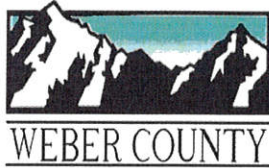


AMENDED



OGDEN VALLEY PLANNING COMMISSION

REGULAR PLANNING AGENDA\WORK SESSION

April 7, 2020

4:30 p.m.

To join meeting please navigate to the following web link at the time of the meeting;  
<https://zoom.us/j/212186934>

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

Consent Item:

1. Approval of the February 4, 2020, February 25, 2020 and March 3, 2020 meeting minutes
2. Approval of the Rules of Order

Regular Session:

1. Consideration and action on a conditional use permit to raise an existing 40-foot cell tower by 14 feet, add 4 new antennas, and a new equipment shelter to make an existing site co-locatable.

Work Session:

WS1: Discussion regarding amendments the Weber County Code, Sections 108-16 and 110-2 to clarify Ogden Valley outdoor lighting and illuminated sign allowances. Staff Presenter: Scott Perkes

WS2: Discussion regarding amendments to setbacks in the CV-1 and CV-2 code.

WS3: Discussion regarding amendments to the subdivision code regarding substandard streets.

WS4: Discussion regarding a proposed accessory dwelling unit ordinance.

WS5: Discussion regarding transferable development rights ideas and future code proposal.

WS6: Discussion regarding the planned residential unit development (PRUD) code.

*The regular meeting will be held VIRTUALLY via Zoom Video Conference. Please access this VIRTUAL meeting by navigating to the following weblink in a web browser: <https://zoom.us/j/212186934>*

*A Pre-Meeting will also be held VIRTUALLY through the same weblink listed above at 4:30 p.m. The agenda for the pre-meeting consists of discussion of the same items listed above, on the agenda for the meeting.*

*No decisions are made in the pre-meeting, but it is an open, public meeting.*

*In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791*

Minutes of the Ogden Valley Planning Commission Meeting for February 4, 2020 in the Weber County Commission Chambers, commencing at 5:00 p.m.

**Present:** Bob Wood, Acting Chair, John Howell, Chris Hogge, Shanna Francis, Steve Waldrip arrived at 6:20 p.m.

**Absent/Excused:** Jeffry R. Burton and John Lewis

**Staff Present:** Charlie Ewert, Principal Planner; Courtlan Erickson, Legal Counsel; Scott Perkes Planner, Angela Martin, Lead Office Specialist,

- Pledge of Allegiance
- Roll Call:

**1. Minutes: Approval of the January 7, 2020 and January 28, 2020 meeting minutes**

Commissioner Francis made a motion to table the January 7, 2020 meeting due to not having enough Commissioners that did not attend the meeting. Commissioner Hogge seconded the motion. Chair Wood, Commissioners Howell, Hogge and Francis all voted aye. (Motion carried 4-0). Commissioner Francis made a motion to approve the January 28, 2020 minutes, Commissioner Hogge seconded the motion. Chair Wood, Commissioners Howell, Hogge and Francis all voted aye. (Motion carried 4-0)

Commissioner Hogge made a motion to move Agenda #6 to #2, Commissioner Francis seconded the motion. Chair Wood, Commissioners Howell, Hogge and Francis all voted aye. (Motion carried 4-0)

- 6. Planning Director Report:** Mr. Ewert introduced Daniel Stringham from Weber County IT Department. Daniel did a presentation and training on the new FRONTIER Software for Building Permits and Planning Projects. He explained how to log in to the system and download documents. Daniel did let the public know that building permit plans are going to be private, so the public will not be able to look at them. There was a brief discussion from the public. Commissioner Howell thanked Daniel Stringham for all his hard work.

Brian Keith from Envision Homes asked why the subcontractors has to be filled out. Sometimes those subs will change. Daniel told him that he could back in the program and change that information when needed.

- 2. ZTA2020-01: Discussion regarding a proposal to amend the Weber County Code, Sections 108-16 and 110-2 to clarify Ogden Valley outdoor lighting and illuminated sign allowances.**

Scott Perkes, Planner discussed the proposed changes to the Ogden Valley outdoor lighting and illuminated sign allowances. This item is discussion only.

Janet Muir was concerned with security cameras with integrated lights that are not night sky compliant.

Commissioner Francis wanted more information on the types of security cameras with integrated lighting. Staff discussed researching these types of cameras to determine if additional language is required to mitigate the potential lighting impact.

Ron Gleason commented on why there hasn't been a committee started for the Dark Sky Ordinance. Staff said that the County Commission isn't ready to put that in place right now.

The Planning Commission was happy with the proposed changes and will look forward to the next regular session to review final edits and entertain a recommendation to the County Commission.

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

- 5. Remarks from Planning Commissioners. None**

7. Remarks from Legal Counsel, None

Meeting Adjourned: The meeting adjourned at 7:10 pm

Respectfully Submitted,

*Angela Martin*

Angela Martin, Lead Office Specialist  
Weber County Planning Commission



Minutes of the Ogden Valley Planning Commission Work Session Meeting for February 25, 2020 in the Weber County Commission Chambers, commencing at 5:00 p.m.

**Present:** John Lewis, Chair; John Howell, Chris Hogge, Shanna Francis, Jeffry R. Burton

**Absent/Excused:** Bob Wood and Steve Waldrip

**Staff Present:** Charlie Ewart, Principal Planner and Scott Perkes, Planner; Courtlan Erickson, Legal Counsel; Angela Martin, Lead Office Specialist

- Pledge of Allegiance
- Roll Call:

**WS1. Reduce the side yard setback, and require a complete street design in the CV-1, and CV-2 Zones**

Mr. Ewert discussed the purpose of the CV-1 and CV-2 zones is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of the Ogden Valley in unincorporated Weber County. It is also to separate, into two commercial zones, uses based upon the type of activity which are compatible and complementary, as well as the intensity of land utilization and accessory use needs.

The CV-1 Zone (Neighborhood Commercial) has been established for the purpose of providing shopping facilities and services within neighborhoods in the Ogden Valley, primarily for the convenience of people living in a neighborhood. The types of goods and services which may be offered for sale have been limited to "convenience goods" such as groceries, drugs, and personal services such as a barber and beauty shop, distinguished by the fact that the principal patronage of the establishments originates within the surrounding neighborhood. Consequently, other uses such as automobile sales, furniture, and other stores, in which the principal patronage originates outside the surrounding neighborhood, have been excluded from the CV-1 zone. The maximum size of a CV-1 zone node shall be approximately five (5) acres exclusive of minimum lot widths and areas. The CV-2 Zone (General Commercial) has been established for the purpose of providing a broad range of commercial services and goods to serve a larger region of the county like the Ogden Valley. Areas with CV-2 zoning have a principal patronage which originates throughout the Ogden Valley or is due to recreation in the Ogden Valley. CV-2 areas are to be a commercial hub or node of activity. These areas, as outlined in the General Plan, are to be near the traditional town centers of the Ogden Valley and not to be strung out along the highways. Uses in the CV-2 Zone may provide goods and services not typically found amongst commercial areas within resorts including automobile sales and service, sporting goods, service stations, hotels, and professional offices.

The changes on this ordinance would be front and side yard setbacks would be zero. This would also be adding a requirement of a complete street design for all commercial operations and commercial expansions that exceed 25%.

There was a discussion about creating an easement into the neighboring property for maintenance on the commercial buildings.

There was a discussion on road widths, foot traffic and parking in the Village Areas. All the utilities will be underground in these zones.

Commissioner Francis said maybe there should be an Activity Center or maybe a place for Concerts. The parks are always so full on the weekends.

**WS2. Discussion regarding a proposal to amend the Weber County Code, Sections 108-16 and 1102  
Clarify Ogden Valley outdoor lighting and illuminated sign allowances.**

Scott Perkes provided an overview of the proposed amendments to the Commissioners who were not in attendance for the last regular meeting where this item was discussed. Mr. Perkes presented research on the various types of motion sensor light sources and security cameras as requested during the prior meeting. He explained the commercially available outdoor camera systems with the integrated light sources do not exceed the maximum lumen out put under the exemption language and as such, no additional amendments are proposed to address these types of cameras.



There was some discussion regarding motion sensor control light source triggering and shielding. Commissioners wanted to clarify that these types of lights would not detect motion from outside of their property line and that the light would not trespass beyond property lines.

Commissioner Burton was concerned about using section 102-4-4 for the enforcement of this ordinance going forward, as it doesn't provide any courtesy letters prior to the issuance of a formal violation.

Staff will make edits to the proposed ordinance as discussed and will present a final draft at the next upcoming meeting for consideration and recommendation.

WS3. Public Comment for Items not on the Agenda. None

WS4. Remarks from Planning Commissioners. None

WS5. Planning Directors Report

WS6. Remarks from Legal Counsel. None

WS7. Adjourn

Meeting Adjourned: The meeting adjourned at 8:05 pm

Respectfully Submitted,

*Angela Martin*

Angela Martin, Lead Office Specialist  
Weber County Planning Commission

Minutes of the Ogden Valley Planning Commission Work Session Meeting for March 3, 2020 in the Weber County Commission Chambers, commencing at 5:00 p.m.

**Present:** John Lewis, Chair; Bob Wood, John Howell, Chris Hogge, Jeffry Burton, Shanna Francis

**Absent/Excused:** Steve Waldrip

**Staff Present:** Rick Grover, Planning Director; Steve Burton, Principal Planner; Felix Lleverino, Courtlan Erickson, Legal Counsel; Angela Martin, Lead Office Specialist

- Pledge of Allegiance
- Roll Call:

**1. Approval of the August 6, 2019 and January 7, 2020 meeting minutes**

Commissioner Wood made a motion to approve the August 6, 2019 and January 7, 2020 minutes. Commissioner Howell seconded the motion. Commissioners Howell, Hogge, Burton, Francis, Wood and Chair Lewis voted aye. (Motion carried)

**2. Administrative Items.**

**2a. CUP# 2020-02: Consideration and action on a conditional use permit application for an accessory apartment located at 4884 E 2800 N, Eden**

There was no public comment on this item.

