



OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

REGULAR PLANNING BOARD MEETING AGENDA

January 24, 2012

5:00 p.m.

Pledge of Allegiance

Roll Call

1. Minutes:

- 1-1. Approval of the December 06, 2011 meeting minutes

2. Regular Agenda Items:

- 2-1. CUP 2012-01 Consideration and action on a conditional use application for a heliport located in an F-40 one east of Green Hill Country Estates and approximately two-thirds of a mile from the Maple Street cul-de-sac - Timothy Charlwood, Applicant

- 2.2. ZTA 2012-01 Consideration and action on a zoning text amendment to Chapter 15 (Forest Residential FR-3) of the Weber County Zoning Ordinance to allow a Night Watchman unit as part of Homeowners Association's common facility building for an onsite employed manager or night watchman – John Lewis, HOA Vice President of Moose Hollow and Cascade at Moose Hollow, Applicant

- 2-3. Consideration and action on the Annual Rules of Order Adoption

- 2-4. Handout
Information: 2012 Meeting Schedule and Member Information List

3. Public Comments:

4. Planning Commissioner's Remarks:

5. Staff Communications:

- 5-1. Planning Director's Report
5-2. Legal Counsel's Remarks – Open Meetings Act

6. Adjourn

The meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.



In compliance with the American with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791

Minutes of the Ogden Valley Township Planning Commission regular meeting and work session held December 06, 2011, in the Weber County Commission Chambers, commencing at 5:00 p.m.

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

Staff Present: Rob Scott, Director, Ben Hatfield, Planner; Sean Wilkinson, Planner; Chris Allred, Legal Counsel; Sherri Sillitoe, Secretary

Pledge of Allegiance
Roll Call

1. Regular Agenda

STA 2011-02 Discussion and action on an amendment to Chapter 4 (Subdivision Improvements Required) of the Weber County Subdivision Ordinance

Jim Gentry indicated that this item was tabled at the November 22, 2011 meeting to make a couple of amendments. Staff is looking for a recommendation to the County Commission regarding this subdivision ordinance text amendment.

MOTION: Commissioner Warburton moved to recommend approval of the proposed changes to Chapter 4 (Subdivision Improvements Required) of the Weber County Subdivision Ordinance. Commissioner Graves seconded the motion. A vote was taken and Chair Parson said the motion carried (7-0).

2. Policy Discussion and action on Submitting Information to a Planning Commission Policy

Rob Scott indicated that staff was asked to develop a policy regarding public comment. The new policy lists a procedure of how information will be received and a timeline for submittal to the staff and Planning Commissioners.

Motion: Commissioner Hollist moved to adopt the Planning Commission Public Policy dated November 28, 2011 as herein stated. Commissioner Miller seconded the motion. A vote was taken and Chair Parson said the motion carried (7-0).

3. Public Comments:

The Director of Powder Mountain Ski Resort gave a report on the Powder Mountain Park and Ride Lot. Mr. Roger Terry owns the lot. They put a 2 ft. retention pond that holds the spring run-off. At this time, Powder Mountain has been in discussions with UTA giving them their rider count for feasibility of bus service from the Ogden area in approximately six years. Last year 35-45,000 people used the park and ride lot. The first shuttle leaves at 7:30 a.m. It is a requirement of their employees to use the lot. She sees a great value to the Ogden Valley as well as the employees.

Commissioner Warburton indicated that when they talked to UTA about money, would that reduce the \$3 cost? They are just in preliminary discussions with UTA. Commissioner Warburton asked last year was the first year they charged for the shuttle bus pass. The shuttle bus is \$35 for the ski season. As of today, they have sold almost 250 bus passes.

Commissioner Howell said he observed that the parking lot was graveled this year. He believes that UTA would be able to make a go of a bus if 35-45,000 people use it. All of their bus drivers must have a CDL license with a bus qualification. Mr. Wood trains each driver for approximately 20 training hours. They have chains on each bus and placed on the tires when road conditions warrant. They have only had one accident since she has been employed. They have eight busses, which run 3-4 times per day.

Chair Parson indicated that he would like to see an asphalt approach. If they mix a cement base with road base, a great surface that would last the entire season. They have contracted with Thom Summers to plow the road. They enforce their security and will have two attendants at the lot.

Sean Wilkinson said when the Powder Mountain Park and Ride was approved in January 2011 they were required to give an annual report. They have fulfilled the requirements until the 2012-13 ski season.

4. Planning Commissioner's Remarks:

5. Staff Communications:

5-1. Planning Director's Report

Rob Scott indicated that staff enjoyed the Planning Commission Dinner last week.

The open house for the Flood Rate Insurance Maps are displayed in the breakout room. The maps will probably not be adopted for approximately one year. He wished the members a Happy Holiday season.

5-2. Legal Counsel's Remarks: Therapeutic Schools

Chris Allred has concluded that the approach that they have been taking is not the direction they should be taking; he believes they should look at having a broader approach and look at writing a new ordinance. He would like them to hire outside counsel to inform them of the pitfalls or areas where there have been challenges. He believes they should table therapeutic schools now in order to draft a new ordinance. It may be an opportunity to address some new legislation.

Commissioner Warburton indicated that she is thrilled to hear this new direction.

Commissioner Hollist indicated that one of the discussion items that they had was that regardless of the size of facility that is approved, there is always pressure on the owners to provide more services, more facilities, more amenities, etc. and the only way they can do that in their pricing models is to increase the students that are in residence so they are always bumping against or exceeding the upper limits. Will they be able to deal with that in this broader approach? Mr. Allred indicated that it is a grey area and they should not count on having black or white guidelines. They can set parameters but they cannot say in advance what area reasonable accommodations as there are other things that may come into play.

Chris Allred said right now, state law allows such facilities in residential areas. Commissioner Hollist said he likes the idea of outside counsel of someone who has experience and has drafted such ordinances. Chris Allred said they will come to the Planning Commission with a draft ordinance in the future.

6. Adjourn to convene a work session

PLANNING COMMISSION BOARD WORK SESSION AGENDA

W1. Discussion Annual Rules of Order Review

The Annual Rules of Order were reviewed and discussed. Rob Scott indicated that the suggested amendments would be made and presented at the first meeting in January.

Commissioner Warburton indicated that she believes that the board should approve their meeting agenda. Rob Scott indicated that they do have the opportunity to amend the agenda. Commissioner Graves indicated that they have done so under the consent agenda or asking the Chair. Commissioner Warburton indicated that having it outlined in the order of business would be appropriate.

Commissioner Warburton asked if staff had a copy of which motions are debatable, and Rob Scott indicated that he would email the members a copy of the types of motions.

Commissioner Warburton said as referred to on Page 9.5, a motion to deny, how she would use it. Rob Scott said when on a motion to deny, when they get to the point of stating: "I move that they deny...," and that motion is defeated, they need a motion in the positive and their option would be to table it or delete it. An option is a friendly amendment to the motion made.

Commissioner Montgomery asked if the Planning Commission members are required to go to open meeting training. Commissioner Montgomery said open meeting training is provided by the state and he believes that they need to have some training.

Commissioner Warburton said State Law talks about that the Planning Commission members can receive a small stipend therefore they might want to consider a small amount for gas or something like that. Rob Scott indicated that the County Commission opted to pay the Planning Commission member's APA dues instead of a stipend.

The National APA 2012 Conference will be held on APA April 14-17, 2012 in Los Angeles.

Adjourn

There Being No Further Business, the meeting was adjourned.

Respectfully Submitted,

Sherrill Sillitoe, Secretary
Weber County Planning Commission

DRAFT



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on CUP 2012-01 for a heliport located in an F-40 Zone east of Green Hill Country Estates and approximately two-thirds of a mile from the Maple Street cul-de-sac

Agenda Date: Tuesday, January 24, 2012

Applicant: Timothy Charwood

File Number: CUP 2012-01

Property Information

Approximate Address: 1600 North Maple Street (two-thirds of a mile east of the Maple Street cul-de-sac)

Project Area: Approximately 78 acres

Zoning: Forest 40 Zone (F-40)

Existing Land Use: Forest/Recreation

Proposed Land Use: Heliport

Parcel ID: 21-001-0010

Township, Range, Section: T6N, R2E, Section 3

Adjacent Land Use

North:	Forest/Recreation	South:	Forest/Recreation
East:	Forest/Recreation	West:	Forest/Recreation

Staff Information

Report Presenter: Sean Wilkinson
swilkinson@co.weber.ut.us
801-399-8765

Report Reviewer: JG

Applicable Ordinances

- Weber County Zoning Ordinance Chapter 8 (Forest Zones F-5, F-10, and F-40)
- Weber County Zoning Ordinance Chapter 22-C (Conditional Uses)

Background

On January 3, 2012 the Weber County Commission adopted several amendments to the Weber County Zoning Ordinance regarding heliports in the Ogden Valley. On the same day, the applicant submitted a conditional use application for a heliport located in an F-40 Zone east of Green Hill Country Estates and approximately two-thirds of a mile from the Maple Street cul-de-sac. The proposed heliport location and an additional 446 acres owned by the applicant currently have final approval as a six-lot subdivision known as The Sanctuary. The application originally showed three sites on the applicant's property that were proposed for this use, however, it was discovered that two of the sites were located in an F-5 Zone which does not allow heliports. Only the location in the F-40 Zone is now being proposed for the heliport site.

The applicant is proposing to operate the heliport on a seasonal basis as a pick-up and drop-off site for heli-skiing operations. This site will be used for a maximum of three days per week, only during daylight hours, with no more than ten operations (either take-off or landing) per day due to FAA regulations as described below. The proposed heliport has no permanent structures or facilities. There is also no signage or lighting proposed. The landing area is on an existing rock surface which is free from trees and other obstructions. Refueling may occur on site as necessary, but a fuel truck will not be parked at the site on a permanent basis. If the refueling operation is not approved by the Health Department due to a potential contamination risk in a Drinking Water Source Protection Zone 2, refueling will not be allowed on site. A portable latrine will be used at the site as necessary and may be removed when flights will not occur for several days.

Access to the proposed heliport is through Green Hill Country Estates, which has private roads. The applicant has provided staff with an agreement between the Green Hill HOA and the former owner of the property, which grants access on the

Green Hill private roads to the applicant's property. The applicant has represented that the agreement allows those invited to his property to also use the private roads. However, this is a private matter between the applicant and the Green Hill HOA and should not be discussed by the Planning Commission. This information was included in the staff report because staff has received questions about access to the heliport from property owners in the Green Hill Subdivision, and it is anticipated that the Planning Commission will receive similar questions.

As part of the recent zoning ordinance amendments, the F-40 Zone now allows heliports as a conditional use subject to the following standards:

1. A heliport must be located on a single parcel of record which is not less than 40 acres in area.
2. A heliport must be located at an elevation of at least 6,200 feet above sea level.
3. A heliport must be located at least 200 feet from any property line. The Planning Commission may grant exceptions to the setback requirement if it can be demonstrated that locating the heliport closer than 200 feet to the property line provides a more beneficial situation for purposes of safety, noise abatement, access, or other valid reasons as determined by the Planning Commission.
4. The heliport landing surface must be dust-proof and free from obstructions.
5. Prior to issuance of a conditional use permit for a heliport, written approval from the Federal Aviation Administration (FAA) is required, if necessary.

