

GEM Committee Minutes – February 2, 2011 Update 2

1. Attendance: Ross Mertlich, Paul Riley, Kim Wheatley, Scott Blank, Ron Gleason, Doug Gregory, Pam Kramer, Sharon Holmstrom, Richard Webb, Steve Clarke.
2. Minutes of the January meeting were approved as written.
3. Announcements:
 - a. Ron Gleason reviewed items from the February 1st Planning Commission meeting:
 - i. A restaurant adjacent to the Powder Mountain Shuttle parking lot was approved to operate during the ski season.
 - ii. The Planning Commission adopted Ex Parte communication rules which clarify the ability of the Commission to speak with the public about issues not on an agenda and about ordinances or modifications to ordinances.
 - iii. Agri-tourism was discussed as an addition to the AV-3 zone. The tone of the discussion was positive. Issues become apparent in the details. Staff will continue to work on drafting an ordinance modification.
 - iv. The staff 2011 work plan was discussed. It includes: Chapters 1, 2, and 4 of the Subdivision ordinance, Agricultural Tourism, Board of Adjustment rules changes, adoption of a county-wide Pathways ordinance, modification of the Junk and Cluster Subdivision ordinances, Nodes for Ogden Valley, and Agricultural Preservation.
 - b. The January 25th Planning Commission meeting was discussed. Included were:
 - i. The Complete Street amendment to the CV-1 and CV-2 zones was adopted. The modification requires those who petition to use a zero front setback (think of the Blacksmith Shop) to demonstrate their plans to accommodate all forms of transportation (motorized, pedestrian, bicycle, etc.) acceptably.
 - ii. The renewal of the temporary Powder Mountain shuttle lot was approved and will be reviewed again this November.
 - iii. The Heliport at Red Moose Lodge was tabled to permit new Planning Commission members to become more familiar with the issues. Sharon Holmstrom suggested we formally petition to remove the conditional use from the CV-2 zone.
 - iv. The Green Valley Academy design was approved (reluctantly). Ron Gleason will let us know how to participate in the appeal case, and contributions to the cost of the appeal can be made at Zions Bank. Pam Kramer asked how water was an issue with the academy plans. The answer was the large volume of water and the depth of the well compared with adjacent wells. Kim Wheatley suggested a review process be established to enforce compliance as the use of the facility morphs over time. NOTE: since our meeting Kerry Gibson told Steve Clarke the

decision process to appeal the decision that a school is a permitted use should be filed with the Board of Adjustment.

- c. South Fork Sewer Update – Ron Gleason will attend the Huntsville Town meeting tomorrow where Sunrise Engineering will present the sewer study. It is anticipated that the study document will be available for our study in about two weeks.
4. The GEM meeting with the County Commissioners was reviewed. Attending from GEM were Ross Mertlich, Richard Webb, Jennifer Graham, Steve Clarke, and Jeff Burton. Items of focus from our list of eleven items were TDR, Reinvestment Fee, Parks and Recreation, with some discussion of the Valley-wide Community Council idea.

TDR progress seems to be stalled due to lack of funding for a consultant; the Ogden Valley Recreation Planning Committee is in the hands of Jennifer Graham who is working with Commissioner Dearden this year. The Single Special Recreation District is meeting with objection from Commissioners Dearden and Zogmaister who in the former case feel special districts operate too far below the public view and from the latter who was told by legal that our population numbers are too small. We have asked for alternatives from Commissioner Dearden and for some detail of the objection from Commissioner Zogmaister.

Comments about the Community Council idea raised questions about the wisdom of a parallel group to the Valley Planning Commission and a challenge to identify the short-comings of our current system. They pointed out that being elected does not necessarily mean the body would be representative, and suggested that if we wished to pursue research on the topic we might visit with the Planning Commission.

Commissioner Dearden expects to chair the Wasatch Front Regional Council this year and thought he might be able to help with transportation and baseline studies of air/water/wild life in the Valley. Ron Gleason commented (and has since distributed) a preliminary UDOT plan for a park and ride in the vicinity of Pine View Dam in the 3 to 5 year plan.

In general the Committee members attending did not feel whole hearted support from the Commissioners on the items discussed.

Since our meeting work by Gage Froerer, Clint Ensign (Sinclair Oil), Commissioner Dearden, and members of the GEM Committee has concluded that the legislative effort to change the Reinvestment Fee process to include a nonprofit as a recipient of collected fees is not worth the risk of losing the ability to collect fees at all. The group was greatly encouraged to learn that fees can be expended both inside and outside of the resort boundary, permitting ability to address the needs of the Valley.

5. The General Plan Analysis prepared by County Planning was again reviewed. Steve Clarke has retyped the PDF file and begun making comments. After some discussion of the pros and cons the group came to the conclusion that we would pursue a different approach to the County which recognizes more fully the Planning Staff. Instead of concentrating on the County Commissioners we will work more closely with the Planning Staff. We agreed that we should focus on accomplishment of the General Plan and begin a work program with the following characteristics:

- a. Make sure basic principles guide our discussion
- b. Review ordinances to see how well they support the plan, e.g. conditional uses
- c. Work within the planning staff framework
- d. Be supportive of staff and seek balance
- e. Find a way to be part of the discussion early... before petitioner/staff discussions become focused on specific applications

Steve Clarke will email the General Plan Analysis to the Committee.

6. Jennifer Graham was unable to attend so no Recreation Committee progress report was given.

7. Other items:

- a. Following the meetings with the County Commissioners a meeting was held with Rob Scott to debrief. The meeting became a vigorous debate on Ex Parte Communication, in which Rob clarified the rule significantly. Steve Clarke attempted to capture that clarification which he emailed for distribution to the Planning Commission. This exchange reinforced the need to work more closely with the Planning Division.

On the subject of TDR Rob Scott indicated that he was not entertaining the option of using the entire Valley as a receiving area (as recommended by GEM). Further, he plans to have the Planning Division work on TDR as time permits rather than wait for funding to hire a consultant.

- b. *Richard Webb will lead a discussion with Rob Scott to open the door for Steve Waldrip to join in drafting the Powder Mountain Development Agreement. Following that meeting Richard will discuss the plan with Commissioner Dearden. ~~Richard Webb will talk with Commissioner Dearden, who supports having Steve Waldrip engaged in writing the Powder Mountain Development Agreement, to get him engaged with Planning Staff.~~*

8. The next meeting is Wednesday, March 2nd, at 5 pm in the Huntsville Library.

9. The meeting was adjourned at 6:30 pm.