

Minutes of the Ogden Valley Planning Commission Regular meeting December 01, 2015, in the Weber County Commission Chambers, commencing at 5:00 p.m.

**Present:** Laura Warburton, Chair; Jami Taylor, Greg Graves, Stephen Waldrip, Will Haymond, Kevin Parson,

**Absent/Excused:** John Howell

**Staff Present:** Sean Wilkinson, Planning Director; Scott Mendoza, Asst. Director; Jim Gentry, Principle Planner; Charles Ewert, Principle Planner; Ronda Kippen, Planner; Ben Hatfield, Planner; Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary

***Pledge of Allegiance***

***Roll Call:***

1. **Minutes:** Approval of the September 22, 2015 meeting minutes

Chair Warburton approved the September 22, 2015 meeting minutes as written.

2. **Consent Agenda:**

- 2.1. **CUP 2015-21:** Consideration and action for a conditional use permit request for "Motorcycle and motor scooters sales and service" and "Snowmobile, ATV sales and repair" to be located at 4930 E 2550 N, Suite 6, Eden UT in the Commercial Valley-2 (CV-2) Zone (Kenny Watkins agent for Dog and Bone, LLC)

- 2.2. **CUP 2015-22:** Consideration and action for a conditional use permit request for "Automobile, new or used sales/service" to be located at 4930 E 2550 N, Suites 3-5, Eden UT in the Commercial Valley-2 (CV-2) Zone (Shawn Tuttle agent for Dog and Bone, LLC)

- 2.3. **CUP 2015-23:** Consideration and action for approval of a conditional use permit for a manufacturing building with a height of 30 feet to house a distillery to be for Eden Self Storage, LLC)

**MOTION:** Commissioner Waldrip moved to approve consent agenda items 2.1. CUP 2015-21; 2.2. CUP 2015-22; and 2.3. CUP 2015-23 and made note that the Planning Commission approval was based on the content of the staff reports as presented in their packet. Commissioner Parson seconded. A vote was taken with Commissioner Haymond, Taylor, Parson, Graves, Waldrip, and Chair Warburton voting aye. Motion Carried (6-0)

Chair Warburton said the next item is a discussion item and not anything that they would be voting on.

3. **Administrative Items:**

- a. **New Business:**

1. **Discussion** Aspen Falls Cluster Subdivision – Nate Boswell, 4091 N 4200 E, Eden UT

Jim Gentry said that there is a petitioner that would like to discuss the possibility of converting open space in a cluster subdivision from public use to private use. As part of the subdivision it was approved with the bonus density for the public open space. The petitioner is proposing that they close the public open space and make it a private open space. The applicant is here and would like to have a discussion.

Chair Warburton asked staff to clarify as to why it is open space and why it is currently public and not private. Mr. Gentry replied that this was not the developer that did the subdivision; it was to get the additional bonus density for additional units. They had some other private common area but they did some public which gave that developer a 20% bonus density.

Chair Warburton asked that there is clearly enough land to make it private; so would they have to give up their bonus density in order to do that? Mr. Gentry replied that would be part of the discussion and staff has talked to him about losing one unit. Currently there are two owners or two homes in this development and they control the rest of the lots.

Nate Boswell, 4091 N 4200 E, Eden UT, Petitioner said that he wanted to discuss this item and the possibilities. His family bought the subdivision in 2009 and the previous developer had about 90% done of the development. They assumed that agreement with Weber County, and finished the agreement in order to build their homes. There are 27 acres with 10 half acre residential lots; there is a portion of open space, and there is agricultural preservation. It was their fault for not doing their due diligence and the assumption that the open space was for the ten lot owners to be used. After they bought

the land and went through everything; they realized that the open space was public. That brought up some concerns and they wanted to figure out a way to get that open space to private because of the concerns listed in his narrative. Some of their concerns has been the detention pond, people swimming there, and unable to do anything about it because it was designated for public use. There is a walking trail that surrounds the pond and up to a private road; there have been people on their ATV's driving through the walking trails. There are vehicles that go to the back, get stuck, and there have been a lot of unusual activity. They wanted to figure out a way to make this open space private.

