

#### OGDEN VALLEY PLANNING COMMISSION

#### PLANNING REGULAR MEETING AGENDA

July 25, 2017 5:00 p.m.

Pledge of Allegiance Roll Call:

1. Minutes: Approval of the June 27, 2017 meeting minutes

Broome, Project Engineer, Agent)

- 2. Consent Agenda:
  - 2.1. CUP 2017-12 Consideration and action on a conditional use permit application for a 10,000 gallon water storage tank and pump station for the Valley View Recreational Camp and Mountain Property, located at 3175 E 3350 N in the Forest Valley (FV-3) Zone. (Corporation of Presiding Bishop of the Church of Jesus Christ of LDS, Applicant; Jason
  - 2.2. CUP 2016-11 Consideration and action on an expiration extension of a conditional use permit to operate a recreational lodge on Lot 6 of the Sanctuary Subdivision, located at 9686 East Maple Ridge Road in the Forest 40 (F-40) Zone. (Tim Charlwood, Applicant)
- 3. Petitions, Applications and Public Hearings
  - 3.1. Administrative:
  - a. New Business:
  - 1. CUP 2017-09

Consideration and action for the Summit at Powder Mountain Phase 1 PRUD, Amendment 3. The request will amend the previous approved site plans for the Horizon Neighborhood at Powder Mountain and Village Nest at Powder Mountain. The amendment to the PRUD will increase the overall units in the Horizon Neighborhood at Powder Mountain PRUD from 73 units to 77 units and will add one lodge to the Horizon Neighborhood. The remaining PRUD area will remain unchanged. (Summit Mountain Holding Group LLC, Applicant)

2. UVH060216

Consideration and action for final subdivision approval of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 1 located at 7758 East Horizon Run in the Ogden Valley Destination and Recreation Resort Zone (DRR-1) Zone. (Summit Mountain Holding Group LLC, Applicant)

- 3. Public Comment for Items not on the Agenda
- 4. Remarks from Planning Commissioners
- 5. Planning Director Report
- 6. Remarks from Legal Counsel

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

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

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

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

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



## Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

#### Synopsis

**Application Information** 

**Application Request:** Consideration and action on a conditional use permit application for a 10,000 gallon water

storage tank and pump station for the Valley View Recreational Camp and Mountain

Property.

Type of Decision:

Administrative

Agenda Date:

Tuesday, July 25, 2017

Applicant:

Corporation of Presiding Bishop of the Church of Jesus Christ of LDS

**Authorized Agent:** 

Jason Broome, Project Engineer (Forsgren Associates Inc)

File Number:

CUP# 2017-12

**Property Information** 

Approximate Address:

3175 East 3350 North, Eden, UT

**Project Area:** 

25.25 acres

Zoning:

Forest Valley Zone (FV-3) Church recreation camp

**Existing Land Use: Proposed Land Use:** 

Church recreation camp

Parcel ID:

22-023-0024

Township, Range, Section: Township 7 North, Range 1 East, Section 29

Adjacent Land Use

North: Forest South:

Residential

East: Forest

West:

Recreation camp

Staff Information

Report Presenter:

Steve Burton

sburton@co.weber.ut.us

801-399-8766

Report Reviewer:

RK

#### Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 14 Forest Valley Zone (FV-3)
- Title 108, Chapter 1 Design Review
- Title 108, Chapter 2 Ogden Valley Architectural, Landscape and Screening Design Standards
- Title 108, Chapter 4 Conditional Uses

#### Summary and Background

The applicant is requesting approval of a conditional use permit to install a 10,000 gallon underground water storage tank and a booster pump station at the Valley View Recreational Camp and Mountain Property located at approximately 3175 E 3350 N, Eden. The project will consist of modifications to the existing water distribution system (waterlines, valving, hydrants), including two spring rehabilitations. The proposed improvements will help optimize the beneficial use of the applicant's water rights. The property lies in the Forest Valley Zone (FV-3) which allows "Water pumping plants and reservoirs" when authorized by a conditional use permit.

Conditional use permits should be approved as long as any harmful impact is mitigated. The Uniform Land Use Code of Weber County, Utah (LUC) already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. The proposed application appears to meet these standards. The following is staff's evaluation of the request.

#### Analysis

General Plan: The Ogden Valley General Plan identifies the need for additional culinary water and new water infrastructure based on projected growth. (see the 2016 Ogden Valley General Plan Chapter 7: Utilities and Public Services). The proposed

use conforms to the Ogden Valley General Plan by providing additional water sources to meet the demands of the Valley's existing water systems throughout developing areas.

**Zoning:** The subject property is located within the FV-3 Zone which is categorized as the "Forest Valley Zone". The intent of the Forest Valley Zone can be further described per LUC §104-14-1 as follows:

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

The FV-3 Zone has specific standards identified in the LUC §104-14-5 that shall be met as part of the development process. The applicable standards are as follows:

Minimum yard setbacks:

o Front: 30' o Side: 20'

Rear: 30' (main building) 10' (accessory building)

Minimum lot area: 3 acres
 Minimum lot width: 150'
 Main Building height:

o Maximum: 35'

o Accessory building height:

Maximum: 25', unless meeting requirements of LUC §108-7-16, Large accessory buildings

The pump station building and water storage tank meet the applicable setbacks and building height limitations outlined above. The subject property maintains the lot size requirement at approximately 25.25 acres. Although the property does not maintain adequate lot width, the parcel is considered a 'lot of record' according to LUC §101-1-7, as found on the 1966 ownership maps (see Exhibit C).

<u>Conditional Use Review</u>: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Prior to commencing work, the applicant will need to receive approval from the applicable agencies for the proposal. A condition has been made part of the Planning Division's recommendations to ensure that this standard is met.

<u>Design Review:</u> The FV-3 zone and the proposed conditional use mandate a design review as outlined in LUC §108-1 to ensure that the general design, layout and appearance of the building remains orderly and harmonious with the surrounding neighborhood. As part of this review, the Planning Commission shall consider the applicable matters based on the proposed conditional use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

- Considerations relating to traffic safety and traffic congestion. As part of this consideration, the applicant has provided a detailed site plan (see Exhibit B). The proposal is not considered large scale construction; therefore considerable traffic congestion or delay is not anticipated. Per the County Engineering Division, the contractor will be responsible to guarantee site materials are not tracked onto the County roadways. A condition of approval has been added to the Planning Division's recommendation to ensure the contractor cleans all equipment prior to exiting the site and sweeps the County roadway as needed, removing any material tracked from the site onto the asphalt, in order to provide safe vehicular traffic along County roads.
- Considerations relating to landscaping. The applicant has outlined considerations to landscaping in the site plan
  as part of the construction drawings. The site plan indicates that the contractor shall reseed all areas disturbed
  by construction with a native grass seed mix. Deciduous and evergreen trees currently make up 20-% of the
  project area, as required by LUC §108-1-4(3) and LUC §108-2-5(a).
- Considerations relating to buildings and site layout. The proposed booster pump station will be located approximately 185' north of the existing lodge. The pump station improvements will include a 7' X 10' shed. The applicant has included an example of the architectural details of the shed as part of the application (see Exhibit D). Based on the architectural details of the proposed building, the Planning Division staff feels that the structure meets the Ogden Valley Architectural Design Standards as outlined in LUC§ 108-2-5. The 10,000 gallon water storage tank will be located approximately 160' north of the south property line and 60' west of the east property line. The tank will be approximately 31' 6 1/2" X 8' and will be buried in 24" of top soil. The tank will be reseeded after construction with a native grass seed mix.

- Considerations relating to utility easements, drainage, and other engineering questions. The site plan shows
  temporary access roads through the Nordic Valley Ski Resort Property, however, the applicant has revised the
  application by stating that no access agreement was granted, as such, access will only be within the RCMP
  property. The applicant will need to adhere to all conditions of the Engineering Division including but not limited to
  storm water and surface water drainage, retention facilities, and site clean-up of the property. A condition has
  been made part of the Planning Division's recommendations to ensure that this standard is met.
- Considerations relating to prior development concept plan approval associated with any rezoning agreement,
  planned commercial or manufacturing rezoning, or planned residential unit development approval. The proposed
  site does not have any type of development agreement associated with the property; therefore considerations
  pertaining to this portion of the code are not applicable at this time.

<u>Review Agencies</u>: Prior to the commencement of work, the applicant will need to receive the approval from all applicable agencies for the water system improvements. A condition has been made part of the Planning Division's recommendations to ensure that all conditions of the review agencies will be met.

#### **Summary of Planning Commission Considerations**

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 LUC §108-4-4, under "Decision Requirements", which states:

- a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to substantially mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards of this chapter, or relevant standards or requirements of any other chapter of this Land Use Code. When considering any of the standards, the land use authority shall consider the reasonably anticipated detrimental effects of the proposed use in the context of current conditions and, to the extent supported by law, the policy recommendations of the applicable general plan.
- b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

The Planning Commission will need to determine if the request for a water pumping plant has met the requirements of the applicable Uniform Land Use Code of Weber County. 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 Uniform Land Use Code of Weber County? If no, then what conditions could be added in order to comply?
- Have the "Decision Requirements" and other applicable ordinances been met?

#### Staff Recommendation

The Planning Division recommends approval of file# CUP 2017-12, a conditional use permit application for a 10,000 gallon water storage tank and pump station for the Valley View Recreational Camp and Mountain Property, located at approximately 3175 E 3350 N, Eden. This recommendation for approval is subject to all review agency requirements and with the following conditions:

- 1. Prior to commencing work, the applicant will need to receive the approval from the applicable agencies for the water pumping plant-, including all permits outlined in the Engineering Division's review.
- 2. All equipment leaving the site will be cleaned prior to entering the County right-of-way and the contractor will be responsible for sweeping the County roadway, as needed, removing any material tracked from the site onto the asphalt, in order to provide safe vehicular traffic along the County right-of-way.
- 3. All State, Federal and County standards will be met prior to commencement of construction including receiving any applicable permits from the State.
- 4. The applicant will be required to provide the Planning Division with the colors and textures of the proposed shed prior to receiving the conditional use permit and land use approval.

