



OGDEN VALLEY PLANNING COMMISSION

PLANNING MEETING AGENDA

February 27, 2018  
5:00 p.m.

*Pledge of Allegiance*  
*Roll Call*

1. Minutes: Approval of the January 23, 2018 and February 06, 2018 Meeting Minutes
2. Petitions, Applications and Public Hearings
  - 2.1. Administrative Items
    1. New Business
      1. CUP 2017-23 Consideration and action on a Conditional Use Permit for Pineview Boat and RV Storage, a proposal for 32 Self-Storage and Recreational Vehicle Storage Units in the Commercial Valley (CV-2) Zone located at 650 S 7800 E, in Huntsville, UT. (Pineview Investment LLC, Applicant; W. Scott Kjar, Agent)
      2. UVO013018 & AAE 2018-01 Consideration and action on Old Snow Basin Ranch Subdivision, a five lot subdivision located at approximately 5700 Snowbasin Road in the Forest F-5 and F-3 Zones; including the concurrent consideration and action of the Old Snowbasin Ranch Subdivision access via a private right of way requests for Lots 2-5 (Douglas Dance, Applicant)
3. Public Comment for Items not on the Agenda:
4. Remarks from Planning Commissioners:
5. Planning Director Report:
6. Remarks from Legal Counsel:
7. Adjourn to a work session:

WS1. DISCUSSION: Summit Temporary Parking at Wolf Creek

*The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1<sup>st</sup> Floor, 2380 Washington Blvd., Ogden, Utah. Work Session will be held in the Breakout Room. A pre-meeting will be held in Room 108 beginning at 4:30 p.m. to discuss agenda items. No decisions are made in this 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***

## Meeting Procedures

### Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

### Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

### Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

### Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

### Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

### Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

### Testifying at Public Meetings and Public Hearings

**Address the Decision Makers:** When testifying please step to the podium and state your name and address.

- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All testimony must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when testimony is pertinent, well organized, and directed specifically to the matter at hand.

### Speak to the Point:

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances. Don't repeat testimony that has already been given. If you agree with previous testimony then state that you agree with that testimony.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

### Handouts:

- ❖ Written statements should be accurate and either typed or neatly hand written with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record shall be left with the Planning Commission.

### Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful. It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.

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This is a subdivision located at approximately (address). It lies within the (Zone), covers (acres), consists of (# Lots), and consists of approximately 1,100 feet of public road improvements. Do you have questions about the outline...if so, I would be happy to answer them? If not, I will turn the time over to Mr. (applicant).

Possibly include personal introduction/information and resume, introduction of other professional contributors, property ownership time or lease situation, visuals (photos, renderings), anticipated impacts and offered mitigation or rationale behind impacts being acceptable, and statement of code compliance.

Minutes of the Ogden Valley Planning Commission Regular meeting January 23, 2018 in the Weber County Commission Chambers, commencing at 5:00 p.m.

**Present:** Jami Taylor, Chair; Steve Waldrip, John Howell, John Lewis, Robert Wood, and Laura Warburton

**Absent/Excused:** Chris Hogge

**Staff Present:** Rick Grover, Planning Director; Ronda Kippen, Principal Planner; Tammy Aydelotte, Planner I, Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary

***Pledge of Allegiance***

***Roll Call:***

Chair Taylor asked if there were any ex parte communication or possible conflict of interest of the administrative items. Commissioner Lewis said that he may have a conflict of interest, and as previously discussed in the pre-meeting, I have no financial connection to the Watt's Group, but I want you to feel comfortable with me still being part of the vote. We are owners and neighbors of the same resort project, and I don't see a conflict but if you do, I will recuse myself. Chair Taylor asked do you have a direct or substantial financial interest. Commissioner Lewis replied I don't. Chair Taylor asked if anyone would like to excuse him for conflict of interest. The response was no.

**1. Minutes: Approval of the June 07, 2016 and January 02, 2018 meeting minutes**

Chair Taylor approved the meeting minutes with the noted corrections.

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

**2.1. Administrative Items**

**a. New Business:**

**1. CUP 2017-21: Consideration and action on a conditional use permit for a Verizon Wireless Cell Tower Colocation, located at Powder Mountain Ski Resort in the Ogden Valley Destination Recreational Resort Zone (DRR-1). (Verizon/Jared White, applicant)**

Director Grover said this is a conditional use permit that is an administrative item, and you can if you choose take comment if you would like. As you review this you will be looking at the conditional use standards, and the staff that will be presenting this item is Tammy Aydelotte. The applicant is not here, but if you are comfortable with this, it does fall within our DRR-1 Zone and it does meet those requirements, she could represent the applicant and explain the project and have Tammy go through that if you are comfortable.

Tammy Aydelotte said the applicant is requesting approval on a project consisting of a 90 foot colocation tower. It is replacing a current 63 foot tower. There is a site that is leased to Verizon located in the DRR-1 Zone in a public utility substation that is allowed as a conditional use permit in this zone. This is a 90 foot tower with a 6 foot lighting rod, so the total height will be 96 feet. There will be two equipment shelters of 540 sq. ft. each, and each equipment shelter will have two equipment rooms. Ms. Aydelotte indicated on the map the county line, the site area, the ski lift, and a Verizon easement. For the landscaping will be cleared over a 12 foot easement and in this area we have all of the infrastructure that is running underground within the monopole that will be setup. The architecture will blend in with the existing launch that is up there. This is an aerial overview with the installation in this area off of the main road, with access through this private road. Traffic congestion any safety hazards related to traffic should be should be minimal. The proposal is meant to be minimal visually so they are looking at minimizing the reflective pole with a grey color. The reason for the height, they plan on having 4 carriers and that is the minimum height the service providers can work with and still have room to work on their equipment. The only other condition is that Engineering Division has required a SWPPT Plan from the applicant when they get a building permit. The Planning Division recommends approval of a conditional use permit for a Verizon Wireless Colocation Cell Tower located at the top of Powder Mountain Ski Resort. It is subject to all review agency requirements with the conditions listed in the staff report and the impact of one tower is less impact than several towers.

Commissioner Waldrip said in reference to the pole, he didn't see anything with requiring a matt finish or any type of different finishes as a condition. Is that something they would be comfortable with, and we had discussed that on the site visit. Ms. Aydelotte replied the applicant is here and he would be glad to address that.

Jared White, Applicant said they would be willing to paint it any color this commission would want. In our experience particularly in Utah on that hill there, typically a galvanized non-reflective is the standard pole is. It is what the vast majority are, and the only caveat with non-reflective galvanized seal is that it takes 6 to 9 months to be non-reflective. Every time we put a galvanized pole, it takes time for the oxidation to happen and the shininess to go away.

Commissioner Howell asked what Powder Mountain like. Mr. White replied they have non-reflective galvanized. The AT&T pole that is up there now is also galvanized non-reflective.

Commissioner Warburton said recently one of the planners showed us some different types of poles that were available and I was kind of disappointed when I saw this because there are some creative things that are being done now. Mr. White replied the difficulty is there are a lot of things that are being developed; the hard problem with them is making them co-locatable. You would need four of them up there, and there is a limitation of size and space, so we just got set up at the resort and they have the dilemma that everyone else has and they are agreeing to have a cell tower at the top of their ski resort.

Commissioner Wood asked if there is going to a light at the top. Mr. White replied we never light towers, unless the FAA requires us to, and until we get your approval we can't submit anything to the FAA. Once we have your approval with the exact conditions and what we are allowed to build, we will then submit it to the FAA and would see no reason they would want a light there. The reason they won't is because there should never be a plane near 90 feet above that mountain, and we have 200 towers that they don't light based on flight patterns and things like that.

Tammy Aydelotte referred to the lighting question, generally the FAA doesn't require lighting until the pole is at least 200 feet, and at that point they may look at lighting.

Chair Taylor opened up for public comment.

Ron Gleason, resides in Huntsville said small some of these have been addressed with paint scheme and lighting, speaking as an individual and as a pilot. Just wanted to point out that there is a 78 foot cell tower going on at Snowbasin on the Morgan side, and the FAA has required lighting on that. Powder Mountain has used a visual lineup point for general aviation pilots including students that are flying out of Utah State University. It is not uncommon to have small planes less than 100 feet over the mountain. This diagram which I pulled out of the FAA manuals refers to as a Class A pole which I believe we are talking about here. There are no requirements for a light below 200 feet unless they believe it will be a visual obstruction. There may be lighting requirements and the type of lighting requirements is laid out here. His concern is with the paint scheme that the FAA may require, and at what point will the public know what the colors are going to be.

Chair Taylor closed for public comment.

Commissioner Waldrip asked our approval will be based on what we have imposed as conditions which is a non-reflective finish on the project, so the FAA can come back and say you need to do this and this. Would that come back to us? Director Grover replied yes if comes back contrary to what you approved; they will need to come back.

**MOTION:** Commissioner Howell moved to approve CUP 2017-21 conditional use permit for Verizon Wireless Cell Tower located at Powder Mountain Ski Resort in the Ogden Valley Destination Recreational Resort Zone (DRR-1); for a public utility substation. This petition is subject to all conditions and recommendations listed in the staff report and all county and state agencies requirements including the FAA. This motion is based on the findings listed in the staff report.

**FRIENDLY AMENDMENT:** Commissioner Waldrip the recommendation is based on non-reflective finish on the tower pole and any lighting or other changes made by the FAA would have to come before this body again.

Courtland Erickson referred to the Rules of Order; "A Friendly Amendment is an amendment that makes no substantive changes that is minor technical amendment appropriate changes or correction." That doesn't require a formal motion

and nobody objects it can be amended just like that, and it doesn't require a second. If someone objects to it then the request dies. An amendment other than friendly amendment, such as Commissioner Waldrip's requested amendment, does require a second, and a vote to amend the original motion. I don't think that was a friendly amendment.

Chair Taylor said I would like a second for this second motion. Commissioner Warburton seconded. Chair Taylor asked legal if the second motion needed to be voted on first. Mr. Erickson replied I would vote on the motion to amend the original motion first because that way you will have just one motion in front of you. If that motion dies, then you go back to the original motion. Chair Taylor said let's close up the second amended motion. Commissioner Lewis said he wanted to add that red and white lights could be non-reflective and should include galvanized in your verbiage.

Chair Taylor said we have a second so at this point, let's call for a vote to get rid of this motion, and put a different one more specific on the table. All in favor say aye, all oppose say nay. Commissioners Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted nay. Motion Carried (6-0) Chair Taylor said let's consider a new motion.

