

Minutes of the Western Weber Planning meeting of October 9, 2018 held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1. Ogden UT at 5:00 p.m.

Members Present: Blake Hancock-Chair; Jennifer Willener-Vice Chair; Jannette Borklund, Greg Bell, Bren Edwards, John Parke, Mark Whaley

Staff Present: Rick Grover, Planning Director; Charles Ewert, Principal Planner/Long Term Planner; Steven Burton, Planner III; Felix Lleverino; Planner II; Tammy Aydelotte, Planner I; Matthew Wilson, Legal Counsel; Marta Borchert, Secretary

- Pledge of Allegiance
- Roll Call

Approval of minutes for August 14, 2018. On page 1 paragraph 1 Mr. Hancock should be Mr. Heslop. Page 2 paragraph 2 1.2 DR 2018-10 should be 1.1 LVD061218. Page 17 the first motion should be (3-1).

MOTION: Commissioner Edwards makes a motion to approve the minutes for August 14, 2018, with noted corrections. Commissioner Willener seconds. Motion carries (6-0) Commissioner Borklund was not present for this vote.

Director Grover Explains the process of the meeting and process to make the meeting more flow more efficiently and to treat everyone fairly. Director Grover explains the criteria.

2.1 CUP# 2018-10 Consideration and action on a conditional use permit application for a residential facility for four handicapped persons. Applicant: Shannon Wilkins

Mr. Lleverino gives an overview of the proposal. Mr. Lleverino turns the time over to the Applicants Shannon Wilkins and Zachary Eskaf.

Zachary Eskaf 5928 Skyline Dr. states that he is the Director of Quality Assurance. They are looking to have a fourth individual move in that has developmental disabilities.

Commissioner Borklund asks if they currently operating with three individuals. Ms. Wilkins states that they are and gives the Planning Commission some background regarding their program.

Commissioner Bell asks how many staff members are onsite. Ms. Wilkins states that generally there will always be one. It depends on the ratio per individual. The home in question has a 1-3 ratio, and there will always be one person there. Commissioner Bell states that his concern is regarding conditional use D. the off-street parking. It states that there be two parking spaces plus off street parking. One for each staff member. He asks how many parking spaces are there. Ms. Wilkins states that the driveway allows for four vehicles and there is also the garage. There would have to be more than five people parked there at a time for them to have to Park on the street. Commissioner Bell asks regarding Parking for the residents. Do they drive? Ms. Wilkins states that one individual has their own vehicle and a vehicle is provided for the staff to drive. At any given time, the most vehicles that would be there is three.

Commissioner Borklund asks where do visitors park. Ms. Wilkins states that they can park in the garage or the street. Commissioner Borklund asks if they are a private nonprofit or state agency. Ms. Wilkins states that they are contracted with the State of Utah.

Chair Hancock asks if there are any other questions for the applicants. There are none.

Mr. Lleverino goes over the recommendations.

Commissioner Borklund states that there are some conditions that Mr. Lleverino did not go over, she feels are important. There are some conditions that limit what they can allow with regards to a handicapped person, as opposed to housing as a halfway house or addiction recovery home. It is limiting the tenants to having a physical or mental handicap.

Chair Hancock opens for public comments.

Carla Prepejchal 2081 E 5950 S states that she lives around the corner from this facility from the home that has already been established. She is upset that she did not receive a notice, and neither did several other neighbors. There is supposed to be a 500 ft. radius for the notification. She is concerned because there are a lot of children in the area. She also has some concerns regarding the types of disabilities the three men placed in the residence have. She states that she does need to know, but she has a background in psychiatry. She is very concerned because she has four grandchildren in that area. She wants to know if the residents vetted, do they need to be on some type of registry. She does not have a problem with individuals with disabilities, but she does have a problem with not being notified because this is around the corner from her. She is concerned not knowing the type of individuals being placed in that home. She has concerns about something unthinkable happening one of the children in the neighborhood. She notes that she received a copy of the staff report for this item, which states that the notice requirement was met. There is a lot of people that did not receive a notice, nor were they notified that three people were already living there. She believes that you never know when something might trigger an incident; it is true for everybody but it is additionally true for individuals with disabilities. She believes they don't necessarily think rationally. She wants to know if the residents are going to be permanent residents at this location, or if they are going to be rotated. Will there ever be more than four residents? She feels the meeting just a technicality since the license has already been established? She wants to make sure the residents are vetted, and the staff is vetted. Ms. Wilkins stated that there would be staff at the residence all the time. Previously it was stated that the staff lives in the area but there are not there all the time. She would like clarification.

James Hunter 5864 S Skyline Dr. states that he is not opposed to people with disabilities being in the neighborhood. He just wants to know more. Are they required to be supervised on a 24-hour base? What are the requirements for the supervisor, do they get special training? There is no mention of requirements for sexual offenders. He states the residents have been living there for two months. He adds that one of the residents there makes him and his family uncomfortable. He has had a security system installed, because of the people who live there now. There is a resident that lives there that stares at them continuously. He believes that the individual is fixated on his wife. There was an incident where he and his wife were planting shrubbery in the back yard and the individual had a fake phone call going on while he was staring at his wife. He does not feel comfortable exiting through the back door, not know if they are staring at him and his wife. They don't feel comfortable in their own back yard. The thing that bothers him the most is what if this individual is the supervisor.

Mark Peterson 2072 E 5950 states that he is sympathetic to the organization. He would like to formally request that the Commission delay approval because not everyone received notification and it deserves more vetting. He states that to his understanding there will not be a person permanently on site. This is concerning, given the nature of the facility. There needs to be more vetting and background before the process moves forward.

Flora Hayes 5484 W 560 N states that she is a mother of a child that lives in a home such as this. He has three other roommates and the people there are amazing. She states that because of them she and her son have gotten their life back. He is 32 years old, and the people that run these types of place are amazing.

Gina Nielson 5925 Skyline Dr. states that a one-day notice for a meeting, that not everyone received notice of seems a bit deceptive. She states that to the organization in question if they want to be part of the community, be open and honest. She believes what they are doing is amazing, but she does not like it as a surprise. She states that she does not agree with the statement "not in my backyard" from some of the neighbors. Everyone needs to get together and vet the process more.

Timothy Foltz 5908 S Skyline Dr. states that he has been in contact with the people that live there. He assisted them when they moved in. He found them to be very nice people. He spoke to one of the Directors Steve, he is a nice fellow. Two of the gentlemen that live there he calls them by their first name. They are both very nice people. He has shared a bench at church with them on Sundays. He has a large garden and likes to share with the neighbors. There was an incident where he took some produce and cookies to them. As he stood at the door, he could hear a fast rush and the door jerked open quickly, and he was quite surprised by one of the residents that are there. He states that this frightened him. At the moment the door

was pulled open, one of the caretakers inside grabbed the man by the arm and pulled him back and had to use some strength. At that moment he heard a man inside of the home say "it's not a good time" at an elevated voice. This made him very concerned about the individual. He is nervous about some of the individuals that may be living there. Also, the same individual was at the church on Sunday and came around the corner quite rapidly with an individual close behind him trying to catch him. The individual ran right up into Mr. Foltz's face with stiff arms and frightened him again. There were some ladies in the hallway that were frightened also. There are concerns, he wants to make sure there is safety for the families in the area. He adds that he leaves his house at 5 in the morning and his wife is home alone. He wants to know that his family is safe and the children that walk down the street are safe. Regarding the parking, there is room for four cars in the driveway and there is room in the street, which is ample. He states that there isn't any use for the garage because it is filled with giant pallets inside, which is going to be used to build a mobile home to be pulled around. He adds that he is not sure if that is something they want in the neighborhood. He thanks everyone for listening and asks that they be considerate of neighbors.

