



CHAPTER 9: RECOMMENDED POLICIES AND IMPLEMENTATION STRATEGIES

People who care about Ogden Valley find themselves at a significant time: Ogden Valley has been found by the rest of the world. The area has long been the backyard playground for Weber County and the communities north of Salt Lake City, but now people from all over the country are visiting, recreating in, buying real estate, and moving to Ogden Valley. And they are doing this largely because it is accessible, beautiful and a great place to recreate.

People are drawn to Ogden Valley's open spaces, its views, its farms and fields, Pineview Reservoir, the skiing, the trails, the backcountry, and all the other outdoor resources of the area. People are coming to Ogden Valley to use those resources, but there is a limit to how many people can use a trail or safely boat at the reservoir at one time. Therefore, thinking ahead of time about how to manage increased recreation in Ogden Valley is important to do now, just as the growth begins to accelerate.

It became apparent as this planning process began that the greatest challenge facing recreation management is the number of people who will move to the area and visit the area given the way that Ogden Valley is zoned. Despite the good intentions of the OVGP's policies regarding carrying capacity, the zoning on the ground allows at least 12,000 more housing units to be built in Ogden Valley. This population, while not extreme in many other well established ski resort communities, would bring significant change to the character of Ogden Valley and it would raise important questions about the Valley's ability to support such a population, whether the resource in question is drinking water, road capacity, or wastewater processing capacity.

So, Ogden Valley residents and property owners have some choices to make. The reality is that growth is coming, so the question is one of how to manage it intelligently. Fortunately, this planning effort revealed that there are opportunities for Ogden Valley to partner recreation management with growth management. As the residents, businesspeople, landowners and elected officials of Ogden Valley reviewed the possible directions they might take with recreation and growth management, it became clear that the preferred scenario is one that combines growth, land protection and creative resort and recreation development. A fundamental principle for the recommendations that follow is that of protecting property rights, but also acknowledging the need for people to pitch in to conserve key aspects of Ogden Valley's character. An unfettered free rein of the development marketplace will maximize short term profits, but erode long term value.

An overbearing regulatory environment will stifle innovation, drive up the cost of living, and limit property rights.

The recommendations that follow describe a middle ground wherein creative regulatory guidelines allow landowners to transfer density to designated resort villages and thus provide them with financially attractive development options that also protect open land and encourage the creation of new recreation facilities by the private sector. This approach can expand the recreation opportunities in Ogden Valley, protect the currently overused public lands, encourage open space protection of farmlands, make transportation in the Valley more efficient, and maintain the profit potential for landowners.

Structure of the Chapter

To achieve the OVGP goal of enhancing quality recreational opportunities (see Chapter 1), this chapter presents a set of policy statements to guide recreation and resort development, as well as the integrated strategies that Weber County should undertake to implement these policies. Implementation strategies are designed to guide decision-making and development review, in addition to identifying the staffing needs that Weber County must pursue. Recommended policy and implementation strategy categories for this Recreation Element include the following.

- * Community Recreation Facility Investments
- * Public and Private Recreation Facility Investments
- * Tourism Facility Investments
- * Transportation Facility Investments
- * Environmental Resource Protection
- * Resort Development Guidelines

The following policy statements and implementation strategies relate to the specific topic areas that Ogden Valley property owners, developers, planners, and community leaders will face in the years to come. These policy statements and implementation strategies offer a next level of detail beyond the goals and objectives in terms of how recreation and resort issues will be managed in the future.