**MOTION:** Commissioner Waldrip moved to approve CUP 2017-21 for Verizon Wireless Cell Tower located at Powder Mountain Ski Resort in the Ogden Valley Destination Recreational Resort Zone (DRR-1); for a public utility substation, to include the galvanized finished to the main pole and any changes from the FAA would come back. This petition is subject to all conditions and recommendations listed in the staff report and all county and state agencies requirements. This motion is based on the findings listed in the staff report. Commissioner Warburton seconded.

**AMENDED MOTION:** Commissioner Waldrip moved that we add as conditions non-reflective galvanized finished to the main pole and that any changes required by the FAA on lighting would come back before this body. Commissioner Warburton seconded. A vote was taken with Commissioners Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted aye. Motion Carried (6-0)

**VOTE:** A vote was taken on the original motion as amended with Commissioner's Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted aye. Motion Carried (6-0)

**2. UVT041718: Consideration and action for preliminary subdivision approval of the Trapper's Ridge at Wolf Creek PRUD Phases 7a & 7b at 5800 East Big Horn Parkway in the Residential Estates (RE-15) Zone. (Eden Village, LLC/Russ Watts, Applicant)**

Director Grover said this is an administrative item that's in the RE-15 Zone. You are looking at preliminary approval and would recommend that you take public comment on this. Ms. Kippen will explain the project and the applicant is not here, and you can proceed into that as well.

Ronda Kippen said this is a recommendation for preliminary approval of Trappers at Wolf Creek PRUD Phases 7a and 7b, and the original approval was done in 2002. Trappers at Wolf Creek PRUD Phase 7a consists of 10 lots on 3.35 acres. Trappers at Wolf Creek PRUD Phase 7b consists of 10 lots on 4.21 acres. Both phases will front and gain access along "Big Horn Parkway" a public right-of-way. Phase 7a includes two common areas. Common Area A is approximately 25,180 sq. ft. and surrounds the building envelopes of Lots 130 through 133. Common Area B is approximately 33,604 sq. ft. and surrounds the building envelopes of Lots 134 through 139. Phase 7b has one common area, identified as Common Area A which consists of approximately 154,120 sq. ft. The developer will be providing an amendment to the current HOA articles, bylaws, and CC&R's for the existing HOA.

Ronda Kippen said staff feels that this development conforms to the Ogden Valley General Plan by encouraging development within the existing resort related areas. As for the PRUD, it is intended to allow for diversification in the relationship to various uses and structures to their sites and to permit more flexibility of such sites and to encourage new and imaginative concepts in the design of neighborhood and housing projects in urbanizing areas. Based on the allowed flexibility of a PRUD, the proposed layout, lot configuration and lot size are acceptable. A Natural Hazards Disclosure document will be required to be recorded to provide adequate notice of the geotechnical and geological recommendations to future property owners. The applicant has been approved through the PRUD process to have nightly rentals; the proposal does not include lock out sleeping rooms, and a note will be added to the plat to declare this subdivision approved for nightly rentals. The applicant will need to provide to the County Commission with a cost estimate to be reviewed and approved; and will also need to provide with a cash escrow to be held by Weber County for

the proposed improvements including the common area amenities prior to receiving final approval. There will be an escrow of 10% held until the one year warranty is up. Staff recommends preliminary approval of Phase 7a and Phase 7b with the recommendations and requirements listed in the staff report; based on the findings listed in the staff report. This is preliminary approval so we will see this again in the future.

Chair Taylor asked if there were any public comments, there were none.

**MOTION:** Commissioner Lewis moved to approve UVT041718 consideration and action for preliminary subdivision approval of the Trapper’s Ridge at Wolf Creek PRUD Phases 7a & 7b subject to all conditions, recommendations, and findings listed in the staff report, and to all county and state agency requirements. Commissioner Wood seconded. A vote was taken with Commissioner’s Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted aye. Motion Carried (6-0)

**3. UVF091916: Consideration and action for the final plat of The Fairways at Wolf Creek PRUD Phase 4 and 5 at 4200 North Sunrise Drive in the Forest Residential (FR-3) Zone. (Fairways @ Wolf Creek LLC, Applicant)**

Ronda Kippen said this is the final plat for Fairways at Wolf Creek PRUD Phases 4 and 5; this is located in the Wolf Creek Master Plan. We’ve had some conditional uses and agreements recently on the Fairways and all that we’ve been doing is getting development history so you can see the chain of events leading to this point. The Fairways at Wolf Creek Phase 4 consists of 16 lots on 9.25 acres. The Phase 4 proposal includes 3 common areas, from 1.34 acres to .129 acres, and Phase 4 will be able gain ingress from the current parcel #22-017-0012. That property is giving access to the Bridges and there is discussion that some day that road will connect into 4100 north to provide ingress/egress access to the North Ogden Divide so there will be an alternative route to the Ogden Valley. They have access from Sunset Divide and Patio Divide. Phase 5 consists of 15 lots and will be able to gain egress based on the roadways; this will consist of 4 common areas, and the developer will maintain the care within the development. Phases 4 and 5 will maintain a separate HOA formulating articles and bylaws. The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort related areas. The property is located in the Forest Residential Zone described as the FR-3 Zone. The purpose and intern of the FR-3 Zone is identified in LUC 104-17-1, and is intended to be used in mountain locations in areas associated with major recreational resorts. With PRUD’s the only way they need to bring a landscaping plan if it is drastically different from the approved original landscape plan. There were some differences with the Trapper’s where they gained Phases 7a and 7b; in Phase 8 where it was broke out will require a different landscape plan.

Ronda Kippen said we varied this part of the Fairways to allow for some larger homes on these sites. In the FR-3 Zone the minimum lot area is 6,000 sq. ft.; the proposed lots in Phase 4 vary in size from 9,889 sq. ft. to 22,664 sq. ft. The lot width varies from approximately 73 feet to 161 feet. The final plans that have been submitted include the approved minimum yard setbacks listed in the staff report; and Lots 1-4 in Phase 4 and Lots 22-26 received approval reduction from the County Commission in Amendment 3. Based on the allowed flexibility of a PRUD, the proposed layout, lot configuration, and lot sizes are acceptable. Prior to the application being forwarded to the County Commission, the applicant will need to provide the County with a cost estimate to be reviewed and approved; the applicant will also need to provide to the County with a cash escrow to be held by Weber County for the proposed improvements including the common area amenities prior to receiving final approval of the subdivision. Staff recommends approval of the final subdivision for The Fairways at Wolf Creek PRUD Phase 4, and The Fairways at Wolf Creek PRUD Phase 5. This recommendation for approval is subject to all review agency requirements listed in the staff report and recommendations are based on the findings listed in the staff report.

Chair Taylor asked if there were anyone for public comments, there were none.

**MOTION:** Commissioner Waldrip moved to approve UVF091916 for the final plat of The Fairways at Wolf Creek PRUD Phase 4 and 5 at 4200 North Sunrise Drive in the Forest Residential (FR-3) Zone based on the findings in the staff report; including staff recommendations and other conditions listed in the staff report as proposed. Commissioner Lewis seconded. A vote was taken with Commissioner’s Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted aye. Motion Carried (6-0)

**3. Elections:** Chair and Vice Chair for 2018

**MOTION:** Commissioner Warburton nominated Chair Taylor for Chair for 2018. Commissioner Waldrip seconded.

**DISCUSSION:** Commissioner Lewis said that he had the privilege of being chair, and it is a lot harder than it looks, and you make it look really easy. I have been impressed with your first year running and we are really lucky to have you. A vote was taken with Commissioner's Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted aye. Motion Carried (6-0)

**MOTION:** Commissioner Howell nominated Commissioner Waldrip for Vice Chair for 2018. Nomination died due to lack of second.

**MOTION:** Commissioner Warburton nominated Commissioner Lewis for Vice Chair for 2018. Commissioner Waldrip seconded.

**DISCUSSION:** Commissioner Howell said that he felt that Commissioner Lewis did a good job being Vice Chair, but Commissioner Waldrip would be equally as good being Vice Chair. Commissioner Warburton said she had a similar situation where she was voted for one, and I didn't want it and nominated someone else. Chair Taylor said Commissioner Lewis has done a great job, and not nominating him a second year may show a lack of confidence. A vote was taken with Commissioner's Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted aye. Motion Carried (6-0)

**4. Meeting Schedule & Information List:** Approval of the 2018 Meeting Schedule and Member Information List

**MOTION:** Commissioner Warburton moved to approve 2018 meeting schedule and member information list. Commissioner Howell seconded. A vote was taken with Commissioner's Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted aye. Motion Carried (6-0)

**5. Rules of Order:** Approval of the Rules of Order.

**MOTION:** Chair Taylor moved to approve the Rules of Order. Commissioner Waldrip seconded. A vote was taken with Commissioner's Warburton, Howell, Lewis, Waldrip, Wood, and Chair Taylor voted aye. Motion Carried (6-0)

Courtlan Erickson gave a brief training on rules of order in reference to motions and ex parte communication. There was a brief discussion. Mr. Erickson said if a person is bringing an application before you, that is to be decided based on whether or not the person is entitled to approval based on the current ordinances it's administrative; if the application would require some kind of change to our ordinances; including our zoning map change then it's legislative.

**6. Public Comment for Items not on the Agenda:** Ron Gleason reminded everyone about the Moonlight Glide that would be on Saturday at North Fork Park. There would be representatives from Starry Night doing awareness and education on dark skies lighting. About Dark Skies, there was a general session of Utah Government that started this week. There is a motion SCSR2 by where he has submitted a resolution encouraging the use of shielded light fixtures on outdoor lights. It is at the state level and we feel we can use that to create awareness and see if we can get this passed. He asked Director Grover about the presentation made earlier and asked if the public could get more information with the number of permits between two Planning Commissions. Director Grover replied to go online on the County Commission packets and obtain the information there. His second question for Director Grover was it's been 18+ months since they started the Water Budget/Water Study and he wanted to know about an update. Director Grover replied that was supposed to be finished a year ago; the last time we talked in November, and we're trying to get traction in other ways and this should have been done.

