

# **NORTH OGDEN PLANNING COMMISSION**

## **MEETING MINUTES**

August 6, 2014

The North Ogden Planning Commission convened in a regular meeting on August 6, 2014 at 6:33pm in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. Notice of time, place and agenda of the meeting was furnished to each member of the Planning Commission, posted on the bulletin board at the municipal office and posted to the Utah State Website on July 31, 2014. Notice of the annual meeting schedule was published in the Standard-Examiner on January 24, 2014.

### **COMMISSIONERS:**

Eric Thomas	Chairman
Don Waite	Vice-Chairman
Scott Barker	Commissioner
Joan Brown	Commissioner
Blake Knight	Commissioner
Steven Prisbrey	Commissioner
Dee Russell	Commissioner

### **STAFF:**

Ron Chandler	City Manager
Robert O. Scott	City Planner
Stacie Cain	Community Dev. Coord./Deputy City Recorder

### **VISITORS:**

Gardner Crane

### **REGULAR MEETING**

Chairman Thomas called the meeting to order at 6:33 pm. Commissioner Russell offered the invocation and led the audience in the Pledge of Allegiance.

### **CONSENT AGENDA**

1. **CONSIDERATION TO APPROVE THE JULY 2, 2014 PLANNING COMMISSION MEETING MINUTES**
2. **CONSIDERATION TO APPROVE THE JULY 16, 2014 PLANNING COMMISSION MEETING MINUTES**

**Commissioner Russell made a motion to approve the consent agenda. Commissioner Brown seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Barker</b>	<b>yes</b>
<b>Commissioner Brown</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**The motion passed.**

**ACTIVE AGENDA**

**1. PUBLIC COMMENTS.**

There were no public comments.

**2. PUBLIC HEARING TO AMEND 11-10-23 TEMPORARY CARNIVALS, CIRCUSES, REVIVALS, RODEOS, SWAP MEETS, OUTDOOR RETAIL SALES AND SIMILAR ACTIVITIES, 4-1-9 TEMPORARY BUSINESSES, 11-8A-7 USES, AND 11-8C-2 PERMITTED USES TO CLARIFY THE STANDARDS FOR TEMPORARY BUSINESSES**

A memo from City Planner Scott explained when the Planning Commission is acting as a recommending body to the City Council, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a decision, related to a legislative matter, requires compatibility with the general plan and existing codes. On July 2, 2014 the North Ogden City Planning Commission discussed possible amendments to the city's temporary business provisions. On July 16, 2014 the Planning Commission reviewed amendment language regarding temporary businesses and directed staff to prepare an ordinance and set a public hearing. Staff has prepared the temporary business amendments based upon that direction. The following summarizes the proposed amendments:

- No changes to section 4-1-9 Temporary Businesses.
- 4-1-1 Definitions is revised to include an expanded definition and the time allowance is modified from 95 consecutive days to 180 consecutive days.
- 11-10-23 the term outdoor retail sales is eliminated; it does not appear to be a viable use.

- 11-8A-S Special Regulations the phrase temporary businesses has been added under subsection A.
- 11-8A-7 Uses and 11-8C-2 Permitted Uses are amended. The list of uses for the commercial and manufacturing zones adds temporary businesses. The existing fruit store or stand and vegetable store or stand uses are deleted.

This amendment should take into account its conformity to the following North Ogden City General Plan goals:

**Commercial Development**

New commercial and other business development will enhance the community when meeting the objectives of the General Plan. An improved standard of function, quality, and appearance is expected by the citizens.

(1) Implementation Goal: Commercial development must be required to develop projects that are designed for functionality, appearance and include significant physical enhancement to the community.

**Community Aesthetics**

(3) Implementation Goal: Attractiveness, orderliness, and cleanliness are qualities that establish North Ogden as a place where people care about visual appearances. These qualities should be preserved and required throughout the city.

The memo offered a summary of potential Planning Commission consideration: are the draft amendments acceptable to the Planning Commission? The memo concluded staff recommends that the Planning Commission conduct the public hearing and receive comment from interested parties, take into account any comments, identify appropriate findings, and make a recommendation to the City Council for adoption.

Mr. Scott summarized his staff memo.

