

Minutes of the Business Meeting of the Ogden Valley Planning Commission for January 25, 2022. To join the meeting, please navigate to the following weblink at, <https://us02web.zoom.us/j/89979789042>, the time of the meeting, commencing at 4:30 p.m.

Ogden Valley Planning Commissioners Present: Chair John Lewis, Chair; Shanna Francis, Vice Chair, Jeff Burton, John (Jack) Howell, Jared Montgomery, Trevor Shuman, and Justin Torman.

Absent/Excused:

Staff Present: Charlie Ewert, Principal Planner; Scott Perkes, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

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

Chair Lewis asked if anyone had any ex parte communication or conflict of interest to declare. No disclosures were made.

1. Approval of Minutes for November 30 and December 7, 2021.

Commissioner Torman moved to approve the minutes of the November 30 and December 7, 2021 meetings as presented. Commissioner Burton seconded the motion. Commissioners Lewis, Francis, Burton, Howell, and Torman all voted aye. (Motion carried 5-0).

2. Administrative Items.

2.1 File No: UVG062221 - Request for recommendation of final approval of Gateway Estates Subdivision Phase 1, consisting of ten lots, private road dedication, and an alternative access request to access lot 1. Presenter: Tammy Aydelotte

A staff memo from Planner Aydelotte explained the applicant is requesting a recommendation of final approval for Gateway Estates Subdivision Phase 1, consisting of ten lots, in the F-5 zone. The only lots that do not have frontage along Hwy 39 are lots 1 and 10. Lot 1 is proposed to gain access by a private access easement. Lot 10 will have frontage along a newly dedicated private right of way extending from the Highway to the northeast corner of lot 10. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). Dedication of a new County road is included with this proposal. The following is a brief synopsis of the review criteria and conformance with LUC. The Planning Commission previously expressed concerns with the number of shared accesses. In the end, it was determined that County Engineering would call out any concerns with regards to shared access along SR-39, with regards to this development. Engineering has no concerns regarding access off of Highway 39, so there are still 4 shared access, and two accesses taken off of the proposed roadway between lots 9 and 10.

Ms. Aydelotte summarized the staff analysis of the application, focusing on compliance with the General Plan and zoning regulations; the subject property is located in the F-5 Zone. Single-family dwellings are a permitted use in the F-5 Zone.

Lot area, frontage/width and yard regulations: In the LUC § 104-9-4, the F-5 zone requires a minimum lot area of 5 acres for a single-family dwelling and a minimum lot width of 300 feet. The width of all ten lots in this proposed subdivision meet this requirement. The area for the lots ranges between 5.03 acres and 14.97 acres. Dedication of a new public road, located between lots 9 and 10, is included as part of this proposal. As part of the subdivision process, the proposal has been reviewed for compliance with the current subdivision ordinance in the LUC § 106-1, and the F-5 zone standards in LUC § 104-9. Public Road Connectivity: Given the stated geologic hazards/issues within this, and subsequent phases, County Engineering and Planning are not willing to accept public road dedication at this time.

Culinary water and sanitary sewage disposal: Weber-Morgan Health Department has performed the necessary soil testing to provide feedback and recommendations regarding wastewater disposal systems, and the placement of private wells. Though there are well protection areas shown on each lot, the developer is proposing shared wells (4) for this phase. The applicant has obtained approval from the State to begin drilling wells. The applicant is proposing 1 acre-foot of water per lot. This allows for 0.45 acre-feet for culinary purposes and 0.55 acre-feet for secondary purposes. These wells must be drilled and pump-tested prior to recording this subdivision per LUC 106-4-2.1.

(2) Private well capacity assessment. For a private well's water supply and delivery system, the capacity assessment shall include: For a private well's water supply and delivery system, the capacity assessment shall include:

1. Written verification from the Utah Division of Water Rights that authorization to drill has been obtained for each proposed private well.
2. The following items, if secondary water is provided by contract with Weber Basin Water Conservancy District:
 - a. Written verification from the District that an adequate allocation of water has been secured for each proposed well;
 - b. Evidence that the annual cost for the District's allocation is, or will be, attached to the tax notice of each lot; and
3. Proof of adequate allocation of water shall be demonstrated for all intended uses of the well water, including, but not limited to, applicable secondary water uses and fire suppression appurtenances."

