wasatch front in the event of a disaster.
- This is a no brainer. It is frightening to think if this has not been planned to be addressed.
- Definitely needed. Perhaps all home owners should contribute to the establishment and maintenance fees associated for containers for the emergency supplies (generators, medical supplies, etc.).
- Developers of new communities should be responsible for building easily accessible emergency sheds/containers that contain supplies in the event of an emergency/disaster.
- Yes, absolutely, especially since we are a "resort" community and we have a fair number of individuals that are here seasonally. They aren't in the position to appropriately plan for this. Additionally, we are geographically isolated and feel that our area would be put at the bottom of the list for Weber County support services in the event of a disaster.

## Report on Wolf Creek Resort Future Development for Ogden Valley Planning Commission

- We do not know what emergency plans or supplies are currently available in the valley. If there are CERT storage containers/sheds, where are they located?

### 9. Should wildlife conservation be considered?

The majority of responses to this question definitely wanted wildlife conservation, protection and management. This needs to be considered in future development planning to ensure protection of all wildlife areas.

Additional comments relating to this question were the following:

- Development should not be allowed in wildlife corridors, riparian areas and parcels zoned as open space.
- All existing open space must be retained to provide habitat for existing wildlife. Residents also need to be educated and restricted from feeding wildlife so they are able to survive in the wild as well.
- We have a considerable amount of wildlife in our communities and should think about offering a refuge area for wildlife during the winter months.
- We love the wildlife in our area and would not want the wildlife to be driven out due to more and more housing.
- Wildlife preservation is equally important as dark skies preservation since both are critical assets to Ogden Valley.

### 10. Should impact to schools be considered?

Responses were mixed on this question since most communities did not have a handle on current capacity versus utilization of Ogden Valley schools and several communities had a majority of secondary (not primary) homes.

Additional comments relating to this question were the following:

- There is currently some impact to the valley since there is no high school in Ogden Valley. Perhaps as growth continues, a high school or combined junior high/high school could be created.
- Schools need to be developed and sized depending on the population need. Is anyone currently looking at this? Can a portion of the taxes generated from secondary homes in Ogden Valley be dedicated to new schools?

#### 4. Miscellaneous Community Input

The following comments were provided by several communities. The majority of these comments were not so much related to the future development of Wolf Creek, but rather to concerns for development throughout Ogden Valley.

- Replace the four way stop at Valley Market corner with a well-designed traffic circle. This should reduce congestion as the inevitable traffic increase occurs. As long as possible avoid adding any traffic lights.
- Do not permit the Ogden Valley Land Trust to sell or develop any property they own for other than wildlife preservation or agricultural use unless approved by election of the Ogden Valley residents and not Weber County as a whole. Their charter is to preserve land, not develop it.
- All new developments should be required to place a fee into trust for each of the developments future full occupancy utility improvement cost. If adding 500 residents to a condo complex, then the cost for water, sewage, etc., should be borne by the developer and passed on to the buyers.
- It is very important to retain the night sky visible throughout the valley. All future development needs to comply with dark sky standards for lighting.
- There is considerable concern about Emergency plans for the valley. What is the county going to do to assist in taking care of emergencies in this area? Are they prepared to provide us with the supplies and resources to help hundreds or thousands of people that will not be prepared (e.g., recreation visitors to the valley).
- Sensible, smart solutions to the discovery, use and treatment of water, to include marginal reserves for periodic dry spells; landscape and usage standards to preserve water; and a priority placed on waste water treatment facilities PRIOR to massive new development.
- Allowable density of residential and retail developments, if reasonable requirements are in place to include green spaces, recreational amenities, sight-lines that preserve views, and some common architectural standards, to include signage, hardscape and landscape features.
- Protect local agriculture and don't impair its viability. These original inhabitants helped to create the pastoral beauty that we all enjoy. If worked at, we can all be good friends and neighbors.
- Expand residential security. Increased growth brings increased need for police patrol and presence. County Sheriff should anticipate and expand

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regular patrol as needed (especially during increased construction periods).

- The County needs to be pressed to maintain high inspection standards of construction before releasing bonds for buildings and infrastructure.
- Severely restrict light pollution.
- A review and possible changes made to sign ordinances in the Eden and Wolf Creek area would be in order. Or, if there are regulations regarding signs, they need to be enforced. There are far too many "sandwich boards", flags, posters, etc. around the communities that do not promote a quality appearance.
- One blanket HOA for all of Wolf Creek should be maintained.
- The developers should not be called the "stakeholders" in these discussions; they should be called Developers and the term "stakeholders" should be inclusive of the Developers and the property/home-owners within Wolf Creek.
- A comprehensive review of the use of Pineview Reservoir needs to be made. Current usage levels seem unsustainable. Parking and maintenance needs to be addressed. Trash removal is a serious issue.
- There has been discussion of TDRs (Transfer of Development Rights) and PDRs (Purchase of Development Rights) and it would be helpful to understand how these work.

### 5. Next Steps

There are several facts to note regarding Wolf Creek Resort. First, there was never an approved development plan completed for Wolf Creek Resort showing all the communities, roads, types of residential units, recreation facilities, walking trails, etc. Second, the 2002 Wolf Creek Zoning Development Agreement is not a plan, but rather an agreement granted by Weber County on the number of development units and zoning approved for Wolf Creek Resort.

At the June 3, 2013 Ogden Valley Planning Commission meeting, each of the Weber County Planners was asked, as a professional community planner, what they thought the next step should be before allocating or changing any of the development units granted to Wolf Creek Resort in the 2002 Wolf Creek Zoning Development Agreement. All planners indicated that it would be best to first complete a Wolf Creek Resort Master Development Plan before proceeding with any changes to development units.



## Report on Wolf Creek Resort Future Development for Ogden Valley Planning Commission

The Ogden Valley Planning Commission also recommended that community input be solicited for the future development of Wolf Creek since the communities are stakeholders just as much as the developers. There was very much a spirit of cooperation between the communities and the developers in collecting this input since the majority of the input provided by the communities for the future development of Wolf Creek was incorporated into a large, Wolf Creek Resort proposed land use map created by Langvardt Design. This land use map would be an excellent starting point to complete a Wolf Creek Master Development Plan which incorporates clustered community requirements as noted in a Weber County ordinance for Cluster Subdivisions which is currently under development.

The master development plan should include, but not be limited to, a north arrow and scale, Wolf Creek and subdivision boundaries, locations of proposed streets, layout of residential and commercial lots (with approximate area calculations), common areas and/or open space parcels (with approximate area calculations), easements, waterways, suspected wetlands, flood plan, existing structures, contour lines, community centers, recreation areas, walking trails, etc. There should also be a requirement for each developer of a residential community within Wolf Creek to create a Home Owners Association (HOA) for their related communities to provide community governance, especially for any open space or common areas.

Since the June 3, 2014 Ogden Valley Planning Commission Meeting, ownership has changed on the major undeveloped parcels within the original five (5) entities who requested amending the 2002 Wolf Creek Zoning Development Agreement. At present, there are 6 (six) major owners of the Wolf Creek undeveloped parcels:

- America First Federal Credit Union
- Galt Capital LLC (formerly Capon Capital)
- Summit Mountain Holding Group LLC
- KRK Wolf Creek, LLC (only a smaller, undeveloped parcel zoned CV - 2)
- Eden Village, LLC (Trappers Ridge, The Fairways)
- Eden Valley Development LLC (Eagles Landing)

It is hoped that the above entities will work together to develop a comprehensive Wolf Creek Master Development Plan which incorporates the input from local communities before any changes are made with Wolf Creek development units.

## 6. Acknowledgements

There is a great deal of thanks that needs to be extended to individuals and organizations for their support on this community initiative on the future of Wolf Creek Resort development. Specifically, thank you to:

- Commissioner Matthew G. Bell for his support and encouragement to solicit community input and for his attendance at the September 17, 2014 community meeting.
- Sean Wilkinson, Weber County Planning Director, and his entire staff for all their help with the reviews of the 2002 Wolf Creek Zoning Development Agreement, validating zoning on all the Wolf Creek parcels and creating a web page to post all the information presented at the community meetings.
- James Quarles, head of the Weber County IT department, and his staff for their assistance in creating all the maps for the community meetings.
- Summit Mountain Holding Group for their financial support to cover the cost of the custom maps developed, the community meeting road signs and the use of their facilities for several of the community meetings.
- To the community leaders, members of all the communities attending meetings, and to the related developers for working together with the communities to provide all the input that needs to be considered for completion of a Wolf Creek Master Development Plan.

## **APPENDIX A: Community Meeting Sign-in Sheets**

The following pages in the paper version of this report contain copies of the sign-in sheets which validate attendance at the related meetings held on July 8, 2014, July 29, 2014 and September 17, 2014 to solicit community input on the future development of Wolf Creek Resort. Given the volume of these meeting sign-in sheets and the fact that they contain personal contact information for the meeting attendees, these are being provided to the Weber County Planning Commission and will not be posted on any web page.

## **APPENDICES B – M: Community Input on Future Wolf Creek Development**

These appendices contain the actual input from each of the communities contacted to provide input on the future of Wolf Creek development. Given the volume of information in these appendices, they were uploaded to a web page developed by Weber County Planning for this Wolf Creek community project. The name of each community is contained within the related link on the following web page:

[http://www.co.weber.ut.us/mediawiki/index.php/Wolf\\_Creek\\_Resort\\_Community\\_Input\\_to\\_Future\\_Development\\_Information](http://www.co.weber.ut.us/mediawiki/index.php/Wolf_Creek_Resort_Community_Input_to_Future_Development_Information)

All other information provided to and solicited from these communities can also be found as separate links on the above web page.



## Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Approval of a Conditional Use Permit for an accessory apartment located at 3778 North Willowbrook Lane Eden, UT

**Agenda Date:** Tuesday, October 28, 2014

**Applicant:** Rachel Nielsen

**File Number:** CUP# 2014-22

#### Property Information

**Approximate Address:** 3778 North Willowbrook Lane Eden, UT

**Project Area:** Eden

**Zoning:** RE-15

**Existing Land Use:** Residential

**Proposed Land Use:** Residential

**Parcel ID:** 22-056-0011

**Township, Range, Section:** Township 7 North, Range 1 East, Section 22

#### Adjacent Land Use

<b>North:</b>	Residential	<b>South:</b>	Residential/Open Space
<b>East:</b>	Recreational	<b>West:</b>	Residential

#### Staff Information

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

**Report Reviewer:** SW

### Applicable Ordinances

- Title 102, Chapter 4, Land Use Permit, Building Permit and Certificate of Occupancy
- Title 104, Chapter 3 Residential Estates (RE-15) Zone
- Title 108, Chapter 4 Conditional Uses
- Title 108, Chapter 19 Accessory Apartments

### Background

The applicant is requesting approval of a conditional use permit for an accessory apartment within her single-family residential dwelling located at 3778 North Willowbrook Lane Eden, Utah. The single-family dwelling was built in 1994 as a one story ranch style dwelling with a full basement and is situated on approximately 0.27 acres of property within the Patio Springs Unit No. 1 Subdivision. The subject property serves as the primary residence for the applicant and her family.

### Analysis

The Weber County Land Use Code (WCLUC) §108-19-1 has identified the need to provide for affordable housing for the citizens of the County by conditionally allowing accessory apartments within existing dwellings in all zones in which single-family residential dwelling units are allowed. The following definitions per the WCLUC §101-1-7 may be helpful in the review of the proposed use:

*Dwelling, single-family. The term "dwelling, single-family" means a building arranged or designed to be occupied exclusively by one family, the structure having only one dwelling unit.*

*Dwelling unit. The term "dwelling unit" means any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than one family.*

*Family. The term "family" means one or more persons related by blood, marriage, or adoption, plus domestic employees serving on the premises, or a group of not more than four persons who need not be so related, living together as a single nonprofit housekeeping unit.*



Single-family dwellings are considered a permitted use in the RE-15 zone, therefore accessory apartments are conditionally allowed in this zone. The applicant and her family will be considered one family unit allocated to the principal dwelling. The accessory apartment can house one or more persons related by blood, marriage or adoption or a group of not more than four unrelated persons. As part of the general provisions for accessory apartments in the WCLUC §108-19-3 the applicant must occupy the premises at all times, excepting reasonable vacation absences.

As part of the WCLUC §108-19 certain review criteria has been established to ensure specific standards are met. The proposal has been reviewed against the following standards:

Relationship to principle use; appearance: An accessory apartment must share a common wall, roof and/or floor as the principle dwelling unit. All interior accesses to the accessory apartment may be closed off by a door. There shall be no separate address, mailbox or utilities.

The applicant would like to utilize a portion of the basement to establish the accessory apartment, therefore meeting this requirement. The outward appearance of the principle dwelling will remain consistent with the original design and character of the neighborhood.

Floor area: The apartment cannot contain more than two bedrooms, and must contain a minimum living area of 400 square feet, not to exceed 25% of the gross livable floor area of the total structure or a maximum floor area of 800 square feet.

The proposal has dedicated a kitchen, laundry room, two bedrooms, a full bathroom, coat closet and a front/living room as the accessory apartment area. The main floor of the proposed dwelling contains approximately 1,541 square feet of livable space and a two car garage (see Exhibit A). The basement is approximately 1,674 square feet of livable space with a gross livable area of the structure is approximately 3,215 square feet (see Exhibit B). The applicant will occupy the main floor plus approximately 1,115 square feet of the basement. The proposed accessory apartment is approximately 559 square feet which does not exceed either the 25% of the gross livable floor area of the total structure or a maximum of 800 square feet.

Location: An accessory apartment shall be located within a dwelling that complies with the zoning district. Basement apartments cannot be allowed unless a walk-out basement is present. The proposal appears to conform to the RE-15 zone in which it lies. The proposed apartment can be accessed by an external staircase located along the front of the home (see Exhibit C). There is also an additional staircase located in the interior of the home that will be utilized to access the owner's portion of the basement.

Access: WCLUC §108-19-2(4) states:

*"An accessory apartment shall have a minimum of one separate external door access from the principal dwelling located on either the side or rear of the principal dwelling."*

The proposed accessory apartment access from the walk-out basement is located along the front of the dwelling (see Exhibit C). The applicant will need to obtain approval for one of the following three options in order to meet this required standard:

1. Apply for and receive a building permit for a separate external door access along the side or rear of the principal dwelling; or
2. Apply for and receive a variance from the Board of Appeals for the current location of the separate external access; or
3. Apply for and receive approval to amend the County Ordinance to allow for the one separate external door access for the principal dwelling to be located on the front of the principal dwelling.

Staff has included a condition of approval to ensure that this standard has been met

Amenities: The accessory apartment must contain kitchen facilities, a full bath, an electric panel with separate disconnects and telephone service. These amenities must be separate in nature from the operations of the principal dwelling. The applicant has provided drawings and photos of the property and dwelling that clearly illustrate the required amenities for the accessory apartment (see Exhibit C).



Parking: In order to ensure that vehicles will not be parked along the street, two off-street parking spaces must be provided for the accessory apartment in addition to the two parking spaces that are required for the principal dwelling. The applicant has provided for the additional parking to be located along the front of the home adjacent to the walk-out basement access (see Exhibit D). The parking area is surrounded by landscaping including a substantial amount of trees that adequately screens the view from the neighboring property and roadway.

## Conformance to the General Plan

The proposed use conforms to the Ogden Valley General Plan by preserving private property rights and the rural characteristics of the Valley by encouraging development within existing community areas. The additional growth is compatible with the existing lifestyle and does not detract from the natural aesthetics of the Valley.

## Summary of Planning Commission Considerations

The following provisions shall apply to the establishment of an accessory apartment according to the WCLUC §108-19-4:

- "(1) A person seeking to establish an accessory apartment shall file an application for a conditional use permit and pay the associated filing fee. The application is to be accompanied by complete floor plans, elevations, and interior layout drawn to scale, including alterations to be made to the existing dwelling exterior. Also, photographs of the dwelling exterior are to be submitted with the application. The application shall then be reviewed and either approved or denied by the township planning commission in which jurisdiction the property lies.*
- (2) Upon receipt of a conditional use permit and building permit, and prior to issuance of a certificate of occupancy by the chief building official, the county zoning enforcement officer shall inspect the premises. The conditional use permit shall be reviewed for renewal every two years."*

In order for a conditional use to be approved it must meet the requirements of applicable ordinances listed in this staff report, which include the requirements listed in WCLUC §108-4-4 under "Criteria for Issuance of Conditional Use Permit" which state:

*Conditional Uses shall be approved on a case-by case basis. The planning commission shall not authorize a conditional use permit unless evidence is present to establish:*

- 1. Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke or noise.*
- 2. That the proposed use will comply with the regulations and conditions specified in the Land Use Code and other applicable agency standards of use.*

The Planning Commission will need to determine if the proposal for an accessory apartment meets the requirements of the applicable Weber County Land Use Codes. The Planning Commission may impose additional conditions in order to ensure full compliance with the required standards. In making a decision, the Planning Commission should consider the following questions:

- Does the submittal meet the specifications and general provisions required by WCLUC §108-19 pertaining to accessory apartments? If no, then what conditions could be added in order to comply?
- Have the "Criteria for Issuance of Conditional Use Permit" and other applicable ordinances been met?

## Staff Recommendation

Staff recommends approval of file# CUP 2014-22, a conditional use permit request for an accessory apartment located at 3778 North Willowbrook Lane Eden, UT. This recommendation for approval is subject to all review agency requirements and based on the findings and conditions of approval as listed below:

1. The proposed use provides for affordable housing for the citizens of the County.
2. The proposed use conforms to the Ogden Valley General Plan.
3. The proposed use, if conditions are imposed, will not be detrimental to the public health, safety, or welfare.
4. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
5. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Conditions of Approval

- There shall be no separate address, mailbox or utilities.
- The owner will occupy the premises at all times, excepting reasonable vacation absence.
- The owner will obtain a Certificate of Occupancy for the principal dwelling and the accessory apartment.
- The owner will apply for and receive approval for one of the following options regarding the access to the accessory apartment:
  - Apply for and receive approval for a building permit for a separate external door access along the side or rear of the principal dwelling; or
  - Apply for and receive approval for a variance from the Board of Appeals for the current location of the separate external access; or
  - Apply for and receive approval to amend the County Ordinance to allow for the one separate external door access for the principal dwelling to be located on the front of the principal dwelling.
- At no time shall more than one family unit reside in the principal dwelling and one family unit reside in the accessory apartment.
- The conditional use permit will be reviewed and renewed every two years to ensure compliance with the Weber County Codes.
- Any home occupation operated within the principal dwelling or accessory apartment will receive approval for a business license and any additional required permits from Weber County prior to any operations commencing on site.
- Requirements of the Weber County Building Inspection Division
- Requirements and recommendations of the Weber Fire District
- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Health Department

## Exhibits

- A. Main Floor Plans
- B. Basement Floor Plans
- C. Location of, Access to and Amenities for the Accessory Apartment
- D. Parking

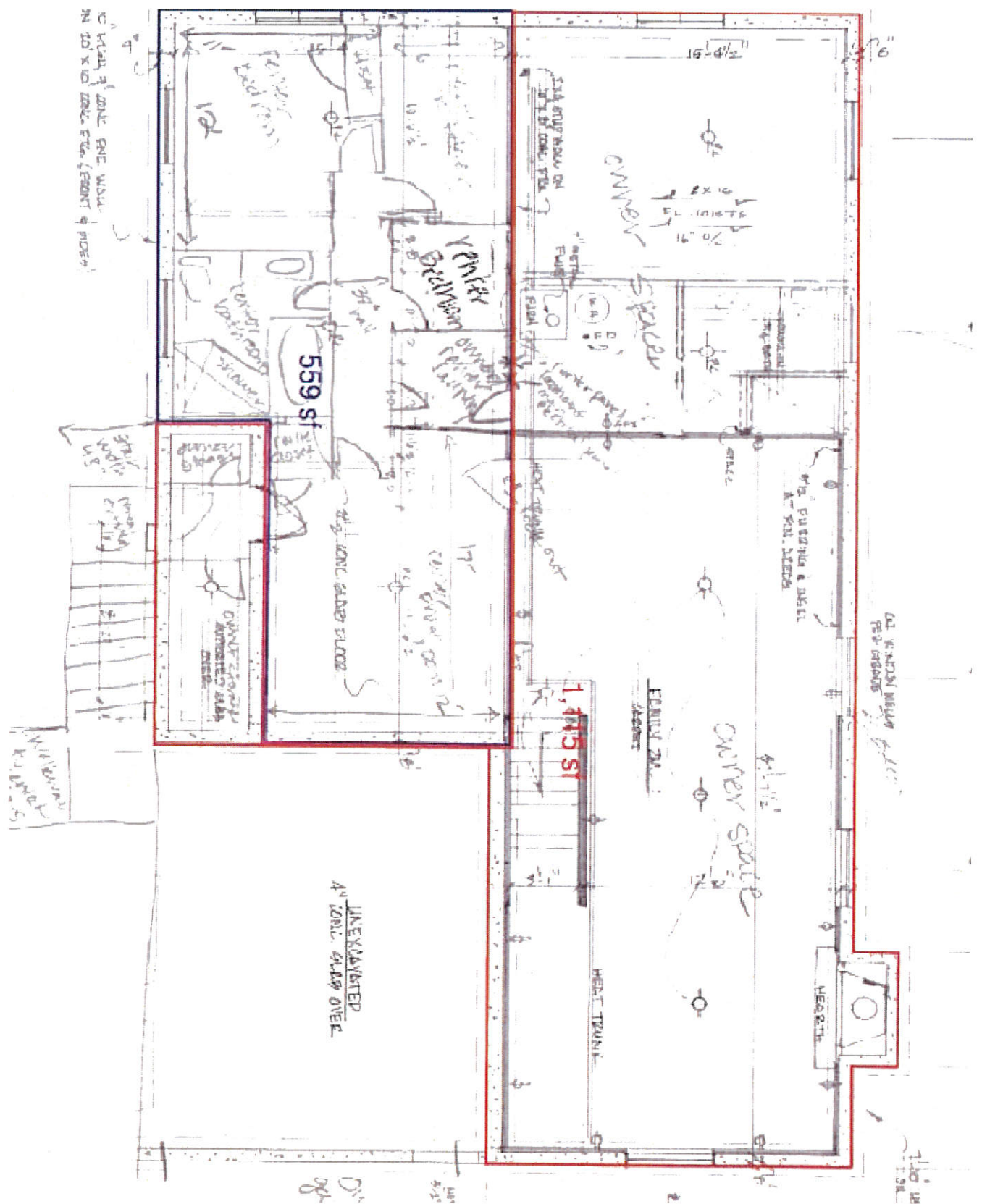






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## Exhibit B-Basement Floor Plans





**Exhibit C-Location of, Access to and Amenities for Accessory Apartment**

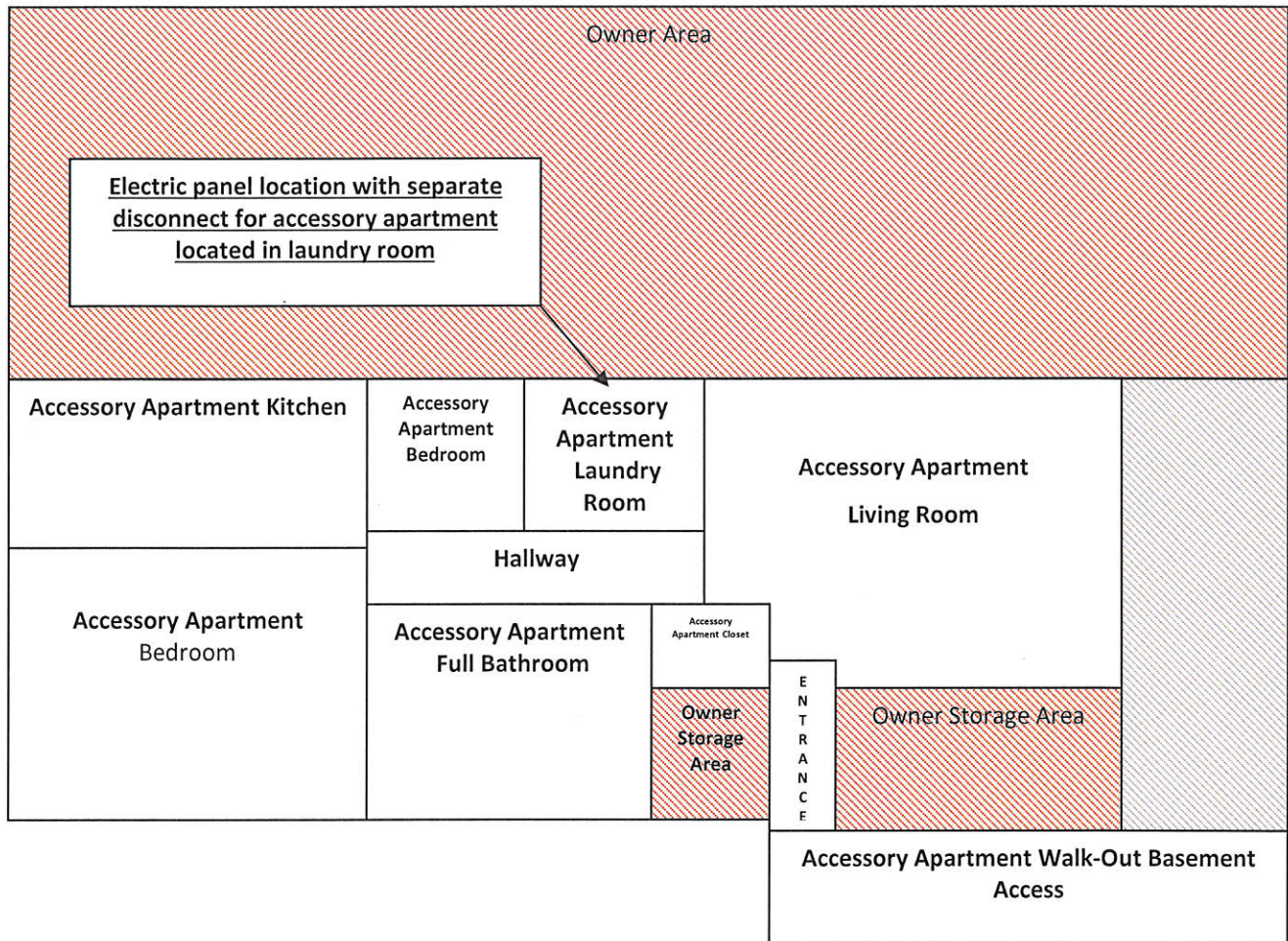




Exhibit D -Parking







## Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Consideration and action on Zoning Petition ZMA #2014-01 by Summit Mountain Holding Group L.L.C. to rezone approximately 6,160 acres, at Powder Mountain Resort, from Commercial Valley Resort (CVR-1), Forest Valley-3 (FV-3), and Forest-40 (F-40) to the Ogden Valley Destination and Recreation Resort Zone (DRR-1).

**Agenda Date:** Tuesday, October 28, 2014

**Applicant:** Summit Mountain Holding Group L.L.C.

**Representatives:** Paul Strange, Summit Mountain Holding Group – Eden, Utah  
Eric Langvardt, Land Planning and Design, Langvardt Design Group – SLC, Utah  
Ray Bertoldi, Architecture, Bertoldi Architects – Ogden, Utah

**File Number:** ZMA 2014-01

#### Property Information

**Approximate Address:** 6965 East and SR 158

**Project Area:** 6,160 acres

**Zoning:** CVR-1, FV-3, and F40

**Existing Land Use:** Day-Ski and Snowboard Resort, Single-Family Residential, and Agriculture

**Proposed Land Use:** Four Season Destination and Recreation Resort

**Parcel ID(s):** 22-001-0011, 22-006-0005, 22-006-0007, 22-006-0018, 22-006-0020, 23-012-0027, 23-012-0028, 23-012-0029, 23-012-0030, 23-012-0032, 23-012-0033, 23-012-0034, 23-012-0035, 23-012-0052, 23-012-0054, 23-012-0068, 23-012-0069, 23-012-0118, 23-044-0008, 23-044-0010, 23-044-0011, 23-044-0013, and All of Summit Eden Phase 1A, 1B, 1C, 1D, and Ridge Nests PRUD.

**Township, Range, Section:** T7N R1E Sections 1, 2, 3, 10, 11, and 12  
T7N R2E Sections 4, 5, 6, 7, 8, 9, 16, 17, and 18

#### Adjacent Land Use

<b>North:</b>	Ski Terrain, Cache County	<b>South:</b>	State and National Forest Lands
<b>East:</b>	State of Utah, Department of Natural Resources	<b>West:</b>	Undeveloped Private Land

#### Staff Information

**Report Presenter:** Scott Mendoza  
smendoza@co.weber.ut.us  
801-399-8769

**Report Reviewer:** SW

### Applicable Codes

- Weber County Land Use Code Title 102, Chapter 5 (Rezone Procedures)
- Weber County Land Use Code Title 104, Chapter 28 (Ogden Valley Sensitive Lands Overlay Districts)
- Weber County Land Use Code Title 104, Chapter 29 (Ogden Valley Destination and Recreation Resort Zone DRR-1)

### 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.

When making a recommendation, on a legislative matter, the Planning Commission will typically consider a proposal's compatibility with the general plan and existing codes.

## Background

### Request

The petitioner is requesting an amendment to the Weber County Zoning Map in the area of Powder Mountain Resort which is located at the north central edge of Weber County's Ogden Valley Township, where the top end of State Road 158 terminates. The request is that Weber County change the existing Resort's zoning from (approximately 2,140 acres of) Forest Valley-3 (FV-3), (approximately 3,895 acres of) Forest-40 (F-40), and (approximately 125 acres of) Commercial Valley Resort -1 (CVR-1) to (approximately 6,160 acres of) the Ogden Valley Destination and Recreation Resort Zone (DRR-1).

It is the goal of Weber County to promote the general welfare, safety, health, convenience, and economic prosperity of the residents of the County; therefore, the Planning Commission will need to determine, if in favor of the proposal, that the rezoning described below furthers that purpose. Specifically, the Commission will need to verify the Resort Plan's compliance with applicable standards, assess the proposed Resort's compatibility with the Ogden Valley General Plan and assess its impacts on the existing public infrastructure as well as its impacts on property owners and residents in the area. It is within the Planning Commission's discretionary right to impose conditions and request changes to the conceptual Master Plan (pg. 20 of the Weber County DRR-1 Zone Application Booklet) or conceptual Land Use Plan (pg. 19 of the Weber County DRR-1 Zone Application Booklet) in order to achieve compatibility and/or lessen or eliminate adverse impacts to the surrounding area.

### History

The Resort area was historically used as grazing land before misuse and overgrazing led to the sale of the property. Fredrick James Cobabe purchased the property in between the time period of 1902-1948 and continued grazing the land but with improved conservation practices. In 1948, the son of Fredrick Cobabe, Alvin Cobabe, purchased his father's livestock along with approximately 8,000 "resort area" acres. In 1950, Alvin Cobabe began to feel that the property had potential to become a ski resort so he started acquiring additional property. It was on February 19<sup>th</sup>, 1972 that Powder Mountain began its operation as a one chairlift resort. The next season, the resort added two lodges and a second chairlift.

In 2006, a new owner, Western American Holdings, purchased the resort property and began work on master planning and rezoning the property. It was in 2012, after much negotiation with Weber County, that Powder Mountain received an approval and was able to execute a Zoning Development Agreement that entitled approximately 4,297 acres to 2,800 dwelling units and additional resort related commercial development (C#2012-212 attached as Exhibit B). In 2013, the existing owner and rezone applicant, Summit Mountain Holding Group L.L.C., purchased the resort property and began work on a revised master plan that includes additional land and better fits their vision. To date, Summit Mountain Holding Group has made several resort improvements consisting of, but not limited to, new food services, construction of a new (3,500 sq.ft.) "sky" lodge, replacement of the Sundown chairlift, construction of 1.65 miles of new public road, and approval of a first phase project that consists of a 154 unit Planned Residential Unit Development.

### Application

Summit Mountain Holding Group L.L.C. submitted their rezone petition on June 20, 2014 and has worked with the Weber County Planning Division to assemble all supporting materials that are required by the Weber County Code. In addition to the required materials, an Infrastructure Master Plan and a Geologic Hazards Reconnaissance Report have been submitted. The Geologic Hazards Report consists of a preliminary geologic hazard assessment and hazard mitigation recommendations. Geologic hazards were considered during the design of the Land Use Plan; however, site specific hazards would be addressed during any land use permitting processes.

Summit Mountain Holding Group has also submitted a Community Fire Plan (prepared by the State of Utah Department of Natural Resources Division of Forestry, Fire, and State Lands) and a (107 page) Design Guideline Booklet that describes the Powder Mountain Resort development philosophy and all privately required commercial and residential design standards. See Exhibit C for a list of involved review agencies. See Exhibit D for a list of review agency (and other entity) comments and Powder Mountain responses. Go to <https://miradi.co.weber.ut.us/projects/view/1268> and navigate to the "Summit Powder Mountain Design Guidelines.pdf" file (under the "supporting info/studies" tag) for the Summit Powder Mountain design guidelines.

The following is a list of all required information that has been received:

- **Concept Development Plan** – The Master Plan’s Overall Land Use Plan, showing proposed use areas, can be found on page 19 of Exhibit A (spiral-bound, 11”x17” booklet entitled Weber County Rezone Application and dated 2014.09.12). Due to the size of this project, the development areas have been arranged into separate “planning areas” designated with a letter A through F. See page 16 of Exhibit A for a general description of each planning area.
- **Traffic Impact Analysis (TIA)** – A TIA has been submitted, as part of the required materials, and has been reviewed by Wasatch Front Regional Council traffic engineers, the Weber County Engineer’s Office, and Hales Engineering, the County Engineer’s hired traffic consultant. The Utah Department of Transportation (UDOT) was provided a Powder Mountain Master Plan and TIA but did not respond to several requests for a review. Go to <https://miradi.co.weber.ut.us/projects/view/1268> and navigate to the “PMR TIA 2014-09-26 Full Report Reduced Response to Reviews.pdf” file (under the “supporting info/studies” tag) for the Powder Mountain TIA (including appendices) that has been revised to consider review agency comments. See Exhibit D (pages 13-16) for a list of traffic related comments and Summit Mountain Holding Group’s responses. See Exhibit E for the Powder Mountain TIA excluding appendices.
- **Cost Benefit Analysis (CBA)** – The Powder Mountain CBA was prepared in cooperation with the Weber Economic Development Partnership and was originally intended to provide a framework within which the Weber County Redevelopment Agency’s board of directors could make critical decisions related to the creation of the Powder Mountain Community Development Area (CDA). A CDA provides the opportunity to create a tax increment financing model. The primary use of tax increment financing, within the Powder Mountain Community Development Project Area, will be for additional investment in infrastructure. Go to <https://miradi.co.weber.ut.us/projects/view/1268> and navigate to the “Powder Mountain CDA Benefit Analysis 7 14 2014 3-1.pdf” and Powder Mountain CDA Benefit Analysis Addendum 1 08282014.pdf files (under the “supporting info/studies” tag) for the Powder Mountain CBA and an addendum to the CBA. See Exhibit F for the CBA’s conclusion section and an addendum that verifies the benefits associated with a 2,800 dwelling unit resort where the CBA bases its findings on a 1,000 dwelling unit resort.
- **Recreation Facilities Plan** – The Recreation Facilities Plan lists and geographically demonstrates the wide variety of recreational activities proposed for Powder Mountain. The Plan can be found on page 44 of Exhibit A.
- **Seasonal Workforce Housing Plan** – The Workforce Housing Plan describes the need for 98 seasonal workforce housing units in order to meet the minimum number of units required by the Destination and Recreation Resort Zone Code. This Plan can be found on page 46 of Exhibit A.
- **Emergency Services Plan including a Letter of Feasibility from the Weber Fire District and Weber County Sheriff’s Office** – An Emergency Services Plan has been determined acceptable by the Weber County Sheriff’s Office and the Weber Fire District. Letters of feasibility have been submitted on page 50 of Exhibit A.
- **Letter of Feasibility from the electrical power, culinary water, and sewer providers** – Letters of feasibility have been submitted and are attached as Exhibits G and H respectively.
- **Density calculation table showing proposed density calculations** – Approximately 4,297 acres of the Powder Mountain Resort property are currently entitled by a previously approved Zoning Development Agreement dated November 29, 2012 (Entry #2607988). The Development Agreement has established density, for the 4,297 acres, at 2,800 dwelling units. Summit Mountain Holding Group has included an additional 1,860 acres of land in this rezone request and is not requesting any development rights beyond those associated with the previously approved Development Agreement; therefore, a density calculation table is not necessary. See page 4 (paragraph 8) and page 16 (paragraph 1) of Exhibit A for details related to resort density. See page 6 of Exhibit B for density tables located within the previously approved Development Agreement.

The Destination and Recreation Resort Code states the following:

*In the event that a previously approved master planned resort makes application to become (or makes application to amend) a destination and recreation resort zone, the resort may retain the remaining dwelling unit rights associated with a previously approved and executed zoning development agreement given that the resort can meet all other requirements of this chapter and demonstrate a substantial public benefit while exhibiting an exceptional vision and development plan superior to that allowed by current or conventional zoning. If a previously approved master planned resort chooses to increase densities beyond what remains as part of a previously approved and executed zoning development agreement, the resort shall be obligated to acquire and incorporate additional contiguous acreage into its boundary and/or acquire additional density in the form of transferable development rights, transfer incentive matching units and/or density bonus units.*



- **Thematic renderings demonstrating the general vision and character of the proposed development** – Site layouts, development summaries and thematic renderings have been submitted for planning areas A – F. See pages 19-39 of Exhibit A.

