

## Meeting Procedures

### Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

### Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

### Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

### Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

### Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

### Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

## Commenting at Public Meetings and Public Hearings

### Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

### Speak to the Point:

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments, then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

### Handouts:

- ❖ Written statements should be accurate and either typed or neatly handwritten with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record will be left with the Planning Commission.

### Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.



## OGDEN VALLEY PLANNING COMMISSION

### MEETING AGENDA

August 27, 2024

Pre-meeting 4:30pm/Regular Meeting 5:00 pm



- *Pledge of Allegiance*
- *Roll Call:*

1. **Vote for Chair and Vice Chair**

2. **Minutes: July 30, 2024**

3. **Administrative Items:**

**3.1** DR 2024-04 - Consideration and action on a request for design review approval to expand the Hidden Lake parking areas at Powder Mountain Resort, located at approximately 6965 N Powder Mountain Rd, Eden, UT, 84310.

**Staff Presenter: Tammy Aydelotte**

**3.2** CUP 2024-09 - Request for approval of an amendment to a conditional use permit for the Sundown Condominiums PRUD. This amendment proposal realigns a private roadway throughout the development. Located at approximately 6700 N Powder Mountain Road, Eden, UT, 84310

**Staff Presenter: Tammy Aydelotte**

4. **Public Comment for Items not on the Agenda:**

5. **Remarks from Planning Commissioners:**

6. **Planning Director Report:**

7. **Remarks from Legal Counsel**

**Adjourn**

***The meeting will be held in person at the Weber County Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.***

& Via Zoom Video Conferencing at <https://webercountyutah.zoom.us/j/83537079986> Meeting ID: 835 3707 9986

***In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8761***

Minutes of the Work Session of the Ogden Valley Planning Commission for July 30, 2024. To join the meeting, please navigate to the following weblink at, <https://webercountyutah.zoom.us/j/88954728808>, the time of the meeting, commencing at 5:00 p.m.

**Ogden Valley Planning Commissioners Present:** Jeff Burton (Acting Chair), Jeff Barber, David Morby Joe Paustenbaugh, Trevor Shuman, Janet Wampler.

**Staff Present:** Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Bill Cobabe, Planner; Liam Keogh, Legal Counsel; Marta Borchert, ffile Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Burton conducted roll call and indicatd Commissioners Bryce Froerer and Mark Schweppe were not presnt; all other Commissioners were in attendance.

Chair Burton invited Commissioner Morby to introduce himself. Commissioner Morby provided a brief overview of his personal and professional experience, which contributed to his interest in this position.

### 1. Administrative Items:

**1.1 CUP: 2024-07: Request for approval of a conditional use permit to install a 100K gallon water storage tank for culinary use by the Arrowleaf Subdivision, a small subdivision located at approximately 4675 N 2900 E, Liberty, UT, 84310. This proposal will be fed by two existing and approved wells, and will service all nine lots within this already approved subdivision.**

**Staff Presenter: Tammy Aydelotte.**

A staff memo from Planner Aydelotte explained subdivision approval for the Arrowleaf Subdivision was granted on July 10, 2024, but the subdivision has not yet been recorded. The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which require the Planning Commission to review and approve applications for conditional use permits and design reviews. Staff recommends approval of this conditional use application subject to the applicant meeting all review agency requirements and the following conditions:

1. CUP shall be issued once the Arrowleaf Subdivision has been recorded.
2. Any outdoor lighting must meet the requirements of the Ogden Valley Outdoor Lighting Ordinance (108-16).

This recommendation is based on the following findings:

- The proposed use is allowed in the FV-3 zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Chair Burton asked if the lighting ordinance will apply to this application or if it is necessary to include conditions related to lighting of the structure. Ms. Aydelotte stated that it will apply, and additional conditions are not necessary.

Commissioner Barber inquired as to the water source for the tank. Ms. Aydelotte stated the applicant has drilled two wells and has shown sufficient water rights to supply all nine lots with culinary and secondary water. Commissioner Barber asked if any restrictions related to deforestation are imposed on projects such as this. He is familiar with another similar project where many trees have already been cut – more than seems necessary to install the road to serve the project.

Commissioner Wampler asked if approval of the subdivision was granted by the Planning Director. Ms. Aydelotte answered yes; it was classified as a small subdivision, the approval authority for which is the Planning Director.

Chair Burton referenced an aerial image of the subject property and identified a white line that runs diagonally through the property; he asked if that is an existing road. Ms. Aydelotte answered yes, it is an existing access road. There is a water tank within the boundaries of the property and the applicant is working with Liberty Pipeline to secure easements for their infrastructure. Vice Chair Burton asked if a portion of the subdivision is located on the ridge of the mountainside. Ms. Aydelotte stated a portion

of the subdivision is located on the ridge, but any construction to occur on or near the ridgelines must conform with County ordinances regarding any construction on ridgelines.

Commissioner Shuman moved to approve CUP 2024-07, conditional use permit to install a 100K gallon water storage tank for culinary use by the Arrowleaf Subdivision, a small subdivision located at approximately 4675 N 2900 E, Liberty, UT, 84310. This proposal will be fed by two existing and approved wells, and will service all nine lots within this already approved subdivision. Motion to approve is based on the findings and subject to the conditions listed in the staff report, and including a condition that the project comply with the County's exterior lighting ordinance. Commissioner Wampler seconded the motion.

Chair Burton asked what will happen if the exterior lighting ordinance changes. Ms. Aydelotte stated the applicant will be required to meet the conditions associated with approval of the CUP, even if the exterior lighting ordinance changes. Planning Director Grover added that the condition that was recommended by staff would be for the application to comply with the County's ordinance; if the ordinance changes, the project would comply with the ordinance at the time the building permit is obtained for the project. If the Planning Commission wants the project to conform with the current lighting ordinance, they should specify that in their motion. Vice Chair Burton suggested a condition regarding the lighting ordinance is not necessary because the application must automatically apply with the lighting ordinance.

The motion was not amended.

Chair Burton called for a vote. Commissioners Barber, Burton, Morby, Shuman, and Wampler voted aye. (Motion carried on a vote of 5-0).

## **2. Public Comment for Items not on the Agenda:**

Jan Fullmer stated she would like to ask a general question of the Ogden Valley Planning Commissioners regarding the Form Based Zone; she asked them if they understand it. She asked if they have been able to read the entire zoning document and understand all of the specifications in the document.

Commissioner Shuman stated that he and Vice Chair Burton were members of the Commission when the document was created so they have read it in their entirety. Ms. Fullmer asked him if he comprehends it. Commissioner Shuman answered yes. Ms. Fullmer asked if that is true for all members of the Commission.

Planning Director Grover advised the Commission that they are not required to answer questions asked during the public comment period.

Chair Burton stated that Ms. Fullmer's question is very general in nature, and he is not sure how to provide a meaningful answer. Mr. Grover added that staff is available to the Commission to interpret land use ordinances and provide guidance.

Ms. Fullmer stated she has met with Principal Planner Ewert about the form-based zone, which has not been used for any recent project in the Western Weber County planning area. It was Mr. Ewert's understanding that the Ogden Valley Planning Commission understood the form-based zone and that is why she wanted to get an answer from the Planning Commission regarding that matter.