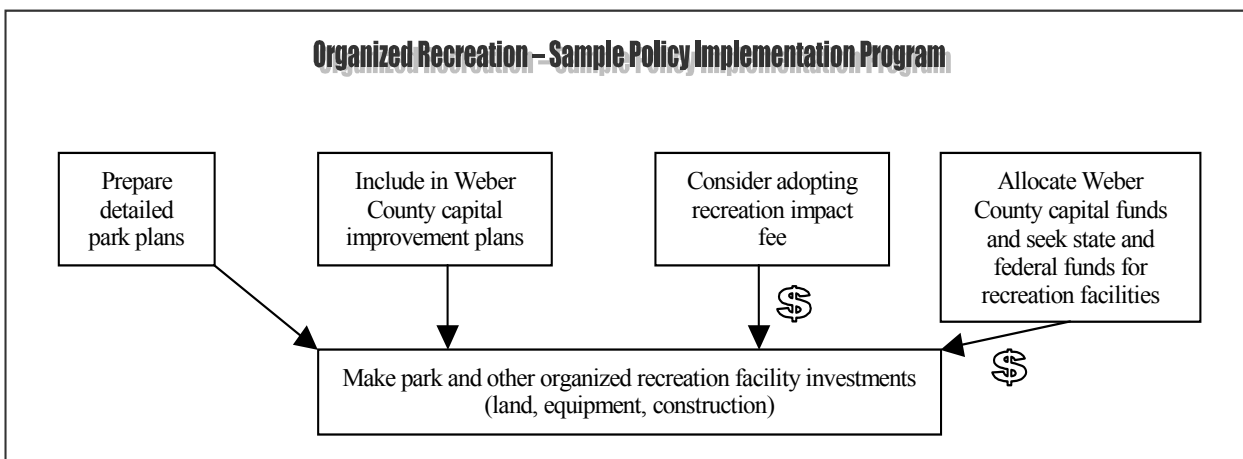
Community Recreation Facility Investments

Ogden Valley has a growing year-round population of residents who participate in a number of community oriented recreational activities. Weber County will need to invest in the expansion of existing community parks and recreation facilities to meet existing and future community recreational facility needs. Right now, certain community recreational facilities are not adequate to meeting existing population-based standards or are subjected to over-use (e.g., soccer fields and tennis courts). And more facilities will be needed to meet future population growth over the next 25 years.

Implementation Strategies

- ★ A future neighborhood park (5 to 20 acres in size), with new recreation facilities and activities, should be planned for the south end of Ogden Valley south of Pineview Reservoir to address the recreational needs for this growing area. This park may not be needed for 15 to 25 years, but land acquisition should occur as soon as is practicable.
- ★ Expansion of existing neighborhood parks, with new recreation facilities and activities, should occur immediately to meet existing demand. A minimum of 9.4 acres should be acquired at Eden Park and a minimum of 12.6 acres should be acquired at Liberty Park.

- ✦ Identified community recreation facility needs (see Chapter III) should be incorporated into Weber County and local capital improvement plans. Investments should be planned and made over the next two decades in order to meet the needs of future population and visitor levels.
- ✦ Ogden Valley municipalities and neighborhoods in conjunction with Weber County should review the Recreation Element’s projected recreation facility needs and prepare a detailed investment/expansion plan for each existing park and/or proposed new facility.
- ✦ Weber County and local municipalities should begin an organized process of seeking federal and state funds to help defray the costs of future recreation facility land, equipment, and construction expenses.
- ✦ Weber County should explore the adoption of a recreation impact fee program to financially assist with funding recreation investments that are caused by, or which will provide service to, future residents and other users of new developments (i.e., visitors and second home owners).



Public and Private Recreation Facility Investments

Ogden Valley is fortunate to have extensive Federal and State land holdings that provide a plethora of outdoor recreation opportunities. However, any substantial increases in the amount or types of recreation that are currently occurring on National Forest lands are expected to have measurable negative impacts on the natural resources that sustain these activities. Therefore, it is unlikely that increased numbers of camping, picnicking, hiking, biking, boating, or skiing facilities would be developed on public lands. To promote public and private cooperation in recreation planning and to coordinate with Federal and State land managing agencies, Weber County will need to invest in a number of strategies to meet the growing demand from residents, tourists, and visitors to Ogden Valley.