Commissioner Waldrip asked from where was the public accessing to this open space? Mr. Boswell replied they have a fence that goes along the property line out of the development due to a private road. Technically, the public can't use this road because the original developer had designed a private gate to use that road, and the only current public access is on that corner of the trail by that detention pond.

Commissioner Waldrip asked this three foot wide gate is not wide enough for a ATV or car, but is there a gate right now. Mr. Boswell replied no, they have been accessing through their private road. They would like to have a fence all the way around that property with a gate and be able to say private property for those ten lot owners instead of the public.

Commissioner Parson asked if they have thought about how many lots they would be willing to give up to get that done and how many acres is that open space. Nate Boswell replied that they have been working with staff; to their understanding they would have to give up a lot, and they would be willing give up the lot to continue with that. There are 27 acres, with ten lots, but they would lose one; each property owner would have three acres. The open space is seven acres.

Commissioner Parson asked how deep was the pond is. Mr. Boswell replied its 12 feet deep and in the original plan was to have a fence around that pond. As concerned parents and neighbors they built a six fence around that pond; but that doesn't deter the kids from getting in there.

Commissioner Waldrip asked if that fence around that pond have gate access as well. Mr. Boswell replied that there is a three foot gate on one side and a 10-12 foot gate on the other side.

Chair Warburton asked if they have the authority to police that area if someone went across their property. Mr. Boswell replied obviously that's an access to the public; unless they go through that gate anywhere else is private.

Chair Warburton asked if it's public, then who takes care of the pond, maintains the upkeep, or pays the cost. If this was mandated that it was public, did the county take responsibility for keeping that up. Do they keep up the fence that goes partially around the property? Mr. Boswell replied no, the property owners have been maintaining that, it falls on their shoulders, and that is quite discerning to them.

Chair Warburton asked if someone drowned, who would be accountable. Director Wilkinson replied that he would have counsel answer that question. He was the planner that helped with the original subdivision, and the intent was that in order to get that additional lot that the public would receive this benefit of being able to use the open space. As far as maintaining it that is up to the Homeowners Association within the subdivision; the public would just enjoy the benefit of being able to use it. There was no responsibility given to the county or anything like that for maintenance or upkeep.

Chair Warburton asked why was this not at the Board of Adjustment? Director Wilkinson replied that it would require an amendment to the subdivision to remove that easement that allowed the public on that property. It goes to the land use authority rather than the appeal authority.

Commissioner Waldrip asked who has the ownership of the ten individual lots, public open space, and agricultural preservation easement. Are those all held in single ownership with one entity or owner, or multiple entities and owners involved in this? Mr. Boswell replied that the agricultural preservation and open space are held in an entity that he and his in-law are owners. The other lots are either owned by him or his in-laws and he owns more of the lots and has controlling interest on that.

Commissioner Waldrip said in looking back to 2006; they are changing something that had been dedicated as public use, and potentially taking something away from the public. That's a fairly significant step; are there other mitigation efforts

that they can do as far as access on the roadway, which seems to be the number one issue. A fence or a gate across the roadway is probably less expensive than losing a lot; to restrict access where they have a three foot gate access that may go a long way to mitigate getting some of those impacts without unwinding something that is almost 9-10 years old. That would be something that he would suggest to look back at the economics of that before they come back with their proposal.

Nate Boswell said that along this open space there is a walking trail; if they were able to go private, that land would obviously go back to private, and it wouldn't be open space and they would be happy to keep that. Chair Warburton asked so who built that trail and is that part of Pathways? Director Wilkinson replied the intent was as 4100 north continues that trail continues and eventually connects to Wolf Creek Drive. Right now it's just a section of the trail that doesn't go anywhere.

Commissioner Taylor asked staff if there are other cluster subdivisions that are in this situation and is there precedence for this. Mr. Gentry replied there was other cluster subdivision that had open space that was open to the public; but they might not have ponds or water attractions or things like that.

