

Minutes of the Western Weber Planning meeting of August 14, 2018, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1. Ogden UT at 5:00 p.m.

Members Present: Blake Hancock-Chair
Jannette Borklund
Bren Edwards
Mark Whaley

Members Excused: John Parke
Greg Bell
Jennifer Willener

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner/ Long Term Planner; Steven Burton, Planner III; Felix Lleverino, Planner II; Matthew Wilson, Legal Counsel;

- Pledge of Allegiance
- Roll Call

Chair Hancock asks Mr. Heslop to come to the front. He states that they want to recognize the outstanding service that Mr. Heslop has performed for the Western Weber Planning Commission and Weber County. Mr. Heslop has had several other terms of service for the Planning Commission, beyond the four stated. Chair Hancock adds that they would like to present him with a token of gratitude on behalf of the Planning Staff and the Planning Commission. He thanks Mr. Heslop for his service.

Chair Hancock asks if the Planning Director has an opening statement.

Director Grover states that as far as the items go, they would like to have the Work Session in the Commission Chamber so that the public can be a part of that.

WS1: Discussion and input on the Western Weber Future public involvement process.

Mr. Ewert states that the County Commissioner asked that the Planning Staff go out to the public of Western Weber County to find out how they feel about the future land use and land use regulation and any changes they feel are necessary. One of the reasons for zoning is to separate different kinds of uses. The question is how to help two conflicting land uses work together in harmony. It was also important to get some feedback on what they're hoping for the future. There was four meeting and each one was followed by a survey. The County Commission asked the Planning Staff to produce some maps that speak for what the public is asking for. One of the biggest misconceptions that the public had was that the County didn't really care about what they want, they were just doing it for show. He adds that they did their best to reassure the public that this was not the case. He states that one of the things they did was have blank maps for the public and let them draw on them to get an idea of they have in mind for the future. He was able to take all the feedback and the drawings of the map and condense into a set of maps to communicate what was voiced by the public. People who live in smaller lots that don't have any development potential would like to see it stay as rural and quaint as the community they purchased into. They don't want to see the rural character lost if all the agriculture is split up into homes. There are people who own land and have the potential to develop. There is some conflict. One type says they want to see their land use rights stay open. There was a minority of farmers who say they are never going to develop, and they want everything to move down south to keep the rural

nature there. As far as transportation goes he tried to communicate to the public the information he got from Hales Engineering. Hales is a consultant that the County hired, the main thing they stated was that there is a need to fill in the grid system. Use section lines as the one mile and commence for the grid system and continue to fill out. There is not a lot of controversies there but there are some portions where there are section lines running right through the middle of the farm or somebody's property. Regarding the West Weber Corridor, he states that the public was informed that Weber County is going to plan assuming the West Weber Corridor is going to happen. Weber County does not have any control over the West Weber Corridor. It is a UDOT road and a UDOT facility. The public made it clear they don't want it cutting through the middle of their agriculture communities. There was some discussion about moving further out west, and he let them know that if they were passionate about this it is something that can be brought to the County Commission, to see if they are interested in negotiating with UDOT to take it further west. There are some pros and cons to that there is a lot more wetland mitigation, travel demand models are going to be different. It's going to be a lot more expensive in terms of infrastructure. There is no telling what UDOT is going to say or if the County Commission chooses to bring this before them. Regarding parks and recreation, it has not been much of a priority out there. There has been some synergy with the expansion of the park districts in the area. This is an area where there was some support. The public would like to see some multiuse pathways along the major roads, and some park facilities. Mr. Ewert gives an overview of the survey results. The results are listed in Weber County Miradi under the title Western Weber: Exploring the Future. <https://miradi.co.weber.ut.us/projects/view/3834>. All the documents, maps, and responses are available online. Chair Hancock and Commission Whaley thank Mr. Ewert for his time and effort.

Commissioner Whaley states that the topic of changing the General plan has been brought up. Is there a reason why it hasn't been done? Mr. Ewert states that it is because of funding and public will. Commissioner Whaley asks how close they are to the new General Plan? Mr. Ewert states that it will be brought up at the budget meeting. Director Grover states that it was brought up last year but the County Commission felt it wasn't appropriate at the time, and they asked staff to do community outreach to get an idea of the community's thoughts. The comments are being brought to the Planning Commission and to the County Commission. He adds that the budget will most likely not be there for next year, it may be a few years down the road but it's up to the County Commission. Commissioner Borklund asks if it would help to make a recommendation to expedite it. Director Grover states that they can do that, but it's up to the legislative body determine it.

Chair Hancock asks if there are any more questions. There are none.

Chair Hancock asks if there are any ex parte communication or conflicts of interest to declare. There are none.

1.1 LVD061218: Consideration and action on a request for final approval of D.M. Hadley Subdivision, consisting of five lots, located at approximately 4300 West 3300 South, Ogden.

1.2 DR 2018-10: Consideration and action on a design review application for a 20,000 square foot parts storage building located at 2100 N Rulon White Blvd, Ogden.

Chair Hancock asks if any consent item that the Planning Commissioners would like to pull. Commissioner Edwards states that he would like to pull item 1.1 LVD061218 to discuss further on the sidewalk requirement. Chair Hancock asks if there is a motion.

MOTION: Commissioner Borklund moves to approve item number 1.1 DR 2018-10: Consideration and action on a design review application for a 20,000 square foot parts storage building located at 2100 N Rulon White Blvd, Ogden. Commissioner Edwards seconds. Motion carries (4-0)

Regarding item 1.1 LVD061218: Consideration and action on a request for final approval of D.M. Hadley Subdivision, consisting of five lots, located at approximately 4300 West 3300 South, Ogden. Chair Hancock asks what Commissioner Edwards concerns are. Commissioner Edwards states that he understands that it meets the requirement of the one mile from the school. He feels that with the tow large drain ditches on both sides, the requirements of the sidewalk can be added into the deferral and can be installed at the time of the curb and gutter.

MOTION: Commissioner Edwards moves to approve LVD061218: Consideration and action on a request for final approval of D.M. Hadley Subdivision, consisting of five lots, located at approximately 4300 West 3300 South, Ogden with the deferral agreement to included sidewalk and curb and gutter to be signed by the applicant prior to the recording of the final mylar. The findings are that the proposed subdivision conforms with the West Central Weber General Plan, and complies with acceptable County ordinances. This recommendation is based on the conditions and findings listed in the staff report. Commissioner Borklund seconds. Motion carries (4-0)

2.1 LVS120716: Consideration and action on a request for final approval of Sun Crest Meadows Subdivision Phase 1

Mr. Burton gives an overview of the proposal as listed in the staff report. Chair Hancock asks if there are any questions for Mr. Burton. There are none.