**7. Remarks from Planning Commissioners:** Chair Taylor thanked everyone for their vote to have another term as chair.

**8. Planning Director Report:** Director Grover said have an intern/Weber State student that is working in our department pro-bono. She is doing the Dark Sky inventory at night, and we have it mapped out. Currently she is doing commercial areas in identifying and taking pictures of which ones are in compliance and which are not. We are going through that inventory, and also part of the Dark Skies, and the commission asked us to do education. We have a brochure that we are handing out to the builders when they come in; and she is making that more elaborate and more detailed. We also are having her working on Agri-tourism, and the areas that are using agri-tourism, and having that in different hotels to

encourage people to go out and participate in the Agri-tourism that are out there. She is also working on code enforcement in the back woods area and she is doing it on Google Earth identifying things.

9. **Remarks from Legal Counsel:** None

10. **The meeting was adjourned at 8:20 p.m.**

Respectfully Submitted,

Kary Serrano, Secretary;  
Weber County Planning Commission



Minutes of the Ogden Valley Planning Commission Work Session meeting for February 6, 2018, in the Weber County Commission Chambers, Break-out Room 308, commencing at 5:00 p.m.

**Present:** Jami Taylor, Chair; Laura Warburton, John Howell, John Lewis, Chris Hogge, Stephen Waldrip

**Absent/Excused:** Robert Wood

**Staff Present:** Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary

**Guest:** Commissioner Ebert

**WS1. DISCUSSION: Modifications to the Cluster Subdivision ordinance to amend open space requirements and provide clarifications.**

Charlie Ewert said we're going to start off by discussing the cluster subdivision ordinance and the revisions to that. In the memo I explained in the attached documents the highlighted in blue is new language; all the red lines and blue lines that is not highlighted you have already seen. The Western Weber Planning Commission when they had their last work session, they had a number of questions and people came and participated. The cluster code tries to set something up where we talked about it; and Western Weber individually one acre held preservation parcel. They want to see that go up to five acres with a combination of ten contiguous acres, and that doesn't mean that it's going to be agricultural tract. In fact in talking with some developers, it's pretty common to say this is our open space because it's unusable. Maybe there is a way we can focus on clustering around quality agricultures soils and do clustering that are capable of being irrigated. I have been working on research, soil sampling, to try and figure out what it's going to take. My thought is if somebody submits a cluster subdivision concept, they should submit it with a soil map with an analysis of soils analysis that they have on their ground. Their cluster subdivision should not force them to do crop production, but to preserve long term open spaces that can actually support crop production if they decide to do so in the future.

Commissioner Waldrip said that seems challenging to me, because the reality of laying something out and the whole point of the cluster idea is concentration of infrastructure savings and all of that. I would have to see how it applied because those could be a cross board decision very easily. You have this cluster ordinance that already establishes this direction for development and if you overlay it with something else that may or may not and how do you resolve that conflict and what happens then.

Commissioner Lewis said I wouldn't mind encouraging somebody to do that but as soon as you say you have to, but who knows what the right place to put a house in versus the cow.

Commissioner Waldrip there's another layer of investigation with your soils and I have no idea how much it costs to test the soils, how big of the area that you're testing, and what's the frequency. Mr. Ewert replied in working with the USU Extension to figure out exactly how to answer those questions. Let me navigate you through this as you think about the architecture how the cluster previously describe and most of that is going out, if it's possible to design around cluster soils. If it's not possible then maybe we need to have a way to clusters and decide around cluster.

Commissioner Warburton said as I was reading this, I noticed that we were talking about bonus density and we have to insert that into the code. How do we determine that, so I think in the old code that exists you have some means of we want bonuses and how do we achieve that through TDR's like we do and that would be great. But this is big and overreaching and would require and be difficult to manage. I would defer to the developers and it would be an extra cost to the developers. Mr. Ewert said that out west he is working with a couple of developers who loved the idea; primarily because out west is in an area with close community. My question of the Ogden Valley who is seeking open spaces for the sake of agriculture; we have an agricultural zone, and at what point does that get built up with houses where the open space can't be farmed.

Director Grover added when it comes down to it, I didn't see too many clusters up in the valley just because there is no bonus density associated with it. The PRUD's is the only avenue that they have and this is taken out but the clusters are not. We really need to have one made but right now there is not. I would own the bonus densities that we have now has some terrible language that's in the current ordinance. It says you get bonus density by meeting the current purpose and intent, and you should already be meeting that, and these are things that need to be spelled out more and defined that.

Commissioner Hogge asked if we're talking about agricultural space being preserved through a cluster arrangement, there has to be the water that needs to be attached there and not being prevented from being used by the development or it won't be agriculture. Commissioner Warburton said you mentioned that in here, it's good and I like that part of it.

Charlie Ewert said as far as the agricultural preservation that's just in the AV-3 Zone as it applies to the Ogden Valley, everything else would just be whatever any another other cluster you can cluster around the wildlife, the vegetation, or anything that you can cluster. Commissioner Waldrip asked an agricultural preservation easement and open space exempt from property tax. The answer was no. Commissioner Waldrip added if it's dedicated open space. Mr. Ewert replied if its common area it is not taxed; open space is taxed but it's the lesser amount of the agricultural rate. Commissioner Warburton said you have to be in conservation and it doesn't have a Green Belt.

Commissioner Waldrip said conservation easement is not what we're talking about here. Commissioner Warburton said it could be a bonus if it would be put into an actual conservation easement. Commissioner Lewis said like a PRUD, HOA, common spaces are not taxed, if a subdivision with open space is. Mr. Ewert said it's not taxed; it's just transferred to those units.

Miranda Menzies said it's not taxed, the HOA we don't pay tax on the road and basically we with have five parcels. In general, the HOA don't pay taxes except for club houses. Director Grover replied most of it you do not, but there is a club house and things like that, there is a different assessment on those things, but it depends on the amenities but typically they don't.

Commissioner Lewis said for the most part you'll end up with these big pieces of land with taxes; there is no additional incentive to farm that farm.

Charlie Ewert went through Section 101-1-7 – Definitions and explained the updated information. There was a brief discussion between staff and the commissioners in reference to soils and open space.

Ron Gleason said on the definition of agricultural soils it may be useful if you talked to USDA. When the Huntsville fish company pressurized a five years ago, parcels of land were able to get grants for various types of irrigation equipment and that based on types of soils that were there that could be preserved or could be developed for crop. The USDA had a well fund program and a well-defined definition of that which would allow parcel owners to get certain types of grants and in some cases 100% funding that you see in the valley. The one thing that I would hate to see is have open spaces that aren't contained and turn into weed.

Miranda Menzies said on definitions, you have lot of posture is the area that is being considered. As far as I am aware lot of soils depend on soils, and lot of parcel is simply not big enough that a piece of property could possibly be enough, and maybe a group of parcels that an agricultural lands that should be addressed as the whole thing. In many cases up in the benches of the valley I am not sure we have prime agriculture soils anywhere on those parcels. As far as your comments on the HOA is required for a cluster subdivision. Mr. Ewert replied if there is common area dedicated to the HOA. Director Grover added if it's not then we have a separate parcel with a tax id on it.

There was a brief discussion between staff and the commissioners on TDR's and bonuses.

Charlie Ewert said Section 108-3-1 no changes. Section 108-3-2 some minor changes. Section 108-3-3 added Supplemental subdivision procedural requirements. This is still part of a subdivision and the subdivision code still applies. Section 108-3-4 added Residential Cluster subdivision and layout standards. Jump down to General lot, street access and amenity design and layout standards. He reviewed the standards to sub-sections a, b, and c. There is a brief discussion between staff and the commissioners on these sections.

Charlie Ewert said Section 108-3-5 Open space plan. If you want to amend your open space plan, that was used to base the approval of the cluster subdivision, you may have to amend the cluster subdivision. This is being removed and your open space is open space and you can amend that at any time that conforms to this code without amending your subdivision. He reviewed the changes to the open space development. There is a brief discussion between staff and the commissioners on these sections.

Charlie Ewert said Section 108-3-7 Lot development standards, this is already been reviewed, and there were no new changes. There was a brief discussion on this section.

Charlie Ewert said Section 108-3-8 Bonus density. No bonus density is allowed in the Ogden Valley, and that is what is current in ordinance. There was a brief discussion on this section between staff and the commissioners in this section.

**WS2. DISCUSSION: Modifications to the Planned Residential Unit Development (PRUD) ordinance to make a decision on a PRUD, a legislative – not administrative – action.**

Charlie Ewert said up in the valley there was a proposal to change the PRUD zone to allow a different type of PRUD. The concern that the Planning Commission expressed that the PRUD code is so open ended, and it's an administrative decision through a conditional use permit. We can't deny it, its open ended, so how are we going to tell somebody "no" that really doesn't mean the intent of the general plan. The proposal is to take it from administrative to legislative. Go to Page 71, Section 108 – Standards – Chapter 5. This was taken out and moving it to Line Item 177 – Chapter 30 – Planned Residential Unit Development (PRUD) Overlay Zone. It's moving from Section 108 to Section 104 Zones – Overlay Zone. We're trying to make this an enabling zone, Enabling PRUD Master Plan Community to exist by County Commission action through Planning Commission recommendation. After a brief discussion with Planning Commission and staff, it was suggested that County Commission be the approving body. Mr. Ewert said he would continue working on this and will bring this back.

**WS3. DISCUSSION: Modifications to the definition of "Height of Building" and additional clarification regarding standards and regulations governing the height of a building and Public Utility Substation.**

Charlie Ewert said the next one is on "height" and we talking a little bit about cell tower aesthetics. How would you feel if we only requested the aesthetics within a quarter mile of those village zones in our general plan map as opposed to requiring it everywhere? One of the concerns that Western Weber Planning Commission brought was right now you have a cell tower, and you are so used to seeing them like a telephone pole, you don't actually see it. But if you turn it to a water tower or a clock tower, then all of a sudden it's something to look at. Director Grover asked do we want to provide these features throughout the area that just creates a lot of clutter. After a brief discussion with the Planning Commission and staff; Mr. Ewert suggested having some kind of waiver and the Planning Commission liked that idea.

4. **Public Comment for Items not on the Agenda:** None
5. **Remarks from Planning Commissioners:** None
6. **Planning Director Report:** None
7. **Remarks from Legal Counsel:** None
8. **Adjournment:** The meeting was adjourned at 7:15 p.m.

**Respectfully Submitted,**



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



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and/or action on a conditional use permit for Pineview RV and Boat Storage.  
**Agenda Date:** Tuesday, February 27, 2018  
**Applicant:** Scott Kjar, Owner  
**File Number:** CUP 2017-23

### Property Information

**Approximate Address:** 650 S 7800 E Huntsville, UT 84310  
**Project Area:** 1.59 acres  
**Zoning:** Commercial Valley - 2 Zone (CV-2)  
**Existing Land Use:** Vacant  
**Proposed Land Use:** Self Storage/RV and Boat Storage  
**Parcel ID:** 24-018-0003  
**Township, Range, Section:** T6N, R2E, Section 18 NE

### Adjacent Land Use

<b>North:</b>	Agricultural	<b>South:</b>	Commercial
<b>East:</b>	Agricultural	<b>West:</b>	7800 East

### Staff Information

**Report Presenter:** **Tammy Aydelotte**  
taydelotte@co.weber.ut.us  
801-399-8794  
**Report Reviewer:** RK

## Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Weber County Land Use Code Title 104 Chapter 21 (CV-2 Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 7 (Parking Lot Design and Maintenance)
- Weber County Land Use Code Title 108 Chapter 2 (Ogden Valley Architectural, Landscape, and Screening Standards)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)

## Summary and Background

The applicant is requesting approval of a conditional use permit for Pineview RV and Boat Storage, a self storage facility, intended to provide secure, covered storage units to house a variety of recreational vehicles, as well as provide for other personal storage, located in the CV-2 zone at 650 S 7800 E, Huntsville, UT, 84310. The CV-2 Zone allows a "self storage, indoor units for personal and household items" as a conditional use.

The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews.

## Analysis

**General Plan:** The proposal conforms to the Ogden Valley General Plan by directing new commercial development to Huntsville (pg. 25 Ogden Valley General Plan, Commercial Development Goal 1). As a conditional use, this operation is allowed in the CV-2 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

**Zoning:** The subject property is located within the Commercial Valley (CV-2) Zone. The purpose of the CV-2 Zone can be further described in LUC §104-21-1 as follows:

- (a) *The purpose of the CV-1 and CV-2 zones is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of the Ogden Valley in unincorporated Weber County. It is also to separate, into two commercial zones, uses based upon the type of activity which are compatible and complementary, as well as the intensity of land utilization and accessory use needs.*
- (c) *The CV-2 Zone (General Commercial) has been established for the purpose of providing a broad range of commercial services and goods to serve a larger region of the county like the Ogden Valley. Areas with CV-2 zoning have a principal patronage which originates throughout the Ogden Valley or is due to recreation in the Ogden Valley. CV-2 areas are to be a commercial hub or node of activity. These areas, as outlined in the General Plan, are to be near the traditional town centers of the Ogden Valley and not to be strung out along the highways. Uses in the CV-2 Zone may provide goods and services not typically found amongst commercial areas within resorts including automobile sales and service, sporting goods, service stations, hotels, and professional offices.*

The applicable standards are as follows:

- Minimum front yard setback: 20 feet
- Minimum side yard setback: None, except 10 feet where a building is adjacent to a forest, agricultural, or residential zone boundary
- Minimum rear yard setback: None, except 10 feet where a building is adjacent to a forest, agricultural, or residential zone boundary
- Maximum height: 35 feet
- Maximum lot coverage: 60% of lot area by buildings or accessory buildings

**Conditional Use Review:** 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.

**Design Review:** The CV-2 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:** The proposal includes a site plan that identifies the location of the proposed buildings and the location of future and existing parking spaces that will provide adequate parking for customers.

LUC §108-8-4 outlines parking regulations. Self storage is not a listed use. The chapter states the following for uses not listed:

*Where uses not listed above, the parking requirements shall be established by the planning commission based upon a reasonable number of spaces for staff and customers, and similar requirements of like businesses.*

LUC §108-8-7(6) further states:

*All private parking facilities must be improved with a hard surface such as concrete or asphalt and must be sloped and graded to prevent drainage of storm water onto adjacent properties.*

Staff feels that two customer parking spaces located at the east side of the proposed storage facility, will be adequate for the proposed use. All parking must be hard surface. Access to the proposed structures will be gained from 7800 E (see exhibit B). If the planning commission feels additional parking is required, a condition of approval must be added to staff's recommendation.

*Considerations relating to landscaping.* After reviewing the proposed site plans, it has been determined that the proposed landscaping meets the requirements as outlined in LUC §108-2.

*Considerations relating to buildings and site layout.* The proposed buildings meet the site development standards of the CV-2 Zone, including preferred building colors. As such, the applicant has been made aware that smooth CMU's are not allowed on street sides of buildings (LUC §108-2-4(2)). The proposed parking area is currently located at the east end of the property. The applicant has proposed implementing some natural screening in the form of landscaping along both the north and south ends of the property. The

*Considerations relating to utility easements, drainage, and other engineering questions.* The applicant will need to adhere to all conditions of the Engineering Division including but not limited to recommendations regarding retention ponds and a SWPP.

*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.

Review Agencies: To date, the conditional use permit has been approved by the Weber Fire District. Weber County Engineering has reviewed, but not yet approved this project. All review agency requirements must be addressed and completed prior to the conditional use permit being issued.

Additional Design Standards: Additional standards and requirements from reviewing agencies, including the Weber County Engineering Division must be fulfilled before the recording of the final plat.

Tax Clearance: 2017 property taxes have been paid in full. 2018 property taxes are due in full November 30, 2018.

## Staff Recommendation

Staff recommends approval of the Pineview RV and Boat Storage conditional use permit subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agencies and is based on the following conditions:

- Parking will be located at the east end of the property, and must be improved with a hard surface such as concrete or asphalt.
- All driveways within the proposed facility will be comprised of ½" minus gravel.
- Landscaping will be located along the north and south property lines, as a natural screening.
- All proposed signage will adhere to sign regulation as outlined in LUC §110-2.
- All proposed lighting will adhere to lighting regulations as set forth in LUC §108-16.
- All street sides of the buildings along 7800 East may not have CMU's unless colored and textured.

This recommendation is based on the following findings:

- The proposed use is allowed in the CV-2 Zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

## Exhibits

- A. Application
- B. Site Plans

<b>Weber County Conditional Use Permit Application</b>			
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)
<b>Property Owner Contact Information</b>			
Name of Property Owner(s) <b>Pineview Investment LLC, a Nevada LLC</b>		Mailing Address of Property Owner(s) <b>19 West 1600 North Centerville, UT 84014</b>	
Phone <b>(801)979-9963</b>	Fax		
Email Address <b>wskjar7@gmail.com</b>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<b>Authorized Representative Contact Information</b>			
Name of Person Authorized to Represent the Property Owner(s) <b>W. Scott Kjar</b>		Mailing Address of Authorized Person <b>19 West 1600 North Centerville, UT 84014</b>	
Phone <b>(801)979-9963</b>	Fax		
Email Address <b>wskjar7@gmail.com</b>		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
<b>Property Information</b>			
Project Name <b>Pineview Boat &amp; RV Storage</b>	Total Acreage <b>1.59 acres</b>	Current Zoning <b>CV-2</b>	
Approximate Address <b>650 South 7800 East Huntsville, UT 84317</b>		Land Serial Number(s) <b>24-018-0003</b>	
Proposed Use <b>Self Storage Facility</b>			
Project Narrative <b>The proposed project will consist of 2 buildings comprising 16 storage unit bays. The two buildings will measure approximately 224' x 50' and 224' x 50'. The project will have 20% of its area dedicated to landscaping as required by the development ordinances and will have access from 7800 East (State Highway 39).</b>			

**Bests for Issuance of Conditional Use Permit**

That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the community.

**The proposed use will serve the needs of the Ogden Valley residents and many people who recreate on Pineview reservoir as well as the many people who snow mobile at the Monte Cristo / Hardware Ranch Snow Mobile recreational area. Currently there are very few large self storage units available that are able to accommodate large recreation vehicles, boats, trailers, and snow mobile trailers. Availability of these larger units will provide convenient access to the outdoor-minded citizens in Ogden Valley and will also serve to reduce the eye sore of outdoor storage of such recreational vehicles/units.**

**The extra large storage units that will be constructed on this parcel will have an extra wide center drive way that will allow ample space for the owners of one of these large recreational vehicles to drive in and out as well as providing convenient and quick access to Pineview reservoir activity area.**

**The Pineview Storage facility is less than a 3 minute drive to the launching areas at either Anderson Cove or Cemetary Point. It is also less than a 20 minute drive to the Monte Cristo/Logan Snow Mobile complex**

That such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, but will be compatible with and complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, landscaping and signs:

**Construction of the project will follow county guidelines mitigating any harm to the community. The neighboring uses to the project are commercial and/or storage uses. The facilities will be accessed from 7800 East in accordance with UDOT approvals. Minimal impact to traffic and safety issues are foreseen. Buildings will be in colors that are complimentary to the surrounding area.**



That the proposed use will not lead to the deterioration of the environment or ecology of the general area, nor will produce conditions or emit pollutants of such a type or of such a quantity so as to detrimentally effect, to any appreciable degree, public and private properties including the operation of existing uses thereon, in the immediate vicinity of the community or area as a whole:

SWPP Plan and best management practices will be implemented on site during construction. It is anticipated that there will be no deterioration of the environment of the area or emission of pollutants in the area during the construction or ongoing operation of the project.

**Property Owner Affidavit**

I (We), Pineview Investment LLC, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Pineview Investment LLC, a Nevada limited liability company

W. Scott Kjar  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

By: W. Scott Kjar, its Manager

Subscribed and sworn to me this 29<sup>th</sup> day of November, 2017



Notary Public  
**ERIC ROSE**  
Commission #880477  
My Commission Expires  
December 7, 2018  
State of Utah

ER  
(Notary)

**Authorized Representative Affidavit**

I (We), Pineview Investment LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s) W. Scott Kjar to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

W. Scott Kjar  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Dated this 29<sup>th</sup> day of November, 2017, personally appeared before me W. Scott Kjar the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.