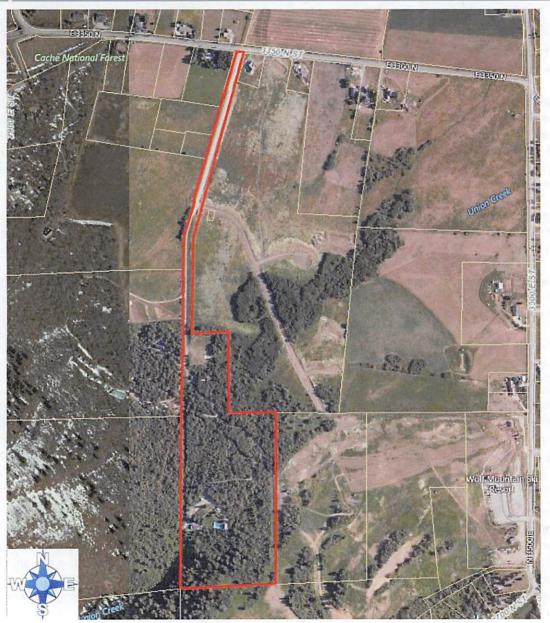
This recommendation is based on the following findings:

- 1. The proposed use conforms to the Ogden Valley General Plan.
- 2. The proposed use will provide the needed water sources to meet the demands the Ogden Valley.
- 3. The proposed use, if conditions are imposed, will not be detrimental to 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.

### Exhibits

- A. Application
- B. Site and Building Plan
- C. 1966 Ownership Map
- D. Example image of shed

### Map 1



Wel	ber County Conditio	onal Use Permit Appl	ication	
Application submittal	is will be accepted by appointment only	y. (801) 399-8791. 2380 Washington Blvd.	Sulte 240, Ogden, UT 84401	
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Öffice Use)	
Property Owner Contact I	nformation	- <del>!</del>	<u></u>	
Name of Property Owner(s) Corporation of Presiding Bishop	o of the Church of Jesus Christ of LDS	Mailing Address of Property Owner(s) 50 East North Temple Salt Lake City, UT 84150		
Phone 801.815.0260	Fax			
Email Address (required) BigelowBC@ldschurch.org		Preferred Method of Written Correspondence    Email   Fax   Mail		
Authorized Representativ	e Contact Information		٠.	
Name of Person Authorized to Repr John D Simmons Phone	resent the Property Owner(s)	Mailing Address of Authorized Person 370 East 500 South, Suite 200 Salt Lake City, UT 84111		
801.364.4785	801.364.4802		<u> </u>	
Email Address JSimmons@Forsgren.com		Preferred Method of Written Correspor	ndence	
Property Information				
Project Name Valley View RCMP - Water System	em Improvements	Total Acreage 25.25 Acres	Current Zoning FV-3	
Approximate Address 3175 East 3350 North Eden, Utah 84310		Land Serial Number(s) 22-023-0024	• •	
Proposed Use				
Church Recreation Camp Project Narrative		**	•	
The proposed project will make is operated by the Church of Jesus 10,000 gallon under ground store water distribution system (waterif concrete and one shed type woo existing 6,000 gallon concrete we installed at the spring collection s	s Christ of Latter Day Saints. These imprage water lank, installation of a booster lines, vaiving, hydrants) and infrastructun buden frame and plywood construction buden frame and precast includes two 7'x7's sites for collection, metering and overfloons.	P (Recreational Camp & Mountain Proper provements will consist of: two spring rehat pump station and new disinfection systeme. All structures in support of the new was uitding. The pump station building is 10%7 'x7' spring collection boxes, and approximate the pump station boxes are approximately in the pump station boxes and approximately in the pump station boxes are approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes, and approximately in the pump station building is 10%7 'x7' spring collection boxes are approximately in the pump station building is 10%7 'x7' spring collection boxes are approximately in the pump station building is 10%7 'x7' spring collection building is 10%7 'x7' spring collection building is 10%7 'x7'	abilitations, installation of one new m, and modifications to the existing ater system consist of precast "x8" tall, and will be built next to the nately 95' linear feet of cutoff walls uction of a new tank access road.	
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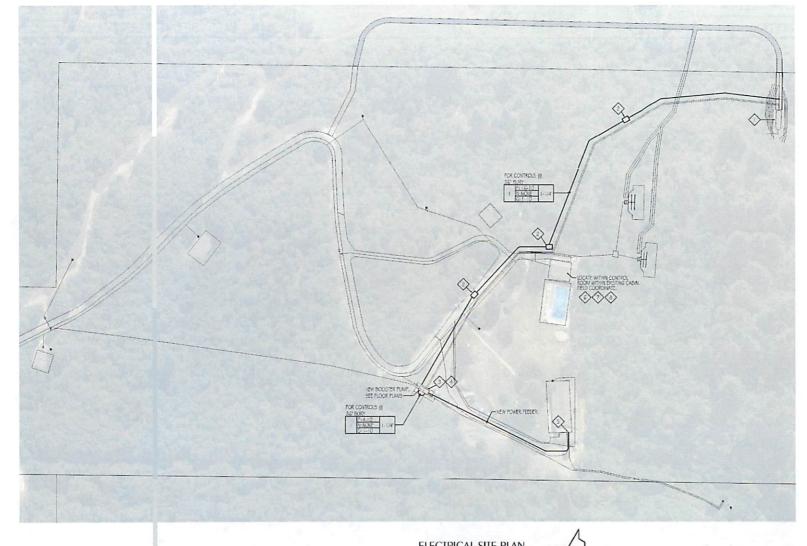
Bacic for	lecuanca o	f Canditions	i Use Permit
<b>Basis tor</b>	issuance.o	rconditiona	u use remit

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.

- 1. The spring(s) rehabilitation is necessary to help optimize beneficial use of the applicants water rights. The spring rehabilitation, water tanks, disinfection system and modifications to the existing water system infrastructure are designed and specified in compliance with Utah State Division of Drinking Water Standards, and do not pose a threat to health, safety or general welfare of persons, nor will it be harmful to property or improvements In the community.
- 2. The spring rehabilitation, water tanks, disinfection system and modifications to the existing water system infrastructure compiles with the regulations and conditions specified in the Zoning Ordinance for its use.
- 3. The location of the improvements in the proposed locations conform to the goals, polices and governing principles and the use of the Master Plan for Weber County.
- 4. The construction of the proposed improvements will not be detrimental to any appreciable degree in any known way.
- 5. The improvements to the property are compatible with and complementary to its existing use as a campground.

That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use. :

1. This is an amendment to current CUP and is current with subject and surrunding properties.



#### DRAWING NOTES

- FROVER AND INSTALL INW FOLE FLOATS WITHIN TAIK
  FLAM START, FLAM STOP, HIGH LEVEL ALARM, COMERCE EACH TO CARRES FROM FLAM STARON.
- FROMEN AND INSTALL NEW IN GROUND 24 VI-8" FURL BOX. DO NOT SPILCE CONDUCTORS.
- 3> PROVIDE AND INSTALL NEW FLOAT WITHIN TANK FOR LOW SUCTION TO STOP PLAMP BEFORE TANK GOES DRY, SEF DETAIL
- 4 REMOVE EXISTING WELL PLAPS CONTROL FLOATS: PROVIDE AND INSTALL NEW FLOATS, CONNECT TO EXISTING WIRING FELD COORDINATE.
- 55 CONTINUE WITHIN BUILDING TO POWER PANEL SEE ONE-LINE DIAGRAM.
- TORK 24-HOLE, 7-DAY ELECTRONIC TIME GLOCK TO CONTROL GLZ PESOLAL AND SOLENOD VALVE. SEE ON-LINE DINGRAM BITERIANIC EFF TOO SERES OF EQUAL, GOTO DATE TO 120 V RECEITAGE.
- CL2 AVAILABLES, CONTROLLED BY TIME CLOCK, CONNECT TO THAT CLOCK WITH 3/4 CONDUIT, 2# (2 , 1#) 2 G.
- (a) CL2 SAMPLE SOLENOIS VALVE OPEN WHEN TIME CLOCK CALLS FOR SAMPLE. CONNECT TO THE CLOCK WITH 3/41C 2/412, 1/412 G.

ELECTRICAL SITE PLAN

Project for:

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

FORSGREN

Associates Inc.