Implementation Strategies

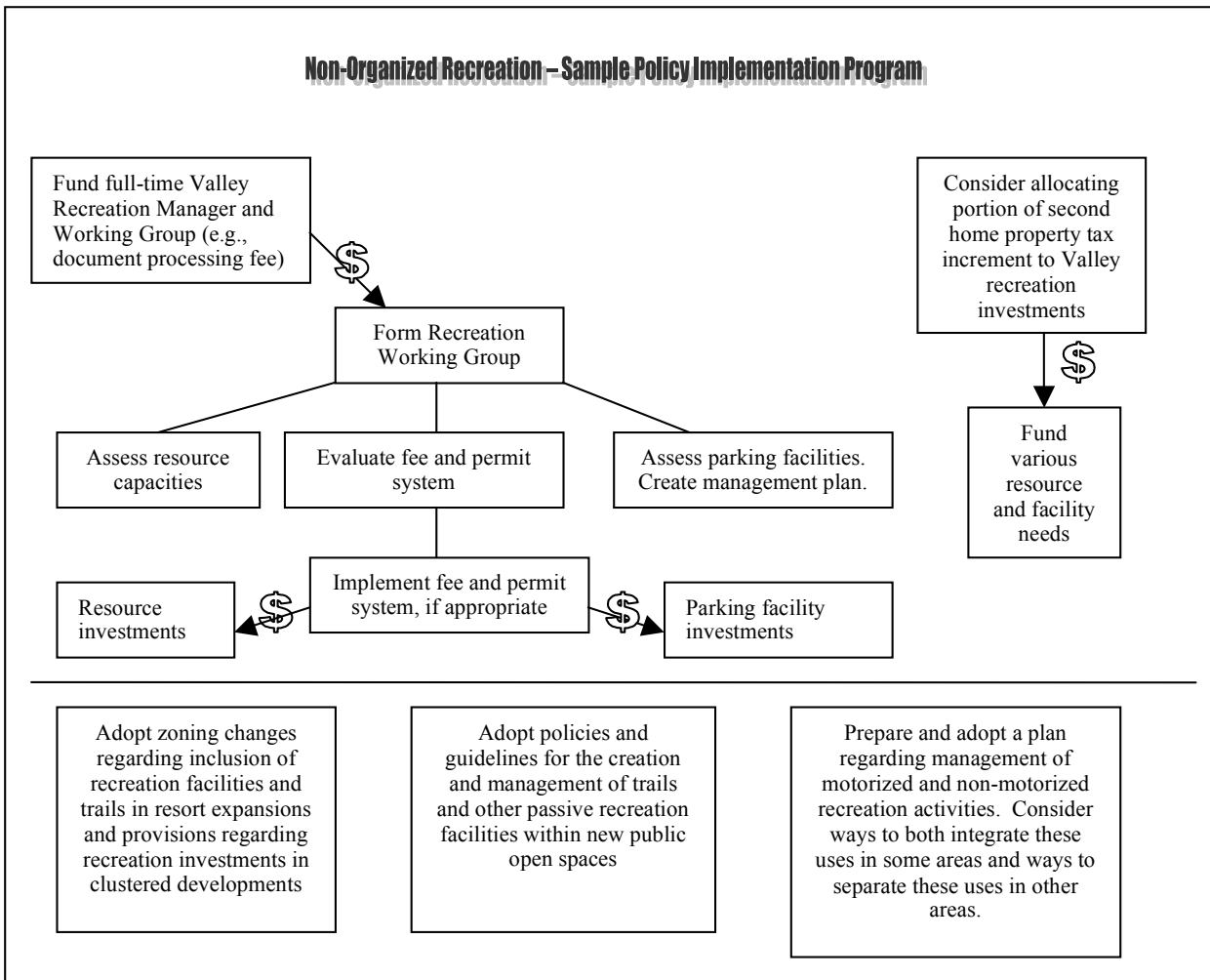
- ★ Develop an ongoing working group that continually evaluates and oversees management decisions related to non-organized recreation activities, especially as they relate to public lands. The U.S. Forest Service, Weber Pathways, Utah State Division of Wildlife Resources, Weber County officials, and representatives from other relevant user groups (e.g., motorized users, hunters, anglers, equestrian users, snowmobilers) should participate in this effort. An initial responsibility of this group should be the development of an integrated means to assess the capacity of recreation facilities to handle increased use by visitors and residents.
- ★ The working group should explore the potential for developing a permitting system for use of public lands during peak seasons and consider charging visitor fees for use of Weber County and other public lands and resources during peak seasons. A system that focuses on parking/permit fees at parking areas would require a relatively