The proposed application meets each of these standards in the following ways:

1. The proposed heliport is located in an F-40 Zone on a 78 acre parcel.
2. The proposed heliport has an elevation of approximately 6,300 feet above sea level.
3. The proposed heliport is located slightly over 200 feet from the parcel's east boundary line and much more than 200 feet from the other boundary lines.
4. The heliport landing surface is proposed to be on an existing rock surface which is free from dirt. There are no trees or other obstructions in the vicinity of the proposed landing area.
5. The heliport meets the definition of "intermittent use" under the Code of Federal Regulations (CFR) Title 14 Part 157.1.c and, therefore, does not require notification to or inspections from the FAA. Staff recently spoke with the FAA Salt Lake City Flight Standards District Office about this issue and it was confirmed that this heliport would require no inspections because it is seasonal, nothing is being constructed, and it meets the definition of "intermittent use." A similar response (see Exhibit D) was given for the heliport that was proposed at the Red Moose Lodge in 2010.

Summary of Planning Commission Considerations

- Does the proposed use meet the requirements of applicable County Ordinances?
- Are there any potentially detrimental effects that need to be mitigated by imposing conditions of approval, and if so, what are the appropriate conditions?

In order for a conditional use permit to be approved it must meet the requirements listed under "Criteria for Issuance of Conditional Use Permit." The Planning Commission needs to determine if the proposed heliport meets these requirements.

22C-4. Criteria for Issuance of Conditional Use Permit

Conditional uses shall be approved on a case-by-case basis. The Planning Commission shall not authorize a Conditional Use Permit unless evidence is presented to establish:

1. Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.
2. That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

After reviewing this conditional use request staff has determined that the criteria listed above have been met in the following ways:

1. The reasonably anticipated detrimental effects for this heliport include safety, noise, dust, and impacts to wildlife. Each of these issues is addressed below:

- **Safety:** This heliport will operate under visual flight rules (VFR) and flights will occur only during daylight hours and good weather conditions. In addition, the number of flights per day and the number of operating days per week are already restricted as mentioned previously. The heliport is located approximately two-thirds of a mile from the nearest residence and the anticipated approach and take-off paths, as described by the applicant, are over his own property, not over the Green Hill Subdivision or other residential areas. Refueling will occur as necessary at the heliport by means of a temporary fuel truck. This truck will not be permanently stored on site. The fuel truck and those who operate it must comply with all applicable regulations including the International Fire Code (IFC). The heliport does not require FAA inspection as explained previously, but all applicable FAA regulations must be complied with.
- **Noise:** Impacts from the noise generated by helicopters using this site are minimal because the site is located two-thirds of a mile from the nearest dwelling and the number of operating days and flights per day are limited. The heliport site is surrounded by the applicant's property and other vacant mountain properties.
- **Dust:** The heliport landing area is on an exposed rock surface which the applicant has stated is free from dirt and other debris. The landing area must be maintained with a dust-proof surface as a standard of approval in the F-40 Zone. Any dust or debris that is generated by this use will remain on the applicant's property due to the setback regulations in place.
- **Wildlife Impacts:** The Ogden Valley Sensitive Lands Ordinance has already been applied for the Sanctuary Subdivision on this property. While the ordinance is applicable for the heliport as well, nothing is being constructed, no new roads are being created, no fencing will be built, and no additional vegetation is being disturbed. Therefore, the heliport complies with the Important Wildlife Habitat Areas section of the Ogden Valley Sensitive Lands Ordinance. Once the helicopter leaves the heliport, its flight path is regulated by the FAA. Impacts to wildlife that may occur during the helicopter flight is not something that can be regulated by the Planning Division or the Planning Commission.

2. The proposed heliport complies with the regulations and conditions specified in the F-40 Zone including parcel area, elevation, setbacks, landing surface, and FAA regulations (all as mentioned previously). The heliport must comply with all other reviewing agency provisions.

Conformance to the General Plan

One of the goals of the Ogden Valley General Plan is to enhance quality recreational opportunities in the Valley. Resolution 3-97 (Ogden Valley General Plan Commercial Zone Map) states that the County continues to support the development of resort-related commercial areas. The General Plan also seeks to clarify the difference between commercial structures and commercial operations, with operations being allowed as conditional uses in appropriate zones. In addition, the heliport is another option for increased emergency medical service in the Valley. However, these goals must be balanced with the goal to make sure that development is compatible with the Valley's rural character and natural setting.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Health Department
- Requirements of the Weber Fire District
- Requirements of the Federal Aviation Administration
- Other conditions deemed necessary by the Planning Commission to mitigate potential detrimental effects

Staff Recommendation

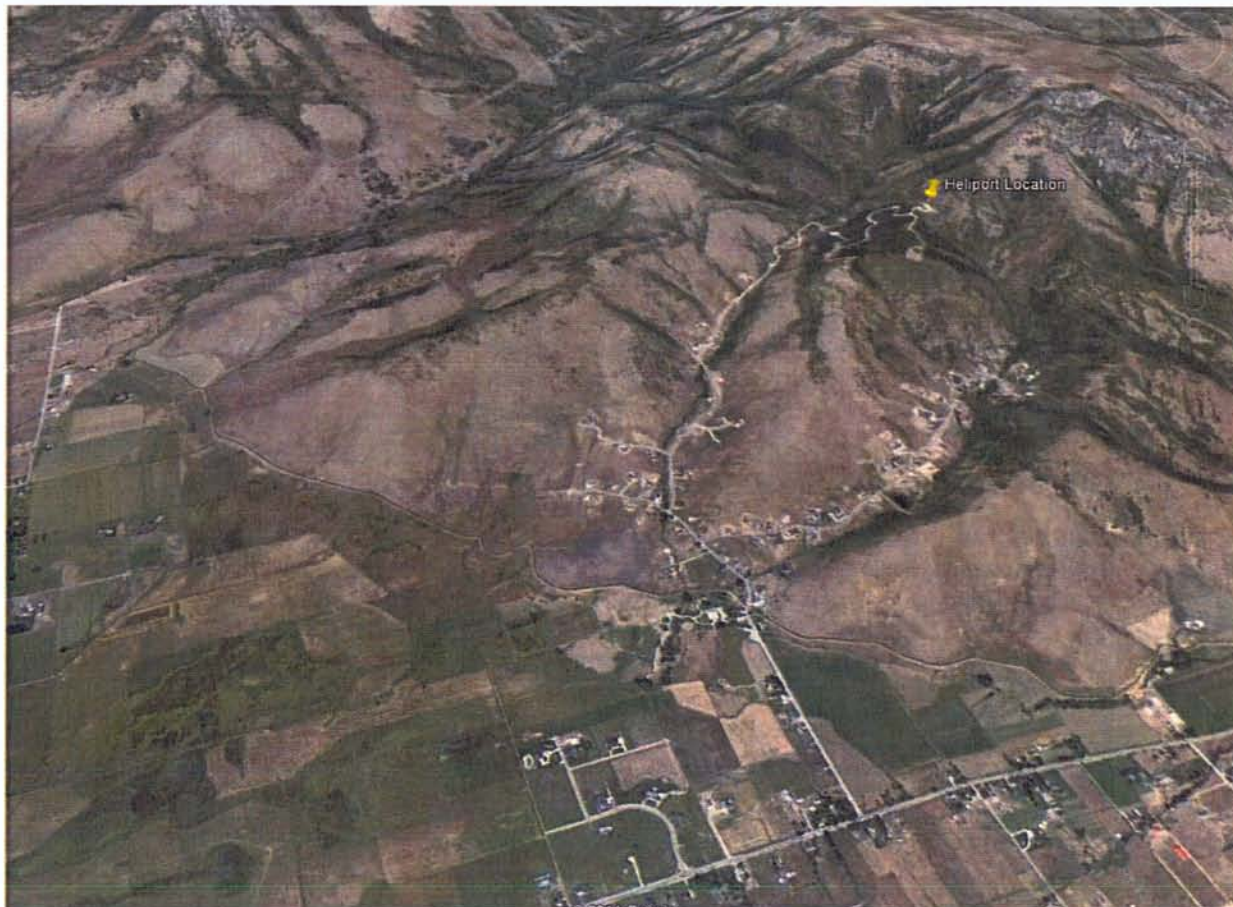
Staff recommends approval of the proposed heliport, subject to agency review requirements, based on its compliance with applicable ordinance requirements as described in this staff report.

Exhibits

- A. Applicant's narrative
- B. Site plans

- C. Aerial views of heliport location
- D. Heliport operations guide
- E. Refueling procedures guide
- F. FAA e-mail and CFR 14-157.1
- G. Agency review responses

Map 1



NOTES!

Exhibit A

Tim Charwood

9793 N Basin Canyon Road, Park City, Utah USA
Mailing Address: P.O. Box 980400, Park City, Utah 84098-0400
Tel: 435 901 2337. Email: timcharwood@gmail.com

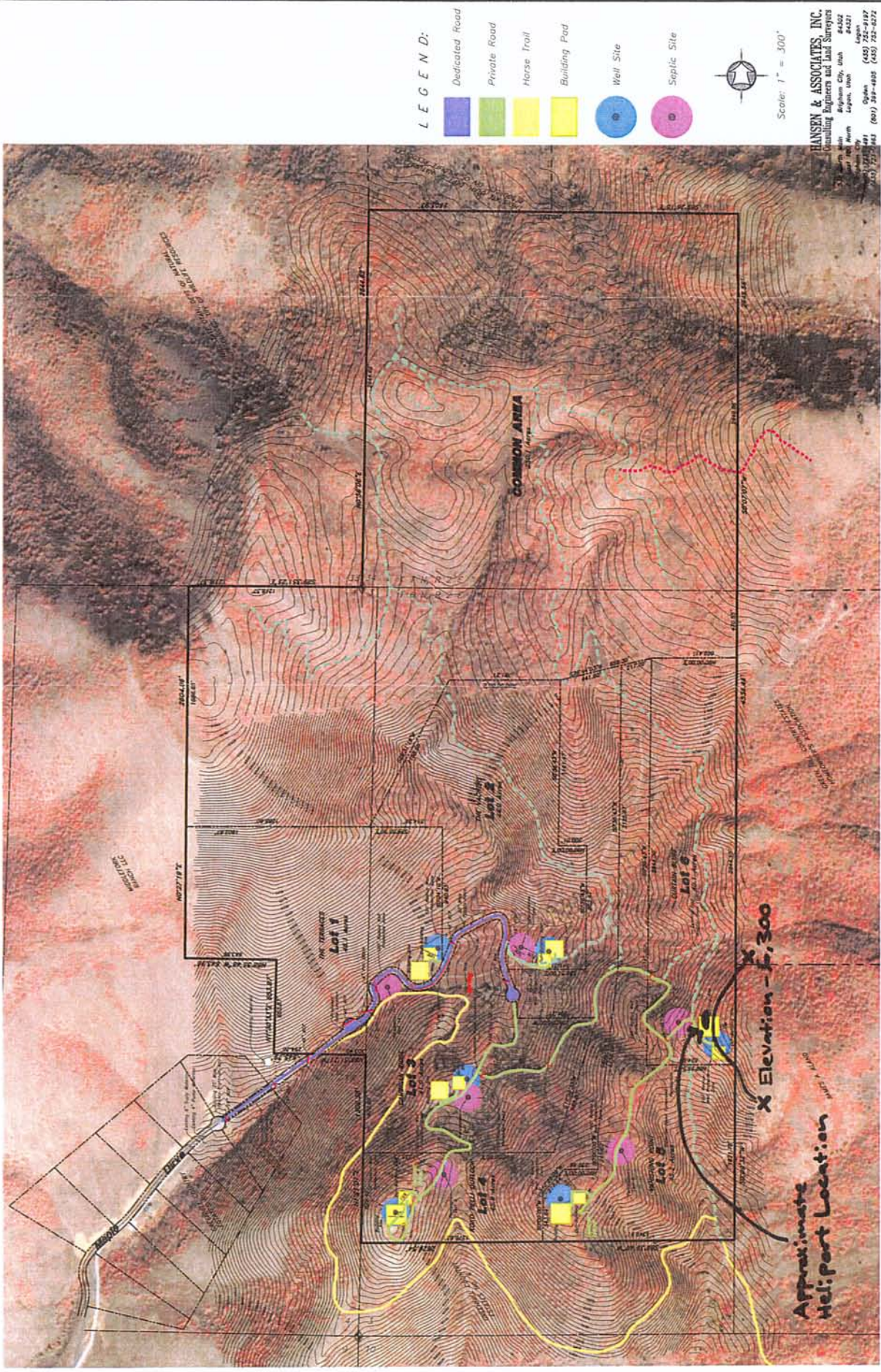
The Sanctuary 9200E 1500N Huntsville UT 84317

