



Sun 3/13/2022 1:45 PM

Karen P Taylor <karentaylor859@gmail.com>

[EXTERNAL] Against proposed rezone and new development. NO WATER HERE..... do you live here Scott?

To Perkes, Scott; Gmail

You replied to this message on 3/15/2022 1:38 PM.

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So here is my question. Where are you going to get the water? After the Olympics, you are aware that the place will go bankrupt? It has 4 or 5 times now. Leaving us with a ghost town.

Karen P Taylor



Sun 3/13/2022 9:32 AM

Randy Emery <emrandy@gmail.com>

[EXTERNAL] Nordic Valley

To Perkes, Scott

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Scott,

I suspect your constantly hearing from folks that oppose the proposed Nordic Village at Nordic Valley. I'm a Nordic Valley resident and I'm all in favor of the expansion. I think it will dramatically impact our local real estate values and make Nordic Valley as well as Eden in general an even better place to live and play.

Local folks want to see the ski resort expand and continue but don't understand the need for the owners to develop the surrounding property to make the venture not only pay for its self but be sustainable as well.

Randy C. Emery
Direct: (801) 937-6727
Mobile: (801) 580-5691



Tue 3/15/2022 1:29 PM

Randy Emery <emrandy@gmail.com>

[EXTERNAL] Re: [EXTERNAL] Nordic Valley

To Perkes, Scott

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Scott,

You know what a true environmentalist is? One who already has their cabin. We have to resist the pressure of those that want the door closed after their in. They have to remember when they came someone did t want them in. The county needs to do what's best for the long term economy and community of all not those with the loudest voices. It all too often that just the opposition speaks up.

Randy C. Emery
Mobile: (801) 580-5691
emrandy@gmail.com

To Weber County Planning Department

Dec. 27, 2021

Comments on Proposed Nordic Valley Expansion

Overview

As residents of Nordic Valley we have serious objections to the zoning changes and development proposed by the Skyline partners plan for building of a destination resort.

This proposal impacts the entire Ogden Valley in terms of a permanent change to the General Plan vision. There is no going back if this change is allowed.

No change of this magnitude should be allowed without extensive input from the community. As the community is largely unaware of these changes any consideration should be delayed indefinitely.

We object in principle to changing the zoning outlined in the Ogden Valley General Plan in order to provide profit to a development company at a considerable and permanent cost and damage to the community.

We also object to an attempt to provide spot zoning to circumvent community input.

This proposal includes a large number of non-resident rental units adding to the burden of short-term rental units in the valley and all the associated issues. This is not designed for owner occupier residents who also are active community participants and income tax payers.

Specific objections along Viking Drive

I specifically call out opposition to the 28 planned chalets parallel to Viking Dr. that would place high density rental units on small lots immediately next an existing residential community with different characteristics than a resort. The setbacks would be closer than already existing properties. The placement requires a road with embankments and destroys the views of existing homeowners. Some of the proposed chalets are located on land called out as potentially unstable in the GCS Geoscience Review of the project.

A second specific item is the Park City Stairs at the top of Somerset Drive. This access has been paved maintained and in use as a private drive for years. It borders three existing properties. Putting any access here adjoin homes in a zone where this should not be possible. No parking should be allowed here or anywhere along Viking for resort access for safety reasons.

We also object to the placement of the Inn/lodge which is immediately behind existing homes. The road that will be needed for this will be in immediate contact with the homes on Viking Dr. Resort housing should be kept away from existing homes to leave a buffer.

Summary

There are too many other questionable items in the proposed plan to call out in this short note, but the principle is clear. We are zoned as in the General Plan for good reasons including protecting existing homeowners and communities.

Bruce Keswick
2395 N. Viking Drive
Eden, UT 84310
513-400-6547

Comments, questions and suggestions on the plan for Nordic Valley Expansion Road and Traffic Plan

There are elements of the plan that appear to be done without local knowledge, especially as it was conducted in September. They should have also considered Fridays and snow days which are also often problematic because of traffic backups, stuck and parked cars blocking traffic. This suggests some ideas to ensure better planning.

1. Do not direct traffic on to Viking drive with or without a traffic circle for the following reasons:
 - a. The north end of Viking Drive is one of the steepest (16-18% grade) in the valley and even the snow plow and garbage trucks have problems getting up the slope. We don't even get mail delivery. The traffic is better directed to Nordic Valley way that is the main thoroughfare to the upper part of the valley and the proposed access up. The south end of Viking is less steep and closer to the proposed road up.
 - b. Snow removal is a major reason to keep traffic off of Viking Drive. We get a lot of snow at times that narrows the street width dramatically. Often an additional process to restore street width is needed. Viking Drive is a side street and so not the first priority for plowing. Snowplow and emergency vehicle access need to be maintained. Additional traffic and parking will interfere. It is easier to plow Nordic Valley Way.
 - c. This suggests no parking along Nordic Valley Way, Viking Drive and Somerset. The sheriff received multiple calls on a recent ski day due to parked cars on Nordic Valley Way and Viking Drive blocking safe access to residents, snowplows and emergency vehicles. This should be a tow away zone.
 - d. There is already an issue with skiers cutting through private property on Viking Drive, the plan should not allow parking and direct access to the resort not impact private residences.
 - e. Viking was a narrow quiet residential side street prior to this project where the community walks and runs in the street. There are no sidewalks or running paths. We have had ongoing issues with contractors speeding along the street.
 - f. Viking Drive has been damaged by the construction traffic and is not in great shape to begin with to handle traffic for what looks to be 2-4 times the number of housing units than currently exist. Again, Nordic Valley Way is better equipped.


- g. Viking Drive was not evaluated in the traffic report for level of service.
2. Signage is needed on Nordic Valley Way to warn drivers that 4x4 or AWD is required to drive up Nordic Valley Way to the resort. I have personally experienced multiple times the road being blocked by cars inadequately equipped being stuck across the roadway.
3. The top of somerset west of Viking Drive despite being labeled as an R.O.W. is built as a driveway, not a road. It is privately constructed and maintained including snow removal. Snow removal has to be done by hand. Putting access steps that empty onto a driveway presents potential legal issues, as well as parking, privacy and safety issues. The item in the plan should be eliminated.

Bruce Keswick

2395 N. Viking Drive

Eden, UT 84310

513-400-6547




Wed 3/16/2022 3:05 PM

Steve Munson <fstevemunson@gmail.com>

[EXTERNAL] Nordic Valley Development

To Perkes, Scott

 Viking Drive Concerns.docx
19 KB

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Hi Scott,

I'm attaching a document voicing some concerns regarding the proposed South Mountain Village development. We live at the top of Somerset Drive, actually a portion of our driveway is an easement for Somerset. The proposed staircase ends adjacent to our property which goes through a wooded wetland area with an ephemeral stream.

Just thought I'd share my thoughts with you. We are not against development, particularly for the other proposed sites. I know a number of our neighbors in Nordic Valley prefer no development or at least a significant reduction in the number of units proposed and we would prefer a reduction (but not significant) in the number of proposed units as well.

I have been on several zoom calls where I've heard neighbors complain about trespassing as individuals using the resort property above us trek down to either Viking Drive or Nordic Way. In either case that's an uncommon event unlike some who say it happens frequently. We do have issues with ATV's and dirt bikes using the road above us that accesses the express lift in spite of no trespassing signs on the dirt road.

I'm a retired Forest Service employee, I was the Group Leader for the Intermountain Regions insect and disease staff. My graduate degree is in forest entomology with an undergraduate degree in forestry. We have lived in Nordic Valley since 2002. If you have any questions regarding the attachment or this email message don't hesitate to let me know.

Thanks for all that you do!

Take care,
Steve

Steve Munson Attached Document from Email Dated 3/16.

South Mountain Development – Nordic Valley Resident Concerns

1) Soils

The proposed South Mountain Development appears to be located primarily on a hillslope area in the vicinity of mapped landslide hazards consisting of marginal soils subject to soil movement. The soil types Qms, Zmcg? and Qms?(Zpu) are found throughout the proposed development. Qms?(Zpu) are mass movement deposits considered potentially hazardous because of indications of past landslide movement. The Qms deposits are the most recently active mass movement features on the site. Within this soil type, mass movement, slump, soil creep hazards (shallow and rotational landslide units) are areas where slope creep processes are likely. Zmcg soils are prone to slope failures.

Presently inactive mass movement, slump, soil creep hazards (Qms) deposits, and mass movement, block failures including Qms(ZYp), Qms?(ZYp), and Qms(Zpu), consist of slopes that have moved during the past. Because of the past movement, the soils and rock structures that comprise these units have been weakened by past movement and deformation. Areas where mass movement have been mapped in the Geohazards Report for Nordic Valley should be considered susceptible to renewed movement, and site development grading, cuts and fills, and foundations placement should not be conducted in these areas without specific design-level geotechnical engineering and supervision.

Qms - Landslide deposit, poorly sorted clay- to boulder sized material; includes slides, slumps.

Qms?(Zpu) - Block landslide and possible block landslide deposits

Qms(ZYp) & Qms?(ZYp) - Block landslide and possible block landslide deposits

Zmcg - Is prone to slope failures.

2) Rocky Mountain Subalpine-Montane Riparian Woodland

A portion of the proposed development appears to be in this riparian woodland system which includes a seasonally wetland forested site. This woodland type occurs at elevations between 4,600 and 8,800 feet. In subalpine environments there are steep gradients and high-energy flows controlled by precipitation and hydrological events. In this area, subalpine fir (*Abies lasiocarpa*), Douglas-fir (*Pseudotsuga menziesii*) and quaking aspen (*Populus tremuloides*) occur. The understory in this riparian system can consist of willow (*Salix spp.*), alder (*Alnus spp.*) and redosier dogwood (*Cornus sericea*). These riparian types contribute to animal and plant diversity because they tend to have a more diverse forest structure than adjacent oak (*Quercus spp.*) / maple (*Acer spp.*) habitats. This area appears

to make up a small but significant proportion of the site considered for development and should be avoided if possible.

3) Ephemeral Stream

Ephemeral and intermittent streams are the defining characteristic of many watersheds in dry habitats and serve a critical role in the protection and maintenance of water resources and the environment. An ephemeral stream and corresponding wooded wetland is located above Somerset Drive.

4) Staircase

The proposed staircase permitting access to the Somerset Drive easement is a concern due to pedestrian traffic affecting several homeowners along the driveway easement. The current homeowner at the top of the easement maintains this driveway at their expense. Would they not be responsible for individuals sustaining an injury using this driveway particularly during the winter months when ice is not an uncommon feature on the driveway? With the development of the South Mountain area and proposed and existing trails, this staircase could be a commonly used corridor to access the lower portion of the Nordic Valley Development impacting the permanent residents along the easement. Is there not a better option to provide a fire escape route for homeowners/users of the South Mountain Development? There are several lots/properties along Viking Drive where there is no existing structure, or the owners are secondary homeowners who rarely use the cabin on their property.



Mon 3/21/2022 9:56 AM

Jeannette Maw <jmaw@goodvibecoach.com>

[EXTERNAL] Commenting at the 3/22 meeting

To Perkes, Scott

You replied to this message on 3/21/2022 3:34 PM.

Action Items

+ Get more ap

Scott, am I imagining that we were supposed to request a chance to comment at the meeting? I've searched notices and can't find where I thought I read that, so I'm just writing you in case I'm remembering right. I'd like to mention the impact on the quality of our night skies if possible.

If I don't get a chance to speak, here's the comment I wanted to submit:

Jeannette Maw
3135 N 3825 E, Nordic Valley

Quoting from the Ogden Valley General Plan:

"The rural character of Ogden Valley is defined by its open fields, agricultural lands, stands of trees, peace and quiet, dark skies, clean air and water, abundant wildlife, and small villages."

A development of this magnitude is inconsistent with the rural characteristics this community values, including high quality night skies.

Even with full compliance (which we assume any development would be in full compliance with dark skies ordinances) I don't have to be a lighting engineer to know that a development of this size will brighten the valley and negatively impact our dark skies.

This development would also negatively affect the astrotourism potential and appeal for visitors to our community.

763 new units threatens the rural characteristics that define this valley and that we as residents seek to preserve.

Thanks for all your work on this, Scott! I have to imagine there's a lot on your plate right now with this issue on the minds of so many residents.

Sincerely,
Jeannette Maw
3135 N 3825 E
801-430-3377
jmaw@goodvibecoach.com

Weber Planning Commission,
Re:Nordic Valley Development Proposal

Let's be Crystal Clear.

The ONLY reason for this Development proposal is to Maximize Returns on Investment for Skyline investors.

The ONLY reason for this Rezoning proposal is to Maximize Returns on Investment for Skyline investors.

Everything else is designed to distract from this massive project's overreach and minimize objections to push its goal of maximizing profit. All of this is with blatant disregard to the current community.

Rezoning The O-1 "Open Space" Zone is a Terrible idea. Its current location was designated where it is for a reason. It is MUCH MORE BENEFICIAL to the Public in its current location than a steeply sloped heavily wooded hillside sloped area that this Rezoning "Trade" is asking for. This O-1 Zone is used every day by the public, and wildlife. It's flat to gently sloping topography make it Ideal right where it is. A hillside O-1 zone is Clearly not an easily accessible, usable or enjoyable location for General Public Use and for wildlife grazing habitat.

Rezoning Views: I disagree 100% with this Proposal that States that "preservation of natural landscapes and viewsheds" will be protected, by moving structures from the hillside down onto the O-1 "Open Space" golf course area. Who are the developers to say that Mountainside tree landscape views are more important than meadow landscapes and views. In fact meadow views are far more Rare than Hillside views. Flat land is Much more highly coveted than hillside sloped terrain. The open amber waves of the grassy meadows and wildflowers mixed with Pine Trees, Quaking Aspens, 2 ponds, the mountain stream, deer and moose foraging, walkers and cross country skiers, sunsets glistening, and glowing over and through this flat land is breathtaking. I've been watching it for 13 years now through the back windows of my house. It's better than an Ocean view!

Special Rezoning Permissions: Why does this "special" skyline group get preferential treatment for a project that will destroy the Nordic Valley area and existing Open space? Quite frankly it should be the opposite. They should be penalized for trying to disenfranchise our right to live in harmony within such a rare and unparalleled community. Is so easy to destroy it, and so Hard to get it back. Let's not wreck it because some think it's wreckable. Or just cheaper and easier to build upon.

So what are the Costs (of Skyline's proposal) to the community's finances, environment, air quality, water quality, groundwater and surface water runoff, flooding, wildlife, noise, "quiet enjoyment", views, traffic, road infrastructure, school system, quality of life, enduring 10 or more years of constant construction, change of a rural setting and way of life to an Urban setting?

Cost / Benefit analysis: The cost analysis noted with this proposal is Currently Insufficient and inaccurate, substantial costs to the county and state are missing in the analysis.

Quality of life: Greatly reduced by the below factors.

Environment: Permanently Destructive to Land, Air, Water, Noise, Views, Wildlife & People's access to Usable Open Space.

Destruction of wildlife habitat: Moose, deer, mount lions, birds etc will be effectively removed from precious, very rare flat mountain open space meadows, this is needless obliteration.

Increased Emissions: Vehicles, Heating/cooling/lighting 765 housing units, and commercial buildings will substantially increase fossil fuel consumption and thus emissions into the Upper Valley.

Inversions: Risks and frequency would be increased in the Upper Valley due to increased traffic and other added emissions. Last summer's devastating smoke inversions from the california fires showed how vulnerable the Upper Valley's air quality is.

Land porosity: Smothering water absorbing land with non porous road, sidewalk, driveway, patio surfaces and building coverage will Decrease slow Water absorption into soils while increasing rapid flooding runoff.

Perc Test Failures: Perc tests in the North east area of the O-1 Open Space "old golf course" area have Repeatedly failed over the course of very many years. Another reason this area was originally designated O-1 zoning.

Flooding: Spring thaws raise Groundwater to levels where it percolates up and runs above ground every spring. My neighbor had to install 2 sump pumps to keep their ground floor level dry. Ground water has seeped through my ground level concrete slab due to the high water table's hydrostatic pressure. Our homes have also been flooded, in years when the high water table combines with strong rains, to the extent that we are forced to open our downstairs doors to let the water flow out of the house as it's impossible to stop it from rushing inside. The increase in non porous surfaces will only exacerbate this problem. When our houses flood again, who will we turn to for repair costs?

Schools: Additional costs, with every additional student (cost per student \$8,359 for weber county 2022 {public school review}), Seems to have Not been accounted for with this proposal. If 1 child per proposed residential unit were to be added to the school system, that would add a cost of \$6,377,917 per Year (763 units x \$8,359). That's \$63.7 Million for 10 years. These costs will undoubtedly increase over time.

County School Costs: Costs for Additional students alone would potentially total more than all the combined taxes levied on the residential dwellings, depending on the mix of primary vs secondary homes. It would take well less than 1 student per dwelling for the additional student costs to be greater than the entire amount of taxes received from the residential units.

Second homes: If the majority of the proposed dwellings are Second Homes, is it fair to destroy such a beautiful valley to make room for Superfluous properties?

Master Plan: Are these second homes? If so, then that goes Against the noted master plan directives that affordable housing be a criteria for such proposals. Second homes are not Affordable housing.

Traffic: Endless construction and other vehicles will be a detriment to the Upper Valley, Note the current truck traffic for Powder mountain construction, this project is much bigger.

Roads: Construction vehicles and general additional traffic breaking down current "rural" roads will add significantly to road repair budgets.

Road rebuild costs: From damaging Heavy construction vehicles, some road rebuilding will be necessary. This increases capital costs to the community.

Water Scarcity/Use: The Upper Valley is already experiencing ongoing water shortages. Just last summer Nordic Mountain Water was discussing imposing rationing and or rate hiking to deter water use. Secondary water in Ogden was curtailed. We simply do not have enough water on a long term basis. Spring Floods and Summer droughts are common, both would be exacerbated by this proposal.

Noise: With so many units, Ground maintenance Lawn Mower, Weed wacker, Blower noise will be never ending. Owners and landscape crews will all be on different schedules resulting in almost continuous small engine nuisance noise every day, possible at every daylight hour of every day Spring, Summer and Fall.

"Quiet Enjoyment": Peaceful living will be Gone for good.

Huge Parking Lot on Nordic Valley Dr: Are we really going to allow Skyline to Pave paradise to put up a Parking lot?

55 Ft Buildings: This is simply Ludacris, it Destroys views and is Completely Out of Character with the surrounding area and environment.

Jobs: Most of the touted jobs will be low wage, low quality service work

I ask you each, Please ask yourselves:

Do you want your legacy to be:

“There’s the guy/girl that let Nordic Valley be destroyed”

or

“There’s the guy/girl that Saved Nordic Valley for future generations”

I would like to put forward that not only should the skyline proposal be denied but that the current O-1 zone “Open Space” meadow area, informally known as the old golf course, be acquired by the County and declared Permanent Open Space for all future generations to appreciate and enjoy.

Thank You very much for all of your thoughtful considerations,

Eric Von Arx
2815 Nordic Valley Dr.
Eden, Utah
e@xxsculptures.com



Mon 3/21/2022 11:40 AM

Robert Sherwood <chisherwood@msn.com>

[EXTERNAL] Nordic Valley rezoning proposal

To Perkes, Scott

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Why is this proposal being entertained when it is clear that there is not sufficient water for the project. There needs to be an environmental impact assessment for sewage plans and it's effect on the aquifer. We are already in a drought scenario and gross increases in water usage as would be required by his plan are not in the best interests of anyone in the valley. The effects on current infrastructure have not been addressed. Traffic through the resort area would be hazardous, particularly if on street parking is utilized. County snow removal equipment would not be able to access parts of the proposed expansion. The areas South of Viking Drive require tracked vehicles in the winter. The grade on the proposed road vastly exceeds the current grade to Powder Mountain which has killed several people over the past several years. Why not just have the developers pave their current parking lots so that their patrons don't have to walk through six inches of mud? If the can't pave their parking lots, why in the world are they proposing this pie in the sky excess?

Bob Sherwood
3844 Viking Dr.

Sent from my iPad



Mon 3/21/2022 11:52 AM

R Munns <nordicvalleyfam@gmail.com>

[EXTERNAL] NV Homeowner AGAINST the rezoning of the Nordic Valley Golf

To Perkes, Scott

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

As a Nordic Valley homeowner & 7th generation Utahan, I am writing on behalf of myself and my family to **VEHEMENTLY OPPOSE** the rezoning of the "Open Spaces" land in Nordic Valley and the environmentally-unsupportable huge new development proposed by Skyline Mountain Base. Despite the developer's vague assertions to the contrary, this proposed development project would destroy the quiet and serene residential community of Nordic Valley we have worked so hard to protect. It will bring unwanted noise, crime, traffic, pollution, environment & wildlife harm. I haven't spoken to a single Nordic Valley resident who doesn't hate this proposal, especially the rezoning aspect which would crunch so many people & buildings right next to us.

I'm also writing to insist Weber Planning Commissioner GAGE FROERER immediately **RECUSE HIMSELF FROM VOTING OR ADVISING ON** all matters regarding the rezoning/development as he is a partner in Nordic Valley Land Associates, which owns a portion of the land that's within the development area envisioned by Skyline. This is an absolute necessity. Frankly, Froerer should have recused himself due to his personal financial stake from the beginning. Even "the appearance of impropriety" matters.

Having read Skyline's documents carefully, we were further dismayed by the lack of hard data supporting the viability of their development. The surplus of vague promises ... lack of key answers & commitments ... significantly underestimated infrastructure costs born by the County & tax payers, significantly overstated revenue to Ogden Valley and Weber County? Well, it just plain insulted our intelligence. Even the increased burden on law enforcement, emergency and health care resources wasn't properly addressed. As is, this development will endanger our community rather than protect it. In fact, every "benefit" Skyline trumpets would clearly be far more "beneficial" to the public if the land was simply left alone.



Mon 3/21/2022 11:52 AM

R Munns <nordicvalleyfam@gmail.com>

[EXTERNAL] NV Homeowner AGAINST the rezoning of the Nordic Valley Golf

To Perkes, Scott

would clearly be far more "beneficial" to the public if the land was simply left alone.

Even worse, our deepening water crisis was irresponsibly skimmed over and the environment damage the proposed development will cause obfuscated. Hard data already shows we won't have enough water to sustain even our current population in the near future. Heck, we didn't even have enough secondary water in 2021. Here are just a few recent articles on the issue:

<https://www.abc4.com/news/digital-exclusives/were-already-running-out-of-water-the-reality-and-future-of-utahs-drought/>

<https://www.standard.net/news/local/2021/sep/01/weber-countys-flow-of-secondary-water-will-soon-start-slowing>

<https://www.deseret.com/utah/2021/7/17/22580015/drought-utah-faces-potentially-crippling-water-shortages-food-supply-reservoirs-great-salt-lake>

<https://www.governing.com/now/drought-stricken-western-towns-say-no-to-developers>

Climate change & global warming have already shrunk our snow pack and reservoirs to record lows and there's no help in sight. Plus, even if we miraculously had the water, making the necessary improvements/replacements to our water pipelines/infrastructure will cost Weber County millions.

As for the money Skyline says will flow into the community? It won't happen. The extra tax base won't even cover our increased costs, leaving homeowners outside "Nordic Valley Village" to foot the bill once again. Furthermore, as designed, vacationer dollars will pour into the commercial "main street" owned by Skyline Mountain Base, not Eden, Liberty or Huntsville. Instead of owning their own restaurants & businesses, locals will, at best, only be able to lease space temporarily at high cost. Most of the touted "new jobs" will end up being low-paid work for out-of-area corporate chains. We have witnessed this before. Repeatedly.



Mon 3/21/2022 11:52 AM

R Munns <nordicvalleyfam@gmail.com>

[EXTERNAL] NV Homeowner AGAINST the rezoning of the Nordic Valley Golf

To Perkes, Scott

Weber County millions.

As for the money Skyline says will flow into the community? It won't happen. The extra tax base won't even cover our increased costs, leaving homeowners outside "Nordic Valley Village" to foot the bill once again. Furthermore, as designed, vacationer dollars will pour into the commercial "main street" owned by Skyline Mountain Base, not Eden, Liberty or Huntsville. Instead of owning their own restaurants & businesses, locals will, at best, only be able to lease space temporarily at high cost. Most of the touted "new jobs" will end up being low-paid work for out-of-area corporate chains. We have witnessed this before. Repeatedly.

As for traffic & road conditions, every Ogden Valley resident knows the roads leading in and out of the Valley are already grossly over taxed and over used. In the winter, it's even worse. Ogden Valley cannot possibly safely handle the increased population this development will bring. More accidents will happen. More crime will occur. More people will die unnecessarily because of an unneeded & unwanted development whose real purpose is to exploit nature to enrich a few.

In sum, we ask the Weber Planning Commission to do the only right and conscientious thing and REJECT the rezoning application by Skyline Mountain Base. We also ask that any future development proposals in Nordic Valley be properly reviewed and vetted by the public and INDEPENDENT environmental and financial experts.

The health and safety of Ogden Valley residents & our natural environment must be your first and most important priority. REJECT THE REZONING.

Thank you.

Ronald L. Munns
2680 Nordic Valley Drive
Eden 84310



Mon 3/21/2022 3:20 PM

Bruce Keswick <brucekeswick@gmail.com>

[EXTERNAL] Comments for March 22, 2022 Planning Commission Meeting

To Perkes, Scott

Cc Bruce Keswick



Planning Comm Meeting Comments March 22 2022.docx
17 KB

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

Hello Scott,

I have included a copy of the comments I plan to make at the meeting on Tuesday. I have limited these to comments relevant to the zoning change.

As you know, Viking Drive and Nordic Valley Residents have had meetings with Skyline representatives and also a meeting to collect community concerns with the project design. The output from those discussions are much more extensive and broad reaching topic wise and will be compiled and forwarded separately.

Thank you.

Bruce Keswick

Planning Commission Meeting March 22, 2022

Suggestions and Requests from Viking Drive Residents March 22, 2022

Alternative Proposal to the "South Village"

- Residents have proposed to the developer that the "South Village" development (rights) be allocated as a conservation easement (Ogden Valley Land Trust) that would also include the open space west of the proposed South Village development.
- We propose the "South Village" development rights be moved to the north side of resort where development would be easier and less destructive. The developer has indicated a willingness to consider this proposal and it is requested that additional language needed in zoning changes be explored.
- The "South Village" is not a part of the ski "village", it is a separate subdivision extending over a mile away from the resort base. It would require building substantial costly infrastructure to build on the steep slopes including a road, water and sewer that would

impact the existing wooded neighborhood. These units should be built on the north side of the resort away from a neighborhood that has long existed.

- Some of the proposed units appear to be located on land called out as potentially unstable in the GCS Geoscience Review of the project. Additionally, there have been mud slides that long time neighbors can identify that need to be brought to the attention of the planners.
- The zoning ordinance needs to define “village” in terms of geographical size limits to avoid other developments claiming to be part of a village that have no or little connection.

Construction Concerns and Limits

- We want it included in the county agreement, that construction hours are limited to 7:00 AM to 6:00 PM or less, six days a week. 6:30AM to 10:30 PM is unacceptable.
- Also, noise, dust and runoff are controlled. The recent reconstruction on the fire road, the runs and construction of the Express lift resulted in large plumes of dust moving downslope affecting residences. Despite raising this issue to the Nordic Valley Mountain manager, little to no effect was put forth to address this issue. Recognize that sound and dirt/dust are carried down slope during the evening hours as downslope winds occur daily.
- Keep traffic off of Viking Drive including contractors and resort users via appropriate design and proper signage. Make Viking Drive no parking for resort access and 25 mph speed limit.

STR

- Short term rentals are a growing problem in the valley with little or no licensing and even less control. We will need to have specific guidelines that ensure licensure/accountability/enforcement. This project will put 763 STR units in a neighborhood of 225 residences. The Wall Street Journal Points out many STRs are now corporate owned. The project should not move forward without an effective licensing and enforcement plan that operates 24/7.

Bruce Keswick

2395 Viking Drive

Eden, UT 8431




Sun 3/20/2022 10:17 AM

Frank Wood <utahwood@gmail.com>

[EXTERNAL] Nordic Valley Open space redone?

To Perkes, Scott

 You replied to this message on 3/22/2022 2:41 PM.



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Time and again the people of Nordic Valley have voted to retain the old golf course property as a peaceful pastoral meadow in the mountains.

This old golf course meadow was designed within the original community by the community designers as high mountain open space with a specific purpose. This space is not leftover unused farm ground and is not essential for county improvement in any way. As such it is not eligible for county leaders to redesign and replace with concrete and buildings for the purpose of the financial enrichment of outside developers.

Most of us have paid premium dollar to live in this environment and we have developed a priceless neighborhood and community.

It would be a travesty for Developers to change this long planned and deeply rooted design by filling up this community park & open space zone with concrete and parking lots in the spirit of Moose Hollow!

Developers should find some old farm ground to build your resort on rather than upset our prized community open space.

The people that purchased this property knew that it was designated as open space when it was virtually given away as part of a bankruptcy settlement.

Frank Wood

Sent from my iPhone



Sun 3/20/2022 6:07 PM

Carly Thornton <carlylthornton@gmail.com>

[EXTERNAL] Oppose rezone for Nordic Valley Development Plan/ Skyline Mountain Base

To Perkes, Scott

Cc scott thornton

Action Items

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Mr. Scott Perkes,

We are residents of the Nordic Valley neighborhood and strongly oppose rezoning the old golf course to pave way for the Skyline Mountain Base plan.

We know that word will continue to spread that Utah is an amazing place to live. We know that our little Valley can't stay hidden and off the radar forever. We must acknowledge and thoughtfully prepare for an increase in population in the years to come. And as residential growth develops on a natural timeline, we seek to keep the atmosphere of a small neighborly town intact. We must thoughtfully and sustainably plan for the future as we welcome newcomers to our amazing place. And we're happy to do so.

What would be an enormous travesty is to let the Skyline Mountain Base hijack and alter our community in an unsustainable and detrimental way. This is not your standard, not in my backyard. Yes, come to my backyard, but keep the environment thriving, density to a minimum because **we can't make more water**, keep our sky's dark and nights peaceful. Keep our roads safe and our wildlife free to roam. Multi-story (100's of units) of out of towners with no ties to the community does not sound sustainable.

When the community asks those in charge of Skyline Mountain Base what their plans for environmental sustainability is, they punt and say they are only going to do what the county allows. **So this is the part where the county officials can make an impact!** Please let the county actually be on the side of the people and not the developers- don't rezone and let them capture and dismantle what we all hold so dear.

Let us actually be good stewards of our land and grow only with plans of inclusion, accessibility and sustainability. Let's keep this land in the hands of Utahns who are quickly being pushed out of meaningful participation in real estate and the ability to play and recreate on our land. Let's keep the Ogden Valley "more park, less city" and try to at least keep the old golf course zoned as open space.

Thank you for your time and consideration.

Kind regards,

Scott and Carly Thornton
Eden, UT




Mon 3/21/2022 6:51 PM

deb <msg4deb@gmail.com>

[EXTERNAL] Nordic Village

To Perkes, Scott

 You replied to this message on 3/22/2022 2:52 PM.

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Please see page 11 on the attached link: this was authored by Charlie Ewert, if it holds true, the majority of the residence of the valley are opposed to Nordic Village. Please share this with Mr. Ewert.

https://www.webercountyutah.gov/planning/documents/2014_Zoning_Density_Study.pdf

Thank you for considering the people of the valley
Deb Modelmog

Make the most of this day



Mon 3/21/2022 9:22 PM

Johanna Droubay <droubay@gmail.com>

[EXTERNAL] Comments on Nordic Valley Zoning Text Amendments

To Perkes, Scott



Comments on Text Amendments to FBV Zoning.pdf
51 KB

Action Items

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Hi Scott,

I'm attaching my comments for tomorrow's OVPC meeting. These are related specifically to the text amendments. Could you please pass these comments on to the planning commission? I will also bring printed copies since I am sending you these comments so close to the meeting date.

Thanks very much,
Johanna

March 21, 2022

Dear Ogden Valley Planning Commissioners,

Please delay any decision on the proposed amendment to the Form-Based Village zoning ordinance along with other sections of the Weber County Land Use Code to add provisions and exhibits intended to create a Nordic Valley Village Area.

Please consider requesting a comprehensive list of text amendments from the county.

In the Policy Analysis portion of the staff report, there are nine (9) amendments specifically called out. Is this intended to be a complete list of amendments? If so, at least one amendment is missing. I can see that there has been an amendment to [Sec 104-22-4 Special Regulations For Specific Uses](#) (f) (2). Online, there is no item (e), but in Exhibit A, the following item (e) is listed:

(e) A dwelling or dwelling unit specifically devoted to the housing of employees working in the local service-industry and earning less than 80 percent of the county's median household income, does not count toward density allowances and are not required to be established through transferable development rights.

There is no mention of item (e) in the list of amendments called out under Policy Analysis in the staff report.

I would like to know what other amendments have been made that are not called out in the staff report. It should not be put upon the public to comb through the 50+ page Exhibit A to determine how that text differs from the current FBV zoning posted online. The staff report on the FBV zoning ordinance was posted on March 16, less than a week before the March 22 public hearing. This is not adequate time for the public to become familiar with the Form-Based Village zoning, to study the implications of the amendments, and to search for unidentified amendments in an unmarked 50+ page document.

Please consider requesting visualization documents to represent the proposed maximum height increase.

The staff report notes that one of the amendments allows for 55-foot-tall buildings in the Nordic Village. Please consider asking the developer to provide an animated fly-through of the developer's master plan, representing buildings at the proposed heights and proposed setbacks from different viewpoints. This will allow commissioners and the public to assess how the proposed development will impact views and how these new 55-foot buildings will look in comparison to the relatively small surrounding homes and the existing Nordic Valley lodge. These 3-D renderings do not need to be architecturally detailed; they just need to show height, setbacks, and massing.

Please consider requesting that the county provide more notice of public hearings and agenda changes.

Section 102.5.6 of the code states: "The first public hearing regarding the rezone shall be noticed as required by State Code, and mailed to the owner of record of each parcel within 500 feet of the boundary of the area proposed to be rezoned. The mailed notice shall be postmarked at least 10 calendar days prior to the first public hearing."

No such notification of the March 22 public hearing regarding the proposed rezone of Nordic Valley was mailed to property owners in Nordic Valley. We were not given adequate notice of the rezone public hearing, and then we were not given adequate notice of the agenda change (which went out after the Standard Examiner published a story noting that a public hearing on the rezone would be held on March 22). People will be at the March 22 meeting to talk about the rezone because the agenda change was made only 26 hours in advance of the March 22 OVPC meeting. Although delaying the public hearing related to the rezone might have been well intentioned, it also has the effect of confusing people.

Although this is related to the rezone rather than the text amendments: please consider delaying any further discussion of rezoning Nordic Valley until the developer has provided a table showing how density is being calculated.

I feel that this would have been very helpful to include in the staff report. My neighbors and I have many questions and comments about how density is being calculated for the proposed Nordic Valley rezone. Please request that the developer share a density calculation table with commissioners and the public. The developers have obviously performed some sort of calculation in order to arrive at their total number of proposed units; there is no reason for them not to share these numbers now.

Thank you so much for your time!

Sincerely,

Johanna Droubay
3449 Viking Drive
droubay@gmail.com



Tue 3/22/2022 5:50 AM

Darren Rabosky <robo8969@gmail.com>

[EXTERNAL] Proposed Nordic Valley Village Development

To Perkes, Scott



Nordic Valley Proposed Development_03222022.pdf
221 KB

Action Items

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Mr. Perkes,

Please see the attached letter expressing concern with the proposed Nordic Village development project.

I have received overwhelming neighborhood feedback echoing these concerns amongst many other technical concerns and considerations that we feel should be addressed.

I will be there in person at the meeting this evening and can be prepared to discuss if there is sufficient time.