Commissioner Waldrip asked if there was anything where they would know with a unique situation where there is a body of water on a public type access. Mr. Gentry replied it is usually the HOA because of the liability for the water features.

Commissioner Parson said that he would hope that the county with this subdivision there is a trail that they are responsible for maintaining and people should know. Mr. Gentry replied that if this went from open space to the public; if it is approved they may recommend that this trail stay public.

**4. Public Comment for Items not on the Agenda: None**

**5. Remarks from Planning Commissioners:** Commissioner Haymond asked if this Planning Commission the architectural review board for all the designs that come before them. Did staff go through and make sure that it fit within their loose guidelines and maybe this should be something for a work session. Director Wilkinson replied yes; within the parameters of the architectural and screening standards code that they have, and that is something that they can do.

**6. Planning Director Report:** Director Wilkinson clarified that for the time being, he is technically serving as the Planning Director. Scott Mendoza is the Assistant Planning Director and they will work into the New Year and figure out the transition and how that will work out.

**7. Remarks from Legal Counsel:** Courtlan Erickson said they had previous talked about items going from a consent agenda. He suggested talking about this in the future to determine what should or should not be put on the consent agenda.

**8. Adjourn to Convene to a Work Session**

**WS1. DISCUSSION:** Ogden Valley General Plan

Charles Ewert said that he would like to bring an update of where they are with the general plan. They had previous open houses about a month ago, followed by a month long public review and public comment period. They had over 100 people at the open houses and they received more comments than they have been able to count thus far. It is premature of how they worked together and how to put them into the context of the draft plan. The good news is there are a lot of good and positive comments that they can easily incorporate into the draft plan. There are two key challenges that the planning commission should be aware of. The first is how are the Transfer Development Rights going to work and the other is the element of the Transportation Plan. In looking at the map, the idea was using the green spaces as Transferable Development Units as sending areas, the yellow spaces as receiving areas, the red spaces as receiving areas, and the resorts as receiving areas. There are a number of ideas of doing this better, and the biggest concern was that there was too much yellow.

Charles Ewert said that they wanted to go back and rework some of the criteria on that; there are a couple of good ideas, one of them being to just focus on allowing transfers to go to cluster developments and let those clusters be where they are going to be. They are working through some of the issues and going through the best approach to make this work.

The good news was that the plan does not hinge on TDR’s and how to make them work. The one that this commission will see will have more emphasis on voluntary reductions and county private/public partnership to try and incentivize reduction.

Charles Ewert said they have had some conversation about incentivizing on a tax basis; its difficult form a taxing angle primarily because the tax is set at the state level. If they do want to address that it would be through the legislature and figure out how to work through that. The Home Owners Association open space common area is taxed at a lesser rate than even agricultural land is, yet open space on the mountain side is still taxed as agricultural land, so it’s something to work with and try to figure how to incentivize that. With the same argument, why wouldn’t they be able to all people to volunteer to be in perpetual open space without having to run cows on the property? They are going to proceed with draft two with a good open time period for more review. That should speak with some of the concerns about not having enough time to really digest everything.

Commissioner Parson asked if there was a 128 acre piece with a farm and it’s put into a trust; as an incentive for being farmed, does it still get taxed as a regular piece of property. Mr. Ewert replied right now if it’s over five acres or five acres and a quarter, and they have a house on it, they get taxed less at an agricultural rate. This is bringing problems to the tax assessor and treasurer in helping them to try and get that figured out. Chair Warburton suggested having Shana Frances speak in reference to the land trust issue.

Charles Ewert said that the second item is what people have called the belt way. This is the streets and roads on the map with the red dash. The transportation element that was adopted from the transportation master plan that the Engineering Department did last year; seemed to be one of the greatest concerns. They believe that this could be removed from the map; and the reason for being removed is that roadway used to be in the 1967 Weber County Master Plan. It has been adopted since that time, and he was able to trace the adoption of this map that has been in existence for a very long time. When they have a number of people moving into an area who are completely unaware that it exists; that master plan came up and that roadway came up in 2009, and the Planning Commission had a debate over it was even there. The point is the vision has shifted; this is a prime open space area, and in 1967 the plan was one acre development in the valley. The current goal is prime agricultural open space and not intended to be developed. That will be one that will come forward and asked to be removed; and he has been telling people that this needs to be brought up in a public meeting to get it thoroughly vetted on the record on why they are removing that.