Katie M 1625 South states that she doesn't have anything against someone with mental disabilities. One of her best friend's brothers is autistic. As he is getting older there are times when he has gotten aggressive. She states that she worries about her children because the home in question is right around the corner from a school. There is a lot of children that walk by there. She states that with one person it is difficult to control him and he is only thirteen. If Mr. Foltz was frightened by the incident that occurred to him, imagine how children might feel. There needs to be more than one person at this facility to watch four grown adults, especially if they are having issues with one of them already. There are children outside all the time. She adds that she is not against it but she doesn't want to be scared to have her children play outside or be approached by someone that makes them uncomfortable.

Joan Tonn 2086 E 5950 S states that she agrees with the comments that have been stated. She wants to know if they can be notified when new residents are placed at the house in question. They like to know when there is somebody new in the neighborhood. She adds she would appreciate it if they could keep them informed and be more neighborly.

Valerie Hansen 4540 W 1150 S states that she has had a hard time listening to some of the comments. At the age of fourteen of, she began working with people with disabilities as a volunteer. She has been an interpreter for the deaf, she has worked helping people get placed in homes. She has worked in schools helping people with disabilities get jobs. She states that if the neighbors of the residence in question want to welcome the individuals into the neighborhood; it is going to come down to communication. She would like to commend facilities that do this type of work. Regarding the training for professionals that work with people with disabilities, there are laws in place. Every year she has had to receive special training similar to what police officers get. There is ongoing training on other matters. If the neighbors want to welcome the individuals into the neighborhood, it should not come down to their race, gender, disability. They should be welcomed and the doors of communication need to be opened. These types of facilities are needed. According to the law, the least restrictive environment to be provided at any time. She has been abused by people with disabilities and has worked with severely autistic children, she has had a broken bone, bruises, but it is very rare. She has had her children around people with disabilities, it was a type of training. Her children would go into the classrooms and be taught by them. She states that they should not teach their children to be afraid of people with disabilities, or "the weird neighbors" because this will occur every day and everywhere. For the individuals that want to go against it, they need to look at the laws. The community needs to reach out not just the company.

Bruce Stratford 2285 Jennifer Dr. states he is the former owner of the home in question. When he started his career in law he worked for the department of youth corrections. He contracted for group homes. He believes that the use is needed. His concern is that the house is the configuration. Unless extensive remodeling has been done he is not sure the house is set up for this type of accommodation. He asks that the Commission take some time to look into it. He is also concerned that the house has been through several transactions, and it might just be an attempt to find a commercial use for a residence as opposed to a good facility that could accommodate the need. He states that the Commission needs to look at the accommodations and see if it is suitable for what is being proposed.

Director Grover states that regarding the notices sent out, it could have been due to Monday being Columbus day. There was no attempt to hide anything from the residents. Also, it was a courtesy notice that was sent out to people within 500 ft. He notes that the Planning Commissioners are welcome to table the item if they feel uncomfortable with it. It is important to note that in the Conditional Use Review there is a list of requirements that must be met prior to the approval of the proposed conditional use. Specifically regarding some of the concerns of the residents. "(L) No residential facility for persons

with disability shall be made available to any individual whose tendency therein would constitute a direct threat to the health and safety of other individuals or would result in substantial physical damage to the property of others." Also, it has been noted that the individuals can't be placed in this type of facility if they have a criminal record or violent tendency.

Shannon Wilkins states that 5928 Skyline Dr. states that she would like to apologize to anyone who felt they were not being neighborly. Normally it's their practice to introduce the individuals and help them become a part of their neighborhood and neighborhood activities. As it was mentioned two of the individuals participate in the LDS church and a regular part of the services there. There seems to be a lot of concern by the neighbors regarding the safety of both the staff and the individuals that live there. There is a vetting process, that excludes individuals that are violent, have destroyed property, or abuse alcohol and drugs. Staff is required by the State to undergo a criminal background clearance that is conducted by the State and the Office of Licensing. They are not allowed to be on the premises alone until the clearance has gone through. It generally takes them three or four weeks because it is an extensive process. Mr. Eskaf states that Utah is the only state that takes that long. He has worked in over 11 states, in Utah, it might take three or four weeks. In Pennsylvania, they can get it in 72 hours. Ms. Wilkins states that they do not discount the safety of the individuals in the neighborhood because they are also important, but their number one priority is to the safety of the individuals they are serving. This means that they will always have adequate staffing to ensure that they are not putting themselves in danger. She notes that regarding the Mr. Foltz incident, she believes that, it might just involve getting to know the individuals. They have never been violent and there is no real reason to conclude that they have any reason to question safety.

Zach Eskaf 5928 Skyline Dr. states that he would like to thank all the public for voicing their opinion, the Planning Commission for listening. The advocates, without them people with disabilities don't have a voice. He notes that the residents are permanent, very rarely do they need to make adjustments if something isn't working out. If there is a lot of complaints, changes can be made. He adds that at this point they don't anticipate this being the case. The plan is to have these four individuals living in the home permanently. There will never be more than four, and as it was stated previously they have to go through an extensive process. Regarding their supervision, they have to be within sight. Staff is required to complete more than 40 hours of training annually. This includes medication training, CPR, First Aid, Restraints, a fire escape plan, along with other various training. With regard to the question about sexual offenders, the individuals in the neighborhood are more than welcome to look at the registry online. They won't find any in registered to the home in question. He states that as far as being good neighbors as soon as everything settles down they usually do barbecues, and other neighborhood events, to get to know everybody. People from the community and commission are welcome.

Commissioner Borklund asks how long they have been operating with three individuals. Ms. Wilkins states that they have been there since August. Commissioner Borklund asks if it is a permitted use in the zone. Ms. Wilkins states that once it goes above three people it is a different licensing requirement. Under three it is considered a family home. With the certification included in the packet, the Fire Department and the Health Department have to check for safety. A person from the Division of Services with Disabilities and the Office of Licensing who is in conjunction with the Department of Human Services go out and inspect the home. They have a rigorous inspection list that is not just for the home, but also for staff training requirements. All of these requirements have been met. Mr. Eskaf states that regarding Mr. Stratford's comments about the suitability of the home, minor accommodations are made to the home, such as handrails, nonslip surfaces on the steps, and change hardwood to carpet. He adds that the individuals who move in need to feel at home, they get to decide if the home is right for them. They visit the home to make sure they are comfortable living there. He notes that he feels confident that the home is accessible to everyone that has been placed there. If someone ever needs a wheelchair, the proper accommodations can be made. Commissioner Borklund asks if they have 24-hour staff, do they live there? Ms. Wilkins states that staff doesn't live there, but there is always someone there. There is one individual who does not require 24-hour supervision, he does not need that level of care. The shift is from 2 to 10, and then there is nobody there to need the staff from 10 to 2. Mr. Eskaf states that for anyone who is nervous about this, they are encouraged to contact him or staff, he will give out contact information, to anyone who wants it. They are encouraged to report anything out of the ordinary. He states that he wants the neighbors to communicate with them, and reach out to them, the State or the Department of Human Services.

