

NORTH OGDEN PLANNING COMMISSION

MEETING MINUTES

June 3, 2015

The North Ogden Planning Commission convened in a regular meeting on June 3, 2015 at 6:30 p.m. 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 May 29, 2015. Notice of the annual meeting schedule was published in the Standard-Examiner on December 21, 2014.

COMMISSIONERS:

| | | |
|-----------------|---------------|-----------|
| Eric Thomas | Chairman | (excused) |
| Don Waite | Vice-Chairman | |
| Scott Barker | Commissioner | |
| Blake Knight | Commissioner | (excused) |
| Brandon Mason | Commissioner | |
| Steven Prisbrey | Commissioner | |
| Dee Russell | Commissioner | |

STAFF:

| | |
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| Jon Call | City Attorney |
| Stacie Cain | Deputy City Recorder |
| Brian Smith | City Planner |
| Gary Kerr | Building Official |
| Rob Scott | City Planner |

VISITORS:

| | | | |
|------------------|----------------|---------------|--------------|
| Dennis Goodliffe | Geri Goodliffe | Karen Bastian | Lee Nanney |
| Paul Nanney | Brent Law | Bliss Law | Walt Nielson |
| Jaylene Nielson | Bruce Jones | Joyce Jones | John Hansen |

REGULAR MEETING

Vice-Chairman Waite called the meeting to order at 6:31 p.m. Commissioner Mason offered the invocation and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. CONSIDERATION TO APPROVE THE MAY 6, 2015 PLANNING COMMISSION MEETING MINUTES

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

Voting on the motion:

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|------------------------------|------------|
| Vice-Chairman Waite | yes |
| Commissioner Barker | yes |
| Commissioner Mason | yes |
| Commissioner Prisbrey | yes |
| Commissioner Russell | yes |

The motion passed.

ACTIVE AGENDA

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING TO RECEIVE COMMENTS TO CONSIDER AMENDMENTS TO ORDINANCE 11-11-5 E, & 11-12-4 F, PARKING REGULATIONS

A staff memo from City Planner Scott explained when the Planning Commission is acting in a legislative capacity it 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, require compatibility with the General Plan and existing codes. The Ranches PRUD project is short 33 visitor parking stalls. The applicant is requesting that the standards for visitor parking in PRUDs be modified to provide flexibility to count on street parking as part of the visitor parking calculation. Similar standards are found in the Group Dwelling chapter and these standards should also be looked at.

The Planning Commission on May 6, 2015 reviewed this request. There were four options considered, i.e., allow visitor tandem parking, allow on-street parking to be considered for visitor parking, adjust the visitor parking formula, and provide for a parking analysis. The Planning Commission gave direction to Staff to prepare an ordinance that adjusts the visitor parking standard to be adjusted from 1 stall per 2 dwelling units to 1 stall per 4 dwelling units and allow tandem visitor parking with certain restrictions, i.e., both the required parking stalls and visitor

tandem parking stalls must be for the same dwelling unit, one of the tandem parking stalls must be enclosed, and establishes a tandem parking pad size requirement of 10 feet in width by 20 feet in depth. This recommendation is consistent with what other cities have for their parking standards. Many cities have one standard for multi-family dwelling units and do not specify parking for the main use and visitor parking. The equivalent parking requirement amounts to a similar requirement as identified by the Planning Commission. There are a number of cities that also allow tandem parking under specific circumstances. Those have been identified in the ordinance, e.g., the tandem stalls must be designated for a specific dwelling unit, one of the stalls must be enclosed, and have a parking pad of a minimum size of 10 feet by 20 feet.

The General Plan calls for “All development in the community should be built on land suitable for the intended use.” “All existing and new development should be required to fairly and uniformly provide improvements according to city standards.”

Suggested improvements for the city of North Ogden Zoning Ordinance include the following.
(1) Update the Zoning Ordinance to allow for a variety of current housing types.

A variety of housing opportunities should be available to the citizens of the City. Quality residential development will be measured by design, maintenance, preservation of community resources, and open space.

The memo summarized the potential Planning Commission considerations:

- Is the proposal consistent with the General Plan?
- Is the flexibility of design for an amended visitor parking standard appropriate?