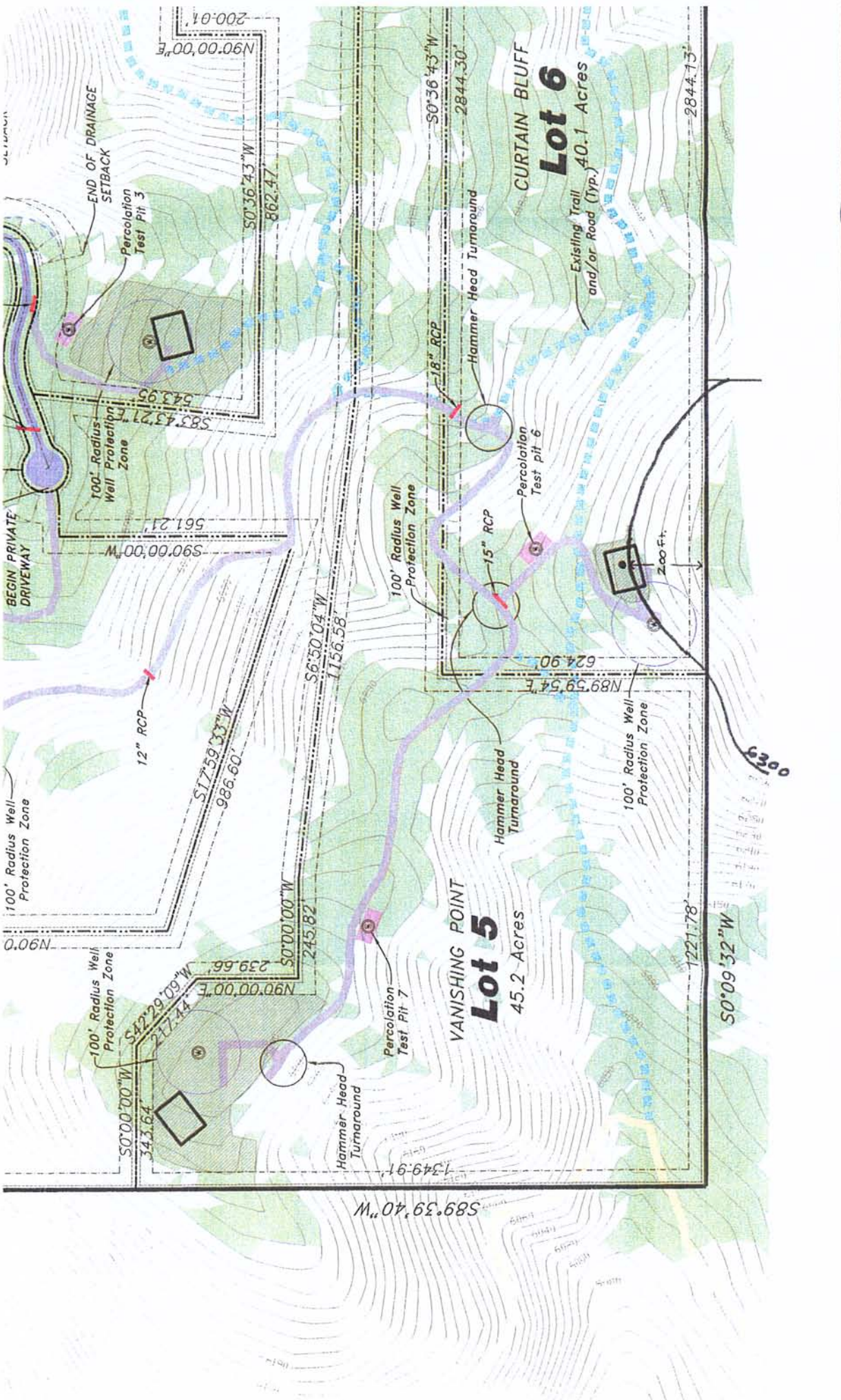
1. Heli Port landing zone considerations. Three sites chosen within the Sanctuary all above 6,200 feet. The Landing Zones are set back over 300 feet from property boundary which is surrounded by 10,000 acres of DWR land. All flight approaches and departures are over the Sanctuary Property and then continue over uninhabited forestry land at higher altitude. The ski terrain and flight paths are largely to the NW. Landing zones are on well established rock offering clean sites with no dust. To minimise any noise effect the landing zones are set back over 200 feet from ridge lines. We have three options to land on the 524 available acres giving flexible options for the pilot, it is normally best to approach into wind.
2. All flights will comply with all FAA flying regulations and associated reporting permits required under the ordinance. We comply with the minimum F40 zoning requirements and suggested set backs. In practical terms history has shown 2/3 flyable days a week over the 9 weeks late January through end of March. Last year was far fewer and so far no flights this season. No more than 5 pick up operations in a day. Flying is in daylight hours under visual flying rules.

Exhibit B

SANCTUARY

MONTEVILLO, WEBER COUNTY, UTAH





Lot 6

40.1 Acres

Lot 5

45.2 Acres

CURTAIN BLUFF

VANISHING POINT

BEGIN PRIVATE DRIVEWAY

END OF DRAINAGE SETBACK

Percolation Test Pit 5

100' Radius Well Protection Zone

100' Radius Well Protection Zone

Percolation Test pit 6

100' Radius Well Protection Zone

100' Radius Well Protection Zone

Percolation Test Pit 7

Hammer Head Turnaround

Hammer Head Turnaround

100' Radius Well Protection Zone

12" RCP

15" RCP

18" RCP

Hammer Head Turnaround

Existing Trail and/or Road (Typ.)

200 ft.

6300

0.06N

S42°29'09"W

217.44'

N90°00'00"E

239.66'

S0°00'00"W

343.64'

S0°00'00"W

245.82'

S0°00'00"W

1156.58'

S6°50'04"W

986.60'

S17°39'33"W

57.39'

S90°00'00"W

561.21'

S83°43'21"E

543.95'

S0°36'43"W

862.47'

S0°36'43"W

2844.30'

S0°36'43"W

2844.73'

S0°09'32"W

1221.78'

S0°09'32"W

589.39'40"W

1349.91'

S0°09'32"W

200.00'

S0°09'32"W

624.90'

N89°59'54"E

624.90'

S6°50'04"W

1156.58'

S0°36'43"W

862.47'

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2844.30'

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S0°09'32"W

200.00'

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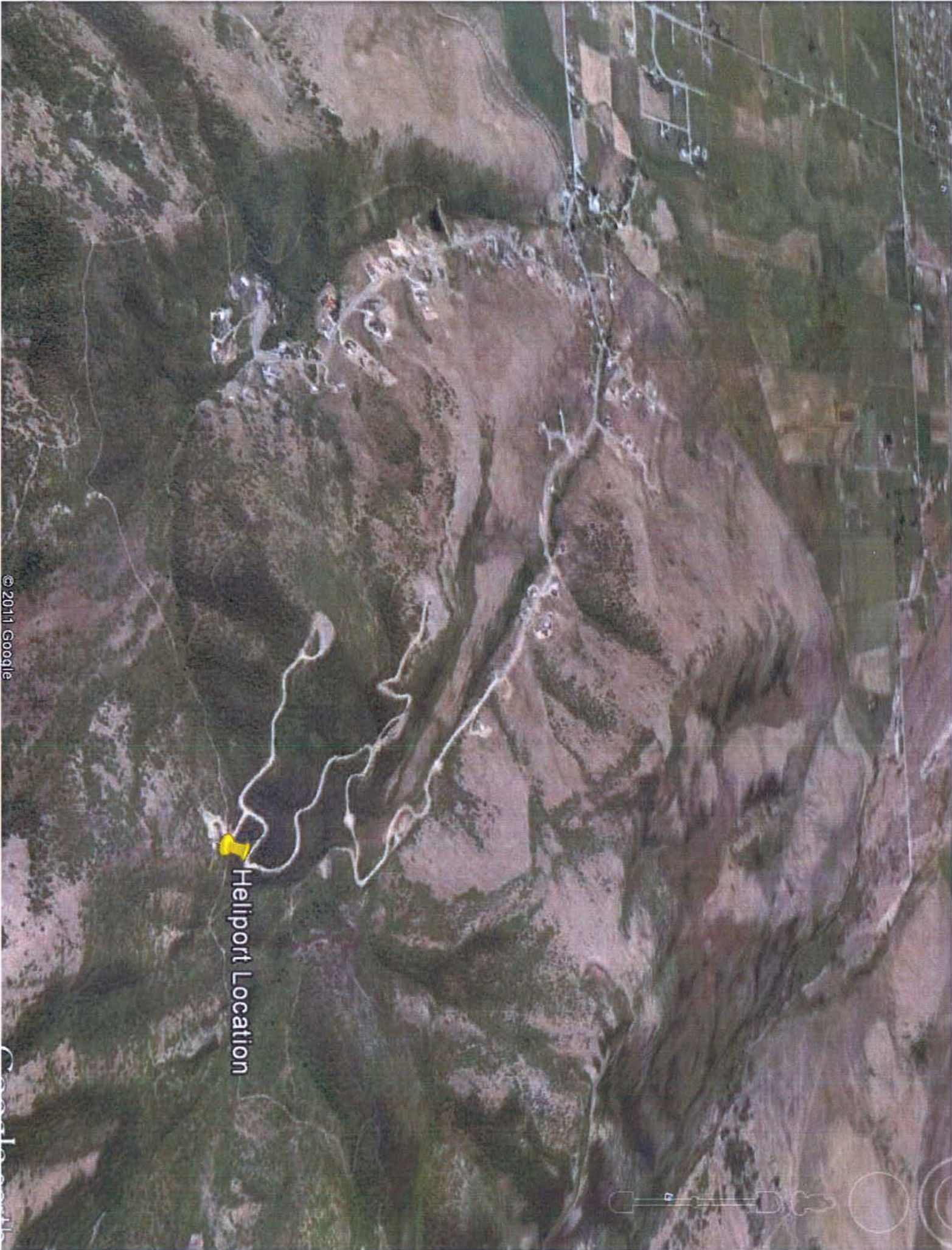
624.90'