370 EAST 1000 BOUTH, STE 200, BALT LARE CITY, UT 84111

FRE 201-364-4719

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VALLEY VIEW RCMP

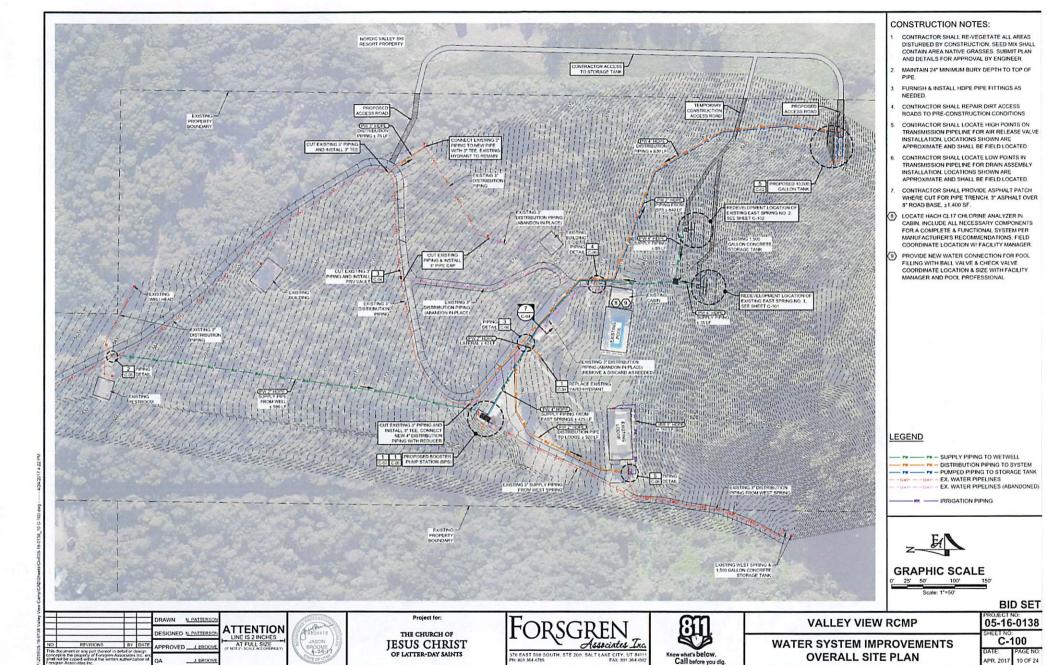
WATER SYSTEM IMPROVEMENTS ELECTRICAL SITE PLAN **BID SET** 

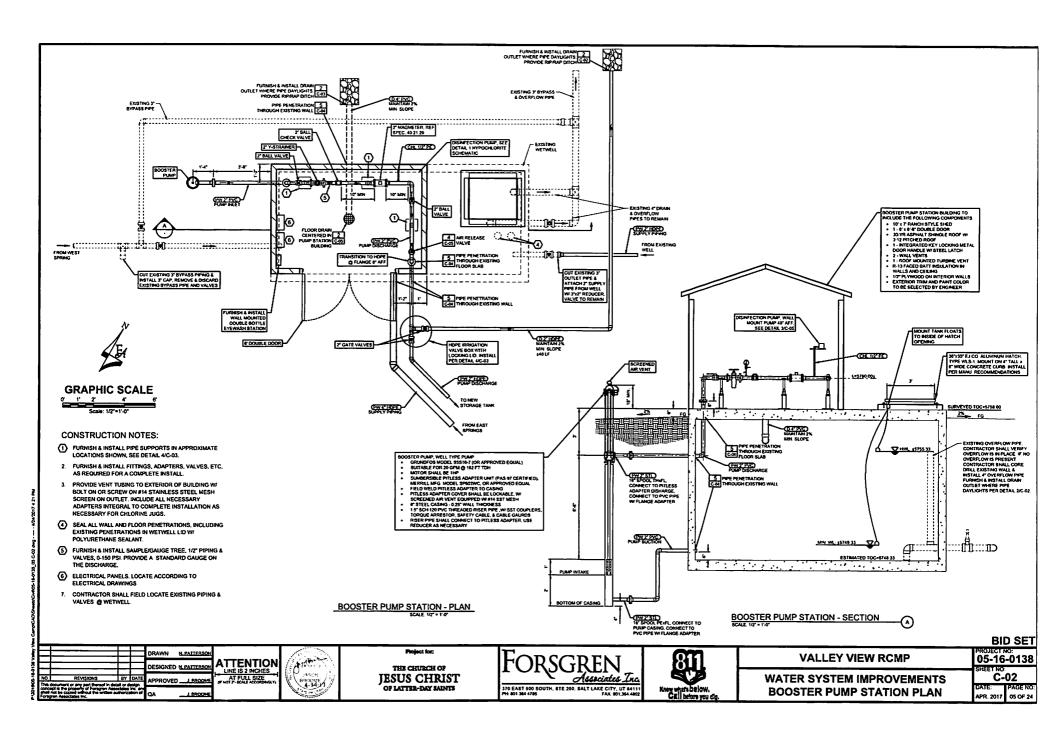
PROJECT NO: 05-16-0138 SHEET NO: E-100

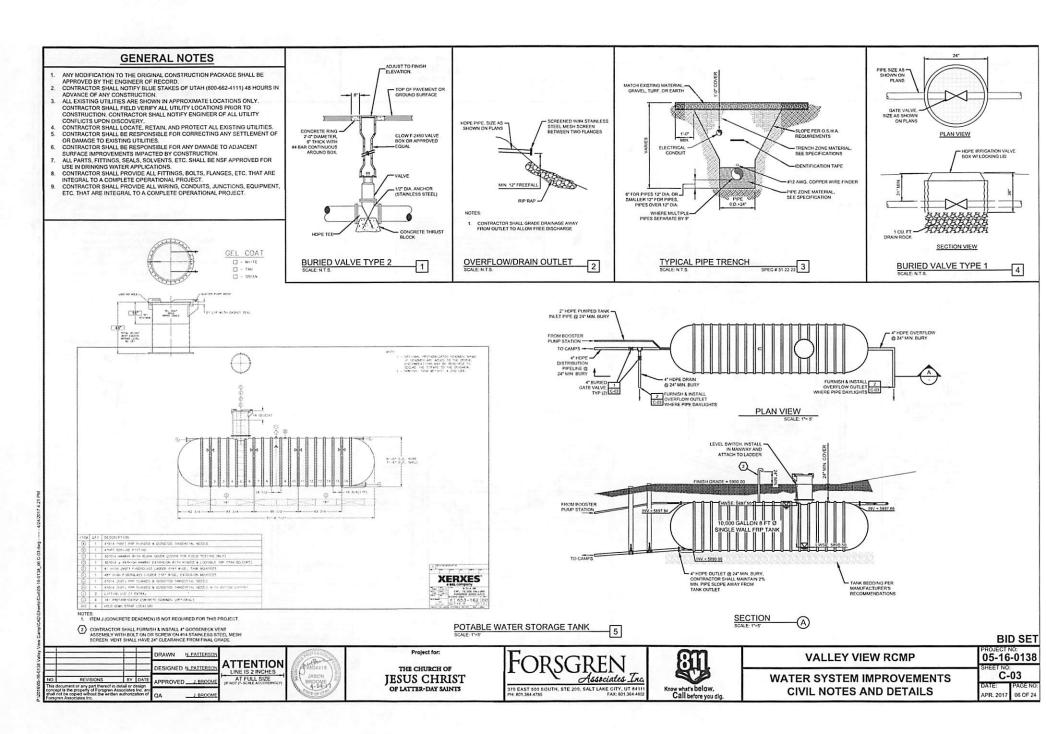
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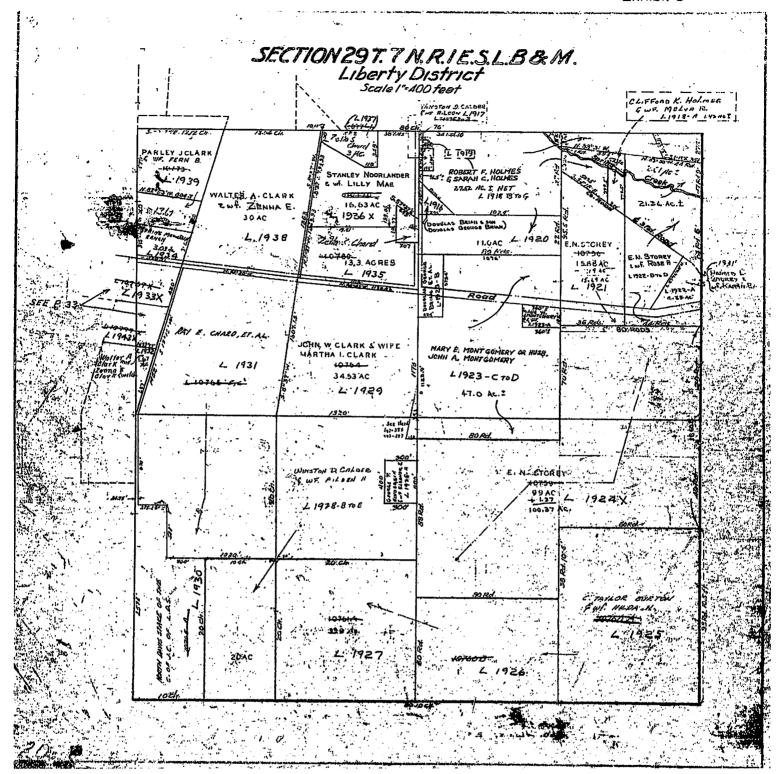
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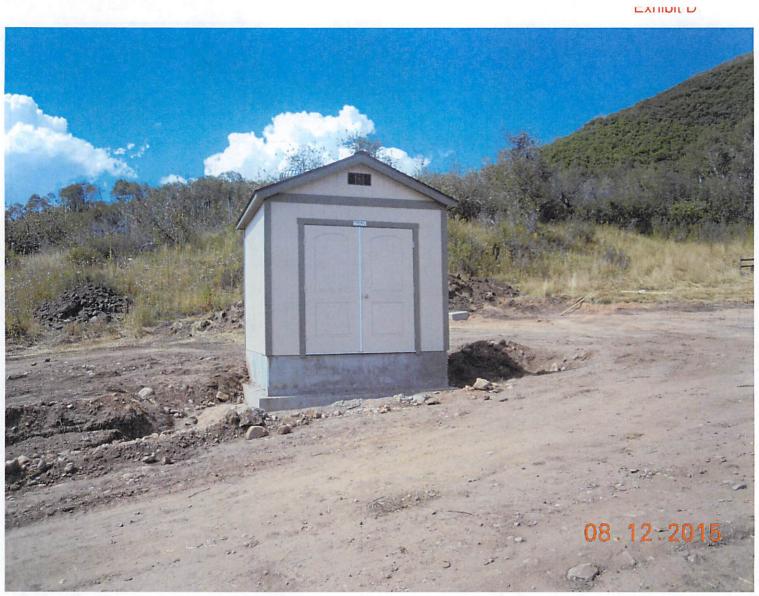














# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

#### Synopsis

**Application Information** 

**Application Request:** Expiration extension of a conditional use permit to operate a recreational lodge on lot 6 of

the Sanctuary subdivision, at 9686 East Maple Ridge Road.

