

Minutes of the Ogden Valley Planning Commission Regular meeting held on February 3, 2015, in the Weber County Commission Chambers, Breakout Room commencing at 5:00 p.m.

Present: Laura Warburton, Chair; Pen Hollist; Ann Miller; Greg Graves; Laura Warburton; Kevin Parson; John Howell

Absent/Excused: Will Haymond,

Staff Present: Sean Wilkinson, Planning Director; Charlie Ewert, Principal Planner; Scott Mendoza, Principal Planner; Chris Crockett, Legal Counsel; Ben Hatfield, Planner; Kary Serrano, Secretary

Guests: Krissy Nielsen and Buck Swaney, Ogden Valley Vision Presenter; Gary and Janet Fullmer, Steve Clarke

1. DISCUSSION: Ogden Valley Vision Document. To formally present the current draft of the Vision for the Ogden Valley General Plan and seek the Planning Commission's endorsement of this general direction. A first building block of the new General Plan is the creation of a shared vision for our future. Through the work of various stakeholder interviews, the Vision Workshops, the Citizen Advisory Committee, and input from the general public, a vision for the Valley's future has been created.

Vision Document

- Discussed the vision and the vision principles.
- Discussed the need to balance the vision principle with private property rights.
- Commissioner Hollist indicated that the background page should say something about water and the history and concerns about water.
- Commissioner Hollist indicated that on Page 13 – Recreation needs to also discuss ski resort areas, and not just parks and trails.
- Commissioner Hollist indicated that on Page 14 – the image should be replaced with an image from the Ogden Valley.
- Commissioner Graves said that on Page 14 – they need to rework third paragraph to make it clear that Eden is not the only area needing special attention for a complete village design. [Greg]

2. Adjourn to a Work Session

WS1. DISCUSSION: Weber County Land Use Code Revision Process: Conditional Use Standards.

- Conditional Use Permits are administrative decisions. The planning commission should begin their review of them with the intent to approve.
 - We discussed that in some very rare cases there may be “compelling, countervailing public interest” issues to consider that would make a use appropriate to deny.
- The Planning Commission should exercise caution in denying a permit. Denials should be fairly infrequent, when not otherwise recommended by staff. Rather than denying a permit, craft ordinance-based conditions that meet an objective of the law.
- Commissioner Hollist advocated for tabling any decision that is headed toward a denial in order to determine how to best do it. Charles Ewert supported this notion, suggesting that individual Planning Commissioners should seek staff and legal counsel's guidance on how to craft defensible, objective, ordinance-based findings when denying a permit.
 - The Planning Commission requested follow-up on whether the Planning Commission may have privileged [not public] conversation with legal advisors before making a final decision.
 - The Planning Commission also requested clarification on whether an item can be bumped from a decision item to a work session item in another meeting.
- CUP decisions need to be defensible. On appeal the decision will be evaluated based on whether it was arbitrary, capricious, or illegal.
 - The Planning Commission requested follow-up on the definition of arbitrary and capricious.
- The Planning Commission favored the tempering their decision making discretion in favor of tight laws. There was discussion about how this could potentially allowed some unanticipated detrimental effects to slip through the cracks.

Director Wilkinson handed out an updated list of the uses that were done for 2014 so that the Planning Commission could go through the list.

WS2. DISCUSSION: Weber County Land Use Code Revision Process: Land Use Table

Charlie Ewert stated that this item will be discussed at a later time.

3. Adjournment: The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,



Kary Serrano, Secretary;
Weber County Planning Commission