Commissioner Parson said where that goes through Trappers Ridge; it ends right there and at that point moving back to the south around that is that Summit’s property? Mr. Ewert replied they have Summit in there that is zoned O-1, DWR Conservation Easements. Coming further south is the Browning Ranch that it goes through and Land Trusts also has concerns with that going there. The values have shifted and they have some open spaces everywhere and they define the valley and they want to protect them.

Jim Carter, with Logan Simpson, said he was the contractor working on helping the county to come up with a draft plan and continue to work on the project. Tracy Gilmore handed this presentation to show this commission. They put together a series of boards for the open houses. They had two open houses in conjunction with a plan rollout, and some of you attended, saw the boards and know what’s on the boards. What public events had taken place, how the plan had been evolved, the role of the advisory committee, the workshops, and a summary of what had taken place and where they were with the process. After much discussion, they decided to condense each section of the plan and what it was focusing on, and what they are trying to do. What he would like to present is the 3-D Rendering Exercise in the plan; which was to take the entitlement (the number of units) that were approved by zoning that were authorized but hadn’t been built and plug them into the map. This would give the people a feel for what it would look like. He asked Chair Warburton if he should scroll through this very quickly. Chair Warburton asked the other commissioners what they would like and the consensus was to go through the power point.

Jim Carter gave a presentation and the following issues:

- INTRODUCTION
  - CREATING THE PLAN THROUGH PUBLIC INVOLVEMENT
- USING THE GENERAL PLAN
  - Present and Future Conditions
- LAND USE

- Goals, Policies, and Implementation
- RESIDENTIAL DEVELOPMENT & HOUSING
  - Present and Future Conditions
  - Goals, Policies, and Implementation
- COMMERCIAL DEVELOPMENT
  - Present and Future Conditions
  - Goals, Policies, and Implementation
- COMMUNITY CHARACTER
  - Present and Future Conditions
- Goals, Policies, and Implementation
- TRANSPORTATION AND MOBILITY
  - Present and Future Conditions
  - Goals, Policies, and Implementation
- UTILITIES AND PUBLIC SERVICES
  - Present and Future Conditions
  - Goals, Policies, and Implementation
- PARKS AND RECREATION
  - Present and Future Conditions
  - Goals, Policies, and Implementation

Chair Warburton said that they all had the same development; if somebody decided to sell their land, they can no longer build on their land, they can only farm it, graze it, or do what they want. This commission sends them over to cluster or village is it one for one or is that part of the problem. Mr. Carter replied that is the idea proposed here, front door to front door.

Chair Warburton said that they don't have to sell, a sending area doesn't have to sell and they could still build without losing any rights. How do they make that advantages and how do they make people to want to do it. Mr. Carter replied the encouraging thing is that there have been transactions already; the receiving areas have been resorts, but it has happened so the market has set a price to what the buyers are willing to pay. They have tried to help other communities with TDR's and its very complex; if the government gets involved in setting up a market. If a developer has an idea about a project; and can find a landowner is willing to sell 20 units, then the developer comes to the county and indicates what he wants to do with these units, and they go through the normal review process and it could work.

Chair Warburton said that right now what is platted, allowed, and on the way is around 7,800 more units and now they have 3,700 units. Mr Carter replied that they received comments not to abandon the idea of reducing the overall entitlement so early in the process. As a consultant, the trick is to try and assist the county at developing a plan that addresses the county needs sufficiently supportable to be adopted and implemented. The one thing that is interesting in this case; that they do have a market for development units. There's a conservation easement deal that is close but is \$150,000 away from making this work for the landowner; if they bring in a developer that could cover the \$150,000 to pull off 20 units and take them somewhere else. They have worked through this we worked through that and have agreed in this draft plan and how it would be complete plan. Identifying the sending and receiving areas; they need to back away from that. He recommends that they identify sending areas but not specifically receiving area; except to take some off the table.

