

OGDEN VALLEY PLANNING COMMISSION



PLANNING MEETING AGENDA

**December 04, 2018
5:00 p.m.**

*Pledge of Allegiance
Roll Call*

1. **Minutes: Approval of the October 2, 2018 and October 23, 2018 Meeting Minutes**

2. **Petitions, Applications and Public Hearings**
 - 2.1. **Administrative Items**
 - a. **New Business**
 1. **CUP 2018-11** Consideration and action on a conditional use permit application for a public utility substation know as Bloomington Well Pump House in the Destination Recreation Resort -1 (DRR-1) Zone; located at approximately 7750 East Summit Pass, Eden. (SMHG Landco, LLC, Applicant; Rick Everson, Agent)

 2. **UVO050118** Consideration and action on a request for preliminary subdivision approval of Overlook located at 8465 E Copper Crest at Powder Mountain Subdivision, a multi-phased 56 lot development in the Destination Recreation Resort -1 (DRR-1) Zone, located within the approved Powder Mountain Resort (SMHG LLC, Applicant; Don Guerra, Agent)

3. **Public Comment for Items not on the Agenda:**
4. **Remarks from Planning Commissioners:**
5. **Planning Director Report:**
6. **Remarks from Legal Counsel:**
7. **Adjournment:**

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



In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791



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 application for a public utility substation known as Bloomington Well Pump House.
Type of Decision:	Administrative
Agenda Date:	Tuesday, December 04, 2018
Applicant:	SMHG Landco, LLC
Authorized Agent:	Rick Everson
File Number:	CUP# 2018-11

Property Information

Approximate Address:	7750 East Summit Pass, Eden
Project Area:	0.5 acres
Zoning:	DRR-1
Existing Land Use:	Resort
Proposed Land Use:	Water utility building
Parcel ID:	23-012-0136
Township, Range, Section:	Township 7 North, Range 2 East, Section 6

Adjacent Land Use

North:	Resort	South:	Residential
East:	Residential	West:	Residential

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RK

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 1 Design Review
- Title 108, Chapter 4 Conditional Uses
- Title 108, Chapter 10 Public Buildings and Public Utility Substations and Structures

Summary and Background

SMHG Landco, LLC is requesting approval of a conditional use permit for the Bloomington Well Pump House. The proposal is being reviewed under the conditional use standards as a Public Utility Substation. The property lies in the DRR-1 Zone which allows "Water pumping plants and reservoirs" as well as "Public utility substations and transmission lines" only when authorized by a conditional use permit.

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 meets these standards. The following is staff's evaluation of the request.

Analysis

General Plan: The Ogden Valley General Plan identifies the need for additional culinary water and new water infrastructure based on projected growth. (see the 2016 Ogden Valley General Plan Chapter 7: Utilities and Public Services). The proposed use conforms to the Ogden Valley General Plan by providing additional water sources to meet the demands of the Valley's existing water systems throughout developing areas.

Zoning: The intent of the DRR-1 zone can be further described per LUC §104-29-1 as follows:

The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land.

The proposed use has specific standards identified in the LUC §108-10-2 that shall be met as part of the development process. The applicable standards are as follows:

- Minimum yard setbacks:
 - Front: Front yard setback requirement may be reduced to no less than ten feet if the lot does not directly front on a public or private street right-of-way, provided that no substation shall be located closer to a public or private street right-of-way than the minimum front yard setback of the zone, or 20 feet, whichever is more restrictive.
 - Side: The side yard setback requirement shall comply with the typical setback specified in the applicable zone regulating the property.

The DRR-1 zone states that the side yard setback is determined by §108-10-2. A specific setback distance is not specified in this instance.
 - Rear: In a zone not specifically listed above: typical zone setback as provided in the chapter for that zone.

The DRR-1 zone states that the side yard setback is determined by §108-10-2. A specific setback distance is not specified in this instance.
- Minimum lot area and width: No minimum lot area or width, provided that the lot or parcel shall contain an area and width of sufficient size and dimension to safely accommodate the utility facility or use, any necessary accessory use, any landscaping required by this Land Use Code, the required setbacks, and space to park two maintenance vehicles.
- Main Building height:
 - Maximum: 35 feet

The proposed pump house will have a front yard setback of approximately 100 feet from Summit Pass Road. The pump house will also be approximately 100 ft from the rear and side property lines. The height of the structure will be 18 feet.