- low staff commitment. Seasonal passes could be sold through Weber County offices. A similar system has also been discussed as a Forest Service program under the Recreation Fee Enhancement Act. If implemented, it would require citizens who recreate at certain trailheads, fishing parking lots, and possibly certain areas or trails, to purchase an annual or daily pass. This program would probably be implemented at a National Forest of Northern Utah scale, not just at the Weber County level. A permit program along with aggressive law enforcement are possible solutions to maintain the designated capacities of improved facilities and to prevent overcrowding.
- ✦ Future resort development projects should broaden the array of outdoor recreation experiences in Ogden Valley. Providing more camping facilities, horseback riding trails, off-road vehicle trails, cross country ski trails, and parking facilities for underused trails are examples of the ways in which resorts could diversify and deepen Ogden Valley's outdoor recreation options. This should be required through the land use permitting and zoning process through specific language in Weber County's zoning ordinances.
 - ✦ Relative to trails, implement the master plan prepared by Weber Pathways and encourage that organization to continue its work on Weber County's trail needs. Weber County zoning should set explicit conditions and parameters for incorporating and developing the adopted trail master plan segments associated with private land development. Defining the sources for ongoing maintenance funding through the development's residents and users must be a part of the ordinances.
 - ✦ A detailed investment and improvement plan should be prepared for all parking areas, formal and informal, that offer access to recreation resources. Currently, the mixture of formal and

informal parking areas has no connection with the overall management objectives of resources in Ogden Valley. While improvements do not need to be made at every pull-off area, consideration should be given as to whether the parking area is safe from a traffic perspective, is damaging resources (e.g., is runoff from the parking area damaging the adjacent fishing habitat), or is matching the capacity of the facility (i.e., does the parking area allow too many people to hike on a given trail or too few?). Some parking areas should provide sanitary facilities (e.g., restrooms) and/or equestrian facilities. The plan should include a discussion of the recreation opportunities available for each parking area to guide facility designs.

- ✧ Weber County and the U.S. Forest Service should prepare a detailed plan exploring where and how to separate or compatibly combine motorized and non-motorized vehicles/uses on Ogden Valley's trail system and backcountry areas. Providing appropriate access to public lands would be essential.
- ✧ Weber County should work to maintain the quality of, and access to, hunting in the Ogden Valley while conserving large sections of essential wildlife habitat. In other words, development should be managed to try to ensure that game populations are maintained or enhanced and that there are adequate access points for hunters.
- ✧ A recreation impact fee system should be explored by Weber County in order to raise funds to address the recreation needs generated by new residents and the visitors associated with new development projects. Please note that such funds can only be used to address the needs associated with the new residents and visitors; they cannot address needs generated by those who already live or recreate in Ogden Valley.

- ★ Consideration should be given to formally committing a portion of the second home property tax to Ogden Valley investments related to recreation management and facility developments.



Tourism Facility Investments

The greatest challenge regarding tourism in Ogden Valley is whether existing tourism resources can continue to expand and develop while maintaining the qualities that make this a unique destination. If Ogden Valley is going to compete with such popular resort destinations as Park City, Utah, Sun Valley, Idaho, and Snowmass, Colorado, Weber County and its residents are going to have to find ways to keep the rural character and reasonable cost of living conditions that exist for the most part today.

Implementation Strategies

- ★ Weber County should work with resort managers and real estate developers in Ogden Valley to create additional visitor experience facilities at each resort area. These might be museums, living history tours, theatres showing documentaries about the areas, recreational activities, or other experiences that visitors will want to go and see. Lodging, dining, and other visitor services (e.g., interpretation, guiding) should be considered as well.
- ★ Weber County, Ogden Valley communities, property owners, developers, resort owners, the Wasatch-Cache National Forest, the State of Utah, and others should partner to establish the Ogden Valley Heritage Alliance (or a similar term as agreed locally) as an informal cooperative marketing and heritage protection organization. The concept is to pool resources, design concepts, and marketing strategies to create a distinctive image and to manage visitors, residents, and recreationists in a manner that protects Ogden Valley's natural and cultural resources. This group would work to preserve the character of Ogden Valley and avoid the homogenization of the landscape.

