**MINUTES**

**OF A SPECIAL MEETING OF THE BOARD OF**

**WEBER COUNTY COMMISSIONERS**

Tuesday, July 7, 2015 - 11:10 a.m.

Commission Conference Room, 2380 Washington Blvd., Ogden, Utah

*In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the County Clerk records in the minutes the names of all citizens who appear and speak at a County Commission meeting and the substance “in brief” of their comments. Such statements may include opinion or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.*

County Commissioners/Others Present: Kerry W. Gibson, Chair, Matthew G Bell and James Ebert. Sean Wilkinson, County Planning Division Director; and Charles Ewert, of the County Planning Division

Ogden Valley Planning Commissioners: Laura Warburton, Chair, Stephen Waldrip, John Howell, and Jami Taylor.

**Discussion regarding the progress of the Ogden Valley General Plan Update**

This was a joint work session with the Ogden Valley Planning Commission.

Mr. Ewert introduced the Logan Simpson Design (LSD) team—Buck Swaney, Jim Carter, and Krissy Nielsen. He stated that a number of public workshops were held and much public comment had been received on the General Plan update driven by the Ogden Valley residents.

Mr. Swaney had been managing the project but has left the firm and will remain available to the team as a resource. More than 500 participants were engaged in the process. Thus far there have been three major cycles of public involvement.

The team presented a scaled-down overview of what had been accomplished so far, which included interviews, surveys, various meetings, workshops, etc. Various tools were used to notice Upper Valley (Valley) property owners and to engage them early. Mr. Swaney showed 3D Valley build-out renderings with varying numbers of units, the economic context (commercial analysis, commercial projections, economic summary), and the transportation context (current conditions, future build-out facility needs, future roadway failure, potential build-out facility needs).

Envision Utah had conducted a 1,000 page analysis of market demand along the Wasatch Front through 2050, that included each city/town, decade by decade, and it showed that the county’s population would almost double from 2012 to 2050. Most quality places are expected to be built out in the lower valley in 10-15 years and demand for building in the nice Valley environment will quickly emerge. In the Valley there are 3,762 built units, 2,563 platted vacant parcels, 5,300 approved resort units, and about 4,000 unplatted but zoned units. The residents had been very surprised by what current zoning allows and in general are resistant to having significant commercial development. The Valley is 24% built out but the Ogden Canyon road is at 59% of its capacity. Failures will occur first in Ogden Canyon and along ring roads around Pineview. Assuming 2050 build-out and linear growth, Ogden Canyon could fail as soon as 2020. Mr. Ewert had spoken with UDOT about the Canyon road and their default is to wait until it reaches poor level.

Ms. Nielsen said that the Big Ideas Survey conducted at the Valley Market, on the website, and via email had 226 responses. There was support for prohibiting development on ridgelines, acquiring sensitive wildlife habitats & protecting open space, and prohibiting development within a buffer adjacent to scenic corridors. Residents also support design standards for commercial development, no big-box/strip mall/retail chain establishments, keeping commercial development in already defined areas, clustering new development in/around commercial areas, height limits on commercial development, dropping slope development to 15%, requiring independent geotechnical studies, charging 10% of gross revenue from events for the Ogden Valley Land Trust, keeping Ogden Canyon road as it is, enhancing/completing the pathway around Pineview Reservoir, a moratorium on new development until 50% of approved development is built, dark skies protection, mass transit between commercial nodes/resorts. A similar survey was conducted at Snowcrest Jr. High School and the results were similar to their parents, but they were more supportive of a few more commercial options, historic preservation and a Valley-wide drinking water system.

Mr. Carter stated that land-use survey participants ranked statements in three categories and they are listed below from highest to lowest ranking with the top options in each category to deal with the challenges.

Reduce Future Development Potential: 1. Development prohibition on sensitive lands; 2. Purchase of conservation easements; 3. Encourage and accommodate donation of fee title.

Require Future Development to be More Efficient: 1. Prohibit density bonuses; 2. Define additional areas for TDRs; 3. Require future development to be clustered.

Not Change Future Land Use: 1. Cap total development; 2. Require strict architectural, aesthetic design requirements for commercial development.

Fee-simple land purchases and down zoning did not receive much support. Mr. Swaney said that the survey focused on those present because they were informed about the complex survey and questions. Many of those present were long term participants and had fairly well developed concepts of that they would like.

Chair Warburton asked how many of the 500 participants were single or repeat participants and Mr. Swaney said that they were 500 individual, unique participants. She would like to know how many were repeat and the information has been captured but not compiled. Mr. Swaney said that they heard many people express that they would like an open space bond or some tool to create a real money resource to protect property such as a significant important parcel.