Exhibit C



© 2011 Google

Heliport Location



Hellipport Location

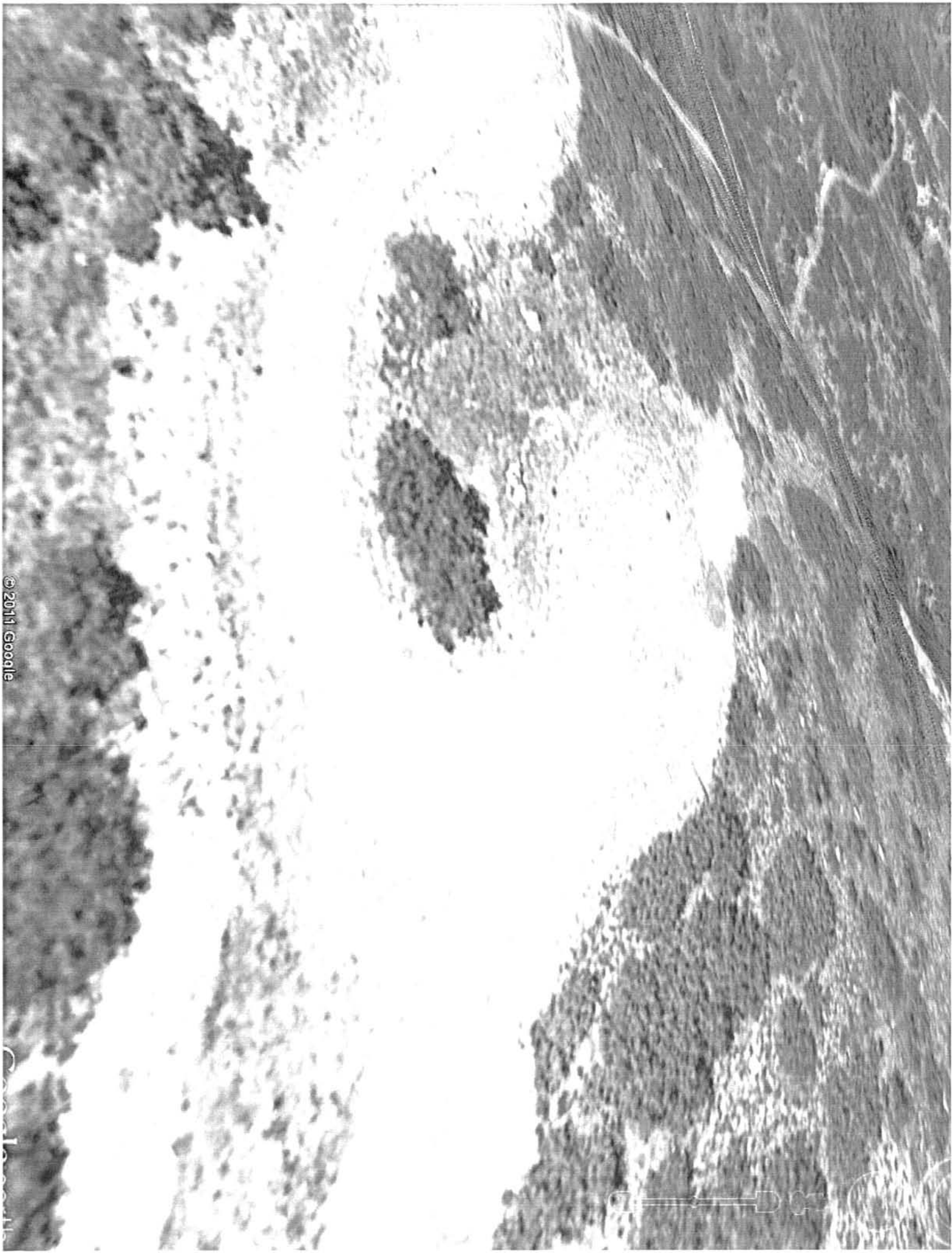


Exhibit D

DIAMOND PEAKS

HELI-SKI ADVENTURES



HELIBASE - HELIPORT OPERATIONS STANDARDS

CLASSIC HELICOPTERS LIMITED, L.C. HELIBASE – HELIPORT OPERATIONS STANDARDS

1. Introduction:

The proper selection and construction of landing areas is essential to both the safety and efficiency of helicopter operations. Landing areas that are poorly located or constructed may contribute to or be the cause of an accident. At a minimum, inadequate areas heighten risk, increase pilot workload, and result in inefficient operations.

The purpose of this document is to establish the requirements and specifications for heli-bases, heli-ports and heli-spots that are intended to be used frequently.

2. Planning:

The selection of an area or areas on which to land the helicopter(s) is an important factor in the planning activity. When possible the pilot(s) should have input. The following general requirements should always be considered:

- The types of activity and volume of traffic will affect selection.
- The site should lend itself to economic and environmentally sensitive development to the size which will accommodate the type of helicopters and volume of traffic expected.
- Site planning and construction shall be in accordance with local, state and federal regulations.

3. Site Ownership and Approval:

Assure that the land under consideration, whether a meadow, field, airport, or airstrip, is owned by an individual or entity that supports the operation being conducted.

- **Private Ownership:** If the land is owned by an individual or corporation, contact must be established prior to landing in order to request permission.
- **Public Ownership:** If the land is owned by a federal, state, or local land management agency, permission must be granted by that agency, prior to use of that property for helicopter operations.
- **Use of Private Airports and Airstrips:** The use of such facilities requires the permission of the owner(s), Airport Manager or responsible agency, such as the Federal Aviation Administration.

4. Landings at Unimproved Sites:

The Pilot in Command is responsible for making the decision to utilize unimproved landing sites. Prior to landing for the first time at an unimproved site, the pilot shall make a high-level reconnaissance of the area to determine suitability of the area, the location of any aerial hazards in the approach or departure corridors, the location of

emergency landing areas and escape routes, wind conditions, ground slope and stability, rotor clearances, ground hazards and size of landing zone.

5. Specifications for Landing Zones:

- Fuselage Clearance: Ensure that the Touch Down Zone (TDZ) is free of brush or other obstructions and large enough to accommodate both skids. There must be adequate clearance under the fuselage to clear antennas, cargo hook, or externally supported accessories.
- TDZs must be as level as possible and firm enough to support the type of helicopter being used. For most helicopters a 5 – 8 degree lateral slope is the maximum allowable slope limit.
- The Landing Zone (LZ) must be able to safely accommodate the aircraft being used. The typical formula used for determining the size of the LZ is to take the overall length of the aircraft and multiply it by 2.

6. Approach and Departure Path:

Ideally, site selection should provide for approaches and departures in several directions. If the site is not located on a ridge top, an approach-departure path aligned with the prevailing wind would be preferred. If possible, avoid one-way Landing Zones, although these landing sites are not inherently unsafe, provided correct pilot techniques are utilized.

- Wind Direction: Always attempt to locate landing areas so that take-offs and landings may be made into the prevailing winds.
- Almost Vertical (Max. Performance) Take-Offs and Approaches: Maximum performance take offs are not inherently unsafe, but should be avoided if possible, especially on an extended-use basis. Most small helicopters must be at approximately 400 feet above ground level at zero forward airspeed to execute a safe autorotation in the event of engine failure.
- Minimum Width: An adequate minimum width for an approach-departure path is the diameter of the Landing Zone. Safety is increased if the path can be wider.
- Approach: The approach should be free of obstructions which would prevent a normal approach profile. However, due to terrain features and other obstacles in the approach path, if the only option is a steep approach, the pilot shall adjust his/her payload and fuel loading accordingly to be able to descend with adequate power so that a go-around could be accomplished.
- Departure: There should be enough level running space to permit normal acceleration from hover to translational lift and initial climb. If environmental considerations restrict this from being accomplished, a maximum performance take off will be required. The pilot shall adjust his/her payload and fuel loading accordingly, so that there is adequate power reserve when leaving ground effect.

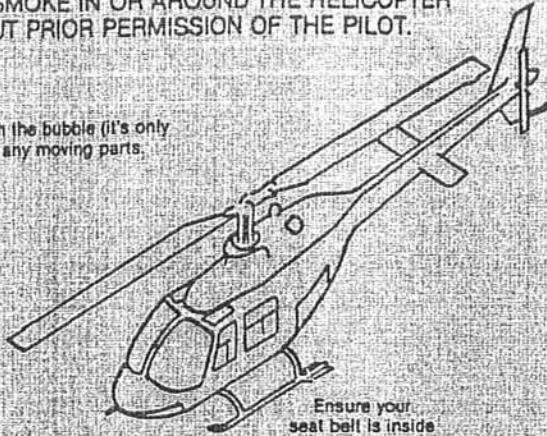
7. Public Safety:

It is of utmost importance to ensure that bystanders or others who happen to come upon the landing site be kept from harm and danger, as a result of helicopter operations. The pilot in command will ensure that all available precautions are taken and that the area will be secured with cones, caution tape, vehicles that block access, etc... It is understood that not all these tools may be available at all sites, but it is the intent to utilize all available resources.

BE ALERT AND LIVE AROUND THE HELICOPTER

DON'T SMOKE IN OR AROUND THE HELICOPTER WITHOUT PRIOR PERMISSION OF THE PILOT.

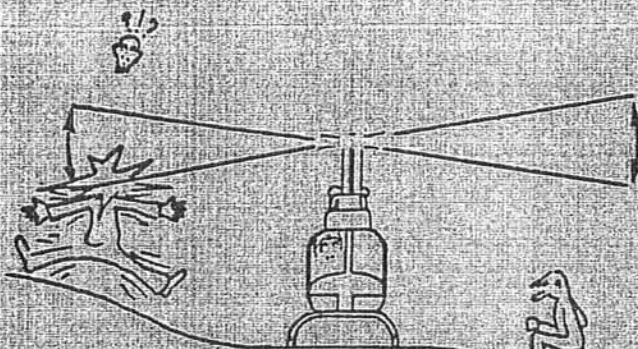
Don't touch the bubble (it's only plastic), or any moving parts.



Ensure your seat belt is inside before closing the door.