Commissioner Taylor said she did get to hear a conversation about sending and receiving areas, and it's unfair to be able to say you can send but you can't receive on these TDR rights. Were there a lot of comments from people because that was on the board of who can send and who could receive? Mr. Carter replied that they did receive a lot of comments, and the whole purpose of the TDR's is to preserve something. The ways to preserve is by mapping what it is, say you want to preserve this land and keep like it that way it is now. Or they can identify attributes that they want to preserve, say they want to preserve significant vegetation, current corridors, big vistas of the mountains, viable agricultural operations, and then wait to see what happens. They need to think how this would happen and get enough detail for the general plan so people would see the pitfalls and have the confidence to work through those. They may end up focusing on qualities and areas on the kinds of attributes where suitable areas would be receiving areas.

Shanna Frances who resides in Eden asked Commissioner Parson if he was talking about the difference of tax benefits.

Commissioner Parson replied that he was talking about zoned open space and if was taxed at a lower level between the two. He was looking at it as if were a land trust and they are still farming it, where does the tax base hits on that parcel. Do they still pay it as if it were still an agricultural piece that still has a conservation easement on it? Shanna Frances replied basically right now its taxed similar to regular open space but they wouldn't have to farm it, it would still be close to green belt. They are trying to get it even lower and there's no option in the future that it could have homes on it. If there is a conservation easement, each one individually is written up that would designate what is allowed and what is not.

Sharon Holmstrom who resides in Eden said her concern is as she has watched the shifting at Wolf Creek. There was a lot of open space that was designated to allow them to have the original density. Over the years it's become the shape shifter; the problem is if it's zoned O-1, if there is not a conservation easement on the O-1 property, then it can be shifted around. So when they have land that is designated as open space and it's been used to remove density, they should have a conservation easement on that.

Commissioner Waldrip asked if they took that approach, to designate O-1 space as conservation space, it would require either a voluntary or somebody has to pay, is that correct? Mr. Ewert replied that depends on if they are willing to sell it or voluntarily part with it. If they were thinking about just rights, the county has several open space easements and they require that as part of the cluster subdivision code. He would recommend if they are looking to get this as permanent, that they are accordingly appropriate conservation easement entity with the land trust DWR, elks unlimited, ducks unlimited, trout unlimited, and those kinds of things.

Charles Ewert said the whole idea is to get some voluntary reductions; not specified in the plan and these are things that they don't want to be as specific about, because they want to have some flexibility in creating new ideas. Maybe they could work with commerce, with poor profit sector, they are just trying to come up with new ideas to and capture some of that open space voluntarily.

Commissioner Parson said that the next time that map comes out; it's not going to be blown out with the green and the yellow. Mr. Ewert replied that they are going through the comments and make sure they are in par with what the people want them to go. They are going to focus on two different alternatives; are they going to focus on areas in the valley that are prime open space land that they are sure they want to keep open, and create some programs to keep that as open as possible, and encourage people not develop that land.

Commissioner Warburton said that originally she didn't want any sending or receiving, but then she thought if they are trying to create nodes or villages. That would make a lot of sense to make those receiving areas, so they would encourage higher density buildings in those areas while preserving open space or preserving land. Mr. Ewert replied that there has not been a lot of conversation to eliminate the red space. The challenge they are going to have is they don't have other sending areas in the valley floor. It's finding the right developer to do the right project in those village centers, in order that they can go grab those development units elsewhere.

Jim Carter said that Dave Peterson, Planning Director in Farmington City, had indicated that they didn't want to see development in these various areas which happened to be farms out on the shore land for Great Salt Lake. They had identified some parcels in places in the city; and if any developers can go out and get conservation easements from these four farmers, they will give them bonus density on their project. This is moving density up to the resorts and they knew where it was coming from, and they didn't want them to buy density off a parcel that's never going to be built because they can get it cheap. They want to strip the entitlements off of these particular pieces of land. The idea here currently is to be very specific in identifying the areas from which the county would be willing to consider a transfer development rights from these areas.

