



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Public hearing to consider and take action on Zoning Petition ZMA #2014-01 by Summit Mountain Holding Group L.L.C. to rezone approximately 6,160 acres, at Powder Mountain Resort, from Commercial Valley Resort Recreation (CVR-1), Forest Valley-3 (FV-3), and Forest-40 (F-40) to the Ogden Valley Destination and Recreation Resort Zone (DRR-1).

Agenda Date: Tuesday, December 23, 2014

Applicant: Summit Mountain Holding Group L.L.C.

Representatives: Paul Strange, Summit Mountain Holding Group – Eden, Utah
Eric Langvardt, Land Planning and Design, Langvardt Design Group – SLC, Utah

File Number: ZMA 2014-01

Property Information

Approximate Address: 6965 East and SR 158

Project Area: 6,160 acres

Zoning: CVR-1, FV-3, and F40

Existing Land Use: Day-Ski and Snowboard Resort, Single-Family Residential, and Agriculture

Proposed Land Use: Four Season Destination and Recreation Resort

Parcel ID(s): 22-001-0011, 22-006-0005, 22-006-0007, 22-006-0018, 22-006-0020, 23-012-0027, 23-012-0028, 23-012-0029, 23-012-0030, 23-012-0032, 23-012-0033, 23-012-0034, 23-012-0035, 23-012-0052, 23-012-0054, 23-012-0068, 23-012-0069, 23-012-0118, 23-044-0008, 23-044-0010, 23-044-0011, 23-044-0013, and All of Summit Eden Phase 1A, 1B, 1C, 1D, and Ridge Nests PRUD.

Township, Range, Section: T7N R1E Sections 1, 2, 3, 10, 11, and 12
T7N R2E Sections 4, 5, 6, 7, 8, 9, 16, 17, and 18

Adjacent Land Use

North: Ski Terrain, Cache County	South: State and National Forest Lands
East: State of Utah, Department of Natural Resources	West: Undeveloped Private Land

Staff Information

Report Presenter: Scott Mendoza
smendoza@co.weber.ut.us
801-399-8769

Report Reviewer: SW

Applicable Codes

- Weber County Land Use Code Title 102, Chapter 5 (Rezone Procedures)
- Weber County Land Use Code Title 104, Chapter 28 (Ogden Valley Sensitive Lands Overlay Districts)
- Weber County Land Use Code Title 104, Chapter 29 (Ogden Valley Destination and Recreation Resort Zone DRR-1)

Background

Request

The petitioner is requesting an amendment to the Weber County Zoning Map in the area of Powder Mountain Resort which is located at the north central edge of Weber County's Ogden Valley Township, where the top end of State Road 158

terminates. The request is that Weber County change the existing Resort's zoning from (approximately 125 acres of) Commercial Valley Resort Recreation -1 or CVR-1, (approximately 2,140 acres of) Forest Valley-3 or FV-3, and (approximately 3,895 acres of) Forest-40 or F-40 to (approximately 6,160 acres of) the Ogden Valley Destination and Recreation Resort Zone (DRR-1).

It is the goal of Weber County to promote the general welfare, safety, health, convenience, and economic prosperity of the residents of the County; therefore, the County should be able to find, if in favor of the proposal, that the re-zoning described below furthers that purpose. The Commission should consider verifying the Resort Plan's compliance with applicable standards, assess the proposed Resort's compatibility with the Ogden Valley General Plan, and assess its impacts on the existing public infrastructure as well as its impacts on property owners and residents in the area. It is within the Commission's discretionary right to impose conditions and request changes to the conceptual Master Plan (pg. 20 of the Weber County DRR-1 Zone Application Booklet) or conceptual Land Use Plan (pg. 19 of the Weber County DRR-1 Zone Application Booklet) in order to achieve compatibility and/or lessen or eliminate adverse impacts to the surrounding area.

History

The Resort area was historically used as grazing land before misuse and overgrazing led to the sale of the property. Fredrick James Cobabe purchased the property in between the time period of 1902-1948 and continued grazing the land but with improved conservation practices. In 1948, the son of Fredrick Cobabe, Alvin Cobabe, purchased his father's livestock along with approximately 8,000 "resort area" acres. In 1950, Alvin Cobabe began to feel that the property had potential to become a ski resort so he started acquiring additional property. It was on February 19th, 1972 that Powder Mountain began its operation as a one chairlift resort. The next season, the resort added two lodges and a second chairlift.

In 2006, a new owner, Western American Holdings, purchased the resort property and began work on master planning and rezoning the property. It was in 2012, after much negotiation with Weber County, that Powder Mountain received an approval and was able to execute a Zoning Development Agreement that entitled approximately 4,297 acres to 2,800 dwelling units and additional resort related commercial development (C#2012-212 attached as Exhibit B). In 2013, the existing owner and rezone applicant, Summit Mountain Holding Group L.L.C., purchased the resort property and began work on a revised master plan that includes additional land and better fits their vision. To date, Summit Mountain Holding Group has made several resort improvements consisting of, but not limited to, new food services, construction of a new (3,500 sq.ft.) "sky" lodge, replacement of the Sundown chairlift, construction of 1.65 miles of new public road, and approval of a first phase project that consists of a 154 unit Planned Residential Unit Development.