Commissioner Bell asks Director Grover if a condition can be added to the conditional use permit. Director Grover states that they can, as long as it is reasonable. Commissioner Bell asks if they can add the condition that they get the certificate for four individuals. Director Grover states that they can add this condition since it is required by the state. Ms. Wilkins states that

their license won't get approved until the business license through Weber county is approved. Commissioner Parke states that it can't be a condition of approval, because they can't get the license until it is approved.

Commissioner Borklund asks if there is any concern if it is tabled for a month, because of the notification. Ms. Wilkins states that she would like to have it be expedited because the fourth individual is ready to move into the home. He is ready and excited to move. His family is excited to have that support. She understands that the Planning Commission only meets once a month and the application was submitted last month the day after the meeting, so there has already been a 30-day delay.

Commissioner Parke asks if they can have Counsel review the notice requirement. Mr. Wilson states that State Law required 24-hour notice which can be satisfied by posting on the State website. With regards to the County Code section 106-1-6 Section B "*Public notice*. Notice of the proposed subdivision shall be mailed as a courtesy not less than seven calendar days before the planning commission's public meeting on the proposed subdivision to the record owner of each parcel within 500 feet of the property."

Commissioner Borklund states that this is for subdivision. She asks if it is different for conditional use permits. Mr. Wilson states that it is under general provisions in the Land Use Code. The mailing notice is courtesy it is not required. Chair Hancock asks if there are any further questions from the Planning Commission. There are none.

MOTION: Commissioner Bell moves to approve item 2.1 CUP# 2018-10 Consideration and action on a conditional use permit application for a residential facility for four handicapped persons, based on the conditions that each person occupying the home will be supervised on a 24-hour base. The landscaping and lawn care will be maintained consistent with the surrounding properties. The decision is based on the findings that the proposed use conforms to the 1970 South East Weber County Master Plan. The proposed use, if conditions are imposed, will not be detrimental to public health, safety, or welfare. The proposed use, if conditions are imposed, will comply with applicable County ordinances. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses. Commissioner Edwards seconds. Motion carries (7-0)

2.2 Consideration and action on a revision to the phasing plan of Sunset Equestrian Cluster Subdivision.

Steve Burton gives an overview of the proposal. The Planning office has received a request to make some changes to the phasing plan of the Sunset Equestrian Cluster Subdivision. The size and layout of the lots and the size and layout of the open space of the entire subdivision was approved as a part of preliminary approval. Approval was granted on December 12, 2017. The applicant is not proposing to change the layout of the lots or the widths. This is what the existing phasing plan is; it shows the existing trail, and in Phase 2 it excludes these lots, the existing sewer only allows for seven lots. Mr. Burton turns the time over to the applicant Chris Artell.

Chris Artell, 1294 Santa Anita Drive, Kaysville, states that because of the subdivision east of our property that didn't go in; they're requesting this change and they're doing it based on the available sewer. There is a main sewer pump that's going to go in, and they're still working with engineering to possibly change the location of that sewer pump station. After this phase that pump station will have to go in before any additional phasing comes in.

Chair Hancock opens for public comment. There is none

Mr. Burton states that no formal application was sent in for this item, because of the nature of the application there is no process for this. He states that for this reason he submitted a memo and recommends approved based on what the applicant has listed. There are no finding or file number for this item.

MOTION: Commissioner Edwards moves to recommend the Revision for the Sunset Equestrian Cluster Subdivision Phasing Plan. Commissioner Parke seconds. Motion Carries (7-0)

2.3 LVS091818: Consideration and action on a request for final approval of Sunset Equestrian Cluster Subdivision Phase 2. Applicant: Doug Nosler (Representative).

Steve Burton gives an overview of the proposal as listed in the staff report.

Commissioner Bell asks if the HOA has been established for this subdivision. Mr. Burton states that he will allow the applicant to answer this. He adds that they have received the documents that are required as part of the Cluster subdivision ordinance.

Commissioner Bell states that his concern because this surrounds the first phase that incorporates open space. As phase 2 is developed who will maintain that if phase 1 isn't established. Mr. Burton states that they will ensure that the HOA is established prior to recording phase 2.

Director Grover states that typically most CCNR's with PRUDS the developer is the acting HOA until a certain number of lots are sold. After a certain number of lots are sold they are required to have a president and board that acts and function.

Chris Artell 1294 Santa Anna Dr. states that the CCNR's were recorded and the HOA was established. They are working with Red Rock HOA management and at some point, it will be turned over to the residents.

Commissioner Bell states that during the pre-meeting there was discussion regarding the roads on 2200 S along 4300 W; that have been torn up for months. There was some concern expressed about approving Phase 2 in order to clean up those roads and if Mr. Artell could speak about that. Mr. Artell replies they've asked to move that along with improvements for asphalt on 2200 S with contractors in trying to get an asphalt tractor out there. He states that he believes the contractor is slow playing so that he can do the whole patch at once. Along 4300 it has been delayed because it's an old road. The irrigation company has wanted to attach the canal until they drained it, and they drained it on October 1st. Those pipes that are sitting onsite are now in the process of being laid out. Once the pipes are done and the 18-inch irrigation line goes in; then they are required to do asphalt. They would have like for this to be done sooner, but the schedule is set for two weeks out.

Commissioner Edwards asks Director Grover that he spoke with the Engineering Department, and they have run into some issue here. Would it be possible to put a condition on approval, where they are tying it to an existing street, that either road cuts go to the center of asphalt or center of the existing roadway, or as being necessary by the County Engineering Department? Commissioner Edwards believes that it would be better off for the county; more beneficial for that to be prepared in that way is that something could be put in as a condition. Director Grover replied he doesn't know if that is necessary; Engineering already has these standards in place that they look at an address as part of their review. There is also a financial guarantee in place to make sure that it does happen.

Chair Hancock opens up for public comment.

Shae Bitton, 4088 W 2200 S, states that regarding the road, she has called and they have promised that it would be done in two weeks. As for the what phase the Club House and everything is, she just wants to make sure that it's not the last phase. she believes in the Cluster Ordinance that it can't be in the last phase because all of the amenities will need to be provided. When the subdivision was being drawn up, they had a soil test done and there were several recommendations to make it so that sandy soil up there was fixed so that it wouldn't erode away. She has noticed that the water is flooding over there already.

Chair Hancock closed up for public comment.