Agenda Date:

Tuesday, July 25, 2017

Applicant: File Number: Tim Charlwood CUP 2016-11

**Property Information** 

Approximate Address:

9686 East Maple Ridge Road

Project Area:

Lot area: 1,755,032.4 sqft. (40.29 Acres).

Building area: 7,440.25 sqft.

Zoning:

F-40 (Forest 40)

**Existing Land Use:** 

Vacant subdivided land.

Proposed Land Use:

Recreation Lodge

Parcel ID:

21-130-0003

Township, Range, Section: Township: 6 North, Range: 2 East, Section:

03 (Southwest Quarter Section)

Adjacent Land Use

North:

East:

Vacant/Forest and Wildland/Rural Recreation

South:

Large (40 acre) Subdivision Lot

Open Space/Common Area (Green Hills HOA)

West:

Large (40 acre) Subdivision Lot

Staff Information

Report Presenter:

**Charlie Ewert** 

cewert@co.weber.ut.us

801-399-8763

Report Reviewer:

RG

#### Applicable Ordinances

- §101-1-7 (Definitions)
- §104-9 (Forest Zones)
- §104-28 (Ogden Valley Sensitive Lands Overlay District)
- §108-1 (Design Review)
- §108-2 (Ogden Valley Architectural, Landscape and Screening Standards)
- §108-4 (Conditional Uses)
- §108-18 (Drinking Water Source Protection)

#### Summary and Background

On July 5, 2016, the Planning Commission approved a conditional use permit for a recreational lodge on lot 6 of the Sanctuary subdivision. Shortly thereafter the Green Hills Homeowner's Association appealed the decision to the Board of Adjustment. On August 25, 2016 the Board of Adjustment denied the Green Hills request to reverse the Planning Commission's decision approving the conditional use permit.

During this timeframe, the Green Hills Homeowner's association sought reprieve from the courts. A temporary restraining order was granted that restricts the owner, Tim Charlwood, from constructing the lodge on the lot.

Mr. Charlwood is now requesting an extension of the conditional use permit approval, considering the delays are due to court action and not related to inaction on his part. On June 27, 2016, Mr. Charlwood formally requested the extension.

The Notice of Decision letter from the Planning Commission is attached, as is the Notice of Decision letter from the Board of Adjustment.

### Planning Commission Considerations

Weber County Code explains how to address a request for extension of a conditional use permit. Section 108-4-8 states:

Sec. 108-4-8. - Revocation and expiration.

(b) Unless there is substantial action under a conditional use permit within a maximum period of one year of its approval from the land use authority, the conditional use permit shall expire. The land use authority may grant a maximum extension of six months. Upon expiration of any extension of time granted by the land use authority, the approval for the conditional use permit shall expire and become null and void.

This code section says that the land use authority "may" grant an extension, but considering that there are not any objective standards specifying the grounds for not approving an extension, staff recommend reading the "may" as a "shall." The applicant is likely entitled to an extension of the original permit. All conditions and findings are still applicable.

#### Conformance to the General Plan

Conditional use permit extensions are not mentioned in the general plan.

#### Staff Recommendation

Staff recommends approval of the extension of the Sanctuary Recreation Lodge conditional use permit, original cup file #CUP 2016-11, based on the following findings:

- 1. That the extension request complies with the Weber County Code.
- 2. That the six month extension shall apply using the decision date of the Board of Adjustment (August 25, 2016).

#### Exhibits

- A. Request for extension
- B. July 8, 2016 Planning Commission Notice of Decision letter.
- C. September 5, 2016 Board of Adjustment Notice of Decision letter.

# Map 1



Map 2



From: Timothy Charlwood timcharlwood@sanctuaryutah.com

Subject: Extension CUP 2016-11 Date: June 27, 2017 at 1:42 PM

To: Charles Ewert cewert@co.weber.ut.us

Werber County Planning Division 2380, Washington Blvd, suite 240 Ogden, Utah, 84401-1473

Reference CUP 2016-11. Lot 6 The Sanctuary Notice of Decision July 8th 2016.

Please accept check payment \$50 with request to extend the CUP referred to above for 6 months.

Thank you

Tim Charlwood

By Post and email.

Tim Charlwood Sanctuary Ranch Utah PO Box 980400,

Park City,

Utah 84098-0400

TIM CHARLWOOD // OWNER

+1 435 901 2337

timcharlwood@sanctuaryutah.com www.sanctuaryutah.com







Weber County Planning Division 2380 Washington Blvd., Suite 240 Ogden, Utah 84401-1473 Voice: (801) 399-8791

Fax: (801) 399-8862

# Ogden Valley Planning Commission NOTICE OF DECISION

July 8, 2015

Timothy Charlwood PO Box 980400 Park City, UT 84098

RE: File Number: CUP 2016-11

You are hereby notified that your conditional use permit for a recreational lodge on Lot 6 of the Sanctuary subdivision, which is in the F-40 zone, was approved by the Ogden Valley Planning Commission on July 5, 2016. Approval was based on the following conditions and findings:

#### Conditions:

- The limits of disturbance shall not exceed the building pad areas, as shown in the application. In the
  event building activities must exceed the building pad area, a de minimis planning division review of
  the changes shall be conducted.
- 2. That quiet hours shall be observed from 10 p.m. to 7 a.m. Daytime noises related to existence or the use of the lodge that are unreasonable, obnoxious, or out of character for a quiet residential neighborhood are prohibited.
- 3. All exterior lighting shall be downward directional and fully shielded in a manner that obstructs the visible light source from view from adjacent properties. The intensity of outdoor lighting, including any landscape lighting, shall be minimized so as not to create unnecessary reflection on the mountain side. Exterior lighting shall be configured in a manner that has minimal visual impact when viewed from other properties. The building permit application shall include, for staff approval, the specifics of the light fixtures to be used.
- 4. All lighting shall be inward directed so as not to create a light trespass on adjacent properties.
- 5. Delivery or pickup in a 14,001 pound or greater truck (Class 4 GVWR or greater, pursuant to 49 CFR 565.15), except for package delivery service at times and in intervals typical for a normal residential use, shall be limited to one delivery or pickup per day between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. A loading and unloading area, adequately sized to accommodate the type of truck and the size of the delivery or pickup, shall be provided on the site. No loading or unloading shall be permitted offsite.
- 6. The applicant shall either submit an updated letter from a qualified geologist indicating that the findings of the general geologic hazards report(s) previously conducted are still valid for the specific building location, or an updated building-specific report shall be submitted with the building permit application that provides any necessary mitigation measures.
- 7. Storm water drainage shall comply with typical engineering standards, as approved by the County Engineering Division during building permit review.
- 8. CUP approval shall be subject to final review and approval by the Weber County Engineering Division during building permit review.
- 9. CUP approval shall be subject to final review and approval of the culinary water and waste water systems, commercial kitchen, and pool or spa (if applicable), in accordance with Health Department requirements.



Weber County Planning Division 2380 Washington Blvd., Suite 240 Ogden, Utah 84401-1473 Voice: (801) 399-8791

Fax: (801) 399-8862

- 10. The colors of the facility shall be limited to general muted earth tones that are found in abundance on the site such that all man-made facilities have minimal visual impact and blend with the natural state of the property.
- 11. There shall be sufficient parking spaces, pursuant to the Weber County parking standards of LUC §108-8, to provide for 10 onsite parking spaces. Parking provisions shall comply with ADA standards. The building permit application shall include a specific parking plan for staff verification.
- 12. All affected streets shall be repaired to their current state upon completion of construction, as may be necessary.
- 13. CUP approval shall be subject to final review and approval by the Weber County Fire Marshal during typical building permit review.
- 14. CUP approval is based on legal access existing via Maple Drive. In the event it is proven that this access is not legal or valid for this use, then this CUP is invalid.
- 15. Windows or window treatments shall be provided on all windows to significantly reduce reflectivity and glare and reduce the light intensity of internal illumination.
- 16. The proposal shall maintain compliance with all other local, state, and federal laws.

#### Findings:

- 1. The proposed use is a recreational use and supports other recreational uses in the Ogden Valley, which is in compliance with the Ogden Valley Recreation Element of the General Plan.
- 2. The proposed use complies with the Land Use Code's definition of "Recreation Lodge."
- 3. Given the applicant's proposal and the conditions provided herein, the proposal reasonably mitigates the anticipated detrimental effects of the use.
- 4. That the applicant asserts that private legal access exists from the public right-of-way to the site. CUP approval is contingent on legal access to the site.

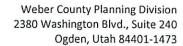
Strict adherence to these conditions is required. Please refer to them when designing building and site plans pursuant to building permit application preparation. Please contact the Planning Division Office if – and before – compliance with the conditions becomes too challenging so we can discuss permit amendment options.

This notice is a courtesy intended to inform you of the Planning Commission's decision. Please contact our office for a copy of the official Planning Commission meeting minutes.

The decision of the Planning Commission may be appealed to the Board of Adjustments by filing such appeal within 15 days after the date of this notice.

Respectfully,

Charles Ewert, AICP Principal Planner





# Weber County Board of Adjustment NOTICE OF DECISION

September 5, 2016

Green Hills Estates Home Owner's Association c/o Zane Froerer 2510 Washington Blvd. #200 Ogden, Utah 84407

File Number: Board of Adjustment Appeal - BOA #2016-05

You are hereby notified that your Weber County Board of Adjustment application was presented and considered during a public meeting held on August 25<sup>th</sup>, 2016.

The Board of Adjustment, as a result of a 5 to 0 vote, denied your request to reverse an administrative decision made by the Weber County Planning Commission. The Planning Commission decision in question was an approval of a conditional use permit, file #2016-11, for a recreation lodge in the F-40 zone, located at 9803 E. Maple Ridge Road in the unincorporated Huntsville area.