Application

Summit Mountain Holding Group L.L.C. submitted their rezone petition on June 20, 2014 and has worked with the Weber County Planning Division to assemble all supporting materials that are required by the Weber County Code. In addition to the required materials, an Infrastructure Master Plan and a Geologic Hazards Reconnaissance Report have been submitted. The Geologic Hazards Report consists of a preliminary geologic hazard assessment and hazard mitigation recommendations. Geologic hazards were considered during the design of the Land Use Plan; however, site specific hazards will be addressed during any land use permitting processes.

Summit Mountain Holding Group has also submitted a Community Fire Plan (prepared by the State of Utah Department of Natural Resources Division of Forestry, Fire, and State Lands) and a (107 page) Design Guideline Booklet that describes the Powder Mountain Resort development philosophy and all privately required commercial and residential design standards. See Exhibit C for a list of involved review agencies. See Exhibit D for a list of review agency (and other entity) comments and Powder Mountain responses. Go to <https://miradi.co.weber.ut.us/projects/view/1268> and navigate to the "Summit Powder Mountain Design Guidelines.pdf" file (under the "supporting info/studies" tag) for the Summit Powder Mountain design guidelines.

The following is a list of all required information that has been received:

- **Concept Development Plan** – The Master Plan's Overall Land Use Plan, showing proposed use areas, can be found on page 19 of Exhibit A (spiral-bound, 11"x17" booklet entitle Weber County Rezone Application and dated 2014.09.12). Due to the size of this project, the development areas have been arranged into separate "planning areas" designated with a letter A through F. See page 16 of Exhibit A for a general description of each planning area.
- **Traffic Impact Analysis (TIA)** – A TIA has been submitted, as part of the required materials, and has been reviewed by Wasatch Front Regional Council traffic engineers, the Weber County Engineer's Office, and Hales Engineering,

the County Engineer's hired traffic consultant. The Utah Department of Transportation (UDOT) was provided a Powder Mountain Master Plan and TIA but did not respond to several requests for a review. Go to <https://miradi.co.weber.ut.us/projects/view/1268> and navigate to the "PMR TIA 2014-09-26 Full Report Reduced Response to Reviews.pdf" file (under the "supporting info/studies" tag) for the Powder Mountain TIA (including appendices) that has been revised to consider review agency comments. See Exhibit D (pages 13-16) for a list of traffic related comments and Summit Mountain Holding Group's responses. See Exhibit E for the Powder Mountain TIA excluding appendices.

- **Cost Benefit Analysis (CBA)** - The Powder Mountain CBA was prepared in cooperation with the Weber Economic Development Partnership and was originally intended to provide a framework within which the Weber County Redevelopment Agency's board of directors could make decisions related to the creation of the Powder Mountain Community Development Area (CDA). A CDA provides the opportunity to create a tax increment financing model. The primary use of tax increment financing, within the Powder Mountain Community Development Project Area, will be for additional investment in infrastructure. Go to <https://miradi.co.weber.ut.us/projects/view/1268> and navigate to the "Powder Mountain CDA Benefit Analysis 7 14 2014 3-1.pdf" and "Powder Mountain CDA Benefit Analysis Addendum 1 08282014.pdf" files (under the "supporting info/studies" tag) for the Powder Mountain CBA and an addendum to the CBA. See Exhibit F for the CBA's conclusion section and an addendum that verifies the benefits associated with a 2,800 dwelling unit resort where the CBA bases its findings on a 1,000 dwelling unit resort.
- **Recreation Facilities Plan** – The Recreation Facilities Plan lists and geographically demonstrates the wide variety of recreational activities proposed for Powder Mountain. The Plan can be found on page 44 of Exhibit A.
- **Seasonal Workforce Housing Plan** – The Workforce Housing Plan describes the need for 98 seasonal workforce housing units in order to meet the minimum number of units required by the Destination and Recreation Resort Zone Code. This Plan can be found on page 46 of Exhibit A.
- **Emergency Services Plan including a Letter of Feasibility from the Weber Fire District and Weber County Sheriff's Office** – An Emergency Services Plan has been determined acceptable by the Weber County Sheriff's Office and the Weber Fire District. Letters of feasibility have been submitted on page 50 of Exhibit A.
- **Letter of Feasibility from the electrical power, culinary water, and sewer providers** – Letters of feasibility have been submitted and are attached as Exhibits G and H respectively.
- **Density calculation table showing proposed density calculations** – Approximately 4,297 acres of the Powder Mountain Resort property are currently entitled by a previously approved Zoning Development Agreement dated November 29, 2012 (Entry #2607988). The Development Agreement has established density, for the 4,297 acres, at 2,800 dwelling units. Summit Mountain Holding Group has included an additional 1,860 acres of land in this rezone request and is not requesting any development rights beyond those associated with the previously approved Development Agreement; therefore, a density calculation table is not necessary. See page 4 (paragraph 8) and page 16 (paragraph 1) of Exhibit A for details related to resort density. See page 6 of Exhibit B for density tables located within the previously approved Development Agreement.