Jim Bird stated that during the last Planning Commission meeting, he expressed his concerns regarding the form-based zone because it is an 83-page document that is very hard to understand. When it comes to form-based zone applications, it is difficult for him to understand the requirements of the form-based zone and express his concerns regarding it. The Planning Commission and Planning staff may be able to understand the document, but the public does not. He proposed that the Planning Commission and the County Commission consider a moratorium on any form-based zone application for the Ogden Valley. He is concerned because there have been several form-based zoning applications over the past several months; Ogden Valley is moving in the direction of incorporation and according to Utah Law, if a property owner wants a zoning change, the responsibility rests with that property owner. Municipalities are not explicitly required by State Law to demonstrate why a property owner cannot have a zone change; however, if a property owner applies for a conditional use permit in the form-based zone, the municipality must display why a conditional use permit cannot be granted. If the municipality denies a conditional use permit, they must provide substantial evidence to show the detrimental effects cannot be mitigated. He is concerned that the Ogden Valley, if becomes a municipality, will be facing serious legal challenges from developers. He hopes the Ogden Valley Planning Commission and County

Commission will respect what the Ogden Valley residents are trying to do by way of pursuing incorporation; more form-based zoning could present problems to the Valley.

**3. Remarks from Planning Commissioners:**

Commissioner Wampler asked why the item relating to the selection of a Chair for the Planning Commission was removed from tonight’s agenda. Planning Director Grover stated that Planning staff felt it would be most appropriate to take a vote on that item when a majority of Planning Commissioners were present. When staff attempted to schedule this meeting, it was not clear that there would be a quorum present. Commissioner Wampler stated that leads to another point she wanted to mention; in light of the new rules of order laid out by the County Commission, specifically the rules dissuading the use of electronic means to participate in a meeting, and limiting the number of meetings that Commissioners are allowed to miss, having a meeting with one agenda item that is administrative in nature is a bit of an unnecessary burden to the volunteer members of this body. She knows there is a work session scheduled for next week and it may have been more appropriate to delay this item until that meeting. Mr. Grover stated that a final decision has not been made regarding scheduling that work session and the next meeting may not be scheduled until the end of August. Staff did not feel it appropriate to delay action on the administrative item until that time. Commissioner Wampler then asked when the Cowboy Partner’s proposal will be listed on a County Commission agenda. Mr. Grover stated he does not know; a work session was held on July 15 and staff is waiting for the applicant to address concerns raised by the County Commission during that meeting. Commissioner Wampler then asked if it is possible for the Planning Commission to receive a report from Planning staff regarding any application that is approved by Planning staff rather than the Planning Commission; she specifically wanted information regarding approval of applications that impact the number of density points in the Ogden Valley. Mr. Grover stated that he can send an email regarding applications that are listed on administrative meetings held by Planning staff; however, those meetings are public meetings that are advertised and minutes kept. Ms. Aydelotte pointed the Commission to the section of the County’s website where agendas and minutes of Administrative meetings are located.

**4. Planning Director Report:**

Planning Director Grover stated Joe Paustenbaugh and Dayson Johnson have been replaced by David Morby and Bryce Froerer; Mr. Froerer was previously a member of the Board of Adjustment, and the County Commission has appointed someone to replace him in that capacity.

**5. Remarks from Legal Counsel**

Legal Counsel was not present.

**Meeting Adjourned: The meeting adjourned at 5:29 p.m.**

**Respectfully Submitted,**

*Cassie Brown*

**Weber County Planning Commission**



# Staff Report for the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

<b>Application Request:</b>	Consideration and action on a request for design review approval to expand the Hidden Lake parking areas at Powder Mountain Resort, located at approximately 6965 N Powder Mountain Rd, Eden, UT, 84310.
<b>Agenda Date:</b>	August 27 <sup>th</sup> , 2024
<b>Type of Decision:</b>	Administrative
<b>Applicant:</b>	Rick Everson
<b>File Number:</b>	DR 2024-04

### Property Information

<b>Approximate Address:</b>	6965 N Powder Mountain Rd, Eden, UT
<b>Zoning:</b>	Destination Recreation Resort (DRR-1)
<b>Existing Land Use:</b>	Parking for Hidden Lake Lodge and Sky Lodge
<b>Proposed Land Use:</b>	Expansion of parking for Hidden Lake Lodge and Sky Lodge
<b>Parcel ID:</b>	23-012-0183
<b>Township, Range, Section:</b>	Township 7 North, Range 2 East, Section 08, NW 1/4

### Adjacent Land Use

<b>North:</b>	Ski Resort	<b>South:</b>	Summit Pass Road
<b>East:</b>	Ski Resort/Residential	<b>West:</b>	Resort/Residential

### Staff Information

<b>Report Presenter:</b>	Tammy Aydelotte taydelotte@webercountyutah.gov 801-399-8794
<b>Report Reviewer:</b>	FL

## Applicable Ordinances

- Weber County LUC Title 104, Chapter 29 - Destination & Recreation Resort-1 (DRR-1) Zone
- Weber County LUC Title 108, Chapter 1 - Design Review
- Weber County LUC Title 108, Chapter 2 - Ogden Valley Architectural, Landscape and Screening Design Standards
- Weber County LUC Title 108, Chapter 8 - Parking and Loading Space, Vehicle Traffic and Access Regulations

## Summary and Background

The applicant is requesting an administrative design review approval to construct additional parking area at the Hidden Lake Lodge (see **Exhibit B**). The proposed expansion will add a total of 178 parking stalls in a new lower parking lot area accessed from Powder Ridge Road off of Summit Pass Road. This will add to the existing stalls in the upper lot. The project will improve the proposed lower lots with compacted road base, landscaped areas consisting of an erosion control blanket, topsoil and seeding. At present, the applicant does not propose any lighting or signage with the project.

## Analysis

**Zoning:** The proposed structure is located in the DRR-1 zone. This zone allows for the existing use to continue as designated parking area for use of the resort amenities located within this development.

**Design Review:** The DRR-1 Zone requires a design review (as outlined in LUC §108-1) to ensure that the general design, layout, and appearance of commercial sites and buildings is orderly and harmonious with the surrounding areas.

As part of a design review, the Planning Commission shall consider applicable codes and impose conditions that mitigate deficiencies if necessary. Consideration is given to the following:

- **Traffic safety and traffic congestion:**
  - No new streets are proposed. The new parkinglots will gain access from Powder Ridge Drive, approximately 500 feet from its intersection with Summit Pass Road.
  - The proposed parking will reduce the need for parking on Powder Ridge Road.
- **Outdoor advertising:**

- The project will not include any outdoor advertising.
- **Landscaping:**
  - Staff has found that the proposed parking lot and associated landscaping plans are consistent with the requirements of LUC Sec. 108-1-4(c) by providing landscaping to more than the 10% of the project area (see **Exhibit C**).
  - Per LUC Sec. 108-1-7 and LUC Sec. 108-2-5, all elements of the landscape plan are required to guarantee financially to ensure their installation within a one-year timeframe. As such, and as a condition of approval, an estimate for the proposed landscaping plan/revegetation is required to be submitted for review. A Development Improvement Agreement and a cash escrow will be required for the approved estimated cost to serve as the financial guarantee. This cash escrow shall be deposited prior the issuance of a land use permit and will be released back to the applicant once the landscaping has been installed.
- **Building and site layout:**
  - There are no buildings being proposed as part of the project.
- **Utility easements, drainage, and other engineering questions:**
  - The site plan shows a detention pond and drainage swales leading to the detention pond, as well as a required minimum 15" drainage pipe (see **Exhibit B** for the site plan for this proposal).
  - The proposal must meet all review agency requirements, including the requirements outlined in the Engineering Division's review.
- **Prior development concept plan approvals associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval:**
  - The proposed project is consistent with the applicable zoning development agreement approved in January of 2015, Entry # 2717835 (see **Exhibit D** for The Ridge Master Plan Area Map).