## Proposal



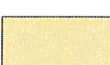
The entire Powder Mountain Resort property covers approximately 10,000 acres (approximately 3,840 of which are located in Cache County); however, this request only involves the re-zoning of approximately 6,160 acres within Weber County and would change the existing Resort's zoning **from** (approximately 2,140 acres of) Forest Valley-3 (FV-3), (approximately 3,895 acres of) Forest-40 (F-40), and (approximately 125 acres of) Commercial Valley Resort -1 (CVR-1) to (approximately 6,160 acres of) the Ogden Valley Destination and Recreation Resort Zone (DRR-1). There are currently no plans to pursue an approval of a Master Plan for the area of the Resort that lies in Cache County. See page 9 of Exhibit A for the "Existing Zoning" map.

The Master Plan, as described by the applicant, is the result of months of studies, programming, visioning, and processing where development should and should not occur. The proposed Plan represents extensive site analysis and establishes the foundation for Powder Mountain to create an authentic mountain destination with varied and vibrant neighborhoods (Areas A-F) clustered throughout the resort. The Summit Powder Mountain Village (Area D) will be the activity center for the Resort and will include a main street with residential lofts over retail shops, destination amenities such as lodges, public plazas, recreational facilities, and trail heads that will provide access to a network of internal and external regional trails. It is modeled after small mountain villages, in North America and Europe, that have small blocks and interconnected streets that are fronted by boutique hotels, condominiums, townhomes, small single-family lots, and what the Summit Mountain Holding Group calls "nests". See page 19 of Exhibit A for the Overall Land Use Plan. See pages 19-39 of Exhibit A for descriptions and illustrations of Development Areas A through F. See page 41 of Exhibit A for photos and architectural renderings of the "nest" units.

The development areas, as previously stated, have been divided into six planning areas known as Area A (Mid-Mountain), Area B (The Ridge), Area C (Earl's Village), Area D (Summit Village), Area E (Gertsen), and Area F (The Meadow). These areas make up approximately 24% of the Gross Acreage (approximately 1,500 acres) located within the project boundary and are proposed to be built in several phases over the course of the next twenty years. The remaining 76% (approximately 4,660 acres) will be designated as open space. As a minimum, sixty percent of the project's Adjusted Gross Acreage (gross acreage minus acres with slopes over 40%) is required to be preserved as open space; however, Summit Mountain Holding Group is proposing that 63% (2,560 acres) of the Adjusted Gross Acreage be preserved as open space.

The following are development summaries for each planning area:

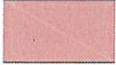

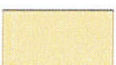
- **Area A – Mid-Mountain** is proposed to be the entry portal to Powder Mountain. This area will provide a subtle entry into the Resort with a mix of hotel, townhome, and single-family development sites that will support the beginner ski needs and the existing Mid-Mountain Lodge. See pages 16 and 22-24 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See the legend below for the area's development data.

DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE		
	HOTEL	108 ROOMS	
	COMMERCIAL	10,000 SF	
	SKI LODGES & SERVICES		
	MULTI FAMILY	80 UNITS	
	SINGLE FAMILY		
	SINGLE FAMILY LOTS	20 UNITS	
	NESTS	55 UNITS	




- **Area B – The Ridge** area includes hotel and associated skier lodges/skier services as well as multi-family units all concentrated around the top terminal of the existing Hidden Lake chairlift. The area also provides a mix of small "nest" units and a mix of single-family lot sizes that have views to Mount Ogden and the Great Salt Lake. See






pages 16 and 25-27 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See the legend below for the area's development data.

DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE		
	HOTELS	180 ROOMS	
	COMMERCIAL	9,000 SF	
	SKI LODGES & CONF. CENTER	10,000 SF	
	MULTI FAMILY	84 UNITS	
	SINGLE FAMILY		
	SINGLE FAMILY LOTS NESTS	33 UNITS 42 UNITS	

- Area C – Earl's Village provides a mix of hotels, townhomes, condominiums, and up to 24 "ski-in/ski-out" single-family estate lots with ski and lift access in three different directions. It is also the area that will provide public road access to a point, at the project's boundary, that may be the most feasible location to continue a future secondary access to the north and east. See pages 16 and 28-30 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See page 40 of Exhibit A for an illustration and description of the Resort's commitment to providing a public access for a secondary road. The illustration does not show the exact location or the entire extent of the secondary road access. See the legend below for the area's development data.



DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE		
	HOTELS	320 ROOMS	
	COMMERCIAL/SKI	40,000 SF	
	LODGES & CONF. CENTER		
	MULTI FAMILY	790 UNITS	
	SINGLE FAMILY		
	SINGLE FAMILY LOTS	24 UNITS	

- Area D – Summit Powder Mountain Village will be the activity center for the Resort and will include a main street with residential lofts over retail shops, destination amenities such as lodges, public plazas, recreational facilities, and trail heads that will provide access to a network of internal and external regional trails. It is modeled after small mountain villages, in North America and Europe, that have small blocks and interconnected streets that are fronted by boutique hotels, condominiums, townhomes, small single-family lots, and what the Summit Mountain Holding Group calls "nests". See pages 16 and 31-33 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See page 41 of Exhibit A for photos and architectural renderings of the "nest" units. See the legend below for the area's development data.




DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE		
	HOTELS	580 ROOMS	
	COMMERCIAL/SKIER	100,000 SF	
	SERVICES	90 ROOMS	
	RETREATS		
	MULTI FAMILY	150 UNITS	
	SINGLE FAMILY		
	SINGLE FAMILY LOTS	268 UNITS	
	NESTS	186 NESTS	

- Area E – The Gertsen area is a transition area from the more commercially active and residentially dense Earl's Village and Summit Village. It consists of a cluster of multi-family townhomes, "nests", and relatively small single-

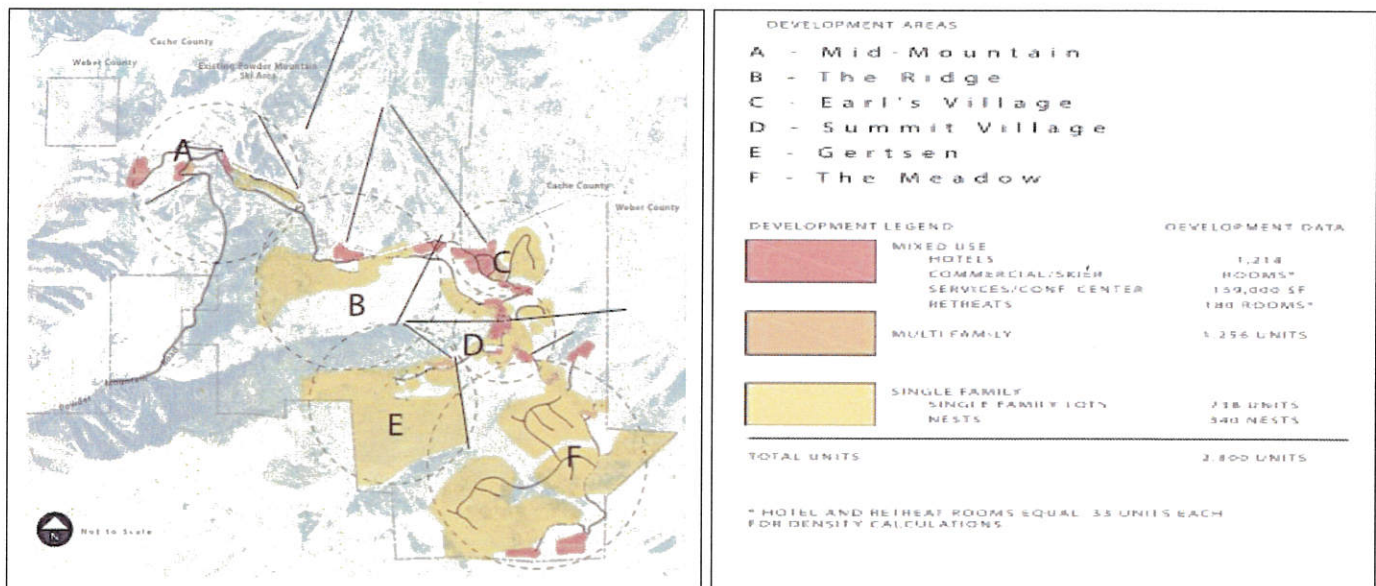
family lots that are sited near two new and proposed lift terminals called Vern's and Lefty's. The single-family lots that are located south and west of the Gertsen area core get larger as the area descends down the hill. See pages 16 and 34-36 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See the legend below for the area's development data.

DEVELOPMENT LEGEND		DEVELOPMENT DATA
	MULTI FAMILY	90 UNITS
	SINGLE FAMILY SINGLE FAMILY LOTS NESTS	121 UNITS 32 UNITS

- Area F – The Meadows contains a mix of townhomes, (small to large) single-family lots, an exclusive boutique hotel site, and a retreat that is intended to provide a destination anchor for the entire Powder Mountain Resort. The north edge of this area maintains the structured road and lot layouts found in the Summit Village but begins to loosen that development pattern through a meadow and out to the southern edge of the project boundary. In all areas, along the Resort's boundary, a 200 foot setback buffer is required and will be verified at the time an application for construction is submitted. See pages 3 and 37-39 of Exhibit A for site description, density, land use, slope, and illustration information. See the legend below for the area's development data.

DEVELOPMENT LEGEND		DEVELOPMENT DATA
	MIXED USE HOTEL RETREATS	30 ROOMS 90 ROOMS
	MULTI FAMILY	62 UNITS
	SINGLE FAMILY SINGLE FAMILY LOTS NESTS	272 UNITS 25 UNITS

The illustration and legend below show a development summary for the entire project:



## Density

Approximately 4,297 acres of the Powder Mountain Resort property are currently entitled by a previously approved Zoning Development Agreement dated November 29, 2012 (Entry #2607988). The Development Agreement has established density, for the 4,297 acres, at 2,800 dwelling units. Summit Mountain Holding Group has included an additional 1,860 acres in this rezone request; however, is not requesting any development rights beyond those associated with the previously approved Development Agreement. See page 4 (paragraph 8) and page 16 (paragraph 1) of Exhibit A for details related to resort density. See page 6 of Exhibit B for density tables located within the previously approved Development Agreement.

## Utilities

Summit Mountain Holding Group has submitted a feasibility letter that offers a commitment to provide culinary water and sewer services. These services will be provided by the Powder Mountain Water & Sewer Improvement District and will be subject to a pending agreement. Recently, approximately 9,200 feet of public and private (large diameter) culinary water lines have been installed. Also, a feasibility letter has been received from Rocky Mountain Power. See pages 44-46 of Exhibit A for an overview of utilities. See page 48 of Exhibit A for information related to water rights. See Exhibit H for the feasibility letter related to culinary water and sewer.

## Review Agencies

Agencies involved with the review of the Powder Mountain rezone proposal have been attached as Exhibit C. Agency comments, with Summit Mountain Holding Group responses, have been attached within Exhibit D.

## Public Comment

Public comments, that have been written and directed to the Planning Office, have been attached as Exhibit I. Some questions and concerns are related to density, availability of recreation facilities to the public, traffic, wildfire, and seasonal workforce housing. The Wolf Creek Water and Sewer Improvement District has submitted a letter to address, what the District calls, an untrue statement that was made on page 48 of Exhibit A. Ogden Valley Starry Nights has also provided comment.

## **Planning Staff Analysis**

### Application Completeness and Findings

As stated above, in the Application sub-section, Summit Mountain Holding Group submitted their petition on June 20, 2014. The application and all required supporting materials have been reviewed and determined to be complete and in compliance with the submittal standards found in Title 102, Chapter 5 (Rezoning Procedure), of the Weber County Land Use Code. In addition to the required materials, an Infrastructure Master Plan and a Geologic Hazards Reconnaissance Report have been submitted. The Geologic Hazards Report consists of a preliminary geologic hazard assessment that includes hazard mitigation recommendations. The following is a more detailed Planning Staff analysis of all required information that has been received:

- **Concept Development Plan(s)** – A Land Use Plan, for the entire project area, and conceptual plans for development areas A through F have been reviewed and have been determined to be in compliance with County requirements. The Ogden Valley Planning Commission and the Weber County Commission will need to find that the submitted plans *“show sufficient information about the development to assist the Planning Commission and the County Commission in making a decision on the rezoning application”*. This criterion is presented in the County’s rezone code, which also states that *“the information shown on the concept plan may vary in detail depending on the size of projects”*.

Summit Mountain Holding Group’s development team received comments from review agencies, the Planning Commission, and the public. In response to these comments, the Group has submitted a revised application



booklet and an amended Traffic Impact Analysis that has been attached as Exhibit E. See Exhibit D for a list of comments and responses provided by the Group.

The Planning Division Staff believes that the comments have been adequately addressed; however, details related to some of the responses will need to be addressed in a development agreement approved by the County Commission. The items needing additional details and commitments can be found in the Conditions of Approval section of this staff report.

- **Traffic Impact Analysis (TIA)** – The TIA has been reviewed and it has been determined that it provides all information that is required by the Weber County Code. Summit Mountain Holding Group and their transportation consultant received review questions and comments that were related to 1) making general clarifications; 2) addressing report structure; 3) addressing discrepancies; 4) trip generation and background (non-resort related) traffic growth assumptions; 5) resort guest occupancy rates; and 6) mitigation commitments.

In response to these review agency comments and questions, Summit Mountain Holding Group has submitted answers, provided by their traffic consultant (Project Engineering Consultants or PEC), and a revised TIA. See pages 13-16 of Exhibit D for PEC's responses to specific traffic questions. See Exhibit E for the revised TIA.

With the assistance of the County Engineer's Office, Hales Engineering, and the Wasatch Front Regional Council, the Planning Staff has been able to determine that the TIA has used standard traffic study methodologies and has adequately provided traffic projections and mitigation recommendations that present acceptable levels of service. The recommendations provided maintain peak levels of service (LOS) that do not fall below LOS C at the study intersections located at the mouth of Ogden Canyon, Pineview Reservoir, and the four-way stop in Eden (i.e., SR-39/Ogden City's Valley Drive, SR-39/SR-158, and SR-162/SR-158 respectively). See page 5 of Exhibit E for study intersection existing conditions. See page 39 of Exhibit E for recommended mitigation measures.

Commitments to implementation and the continuation of Powder Mountain initiated mitigation and sustainability programs will be addressed and detailed in a development agreement approved by the County Commission. Improvements associated with mitigating traffic impacts on State roads will be administered by UDOT. See page 44 of Exhibit E for Summit Mountain Holding Group's commitment to Powder Mountain initiated mitigation and sustainability programs.

- **Cost Benefit Analysis (CBA)** - The CBA submitted was prepared in cooperation with the Weber Economic Development Partnership and was previously found to be acceptable by the Weber County Redevelopment Agency's board of directors. Based on assumptions regarding economic performance, market feasibility, and fiscal impact, **the Resort is projected to have a positive influence on Weber County.** The following summarizes the findings of the CBA:
  - Powder Mountain will stimulate significant business and economic activity within the community, the region, and the State.
  - Powder Mountain will positively influence the tax base and provide beneficial tax benefits.
  - 2012 taxable value is approximately \$1.44 million while the potential 2032 taxable value could be approximately \$1.1 billion.
  - 2012 tax revenue is approximately \$19,800 while the potential 2032 tax revenue could be \$12 million.
  - The developer understands the market, is experienced, and the proposed project is economically sound and feasible.
  - The project conforms to the Ogden Valley General Plan.
  - The risk to Weber County is minimal to non-existent.
  - Labor income: *Direct labor income is projected at \$41 million annually. Secondary labor income is projected at \$33 million, and the total labor income is projected at \$74 million annually.*
- **Recreation Facilities Plan** – The Recreation Facilities Plan has been reviewed by the Planning Staff and has been found to be complete. Summit Mountain Holding Group has committed to having all recreational facilities open to the public, with the understanding that some recreational uses and facilities will be fee based. The Recreation Facilities Plan can be found on page 44 of Exhibit A. Also, see page 45 of Exhibit A for additional commitments related to trails.

- **Seasonal Workforce Housing Plan** – The Workforce Housing Plan has been reviewed by the Planning Staff and has been found to be complete and compliant with the Seasonal Workforce Housing standards found in Code Title 104, Chapter 29 (Ogden Valley Destination and Recreation Resort Zone DRR-1) of the Weber County Land Use Code. This Plan can be found on page 46 of Exhibit A.
- **Emergency Services Plan including a Letter of Feasibility from the Weber Fire District and Weber County Sheriff's Office** – An Emergency Services Plan has been determined acceptable by the Weber County Sheriff's Office and the Weber Fire District. Letters of feasibility have been submitted on page 50 of Exhibit A.
- **Letter of Feasibility from the electrical power provider** – A letter of feasibility has been submitted and is attached as Exhibit G.
- **Density calculation table showing proposed density calculations** – Approximately 4,297 acres of the Powder Mountain Resort property are currently entitled by a previously approved Zoning Development Agreement dated November 29, 2012 (Entry #2607988). The Development Agreement has established density, for the 4,297 acres, at 2,800 dwelling units. Summit Mountain Holding Group has included an additional 1,860 acres in this rezone request; however, is not requesting any development rights beyond those associated with the previously approved Development Agreement. A density calculation table is not needed due to the Resort's proposal which is to utilize the remaining density allowed in the previously approved Agreement. See page 4 (paragraph 8) and page 16 (paragraph 1) of Exhibit A for details related to resort density. See page 6 of Exhibit B for density tables located within the previously approved Development Agreement.
- **Thematic renderings demonstrating the general vision and character of the proposed development** – Site layouts, development summaries and thematic renderings have been submitted for planning areas A-F. See pages 19-43 of Exhibit A.

## Code Compliance

The Summit Mountain Holding Group rezone application has been reviewed by the Weber County Planning Division Staff and other review agencies and has been found to be in compliance with all applicable codes.

## Planning Commission and Review Agency Questions and Comments

The Planning Division Staff has reviewed all revised materials and has determined that all questions and comments have been adequately addressed.

## Density Request

As previously described, Powder Mountain Resort is requesting to keep the remaining density associated with the previously approved Zoning Development Agreement dated November 29, 2012 (Entry #2607988).

## **Summary of Planning Commission Considerations**

The Ogden Valley Planning Commission will be considering the proposal's merits and compatibility with the Ogden Valley General Plan, surrounding land uses, and its impacts on the surrounding area. The Commission will also be considering whether the proposed development, and in turn the application for rezoning, is desirable and promotes the public welfare. See Page 7 of Exhibit A for Summit Mountain Holding Group's explanation as to how the application meets all approval criteria.



Below is a list of criteria that the Planning Commission needs to consider:

- Has the Resort complied with all applicable codes?
- Does the Planning Commission consider the Overall Land Use Plan to be acceptable?
- Has the proposed Resort demonstrated a substantial public benefit and exhibited an exceptional vision and development plan superior to that allowed by current or conventional zoning? See page 6 of Exhibit A for details related to the substantial public benefit offered by the project.
- Has the Resort adequately demonstrated that it can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands as identified in Title 104, Chapter 28 (Ogden Valley Sensitive Lands Overlay Districts) of the Weber County Land Use Code?
- Has the Resort provided substantial evidence, through a professional and empirical study, that has determined that the proposed Resort is viable and can contribute to the surrounding community's economic well being?
- Has the Resort provided substantial evidence, through a professional and empirical study, that has determined that the proposed Resort's traffic mitigation plans will prevent transportation corridors, serving the Resort, from diminishing below an acceptable Level of Service?
- Has the Resort adequately demonstrated that its natural and developed recreational amenities will constitute a primary attraction and provide an exceptional recreational experience by enhancing quality public recreational opportunities?
- Has the Resort adequately demonstrated that its Seasonal Workforce Housing Plan will provide a socially, economically and environmentally responsible development?
- Has the proposed Resort adequately demonstrated that public safety services are and/or will be feasible and available to serve the project in a manner that is acceptable to the Commission?

### Conformance to the General Plan

The Ogden Valley General Plan, as adopted in 1998, states that Weber County *"supports the continued development of resort-related commercial areas"* (OVGP, p.12). In December of 2005, Weber County adopted the Recreation Element of the General Plan and within that document it suggests that Weber County *"accommodate expected demand for second home, year-round home, and resort-related development without generating suburban/resort sprawl"* by *"encouraging the creation of new resort villages in the locations indicated in Figure 18"*. In Figure 18, public preferences, for expanded resort development, are illustrated with a range of dot sizes. The size of the dots correlates with the public's preference as it relates to development in certain locations i.e., the larger the dot the more preferred the location was. See Exhibit J for Figure 18.

The Summit Mountain Holding Group rezone application and master plan also conforms to the Ogden Valley General Plan by meeting its goals and objectives as listed below (See page 8 of Exhibit A for Summit Mountain Holding Group's complete report on General Plan compliance):

- **Protect Air Quality and Water Resources:** Development is proposed to take place in a manner that reduces "auto dependency", water and energy consumption. See page 8 (Section 3.01) of Exhibit A for details related to this General Plan Goal.
- **Protect Open Space and Sensitive Lands:** The Powder Mountain Land Use Plan shows development occurring on approximately 24% (approximately 1,500 acres) of the entire Resort property. Approximately 76% (4,660 acres) has been proposed as open space. Half of the proposed open space will be preserved, by conservation easement, as Conservation Open Space. Development plans also show that Sensitive Lands are being avoided.
- **Preserve Wildlife and Wildlife Habitat:** Through clustering development into compact areas and preserving approximately 4,660 acres of open space, wildlife areas will be allowed to remain intact and will provide wide corridors.

- **Require that Development Be Compatible With The Valley's Rural Character and Natural Setting:** Development has been proposed to occur in a manner that surrounds Areas A through F with large, natural open spaces. The renderings that have been presented show a rustic "modern-mountain" construction type that meets the intent of all Ogden Valley construction (design and material) standards.
- **Provide Adequate Emergency and Medical Services:** Summit Mountain Holding Group's Emergency Services Plan demonstrates cooperation between the Resort, the Weber County Sheriff's Office and the Weber Fire District. Land for a sheriff and fire facility will be provided by the Resort. See page 50 of Exhibit A for the commitment to work with and provide adequate facilities for emergency service providers.
- **Enhance Quality Recreation Opportunities:** The General Plan specifically directs the County to identify recreational assets, facilities and activities in the Ogden Valley and determine which facilities might be expanded to meet an increased recreation demand. An expansion of the Powder Mountain Resort would conform to the General Plan due to the increase of recreational opportunities as demonstrated on the Recreation Facilities Plan. See complete Plan on pages 44 and 45 of Exhibit A.
- **Encourage Private Businesses and Entrepreneurs to Meet the Growing Demand for Recreational Facilities:** The General Plan states that it is only through development of future recreational facilities on private lands that recreational demands can be met in Ogden Valley. Summit Mountain Holding Group has proposed a large expansion of recreational facilities as shown on pages 44 and 45 of Exhibit A.

## Staff Recommendation

The Weber County Planning Division Staff recommends that the Ogden Valley Planning Commission (recommend to the Weber County Commission that they) approve ZMA 2014-01 to rezone property at Powder Mountain Resort based on the following findings:

1. Summit Mountain Holding Group has complied with applicable codes as described in the *Planning Staff Analysis* section above.
2. Summit Mountain Holding Group's proposal conforms to the Ogden Valley General Plan as described in the *Conformance to the General Plan* section above.
3. Summit Mountain Holding Group has demonstrated that the proposed rezone meets Weber County expectations, as listed in the *Summary of Planning Commission Considerations* section above.

This recommendation includes the approval of the requested number of density units and is subject to review agency comments and the *Conditions of Approval* section located immediately below.

## Conditions of Approval

The listed conditions of approval, and any others suggested by the Ogden Valley Planning Commission, will be presented to the Weber County Commission with the recommendation that they be incorporated into a Zoning Development Agreement.

Conditions of Approval:

1. A second public access right, which may need to be entirely located on Powder Mountain Resort property, is granted or dedicated at a location generally shown on Exhibit K.
2. Grant access for a secondary public road across Summit Mountain Holding's property that lies in Cache County and is traversed by an existing dirt road that is called out on Exhibit K.
3. The proposed boutique hotel, located near the top terminal of the existing Sundown chairlift, may only be constructed if methods or technology can be applied (at the time of construction) in such a manner so as to limit light emissions to an imperceptible level as seen from the developed camping areas of North Fork Park. The

methods and technology shall be approved by the Ogden Valley Planning Commission at the time of site plan review.

4. At minimum all "regional public trails" and "loop trails", shown on page 45 of Exhibit A, shall be open to the public as a fee free recreational activity. "Regional public trails" shall be constructed and open to the public by fall of 2017. "Loop trails" shall be constructed and open to the public by fall of 2018.
5. Continue providing employee transit for Powder Mountain employees in perpetuity and implement and perpetually continue providing a minimum of 5 travel demand reduction methods as proposed on page 44 of the Powder Mountain Resort Traffic Impact Analysis dated September 26, 2014. These methods may be changed and others implemented as proposed by Summit Mountain Holding Group and approved by Weber County.
6. Grant access or convey property (along SR158) for, up to two, run-away truck ramps (or other safety facilities) at a time and location that UDOT determines is beneficial.

## Exhibits

- A. Spiral-bound, 11"x17" master plan booklet labeled as "Weber County Rezone Application".
- B. Existing Zoning Development Agreement (Contract #2012-212) dated November 13<sup>th</sup>, 2012.
- C. List of Review Agencies and other groups that were provided materials.
- D. Packet of Review Agency comments/questions with Summit Mountain Holding Group's responses.
- E. Powder Mountain Resort Traffic Impact Analysis without appendices.
- F. Powder Mountain Cost Benefit Analysis (pgs. 21-23) and Memorandum.
- G. Feasibility Letter – Rocky Mountain Power.
- H. Feasibility Letter – Powder Mountain Water and Sewer Improvement District.
- I. Public and other entity comments written and directed to the Planning Division.
- J. Ogden Valley General Plan's Recreation Element – Figure 18 showing public (location) preferences for development.
- K. Secondary road access map showing feasible/possible location for future public road.
- L. State of Utah's Public Lands Policy Coordinating Office comments including Division of Wildlife Resources.
- M. Utah Chapter (Ogden Group) of the Sierra Club.

## NOTE:

**Commissioners,**

**Please bring Exhibit A to the public meeting on Tuesday, October 28, 2014.**



\*W2607988\*

Q 2012-212

11-13

**WEBER COUNTY  
ZONING DEVELOPMENT AGREEMENT**

EH 2607988 PG 1 OF 16  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
29-NOV-12 1131 AM FEE \$4.00 DEP SGC  
REC FOR: WEBER COUNTY PLANNING

**PARTIES:** The parties to this Zoning Development Agreement ("Agreement") are Western America Holding, LLC, a Utah limited liability company and owner of the property commonly known as Powder Mountain (herein "Developer") and Weber County, a body politic in the State of Utah (herein "County"). The Developer and the County are collectively referred to herein as the "Parties."

**EFFECTIVE DATE:** The effective date of this Agreement will be the date that rezoning approval is granted as outlined below by the Weber County Commission ("Commission").

**RECITALS**

**WHEREAS**, the Developer seeks to rezone certain property located within the Ogden Valley Township of unincorporated Weber County, Utah from Forest Residential-3 (FR-3), Forest Valley-3 (FV-3), Commercial Valley Resort Recreation-1 (CVR-1) and Forest-40 (F-40) to Forest Valley-3 (FV-3), Commercial Valley Resort Recreation-1 (CVR-1) and Forest-40 (F-40) for the general purpose of developing a year round destination resort upon property that consists of approximately 4,297 acres and is more particularly described in Exhibit A attached hereto and incorporated herein by this reference ("Property"); and

**WHEREAS**, the County seeks to promote the health, welfare, safety, convenience and economic prosperity of the inhabitants of the County through the establishment and administration of zoning regulations concerning the use and development of land in the unincorporated area of the County as a means of implementing the General Plan as adopted for all or part of the County; and

**WHEREAS**, the Developer has requested that the above referenced Property be rezoned for the purposes of allowing him or his designees to develop the Property in a manner that has been presented to the County and that is represented in the Concept Development Plan shown in Exhibit B; and

**WHEREAS**, the Developer considers it to his advantage and benefit for the County to review his petition and supplementary information having prior knowledge of the development, so as to more completely assess its compatibility with applicable zoning ordinances, the County's General Plan, the surrounding area, and those uses that exist on the lands surrounding the property; and

**WHEREAS**, the County is desirous of rezoning the property for the purpose of developing it in the manner presented, but the County does not feel that the property should be rezoned unless the proposed development, is commenced as soon as conditions allow and completion is pursued in good faith; and

**WHEREAS**, the Parties entered into a binding Memorandum of Understanding (MOU) on June 1, 2010 to facilitate the completion of the Development Agreement and specified various issues; and

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WHEREAS, the Parties are desirous that certain litigation (Appellate Case No.20090897) which is presently pending before the Utah Supreme Court relating to the incorporation of the Town of Powder Mountain be dismissed and the Incorporation Petition be withdrawn; and

NOW THEREFORE, for good and valuable consideration in receipt of which is hereby acknowledged and accepted by both Parties, the Parties hereto mutually agree and covenant as follows:

### AGREEMENT

#### 1. General

- 1.1. Upon the Effective Date of this Agreement, the Parties shall cause the dismissal of (Appellate Case No.20090897) and the Developer shall immediately cause the Incorporation Petition to be withdrawn.
- 1.2. The County shall rezone the Property described in Exhibit A from Forest Residential-3 (FR-3), Forest Valley-3 (FV-3), Commercial Valley Resort Recreation-1 (CVR-1) and Forest-40 (F-40) to Forest Valley-3 (FV-3), Commercial Valley Resort Recreation-1 (CVR-1) and Forest-40 (F-40), as shown on the proposed zoning map attached as Exhibit C, for the purpose of allowing the Developer to construct his conceptually pre-designed project on the subject Property.
- 1.3. The responsibilities and commitments of the Developer and the County, as detailed in this document when executed, shall constitute a covenant and restriction that shall run with the land and be binding upon the Developer, his assigns and/or his successors in interest.
- 1.4. The provisions of this Agreement shall supersede the MOU.
- 1.5. Both Parties acknowledge that this Agreement will be recorded in the Office of the Weber County Recorder, and recognize the advantageous nature of this Agreement which provides for the accrual of benefits and protection of interests to both Parties.
- 1.6. This Agreement constitutes the entire Agreement between the Parties; however, the Parties acknowledge that an official, recorded copy of the Powder Mountain Rezone Application will be kept in the Weber County Clerk/Auditors Office and the Planning Division Office for reference purposes. The Parties may consider amendments or modifications to the provisions of this Agreement and/or the Concept Development Plan only by written instrument and only upon agreement by both Parties. In the event that an amendment to the Concept Development Plan is sought, it may only be made after considering the recommendation of the County Planning Commission which may hold a public hearing to obtain public input on the proposed amendment or modification of the Concept Development Plan.
- 1.7. This Agreement with any amendments or modifications shall be in full force and effect according to this approved Agreement until the property covered herein has been reverted to its former zone designation as a result of default.
- 1.8. Nothing contained in this Agreement constitutes a waiver of the County's sovereign immunity under any applicable state law.



## 2. Health and Safety

- 2.1. Developer shall address site specific avalanche hazards at the site plan level of approvals for development.
- 2.2. The Developer is committed to utilizing efficient low-emission fireplaces in future development on the Property, including but not limited to, natural gas, liquid propane and high efficiency wood burning systems. The Developer will work with the County to facilitate these uses, but the Developer shall not be prohibited from utilizing traditional log-burning fireplaces on a limited basis in lodges, hotels, corporate retreats, commercial areas and single-family homes, provided however Developer shall comply with all federal, state and local regulations.
- 2.3. The Developer shall provide a facility for the Weber County Sheriff's Office including but not limited to office space, equipment storage, and a holding cell. The facility design/floor plan shall be approved by the Weber County Sheriff's Office and shall be provided at a time that is deemed necessary and practical by the same. The facility may be integrated with other County services and is anticipated to be built when the existing main parking lot and main lodge area are redeveloped into a mixed use village.
- 2.4. The Developer shall seek input from the U.S. Forest Service to develop and implement a wildfire prevention, evacuation and suppression plan for the Project. Developer shall address phase and site specific wildfire hazards and management plans at the time of and within all development review applications.
- 2.5. Developer agrees to follow the recommendations of the State of Utah Department of Environmental Quality and Utah Geological Survey as outlined in letters dated October 12, 2007 and September 18, 2007 respectively.

## 3. Destination and Recreation Resort Zone (DRR-1)

- 3.1. The County has enacted the Destination and Recreation Resort (DRR-1) Zone. Provisions were made to allow previously approved master planned resorts that meet the requirements of Section 44-3.b of the Zoning Ordinance to be rezoned to the DRR-1 zone. The Parties agree that should the Developer choose to make application to rezone to DRR-1 the Resort shall retain the density and other development rights listed in Section 6 of this Agreement, provided that the Resort can meet all other requirements of Chapter 44 of the Zoning Ordinance including demonstrating "a substantial public benefit while exhibiting an exceptional vision and development plan superior to that allowed by current or conventional zoning."
- 3.2. If the Developer chooses to make application for a rezone to the DRR-1 Zone, the Developer will comply with the requirements of the Weber County Zoning Ordinance 35-4.3 (Destination and Recreation Resort Zone Supplementary Requirements) and 44 (Ogden Valley Destination and Recreation Resort Zone DRR-1). A new development agreement would be approved as part of any DRR-1 rezone approval.

## 4. Concept Development Plan

- 4.1. Consistent with the MOU and this Agreement, which supersedes the MOU, Weber County adopts the Concept Development Plan found in Exhibit B including the Conceptual Phase I Land Use Plan. Further, consistent with the recommended rezone

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conditions by the Ogden Valley Township Planning Commission, it is recognized that the Concept Development Plan may need to be amended as found in section 1.6.

4.2. Weber County shall retain the right to approve or deny more specific/detailed conceptual development plans, provided however, that Weber County shall approve more detailed concept development plans consistent with the current Concept Development Plan and with the regulations of the applicable zones approved herewith. The more specific/detailed concept development plans shall be approved prior to or in conjunction with the first application for site plan/subdivision approval within each development area/phase. Weber County will allow the submittal of a conditional use, design review, and subdivision application for the first development phase, which is included as part of Exhibit B, and which is hereby determined to be consistent with the Concept Development Plan and which may include amenities consistent with the operations of a ski resort to proceed prior to submittal of a rezone application for the DRR-1 Zone. The Developer shall submit a rezone application for the DRR-1 Zone prior to any development beyond the first 250 units.

4.3. The Parties recognize the benefits of minimizing road miles, and road widths to protect the natural habitat and they further recognize the benefit of clustering development. The Developer agrees as part of the amendment process to the Concept Development Plan to a design that minimizes road miles, road widths and encourages clustering.

## 5. Development

5.1. Developer shall develop the subject property based upon the approved Concept Development Plan (Exhibit B). The Concept Development Plan may be refined and modified but the general concept of the plans will not be changed without prior formal approval of the County.

5.2. Developer agrees that development, consistent with the Concept Development Plan approved as part of this Agreement and more particularly illustrated in Exhibit B, will be subject to and part of a more specific and more detailed subdivision and/or plan review. Development inconsistent with the Concept Development Plan will not be approved.

5.3. The County will review more detailed development plans and will approve/issue Land Use, Conditional Use, and Building Permits based on compliance with applicable standards found in State Law, the Weber County Zoning Ordinance, Building Code and/or Health Regulations.

5.4. Developer shall incorporate principles of sustainability into the development when practical and feasible. Developer shall demonstrate practicality and feasibility at the time of and within all development review applications.

5.5. Developer shall consider comments made by the State of Utah Division of Wildlife Resources (DWR) at the site plan level of approvals for development per the existing Resource Development Coordinating Committee (RDCC) process including trails and wildlife buffers. DWR comments, eligible for consideration, shall be those submitted prior to a Planning Commission meeting where the related application is being considered for the first time. Reasonable and customary wildlife buffers will be part of the Developer submittals for design review/subdivision applications.