The Destination and Recreation Resort Code states the following:

In the event that a previously approved master planned resort makes application to become (or makes application to amend) a destination and recreation resort zone, the resort may retain the remaining dwelling unit rights associated with a previously approved and executed zoning development agreement given that the resort can meet all other requirements of this chapter and demonstrate a substantial public benefit while exhibiting an exceptional vision and development plan superior to that allowed by current or conventional zoning. If a previously approved master planned resort chooses to increase densities beyond what remains as part of a previously approved and executed zoning development agreement, the resort shall be obligated to acquire and incorporate additional contiguous acreage into its boundary and/or acquire additional density in the form of transferable development rights, transfer incentive matching units and/or density bonus units.

- **Thematic renderings demonstrating the general vision and character of the proposed development** – Site layouts, development summaries and thematic renderings have been submitted for planning areas A – F. See pages 19-39 of Exhibit A.

Proposal

The entire Powder Mountain Resort property covers approximately 10,000 acres (approximately 3,840 of which are located in Cache County); however, this request only involves the re-zoning of approximately 6,160 acres within Weber County and would change the existing Resort's zoning **from** (approximately 125 acres of) Commercial Valley Resort Recreation-1 or




CVR-1, (approximately 2,140 acres of) Forest Valley-3 or FV-3, and (approximately 3,895 acres of) Forest-40 or F-40, to (approximately 6,160 acres of) the Ogden Valley Destination and Recreation Resort Zone (DRR-1). There are currently no plans to pursue an approval of a Master Plan for the area of the Resort that lies in Cache County. See page 9 of Exhibit A for the “Existing Zoning” map.

The Master Plan, as described by the applicant, is the result of months of studies, programming, visioning, and processing where development should and should not occur. The proposed Plan represents extensive site analysis and establishes the foundation for Powder Mountain to create an authentic mountain destination with varied and vibrant neighborhoods (Areas A-F) clustered throughout the resort. The Summit Powder Mountain Village (Area D) will be the activity center for the Resort and will include a main street with residential lofts over retail shops, destination amenities such as lodges, public plazas, recreational facilities, and trail heads that will provide access to a network of internal and external regional trails. It is modeled after small mountain villages, in North America and Europe, that have small blocks and interconnected streets that are fronted by boutique hotels, condominiums, townhomes, small single-family lots, and what the Summit Mountain Holding Group calls “nests”. See page 19 of Exhibit A for the Overall Land Use Plan. See pages 19-39 of Exhibit A for descriptions and illustrations of Development Areas A through F. See page 41 of Exhibit A for photos and architectural renderings of the “nest” units.




The development areas, as previously stated, have been divided into six planning areas known as Area A (Mid-Mountain), Area B (The Ridge), Area C (Earl’s Village), Area D (Summit Village), Area E (Gertsen), and Area F (The Meadow). These areas make up approximately 24% of the Gross Acreage (approximately 1,500 acres) located within the project boundary and are proposed to be built in several phases over the course of the next twenty years. The remaining 76% (approximately 4,660 acres) will be designated as open space. As a minimum, sixty percent of the project’s Adjusted Gross Acreage (gross acreage minus acres with slopes over 40%) is required to be preserved as open space; however, Summit Mountain Holding Group is proposing that 63% (2,560 acres) of the Adjusted Gross Acreage be preserved as open space.

The following are development summaries for each planning area:




- Area A – Mid-Mountain is proposed to be the entry portal to Powder Mountain. This area will provide a subtle entry into the Resort with a mix of hotel, townhome, and single-family development sites that will support the beginner ski needs and the existing Mid-Mountain Lodge. See pages 16 and 22-24 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See the legend below for the area’s development data.

DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE		
	HOTEL		108 ROOMS
	COMMERCIAL SKI LODGES & SERVICES		10,000 SF
	MULTI FAMILY		80 UNITS
	SINGLE FAMILY		
	SINGLE FAMILY LOTS		20 UNITS
	NESTS		55 UNITS




- Area B – The Ridge area includes hotel and associated skier lodges/skier services as well as multi-family units all concentrated around the top terminal of the existing Hidden Lake chairlift. The area also provides a mix of small “nest” units and a mix of single-family lot sizes that have views to Mount Ogden and the Great Salt Lake. See pages 16 and 25-27 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See the legend below for the area’s development data.

DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE	HOTELS	180 ROOMS
		COMMERCIAL	9,000 SF
		SKI LODGES & CONF. CENTER	10,000 SF
	MULTI FAMILY		84 UNITS
	SINGLE FAMILY	SINGLE FAMILY LOTS	33 UNITS
		NESTS	42 UNITS

- Area C – Earl’s Village provides a mix of hotels, townhomes, condominiums, and up to 24 “ski-in/ski-out” single-family estate lots with ski and lift access in three different directions. It is also the area that will provide public road access to a point, at the project’s boundary, that may be the most feasible location to continue a future secondary access to the north and east. See pages 16 and 28-30 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See page 40 of Exhibit A for an illustration and description of the Resort’s commitment to providing a public access for a secondary road. The illustration does not show the exact location or the entire extent of the secondary road access. See the legend below for the area’s development data.



DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE	HOTELS	320 ROOMS
		COMMERCIAL/SKI LODGES & CONF. CENTER	40,000 SF
	MULTI FAMILY		790 UNITS
	SINGLE FAMILY	SINGLE FAMILY LOTS	24 UNITS

- Area D – Summit Powder Mountain Village will be the activity center for the Resort and will include a main street with residential lofts over retail shops, destination amenities such as lodges, public plazas, recreational facilities, and trail heads that will provide access to a network of internal and external regional trails. It is modeled after small mountain villages, in North America and Europe, that have small blocks and interconnected streets that are fronted by boutique hotels, condominiums, townhomes, small single-family lots, and what the Summit Mountain Holding Group calls “nests”. See pages 16 and 31-33 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See page 41 of Exhibit A for photos and architectural renderings of the “nest” units. See the legend below for the area’s development data.




DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE	HOTELS	580 ROOMS
		COMMERCIAL/SKIER SERVICES	100,000 SF
		RETREATS	90 ROOMS
	MULTI FAMILY		150 UNITS
	SINGLE FAMILY	SINGLE FAMILY LOTS	268 UNITS
		NESTS	186 UNITS

- Area E – The Gertsen area is a transition area from the more commercially active and residentially dense Earl’s Village and Summit Village. It consists of a cluster of multi-family townhomes, “nests”, and relatively small single-family lots that are sited near two new and proposed lift terminals called Vern’s and Lefty’s. The single-family lots that are located south and west of the Gertsen area core get larger as the area descends down the hill. See pages

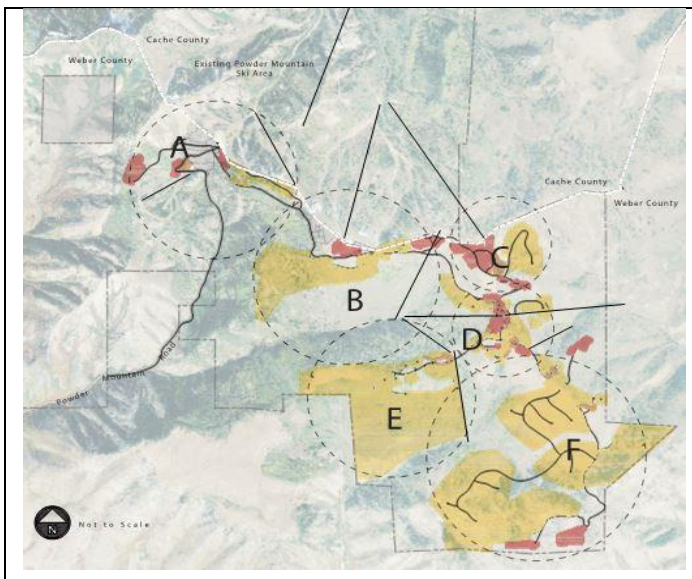
16 and 34-36 of Exhibit A for site description, density, land use, slope, concept, and illustrative information. See the legend below for the area's development data.

DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MULTI FAMILY		90 UNITS
	SINGLE FAMILY SINGLE FAMILY LOTS NESTS	121 UNITS	32 UNITS



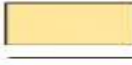
- Area F – The Meadows contains a mix of townhomes, (small to large) single-family lots, an exclusive boutique hotel site, and a retreat that is intended to provide a destination anchor for the entire Powder Mountain Resort. The north edge of this area maintains the structured road and lot layouts found in the Summit Village but begins to loosen that development pattern through a meadow and out to the southern edge of the project boundary. In all areas, along the Resort's boundary, a 200 foot setback buffer is required and will be verified at the time an application for construction is submitted. See pages 3 and 37-39 of Exhibit A for site description, density, land use, slope, and illustration information. See the legend below for the area's development data.

DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE HOTEL RETREATS	30 ROOMS 90 ROOMS	
	MULTI FAMILY		62 UNITS
	SINGLE FAMILY SINGLE FAMILY LOTS NESTS	272 UNITS	25 UNITS

The illustration and legend below show a development summary for the entire project:



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

DEVELOPMENT LEGEND		DEVELOPMENT DATA	
	MIXED USE HOTELS COMMERCIAL/SKIER SERVICES/CONF. CENTER RETREATS	1,218 ROOMS*	159,000 SF 180 ROOMS*
	MULTI FAMILY		1,256 UNITS
	SINGLE FAMILY SINGLE FAMILY LOTS NESTS	738 UNITS 340 NESTS	
TOTAL UNITS		2,800 UNITS	

* HOTEL AND RETREAT ROOMS EQUAL .33 UNITS EACH FOR DENSITY CALCULATIONS

Density

Approximately 4,297 acres of the Powder Mountain Resort property are currently entitled by a previously approved Zoning Development Agreement dated November 29, 2012 (Entry #2607988). The Development Agreement has established density, for the 4,297 acres, at 2,800 dwelling units. Summit Mountain Holding Group has included an additional 1,860 acres in this rezone request; however, is not requesting any development rights or density beyond those associated with the previously approved Development Agreement. See page 4 (paragraph 8) and page 16 (paragraph 1) of Exhibit A for details related to resort density. See page 6 of Exhibit B for density tables located within the previously approved Development Agreement.

Utilities

Summit Mountain Holding Group has submitted a feasibility letter that offers a commitment to provide culinary water and sewer services. These services will be provided by the Powder Mountain Water & Sewer Improvement District and will be subject to a pending agreement. Recently, approximately 9,200 feet of public and private (large diameter) culinary water lines have been installed. Also, a feasibility letter has been received from Rocky Mountain Power. See pages 47-49 of Exhibit A for an overview of utilities. See Exhibit H for the feasibility letter related to culinary water and sewer.

Review Agencies

Agencies involved with the review of the Powder Mountain rezone proposal have been attached as Exhibit C. A letter, from the State of Utah and comments provided by other review, with Summit Mountain Holding Group responses, has been attached within Exhibit D.

Public Comment

Public comments, that have been written and directed to the Planning Office, have been attached as Exhibit I. Some questions and concerns are related to density, availability of recreation facilities to the public, traffic, wildfire, and seasonal workforce housing. The Wolf Creek Water and Sewer Improvement District has submitted a letter to address, what the District calls, an untrue statement that was made. Ogden Valley Starry Nights has also provided comment.

Planning Staff Analysis

Application Completeness and Findings

As stated above, in the Application sub-section, Summit Mountain Holding Group submitted their petition on June 20, 2014. The application and all required supporting materials have been reviewed and have been determined to be complete and in compliance with the submittal standards found in Title 102, Chapter 5 (Rezoning Procedure), of the Weber County Land Use Code. In addition to the required materials, an Infrastructure Master Plan and a Geologic Hazards Reconnaissance Report have been submitted. The Geologic Hazards Report consists of a preliminary geologic hazard assessment that includes hazard mitigation recommendations. The following is a more detailed Planning Staff analysis of all required information that has been received:

- **Concept Development Plan(s)** – A Land Use Plan, for the entire project area, and conceptual plans for development areas A through F have been reviewed and have been determined to be in compliance with County requirements. The County will need to find that the submitted plans “*show sufficient information about the development to assist the County in making a decision on the rezoning application*”. This criterion is presented in the County’s rezone code, which also states that “*the information shown on the concept plan may vary in detail depending on the size of projects*”.

Summit Mountain Holding Group’s development team received comments from review agencies, the Ogden Valley Planning Commission, and the public. In response to these comments, the Group has submitted a revised application booklet and an amended Traffic Impact Analysis that has been attached as Exhibit E. See Exhibit D for a list of comments and responses provided by the Group.

The Planning Division Staff believes that the comments have been adequately addressed; however, details related to some of the responses will need to be addressed in a development agreement approved by the County

Commission. The items needing additional details and commitments can be found in the *Conditions of Approval* section of this staff report. See Exhibit N (draft zoning development agreement) for the draft Zoning Development Agreement.

- **Traffic Impact Analysis (TIA)** – The TIA has been reviewed and it has been determined that it provides all information that is required by the Weber County Code. Summit Mountain Holding Group and their transportation consultant received review questions and comments that were related to 1) making general clarifications; 2) addressing report structure; 3) addressing discrepancies; 4) trip generation and background (non-resort related) traffic growth assumptions; 5) resort guest occupancy rates; and 6) mitigation commitments.

In response to these review agency comments and questions, Summit Mountain Holding Group has submitted answers, provided by their traffic consultant (Project Engineering Consultants or PEC), and a revised TIA. See pages 13-16 of Exhibit D for PEC’s responses to specific traffic questions. See Exhibit E for the revised TIA.