Transportation Facility Investments

A number of recommendations for improvements to Ogden Valley's transportation system can be found in the OVGP (Weber County 1998) and the Transportation Master Plan (UDOT 2004). Recommendations are in the form of additional capacity and safety improvements on existing roads, development and implementation of park-and-ride facilities, and expansion of mass transit services to Ogden Valley.

Implementation Strategies

- ★ Implement Weber County's recommendations for specific routes leading into Ogden Valley as described in Section Nine: Infrastructure of the OVGP. The future transportation system in Ogden Valley will be made up of a variety of transportation modes including roads, trails, mass transit, and carpooling.
- ★ Weber County should explore opportunities for potential funding sources to implement the projects recommended in the Ogden Valley Transportation Master Plan (UDOT 2004). Funding options may include increased transportation impact fees, increased general fund allocations, general obligation bonds, and State/Federal-aid. Expansion of existing resorts and establishment of new "village" areas in Ogden Valley should be evaluated for their contribution towards meeting recommended transportation projects.
- ★ Weber County should investigate potential options for developing a secondary access road to the Powder Mountain Resort area from SR-39. A secondary public access to the high-mountain area surrounding Powder Mountain Resort is needed to provide for emergency access, to provide for access to private property, and to provide for recreational driving opportunities

within Ogden Valley via a loop-road system. Options may include, but are not limited to, utilizing the existing access through the Sunridge and Evergreen Park Subdivisions from SR-39 or utilizing new access through the Monte Cristo area from SR-39 via new development.

Environmental Resource Protection

The future of recreational activities in Ogden Valley will be largely dependant on the quality of the natural resources upon which those activities rely. Weber County will continue to protect these resources through a variety of mechanisms.

Implementation Strategies

- * Weber County should adopt a Sensitive Lands Ordinance to protect the health, safety, and welfare of Ogden Valley residents. The policies which outline this ordinance can be found in Section Four of the OVGP.

Resort Development Guidelines

As discussed in the analysis portions of this Recreation Element, there is the potential for a significant increase in the amount of development in Ogden Valley. The magnitude of the potential development is sufficiently great to safely say that if it should all eventually occur, the character of Ogden Valley would be dramatically changed forever and most vestiges of its rural character would be lost. To a large extent, the future of Ogden Valley's character will be dependant on the future development success of its resort areas. Which is why preserving Ogden Valley's character is so tied to the need for a variety of progressive resort development guidelines.

Implementation Strategies

- ★ Ogden Valley Open Space Program. Weber County, in cooperation with Ogden Valley municipalities and other entities should adopt a formal, multi-part open space program that would include the use of various policies, tools, techniques, and funding sources to implement. The objective will be to protect as much open space as possible while maintaining the right for every property owner to receive a fair return on their real estate investment. In other words, this effort will not take away value through zoning or other means, but will instead work to reallocate densities and use a variety of funding techniques to give every property owner the option to do one or more of the following:
 - a. develop his/her land at current allowed densities but with incentives to cluster the housing and keep as much land open as possible, or,
 - b. sell the property as a high-value estate lot while protecting substantial portions of his/her property as open space through conservation easement, or,
 - c. sell existing density to a “resort village” developer with the result that the owner maintains ownership of the land as open space or some other low impact use while still obtaining significant revenue from the land, or,
 - d. work with a conservation/public organization to place large amounts of the property in a protected open space status for both income and tax purposes.

