



# Staff Report

Coalville City  
Project Coordinator

To: Coalville City Planning Commission  
 From: Don Sargent, City Project Coordinator  
 Date of Meeting: February 18, 2020  
 Re: Wohali Development Existing Zoning, Permitted Use, MPD Application Review and Discussion  
 Action: Work Session

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## Wohali Existing Zoning, Permitted Use and MPD

### REQUEST

The purpose of this work session is to review and discuss the new proposed Wohali Development application. The project site is comprised of 1,664.04 acres and is proposed as a rural golf resort community. This item is scheduled for a work session only (public comment will be taken at a future noticed public hearing). No action on the application is requested at this time.

The proposed application includes the following:

1. One hundred twenty-five (125) residential lots under the existing Agriculture (AG) Zoning of the property.
2. Three hundred and three (303) detached nightly rental units.
3. Master Planned Development (MPD) including deed restricted open space, residential lots, resort nightly rental units, resort amenities and recreational uses.

### BACKGROUND

Following the filing of a citizen referendum opposing the previous approved preliminary MPD, and property rezone, the Wohali developers elected to file a new application under the existing zoning and permitted use for the property. The application overview to date is as follows:

- January 17, 2020 - Pre-Application conference held in-person to confirm required review process of application based on existing zoning with permitted uses (application process previously discussed with applicant).
- January 17, 2020 - Applicant submitted a full preliminary subdivision plan and MPD application with required fees. (Based on the review of the previous Wohali application and associated plans and information on file with the city, a concept plan was not required).
- January 21, 2020 - Staff determined the preliminary plan and MPD application to be complete with required information.

- January 24, 2020 - Staff met with applicant to address several initial review items with the proposed project including note clarifications on plans, required setbacks, and number of nightly rental units' justification.
- February 18, 2020 - The preliminary subdivision and MPD plan scheduled on the Planning Commission meeting agenda for a work session.

The project file link:

<https://www.dropbox.com/sh/klnqeb7spmlzjhh/AABnbBlkRr8NRLWv98edKtvja?dl=0> includes the following information as required by the development code and supplemental support documentation for the application submittal (11 x 17 hard copies will be available for the Planning Commission at the meeting):

- Preliminary Development Plan Package
  - Existing Zoning Map
  - Overall Preliminary Plan
  - Right to Farm Analysis
  - Overall Phasing Plan
  - Phase I Master Plan
  - Phase I Preliminary Site Plan
  - Overall Open Space Plan
  - Existing Conditions
  - Water Source Protection Plan
  - Site Details
  - Grading Plans
  - Landscape Plans
  - Irrigation Plans
  - Proposed Roadway Plan
  - Proposed Roadway Standards
  - Preliminary Sewer and Water Infrastructure Plans
- Annual Community Benefit Analysis
- General Plan Consistency Analysis
- Water Quality Study
- Proposed Covenants, Conditions and Restrictions (CC&R's)
- Overall Master Plan
- Project Design Narrative
- Statement of Intent
- Village Master Plan
- Wet Water Development Status
- Proposed Design Guidelines
- Proposed Development Agreement

In addition to the information above the following analysis and studies are already on-file with the City.

- Overall Sensitive Lands Analysis
- Wildlife and Endangered Species Study
- Roadway Right-of-Way Use Documentation and Mapping

## ANALYSIS

The following is a summary of the basic differences between the original and current application:

### Existing Zone and Permitted Use Submittal – Variations from Original Submittal

1. No Rezone request – applicant is applying under the Existing Zoning of AG (1 unit /20 Acres)
2. Added 138.34 acres of Wohali Partners Property east of the previous MPD application. This is all proposed as open space. Total application is now 1,664.04 acres.
3. Providing a higher percentage of dedicated open space (70.48% vs 50%)
4. Additional Open Space allows for maximum 50% Bonus density per MPD Ordinance.
5. Reduced Residential density from 570 to 125.
6. All 125 units will have potential for ADU's on each lot as allowed per Code.
7. Increased Nightly rentals from 130 to 303.
8. All density and nightly rentals are located in the east portion of the property except for one large parcel located west of the cliffs.
9. All Resort Amenities remain as proposed originally but with only Private Access for Resort members and guests.
10. Entry Cabin will be Gated.
11. All sewer and water services will be provided by Coalville City with Wohali paying for all necessary infrastructure to serve the development and all impact/hookup fees and usage fees. (Same as any project today in Coalville)
12. No culinary wells will be required to be provided.
13. Annual Fiscal impacts have been updated for the new and reduced proposal.