Commissioner Howell made a motion to approve CUP# 2020-02: Consideration and action on a conditional use permit application for an accessory apartment located at 4884 E 2800 N, Eden, subject to Staff recommendations and findings. Commissioner Hogge seconded the motion. Commissioners Burton, Howell, Hogge, Francis, Wood and Chair Lewis voted aye. (Motion carried)

**2b. CUP# 2020-03: Consideration and action on a conditional use permit application for snowmaking and ski run Expansion at Nordic Valley Ski Resort**

Braden Fesler, GM for Nordic Valley stated that snowmaking is an important part of the resort. The resort can bring revenue to the Ogden Valley. They addressed increasing parking and having parking attendants to help with overflow parking. He also addressed the restroom issues. They are trying to get self-contained restrooms to mitigate that issue. It will take us some time to get the parking issue taking care of it won't be overnight, but it might take us up to 5 years.

Commissioner Howell asked how they are going to get the cars off parking on the road. Mr. Fesler said they are going to work on that and we try to get those moved as soon as we can.

Commissioner Francis asked what the decimal levels for the snowmaking equipment. Mr. Fesler said that the new snowmaking equipment is very efficient and didn't know what those levels are.

Bruce Keswick stated that a comprehensive geological study and survey is needed before any clearing\construction to plan the exact locations of all of the elements such as runs, towers and drainage. How will snowpack runoff be controlled so the properties below are not washed away or flooded? He also wanted to know about the noise and lights from nighttime grooming, snowmaking or skiing will be mitigated.

Jeff Stokes claimed that there was not enough water for this expansion. He handed a letter from the State to Mr. Grover.

Kenny Wright stated that all of our families have learned how ski on this mountain for years. All ski resorts have parking issues. He said he has seen it at Deer Valley and Snowbasin.

Elizabeth Keswick stated that the Ogden Valley General Plan Chapter 2 Vision statement begins as follows:

*"The rural character of Oden Valley is defined by its open fields, agricultural lands, stands of trees, peace and quiet, dark skis, clean air and water, abundant wildlife".* Due to the proposed expansion, stands of 100+ year old fir trees are threatened, Wildlife habitat will be reduced, neighborhood peace and quiet will forever disappear as skiers, snowboarders traverse the new runs, and potential summer mountain bikers use the trails, fewer trees will remain and more asphalt will be required thus increasing the carbon footprint not to mention more water and more cars and trucks. The proposed use will deteriorate the environment and negatively impact the surrounding area.

There were comments made by the neighbors on lack of restroom facilities, water, lighting, hours of grooming the hill, parking and snowmaking machine noise. Here is a list of names that participated in the discussion.

Jeff Clark, Richard Schneider, Ron Gleason, Miranda Menzi.

Commissioner Burton made motion to approve CUP# 2020-03: Consideration and action on a conditional use permit application for snowmaking and ski run Expansion at Nordic Valley Ski Resort. Subject to staff recommendations and that the findings of this approval conforms to the Ogden Valley General Plan. That the approval will not be detrimental to public health, safety and welfare, will comply with applicable County ordinances and will not be deteriorate the environment of the general area so as to negatively impact surrounding properties and uses. Additional conditional that the operations meets State and County water requirements, staff be tasked with investigating appropriate number of restrooms and their locations and also staff investigating additional parking requirements. Also a recommendation of reviewing engineering staff requiring and mitigating stormwater drainage from the hill and the drainage plan not drain on nearby properties. Commissioner Hogge seconded the motion. Commissioners Burton, Hogge, Wood, Francis, Howell and Chair Lewis voted aye. (Motion carried)

**2c. UVM 122019, AAE 2019-09: Consideration and action on a request for preliminary and final approval of Monastery Cove Phase 2, consisting of nine lots, with a request for alternative access approval**

Mr. Lleverino gave a power point presentation to show where the proposed subdivision is. In addition, where the alternative access will be. He also showed where the proposed wells will be located.

The property owners in Phase 1 of Monastery Cove Subdivision stated that when they purchased their property they were told Phase 2 of Monastery Cove Phase 2 could never be developed until their lots received secondary water. They were told this by the Real Estate Agent as well as by the participating Homeowners Association Board Members at the time of purchase. The Homeowners in Phase 1 would like staff to look at the minutes to see if they could find anything about not developing Phase 2. The Homeowners were all in agreeance with the secondary water issue and also public safety for the children on the roads and that roads need a lot of work done on them. Here is a list of the property owners that had the same concerns. Dale Larve, Beverly LaRocque, James Green, Cinthia Irvine, Nicole Hayes, Jessica Shuman, Kay and Dan Kilgore, Corey Shuman, Mike Pace, Dan Wallwork, Mr. Woodring, Darren Funk, Mike Manfull, Ed Makner, and Zachary Johnson, Linda Jones, Mart Cook, Dawn Mendez, Darrell LaRocque

Shawn Durrant stated that the Planning Commissioners should give the petitioner a chance to prove that this development will work.

Curtis Hyde, Developer for Phase 2 explained that he knows there has been issues but they have been working through those. He said that the Fire Marshall said that all the homes in Phase 1 have to be sprinkled. Mr. Hyde said the water will be coming from the wells on each lot for secondary and culinary.

Commission Francis made a motion to table UVM 122019, AAE 2019-09: Consideration and action on a request for preliminary and final approval of Monastery Cove Phase 2, consisting of nine lots, with a request for alternative access



approval until the March 24, 2020 meeting so that staff can look at the past minutes in Phase 1. Commissioner Howell seconded the motion. Commissioners Burton, Hogge, Wood, Francis, Howell and Chair Lewis voted aye. (Motion carried)

**3. Legislative Items**

**3a. Public Hearing: ZTA 2020-1 Discussion and decision regarding a proposal to amend the Weber County Code, Sections 108-16 and to clarify Ogden valley outdoor lighting and illuminated sign allowances.**

This item will be heard on the March 24, 2020 meeting agenda

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

- 5. Planning Director Report.** Mr. Grover stated that because of the virus that is going on the Conference in Houston maybe cancelled.
- 6. Remarks from Legal Counsel.** Mr. Erickson told the Planning Commissioner's had some hard decisions but did a good job.

**7. Adjourn**

Commissioner Howell made a motion to adjourn and Commissioner Hogge seconded the motion. Commissioner's Francis, Burton, Howell, Hogge, Wood and Chair Lewis voted aye. (Motion carried) Meeting adjourned at 8:35 pm.

Respectfully Submitted,

*Angela Martin*

Angela Martin, Lead Office Specialist  
Weber County Planning Commission

**RULES OF ORDER**  
**WEBER COUNTY PLANNING COMMISSIONS**  
April 2020

**A. ORGANIZATION**

1. Appointment of Chair and Vice Chair

The Commission, at its first regular meeting in January of each year, shall select a Chair and Vice Chair who may be elected to succeed themselves for one additional term only.

2. Chair - Duties

(a) The Chair shall preside at all meetings of the Commission providing general direction for the meetings, assuring proper order of the Commission and public in all proceedings. Such duties shall include:

- i. Announcing the business before the Commission in the order in which it is to be acted upon;
- ii. Receiving and submitting in the proper manner all motions and propositions presented by the members of the Commission;
- iii. Putting to a vote all questions, which are properly moved, or necessarily arise in the course of proceedings and to announce the result thereof;
- iv. Informing the Commission, when necessary, or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon Legal Counsel for advice;
- v. Maintaining order at the meetings of the Commission;
- vi. Moving the agenda along, holding down redundancy, referencing handouts and procedures in a sensitive way during meetings;
- vii. Recognizing speakers and Commissioners prior to receiving comments and presentations of physical evidence, i.e., plans and pictures; and
- viii. Receiving documents or other physical evidence as part of the record.

(b) It shall be the duty of the Chair to authenticate by signature when necessary, or when directed by the Commission, all of the acts, orders and proceedings of the Commission.

(c) The Chair may rule out of order any comment which is irrelevant, personal, or not pertinent to the matter being heard.

3. Duties of the Vice Chair

The Vice Chair, during the absence of the Chair, shall have and perform all the duties and functions of the Chair.

4. Temporary Chair

In the event of the absence of, or disability of both the Chair and Vice Chair, the Commission shall elect a temporary Chair to serve until the Chair or Vice Chair so absent or disabled shall return, or the disability shall be removed, as the case may be. In such event, the temporary Chair shall have all the powers and perform the functions and duties herein assigned to the Chair of the Commission.

5. Secretary - Duties

The Planning Director or his designee shall serve as secretary of the Commission. The secretary shall have the following duties:

- (a) Give notice of all Commission meetings as hereinafter provided; attend every meeting of the Commission, to record for the record all members in attendance, to read communications, resolutions and other papers which are ordered to be read by the Chair of the meeting, and to receive and bring to the attention of the Commission messages and other communications from other sources;
- (b) Keep the minutes of the proceedings of the Commission and to record the same;
- (c) Keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission; and
- (d) Perform such other duties as may be required by these rules.

**B. CONDUCT OF MEMBERS OF THE COMMISSION**

1. Addressing Members

Commission members shall be addressed as "Commissioner" or Mr. or Ms. and their last name.

2. Preparation

Members of the Commission shall take such time as necessary to prepare themselves for hearings and meetings. If members visit a site or have familiarity with a site, they shall disclose any observations.