Notary Public  
**ERIC ROSE**  
Commission #880477  
My Commission Expires  
December 7, 2018  
State of Utah

ER  
(Notary)

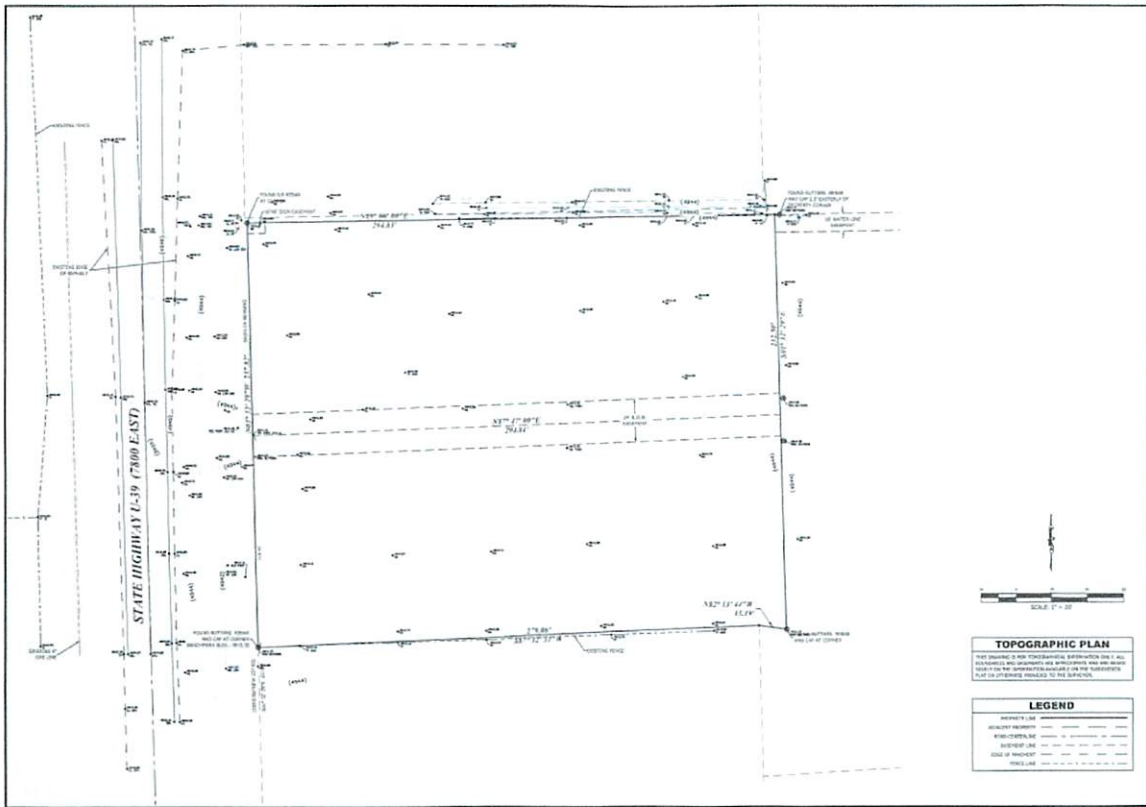
That the proposed use will comply with the regulations and conditions specified in this Ordinance for such use:

**The project provides additional storage units next to an existing storage facility. The site will include the required landscaping and will include "dark skys" outdoor lighting for security purposes. The site will also include landscaped area that will comprise approximately 20% of the total land area. Land Use Ordinance Sec 101-21-5 allows storage units. The site plan provides for two (2) paved hard surface parking stalls**

That the proposed use conforms to the goals, policies and governing principles and land use of the General Plan for Weber County:

**The conforms to the goals, policies, and governing principles and land use of the General Plan for Weber County.**





**TOPOGRAPHIC PLAN**  
 THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY. ALL DIMENSIONS AND LOCATIONS ARE APPROXIMATE AND ARE BASED UPON THE INFORMATION AVAILABLE ON THE SURVEY. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED TO THE CONTRARY.

**LEGEND**

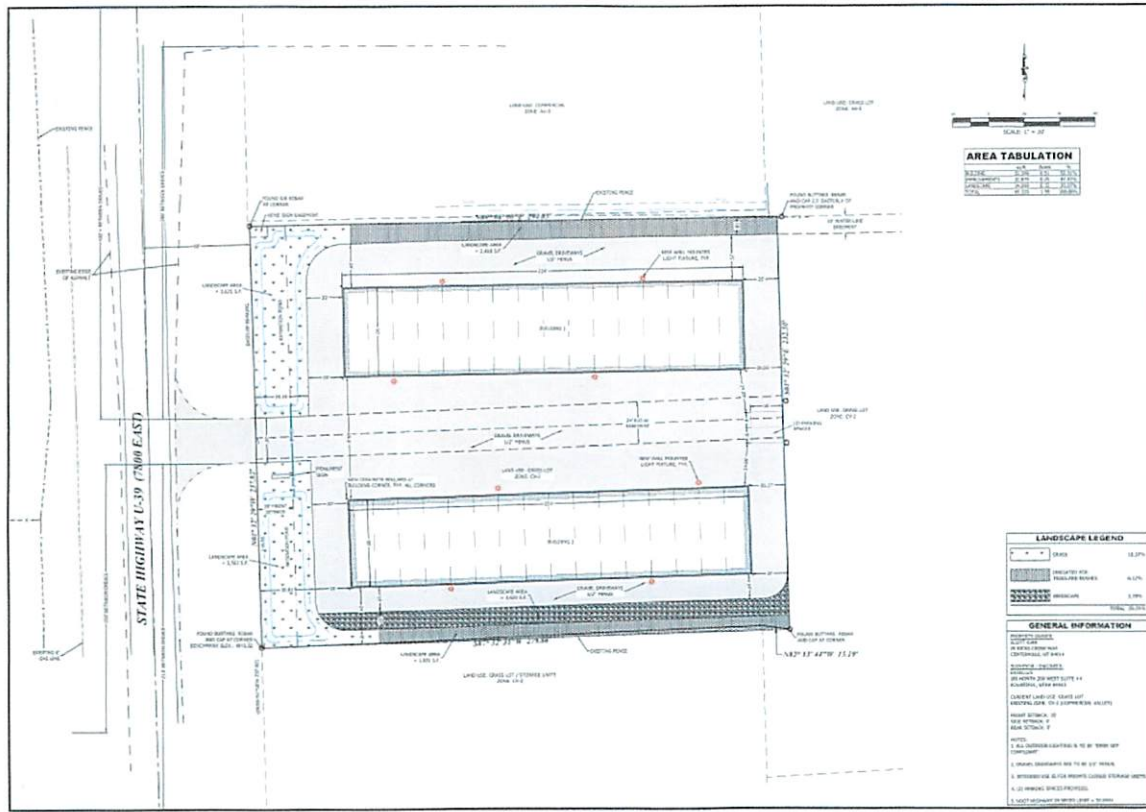
PROPERTY LINE	---
EXISTING ROADS	---
PROPOSED ROADS	---
BOUNDARY LINE	---
LINE OF PROPOSED	---
UTILITY LINE	---

111 South 200 West, Suite 101  
 Provo, UT 84601  
 Phone: 801.734.2276  
 www.entellis.com

**entellis**

**SCOTTKAR HUNTSVILLE STORAGE**  
 10000 S. STATE HWY. 39, UNIT 10, HUNTSVILLE, UT 84401  
 10000 S. STATE HWY. 39, UNIT 10, HUNTSVILLE, UT 84401

**C200**  
 10/20/2011



**AREA TABULATION**

AREA	AREA (SQ. FT.)	PERCENT
GRASS	1,111,111	18.2%
IMPERVIOUS AREA	5,555,556	91.8%
PERVIOUS PAVEMENT	1,111,111	18.2%
WOOD MULCH	1,111,111	18.2%
TOTAL	6,000,000	100.0%

**LANDSCAPE LEGEND**

GRASS	18.2%
IMPERVIOUS AREA	91.8%
PERVIOUS PAVEMENT	18.2%
WOOD MULCH	18.2%

**GENERAL INFORMATION**

PROJECT: SCOTTKAR HUNTSVILLE STORAGE  
 LOCATION: 10000 S. STATE HWY. 39, UNIT 10, HUNTSVILLE, UT 84401  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: 10/20/2011

111 South 200 West, Suite 101  
 Provo, UT 84601  
 Phone: 801.734.2276  
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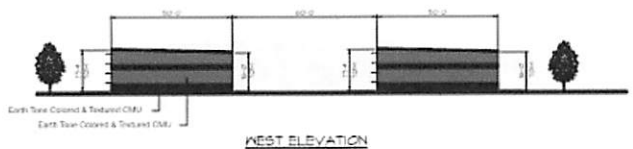
**SCOTTKAR HUNTSVILLE STORAGE**  
 10000 S. STATE HWY. 39, UNIT 10, HUNTSVILLE, UT 84401  
 10000 S. STATE HWY. 39, UNIT 10, HUNTSVILLE, UT 84401

**C400**  
 10/20/2011



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REVISION				
NO.	DESCRIPTION	DATE	APPROVAL	DATE



WEST ELEVATION



NORTH ELEVATION



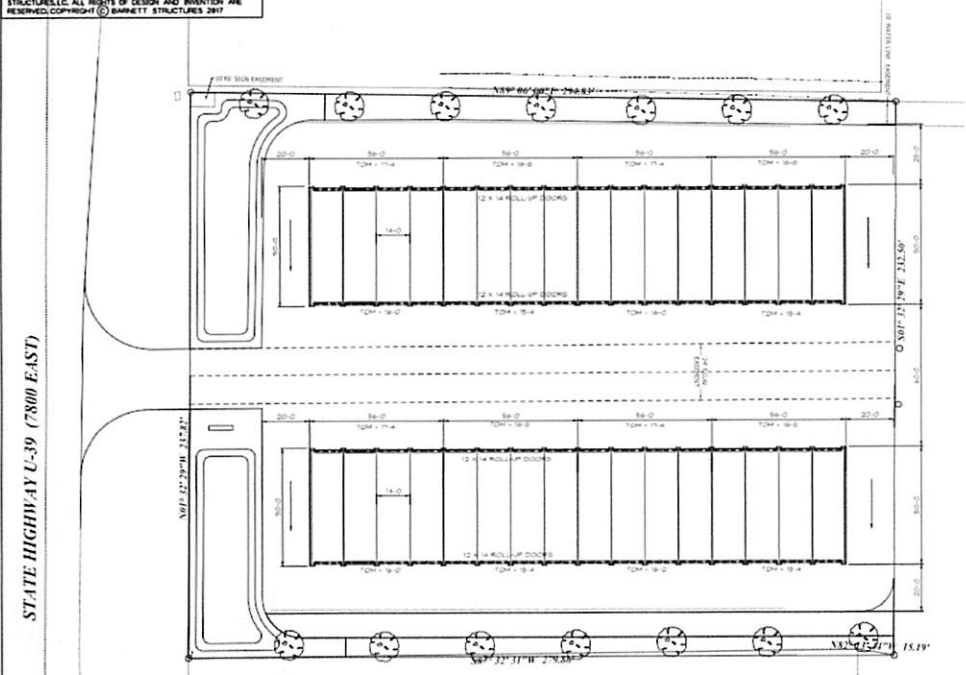
SOUTH ELEVATION

	PROJECT: HUNTSVILLE STORAGE LOCATION: HUNTSVILLE CITY, WEBER COUNTY, UTAH DRAWN BY: [Name] CHECKED BY: [Name] DATE: 11/26/17	BARNETT STRUCTURES COPYRIGHT ©	
	ELEVATIONS		
	SHEET: 1 OF 1 PROJECT: 1726 DRAWN: ELE		DATE: 11/26/17