Respectfully,
Darren Rabosky

Weber County Commission and Planners,

Re: Nordic Valley Development Proposal

I am writing to express deep concern with the current proposed village development and rezoning designations. I live in Nordic Valley adjacent to the old golf course that is currently designated as Open Space Zone O-1. When I purchased my home, the old golf course was designated at this current open space designation (O-1) with a wonderful view and wildlife that my family and the rest of the community enjoy.

At the time of purchasing my home and to this day, the vast majority of the ski resort is designated as Forest Valley Zone (FV-3) and a couple small sections as Forrest Residential Zone (FR-3). With the vast majority of the existing ski terrain being FV-3 defined as to 'provide an area for residential development in a forest setting at low density' as well as 'to protect as much as possible the naturalistic environment of the development', development on the existing properties as allowed is not comparable for a one-one trade for the neighbors bordering the properties that are already currently designated as open space O-1. It is unclear to me how the existing ski resort property allowable development can account for this massive proposed development, considering the vast majority of the FV-3 is on 40% grade. Regardless, for practical development considerations surrounding the existing ski resort property, I cannot envision development occurring on the existing property in such a way that it could ever amount to anything close to a one-one trade for what us existing residents will lose if this rezoning takes place and this proposal moves forward.

'Low density residential' development taking place on the ski resort in FV-3 to 'protect as much as possible the naturalistic environment', would not create the visual eye sore of having this massive proposed village. Although it is recognized there is a couple very small sections also zoned as FR-3 for 'medium density', it is not in the benefit of the current residents to rezone the property to move this development to land that is already designated as open space (O-1).

It makes a big difference for the purchaser of a home at the time of purchase if the property were zoned as Open Space Zone (O-1) vs Forest Residential Zone (FR-3). I am not aware of any existing residents bordering the currently designated open space (O-1) properties in favor of this change. It is unfair for a person purchasing a home bordering open space (O-1) paying a premium for that view, serenity and appeal, to then have the property zoning designations and the negative aspects or lesser appeal traded to allow for commercial development, multi-unit housing and condo-tels, etc. The current proposal is not in the best interest of the residents bordering property where the rezoning would take place.

Sincerely,

Darren Rabosky
2787 Nordic Valley Dr.
Eden, UT 84310



Tue 3/22/2022 9:37 AM

Heather Borski <hborski@gmail.com>

[EXTERNAL] Proposed Nordic Valley Development

To Perkes, Scott

[Bing Maps](#)

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Weber County Commission and Planners,

I am writing to express my extreme disappointment and concern with the proposed development and rezoning designations set forward by Skyline Investors in Nordic Valley.

Rezoning the O-1 "Open Space" zone would cause irreversible damage to rare open space that supports critical wildlife habitats and meadow lands. The extreme, large development proposed would forever harm the Nordic Valley area, by completely overwhelming physical infrastructure and water resources, creating noise and air pollution, crowding out natural resources, and exacerbating water runoff and flooding challenges that already exist in the area.

As a homeowner in the neighborhood, I value the beauty and natural features of the Valley afforded by the preserved open space---it is key to why I choose to live there. I urge you to protect these natural resources. Not only would these natural resources and related positive qualities be lost forever by authorizing rezoning, the size, scale, and density of the proposed development would cause irreparable harm to this fragile area.

I urge you to uphold and protect the O-1 "Open Space" zone.

Thank you for your consideration,

John & Heather Borski

3508 Viking Drive

Eden, Utah 84310



Tue 3/22/2022 10:59 AM

Robi Kunz <rkunz0511@gmail.com>

[EXTERNAL] March 22nd meeting

To Perkes, Scott



Ski Resort Village comparison.pdf
45 KB

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hope the committee will be respectful enough to allow us to speak.

thank you,

Robi Kunz

801-557-2862

	skiable acres	residential units	Avg residential/acre	Hotel rooms	avg rooms/acre	Commerical businesses	avg/acre
Ski Solitude	1,200	219	0.18	46	0.04	7	0.01
Sundance	450	13	0.03	95	0.21	7	0.02
Grand Targhee	2600	1	0.00	96	0.04	8	0.00
Eagle Point	600	175	0.29	0	0.00	2	0.00
Average		102.00	0.13	59.25	0.07	6.00	0.01
	skiable acres	residential units	Avg residential/acre	Hotel rooms	avg rooms/acre	Commerical businesses	avg/acre
Nordic Valley Plan	300	646	2.15	210	0.70	12-15	
Recommended calc by avg		37.76		21.48			
Recommended calc by largest		87.5		63.33			
Recommended calc by smallest		8.67		11.50			
Sources							
Alyshaj@sundanceresort.com							
shane@skieaglepoint.com		Residential units are not owned or developed by Eagle Point.					
mfadden@grandtarghee.com							
www.nordic-village.com							
s.huey@solitudemountain.com							
https://webercountyutah.gov/planning/documents/Ogden%20Valley%20General%20Plan.%20Updated%20Nov%2019.%202019.pdf							
https://www.towncharts.com/Utah/Housing/Ogden-Valley-CCD-UT-Housing-data.html							
https://frontier.co.weber.ut.us/p/Project/ViewFile?ProjectDocumentId=63723							
Pg3 part3 Land Use: Land uses in Ogden Valley should complement, not overwhelm or compete with, the rural character of the Valley Community Character element vision statement.							
Vision: The rural character of Ogden Valley by its open fields , agricultural lands, stands of trees, peace and quiet, dark skies, clean air and water, abundant wildlife, and small villages ;							
Per towncharts.com Ogden Valley has 5,204 residential units in 2019 with growth rate of 0.88%							



Tue 3/22/2022 11:37 AM

Elizabeth Webb <EKurucz@msn.com>

[EXTERNAL] Nordic Valley proposal

To Perkes, Scott

[Bing Maps](#)

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The proposed density rezoning is a blatant misrepresentation. The entitlements are way too high. They are taking into account their stated 450 acres of skiable area in which they have recently invested for commercial use. For an accurate exchange they would have to deduct this area.

Elizabeth Webb
2522 Viking Dr.
Eden UT 84310
(937)532-5296



Tue 3/22/2022 12:21 PM

Mike Skroski <mskroski@gmail.com>

[EXTERNAL] Nordic Valley Development

To Perkes, Scott

Hello,

I am opposed to the change increasing the height to 55'.

In their plan, they state that they will not affect views, but an additional 5' most certainly will affect MY view from our house, by cutting off views of the valley and mountains. If they want this to look like the rest of the buildings in the area, they can drop the height to what is already in place. If that means removing a floor to do so, then they might have to reduce the number of floors. A 50' structure where they show it on the rendition will destroy my view.

On a previous meeting, I asked "where is the 50 or 55' measured from" but got an answer of "average height". I have two problems with that response:

- 1) 55' average height could be calculated as the average of 0' and 110'. Please specify how 55' will be calculated
- 2) No explanation of where ground level zero would be. Is it the existing parking lot? Could they add fill to raise the base? Is it also an average number? Could they not remove soil and get the building height that they want, while minimizing the height above existing topo and therefore minimizing view impact?

The amendment states: "Nordic Village to be 55-feet tall. It also limits buildings on corner lots in the Nordic Village Area to a minimum of 25-feet." Do you really intend to set a minimum of 25'? If so, why?

Many concerns have been raised about dust and the amount, times and duration of noise.

I ask that these issues would be addressed with quantitative responses, for which violations would be imposed on the developer, who seems to be easy to point responsibility to others. I wonder if the developers would want this kind of noise in their neighborhood for years? Noise issues after construction were also rebutted with nebulous responses that had zero meat or consequences to the developer. They again passed the buck to to a potential property manager. I ask that these forward noise issues be quantified with specific schedules and DB levels and established penalties for violators and property owners.

And then, there is the ongoing noise of property maintenance that will be constant unless provisions are made to control it. If every home owner or property has the ability to run engines whenever they want, the two-stroke noise will be during every hour of every day they there is light (and possibly during the dark). One solution would be to mandate only one property maintenance crew that is not allowed to use gas or diesel powered devices and is limited to a specific time and day of the week.

Traffic seems to be an ignored issue with major changes in volumes, parking violators, turn around issues, speeders etc. Will the County accept these public way controls and commit to policing offenders?

If this development takes water from our supply, how will they compensate us for loss of our resource or increased costs due to the need to implement new sources for water?

Many other neighbors have expressed multitudes of other issues which I also have, so I will not repeat them here in this memo.

I ask they you place yourself in our shoes, on our deck, at our kitchen table, or in our bedroom and ask yourself (or the developer) if you would want such a change, view reduction and privacy invasion along with road safety reduction so close to your house, just so that someone else can make money.

Responses need to be a contracted for which holds the developer, property manager, unit owner and renters accountable in perpetuity.

Mike Skroski
802.279.7369

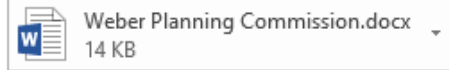


Tue 3/22/2022 1:44 PM

Megan Timoney <teetonstimoney@gmail.com>

[EXTERNAL] Nordic Valley Development Proposal

To Perkes, Scott



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Attached is my letter/comments objecting to the proposed Land Zoning changes associated with the proposed Nordic Valley/Nordic Village development.

Please let me know if you have any issues opening the document.

Weber Planning Commission.

Re: Nordic Valley Development Proposal (including creation of Nordic Valley Village Area)

I am writing to **strongly object** to the land zoning changes that have been proposed around the Nordic Valley Ski area and the old golf course area. All in the name of creating a high-density housing, condos and commercial area – all in the name of a huge development and the all-mighty dollar. The proposed 740+ housing and commercial areas will absolutely ruin the Nordic Valley area we call home. My husband and I live on Abbeyon Drive, just hundreds of feet from the edge of the proposed development.

The area currently designated as O-1 Open Space should stay exactly as it is. My husband and I moved to the Nordic Valley area 21 years ago and we choose this area specifically because of the open space designation and rural nature of the area. If we wanted to buy next to a high-density housing/commercial development area, we would have moved to Ogden and paid a lot less money for a home.

How is this remotely even fair to the 250+ homes and residents who live in this quiet rural area and bought in this area specifically to get away from the noise, traffic, pollution to have this proposal thrust upon us? This is our quiet community where we watch moose, turkeys, deer, foxes wander through our backyards and enjoy our quiet rural neighborhoods. What good are zoning designations if all it takes is

one developer with money – to change the zoning and totally upend and ruin the lives of the families around the proposed development.

If the owners of the ski resort wish to development on their existing FV-3 Forest Valley Zone, “ ...in a forest setting at low density, to protect as much as possible the naturalistic environment of the development...”, then they can do that. But leave the O-1 Open Space zoned as it is. It benefits NO ONE to change that zoning – except Skyline Mountain Base investors.

As to the proposed 55-foot height of the buildings? Seriously? Let’s destroy the views of the mountains along with everything else. No to the 55-foot height buildings also.

They have no water or sewer for the huge development. Nordic Valley Water is not going to provide them the water, which means they will have to development their own well. Our snowpack this year is not going to replenish the depleted water table (nor Pineview Reservoir). There is only so much water in this desert state of Utah and we are currently in a drought. There is only so much water in the water table to draw from -adding 740+ housing/commercial developments and commercial developments is insane. With no sewer system in the area, that is one more thing that will need to be developed. The current proposal has the sewer lagoon on the boundary close to Abbeyon Drive. Just what I always wanted – to live next to a sewer lagoon. (Sarcasm intended).


I am also very concerned with second homes/condos turning into vacation rentals. I have heard of story and story of issues with “renters” in areas – it’s just a place to party. The increased noise and traffic don’t bother them – this is just a place to recreate. We also live in a very wildfire prone area. I am concerned every summer when it is dry and am afraid one careless person will start our whole Nordic Valley area on fire. The more people recreating, the more chance for that one careless person.

Please remember, this is our neighborhood and home. We raise our families here; our children go to school here; we live here year-round. This isn’t Powder Mountain or Snow Basin, which were built as ski resorts and people go there just to recreate. This is our home and our quality of life in our rural, quiet area will be ruined in this HUGE high-density housing and commercial development is allowed to be developed.


Please leave the zoning as it is. Leave the O-1 Open Space as it is.


Members of the Planning Commission, ask yourself this: would you want this development to be approved and the zoning changed if this was in your backyard?

Megan Timoney
3771 Abbeyon Drive
Eden, Utah 84310

 Tue 3/22/2022 1:51 PM
Sarah Merrill <sarahmonique@gmail.com>
[EXTERNAL] Nordic Valley Development Comments/Concerns

To Perkes, Scott

 Attach 1_Official Bus Stop for Elementary students.png 174 KB

 Attach 2_Alternate school bus pickup.png 113 KB

Action Items [+ Get more ap](#)

Hi Mr Perkes,

My husband and I and our 6 kids live in the Nordic Valley neighborhood. Our property backs up to the old golf course, of which Nordic Valley Associates is requesting permits to build an entire development on.

Please add this email of concern for the county leaders to consider.

First:

We have 6 children, all of which are currently elementary school aged or younger. They all take the school bus to get to Valley Elementary, and may take the school bus to junior high and high school. The current district approved bus stop for pick up and drop off of elementary children is at the corner of Nordic Valley Road and 3850 E/Nordic Valley Way (At the base of Nordic Valley Ski Resort). See attached #1. This stop is used during non-winter months. Children are dropped off and picked up by parents, or they walk to and from the stop. During the winter months, the bus driver uses a different location that is further away due to unknown road conditions and to risk injuries/crashes involving children due to all the traffic associated with Nordic Valley Ski Resort--it is not an official stop except that the bus driver has determined it a safer alternative than dealing with road conditions and ski resort traffic. The alternative bus stop is .5 miles further north (and downhill). (See attached #2). Due to distance and weather, parents have to pick up students from this stop and it is not safe for students to walk home. From our house it is 1.7 miles from home to this alternative stop. We are .8 miles from the official bus stop. These distances are also true for many other families that use the bus stop in this neighborhood.

According to <http://wsd.net/departments/support/transportation/busing-policies> Policy 2340, elementary students can only be required to walk up to 1.5 miles to a bus stop. This year I have kids in grades 1, 3, 4, and 6 that use that stop daily. Next year I will have a kindergartner --5 years old--join that group and my 6 grader will move to the jr high route.

Our elementary bus stop has the largest population pick up at the Nordic Valley stop for the entire route of that bus. It is a group of anywhere from 10-20 students depending on the day or year. It is a NEEDED service.

Our concern with the Nordic Valley development is that our bus stop will be displaced and not properly relocated to a safe location that students need. The county leaders need to ensure with school district and local school leaders that school students will have safe traveling paths (to walk to and from, or for parents drop off/pick up children and wait with their cars), and that the bus stop location will be safe for students to get on and off the bus.

This proposal does not address the construction impacts this will have on our children and their safety at the bus stop. Nor does it consider how the bus stop will be preserved or safely relocated to an appropriate location as the development becomes established.

None of the traffic study information has taken into account the school bus route impacts or increased risks to children who use the bus. I brought this concern up during a zoom call public meeting with the developers in January. They had no answer to my concerns about the bus stop and had not even considered it. Even though there are signs on the road about the presence of a bus stop, the planners were not even aware a school bus stop existed in this area.

The county must work with the school district, local bus drivers and developers to establish safe locations for students to get on and off the bus, as well as not disrupt safe travel routes they use (walking along Nordic Valley Road or 3850 E/Nordic Valley Way) BEFORE ANY DEVELOPMENT MOVES FORWARD. We need written guarantees that our essential bus route will be protected or adjusted to a safe location that is not further than the current official stop. We cannot put our children at risk. Construction vehicles, equipment and personnel must not interrupt the bus stop access.

The proposed walking bridge, parking lot and commercial buildings proposed in the Nordic Valley Development put children's safety at high risk. There will be an increase of traffic from tourist and local vehicles, delivery vehicles and people unfamiliar with school schedules, bussing and the number of small children in the area. We do NOT want our children's safety jeopardized!!!

Second comment:

We would love to see Nordic Ski Resort do some upgrades. Their buildings need it, and so do their parking lots! We enjoy Nordic Valley Ski resort and we like being neighbors with them. We want good things for them.

However, the proposed size is massive for the water feasibility that Nordic Valley water has. Weber county leaders continue to allow the narrative that Ogden Valley has water to supply continual growth, when in fact we cannot predict the future and we have dealt with continual shortages of water in this valley over the last several years. It is a misuse of power and breaking of trust for county officials to approve developments and growth when "ideal" water models are followed instead of water realities. Our water systems are overburdened and need to be conserved in every way possible. Follow the Feasibility Water Report "Feasibility Narrative for Nordic Valley Ski Resort Base Development to Connect to Nordic Mountain Water, Inc. for using Nordic Valley Water." We do NOT have the capacity to support Phase 1 or Phase 2. Reduce the size of the Nordic Valley Development.

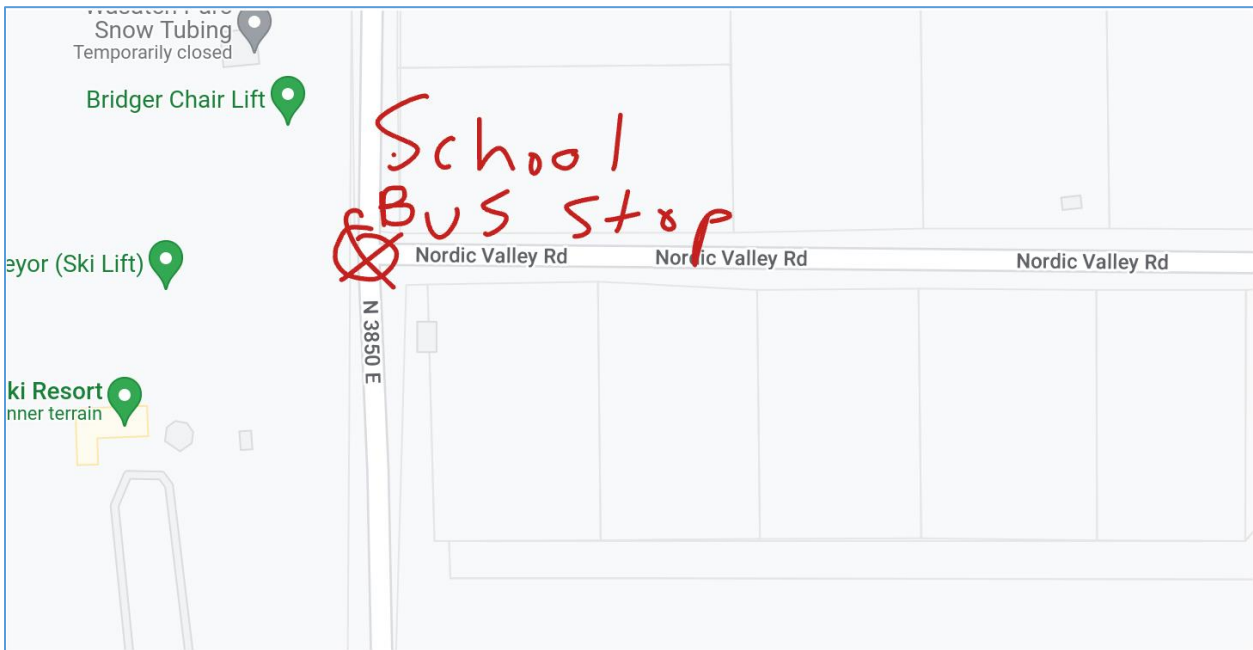
Thank you for reading our detailed concerns and listening to reasonable efforts for our community to work together!

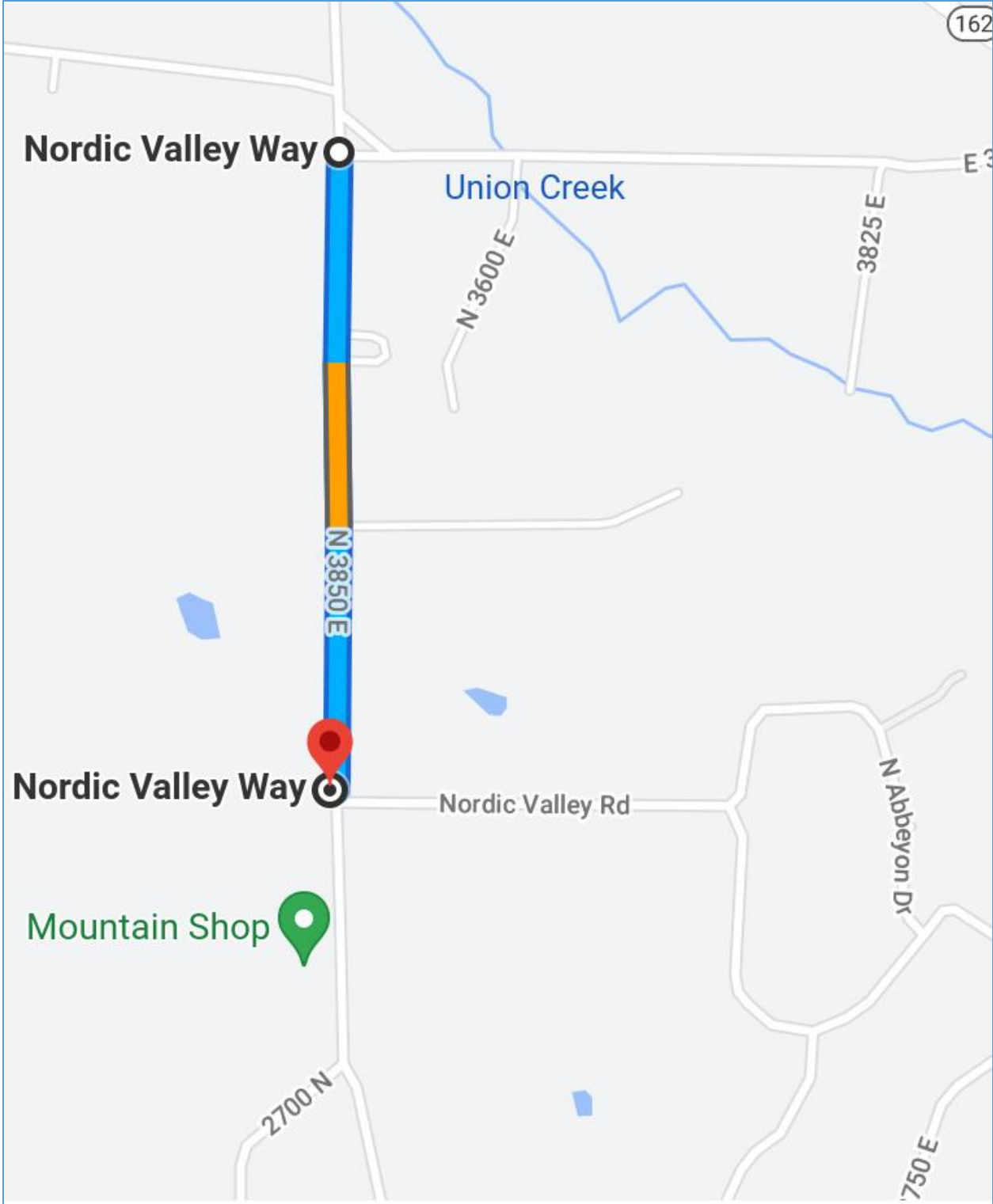
Sincerely,

Sarah (and Randy Merrill)

email: sarahmonique@gmail.com and zoramite@gmail.com

Phone: Sarah: 805-743-3341 (cell)







Tue 3/22/2022 3:30 PM

Miranda Menzies <menzies.miranda@gmail.com>

[EXTERNAL] Nordic Valley and the Utah Water Plan

To Perkes, Scott

Cc Shanna Francis; John Howell; John Lewis

[Bing Maps](#)

[Action Items](#)

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Scott and Commissioners,

As you consider this development please stop and consider the action plan items in the Utah Water Resources Plan published by the DWR in December 2021. This Plan has an urgent action item of making sure that land use is consistent with water resources planning. <https://water.utah.gov/2021waterplan/>

It is abundantly clear to those of us living in the Upper Valley that there isn't currently the developed water resource to support this proposed "village". 750 residential units is bigger than the current center of Eden!! On top of that, the off-hand comments from the Owner imply that they have very little understanding of DWR or DEQ rules regarding non-discharge, geology, hydrogeology, or of water rights and the rights of historical water right owners. The non-discharge rule in particular means that the reuse of treated sewage effluent for snowmaking is prohibited in the Ogden Valley (and in Utah in general).

Consequently, **please consider tabling this whole approval process** until the water study Weber Basin is working on has been completed and released, so we can see where the water is going to have to come from for their development and snowmaking. Weber Basin will likely be putting together a wholesale plan for water which will enable better and more thoughtful consideration of this proposal from both financial and technical perspectives.

thanks

Miranda Menzies

3807 N Elkridge Trail,

Eden, Utah



Peggy Dooling-Baker <pdbme4@gmail.com>

Perkes, Scott

Tue 3

[EXTERNAL] Opposition to amend the Form Based Village height requirement and rezoni...

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Mr. Scott Perkes,

We are writing to express opposition to the rezoning request by Skyline Mountain Base and Nordic Valley Land Associates. We believe the scope of this project is too big for our Nordic Valley neighborhood. As proposed, it would be the second largest mountain base area in Utah.

The negative effects will be overwhelming and detrimental to the health and wellbeing of the current residents. We believe we can say folks moved up to the valley to enjoy the rural way of life. We came for the quiet, calm, and views of the valley. We purchased a piece of land on open space, which has been open space for 47 years. Two other attempts have been made to rezone this property and were denied. We have made a Grama request for past commission meeting minutes discussing rezoning to see what the rationale was for that decision. We are waiting for the documents.

As I read the proposal, the developer states they have the land to build the Nordic Village but they want the open space. We ask that the current commissions share the criteria by which this proposal would be evaluated to warrant a zone change from open space to mixed use commercial and high-density housing when the developer has the land to build already. We have so little land zoned open space in this valley, please do not give this land away.

Although we have many more concerns about the size of this project; i.e., the height of the buildings, the number of housing units, the location of the units, and the lack of green and sustainable building practices, water is a greatest concern while we are in a mega drought. As we read the announcement for the meeting in the Standard Examiner, March 20, 2022, we noticed the article reporting the reservoir capacity statewide is 55% , compared to 65% last year. Last year our governor asked us to conserve water by not watering outside. How can we justify the water use for over 700 (mostly) rental units? This is not good stewardship of our natural resources in our current circumstances.

We are also concerned about a potential conflict of interest of a commissioner possibly financially benefiting from the sale.

There are too many questions and concerns to be addressed before this proposal should be accepted. We are asking you to consider the general health and welfare of all Valley residents and vote No to the proposal to rezone the open space and build a project of this size in our valley.

Sincerely,

Mark Baker

Margaret Dooling-Baker

2619 N. Nordic Valley Drive

Planning Commission Meeting March 22, 2022

Suggestions and Requests from Viking Drive Residents March 22, 2022

Alternative Proposal to the “South Village”

- Residents have proposed to the developer that the “South Village” development (rights) be allocated as a conservation easement (Ogden Valley Land Trust) that would also include the open space west of the proposed South Village development.
- We propose the “South Village” development rights be moved to the north side of resort where development would be easier and less destructive. The developer has indicated a willingness to consider this proposal and it is requested that additional language needed in zoning changes be explored.
- The “South Village” is not a part of the ski “village”, it is a separate subdivision extending over a mile away from the resort base. It would require building substantial costly infrastructure to build on the steep slopes including a road, water and sewer that would impact the existing wooded neighborhood. These units should be built on the north side of the resort away from a neighborhood that has long existed.
- Some of the proposed units appear to be located on land called out as potentially unstable in the GCS Geoscience Review of the project. Additionally, there have been mud slides that long time neighbors can identify that need to be brought to the attention of the planners.
- The zoning ordinance needs to define “village” in terms of geographical size limits to avoid other developments claiming to be part of a village that have no or little connection.

Construction Concerns and Limits

- We want it included in the county agreement, that construction hours are limited to 8:00 AM to 4:00 PM or less, Mon-Fridays. 6:30AM to 10:30 PM is unacceptable.
- Also, noise, dust and runoff are controlled. The recent reconstruction on the fire road, the runs and construction of the Express lift resulted in large plumes of dust moving downslope affecting residences. Despite raising this issue to the Nordic Valley Mountain manager, little to no effect was put forth to address this issue. Recognize that sound and dirt/dust are carried down slope during the evening hours as downslope winds occur daily.

- Keep traffic off of Viking Drive including contractors and resort users via appropriate design and proper signage. Make Viking Drive no parking for resort access and 25 mph speed limit.


STR

- Short term rentals are a growing problem in the valley with little or no licensing and even less control. We will need to have specific guidelines that ensure licensure/accountability/enforcement. This project will put 763 STR units in a neighborhood of 225 residences. The Wall Street Journal Points out many STRs are now corporate owned. The project should not move forward without an effective licensing and enforcement plan that operates 24/7.

Bruce Keswick

2395 Viking Drive

Eden, UT 8431



Elizabeth Webb <ekurucz@msn.com> | Perkes, Scott | Wed 3

[EXTERNAL] RE: Nordic Valley proposal

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Hello Scott

Two important issues that need to be addressed:

Density exempt workforce housing **MUST NOT BE ALLOWED**. As commissioner Lewis stated this valley cannot handle additional density and developers **DO NOT NEED INCENTIVES**. These units will consume resources and contribute to problems (potentially more so than many of these units) as they will be full time or full season residents. They need to be counted equally as entitlements.

I asked during our phone call about current density entitlements. This was again asked in the meeting but was not answered there either. We would like to see a map of current individual parcels with entitlements for each. If there are entitlements to be secured outside their currently owned property we would like to see these parcels and numbers on the map as well.

Thank you again for your time and effort.

Elizabeth Webb



Robi Kunz <rkunz0511@gmail.com>

Perkes, Scott

Wed 3

[EXTERNAL] Re: [EXTERNAL] Re: March 22nd meeting

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Thank you Scott. It was unfortunate we were not able to present all the data as we were all rushed. I had much more pertinent data that I spent hours and days collecting that is valid, informative and should be heard.



Thu 3/24/2022 9:36 AM

Robi Kunz <rkunz0511@gmail.com>

[EXTERNAL] Ski Resort Village Comparison

To Perkes, Scott

i You replied to this message on 3/28/2022 5:58 PM.



Ski resort village narrative.pdf
53 KB



Ski Resort Village comparison.pdf
44 KB

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Scott,

Thank you for your time today. Please see attached spreadsheet and narrative. I hope the OVPC can give this serious consideration. I am available anytime for questions or if anything needs clarification.

--

Robi Kunz
801-557-2862

In last month's Standard Examiner article about the village development, Laurent Jouffrey, a key principal of Nordic Ski resort was quoted as saying they could start building without the need for a rezone and that they want to build a nice boutique resort. So this begs the question: Why is the proposal a massive village and why are we even considering a re-zone? We have already approved new town and old town Eden and it was stated that these could take 30-50 years to develop.

Q: Considering we are applying a new Form Based village zone wouldn't it be prudent to see these two areas through for at least a few years before pushing this zone further?

Q: It seems this FBV is designed for downtown type developments but clearly Nordic Valley is more of a ski village than a community based downtown. Is it prudent to use the same zoning and is it needed?

OVP goals and vision:

The stated goal of the Ogden Valley Plan is: "Land uses in Ogden Valley should complement, not overwhelm or compete with, the rural character of the Valley." The vision statement says: "The rural character of Ogden Valley by its open fields , agricultural lands, stands of trees, peace and quiet, dark skies, clean air and water, abundant wildlife, and small villages."

So Nordic wants a quaint village and the OVP defines our villages as small, yet we are being exposed to a village that is far too large and will clearly overwhelm the rural character of the valley.

Growth rate

The county commissioner meeting minutes from 2019 stated that through 2024 they expect a growth rate of 0.88% in Ogden Valley and 1.31% in Weber County. Nordic Valley currently has one third of available lots which are undeveloped. At an 0.88% growth rate this represents a 20 year supply of buildable lots. Its pretty clear that adding the proposed density and specifically 693 residential units to a 20 year supply of empty lots will greatly overwhelm. OVPC also states that Open Space is to be protected and seeked out, yet this plan looks to remove Open Space and install a density and village that is WAY TOO BIG.

If you look beyond Nordic Valley, our commissioners have already approved thousands of new homes to the OV. Again with a growth rate of 0.88% we are already inundated with new residential units and have already created a supply that exceeds 20 years. In addition there are developments like Cobabe and Osprey with shovels in the ground that have yet to be approved through our commission. What data is there that supports this massive influx of homes and how does this not "overwhelm" the valley's rural character. Adding 750 MORE residential units to a neighborhood with 20 year supply of land is not only overwhelming, like our commissioner Gage Froerer states " it infringes on our personal property rights." more on this later.

Size of Village:

OVPC vision also states that they want to create small villages and as stated in section 2.2 Encourage creative development designs that preserve natural, agricultural, and other open spaces. We looked at base villages in our region and collected data so we can understand the scope and size of the proposed village. (see attached spreadsheet)

Eagle Point: 600 acres, 175 residential units

Solitude: 1,200 acres, 2019 residential units

Sundance: 450 acres, 13 residential units

Grand Targhee; 2,600 acres, 1 residential unit.

We looked at residential units, hotel rooms and commercial space and compared this against the proposed Nordic Village Plan. The Nordic Village is between 4x and 10X larger than these four other

ski resorts. If you average the data of the resorts and multiply times skiable acres Nordic Valley SHOULD be building a village that is 38 residential units and 21 hotel rooms. Not 700+ residential units and 200+ hotel rooms. A small/quaint village like Sundance (not average) suggests 8.6 residential units. This is an appropriately sized village that would not need a re-zone and elimination of functional open space (the golf course).. If OVPC wants to stick to its values of creating small villages that do not overwhelm, that protect open space and that deliver what the adopted plan states then re-zoning is not needed nor is it desirable. A boutique village like Laurent Jauffrey says he wants would be more like what can be found at Sundance ski resort. Its very clear 700 residential units is a massive overreach and not what we the public wants nor what the OVPC stated in the adopted plan.

To summarize

- 1) we believe we should allow the new and old town eden zoning to develop over a few years before imposing this into Nordic Valley where it does not seem to fit.
- 2) Data suggests we have enough development already to support our current growth rate.
- 3) OVP contradicts the development of this LARGE village and the taking of open fields and space.
- 4) Precedence of other regional ski resorts show that this village is way to BIG.

	skiable acres	residential units	Avg residential/acre	Hotel rooms	avg rooms/acre	Commerical businesses	avg/acre
Ski Solitude	1,200	219	0.18	46	0.04	7	0.01
Sundance	450	13	0.03	95	0.21	7	0.02
Grand Targhee	2600	1	0.00	96	0.04	8	0.00
Eagle Point	600	175	0.29	0	0.00	2	0.00
Average		102.00	0.13	59.25	0.07	6.00	0.01
	skiable acres	residential units	Avg residential/acre	Hotel rooms	avg rooms/acre	Commerical businesses	avg/acre
Nordic Valley Plan	300	646	2.15	210	0.70	12-15	
Recommended calc by avg		37.76		21.48			
Recommended calc by largest		87.5		63.33			
Recommended calc by smallest		8.67		11.50			
Sources							
Alysha.J@sundanceresort.com							
shane@skieaglepoint.com		Residential units are not owned or developed by Eagle Point.					
mfadden@grandtarghee.com							
www.nordic-village.com							
s.huey@solitudemountain.com							
https://webercountyutah.gov/planning/documents/Ogden%20Valley%20General%20Plan.%20Updated%20Nov%202019.%202019.pdf							
https://www.towncharts.com/Utah/Housing/Ogden-Valley-CCD-UT-Housing-data.html							
https://frontier.co.weber.ut.us/p/Project/ViewFile?ProjectDocumentId=63723							
Pg3 part3 Land Use: Land uses in Ogden Valley should complement, not overwhelm or compete with, the rural character of the Valley Community Character element vision statement.							
Vision: The rural character of Ogden Valley by its open fields , agricultural lands, stands of trees, peace and quiet, dark skies, clean air and water, abundant wildlife, and small villages;							
Per towncharts.com Ogden Valley has 5,204 residential units in 2019 with growth rate of 0.88%							



Thu 3/24/2022 9:55 AM

Johanna Droubay <droubay@gmail.com>

[EXTERNAL] Comments for OVPC on Nordic Rezone

To Perkes, Scott



Comments on Nordic Valley Rezone - Johanna Droubay.pdf
835 KB

Action Items

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Hi Scott,

Could you please pass the attached comments along to the Ogden Valley Planning Commission? These comments are related to the proposed rezone of Nordic Valley.