**Architectural, landscape, and screening design standards:** Per LUC Sec. 108-2, the following architectural, landscape, and screening design standards apply to all commercial uses in the Ogden Valley Planning Area. Staff's analysis is provided below each standard:

***Minimum Standards; Architectural:*** This subsection is not applicable as there are no structures associated with this proposal.

***Minimum Standards and Guidelines, General Landscaping:*** The proposed landscaping plan (see **Exhibit C**) has been reviewed and found to meet the minimum requirements to landscape at least 20% of the total lot area, the majority of which is landscaped with native living plant materials. Staff review has found that the landscaping plan meets the minimum requirements for landscaping along street frontages and property lines.

It will be the responsibility of the applicant to ensure ongoing compliance with the requirements of LUC Sec. 108-2-5(j) regarding landscaping maintenance.

***Screening and Buffering:*** LUC Sec. 108-2-7 requires that parking areas be obscured from view along any property line which is contiguous to a residential use or zoning district.

The subject property is bounded by open space and resort zoning to the north and east where screening isn't necessary. However, to the west, there are platted, and partially built, residential units. The applicant shall submit to the County amendments to their landscaping plan that offers screening to these platted units. This shall be included in the landscape escrow, as required per LUC Sec. 108-2-5.

***Parking and Loading Space, Vehicle Traffic and Access Regulations:*** Per LUC Sec. 108-8, the current land use of the is not listed in the table under LUC Sec. 108-8-4. Therefore, "Where uses not listed above, the parking requirements shall be established by the planning commission based upon a reasonable number of spaces for staff and customers, and similar requirements of like businesses"

LUC Sec. 108-8-7 requires that the minimum parking area per stall encompass not less than 180 sq. ft. That said, the applicant is providing a 24-foot wide access right-of-way into the stalls. This width is allowed to be as little as 16 feet which allows the stalls to meet the 180 sq. ft. area requirement.

## Conformance to the General Plan

The proposal conforms to the Ogden Valley General Plan by continuing development and improvements to the approved Powder Mountain Resort area under the existing Zoning provisions.

## Staff Recommendation

The Planning Division recommends approval of DR 2024-04, subject to all review agency requirements and based on the following condition of approval:

1. An updated landscaping plan showing screening to the west, shall be submitted to the County prior to written approval from Planning.
2. An estimate for the proposed landscaping plan/revegetation is required to be submitted for review. A Development Improvement Agreement and a cash escrow will be required for the approved estimated cost to serve as a financial guarantee. This cash escrow shall be deposited prior the issuance of a land use permit and will be released back to the applicant once the landscaping has been installed.

This recommendation for design review approval is based on the following findings:

1. The proposed project conforms to the Ogden Valley General Plan.
2. The proposed project conforms to the Executed Master Development Agreement recorded 1/14/2015 (as entry # 2717835)
3. The proposed project complies with applicable County codes.
4. The proposed project complies with the applicable Zoning Development Agreement.
5. The proposed project will not negatively affect public health, safety, or welfare.
6. The proposed project will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Exhibits

- A. Application and Narrative
- B. Site Plan
- C. Landscaping Plan
- D. The Ridge Master Plan Area Map (as recorded in the executed development agreement dated 1/14/2015 (as entry # 2717835)



# Vicinity Map



# Exhibit A – Application and Narrative

## Hidden Lake-Design Reviews

+ Add Follower

✎ Change Status

✎ Change Review Due Date

✎ Edit Project

**Address:** 6965 N Powder Mountain Road, Eden, UT, 84310  
**Maps:** [County Map](#), [Google Maps](#)  
**Project Type:** Design Reviews  
**Sub Type:** Design Reviews  
**Created By:** Rick Everson  
**Created On:** 7/30/2024

**Project Status:** Accepted  
**Status Date:** 8/2/2024  
**File Number:** DR 2024-04  
**Project Manager:** Tammy Aydelotte

Application

Documents 13

Comments 0

Reviews 2

Followers 10

History

Reminder 0

Payments 1

Internal 0

## Application

+ Add Building

+ Add Parcel

+ Add a Contractor

✎ Edit Application

Print

Building Permit

### Project Description

Hidden Lake Overflow Parking Area

**Property Address** 6965 N Powder Mountain Road  
Eden, UT, 84310

**Property Owner** Brooke Hontz  
435-640-1941  
bhontz@powdermountain.com

**Representative** Rick Everson  
801-397-4880  
reverson@powdermountain.com

**Accessory Dwelling Unit** False  
**Current Zoning** DRR-1  
**Subdivision Name** N/A  
**Number of new lots being created** 0  
**Lot Number** N/A  
**Lot Size** N/A  
**Frontage** N/A  
**Culinary Water Authority** Not Applicable  
**Secondary Water Provider** Not Applicable  
**Sanitary Sewer Authority** Not Applicable  
**Nearest Hydrant Address** Powder Ridge Development, approx 250' to the west  
**Signed By** Representative, Rick Everson

### Parcel Number

[✖ Remove](#) 230120183 - [County Map](#)

## Rick Everson

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**From:** Rick Everson  
**Sent:** Tuesday, July 30, 2024 12:59 PM  
**To:** Rick Everson  
**Subject:** Narrative

This project is to create overflow parking adjacent to the existing Hidden Lake parking lot. The lots will be graded and then reinforced with stabilization fabric and compacted roadbase. This area is designated in the master plan as future mixed use development. At the time that future development takes place, the land will be platted accordingly, and the parking will be replaced with a permanent surface lot or parking structure. All disturbed areas will receive 4 inches of topsoil, seed mix that matches the surrounding area, and erosion control blankets.