Carson Jones 1106 W 4050 N Pleasant View states that this has been a long time coming, they have submitted an application for phase 2. There have been some discussions trying to finalize the plat after preliminary approval.

Chair Hancock asks if there are any questions for the applicant Mr. Jones. There are none.

MOTION: Commissioner Edward moves to grant final approval on LVS120716: Consideration and action on a request for final approval of Sun Crest Meadows Subdivision Phase 1. This recommendation is based on the conditions and findings as listed in the staff report. Commissioner Whaley seconds. Motion carries (4-0)

3.1 ZTA 2018-02: Public hearing to discuss and take comment on a proposal to amend the following section of the Weber County Code: Standards for Detached Single-Family Dwelling (Chapter 108 Title 15) to add standards for single-family dwellings with secondary kitchens.

Chair Hancock asks Director Grover to introduce the item.

Director Grover states that this is a public hearing to discuss and take comment. It is a legislative item and the Planning Commission will be making a recommendation to the County Commission. There will be a public hearing and after that is done, the public hearing will need to be closed. Staff will be representing this item as a cleanup language. Ronda Kippen will be explaining how it is complying with the code.

Mrs. Kippen states that as this is a legislative item, it does offer the ability for wide discretion. Examples of legislative items are General Plan, Zoning Map, and Land Use Code amendments. The reason for addressing second kitchen standards at this point is that the code has a section that has criteria for single-family dwellings, but it doesn't address a kitchen or a secondary kitchen. Most homes have now had a full secondary kitchen or a kitchenette in the house. This opportunity should be available. There was a recent change to the state statute with House Bill 232 states if a land use regulation does not restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application. By adding specific standards for more than one kitchen in a detached single-family dwelling Title 108 chapter 15, the County will be able to regulate the secondary kitchen for the benefit of one family and will not be used to turn

a single family dwelling into a multifamily dwelling in zones that do not allow for multifamily uses. Weber County has had a historic policy of recording a second kitchen covenant when a building permit is being issued that has more than one kitchen to ensure the dwelling will remain a single family dwelling however the land use code does have specific standards for dwellings with more than one kitchen, currently Weber County follows the international building code which identifies what a kitchen is. A kitchen is a room that has a sink, a refrigerator, a stove, and a range. To have a home you have to have a kitchen, a restroom, a bedroom, and a living room. She adds that they have looked at a multitude of different codes and keeping in mind what is best for Weber County's needs. The West Central Weber County General Plan adopted 2003 states that the current 1-acre residential zoning dominate in the area desired is the general concept of large lot development is overall performance a continuation of single family residential development, not high-density development. The desire for Western Weber to maintain a single family residential area and not be moving into a multifamily development. There has been one public hearing and public comment received from the Ogden Valley Planning Commission. This item was noticed per state statute and was placed on the County website and the State public notice website and local newspaper. There was a typo, in the staff's recommendations it should say that the Western Weber Planning Commission recommends approval of text included as Exhibit A and B of the staff report based on the following findings, the changes cause no adverse effects to the intent of the plan. The clarification will provide for more efficient administration of the land use code and the changes will enhance the general welfare of the County Residents. Ms. Kippen gives an overview of Exhibit A. she states that the Planning Director had her put where single family dwellings are permitted because there are some zones that do not permit single family dwellings. The portion referring to keys and deadbolt locks or another manner of limiting or restricting access from additional kitchen to the remainder of the dwelling unit was removed. The Ogden Valley Commission was not comfortable with that; they believe that the owners should be able to have locks on any doors they want. The change now states that the no portion of the single-family dwelling shall be locked off for the purpose of a rental. She adds that if the Planning Commission would like they can reword it to make it more clear. The other portion that was modified was on line 61 regarding the dwelling unit's owner shall sign a notarized agreement and what they have been signing is a covenant that runs with the land and the change has been added to be consistent with what the County has done. It is signed at the time of the building permit; it is recorded against the property. It shows up on future abstracts for the future owners. This lets them know that they can't rent it but it allows them to apply for a conditional use permit if they would like to do an accessory apartment. The accessory apartment has its own limitations; it can be any greater than 800 sq. ft. It's very restrictive and a lot of people don't like that, they want to be able to rent out the entire bottom level. She states that this is what they are intending to insert into the detached single-family dwelling. The intent is to provide clear standards of what one or more kitchens qualify for in a single family dwelling, and can, therefore, require a secondary kitchen covenant to be recorded with the property. If there are complaints about multiple families living in one home the ordinance is available to back any zoning complaints.

Commissioner Borklund asks if the documents they sign are recorded at the County Recorder's office. She also asks if the owner wants to rent out space in the future, is there a process by which they can do that? Mrs. Kippen states that that is correct the documents are recorded at the County Recorders. She also states that at no time can there be two families renting a home, only one family can rent the home. Regarding accessory apartments, the requirement is that the homeowner lives there. At no point can there be two families living there, but they do have the right to turn it into a rental. The intent is for it to always remains the appearance of a single family dwelling and not as a duplex.

Commissioner Borklund asks if they want to make it an accessory dwelling unit, they can do that through a conditional use permit. They have to get it approved and licensed and taken care of. Mrs. Kippen states that this is correct. She adds that line 66 states that an additional kitchen shall not be established in a one family dwelling unit which contains an accessory apartment whether or not such apartment was established pursuant to Title 108. Basically what it is saying a third kitchen cannot be created. If the owner has two kitchens they can apply for an accessory apartment.

Chair Hancock ask if there are any further questions for Mrs. Kippen. There are none.

Chair Hancock opens the public hearing. There is no public comment.

MOTION: Commissioner Borklund moves to close the public hearing. Commissioner Edwards seconds. Motion carries (4-0)

MOTION: Commissioner Whaley moves to approve ZTA 2018-02 based on the text included as Exhibit A and B this is a correction to the staff report based on the following findings. That the changes cause no adverse effects on the intent of the general plans. The clarifications will provide for more efficient administration of the Land Use Code. The changes will enhance the general welfare of the County Residents. Commissioner Borklund seconds. Motion carries (4-0).

3.2 ZTA 2018-02: Discussion regarding a proposed general plan amendment (GP 2018-02) and proposed rezone (ZMA 2018-02) for land at approximately 650 South, 7900 West. The general plan amendment would change area designated as future "industrial" to future "residential/agricultural." The rezone would change area currently zone M-1 to A-2. a. Decision regarding File #GP 2018-02, a request to amend the West Central Weber County General Plan. b. Decision regarding File #ZMA 2018-02, a request to amend the County's zoning map, rezoning areas designated as the M-1 zone to the A-2 zone.

Chair Hancock asks Director Grover to explain item 3.2-ZTA-2018-02.