3. Members Shall Attend Meetings

Every member of the Commission shall attend the meetings of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the secretary. The secretary shall call the same to the attention of the Chair. If a member of the Planning Commission is absent from three consecutive regular or work session meetings or four regular or work session meetings within a calendar year without being excused by the Chair, the Chair may recommend to the County Commission that the member be removed from the Commission for cause. A member may be removed from office for misconduct or failure to comply with attendance requirements by an affirmative vote of the majority of the County Commission.

Planning Commission members shall attend required training.

4. Conflict of Interest

A Planning Commission member with a conflict of interest in a matter before the Commission shall state that such a conflict of interest exists and withdraw from participation in the public hearing, work session or regular meeting on such matter. A member of the Planning Commission who feels he/she, or any other member of the Commission, may have a conflict of interest on any matter that is on the Commission agenda shall explain the possible conflict to the Commission. The Commission shall then vote to decide whether an actual, apparent, or reasonably foreseeable conflict of interest does exist, and whether the Commissioner should withdraw from participation and voting. If a Commissioner has a conflict of interest, that person shall not participate in the discussion and voting on that matter, nor attempt to use his/her influence with other Commissioners before, during or after the meeting. A Commissioner who has a conflict of interest shall leave the Commission Chamber during the time in which the matter in question is being discussed and voted upon.



(a) Disqualification

No member of the Planning Commission shall participate in the discussion of an application or vote on an application for any action when any of the following conditions exist:

- i. Any of the following have a direct or substantial financial interest in the proposal: members of the Planning Commission or the member's spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which the member is then serving or has served within the past two (2) years, or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
- ii. For any other reason, the member has determined that participation in the decision cannot be in an impartial manner.

(b) Disclosure of Potential Conflict of Interest

Whether or not he/she is disqualified, a public official shall disclose any potential conflict of interest as required by state law.

(c) Ex Parte Contacts

An ex parte contact is any communication with a party or person outside of a planning commission meeting regarding administrative applications. Commissioners are not to engage in these communications. Anyone speaking to Commissioners on administrative matters should do so at a regular meeting so their comments, concerns, and evidence are on the public record. Communications regarding legislative matters are generally permitted.

Planning Commission members shall reveal any pre-meeting or ex parte contacts with regard to administrative matters at the commencement of the public meeting on the matter. Prearranged private meetings between a Planning Commissioner and applicants, their agents, or other interested parties are prohibited. Partisan information on an application received by a Planning Commissioner whether by mail, telephone or other communication should be made part of the public record. If such contacts have impaired the member's impartiality or ability to vote on the matter, the member shall so state and shall abstain.

(d) Planning Commission Members Wishing to Give Comment

A member who desires to make comments at a meeting may do so only after declaring intent to comment, abstaining from voting on the proposal, and vacating the seat and physically joining the audience. Before commenting, the Commission member shall make full disclosure of his/her status and position at the time of addressing the Planning Commission and disclose that the person is commenting as an interested member of the public and not in his/her capacity as a member of the Commission; upon commenting the member shall leave the Commission Chamber during the time in which the matter in question is being discussed and voted upon. If a member is an applicant, he / she can fully participate in the matter.

(e) Gifts and Favors. Gifts and favors standards are found in UCA 67 16 5. No public officer or employee shall knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift, compensation or loan for themselves or another if it tends to influence them in the discharge of duties. Exceptions to this are: an occasional non-pecuniary gift, having a value less than \$50 or an award publicly presented in recognition of public service.

(f) Treatment of Information. Reports and official records of a public planning agency must be open on an equal basis to all inquiries. Planning advice should not be furnished to some unless it is available to all. All reports in an official meeting agenda are public information. Communication with planning staff members is not an ex parte contact and is allowed.

(g) Political Activity. Membership in a political party and contributions to its finances or activities are matters of individual decision that should neither be required of nor prohibited to Planning Commissioners. The extent of participation in political activities should be governed by professional judgment as well as limited by any applicable civil service law or regulation. The special position of a Planning Commissioner should not be used to obtain contributions or support for a political party and should not be used to obtain partisan favors.

## C. MEETINGS

### 1. Place

Meetings of the Commission shall be held in the Weber County Commission Chambers on the first floor of the Weber Center Building, Ogden, Utah, 2380 Washington Blvd., Ogden. If the Chambers is not available on those dates, then the meeting may be held in another room of the Weber Center Building or at such other place in Weber County as the Commission may designate. A meeting having been convened at the place designated, may be adjourned by the Commission to any other place within Weber County for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place.

### 2. Regular Meetings

Regular meetings of the Western Weber Planning Commission shall be held on the second Tuesday of each month at 5:00 p.m. Field trips may be held on the second Tuesday of each month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held then a pre-meeting will be held at 4:30 p.m.

Regular meetings of the Ogden Valley Planning Commission shall be held on the fourth Tuesday of each month at 5:00 p.m. Field trips may be held on the fourth Tuesday of each month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held then a pre-meeting will be held at 4:30 p.m.

The date of the regular meeting may be changed by the majority of the total membership of the Planning Commission provided at least one week notice is given each member of the new date of a regular meeting.

### 3. Special Meetings

A special meeting may be called at any time by the Chair or by a majority vote of the Commission at any regular meeting of the Commission. Notice shall be given to each Commission member of the time and purpose of every special meeting of the Commission at least twenty four (24) hours prior to such meeting. Such notice shall be delivered to each member of the Commission personally, or may be given by telephone to the member of the Commission. Such notice may also be given by United States Mail, directed to the member of the Commission so to be notified at the member's residence and mailed not less than three (3) days prior to the time fixed for such special meeting. It is specifically provided, however, that any member may, in writing, waive prior notice of the time, place and purpose of such meeting; and such waiver, if made, shall be deemed a waiver of prior notice of the time and purpose thereof.

4. Meetings - Matters Considered

Any matter pertaining to the affairs of the Planning Commission and falling within the authority and jurisdiction of the Commission may be considered and acted upon at any regular meeting of the Commission.

5. Quorum

Four members of the Commission shall constitute a quorum thereof for the transaction of all business except where unanimous consent of all members is required. An abstaining or disqualified member of the Planning Commission shall not be counted as if present for purposes of forming a quorum. Except as otherwise specifically provided in these Rules, a majority vote of the Commission members present at a meeting shall be required and shall be sufficient to transact any business before the Commission. If a quorum is not present, the Chair shall call the meeting to order, announce the lack of a quorum, and adjourn the meeting.

6. Work Sessions

A regular work session of the Western Weber Planning Commission shall be held on the second Tuesday of each month at the hour of 5:00 p.m.

A regular work session of the Ogden Valley Planning Commission shall be held on the first Tuesday of each month at the hour of 5:00 p.m.

Work sessions may be held as part of a regular Commission meeting or called in the same manner as a special meeting in order for the Commission to discuss matters at greater length or to obtain additional background information. The Commission shall take no vote during such work session, except to give directions to Staff regarding the presentation of options for future consideration.

7. Open Meetings Law

All meetings of the Planning Commission shall be open to the public. All meetings of the Planning Commission shall be noticed in conformance with the requirements of the Open and Public Meetings Law of the State of Utah.

8. Length of Meetings

At 8:30 p.m. the Planning Commission will finish the item presently being considered. All items remaining to be heard will be forwarded to the next agenda for consideration.

9. Electronic Meetings

The Utah Open and Public Meetings Act allows public bodies to hold electronic meetings, subject to certain requirements. The Planning Commission hereby adopts the following rules to allow electronic meetings and govern their use. If future changes in state law conflict with these rules, the conflicting provisions of the new state law shall be automatically incorporated into these rules by reference, superseding the conflicting provisions of these rules, until the rules can be amended to conform to the new state law.

(a) The Planning Commission will only hold an electronic meeting in the following circumstances:

1. A matter coming before the Commission requires prompt attention;
2. The Planning Director or designee determines that there will not be a quorum present for the next meeting unless the Commission allows one or more members to attend electronically; and
3. The Chair, or the Vice Chair in the absence of the Chair, determines that all items on the proposed agenda are appropriate for discussion and action in an electronic meeting.



- (b) Electronic meetings will originate from an “anchor location,” as required by state law. The anchor location will be the regular meeting location in the Weber Center, 2380 Washington Blvd., Ogden, Utah. As with regular meetings, interested persons and members of the public may attend and monitor the open portions of the meetings at that location.
- (c) In accordance with state law, public notice shall be given as required for a regular meeting, including posting written notice in the Weber Center. This public notice shall be given no less than 24 hours before the meeting. Notice of the electronic meeting shall also be given to members of the Commission at least 24 hours before the meeting and shall include a description of how the members will be connected to the electronic meeting.

**D. PROCEDURE - ORDER OF BUSINESS**

1. Order of Business

The order of business in the Commission shall be as follows:

- (b) Chair opens the meeting and welcomes those in attendance
- (c) Pledge of Allegiance
- (d) Roll call. At all meetings before proceeding to business, the roll of the Commission members shall be taken and the names of those present and those absent shall be entered on the record.
- (e) Approval of minutes of prior meetings
- (f) Planning Director reads opening meeting statement
- (g) Chair asks commissioners if there are any exparte communications or conflicts of interest to disclose
- (h) Consent Agenda
- (i) Petitions, Applications and Public Hearings
  - 1. Administrative Items
    - a. Old Business
    - b. New Business
  - 2. Legislative Items
    - a. Old Business
    - b. New Business
- (j) Public Comment for Items not on the Agenda
- (k) Planning Commission Remarks
- (l) Planning Director Report
- (m) Legal Counsel Remarks
- (n) Chair Adjourns Meeting

2. Agenda for Meetings

The secretary shall prepare a written agenda for each meeting as far in advance thereof as possible. The secretary shall make every effort to deliver the agenda, along with Staff Reports and related documents, to the members of the Commission at least seven (7) days in advance of a regular meeting.

