



OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

REVISED PLANNING MEETING AGENDA

May 26, 2015

5:00 p.m.

Pledge of Allegiance

Roll Call:

1. Minutes: Approval of the April 28, 2015 Meeting Minutes
2. Consent Agenda:
 - 2.1. CUP 2015-16 Consideration and action for a Conditional Use Permit to raise an existing 40 foot cell tower by 14 feet, add 4 new antennas, and a new equipment shelter to make an existing site co-locatable located at approximately 546 Ogden Canyon in the Forest Residential-1 (FR-1) Zone (Craig Chagnon, Agent for AT&T)
3. Administrative Items:
 - a. Old Business
 1. UVS051415 Consideration and action on a request to amend the Summit Eden Phase 1C PRUD by reducing the parking requirements for Lots 57A through 62R within the Destination Recreation Resort-1 (DRR-1) Zone located at approximately 5761 N Copper Crest, Eden. (Summit Mountain Holding Group, LLC, Applicant)
 2. CUP 2015-13 Consideration and action for a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP, location to be determined in the Forest-40 (F-40) Zone (John J.D. Simmons, Forsgren Associates)
4. Public Comment for Items not on the Agenda
5. Remarks from Planning Commissioners
6. Planning Director Report
7. Remarks from Legal Counsel
8. Adjourn to Convene to a Work Session

WS1. DISCUSSION: Request to consider allowed detached accessory apartment

WS2. DISCUSSION: Request to consider a land use code amendment to the Home Occupation Chapter

WS3. DISCUSSION: Weber County Land Use Code Revision Process: Conditional Use Code

WS4. DISCUSSION: Weber County Land Use Code Revision Process: Land Use Table (Agricultural Uses)

*The meeting will be held in the Weber County Commission Chambers, Weber Center, 2380 Washington Blvd., Ogden UT
Work Session will be held in the Commission Chambers Breakout Room. A pre-meeting will be held in the Commission
Chambers Breakout Room beginning at 4:30 p.m.*



*(In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the
Weber County Planning Commission 24 hours in advance of the meeting at 801-399-8791)*

Minutes of the Ogden Valley Planning Commission Regular meeting April 28, 2015 in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Laura Warburton, Chair; Ann Miller, John Howell, Greg Graves, Will Haymond, Pen Hollist

Absent/Excused: Kevin Parson

Staff Present: Sean Wilkinson, Planning Director; Charlie Ewert, Principal Planner; Ben Hatfield, Planner; Brett Peterson, Legal Counsel; Kary Serrano, Secretary

Pledge of Allegiance

Roll Call:

1. Minutes: Approval of the March 24, 2015 Meeting Minutes

Chair Warburton moved to approve the meeting minutes as written.

2. Administrative Items:

a. New Business

1. UVE030515: Consideration and action for approval of Edgewater Beach Resort PRUD Phase 2 (20 Lots) within the Commercial Valley Resort Recreation-1 (CVR-1) Zone located at approximately 6350 East Highway 39 (Chad Bessinger agent for HWL Edgewater)

Ben Hatfield said the applicant has requested final approval of Edgewater Beach Phase 2, which received approval of the PRUD back in 2012, and Phase 1 was recorded in September 2014. Phase 2 consists of three storage barns across the frontage, and twenty building pads which will have one triplex, some duplexes, and the rest will be single family dwellings. It also has recreational areas for volleyball, horseshoe, and bocce ball that will be constructed along with a number of trails, parking, and public streets. There were some minor changes that were proposed. The change was due to the house design of the floor plan that was modified for the deck and some of the layouts inside the home. This required the pads to be slightly larger, and they have moved Lot 16 to the other side of the street, and modified the location of dumpster. Included in the plans is the new design of the house; it is a rock wall design that still matches the architectural style, materials, and the intent of what was approved in the PRUD. In staff's review, they noticed a couple of differences in their proposed landscaping plan with the location of the trees; the counts of some of the trees were off, and he sent list to the developer to modify before the final landscaping plan is approved. They noticed that they didn't have any shrubs shown in the plan. There is grass shown, but they noticed that some of the home sites didn't have flowers or shrubs and they may want to add them. Staff is recommending final approval with the approval of the referring agencies recommendations.

Commissioner Hollist referenced the canal that goes east to west and asked how that canal is treated if it's piped. Mr. Hatfield replied that they have modified the location of the canal; it goes outside the building pads on Walker Drive, and it is piped.

Wayne Reeve, GS Capitol, who represents the land development side; introduced David Vitech representing the home building side, and John Reeve with Reeve Engineering, who will be calling if needed.

MOTION: Commissioner Hollist moved for final approval of UVE030515 Edgewater Beach Resort PRUD Phase 2 (20 Lots) within the Commercial Valley Resort Recreation-1 (CVR-1) Zone located at approximately 6350 East Highway 39 with the conditions noted in the staff report being satisfied, to include the compliance of the original PRUD landscaping plan, including the caliper and number of trees, shrubs, etc. Commissioner Miller seconded.

DISCUSSION: Director Wilkinson said as part of this, they need to have a discussion about the phasing plan. It was brought to this commission a month ago, they have some direction, and now would be the right time to formally take action on that. Do they have any proposed amendments to that phasing plan as far as when the commercial buildings will be constructed, etc. Commissioner Graves said the commercial development is proposed to go in as part of Phase 4 or the last phase. Commissioner Haymond said that he would like to see it built sooner than later, but whatever is successful for the project. The reason is that it's right along the frontage and as they drive into the development, it would seem like that would be the first place to finish off and lease it out but that is just a personal preference. Commissioner

Hollist asked if it was appropriate to ask the applicant as to what is the thinking on that commercial space. Chair Warburton then asked for one of the representatives to answer Commissioner Hollist's question.

Wayne Reeve said that he agreed with Commissioner Hammond, that it would look better, and they could go in and develop that commercial right now. It is in their best interest to develop, but it is not financially feasible to find renters, and anything they would do right now would most likely leave a building vacant for many years. They didn't know how fast they could get some tenants, but they know that if they wait until Phase 4, it's guaranteed that Weber County holds all the control, to ensure that it happens at that time. It would be much easier for them to find tenants at that point. They have activity going on, and commercial is driven by house tops, and the activity within the development will indicate what they can do in that area.

Commissioner Haymond asked if there was a bond. Director Wilkinson replied yes, but the bond does not include those buildings; the bond is towards the landscaping, the roads, the infrastructure, and those types of things. It does not include the actual structures. Commissioner Haymond asked if it could since the bond is tied to the landscaping that would be complete with Phase 4. Brett Peterson, Legal Counsel, replied that he would have to read the actual language of the bond, but he would say no, that they couldn't tie the bond with the completion of Phase 4 into a landscaping bond or a road bond. Director Wilkinson said what was proposed earlier, is that prior to final occupancy of any of the units that are part of Phase 4, the commercial buildings would have to be in, and that would be an adequate control measure that the Planning Commission could hold. Mr. Peterson said that he has never seen a bond used as occupancy, but that would be a good control typically set for this type of scenario. Mr. Reeve said for clarification, holding their occupancy to Phase 4 to make sure that it's commercial is tied to a bond, not a separate bond. It is in their best interest to make sure that even if they don't get a return on commercial at that point, to finish it because they need occupancy. Commissioner Haymond asked what happens if they sell. Mr. Reeve replied that all the entitlements would travel with the land.

Chair Warburton asked the time frame for the whole development. David Vitech, President of Jack Fisher Group, said that they can't project absorption, but they anticipate having a minimum of 18 sales a year, so conservatively about four years. Commissioner Graves asked how large the landscaping plan is in Phase 4 and are no shrubs planned in this plan? Mr. Reeve replied that they will be looking at that, and he is not sure about the landscape issue, but he will review the plan. Mr. Vitech added from a landscaping, it's clearly not on the plan, from their perspective; it is in their best interest to make sure that the community is landscaped in a very colorful and well done way to increase their absorption. It is their intention to correct anything that is not done properly related to the landscape plan, and that they are making the community as beautiful as they can. Chair Warburton asked if this was low maintenance and low water usage. Mr. Vitech replied that what they will look at is the placement of the plants so they don't get direct sunlight and stress due to heat and drying out. The shrubs they will bring in will not necessarily be low water maintenance, but the placement of them will work with their landscape architecture to minimize the water. Commissioner Graves said the shrubs they have on the list are not bad choices.

VOTE: A vote was taken with Commissioner Miller, Hollist, Howell, Graves, Parson, and Chair Warburton voting aye. Motion Carried (6-0).

3. **Public Comment for Items not on the Agenda:** There were no public comments.
4. **Remarks from Planning Commissioners:** Commissioner Graves asked what is going on with the wall in the canyon. Brett Peterson replied that basically there are two main issues; the wall encroached on the right-of-way, it was outside of code requirements as far as height. There was also a potential encroachment issue with a sliver of it being on county land, the furthest west piece of the wall that it's in county property. Weber County has filed a complaint for that, and they have come back and filed a motion for a summary judgment, which was premature on their part. After a lot of research, the sliver of land that currently appears to be county land, he didn't think it is and the County Surveyor agrees that this could be a mapping error; there is a good chance that it belongs to Mr. Perry. He went to Mr. Perry and said that Weber County is not conceding anything, but they are willing to convey that piece of property, and in turn he would have to make that wall into compliance which is four feet. After meeting with Sean Wilkinson and working with the ordinance, there is nothing that will work, other than having them bring it down four feet or removing it. At this point they know, there is nothing that Weber County will do or allow; so Mr. Perry's counsel finally accepted that there is no other alternative. Presently he is waiting for a call from his counsel to see if they are going to bring it into compliance, and if they do that, Weber County will give them the sliver of property, which is probably his anyway. If he does say no, then

they will have to take him to court, and that would be a lengthy process. Chair Warburton said whether that piece belongs to him or not, it still has to be in compliance. He has tried, and with feelings from residents, citizens, and all the way down the line, there really weren't any options or alternatives for him. Chair Warburton asked how was the same type of fence allowed up the road? Director Wilkinson replied that was approved prior to zoning when that type of fencing was allowed.

5. **Planning Director Report:** Director Wilkinson said that they had a great conference in Seattle, Commissioner Howell came up with us, and it was a very good conference as far as the sessions went. There was a great keynote speaker and he will try to obtain the video for the rest of the Planning Commission. It was very motivational address. The former Deputy Director of HUD who is now on the Health Board in the Seattle area, is a very good speaker and they would enjoy that. Chair Warburton said that this may be online now. Director Wilkinson said that they would like to do some training based on that and a few other things in the future. Commissioner Howell said that they did a great job on the Agri-Tourism Presentation. Director Wilkinson said that they did a very good presentation. They had Wayne Andreotti from the Western Weber Township Planning Commission, who filled in for a professor from the University of Idaho that was unable to attend. He brought a citizen's farmers prospective to Agri-tourism and it was very well received. Commissioner Hollist asked what he would say was the one or two most important things that he took away from the conference. Director Wilkinson replied that it is up to us. It is on us. That is what he took away from the conference and that was the message of the keynote speaker, and when they show the video to them, he believes that it will come across to them as well. One thing that they brought up, was they did a study in Seattle, he was shocked when they said, "we can predict morbidity rates by zip code. He could look at a child, in a particular zip code and tell you the year that child will die, because they live in that zip code." He said that should never happen in the United States of America, and as Planners, it is up to you to change that.
6. **Remarks from Legal Counsel:** There were no Legal Counsel remarks.
7. **Adjournment:** The meeting was adjourned at 5:30 p.m.

Respectfully Submitted,

Kary Serrano, Secretary;
Weber County Planning Commission



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a conditional use permit to raise an existing 40 foot cell tower by 14 feet, add 4 new antennas, and a new equipment shelter to make an existing site co-locatable.

Agenda Date: Tuesday, May 26, 2015

Applicant: Craig Chagnon, Agent for AT&T

File Number: CUP 2015-16

Property Information

Approximate Address: 546 Ogden Canyon

Project Area: 1012 square feet

Zoning: Forest Residential (FR-1 Zone)

Existing Land Use: Dwelling and a Public Utility Substation.

Proposed Land Use: Dwelling and a Public Utility Substation.

Parcel ID: 20-138-0001

Township, Range, Section: T6N, R1E, Section 18

Adjacent Land Use

North:	Residential	South:	Forest
East:	Residential	West:	Residential

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8766

Report Reviewer: SW

Applicable Ordinances

- Weber County Land Use Code Title 104 Zones Chapter 13 Forest Residential (FR-1 Zone)
- Weber County Land Use Code Title 108 Standards Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Standards Chapter 2 (Architectural, Landscape, and Screening Standards)
- Weber County Land Use Code Title 108 Standards Chapter 7 (Supplemental Regulations: Sale or Lease of Required Space)
- Weber County Land Use Code Title 108 Standards Chapter 7 (Supplemental Regulations: Towers)
- Weber County Land Use Code Title Chapter 10 108 Standards (Public Buildings and Public Utility Substations and Structures)

Type of Decision

Administrative Decisions: When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting approval of a Conditional Use Permit to raise an existing 40 foot cell tower by 14 feet, add 4 new antennas, and a new 20 foot by 12 foot equipment shelter to make an existing site co-locatable. The 1,012 square foot leased cell tower location will be on property at 546 Ogden Canyon. This property is lot 1 of the Sleepy Hollow Subdivision and the cell site does conform to the setbacks from the new lot lines. All proposed exposed equipment, mounts, and cables will be painted to match the existing facilities. This site is in the Forest Residential (FR-1) zone.

The leased area will be screened by a 6 foot tall wood fence along with 9 foot tall evergreen trees. This shelter is a standard issued facility which will house generators and other machinery essential for adequate cellular communication service. The

applicant has worked with the property owners by including their stealth pole design for these facilities. The 40 foot monopole will have a corten (rusted steel) color, and a texture like the bark of a tree. It is not a monopine design with tree branches.

This site did receive a 10 foot variance from the Board of Adjustment (BOA #2010-02 on 3-11-2010) for the front yard setback, to allow these new facilities to be 20 feet from the front lot line.

Staff has concluded that this application does comply with the following requirements:

- Meeting the use and setback requirements for the FR-1 zone and BOA 20 foot front setback
- Meeting the access and setback requirements for a Public Utility Substation Title 108 Chapter 10
- Meeting the height and setback requirements for towers in Title 108 Chapter 7 (Supplementary and Qualifying Regulations)

Summary of Planning Commission Considerations

- Does the proposed use meet the requirements of applicable County Ordinances?
- Are there any potentially detrimental effects that need to be mitigated by imposing conditions of approval, and if so, what are the appropriate conditions?

In order for a conditional use permit to be approved it must meet the requirements listed under "Criteria for Issuance of Conditional Use Permit." The Planning Commission needs to determine if the proposed transmission site meets these requirements.

22C-4. Criteria for Issuance of Conditional Use Permit

Conditional uses shall be approved on a case-by-case basis. The Planning Commission shall not authorize a Conditional Use Permit unless evidence is presented to establish:

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

After reviewing this conditional use request, staff has determined that the criteria listed above have been met in the following ways:

1. The cellular site will have minimal negative impacts from noise, dust, vibration, etc. There are no lights associated with this site. To reduce the visual impact, the 40 foot monopole will have a corten (rusted steel) color, and a texture like the bark of a tree.
2. The FR-1 Zone allows a "public utility substation" as a conditional use and the site meets all architectural style, setback, and height regulations. The conditions established by the applicable review agencies must be complied with in order for this conditional use permit to be granted.

Conformance to the General Plan

As a conditional use, this operation is allowed in the FR-1 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

Conditions of Approval

- Requirements of the Weber County Planning Division.
- Requirements of the Weber County Engineering Division.
- Requirements of the Weber County Building Inspection Division.
- The new buildings, fences, and pole extension match the existing facilities and that all landscaping remains in place.
- New pine tree and landscaping matching the existing, planted in front of the new section of fence and building.

Staff Recommendation

Staff recommends approval of Conditional Use Application 2015-16 to raise an existing 40 foot cell tower by 14 feet, add 4 new antennas, and a new equipment shelter to make an existing site co-locatable, subject to the applicant meeting the conditions of approval and any other conditions required by the Planning Commission. This recommendation is based on the following findings:

- The application meets the use and setback requirements for the FR-1 zone and BOA 20 foot front setback
- The application meets the access and setback requirements for a Public Utility Substation Title 108 Chapter 10
- The application meets the height and setback requirements for towers in Title 108 Chapter 7 (Supplementary and Qualifying Regulations)

Exhibits

- A. Applicant's application
- B. Location map
- C. Site plan
- D. Pictures

Weber County Conditional Use Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed 5/6/15	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use) CUP2015-16
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Property Owner Contact Information

Name of Property Owner(s) Keith Rounkles		Mailing Address of Property Owner(s) 750 Ogden Canyon Ogden, UT 84401	
Phone 801-668-8844	Fax		
Email Address (required) keithrounkles@comcast.net		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Craig Chagnon - Crown Castle		Mailing Address of Authorized Person 5350 N 48th Street, Suite 305 Chandler, AZ 85226	
Phone 801-979-9077	Fax		
Email Address craig.chagnon@crowncastle.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Property Information

Project Name AT&T Collocate	Total Acreage	Current Zoning
Approximate Address 540 Ogden Canyon Rd Ogden City, UT 84401	Land Serial Number(s) 20-133-0001	

Proposed Use Existing Wireless Communications Tower and Compound

Project Narrative AT&T requests approval of a proposal to collocate new equipment on an existing tower located at 540 Ogden Canyon Rd, Ogden, UT. This installation will require an expansion of the ground space to match the current compound. To achieve signal coverage, AT&T will need an extension of the current tower to mount their array of antennas.
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Basis for Issuance of Conditional Use Permit

Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.

Collocation of carriers is a preferred method of wireless infrastructure growth in many communities. The existing tower, if extended, will have the capacity to add a second carrier thus improving the overall communications service in Ogden Canyon.

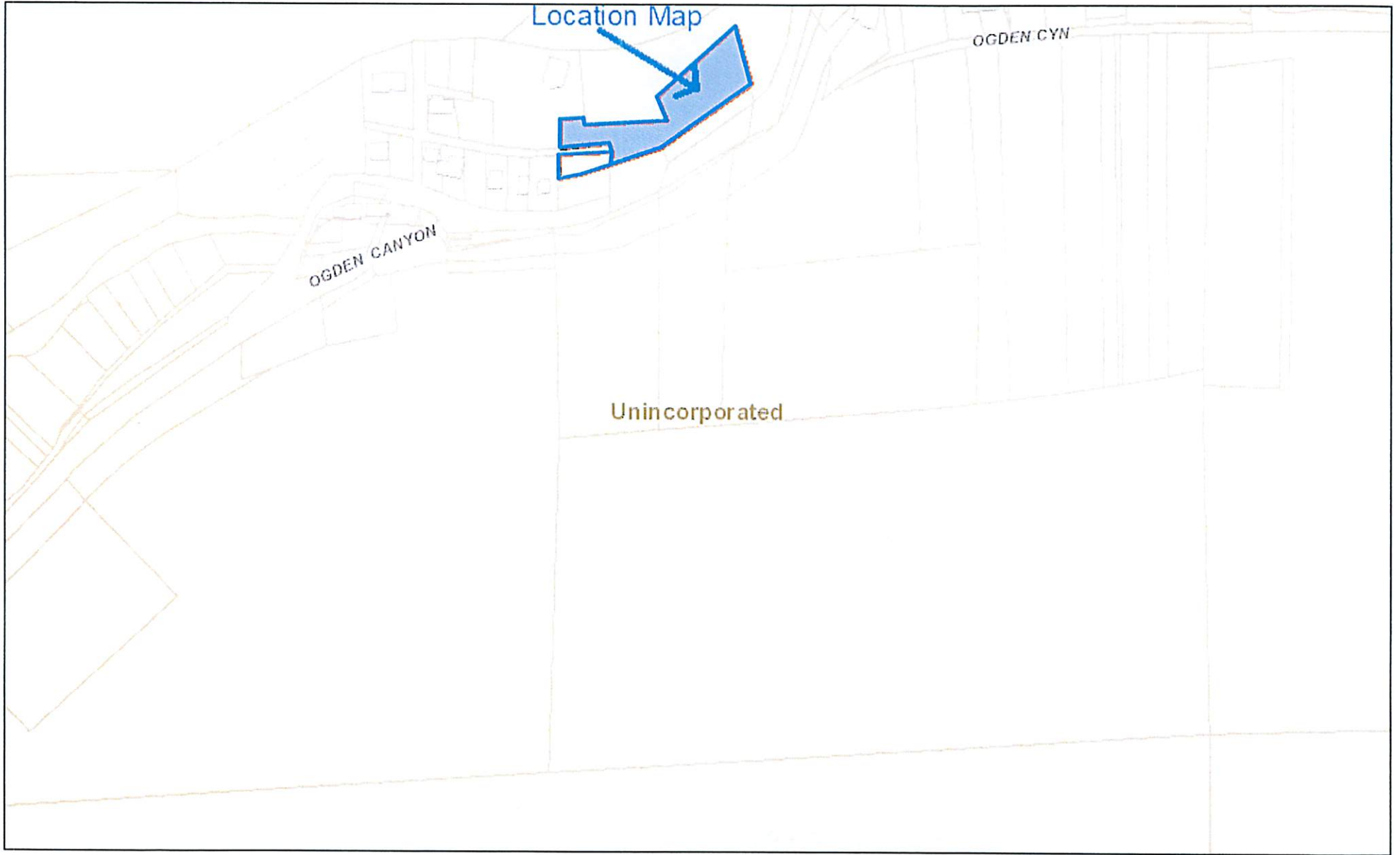
The existing tower is a stealth facility and the extension would match the existing characteristics.