Director Grover states that this a discussion regarding the General Plan amendment, and proposed to rezone ZMA-2018-02 at 6500 S 7900 W. The General Plan amendment would change the area designated as future industrial to future residential agriculture. The rezone would change the area currently M-1 to A-2. He notes that this item was reviewed at the last meeting and there was a public hearing and it was closed, but the Planning Commission can choose to take additional comment. Charles Ewert will be the presenter for this item and he will give an overview of the item and John Price will explain his proposal and Mr. Ewert will give his recommendation.

Mr. Ewert reiterates that this item was seen at the last meeting. He states that it was packaged in a complicated request, it was meant to be efficient but it ended up being too much. Planning Commissioners asked to pull it apart, and to provide maps to get visual of the different options. He states that he wants to reverse engineer the outcome and see how the zone map could be changed to get to the outcome.

Mr. Ewert gives an overview of the staff report.

He states the current General Plan states don't make any changes. It is a realistic outcome, and the Planning Commission would be satisfying the terms of the General Plan if they made that decision. It is important to keep in mind that the applicant deserves a fair consideration. Staff originally proposed to rezone everyone, at the time it seemed like there was a majority support. It wasn't until the public hearing that staff became aware that there wasn't unanimous support. Any changes made need to be in compliance with the General Plan. The General Plan shows the future land uses of the area. Staff's recommendation originally was to take the whole area and make it future agriculture and residential. The General Plan is intended to show what the plan is for the future. Mr. Ewert gives an overview of the different options as listed in the staff report.

John Price 400 S 6700 W states that in talking to Mr. Ewert he feels that one of the main things that he wants is to protect the Hayes property so that they are able to operate and continue their business. Mr. Price further explains the maps and gives an overview of his reasoning for the application. He states that the area where is property is, 21 homes have been built around his property, it has changed the area. If it wasn't for those

homes he would not feel the need to request a rezone. At this point, the best use of the land seems to be A-2. He indicates which map he believes would work for him and the other owners Mr. Ewert indicates on the map where the Hayes property is and states that it currently holds the edge of the current M-1 zone and next door is the water company. Mr. Ewert states that he spoke to him in the last meeting and he seems to be okay with A-2, he has some manufacturing uses on the property at this point and he believes he can prove has been there since before zoning happened. If this is the case it would be nonconforming grandfathered right to continue with those uses. He adds that staff can work with them to get a certificate of noncompliance recorded with the property to avoid any hassle with regards to the M-1 uses. Mr. Price states that his property is currently M-1 in the back and A-2 in the front, he is nonconforming regardless. He adds that Mr. Davis has indicated that there is more opportunity in the M-1 zone, but he would prefer to his whole property to be changed to M-1, but he doesn't care either way. Mr. Ewert and Mr. Price indicate that as Mr. Davis is not present at the meeting, they don't want to speak for him.

Mr. Price states that the area is currently agricultural, but it is changing to residential. He states that the reality of it is that manufacturing is not looking to move into a residential area. They are more likely to move in farther west. He feels that over time it will be all A-1 zone.

Chair Hancock asks if there are any other questions from the Planning Commission. There are none.

Chair Hancock opens the public hearing.

Flora Hayes 7708 W 900 S states that she agrees with Mr. Price. She and Mr. Hayes would like to remain M-1. She would like to see it changed M-1 all the way to the road. She adds that understands the concern regarding the housing around the manufacturing zone. The reality is that it is already there. She states that they have done work for them already, the homeowners across the street from them and on both sides. She states that they are already surrounded by housing, and there have been no complaints and if there was she would feel comfortable dealing with those complaints.

Chair Hancock asks if there are any further comments. There are none.

MOTION: Commissioner Borklund moves to close the public hearing. Commissioner Edwards seconds. Motion carries (4-0)

Chair Hancock asks Mr. Ewert for some further guidance on the item. Mr. Ewert states that looking at the General Plan the first action on the agenda, variant one would be the variant they are looking for. The staff report has the three staff recommendations. He has added some findings accommodate for changing conditions to exist in the area. He adds that this has better public support than other options and isn't detrimental to the health, safety, and welfare of the community. He adds that they ought to make the motion as a recommendation. The second step they should take is to make a motion on the rezone, and the best option is alternative three variant four.

Chair Hancock asks if in the process of this item they would have to change the General Plan. What is required from the Planning Commission? Mr. Ewert states that this is correct, and they will need to offer a recommendation to the County Commission. The County Commission is the only authority allowed to change the General Plan, it's not a law, it is a guiding document. It is created by legislative intent. At this meeting, all they need to do is make a recommendation to the County Commission. Mr. Ewert states that he will then pass that recommendation along to the County Commission. The County Commission can then choose to approve or deny the proposal. It will likely be in the form of a resolution for the General Plan. When it gets to the rezone it will get to the County Commission in the same way, the motion will be made in the form of an ordinance, and they will make a decision on an actual law to change the ordinance. Mr. Ewert asks if this clarifies the process for the Planning Commission. They agree that it does. Mr. Ewert asks if they have any other questions for him. There are none.

MOTION: Commissioner Borklund makes a motion on item #3.2 3.2 ZTA 2018-02: Discussion regarding a proposed general plan amendment (GP 2018-02) and proposed rezone (ZMA 2018-02) for land at approximately 650 South, 7900 West. The general plan amendment would change area designated as future "industrial" to future "residential/agricultural." The rezone would change area currently zone M-1 to A-2. a. Decision regarding File #GP 2018-02, a request to amend the West Central Weber County General Plan. b. Decision regarding File #ZMA 2018-02, a request to amend the County's zoning map, rezoning areas designated as the M-1 zone to the A-2 zone. She moves to recommend Variant #1 to the County Commission based on the findings on the following finding 1. Public opinion regarding the land uses of the area has changed since the 2003 adoption of the West Central Weber County General Plan, and residential and agricultural are deemed more desirable land uses in the subject area. 2. Current development trends will make property more useful as residential than industrial. 3. The changes are not harmful to the health, safety, or general of the public. Chair Hancock asks if there is a second. There is not. Motion is denied and they go back to discussion.

Chair Hancock asks if there are further questions from the Planning Commission. Commissioner Edwards states that as they look from the previous meeting to this meeting, the need for a General Plan update becomes more clear. It seems that there are more requests for an update on the current General Plan. It is 15 years old, it was created as a guide to follow and move. It is created from the public input and was meant to help in instances such as these. He states that it is hard for him to deviate from what the General Plan says it's the guiding document that was set forth. He states that he hopes that the updating of the General Plan becomes a priority, with the rate of growth that is being seen in the area. Times are changing from what it was fifteen years ago. Commissioner Borklund states that the General Plan can be updated it doesn't need to be totally changed to meet the needs. At this point, the Plan hasn't been updated since 2003, and it does seem appropriate, and the uses have changed manufacturing isn't likely to happen there. Commissioner Whaley states that this does make a good argument for the updating of the General Plan. Chair Hancock states that they are all in agreement that the update needs to happen. Commissioner Borklund states that if it's not going to happen soon, then the property owners are stuck without having the ability to develop their property.

