

ORDINANCE NO. 2025-27

**AN ORDINANCE DISSOLVING THE PLANNING ADVISORY AREA PLANNING COMMISSIONS AND ESTABLISHING A COUNTYWIDE PLANNING COMMISSION FOR ALL UNINCORPORATED AREAS OF THE COUNTY**

**WHEREAS**, unincorporated Weber County currently has two planning advisory areas, each with its own planning commission; and

**WHEREAS**, Utah Code section 17-79-301(2) (new section number, effective 11/6/25) authorizes Weber County's legislative body to dissolve each planning advisory area planning commission and establish a countywide planning commission that has jurisdiction over all unincorporated areas within the county; and

**WHEREAS**, the impending incorporation of much of the Ogden Valley will leave only scattered pockets of development and sparse population in the remaining area currently covered by the Ogden Valley Planning Commission; and

**WHEREAS**, combining the planning commissions will reduce the County's expenses and create more efficiency in the planning process; and

**WHEREAS**, the Board of County Commissioners of Weber County has determined that it is in the best interest of the County and its residents to replace the two planning advisory area planning commissions with a single countywide planning commission;

**NOW THEREFORE**, the Board of County Commissioners of Weber County ordains as follows:

- I. The Western Weber Planning Commission and the Ogden Valley Planning Commission are dissolved, effective December 3, 2025.
- II. The countywide Weber County Planning Commission is hereby established, effective December 3, 2025.
- III. Chapter 102-2 of the Weber County Code is amended as shown in Exhibit A (showing the changes) and Exhibit B (the final amended version).
- IV. The rules of order for the countywide planning commission shall be as shown in Exhibit C.
  - a. The rules of order shall not be codified in the Weber County Code, but the Clerk/Auditor's office shall maintain an official copy.
  - b. Additionally, the Planning Division shall post the updated rules of order on its website and shall ensure that all planning commissioners are notified of the updated rules of order.

V. County staff are hereby directed to take all actions necessary to implement this ordinance and to ensure that the countywide planning commission is functional as of the date its establishment takes effect.

VI. Effective date and publication

- a. This ordinance shall take effect on December 3, 2025.
- b. The Clerk/Auditor's office is directed to publish a short summary of this ordinance in the *Standard Examiner* newspaper within 15 days after the date of its passage.

PASSED and ADOPTED on this 18<sup>th</sup> day of November, 2025.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

By Sharon Bolos  
Sharon Bolos, Chair

Commissioner Bolos voted	<u>Aye</u>
Commissioner Froerer voted	<u>Aye</u>
Commissioner Harvey voted	<u>Aye</u>

ATTEST:

Ricky Hatch  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

**EXHIBIT A**

Chapter 102-2 of the Weber County Code, showing changes

## **Chapter 102-2 Planning Commission**

Sec 102-2-1 Purpose And Intent

Sec 102-2-2 Planning Advisory Area Boundaries And Planning Commission Jurisdiction

Sec 102-2-3 Planning Commission Membership And Organization

Sec 102-2-4 Powers And Duties Of The Planning Commission

Sec 102-2-5 Decisions Of The Planning Commission

Sec 102-2-6 Meetings

Sec 102-2-7 (Reserved)

Sec 102-2-8 Appointment Of Planning Commission Members

Sec 102-2-9 (Reserved)

Sec 102-2-10 Policies And Procedures

State Law reference—County planning commission, U.C.A. 1953, § 17-27a~~79~~301 et seq.

### **Sec 102-2-1 Purpose And Intent**

This chapter defines the boundaries of the two planning advisory areas jurisdiction of the Weber County Planning Commission. It also outlines the organization, membership, and powers and duties of each of the planning commissions commission.

### **Sec 102-2-2 Planning Advisory Area Boundaries And Planning Commission Jurisdiction**

The unincorporated county is divided into two planning advisory areas, and each planning advisory area shall have its own planning commission. The unincorporated area west of the Wasatch Mountain ridge, except for the Ogden Canyon, shall be the Western Weber County Planning Advisory Area. All of the unincorporated area east of the Wasatch Mountain ridge, plus all of unincorporated Ogden Canyon, shall be the Ogden Valley Planning Advisory Area. Pursuant to state law, Weber County has established a single Weber County Planning Commission that has jurisdiction over all of the unincorporated area in Weber County, comprising both planning advisory areas.

### **Sec 102-2-3 Planning Commission Membership And Organization**

(a) The planning commission shall consist of seven members.

- (1) Each member of the planning commission shall be a registered voter residing within the unincorporated area of Weber County the planning advisory area of the planning commission to which they are appointed.
- (2) Members shall be nominated by the county commission, from a list of applicants. Appointments shall be approved during a public meeting by a majority vote of the county commission.
- (3) Commission members shall serve for a term of four years, with terms expiring on June 30. ~~and e~~Expiration of terms shall be staggered so that an overlapping of terms occurs. Initial appointments, at the time of the creation of the planning commission, may be longer or shorter than four years, but no longer than five years, to account for the need to stagger terms and have them expire on June 30.