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

The site operates under Conditional Use Permit ~~06~~-2010 SAL ~~Oaks~~, and will meet the stated conditions.

Hermitage

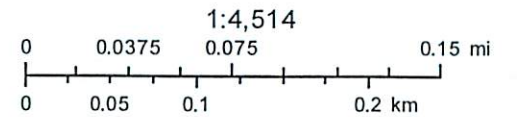
Location Map

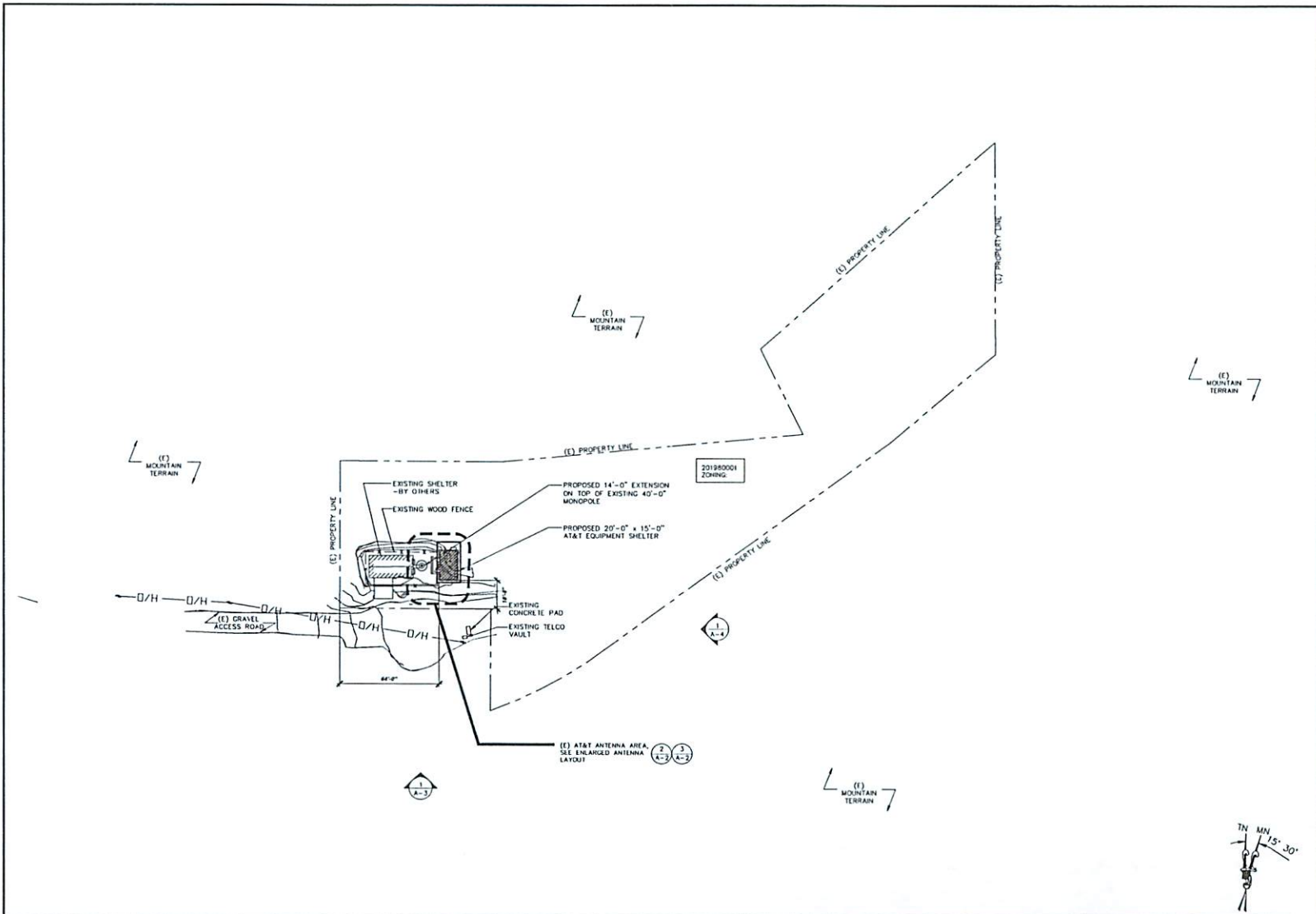


May 14, 2015

Street Labels

City Labels





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REV.	DATE	REVISION DESCRIPTION
2	04-17-15	FINAL ZONING DRAWINGS
1	03-12-15	UPDATED ZONING DRAWINGS
0	10-16-14	NOI ZONING DRAWINGS

PROJECT INFORMATION:
 OGDEN CANYON RELO
 CROWN CASTLE COLLO
 FA#: 13084104
 546 OGDEN CANYON ROAD
 OGDEN, UTAH 84401
 WEBER COUNTY

DRAWN BY: EAJ CHECKED BY: JC

SHEET TITLE:
 SITE PLAN

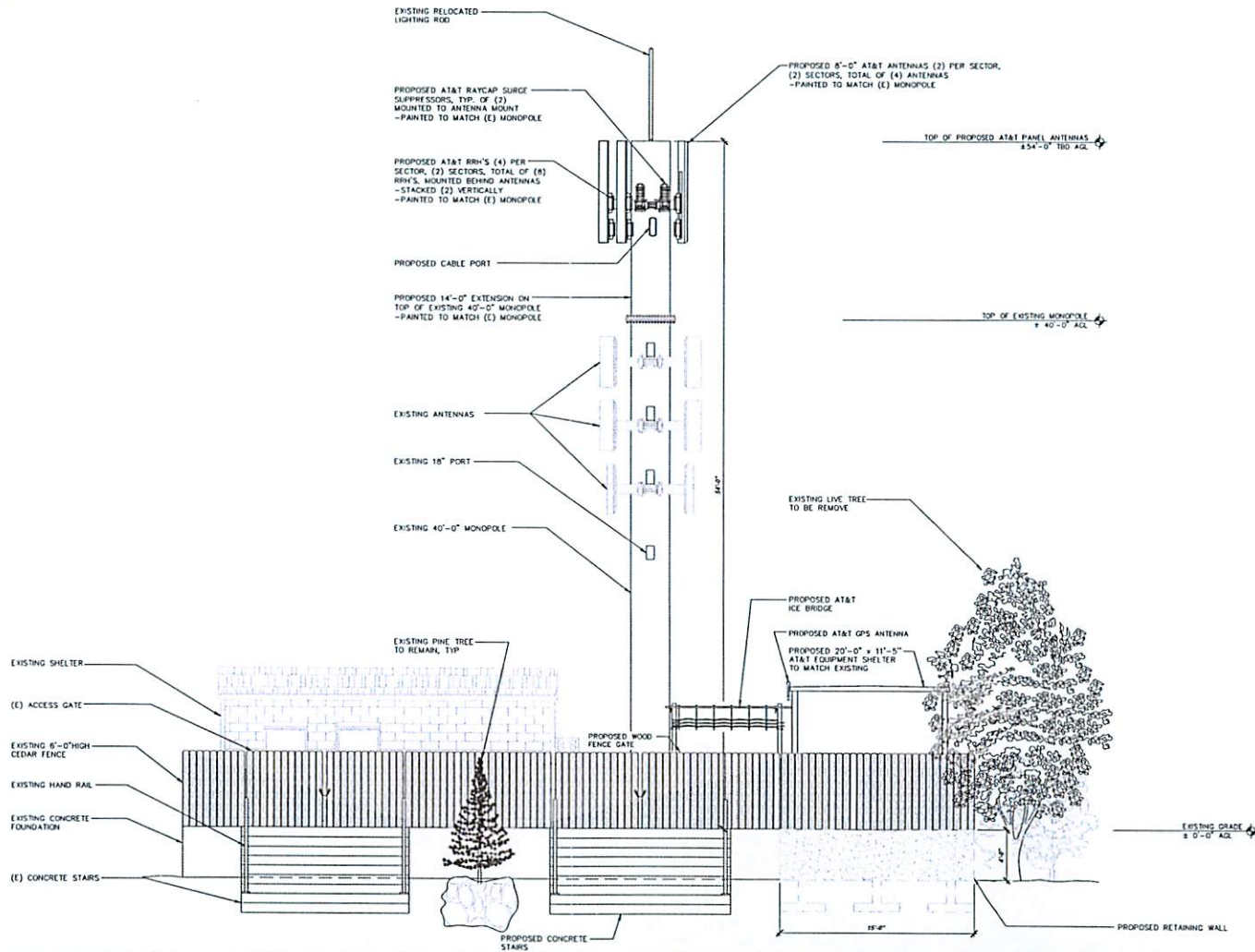
SHEET NUMBER: A-1 REV.: 2

SITE PLAN

20'-0" SCALE: 1"=30'-0"
 15'-0" SCALE: 1"=45'-0"
 1

CONSTRUCTION OF THIS DRAWING IS THE SOLE RESPONSIBILITY OF THE ENGINEER. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND THAT THE INFORMATION PROVIDED IS ACCURATE AND COMPLETE. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND THAT THE INFORMATION PROVIDED IS ACCURATE AND COMPLETE. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND THAT THE INFORMATION PROVIDED IS ACCURATE AND COMPLETE.

ALL NEW EXPOSED EQUIPMENT MOUNTS AND CABLES SHALL BE PAINTED TO MATCH EXISTING WITH "RF TRANSPARENT" PAINT



SOUTH ELEVATION

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22'-0" SCALE: 1/8" = 1'-0"
11'-0" SCALE: 1/4" = 1'-0"
1



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REV.	DATE	DESCRIPTION
2	04-17-15	FINAL ZONING DRAWINGS
1	03-12-15	UPDATED ZONING DRAWINGS
0	10-16-14	90% ZONING DRAWINGS

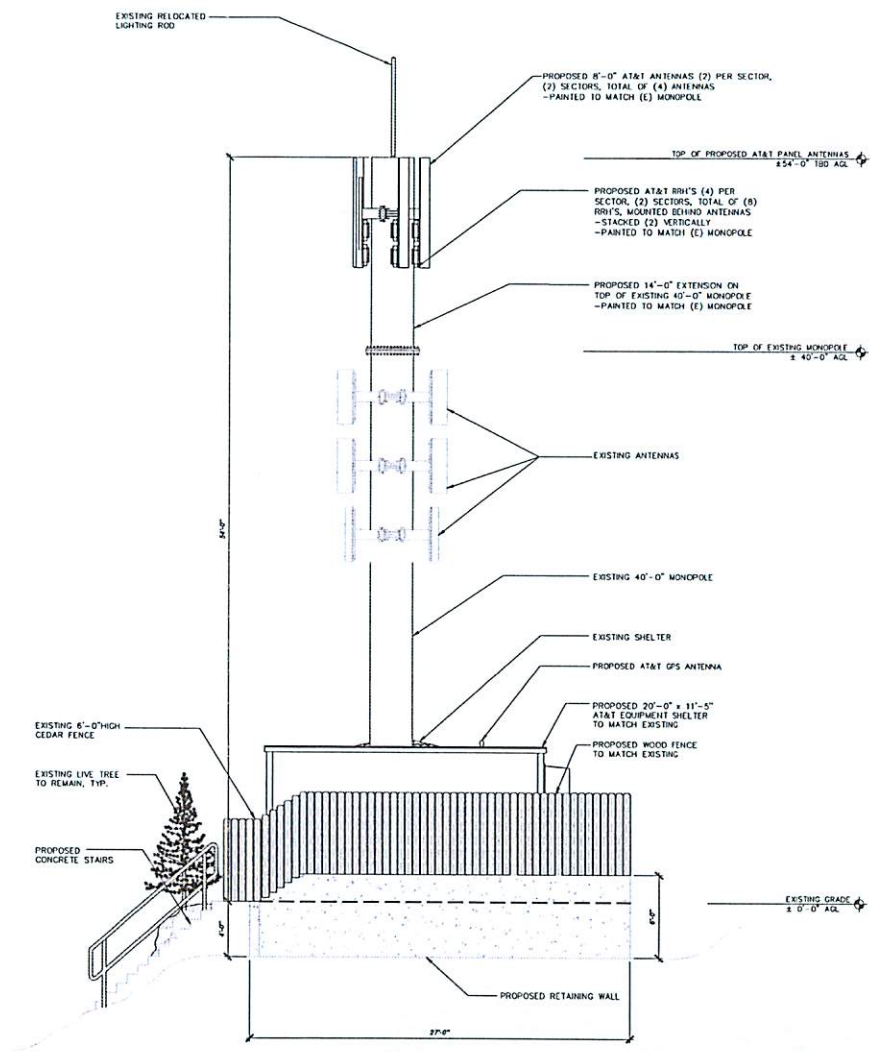
PROJECT INFORMATION:
 OGDEN CANYON RELO
 CROWN CASTLE COLLO
 FA#: 13084104
 546 OGDEN CANYON ROAD
 OGDEN, UTAH 84401
 WEBER COUNTY

DRAWN BY: EAJ
 CHECKED BY: JC

SHEET TITLE: ELEVATION

SHEET NUMBER: A-3
 REV: 2

ALL NEW EXPOSED EQUIPMENT, MOUNTS AND CABLES SHALL BE PAINTED TO MATCH EXISTING WITH "RF TRANSPARENT" PAINT



EAST ELEVATION

27x38" SCALE: 1/4" = 1'-0"
 11x17" SCALE: 1/8" = 1'-0"
 1 1



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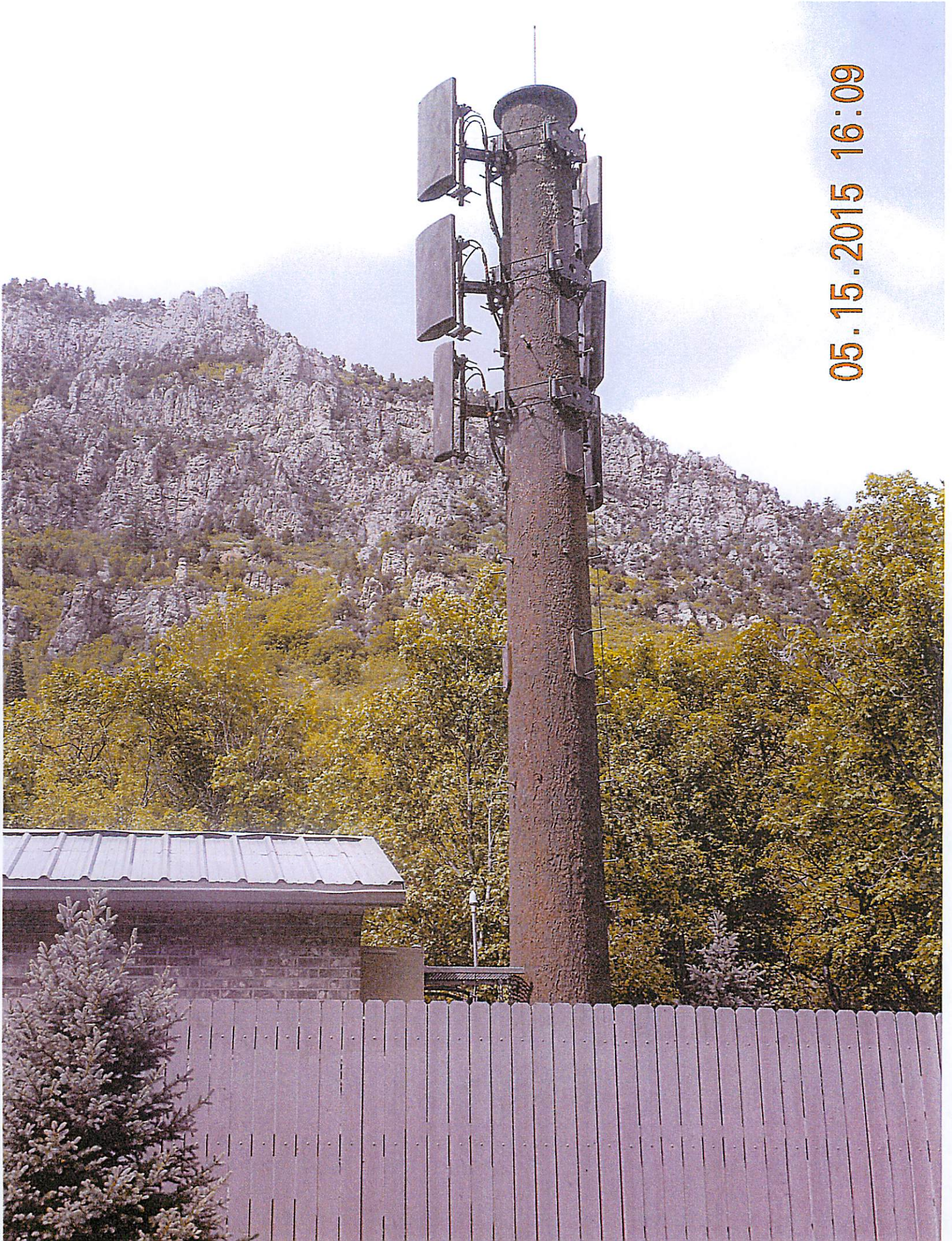
REV.	DATE	DESCRIPTION
2	04-17-15	FINAL ZONING DRAWINGS
1	03-12-15	UPDATED ZONING DRAWINGS
0	10-14-14	90% ZONING DRAWINGS

PROJECT INFORMATION
 OGDEN CANYON RELO
 CROWN CASTLE COLLO
 FA#: 13084104
 546 OGDEN CANYON ROAD
 OGDEN, UTAH 84401
 WEBER COUNTY

DRAWN BY: EAJ
 CHECKED BY: JC

SHEET TITLE:
 ELEVATION

SHEET NUMBER: A-4
 REV.: 2



05.15.2015 16:09



05.15.2015 16:09

WARNING
This area is restricted to authorized personnel only. No unauthorized persons are allowed to enter this area. Violators will be prosecuted.

PRIVATE PROPERTY
NO TRESPASSING
VIOLATORS WILL BE PROSECUTED

05.15.2015 16:09



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request to amend the Summit Eden Phase 1C PRUD by reducing the parking requirements for Lots 57A through 62R.

Agenda Date: Tuesday, May 26, 2015

Applicant: Summit Mountain Holding Group, LLC

File Number: UVS 051415

Property Information

Approximate Address: 5761 N Copper Crest, Eden

Project Area: 14,112 square feet (0.3239 acres)

Zoning: DRR-1

Existing Land Use: Residential Subdivision

Proposed Land Use: Residential Subdivision

Parcel ID: 23-130-0021, 23-130-0022, 23-130-0023, 23-130-0024, 23-130-0025, 23-130-0026, 23-130-0027, 23-130-0028, 23-130-0029

Township, Range, Section: Township 7 North, Ranch 2 East, Section 8

Adjacent Land Use

North:	Ski Resort	South:	Ski Resort
East:	Ski Resort	West:	Ski Resort

Staff Information

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

Report Reviewer: SW

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 108, Chapter 5 Planned Residential Unit Development (PRUD)
- Title 108, Chapter 8 Parking and Loading Space, Vehicle Traffic and Access Regulations

Type of Decision

When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag-lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Summary and Background

Summit Eden Phases 1C received final subdivision approval from the Weber County Commission on January 21, 2014 after receiving a positive recommendation from the Ogden Valley Planning Commission in the October 22, 2013. Summit Eden Phase 1C consists of 64 lots (Lots 36-95). There is no Lot 50 (it was removed and designated as open space) but Lots 57, 60, 61, 89, and 94 have A and B lots. Phase 1C has approximately 47 acres of open space. The approved PRUD site plan shows eight restricted lots (Lots 38-44R and 46R) due to steep slopes. However, 21 additional lots (37R, 45R, 47-52R, 62R, 69-76R, 84-86R, and 94B-95R) have also been designated as restricted lots due to steep slopes shown on the subdivision improvement plans.