Chair Hancock reopens the public hearing.

Dan Baugh 4441 S 4300 W states that the Planning Commission needs to look at this item from a broader perspective. This is a document that is supposed to be changed and that is what the Planning Commissions job is to take a look and see what's going on. The Master Plan can't be changed every five or ten years. That is the Planning Commissions job is, if it seems they are headed in a different direction from the values of what of the property owners, it needs to be addressed. The Planning Commission is given the charge to make those changes, so there is no need to spend 100's of thousands of dollars of studying to figure out what is going on. He states that this is not his application but it needs to be reconsidered. He believes that this is exactly what needs to happen. It will help everybody in the area. It's not feasible to wait five or ten years to wait for a new Master Plan so that he can develop his property or do whatever wants to do with his property.

Scott Jenkins 1950 N 4425 W states he is a County Commissioner and, that it is the Planning Commission's job to manage the Master Plan and give the County Commission suggestions, they are not outside their purview at this point. He states that they are correct it does need to be looked at, and he believes that in the next few years it will be looked at. He states that they should not feel the need to wait on that, at this point it is the Planning Commissions job to consider this and it is up to them. They are meant to manage the proposal and get the suggestions to the County Commission. There is no need to hold back and wait for a new General Plan. John Price 400 S 6700 W states that he appreciates the Commissioners comments. He notes that he feels that there was a contradictive comment made, when it was stated that they feel it goes against the General Plan.

Knowing that the General Plan needs to be updated, he would hope that the Planning Commission can look at it and see that changes need to be made, and feel confident. That is why they are on this committee to help make those changes. Fifteen years ago he would not have wanted these changes, but a lot has happened since then, and it has become necessary to make these changes. It is more realistic at this point and he doesn't feel that he is asking for anything out of the ordinary. He is not asking for commercial zoning. He is merely asking for the zoning that it is currently being used for. He adds that he is not sure when the County Commission is going to be able to put a budget together to update the General Plan and he hopes that the taxes don't get raised anymore to get that done. Commissioner Borklund states that as much as the County Commission might want to make those changes, if the money is not there, there money is not there and it can't be done. Mr. Price states that he hopes the Planning Commission won't wait that long and he is hopeful they can come to a decision at this meeting. He states that he has been at this for four months and he would like to see a motion on it one way or the other so that he can move forward.

Jill Hipwell 585 S 3600 W states that she feels conflicted here because the General Plan states that there should be more agriculture. She states that she doesn't have an issue with this project, but the item being discussed later is a bigger issue. She states that she understands that the General Plan needs an update, and there is the need to wait for funding. It does scare her. If they are going to make those changes to approve this is it going to open to other developers?

Valerie Hansen 4540 W 1150 S states she came for item 3.3, but as the current item has come up, it needs to be looked at more closely. She states that her comment will be regarding more the next item on the agenda, but it also addresses what has been brought up. There are a lot of proposals and changes that have come up regarding the General Plan or Master Plan, however, its referred to. It is the Planning Commissions job to protect the property owners in every aspect and to put their wants and needs and the benefit of the community in front of everything. Why do piecemeal, in the long run, is costlier to keep putting in little things, and taking the time and the effort through the years? Is it better to do it now, so that there is something in place as these types of items come forward? It would benefit the developers and homeowners. She states regarding the letter she has provided for the Planning Commission item number six of her question might be a good question regarding this item. She believes that before any commercial development is considered the following items need to be addressed. Traffic flow and Roads, policing and safety issues, infrastructure, green space, pollution, and structure height. Commissioner Borklund asks if this is pertaining to the current issue being discussed. Ms. Hansen states that concerning the manufacturing being considered, yes. She states that these things that need to be considered before making zoning changes and making approvals. There needs to be something in place so that when people come forward with proposals, they know what the guidelines are and they know that the sewer and roads can handle those changes. She states that there might not money in the budget right now. She asks what is the priority? When the budget is reviewed? Director Grover states that it will start at the beginning of the year. They are starting the budget proposals now. Ms. Hansen states that she believes this is something that needs to be addressed before proposals and zoning are put together.

Director Grover states that typically the General Plans are amended every fifteen or so years. Generally, it can't wait and that is why there are General Plan amendments during the process. Looking at what makes good planning sense the County Commission and Planning Commission it is in their purview to look at plan amendments during that time period. If things have changed, it is appropriate to look at plan amendments during that process. It will be made as a recommendation to the County Commission, that they will take under advisement. Plan amendments in communities throughout the state of Utah is a very common practice. Mr. Ewert looked at the items such as spot zones, boundary edges, zoning that reflects the current or future, these are things are looked at as part of plan amendments and rezones. Utilities and things of nature are looked at a bit at this point, but they are looked at in depth at the time of a subdivision is proposed. That is the time when

these items are fine-tuned. Typically, developers don't have the money to do it all at once. They want to make sure that the zoning will allow for that if the zoning does allow for it they start exploring those issues.

John Price 400 S 6700 W states he is not asking to change the use of the land. He doesn't believe the last comment was relevant to this case. He understands why those comments are relevant to the next case, but this proposal has no developments and no subdivision going up. The land is currently being farmed and it will likely be continued to be farmed. He is asking for agricultural zoning. He is not asking for anything out of the ordinary. He's not asking to build a hundred homes. At this time there is no homes being added, or businesses. If anything it is protecting the homes that already there from future manufacturing uses or businesses. There seems to be some confusion.