Mr. Burton states that in reference to the last comment under the old cluster subdivision; there isn't anything that says they have to put certain open space in a certain time.

Commissioner Edwards asked is if that money is in escrow is also for those amenities, or will that come up at that time of that phase. Director Grover replies the landscaping is part of the requirement, but it does come at each phase.

Commissioner Bell states that he has a concern with moving forward on Phase 2 without having some kind of guarantee of this open roadway. He doesn't know what the process is to use that money to get the paving done. They were told that it would be two weeks and that promise has been given before. He just doesn't know what can be done to ensure that it's done prior to Phase 2. Director Grover states that he understands his concerns, especially in that area; however, per the ordinance the financial guarantee is awarded as a mechanism to ensure that it is put in. Typically, and historically they rely on the Engineering Department to decide at what point the trigger gets pulled; if they are going to move forward with those improvements and that they have the money to go in and act on that.

Commissioner Edwards stated I spoke with the Engineering Department with these same concerns, and that's why he brought up the condition of requiring them to pave as a necessary by the County Engineer. The county ordinance requires after a road is cut in 72 hours, they are required to have it patched. Speaking with the Engineering office, they said they would give them a leeway; because they were having them go extra width with the full width or half cross-section with these roads. That's why he brought it up the recommendation to take that burden off the County Engineers Office and put it as a condition in writing that they take that as being necessary. With that being a condition would be more on us, by putting that as a condition on the developer more so than the Engineering Department. Maybe we could go back and enforce the 72 hours, so they are patching the trenches and have some of the requirements that should be met. Director Grover replied as long as you can make in the findings, that condition is directly impacted towards Phase 2, that would be his recommendation.

MOTION: Commissioner Edwards moves to grant final approval for Sunset Equestrian Cluster Subdivision Phase 2, consisting of 16 Lots and 4 agricultural parcels. This recommendation for approval is subject to all review agency requirements and the following conditions: Guarantee of all improvements will be required prior to the recording of the final Mylar as outlined in LUC 106-4-3. That all road cuts or road improvements be reviewed by the County Engineer's office, and they will have the authority to deem widths of replacement there. This recommendation is based on the findings of the proposed subdivision conforms with the Western Weber General Plan, and with the recommended conditions of the proposed subdivision complies with county ordinances. No one seconds.

Commissioner Edwards states that in speaking with the County Engineers, they were asking more of the developer to full width. This is just putting in a requirement that they go that far. That gives the County Engineer office the ability to ask without having to feel like they are asking more of the developer. They can go back and enforce the 72-hour rule.

MOTION: Commissioner Borklund moves to grant final approval for Sunset Equestrian Cluster Subdivision Phase 2, consisting of 16 Lots and 4 agricultural parcels. This is subject to all review agency requirements including a financial guarantee of all improvements will be required prior to the recording of the final Mylar as outlined in LUC 106-4-3. This is based on the findings that the proposed subdivision conforms with the Western Weber General Plan, and with the recommended conditions of the proposed subdivision complies with county cluster subdivision ordinance. Commissioner Parke seconded. A vote was taken with Commissioners Willener, Borklund, Bell, Parke, Whaley, and Chair Hancock voting aye. Commissioner Edwards voting nay. Motion Carried (6-1)

2.4 CUP# 2018-06: Consideration and action on a conditional use permit application for a gravel crushing and soil conditioner manufacturing site located in the M-3 zone, at approximately 10485 W 900 S, Ogden. Applicant: Cody Turner

Steve Burton gives an overview of the application and proposed uses as listed in the staff report. Mr. Burton states that the applicant is not present and there is no representative present. The applicant has stated that they will have a building in the future that they will have a building with employees. A rendering has not been submitted regarding the building, based on this a condition of approval has been added. The applicant will be required to go through design review when he decides to build. The Planning Commission will take care of the design review to make sure that it does comply with the surrounding area specifically the building that is being proposed. Staff recommends approval based on the conditions and findings outlined in the staff report.

Chair Hancock asks if the Planning Commissioners have any questions.

Commissioner Bell asks what the current use of the land is. Mr. Burton states that it is vacant. Commissioner Bell states that he has noticed when driving by that they have been dumping material. He adds that he is not sure if they currently are doing this work. He asks if this a conditional use permit is to use the soil. Mr. Burton states that it is for the soil manufacturing and gravel crushing, but they are allowing to store equipment out there. He states that he is not aware of anything currently existing in the area. It is important to note that it is a manufacturing zone outdoor storage would be allowed.

Chair Hancock asks if there are any other questions or comments from the Planning Commissioners. There are none.

Chair Hancock opens for public comment. There is none.

MOTION: Commissioner Parke moves to approve CUP# 2018-06 Consideration and action on a conditional use permit application for gravel crushing and soil conditioner manufacturing site located in the M-3 zone, at approximately 10485 W 900 S, Ogden. This recommendation is subject to all review agencies and requirements and the following conditions. 1. The applicant must comply with all state regulation for gravel crushing and soil conditioner manufacturing. The future buildings and signage will be required as separate design review approval prior to building permit application submittal. The landscaping and hard surface parking are required to be installed prior to issuing a certificate of authenticity for future buildings. This recommendation is based on the following findings that proposal conforms to the Western Central General Weber County General Plan. The proposal will not be detrimental to the public health, safety, and welfare. The proposal will not deteriorate the environment of the general area so as to negatively impact the surrounding properties and uses. Commissioner Bell seconds. Motion carries (7-0)

2.5 LVS082218: Consideration and action on a request for final approval of Sun Crest Meadows Subdivision Phase 2. Applicant: Stan Nielsen and Dee Wight

Steve Burton gives an overview of the proposal. He states that the phase 1 approval was granted February of 2017 and consisted of 47 lots. It was a standard subdivision of 40,000 sq. ft. lots with 150 ft. of frontage.

Carson Jones 1106 W 4050 N states that this is just a continuation of the project. Going to the south this will sub into the southern border. It is pretty standard.

Chair Hancock asks if there are any questions from the Commissioners. There is none.

Mr. Burton states staff is recommending approval based on the findings and conditions in the staff report. In reference to the comments regarding secondary water or irrigation water, this is something that the Engineering division looks at.

Chair Hancock asks if there are any questions. There are none

MOTION: Commissioner Bell moves to approve Suncrest Meadows phase 2 consisting of 9 lots. This recommendation for approval is subject to all review agencies requirement and based on the following conditions that a guarantee of improvements will be required as outlined in LUC § 106-4-3. The recommendation is based on the following findings. The proposed subdivision conforms to the Western Weber General Plan. With the recommended conditions, the proposed subdivision complies with all applicable ordinances. Commissioner Edwards seconds. Motion carries. (7-0)

2.6 LVF071318: Consideration and action on preliminary approval of Fenster Farms Phase 2 Subdivision (8 lots). Applicant: Kenny Palmer (Representative)

Tammy Aydelotte gives an overview of the project. She states that in the previous meeting there was some concern regarding water, Engineering has since done a site visit. Chad Meyerhoffer was present in the pre-meeting. Hopefully, he addressed all the questions. Lot size and width all meet zoning. This is a standard subdivision. Culinary water is being provided by West Warren. The secondary water is being provided by Mountain View irrigation. There will be septic systems on each lot. She states that staff recommends approval based on all review agency requirements. She adds that Engineering will be addressing water issues and keeping an eye on drainage.

