

Commissioner Burton moved to approve CUP 2022-06, approval of a Conditional Use Permit for a water tank and well house located at approximately 2051 N. Highway 158, Eden, based on the findings and subject to the conditions listed in the staff report. Commissioner Howell seconded the motion. Commissioners Burton, Howell, Johnson, Montgomery, Shuman, and Torman all voted aye. Commissioner Francis voted nay. (Motion carried 6-1).

Legal Counsel Erickson referenced Commissioner Johnson's earlier declaration of a potential conflict of interest; he suggested that Commissioner Johnson recuse himself from voting on this matter and excuse himself from the meeting until voting has concluded.

Commissioner Burton restated his motion to approve CUP 2022-06, approval of a Conditional Use Permit for a water tank and well house located at approximately 2051 N. Highway 158, Eden, based on the findings and subject to the conditions listed in the staff report. Commissioner Howell seconded the motion. Commissioners Burton, Howell, Montgomery, Shuman, and Torman all voted aye. Commissioner Francis voted nay. Commissioner Johnson recused himself from voting on the motion. (Motion carried 5-1).

3.2 CUP 2022-07: Request for approval of a conditional use permit for a new water tank and pump house, attached to an existing pump house, located at approximately 7780 E Summit Pass Rd, Eden. *Presenter Tammy Aydelotte*

Applicant is requesting a conditional use permit for a pressurized water system to service the Hidden Lake Lodge area. This proposal consists of a dedicated booster pump station with capacity to supply PID and fire flow (1,500 gpm), existing site improvements, distribution pipe (10", 8", 2" pipe, hydrants, and a PRV station). 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. Staff recommends approval of this conditional use application subject to the applicant meeting all review agency requirements and the following conditions:

1. outdoor lighting must meet the requirements of the Ogden Valley Outdoor Lighting Ordinance (108-16).

This recommendation is based on the following findings:

1. The proposed use is allowed in the DRR-1 zone and meets the appropriate site development standards.
2. The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Commissioner Burton moved to approve CUP 2022-07, approval of a Conditional Use Permit for a water tank and pump house, attached to an existing pump house, located at approximately 7780 E. Summit Pass Road, Eden, based on the findings and subject to the conditions listed in the staff report. Commissioner Howell seconded the motion. Commissioners Burton, Howell, Johnson, Montgomery, Shuman, and Torman all voted aye. Commissioner Francis voted nay. (Motion carried 6-1).

Commissioner Francis stated she is concerned that this approval will permit excavation of the mountain for a subdivision that has not yet been considered by or approved by the Commission. Chair Shuman stated he understands Commissioner Francis's concern; however, due to the County's land use ordinance, the Commission is legally obligated to grant approval of the CUP.

4. Administrative items.

4-1 CUP 2022-03: Request for a conditional use permit for a conference center located in the Evergreen Subdivision at approximately 2257 N River View Road, Huntsville, UT, 84317. *Presenter Tammy Aydelotte*

Planner Aydelotte explained the applicant is requesting approval of a conditional use permit for a conference/education center located in the F-40 zone at 2257 N. River View Rd, Huntsville. The F-40 Zone allows a "conference/education center" as a conditional use. The applicant is proposing to phase their plans for the proposed use. The education center is proposed to occupy a portion of four parcels and include a vegetable garden, trails, an orchard, and some dedicated agricultural area, as well as a pavilion, a barn, and a guesthouse. Under the definition of a conference/education center, "Such a facility may serve meals and offer day use and/or overnight lodging facilities." This proposal is intended to educate participants on sustainable living systems, environmental stewardship, and related activities. The guest house would be used to accommodate overnight guests as part of the educational activities. With these occurring in small groups (up to 12, staying between 2-7 days at a time, and occurring a few times per month (2-3 stays per month), and during the warmer months (April-October), the expected impact is minimal. The

applicant is proposing on-site septic system and a well, to address water and sewer needs. Staff recommends approval of this conditional use permit application subject to applicant meeting the following conditions of approval in addition to any and all conditions of the various reviewing agencies and any additional conditions of the Ogden Valley Planning Commission. She summarized staff's analysis of the application to ensure compliance with the General Plan and zoning regulations; staff recommends approval of this conditional use permit application subject to applicant meeting the following conditions of approval in addition to any and all conditions of the various reviewing agencies and any additional conditions of the Ogden Valley Planning Commission.

Planning conditions of approval:

1. The owner shall obtain a valid Weber County Business License.
2. The owner shall obtain a conditional use permit once all recommendations of approval have been met.
3. If there is a change in use to any of the four parcels tied to this application, the owner must apply for a conditional use amendment through Weber County Planning.

This recommendation is based on the following findings:

1. The proposed use is conditionally allowed in the F-40 Zone and meets the appropriate site development standards.
2. The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Commissioner Howell asked if the proposed use is permitted in the F-40 zone. Legal Counsel Erickson cited the list of conditional uses in the F-40 zone, noting that conference or education center is an allowed conditional use. Planning Director Grover added that this is an administrative decision, and the application can be approved by the Commission if it is found to comply with the rules governing conditional uses.

Commissioner Francis asked if short-term rentals are allowed in the F-40 zone. Ms. Aydelotte stated that a conference/education center is defined as a facility designed for the purpose of conducting meetings for consultation, exchange of information and/or discussion which results in enhanced personal, business and/or professional development. A conference/education center may provide office facilities and schedule a range of business related and/or leisure activities (e.g., training workshops, seminars, retreats and similar type meetings). Such a facility may serve meals and offer day use and/or overnight lodging facilities. Commissioner Francis stated she understands that definition but is curious as to whether short term rentals are allowed in the F-40 zone. Ms. Aydelotte deferred to Mr. Erickson. Mr. Erickson stated that short term rentals are not called out as an independent allowed use in the F-40 zone.

Chair Shuman invited input from the applicant.

Emily Nicolosi, Owner, stated that she believes the impact of her project will be minimal; it will host less than 12 people a few times each year. She feels her plan is in line with the vision for the Ogden Valley and she plans to restore the land with native vegetation and agriculture; visitors will be able to learn about environmental sustainability.

Ms. Aydelotte stated that given that the applicant would like to include all five parcels she owns in the application, she recommended amending condition of approval number three; the condition should state:

3. If there is a change in use to any of the five parcels tied to this application, the owner must apply for a conditional use amendment through Weber County Planning.

Commissioner Howell moved to approve CUP 2022-03: Request for a conditional use permit for a conference center located in the Evergreen Subdivision at approximately 2257 N River View Road, Huntsville, UT, 84317, based on the findings and subject to the conditions listed in the staff report.

Commissioner Francis offered a friendly amendment to amend condition of approval number three to change the reference of parcels from four to five. Commissioner Howell accepted the friendly amendment. Commissioner Torman seconded the motion. Commissioners Burton, Francis, Howell, Johnson, Montgomery, Shuman, and Torman all voted aye. (Motion carried 7-0).

4.2 UVB04042022: Request for preliminary approval of Bright Acres Subdivision, a four-lot subdivision located in the AV-3 zone, at approximately 5638 N 3100 E, Liberty, UT. Presenter Tammy Aydelotte.