3. Approval of Minutes from Prior Meetings

The Chair shall ask the Commissioners if they have had the opportunity to read the minutes and if there are any additions or corrections. Upon hearing from the Commission, the Chair shall declare the minutes approved either as presented or amended. If the Commission has not had an opportunity to review the minutes, approval shall be postponed to the next meeting.

As an alternative procedure, the Commission may approve minutes through email communication, when requested by staff or by any member of the Commission. When such a request is made, the secretary shall send the draft minutes to all Commission members. After all members who were present at the meeting have responded, and after a majority of those members have given their approval, the Chair may declare the minutes approved. Otherwise, the minutes shall be placed on the next meeting agenda for approval. If minutes get approved through email communication, the approval shall be stated on the record at the next meeting.

4. Deadline for Agenda

Requests to be on a Planning Commission agenda shall be filed thirty (30) days prior to consideration by the Planning Commission. The Planning Staff shall certify completeness of requests. Certified requests which have been filed in a timely manner shall be placed on the agenda. The deadline may be waived by the Planning Director if he/she determines that good cause exists for waiving the deadline, the application is complete, and determined that Staff has sufficient time to analyze the request, adequately prepare a Staff Report and give proper notice.

5. Special Order of Business

The Commission may suspend the rules as to the order of business, or return to an order already passed, on a motion supported by a majority of the members present.

**E. ORDER AND DECORUM**

1. Order of Consideration of Items

The following procedure will normally be observed in a public hearing or other matter before the Commission; however, it may be rearranged by the Chair for individual items, if necessary, for the expeditious conduct of business:

- (a) Chair introduces item;
- (b) Abstentions, conflicts of interest and challenges are entertained and any declaration of conflicts of interest and ex parte contacts;
- (c) Staff makes a presentation on the criteria, standards, and recommendations;
- (d) Applicant or applicant's agent presents evidence for the proposal;
- (e) Any opponents and/or proponents may comment;
- (f) Planning Commission members may question staff, applicant, or opponents on all the above;
- (g) Applicant's rebuttal if requested;
- (h) Closing of the public hearing, if applicable;
- (i) Concluding comments of Staff or Staff summary and recommendations;
- (j) Motion is made and seconded; the Planning Commission discusses the item and votes. Members are allowed to openly discuss the proposal and may further question any party appearing for or against the proposal as necessary, but generally questions should be asked while the public hearing is open. The Chair outlines possible actions: approval, disapproval, continue, or approval with conditions.

2. Consideration of Items

All parties shall have an opportunity to be heard, to present and rebut evidence before an impartial tribunal, to have the proceedings recorded, and to have a decision rendered in accordance with the facts on record and the law.

The Chair of the Planning Commission shall have authority to:

- (a) Regulate the course and decorum of the meeting.

- (b) Dispose of procedural requests and similar matters.
- (c) Set reasonable time limits for individual public input, oral presentations, questions, and rebuttal information.
- (d) Question any person appearing, and allow other members to question any such person.
- (e) Waive, at his/her discretion, the application of any rule herein where the circumstances of the hearing indicate that it would be expedient and proper to do so, provided that such waiver does not act to prejudice or deny any party his/her substantial rights as provided herein or otherwise by law.
- (f) Take such other action as authorized by the Planning Commission to appropriately conduct the hearing.

A ruling of the Chair may be challenged by any member of the Planning Commission present at the hearing. The challenge must be seconded. A ruling may be reversed by a majority of the members present and voting. A tie vote upholds the Chair's decision.

3. Time Limits

The Chair may impose equitable time limits, if deemed necessary for the expeditious conduct of the public hearing.

4. Conduct of Persons before the Commission

Proceedings shall at all times be orderly and respectful. The Chair may refuse to recognize or exclude from the hearing anyone who:

- (a) Is disorderly, abusive, or disruptive.
- (b) Takes part in or encourages audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive to the hearing.
- (c) Comments without first receiving recognition from the Chair and stating his/her full name and residence.
- (d) Presents irrelevant, immaterial, or repetitious evidence.

Persons making presentations or providing comments to the Planning Commission shall address the Commission from the podium or microphone and not from the audience; shall address all comments to the Planning Commission; and may not directly question or interrogate other persons in the audience.

**F. PROCEDURE - MOTIONS**

1. Making of Motions

Upon review of the full public record on a request and due deliberation among the members of the Planning Commission, any Planning Commissioner, except for the Chair, may make a motion; however, any Planning Commissioner may second a motion. The motion shall include not only the direction of the motion, but shall also include the recitation of specific findings of fact supporting such motion. A second shall be required for each motion citing compatible findings. Other members of the Commission may support the motion adding compatible findings. A motion shall die in the absence of a second. Discussion of the motion should not take place until it has been seconded and the Chair has stated the motion and called for discussion.

2. Withdrawing or Modifying a Motion

- (a) When a motion has been made but not yet stated by the Chair, whether or not it has been seconded, it can be withdrawn or modified by the mover if the member simply says, "Chair, I withdraw the motion."
- (b) If the mover wishes to modify his/her motion, he/she should specify the modification. Any member may suggest that the mover withdraw or modify his/her motion, but only



- the mover may do so.
- (c) If a motion is modified before being stated by the Chair, the second may withdraw his/her second.
  - (d) After the Chair states a motion, it is the property of the Commission. It can be withdrawn or modified at any time before voting by a majority vote to withdraw or modify.
3. Motions in Order During Debate  
When a question is under debate, no motion shall be received except:
- (a) To fix the time to adjourn;
  - (b) To adjourn;
  - (c) To continue, table, or postpone indefinitely to a specified time;
  - (d) To amend; to substitute;
  - (e) Refer to committee;
  - (f) Previous question (immediately close debate);
  - (g) Limit or extend limits of debate;
  - (h) Take a recess;
  - (i) Call for orders of the day;
  - (j) Suspension of the rules;
  - (k) Appeal rulings by the Chair;
  - (l) Reconsider an undebatable motion.
4. Motion must be Germane  
No motion or proposition on a subject different from that under consideration is in order and no such motion or proposition shall be admitted under color of amendment.
5. Motions to Deny  
Where a motion to deny a request has been defeated, a member of the Commission shall make another motion to dispose of the issue.
6. Substitute Motions  
A motion to amend by striking out an entire section or paragraph of a main motion and inserting a different section or paragraph is called a motion to substitute. Substitute motions shall supersede the main motion upon receiving the approval of a majority vote.
7. Amendments  
All amendments must relate to the same subject as the original motion, resolution, proposition or ordinance. All amendments to the main motion require a second. If any amendment is offered, the question shall be first upon the amendment. An amendment may be tabled without prejudice to the main motion or question. When an amendment is proposed to any pending measure shall be laid on the table, such action shall not carry with it or prejudice such measure. If any amendment be offered, the question shall be first upon the amendment.
8. Friendly Amendments  
A Commissioner may make a friendly amendment without a formal motion with unanimous consent of the members present. Typically, such motions are appropriate for clean-up items or an issue discussed but inadvertently neglected by the maker of the motion.

## **G. PROCEDURE - RECONSIDERATION**

### **1. Motion to Reconsider**

A motion to reconsider must be made in the same meeting as the motion that was voted on. It

can only be made by a member who voted on the prevailing side and must be seconded. Any Commission member, regardless of vote on the main motion, may second the motion. It is a debatable motion. It can be made to a vote that was either affirmative or negative. This type of motion proposes no specific change in a decision but simply proposes that the original question be reopened. It requires a majority vote and cannot be reconsidered.

#### **H. PROCEDURE - DEBATE**

##### **1. Interruptions and Questions**

No member of the Commission shall interrupt or question another Commissioner without obtaining the Commissioner's consent. To obtain such consent, the Chair shall be addressed requesting to interrupt or ask a question; e.g., "Chair (name) I would like to ask Commissioner (name) a question or make a comment." The Commissioner speaking has the discretion to allow an interruption.

#### **I. PROCEDURE - VOTING**

##### **1. Roll Call on Final Passage**

The vote upon the final passage of all business shall be by aye (yeses) and nay (no's) given by members of the Commission by voice vote. In recording votes on roll call, the secretary shall record and report those absent or not voting. The Chair shall announce the result.

##### **2. Minute Approval**

The Chair shall ask the Commission if they have had the opportunity to read the minutes and if there are any additions or corrections. Upon hearing from the Commission the Chair shall declare the minutes approved either as presented or amended. If the Commission has not had an opportunity to review the minutes, approval shall be postponed to the next regular meeting.

##### **3. Voting or Changing Vote Before Decision Announced**

On any such vote any member may change his/her vote before the decision of the question has been announced by the Chair unless the member has the permission of the Planning Commission by general consent or motion if a member objects.

##### **4. Voting or Changing Vote After Decision Announced**

When a vote is taken on roll call on any question, no member shall be permitted to vote or to change his/her vote after the decision is announced by the Chair.

5. Commission Members Required to Vote - Late Voting

No member may abstain from voting unless there is a conflict of interest except as noted below. A member entering the Chamber after the question is put and before it is decided, may have the question stated, record his/her vote and be counted. A member who has not been present during the discussion of any matter and feels he/she has insufficient information on which to act may abstain.

6. Tie Votes

If a motion regarding any matter before the Commission receives an equal number of votes in the affirmative and in the negative, the motion fails. The Commission shall continue to make motions until a majority vote is obtained. The option of continuing an item with the possibility that an odd number of members of the Commission would be at a subsequent meeting may be considered.