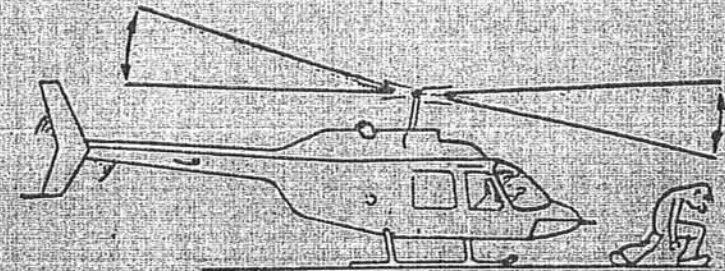
PROTECT YOURSELF

1. FASTEN SEATBELT on entering helicopter and leave it done up until the pilot signals to get out.
2. ASK THE PILOT about emergency exits and escape procedures.
3. DRESS for the operating environment.
4. KEEP WELL CLEAR of landing areas when the helicopter is landing or taking off, especially with external loads.
5. SHIELD YOUR EYES near a helicopter when it is landing or taking off.



NEVER
APPROACH OR LEAVE
UPHILL
(Rotor blades are expensive)

ALWAYS
Approach from the
downhill side.



Approach and leave the helicopter in a crouched manner.

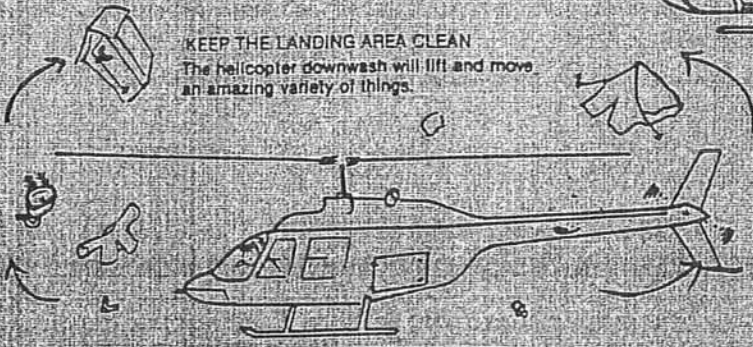
When directing the helicopter, stand with your back to the wind, arms outstretched in the direction of the pad.



ALWAYS
AVOID THIS BLIND AREA.
THE PILOT CAN'T SEE YOU.

HE CAN'T
SEE YOU HERE
EITHER

DON'T
EVEN GET
CLOSE TO THE
TAIL ROTOR
(It bites hard)



KEEP THE LANDING AREA CLEAN
The helicopter downwash will lift and move an amazing variety of things.

NEVER throw any object in the vicinity of the helicopter.



Carry tools and other long objects horizontally below waist level, not upright or over the shoulder.

Hold on to your hat.
Don't make campfires near the pad.
— she makes great winds.

DON'T SLAM THE DOORS but close them gently and don't let them swing in the wind.

JKR

Exhibit E

HOT/RAPID REFUELING PROCEDURES AND PRECAUTIONS

The goal of refueling operations and procedures is to deliver the proper amount of clean, bright and dry fuel in a safe and efficient manner. Refueling for field locations is the responsibility of the assigned mechanic, pilot, or other authorized personnel to each aircraft.

1. Use hot/rapid refueling only when necessary for field operations.
2. Conduct only with trained personnel and support personnel. A briefing will be conducted between the pilot and the support personnel involved, reviewing these procedures and individual responsibilities prior to conducting hot/rapid refueling operations.
3. Pilot to remain at flight controls throughout the procedure, engine at idle.
4. No other passenger or crew members may be on board the aircraft, unless it is a critical EMS patient, in which case a medical crew member must be standing by to rapidly extract the patient if necessary.
5. Fire extinguishers must be readily available. (Not the installed aircraft fire extinguisher). It is the fuel truck driver's responsibility to insure that a fire extinguisher of an approved type and capacity is available and serviceable, prior to commencing hot/rapid refueling operations.
6. Aircraft radios will not be used for transmitting during refueling.
7. UDOT approved refueling units/trucks will be positioned to ensure adequate rotor blade clearance. No truck will be allowed to drive under the rotor disc while blades are in motion. The units/trucks will be located off of a public road whenever possible.
8. Smoking or open flames is prohibited within 50' of the area during ALL refueling operations.
9. Hot/rapid refueling shall not be conducted with active electrical storms within the area.
10. Persons not directly involved with the refueling will be required to remain at a safe distance from the operation.
11. If an aircraft is equipped with a strobe light on the belly, the light will be turned off during refueling operations.
12. Aircraft and refueling units/trucks will be properly bonded.

13. Extreme caution should be taken by the service personnel to prevent spillage of fuel from the nozzle, until it has been properly positioned inside the open filler port or range extender port. Rotor wash could possibly disperse fuel droplets and vapors to an area susceptible to ignition sources.
14. All aircraft doors and windows will remain closed except to signal the servicing personnel that the proper quantity of fuel has been received. This signal will be a "thumbs up" given by the pilot to the servicing personnel. In the event that a critical EMS patient is aboard during this procedure, the medical attendant may be standing by the patient at the left side of the aircraft, (opposite side of refueling operations on the Bell 206/407 series aircraft), with the passenger and litter doors open to facilitate rapid extrication if necessary.
15. When the refueling is complete, the aircraft fuel filter cap will be secured, the refueling unit/truck secured and moved to a safe distance. Other crew members and passengers may be loaded and the flight continued.

Wilkinson, Sean

From: Lewis.C.Olson@faa.gov
Sent: Tuesday, March 16, 2010 1:26 PM
To: Wilkinson, Sean; mnickl@classicaviation.net
Cc: William.J.Hughes@faa.gov
Subject: Heli-ski operations

As we discussed today via phone, it is my opinion, as an FAA Aviation Safety Inspector in the SLC Flight Standards District Office, the seasonal heli-ski operations conducted in your area are not subject to FAR 157. The primary reason is, nothing is being constructed or deactivated. It has been described to me that the staging area is to and from an existing parking lot and the operator has the permission of the owner to use that land for the purpose of transporting heli-ski personnel to and from that area on a seasonal basis.

I hope this resolves any issues you were concerned about.

Regards,
Lewis C. Olson
Aviation Safety Inspector
Salt Lake City - Flight Standards District Office 1020 North Flyer Way Salt Lake City, UT
84116
PH: (801) 257-5053
FAX: (801) 257-5066

We Value Your Feedback! Flight Standards Service Feedback Form

[Home Page](#) > [Executive Branch](#) > [Code of Federal Regulations](#) > [Electronic Code of Federal Regulations](#)

Electronic Code of Federal Regulations

e-CFR
TM

e-CFR Data is current as of January 11, 2012

Title 14: Aeronautics and Space

PART 157—NOTICE OF CONSTRUCTION, ALTERATION, ACTIVATION, AND DEACTIVATION OF AIRPORTS

[Browse Next](#)

§ 157.1 Applicability.

This part applies to persons proposing to construct, alter, activate, or deactivate a civil or joint-use (civil/military) airport or to alter the status or use of such an airport. Requirements for persons to notify the Administrator concerning certain airport activities are prescribed in this part. This part does not apply to projects involving:

(a) An airport subject to conditions of a Federal agreement that requires an approved current airport layout plan to be on file with the Federal Aviation Administration; or

(b) An airport at which flight operations will be conducted under visual flight rules (VFR) and which is used or intended to be used for a period of less than 30 consecutive days with no more than 10 operations per day.

(c) The intermittent use of a site that is not an established airport, which is used or intended to be used for less than one year and at which flight operations will be conducted only under VFR. For the purposes of this part, *intermittent use of a site* means:

(1) The site is used or is intended to be used for no more than 3 days in any one week; and

(2) No more than 10 operations will be conducted in any one day at that site.

[Browse Next](#)

For questions or comments regarding e-CFR editorial content, features, or design, email ecfr@nara.gov.

For questions concerning e-CFR programming and delivery issues, email webteam@gpo.gov.

[Section 508 / Accessibility](#)

Exhibit G

[Edit](#) [Delete](#) [Add a File](#) [Email](#)

Engineering

Project: Heliport Landing Zone - Timothy Charlwood
User: Michael Tuttle
Department: Weber County Engineering Division
Created: 2012-01-17 09:22:08
Modified: 2012-01-17 09:27:48
Approved: Yes

Notes

I have had a chance to review the plan(s) and have the following comment(s):

1. The applicant may want to consult with the DWR to minimize impact on the wildlife. Their land is used for Winter Habitat, and they may not like the additional impact on the wildlife.
2. Any structures built will need to meet the requirements of the Weber County Building Official.
3. A Storm Water Construction Activity Permit is required for any construction that:
 1. disturbs more than 5000 square feet of land surface area, or
 2. consist of the excavation and/or fill of more than 200cubic yards of material, or
 3. requires a building permit for which excavation or fill is a part of the construction, and less than five acres shall apply for a county permit.

I have tried to address all items of concern from the Engineering Department. However, this review does not forego other items of concern that may come to this department's attention during additional reviews or during construction of improvements. If you have any comments or questions concerning this review, feel free to contact me.

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Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Amendment to Chapter 15 (Forest Residential FR-3) of the Weber County Zoning Ordinance to allow a Night Watchman unit as part of a Homeowners Association's common facility building for an onsite employed manager or night watchman.

Agenda Date: Tuesday, January 24, 2012

Applicant: John Lewis HOA Vice President of Moose Hollow and Cascade at Moose Hollow

File Number: ~~2011-02~~ ZTA 2012-01

Property Information

Approximate Address: Click here to enter text.

Project Area: Click here to enter text.

Zoning: Forest Residential FR-3

Existing Land Use: Condominiums

Proposed Land Use: Click here to enter text.

Parcel ID: Click here to enter text.

Township, Range, Section: Click here to enter text.

Adjacent Land Use

North: Click here to enter text. **South:** Click here to enter text.

East: Click here to enter text. **West:** Click here to enter text.

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8767

Report Reviewer: SW

Applicable Ordinances

- Chapter 15 (Forest Residential FR-3)

Background

The applicant is requesting to amend Chapter 15 (Forest Residential FR-3) of the Weber County Zoning Ordinance to allow a night watchman unit as part of a Homeowners Association's common facility building, such as space within a club house, for an on-site employed manager or night watchman. The proposed changes are because of issues with vandalism, theft, burst waterlines, and other problems.

Night watchman quarters are allowed in the Commercial and Manufacturing Zones in the Ogden Valley with the stipulation that an additional 3,000 sq. ft of landscape area is required. The additional landscaping is required because the use is in a non-residential zone. Night watchman quarters in the Commercial and Manufacturing Zones are accessory to the main use as in this proposal. Additional landscaping should not be required since the change is to a residential zone.

The Petitioner is proposing the following language to Chapter 15 section 2 Permitted Uses: Dwelling unit as part of a Homeowner Association's common facility building, such as space within the club house, for use by an on-site employed manager or night watchman.

Summary of Planning Commission Considerations

- Does this amendment make sense?
- Does this constitute an additional dwelling unit?
- Are the reasons for amending the ordinance clearly stated?
- How many night watchman dwellings can a project have?
- How is the Home Owner Association going to guarantee the unit won't be sold or rented?

