

Minutes of the Ogden Valley Planning Commission Regular meeting February 2, 2016, in the Weber County Commission Chambers, commencing at 5:00 p.m.

**Present:** Laura Warburton, Chair; Greg Graves, John Howell, Kevin Parson; Will Haymond; Stephen Waldrip, Jami Taylor

**Absent/Excused:**

**Staff Present:** Rick Grover, Planning Director; Charles Ewert, Principal Planner; Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary, Iris Hennen, Code Enforcement officer

### ***Pledge of Allegiance***

### ***Roll Call***

- Ogden Valley General Plan Public Hearing:** A public hearing to receive public comment regarding the first half (Introduction, Community Character, Land Use, and Residential Development) of the proposed Ogden Valley General Plan.

Chair Warburton said they have a special meeting and she would outline the criteria by which this meeting would flow. This is a general public hearing; that means that this commission would like to hear what the public has to say. There would be some restrictions to that; it will be three minutes per person, and five minutes for anybody representing a group. To start out staff will present part of the plan; they will talk about this piece by piece. The audience would then have the opportunity to speak about their thoughts and suggestions. There was a rumor that this would be the last time they would be able to speak. That is absolutely not true, there will be several meetings scheduled. This is a general plan update, after that the work gets started. This will always be open to the public because this is a legislative matter.

Charles Ewert said they are here to review the first four sections of the general plan. They have Logan Simpson Design with Jim Carter, representing Logan Simpson; and he has a presentation that he will go through. This presentation is different than what has been seen before; he will hit some of the highlights from the first four sections of the general plan.

Jim Carter, Logan Simpson Design, said that this is a Power Point and he thought it would be best to walk through the first four sections. The majority of information is the planning process, public involvement, how did they get here, and highlights of the four sections that the Planning Commission is interested in hearing about.

#### **General Plan Update Objectives:**

- \* To reaffirm the values of Valley residents and their vision for the future.
  - o Part of the plan process was to reaffirm that the community's vision has not substantially shifted from previous planning efforts.
- To focus the application of policies and tools from past plans.
  - o The overall vision and goals identified in the General Plan are not significantly different from those of past plans. The policies and implementation steps, however; are intended to be more specific and targeted than in past plans to enable effective implementation to achieve the Plan's objectives.
- To think big!
  - o Although we heard from the public that many of these ideas were not supported, it was a chance for us to explore innovative opportunities together. In doing so we have been able to challenge the status quo thinking in a manner that fosters reasonable ideas necessary for successful implementation.

#### **Public Involvement:**

- Assessment and Process
  - o Visioning Workshop
- Visioning
  - o Scenarios Workshop
- Scenario and Choices
  - o Choices
- Plan Development
  - o Draft Plan Open House
  - o PC and CCC Hearing

#### **Planning Context:**

- Built Dwelling Units - 3762
- Platted but Vacant Parcels - 2563
- Approved Resort Units - 5300
- Total Built/Platted/Approved Units – 11,625**
- Unplatted, but Zoned Units: Approx. 4,000

#### **Introduction:**

- General Plan Development Process
- Community Engagement
  - o Visioning
  - o Scenarios
  - o Choices
- Plan organization
  - o Plan elements
  - o Goals, policies and implementation measures
- Using the General Plan
  - o Blueprint for future decision-making

**Community Character:**

- Vision
  - The rural character of Ogden Valley is defined by its open fields, agricultural lands, stands of trees, dark skies, clean air and water, abundant wildlife, and small villages; by Pineview Reservoir; by historic Ogden Canyon and by the surrounding foothills and mountain background.
- Key Ideas
  - Reduce or minimize the impacts of future development
  - Protect key view sheds and valley gateways
  - Develop streetscape and signage standards
  - Develop historical site protection program to minimize loss of historic properties
  - Update current dark sky lighting ordinance for consistency with dark sky policy and current technology

**Land Use:**

- Vision
  - Land uses in Ogden Valley should complement, not overwhelm or complete with, the rural character of the Valley