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- 5.6. The Developer shall agree to propose a Recreation Facilities Plan as part of any DRR-1 rezone application. The Recreation Facilities Plan shall provide that recreation amenities will be provided commensurate with the level of residential development and consistent with the Recreation Facilities Plan. Two years after any development commences, the Developer shall provide a biennial report to the Planning Division Staff that inventories all existing (constructed) recreation facilities and commercial/residential units to date. The inventory shall include, but not be limited to, the number, type and general location of facilities/units. Recreational facilities and commercial units shall be represented in terms of acreage or square footage, whichever is more appropriate. General location(s) shall be provided in terms of development area as illustrated on the Concept Development Plan. (See Exhibit B)
- 5.7. In connection with the development, the Developer or its successors in interest shall make the following donations to the County, which sums shall be used solely for the benefit of the local community by purchasing and maintaining open lands or other community projects, as determined by the County: i) upon completion and sale of the 1<sup>st</sup> unit, the Developer or its successors in interest shall donate \$100,000; ii) upon completion and sale of the 100th unit, the Developer or its successors in interest shall donate \$100,000; iii) upon completion and sale of the 1,000th unit, the Developer or its successors in interest shall donate \$350,000; (iv) upon completion and sale of the 2,000<sup>th</sup> unit, the Developer or its successors in interest shall donate \$500,000; and (v) upon completion and sale of the 2,800<sup>th</sup> unit, the Developer or its successors in interest shall donate \$500,000. In the event that Developer establishes permanent open space, public use space, conservation areas or similar community benefits within Powder Mountain or the surrounding area the County will consider applying the value of the land and improvements included in such community benefits as a credit against the amounts to be donated by Developer at the time of the sale of the 1,000<sup>th</sup> unit and thereafter, as set forth above. Failure of the Developer to pay the required donations, in cash or community benefits acceptable to the County, in accordance with the above schedule will be deemed to be sufficient reason for County to deny additional building permits until the donation is received.
- 5.8. Developer agrees that a minimum of 30% of the total proposed project's gross acreage shall be permanently preserved as open space in any development application/plans for any improvements within the project. Open space within the Property is intended to provide and reserve suitable area for active and passive recreation. No dwelling units may be constructed within the open space area. Typical permitted uses within the Project's open space shall include parks, trails, natural unimproved landscaping, skiing and winter sports, golf, play fields, bathrooms and kiosks, snow safety and skier service facilities, and other support recreation activities. If Developer proceeds to submit an application for DRR-1 rezone then section 44-2 (9) Open Space shall apply.
- 5.9. The Parties agree to allow golf course development to one 18 hole golf course that will substantially preserve the natural landscape characteristics by incorporating a design type that utilizes native vegetation and limits large formal turf landscapes.
- 5.10. Developer agrees that all construction will utilize best management practices. Final site plan applications made to Weber County shall be accompanied by a summary of the best management practices being utilized.

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## 6. Density

- 6.1 Residential density shall not exceed 2,800 units. The number of units will be applied in two density phases. Multiple development phases are anticipated within each density phase.
- 6.2 The Developer shall be entitled to the following density on the following terms and conditions: Phase 1 Density: 1,477 units which may include condominiums, single family lots and homes, hotels, and corporate retreats. Hotel rooms shall count as the equivalent of one-third  $\frac{1}{3}$  of a single family dwelling unit. In other words, a 100 unit hotel would count as 33 units. Condominium units containing lock out rooms that can be separately rented shall be counted as one unit (including the lock out rooms). Commercial development is not included in the unit density number. Following the construction of the first 250 units by the Developer, recreational and commercial uses shall be developed as needed to support the resort. Attached is Table 6.2 that sets forth a summary of the approved Phase 1 Density. Any allowed density that is not used in Phase 1 may be used in later phases of development.

TABLE 6.2 – PHASE 1 DENSITY AND DESCRIPTION	
Type of Use	Density Equivalent
Single-Family Dwelling	1 unit
Multifamily Dwelling	1 unit per dwelling unit
Hotel Room	.33 unit
Commercial Square Footage	N/A. Does not count toward unit density. See Total Project Density below.
Corporate Retreats	N/A. Does not count toward unit density. Max 3 corporate retreats with a combined number of rooms not to exceed 36 for Project unless traded per Section 6.4. Each room after 36 counts as .3 unit.
<b>TOTAL PHASE 1 DENSITY PERMITTED:</b>	<b>1,477 residential units</b>
Workforce housing units shall not be counted toward density of the Project regardless of where it is located, as provided by, and subject to the limitations of, the DRR-1 zoning ordinance.	

- 6.3 Phase 2 Density. Upon meeting the requirements specified in 6.2 above and the conditions and benchmarks specified in this Agreement, the Developer shall be entitled to proceed with Phase 2 Density, an additional 1,323 units, which shall include single family dwelling units, multi-family dwelling units, condominiums, and hotel rooms among other uses. Hotels and lock out rooms, shall count as described in 6.3. Attached is Table 6.3 that sets forth the approved Phase 2 Density.

TABLE 6.3 – PHASE 2 DENSITY AND DESCRIPTION	
Type of Use	Density Equivalent
Single-Family Dwelling	1 unit
Multifamily Dwelling	1 unit
Hotel Room	.33 unit



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Commercial Square Footage	N/A. Does not count toward unit density. See Total Project Density below.
Corporate Retreats	N/A. Does not count toward unit density. Max 3 corporate retreats with a combined number of rooms not to exceed 36 for Project unless traded per Section 6.4. Each room after 36 counts as .3 unit.
<b>TOTAL PHASE 2 DENSITY PERMITTED:</b>	<b>1,323 residential units</b>
<b>TOTAL PROJECT DENSITY PERMITTED: 2,800 residential units</b> Workforce housing units shall not be counted toward density of the Project regardless of where it is located, as provided by, and subject to the limitations of, the DRR-1 zoning ordinance.	

- 6.4 The first 36 corporate retreat rooms shall not count against the Project's density entitlement. Additional corporate retreats may be added, however, such additional corporate retreat rooms will count towards the density limitations and each corporate retreat room shall count as .3 unit for density purposes.
- 6.5 A Workforce Housing Plan shall be presented and reviewed and a recommendation made by the Planning Commission and approved by the County Commission as part of any request for change in the concept development plan for the Project after the first 250 units, or as part of a rezone application to DRR-1. This plan shall comply with the requirements set forth in Section 44-7 of the DRR-1 Zone. The Workforce Housing Units shall be in addition to the allowed density limitations set forth in Section 6.1, as provided by, and subject to the limitations of, the DRR-1 zoning ordinance.
- 6.6 After development of the first 250 units, the Developer shall evaluate the wastewater treatment facility capacity in relation to the timing for future demand and submit to the County a plan for wastewater treatment beyond the first 250 units. Subject to compliance with applicable federal, state and local regulations, Developer may provide for wastewater treatment through: (i) continuation of the use of existing permitted wastewater treatment facilities for some period of time, (ii) expansion of the existing treatment facility or construction of a new wastewater treatment facility approved by Utah DEQ/DWQ within the resort boundary, (iii) negotiation of a wastewater treatment and reuse agreement with an existing wastewater treatment facility, or (iv) identify an alternative site suitable for a new wastewater treatment facility. In the event that a new treatment facility is constructed within the resort boundary, such facility shall be approved by Utah DEQ and the County Health Department to provide a level of effluent quality that will allow the re-use of treated water for snowmaking, aquifer recharge, and irrigation of fields, forests, golf course and/or landscaping. The total number of dwellings and supporting buildings shall be limited by the provision of the necessary water, sewer and other utility infrastructure to support such development. No development shall be allowed unless Developer demonstrates the ability to provide water, sewer and other necessary infrastructure in accordance with state laws, rules and regulations and county ordinances.

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7. Traffic Mitigation

7.1. Upon the completion of Phase I, County shall issue a scoping letter and the Developer shall pay for a traffic safety/impact study by an entity acceptable to the Parties (the "Traffic Study" or "Study"). The Study shall address the existing access road for the Property and shall make recommendations for improvements to the existing access road and related safety issues, including but not limited to guard rails, additional signage, flashing lights in dangerous areas, and runaway ramps. The Parties shall forward the Study to the Utah Department of Transportation ("UDOT") and actively seek UDOT's implementation of the Study's recommendations. The study shall also determine whether a secondary access is necessary for emergency purposes and/or general use and provide cost estimates for both improvements to the "Powder Mountain Road" and the secondary access.

7.2. The Developer shall present a transit plan with an implementation methodology that may include but not be limited to:

- A. Airport shuttle.
- B. Complimentary on and offsite transit service.
- C. Park and Ride provided in Ogden City or other approved Wasatch Front location.
- D. Mandatory employee shuttle originating from Wasatch Front.

This Plan is to be presented and approved prior to or in conjunction with any site plan/subdivision submittal.

7.3. Developer agrees that air transportation into the Resort and Resort air operations will comply with the standards and requirements for heliports in the Ogden Valley. Heliports are allowed only in the DRR-1 and F-40 Zones, subject to applicable standards and requirements. "Resort air operations" refers to those aerial operations vital to construction and management of the resort, i.e., lift installation and avalanche control.

7.4. The Parties will work together collectively and with local residents to set reasonable limitations on construction traffic to provide a safe working environment on the existing access road and surrounding roads. These limitations will be presented to the Planning Commission for approval prior to or in conjunction with any site plan/subdivision submittal. Developer shall make reasonable accommodations to ease construction traffic, such as placing staging areas in appropriate areas and providing lower level parking areas and shuttles for construction workers.

8. Reinvestment Fee Covenant

8.1. Developer shall adopt and record a reinvestment fee covenant that complies with the requirements of the Utah State Code for such covenants.

9. Default and Enforcement

9.1. The Developer acknowledges that the County's granting of this rezoning outlined herein is contingent upon the Developer proceeding expeditiously with the implementation of its development plan. The County acknowledges that the development of the Property will occur in phases over an extended period of time. Nevertheless, in the event that the Developer does not begin construction of its first phase of improvements within three years following the Effective Date, as evidenced by Developer submitting a complete building permit application and paying all applicable fees for the construction of any

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portion of the Phase 1 improvements, the County shall have the right to process a rezone of the Property to reinstate the zoning classifications of the Property to those that existed immediately prior to the Effective Date.

- 9.2. The following conditions, occurrences and/or actions will constitute a default by the Developer, his assigns and/or his successors in interest:
  - 9.2.1. The failure of the Developer to dismiss (Appellate Case No.20090897) and withdraw the Incorporation Petition within thirty (30) days following the Effective Date of this Agreement.
  - 9.2.2. Failure to present a detailed development plan, gain County approval and obtain Land Use/Conditional Use and Building Permits and commence construction within the manner of time specified in Section 9.1 of this Agreement.
- 9.3. In the event that any of the conditions constituting default, by the Developer (including his assigns or successors in interest) occur, the County may examine the reasons for the default and at its discretion, modify the terms of this Agreement, approve a change to the Concept Development Plan or initiate steps to revert the zoning designation to its former zones.
- 9.4. In the event that legal action is required in order to enforce the terms of this Agreement, the prevailing party shall be entitled to receive reimbursement, from the faulting party, for attorney's fees and other associated costs incurred while enforcing this Agreement.
- 9.5. Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned or transferred to any other party, individual or entity without assigning also the responsibilities arising hereunder.
- 9.6. In the event that any provision of this Agreement is found by a court of competent jurisdiction to be invalid the remainder of the Agreement shall remain in full force.
- 9.7. This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the Parties hereto nor any rights or benefits to third parties, except as expressly provided herein.
- 9.8. This Agreement contains the entire Agreement between the Parties with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the Parties hereto.
- 9.9. The Exhibits to the Agreement are incorporated herein by the reference to them in the Agreement.
- 9.10. Any notices, requests, or demands required or desired to be given hereunder shall be in writing and shall be delivered personally to the party for whom intended, or, if mailed be certified mail, return receipt requested, postage prepaid to the Parties as follows:

For Western America Holding:

Pronaia Capital Partners LTD  
PMB#449  
2753 E. Broadway Rd. Ste. 101  
Mesa, AZ 85204-1573

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For Weber County:  
Weber County Planning Division  
2380 Washington Blvd., Suite 240  
Ogden, UT 84401

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

10. Exhibits

- A. Property Description
- B. Concept Development Plan and Conceptual Phase I Land Use Plan
- C. Proposed Zoning Map


IN WITNESS WHEREOF, the Parties hereto, having been duly authorized, have executed this Agreement to be effective upon date of approval.

Approved by the Parties herein undersigned this 15 day of November, 2012


Weber County Corporation  
"County"

Western America Holding, LLC  
"Developer"

By:   
Craig L. Dearden  
Chair, Weber County Commission

By:   
Steve Nielsen  
Representative, Western America Holding, LLC

ATTEST:

  
Ricky D. Hatch, CPA  
Weber County Clerk/Auditor



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11/16

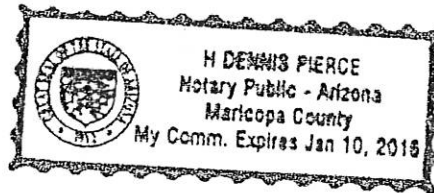
CORPORATE ACKNOWLEDGMENT

State of ~~Utah~~, Az )  
 )ss  
County of ~~Weber~~ Maricopa )

On this 28th day of November, in the year 2012, before me, H. Dennis Pierce  
a Notary Public in and for the State, personally appeared, Steve Nielsen proved, on the  
basis of satisfactory evidence, to be the Representative of Western America Holding LLC  
corporation which executed the foregoing instrument, and that said instrument was signed on  
behalf of said corporation by authority of a Resolution of its Board of Directors that said  
corporation executed the same.

Witness my hand and official seal.

H. Dennis Pierce  
Notary Public



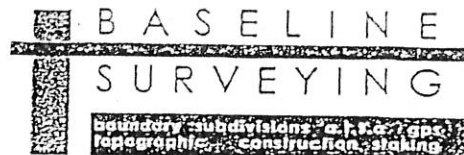
APPROVED AS TO FORM:

[Signature]  
Weber County Attorney

11/13/12  
Date

# Exhibit A 1/2

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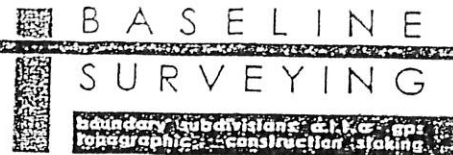
## POWDER MOUNTAIN Re-Zone Legal Description

Beginning at a point on the Weber-Cache county line, said point being South 03°24'06" West 1083.29 feet along the section line from the monument marking the Northwest Corner of Section 6, Township 7 North, Range 2 East, Salt Lake Base and Meridian (basis of bearing is South 89°31'02" East 2271.58 feet from said Northwest Corner to the monumented North Quarter Corner of said Section 6, Township 7 North, Range 2 East, Salt Lake Base and Meridian, basis of bearing was measured from Geodetic North at said Northwest corner of Section 6) and running thence along said Weber-Cache county line (as shown on the Weber/Cache County Line plat recorded in Book 40 at Page 21, plat bearing is South 68°01'08" East) South 67°49'02" East 996.28 feet, thence meandering along said Weber-Cache county line the following (2) courses 1) South 68°53'43" East 618.79 feet to the existing Weber County brass monument, 2) South 32°04'40" East 1432.61 feet; thence South 57°57'32" West 266.13 feet to a point of curvature of a 402.11 foot radius non-tangent curve to the right, the center of which bears South 57°54'04" West; thence southerly along the arc of said curve 161.07 feet through a central angle of 22°57'00"; thence South 09°08'56" East 310.95 feet to a point of curvature of a 1667.00 foot radius curve to the left, the center of which bears North 80°51'04" East; thence southerly along the arc of said curve 35.04 feet through a central angle of 01°12'16" to a point of curvature of a 1667.00 foot radius curve to the left, the center of which bears North 79°38'49" East; thence southerly along the arc of said curve 253.22 feet through a central angle of 08°42'12"; thence South 19°03'23" East 177.42 feet; thence North 30°19'57" East 59.89 feet; thence South 74°47'46" East 428.89 feet; thence North 42°56'09" East 501.23 feet to the Weber-Cache county line; thence South 47°03'40" East 477.42 feet along said County line; thence South 76°31'40" East 455.56 feet along said County Line to a point of curvature of a 130.00 foot radius curve to the right, the center of which bears South 37°52'07" West; thence southerly along the arc of said curve 148.28 feet through a central angle of 65°21'05"; thence South 13°11'46" West 60.72 feet to a point of curvature of a 20.00 foot radius curve to the left, the center of which bears South 76°50'14" East; thence southeasterly along the arc of said curve 40.57 feet through a central angle of 116°12'40" to a point of curvature of a 1049.43 foot radius curve to the right, the center of which bears South 12°50'47" East; thence easterly along the arc of said curve 546.24 feet through a central angle of 29°49'23"; thence North 20°08'22" East 90.12 feet to the Weber-Cache County meander line; thence along said County meander line the following (11) courses: 1) South 76°31'40" East 55.28 feet, 2) North 72°56'20" East 2236.46 feet to the existing Weber County brass monument, 3) South 83°59'38" East 300.00 feet, 4) South 44°11'33" East 390.61 feet, 5) South 85°40'38" East 1023.04 feet, 6) North 51°00'22" East 311.10 feet to the existing Weber County brass monument, 7) North 50°59'56" East 762.67 feet, 8) North 64°33'56" East 1678.13 feet, 9) North 68°06'56" East 1724.96 feet, 10) South 84°54'04" East 727.30 feet, 11) North 72°55'56" East 43.77 feet to the Quarter Section line of Section 4, Township 7 North, Range 2 East, Salt Lake Base and Meridian; thence along said Quarter Section line South 00°19'06" East 3595.99 feet to the North quarter corner of Section 9, Township 7 North, Range 2 East, Salt Lake Base and Meridian; thence South 00°03'35" West 5405.90 feet to the South quarter corner of said Section 9; thence South 86°20'47" East 2617.49 feet to the Southeast Corner of said Section 9; thence South 46°37'20" West 3639.90 feet to the Northeast Corner of the Southwest quarter of Section 16, Township 7 North, Range 2 East, Salt Lake Base and Meridian; thence South 00°43'08" West 2358.71 feet to the South quarter corner of said Section 16; thence South 86°47'40" West 2650.21 feet to the Southwest Corner of said Section 16; thence North 85°54'28" West 2614.70 feet to the South quarter corner of Section 17, Township 7 North, Range 2 East, Salt Lake Base and Meridian; thence South 87°20'03" West 2432.26 feet to the Southwest Corner of said Section 17; thence North 03°35'27" West 2575.97 feet to the West Quarter Corner of said Section 17; thence North 85°39'14" West 1270.03 feet to the Southwest Corner of the East Half of the Northeast Quarter of Section 18, Township 7 North, Range 2 East, Salt Lake Base and Meridian; thence North 04°19'32" West

# Exhibit A 2 1/2

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3520.00 feet along the West line of said East Half and the extension thereof to a point 866.76 feet northerly of the Northwest Corner of said East Half; thence West 2460.69 feet; thence South 02°20'05" East 659.64 feet to the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 7, Township 8 North, Range 2 East, Salt Lake Base and Meridian; thence North 84°07'08" West 1197.28 feet to the Southwest Corner of said Section 7; thence North 89°39'48" West 1322.81 feet to the Southwest Corner of the East Half of the Southeast Quarter of Section 12, Township 7 North, Range 1 East, Salt Lake Base and Meridian; thence North 00°06'22" West 2681.08 feet along the West line of said East Half; thence North 89°50'14" West 1322.49 feet to the Southwest Corner of the Northeast Quarter of said Section 12; thence North 00°04'52" West 1344.10 feet to the Southwest Corner of the Northwest Quarter of the Northeast Quarter of said Section 12; thence South 89°45'43" East 1319.67 feet to the Southeast Corner of said Northwest Quarter of the Northeast Quarter; thence North 00°12'08" West 1340.37 feet to the Northeast Corner of said Northwest Quarter of the Northeast Quarter; thence North 89°45'21" West 1317.72 feet to the North Quarter Corner of said Section 12; thence North 89°50'36" West 2635.43 feet to the Northwest Corner of said Section 12; thence North 02°14'17" East 5031.31 feet; thence North 01°49'08" East 2646.08 feet; thence North 01°49'08" East 1792.67 feet to the Weber-Cache County meander line; thence along said County meander line the following (5) courses: 1) South 70°19'23" East 5.76 feet, 2) South 62°14'34" East 719.20 feet to the existing Weber County brass monument, 3) South 24°23'46" East 2776.74 feet, 4) South 84°50'46" East 337.97 feet to the existing Weber County brass monument, 5) South 46°17'14" East 1274.89 feet; thence South 33°03'13" West 270.18 feet; thence South 84°03'13" West 206.88 feet; thence South 00°03'26" West 167.56 feet; thence South 84°03'13" West 12.63 feet to a point of curvature of a 197.62 foot radius curve to the left, the center of which bears South 05°56'53" East; thence westerly along the arc of said curve 64.31 feet through a central angle of 18°38'43" thence South 65°24'24" West 52.84 feet to a point of curvature of a 305.00 foot radius curve to the right, the center of which bears North 24°35'34" West; thence westerly along the arc of said curve 116.12 feet through a central angle of 21°48'49"; thence South 87°13'15" West 100.24 feet to a point of curvature of a 240.00 foot radius curve to the left, the center of which bears South 02°46'48" East; thence southwesterly along the arc of said curve 255.36 feet through a central angle of 60°57'46"; thence South 25°15'26" West 44.03 feet to a point of curvature of a 335.00 foot radius curve to the right, the center of which bears North 63°44'32" West; thence southwesterly along the arc of said curve 165.97 feet through a central angle of 28°23'10"; thence South 54°36'39" West 37.98 feet to a point of curvature of a 100.00 foot radius curve to the left, the center of which bears South 35°21'29" East; thence southeasterly along the arc of said curve 369.84 feet through a central angle of 211°54'10"; thence North 22°44'21" East 120.59 feet to a point of curvature of a 215.00 foot radius curve to the right, the center of which bears South 67°15'41" East; thence northeasterly along the arc of said curve 307.94 feet through a central angle of 82°03'52"; thence South 15°35'58" West 55.58 feet; thence South 39°45'07" East 136.97 feet; thence North 88°13'31" West 142.96 feet; thence South 47°06'24" West 72.31 feet; thence South 24°12'14" East 397.37 feet; thence North 28°10'49" East 36.38 feet; thence South 61°49'22" East 100.00 feet; thence North 29°09'07" East 4.49 feet; thence South 41°13'35" East 553.25 feet to a point of curvature of a 708.13 foot radius curve to the right, the center of which bears South 07°16'51" East; thence easterly along the arc of said curve 209.63 feet through a central angle of 16°57'37" to a point of curvature of a 215.91 foot radius curve to the right, the center of which bears South 09°40'48" West; thence southeasterly along the arc of said curve 153.63 feet through a central angle of 42°05'46"; thence North 65°04'53" East 316.92 feet; thence North 00°12'10" East 495.42 feet; thence North 61°15'10" East 66.00 feet; thence South 28°44'36" East 123.04 feet; thence North 64°47'59" East 163.00 feet; thence North 25°12'01" West 140.00 feet; thence North 22°21'29" West 100.99 feet; thence North 19°25'39" East 124.19 feet to the Weber-Cache County line (as shown on the Weber/Cache County Line plat recorded in Book 40 at Page 21); thence along said line the following (4) courses: 1) South 25°40'11" East 263.33 feet to the existing Weber County brass monument, 2) South 36°46'13" East 374.24 feet to the existing Weber County brass monument, 3) South 66°55'13" East 745.72 feet, 4) South 67°49'02" East 217.95 feet to the point of beginning.

Containing 4.297 acres.





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# Exhibit B 1/2

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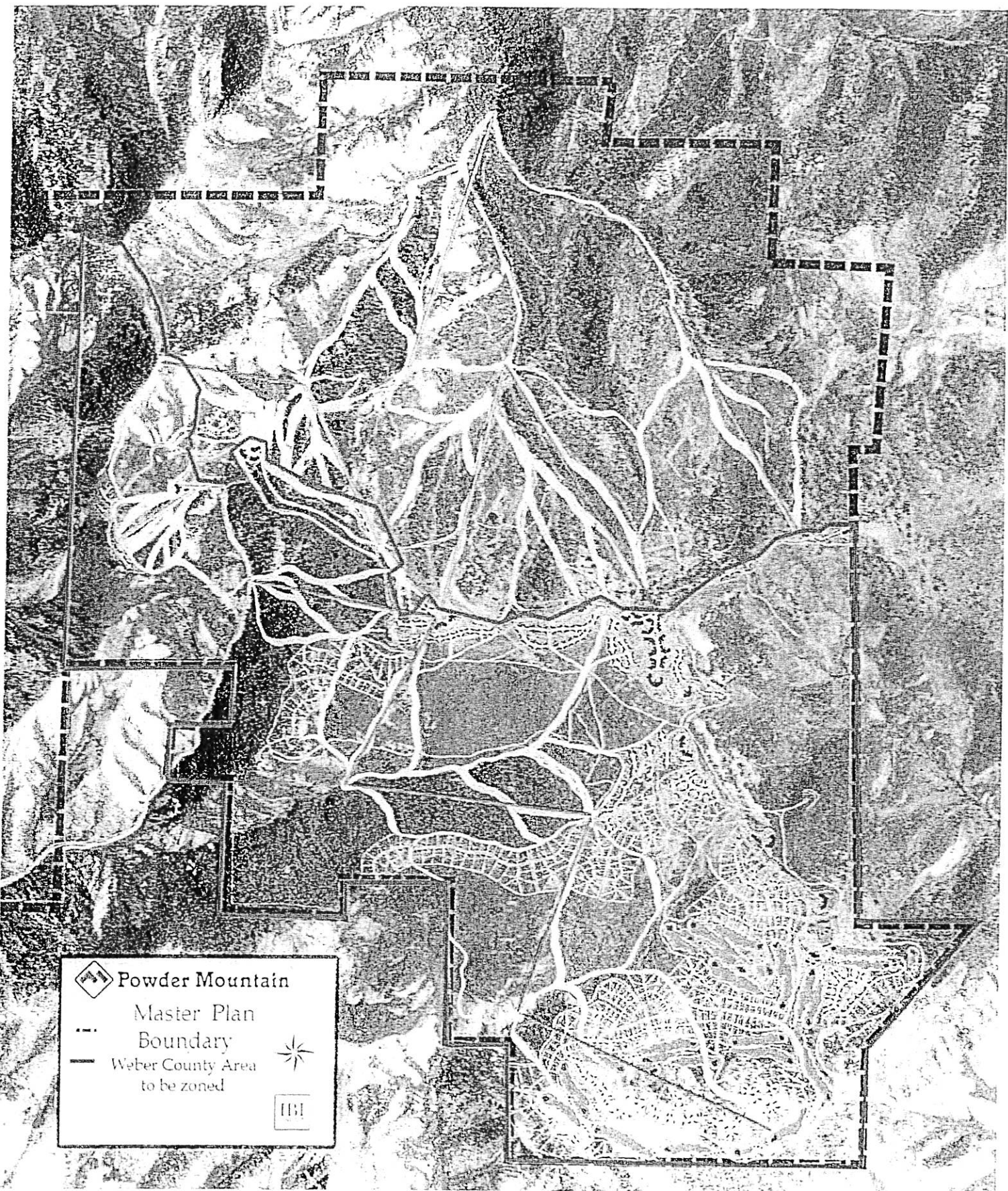




Exhibit B 2/2

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# Powder Mountain

**A Summit Series**



Scale 1" = 1000'

## Phase 1 Conceptual Land Use Plan

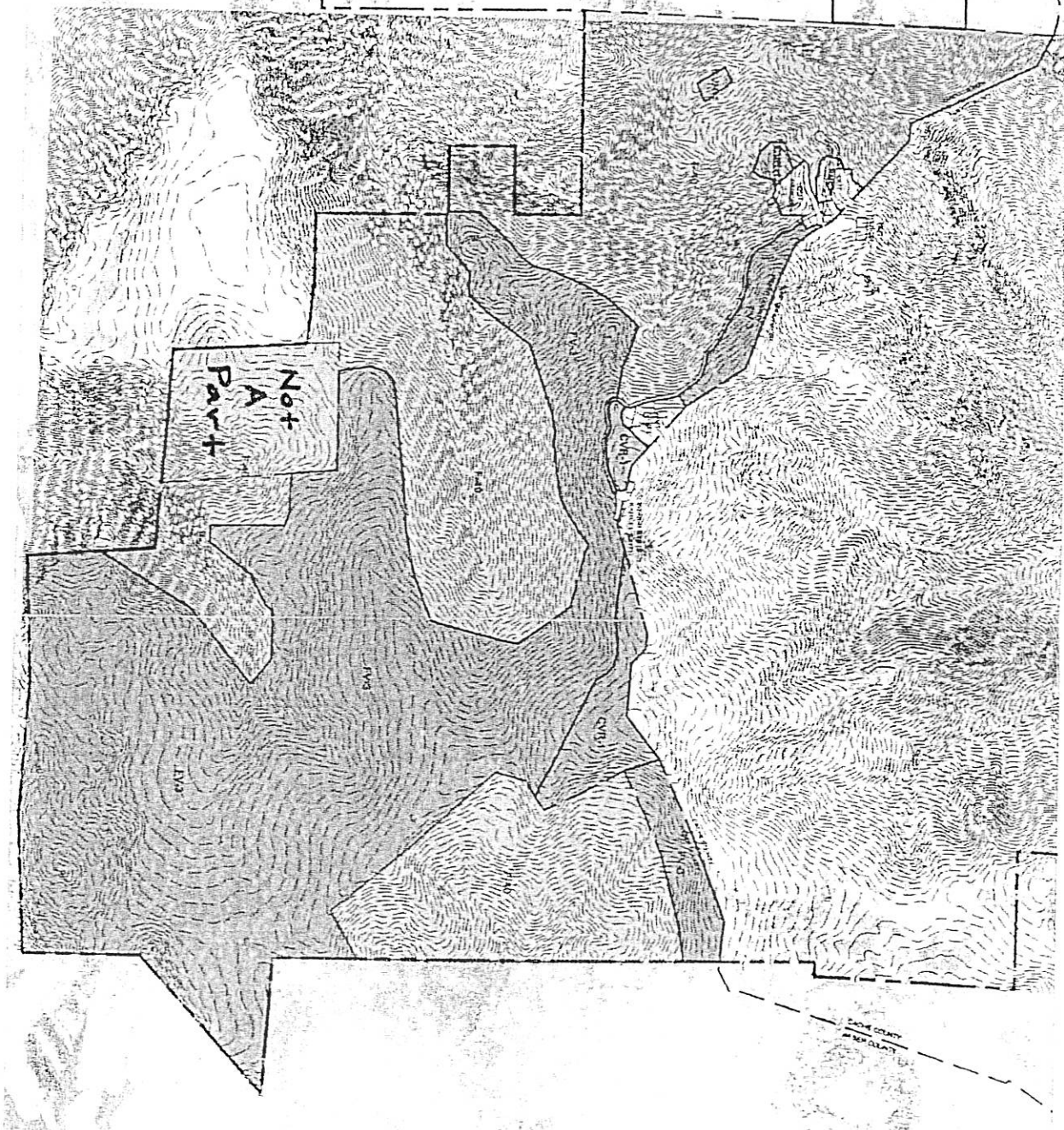
November 6, 2012

Design Group

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16

# Exhibit C

EH 2607988-16-16-16



SCALE 1" = 2,000'

## ZONING LEGEND

- Zone C-1
- Zone F-1
- Zone F-2
- Zone F-3



JACK JOHNSON COMPANY

10000 N. 100th St., Suite 100  
Tulsa, Oklahoma 74116  
Phone: (918) 438-1234  
Fax: (918) 438-1235

DATE	DESCRIPTION
10/1/00	10000 N. 100th St., Suite 100
10/1/00	10000 N. 100th St., Suite 100
10/1/00	10000 N. 100th St., Suite 100
10/1/00	10000 N. 100th St., Suite 100

NOTES

Powder Mountain  
Resort

Proposed Zoning 05

## **Weber County Planning Division**

### **Review Agency List for Summit-Powder Mountain Rezone to DRR1**

Weber County Planning Division  
Weber County Engineering  
Weber County Surveyor's Office  
Weber-Morgan Health Department  
Weber Fire District  
Weber County Sheriff's Office  
Weber Economic Development Partnership  
Weber County Assessor  
Weber County Clerk Auditor  
Weber County Treasurer  
Weber Pathways  
Weber School District  
Wasatch Front Regional Council  
Governor's Office – Utah Public Lands Office (includes DWR)  
Utah Department of Transportation  
US Forest Service – Ogden Ranger District  
Rocky Mountain Power  
Powder Mountain Water and Sewer District

### **Others**

Ogden/Weber Convention and Visitors Bureau  
Ogden City  
Huntsville  
Sierra Club  
GEM Committee  
Sun Ridge HOA



# Powder Mountain DRR1 Rezone Application

Summary Review and Responses - Revised September 29, 2014

## Weber County Planning Division

Subject: Planning Division Comments for the Powder Mountain's DRR1 (Rezone) Application.

Comments provided as of July 29<sup>th</sup>, 2014:

Response: Responses provided to S. Mendoza via PDF/email 09.16.2014

Response: Responses provided to S. Mendoza via PDF/email 09.29.2014

### Application Submittals:

1. The rezone application is still in need of water and wastewater feasibility letters as required in Section 102-5-4(b)(4) of the Weber County Land Use Code (LUC). Although we appreciate the explanations that have been provided, these letters need to be written by the entity that will serve the development.

Response: Page 51 has purposely been left blank. A letter will be forthcoming from the development team to address this issue.

2. The rezone application is still in need of an electric power feasibility letter as required in Section 102-5-4(c) of the LUC. If you prefer, we can use a comment that was posted by Rocky Mountain Power (on Miradi) as your feasibility letter.

Response: The feasibility letter has been provided to Planning staff via email on Aug. 29, 2014

3. The rezone application is still in need of a Letter of feasibility, from the Weber County Sheriff's Office.

Response: The feasibility letter has been attached (Page 50)

4. The application is still in need of an answer to question #4 in the County's rezone chapter. This question can be found in Section 102-5-4(b)(6) of the LUC. If this comment has been addressed in the latest revision of the master plan booklet, please provide a page and paragraph number.

Response: This response has been provided (Page 6)

5. The Benefit Analysis, submitted with Powder Mountain's DRR1 Zone application, is based on 1,000 dwelling units and 290,000 sq. ft. of commercial space. The rezone application proposes 2,800 dwelling units and less than 190,000 sq. ft. (as shown on each village master plan and the Workforce Housing Plan) of commercial space. The master plan and supporting materials should be consistent.

Response: The Benefit Analysis calculated Hotel units as hotel square footage which made up a portion of the 290,000 sf while not including these as units in the 1,000 dwelling unit number. A comparison of the Benefit Analysis numbers and the proposed phase 1 numbers on an apple to apple basis has been provided on Page 52 and show that the 2 are very close. We have also attached Exhibit 4.1, Economic Impact Analysis detailing what impacts should be expected as the project builds out to the fully approved 2,800 units.

6. According to Powder Mountain Agency Review Committee meeting minutes, dated October 21, 2013, Powder Mountain representatives committed to provide Weber County with a 2<sup>nd</sup> access road study along with any DRR1 rezone application. This study has not been submitted.

Response: We have identified the location for a full public access road stubbed to our properties edge on the Ridge and Earl's Peak master plans as well as providing a detailed road study from the existing public Summit Pass Road to our property border. (Page 40) This provides a guaranteed public road to the most feasible access location on adjoining properties for continuation of a roadway connection to the east.

### Master Plan:

7. The access to the Sundown "boutique" hotel and other residences utilizes a private road through the Powder Mountain West Subdivision. Does Powder Mountain have permission to use that road as an access?

Response: A note has been added to Page 24 addressing this issue.



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2/16

8. The commercial area and “boutique” hotel located in the saddle, north of the top terminal of the existing Sundown chairlift, appears to be on a ridge that is visible from Eden, Liberty, and the North Fork Park. To guarantee a dark night sky for residents and because North Fork Park is currently in the process of acquiring a “dark-sky” accreditation, this location may need to be further studied.

Response: All development within the project will meet County code requirements for light and dark sky issues. We have worked closely with Janet Muir a IDA-liaison with extensive and recent dark-sky measurement history. Summit is a prime supporter of dark-sky efforts in Ogden Valley and is actively engaged in conversations with Janet about innovative approaches with respect to the lighting and development of Summit Powder Mountain to create energy-saving, dark-sky-preserving light structures and land near significant altitude differentials.

Summit’s development plans, including, but not limited to, the boutique hotel on or near Sundown Saddle will include lighting that results from a collaboration of approaches with Summit, Ogden Valley Starry Nights, and several experts, including at least one from the IDA. Summit’s efforts will attempt to preserve the rustic environment on the top of the mountain, the dark-skies of North Fork Park and provide an energy-saving, best-practices lighting model appreciated by the residents of Ogden Valley, the education partners of North Fork Park, residents and guests on the mountain and serve as a model for alpine ski resorts that can be adopted in the U.S. and abroad.

9. The resort boundary, shown in the master plan booklet, appears to include property that does not belong to Powder Mountain. This property is along the Powder Mountain Road, in the south westerly most area of the project.

Response: This has been modified with the area in error removed and the project acreages adjusted throughout the application on all exhibits and text.

10. On page 43 of the Powder Mountain master plan booklet, the project acknowledges that there will be “employees generated due to development in Cache County”. What are development plans for the Cache County side of the development?

Response: This note has been removed. The focus of this application is solely on the application for rezone to DRR1 within Weber County. No development in Cache County is being considered at this time.

11. Please provide a conceptual plan that shows all of (the previously recorded) Phase 1 and any previous road dedications.

Response: This exhibit has been added (Page 21)

12. The easterly most “point” of The Meadows development area may need a 200 foot buffer where no buffer is currently shown. Please check all development areas for compliance with the DRR1 buffer requirements.

Response: Notes have been added to all Meadows development exhibits indicating buffers will be provided as required.

13. On page 17, the master plan booklet discusses requirements for “green building practices” that are a part of Powder Mountain’s design guidelines. Also, in Section 5.4 of Zoning Development Agreement #C2012-212, Powder Mountain has agreed to incorporate principles of sustainability into the development. Are these principles and guidelines available for review and have they been implemented into Phase 1? If not, when and how will these guidelines be implemented?