Staff recommends the Planning Commission take input at the public hearing regarding the visitor parking provisions and make a recommendation to the City Council.

Mr. Scott reviewed his staff memo.

Vice-Chairman Waite referenced the section of the memo that summarizes the Planning Commission’s direction at the May 6 meeting; he noted he would support reducing the number of required visitor parking stalls to one per every four units as long as there is tandem parking available. He asked how other Planning Commissioners feel about that issue. Mr. Scott stated he would prefer that there be some flexibility in the ordinance so that each parking requirement for each proposed development can be considered on a case by case basis. Vice-Chairman Waite agreed. Mr. Scott clarified that the proposed ordinance is not geared towards the Ranches PRUD, but rather to all multi-family developments that could be built in the City.

Commissioner Barker made a motion to open the public hearing. Commissioner Prisbrey seconded the motion.

Voting on the motion:

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|----------------------------|------------|
| Vice-Chairman Waite | yes |
| Commissioner Barker | yes |

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| Commissioner Mason | yes |
| Commissioner Prisbrey | yes |
| Commissioner Russell | yes |

The motion passed.

The public hearing was opened at 6:43 p.m. There were no persons appearing to be heard.

Commissioner Prisbrey made a motion to close the public hearing. Commissioner Mason seconded the motion.

Voting on the motion:

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| Vice-Chairman Waite | yes |
| Commissioner Barker | yes |
| Commissioner Mason | yes |
| Commissioner Prisbrey | yes |
| Commissioner Russell | yes |

The motion passed.

3. DISCUSSION AND/OR RECOMMENDATION TO CONSIDER AN ORDINANCE AMENDING ORDINANCE 11-11-5 E, & 11-12-4 F, PARKING REGULATIONS

Commissioner Russell made a motion to forward a positive recommendation to the City Council to consider the proposed ordinance amending Ordinance 11-11-5E and 11-12-4F, Parking Regulations. Commissioner Prisbrey seconded the motion.

Commissioner Prisbrey indicated that he is a realtor with John Hansen's brokerage, but he is not involved in the Ranches PRUD project and does not stand to benefit financially.

Voting on the motion:

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| Vice-Chairman Waite | yes |
| Commissioner Barker | yes |
| Commissioner Mason | yes |
| Commissioner Prisbrey | yes |
| Commissioner Russell | yes |

The motion passed.

4. DISCUSSION AND/OR ACTION TO CONSIDER CACTUS RIDGE SUBDIVISION, PHASE II, PRELIMINARY PLAT

A staff memo from City Planner Smith 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 preliminary approval of Cactus Ridge Subdivision, Phase 2, a two lot subdivision located at approximately 575 East 3775 North. The property is currently vacant. Phase 2 is on 4.224 acres and is in both the Single Family Residential Zone R-1-10 and also in the Hillside Protection Zone HP-1. The HP-1 zone requires a minimum lot size of 10,000 square feet on interior lots and 11,000 square feet on corner lots with a frontage requirement of 80 feet. The applicant is submitting a companion rezone application to rezone all the property HP-1 that will be heard at a later date. This application consists of two phases. The initial application was seeking preliminary approval for 2 phases; however, the applicant is seeking approval of just phase 2.

A technical review team meeting was held on March 21, 2015 with North Ogden departments, where comments were submitted in regards to this application. The City Engineer has submitted a staff report dated May 26, 2015. The report contains a list of requirements for preliminary approval and items that should be addressed before granting final approval. These items will need to be addressed:

1. A service letter from Ben Lomond Irrigation that should include approval of the secondary water system improvements as shown on the applicants drawings.
2. A geotechnical report will need to be submitted, this report is needed to evaluate the suitability of the proposed project development and give pavement recommendations.
3. A recorded easement from Walter E. Nielson will be needed for the temporary drainage protection berm north of the project. Due to the road cut at the top of 575 East a slope easement will also be needed.
4. City Engineer recommends that the storm drain easement behind lots 11-12 (in Phase 3 – abutting Phase 2) be converted to a right of way for easier access and maintenance by city crews. As a compromise, the storm water could enter the basin in an easement from the cul-de-sac (between lots 11 and 28 in Phase III). This would reduce the length of storm drain pipe on private property and keep the impact to just one property owner.
5. It is important that any required easements be left free and clear of any encumbrance for maintenance purposes. Storm drain piping between lots 11 and 28 should be in a right-of-way.
6. The double catch basins need to be on the other side of the road, submitted plans show it on the wrong side of the road. Provide an overall grading plan showing how drainage will be handled between lots. The plan should include drainage swales between lots.
7. Provide 10 foot drainage and grading easements behind lots 6-10
8. HP-1 zoning requirements require accommodations for groundwater recharge. Applicant will need to work with City Engineer on design changes once the basins are specified in the plan.

9. The detention basin finishes will need to be a cobble over a weed barrier fabric with native grass, sod, and irrigation system.
10. An engineer's cost estimate will need to be provided for all public right-of-way improvements. This estimate will need to be checked by the city engineer for final approval. This estimate should include a 10 percent contingency and a five percent inspection fee.
11. Pre-construction drawings will need to be submitted before a pre-construction meeting can be held and before work can begin.
12. An electronic CAD file will need to be submitted to the city so that utility maps and street maps can be updated.

Phase 3 of this subdivision will need to address appropriate connectivity to properties to the west.

The memo provided the following summary of potential Planning Commission considerations:

- Does the proposed subdivision meet the requirements of the applicable subdivision and city 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.

Following are the recommended conditions of approval:

- Requirements of the North Ogden City Engineer.
- All applicable city ordinances and building code requirements.

Staff recommends preliminary approval for the Cactus Ridge Phase II with the stated conditions of approval and the rezoning of the R-1-10 portion of the subdivision to HP-1 prior to receiving final subdivision approval.

Mr. Smith reviewed his staff memo.

Vice-Chairman Waite noted that item six in the staff report indicates that double catch basins need to be on the other side of the road as submitted plans show them on the wrong side of the road. He stated he is not sure if that is possible. Mr. Smith stated that the applicant simply included the catch basin on the wrong side of the road in their rendering. He deferred to the City Engineer of applicant to further address that issue.

Applicant Paul Nanney, 1329 N. 1675 E., reviewed the plans for his development and noted that the location of the catch basin needs to be reversed on those plans. He indicated he is comfortable accommodating that change. He added that he has not yet complete the geotechnical report for the development, but it has been ordered and holes for the report have been dug.

Vice-Chairman Waite invited public comments regarding the application.

Joyce Jones stated she lives in Pleasant View and she owns property adjacent to the subject property; she wondered if her property would be impacted by the development. City Attorney Call noted that the development does not directly impact her property, but she was provided with notice of the application given that her property is located within a certain distance of the subject property. Mr. Nanney identified the location of the subject property upon which the proposed development would be constructed for Ms. Jones' benefit.

Mr. Nanney asked if he will be required to appear before the Planning Commission again to receive final approval. Vice-Chairman Waite indicated that this is consideration of preliminary plat approval and it will be necessary for the final plat to come before the Planning Commission again.

Mr. Scott noted this application does not relate to phase three of the Cactus Ridge Subdivision, but asked that the minutes reflect that the extension of 3775 North will be addressed as part of phase three of the development; that will be a discussion for the Planning Commission to have at a future date. Mr. Nanney asked when that will be addressed. Mr. Scott stated that the City would be happy to accommodate the scheduling of a meeting with stakeholders regarding that issue.

Commissioner Prisbrey made a motion to grant preliminary plat approval for Cactus Ridge Subdivision Phase II subject to the conditions listed in the staff report. Commissioner Mason seconded the motion.

Voting on the motion:

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| Vice-Chairman Waite | yes |
| Commissioner Barker | yes |
| Commissioner Mason | yes |
| Commissioner Prisbrey | yes |
| Commissioner Russell | yes |

The motion passed.

5. DISCUSSION ON THE NORTH OGDEN CITY PLANNING COMMISSION RULES OF PROCEDURE

A memo from City Planner Scott explained the Planning Commission conducted a work session on May 20, 2015 regarding updating the Commission's Rule of Procedure. The Planning Commission gave direction on a number of provisions that have been incorporated into the second draft of the Rules of Procedure.

The following summary reflects the changes to the first draft:
B. Conduct of Members of the Commission (Page 2)

3. Members Shall Attend Meetings - This provision establishes an attendance provision for unexcused absences for Planning Commissioners.
4. A. Conflict of Interest (Page 2) - The Commission determined that a Planning Commissioner who has a conflict of interest may sit in the audience in the Council Chambers.
- 4 A c. Ex Parte Contacts (Page 3) - Clarifies that ex parte contacts are defined as any communication outside of a Planning Commission meeting.
- 4 A c Planning Commission Members Wishing to Give Comment - A Planning Commissioner wishing to give comment may remain in the Council Chambers.

C Meetings (Page 4)

2. Regular Meetings - The Planning Commission has the option to hold regular field trips prior to the regular Planning Commission meeting. If the Planning Commission determines they would like to have regular field trips, a time will need to be identified.
6. Work Sessions (Page 4) - The Planning Commission has the option to schedule regular work sessions. If the Planning Commission determines they would like to hold regular work sessions then a schedule will need to be identified.
8. Length of Meetings (Page 5) - Language has been modified that in order to extend the Planning Commission meeting past 8:30 p.m. will require a vote from the Planning Commission. If the extension fails then the remaining items will be rescheduled to the next meeting.

D. Procedure – Order of Business (Page 5)

- b. Invocation has been inserted.
- g. City Planner has been identified as the person who reads the opening meeting statement.

E. Order and Decorum

4. Conduct of Persons Before the Commission (Page 7)
- d. The word evidence is replaced with information.

F. Procedure – Motions

1. Making Motions (Page 7) - Any member of the Planning Commission may make or second motions.

I. Procedure – Voting (Page 9)

1. Roll Call on Final Passage - Extend the meeting and close the public hearing were added to those motions that can be done by voice vote. Roll call votes will be done by alphabetic rotation with the chair voting last.

The memo offered the following summary of potential Planning Commission considerations:

- Is the draft Rules of Procedure acceptable to the Planning Commission?

The memo concluded this is a policy decision; if the draft Rules of Procedure are acceptable Staff will schedule the final document for adoption.

Mr. Scott reviewed his staff meeting and there was general discussion among staff and the Planning Commission regarding the content of the Rules of Procedure document. Mr. Scott stated he will use the feedback to amend the document in preparation for final consideration during the next Planning Commission meeting. He then provided the Planning Commission with a copy of an open meeting purpose statement he borrowed from his time in Oregon and invited discussion regarding including the statement on Planning Commission agendas or as a handout for the public attending Planning Commission meetings. The Planning Commission concluded the document would be very helpful to those attending Planning Commission meetings and instructed staff to include the statement on each agenda.

6. PUBLIC COMMENTS

There were no public comments.

7. PLANNING COMMISSION/STAFF COMMENTS

Mr. Scott reported he and Vice-Chairman Waite had the opportunity to attend a training yesterday regarding walkability standards and they received great information regarding the concept of walkable downtown areas. He stated he would like the opportunity to provide the information to the entire body at a future date for more discussion. He then reported on the progress of the General Plan Steering Committee, noting their next meeting is scheduled for June 11. He noted there are also discussions underway regarding the creation of a Master Plan Zone that would require development agreements to be associated with certain commercial or mixed-use projects in the downtown. City Administration has asked that a joint work session between the Planning Commission and City Council be scheduled to discuss this issue.

8. ADJOURNMENT

Commissioner Prisbrey made a motion to adjourn the meeting. Commissioner Barker seconded the motion.

Voting on the motion:

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|------------------------------|------------|
| Vice-Chairman Waite | yes |
| Commissioner Barker | yes |
| Commissioner Mason | yes |
| Commissioner Prisbrey | yes |
| Commissioner Russell | yes |

The motion passed.

The meeting adjourned at 7:49 p.m.

Planning Commission Chair

Stacie Cain,
Deputy City Recorder

Date approved