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. The following is an analysis of the application reviewed against the applicable conditional use standards:

- ***Standards relating to safety for persons and property:*** The site plan indicates that the proposed structure complies with yard setbacks and does not encroach upon property lines or public/private streets. The proposal is considered a critical facility and a geologic hazards study is required, as stated in 108-22-3. The requirement for a geologic hazards study has been made a condition of approval that must be complied with prior to building permit submittal.
- ***Standards relating to infrastructure, amenities, and services:*** The pump house will be used for the operation and maintenance of the Bloomington Well which will provide a culinary water amenity and service to the area.
- ***Standards relating to the environment:*** Environmental hazards are not anticipated with this proposal. The applicant is required to provide a geologic hazards study. Development of the pump house and infrastructure must comply with any recommendations of the report.
- ***Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan:*** The proposed pump house will be located approximately 20 feet from an existing pump house and will look identical (see Exhibit B).

Design Review: The proposed conditional use mandates 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.* Traffic safety hazards and congestion are not anticipated with this project. The pump house will be located 100 feet from Summit Pass and the site will be visited infrequently for maintenance.
- *Considerations relating to landscaping.* The site will maintain natural vegetation, complying with the landscaping requirement of 20 percent of the project area.
- *Considerations relating to buildings and site layout.* The proposed pump house structure will meet the required setbacks. The applicant has included an image of the existing pump house which will be identical the proposed structure. The proposal conforms to the Ogden Valley Architectural Design Standards. The proposed building is approximately 750 square feet.
- *Considerations relating to utility easements, drainage, and other engineering questions.* The applicant will need to adhere to all conditions of the Engineering Division including but not limited to storm water and surface water drainage, retention facilities, and site clean-up of the property. A condition has been made part of the Planning Division's recommendations to ensure that this standard is met.
- *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 existing development agreement indicates that water improvements will be located in this general area.

Review Agencies: Prior to the commencement of work, the applicant will need to receive the approval from all applicable agencies for the water system improvements. A condition has been made part of the Planning Division's recommendations to ensure that all conditions of the review agencies will be met.

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 "Decision Requirements", which states:

a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to substantially mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards of this chapter, or relevant standards or requirements of any other chapter of this Land Use Code. When considering any of the standards, the land use authority shall consider the reasonably anticipated detrimental effects of the proposed use in the context of current conditions and, to the extent supported by law, the policy recommendations of the applicable general plan.

b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

The Planning Commission will need to determine if the request for a water pumping plant 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 "Decision Requirements" and other applicable ordinances been met?

Staff Recommendation

The Planning Division recommends approval of file# CUP 2018-11, a conditional use permit for a public utility substation pump house, located at approximately 7750 East Summit Pass, Eden. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. The applicant will be required to provide a geologic hazards report prior to installation of the proposed improvements and prior to building permit submittal.

This recommendation is based on the following findings:

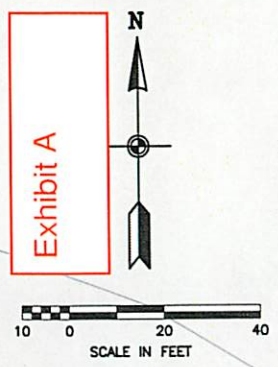
1. The proposed use conforms to the Ogden Valley General Plan (see the 2016 Ogden Valley General Plan Chapter 7: Utilities and Public Services).
2. The proposed use will provide the needed water sources to meet the demands the Ogden Valley.
3. The proposed use, if conditions are imposed, will not be detrimental to public health, safety, or welfare.
4. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
5. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