Ms. Aydelotte then summarized improvements required for a private well, secondary water requirements, and development of natural hazards/wetlands, after which she indicated staff recommends final approval of Gateway Estates Subdivision Phase 1, consisting of ten lots, dedication of new public road, and an associated alternative access request for lot 1, located at approximately 748 E Hwy 39, Huntsville. This recommendation is subject to all review agency requirements prior to recording of the subdivision, and the following conditions:

1. Per LUC 106-4-2.1 Wells must be drilled and pump-tested prior to recording this subdivision.
2. All required improvements shall be installed or escrowed for, or a combination of both, and an improvement guarantee agreement signed, prior to appearing before the County Commission for final approval.
3. An onsite wastewater disposal covenant shall be recorded with the final plat.
4. An alternative access covenant shall be recorded with the final plat, with regards to accessing lot 1.
5. A restricted-landscape covenant shall be recorded with the final plat, to the lots that restricts the area of non-drought tolerant vegetation to the actual area allowed by the lot's water allocation, water rights, or water shares, given the water duty for crop irrigation as prescribed by the Utah Division of Water Rights, and specifies the automatic watering system requirements herein, if applicable. (See LUC 106-1-8.2)
6. Private road dedication and improvements along the eastern boundary of lot 10 shall be shown on the final plat and escrowed for or installed prior to final approval from the County Commission.
7. A note on the final plat will be required indicating that sprinkler systems will be required in each residential structure within Phase 1 of Gateway Estates.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with applicable county ordinances.

Ms. Aydelotte concluded that the County heard from the Fraternal Order of Eagles (FOE) after preliminary approval was granted for this project; they have had a prescriptive access to a spring located on the subject property. The spring is known as Bingham Spring, and they would like to ensure they have continued access to the spring. They are working with the developer to accomplish that, but she feels it is important to include that issue in the record of this action. Vice Chair Francis asked if it would be appropriate to include that as a condition of approval. Ms. Aydelotte stated that is an acceptable condition.

Chair Lewis invited public input.

Zach Burton spoke in representation of the applicant and indicated they received an email today from the attorney for the FOE and it is his understanding that the FOE has a prescriptive easement, but they do not currently have one. He stated that they would like access, but that is not something they are currently entitled to. Ms. Aydelotte stated that the FOE has indicated they do have a prescriptive easement and they want to be sure their access to the spring is not interrupted; the flow of the water from the spring serves their property. Chair Lewis stated that is a civil matter for the property owner and the FOE to settle without involvement from the County. Legal Counsel Erickson agreed; that is a private matter, and the County should not be involved.

Commissioner Howell moved to recommend, final approval of UVG062221 Gateway Estates Subdivision Phase 1, consisting of ten lots, private road dedication, and an alternative access request to access lot 1, based on the findings and subject to the conditions listed in the staff report. Commissioner Torman seconded the motion. Commissioners Lewis, Burton, Howell, Montgomery, and Torman all voted aye. Commissioner Francis voted nay. (Motion carried 6-1).

3. Petitions, Applications, and Public Hearings – Administrative items.

3.1 ZTA 2021-08: Public hearing to discuss and/or take action on a county-initiated ordinance to amend various sections of the County's zoning ordinance to adjust and clarify permitted and conditional uses and site development standards in the manufacturing zones (MV-1, M-1, M-2, & M-3), and to include general administrative and clerical amendments. Presenter: Scott Perkes.

A staff memo from Planner Perkes explained this County-driven text amendment has been undertaken primarily due to interest having been shown from a food processing and manufacturing company that is looking to potentially locate in the Manufacturing zoned areas of western Weber County. However, certain provisions of the existing manufacturing zoning ordinance have been identified as concerns for a potential food processing/manufacturing operation. As such, staff have combed through the existing ordinance and identified several amendments and clarifications needed to not only facilitate a food processing/manufacturing operation within a modified M-2 zoning classification, but to also prepare for other potential mixed-uses that are likely to locate within the manufacturing areas of west Weber County. In addition to the food processing/manufacturing provisions and protections, other general improvements, clarifications, and desired formatting have been proposed to allow the manufacturing zoning ordinance to be consistent with updating efforts that have already been done with the agricultural zoning ordinance, and that which is desired for the commercial zoning ordinance through future amendments. Mr. Perkes then summarized the proposed amendments; there are clerical/housekeeping adjustments throughout; edits to definitions of terms included in the Land Use Code (LUC); edits to rezoning applications and procedures; edits to the Manufacturing Zoning ordinance use table; edits to the Manufacturing Zone special regulations; edits to the Manufacturing Zone site development standards; edits to the application and review section of the design review chapter; and edits to the Cluster Subdivision lot development standards. Mr. Perkes then noted that the 2016 Ogden Valley General Plan is quite limited in its references to manufacturing uses. In its limited referencing, manufacturing is generally grouped together with references to commercial development. That said, implementation strategy 1.1.2 under the commercial development goal # 1 states that the community should avoid rezoning new property to commercial or manufacturing until such time that the community supports it. At present, there are only about 8 acres of land zoned MV-1. The proposed amendments to the manufacturing zoning ordinance are intended to leave the MV-1 zoning allowances largely unchanged. Staff recommends that the Ogden Valley Planning Commission review the proposed amendments with special attention to the proposed permitted, conditionally permitted, and not permitted uses in the MV-1 Zone. If the Commission is comfortable with the proposal a positive recommendation could be forwarded to the County Commission based on the following findings:

