

#### Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

**Synopsis** 

Applicatio	n Information								
Applicatio	on Request:	Approval of conditional use permit for a condominium project including lockout rooms and allowance to exceed the required 25 feet in building height per the CVR-1 Zone.							
Agenda D	ate:	Tuesday, December 02, 2014							
Applicant	:	Skyline Mountain Base, LLC							
File Numb	per:	CUP2014-29							
<b>Property</b> I	nformation								
Approxim	ate Address:	3567 Nordic Valley Way Eden, UT 84310							
Project Area:		Approximately 3.2 acres							
Zoning:		CVR-1							
Existing L		Ski Resort and Recreation area							
-	Land Use:	Ski Resort and Recreation area							
Parcel ID:		22-023-0086							
Township	, Range, Section:	T7N, R1E, Section 29							
Adjacent L	and Use								
North:	Forest Residentia	al and Agricultural	South:	Forest Residential					
East:	Forest Residentia	al and Open Space	West:	Ski Resort and Private Campground					
Staff Infor	mation								
Report Presenter:		Ronda Kippen rkippen@co.weber.ut.us 801-399-8768							
Report Reviewer:		SW							
Applica <u>bl</u>	e Ordinances								

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 11 Commercial Valley Resort Recreation-1 (CVR-1) Zone
- Title 108, Chapter 1, Design Review
- Title 108, Chapter 2, Ogden Valley Architectural, Landscape and Screening Standards
- Title 108, Chapter 4, Conditional Uses
- Title 108, Chapter 8, Parking and Loading Space, Vehicle Traffic and Access Regulations
- Title 108, Chapter 16, Ogden Valley Lighting
- Title 110, Chapter 2, Ogden Valley Signs

#### **Background and Summary**

Nordic Valley Ski Resort, located at 3567 East Nordic Valley Drive, is requesting approval of a conditional use permit for a condominium project consisting of 54 units with 54 lockout units. The proposed condominium project is conditionally allowed as a "Condominium rental apartment, including lockout rooms" in the Commercial Valley Resort Recreation (CVR-1) Zone per the Uniform Land Use Code of Weber County, Utah (LUC) §104-11-4. In order to reduce the overall building footprint, the applicant is requesting as part of the conditional use permit, that the Planning Commission varies the maximum height requirement of 25 feet per the CVR-1 Zone and consider an average height of 54 feet as conditionally allowed in LUC §104-11-4 and defined by the LUC §101-1-7.

The applicant received approval for the first stage of a transitional process for the ski resort in September of this year. If the Planning Commission approves the request for a condominium project and additional building height, the applicant will begin the process for a condominium subdivision as required in the LUC §106-3.

Conditional use permits should be approved as long as any harmful impact can be mitigated. The LUC already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. To ensure that the natural environment is preserved to the greatest possible extent, the Planning Commission, subject to the reviews and

recommendations of the required public agencies, must review and approve the general siting and architectural design of the building, the layout of the parking areas and the landscaping. The proposed application appears to meet these standards. The following is staff's evaluation of the request.

#### Analysis

<u>General Plan</u>: The Ogden Valley General Plan identifies the need to encourage commercial development in the Ogden Valley within established commercial areas, supporting continued development of resort-related commercial areas by promoting active recreational opportunities in the Ogden Valley and encouraging private businesses to meet the growing demand for recreational facilities (see the 1998 Ogden Valley General Plan §3 Ogden Valley General Plan Goals and Objectives and §5 Commercial Development).

Zoning: The intent and purpose of the CVR-1 Zone per the LUC §104-11-1 is:

"(a) The purpose of this zone is to provide locations in the Ogden Valley and at major recreation resort areas, where service facilities and goods normally required by the public in the pursuit of general recreation activities can be obtained. "

The CVR-1 Zone allows for condominium rental apartments, including lockout rooms. A condominium rental apartment has been defined in the LUC §101-1-7 as:

"Condominium rental apartment (condo-tel): The term "condominium rental apartment (condo-tel)" means a condominium residential project in which the units, when not occupied by the owner, may be placed in a management rental pool for rent as transient living quarters similar to a motel operation. Because of the transient rental characteristics, a condominium rental apartment is classified as a use category separate and distinct from a condominium dwelling unit."

The CVR-1 Zone has specific standards identified in the LUC §104-11-6 that shall be met as part of the development process. Those standards are as follows:

- Minimum lot area: 2.5 acre site, with the following minimum area requirement for uses within that site:
  - Condominium rental apartments require, per building, 7,500 square feet of net developable area plus 2,000 square feet of net developable area for each dwelling unit in excess of two dwelling units.
  - Lockout sleeping room, 500 square feet.
  - Other uses: none.
- Minimum lot width: 150 feet minimum frontage.
- Minimum yard setbacks:
  - Front: 30 feet minimum.
  - Side: 20 feet minimum, except as otherwise required by this or any other county ordinance.
  - Rear: 20 feet minimum, except as otherwise required by this or any other county ordinance.
- Building height: Conditional use permit is required if over 25 feet in height.

The subject property will be divided as part of the platting process required for condominium projects and will consist of approximately 3.2 acres. The acreage requirement has been established by the CVR-1 Zone which requires 7,500 square feet for the first 2 units, 2,000 square feet for each additional unit and 500 square feet for each lock-out unit. It appears that the 190,132 sq. ft. structure may be the largest structure in the Ogden Valley. The following percentages have been calculated based on the proposed final 3.2 acres. The proposed condominium project will have an area footprint of 54,003 sq. ft., which will cover 38% of the final site. The hard surface paving will cover 5% and the landscaping will cover 57% of the final site (see Exhibit B-1 (AS101-A)).

The CVR-1 Zone also requires additional design standards including a minimum of ten percent commercial uses other than the condominium rental apartments per LUC §104-11-5. The commercial amenities that have been proposed include 4,035 sq. ft. for office spaces and conference areas located on the lower level (see Exhibit B-2 (A100)), 2,500 sq. ft. for conference areas on the second and third floors (see Exhibit B-4 & B-5 (A102 & A103)), and 5,854 sq. ft. of commercial space on the fourth floor (see Exhibit B-6 (A104)). These amenities will provide 12,389 sq. ft. of commercial use, meeting the required ten percent commercial use of 12,336 sq. ft. based on the building area after removing the plaza, pool and parking areas from the overall square footage calculations. In addition to the commercial amenities, there will be 18,548 sq. ft dedicated to the outdoor plaza and pool area (see Exhibit B-3 (A101)), and 102 underground parking stalls and five outdoor parking stalls (see Exhibit B-2 (A100)). In approving the site plan, the Planning Commission will need to find that the proposed building and uses are sized in proportion to the recreational amenities for which they will provide goods and services.

The proposal adheres to the required lot area and setbacks. In order to reduce the buildings footprint the applicant is requesting that the Planning Commission vary the maximum building height requirement of 25 feet and consider an average height of 54 feet which is allowed by a conditional use permit. Building height is defined in the LUC §101-1-7 as:

"Building, height of: The term "height of building" means the vertical distance from the average of the highest natural grade and the lowest natural grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of the ridge of a pitch or hip roof."

The applicant's requested average building height of 54' is based on measurements taken from the highest natural grade line (64') and lowest natural grade line (44') as measured to the highest point on the roof line as identified on the "North to South Grade Section" (see Exhibit C-2 (A301)). In reviewing the proposal, an average building height of 37' can be found based on measurements taken from the highest natural grade line (60'7") and lowest natural grade line (12'9") to the highest point on the roof line as identified on the "East to West Grade Section" (see Exhibit C-2 (A301)). An overall average building height measured from the highest and lowest natural grade line to the highest point on the roof line using the combined measurements from the East to West and North to South Grade Section is 45'5". Based on these calculations, the average building height may not seem too extreme; however, it is essential to make note that the actual building height as measured from the finished grade will range from 26' at the lowest point to 71' at the highest point of the building height of 35' in other zones throughout the Ogden Valley. The applicant has designed the site to utilize the surrounding mountains to soften the effect of the proposed structure. The visual impact and height of the condominium project are considerations of the Planning Commission and will require approval.

<u>Conditional Use Review</u>: The proposed uses are conditionally allowed in the CVR-1 Zone. A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. As a requirement of the conditional use permit, the applicant has provided a "Will-Serve Letter" from Nordic Mountain Water Inc. (see Exhibit D) for water services and a "Will-Serve Letter" from Wolf Creek Water and Sewer Improvement District (see Exhibit E) for the waste disposal. The applicant has provided the required material to facilitate a review of the proposed project including grading, drainage, and a geotechnical report. The architectural plans have identified an erroneous address for the project location. A condition of approval has been made part of the Planning Division's recommendations to ensure that the approved site plans coincide with the correct site address.

The Engineering Division has reviewed the civil engineering drawings (see Exhibit F) and has conditionally approved the proposal based on more detailed plans that will be made part of the required subdivision process. As part of this process, the recommendations that have been identified in the Geotechnical Report will need to be identified on the subdivision plans and followed throughout the development of the site.

The Weber Fire District has reviewed the proposal and has made specific comments and conditions regarding fire suppression including the need for detailed locations of fire hydrants with adequate flow and a fire access lane along the south side of the building. It appears that the majority of the comments will be able to be addressed without modifying the general layout and design of the site plan with the exception of the fire access lane. The remaining comments and conditions will be addressed during the subdivision process when more detailed plans are required. If modifications to the site plan are necessary to adhere to the requirements of the Weber Fire District and such modifications alter the approved maximum average building height, the applicant will have to receive additional approvals from the Planning Commission.

<u>Design Review</u>: The CVR-1 Zone and the proposed conditional use, mandates a design review as outlined in the LUC §108-1 to ensure that the general layout and appearance of the building shall not impair the orderly and harmonious development of the neighborhood nor impair investment in and occupation of the neighborhood. Additional design reviews may be required as the commercial uses within the development are identified to ensure that adequate parking as required by the LUC §108-8 is available and that any proposed signage conforms to the LUC §110-2. 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:

1) Considerations relating to traffic safety and traffic congestion. The proposal includes improvements for the widening of the existing abutting street together with sidewalk, curb and gutter and adequate drive approaches for the ingress and egress to the site and the building along Nordic Valley Way. The applicant has provided 107 parking spaces on the site plan, of which 102 parking spaces are underground parking. It appears that all the proposed parking meets the parking standards as outlined in LUC §108-8-7(c) as well as the surface lighting of the off street parking as outlined in LUC §108-2-6 & §108-16 (see Exhibit B-1 & B-2 (AS101-A & A100)). Parking requirements for the future uses of the development will be evaluated as part of the required design review process for the new commercial uses.

2) Considerations relating to outdoor advertising. The applicant received approval for a monument sign as allowed in LUC §110-2-5 in September of this year. As part of the review, the Planning Division took into consideration the architectural renderings including the location, color, lighting and size of the monument sign for the ski resort. The location of the monument sign has been identified on the site plan as #15 on sheet AS101-A (also identified as Exhibit B-1).

3) Considerations relating to landscaping, screening and buffering. The applicant has been able to adequately address the minimum landscaping requirements of the Design Review as outlined in LUC §108-1-4(3) and the Ogden Valley Architectural, Landscape and Screening Design Standards as outlined in LUC §108-2-5 and §108-2-9 (see Exhibit G (L101 & L102) with the exception of the following:

- The proposed site plan has identified a "temporary trash enclosure" as #16 on sheet AS101-A (also identified as Exhibit B-1). The proposed screening for the trash dumpster adheres with LUC §108-2-7; however, if this location is truly temporary in nature, the applicant will need to provide an alternative trash dumpster location and receive the required approvals for the location and screening. If the proposed trash location will be the permanent location, the site plan will need to be corrected to reflect such. A condition has been made part of the Planning Division's recommendations to ensure adequate garbage facilities and screening.
- The LUC requires that all parking areas are screened or buffered from view along all street rights-of-way and should consist of earth berms or mounds and trees when practicable. Due to the location of the parking area and the access from Nordic Valley Way, requiring additional trees and/or berms to screen the entire parking area may create a traffic hazard when taking into account snow accumulations in the area. According to LUC §108-2-8 when an access way intersects with a public right-of-way, all landscaping and screening within a ten foot triangular area shall provide unobstructed cross-visibility at a level between two and eight feet in height. A condition has been made part of the Planning Division's recommendations to ensure adequate measures have been put in place to maintain clear sight distance and proper screening of the parking area.

When long expanses of building walls and other barriers are part of a proposal as they are with this application, taller trees can be required as part of the landscaping plan to create a softening effect as allowed in LUC §108-2-5(j)(4). If the Planning Commission feels additional landscaping, screening and buffering measures need to be implemented; a specific condition of approval will need to be added.

4) Considerations relating to buildings and site layout. The proposed building has an exterior finish consisting of predominantly natural, muted earth tone colors of hardi-plank batten board, hardi-board tongue and groove, stone veneer, timber and asphalt/metal roofing materials. The metal roof areas, aluminum windows and glass store front must be non-reflective. The proposed colors for the external surfaces are found on sheet A201 (see Exhibit C-1) and identified on said sheet as follows:

- 1. "Driftwood" Asphalt Shingles
- 2. "Earthen Jug" Hardi-Plank Batten Board
- 3. "Dark Bronze" Standing Seam Metal Roof
- 4. "Cottonwood" Stone Veneer
- 5. "Cinnamon" Stained Timber
- 6. "Coconut Husk" Hardi-Board T&G Beveled
- 7. "Dark Bronze" Flashing

The exterior lighting will consist of three 20' parking lot light poles (277 V., 10,000 lumens) and seven 42" high light bollard area lights (277 V., 1,000 lumens @ 15.5 watts). The proposed outdoor lighting must be partially or fully shielded as required in LUC §108-16 in order to comply with the Ogden Valley Lighting night sky requirements. If the Planning Commission feels that additional measures need to be taken to ensure adequate protection of the night sky, a condition of approval will need to be added.

Swimming pools are allowed to be located to the side of a dwelling or private/public facility. The proposed swimming pool location meets the minimum setback of ten feet from the future property line. As part of a building permit, the applicant will need to enclose the swimming pool area with either a substantial fence of not less than six feet in height or by a power safety cover meeting the requirements of the International Building Code

per LUC §108-7-18. A condition has been made part of the Planning Division's recommendations to ensure adequate measures have been taken regarding health, safety and welfare.

The building and site layout has been reviewed against the design criteria of the CVR-1 Zone in the LUC §104-11, the Design Review in the LUC §108-1, the Ogden Valley Architectural, Landscape and Screening Design Standards in the LUC §108-2-4 and it appears that the proposal meets the minimum requirements of the applicable areas of the Uniform Land Use Code of Weber County.

5) Considerations relating to utility easements, drainage, and other engineering questions. The applicant has provided civil engineered drawings (see Exhibit F) that identify the existing and proposed topography, contour lines, utilities, easements and drainage. The applicant will need to adhere to all conditions of the Engineering Division pertaining to utilities to and through the property, storm water drainage including retention facilities by providing more detailed drawings as part of the subdivision process.

6) 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 Planning Division is unaware of prior development conceptual plans as part of any rezoning agreement that may have been approved for the subject property by Weber County; therefore, considerations pertaining to this portion of the code are not applicable at this time.

#### **Conformance to the General Plan**

The proposed use conforms to the Ogden Valley General Plan by encouraging commercial development in the Ogden Valley within established commercial areas and supporting continued development of resort-related commercial areas by promoting active recreational opportunities in the Ogden Valley.

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

#### LUC §108-4-4 states:

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

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

The Planning Commission will need to determine if the proposed condominium project meets the requirements of the applicable Uniform Land Use Code of Weber County. The Planning Commission may impose additional conditions in order to ensure full compliance with the required standards. In making a decision, the Planning Commission should consider the following questions:

- Are the proposed building and uses sized in proportion to the recreational amenities for which they will provide goods and services?
- Could the additional height of the condominium project be harmful to the adjacent property owners? If yes, what conditions could be put in place to mitigate detrimental effects?
- Does the submittal meet the architectural detail standards required by LUC §108-1 & §108-2? If no, then what conditions/architectural details could be added in order to comply?
- Does additional landscaping and screening need to be implemented to provide adequate screening of the
  off-street parking and to add a softening effect to the structure in order to fully comply with the
  requirements of LUC §108-1 (Design Review) and §108-2 (Ogden Valley Architectural Standards)?
- Have the "Criteria for Issuance of Conditional Use Permit" and other applicable ordinances been met?

#### **Staff Recommendation**

The Planning Division recommends approval of file# CUP 2014-29, a conditional use permit request for a 54 unit condominium with 54 lockout rooms and allowance to exceed the required 25 feet in building height in the CVR-1 Zone for the property located at 3567 E Nordic Valley Way, Eden. This recommendation for approval is subject to all review agency requirements and based on the findings and conditions of approval as listed below:

#### **Findings for approval**

- 1. The proposed use conforms to the goals, objectives and policies of the Ogden Valley General Plan.
- 2. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
- 3. The proposed building and uses are proportionately sized to the recreational amenities for which they provide goods and services.
- 4. The additional building height will allow for a smaller building footprint, reducing storm runoff and overal soil disturbance.
- 5. The proposed use, if conditions are imposed, will not be detrimental to the public health, safety, or welfare.

#### **Conditions of Approval**

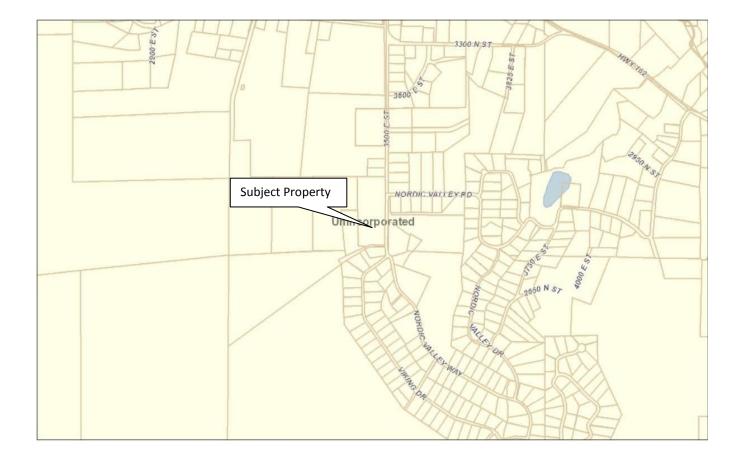
- The conditional use permit will be contingent on the approval and recordation of a condominium subdivision plat.
- The maximum average height as measured from the natural existing grade to the highest point on the roof line shall not exceed 54'.
- The project location will be corrected on the site plan to reflect the property located at 3567 E Nordic Valley Way.
- The permanent location of the garbage facilities will need to be identified on the site plan.
- All windows, glass store fronts and metal roof areas will consist of non-reflective material.
- Clear sight distance will be maintained for all accesses that abut the public right-of-way to ensure traffic safety.
- To ensure adequate screening from the public right-of-way, additional trees or shrubs will be placed along the parking area.
- Adequate fencing or a power safety pool cover will be required as part of the building permit process for the swimming pool.
- Adequate shielding of all outdoor lighting will be provided in order to conform to LUC §108-16 pertaining to the Ogden Valley Lighting night sky requirements.
- Minor site plan alterations may be approved by the Planning Director but none so much that will surpass the approvals made by the Planning Commission.
- Requirements of the Weber County Building Division
- Requirements and recommendations of the Weber Fire District
- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Health Department

#### Exhibits

- A. Application
- B. Architectural Site Plan
  - 1. AS101-A (Site Plan)
  - 2. A100 (Lower Level Floor Plan & Parking)
  - 3. A101 (Plaza Level Floor Plan)
  - 4. A102 (Second Level Floor Plan)
  - 5. A103 (Third Level Floor Plan)
  - 6. A104 (Fourth Level Floor Plan)
- C. Architectural Elevations1. A201 & A202 (Exterior Building Elevations)2. A301 (Grade Sections)
- D. Water "Will Serve Letter"
- E. Sewer "Will Serve Letter"
- F. Civil Engineering Drawings
- G. Landscaping & Irrigation Plans



#### Map 2



#### Exhibit A-Application

#### Weber County Conditional Use Permit Application

Application submittals	s will be accepted by appointme	ent only. (801) 399-8791. 2380 Washingt	on Blvd. Suite 240, Ogden, UT 84401						
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)						
Property Owner Contact I	nformation								
Name of Property Owner(s) Skyline Mountain Base, LLC		Mailing Address of Property C 3567 N Nordic Valley Way Eden UT 84310							
Phone 435-210-1910	Fax								
Email Address jrichards@nordicvalley.com		Preferred Method of Written	Preferred Method of Written Correspondence						
Authorized Representativ	e Contact Information								
Name of Person Authorized to Rep Greg Jensen	resent the Property Owner(s)	1391 N 5900 E							
Phone 801-791-9104	Fax	Eden UT 84310							
Email Address gjensen@nordicvalley.com		Preferred Method of Written	Preferred Method of Written Correspondence						
Property Information									
Project Name Pine Canyon Lodge		Total Acreage	Current Zoning CVR-1						
Approximate Address 3497 N Nordic Valley Way Eden UT 84310		Land Serial Number(s) 22-023-0086							
Proposed Use Condominimums & Commercial									
Project Narrative									
for our building whereas the build maximum of 54 feet to finished g The building pales to the 3000 ft	ling's height requires a Conditio rade. backdrop of the mountain in the	phal Use Permit. The building we are pre- background. In adition, the buiding is i	bl. We are seeking a Conditional Use Permit oposing has a total height of 64 feet with a in fact small compared to it's counterparts at						
any other ski area in the state wh community in relation to other res			he building is in harmony with the overall						
The building will be a beautiful st the best architecture in Deer Vall synthetic material with the exepti	ey and Jackson Hole. The build	ding's exterior is a combination of natura	signers. The building has been inspired by al wood and stone with no use of visible						

#### **Basis 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:

Nordic Valley Ski Resort has long been an Ogden Valley Icon. It has the potential to become one of the best ski areas in the state and a crown jewel of Weber County. Nordic Valley hires over 220 seasonally and 50 people year round with the average job annual position paying over \$50K per year with benefits. With events sponsored by Nordic Valley, such as the Balloon Festival, it has been a major factor in community business support, jobs, tourism, recreation and the like, all bringing in much needed revenue to local business while supporting our community in jobs and economic dollars.