Conformance to the General Plan

The proposed ordinance amendment will comply with the goals/objectives of the General Plan and will promote property rights.

Conditions of Approval

▪

Staff Recommendation

Staff recommends approval of the proposed amendments to Chapter 15 of the Zoning Ordinance. If the Planning Commission agrees with the staff recommendation, approval of the amendments should be recommended to the County Commission.

Exhibits

- A. Petitioner's application
- B. Copy of Chapter 15 (Forest Residential FR-3)

December 22, 2011



Mr. Sean Wilkinson
Weber County Planning Division
2380 Washington Blvd., Suite 240
Ogden, UT 84401

RE: A Formal request to amend Chapter 15, Sec 2 of the FR3 zone to allow an onsite manager/night watchman unit.

Sean, thanks again for taking the time to discuss with me the steps needed to get an on-site manager/night watchman unit at Moose Hollow in Eden Utah. As I said, we have recently filed the appropriate paperwork with the Sherriff's office regarding our ongoing problem with vandalism. We feel very strongly at Moose Hollow that having someone employed by the HOA living on-site will help reduce the damage we often have. (including a break-in / theft the other night)

Last year we also had over \$200,000 worth of water damages due to burst pipes etc. Usually, a lot of those kind of issues can be minimized or even avoided by simply having someone there more often, and at late hours. There is just no substitute for having a responsible manager on hand at all times - including and most importantly - really late at night, and really early in the morning.

Thanks again for your help in getting a little manager unit added to our existing clubhouse.

Sincerely,


John L Lewis

Vice-President

Moose Hollow HOA

Weber County General Plan or Text Amendment Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted

12-22-11

Received By (Office Use)

418

Added to Map (Office Use)

ZT 2012-01

Property Owner Contact Information

Name of Property Owner(s)

John Lewis Moose Hollow

Mailing Address of Property Owner(s)

5577 E. Eikhorn Dr.
Eden, UT. 84310

Phone

8014301507

Fax

Email Address

John@Destinationeden.com

Preferred Method of Written Correspondence

Email Fax Mail

Ordinance Proposal

Ordinance to be Amended

chap. 15 FR3 Zone

Describing the amendment and/or proposed changes to the ordinance:

We at Moose Hollow / Cascade Condos are having a hard time w/ vandalism, theft, broken water lines and other problems that we feel could be best resolved or minimized by having an HOA employee / night watchman have a unit onsite - preferably in our existing clubhouse.

We hereby propose to amend chap 15, sec 2 of the FR3 zone to include the following language: - " Dwelling unit as part of a HOA common facility building for use by an on-site employed manager or night watchman."

We feel this added language

over →

Ordinance Proposal (continued...)

will benefit not just our community,
but others like ours in FR3 zones
that desire to have better supervision,
management and safety.

Sincerely,

Thank you

John Lewis, UP
Moose Hollow, HOA.

Applicant Affidavit

I (We), John L. Lewis, depose and say that I (we) am (are) the interested member(s) of this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

John L. Lewis
(Signature)

(Signature)

Subscribed and sworn to me this _____ day of _____, 20____

(Notary)

X

CHAPTER 15

FOREST RESIDENTIAL ZONE FR-3

15-1. Purpose	6-69
15-2. Permitted Uses	
15-3. Conditional Uses	
15-4. Permitted Signs and Regulations	18-72
15-5. Site Development Standards	

15-1. Purpose and Intent

The purpose in establishing the Forest Residential, FR-3 zone is to provide for medium density residential uses of apartment clusters or condotels adjacent to and in conjunction with major recreational resorts, recreation areas and facilities in the mountain areas of Weber County on the basis that such medium density multiple-family housing is an integral and normal part of a recreational resort complex catering to the needs of both tourists and permanent home ownership. This zone is intended to be used in mountain locations in areas associated with major recreational resorts.

9-81

15-2. Permitted Uses

1. Accessory building or accessory use customarily incidental to a use permitted in the zone
2. Cluster subdivision in accordance with Chapter 22B
3. Home occupations 96-35, 2010-20
4. Household pets
5. Single family, two family, three family and four family dwellings
6. Temporary building or use incidental to construction work. Such building or use to be removed upon completion or abandonment of the construction work
7. Residential Facilities for persons with a disability meeting the requirements of Chapter 23-13 of this Ordinance 99-29, 2009-14

15-3. Conditional Uses 2010-20

The following uses shall be permitted only when authorized by a Conditional Use Permit obtained as provided in Chapter 22C.

1. Boarding House; Lodging House; Bed and Breakfast Inn subject to requirements of 15-5-9 6-89
2. Condominium rental apartment (condo-tel)
3. Educational/Institutional Identification Sign 20-94, 30-94
4. Group dwelling
5. Lockout sleeping room, maximum of two per dwelling unit
6. Multiple family dwelling
7. Nightly rental

Conditional Uses - Continued

- 8. Planned Residential Unit Development in accordance with Chapter 22D
- 9. Private park, playground and or recreation area, but not including privately owned commercial amusement business
- 10. Public buildings, public park, recreation grounds and associated buildings 9-81
- 11. Public Utility Substations 96-42
- 12. Time share building
- 13. Recreation Lodge 99-29
- 14. Conference/Education Center 99-29

15-4. Permitted Signs and Regulations 99-29

Shall comply with Chapter 32-B, Valley Signs if located within the Ogden Valley area.

15-5. Site Development Standards

1. Minimum Lot area. Two different minimum area regulations are recognized based upon the use of either individual wastewater disposal systems of a community or a group wastewater disposal systems of a community or a group wastewater disposal facility approved by the Utah State Division of Health as follows:

A. Developments using individual Wastewater disposal systems:

- 1. For a one building dwelling - 20,000 square feet of net developable area for a one family dwelling or the first dwelling unit in a multiple-family dwelling plus 8,000 square feet of net developable area for each additional dwelling unit
- 2. For group dwellings - 20,000 square feet of net developable area for the first dwelling unit in each building plus 8,000 square feet of net developable area for each additional dwelling unit
- 3. For other main building - 20,000 square feet of net developable area
- 4. For each rental sleeping room including lockout sleeping room 500 sq. ft. of net developable area in addition to the area required for the dwelling unit containing the sleeping room 9-81
- 5. Notwithstanding the above requirements, the maximum residential density shall not exceed four (4) dwelling units or eight (8) rental quest sleeping rooms per net developable acre of land and provided further that these area and density regulations shall be modified to meet any more stringent area requirements of the Weber County and/or State Division of Health relating to individual wastewater disposal systems

B. Developments using a community or group wastewater disposal facility meeting the requirements of the Utah State Division of Health Code of Wastewater Disposal Regulations

- 1. One building dwelling 6,000 square feet of net developable area
 - a. Single family
 - b. Two-family 7,500 square ft. or net developable area for a two family dwelling.
 - c. Multiple-family 7,500 square feet of net developable area plus 2,000 square feet of net developable area for each dwelling unit in excess of two
- 2. Group dwellings 7,500 square feet of net developable area for each dwelling plus 2,000 square feet of net developable area for each dwelling unit in excess of two in each building

- 3. Other main buildings 7,500 square feet of net developable area
 - a. Each rental sleeping room including lockout sleeping 500 sq. ft. of net developable area in addition to the area required for the room dwelling unit containing the sleeping room
- 4. Notwithstanding the above requirements, the maximum residential density shall not exceed 20 dwelling units or 40 rental guest sleeping rooms per net developable acre of land or part thereof
- 5. Net Developable area or acre. "Net Developable Area" or "Net Developable Acre" is defined as a quantity of ground within a parcel or parcels of land with slopes of less than thirty (30) percent and with soils of sufficient depth and suitable types to insure against development being a detriment to surface and ground water quality
- 2. Minimum Lot Width 60 feet
- 3. Minimum Yard Setbacks
 - A. Front 25 feet
 - B. Side
 - 1. Main building 8 feet with total width of two required side yards of not less than 18 feet plus 1 foot each side for each 1 foot main building if over 35 feet high
 - 2. Accessory Building 8 feet, except 1 foot if located at least 6 feet from rear of main building
 - 3. Side facing street on corner lot 20 feet
 - C. Rear
 - 1. Main building 30 feet
 - 2. Accessory building 1 foot except 8 feet where accessory building rears on side yard of adjacent corner lot
- 4. Main Building Height
 - A. Minimum 1 story
 - B. Maximum 35 feet
- 5. Accessory Building Height 25 feet, unless meeting requirements of Chapter 23-16, Large Accessory Buildings. 2002-8, 2009-14
- 6. Lot Coverage No building or group of buildings with their accessory buildings shall cover more than forty (40) percent of the lot area
- 7. Open Space At least forty (40) percent of the lot shall be left in open green space
- 8. Special Regulations In no case shall the ratio of the total floor area in the building to the total area exceed one to one (1:1)

9-81

99-29

9. Group dwellings and Special Provisions
- Group dwellings shall be considered as one (1) building for the purpose of front, side and rear yard requirements, the entire group as a unit requiring one front, one rear and two side yards as specified for dwellings and no two separate dwelling structures shall be closer than thirty (30) feet

10. Bed and Breakfast Inn Special Requirements

Bed and Breakfast Inns shall meet the following requirements:

- A. One parking space is required per each rental guest room in addition to two spaces for the owner or host family
- B. Owner or host family shall occupy the building
- C. Meals shall only be served to overnight guests
- D. Signs are limited to one identification sign or nameplate per each Inn
- E. Business License shall be obtained

16-89



Weber County Planning Division

Date: January 17, 2012
To: Ogden Valley Planning Commission
From: Robert O. Scott, AICP, *RS*
Planning Director
Subject: Annual Rules of Order Adoption

Each year both Planning Commissions adopt the Planning Commission Rules of Order. Both Planning Commissions held a work session to review suggested amendments to the Rules of Order. (See attached Rules of Order)

The Western Weber Planning Commission held their work session on January 10, 2012 and the attached Rules of Order reflect their consensus discussion. They will consider adoption on February 14, 2012.

The deliberations on the policy on receiving information from the public have necessitated various changes to the rules of order. In addition the section on ex parte communications has been clarified to add that legislative items are generally permitted per the Ogden Valley Planning Commission's request.

It is recommended that the Ogden Valley Planning Commission adopt the amended Rules of Order.

RULES OF ORDER
WEBER COUNTY PLANNING COMMISSIONS
January, 2012

A. ORGANIZATION

1. Appointment of Chair and Vice Chair

The Commission, at its first regular meeting in January of each year, shall select a Chair and Vice Chair who may be elected to succeed themselves for one additional term only.