7. Explaining Vote

After the vote is taken, any member of the Commission desiring to explain his/her vote shall be allowed an opportunity to do so.

8. Not to Vote Unless Present

No member of the Commission shall vote on any question unless the member shall be present when the vote is taken and when the result is announced. No member shall give his/her proxy to any persons whomsoever.

**J. DOCUMENTS OF THE COMMISSION**

1. Any and all materials submitted to the Planning Commission regarding a request shall be entered into the public record by the Chair by indicating that the material is "accepted for the record;" provided, however, that the Staff Report submitted to the Planning Commission as part of the agenda shall automatically become part of the public record.
2. All notices, agendas, requests, agency or consultant letters or reports, Staff Reports, minutes of meetings, and resolutions of record shall constitute the documents of the Planning Commission and shall be indexed as public record.

**K. AMENDMENT**

These Rules of Order may be amended at any meeting of the Commission held after not less than fourteen days written notice of the proposal to amend the Rules, upon a majority vote of all the members of the Commission.

Adopted Rules of Order may be amended at any regular meeting by a vote of the majority of the entire membership; or if the amendment was submitted in writing at the previous meeting, then they may be amended by a two-thirds vote of those voting, a quorum being present.

**L. RECORDING OF RULES - COPIES TO BE FURNISHED**

These Rules, and all subsequent amendments thereto, shall be recorded by the secretary in the book kept for the recording of such business and shall be furnished to each member of the Commission.

Effective Date:

Effective Date:

---

John Lewis, Chair  
Ogden Valley Planning Commission

---

Bren Edwards, Chair  
Western Weber Planning Commission





## Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Consideration and action on a conditional use permit to raise an existing 40-foot cell tower by 14 feet, add 4 new antennas, and a new equipment shelter to make an existing site co-locatable.

**Agenda Date:** Tuesday, April 07, 2020

**Applicant:** Craig Chagnon, Agent for AT&T

**File Number:** CUP 2019-15

#### Property Information

**Approximate Address:** 546 Ogden Canyon

**Project Area:** 1056 square feet

**Zoning:** Forest Residential (FR-1 Zone)

**Existing Land Use:** Dwelling and a Public Utility Substation.

**Proposed Land Use:** Dwelling and a Public Utility Substation.

**Parcel ID:** 20-138-0001

**Township, Range, Section:** T6N, R1E, Section 18

#### Adjacent Land Use

<b>North:</b>	Residential	<b>South:</b>	Forest
<b>East:</b>	Residential	<b>West:</b>	Residential

#### Staff Information

**Report Presenter:** Felix Lleverino  
fleverino@co.weber.ut.us  
801-399-8767

**Report Reviewer:** SB

### Applicable Ordinances

1. Title 104 Zones Chapter 13 Forest Residential (FR-1 Zone)
2. Title 108 Standards Chapter 2 (Architectural, Landscape, and Screening Standards)
3. Title 108 Standards Chapter 4 (Conditional Uses)
4. Title 108 Standards Chapter 7 (Supplemental Regulations: Sale or Lease of Required Space)
5. Title 108 Standards Chapter 10 (Public Buildings and Public Utility Substations and Structures)

### Development History

The original CUP to construct this cell site was approved on April 27, 2010, with the file number CUP 2010-03.

An amendment to the original CUP that is similar to what is being proposed today was unanimously approved on March 10, 2015. Due to external circumstances, it has yet to be built and the conditional use approval has expired.

### Background

The applicant is requesting approval of a Conditional Use Permit to raise an existing 40-foot cell tower by 14 feet, add 4 new antennas, and a new 22-foot by 12-foot equipment shelter to make an existing site co-locatable. The 1,056 square foot leased cell tower location will be on property at 546 Ogden Canyon. This property is lot 2R of the Sleepy Hollow Subdivision 1<sup>st</sup> Amendment. All proposed exposed equipment, mounts, and cables will be painted to match the existing facilities. This site is in the Forest Residential (FR-1) zone.

The leased area will be screened by a 6-foot tall wood fence along with 9-foot tall evergreen trees. This shelter is a standard issued facility that will house generators and other machinery essential for adequate cellular communication service. The applicant has worked with the property owners by including their stealth pole design for these facilities. The 54-foot

monopole will have a corten (rusted steel) color, and a texture like the bark of a tree. It is not a pine tree design with tree branches.

This site did receive a 10-foot variance from the Board of Adjustment (BOA #2010-02 on 3-11-2010) for the front yard setback, to allow these new facilities to be 20 feet from the front lot line. Sleepy Hollow Subdivision 1<sup>st</sup> Amendment that was recorded on April 26, 2013, expanded the lot boundary thereby allowing more space to the south of the substation. The site expansion will extend eastward and will continue to conform to the minimum setback requirements for a public utility substation.

The staff has concluded that this application does comply with the following requirements:

- Meeting the access and setback requirements for a Public Utility Substation Title 108 Chapter 10
- Meeting the height and setback requirements for public utility substations Title 108 Chapter 10 (Public Buildings and Public Utility Substations and Structures)
- Meeting the requirement to be of a stealth design by utilizing textured bark-like material for the monopole. The antennas and hardware will all be painted mate gray and black to match the existing tower.

### Summary of Planning Commission Considerations

**General Plan:** As a conditional use, this operation is allowed in the FR-1 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

**Zoning:** The FR-1 Zone allows a "public utility substation" as a conditional use and this proposal meets the use and setback requirements for the FR-1 zone and BOA 20 foot front setback

**Conditional Use Review:** The cellular site is anticipated to have minimal negative impacts from noise, dust, vibration, etc. There are no lights associated with this site. To reduce the visual impact, the 54-foot monopole will have a Corten (rusted steel) color, and a texture like the bark of a tree. The 4 new antennas will be painted to match the existing (see page 10).

#### Sec. 108-4-4. - Decision requirements.

- (a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to substantially mitigate the reasonably anticipated detrimental effects of the proposed use following the standards of this chapter, or relevant standards or requirements of any other chapter of this Land Use Code. When considering any of the standards, the land use authority shall consider the reasonably anticipated detrimental effects of the proposed use in the context of current conditions and, to the extent supported by law, the policy recommendations of the applicable general plan.
- (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

**Architectural, Landscape, and Screening Standards:** This site meets all architectural styles, setbacks, and height regulations. The conditions established by the applicable review agencies must be complied with for this conditional use permit to be granted.

**Design Review:** The cellular site is consistent with the architectural and site development requirement as sited below:

- **Consideration related to Screening.** The site is screened by a line of tall trees and is mostly concealed from Ogden Canyon Road (see the Area Map).
- **Considerations relating to traffic safety and traffic congestion.** Traffic safety hazards and congestion are not anticipated with this project. The cell site is 129 feet from Ogden Canyon Road and accessed via a dirt driveway that terminates at the site.
- **Considerations relating to landscaping.** Extreme care must be taken when clearing foliage to the east of the existing site to preserve established foliage. Bare dirt areas must be kept weed-free and maintained in keeping with the mountainous landscape of the Ogden Valley.
- **Considerations relating to buildings and site layout.** The added area will be enclosed by a wooden fence. The equipment within will only be accessed via a locking gate. The site is on top of a mound which elevates the fenced-in area by roughly 8-feet (see A-4.2 of Exhibit B).

- *Considerations relating to utility easements, drainage, and other engineering questions.* The applicant will need to adhere to all conditions of the planning report. Weber County Engineering has posted approval and has no concerns with the proposal.
- *Considerations relating to prior development concept plan approval associated with any rezoning agreement planned commercial or manufacturing rezoning or planned residential unit development approval.* This addition will take place within an area that is being leased to AT&T. This request for approval adds to the site plan that was approved on April 27<sup>th</sup>, 2010.

Review Agencies: Weber Fire District requires a minimum 3-foot separation be maintained from the generator and the vegetation.

### Staff Recommendation

Staff recommends approval of Conditional Use Application 2019-15 to raise an existing 40-foot cell tower by 14 feet, add 4 new antennas, and a new equipment shelter to make an existing site co-locatable, subject to the applicant meeting the conditions of approval and any other conditions required by the Planning Commission. This recommendation is based on any review agency comments and the following conditions:

1. The new buildings, fences, and pole extension match the existing facilities and conform to the approved plans.
2. Any new plantings and landscaping conform to what is existing and conform to the approved plans.
3. The Fire District requires that the generator have at least 3 feet of clear space to vegetation.

This recommendation is based on the following findings:

1. The proposed use conforms to the Ogden Valley General Plan.
2. The proposed use is not detrimental to public health, safety, or welfare.
3. The proposed use complies with applicable County ordinances.
4. The proposed use, if conditions are imposed, is anticipated to deteriorate the environment or negatively impact surrounding properties and uses.

### Exhibits

- A. Application
- B. Construction plans
- C. Site Photos
- D. Sleepy Hollow Subdivision 1<sup>st</sup> Amendment



## Area Map





## Weber County Conditional Use Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed 11/26/2019	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
--	-------------------	-----------------------------	--------------------------

### Property Owner Contact Information

Name of Property Owner(s) CROWN CASTLE TOWERS 09 LLC		Mailing Address of Property Owner(s) PO BOX 203469 C/O CROWN CASTLE INVESTMENT CORP SOLE HOUSTON, TX 77216-3469
Phone (509) 796-4795	Fax	
Email Address (required) craig.chagnon@crowncastle.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

### Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Craig Chagnon - Crown Castle		Mailing Address of Authorized Person 116 Inverness Drive E, Suite 300 Englewood, CO 80112
Phone 801-979-9077	Fax	
Email Address craig.chagnon@crowncastle.com		Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

### Property Information

Project Name AT&T LTE 5C	Total Acreage .01	Current Zoning FR-1
Approximate Address 540 Ogden Canyon Rd	Land Serial Number(s) 20-133-0001	

Proposed Use  
Existing wireless telecom facility collocation.