The primary issue regarding the new application is the number of resort nightly rental units being proposed by the applicant. The applicant has provided the following link to other rural resort developments that include nightly rentals as market examples for review and comparison with the proposed Wohali development:

<https://www.dropbox.com/sh/utr2d0fsx3beayi/AACWIOZWn3J2OfByyoFb85hXa?dl=0>

These folders include an aerial photo for each project and then either some web links to their products for rent or in the case of Promontory - a description of their resort units in their original development agreement. Each of these projects are resorts with a hotel/lodge or resort club component. They also have detached single family and multi-family products that are individually owned but are in the nightly rental market.

Promontory was approved for 1,601 Residential units plus another 300 Resort units along with 4 golf courses. That's equates to 475 total units per course. They will likely only build 2 courses, so would have 950 units per course.

The applicants indicate they need a critical mass comprising the proposed 125 lots and 303 nightly rentals to get to a base of 428 members to support the resort.

Staff request input from the Planning Commission on the nightly rental component of the project. In addition, Staff requests input from the commission on the MPD provisions, *Attachment A*, related to the proposed development regarding the following:

- Zone Use Limitations (8-6-030:D)
- Deed Restricted Open Land (8-6-060:B)
- Density Bonus (8-6-060:C)
- Setbacks (8-6-060:D)
- Reduction of Minimum Lot Size Requirements (8-6-060:F)

Total approved density and number of nightly rental units will be determined from an in-depth analysis of the property constraints, consideration of MPD provisions, mitigation measures provided, community benefits offered, and other factors.

The application is still in preliminary form and may require additional detailed review, evaluation and analysis as the project moves forward in the review process.

Staff will be prepared to describe the proposed development and address concerns and questions of the Planning Commission at the work session. Also, as additional project information is provided by the applicant on the proposed development, Staff will review and evaluate the applicant's responses in detail and provide feedback and input to the Planning Commission.

## **RECOMMENDATION**

Staff recommends the Planning Commission conduct a work session to review, discuss and address issues of proposed project with the Staff and the applicant. Depending on the outcome of the project review and discussion, the Planning Commission may either continue the work session to address additional issues or direct Staff to schedule a public hearing.

## **ATTACHMENT**

- A.** Title 8 Chapter 6 - Master Planned Development (MPD) Provisions

# **ATTACHMENT A**

## **Title 8 Chapter 6 – Master Planned Development (MPD) Provisions**

## CHAPTER 6

### MASTER PLANNED DEVELOPMENTS (MPD)

**8-6-010: Purpose****8-6-020: Applicability****8-6-030: Uses****8-6-040: Process****8-6-050: Vesting of MPD Approval****8-6-060: MPD Modifications****8-6-070: MPD Requirements****8-6-080: Required Findings****8-6-010: PURPOSE**

The purpose of the Master Planned Development (MPD) is to provide a comprehensive project design strategy to create projects, including mixed use development, that best address site conditions, the characteristics of the surrounding properties, as well as community and market demands. The master planned development process also creates tools to promote the efficient use of land resources as well as efficient public infrastructure and utility services. The goal of this strategy is to produce superior project design through flexibility and innovation to advance the goals of the General Plan and this chapter.

**8-6-020: APPLICABILITY**

The master planned development process shall be required in all zones for the following applications:

- A. Any application for a rezone.
- B. Any application to subdivide at base density resulting in six (6) or more lots or parcels (Major Subdivision).
- C. Any application which includes the transfer of base density or uses between zones on a single parcel which results in the creation of six (6) or more lots or parcels.
- D. Any application which includes a density bonus within a residential zone.
- E. All applications for commercial uses, retail commercial establishments, offices, institutional uses or industrial uses with more than twenty-five thousand (25,000) square feet of floor area.