A. Site Plan

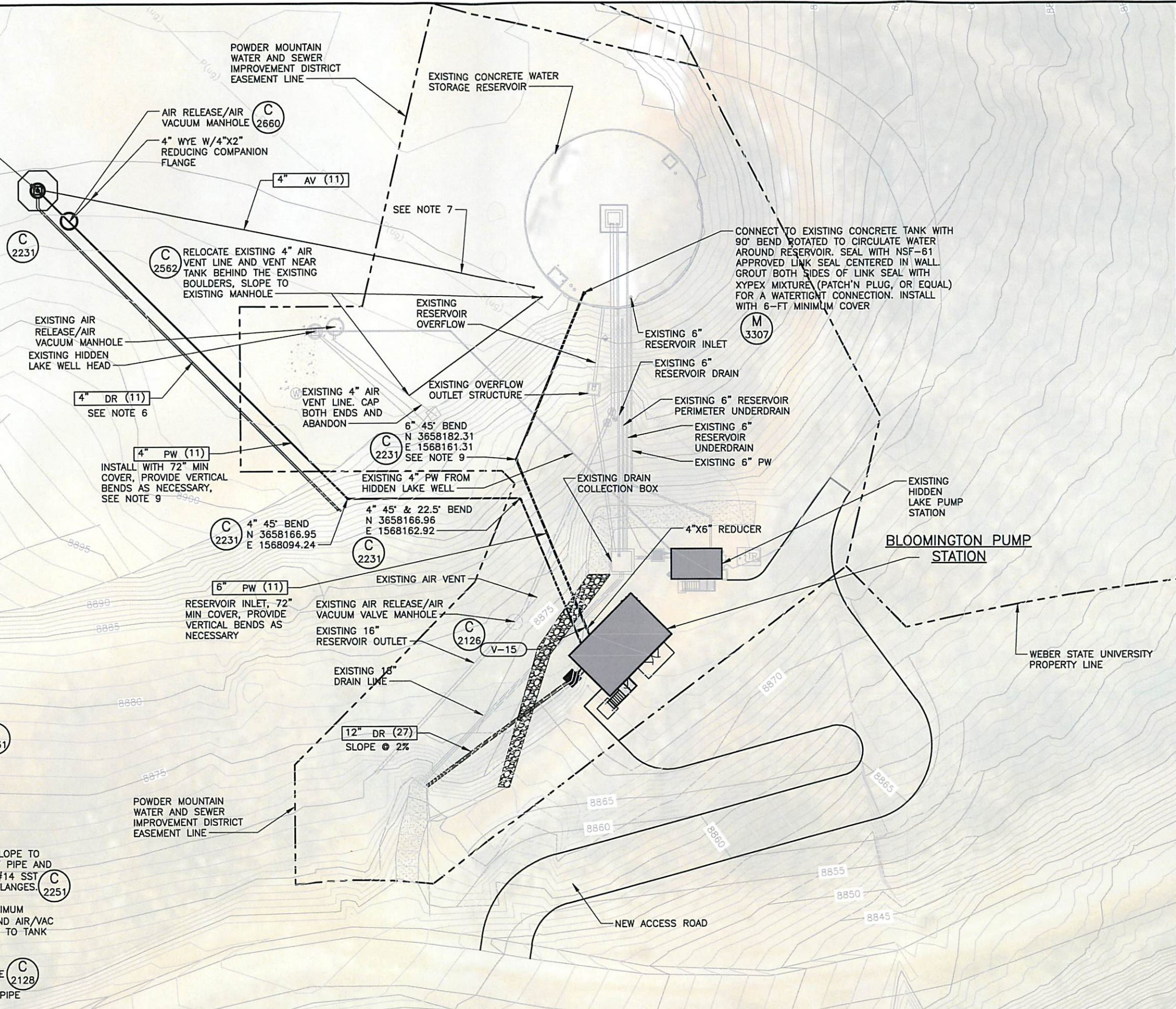
Map 1





BLOOMINGTON WELL HEAD
WITH PITLESS ADAPTER, COORDINATE WITH WELL DRILLER

(B)
M-02



- NOTE**
1. PROVIDE THRUST RESTRAINT AS NECESSARY SEE (C) 2231
 2. SEE DRAWING M-04 FOR EQUIPMENT SCHEDULE.
 3. SEE DRAWING C-02 FOR BUILDING COORDINATES.
 4. FOR TYPICAL TRENCH SECTION, SEE (C) 2124
 5. SEE DRAWING C-01 FOR BENCHMARKS.
 6. INSTALL (2) 4" DUCTILE IRON DRAIN PIPES @ 2% SLOPE TO THE EXISTING BANK. PROVIDE 90° BEND ON END OF PIPE AND 12" MINIMUM AIR GAP WITH #4 SST SCREEN OVER #14 SST MESH SCREEN SECURELY ATTACHED BETWEEN TWO FLANGES. (C) 2251
 7. INSTALL 4" DUCTILE IRON VENT PIPING WITH 1% MINIMUM SLOPE DRAINING TOWARDS THE PITLESS MANHOLE AND AIR/VAC MANHOLE. INSTALL GOOSENECK VENT PIPE ADJACENT TO TANK BEHIND THE EXISTING BOULDERS. (M) 3326
 8. WHERE STANDARD COMPACTION CANNOT BE MET, SEE (C) 2128
 9. CONTRACTOR SHALL POT HOLE AND VERIFY EXISTING PIPE ELEVATIONS.

BOWEN COLLINS & ASSOCIATES

PROFESSIONAL ENGINEER
ERIC W. NEIL
7702647
STATE OF UTAH
08-22-2018

NO.	DATE	REV. BY	DESCRIPTION

BLOOMINGTON WELL PROJECT
WEBER COUNTY, UTAH

DESIGN E. NEIL	CHECKED J. BECKMAN	APPROVED E. NEIL	<p>VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING</p>
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CIVIL

YARD PIPING

DATE: AUGUST 2018	PROJECT NUMBER: 347-17-01
DRAWING NO. C-03	
SHEET 7 OF 46	



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for the preliminary subdivision approval of Overlook at Powder Mountain Subdivision, a multi-phased, 56 lot development located within the approved Powder Mountain Resort.

Application Type: Administrative

Agenda Date: Tuesday, December 04, 2018

Applicant: SMHG, LLC

Authorized Agent: Rick Everson

File Number: UVO050118

Property Information

Approximate Address: 8465 E Copper Crest

Project Area: 111.797 Acres

Zoning: DRR-1

Existing Land Use: Resort

Proposed Land Use: Resort

Parcel ID: 23-012-0167, 23-012-0014, 23-012-0132

Township, Range, Section: T7N, R2E, Sections 5 and 8

Adjacent Land Use

North:	Ski Resort/Resort Development	South:	Ski Resort/Resort Development
East:	Ski Resort/Resort Development	West:	Ski Resort/Resort Development

Adjacent Land Use

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

Report Reviewer: Steve Burton

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 104, Zones, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Natural Hazards Areas

Development History