The lot types in Phase 1C include "Estate Single-Family" (Lots 36-43), "Hillside Single-Family" (Lots 44-56 and 63-86, Lot 50 was eliminated), "Village Single-Family" (Lots 57B-62), and "Village Live/Work Single-Family" (Lots 57A and 87-95). The lots range in size from 713 square feet to 2.7 acres and each has a designated buildable area, though on the smaller lots the

entire lot is designated as buildable area. Phase 1C was initially reviewed and approved with a zoning designation of FV-3; however, the property was rezoned to DRR-1 on December 23, 2014. The typical zoning area and setback requirements that were applicable per the initial zone do not apply to this subdivision because the lot sizes, setbacks, and building heights were approved as part of the PRUD. The OVPC recommended requiring tandem (back to back) parking for lots less than 20 feet wide, and the option of tandem or the typical side by side parking for lots 20 feet wide or greater. The Weber County Commission approved the final PRUD with the recommended tandem parking for the smaller lots.

The applicant has identified a need for additional reductions in the required parking standards for Lots 57A-62R (see Exhibit A for the recorded plat map for the applicable lots). This request is intended to encourage travel in a more efficient and environmentally friendly manner which will reduce the impacts on existing and proposed infrastructure. The requested reduction in parking spaces for this project is one car per home.

The Uniform Land Use Code of Weber County, Utah (LUC) §108-8-5 Adjustments for unusual and unique conditions states:

"The planning commission may adjust the required number of spaces listed in this chapter if in its determination that unusual or unique circumstances or conditions relating to the operational characteristics of the use exist in a manner or to such a degree that such adjustment is equitable and warranted."

The applicant has identified potential methods to support the requested reduction in parking for Lots 57A-62R (see Exhibit B for the applicant's request) that may assist the Planning Commission in determining if the reduction in parking is reasonable.

Review Agencies: The Weber County Engineering Division has reviewed the proposal. A condition has been made part of the Planning Division's recommendations to ensure that all conditions of the review agencies will be met. All review agencies comments are made part of the staff report as Exhibit C.

Conformance to the General Plan

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

Summary of Planning Commission Considerations

The Planning Commission will need to determine if unusual or unique circumstances or conditions relating to the operational characteristics of the use exist in a manner or to such a degree that such adjustment is equitable and warranted for the reduction to one parking lot per lot for all of Lots 57A through 62R in Phases 1C.

Staff Recommendation

The Planning Division recommends approval of file# UVS051415, a request to amend the Summit Eden Phase 1C PRUD by reducing the parking requirements for Lots 57A through 62R, located on parcels 23-130-0021, 23-130-0022, 23-130-0023, 23-130-0024, 23-130-0025, 23-130-0026, 23-130-0027, 23-130-0028, 23-130-0029. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. No on-street parking shall be permitted.
2. Requirements and recommendations of the Weber Fire District.
3. Requirements of the Weber County Engineering Division.

This recommendation is based on the following findings:

1. The proposed use conforms to the Ogden Valley General Plan.
2. The proposed use, if conditions are imposed, will not be detrimental to the public health, safety, or welfare.
3. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
4. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Summit Eden Phase 1C recorded plat for Lots 57A-62R
- B. Parking Reduction Request
- C. Review Agencies Comments

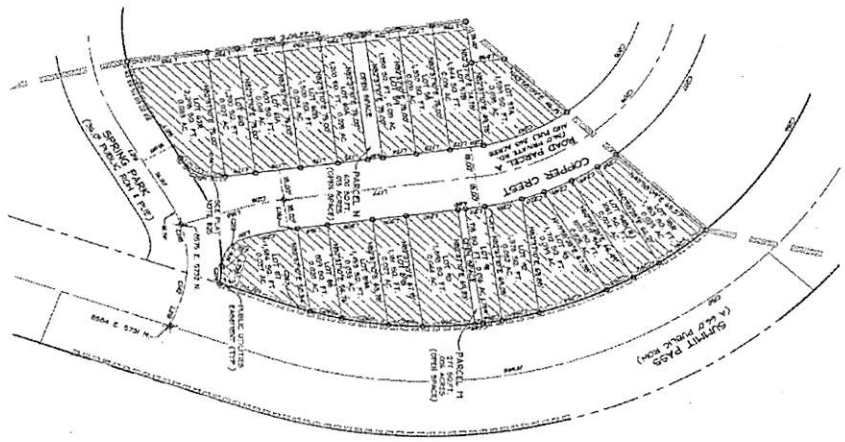


Exhibit A-Recorded Plat for Lots 57A-62R

62-57

SUMMIT EDEN PHASE 1C
 LOCATED IN THE SOUTH 1/2 OF SECTIONS 5 AND THE NORTH 1/2 OF SECTION 6, T 7N, R 2E, S10M, WEBER COUNTY, UTAH
 SHEET 5 OF 6

DATE: 11-11-11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]



SUMMIT EDEN PHASE 1C
 LOTS 57A-62, 87-95 & PARCEL M & N
 ADDRESS TABLES
 LOCATED IN THE SOUTH 1/2 OF SECTION 5 AND THE NORTH 1/2 SECTION 6 OF TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, WEBER COUNTY, UTAH

- LEGEND**
- BACKSIGHT LINE
 - LOT LINE
 - SECTION LINE
 - QUARTER SECTION LINE
 - COUNTY LINE
 - ADJOINER DEED LINE
 - AREA, TIE LINES
 - CENTERLINE, NO ACCESS LINE
 - EASE, STAKE, OR/ PATCH LINE
 - ◆ CONCAVED SECTION CORNER UNNOTED
 - ◆ SECTION CORNER AS NOTED
 - ◆ STREET PLAT/NET
 - SET 6" X 6" X 2" STIPES WITH PLASTIC CAP STAMPED NORTH ARROW
 - ▨ BUILDING ENVELOPE
 - ▩ EASEMENT

ADDRESS TABLE

Lot #	STREET ADDRESS
57A	57A N COPPER CREST
57B	57B N COPPER CREST
57C	57C N COPPER CREST
57D	57D N COPPER CREST
57E	57E N COPPER CREST
57F	57F N COPPER CREST
57G	57G N COPPER CREST
57H	57H N COPPER CREST
57I	57I N COPPER CREST
57J	57J N COPPER CREST
57K	57K N COPPER CREST
57L	57L N COPPER CREST
57M	57M N COPPER CREST
57N	57N N COPPER CREST
57O	57O N COPPER CREST
57P	57P N COPPER CREST
57Q	57Q N COPPER CREST
57R	57R N COPPER CREST
57S	57S N COPPER CREST
57T	57T N COPPER CREST
57U	57U N COPPER CREST
57V	57V N COPPER CREST
57W	57W N COPPER CREST
57X	57X N COPPER CREST
57Y	57Y N COPPER CREST
57Z	57Z N COPPER CREST
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57AB	57AB N COPPER CREST
57AC	57AC N COPPER CREST
57AD	57AD N COPPER CREST
57AE	57AE N COPPER CREST
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57AG	57AG N COPPER CREST
57AH	57AH N COPPER CREST
57AI	57AI N COPPER CREST
57AJ	57AJ N COPPER CREST
57AK	57AK N COPPER CREST
57AL	57AL N COPPER CREST
57AM	57AM N COPPER CREST
57AN	57AN N COPPER CREST
57AO	57AO N COPPER CREST
57AP	57AP N COPPER CREST
57AQ	57AQ N COPPER CREST
57AR	57AR N COPPER CREST
57AS	57AS N COPPER CREST
57AT	57AT N COPPER CREST
57AU	57AU N COPPER CREST
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57OD	57OD N COPPER CREST
57OE	57OE N COPPER CREST
57OF	57OF N COPPER CREST
57OG	57OG N COPPER CREST
57OH	57OH N COPPER CREST
57OI	57OI N COPPER CREST
57OJ	57OJ N COPPER CREST
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57PS	57PS N COPPER CREST
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57PU	57PU N COPPER CREST
57PV	57PV N COPPER CREST
57PW	57PW N COPPER CREST
57PX	57PX N COPPER CREST
57PY	57PY N COPPER CREST

Jeff Werbelow
Senior Director of
Development

3923 N. Wolf Creek Drive
Eden, Utah 84310

jwerbelow@summit.co
435.640.7002

May 1, 2015

Scott Mendoza
Weber County Planning Division
2380 Washington Blvd, Suite 240
Ogden, UT 84401

Re: Parking Requirement Reduction

Dear Scott:

SMHG Phase 1, LLC (SMHG) on behalf of itself and existing property owners, would like to request a reduction of current parking requirements for lots 57A-62R located on the Summit Eden Phase 1C plat. Our goal is to reduce the reliance of the personal automobile, and encourage travel in a more efficient & environmentally friendly manner thereby greatly reducing the impacts on existing and proposed infrastructure. Accordingly, we would like the required number of parking spaces for this project to be reduced to one car per home.

Some of the methods to create a non-car reliant community are already in place. SMHG has teamed up with the UTA to provide transit service from Ogden (Rainbow Gardens Park-n-Ride Lot) and Eden (Eden Valley Market Park-n-Ride Lot) so guests, employees, and residents don't have to rely on their personal vehicles to travel to and from the resort.

Currently, a vast majority of the community members and guests arrive/depart Summit Powder Mountain via airport rideshare programs. With the array of amenities that will be provided in the Village (food, drink, lodging, entertainment, shopping, etc.) guests will be able to attain the desired services and tangibles necessary without needing to leave the premises; therefore, not needing a car upon arrival.

Summit Powder Mountain will also provide an internal shuttle system between the resort development areas that will enable overnight guests and daily users to access the ski areas and other onsite amenities without using their own vehicle.

Other ways the resort will reduce travel demand and promote sustainability include:

- Ski in & ski out homes.
- Pedestrian friendly village design via planning of infrastructure and proximity of amenities.
- Provide designated bike paths & bike sharing programs similar to Divvy or Citi Bike.
- Stock cars onsite for car-sharing programs similar to Zipcar.

Exhibit B-Parking Reduction Request

- Provide on call taxi type services similar to Uber.
- Implement the use of alternative fuel shuttles.
- Increase UTA scheduled pick-ups and arrival times.
- Promote preferred parking in the day skier lots for vehicles with three or more occupants.
- Offset the needs for new parking by utilizing existing parking (Timberline & Sundown lots) in conjunction with shuttle systems to the Village.

With the aforementioned systems in place, Summit Powder Mountain will reduce the need for personal vehicles within the community, which in turn, reduces the number of necessary parking spots required. Please take this letter as our request to reduce Summit Powder Mountain's parking requirement to one car per household.

Very Truly Yours,

Jeff Werbelow
Senior Director of Development
Summit Powder Mountain

Exhibit C-Review Agencies Comments

Engineering Review 1

Project: Summit Eden Ph 1C Lot 57A and 62R Amended

User: Dana Shuler

Department: Weber County Engineering Division

Created: 2015-05-15 16:41:46

Modified: 2015-05-15 16:42:26

Notes

I have had a chance to review the plan(s) and have the following comment(s):

The engineering division has no concerns with this project.

I have tried to address all items of concern from the Engineering Department. However, this review does not forego other items of concern that may come to this department's attention during additional reviews or during construction of improvements. If you have any comments or questions concerning this review, feel free to contact me.



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP.

Agenda Date: Tuesday, May 26, 2015

Applicant: Corporation of Presiding Bishop of the Church of Jesus Christ of Latter Day Saints

Authorized Agent: John J.D. Simmons, Forsgren Associates

File Number: CUP# 2015-13

Property Information

Approximate Address: To be determined

Project Area: 27 acres

Zoning: Forest Zone (F-40)

Existing Land Use: Private campground

Proposed Land Use: Private campground

Parcel ID: 23-012-0026 & 23-019-0003

Township, Range, Section: Township 7 North, Range 3 East, Section 31 & Township 7 North, Ranch 2 East, Section 36

Adjacent Land Use

North:	Forest	South:	Forest
East:	Forest	West:	Forest

Staff Information

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

Report Reviewer: SW

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 9 Forest Zones (F-40)
- Title 104, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 104, Chapter 1 Design Review
- Title 108, Chapter 4 Conditional Uses
- Title 108, Chapter 20 Forest Campgrounds

Type of Decision

When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag-lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Summary and Background

The applicant is requesting approval for a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP on parcels 23-012-0026 and 23-019-0003. The property lies in the Forest Zone (F-40) which allows "Private parks and recreation grounds; Private campgrounds and picnic areas meeting the requirements of the Forest Campground Ordinance of Weber County" only when authorized by a conditional use permit. A conditional use permit was granted in 1979 for a private campground with restroom facilities. In 2009, a conditional use permit was granted for the installation of a 10,000 gallon water tank, replacing the existing 6,700 gallon water tank. The applicant has identified the need to upgrade and expand the current water system located at the camp as well as the need to remove an existing restroom facility that was constructed in 1988 and replace it with a new restroom/shower facility. The proposed

site is accessed by WC 195 Road off of Highway 39 and is owned by the Corporation of Presiding Bishop of the Church of Jesus Christ of Latter Day Saints.

The property is used as a private campground during the summer months with multiple outbuildings on site that are considered accessory structures to the private campground. The proposal is not anticipated to negatively impact the adjacent property owners due to the remoteness of the site and the scale of the project. The proposed use will be beneficial to the occupants of the camp by providing adequate culinary water services and restroom/shower facilities.

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

Analysis

General Plan: The Ogden Valley General Plan has identified the need to enhance the quality of recreational opportunities in the Valley and promotes public/private cooperation in recreation planning for the expansion of suitable community parks, campgrounds or trail systems. (*see the 1998 Ogden Valley General Plan §3.01 Vision: Protect the Natural Beauty and Natural Resources of the Valley*).

Zoning: The subject property is located within the F-40 zone which is categorized as a "Forest Zone". The intent of the forest zones can be further described per LUC §104-9-1 as follows:

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

b. The objectives in establishing the forest zones are:

- 1. To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the natural resources, vegetation and attractions;*
- 2. To reduce the hazards of flood and fire;*
- 3. To prevent sanitation and pollution problems and protect the watershed;*
- 4. To provide areas for private and public recreation and recreation resorts; and*
- 5. To provide areas for homes, summer homes, and summer camp sites.*

The F-40 zone has specific standards identified in the LUC §104-9-4 that shall be met as part of the development process. The applicable standards are as follows:

- Minimum yard setbacks:
 - Front: 75'
 - Side: 40'
 - Rear: 30'
- Minimum lot area: 40 acres
- Minimum lot width: 660'
- Main Building height:
 - Maximum: 35'
 - Accessory building height:
 - Maximum: 25', unless meeting requirements of LUC §108-7-16, Large accessory buildings

An ephemeral stream known as Cobble Creek is located on the site and within the proposed improvement area. Cobble Creek has been identified on the Ogden Valley Sensitive Lands Stream Corridor Map found in LUC §104-28-1. The Ogden Valley Sensitive Lands Overlay Districts Zone has specific development standards identified in the LUC §104-28-2 pertaining to stream corridors. The applicable standards are as follows:

Development standards.

(1) Setbacks. No structure, accessory structure, road, or parking area shall be built within the required setback from a river or stream as measured from the high water mark of the river or stream. The high water mark shall be determined by the Weber County engineer. The areas within the setback shall be maintained in a manner that protects the quality of water in the river or stream and the habitat of native vegetation and wildlife along the river or stream.

...

c. Structures, accessory structures, roads, or parking areas shall not be developed or located within 50 feet from the high water mark of a natural ephemeral stream.

...

Exceptions.

a. Bridges or stream alteration approved by the Army Corps of Engineers and state department of natural resources, division of water rights.

...

d. All existing structures, accessory structures, roads, or parking areas prior to the adoption of Ordinance No. 2005-19 River and Stream Corridor Setbacks.

Due to the legal existence of the improvements and structures prior to the adoption of Ordinance No. 2005-19 River and Stream Corridor Setbacks, the development standards are not applicable for the existing improvements and structures. The applicant has made application for a stream alteration permit for the proposed improvements and the stream crossing identified on the site plan (see Exhibit A & B). Based on these exceptions, the proposal appears to meet all of the standards identified with the exception of an approved stream alteration permit. To ensure adequate measures have been taken to protect the stream corridor, a condition has been made part of the Planning Division's recommendations to ensure that a stream alteration permit is received prior to commencement of work.

Conditional Use/Design Review: The proposed use is conditionally allowed in the F-40 zone and has been reviewed as a "Private parks and recreation grounds; Private campgrounds and picnic areas meeting the requirements of the Forest Campground Ordinance of Weber County". The location and arrangement of improvements and structures must be in accordance with plans submitted to and approved by the planning commission and in accordance with the Forest Campground Ordinance of Weber County. A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. The forest zone and the proposed conditional use, mandate a design review as outlined in LUC §108-1 to ensure that the general design, layout and appearance of the building remains orderly and harmonious with the surrounding neighborhood. Certain areas of the design review are only applicable due to the nature of the request. As part of this review, the Planning Commission shall consider the applicable matters based on the proposed conditional use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

- *Considerations relating to traffic safety and traffic congestion.* As part of this consideration, the applicant has provided a detailed site plan (see Exhibit B on page 13-14). The proposal is not considered large scale construction; therefore considerable traffic congestion or delay is not anticipated.
- *Considerations relating to landscaping.* The project engineer has indicated that the contractor will be responsible to re-vegetate all areas of disturbance with a seed mix containing native grasses and will provide the plan and details to the County Engineer for approval (see Exhibit B Construction notes on page 14).
- *Considerations relating to buildings and site layout.* An eight foot gravel road will be constructed to gain access to the location of the two proposed 5,000 gallon water tanks and the disinfection system building (see Exhibit C on page 15). The new tanks and the disinfection building will be buried and the system will be powered by a solar array located on top of the buried disinfection building (see Exhibit C on page 15-19). The proposed restroom/shower facility is 35'4"x 19'4" and consists of six toilets, seven showers and ten sinks (see Exhibit D on page 20-22). The restroom will be constructed with honed finish natural CMU and hunter green roof, soffit, fascia and doors. Due to the private nature of the campground and remoteness of the structures, the standards of the Ogden Valley Architectural, Landscaping and Screening Design Standards are not applicable.
- *Considerations relating to utility easements, drainage, and other engineering questions.* The Engineering Division has had a chance to review the proposal and has approved the proposal based on obtaining the applicable permits and providing the required SWCAP and SWPPP (see Exhibit E).
- *Considerations relating to prior development concept plan approval associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval.* The Cobble Creek RCMP received approval as a forest campground per LUC§ 104-9-3(8) & LUC§108-20-21 in 1979 as CUP 79-05 and it appears that adequate approvals for all site improvements have been received. The applicant has provided adequate documentation and detailed site plans for a thorough review of the proposed improvements and does not have any type of development agreement associated with the property; therefore considerations

pertaining to this portion of the code have been met. If larger plans are desired by the Planning Commission for review, please contact the Planning Division office to arrange for the copies or go to the following link to access the digital plans: <https://miradi.co.weber.ut.us/projects/view/1672>.

Review Agencies: The applicant has provided adequate proof of water from the State Division of Drinking Water as well as received approval of the proposed improvements to the water system from the Weber-Morgan Health Department. The proposed improvements to the septic system have been reviewed and approved by the Weber-Morgan Health Department. The Weber Fire District and the Weber County Engineering Division have reviewed and approved the proposal. The Weber County Surveying Department is currently working on assigning a physical address for the camp. Prior to the commencement of work, the applicant will need to receive the approval from all applicable agencies for the water system improvements, the demolition of the existing restroom facilities and construction of a new restroom/shower facility. A condition has been made part of the Planning Division's recommendations to ensure that all conditions of the review agencies will be met. All review agencies comments are made part of the staff report as Exhibit E.

Conformance to the General Plan

The proposed use conforms to the Ogden Valley General Plan by providing quality recreational opportunities in the Valley and promotes public/private cooperation in recreation planning for the expansion of suitable campgrounds.