**Rick Everson**  
Director of Land Development  
Powder Mountain Resort | 801-897-4880  
 [POWDERMOUNTAIN.COM](https://www.powdermountain.com)



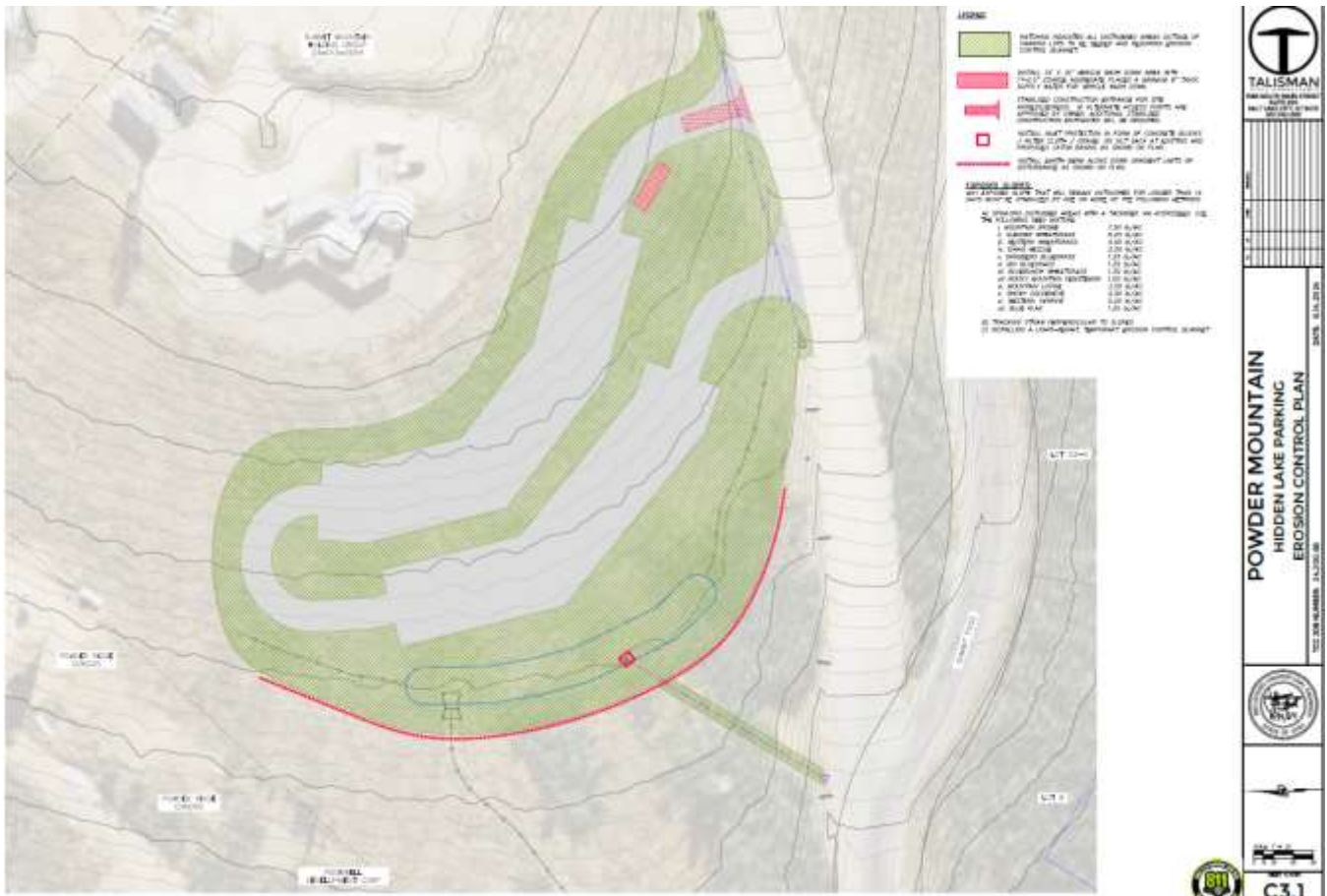
# Exhibit B – Landscaping Plan

**Rick Everson**

**From:** Rick Everson  
**Sent:** Tuesday, July 30, 2024 12:55 PM  
**To:** Rick Everson  
**Subject:** Landscaping Plan

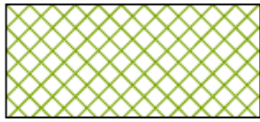
There is no formal landscaping with this project, only revegetation which is shown in the Erosion Control Plan under "Engineered Plans" and also in the SWPPP under "Other"

**Rick Everson**  
 Director of Land Development  
 Powder Mountain Resort | 801-897-4880  
 @ f t [POWDERMOUNTAIN.COM](http://POWDERMOUNTAIN.COM)





## **LEGEND**



HATCHING INDICATES ALL DISTURBED AREAS OUTSIDE OF PARKING LOTS TO BE SEEDED AND REQUIRING EROSION CONTROL BLANKET.



INSTALL 15' X 30' VEHICLE WASH DOWN AREA WITH 1"-2.5" COARSE AGGREGATE PLACED A MINIMUM 8" THICK. SUPPLY WATER FOR VEHICLE WASH DOWN.



STABILIZED CONSTRUCTION ENTRANCE FOR SITE INGRESS/EGRESS. IF ALTERNATE ACCESS POINTS ARE APPROVED BY OWNER, ADDITIONAL STABILIZED CONSTRUCTION ENTRANCES WILL BE REQUIRED.



INSTALL INLET PROTECTION IN FORM OF CONCRETE BLOCKS / FILTER CLOTH / GRAVEL OR SILT SACK AT EXISTING AND PROPOSED CATCH BASINS AS SHOWN ON PLAN.



INSTALL EARTH BERM ALONG DOWN GRADIENT LIMITS OF DISTURBANCE AS SHOWN ON PLAN.

### **EXPOSED SLOPES:**

ANY EXPOSED SLOPE THAT WILL REMAIN UNTOUCHED FOR LONGER THAN 14 DAYS MUST BE STABILIZED BY ONE OR MORE OF THE FOLLOWING METHODS:

A) SPRAYING DISTURBED AREAS WITH A TACKIFIER VIA HYDROSEED. USE THE FOLLOWING SEED MIXTURE.

i. MOUNTAIN BROME	7.50 lb/AC
ii. SLENDER WHEATGRASS	6.25 lb/AC
iii. WESTERN WHEATGRASS	5.00 lb/AC
iv. IDAHO FESCUE	2.50 lb/AC
v. SANDBERG BLUEGRASS	1.25 lb/AC
vi. BIG BLUEGRASS	1.25 lb/AC
vii. BLUEBUNCH WHEATGRASS	1.25 lb/AC
viii. ROCKY MOUNTAIN PENSTEMON	1.00 lb/AC
ix. MOUNTAIN LUPINE	2.00 lb/AC
x. SHOWY GOLDENEYE	0.50 lb/AC
xi. WESTERN YARROW	0.25 lb/AC
xii. BLUE FLAX	1.25 lb/AC

B) TRACKING STRAW PERPENDICULAR TO SLOPES

C) INSTALLING A LIGHT-WEIGHT, TEMPORARY EROSION CONTROL BLANKET

## The Ridge Master Plan



The Ridge development area includes hotel and associated skier lodges/skier services as well as multi family units all centered around the "top of the mountain" and existing and proposed top lift terminals providing the classic Powder Mountain ski experience. Remaining development areas provide a mix of small "nests" tucked among existing vegetation and a mix of single family lot sizes providing dramatic views to Mount Ogden, the Wasatch Range and the Great Salt Lake.