Commissioner Whaley states that he has some questions for Mr. Price. He asks if everything is going okay for him. Mr. Price responds that the biggest issue that came up is that when the application was submitted, it was submitted for certain areas. The County thought that there would be enough support to change all of the M-1 ground. At that point, nobody realized that the Hayes property was M-1 and they do need the M-1 zoning. The community needs them because they are a massive asset. The Hayes need the M-1 zone, so it was decided that some changes were needed to accommodate the Hayes property. The Planning Commissioners asked for more maps. He adds that because there are so many properties it can be confusing. Mr. Ewert has provided all the different maps to show what would make the most sense. There was some concern regarding the Higgs property, however, there is no longer any need for that change. It can stay M-1. It will work really well with the General Plan and make it easier to avoid spots. What has been presented is exactly what has been requested from the Planning Commission in the last meeting. Commissioner Whaley asks what harm would arise if the changes are made now? Mr. Price states that in the short term, nothing. He states that he would like to have the option to sell his land if the need arises. Farming is not getting easier. He is not sure if he wants to wait four years. There are times when it's hard to make the payments. He states that his land is worthless as M-1 ground. No manufacturer going to buy in a residential area with no frontage on it. It is agricultural and residential future use. The most realistic change is to make it A-2. Commissioner Whaley asks if he understood correctly that the harm that would arise is he would not be able to get full use of his property at the most beneficial thing to him, however, it won't restrict anyone who is interested in building from buying any other property. Mr. Price's property is not the only one that they can purchase. If this change is made Mr. Price's property will be more available to be developed. Commissioner Whaley asks how many others in the area will be held back by not making this change. Mr. Price states that there are others and they are all on the application, but on the flip side no one is affected negatively as long as the Hayes are protected. The community is in support of that change. He adds that he wishes he could have gotten more people to come because everyone on 7900 was in support as well. Commissioner Whaley asks in the grand scheme of things, this impacts only a small impact of the population of the County. Mr. Price states that in the long run it will impact the community, but the change will not have any negative impact on the community. He states that he believes that it is a change that makes sense. Commissioner Edwards asks if Mr. Price has plans to develop his property 7900 W. Mr. Price states that at this point he does not. There is a 15-acre piece that he might look at eventually. The 15 acres is not irrigated and not farmable ground. He states that it is still up in the air. Commissioner Borklund asks if it is the piece that is adjacent to the M-3. Mr. Price states that it's not, that was the piece that was approved last month.

Tammy Baugh 4441 S 4300 states that she has never seen a proposal were the community was all in agreement and there was still a lot of heartache. The Hayes property is being protected, the agriculture community is being protected, residential is being protected. She states that it benefits everybody there. She states that the Planning Commission is there to help facilitate the changes. She adds that if they had to follow the Master Plan as it is, there would be no need for a Planning Commission. She feels that this change is a no-brainer. Everybody seems to be in agreement, why not just fix it. Commissioner Whaley states that the County code specifies very little process regarding the modification to the General Plan Code, County code 102-2-4."

Powers and duties of the Planning Commission specify that the Planning Commissions shall review the General Plans and make recommendations to the County Commissions as deemed necessary to keep the General Plan current with the changing condition, trends and the Planning needs of the County.” Commissioner Whaley states that this is the code that they are operating under. As he understands it they need to review the General Plan as deemed necessary. There has been mention of spot zoning and this is one of the main issues to arise. He states that it is his understanding that Mr. Price is the only one being impacted by this. Mrs. Baugh states that this is the reason she brought it up because it does impact a lot of landowners. Commissioner Borklund states that if the General Plan is kept as it currently is, it would invite more manufacturing uses, which doesn’t seem to be the desire of the community. Commissioner Edwards asks if the community wants 1-acre lots out there. They seem to be fine with it going out of M-1 to A-2 but then it opens it up to developers building 1-acre lots. Chair Hancock states that that is not part of the proposal right now, and it’s not part of the decision they need to make. Commissioner Borklund states that it doesn’t mean that the land is going to be developed into 1-acre lots. It is merely changing the zone to the uses that currently exist in the area. Commissioner Whaley states that he doesn’t see the necessity of the change, that is the point he is trying to make. If every landowner in the County goes in and states that they have seen the changes made for Mr. Price, and ask for their own changes to the zoning then it becomes a continuous discussion. He adds that it doesn’t seem necessary at this point. He understands that Mr. Price and the others on the application feel that this change would improve their ability to take care of their property if it impacted something like 20% of the County he would feel more inclined to say it is something that is necessary. He asks if this change would impact more than 1% of the County’s population. Mrs. Baugh states that it sets a precedent. Commissioner Whaley states that he agrees and he feels that is not something he wants to do. Commissioner Borklund states that when he read the statement regarding the code it states “as changing, conditions and trend occur” She notes that things have changed since the Plan was adopted it makes sense to adjust the uses. Chair Hancock adds there have been significant changes. He asks Director Grover it seems that they are going to be split on the issue, should the item be tabled until more of the Planning Commissioners are present. Director Grover states that the petitioner is due to a decision in a timely manner. It has been postponed more than once. He states that they should try to come to a decision so that it can be forwarded to the County Commission, whether it’s a denial or approval. He adds that it is only fair to the applicant. Chair Hancock states that he is not sure if a decision can be reached, the Planning Commissioners seem to be split on the decision.

John Price 400 S 6700 W states that he thinks he might be able to clarify somethings. He feels that this impact a lot of landowners, not just one. It would improve the Hayes situation because currently, they are nonconforming with the A-1. He notes that regarding the current General Plan, he is not sure if a lot of thought went into that particular section of the Plan. He adds that Commissioner Edwards also stated that the General Plan needs updating. Multiple landowners along 12th and 7900 are affected by this request. This would protect all the homes along 7900 from manufacturing. It protects the Hayes property. Everyone along 7900 is in favor and would benefit from this change. Commissioner Whaley states that the change here is a change to zoning and it would impact the whole County it is a legislative issue. Commissioner Borklund states that it would not impact people in Uintah or people in the Upper Valley. Mr. Price states that in reality, it won’t have a positive or negative impact on the County as a whole if this is concern regarding this proposal. He states that he knows that people out there don’t want a lot of homes built, and he doesn’t want a lot of houses built, but for some people, it’s the only way they can get the money to retire. It is what his grandfather did and it was his right as the property owner.

Commissioner Borklund asks Chair Hancock if perhaps they should close the public hearing.

Director Grover states that one thing they ought to take into consideration whether the public hearing is closed or not is to ask the applicant if he would like them to come to some agreement, or wait for more presence from the Planning Commission. In all fairness to the applicant, he should have a decision in a timely manner.

Chair Hancock asks John Price the applicant to address the Planning Commission regarding whether he would like to wait for a decision or if they should try to come to a decision at this point.

John Price 400 S 6700 W states that he respects what the Planning Commission does, and he believes their jobs are very important. He states that they have been over the item several times. He asks if they wait another month what information can he provide for them to be able to make a decision either way.

Commissioner Borklund states that it's not about the information that was brought forth if they wait another month they are likely to have more Planning Commissioners. There might not be an even number of Planning Commissioners, it might bring about a majority. Mr. Price states that he would like them to at least make a motion and if comes out a draw, it should be postponed until the next meeting.

MOTION: Commissioner Edwards motion to close the public hearing. Commissioner Whaley seconds. Motion carries (4-0)

Commissioner Edwards states that he has a comment. He looked at the maps and the ones that are most favorable there seems to be a tradeoff. There is more M-1 in frontage. They are taking an area that used to be an A-2 zone and putting it into an M-1. Commissioner Borklund states that what they are doing is taking M-1 away. Mr. Ewert clarifies on the map, that there is a portion where the A-1 would become M-1. There is a portion where M-1 would become A-2. Commissioner Edwards states that at the last meeting there were several that were for this change and several that were against it. He notes that if they stick with the General Plan not everyone will be happy but it's what was chosen.