Summary of Planning Commission Considerations

In order for a conditional use to be approved it must meet the requirements of applicable ordinances listed in this staff report, which include the requirements listed in LUC §108-4-4, under "Criteria for Issuance of Conditional Use Permit", which states:

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

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

The Planning Commission will need to determine if the request for a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP has met the requirements of the applicable Uniform Land Use Code of Weber County. The Planning Commission may impose additional conditions in order to ensure full compliance with the required standards. In making a decision, the Planning Commission should consider the following questions:

- Does the submittal meet the Uniform Land Use Code of Weber County? If no, then what conditions could be added in order to comply?
- Have the "Criteria for Issuance of Conditional Use Permit" and other applicable ordinances been met?

Staff Recommendation

The Planning Division recommends approval of file# CUP 2015-13, a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP, located on parcels 23-012-0026 & 23-019-003. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. Prior to the issuance of a conditional use permit, a physical address must be assigned by the Weber County Surveying Department.
2. Prior to the issuance of the conditional use permit, a copy of an approved stream alteration permit will be provided to the Planning Division.
3. Requirements of the Weber County Building Inspection Division.
4. Requirements and recommendations of the Weber Fire District.
5. Requirements of the Weber County Engineering Division.
6. Requirements of the Weber County Health Department.

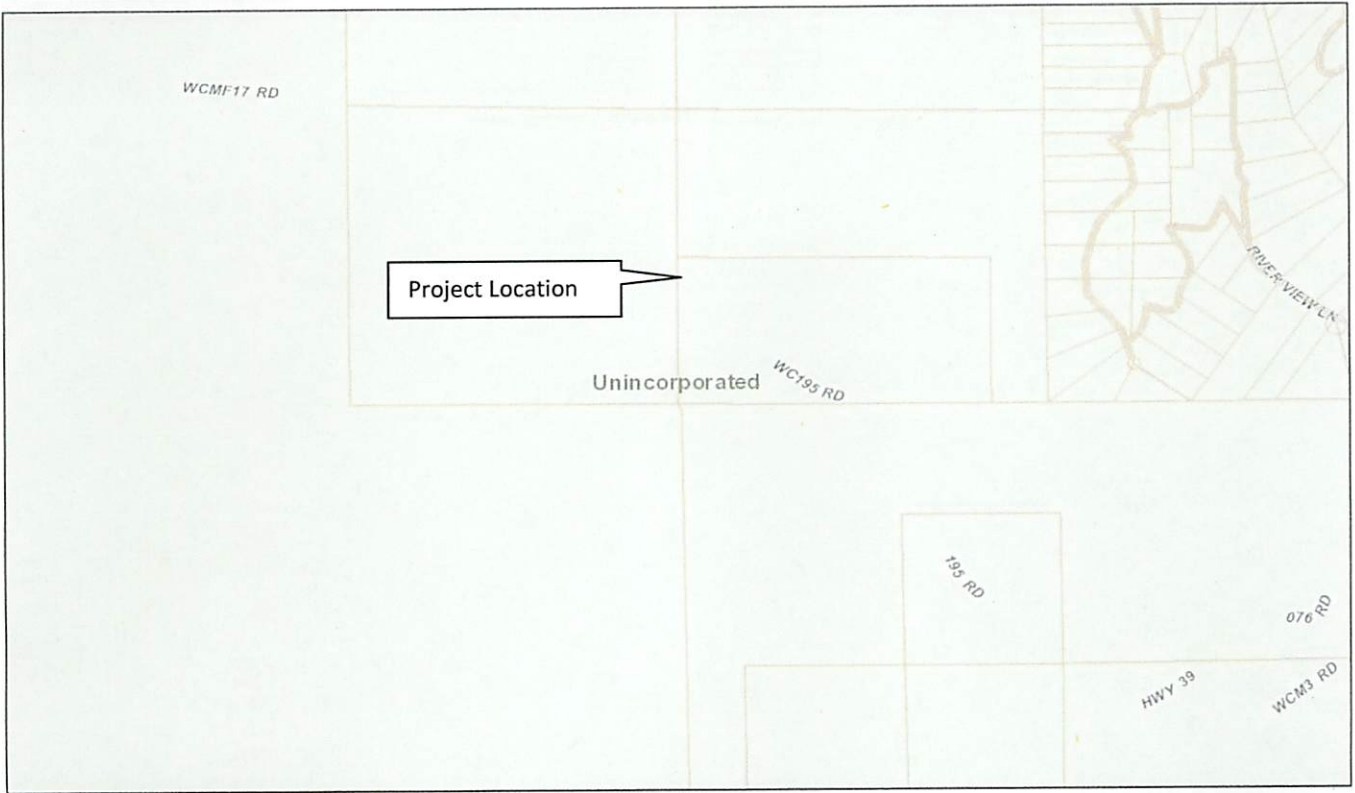
This recommendation is based on the following findings:

1. The proposed use conforms to the Ogden Valley General Plan.
2. The proposed use, if conditions are imposed, will not be detrimental to the public health, safety, or welfare.
3. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
4. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Application including proof of water and stream alteration application
- B. Site Plan
- C. Water System Improvement Details
- D. Restroom Plans
- E. Review Agency comments

Map 1



Map 2



Exhibit A-Application and supporting documents

Weber County Conditional Use Permit Application			
Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401			
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Property Owner Contact Information			
Name of Property Owner(s) Corporation of Presiding Bishop of the Church of Jesus Christ of LDS		Mailing Address of Property Owner(s) 50 East North Temple Salt Lake City, UT 84150	
Phone 801.815.0260	Fax		
Email Address (required) BigelowBC@ldschurch.org		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) John D Simmons		Mailing Address of Authorized Person 370 East 500 South, Suite 200 Salt Lake City, UT 84111	
Phone 801.364.4785	Fax 801.364.4802		
Email Address JSimmons@Forsgren.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Information			
Project Name Cobble Creek RCMP - Water System Improvements		Total Acreage 27 Acres	Current Zoning F-40
Approximate Address 6.5 miles East of Huntsville on State Highway 39. and 1 Mile north, by dirt road		Land Serial Number(s) 23-012-0026	
Proposed Use Church Camp			
Project Narrative <p>The proposed project will be making improvements to the Cobble Creek RCMP (Recreational Camp & Mountain Property) potable water system. Owned and Operated by the Church of Jesus Christ of Latter Day Saints. These improvements will consist of: spring rehabilitation, installation of two new 5,000 gallon under ground storage water tanks and a solar powered disinfection system, modifications to the existing water distribution system (waterlines, hydrants) and infrastructure. All structures in support of the new water system consist of precast concrete. Disinfection building is 6'X6'X8' tall precast concrete with the solar panels to be mounted on the flat roof of the structure. Other precast includes two 4' diameter manholes installed at the tanks for metering and overflow. Improvements will also include construction of a new spring access road. As part of the overall upgrade a new restroom / shower facility is to be constructed. The building is 35' 4" X 19' 4" and includes 6 toilets, 7 showers and sinks / hand washing facilities on both the east and west ends of the building. The restroom / shower facility building also includes installation of a new septic system. Although the restroom / shower facility is part of the overall upgrade to the camp, it is to be constructed under a separate contract and bid. The project is not expected to impact any adjacent properties, the proposed improvements will not result in an expanded use of the facility.</p>			

Exhibit A-Application and supporting documents

Basis for Issuance of Conditional Use Permit

Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.

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

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

Exhibit A-Application and supporting documents

EXPRINT (E4556)

4/8/15, 4:00 PM

Utah.gov Services

Agencies

Search all of Utah.gov

Utah Division of Water Rights



Select Related Information

(WARNING: Water Rights makes NO claims as to the accuracy of this data.) RUN DATE: 04/08/2015 Page 1
EXCHANGE: E4556 (35-11791) BASE WATER RIGHT: 35-7398 STOCK/CONTRACT NUMBER: 10016 COUNTY TAX ID#:
RIGHT EVIDENCED BY: US Bur. of Recl. & Contr. with Weber Basin Water Cons. Dist. under 35-7398 (A10990)

WATER COMPANY/DISTRICT ASSOCIATED WITH THIS EXCHANGE:
(To view Information regarding the Water Company associated with this Exchange,
click on the following Water Company Name:)
Weber Basin Water Conservancy District

OWNERSHIP

NAME: Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints
ADDR: ATTN: Natural Resources Section
50 East North Temple, Room 1240
Salt Lake City UT 84010

DATES, ETC.

FILED: 05/03/2005 PRIORITY: 05/03/2005 ADV BEGAN: 05/19/2005 ADV ENDED: 05/26/2005 NEWSPAPER: Standard Examiner
ProtectEnd:06/15/2005 PROTESTED: [No] HEARING HLD: [SE ACTION: [Approved] ActionDate:1/04/2005] PROOF DUE:
EXTENSION: [Elec-Proof:[Proof] E1-PrFiled:05/07/2005] CERT/WOC: 09/29/2006 LAP, ETC: [LAPS LETTR:
RushLetter: [RENOVATE: [RECON REQ: [CYTE: [

*DISTRIBUTION
Related Distribution System: GJ-WEBER RIVER (WEBER & DAVIS)

*STATUS
STATUS: [Certificate]

CURRENT RIGHT

FLOW: 1.99110 acre-feet
SOURCE: Causey Reservoir
COUNTY: Weber
POINT OF DIVERSION -- SURFACE:
(1) S 540 ft W 1040 ft from EA cor. Sec 34, T 7N, R 3E, S10W.
Diverting Works: Causey Reservoir Source: Ogden River

USES OF EXCHANGE ***** ELU -- Equivalent Livestock Unit (cow, horse, etc.) ***** EDU -- Equivalent Domestic Unit or 1 Family
##OTHER Irrigation and domestic; Supplemental PERIOD OF USE: 01/01 TO 12/31

PROPOSED EXCHANGE

FLOW: 1.99120 acre-feet PERIOD OF USE: 06/31 TO 08/31
SOURCE: Cobble Creek Spring
COUNTY: Weber COMMON DESCRIPTION: Pine Creek

LOCATION OF EXCHANGE (Points of Diversion: Click on Location to access PLAT Program.) ***** MAP VIEW ***** GOOGLE VIEW *****

POINT OF EXCHANGE -- SPRING:
(1) S 2050 ft W 1150 ft from SE cor. Sec 34, T 7N, R 3E, S10W.
Diverting Works: 7" pipe to two storage tanks Source: Cobble Creek Spring

POINT OF RELEASE:
FLOW: 1.99110 acre-feet PERIOD OF USE: 06/01 TO 08/31
**Location of Release Point(s) is the SAME as Point(s) of Diversion in CURRENT RIGHT above.

USES OF EXCHANGE ***** ELU -- Equivalent Livestock Unit (cow, horse, etc.) ***** EDU -- Equivalent Domestic Unit or 1 Family

SUPPLEMENTAL GROUP NO.: 201868

IRRIGATION: 1.30000 acres PERIOD OF USE: 06/01 TO 08/31

##RECREATION: Semi-Developed Camp with flush toilets and hot water PERIOD OF USE: 06/01 TO 08/31
Acre Feet Contributed by this Exchange for this Use: 0.8977

##RECREATION: Semi-Developed Camp with flush toilets and hot water PERIOD OF USE: 06/01 TO 08/31
Acre Feet Contributed by this Exchange for this Use: 0.8977

##PLACE OF USE:
---NORTH WEST QUARTER---NORTH EAST QUARTER---SOUTH WEST QUARTER---SOUTH EAST QUARTER
* NW NE SW SE * NW NE SW SE * NW NE SW SE * NW NE SW

Table with 4 columns: NORTH WEST QUARTER, NORTH EAST QUARTER, SOUTH WEST QUARTER, SOUTH EAST QUARTER. Row 1: * NW NE SW SE * NW NE SW SE * NW NE SW SE * NW NE SW. Row 2: Sec 31 T 7N R 3E S10W * | | | | * | | | | * X X * | | | |

OTHER COMMENTS

Recreational Use: 225 girls/day X 65 days/season X 20 gpd divided by 320,850

Exhibit A-Application and supporting documents

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4/8/15, 4:00 PM

gallons = 0.8977 acre-foot. 20 gpd/person taken from Table 510-1 UT Admin Code R509-510. Facility Design and Operation: Minimum Sizing requirements (Utah Division of Drinking Water) This is a semi-developed camp with flush toilets and hot water. The 65 days will take place between June 1 and August 31, but will not exceed 225 campers in 65 days or 14,625 total campers for the season.

Irrigation: 1.3 acres X duty of 3 acre-feet/acre X 60 days/214 days in a growing season = 1.0934 acre-foot. The 60 days will take place between June 1 and August 31, but will not exceed 60 days total.

This right is based on a contract with Weber Basin Water Conservancy District. This right will be maintained so long as the contract is valid.

SEGREGATION HISTORY

This Exchange as originally filed:

FLOW IN CFS	QUANTITY IN ACRE-FEET	WATER USES						
		IRRIGATED ACREAGE	STOCK (BLU)	DOMESTIC (FAMILIES)	MUNICIPAL	MINING ACRE-FEET	POWER ACRE-FEET	OTHER
	2.0	1.3000						

END OF DATA

Utah Division of Water Rights | 1544 West North Temple Suite 200, P.O. Box 146300, Salt Lake City, Utah 84114-6300 | 801 536 7240
[Natural Resources](#) | [Contact](#) | [Data sheet](#) | [Privacy Policy](#) | [Accessibility Policy](#)



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director State Engineer/Division Director

>>>>>>>OFFICIAL RECEIPT<<<<<<<<

RECEIPT No. 15-01351		DATE: April 20, 2015
RECEIVED FROM:		
JOHN D. SIMMONS 337 SOUTH HOUND STREET MORGAN, UT 84050		
NATURE OF SERVICE:		FEE:
Stream Alteration -- Non-Commercial	(STREAM)	100.00
TOTAL:		\$100.00
METHOD OF PAYMENT: CC-AMEX 593058		
RECEIVED BY:	DCANNON	

Rec. by AMX 593058
 Fee Rec. 100.00
 Receipt # 15-01351

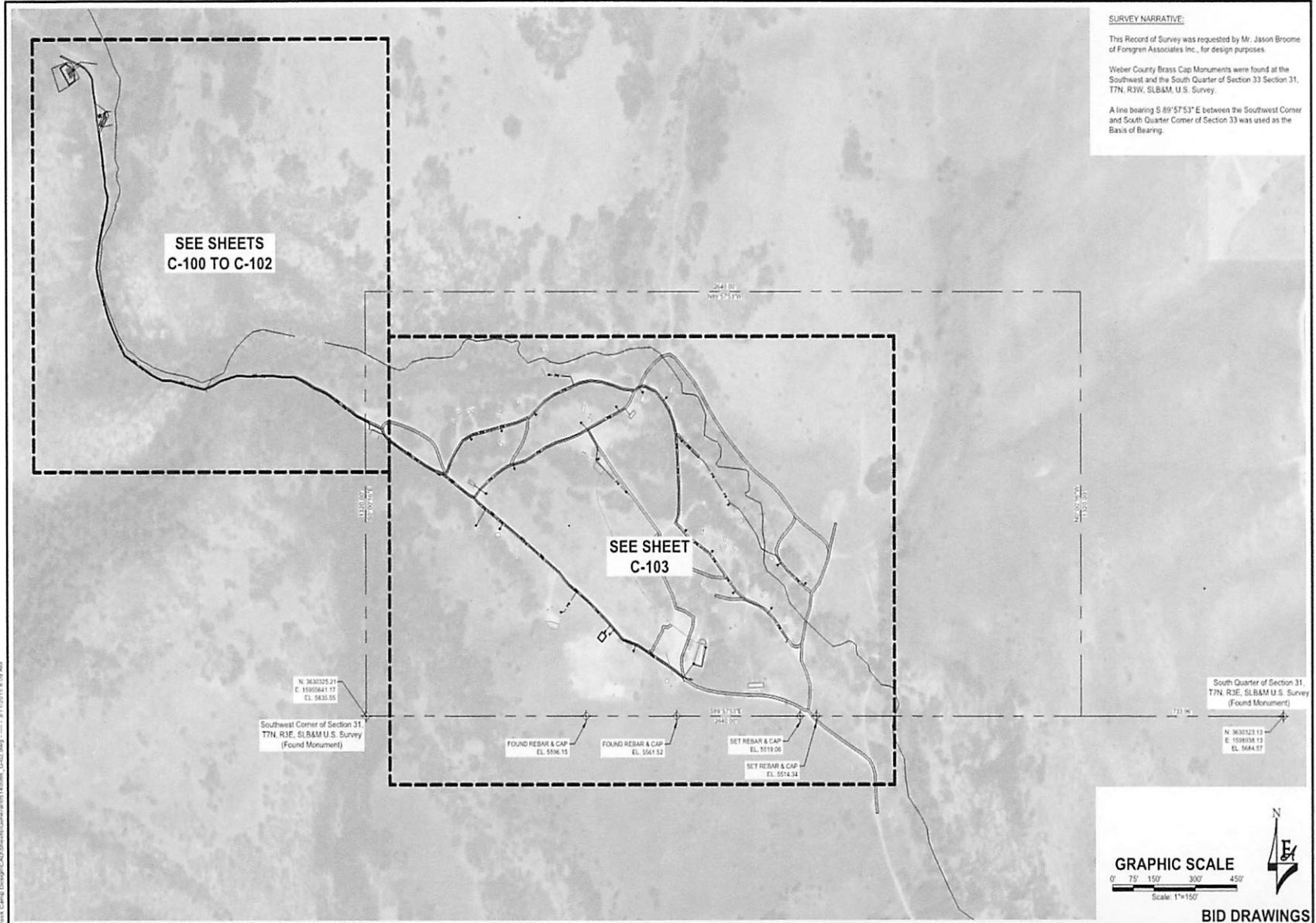
JOINT PERMIT APPLICATION FORM
 U.S. ARMY CORPS OF ENGINEERS – FOR SECTIONS 404 AND 10
 UTAH STATE ENGINEER'S OFFICE – FOR NATURAL STREAM CHANNELS

Application Number _____ / _____
 (assigned by): _____ Corps _____ State Engineer

Applicant's Name (Last, First M.I. or entity if not an individual) Corp. Pres Bishop / LDS Church		Authorized Applicant Representative (if any) John D. Simmons	Applicant's Telephone Number and Area Code 801-815-0260	
			Representative's Telephone Number and Area Code 801-726-5135	
Applicant's Address (Street, RFD, Box, Number, City, State, Zip) 50 East North Temple Salt Lake City, UT 84150				
PROJECT LOCATION				
Quarter Section(s) 33	Section 31	Township T7N	Range R3E	Base & Meridian SLBM
County Weber	Associated Watercourse or Watercourse to be Altered Cobble Creek		Check one: <input type="checkbox"/> Within City Limits <input checked="" type="checkbox"/> Outside City Limits List town or nearest town: Huntsville	
Project location or address: 6.5 Miles East of Huntsville on State Highway 39, and 1 Mile North By Dirt Road				
Brief description of project including methods and equipment to be employed to complete the work: The proposed project is spring rehabilitation, install of two new 5,000 gal. storage tanks, solar powered disinfection, modifications to existing water distribution system (waterlines, hydrants) and infrastructure. Work will be accomplished using small tracked excavators, backhoes, trenchers, hand labor and support equipment including small hand tools. Installation of (1) 2" HDPE line and (1) 4" HDPE line with a minimum of 2' of cover will be by excavator or backhoe. Natural water way will be put back as existing water crossing. By excavator picking up and placing rocks.				
Purpose (justification) of project: To improve the drinking water quality source (spring) and distribution system (piping)				
Is this a single and complete project or is part of a larger project, continuing project, or other related activities? If so, please describe the larger project or other related activities. Project is part of an overall upgrade to the recreational camp and will include demo and rebuild of a new restroom facility that is a separate project but is part of the upgrade.				
If project included the discharge of dredged or fill material into a watercourse or wetland: Cubic yards of material: Acreage or square footage of waters of the United States affected by the project: Source and type of fill material: Length of stream that will be impacted below ordinary high water elevation: No dredged or fill material used for this project.				

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APR 20 2015
 WATER RIGHTS
 SALT LAKE

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SURVEY NARRATIVE:
This Record of Survey was requested by Mr. Jason Broome of Forsgren Associates Inc., for design purposes.
Weber County Brass Cap Monuments were found at the Southwest and the South Quarter of Section 31 Section 31, T7N, R3E, S1B&M U.S. Survey.
A line bearing S 89°57'53" E between the Southwest Corner and South Quarter Corner of Section 33 was used as the Basis of Bearing.