Chairman Thomas opened the public hearing at 6:39 p.m. There were no persons appearing to be heard.

**Vice-Chairman Waite made a motion to close the public hearing. Commissioner Russell seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Barker</b>	<b>yes</b>
<b>Commissioner Brown</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**3. DISCUSSION AND/OR ACTION TO AMEND 11-10-23 TEMPORARY CARNIVALS, CIRCUSES, REVIVALS, RODEOS, SWAP MEETS, OUTDOOR RETAIL SALES AND SIMILAR ACTIVITIES, 4-1-9 TEMPORARY BUSINESSES, 11-8A-7 USES, AND 11-8C-2 PERMITTED USES TO CLARIFY THE STANDARDS FOR TEMPORARY BUSINESSES**

Commissioner Russell inquired as the length of time that a temporary business will be permitted. Mr. Scott stated the proposed ordinance dictates that a temporary business will be allowed for 180 days according to a recommendation from the Planning Commission at the last meeting.

**Commissioner Russell made a motion to forward a positive recommendation to the City Council to amend 11-10-23 Temporary Carnivals, Circuses, Revivals, Rodeos, Swap Meets, Outdoor Retail Sales, and Similar Activities; 4-1-9 Temporary Businesses, 11-8A-7 Uses, and 11-8C-2 Permitted Uses to clarify the standards for temporary businesses. Commissioner Barker seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Barker</b>	<b>yes</b>
<b>Commissioner Brown</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**The motion passed.**

\*\*Chairman Thomas announced the applicant for item four is not present and he asked that the Planning Commission skip ahead to items five and six while waiting for the applicant to arrive.\*\*

**5. PUBLIC COMMENTS**

There were no public comments.

**6. PLANNING COMMISSION/STAFF COMMENTS**

Mr. Scott provided the Planning Commission with a report regarding the process of selecting a consulting firm to assist the City in the process of updating the City's General Plan. There was a discussion regarding the firms that were interviewed after responding to the Request for Proposals (RFP) published by the City, after which Mr. Scott noted he will continue to update the Planning Commission as the process moves forward.

**4. DISCUSSION AND/OR ACTION TO APPROVE WOODFIELD FARMS  
SUBDIVISION PHASE I, FINAL PLAT, LOCATED AT APPROXIMATELY 500 E  
1700 N**

A staff memo from City Planner Scott explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria. The applicant is requesting final approval of Woodfield Farms subdivision, Phase 1, a 33 lot subdivision located at approximately 850 East 1700 North. Phase 1 is on 10.02 acres and is located in the R-1-8 zone. The R-1-8 zone requires a minimum lot size of 8,000 square feet on interior lots and 9,000 square feet on corner lots with a frontage requirement of 80 feet. The property is currently vacant. There are three lots that will need to be modified. Lot 113 is a corner lot that does not meet the 9,000 square feet standard. Lot 126 and lot 134 do not meet the 80 foot minimum frontage requirement and will need to be modified. Lots 109 and 110 will need to demonstrate that they have the 80 foot minimum lot width at the 30 foot setback line; if they do not meet this requirement they will also need to be modified. The City Engineer has submitted a staff review dated July 23, 2014. The report contains a list of requirements from preliminary approval and the status of how they have been accomplished. Additionally, on July 28, 2014 staff met with the developer and three additional items were identified and subsequently the plans were amended to reflect those changes. First, they are connecting the land drain downstream of the detention basin rather than the irrigation ditch and piping it through Cold Springs Village. Second, the plans show a sump on 1700 North as part of the storm drain system. Third, parcels B and C are going to be dedicated to the city as part of a combination ditch piping and city trail. Parcels B and C are shown to be 12 feet wide. It is recommended by the Parks Department that these trails be paved with asphalt. Of note is the requirement that the storm drain system in Cold Springs PRUD become part of the public system. An inspection of the system has been conducted and a list of needed improvements created. As part of the subdivision development agreement there will need to be language included that identifies the needed improvements and the process for how and when that transfer will occur, e.g., the system will need to be completed prior to the certificate of occupancy for any homes being granted. The memo offered the following summary of a potential Planning Commission consideration: does the proposed subdivision meet the requirements of the applicable City subdivision and zoning ordinances?

The proposed subdivision meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan. The General Plan map calls for this property to be developed as single family residential. The memo offered the following recommended conditions of approval:

- Requirements of the North Ogden City Engineer
- Requirements of the North View Fire District
- Demonstrate that all lots meet the frontage and area requirements.
- The trails (parcels B and C) shall be 12 feet wide and constructed of asphalt paving meeting city standards.
- Include in the subdivision development agreement the needed storm water improvements transferring the Cold Springs PRUD storm sewer to North Ogden City and a provision that the improvements will be installed prior to any certificate of occupancies are granted.

Staff recommends final approval of Woodfield Farms subdivision, Phase 1 with the stated conditions of approval.

Mr. Scott reviewed his staff memo.

Commissioner Prisbrey asked if the drainage method recommended for the subdivision is unique or standard. Mr. Scott stated it is unique in a sense that staff is recommending transferring a private system to the City, but any time the City is considering accepting such infrastructure it must be improved to meet current standards.

Gardner Crane referenced the irrigation ditch on the property and indicated that the ditch will be piped upon development, but current users will still have access to the ditch. He added that rather than placing a public utility easement over the line the City has requested that a paved trail be constructed over the type of line to protect easier access to the ditch. Chairman Thomas stated it is his understanding that the trail may potentially connect to other trails within the trail system in the future.

Chairman Thomas reported an irrigation ditch currently runs along the south edge of the property and crosses Washington Boulevard where it serves a few additional users. He facilitated a discussion regarding routing storm water through the irrigation ditches in that area and noted the recommendation for routing the ditch is considered to be a temporary solution to drainage issues in the area.

Mr. Crane then stated he has worked with the City Engineer to understand his recommended conditions and he feels he has addressed them adequately. There was a general discussion regarding lot sizes in the subdivision, after which Chairman Thomas referenced parcel A in the subdivision, which will be used as a detention basin, and noted it is up to the Planning Commission to determine when that basin will be finished. Mr. Crane stated the basin will not be formally landscaped; it will eventually be turned over to the City for future maintenance. Chairman Thomas stated the City Engineer has recommended that the basin be planted in native grasses and that it be fenced.

Mr. Crane then asked how long the final approval will be effective. Chairman Thomas stated he thought the approval is good for one year and the developer can request an additional year if needed.

**Commissioner Prisbrey made a motion to approve Woodfield Farms Subdivision Phase 1, Final Plat, located at approximately 500 E. 1700 N., with the conditions that lots 109, 110, 113, 126, and 134 be brought into compliance and that parcel A be fenced, that any private utilities scheduled to be turned over to the City be inspected by video camera to identify deficiencies or needed improvements, and subject to the conditions listed in the staff report. Commissioner Knight seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Barker</b>	<b>yes</b>
<b>Commissioner Brown</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

Mr. Crane asked if the plat must be recorded before he can secure a bond for the needed improvements on the property. Chairman Thomas indicated the bond must be posted before the plat can be recorded. There was a brief discussion regarding the timing of the project with a focus on posting of the bond and plat recordation. Chairman Thomas stated that the lines do not need to be inspected via camera prior to plat recordation.

**5. PUBLIC COMMENTS**

There were no public comments.

**6. PLANNING COMMISSION/STAFF COMMENTS – cont’d**

Chairman Thomas facilitated a discussion regarding landscaping or other improvements within detention basins throughout the City. He noted the City Engineer has indicated the Planning Commission has the responsibility of determining the appropriate landscaping and fencing or other safety measures for ponds or basins included in proposed subdivisions or developments. There was a general discussion regarding native grasses that can be used in landscaping detention basins.

The Planning Commission then has a brief discussion regarding ongoing projects in the City.

Chairman Thomas reported Commissioner Brown has submitted a letter of resignation; she will continue to serve until the City can find someone to fill her position. He thanked Commissioner Brown for her great service to the City.

**7. ADJOURNMENT**

**Vice-Chairman Waite made a motion to adjourn the meeting. Commissioner Brown seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Barker</b>	<b>yes</b>
<b>Commissioner Brown</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**The motion passed.**

The meeting adjourned at 7:32 p.m.

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Planning Commission Chair

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Stacie Cain,  
Community Dev. Coord./Deputy City Recorder

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Date approved