2. Chair - Duties

(a) The Chair shall preside at all meetings of the Commission providing general direction for the meetings, assuring proper order of the Commission and public in all proceedings. Such duties shall include:

- i. Announcing the business before the Commission in the order in which it is to be acted upon;
- ii. Receiving and submitting in the proper manner all motions and propositions presented by the members of the Commission;
- iii. Putting to a vote all questions, which are properly moved, or necessarily arise in the course of proceedings and to announce the result thereof;
- iv. Informing the Commission, when necessary, or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon Legal Counsel for advice;
- v. Maintaining order at the meetings of the Commission;
- vi. Moving the agenda along, holding down redundancy, referencing handouts and procedures in a sensitive way during meetings;
- vii. Recognizing speakers and Commissioners prior to receiving comments and presentations of physical evidence, i.e., plans and pictures; and
- viii. Receiving documents or other physical evidence as part of the record.

(b) It shall be the duty of the Chair to authenticate by signature when necessary, or when directed by the Commission, all of the acts, orders and proceedings of the Commission.

(c) The Chair may rule out of order any ~~testimony~~ or comment which is irrelevant, personal, or not pertinent to the matter being heard.

3. Duties of the Vice Chair

The Vice Chair, during the absence of the Chair, shall have and perform all the duties and functions of the Chair.

4. Temporary Chair

In the event of the absence of, or disability of both the Chair and Vice Chair, the Commission shall elect a temporary Chair to serve until the Chair or Vice Chair so absent or disabled shall return, or the disability shall be removed, as the case may be. In such event, the temporary Chair shall have all the powers and perform the functions and duties herein assigned to the Chair of the Commission.

5. Secretary - Duties

The Planning Director or his designee shall serve as secretary of the Commission. The secretary shall have the following duties:

- (a) Give notice of all Commission meetings as hereinafter provided; attend every meeting of the Commission, to record for the record all members in attendance, to read communications, resolutions and other papers which are ordered to be read by the Chair of the meeting, and to receive and bring to the attention of the Commission messages and other communications from other sources;
- (b) Keep the minutes of the proceedings of the Commission and to record the same;
- (c) Keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission; and
- (d) Perform such other duties as may be required by these rules.

B. CONDUCT OF MEMBERS OF THE COMMISSION

1. Addressing Members

Commission members shall be addressed as "Commissioner" or Mr. or Ms. and their last name.

2. Preparation

Members of the Commission shall take such time as necessary to prepare themselves for hearings and meetings. If members visit a site or have familiarity with a site, they shall disclose any observations.

3. Members Shall Attend Meetings

Every member of the Commission shall attend the meetings of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the secretary. The secretary shall call the same to the attention of the Chair. If a member of the Planning Commission is absent from three consecutive regular or work session meetings or four regular or work session meetings within a calendar year without being excused by the Chair, the Chair may recommend to the County Commission that the member be removed from the Commission for cause. A member may be removed from office for misconduct or failure to comply with attendance requirements by an affirmative vote of the majority of the County Commission.

Planning Commission members shall attend required training.

4. Conflict of Interest

A Planning Commission member with a conflict of interest in a matter before the Commission shall state that such a conflict of interest exists and withdraw from participation in the public hearing, work session or regular meeting on such matter. A member of the Planning Commission who feels he/she, or any other member of the Commission, may have a conflict of interest on any matter that is on the Commission agenda shall explain the possible conflict to the Commission. The Commission shall then vote to decide whether an actual, apparent, or reasonably foreseeable conflict of interest does exist, and whether the Commissioner should withdraw from participation and voting. If a Commissioner has a conflict of interest, that person shall not participate in the discussion and voting on that matter, nor attempt to use his/her influence with other Commissioners before, during or after the meeting. A Commissioner who has a conflict of interest shall leave the Commission Chamber during the time in which the

matter in question is being discussed and voted upon.

(a) Disqualification

No member of the Planning Commission shall participate in the discussion of an application or vote on an application for any action when any of the following conditions exist:

- i. Any of the following have a direct or substantial financial interest in the proposal: members of the Planning Commission or the member's spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which the member is then serving or has served within the past two (2) years, or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
- ii. For any other reason, the member has determined that participation in the decision cannot be in an impartial manner.

(b) Disclosure of Potential Conflict of Interest

Whether or not he/she is disqualified, a public official shall disclose any potential conflict of interest as required by state law.

(c) Ex Parte Contacts

~~The Planning Commission has adopted rules regarding outside contacts otherwise known as ex parte communications. Commissioners are not to engage in communications outside of the public meeting regarding administrative applications. If you desire to speak to Commissioners on these matters it should be done at a regular meeting so your comments, concerns, and evidence are on the public record.~~

An ex parte contact is any communication with a party or person outside of a planning commission meeting regarding administrative applications. Commissioners are not to engage in these communications. Anyone speaking to Commissioners on administrative matters should do so at a regular meeting so their comments, concerns, and evidence are on the public record. Communications regarding legislative matters are generally permitted.

Planning Commission members shall reveal any pre-meeting or ex parte contacts with regard to administrative matters at the commencement of the public meeting on the matter. Prearranged private meetings between a Planning Commissioner and applicants, their agents, or other interested parties are prohibited. Partisan information on an application received by a Planning Commissioner whether by mail, telephone or other communication should be made part of the public record. If such contacts have impaired the member's impartiality or ability to vote on the matter, the member shall so state and shall abstain.

(d) Planning Commission Members Wishing to Give Testimony Comment

A member who desires to ~~give testimony~~ make comments at a meeting may do so only after ~~by~~ declaring intent to ~~testify~~ comment, abstaining from voting on the proposal, and vacating the seat and physically joining the audience. Before ~~testifying~~ commenting, the Commission member shall make full disclosure of his/her status and position at the time of addressing the Planning Commission and disclose that the person is ~~testifying~~ commenting as an interested member of the public and not in his/her capacity as a member of the Commission; upon ~~testifying~~ commenting the member shall leave the Commission Chamber during the time in which the matter in question is being discussed and voted upon. If a member is an applicant he /

she can fully participate in the matter.

(e) Gifts and Favors. Gifts and favors standards are found in UCA 67 16 5. No public officer or employee shall knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift, compensation or loan for themselves or another if it tends to influence them in the discharge of duties. Exceptions to this are: an occasional non-pecuniary gift, having a value less than \$50 or an award publicly presented in recognition of public service.

(f) Treatment of Information. Reports and official records of a public planning agency must be open on an equal basis to all inquiries. Planning advice should not be furnished to some unless it is available to all. All reports in an official meeting agenda are public information. Communication with planning staff members is not an ex parte contact and is allowed.

(g) Political Activity. Membership in a political party and contributions to its finances or activities are matters of individual decision that should neither be required of nor prohibited to Planning Commissioners. The extent of participation in political activities should be governed by professional judgment as well as limited by any applicable civil service law or regulation. The special position of a Planning Commissioner should not be used to obtain contributions or support for a political party and should not be used to obtain partisan favors.

C. MEETINGS

1. Place

Meetings of the Commission shall be held in the Weber County Commission Chambers on the first floor of the Weber Center Building, Ogden, Utah, 2380 Washington Blvd., Ogden. If the Chambers is not available on those dates, then the meeting may be held in another room of the Weber Center Building or at such other place in Weber County as the Commission may designate. A meeting having been convened at the place designated, may be adjourned by the Commission to any other place within Weber County for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place.

2. Regular Meetings

Regular meetings of the Western Weber Planning Commission shall be held on the second Tuesday of each month at 5:00 p.m. Field trips may be held on the second Tuesday of each month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held then a pre-meeting will be held at 4:30 p.m.

Regular meetings of the Ogden Valley Planning Commission shall be held on the fourth Tuesday of each month at 5:00 p.m. Field trips may be held on the fourth Tuesday of each month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held then a pre-meeting will be held at 4:30 p.m.

The date of the regular meeting may be changed by the majority of the total membership of the Planning Commission provided at least one week notice is given each member of the new date of a regular meeting.

she can fully participate in the matter.

(e) Gifts and Favors. Gifts and favors standards are found in UCA 67 16 5. No public officer or employee shall knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift, compensation or loan for themselves or another if it tends to influence them in the discharge of duties. Exceptions to this are: an occasional non-pecuniary gift, having a value less than \$50 or an award publicly presented in recognition of public service.

(f) Treatment of Information. Reports and official records of a public planning agency must be open on an equal basis to all inquiries. Planning advice should not be furnished to some unless it is available to all. All reports in an official meeting agenda are public information. Communication with planning staff members is not an ex parte contact and is allowed.

(g) Political Activity. Membership in a political party and contributions to its finances or activities are matters of individual decision that should neither be required of nor prohibited to Planning Commissioners. The extent of participation in political activities should be governed by professional judgment as well as limited by any applicable civil service law or regulation. The special position of a Planning Commissioner should not be used to obtain contributions or support for a political party and should not be used to obtain partisan favors.

C. MEETINGS

1. Place

Meetings of the Commission shall be held in the Weber County Commission Chambers on the first floor of the Weber Center Building, Ogden, Utah, 2380 Washington Blvd., Ogden. If the Chambers is not available on those dates, then the meeting may be held in another room of the Weber Center Building or at such other place in Weber County as the Commission may designate. A meeting having been convened at the place designated, may be adjourned by the Commission to any other place within Weber County for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place.

2. Regular Meetings

Regular meetings of the Western Weber Planning Commission shall be held on the second Tuesday of each month at 5:00 p.m. Field trips may be held on the second Tuesday of each month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held then a pre-meeting will be held at 4:30 p.m.

Regular meetings of the Ogden Valley Planning Commission shall be held on the fourth Tuesday of each month at 5:00 p.m. Field trips may be held on the fourth Tuesday of each month at the hour of 3:00 p.m. or at such other appropriate times. In the event that a field trip is not held then a pre-meeting will be held at 4:30 p.m.

The date of the regular meeting may be changed by the majority of the total membership of the Planning Commission provided at least one week notice is given each member of the new date of a regular meeting.

D. PROCEDURE - ORDER OF BUSINESS

1. Order of Business

The order of business in the Commission shall be as follows:

- (a) Pledge of Allegiance
- (b) Roll call. At all meetings before proceeding to business, the roll of the Commission members shall be taken and the names of those present and those absent shall be entered on the record.
- (c) Approval of minutes of prior meetings
- (d) Consent Agenda
- (e) Petitions, Applications and Public Hearings
- (f) Chair reads hearing statement
- (g) Old Business
- (h) New Business
- (i) Public Comment for Items not on the Agenda
- (j) Remarks from Planning Commissioners
- (k) Report of the Planning Director
- (l) Remarks from the County Attorney
- (m) Chair Adjourns Meeting

2. Agenda for Meetings

The secretary shall prepare a written agenda for each meeting as far in advance thereof as possible. The secretary shall make every effort to deliver the agenda, along with Staff Reports and related documents, to the members of the Commission at least seven (7) days in advance of a regular meeting.

3. Deadline for Agenda

Requests to be on a Planning Commission agenda shall be filed thirty (30) days prior to consideration by the Planning Commission. The Planning Staff shall certify completeness of requests. Certified requests which have been filed in a timely manner shall be placed on the agenda. The deadline may be waived by the Planning Director if he/she determines that good cause exists for waiving the deadline, the application is complete, and determined that Staff has sufficient time to analyze the request, adequately prepare a Staff Report and give proper notice.

4. Special Order of Business

The Commission may suspend the rules as to the order of business, or return to an order already passed, on a motion supported by a majority of the members present.