Response: The project Design Guidelines have been referenced and attached as Exhibit 3 of the application package and are currently in use as the guiding document for Phase 1 development.

14. On page 30 of the Powder Mountain master plan booklet, the plan shows a chairlift and ski terrain across the project’s easterly most boundary, into State lands. Has this plan been discussed with the State of Utah?

Response: This proposed lift has been revised on all exhibits to a location within the project boundary.

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15. On page 43 of the Powder Mountain master plan booklet, the plan states that the resort's high elevation and unpredictable weather make the Ogden Valley and Ogden City more suitable places for resort employees to live. This can be thought of as contradictory i.e., Powder Mountain is suitable for residents but not for working residents. Typically, there are other reasons (e.g., trip generation due to lack of daily needs or services, etc.) to house employees off-site.

Response: The text has been revised to clarify the intent. (Now Page 46)

Zoning Development Agreement (#C2012-212):

16. The Agreement between Weber County and Powder Mountain describes a resort boundary containing 4,297 acres and 2,800 development units. The current Powder Mountain rezone application shows approximately 6,300 acres and master plans for the same number (2,800) of units. Is it Powder Mountain's intent to forgo any potential development rights associated with the additional (potentially developable) 2,000 acres?

Response: The additional acreage (approx. 1,940 acres) will be included within the rezone application and as stated within the Substantial Public Benefits section (Page 6) will be stripped of any additional density and provided within the project as open space.

17. Section 8.1 of the Agreement states that Powder Mountain will record a reinvestment fee covenant on the resort property. Has this taken place?

Response: This will take place and will be further required and as included in the revised Development Agreement as part of this rezone application.

## Weber County Engineering Division

Comments provided via Miradi from Dana Shuler on September 2, 2014

1. Page 3 - Project Team - We would prefer a P.E. be listed as the Civil Engineering consultant

Response: Ryan Cathey, project P.E. was added as contact.

2. Page 4 - Powder Mountain History - I don't think the first home will be completed in Summer 2014.

Response: This had already been modified for the revised submittal to Summer 2015

3. Page 6 - Process - The Engineering Department has not been in "close coordination" during the preparation of your re-zone application, as far as I know.

Response: The reference to the engineering department was removed.

4. Page 7 - "While there are stream corridors within the project area, the development impacts have previously been mitigated as these areas also include the existing access to the resort." - Please clarify and/or explain.

Response: This was clarified further to reference the only previous impacts were created when the highway was installed and no further impacts will occur.

5. Page 8 - Outdoor water use has not been approved by Division of Drinking Water.

Response: This is understood. The descriptions reference a master plan and assume all approvals will be met. We understand that without water approvals the project will not fulfill its Master Plan.

6. Page 14 - "These drainages have already been impacted and mitigation measures introduced as part of the roadway access to the Powder Mountain resort..." - Please explain.

Response: This was clarified further to reference the only previous impacts were created when the highway was installed and no further impacts will occur.

7. Page 16 - Please explain your "snow storage and snow removal strategies," especially the snow storage.



Response: Snow storage and snow removal strategies will be provided on a case by case basis and cannot be detailed at a Master Plan level. These strategies will vary greatly depending on the location within the project, the road type, adjacent densities, etc.

8. Page 16 & more - How do you plan to access the top of Sundown Lift? Aspen Drive is a private road.

Response: A note has been added to all affected exhibits addressing this issue.

9. Page 16 - "The impact on traffic congestion through the Valley will be minimal..." - How is this justified with 2800 units, 900 commuting employees, increased skier traffic, and construction traffic? (See attached file for comments specific to the Traffic Study.)

Response: Please refer to the Traffic study and subsequent traffic review comments and responses.

10. Page 17 - Are these sustainability, fire protection, etc. design provisions in the CC&Rs? How do you enforce these items?

Response: Yes, these are provided in our design guidelines and CC&R's which will be enforced by the design review committee and Weber County.

11. Page 43 - Please explain what you mean by the sentence: "Additionally, the upper alpine elevation and unpredictable nature of the resort['s] winter weather make] the Ogden Valley and Ogden ideal for the majority of the employee base to reside on a day to day basis." - Wouldn't it be better if the workers were closer to work, sustainability- and access-wise?

Response: This note has been clarified.

12. Page 44 - Please show the well and new 415,000 gallon tank in the correct location.

Response: This exhibit has been revised as directed.

13. Page 46 - This exhibit doesn't appear to shown anything but the drainages and drainage divides. No "Stormwater System" shown.

Response: This exhibit identifies the conceptual drainage and matches the level of detail provided in the similar Snowbasin Rezone application. Additional more detailed information will be provided at the time of individual approvals with all stormwater design meeting Weber County standards and specifications.

14. Misc. - "Geertsen" should be spelled correctly throughout.

Response: This name is spelled differently on many maps available from the County and State. We have attempted to be consistent throughout our document with the "Gertsen" spelling.

15. Misc. - In several exhibits, Mary's lift is shown extending beyond the property line. Is this intentional?

Response: This has been revised pulling the base of the lift onto the rezone property until approvals are in place for any extension of the lift off of the property.

16. Misc. - During 2013 discussions, the requirement for a "feasible" (vertical and horizontal) secondary access route was deferred until the DRR-1 rezone application. I do not see any proposed route detailed in the application.

Response: This public access has been provided in greater detail providing access to the east boundary of the project in a feasible location.

## Weber County Planning Division

Subject: Comments for the Powder Mountain's Traffic Master Plan.

From the Wasatch Front Regional Council

Comments provided via email from Scott Mendoza on August 6, 2014

1. This is a unique trip generator. Rather than basing trip generation on ITE rates and "engineering judgment," it would be preferable to collect and use data from other local resorts.

Response: The data collected from the existing resort area combined with the ITE rates give a fairly good representation of the anticipated trip generation. Collecting trip generation data from other resorts would provide

another set of data that would be similar to the numbers that were used for this study. The overall results would show the same LOS and would likely require the same mitigation measures at the impacted intersections.

2. It would be useful to know recent population growth trends in Eden, Liberty, and Huntsville, and what additional development is expected there in the next 5 years, and in the next 10 years.

Response: The historic traffic growth patterns through 2013 show more of a decrease than it does an increase in the number of trips using the surrounding roadway network. PEC used a conservative two percent growth rate to account for the increase in traffic over the next 20 years. This growth factor will account for some of the future development in the surrounding area if it does occur.

3. The severe crash rate on each of the four roadways should be calculated and compared with the average severe crash rate on the corresponding facility types.

Response: The crash section was revised adding more detail and crash rate comparisons.

4. Even though there are no crash patterns reported, potential safety mitigation may still be able to be recommended.

Response: The safety section was revised and potential mitigation measures were suggested.

5. Under assumptions on page 9, the "100% of the resort guests and skiers will stay approximately one week" is aggressive and doesn't appear to be backed up with any data. If guests only stay 3-4 days, this would double their assumed trip rate.

Response: Revised the statement to say that approximately 40 percent of the resort guests and skiers (90 % from outside the area and 10 % from local areas) that come as part of the new development will stay approximately three/four days during the week and approximately 75 percent of the resort guests and skiers staying three/four days will include the weekend as part of their stay.

6. A 50 percent reduction in trips by providing enticements to skiers to ride UTA is extremely aggressive. A detailed, financially feasible plan to accomplish this would be desirable.

Response: Jeff/Russ to provide PEC with public transit incentive commitments (discounted lift tickets, concessions, etc.). Discuss with Weber County.

7. The distribution assumptions seem reasonable. The proposed mitigations also seem reasonable unless some of the underlying assumptions change.

Response: The distribution will remain as is.

8. The "A" Levels of Service in Figure 1 appear to contradict the corresponding LOS descriptions about existing traffic in the Executive Summary and elsewhere.

Response: Figure 1 was revised to reflect the appropriate LOS.

9. The daily trips from 6 lifts in Table 8 do not appear to line up with the 67 and 112 trips per lift identified on page 11.

Response: Revised the trip generation table.

10. The average growth for SR-158 in Table 10 seems to be lower than the growth on individual sections would suggest.

Response: Revised the average growth rate to 2% and revised all traffic calculation.

11. Is there a need to explore other parking options in addition to Rainbow Gardens and UTA's Ogden Transit Center?

Response: Yes, as the number of skiers increase the need for parking will also increase.



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## Utah Division of Wildlife Resources (UDWR)

Comments provided via email from Scott Mendoza on August 22, 2014

### Technical Comments

- **Domestic livestock.** It is our understanding that an equestrian facility may be developed on the property and area trails would permit horse use. It is unclear if horses (or other domestic livestock) will be allowed on any lots within the development or on the surrounding open spaces/rangeland. Hay bales may become an attractive nuisance by encouraging big game animals to congregate near hay storage and feeding locations, which may create resident homeowner concern due to the loss of hay and consumption of private landscaping. UDWR suggests that haystacks or other feeding locations be fenced or enclosed to protect them from big game damage (minimum of 7 1/2 foot high fence). UDWR also suggests that the use of "weed free hay" (for resident horses and horses brought in for day-use) be considered for the area to reduce the potential influx of noxious and undesirable weed species into this remote location at the top of two watersheds. Waste from any equestrian facility should be properly treated, as excess nitrogen deposition in local wetland and riparian areas will drastically alter those ecosystems. If grazing on surrounding open space lands is permitted, UDWR recommends a grazing plan be developed to rotate livestock around the property to enhance native and wildlife beneficial vegetation, along with stabilizing soils. UDWR is available to suggest site-specific recommendations for a grazing plan.

Response: An equestrian facility may be provided as part of the project amenity package and would comply with all guidelines as outlined above. When the facility applications/approvals are submitted to Weber County Powder Mountain will coordinate these guidelines and implementation strategies with UDWR.

- **Bear and Cougar:** This area of Weber County supports populations of bear and cougar. In developments similar to this proposal, black bear have become habituated to the easy availability of food from a myriad of sources, such as: pet food, garbage cans, hummingbird and seed-filled bird feeders, coolers, refrigerators, and barbecues.

UDWR requests that all homeowners are made aware of the potential for human/bear conflicts and interactions, and be instructed to secure all food so that **no** food sources are left outside of homes, cabins, and/or development areas. All garbage cans should be "bear proof" to further discourage bear use of the area. If homeowners take precautions to protect themselves and their property from attracting bears, it will reduce the number of bears that may need to be removed from the area. Cougars also frequent the area and while most cougars will avoid areas of high human activity, residents should be made aware of the potential for cougar/human interactions. This interaction may include the loss of pets and at least the harassment of domestic livestock.

Response: We have addressed these potential conflicts in the project development covenants and will continue to actively educate new and existing homeowners of the potential wildlife conflicts.

- **Lighting.** Given the proximity of portions of the development to sensitive wildlife habitats, UDWR requests that any lighting on buildings or streets be directed downward to prevent excess light from affecting wildlife. In addition, other strategies to reduce light pollution should be considered; this could include motion sensors or "bug yellow" lights.

Response: All development will comply with Weber County ordinances and standards for lighting including dark sky regulations.

- **Fertilizers and de-icing compounds.** It is our understanding that some ski resorts utilize additives or chemicals to enhance their snow making capabilities and to keep roads clear of ice. In addition, during the annual maintenance of lawns and during the seeding of disturbed habitats, fertilizers may be utilized. UDWR is concerned that some of these chemicals and nutrients may flow into area wetlands and the headwaters of stream channels, and may negatively impact Bonneville cutthroat trout populations within both Cache and Weber Counties. UDWR recommends that compounds harmful to fish and amphibian populations not be used within the proposed development or that all runoff from roads, streets, and ski areas be collected and not permitted to flow into natural channels where they could be detrimental to downstream aquatic

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wildlife.

Response: We will use only salt and sand on the project roads as part of the snow and ice removal practices. Only environmentally friendly fertilizers will be allowed throughout the project. All run-off from roads and streets is collected in detention basins providing filtration of potentially harmful compounds as required by Weber County.

- *Fences:* UDWR recommends that any fences installed on the property be either a standard fence height of 42" (or less) to provide for big game animal movements across the fence, or be at least 7 1/2 ft. tall to preclude animals from crossing the fence (such as around livestock food-storage facilities). UDWR recommends that where the 42" fences are built, they be designed as "wildlife friendly" to reduce the chance of wildlife being restricted, injured, or killed. UDWR can recommend suggestions for standardized fence designs which are "wildlife friendly."

Response: We do not allow any fencing within the residential development in order for the proposed development to integrate into the natural landscape and in particular to be "wildlife friendly" allowing animal movements to remain uninhibited to the greatest extent possible.

- *Aspen Habitats:* Aspen occupy less than 4% of the land area within Utah, and this habitat type has also been identified by UDWR as one of the top ten habitats of concern (Utah Comprehensive Wildlife Conservation Strategy-2005). These habitats have been primarily lost or degraded from direct loss of stands due to development, fire cycle alteration, and conifer encroachment. In Utah, aspen provides critical habitat for a complex diversity of over 174 wildlife species, including game (mule deer, elk and grouse), non-game (including Northern Goshawk and Williamson's Sapsucker) and watchable wildlife. To protect wildlife in this area, UDWR recommends that development activities within or adjacent to aspen habitats should minimize fragmentation and the direct loss of stands. Aspen stands are of high value to wildlife as elk calving habitat, foraging by many bird species which feed upon the aspen catkins, and the soft wood allows for the creation of cavities which many bird species use for nesting. The current application calls for development to be placed within aspen habitats and other forested stands which will reduce this important habitat for wildlife. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these stands for wildlife.

Response: Development is being clustered to the greatest extent possible to minimize the area of overall disturbance. Placement of development within aspen habitats will be done so with the greatest possible sensitivity and minimized disturbance.

- *Riparian Habitats:* Mountain riparian habitats are considered rare in Utah and occupy less than 1% of the land area within the state. This habitat type has also been identified by UDWR as one of the top ten habitats of concern in Utah (Utah Comprehensive Wildlife Conservation Strategy, 2005). These habitats have been lost or degraded through activities such as stream channelization which increases water velocity and sedimentation. In Utah, riparian plant communities provide critical habitat for a complex diversity of approximately 350 vertebrate wildlife species, including 21 species of concern. Similar to our comments above for aspen habitats, UDWR recommends that development activities within or adjacent to riparian habitats should minimize fragmentation and the direct loss of stands. The creation of upland buffers around these habitats where little to no disturbances are permitted will provide better habitat for wildlife. We recommend that the current DRR-1 application be updated to include the location of riparian habitats in relation to planned developments and infrastructure, and that upland buffers be established. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these habitats for wildlife.

Response: Development has been placed out of riparian habitats with large setbacks in general. At this large scale master plan level it is recognized that when more detailed plans are developed for future project submittals further studies will be completed to ensure these riparian habitats are delineated and properly preserved.



- *Potential big game mortality on SR-158.* The main entrance road to the Powder Mountain ski resort (SR-158) and the project area travels through mule deer, elk and moose winter habitats where animals congregate during the fall, winter, and spring months. UDWR notes that the Powder Mountain Resort Transportation Master Plan (Draft Submitted: June 6, 2014) does not include any discussion of current wildlife mortality occurring on SR-158. In addition, other roads in the general vicinity will be used to access SR-158 and the Resort, with the subsequent increase in traffic on these roads. Over the past 2 years, the following big game highway mortality has occurred:

1. SR-158; from the four-way stop to Powder Mountain: 10 mule deer
2. SR-158; from Pineview Dam to the four-way stop: 24 mule deer
3. Accessing SR-158 from the North Ogden Divide: 16 mule deer
4. SR-39; from the junction with SR-167 to the four-way stop: 20 mule deer

With a projected increase in vehicle travel during the fall, winter and spring months, it is anticipated that an increase in wildlife/vehicle collisions is likely, especially with mule deer. UDWR recommends that the transportation plan address potential impacts to big game animals and other wildlife species that could occur with the projected increase in traffic to the Resort, UDWR is available to work with Weber County, the Resort, and the Utah Department of Transportation to help develop strategies to reduce wildlife-vehicle collisions and protect public safety.

*Response: Our overall traffic goal is to reduce and minimize all vehicular access to the canyon through bus and other mass transit options. Our traffic mitigation plan details these strategies for trip reductions and implementation of these strategies.*

- *Wet Meadow:* Mountain wet meadow habitats are also considered rare in Utah, and occupy less than 1% of the land area within the state. This habitat type has been identified by UDWR as one of the top ten habitats of concern in Utah (Utah Comprehensive Wildlife Conservation Strategy-2005). These habitats have been primarily lost or degraded through activities such as direct loss of habitat, habitat fragmentation, draining, water development, drought, improper grazing, improper OHV uses, and loss of adjacent upland habitats. In Utah, wet meadow plant communities provide critical habitat for a complex diversity of approximately 201 vertebrate wildlife species, including 4 species of concern. Similar to our comments above for riparian habitats, UDWR recommends that development activities within or adjacent to wetlands and wet meadow direct loss of habitats. In addition, UDWR recommends that upland buffers should be established around these habitats wherein no disturbances are permitted, UDWR recommends that the current DRR-I application be updated to include the location of wetland habitats in relation to planned developments and infrastructure, and that upland buffers be established. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these habitats for wildlife.

*Response: Development has been placed out of wet meadow habitats with large setbacks to these areas in general. At this large scale master plan level it is recognized that when more detailed plans are developed for future project submittals further studies will be completed to ensure these wet meadow habitats are delineated and properly preserved.*

- Under the Fire Protection section (page 17), no mention is made of the Community Wildfire Protection Plan that has been developed for the property. Along with including the Plan information in the rezone application, this section could suggest additional strategies for reducing the possibility of wildfire.

*Response: The Community Fire Plan that was created for the first phase of the development has been reference and included in the application as Exhibit 5. Additional strategies are also included within the design guidelines (Exhibit 3) as well as required by Weber County.*

- Under the Energy section (page 17), reference is made to a "solar garden." UDWR supports efforts to use sustainable energy sources, but notes that large solar arrays can impact wildlife through the removal of habitat and the increase in associated infrastructure. UDWR would like to evaluate subsequent solar array proposals to address potential impacts to wildlife and wildlife habitat. Specific siting decisions are critical in such proposals.

Response: A note was added to Page 18 addressing this.

- Previous discussions with Weber County and maps within the DRR-I application package have referenced a possible secondary access road which could be used for emergency, administrative and possible public use. The main route discussed is a current dirt road which exits the north-east portion of Powder Mountain property in Weber County, and travels east along the ridgeline, on the Weber County-Cache County boundary. Depending upon the exact location, a section of this road may cross the UDWR Middle Fork Wildlife Management area (MFWMA). If any secondary access roads will cross the MFWMA and/or any road improvements are necessary, easements may need to be sought from UDWR.

Response: Powder Mountain has committed to providing public roadway access to the adjoining property owned by Stonefield, Inc. (See Page 40 for Roadway design) Access beyond this point is the responsibility of those affected owners with coordination with Weber and Cache Counties and any other owners of property that any future public roadway alignment to the east would require.

- The Summit Powder Mountain Village map (page 29) appears to show the proposed Mary's Lift on the MFWMA. UDWR has not entered into any discussions with the Resort regarding the placement of a ski lift on state property and is not currently supportive of placing such development in this location.

Response: This lift terminal base location has been moved onto the project property.

- The Open Space with Trails Plan (page 42) identifies two trails which are proposed to travel from the Resort property, onto the MFWMA.

1. The trail along the north-east portion of the Resort within Weber County is proposed to follow a dirt trail down into the MFWMA. Although the MFWMA is open for non-motorized public access and use during certain periods of the year, UDWR has not established a formal public access trail in this location. If desired by the Resort, UDWR may be interested in working with the Resort to identify and develop trails in this and other appropriate locations.

Response: This alignment has been modified to only provide a trail access/stub to the east edge of the project property. Any extension of the trail east shall be coordinated by those affected landowners, Weber Pathways, Weber County or Cache County.

2. The Geerts Canyon trail is not currently a contiguous trail between the UDWR-owned portions of the MFWMA and the Resort. A small section of United States Forest Service (USFS) land (also within the MFWMA) is found within a steep section of Geerts Canyon wherein any such trail will need to be developed to accommodate public use. If the Resort is interested in developing this trail, UDWR is available to work with the Resort and the USFS to develop a trail in this location.

Response: This coordination for a trail connection thru the USFS land is a top priority and Powder Mountain is interested in providing this significant trail connection as part of the "regional" trail access to and thru the project. A portion of this trail connection would also require cooperation from Western American Dev. Corp, Inc to complete the access to the Powder Mountain property. Powder Mountain will work with these entities as well as with Weber Pathways to provide this important trail link.

- As identified on the Sensitive Land Areas: Wildlife Habitat map (page 13), the majority of the Resort property is located outside of the sensitive/critical wildlife habitat areas which have been mapped for Ogden Valley. This map broadly identifies sensitive wildlife habitats along the foothills including some wetlands along the valley floor. The three habitats identified above (aspen, riparian and wet meadow) are also important as they support a wide diversity and abundance of wildlife species. Given the scattered location of these sensitive habitats throughout the mountain areas of Ogden Valley, it was not feasible to identify in this letter all the locations. However, UDWR requests to see these habitats retain their wildlife value through time.

Response: A note was added to Page 13 addressing this item.



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## Weber Pathways

Comments provided via email from Scott Mendoza on August 19, 2014

This review is conducted to assure that the Trails Plan meets the pathway requirements in the Weber County Zoning Ordinance, Chapter 40, 2004 -15 (Ogden Valley Pathways). The Open Space with Trails Plan (page 42 in the DRR-1 application) is a conceptual plan with very few details as to the exact location and construction of the trails. The plan does show approximate location of the existing and proposed trails that include multi use trails, mountain bike trails, walking and hiking trails, and trails that connect to the current Ogden Valley pathway network.

### Weber Pathway Network Trail Connectors

In the plan drawing the Weber Pathway Network Trails are indicated in blue. On the plan drawing they are designated as Regional Connector Trails. The Wolf Creek Canyon trail is on the West side of the project boundary. The Wolf Creek Trail was provided to Weber County as an easement to access the 40 acre county park that was given to Weber County by Alvin Cobabe, the original owner and developer of Powder Mountain Ski Resort.

The Wolf Creek canyon trailhead is located on the project near the road closing gate where the South Fork of Wolf Creek crosses under SR 158. The trail runs along the west facing slope of Wolf Creek Canyon to the County Park in the North end of the canyon. The plan does not show the extension of Wolf Creek Trail to the Park. This must be included in the plan. The plan does show a connector trail up the steep slope to the saddle between Sundown Ski Area and Baldy Peak and to the Confidence ski trail at Sundown. The lower portion of the connector is very steep and a few switchbacks should be added to make the trail safe for hikers, walkers, mountain bikers and horses.

Response: This trailhead is NOT on Powder Mountain property but the existing trail and trailhead has been added and identified. Although more detailed study will be provided for all trail segments we have added switchbacks as requested although no trail alignment should be considered final due to the large scale master plan element of this application.

The trail continues to the top of the Sundown ski area and down the slope north of the top lift station to the Slow Poke trail that runs North and East to a trail node at the Mid Mountain area.

The trail appears to continue up the Drifter ski trail to the top of the Timberline lift then down the face of Saddle Horne slope to Lodge Trail. The trail continues up Lodge Trail to a trail access node at Hidden Lake. There are some steep sections of the ski runs that may require switchbacks to make the trail easier to navigate. If this section of the trail runs the entire length of Lodge Trail fewer switchbacks would be required.

From Hidden Lake the trail runs down the access to the Sunrise lift to the bottom of the lift and then up to the ridge near the Nests. The trail then appears to follow the county line along the top of the ridge to another trail access node west of Earl's peak and along the ridge North of Mary's bowl to the property boundary and into the Middle Fork Wild Life Area East of the property boundary.

Another Weber Pathways Network connector trail intersects the above trail near the microwave tower at the top of Sunrise and proceeds SW into Lefty's Canyon and breaks West along the bottom of Lefty's to approximately the Spring Creek confluence where it turns slightly SW along and up the wooded south side of Lefty's. When it reaches the top of the wide ridge it turns south into the Gertsen Canyon drainage and proceeds down the drainage to connect to the existing Gertsen Canyon trail in the Middle Fork Wildlife Management Area.

These are Weber Pathways Network trails therefore they will be available for the public's use without fees. They offer the opportunity to form two distinct loops between Ogden Valley and Summit Powder Mountain through the Middle Fork Wildlife Management Area and Wolf Creek Canyon and the trails above Wolf Creek

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Resort. They do not form a loop within Summit Powder Mountain. It's recommended that one or two additional trails in the project be designated Regional Connectors to form loops within the project.

Response: With 2 points of access to the property from the south and an additional stub to the east for future connectivity we feel that the "regional" access is adequate. Additional loop trails will be provided within the project as shown on the revised trails and open space map. These internal loop trails will be open to the public. Construction of these trails is underway with coordination from Weber Pathways and the International Mountain Biking Association (IMBA). Completion of these public loop trails is expected by Fall of 2017.

The network trails are in locations that provide views of Ogden Valley, the Salt Lake Valley, and Cache Valley as well as the scenic canyons and open spaces of Summit Powder Mountain.

### **Non Weber Pathway Network Trails**

By count there are more than two dozen trails marked in red in the project that are not network trail connectors. These trails connect the distinct neighborhoods and commercial nodes in the project and run through many of open space areas in the project. Many of the trails have open views of the mountain peaks, ridges and canyons in Weber and Cache County and will provide optimum views to users.

None of the trails shown in red on the plan have designations concerning use type, public, fee or non fee, or for members and residents only. These should be specified before the next phase of the plan and before Weber Pathways can approve the plan as meeting Weber County Zoning Ordinance, Chapter 40, 2004 -15 (Ogden Valley Pathways).

Response: Due to the conceptual level of the master plan design these trail types, fee structure, etc will be determined as corresponding phases of development or more detailed level of trail planning is provided. The current trail plan is only showing those "regional" and internal loop trails. The master plan is intended to provide general trail linkages and points of access as shown on the revised map and as coordinated with Weber Pathways. Future additional and multi-purpose trails within the project will be provided on a project by project basis as the development moves forward.

Most of the red trails have switchbacks on the steeper sections (examples: Sundown, Lefty's, Earl's Village). Many of the trails are on lesser slopes making hiking, walking and biking easier.

One slope that does not show a trail is the ridge between Cobabe Peak and James Peak. There should be a trail shown there because people are going to hike up to James Peak. It is the highest point on the East side of Ogden Valley and in the project and hikers will want to see the spectacular views of Ogden Valley, the Salt Lake, Cache Valley, The Wellsville Mountains, and the Wasatch and Uinta ranges.

Response: This trail has been extended to James Peak.

The Ogden Valley Pathways ordinance requires pathway construction to be specified. This must be done for many of the trails and for certain uses. Mountain bike single track trails and certain hiking trails, such as up James Peak, may be exceptions.

In general coverage of the project with trails looks very good. There are major trails that run East West and North South as well as points in between. Trails connect neighborhoods and commercial nodes and to Weber Pathways Network trails. There are a number of loop combinations that can be navigated. (Signage may be required to keep people from getting lost) However the details required by the Ogden Valley Pathways Ordinance must be provided before this trails plan can be approved.



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## Sierra Club

Comments provided via email from Scott Mendoza on August 21, 2014

In general, our main concern with Powder Mountain is to protect the adjacent public lands (DWR and Forest Service) from inappropriate and unauthorized encroachments. So, for example, we wouldn't want to see private residential lots abutting the public land boundaries, encouraging the owners of those lots to expand their "back yards" into public lands.

Response: A buffer of at least 50' will be provided between all single family lots and any boundary to public land. This will be provided at the final platting stage of approvals. All multi-family or commercial uses shall buffer public lands with a minimum of 200' as dictated by County code.

A second concern is that views of the ridgeline from below not be marred by structures rising from the ridge line.

Response: This is a very generalized comment. This does not indicate what ridgeline or from where views from below are indicated. All proposed development will be located and constructed to meet all County requirements and sensitivity to impacts to surrounding property owners and residents within the Ogden Valley.

A third concern would be compliance with the county's lighting ordinance and, in general, avoiding unnecessary lighting to preserve the dark night sky of Ogden Valley.

Response: The project will be in full compliance with the Counties lighting ordinance.

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## Weber County

Subject: Powder Mountain Resort Transportation Master Plan Review

From Hales Engineering

Comments provided via memorandum from Kordel Braley and Jeremy Searle on August 27, 2014

### General

1. Is there a concept or site plan available for the Powder Mountain Area? This would help us to understand the traffic impacts better.

Response: There are conceptual maps of the different development areas but not one overall site plan.

2. The report mentions numerous times that the proposed development will provide "food, drink, lodging, sports, entertainment, recreational activities, and shopping" for their guests. However, only the lodging and recreational activities are identified. Will there be restaurants, commercial areas, entertainment venues, etc? If so, it seems likely that these would generate some amount of traffic from the valley (although most would likely be internal trips).

Response: Some of the restaurants, commercial area, entertainment venues, etc. are part of the resort hotel buildings. Since the trip generation manual addresses these kinds of the trips as part of the resort hotel, they were not accounted for individually or by group. In addition, to better account for capturing internal trips, retail, office and restaurant/bar gross square footage (GSF) were added to the trips generated.

3. Most people will not know what Route 3460 refers to. It should be clarified that this is Highway 162.

Response: The official SR-162 highway is in San Juan County. We are not aware of when the highway name was changed from SR-162 to Route 3460. The available AADT numbers from UDOT are all under Route 3460. PEC revised the report to show Route 3460 (SR-162) at the beginning but retained the Route 3460 designation throughout the rest of the report.

### Executive Summary

1. The executive summary states that background traffic is anticipated to grow approximately one percent. This should be clarified to say one percent per year (or updated if the background growth assumptions change).

Response: Increased traffic growth to 2% and revised the traffic analyses and report.

### Existing Conditions

2. Hales Engineering agrees with the existing conditions analysis.

Response: No action required.

### Data Collection

3. Hales Engineering agrees with the data collection locations and time of year.

Response: No action required.

4. Identify the weekday and Saturday peak hour in the text. Move the traffic counts section before the level of service (LOS) for the study intersections is outlined. This helps to explain how the LOS was calculated.

Response: Moved the traffic count discussion to the beginning of Section C. Highway and Intersection Operations. Added the AM/PM peak hour times to the discussion.

### Traffic Projections



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5. An assumption that 100% of the resort guests and skiers that come as part of the new development will stay approximately one week seems unreasonable. Although the development is meant to accommodate people for longer stays, it seems likely that many people will come up for one or two nights or even a day trip.

Response: Revised the statement to say that approximately 40 percent (average occupancy rate from Table 10) of the resort guests and skiers (90% from outside the area and 10 % from local areas) that come as part of the new development will stay approximately three/four days during the week and approximately 75 percent of the resort guests and skiers staying three/four days will include the weekend as part of their stay.

6. Hales Engineering doesn't have a way to confirm the assumed occupancy rates in the report. Does the county agree with these? The occupancy rates also contradict the assumption of a weeklong stay because the weekday rates are so much lower than the weekend.

Response: The occupancy rates are from data collected from other resorts. Occupancy and length of stay at the resort are like comparing apples and oranges. For example, The 908 rooms of the hotel can be 50% occupied all week long by the same 454 families. Then on the weekend, another 363 families would come in pushing the occupancy to 90%. Of course there is over-lap of guests, but the overall average is what determines the occupancy rate.

7. The report states that Powder Mountain will provide transportation for all of their employees to/from the ski resort. How are they going to enforce this? Where will the shuttle go to/from? If it's from the Eden area, then employee vehicles will still go through the study intersections. If it is the lot on Valley Drive, the number of trips at that intersection still need to be accounted for.

Response: Enforcement can be addressed with a controlled group such as employees. If a special shuttle is used just for employees, a designated parking location could be identified and all employees would be required to catch the shuttle at that location. The additional trips from the resort cause the LOS to deteriorate to LOS F and thus requires a traffic signal as mitigation.

8. Powder Mountain has committed to reducing the number of skier single vehicle trips by 50% by teaming with UTA. How is this going to be done? It is recommended that the county get commitments from the resort on how this will be accomplished.

Response: Powder Mountain has teamed up with UTA to provide transit service from Ogden or Eden so guests and employees don't have to rely on their personal vehicle to travel to the resort and are committed to reduce the number of skier single vehicle trips by 50 percent by providing enticements to the skiers to use UTA transit services. Some of the strategies that could be used include: discounted lift tickets, discounted concessions, subsidized transit fares, paid parking at the resort, etc. Beginning two years after DRR1 approval, the Developer shall provide a biennial report to the Planning Division Staff that [outlines data or provides details] on the strategies implemented. The report shall include, but not be limited to, the strategies used, the data collected and the reduction of single vehicle trips.

#### Trip Generation

9. As mentioned above, many of the assumptions used to calculate the trip generation should be reexamined. The table should be updated to include all of the reductions taken so that it is easy to follow the trip generation calculations.

Response: Updated the estimated trip generation tables and added more information in the tables that should help with portraying the information better.

10. The internal capture methodology does not appear to be calculated correctly. The percentages identified in the report should be used in a worksheet shown in the ITE Trip Generation Handbook using the methodology outlined there. This will also require having more detail on the retail components of the project. It is expected that the number of trips reduced by internal capture will be lower than what is shown in the report.

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Response: The internal trips were re-evaluated and the worksheets were added in the appendix. More detail was added for commercial, retail and office space.

11. The trip generation for the Recreational Homes appears incorrect. Table 8 shows 105 homes. Assuming a weekday occupancy of 25%, this would be 26.25. According to ITE the daily rate is 3.16 trips / home so  $26.25 * 3.16 = 83$  trips (not 38 as shown in Table 8). Sat, am and pm trip gen also appear to be incorrect. In addition, the Recreational Homes land use in the ITE Trip Generation Manual already accounts for a lower occupancy. Taking an occupancy reduction on top of the ITE rate is double-counting that reduction.

Response: The number of recreational homes was updated and the number of trips generated was recalculated. The Trip Generation Manual offers generation rates based on either by dwelling unit or acres but not occupancy. The lower trip generation rate is because "a large number of internal trips were made for recreational purposes in resort communities containing recreational homes" (ITE Trip Generation Manual, 2012). If only 25 % of the homes are occupied, just counting the ones that are occupied is a better representation of what is generating trips rather than adding in the empty houses that don't generate trips.

12. The trip generation for the Resort Hotel appears incorrect. Table 8 shows 258 rooms. Assuming a weekday occupancy of 50%, this would be 129 rooms. According to ITE, the trip gen rate for the am peak hour is 0.37. So this would be  $129 * 0.37 = 48$  trips. Table 8 shows 28. PM is also incorrect.  $129 * 0.49 = 63$  trips (not 34). It is unclear how the daily rates were calculated.

Response: The number of rooms was updated and the number of trips generated was recalculated.

13. The Snow Ski Area calculation appears incorrect. The report states that a trip generation rate of 67 trips / ski lift on a weekday and 112 trips / lift on a Saturday. Table 8 shows 6 lifts so the weekday trip generation should be  $6 * 67 = 402$  trips, and the Saturday should be  $6 * 112 = 672$  trips. If the report meant to say that there were 67 tickets sold per lift on a weekday (as opposed to trips generated) then the occupancy rate of 2.7 skiers / vehicle could be used, which drops the daily trip generation to 149 trips, which is much higher than the 55 trips shown in Table 8 (same applies to Saturday trips). It is also unclear how peak hour trip generation numbers were calculated, since the report only identified a daily rate. The calculated 91 Saturday Daily trips doesn't make sense when considering the 72 Saturday peak hour trips.

Response: The number of trips generated was recalculated with an explanation of the reductions used in the calculation. See Tables 12 & 13.

14. Similar problems exist with Table 9. The entirety of Table 8 and 9 should be recalculated and checked to make sure that it is correct.

Response: The number of trips generated was recalculated with an explanation of the reductions used in the calculation. See Tables 12 & 13.

#### Trip Distribution

15. Hales Engineering agrees that the trip distribution used in the study is reasonable.

Response: No action required.

16. Figure 2, study intersection A shows 100% on the northeast leg – this should be 10%.

Response: Revised figure with 10%.

#### Plus Project Traffic Impacts

17. The Ogden Valley Transportation Master Plan assumes a 5% to 6% background growth per year (without the development at Powder Mountain). This is much higher than the 1% assumed in the report. (To their credit, PEC did



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not have that information available to them at the time the report was completed). The county could consider having PEC revise their report using a higher background growth. It would also be interesting to look at intermediate AADT values (~2005) to see if the low traffic volumes in 2012 were a result of the recession.

Response: The background traffic growth was increased to 2%.

#### Mitigation Measures

18. What is the projected LOS at SR-39 / Valley Drive with the addition of a left-turn acceleration lane (un-signalized high-T)?

Response: The increase in generated trips passing through the intersection now requires a traffic signal for mitigation.

19. Hales Engineering agrees with the proposed mitigation measures. However, if some of the trip generation assumptions change, the mitigation measures will need to be reevaluated.

Response: Mitigation for all three study intersections is a traffic signal.

#### Parking

20. The number of available stalls shown in Table 16 does not match those shown in Figure 7.

Response: The figure was revised to match the numbers from the table.

21. The report makes the assumption that the Rainbow Gardens Park-n-Ride lot will be expanded by 8.5 acres. It is recommended that the County follow up with the resort on this commitment.

Response: Revised the text to make it clearer the suggested site is a possible location of a parking lot.

22. What about additional parking at the resort? Are there any plans to expand parking there with the additional lift expansion?