MOTION: Commissioner Borklund restates the same motion as stated previously. She moves to recommend item #3.2 ZTA 2018-02: Discussion regarding a proposed general plan amendment (GP 2018-02) and proposed rezone (ZMA 2018-02) for land at approximately 650 South, 7900 West. The general plan amendment would change area designated as future "industrial" to future "residential/agricultural." The rezone would change area currently zone M-1 to A-2. a. Decision regarding File #GP 2018-02, a request to amend the West Central Weber County General Plan. b. Decision regarding File #ZMA 2018-02, a request to amend the County's zoning map, rezoning areas designated as the M-1 zone to the A-2 zone. She moves to recommend Variant #1 to the County Commission based on the findings on the following finding 1. Public opinion regarding the land uses of the area has changed since the 2003 adoption of the West Central Weber County General Plan, and residential and agricultural are deemed more desirable land uses in the subject area. 2. Current development trends will make property more useful as residential than industrial. 3. The changes are not harmful to the health, safety, or general of the public. Chair Hancock asks if there is a second. There is none. Chair Hancock states that they are at an impasse.

Chair Hancock asks there is a motion opposing the item. There is none.

MOTION: Commissioner Borklund moves to table the item # 3.2 ZTA 2018-02: Discussion regarding a proposed general plan amendment (GP 2018-02) and proposed rezone (ZMA 2018-02) for land at approximately 650 South, 7900 West. The general plan amendment would change area designated as future "industrial" to future "residential/agricultural." The rezone would change area currently zone M-1 to A-2. John Price a. Decision regarding File #GP 2018-02, a request to amend the West Central Weber County General Plan. b. Decision regarding File #ZMA 2018-02, a request to amend the County's zoning map, rezoning areas designated as the M-1 zone to the A-2 zone. Commissioner Whaley seconds. Motion carries (4-0)

3.3 GP 2018-02: Discussion regarding a proposed general plan amendment (GP 2018-03) and proposed rezone (ZMA 2018-03) for land at approximately 4441 South 4300 West. The general plan amendment would change area designated as future “residential/agricultural” to future “community village center.” The rezone would change area currently zone A-1 to either the C-1 or C-2 zone. Presenter: Charlie Ewert. Applicant: Dan and Tami Baugh c. Decision regarding File #GP 2018-03, a request to amend the West Central Weber County General Plan. d. Decision regarding File #ZMA 2018-03, a request to amend the County’s zoning map, rezoning areas designated as the A-1 zone to the C-1 or C-2 zone.

Chair Hancock notes that the address was listed wrong on the agenda. The agenda should read 4700 W 1150 S.

He states that there are four different options. If the Planning Commission chooses any of those four options the General Plan would need to change in order to support that. Mr. Ewert gives an overview of the proposal as listed in the staff report. He apologizes for the wrong address on the agenda.

Commissioner Whaley asks if the proposed changes are being brought about by this application. Mr. Ewert states that not all the changes are supported by the applicant. They are looking at the whole community and trying to find something that will work for the whole community and also helping the applicant get what they are hoping for. Commissioner Whaley asks for clarifications regarding page 2-15 in the proposed amendment of the General Plan. The last sentence of the first paragraph under Commercial Land Uses. It states “Residential uses should not be allowed without a commercial village element being the primary use. And only if the County creates a transferable development rights program as specified in the “Conservation Easements” section of p. 5-4, or “Transfer of Development Right (TDR)” section of 5-7 of this general plan.” Mr. Ewert states that there is another section in the current General Plan on page 5-4, it talks about implementing transferable development rights programs. Something like this could create a vibrant village or small footprint villages that transfer in development rights off of the farmland. If the farmer wants to keep farming and wants to sell development rights to someone. Someone who is in a village area could go to the farmers buy them and transfer them to their properties. Commissioner Whaley states that he believes he understands; he was referring to the dwelling units being transferred into commercial uses. Commissioner Whaley asks if the applicant has discussed the transferable rights with Planning Staff. Mr. Ewert states that they have discussed this with the applicant and the possibility to have residential onsite. Commissioner Whaley states that he wasn’t necessarily talking about residential. The paragraph referring to Policy: Village Development. There are 30 acres “equal consideration should be given to all four corners” and that would be 7 ½ acres per corner. If this is approved more acres would be allowed for a park or similar community gatherings. That would add 15% it goes up to 9 acres. If all of the acreage into one corner, then the other two corners may have some transferrable rights to get the 9 acres to the other corner. Mr. Ewert states that would not be the kind of transferable rights that it was referring to, but it is a flexible option to allow for commercial polygon on the map to morph into different areas. If there is one property owner saying there are public gathering areas, parks, and trails and they are getting the benefits of the extra space being allocated to them, it is a possibility. Commissioner Whaley states that the point he was trying to make was if they were to move all the commercial area into the applicant’s property, would the other two owners on the that are not already commercial on the West, North and South side of 12th St., could they assert some development rights to their 7 and ½ acres each and if they wanted to divide and transfer it to the other owners, could they offer them an incentive to buy those rights? Mr. Ewert states that it is not the type of transferable rights program referred to in the staff report, but it is a flexible option. Dividing the four corners equally with the benefit to whoever offers 15 to 20%, if that doesn’t work they can go from a straight number, its flexible. The way it’s written is meant to be an incentive not just to applicants, but to others in the area to create public gatherings. Commissioner Whaley states that he was trying to understand the motivation. Mr. Ewert states that it is just staff recommendation at this point. They are trying to help facilitate the creation of a neighborhood village

with community gathering spaces, there is some flexibility it can be whatever the Planning and County Commission decide. He adds that the application did stimulate the conversation and proposal. It will help the applicant get what he wants while looking at the neighborhood as a whole. It would help the neighbors hopefully get what they want.

Commissioner Borklund states that regarding figure 2. C-1 is divided from the rest of the map. She asks is there a reason why the line is slanted and not straight across. Mr. Ewert explains that when he drew it he was trying to get 15 acres, and it doesn't have to be placed that way. He just wanted to show 15 acres and it's not perfect. When it comes down to how many acres should be in the rezone. If both the Commissions and applicant favor this staff can work them and with the surveyors find a configuration that would work, there.

Chair Hancock asks if there are any more questions. There are none.

Tammy Baugh 4441 S 4300 states that she was in her previous statement she was not trying to imply that the Planning Commission is brainless; she just has never seen all landowners agree to one thing. She states that it was an awesome thing to see because it rarely happens.