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

<b>Application Request:</b>	Request for approval of an amendment to a conditional use permit for the Sundown Condominiums PRUD. This amendment proposal realigns a private roadway throughout the development. Located at approximately 6700 N Powder Mountain Road, Eden, UT, 84310
<b>Type of Decision:</b>	Administrative
<b>Agenda Date:</b>	Tuesday, August 27, 2024
<b>Applicant:</b>	317 Powder Mountain LLC
<b>File Number:</b>	CUP 2024-09

### Property Information

<b>Approximate Address:</b>	6700 N Powder Mountain Road, Eden, UT, 84317
<b>Project Area:</b>	6.97 acres
<b>Zoning:</b>	FR-3
<b>Existing Land Use:</b>	Vacant
<b>Proposed Land Use:</b>	Residential
<b>Parcel ID:</b>	22-001-0014
<b>Township, Range, Section:</b>	T7N, R1E, Section 01, NE 1/4

### Adjacent Land Use

<b>North:</b>	Powder Mountain Rd	<b>South:</b>	Sundown Condos Phase 1
<b>East:</b>	Summit Pass Road	<b>West:</b>	Vacant

### Staff Information

<b>Report Presenter:</b>	Tammy Aydelotte <a href="mailto:taydelotte@webercountyutah.gov">taydelotte@webercountyutah.gov</a> 801-399-8794
<b>Report Reviewer:</b>	FL/CE

## Applicable Ordinances

- Title 104, Zones, Chapter 8 Forest Residential Zone (FR-3)
- Title 106, Subdivisions, Chapters 1-8 as applicable
- Title 108, Chapter 1 Design Review
- Title 108, Chapter 2 Ogden Valley Architectural, Landscape and Screening Design Standards
- Title 108, Chapter 4 Conditional Uses
- Title 108, Chapter 5 Planned Residential Unit Development – replaced by Ordinance 2021-6, which replaced PRUD ordinance with Master Planned Development Overlay Zone MPDOZ (Title 104-27)
- Title 108, Chapter 8 Parking and Loading Space, Vehicle Traffic and Access Regulations

## Summary

8/31/1983 – Weber County Commission approved a conditional use permit for Sundown PRUD, consisting of 80 units, and an associated bond for some of the improvements. The PRUD consists of a native landscaping plan, open space, and private roadways, in two phases.

4/27/1984 – Sundown Condominiums Phase 1, consisting of 20 units was recorded.

1/12/2022 - The Planning Division received an application to plat phase 2 of Sundown Condominiums PRUD Subdivision, consisting of 60 units. The existing conditional use approval for the PRUD is still valid and staff recommends preliminary approval of Phase 2, subject to the conditions outlined in the PRUD approval.

1/11/2024 – Preliminary subdivision approval granted, with conditions, approving a revised roadway layout in Phase 2.

This request consists of 60 dwelling units, with square footage per unit ranging between 1079 and 1623 square feet, and widths are proposed to be 28.5 feet. This proposal consists of a proposed private right-of-way and common area located on 6.97 acres. PRUD's were permitted as a conditional use and require approval from the Planning Commission.



## Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by maintaining the existing density provided by the current zoning and existing approvals (2016 Ogden Valley General Plan, Land Use Principle 1.1).

Zoning: The subject property is located in the Forest Residential (FR-3) zone. The purpose and intent of the FR-3 zone is identified in the LUC §104-8-1 as:

“The purpose of the forest residential zone is to provide area for residential development in a forest setting.”

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

Lot area, frontage/width and yard regulations: Sundown Condominiums Phase 2 will offer 5 twelve-unit models. Lot sizes within Sundown Condominiums are proposed to be between 1079 and 1623 square feet, and widths are proposed to be 28.5 feet. Original widths (these are the same as what are currently proposed) and area are similar to the current proposal (current proposal has larger square footage for 1<sup>st</sup> floor units by approximately 74 feet and the 2<sup>nd</sup> floor units have an additional 122 square feet).

Ogden Valley Sensitive Lands Overlay Districts: This proposal does not lie within a sensitive lands overlay district.

Common Area: Sundown Condominiums Phase 2 will preserve 4.97 acres, which amounts to 72% of the total parcel area that the developer will preserve as landscaped and open space common area. The open space will also feature a footpath for residents and visitors to Sundown Condominiums.

Prior to receiving final approval from the County Commission, the applicant will need to provide CC&R's that comply with the provisions of the Condominium Ownership Act, U.C.A 1953, §57-8-1 et seq. per LUC §108-5-6(d)(3) for the preservation, maintenance, and ownership of the common area. The developer will escrow for all public improvements and improvements within the common area. The final plat will need to include language for the common area located within the subdivision in the form of an open space preservation easement.

Nonconforming PRUD in LUC §104-27-2 as follows:

- (a) *The adoption of this ordinance also repeals an ordinance governing the creation of a planned residential unit development (PRUD). A planned residential unit development for which an application was submitted prior to the date specified in Subsection (a) of this section is hereby a nonconforming planned residential unit development, provided the County has not adopted new regulations governing a planned residential unit development after this effective date. A nonconforming PRUD may be amended from time to time under the same rules that governed its creation, provided that the amendment is a de minimis change that is routine and uncontested. The Planning Director or the Planning Commission has independent authority to determine what constitutes a routine and uncontested de minimis decision. If it is determined to not be routine or uncontested, then the applicant shall pursue the creation and approval of a master planned development overlay zone pursuant to this chapter.*

Review Agencies: A condition of approval has been made part of the Planning Division's recommendations to ensure that all conditions of the review agencies are adhered to.

Additional design standards and requirements: The original PRUD was planned to include, at minimum, two-car garages with each dwelling. No additional parking is proposed with this development. Per previous discussions with Weber Fire District and the applicant, no parking shall be permitted within the private ROW areas.

Conditional Use Review: The proposed PRUD was conditionally allowed in the FR-3 Zone. A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects.

Design Review: The FR-3 zone and the proposed conditional use, mandate a design review as outlined in the LUC §108-1 to ensure that the general layout and appearance of the development shall not impair the orderly and harmonious development of the neighborhood nor impair investment in and occupation of the neighborhood. As part of this review, the Planning

Commission shall consider the applicable matters based on the proposed conditional use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

1) Considerations relating to traffic safety and traffic congestion. The applicant is proposing a private road within the development. Per the preliminary subdivision approval, an approval from UDOT for all accesses off of Powder Mountain/Summit Pass road will be required prior to receiving final plat approval, during the subdivision process.

2) Considerations relating to outdoor advertising. The proposal does not include any outdoor signage.

3) Considerations relating to landscaping, screening and buffering. The applicant's native landscaping plan, as part of the original PRUD approval, includes a public trail, and open space common area.

4) Considerations relating to buildings and site layout. The proposed designs of the buildings are included as Exhibit C. The material of these designs conforms to the requirements outlined in LUC §108-2.

5) 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 easements and utilities to and through the property, site improvements and storm water drainage.

