

Minutes of the Work Session of the Ogden Valley Planning Commission for September 20, 2022. To join the meeting, please navigate to the following weblink at, <https://us02web.zoom.us/j/88166612970>, the time of the meeting, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Trevor Shuman, Chair, Jeff Burton, Dayson Johnson, Jared Montgomery, Don Stefanik, Justin Torman, and Janet Wampler.

Absent/Excused: none

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

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

Chair Shuman conducted roll call and indicated all Commissioners were present.

1. Approval of Minutes for June 21, 2022.

Chair Shuman postponed approval of the June 21, 2022 minutes until the next meeting.

WS1 Moderate Income Housing Implementation Discussion.

Principal Planner Ewert facilitated discussion among the Commission regarding moderate income housing implementation in the County; he presented a chart detailing the moderate-income housing strategies included in the State's legislation regarding the matter and conducted a 'matching exercise' to compare the State's strategies with the Ogden Valley General Plan's housing strategies. He discussed reporting requirements for housing data that must be submitted to the State of Utah.

Commissioner Burton stated there is a heavy demand for housing in the Valley this time, but there are restrictions on any increase in density, which would result in an increase in housing stock/supply. If the supply is limited, the cost will increase; it will be difficult, if not impossible, to reduce cost or provide moderate income housing while supply is limited. Mr. Ewert agreed there are challenges in the Valley, but some projects will include an employee housing element, which will serve to meet one of the requirements of providing moderate income housing in the community. He noted that it is essentially up to the private market to provide a variety of housing types to meet demand in the community. Commissioner Burton stated that government impediments increase the costs of housing; developers attribute 33 percent of their development costs to navigating government processes.

Mr. Ewert then returned to the document to continue the review of components of the General Plan that serve to comply with the State's moderate-income housing strategies; the Commission is being asked to consider opportunities for complying with State legislation. The Commission can determine if changes to the General Plan are needed or if the current version of the General Plan is sufficient in terms of achieving compliance. The County already has at least 10 of the implementation strategies in its General Plan; if the Commission does not feel any changes are needed, Planning staff can submit its annual report to the State based on the current Plan. This led to a review of the General Plan map to identify the zoning designations planned for various areas of the Valley and consider the housing types/density allowed in each zoning designation. There was a focus on areas designated for form-based zoning and the maximum density allowed on certain land parcels for which developments are in the planning stages. Commissioner Wampler asked specific questions about funding that is set aside for workforce housing and if there are opportunities for developers to shift that funding to other projects. Mr. Ewert stated that the required housing units provided for workforce housing may be located outside a proposed development, but no further than one mile from street designations or outside of certain zoning boundaries for a village node. Commissioner Wampler stated that it may be that some of the properties that would be available for workforce housing will be consumed by other developments. Mr. Ewert stated that is correct, but developers must plan accordingly to ensure that the location of any workforce housing is in compliance with very strict requirements.

Commissioner Burton stated that he is comfortable with Planning staff submitting a report to the State indicating the Ogden Valley General Plan is in compliance with moderate housing requirements; however, the Commission and Planning staff can continue to explore this matter further in the future and develop strategies for actually reducing housing costs. The Commission indicated they are comfortable with that approach; Mr. Ewert stated he will email all materials he was referencing this evening to the entire Commission to give them a chance to review it thoroughly in advance of the next discussion of this matter. In closing, there was

brief high-level discussion about the current number of housing units in the Valley compared to the potential number of total units that could be located in the Valley at buildout and based upon the General Plan.

Commissioner Burton left the meeting at the conclusion of this discussion.

WS2 Transferable Development Rights Sending and Receiving Areas Discussion.

Prior to leaving the meeting, Commissioner Burton communicated that he feels that any area of the Valley should be qualified as a sending and receiving area relative to this issue.

Principal Planner Ewert stated that in 1998, the County first implemented the concept of transferrable development rights (TDR); the concept was sold as a 'silver bullet', but that there are many unintended consequences of the idea. However, there are many landowners who do not intend to develop their property; they will leave the idea of developing their land open for the future unless they can receive some financial compensation for removing the development rights from their property. This is the most common type of TDR and is one that is typically viewed as being positive. But, in the 40 years since the TDR idea has been introduced, there have been very few TDR actions.

Chair Shuman stated it is his understanding that the goal of the TDR concept is to enable growth without increasing density. Mr. Ewert stated that is correct. Chair Shuman stated that he views TDRs as an incentive for the future growth of the Valley; there are other tools, but they are not as powerful as the TDR concept. Mr. Ewert agreed; he and Chair Shuman facilitated discussion among the Commission regarding whether TDRs should be restricted to specific zones or properties or if all areas should be considered to be sending and receiving areas. Commissioner Wampler inquired as the mechanism that the County is currently using or will use in the future to track TDR actions to ensure that no 'double-dipping' occurs on any one property. Mr. Ewert stated the County has a document that tracks total allowed density on properties and throughout the County; if a TDR action occurs, the base density of the properties subject to the TDR are adjusted and that is recorded on the title of the property to ensure that a future owner is aware of total density allowed on a property. Commissioner Wampler stated she is very interested in seeing a 'master list' that defines past TDR actions and the current development rights for all properties in the Valley. Mr. Ewert stated that would be determined at the time that an individual parcel sells or the development rights for an individual parcel are transferred. Existing transfers are available when viewing the data for individual parcels. Commissioner Wampler stated she simply wants to be sure that there is some sort of mechanism that can be reviewed to advise that the County has reached the maximum density upon the completion of TDR actions. Mr. Ewert stated that is available. He indicated that he will send to the Commission via email the documentation that he has prepared in order to facilitate discussion of TDR sending and receiving areas and suggested that the discussion of this issue continue in a future meeting after the Commission has reviewed the documentation on their own. He noted that he tried to hold true to the principals identified in the General Plan when developing the recommendations included in the documentation; the sending and receiving areas are very broadly defined. Chair Shuman stated that he would support broad sending areas, but would like to tighten the receiving areas. Commissioner Johnson stated that it may be more appropriate to keep the TDR receiving areas within the village areas of the Valley. Mr. Ewert stated that looks forward to discussing these ideas further in the Commission's next work session meeting.

**Meeting Adjourned: The meeting adjourned at 7:20 p.m.
Respectfully Submitted,**

Weber County Planning Commission