Chair Warburton said that would work if they were in the same situation that Ogden Valley is. Mr. Carter replied if Ogden Valley would say they can identify six key areas; and they are key to them because they are large enough to be farmed viably, the big views, the river corridor. Whatever they are then announce these are going to be their sending areas, if they are able to get density off of any of these six, they could bring it to them and they would have made step one out of a three or four step project. Step two would be where they are going to move these, what's it going to look like, why is that a good place to move them there. Then they would go through the review process.

Chair Warburton said that if they want to build one family unit, they need to go get 1-1/2 TDR's and that's the only way they are going to decrease if it's desirable enough; and there is enough money for the developer, then the people that are selling their development will be paid appropriately. Commissioner Waldrip said that he wondered if there were some unintended consequences; would houses be worth more, it would increase the value, which is one of the concerns that came out of this.

Commissioner Parson voiced his opinion about having trails, the materials currently used, and having them up to better standards. Having trails in the Ogden Canyon and being an asset to the recreation element. The transportation element of UDOT and getting them to come together and treat the shoulders of their roads like open space. Defining the TDR aspect and he sees the transfer of development areas; with the county stepping up and getting a big piece of property, and saying this is a parking area, they are going to farm it, they are going to graze it, and park cars on it and facilitating the recreation element and leisure .

Director Wilkinson said as they frame this discussion; they need to keep in mind who is their legislative body as well. They have their County Commissioners; they are very pro-property rights, and they need to make sure that is something they are framing their discussion around. Words like mandatory, you get to, you do not, and prohibitions of doing certain things, and words like that and ideas like that are not going to be viewed favorably.

Chair Warburton said that the County Commissioners are currently having a discussion about what to do with all the big organizations that come up; as far as funds and charging fees. Commissioner Waldrip said as part of their study; there was a 15 page Economic Analysis. The one issue there's some review on the taxing assumptions that were made in there that Mr. Bond looked at and there might be a 10% difference on the low side. In looking at that, his opinion is they're only subsidized in the valley, if they have a million dollars of general government spending assessed to the valley. If they look at that Fiscal Impact Study that came from Zions Bank; total revenue is associated with the valley or \$2,459,000 and that's several categories, with taxes being one of the largest one. If they go to bottom line expenditures it shows \$2,692,573. That's general government \$940,000.00 and that's just a number assessing the valley. The one area where they are subsidized, are road expenditures are \$1,300,000 and the revenues from B&C State Road Funds are \$900,000.00. There are some other questions on revenues and this is a very simple document for a complex analysis.

Chair Warburton asked Kim Wheatley if he would consider on big projects like this, that there's one document especially if it's a multipage document that comes from the GEM Committee, with as many signatures that he would like on it. The likelihood of it actually being studied and read for the Planning Commission would be much greater if they had one communal document. Kim Whitley replied there are probably 20 people in the valley that really dug into this and probably understand it more than most of them. He tried to write something that they would sign onto, a few did but these people all have their own niche.

Miranda Menzies, Elkridge Trail in Eden, said the reason she is speaking is in response to Commissioner Parson's remarks about trails. She is on the board of Weber Pathways but he is correct in that the plan was for there to be a trail along the power line. There is also a planned trail that is above Wolf Creek going all the way across to Gertsen. Neither of those trails aligns with the quote Belt Way Road; when the roadway was changed from being an extension of Elk Horn Drive, which was shown on the 67 map to being the straight line that is there now. That trail ways was more about recreation and less about transportation. She would like to honor Mr. Ewert's suggestion about getting the beltway off, and it is never mentioned again in the entire study.

Ron Gleason, 252 N 8750 E, Huntsville, said he would like to make a comment on the water group. He was a member of that group and was the only individual citizen that stayed on that group. He stayed because he was involved with the water board up in Greenhills for a number of years so he thought he could bring some perspective to it. He didn't know if there was a lot of use keeping that group together; moving forward with it is more State Government Agencies there that are more into protecting themselves and making sure that some other group isn't taking action on something that they should have. One thing that may help is to get more water companies and improvement districts to get involved.