NO.	REVISIONS	BY	DATE

DRAWN N. PATTERSON
DESIGNED N. PATTERSON
APPROVED J. BROOME
QA J. BROOME

ATTENTION
LINE IS 2 INCHES
AT FULL SIZE
(IF NOT 2" SCALE ACCURACIES)



Project for:
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

FORSGREN Associates Inc.
370 EAST 800 SOUTH, STE 200, SALT LAKE CITY, UT 84111
PH: 801.364.4785 FAX: 801.364.4802

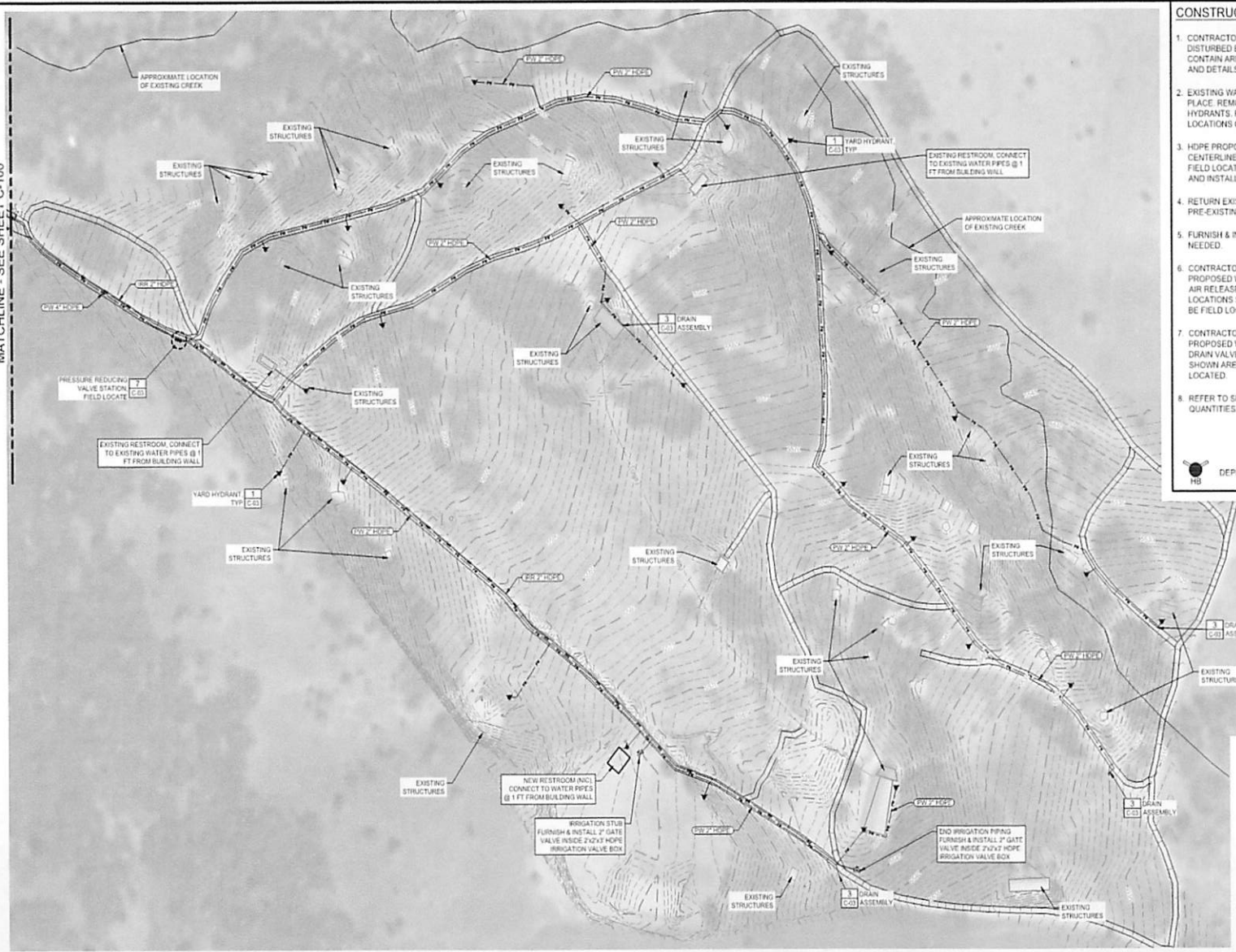


COBBLE CREEK RCMP
WATER SYSTEM IMPROVEMENTS - SURVEY CONTROL AND SITE KEY PLAN

PROJECT NO: **05-14-0086**
SHEET NO: **G-02**
DATE: MAR. 2015 PAGE NO: 02 OF 16

Exhibit B-Site Plan

MATCHLINE - SEE SHEET C-100



- CONSTRUCTION NOTES:**
1. CONTRACTOR SHALL RE-VEGETATE ALL AREAS DISTURBED BY CONSTRUCTION. SEED MIX SHALL CONTAIN AREA NATIVE GRASSES. SUBMIT PLAN AND DETAILS FOR APPROVAL BY ENGINEER.
 2. EXISTING WATER LINES SHALL BE ABANDONED IN PLACE. REMOVE AND DISPOSE OF EXISTING YARD HYDRANTS. FURNISH AND INSTALL PIPE CAP AT LOCATIONS OF EXISTING YARD HYDRANTS 433.
 3. HOPE PROPOSED WATER LINES SHALL FOLLOW CENTERLINE OF ACCESS ROADS @ 24" MIN. COVER. FIELD LOCATE ALL YARD HYDRANTS, 133. FURNISH AND INSTALL ACCORDING TO DETAIL 1C-03.
 4. RETURN EXISTING GRAVEL ACCESS ROADS TO PRE-EXISTING GRADE AND CONDITION.
 5. FURNISH & INSTALL HOPE PIPE FITTINGS AS NEEDED.
 6. CONTRACTOR SHALL LOCATE HIGH POINTS IN PROPOSED WATER LINES FOR INSTALLATION OF AIR RELEASE VALVES. PER DETAIL 2/C-03. LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE FIELD LOCATED.
 7. CONTRACTOR SHALL LOCATE LOW SPOTS IN PROPOSED WATER LINES FOR INSTALLATION OF DRAIN VALVES. PER DETAIL 3/C-03. LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE FIELD LOCATED.
 8. REFER TO SPECIFICATIONS FOR TABLE OF PIPING QUANTITIES.
- DEPICTS YARD HYDRANT



NO.	REVISIONS	BY	DATE

DRAWN: N. PATTERSON
 DESIGNED: N. PATTERSON
 APPROVED: J. BROOME
 QA: J. BROOME

ATTENTION
 LINE IS 2 INCHES
 AT FULL SIZE
 (IF NOT AT SCALE ACCORDING)



Project for:
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

FORSGREN Associates Inc.
 370 EAST 500 SOUTH, STE. 200, SALT LAKE CITY, UT 84111
 PH: 801.364.4785 FAX: 801.364.4802

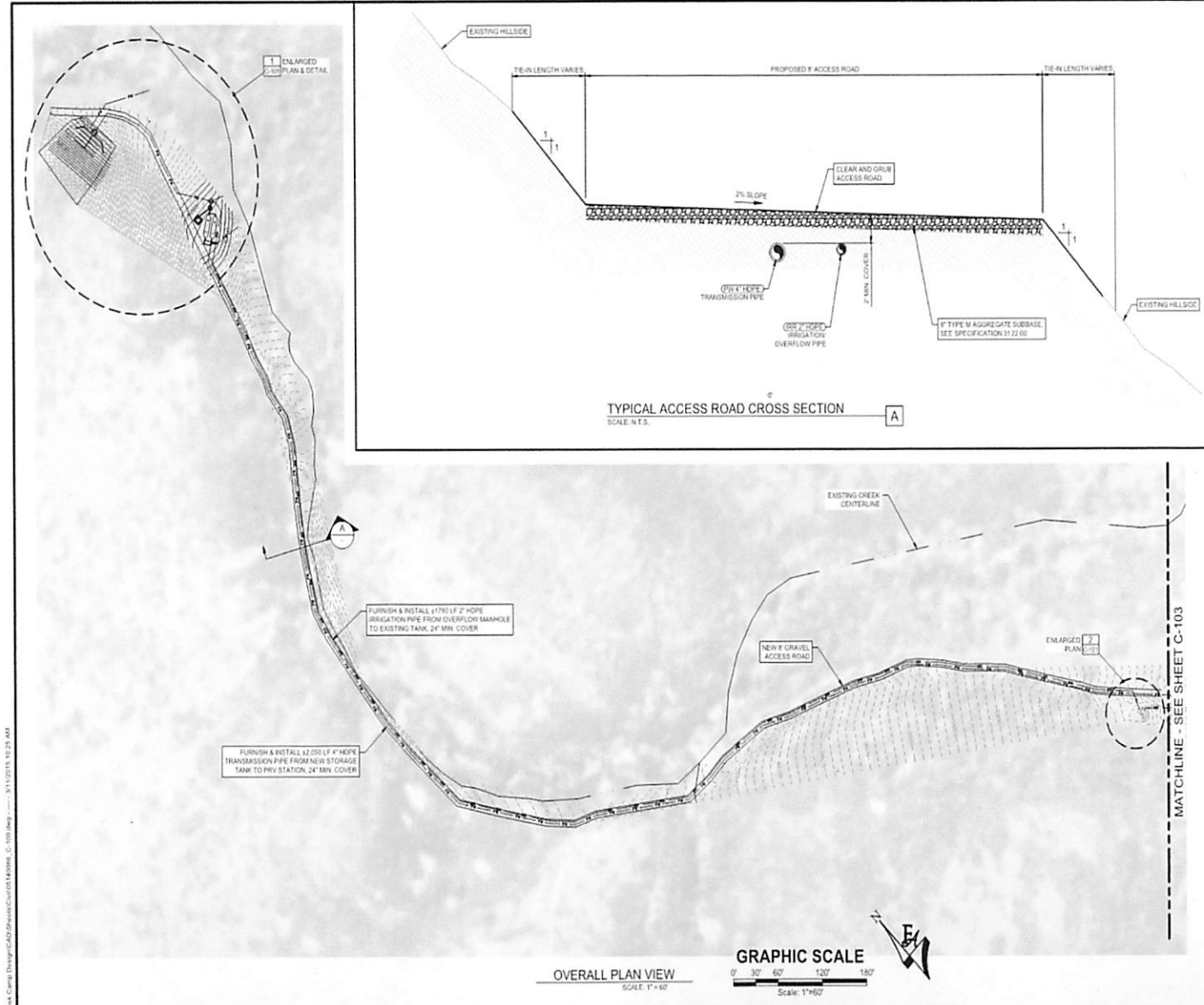


COBBLE CREEK RCMP
WATER SYSTEM IMPROVEMENTS - MAIN CAMP AREA SITE PLAN

BID DRAWINGS

PROJECT NO:	05-14-0086
SHEET NO:	C-103
DATE:	MAR. 2015
PAGE NO.:	10 OF 16

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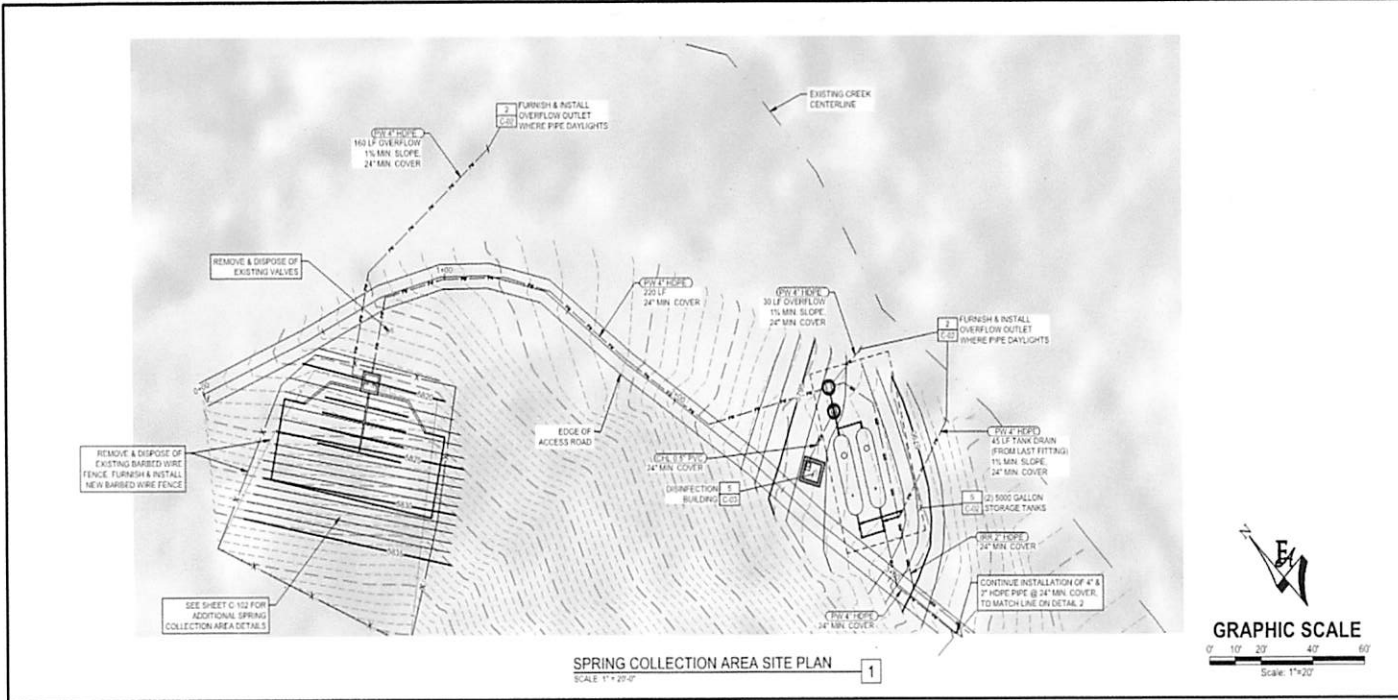


- CONSTRUCTION NOTES:**
- CONTRACTOR SHALL RE-VEGETATE ALL AREAS DISTURBED BY CONSTRUCTION. SEED MIX SHALL CONTAIN AREA NATIVE GRASSES. SUBMIT PLAN AND DETAILS FOR APPROVAL BY ENGINEER.
 - EXISTING WATER LINES SHALL BE ABANDONED IN PLACE. REMOVE AND DISPOSE OF EXISTING YARD HYDRANTS. FURNISH AND INSTALL PIPE CAP AT LOCATIONS OF EXISTING YARD HYDRANTS. E33.
 - HOPE PROPOSED WATER LINES SHALL FOLLOW CENTERLINE OF ACCESS ROADS @ 24" MIN. BURY FIELD. LOCATE ALL YARD HYDRANTS. E33. FURNISH AND INSTALL ACCORDING TO DETAIL 11C-03.
 - FURNISH & INSTALL HDPE PIPE FITTINGS AS NEEDED.
 - RETURN EXISTING GRAVEL ACCESS ROADS TO PRE-EXISTING GRADE AND CONDITION.
 - CONTRACTOR SHALL LOCATE HIGH POINTS IN WATER LINES FOR INSTALLATION OF AIR RELEASE VALVES. PER DETAIL 21C-03.
 - CONTRACTOR SHALL LOCATE LOW SPOTS IN WATER LINES FOR INSTALLATION OF DRAIN VALVES. PER DETAIL 31C-03.

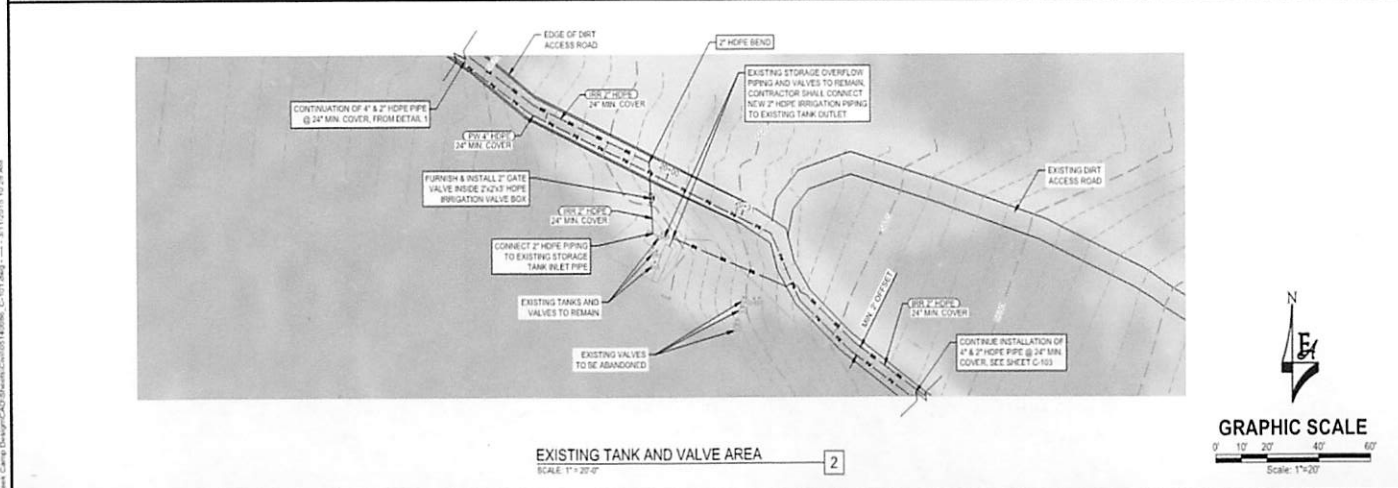
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PROJECT NO.	05-14-0086																															
SHEET NO.	C-100																															
DATE	MAR 2015																															
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SPRING COLLECTION AREA SITE PLAN
SCALE: 1"=20'-0"



EXISTING TANK AND VALVE AREA
SCALE: 1"=20'-0"



- CONSTRUCTION NOTES:**
1. CONTRACTOR SHALL RE-VEGETATE ALL AREAS DISTURBED BY CONSTRUCTION. SEED MIX SHALL CONTAIN AREA NATIVE GRASSES. SUBMIT PLAN AND DETAILS FOR APPROVAL BY ENGINEER.
 2. EXISTING WATER LINES SHALL BE ABANDONED IN PLACE. REMOVE AND DISPOSE OF EXISTING YARD HYDRANTS. FURNISH AND INSTALL PIPE CAP AT LOCATIONS OF EXISTING YARD HYDRANTS 133.
 3. 2" HDPE PROPOSED WATER LINES SHALL FOLLOW CENTERLINE OF ACCESS ROADS @ 24" MIN. BURY. FIELD LOCATE ALL YARD HYDRANTS. 133. FURNISH AND INSTALL ACCORDING TO DETAIL 11C-03.
 4. RETURN EXISTING GRAVEL ACCESS ROADS TO PRE-EXISTING GRADE AND CONDITION.
 5. FURNISH & INSTALL HDPE PIPE FITTINGS AS NEEDED.

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DRAWN: N. PATTERSON	DESIGNED: N. PATTERSON										
APPROVED: J. BRIDGEMAN	QA: J. BRIDGEMAN										



ELECTRICAL SITE PLAN
 SCALE: 1/8" = 1'-0"
 10 5 0 10 20

NO.	REVISIONS	BY	DATE

This document or any part thereof is drafted or design prepared in the presence of Forsgren Associates Inc. and shall not be copied without the written authorization of Forsgren Associates Inc.

DRAWN: N.D. JOHNSON
 DESIGNED: N.L. JOHNSON
 APPROVED: H.L. JOHNSON
 QA: S. CLARK

ATTENTION
 LINE IS 2 INCHES
 AT FULL SIZE
(IF NOT IN SCALE ACCORDANCE)



Project for:
**THE CHURCH OF
 JESUS CHRIST
 OF LATTER-DAY SAINTS**

FORSGREN
Associates Inc.
 370 EAST 500 SOUTH, STE 200, SALT LAKE CITY, UT 84111
 PH: 801.364.4788 FAX: 801.364.4802

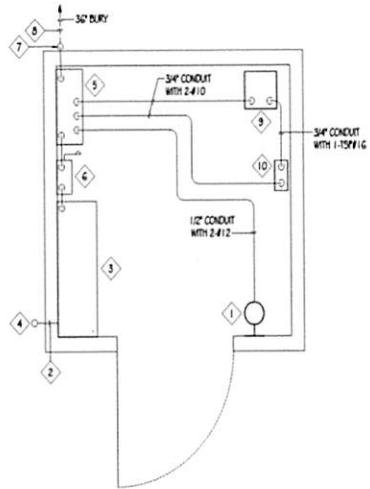


COBBLE CREEK RCMP
ELECTRICAL SITE PLAN

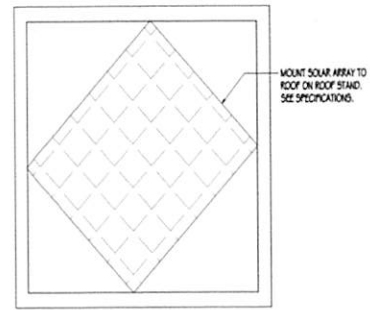
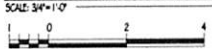
PROJECT NO:
05-14-0086
 SHEET NO:
E-100
 DATE: MAR. 2015 PAGE NO:
 12 OF 16

DRAWING NOTES

- ① WALL MOUNTED LIGHT. MOUNT OVER SINGLE GANG BOX.
- ② SOLAR PANEL FEED. SEE CONTROL CABINET DIAGRAM.
- ③ NEW SOLAR CABINET.
- ④ CORE DRILL WALL. RISE TO ROOF WITH L.B. TERMINATE WITH WEATHERHEAD. WHP TO SOLAR PANEL.
- ⑤ D.C. DISCONNECT.
- ⑥ NEW CONTROL CABINET.
- ⑦ CORE DRILL WALL. SILICONE SEAL AROUND CONDUIT. DROP TO GROUND WITH L.B.
- ⑧ 2" CONDUIT WITH 6-#10, 1-FLOW METER CABLE, TO VALVE ACTUATOR. SEE SITE PLAN.
- ⑨ DOSING PUMP LM MODEL JS40 MOUNTED ON WALL.
- ⑩ SCAMETRICS FT-420 METER DISPLAY.