Nordic Valley is not fiscally sound which creates a danger to the job base in the community as well as a potential eyesore in the shape of a potential abandon ski area. In order to continue operation, the Ski Area needs the complement of basic development. Not unlike Alta or Park City, Nordic Valley does not make its revenue on ski passes. In the past several years, the resort has not made a profit, and has in fact lost hundreds of thousands of dollars while struggling to stay open. This is evidenced by bankruptcies and bank ownership. Like other ski resorts in the state and all over the world, what we are proposing to do at Nordic Valley is not out of the norm, in fact it is out of the norm to have a ski area with no commercial or residential development. Real estate and commercial development is the economic engine of ski areas, and those elements create jobs for the community, revenue for the community, and security for the long term health of the development and the communities that surround it.

Our request for conditional use for Pine Canyon Lodge helps to ensure the security and longevity at Nordic Valley Ski Resort, thus securing hundreds of local jobs, and in fact creating even more full time non-seasonal jobs in the area. The request for CUP also ensures that seasonal and other year round events the community has enjoyed, will continue. Pine Canyon Lodge will bring a permanent customer base to Nordic Valley and help ensure it's future for decades to come. This is a foundation that is not experimental, but proven at ski areas all over the world.

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:

Whereas we have not requested anything that is out of the norm for a ski area other than the height of our proposed building is much lower than that of a typical residential building at a ski area, and whereas we are not blocking the views of surrounding properties, and whereas creating such building replaces much older structures and a utility yard, the proposed building is a huge improvement to that which currently exists on the same property. It is proven that such structures are in no way detrimental to the safety or general welfare of the community, but in fact provide additional fire suppression, a security element from both natural and man made hazards, and an attentive general population to assists in monitoring the surrounding areas. This building will also have a commercial element open the the public for restroom use, emergency communication and the like.

Whereas this will be located at a ski area, it is common and traditional to have such structures to compliment the existing business and therefor the surrounding uses. The building is located at the base of a 3000 vertical foot backdrop (the mountain) which causes the proposed building to pail in comparison to its surroundings. The lodge style is complimentary to its location and the landscaping which exists and will be added to further compliment the building and blend it into the natural surroundings.

The parking for the structure will be underground and will pose no visual impact, the traffic generated by this building will be largely seasonal and with only 54 residence hardly noticeable whereas the traffic becomes stationary once the residence is occupied. In comparison with the existing traffic during the ski season, the full time parking for the residence will ease the burden of traffic coming and going to the resort.

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

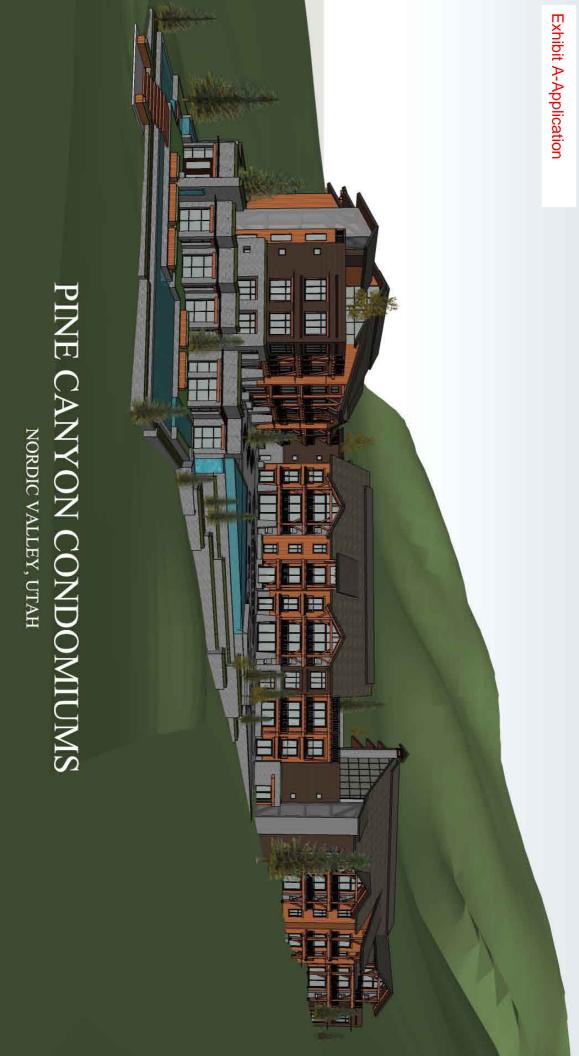
The proposed building and use is in harmony with the regulations and conditions specified. We have retained the services of Reeve and Associates to assure that this use will comply with all regulations allowed within the conditional use guidelines.

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

By developing this structure, we begin the process of beautifying the surrounding area and creating a true destination in Weber County which is in direct correlation with the general plan. This will be the first ski area in Weber County to offer an overnight stay to its customers and thus we become a destination "town center" style project in an area (Nordic Valley) which has been identified as an ideal location to create such a center.

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: The proposed project and use will reverse several decades of neglect to the surrounding environment and the ecology in the general area. The project will introduce large amounts of new living landscape and put measures in place that better control water runoff, retention, and the like. In addition, with the development of this building, we also develop a complimentary complete sewer line stretching all the way to the Wolf Creek Sewer District. With this line in place, we will also connect the existing structures at the ski area as well as several surrounding homes thus removing several septic systems in the area, which systems have been identified by the state and the county as detrimental to the nitrate levels in Pineview and the surrounding area. Thus by approving this CUP the County begins the process of reducing nitrate levels contributed in the immediate vicinity and to the community as a whole, ensuring better storm water control, and creating accountability in the area over such. As said, the building will be a beautiful structure created in cooperation with several multi million dollar home designers. Please note the accompanying rendering of the building on location. The building has been inspired by successful projects in the French alps, the best architecture in Deer Valley and Jackson Hole. The building exterior nearly 100% natural with a combination of natural wood and stone with no use of visible synthetic material with exception of use of materials found most friendly to the environment and visually pleasing. **Property Owner Affidavit** 202 depose and say that I (we) am (are) the owner(s) of the property identified in this application I (We), 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. (Property Owner) (Property Øwne Subscribe and sworn to me this NOTARY PUBLIC EILEEN SAWYER 605687 COMMISSION EXPIRES JANUARY 26, 2015 STATE OF UTAH **Authorized Representative Affidavit** Up/El the owner(s) of the real property described in the attached application, do authorized as my I (We), (our) representative(s), \_, to represent me (us) regarding the attached application and to appear on ) eugen (- leel 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. (Property Owner) (Property Q day of Ori 20 19 personally appeared before me Dated this the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same NOTARY PUBLIC **EILEEN SAWYER** 605687 COMMISSION EXPIRES JANUARY 26, 2015 STATE OF UTAH Notary)

**Exhibit A-Application** 



#### **Exhibit B-Architectural Drawings**



PROJECT NO: DRAWN BY: CHECKED BY: REVISIONS: BOI-627-2400 2002 Incoln ave ogden, utah B4401 14014 TCG

NDEX TO DRAWINGS

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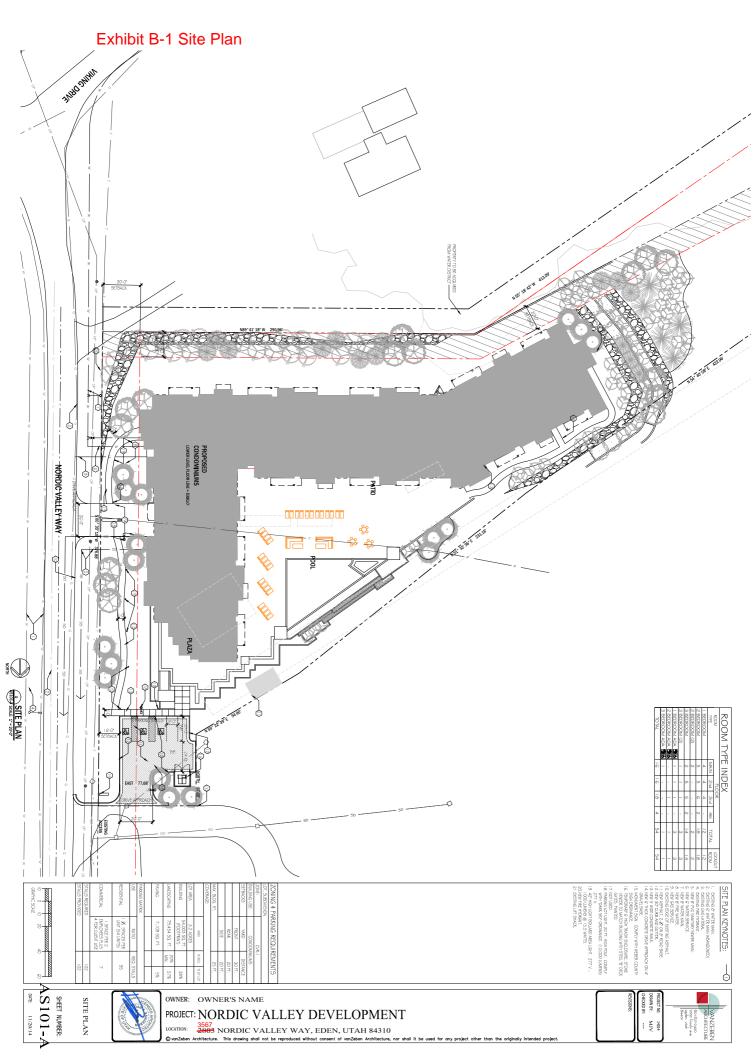


