



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** File Number CUP 2022-14 – Request for approval of a conditional use permit for seven recreation lodges located in the F-5 zone, at approximately 10909 E Hwy 39, Huntsville, UT.

**Agenda Date:** Tuesday, February 27, 2024

**Applicant:** Louis and Matthew Meyer, Owners

### Property Information

**Approximate Address:** 10909 E Hwy 39, Huntsville, UT, 84317

**Project Area:** 35.04 acres

**Zoning:** Forest Zone (F-5)

**Existing Land Use:** Residential

**Proposed Land Use:** Recreation Lodge

**Parcel ID:** 21-013-0002

**Township, Range, Section:** T6N, R1E, Section 14 SW

### Adjacent Land Use

<b>North:</b> Hwy 39	<b>South:</b> Forest
<b>East:</b> Forest/Residential/Recreation	<b>West:</b> Forest/Recreation

### Staff Information

**Report Presenter:** Tammy Aydelotte  
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**Report Reviewer:** FL

## Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Weber County Land Use Code Title 104 Chapter 9 (F-5 Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 8 (Parking and Loading Spaces)

## Summary and Background

The applicant is requesting approval of a conditional use permit for 7, 16-unit recreation lodges on 35.04 acres, located in the F-5 zone at 10909 East Hwy 39. This request proposes 112 total sleeping rooms, summer and winter amenities such as sports courts, trails, and a clubhouse. The applicant is including a 50-seat restaurant in this proposal. This proposal will include a septic system and well water for sewer and culinary water service.

## Analysis

**General Plan:** As a conditional use, this operation is allowed in the F-5 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 Forest Valley (F-5) Zone. The purpose and intent of the Forest Zones can be further described in LUC §104-9-1 as follows:

1. 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.
2. The objectives in establishing the forest zones are:
  1. To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the natural resources, vegetation and attractions;

2. To reduce the hazards of flood and fire;
3. To prevent sanitation and pollution problems and protect the watershed;
4. To provide areas for private and public recreation and recreation resorts; and
5. To provide areas for homes, summer homes, and summer camp sites.

A recreation lodge is defined by LUC §101-2-3 as follows:

*The term "recreation lodge" means a lodge constructed in a mountainous or forested location, which may include up to 16 guest sleeping rooms for short-term rental lodging, and facilities for guest's meals, providing on-site winter sports amenities such as cross country ski trails, snowmobile trails, ice skating and/or similar activities, and, if open year-round, offers summer recreation amenities such as equestrian trails, mountain biking trails, hiking trails, rock climbing training stations, golf course, putting green, and/or tennis courts. Accessory uses, such as sports equipment rental and repair may be included. The number of horses allowed, in the case of a riding stable, shall be calculated and may be permitted based upon acreage and site plan review, and recommended by the planning commission. Limited day use may be allowed based upon site plan review and approval of the overall project as a conditional use by the planning commission.*

The Recreation Lodge doesn't list development standards regarding parking. The Planning Commission may make parking requirements, however, the applicant is proposing 184 parking spaces for 116 sleeping rooms, and 50 restaurant tables. The proposed restaurant is limited to use by patrons of the recreation lodge resort. Further parking standards are mentioned later in this report.

Signs are limited to a nameplate identification sign not exceeding two square feet in area per dwelling;

All proposed signage will require approval from Weber County Planning.

A business license shall be obtained.

The applicant will be required to obtain a business license as a condition of conditional use permit approval.

**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. Thus far, the applicant has received conditional approval from the Weber Fire District, for the proposal. Meeting Weber Fire District requirements is a condition of approval for this application.

The following is an analysis of the proposal reviewed against the conditional use standards:

- 1) Standards relating to safety for persons and property.

*The Weber Fire District and Weber County Engineering have requested the following:*

- a) *The Weber Fire District requires a secondary access, which can be an emergency access. A turn-around at the caretaker's house will be required. All conditioned structures shall be fire sprinklered, and fire flow/hydrants will need approval. The County Engineering Department requires that a traffic impact study will need to be done and any required improvements to the access will need to be incorporated into the site design.*

- 2) Standards relating to infrastructure, amenities, and services.

*The Planning Division recognizes that this proposal will increase traffic thereby placing impacts upon Highway 39. Requirements from the Fire District, the County Engineering Department, and requirements from the UDOT are in place to mitigate unsafe conditions that may result. Other impacts to infrastructure include an increased demand upon garbage services, the Waste Management Company will be contracted with for garbage waste services. Requirements from the Weber-Morgan Health Department regarding the creation of a Large Underground Wastewater Disposal System will need to be met before issuance of a conditional use permit.*

*The existing access from Highway 39 will also require improvements to accommodate the increased impact. Weber County Engineering has required a traffic impact study, and modifications to the access, based on the results of the traffic study. All access modifications will need to be reviewed and approved by UDOT. Weber County Engineering has also required that the floodplain along the river be shown on all drawings and that FEMA requirements will need to be met during the improvement process.*

*Weber Fire District has required that the existing bridge be brought up to standard to allow for a 75,000 lb. fire apparatus to access the area south of the river.*

*Weber County Planning is recommending conditional approval, based upon meeting all review agency requirements, in addition to requirements from Code Enforcement to complete the removal of debris from the site. A detailed review from Weber County Code Enforcement is in Frontier, and all conditions of this review shall be met before the issuance of a conditional use permit.*

*The Weber-Morgan Health Department, Weber County Engineering, Weber Fire District, and Weber County Planning have reviewed this proposal, and issued **conditional** approval.*

- 3) Standards relating to the environment.
- 4) Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan.