1. The changes are supported by the 2016 Oden Valley General Plan.
2. The changes are necessary to address the growing needs of manufacturing uses looking to locate in Weber County.
3. The changes will enhance the general health and welfare of County residents.

High level discussion among the Commission centered on the properties throughout the Ogden Valley that are currently zoned for manufacturing zoning or that could be zoned for manufacturing uses in the future; they discussed appropriate permitted versus conditional manufacturing uses. They determined that kennels should not be permitted, contractor equipment storage should be a conditional use, and bakery and packaging uses should be permitted.

Chair Lewis opened the public hearing. There were no persons appearing to be heard.

Vice Chair Lewis moved to close the public hearing. Commissioner Torman seconded the motion, all voted in favor.

Commissioner Torman moved to table action on ZTA 2021-08, County-initiated ordinance to amend various sections of the County's zoning ordinance to adjust and clarify permitted and conditional uses and site development standards in the manufacturing zones (MV-1, M-1, M-2, & M-3), and to include general administrative and clerical amendments, asking that staff provide clarification on permitted and conditional uses in the land use table.

Mr. Perkes stated that there is one component of the application that he would like the Commission to consider as part of another item on tonight's agenda; that is the sentence that also provides an amendment to the Unified Land Use Code's definition of a "lot of record"; he feels it is important for the Commission to consider that amendment tonight. He asked that the Commission consider an amended motion to allow that to occur.

Commissioner Burton seconded the original motion.

Chair Lewis facilitated discussion among the Commission regarding the options before them relative to this application. Commissioner Torman stated he feels that the item is not ready to vote upon; there are many incomplete portions of the proposed ordinance, and he feels those need to be completed before action can be taken. Vice Chair Francis stated she is comfortable taking action and providing staff with direction regarding the edits they would like to see. Commissioner Burton stated that it seems that tabling would give staff additional time to craft definitions of certain ambiguous terms in the ordinance and that will pay off in the future. He stated it is important for these types of documents to be clear. Mr. Perkes stated that staff agrees there are some portions of the proposed ordinance that are unclear, but this application was accelerated because of some development projects being considered in other areas of the County. Relative to the definition of 'lot of record', the current definition is somewhat unclear and makes it hard to determine if a grandfather clause should apply to certain properties. Staff is pursuing a simple clerical edit to that definition to help property owners understand their development rights. Chair Lewis stated that he would prefer to take appropriate actions tonight that accomplish good, rather than tabling the entire application striving for perfection.

Chair Lewis called for a vote on the motion. Commissioners Torman and Burton voted aye. Commissioners Lewis, Francis, Howell, and Montgomery voted nay. (Motion failed 5-2).

Commissioner Francis moved to forward a positive recommendation to the County Commission for ZTA 2021-08, County-initiated ordinance to amend various sections of the County's zoning ordinance to adjust and clarify permitted and conditional uses and site development standards in the manufacturing zones (MV-1, M-1, M-2, & M-3), and to include general administrative and clerical amendments, with the following changes:

- Kennels be listed as non-permitted use in MV-1 zone;
- Bakery goods manufacturing use should be listed as permitted use;
- Track or course for motor vehicles, indoor be listed as non-permitted use;
- Contractor equipment storage yard or rental of equipment used by contractors be changed from permitted to conditional use.

Commissioner Burton seconded the motion.