Thank you!

Johanna

Comments on application to rezone approximately 510 acres of land owned by Skyline Mountain Base LLC in and around the Nordic Valley ski area to the Form-Based Village Zone

Submitted by: Johanna Droubay, 3449 Viking Drive

March 24, 2022

Dear Ogden Valley Planning Commissioners,

I have several concerns and suggestions, which I will detail below. But above all, please consider the following:

It appears that transferrable development rights for this project are being calculated in a way that is not strictly typical and in a way that favors the developer because the county feels that, overall, the proposed Nordic development is for the benefit of the greater good.

At an Ogden Valley Planning Commission meeting on March 22, Planner Charlie Ewert talked a lot about the “families” that would live in the villages that the county envisions taking shape over the next decades in the Ogden Valley. I completely agree that there should be more affordable housing in the valley for young families and for people of various income levels, per the goals of the Ogden Valley General Plan. We should encourage and incentivize this. In fact, if a developer wants to propose apartments for middle- and low-income renters on the old golf course, I will fully support that proposal. That would help address the national and statewide housing crisis and bring some much-needed diversity to the Ogden Valley.

However, I don't get the impression that the proposed Nordic development will bring permanent residents, families with growing children, or people from a variety of income levels to live in the valley.

The developers said on a Zoom call on February 17 that they expect that a large majority of the units in this development will be second homes and vacation rentals—so much so that they have not included the cost of new students to the local school district in their cost-benefit analysis, and they were surprised when someone asked how many new students would be added to the local bus stop. The developers indicated that they hadn't even considered this because this development is not intended for permanent valley residents with young families.

Please consider that this new development will take a sizable bite out of the Ogden Valley's finite number of development rights. Should those development rights go to hundreds of vacation rentals? The market dictates that they will. Should the county incentivize this type of development, when there are already thousands of these types of units going in at Snowbasin? I don't see why.

We all know that growth is coming. It is unfortunate that the growth that is coming, and that Weber County is planning for and encouraging, is housing for people who already own primary residences. It seems to me that the proposed development will serve as lodging, not housing.

I understand that from a planning perspective, there are many things to love about the FBV zoning ordinance. I also understand that density brings vibrancy. But I truly believe that there is a world of difference between the town center envisioned for Old Town Eden and the hundreds of seasonal vacation condos envisioned for Nordic Valley. There is no community where there are no permanent residents.

The planning department is excited to incentivize the developer by using gross acreage, with no deductions, to calculate the developer's total density rights. **Please consider whether incentivization is reasonable and necessary.** Please consider making reasonable deductions for steep slopes, waterways, road rights-of-way, and areas currently zoned Open Space.

Density Calculation

The staff report recommends that the developer complete a formal density analysis. Because the size (i.e., density) of this development is, I believe, the primary concern of the community, this density analysis should be provided now, before any decision is made, so that the public can review and comment.

I would like to confirm, for example, that no density is being transferred from any parcels currently zoned O-1 Open Space. [Sec 104-22-4 Special Regulations For Specific Uses](#) (f) 2 a,b, and c all preclude transferring any density from O-1 to other plots because there are no residential unit rights in O-1.

- **Prior to any decision-making, please consider** requiring the developer to provide and make public a map or table indicating the exact acreage of each parcel, the zoning of each parcel, and the number of units being transferred from each parcel to the base area. I requested this on 3/22.

Scott Perkes wrote in an email to me on 3/11, "The Base Density is a calculation of Gross Acreage divided by the underlying zoning site development standards for a residential lot." He confirmed that steep slopes, waterways, and road rights-of-way were not being deducted, citing [Sec 104-22-4 Special Regulations For Specific Uses](#). I have read this section of the code, and I disagree that it explicitly states that base density is a calculation of gross acreage. The code says, "For a lot or parcel rezoned to the Form-Based Village Zone from a zone that allows residential dwelling units, the base density shall be the same as the density that was allowed in the prior zone." I would argue that the density allowed in the prior zone would have been impacted by steep slopes, waterways, and road right of ways.

- **Please consider** making reasonable density deductions for steep slopes (>40% in forest zones), waterways, and road rights-of-way from gross acreage when calculating base density.

Land Use Implementation 1.2.1 of the General Plan details the following strategy for reducing the amount and impact of future land development: "Amend the land use code to require that the development potential of steep slopes (slopes over 30%), wetlands, and floodplains will not be included in project density calculations, nor will be available for transfer pursuant to a TDR program."

The staff report acknowledges that the project area includes steep slopes that would not normally count toward transferrable density: "This item [Land Use Implementation 1.2.1] could be viewed as being contradictory to the rezone proposal as it would prevent the applicant from calculating density rights on much of its hillside property for the purposes of transferring those rights into a village area." [underlining mine]

I would like to know the amount of hillside property acreage that the county admits, under normal circumstances, might not be included in the density calculation. How many acres in which zones would typically be considered too steep to transfer density rights? I believe it is fair to detail this for the public, so that the public can see and comment on the extent to which the developer is being incentivized.

- **Please consider** requesting that the developer provide a map of the project area highlighting any acreage with slopes over 40%. Please request that the acreage of slopes over 40% be calculated. Please request that the area affected by waterways also be calculated and that road rights-of-way be estimated. These calculations will allow the public and the commission to know the amount of density that the developer is being incentivized with. I requested these calculations from Scott Perkes on 3/24.

The staff report seems to say that if normal deductions were taken, then this development wouldn't be possible, and the development is to everyone's benefit. I suggest there is a middle ground. Please consider making reasonable deductions.

Maximum Density

What is the maximum number of units that could eventually be developed in Nordic Valley? It seems that when you factor in worker housing, there is no limit.

- **Please consider** requesting that the planners calculate the maximum number of units that could eventually be developed in Nordic Valley. I requested this on 3/24.

Current Zoning

Attached to this document are two conflicting current zoning maps. Map "A" was included in the developer's rezone application, and Map "B" was included in the staff report for the rezone request. In Map "A", there is an area marked O-1 Open Space in the northwest corner of the property. This same space is marked FV-3 on Map "B". The area in question appears to be in the vicinity of parcel #220230045. My neighbor, Felice Quigley, has requested more information from Scott Perkes and also filed a GRAMA request, but she is still waiting on a response.

- **Please consider** delaying your decision until the county provides documentation of the complete zoning history of parcel #220230045.

Water

The Western United States is currently in the worst drought in 1,200 years. Residents of Nordic Valley were of course urged by Nordic Mountain Water to conserve water this past summer. Our family completely stopped all outdoor irrigation of our 1-acre property. We plan to tear out all of our turf grass this summer and to replace our spray irrigation with drip irrigation.

- **Please consider** adding strict landscaping requirements to the development agreement between the developer and the county. Please forbid turf grass and require drip irrigation. Please require drought-tolerant, native plants.

Air Quality

As the valley grows, valley residents are concerned about air quality. Will we eventually see inversions suffered through in Salt Lake City? Any new development should be as green as possible.

- **Please consider**, in a formalized development agreement, forbidding wood-burning fireplaces in all residences.

Pedestrian Safety

Nordic Valley's hilly, looped local roads encourage walking, running, and biking; we regularly meet new people or encounter friends on our loop walks. The developers have suggested that their phased development plan could entail 15+ years of construction, which will mean large vehicles driving up and down the narrow, sidewalk-less streets where we walk.

- **Please consider** requiring that construction traffic be distributed so that it doesn't all go up and down the same street. Require that construction traffic, for example, go up one direction and down another, even at the expense of efficiency.
- **Please consider** requiring the developer to build an asphalt pedestrian path (not necessarily a sidewalk) around the perimeter of the old golf course *before any other*

construction begins so that current residents can continue safely walking, biking, and running around the neighborhood.

- **Please consider** requiring the developer to work with the school district before any construction begins to develop a plan to protect school children who take the bus and wait at the Nordic Valley bus stop that is located right in the middle of this proposed development.

Amenities

The developer has detailed many attractive amenities in their rezone application, including trails and a pool. On their website FAQ, they say "All amenities are open to the public." However, the developer could easily choose not to build or share these amenities unless they are required to in a development agreement.

In addition, amenities that the developer does build could fall into disrepair if a fund is not established to provide for their maintenance.

- **Please consider** including the proposed amenities (listed on page 34 of the staff report) in a formalized development agreement and detailing which amenities must be built at each stage of development.
- **Please consider** requiring in a development agreement that all proposed trails and open space be accessible and open to the public.
- **Please consider** requiring in a development agreement that all for-sale lots or units be encumbered with a Reinvestment Fee Covenant. Snowbasin did this. As every lot or home sells, require that 1 percent of the sale price be used for something that benefits the public and that falls within the project boundaries: trails, wellness center, skate park, pool, etc.
- **Please consider** requiring in a development agreement that the developers build a community pool that will be open to current Nordic Valley residents, not just to owners and guests of the proposed new development. The Wolf Creek Pool is the only community pool in the Valley. Some years (e.g., 2020) it is only open to Wolf Creek guests, and in 2021 it was closed all summer due to repairs. As Pineview becomes less and less swimmable because of algal bloom and low water levels (which lead to muddy beaches and dead fish smells), there is an increasing need for community pools.

Height Restrictions

The proposed development will include buildings up to 55 feet tall (this is what it says in the text amendment although the developer stated on 3/22 that they will only be asking for 50 feet). Before a decision is made, the Planning Commission and the public should be provided with visuals that accurately represent the proposed building massing. The planners at the OVPC meeting on 3/22 described how FBV Zoning prioritizes the street experience. All the more reason to provide 3D renderings, not just a bird's eye view, that represent what it will be like to stand on these newly created streets and our existing streets, which will be transformed.

- **Please consider** requesting that the developer provide an animated fly-through of the proposed development, representing buildings at the proposed heights and proposed setbacks from different viewpoints. This will allow commissioners and the public to assess how the proposed development will impact views and how these new buildings will look in comparison to the relatively small surrounding homes and the existing Nordic Valley lodge. These 3-D renderings do not need to be architecturally detailed; they just need to show height, setbacks, and massing. I requested this on 3/23.

Development Above Viking Drive

The rezone application says that the proposal conforms to the Ogden Valley General Plan by preserving the valley's rural character, citing the following: "The proposed location of the structures is away from steep or unstable slopes." However, the chalets proposed above Viking Drive do not adhere to this principle. If the county values this development because it clusters development away from sensitive areas, then they should be able to see that the proposed "South Village" (i.e., development above Viking Drive) does not further this goal.

- **Please consider** requesting that the developer share Fire Marshal Dave Reed's response to their plan to put a condo lodge at the end of a dead-end street above Viking Drive. The rezone application references (on page 21 of the staff report) a letter from the fire marshal, but no letter is included in the application. I requested this letter on 3/24.
- **Please consider**, since the point of this rezone is to cluster development, recommending that development above Viking be eliminated. Those units can be clustered closer to the base of the mountain. The developer has been telling people that the development above Viking "may not happen at all." If the developer is saying it won't happen, take it off the master plan and do not rezone that area.

Development in Northwest Corner of Project Area

Similar to the development above Viking, the units planned for the northwest corner of the project area should be clustered at the base of the mountain. Developing this area will eliminate "The Gardens" tree skiing at the ski resort.

- **Please consider**, since the point of this rezone is to cluster development, recommending that development in the northwest corner of the project area be eliminated. Those units can be clustered closer to the base of the mountain.

Thank you for considering my many suggestions! If you made it this far, I will share with you that I live in the same house that I grew up in, from birth to age 14, on Viking Drive. I am now raising my children in my childhood home. I want to live here for the rest of my life. Nordic Valley is my past, my present, and my future. That doesn't mean anything except that I really do care about and love this place, and I want the county, the planning commission, and the

neighborhood to understand, scrutinize, and weigh in on every detail of this plan before it is approved.

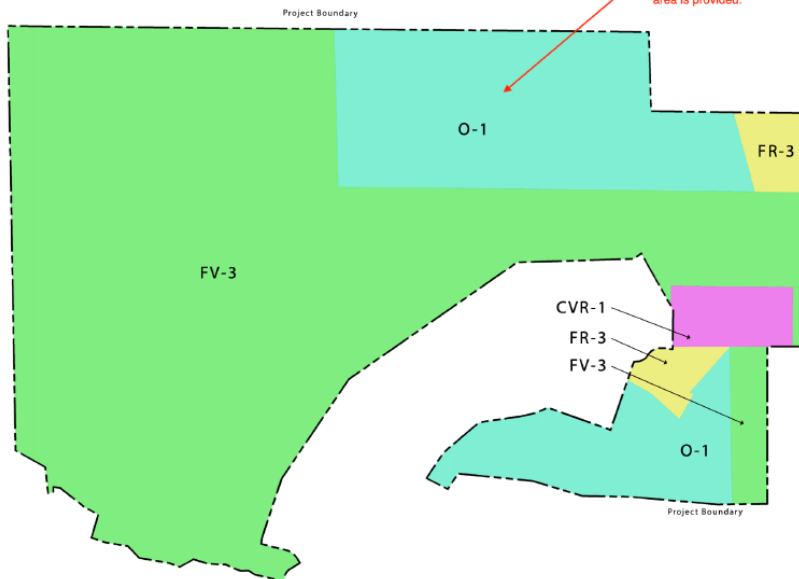
Sincerely and gratefully,

Johanna Droubay
3449 Viking Drive
droubay@gmail.com
202-423-8115

Existing Zoning

Map "A" - from Page 9 of developer's rezone application

This O-1 area is not shown on the existing zoning map in the staff report. Please delay your decision until documentation of the history of the zoning of this area is provided.



The Nordic Valley property located in Weber County is currently zoned Commercial Valley Resort Recreation Zone (CVR-1), Forest Valley (FV-3), Forest Residential Zone (FR-3) and Open Space Zone (O-1).

- Commercial Valley Resort Recreation Zone - CVR-1**
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.
- Forest Valley Zone - FV-3**
The purpose of this zone 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.
- Forest Residential Zone - FR-3**
The purpose of this zone is to provide for medium density residential uses of apartment clusters or condo-tels adjacent to and in conjunction with major recreational resorts, recreation areas and facilities in the mountain areas of Weber County on the basis that such medium density multiple-family housing is an integral and normal part of a recreational resort complex catering to the needs of both tourists and permanent home ownership. This zone is intended to be used in mountain locations in areas associated with major recreational resorts.
- Open Space Zone - O-1**
The purpose of this zone is intended to encourage the preservation of a natural environment in an otherwise urban setting; to hold for future generations open space in which plants and animals can be protected and studied; to inhibit erection of unnecessary buildings on a floodplain, on areas of severe slope, areas of fault line and rock slides; to provide suitable areas for recreation and relaxation, and to alleviate stream pollution.

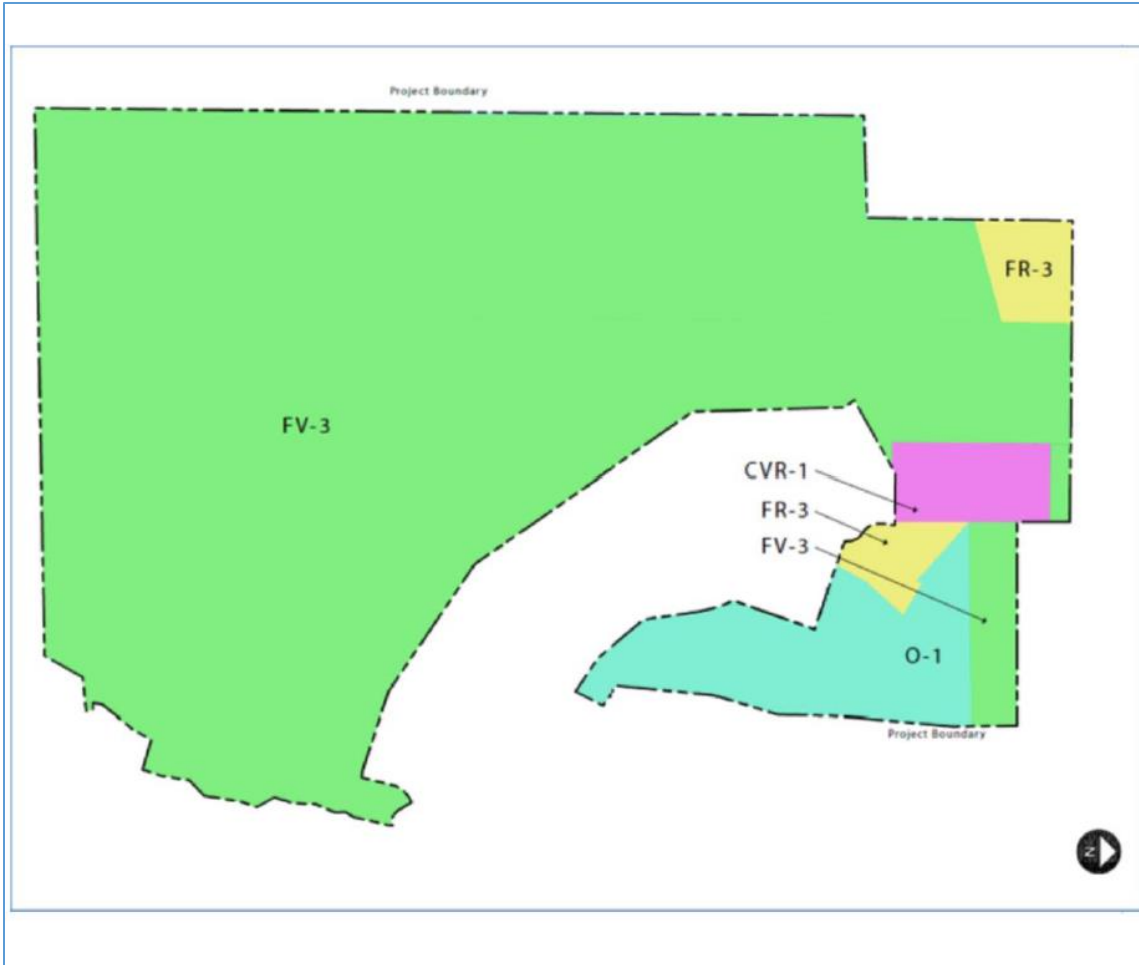


Figure 3: Current Zoning Map and the Subject Parcel(s).

The current zoning of the subject property is a mix of FV-3, FR-3, CVR-1, and O-1. Figure 2 displays current zoning of the subject parcels, and Figure 3 displays the proposed zoning.

From: deb <msg4deb@gmail.com>
 Sent: Monday, March 21, 2022 6:51 PM
 To: Perkes, Scott <asperkes@co.weber.ut.us>
 Subject: [EXTERNAL] Nordic Village

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Please see page 11 on the attached link: this was authored by Charlie Ewert, if it holds true, the majority of the residence of the valley are opposed to Nordic Village. Please share this with Mr. Ewert.

https://www.webercountyutah.gov/planning/documents/2014_Zoning_Density_Study.pdf

Thank you for considering the people of the valley
 Deb Modelmog



Wed 3/23/2022 3:58 PM

DAVID BOLIN <drbolin115@comcast.net>

[EXTERNAL] Comments from 3-22 OVPC Meeting

To Perkes, Scott



Letter to OVPC 3-22-22.pdf
18 KB

Action Items

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Good afternoon Scott,

Here are a few comments that I had prepared for last night's meeting. Please distribute them to the Planning Commission as needed.

Thank you,

David Bolin

March 22, 2022

Dear Ogden Valley Planning Commissioners,

Please consider delaying any decision on the zoning text amendment being proposed (ZTA 2021-07), that intends to create a Nordic Valley Village Area, until all aspects of the proposed changes to FBV Zoning and Land Use Codes have been thoroughly examined and commented on.

I have several comments and questions regarding the proposed amendments and will refer to them by page number as indicated in the 2022 OVPC 3-22 Packet.pdf file.

On pages 60-61, Sec 104-22-3 Land Use Table, Part (i) Residential uses, the amendment proposes that multi-family and four family dwellings (within MFR) and four family dwellings (within SLR) may be placed in a location (development area 4) that is directly across the street, at the northern intersection of Viking Drive and Nordic Valley Way (p 106, Exhibit A), from single family homes (currently zoned FV-3). This seems like too drastic a density change as compared to the gradual spreading out of density as envisioned for FBV zoning.

- Please consider moving this density away from the proposed round-about in a northerly direction.

On page 61, Sec 104-22-3 Land Use Table, Part (i) Residential uses, the amendment proposes that workforce housing, defined as: workforce housing, dormitory, or residence hall, or portion thereof, be a permitted use under FBV zoning in Open Space (OS) areas. This seems inconsistent with the intended use of open space areas.

- Please consider making this use non-permitted in OS zones.

On page 63, Sec 104-22-3 Land Use Table, Part (n) Utility uses, the amendment proposes that wastewater treatment or disposal facilities would be a permitted use under FBV zoning in Open Space (OS) areas. I would like to know what types of treatment or disposal facilities are being proposed, or suggested to be proposed, and why this would not be detrimental to the Open Space areas.

- Please consider eliminating this as a permitted use in OS zones.

On pages 69-70, Sec 104-22-5 Lot Development Standards, the proposed amendments to the FBV zoning defined MFR and SLR areas would allow minimum lot areas of none (MFR) to 3000 sf (SLR) and front lot-line setbacks of 5 ft, for both. As noted above, these proposed areas are located (development area 4) directly across the street, at the northern intersection of Viking Drive and Nordic Valley Way (p 106, Exhibit A), from single family homes (currently zoned FV-3). Most of the residences are one acre lots. As above, this seems like too drastic a density change compared to the gradual spreading out of density as envisioned for FBV zoning.

- As above, please consider moving this density away from the proposed round-about in a northerly direction and/or increasing the front lot-line setbacks.

On page 73, Sec 104-22-6.1 Building Design Standards Per Street Type, Height, the proposed amendment defines the maximum building height in the MFR zone to be 55 feet. In both development

area 4 and development area 1 ("south village") these maximum allowed heights coupled with the minimum front lot-line setbacks, for buildings that are adjacent to current FV-3 residences, are too drastic and might tend to create a "Park City-like" appearance.

- Please consider reducing the maximum building height in the MFR zone to 45 feet or perhaps 35 feet.

On page 106, Sec 104-22-9 Parking and Internal Block Access, the amendment proposes that parking lots for seasonal day-skiing not be required to be of hard-surface asphalt or concrete. As can be seen at the current ski area parking lot, east of Nordic Valley Way, not having a hard, impermeable or semi-permeable surface can create conditions for a muddy mess.

- Please consider eliminating this proposed change or require that a suitable alternative surfacing be identified by the developer.

Thank you for your consideration of these comments.

David R Bolin
3462 Viking Drive
drbolin115@comcast.net



Fri 3/25/2022 1:40 PM

Paul Hinojosa <hinojosap@yahoo.com>

[EXTERNAL] Communication to Planners and Commissioners re: Nordic Village

To Jenkins, Scott; Harvey, Jim H.; Froerer, Gage; Perkes, Scott

Cc nordicneighbors@gmail.com

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Dear Sir,

I am a resident of Eden, Ut at 3427 N Windriver Ct. I am writing to express my opposition to the rezoning proposal of Skyline Mountain Base's masterplan for the Nordic Valley Village, a planned ski village at the base of Nordic Valley ski resort. I also oppose any maneuvers to enhance the projects advancement such as any modifications to the Open Road changes, water swaps, rezoning of open space, and changes to building density.

In almost every respect, this proposal stands counter to resident's view as the intent of Ogden Valley General Plan to maintain its unique rural character. It is much too dense and would cause irreparable harm to its character by reduction of open space, its size would have a considerable negative impact on road infrastructure, water and sewage needs, air quality, and degradation of wildlife habitat.

As put forward in Skyline materials, plans call for 693 to 763 housing units, mostly condominiums, as well as hotel rooms and commercial space. The village will be located further from the Nordic Valley ski runs and area clustered around Nordic Valley Road and 3850 East, just east of the current resort base area.

The Ogden Valley General Plan Adopted August 30, 2016, describes the land use of the valley to be consistent with the community character. "Land uses in Ogden Valley should complement, not overwhelm, or compete with, the rural character of the Valley. The rural character of Ogden Valley is characterized by its open fields, agricultural lands, stands of trees, peace and quiet, dark skies, clean air and water, abundant wildlife, and small villages;..."

The Vision for rural residential development in the Valley, as stated in the General Plan is that "Neighborhoods should have convenient access to community amenities and are designed in a manner that protects the Valley's character. Any use must "PROTECT THE VALLEY'S CHARACTER." This proposal does NOT do that! This proposal would result in a devastating change to the establish community character.

The proposed housing at the Nordic Valley village would serve as short-term rentals geared to outside visitors, creating a large, transient population coming in and out of the area. More housing, more people and more cars. More cars mean more exhaust and impact to our pristine air quality. More cars will result in increased traffic in the Valley and in the canyon roads (primarily the two closest canyon roads – Ogden canyon and North Ogden divide). Both of which would require enhancement.

The plan calls for "structures will range from 2 to 5 stories with the tallest buildings proposed at the ski beach adjacent to the rising mountainous terrain and the shortest proposed at the eastern edge where the terrain flattens..." reads online informational material prepared by Skyline. This completely violates current community standards with no structural units higher than 2 stories. As envisioned, the plan encourages single family homes with 3 acres, not high-rise multi-unit structures which is contrary to a rural community. You might argue that land swaps keep this consistent, but that is an illogical rationale. It is not.

This project would negatively impact wildlife whose habitat is already shrinking. I object to the change in the appearance of the natural beauty provided by this mountain range. I am against development that would bring in additional development to this small valley that is confined by two narrow canyon passages.

With the nation and our state in the middle of a multi-year mega drought that continues to afflict Utah and while restrictive guidelines on secondary-water use are in effect in Weber County for the spring and summer, this proposal is not just unsustainable now but may not be feasible for many years in the future.

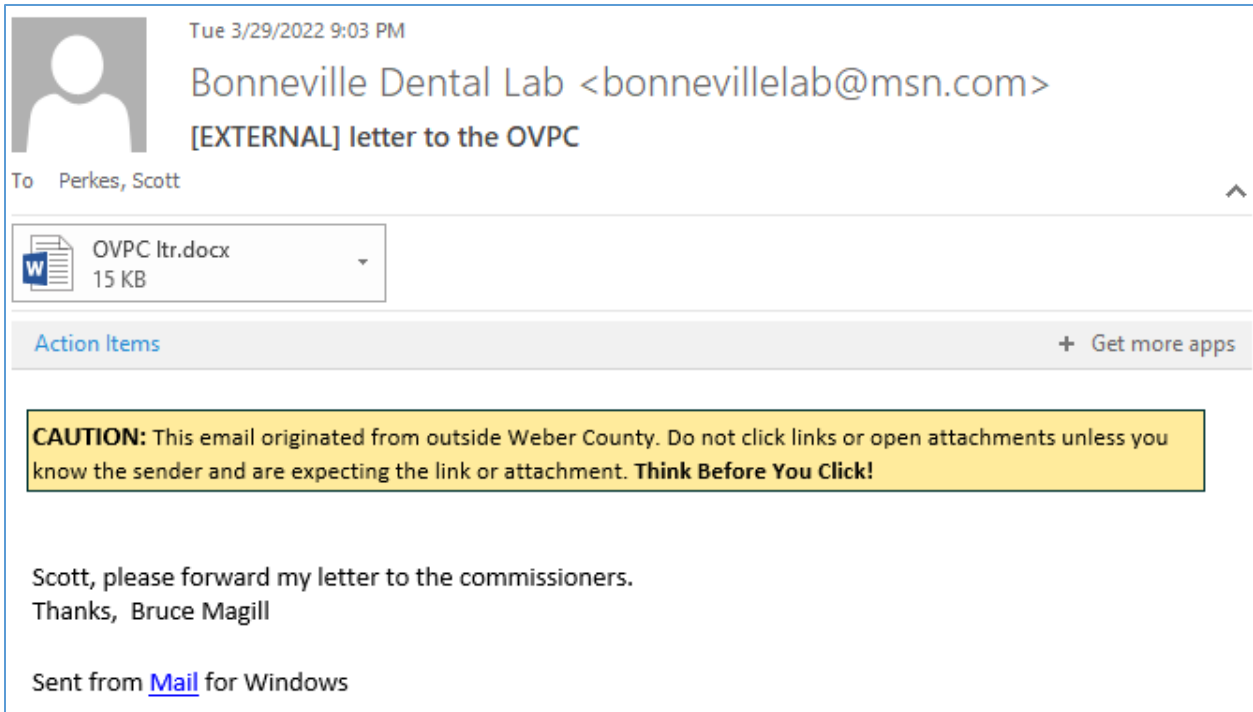
Speaking of sustainability and supportability, potential number of housing units creates a much denser development relative to skiable acres at Nordic Valley than at other regional ski resorts in the rest of Utah. That is they are proposing this huge village with so many units for such a small ski resort with so little skiable acres. I have skied Nordic Valley Many times and can say first-hand that the terrain is not only limited in size by in variety for different ability skiers. This proposal is definition of "greed" an obvious attempt to cash-in on the desirability of the Valley location instead of meeting any need or desire to meet demand for housing.

Finally, I am suspicious of the zoning approval process given that Mr. Gage Froerer is a county commissioner with ownership interest in the project Nordic Valley Land Associates, which owns a portion of the land that's within the development area envisioned by Skyline. Despite his statements that he would recuse himself from any participation in the process, it is impossible to separate past relationships and known relationships with other Commissioners that would be influenced. He would need to resign his position not just recuse himself.

I write this note representing my household including my spouse, Mykin Hinojosa.

Sincerely,
<Signed>

Dr. Paul A. Hinojosa
Major USA (ret)



To: Ogden Valley Planning Commission:
From: Bruce Magill
Subject: Afterthoughts to the March 22 OVPC Meeting

Dear Commissioners,

Thank you for allowing the concerned residents of Nordic Valley and Ogden valley to voice their concerns about the proposed development by Skyline Mountain Base. Following our input, Weber County staff member, Charlie, offered a rebuttal to what the citizens had said to the commissioners. I didn't stay for all of Charlie's rebuttal, but it was apparent that he was strongly defending the use of the Form Based Village concept for Nordic Valley.

I believe most of the attendees see the value of clustering future development in Ogden Valley to preserve as much open space as possible and the use of FBV modeling to create this. The work that Charlie, Scott, and others have done in applying FBV to old Eden is something that they should be proud of. Using this development plan, as Eden slowly grows over the next 30 years, will have a beautiful result.

In Eden, the development is very gradual, and the changes are more easily assimilated. The commercial, central part of the town already exists, and the future growth is more residential. The ability to transition from the taller, commercial areas to the residential areas can be accomplished.

On the other hand, using FBV for Nordic Valley creates a completely different result. In Nordic Valley, using the FBV structure to drop a massive development on top of an existing rural residential community creates a completely different result. The plan to spread the development across the existing community requires the need for "Park City stairs" running between two of my neighbors' lots

and future hypothetical roads through another neighbor's house to connect the disparate sections of the development. This would also greatly increase the traffic within NV.

Using FBV for the current development proposal, fails the test with respect to one of the most important objectives of FBV. The goal of creating an esthetic transition from commercial to multi-family residential, to single family homes. The goal of a transition from 50' tall buildings on down to single family homes. As the plan currently exists, the development has 50' tall buildings immediately adjacent to the single-family homes!

As the signs said: "Too Big!" I would appeal to the OVPC to not offer incentives to the developers to increase the number of residences. By calculating the density of residential units based on the net instead of the gross acreage and eliminating the additional bonus housing for workers making 80% median income (which is unenforceable), would reduce the number of residential units

Concentrating the development to the north of the existing community in existing unbuilt space, instead of scattering components across the existing community would really reduce the impact of the development to Nordic Valley.

Sincerely,

Bruce Magill 3470 Viking Drive, Nordic Valley



Wed 3/30/2022 7:47 PM

Michal Utterback <michalu22@gmail.com>

[EXTERNAL] Deny recommendation of the proposed text amendments to the Form B:

To Perkes, Scott

i You replied to this message on 4/13/2022 10:29 AM.

Mr. Perkes,

I would like to voice my opposition to the proposed text amendments to the Form Based Village Zoning Ordinance in Nordic Valley and urge you to deny these amendments.

I moved here last fall and chose Eden precisely because of its intimate feel as opposed to Park City/Deer Valley area which has been destroyed by overdevelopment. I learned of the development rezone proposal and oppose the amendments as written and all the inherent loopholes therein.

I would echo ALL the concerns expressed below-

- Land Use Implementation 1.4.2 of the Ogden Valley General Plan calls for the creation of a Transfer of Development Rights (TDR) Ordinance for the Ogden Valley planning area. This ordinance would formalize how TDRs are calculated, where they can be taken from and moved to, and how infrastructure will be provided, among other considerations. **Since creating high-density village centers relies heavily on the use of TDRs, rezoning an area to the FBV zone before a TDR Ordinance is in place is putting the cart before the horse.** A TDR Ordinance should be drafted, reviewed, and approved before the proposed text amendments and zoning amendments are decided on.
- The amended FBV zoning ordinance does not clearly define how to calculate base density. The county staff have stated that Section [104-22-11](#) of the proposed amended FBV zoning ordinance is the basis for determining current residential dwelling unit rights and thus transferable development rights (TDRs). They state that they have the right to calculate current residential dwelling unit rights on the basis of gross acreage rather than net acreage. That suggestion is not supported by the FBV zoning ordinance, by the amended FBV zoning ordinance, by other sections of the Land Use Code, or by the General Plan. **Using gross acreage, rather than using net developable acreage, to calculate current residential dwelling unit rights will result in an escalated number of TDRs being granted to the applicant, without regard to the intent of the General Plan.**



Wed 3/30/2022 7:47 PM

Michal Utterback <michalu22@gmail.com>

[EXTERNAL] Deny recommendation of the proposed text amendments to the Form Ba

To Perkes, Scott

You replied to this message on 4/13/2022 10:29 AM.

- Although a public hearing was held on the proposed text amendments, a public hearing has not yet been held on the proposed rezone. A public hearing on the proposed rezone will yield comments that may lead to adjustments to the developer's plan. Those adjustments may require adjustments to the FBV zoning ordinance. Therefore, please delay your decision regarding the zoning text amendments. **The zoning map amendment and the zoning text amendments should be discussed and decided upon simultaneously.**
- The amendment to the FBV zoning ordinance proposes revised definitions of "Dwelling" to Section 101-2-5 of the Land Use Code. That proposal excludes condo-tels from being considered Dwellings, which means that **an unlimited number of condo-tel units could be developed in the project area.** Condo-tels should be treated the same as condominiums with each condominium unit counted as one residential dwelling unit.
- The text amendment increases the maximum building height in the FBV zone from 35 feet (internal lot) and 45 feet (corner lot) to 55 feet (internal and corner lots). If this amendment is approved, Nordic Valley will have significantly taller buildings than all of the other proposed Ogden Valley village centers.
- The text amendments include a street regulating map for Nordic Valley that provides no transition between medium residential lots (i.e., existing single-family homes) and 55-foot multifamily development.
- The text amendment and the street regulating map need to be revised to confine any buildings that are higher than 35 feet to the base of the ski area on the west side of Nordic Valley Way, which is currently zoned commercial (CVR-1) and currently allows 50-foot high buildings.
- The street regulating map needs to be revised now that the developer has agreed to abandon the South Village development (i.e., development above Viking Drive).