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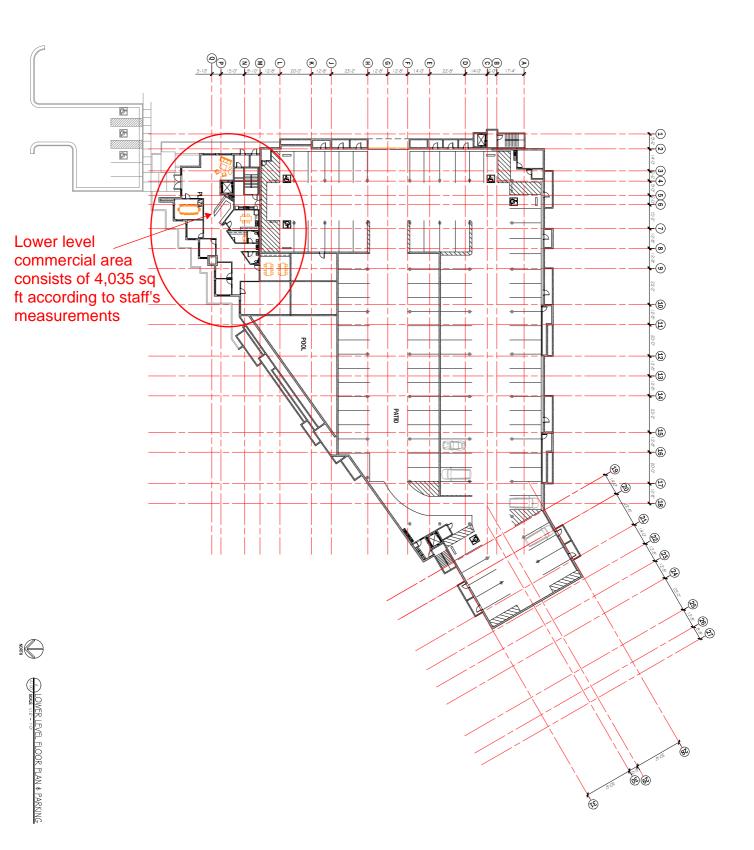
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PROJECT: PINE CANYON CONDOMINIUM 2803 NORDIC VALLEY WAY, EDEN, UTAH 84310 LOCATION:

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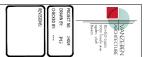


#### Exhibit B-2: Lower Level Floor Plan & Parking

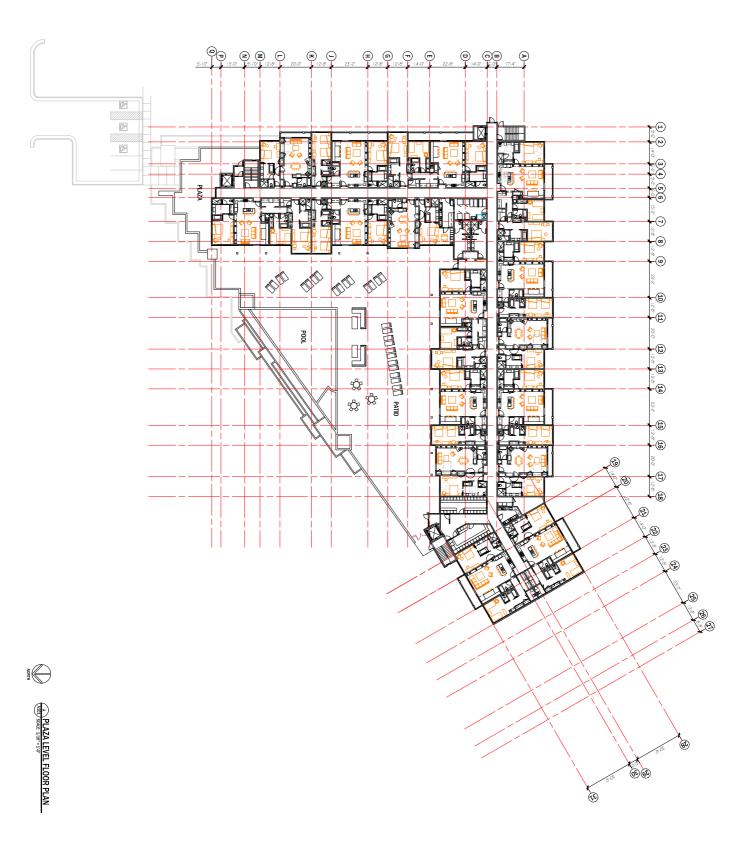




OWNER: PINE CANYON LODGE, INC. PROJECT: PINE CANYON CONDOMINIUM CONTINUE 3567 LOCATIONE 2009 NORDIC VALLEY WAY, EDEN, UTAH 84310 © vanZeben Architecture. This drawing shall not be reproduced without consent of vanZeben Architecture, nor shall it be used for



#### Exhibit B-3: Plaza Level Floor Plan

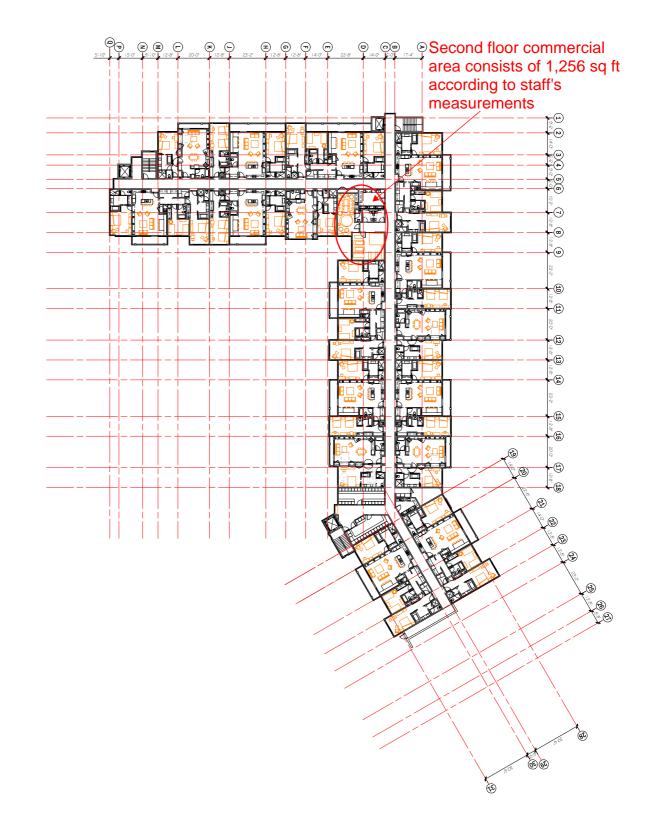




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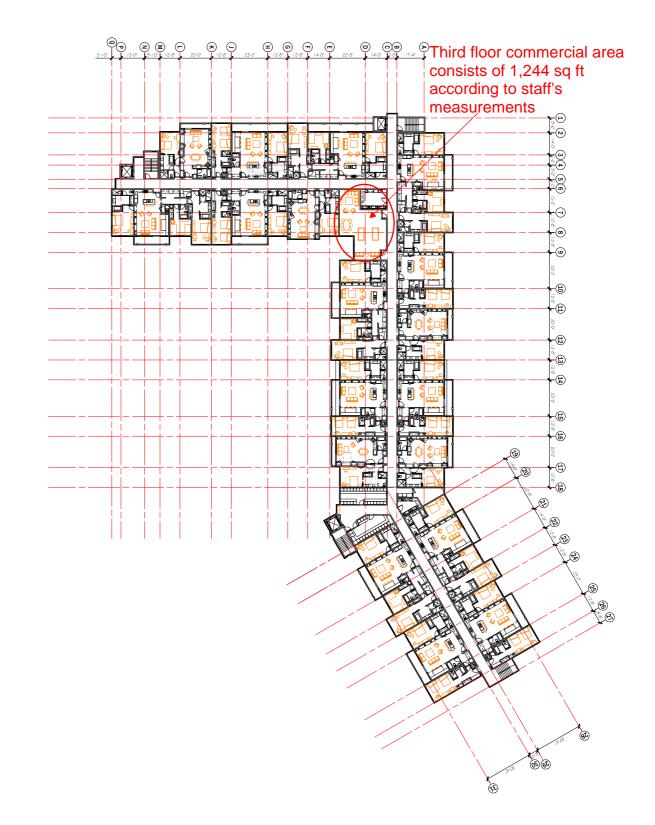


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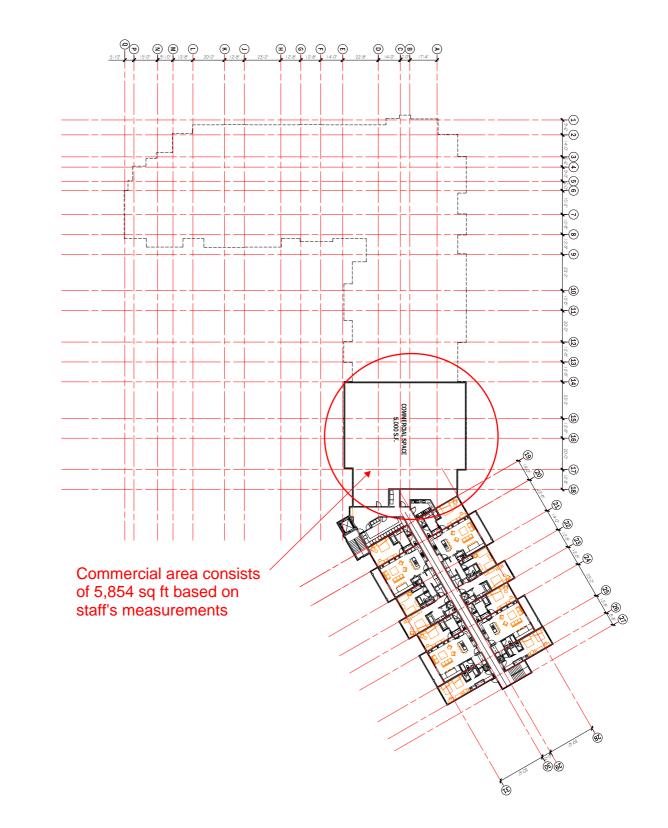
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THIRD LEVEL FLOOR PLAN