## Summary of Planning Commission Considerations

- Does this amendment comply with the applicable PRUD ordinance?
- In considering the proposed Planned Residential Unit Development, the planning commission shall review and consider the following, as applicable:
  - *The architectural design of buildings and their relationship on the site and development beyond the boundaries of the proposal.*
  - *The entrances and exits to the development and the provisions for internal and external traffic circulation and off-street parking.*
  - *The landscaping and screening as related to the use within the development and as a means of its integration into its surroundings.*
  - *The residential density of the proposed development and its distribution as compared with the residential density of the surrounding lands, either existing or as indicated on the zoning map or general plan proposals of the county as being a desirable future residential density.*
  - *The demonstrated ability of the proponents of the planned residential unit development to financially carry out the proposed project under total or phase development proposals within the time limit established.*

## Staff Recommendation

Staff recommends approval of an amendment to the conditional use permit for the Sundown Condominiums PRUD (CUP 2024-09). This recommendation for approval is subject to all review agency requirements and is based on the following conditions:

1. The road(s) within this proposed development shall be private.
2. Any proposed trails shall allow public access, through open spaces. The final plat will need to include language for the common area located within the subdivision in the form of an open space preservation easement.
3. UDOT approval for any and all accesses onto Powder Mountain Road/Summit Pass Road shall be submitted prior to scheduling a recommendation for final approval with the Planning Commission.
4. All exterior lighting must comply with Title 108, Chapter 16 Outdoor Lighting.

This recommendation is based on the following findings:

1. The proposed conditional use amendment conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed conditional use amendment complies with the applicable County ordinances.
3. The building uses, locations, lot area, width, yard, height and coverage regulations proposed are acceptable as shown on the conditional use amendment.
4. The proposed conditional use amendment will not be detrimental to the public health, safety, or welfare.
5. The proposed conditional use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Exhibits

- A. Application
- B. Narrative
- C. Proposed Site Plan
- D. Elevations and Floor Plans

## Location Map



# Exhibit A - Application

## Sundown Condominiums Phase 2-Conditional Use Permits

- + Add Follower
- ✎ Change Status
- ✎ Change Review Due Date
- ✎ Edit Project

<b>Address:</b> 6650 N Powder Mountain Road, Eden, UT, 84310 <b>Maps:</b> <a href="#">County Map</a> , <a href="#">Google Maps</a> <b>Project Type:</b> Conditional Use Permits <b>Sub Type:</b> Conditional Use Permits <b>Created By:</b> <a href="#">Jordan Williams</a> <b>Created On:</b> 7/15/2024	<b>Project Status:</b> Accepted <b>Status Date:</b> 7/31/2024 <b>File Number:</b> <b>Project Manager:</b>
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- Application
- Documents 3
- Comments 1
- Reviews 1
- Followers 10
- History
- Reminder 1
- Payments 1
- Internal 0

- Application
- + Add Building
- + Add Parcel
- + Add a Contractor
- ✎ Edit Application
- 🖨 Print
- 📄 Building Permit

**Project Description** 60 Unit Townhome Complex Preliminary Approval Previously Granted as Sundown Condos at Powder Mountain PRUD. We are rerouting the road due to legal issues with access through the previously platted Phase 1. We will now go through Phase 3 which is owned by the same individual as Phase 2. An access easement will be recorded.

<b>Property Address</b>	6650 N Powder Mountain Road Eden, UT, 84310
<b>Property Owner</b>	Mike Brenny 801-808-9328 mike@thirdriverre.com
<b>Representative</b>	Jordan "Guy" Williams 213-500-5936 gwilliams@fawkesconsultants.com

<b>Accessory Dwelling Unit</b>	False
<b>Current Zoning</b>	FR-3
<b>Subdivision Name</b>	Sundown Condominiums Phase 2
<b>Number of new lots being created</b>	60
<b>Lot Number</b>	220010014
<b>Lot Size</b>	8.97
<b>Frontage</b>	Approx. 400' of frontage
<b>Culinary Water Authority</b>	Powder Mountain Water and Sewer District
<b>Secondary Water Provider</b>	Not Applicable
<b>Sanitary Sewer Authority</b>	Powder Mountain Water and Sewer Improvement District
<b>Nearest Hydrant Address</b>	3650 N Powder Mountain Road
<b>Signed By</b>	Representative, Jordan Williams

**Parcel Number**

✖ Remove	220010014	County Map
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July 15, 2024

Narrative for CUP Application

Weber County Planning Department has requested that we file for a Conditional Use Permit on the Sundown Condos Phase 2 PRUD due to the change in the road. The unit layout is largely the same, but due to legal issues with Access through Phase 1, the road was redesigned to route through Phase 3, said road will act as a second access point for [Phase 2](#) and Phase 3. The same owner owns Phase 2 and 3 and has approved the design. We will also be creating and recording an Access Easement over Phase 3 in behalf of the phase 2 owners. No major changes were made other than the alignment of the road. The architecture will remain the same other than some of the units being downhill units instead of all the units being uphill units.

Jordan "Guy" Williams, P.E.