Commissioner Torman offered a friendly amendment to the motion to remove the amendment to the Unified Land Use Code's definition of a "Lot of Record" from this ZTA and consider it later in the meeting. Commissioner Francis accepted the friendly amendment. Commissioners Lewis, Francis, Burton, Howell, Montgomery, and Torman all voted aye. (Motion carried 6-0).

3.2 ZTA 2021-10: Public hearing to discuss and/or take action on a county-initiated ordinance to amend various sections of the Weber County Land Use Code to define and regulate Animal Grazing, Animal Feeding Operations, and Large Concentrated Animal Feeding Operations, and to include general administrative and clerical amendments. Presenter: Scott Perkes

A staff memo from Planner Perkes explained that during the 2021 General Session, the Utah State Legislature passed S.B. 130, which served to accomplish the following:

1. Enacted the Large Concentrated Animal Feeding Operations Act (17-27a-11) (Effective 5/5/2021).
2. Provide defined terms for Animal Feeding Operations (AFO) and Large Concentrated Animal Feeding Operations (LCAFO).
3. Required adoption of a county LCAFO land use ordinance.
4. Addressed the scope of a county LCAFO land use ordinance.
5. Addressed the geographic area where large, concentrated animal feeding operations may be located.

Per item #3 above, the Act requires that counties adopt an LCAFO land use ordinance by no later than February 1st, 2022. Pursuant to this requirement, Planning staff have worked with the County Commission in work session as well as the Western Weber Planning Commission and Ogden Valley Planning Commission in work session on potential regulation scenarios that could be implemented prior to the February 1st, 2022, deadline. Through work sessions and a public hearing, the Western Weber Planning Commission moved to forward a positive recommendation on a regulation scenario that would serve to accomplish the following:

1. Only allow new LCAFOs to locate in the A-3 or M-3 zones as Conditionally Permitted Uses.

2. Existing LCAFOs not located in the A-3 or M-3 zones may continue to operate as non-conforming uses.
3. Although unlikely, any existing LCAFOs located in the A-3 or M-3 zones may expand if market forces support an expansion.
4. Existing AFOs (Animal Feeding Operations) in the A-3 or M-3 zones, known as "Livestock Feed Yards" under the current land use code, may continue operating as conforming uses and may expand if market forces support an expansion.
5. Existing AFOs not located in the A-3 or M-3 zones may continue to operate as nonconforming uses but are not allowed to expand.
6. New and existing farms (dairy, poultry, cattle, sheep, goats, etc.) (Proposed to be defined as an Animal Grazing operation), will continue to be a permitted uses in all Agriculture zones with applicable special regulations.

Mr. Perkes then facilitated a review of the draft ordinance that has been crafted to implement the outlined scenario above into the Land Use Code. Some edits are clerical in nature and are intended to allow the proposed amendments to merge into the structure of the existing code.

Mr. Perkes concluded staff recommends that if the Planning Commission supports the proposed regulation, a positive recommendation could be forwarded to the County Commission for file ZTA2021-10, a proposal to add definitions, regulatory language, and clerical edits to the Land Use Code regarding Animal Grazing, Animal Feeding Operations, and Large Concentrated Animal Feeding Operations. This recommendation is consistent with the regulation scenario drafted as Exhibit B, and is based on the following findings:

1. The proposal protects existing Animal Grazing, AFOs and LCAFOs ability to continue operations for as long as the prevailing markets allow.
2. The proposal gives clear direction to any potentially new Animal Grazing, AFO, or LCAFO operation regarding the zones where such uses are permissible and the associated operational standards under which they will need to operate.
3. The proposal is in the best interest of the public both in the short term and in the long term.
4. The proposal is not detrimental to the general plan.

Commission discussion centered on whether the types of operations allowed according to this text amendment can be used for commercial purposes or if they are to be agricultural in nature. There was also debate regarding appropriate permitted land uses and special operating regulations for certain uses.

Chair Lewis opened the public hearing. There were no persons appearing to be heard.

Commissioner Torman moved to close the public hearing. Commissioner Montgomery seconded the motion. All voted aye.

The Commissioner then debated appropriate buffering distances between agricultural and animal feeding uses and the primary residence on a property or neighboring properties. The

Commissioner Torman moved to approve ZTA 2021-10, county-initiated ordinance to amend various sections of the Weber County Land Use Code to define and regulate Animal Grazing, Animal Feeding Operations, and Large Concentrated Animal Feeding Operations, and to include general administrative and clerical amendments, with one change to strike proposed Sec 104-21-4,(a)(3), which reads "It shall not be closer than 300 feet to any dwelling, public or semi-public building on an adjoining parcel of land"; and replace it with the same text as in Sec 108-7-8.