### 8-6-030: USES

A master planned development shall become supplementary to the provisions of the zones in which the MPD is located, including rezones.

- A. **Differing Zones:** When the project includes parcels with adjacent differing zones or uses, the MPD may be relocated across zone boundaries so long as the City Council determines that the relocation results in a project design that advances the goals set forth in the General Plan.
- B. **Attached Units:** Attached units may be allowed in all residential and commercial zones except the Agriculture (AG) Zone and Residential Agricultural (RA) Zone.
- C. **Types of Developments:** Master Planned Developments may include commercial/industrial projects, cluster subdivisions, mixed use planned developments, twin or town homes, condominiums, resort units and subdivisions, combinations of housing types such as single units and multiple units, and zero lot line developments.
- D. **Zone Use Limitations:** Uses permitted in the MPD shall be limited to those uses permitted in the Zone District in which the MPD is proposed, with exceptions for support accessory uses in mixed use developments.

### 8-6-040: PROCESS

The MPD application process has three primary steps:

- A. **Pre-Application Conference:** A required pre-application conference shall be held with staff for the applicant to become acquainted with the master planned development procedures and related City requirements, standards and schedules. Staff may give preliminary feedback to the applicant based on the information available and inform the applicant of potential issues or special requirements which may apply to the proposal.
- B. **Master Planned Development Application:** A concept and preliminary plan for the master planned development shall be submitted with completed application forms supplied by the City. A list of minimum requirements will accompany the application form. The application must include written consent by all owners of the property to be included in the master planned development. Once an application is received, it shall be reviewed for completeness. The applicant will be informed if additional information is necessary to constitute a complete application.
- C. **Planning Commission and City Council Review and Public Hearings:** The City Council is the Land Use Authority for master planned developments. Prior to final action by the City Council, the Planning Commission shall hold a minimum of one (1) public hearing prior to forwarding a recommendation to the City Council. The City Council shall also hold a minimum of one (1) public hearing

and take final action on the application. City Council action shall be in the form of written findings and in the case of approval, conditions of approval.

#### 8-6-050: VESTING OF MPD APPROVAL

Construction, including the installation and placement of infrastructure such as roads and utilities, within the MPD project area will be required to commence within five (5) years of the date of the City Council approval. After construction commences, the MPD shall remain valid so long as it is consistent with the approved project-phasing plan as set forth in the MPD approval and associated documents. It is anticipated that the specific project-phasing plan may require periodic review and re-evaluation of the project during the development of the project. Extensions will not be considered for an MPD approval that does not meet the prescribed timeframes as specified in this section.

- A. **Final Subdivision Plat:** The initial final subdivision plat associated with a Master Planned Development must be recorded within three (3) years of the date of the City Council MPD approval and construction of the project must begin within five (5) years of the date of City Council MPD approval. In the event that the required final subdivision plat recordation and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final subdivision plat shall be void.
- B. **Final Site Plan:** The initial final site plan associated with a Master Planned Development must be approved within three (3) years of the date of the City Council MPD approval and construction of the project must begin within five (5) years of the date of City Council MPD approval. If required final site plan approval and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final site plan shall be void.
- C. **Rezone:** Master Planned Developments associated with a rezone will be required to commence construction within five (5) years of the date of the City Council MPD approval. If the required construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the zone(s) shall revert to the previous zone designation(s).
- D. **Phasing and Density Bonus:** For phased developments, it shall be necessary to record the Phase 1 Final Subdivision Plat within the prescribed three (3) year timeframe to vest the entire master planned development and density bonus. Thereafter, subdivision plats associated with subsequent phases of the master planned development shall be recorded in accordance with the overall phasing plan approved for the development.

#### 8-6-060: MPD MODIFICATIONS

Modifications to an MPD shall be processed as a minor or major amendment as follows:

- A. **Minor Amendment:** A minor amendment is defined as an amendment that does not increase square footage, density, or intensity (traffic or parking demand,

service demand, etc.) of the previously approved master planned development. A minor amendment shall be processed as a Minor Permit.

