

Minutes of the Ogden Valley Planning Commission Meeting for January 26, 2021. To join the meeting, please navigate to the following weblink at <https://us02web.zoom.us/j/81352521901> the time of the meeting; commencing at 5:00 p.m.

Present: John Lewis, Chair; Shanna Francis, Vice Chair; Jeff Burton, Chris Hogge; John (Jack) Howell, Ron Lackey.

Absent/Excused: Steve Waldrip (arrived at 5:14 p.m.)

Staff Present: Rick Grover, Planning Director; Courtlan Erickson, Legal Counsel; Steve Burton, Planner; Tammy Aydelotte, Planner.

- **Pledge of Allegiance**

- **Roll Call:**

Chair Lewis asked if anyone had any ex parte communication or conflict of interest to declare. No disclosures were made.

2. Consent items:

2.1 CUP 2020-20: Consideration and action on a conditional use permit application for the Crimson Ridge Wellhouse and Tank.

Presenter: Steve Burton.

Planner Burton reported Crimson Ridge Water Company is requesting an amendment to an existing conditional use permit for a water tank and well house. The existing infrastructure includes wells that provide culinary water to the Crimson Ridge Development. This proposed well house and tank will provide water to the new phases of Crimson ridge that are currently under subdivision review. The Cluster Subdivision has received some level of approval through the Planning Commission and at this point in the process, it is necessary to determine whether there is adequate water to serve the Subdivision. The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews. The applicant has submitted a site plan for the project; the document identifies access points, traffic routing plans, and building elevations. Staff recommends approval of the CUP based on the findings and subject to the applicant meeting the review agency requirements and the following conditions: 1.) any outdoor lighting must meet the requirements of the Ogden Valley Outdoor Lighting Ordinance (108-16).

Commissioner Howell moved to approve CUP 2020-20, conditional use permit application for the Crimson Ridge Wellhouse and Tank, based on the findings and subject to the conditions listed in the staff report. Commissioner Lackey seconded the motion. Commissioner Lewis, Francis, Burton, Hogge, Howell, and Lackey all voted aye. (Motion carried 6-0)

1. Minutes: Approval of the August 4, 2020 meeting minutes

Commissioner Howell moved to approve the August 4, 2020 meeting minutes. Vice Chair Francis seconded the motion. Commissioners Lewis, Francis, Burton, Hogge, Howell, and Lackey all voted aye. (Motion carried 6-0)

Chair Lewis then reported that the agenda item dealing with the Harvest Moon Conference Center has been removed from this agenda and will be heard on February 23.

3. Petitions, Applications, and Public Hearings:

Administrative items

3.1 SPE01-2021: Discussion and action on a conceptual sketch plan endorsement request for Harmony Ranch Cluster Subdivision, a proposal consisting of 16 lots and open space parcels totaling 29.10 acres. **Presenter: Tammy Aydelotte**

Planner Aydelotte reported this is a request for approval of a conceptual sketch plan for a 16-lot cluster development. This plan includes open space parcels for areas on the along 3350 North Street and areas buffering the stream corridor. The total project area amounts to 53.469-acres. The open space surrounding the stream and stream corridor set-back area encompassed an area of 14.252 acres. The applicant is proposing to preserve 60 percent open space, meeting the required minimum open space preservation of 60 percent for the AV-3 and FV-3 Zones as outlined in LUC §108-3-5. This subdivision will be required to provide some connectivity to adjacent properties, as required by the subdivision code. The road connectivity plan will be reviewed at the time a preliminary subdivision application is submitted. Ms. Aydelotte reviewed an aerial image and plat map to orient the Commission to the location of the subject property and the existing uses surrounding it.

Vice Chair Francis referenced the stream running through the property and asked if this stream contributes to a higher water table, which will prevent the creation of building lots. Applicant's representative, Chris Cave, stated that is actually a hill and the

water table is not high in that area. He indicated the presence of water was not found in walking the site, but that issue can be further examined at the preliminary plat phase of the project.