With the assistance of the County Engineer’s Office, Hales Engineering, and the Wasatch Front Regional Council, the Planning Staff has been able to determine that the TIA has used standard traffic study methodologies and has adequately provided traffic projections and mitigation recommendations that present acceptable levels of service. The recommendations provided maintain peak levels of service (LOS) that do not fall below LOS C at the study intersections located at the mouth of Ogden Canyon, Pineview Reservoir Spillway, and the four-way stop in Eden (i.e., SR-39/Ogden City’s Valley Drive, SR-39/SR-158, and SR-162/SR-158 respectively). See page 5 of Exhibit E for study intersection existing conditions. See page 39 of Exhibit E for recommended mitigation measures.

Commitments to implementation and the continuation of Powder Mountain initiated mitigation and sustainability programs can be addressed and detailed in a development agreement approved by the County Commission. Improvements associated with mitigating traffic impacts on State roads will be administered by UDOT. See page 44 of Exhibit E for Summit Mountain Holding Group’s commitment to Powder Mountain initiated mitigation and sustainability programs. See sub-section 6.4 of Exhibit N for language related to the Summit Group’s commitment to providing traffic mitigation measures in perpetuity.

- **Cost Benefit Analysis (CBA)** - The CBA submitted was prepared in cooperation with the Weber Economic Development Partnership and was previously found to be acceptable by the Weber County Redevelopment Agency’s board of directors. Based on assumptions regarding economic performance, market feasibility, and fiscal impact, the Resort is projected to have a positive influence on Weber County. The following summarizes the findings of the CBA:

- Powder Mountain will stimulate significant business and economic activity within the community, the region, and the State.
- Powder Mountain will positively influence the tax base and provide beneficial tax benefits.
- 2012 taxable value is approximately \$1.44 million while the potential 2032 taxable value could be approximately \$1.1 billion.
- 2012 tax revenue is approximately \$19,800 while the potential 2032 tax revenue could be \$12 million.
- The developer understands the market, is experienced, and the proposed project is economically sound and feasible.
- The project conforms to the Ogden Valley General Plan.
- The risk to Weber County, in supporting the establishment of a CDA, is minimal to non-existent.
- Labor income: *Direct labor income is projected at \$41 million annually. Secondary labor income is projected at \$33 million, and the total labor income is projected at \$74 million annually.*

- **Recreation Facilities Plan** – The Recreation Facilities Plan has been reviewed by the Planning Staff and has been found to be complete. Summit Mountain Holding Group has committed to having all recreational facilities open to the public, with the understanding that some recreational uses and facilities will be fee based. The Recreation Facilities Plan can be found on page 44 of Exhibit A. Also, see page 6 (paragraph 11) and 45 of Exhibit A for additional commitments related to trails and amenities. See sub-section 4.8 of Exhibit N (draft zoning development agreement) for language related to “fee free” trails.

- **Seasonal Workforce Housing Plan** – The Workforce Housing Plan has been reviewed by the Planning Staff and has been found to be complete and compliant with the Seasonal Workforce Housing standards found in Code Title 104, Chapter 29 (Ogden Valley Destination and Recreation Resort Zone DRR-1) of the Weber County Land Use Code. This Plan can be found on page 46 of Exhibit A.

- **Emergency Services Plan including a Letter of Feasibility from the Weber Fire District and Weber County Sheriff's Office** – An Emergency Services Plan has been determined acceptable by the Weber County Sheriff's Office and the Weber Fire District. Letters of feasibility have been submitted on page 50 of Exhibit A. See sub-section 2.4 of Exhibit N (draft zoning development agreement) for language related to a public safety facility.

- **Letter of Feasibility from the electrical power provider** – A letter of feasibility has been submitted and is attached as Exhibit G.

- **Density calculation table showing proposed density calculations** – Approximately 4,297 acres of the Powder Mountain Resort property are currently entitled by a previously approved Zoning Development Agreement recorded November 29th, 2012 (Entry #2607988). The Development Agreement has established density, for the 4,297 acres, at 2,800 dwelling units. Summit Mountain Holding Group has included an additional 1,860 acres in this rezone request; however, is not requesting any development rights or units beyond those associated with the previously approved Development Agreement. A density calculation table is not needed due to the Resort's proposal which is to utilize the remaining density allowed in the previously approved Agreement. See page 4 (paragraph 8) and page 16 (paragraph 1) of Exhibit A for details related to resort density. See page 6 of Exhibit B for density tables located within the previously approved Development Agreement.

- **Thematic renderings demonstrating the general vision and character of the proposed development** – Site layouts, development summaries and thematic renderings have been submitted for planning areas A-F. See pages 19-43 of Exhibit A.

Code Compliance

The Summit Mountain Holding Group rezone application has been reviewed by the Weber County Planning Division Staff and other review agencies and has been found to be in compliance with all applicable codes.

Ogden Valley Planning Commission and Review Agency Questions and Comments

The Planning Division Staff has reviewed all revised materials and has determined that all questions and comments have been adequately addressed.