- (4) Any mid-term vacancy on the planning commission shall be filled by the county commissioners by appointing a new member to fill the remainder of the unexpired term.
- (5) The members of the planning commission shall regularly attend planning commission meetings.
  - a. Missing three or more planning commission meetings during a six-month period shall be considered grounds for removal from service. If a member misses three meetings within a six-month period, the planning division staff shall notify the county commissioners, who shall then determine, at their sole discretion, by majority vote during a public meeting, whether or not to remove the member from the planning commission.
  - b. Regular in-person attendance is also expected, when planning commission meetings are held in person. A member may attend such meetings via video conference or telephone or other electronic means, with the permission of the planning division director, up to two times per calendar year. If a member requests permission to attend such a meeting electronically more than twice in one year, the planning division director shall communicate the request to the county commissioners, who shall decide whether or not to grant the request.
- (b) The planning commission shall annually elect a chairperson and a vice-chairperson from its membership.
- (c) Members of the planning commission shall be subject to all applicable state and county laws, including laws regarding conflicts of interest and ethics. A violation of such provisions shall be grounds for removal from the planning commission. The planning ~~commissions~~ commission will also be governed by the planning commission rules of order adopted by the county commission. If conflicts exist, state law and county ordinances will prevail over the planning commission rules of order.
- (d) Planning commissioners serve at the will and pleasure of the county commission.
  - (1) The county commission may remove or replace any commission member, by a majority vote of the county commission during a public meeting, for any reason or no reason.
  - (2) References in this section, or in other parts of the Weber County Code, to circumstances that create grounds for removal of a planning commissioner are not intended to limit the county commission's authority to remove a planning commissioner for any reason or no reason.
  - (3) Nothing in the Weber County Code is intended to confer upon planning commissioners any due process rights, or any expectation or entitlement to continued service on the planning commission.

**Sec 102-2-4 Powers And Duties Of The Planning Commission**

The planning commission shall have such powers and duties as are or may be prescribed by the Utah Code and as provided in the Ordinances of Weber County.

- (a) The planning commission shall review the general ~~plan-plans~~ and make recommendations to the county commission, as deemed necessary, to keep the general ~~plan-plans~~ current with changing conditions, trends, and planning needs of the county. Before doing so, the planning commission shall obtain the consent of the county commission, to ensure that resources are available and are prioritized appropriately.
- (b) The planning commission shall be an advisory board to the county commission, and shall make recommendations regarding:
  - (1) Amendments to the zoning map.
  - (2) Land Use Code text amendments.
- (c) The planning commission shall approve land use applications as prescribed in this Land Use Code.
- (d) The planning commission may recommend to the legislative body:
  - (1) To support or oppose a proposed incorporation of an area located within the ~~planning commission's planning advisory area~~ Weber County; or
  - (2) To file a protest to a proposed annexation of an area located within the ~~planning commission's planning advisory area~~ Weber County.
- (e) The planning commission, in exercise of its power, shall seek to cooperate with other governmental entities and their planning commissions and shall seek to develop compatible plans for the future development of the county.
- (f) The planning commission shall make other recommendations as requested by the county commission or designated by the Utah Code.

**Sec 102-2-5 Decisions Of The Planning Commission**

- (a) The decisions of the planning commission shall take effect on the date of the meeting or hearing where the decision is made, except that section 102-1-4 of the Weber County Code governs the finality of decisions made when the planning commission is acting as a land use authority. The notice of decision shall reflect the decision date.
- (b) Pursuant to Utah Code § 17-~~27a~~<sup>79</sup>-502, the county commission may, at its discretion, consider the planning commission's failure to make a timely recommendation on a proposed land use regulation or land use regulation amendment as a negative recommendation. For purposes of this subsection, the planning commission fails to make a timely recommendation if it has not made a recommendation within two months after holding a public hearing on the proposal, or within three months after the county commission makes a written request for the planning commission to make a recommendation on the proposal, whichever occurs first.

**Sec 102-2-6 Meetings**

A quorum of four planning commissioners is needed to conduct the business of the planning commission. Each meeting of the planning commission shall be held in the following manner:

- (a) The planning commission shall meet in the county commission chambers or in some other specified location and at such intervals as may be necessary to orderly and properly transact the business of the planning commission. The adopted rules of order shall govern the times and locations of these meetings.

- (b) Meetings shall be held in accordance with the open meetings law and be properly noticed consistent with state code.
- (c) The minutes of all meetings of the planning commission shall be prepared and filed in the office of the planning division. All public records shall be available for public review and access in accordance with the Government Records and Access Management Act (U.C.A. 1953, § 63G-2-101 et seq.).

**Sec 102-2-7 (Reserved)**

**Sec 102-2-8 Appointment Of Planning Commission Members**

Appointment preference shall be given to encourage diverse geographic representation, background skills, work experience, and life experience among the members of each planning advisory area on the planning commission.

**Sec 102-2-9 (Reserved)**

**Sec 102-2-10 Policies And Procedures**

- (a) Pursuant to state law, the county commission shall enact an ordinance that defines the planning commission rules of order, including the organization and procedures of the planning commission.
- (b) The board of county commissioners shall also adopt such policies and procedures as it deems necessary to provide for:
  - (1) The planning division support staff;
  - (2) The funding of necessary and reasonable expenses of the planning commission; and
  - (3) Any other purposes considered necessary to the functioning of the planning commission.

**EXHIBIT B**

Chapter 102-2 of the Weber County Code, final amended version

## **Chapter 102-2 Planning Commission**

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State Law reference—County planning commission, U.C.A. 1953, § 17-79-301 et seq.

### **Sec 102-2-1 Purpose And Intent**

This chapter defines the jurisdiction of the Weber County Planning Commission. It also outlines the organization, membership, and powers and duties of the planning commission.

### **Sec 102-2-2 Planning Advisory Area Boundaries And Planning Commission Jurisdiction**

The unincorporated county is divided into two planning advisory areas. The unincorporated area west of the Wasatch Mountain ridge, except for the Ogden Canyon, shall be the Western Weber County Planning Advisory Area. All of the unincorporated area east of the Wasatch Mountain ridge, plus all of unincorporated Ogden Canyon, shall be the Ogden Valley Planning Advisory Area. Pursuant to state law, Weber County has established a single Weber County Planning Commission that has jurisdiction over all of the unincorporated area in Weber County, comprising both planning advisory areas.

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- (2) Members shall be nominated by the county commission, from a list of applicants. Appointments shall be approved during a public meeting by a majority vote of the county commission.
- (3) Commission members shall serve for a term of four years, with terms expiring on June 30. Expiration of terms shall be staggered so that an overlapping of terms occurs. Initial appointments, at the time of the creation of the planning commission, may be longer or shorter than four years, but no longer than five years, to account for the need to stagger terms and have them expire on June 30.
- (4) Any mid-term vacancy on the planning commission shall be filled by the county commissioners by appointing a new member to fill the remainder of the unexpired term.
- (5) The members of the planning commission shall regularly attend planning commission meetings.

- a. Missing three or more planning commission meetings during a six-month period shall be considered grounds for removal from service. If a member misses three meetings within a six-month period, the planning division staff shall notify the county commissioners, who shall then determine, at their sole discretion, by majority vote during a public meeting, whether or not to remove the member from the planning commission.
  - b. Regular in-person attendance is also expected, when planning commission meetings are held in person. A member may attend such meetings via video conference or telephone or other electronic means, with the permission of the planning division director, up to two times per calendar year. If a member requests permission to attend such a meeting electronically more than twice in one year, the planning division director shall communicate the request to the county commissioners, who shall decide whether or not to grant the request.
- (f) The planning commission shall annually elect a chairperson and a vice-chairperson from its membership.
- (g) Members of the planning commission shall be subject to all applicable state and county laws, including laws regarding conflicts of interest and ethics. A violation of such provisions shall be grounds for removal from the planning commission. The planning commission will also be governed by the planning commission rules of order adopted by the county commission. If conflicts exist, state law and county ordinances will prevail over the planning commission rules of order.
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- (g) The planning commission shall review the general plans and make recommendations to the county commission, as deemed necessary, to keep the general plans current with changing conditions, trends, and planning needs of the county. Before doing so, the planning commission shall obtain the consent of the county commission, to ensure that resources are available and are prioritized appropriately.

- (h) The planning commission shall be an advisory board to the county commission, and shall make recommendations regarding:
  - (1) Amendments to the zoning map.
  - (2) Land Use Code text amendments.
- (i) The planning commission shall approve land use applications as prescribed in this Land Use Code.
- (j) The planning commission may recommend to the legislative body:
  - (1) To support or oppose a proposed incorporation of an area located within Weber County; or
  - (2) To file a protest to a proposed annexation of an area located within Weber County.
- (k) The planning commission, in exercise of its power, shall seek to cooperate with other governmental entities and their planning commissions and shall seek to develop compatible plans for the future development of the county.
- (l) The planning commission shall make other recommendations as requested by the county commission or designated by the Utah Code.

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  - (3) Any other purposes considered necessary to the functioning of the planning commission.

**EXHIBIT C**  
Updated Planning Commission Rules of Order