- Summit Mountain Holding Group, LLC petitioned Weber County to rezone approximately 6,198 acres from the CVR-1, FV-3 and F-40 zones to the DRR-1 zone to enable them to proceed with their development in a manner that would be consistent with the proposed Master Plan that was presented to Weber County as part of the rezone application. The petition to rezone the development to the DRR-1 zone was heard and approved on January 13, 2015 by the Weber County Commission after receiving a unanimous recommendation for approval from the Ogden Valley Planning Commission on October 28, 2014. Weber County entered into Zoning Development Agreement Contract # C2015-6 and the contract was recorded on January 14, 2015 as Entry# 2717835.

Background and Summary

The Planning Division recommends preliminary subdivision approval of Overlook, a multi phased development, with a total of 56 lots (see Exhibit A for the preliminary plat). Overlook will be accessed off of an existing stub road known as Meridian Avenue which will extend through the north western end of the subdivision. The street system throughout the subdivision will be private right of ways and these private right of ways will serve as public utility easements for the required infrastructure for the development. The three phased development will have lots that range in size from 8,872 square feet to 3,325 square feet and all lots will gain access from the private right of way/street system within the development. The

applicant has submitted the required information as outlined in the Uniform Land Use Code of Weber County (LUC) §106-1-5 for consideration and approval of the proposed subdivision.

As part of the preliminary subdivision requirements, the subdivision review process and approval procedure, the proposal has been reviewed against the current preliminary subdivision ordinance and the standards of the DRR-1 zone. The proposed subdivision and lot configuration are in conformance with the current zoning and the Zoning Development Agreement Conceptual Land Use Plan (see Exhibit B for the ZDA Concept Plan) as well as the applicable subdivision requirements as required in the LUC. The proposed development has also been reviewed by all reviewing agencies. Based on these reviews, the application has met or will conditionally meet all of the requirements for preliminary approval. The following is staff's analysis of the proposed preliminary subdivision.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related commercial areas.