Density Request

As previously described, Powder Mountain Resort is requesting to keep the remaining density associated with the previously approved Zoning Development Agreement dated November 29, 2012 (Entry #2607988).

Summary of Suggested County Commission Considerations

The Planning Commission and the County Commission, according to the approval criteria provided in Title 102 (Administration), Chapter 5 (Rezoning Procedures) of the County's Land Use Code, shall consider the proposal's merits and compatibility with the Ogden Valley General Plan, surrounding land uses, and its impacts on the surrounding area. The Commissions also consider whether the proposed development, and in turn the application for rezoning, is desirable and promotes the public welfare. Additionally, according to sub-section 3.1 of the previously approved Development Agreement the County should be able to determine that Summit Mountain Holding Group has demonstrated that the

proposed rezone will provide “substantial public benefits while exhibiting an exceptional vision and development plan superior to that allowed by current or conventional zoning”. See Page 7 of Exhibit A for Summit Mountain Holding Group’s explanation as to how the application meets all approval criteria. See Exhibit B for the previously approved Development Agreement.

Below is a list of criteria that the Commission should consider, according to the County’s Land Use Code:

- Has the Resort complied with all applicable codes?
- Does the County consider the Overall Land Use Plan to be acceptable?
- Has the proposed Resort demonstrated a substantial public benefit and exhibited an exceptional vision and development plan superior to that allowed by current or conventional zoning? See page 6 of Exhibit A for details related to the substantial public benefit offered by the project.
- Has the Resort adequately demonstrated that it can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands as identified in Title 104, Chapter 28 (Ogden Valley Sensitive Lands Overlay Districts) of the Weber County Land Use Code?
- Has the Resort provided substantial evidence, through a professional and empirical study, that has determined that the proposed Resort is viable and can contribute to the surrounding community’s economic well being?
- Has the Resort provided substantial evidence, through a professional and empirical study, that has determined that the proposed Resort’s traffic mitigation plans will prevent transportation corridors, serving the Resort, from diminishing below an acceptable Level of Service?
- Has the Resort adequately demonstrated that its natural and developed recreational amenities will constitute a primary attraction and will provide an exceptional recreational experience by enhancing quality public recreational opportunities?
- Has the Resort adequately demonstrated that its Seasonal Workforce Housing Plan will provide a socially, economically and environmentally responsible development?
- Has the proposed Resort adequately demonstrated that public safety services are and/or will be feasible and available to serve the project in a manner that is acceptable to the Commission?

Conformance to the General Plan

The Ogden Valley General Plan, as adopted in 1998, states that Weber County “supports the continued development of resort-related commercial areas” (OVGP, p.12). In December of 2005, Weber County adopted the Recreation Element of the General Plan and within that document it suggests that Weber County “accommodate expected demand for second home, year-round home, and resort-related development without generating suburban/resort sprawl” by “encouraging the creation of new resort villages in the locations indicated in Figure 18”. In Figure 18, public preferences, for expanded resort development, are illustrated with a range of dot sizes. The size of the dots correlates with the public’s preference as it relates to development in certain locations i.e., the larger the dot the more preferred the location was. See Exhibit J for Figure 18.

The Summit Mountain Holding Group rezone application and master plan also conforms to the Ogden Valley General Plan by meeting its goals and objectives as listed below (See page 8 of Exhibit A for Summit Mountain Holding Group’s complete report on General Plan compliance):

- **Protect Air Quality and Water Resources:** Development is proposed to take place in a manner that reduces “auto dependency”, water and energy consumption. See page 8 (Section 3.01) of Exhibit A for details related to this General Plan Goal.
- **Protect Open Space and Sensitive Lands:** The Powder Mountain Land Use Plan shows development restricted to approximately 24% (approximately 1,500 acres) of the entire Resort property. Approximately 76% (4,660 acres)

has been proposed as open space. Half of the proposed open space will be preserved (by conservation easement) as Conservation Open Space. Development plans also show that Sensitive Lands are being avoided.

- **Preserve Wildlife and Wildlife Habitat:** Through clustering development into compact areas and preserving approximately 4,660 acres of open space, wildlife areas will be allowed to remain intact and will provide wide corridors.
- **Require that Development Be Compatible With The Valley's Rural Character and Natural Setting:** Development has been proposed to occur in a manner that surrounds Areas A through F with large, natural open spaces. The renderings that have been presented show a rustic "modern-mountain" construction type that meets the intent of all Ogden Valley construction (design and material) standards.
- **Provide Adequate Emergency and Medical Services:** Summit Mountain Holding Group's Emergency Services Plan demonstrates cooperation between the Resort, the Weber County Sheriff's Office, and the Weber Fire District. Land for a sheriff and fire facility will be provided by the Resort. See page 50 of Exhibit A for the commitment to work with and provide adequate facilities for emergency service providers.
- **Enhance Quality Recreation Opportunities:** The General Plan specifically directs the County to identify recreational assets, facilities, and activities in the Ogden Valley and determine which facilities might be expanded to meet an increased recreation demand. An expansion of the Powder Mountain Resort would conform to the General Plan due to the increase of recreational opportunities as demonstrated on the Recreation Facilities Plan. See complete Plan on pages 44 and 45 of Exhibit A.
- **Encourage Private Businesses and Entrepreneurs to Meet the Growing Demand for Recreational Facilities:** The General Plan states that it is only through development of future recreational facilities on private lands that recreational demands can be met in Ogden Valley. Summit Mountain Holding Group has proposed a large expansion of recreational facilities as shown on pages 44 and 45 of Exhibit A.