### Project Narrative

NEW SITE BUILD UNMANNED TELECOMMUNICATIONS FACILITY.

1. BRING POWER / FIBER TO SITE LOCATION
2. ADD 20'-0" x 10'-0" COMPOUND EXPANSION
3. ADD AT&T APPROVED WALK IN CABINET (WIC) AND ASSOCIATED INTERIOR EQUIPMENT
4. ADD (1) 30KW AC DIESEL GENERATOR
5. ADD 14'-4" TOWER EXTENSION ON (E) MONOPOLE
6. ADD (3) VFA12-HD-WLL SECTOR MOUNTS ON (E) MONOPOLE
7. ADD (4) ANTENNAS, (2) PER SECTOR
8. ADD (8) RRHs, (4) PER SECTOR
9. ADD (2) SURGE SUPPRESSORS TOTAL
10. ADD (4) DC TRUNKS
11. ADD (2) FIBER TRUNKS

### **Basis for Issuance of Conditional Use Permit**

Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.

This is an expansion of an existing use. AT&T intends to collocate on an existing wireless telecom facility/tower.

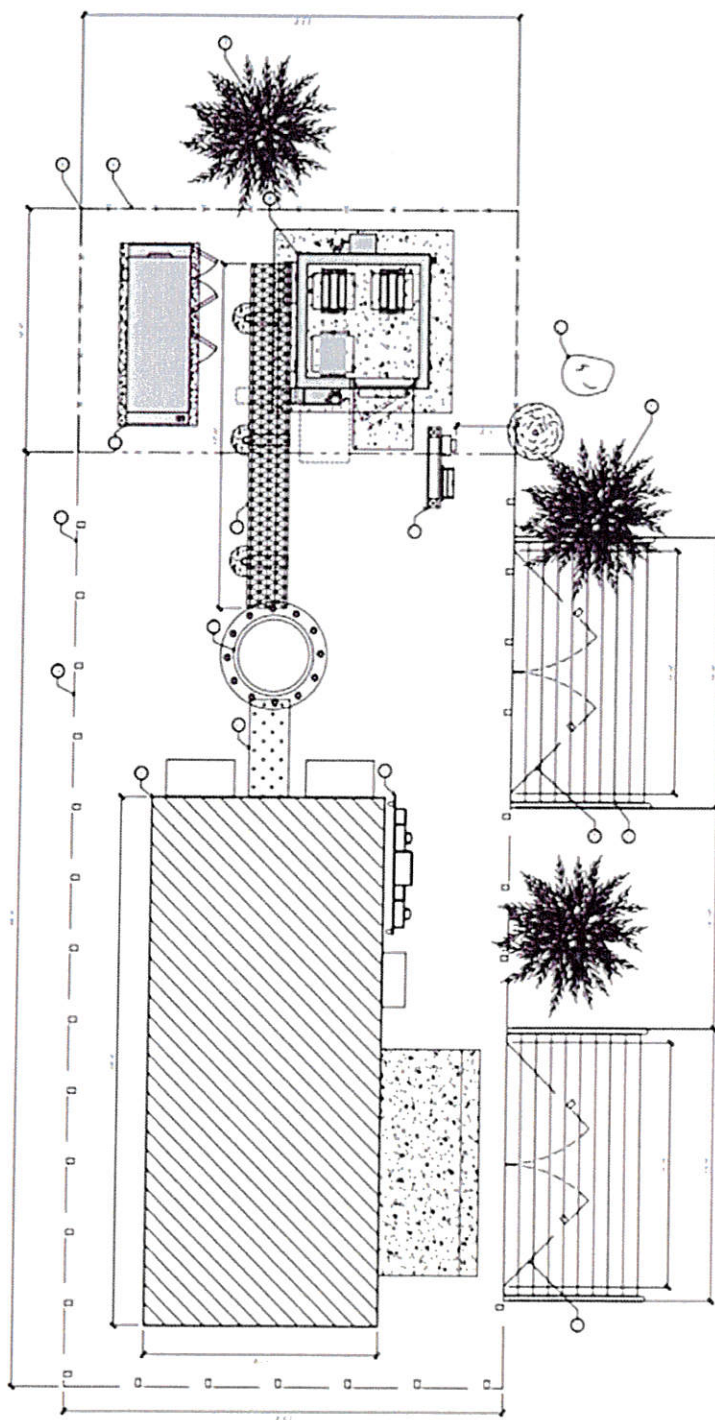


That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

Collocation with comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.



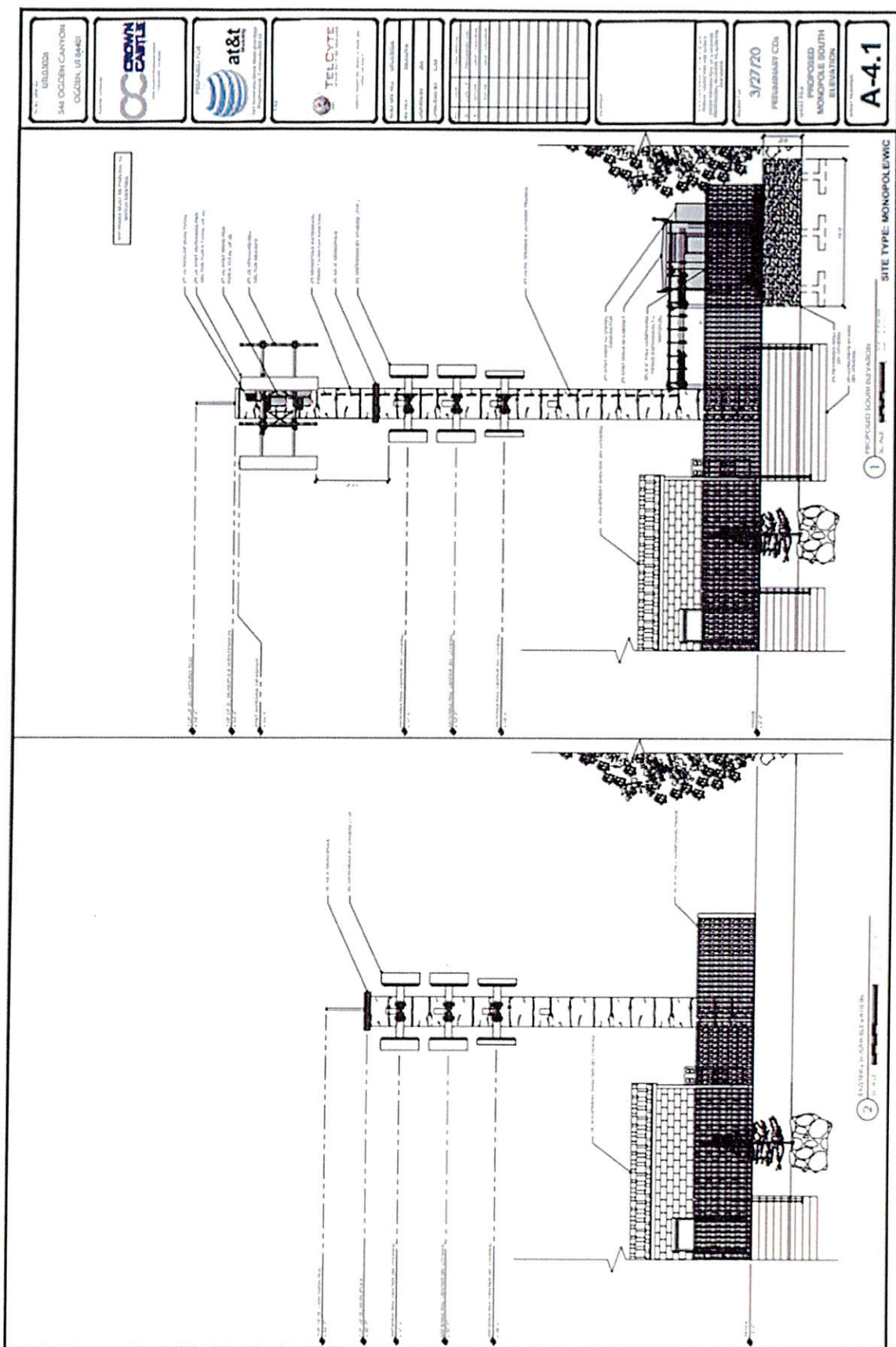
## Exhibit B



1.  $\alpha_1, \alpha_2, \dots, \alpha_n$  are the roots of the characteristic polynomial of  $A$ .