My property is adjacent to the proposed development so I would be directly impacted along with my neighbors. Thank you for your consideration.

Sincerely,

Michal Utterback
2725 N 3750 E.
Eden UTAH 84310




Thu 3/31/2022 8:38 AM

Johanna Droubay <droubay@gmail.com>

[EXTERNAL] Further Comments to OVPC Regarding Text Amendments

To Perkes, Scott

 You replied to this message on 4/13/2022 10:36 AM.



Comments Related to Nordic Village Zoning Map Amendments.pdf
51 KB

Action Items

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Hi Scott,

Could you please forward these additional comments to the Ogden Valley Planning Commission in advance of the April 5 Work Session? Thank you, as always.

Johanna

Comments Related to Nordic Village Zoning Map Amendments
Submitted for your consideration in advance of April 5 work session
Johanna Droubay, 3449 Viking Drive, Eden

March 31, 2022

Dear Ogden Valley Planning Commissioners,

Please consider delaying or denying recommendation of the proposed text amendments to the Form Based Village Zoning Ordinance for the following reasons:

- Land Use Implementation 1.4.2 of the Ogden Valley General Plan calls for the creation of a Transfer of Development Rights (TDR) Ordinance for the Ogden Valley planning area. This ordinance would formalize how TDRs are calculated, where they can be taken from and moved to, and how infrastructure will be provided, among other considerations. **Since creating high-density village centers relies heavily on the use of TDRs, rezoning an area to the FBV zone before a TDR Ordinance is in place is putting the cart before the horse.** A TDR Ordinance should be drafted, reviewed, and approved before the proposed text amendments and zoning amendments are decided on.
- The amended FBV zoning ordinance does not clearly define how to calculate base density. The county staff have stated that Section 104-22-11 of the proposed amended FBV zoning ordinance is the basis for determining current residential dwelling unit rights and thus transferable development rights (TDRs). They state that they will be calculating current residential dwelling unit rights on the basis of gross acreage rather than net acreage. It is not clear to me that this suggestion is supported by the FBV zoning ordinance, by the amended FBV zoning ordinance, by other sections of the Land Use Code, or by the General Plan. The creation of an FBV Zoning Ordinance could help to clarify how density is calculated. In the meantime, **using gross acreage, rather than using net developable acreage, to calculate current residential dwelling unit rights will result in an escalated number of TDRs being granted to the applicant, which runs contrary to the intent of the General Plan.**
- Although a public hearing was held on the proposed text amendments, a public hearing has not yet been held on the proposed rezone. A public hearing on the proposed rezone will yield comments that may lead to adjustments to the developer's plan. Those adjustments may require adjustments to the FBV zoning ordinance. Therefore, please delay your decision regarding the zoning text amendments. **The zoning map amendment and the zoning text amendments should be discussed and decided upon simultaneously.**
- The amendment to the FBV zoning ordinance proposes revised definitions of "Dwelling" to Section 101-2-5 of the Land Use Code. That proposal excludes condo-tels from being considered Dwellings, which means that **an unlimited number of condo-tel units could**

be developed in the project area. Condo-tels should be treated the same as condominiums with each condominium unit counted as one residential dwelling unit.

Thank you so much for considering my thoughts and suggestions!

Sincerely,

Johanna Droubay
3449 Viking Drive
202-423-8115
droubay@gmail.com



Thu 3/31/2022 9:42 AM

Kelly McLeod <kellymcleod02@gmail.com>

[EXTERNAL] Nordic Development items:

To Perkes, Scott

Action Items

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Hello Scott- please see below for the Nordic Valley Development to be discussed with planning, commissioners, etc.

- Land Use Implementation 1.4.2 of the Ogden Valley General Plan calls for the creation of a Transfer of Development Rights (TDR) Ordinance for the Ogden Valley planning area. This ordinance would formalize how TDRs are calculated, where they can be taken from and moved to, and how infrastructure will be provided, among other considerations. **Since creating high-density village centers relies heavily on the use of TDRs, rezoning an area to the FBV zone before a TDR Ordinance is in place is putting the cart before the horse.** A TDR Ordinance should be drafted, reviewed, and approved before the proposed text amendments and zoning amendments are decided on.
- The amended FBV zoning ordinance does not clearly define how to calculate base density. The county staff have stated that Section 104-22-11 of the proposed amended FBV zoning ordinance is the basis for determining current residential dwelling unit rights and thus transferable development rights (TDRs). They state that they have the right to calculate current residential dwelling unit rights on the basis of gross acreage rather than net acreage. That suggestion is not supported by the FBV zoning ordinance, by the amended FBV zoning ordinance, by other sections of the Land Use Code, or by the General Plan. **Using gross acreage, rather than using net developable acreage, to calculate current residential dwelling unit rights will result in an escalated number of TDRs being granted to the applicant, without regard to the intent of the General Plan.**
- Although a public hearing was held on the proposed text amendments, a public hearing has not yet been held on the proposed rezone. A public hearing on the proposed rezone will yield comments that may lead to adjustments to the developer's plan. Those adjustments may require adjustments to the FBV zoning ordinance. Therefore, please delay your decision regarding the zoning text amendments. **The zoning map amendment and the zoning text amendments should be discussed and decided upon simultaneously.**

- The amendment to the FBV zoning ordinance proposes revised definitions of “Dwelling” to Section 101-2-5 of the Land Use Code. That proposal excludes condo-tels from being considered Dwellings, which means that **an unlimited number of condo-tel units could be developed in the project area**. Condo-tels should be treated the same as condominiums with each condominium unit counted as one residential dwelling unit.
- The text amendment increases the maximum building height in the FBV zone from 35 feet (internal lot) and 45 feet (corner lot) to 55 feet (internal and corner lots). If this amendment is approved, Nordic Valley will have significantly taller buildings than all of the other proposed Ogden Valley village centers.
- The text amendments include a street regulating map for Nordic Valley that provides no transition between medium residential lots (i.e., existing single-family homes) and 55-foot multifamily development.
- The text amendment and the street regulating map need to be revised to confine any buildings that are higher than 35 feet to the base of the ski area on the west side of Nordic Valley Way, which is currently zoned commercial (CVR-1) and currently allows 50-foot high buildings.
- The street regulating map needs to be revised now that the developer has agreed to abandon the South Village development (i.e., development above Viking Drive).

Thank you
Kelly McLeod
248-514-1760



Thu 3/31/2022 10:58 AM

Felice M. Quigley <fmq@felicelaw.net>

[EXTERNAL] RE: [EXTERNAL] Re: [EXTERNAL] RE: [EXTERNAL] Re: Nordic/Skyline Mountain

To Perkes, Scott

Cc DAVID BOLIN; Joanna Droubay

i You forwarded this message on 4/4/2022 12:26 PM.

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DenistyAnalysisCommissioners.pdf
322 KB

Bing Maps

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Thank you for the opportunity to meet with you and Charlie.

We appreciate your positive feedback about amending the ZTA to provide that any building over 35 ft high be confined to the west side of Nordic Valley Way, at the base of the ski area, currently zoned CVR-1, and to clearly define street designations so that MFR buildings on both the eastern and western sides of Nordic Valley Way end at the base of the ski area at the mutual boundary between the ski area and the approximate 20 ft plot owned by Nordic Water. As discussed, that will entail eliminating or pushing north, the one MFR building at the base of Viking Drive transposed on the ZTA. That will serve to negate some of negative impact on the viewshed from those established homes in the neighborhood and will facilitate the transition from MFR to SLR to MLR.

I realize that we differ in our opinions regarding density. I am certainly open to any explanations you can provide which negate my conclusions. Please feel free to point out any discrepancies in the facts or law cited in the attached analysis regarding density. As I mentioned, I am happy to listen to explanations and to be educated on the facts and the law.

Please distribute the attached to the OVP commissioners.

Again thank you.

Felice M. Quigley, RN, JD
Licensed in PA, NJ & USVI
NOT LICENSED IN UTAH
Law Office of Felice M. Quigley
PO Box 223209
Christiansted, VI 00822
340-773-7700 phone
340-773-4774 fax

Law Offices of Felice M. Quigley

Felice M. Quigley, JD

Admitted in PA, NJ and USVI

NOT ADMITTED IN UTAH

March 30, 2022

Dear Ogden Valley Planning Commissioners:

Please consider delaying any decision on the proposed ZTA 2021-07 and ZMA 2021-09.

SUMMARY

The applicant is requesting a Zoning Text Amendment (ZTA) and Zoning Map Amendment (ZMA) to rezone what they allege is approximately 510 acres in and around the Nordic Valley ski area from what they assert is zoned FV-3, FR-3, CVR-1, and O-1 zones to the new Form-Based Village Zone (FBV) as amended. The applications should be denied as submitted for a number of reasons.

1. **A Transfer of Development Rights (“TDR”) Ordinance for the Ogden Valley Planning area, must be created and passed prior to the County taking any further action on the ZTA or ZMA. The creation of that ordinance was mandated by the General Plan to establish a process for reviewing and approving proposals to transfer development rights in the Ogden Valley. Any further consideration of the ZTA or the ZMA before such an ordinance is passed is putting the cart before the horse.**
2. **Current residential dwelling unit rights should NOT be calculated based on gross acreage as suggested by the Weber County Planning staff “staff.” Nether the FBV in its adopted form, nor as amended in the ZTA, defines how to calculate *current* residential dwelling unit rights, which is necessary to determine transferable development rights (“TDR’s”). Section 104-22-11 of the proposed ZTA to the FBV needs to be revised to clarify that net developable acreage be used as the basis to calculate residential dwelling unit rights:
 - a. for lots as they are currently zoned, and
 - b. for lots to be rezoned to FBZ zoning, and
 - c. for lots from which residential dwelling unit rights are to be transferred and
 - d. for lots to which residential dwelling unit rights are to be transferred.**

The definition of “Base Density” under Section 101-2-2-3 of the Land Use Code, needs to be amended along with the revisions to Section 104-22-11, to incorporate the concept of TDR’s, to be consistent with the legal framework of the FBV and to implement the goals of the General Plan.

3. **The ZTA to the FBV proposes revised definitions of “Dwelling” to Section 101-2-5 of the Land Use Code. That proposal excludes condo-tels from being considered Dwellings. Condo-tels should be treated the same as condominiums with each condominium unit counted as one residential dwelling unit. The Land Use Code definitions of boarding/lodging houses, hotels, condo-tels, dwellings, etc... all need to**

be amended to be consistent with the concept of TDR's, the legal framework of the FBV and the intent of the General Plan and then incorporated into the FBV by reference.

4. The ZTA to the FBV needs to be revised to clearly define what is meant by non-residential development rights and to articulate the distinction between those rights and residential dwelling unit rights.

UNTIL ALL THE ABOVE ARE ADDRESSED AND RESOLVED, THE ZTA AND ZMA APPLICATIONS MUST BE DENIED.

The County must create and pass a Transfer of Development Rights ("TDR") Ordinance for the Ogden Valley Planning area, before it takes any further action on the ZTA or ZMA. Land Use Implementation 1.4. of the General Plan mandates the creation of an ordinance to establish the process for reviewing and approving proposals to transfer development rights in the Ogden Valley. It states in its entirety:

Land Use Implementation 1.4.2: Create a Transfer of Development Rights (TDR) Ordinance for the Ogden Valley planning area. The purposes of the TDR Ordinance would be to establish a process for reviewing and approving proposals to transfer development rights from the Agricultural Protection and Open Space Overlay areas to locations where additional development density could be more appropriate (receiving areas). The TDR Ordinance would establish standards for review and approval of each proposed TDR. Each TDR application would include information including, but not limited to: identification of the lands from which development units are proposed to be removed; identification of the land to which the development units would be moved; the number of development units and type(s) of development proposed; how water, sewer and other services would be provided; and other information specified by the ordinance. Standards for evaluation of the application would include such factors as detrimental or beneficial effects to both the sending and receiving properties; availability of roads and infrastructure; proximity of other development including town centers; the proposed uses and intensity of use; consistency with private covenants; compatibility with surrounding land uses and the extent to which the transfer advances the goals of the General Plan. The resort areas and villages are likely most suitable receiving areas for transferred development units.

Despite the directive in the General Plan, no such ordinance has been created. The staff and applicant have repeatedly represented that the FBV, ZTA, and ZMA are implementing the goals of the General Plan. They have pointed to some sections of the General Plan which they assert are being implemented by the FBV, ZTA or ZMA. However, noticeably absent from the ZTA or ZMA, and from any of the staff's analysis, summary or recommendations regarding those proposals, is any reference, mention or citation to Land Use Implementation 1.4. of the General Plan. How could such a strong and well thought out directive of the General Plan have escaped notice? It says a law must be passed to establish the process for reviewing, approving, setting standards, etc. regarding TDR's. It is pretty specific and easy to understand. We have heard time and time again from the staff and applicant that the Ogden Valley Community all rallied behind

the General Plan...so why is it that the FBV was approved without the County enacting an ordinance as mandated by the General Plan. I suggest that we step back and consider the implications of that. The fact that the County is even considering moving forward on either the ZTA or the ZMA before such an ordinance is passed is putting the cart before the horse. An ordinance must be passed before the County takes any further action.

Current residential dwelling unit rights should NOT be calculated based on gross acreage as suggested by the OVP staff. The applicant and the staff insist that they are *not* seeking to increase the density of the proposed Nordic Village over that currently permitted under the current zoning of those parcels included in the project.¹ Referencing Land Use Principle 1.1 of the General Plan, the ZMA application states “The proposal does not request additional density or bonus density. Existing entitlements under current zoning classifications would be calculated and transferred into the village area for development.” The staff’s recommendation at page 12 of the application for the ZMA definitively states “The proposal creates no new residential density than already entitled.” How does either the staff or the applicant know that since there has been no calculation of current residential dwelling unit rights and no legal framework provided as to how to calculate those rights.

The staff have stated to the commissioners and to the public that Section 104-22-11 of the proposed amended FBV zoning Code is the basis for determining current residential dwelling unit rights and thus transferable development rights “TDR’s.” They state with cloaked authority that they have the right to calculate current residential dwelling unit rights on the basis of gross acreage rather than net acreage. That suggestion is not supported by the FBV, by the ZTA, by other sections of the Land Use Code or by the General Plan. Using gross acreage, rather than using net developable acreage, to calculate current residential dwelling unit rights will result in an escalated number of TDR’s being granted to the applicant, without regard to the intent of the General Plan. The importance of this cannot be emphasized enough.

Mr. Perkes told the undersigned during a two hour meeting on Thursday March 17, 2022 that the county intended to use “gross” acreage to calculate current residential dwelling unit rights because it was easier than using net acreage to do so. He mentioned that again at the “public” meeting of the OVPC on March 22, 2022. He also said that another reason to use gross acreage, rather than net acreage, was because the County did not want the farmers to incur the expense of calculating their current residential dwelling unit rights based on net developable acreage. While the staff may be specialists in their fields, they do not have the authority to legislate nor do they have the right to disregard other provisions in the Land Use Code and the General Plan which mandate that net developable acreage be used to calculate current residential dwelling unit rights. Any attempt by the staff to calculate those rights on the basis of gross acreage is tantamount to the staff acting as a legislative body...which they are NOT.

¹ However, it should be noted that in the application for ZMA, referencing the General Plan Land Use Implementation 1.1.1 it specifically states that “If rezoned to the FBV zone, the applicant may also seek to transfer additional density at a later date from other areas of the Ogden Valley.”

Section 104-22-11 of the proposed ZTA needs to be redrafted to clearly articulate that residential dwelling unit rights for all purposes be calculated based on net-developable acreage:

- A. for calculating the current residential dwelling units of a parcel proposed to be rezoned to an FBV zone, and
- B. for calculating the residential dwelling units of a parcel rezoned to an FBV zone, and
- C. for calculating the residential dwelling unit rights of a parcel from which proposed residential dwelling rights are sought to be transferred to increase the residential dwelling unit rights of a parcel zoned FBV, and
- D. for calculating the residential dwelling unit rights of a parcel to which residential dwelling rights are transferred to increase the residential dwelling unit rights of that parcel.

The proposed ZTA is unartfully drafted, confusing and ambiguous in defining residential dwelling unit rights. It sets forth in part:

Section 104-22-11 in Transferable development rights

(1) *Density allowance and transferable development rights.* As provided in the Ogden Valley General Plan, the creation of dwelling rights in the FBV zone shall not create any new density in the Ogden Valley Planning Area unless otherwise provided in this Land use Code. To establish the residential dwelling unit rights that exist on a lot or parcel in the FBV zone, or to increase or decrease residential dwelling unit rights on a lot or parcel in the FBV zone, the following apply:

- a. *For a lot or parcel rezoned to the Form-Based Village Zone from a zone that allows residential dwelling units, the base density, as defined in Title 101, Chapter 2, shall be the same as the density that was allowed in the prior zone...* (emphasis supplied.)
- b. Additional residential dwelling units are permitted on any lot that has street frontage on, or gains primary access from, any street type in the street regulating plan except a rural residential street and a general open space street. However, *no new density is allowed unless the landowner has successfully negotiated the reallocation of an equal number of dwelling unit rights from another lot or parcel that has an available dwelling unit right as determined by the lot or parcel's base density and adjusted for any previous dwelling unit right reduction or addition...* (emphasis supplied.)

Subsection a. of Sec 104-22-11 concerns establishing the base density of a rezoned FBV lot. It specifically says that that a rezoned FBV lot shall have the same density that it had in the prior zone. But it does not address how to calculate the residential dwelling unit rights of the lot before it was rezoned. Subsection b. concerns adding new density to an existing FBV lot by adding residential dwelling unit rights from another lot that has available residential dwelling unit rights.

But it does not address how to calculate the base density of the lot from which the residential dwelling unit rights are being transferred. Section 104-22-11 is poorly drafted in that it uses dwelling units and density interchangeably and does not include concrete definitions or methods for calculating residential dwelling unit rights.

The definition of "Base Density" under Section 101-2-2-3 of the Land Use Code needs to be amended along with the revisions to Section 104-22-11, to incorporate the concept of TDR's, to be consistent with the legal framework of the FBV and to implement the goals of the General Plan. Although not mentioned by the staff in its summary of the proposed ZTA, subsection a. to Section 104-22-11 was changed to add a reference to Title 101 Chapter 2, in defining the base density of a rezoned FBV lot. Title 101, Chapter 2, is the definitions section of the Land Use Code. That added reference adds no clarity and only serves to confuse things. First, subsection a. specifically refers to defining density of the lot as rezoned, not as it was previously zoned. It starts: "*For a lot or parcel rezoned...* the base density, as defined in Title 10, Chapter 2, shall be the same that was allowed in the prior zone." It defines base density of the lot in the new zone and has nothing to do with defining the base density or residential dwelling unit rights of the lot as it was before it was rezoned. Second, the definition of base density found in Title 101, Chapter 2 does not include a definition applicable to the FBV zoning. It does not indicate how to calculate base density to determine TDR's, nor does it state that gross acreage should be used to calculate the number of dwelling units allowed in an area. Rather it says:

Section 101-2-2-3 *Base density.* The term "base density" means the number of dwelling units allowed in an area. For development types that permit more dwelling units than otherwise provided by the zone, the base density shall be calculated as the net developable acreage,² as defined herein, divided by the minimum lot area of the zone...

The development types proposed by the applicant include hotels, condominiums, townhouses, 4 homes on 3000 sq ft lots, etc....obviously development types that permit more dwelling units than otherwise provided by the current zone of the parcels included in the project. So, if the applicant or staff somehow attempts to argue that Section 101-2-2 was added to Section 104-22-11 a. of the FBV in an attempt to define the residential dwelling unit rights of lots before rezoned to FBV³ the only logical conclusion is that those rights must then be calculated based on net developable acreage.

Third, other definitions in Title 10, Chapter 2 of the Land Use Code support the conclusion that base density and residential dwelling unit rights, for purposes of determining TDR's, should be calculated on the basis of net developable acreage. And that should be specifically stated in a revised Section 104-22-11. Without revising that section, both the ZTA and ZMA should be denied. Many of the definitions found in the Land Use Code certainly suggest that roads, steep slopes and streams should be excluded when calculating residential

³ The manner in which this entire section was drafted is ambiguous and unclear and needs to be revised. The added reference to the definition of Base Density at 101-2-2-3 to establish the residential dwelling unit rights for a lot rezoned to FBV does not clear up the problem.

dwelling unit rights to determine TDR's. Those definitions also suggests that the developer has the burden to show that the parcels from which density is transferred are buildable and developable. For example, the Ac Definitions at Section 101-2-2 and 101-2-3 include:

Acreage, adjusted gross. The term "acreage, adjusted gross" means a total of all land area that lies within a project boundary and is classified as "developable" by this or any other county, state or federal law, ordinance or regulation.

Acreage, gross. The term " gross acreage" means a total of all acreage that lies within a project boundary.

Acreage, net developable. The phrase "net developable acreage" means the total acreage within a project boundary, subtracting acreage unsuitable for development, as defined by this section or as otherwise provided in this Land Use Code. When calculating net developable acreage, the area encumbered or proposed to be encumbered by a street right-of-way or other required right-of-way providing primary access to a lot is considered area unsuitable for development. The term "net developable area" shall have the same meaning, unless the context clearly indicates otherwise.

Acreage unsuitable for development. The phrase "acreage unsuitable for development," means the area within a project that has extraordinary circumstances that under existing county, state, or federal laws render development on it very unlikely. *The applicant bears the burden to prove an area does not meet this definition.* (emphasis supplied)

Buildable area. The term "buildable area" means a portion of a lot, parcel or tract of land which is to be utilized as the building site and which complies with the following:

1. The average percent of slope within the buildable area as defined by this section shall be less than 25 percent;

The above definitions all support the conclusion that residential dwelling unit rights should be calculated on the basis of net developable acreage rather than on the basis of gross acreage. There is nothing in the Land Use Code to suggest the contrary. That premise is also supported by the goals of the General Plan. Yet the staff continues to urge that gross acreage should be used.

The General Plan supports that net developable acreage should be used in calculating TDR's. The staff has repeatedly insisted that the overwhelming Ogden Valley population are very much in favor of the General Plan, which includes:

Land Use Implementation 1.2.1, which states as its objective "Amend the land use code to require that the development potential of steep slopes (slopes over 30%), wetlands, and floodplains will not be included in project density calculations, nor will be available for transfer pursuant to a TDR program."

The staff says that the goals set forth in Land Use Implementation 1.2.1 should be disregarded "in favor of the greater good."⁴ Who are the greater good? The staff has conveniently sidestepped the directives of the Ogden Valley community. That community has spoken and has

⁴See page 10 ZMA, third comment under Land Use Implementation 1.2.1 in the application for ZMA.

specifically and clearly stated that development rights on steep slopes over 30% should not be included in calculating TDR's. The staff summarily disregards that and alleges "The County believes that the Nordic slopes are developable at their current slope percentages" without offering any evidence to support that conclusion.⁵ The staff refuses to entertain any argument to exclude acreage unsuitable for development in calculating residential dwelling unit rights. Based on the topography map submitted by the applicant in the ZMA, more than 50% of ski area has at least a 40% slope. So how can the staff say that all slopes are buildable when there is no legislation to support that argument and when that is contrary to the General Plan, which the planners represent is supported by the overwhelming majority of Ogden Valley. As far as I know, the Land Use Code, is still in force and effect as the law of this land. That specifically says that the developer has the burden to prove that an area does not meet the definition of unbuildable. The staff have certainly taken on the developer's burden here, have disregarded the facts, ignored various provisions of the Land Use Code, conveniently left the public in the dark about various proposed amendments and have gone out of their way to take positions that are clearly in favor of unbridled development to the developers benefit.

Condo-tels should be treated the same as condominiums with each condominium unit counted as one residential dwelling unit right. The Land Use Code definitions of boarding/lodging houses, hotels, condo-tels, dwellings, etc... all need to be amended to be consistent with the concept of TDR's, the legal framework of the FBV and with the intent of the General Plan and then incorporated into the FBV by reference.

Besides the fact that neither section 104-22-11 of the ZTA nor the Base Density definition in the Land Use Code clearly defines how to calculate residential dwelling units for the purpose of determining TDR's, adding to the confusion is the fact that the applicant and staff included proposed REVISIONS to the Definitions of "Dwelling" types found in Section 101-2-5 of the Land Use Code.... without calling them out and explaining the purpose for the revisions.

The current definition of Dwelling is:

Dwelling. The term "dwelling" means a building or portion thereof, which is constructed in compliance with the county's adopted building codes and designed as a place for human habitation, *except hotel*, apartment hotel, boardinghouse, lodginghouse,⁶ tourist court or apartment court and meeting the requirements of title 108, chapter 15. The term "dwelling" shall include manufactured home and modular home when the requirements of title 108, chapter 14 are met.

and the proposed revised definition is:

Dwelling. The term "dwelling" means a building or portion thereof, which is constructed in compliance with the county's adopted building codes and designed as a place for

⁵See page 10, second comment under Land Use Implementation 1.2.1 in the application for ZMA.

⁶ *Lodginghouse/boardinghouse.* The term "lodginghouse/boardinghouse" means a building where lodging only is provided for compensation in five or more guest rooms, but not exceeding 15 persons.

human habitation. This does not include a hotel or hotel room, *condominium rental apartment*⁷(condo-tel), boardinghouse, lodging house, tourist court or apartment court.

The current definition of Multi-Family Dwelling is:

Dwelling, multiple-family. The term "multiple-family dwelling" means a building or portion thereof used and/or arranged or designed to be occupied by more than four families, including apartment houses and apartment hotels, but not including tourist courts.

and the proposed revised definition is:

Dwelling, multiple-family. The term "multiple-family dwelling," also referred to as a "multi-family dwelling," means a building or portion thereof arranged or designed to contain more than four dwelling units, including an apartment building and condominium building.

Based on the current definitions under Section 101-2-5 , hotels⁸ are excluded from the definition of a Dwelling, and based on the proposed revised definition, so are condominium units placed in a rental pool, referred to as "condo-tels." The General Plan refers to residential and non-residential development rights.⁹ It specifically refers to hotel units in referencing non-residential development rights, BUT it does not refer to condo-tels in referencing non-residential density rights...why, because they should be included as residences! They are residences. They are dwellings. They have kitchens, bathrooms, decks, internal hallways, bedrooms, etc. They are places to live, pray, entertain, etc...They have the same characteristics as any other condominiums and fit the same definitions under the Land Use Code.¹⁰ Many of the condominiums in Ogden Valley, including those in the rental market, are bigger than my house. Condominiums are clearly defined as dwellings and residential units, as are townhouses, etc.... and the fact that they are rented out should not change that. A condominium which is rented out should be treated the same as a condominium which is not rented out. There should be absolutely

⁷ *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.

⁸ *Hotel.* The term "hotel" means a building consisting of 16 or more sleeping units designed for temporary lodging for compensation, in which no provision is made for cooking in any individual room or suite, and may or may not provide meals.

⁹ According to Land Use Principle 1.1.1 of the General Plan, Development rights include residential (e.g. townhouses, single family detached units, etc.) and non-residential development rights (e.g. hotel units, accessory dwelling units, retirement center units, etc...)

¹⁰ *Condominium.* The term "condominium" means an estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a residential building, such as an apartment. A condominium may include, in addition, a separate interest in other portions of such real property.

Condominium unit means a separate physical part of the property intended for any type of independent use, including one or more rooms or spaces located in one or more floors (or part or parts of floors) in a building or a time period unit, as the context may require. A convertible space shall be treated as a unit in accordance with 57-8-13.4, U.C.A., 1953, as amended (U.C.A. 1953, § 57-8-13.4).

no difference between the two for calculating residential dwelling unit rights. Does the fact that a condo is rented 2 months out of 12 make it any less of a dwelling unit? The only logical conclusion is NO! The fact that a condominium is rented out does not change the fact that it is “an individual living/dwelling unit located within a residential condominium project,” the same definition ascribed to Condominium dwelling unit in the Land Use Code.¹¹

I suspect that the proposed revisions to the definition of Dwelling were an attempt to increase the number of potential condominiums and hotels that can be crammed along streets designated as MUC and MFR by specifically excluding hotels and Condo-tels from the definition of a Dwelling. If they are not considered Dwellings, then I guess they don't have residential dwelling unit rights. The ZMA proposes using 1/2 of a unit for the base density of a condominium and 1/3 of a unit for the base density of a hotel room.¹² So I suspect, that the applicant thought that revising the definition of Dwelling would somehow support that proposal. If neither hotels nor condo-tels are counted as residential dwelling units, then there will be no limit to the number of condominiums and hotels constructed. Keep in mind that under the FBV, buildings along streets designated as either MFR or MUC have virtually no restrictions other than the 55 ft height restriction and the 5ft front set back...no side or rear setbacks, no minimum lot size NO NOTHING. A developer could build as many condominiums and hotels as they want. Why should a developer be able to suggest the basis to calculate non-residential development rights of a hotel? What would have better served the applicant, the County and the public, would have been to create a TDR ordinance as mandated by the General Plan and then to propose revised definitions under the Land Use Code taking into account the various types of dwellings permitted under the FBV and including methods to calculate the basis for determining their residential dwelling unit rights and a method to calculate non-residential density. If the Land Use Code can assign residential dwelling unit rights to lock-outs, then why can't other dwellings be assigned residential dwelling unit rights.¹³

¹¹ *Condominium dwelling unit.* The term "condominium dwelling unit" means an individual living/dwelling unit located within a residential condominium project.

¹² See Overall Land Use Plan map, page 17 of the DRR-2 application included in the ZMA.

¹³ *Detached lockout.* In the Ogden Valley Destination and Recreation Resort Zone, the term "detached lockout" means a detached sleeping room (or multiple rooms) on the same lot with single-, two-, three-, four-, multi-family dwellings, condominiums, condominium rental apartments (condo-tel), private residence clubs, townhomes, residential facilities, timeshare/fractional ownership units, hotels, accessory dwelling units, and all or any portion of any other residential use, with separate or common access and toilet facilities but no cooking facilities except a hotplate and/or a microwave, which may be rented independently of the main unit for nightly rental by locking access. A detached lockout is accessory to the main use and shall not be sold independently from the main unit. Unless specifically addressed in the development agreement for the specific Ogden Valley Destination and [Recreation] Resort Zone, a detached lockout shall be considered one-third of a dwelling unit when figuring density on a parcel of land.

The ZTA needs to be revised to clearly define what is meant by non-residential development rights and to articulate the distinction between those rights and residential dwelling unit rights.

The applicant and staff have repeatedly said that the FBV zoning concept supports the General Plan. They have also repeatedly said that the way to establish villages under the FBV is to transfer density from one parcel to another through transferable development rights "TDR's." According to the General Plan, development rights include residential development rights and non-residential development rights. Absent from the ZTA is any definition of or basis to calculate non-residential development rights. Are structures currently excluded from the definition of Dwelling to be assigned some type of non-residential development rights? If so, shouldn't there be an ordinance which spells that out? Shouldn't it specify how any development type excluded from the definition of "Dwelling" is assigned non-residential development rights and how those non-residential development rights are calculated for determining density and whether those non-residential development rights can be transferred to another parcel to increase the density of that other parcel ("TDR's") Thus, for any development type not defined as a Dwelling, assumedly because, it is characterized as housing persons transient in nature, the FBV needs to clearly articulate how those development types will be counted in establishing base density in FBV zoning. To leave that determination to the developer or the staff, without adopting supporting legislation, would not only an oversight but a breach in the County's obligations to the Ogden Valley community.

UNTIL ALL THE ABOVE ARE ADDRESSED AND RESOLVED, THE ZTA AND ZMA APPLICATIONS MUST BE DENIED.

Very truly yours,



Felice M. Quigley
Admitted in PA, NJ and USVI

NOT ADMITTED IN UTAH



Thu 3/31/2022 11:48 AM

Robin CowenGottlieb <cowengottlieb@gmail.com>

[EXTERNAL] Ogden Valley (Nordic) Form-Based Village Zoning Ordinance

To Perkes, Scott

Cc John Gottlieb

Dear Mr Perkes,

We purchased our home in Nordic Valley in the spring of 2020. We are on Nordic Valley Rd, directly across from the golf course. We chose Nordic Valley specifically because of the large open space of the golf course and the 3 acre lot requirements for homes in the neighborhood. We are strongly opposed to the text amendments that allow rezoning of the golf course to allow condo-tels and multi family housing units. This rezoning goes against the original plan for the neighborhood and will disrupt the natural setting and the wild life in the area. The proposed text amendments will encourage a development that is far too large and densely populated for the size of the ski hill and the area. It will completely destroy the current character of the neighborhood.

We are also opposed to amendmements that allow rezoning for 55ft high buildings. This will ruin views and the character of the neighborhood. The current 35 ft height restriction is sufficient and will protect our views both now, and in the future.

While we don't completely oppose the development, and in fact welcome an upgrading of the area consistent with the size of the ski hill and surrounding areas, we are very concerned about the proposed text amendments/zoning changes that will allow for way too much density and the other problems that go along with it (increased traffic, water problems etc.)

We are writing to urge you to delay the proposed text amendments until further research and community input is presented.

Sincerely,
Robin and John Gottlieb
3540 Nordic Valley Rd



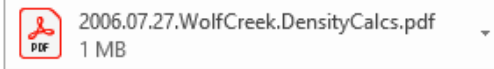
Fri 4/1/2022 9:45 AM

Doug Wewer <dougwewer@hotmail.com>

[EXTERNAL] Nordic Village Comments - Please Provide to Ogden Valley Planning Commis

To Perkes, Scott

You forwarded this message on 4/4/2022 11:18 AM.



Action Items

+ Get more app

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Scott – Can you confirm that this attached Powerpoint presentation will be provided to the Ogden Valley Commission and the County Commissioners? This is the presentation I submitted to you for the 3/22/2022 meeting (see email below).

Also, I've attached the 2006 density calculation document referenced in the Powerpoint, for the planning commission to review.

I'm concerned with the discrepancy between the 2006 and current density calculations. The primary concern is that steep slopes (over 30%); slopes with avalanche or landslide potential; road right-of-ways; and the area within the required stream setbacks have not been excluded from the density calculations for the current rezoning application.

This is in conflict with the 2016 Ogden Valley General Plan:

Land Use Implementation 1.2.1, states as its objective "Amend the land use code to require that the development potential of steep slopes (slopes over 30%), wetlands, and floodplains will not be included in project density calculations, nor will be available for transfer pursuant to a TDR program."

I recommend that clear definitions and/or ordinances related to density calculations be established, with public input and compliance with the general plan, prior to proceeding with decisions on the Text Amendment or Rezone applications submitted for the proposed Nordic Village.

In addition, I recommend that the text amendment be rejected or tabled and considered together with the rezone application. The FBV zoning ordinance needs to be re-written to provide clear definitions, setbacks and restrictions on any current or future master plan that could be proposed for the land within the zone at the proposed Nordic Village. My current concerns include tall buildings without setbacks from existing residents, and the exemption of employee housing from density calculations.

I also do not think the FBV zone, as currently written, is a good fit for the existing Nordic Valley neighborhood. I'm particularly concerned with the proposed street map in the text amendment. The existing Silver Bell Estates, currently zoned FV-3, does not need to be changed, now or by "slow creep" in the future. I'm concerned that over time, the village will grow into existing empty or occupied lots and drastically change the character of the existing residential development. The proposed village and street map should not show potential for the FBV zone to "grow" into existing lots surrounding the parcels that are proposed to be rezoned. I do not feel that multi-family residential lots are compatible with the current and established residential areas surrounding the proposed village. Please remove Viking Drive and other roads in Nordic Valley from the proposed street map. Please leave them as-is without potential to be rezoned due to influence from future village growth.

Please also address the hotel and condo densities in the text amendment to not allow an increase in density. The developer is proposing to reduce the number of density units used for hotels and condos from current definitions. Details on numbers are in the attached presentation.

