

Minutes of the Ogden Valley Planning Commission Regular meeting January 22, 2019 in the Weber County Commission Chambers, commencing at 5:00 p.m.

**Present:** Jami Taylor, Chair; John Howell, John Lewis, Robert Wood, Steve Waldrip, Chris Hogge, Shanna Francis

**Absent/Excused:**

**Staff Present:** Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Ronda Kippen; Principal Planner; Steve Burton, Planner III, Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary

- *Pledge of Allegiance*
- *Roll Call:*

Chair Taylor asked if there were any ex parte communication, or a conflict on any of the items presented. Commissioner Lewis said I don't believe there is a conflict of interest; in reference to the Aspen Subdivision. Some of that land I happen to own, but it doesn't affect me materially or anything but they are trying to clean that up. I can recuse myself, if that's what you want. Chair Taylor said since this doesn't affect you materially, and that is one of the questions asked, and you would not be able to make a decision in an impartial manner. Commissioner Lewis replied that he could be impartial. A vote by hand was taken with Planning Commissioners felt that there is no conflict of interest that exists.

## 1. Minutes:

### 1.1. Approval of the December 04, 2018 meeting minutes

Chair Taylor declared the minutes approved as written.

Chair Taylor said that we were thinking of moving one of the legislative items to the consent agenda.

**MOTION:** Commissioner Lewis made a motion to move administrative item UVA050318 on the consent agenda. Commissioner Wood seconded. A vote was taken with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis, and Chair Taylor voted aye. Motion Carried (7-0)

## 2. Consent Agenda:

1. **UVA050318: Consideration and action on a request for final approval of Aspen Ridge at Powder Mountain Subdivision, consisting of 11 lots, located at approximately 6152 N Powder Ridge Rd, Eden in the FR-3 Zone. (Michael Moyal, Applicant)**
2. **UVL101816: Consideration and action on a request for preliminary and final approval of the Ella O Fowles Subdivision consisting of 6 lots, located at 148 N 10630 E Huntsville in the F-5 Zone. (Rondell B Hanson, applicant)**

**MOTION:** Commissioner Wood moved to approve consent agenda UVL101816 and UVA050318 as written Commissioner Waldrip seconded. A vote was taken with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis, and Chair Taylor voted aye. Motion Carried (7-0)

## 3. Petitions, Applications and Public Hearings

### 3.1. Administrative Items

#### a. New Business

2. **UVS122418: Consideration and action on the application for preliminary approval of Shepherd Estates Subdivision, consisting of 4 lots, located at 700 N 7800 E, Huntsville in the AV-3 Zone. (Jeff Shepherd, Applicant)**

Director Grover said this is an administrative decision; you can or cannot take public comment, it's up to you. As a subdivision we're looking at look at preliminary subdivision, the applicant is Mr. Shepherd, and we will have Mr.

Burton orient to this project, and then the applicant will give his presentation, and then Mr. Burton will explain how this is or is not meeting code.

Steve Burton said this is for a preliminary approval of a subdivision called Shepherd Estate; consisting of four lots, located at 700 N 7800 E in Huntsville. This is a standard zoning in the AV-3 Zone; and this is four lots ranging from 7 acres to about 5 acres. There was a meeting held meeting held in November for the alternative access; for a driveway and some kind of easement to access the lots to the north. The applicant is proposing to install a road to the south so that we have more connections. I will let the applicant give his presentation and come back with my recommendation.

Jeff Shepherd, applicant, said we purchased the property from the McKay Family and we have been working with the county to get approval to put in a 4 lot subdivision. This shows where the 4 lots that we're asking for approval; and they do range from and 5 ¼ acres up to under 8 acres. The two south blocks #1 and #2 are just under 8 acres; and lots #3, #4, are 5 ¼ acres. In order to gain access off of 7800, we are dedicating property to the county for the road on 1100 north, and we're bringing an alternative access road where the four homes will be. The south end of the property on Lot #1 and #2 are wet; and we have been working with the County Health Department, and we can use the property further north where the cross road is to put homes in and the septic systems.

Commissioner Hogge said you said it's wet on the south end of the property, is that natural drainage? Mr. Shepherd replied yes, the water pretty much comes all the way to the surface about March or April. You can see the topography of the property there it starts to go up hill; and then we don't have problems with the water table once we get closer towards the road.

