

MINUTES
WEBER COUNTY COMMISSION

Tuesday, November 14th, 2023 – 10:00 a.m.

Via Zoom meeting + at Weber Center, 2380 Washington Blvd., Ogden, UT

In accordance with the requirements of Utah Code Section 52-4-203, the County Clerk records in the minutes the names of all persons who 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.

WEBER COUNTY COMMISSIONERS: James "Jim" H. Harvey, Gage Froerer and Sharon Bolos

STAFF PRESENT: Ricky Hatch, County Clerk/Auditor; Liam Keogh, of the County Attorney's office; and Craig D. Brandt, of the County Clerk/Auditor's office, who took minutes.

A. WELCOME: Chair Froerer

B. PLEDGE OF ALLEGIANCE: Brooke Stewart

C. INVOCATION: Commissioner Froerer

D. THOUGHT OF THE DAY: Commissioner Harvey: Last week in these chambers we had the privilege of honoring Vietnam veterans. It was said many times that this was the first time in 50 years they felt welcomed home. They did their very best after being drafted and came home to being mistreated; they were shunned; they were spit upon; when they'd sit somewhere others would get up and move; they were basically exiled from their own home. What a privilege it was to be able to honor them last week, and the three gentlemen who came in yesterday, to be able to honor them. You know, I hope that none of us and none who hear this recording have to experience some of the things that they did while they were serving to help maintain a part of our freedom or to keep the world safe for whatever the reason was we entered into that conflict. The fact of the matter is when you become a member of this country by whatever means, whether you're born into it or you come into it legally through whatever means you choose, you become a member of the country and you live by its laws; you sign up for the culture, you sign up for everything that's here. So as we pledge allegiance to our flag and one nation under God, not 'one nation comma' but 'one nation under God', I hope that all of us can respect and remember the privilege it is to be this one nation under God and much impart to those who have given and some especially those who've given all, notwithstanding the families that that have also paid a price. So thank you for giving me a chance to just reflect back on that.

E. PUBLIC COMMENT: NONE.

F. RECOGNITIONS:

1. Recognition of RAMP for receiving the Ogden City Mayor's Awards in the Arts - Lifetime Contribution Award

Shelly Halacy (Commissioners Office): This was an exciting experience. I would like to share the speech I gave at the awards ceremony:

RAMP is amazing because of so many people. This award belongs first to our community who agreed in 2004 and again 2014 that RAMP is a tax worth having. Second, RAMP wouldn't exist if it wasn't for dream of Neila Seshachari and the success of her husband Candadai. I can only imagine them looking down today at what RAMP has accomplished, I am positive they would be so unbelievably proud.

Anyone who knows me knows that RAMP is my passion and I have been lucky enough to be a part of it from the very beginning. When RAMP first started I got to work beside our then Weber County Public Relations/Ice Sheet Director Michael Caldwell, this kind of feels like a full circle moment, receiving this as he is on his way out of public service.

There have been 61 incredible board members that have worked on RAMP. These amazing individuals have spent an unbelievable amount of time pouring over applications, visiting project sites to meet with applicants and having committee meetings that last sometimes more than 9 hours a day. Every year they read through each and every application. They understand the value of RAMP and they take very seriously the responsibility of making sure that RAMP dollars are always spent in the most effective way possible. And they have all done this for free!

RAMP has funded more than 61 million dollars improving the quality of life for the citizens of Weber County.

In the Arts, RAMP has funded amazing museum exhibits at the Children’s Treehouse Muse , Ogden’s George S. Eccles Dinosaur Park & Muse , the Weber State University Ott Planetarium , the Union Station Muse , and more.

With the help of RAMP funds we are able to see incredible local talent in performances presented by the Ogden Musical Theater, Good Company Theater, Imagine Ballet, Ogden Chamber Orchestra and Onstage Ogden. We are able to see artists work at the Monarch and art shown at the Eccles Community Art Center, the lists go on and on.

The horses on every corner, Rodeos, the Farmers Market, the Art Festival, the Ogden Valley Balloon Festival, symphonies, the Ogden Twilight Series, OFOAM’s Annual Music Festival - imagine all the memories that our citizens are creating and how great is it that RAMP gets to be a part of that?!

