

Minutes of the Western Weber County Planning Commission held March 10, 2015, in the Weber County Commission Chambers, commencing at 5:00 p.m., 2380 Washington Blvd., 1st Floor, Ogden, UT

Present: Jannette Borklund, Chair; Andrew Favero; Wayne Andreotti; Roger Heslop, Ryan Judkins

Excused/Absent: Mark Whaley, John Parke

Staff Present: Sean Wilkinson, Planning Director; Jim Gentry, Principal Planner, Charles Ewert, Principal Planner; Christopher Crockett, Legal Counsel, Sherri Sillitoe, Secretary

- *Pledge of Allegiance*
- *Roll Call*

1. Consent Agenda:

- 1.1 LVB100114: Consideration and action on final approval of Blue Acres Subdivision Phase 4, for 9 lots, located at approximately 4000 West 2000 South, Romney Buck, Applicant**

MOTION: Commissioner Andreotti moved to approve the Consent Agenda Item as presented. Commissioner Favero seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried by a unanimous vote of those members present.

2. Administrative Items

a. New Business

- 1. CUP 2015-07: Consideration and action on a conditional use permit for an accessory apartment in the Residential Estates RE-15 Zone, located at approximately 2757 East 6425 South, Jonathan Vance, Applicant**

Jim Gentry presented a report and indicated that the applicant is requesting approval of a conditional use permit for an accessory apartment in the Residential RE-15 Zone at 2757 East 6425 South. As a conditional use, accessory apartments limited to 800 square feet are permitted in any zone in which single-family residential dwelling units are allowed. The principal dwelling will be occupied by the owner of the premises. Two side by side parking spaces are provided for the accessory apartment.

The Planning Commission should ask if the proposed use meets the requirements of applicable County Ordinances, and determine if there are any potentially detrimental effects that need to be mitigated by imposing conditions of approval, and if so, ask what the appropriate conditions are.

Staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval listed in the staff report and any other conditions required by the Planning Commission. This recommendation is based on the following findings:

- The proposed use is allowed in the RE-15 Zone.
- The application meets the appropriate standards for accessory apartments.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

MOTION: Commissioner Heslop moved to approve CUP 2015-07 based on the findings listed in the staff report and subject to the staff and agency comments. Commissioner Andreotti seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund all voting aye.

3. Legislative Items: Public Hearings

Chair Borklund opened a public hearing at this time.

a. New Business:

- 1. ZTA 2014-05: Consideration and recommendation on a proposal to amend the Weber County Land Use Code to provide for the nonconforming designation of lots made smaller by right-of-way expansions, and to provide administrative clarifications related to those sections.**

Charles Ewert, Principal Planner, presented a report and indicated that there was no public in the audience to speak on the issue.

Discussion followed regarding whether the issue should be tabled due to having no public present. Charles Ewert indicated that it was posted ten days in the Utah Public Notice Website. It was also on the County Planning Division website, and posted once in the Standard Examiner. Staff could look at whether mailing individual property notices on 3500 W. would be feasible. The members asked whether staff could post a notice at Country Corners, and Staff indicated that they are happy to do whatever method(s) that the Planning Commission would like.

Commissioner Heslop asked if postponing a recommendation would hold up the project process.

Chair Borklund indicated that this is a benefit to the property owners.

Christopher Crockett indicated that the Open Meetings Act establishes the floor. He indicated that they are allowed to give additional notice if they feel that it is in tune with the process they want to have.

Commissioner Heslop indicated that this ordinance not only affects 3500 W, but it is the entire unincorporated Weber County area.

MOTION: Commissioner Heslop moved to postpone any action on ZTA 2014-05 and that staff notify property owners in multiple ways; to notice however they can with whatever funds are available to do so. Commissioner Andreotti seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund all voting aye.

- 2. ZTA 2014-06: Consideration and recommendation on a proposal to amend the Weber County Land Use Code to provide clarifications in the regulations and permissions of main buildings and accessory buildings, and main uses and accessory uses.**

Charles Ewert, Principal Planner, presented a report and indicated that there is the same issue here in that there is no public present to speak to the issue.

The members felt that they should give the public a chance.

MOTION: Commissioner Judkins moved to table ZTA 2014-06 due to the same reasons as the agenda item before. Commissioner Heslop seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund all voting aye.

Chair Borklund closed the public hearing at this point.

4. Public Comment for Items not on the Agenda

No comments were made from the public.

5. Remarks from Planning Commissioners

No comment was made

6. Planning Director Report

Sean Wilkinson asked if there were any comments regarding the sample staff report and the sample motion wording. Commissioner Favero indicated that it is clean. He also felt that it is sample wording in case they need to have an option of how to word a motion.

Commissioner Heslop indicated that he likes the staff report and the sample motions.

When you make a motion, they need to make sure that the findings match that motion. It should be findings of something that they actually talk about, not just pulling things out of thin air.

The Ogden Valley Township Planning Commission felt that staff was leading them and they did not like the sample motions. They also had other comments regarding the issue.

Staff will discuss this issue further and get back to the members at a future date.

Public Comment for Items not on the Agenda: There were no Public Comments.

6. Adjournment: The meeting was adjourned at 5:28 p.m.

Respectfully Submitted,

Sherrill Sillitoe, Secretary
Weber County Planning Commission