Steve Burton said I wanted to point out at the meeting in November; there were some comments that were brought up from the public about Stoker Lane. When this subdivision application came in, one of the review comments from the County Engineer that the applicant dedicates some road to widen that road; because the county use that as a public road and asked the for dedication which the applicant is proposing. Staff's recommendation for preliminary approval of Shepherd Estate Subdivision, subject to all applicable review agency requirements, and are based on the conditions listed in the staff report. The one condition, there is a potential of geologic hazard that clips Lot #3, so we would require them to put an "N" (Natural Hazard) after the lot number. The recommendations are based on the findings listed in the staff report.

Commissioner Waldrip asked so 1100 north public road, that is a currently not an existing road? Will that road be constructed and dedicated to the county? Mr. Burton replied when the applicant submitted their plat, calling it 1100 north. We've got a review in saying that this is 700 North and that is non-existing, and is being proposed by the developer. It would require a dedication and some kind of financial guarantee for the improvements.

Chair Taylor opened this up for public comments.

Collette Anderson, 7768 E 1075 N, said from the paperwork that I have seen; a lot of the comments referred to the center of the road of Stoker Lane. At this time, that's pretty much in the air. It says that the utilities and different reviewers wanted the center of the lane dedication. Weber County is claiming right-of-way by use of Stoker Lane from Rose Mary Acres west. Putting that in there in the legal description or comments; until the center of the road is located, that needs to be removed from the comments and descriptions. The State Ombudsman told us, that all the county can get is the footprint of the road of what's being used.

Tom Dickson, 693 N 7800 E, said my property would be next to the new proposed road. If you are going to require the Shepherds to dedicate some land, why do you want to build another road? The road will be right next to a drainage ditch that probably services about 700 plus acres, that drains right at that point. My concern is with the snow removal and I do not want to have that snow pushed off to my drainage ditch and create an ice dam that would raise the water level and flood. I am also wondering up the access of the utilities through that area; we also

have our secondary water that this road would go over. I would prefer not to have a street lamp next to my window. Those are my concerns with this particular road being put in that area.

Sanford Moss, 7675 E 1075 N, said my concerns is with this alternate access dedication that's provided on the south end of the property. If that ends up being the legal access to the property, what is needed for that road dedication on Stoker Lane to the north. Our property is to the north east upper left corner of the proposed subdivision; and as soon as road dedication along Stoker Lane has been identified on the plat maps, it will have immediate adverse impact effect on our property values. Our house is located close enough to the existing dirt road; that if that Stoker Lane were widen, it would end up basically running into the corner of our house. The other concern; the preliminary description provided on the subdivision map, doesn't match the legal description that is recorded with the county.

Chair Taylor closed this up for public comments.

Steve Burton said the first comment that was brought up; was about dedication and people wondering where the middle of the road is. In this case, the county has asked for dedication to widen the road, and that is actually the Engineering Department that is requesting that, and the applicant is not opposing that dedication and are willing to dedicate. Chair Taylor asked on a follow-up question in regards with the center of the road; are you referring to this stretch of this property. Mr. Burton replied we are asking 30 feet from where we feel the center of the road is.

Commissioner Lewis asked is this strictly just their property line and they are giving up what they've been asked to; is he trying to dedicate half of a road he might not own, might it be on somebody else's property, is a clearly defined property line that we're talking about? Is it definitely their property line, and does it somehow jeopardizes anybody else around him? Mr. Courtlan replied I am not familiar with the survey, but it looks like what they have done is take the property line, the property boundary as shown by whoever surveyed it here, and the county has requested a particular width of the strip coming from the property line.

Director Grover said at this stage of the game, we don't have detailed road cross sections that are being proposed, all we're just looking is property. That's going to change when we start looking at the whole area of Stoker Lane, when and if they ever get to that point. When we do look at subdivisions, typically whatever fronts on to whatever is determined or deemed by right-of-use as a public right-of-way that we would look at trying to acquire for that. Once it's all assembled, that alignment is going to change when we actually see how that's going to be constructed. Right now Stoker is not even being considered of being constructed or anything like that, it would be further down the road when we have obtained all of them. Just for your information, for instance when you look at the Shepherd Estates Subdivision; you look at the Rose Subdivision, that section right there they dedicated 30 to 33 feet of right-of-way but that's going to change too as far as the actual alignment, if and when installation happens.