Response: Expanding parking at the resort is not an option with all the effort being made to reduce the number of trips to/from the resort.

#### Travel Demand Management

23. It is unclear how the reduction in trips from the Shuttle was calculated.

Response: The reduction trips are a summation of the internal trips reduced for 2019 and 2025 taken from Table 12 and 13. Revised to reflect new calculations.

#### Sustainability

24. Are all of the methods identified in this section going to be utilized by the resort? If so, it is recommended that the county get commitments from the developer on these items.

Response: These methods will be explored and utilized as necessary to maintain the commitment for reduced trips to the mountain and may include some or all of these methods as necessary and feasible.

#### Safety

25. Hales Engineering agrees with the safety analysis methods used in the report. However, it would be good to provide additional detail. The SR-39 section states that there were 9 severe crashes that occurred on this route, 3 of which were at a study intersection. However the study does not identify the crash type of any of the severe crashes or note if there were less severe crashes that were similar. The other routes (SR-158, 3460, & 3464) safety explanation also lacks detail.

Response: The safety section was revised to show the average crash rate, average severe crash rate and the average severity for the roadway section along with a comparison to the UDOT average crash rates. Additional detail was added as well.





# Powder Mountain Resort

## Traffic Impact Analysis

**Prepared For:** Summit Mountain  
Holding Group, LLC

**Prepared By:** Project  
Engineering Consultants

**Submission Date:** September 26,  
2014

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## Executive Summary

Powder Mountain Resort is located in the mountains east of Ogden and is accessed via SR-39 (Ogden Canyon Road) and SR-158. Initially this report provides information of the existing conditions of the surrounding roadways and intersections. Intersection traffic volumes were collected in January 2014 during the week and weekend to establish a traffic baseline. The traffic data was analyzed using Synchro 8 software following the *Highway Capacity Manual* methodology to perform the level of service analysis. The surrounding roadways were evaluated for safety concerns and no crash patterns were identified.

The proposed development will be constructed in two stages with an anticipated completion date of 2019 for Stage 1 and 2025 for Stage 2. The future development proposes resort hotels, corporate retreats, recreational homes, corporate retreats, multi-family and nests (condominiums), offices, retail, restaurant/bar and employee housing. Stage 1 proposed development includes 509 resort hotel units, 90 corporate retreat units, 156 recreational homes, 184 multi-family and nests, 10,000 square feet of office space, 50,000 square feet of retail, and 12,500 square feet of quality restaurant with a bar for a total of 831 dwelling units. Stage 2 will add another 399 resort hotel units, 378 recreational homes, 472 multi-family and nests, 9,000 square feet of office space, 25,000 square feet of retail, and 12,500 square feet of quality restaurant with a bar for a total of 1,177 dwelling units, a combined total of 2,008 dwelling units for both stages. Six new ski lifts will be added over the next five years and one existing lift will be replaced. The proposed development will provide an array of amenities to provide for most of the guest's wants and needs while they remain on the premises. Estimated percentages of capture rates of internal trips were applied to estimate the reduction of the number of external trips. Stage 1 generates an estimated 4,913 weekday and 9,205 Saturday daily trips. Stage 2 will generate an estimated 5,366 weekday and 9,562 Saturday daily trips. Approximately 60 percent of the trips will access the site through Ogden Canyon.

Background traffic is anticipated to grow approximately two percent per year, based upon the historical traffic patterns of the surrounding roadways. The existing study intersections (SR-39/Valley DR.; SR-39/SR-158 and SR-158/Route 3460 [SR-162]) currently operate at a level of service B/C during the week and LOS C/E on Saturdays. In the future when Stage 1 development is completed and the generated trips are added to the surrounding roadway system, the LOS of the study intersections continue to operate at B/C during the week at the two T-intersections (SR-39/Valley DR and SR-39/SR-158) and LOS F at SR-158/Route 3460. In 2025 the LOS declines to LOS D/E/F at the intersections. To bring the LOS back into compliance with LOS C, PEC recommends installing a traffic signal at all three intersections. PEC also recommends installing left-turn median channelization on SR-39 for the left-turning movement from Valley Drive.

The three Powder Mountain parking lots provide approximately 600 parking spaces that are utilized approximately 17 percent during the weekdays and 75 percent on the weekends. The two auxiliary lots provide an additional 135 parking spaces that are typically utilized 30 percent during weekdays and 50 percent during the weekends. Powder Mountain will provide an internal shuttle system and team with Utah Transit Authority (UTA) to help reduce travel demand on the existing roadways.

Powder Mountain will strive to achieve transportation sustainability by providing on-mountain accommodations that allow residents and guests to drive to the resort and stay for multiple days instead of making trips back and forth to Ogden or other surrounding communities every day.

## I. Existing Conditions (2014)

### A. Roadway System

Major roadways that serve the Powder Mountain Resort area are illustrated in Figure 1: Existing Traffic Conditions. The primary roadways are outlined below:

- SR-39 is a two-lane highway providing access from Ogden City to Eden/Huntsville area and its functional classification is “principal arterial”. The speed limit ranges from 30 mph to 45 mph from Valley Drive (MP 8.68) at the mouth of the canyon to Junction SR-158 (MP 13.792) at the west end of Pineview Reservoir. The lanes are 12 feet wide with one-two foot paved shoulders and one-two foot gravel shoulders. The roadway has a gentle grade averaging 1.8 percent from the mouth of Ogden Canyon to Junction SR-158.
- SR-158 is a rural two-lane highway that provides access to Powder Mountain Resort, passing through Eden and its functional classification is a “major collector”. From Junction SR-39 (MP 0.0) to Route 3460 (MP 4.337), the speed limit ranges from 40 mph to 50 mph. The grade is relatively flat at 0.2 percent in this section. From Eden to Powder Mountain Resort (MP 4.337 to MP 11.691), the speed limit ranges from 15 mph to 40 mph and the grade averages 8.5 percent. The lanes are 12 feet wide with one foot paved shoulders and one-two foot gravel shoulders.
- Route 3460, commonly known as Highway SR-162, is a two-lane rural highway between Junction SR-158 (MP 0.0) west of Eden and 4100 North (MP 3.028) in Liberty and its functional classification is “major collector”. The posted speed limit of is 40 mph and the grade is 1 percent between the two communities. The lanes are 12 feet wide with one-three foot paved shoulders and one-two foot gravel shoulders.
- Route 3464 (SR-158), is a two-lane rural highway that loops through Eden beginning at SR-158 (MP 0.0) via 5500 East and 2200 North back to Junction SR-158 (MP 1.396) west of Eden and its functional classification is “major collector”. The posted speed limit of is 40 mph and the grade is 0.5 percent. The lanes are 12 feet wide with one foot paved shoulders and one-two foot gravel shoulders.

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## B. Traffic Volumes

Daily traffic volumes along SR-39, SR-158, and SR-162 were obtained from UDOT traffic data. The latest annual average daily traffic (AADT) volumes are shown in Table 1: Existing Annual Average Daily Traffic Volumes and Figure 1: Existing Traffic Conditions. All volumes represent moderate traffic levels that are within the capacity of two lane roads.

**Table 1: Existing Annual Average Daily Traffic Volumes**

Road	Location	2013 Weekday Volume
SR-39	West of SR-158	6,110
	East of SR-158	2,825
SR-158	North of SR-39 (MP 0.0 to 3.778)	6,410
	South of Route 3460 (MP 3.778 to 4.337)	3,520
	North of Route 3460 through Wolf Creek Development (MP 4.337 to 8.181)	2,960
	North of Wolf Creek Development to Summit (MP 8.181 to 11.691)	2,195
Route 3460	West of SR-158	4,590
Route 3464 (SR-158 via 2200 N & 5500 E)	East of SR-158	5,280

\*Source: UDOT 2013 Annual Average Daily Traffic



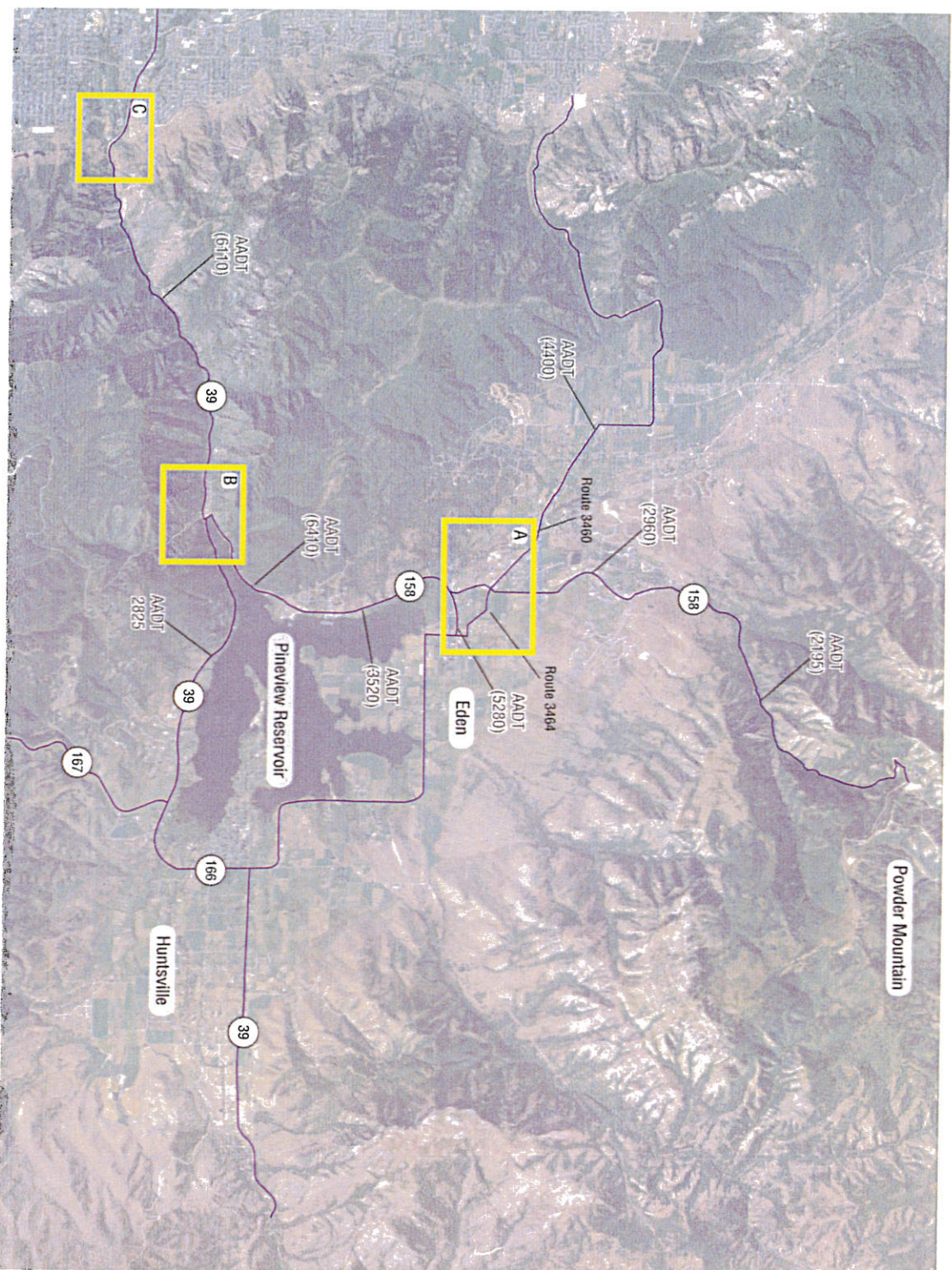
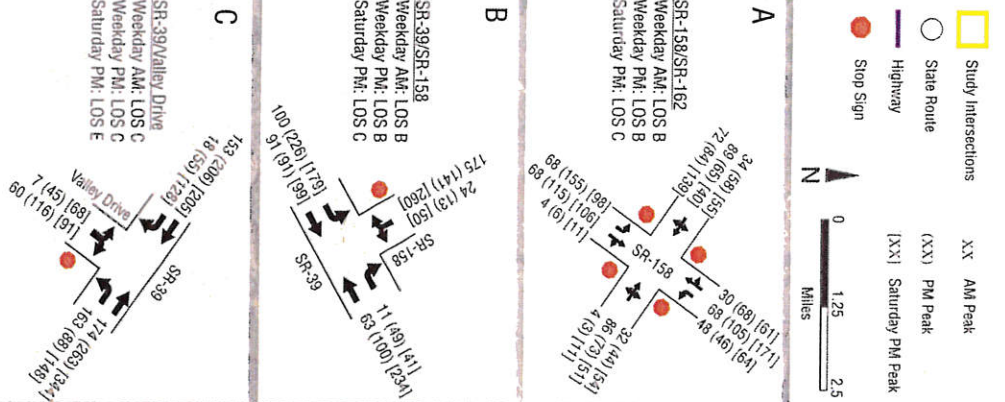


Figure 1: Existing Traffic Conditions  
2011 MAP 1-meter Aerial Photography  
Powder Mountain Traffic Study





## C. Highway and Intersection Operations

### Traffic Counts

In order to quantify the impact the proposed development will have on the surrounding roadway network, a traffic survey was performed at each study intersection. Weekday intersection data was collected on January 21, 2014 and Saturday intersection data on January 18, 2014 by L2 Data Collection (see Appendix A – 2014 Traffic Volumes). The average weekday AM/PM peak hours occurred from 8:00 AM to 9:00 AM and 4:30 PM to 5:30 PM. The average weekend AM/PM peak hours on Saturday occurred from 9:00 AM to 10:00 PM and from 4:00 PM to 5:00 PM.

### Level of Service (LOS) Analysis Methodology

The *Highway Capacity Manual* (HCM) (Transportation Research Board [TRB], 2010) presents operational, design, and planning capacity analysis techniques for a broad range of transportation facilities, as well as procedures for analyzing streets and highways. In order to quantify the impact that the proposed development will have on the surrounding transportation system, an assessment and analysis was performed for the existing traffic conditions on the highways and at the intersections.

### Intersections

Following the HCM methodology, the intersections were given a level of service (LOS) from A through F. The concept of levels of service uses qualitative measures that characterize operational conditions within a traffic stream and perception of these conditions by motorists and passengers.

The descriptions of individual levels of service characterize these conditions in terms of factors such as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. There are six levels of service describing these conditions, ranging from A to F, which have been standardized by the TRB. LOS A represents a free-flowing traffic condition where motorists are affected very little by other motorists; motorists have a high degree of convenience, and freedom to select desired speeds. LOS F is characterized by congested flow conditions and stoppages as the amount of traffic approaching a point exceeds the amount that can pass that point. The various levels of service and associated delay relationships are summarized in Table 2: Two-Way and All-Way Stop-Controlled Intersections.

**Table 2: Two-Way and All-Way Stop-Controlled Intersections**

LOS by Volume-to-Capacity Ratio $v/c \leq 1.0$	Description of Traffic Conditions	Control Delay (s/veh)
A	Free Flow / Insignificant Delay	$0 \leq 10$
B	Stable Operations / Minimum Delays	$>10 \text{ and } \leq 15$
C	Stable Operations / Acceptable Delays	$>15 \text{ and } \leq 25$
D	Approaching Unstable Flows / Tolerable Delays	$>25 \text{ and } \leq 35$
E	Unstable Operations / Significant Delays Can Occur	$>35 \text{ and } \leq 50$
F	Forced Flows / Unpredictable Flows / Excessive Delays Occur	$>50$

Source: *Highway Capacity Manual*

Note:

Two-Way Stop-Controlled intersections - the LOS criteria apply to each lane on a given approach and to each approach on the minor street. LOS is not calculated for major-street approaches or for the intersection as a whole.

All-Way Stop-Controlled intersections - for approaches and intersection-wide assessment, LOS is defined solely by control delay.

## Two-lane Highways

Three measures of effectiveness are incorporated into the methodology to determine automobile LOS. Passing capacity and passing demand have a significant impact on actual operations and driver perceptions of service.

The HCM states:

At LOS A, motorists experience high operating speeds on Class I highways and little difficulty in passing. Platoons of three or more vehicles are rare. On Class II highways, speed would be controlled primarily by roadway conditions. A small amount of platooning would be expected. On Class III highways, drivers should be able to maintain operating speeds close or equal to the free-flow speed (FFS) of the facility. At LOS E, demand is approaching capacity. Passing on Class I and II highways is virtually impossible, and percent time-spent following (PTSF) is more than 80%. Speeds are seriously curtailed. On Class III highways, speed is less than two-thirds the FFS. The lower limit of this LOS represents capacity. LOS F exists whenever demand flow in one or both directions exceeds the capacity of the segment. Operating conditions are unstable, and heavy congestion exists on all classes of two-lane highway.

The various levels of service and demand associated with average travel speed (ATS), PTSF and percent of free-flow speed (PFFS) are summarized in Table 3: Level of Service for Two-Lane Highways.

**Table 3: Level of Service for Two-Lane Highways**

LOS	Class I Highways		Class II Highway	Class III Highway
	ATS (mi/h)	PTSF (%)	PTSF (%)	PFFS (%)
A	>55	≤35	≤40	>91.7
B	>50-55	>35-50	>40-55	>83.3-91.7
C	>45-50	>50-65	>55-70	>75.0-83.3
D	>40-45	>65-80	>70-85	>66.7-75.0
E	≤40	>80	>85	≤66.7

Source: *Highway Capacity Manual*

## Study Intersections

Existing traffic operations were analyzed at each study intersection using Synchro 8 software which follows the HCM methodology to perform the analysis. Figure 1: Existing Traffic Conditions, shows the turning movement volumes used to analyze the 2014 existing conditions along with the existing LOS for the following intersections: SR-39 / Valley Drive; SR-39 / SR-158 and SR-158 / Route 3460. Corresponding Synchro 8 reports can be found in Appendix B – HCM Analyses.



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Table 4: Existing (2014) Level of Service Summary shows the existing LOS at the study intersections for weekday and Saturday peak periods.

**Table 4: Existing (2014) Level of Service Summary**

Intersection		Minor Street		Overall Intersection
Description/Control	Peak Period	LOS/Control Delay (s)	Movement	Delay (s/veh)
SR-39/Valley Drive NE/Stop	Weekday AM	C/18.7	NELR	3.7
	Weekday PM	C/18.9	NELR	3.6
	Saturday PM	E/46.2	NELR	6.3
SR-39/SR-158 S/Stop	Weekday AM	B/10.4	SLR	6.1
	Weekday PM	B/10.8	SLR	5.4
	Saturday PM	C/19.9	SLR	8.7
				LOS/Delay (s/veh)
SR-158/Route 3460 All-Way Stop	Weekday AM	na	na	B/10.6
	Weekday PM	na	na	B/14.8
	Saturday PM	na	na	C/15.9

NELR = Northeast shared left/right lane; SLR = South shared left/right lane; s = seconds; s/veh = seconds/vehicle

#### D. Safety Assessment

PEC obtained UDOT crash records from 2008 – 2012 for several state routes in the area, in order to analyze crash patterns and identify potential safety issues. The roads for which crash data were obtain include the following:

- SR-39, milepost (MP) 8.68 to MP 13.792; MP 13.792 to MP 16.56
- SR-158, MP 0.0 to MP 4.337; MP 4.337 to MP 11.69
- Route 3460, MP 0.0 to MP 3.03
- Route 3464, MP 0.0 MP 1.40

The records were then analyzed to determine crash patterns along each corridor in order to determine roadway sections requiring further review for improvements which could help to reduce crash frequency and severity. UDOT classifies each crash type into one of five categories based on the severity of the crash. The severity rates are as follows:

1. Property Damage Only
2. Possible Injury
3. Non-Incapacitating
4. Incapacitating
5. Fatal

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Special consideration was given to severe crashes (category four or five) along with the manner of collision of these crash types and locations. The crash analysis for each of these highway segments are summarized in the following sections. Included, is the calculation of the average crash rate, the average severe crash rate and the average severity. The values were determined by following the accepted UDOT crash review standard methodology.

### SR-39

Beginning at the mouth of Ogden Canyon (MP 8.68), SR-39 extends eastward through the canyon to Huntsville. This segment of SR-39 provides access to the Powder Mountain Resort from Ogden. From 2008 to 2012 there were 169 crashes with 15 severe crashes on this segment of SR-39 from the mouth of Ogden Canyon (MP 8.68) to SR-158 Junction (MP 13.792). Two of those 15 severe crashes occurred at the SR-158 Junction but were different types of crashes and the other thirteen crashes occurred at different locations, not establishing any crash pattern that could be mitigated for any of the severe crashes. Compared to other "principle arterials" in the state, SR-39 has a higher crash rate, severe crash rate, and severity index than the state average as shown in Table 5: SR-39 Average Crash Rates.

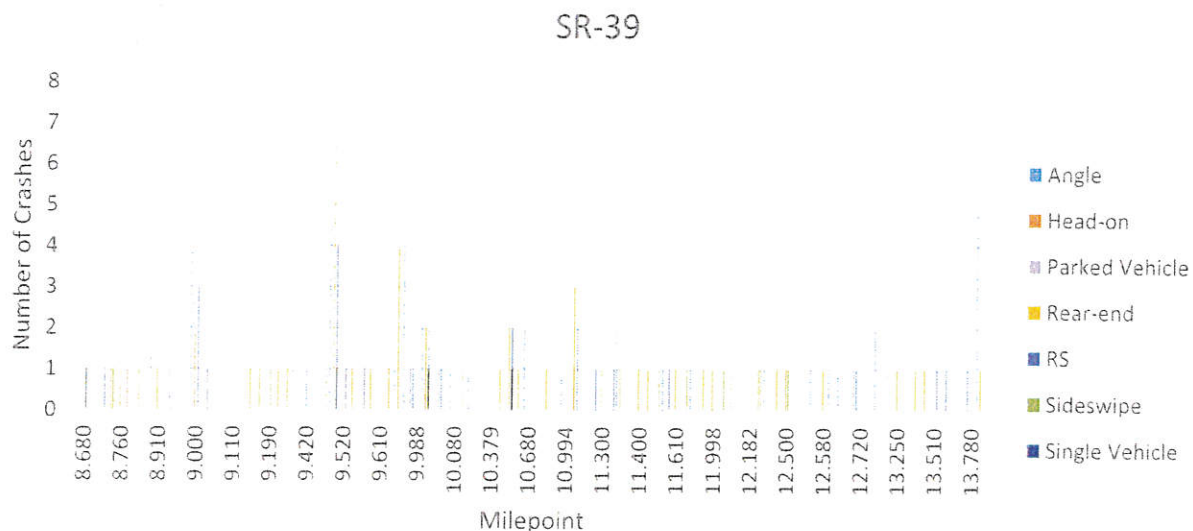
**Table 5: SR-39 Average Crash Rates**

	SR-39	UDOT Average Crash Rates*	
Average Crash Rate	2.19	1.47	Per million vehicle-miles
Average Severe Crash Rate	19.43	6.3	Per one hundred million vehicle-miles
Average Severity	1.70	1.50	

\*Source: UDOT Average Crash Rates 2007-2011

Figure 2: SR-39 Crash Location and Type shows the number of crashes by location along SR-39 and the type of crashes recorded.

**Figure 2: SR-39 Crash Location and Type**

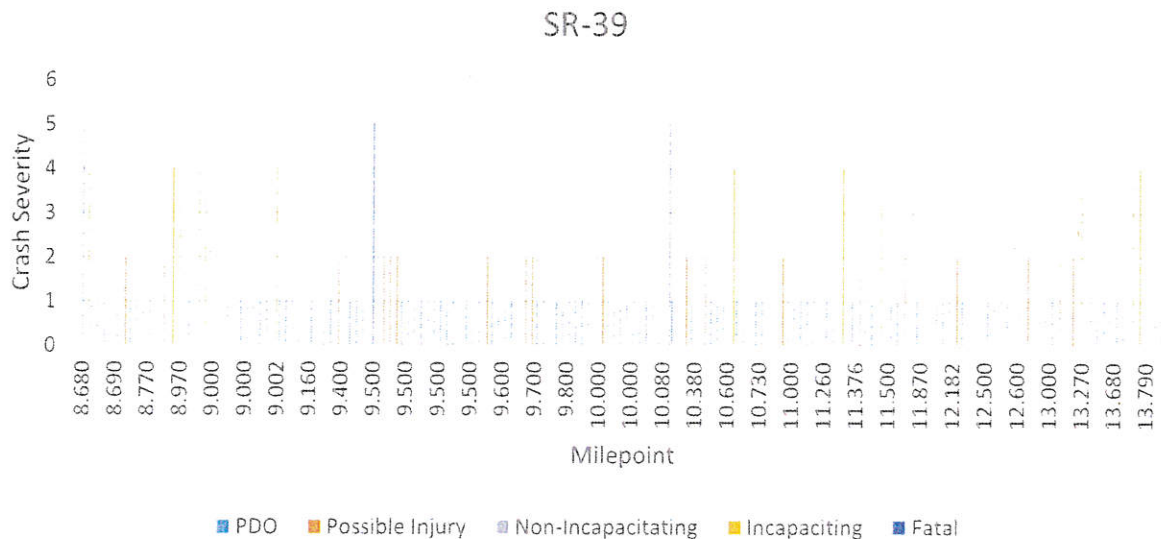


There are several locations where there are groupings of crashes that should be studied further. They are

milepoint (MP) 9.00 (12 crashes), MP 9.50 (17 crashes), MP 9.70 (5 crashes), MP 9.80 (6 crashes), MP 11.00 (6 crashes), and MP 13.79 (6 crashes). The higher frequency of crashes at these locations should justify future safety mitigations. Some safety mitigation measures that potentially could help reduce front-to-rear, angle and parked vehicle crashes might include more warning signs, reducing the speed limit and no parking on roadway shoulders limitations.

Figure 3: SR-39 Crash Severity shows the crash severity by location along SR-39. The graph shows the severe crashes are at various locations throughout the corridor.

**Figure 3: SR-39 Crash Severity**



#### SR-158 (MP 0.0 to MP 4.337)

SR-158 begins at the junction with SR-39 near the southwest corner of Pineview Reservoir, heads north to Eden, and continues northward to Powder Mountain Resort. There were 118 crashes on the segment of SR-158 between the SR-39 Junction (MP 0.0) and to the top of the mountain (MP 11.691) with three severe crashes. The severe crashes were single vehicle events in different locations with no discernable crash patterns. Also there were no locations with a high frequency of crashes in this section of highway that might indicate a problem area.

Compared to other “major collector” roadways in the state, the section of SR-158 from SR-39 to Route 3460 has the same severity index and a lower crash rate and severe crash rate than the state average as shown in Table 6: SR-158 Average Crash Rates. The section of SR-158 from the four-way stop up to Powder Mountain has a slightly higher severity index but a lower average crash rate and severe crash rate than the average collector roadway in the state.



**Table 6: SR-158 Average Crash Rates**

	SR-158	UDOT Average Crash Rates*	
MP 0.0 to MP 4.337			
Average Crash Rate	1.74	1.98	Per million vehicle-miles
Average Severe Crash Rate	0.0	11.5	Per one hundred million vehicle-miles
Average Severity	1.47	1.47	
MP 4.337 to MP 11.691			
Average Crash Rate	1.55	1.98	Per million vehicle-miles
Average Severe Crash Rate	8.97	11.5	Per one hundred million vehicle-miles
Average Severity	1.60	1.47	

\*Source: UDOT Average Crash Rates 2007-2011

Graphs showing the location, frequency, type and severity of crashes on SR-158 are presented in the two figures below. Figure 4: SR-158 Crash Location and Type presents the number of crashes by location along SR-158 and the types of crashes recorded. Figure 5: SR-158 Crash Severity shows the crash severity by location along SR-158. Future safety mitigations might be considered for front-to-rear (rear-end) crashes.

**Figure 4: SR-158 Crash Location and Type**

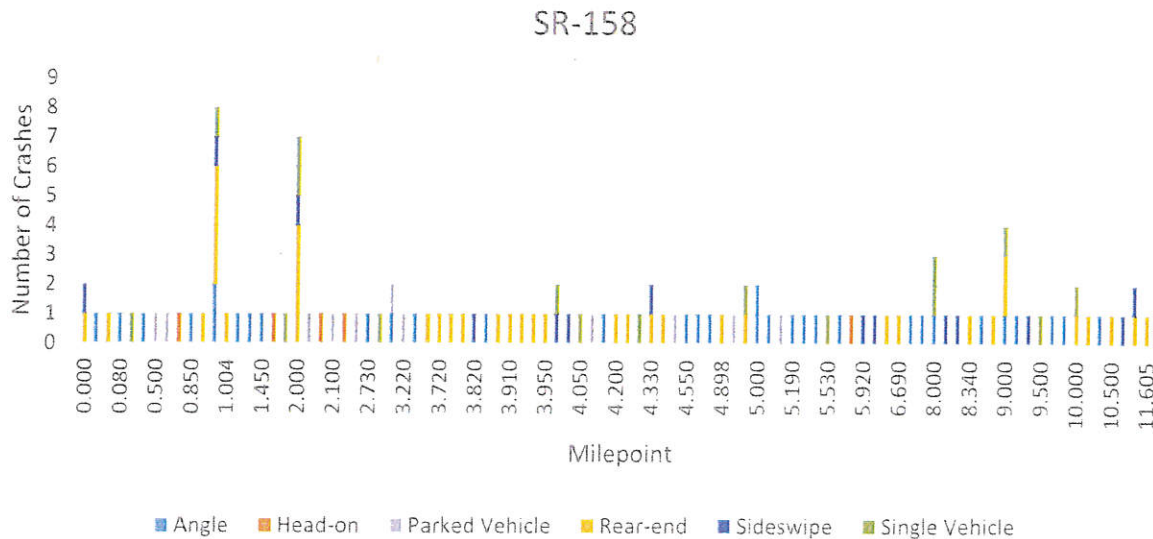
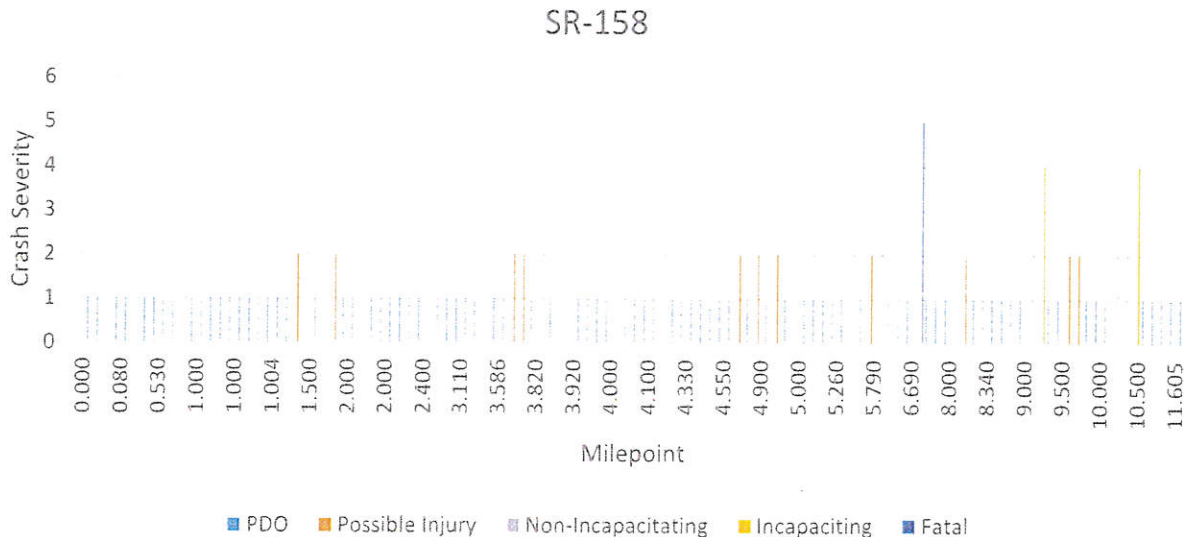


Figure 5: SR-158 Crash Severity



Another safety concern is the steep grades on SR-158 north of Eden as the roadway begins to ascend up the mountain. Figure 2: Grades on SR-158 illustrates the grades between mile points and the overall grade from the top of the mountain down to the SR-158/Route 3460 intersection. *A Policy on Geometric Design of Highways and Streets* (American Association of State Highway and Transportation Officials (AASHTO), 2011) offers the following:

Where long descending grades exist or where topographic and location controls indicate a need for such grades on new alignment, the design and construction of an emergency escape ramp at an appropriate location is desirable to provide a location for out-of-control vehicles, particularly trucks, to slow and stop away from the main traffic stream. Out-of-control vehicles are generally the result of a driver losing braking ability either through overheating of the brakes due to mechanical failure or failure to downshift at the appropriate time. Determining where an emergency escape ramp is necessary involves several different considerations. Factors that should be considered include topography, length and percent of grade, potential speed, economics, environmental impact, and crash experience.

Because of the anticipated increase of trucks using SR-158 during the construction season coupled with the length and percent of grade, the installation of an emergency escape ramp may be justifies and warrants further in-depth study.

PEC recommends that a more in-depth safety assessment be conducted for SR-158 to specific crash types and locations that can be effectively mitigated



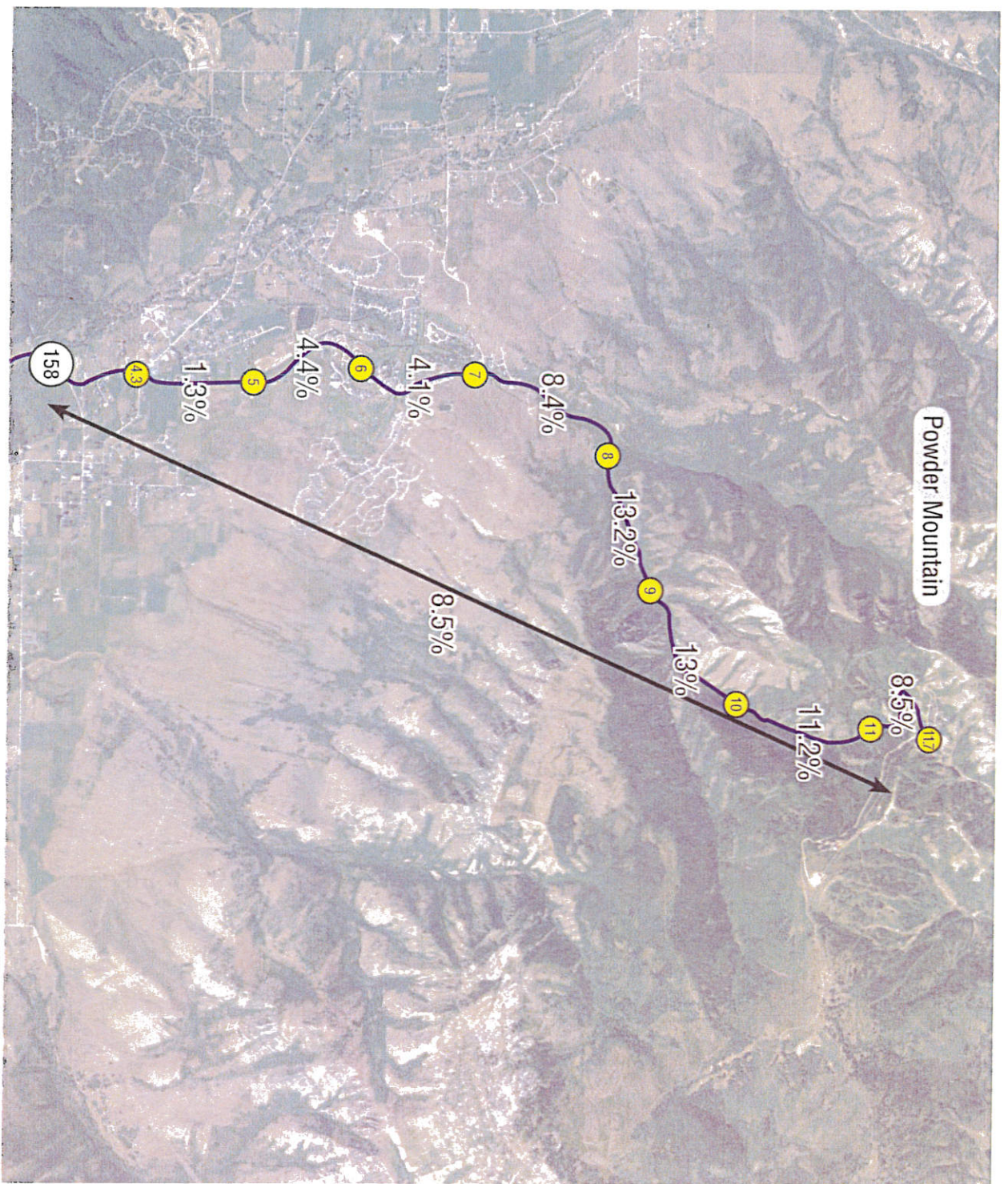


Figure 6: Grades on SR-158

2012 HRO 6-inch Orthophotography

Powder Mountain Traffic Study

○ State Route

— Highway

X% Grade Percentage

○ X Mile Point Number





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## Route 3460

Route 3460 is the main connection between Eden and Liberty. There were 25 crashes with three individual severe crashes in different locations with no established crash pattern. Compared to other "major collector" roadways in the state, Route 3460 has a lower crash rate and a higher severe crash rate and severity index than the state average as shown in Table 7: Route 3460 Average Crash Rates.