*This proposal proposes disturbing minimal landscaping on this parcel, in order to protect the existing environment and topography. The clustering of the recreation lodges near the Highway allows for minimal development near the stream setbacks and seeks to preserve the natural landscape for users to enjoy. Weber County Engineering has required a traffic impact study. Their most recent review requires that any modifications to the existing access, based upon this study, will need to be reviewed and approved by UDOT.*

**Design Review:** In addition to the conditional use review, a design review is required for Recreation Lodges, because of their commercial nature. The following design review standards were considered and an analysis of the project against the design review standards is in the italicized text below each standard.

Sec 108-1-4 Considerations in the review of applications

- (a) Considerations relating to traffic safety and traffic congestion.

*Traffic safety concerns are not anticipated with this proposal, as long as the access issues are addressed satisfactorily with Weber Fire District, Weber County Engineering, and UDOT (owner may need an access permit from UDOT, with the additional, commercial impact at this access). The guests will enter the property off of Highway 39.*

*Where there are no parking standards for a recreation lodge within the Weber County Code or Ordinances, the Planning Commission may advise or make parking requirements. As a matter of information, Weber County Land Use Ordinance (LUC 108-8) requires minimum number of parking spaces for a hotel to be one space per two sleeping units. For a restaurant, one space per eating booth or table. The applicant is proposing 184 parking spaces total. Per Weber County LUC 108-8-7, all 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. The setback requirements in the F-5 zone are as follows: front/rear – 30', side – 20'. The submitted site plan appears compliant with minimum setback requirements. Maximum building height in the Forest zones is 35' from finished grade. The applicant is proposing two-story buildings.*

- (b) Considerations relating to outdoor advertising.

*The applicant has not proposed any additional signage. All proposed signage shall be approved through Weber County Planning and shall comply with standards outlined in Weber County LUC 110-2.*

- (c) Considerations relating to landscaping.

*The commercial design standards require a minimum of 20 percent of the site to be landscaped. The project site consists of several acres of the site landscaped with evergreen trees and rock, as shown in the site plan. There are cleared areas to accommodate activities such as pickle ball courts, horse shoe pits, and walking trails.*

- (d) Considerations relating to buildings and site layout.

*All existing structures, where any type of human occupancy is anticipated, shall be compliant with Weber County Building requirements. Building Inspection will need to give approval of the existing structures prior to issuance of a conditional use permit. The existing structures meet the current zoning setbacks and site development standards. All existing structures that may have any type of human occupation will need to be inspected by the Weber County Building Official for final occupancy prior to issuance of a conditional use permit.*

- (e) Considerations relating to utility easements, drainage, and other engineering questions.

*Weber-Morgan Health has requirements relative to the location and type of septic and culinary water facilities. Weber County Engineering has concerns regarding the existing floodplain, access improvements, including possible improvements to the on-site bridge. Approvals from all review agencies shall be obtained and submitted*

*to Planning prior to issuance of a conditional use permit. A conditional use permit is required prior to submittal of any building permit applications for new structures.*

- (f) Considerations relating to prior development concept plan approval associated with any rezoning agreement planned commercial or manufacturing rezoning, or planned residential unit development approval.

*There are no prior development approvals or rezoning development agreements that apply to the subject property.*

## **Staff Recommendation**

Staff recommends approval of this conditional use permit application subject to the applicant meeting the following condition of approval in addition to all conditions of County review agencies and the Ogden Valley Planning Commission.

Planning conditions of approval:

- 1) The applicant shall obtain a valid Weber County Business License, prior to operating as a recreation lodge(s).
- 2) The applicant will obtain a traffic study and any improvements to the existing access shall receive approval from UDOT.
- 3) A second access, per Weber Fire District, shall be secured, and meet any requirements from Weber Fire District and Weber County Engineering prior to issuance of a conditional use permit.
- 4) All existing structures, where any type of human occupancy is anticipated, shall be inspected and deemed up to building code, by the Weber County Building Official.
- 5) All conditions from the Weber-Morgan Health Department are satisfied.

This recommendation is based on the following findings:

- 1) The proposed use is allowed in the F-5 Zone and meets the appropriate site development standards.
- 2) The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

## **Exhibits**

- A. Narrative
- B. Site Plan

Map 1



# Reeve & Associates, Inc.



***Project: Proposed Resort Development – Ruby Resort***  
***Subject: Conditional Permit Application***

Reeve and Associates has prepared the following project narrative for the proposed Ruby Resort Development to be located at 10909 UT-39, in Huntsville, Utah. The total project area consists of 35.04 acres. Improvements will include 7 lodge buildings each with 16 resort-type units, a 50-seat restaurant, and on-site caretaker's dwellings with associated drive aisles and parking stalls. Additional amenities such as a pool, sports facilities, horseshoe area, etc. will also be part of the site.

The existing site has historically been a campground and meeting area and has minimal improvements in place. The existing access from UT-39 will be improved and utilized for site access. The South Fork Ogden River divides the planned areas for development. An existing bridge will be utilized for access between the two sides.

An existing on-site spring will provide the water demand for the development. A separate conceptual water report has been prepared and included with this submittal. Please refer to this document for additional information on the design flows, system layout, etc. Wastewater will be treated onsite through the use of a Large Underground Wastewater Disposal System (LUWDS). A separate conceptual wastewater report has been prepared and included with this submittal. Please refer to this document for additional information on the design flows, system layout, etc. Storm water infrastructure will be installed to collect and convey stormwater runoff generated from the site. The final site design will determine the swales, pipes, and grading needed to convey the stormwater flows to the planned basin areas. An area on each side of the river has been designated for the 100-yr detention storage volume that will be discharged in South Fork Ogden River at a reduced rate.

A preliminary site plan has been prepared and included with this submittal. Please refer to this document for additional information on the site layout. If you have any questions, or we can be of further assistance, please let us know.

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# Exhibit B - Site Plan