- ★ The Ogden Valley Open Space Program might have the following components:
 - a. Fund a full-time Ogden Valley open space coordinator to work with land-owners and various third-party groups (i.e., developers, land trusts, potential estate buyers, etc.) to create solutions for their properties and to find the best balance between development and open space protection for a given property. This position might be within government or it might be a position in some form of not-for-profit that receives some percentage of support from the public sector. It might not be a position, but instead be a working group of farmers, land owners, developers, realtors, conservation groups, public land managers, and planning staff who work together to accomplish the stated goals.
 - b. Support a program that markets large Ogden Valley properties as estates with the intention to gain landowners a substantial return on their property without any development and subdivision costs and with the end result being the avoidance of new housing units. Provide technical assistance to landowners considering this option (i.e., land planning, financial planning, etc.). Financially support a marketing program that promotes Ogden Valley to these estate buyers.

- c. Encourage existing resorts to expand in order to generate economic benefits for Weber County as well as to pull densities from other parts of Ogden Valley into the expanded resort. The result would be development concentrated in the expanded resorts with other areas left permanently undeveloped across Ogden Valley.
 - d. Encourage a defined and limited number of new resort areas that would generate economic benefits to Weber County and move development from potential open space into new villages. The result would be development concentrated in some areas and other areas left permanently open.
 - e. Adopt zoning changes that encourage development that fits with the overall goals of this program including open space management, progressive design, resource protection, and resource management provisions.
 - f. Create new sources of revenue to fund a staff person, land acquisition, site planning, and other tools to support this program.
- ★ New Ogden Valley Resort Village Centers. Encourage the creation of new resort villages in the locations indicated in Figure 18. The objectives of these new resort villages will be the following:
- a. Accommodate expected demand for second home, year-round home, and resort-related development without generating suburban/resort sprawl throughout Ogden Valley.

- b. These projects should be part of an overall effort to avoid the development of key open lands in Ogden Valley and to help to preserve as much open space as possible while still providing ample opportunity for property owners to obtain a fair return on their real estate investments.
- c. Locate higher density projects in areas that have good access to highways and which will, to the degree possible, reduce the need for future highway expansions due solely to the new resort.
- d. Weber County would encourage development of limited capacity sewer systems to serve the projected demand for each proposed village area. The investment reduces start-up capital costs required by developers. Sewer systems are limited to within a reasonable geographic area for each village development to reduce sewer pipe miles and reduce density speculation between villages. New home builders in villages would pay a sewer impact fee based on a cost per acre rather than a cost per unit. The total sewer fee is then divided by the total units that are built in the village development. This encourages more density to be transferred / clustered into more developments, and potentially reduces the cost of sewer services per unit. Impact fees apply only when building permits are issued to reduce the up-front costs to the developer. Residents and land owners in the non-village areas could pay some tax to build the sewer system to keep development costs from escalating too high. The residents understand that this investment into the sewer system preserves land as development is

encouraged away from critical land areas and routed into village developments.

- e. From a design perspective, new villages should seek to echo and reflect the historic development patterns and architectural themes of Ogden Valley. While these new higher density projects are a new pattern to Ogden Valley, it is, nonetheless, reasonable for new projects to review the existing design and land use patterns and to propose design solutions that make these new projects “fit” into the Valley rather than “stick out.” For example, the grid pattern of Huntsville is a historically accurate and useful pattern to work with in a new project. The agrarian architectural themes of barns, farmhouses, and gable-ended structures are all examples of patterns that should be considered.
- ★ Ogden Valley Transfer of Development Rights Program. Develop and adopt an Ogden Valley Transfer of Development Rights Program that would allow specified “low density areas” to move their allowed development densities to designated “higher density or resort village areas.” In other words, property owners involved with developing a resort village area would buy development rights from property owners in the low density areas. Property owners in the low density areas would receive money for the development value of their land, while still maintaining ownership of the land for very low density residential estate, farming, or open space purposes. Coordination with the Ogden Valley Open Space Program to make a conservation easement donation or to sell or lease the land to an organization for farming or open space purposes would be ideal. In addition, a Weber County staff person dedicated to this program would be necessary and could double as the open space coordinator described previously.