I know there is so much I have missed but I do want to say Weber County RAMP is so extremely proud to be a staple in the Ogden City Arts scene and we are incredibly honored to be recognized with this Lifetime Contribution Award.

Thank you!

Commissioner Bolos: Shelly is really the one to be credited with this and I know that it's embarrassing to you Shelly. But as the Director of ramp, I think she's done a phenomenal job as well as the volunteers that you mentioned, those who are on the board. I have a friend who's been on the board for several years and I didn't have any idea until she went through that first ramp cycle and I realized wow that's a lot of time they put in; a lot of time to decide where that money should go. And like you said, thank you to the voters who voted for it once and renewed it a second time; it's such a benefit to our community. So, thanks for all your hard work I really appreciate that, thank you.

G. CONSENT ITEMS:

1. Warrants #9417-#9445 and #480392-#480494 and #305-#310 in the amount of \$2,507,883.47.
2. Purchase orders in the amount of \$963,084.87.
3. S mary of Warrants and Purchase Orders.
4. ACH payment to US Bank in the amount of \$69,093.06.
5. New business licenses.
6. Sell and/or otherwise convey Parcel #16-049-0057 to North Ogden City.

Commissioner Bolos moved to approve the consent items; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

H. ACTION ITEMS:

1. **APPROVAL OF A DISCUSSION AND/OR ACTION ON THE 2023 TRANSPORTATION PRIORITY RECOMMENDATIONS.**

Brooke Stewart (Community Development): The Corridor Preservation and county Sales and Use Tax statutes, for transportation, require that the Council of Governments create a transportation priority list and submit it to the Legislative Body for approval each year. Last week we had the opportunity to present the members of WACOG a detailed review of this year’s transportation project applications. We received 14 applications for consideration totaling just over \$27 million dollars in funding requests. WACOG unanimously approved a recommendation for funding of \$2,378,000 in Corridor Preservation Funds, and \$13,737,000 in Sales Tax Funds, to be programmed as outlined on the priority list that is before you. The Corridor Preservation funds are programmed for the year 2054 and the Sales Tax funds are programmed for 2026. We are just looking for approval of the 2023 Transportation Priority List.

Commissioner Bolos moved to approve discussion and/or action on the 2023 Transportation Priority Recommendations; Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

I. PUBLIC HEARING:

1. Request for a motion to adjourn public meeting and convene public hearings.

Commissioner Harvey moved to adjourn the public meeting and convene public hearings, 10:20 a.m.;
Commissioner Bolos seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

2. Public hearing to discuss and approve an ordinance for a zoning map amendment to rezone 2.76 acres of property located at approximately 2690 N. 5600 E., Eden from AV-3 (Agricultural) to FB (Form Based Zone). ZMA 2023-12.

Bill Cobabe (Planning): This is an item discussed in work session last week. This is a request for a change from AV-3 to Form Based code. It's about 2 and 3/4 acres and it's located within an area that's already designated in our ordinance as a form-based area per the street regulating plan that was adopted about a year and a half two years ago. One thing that I'd like to address, and I know this is a concern for folks, with this application and other applications that are being considered. In the general plan there are areas that are designated as Village area plans and they've been given a quarter mile radius around a particular point that was designated and noted as such in the general plan in the maps that were there. Those were never intended to be strict lines delineating where the form based code would be and where the village centers would necessarily be. They're intended to be places of general areas of where we'd like to see this increased density belong and then we would see from there a gradual transition from the higher densities into the lower densities of the 3 acre lots. The Village area plans are not intended to be this is only where density will belong and that additional density could be placed in areas that are within the areas noted as higher density and then gradually transitioning into the lower density areas and so the street regulating plan makes that clear. This particular zone change is within that street regulating plan area and that's what we're looking at and that's why the Planning Commission voted to recommend approval of this in their public hearing as well.