SITE TYPE: MONOPOLE/MC

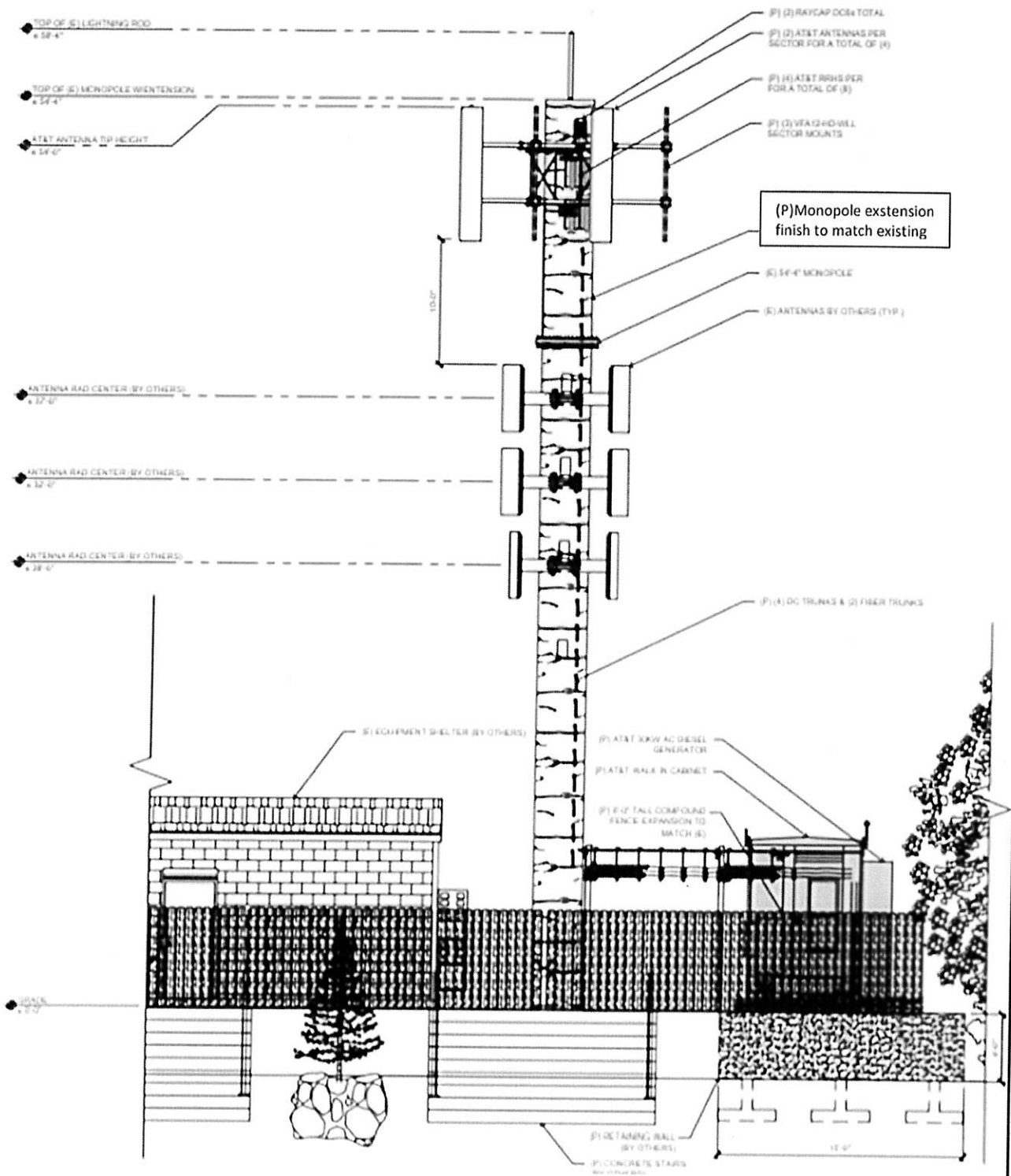
[illegible]





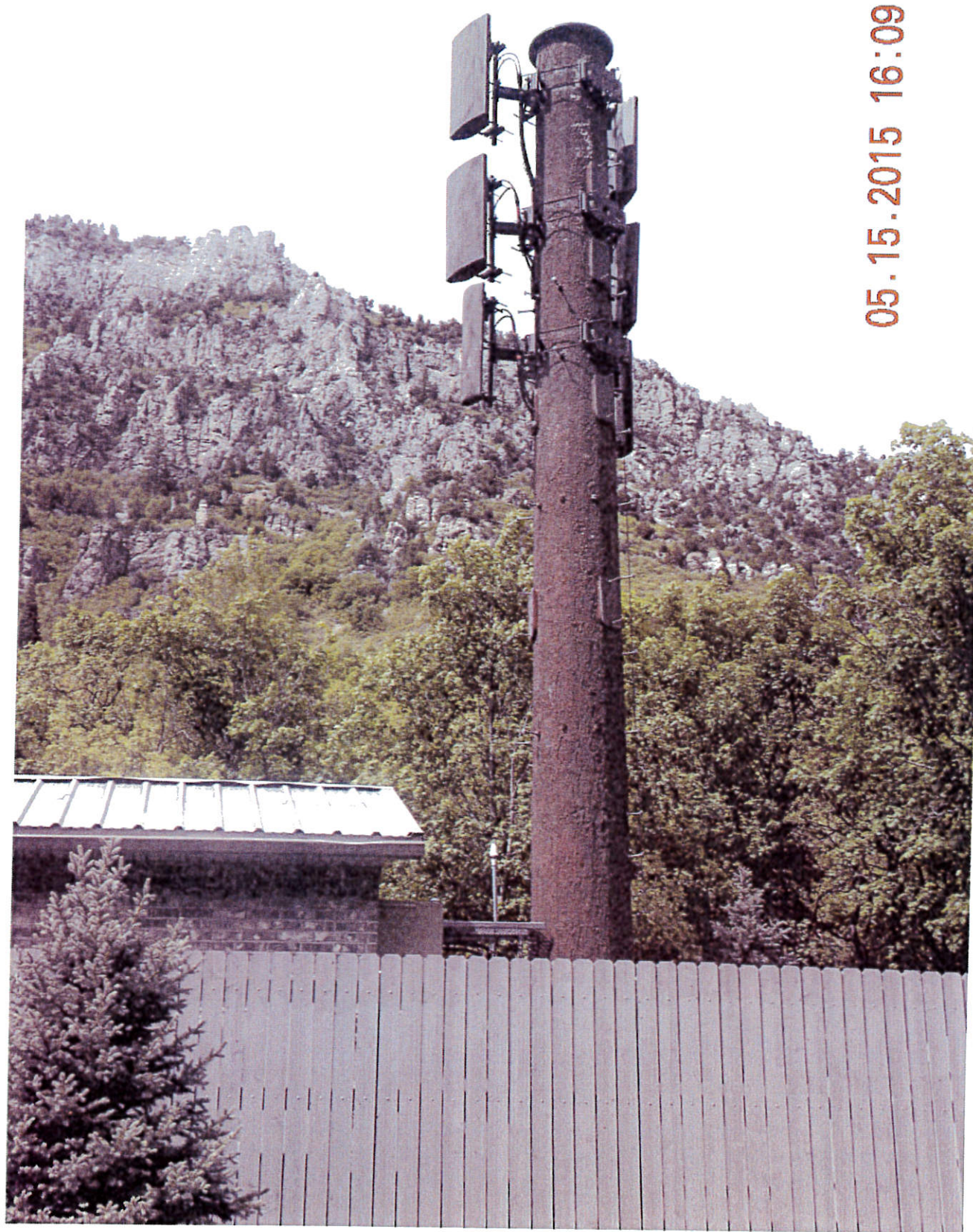


Antennas must be painted to match existing





























3-12-2020

1 **Sec 104-21-1 Purpose And Intent**

2 **1-a)** The purpose of the CV-1 and CV-2 zones is to provide suitable areas for the location of the  
3 various types of commercial activity needed to serve the people and commerce of the Ogden  
4 Valley in unincorporated Weber County. It is also to separate, into two commercial zones, uses  
5 based upon the type of activity which are compatible and complementary, as well as the  
6 intensity of land utilization and accessory use needs.

Formatted: List Paragraph, Indent: Left: 0.25",  
Numbered + Level: 1 + Numbering Style: a, b, c, ... +  
Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent  
at: 0.75"

7 **2-b)** The CV-1 Zone (Neighborhood Commercial) has been established for the purpose of providing  
8 shopping facilities and services within neighborhoods in the Ogden Valley, primarily for the  
9 convenience of people living in a neighborhood. The types of goods and services which may be  
10 offered for sale have been limited to "convenience goods" such as groceries, drugs, and  
11 personal services such as a barber and beauty shop, distinguished by the fact that the principal  
12 patronage of the establishments originates within the surrounding neighborhood.  
13 Consequently, other uses such as automobile sales, furniture, and other stores, in which the  
14 principal patronage originates outside the surrounding neighborhood, have been excluded from  
15 the CV-1 zone. The maximum size of a CV-1 zone node shall be approximately five (5) acres  
16 exclusive of minimum lot widths and areas.

17 **3-c)** The CV-2 Zone (General Commercial) has been established for the purpose of providing a broad  
18 range of commercial services and goods to serve a larger region of the county like the Ogden  
19 Valley. Areas with CV-2 zoning have a principal patronage which originates throughout the  
20 Ogden Valley or is due to recreation in the Ogden Valley. CV-2 areas are to be a commercial hub  
21 or node of activity. These areas, as outlined in the General Plan, are to be near the traditional  
22 town centers of the Ogden Valley and not to be strung out along the highways. Uses in the CV-2  
23 Zone may provide goods and services not typically found amongst commercial areas within  
24 resorts including automobile sales and service, sporting goods, service stations, hotels, and  
25 professional offices.

26 (Ord. of 1956, § 18B-1; Ord. No. 2011-5, § 18B-1, 3-15-2011; Ord. No. 2012-17, § 18B-1, 10-23-2012)

27 **Sec 104-21-2 Site Development Standards**

28 The following site development standards shall apply in the Commercial Valley Zones CV-1 and CV-2:

	CV-1	CV-2
Minimum lot areas	None	None
Minimum lot width	None	None
Minimum yard setbacks		
Front	<del>20 ft. None, unless the requirements listed in section 104-21-4(e) are met</del>	
Side	<del>None, except 10 feet where a building is adjacent to a forest, agricultural, or residential zone boundary</del>	

Formatted: Font color: Red, Strikethrough

Formatted: Font color: Red, Strikethrough

Side facing street on corner lot	20 feet unless the requirements listed in section 104-21-4(c) are met	
Rear	None, except 10 feet where a building is adjacent to a forest, agricultural, or residential zone boundary	
Building height		
Minimum	1 story	1 story
Maximum	35 feet	
Maximum lot coverage	60% of lot area by buildings or accessory buildings	

29 (Ord. of 1956, § 18B-2; Ord. No. 2011-5, § 18B-2, 3-15-2011; Ord. No. 2012-17, § 18B-2, 10-23-2012;  
30 Ord. No. 2016-10, Exh. A, 8-23-2016)

31 **Sec 104-21-3 Sign Regulations**

32 The height, size, and location of the permitted signs shall be in accordance with the regulations set forth  
33 in title 110, chapter 21, Ogden Valley signs, of this Land Use Code.