Commissioner Howell said the applicant is just asking for preliminary approval, and there are a lot of issues that needs to be ironed out before final approval. Director Grover replied correct, there's a lot of details and even when we get to final approval, there's not going to be cross sections or anything like that that would be looked at.

Commissioner Waldrip said I am looking at the legal description on the preliminary and it does talk about on the boundary description is unto the center line of Stoker Lane. That would have been done by the applicant's engineer, and not by the county, so that would be an issue that the County Engineer would have to look at and clarify. Director Grover replied as far as center line, we don't know where that center line is going to be because right now there's no road and it's all up in the air.

Steve Burton said there was a question as to why there is a need for a road to the south. To that I would say, one of the reasons is connectivity of the area. There's a road that would eventually connect back up to the west there, so we would like to have more connectivity and the idea at some point to connect to Stoker Lane. This leads me to the next concerns that Mr. Dickson had asked; with snow removal, utilities, and a street light. I don't know that the street light is being proposed by the applicant; and if he did, it would have to meet dark sky compliance, which would mean that Mr. Dickson wouldn't be able to see the direct light source. The snow removal and utilities would

be listed in the standard county road of 66 feet wide, which is what we do for every subdivision requirement. We don't require a snow removal plan; it is just what the county does typically with the snow removal.

Steve Burton said Mr. Moss brought up a concern that if a dedicated road was shown on the plat, that it will affect the property value. I can't speak about the property value, but if he is referring to Stoker Lane, that is already shown on the subdivision plats, and as Director Grover pointed out, there are a couple of subdivision plats where there has been dedication to Stoker Lane, and that is being shown because it is a county road.

Director Grover said just when the engineering looks at that, they will look at the drainage, and that will all take place within the right-of-way, if there are any ditches or anything like that, they will address those or any flooding issues that will happen, snow removal issues that will happen, and all that happens within the 66-foot right-of-way.

Commissioner Waldrip said I am on Google Earth, and the two houses that one of Mr. Moss's concerns was that his house was close to what is currently Stoker Lane, and the expansion of Stoker Lane 30 feet in his direction, would put the road in his front room. Director Grover replied as I mentioned, we are still looking at how that alignment of all of Stoker Lane would happen; and that is going to transpire many years down the road, and as we start to look at it, we are going to look at right of use first and how that road is aligned. The engineering looks at right-of-use, and they determine if that needs to be adjusted to make more sense as far as traffic flow and safety issues, then they will put a plan out there and get with residents out there, and talk with them of how the best alignment is going to happen in that area.

Chair Taylor said as I understand the concern about potential roads. When we started working on the General Plan a couple of years ago, and we platted out a map of what it would look like, if we really did build on every three acres of buildable lots, especially that Middle Fork area it was pretty scary for those of you who were here. It would require a lot of roads getting in and out of that subdivision. Just finding ways to preserve and keep it as it is, is a long term plan. Director Grover replied one thing too, we are also looking at when we actually look at, how the road is aligned, and we may be looking at vacating sections of this right-of-way too, because the alignments don't make sense in certain areas. Right now we just don't know some of those things, so typically our subdivision ordinance requires 33 or whatever that typical alignment is. Whether its 60 feet or 66 feet of right-of-way, and once it gets ready to install, there may be instances where we do have street vacations where we give that property back.

Commissioner Waldrip said for clarification, the interior circulation of this subdivision will be private roads, is that correct? Mr. Burton replied it is actually an easement and it will be basically a driveway; but one of the things that we are looking for, before we issue any certificate of occupancy for a house, it would be that this easement would have to meet the standards the Fire Department requires, and a couple of other standards like hard surface and things like that.

Commissioner Wood said just a follow up on that road, and you said that it's on 700 north; you had mentioned that it was a dedicated road and now you are saying that it's a driveway? Commissioner Waldrip added I was referring to the interior circulation. Mr. Burton replied this portion will be dedicated county road.

**MOTION:** Commission Howell moved to approve the preliminary application of UVS122418 of Shepherd Estates, consisting of 4 lots, located at 700 N 7800 E, Huntsville, and 29 Acres in the AV-3 Zone. This is subject to all conditions and recommendations listed in the staff report and to all county and state agencies listed and this is based on the findings listed in the staff report. Commissioner Wood seconded. A vote was taken with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis and Chair Taylor voting aye. Motion Carried (7-0)

**DISCUSSION:** Commissioner Waldrip suggested that all those that are going to be neighbors, to maintain good communication the Shepherds and also with the county staff. They have been very good in these circumstances to make sure they are working with neighborhoods, and not adversely impacting because they don't live there. So

just keep a close and staff is very good in these circumstances to address those issues as they arise with the neighbors.