Ogden Valley Planning Commission Recommendation

The Ogden Valley Planning Commission, on the evening of October 28th, 2014 voted unanimously to recommend that the Weber County Commission approve ZMA #2014-01 to rezone property at Powder Mountain Resort based on the findings listed in the *Staff Recommendation* section below. The Planning Commission's recommendation includes the requested number of density units and was made subject to the adoption of the conditions listed in the *Conditions of Approval* section below. See Exhibit P for the Ogden Valley Planning Commission public meeting minutes from October 28th, 2014.

Staff Recommendation

The Weber County Planning Division Staff recommends that the County Commission approve ZMA #2014-01 to rezone property at Powder Mountain Resort based on the following findings:

1. Summit Mountain Holding Group has complied with applicable codes as described in the *Planning Staff Analysis* section above.
2. Summit Mountain Holding Group's proposal conforms to the Ogden Valley General Plan as described in the *Conformance to the General Plan* section above.
3. Summit Mountain Holding Group has demonstrated that the proposed rezone meets Weber County expectations, as listed in the *Summary of Suggested County Commission Considerations* section above.

This recommendation includes the approval of the requested number of density units and is subject to review agency comments and conditions listed in the *Conditions of Approval* section located immediately below.

Conditions of Approval

It is recommended, by the Planning Division Staff and the Ogden Valley Planning Commission, that the County Commission adopt and incorporate the following conditions into a zoning development agreement (attached as Exhibit N) supporting the approval of zoning petition ZMA #2014-01 made by Summit Mountain Holding Group L.L.C.:

Conditions of Approval:

1. A second public access right, which may need to be entirely located on Powder Mountain Resort property, is granted or dedicated at a location generally shown on Exhibit K.
2. Grant access for a secondary public road across Summit Mountain Holding's property that lies in Cache County and is traversed by an existing dirt road that is called out on Exhibit K.
3. The proposed boutique hotel, located near the top terminal of the existing Sundown chairlift, may only be constructed if methods or technology can be applied (at the time of construction) in such a manner so as to limit light emissions to an imperceptible level as seen from the developed camping areas of North Fork Park. The methods and technology shall be approved by the Ogden Valley Planning Commission at the time of site plan review.
4. At minimum all "regional public trails" and "loop trails", shown on page 45 of Exhibit A, shall be open to the public as a fee free recreational activity. "Regional public trails" shall be constructed and open to the public by fall of 2017. "Loop trails" shall be constructed and open to the public by fall of 2018.
5. Continue providing employee transit for Powder Mountain employees in perpetuity and implement and perpetually continue providing a minimum of 5 travel demand reduction methods as proposed on page 44 of the Powder Mountain Resort Traffic Impact Analysis dated September 26, 2014. These methods may be changed and others implemented as proposed by Summit Mountain Holding Group and approved by Weber County.
6. Grant access or convey property (along SR158) for, up to two, run-away truck ramps (or other safety facilities) at a time and location that UDOT determines is beneficial.

Exhibits

- A. Spiral-bound, 11"x17" master plan booklet labeled as "Weber County Rezone Application".
- B. Existing Zoning Development Agreement (Contract #2012-212) recorded November 29th, 2012.
- C. List of Review Agencies and other groups that were provided materials.
- D. Packet of Review Agency comments/questions with Summit Mountain Holding Group's responses.
- E. Powder Mountain Resort Traffic Impact Analysis without appendices.
- F. Powder Mountain Cost Benefit Analysis (pgs. 21-23) and Memorandum.
- G. Feasibility Letter – Rocky Mountain Power.
- H. Feasibility Letter – Powder Mountain Water and Sewer Improvement District.
- I. Public and other entity comments written and directed to the Planning Division.
- J. Ogden Valley General Plan's Recreation Element – Figure 18 showing public (location) preferences for development.
- K. Secondary road access map showing feasible/possible location for future public road.
- L. State of Utah's Public Lands Policy Coordinating Office comments including Division of Wildlife Resources.
- M. Utah Chapter (Ogden Group) of the Sierra Club.
- N. Draft Zoning Development Agreement.
- O. Draft Ordinance.
- P. Ogden Valley Planning Commission public meeting minutes from October 28th, 2014.