DISINFECTION BUILDING POWER PLAN



DISINFECTION BUILDING ROOF POWER PLAN



NO.	REVISIONS	BY	DATE

DRAWN: N.D. JOHNSON
 DESIGNED: N.D. JOHNSON
 APPROVED: N.D. JOHNSON
 QA: B. CLARK



Project for:
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

FORSGREN Associates Inc.
 370 EAST 800 SOUTH, STE 200, SALT LAKE CITY, UT 84111
 PH 801.364.4798 FAX 801.364.4822



COBBLE CREEK RCMP
DISINFECTION BUILDING ELECTRICAL PLANS

PROJECT NO:	05-14-0086
SHEET NO:	E-101
DATE:	MAR. 2015
PAGE NO:	13 OF 16

NOTES:

1. USE NPC B/D/C/D C-56 PREFORMED BUTYL MASTIC JOINT, O.A.E., AT EACH MANHOLE JOINT
2. REINFORCEMENT NOT SHOWN FOR CLARITY
3. USE NPC BW-12T EXTERNAL JOINT WRAP, O.A.E., AT EACH MANHOLE JOINT
4. INSTALL TANKS PER MANUFACTURER'S RECOMMENDATIONS. CONTRACTOR SHALL SUPPLY ALL REQUIRED VALVES, PIPES, AND FITTINGS INTEGRAL TO COMPLETE INSTALLATION

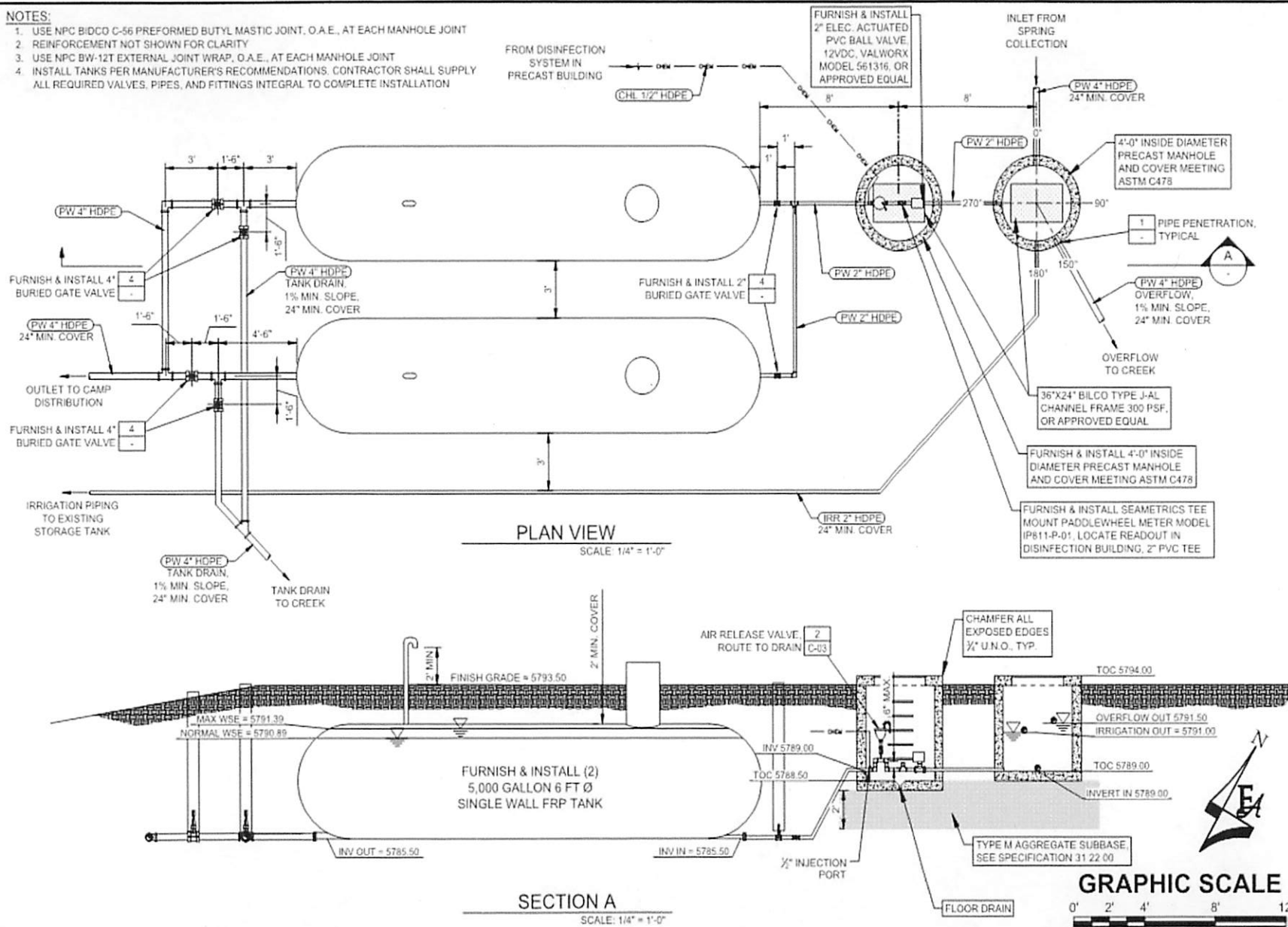
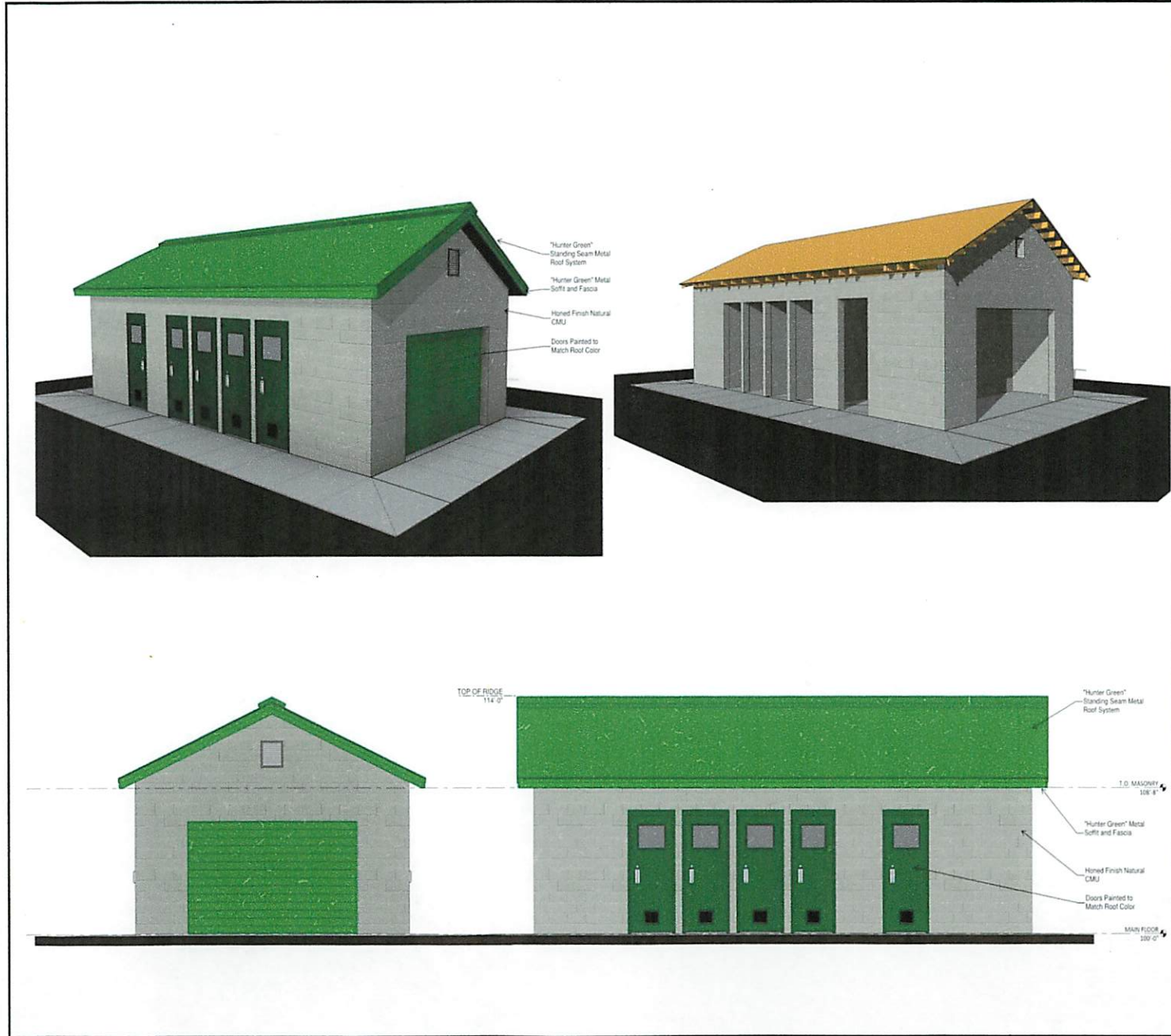


Exhibit C-Water System Improvement Details

BID DRAWINGS



APEX
DESIGN GROUP

2704 W. 900 S.
HUNTSVILLE, UT 84317
801.261.0000
1/16/16

PROJECT TITLE

COBBLE CREEK RCMP
CLEARFIELD UT SOUTH STAKE
NEW RESTROOM / SHOWER
AND SEPTIC SYSTEM
SOUTH FORK CANYON
8 MILES EAST HIGHWAY 39
HUNTSVILLE, UTAH 84317
P.N. 517-6182-14030101

Project for
**THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS**

REVISED

PROJECT # 14036
ISSUE DATE 30 MAR 2015
PHASE BID SET
DRAWN BY MS
CHECKED BY BA

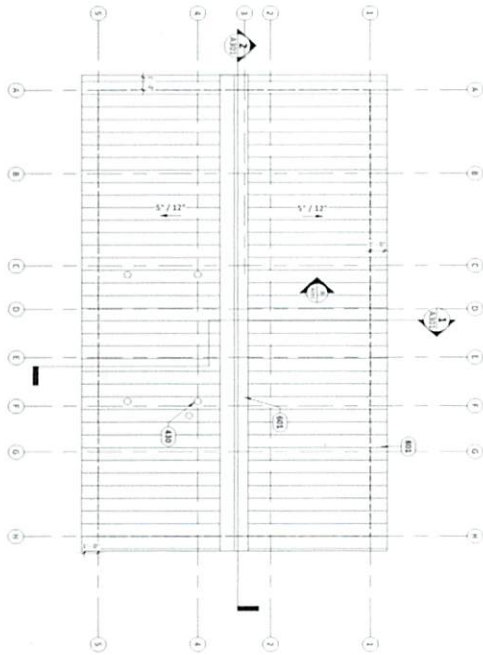
SHEET CONTENTS
**ISOMETRICS
& COLOR
ELEVATIONS**

SHEET #

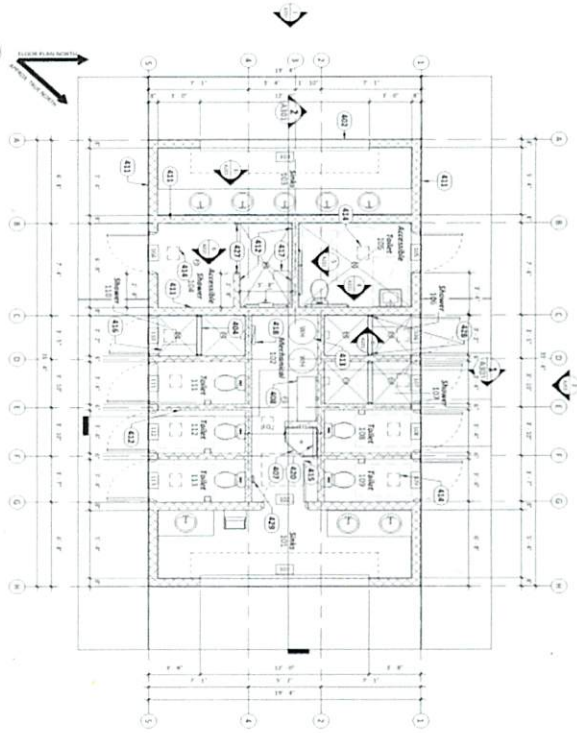
A901

Exhibit D-Restroom Plans

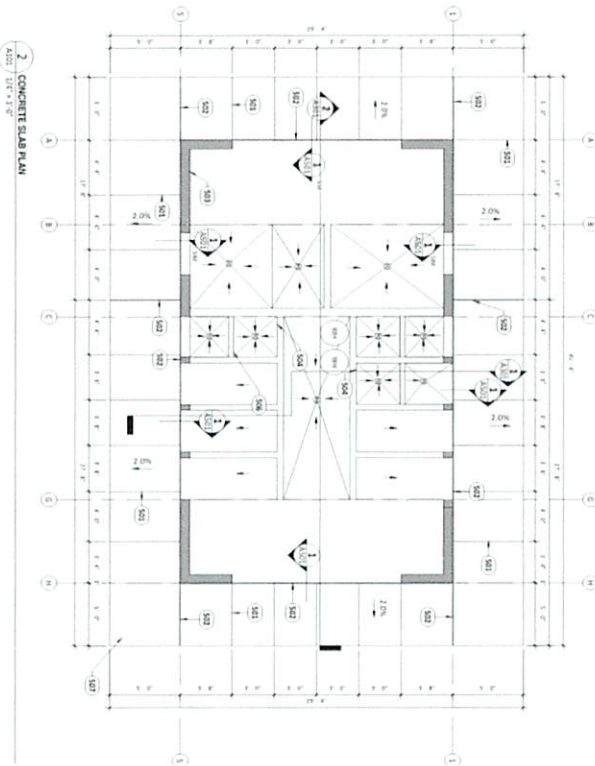
3 ROOF PLAN
ASST. 20'-11.5"



1 MAIN FLOOR PLAN
ASST. 20'-11.5"



2 CONCRETE SLAB PLAN
ASST. 15'-11.5"



NO.	DESCRIPTION
1	ROOFING
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A101

RESTROOM FLOOR PLAN

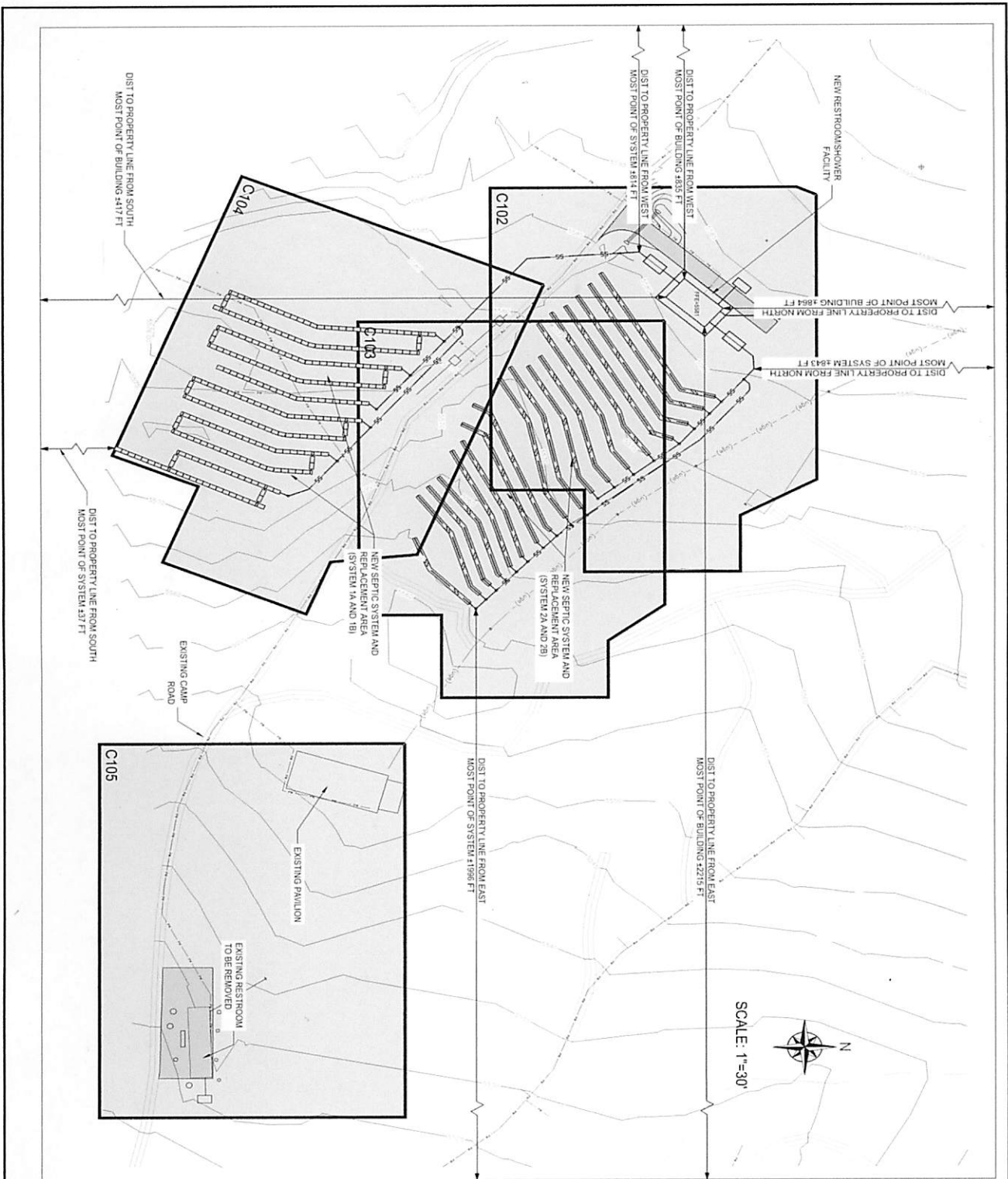
PROJECT # 1428
 ISSUE DATE 20 MAR 2018
 PHASE BID SET
 DRAWN BY J/S
 CHECKED BY BA

Project for
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

COBBLE CREEK RCMP CLEARFIELD UT SOUTH STAKE NEW RESTROOM / SHOWER AND SEPTIC SYSTEM
 SOUTH FORK CANYON 8 MILES EAST HIGHWAY 39 HUNTSVILLE, UTAH 84317 P.N. 517-6182-14030101

APEX
 RESTROOM OVERLAY

Exhibit D-Restroom Plans



<p>APEX DESIGN GROUP</p>	<p>PROJECT TITLE</p> <p>COBBLE CREEK RCMP CLEARFIELD UT SOUTH STAKE NEW RESTROOM/SHOWER AND SEPTIC SYSTEM</p>
	<p>SOUTH FORK CANYON, 8 MILES EAST HIGHWAY 39 P.N.517-6182-14030101</p>
<p>PROJECT FOR</p> <p>THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS</p>	<p>PROJECT #</p> <p>14030</p> <p>ISSUE DATE</p> <p>MAY 20, 2015</p> <p>PHASE</p> <p>RD SET</p> <p>DRAWN BY</p> <p>JAY</p> <p>CHECKED BY</p> <p>BAR</p>
<p>OVERALL SITE PLAN</p> <p>C101</p>	<p>DATE</p> <p>NO</p> <p>BY</p> <p>REVISION</p>

Exhibit E-Reviewers Comments

Weber Fire Comments

Project: Cobble Creek RCMP Water System Improvements
User: Brandon Thueson
Department: Weber County Special Events, Weber Fire District
Created: 2015-04-28 17:00:50
Modified: 2015-04-28 17:00:50
Approved: Yes

Notes

Weber Fire District has no concerns with this conditional use permit. There may be other requirements during the building plan review process.