- Key Ideas
  - Cap development rights
  - Develop mechanisms for a Transfer of Development Rights program to move development away from sensitive areas
  - Provide for voluntary mechanisms to reduce development rights

**Residential Development:**

- Vision
  - Ogden Valley should contain a variety of housing types of meet the needs of a diverse population of various income levels, ages and stages of life. Neighborhoods should have convenient access to community amenities and be designed in a manner that protects the Valley's character.
- Key Ideas
  - Encourage residential development to incorporate a mix of housing types, sizes, and prices
  - Encourage residential development to locate near existing villages, infrastructure and community facilities and services
  - Allow for large lot residential Estate Subdivisions

Jim Carter said that was the end of his presentation and asked if there were any questions. Chair Warburton replied that some of those questions will be discussed at a later date.

Opened for Public Comments

Jody Smith, Chair for the Ogden Valley Land Trust, said she didn't quite understand that part about Conversation Easement for Ogden Valley. These are not difficult and they hold over 6,000 acres in Ogden Valley. Some have development rights on them; with 525 acres on the Huntsville mountain side. There are 13 development rights but only 8 are available for development. They need more open space; they need a mechanism for funds to do conservation easements. She has talked to the Commissioners without results but she would continue to work with them. In response to the gentleman that said that conservation easements were hard in the valley, she wanted to assure they are not.

Gaye Creager, who resides in Eden, said that she wanted to suggest that the county have the ability and the opportunity to offer density bonus incentives. She thinks it could be a tool that the county would want to always maintain. It could offer that ability to preserve open space for view corridors, for agriculture land, or other sensitive areas. This could be a tool that promotes what they are after.

Kimball Wheatley, who resides in Huntsville, representing the GEM Committee, said that he had a slide presentation.

**WELCOME TO EDEN**

**Land Use Goal #1:**

- "...reduction in the overall amount and impact of future land development..."
  - Policy....TDR and VRDR, but not PDR

**Who owns our open space and views?**

- Government
- County building restrictions and O-1 Zone
- Conservation easements
- Trophy Ranches
- Resorts
- HOA open space
- Local farmers and ranchers
- Homeowners who bought elbow room
- Future home, someday
- Land speculators
- Developers

**The Update Proposes that this is for Farmers and Ranchers:**

- Cannot receive DR
- Can transfer DR
- Can retire DR

**Is this enough to inspire the farmers and ranchers to stick with it?**

- Can sell
- Weed Control enforced
- Large lot subdivision
- Are somewhat buffered from residential
- Might be surrounded by residential

**The fundamentals of Reducing and Transferring Development Rights:**

- TDR requires a market with buyers and sellers
- VRDR requires philanthropists who see the value
- RDR requires tax payers who see the value
- For any to work, retired density needs to stay retired
- For any to work, existing entitlements cannot be devalued with more

**This is the way the market works:**

- Reduce Density via DR in exchange for
  - Lockout
  - Accessory apartment
  - Small lot cluster
  - Expand commercial
  - Estate infrastructure
  - Lodge, Hotel, B&B
  - Ag and wildlife protection

Chair Warburton said his time was up and asked Mr. Wheatley if this was the presentation that he wanted to present for this meeting. Mr. Wheatley replied yes. Chair Warburton said that it would be better and more productive if he brought this to a work session. This could be set up for a work session because this needed more attention. Mr. Wheatley replied that was fine, he had given a copy of his presentation to the Planning Commission.

Kirk Langford, who resides in Eden, said in the first vision they talked about agriculture lands. When they talked about the key ideas; there is nothing that talked about preserving the agricultural infrastructure, such as water, etc. as stated by Mr. Wheatley, if they don't preserve the farms and agriculture areas, to transfer to the next generation; there would not be any open space in the valley. He believed that they need to go back and rethink through because some of that is weed control. The developers are currently growing dyer's woad, and all kinds of weeds that create a difficult situation for farmers. There's a new movement with the young ones coming up with sustainable farming, local foods, and grass fed beef. There are farms out there growing garlic and other products. It would be nice to have a rural place, and not a general plan that creates another city up in Ogden Valley, and in some regards that is exactly where they are going. He sent this Planning Commission something that he hoped they would read because TDR's are not a panacea. They should look through some of the things that would be required to create a TDR market. If they could not create a TDR market with those elements needed; then be realistic and scratch that off as a tool that's going to work. These decisions effect people's lives and it's not an academic process, an ideological point of view. For the record his is disappointed that people are limited to only speak for three minutes, and it's really not fair at all.