Thank you,
Doug Wewer
3701 Viking Drive, Eden

Wolf Creek

PROPERTIES, L.L.C.

July 27, 2006

Mr. Kevin Hamilton
 Weber County Planning Department
 2380 Washington Blvd. Suite 240
 Ogden, UT 84401

Dear Kevin:

30%
100% ok
13%

This table summarizes the existing density in the Wolf Mountain Master Planned area:

PARCEL	EXISTING ZONE	TOTAL ACRES	acres with allowable slope for density calcs	UNITS ALLOWED CONSIDERING SLOPE	CLUSTER BONUS (units)	PRUD BONUS (units)	TOTAL UNITS
22-023-0086	CVR-1	12.29	12.29	245.8	0.0	24.6	270.4
22-023-0019	FV-3	4.29	2.96	1.0	0.3	0.1	1.4
22-023-0020	FV-3	19.41	17.05	5.7	1.7	0.7	8.1
22-023-0045	FV-3	20.01	16.23	5.4	1.6	0.7	7.7
22-029-0008	FV-3	32.33	18.84	6.3	1.9	0.8	9.0
22-029-0010	FV-3	346.78	132.28	44.1	13.2	5.7	63.1
22-023-0060	FR-3	3.60	3.60	72.0	0.0	7.2	79.2
22-029-0013	FR-3	1.00	1.00	1.0	0.0	0.1	1.1
22-023-0088	FR-3	0.98	0.98	1.0	0.0	0.1	1.1
22-023-0059	O-1	15.30	15.30	0.0	0.0	0.0	0.0
22-029-0004	O-1	24.69	24.69	0.0	0.0	0.0	0.0
22-023-0087	O-1	2.88	2.88	0.0	0.0	0.0	0.0
22-023-0112	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0113	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0114	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0124	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0121	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0087	O-1	0.68	0.68	0.0	0.0	0.0	0.0
	CVR-1	12.29	12.29	245.8	0.0	24.6	270.4
	FV-3	422.82	187.36	62.5	18.7	8.1	89.3
	FR-3	5.58	5.58	74.0	0.0	7.4	81.4
	O-1	48.53	48.53	0.0	0.0	0.0	0.0
		489.22	253.76	382.3	18.7	40.1	441.1

Development Office
 4794 East 2600 North • P.O. Box 658 • Eden, Utah 84310
 Phone 801.866.0180 • Fax 801.866.0183
www.wolfcreekresort.com

ZONE	TOTAL ACRES	TOTAL UNITS
CVR-1	39.81	399
FV-3	57.55	12
FR-3	3.94	30
O-1	387.92	0.0
TOTAL	489.22	441

Thank you for your consideration.

Sincerely,



Bob Dyer
Director of Planning and Development
Wolf Creek Properties

Development Office
4794 East 2600 North • P.O. Box 658 • Eden, Utah 84310
Phone 801.866.0180 • Fax 801.866.0183
www.wolfcreekresort.com

STAFF REPORT TO PLANNING COMMISSION

August 14, 2006

ZP #11-2006 by Wolf Creek Properties etal to rezone property in the vicinity of 3500 E. 2700 N. from FV-3, FR-3 and O-1, to CVR-1, O-1 and FR-3.

Findings of Fact:

The petitioners are requesting that the County accept their master zoning plan for the Wolf Mountain resort, and rezone property in the vicinity of 3500 E. 2700 N. from FV-3, FR-3 and O-1, to CVR-1, O-1 and FR-3 (see attached drawings). The density for each zone would be set by a zoning development agreement and will be less than would be allowed by ordinance in the new zones. According to the petitioners, under current zoning 441.1 units could be developed on the properties proposed for rezoning. The 441.1 units includes possible bonus densities for cluster subdivisions and planned residential unit developments. Without the bonuses the allowed units would be closer to 382. **Properties with slopes over 40% were excluded and not used in the density calculations.** Road right-of-ways were not considered in the density calculation. Road right-of-ways have been averaging about 10%, with the least being just under 5%, in proposed cluster subdivisions. Currently 12.29 acres are zoned CVR-1. The CVR-1 zone allows a maximum density of 20 units per acre. The 441.1 proposed units are partially based on 20 units per acre in the CVR-1 zone and 24.6 bonus units for developing a planned residential unit development in that zone. Most developments in the CVR-1 zone have ranged from 10 to 13 units per acre.

The concept development plan clusters 399 units into 39.81 acres of CVR-1 zoning and will leave 387.92 acres in open space; 57.55 acres would be left in FV-3 zoning, but only 12 units would be allowed in that zone. In the northwest corner of the development 3.94 acres will be rezoned to FR-3 with 30 units allocated to that zone. The CVR-1 zone is a mixed use zone and would also allow for a substantial amount of commercial development mixed in with the residential units.

The petitioners have submitted concept architectural plans for the development that appear to meet the requirements of the Zoning Ordinance. Detailed review and compliance to the Zoning Ordinance's architectural and landscaping requirement will be required when applications for site plan or conditional use approval are made. Provision for providing culinary water and waste water treatment will also need to be reviewed and approved prior to site plan or conditional use permit approval.

Conformance to General Plan:

Promotes the General Plans goal of protecting open space and sensitive lands by adding 339.39 acres of open space and developing on flatter terrain with less potential for landslides.

Staff Recommendations:

The proposed density of 441.1 units is based on the maximum potential density under current zoning and may or may not be actually achievable under current zoning. The Planning Commission could require the petitioners to develop plans showing how the 441.1 units could be achieved. However, because the proposed concept development is superior to what is allowed under current zoning, in that it protects the mountain from being scarred by road cuts accessing buildable lots and it creates 339.39 acres of open space staff recommends the Planning Commission recommend approval of the rezoning to the County Commission.

Ogden Valley Planning Commision

3/22/2022

Proposed in Text Amendment:

- e. A dwelling or dwelling unit specifically devoted to the housing of employees working in the local service-industry and earning less than 80 percent of the county's median household income, does not count toward density allowances and are not required to be established through transferable development rights.

This creates an new, unnecessary loophole where unlimited employee housing could be constructed, and not count towards the density allowances.

Furthermore, this housing could be built on Open Space.

Height Allowances Specific to Nordic Village:

The height table has been adjusted to add columns specific to the Nordic Village area. These adjustments allow a maximum building height on a lot in the Nordic Village to be **55-feet tall**. It also limits buildings on corner lots in the Nordic Village Area to a minimum of 25-feet.

Limitations are needed if 55 foot tall buildings are allowed.
There are no setbacks required from existing residential lots.

This clause should be rejected or tabled until setbacks are established.









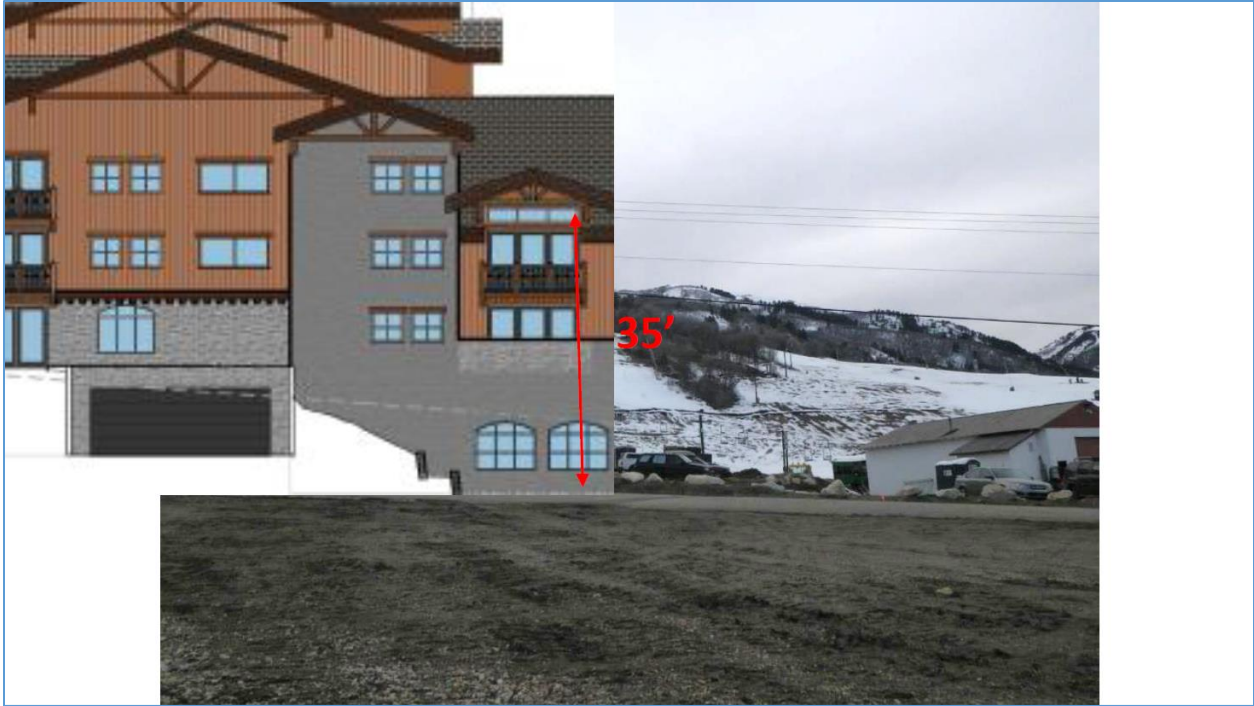
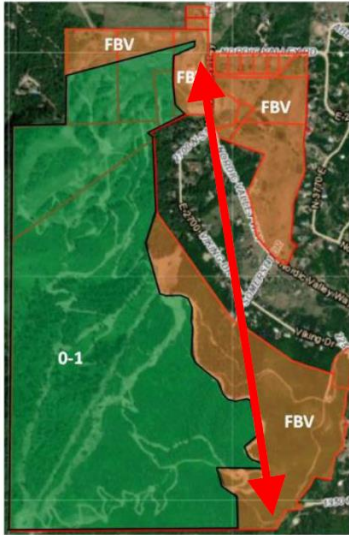




Figure 4: Proposed Zoning of the Subject Parcel(s).



Land Use Implementation 1.1.1: Weber County will support the transfer of existing development rights (TDRs) as the primary means to increase densities in suitable project areas while proportionately decreasing density in other areas. Incentives – such as reduced road cross sections and other cost-saving measures for

Commercial Development Implementation 1.1.1: Prepare small area plans for each area designated as a village on Map 8 to describe their form and function (possible examples: highway oriented, mixed-use, resort, small neighborhood commercial, etc.). Small area plans should identify defining attributes and appropriate design standards, identify future potential adjacent expansion areas, and plan for multimodal and active transportation to and within each area, as may be appropriate. The village areas are shown as ¼ mile radius circles centered on each area on Map 8. For these purposes, the study areas are not intended as growth boundaries, but are the areas within walking distance of each village center.

1.2 Miles

3 Separate Villages Proposed

Staff Recommendation

Staff recommends that the Planning Commission consider the text included as Exhibit A and offer staff feedback for additional consideration, if any. Alternatively, when/if the Planning Commission is comfortable with the proposal, a positive recommendation could be passed to the County Commission with the following findings:

1. The changes are supported by the 2016 Ogden Valley General Plan.
2. The proposal serves as an instrument to further implement the vision, goals, and principles of the 2016 Ogden Valley General Plan.
3. The changes will enhance the general health and welfare of County residents.

If it meets the general plan, then why does it need to be rezoned?

The proposed zoning changes create sprawl all around the existing Nordic Valley neighborhood, rather than consolidating at the base of the ski area per the general plan.

The proposed changes will be detrimental to the residents of the Nordic Valley neighborhood. 55-foot buildings without setbacks will destroy the character of the area.

The text amendment should be rejected or tabled and considered together with the rezone application.

Further work is needed to provide protections to the existing residents, that provides an umbrella over any master development plan proposed by the current or future developers.

As written, the stroke of a pen could allow natural forest and open space at the heart of Nordic Valley to be replaced with large incompatible 55-foot tall structures anywhere in the zone, and it allows uncontrolled construction of low-income housing.

Form Based Village zoning does not seem like the right fit for Nordic Valley.

It's already zoned for a modest sized village at the base area.

If this land is rezoned to FBV, the value of the land will increase. The owners will likely sell it to another developer (Vail?) who will have a different vision and master plan. Without restrictions, this could destroy the character of this unique area.

July 27, 2006

Mr. Kevin Hamilton
Weber County Planning Department
2380 Washington Blvd. Suite 240
Ogden, UT 84401



Staff Report to the Ogden Valley Planning Commission
Weber County Planning Division

Dear Kevin:

This table summarizes the existing density in the Wolf Mountain Master Planned area:

PARCEL	EXISTING ZONE	TOTAL ACRES	acres with allowable slope for density codes	UNITS ALLOWED CONSIDERING SLOPE	CLUSTER BONUS (units)	PRUD BONUS (units)	TOTAL UNITS
22-023-0088	CVR-1	12.29	12.29	245.6	0.0	25.6	270.9
22-023-0019	FV-3	4.29	2.66	1.6	0.3	0.1	1.4
22-023-0202	FV-3	19.41	17.05	5.7	1.7	0.7	8.1
22-023-0045	FV-3	23.01	16.23	6.4	1.6	0.7	7.7
22-029-0008	FV-3	32.33	18.64	6.3	1.9	0.8	9.0
22-029-0010	FV-3	348.78	132.28	44.1	13.2	5.7	63.1
22-023-0080	FR-3	3.60	3.60	72.0	0.0	7.2	79.2
22-023-0013	FR-3	1.00	1.00	1.0	0.0	0.1	1.1
22-023-0085	FR-3	0.99	0.99	1.0	0.0	0.1	1.1
22-023-0099	O-1	16.30	16.30	0.0	0.0	0.0	0.0
22-023-0084	O-1	24.69	24.69	0.0	0.0	0.0	0.0
22-023-0087	O-1	2.46	2.46	0.0	0.0	0.0	0.0
22-023-0112	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0113	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0114	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0124	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0121	O-1	1.00	1.00	0.0	0.0	0.0	0.0
22-023-0087	O-1	0.68	0.68	0.0	0.0	0.0	0.0
CVR-1		12.29	12.29	245.6	0.0	25.6	270.9
FV-3		422.82	187.36	62.5	16.7	6.1	85.3
FR-3		5.58	5.58	74.0	0.0	7.4	81.4
O-1		49.53	49.53	0.0	0.0	0.0	0.0
		499.22	203.74	382.9	18.7	43.1	441.0

Development Office
4794 East 2600 North • P.O. Box 688 • Eden, Utah 84310
Phone 801.866.0180 • Fax 801.866.0183
www.wolfcreekproperties.com

Figure 1.1: Subject Parcels.

PARCEL ID	OWNERSHIP
220290008	SKYLINE MOUNTAIN BASE LLC
220230060	SKYLINE MOUNTAIN BASE LLC
220290010	SKYLINE MOUNTAIN BASE LLC
220230020	SKYLINE MOUNTAIN BASE LLC
220230045	SKYLINE MOUNTAIN BASE LLC
220230019	SKYLINE MOUNTAIN BASE LLC
220230086	SKYLINE MOUNTAIN BASE LLC
220230124	NORDIC VALLEY LAND ASSOCIATES LLC
220290013	NORDIC VALLEY LAND ASSOCIATES LLC
220230112	NORDIC VALLEY LAND ASSOCIATES LLC
220230087	NORDIC VALLEY LAND ASSOCIATES LLC
220290004	NORDIC VALLEY LAND ASSOCIATES LLC
220230121	NORDIC VALLEY LAND ASSOCIATES LLC
220230113	NORDIC VALLEY LAND ASSOCIATES LLC
220230114	NORDIC VALLEY LAND ASSOCIATES LLC
220230125	NORDIC VALLEY LAND ASSOCIATES LLC
220230088	NORDIC VALLEY LAND ASSOCIATES LLC
220230059	NORDIC VALLEY LAND ASSOCIATES LLC
223490001	SOLUTIONAL ENTERPRISES INC



+ 0.70 acres

ZONE	TOTAL ACRES	TOTAL UNITS
CVR-1	39.81	399
FV-3	57.55	12
FR-3	3.94	30
O-1	387.92	0.0
TOTAL	489.22	441

DEVELOPMENT DATA

COMMERCIAL/SKIER	38,200 SF
MULTI-FAMILY RESIDENTIAL	661 UNITS
TOWNHOME RESIDENTIAL	55 UNITS
SINGLE FAMILY RESIDENTIAL	47 UNITS
TOTAL UNITS	763 UNITS

NOTES:

- MIXED USE LAND USE INCLUDES ALL PERMITTED OR CONDITIONAL USES AS IDENTIFIED WITHIN THE DRR-2 ZONE USE TABLE
- RESIDENTIAL USES SHALL INCLUDE ALL PERMITTED OR CONDITIONAL USES AS IDENTIFIED FOR RESIDENTIAL USES WITHIN THE DRR-2 ZONE USE TABLE. SINGLE FAMILY, MULTI FAMILY AND TOWNHOMES EQUAL 1 UNIT EACH FOR DENSITY CALCULATIONS.
- HOTEL ROOMS EQUAL .33 UNITS EACH FOR DENSITY CALCULATIONS.
- CONDOMINIUM HOTEL UNITS EQUAL .50 UNITS EACH FOR DENSITY CALCULATIONS.
- COMMERCIAL SQUARE FOOTAGE AND ALL WORKFORCE HOUSING DOES NOT COUNT AGAINST APPROVED DENSITIES.

2006

The petitioners are requesting that the County accept their master zoning plan for the Wolf Mountain resort, and rezone property in the vicinity of 3500 E. 2700 N. from FV-3, FR-3 and O-1, to CVR-1, O-1 and FR-3 (see attached drawings). The density for each zone would be set by a zoning development agreement and will be less than would be allowed by ordinance in the new zones. According to the petitioners, under current zoning 441.1 units could be developed on the properties proposed for rezoning. The 441.1 units includes possible bonus densities for cluster subdivisions and planned residential unit developments. Without the bonuses the allowed units would be closer to 382. Properties with slopes over 40% were excluded and not used in the density calculations. Road right-of-ways were not considered in the density calculation. Road right-of-ways have been averaging about 10%, with the least being just

2022

DEVELOPMENT DATA

COMMERCIAL/SKIERS	38,200 SF
MULTI-FAMILY RESIDENTIAL	661 UNITS
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3. HOTEL ROOMS EQUAL .33 UNITS EACH FOR DENSITY CALCULATIONS.
4. CONDOMINIUM HOTEL UNITS EQUAL .50 UNITS EACH FOR DENSITY CALCULATIONS.
5. COMMERCIAL SQUARE FOOTAGE AND ALL WORKFORCE HOUSING DOES NOT COUNT AGAINST APPROVED DENSITIES.

Current Ordinance:

0.50 Units

1.0 Units




Fri 4/1/2022 2:48 PM

Jeannette Maw <jmaw@goodvibecoach.com>

[EXTERNAL] Please delay or deny on April 5 work session, Scott

To Perkes, Scott

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[Action Items](#)

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Scott, I'm writing to ask that you vote to delay or deny recommendations of the proposed text amendments in the April 5 work session.

There are a number of concerns that need to be thought through and considered more thoroughly, including:

- a public hearing hasn't been held on the possible rezone. The zoning map amendment and zoning text amendment should be publicly discussed and decided upon simultaneously
- the maximum building height change to 55' (way too tall for our area)
- the proposed language that excludes condo-tels from being considered as dwellings
- how base density is calculated in the amended FBV zoning ordinance
- rezoning to FBV before the TDR ordinance is in place doesn't seem wise.

as well as other reasons to slow this process down and give it the time and consideration it deserves by all of us.

Please vote to at least delay if not outright deny the proposed text amendments on Tuesday. Thank you, Scott! :)

Jeannette Maw
3135 N 3825 E
Eden UT 84310




Sat 4/2/2022 12:02 PM

Garn <gtent11@gmail.com>

[EXTERNAL] Nordic Valley Development

To Perkes, Scott

Cc Garn Tolsma; kim.tolsma12@gmail.com

 We removed extra line breaks from this message.

Plases send this email on the the Ogden Valley Planning Commission.

My name is Garn Tolsma, my wife and I have lived in Nordic Valley, on Somerset Drive for over 23 years. We raised our kids here. This is home.

As you review the application for rezoning, to allow the building of a Nordic Village, I would like to convey my input.

There are many reasons to deny the rezone. Such as; Lack of Water, No sewer system, Increased Roads, congestion, traffic and population density.

The plan includes a largely transient population of 750 or more units. The size and scope of which leads to many problems. Such as; lack of neighborhood, increase in garbage and crime. Which leads to more sheriff patrols , EMS response and a lack of safety to the existing community.

The Quality Of Life, that I and the other 250 or so residences have enjoyed over the past many years would be gone!

I'm sure there are many other reasons to vote this down.

I can only think of one reason to vote in favor of the Rezone, and that is to make some developers a lot of money, at the expense of the current community.

I ask that you Vote Down the request for this development.

This is a quiet area that should be preserved.

The golf course was always meant to be an Open Space!

Thanks, Garn Tolsma



Sun 4/3/2022 11:35 AM

E Keswick <elizabethkeswick@gmail.com>

[EXTERNAL] Delay or Deny the Proposed Text Amendments to the FBV zoning Ordinance

To Perkes, Scott

Cc Shanna Francis; John Howell; John Lewis

Scott and Commissioners,

I am writing to you to request the Ogden Valley Planning Commission delay or deny recommendation of the proposed text amendments to the Form Based Village Zoning Ordinance.

What concerns me the most is the complete disregard for the current nature and character of the Nordic Valley neighborhood.

Regardless of how you rationalize creating a "village" where none exists today, you will forever destroy the existing peace and quiet, rural character and current density of my neighborhood.

In addition I ask you to consider the following points which my fellow neighbors have made:

- Land Use Implementation 1.4.2 of the Ogden Valley General Plan calls for the creation of a Transfer of Development Rights (TDR) Ordinance for the Ogden Valley planning area. This ordinance would formalize how TDRs are calculated, where they can be taken from and moved to, and how infrastructure will be provided, among other considerations. **Since creating high-density village centers relies heavily on the use of TDRs, rezoning an area to the FBV zone before a TDR Ordinance is in place is putting the cart before the horse.** A TDR Ordinance should be drafted, reviewed, and approved before the proposed text amendments and zoning amendments are decided on.
- The amended FBV zoning ordinance does not clearly define how to calculate base density. The county staff have stated that Section 104-22-11 of the proposed amended FBV zoning ordinance is the basis for determining current residential dwelling unit rights and thus transferable development rights (TDRs). They state that they have the right to calculate current residential dwelling unit rights on the basis of gross acreage rather than net acreage. That suggestion is not supported by the FBV zoning ordinance, by the amended FBV zoning ordinance, by other sections of the Land Use Code, or by the General Plan. **Using gross acreage, rather than using net developable acreage, to calculate current residential dwelling unit rights will result in an escalated number of TDRs being granted to the applicant, without regard to the intent of the General Plan.**
- Although a public hearing was held on the proposed text amendments, a public hearing has not yet been held on the proposed rezone. A public hearing on the proposed rezone will yield comments that may lead to adjustments to the developer's plan. Those adjustments may require adjustments to the FBV zoning ordinance. Therefore, please delay your decision regarding the zoning text amendments. **The zoning map amendment and the zoning text amendments should be discussed and decided upon simultaneously.**

- The amendment to the FBV zoning ordinance proposes revised definitions of “Dwelling” to Section 101-2-5 of the Land Use Code. That proposal excludes condo-tels from being considered Dwellings, which means that **an unlimited number of condo-tel units could be developed in the project area**. Condo-tels should be treated the same as condominiums with each condominium unit counted as one residential dwelling unit.
- The text amendment increases the maximum building height in the FBV zone from 35 feet (internal lot) and 45 feet (corner lot) to 55 feet (internal and corner lots). If this amendment is approved, Nordic Valley will have significantly taller buildings than all of the other proposed Ogden Valley village centers.
- The text amendments include a street regulating map for Nordic Valley that provides no transition between medium residential lots (i.e., existing single-family homes) and 55-foot multifamily development.
- The text amendment and the street regulating map need to be revised to confine any buildings that are higher than 35 feet to the base of the ski area on the west side of Nordic Valley Way, which is currently zoned commercial (CVR-1) and currently allows 50-foot high buildings.
- The street regulating map needs to be revised now that the developer has agreed to abandon the South Village development (i.e., development above Viking Drive).

Respectfully,

Beth Keswick
2395 Viking Drive
Eden, UT 84310
513-374-5222



Mon 4/4/2022 2:38 PM

Eric Von Arx <ejunk@xxsculptures.com>

[EXTERNAL] Nordic Valley Work Meeting April 5

To Perkes, Scott



Updated Nordic street rezone text changes.pdf
43 KB

[Bing Maps](#)

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Hi Scott, Please include the attached letter to the public comments concerning the Form Village Text change proposals and further rezoning concerns.

Thank you
Cynthia Von Arx
2815 Nordic Valley Dr.
Eden, Utah

Re: Nordic street rezone text changes

Letter to planning board

Thank you for your thoughtful consideration on the street reclassifications. I hope that you can keep an open mind and thought process regardless of how much work, time, and effort was put into creating this general plan.

Parts of The plan could have merit and possibly be an applicable fit in the already established commercial and mixed use zones of Old town Eden and the Downtown Traffic light areas. Multi use buildings could seem to fit in. Those locations might be able to handle a fair amount of these projects with their existing infrastructures and could be a reasonable place to "test" some of the elements in the newly proposed Street development plan.

Nordic Valley on the other hand would be a very poor fit for these newly created street zone development designations. They effectively Rezone a very large rural area that already has thoughtfully designated zoning that is appropriate for the area. Throwing out (or Trading) the previous Zones designations including O-1 Open Space Zones is a Drastic change at best and a dereliction of Power at its worst.

Why it's a Bad idea, and in a detached observer's viewpoint, is it's Removing Usable Open Space at its core. This is hard to argue with. The practical application of the new street zones is that any developer, home owner, investor can and will over time destroy the entire Family neighbor that is currently thriving as is. The vast majority of the Nordic Residents have stated publicly, privately and in letters to the board, that they moved there for the neighborhood's family values, the wonderful open spaces, the distance from more developed areas, and the serenity that this great area provides. Where else can a family live and raise their children that offers such a rare environment? We are here because we don't want to live in Park City or the like. We are here because we don't want to even live across the valley, which has become inundated with condos and other densely developed projects.

The Idea, that trading "potential" new homes set on 3 or more acres in the valley floor for multi family 2nd homes and rentals densely packed on 3000 sq ft. lots on Current Farm View and Open space land somehow makes sense, is baffling. The idea itself tries to inexplicably trade only potential Future rural homes for immediate overly dense multi-family seasonal cluster units to be built Now. This is not in any way an apples to apples "trade".

The idea of trading of "development rights" will not work anyway. Here is Why. Land owners with truly good buildable lots will not be financially incentivized enough to attach a covenant to their property. Certainly not in any meaningful numbers.

The covenants simply will not hold up over time. Whether it is legal wrangling, change in ideals, change in gov't, or simply time, the covenants can and will be abolished. With constant and increasing real estate cost pressures, at some point a landowner will be allowed to build on his

covenant stained land. It can be as simple as adding a second dwelling for family, retired parents, children not able to afford anything in the area, a "garage" apartment, a "Barn" with living quarters upstairs, a work building with work space. Then once any of these are allowed, the doors are open and the covenants will be challenged as the land values will be so high that it will be "rethought" and the ultimate conclusion will read something like "Well the original intent was valid but the practicality of the restrictive covenants is now overly burdensome where as the housing needs to the community are so decisively needed."

So the end result over time will be the same just with added Cluster developments that no one wanted now or then.

Why the street rezone is flawed. If the street rezone and/or development rezone is approved, some neighbors will move, some will wait a bit till construction begins and then move. Developers will buy the surrounding neighborhood properties to develop density housing. They will not Trade or restrict good valley floor farm properties that the planners are trying to protect, instead they will seek out encumbered, and less desirable build lands to trade with. As the proposed plans allow for streams, roads, steep slopes, failed perc tests, etc, all within 3 acre zoning, land that would not be approved for building lots will now be approved to "trade". So this does not protect any good buildable land. It Only allows for density housing on the same open spaces it is trying to protect, and then further into surrounding neighborhood properties..

The open space O-1 zone golf course property is exactly what the form village is trying to protect, multi acre valley floor properties. This fits exactly that criteria. it's just at a higher elevation. If allowed to be destroyed, How difficult would it be to recreate? Almost impossible with this amount of acreage. The existing Mature O-1 property poses no cost to the county, No cost to buy, trade, put improvements upon, perform remediations, add fencing, or other buffers or protections on. It's perfect the way it is right now and for future generations.

How hard would it be to create a similar flat open space property in Nordic Valley the size of the current O-1 zoned "old golf course"? Without \$100 -\$300 million or more, 20 years, and buying existing residences and removing the houses on them, it would be almost impossible. An existing ski slope or forested sloping property is Not a substitute.

Even if this could work it's legislating personal taste. It says valley floor land is More important than the Nordic Valley area land. The Nordic Valley residents could just as easily say the opposite is true.

"Worker Housing" should be removed as written. It needs much more thought before any action is taken. Affordable or worker housing is a devastatingly powerful trojan horse tool that developers and builders use across the country to essentially blackmail or force local zoning boards to approve projects that would not normally be approved or desired by the local boards and residents. We've seen this "strong arming", on the east coast, directly back the local

planners into corners where they were forced to grant high density and subdivision approvals in long standing residential neighborhoods by manipulation of the affordable housing rules with intertwining multiple properties owned or optioned by the developers. Lawsuits from both sides have unfortunately become a way of life.

The Water scarcity is also of grave concern to us, as we have stated in past letters and comments to the zoning board.

Wastewater, septic systems, generating and reusing probable micro plastic and PFAS tainted water is also of high concern for us. Especially when proposals of using it for snowmaking would expose the entire upper valley, reservoir, and lower valleys to tainted runoff.

And perhaps one of the most egregious results of the form overlay would be the loss of the Natural environment. Just last week we had a moose bed down in the O-1 Open Space land. What a shame it would be to lose this precious resource for our wildlife.

The destruction of The Natural O-1 land and environment is anti green, anti wildlife, anti neighborhood, and anti peaceful.

For these reasons I believe the text changes should be denied.

And I also think the formed based overlay should be removed completely from the nordic valley area.


With no existing infrastructure, no commercial operations other than some chair lifts and a small barn building, a rural neighborhood location, and 2 already existing but arguably struggling small business districts in eden, It makes no sense to create another commercial zone.

Supporting the existing businesses in old town and new town Eden seems Much more sensible.


Thank You very much for your time and consideration,

Cynthia Von Arx
2815 Nordic Valley Dr.
Eden, Utah

Mon 4/4/2022 9:13 PM

 Peggy Dooling-Baker <pdbme4@gmail.com>
[EXTERNAL] Letter to Planning Board and County Commissioners

To Perkes, Scott

 Commission letter april 4.docx
147 KB

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Scott,
Please pass this letter onto the Ogden Valley Planning Board members and the County Commissioners.
Thank you,
Peggy Dooling-Baker

April 4, 2022

Planning Committee Members and County Commission Members,

Before we share a few thoughts on the changes, we want to say we strongly object to the Form-Based Village designation in Nordic Valley. We are not sure why consideration is being given to the Form-Based Village plan when the land is not yet zoned to allow for such a massive development. So, we implore you first, not to rezone the open space to build this development.

The county planners talked about the developer's vision for the area and how it ties into the Master Plan, however, we do not believe that was ever the vision of the Nordic community. We understand there is land that is currently zoned to allow for development but the developers feel it would be to spread out. A creative developer should be able to design a plan while working with the current zoning. What is the value of zoning if it can be changed so easily?? The benefit here is for the developers, certainly not the health and benefit of the residents.

In an article Trouble in Paradise: Ogden Valley Considers Its Water Use Future, (Jan. 26, 2022), in addition to the extreme water concerns for our valley, John Lewis is quoted as saying "The people showing up here just want out of big cities." With a vote to rezone you would be voting to create a little city in our backyards, bringing commercial business and high-density housing to our neighborhood. People want out of big cities because of the effects of density. A few effects of increased density are noise pollution, light pollution, traffic, and poor air quality.

We moved to the valley 37 years ago and bought property on the Nordic Valley Golf Course. We moved up here to have our home be our sanctuary and raise our family in a rural setting. The golf course has

been open space for 47 years! Multiple attempts to rezone it have been denied. Previous boards have had the vision to preserve this land and what little open space we have in this valley.

A small village could be built on the land surrounding the ski resort that is currently zoned for that purpose and save the quaint, rural character of our neighborhood.

A few thoughts on the amendments; the height of the buildings should not exceed 40 feet and please require the ski parking areas be paved. Below is a photo of how it looked a few weeks ago, for days it was a mud pit with garbage thrown about. It made our neighborhood look trashy.

We implore you to vote no to rezone open space and reconsider the size of a Form-Based Village concept for Nordic Valley.

Deeply concerned,

Peggy Dooling-Baker

Mark Baker

2619 N. Nordic Valley Drive





Tue 4/5/2022 3:12 PM

Ron Gleason <xcflying@gmail.com>

[EXTERNAL] Lighting and FBV code

To Ewert, Charles; Perkes, Scott

Sorry for this late email concerning this topic but I have been busy and have honing my understanding of the FBV code.

Regarding lighting, what would you think about adding lighting requirements to the FBV code instead of opening up the lighting ordinance?

A couple of thoughts I have are:

| getting max lumens per dwelling (done in Ridgeway CO)

| night shades required for any multi-family dwelling, condo-tel,

| max window size (both individual window and collective for a dwelling)

| All included in the Form Based Village code above 5,200 MSL elevation.

For the ski area, they should install Ultra Tech Lighting.

Thanks in advance

Ron Gleason
Eden, UT



Tue 4/5/2022 4:59 PM

Randy Emery <emrandy@gmail.com>

[EXTERNAL] Yes on Nordic Valley

To john@wolfcreekresort.com

Cc slfrancis@digis.net; ormanj@gmail.com; trevorwshuman@gmail.com; Perkes, Scott

John,

I'm in favor of the Nordic Valley Expansion plans.

I know you all have received multiple e-mails, letters and over all complaints against the proposed development plans at Nordic Valley Resort. As a property owner in Nordic Valley I'm on a constant string of e-mails regarding the proposed project, most of which are against, and I thought you should hear from someone in favor of the development. These negative comments remind me of the only adage; "A true environmentalist is one who already has their cabin". Most these folks want the door closed now that they are in, but I don't realize the when they build there earlier neighbors didn't want them in. It's an on going problem.

These are the same folks that would complain if the ski resort shut down, and we're pleased that a more viable owner finally purchased the resort. But they don't seem to have the foresight to recognize that in order to make their investment sustainable and prolong the future of the resort they all enjoy, the owners need to create a year round revenue stream and other sources of income to make it all viable. It goes hand in hand.

I like the idea of Nordic Valley becoming a year round operation with other offerings to the community and I realize that it takes an economic base to make that happen. I'm frankly pleased that the owners are willing to invest in creating that economic base to help sustain the resort. I only hope that you can find the right balance beyond the visceral rhetoric of those that want the door closed behind them. Yes, I do believe that water & traffic needs to be a consideration in what is allowed. But I believe there is a balance in all this that can work for not only the greater good of Weber County, but Ogden Valley as well.

Randy Emery
(801) 580-5691
emrandy@gmail.com




Tue 4/5/2022 7:52 PM

Elizabeth Webb <ekurucz@msn.com>

[EXTERNAL] Re: Nordic Valley proposal

To Perkes, Scott

 You replied to this message on 4/13/2022 3:38 PM.

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Also, to clarify on behalf of the residents we are not opposed to the affordable housing. We ARE opposed to the density exemption.