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REVISION				
NO.	DESCRIPTION	DATE	APPROVAL	DATE

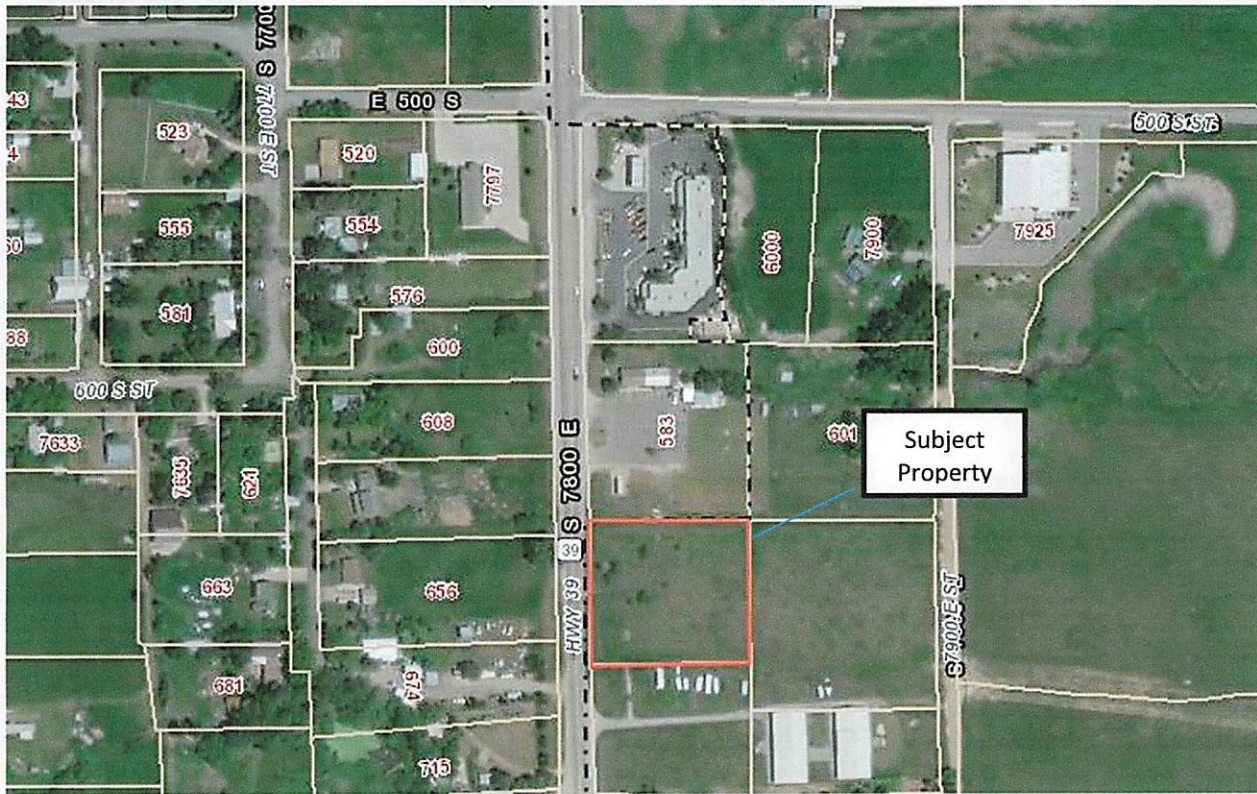


STORAGE LAYOUT  
32,400 SQ. FT.  
(32,174 x 50.21 FT.)

	PROJECT: HUNTSVILLE STORAGE LOCATION: HUNTSVILLE CITY, WEBER COUNTY, UTAH DRAWN BY: [Name] CHECKED BY: [Name] DATE: 11/26/17	BARNETT STRUCTURES COPYRIGHT ©	
	STORAGE LAYOUT		
	SHEET: 1 OF 1 PROJECT: 1726 DRAWN: SL		DATE: 11/26/17

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Map 1





# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action for the preliminary approval of Old Snow Basin Ranch Subdivision including the concurrent consideration and action of the Old Snow Basin Ranch Subdivision access via a private right of way requests for Lots 2-5.

**Application Type:** Administrative

**Agenda Date:** Tuesday, February 27, 2018

**Applicant:** Sunrise Oaks Capital Funds, LLC

**Authorized Representative:** Douglas Dance

**Subdivision File Number:** UVO013018

**Alternative Access File Number:** AAE 2018-01

### Property Information

**Approximate Address:** 5700 Snowbasin Road, Huntsville

**Project Area:** 136.64 Acres

**Zoning:** FV-3, F-5

**Existing Land Use:** Forest

**Proposed Land Use:** Residential

**Parcel ID:** 20-035-0021, 20-035-0059, 20-040-0005, 20-040-0006

**Township, Range, Section:** Township 6 North, Range 1 East, Section 23 & 26

### Adjacent Land Use

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

### Staff Information

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

**Report Reviewer:** SB

## Applicable Ordinances

- Title 101 General Provisions, Section 7, Definitions
- Title 104 Zones, Chapter 9 Forest Zones (F-5) Zone
- Title 104 Zones, Chapter 14 Forest Valley Zone (FV-3)
- Title 104, Zones, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Standards, Chapter 7 Supplementary and Qualifying Regulations, Section 29 Flag lot access strip, private right-of-way, and access easement standards
- Title 108, Natural Hazards Areas

## Background and Summary

The Planning Division recommends preliminary approval of Old Snow Basin Ranch Subdivision, a five lot subdivision including the concurrent consideration and action of the Old Snow Basin Ranch Subdivision access via a private right of way requests for Lots 2-5. The proposed subdivision is located at approximately 5700 Snowbasin Road Huntsville, UT and is in the FV-3 and F-5 zones (see Exhibit A). The lots are currently four metes and bounds parcels consisting of approximately 136.64 acres. Lot 1 will gain frontage and access off of Old Snowbasin Road. The proposed subdivision conforms to both the zoning and subdivision requirements including adequate frontage and access along a dedicated public road for Lot 1, with Lots 2 through 5 gaining access and frontage from an 18' private right of way that crosses Lot 1. The proposal meets the criteria for consideration of access by a private right of way for Lots 2, 3, 4 and 5; and all lots have adequate lot width, lot area and adequate setbacks, as required in the Uniform Land Use Code of Weber County (LUC).



The requests for an alternative access and the preliminary subdivision process have been thoroughly vetted and have received comments and/or approvals from all the applicable review agencies.

## Analysis

**General Plan:** The proposed subdivision adheres to the general plan by utilizing “subdivision tools that provide design regulations that decrease the required subdivision infrastructure, such as a decreased right-of-way or road cross section, in exchange for meaningful voluntary reductions of development units. Such decreased infrastructure should be privately owned”. (See page 15 in the 2016 Ogden Valley General Plan)

**Zoning:** The subject property is located in two separate zones. The majority of the development is located within the Forest Zones more particularly described as the F-5 zone. The purpose of the forest zones in the LUC §104-9-1 is:

*“The intent of the forest zones is to protect and preserve the natural environment of those areas of the county that are characterized by mountainous, forest or naturalistic land, and to permit development compatible to the preservation of these areas”*

The remaining area of the development is located within the Forest Valley Zone more particularly described as the FV-3 zone. The purpose of the Forest Valley Zone in the LUC §104-14-1 is:

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

**Lot area, width and yard regulations:** The site development standards for the F-5 zone require a minimum lot area of 5 acres and a minimum lot width of 300 feet. The proposal meets the minimum area and width per LUC §104-9-4. The property is currently vacant; upon construction of the future single family dwelling, the following minimum yard setbacks will be required:

Front Yard: 30'  
Side Yard: 20'  
Rear Yard: 30'

The site development standards for the FV-3 zone require a minimum lot area of 3 acres and a minimum lot width of 150 feet. The proposal meets the minimum area and width per LUC §104-14-5. The property is currently vacant; upon construction of the future single family dwelling, the following minimum yard setbacks will be required:

Front Yard: 30'  
Side Yard: 20'  
Rear Yard: 30'

**Ogden Valley Sensitive Lands Overlay Districts:** Two natural ephemeral streams are located along the northern boundary of the proposed subdivision (see Exhibit B). Due to the location of the streams it is not expected that the development will impact the streams however, the streams will need to be shown on the subdivision plat per LUC §106-1-5(a)(6). The stream corridor is considered an ephemeral stream and requires a 50' setback from the high-water mark per LUC §108-7-23. A condition of approval has been added to staff's recommendation for approval.

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC §106, and the standards in the F-5/FV-3 zones. The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. It appears that the proposed subdivision is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

**Culinary water and sanitary sewage disposal:** A feasibility letter from Weber Morgan Health Department has been provided for the wastewater disposal systems and a Water Allotment has been granted by Weber Basin for the proposed subdivision. Test pits are shown on Lots 1-3 (Phase 1), a condition of approval is recommended by staff that when the applicant moves forward with Lots 4 and 5 (Phase 2), the test pits will be shown on the final drawings as well as all soil test requirements set forth by the Weber Morgan Health Department. The feasibility letter regarding the wastewater disposal systems is dated December 2015; this letter has an 18 month expiration date from the date it was issued. A new letter will need to be provided as part of the final subdivision submittal. Both of these items have been made a condition of staff's recommendation for approval.

**Natural Hazards:** The proposed subdivision is located in a Zone “X” as determined by FEMA to be an area of minimal flood hazards and 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.

A geologic reconnaissance has been performed by GCS dated September 12, 2016, identified as File# 2016.11 Prop. Based on the findings in the report, it is recommended by the geologic engineer that a geologic and geotechnical study should be conducted before structural improvements are made. All lots within the development will need to be identified with an "N"; a note shall be added to the plat to notify the future property owners of the geologic reconnaissance on file with the Weber County Planning Division as well as the requirement of further geologic and geotechnical investigation prior to submitting for a building permit from Weber County.