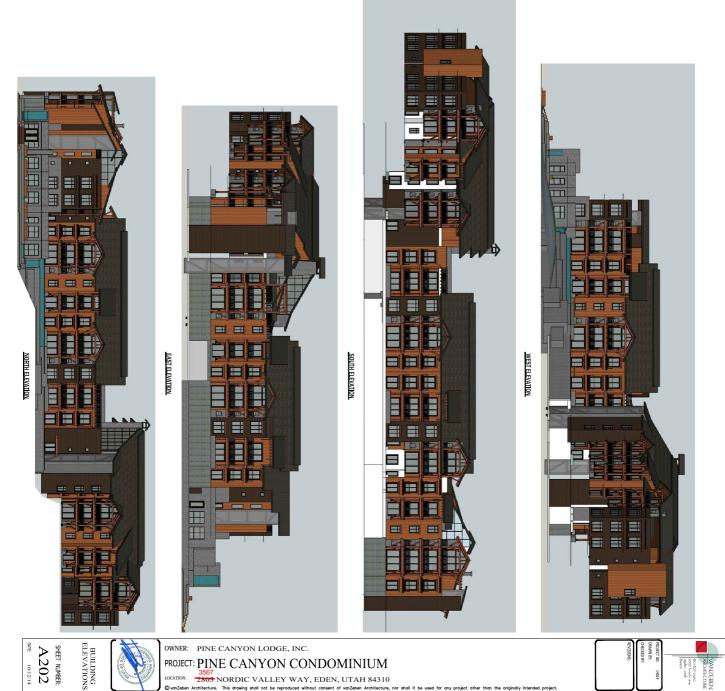


OWNER: PINE CANYON LODGE, INC. PROJECT: PINE CANYON CONDOMINIUM

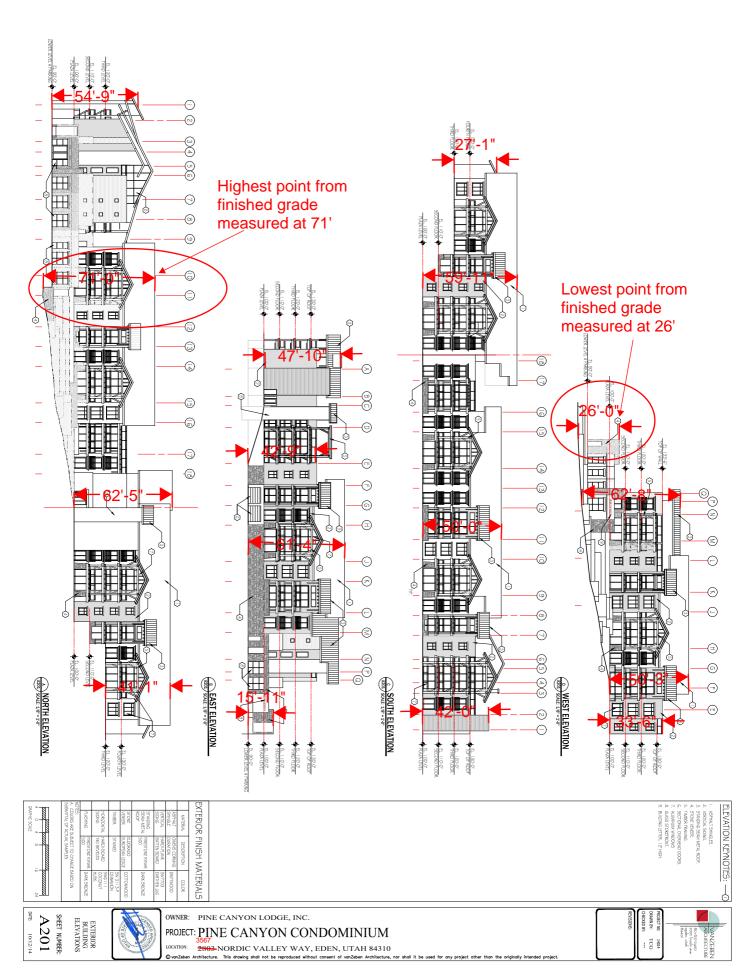


2567 LOCATION: 2603 NORDIC VALLEY WAY, EDEN, UTAH 84310 © vaZeben Architecture. This drawing shall not be reproduced without consent of vanZeben Architecture, nor shall it be used for any project other than the originally intended pr

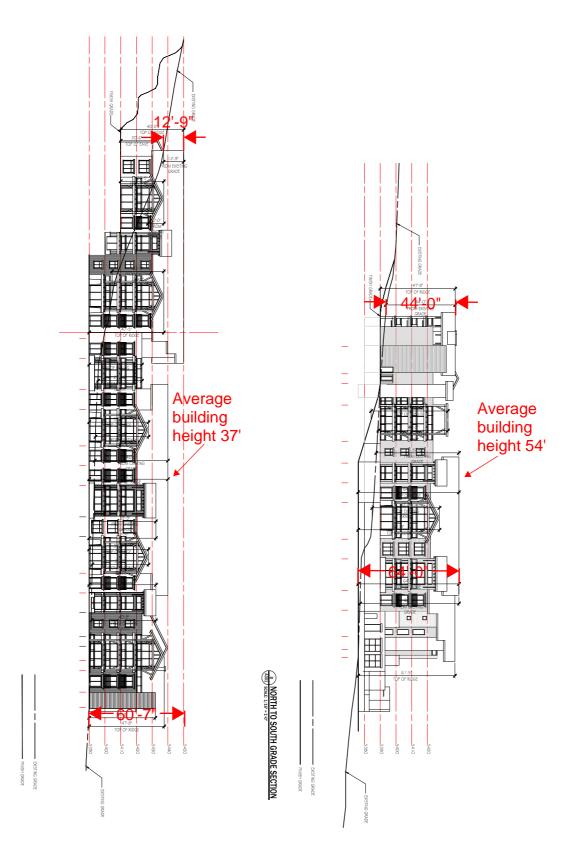








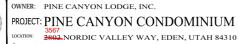
#### Exhibit C-2: Grade Sections



#### Combined average building height 45'5"



A EAST TO WEST GRADE SECTION AND SCALE 1/16"= 1.0"



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Nordic Mountain Water Inc.

Pine Canyon Lodge Inc. 54-Unit Pine Canyon Condominium Complex Liberty, Utah 84310

Ref: Reservation Service Agreement

Nordic Mountain Water Inc. (NMWI) agrees to provide water for to the 54-unit Pine Canyon Lodge Inc. Condominium Complex under the following Terms and Conditions:

- A 10% Non-refundable deposit is required on the total number of connections reserved multiplied by the current Infrastructure Fee per unit rounded up to nearest full unit. (i.e. 54-units X 10% = 5.4 rounded up to 6 units)
  - a. Reservation of Service is guaranteed for one year at the Infrastructure Fee rate in affect on the date this Reservation Service Agreement is signed by both NMWI and its representatives.
  - b. Options after one year are:
    - i. Pay outstanding balance of total Infrastructure Fees outlined in paragraph c.
      - A monthly Stand-by fee is in affect thereafter until physical water connection is made. Currently, the standby fee is \$20/condo per month and is subject to change.
    - ii. Forfeit Reservation, deposit is non-refundable, Service Agreement is nullified.
    - iii. Renegotiate this Reservation Service Agreement at the discretion of NMWI. Previous deposits will continue to be credited to balance due while this service agreement is valid.
  - c. Details
    - i. Total Connections 54 condominiums
    - ii. Total Infrastructure Fee is \$405,000 based on 54 units X \$7,500 per unit
    - iii. Initial required non-refundable deposit is \$45,000 based on 6 units @ \$7,500 each
    - iv. Final payment of \$360,000 due 1 year from date this agreement is signed by both parties and the full deposit is paid.
    - v. Monthly charge per condominium (at completion):
      - 1. \$51.25 based on \$37+\$14.25 for up to 7,500 gals/month.
      - 2. Overages will be charged incrementally per 1000 gallons for usage exceeding 7,500 gallons TBD.
      - 3. Monthly rate guaranteed for 1 year from date this agreement is signed.
  - d. Restrictions
    - i. Any Home Owners Association (HOA) organized by Pine Canyon Condominium Complex or Pine Canyon after this agreement is in place cannot include any culinary water provided by NMWI.
    - ii. No extensions to the water system developed for the Pine Canyon Condominium Complex that includes water provided by NMWI will be allowed beyond the initial 54-condominum units.
    - iii. Pine Canyon cannot resale, manage, restrict, or charge any additional fees for water provided by NMWI under any circumstance.

- iv. The 5<sup>4</sup>unit Pine Canyon Condominium Complex is considered to have one voting membership in NMWI.
- (2) Developer pays all costs including required modifications to existing NMWI infrastructure necessary to provide NMWI water to this condominium complex. In addition, the resulting water line extension design and all associated construction is subject to the following:
  - a. Must meet all State, County, and County Fire District Specifications and requirements
  - b. Must meet Water System Specifications as identified by NMWI
  - c. All waterline construction must be inspected and approved by NMWI or its identified Agent during all water system construction and/or modification.
  - d. NMWI will take possession of the modified portion of the system at the time of completion.
    - i. Developer will provide a warranty bond to cover costs of the modification during construction and for 1 year following completion of modifications or from date NMWI takes possession, whichever date is later.
- (3) NMWI uses a gravity-flow distribution system. Since an engineering study has not been completed for the proposed Pine Canyon Condominium complex, NMWI cannot guarantee adequate water pressure.
- (4) This agreement is a good faith effort by NMWI and contains terms and conditions as set forth by the NMWI board of directors, however, it may be subject to change pending review by NMWI legal counsel.

If these conditions are acceptable, please submit the appropriate deposit and sign this agreement. We also require purchase of one Membership (se item d paragraph iv) in NMWI at the current rate of \$300 at the time the Infrastructure Fees are paid If you have any questions, please feel free to contact Bill Green at (801) 791-3976 anytime or through our NMWI office.

Sincerely,

Bill D. Green President Nordic Mountain Water \_Date: [0.[6[4] 1.11. /2014 Agreement of Addendum of October 9, 2014: Pine Canyon Representative: Josh Richards Agreement of Addendum of October 9, 2014: Nordic Mountain Water, Inc. Representative: Bill D. Green Addendum of October 9, 2014: It is agreed that upon signature of Agreement of Terms above by both parties, this agreement is valid subject to NMWI receiving \$45,000 deposit on or before Oct. 21, 2014. If said deposit is not received by Oct. 21, 2014 this agreement shall become null and void. Agreement of Addendum of October 9, 2014: -\_\_\_\_\_\_Date:/<u>0//6/70/4</u> Pine Canyon Representative: Josh Richards Agreement of Addendum of October 9, 2014: Bill D. Green Nordic Mountain Water, Inc. Representative:

#### Exhibit E- Sewer "Will-Serve Letter"

Wolf Creek Water and Sewer Improvement District



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

October 7, 2014

Pine Canyon Lodge, Inc. Attention: Jackson Stevens

Subject: Nordic Valley Area Wastewater Treatment Request

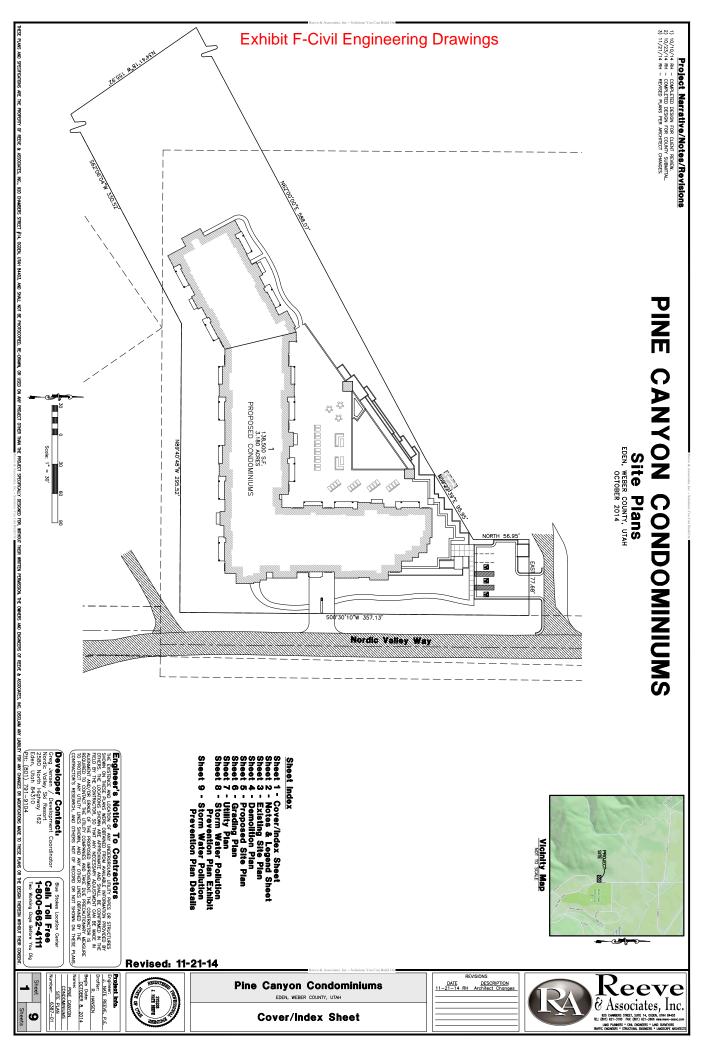
Wolf Creek Water and Sewer Improvement District (WCWSID) on 7 October, 2014 this letter is to notify Pine Canyon Lodge, Inc. that WCWSID has the waste water capacity and CAN and WILL serve 56 additional sewer connections from the Nordic Valley Area as requested.