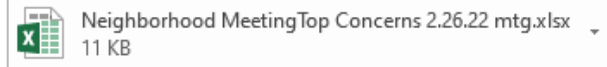
Sun 4/10/2022 12:10 PM

E Keswick <elizabethkeswick@gmail.com>

[EXTERNAL] Top Neighborhood Concerns Regarding the proposed rezoning and Nordic V

To Perkes, Scott; Harvey, Jim H.; Froerer, Gage; Jenkins, Scott; Ewert, Charles

Cc trevorwshuman@gmail.com; Shanna Francis; tormanj@gmail.com; John Howell; jrb@relia.net; jaredmontgomery91@gmail.com; John Lewis



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Dear Commissioners and Planners,

As you meet on Tues April 11th to discuss the proposed Nordic Village, I wanted to include a list of concerns from the Nordic Valley neighbors for reference. This list was generated on February 26th at an open meeting held in the public library in Huntsville. This meeting was attended by over 40 residents and the developer on short notice. I think it is an excellent summary of our concerns and has served as a springboard for several other meetings, written input to the Ogden Valley Planning Commission, formation of a vibrant concerned neighbors group, Letters to the Editor of the OV News, raising of public awareness and most of all insertion of public input into this discussion.

Agenda item#4

4. Discussion regarding Nordic Village - Scott Perkes, Charlie Ewert, Courtlan Erickson, Rick Grover, Stephanie Russell, Sean Wilkinson

Thank you for your consideration of these concerns and related documents on the listed topics which may/will be coming your way from concerned citizens as the discussion of the proposed development continues.

Beth Keswick
2395 Viking Drive
Eden, UT (Nordic Valley)

Top Concerns from community meeting 2.26.2022	Suggestions/Data/solutions/follow-up needed/comments	NOTES/Follow-UPS	Staff Comments
1 Water	What is source? What is impact on downstream water rights holders?	Require the landowner to perform hydrogeology studies for development in the higher elevations to prove that sufficient water is available and impacts to existing water right holders are minimal.	This is a mandatory process that the applicant will be required to go through before they can get any subdivision plats approved. This process is not controlled by the County, it is administered by the State Engineer. It includes a protest period wherein other affected landowners can challenge the developer's engineer's assumptions/data.
2 Sewage	How will it be treated? What impact on neighbors?		Sewage is being proposed to be treated using an onsite package treatment facility. These are relatively small buildings with all treatment occurring indoors (no outdoor lagoons). Any water stored outdoors (if any) will be treated water. This system is also subject to quite a bit of State regulatory review.
3 Zoning/Re-zoning	Is golf course irrevocable zone (open space)? Why rezone open space? How does open space exchange work?		Any zone can be changed after a legislative rezone process. There is no such thing as an irrevocable zone. But because we know open space is important, we are ensuring that a good chunk of the old golf course is still held as open space, and that this open space provides a buffer between their development and adjacent residential homes. With this development the county will have a covenant with the developer to never develop the mountainside. This is sort of an exchange of a little open space loss from the old golf course becomes a lot of open space on the mountainside. And, the mountainside open space will be preserved by a no-build covenant, which makes it much closer to something like an "irrevocable open space zone" than the typical open space zone.

<p>Public 4 Communication/Transparency</p>		<p>We have been encouraging the applicant to offer better public engagement. They did not have a public engagement campaign planned until we suggested they do so. Regardless of their efforts, here is what we are doing from the County's side: so far the county has held 3 (public) planning commission work sessions and one public hearing. We will be holding another public hearing at the end of April and I suspect we will see even more planning commission meetings with this item on the agenda after. When the Planning Commission has completed their work on this, the County Commission will begin theirs. They will have at least one (public) work session and at least one public hearing. I suspect it will take one or two more meetings before the commission makes a decision.</p>
<p>5 Traffic/Parking/Pedestrian Safety during & after construction</p>	<p>Road Maintenance needs to be defined. Law enforcement needs to be adequate with contact #s. Existing ordinances need to apply with meaningful enforcement.</p>	<p>problems that exist due to the ski area. One of their first improvements is the new lot. They wanted gravel for park of it, but the planning commission isn't budging away from asphalt due to what is occurring on their existing "gravel" lot. We think we will get them on the hook to provide better shoulders on Nordic Valley way from Highway 162 all the way up to the development. We are also trying to get them to commit to building two roundabouts along Highway 162. I cannot speak to the law enforcement issue, but</p>
<p>6 Community Integration/Trail Access/Easements</p>	<p>Public Access to trails and Forest Service Land</p>	<p>We will be ensuring their current mountainside trails remain open for public use. We are interested in hearing whether the community would like to see more or better public land access? If so, not is the time to get it.</p>
<p>7 Proportional Development</p>	<p>Size of development is too big for current community. What is the density allowed under the existing zoning? Reference previous proposals for NV development. Investigate transfer transfer of development rights for existing development into the core CVR zoning and utilizing the conditional use of the CVR zone. How does the # of housing units compare with existing zoning Vs proposed units with proposed Form Based Zoning? Does proposed density conform to General Plan?</p>	<p>We have preliminarily completed our review of their density. As you know, they have thrown out the number they've calculated. As expected, our calculation is a little lower. The number I've calculated based on existing zoning and the existing regulations regarding base-density calculation is 488 dwelling units. We are not yet locked into this calculation so it may be adjusted a little as we continue to flesh out the calc, but I think the community should expect right around this number. Regardless of the final number we land on, it will be no different than the development potential that currently exists when summing up the units already allowed at their base and across their mountainside.</p>

8	South Village/MTN Access From Viking Drive	Fire restrictions? Current Code? Eliminate staircase (find different solution/encourages people coming in and creates more parking headaches for Viking/Sommerset area)	Neighbors to meet and address solution and communicate to Laurent	I am not sure what the staircase issue is referring to. We will be obligating the developer to fund a new ladder truck for the fire district. This is in the Urban/Wildland interface and so greater fire protection will be required of the buildings.
9 10	Development Above Viking Drive Runoff/storm water	Wetland area in parts. Would development re-open area to more landslides?		The most sensitive areas of the mountain that we are aware of will not be developed. The developer has abandoned the development proposal above Viking drive. Clustering all of their mountainside development at their base is definitely in the interest of slope stability. Regardless, the county has a fairly robust geologic hazards review process that require any developer to prove slope stability (included any needed slope engineering). This is a fairly new process (last five years) and past slides did not go through this type of review. Regarding the wetlands, the Army Corps of Engineers have not mapped any wetlands on the property except a couple of ponds and one intermittent stream. The ponds are in their proposed open space area. The county's stream corridor setback will be applicable to any development on the property.
11	Effect on air quality	Increased emissions from natural gas/wood burning/open fire pits etc. Build in restrictions - "green" designations required		We are planning on amending the proposed ordinance or add a restriction in the development agreement to prohibit wood-burning. We will discuss with the Building Official the logistics of requiring higher efficiencies of buildings.
12	Impact of construction on well			
13	Stability of area above Viking (proposed South Village)	Previous landslides e.g. '83		Answered above.
14	Does South Village make sense given all the challenges?	Access? Land Stability? Wetland area? Why not put in Land Trust in perpetuity?	Withdrawn from most recent proposal	Land stability, wetlands, and open space addressed in other comments above. I need a little more information about the access concern before I can offer a response.

15	Short Term Rentals policing non-existent - no enforcement by County currently.	What is justification to add more STR units without enforcable controls?		The form based village zone only allows short term rentals along specific streets. These do not support single family residential uses and are generally removed from residences in the area. The proposed modifications to the text might allow owner occupied single family units to be STR's, but only if the owner is onsite during the rental and can immediately address problems their renters are causing. This is quite a bit more restrictive than the county's current STR ordinance and can be more easily enforced using existing staff resorces than the huge list of regulations previously proposed for adoption. The owner occupancy of STRs will keep the area from hurting like the Moab area hurts, and the nonowner occupancy STRs will be required to be professionally managed by the resort association so they will operate more like hospitality services.
16	Having a village designation in Nordic Valley			
17	Creating/inviting a transient community in Nordic Valley	Likely result of STRs. Reference Moab and other areas.		
18	Building Height	Current in valley Vs proposed if rezoned		?
19	Transparency by government officials on any new zoning	People want a voice not closed door decisions.		All of the decisions that will be made on this project are being made in public. While it is true that Staff continue to work with the applicant between the public meetings, all of the results of those meetings that might lead to a decision are required by law to be decided in a public meeting. We are and continue to abide by the State's Open Public Meetings laws.
20	Dark Sky/Lights	How to enforce? Windows shaded at night, dark sky compliant lighting even on patios, outbuildings, etc		The current outdoor lighting requirements will be applicable to this project. Additionally, we will have a date in the development agreement by which all of their night-ski lights must be fully shaded to only illuminate the runs and not bleed over into adjacent yards/windows. As far as interior lighting goes, I still do not have an answer to that, but we are working on it.
21	Noise Pollution - Sound Travels	Quiet time written into CUP (conditional use permit)		This project is not a CUP, but we can write a noise regulation into the development agreement or maybe even the FBV zone. Let me see what we can do.
22	existing open spaces (habitat loss)			




Thu 4/14/2022 10:34 AM

Felice M. Quigley <fmq@felicelaw.net>

[EXTERNAL] Nordic Density Analysis Response to Charlie's comments

To Perkes, Scott; Ewert, Charles

Cc DAVID BOLIN

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Scott and Charlie:

Please share my attached comments to Charlie's email with the OVPC and County commissioners. As I advised previously, I am happy to be educated on the points raised.

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April 14, 2022

Charles Ewert
Scott Perkes
Via: email

Re: Nordic Valley

Dear Charlie and Scott:

Thank you for taking the time to respond to my analysis. As I said in my email to Scott on 3/31/22, which I forwarded to you 4/4/22, I understand that we differ in our viewpoints about how to calculate current density. I am glad that you concur that net developable acreage, rather than gross acreage, should be used to calculate residential dwelling units for all purposes. The specific manner in which to calculate same by excluding steep slopes, streams, roads, etc. is obviously based on engineering principles and beyond the scope of my expertise and better left to my colleague Doug Wewer to respond.

I would appreciate your explaining where in the current FBV is found the TDR ordinance. If you are referring to Section 104-22-4,¹ I believe that falls short of what was

¹ **Sec 104-22-4 Special Regulations For Specific Uses**

f. Dwelling unit. The regulations for a dwelling unit are as follows:

1. *Types of dwellings allowed.* The type of dwelling or dwelling unit allowed along any given street type is governed as provided Section 104-22-7.
2. *Density allowance and transferable development rights.* As provided in the Ogden Valley General Plan, the creation of dwelling units in the FBV zone shall not create any new density in the Ogden Valley Planning Area unless otherwise provided in this Land Use Code. To establish the residential dwelling unit rights that exist on a lot or parcel in the FBV zone, or to increase or decrease residential dwelling unit rights on a lot or parcel in the FBV zone, the following apply:

a. For a lot or parcel rezoned to the Form-Based Village Zone from a zone that allows residential dwelling units, the base density shall be the same as the density that was allowed in the prior zone. This shall be documented by recording a covenant to the lot or parcel that provides a calculation of the base density. The covenant shall run with land, and be between the owner and the County.

b. Additional residential dwelling units are permitted on any lot that has street frontage on any street type in the street regulating plan except a rural residential street and a general open space street. However, no new density is allowed unless the landowner has successfully negotiated the reallocation of an equal number of dwelling unit rights from another lot or parcel that has an available dwelling unit right as determined by the lot or parcel's base density and adjusted for any previous dwelling unit right reduction or addition. The reallocation shall be made by recording a covenant to each affected lot or parcel. Each covenant shall run with the land and be between the owner and the County. Each covenant shall document the applicable lot or parcel's calculated base density; the number of dwelling units already developed on the lot or parcel; the number of dwelling unit rights subtracted from, or added to, the base density by any means; and the number of dwelling unit rights remaining for the lot or parcel.

envisioned by the General Plan when it stated at Land Use Implementation 1.4.2: Create a Transfer of Development Rights (TDR) Ordinance for the Ogden Valley planning area the purpose of which was to:

- establish a process for reviewing and approving proposals to transfer development rights from the Agricultural Protection and Open Space Overlay areas to locations where additional development density could be more appropriate (receiving areas)...
- establish standards for review and approval of each proposed TDR...
- develop an application for each TDR application which would include information including, but not limited to: identification of the lands from which development units are proposed to be removed; identification of the land to which the development units would be moved; -the number of development units and type(s) of development proposed; how water, sewer and other services would be provided; and other information,
- establish standards for evaluation of the application would include such factors as detrimental or beneficial effects to both the sending and receiving properties; availability of roads and infrastructure; proximity of other development including town centers; the proposed uses and intensity of use; consistency with private covenants; compatibility with surrounding land uses and the extent to which the transfer advances the goals of the General Plan.

As stated in my analysis, "Dwelling," under its current definition, excludes hotels, apartment hotel, boardinghouse, lodginghouse and apartment hotels; "hotels," "lodging house/boarding house" are defined under the Land Use Code, and I included those definitions in my analysis at footnote 8; but "apartment hotel" is not defined in the Land Use Code. Please refer me to where "elsewhere" in the Land Use Code you say I can find it.² As stated in my analysis, "Dwelling," under its proposed definition, added condo-tels as being excluded from that definition; condo-tels are defined under the Land Use Code and I included that definition in my analysis at footnote 7.³ My point was that cond-tels, for purposes of determining residential dwelling unit rights, should be defined exactly like condominiums since they have the same characteristics of condominiums. They squarely fit the definition of "condominium dwelling

c. Residential dwelling unit rights may be transferred to a lot or parcel in a FBV zone from any lot or parcel in the following zones within the Ogden Valley Planning Area: RE-15, RE-20, AV-3, F-5, FV-3, S-1, FR-1, FR-3, RMH-1-6, CVR-1, and FBV.

d. Regardless of number of residential dwelling unit rights transferred to a lot or parcel in the FBV zone, the number of dwelling units actually constructed shall be limited by what can be constructed given compliance with the standards of this chapter.


² Section 101-2-9 *Hotel*. The term "hotel" means a building consisting of 16 or more sleeping units designed for temporary lodging for compensation, in which no provision is made for cooking in any individual room or suite, and may or may not provide meals.

³ Section 101-2-4 *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.

unit” and “condominium unit”⁴ under the Land Use Code. My other point was that, based on the current definition of condo-tels and lack of definitions for other terms (like apartment hotels,) after a TDR ordinance is created and passed, definitions under the Land Use Code need to be revised, taking into account the various types of dwellings permitted under the FBV and including methods to calculate the basis for determining their residential dwelling unit rights and a method to calculate non-residential density.

If you would like to avoid overcomplicating the issue of residential development rights versus no-residential development rights, and since you say that only residential development rights are considered in calculating the number of residential dwelling unit rights, then help me to better understand where in the FBV does it address how many hotel rooms, and other structures, which are not assigned residential development rights, can be constructed on parcels rezoned from O1, FR-3, FV-3, and CRV-1 zones to FBV zones. Also, please help me to understand how and why the FBV allows hotels, condo-tels and other structures to be constructed in areas designated not only Mixed-Use Commercial “MUC,” but also designated as Multi-Family Residential “MFR.” CRV-1 zoning provides 16 Permitted Uses, and 35 Conditional Uses including recreation resort complexes, condominium rental apartments, time share condominiums, ski resorts, and hotels/motels to name a few. The FBV provides as permitted residential uses, hotels, motels, lodgingshouses, condo-tels or timeshare condominiums, and under the FBV’s Mixed-Use Commercial “MUC,” designation, which uses are also listed as conditional uses under the FBV’s Multi-Family Residential “MFR” designation. So under the FBV as adopted, hotels, condo-tels, etc. are conditionally allowed in areas right next to established homes. I don’t believe that was the intent of the re-zoning change nor certainly not the intent of the General Plan.

Very truly yours,



Felice M. Quigley, RN, JD
Admitted in PA, NJ and USVI
NOT ADMITTED IN UTAH

⁴ Section 101-2-4

Condominium dwelling unit. The term “condominium dwelling unit” means an individual living/dwelling unit located within a residential condominium project.

Condominium unit means a separate physical part of the property intended for any type of independent use, including one or more rooms or spaces located in one or more floors (or part or parts of floors) in a building or a time period unit, as the context may require. A convertible space shall be treated as a unit in accordance with 57-8-13.4, U.C.A., 1953, as amended (U.C.A. 1953, § 57-8-13.4).




Thu 4/14/2022 10:53 AM

Felice M. Quigley <fmq@felicelaw.net>

[EXTERNAL] Nordic Comments on FR-3 parcel #220230045

To Ewert,Charles; Perkes, Scott

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 2204013Analysis FR-3 zoned parcel.pdf
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Scott and Charlie:

Please make sure that the OVPC and the Weber County Commissioners receive this information. Any feedback from you on these comments is appreciated and welcomed. You can call me at any time if that is easier. My cell is 340-513-8301. Thank you.

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April 14, 2022

Re: Nordic Valley FR-3 ZONED PARCEL #220230045

Dear Ogden Valley Planning Commissioners:

The applicant Skyline Mountain Base is requesting a Zoning Map Amendment (ZMA) to rezone what they allege is approximately 510 acres in and around the Nordic Valley ski area from what they assert is zoned FV-3, FR-3, CVR-1, and O-1 zones to the new Form-Based Village Zone (FBV) as amended through a text amendment. They originally proposed a development of 763 units¹ on approximately 61 acres.² While Mr. Perkes has advised that those units have been adjusted down to 488 units and that those numbers are still being analyzed, the undersigned has not seen any such revision to the application for the ZMA.

The applicant has provided incorrect information regarding the zoning of some of the parcels. At least one of the zoning maps included in the ZMA application, and presumably relied upon by the applicant in calculating current density, is wrong. They cannot use FR-3 zoning to calculate the current TDR's for any part of Parcel #220230045 because it should not be zoned FR-3.

The zoning map attached to the applicant's previously submitted DRR-2 application, (attached as Exhibit 1.)³ shows approximately 113 acres⁴ zoned O-1 which is located due south of approximately 4.65 acres alleged to be zoned FR-3. The zoning map attached to the applicant's ZMA application (attached as Exhibit 2,) shows that 113 acres changed from O-1 to FV-3 zoning but shows the 4.65 acres zoned FR-3 unchanged. During a meeting on March 17, 2022, the undersigned questioned Scott Perkes about the disparity between the zoning map attached to the DRR-2 application and the zoning map attached to the ZMA. He advised the undersigned that in the 90's, pursuant to a request by the then owner of the ski area, density was transferred from the 113 acre parcel to rezone the 4.65 acre parcel to FR-3. He said that a conservation easement was created to do that. He told the undersigned that the county mappers incorrectly designated the 113 acres as O-1 zoning instead of designating it as a conservation easement. Mr. Perkes said that the mistake was never corrected until a few months ago, when the O-1 zoning designation on the 113 acres was deleted and changed to an FV-3 zoning designation. However, what Mr. Perkes did not say is why the FR-3 designation on the 4.65 acre parcel was never corrected back to FV-3 zoning.

Pursuant to GRAMA request #22-224 submitted on parcel #220230045 on March 19, 2022, the undersigned received the attached documents on April 12, 2022 which established the following. On or about May 27, 2008, Wolf Creek Resort, the then owner of the Nordic Valley

¹ Staff Report to the Ogden Valley Planning Commission, page 30 , Attachment B Overall Land Use Plan

² Staff Report to the Ogden Valley Planning Commission, page 35 , Attachment B Open Space With Trails Plan
³ which was also included in the ZMA application

⁴ The parcels included are parcel numbers 220230045 (20 acres) and part of parcels 220290010 and 220290008.

Ski area, proposed the rezone of 4.65 acres of parcel 220230045 from FV-3 to FR-3^{5 6} for the development of 16 residential units. In exchange, the applicant offered to rezone approximately 113 acres of FV-3 to an open space easement (partial parcels 220230045, 220290010 and 220290008). The Planning Commission subsequently supported and passed this request as Ordinance No. 2008-21⁷, as recorded on January 27, 2009.

That documentation clearly establishes that the current zoning map upon which the applicant relies is incorrect. The FR-3 designation of the 4.65 acre parcel should be returned to its original zoning as FV-3. As it appears that no other rezone of this parcel has been subsequently petitioned for or approved by the Planning Commission and that no development has occurred on this site since the rezone in 2008. Please consider reversing the rezone of Ordinance 2008-21 from FR-3 back to the original FV-3 zoning.

Very truly yours,



Felice M. Quigley, RN, JD
Admitted in PA, NJ and USVI
NOT ADMITTED IN UTAH

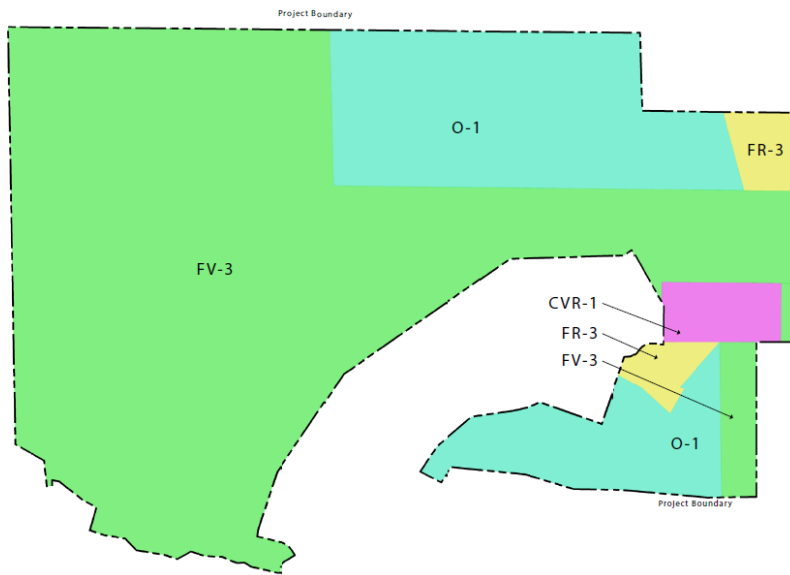
⁵ Staff Report to the Ogden Valley Planning Commission, dated May 27, 2008, Exhibit 3

⁶ GRAMA REQUEST 22-224 Rezone history of parcel 220230045, page 15, Exhibit 4


⁷ Staff Report to the Ogden Valley Planning Commission, Ordinance 2008-21, Exhibit 5


Exhibit | 1


Existing Zoning



The Nordic Valley property located in Weber County is currently zoned Commercial Valley Resort Recreation Zone (CVR-1), Forest Valley (FV-3), Forest Residential Zone (FR-3) and Open Space Zone (O-1).

- 
Commercial Valley Resort Recreation Zone - CVR-1
 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.

- 
Forest Valley Zone - FV-3
 The purpose of this zone 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.

- 
Forest Residential Zone - FR-3
 The purpose of this zone is to provide for medium density residential uses of apartment clusters or condo-tels adjacent to and in conjunction with major recreational resorts, recreation areas and facilities in the mountain areas of Weber County on the basis that such medium density multiple-family housing is an integral and normal part of a recreational resort complex catering to the needs of both tourists and permanent home ownership. This zone is intended to be used in mountain locations in areas associated with major recreational resorts.


- 
Open Space Zone - O-1
 The purpose of this zone is intended to encourage the preservation of a natural environment in an otherwise urban setting; to hold for future generations open space in which plants and animals can be protected and studied; to inhibit erection of unnecessary buildings on a floodplain, on areas of severe slope, areas of fault line and rock slides; to provide suitable areas for recreation and relaxation, and to alleviate stream pollution.



Exhibit | 2

The current zoning of the subject property is a mix of FV-3, FR-3, CVR-1, and O-1. Figure 2 displays current zoning of the subject parcels, and Figure 3 displays the proposed zoning.

Figure 3: Current Zoning Map and the Subject Parcel(s).

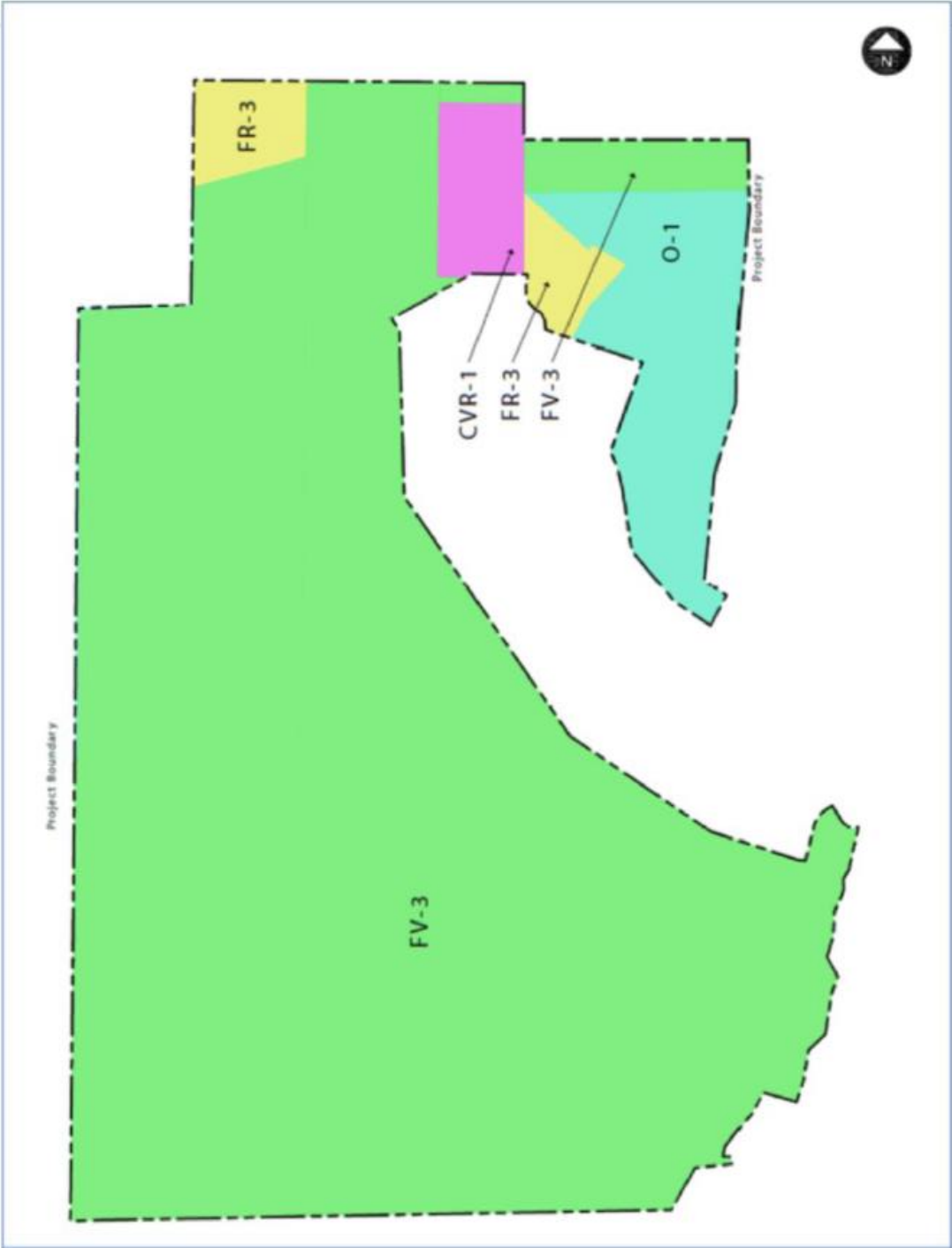


Exhibit | 3



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Summary

Application Information

Application Request: Rezone 4.65 acres from Forest FV-3 to Forest Residential FR-3
 Agenda Date: Tuesday, May 27, 2008
 Applicant: Wolf Creek Resort
 File Number: Zoning Petition ZP. 06-08

Proposed rezone of 4.65 acres of the black square

Land Information

Approximate Address: Approx. 2850 North 3200 East (Nordic Mountain)
 Project Area: Nordic Valley
 Zoning: Forest Valley FV-3
 Existing Land Use: Vacant
 Proposed Land Use: 16 unit Planned Residential Unit Development
 Parcel Identification Number: 22-023-0045
 Township, Range, Section: 7 North 1 East Section 29



Staff Information

Report: Jim Gentry
 Presenter: jgentry@co.weber.ut.us
 801-399-8767
 Report: SM
 Reviewer:

Adjacent Land Use

North: Proposed Subdivision
 South: Wolf Mountain Ski Resort
 East: Wolf Creek Property
 West: Church Camp

Applicable Ordinances

- Chapter 35 Petitioner Requirements - Rezoning Procedure Development Agreement

Background

The petitioner is proposing to rezone 4.65 acres from Forest Valley FV-3 to Forest Residential FR-3 for a 16 unit Planned Residential Unit Development (PRUD). This is the only rezone that Wolf Creek needs as part of the Master Plan Development for Wolf Mountain. The petitioner is proposing to place a no dwelling unit easement on a 113-acre parcel, which has 44.44 acres of developable land in exchange for the rezoning of the 4.65 acres. The concept plan has 16 single-family dwellings on building envelopes. If the rezone is approved, the petitioner will have to submit a conditional use application for the Planned Residential Unit Development. A zoning development agreement will tie the rezone to the concept plan and the requirement of the no dwelling unit easement. The property proposed for rezoning is adjacent The Meadows at Pinecreek Subdivision (18 lots), the Church of Jesus Christ of Latter Day Saints church camp, and Wolf Mountain Ski Resort.

Summary of Planning Commission Considerations

The purpose of Zoning Regulations is to promote the general welfare, safety, health, convenience and economic prosperity of the residents of the County, it is County Policy that rezoning of property upon a petition by property owners, should further this purpose. As rezoning of property by itself does nothing to promote these goals, the achievement of proposed development upon which rezoning is based, is of prime importance to the County to justify the actual rezoning requested. The Planning Commission and the County Commission will consider whether the petition should be approved or disapproved based upon the merits and compatibility of the proposed project with the General Plan and surrounding land uses and its impact on the surrounding area. The Commissions will consider also whether the proposed development, and in turn the petitioned-for rezoning, is needed to provide a service or convenience brought about by changing conditions and which therefore promotes the public welfare. They may require changes in the Concept Plan in order to achieve compatibility and may impose any conditions to lessen or eliminate adverse impacts.

Conformance to the General Plan

Protect the Natural Beauty and Natural Resources of the Valley - There is an abundance of wildlife in the Valley, Deer, elk and moose browse on the plentiful vegetation.

Maintain the Valley's Rural Atmosphere and Rural Lifestyle -The Valley is made up of well-planned communities. Residential development does not detract from the Valley's rural character. The rezone will preserve 113 of open space.

Conditions of Approval

- As Part of the rezoning, the easement restricting the development on 113 acres needs to be recorded
- Legal description of the 4.65 acres

Staff Recommendation

Staff recommends the Planning Commission recommended to the County Commission that Zoning Petition 06-08 be approved, subject to the conditions of approval. The proposal conforms to the General Plan by **Protecting the Natural Beauty and Natural Resources of the Valley** by providing 113 acres that will not have any dwelling units built on the property. The project also **Maintain the Valley's Rural Atmosphere and Rural Lifestyle** by concentrating the well plan development on a small parcel, reducing the extent of cuts into the hillside to extend roads and other infrastructure. The proposed rezone is compatible with two of three adjacent uses. The site plan for PRUD is a conditional use, which will allow the Planning Commission to add additional requirements to make the use more compatible with the church camp. The easement restricting dwelling units on the 113 acres will reduce potential dwelling units adjacent to the church camp.

Exhibits

- Location Map
- Concept Plan
- Building Material Concept
- Proposed Easement Language

Exhibit | 4

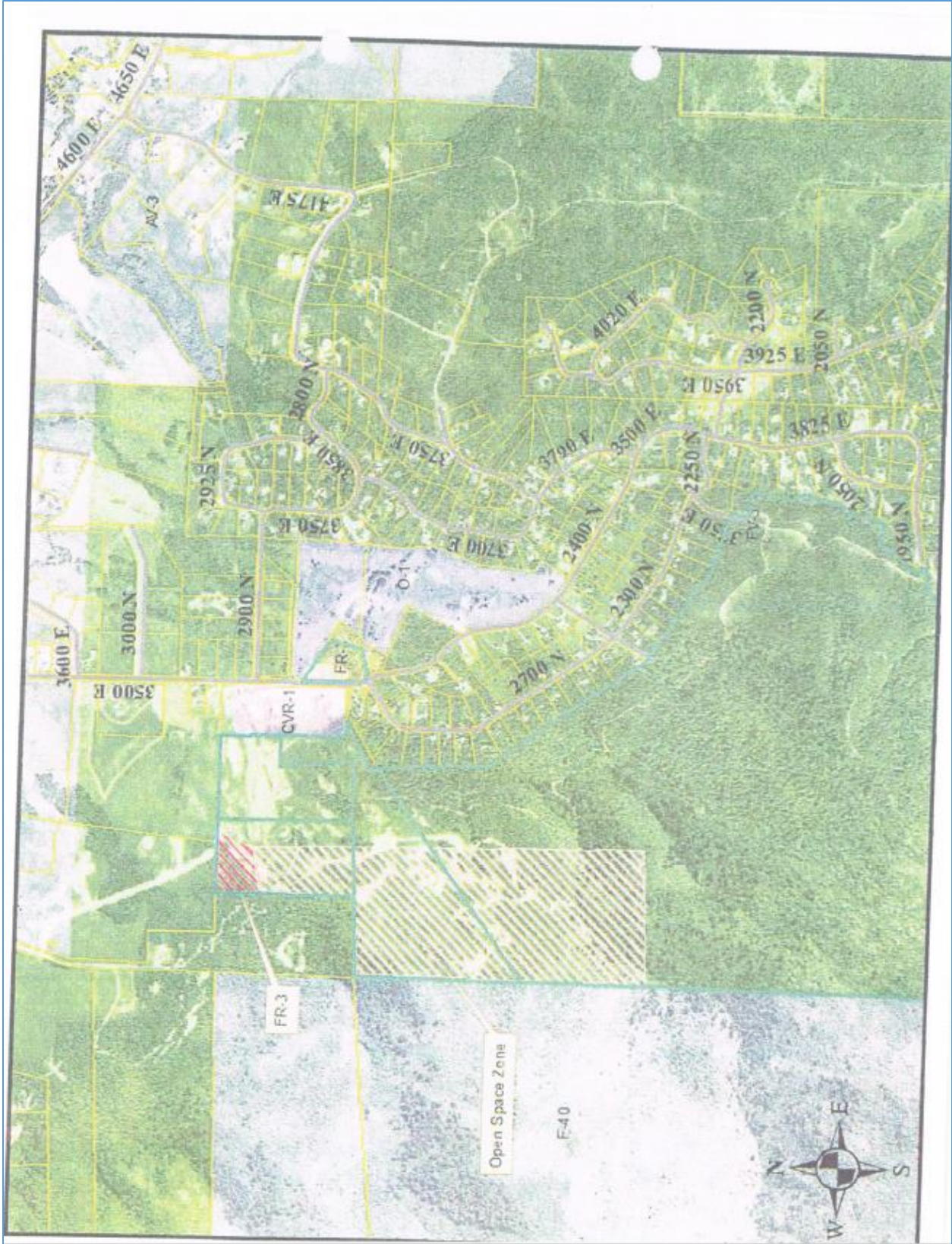


Exhibit | 5



W2387365

EP 2387365 PG 1 OF 6
ERNEST D ROWLEY, WEBER COUNTY RECORDER
27-JAN-09 321 PM FEE \$1.00 SEP SPY
REC FOR: WEBER COUNTY PLANNING

ORDINANCE NO. 2008-21

An Ordinance of Weber County, Rezoning property at approximately 3850 North 3200 East from Forest Valley FV-3 to Forest Residential FR-3

WHEREAS, The Board of County Commissioners of Weber County, Utah, find that the proposed rezoning will comply with the goals/objectives of the General Plan and will promote property rights; and

WHEREAS, Ogden Valley Township Planning Commissions held a public hearing on May 27, 2008 and voted unanimously to recommend approval of the rezone; and

WHEREAS, The Board of County Commissioners of Weber County, Utah, after appropriate notice, held a public hearing on July 1, 2008, to allow the general public to comment on the proposed zoning ordinance amendment; and

NOW THEREFORE, The Board of County Commissioners of Weber County, State of Utah, Ordains the following:

Section 1:

The following legal description will be an open space easement, with the ability to continue to support current and future resort operations. However, the potential residential dwelling units from this property will provide the necessary density to the property which is being rezoned to Forest FR-3. Examples of continue support uses to the current and future resort operations include skiing trails, ski lifts, snow making, snow grooming, trails, utility easements, maintenance roads, mountain coaster, tube hill and accessory buildings used as part of ski operation: Part of the Southwest Quarter of Section 29 and West half of Section 32, T7N, R1E, SLB&M. Beginning at the Northwest Section corner of said section 32; Thence as follows: N 88°21'31" E 660.00 feet along the North Section line of Section 32 said line also being the South line of parcel 22-023-0024 owned by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints; thence North 887.83 feet along the East line of said parcel 22-023-0024; thence N 75°04'50" E 444.81 feet; thence S 00°30'43" W 5196.34 feet; thence West 1080.05 feet to the West section line of Section 32; thence N 00°30'25" E 4174.99 feet along said Section line to the point of beginning. Contains 4,925,733 Sq Ft / 113.08Ac.