Mr. Ewert suggested that the setback adjustment apply to all related sections of the LUC. Mr. Erickson added that these adjustments should be based on specific findings.

Commissioner Torman indicated that his motion is based upon the findings listed in the staff report. Commissioner Burton seconded the motion. Commissioners Lewis, Francis, Burton, Howell, Montgomery, and Torman all voted aye. Commissioner Francis voted nay. (Motion carried 6-0).

3.3 ZTA 2021-11: Public hearing to discuss and/or take action on a county-initiated ordinance to define specific zones in the Ogden Valley Planning Area where dwelling unit rights may be transferred from for the purposes of constructing detached accessory dwelling units, and to include general administrative and clerical amendments. Presenter: Scott Perkes

A staff memo from Planner Perkes explained this County-initiated text amendment has been undertaken in order to add clarification to the Accessory Dwelling Unit ordinance regarding areas/zones where dwelling unit rights may be transferred from for the purposes of constructing detached accessory dwelling units (ADUs) on lots or parcels which do not have a sufficient balance of dwelling units rights available. As a reminder, the current ADU ordinance was adopted in a form that allowed ADUs to be permitted on any residential lot or parcel as long as the ADU was integrated architecturally with the primary residence (connected by a breeze way of not more than 15 feet, or the ADU is created within the footprint of the existing home). Alternatively, a detached ADU could be permitted if the lot or parcel contained at least one surplus dwelling unit right (i.e., 6-acre lot in a 3-acre zone with a primary home and a detached ADU). If a lot or parcel did not contain a surplus dwelling unit right (i.e., 3-acre lot in a 3-acre zone with a primary home), an owner could transfer a dwelling unit right from another lot or parcel with a surplus dwelling unit right in the Ogden Valley Planning Area over to their property in order to permit a detached ADU. In practice, the current language of the ADU ordinance allows for transferred dwelling unit rights from anywhere in the Ogden Valley Planning Area. This includes the Ogden Canyon and the far-eastern backcountry areas. This led potential applicants looking for transfer properties with the “lowest hanging fruit” to transfer dwelling unit rights to other property for the building of detached ADUs. These “lowest hanging fruit” were identified as grandfathered lots of record in the Ogden Canyon and the old historic lots in the F-40 zone such as lots in Evergreen. Staff believes that the original intention behind the transfer of dwelling unit rights requirement of the ADU ordinance was to transfer density off of the valley floor or valley foothills. The transfer of rights from outside of the valley floor would have create an increased density in the valley that wasn’t anticipated or supported by the General Plan. For these reasons, staff have initiated the proposed amendments to clarify the areas where dwelling unit rights may be transferred from for the purposes of building detached accessory dwelling units. See below for a summary of the proposed amendments.

Mr. Perkes ten provided a summary of the proposed amendments, including clerical edits and applicability of transferred dwelling unit rights associated with the construction of detached accessory dwelling units. He indicated Land Use Goal #1 of the 2016 Ogden Valley General Plan is clear that additional density should not be authorized in the Ogden Valley Planning Area above that allowed by current zoning. Additionally, Land Use Principle 1.1 indicates that the County will support the transfer of existing development rights as the primary means to increase densities in suitable project areas while proportionately decreasing density in other areas. Staff believes the proposed amendments are in alignment with the General Plan’s goals and principles by preventing additional density from outside of the valley floor to be transferred into the valley. Staff recommends that the Ogden Valley Planning Commission review the proposed amendments in ZTA2021-11. If the Commission is comfortable with the proposal, a positive recommendation could be forwarded to the County Commission based on the following findings:

1. The changes are supported by the 2016 Oden Valley General Plan.
2. The changes are necessary to guide the appropriate transfer of dwelling unit rights for detached ADUs.
3. The changes will enhance the general health and welfare of County residents.

Mr. Ewert facilitated discussion among the Commission regarding the original intentions for TDR actions and the manner in which the proposed ordinance will address any potential unintended consequences of TDR regulations. He then discussed the proposal to adjust the lot of record definition. The amended definition is needed due to three separate reasons.

