

Minutes of the Regular Meeting of the Ogden Valley Planning Commission for April 23, 2024, 5:00 p.m. To join the meeting, please navigate to the following weblink at <https://webercountyutah.zoom.us/j/84172303535>, the time of the meeting, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Jeff Burton (Vice Chair), Jeff Barber, Joe Paustenbaugh, Mark Schweppe, Trevor Shuman, and Janet Wampler (via Zoom).

Absent/Excused: Dayson Johnson (Chair)

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Bill Cobabe, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

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

Vice Chair Burton conducted roll call and indicated all Commissioners were present, with the exception of Chair Johnson. He also noted Commissioner Wampler was participating via electronic means.

1. Minutes: March 26, 2024.

Vice Chair Burton asked if there are any corrections to be made to the minutes as presented. No corrections were offered, and Vice Chair Burton declared the minutes approved as presented.

Vice Chair Burton then called for any conflicts of interest to be declared. No declarations were made.

2. Consent Items:

2.1 CUP 2024-01 Request for approval of a conditional use permit for Reuse Pump Station located at 4350 N 4450 E. Eden, UT 84310. Planner Technician: Marta Borchert

A staff report from Planner Technician Borchert explained the applicant is requesting approval of a conditional use permit for the installation of a Reuse Pump Station a “public utility substation” Located at The proposed pump station will move treated effluent from the treatment plant through a new pipeline to a new reuse pond. The FV-3 Zone allows a “public utility substation” as a conditional use. The proposal has demonstrated that the operation will comply with the applicable regulations, with reasonable conditions imposed. The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews. The report summarized staff’s analysis of the application to determine compliance with the General Plan; zoning ordinance; conditional use standards; and design review standards. Staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agency requirements and is based on the following conditions:

1. Wolf Creek Water and Sewer Improvement District service vehicles and hauling vehicles shall not park within the public ROW.
2. Dust control measures shall be taken.
3. Trucks hauling material shall obey the speed limit
4. Dirt tracked onto the public street shall be cleared immediately and kept clear of dirt gravel and rocks.
5. All requirements from the County Engineering Department will be satisfied before the issuance of the conditional use permit.
6. Construction activity is limited to weekdays from 7:00 am to 5:00 pm.

This recommendation is based upon the following findings:

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

Chair Johnson invited input from the applicant.

Commissioner Shuman moved to approve CUP 2024-01, conditional use permit for reuse pump station located at 4350 N. 4450 E. Eden, UT, based on the findings and subject to the conditions listed in the staff report. Commissioner Schweppe seconded the motion. Commissioners Barber, Burton, Paustenbaugh, Schweppe, Shuman, and Wampler voted aye. (Motion carried on a vote of 6-0).

2.2 CUP 2024-02 a request for approval of a conditional use permit for a Public Utility Substation for a chlorination shed to treat the Cole Canyon Water. Planner: Felix Lleverino

Commissioner Shuman moved to remove this item from the consent agenda to allow for discussion of the application. Commissioner Barber seconded the motion; all voted in favor.

Planner Lleverino explained the applicant is requesting approval of a conditional use permit for a Public Utility Substation. The Cole Canyon Water Company will place a 150 sq. ft. tuff shed on the north side of the access road to the North Gate of the North Fork Campground. A written agreement between the Weber County Corporation and the Cole Canyon Water Company has been completed and approved by the County Commission allowing for access to and construction of the facility. He referenced and reviewed the proposed agreement, construction plans, and the architectural drawings, which were included as exhibits to his staff report. Mr. Lleverino reviewed staff's analysis of the application to determine compliance with the General Plan; zoning ordinance; conditional use standards; parking and loading space, and vehicle and traffic access regulations; and design review standards. He concluded staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval in addition to any other conditions of the various reviewing agencies or the Ogden Valley Planning Commission. Planning conditions of approval include:

1. Public drinking water system requirements are satisfied
2. The site, structure, and mechanical equipment shall be kept and maintained for safety and good visual appearance
3. Service vehicle parking is maintained and accessible year-round
4. Thoroughfare parking is not permitted.

This recommendation is based on the following findings:

1. The proposed use is allowed in the F-40 Zone and meets the appropriate site development standards.
2. The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Discussion among the Commission and staff centered on the chemicals that will be used at the facility; the type of structure that will be used for the substation; parking areas at the site; and access to the site during winter months. Commissioner Shuman suggested that conditions be imposed on the applicant to require a permanent building that does not require regular maintenance. Commissioner Paustenbaugh added that he would like to include a condition of approval communicating that winter access to the site will be from outside the current gate; it is important that the applicant understands that they cannot drive past the gate during the winter months.

Commissioner Barber moved to approve CUP 2024-02, conditional use permit for a Public Utility Substation for a chlorination shed to treat the Cole Canyon Water, based on the findings and subject to the conditions listed in the staff report, and based upon the additional conditions:

1. The design and construction of the building will be done in coordination with Weber County to match the quality and appearance of the building Weber County intends to build adjacent to the subject property.
2. Service vehicle parking will not extend beyond the gate that is closed in the winter months.
3. During the winter months, any access required shall be maintained by the applicant and shall originate on the outside of the gate so as not to disrupt any winter activities in the park.

Commissioner Paustenbaugh seconded the motion. Commissioners Barber, Burton, Paustenbaugh, Schweppe, Shuman, and Wampler voted aye. (Motion carried on a vote of 6-0).

Legal Counsel Erickson was excused from the meeting at 5:22 p.m.

3. Public comments for items not on the agenda.

There were no public comments.

4. Remarks from Planning Commissioners.

There were no remarks from Planning Commissioners.

5. Planning Director Report:

Planning Director Grover did not make a report.

6. Remarks from Legal Counsel:

Legal Counsel was not in attendance.

Commissioner Barber moved to adjourn into a work session meeting. Commissioner Schweppe seconded the motion; all voted aye.

WS1: Discussion regarding Cowboy Partners form-based rezone application in New Town.

Planning Director Grover referenced a memo that summarizes the Cowboy Partners form-based zone application; he advised the Commission to consider compliance with the street regulating plan for New Town Eden. He invited the applicant to make a presentation regarding their proposed project.

A representative of Cowboy Partners used the aid of a PowerPoint presentation to discuss the business model employed by the entity to pursue housing development; most communities they have built are 'for rent' multi-family housing developments. He discussed the broad vision for the site and his plans to hold community meetings regarding the project. His presentation included a site plan for the properties, which are two sites that are 7.4 and 9.64 acres in size. He provided an illustration of how the project complies with the street regulating plan; he highlighted the relationship between the commercial/retail uses and housing uses.

Discussion among the Commission and the representative centered on Cowboy Partners' ability to acquire transfer development rights (TDRs) for their project; density of the project; infrastructure projects planned for the area; income limitations on workforce housing elements of form based projects; the sentiment of the adjacent property owners regarding the project; disallowance of nightly rental units in the project; general layout of the project; availability of sufficient water for the project; coordination between Cowboy Partners and other development firms pursuing projects in New Town and the surrounding vicinity; the impact this type of project could have on schools in the area; and rent rates that may be charged in the project to comply with housing affordability regulations.

The representative thanked the Commission for their feedback and indicated he will use it to further shape the project proposal, which will soon be presented to the public in an open house setting.

Meeting Adjourned: The meeting adjourned at 6:50 p.m.

Respectfully Submitted,

Weber County Planning Commission