Mr. Carter said that there was strong support for capping total development, prohibiting density bonuses and some support for transfer of development rights and to move/consolidate development. Mr. Wilkinson said that the County Cluster Subdivision Ordinance no longer has density bonuses for Ogden Valley but some incentive units can be obtained through the Destination and Recreation Resort Zone Ordinance. Mr. Swaney reported that there is a perception that during the last down zoning of 1998 people gave up 2/3 of their wealth (going from 1 to 3 acres minimum zoning). He said that there is a feeling that there was a social contract that the residents were agreeing to have less development in the Valley and to voluntarily give up their wealth and would have a TDR or similar tool to help manage the details, particularly relating to Powder Mountain and the Summit Development—which, when new units were assigned to them, people felt they came from the wealth they had given up and the opportunity to build elsewhere had been given up. Commissioner Bell asked about the participants and Mr. Swaney responded that there are very large, intermediate and small property owners and that LSD tried to capture diversity.

Mr. Carter said that the consensus of the participants was that they prefer requirements rather than incentives for land-use policy generally. They want to ensure that the plan implemented translates into regulatory requirements. Chair Warburton said that some of the bonuses are inherent in clustering. She noted that it is not simply just building another house, but that it means more people, more use of the overall infrastructure, etc. Chair Warburton asked about the second home market and Mr. Swaney said currently about 32% are second homes and LSD used that figure understating that a lot of future development will go into resort areas and into the unbuilt but platted areas and will be primary residential.

Mr. Swaney stated that there is a water budget study under contract with the State. The study done a few years ago, that included more than the Valley, indicated that there was plenty of ground water. Valley residents disagree. LSD put a water working group on this project and they quickly discovered that they do not have enough information to make a good conclusion. A current study is underway. There is no sewer study but it will likely be a policy recommendation coming out of the plan to at the very least build a capital improvement plan for the Valley that helps address costs for infrastructure systems. Chair Warburton referred to the large numbers of people at unpaid areas at Pineview Reservoir without sanitation facilities. Commissioner Bell asked what the study showed concerning water and sewer systems and Mr. Swaney responded that there are differences of opinion and it is an important policy question. There are over 100 water companies in the Valley and so no one ever knows when there are major challenges, how much water there is, etc., and because it is so decentralized the quality of information and ability to mange that resource is very poor.

Mr. Swaney addressed Commissioner Ebert’s questions stating that people would like to see a simplified management structure and a number of new facilities to support the usage. Commissioner Bell asked if at full build-out there would be ample water and proper sewer and Mr. Swaney said that the plan assumes that at this time.

Mr. Ewert stressed to the commissioners the importance of bringing on board the various county departments such as those related to capital improvement plans and capital budgeting.

Chair Warburton has repeatedly heard that the Valley subsidizes the lower valley. Mr. Swaney said that LSD has done the retail link analysis and in the initial study the revenues from the Valley are carrying their costs, and then a little bit, but it is not much. The revenues are fairly well balanced.

Mr. Ewert gave the website (valleyplan.com), where there is much information on the plan and explained what tools and documents are available. He stated that the advisory committee continues to meet monthly and will continue to write the plan and policy recommendations will emerge. Commissioner Ebert asked Mr. Ewert to keep the County Commissioners apprised as those updates occur. The plan will go to the Planning Commission and then to the County Commission.

Commissioner Waldrip said that funding was the biggest issue related to the proposed solutions and he asked for the date of completion for the current study of revenue generation. Ms. Nielsen said that LSD hired a consultant, which had just finished its analysis, and LSD will study it in depth, then convey the information.

Mr. Swaney addressed Commissioner Taylor’s questions. There is widespread acceptance of the entitled right to develop and everyone would like to see less development occur than what entitlement allows; there is no generally agreed to principle. Regarding demographics, out of 120 people present at the last public meeting there was one person under the age of 40. Chair Warburton referred to the sense of intense pride residents have about longevity in the Valley and that they have made the Valley beautiful. Chair Gibson expressed appreciation for all the work on this plan and to Mr. Swaney for his volunteer efforts as they continue in the process. He said that the County Commissioners are passionate about the Valley and care about its residents.

Ron Gleason, of unincorporated Huntsville, said that in addition to other county departments being engaged that other agencies within the State need to be engaged. The General Plan is a blueprint and a lot of points of failure (i.e., transportation, water & sewer) are out of the county’s day-to-day control/jurisdiction. It is important to resolve these failure points, or the economic failures will even be larger. A lot of the ground work has already been laid over the years and some tweaking may be necessary but now those objectives need to be met.

Chair Warbuton stated that this is a very important issue for the Planning Commission and as they saw some community reports it was essential to obtain accurate information from a consultant. She thanked the County Commission for seeing the need and providing the funds.

Commissioner Ebert moved to adjourn at 12:45 p.m. and Commissioner Waldrip seconded.

Commissioner Bell – aye; Commissioner Ebert – aye; Commissioner Gibson – aye; Commissioner Waldrip; Commissioner John Howell; Commissioner Taylor – aye; Commissioner Warburton – aye