E. ORDER AND DECORUM

1. Order of Consideration of Items

The following procedure will normally be observed in a public hearing or other matter before the Commission; however, it may be rearranged by the Chair for individual items, if necessary, for the expeditious conduct of business:

- (a) Chair introduces item;
- (b) Abstentions, conflicts of interest and challenges are entertained and any declaration of conflicts of interest and ex parte contacts;
- (c) Staff makes a presentation on the criteria, standards, and recommendations;
- (d) Applicant or applicant's agent presents evidence for the proposal;
- (e) Any opponents and/or proponents may comment;
- (f) Planning Commission members may question staff, applicant, or opponents on all the above;
- (g) Applicant's rebuttal if requested;
- (h) Closing of the public hearing, if applicable;
- (i) Concluding comments of Staff or Staff summary and recommendations;
- (j) Motion is made and seconded; the Planning Commission discusses the item and votes. Members are allowed to openly discuss the proposal and may further question any party appearing for or against the proposal as necessary, but generally questions should be asked while the public hearing is open. The Chair outlines possible actions: approval, disapproval, continue, or approval with conditions.

2. Consideration of Items

All parties shall have an opportunity to be heard, to present and rebut evidence before an impartial tribunal, to have the proceedings recorded, and to have a decision rendered in accordance with the facts on record and the law.

The Chair of the Planning Commission shall have authority to:

- (a) Regulate the course and decorum of the meeting.
- (b) Dispose of procedural requests and similar matters.
- (c) Set reasonable time limits for individual public input, oral presentations, questions, and rebuttal information testimony.
- (d) Question any person appearing, and allow other members to question any such person.
- (e) Waive, at his/her discretion, the application of any rule herein where the circumstances of the hearing indicate that it would be expedient and proper to do so, provided that such waiver does not act to prejudice or deny any party his/her substantial rights as provided herein or otherwise by law.
- (f) Take such other action as authorized by the Planning Commission to appropriately conduct the hearing.

A ruling of the Chair may be challenged by any member of the Planning Commission present at the hearing. The challenge must be seconded. A ruling may be reversed by a majority of the members present and voting. A tie vote upholds the Chair's decision.

3. Time Limits
The Chair may impose equitable time limits, if deemed necessary for the expeditious conduct of the public hearing.
4. Conduct of Persons before the Commission
Proceedings shall at all times be orderly and respectful. The Chair may refuse to recognize or exclude from the hearing anyone who:
 - (a) Is disorderly, abusive, or disruptive.
 - (b) Takes part in or encourages audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive to the hearing.
 - (c) **Testifies** Comments without first receiving recognition from the Chair and stating his/her full name and residence.
 - (d) Presents irrelevant, immaterial, or repetitious evidence.

Persons making presentations or providing comments to the Planning Commission shall address the Commission from the podium or microphone and not from the audience; shall address all comments to the Planning Commission; and may not directly question or interrogate other persons in the audience.

F. PROCEDURE - MOTIONS

1. Making of Motions
Upon review of the full public record on a request and due deliberation among the members of the Planning Commission, any Planning Commissioner, except for the Chair, may make a motion; however, any Planning Commissioner may second a motion. The motion shall include not only the direction of the motion, but shall also include the recitation of specific findings of fact supporting such motion. A second shall be required for each motion citing compatible findings. Other members of the Commission may support the motion adding compatible findings. A motion shall die in the absence of a second. Discussion of the motion should not take place until it has been seconded and the Chair has stated the motion and called for discussion.
2. Withdrawing or Modifying a Motion
 - (a) When a motion has been made but not yet stated by the Chair, whether or not it has been seconded, it can be withdrawn or modified by the mover if the member simply says, "Chair, I withdraw the motion."
 - (b) If the mover wishes to modify his/her motion, he/she should specify the modification. Any member may suggest that the mover withdraw or modify his/her motion, but only the mover may do so.
 - (c) If a motion is modified before being stated by the Chair, the second may withdraw his/her second.
 - (d) After the Chair states a motion, it is the property of the Commission. It can be withdrawn or modified at any time before voting by a majority vote to withdraw or modify.
3. Motions in Order During Debate
When a question is under debate, no motion shall be received except:
 - (a) To fix the time to adjourn;
 - (b) To adjourn;

- (c) To continue, table, or postpone indefinitely to a specified time;
 - (d) To amend; to substitute;
 - (e) Refer to committee;
 - (f) Previous question (immediately close debate);
 - (g) Limit or extend limits of debate;
 - (h) Take a recess;
 - (i) Call for orders of the day;
 - (j) Suspension of the rules;
 - (k) Appeal rulings by the Chair;
 - (l) Reconsider an undebatable motion.
4. Motion must be Germane
No motion or proposition on a subject different from that under consideration is in order and no such motion or proposition shall be admitted under color of amendment.
 5. Motions to Deny
Where a motion to deny a request has been defeated, a member of the Commission shall make another motion to dispose of the issue.
 6. Substitute Motions
A motion to amend by striking out an entire section or paragraph of a main motion and inserting a different section or paragraph is called a motion to substitute. Substitute motions shall supersede the main motion upon receiving the approval of a majority vote.
 7. Amendments
All amendments must relate to the same subject as the original motion, resolution, proposition or ordinance. All amendments to the main motion require a second. If any amendment is offered, the question shall be first upon the amendment. An amendment may be tabled without prejudice to the main motion or question. When an amendment is proposed to any pending measure shall be laid on the table, such action shall not carry with it or prejudice such measure. If any amendment be offered, the question shall be first upon the amendment.
 8. Friendly Amendments
A Commissioner may make a friendly amendment without a formal motion with unanimous consent of the members present. Typically such motions are appropriate for clean-up items or an issue discussed but inadvertently neglected by the maker of the motion.

G. PROCEDURE - RECONSIDERATION

1. Motion to Reconsider
A motion to reconsider must be made in the same meeting as the motion that was voted on. It can only be made by a member who voted on the prevailing side and must be seconded. Any Commission member, regardless of vote on the main motion, may second the motion. It is a debatable motion. It can be made to a vote that was either affirmative or negative. This type of motion proposes no specific change in a decision but simply proposes that the original question be reopened. It requires a majority vote and cannot be reconsidered.

H. PROCEDURE - DEBATE

1. Interruptions and Questions

No member of the Commission shall interrupt or question another Commissioner without obtaining the Commissioner's consent. To obtain such consent, the Chair shall be addressed requesting to interrupt or ask a question; e.g., "Chair (name) I would like to ask Commissioner (name) a question or make a comment." The Commissioner speaking has the discretion to allow an interruption.

I. PROCEDURE - VOTING

1. Roll Call on Final Passage

The vote upon the final passage of all business shall be by aye (yeses) and nay (no's) given by members of the Commission individually on roll call, except motions to adjourn, table, common consent, continue, proceed out of order, or receive for study may be done by voice vote. The names of the members on such roll call shall be called alphabetically, in rotation, except that the Chair shall be called last. In recording votes on roll call, the secretary shall record and report those absent or not voting. The Chair shall announce the result.

2. Minute Approval

The Chair shall ask the Commission if they have had the opportunity to read the minutes and if there are any additions or corrections. Upon hearing from the Commission the Chair shall declare the minutes approved either as presented or amended. If the Commission has not had an opportunity to review the minutes, approval shall be postponed to the next regular meeting.

3. Voting or Changing Vote Before Decision Announced

On any such vote any member may change his/her vote before the decision of the question has been announced by the Chair unless the member has the permission of the Planning Commission by general consent or motion if a member objects.

4. Voting or Changing Vote After Decision Announced

When a vote is taken on roll call on any question, no member shall be permitted to vote or to change his/her vote after the decision is announced by the Chair.

5. Commission Members Required to Vote - Late Voting

No member may abstain from voting unless there is a conflict of interest except as noted below. A member entering the Chamber after the question is put and before it is decided, may have the question stated, record his/her vote and be counted. A member who has not been present during the discussion of any matter and feels he/she has insufficient information on which to act may abstain.

6. Tie Votes

If a motion regarding any matter before the Commission receives an equal number of votes in the affirmative and in the negative, the motion fails. The Commission shall continue to make motions until a majority vote is obtained. The option of continuing an item with the possibility that an odd number of members of the Commission would be at a subsequent meeting may be considered.

7. Explaining Vote

After the vote is taken, any member of the Commission desiring to explain his/her vote shall be allowed an opportunity to do so.

8. Not to Vote Unless Present

No member of the Commission shall vote on any question unless the member shall be present when the vote is taken and when the result is announced. No member shall give his/her proxy to any persons whomsoever.

J. DOCUMENTS OF THE COMMISSION

1. Any and all materials submitted to the Planning Commission regarding a request shall be entered into the public record by the Chair by indicating that the material is "accepted for the record;" provided, however, that the Staff Report submitted to the Planning Commission as part of the agenda shall automatically become part of the public record.

2. All notices, agendas, requests, agency or consultant letters or reports, Staff Reports, minutes of meetings, and resolutions of record shall constitute the documents of the Planning Commission and shall be indexed as public record.

K. AMENDMENT

These Rules of Order may be amended at any meeting of the Commission held after not less than fourteen days written notice of the proposal to amend the Rules, upon a majority vote of all the members of the Commission.

Adopted Rules of Order may be amended at any regular meeting by a vote of the majority of the entire membership; or if the amendment was submitted in writing at the previous meeting, then they may be amended by a two-thirds vote of those voting, a quorum being present.

L. RECORDING OF RULES - COPIES TO BE FURNISHED

These Rules, and all subsequent amendments thereto, shall be recorded by the secretary in the book kept for the recording of such business and shall be furnished to each member of the Commission.

Effective Date:

Kevin Parson, Chair
Ogden Valley Planning Commission

Douglas Hansen, Chair
Western Weber Planning Commission



OGDEN VALLEY TOWNSHIP PLANNING COMMISSION 2012 SCHEDULE OF MEETINGS

The meetings are held in the County Commission Chambers, 1st Floor, in the Weber Center, 2380 Washington Blvd., Ogden, Utah unless otherwise posted.

The Ogden Valley Township Planning Commission holds their Regular meetings on the Fourth Tuesday of each month unless otherwise noted.

Pre-meetings will begin at 4:30 p.m. in Room 108
Regular meeting will begin at 5:00 p.m.

Regular Meetings

January 24, 2012
February 28, 2012
March 27, 2012
April 24, 2012
May 22, 2012
June 26, 2012
July 31, 2012
August 28, 2011
September 25, 2012
October 23, 2012
November 27, 2012
December 04, 2012

Work Session meetings are held on the 1st Tuesday of each month unless otherwise noted.

No Pre-meetings. Work Sessions will begin at 5:00 p.m. unless otherwise posted

Work Sessions

*January 03, 2011
February 07, 2011
March 06, 2011
April 03, 2011
May 01, 2011
June 05, 2011
*July 31, 2012
August 07, 2011
September 04, 2011
October 02, 2011
November 27, 2012
*December 04, 2011
*Combined w/Regular Mtg.)