Kenny Palmer 3062 W 4375 S states that they are ready to go, and asks if they have any questions for him.

Chair Hancock asks if there are any further questions. There are none.

Chair Hancock opens to public comments. There is none.

Public comment is closed

MOTION: Commissioner Edwards moves to recommend preliminary approval of Fenster Farms subdivision phase 2 an 8 lots subdivision located at approximately 560 N 5500 W this recommendation is subject all review agency requirements. This recommendation is based on the following findings. The proposed subdivision conforms to the West Central Weber General Plan. The proposed subdivision complies with all applicable county ordinances. Commissioner Parke seconds. Motion carries (7-0)

Commissioner Bell states that he wants the homeowners in the area to hold County Engineering accountable. County Engineering has told the Planning Commission that they will review this item often and pay attention to the drainage. They also intend to deepen the flood basins. He states that they should be communicating with them if they have any concerns.

Legislative items

a. New Business

3.1 ZMA 2018-06: Public hearing regarding a proposal to rezone approximately 3.5 acres located at approximately 2220 E. Eastwood Drive from the RE-15 zone to the R-1-10 zone. Applicant: HCA Investments; Jeremy Jaggi (Agent)

Mr. Ewert gives an overview of the proposal. He states that this item is regarding the Uintah Highlands. When it comes to changes in the zones, it is important to look at The General Plan. This plan was adopted in 1970. He states that the plan was meant to cover 1970 to 1990, this does not mean it expired only that this was the plan for these time periods. It is also important to note that it is mostly built out. Up until now there really hasn't been the need for it, but there are some vacant parcels. He gives an overview of the land use masterplan. He states that the Planning Commission is being asked to forward a recommendation to the County Commission. The County Code requires that the General Plan is followed in making the recommendation. Staff is recommending approval based on the fact that the proposal follows the General Plan.

Commissioner Borklund states that it looks a bit isolated, she asks if it matters. She asks if it spot zoning. Mr. Ewert states that it is not spot zoning because it follows the General Plan. He states that according to the General Plan the hopes are that the other property owners in the area would ask for the same kind of zone.

Commissioner Edwards asks if there is concern regarding a road connecting through there and the layout in the packet shows a cul de sac. Mr. Ewert states that this is explained in the staff report. He is not recommending that this issue be addressed at this point. This would be addressed when a proposal gets submitted, by Staff. Blocks are required to be a certain length. There may be a requirement to put a through street in and any change to that would require a General Plan amendment.

Chair Hancock ask if this would be a change to the General Plan. Mr. Ewert states that in this case, it would be supporting the General Plan.

Chair Hancock asks if there are any further questions for Mr. Ewert. There are none. He asks the applicant to address the Planning Commission.

Jeremy Jaggi 6690 Willow Creek RD states he represents the landowner. The Uintah Highlands area is shrinking because 65% of the residents are 2 persons empty nesters. He adds that he is representing several people who hope to build new energy-efficient homes on smaller lots so that they may remain in the area. The proposed owners are in the audience and may be able to answer any questions. He states that this may be an important change because of the changing demographics in the area. This can be seen in the lower population in students in Uintah Elementary and the High Schools are shrinking from this represented area. Younger professional families want to move to the area but are not able to at this time. There are some

other owners who want a smaller footprint and want to stay in the area. He adds that they have spoken to local residents and they do not want a through road on Eastwood Dr.

Chair Hancock asks who Burton Trust are. Mr. Jaggi states that it is the landowner that he is representing.

Chair Hancock asks if there are any further questions for the applicant. There are none.

Chair Hancock open for public comment.

Les Greenhaugh 2244 Jennifer Dr. states that he represents all the property owners on Jennifer Dr. He has acquired signatures from all the residents with a few exceptions. Some of the same people also signed the petition for the rezone, this because they were deceived. He states that they feel that this rezone would have a negative impact on their properties. He adds that if this rezone is approved it sets a precedence to high-density housing and rentals. There are hazards included with this such as fires. The residents would like the Planning Commissioners to make a recommendation against this proposal and keep the zoning as is. He believes that this is all about money.

Bill Grilz 2232 Eastwood Blvd states that the lot in question is in his backyard. He adds that his lot is too big. H has also spoken to the neighbors and there are four or five that would be interested in being able to downsize to sell to younger families that could raise their children there. He is in favor of the redevelopment. He believes that it would benefit the community.

Dave Hardman 1235 E 5275 N states that he is representing the Bingham family trust. The property is on 2403 Combe RD. It is adjacent to the Burton property. They have a similar situation, Their family is older and there may come a time that his family might need to do the same. He states that the demographics of the community has changed dramatically. He believes that this could be a positive change.

Bruce Stradford 2285 Jennifer Dr. states that he is one of the landowners that is contributing to the development. Mr. Greenhaugh is one of his neighbors down the street and he appreciates their input. He is one of the individuals that showed off a subdivision plat. Mr. Greenhaugh is correct there is more money in more lots, this a part of development. He states that in his opinion there is a need in that area for these housing types. There have been some new homes added and they have been a great addition to the neighborhood that are on smaller lots. He agrees that some of the lots being proposed are odd, but he would like to speak in favor of the rezone. There are some tracks of land that are five to twenty acre lots. There has been some agriculture out there. The reality is that they need to look at a broader picture. It is not apartments that are being proposed, it is 400,000 dollar homes with smaller footprints. The whole Uintah Highlands area is in desperate need of infill. There are no children in the area. There is a need for housing diversity in the area.

MOTION: Commissioner Edward moves to close the public comment. Commissioner Bell seconds. Motion carries (7-0)

Commissioner Borklund states that she lives in that community, she can see both sides of the argument. She believes that considering future development R-1-10 is a better fit for the area.

MOTION: Commissioner Bell moves to forward a positive recommendation to the County Commission regarding item ZMA-2018-06. A proposal to rezone approximately 3.5 acres from RE-15 to R-1-10 at approximately 2220 E Eastwood Blvd. This recommendation is based on the following findings: 1. The Southeast Area Comprehensive Land Use Master Plan recommends the use and densities of the R-1-10 zone the proposed rezone will promote the health and safety of the general welfare of the general public by affording more affordable lot sizes in the surrounding zoning and the surrounding land use do not pose a conflict with the proposed zone and new uses of the proposed zone are anticipated to fit into the area harmoniously Commissioner Willener seconds. Commissioner Parke votes nay. Motion carries (6-1)

3.2 Public hearing for the following items:

- a. **GP#2018-05: A proposal to amend the West Central Weber County General Plan to allow for more commercial acreage on property at the intersection of 4700 West and 12th Street. This general plan amendment will consider commercial acreage for property on the west side of 4700 West. Applicant: Dennis Costesso**
- b. **ZMA 2018-07: A proposal to rezone approximately 10 acres located at approximately 4733 W 1150 S from the A-1 zone to the C-1 zone. Applicant: Dennis Costesso**

Mr. Ewert states that this is very similar to a proposal that was brought before the Planning Commission a few months ago. Mr. Castesso is looking to change the zone from A-1 to C-1 he has 10 acres of property. It might be better to add more definition of what the village center can look like. Looking at making changes to the General Plan it might be good to change some of the language to make it less passive. He adds that if there is a rezone there, there is no standard for commercial zoning to require an attractive commercial property. In the Ogden Valley, they have standards to help make things attractive, they don't have that out west at this point.