Sanford Moss said those road dedications are actually to the north side of our property boundary. This road dedication from the Shepherd Subdivision is being taken from the south side of our property boundary. So the existing road dedications, I don't think really plays into this, because this is essentially taking the south side of the 66-foot-wide road corridor, as opposed to what has already been paved which is a 33-foot road dedication on the north side of a 66-foot wide road corridor.

John Kimball, 1077 N 7800 E, said I own about 150 feet of Stoker Lane. The county approaching some sort of broad scaled approach to how they're going to look at development of these areas. Whether you need a 60-foot easement all the way or whether you can put something friendly for us. I realize it is not a subdivision issue, but it is a Stoker Lane issue, but I do appreciate what the county was saying what they want to do, and to come back in a broader perspective. Director Grover said I have been in contact with the Surveying Department and the Engineering Department; and they are looking at how that road would be best aligned and other options. I am not sure how far that is going to go, but they do have them looking at that. If this does affect Mr. Kimball's property, they will notify him on that, and that is not something they take halfheartedly on. This is more for information; they are looking at those things further down the road..

Commissioner Waldrip asked is there a good point of contact; so they have someone to contact on this? Director Grover replied they can contact me in the Planning Department, and I can get you with the right department, and my direct line and he gave his cell number.

### 3.2. Legislative Items

#### a. New Business

1. **ZMA 2018-08:** A public hearing to consider and take action on a request to amend the Weber County zone map by realigning the O-1 and RE-15 boundary along the western edge of The Highlands at Wolf Creek Phases one and five.

Director Grover said this is a petition that we have instigated, just to clear up some boundary lines. Felix Lleverino will be presenting this; and it's mainly just to make some discrepancies on the map clearer with zoning boundary.

Felix Lleverino said I will just get into the staff review, and the image we have here; we have rezone review, current zoning boundaries. The parcel layer is just something that can be fixed with the GIS Mapping; the zoning layer is something that planning will work with, and that's the reason we are here today to fix that zoning layer. As you can see the map titled Boundary Realignment, and that was prepared by the Weber County Survey Department. That would be taken to the County Commission for approval; with a positive recommendation from the Planning Commission. So this proposal to realign the zoning line between O-1 to RE-15; will make for more aesthetic zoning map, one that follows the intended path, and the realignment does not alter parcel boundaries. This proposal to realign the zoning map does not conflict with the Ogden Valley General Plan.

Felix Lleverino said here are some questions that are included when we get an application for a rezone; these are some of the things that are applicable in a staff driven circumstance. These are the questions 1-5; and you can follow through as I go through with the answers:

1. The Zoning Boundary Realignment; this will preserve property rights for each owner that have been encumbered by the zoning error.
2. This realignment; does not change or expand the availability of land for development beyond the property line, nor was it shown on the dedication plat.
3. This proposal will result in a zoning boundary; that will be aligned with the subdivision boundary, it will also alleviate confusion that has arisen in the past related to development rights. The owners of the land who are directly affected; will be able to utilize their entire property if they wish to submit a subdivision plat amendment.

4. The Highlands at Wolf Creek Phase 5 was recorded March 17, 2005; and Phase 1 was recorded June 6, 2002. The Zoning Development Agreement that laid out the RE-15 Zone, was recorded October 22, 2002. From 2002 to now, the conditions in the area have remained the same.
5. This proposal will not have a negative effect on health, safety, and welfare of the inhabitants of the county.

Felix Lleverino said staff recommends that the Planning Commission forward a positive recommendation to the County Commission based on the findings listed in the staff report.

Chair Taylor opened up for public hearing.

Brian Hockridge, 5518 E Powder Ridge Circle, President of the Highlands HOA, said that the Highlands HOA is supportive of making this change. In terms of a suggestion for communication in the future; the only thing they want to know, has anything changed in my lot, or has anything changed in the way I can use my lot. Just want clarification on the plat amendment to address what. Mr. Lleverino explained what he meant by subdivision plat amendment, restrictions in the RE-15, and that each owner could come individually or as a group, and amend this Phase 5.