34 (Ord. of 1956, § 18B-3; Ord. No. 2011-5, § 18B-3, 3-15-2011; Ord. No. 2012-17, § 18B-3, 10-23-2012)

35 **Sec 104-21-4 Special Regulations**

36 ~~1-a)~~ Hereinafter specified permitted and conditional uses shall be allowed only when the following  
37 conditions are complied with: All manufacturing uses shall be done within a completely enclosed  
38 building in an effort to mitigate objectionable nuisances such as odor, dust, smoke, noise, heat,  
39 or vibration.

Formatted: Indent: Left: 0.25", Numbered + Level: 1 +  
Numbering Style: a, b, c, ... + Start at: 1 + Alignment:  
Left + Aligned at: 0.5" + Indent at: 0.75"

40 ~~2-b)~~ A car wash shall be permitted subject to the following restrictions:

- 41 1) Operation or use shall limited to the hours between 6:00 a.m. and 10:00 p.m. in CV-1  
42 Zone.
- 43 2) There shall not be more than four washing bays for a manual spray car wash in CV-1  
44 Zone.
- 45 3) In both the CV-1 and CV-2 zones the off-street vehicle spaces or queues required shall  
46 be as follows:

- 47 ~~1-a)~~ One bay car wash, four spaces in the approach lane;
- 48 ~~2-b)~~ Two bay car wash, three spaces in the approach lane for each wash bay;
- 49 ~~3-c)~~ Three or more bay car wash, two spaces in the approach lane for each wash  
50 bay.

Formatted: Outline numbered + Level: 3 + Numbering  
Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned  
at: 1.25" + Tab after: 1.5" + Indent at: 1.5"



3.c) ~~Complete street.~~ A complete street is required in the CV-1 and CV-2 Zones. For amendments to an existing commercial operation, expansions that exceed 25% of the project area shall comply with the complete street standards.

- 1) A complete street is a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users including bicyclists, pedestrians, transit vehicles, and motorists, appropriate to the function and context of the facility.
- 2) A complete street design is required when the front setback is less than 20 feet, and shall include a ten-foot pedestrian pathway or sidewalk, pedestrian lighting, shade trees, clear view of intersection, and, when applicable, may also include safe street crossings for pedestrians. The complete street design shall be approved by the planning commission.

Formatted: Font color: Red, Strikethrough

Formatted: Font color: Accent 1

Formatted: Indent: Left: 0.25", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

Formatted: Font color: Red

Formatted: Font color: Accent 1

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.81" + Tab after: 1.06" + Indent at: 1.06"

4.d) Dwelling unit. A dwelling unit is allowed, as part of a mixed use building, only if allowed in section 104-21-5, and only when specifically assigned to the property as part of a development agreement approved prior to July 1, 2016. When fronting on a public or private street, buildings that contain dwelling units shall comply with the following:

Formatted: Indent: Left: 0.25", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

1) The building shall provide street-facing commercial space, at the street level, that is accessible from the street, for the entire length of the building's street frontage;

Formatted: Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.81" + Tab after: 1.06" + Indent at: 1.06"

2) The building shall not be setback any greater than 20 feet at any point from the property line that runs parallel to the public or private street;

3) The building shall be subject to the requirements of chapter 108-1 and chapter 108-2; and

6) The lot's street frontage shall be developed as a complete street, as specified in section 104-21-4(c).

e) Perpetual building maintenance contract. When applicable, a perpetual building maintenance contract that allows for maintenance to the side of a commercial structure shall comply with the following:

Formatted: Indent: Left: 0.25", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

1) The contract shall place responsibility for repairs and maintenance upon the benefactor;

Formatted: List Paragraph, Indent: Left: 0.81", Space After: 12 pt, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

2) The contract shall be created by the benefactor and signed by both parties; and

3) The contract shall be recorded on the title of both parties.

Formatted: List Paragraph, Indent: Left: 0.81", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"



Minimum lot area.....	None	None
Minimum lot width.....	None	None
Minimum yard setbacks:		
Front.....	None	None
Rear.....	None, except 10 feet where a building is adjacent to a forest, agricultural, or residential zone boundary	
Side.....	10 feet as an option for areas outside Village Areas defined by the Ogden Valley General Plan, None, inside Village Areas or with adjacent property owner consent	
Side: facing street on corner lot.....	None	None
Main building height:		
Minimum.....	1 story	1 story
Maximum.....	35 feet	35 feet
Maximum lot coverage	60% of lot area by buildings or accessory buildings	

Formatted: Font color: Background 1

Formatted: Indent: Left: 0.12"

Formatted: Indent: Left: 0.12"

Formatted: Indent: Left: 0.12"

Formatted: Indent: Left: 0.04"

Formatted Table

## Scenarios to Address Public Comments Through Virtual Meetings

### Scenario 1:

#### For all items:

- Increase the number of days prior to a hearing in which public notice is sent out.
- Public comment may be submitted during this extended public notice period.
- Submitted comments will be reviewed by the Commission during the virtual meeting.
- Action may be taken during the virtual meeting.

### Scenario 2:

#### For non-legislative items:

- Public comment will not be accepted.
- Action may be taken during the virtual meeting.

#### For legislative items:

- Increase the number of days prior to a hearing in which public notice is sent out.
- Public comment may be submitted during this extended public notice period.
- Submitted comments will be reviewed by the Commission during the virtual meeting.
- Action may be taken during the virtual meeting.

### Scenario 3:

#### For all items:

- No extension in the number of days prior to a hearing in which public noticing is sent out.
- Public comment may be submitted during the virtual meeting.
- Public comment may be submitted for up to one week following the virtual meeting.
- Action will not be taken during the virtual meeting.
- All submitted public comments will be reviewed by the Commission at a follow-up meeting.
- Action may be taken during the follow-up meeting.

### Scenario 4 (Hybrid of Scenario 1 and Scenario 3):

#### For all items:

- Increase the number of days prior to a hearing in which public notice is sent out.
- Public comment may be submitted during this extended public notice period.
- Public comment may be submitted during the virtual meeting.
- Submitted comments will be reviewed by the Commission during the virtual meeting.
- Action may be taken during the virtual meeting.
- If the item is tabled, public comment may be submitted during the time leading up to the next meeting.
- All submitted public comments will be reviewed by the Commission at a follow-up meeting.
- Action may be taken during the follow-up meeting.

**Scenario 5 (Hybrid of Scenario 1 and Scenario 3):**

For all items:

- Increase the number of days prior to a hearing in which public notice is sent out.
- Public comment may be submitted during this extended public notice period.
- Public comment may be submitted during the virtual meeting.
- Public comment may be submitted for up to one week following the virtual meeting.
- Action will not be taken during the virtual meeting.
- All submitted public comments will be reviewed by the Commission at a follow-up meeting.
- Action may be taken during the follow-up meeting.



**Perkes, Scott**

---

**From:** Erickson,Courtlan  
**Sent:** Saturday, March 28, 2020 11:05 PM  
**To:** Wilson,Matt; Perkes, Scott  
**Cc:** Grover,Rick; Ewert,Charles; Burton,Steven; Lleverino,Felix; Aydelotte,Tamara  
**Subject:** Re: Scenarios to Address Public Comments Through Virtual Meetings

I kind of like scenario 4, because it allows action to be taken during the meeting, as Matt said, but if the item gets tabled, then people can continue to submit comments. This option also seems to give the public the best possible opportunity to comment.

*Courtlan Erickson*  
Deputy County Attorney  
Weber County Attorney's Office, Civil Division  
(801) 399-8608

---

**From:** Wilson,Matt  
**Sent:** Thursday, March 26, 2020 4:37 PM  
**To:** Perkes, Scott; Erickson,Courtlan  
**Cc:** Grover,Rick; Ewert,Charles; Burton,Steven; Lleverino,Felix; Aydelotte,Tamara  
**Subject:** Re: Scenarios to Address Public Comments Through Virtual Meetings

I like the scenarios that allow actions to be taken during the meeting rather than making an applicant wait. If we do allow continued public comment after a meeting it should be limited to a week as suggested in scenario 3 and 5. My preference would be either scenario 2 or 5. I can't think of anything that requires us to extend the notice period, but it provides better access for the public. I will be in the office tomorrow if you want to chat further, thanks.

Matt

---

**From:** Perkes, Scott  
**Sent:** Thursday, March 26, 2020 3:02:08 PM  
**To:** Erickson,Courtlan; Wilson,Matt  
**Cc:** Grover,Rick; Ewert,Charles; Burton,Steven; Lleverino,Felix; Aydelotte,Tamara  
**Subject:** Scenarios to Address Public Comments Through Virtual Meetings

Courtlan and Matt,

As we begin transitioning to virtual public meetings, we have developed a few scenarios in which we could accommodate public comments (see attached). We plan to hold test run meetings with each planning commission over the next week or two to present these scenarios and get their preferred scenario moving forward. However, we would like your feedback on these scenarios prior to presenting them to the commissions.

Could you take a look and let us know your thoughts?

Thanks,

Scott