# Exhibit C – Proposed Site Plan

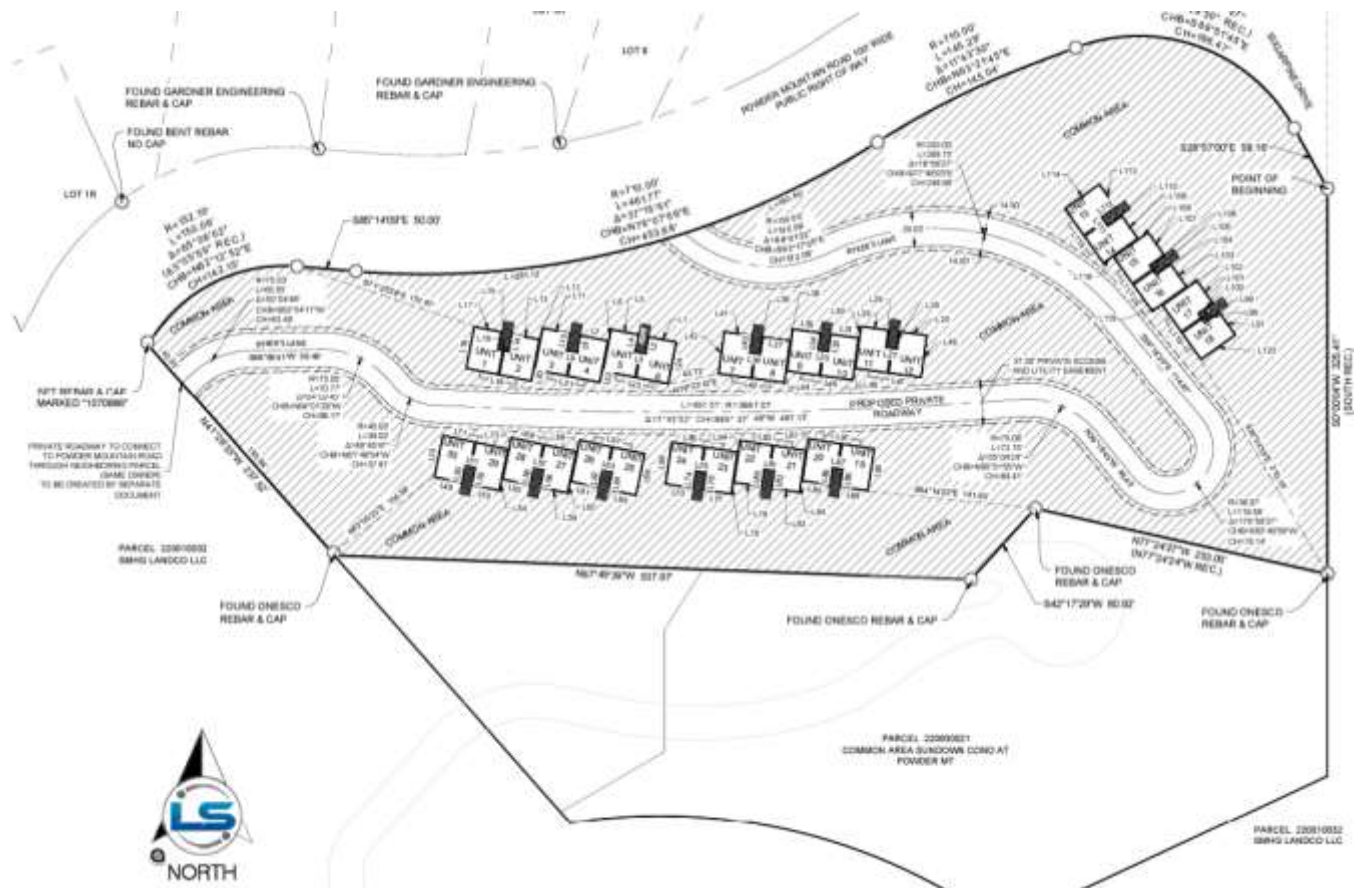
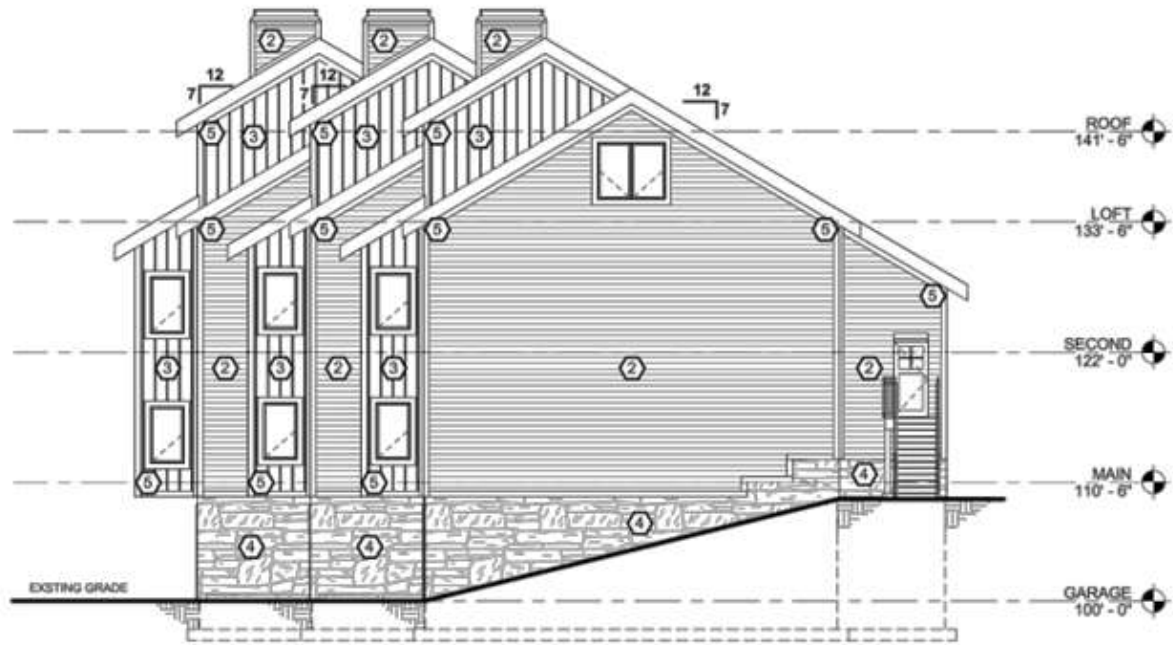