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

Review Agencies: The proposed preliminary subdivision including the concurrent consideration and action of the access via a private right of way requests for Lots 2 through 5 has been reviewed and approved with conditions by the Weber Fire District. The Weber County Engineering Division and Weber County Surveyor's Office has reviewed the proposal and have made comments that will be addressed with the final subdivision submittal. A condition of approval has been added to ensure that all conditions of the review agencies have been met prior to recording.

Additional design standards and requirements: The proposed subdivision does have major slopes; however, the slopes do not exceed the allowable average 25% that would require additional slope stability analysis. Grading has been proposed for the access to the proposed Lots 2 through 5, as part of the request for access to a lot using a private right-of-way or access easement after demonstrating compliance with the criteria and conditions outlined in LUC §108-7-31(1)(c) which state:

*"Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions."*

The future Lots 2 through 5 will gain access across Lot 1 which fronts and gains access from Old Snowbasin Road by a 18' private right of way (see Exhibit A). As part of the considerations for granting access by a private right of way or access easement per LUC §108-7-31(2) the applicant will need to demonstrate that the *"lot/parcel has appropriate and legal access due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right;"* and requires that *"the landowner of record or authorized representative shall agree to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the county deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots. The agreement shall be in the form considered appropriate and acceptable to the office of the Weber County Recorder and shall recite and explain all matters of fact, including a lot/parcel boundary description, which are necessary to make the agreement intelligible and show its successive nature."*

A condition of approval that the required agreements will be recorded with the final Mylar to ensure that if, at any time in the future, the County deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve Lots 2 through 5 has been added to the staff's recommendations for approval. With the exception of the recommended conditions identified in this staff report, additional standards and requirements are unnecessary at this time.

Tax clearance: The 2017 property taxes have been paid in full. The 2018 property taxes will be due in full on November 30, 2018.

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

## Staff Recommendation

Staff recommends preliminary plan approval of Old Snow Basin Ranch Subdivision, a five lot subdivision including the concurrent consideration and action of the Old Snow Basin Ranch Subdivision access via a private right of way requests for Lots 2-5. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. Test pits as well as all soil test requirements set forth by the Weber Morgan Health Department must be shown on the final plat for Lots 4 and 5 when the applicant moves forward with the second phase of the development.
2. The feasibility letter regarding the wastewater disposal systems is dated December 2015; this letter will need to be updated as part of the final subdivision submittal.
3. All lots within the development will need to be identified with an "N" on the final subdivision plat.
4. A note shall be added to the plat to notify the future property owners of the geologic reconnaissance on file with the Weber County Planning Division as well as the requirement of further geologic and geotechnical investigation prior to submitting for a building permit from Weber County.
5. Upon recording the final subdivision Mylar a separate "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of the geotechnical and geological recommendations to future property owners.
6. All required agreements will be recorded with the final Mylar to ensure that if, at any time in the future, the County deems it necessary to have the landowner replace the 18' private right-of-way/easement with a street that would serve the additional Lots 2 through 5.

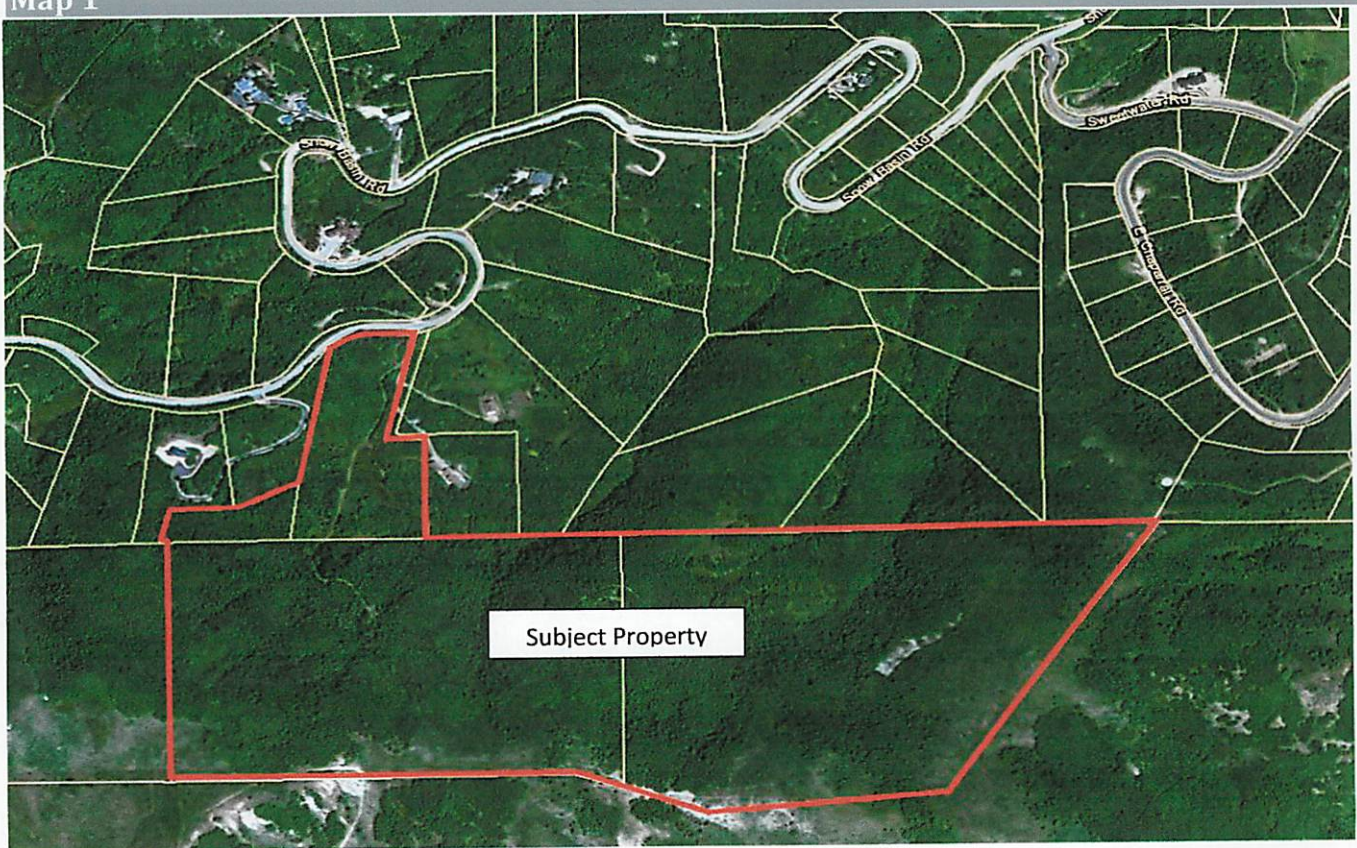
This recommendation is based on the following findings:

1. The proposed subdivision conforms to the 2016 Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies the applicable County ordinances.

## Exhibits

- A. Proposed Subdivision
- B. Ogden Valley Stream Corridor Map

Map 1





VICINITY MAP  
SCALE: NAC

**ZONE**

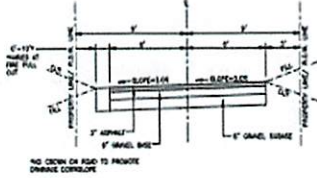
F-3 ZONE  
FRONT - 35 FEET  
SIDE - 30 FEET  
REAR - 31 FEET  
HEIGHT - 35 FEET

F-5 ZONE  
FRONT - 35 FEET  
SIDE - 30 FEET  
REAR - 31 FEET  
HEIGHT - 35 FEET  
ACCESSORY - 25 FEET

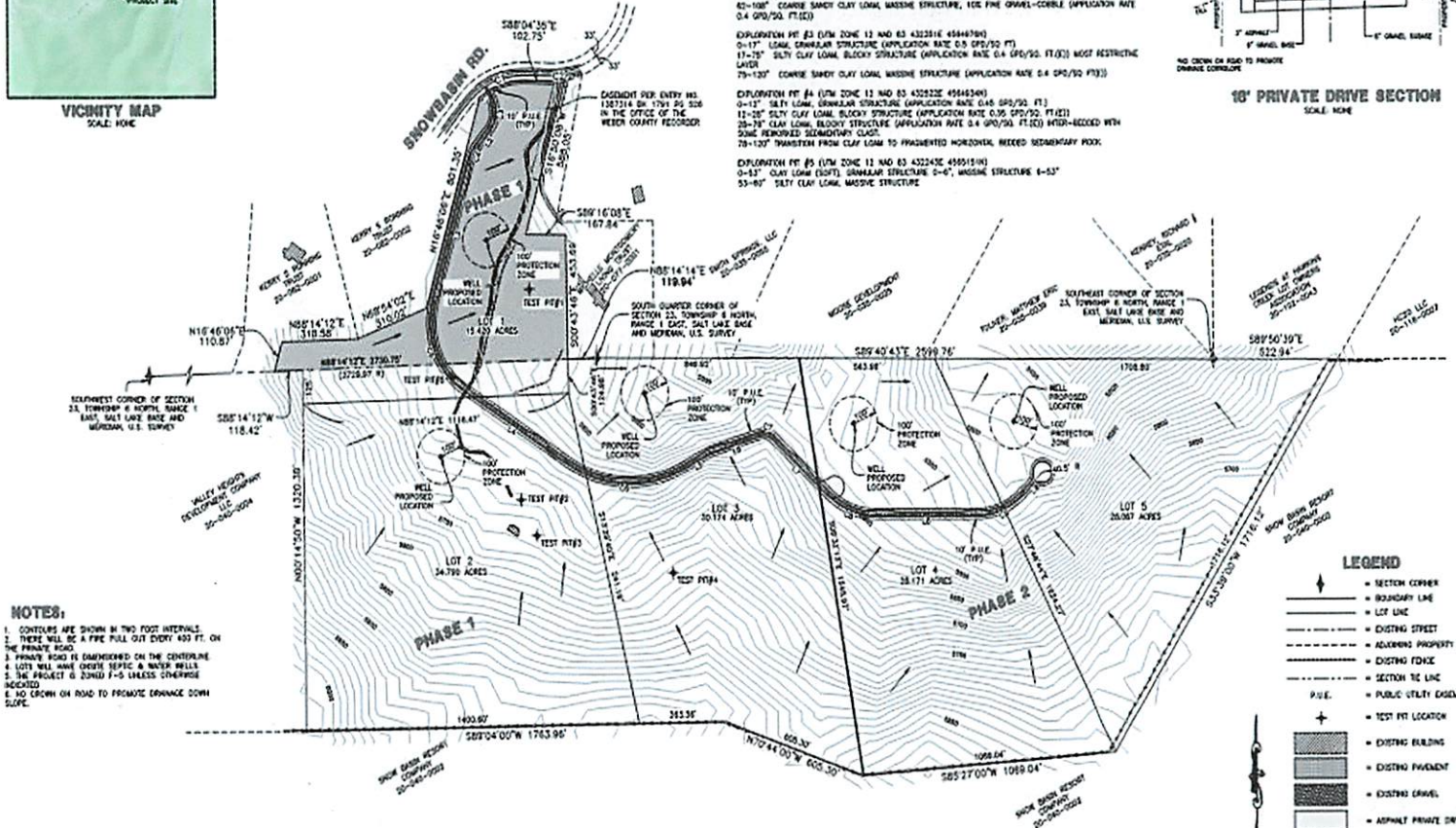
**EXPLORATION PITS**

AN EVALUATION OF THE SITE AND SOILS AT THE SITE USE CONDUCTED OCTOBER 10, 2013 & DECEMBER 8, 2013 AND REPORTED ON WOODRATER SITE AND SOILS EVALUATION #14264