The Board of Adjustment denial was based on the finding that condition #14 of the conditional use permit is sufficient to address the concerns specified in the appeal. Pertinent information (e.g., application package, staff report, etc.) related to this appeal can be found in application file BOA #2016-05 and meeting minutes.

Meeting minutes are available approximately four weeks from the date of the meeting. To obtain minutes, please contact Kary Serano at 801-399-8791 in the Weber County Planning Division Office.

Sincerely

Rex Mumford, Chair

Weber County Board of Adjustment



### Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

#### **Synopsis**

**Application Information** 

Consideration and action for final subdivision approval of the Horizon Neighborhood at **Application Request:** 

Powder Mountain PRUD, Amendment 1.

Type of Decision:

Administrative

Agenda Date:

Tuesday, July 25, 2017

Applicant:

Summit Mountain Holding Group, LLC

File Number:

UVH060216

**Property Information** 

Approximate Address:

7758 East Horizon Run

Project Area:

6.31 Acres

Zoning:

Ogden Valley Destination and Recreation Resort Zone DRR-1

**Existing Land Use:** 

**PRUD** 

**Proposed Land Use:** 

**PRUD** 

Parcel ID:

All of the Horizon Neighborhood at Powder Mountain and 23-144-0001

Township, Range, Section: T7N, R2E, Section 6

Adjacent Land Use

North:

Ski Resort/Resort Development

South:

Ski Resort/Resort Development

East:

Ski Resort/Resort Development

West:

Ski Resort/Resort Development

Staff Information

**Report Presenter:** 

Ronda Kippen

rkippen@co.weber.ut.us

801-399-8768

Report Reviewer:

RG

#### Applicable Ordinances

Title 101, Chapter 1 General Provisions, Section 7, Definitions

- Title 104, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 104, Zones, Chapter 28 Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Standards, Chapter 8 Parking and Loading Space, Vehicle Traffic and Access Regulations

#### Development History

- Summit at Powder Mountain Phase 1 is an approved PRUD, consisting of 73 units, two lodges and approximately 14 with approximately 10 acres identified as "Open Space".
- Summit Eden Phases 1A through 1D, Summit Eden Ridge Nests and Summit Eden Village Nests received preliminary subdivision approval in conjunction with the County Commission's approval of the original 154 unit Summit at Powder Mountain PRUD on April 9, 2013.
- An amendment to the PRUD to address minor design edits was heard and received a positive recommendation from the Ogden Valley Planning Commission on March 19, 2013 and received a final approval by the Weber County Commission on Tuesday, July 9, 2013.
- The Summit Eden Phases 1A through 1D, Summit Eden Ridge Nests and Summit Eden Village Nests final subdivision application were heard and received a positive recommendation by the Ogden Valley Planning Commission on October 22, 2013. The Weber County Commission granted final approval on January 21, 2014.
- The dedication plat for the Summit Eden Ridge Nests PRUD was recorded on January 23, 2014 and the dedication plats for Summit Eden Phases 1A through 1D were recorded on January 27, 2014.
- A time extension was granted by the Weber County Planning Director on October 16, 2014 for the Summit Eden Village Nests and was later reinstated as the Village Nests at Powder Mountain on December 29, 2015.
- Village Nests at Powder Mountain received final approval on February 2, 2016 and was recorded on February 5, 2016 as the Village Nests at Powder Mountain, a condominium plat.

- Summit Mountain Holding Group, LLC petitioned Weber County to rezone approximately 6,198 acres from the CVR-1, FV-3 and F-40 zones to the DRR-1 zone to enable them to proceed with their development in a manner that would be consistent with the proposed Master Plan that was presented to Weber County as part of the rezone application. The petition to rezone the development to the DRR-1 zone was heard and approved on January 13, 2015 by the Weber County Commission after receiving a unanimous recommendation for approval from the Ogden Valley Planning Commission on October 28, 2014. Weber County entered into Zoning Development Agreement Contract # C2015-6 and the contract was recorded on January 14, 2015 as Entry# 2717835.
- The applicant petitioned Weber County to amend certain areas within the Uniform Land Use Code of Weber County (LUC) to allow for some various resort development standards. The petition to amend the LUC was heard and approved by the Weber County Commission on May 24, 2016 as Ordinance 2016-4.
- An amendment to reduced the overlaying PRUD footprint from the original 594.23 acres to approximately 14 acres after holding a public meeting with the Ogden Valley Planning Commission on July 5, 2016 and receiving a unanimous approval from the Weber County Commission on July 19, 2016. The areas to remain under the existing Summit at Powder Mountain Phase 1 PRUD will be three of the previously approved and platted development areas and one future development area. The approved and platted developments to remain under the PRUD are the Summit Eden Ridge Nest PRUD, a 15 unit "Nest" development and the Village Nests at Powder Mountain, a 20 unit condominium development and the Horizon Neighborhood at Powder Mountain PRUD, a 26 unit "Nest" development. The future phase of the PRUD will be Spring Park at Powder Mountain, which has received conceptual approval as Lot 76 in the existing PRUD for a 12 unit "Nest" development and a lodge.

#### Summary and Background

The Planning Division recommends final subdivision approval of the Horizon Neighborhood at Powder Mountain PRUD, Amendment1. The proposed subdivision is in the DRR-1 zone and will consist of 30 "Nest" units, one lodge and four shared parking structures (see Exhibit A). The Horizon Neighborhood at Powder Mountain was approved as a 26 unit development with shared parking structures on 5.43 acres. The original Horizon Neighborhood at Powder Mountain PRUD dedicated 83% of the area as open space when recorded on November 14, 2016. The proposed Horizon Neighborhood at Powder Mountain PRUD, Amendment 1, will vacate and replace the existing developed units identified as units 2 through 27 and all of Lot 120 (0.93 acres). The amended units will be identified as Units 2 through 31 and the lodge will be Unit 1. The proposed amendment to the PRUD will allow for Horizon at Powder Mountain development area to increase in size to include 30 units, four garage structures and one lodge on a total development area of 6.31 acres. The proposal includes dedicating 4.96 acres of the 6.31 acres in The Horizon at Powder Mountain (78%) as open space.

The Horizon Neighborhood at Powder Mountain PRUD Subdivision is one of the four developments in the Summit at Powder Mountain Phase 1 PRUD, which was approved by the Weber County Commission on July 19, 2016. The Horizon Neighborhood at Powder Mountain PRUD, Amendment 1, due to the previous platting of this area, is being processed as a plat amendment and is being forwarded for final subdivision approval.

The Uniform Land Use Code of Weber County (LUC) §101-1-7 identifies subdivision amendments as a "Small Subdivision" that can be administratively approved by the Planning Director as long as the amendment consists of five or fewer lots. The proposed amendment exceeds the lots that can be administratively approved, therefore the plat amendment must be considered and approved by the County Commission after receiving a recommendation from the Planning Commission per the approval process outlined in LUC §106-1-8. The proposed subdivision amendment and lot configuration is in conformance with the current zoning, the approved PRUD and the Zoning Development Agreement Conceptual Land Use Plan (see Exhibit B) as well as the applicable subdivision requirements as required in the LUC.

#### Analysis

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

Zoning: The subject property is located in the Ogden Valley Destination and Recreation Resort Zone more particularly described as the DRR-1 zone. The purpose and intent of the DRR-1 zone is identified in the LUC §104-29-1 as:

"The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife

habitats, hazardous hillsides or prime agricultural parcels. Resorts that lie within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land."

<u>Lot area, frontage/width and yard regulations</u>: The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for a single family residential dwelling. The PRUD has been designed for individual ownership of the units and common ownership for the shared garages; due to the development being an approved PRUD, the development standards for a single family home or not applicable.

The plat identifies both common area throughout the development and limited common area surrounding each individual lot. The owners of the individual lots will be responsible for the maintenance, upkeep and repair of improvements in the limited common area appurtenant to the owner's lot. The parking structures and the lodge are amenities that will be utilized for the benefit of the residents of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 1. The use of the common and limited common area is more specifically set forth in the "Neighborhood Declaration" (CC&R's). The CC&R's will be submitted for review by the Weber County Attorney's Office prior to the final Mylar being recorded.

The applicant has provided conceptual renderings and site layouts for the proposed development (see Exhibit A & C). The proposed lot configurations meet the area and width standards in the DRR-1 Zone. The proposal is in conformance with previous approvals and updates to the PRUD and the Zoning Development Agreement Contract# C2015-6.

<u>Natural Hazards Overlay Zone:</u> The proposed subdivision is located in a Zone "D" as determined by FEMA to be an area of undetermined flood hazards. Areas designated as Zone "D" are typically areas in which no analysis of flood hazards has been conducted.

The proposed Horizon Neighborhood at Powder Mountain PRUD is located within a couple potential geologic hazardous units per the UGS published Ogden  $30 \times 60$  Quadrangle map. The applicant has provided a letter from the engineering geologist and geotechnical engineer that are currently performing the investigation, stating:

"Based on our preliminary assessment, it does not appear that any of the structures will have to be moved, nor have we identified any 'no build' zones. Some or all of the structures may have to be constructed on deep foundations to mitigate potential soil creep; the location of areas impacted by soil creep will be delineated on the forthcoming geotechnical report.

A note on the plat will provide notice that the final geologic and geotechnical reports are on file with Weber County Planning Division. All site development will need to adhere to the recommendations of any reports and a "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

<u>Additional design standards and requirements:</u> The improvements for the public and private roadways have been installed during the previous phases of the Summit at Powder Mountain PRUD. The Horizon Neighborhood is designed to utilize shared pathways or boardwalks (covered and uncovered) for foot access to the individual units from the parking garages; which are arranged in a manor to provide safe ingress and egress to the site. The parking garages will provide 30 parking spaces for the tenants of the Horizon Neighborhood units.