1. Adjustments to the existing paragraphs (d) &(e) are proposed to facilitate the identification of historic lots of record (grandfathered) that may have met the zoning at a specific point in time (December 31, 1992) that represents a cut off of grandfathered rights.
2. The added paragraph (g) has been added as a reprieve to the platting requirements for especially large lots (>100 acres) that may accommodate larger scale developments.
3. The added paragraph (h) is proposed to help existing unplatted lots of record to be adjusted without having to go through a full subdivision platting process.

An added definition is being proposed for “Lot Width”. This definition is new and is being added to support the proposed amendment to the definition of “Lot Frontage”.

Chair Lewis opened the public hearing. There were no persons appearing to be heard.

Commissioner Torman moved to close the public hearing. Commissioner Montgomery seconded the motion. All voted aye.

Commissioner Torman moved to forward a positive recommendation to the County Commission regarding ZTA 2021-11, county-initiated ordinance to define specific zones in the Ogden Valley Planning Area where dwelling unit rights may be transferred from for the purposes of constructing detached accessory dwelling units, and to include general administrative and clerical

amendments, and to adjust the definition for "Lot of Record", with one change to 108-19-2 to strike FR-3 from the list of zones. The motion is based on the findings and subject to the conditions listed in the staff report. Commissioner Howell seconded the motion. Commissioners Lewis, Francis, Howell, Montgomery, and Torman all voted aye. Commissioner Burton voted nay. (Motion carried 5-1).

Commissioner Burton indicated his opposing vote is based upon his believe that the idea of transferring development rights for an ADU is inconsistent with principals of good planning. He stated that he has always felt that requiring landowners to secure a TDR in order to build an ADU on their property is inappropriate because it places a burden on people who may not be able to afford it and it is keeping them from using their land as they would like.

4. Elections: Chair and Vice-Chair for 2022

Planning Director Grover indicated that the Commission's bylaws indicate that a member of the Commission can only serve as Chair for two terms; Chair Lewis has served for two years.

Commissioner Francis nominated Commissioner Burton to serve as Chair for 2022.

Commissioner Lewis nominated Commissioner Shuman to serve as Chair for 2022.

Commissioner Burton nominated Commissioner Francis to serve as Chair and Commissioner Lewis to serve as Vice Chair for 2022.

Commissioner Burton declined Commissioner Francis's nomination and indicated he is supportive of the nomination of Commissioner Shuman to act as Chair for 2022.

Chair Lewis called for a vote on the nomination of Commissioner Shuman as Chair; all voted aye.

Commissioner Torman nominated Commissioner Lewis to serve as Vice Chair for 2022.

Commissioner Lewis nominated Commissioner Francis to serve as Vice Chair for 2022.

Commissioner Francis nominated Commissioner Torman to serve as Vice Chair for 2022.

Chair Lewis called for a vote on the nomination of Commissioners Francis and Torman to serve as Vice Chair for 2022; he declared Commissioner Francis received more votes and she will serve as Vice Chair for 2022.

5. Meeting Schedule: Approval of the 2022 Meeting Schedule

Chair Lewis called for a vote to approve the 2022 Meeting Schedule; all voted aye.

6. Approval of Rules of Order

Chair Lewis called for a vote to approve the current Rules of Order for 2022; all voted aye.

7. Public Comment for Items not on the Agenda

There were no public comments.

8. Remarks from Planning Commissioners:

The Commission discussed the current development climate and the ability of the Commission to develop objective criteria that would allow them to require developers to meet with residents who may be concerned about their proposed development. Planning Director Grover advised the Commission against taking actions on certain development applications responsive to public clamor. The County can ask an applicant to engage with the public or hold a community meeting with any concerned residents, but denying an application based upon the lack of public engagement would be problematic. Commissioner Burton stated that there are property rights afforded to individual property owners and there is no requirement for a developer to 'be nice' to their neighbors. He agreed that it would be nice for developers to try to work well with neighboring property owners, but denying an application based upon opposition from neighbors is a violation of property rights. Chair Lewis stated that the Commission should focus on pursuing effective ordinances that provide for quality development and help to anticipate any unintended consequences of development.

9. Planning Director Report:

Planning Director Grover thanked the Commission for their willingness to consider the three text amendments that were listed on the agenda tonight; he knows these items feel rushed, but that was for good reason, and he thanked the Commission for their support. He then reported on an upcoming Planning Commission appreciation dinner.

10. Remarks from Legal Counsel:

There were no additional remarks from Legal Counsel.

**Meeting Adjourned: The meeting adjourned at 6:25 p.m.
Respectfully Submitted,**

Cassie Brown

Weber County Planning Commission