Environmental Health drinking water

Project: Cobble Creek RCMP Water System Improvements
User: Summer Day
Department: Weber-Morgan Health Department - Waste Water Division
Created: 2015-05-01 11:38:05
Modified: 2015-05-01 11:38:05
Approved: Yes

Notes

Our office has been in communication with the State Division of Drinking Water (DDW) on this matter. The state has confirmed that this is an existing approved public Transient Non-Community water system. The existing system is renovating its infrastructure. The renovation is approved by DDW, the water systems status as an approved water system will not change during the renovation process.

Comments and Correspondences 1 - 1 of 1

[Summer Day](#)

Fri, May 1st 2015, 12:58

An onsite wastewater plan/ septic plan has been reviewed and approved. At this time a legal address is required to issue a permit

Engineering Review 1

Project: Cobble Creek RCMP Water System Improvements
User: Dana Shuler
Department: Weber County Engineering Division
Created: 2015-05-15 08:45:15
Modified: 2015-05-15 08:56:48
Approved: Yes

Notes

I have had a chance to review the plan(s) and have the following comment(s):

Building permit(s) will be required for the restroom, electrical components (including solar) not associated with the restroom, and the concrete cutoff wall (if the wall will be anything but completely buried).

A SWCAP and SWPPP will be required for this project.

I have tried to address all items of concern from the Engineering Department. However, this review does not forego other items of concern that may come to this department's attention during additional reviews or during construction of improvements. If you have any comments or questions concerning this review, feel free to contact me.



Weber County Planning Division

To: Ogden Valley Planning Commission
From: Charles Ewert, AICP
Date: May 14, 2015
Subject: Request to consider allowing detached accessory apartment

Summary. Mr. Johnny Tallon, from the Eden area, is requesting that the Planning Commission consider an amendment to the Land Use Code to allow detached accessory apartments. His request, which can be read in the attached letter, indicates his desire to provide a place on his property for his aging parents to reside.

Background. This discussion was initiated when Mr. Tallon approached staff with questions about allowing small living quarters in a detached building. He has paid a small fee to have this discussion with the Planning Commission in a work session.

Proposal. The request, as can be read in more specificity in the attached letter, is to discuss the possibility of changing the Land Use Code to enable detached accessory apartments. Considering the nature of the request, where Mr. Tallon references restrictions in the building code he is likely meaning restrictions in the Land Use Code.

Planning Commission Consideration. Mr. Tallon would like to know whether the Planning Commission would support such an amendment. He is asking for this discussion prior to submitting a formal application for a code amendment. Until a formal application is submitted for a code amendment there will not be significant staff review on the matter. However, some considerations that the Planning Commission may want to discuss when deliberating on the matter are as follows:

- Is there a need for more housing choices for relatives in the valley, and if so, will this request help provide for it?
- Are there rules that could be implemented to keep the use from evolving into an accessory single family dwelling unit? Small footprint? Recorded covenant with the County? Not allowing it to be leased or rented?
- What happens to the accessory apartment after the relatives no longer live there?
- Attached accessory apartments are already allowed in the valley, how are detached accessory apartments different? What are the differing impacts? Does the separation provide a significant benefit? Are there significant detriments?
- How will enforcement work?

Attachments:

- Letter from resident regarding detached accessory apartments.
- Accessory apartment code.

Dear Ogden Valley Planning Commission,

05/14/2015

I would like to build a detached shop/barn that contains a small (800-1000 sq. ft.) apartment on my property of 2.56 acres in Eden. The building would be located approximately 60 feet from the main residence and would not extend beyond the front of the residence. The apartment would be occupied by my aging parents who are in their early 70's, one of whom is a veteran and experiencing some significant health challenges. The apartment would never be used as a rental.

I fully understand that many residents in Ogden Valley want to maintain a low population density in the area and that the current building code reflects that sentiment. I share it too. The rural population and natural beauty of the area are some of the primary reasons my wife and I decided to settle here and raise our family after I retired from the military. This is not a seasonal home for us. We live here year around and are committed to the idea that the Valley maintain its rural charm that so many Valley residents value.

One of the other factors that drew us to Utah is the long standing culture of family values and the importance that most Utahans place on taking care of their families. I believe that we all have a duty to honor our aging parents and an obligation as a society to ensure our senior citizens can live out their golden years with dignity. Families should not be unreasonably constrained from taken care of their loved ones as they see fit by one-size-fits-all building codes.

Not all properties and homes lend themselves to an attached apartment as per the current building code; such is the case with my home. A detached apartment would fit my property best. It would also allow my parents a higher degree of privacy and independence, while allowing me to take care of their needs. There has to be a way that we as Ogden Valley residents and creative planners can find a way to give families the flexibility to take care of their aging parents and seniors, while maintaining the rural charm and culture of the Valley. Thank you for taking the time to review my request. I pray for my family's sake that something can be done.

Sincerely,



Johnny Tallon

1817 N. 6250 E.

Eden, UT 84310

801-866-2976

uscg2013@gmail.com

CHAPTER 19. - ACCESSORY APARTMENTS

Sec. 108-19-1. - Purpose and intent.

The purpose of allowing accessory apartments within existing dwellings or by addition thereto, subject to conditions by conditional use permit, is to provide for affordable housing for the citizens of the county.

(Ord. of 1956, § 42-1)

Sec. 108-19-2. - Conditional use.

Accessory apartments may be permitted, by conditional use permit, in any zone in which single-family residential dwelling units are allowed, under the following specifications:

- (1) *Relationship to principal use; appearance.* An apartment may be established only accessory to a permitted dwelling. The apartment unit shall have common walls, roof, and/or floors with the principal dwelling. The minimum width shall be 20 feet with the livable floor area of the main home, with an opening from the accessory apartment to the main home, into a common living area of the main home. The opening can be closed off by a door. Basement apartments meet this requirement with the common floor. The stairs which lead to the main floor and open up into the common living space of the main home can be closed off by a door. The accessory apartment opening into a garage or storage is not considered livable space. The outward appearance of the accessory dwelling shall be consistent with the design and character of the principal dwelling in its construction, materials and finish treatment. There shall be no more than one apartment accessory to a permitted dwelling. There shall be no separate address, mailbox or utilities.
- (2) *Floor area.* Living area of an accessory apartment shall contain a minimum of 400 square feet and shall not exceed a maximum of 800 square feet; there shall be no more than two bedrooms in such apartments. In no case shall the floor area exceed 25 percent of the gross livable floor area of the total structure.
- (3) *Location.* An accessory apartment shall be so located upon a lot to comply with all dimensional requirements of the zoning district for new construction. An apartment located within the perimeter of an existing (by location) nonconforming dwelling, shall not be subject to such requirements. No apartment shall be located in a basement or cellar unless such basements or cellar constitutes a walk-out basement. Additions for the purpose of an accessory apartment shall be made only above or to the side or rear of the principal dwelling.
- (4) *Access.* An accessory apartment shall have a minimum of one separate external door access from the principal dwelling located on either the side or the rear of the principal dwelling.
- (5) *Amenities.* An accessory apartment shall contain separate amenities from the principal dwelling: kitchen facilities, full bath, electric panel with separate disconnect, telephone service.
- (6) *Parking.* In addition to the two parking spaces required for the principal dwelling, two off-street parking spaces shall be provided for an accessory apartment in a designated location on the premises. Such spaces shall be on an area prepared to accommodate vehicle parking.

(Ord. of 1956, § 42-2)

To determine achievement of affordable housing designation, the owner shall provide a copy of the initial rental agreement indicating either the monthly or annual rent of the unit at the time of issuance of the certificate of occupancy.

- (2) The planning division staff, pursuant to its established administrative requirements, shall review rental agreements every two years as part of the conditional use approval in order to assure that the affordability of the accessory apartment is upheld and to keep records on numbers and availability of affordable housing.

(Ord. of 1956, § 42-5)



Weber County Planning Division

To: Ogden Valley and Western Weber Planning Commission
From: Charles Ewert, AICP
Date: May 18, 2015
Subject: Request to consider a land use code amendment to the Home Occupation Chapter

Summary. Mr. and Mrs. Thomassen are requesting an ordinance change to allow certain athletic instruction activities to occur on their residential property in the A-1 zone in Western Weber County. After considering their request staff concluded the best way for the code to be amended to accommodate the request whilst minimizing the potential effects of full scale recreational facilities in residential areas is to address the use as a home occupation. Through regulations of a home occupation the County can provide regulating provisions to keep the use from turning into a full scale commercial activity. The attached proposal (Exhibit A and Exhibit B) is intended to do that.

Currently, home occupations are only allowed to use 400 square feet or less of the home, and may not be conducted outside the home. This proposal, if approved, would allow yard area and accessory buildings to be used for athletic instruction activities related to a home occupation. It is a shift from current policy, but appears to be keeping with the County Commission's desire to support economic development and small business ventures.

Background. The Thomassen's own a five acre residential property in Western Weber County in the A-1 zone (on 3500 West). There is a swimming pool and a large accessory building with an indoor basketball court and indoor batting cage currently on their property. They would like the opportunity to provide athletic instruction in those facilities. They approached staff several weeks ago to discuss the idea, and then subsequently filed an application to amend the Land Use Code.

Proposal. The proposal, as written by staff, is to amend the home occupation code to allow athletic instruction to occur outside a residence in yard area or inside accessory structures. There are also other administrative and clarifying changes to the code. The changes specific to athletic instruction can be reviewed in the paragraph starting on line 72 of the attached Exhibit A, and the paragraph starting on line 97 of the attached Exhibit A.

The remaining changes show staff's proposal for other administrative and clarifying amendments to the home occupation code. The administrative and clarifications amendments should not prolong getting the applicants an answer to their request, so if any of these other proposed changes create a need for more review time than the request would otherwise merit they should be abandoned for now and addressed at another time.

Policy analysis. It is currently conceivably possible for athletic instruction to occur within a residence, provided the home owner can comply with requirements and standards of the home occupation code. These kinds of activities are limited to 400 square feet of the home (smaller if the main floor area is less than 1600 square feet) and may not be conducted outside. The policy shift in this proposal is to allow it to also



Weber County Planning Division

occur outside the residence, in yard area and in accessory buildings. Under current laws, a person desiring to teach swimming lesson in their private pool, tennis lessons on their backyard tennis court, or, in the case of the applicant, basketball lessons in their accessory building, is not allowed to do so if it is done for remuneration.

If this proposal is adopted, athletic instruction will be the only home occupation that is permitted to be conducted outside the home.

The home occupation code is written to limit certain detrimental effects of uses incompatible with residential neighborhoods, whilst still permitting commercial ventures on a small enough scale so as not to cause a nuisance or deteriorate the residential character or quality of the neighborhood. By restricting home occupations to a portion of the residence the current code seeks to limit the detriments of commercial or industrial uses in areas otherwise residential. These detriments may include hours of business operation, parking and general circulation to and from the site, deliveries, noises, smells, sights, lighting, etc.

Prohibiting any home occupation activity outside the residence is certainly an effective way to minimize the effects of commercial and industrial uses in residential areas; however, it is too restrictive for small athletic instruction activities that cannot be done inside. This proposal seeks ways to create other limitations for this type of home occupations rather than restricting it to the inside of the residence.

This proposal is keeping with the general directives from the County Commission regarding economic development. The specific nature of this proposal has not yet been presented to them, but they have requested that we consider economic development opportunities in all of our considerations, when possible. Expanding the allowed home occupation uses to include outdoor athletic instruction can help foster the innovative and entrepreneurial culture that supports start up businesses. It also seems to generally support Weber County as an outdoor recreation leader.

The limitations imposed on the proposed athletic instruction uses will help keep it compatible with the residential nature of the surrounding area. As with any home occupation, if at some point the occupation gets so big that it cannot comply with the standards of the ordinance the business owner will need to seek an appropriate business site elsewhere.

Staff reached out to other counties to see who else allows home occupation activities to occur outside the main home. All had limitations and certain processes, but it appears that Cache County, Box Elder County, Morgan County, and Summit County allow some yard area to be used for a home occupation. Davis County and Wasatch County do not. We did not hear back from Salt Lake County.

Technical analysis. The proposed changes are attached in redlined (Exhibit A) and clean (Exhibit B) copies. For the redlined copies the following is the key to interpretation:

~~Red strikeout indicates text being deleted.~~

Blue underline indicates text being added.



Weber County Planning Division

~~Green strikeout indicates text moving to another location.~~

Green double underline indicates text being moved to this location.

The current code gives a list of examples of home occupations that are prohibited, and a list of examples of home occupations that are permitted. These lists of examples do not work when trying to determine whether a use that is not listed is permitted or prohibited. Typically a home occupation codes will specifically list prohibited home occupations, and leave the permitted home occupations open ended, but regulated by requirements and standards. This proposal makes this change. Some of the new standards (line 109-112 of Exhibit A) are derived from the current list of examples of permitted home occupations (line 30-41). The Planning Commission should review the list of proposed prohibited home occupations to determine whether it is sufficiently complete (line 18-27 of Exhibit A). This list was derived after review of other jurisdiction's home occupation codes.

The current code also confuses requirements with standards. The proposal separates the two into different sections. This is of minimal consequence, and mostly preferential. It helps the appearance and presentation of the code. The requirements and standards are not changing.

The extent of the home occupation (line 61 of Exhibit A) is proposed to be modified a little. It currently indicates that the home occupation can only comprise a maximum of 400 square feet or 25 percent of the ground floor area of the home (line 70-71 of Exhibit A), whichever is lesser. The proposal modifies this to indicate a maximum of 400 square feet or 25 percent of the total floor area of the home (line 63-64 of Exhibit A). This change gives a little more flexibility for those homes that have smaller (less than 1600 square feet) ground floors.

The current home occupation code has three separate locations where it regulates parking. These standards have been consolidated (line 89-100 of Exhibit A). One change to the parking standards is a little more flexibility with required spaces when the home occupation involves non driver-age persons (line 92-93 of Exhibit A). Also, staff noted that the loading and unloading requirements for large truck deliveries under the current code are missing. This new standard has been provided (line 97-100 of Exhibit A).

Group instruction is currently listed as an example of an allowed home occupation, and is limited to no more than one per month. The Planning Commission should determine whether this is sufficient.

The new standards for athletic instruction can be found starting on line 114 of Exhibit A.

- It limits the home occupation to eight persons at a time, not including employees. This limit is not scientific, but rather a reflection of limitations found elsewhere in the code (see daycare limitations). This will help cut down on vehicle traffic to and from the site, and reduce the parking needs.
- The proposal also provides a minimum area of the lot that outdoor athletic instruction can occur on. The three acre minimum limitation is also not scientific, but it does help ensure an appropriate acreage to help provide the neighborhood with a degree of separation from the use.
- The proposal prohibits events that may draw crowds.



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- The proposal requires all athletic instruction activities to remain instructional, and prohibits it from turning into a general recreation center.

Planning Commission Consideration. Please come to the meeting prepared to discuss the proposed changes. Staff and the applicant will be seeking the Planning Commission's opinion, and soliciting needed changes to make the ordinance change supportable.

Attachments:

- Exhibit A: Proposed changes [redlined] – home occupation code
- Exhibit B: Proposed changes [clean] – home occupation code

Exhibit A: Proposed Changes [Redlined] – Home Occupation Code

CHAPTER 13. - HOME OCCUPATION; SHORT TERM VENDORS; TEMPORARY OUTDOOR SALES; FARMER'S MARKETS

FOOTNOTE(S):

--- (1) ---

Editor's note—This chapter originally pertained solely to home occupations and was derived from Ord. of 1956, chapter 34. It was replaced in its entirety by Ord. No. 2011-17, passed 10-11-2011.

Sec. 108-13-1. - Purpose and intent.

(a) The purpose and intent of this chapter is to allow persons residing in dwellings in zones in which home occupations are permitted in residential, forest, and agricultural zones, to provide a service, operate certain kinds of small businesses, or maintain a professional, or business office while not changing the character of the neighborhood.

(b) This chapter also addresses short term vendors, temporary outdoor sales, and farmers markets.

(Ord. No. 2011-17, § 1(34-1), 10-11-2011)

Sec. 108-13-2. - Home occupations.

(a) Use regulations. Home occupations are allowed in specified zones in accordance with the regulations and restrictions provisions of this ordinance.

(1) The following uses are not allowed prohibited as home occupations, i.e.:

- a. tanning salons;
b. and body art or tattoo parlors;
c. clinics and hospital;
d. animal and veterinary clinic;
e. restaurant;
f. auto, truck, and recreational vehicle repair or sales;
g. ambulance service; or
h. Sexually oriented businesses.
i. OTHERS?

(2) Home occupations not prohibited shall be allowed provided compliance with the requirements and standards listed in this chapter.

(1) The following uses are examples of allowable home occupations:

- 1. Barber with not more than 2 stations on the premises.
2. Business office to include book keeping and phone calls.
3. Child day care of not more than eight children, including care giver's children under six years of age.
4. Computer information services.

Comment [c1]: Home occs are also allowed in the DRR-1 zone and M-X zones. Maybe re-write for any zone allowing residential uses.

Comment [c2]: Marked for future change: Reference land use table here.

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Comment [c3]: Need list of prohibited home occ uses.

Comment [c4]: Remove the list of examples and rely on impact standards.

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- 36 5.—Group instruction or motivational meetings as a forum for sales presentations held not more
37 than once every month.
- 38 6.—Massage therapy salons.
- 39 7.—Musical instruction.
- 40 8.—Nail salons.
- 41 (2) Phone order or mail order services.
- 42 (b) Requirements Required conditions. A home occupation ~~must~~ shall ~~meet~~ comply with all of the
43 following ~~conditions and~~ requirements:
- 44 (1) An application for a land use permit with a site plan depicting the site boundaries and relevant
45 buildings or facilities onsite ~~is~~ shall be required in order to verify zoning requirements, ~~and~~
46 ~~setbacks.~~
- 47 (1)(2) The property owner's written authorization shall be submitted as part of the application for
48 the home occupation.
- 49 (3) The home occupation shall obtain an annual business license.
- 50 9.(c) Standards. A home occupation shall comply with the following standards:
- 51 (2)(1) A home occupation ~~may~~ shall only be carried on ~~in a dwelling unit~~ by the resident(s) who
52 ~~actually~~ reside on the premises; except that two non-resident employees may be allowed ~~having~~
53 ~~provided~~ complied the lot size is a minimum of one acre, ~~with the following standards:~~
- 54 a. ~~The minimum lot size shall be one acre.~~
- 55 b. ~~Parking standards will comply with chapter 24 the parking ordinance for residential~~
56 ~~dwellings and in addition shall require one parking space for each non-resident employee~~
57 ~~and one for each visiting clientele.~~
- 58 (3)(2) The home occupation shall retain the general character and appearance of a residential
59 dwelling and not change the general character of the neighborhood except for approved
60 signage and vehicle parking.
- 61 (3) The extent of a Hhome occupations shall be ~~allowed provided that the home occupation is~~
62 ~~limited in extent,~~ incidental and secondary to the use of the dwelling unit property for residential
63 purposes, ~~and~~. The home occupation shall not occupy more than 400 square feet or 25 percent,
64 whichever is less, of the total floor area of the home. This does not apply to a child day care.
- 65 (4) The home occupation shall ~~does~~ not substantially increase the demand for services in excess of
66 those usually and customarily provided for residential uses. It shall not substantially increase
67 foot and vehicular traffic, parking, noises, lighting, vibration, smoke, or anything else that is
68 uncommon to the established character of the neighborhood to such a degree as to constitute
69 ~~an annoyance~~ a nuisance to the residents of the immediate area.
- 70 (5) ~~The home occupation shall not occupy more than 400 square feet or 25 percent, whichever is~~
71 ~~less, of the ground floor area of the home. This does not apply for child day care.~~
- 72 (6)(5) The home occupation shall only be carried on inside a dwelling unit. The home
73 occupation shall not use any space in an attached or unattached garage, accessory building,
74 yard or any space on the premises outside of the dwelling, except for child day care or athletic
75 instruction activities. ~~Child day care may have an outdoor yard space. A child day care may~~
76 ~~have outdoor facilities for outdoor play. Athletic instruction may have athletic facilities outdoors~~
77 ~~or in accessory buildings.~~
- 78 (7) ~~The home occupation must obtain an annual business license.~~

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+ Numbering Style: a, b, c, ... + Start at: 1 +
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0.3", Tab stops: Not at 1"

Comment [c5]: A little different. Allows smaller
homes a little more square footage for the home
occ.