The parking standards in the LUC §108-8-2 require a minimum of two parking spaces for single family residents; however, the required number of parking spaces may be adjusted by the planning commission if it's determined that "unusual or unique circumstances or conditions relating to the operational characteristics of the use exist in a manner or to such a degree that such adjustment is equitable and warranted" per LUC §108-8-5. Summit Mountain Holding Group, LLC (SMHG) has an ongoing goal to reduce the reliance of the personal automobile, and encourage travel in a more efficient and environmentally friendly manner thereby greatly reducing the impacts on existing and proposed infrastructure. Currently, SMHG is working on a parking plan for the entire Summit at Powder Mountain development on a neighborhood by neighborhood basis for planning purposes. The parking plan will be presented to Weber County for approval in the near future. SMHG is requesting that the parking standards for the Horizon Neighborhood units be reduced from two parking spaces per unit to one parking space per unit.

SMHG already has taken steps to reduce the amount of vehicles that travel to and from the resort by teaming up with UTA transit services with pick up locations in Ogden (the Rainbow Gardens Park-n-Ride Lot) and Eden (Eden Valley Market Park-n-ride) as well as encouraging the guests of the resort to utilize the airport rideshare programs to arrive

and depart from the Summit at Powder Mountain Resort. As the development continues to grow, guests will be able to attain the desired services and tangibles necessary without needing to leave the resort. The Summit at Powder Mountain development has been designed to be a pedestrian friendly village by implementing ski in/ski out homes, designated bike paths and a bike share program. The resort has been designed to provide amenities at the core of each village. SMHG has also committed to providing an internal shuttle system between the resort development areas which will enable overnight guests and daily users to access the ski areas and other onsite amenities without using their own vehicles. Based on the current proposal, staff supports the reduction in the number of required vehicles per dwelling unit and does not feel that it will create a nuisance nor be detrimental to the area in general. If the Planning Commission feels that the garages need to be increased in size to allow for two parking spaces per unit, a condition of approval will need to be added. A note has been added to the subdivision plat identifying the parking reduction for the Horizon Neighbor at Powder Mountain PRUD.

There may be additional site preparation in conjunction with each approved building permit. The proposed subdivision does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time. The applicant will be required to provide a cash escrow to be held by Weber County for the applicable improvements within the subdivision.

<u>Culinary water and sanitary sewage disposal:</u> An updated "Feasibility Letter" has been provided to ensure an additional 313 units will be serviced by the Powder Mountain Water and Sewer District. Proof of a connect fee from Powder Mountain Water and Sewer District will be required to be submitted prior to receiving a building permit from Weber County.

<u>Review Agencies:</u> The Weber County Engineering has reviewed and has made recommendations that will need to be addressed prior to recording the final Mylar being recorded. The Weber Fire District and the Weber Surveyor's Office have approved the proposal. A condition of approval has been included to ensure that all applicable review agencies requirements will be met prior to recording any future subdivisions within the amended PRUD.

<u>Public Notice:</u> The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision amendment per noticing requirements outlined in LUC §106-1-6(c).

#### Staff Recommendation

Staff recommends approval of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 1. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

This recommendation is based on the following findings:

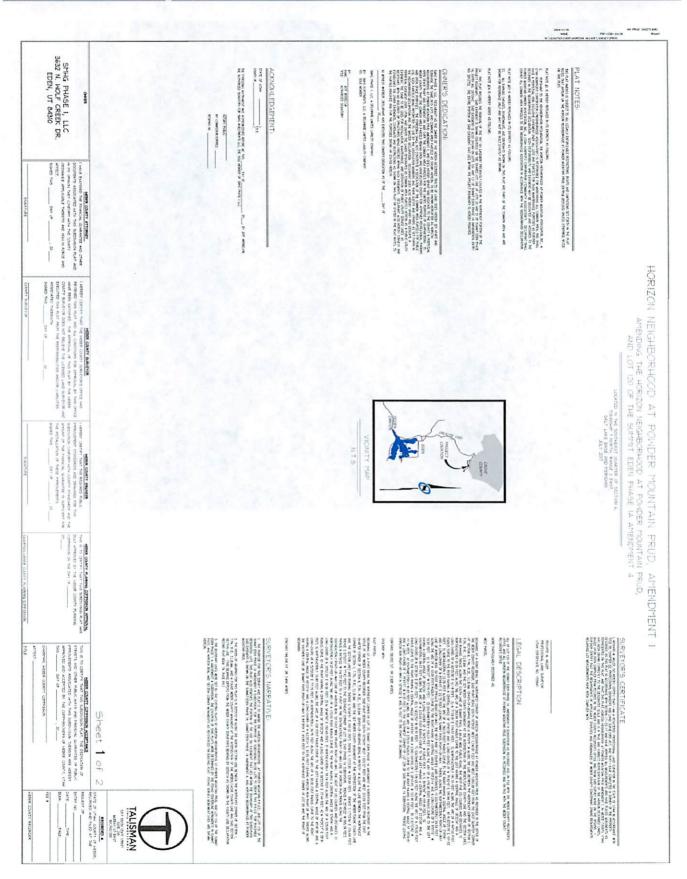
- 1. The proposed subdivision conforms to the Ogden Valley General Plan.
- 2. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
- 3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.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

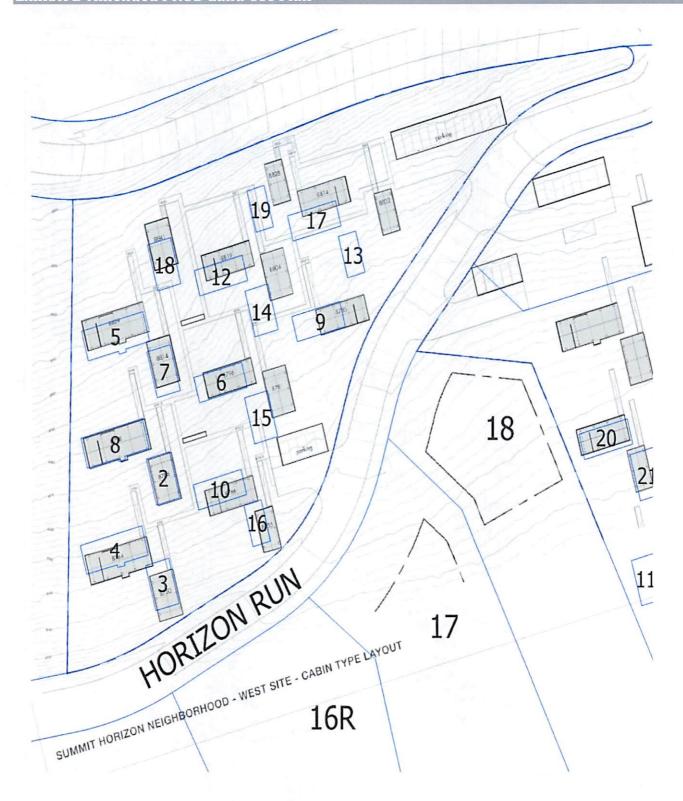
#### Exhibits

- A. The Horizon Neighborhood at Powder Mountain PRUD
- B. The amended PRUD and ZDA Conceptual Land Use Plan
- C. Architectural renderings for the Horizon Neighborhood

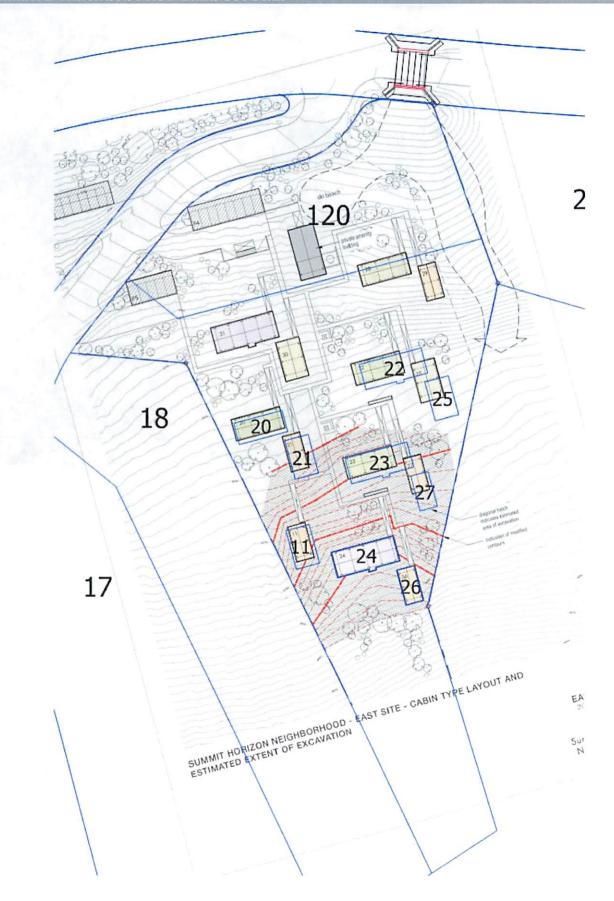


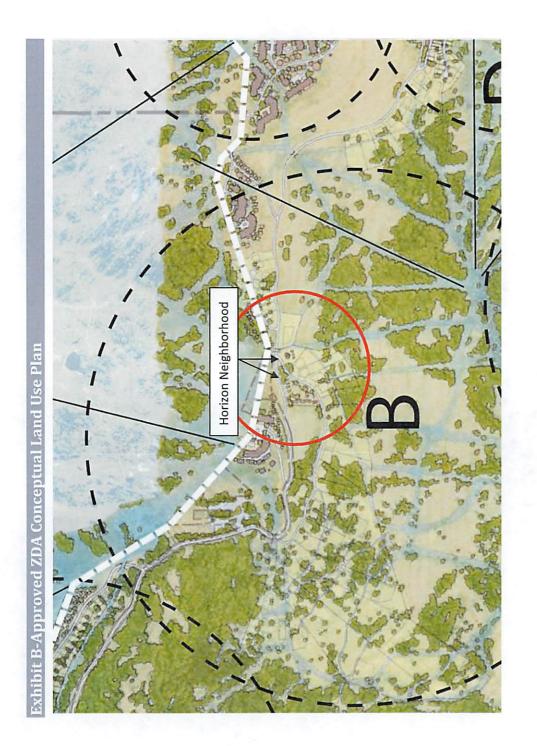
### Exhibit A-Horizon Neighborhood at Powder Mountain PRUD