- ★ The Ogden Valley Transfer of Development Rights (TDR) program might have the following components:
 - a. Proposals for new resort communities could be established as new receiving zones for transferred development rights. These priority development areas could receive density through non-adjacent clusters or a TDR program to create villages and towns, and preserve surrounding rural and sensitive habitat areas.
 - b. Weber County could bond for limited capacity sewer systems to serve the projected demand for each village area. This public investment would reduce start-up capital costs required by developers. Sewer systems would be treated within a reasonable distance from each development area to reduce sewer pipe miles and reduce density speculation between villages. This sewer investment strategy could help to kick-start development transfers, and preserve critical lands.
 - c. New home builders in villages pay a sewer impact fee based on a cost per acre rather than a cost per unit. This would divide the total sewer fee by the total units built in the development, and encourage more density to be transferred / clustered into receiving areas, and reduce the cost of sewer per unit. Impact fees could apply only when building permits are issued to reduce the up-front costs to the developer.
 - d. Residents and land owners in the non-village areas could pay taxes to build several small sewer systems and make immediate payments towards the sewer bond. This would cover the start up costs of sewer systems while developers and

realtors purchase or transfer TDRs from land owners. This investment into sewer systems would preserve land as development is encouraged away from critical land areas – and routed into village developments.

- e. When receiving zone building permits have yielded significant sewer impact fees, the public investment could be reimbursed, and the money initially paid as sewer bond payments could be used as a revolving TDR fund and preserve additional acreage. A revolving TDR fund could purchase TDRs from land owners and sell them to developers to replenish the fund. The cash from developers could then be used to purchase additional TDRs to sell again to developers.
- f. Developers should not be required to purchase all TDRs for all phases of the village development up front. The developer could build phase one of a resort village by using existing development rights from the land owners in the development area (density receiving area), and perhaps some other development rights purchased from surrounding land owners.
- g. As development units are sold from phase one, a portion of the developer's gross revenues would be used to purchase development rights in preparation for approval of phase two. Realtors would remain busy selling village home and business units and TDRs. Realtors could emphasize in marketing that a new home or condo purchase helps to preserve the surrounding open space and quality of life in the valley – assuring that the investment will remain valuable over time.

- h. In lieu of paying cash for development rights, a developer could offer the equivalent value in developed real estate. In other words, a land owner could sell 50 development rights in exchange for building lots, or a portion of shares in the resort community, or shares of commercial enterprise, etc. Realtor's services are key in making these negotiations work for the developer and land owners.

The following is an example of how a developer could build a resort village of 2,000 by transferring development rights in phases. The example assumes that a 25 percent density bonus will be applied for transferring density, and that the developer and landowners of the village development currently hold 100 development rights from existing zoning:

100 units x 125% bonus = 125 existing development rights
 1,600 units x 125% bonus = 2,000 total desired development rights
 1,600 units – 125 existing development rights = 1,475 TDRs to purchase

Phase 1: 125 existing units plus purchase of 100 TDRs (+ 125% density bonus) yields **250 units**