She states that their petition is a request to rezone for their 21.9 acres, they would like to sell it as a whole piece. All one zoned property. Otherwise, they will need to bring the item back to the Planning Commission. There is no good residential use. They would like to have all be C-2. There are people interested in developing it. If it is zoned C-2, they would be able to build a convenience store, a gas station, a drive-thru, a bank or a grocery store. She notes that without a C-2 they can't build these things, the developer won't talk to them until it gets rezoned. They will sell, with these conditions, because they don't want to see something like a car lot there. Commissioner Borklund asks if they have read the development agreement that staff has proposed. Mrs. Baugh states that they have and she does not like the 15-20% recommendation for a park because it is a lot of their land and she doesn't feel that that is fair. She states that the uses that were proposed were fair.

Chair Hancock asks what her feelings were regarding option one where the 15 acres may not have to have a change to the General Plan. Is it something that she feels is a possibility. Mrs. Baugh states that this is not something she wants to do, because cuts off part of the property and they won't be allowed to use it, there is no good use for it. It's not enough property to farm and it's not ideal to farm next to a commercial zone, and the sewer comes across in that piece. She feels that it would be silly to do it that way. Commissioner Edwards states that he feels that since it is in A-1 zone currently, it is its intended use and it can be used as pasture. He feels comfortable with alternative one. He states that he is not sure about anything else as far as changing the General Plan. He doesn't feel comfortable changing the General Plan. He would be in favor of option one and not anything else. Mrs. Baugh states that both property owners were represented at the last meeting on the Westside neither at this point want to develop. The owners of the Southwest corner were there last time. They are in favor of the change. Commissioner Edwards states that he feels the need to clarify. Regarding the last application, the M-1 zone was probably established at the request of the landowners. As land ownership changes and people pass away feelings change, and currently they might not want it but someday down the road, they might want it. That is why right now he feels comfortable moving forward with putting the 15 acres on the corner. Hopefully, there will be a General Plan update and if the community feels it's due to see more commercial in that area, it will come up at that time.

Commissioner Whaley asks if it is zoned A-1 currently, and what it is been utilized for. Is it currently being used? Mrs. Baugh states that it is A-1 and it's been utilized as pasture, but it is not currently being used.

Commissioner Borklund states that the bottom line is they want to sell it. They want to get a better use out of it. Mrs. Baugh states that they would really like to see it developed. Whether they develop it themselves or they sell it to developers. Commissioner Whaley asks if they could sell it as A-1, is there any reason they can't sell it as A-1. Mrs. Baugh states that nobody wants to buy it as A-1, they have owned it for 18 years. They have had it on the market multiple times. Commissioner Whaley asks if they would consider discussing with the other owners on the other two corners to make it 7 and ½ acres on each corner, transfer of development right

as discussed with Mr. Ewert previously? Possibly purchasing that from the other owners. Mrs. Baugh states that they don't want to do that. Commissioner Whaley states that he understands this, but if they have the right to, does she feel there would be a value to that option? Mrs. Baugh states that she does not see the value in this. Commissioner Whaley states that as Commissioners their jobs are to be as equitable as possible. Commissioner Borklund states that it doesn't have to be done as transfer development right. They could still increase the amount for all four corners but let more be on the east side, and still allow them to have the development right on all four corners. Commissioner Whaley notes that the point he is trying to make is that if it's going to be a commercial property it will increase its value. He asks if it could be sold for \$1000 dollars an acre as an A-1 property. Mrs. Baugh feels it could be sold for a lot more than that as A-1. If homes were allowed there she could sell it for \$100,000 an acre, but homes aren't allowed there. Commissioner Whaley notes that the point he is trying to make is that there is value in the land being zoned commercial otherwise she wouldn't be present. That value would apply equally to all the landowners on all four corners. Mrs. Baugh feels it does but they are not currently interested in that. Commissioner Whaley asks if they understand that they have a commercial value of 7 ½ acres in their lots. Mrs. Baugh states that they know they can apply for it. Commissioner Whaley states that for him to make a determination he needs to see that it is equitable. He states that he is trying to take into account what was noted, "Equal consideration should be given to all four corners of the intersection". He indicated that this is what came to mind when Mr. Ewert was referring to the transfer development rights. He states that he is less in favor of this than the previous item on the agenda, because it will impact a lot of people, it is a busy intersection. Mrs. Baugh states that she wants to affect a lot of people because her children went to Fremont High they had to travel a long distance to get lunch. She wants to be able to go to a football game and pick up takeout food.

Chair Hancock opens the public hearing.

Debbie Stewart 1280 S 3500 W states that one of the things that was mentioned was "Does the community want it?" She states that a pole can be taken and they will find that the community does not want it and it is not a very safe intersection. It is the last place you would want a park; it is too close to the railroad tracks. The General Plan said that by 2020 they would need 7 to 14 acres. There is no need for 30 on one corner, 22 acres on the other corner, 3 and ½ on the Country Corner. She adds that at this point there is another set of owner that don't want to develop, they might in the want to in the future. This could create a 100-acre business district out there. There are not enough people out there to support it. The applicant does have the right to do what they want with their land, but they bought A-1 land knowing it was A-1 land. They should not be able to change it for their own purposes. It is spot zoning and the residents in that area don't want that.

Jill Hipwell 585 S 3600 W states that this will affect her community. What she might want on that corner maybe other people don't. If the General Plan were to be updated there might be some better options. There is a lot of people out there that don't want something big in that area, but they might be okay with something smaller. Until the General Plan is updated there is no knowing.

Kerry Gibson 5454 W 1150 S states that he appreciates the reference from Mr. Ewert that states "When the market demands and the community supports." To him this all comes down to the General Plan. The General Plan is the only avenue which community members have to voice their opinion. The current General Plan is outdated. It needs to be adjusted. It is very concerning to see a major change, without having a thorough discussion. There are a lot of people who want to have input, in the level of commercial development in the community. It is very clear that in the past it wasn't an important part of what they wanted the community to look like. This may have changed slightly. He notes that his concern is that the community has not had the opportunity to provide their input. They need to be careful of anything that would deviate too much from the General Plan. There is also some concern regarding the wrong address listed. There is no responsibility to increase entitlements to particular property owners. It sets a difficult precedent. He states he owns some

property that he would like see zoned differently than it is right now. He has not asked for this because it is not supported by the General Plan. If the community came together and agreed that they want it in the zoning ordinance, he would then feel comfortable coming in and asking for that change.

Matthew Wilson states that the Planning Commission might want to table this item until notice can be sent out with the correct address.

Dan Baugh 4441 S 4300 W states that the parcel that has been referred to multiple times. It is proposed commercial in the Master Plan for 50 years. It has been before the Commission multiple times. He adds that they just want an answer, that is all they are asking for.