Chair Taylor closed up for public hearing.

**MOTION:** Commissioner Lewis moved to recommend to the County Commission approval of ZMA 2018-08; a public hearing to consider and take action on the Weber County zone map be realigned on the western edge of The Highlands at Wolf Creek. Subject to all conditions and recommendations listed and to all counties and agencies recommendations listed, and this is subject to the findings listed in the staff report. Commissioner Howell seconded. A vote was taken with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis, and Chair Taylor voted aye. Motion Carried (7-0)

2. **ZTA 2018-06:** A public hearing to consider and take action on a request allows lot averaging subdivisions to occur in the A-3 zone.

Director Grover said these next three items, Mr. Ewert will be presenting these three public hearings, and is subject to opening and closing for public hearing.

Charlie Ewert said out west we have an applicant who asked to amend the code to allow for lot averaging in the A-3 Zone. This does affect Ogden Valley because the section that is being amended is a section of the subdivision code, which is the same code in the Ogden Valley. This is all in effect for the Western Weber County in the A-3 Zones, and there is no A-3 Zone in the Ogden Valley. It's really just about Western Weber and we just want to make sure we vetted through the appropriate process, and get a recommendation to the County Commission. Staff is recommending approval to the request. The applicant is here and I let him know that this should be really easy, but if it's difficult then we can have him answer any questions.

Chair Taylor opened it up for public hearing.

Kendell Harper, 6585 W 700 N, applicant said we're just doing this for the kids, to keep them close by, so they don't move out of state.

Chair Taylor closed it up for public hearing.

3. **MOTION:** Commissioner Waldrip moved to approve ZTA 2018-06, a request allows lot averaging subdivisions to occur in the A-3 zone based on the findings listed in the staff report, subject to all the recommendations listed in the staff report. Commissioner Howell seconded. A vote was taken with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis, and Chair Taylor voted aye. Motion Carried (7-0)

4. **ZTA 2018-07:** A public hearing to consider and take action on a request to allow large solar energy farms in the A-3 zone, to create a Solar Energy Overlay Zone (SOZ), to modify solar energy regulations in the M-3 zone, and to create standards and processes governing the same.

Charlie Ewert said what you have before you a request to create a solar overlay zone; and this is applicable to Western Weber as well. This would apply to the A-3 Zone and M-3 Zone in Western Weber County and neither of those zones are in the Ogden Valley. The reason you are hearing this, is because there is a section at the very end of the proposal. If you look at Solar Energy Systems; that section applies to the Ogden Valley, and it's primarily about small solar systems. If we do allow large energy systems out west; we need to distinguish between small and large. So now we have small solar energy and large solar energy definitions, and only small solar energy would be allowed in the Ogden Valley.

Chair Taylor opened and closed for public hearing, as there were no public.

**MOTION:** Commissioner Wood moved to forward this to the County Commission with a positive recommendation of ZTA 2018-07; the request to allow a large solar energy farms in the A-3 Zone, to create a Solar Energy Overlay Zone (SOZ), to modify solar energy regulations in the M-3 Zone, and to create standards and processes governing the same. This is according to staff's recommendation as listed in the staff report. Commissioner Hogge seconded. A vote was taken with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis, and Chair Taylor voted aye. Motion Carried (7-0)

5. **ZTA 2018-08:** A public hearing to consider and take action on a request to create architecture, landscaping, and screening standards for the Western Weber Planning Area and to offer administrative edits for these regulations for the entire unincorporated county area.

Charlie Ewert said we may require more discussion; this is getting into the Ogden Valley architectural, landscaping, and screening standards. In Western Weber County; the County Commission just adopted a revision to the West Central Weber County General Plan. In doing so, they displayed a little more acreage for commercial out west, and asked for some more commercial design standards. We have been working with Western Weber Planning Commission; they are comfortable with the proposal, and we don't think this is the end of the road for either Western Weber or Ogden Valley when it comes to design. It's kind of a place holder in case somebody does come and submit a petition for commercial development out west.

Charlie Ewert said this all effect the Ogden Valley as well as Western Weber County. So I just wanted to run you through these changes; and I know that this is the first time you're seeing it. So everything you see here and we're just taking out Ogden Valley; and just extend it so it's just Weber County Ordinance. Updating the purpose and intent, striking out definitions that are no longer relevant. Including awning, canopy, earth tone, marquee, parkway, and then adding a definition for turf grass. As we get to the applicability section; what we had here was a little confusing, so we just updated and said this is applicable to these things.