79 | ~~(8)(6)~~ The home occupation shall not be open to the public at times earlier than 8:00 a.m. or
80 | later than 9:00 p.m. The hours of operation for child day care shall not begin any earlier than
81 | 6:00 a.m., or operate later than 10:00 p.m. seven days a week.

82 | ~~(9)(7)~~ Home occupations with visiting clientele will be subject to the following standards:

83 | ~~a.~~ ~~Parking standards will comply with chapter 24 the parking ordinance for residential~~
84 | ~~dwellings and in addition shall require one parking space for each visiting clientele.~~

85 | ~~b.a.~~ No more than one home occupation with visiting clientele shall be permitted within any
86 | single dwelling.

87 | ~~e.b.~~ No home occupation with visiting clientele shall be allowed in multi-family dwelling units
88 | consisting of four units or more.

89 | ~~(8)~~ Home occupations shall provide adequate off-street parking for residential dwellings, as
90 | specified in Title 108, Chapter 24 of the Weber County Zoning Ordinance ~~Eight of this Land~~
91 | Use Code, and in compliance with the following:

92 | ~~a.~~ One parking space shall be required for each driver-age patron or clientele, or one space
93 | per two nondriver-age patrons or clientele.

94 | ~~b.~~ One parking space shall be required for each non-resident employee.

95 | ~~c.~~ The parking area for patrons, clientele, or non-resident employees shall be substantially
96 | screened from view from the adjoining properties.

97 | ~~d.~~ Large truck deliveries, except for parcel delivery service at times and in intervals typical for
98 | a normal residential use, shall be limited to one delivery per week between the hours of
99 | 8:00 am and 5:00 pm. A loading and unloading area, adequately sized for the type of truck,
100 | shall be provided on the site. No loading or unload shall be permitted in the right-of-way.

101 | ~~(9)~~ There shall be no storage or parking on the premises or on the adjacent streets in the vicinity of
102 | the premises of tractor trailers, semi-trucks, or other heavy equipment used in an off-premise
103 | business for which the dwelling is being used as a home occupation office except that not more
104 | than one truck of one-ton capacity or less may be parked on premise during off work hours at
105 | night. A work trailer up to 22 feet in length may be parked at night as part of the home
106 | occupation business. All trucks and trailers used as part of the home occupation business shall
107 | be licensed and registered, and parked in accordance with Title 108, Chapter Eight of this Land
108 | Use Code ~~chapter 24 of the Weber County Zoning Ordinance.~~

109 | ~~(10)~~ Barber or beautician services shall be limited to two stations per residence.

110 | ~~(11)~~ Child day care, preschool, or instructional activities, including music lessons, shall be limited to
111 | eight children or pupils at any one time.

112 | ~~(12)~~ Group instruction, motivational, or sales presentations shall be limited to one meeting per
113 | month.

114 | ~~(10)(13)~~ Athletic instruction shall be limited to eight nonresident, nonemployee persons at any one
115 | time, including observers, with a maximum of 16 nonresident, nonemployee persons per day. It
116 | shall require a minimum lot size of three acres if conducted outdoors or in an accessory
117 | building. It shall not include recitals, competitions, performances, and shall not permit general
118 | recreational activities without the athletic instruction.

119 | ~~(14)(14)~~ The home occupation approval may be revoked by the ~~planning commission~~ Planning
120 | Director if the home occupation does not remain in compliance with this chapter.

121 | ~~(12)(15)~~ ~~The property owner's written authorization shall be submitted as part of the application for~~
122 | ~~home occupation.~~

123 | ~~(13)(16)~~ Home occupations that require bodily contact with patrons or equipment that create a
124 | potential for contamination between residents and clients are not allowed, ~~e.g., tanning salons~~
125 | ~~and tattoo parlors.~~

Comment [c6]: New standard.

Comment [c7]: Too much? Too little?

Comment [c8]: This is where athletic instruction is being introduced.

126 | (d) Home occupation signs~~Signs~~. One flat sign or name plate not exceeding two square feet attached to
127 | the house or mail box may be permitted. A land use permit is required for the sign. Any modification
128 | made to the permitted sign requires a new land use permit. No freestanding or banner signs shall be
129 | permitted.

130 | ~~(e)~~(e) Inspections. Inspection during reasonable hours by county officials may occur as necessary to
131 | assure compliance with these regulations.

132 | (Ord. No. 2011-17, § 1(34-2), 10-11-2011)

Exhibit B: Proposed Changes [Clean] – Home Occupation Code

**CHAPTER 13. - HOME OCCUPATION; SHORT TERM VENDORS; TEMPORARY
OUTDOOR SALES; FARMER'S MARKETS**

FOOTNOTE(S):

--- (1) ---

Editor's note—This chapter originally pertained solely to home occupations and was derived from Ord. of 1956, chapter 34. It was replaced in its entirety by Ord. No. 2011-17, passed 10-11-2011.

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(b) This chapter also addresses short term vendors, temporary outdoor sales, and farmers markets.

(Ord. No. 2011-17, § 1(34-1), 10-11-2011)

Sec. 108-13-2. - Home occupations.

(a) Use regulations. Home occupations are allowed in **specified zones** in accordance with the provisions of this ordinance.

Comment [c1]: Marked for future change: Reference land use table here.

(1) The following uses are prohibited as home occupations:

- a. tanning salons;
- b. body art or tattoo parlor;
- c. clinics and hospital;
- d. animal and veterinary clinic;
- e. restaurant;
- f. auto, truck, and recreational vehicle repair or sales;
- g. ambulance service; or
- h. Sexually oriented businesses.

i. OTHERS?

(2) Home occupations not prohibited shall be allowed provided compliance with the requirements and standards listed in this chapter.

(b) Requirements. A home occupation shall comply with the following requirements:

(1) An application for a land use permit with a site plan depicting the site boundaries and relevant buildings or facilities onsite shall be required in order to verify zoning requirements.

(2) The property owner's written authorization shall be submitted as part of the application for the home occupation.

(3) The home occupation shall obtain an annual business license.

(c) Standards. A home occupation shall comply with the following standards:

- 36 (1) A home occupation shall only be carried on by the resident(s) who reside on the premises;
 37 except that two non-resident employees may be allowed provided the lot size is a minimum of
 38 one acre.
- 39 (2) The home occupation shall retain the general character and appearance of a residential
 40 dwelling and not change the general character of the neighborhood except for approved
 41 signage and vehicle parking;
- 42 (3) The extent of a home occupation shall be incidental and secondary to the use of the property for
 43 residential purposes. The home occupation shall not occupy more than 400 square feet or 25
 44 percent, whichever is less, of the total floor area of the home. This does not apply to a child day
 45 care.
- 46 (4) The home occupation shall not substantially increase the demand for services in excess of
 47 those usually and customarily provided for residential uses. It shall not substantially increase
 48 foot and vehicular traffic, parking, noises, lighting, vibration, smoke, or anything else that is
 49 uncommon to the established character of the neighborhood to such a degree as to constitute a
 50 nuisance to the residents of the immediate area.
- 51 (5) The home occupation shall only be carried on inside a dwelling unit. The home occupation shall
 52 not use any space in an attached or unattached garage, accessory building, yard or any space
 53 on the premises outside of the dwelling, except for child day care or athletic instruction
 54 activities. A child day care may have outdoor facilities for outdoor play. Athletic instruction may
 55 have athletic facilities outdoors or in accessory buildings.
- 56 (6) The home occupation shall not be open to the public at times earlier than 8:00 a.m. or later than
 57 9:00 p.m. The hours of operation for child day care shall not begin any earlier than 6:00 a.m., or
 58 operate later than 10:00 p.m. seven days a week.
- 59 (7) Home occupations with visiting clientele will be subject to the following standards:
- 60 a. No more than one home occupation with visiting clientele shall be permitted within any
 61 single dwelling.
- 62 b. No home occupation with visiting clientele shall be allowed in multi-family dwelling units
 63 consisting of four units or more.
- 64 (8) Home occupations shall provide adequate off-street parking for residential dwellings, as
 65 specified in Title 108, Chapter Eight of this Land Use Code, and in compliance with the
 66 following:
- 67 a. One parking space shall be required for each driver-age patron or clientele, or one space
 68 per two nondriver-age patrons or clientele.
- 69 b. One parking space shall be required for each non-resident employee.
- 70 c. The parking area for patrons, clientele, or non-resident employees shall be substantially
 71 screened from view from the adjoining properties.
- 72 d. Large truck deliveries, except for parcel delivery service at times and in intervals typical for
 73 a normal residential use, shall be limited to one delivery per week between the hours of
 74 8:00 am and 5:00 pm. A loading and unloading area, adequately sized for the type of truck,
 75 shall be provided on the site. No loading or unload shall be permitted in the right-of-way.
- 76 (9) There shall be no storage or parking on the premises or on the adjacent streets in the vicinity of
 77 the premises of tractor trailers, semi-trucks, or other heavy equipment used in an off-premise
 78 business for which the dwelling is being used as a home occupation office except that not more
 79 than one truck of one-ton capacity or less may be parked on premise during off work hours at
 80 night. A work trailer up to 22 feet in length may be parked at night as part of the home
 81 occupation business. All trucks and trailers used as part of the home occupation business shall
 82 be licensed and registered, and parked in accordance with Title 108, Chapter Eight of this Land
 83 Use Code.

Comment [c2]: A little different. Allows smaller homes a little more square footage for the home occ.

Comment [c3]: New standard.

- 84 (10) Barber or beautician services shall be limited to two stations per residence.
- 85 (11) Child day care, preschool, or instructional activities, including music lessons, shall be limited to
86 eight children or pupils at any one time.
- 87 (12) Group instruction, motivational, or sales presentations shall be limited to one meeting per
88 month.
- 89 (13) Athletic instruction shall be limited to eight nonresident, nonemployee persons at any one time,
90 including observers, with a maximum of 16 nonresident, nonemployee persons per day. It shall
91 require a minimum lot size of three acres if conducted outdoors or in an accessory building. It
92 shall not include recitals, competitions, performances, and shall not permit general recreational
93 activities without the athletic instruction.
- 94 (14) The home occupation approval may be revoked by the Planning Director if the home occupation
95 does not remain in compliance with this chapter.
- 96 (15) Home occupations that require bodily contact with patrons or equipment that create a potential
97 for contamination between residents and clients are not allowed.
- 98 (d) Home occupation signs. One flat sign or name plate not exceeding two square feet attached to the
99 house or mail box may be permitted. A land use permit is required for the sign. Any modification
100 made to the permitted sign requires a new land use permit. No freestanding or banner signs shall be
101 permitted.
- 102 (e) Inspections. Inspection during reasonable hours by county officials may occur as necessary to
103 assure compliance with these regulations.
- 104 (Ord. No. 2011-17, § 1(34-2), 10-11-2011)

Comment [c4]: Too much? Too little?

Comment [c5]: This is where athletic instruction is being introduced.



Weber County Planning Division

To: Ogden Valley Planning Commission
From: Charles Ewert, AICP
Date: May 19, 2015
Subject: Followup on the Conditional Use Code and the Land Use Table

The last couple of weeks have taken me in different directions, and at this time I have been unable to assemble a consolidation of the Ogden Valley and Western Weber Planning Commission's review and requests regarding the proposed conditional use code and land use table. The subjects have been placed on the agenda so we can complete the discussion we started in our last meeting. There are some changes and clarifications that I will make before our meeting next Tuesday. I will send these out via email and Miradi later this week.

Thank you for your patience.

Findings of Fact for Planning Commissions

LAW

Picture this scene: A typical planning commission is meeting to consider a controversial zone change—it could be anywhere in the country. The meeting is crowded and emotions run high. The planning staff presents their staff report with its exhaustive analysis. The applicant makes a long and detailed presentation complete with appearances by an attorney, architect, engineer, landscape architect, and traffic engineer. A parade of citizens speak, voicing a wide range of statements and opinions, some on point, some not relevant to the case at hand, almost all in opposition. The commission is attentive and diligent, and the information is substantial and complicated. After many hours of testimony, the planning commission deliberates extensively. Finally a motion is made to approve the project; it is voted on and approved. The announcement is simple: “Motion to recommend approval of the project.”

What, if anything, is wrong with this familiar picture? By all accounts, commission members ran a fair meeting and were dedicated to making the best decision for their community. Isn't that their job?

Understanding the answer is a key to understanding the nature of planning commission decisions. Yes, it is the job of planning commissions to make decisions in the best interest of the community. However, they must do so by making the critical connection between facts and standards in order to avoid being arbitrary and unfair. The problem with our scenario is that the planning commission did not explain the basis or rationale for its decision. It did not make a connection between facts and standards.

Planning commissions are hardworking groups that have the best interests of their communities at heart. However, it is not enough to work hard and have your heart in the right place. Planning commissions should do more than decide whether they “like” the project that is before them or whether it is a good thing for the community. *Planning commission decisions should be based on a careful consideration of facts and whether those facts allow the planning commission to conclude whether applicable community policies and standards are met.* Those facts should be site- and neighborhood-based; the policies and standards should be grounded in the community's plans and in their land-use regulations. In short, decisions should be based on a sound basis and rationale.

This article focuses on findings of fact as a tool to communicate how and why planning commissions make a decision. First, there are several important caveats: The laws that govern planning commissions, and how they are required to document their decisions, vary from state to state and community to community. Some states and communities require that planning commissions document the basis of their decisions; others do not. Each commission and their staff should become familiar with the unique requirements of their jurisdiction. However, regardless of what the law requires, planning commissions should clearly communicate the basis of their action as a simple matter of good government. The public has a right to know why decisions are made the way they are.

“Findings of fact” are specific facts about the application that the planning commission finds to be true and which lead to its conclusion that the application conforms or fails to conform to applicable policies and regulations. Findings of fact are the “footprints” that show the connection between the decision of the planning commission, the factual basis for the decision, and the community's policies and regulations.

The following are some principles that can guide planning commissions as they think through the best way to make findings of fact.

PLANNING COMMISSIONS ARE NOT COMMITTEES OF COMPASSION. While planning commissions can and should exhibit compassion for applicants and other citizens, it is ultimately the job of the commission to make fact-based determinations and not be influenced by emotions or personal stories.

DECISIONS MUST BE BASED ON FACTS.

Zoning decisions involve physical places. Decisions related to planning and zoning cases should be based on the facts associated with the property and the physical issues in the surrounding areas.

FACTS MUST ADDRESS THE STANDARDS.

When reviewing an application, a planning commission must have the applicable policies and standards in front of them. The thought process of the planning commission should focus on fact-based information relevant to community policies and standards.

THE BURDEN OF PROOF IS ON THE APPLICANT.

While the planning commission can and should have user-friendly procedures and meetings, ultimately it is up to the applicants to demonstrate that they meet the community standards.

INFORMATION IS NOT THE SAME AS ‘FACTS.’

It is up to the planning commission to sort through what it determines to be relevant facts. Planning commissions typically hear a wide range of information and testimony during the course of an application, and it is the commission's responsibility to sift through it. Not all facts are equal. It is the commission's job to weigh the applicability and credibility of information.

OPINIONS WITHOUT A FACTUAL BASIS ARE WITHOUT MERIT.

Experts and citizens alike are entitled to their opinions. However, when people present opinions at meetings, the planning commission has a right and an obligation to request and determine the basis of that opinion.

There are many ways for a planning commission to structure findings of fact. One is to include facts, reasons, and rationale as part of motions for each proposal. Another is to make a provisional decision to approve or deny an application, providing staff with guidance in drafting a resolution detailing the findings for action at a subsequent meeting. Yet another is to structure staff reports as templates for

proposed findings, subject to modifications by the commission. Commissions should work closely with their planning staff and legal counsel to determine the best mechanism for each community depending upon its own legal requirements.

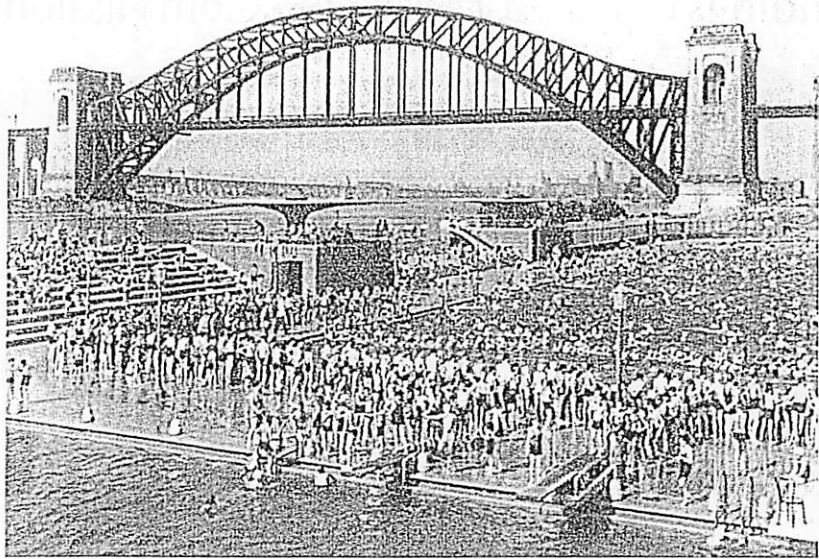
The following are some options that a planning staff or commission can review as they think through what would work best for its community:

- Use the initial application to require an applicant to explain how their proposal meets the community's standards.
- Use the planning staff report to present proposed findings of fact based upon the standards.
- Encourage speakers at meetings to present factual testimony related to standards.
- Have the actual standards in front of the commission when hearing cases.
- Encourage the planning commission to ask specific questions designed to elicit evidence related to the standards.
- At meetings, explicitly deliberate the facts and relationship to the standards after the public comment period is complete.
- State the basis and reasons when making motions.
- Use minutes to clearly reflect the conclusions of the commission related to the basis and rationale for the decision.

Findings of fact are an effective tool to make sure that a planning commission stays focused on their mission: making fact-based decisions based upon community policies and standards. It is an effective way for a commission to provide discipline in its decision making. It also provides the public with a better understanding of how and why planning commissions come to their conclusions.

—C. Gregory Dale, *FACP*

Dale is a founding principal with McBride Dale Clarion, the Cincinnati office of Clarion Associates, and frequent trainer of commissions.



HISTORY

THE NEW DEAL GOES SWIMMING. "Give a man a dole and you save his body and destroy his spirit. Give him a job and you save both body and spirit." (Harry Hopkins, President Franklin D. Roosevelt's Federal Relief administrator during the New Deal era of the 1930s.)

During the Depression, the Works Progress Administration put thousands of unemployed New Yorkers to work building public pools to improve the health and well-being of city residents. Eleven of the nation's most technologically advanced pools were opened in quick succession in 1936, bringing residents a refreshing respite from a hot New York City summer. Prior to the WPA pools, many New Yorkers braved cold water, swift currents, and pollution by swimming in the East and Hudson rivers. Pictured above is the Astoria Pool in Queens, the largest of the WPA pools.

—Ben Leitschuh

Leitschuh is APA's education associate.

RESOURCE FINDER

IS YOUR COMMUNITY CONCERNED ABOUT AIR QUALITY? See how your air stacks up against other cities around the country and learn about potential legal pitfalls when addressing the issue of clean air through ordinances.

APA PUBLICATIONS

Clean Air Act Precludes Nuisance Claim
Molly Stuart
Planning, January 2013
planning.org/planning/2013/jan/legalnews.htm

Texas Clean Air Act Preempts Houston Ordinance
Molly Stuart
Planning, May/June 2013
planning.org/planning/2013/may/legalnews.htm

Peer Review Clarifies Lots of Things, Including the Relationship of Sprawl and Air Pollution
Reid Ewing
Planning, July 2010
planning.org/planning/2010/jul/research.htm

How Cities Use Parks to Improve Health
City Parks Forum
planning.org/cityparks/briefingpapers/physicalactivity.htm

WEB RESOURCES

American Lung Association's State of the Air 2014
Find out your city's or county's air quality grade
stateoftheair.org

California Environmental Protection Agency: Air Resources Board
arb.ca.gov

EPA National Air Toxics Program: The Second Integrated Urban Air Toxics Report to Congress
www2.epa.gov/sites/production/files/2014-09/documents/082114-urban-air-toxics-report-congress.pdf

—Ben Leitschuh