### Exhibit B-Amended PRUD Land Use Plan





### Exhibit C-Architectural Renderings for the Horizon Neighborhood



VIEWED FROM THE WEST

RENDERINGS



SHARED PATHWAY

RENDERINGS

### Exhibit E-Architectural Renderings for the Horizon Neighborhood



PARKING GARAGE VIEWED FROM THE EAST

RENDERINGS



PARKING GARAGE VIEWED FROM THE SOUTH

RENDERINGS

## Exhibit E-Architectural Renderings for the Horizon Neighborhood



HORIZONTAL GEDAR





250GU INTERIOR HORIZONTAL CEDAR BOARDS

RENDERINGS



## Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

### **Synopsis**

**Application Information** 

Application Request: Consideration and action for the Summit at Powder Mountain Phase 1 PRUD, Amendment

3. The request will amend the previous approved site plans for the Horizon Neighborhood at Powder Mountain and Village Nest at Powder Mountain. The amendment to the PRUD will increase the overall units in the Horizon Neighborhood at Powder Mountain PRUD from 73 units to 77 units and will add one lodge to the Horizon Neighborhood. The

remaining PRUD area will remain unchanged.

Type of Decision: Administrative

Agenda Date: Tuesday, July 25, 2017

Applicant: Summit Mountain Holding Group, LLC

File Number: CUP 2017-09

**Property Information** 

Approximate Address: Powder Mountain Ski Resort

Project Area: 15.6 Acres (77 Nest Units and two Lodges)

Zoning: Ogden Valley Destination and Recreation Resort Zone DRR-1

Existing Land Use: PRUD Proposed Land Use: PRUD

Parcel ID: All of Summit Eden Ridge Nests PRUD Amendment 1 (Entry# 2672949), All of Village Nests

at Powder Mountain (Entry# 27777000), All of Horizon Neighborhood at Powder Mountain

PRUD (Entry# 2826293, 23-144-0001 and 23-130-0043

Township, Range, Section: T7N, R2E, Sections 5, 6, 7 & 8

**Adjacent Land Use** 

North: Ski Resort/Resort Development South: Ski Resort/Resort Development

East: Ski Resort/Resort Development West: Ski Resort/Resort Development

**Staff Information** 

Report Presenter: Ronda Kippen

rkippen@co.weber.ut.us

801-399-8768

Report Reviewer: RG

### Applicable Ordinances

Title 101, Chapter 1 General Provisions, Section 7, Definitions

- Title 104, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 104, Zones, Chapter 28 Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Chapter 5 Planned Residential Unit Development

#### **Development History**

- Summit at Powder Mountain Phase 1 is an approved PRUD, consisting of 73 units, two lodges and approximately 14 with approximately 10 acres identified as "Open Space" (see Exhibit A for the exiting PRUD boundary).
- Summit Eden Phases 1A through 1D, Summit Eden Ridge Nests and Summit Eden Village Nests received
  preliminary subdivision approval in conjunction with the County Commission's approval of the Summit at Powder
  Mountain PRUD on April 9, 2013 which was part of the original PRUD for 154 units in the Summit Eden
  Development.
- An amendment to the PRUD to address minor design edits was heard and received a positive recommendation from the Ogden Valley Planning Commission on March 19, 2013 and received a final approval by the Weber County Commission on Tuesday, July 9, 2013.

- The Summit Eden Phases 1A through 1D, Summit Eden Ridge Nests and Summit Eden Village Nests final subdivision application were heard and received a positive recommendation by the Ogden Valley Planning Commission on October 22, 2013. The Weber County Commission granted final approval on January 21, 2014.
- The dedication plat for the Summit Eden Ridge Nests PRUD was recorded on January 23, 2014 and the dedication plats for Summit Eden Phases 1A through 1D were recorded on January 27, 2014.
- A time extension was granted by the Weber County Planning Director on October 16, 2014 for the Summit Eden Village Nests and was later reinstated as the Village Nests at Powder Mountain on December 29, 2015.
- Village Nests at Powder Mountain received final approval on February 2, 2016 and was recorded on February 5,
   2016 as the Village Nests at Powder Mountain, a condominium plat.
- Summit Mountain Holding Group, LLC petitioned Weber County to rezone approximately 6,198 acres from the CVR-1, FV-3 and F-40 zones to the DRR-1 zone to enable them to proceed with their development in a manner that would be consistent with the proposed Master Plan that was presented to Weber County as part of the rezone application (see Exhibit B for the Conceptual Land Use Plan). The petition to rezone the development to the DRR-1 zone was heard and approved on January 13, 2015 by the Weber County Commission after receiving a unanimous recommendation for approval from the Ogden Valley Planning Commission on October 28, 2014. Weber County entered into Zoning Development Agreement Contract # C2015-6 and the contract was recorded on January 14, 2015 as Entry# 2717835.
- The applicant petitioned Weber County to amend certain areas within the Uniform Land Use Code of Weber County (LUC) to allow for some various resort development standards. The petition to amend the LUC was heard and approved by the Weber County Commission on May 24, 2016 as Ordinance 2016-4.
- An amendment to reduced the overlaying PRUD footprint from the original 594.23 acres to approximately 14 acres (see Exhibit C for the application and narrative) after holding a public meeting with the Ogden Valley Planning Commission on July 5, 2016 and receiving a unanimous approval from the Weber County Commission on July 19, 2016. The areas to remain under the existing Summit at Powder Mountain Phase 1 PRUD will be three of the previously approved and platted development areas and one future development area (see Exhibit D). The approved and platted developments to remain under the PRUD are the Summit Eden Ridge Nest PRUD, a 15 unit "Nest" development and the Village Nests at Powder Mountain, a 20 unit condominium development and the Horizon Neighborhood at Powder Mountain PRUD, a 26 unit "Nest" development. The future phase of the PRUD will be Spring Park at Powder Mountain, which has received conceptual approval as Lot 76 in the existing PRUD for a 12 unit "Nest" development and a lodge.
- The remaining approved development areas have been recorded as Summit Eden Phases 1A, 1B, 1C & 1D will be governed by approved Zoning Development Agreement and the LUC.

#### Background and Summary

The Planning Division staff has reviewed the proposed amendment against the current LUC, the previous PRUD and Zoning Development Agreement Master Plan. Staff supports the request to increase the "Horizon Neighborhood at Powder Mountain PRUD" as well as the "Village Nest at Powder Mountain PRUD" development areas.

The Horizon Neighborhood at Powder Mountain was approved as a 26 unit development with shared parking structures on 5.43 acres. The original Horizon Neighborhood at Powder Mountain PRUD dedicated 83% of the area as open space when recorded on November 14, 2016. The proposed amendment to the PRUD will allow for Horizon at Powder Mountain development area to increase in size to include 30 units, four garage structures and one lodge on a total development area of 6.31 acres. The proposal includes dedicating 4.96 acres of the 6.31 acres in The Horizon at Powder Mountain (78%) as open space.

The Village Nest at Powder Mountain was approved as a 20 unit development with two shared parking structures on 1.38 acres with 1.04 acres (75%) of the development area dedicated as open space. The proposed amendment for the Village Nest at Powder Mountain PRUD will increase the site area to 2.06 acres and dedicated 1.06 acres (51%) of the 2.06 acres as open space. The Village Nests at Powder Mountain PRUD will not increase in habitable units but an additional garage structure for a total of three garage structures will be part of the development.

All other areas within the Summit at Powder Mountain PRUD Amendment will remain unchanged. The total PRUD size will be increased from 14 acres with 10.67 acres (76%) as dedicated open space to 15.6 acres and 10.28 acres (66%) will be dedicated open space.

The application has been reviewed against the required information as outlined in the LUC §108-5 for consideration and approval of the proposed amendment to the PRUD. Planned Residential Unit Developments are listed as a "Conditional

Use" in the LUC and should be approved as long as any harmful impacts can be mitigated. The LUC already specifies certain standards necessary for mitigation of harmful impacts to which the proposal must adhere. To ensure that the natural environment is preserved to the greatest possible extent, the Planning Commission, subject to the reviews and recommendations of the required public agencies, must review and approve the general site and architectural design of the building, the layout of the parking areas and the landscaping.

#### Analysis

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

<u>Zoning:</u> The subject property is located in the Ogden Valley Destination and Recreation Resort Zone more particularly described as the DRR-1 zone. The purpose and intent of the DRR-1 zone is identified in the LUC §104-29-1 as:

"The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts that lie within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land."

<u>Lot area, frontage/width and yard regulations</u>: The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for a single family residential dwelling. The following development standards are applicable for a standard single family building permit:

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

A lodge is being proposed to be located on the east side of The Horizon Neighborhood at Powder Mountain development. The lodge will be an amenity for the residents in the Horizon Neighborhood at Powder Mountain PRUD. Prior to receiving land use approval for the Horizon Lodge, the applicant will need to submit plans for review and approval per LUC§108-1-2(a) which requires "Design Review" of all applications for building permits including but not limited to recreation resort uses, businesses and commercial structures. The review will include the considerations relating to the building location, major exterior elevations, building materials, and color schemes, landscaping, screening and parking for all site development. The Planning Director may review and approve structures located above 6,200 feet above sea level with a total footprint of less than 75,000 square feet.