Charlie Ewert said under Architectural Standards; took out the site plans requirements here and tucked it somewhere else. We took out term awning. General Landscaping has just been moved around. Minimum Landscape Area is only applicable to Western Weber county. Maximum Turf Grass Area has been moved from another area. Front and Side Property Lines Adjacent to a Street was just reorganized and reformatted. Except for the 15 feet, that has been changed to 20 feet because it's already written in the code to 20 feet. Side and End of Building; this is just a clarifier there, no effective change. Park Strips; this has a little more clarifier there.

Commissioner Francis asked about the native grasses. Mr. Ewert replied we can inquire with someone that can provide for us what the native grass mixture is. We can also reach out to Utah State extension; they do have a wealth of resources. If you look further down, we do encourage drought tolerant fescue mix, which would be a little closer to what you can find in this area.

Charlie Ewert said under Part H, Plant Material; there's a couple of modifications to the terminology, and as a point of reference, plants in a five-gallon containers as a standard for shrubs. Groundcover was rewritten for clarification purposes. Turf Grass was clarified and added drought tolerant fescue seed blend is strongly encouraged. Moving further down there to selection is more of a clarifier, removing Ogden Valley just to keep it generic. In irrigation this is a change; it says with either a manual or automatic irrigation system, we sticking with automatic.

Commissioner Howell said we're getting to the maintenance, where it states the responsibility of the owner to maintain. Mr. Ewert replied we do have a noxious weed ordinance, we have an unkempt yard ordinance, but when it's vacant, it's just vacant. We do have enforcement mechanism when it becomes a problem, we do have a Code Enforcement Officer. Director Grover said we are also looking at revising some law enforcement issues to have more penalties, as opposed to just getting a letter and going to court. We are going to be having fines that we are going to be proposing to the County Commission to see if we can get that through.

Chair Taylor asked about the drought tolerance; encourage looks great, was there a lot of hesitation on required. Mr. Ewert replied we don't go into a lot of details about drought tolerance. What you do find a few pages earlier; is that in zero-scaping you don't have to plant as much vegetation if you zero scape. If you zero scape with drought tolerance plants; and you go from an 80% planting to 40% planting.

Chair Taylor asked you did present the zero scaping to the Western Planning Commission didn't you. Mr. Ewert replied yes, and that's a question for this commission, do you want to allow zero scaping in the Ogden Valley? If you do, is 40% planting material satisfactory?

Commissioner Wood asked if you do that, you don't have to do the 40%? Mr. Ewert replied if you look at Part A; Minimum Standards and Guidelines. Side should have a minimum standard of 20% of the total lot area landscaped. So only 20% of the total lot area has to be landscaped; and you can have hard surface, buildings, or a number of other uses for the other 60%. Of that 20%, 80% has to be living plant material. In the Western Weber County; the land use authority may reduce the living plant material to 40%. That's not 40% of the whole side, that's 40% of 20%.

Commissioner Lewis said when we were landscaping Wolf Creek; it was finally decided to put in a few trees, with lots of rock with different color, and pathways. We went very minimal with landscaping, and I thought it came out very well, and it uses so much less water. I would be in favor of pushing drought tolerant any chance you get then to just encourage it. Commissioner Francis said that she would be in favor of leaving and not include Ogden Valley; because there are lots of other arguments about green spacing and the 20% is minimal already.

Chair Taylor said I think this is something that we should encourage it. Commissioner Waldrip said I wonder if this isn't something that we have sought input on this issue. This is a big enough deal that we say we're going to consider this issue, and see what comes back from the community. It's a pretty weighty deal to just do without seeking input on it.

Charlie Ewert said let me do this then; let's take our time and to make sure we get something into place for Western Weber county. I will leave it as it is as its written here; and we'll program it into our regular out gate, and we'll come back and readdress to the Ogden Valley.