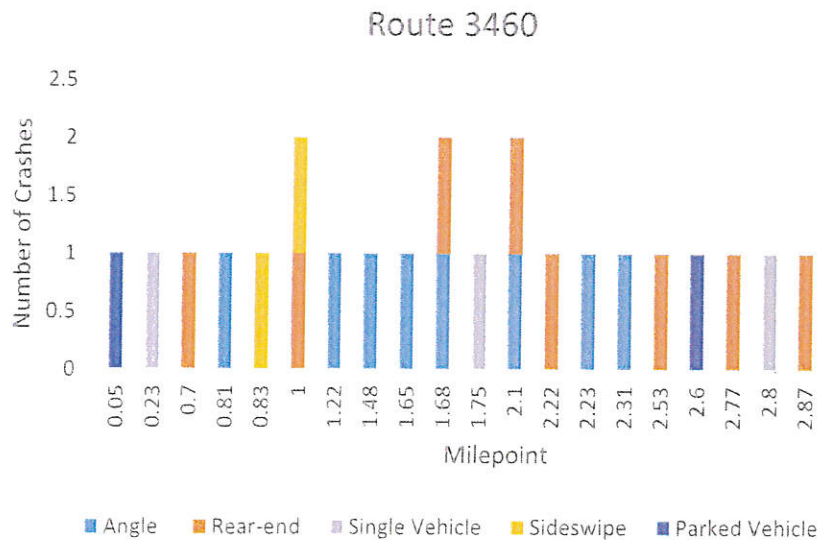
**Table 7: Route 3460 Average Crash Rates**

	Route 3460	UDOT Average Crash Rates*	
Average Crash Rate	1.03	1.98	Per million vehicle-miles
Average Severe Crash Rate	12.33	11.5	Per one hundred million vehicle-miles
Average Severity	1.52	1.47	

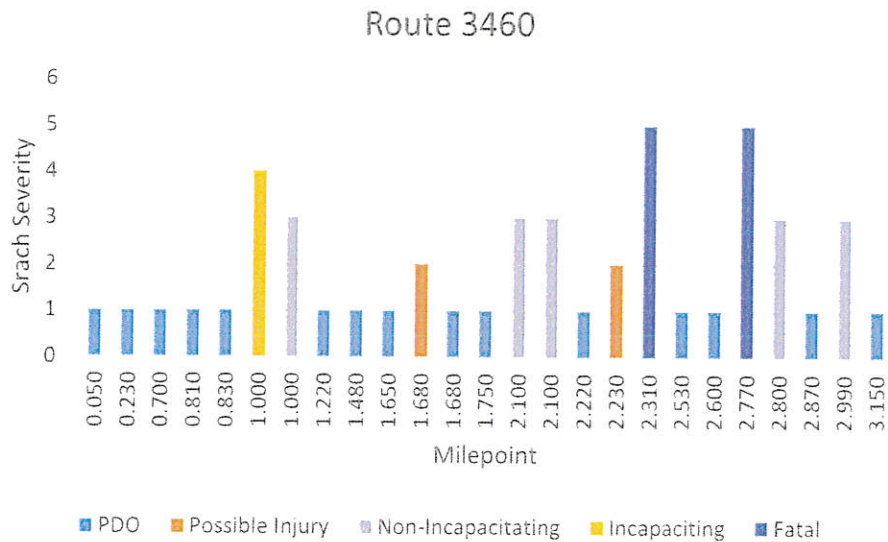
\*Source: UDOT Average Crash Rates 2007-2011

Graphs showing the location, frequency, type and severity of crashes on Route 3460 are presented in the two graphs below. Figure 7: Route 3460 Crash Location and Type presents the number of crashes by location along Route 3460 and the types of crashes recorded. Figure 8: Route 3460 Crash Severity shows the crash severity by location along Route 3460. Future safety mitigations might be considered for front-to-rear (rear-end) crashes.

**Figure 7: Route 3460 Crash Location and Type**



**Figure 8: Route 3460 Crash Severity**



### Route 3464

Route 3464 is the loop connection through Eden. There were 12 crashes with one severe crash and no established crash patterns associated with this crash. Compared to other “major collector” roadways in the state, Route 3464 has a lower crash rate and a higher severe crash rate and severity index than the state average as shown in Table 8: Route 3464 Average Crash Rates.

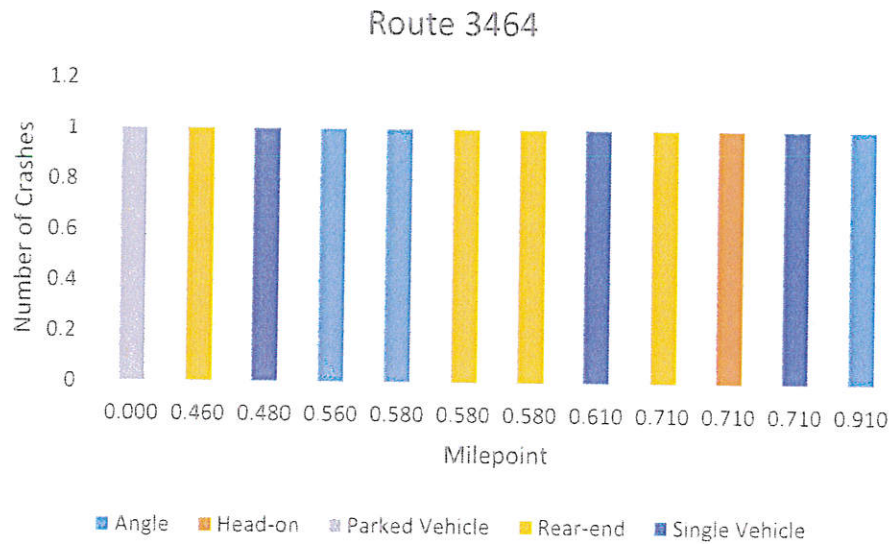
**Table 8: Route 3464 Average Crash Rates**

	Route 3464	UDOT Average Crash Rates*	
Average Crash Rate	0.92	1.98	Per million vehicle-miles
Average Severe Crash Rate	7.67	11.5	Per one hundred million vehicle-miles
Average Severity	1.50	1.47	

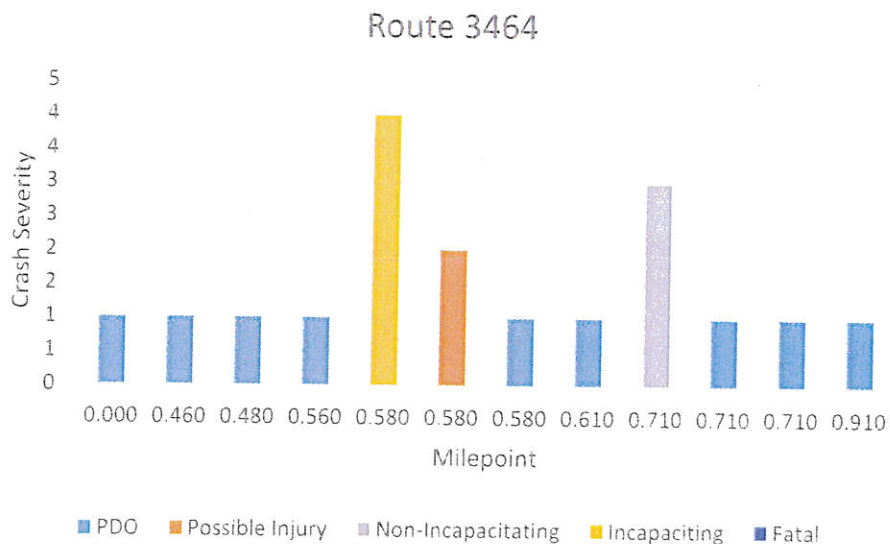
\*Source: UDOT Average Crash Rates 2007-2011

Graphs showing the location, frequency, type and severity of crashes on Route 3464 are presented in the two graphs below. Figure 9: Route 3464 Crash Location and Type presents the number of crashes by location along Route 3464 and the types of crashes recorded. Figure 10: Route 3464 Crash Severity shows the crash severity by location along Route 3464. Future safety mitigations might be considered for front-to-rear (rear-end) crashes.

**Figure 9: Route 3464 Crash Location and Type**



**Figure 10: Route 3464 Crash Severity**





## II. Resort Traffic Projections

This section documents the processes used to develop traffic projections for the Powder Mountain Resort Master Transportation Plan.

This study considered both the summer and winter trip generators. The preliminary analysis indicated the trips generated in the winter are far greater than those generated in the summer (construction related trips). As a result, summer trips were omitted and the most impactful trips (winter) were analyzed in further detail.

### A. Background

The Powder Mountain Resort Traffic Impact Study defines future operation improvements anticipated for Powder Mountain ski area. Three key trip-generating assumptions that were used when forecasting resort trips: 1) commercial development functions primarily as a service to day skiers, resort guests and local residents so a portion of commercial trips will remain internal to the resort; 2) as the resort grows, the number of day skiers coming from Ogden, Salt Lake City, and other off-mountain areas will grow approximately one percent a year over the next eleven years; and 3) it is anticipated that approximately 40 percent (average occupancy rate from Table 10) of the resort guests and skiers that come as part of the new development will stay approximately three/four days during the week and approximately 75 percent of the resort guests and skiers staying three/four days will include the weekend as part of their stay. .

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## B. Resort Trip Generation

The several development proposals define the future development of hotel, housing and condominium units that will generate additional traffic on the surrounding roadway network. The proposed development has been divided into two stages for construction. The anticipated completion of Stage 1 is in 2019 and 2025 for Stage 2. Table 5: Proposed Development Units summarizes the number and type of units anticipated for the full build-out. Approximately 48 percent of the units and square footage will be constructed during the first stage.

**Table 9: Proposed Development Units**

	Total Units or SF
<b>Mid Mountain</b>	
Multi-Family	80
Commercial	10,000 sf
<b>The Ridge</b>	
Hotel	100
Single Family	33
Nests	42
Commercial	9,000 sf
Conference Center	10,000 sf
<b>Summit Village</b>	
Hotels	580
Multi-Family	150
Single Family	268
Nests	185
Corporate Retreat	90
Commercial	100,000 sf
Work Force Housing	58
<b>Geertsen</b>	
Multi-Family	80
Single Family	121
Nests	32
<b>The Meadow</b>	
Hotels	30
Multi-Family	62
Single Family	112
Nests	25

The land uses identified are not specifically identified in *Trip Generation Manual*, (9<sup>th</sup> ed.; Institute of Transportation Engineers [ITE], 2012) making it necessary to make adjustments to rates found in *Trip Generation Manual* and obtain estimates for others. Each land use is listed below with a short discussion of how the estimate for that use was obtained. Since Powder Mountain is principally a ski resort and the largest trip generators function in the winter, summer trip generators and construction traffic were not included in the trip estimate for winter peak hour trips.

- **Recreational Homes** – *Trip Generation Manual* identifies recreational homes (ITE Code 260) as “located in a resort containing local services and complete recreational facilities”. The recreational homes trip generation rate was chosen over the typical single family detached housing trip generation rate because “a large number of internal trips were made for recreational purposes in resort communities containing recreational homes”.
- **Resort Hotel** – *Trip Generation Manual* identifies resort hotels (ITE Code 330) as being “similar to hotels in that they provide sleeping accommodations, restaurants, cocktail lounges, retail shops and guest services. The primary difference is that resort hotels cater to the tourist and vacation industry, often providing a wide variety of recreational facilities/programs. Some properties contained in this land use provide guest transportation services (such as airport shuttles), which may have an impact on the overall trip generation rates.”
- **Condominiums** – *Trip Generation Manual* identifies luxury condominiums (ITE Code 233) as “units in buildings with luxury facilities or services”.
- **Office** – *Trip Generation Manual* identifies general office buildings (ITE Code 710) as “a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted”.
- **Retail** – *Trip Generation Manual* identifies specialty retail centers (ITE Code 826) as “shopping centers that contain a variety of retail shops and specialize in quality apparel, hard goods and services”.
- **Restaurant/Bar** – *Trip Generation Manual* identifies a quality restaurant (ITE Code 931) as “a high quality, full –service eating establishments with typical duration of stay of at least one hour. Patrons commonly wait to be seated, are served by a waiter/waitress, order from menus and pay for meals after they eat. Lounge or bar facilities are ancillary to the restaurant”.
- **Snow Ski Area** – *Trip Generation Manual* identifies snow ski area (ITE Code 466) with a trip generation based on the number of lifts at the ski area for weekday and Saturday AM/PM peak hours. The *Trip Generation Manual* does not provide a trip generation rate for weekday or Saturday total daily trips. In an effort to provide the most accurate information, PEC also analyzed historical Powder Mountain ticket sale information to establish a “Powder Mountain specific” trip generation. The average ticket sales for three seasons (2010-2012) indicate an average daily trip generation rate per ski lift of 67 trips per weekday and 112 trips on Saturday. These generation rates for ski lifts are higher than those from ITE and were used in the trip generation of traffic for this traffic generator.

While ITE’s *Trip Generation Manual* is the most definitive available source for estimating vehicle traffic that different land uses will generate, its information is most useful for auto-oriented, stand-alone suburban sites, from where the vast majority of data were collected. For areas with mixed uses, ITE advises traffic engineers to collect local data, or adjust the ITE average trip generation rate to account for reduced automobile use. The rates used for this study are a combination of the ITE data and engineering judgment.

### Internal Trips

The proposed development will provide an array of amenities attempting to provide for most of the guest’s wants and needs while remaining on the premises, such as food, drink, lodging, sports, entertainment, recreational activities, and shopping. Providing nearly all of the services guest’s might want within close proximity to the lodging, trips among the various land uses can be kept within the resort and these internal trips will not significantly impact the surrounding major street system.

The *Trip Generation Manual* describes internal trips as follows.



An internal capture rate can generally be defined as a percentage reduction that can be applied to the trip generation estimates for individual land uses to account for trips internal to the site. It is important to note that these reductions are applied externally to the site (i.e., at entrances, at adjacent intersections, and on adjacent roadways).

This capture of trips internal to the site has the net effect of reducing vehicle trip generation between the overall development site and the external street system.

Because data has been collected directly for recreational housing and resort hotels, they are considered in the *Trip Generation Manual* as a single land use, therefore the associated trip generation rates given reflect the recreational/resort nature of the development. Therefore, internal capture rates are not applicable for recreational homes and resort hotels.

Internal capture rate percentages were calculated for both build-out years following the methodology described in the *Trip Generation Manual* (see Appendix C – Multi-Use Development Trip Generation and Internal Capture Summary). Eleven percent and six percent were applied to trips generated of build-out years 2019 and 2025 respectively. The ITE methodology is based on an urban developed environment and renders low internal capture rate percentages which were used because of the lack of more reliable data.

#### Overnight Guest/Resident Trips

Overnight guests and residents represent those visitors to the resort that are staying within the properties of Powder Mountain for at least two or more days. These overnight visitors would represent a significant number of skiers for the resort, so to determine these skier trip forecasts, the various residential land uses within the resort were broken down by dwelling units or rooms and private or rented. A dwelling unit is a measure of housing equivalent to the living quarters of one household. Rooms provide lodging paid on a short-term basis such as a hotel room.

Weekday and weekend occupancy rates, based on information from the *Snowbasin Resort Master Plan* (Felsburg Holt & Ullevig, 2010), were applied to each property type. Table 10: Residential Occupancy Rates shows the projected occupancy rates for weekday and weekend conditions.

**Table 10: Residential Occupancy Rates**

Land Use	Occupancy Rate	
	Weekday	Weekend
Recreational Homes (private) (dwelling units)	25 %	50 %
Resort Hotel (rooms)	50 %	90 %
Luxury Condominium (private) (dwelling units)	25 %	50 %
Luxury Condominium (rented) (dwelling units)	50 %	90 %

#### Local Day Skiers

The existing local day skiers are not included in this analysis as they have already been accounted for in the existing daily traffic volume counts. It is anticipated that the number of local day skiers at Powder Mountain will grow approximately two percent a year, matching the projected traffic growth.

A vehicle occupancy rate of 2.7 skiers per vehicle was assumed for skier trip generation reduction. This occupancy rate comes from the *Final Environmental Impact Statement for Breckenridge Ski Resort Peak 6 Project* (USDA Forest Service, 2012) which is based on other studies.

### **Projected Employee Base**

The projected employment base includes all new employees working at Powder Mountain Resort, either for the ski area or for one of the rental, hotel or commercial properties at the resort. The existing ski area employees are not included in this analysis as they have already been accounted for in the existing daily traffic volume counts. The same occupancy rates mentioned in Table 10: Residential Occupancy Rates are applied to the number of employees per projected development. Table 11: Employee Forecasts shows the projected employment summary at full build-out of the resort for both stages of development.

Table 11: Employee Forecasts

Land Use	Stage 1	Stage 2	Occupancy Rates		Generation Rate	Per Room or SF	Employees				TOTAL
	Rooms or SF	Weekday	Weekend	Stage 1			Stage 2				
Ski Area Employees							Weekday	Weekend	Weekday	Weekend	
Luxury Condominium (rental)	92	236	50%	90%	0.3	1 Room	10	18	25	46	98
Luxury Condominium (private)	92	236					0	0	0	0	
Recreational Homes	156	378					0	0	0	0	
Resort Hotel	491	327	50%	90%	0.7	1 Room	123	221	82	147	573
Office <sup>1</sup>	10,000	9,000	75%	25%	2.3	1,000 sf	17	6	16	5	44
Retail <sup>2</sup>	50,000	25,000	40%	60%	2.0	1,000 sf	40	60	20	30	150
Restaurant/Bar <sup>2</sup>	12,500	12,500	40%	60%	3.5	1,000 sf	18	26	18	26	88
Total Employees							275	427	160	254	1,116

1. Assumed an occupancy rate of 75% for weekhous and 25% for weekhous for both identified uses.

1. Assumed an occupancy rate of 75% for weekdays and 25% for weekends to help identify the number of employees anticipated during the week and on weekends.
2. Assumed an occupancy rate of 40% for weekdays and 60% for weekends to help identify the number of employees anticipated during the week and on weekends.



Powder Mountain Resort is committed to provide transportation for all their employees to/from the ski resort by providing either a shuttle service or transit passes on UTA to reduce the number of trips to the resort by employees.

#### **Utah Transit Authority (UTA) Ridership**

January 2014 data from UTA shows average passengers by trip time going to Powder Mountain. There are an average of 12 skiers in the AM peak period and 32 skiers in the PM peak that take advantage of the UTA services to Powder Mountain.

#### **Total Trip Generation**

Using the previously stated assumptions, vehicle trips were forecast for the proposed types of development for each Stage of the resort. Table 12: Estimated Trip Generation - Stage 1 and Table 13: Estimated Trip Generation - Stage 2 summarize the trip generation for both development stages.

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Table 12: Estimated Trip Generation - Stage 1

Land Use	ITE Code	Units/Rooms/KSF <sup>3</sup>	Average Rate	Peak Hour	Occupancy Rates	Daily Trips <sup>4</sup>	Weekday AM Peak Hour <sup>5</sup>	Weekday PM Peak Hour <sup>5</sup>	Saturday PM Peak Hour <sup>5</sup>
Luxury Condominium (private)	233	92	6.5/weekday 6.5/Saturday	0.65/a.m. 0.65/p.m. 0.65/Sat. p.m.	25% Weekday 50% Saturday	150 (16)	32% 5 (1)	65% 10 (1)	55% 16 (2)
Luxury Condominium (rental)	233	92	6.5/weekday 6.5/Saturday	0.65/a.m. 0.65/p.m. 0.65/Sat. p.m.	50% Weekday 90% Saturday	209 (33)	32% 10 (1)	65% 10 (1)	55% 16 (2)
Recreational Homes <sup>1</sup> (du <sup>2</sup> )	260	156	3.16/weekday 3.07/Saturday	0.30/a.m. 0.31/p.m. 0.36/Sat. p.m.	25% Weekday 50% Saturday	123	49% 6 (2)	44% 5 (1)	48% 14 (3)
Resort Hotel (rooms)	330	509	8.92/weekday 13.43/Saturday	0.47/a.m. 0.59/p.m. 1.23/Sat. p.m.	50% Weekday 90% Saturday	2,269	63% 75 (2)	50% 75 (2)	48% 270 (2)
General Office Building (ksf) (Internal Trips)	710	10,000	11.03/weekday 2.46/Saturday	1.56/a.m. 1.49/p.m. 0.43/Sat. p.m.	N/A	110 (12)	88% 14 (2)	17% 3 (0)	55% 2 (0)
Specialty Retail Center (ksf) (Internal Trips)	826	25,000	44.32/weekday 42.04/Saturday	6.84/a.m. 5.02/p.m. 4.20/Sat. p.m.	N/A	1,108 (122)	48% 82 (9)	56% 70 (8)	50% 53 (6)
Quality Restaurant (ksf) (Internal Trips)	931	12,500	89.95/weekday 94.36/Saturday	3.57/a.m. 9.02/p.m. 10.82/Sat. p.m.	N/A	1,124 (124)	82% 57 (6)	62% 70 (8)	59% 80 (9)
Snow Ski Lifts <sup>6</sup>		6 lifts	67.20/weekday 112.20/Saturday	25.89/a.m. 34.16/p.m. 88.95/Sat. p.m.		37	14	1	48
<b>Total Project Trips<sup>7</sup></b>						<b>4,913</b>	<b>244</b>	<b>236</b>	<b>447</b>

1. Trip rates already include effects of internalization, so no internal trip reduction is shown.
2. Dwelling units (du)
3. KSF = 1,000 square feet
4. Daily trips = Units X Average Rate X Occupancy Rate
5. Peak Hour Trips = Units X Average Rate X Occupancy Rate X In/Ou percentage
6. Snow Ski Lifts = Units X Average Rate X % skiers use UTA X % skiers accounted for in housing \* 2.7 skiers per vehicle
7. Total Project Trips = Generated trips - (Internal trips)

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Table 13: Estimated Trip Generation - Stage 2

Land Use/ (ITE Code)	ITE Code	Units/Rooms/KSF <sup>1</sup>	Average Rate		Occupancy Rates	Daily Trips <sup>4</sup>		Weekday AM Peak Hour <sup>2</sup>		Weekday PM Peak Hour <sup>3</sup>		Saturday PM Peak Hour <sup>3</sup>	
			Daily	Peak Hour		Weekday	Saturday	In	Out	Total	In	Out	Total
Luxury Condominium (private) (Internal Trips)	233	236	6.5/weekday 6.5/Saturday	0.65/a.m. 0.65/p.m. 0.65/Sat. p.m.	25% Weekday 50% Saturday	383 (23)	766 (46)	32% 12 (1)	68% 26 (2)	38 (3)	65% 25 (1)	35% 13 (1)	38 (2)
Luxury Condominium (rental) (Internal Trips)	233	236	6.5/weekday 6.5/Saturday	0.65/a.m. 0.65/p.m. 0.65/Sat. p.m.	50% Weekday 90% Saturday	766 (46)	1,379 (83)	32% 25 (2)	68% 52 (3)	77 (5)	65% 50 (3)	35% 27 (2)	77 (5)
Recreational Homes (du <sup>2</sup> )	260	378	3.16/weekday 3.07/Saturday	0.30/a.m. 0.31/p.m. 0.36/Sat. p.m.	25% Weekday 50% Saturday	299	580	49% 14 (1)	51% 14 (1)	28	44% 13 (1)	56% 16 (1)	29
Resort Hotel (rooms)	330	399	8.92/weekday 13.43/Saturday	0.47/a.m. 0.59/p.m. 1.23/Sat. p.m.	50% Weekday 90% Saturday	1,780	4,823	63% 59 (1)	37% 35 (1)	94	50% 59 (1)	50% 59 (1)	118
General Office Building (ksf) (Internal Trips)	710	9,000	11.03/weekday 2.46/Saturday	1.56/a.m. 1.49/p.m. 0.43/Sat. p.m.	N/A	99 (6)	22 (1)	88% 12 (1)	12% 2 (0)	14 (1)	17% 2 (0)	83% 11 (1)	13 (1)
Specialty Retail Center (ksf) (Internal Trips)	826	25,000	44.32/weekday 42.04/Saturday	5.02/a.m. 5.02/p.m. 4.20/Sat. p.m.	N/A	1,108 (66)	1,051 (63)	48% 82 (3)	52% 89 (5)	171 (10)	56% 70 (4)	44% 56 (4)	126 (8)
Quality Restaurant (ksf) (Internal Trips)	931	12,500	89.95/weekday 94.36/Saturday	5.57/a.m. 9.02/p.m. 10.82/Sat. p.m.	N/A	1,124 (67)	1,180 (71)	82% 57 (3)	18% 13 (1)	70 (4)	62% 70 (3)	38% 43 (4)	113 (7)
Snow Ski Lifts <sup>6</sup>		11 Lifts	9.36/weekday 15.63/Saturday	3.61/a.m. 4.76/p.m. 12.39/Sat. p.m.		13	22	5	0	5	0	7	7
Total Project Trips <sup>7</sup>						5,366	9,562	254	220	474	277	221	498
										484			477
													961

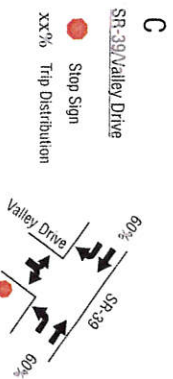
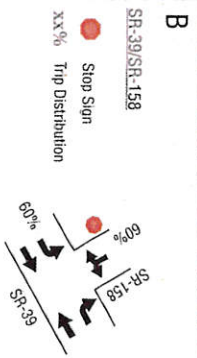
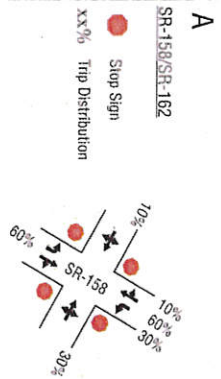
1. Trip rates already include effects of internalization, so no internal trip reduction is shown.  
 2. Dwelling units (du)  
 3. KSF = 1,000 square feet  
 4. Daily trips = Units X Average Rate X Occupancy Rate  
 5. Peak Hour Trips = Units X Average Rate X Occupancy Rate X In/Out percentage  
 6. Snow Ski Lifts (2% growth in skiers from 2010 to 2025) to account for growth of skiers not associated with the proposed development = Units X Average Rate X 1/2 skiers use UTA X 1/2 skiers are accounted for in housing = 2.7 skiers per vehicle  
 7. Total Project Trips = Generated trips - (Internal trips)



### C. Resort Vehicle-Trip Distribution and Assignment

Project traffic was assigned to the roadway network based on the proximity of project access points to major roads, population densities, and regional trip attractions. Existing travel patterns observed during site visits also provided helpful guidance to establishing these distribution percentage. SR-158 is the only major route into and out of the site vicinity. As such, all access to and from the project will be channeled through SR-158. The trip distribution prepared for this report is consistent with the distribution presented in the *Powder Mountain Resort - Traffic Impact Study* (Fehr & Peers, 2005). The distribution percentages are as follows, and are illustrated in Figure 3: Trip Distribution.

- 10 % - to/from the west on North Ogden Canyon Road
- 60 % - to/from the west on Ogden Canyon Road (SR-39)
- 23 % - to/from the west on Interstate 84
- 5 % - to/from the east on Interstate 84
- 2 % - to/from the east on SR-39





### III. Traffic Impacts

#### A. Background Traffic Volume Projections

Background traffic volumes were derived from historical daily traffic volumes along SR-39 and SR-158. The growth factor was based on historical growth trends from 1998 to 2012 as shown in Table 10: Traffic Growth Rate. Based on the historical data, traffic on the roadways in the vicinity of the project has decreased or grown very little. To be conservative, traffic is anticipated to grow at a rate of 2.00 percent per year. This yearly growth is unrelated to the proposed project.

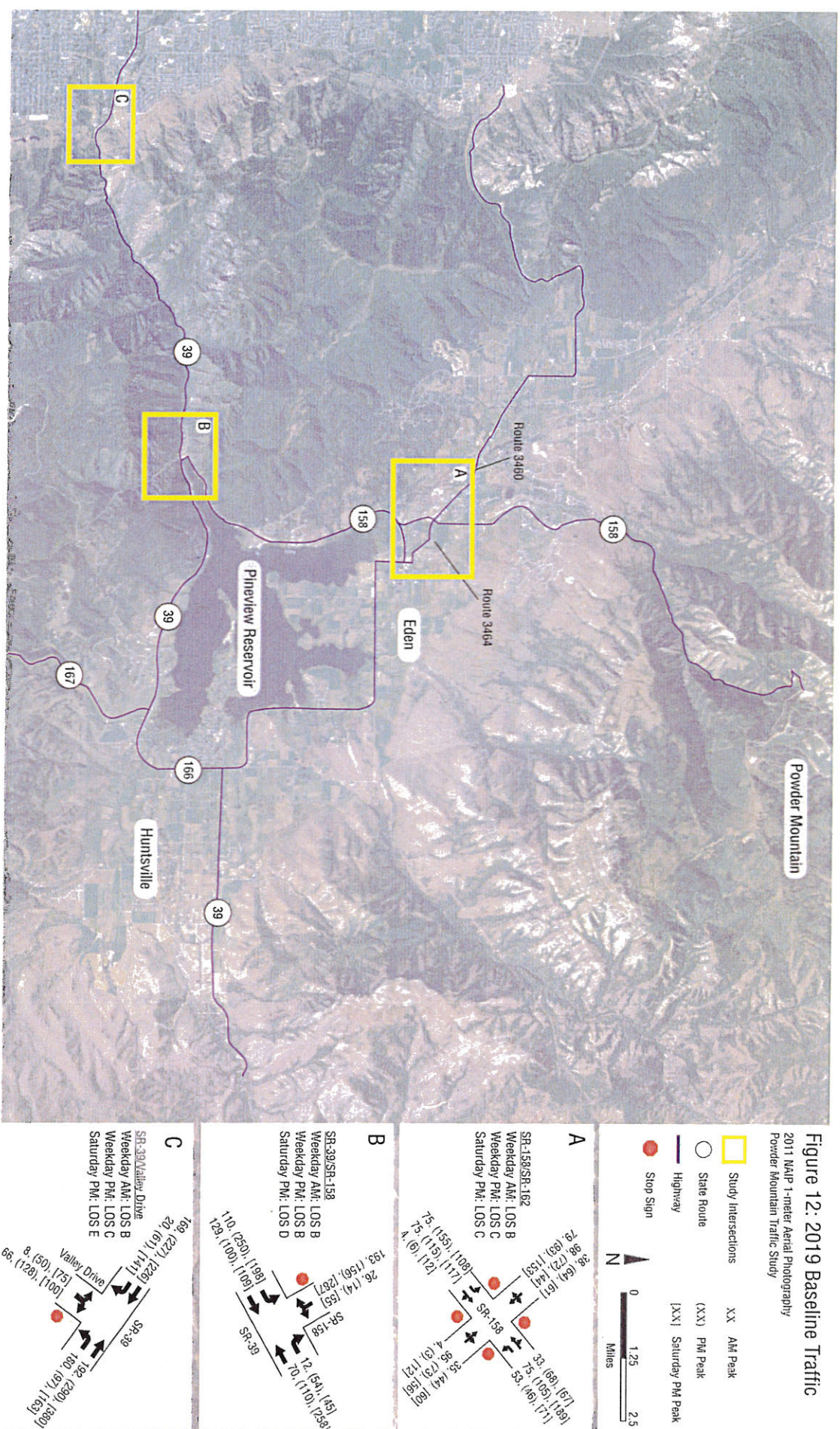
**Table 14: Traffic Growth Rate**

Road	Location	1998 AADT	2013 AADT	Annual Growth
SR-39	8.680 - Valley Dr.	7,935	6,110	-1.73 percent
	13.792 - SR-158	3,845	2,825	-2.03 percent
	16.563 - Snow Basin Rd.	2,440	2,630	0.50 percent
SR-39 Average Growth				-0.81 percent
SR-158	0.0 - Jct. SR-39	3,935	6,410	3.31 percent
	3.778 - Route 3464	3,985	3,520	-0.82 percent
	4.337 - Route 3460	2,780	2,960	0.42 percent
	8.181 - Powder Mountain	1,605	2,195	2.11 percent
SR-158 Average Growth				1.26 percent
Anticipated Growth Rate				2.00 percent

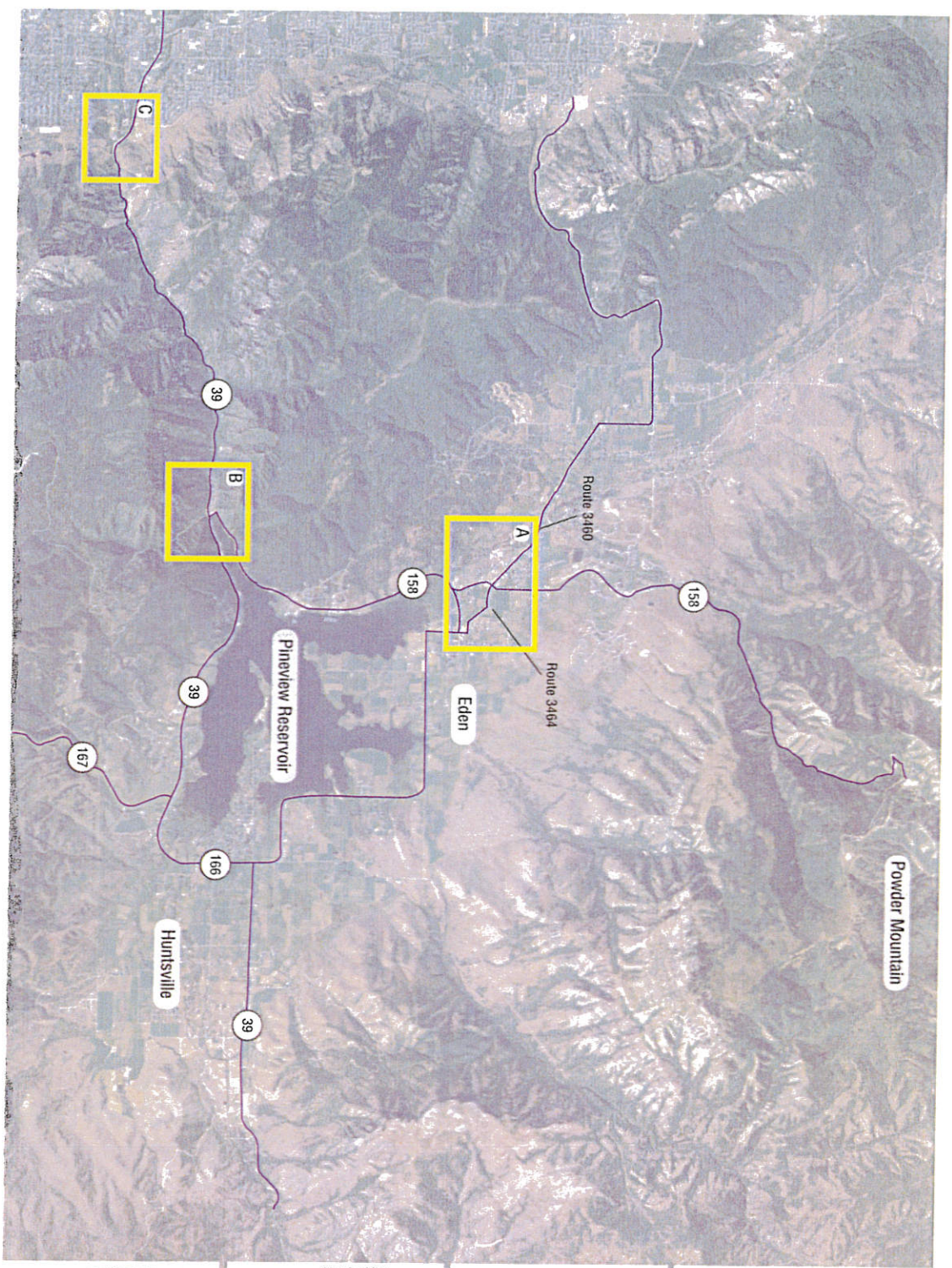
#### B. Future (2019) Traffic Operations

Figure 3: 2019 Baseline Traffic depicts the traffic volumes expected in 2019 at the three study intersections with two percent baseline traffic growth rate applied. Figure 5: 2019 Baseline + Stage 1 Traffic shows the anticipated traffic volumes when the trips generated by Stage 1 traffic are added to the baseline traffic. Table 15: Future (2019) Level of Service Summary – Stage 1 shows the LOS anticipated in 2019 with the baseline traffic growth and the proposed development at full build-out of Stage 1. During the Saturday PM peak hour the northeastbound left turn movement at the SR-39/Valley Drive intersection will operate at LOS E in 2019 from the natural growth of the local traffic. In addition, the southbound shared through/left turn movement at the SR-39/SR-158 intersection will operate at LOS D and the SR-158/Route 3460 intersection will function at LOS C. The addition of resort traffic will decrease the LOS at all three study intersections during the Saturday PM peak period to LOS F.