Phase 2: Purchase of 280 TDRs (+ 125% density bonus) yields **350 units**

Phase 3: Purchase of 280 TDRs (+ 125% density bonus) yields **350 units**

Phase 4: Purchase of 280 TDRs (+ 125% density bonus) yields **350 units**

Phase 5: Purchase of 280 TDRs (+ 125% density bonus) yields **350 units**

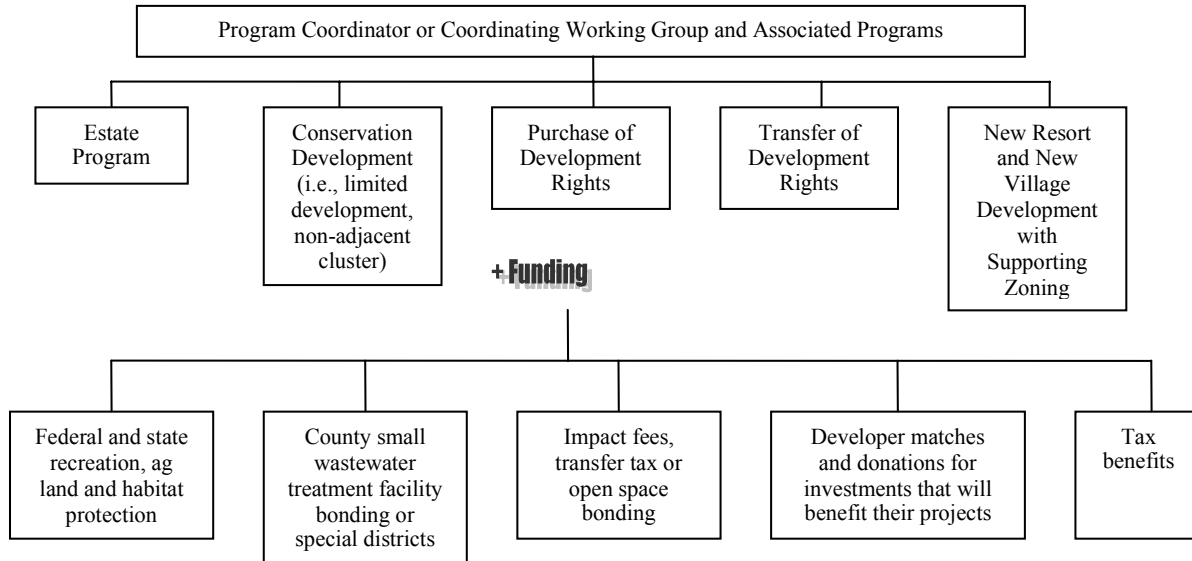
Phase 6: Purchase of 280 TDRs (+ 125% density bonus) yields **350 units**

Total Development: **2,000 units**

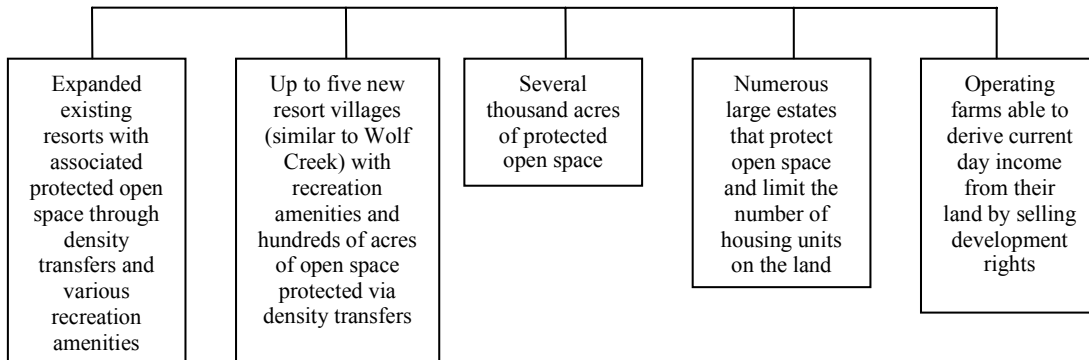
- ★ Ogden Valley Resort Zoning Ordinance. Develop and adopt an Ogden Valley Resort zoning ordinance that provides creative flexibility to property owners and developers of resorts, and which also maintains or strengthens Weber County's ability to shape projects that will benefit Ogden Valley. Clear authority should be maintained to deny projects that are not aligned with Ogden Valley's vision, goals, and objectives. Of particular importance is the need for such projects to fully assess their traffic, drinking water supply, and wastewater disposal strategies in terms of impacts on Ogden Valley's natural resources, existing property owners' rights, and quality of life. Require that all resort projects address the issue of employee housing and provide a substantial portion of the expected employee housing that will be necessary for the resort's development and operation. Moderate income housing must be developed to some degree in association with resort development and expansion. This ordinance must clearly state that proposed increased density at a resort site beyond current zoning densities must be acquired from elsewhere in Ogden Valley to prohibit creating additional housing density.

Ogden Valley Open Space and Resort Development - Sample Program

People and Tools



= Open Space, Appealing Development and Good Returns for Property Owners



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