- EXPLORATION PIT #1 (UTM ZONE 12 AND 83 432243E 455527N)**  
 0-12" CLAY LOAM, GRANULAR STRUCTURE (APPLICATION RATE 0.4 GPD/50 FT.)  
 12-33" SILTY CLAY LOAM, FRAGMENTARY STRUCTURE (APPLICATION RATE 0.30 GPD/50 FT.) MOST RESTRICTIVE LAYER  
 33-82" SILTY CLAY LOAM, BLOCKY STRUCTURE (APPLICATION RATE 0.4 GPD/50 FT.)  
 82-114" SPHERULY COARSE SANDY CLAY LOAM, MASSIVE STRUCTURE (APPLICATION RATE 0.4 GPD/50 FT.)
- EXPLORATION PIT #2 (UTM ZONE 12 AND 83 432233E 455519N)**  
 0-12" LOAM, GRANULAR STRUCTURE (APPLICATION RATE 0.3 GPD/50 FT.)  
 12-75" SILTY CLAY LOAM, BLOCKY STRUCTURE (APPLICATION RATE 0.4 GPD/50 FT.) MOST RESTRICTIVE LAYER  
 75-120" COARSE SANDY CLAY LOAM, MASSIVE STRUCTURE (APPLICATION RATE 0.4 GPD/50 FT.)
- EXPLORATION PIT #3 (UTM ZONE 12 AND 83 432232E 455487N)**  
 0-12" LOAM, GRANULAR STRUCTURE (APPLICATION RATE 0.3 GPD/50 FT.)  
 12-75" SILTY CLAY LOAM, BLOCKY STRUCTURE (APPLICATION RATE 0.4 GPD/50 FT.) MOST RESTRICTIVE LAYER  
 75-120" COARSE SANDY CLAY LOAM, MASSIVE STRUCTURE (APPLICATION RATE 0.4 GPD/50 FT.)
- EXPLORATION PIT #4 (UTM ZONE 12 AND 83 432232E 455453N)**  
 0-12" SILTY LOAM, GRANULAR STRUCTURE (APPLICATION RATE 0.45 GPD/50 FT.)  
 12-25" SILTY CLAY LOAM, BLOCKY STRUCTURE (APPLICATION RATE 0.30 GPD/50 FT.)  
 25-75" CLAY LOAM, BLOCKY STRUCTURE (APPLICATION RATE 0.4 GPD/50 FT.) MOST RESTRICTIVE LAYER WITH SOME REWORKED SECONDARY CLAY.  
 75-120" TRANSITION FROM CLAY LOAM TO FRAGMENTED HORIZON, HEAVY SECONDARY ROCK.
- EXPLORATION PIT #5 (UTM ZONE 12 AND 83 432243E 455515N)**  
 0-12" CLAY LOAM (SPT) GRANULAR STRUCTURE 0-4", MASSIVE STRUCTURE 4-52"  
 52-89" SILTY CLAY LOAM, MASSIVE STRUCTURE



16' PRIVATE DRIVE SECTION  
SCALE: NONE



**NOTES:**

1. CONTOURS ARE SHOWN IN TWO FOOT INTERVALS.
2. THERE WILL BE A PIPE PULL OUT EVERY 400 FT. ON THE PRIVATE ROAD.
3. PRIVATE ROAD IS DIMENSIONED ON THE CENTERLINE.
4. LOTS WILL HAVE DECREE SEPTIC & WATER WELLS.
5. THE PROJECT IS ZONED F-5 UNLESS OTHERWISE NOTED.
6. NO CROWN OR ROAD TO PROMOTE DRAINAGE DOWN SLOPE.

**CURVE TABLE**

STATION	ARC LENGTH	CHORD BEARING	CHORD LENGTH	PIECEWISE CURVATURE	CHORD BEARING	CHORD LENGTH
1+00.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+10.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+20.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+30.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+40.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+50.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+60.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+70.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+80.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
1+90.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00
2+00.00	10.00	N89°14'12\"/>	10.00	0.000000	N89°14'12\"/>	10.00

**LINE TABLE**

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	CHORD BEARING	CHORD LENGTH
1+00.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+10.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+20.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+30.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+40.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+50.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+60.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+70.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+80.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
1+90.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00
2+00.00	N89°14'12\"/>	10.00	10.00	N89°14'12\"/>	10.00

**LEGEND**

- SECTION CENTER
- BOUNDARY LINE
- LOT LINE
- DISTING STREET
- ADJOINING PROPERTY
- DISTING FENCE
- SECTION TIE LINE
- P.U.E. = PUBLIC UTILITY EASEMENT
- TEST PIT LOCATION
- EXISTING BUILDING
- EXISTING PAVEMENT
- EXISTING GRAVEL
- ASPHALT PRIVATE DRIVE
- ZONE F-3



Developer:  
Doug Dance  
(801) 787-9696

**Old Snow Basin Ranch Subdivision**

Weber County, Utah

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**Reeve & Associates, Inc.**

**IRA**

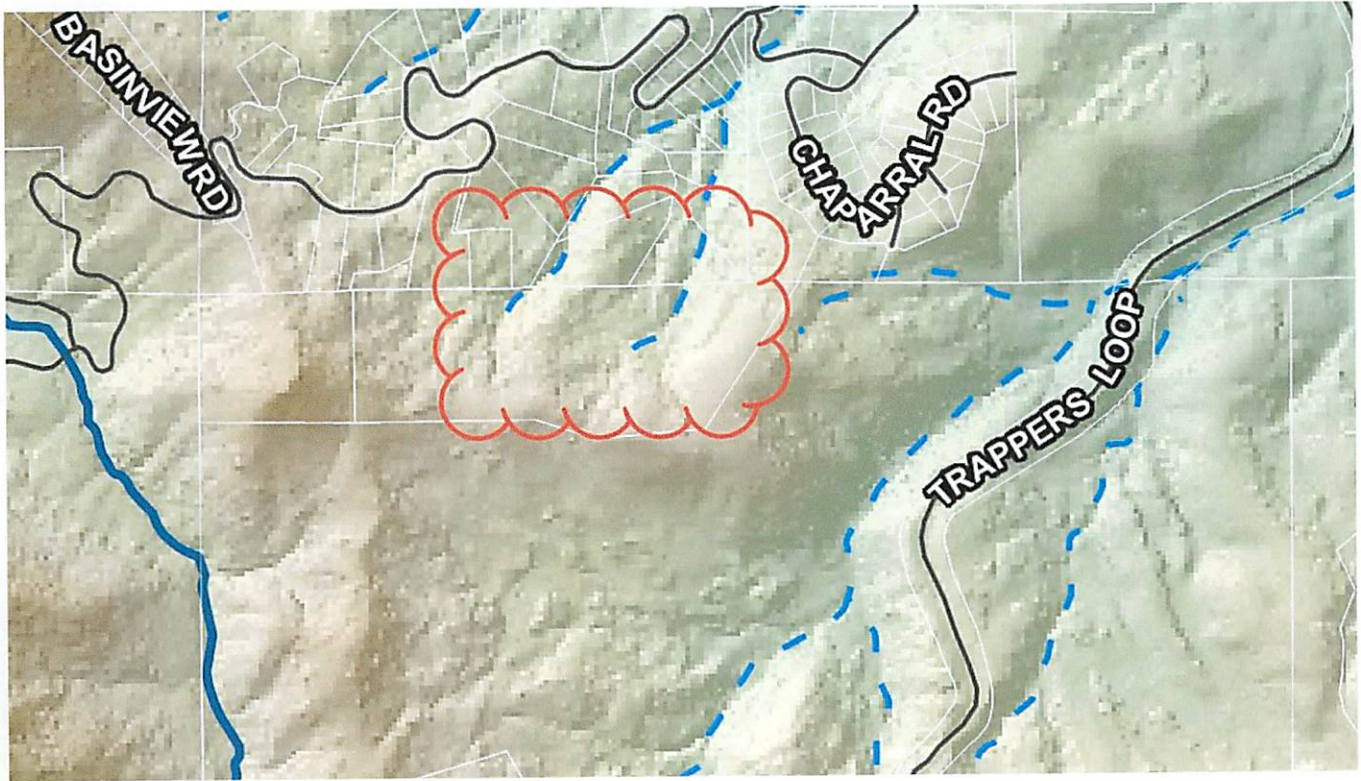
**Old Snow Basin Ranch Subdivision**  
PART OF SECTION 23, 24, AND 25, T4N, R10E, S14M, U.S. SURVEY  
WEBER COUNTY, UTAH

**Preliminary Plan**

Project Info:  
Owner: Doug Dance  
Designer: Doug Dance  
Scale Date: 1/2"=100' 12-20-17  
Name: Old Snow Basin Ranch Subdivision  
Number: 5542-01

Sheet: 1 of 1  
Sheets: 1

Exhibit B-Ogden Valley Stream Corridor Map



## MEMORANDUM

To: Ogden Valley Planning Commission  
From: Ronda Kippen, Principal Planner  
Date: February 27, 2018  
Subject: Work Session to discuss the temporary parking needs for Summit at Powder Mountain located within the Wolf Creek Master Development Area.

This is a follow up discussing from our work session meeting held on February 6, 2018 regarding an alternative location and layout. This discussion is being brought forward by Summit at Powder Mountain to address their temporary parking needs on the valley floor.