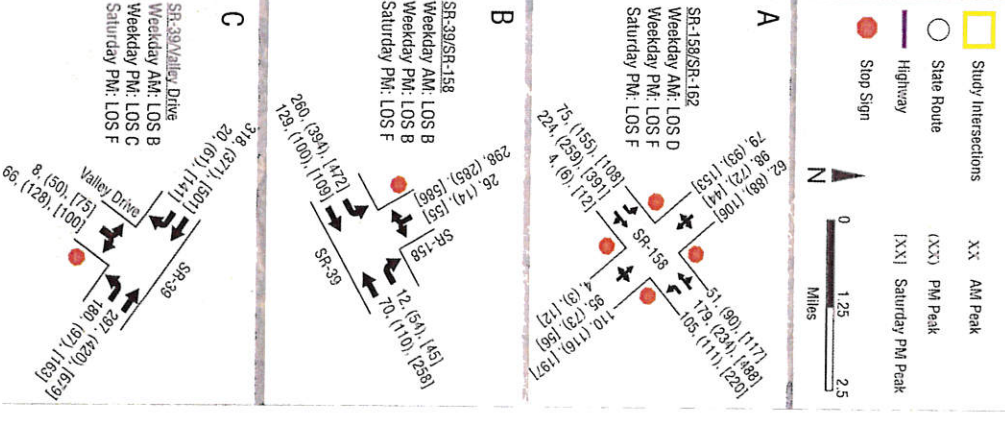








**Figure 13: 2019 Baseline+Stage 1 Traffic**  
 2011 NMAP 1-meter Aerial Photography  
 Powder Mountain Traffic Study

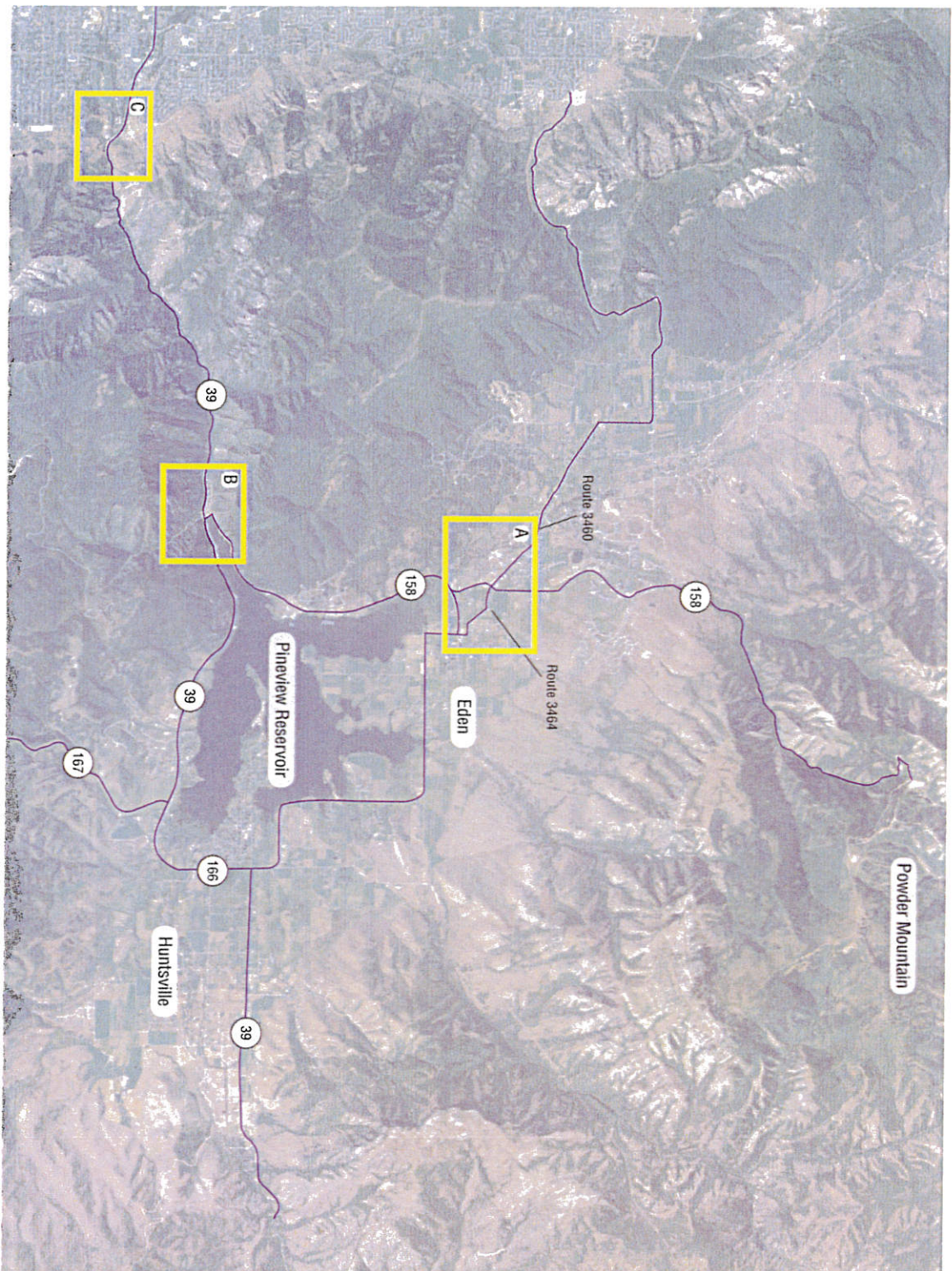


### C. Future (2025) Traffic Operations

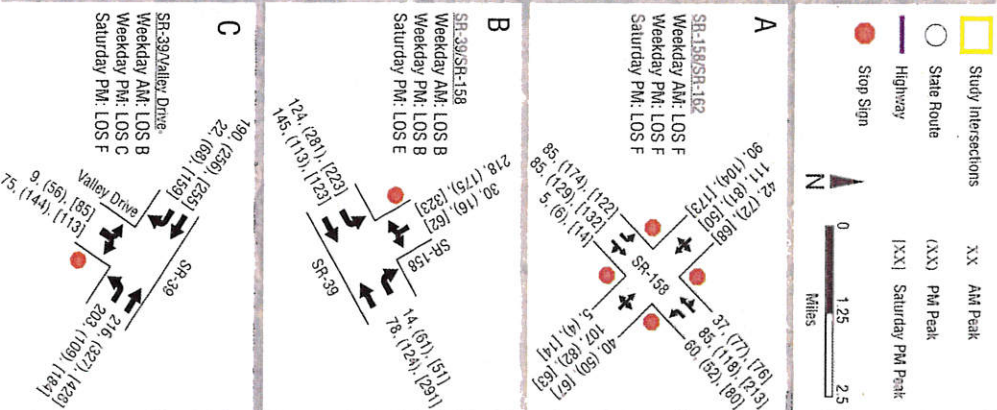
Figure 6: 2025 Baseline Traffic shows the traffic volumes anticipated in 2025 at the three study intersections with a two percent baseline traffic growth rate applied. Figure 7: 2025 Baseline + Stage 2 Traffic illustrates the expected traffic volumes when the trips generated by Stage 2 traffic are added to the baseline traffic. Table 16: Future (2025) Level of Service Summary – Stage 2 shows the LOS anticipated in 2025 with the baseline growth and the proposed development at full build-out of Stage 2. The baseline growth of traffic will cause the northeastbound left/right movement at SR-39/Valley Drive to operate at LOS F during the Saturday PM peak hour, SR-39/SR-158 will operate at LOS E, and SR-158/Route 3460 will also operate at LOS F during the same time period.

When the trips generated by the resort from Stage 2 are added to the surrounding roadway network, the results show all three study intersections operating at LOS F during the Saturday PM peak period.





**Figure 14: 2025 Baseline Traffic**  
 2011 NAIP 1-meter Aerial Photography  
 Powder Mountain Traffic Study





E

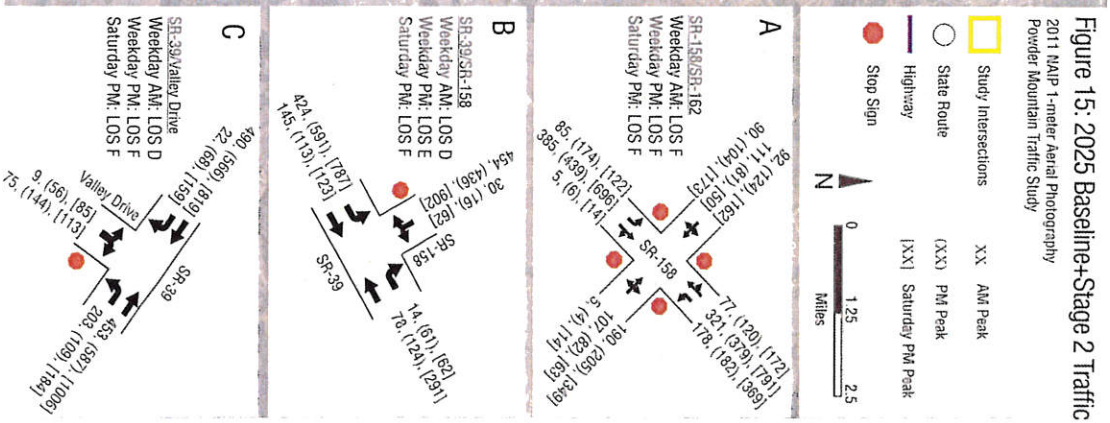
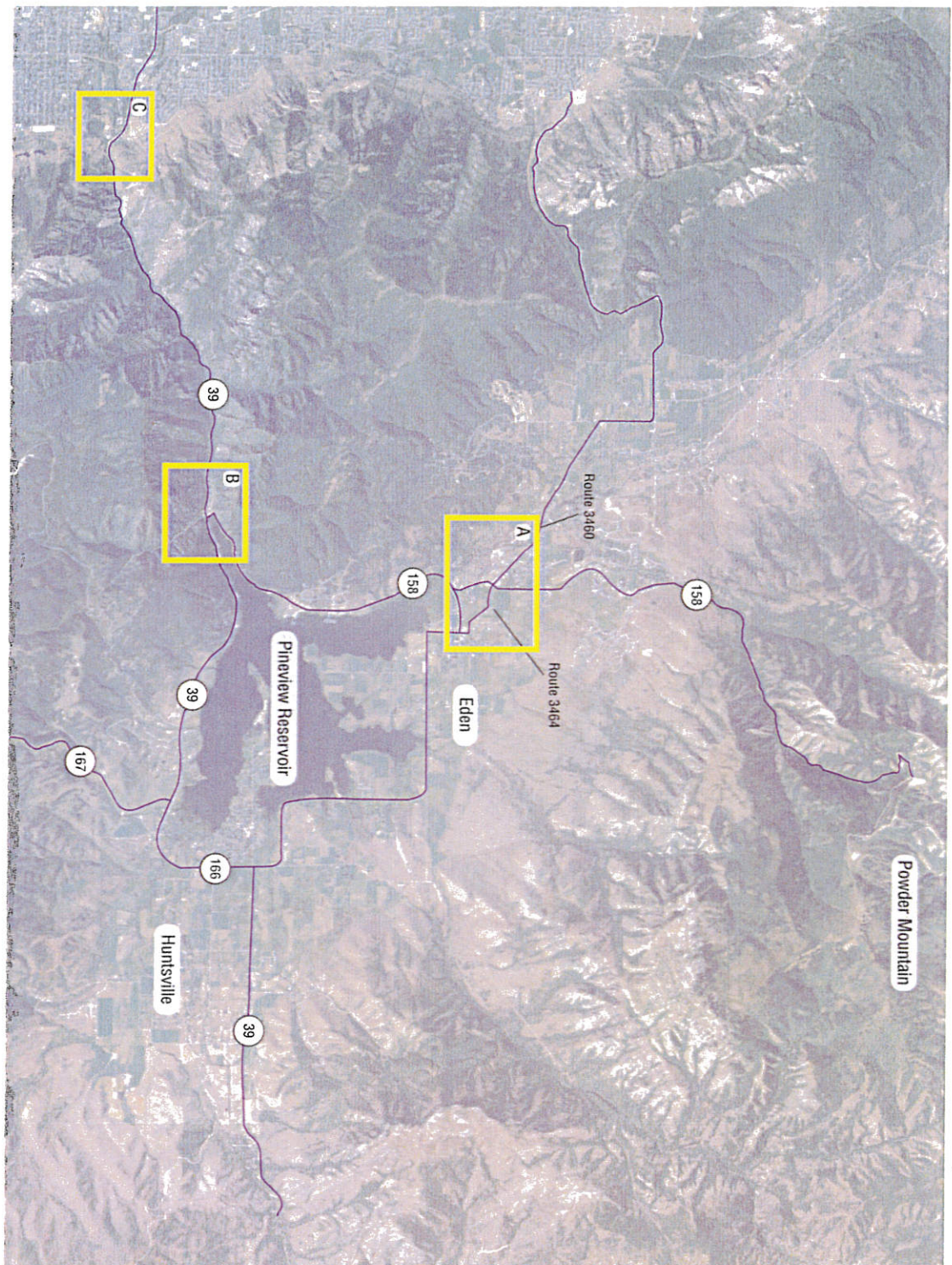




Table 15: Future (2019) Level of Service Summary - Stage 1

Intersection		2019 Baseline			With Project		
Description/Control	Peak Period	LOS/ Control Delay (s)	Movement	Intersection Delay (s/vch)	Minor Street LOS/ Control Delay (s)	Movement	Intersection Delay (s/vch)
SR-39/Valley Drive NE/Stop	Weekday AM	B/12.2	NEBLR	3.9	B/14.8	NEBLR	3.1
	Weekday PM	C/17.0	NEBLR	4.5	C/19.8	NEBLR	3.9
	Saturday PM	E/41.3	NEBLR	7.8	F/450.8	NEBLR	47.0
	Weekday AM	B/10.9	SBLR	5.9	B/13.3	SBLR	8.0
SR-39/SR-158 S/Stop	Weekday PM	B/11.3	SBLR	5.6	B/14.0	SBLR	7.7
	Saturday PM	D/26.4	SBLR	11.1	F/372.4	SBLR	162.8
SR-158/Route 3460 All-Way Stop	Weekday AM	na	na	LOS/Delay (s/vch)	na	na	LOS/Delay (s/vch)
	Weekday PM	na	na	B/11.4	na	na	D/27.1
	Saturday PM	na	na	C/17.2	na	na	F/54.9
				C/24.1	na	na	F/70.4

NEBLR = Northeastbound shared Left/Right Lane; SBLR = Southbound shared Left/Right Lane; s = seconds; s/vch = seconds/vehicle

Table 16: Future (2025) Level of Service Summary – Stage 2

Intersection		2025 Baseline			With Project		
Description/Control	Peak Period	LOS/ Control Delay (s)	Movement	Intersection Delay (s/vch)	Minor Street LOS/ Control Delay (s)	Movement	Intersection Delay (s/vch)
SR-39/Valley Drive NE/Stop	Weekday AM	B/13.3	NEBLR	4.1	D/32.4	NEBLR	4.0
	Weekday PM	C/21.4	NEBLR	5.3	F/163	NEBLR	21.3
	Saturday PM	F/227.6	NEBLR	41.9	F/6274	NEBLR	591
	Weekday AM	B/11.5	SBLR	6.2	D/27.6	SBLR	15.1
SR-39/SR-158 S/Stop	Weekday PM	B/12	SBLR	5.8	E/35.8	SBLR	16.5
	Saturday PM	E/47.9	SBLR	19	F/2632	SBLR	1184
SR-158/Route 3460 All-Way Stop	Weekday AM	na	na	LOS/Delay (s/vch)	na	na	LOS/Delay (s/vch)
	Weekday PM	na	na	F/72.9	na	na	F/72.9
	Saturday PM	na	na	F/70.0	na	na	F/70.0
				F/76.4	na	na	F/76.4

NEBLR = Northeastbound shared Left/Right Lane; SBLR = Southbound shared Left/Right Lane; s = seconds; s/vch = seconds/vehicle



## E. Highway Operations

Two-lane highway capacity analyses were performed for the following key sections of SR-39 and SR-158:

- SR-158 to Powder Mountain, uphill and downhill
- SR-158 to Eden, uphill and downhill
- SR-39 to Junction SR-158, uphill and downhill

Highway capacity analyses were performed using the two lane highway methodology found in the HCM. The uphill segments were evaluated during the morning peak and the downhill segments were evaluated during the evening peak for traffic volumes in 2014 (existing), 2019 and 2025. The intent is to capture the highway LOS for each direction of travel. The results are summarized in Table 17: Two-Lane Highway LOS.

Table 17: Two-Lane Highway Level of Service

Segment	2014 (Existing)		2019		2025	
	Uphill AM	Downhill PM	Uphill AM	Downhill PM	Uphill AM	Downhill PM
SR-158 to Powder Mountain	LOS B		LOS D		LOS F	
SR-158 to Powder Mountain		LOS C		LOS E		LOS F
SR-158 to Eden	LOS A		LOS C		LOS D	
SR-158 to Eden		LOS B		LOS C		LOS D
SR-39 to Jct. SR-158	LOS C		LOS C		LOS D	
SR-39 to Jct. SR-158		LOS C		LOS C		LOS D

## F. Intersection Queue Length

The single lane approaches at T-intersections SR-39/Valley Drive and SR-39/SR-158 provide sufficient storage in the travel lane under stop conditions. At SR-158/Route 3460, the northeast left turn pocket provides 150 feet of storage and the southwest left turn pocket provides 100 feet of storage and there is sufficient storage length provided in the through lane of each approach. Table 18: Intersection Queue Lengths summarizes the projected 95<sup>th</sup> percentile queuing lengths at each intersection for the baseline scenario without the project and full build-out at the end of each Stage.

At SR-158/Route 3460, the northeast left turn pocket length provides sufficient storage for the projected left turn traffic during both stages of development. However, the queue length of the adjacent through lane will extend past the left turn pocket opening with the addition of project traffic in 2025 during the Saturday PM peak period. The queue length of the SW through lane will extend past the left turn pocket opening with the addition of the project traffic in 2019 during the weekday and Saturday PM peak.

11

Table 18: Intersection Queue Lengths (ft)

SR-39/VALLEY																		
	NE Left/Right																	
	WD AM	WD PM	Sat. PM															
2014	3	16	82															
2019 wo/p	15	50	122															
2019 w/p	13	18	405															
2025 wo/p	20	73	411															
2025 w/p	59	291	938															
SR-39/SR-158																		
	S Left/Right																	
	WD AM	WD PM	Sat. PM															
2014	27	22	104															
2019 wo/p	32	26	151															
2019 w/p	65	65	1189															
2025 wo/p	39	33	260															
2025 w/p	213	245	3,170															
SR-158/Route 3460																		
	NE Left			NE Through			NW Through			SE Through			SW Left			SW Through		
	WD AM	WD PM	Sat. PM	WD AM	WD PM	Sat. PM	WD AM	WD PM	Sat. PM	WD AM	WD PM	Sat. PM	WD AM	WD PM	Sat. PM	WD AM	WD PM	Sat. PM
2014	13	50	23	15	33	33	25	23	30	43	93	78	13	10	23	25	68	123
2019 wo/p	15	55	35	18	35	43	30	40	48	53	130	178	15	10	18	30	75	180
2019 w/p	20	78	48	135	230	295	105	138	293	130	313	300	55	40	150	188	308	298
2025 wo/p	18	78	35	23	48	58	40	55	55	73	213	168	20	13	35	38	115	298
2025 w/p	28	108	45	295	295	295	303	303	305	298	298	300	225	103	288	298	298	298

KEY: Queue lengths in feet; wo/p = without project; w/p = with project; WD = weekday; Sat. = Saturday; NE = northeast; S = south; NW = northwest; SE = southeast; SW = southwest; SW = southwest



## G. Recommended Mitigation

All three intersections exceed the LOS C or better criteria and will require mitigation to improve the intersection LOS to bring the intersection operations back into compliance with LOS C or better. Table 19: Future Level of Service Summary with Recommended Mitigation shows the expected LOS with the addition of traffic signals or roundabouts.

**SR-39/Valley Drive** Currently the intersection operates at LOS E on Saturdays and decreases to LOS F in 2019 with the addition of project traffic and will continue to operate at LOS F in the coming years as traffic growth increases. The mitigation measure of widening Valley Drive to provide a separate left-turn lane and a separate right-turn lane only reduces the seconds of control delay, but still operates at LOS F. The other option to improve the LOS is the installation of a traffic signal. PEC conducted a signal warrant analysis (see Appendix D – Traffic Signal Warrant Analysis) and found that a traffic signal falls just short of warranting a traffic signal in 2019 but is definitely warranted by 2025. PEC recommends improving the intersection by installing a traffic signal by 2020 to improve LOS A.

**SR-39/SR-158** On Saturday during the PM peak period, the LOS drops to LOS F in 2019 when project trips are added and continues at LOS F in 2025. PEC recommends adding a traffic signal at the intersection to improve the intersection operation to LOS A during the Saturday PM peak hour. PEC conducted a traffic signal warrant analysis (see Appendix D – Traffic Signal Warrant Analysis) and found that signal warrants 1 and 2 are met for this intersection by 2019 using Saturday traffic volumes with the additional project generated traffic.. Warrants for the signal meet the criteria for Saturday PM peak hour traffic only, not the weekdays. The traffic signal could be installed at the intersection without any geometric improvements and still achieve LOS C without impacting the dam.

**SR-158/Route 3460** The growth in traffic with the addition of project traffic causes the Saturday PM peak hour LOS to decrease to LOS F in 2025 if no changes to the intersection traffic control are made. PEC recommends adding a traffic signal at the intersection to return the intersection operation to LOS C or better during the Saturday PM peak hour in 2019 and 2025. PEC conducted a traffic signal warrant analysis see Appendix D – Traffic Signal Warrant Analysis) and found that weekday traffic does not warrant a traffic signal but Saturday traffic with additional project traffic meets the criteria for signal warrants 1 and 2 in 2019. The LOS analysis for a roundabout shows the intersection will operate at LOS F with the addition of the resort traffic and is therefore not recommended.



E

**Table 19: Future Level of Service Summary with Recommended Mitigation**

Intersection <i>Traffic Control</i>	Peak Period	2019		2025	
		Baseline	With Project	Baseline	With Project
		LOS/Control Delay (s/veh)	LOS/Control Delay (s/veh)	LOS/Control Delay (s/veh)	LOS/Control Delay (s/veh)
SR-39/Valley Drive <i>Traffic Signal</i>	Saturday PM	A/5.0	A/9.7	A/5.9	B/19.2
SR-39/SR- 158 <i>Traffic Signal</i>	Saturday PM	A/8.3	C/33.2	B/10.2	D/43.9
SR- 158/Route 3460 <i>Traffic Signal Roundabout</i>	Saturday PM	A/9.0 B/11.3	C/28.3 F/100.7	A/9.1 B/14.0	C/33.5 F/512

s/veh = seconds/vehicle

## H. Traffic Impact on Big Game

SR-158 is the main entrance to the Powder Mountain Resort as well as the other roadways in the vicinity travel through mule deer, elk and moose habitat where animals congregate during the fall, winter, and spring months. The big game mortality is summarized in Table 20: Big Game Mortality.

**Table 20: Big Game Mortality**

Roadway	Section	2-Year Mortality
SR-158	SR-39 Junction (MP 0.0) to Route 3460 (4.337)	24 mule deer
SR-158	Route 3460 (MP 4.337) to Powder Mountain (11.691)	10 mule deer
Route 3460	Liberty to Eden	16 mule deer
SR-39	SR-167 to Hunstville to Sr- 158/Route 3460	20 mule deer

Source: Utah Division of Wildlife Resources

With a projected increase in vehicle travel during the fall, winter and spring months, it is anticipated that an increase in wildlife/vehicle collisions is likely, especially with mule deer. Potential impacts to big game animals and other wildlife species that could occur with the projected increase in traffic in this area should be studied in further detail. Powder Mountain Resort should work with the Utah Division of Wildlife Resources, Weber County and the Utah Department of Transportation to develop strategies to reduce wildlife/vehicle collisions.

## IV. Parking

### A. Current Parking Utilization

Parking utilization data for Powder Mountain Resort parking lots was collected between January 15, 2014 and February 5, 2014. A summary of existing parking conditions is listed below in Table 21: Parking Lot Summary.

**Table 21: Parking Lot Summary**

Parking Lots	Available Stalls	Weekday Utilization (%)	Saturday Utilization (%)
Rainbow Gardens Park-n-Ride Lot	69 <sup>1</sup>	41	70
Eden Valley Market Park-n-Ride Lot	65 <sup>2</sup>	19	29
Powder Mountain Tiger Lot	50 <sup>2</sup>	14	81
Powder Mountain Sundown Lot	90 <sup>2</sup>	24	70
Powder Mountain Resort Center Lot	460 <sup>2</sup>	14	77

<sup>1</sup> Actual number of parking stalls.

<sup>2</sup> Approximate number of parking stalls.

This utilization data indicates that during the weekdays skiers are 2.2 times more likely to ride UTA transit from the Rainbow Gardens park-n-ride lot rather than the Eden Valley Market park-n-ride lot and 2.5 times more likely on Saturdays.

Figure 8: Existing Parking details the weekday and Saturday utilization of the three resort parking lots and two park-n-ride lots associated with Powder Mountain Resort.

The Rainbow Gardens park-n-ride lot located on the west side of Rainbow Gardens Market on Valley Drive, is approximately 400 feet southwest of the junction with SR-39 at the mouth of Ogden Canyon. This parking lot is paved and operated by Rainbow Gardens in association with UTA.

The Eden Valley park-n-ride lot located approximately 600 feet northwest of Eden Valley Market on Route 3460 is unpaved and is serviced by UTA, but is not owned or operated by UTA.

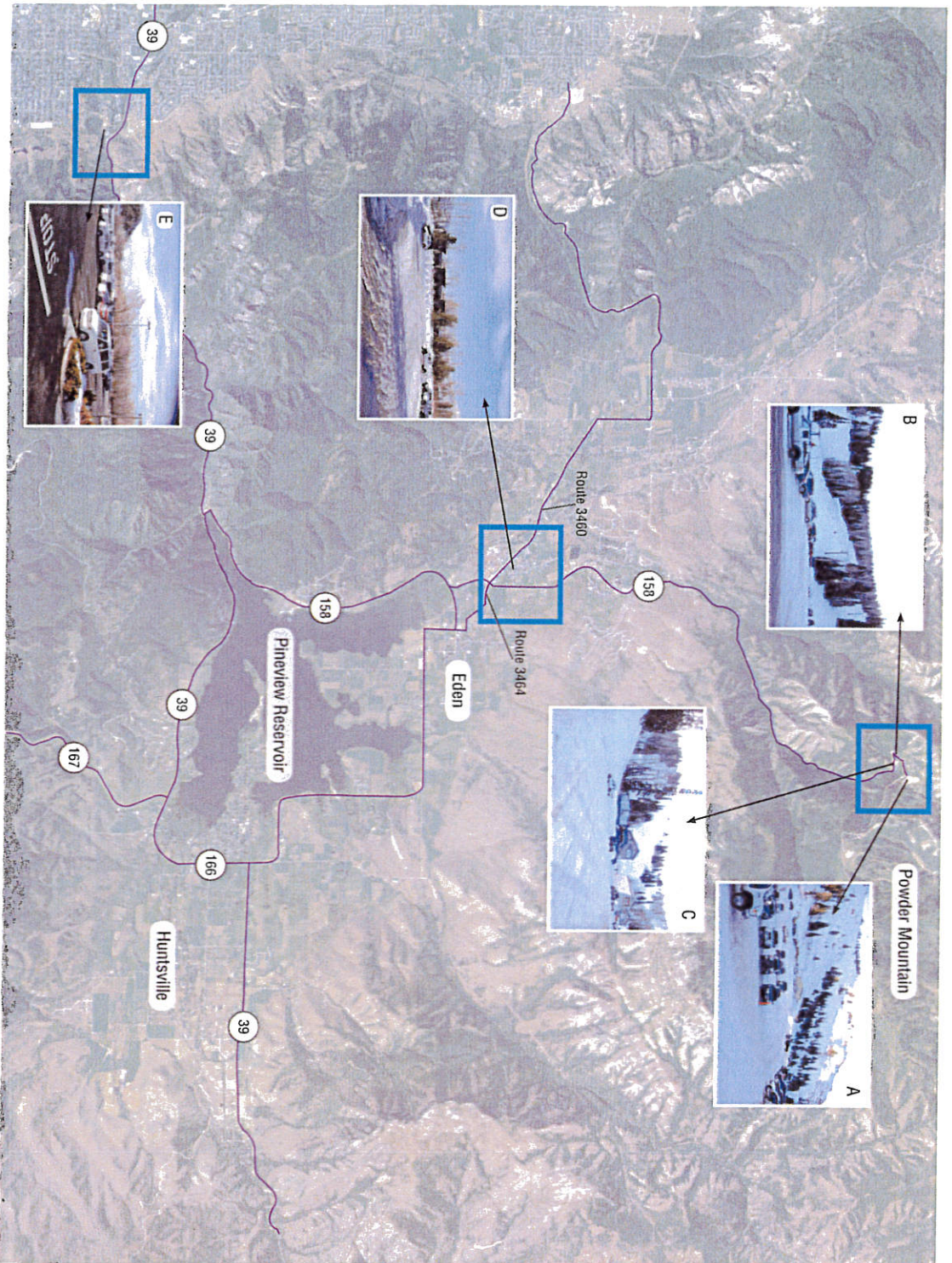
The three parking lots owned and operated by Powder Mountain Resort are unpaved.

### B. Future Parking Demands

Efforts to entice skiers and Powder Mountain employees to use UTA transit will create a need for additional park-n-ride lots to accommodate the increased ridership. Ninety-six seasonal employees will have the opportunity to stay in workforce housing at the ski resort while the others will commute daily to housing in other areas. Approximately 681 employees (Table 11) and 340 skiers will use UTA services on the weekend. To accommodate this parking demand 1000 additional parking stalls will be provided. There are approximately 8.5 acres adjacent to the existing Rainbow Gardens that might be suitable for a parking lot if available and appears to be large enough to accommodate the number of required parking stalls. Figure 9: Potential Park-n-Ride Location shows the proposed location for future parking needs.

The north parking lot (311 stalls) at the UTA Ogden Transit Center located at 2350 South Wall Avenue in Ogden could be used for overflow parking in the event the proposed park-n-ride lots become full. This lot should be available on weekends (when resort ridership is highest) when weekday commuters are not using the parking spaces. An agreement with UTA will be negotiated to facilitate the use of these UTA facilities.





**Figure 16: Existing Parking**  
 2011 NMAP 1-meter Aerial Photography  
 Powder Mountain Traffic Study



**A Powder Mountain Resort Center Lot**  
 Available Stalls: 460  
 Weekday Utilization: 14%  
 Saturday Utilization: 77%

**B Powder Mountain Sundown Lot**  
 Available Stalls: 90  
 Weekday Utilization: 24%  
 Saturday Utilization: 70%

**C Powder Mountain Tiger Lot**  
 Available Stalls: 50  
 Weekday Utilization: 14%  
 Saturday Utilization: 81%

**D Eden Valley Market Park-n-Ride Lot**  
 Available Stalls: 65  
 Weekday Utilization: 19%  
 Saturday Utilization: 29%

**E Rainbow Gardens Park-n-Ride Lot**  
 Available Stalls: 69  
 Weekday Utilization: 41%  
 Saturday Utilization: 70%



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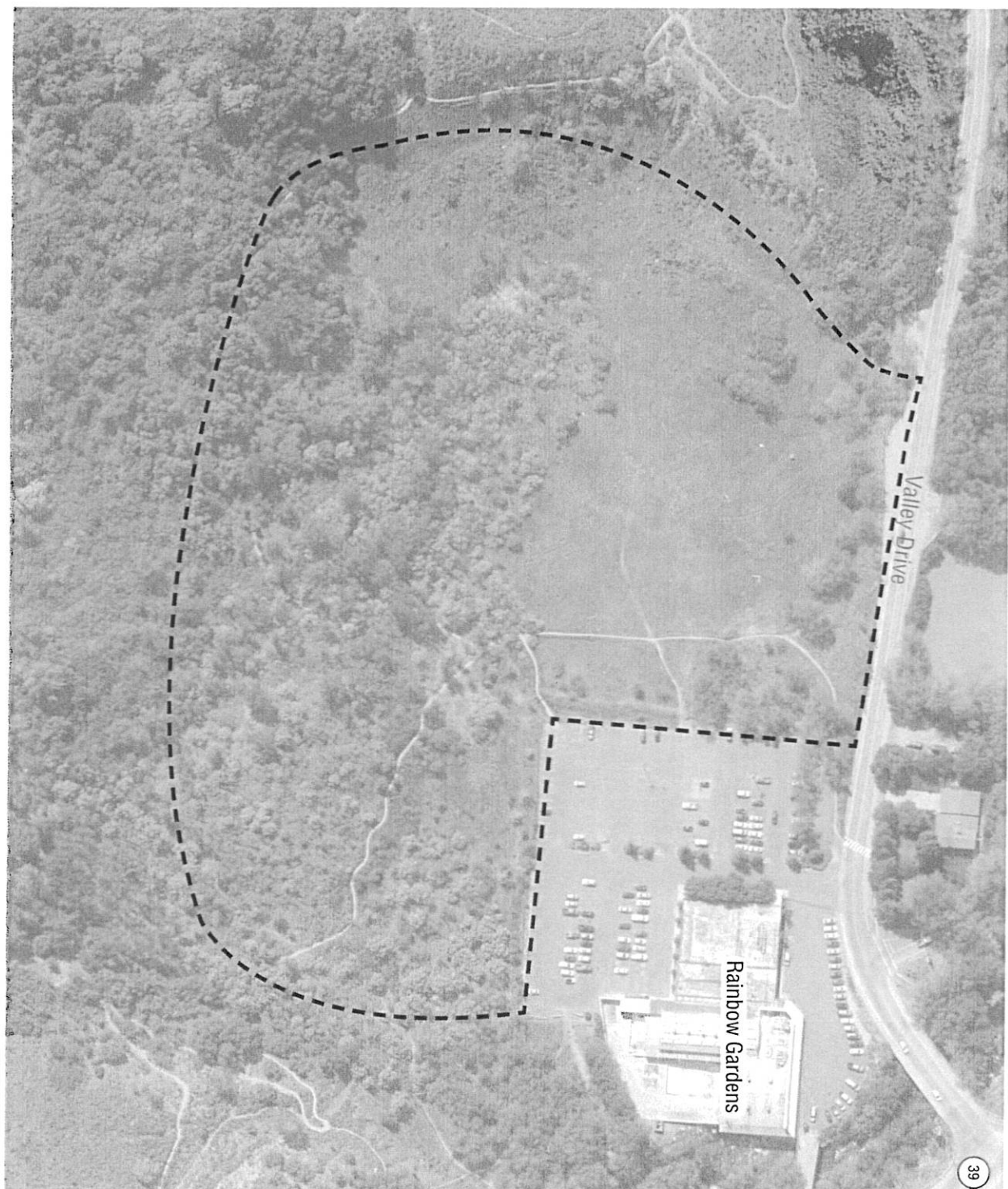
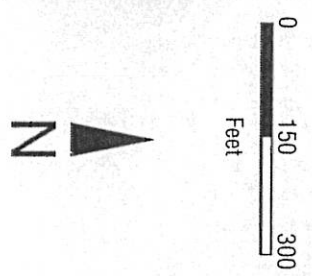


Figure 17:  
Potential Park  
and Ride Location  
2012 HRO 6-inch  
Orthophotography  
Powder Mountain Traffic  
Study

Potential Park and Ride  
8.5 acres  
1000 Parking Stalls



## V. Travel Demand Management

Travel demand management (TDM) measures represent actions taken by a development to limit vehicle trips made to and from the site. Typically these measures encourage site users to select a travel mode other than a single occupancy vehicle to get to and from the property, such as carpooling or transit.

Powder Mountain will provide an internal shuttle system so that overnight guests have means to access the ski area base without using their vehicles. The shuttle is anticipated to reduce vehicle travel within and between those areas by approximately 307 trips per day on the weekdays and 340 trips on the weekends during Phase 1 (Table 12) and 209 trips per day on the weekdays and 264 trips on the weekends (Table 13).

Powder Mountain has teamed up with UTA to provide transit service from Ogden or Eden so guests and employees don't have to rely on their personal vehicle to travel to the resort and are committed to reduce the number of skier single vehicle trips by 50 percent by providing enticements to the skiers to use UTA transit services. Some of the strategies that could be used include: discounted lift tickets, discounted concessions, subsidized transit fares, paid parking at the resort, etc. Beginning two years after DRR1 approval, the Developer shall provide a biennial report to the Planning Division Staff that [outlines data or provides details] on the strategies implemented. The report shall include, but not be limited to, the strategies used, the data collected and the reduction of single vehicle trips.

## VI. Sustainability

Transportation sustainability is accomplished by limiting the traffic demand on the roadway system; fewer vehicles equals less congestion and less environmental impacts. Powder Mountain will strive to achieve that by providing on-mountain accommodations that allow residents and guests to drive to the resort once and stay for multiple days instead of making trips back and forth from the resort to surrounding cities (i.e., Ogden, Eden, etc.) every day. Additionally, Powder Mountain will provide supportive commercial and retail facilities within the resort that allow guests to fulfill many of their trip purposes (such as dining, entertainment and resort-related shopping) on site, limiting the number of trips to Eden or Ogden for those needs. Powder Mountain will also provide an internal shuttle system between the resort development areas that will enable guests to access the ski areas without using their own vehicle. This system could either operate as either an on-call system, a fixed route, fixed schedule system or hybrid system that offers fixed route service during the peak demand periods and on-call service during lower demand periods.