Pine Canyon Lodge, Inc. will be responsible for all associated costs for all required engineering, impact fees, construction drawings, piping installation and all permit approval cost for delivering waste water to the WCWSID treatment plant as approved by WCWSID. Specific terms and conditions to be negotiated in a separate agreement.

Wolf Creek Water and Sewer Improvement District

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Robert Thomas, General Manager



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## Utility Notes CONTRACTOR SHALL COORDINATE LOCATION OF NEW "DRY UTILITIES" WITH THE APPROPRIATE UTILITY CONFANY, INCLUDING BUT NOT LIMITED TO: TELEPHONE SERVICE, GAS SERVICE, CABLE, POWER,

5 FF 6

= EXISTING PAVEMENT

= FINISHED GRADE = FINISH FLOOR BLEVATION FENCE CORNER

# **Erosion Control General Notes**

THE CONTRACTOR TO USE EEST MANAGEMENT PRACTICES FOR PROVIDING EROSON CONTRAL TOR CONSTRUCTION OF THIS PRACTIC. ALL MURERAL AND WORKMANSHIP SHALL CONFORM TO CONFIRMING AGENCIES COBINANCES AND ALL WORK SHALL BE SUBJECT TO NEWFORT WITH FOR THE CONTRES. ALSO, INSPECTORS WILL HAVE THE RIGHT TO CHANGE THE FACULTIES AS NEEDED.

CONTRACTOR SHALL KEEP THE SITE WATERED TO CONTRACT DE CONTRACTOR TO LOCATE A NEARBY HYDRAWIT FOR USE AND TO INSTALL TEMPORARY METER. CONSTRUCTION WATER COST TO BE INCLUDED IN BID.

WHEN GRADING OPERATIONS ARE COMPLETED AND THE DISTURBED GROUND IS LEFT OPEN FOR 14 DAYS OR MORE, THE AREA SHALL BE FURROWED PARALLEL TO THE CONTOURS.

THE CONTRACTOR SHALL MODIFY EROSION CONTROL MEASURES TO ACCOMMODATE PROJECT PLANNING.

AL ACCESS TO PROPERTY MILL BE FROM PUBLIC RIGHT-OF-WAYS. THE CONTRACTOR IS REQUEED BY STATE AND FEDERAL REGULATIONS TO PREPARE A STORM WREE POLLIDING PREVENTION PLAN AND FILE A "NOTICE OF INTENT" WITH THE CONERNING AGENCIES.

## Maintenance:

ALL BEST MANAGEMENT PRACTICES (BMP'S) SHOWN ON THIS PLAN MUST BE MAINTAINED AT ALL TIMES UNTIL PROJECT CLOSE-OUT.

THE CONTRACTOR'S RESPONSIBILITY SHALL INCLUDE MAKING BI-WEEKLY CHECKS ON ALL ENOSION CONTROL MEASURES TO DETERMINE IF REPAR OR SEDMENT REMOVAL IS NECESSARY, CHECKS SHALL BE DOCUMENTED AND COPIES OF THE INSPECTIONS KEPT ON SITE.

SEDMENT DEPOSITS SHOULD BE REMOVED ATTER EACH RAWFALL. THEY MUST BE REMOVED WHEN THE LEVEL OF DEPOSITION REACHES APPROXIMATELY ONE-HALF THE HEIGHT OF BARRIER.

SEDMENT TRACKED ONTO PAVED ROADS MUST BE CLEAVED UP AS SOON AS PRACTICAL, BUT IN NO CASE LATER THAN THE ENO OF THE NORMAL WORK DA Y. THE CLEAV UP WILL INCLUDE SWEEPING OF THE TRACKED MATERIAL, PICKING IT UP, AND DEPOSITING IT TO A CONTAINED AREA.

### EXPOSED SLOPES:

ANY EXPOSED SLOPE THAY MLL REMAIN UNFOLCHED FOR LONGER THAN 1:4 DAYS MUST RE STABLIZED BY ONE ON AVORE OT THE FOLLOWING UNFORCE A) Serving DISTUBBED MERS WITH A TACKTER VA HYDROSEED B) TRACKING STAWN REPERSIVOLULAR TO SLOPES C) INSTALLING A LIGHT-WEICHT, TEMPORARY EROSION CONTROL BLANKET

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EP = EDGE OF EXISTING PAVEMENT	CB = CATCH BASIN	C&G = CURB & GUITER	BSW = BACK OF SIDEWALK	BLDG = BUILDING	= sign	• = STREET LIGHT	= EXISTING CATCH BASIN	= EXISTING WATER METER	X = EXISTING GATE VALVE	O = EXISTING MANHOLE	O = EXISTING FIRB HYDRANT		EX.SD = EXISTING STORM DRAIN LINE	EX.SS = EXISTING SANITARY SEWER LINE	EX.W= EXISTING CULINARY WATER LINE	DueBer
WW	×	UGP	TBC	SS	SD	RIM	РМ	PP	NG	Ŀ,	INV	GM	GB	7	Ŧ	
= WATER METER	= CULINARY WATER	= UNDERGROUND POWER	= TOP BACK OF CURB	= SANITARY SEWER	= STORM DRAIN	= RIM OF MANHOLB	= POWBR METER	= POWBR/UTILITY POLE	= NATURAL GRADE	= LINBAR FEBT	= INVERT	= GAS METER	= GRADE BREAK	= FLOW LINE	= FIRB HYDRANT	