Commissioner Borklund asks regarding the commercial nodes versus the Village Center. Is there a definition of the Village Center? Mr. Ewert states that was a bit of inconsistency in terminology and he is just changing it to match so that it will make more sense.

Chair Hancock ask the applicant to address the Planning Commission.

Dennis Costesso 4206 W 1800 states that he owns the property being considered for the zone change. He notes that his father purchased that parcel in 1945 and provided a good living for him and his family. The area has experienced dramatic change since then and it should be expected to continue changing. He states that it is important to plan for the changes. He wants to make it clear that he has no plans to sell the property or discontinue renting it for agriculture purposes. It is his intention to will the land to his children and have them continue to lease it out until it becomes impractical. Because of the location the property is unique, it needs to be rezoned to take advantage of its full potential. He gives some examples of what could be placed on this land in the future. He states that this would be beneficial for the community. He adds that he was very lucky to grow up in the community and he wants nothing but the best moving forward.

Commissioner Willener asks what is the advantage of changing the rezone at this stage. Mr. Ewert states that this might be a better question for the applicant, but he believes that it would grant the rights and entitlements now. Commissioner Willener states that in order to accommodate the request they would need to amend the General Plan. Mr. Ewert believes that it boils down to is it the right time for this. It is a policy question for the Commissions and also for the Community. Are they ready for a change like this? Mr. Costesso states that after the zone change for Dan Baugh he believes it is a good time for this change. He adds that if it is done now it won't be a burden for his children.

Commissioner Edwards asks could the rezone be contingent on a development agreement and site plan approval before the zone change takes effect so that the Planning Commission can revisit it when the potential buyer wants to come in and develop there. Basically, it is an overlay so that it has the potential but is dependent on a development agreement and site plan approval. Mr. Ewert states that he has had experience with this, but he is not aware of how to do it. A development agreement that goes with a masterplan or master concept should come with the rezone not after the rezone and if it does come after the rezone it is an administrative action not legislative so the discretion to be flexible is gone. Commissioner Borklund asks if amending the plan has the same effect. Mr. Ewert states that it would be that type of effect but it would not give the entitlement. Once you give the zone you can't take it back. He doesn't want to speak for Mr. Costesso but if this was his land he would like to have his entitlement secured. Commissioner Parke asks if it makes more sense to postpone it and revisit it at a later date seeing that there is an intent to redo the General Plan. Mr. Ewert states that this is a great option but they need to think about the findings because the change was made for another person. It's important to remember the spot zoning, there is a need to be cautious. Commissioner Borklund states that this is an applicant that paid a fee and it's not fair to put it off for a year.

Commissioner Whaley asks what was recommended in the amount of acreage with the Dan Baugh property. Mr. Ewert states that the recommendation was for 10 acres. Commissioner Whaley states that personally he is against this, because of what is already there. If there is a General Plan coming up there ought to be more input. There is a high level of concern regarding changing zoning ordinances. It is a modification to the rules of the County not just to an area. Commissioner

Whaley asks if Legal Counsel if they know anything regarding granting and taking property rights. Mr. Wilson states that he is not there to advise the resident, as it stands he does not have the interest in the C-1 zone. Commissioner Whaley asks when a legislative body such as the County Commission uses the authority to appropriate a certain amount of property value to a particular area. He asks if there is a limit because it has gone from 10 acres to 45. Mr. Wilson states that there is right that can be implicated but first there has to be a deprivation of the right. He states that if they are implying that it was deprivation by granting it to the Baugh's that may be an issue but ultimately as it stands he doesn't have the interest in the C-1 zone there would not be a taking on a denial. Commissioner Whaley asks if they approve it then he has the right if they don't would it be a proposed taking. Mr. Wilson states that he does not believe it does because he doesn't have the interest and there has to be a deprivation of that right.

Commissioner Borklund states that with the asterisk the way that it is it makes it look like all four corners have that option, it needs to be changed so it includes the recent changes and identifies what it should say but take away the asterisk. Mr. Ewert states that this could be very beneficial. He states that this would be an easy motion to make.

County Commissioner James Ebert 1754 N 1350 states that he wants to give an explanation of how the County Commission came to the decisions that were made. He gives a general overview of the discussion by the County Commission. He states the General Plan very clearly creates a commercial or a village node from the 2003 General Plan. The overlay has not allowed the commercial plan to move forward it allowed fifteen acres it didn't say in the General Plan that it had to be three on each corner or four on each corner, but the general feeling was to provide some equity and the acreage be broken up on each of those corners. Mr. Baugh went in and had a discussion with them and stated that it was difficult to put a commercial development project on such a small piece of land. They would have to be larger for it work. This is a possible reason for the commercial part of that area not growing. The question for the County Commission was how to provide an environment for that commercial experience to happen with only fifteen acres and three or four acreage parcel for each of the corners. The second issue there was, was a request to only make fourteen or fifteen acres approved, this would be cutting Mr. Baugh's property in half. What staff had requested Mr. Baugh do was to create a development and layer some of the requirements in that zone which is residential, and it was surmised that residential would not build next to the railroad, so this removed any opportunity to have a useful use for that property. He states that they tried to follow the recommendations made by the Planning Commission, the problem with this is that there were mixed messages. The recommendation was to make the node work and make the zone work, but the zone did not allow. He states that they went back and forth on the issue but where they ended with a two to one was where the entire property to make it work was at a C-1. He adds that it was a long discussion. There seemed to be two competing interests and they were trying to figure out how to make it work. The fifteen acres were not going to provide the necessary property to allow it to occur and it was cutting property in half making half the property useless.

Chair Hancock opens the public comment.

Tom Favero 1295 N 4700 W states that the property for the Costessos and the Baugh has to be considered commercial property because it touches the railroad tracks. He has lived in the area his whole life. As he has grown up in the area he feels that there is no one who has given up as much as the Costessos, anytime a road was widened it was taken from the Costessos. Whether it be on 4700 or 1100, or 12th street. In the mid-'70s the Country Corner was placed on that corner. The corner that the Baughs have belonged to the Railroad it didn't matter what was given up there. The Costessos always had somebody taking more out of their front yard every time the road has widened the road from all sides. Now they are asking for the commercial zone, it is the Counties turn to give. It would be an asset to the community to have a commercial center. It would be nice to have something there instead of having to go to Ogden for groceries. He asks that they make it so that the Rauzi's can do the same in the future. The side by the railroad tracks that is trapped by the 12th street is not good for housing or anything else other than commercial or retail. He also asks that they don't put a limit on what a village is. There needs to be enough that it attracts people. Small shops can make enough to make a living. Mr. Castesso is trying to plan for the future. He wants to do the right thing for the community.