- B. Major Amendment:** A major amendment is defined as an amendment that increases square footage, density, or intensity (traffic or parking demand, service demand, etc.) of the previously approved master planned development. A major amendment shall be processed as a Master Planned Development.

### 8-6-060: MPD REQUIREMENTS

All applications for a master planned development shall meet the following minimum requirements. Additional project information necessary for the project analysis may be required at the discretion of the Community Development Director, Planning Commission, or City Council.

- A. Density:** The maximum density permitted on the project site will be determined as a result of a site design, sensitive lands and infrastructure impact analysis. The maximum density shall not exceed that set forth in the proposed or existing zone, except as otherwise provided in this section.
- B. Deed Restricted Open Land:** Deed restricted open land consists of land in a subdivision or MPD that is left natural, undeveloped or unimproved (except recreation areas) and is deed restricted for public or private purposes including agricultural production, scenic, historic, or cultural resources and active or passive recreational uses such as trails, parks, golf courses and similar uses.
1. Deed restricted open land does not include open areas in private individual residential lots, public roads, private roads, parking spaces and drive aisles in parking lots, outdoor storage areas and land covered by structures not designated for recreational use.
  2. A base percentage amount of deed restricted open land is required in all master planned developments within each zone district as follows:
 

a. Agricultural Zone (AG)	20%
b. Residential Agricultural Zone (RA)	15%
c. Low Density Residential (R-1)	10%
d. Medium Density Residential (R-2)	10%
e. High Density Residential (R-4)	10%
f. Very High Residential (R-8)	5%
  3. The City Council may consider a reduction in the base amount of deed restricted open land when the reduction results in the project advancing the goals, objectives and policies of the General Plan.
  4. Where an MPD contains more than one (1) zone, the City Council may consider the location of deed restricted open land irrespective of zone boundaries to advance the project design or use, accessibility and quality

of the open land. This exception may only be considered if the project advances the goals, objectives and policies of the General Plan.

5. At the discretion of the City Council, Deed Restricted Open Land may be applied on different property better suited for restricted open land which is not associated with the proposed development and owned by the applicant.

C. **Density Bonus:** A density bonus may be permitted in accordance with the following:

1. Deed Restricted Open Land: In addition to the base requirement of an MPD, additional deed restricted open land is a requirement for the development of bonus density.
2. Bonus Density Calculation. If the proposed number of lots in an MPD is greater than the allowed base density, the applicant shall be entitled to the increased number of lots in excess of base density at a one-to-one percentage ratio of the amount of deed restricted open land being set-aside.
  - a. The amount of bonus density is calculated by multiplying the base density by the percentage of deed restricted open land being set-aside, in addition to the base requirement of the MPD.
  - b. The amount of the density bonus cannot exceed more than fifty percent (50%) of base density.
  - c. The base density and minimum lot size in each zone for Master Planned Developments shall be as follows:
 

Agriculture Zone (AG)	1 Unit/20 Acres: 1-acre min.
Residential Agriculture Zone (RA)	1 Unit/5 Acres: 3/4-acre min.
Low Density Residential (R-1)	1 Unit/Acre: 1/2-acre min.
Medium Density Residential (R-2)	2 Units/Acre: 1/3-acre min.
High Density Residential (R-4)	4 Units/Acre: 1/4-acre min.
Very High Density Residential (R-8)	8 Units/Acre: 1/8-acre min.
  - d. No more than fifty percent (50%) density bonus of the deed restricted open land may consist of sensitive lands.

*Example Bonus Density Calculation for a ten (10) acre parcel in the R-1 Zone with 2 acres of sensitive lands:*

R-1 Zone base density (1U/AC) = 10 lots/minimum lot size ½ acre.  
 10%(1 acre) base requirement + 20% (2 acres) deed restricted open land being set-aside = 2 bonus density lots.

50% of 2 acres of sensitive lands= 1 acre.  
Total of 12 lots on 6 acres at ½ acre minimum size.