Commissioner Howell inquired as to how steep the grade is on the property. Mr. Cave stated the roadway going up the project is a 10 percent grade and that grade is consistent throughout; he would guess the slope of the lots will be between 10 and 12. Commissioner Howell stated that other projects that have been constructed in that area have been impacted by water run-off in the spring months and many basements have been flooded. He stated he hopes that will be considered in future approval steps in the project. Mr. Cave indicated that he will be prepared to discuss that issue.

Courtlan Erickson, Legal Counsel, asked if a formal motion on the sketch plan application is required. Rick Grover, Planning Director, indicated the sketch plan simply requires the endorsement of the sketch plan; this has been handled without taking a formal motion and vote on sketch plan in the past.

Commissioner Waldrip joined the meeting at 5:14 p.m.

WS1: Liberty Broadband Presentation

Tom Christie thanked the Commission for this opportunity to provide them with information regarding Liberty Broadband and its sister-company, Freedom Broadband. He has worked with the Weber County Commission, Weber County school District, and the town of Huntsville and he wanted to make sure the Planning Commission is familiar with the service they provide and the support they can offer for expanding internet infrastructure in the Ogden Valley. Liberty and Freedom provide wireless across the entire Valley; since 2017, the business model has evolved as it was necessary to make determinations based upon the unique nature and topography of the marketplace. The number of wireless customers in Huntsville has increased to over 700 and last week he presented to the Huntsville Council the concept of a fiber project; this would not require outside funding or a contribution from the town. Rather, Liberty has chosen to proceed with the project, which will benefit roughly 200 homes. He introduced a team member, Cathy Zindell, who is also a resident of Huntsville, to provide information regarding the network map and future fiber growth plans. Ms. Zindell shared a map identifying current towers and the areas that are prime for fiber growth. This growth will help to improve service within existing developments and provide access to reliable internet for future residential and business growth.

Commissioner Howell asked if the communication tower at Nordic Valley is located near the Rise Broadband tower. Ms. Zindell answered yes, they are very close to one another.

Mr. Christie stated he has lived in the valley for 15 years and he and many other residents have struggled with download speeds; it is difficult to operate a modern home with low speeds and that is why this service level increase is in such great demand. Technology changes rapidly and access to reliable fiber will make it possible for residents and businesses to take advantage of improved technologies.

Commissioner Howell stated he believes that some fiber has been installed in various areas of the street. Ms. Zindell stated that is correct, but Century Link did not inventory their fiber lines properly; therefore, the location of all fiber in the Valley is not well known. As Liberty finds the different fiber nodes in the Valley, they will utilize it where possible. Mr. Christie added Liberty will leverage Century Link's fiber in order to deliver higher speeds.

Commissioner Lackey stated he feels the success of Liberty is very important to the entire Valley; upgrades have given many residents access to 5G speeds, which is greatly appreciated. He asked how Liberty will compete with other providers as infrastructure becomes more broadly accessible in the Valley. Ms. Zindell stated it is very harder to compete with larger service providers, but Liberty has secured licenses for the spectrum they use, and no other provide can use them. However, going forward, most providers are moving toward 6G and as Liberty moves in that same direction, they will purchase available spectrum space in order to continue increasing speeds.

Commissioner Howell asked if Relianet is still operating in the Ogden Valley. Ms. Zindell stated that they were a satellite provider that was ultimately purchased by Rise Broadband.

Chair Lewis thanked Ms. Christie and Ms. Zindell for the service they are providing to the Ogden Valley. Ms. Zindell stated it would be helpful for Liberty to receive information about plans for increased residential and commercial development in the County in order for them to prepare for those projects and lay their infrastructure prior to or in conjunction with other utility projects. Rick

Grover, Planning Director, indicated that the Frontier platform is updated daily with development plans and should provide the information Ms. Zindell is requesting.