Charlie Ewert said there is something that is going to affect Ogden Valley. Rule #1: Evergreens: it's kind of hard to take out west, but Ogden Valley is mountain community and totally different, and it will apply to the Ogden Valley. Part 4: Plants shall only be placed intermittently against building walls, fences, and other barriers longer than 50 feet. We're just saying 50 feet, which is the same distance that we have in our architectural standards. You need to breakup your roof lines, and your wall massing's every 50 feet. We do have a section about water conservation. All irrigations systems shall be designed for efficient use of water, turf grass areas, and other planting areas shall be on separate irrigation valve systems, and adjusted to generally support the minimum



watering needs of the plants being irrigated. We are adding things in there to hopefully encourage people to something different.

Charlie Ewert said this has big changes in Pedestrian Access, Section (9). What was there before; the landscaping design shall encourage pedestrian access, and are applicable to accommodate public pathways. This doesn't tell me when to ask for a pathway or not ask for a pathway. So with that in mind; for commercial site you want to provide pedestrian pathways that has efficient as they can possibly be; otherwise you're not going to have people walking. If you have to have walking around in weird shapes to get to their destination; they are just going to get in their car and drive around the corner and park again. If you look at Part A; it also says that every front door more than 200 feet apart, also have to have its own dedicated pedestrian pathway. For example, if you have a Wal-Mart, and you have one entrance here and 200 feet down you have another entrance there; both of those would have to have a dedicated pedestrian pathway coming from the right-of-way. He read sections a through c.

Charlie Ewert said Section 108-2-6 – Minimum Standards – Off-street parking: A lot being deleted here; but it's being deleted in favor of it being rewritten and not just straight up deleted. If you looked at what it was before and it had a Part A and Part B; and 1, 2, and 3 were identical language with minor exceptions. I changed that to just be Part A; with 1, 2, 3, and 4. This talks about the space between the edge of the right-of-way and a parking area on the inside of your lot. That strip has to be landscaped; and it has to be landscaped in a way that makes the asphalt a little more attractive, There's a requirement for a certain amount of trees, vegetation, and screening if it's between 0-20 feet from the edge of the right-of-way. If it's greater than 20 feet from the edge of the right-of-way; there is also a requirement for berms. You have to put in berms at a certain height. If you read that section that stricken out when it comes to berm; I put in a little more decisive language in there. It's up to 36 inches but it can vary, as long as it's no more than 75% of the site that has 36-inch berm.

Charlie Ewert said that next one down is Landscaping between parking and side or rear lot line. This is more detailed here but not changing how it's been applied. If you look at the 100%; you have to plant a hedge, it shall be planted along 100% of the length of what the landscaping is worth. I don't know what that 100% means; is that one every five feet for 100% of the distance, or is that 100% hedge where there is no distance between the hedge. I am not sure what the original author had intended; but we have interpreted the entire and spaced out, and not 100% hedge.

Charlie Ewert said one thing that Western Weber talked about was idea more drought tolerance water conservation; maybe we can forgive some of their requirements for trees, if there are other shades, canopy, or pergolas. Sometimes you see those fabric triangular shaped pieces of fabric stretched between posts; and out west they want to see that as an allowance as well. Not to completely replace trees, but to be an alternative to some of the trees.

Charlie Ewert said screening devices; this has been an interesting subject. When I first hired on, I was told that we don't allow chain link fences in the Ogden Valley anywhere. If you look at that line that is being deleted; chain link fencing shall not be allowed, and at face value it does say that. If you are looking at the context and how it fits into the code, it's only talking about screening and buffering. So in the Ogden Valley you can still have chain link fences; you just can't use them as a screen or a buffer. I still kept that for the Ogden Valley with no changes; and Western Weber are okay with chain links fences, as long as they are color coded, vinyl, or they've got nonreflective finish. On line 374 and 375, I just strike out along all street rights-of-way or because we have a whole other section that addresses that. On line 386 screening of trash dumpsters; what it previously said, "trash dumpsters shall be located in an area shown on the approved site plan, specifically approval on this item is required." I don't know what specific approval of trash dumpster means.

Charlie Ewert said Section 108-2-8 – Clear sight distance for landscaping and screening. We already have a section about this in the code. What that other sections says, I think this one is written better, but it's not applicable everywhere. So what I've done is taken it out of here, I have taken this language and plugged it into another section of our code. It's in Section 108-7-7; and just revised it a little bit so it fits in a broader context.

Charlie Ewert said Section 108-2-9 –This used to say Landscape Plan Submittal; and this was changed to Site plan supplemental requirements. This is in addition to what’s in our design review code; the design review specifies a process of approval for design reviews. This is where we got the color submittal for architectural renderings done for others. There are no other significant changes done.