- D. **Setbacks:** The minimum setback around the exterior boundary of an MPD shall match the setbacks of the more restrictive/larger abutting zone setback. In some cases, that setback may be increased to create an adequate buffer to adjacent uses. The City Council may reduce or increase setbacks as determined by the overall density configuration, clustering, open land, and proposed product types within the development from those otherwise required provided the project meets minimum Building Code and Fire Code requirements.
- E. **Building Height:** The maximum building height for all structures within a master planned development shall not exceed the zone standard. The City Council may grant additional building height beyond the maximum zone standard up to forty five feet (45') based on demonstrated good cause, related but not limited to, structured parking, workforce housing, deed restricted open land, community outdoor common area improvements, superior architectural design or provision of community support services.
- F. **Reduction of Minimum Lot Size Requirements:** The City Council may reduce the minimum lot size specified in a zone (minimum 0.10 acre) for density purposes if it finds the proposed decrease in minimum lot size:
1. Improves the development site design;
  2. Results in the clustering of buildings or lots;
  3. Preserves contiguous open land and natural resources;
  4. Provides efficiency of infrastructure, and;
  5. Produces unique product type development.
- G. **Off-Street Parking:** Master planned developments shall meet the following off-street parking standards:

a. Residential uses:		
(1) Single family dwelling unit		Minimum 2 spaces/unit
(2) Duplex dwelling unit		Minimum 2 spaces/unit (total of 4/building)
(3) Accessory dwelling unit		Minimum 1 space/unit
(4) Guest house		Minimum 1 space/unit
(5) Multi-unit (3 or more units)		Minimum 1 space/unit

b. Non-residential uses:	
(1) Commercial/retail	3 spaces/1,000 sq. ft. of net leasable floor area
(2) Commercial/restaurant-cafe	3 spaces/1,000 sq. ft. of net leasable floor area
(3) Hotel/lodging	1 space/guest room or suite; 2 spaces/1,000 sq. ft. of net support commercial floor area
(4) Offices	2.5 spaces/1,000 sq. ft. net leasable area

1. The off-street parking requirements for any other uses not listed above shall be determined by the City Council based on a project-specific parking study provided by the developer and prepared by a qualified traffic engineer.
2. The City Council may reduce or increase the overall parking requirement for a master planned development based upon the applicant demonstrating reasonable justifications for the increase/decrease in parking spaces.
3. The City Council may grant additional exterior/surface parking provided such parking is designed to include permeable surfaces, additional landscaping and buffering.

- H. **Designing with The Topography:** Master planned developments shall be designed to fit into the topography of the site. The City Council may consider flexibility in the siting of development to best fit into the natural terrain, minimize excessive site grading and mitigate impacts on the natural environment and resources of the surrounding area. The project design shall demonstrate the preservation of watercourses, drainage areas, wooded areas, steep terrain and other natural features and areas.
- I. **Designing with Adjacent Uses:** The master planned development shall take adjacent land uses into consideration. Development along the project perimeter shall adequately mitigate any potentially adverse effects, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances.
- J. **Access:** All master planned developments shall have vehicular access from a public road. All projects shall have a secondary point of access in compliance with the city engineering, development code and fire district standards. All roads/streets shall follow the natural contours of the site wherever possible to minimize the amount of grading and balance the cut and fill of the roadway.

- K. **Utilities:** Existing or proposed utilities, including private and public services for master planned developments shall be adequate to support the proposed project at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, and existing public services, and utility resources. Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite infrastructure standards found in this title.
- L. **Building Locations:** All buildings shall be located to avoid, to the extent practicable, wetlands, riparian areas, steep slopes, ridgelines and other similar areas in accordance with the sensitive land regulations of the title.
- M. **Connectivity:** Internal and external vehicular/pedestrian/bicycle circulation should be demonstrated at the time of application per the City Transportation and Trails Master Plans. Pedestrian/equestrian/bicycle circulation should be separated from vehicular circulation wherever reasonable.
- N. **Snow Storage:** Master planned developments shall include adequate areas for snow removal and snow storage. An appropriate form of landscaping plan shall allow for designated snow storage areas. Structures shall be set back from any hard surfaces to provide adequate areas to remove and store snow. Snow should be able to be stored on site or hauled to a location within the MPD and not removed to an off-site location.
- O. **Outdoor Lighting:** All outdoor lighting shall be downward directed and fully shielded per the City Outdoor Lighting requirements of this title. All outdoor lighting shall be designed and installed to prevent light trespass on adjacent properties. Lighting of the United States flag is exempt from this provision.
- P. **Compliance with Development Evaluation Standards:** Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite development evaluation standards found in this title.
- Q. **Project Design Narrative:** An application for a master planned development shall include a written explanation of how the project plan addresses the following design questions:
1. Community Connectivity: How does the proposed development interconnect and the surrounding properties, neighborhood, and area? Including but not limited to:
    - a. Where will vehicles enter and exit the site?
    - b. Where will new streets be developed?
    - c. Is there a need for pedestrian and bicycle routes (including trails and sidewalks) through the project area or connection with adjacent

properties per the City Trails Master Plan? If so, how are such needs and routes addressed?

- d. Is the location of the proposed development within reasonable proximity (including walking and biking) to community facilities and services such as schools, retail centers, parks, etc.?
2. Housing Needs: How does the proposed development advance the community need for a mix of housing types and affordability, as prescribed in the General Plan?
3. Character: What are the architectural design character objectives of the proposed development? How do these design objectives address the local context, character and/or community preferences?
4. Site Design: How is the proposed development designed to integrate with the existing topography, landscape features, riparian areas, vegetation, wildlife corridors, existing structures, etc.?
5. Complete Street Design: How is the proposed development street/circulation system designed to accommodate a variety of transportation modes (where appropriate), easy route finding, safe speeds and avoidance of vehicle/pedestrian conflicts?
6. Parking Areas: How does the proposed development balance the need for parking with the need to design parking areas in a manner that minimize visibility, site grading, and exterior lighting?
7. Public and Private Outdoor Spaces: What is the proposed development's need(s) for outdoor space, open space, habitat/wildlife areas, parks, or outdoor amenity areas? How does the proposed development address these needs?
8. External Storage: How does the proposed project address needs for garbage collection, equipment or vehicle storage, etc.?
9. Natural Resources: How does the project preserve and protect critical wildlife habitat, riparian areas, water recharge zones and other natural resources and sensitive lands?

### **8-6-080: REQUIRED FINDINGS**

The City Council shall make findings with evidence that supports the following conclusions to approve a master planned development. In most cases, conditions of approval will be attached to the final action to ensure compliance.

- A. The master planned development site design integrates well into the natural terrain, minimize excessive site grading and protects and preserves surrounding natural areas.
- B. The master planned development makes suitable provisions for the protection, preservation, and enhancement of wildlife habitat, watercourses, riparian areas, drainage areas, wooded areas, steep terrain and similar natural features and sensitive lands.
- C. The master planned development takes adjacent land uses into consideration and mitigates potential impacts, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances, through careful site planning. Integration of connectivity with adjacent properties, as applicable, has also been considered and provided.
- D. The master planned development has direct vehicular access from a public road or suitable private road or driveway access meeting all requirements of the city engineering, development code and fire district standards.
- E. The master planned development has a secondary point of access/emergency access or other mitigation satisfactory to the City Council and fire district.
- F. All roads/streets within master planned development follow the natural contours of the site wherever possible to minimize the amount of grading and balance cut and fill.
- G. Existing or proposed utility and public services are adequate to support the proposed master planned development at normal service levels and are designed in a manner to avoid adverse impacts on existing adjacent land uses, public services, and utility resources.
- H. The proposed structures within the master planned development are located on reasonably developable portions of the site as determined by the site analysis and sensitive lands determinations. The open areas within the master planned development are designed so that existing significant vegetation can be maintained to the greatest degree possible.
- I. The master planned development includes adequate internal vehicular and pedestrian/equestrian/bicycle circulation in accordance with the City Transportation and Trails Master Plans.
- J. The master planned development includes adequate and designated areas for snow removal and snow storage.
- K. All exterior lighting within the master planned development is downward directed and fully shielded in compliance with the City Outdoor Lighting standards.

- L. The master planned development, as conditioned, complies with all the requirements of this chapter.
- M. The master planned development, as conditioned, is consistent with the General Plan.
- N. The master planned development has been noticed and a public hearing held in accordance with this chapter.