Steve Clarke, who resides in Eden, said that this is the first time in a year that he has been involved in Planning Commission. Due to some personal family issues; they have decided to move to Florida, which is why he has been disengaged with the planning process. In general he liked the document, and the educational way that it was presented, the prolog that engages the citizens and draws them in, in each of these chapters. He liked the idea of goals, policies, and implementation items is important in that it provided some detail that had been absent from other general plans. The Ogden Valley needed to be operating more like an incorporated entity. For example managing maintenance of the developing trail system, involvement of water and sewer, cultural programs, and he suggests that the county look at the dramatic increases in the municipal services. Create a department with one or two people that are suggested in this general plan draft as way of managing the county's involvement in the municipal services. With regard to land use; he labored every time they got into land use issues, with the struggling role of the government and land use planning. The balancing of such concepts as TDR's, zoning, and overlay zones with the existing property rights. After years of effort in this regard; he believes the desire of the people to preserve a rural atmosphere, in a high growth environment, is best served with a stronger government intervention that might be otherwise the case. He supported the proposed soft handed treatment of TDR's, and further supported the government's action by creating walkable mixed uses and high density villages. If they are going to increase the number of homes by six, he didn't see any way for the farmers to function without some kind of higher density compact development in the valley. The villages that are proposed are important.

Stephen Waldrip stated that it troubled him when he starts to hear ranker in this discussion. They all live there and they all need to hang together to the extent that they could do better and the public could help them do better. As the public comes up to the podium; he looks at this commission and they would agree with him, that they appreciate the public input and comments. They all want to make this plan work; but for this to work they require public comments; obviously there are rules that is needed for this plan to work. He wanted to make sure that this area where they sit doesn't become a barrier, that people didn't feel that this commission was not approachable.

Commissioner Howell said of all the meeting that they have had at the school and library; all the comments that everyone has made, it has documented and there are copies of all those documents.

Miranda Menzies, who resides in Eden, said that she had sent written comments to this commission. She would like to urge the Planning Commission; as she had suggested at the beginning of this process, for slightly longer term and slightly bigger. She knew that the documents that were put together started out with a vision and it talked about clear air and clean water. This is about clean air; and on this map of the United States which is put out by the International Energy Conservation Code, and as they can see Utah on the map. It has this portion that sticks out which has a climate zone of 5 and 6. Her point is one of the reasons they have clean air in the valley is because they have relatively few houses and roads with few cars. As they increase the number of cars and houses; if they don't have good insulation on the houses, those houses over time pump out carbonations from their gas stove or gas furnaces, unless they are electrical heated.

Miranda Menzies said that on the map that small portion of blue that sticks from the green is actually Ogden Valley. Ogden Valley by rights should be in the Zone 6 which has a higher insulation that goes with the 2012 IECC. She is asking that the Weber County Building Department seriously consider putting in place a higher level of insulation requirements in the colder areas of the county. The number of degree areas that they have in Ogden Valley; they think it's something like 7,500 which is the number in Huntsville. That 7,500 are closer to Juno Alaska of 8,100 than it is to Ogden at 5,900. On the top of Powder Mountain, she can assure them that the climate up there is essentially Anchorage Alaska. The temperature coming out of the springs 700 feet down is 4 degrees Celsius and that's 40 degrees Fahrenheit. That is the average temperature for the year. Any house is going to be pushing out emissions the entire year; and she would like for them to consider putting in to their documents; a vision, a goal, and an implementation of increasing the situation in the valley. The second thing would be the cars and they need to be considered to be autonomy vehicles; they are going to have development that's driven by people in autonomy vehicles.