Chair Warburton asked if it would be useful to have a consistent committee or board where all the companies sent a representative once a quarter. Mr. Gleason replied that some use could come of it. Don't know if it was possible, but maybe Miranda Menzies to see if she might have some ideas. There are many more state agencies involved and it would have to come down from the state.

Ron Gleason said that he would like to talk about taxes and in the land use, there is a comment about making sure the appropriate taxes collected for second homes. This is something that should not be in the general plan. This is something which is law today. There is a Utah Tax Code that explains how it works, how the County Assessor and Treasurer should collect money. That should be implemented but it should not be part of general plan.

Kim Wheatley, 394 S 10000 E in Huntsville, said what they have here is a good start. They are into this about a year, and spent most of that time getting a lot of input across the board. In the current plan they do pretty much the same thing with the vision, the rural character, and the vision is pretty consistent with what they have. In the current plan they stop with that and in this plan goes to policies. There are some 60 policies listed under this plan; there is a bunch of them for each section, and there is a lot of them that are compounded within one sentence there might be three policy statements. In the County Commission world policy is very important to consider; why they have it, why they adopt it, why it makes sense, why they should use it to replace what they currently have, and they do it one by one and very carefully. These policies are very difficult to understand, they are very broad, and now they have them on the table. They have a good draft one, get a better draft two, and they need to take their time to get to the next draft. They need to do this right and they have a pretty good plan that's been working for a long time, and let's not replace it with something that is far worse. In the contract that they have with Logan Simpson, their expectation for them to carry this through to adoption by the County Commission. We have a great start and the one thing that is missing out of this, is the economic context for this entire plan. They have to treat the valley as an economic engine for Weber County; and they are either consciously abandoning that approach, or saying that they can't protect the resorts, and protect the valley from having all of this density to happen. The future generations are not going to have the opportunity that this generation does, so let's take the time, there are a lot of people involved, so let's get out of this dilemma that we have.

Kirk Langford, who resides in Eden, said that he hoped they received his comments and it's a lot to digest. He did address quite a few issues and he did want to address a couple of them. They talked about a lot about open space, and their open space in the valley is farms and ranches. They have open space in Middle Fork, and across Flat Rock Mountain, and the 500 acres that is O-1 that never got the easement put on it so it's not protected. Without an easement there is no protection in perpetuity, it's just open today to remind people and later on if the legislatures decide to change that, they might have public outcry. That open space that they have is farms and agriculture and right now, the best policy would be to reduce density. Don't let the county hand out anymore free density out and don't give Powder Mountain 2,003 units. Don't give a bonus of 3 to 1 next time they transfer the resort plan. If they want open space, keep those large landowners farming and ranching, and they are doing more of that now and that's how they protect the open space. The Ogden Canyon has yellow paint, and they are moving the road over ten feet, and changing the river channel. That is a scenic historic natural area that needs to be preserved for future generations.

Shanna Francis, who resides in Eden, asked if there was any way to transfer, where people could buy development rights on the west side of unincorporated Weber County. The response was no.

Commissioner Waldrip expressed his gratitude to the individuals of Logan Simpson who put a lot of effort into this and also to our staff who have put a lot of work into this document. The people in this community are trying to channel this collective conscientious of Ogden Valley down into something that enough of us can agree on. As he looks back at the population of the valley, there were 823 housing units in 1970. There was a population of 2,148 according to census and from talking to his father-in-law, he knew every single person that lived in the valley. There were a few rental homes that were being rented to young families that were trying to get their farms established or do something up in the valley. He looks at it today 45 years later, and they have 214 as of 2010. Looking at that trend, what happened to renter occupancy where we're at 54% from 10 years ago, and they have a vacancy rate of 53.9%. Then he thinks about his son who was born in 2000, and what is he going to look at 2045. If he extrapolate those numbers out into 2045, it comes pretty close to what this projection is listed on the back side of this sheet. Where they are looking at almost 12,000 housing units in a population of 15,000 plus; if they simply do nothing that's what they will get. That's the challenge that he sees in this document is they are trying to talk around controlling the level of investment in the valley to a reasonable level. In reading through these reports, there are going to be hard decisions to be made, and they will affect some people more negatively than others, and that is the unfortunate reality that they live. As he looked at it, he appreciated the comment to slow down and take their time. The law of unattended consequences happens, with 63 crossing policies they will get unattended consequences. He would recommend making sure when they enact law, they need to make sure that as they do this that they are enacting enough time that they understand what the impact of what those actions will be. They have an obligation to be very careful and perhaps sacrifice in order to make that happen.

