

Minutes of the Work Session of the Ogden Valley Planning Commission for August 6, 2024. To join the meeting, please navigate to the following weblink at <https://webercountyutah.zoom.us/j/81690374943>, the time of the meeting, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Jeff Burton (Vice Chair), Jeff Barber, Bryce Froerer, David Morby, Mark Schweppe, Trevor Shuman, Janet Wampler.

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Bill Cobabe, Planner; Liam Keogh, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**

- **Roll Call:** Vice Chair Burton conducted roll call and indicated Commissioners Morby and Shuman were excused; all other Commissioners were in attendance.

1. Minutes: June 25, 2024.

Vice Chair Burton noted that he has submitted to Planning staff a few changes to the minutes; he asked if there are any additional corrections to be made to the minutes as presented. Commissioner Wampler stated she did not submit corrections because she did not believe the Commission would be approving minutes during tonight's work session. Vice Chair Burton invited Commissioner Wampler to submit her corrections and indicated approval of the June 25, 2024 minutes will be tabled until the next meeting.

The Commission engaged in discussion with Legal Counsel Erickson regarding the purpose of a work session meeting and whether the body's rules of order and procedure permit the Commission to take action on any matter during a work session meeting. Mr. Erickson noted that so long as the meeting is properly noticed and action items are listed with reasonable specificity, the Commission does have the authority to vote during this meeting.

Commissioner Shuman joined the meeting.

2. Administrative Items:

2.1 CUP: 2024-08: Request for approval of a conditional use permit for a well house located at 3295 Snowbasin Road, Huntsville, UT 84317. Staff Presenter: Tammy Aydelotte.

A staff memo from Planner Aydelotte explained the applicant is requesting approval of a conditional use permit for the installation of a Well House a "public utility substation" The proposed well house will supply the new water from the Legend well into their current water system. The DRR-1 Zone allows a "public utility substation" as a conditional use. The proposal has demonstrated that the operation will comply with the applicable regulations, with reasonable conditions imposed. The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews. Ms. Aydelotte summarized staff's analysis of the application's compliance with the General Plan, zoning guidelines, and conditional use standards pertaining to traffic safety and congestion, landscaping, and buildings and site layout. She concluded staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agency requirements and is based on the following findings:

- The proposed use is allowed in the DRR-1 Zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Commissioner Barber stated that the proposal is to build a structure in a ski area, and he asked if that is concerning from a health and safety perspective. He asked if language would be included in the permit to require the applicant to protect the public from collision with a building that is being located in a dangerous area. Mr. Erickson stated that such language could be included as an additional condition of approval. Commissioner Barber suggested that the County include such a condition in order to limit the Council's liability for any situation that could arise as a result of approving the construction of the building.

Vice Chair Burton called for a vote on approval of CUP 2024-08, conditional use permit for a well house located at 3925 Snowbasin Rd., Huntsville, UT 84317, subject to all review agency requirements and conditions of approval and based upon the findings listed in the staff report. Commissioners Barber, Burton, Froerer, Morby, Schweppe, Shuman, and Wampler voted aye. (Motion carried on a vote of 7-0).

3. Public Comment for Items not on the Agenda:

There were no public comments.

4. Remarks from Planning Commissioners:

Commissioner Barber stated he spent this afternoon watching the July 15, 2024 Weber County Commission work session, during which they discussed the Cowboy Partners zoning change request. It was his impression that what was portrayed to the County Commission was not exactly what this Planning Commission had voted to recommend. The way it was presented was not in the same direction as the unanimous vote the Planning Commission had taken. Vice Chair Burton invited Commissioner Barber to be more detailed in his assessment of the situation. Commissioner Barber stated he did not believe that would provide any direct benefit; the Planning Commission has discussed the application over the course of four different meetings and it was his impression that the motion and recommendation that was ultimately made by this body was not accurately portrayed to the County Commission. Vice Chair Burton asked Commissioner Barber if he had the chance to review the June 25, 2024 Planning Commission meeting minutes that were included in the packet for this meeting. Commissioner Barber answered yes and indicated he feels that the Planning Commission's discussion and motion are accurately reflected in those minutes, however that is not what he is speaking to. He stated he is concerned that the summary of the Planning Commission's recommendation, which was related to the County Commission during their July 15 meeting was not accurate. Vice Chair Burton asked who made the presentation to the County Commission that evening, to which Commissioner Barber answered Principal Planner Charlie Ewert.

Commissioner Shuman echoed Commissioner Barber's concern; he has also watched the recording of the July 15 meeting and the presentation of the Planning Commission's recommendation was not accurate. Vice Chair Burton stated this is not the first time this type of situation has occurred; he is hopeful that Planning staff will endeavor to accurately represent the actions of the Planning Commission given that they spend a great deal of time analyzing and deliberating about the applications that are presented to them for approval or to forward a recommendation to the County Commission.

Vice Chair Burton recognized that Commissioners Morby and Shuman had joined the meeting after the 5:00 p.m. start time.

5. Planning Director Report:

Planning Director Grover indicated he had nothing to report.

6. Remarks from Legal Counsel

Legal Counsel did not provide remarks.

Commissioner Froerer moved to adjourn. Commissioner Schweppe seconded the motion, all voted in favor.

The meeting adjourned at 5:17 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission