

Minutes of the Regular Meeting of the Ogden Valley Planning Commission for December 2, 2025. Pre-meeting – 4:30 p.m./ Regular Meeting commencing at 5:00 p.m.

**Ogden Valley Planning Commissioners Present:** Jeff Barber (Vice Chair), Jeff Burton, Bryce Froerer, and James (Jim) Morgan, Laura Warburton

**Excused:** Janet Wampler (Chair), and Commissioner Heidi H. Gross

**Staff Present:** Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**

- **Roll Call:** Vice Chair Barber conducted roll call indicated Chair Wampler and Commissioner Warburton were excused; all other Commissioners were present.

Vice Chair Barber noted that the Commission has received requests from applicants to reorder the items on tonight's agenda; he noted the applicant for agenda item 1.1 could not be in attendance at 5:00 p.m. and they have asked that their item be moved to the bottom of the agenda. He called for a motion to amend the agenda accordingly.

Commissioner Froerer moved to amend the agenda to hear the items in the following order: 1.3, 1.4, 1.2, and 1.1. Commissioner Warburton seconded the motion, all voted in favor.

### 1. Legislative items:

**1.3 ZMA2025-07: an application to rezone approximately 28.65 acres of property located at approximately 3767 E 4100 N from the Agricultural AV-3 zone to the Agricultural A-1 zone. Applicant Representative: Chase Freebairn; Staff Presenter: Charlie Ewert**

The applicant, Jason Boren, presented the request, explaining his father purchased the subject property in Liberty in 1971 and had owned it for more than 50 years. His father, who was an English teacher in the Weber School District, superintendent of Weber District Schools, and worked for the state board of education, built a log cabin on the property and his family wishes to rezone the property from AV-3 to A-1 to allow family members to build homes there. He noted that the property was originally zoned AV-1 before being downzoned to AV-3, and that adjacent properties to the west have been zoned A-1. Mr. Boren emphasized that the land was flat and suitable for development, mentioning that it was not in an area with risk for floods or on a slope with development challenges. He argued that the request was reasonable considering Utah's projected population growth of 2 million in the next 20 years. He also addressed potential minimal effects on traffic as indicated in the staff report and requested guideposts from the Commission on how the family could proceed if the application were denied. He also acknowledged inaccuracies in the original application due to miscommunication with a friend who helped submit it, and he apologized for those errors.

Principal Planner Ewert provided staff's analysis of the application, explaining that in 1998, the valley experienced a "down zone" from 1-acre to 3-acre zoning. He noted that the property was not within a designated village center but was at the edge of one. Mr. Ewert showed maps of existing development patterns in the area, with larger lot residential surrounding the property. He explained that the general plan strongly recommends against increasing density unless it advances other planned goals in a substantial way. He concluded that based on application of the decision criteria in Section 102-5 and the General Plan's directives for growth and density, staff cannot make a positive finding that this rezone, as proposed, is consistent with long-term land-use policy for the Ogden Valley. If the Planning Commission elects to forward a recommendation of approval, staff strongly advises incorporating the conditions listed below, which can be implemented in a development agreement:

1. Any density increase over that of the AV-3 zone shall be provided by means of transferable development rights that follow the same rules established in the Form Based zone - Section 104-22-11.
2. Dedicate and improve the development's frontage on 4100 North Street to the same half-width standard used by the county for the recently constructed 4100 North connection to Fairways Drive, but with the paved pathway on the south (project) side of the street.
3. Bury 4100 North's existing overhead power for the frontage of the subject property.

4. Coordinate with Rocky Mountain Power to construct a 10-foot-wide paved public pathway within the power line corridor that connects from 3500 East and stubs eastward to the easternmost edge of the subject development; provide a 10-foot paved pathway connection along the easternmost edge of the development to connect 3750 North Street to the power line corridor pathway.

This recommendation is offered with the following findings:

1. With the added conditions, the proposal serves as an instrument to further implement the vision, goals, and principles of the general plan.
2. The proposal is consistent with development already in the vicinity.
3. The proposal is not detrimental to the health, safety, and welfare of the valley residents.

If the project is not changed to conform to the general plan, as provided in the above recommendation, then staff recommends denial of the rezone based on the following findings:

1. The proposal is not supported by the general plan.
2. The proposal fails to use transferable development rights as a means of increasing localized density.
3. The proposal makes no meaningful public contributions.
4. The area is not yet ready for the proposed changes to be implemented.

Commissioner Burton questioned staff's assessment that the proposal is not consistent with the General Plan, highlighting that if they were starting with a clean sheet of paper, the area might indeed have a higher density than the currently mandated 3-acre lots because of its proximity to a village center. He proposed that the rezone could potentially align with the Plan's concept, which envisions a gradual decrease in density moving away from village centers. This concept would essentially allow for higher density closer to the village areas, with density reducing progressively as the distance from the village center increases. He pointed out that the existing 1-acre zoning adjacent to the property is further from the node's center than the area in question, suggesting that the rezone would be consistent with a natural pattern of density transition. Commissioner Burton remarked that this plan could advance the goals of the General Plan in a meaningful way, implying that the zoning change could potentially be considered in line with the overall vision for managing growth and maintaining rural character, provided that it respects the designated transitions between higher and lower-density areas.

Mr. Ewert expanded on Commissioner Burton's perspective by highlighting that the existing zoning pattern, featuring 1-acre lots further from the node's center compared to the property under discussion, suggests a scenario conducive to more compact development closer to village center. He acknowledged the possibility that the rezone request could reflect a logical extension of the village center, consistent with the General Plan's intent to navigate density transitions thoughtfully. He framed the matter as a policy decision, inviting the Commission to deliberate whether the rezoning here would genuinely align with reinforcing orderly growth and maintaining the rural character in harmony with surrounding densities.

Commissioner Burton questioned how the proposal's transition pattern around density aligns with the supply and use of water wells if the 1-acre zoning around the current parcel already proves challenging due to available water resources. He pointed out that while a density gradient towards village centers could be beneficial, practical limits may exist due to the local carrying capacity, thus affecting the feasibility of managing wells and overall infrastructure. Mr. Ewert discussed that any potential shift towards higher density would need thorough evaluation of water availability, particularly concerning private wells that serve properties dependent on localized sources. Such an evaluation should balance the intention of zoning transitions with real-world infrastructure limits, ensuring that progressive patterns do not arbitrarily stress or overwhelm existing resources.

Vice Chair Barber invited public input.

Kevin Parson stated that the General Plan's main concept was "no more density" and that density increases should only come through transfer of development rights (TDRs).

Jeannie Wendell voiced concerns about water availability and wells, highlighting her apprehension that any additional development could impact the existing water table and quality, given the strain they already feel on water resources within the community.

Eric Rex discussed slope considerations, noting that while the north portion of the property was flat, the southern portion had a significant slope. He emphasized that once green space is developed, "there's no clawing it back," and urged careful consideration of the application.

Rosemarie Hyde expressed her concerns about the potential impact of increased development on the Ogden Valley, specifically regarding water drainage, traffic, and adherence to the master plan. She began by noting that her father purchased their property nearly 70 years ago, and they have seen many changes over the decades. She emphasized the commitment her father had to stewarding the land and developing trails, reflecting their family's longstanding connection to the area. She reflected on the accelerating traffic issues in recent years, highlighting that the valley is a "bowl" that can only handle so much development before resource strain, such as on the roadways and water systems, becomes overwhelming. She stressed the importance of considering water drainage and traffic in future planning decisions, as these issues have vastly increased the area's original capacity for supportive infrastructure.

Miranda Menses explained that the land was downzoned from AV-1 to AV-3 in 1998 specifically because septic systems needed to be spaced out, noting that calculations at that time showed they were seeking to get to a 6-acre average density in the area.

Cal Stevens expressed concern about wells and septic tanks, noting he lived in the Willow Jones subdivision and had a well because he could not gain access to Liberty Water. He worried about pollution and water depletion as a result of allowing additional wells.

Ron Gleason pointed out that the AV-1 zone is not listed in the Ogden Valley General Plan and questioned how a rezone could be approved for a zone that does not exist in the Valley.

Vice Chair Barber closed the public input period.

Mr. Boren responded to the concerns raised during the public input period. He acknowledged and appreciated everyone's comments and concerns, stating that his family takes them seriously. He pointed out that many concerns focus more on the potential future development rather than the requested zoning itself; obtaining a rezone would not automatically allow development, and, instead, his family would pursue a whole development process overview once the zoning change is approved. He requested not to delay the zoning decision until the new government takes office, urging the Commission to approve the rezone to enable productive use of the property. Mr. Boren assured everyone that future development plans would address the issues raised, such as water, traffic, and septic systems, through thorough studies and community engagement. He noted his family owns 94.5 shares of secondary water and there is sufficient water for the property. He highlighted the family's long-standing connection to the valley since 1971 and asked the Commission to consider reasonable use of the property in meeting both the family and community needs. Finally, he thanked everyone, including the Commission, for the thoughtful consideration and emphasized the land's appropriateness for development due to its history and potential.

Commissioner Warburton moved to recommend denial of ZMA 2025-07 an application to rezone approximately 28.65 acres of property located at approximately 3767 E 4100 N from the Agricultural AV-3 zone to the Agricultural A-1 zone, citing inconsistency with the general plan, which took years to develop; increasing density on the property violates a fundamental principle of the general plan. Commissioner Morgan seconded the motion.

Commissioner Burton referenced Mr. Gleason's comments about whether the AV-1 zone exists in the Ogden Valley. Legal Counsel Erickson specified that the AV-1 zone does exist within Weber County, and Mr. Ewert noted that any County zone is available for rezone petition, though the petition must align with the General Plan.

Commissioner Warburton clarified that the motion to recommend denial is based purely upon the fact that the requested rezone will increase density and that is a clear violation of the General Plan.

Vice Chair Barber emphasized a focus on the primary tenant of the General Plan, which is not to upzone properties—a significant consideration, given the broader goals of managing growth and sustaining rural character. He underscored that the absence of upzoning since the implementation of the General Plan signified a strong commitment to these principles. While acknowledging the potential of the project to align with a natural density transition near the Village center, he stressed the importance of adhering to the Plan's guidelines. Vice Chair Barber suggested that this proposal might be more appropriately assessed by the new city government once they have established their own planning and zoning framework.

Vice Chair Barber called for a vote on the motion to recommend denial of the application. Commissioners Burton, Froerer, Morgan, Warburton and Vice Chair Barber voted aye. (Motion carried on a vote of 5-0). Commissioner Gross and Chair Wampler were not present when this vote was taken.

**1.4 ZDA2025-11: an application to amend the Wolf Creek Development Agreement as it applies to property located at approximately 3301 N Wolf Creek Drive. The amendment will enable the creation of a park and ride lot and related uses to serve the Powder Mountain Ski Resort. Applicant Representative: Olga Mariasina; Staff Presenter: Charlie Ewert**

Beth Hodson from Powder Mountain presented the application to amend the Wolf Creek development agreement to allow for a park and ride lot. She explained that they had introduced the plan to stakeholders in October and made changes based on feedback received. The proposal included a parking facility with related amenities designed to support Powder Mountain resort operations. Ms. Hodson stated they were requesting approval now, rather than waiting for the new city, because the plan would be the same either way. She explained that the facility would be a key piece for successful operation of the resort and its relationship with the community. Ms. Hodson addressed the location question, explaining that the site was chosen because it's on a major highway with great access, and would serve as an anchor for the relationship between the resort operations and the community. When questioned by Vice Chair Barber about alternative locations for the park and ride lot, Ms. Hodson stated that getting people to use transit from locations further away (like Rainbow Gardens or the mouth of Ogden Canyon) had not proven successful at other resorts. She explained that having a facility close to the destination was more effective at encouraging transit use.

Principal Planner Ewert presented the staff analysis of the application, noting this was a legislative decision with no entitlement to approval. He initially considered recommending denial based on traffic concerns but realized that denial would likely result in continued use of existing facilities rather than moving parking to Ogden or Mountain Green. Mr. Ewert discussed several considerations including:

- Traffic impacts, especially during peak hours, and the need for turning lanes and intersection improvements
- Coordination with potential development across the street to create a four-way intersection
- Potential impacts on neighboring residential properties, including visual impacts
- The need for landscape controls and architectural standards
- Environmental concerns related to Wolf Creek running along the western edge
- The opportunity to include pathways along the power line corridor

Mr. Ewert concluded that after reviewing the proposal within the intended context of the Ogden Valley General Plan, it is staff's opinion that this rezone has the potential to help advance the vision and goals of the plan, provided the site is effectively screened from view of the surrounding residential lots and provided sufficient voluntary community contributions. Provided adherence to the following by means of a revised development agreement proposal, staff is recommending approval of the development agreement amendment.

1. Site Design Review pursuant to Title 108, Chapter 1, and Title 108, Chapter 2 is required prior to final approval of construction plans. The concept site plan, landscaping plan, and building designs shall be updated prior to Design Review to provide for the following:
  - a. The proposed berms around the site shall be no less than six feet tall.
  - b. Site landscaping shall meet or exceeding County Code 108-2.
  - c. Sufficient minimum irrigation must be provided to the site to ensure compliance with landscape requirements. Required vegetation to be water-wise drip irrigation.
  - d. Buildings shall comply with the minimum agrarian design standards found in the form-based zone, Code Section 104-22-6.040.
2. Transportation mitigation:
  - a. Unless a traffic impact study recommends more, at least a 1,000-foot center turn lane on SR-158 shall be constructed by the applicant to the site's entrance. If UDOT allows less, then the 1,000-foot center turn lane shall be escrowed for no less than two ski seasons. If, at any time within the two-season period UDOT finds any part of the lane necessary, the applicant shall construct the needed length, leaving the value of the remaining length in escrow for the remnant of the escrow period. If after the escrow portion UDOT confirms that only a portion of the full length of the lane is necessary, then the unnecessary portion of the unused escrowed funds shall be returned.
  - b. The applicant shall dedicate any ROW width necessary to accommodate the required improvements to UDOT.
  - c. If the Eden Landing Development is constructed on the east side of Highway 158, the applicant shall share the entire cost for intersection improvements and any UDOT desired intersection traffic control devices with Eden Landing LLC (or successor/heir). The cost share shall be a ratio based on the total number of vehicles exiting/entering the high to/from the east (Eden Landing LLC's share) and to/from the west (Summit Mountain Holding Group's share), or as otherwise mutually agreeable by all parties (the landowners, the city, and UDOT).
  - d. Before submitting for a Design Review, fund and conduct a traffic impact study to determine the effect the new intersection will have on existing and projected future traffic demand, including the demand related to the project,

the existing and new traffic patterns and volumes related to existing development in the area, and the traffic related to the Eden Landing development, if applicable.

3. Community recreation:
  - a. An easement shall be granted along the Wolf Creek corridor for the 75-foot stream corridor setback. The easement shall be for the purpose of drainage control and for the siting of a shared community pathway.
  - b. If permitted by the Wolf Creek Water and Sewer Improvement District, the applicant shall construct a paved pathway that is no less than 10-feet wide through the WCWSID property, through the subject property, and along the power line corridor in a manner that connects River Drive to Willow Brook Lane in a general configuration as provide in Figure 3 of this report or as otherwise negotiated by the affected landowners.
4. Any onsite wetlands shall be avoided and protected during construction.
5. Water and sewer agreements with WCWSID or an approved alternative shall be finalized before final Design Review approval.

Staff's recommendation is offered with the following findings:

1. The proposed DA amendment supports regional recreation mobility without increasing regional traffic volume.
2. With berming, landscaping, and dark-sky compliance, the project can be compatible with surrounding rural-residential uses.
3. The amendment aligns with the Ogden Valley General Plan regarding transportation, recreation, and environmental protection.
4. Water and sewer can be provided upon coordination with WCWSID or another approved utility entity.
5. The DA improves compatibility through agrarian design standards and landscape requirements.
6. Wetlands and the Wolf Creek corridor are avoided and protected.
7. Trail connectivity and recreation amenities support community goals.

Commissioner Morgan inquired about the potential issues with having a single access point for the proposed parking facility. Principal Planner Charlie Ewert addressed this question by noting that a single access point could pose significant challenges, particularly for traffic turning left into the park-and-ride. To mitigate this, Ewert recommended considering the implementation of a robust queuing lane to manage vehicle flow efficiently. He pointed out that current proximity issues with nearby roads, like Patio Springs Road, also need careful consideration to avoid creating traffic congestion and safety hazards.

Vice Chair Barber opened the public hearing.

Jan Fullmer argued that the proposal would place an 800-spot parking lot in the densest populated area of the Valley and mentioned safety issues. She expressed concerns about placing such a large parking facility in a residential area, potentially exacerbating traffic congestion and creating significant safety hazards. Fullmer described the Valley's already high population density, noting the developments of Eden Crossing and Cobabe Ranch, which has led to increased traffic and short-term rental activities in the area. She highlighted the dangers posed by adding an 800-car parking lot to an area already dense with housing, particularly during the winter months when visitors are unfamiliar with the region increase. Fullmer pointed to the Forest Service's port ramp area as a more viable alternative location, noting that it was not in a residential area and was already slated for significant expansion according to their master plan. This alternative could alleviate traffic issues without compromising the safety and character of the community.

Sue Gingrich questioned why Powder Mountain needed additional parking when they couldn't fill their existing spaces. She expressed her incredulity towards the scale of the proposed parking lot, emphasizing that the expansion seemed unnecessary if the existing demand did not meet the current parking supply. She expressed her disappointment in the privatization of the mountain.

Christine Craven, who lived at Moose Hollow with a view of the property where the proposed lot would be constructed, supported using alternative locations to avoid expensive studies and road improvements needed to support the park and ride lot.

Wardle Peterson, a 50-year resident of the area, described how the subject property floods during spring snowmelt and expressed concerns about exhaust, noise, and nighttime activity associated with the proposed park and ride lot.

Gary Fullmer raised concerns about traffic congestion at the four-way stop near Eden Market. He highlighted that the congestion was particularly problematic at peak times, especially when the ski mountain closes and cars are attempting to leave the area. He suggested that adding a large parking facility, like the proposed 800-stall lot, would exacerbate the existing traffic issues and

pointed out the potential for increased delays and risks at the intersection. He underscored the need for a re-evaluation of traffic management strategies in that area before proceeding with the development, advocating for a focus on how current congestion could be mitigated rather than compounded.

Doug Jackson compared the project's scale to Valley Market's 52 spaces, questioning how 800 vehicles could be accommodated. He highlighted the logistical challenge of managing such a large number of vehicles, drawing a sharp contrast between the existing capacity at Valley Market and the proposed park-and-ride. Jackson expressed skepticism about the practicality and necessity of such a vast parking facility, given the Valley Market's much smaller, yet bustling, parking scenario. He voiced concerns that the sheer number of vehicles in the proposed plan would lead to overwhelming congestion and inefficiencies. Furthermore, Jackson raised an environmental concern, arguing that the extensive lighting necessary for the parking facility would compromise the valley's designation as a dark sky district. He suggested that the facility's lights could generate significant light pollution, detracting from the natural night-time environment that Ogden Valley residents deeply value. He concluded that the matter should be considered when the newly formed city's government is established.

John Gingrich stated it is hard to believe this proposal would benefit the new city or Ogden Valley in general; there is no real tax benefit that will be provided to the Valley. Private Mountain intends to privatize a large portion of the mountain, and nearly half of their season ticket holders will be gone and there will not be a need for this empty parking lot in the future, though it will create an eyesore for the community that does not deserve it.

Don Stefanik stated he is representing himself and a fellow resident of Trappers Court; he read a 'memo of protest' from the two of them regarding the Wolf Creek Master Development Agreement. The memo criticized the attempt to convert the AV-3 zoning into a parking lot and vehicle maintenance facility, describing it as a low form of land utilization. The memo highlighted that the AV-3 parcel was meant for specific uses related to Trappers Ridge and Wolf Creek Resort, focusing on maintaining open rural spaces. The memo further expressed concerns about bad faith and speed in pushing for the amendment, suggesting that it fundamentally violates the zoning expectations set for that land and could detrimentally impact the community's rural environment. Mr. Stefanik then stated that his feelings about the proposal are not personal, but he is concerned about the list of negative consequences that residents of the area will deal with if the types of improvements being proposed by Powder Mountain are allowed to move forward.

Ryan Crabtree shared remarks opposing the proposal for a park and ride development, citing the potential negative impact on the local community. He emphasized that trails and parking lots might sound appealing in concept, but in reality, they affect quality of life for residents when such developments are implemented right in their view and environment. He argued that there are viable alternatives to constructing new parking facilities, such as using existing infrastructure at local schools or the Forest Service's land, suggesting these alternatives were preferable to paving open spaces within the residential area.

Kyle Coleman, whose property directly borders the proposed development, voiced significant concerns. Looking at the application provided, he pinpointed numerous inaccuracies and omissions that, he believed, left considerable uncertainties about the project's long-term impact on his property and the local community. He highlighted the lack of legally enforceable mechanisms within the agreement which ensures the applicant's compliance with promised mitigations, such as landscape buffering or other measures to protect the bordering properties' privacy and value. Additionally, he stressed the placement of high-density multi-family units, in what is primarily a low-density area, presents a drastic and incompatible contrast to the character of the existing area. This juxtaposed density, coupled with potential traffic, noise, and infrastructure demands, he warned, could set a problematic precedent for unsystematic development broadly inconsistent with regional efforts to maintain orderly growth and retain the area's rural essence. Mr. Coleman reiterated the general sentiment expressed by his neighbors during the hearing, urging that these issues be thoroughly addressed before any approval is granted, to safeguard the character and livability of their community.

Kelly Pendleton, representing Ogden City Economic Development, expressed appreciation for Powder Mountain's collaborative approach, noting their responsiveness to community feedback and meaningful changes implemented in the proposal. She highlighted the importance of the proposed project from both an economic development and safety perspective, suggesting it would help reduce congestion, improve shuttle loading, and overall enhance safety on the road leading to the mountain. Ms. Pendleton voiced support for the project, emphasizing that Powder Mountain's intent was to keep the mountain welcoming and safely accessible to all residents and visitors.

Brady Ostler expressed opposition to the project. He noted he returned to the Valley after living in Chicago and he was disappointed by the dramatic changes in the area. His intention was to give his children the same upbringing he had enjoyed in

the rural valley environment. He mentioned his choice of the neighborhood he decided to live in and raise his kids in was influenced by the presence of other children and families. He urged the Commission to prioritize the needs of the children in the area, arguing that having a large parking facility nearby would detract from the community's quality of life and the environment he had hoped to provide for her family.

Rick Allen stated he lives directly adjacent to the proposed parking facility. He reiterated concerns about the detrimental impact the development would have on the community and environment. He stated that while trails and parking might seem beneficial in abstract terms, their reality differs when they are situated in one's backyard. He described how trails can lead to noise and disturbances that were not initially considered.

Ron Gleason highlighted the importance of maintaining zoning integrity for the AV3 zone. He emphasized that AV3 is primarily intended to preserve agricultural lands and support low-density residential development. Mr. Gleason expressed concerns about the parking lot's lighting. He explained that the proposed parking lot would feature approximately 150,000 square feet of pavement, with the ordinance allowing 2 lumens per square foot. This equates to roughly 250,000 lumens, which is similar to 250 hundred-watt light bulbs. While acknowledging that the lights would be shielded and downward pointing, he stressed the substantial illumination level and recommended that lighting height be kept below any existing berms to minimize potential light spillover into neighboring areas.

Carolyn Robertson stated she is speaking on behalf of herself and her neighbor, Lee Schiffman, as well as many other neighbors and friends in the community who are stakeholders in this matter; she highlighted the adverse impacts she believed the development would have on daily life, property rights, and property values of those living directly west of the proposed Wolf Creek parking facility. She referenced the area designated for a pump track and expressed concern about the developer's ability to change recreational designation of that area at any point in the future by donating \$25,000 to the Ogden Valley Parks Service. The residents would prefer a park or recreational/open space at the site and is opposed to the developer's ability to develop the area for another use in the future. She recommended that no commercial development be allowed on the back portion of the property and suggested the Commission request changes to the developer agreement accordingly.

Tina Allred stated she has a unique perspective on this application; she has been a professional driver since 2008, holding a commercial driving license (CDL) and having served as the Transportation Manager for Powder Mountain for a period of time. She provided insights from her experience when the ski resort switched from running its own buses to partnering with UTA. She noted that back then, buses from Rainbow Gardens often reached full capacity before completing pickups in Wolf Creek and Moose Hollow, necessitating multiple buses due to high demand. However, she suggested the current reduced ridership is likely a consequence of elevated lift ticket prices and implemented paid parking measures. She expressed skepticism towards the necessity of an 800-stall parking lot, especially if current capacity occurs far less frequently. Recognizing the significant congestion already present when avalanche mitigation work causes road closures, and the associated backups extending to access points such as 4100 North, she highlighted potential aggravation to these issues by the proposed development. She underlined the impracticality of enforcing anti-idling measures, given similar unsuccessful attempts at settings such as airports. She ultimately judged it unwise to approve the parking lot, leaning towards assembling attendees at the canyon's base to utilize bus services, a successful practice currently seen in Little Cottonwood Canyon.

Eric Brian stated he lives directly north of the proposed development and is particularly concerned about the increased danger from cars making left-hand turns around the downhill curve, noting that last time there was significant snowfall, he found five holes in his fence from cars that had skidded off the road. He stated he has a clear view of the area and is worried about the proposed lighting affecting the Valley's dark skies. The snow's reflection and typical fog in the area would illuminate the entire valley, disrupting the scenic quality residential value.

There were no additional persons appearing to be heard.

Commissioner Warburton moved to close the public hearing. Commissioner Morgan seconded the motion; all voted in favor.

Commissioner Morgan moved to recommend denial of CDA 2025-11, an application to amend the Wolf Creek Development Agreement as it applies to property located at approximately 3301 N Wolf Creek Drive; the amendment would enable the creation of a park and ride lot and related uses to serve the Powder Mountain Ski Resort. Motion was based on the finding that the application is inconsistent with the Ogden Valley General Plan, incompatible with the intent of the AV-3 zone, and has the potential to degrade the rural character, open space, and community values the Plan is intended to protect. Specific findings supporting a recommendation of denial are as follows:

- The property is on AV-3, Agricultural Valley 3-acre minimum, and lies outside any designated village center, resort master plan zone, or other high-intensity commercial mixed-use area as mapped in the General Plan.
- The proposed use of an approximately 800-stall parking facility and bus repair facility, which constitutes a high-intensity use, is substantially more intensive than typical agriculture or low-density residential uses permitted in AV-3.
- The General Plan's community character vision explicitly describes the rural character of Ogden Valley as being defined by open view corridors, agricultural lands, dark skies, clean air, and water abundant wildlife, and small villages in defined locations.
- The General Plan states that physical development should complement, not overwhelm, or compete with the rural character of the Valley.
- By situating a large parking facility and bus operation outside these mapped centers, the proposal would undermine the Plan's goal of concentrating development where infrastructure and appropriate land use designations exist.
- While the applicant suggests the park-and-ride will reduce traffic to the resort, the facility is only located 5 to 6 miles from the resort base such that the public will still enter the Valley via existing corridors through Ogden Canyon, North Ogden Divide, Trapper's Loop, and the Eden 4-way intersection. The proposal does not eliminate or reduce the number of vehicles entering Ogden Valley by these primary access points.
- The proposal will increase traffic congestion on State Route 158 and may require another controlled intersection.
- The increased traffic, lighting, noise, and paved area associated with the 800-car lot and bus maintenance facility would degrade the rural open space, dark sky, agricultural, and small village characteristics that the General Plan intends to preserve.
- Because the proposed amendment and associated land use change is inconsistent with the adopted Ogden Valley General Plan—specifically, the community character vision, the land use strategy, and the mapped pattern of growth—it would represent a fundamental departure from the Plan's purpose of protecting rural character and concentrating development in appropriate zones.
- The proposal would thereby overwhelm or compete with the rural character rather than complement it.

Commissioner Warburton seconded the motion, expressing disappointment in the answers received about alternative locations for the proposed parking lot. She stated that the owners of Powder Mountain should be able to develop a solution that doesn't harm the Valley and suggested locations at Rainbow Gardens, the lake, or at the bottom of Trappers Loop would be better options.

Vice Chair Barber called for a vote on the motion. Commissioners Burton, Froerer, Morgan, Warburton and Vice Chair Barber voted aye. (Motion carried on a vote of 5-0). Commissioner Gross and Chair Wampler were not present when this vote was taken.

Vice Chair Barber supported the motion, noting that while he was a fan of Powder Mountain and had driven the road frequently, he had concerns about big vehicles and safety issues. Commissioner Burton added that the General Plan does not support the notion of the Ogden Valley becoming a staging area for a resort.

**1.2 ZMA2025-06: an application to rezone approximately 10.66 acres of land located at approximately 3362 N 5100 E, from the Agricultural Valley AV-3 zone to the Forest Residential FR-3 zone. Applicant Representative: Dana Farmer; Staff Presenter: Charlie Ewert.**

Rick Scadden presented his zone change application; he stated he feels the proposed project aligns with existing character and established density patterns in the Wolf Creek planning area while enhancing connectivity. He argued that the project is strategically located where similar density already exists and introduces little change in terms of character or scale. Mr. Scadden stated that transferable development rights (TDRs) are available and identified, though not yet formally secured, and that he would work with neighboring landowners to align roadways, utilities, and trails.

After presenting his proposal, Mr. Scadden addressed questions from the Commissioners. Vice Chair Barber asked whether any of the proposed units would be designed for workforce housing and inquired about potential pricing. Mr. Scadden indicated that while the current plans did not specify workforce housing, it could be a consideration, with unit pricing potentially ranging from the \$400,000's to \$600,000's. Vice Chair Barber was also interested in how parking and driveway lengths would be managed, particularly addressing concerns about the spatial adequacy for vehicles at the proposed residences which are located on slopes. Mr. Scadden confirmed that the units would feature setups to accommodate parking needs. Commissioner Warburton inquired about the status of the transferable development rights (TDRs), which Mr. Scadden acknowledged were identified but not yet formally secured; he did not want to proceed with the purchase until he is certain he is able to get approval of the zone change. Commissioner Warburton stated that is unfortunate because rezone applications are dependent upon TDRs. Commissioner

Warburton also questioned the access arrangements through adjoining properties. Mr. Scadden stated that he had discussions with the homeowners' associations (HOAs) and mentioned agreements but conceded that they were not finalized.

Principal Planner Charlie Ewert explained that the FR-3 zone is contiguous with other FR-3 zones in the area. He showed the site layout with proposed access points to Highway 158, Moose Hollow, and the Ridges. Mr. Ewert noted that the project is outside but near a Wolf Creek village area, which is not as well-defined as other village areas in the valley. He explained that the site is at the edge of higher-density development to the north and northeast, with larger acreage lots to the south and west.

Mr. Ewert identified several issues with the proposal:

- The stream running through the property would require a 50-foot setback on both sides;
- Wolf Creek Water and Sewer District and Eden Water Works had stated they would not serve the property;
- The proposed layout would need to be revised to accommodate the stream corridor; and
- Access to the Ridges would require navigating steep terrain.

Mr. Ewert concluded that after reviewing the proposal within the intended context of the Ogden Valley General Plan, it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the rezone. This recommendation is offered with the following considerations, which are intended to be incorporated into a zoning development agreement:

- Update the proposed development agreement to include the following:
  - Zone reversion clause. If agreement expires the FR-3 zone expires and reverts to the AV-3 zone unless/until renegotiations have occurred.
  - Increased density by Transferable Development Right only – the transfer to be executed prior to plat recordation. Use the same TDR rules provided in the FB zone.
  - Updated concept plan and inserted design standards to provide for the following:
    - Landscaping to buffer the large lots to the south and west.
    - The required stream corridor setback.
    - Public street connection from SR158 to Moose Hollow Drive. Street to include a 10-foot public pathway, or if providing the same connections, the 10-foot public pathway can be placed through an open space corridor on the property.
    - Moved location of SR-158 Pathway.
    - 10' paved pathway within the power line corridor, connecting it to the existing road base pathway in the Eagles Landing development (the EDEN VALLEY DEVELOPMENT LLC property to the east).
    - Unless required otherwise by UDOT, realign the street connection to HWY 158 to provide a four-way intersection that aligns with the entrance to the Summit Mountain Holding Company's property to the west.
  - Require the following, excepting any specific detail refused by UDOT:
    - If the Powder Mountain Park-and-Ride is constructed on the west side of Highway 158, or any other development occurs there, share the entire cost for intersection improvements and any UDOT desired traffic control devices with Summit Mountain Holding Group, LLC (or successor/heir). The cost share shall be a ratio based on the total number of vehicles exiting/entering the high to/from the east (the applicant's share) and to/from the west (Summit group's share), or as otherwise mutually agreeable by all parties (the landowners, the city, and UDOT).
    - Before submitting for a subdivision review, fund and conduct a traffic impact study to determine the effect the new intersection will have on existing and projected future traffic demand, including the demand related to the project, the existing and new traffic patterns and volumes related to existing development in the area, and the traffic related to the Powder Mountain Park and Ride.
    - Unless the traffic impact study recommends greater improvements, at least install a right-turn pocket from HWY 158 to the project. Move and reconstruct the SR158-adjacent pathway to provide no less than a 10-foot buffer between the pathway and the highway's asphalt surface. The pathway should be no less than 10 feet in width. Publicly dedicate sufficient right-of-way width to accommodate for the improvements.

Staff's recommendation is offered with the following findings:

1. The proposal can meet the General Plan's "no net new development rights" policy through TDRs.
2. Surrounding development patterns include high-density residential consistent with FR-3.
3. The project's location near (within 0.4–0.6 miles) a designated village center can support village-oriented growth.

4. The request is a legislative action, and the County has broad discretion.
5. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Commissioner Warburton asked whether the rezone, if granted, would run with the land or with the owner and if there was a possibility for the zoning to revert back if the property was sold. Mr. Ewert explained that the rezone would run with the land, but the County could include a zone reversion clause in the development agreement to ensure that if certain conditions or timelines were not met, the zoning could revert to the previous designation.

Vice Chair Barber opened the public hearing.

Eric Brian expressed concerns about the proposed development, emphasizing issues related to density and the loss of rural characteristics in the area. He noted traffic issues near the site, particularly at a makeshift four-way stop; he also expressed concern about a 'hammerhead' in the road directly across from his kitchen window. He highlighted the presence of a stream along the subject property line and noted the area is a common wildlife corridor that will be lost if the rezone and subsequent development is approved. He urged denial of the project.

Christine Craven, a resident of Moose Hollow, expressed concerns regarding the potential zone change. She raised issues about the impact on wildlife corridors, noting that the area serves as a crucial habitat and pathway for local wildlife. Christine also highlighted the steep grades in the area, which could pose challenges for new development. Additionally, she underscored the importance of groundwater resources within the valley, advocating for the completion of an environmental impact study before proceeding with the zone change. Emphasizing the criticality of water resources, she strongly opposed the proposed zoning change. She stated the TDR issue should also be addressed before the project moves forward.

Miranda Menses stated she is speaking as a representative of the Board of the Wolf Creek Water and Sewer Improvement District; she emphasized the district's inability to provide water or sewer services to the proposed development, citing ongoing litigation and capacity constraints. She stressed that offering services outside district boundaries is not feasible until resolving these internal issues. In cases where the applicant might pursue well drilling within the proposed project area, Ms. Menses warned of potential conflicts stemming from nearby existing water sources they are committed to defending vigorously.

John Gingrich expressed several concerns about the proposal; he claimed there is no local engagement or consultation regarding development plans, pointing out that residents were not asked about the kind of development they wanted in Eden. The developer has not contacted residents in Moose Hollow. He highlighted the failing intersection near the Valley Market, emphasizing that something other than traffic lights is needed for resolution. He criticized the proposal for lack of planning and infeasibility, noting that accessing necessary roads without appropriate or navigable infrastructure makes the plan seem rushed and unrealistic.

Tina Allred stated she is the Eden Water Works President, and she provided copies of a letter from Eden Water Works' legal counsel regarding this matter. She noted that a rezone is a privilege and not a right and the Commission is not required to approve it. Eden Water Works is unable to provide water to the project, and this will also have an impact on the applicant's ability to secure sewer service. She explained that the property contains two wells within 600 feet of an Eden Water Works source, and they would "vigorously defend" their water source if the applicant pursued their own wells.

Ron Gleason referenced a potential landownership issue, as the land under the transmission lines where these facilities are proposed may be owned by Rocky Mountain Power and not available for development without appropriate agreements. He indicated the application materials identify two different optional uses of the property under the transmission lines: pickleball courts and boat/RV storage. He expressed concerns that the RV/boat storage does not comply with FR-3 zoning, which prohibits such storage. He noted that FR-3 zoning requires that 40 percent of each lot must have open green space, which was not shown in the concept plan. He pointed out that all other FR-3 zones are within Wolf Creek boundaries and were granted in exchange for open space. He stated that the County's land use ordinance indicates that TDRs are not allowed in the FR-3 zone; if the County approves the zone change and allows TDRs, such action would be 'spot-zoning', which is inappropriate and should be avoided. He stated that sewer infrastructure is required for the density that has been proposed. He concluded by addressing multiple inconsistencies and unsupported claims in the proposal, urging adherence to zoning codes for responsible development.

Tina Allred referenced the Rocky Mountain Power property mentioned by Mr. Gleason; she presented a map highlighting the property boundaries. The applicant's materials are not an accurate representation of the condition of the property, which contains

a single-family home and is surrounded by other single-family homes. She recommended the Commission recommend denial of the application. She noted that the residents who have opposed the project are contiguous to it.

Valerie Walker stated she owns property adjacent to the project and explained her family had moved there for the three-acre lots and rural character; they had not anticipated potentially having 110-192 units next door. She expressed concerns about the effects of the project on wildlife, dark skies, and property values.

Jan Fullmer raised concerns about safety issues related to the proposed development; she reminded the Commission that units in the project could be used as short-term rentals (STRs), which has caused a great deal of concern in the Valley in recent years. She then cited a past incident where a major natural gas line broke in the middle of SR 158. This event necessitated sending all children home from school; however, parents were unable to access the area due to road blockages. She highlighted the high density of development in the area and urged caution and consideration regarding emergency scenarios in the Valley, particularly in winter, when there are many visitors unfamiliar with local conditions. She argued for allowing the new city to address these concerns as part of a reconsideration of zoning proposals. She suggested that the density and traffic issues warrant a step back to reassess safety plans and prevent potential disasters.

There were no additional persons appearing to be heard.

Commissioner Burton moved to close the public hearing. Commissioner Warburton seconded the motion; all voted in favor.

Commissioner Morgan moved to recommend denial of **ZMA2025-06**: an application to rezone approximately 10.66 acres of land located at approximately 3362 N 5100 E, from the Agricultural Valley AV-3 zone to the Forest Residential FR-3 zone, based on the following findings:

1. Inconsistency with the General Plan: The 2016 Ogden Valley general plan states that the valley's character is defined by rural open space, agricultural uses, low density residential areas, and compact village centers rather than dispersed suburban style density. The plan states that new development should complement and not overwhelm or compete with the rural character of the building, as higher intensity residential should only occur within designated village centers or master plan resort areas, not on isolated parcels outside. The subject property is near, but not within, any defined village boundary, and therefore, does not qualify for higher residential density under the land.
2. Incompatibility with AV-3 zoning intent: AV-3 zoning exists to preserve agricultural, protect open lands, maintain low density development patterns. Under AV-3, the parcel would support a maximum of 3 dwelling units, 3 acres per dwelling. rezoning to FR-3, enabling 110 multifamily residential units represents an increase of density more than 36 times the currently allowed density, which is fundamentally incompatible with the surrounding zoning purpose.
3. Transfer of development rights (TDRs) prohibited: While density increases via transfer of development rights may be contemplated by the General Plan, this parcel is not located within a designated TDR receiving area under Weber County code. Without eligibility as the receiving zone, the density proposed cannot be legally or procedurally achieved. The Weber County Commission has defined specific TDR receiving zones for conformance to the general plan.
4. Road pattern conflicts: The proposed density represents a significant departure from the planned development of 33 residential sprawl along I-58 in an area not intended for urban or suburban level density. Allowing a large multifamily project in this location would establish precedent for scattered developments contrary to the general plan's goals for orderly, compact, and village centered growth.
5. Public interest and community character: the magnitude of the request density request of density increase would produce impacts on traffic, emergency services, water waste infrastructure, and rural landscape that have not been contemplated by the general plan. Proposal would materially promote the world character protections that form the foundation of the public plan.

Commissioner Burton seconded the motion. Commissioners Burton, Froerer, Morgan, Warburton and Vice Chair Barber voted aye. (Motion carried on a vote of 5-0). Commissioner Gross and Chair Wampler were not present when this vote was taken.

**1.1 ZDA2025-12, A request from Froerer Family Investment for a public hearing, discussion, and possible recommendation regarding a development agreement to preserve development rights, timing of project development, and overall project layout for approximately 19.32 acres, located at approximately 700 S 7900 E, Eden, UT, 84310 in the AV-3 Zone. Applicant Representative: Ryan Froerer; Staff Presenter: Tammy Aydelotte.**

**\*\*There will be no decision made on this item in this meeting. This is included on the agenda to allow for public comment only (see posted public notice <https://www.utah.gov/pmn/sitemap/notice/1040403.html>). A recommendation to the County Commission will be made at the December 9th Weber County Planning Commission Meeting.\*\***

Planning Director Rick Grover explained that this item was for information gathering only, with no decision to be made at this meeting. He stated that the public hearing would be held on December 9 by the new city. The Commission can accept public input if they would like to but are not required to.

Planner Aydelotte presented the request, explaining that the subject property is located at approximately 700 South 7900 East in the AV-3 zone and consists of just over 19 acres. Under current zoning, the applicant would be entitled to 6 lots, which they are seeking to preserve through the development agreement. Ms. Aydelotte noted that the proposed lot layout meets or exceeds minimum requirements, and the developer is offering a 60-foot-wide right-of-way to allow for connectivity. The applicant is requesting to memorialize their development rights with a 10-year term and an option to extend for 5-years up to three times. In exchange, they are offering connectivity to adjacent parcels and the preservation of open space for a longer period. Ms. Aydelotte concluded by referring to her staff report, which includes staff's analysis and recommendation regarding the application, as follows. After reviewing the proposal within the constraints of existing development agreement and Weber County Ordinance, it is staff's opinion that this proposal may help maintain the vision and goals of the Ogden Valley General Plan, specifically regarding the preservation of open space and maintenance of the valley's pastoral lifestyle. Staff review is offered with the following considerations:

1. Staff's comments, suggestions, and edits regarding the DA should be more fully addressed prior to county commission approval.
2. Submission of an exhibit showing proposed connectivity to the east shall be submitted prior to the appearance before the County Commission.

Staff would recommend approval of this request with the following findings:

1. After the listed considerations are applied, the proposal helps advance the goals and objectives of the Ogden Valley General Plan.
2. The proposed changes are not detrimental to the overall health, safety, and welfare of the community and provides for better project outcomes.
3. A negotiated development agreement is the most reliable way for both the jurisdiction and the applicant to realize mutual benefit.

Commissioners Warburton and Commissioner Burton expressed support for the proposal, noting that it would help preserve family property and allow for family compound development, which aligns with the Valley's rural character.

No formal action was taken on this item.

## **2. Public Comment for Items not on the Agenda:**

There were no additional public comments.

## **3. Remarks from Planning Commissioners:**

Each commissioner offered closing remarks, as this was the final meeting of the Ogden Valley Planning Commission before the new city government takes over. Commissioner Burton expressed gratitude for serving on the Commission and appreciated the staff and his fellow Commissioners.

Commissioner Warburton shared remarks about her time on the Commission, expressing deep appreciation for County staff who had supported her through personal difficulties. She spoke about the respectful collaboration among Commissioners despite differing viewpoints.

Vice Chair Barber expressed disappointment that more newly elected officials and planning commission members for the new city had not attended meetings to learn the process, noting that only one elected official and no new planning commission members were present.

Commissioner Morgan expressed appreciation for the short time he had served on the Commission and the learning experience it provided.

## **4. Planning Director Report:**

Planning Director Grover thanked the Commissioners' families for allowing them to serve and expressed gratitude for the Commissioners' thoughtful deliberation, collaboration, and time investment. He wished the community and new city government well in the transition.

Principal Planner Ewert added his appreciation for working with the commission over his ten years with the County.

**5. Remarks from Legal Counsel**

Legal Counsel Erickson added his appreciation for the working relationship he has enjoyed with the Commission over his ten years with the County. He thanked the Commissioners for their service.

The meeting adjourned at 8:28 p.m.

**Respectfully Submitted,**

***Cassie Brown***

**Weber County Planning Commission**