Commissioner Whaley states that Kerry Gibson had a good point, with regard to the address being listed incorrectly. It might be a good idea to table it and get advice from Director Grover.

Dan Baugh states that notice went out last month. There are currently more people present with no notice at this meeting. There were people who were in favor of it. He reiterates that they just want an answer either way. Whether the address is correct or not, isn't an issue.

Director Grover asks if the notices sent out for the last meeting notices were sent out with the correct address. Mr. Ewert states that the actual address was not specified, what was specified was 12th street 4700. The notice has been taken care of, but the agenda has the wrong address, the staff report has the legal address. Commissioner Borklund states that on the legal notice it is not specified what zone it is being changed to. She states that she is concerned about this because it is a legal notice required by state law. Commissioner Whaley asks if there has been any more notice sent out since the July 10th's meeting notices were sent out. Mr. Ewert states that they have not sent anymore notices out. Commissioner Edwards states that he wants to clarify if the public hearing was held, at the last meeting for this item, at this current meeting, public comment was accepted for the decision tonight. Director Grover states that the public hearing was closed at the last meeting. He just wants to make sure everything was noticed correctly for the original public hearing. Mr. Ewert states that the only mistake was on the agenda. He adds that he can look further into Commissioner Borklund's concerns. It does talk about rezoning to a commercial zone. The challenge was which commercial zone. Commissioner Borklund states that it doesn't say to a commercial zone it only says to a zone. Mr. Wilson states that it does satisfy the notice requirement, for state law. Commissioner Edwards states that he is ready to make a motion.

Letter from Valerie Hansen regarding this item 3.3

Name: Valerie Hansen
Address: 4540 west 1150 South
Ogden UT 84404

Regarding Agenda Item #3:3 proposed zoning change at approximately 4441 South 4300 West.

As Weber County looks to allow commercial zoning, I believe that there are many decisions yet to be made before going forth in the process. I would like to note, that as a homeowner and lifelong resident of West Weber, that before we built our home we consulted the County Master Plan and this ground was not slated for the possibility of commercial use. There was a possibility of an emergency Services building at the intersection of 12th street and 4700 West. Having stated that, and after looking at the information available online, I would like to pose the following questions:

1- What does the Western Weber County Master Plan contain? What has changed that makes the land "useless" for agriculture as was stated in the July meeting?

2- Have the proper procedures been followed according to the written zoning ordinances and proposed changes to the Master Plan?

3- What is the current zoning ordinance for this property. It was changed to make the cell tower possible a few years ago. Is there a need to change it once again?

3- What benefit to the community would this development bring? There have been numerous businesses on the same site as Country Corner but they have not been able to "make it" due to different factors, but primarily, lack of patrons. What would the long-term benefit and negative impact be for the community?

4- If the original plan is accepted, and the land changes hands, will that open the land up for any development? There is a huge difference between a daycare and a fabrication or asphalt plant.

5- For homeowners in a 1-mile radius, what is the impact and safeguards in place to protect them and their property values?

6- Before any commercial development is considered I feel that the following things need to be addressed and policies in place. Does West Weber and the surrounding communities have the capability and infrastructure to support a large scale commercial development?

a- Traffic flow and roads, access to the property? There have been multiple wrecks along that stretch of road, will there be any changes to the design to accommodate increased traffic?

b- Policing and safety issues. Will the businesses pay for active, around the clock, security and/or policing?

c- Infrastructure, water, waste disposal, sewer/septic, etc.

d- Green space. Aesthetics of the property. Maintenance for the enhancement of our community and a guarantee that it will be continuously kept neat and pleasing regardless of occupancy of buildings.

e- Pollution, to include: noise, light, and air. We live in a migratory route and minimal lighting disrupts the routes. Will there be a specific stipulation for lights out during the dark hours of night? What of the homeowners that will be affected? All lighting and signage should be kept to minimum and businesses should have to extinguish or have night timers in place to adjust intensity. (Yes, they are expensive to install. West Weber Elementary as an example. It can be seen over a mile away at night.)

f- Structure height. Will it be limited so as not to obscure the view? ALL future signs and buildings, should be kept to the same standards as Country Corner because it blends well with the surrounding buildings and landscapes.

MOTION: Commissioner Borklund moves to close the public hearing. Commissioner Edwards seconds. Motion carries (4-0)

Chair Hancock closes the public hearing.

MOTION: Commissioner Edwards moves to recommend alternative one, rezone to C-1 in accordance with General Plan and the 15 acres be zoned to C-1 as stated in the General Plan. This recommendation is based on the findings that it complies with the current General Plan. Commissioner Borklund seconds. Commissioner Whaley votes nay. Motion carries (3-1)

Commissioner Whaley states that his votes goes back to the point he was making earlier regarding the value of the property, being equally divided among all four corners. He sees this as having value to the other landowners as well. It would be useful to notify the applicant and the County regarding the transfer development rights. They should have the same amount of value in their property as the current property being discussed does.

4. Public Comment for Items not on the Agenda-none

5. Remarks from Planning Commissioners-Chair Hancock states that as a Planning Commission they do the best that they can. The results were not exactly what he personally had hoped but it is what the Planning Commission decided as a whole. He hopes that everybody respects their decision. He adds that he appreciates everyone taking the time to be present at the meeting.

6. Planning Director Report-Director Grover states that the rezone was addressed but the General Plan was not addressed in the in the motion. Commissioner Borklund states that it is because the motion did not require a plan amendment. Director Grover asks if that is what Commissioner Edwards was referring to when he stated the recommendation is consistent with the General Plan. Commissioner Edwards states that in the staff report it clearly stated that it did not require a change to the General Plan or the language. Director Grover states that it needs to be clear.

MOTION: Commissioner Edwards moves to not make any amendments to the General Plan, and to leave it as it is currently. Commissioner Borklund seconds. Motion carries (4-0)

Director Grover states that when applicants submit an application per states law there is a due process. The next meeting it is imperative that most of the Planning Commissioners be present. This will be the third meeting John Price's application has been tabled. It is not fair to the landowners on that application and it is a state requirement to make a recommendation either in favor or against it. He states that he encourages them to adjust their schedules.

7. Remarks from Legal Counsel-Chair Hancock states that they would like to welcome Matthew Wilson as their new legal counsel. Chair Hancock asks if he has any remarks. He does not.

8. Adjourn to second Work Session

WS1: Discussion: Modification to the Flag lot access strip, private right-of-way, and access easement standards to amend the Lot/parcel standards by adding provisions regulating minimum yard setback requirements. -postponed

9. Adjourn-8:28pm

Respectfully Submitted

-Marta Borchert