Pine Canyon Condominiums

Notes & Legend Sheet

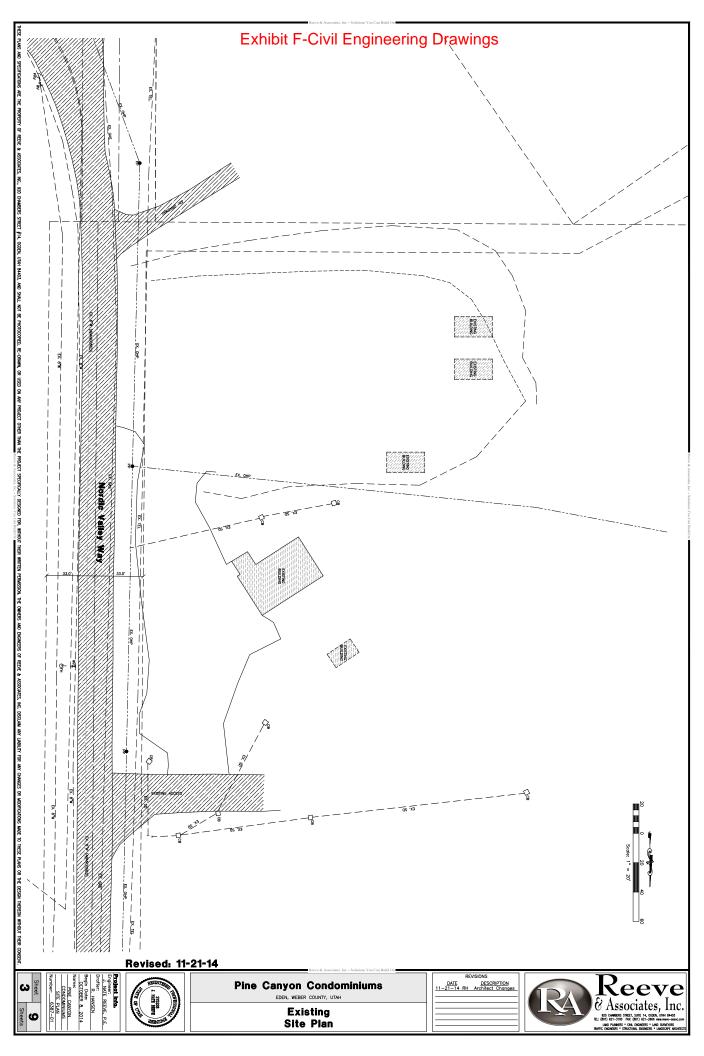


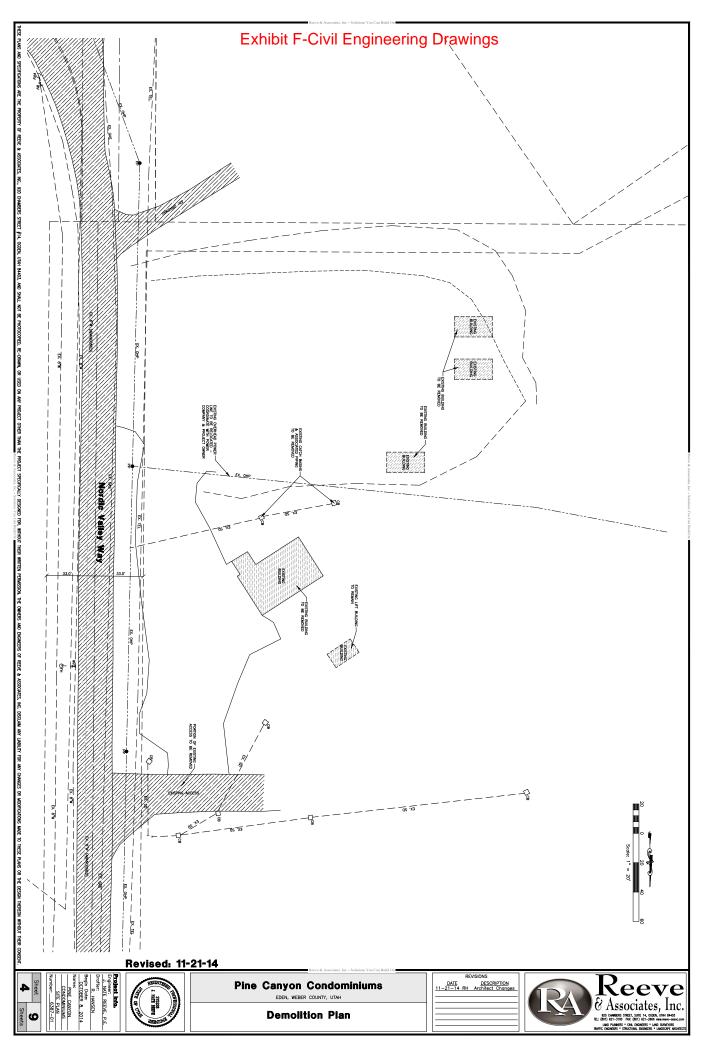
Drafter: R. HANSEN

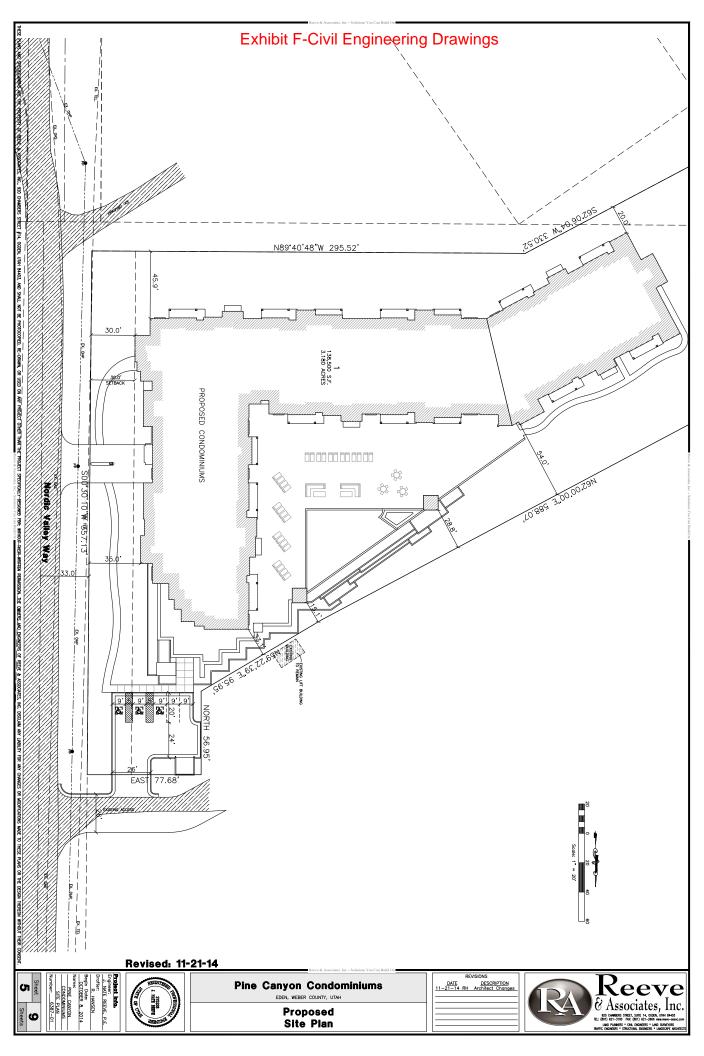
Begin Date: OCTOBER 8, 2014 CONDOMINIUMS SITE PLAN Number: 6387-01 Sheet

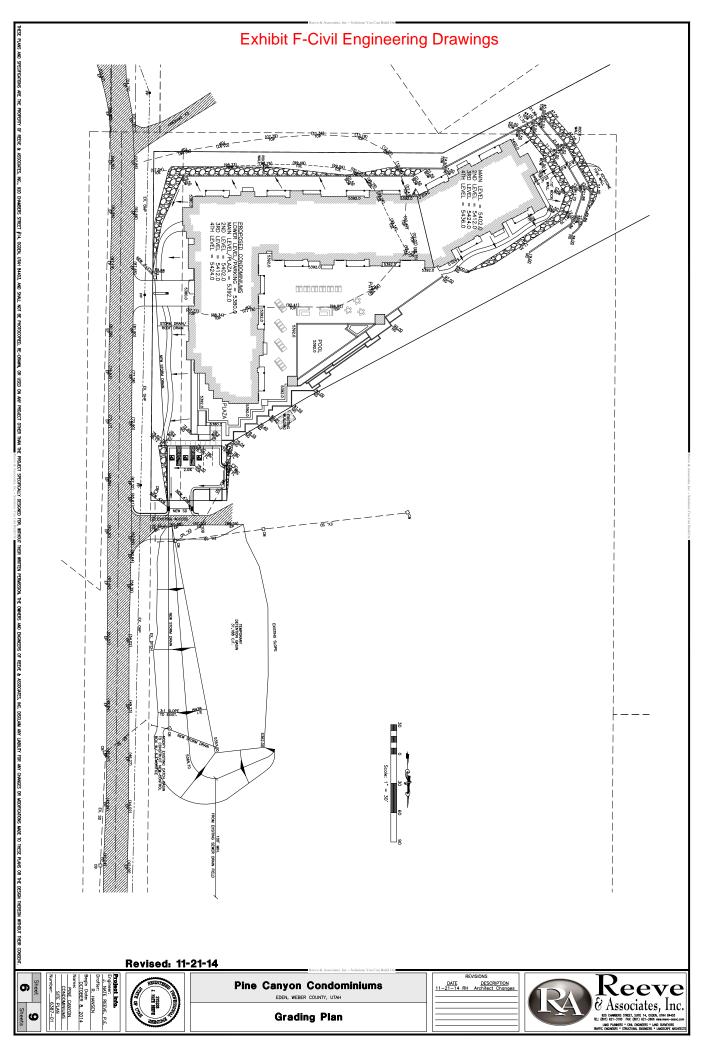
Revised: 11-21-14

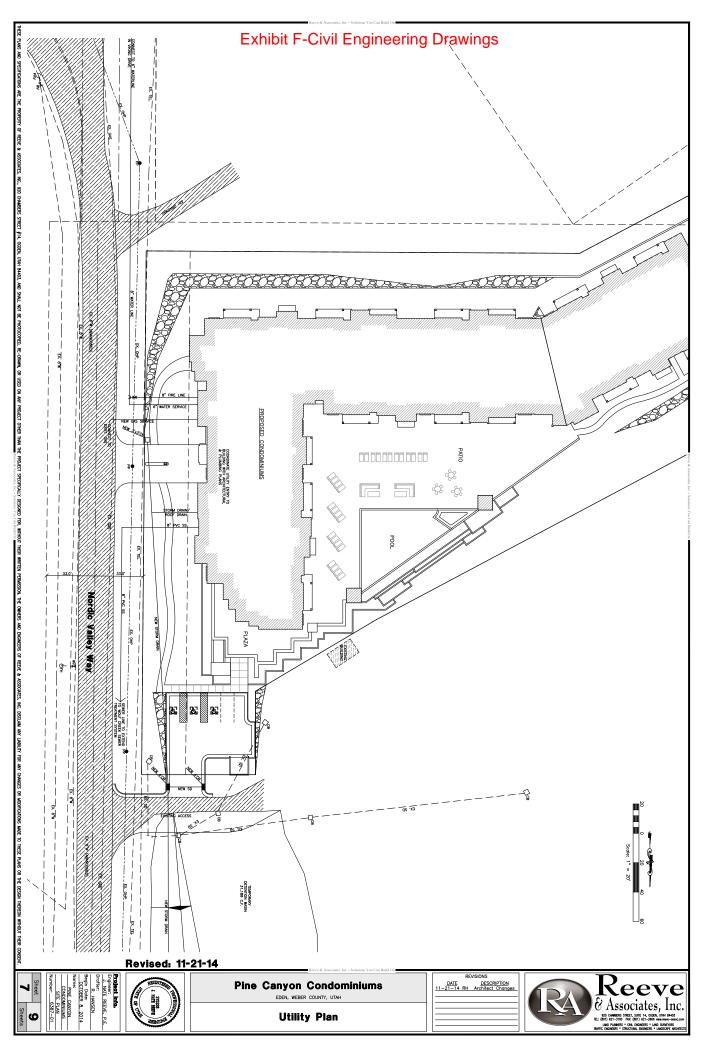
EDEN, WEBER COUNTY, UTAH











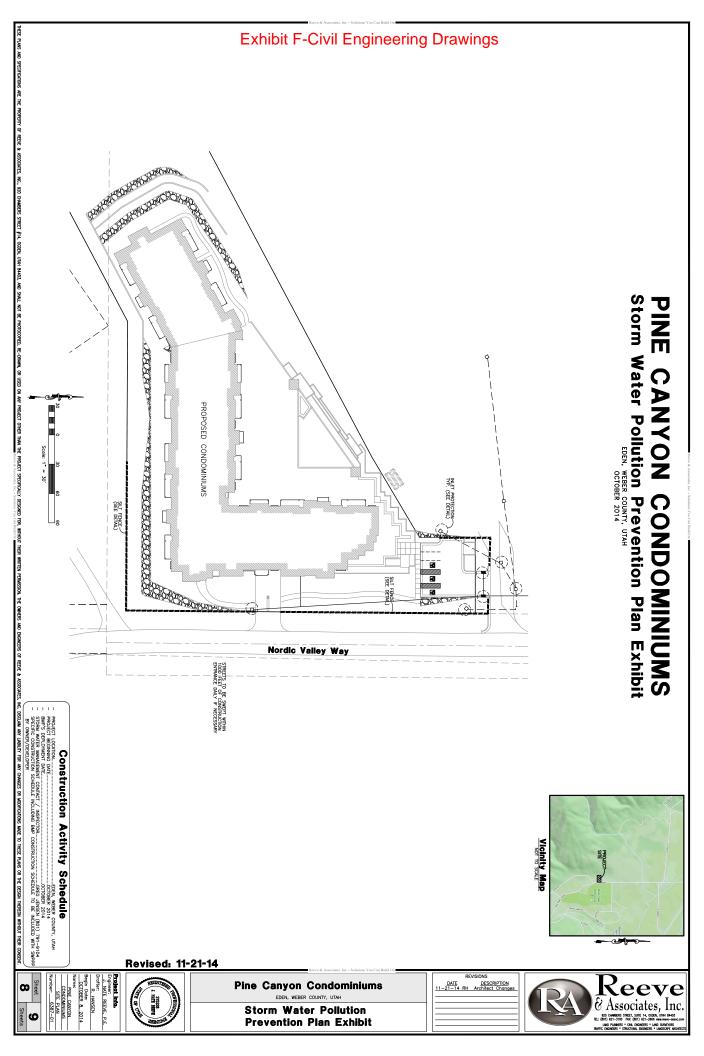
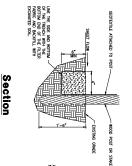