4. Elections: Chair and Vice Chair for 2021

Vice Chair Francis made a motion to elect Commissioner Lewis as Chair. Commissioner Howell seconded the motion.

Chair Lewis invited other nominations. No additional nominations were made.

Commissioners Lewis, Francis, Burton, Hogge, Howell, Lackey, and Waldrip all voted aye. (Motion carried 7-0)

Commissioner Lackey made a motion to elect Commissioner Francis as Vice Chair. Commissioner Howell seconded the motion.

Chair Lewis invited other nominations. No additional nominations were made.

Commissioners Lewis, Francis, Burton, Hogge, Howell, Lackey, and Waldrip all voted aye. (Motion carried 7-0)

5. Meeting Schedule: Approval of the 2021 Meeting Schedule:

Commissioner Howell made a motion to approve the 2021 meeting schedule. Commissioner Lackey seconded the motion.

Commissioners Lewis, Francis, Burton, Hogge, Howell, Lackey, and Waldrip all voted aye. (Motion carried 7-0)

6. Approval of the 2021 Planning Commission Rules of Order:

Rick Grover, Planning Director, stated there are no recommended changes to the Rules of Order that were in place in 2020.

Commissioner Howell stated the rules reference the consent agenda, administrative agenda, and Weber County Commission legislative actions; he asked if it is possible to clearly explain that public input is typically not taken for consent items, but it is taken for administrative and legislative items. Additionally, motions regarding legislative items are to make a recommendation to the County Commission and are not actually approved by this body. Mr. Grover stated that staff determines which items are eligible for a consent agenda; these are items for which there is typically not a great deal of public interest or input and staff is seeking to make the best use of the Commission's time. For certain administrative items, the Commission is not required to accept public comment, but they can if they choose to do so. For an item like a rezone, the Commission is required to accept public input. He stated Commissioner Howell is correct that for legislative items, this body is a recommending body to the Weber County Commission.

Vice Chair Francis made a motion to approve the 2021 Planning Commission Rules of Order. Commissioner Hogge seconded the motion. Commissioners Lewis, Francis, Burton, Hogge, Howell, Lackey, and Waldrip all voted aye. (Motion carried 7-0)

7. Training: Open and Public Meetings Act – Courtlan Erickson

Courtlan Erickson, Legal Counsel, used the aid of a PowerPoint presentation to provide the Commission with training regarding the Open and Public Meetings Act; all public bodies are required to receive this training annually in accordance with Title 52 of the Utah Code. He focused on the provisions of OPMA governing electronic meetings given that many public bodies are strictly holding electronic meetings due to the COVID-19 pandemic; the Commission's rules also allow for electronic meetings.

Vice Chair Francis asked if the Chair is allowed to make a motion. Mr. Erickson stated that is governed by the Commission's own rules of order, which specify that the Chair cannot make a motion, but can second a motion.

8. Public Comment for Items not on the Agenda

Ronald Gleason thanked the Commission for their work; he referenced House Bill 198, which would introduce a 'dark sky' license plate, which would be a great option for those that support dark sky initiatives. Since North Fork Park is the 21st designated dark space park, this would be a great option for those supportive of the park. He stated he hopes the legislation passes and asked that others who support the legislation reach out to their representatives to voice that support.

Commissioner Waldrip indicated the bill is sponsored by Steve Handy, but has not been assigned to a committee; he will track it and keep the Commissioner informed.

5. Remarks from Planning Commissioners

None.

6. Planning Director Report

Mr. Grover referenced Mr. Gleason's comments about dark sky initiatives; this is an issue that Planning staff takes very seriously and he reported on the Planning Division's efforts to enforce dark sky standards for certain projects in the Ogden Valley.

7. Remarks from Legal Counsel

None

**Meeting Adjourned: The meeting adjourned at 5:57 pm
Respectfully Submitted,**

Weber County Planning Commission