Section 2:

The following legal description is hereby rezoned from Forest Valley FV-3 to Forest Residential FR-3: Part of the Southwest Quarter of Section 29, T7N, R1E, SLB&M. Beginning at a point being N 00°49'36" E 906.88 feet along the West line of said Quarter Section and East 646.65 feet from the Southwest Section corner of said section 29; Thence as follows: North 432.12 feet along the East line of parcel 22-023-0024 owned by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints to the South line of parcel 22-023-0025 owned by Liberty Real Estate Development, LLC; thence East 690.00 feet along the South line of said parcel 22-023-0025; thence S 39°19'29" W 410.56 feet; S 75°04'50" W 444.81 feet to the point of beginning. Contains: 202,439 Sq Ft / 4.65 Ac.

Section 3:

The attached concept exhibits apply to Section 2:

- Exhibit A: Material and style of units
- Exhibit B: Material and style of units
- Exhibit C: Concept Layout of project
- Exhibit D: Drawing of Property Rezoned

This ordinance shall become effective fifteen (15) days after publication.

Passed, adopted and ordered published this by the Board of County Commissioners of Weber County this 1st day of July, 2008.

BOARD OF COUNTY COMMISSION OF WEBER
COUNTY

By 
Jan M. Zogmaister, Chair

Commissioner Bischoff Voting
Commissioner Dearden Voting
Commissioner Zogmaister Voting


Clerk

ATTEST:


Alan McEwan, CPA
Weber County Clerk/Auditor

To: Ogden Valley Planning Commission

From: Bruce Magill

3470 Viking Dr. Nordic Valley

Re: Nordic Valley Zone Text Amendment

One of the fundamental goals of the FBV concept is to create an esthetic and harmonious transition from the high density, tall 50' buildings with CRV-1, MFR-1, and on down to FVR-1. Currently, the developer proposes to reduce the height of only one residential building directly across the street of FVR-1 single family homes.

I encourage you to recognize this offer by the developer as inadequate. To mitigate the impact of these tall buildings on the existing residents along Viking Drive and Nordic Valley, I encourage you to recommend that any buildings over 35' be restricted to the west side of Nordic Valley Way and north of Nordic Mountain Water right of way, in the CRV-1 area.

Another concern is with the roundabout location being considered on Nordic Valley Way. It appears from the map that it is to be located at intersection of Nordic Valley Way and Viking Drive. I encourage you to relocate this roundabout further to the north on Nordic Valley Way. I believe the function of this roundabout is to disperse cars to the various locations of the development, i.e... Condos, ski facilities etc. Where the roundabout is currently located at this intersection, Viking Drive is unnecessarily impacted with this traffic. Placing the roundabout a little to the north on Nordic Valley Way and separate from the intersection of the Viking Drive/ Nordic Valley Way would alleviate the impact.

Thank you for considering my suggestions.



Thu 4/21/2022 2:50 PM

Jeannette Maw <jmaw@goodvibecoach.com>

[EXTERNAL] Regarding the Nordic Valley Proposed Development (Dark Skies Impact)

To Perkes, Scott



Nordic Valley Dark Skies.pdf
64 KB



Nordic Valley Dark Skies.pages
272 KB

[Bing Maps](#)

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Scott, I and a couple of other residents put some of our concerns about the proposed Nordic Valley development in writing for the committee's consideration.

Are you the one I should deliver this to, or the committee members directly? Wasn't sure where to direct this.

I'm attaching a pages document, so let me know if you need it in a different format. Wait, maybe I can save it as a pdf as well just in case that works better for you.

I'm new to this process, so my apologies for not knowing what format to use or where to direct these citizen concerns!

Thanks for your guidance about how to make our concerns best known to those making decisions on our behalf.

Sincerely,

Jeannette Maw
3135 N 3825 E
Eden, UT 84310
801-810-8306

The Proposed Nordic Valley Resort Development Puts Ogden Valley's Dark Skies at Risk

Essential Points:

1. Why dark skies matter
2. The Ogden Valley General Plan emphasizes retaining the rural character that defines Ogden Valley (without dark skies, it's not OV)
3. The negative impact of this development on our dark skies needs to be strongly considered and mitigated

1. Why Dark Skies Matter

- A) Night skies are essential to human health and wildlife wellbeing.
- B) Dark skies are a valuable natural resource that require active protecting.
- C) Areas that protect their night skies retain the potential to benefit from the rapidly expanding astro-tourism industry.

A) Dark skies are essential to the health of Ogden Valley residents. Artificial light is scientifically linked to increased risk of diabetes, obesity, depression and some cancers, as well as various sleep disorders.

For humans, our serotonin is regulated by circadian rhythms. Disrupting the night sky negatively impacts our biology and internal clocks.

For animals the impact is even more severe. Light pollution disrupts wildlife and impacts ecology and biodiversity. Artificial light disturbs wildlife migration and hunting. Light pollution destroys the natural darkness that is essential to human health and well being.

B) Dark skies are threatened when human development introduces artificial lights into the night sky.

Obtaining dark sky status is rigorous process and is endangered when local development isn't thoughtfully and carefully planned in compliance with dark sky ordinances.

C) Potential tourism draw

Because of light pollution, 80% of people in North America cannot see the Milky Way when they look up at night. Dark skies can be a lure for tourists which helps the economy of towns near dark sky locations. (Helper and Torrey are two Utah

towns that carry the "dark sky community" label, which draw tourists and revenue when they cater to those who aren't able to experience dark skies at home. Guide companies conduct stargazing tours, RV parks fill with those wishing to experience dark skies, telescopes are available to borrow through the library.)

The Utah Office of Tourism promotes dark sky locations as a means of distributing visitation and getting people off the beaten path to find unique adventures. (Rather than everybody flooding into national parks at the same time of day.)

A 2019 study by two economists predicted that astro-tourism would generate \$5.8 billion over the next 10 years from nonlocal tourists on the Colorado Plateau (the four corners area). Night sky tourism also benefited from recent pandemic lockdowns, as it's an open space when many other tourist attractions were shut down. The Girl Scouts of Utah teamed with Utah State Parks in 2021 to honor the launch of a special "dark sky" patch Girl Scouts can earn.

Dark skies are not just required for the health and well being of humans and wildlife, it's also beautiful and part of our human cultural heritage.

2. Ogden Valley General Plan emphasizes the importance and value of retaining the dark skies its known for:

Our priorities, quoting from the Ogden Valley General Plan: "The rural character of Ogden Valley is defined by its open fields, agricultural lands, stands of trees, peace and quiet, dark skies, clean air and water, abundant wildlife, and small villages."

A development of this magnitude is inconsistent with the rural characteristics this community values, including - but certainly not limited to - high quality night skies.

Even with full compliance it's obvious that a development of this size will brighten the valley and negatively impact our dark skies. 488 new units threatens the rural characteristics that define this valley that we as residents seek to preserve.

3. Mitigate negative impacts of development

The negative impact of this development on our dark skies needs to be strongly considered and mitigated. Factors that need to be considered:

- Getting max lumens per dwelling
- Night shades required for any multi-family dwelling, condo-tel, etc.

- Max window size (both individual window and collective for a dwelling)
- All included in the Form Based Village code above 5,200 MSL elevation
- For the ski area, Ultra Tech Lighting should be installed.

Summary:

A night sky without artificial light is therefore **vital to the proper functioning of natural ecosystems**. Artificial lighting affects species migration patterns, predator-prey relationships, and the circadian rhythms of many organisms, to name just a few of the consequences of light pollution.



Fri 4/22/2022 8:19 AM

Kristin G. Kiriluk <kristin.kiriluk@gmail.com>

[EXTERNAL] Water and Aquifer Concerns for Proposed Nordic Valley Development

To Perkes, Scott

Cc Grover, Rick



OVWaterLetter_Planning Commission.pdf
22 KB

Action Items

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Dear Mr. Perkes,

I am a resident of the Nordic Valley neighborhood and have attached a letter regarding my concerns over the water availability, accessibility and impacts to existing water management in our neighborhood with respect to the Form Based Village being considered. Please send this to the appropriate Ogden Valley and Weber County Planners. Thank you for taking the time to read and consider my letter.

Sincerely,
Kristin Rabosky

April 21, 2022

Dear Ogden Valley Planning Commission and Weber County Planning Commissioners, I am writing with regards to the proposed rezoning and Form Based Village (FBV) requirements decisions for the Nordic Valley Village. I am a resident and mother concerned about the impacts to our residence and neighborhood in Nordic Valley. At the April 5, 2022 work session, a comment was made by a Weber County Planner that drilling deeper would yield more water per the Utah Geological Survey's (UGS) assessment. Although some regions of the valley may have a deeper aquifer where drilling deeper may yield more water, this is not true for the region adjacent to Nordic Valley Ski Resort. Looking at the UGS's 2019 "Characterization of the Groundwater System in Ogden Valley, Weber County, Utah, with Emphasis on Groundwater-Surface-Water Interaction and the Groundwater Budget" Special Study ([https://www.webercountyutah.gov/planning/documents/Ogden%20Valley%20Hydrogeology%20Study%20\(Reduced\).pdf](https://www.webercountyutah.gov/planning/documents/Ogden%20Valley%20Hydrogeology%20Study%20(Reduced).pdf)), the study findings do not support the statement made by the planner for the the Nordic Valley area.

Looking at Figures 11 and 17 in the study, Nordic Valley does not appear to lie over the principle deep aquifer but along a shallower arm off the principle deep aquifer. The implications of this are that either drilling a new well in the Nordic Valley area would likely severely limit the size of the development or a well to support a larger development would likely need to be drilled downhill closer to the reservoir and principle deep aquifer then that water would need to be pumped uphill.

In addition, Figure 24 shows the drawdown or reduction of available water in the principle aquifer from the previous study in 1994 to 2016 as being 30-40 ft. This reduction of water is likely from a combination of population growth and water usage as well as reduced recharging due to our prolonged drought. Given that since 2016, our population has continued to grow and our drought has only worsened, it makes sense that we have likely increased the rate of drawdown on the principle aquifer from the period between 1994-2016. The U.S. Geological Survey's (USGS) 1994 study "Ground-water hydrology of Ogden Valley and Surrounding Area, Eastern Weber County, Utah, and Simulation of Ground-water Flow in the Valley-Fill Aquifer System" (<https://waterrights.utah.gov/docSys/v920/y920/y9200007.pdf>) notes that north of Pineview reservoir is shallow unconfined groundwater that is recharged yearly through melt, runoff, and surface flow. This fact indicates that that looking at spring runoff and surrounding reservoir and stream flows would indicate how well the aquifer arm under Nordic Valley is recharging each year. On March 24, 2022, the Salt Lake Tribune published the article "Utah water users — from farms to small businesses — prep for more drought" referencing Jordan Clayton, snow survey supervisor for the National Conservation District in UT as saying that "Utah has had a 13-inch deficit in its annual precipitation which is about 40% of the states averages". While a two year period is not long in terms of climate and weather, it does present deep short term deficits that make planning for the future more challenging and should make planning around water availability even more important.

Given these issues, before rezoning occurs, it would make sense to either drill a small well and perform pump tests at Nordic Valley to understand the actual water available and its impacts on the existing well serving the community and/or determine what monetary resources are needed to pump water uphill to supply a large village development. Any impacts to the existing Nordic Mountain Water Inc. should be disclosed prior to making a decision of rezoning and any discrepancies from existing water allotments to existing residents should be transparent and disclosed before rezoning. This type of infrastructure needed to support new development should not be shouldered by the existing residents of the valley. Planning for our water future should be integral to smart development of the valley especially during an extreme drought period that has already seen water restrictions and building moratoriums to the valley.

Clearly rezoning an area (open space) that currently puts no pressure on the existing water reserves to high density housing will have a marked impact to the drawdown of the aquifer.

The current county estimations for 488 units in the Nordic Valley Village do not include water availability as part of the estimation process. Perhaps accounting for water availability early in the unit estimation process could produce more realistic estimations that reflect the importance of water to the valley development process. Understanding that impact in some way before rezoning or the FBV requirements are decided, seems like a good practice as we decide how and where to develop as the valley grows.

Thank you for taking the time to consider these impacts. Rushing through a rezoning decision without all the details could have lasting impacts on our valley with irreparable results.

Sincerely,
Kristin Rabosky
2787 N. Nordic Valley Rd
Eden, UT 84310



Mon 4/25/2022 8:23 PM

L Irvin <aumnbn@gmail.com>

[EXTERNAL] Public comment request for Planning Commission Meeting of April 26, 2022

To Perkes, Scott



NordicVillage_ByTheNumbers.docx
2 MB

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Hello,

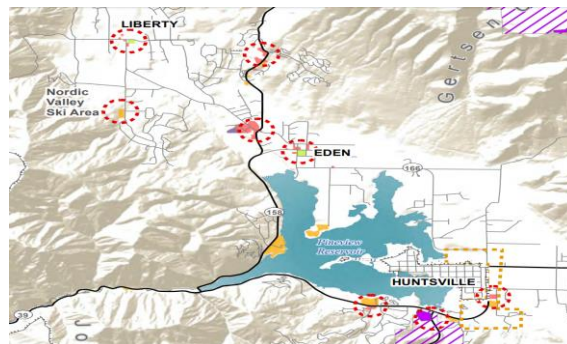
My name is Larry Irvin. Our family home is on Nordic Valley Drive which we've owned for almost 25 years.

I have attached a document that I request to be distributed as a public comment at the Planning Commission meeting of April 26, 2022 regarding the Nordic Village project and FBV amendments.

Thank you,
Larry Irvin

NORDIC VILLAGE – By the Numbers

The Nordic-Village development is an early venture into the Form Based Village (FBV) concept and one of the eight identified potential "village" areas red circled in the current Ogden Valley General Plan.



Nordic Valley is unlike all of the other areas, however. Six of the eight designated future "village" areas are on the valley floor near existing high-volume roads and existing commercial development. Another designated future "village" is in the Wolf Creek area where commercial and multi-family residential developments already exist in or adjacent to the area.

The Nordic-Village proposal is the only designated red circled "village" area that not only contains currently open space zoned parcels, but relies on the open space area for a significant portion of the development.

There have been many references in planning meetings, documents and also newspaper articles to the Nordic Village development as being over 500 acres. This is often used in the context of minimizing the project size as a small portion of the overall acreage. This total acreage usage is also used in calculations that would permit additional units of density with the proposed FBV zoning change. However, over 400 of those acres consist of existing ski slopes and mountainsides. Of the remaining area where the development is proposed, a portion of that is where the current Nordic Village ski buildings are located. The area across the street from the current facilities on the east side of 3500 E. St is where the primary development is proposed and is being actively challenged by residents. This development area is approximately 54 acres in size of which about 40 acres are currently zoned Open Space (O-1). Images of this area can be seen at <http://www.savenordicvalley.com/>.

How can this happen that the primary development can occur on areas zoned as open space? The solution apparently is to change the zoning, but a zoning change from open space to a higher density than the surrounding neighborhoods would be difficult to sell to the public. With the Form Based Village zoning this significant change and consumption of open space is being buried within the 500+ acres development, which does include small areas that would currently permit development.

With the FBV zone, the focus is being diverted from specific parcel usage to "street views". This permits greater freedom of development out of view behind the street facing facades. Combined with the concept of transferring development rights from other properties, potentially miles away, the door would be open to an unprecedented density in an area of existing open space and surrounded by low density hillside homes.

The following information and images were obtained from the online Weber County Geo-Gizmo <https://www3.co.weber.ut.us/gis/maps/gizmo2/index.html> and identify the parcels that represent this area bordered by 3500 E and Nordic Valley Rd.

Primary Nordic Village development, east of 3500 E. St, would occur on the following parcels

Parcels	Acreage	Zoning	Street
220230060	3.60	FV-3	3500 E. St.
220230088	0.98	FV-3	3500 E. St.
220230113	1.00	FV-3	3500 E. St.
220230087	2.86	FV-3	Nordic Valley Rd.
220230112	1.00	FV-3	Nordic Valley Rd.
220230114	1.00	FV-3	Nordic Valley Rd.
220230121	1.00	FV-3	Nordic Valley Rd.
220230124	1.00	FV-3	Nordic Valley Rd.
220230125	0.68	FV-3	Nordic Valley Rd.
220290013	1.00	FV-3	Nordic Valley Rd.
	14.12	(26% of acreage)	

Parcels	Acreage	Zoning
220230059	15.30	O-1
220290004	24.69	O-1

39.99 (74% of acreage)



Liberty Projected Population Growth

A major consideration in developing the current Ogden Valley General Plan was how best to manage future population growth in the valley in a way that doesn't sacrifice the beauty and character. The beauty is obvious to anyone that drives through this valley, but character goes beyond aesthetics and is as much about the lifestyle of everyone that resides in the valley.

The perceived benefit of the proposed "village" approach was to absorb future development into clusters, which may have the effect of reducing development in the majority of the valley. This was thought to more preserve the appearance of the valley by limiting the increase of "rooftops". However, this approach should not come at the cost of negatively impacting the lifestyle that we are also vested in preserving. The argument could be made that the lifestyle is of primary importance as it is related to living in the valley as opposed driving in it.

In the case of the Nordic-Village development proposal, although reduced from initially over 700 units, it still consists of well over 400 units. In reviewing census data, the following information was available for Liberty. Nordic Valley residents would be included in this data for Liberty, from the following site.

<https://utah.hometownlocator.com/ut/weber/liberty.cfm#cdpnote>

Liberty, UT Data & Demographics (As of July 1, 2021)

POPULATION		HOUSING	
Total Population	1,522 (100%)	Total HU (Housing Units)	608 (100%)
Population in Households	1,519 (99.8%)	Owner Occupied HU	412 (67.8%)
Population in Families	1,366 (89.8%)	Renter Occupied HU	48 (7.9%)
Population in Group Quarters ¹	3 (0.2%)	Vacant Housing Units	148 (24.3%)
Population Density	260	Median Home Value	\$614,796
Diversity Index ²	15	Average Home Value	\$708,070
		Housing Affordability Index ³	107

INCOME		HOUSEHOLDS	
Median Household Income	\$101,150	Total Households	460
Average Household Income	\$135,963	Average Household Size	3.3
% of Income for Mortgage ⁴	26%	Family Households	371
Per Capita Income	\$46,801	Average Family Size	4
Wealth Index ⁵	209		

The number of Liberty housing units as of July 2021 was reported to be just over 600 units of which 460 were occupied. The amount of units in this proposed development would come close to doubling the total housing units in Liberty, with just this project. This proposed development is also only one of two "village" red circles identified for Liberty. The other proposed village site is essentially in the center of Liberty around Liberty Park and would appear, based on current zonings, to have even more potential for density.

The concept of villages, in the Ogden Valley General Plan, was presented to the public as a tool to direct the future population growth into clusters, rather than a wider dispersal over the valley. For this project to satisfy these goals and the principles of the General Plan, a significant portion of these units would then need to be intended for future residents, those that would be increasing the population count. It appears that a significant number of these proposed units would instead be used as short-term rentals or possibly second homes. If so, this would not seem consistent with core objectives of controlling development to accommodate a growing population in the years to come. Only residential units that will be used by long term residents would impact that objective.

The Average Household Size from the Liberty census data provided is 3.3 per household. Of the Ogden Valley communities Liberty, Eden, Wolf Creek and Huntsville, Wolf Creek has the lowest average household size of 2.92. If we use a conservative estimate of 3.0 per household, for every 400 residential units that are used as a long-term residence, a population increase of approximately 1200 would be supported.

The population of Liberty, as presented by the site provided, is around 1500. It is easy to see the population swell in Liberty that would accompany a development of that size by supporting an additional 1200 or more residents. According to other census data provided, Liberty experienced an average growth rate per year between 1.5% - 2.0%. With that growth rate, it would take at least 30 years to grow by 1200. This scenario is not even considering the Liberty population impact of the second Liberty "village" in the Liberty Park area that might end up being an even larger development.

Population growth does not entirely consist of new residents moving into an area and requiring additional housing. The annual birth rate in Utah is around 14 per 1000 population (https://ibis.health.utah.gov/ibisph-view/indicator/view/BrthRat.UT_US.html). This is near double the death rate which, pre Covid, was typically around 7 per 1000 population (<https://ibis.health.utah.gov/ibisph-view/indicator/view/DthRat.html>). This net increase in population, on an annual basis, is the equivalent of .7% and represents over a third of the total annual increase and without requiring additional housing.

Village style developments, as in the Nordic Village proposal, will create spikes in available housing. The units designed for long term residency will not sit empty waiting for the natural population growth to gradually consume them. Instead, the developers of these units will be aggressively marketing them and incentivizing their sale. The influx of new residents to these newly available units will thus create a spike in population growth.

The forces involved in the natural growth patterns that have contributed to Liberty's average increase over the years will still exist, including births, but the base population will have been artificially increased. It could be argued that artificially flooding the Liberty housing market will spike the population. Natural growth patterns will still continue so the resulting Liberty population growth could significantly exceed the original projections. The village concept was meant to control how population grows but may negatively contribute to the rate of growth.

The transferring of development rights concept appears to be the General Plan's method to prevent this from occurring as these villages will consume development rights until they are eventually unavailable. The population growth pattern will go from the current gradual rate, over the coming decades, to a sequence of spikes as villages emerge. Eventually growth would then theoretically flat line, when all transferable rights have been consumed by the villages. This has the potential of creating a much faster growth pattern through artificial spikes in supply caused by these large developments.

Since development rights can be transferred from other areas of the Valley, this puts communities of the first villages in jeopardy of growing to higher levels than they would have otherwise. The larger the supply of available "rights" to transfer the more easily and affordably they will be to obtain. Nordic Valley and Liberty may suffer an unfair proportion of the future population growth of the valley, as a whole, if it became the first village experiment.

If the proposed Nordic Village development has significantly less units intended as long-term residences and instead primarily consists of short-term residences and shops, then the objectives of this proposed development appear more commercial in nature. More short term rentals and even second homes do not seem to benefit the valley during shoulder seasons. This was one of the advantages of the "village" concept as presented to the public during prior planning meetings.

No other proposed village area will be asked to sacrifice substantial and valuable currently zoned Open Space, for these purposes. A zone change to Form Based Village that consumes Open Space is not consistent with the planning goals, as presented to the public, during the General Plan process and subsequently. Is the Form Based Village zoning intended to swell the number of short term rental and second homes available or would this just be the result for this development? Either way, the Form Based Village zoning is not appropriate for Nordic Valley.

CONCLUSION

A downside of the village approach for the valley may be that individual communities will have to bear an unusual proportion of the burden and lifestyle impact. In the case of this Nordic Village proposal, the residents are showing significant opposition due to the variety of impacts expressed that this development will have on this relatively small community. These impacts include quality of life, water, sewage, noise, light, traffic, crime and safety and represent some of the unseen costs not accounted for by how the development "looks from the street".

The examples used for the presentation of the Form Based Village concept were Old Town and New Town Eden. The proposed Nordic Village development may represent a preview of how the public will actually respond to this form of development in the other designated villages now that the reality of what the FBV zone, combined with development rights transfers, are more tangible and how they can be used to increase density beyond expected levels.

Communities first in line for FBV development will inevitably be subject to higher densities while transferable developer rights are readily available. A secondary developer rights market will likely emerge as this commodity becomes more valuable. The amount of money that a developer is able to use to acquire these rights should not enable them to override our zoning guidelines pertaining to density and usage.

If this level of opposition to the Nordic Village proposal will exist for the other seven village sites it will beg the question, "do we really prefer eight unhappy local communities in key areas of the valley over the potential visual impact of natural development over the course of decades?".

If the other "villages" will not have the same opposition and potentially even welcome them, that would confirm the point that the FBV zoning change just isn't right for Nordic Valley. In either scenario, it is still clear that the commission should not recommend nor approve of this Form Based Village zoning change for this Nordic Valley area.



Tue 4/26/2022 2:37 PM

Bruce Keswick <brucekeswick@gmail.com>

[EXTERNAL] A further compilation of questions, concerns and suggestions from Nordic (Ogden)

To: Harvey, Jim H.; Froerer, Gage; Jenkins, Scott

Cc: Bruce Keswick; Perkes, Scott; Ewert, Charles



Action Items

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Dear Commissioners:

The attached Word Document is a compilation of questions, concerns and suggestions from Ogden/Nordic Valley Residents collected through the end of March, 2022. These are far from all the comments, for example I did not include the major concern, water, building heights, and some comments on the revised ordinance changes as others will compile those. Your careful attention to this project is appreciated. The items are grouped by topic. Some questions may have been addressed by additional changes proposed by Skyline Partners in the April 5, 2022 working session but are included to provide perspective from the community.

General Comments

Residents of Nordic Valley we have serious objections to the zoning changes and plans proposed by the Skyline Partners plan for building of a destination resort that is not in the best interest of Ogden Valley Residents.

The planners state the General Plan was vetted with the public, they also say no master plan was agreed to, yet based on this they presume to speak for Ogden Valley Residents. It appears the planners are relying on what is now outdated information collected in 2014-2016. There have been significant changes in the population and development in the valley and the General Plan needs to be reassessed before any more major changes. The planners have rightly said if this is not what people want then we need to change the General Plan. What we see being constructed across the valley is not what people think the General Plan is supposed to support. This is like a company trying to develop a new product based on outdated market research data. It is time to pause development to re-survey the community.

The presentations on the zoning changes have made it clear the FPV ordinance needs considerable further work before being implemented. Comments included the ordinance is confusing and a shell game of transfers and changes that obviously are not working when you look at the valley.

Forwarded from:

Bruce Keswick
2395 Viking Drive
Eden, UT 84310

To Weber County Commissioners

April 25, 2022

Questions, Concerns and Suggestions from Nordic (Ogden) Valley Residents Concerning the Proposed Expansion of the Nordic Valley Resort

Dear Commissioners:

The following is a compilation of questions, concerns and suggestions from Ogden/Nordic Valley Residents collected through the end of March, 2022. These are far from all the comments, for example I did not include the major concern, water, building heights, and some comments on the revised ordinance changes as others will compile those. Your careful attention to this project is appreciated. The items are grouped by topic. Some questions may have been addressed by additional changes proposed by Skyline Partners in the April 5, 2022 working session but are included to provide perspective from the community.

General Comments

Residents of Nordic Valley we have serious objections to the zoning changes and plans proposed by the Skyline Partners plan for building of a destination resort that is not in the best interest of Ogden Valley Residents.

The planners state the General Plan was vetted with the public, then also say no master plan was agreed to, yet based on this they presume to speak for Ogden Valley Residents. It appears the planners are relying on outdated information collected in 2014-2016. There have been significant changes in the population and development in the valley and the General Plan needs to be reassessed before any more major changes. The planners have rightly said if this is not what people want then we need to change the General Plan. What we see being constructed across the valley is not what people think the General Plan is supposed to support. This is like a company trying to develop a new product based on outdated market research data. It is time to pause development to re-survey the community.

The presentations on the zoning changes have made it clear the FPV ordinance needs considerable further work before being implemented. Comments included the ordinance is confusing and a shell game of transfers and changes that obviously are not working when you look at the valley.

Nordic Valley has approximately 225 residences at present. Our quiet neighborhood would be increased by 763 (or now 525) residential units per the plan. The vast majority of which are non-resident rental units adding to the burden of short-term rental units and all the associated issues. This is not designed

for owner occupier residents who are also active community participants and income tax payers. Adding 525-763 more STRs to the 1000 already in the valley does not appear to be in line with what the commissioners are on record supporting.

This proposal impacts the entire Ogden Valley in terms of a permanent change to the valley. There is no going back if this change is allowed. Although it may be allowable to make the changes under the Ogden Valley General Plan, there are many elements of the plan that are not in line with what residents want and should be limited or denied. This is not the expansion of the "ski area" we were told. It is again like the Gondola plan asking for huge unrealistic changes, it needs to be limited and refined.

No change of this magnitude should be allowed without extensive input from the community. As the community is largely unaware of these changes any consideration should be careful and deliberate. (The community has been working to raise awareness since this comment was received.)

We object in principle to changing the zoning outlined in the in order to provide profit to a development company at a considerable and permanent cost and damage to the community. We had to comply with zoning so should the developer.

A destination resort means not for locals and designed and priced to bring in massive numbers of visitors. So, we get to have a situation like the mess around Pineview all year round?

Why should we be confident in this project as NMP has been bad neighbors through the first two years of their project? They ran construction equipment from 6:30 AM to 10:30 PM and poured dust down on the neighborhood residences. They trafficked heavy construction equipment on Viking Drive and damaged both Viking Drive and Nordic Valley Way. They routinely speed on a residential street. Unlicensed vehicles have been run back and forth. One contractor was observed side to side racing. When contacted they did not respond.

Skyline was asked..you are responsible for managing your management company (MCP), and your management company is not doing a great job. You are building a huge development around the ski resort. If the ski resort isn't safe, can't manage crowds, can't pave their parking lot, etc. what is the oversight plan? They indicated MCP is a separate entity, who does the county see as the responsible party?

Who in the county has allowed the operation by MCP under the CUP despite not meeting the conditions outlined in the Staff Report to the Ogden Valley Planning Commission dated March 3, 2020 and added to by the Planning Commission (list included paving, seeding, geohazard and other conditions)?

Alternatives to South Village

- Residents specifically objected to the plans for the “South Village” area for a number of reasons (see below) and proposed the following.
- We propose the “South Village” development (rights) be allocated as a conservation easement (Ogden Valley Land Trust) that would also include the open space west of the proposed South Village development. The conservation easement may allow further development of ski runs to complement the existing runs served by the Express lift.
- We propose the “South Village” development rights be moved to the north side of resort immediately north of the Crockett lift.
- In the April 5, working session the developer withdrew some of the “South Village” from the plan, however it was not completely eliminated and still shows 14 units that are 1.2 miles from the main “village”. This looks like a separate subdivision outside the FPV proposal and still presents issues of water, sewage and construction identified with the “South Village” (see below). However, it was viewed as a positive change.

Construction Concerns and Limits

- We want it included in the county agreement, that construction hours are limited to 8:00 AM to 4:00 PM, weekdays. 6:30AM to 10:30 PM is unacceptable.
- Also, noise, dust and runoff are controlled. The recent reconstruction of the fire road and construction of the Express lift resulted in large plumes of dust moving downslope affecting residences. Despite raising this issue to the Nordic Mountain Partners manager, little to no effect was put forth to address this issue. Recognize that sound and dirt/dust are carried down slope during the evening hours as downslope winds occur daily.
- Keep traffic off of Viking Drive including contractors and resort users via appropriate design and proper signage. Make Viking Drive no parking for resort access and 25 mph speed limit.
- Viking drive and Nordic Valley Way were damaged by contractors during the construction of the lift by Nordic Mountain Partners who is responsible for repair?

General Concerns and Questions

STR

- Short term rentals are a growing problem in the valley with little or no licensing and even less control. We will need to have specific guidelines that ensure licensure/accountability/enforcement. This project will put 763 STR units (now 525) in a neighborhood of 225 residences. The Wall Street Journal Points out many STRs are now corporate owned. The project should not move forward without an effective licensing and enforcement plan.

Noise and Intrusions

- We have concerns over Summer activities. We do not want motorized vehicle activity on the existing and proposed trail network. We have previously informed the commission of the frequent violation by dirt bikes, ATVs and even hunters. Connecting trails to the top increases this problem. How will this be controlled through design and monitoring?
- “Rentals, condos and homes have people on vacation to the mountains and leave their brains and courtesies at home.” We need a noise ordinance on all properties built and an enforceable means to control noise, music, parties, barking dogs, etc.
- In the summer windows are open and outside area are used by existing homeowners, how will the noise from lifts, vehicles, etc. be limited.
- In the original plan, there was mention of activities in this area above Viking Drive that included things such as “hammocking”. This kind of activity invites other issues that need to be addressed. This could lead to overnight camping which raises sanitary concerns (sewage and garbage) as well as possible forest fire concerns.
- We have concerns over the commercial activities associated with the lodge by the Nordic Express lift. Will it contain a restaurant that will need food deliveries, garbage control and permit outdoor dining and event activities? (addressed by Apr5 meeting)
- Residents of Viking Drive moved here specifically to get away from the commercial development associated with projects like this. All lodging and restaurants should be kept at the base of the current resort. This area along Viking Drive was never zoned for commercial use and should never be zoned for commercial use.

- No one wants to be in a construction zone for 15 years, how do we find a solution? What is the plan for 2022 and 2023?

Water and Sewage

- Drilling new wells in order to provide water to this development will impact water availability to existing water systems such as Nordic Mountain Water District and private wells in the area. How will you assure the water supply is adequate for the future given the recent water survey and the proposed water use for over 700 units?
- Some of the property in the South Village development area is within the wellhead protection zone for Nordic Mountain Water as well as private residences. This could possibly have long-term detrimental effects to all wells.
- Will the sewage treatment facility be located in the plan area or contracted elsewhere? Where will wastewater storage and sludge storage be?
- Snowmaking with treated sewage effluent has potential health risks and requires a high level of treatment including UV disinfection and monitoring for viruses. It does not clear that the facilities listed in the plan are adequate for this purpose. This practice is not currently allowable in Utah or Ogden Valley.

Other

- The design puts most of Nordic Valley at the end of the internet, electrical and gas pipelines what are you doing to increase this capacity?

Concerns over the “South Village” (now partially removed)

- Neighbors oppose rezoning to allow the 28 or more units (not clear on plan) of the “South Village” planned parallel to Viking Drive. Viking Drive is a quiet street with wooded lots of an acre or more.
- The change would place high density rental units on small lots immediately next to an existing residential community with different characteristics than a resort. The units are literally in existing homes back yards. The setbacks would be closer than existing properties. There is no buffer zone that keeping existing zoning would protect.