Charlie Ewert asked if there were any questions, comments. Commissioners Howell and Wood said he did a good job on this. Chair Taylor said you added some good things in there that can be beneficial to us. Had we had a work session on this prior to; maybe we could have flushed out some of those water conservation issues, and gotten them in there now. Mr. Ewert replied we’ll put it on the work plan. If you are ready to move on but I have requested for public hearing on this and hopefully move on.

Chair Taylor opened and closed for public hearing, as there were no public.

**MOTION:** Commissioner Howell moved to recommend to the County Commission for approval of ZTA 2018-08; updating architecture, landscaping, and screening standards for the Western Weber Planning Area and also Ogden Valley Planning Area, and to all the recommendations listed in the staff report. Commissioner Wood seconded. A vote was taken with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis, and Chair Taylor voted aye. Motion Carried (7-0)

**4. Elections:** Chair and Vice Chair for 2019

**MOTION:** Commissioner Wood nominated John Lewis for chair. Commissioner Waldrip seconded. A vote was taken to nominate John Lewis for chair with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis, and Chair Taylor voted aye. Motion Carried (7-0)

**DISCUSSION:** Commissioner Lewis said that it would be hard to take your shoes or even try. I would personally like to thank Jami for all she’s done, and she has been great as Madame Chair. I just hope that I can match up with that. Commissioner Wood said she had done a wonderful job; and was very professional in how you run your meetings, but also it has been a nice atmosphere and it’s been a pleasure. Commissioner Howell agreed.

**MOTION:** Commissioner Lewis nominated Jami Taylor for vice chair. Commissioner Howell seconded.

**DISCUSSION:** Commissioner Lewis said I would like to have her nearby, to help with the transition, and you would be great as Vice Chair. Chair Taylor said I am happy to do this, and I am also happy to allow someone else. I simply wouldn’t mind giving someone else an opportunity for something like that. Commissioner Howell said we don’t want to lose someone that does an incredible job.

**VOTE:** A vote was taken to nominate John Lewis for chair with Commissioners Howell, Lewis, Wood, Waldrip, Hogge, Francis, and Chair Taylor voted aye. Motion Carried (7-0)

**5. Meeting Schedule:** Approval of the 2019 Meeting Schedule: Approval of the 2019 Meeting Schedule; with all in favor saying aye. Motion Carried (7-0)

**6. Approval of the 2019 Planning Commission Rules of Order:** Approval of the 2019 Planning Commissioner Rules of Order; with all in favor saying aye. Motion Carried (7-0)

**7. Adjourn to a Work Session:**

**WS1: Defining area boundaries and general locations for gateway identification signs.**

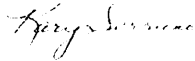
Charlie Ewert said for the work session; I need to know where Ogden Valley residents believe that the Ogden Valley neighborhood starts and ends for our wayfinding. So when they say you have arrived in Liberty; where do we want that

totem or that sign to go? He showed some pictures of signs for the Planning Commission to look at. Mr. Ewert said we have been working with UDOT; and UDOT wants these signs out of the clear zone. If not out of the clear zone, UDOT wants them behind the guardrail, and they don't want to see new guardrail. We need to work with them to figure out exactly where the clear zones are, and where they are going to go. They will be off the asphalt far enough that hopefully they are out of where someone can slide into them. They are still breakaway signs but they are heavier than UDOT signs. UDOT has a formula where if you hit the sign, the sign is supposed to flip over the car, and you go under the sign. They are concerned that these are too heavy; and if the sign lands on your car, they can't compact the car any more than three inches. They think these will be a little heavier. They want to keep these out of the clear zone all together.

Charlie Ewert asked the Planning Commission to give him direction as to where they would like the wayfinding sign, and other signs displayed in the Ogden Valley. The Planning Commission responded with suggestions and Mr. Ewert said he would move forward with this.

- 8. **Public Comment for Items not on the Agenda:** None
- 9. **Remarks from Planning Commissioners:** None
- 10. **Planning Director Report:** Director Grover thanked the Planning Commission for all their hard work and it's been a delight working with them.
- 11. **Remarks from Legal Counsel:** None
- 12. **Adjournment:** The meeting was adjourned at 8:00 p.m.

**Respectfully Submitted,**



**Kary Serrano, Secretary; Weber County Planning Commission**