Zoning: The subject property is located in the Ogden Valley Destination and Recreation Resort Zone more particularly described as the DRR-1 zone. The purpose and intent of the DRR-1 zone is identified in the LUC §104-29-1 as:

"The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts that lie within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land."

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC Chapter 106 and the standards in the DRR-1 zone in LUC Chapter 104 Title 29. The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. It appears that the proposed subdivision, with the recommended conditions, is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations:

The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for a single family residential structures. The proposed development will create 56 lots with access and frontage along private right of ways identified as Meridian Avenue, Overlook Drive, Overlook Ridge. The proposed lots range in size from 8,872 square feet to 3,325 square feet. The lots range in width from 45 feet to 85 feet. The following development standards will be reviewed upon submittal for land use approval for a single family dwelling unit:

- Front yard setback: 0 feet
- Side yard setback: 5 feet
- Rear yard setback: 10 feet
- Average building height: 35 feet

Based on the proposed lot configuration, the proposed lots meet the minimum lot area and minimum lot width requirement per LUC §104-29-2(h).

Natural Hazards Areas: The proposed subdivision is located in a Zone "X" as determined by FEMA to be within the 500-year floodplain. Areas designated as Zone "X" are typically areas in which no analysis of flood hazards have been conducted.

Geotechnical and geologic hazard investigations have taken place by IGES for the proposed subdivision in accordance with the Natural Hazard Areas as outlined in LUC Chapter 108 Title 22. The site specific investigation for the proposed Lots 1 through 56 are in the IGES report Project # 01628-027 dated November 9, 2018. Specific recommendations have been made for the development of the Overlook site and it is being made a condition of approval that IGES staff is onsite to verify compliance with the recommendations and a verification letter shall be provided by the engineering geologist prior to final approval stating that the design adequately meets the recommendations in the geologic report.

A condition of approval that a "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

Culinary water and sanitary sewage disposal: Culinary water and sewer service are provided by Powder Mountain Water and Sewer Improvement District. A "Capacity Assessment Letter" and a construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision are required prior to the subdivision receiving final approval from the County Commission.

Review Agencies: The Weber County Surveyor's Office and Weber County Engineering Division have reviewed the proposal and the applicant is addressing the areas of concern. The Weber Fire District have reviewed and approved the proposal.

Additional design standards and requirements: There may be additional site preparation in conjunction with each approved building permit. The proposed subdivision does require the creation of a new street system. A temporary turn around easement must be located at the end of all temporary stubbed streets. Staff recommends adding language to be placed on the final plat that will vacate the easements upon recording the future phases. The applicant will be required to provide a cash escrow to be held by Weber County for the applicable improvements within the subdivision. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

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

Staff Recommendation

Staff recommends preliminary subdivision approval of Overlook, a three phased 56 lot development located within the approved Powder Mountain Resort. This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

1. A geologist and geotechnical engineer are onsite during development to ensure that their recommendations are adhered to. A verification letter shall be provided by the engineering geologist prior to final approval stating that the design adequately meets the recommendations in the geologic report.
2. A "Capacity Assessment Letter" and a construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision are required prior to the subdivision receiving final approval from the Planning Commission and County Commission.
3. A note on the final subdivision plat and a separate "Natural Hazards Disclosure" document will be required to be recorded to provide notice of any recommendations to future property owners regarding the geotechnical and geologic report prepared by IGES dated November 9, 2018, identified as Project #01628-027.
4. A temporary turn around easement must be located at the end of all temporary stubbed streets.