Chair Froerer: I appreciate that explanation because I think there is still some confusion out there. The Planning Commission I think understands that really what we're looking for is that distribution that makes good planning from higher density to medium density to lower density that really all good planning should follow. You don't want to have a commercial building next to a 3 acre lot, for example, so this gives a structured balance so people know very much what their rights may be and again we respect those rights and at the same time have opportunities to look at the growth that we have across this County and properly direct that in in areas that make sense according to both the general plan in the Lower Valley and the general plan in the Upper Valley.

Mr. Cobabe: That's absolutely correct. And it should be pointed out that the maximum density that he could enjoy on this lot is one unit per acre, one residential unit per acre. There's already a unit on it so he would this is basically looking to add one additional unit.

3. Public Comments:

Chad Booth, Eden, UT: I think the concern in us following it as Valley residents is where does it stop? I think this is the question that a lot of Valley residents have is your explanation says it's to accommodate some but if we accommodate some where does that sprawl stop? And is there a vision looking forward with a limit to it? Are we going to go to New York City sprawl or are we going to go to Ogden Valley that fits the quality of it versus increasing the quantity? Where the quality is then thrown out and it's not a place that I think a lot of Valley residents and a lot of people within the Weber County, and probably Utah in general, appreciate to come to.

4. Request for a motion to adjourn public hearings and reconvene public meeting.

Commissioner Bolos moved to adjourn the public hearings and reconvene public meeting, 10:27 am;
Commissioner Harvey seconded.
Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

5. Action on public hearing:

H2: Approval of Ordinance 2023-31 amending the county's land use map, changing certain property in the Ogden Valley Planning Area from AV-3 (Agricultural) to FB (Form Based Zone).

Commissioner Harvey: Bill, can you tell people where they can go online to see the master plan for village areas?

Mr. Cobabe: The best place to go would be our website or do a google search for Weber County Planning. There is a link there to the general plans and more importantly I think more significant to this particular conversation is there's a link to our municipal code where we have already adopted a Street regulating plan that shows where these Village centers will be. They talk about Street regulating plans with the densities that are associated with that and the types of buildings you would expect to see and the lot sizes in each different location based on their proximity to one of these streets that are in the street regulating plan. Anything that's beyond or outside of the scope of those particular Maps would be what it is currently and we're not expecting any additional density anywhere other than what is allowed per the form based code we're changing. The form based code has already been adopted and these property owners, as they come in, are requesting the form based code to be applied to their property as it's adjacent to or can be developed near one of these already existing street regulating plans. So that's probably the best place to go look for areas of additional development and increased density is in that form based code and on those street regulating plan maps. One other thing I'd like to point out and you guys are aware of this but the hope was and the desire is that when we enact these kinds of street regulating plans and change these zones that the density that exists in the valley will stay the same. We're not creating any additional new density. They'll have to bring in development rights for these units that are being rezoned. They'll have to bring them in from someplace else in the valley to maintain the open space that exists there into these higher density areas.

Commissioner Harvey: Can we have a quick link on the Planning landing webpage that helps people navigate to that information?

Commissioner Bolos: That is a good idea Commissioner Harvey. I also appreciate Bill's explanation, especially the explanation of the transfer development rights. I think that's really important to understand in the Upper Valley and in Western Weber County that the density of the entire area will not increase and that as we as we take opportunities to move that density to certain areas then it leaves more open spaces in the whole of the valley, in the whole of the western Weber County. That's a really important part of the plan to me so I appreciate your explanation of that, thank you.

Commissioner Bolos moved to approve Ordinance 2023-31 amending the county's land use map, changing certain property in the Ogden Valley Planning Area from AV-3 (Agricultural) to FB (Form Based Zone); Commissioner Harvey seconded.

Roll Call Vote: Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

J. COMMISSIONER COMMENTS: NONE.

K. ADJOURN:

Commissioner Harvey moved to adjourn at 10:37 am.; Commissioner Bolos seconded.

Commissioner Harvey – aye; Commissioner Bolos – aye; Chair Froerer – aye

Attest:

Gage Froerer, Chair
Weber County Commission

Ricky D. Hatch, CPA
Weber County Clerk/Auditor