Other ways the resort will reduce travel demand and promote sustainability include:

- Provide preferred parking in the day skier lots for vehicles with three or more occupants. To promote reduced vehicle emissions and a healthier environment, preferred parking could also be extended to hybrid vehicles and other low-emissions vehicles.
- Consolidate services that are needed at the resort from any non-resort business, whether it be related to laundry, custodial, utility, or security.
- Implement the use of alternative fuel shuttles for the employee/skier transit services.
- Provide transit passes to all employees and require the employees to use them.
- Provide bicycles for use by resort employees and guests in the summer months.
- Provide information on shuttles, transit and other alternate modes to visitors.
- Have zipcars available for guests to use. Zipcar is a US membership-based car-sharing company providing automobile reservations to its members, billable by the hour or day.



Updated: 7.14.2014

BENEFIT ANALYSIS OF THE PROPOSED SUMMIT-EDEN @ POWDER  
MOUNTAIN COMMUNITY DEVELOPMENT PROJECT AREA**CONCLUSION OF BENEFIT ANALYSIS:**

The Summit-Eden @ Powder Mountain Community Development Project Area meets the requirements set forth in Utah Code title 17C, Chapter 4, Section 103 regarding the proposed Project Area.

The proposed Project Area facilities in Weber County are being built (and are contingent on) tax increment being provided by the Weber County Redevelopment Agency.

The proposed Project Area development in Weber County will stimulate business and associated economic activity within the community, the region and the State.

The proposed Project Area developer - Summit Mountain Holding Group LLC, knows this market, is experienced and the proposed project is economically sound and feasible.

The proposed Project Area development conforms to the Weber County General Plan and the Ogden Valley Master Plan.

The proposed Project Area development will promote the public health, safety and welfare in Weber County.

The proposed Project Area development will result in substantial economic benefits associated with the Tax Increment Investment by the Weber County Redevelopment Agency in The Summit-Eden @ Powder Mountain Community Development Project Area. (Updated: 7.14.2014)

Summary of Economic Benefits	Potential Value
Projected Incremental (new) Taxable Value	\$ 954,294,800
Projected Incremental Property Tax (CDA ent. 20 year cumltv)	\$ 69,441,628
Estimated Construction Expenditures	\$ 1,119,773,920
Estimated Average Annual Construction Jobs	734
Estimated Direct Employment (Hotels, Retail and Resort Related)	1,010
Estimated Annual Supply-Chain Components	\$ 31,350,000
Estimated Indirect and Induced Employment Increase	1,906



Updated: 7.14.2014

**BENEFIT ANALYSIS OF THE PROPOSED SUMMIT-EDEN @ POWDER  
MOUNTAIN COMMUNITY DEVELOPMENT PROJECT AREA**

F  
2/4

**Weber County Redevelopment Agency**

Summit-Eden @ Powder Mountain - Community Development Project Area  
PROPOSED & REVISED Tax Increment Financing Structure (Updated: 7.14.2014)

Source:	Rate	20 Year Total	Project Years 1 through 10	Project Years 11 through 20
<b>Projected (new) Taxable Value</b>				
Proposed Resort/Residential Development		848,000,000	640,800,000	848,000,000
Proposed Development Enhancements		51,000,000	45,000,000	51,000,000
Estimated Personal Property Taxable Value		55,294,800	55,737,000	55,294,800
<b>Total Projected (new) Taxable Value – Cmltv.</b>		<b>954,294,800</b>	<b>741,537,000</b>	<b>954,294,800</b>
<b>Projected New Property Tax (Increment)</b>				
Weber County	0.003899	50,523,029	15,065,364	35,457,664
CDA Administration:	2.00%	1,010,461	301,307	709,153
Weber County		49,512,568	14,764,057	34,748,511
PMWS District	0.000465	6,025,445	1,796,716	4,228,729
		55,538,013	16,560,773	38,977,240
Weber School District	0.007071	91,625,631	27,321,670	64,303,961
<b>Total Projected New Tax (participating ent.):</b>		<b>147,163,643</b>	<b>43,882,443</b>	<b>103,281,200</b>
<b>PROPOSED TAX INCREMENT STRUCTURE:</b>				
<b>Weber County and PMWS District</b>				
<b>Tax Increment: Year 1 through 10</b>				
Pass Thru to Entities	25%	4,140,193	4,140,193	
TIF Available To Agency	75%	12,420,580	12,420,580	
<b>Tax Increment: Year 11 through 20</b>				
Pass Thru to Entities	50%	19,488,620		19,488,620
Available To Agency for TIF	50%	19,488,620		19,488,620
Total Pass-Through		23,628,813	4,140,193	19,488,620
Total TIF Available to Agency		31,909,199	12,420,580	19,488,620
<b>Weber School District</b>				
<b>Tax Increment: Year 1 through 20</b>				
Pass Thru to Entity	50%	45,812,815	13,660,835	32,151,980
TIF Available to Agency	50%	45,812,815	13,660,835	32,151,980
<b>Total Pass-Thru All Participating Entities</b>		<b>69,441,628</b>	<b>17,801,028</b>	<b>51,640,600</b>
<b>Total TIF Available to Agency</b>		<b>77,722,015</b>	<b>26,081,415</b>	<b>51,640,600</b>

Updated: 7.14.2014

**BENEFIT ANALYSIS OF THE PROPOSED SUMMIT-EDEN @ POWDER MOUNTAIN COMMUNITY DEVELOPMENT PROJECT AREA**

F 3/4

**Weber County Redevelopment Agency**

Summit-Eden @ Powder Mountain - Community Development Project Area

**PROPOSED & REVISED** Tax Increment Financing Structure (Updated: 7.14.2014)

Use:	20 Year Total	Project Years 1 through 10	Project Years 11 through 20
<b>Private Infrastructure</b>			
Electric Power	6,100,000	6,100,000	-
Geothermal	1,750,000	1,750,000	-
Fiber Optics	7,200,000	7,200,000	-
Natural Gas	8,800,000	8,800,000	-
<b>Public Infrastructure</b>			
Roads & Bridges	34,900,000	19,400,000	15,500,000
Culinary Water	17,800,000	16,000,000	1,800,000
Sanitary Sewer	15,800,000	11,000,000	4,800,000
<b>Total Private &amp; Public Infrastructure:</b>	<b>\$92,350,000</b>	<b>\$70,250,000</b>	<b>\$22,100,000</b>
<b>Proposed Enhancements</b>			
Ski Lifts (Prsnl Property)	40,000,000	20,000,000	20,000,000
Electric Bus - Shuttle System (Prsnl Property)	12,000,000	12,000,000	-
Structured Parking	17,000,000	17,000,000	-
Retreat Facilities	10,000,000	10,000,000	-
Special Event Facilities	9,000,000	9,000,000	-
Restaurants & Lodges	15,000,000	9,000,000	6,000,000
<b>Total Proposed Enhancements</b>	<b>\$103,000,000</b>	<b>\$77,000,000</b>	<b>\$26,000,000</b>
<b>Proposed Other Internal &amp; External</b>			
Ogden Valley Master Plan	200,000	200,000	-
Trail Network	6,000,000	6,000,000	-
School Impact Mitigation	1,900,000	450,000	1,450,000
<b>Total Proposed Other:</b>	<b>\$8,100,000</b>	<b>\$6,650,000</b>	<b>\$1,450,000</b>
<b>Total Infrastructure &amp; Proposed Devp.</b>	<b>203,450,000</b>	<b>153,900,000</b>	<b>49,550,000</b>
<b>Total TIF Available for Project</b>	<b>77,722,015</b>	<b>26,081,415</b>	<b>51,640,600</b>
<b>Cash Flow Gap (Developer Financed)</b>	<b>(\$125,727,985)</b>	<b>(\$127,818,585)</b>	<b>2,090,600</b>

Bonneville Research makes no judgment relative to the impact of the Community Development support on the internal profitability and competitiveness of the project relative to other similar developments.



## Bonneville Research

### ECONOMIC IMPACT MEMORANDUM

To: Douglas Larsen, Weber County Economic Development  
Scott Mendoza, Weber County Planning

From: Bob Springmeyer

CC: Russ Watts, Watts Enterprises

Date: August 27, 2014

Re: Summit Financial Impact / DRR1 Rezone

Doug, Scott, I have reviewed our original analysis of the Summit Resort/Residential Development which planned for 1,000 to 1,200 ERU's to be developed over a 20 year period.

Current estimates of the original development proposal provided for \$848,000,000 of gross investment value.

I have reviewed our original analysis using the following assumptions:

- The additional 1,600 to 1,800 ERU's will be developed reasonably proportional to the original plan.
- An additional investment in public and private infrastructure will be made of at least 50% of the original plan over the development period to support the additional ERU's.

It is therefore my opinion that if the Summit Resort/Residential Development were developed with 2,800 ERU's Weber County should anticipate a reasonable increase in property and sales tax receipts that should more than offset any increase in required public services.

Thanks,

*Robert Springmeyer*

Robert Springmeyer, President  
Bonneville Research  
170 South Main Street, #775  
Salt Lake City, UT 84101  
801-364-5300

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EXHIBIT G  
1/1



1438 West 2550 South  
Ogden, Utah 84401

July 7, 2014

Mr. Rick Everson  
Watts Enterprises  
5200 South Highland Drive, STE 101  
SLC, UT 84117

Subject: Electrical service to the 2,800 units for the Weber county parcels at Powder Mountain.

Dear Mr. Everson:

Rocky Mountain Power acknowledges that it will be able to provide electrical service to the proposed 2,800 units at the Powder Mountain Resort.

In order to serve the project several electrical upgrades will be necessary; however, Rocky Mountain Power has the ability to provide such upgrades necessary to serve the planned development.

Sincerely,

Craig Bruderer  
Customer & Community Manager  
1438 West 2550 South  
Ogden, UT 84401  
E-Mail: [craig.bruderer@rockymountainpower.net](mailto:craig.bruderer@rockymountainpower.net)  
Phone: (801) 629-4305  
Cell: (801) 721-0245



*Let's turn the answers on.*

EXHIBIT H  
1/1

Powder Mountain Water &  
Sewer Improvement  
District

September 15, 2014

Scott Mendoza  
Weber County Planning Division  
2380 Washington Blvd. Suite 240  
Ogden, Utah 84401

Dear Mr. Mendoza:

The Powder Mountain Water & Sewer Improvement District is committed to working together with Summit to plan, negotiate and implement strategies that will provide water and sewer as outlined in pending PMWSID/Summit Development Agreement.

Sincerely,



Matthew G Bell, Chair  
Powder Mountain Water &  
Sewer Improvement District

Miranda Menzies  
3807 N. ElkrIDGE Trail,  
P.O. Box 1130  
Eden 84310

July 24, 2014

Ogden Valley Planning Commission  
Weber County Planning Department  
Weber Center  
2380 Washington Blvd., Suite 240  
Ogden, UT 84401

Re: Powder Mountain "Weber County Rezone Application – Destination and  
Recreation Resort Zone DRR-1

Dear Commissioners,

I am a resident of Eden, Utah, and these comments are made by me as a private citizen and not on behalf of any of the organizations with which I am associated as a volunteer or Board Member.

Please consider the following comments on the Powder Mountain "Weber County Rezone Application – Destination and Recreation Resort Zone DRR-1. This submission is based on Commission Chairman's statements on July 22, 2014 at the commission meeting, requesting comments on the Presentation and Master Plan filed by Summit Mountain Holding Group in support of this rezone application.

General Comments:

A. Density

There is a lot to like in the Master Plan overall. In particular, I support the clustered village development, goals of reduced water usage, and efforts to minimize the impact on the mountain environment.

However, on multiple occasions, at neighborhood public meetings and otherwise, SMHG have stated that their intent is to develop only 1000 units out of the 2800 units in the original Western American Holdings Development Agreement with Weber County (2006). In this July 2014 Master Plan, the 2800 development units are specifically cited in 3 or more places, including the breakout of development types on page 18. In other words the development plan now appears to be back to the original 2800 units. Then the Economic Benefit analysis (page 5) – Exhibit to the application is based upon 1000 units of single family or multi-family housing. It is unclear whether all of the other supporting calculations are based on 1000 DU or 2800 DU.

While I recognize that the 2002 development agreement exists, it now appears that SMHG is not being internally consistent in the plan, nor with the multiple representations they have made to the community. I suggest the plan be based on what they actually plan to do, while making reference to the 2800 entitlements as a footnote, not the primary subject of the Plan.

B. Trails



There is a statement (p41) that: *"all recreation facilities will be available to the public. Some uses will be fee-based such as skiing, guided events, spas etc"*. This implies that hiking, biking and equestrian trails will possibly be open and free to the public, or maybe not?

Trails which have existed and been used by the public for 20 years or more have a prescriptive easement under Utah statute. Many of these trails are mapped on old maps. The trails from top of Sundown Saddle to White Pine basin, the trail to Flat Top, and Sunridge Vista Loop Trails are shown on the Weber County hosted GIS map of trails (recreation layer) and duplicated on the Weber Pathways trail maps used by many of the public. The development plan appears to turn several of these into roads.

A clear statement by SMHG that these recreational hike/bike and equestrian trails, and others, will remain open and available to the public without charge would go a long way to allaying concerns of the hiking and biking public.

### Specific Comments

The following specific editorial comments are offered in order to increase the completeness and accuracy of the Master Plan, and support its usefulness in the future:

1. Page 8 A statement is made that there are no historical or cultural resources at the project. However, previously there was much description of the history of the resort, including the work by Dr Alvin Cobabe the original resort owner and developer. At the top of the Timberline Lift, there is still the quite well-preserved saw mill used by Dr Cobabe and his team in construction of the original resort. Similarly the crane, now at the top of Hidden Lake Lift, which was used during original construction. I suggest these artifacts be considered "historical" during resort development, protected, and signage provided to enhance the visitor experience.
2. In multiple places the Plan describes how homes and other structures will be placed within forested areas. The need to remove deadwood and brush fuel should be emphasized (it is already noted), as should hard-scaping around the structures, in order to reduce the fire risk, and the consequent risk to the lives of our firefighters.
3. The transportation report is referenced, and the following comments refer to that Exhibit.
  - The transportation plan makes no mention of the construction traffic that will be caused by development of the resort. This is omitted from the estimated numbers of employee trips, and parking requirements. Note that the economic Benefit Analysis document from Weber County Economic Development Director indicates 743 annual construction jobs, throughout the project. This is the same order of magnitude as the projected number of resort employees (1010 or 1623 depending on which section you are reading), so the transportation needs of these employees should be considered.
  - Many of these construction vehicles will be loaded, and therefore heavy and slow going up on the SR 158. The same vehicles are potentially dangerous in case of brake failure coming down SR 158. Overall their omission from the Transportation Plan is puzzling and troubling. They will be seasonal to a large extent, but should be considered, if only to strengthen

SMHG's excellent suggestion of truck runaway ramps on the road (made at the public hearing).

- Section C of the transportation report states (no doubt correctly) that the average existing grade up SR 158 from Wolf Creek to the top is 9%. This plan section should also include a couple of sentences about the maximum grade, and the average grade over the one or two steepest ¼ mile sections (immediately above Lefty's Canyon confluence, and at the "last corner" below Mid-Mountain). I believe the grade on these sections exceeds 12 percent. These sections are what actually stops the 2-wheel drive cars in their tracks on snowy days. To have no mention of them is in my opinion misleading and incomplete presentation for the reader.
  - The transportation report fails to consider the effect of the linkage proposed in the Ogden Valley Transportation Element, between North Divide and the Powder Mountain Road, with a junction at Fairways Drive. Much of this road is either already constructed or platted into sub-divisions. The consequence of its omission is that the assumptions of traffic distribution between North Divide and Ogden Canyon are likely erroneous (by 2019 Phase I completion). Similarly, recommendations for mitigation at Valley Market 4-way stop and at the Dam (SR-39 and SR-158) may be inappropriate.
  - However, a roundabout at the Valley Market is likely a good idea as long as provision can be made for pedestrians, since there is now a walking trail crossing SR-158 on the south side of this junction (not shown in the transportation plan). See Figure 6 Area A. Consideration of pedestrians should be included for high pedestrian usage areas in the transportation plan.
  - At the Dam junction (SR-39 and SR-158), placing a signal (suggested for mitigation) is possibly inconsistent with Federal and State guidelines or regulations for management of this "High Risk dam" due to seismic risk and consequent safety hazard. (This point was raised by a resident at a neighborhood meeting where Summit presented their ideas).
  - The section on current parking capacity Section IV, fails to include parking capacity at Hidden Lake Lift, including Summit's new Sky Lodge parking area, which is 50 - 75 stalls, and is regularly used at higher percentage occupancy than the main parking lot at Timberline. It is the parking area of choice for many season ticket holders, who do not need to buy day-passes. The maps in the main report indicate that this is planned as a "mixed use area", but the parking demand still exists.
4. The seasonal workforce housing plan (page 43) is not clear with respect to the amount of housing to be provided at the mountain nor whether it is consistent with the Transportation Plan and the economic Benefit Analysis.
- a. The Master Plan talks about 1,623 full time equivalent employees in the main document, however the **estimated total [new] employees** shown on Transportation Plan Table 7 is 364 to 450 at Stage 1 and an additional 186 to 232 at Stage 2. New workforce trips estimated in the transportation plan is 683 (Transportation Plan Table 8). Are these numbers consistent? Presumably these discrepancies are made up by mandatory employee public transit?
  - b. As stated above, the Cost Benefit Analysis document from Weber County Economic Development Director indicates 743 annual construction jobs, throughout the project.

Are these included in the 1623 employees? Maybe, since the economic benefit analysis mentions 1010 direct employment jobs at the resort. However, using the Eden median salary is inconsistent with point 4d. below.

- c. 984 workforce housing units and 98 seasonal employee workforce housing units are mentioned. Lower down a statement is made that Seasonal workforce will be housed at "Mid-Mountain", but the remaining 886 will be "off-site". Is this consistent with the Transportation Plan?
- d. The last sentence at the end of this paragraph is incomplete/typographically erroneous, but appears to assume the workforce will be housed in Ogden Valley and Ogden. This is likely, but should also include North Ogden area, given the additional road connection via North Divide, commented on above in Item 3.

I appreciate your consideration of these review comments.

Sincerely,

Miranda Menzies

Resident of Eden.

801-745-2793



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[Message to Planning Division/Scott Mendoza September 11 from Ogden Valley Starry Nights - Janet Muir]

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Thanks again, Scott, for representing the County in helping with the light monitoring at North Fork Park Aug 28. It does appear that the boutique hotel planned on Sundown Saddle will not, by itself, throw North Fork Park out of contention for accreditation as an International Dark Sky Park.

What we have to consider closely is the growth of residential development light at that end of the Valley, some of the lights shining down from Durfee Creek, as well as the Nordic (former Wolf Mountain) night-skiing lights.

Summit has been great. We met with them again this Tuesday and are exploring how to make the development up to a dark-sky, best-practices standard for ski resorts around the world.

We brought to their attention new low-glare, night-skiing lighting system now used at Steamboat Springs and rapidly spreading to other resorts. Glow, not glare, is the new watchword.

Denver Post: low-glare lights a hit at Steamboat Springs

Summit plans to attend the Weber State University (led by Jeremy Bryson) new-moon readings at North Fork Park the evening of September 24 (weather cooperating), and we have reached an understanding that we will work with them and bring IDA experts in on the lighting master plan. They likely will apply (when the time is appropriate and with our group's nomination) for recognition as an IDA Dark-Sky Development of Distinction.

This week we gave them some guidance from Breckenridge, Taos, Sun Valley, Teton County, Vail, Hailey ID, etc.

We are all trying to be innovative and collaborative in exploring new territory insofar as dark-skies is concerned. Support and input from the Weber Planning Division has been exceptional, as has been the expert guidance from the IDA (International Dark-Sky Association).



*Wolf Creek Water and Sewer Improvement District*

P.O. Box 658  
3632 N. Wolf Creek Dr.  
Eden, Utah 84310  
(801) 745-3435  
Fax (801) 745-3454

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To:

Ogden Valley Planning Commission

c/o/ Weber County Planning Department

July 25, 2014

This letter is a statement from Wolf Creek Water and Sewer District (Wolf Creek District) regarding the Master Plan document submitted to Ogden Valley Planning Commission by Summit Mountain Holding Group (SMHG), in support of their DRR-1 Rezone Application. Comments on this plan were requested at the OV Planning Commission meeting of July 22, 2014.

In this document, time stamped July 2, 2014 on the cover, SMHG makes the following assertion:

"POWDER MOUNTAIN WASTEWATER PLAN SMHG, in conjunction with the Powder Mountain Sewer and Water District, and the Wolf Creek Sewer and Water District, are in the engineering and planning stages to combine their wastewater treatment facilities to provide service for the future growth of the Powder Mountain Development. SMHG is presently in the middle of negotiations, engineering, planning, and strategy to combine parts of the main trunk lines to assure future growth and wastewater services for the Powder Mountain Development."

The above assertion is not true. No negotiations, planning or substantive discussions have occurred between Wolf Creek District and SMHG since May 2014. No commitment has been given by Wolf Creek District to provide wastewater treatment services to SMHG/Powder Mountain District.

The Wolf Creek District recognizes its existing wastewater treatment facility is an asset looks forward to cooperative progress in support of development in the Ogden Valley, while recognizing our primary responsibility to protect the interests of our existing customers and neighbors.

Wolf Creek Board of Directors

A handwritten signature in cursive script that reads "Lowell S. Peterson".

Lowell S. Peterson  
Chairman

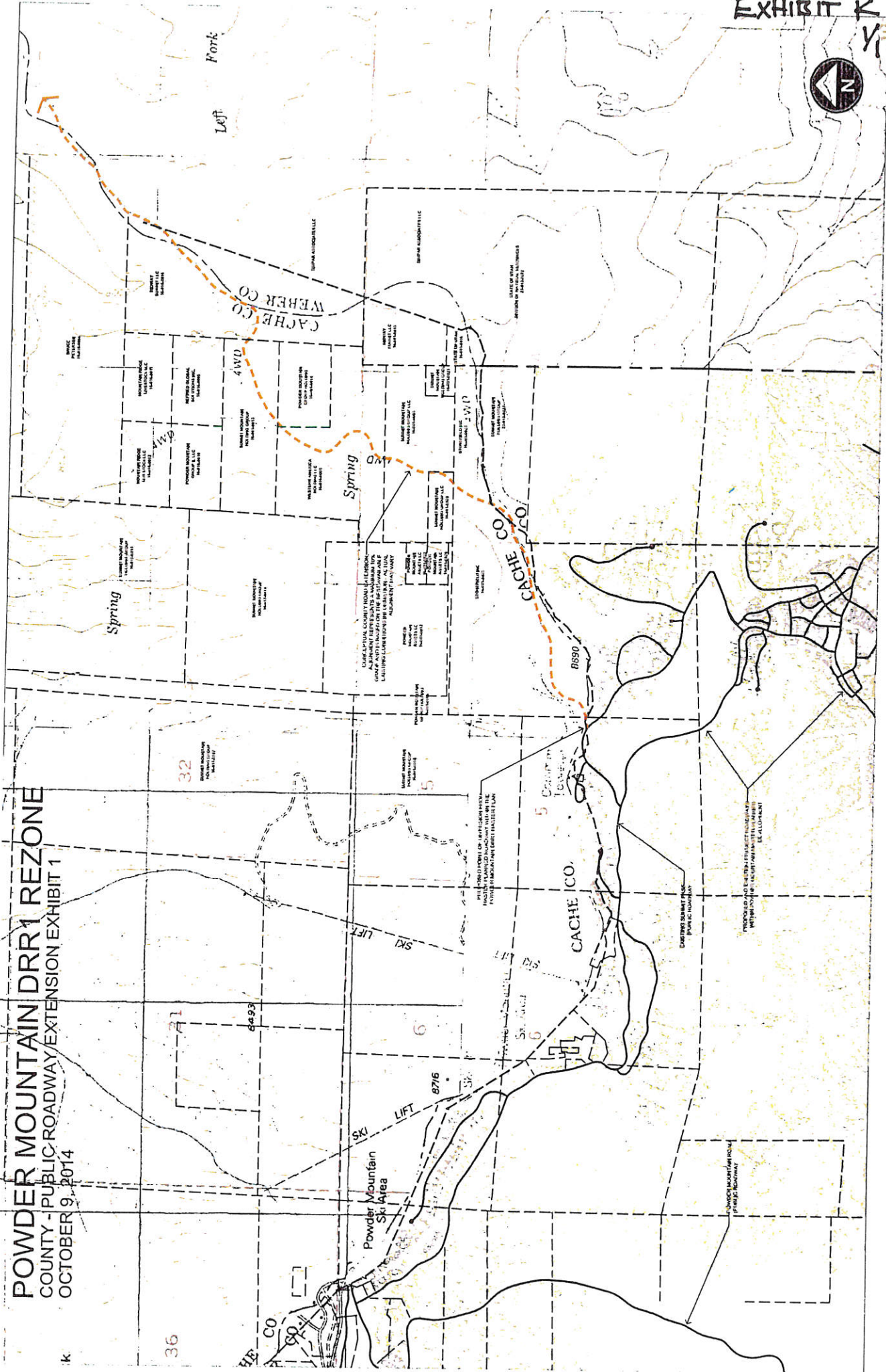








**POWDER MOUNTAIN DRR1 REZONE**  
COUNTY - PUBLIC ROADWAY/EXTENSION EXHIBIT 1  
OCTOBER 9, 2014





State of Utah

GARY R. HERBERT  
*Governor*

SPENCER L. COX  
*Lieutenant Governor*

Office of the Governor  
PUBLIC LANDS POLICY COORDINATION OFFICE

KATHLEEN CLARKE  
*Director*

EXHIBIT L  
1/6

August 21, 2014

Scott Mendoza  
Weber County Planning Division  
2380 Washington Blvd, Suite 240  
Ogden, UT 84401 - 1473

Subject: Powder Mountain Resort Development  
RDCC Project Number 44900

Dear Mr. Mendoza:

The state favors development projects such as the Powder Mountain Resort as an important addition to the state's economy, while taking prudent steps to protect important environmental values. For more than 7 years, UDWR has provided comments and information to Weber County concerning the Powder Mountain Resort on two separate rezone applications, the Powder Mountain Real Estate Purchase Contract, the Declaration of Covenants, Conditions, Easements, and Restrictions for Summit Eden, and participated in the creation of the Community Wildfire Protection Plan. UDWR reiterates the previous applicable comments<sup>1</sup> to the current decision makers along with new technical comments attached below on the current rezone application.

The State appreciates the opportunity to provide scoping comments on this proposal to rezone the Resort into a new Destination, Recreation, and Resort zone. We look forward to working with Weber County and the Resort as the planning process proceeds. Please direct any other written questions regarding this correspondence to the Public Lands Policy Coordination Office at the address below, or call Sindy Smith at (801) 537-9193.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kathleen Clarke".

Kathleen Clarke  
Director

<sup>1</sup> Letter to Sean Wilkinson, Weber County Planning Division, dated March 12, 2013, from Kathleen Clarke, Director of Public Lands Policy Coordination Office.



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### Technical Comments

- *Domestic livestock.* It is our understanding that an equestrian facility may be developed on the property and area trails would permit horse use. It is unclear if horses (or other domestic livestock) will be allowed on any lots within the development or on the surrounding open spaces/rangeland. Hay bales may become an attractive nuisance by encouraging big game animals to congregate near hay storage and feeding locations, which may create resident/homeowner concern due to the loss of hay and consumption of private landscaping. UDWR suggests that haystacks or other feeding locations be fenced or enclosed to protect them from big game damage (minimum of 7 ½ foot high fence). UDWR also suggests that the use of “weed free hay” (for resident horses and horses brought in for day-use) be considered for the area to reduce the potential influx of noxious and undesirable weed species into this remote location at the top of two watersheds. Waste from any equestrian facility should be properly treated, as excess nitrogen deposition in local wetland and riparian areas will drastically alter those ecosystems. If grazing on surrounding open space lands is permitted, UDWR recommends a grazing plan be developed to rotate livestock around the property to enhance native and wildlife beneficial vegetation, along with stabilizing soils. UDWR is available to suggest site-specific recommendations for a grazing plan.

- *Bear and Cougar:* This area of Weber County supports populations of bear and cougar. In developments similar to this proposal, black bear have become habituated to the easy availability of food from a myriad of sources, such as: pet food, garbage cans, hummingbird and seed-filled bird feeders, coolers, refrigerators, and barbeques.

UDWR requests that all homeowners are made aware of the potential for human/bear conflicts and interactions, and be instructed to secure all food so that **no** food sources are left outside of homes, cabins, and/or development areas. All garbage cans should be “bear proof” to further discourage bear use of the area. If homeowners take precautions to protect themselves and their property from attracting bears, it will reduce the number of bears that may need to be removed from the area. Cougars also frequent the area and while most cougars will avoid areas of high human activity, residents should be made aware of the potential for cougar/human interactions. This interaction may include the loss of pets and at least the harassment of domestic livestock.

- *Lighting.* Given the proximity of portions of the development to sensitive wildlife habitats, UDWR requests that any lighting on buildings or streets be directed downward to prevent excess light from affecting wildlife. In addition, other strategies to reduce light pollution should be considered; this could include motion sensors or “bug yellow” lights.
- *Fertilizers and de-icing compounds.* It is our understanding that some ski resorts utilize additives or chemicals to enhance their snow making capabilities and to keep roads clear of ice. In addition, during the annual maintenance of lawns and during the seeding of disturbed habitats, fertilizers may be utilized. UDWR is concerned that some of these



chemicals and nutrients may flow into area wetlands and the headwaters of stream channels, and may negatively impact Bonneville cutthroat trout populations within both Cache and Weber Counties. UDWR recommends that compounds harmful to fish and amphibian populations not be used within the proposed development or that all runoff from roads, streets, and ski areas be collected and not permitted to flow into natural channels where they could be detrimental to downstream aquatic wildlife.

- *Fences:* UDWR recommends that any fences installed on the property be either a standard fence height of 42" (or less) to provide for big game animal movements across the fence, or be at least 7 ½ ft. tall to preclude animals from crossing the fence (such as around livestock food-storage facilities). UDWR recommends that where the 42" fences are built, they be designed as "wildlife friendly" to reduce the chance of wildlife being restricted, injured, or killed. UDWR can recommend suggestions for standardized fence designs which are "wildlife friendly."
- *Aspen Habitats:* Aspen occupy less than 4% of the land area within Utah, and this habitat type has also been identified by UDWR as one of the top ten habitats of concern (Utah Comprehensive Wildlife Conservation Strategy-2005). These habitats have been primarily lost or degraded from direct loss of stands due to development, fire cycle alteration, and conifer encroachment. In Utah, aspen provides critical habitat for a complex diversity of over 174 wildlife species, including game (mule deer, elk and grouse), non-game (including Northern Goshawk and Williamson's Sapsucker) and watchable wildlife. To protect wildlife in this area, UDWR recommends that development activities within or adjacent to aspen habitats should minimize fragmentation and the direct loss of stands. Aspen stands are of high value to wildlife as elk calving habitat, foraging by many bird species which feed upon the aspen catkins, and the soft wood allows for the creation of cavities which many bird species use for nesting. The current application calls for development to be placed within aspen habitats and other forested stands which will reduce this important habitat for wildlife. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these stands for wildlife.
- *Riparian Habitats:* Mountain riparian habitats are considered rare in Utah and occupy less than 1% of the land area within the state. This habitat type has also been identified by UDWR as one of the top ten habitats of concern in Utah (Utah Comprehensive Wildlife Conservation Strategy, 2005). These habitats have been lost or degraded through activities such as stream channelization which increases water velocity and sedimentation. In Utah, riparian plant communities provide critical habitat for a complex diversity of approximately 350 vertebrate wildlife species, including 21 species of concern. Similar to our comments above for aspen habitats, UDWR recommends that development activities within or adjacent to riparian habitats should minimize fragmentation and the direct loss of stands. The creation of upland buffers around these habitats where little to no disturbances are permitted will provide better habitat for wildlife. We recommend that the current DRR-1 application be updated to include the location of riparian habitats in relation to planned developments and infrastructure, and

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that upland buffers be established. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these habitats for wildlife.

- *Potential big game mortality on SR-158.* The main entrance road to the Powder Mountain ski resort (SR-158) and the project area travels through mule deer, elk and moose winter habitats where animals congregate during the fall, winter, and spring months. UDWR notes that the Powder Mountain Resort Transportation Master Plan (Draft Submitted: June 6, 2014) does not include any discussion of current wildlife mortality occurring on SR-158. In addition, other roads in the general vicinity will be used to access SR-158 and the Resort, with the subsequent increase in traffic on these roads. Over the past 2 years, the following big game highway mortality has occurred:

1. SR-158; from the four-way stop to Powder Mountain: 10 mule deer
2. SR-158; from Pineview Dam to the four-way stop: 24 mule deer
3. Accessing SR-158 from the North Ogden Divide: 16 mule deer
4. SR-39; from the junction with SR-167 to the four-way stop: 20 mule deer

With a projected increase in vehicle travel during the fall, winter and spring months, it is anticipated that an increase in wildlife/vehicle collisions is likely, especially with mule deer. UDWR recommends that the transportation plan address potential impacts to big game animals and other wildlife species that could occur with the projected increase in traffic to the Resort. UDWR is available to work with Weber County, the Resort, and the Utah Department of Transportation to help develop strategies to reduce wildlife-vehicle collisions and protect public safety.

- *Wet Meadow:* Mountain wet meadow habitats are also considered rare in Utah, and occupy less than 1% of the land area within the state. This habitat type has been identified by UDWR as one of the top ten habitats of concern in Utah (Utah Comprehensive Wildlife Conservation Strategy-2005). These habitats have been primarily lost or degraded through activities such as direct loss of habitat, habitat fragmentation, draining, water development, drought, improper grazing, improper OHV uses, and loss of adjacent upland habitats. In Utah, wet meadow plant communities provide critical habitat for a complex diversity of approximately 201 vertebrate wildlife species, including 4 species of concern. Similar to our comments above for riparian habitats, UDWR recommends that development activities within or adjacent to wetlands and wet meadow habitats should minimize fragmentation and the direct loss of habitats. In addition, UDWR recommends that upland buffers should be established around these habitats wherein no disturbances are permitted. UDWR recommends that the current DRR-1 application be updated to include the location of wetland habitats in relation to planned developments and infrastructure, and that upland buffers be established. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these habitats for wildlife.

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- Under the Fire Protection section (page 17), no mention is made of the Community Wildfire Protection Plan that has been developed for the property. Along with including the Plan information in the rezone application, this section could suggest additional strategies for reducing the possibility of wildfire.
- Under the Energy section (page 17), reference is made to a “solar garden.” UDWR supports efforts to use sustainable energy sources, but notes that large solar arrays can impact wildlife through the removal of habitat and the increase in associated infrastructure. UDWR would like to evaluate subsequent solar array proposals to address potential impacts to wildlife and wildlife habitat. Specific siting decisions are critical in such proposals.
- Previous discussions with Weber County and maps within the DRR-1 application package have referenced a possible secondary access road which could be used for emergency, administrative and possible public use. The main route discussed is a current dirt road which exits the north-east portion of Powder Mountain property in Weber County, and travels east along the ridgeline, on the Weber County-Cache County boundary. Depending upon the exact location, a section of this road may cross the UDWR Middle Fork Wildlife Management area (MFWMA). If any secondary access roads will cross the MFWMA and/or any road improvements are necessary, easements may need to be sought from UDWR.
- The Summit Powder Mountain Village map (page 29) appears to show the proposed Mary’s Lift on the MFWMA. UDWR has not entered into any discussions with the Resort regarding the placement of a ski lift on state property and is not currently supportive of placing such development in this location.
- The Open Space with Trails Plan (page 42) identifies two trails which are proposed to travel from the Resort property, onto the MFWMA.
  1. The trail along the north-east portion of the Resort within Weber County is proposed to follow a dirt trail down into the MFWMA. Although the MFWMA is open for non-motorized public access and use during certain periods of the year, UDWR has not established a formal public access trail in this location. If desired by the Resort, UDWR may be interested in working with the Resort to identify and develop trails in this and other appropriate locations.
  2. The Geertsen Canyon trail is not currently a contiguous trail between the UDWR-owned portions of the MFWMA and the Resort. A small section of United States Forest Service (USFS) land (also within the MFWMA) is found within a steep section of Geertsen Canyon wherein any such trail will need to be developed to accommodate public use. If the Resort is interested in developing this trail, UDWR is available to work with the Resort and the USFS to develop a trail in this location.



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- As identified on the Sensitive Land Areas: Wildlife Habitat map (page 13), the majority of the Resort property is located outside of the sensitive/critical wildlife habitat areas which have been mapped for Ogden Valley. This map broadly identifies sensitive wildlife habitats along the foothills including some wetlands along the valley floor. The three habitats identified above (aspen, riparian and wet meadow) are also important as they support a wide diversity and abundance of wildlife species. Given the scattered location of these sensitive habitats throughout the mountain areas of Ogden Valley, it was not feasible to identify in this letter all the locations. However, UDWR requests to see these habitats retain their wildlife value through time.

## Utah Chapter Sierra Club – Ogden Group

In general, our main concern with Powder Mountain is to protect the adjacent public lands (DWR and Forest Service) from inappropriate and unauthorized encroachments. So, for example, we wouldn't want to see private residential lots abutting the public land boundaries, encouraging the owners of those lots to expand their "back yards" into public lands.

A second concern is that views of the ridgeline from below not be marred by structures rising from the ridge line.

A third concern would be compliance with the county's lighting ordinance and, in general, avoiding unnecessary lighting to preserve the dark night sky of Ogden Valley.

Thanks