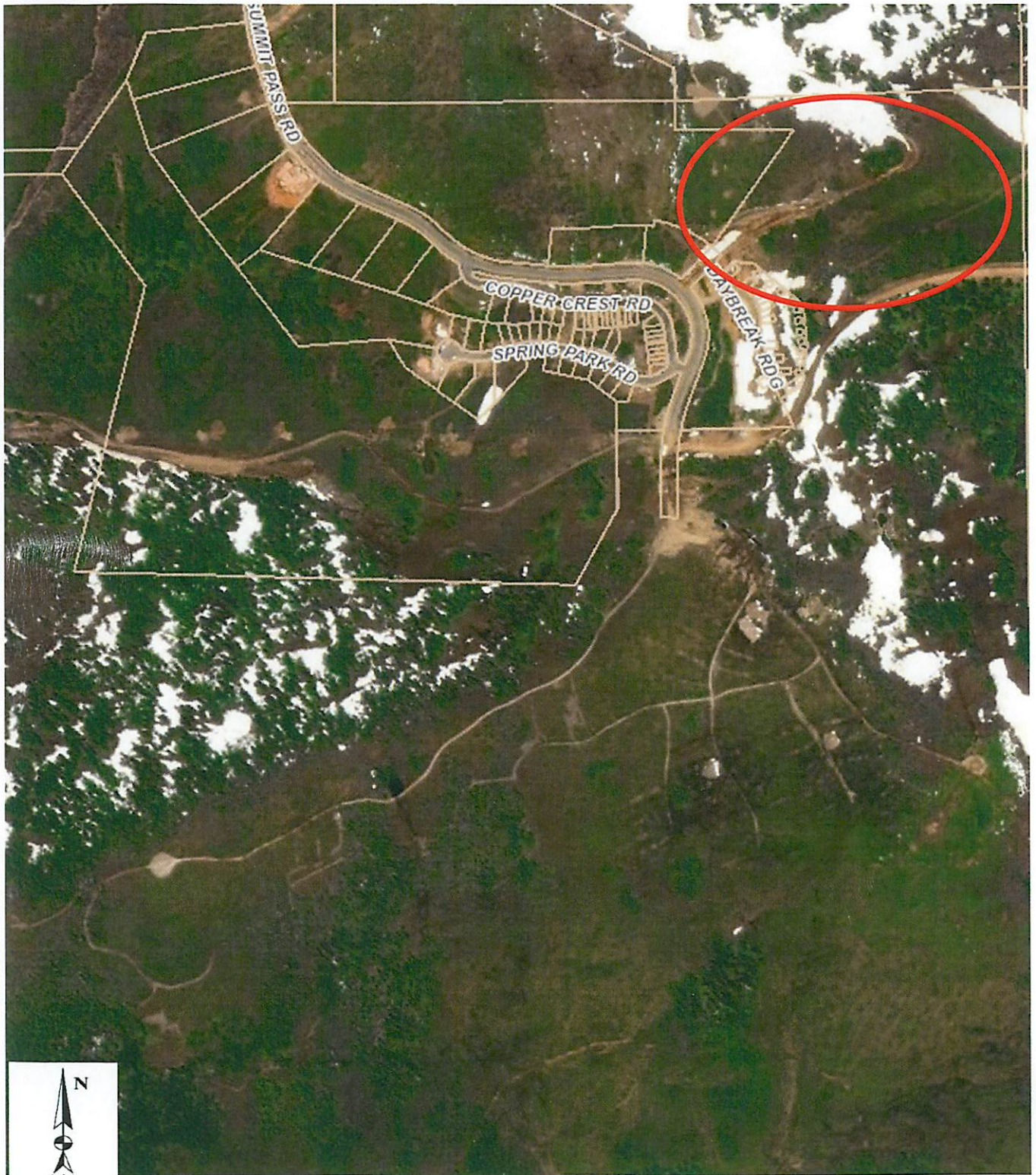
This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.
5. The proposed master planned development is in conformance with the approved Zoning Development Master Plan.

Exhibits

- A. Overlook Preliminary Plat
- B. Zoning Development Agreement Conceptual Map

Location Map



Overall Master Plan



The Overall Master Plan depicts conceptual development patterns and connectivity within the proposed Rezone boundary. These areas identify the general development massing, open spaces, recreational components and pedestrian and roadway circulation proposed.

Each development area identified is represented in greater detail within the Rezone Application.

- DEVELOPMENT AREAS
- A - Mid-Mountain
 - B - The Ridge
 - C - Earl's Village
 - D - Summit Village
 - E - Gertsen
 - F - The Meadow