The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for multi-family, commercial or mixed use structures. The following development standards will be reviewed upon submittal for the design review and building permit of the future lodge:

Front yard setback: 0 feet
Side yard setback: 0 feet
Rear yard setback: 0 feet
Average building height: 75 feet

The applicant has provided conceptual renderings and an amendment to the site layouts for the Horizon Neighborhood at Powder Mountain (see Exhibit E for site layout for Horizon Neighborhood at Powder and Village Nest at Powder Mountain development). The proposed lot configuration meets the area and width standards in the DRR-1 Zone. The proposal is in conformance with previous approvals and updates to the PRUD and the Zoning Development Agreement.

<u>Natural Hazards Overlay Zone:</u> The proposed subdivision is located in a Zone "D" as determined by FEMA to be an area of undetermined flood hazards. Areas designated as Zone "D" are typically areas in which no analysis of flood hazards has been conducted.

The Horizon Neighborhood at Powder Mountain and the Village Nests at Powder Mountain are located within some potential geologic hazardous units per the UGS published Ogden 30 x 60 Quadrangle map. All site development will need to adhere to the recommendations of any reports and a "Natural Hazards Disclosure"

document will be required to be recorded prior to receiving final occupancy to provide adequate notice of any geotechnical and geological recommendations to future property owners.

<u>Culinary water and sanitary sewage disposal:</u> An updated "Feasibility Letter" has been provided to ensure the additional units will be serviced by the Powder Mountain Water and Sewer District. Proof of a connect fee from Powder Mountain Water and Sewer District will be required to be submitted prior to receiving a building permit from Weber County.

<u>Review Agencies</u>: The Weber Fire District and the Weber Surveyor's Office have reviewed and have made recommendations that will need to be addressed as part of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 1 subdivision approval process. To date, the Weber County Engineering Division has not reviewed the application. A condition of approval has been included to ensure that all applicable review agencies requirements will be met prior to recording any future subdivisions within the amended PRUD.

The Weber Fire District and the Weber Surveyor's Office have reviewed and approved the proposal for the Village Nests at Powder Mountain. The Weber County Engineer's has comments that will need to be addressed prior to recording any future subdivisions within the amended PRUD.

Additional design standards and requirements: The infrastructure has been installed throughout the Summit at Powder Mountain Phase 1 PRUD. Additional design criteria and landscaping designs have not been submitted for review primarily due to the conceptual nature of the proposed amendment and the desire to maintain as much native vegetation as possible to preserve the stability of the hillsides and limit the areas of disturbance. There may be additional site preparation in conjunction with an approved building permit. The proposal does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

#### Staff Recommendation

Staff recommends approval for the Summit at Powder Mountain Phase 1 PRUD, Amendment 3. The request will amend the previous approved site plans for the Horizon Neighborhood at Powder Mountain and Village Nest at Powder Mountain. The amendment to the PRUD will increase the overall units in the Horizon Neighborhood at Powder Mountain PRUD from 73 units to 77 units and will add one lodge to the Horizon Neighborhood. The remaining PRUD area will remain unchanged. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A detailed material list of the proposed exterior building materials or material boards will be required for review and approval during the design review process.

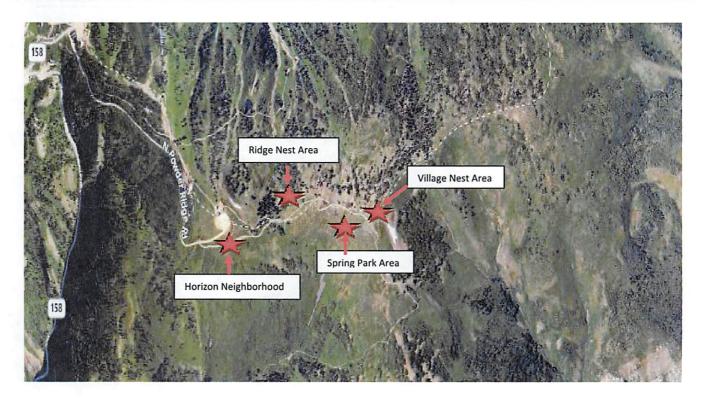
This recommendation is based on the following findings:

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

#### Exhibits

- A. The approved PRUD boundary
- B. The ZDA Conceptual Land Use Plan
- C. Application/Narrative
- D. Amended PRUD boundary
- E. Site layout for the Horizon Neighborhood and Village Nest amended development

### Location Map 1





SUMMIT EDEN
PHASE 1 PRUD SUBMITTAL



PRIMARY STREET

OF THE STREET

OF THE WARPS

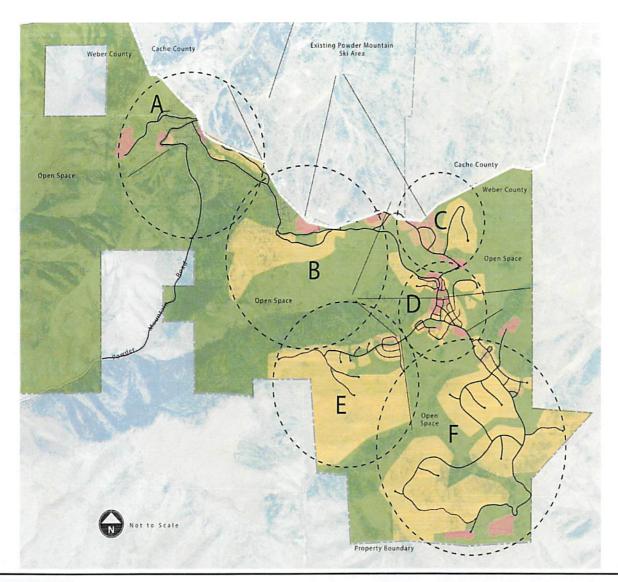
AND THE STREET

OF TH

OVERALL SITE PLAN

L1.2

# Overall Land Use Plan



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

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

#### DEVELOPMENT AREAS

A - Mid-Mountain

B - The Ridge

C - Earl's Village

D - Summit Village

E - Gertsen

F - The Meadow

DEVELOPMENT LEGEND		DEVELOPMENT DATA
	MIXED USE	
	HOTELS	1,218 ROOMS
	COMMERCIAL/SKIER	159,000 SF
	SERVICES/CONF. CENTER	
	RETREATS	180 ROOMS*
	MULTI FAMILY	1,256 UNITS
	SINGLE FAMILY	
	SINGLE FAMILY LOTS	738 UNITS
	NESTS	340 NESTS
TOTAL UNIT	s	2,800 UNITS

\* HOTEL AND RETREAT ROOMS EQUAL .33 UNITS EACH FOR DENSITY CALCULATIONS

POWDER MOUNTAIN

Weber County Rezone Application: DRR1 19

# Exhibit C-Application and Narrative

We	ber County Cond	ditional Use Permit	Application		
Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401					
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)		
Property Owner Contact	Information				
Name of Property Owner(s) SMHG PHASE LLC		Mailing Address of Property 3632 N. WOLF CREEK DRIVE	Owner(s) EDEN, UT 84310		
Phone 435-640-7002	Fax N/A				
Email Address (required) JW@SUMMIT.CO		Preferred Method of Writter	Preferred Method of Written Correspondence		
Authorized Representati	ive Contact Information				
Name of Person Authorized to Represent the Property Owner(s) RICK EVERSON		Mailing Address of Authoriz 5200 S. HIGHLAND DR #101	ed Person SLC, UT 84117		
Phone 801-897-4880	Fax N/A				
Email Address RICK@WATTSENTERPRISES.COM		Preferred Method of Writter  Email Fax	Preferred Method of Written Correspondence		
Property Information					
Project Name SUMMIT AT POWDER MOUNTAIN PHASE 1 PRUD		Total Acreage 14.88	Current Zoning DRR-1		
Approximate Address POWDER MOUNTAIN RESORT		NEIGHBORHOOD AT POWD	Land Serial Number(s) ALL OF VILLAGE NESTS AT POWDER MOUNTAIN, ALL OF HORIZON NEIGHBORHOOD AT POWDER MOUNTAIN, ALL OF SUMMIT EDEN RIDGE NESTS AT POWDER MONTAIN, 23-144-0001, AND 23-130-0043		
Proposed Use SINGLE FAMILY RESIDENTIAL	***************************************				
LAND. ON JULY 19, 2016 THE COI IDENTIFIED THE FOLLOWING PRO SUMMIT EDEN RIDGE NESTS, 15 U VILLAGE NESTS AT POWDER MOU HORIZON NEIGHBORHOOD AT PO SPRING PARK AT POWDER MOUN THIS CUP IS TO AMEND THE PRUC ACRES OPEN SPACE. WE ARE ALS KEEPING THE SAME NUMBER OF I	UNTY COMMISSION APPROVED CUI DECTS TO BE INCLUDED: UNITS, 3.14 ACRES TOTAL, 2.69 ACRE UNITAIN, 20 UNITS, 1.38 ACRES TOTA DWDER MOUNTAIN, 26 UNITS, 5.43 . UTAIN, 12 UNITS, 4.05 ACRES TOTAL, D, SPECIFICALLY HORIZON NEIGHBO IO REQUESTING TO INCREASE THE S UNITS.	P 2016-13 WHICH AMENDED THE ORIGIN  SOPEN SPACE (86%)  LL 1.4 ACRES OPEN SPACE (75%)  ACRES TOTAL, 4,51 ACRES OPEN SPACE ( 2.43 ACRES OPEN SPACE (60%)  ORHOOD TO INCREASE THE NUMBER OF I  IZE OF THE VILLAGE NEST PROJECT TO 2.	SE 1 PRUD) WHICH INCLUDED 594,23 ACRES OF AL PRUD AND SHRUNK IT DOWN TO 14 ACRES AND 33%)  JUITS TO 30, WITH 6.31 ACRES TOTAL AND 4.96 06 ACRES WITH 1.06 ACRES OF OPEN SPACE,  CE (69%). IT WOULD ALSO INCREASE THE TOTAL		

Exhibit D-Proposed PRUD Boundary-Amendment 3