- This “South Village” is not a part of the village, it is a separate subdivision extending over a mile away from the resort base that is trying to claim it preserving the open space versus developing three acre lots up the mountain. Reality is there was never had any intention of building houses up and down the steep slopes because they wanted to expand the ski resort to make it more desirable as a selling point for the rest of the development.
- The road and the proposed homes on the south village will likely result in nearly complete removal of trees and vegetation in order to meet earthwork, excavation and cut/fill requirements for construction of roads and structures on the steep slope. It will look similar to the house that has been under construction for the past 2 years with the forest replaced by rock walls and a very steep driveway.
- By building the South Village it will increase the area of hard surfaces and remove trees and vegetation which then in turn will cause less water absorption in the ground causing run-off water from developer’s property onto other parties’ property which could lead to irreparable harm to property and homes.
- The area directly above the Somerset Drive easement encompasses soil types susceptible to soil movement. The unstable soils in this area are documented in the geologic survey conducted earlier by the ski resort yet housing is proposed in this area. There is an ephemeral stream that runs through this area and the forest designation called woodland wetland is associated with the habitat type found here. It was damaged in the recent excavation of the lower fire road.
- The proposed South Village appears to be located on a hillslope area in the vicinity of mapped landslide hazards consisting of marginal soils subject to soil movement. The soil types Qms, ZMcg? And QMS (Zpu) are found throughout the proposed development. Qms? (Zpu) are mass movement deposits considered potentially hazardous because indications of past landslide movement, the last landslide in Nordic Valley occurred in 2017, With the proposed housing that more than doubles the homes above Viking Drive how will this be addressed?
- The proposed South Mountain Development appears to be located primarily on a hillslope area in the vicinity of mapped landslide hazards consisting of marginal soils subject to soil movement. The soil types Qms, Zmcg? and Qms?(Zpu) are found throughout the proposed development. Qms?(Zpu) are mass movement deposits considered potentially hazardous because of indications of past landslide movement. The Qms deposits are the most recently active mass movement features on the site. Within this soil type, mass movement, slump, soil creep hazards (shallow and rotational

landslide units) are areas where slope creep processes are likely. Zmcg soils are prone to slope failures.

- **Soils**

The proposed South Mountain Development appears to be located primarily on a hillslope area in the vicinity of mapped landslide hazards consisting of marginal soils subject to soil movement. The soil types Qms, Zmcg? and Qms?(Zpu) are found throughout the proposed development.

Qms?(Zpu) are mass movement deposits considered potentially hazardous because of indications of past landslide movement. The Qms deposits are the most recently active mass movement features on the site. Within this soil type, mass movement, slump, soil creep hazards (shallow and rotational landslide units) are areas where slope creep processes are likely. Zmcg soils are prone to slope failures.

Presently inactive mass movement, slump, soil creep hazards (Qms) deposits, and mass movement, block failures including Qms(ZYp), Qms?(ZYp), and Qms(Zpu), consist of slopes that have moved during the past. Because of the past movement, the soils and rock structures that comprise these units have been weakened by the past movement and deformation. Areas where mass movement has been mapped in the Geohazards Report for Nordic Valley should be considered susceptible to renewed movement, and site development grading, cuts and fills, and foundations placement should not be conducted in these areas without specific design-level geotechnical engineering and supervision.

Qms - Landslide deposit, poorly sorted clay- to boulder sized material; includes slides, slumps.

Qms?(Zpu) - Block landslide and possible block landslide deposits

Qms(ZYp) & Qms?(ZYp) - Block landslide and possible block landslide deposits

Zmcg - Is prone to slope failures.

- **Rocky Mountain Subalpine-Montane Riparian Woodland**

A portion of the proposed development appears to be in this riparian woodland system which includes a seasonally wetland forested site. This woodland type occurs at elevations between 4,600 and 8,800 feet. In subalpine environments there are steep gradients and high-energy flows controlled by precipitation and hydrological events. In this area, subalpine fir (*Abies lasiocarpa*), Douglas-fir (*Pseudotsuga menziesii*) and quaking aspen (*Populus tremuloides*) occur. The understory in this riparian system can consist of willow (*Salix* spp.), alder (*Alnus* spp.) and redosier dogwood (*Cornus sericea*). These riparian types contribute to animal and plant diversity because they tend to have a more diverse forest structure than adjacent oak (*Quercus* spp.) / maple (*Acer* spp.) habitats. This area appears to make up a small but significant proportion of the site considered for development and should be avoided if possible.

- **Ephemeral Stream**

Ephemeral and intermittent streams are the defining characteristic of many watersheds in dry habitats and serve a critical role in the protection and maintenance of water resources, human health, and the environment. An ephemeral stream and corresponding wooded wetland is located above Somerset Drive.

The proposed staircase permitting access to the Somerset Drive easement is a concern due to pedestrian traffic affecting several homeowners along the driveway easement. The current homeowner at the top of the easement maintains this driveway at their expense. Would they not be responsible for individuals sustaining an injury using this driveway particularly during the winter months when ice is not an uncommon feature on the driveway? With the development of the South Mountain area and proposed and existing trails, this staircase could be a commonly used corridor to access the lower portion of the Nordic Valley Development impacting the permanent residents along the easement. Is there not a better option to provide a fire escape route for homeowners/users of the South Mountain Development? There are several lots/properties along Viking Drive where there is no existing structure, or the owners are intermittent or rarely use the cabin on their property.

- Residents would prefer an alternative to constructing a staircase above the easement to Somerset Drive which would be available for public use. This easement is currently a private drive and maintained by the existing homeowner. The steepness of the driveway precludes the use of snow removal equipment other than a snowblower used by the existing homeowner. Throughout the winter, salt must be deployed due to the ice that occurs on this steep sloped driveway. With the development of the South Village area and proposed trails, this staircase could be a commonly used corridor to access the lower portion of the development and ski area impacting the permanent residents along the easement. Is there not a better option to provide a fire escape route for homeowners/users of the South Village? There are several lot/properties along Viking Drive where there is no existing structure, or the owners are secondary homeowners who rarely use the cabin on their property.
- Putting access steps that empty onto a driveway presents potential legal issues, as well as parking, privacy and safety issues. The residents recommend finding an alternative to the proposed staircase.
- By building the South Village it will increase the area of hard surfaces and remove more vegetations and trees which then in turn will cause less water absorption in the ground

causing run-off water from developer's property onto other parties' property which could lead to irreparable harm to property and homes.

Roads and Traffic

- “No street parking” should be designated along Nordic Valley Way, Viking Drive and Somerset. The sheriff received multiple calls on a recent ski day due to parked cars on Nordic Valley Way and Viking Drive blocking safe access to residents, snowplows and emergency vehicles. This should be a tow away zone.
- The traffic study did not evaluate “Snow Days” that present the biggest problem.
- There is already an issue with skiers/snowboarders cutting through private property on Viking Drive adjacent to Nordic Valley property, the plan should not allow parking and direct access to the resort along Viking Drive to ensure there is no impact on private residences.
- Signage is needed on Nordic Valley Way to warn drivers that 4x4 or AWD is required to drive up Nordic Valley Way to the resort. Nordic Valley residents have personally experienced the road being blocked by cars inadequately equipped to handle snow covered roads thus incapable of accessing the resort.
- Snow removal is a major reason to keep increased traffic off Viking Drive. Periodic snowstorms can deposit significant amounts that following snow removal narrows the street width dramatically. Often an additional process using heavy road equipment (front end loader and/or road grader) is required to restore street width. snowplow and emergency vehicle access need to be maintained.
- Viking was a narrow quiet residential side street prior to this project where the community walks and runs in the street. There are no sidewalks or running paths. We have had ongoing issues with contractors exceeding the existing speed limit in Nordic Valley.
- Viking Drive has been damaged by contractor traffic during the lift construction and is not in great shape to begin with to handle construction traffic for what looks to be at least twice the number of housing units compared to existing homes along Viking drive combined with all the other infrastructure that will require development.
- Viking Drive was not evaluated in the traffic report for level of service.

Future Concerns

- They have stated they want to extend up the mountain and are on record they have not given up on the Gondola idea.
- What happens when the resort fails? After all in the history of the resort even before climate change they can't keep snow on the slopes. They will have to find more water in order to make snow. It is not smart move to put more of a valuable resource onto a mountain that is too low.
- Justifying this project on a rosy 25-year financial projection any financial expert will tell you is fiction. They present a glossy picture of recreation, jobs, income, etc. worthy of a time share brochure. It comes at a high cost and does not serve the community as a whole.




Tue 4/26/2022 7:36 PM

Eden Girl <Edengirl@protonmail.com>

[Unjunked by User] [EXTERNAL] Nordic Valley Village

To Perkes, Scott

Cc Harvey, Jim H.; Froerer, Gage; Jenkins, Scott

 You replied to this message on 5/4/2022 11:10 AM.

Scott and Commissioners:

We live on Nordic Valley Drive. Our property backs up to the old golf course. We have chickens, cats, and a dog and we hope to get goats one day. Like my backyard, the land uses in Ogden Valley should complement, not overwhelm, or compete with the rural character of the Valley. That is the stated goal of the Ogden Valley Plan.

We moved from Ogden after Rainie survived a battle with breast cancer. Our dream came true and we got away from the hustle and the bustle of cars, people, noise, and pollution. We bought our home knowing that the old golf course was zoned FV-3. The peace of mind knowing we lived next to a beautiful open space brought great healing and peace of mind.

This development concerns us because of the high-density housing, the loss of the dark sky, peaceful nights, invasion of wildlife refuges, the lack of water, and the lack of policing. The proposed buildings are too tall 30ft+ and too close to the surrounding property lines.

We paid a premium for our view, which will be blocked by chalets. We paid a premium for serenity, which 10-12 years of the building will destroy. We paid a premium to live next to an FV-3 zone.

This past summer we were asked to limit our water usage. This development takes water from our supply. Can we please table the rezoning until the Weber Basin water study is finished?

Also, we are concerned about the wastewater and sewage. We are very concerned if the developer plans to reuse wastewater. We have a large garden that shares the property line. Our chickens eat the weeds and grass in my yard. Soil, groundwater, and surface water pollution are among the most important potential disadvantages of wastewater reuse.

Last, density exempt workforce housing must not be allowed and need to be counted equally as entitlements. These people will use our roads and fire and police services.

We support a much smaller development that fits the rural character of the valley and is closer to the ski resort and leaves the green space and the view for those who live on the east side of the golf course.

James and Rainie Ingram




Thu 4/28/2022 10:55 AM

Felice M. Quigley <fmq@felicelaw.net>

[EXTERNAL] Nordic

To Perkes, Scott; Ewert, Charles

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220322OVPC ZTA comments re height, etc..pdf
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CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Good morning,

In reviewing the public comments posted to the website, I noted that my comments mostly handed out to the planning commissioners at the planning commission meeting on 3/22/22 (attached) were not included.

Please make sure that they are added.

Thank you.

Felice M. Quigley, RN, JD

Law Office of Felice M. Quigley
PO Box 223209
Christiansted, VI 00822
340-773-7700 phone
340-773-4774 fax

Pursuant to recently-enacted U.S. Treasury Department Regulations (Circular 230), we are now required to advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication, including attachments and enclosures, is not intended or written to be used, and may not be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matters addressed in this communication or attachments.

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Dear Ogden Valley Planning Commissioners:

The applicant is requesting an amendment to the Form-Based Village Zoning Ordinance (FBV) to rezone what they allege is approximately 510 acres in and around the Nordic Valley ski area from what they assert is zoned FV-3, FR-3, CVR-1, and O-1. The applicant's request should be denied as submitted for a number of reasons.

The amendment proposes maximum building heights as high as 55ft for buildings constructed in *both* Mixed Use Commercial (MUC) and Multi-Family Residential (MFR),¹ over parcels now zoned FV-3, FR-3 and CVR-1, a significant change from the maximum heights allowed under current zoning (35ft for those parcels zoned multi family FR-3 and FV-3,) and a significant change from the maximum heights allowed under FBV zoning (35/45 ft for MFR.) Based on the Nordic Village Street Regulating Plan,² this places 55 ft buildings with 5 ft front setbacks directly across the street from established residences along Nordic Valley Way and Viking Drive, which are all currently zoned FV3. Besides the drastic disparity in the heights between a 55 ft condominium complex and those homes across the street, based on the FBV charts now proposed to be applicable to the Nordic Village, there will be no limits to proposed development on any streets designated as MFR, such as expansive condominium complexes. Those FBV charts set the same loose requirements for development in a multi family MFR zone, as in a mixed use commercial MUC zone:

- no minimum lot acreage,
- 12ft minimum lot width and street frontage,
- 5ft front setbacks,
- no minimum rear lot setbacks,
- no maximum percent of lot coverage by buildings,
- no maximum number of residential units allowed per lot,

compared to the current requirements for development in a multi-family FR-3 zone:

- 7,500 sq ft of net developable area for each dwelling plus 2,000 sq ft for each dwelling in excess of 2,
- minimum lot width of 60 ft,
- front setback of 25ft
- side setbacks of 8-20 ft
- rear setbacks of 30ft
- 40% maximum lot coverage by buildings
- 20 maximum dwelling units or 40 rental guest sleeping rooms per net developable acreage (Note that net developable acreage is defined as a quantity of ground within a parcel of land with slopes of less than 30 percent and with soils sufficient depth and suitable types to ensure against development being a detriment to surface water and groundwater quality.)

¹ See page 22 of the application, Sec 104-26.1 Building Design Standards, attached as Exhibit 1.

² See Nordic Area Village Plan, Street Regulating Plan, at page 55, attached as Exhibit 2.

The applicant for the proposed text amendment has on many occasions represented to the public, including the undersigned, that they will not construct any buildings on the east side of Nordic Valley Way higher than 35 ft. They have represented that the only building(s) which will exceed 35 ft in height will be located at the base of ski area, on the western side of Nordic Way, now zoned CVR-1 (the zoning of which provides for 50ft maximum height.) If that is the case, then the proposed amendment to the FBV zoning ordinance should not increase the maximum height for buildings in a MFR area to 55 ft; so the amendment needs to be changed before the commissioners even consider it. The county should not adopt any amendments which allow 55 ft buildings on parcels zoned MFR with no minimum lot acreage, no setbacks to speak of and no maximum number of units, across the street from established homes, on one acre lots, some of which have been there for over 50 years.

As stated at Sec 104-22-1 of the County Code, “The purpose and intent of the Form-Based Village Zone is to provide a form-based regulatory tool that focuses on the public street design *and the buildings that frame the public street.*” (emphasis supplied.) The Street Regulating Plan now proposed for multi family MFR Nordic Village shows a dark orange line which starts at the southern end of the red line³ located at center of the base of the ski area, and extends in a southerly direction, past the boundary of the base of the ski area and parcel owned by the applicant along the western side of Nordic Valley Way, and ends past the intersection of Nordic Valley Way and Viking Drive. That Street Regulating Plan transposes condominiums/townhouses along the eastern side of Nordic Way ending on the southern side of the Nordic Valley Way and Viking Drive intersection. The existing buildings that frame that dark orange designated street lying along the western side of Nordic Valley Way and Viking Drive from the southern boundary of the base of the ski area, are all single family homes, all zoned FV3, not multi family residences zoned FR3. Extending that dark orange designated street all the way down past the Viking Drive intersection unnecessarily conflicts with the design application of the FBV zoning code. That dark orange street designation should end at the southern boundary of the base of the ski area, along the mutual boundary of the 20ft parcel owned by Nordic Water and the ski area, on the western side of Nordic Way.

The proposed amendment to the existing FBV ordinance decreases the minimum lot acreage for small lot residential SLR from 6,000 to 3,000 sq ft., designated as light orange, and adds a medium lot residential MLR designation with a minimum of 8,000 sq ft., designated as yellow. Given that proposed amendment, it makes more sense to transition the proposed street designation from a dark orange line (depicting MFR) to a light orange yellow line (depicting small lot residential SLR,) at the base of the ski area’s southern boundary, rather than transitioning it at the base of Viking Drive. That would be more in keeping with the single family homes already established in the neighborhood and with the remainder of the proposed Street Regulating Plan. That change would be consistent with the street design format of the FBV zoning, so that the existing single family residences will not frame a public street where MFR development is designated; it will also minimize the impact of 45ft and 55ft buildings on the views from those homes along Nordic Valley Way and Viking Drive. The Street Regulating Plan designates Viking Drive as yellow, depicting medium lot residential MLR. There is no transition between the dark orange line and yellow line along Viking Drive....so there is no

³ According to the Street Regulating Plan that red line (which red line runs from the dark orange line located at the center of the base of the ski area in a northerly direction,) denotes mixed use commercial for all purposes.

transition from multi-family MFR to medium lot residential MLR. That is contrary to the intent of the FBV.

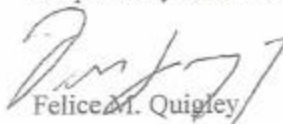
The application must be denied because insufficient and/or misleading information was provided to the planning commission and the public. Neither the staff nor the applicant identified all the proposed amendments in the Policy Analysis nor did either the staff or applicant provide a basic red line edited document which calls out all the proposed amendments to the FBV zoning ordinance. Hidden at the last page of the amendment is a provision which excludes dwellings which house employees from being counted towards either density allowances or transferable development rights. Nothing was mentioned at all in the staff's analysis of the proposed amendments to the FMV zoning ordinance; that was misleading to the say the least. What makes that even worse is the fact that the residential uses chart included in the amendment, at pages 9 and 10, attached as Exhibit 3, permits those dwelling units to be constructed in areas zoned O-1... no mention of this was made by the staff in their analysis. The significance of these uncited amendments can not be understated when taking into account the continued insistence by the applicant and by the planner in alleging that they are not increasing density. How can these significant provisions have escaped notice, especially in light of the stated goals of the FBV Zone:

Section 104-22-1 states, "The Form-Based Village Zone regulations are intended to carry out the objectives of the 2016 Ogden Valley General Plan through the implementation of form-based small area zoning and transferable development rights." And at section 104-22-4, states "As provided in the Ogden Valley General Plan, the creation of dwelling units in the FBV zone shall not create any new density in the Ogden Valley Planning Area unless otherwise provided in this Land Use Code."

Without any explanation or analysis as to why the commissioners should accept this amendment, which is in direct contravention of the mandates of the FBV not to increase density, it must be denied.

Thank you for your consideration.

Respectfully Submitted,



Felice M. Quigley

3462 North 2700 East, Eden



Tue 4/26/2022 7:04 PM

Jan Fullmer <jfullmer1@aol.com>

[EXTERNAL] Thank you and documented comment from OV Planning Commission Meeting

To Perkes, Scott; Ewert, Charles; I@aol.com

You replied to this message on 5/25/2022 4:25 PM.

Action Items

+ Get more apps

Scott & Charlie,

First, I forgot to say thank you for the work you have done on the Form-Based Ordinance. when I commented at the OV Planning Commission meeting. Sorry, and you both deserve credit for your work.

Second, I wanted to document my concerns/questions on the ordinance to make certain they get added to the list of comments/concerns.

My comments/concerns/questions on the 4/26/2022 version of the Form-Based Village Ordinance are:

For owner occupied STRs, the owner must be present. How will this be enforced and if there is a violation will there be a fine?

For 2, 3 and 4 multi family dwelling units to be used for STRs, management of the rentals must be managed by a professional management company. How will this be enforced?

In Exhibit B, Land Use Implementation Section 1.1.1 - Regarding bonus density being used "sparingly" -- who determines what is "sparingly" -- the developer? Also, how does bonus density be leveraged for significant and meaningful advancement of the goals and principles of the Ogden Valley General Plan? There were multiple community meetings to obtain input to this plan from Ogden Valley residents (and certainly Weber County Commissioners were welcome to attend). No OV residents requested bonus density, and no Commissioners who may have attended the multiple public meetings requested bonus density --- the concept of bonus density was added behind closed doors by the then Weber County Commissioners with absolutely no input from OV residents.

Well, at least you can do a copy text from my email & paste into your comments for this ordinance which should save some time for you - and thank you for all your work.

Jan Fullmer




Sun 7/10/2022 7:50 AM

E Keswick <elizabethkeswick@gmail.com>

[EXTERNAL] Form Based Village concerns and updates on Nordic Valley

To: Perkes, Scott

Cc: Perkes, Scott; Ewert, Charles

 You replied to this message on 7/12/2022 3:48 PM.
We removed extra line breaks from this message.



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Scott,

I will be out of town for the next 2 weeks with little or no reliable access to internet. We traded voice mails but when I get back I would like to discuss my areas of interest/concern with the ongoing plans for Nordic Valley. I also want to know the current status of the development plans, the status of the water/wastewater studies, and proposed timelines for key decisions.

If any decision is to be made on trails, please make sure NO MOTORIZED vehicles of any type are allowed.

Respectfully,
Beth Keswick
513.374.5222



Mon 7/11/2022 6:44 AM

Robi Kunz <rkunz0511@gmail.com>

[EXTERNAL] Re: Nordic Valley Village

To: Ewert, Charles; Perkes, Scott

Thank you for your insightful responses. I am happy to be involved and help with a well designed trail system that, if done right, could be the best in the State and offer up opportunities for national events. Who should I reach out to to offer up my time?

Are you imagining this going into the open space area that is currently the old golf course? Or are you imagining this being up on the hillside?

3k-5k of trails with various loops in and around the golf course area would offer up options to fine-tune key race distances. For example if Nordic wanted to position for the trail 50k national championships and there is a 47k trail option that includes Skyline trail the finishing can come through Nordic around a 3k loop to get to an exact 50k. Having various small loops at the bottom around the old golf course can help fine-tune distances at both the beginning and end of events. A dedicated start/finish area with access to bathrooms/bleachers could be a boon for national running, mountainbiking and roadbiking events. Since Nordic is the lowest ski resort in the State of Utah a focus and investment in summer events is an area where they have a competitive advantage. Just look at Powder Mountain with their new mountainbike park, they are lucky to open in late June every year whereas Nordic could open by May 1st and have events through November.

On Tue, Jun 21, 2022 at 7:50 AM Robi Kunz <rkunz0511@gmail.com> wrote:

Charlie & Scott,

I'd like to offer up some input on the proposed village with some suggestions that will improve this project for both visitors and locals.

- 1) 25 yard lap pool. There is no lap pool in all of Ogden Valley. Offering up an option where locals can swim laps could be a boon for the Village. This can offer up local membership and options for triathletes, master swimmers, youth learn to swim and elderly therapy.
- 2) The time is now to look at a comprehensive trail system that goes beyond the borders of Nordic Valley. This trail system can take pressure off the traffic through the stop sign at Eden by offering recreation options on the outskirts of town. Key trailheads should be developed at Radford Hills, Osprey Ranch, Nordic Valley, Windsurf beach and North Ogden Divide.
 - a) A low angle trail from the North Ogden divide into Nordic Valley
 - b) A fire road at 5,500 feet that travels from Nordic Valley to the Skyline Trailhead near the dam. This fireroad can offer off-shoot trail options. The county should urge Neighborhoods like Radford Hills, Nordic and new Osprey Ranch to offer up trail access options.
 - c) A connected trail through Osprey ranch from highway 158 to Nordic Valley at the lower Nordic Valley drive and also up near Big Sky drive.
 - d) Access from both Nordic Valley and Osprey Ranch uphill but low angle to Skyline trail.
- 3) Nordic Valley would be smart to use the Open Space area with a measured 5k loop option and dedicated Start/Finish area at or near an amphitheater. This would allow the village to offer up 5k+ events at the Village. For further distance trails can go up into the ski resort.



Sat 7/16/2022 9:04 AM

Jeannette Maw <jmaw@goodvibecoach.com>

[EXTERNAL] constituent input for your 7/19 meeting

To Perkes, Scott

[Bing Maps](#)

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A couple requests from a concerned constituent for your Tuesday meeting:

- 1) Approval of the Nordic Valley street map for the proposed "Form Based Village zoning ordinance" should be postponed and considered concurrently with the proposed master plan and rezone.
- 2) If the street map must be approved on 7/19/2022, Then it should be reduced in scope to only include the proposed development strictly at the base of the ski area. It must be revised to remove all of the existing Bluebell Estate lots (approx 300 lots) and all other existing residential lots within approximately 2 miles of the base of the Nordic Valley Ski Area.
- 3) We Nordic Valley residents don't want our existing lots to be rezoned to dramatically increase the density of units allowed on that land. It is a completely unnecessary step in the creation of a Nordic Valley ski area village at the base of the ski area.

Thank you for respecting the input and desires of those of us who live here, Scott.

Jeannette Maw
3135 N 3825 E
Eden UT 84310



Sat 7/16/2022 9:47 AM

Rainie Ingram <ringram@weber.edu>

[EXTERNAL] Nordic Valley Street Map Request

To Froerer,Gage; Harvey, Jim H.; Jenkins,Scott; Perkes, Scott

Action Items

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Dear County Commissioners:

We ask you to PLEASE postpone the approval of the Nordic Valley street map for the proposed Form-Based Village Zoning Ordinance. We ask for the opportunity to allow the people whose lives will be impacted to be involved in the proposed master plan and rezone. Residents want a voice and we ask you to represent us and our thoughts and feelings regarding the map. We ask that as our elected representatives you allow us to be part of building our community and neighborhood.

We request that Silver Bell Estates, including the 300+ lots served by the Nordic Mountain Water company and all other existing residential lots within approximately 2 miles of the base of the Nordic Valley Ski Area be removed from the map.

Based on many conversations with our neighbors, many of the residents of Nordic Valley do not want our existing lots to be rezoned to significantly increase the density of units allowed on that land. It is a completely unnecessary step in creating a Nordic Valley ski area village at the base of the ski area.

Please represent these neighbors and our family's thoughts, concerns, and wishes.

James Ingram Family



Sat 7/16/2022 2:47 PM

Bruce Keswick <brucekeswick@gmail.com>

[EXTERNAL] Opposition to formed based village proposal for Nordic Valley

To: Froerer, Gage; Harvey, Jim H.; Jenkins, Scott; Perkes, Scott

Cc: brucekeswick@gmail.com; elizabethkeswick@gmail.com

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This is to identify our strong objection to the street map proposed for the fbv in Nordic Valley. The proposed ordinance should be postponed and reworked to include public feedback rather than the arbitrary approach from the planning group.

The scope needs to be reduced to include only the proposed base village immediate area and not redo the neighborhoods on Viking Drive, Silverbell Estates and Bluebell Estates. It should not span the existing surrounding neighborhoods to reach the 1-2 miles around the ski area as has been pointed out repeatedly.

The residents of Nordic Valley do not want our existing lots rezoned to greatly increase the density of units on that land. It is a completely unnecessary step in the creation of a ski village at the base of ski run.

It should not be allowed to remake long established neighborhoods into higher density STR units in among single family dwellings.

Residents invested under the current zoning, their rights deserve to be protected.

We want neighbors not investors.

This is a different setting and circumstances than a commercial fbv zone in Eden as it is trying to create a new entity in a long established residential area. The fbv should be limited to the area at the base of the ski hill and no further. The resort impact needs to be contained.

Bruce Keswick



Sat 7/16/2022 3:15 PM

Doug Wewer <dougwewer@hotmail.com>

[EXTERNAL] Nordic Valley Street Map

To Perkes, Scott

Action Items

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Scott,

Please add my comments below to the packet for the Commissioners.

Regarding the agenda item for the meeting on Tuesday, 7/19/2022 at 10:00 am :

“Public hearing to discuss and take action on two ordinances intended to amend the Form-Based Village zoning ordinance along with other sections of the Weber County Land Use Code to add provisions and exhibits intended to create a Nordic Valley Village Area, ZTA 2021-07.”

Within this amendment is a street map. This street map defines the framework for how development in the Nordic Valley area could be rezoned in the future.

This map drastically increases the allowed density on many of the existing streets in Nordic Valley. For example, a single acre on Viking Drive could contain up to five units in the future.

1) Approval of the Nordic Valley street map for the proposed “Form Based Village zoning ordinance” should be postponed and considered concurrently with the proposed master plan and rezone.

2) If the street map must be approved on 7/19/2022, Then it must be reduced in scope to only include the proposed development strictly at the base of the ski area. It must be revised to remove all of the existing Silver Bell Estate lots (approx 300 lots) and all other existing residential lots within approximately 2 miles of the base of the Nordic Valley Ski Area.

3) The Residents of Nordic Valley do not want our existing lots to be rezoned to greatly increase the density of units allowed on that land. It is a completely unnecessary step in the creation of a Nordic Valley ski area village at the base of the ski area.

Thank You,
Doug Wewer
3701 Viking Drive, Eden



Sat 7/16/2022 4:48 PM

Steve Munson <fsstevemunson@gmail.com>

[EXTERNAL] Rezoning and Proposed Nordic Valley Development

To Perkes, Scott

expecting the link or attachment. **Think Before You Click!**

Dear Scott,

My wife and I have lived in our Nordic Valley home on Viking Drive for over 20 years and although we are not opposed to development we do have several concerns voiced by others in the Nordic Valley area regarding the rezoning and limiting the development to the base of the ski area. I suspect you will receive a similar response from others in the Nordic Valley area since we do share information with one another.

The proposed map drastically increases the allowed density on many of the existing streets in Nordic Valley. For example, a single acre on Viking Drive could contain up to five units in the future. This street map is up for final approval at the Weber County Commissioners' meeting on Tuesday, 7/19/2022 at 10:00 am.

We would appreciate it if you would consider the following:

- 1) Approval of the Nordic Valley street map for the proposed "Form Based Village zoning ordinance" should be postponed and considered concurrently with the proposed master plan and rezone.
- 2) If the street map must be approved on 7/19/2022, Then it must be reduced in scope to only include the proposed development strictly at the base of the ski area. It must be revised to remove all of the existing Bluebell Estate lots (approx 300 lots) and all other existing residential lots within approximately 2 miles of the base of the Nordic Valley Ski Area.
- 3) The residents of Nordic Valley do not want our existing lots to be rezoned allowing an increase in unit density. It is a completely unnecessary step in the creation of a Nordic Valley ski area village at the base of the ski area.

Thank you for considering our concerns regarding the rezoning and proposed development.

Sincerely,
Steve and Sue Munson



Sun 7/17/2022 7:51 AM

jylandes@risebroadband.net

[EXTERNAL] Nordic Valley Development and Rezone

To: Froerer, Gage; Harvey, Jim H.; Jenkins, Scott; Perkes, Scott

Action Items

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My husband and I live in Nordic Valley because we do not want to live in a city. I was very disturbed to learn that the Nordic Valley developers are trying to rezone our area to change the density of 1 home per acre to five dwellings per acre. Many years ago an Ogden Valley Master Plan was created to control the density of housing in Ogden Valley because we did not want to turn into a Park City. What good did that do if that Master Plan is going to be changed to allow that very thing?

Please do not allow any rezoning of existing lots in Nordic Valley Silver Bell Estates to be included with any new development of the Nordic Valley Village. Any new rezoning should be strictly limited to the base of the Nordic Valley Ski Area. I do not want the density of existing lots changed. It is unnecessary for the creation of a Nordic Valley ski area village.

Thank You for your time.

Janelle Landes



Sun 7/17/2022 10:29 AM

Robi Kunz <rkunz0511@gmail.com>

[EXTERNAL] Form Based Village agenda

To Froerer,Gage; Harvey, Jim H.; Jenkins,Scott; Perkes, Scott

Action Items

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I am writing to strongly request this form based village be scrapped all together. There is a plethora of issues with the plan that is inconsistent with current neighborhood zoning and with the Ogden Valley plan. Of greatest importance is the singular biggest crux of this entire plan which is water. Why re-zone anything and create any density if we have no idea what kind of water is available. This entire re-zone can cause a cascade of issues if it goes through and water is not available to sustain this density. Study and commit to the water FIRST then re-zone to fit only what the water study allows.

1) Remove all together the form based zone that extrapolates to the blue bell estates neighborhood. There has been no discussion or input from the neighborhood regarding this specific aspect of the plan and how it affects our community. Lotss of unanswered questions. do we get building rights for new density? How do we handle water and sewer? What about walkways with this density? Of primary importance is: We have NO additional water commitments. We have no sewer (and current septic constraints do not allow for zoning of this density).

2) Nordic Neighborhood is currently FV3 (3 acre minimum lots) yet the vast majority of the lots are 1 acre. We therefore all non-conforming. Moving to the formbased village skips completely over a 1 acre neighborhood to one of 1/4-1/2 acre neighborhood which would again mean we are all non-conforming and because we have no water and sewer and ability to add septic we all remain non-conforming. WHY push an agenda that creates a non-conforming neighborhood.

3) The density is irresponsible. The current neighborhood is approximately 300 buildable lots over 400 acres. So about 1.33 acres per lot. This is LESS than the proposed 3 acre density we are striving for in Ogden Valley. Meaning we are already too dense. If you include the change of the 1 acre lots to 1/4-1/2 acre plus the 550 units proposed by Nordic Valley Village you are effectively changing the density from 300 units in 400 acres to 1650 units in 900 acres which is about 0.5 acres per lot.

4) 1/4 of our lots are not yet built and at an 0.88% growth rate this represents a 20 year supply of available lots. Where is the data that suggests adding 550 + 1,200 more density does anything but a massive over-supply. We have a 20 year supply of lots TODAY.

ANYONE can see that what you are proposing is massively overwhelming. Its time to go back to the drawing board and create something reasonable.

- 1) A village that fits the size of the resort. Approximately 75-100 residential units with mixed use commercial.
- 2) Zoning that fits the neighborhood. 1 acre lots that are conforming and can sustain based on water, septic, roads, parking.
- 3) Build a village we can be proud of instead of what looks like a me-too mixed use mall that fits in Layton/Sandy/West Valley.

Note to Commissioner Froerer: You live in the Valley. If you want to leave a legacy you don't do this by destroying the very nature that makes this place what it is. You leave a legacy by protecting the very resource that attracts people to Ogden Valley. Nature and open space. Do you want to be known as the guy that destroyed Ogden Valley or the guy that protected Ogden Valley?

Note to Developer Nordic Valley: Your product positioning and lack of creativity are a recipe for failure. No successful business survived by trying to be 2nd best. Your village looks like a me-too mixed use mall yet you are competing with ski resorts with better snow, better terrain, higher elevation. Get creative and build something that is unique and different and allows you to position as the best so you have a chance to succeed. Build some creativity instead of a me-too mall that is no village. I'm available anytime.

Robi Kunz
801-557-2862




Mon 7/18/2022 7:01 AM

John E. Davis <davisj@alma.edu>

[EXTERNAL] Changes to Street Map in Nordic Valley

To Perkes, Scott

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Members of Weber County Commission:

On Tuesday, January 19 you will be considering a proposal to change the street map in the Nordic Valley. I am OPPOSED to these changes. It is clear that changing these would have serious implications for the quality of life in the Nordic Valley and water availability.

I support the following:

1. Approval of the Nordic Valley street map for Theo proposed "Form Based Village zoning ordinance" should be postponed and considered concurrently with the proposed master plan and rezone.

2) If the street map must be approved on 7/19/2022, Then it must be reduced in scope to only include the proposed development strictly at the base of the ski area. It must be revised to remove all of the existing Bluebell Estate lots (approx 300 lots) and all other existing residential lots within approximately 2 miles of the base of the Nordic Valley Ski Area.

3) The Residents of Nordic Valley do not want our existing lots to be rezoned to greatly increase the density of units allowed on that land. It is a completely unnecessary step in the creation of a Nordic Valley ski area village at the base of the ski area.

Thank you in advance for considering my request.

Best,

John

Dr. John E. Davis
Professor Emeritus
Integrative Physiology and Health Science
Alma College
[989-506-3595](tel:989-506-3595)
davisj@alma.edu



Mon 7/18/2022 9:03 AM

Ellen Baggs <ellenbaggs67@gmail.com>

[EXTERNAL] Nordic Valley Street Map

To Perkes, Scott

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Mr. Perkes,

Please **remove Viking Drive** from the proposed street map for the Nordic Valley Formed Based Village that is up for final approval tomorrow during the Weber County Commissioners' meeting.

My wife and I have lived on Viking Drive in Nordic Valley for the past 30 years, and we have some concerns about the proposed Nordic Valley Formed Based Village street map. Viking Drive should not be included in the proposed map nor should any other streets that are not part of the development strictly at the base of the ski area. This is a big overreach from the planning department to include this established residential community's streets in this proposed map. We do not want our existing lots to be rezoned to greatly increase the density of units allowed on them. It is completely unnecessary for the creation of the Nordic Valley ski resort village at the base of the ski area. We're sure you would not like to see this happen on the street you live on.

Sincerely,

Kevin and Ellen Baggs