Commissioner Taylor asked what the process is going forward with the general plan, at this point they have another draft coming, and what is their timeline? She suggested when they have these sessions, to have a work session at the end



each time they meet, so they can focus on a specific part of the general plan. Mr. Ewert replied right now they are hoping to have the second draft January 4, and they will know later on this week. That month long review period is intended to get to a goal; with the end being a better product. Logan Simpson is contracted for two drafts, any drafting beyond that is staff. They want to make sure that they get a good plan in place that the public can live with. They don't want to let the quest for perfection get in the way for progress.

Chair Warburton said whether they do 30 or 40 days; she wouldn't be able to approve anything with four or five day's notification, and to be able to digest and to be able to come back with good solid information, is not going to happen. Mr. Ewert replied that the plan is to get Draft 2 out; and goal at the end of the review period, is to have another public open house, which comes right before the Planning Commission meeting with a hearing.

Charles Ewert said that state has mandated that they have a county resource management plan as part of the general plan. The timing didn't line up as well, and they didn't contract for that with Logan Simpson. In Resource Management there are 27 resources; and they need to have some kind of management plan for those resources. The state code requires them to primarily focus on public plan, with the intent that it will give the county better local ability to negotiate with the Federal on Federal Land Management Policies. The state is going to take all of these resources management plans that the various counties create; and stitch them into one resource management plan statewide, and that would help the state negotiate with the Federal as well. They will be working on that as well as this process; and they don't want to inhibit the first seven chapters, while they work on Chapter 8.

Commission Waldrip said when they do have the review of Draft 2, that they will be able to break it up into more manageable pieces in the course of four or five meetings, breakout work sessions afterwards to get specific comments on section so it's not so overwhelming and frustrating to everybody's opinions on it. If it's possible to take two chapters each work session and go through each of them in detail and break out those 63 policies so they can focus on each of them. He is not talking about creating new committees; and it would allow more time for people to be involved through that process.

Chair Warburton asked the commissioner's if they would like to have a breakdown into two chapters at a time. The consensus was to do two chapters per work sessions for discussion.

Jim Carter said as a Planning Commissioner on in his town; they are going through the general plan update process, and what they've done is basically what Chair Warburton had described, when they got to the second draft after they went through the public review process, they requested that the staff bring in a couple of chapters at a time. Some of the chapters there were two meetings that were big deals for them. They have been able to work through the plan, and went through it line by line, and it hasn't been too burdensome to do.

Commissioner Waldrip asked staff how they sent out for public notice. Mr. Ewert replied how they have been sending it out, they have an email chain. Anyone who wanted to be involved or have been involved, whether it's been through the website or through the various public meetings they've had, they have been asking for email addresses, and adding them to their email list. They've had something running in the paper every two weeks and the next update is for people to submit their email if they are not getting an email blast.

Chair Warburton asked that commissioner's if they would like emails sent to everybody. Director Wilkinson said there are several things that staff can do in addition to the emails. On the electronic school signs they could advertise the meetings. He didn't think it was a bad idea to have people come to these work sessions; but if they are going to get work done, they need to determine if it's a work session, or if they want to get public comment. Otherwise they are not going to have the opportunity to discuss this among the Planning Commission.

**9. Adjournment:** The meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

Kary Serrano, Secretary,  
Weber County Planning Commission