Jill Hipwell 858 S 3600 W states that she was at the last meeting and if Mr. Costesso had brought the proposition up then she would have been okay with it because it was still within the plan. She walked out of the meeting with the impression that the whole 15 acres were going to be in one spot and the conversation would be brought up again once the General Plan was reviewed. This needs to be held back until the whole community is on board. This opening it up for others to come forward

and ask for more acres. She has brought up public notices many times; She asks why there isn't signage posted like CUP's. It would be good for the community to know what is going on.

Sam Cooper 4972 W 2200 S states that he has lived in that area for seventeen years. It makes it difficult for business to be limited in advance. He appreciates Mr. Favero's understanding of business. With all the subdivision that are being placed out there, where are they going to get their groceries and gas? It would be great to be proactive instead of reactive. For those who have the environmental concern, how much gas and diesel is being used to go into town. With regards to the Kent's that was placed in Plain city, there was a lot of discussions when that was put in, now everybody loves it. It is not a good idea to limit the commercial zones in that area, there is going to be a lot of families coming in with the new subdivisions there is going to be a demand for it. It would be well worth it to move forward with this decision and not hold back for another year.

Les Meyerhoffer 1348 S 3500 W states that he and his wife currently own the property west of the Rauzi's. He is not opposed to the rezoning. He just wants to make sure it is streamlined for the other owners. He adds that his property is split between A-1 and A-2.

Shae Bitton 4088 N 2200 S states that in the General Plan it says it is a guiding document adopted by a community to help decision-makers to help evaluate the development proposal and implement the desired future of the community. It looks in general at a larger year. It determines the kind of land uses. This General Plan is old. Regarding Mr. Cooper's comment about being proactive, she does not feel that they are limiting the owners who are requesting changes, it is fair because the area is still growing. The General Plan needs to be updated but they need to take the time to do it right. It was not fair to change the zone and not notify the public. She agrees that the commercial needed to be rezoned. She is okay with the growth there is a need, but it needs to be done the right way. She feels that the best thing to do is to deny the rezone right now. Sometimes life isn't fair, the Costesso's have had their land taken but redoing the plan would make it fair for everybody. It would benefit everyone in the area instead of picking and choosing. She adds that she is very disappointed in the County Commissioners and not looking into the future. They could have just postponed it and redid the General Plan. It would be fair and a better option for all of the community.

County Commissioner James Ebert 1754 N 1350 W States that he would like the Planning Commission to please forward something that they don't have to debate, tear apart to make it work. He states that he agrees with Ms. Bitton the General Plan is a guide and a tool to help the Commission's make better decisions. It is a document that can become convoluted and staff has to interpret what was is trying to be accomplished with the intent language. He adds that where it got confusing was there was intent language in the guiding document that stated this is where the commercial should be centered so that it's not scattered all over. Regarding the overlay, the 15 acres aren't attached to any type of research. It seemed to be an arbitrary type of number. He wants everyone to know that what the County Commission did was forward thinking. It was understanding what the General Plan was trying to accomplish in commercial growth and how to provide the infrastructure to create commercial growth. It is important to understand demand and traffic patterns. He asks that the Planning Commissioners understand the intent of the General Plan and please forward something that meets the intent of the General Plan because the General Plan is an instrument that guides to a destination.

Tom Favero 1295 N 4700 W states that his grandfather bought 250 acres, and in the 70s. Later people started buying 5 – acre lots after that it was the 1 acre lots. Now there have been a lot of the new people who have gotten up and talked. They say that this is a change that is not needed. He believes that it would still be a great farming community if all the new people stayed in town. They did not stay in town and now there is a need for commercial centers and places for people to shop. For anything to succeed in the area, there needs to be a lot of in and out traffic. Looking at the demographics of that map there is no other good area for commercial use. He reiterates that nobody wants to be up against the railroad tracks. That area is not going to be good residential. He asks that the Planning Commission give Mr. Costesso his commercial zoning and if he wants to pay the upcharge on the commercial zone that is his business. It is no more than fair and if the Rauzi's want to do it in the future that's fine. He adds that there should not be an overabundance of it but they can go in for a rezone when they are ready. Up against the tracks is better planning. He feels that Weber County has always been behind. It should be done now so that it can be in place for future development.

Brent Hipwell 585 S 3600 W states that he agrees with his wife Jill Hipwell. He also agrees with Ms. Bitton. He wants to disagree with Commissioner Ebert regarding leaving the decision up to the Commission. When the General Plan was written all the resident have a voice. It took two years to get the wording down it is a lot of work that is being neglected. There might

be a new General Plan and maybe everyone on 4700 would like to see some commercial ground. He is all for that if that is what everybody out there wants. The consensus of the residents out there is that they put the General Plan together as guidelines for the people who have been elected, they feel completely ignored. He adds that a lot of those rezones including the Baugh area should have been postponed until the General Plan could be redone and people from the entire area, not just five miles and word of mouth Warren, West Warren, Reese and Taylor. The whole unincorporated Weber County need to get together and establish a new General Plan.

Shae Bitton 4088 N 2200 S states that she just wants to reiterate that she does not mind the commercial rezone. All she is saying is that the General Plan should be redone. Mr. Costesso isn't going to use it right now for commercial use. She asks where is the stopping point.

MOTION: Commissioner Edwards moves to close the public hearing. Commissioner Bell seconds. Motion carries. (7-0)

Mr. Ewert states that if the Planning Commissioners are looking to make changes the smaller and easier the changes are the easier it is for staff.

Commissioner Willener states that she has not been able to attend all the meetings. She agrees with the direction that this taking. Being on the Commission to provide recommendations to the County has been difficult because of the outdated General Plan. They agree that the General Plan needs updating and they feel limited by it. They have also heard from the community that it is a sacred document and it should not be changed. There have been conflicting opinions from the community that should be taken into account. It is important to keep in mind that the Planning Commission is obligated to respond in a timely manner. The Planning Commission has to be able to move forward and make decisions in the absence of a General Plan revision. In this regard, there is a lot of uncertainty. With this in mind, there are applicants who have paid the fee and submitted a request. Commissioner Borklund adds that they have heard "there is going to be a new General Plan in the next two years" for about six years. Commissioner Willener states that while she appreciates the need and the desire for the community to hold action until the General Plan is updated this doesn't seem realistic, given that there is an applicant present with a request. She adds that she appreciates Commissioner Ebert's explanation on their decision, what was reiterated was that the parcel is landlocked by a road and railroad. It is not desirable for any kind of agriculture, that being said the commercial should stay together. She likes the proposal to have a 45-acre piece divided among the four corners of the intersection. In order to access the commercial, there is going to be a need for land. There has been discussion regarding parking on 12th street and she feels this is a dangerous place to put parking and pedestrian access to a commercial zone. When it comes to these proposals it's important to think about safe access to the commercial facilities.