Jan Fullmer, who resides in Eden, said she was part of the citizens up from the valley who worked with the consultants on this draft of the plan. It's not perfect; they had to compare it to the plan that was put together in 1998. They can't take away development rights, and when they put this draft together, they tried to keep that in mind. They didn't want to happen when they downsized the development rights, but given that those developments rights are there, there has to be some planning to preserve as much open space as possible. She would ask that the Ogden Valley Planning group look at the plan in 1998. When they look at the vision and the goals, much like industry and major corporation, they always had visions and goals, and the rest of the company marched to that tune. Then management changed, and then what happened they lost sight of those visions and goals; and they had to start the process all over again to develop their visions and goals. The same thing has happened in Weber County; because the management team is really the Commissioners. She would ask that whatever they carry forward to the Weber County Commissioners; that they emphasize that they have to start doing something, and it has to be a priority in the county.

Closed for Public Comments

Charlie Ewert said just to make it clear on the intent of the meeting and how this was supposed to work in design. It was to collect as much comments as possible; put those comments together in an efficient public comment document. Then the Planning Commission could review in their time; come up with their own reasonable, educated, very well formulated recommendation on where they should go with the plan. On February 23, 2016; when they have their work session with the Planning Commission, the work session will be opened in public. They would want the public at tonight's meeting and others to join them. With that in mind the Planning Commission will be deliberating over the individual details that they find in the plan; work toward consensus of how to go about changing the words and policies to make it their plan. From there they will pick up the second plan and go from there to the County Commission.

Chair Warburton said that during the work session is more relaxed. If there was anybody that had more of a structured presentation to present; get with Planning Staff to get on the agenda, and they will work with them according to the time allotted. It is so important that they gather everything and this commission is committed to study everything that they receive through email. She really appreciated getting that information, being able to read it over, and being able to study it before they start making heavy decisions. The other thing is the PDF document; she has asked Mr. Ewert to revert to the PDF Format, and send it out electronically so that it would be available to anyone. She asked him to make it a number document that would make it easy for reference, so when people come to the work sessions, they would be ready and good to go. .

Charles Ewert said that the schedule that they have and has been sent by email is flexible. If the Planning Commission determined they need more, let staff know and they will work through that.

Commissioner Waldrip asked just so that everyone understands the procedures. He asked if everyone had seen a copy of this procedural document and the dates that were on there. He asked if anyone was unclear so they could make sure that they informed the public in this forum; what that procedure and process was, if there were any questions. Chair Warburton replied that she did and maybe she just wasn't clear. What would be more valuable is to tell the public where to go online to get updates that could change. By law they have 48 hours. Director Grover said they would prefer to have it 24 hours.

Commissioner Parson said that as a community member he finds it a bit frustrating; because going through the general plan, he looked through parts of it and thought that the infrastructure and mobility were so important. It is so important for that infrastructure aspect; and the point that Mr. Langford made about markets, moving forward with the concepts of farming. He asked that everyone to come back, join in and give their opinions, and not be frustrated.

Director Grover said this being their first public hearing, they didn't know what to expect as far as public coming out. He had a concern about looking at that next public hearing; if they don't have a time limit, he felt that they may have created a little animosity with everybody. It's important to keep the meetings under control and Chair Warburton did. At the same time, if they look at the next public hearing, they may want to look and see if they really need to have a time limit based upon the amount of public there. He has seen different planning, where plans go through and there is always that great synergism at the very beginning when they have that large concentration of public there. In this process he is getting in midstream, but what he has heard there has been great collaboration from the public, and it's great to have their voices heard. He wanted to make sure when they have their next public meeting; if they noticed that there was not a large crowd, they could think about forgo the clock. There may have been some feelings felt that the public didn't get heard; and this commission does not want that and that is not their intent.

Chair Warburton said that is actually part of their rules and rules can be suspended. If they are going to play fair, it's going to be across the board fair. Director Groves replied that this meeting was handled very well.

**2. Adjournment:** The meeting was adjourned at 6:05 p.m.

Respectfully Submitted,

Kary Serrano, Secretary,  
Weber County Planning Commission