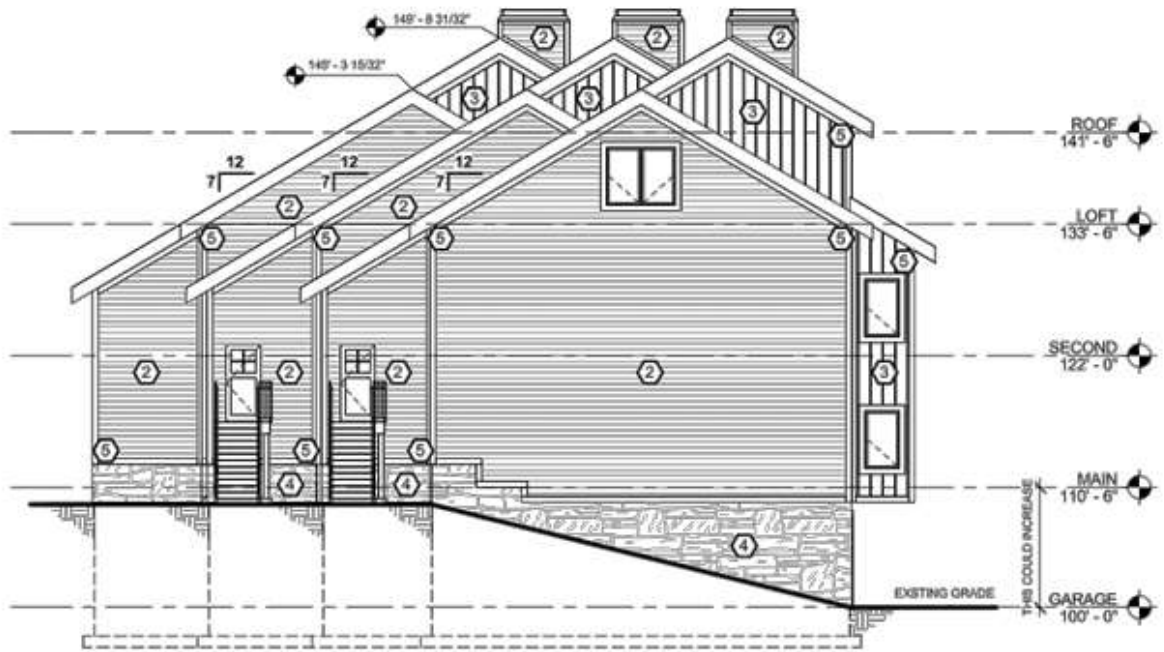
Exhibit D- Elevations and Floor Plans



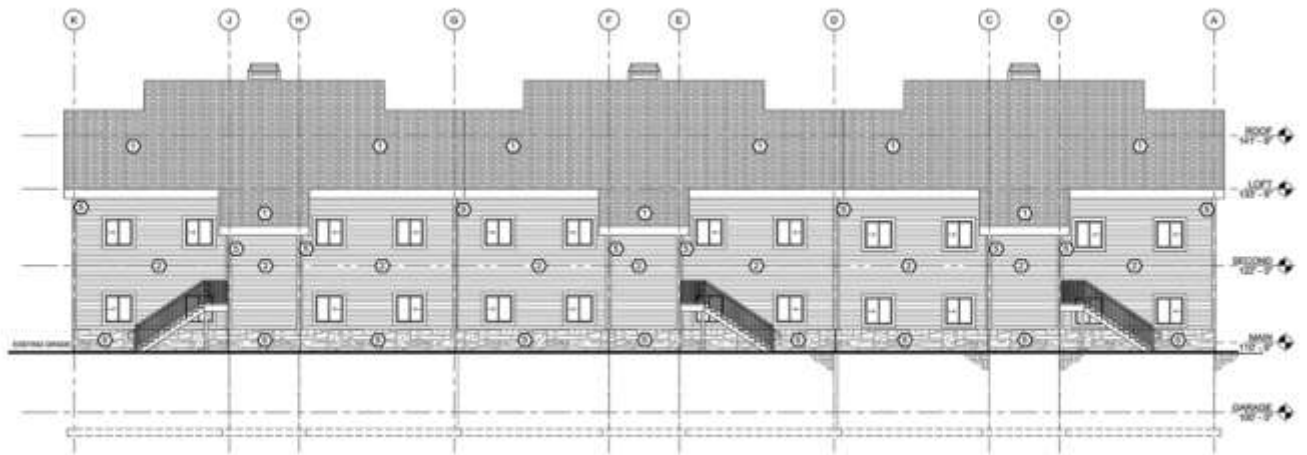
**RIGHT ELEVATION**

1/8" = 1'-0"



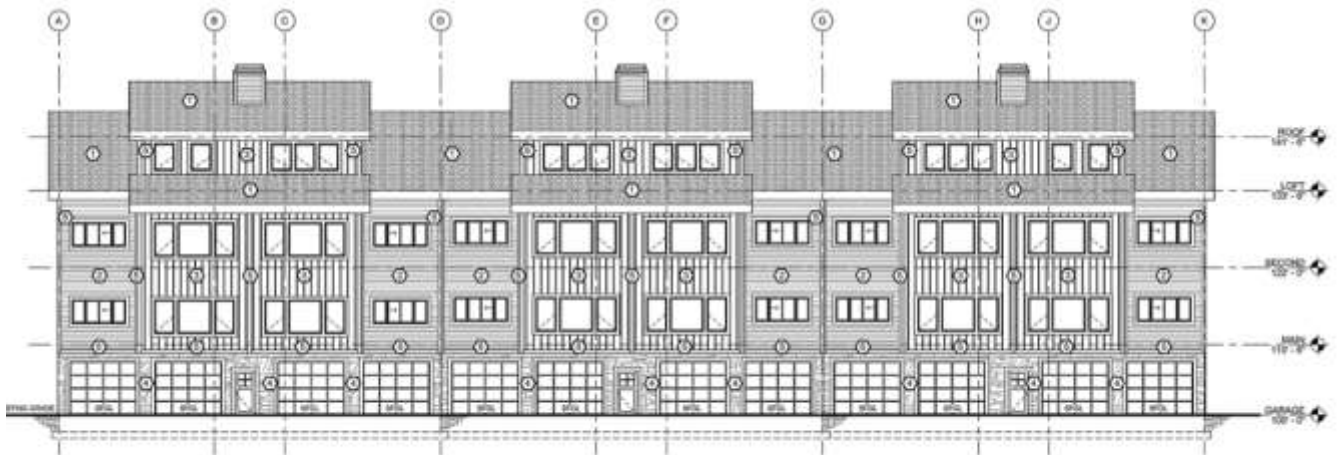


**LEFT ELEVATION**

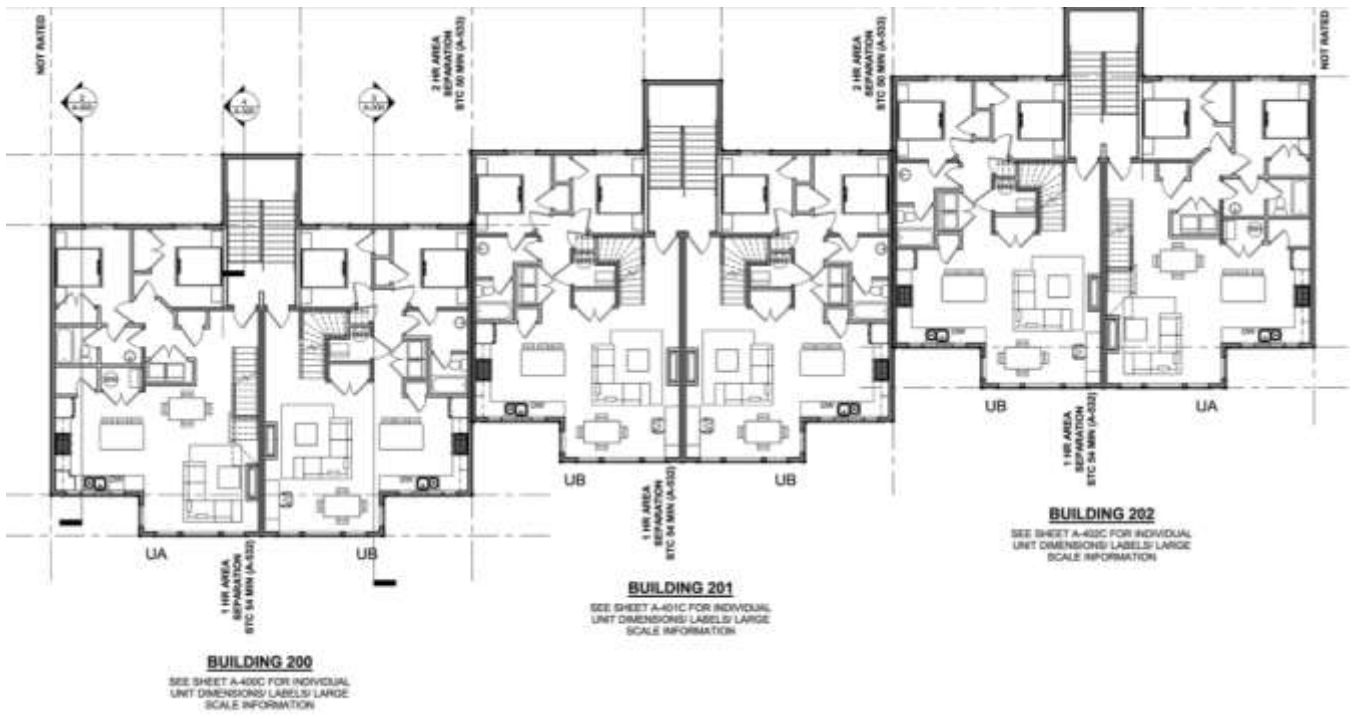


**REAR ELEVATION**





**FRONT ELEVATION**



**BUILDING 200**  
SEE SHEET A-403C FOR INDIVIDUAL  
UNIT DIMENSIONS/ LABELS/ LARGE  
SCALE INFORMATION

**BUILDING 201**  
SEE SHEET A-401C FOR INDIVIDUAL  
UNIT DIMENSIONS/ LABELS/ LARGE  
SCALE INFORMATION

**BUILDING 202**  
SEE SHEET A-402C FOR INDIVIDUAL  
UNIT DIMENSIONS/ LABELS/ LARGE  
SCALE INFORMATION