Commissioner Bell asks if there is any new information regarding the General Plan update. Director Grover states that he has had a discussion with the County Commissioners and a budget is going to be approved soon. He adds that they have discussed different options, but there are no definite answers yet.

Commissioner Bell states that he conflicted with this issue because Mr. Costesso was at the meetings concerning the Baugh's property and he indicated then he had no interest in rezoning commercial. He asks how the General Plan going to be redone if there is just going be amendments being pushed through a little at a time. He adds that he does agree that this is the best area for commercial. He feels that the community feels the same way, they only disagree with the method used to be placed there. Regarding County Commissioner Ebert's comments about being forward thinking and making sure there is a demand driven by the housing; he is not aware of any evidence that 45 acres of commercial land can be supported in the area. There is information regarding the sustainability of that commercial land. This gives him the impression that the General Plan should be updated before anything else is done with that area. He asks where does it end. A General Plan update would help confines those developments.

Commissioner Whaley states that the Planning Commission is an interface between the County Commission and the public. He agrees with the comments that the General Plan be updated before moving forward. Commissioner Bell states that he agrees and it is easier to up zone than to down zone. If all the people come forward to get a rezone and it contradicts the new General Plan, how do they take all that back? It would be better to see the hard data first.

Commissioner Edwards states that if a business comes in a does studies they will decide if it's a good place for commercial. If the changes are made to the zone that does mean that there is going to be a store, there tomorrow. Growing up in that

community there is no better place out there for the commercial. There has been a lot of change, and it's going to keep changing.

Commissioner Borklund states that as a minimum there is a need to remove the asterisk.

MOTION: Commissioner Borklund moves to recommend approval of the General Plan amendment to make all four corners of 45 acres the same. According to figure 2. Commission Edwards seconds. Commissioner Borklund votes Aye.

Commissioner Edwards votes Aye. Commissioner Bell votes Nay. Commissioner Hancock votes Nay. Commissioner Willener votes Nay. Commissioner Parke votes Nay. Commissioner Whaley votes Nay. Motion is denied (2-5)

Commissioner Parke states that he agrees with the Commissioners that there is no better place for the commercial in the area. He agrees with County Commissioner Ebert when he said 8,000 minds are better than 7. It would be better to involve the entire community. He adds that they have the ability to change the General Plan but that does not mean that they should. The applicant has no immediate desire to change the use of the land. He doesn't see where anyone is penalized by waiting.

MOTION: Commissioner Parke moves to recommend denial of items a. GP#2018-05: A proposal to amend the West Central Weber County General Plan to allow for more commercial acreage on property at the intersection of 4700 West and 12th Street. This general plan amendment will consider commercial acreage for property on the west side of 4700 West. b. ZMA 2018-07: A proposal to rezone approximately 10 acres located at approximately 4733 W 1150 S from the A-1 zone to the C-1 zone. Subject to a new General Plan being made. This recommendation is based on the findings that it doesn't comply with the General Plan and the Planning Commission would like to get public input for this decision. Chair Hancock seconds. Commissioner Edwards votes Nay. Commissioner Edwards votes Nay. Commissioners Whaley, Hancock, Bell, Willener, Borklund, Parke Vote Aye. Motion carries (6-1).

Chair Hancock states that he made an informal survey with the public and some were more concerned with property rights versus keeping it rural. He feels that if Mr. Castesso had asked for the rezone with somebody lined up to buy the property he would have voted yes. Where it is just making a change and there are no immediate plans to make changes with the General Plan update hopefully coming up it very likely that Mr. Costesso will receive the rezone at some point.

Commissioner Parke agrees and states that he fully supports the commercial. He just feels that they are going about it the wrong way. I was denied so that the public could have input.

Commissioner Edwards states that regarding the Weber Visioning meetings this year there is only a small portion of people who go out to those meetings. He adds that he feels that all they are doing is delaying the inevitable. He doesn't understand why they are holding Mr. Costesso up if everybody agrees that this is where the commercial should be. Chair Hancock states that they could allow the Rauzi's and other owners rezoned at one time, so there is no need for them to come back. He adds that they have different views on the General Plan but everyone wants the same thing. Commissioner Edwards states that it is a living document and it's meant to be a guide. He states that he doesn't see the difference between this proposal and the Baugh proposal that was approved recently. Commissioner Bell states that this is a significantly bigger rezone based on the input and the impact on the community. The General Plan needs to be updated.

Director Grover states he would like to be respectful of the Planning Commissioners time. Typically, there is an 8:30 cut off but there is one more item that did have notices sent out and is imperative for the state. He adds that the work session can be postponed. He asks if they would like to entertain it or if they want to table it to the next meeting. Chair Hancock states that they would like to move on with the meeting.

3.3 GP#2018-04: A public hearing regarding a proposal to change the Western Weber County Resource Management Plan and the Ogden Valley General Plan specifically related to forest firefighting management of roadless areas on Forest Service Land. This amendment is focusing on the County's limited role in offering the state and the forest service guidance as to appropriate forest management principles. Applicant: Weber County

Charles Ewert gives an overview of the proposal and some of the issues associated. The states has asked that the County identify how to designate the categories in the area. These categories are Primitive areas, Forest Restoration Areas, Forest Stewardship and Boundary Adjustment/ Rei-inventory Areas. He gives an explanation of the types of roads that can be built in each area. He explains the roadless map. He that a road this a something a vehicle can drive on and not a trail.

Chair Hancock open the public comment. There is none.
Public comment closed.

MOTION: Commissioner Parke moves to recommend approval GP#2018-04: a proposal to change the Western Weber County Resource Management Plan and the Ogden Valley General Plan specifically related to forest firefighting management of roadless areas on Forest Service Land. This amendment is focusing on the County's limited role in offering the state and the forest service guidance as to appropriate forest management principles. This recommendation is based on the findings that 1. The amendment will offer necessary forest management guidelines for the State and Federal Government. 2. The County supports States efforts to better manage public lands. 3. The street adjacent and waterway- adjacent trails pathways have significant public support. 4. The changes are in the best interest of the public. Commissioner Bell Seconds. Motion carries (7-0)

Public Comment for Items not on the Agenda-There is none.

Remarks from Planning Commissioners-Commissioner Edwards asks that staff work with the Engineering staff about adopting an ordinance that clarifies for developers when they add roads or add a curb and gutter. Mr. Wilson states that with regard to this he may want to refer to the County 18-7-12. He adds that it does spell out that if the cut is more than a quarter of the road they need to resurface the area of the road.

Planning Director Report- Director Grover states that they appreciate their comments and he believes it was very healthy dialogue. He feels that the Planning Commission did a good job.

Remarks from Legal Counsel- Mr. Wilson agrees that the Planning Commission did a good job.

Adjourn to Work Session.

WS1: A discussion regarding the creation of commercial design standards for the Western Weber County Planning Area.-
Postponed

Adjourn-9:15pm

Respectfully submitted

- Marta Borchert