Exhibit F-Civil Engineering Drawings e spill Pos BMP's for wind erosion: Stockpiles and site as needed to be watered Notes: Construction Vehicles and Equipment: Describe all BMP's to protect storm water inlets: All storm water inlets to be protected by straw wattle barriers, or gravel bags (see detail). Describe BMP's to eliminate/reduce contamination of storm water from: Prevention and Control Minor Spills: Minor spills are those Part II failure 300000 ir necessary Install straw wattle around all inlets contained within the development and all others that receive runoff from the development. Control Disa' Notes: Stand-By creation with the soluble of a standard bit can be mached 24 hours a day 7 days a week, stand-by creation will delayable on soluble at a lines during potential rank or more uncel events. Stand-by creation with the soluble on a standard at a lines during potential rank or more uncel events. 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The solution is approved, some selectarist with removal or the solution of the system is approved, some selectarist with removal or the solution of the system is approved, some selectarist with removal of the governing agency, and the removed from the site a total by the Eugineer of rectario of the governing agency. public streets and storm drain facilities shall be maintained free of building materials, mud and debris caused by grading or construction operations. Roads will be swept within 1000' of construction entrance daily not wash out concrete trucks into not place material or debris into her Use as little water as possible to poold installing ensign and sadiment controls for the wah error, ensuring runs, course, may approach ensured wash once to prevent waite water discharge into the phosphare-free, biodegradule eases. Do not permit atteam celeving on-alter. n infimum of one inspection of the encion out sediment controls every the weeks. Maintain documentation on site. III.D.4 of general permit UR200000 classifies the minimum inspection requirements. III.D.4.4 Generalies the minimum inspection report requirements. If the spill rials, cat IP If the spill ose of conf If idealing mays occur on-site, use designated areas anay from dioxinge. Locate an en-test fuel staroge trans within a termad eran display to that the tack volume. Cover referitor area with on imperious material and initial in in a maner to exeruse total any spills will be constanted in the referitor area. To catato upplies of leads when removing or changing fluids. The drip pans for any oil or fluid changes. rrly store materials dry and wet materials mixing excess an - Control devices alsons on the plant and approved for the project may not be rearroad without approval of the great control. In the sense are removed, now the may control without approval of the project without approval provides the sense that any sense of the project may not be rearrowed without consulting control of the sense of contr spills can performed in designated areas g agency. control devices will be modified as need as the project progresses, and plans of these by the engineer of record and the governing agency. tain the basins may not be removed or made inoperable without the approval of the engineer of record and the e spill occurs during rain, cover the impacted area to avoid runoff, rad all steps taken to report and contain spill. To set hose which are likely to be controlled by an-site personnel. After contacting local emergency genetics, the following order alroad occurry and acceary of a minor spin in the spread of the spin. Intermetable surfaces, clean up using "dy" methods (i.e. obsorbent reguli occurrs of person of intermetable surfaces, clean up using "dy" methods (i.e. obsorbent spin occurrs of person of the spin intermetable surfaces, clean up using "dy" methods (i.e. obsorbent spin occurrs of person of the spin intermetable surfaces, clean up using "dy" methods (i.e. obsorbent spin occurrs of persons intermetable sources) and the spin by constructing on earth dise. Dig up property containmode soil. , unuing / concrete wash preas: formed in designated areas only and surrounded with silt fence barriers. minded by sall amendments. aminates are found or generated, contact environmental engineer and contacts listed med in designated areas med in designated areas only and surrounded ngve el shoud not attempt to control major spills until the appropriate and qualified energency one arrived at the site. For spills of teetral reportable qualifies, also notify the National or (800) 424-8802. A written report should be sent to all notified authorities. Failure to report result in significant fines and penaltes. building material storage areas, aterials such as paints and solvents, et materials under cover, away from draino ess amounts of fresh concrete or cement of concrete trucks offsite or in designates - concrete trucks into storm drains, open d designated areas only and surro eas: designated areas only and surrounded with silt fence. esignated areas only and surrounded with silt fence. esignated areas only and surrounded found or generated, contact environmental engineer and contacts listed. ver, away from drainage areas. 1 concrete or cament areas only. storm drains, open dichers, stretest or streams. storm drains, open dichers, streets or streams. only and surrounded only and surrounded with silt fence. regularly to governing uponcy. Juce erosion damage within the site is left to the discretion of the Engineer of eliminate / control wind erosion unded with silt fence. with silt fence. with silt fence. with silt fence. changes submitted for **Perspective View** REARBOATED, SHIT FEAR, FORKER, FORKER, FORKER, FORKER, FORKER, SHIT FEAR, FORKER, FORK 2.4-3.0m plobe y the lose geotextile at the bottom of the toe in the upstream trench and bookfill h natural seal, transing the bockfill to h natural seal, transing the bockfill to wide good compaction and anchorage. Justrates a typical site frame tallation and anchor trench placement. sell fence should be installed prior to major " disturbances in the drainage arcs. The fance " in a becarion whereas the slope along a line of it in a becarion whereas fixed a slope and the protect Table 1 shows generally-recommended " mum slope lengths (slope spocing between es) at various site grades for marct sitt fence de a minimum 15.2cm x 15.2cm ) trench at the desired location. wooden posts, or steel posts with fasten-ropections, appinst the downstream wall le trench. Maximum post spacing should .4--3.0m (8-10ft). Post spacing Steepness (%) sts into the ground until the required eight and/or anchorage depth is Maximun Sit Fe Middlebrooks, 1991) Max. Slope Length m (ft) 30.5m (100ft) 22.9m (75ft) 15.2m (50ft) 7.6m (25ft) 4.5m (15ft) um Slope Lengths



less than three (3) times

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geotextile shall then be stapled or wired to posts. An extra 20-50cm (8-20<sup>°</sup>) of extile shall extend into the trench.

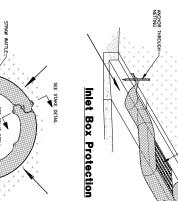
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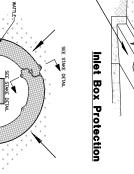
<u>MCVAL</u> It fence should not be removed until con-truction ceases and the upslope area has seen properly stabilized and/or revegetated.

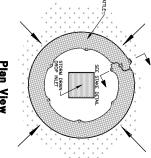
N. Section B

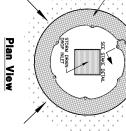
Top View of -to-Roll Connection

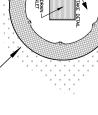
















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FLOW







Stake Detail

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SILE PLAN

HESE PLANS AND SECONDERS ARE THE PROPERTY OF RECE & ASSOUNDES, NAL, 502 OWNERDS STREET J44, 0020L, UNM HAAD, AND SHLL VOT ER PRODUCTIONS ARE TO PLASE TANK OF HERE ASSOUNDES INC. EDGUAR WAY UNDER TO PLASE TANK O

**Canyon Condominiums** Pine EBER COUNTY, UTA **Storm Water Pollution Prevention Plan Details** 



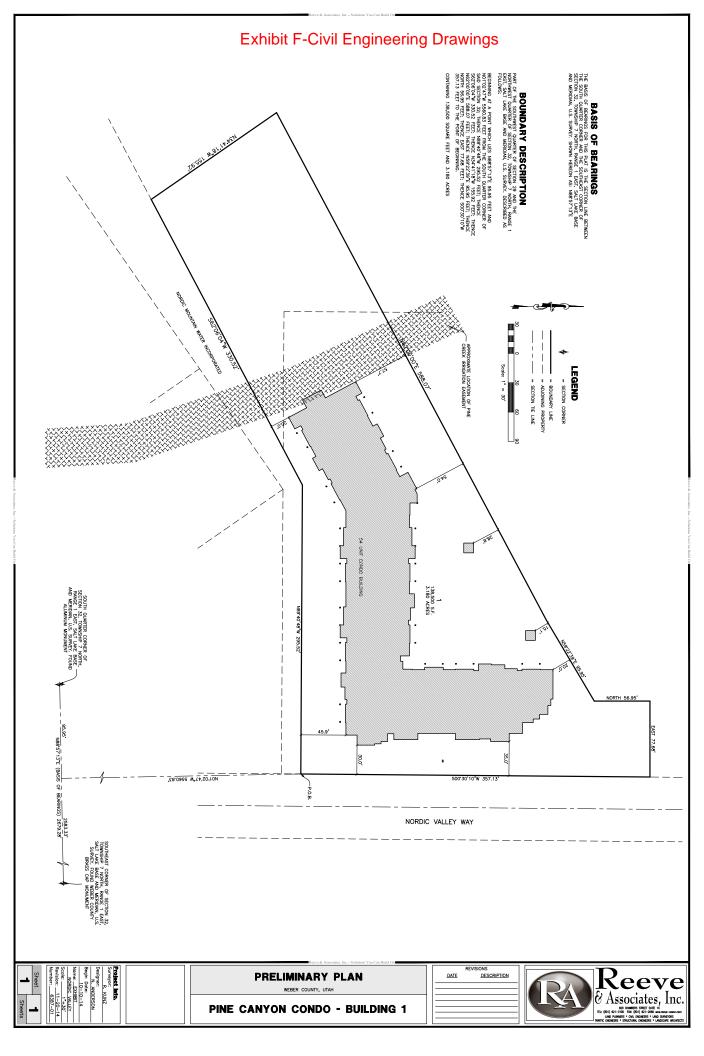


GRAVEL BAGS

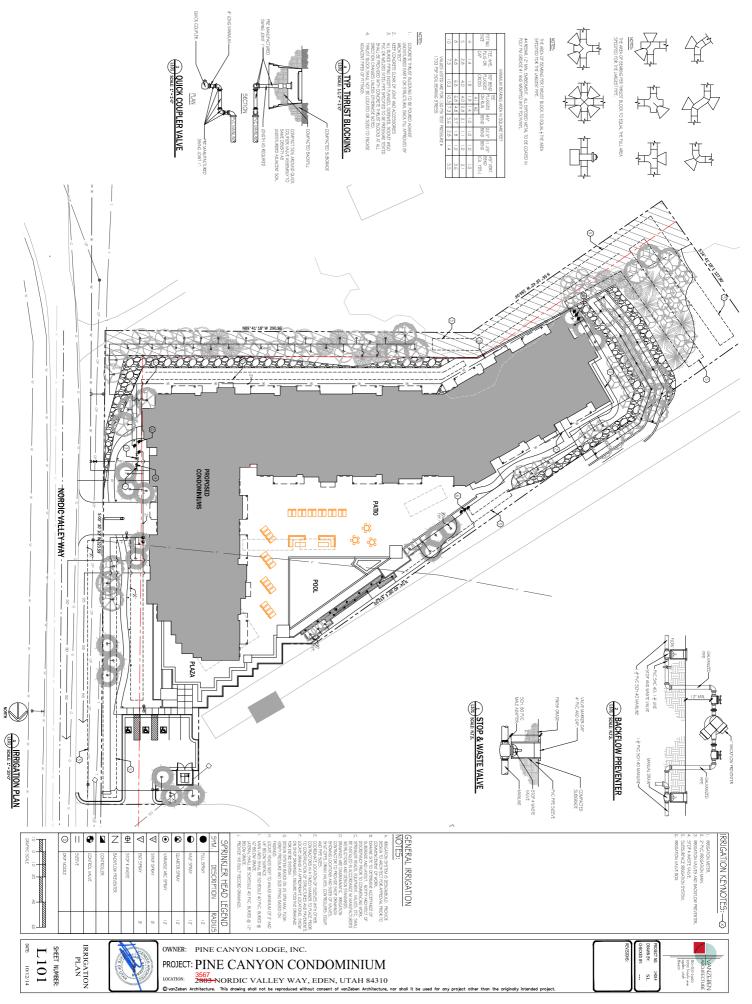
STORM DRAIN

INLE

ANCHOR THROUGH



#### Exhibit G-Irrigation Plan





#### Exhibit G-Landscaping Plan

7 S NORDIC VALLEY WAY, EDEN, UTAH 84310 ing shall not be

--- MJV

10/12/14

LOCATION: