

NORTH OGDEN PLANNING COMMISSION

MEETING MINUTES

June 7, 2017

The North Ogden Planning Commission convened in a regular meeting on June 7, 2017 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 June 2, 2017. Notice of the annual meeting schedule was published in the Standard-Examiner on January 1, 2017.

COMMISSIONERS:

Don Waite	(Excused)
Eric Thomas	Vice-Chairman
Brandon Mason	Commissioner
Steven Prisbrey	Commissioner
Nicole Nancarrow	Commissioner
Blake Cevering	Commissioner
Scott Barker	Commissioner

STAFF:

Brandon Bell	Planner 1
Monalisa Wald	Planning Assistant
Gary Kerr	Building Official
Jon Call	Attorney (attended only the field trip portion of the meeting)

VISITORS:

John Hansen	Becky Rigby	Kirk Rigby
-------------	-------------	------------

REGULAR MEETING

Vice-Chairman Thomas called the meeting to order at 6:35 p.m. Commissioner Prisbrey offered the invocation and Commissioner Mason led the audience in the Pledge of Allegiance.

1. ROLL CALL

Vice-Chairman Thomas conducted roll call and indicated Chairman Waite has been excused from the meeting.

2. MINUTES APPROVAL

Commissioner Barker moved to approve the minutes of the May 17, 2017 meeting as presented. Commissioner Nancarrow seconded the motion.

Voting on the motion:

Commissioner Barker	yes
Commissioner Prisbrey	yes
Vice-Chairman Thomas	yes
Commissioner Nancarrow	yes
Commissioner Cevering	yes
Commission Mason	yes

The motion carried.

3. OPENING MEETING STATEMENT

City Planner Scott read the open meeting statement as approved by the Planning Commission prior to commencing discussion of administrative and legislative items.

4. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

Chairman Waite asked if any member needs to declare a conflict of interest or disclose any ex parte communications in which they have engaged. Commissioner Prisbrey indicated he is employed by the applicant for item 7a on the agenda; he will be present for the discussion of the item, but he will not be voting on the application.

5. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Kirk Rigby, 1748 N. 625 E., stated that he wants to build an awning to cover his fifth-wheel trailer; he has spoken with City Planner Scott and Building Official Kerr and he was encouraged to attend the meeting this evening to address the Planning Commission. He stated that the awning would be metal and would not be fully enclosed, but he has been told that it does not conform with City ordinance.

Vice-Chairman Thomas stated that without more detailed information, the Planning Commission must leave enforcement of City ordinances to City staff. Mr. Rigby stated that he has found an awning in Pleasant View similar to what he would like to construct and can provide the Planning Commission with photographs if they are interested.

Mr. Scott stated the City Council recently adopted an ordinance regulating architectural materials for accessory buildings; accessory buildings are required to match, as close as possible, the materials used on the primary dwelling. There are some questions as to whether an awning meets the definition of accessory building given that it is not fully enclosed; however, he and City Attorney Call believe that the awning would likely comply with the City ordinance.

6. **Administrative Items:**

None

7. **Legislative Items:**

A. **ZTA 2017-05 PUBLIC HEARING TO CONSIDER A LEGISLATIVE APPLICATION TO AMEND THE SITE DEVELOPMENT STANDARDS IN THE LEGACY PLANNED RESIDENTIAL UNIT DEVELOPMENT ZONE TO CREATE AN EXCEPTION FOR CORNER LOT SETBACK STANDARDS**

A staff 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, require compatibility with the general plan and existing codes.

The developer of the North Legacy project is requesting that a text amendment be approved that would allow a reduced setback for corner lots; the only location that this would apply is on the hammerhead at the north end of 500 East and 2500 North.

There are two lots that abut the hammerhead that this ordinance would apply.

Staff has drafted the amendment as requested by the Planning Commission as shown below:

11-7C-3 (3)(c)

3. c. Street Side – 20

Exception: The street side setback can be reduced to 10 feet along all streets which do not extend beyond the depth of the lot for which the exemption shall apply.

Staff supports the idea of allowing an exception for these two lots. The side yard for these homes face north to the North Ogden Senior Center. There is no safety issue for an increased setback for these two lots.

The memo discussed the proposal's conformance with the General Plan:

Housing Goals

Goal #1 – Increase Housing Quality and Variety

- Establish and adhere to high quality building and design standards for all housing types so that development enhances the community character.

Strategies

- Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community's housing goals.
- Create design standards to improve the overall quality of North Ogden's housing.
- Work with homeowners, landlords, and renters to maintain and improve existing properties.

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

- Is the corner lot amendment appropriate?
- Is the amendment consistent with the General Plan?

The memo concluded staff recommends the Planning Commission take public comment. Staff feels the Planning Commission can find that the amendment is consistent with the General Plan and make a recommendation to adopt the amendment to the City Council.

Mr. Scott reviewed his staff memo.

Commissioner Barker inquired as to the reasoning for the proposed text amendment. Mr. Scott indicated that it will allow for a 10-foot setback rather than the previously required 20-foot setback. He stated there is a standard building package for this particular project and the building lots are approximately 5,600 square feet. He reviewed the site plan and indicated that homes will front onto Legacy Drive.

Commissioner Mason asked if the required site triangle and front-yard setbacks will be preserved. Mr. Scott answered yes; the changes will only have an aesthetic impact and will not impact safety in the neighborhood.

Vice-Chairman Thomas opened the public hearing at 6:54 p.m.

Applicant John Hansen, 1165 W. 400 N., Pleasant View, stated he appreciates the Planning Commission's consideration of this application; when he laid out the project he had a misunderstanding as he believed lots six and 10 would not need to have a 20-foot setback given that they are corner lots. He assumes responsibility for that misunderstanding. He stated the text amendment is critical to the success of the development and he thanked staff for their willingness to recommend a 10-foot side yard setback.

Commissioner Barker moved to close the public hearing at 6:57. Commissioner Nancarrow- Seconded the motion; all voted in favor.

Voting on the motion:

Commissioner Barker	yes
Commissioner Prisbrey	yes
Vice-Chairman Thomas	yes
Commissioner Nancarrow	yes
Commissioner Cevering	yes
Commission Mason	yes

The motion carried.

B. ZTA 2017-05 CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO AMEND THE SITE DEVELOPMENT STANDARDS IN THE LEGACY PLANNED RESIDENTIAL UNIT DEVELOPMENT ZONE TO CREATE AN EXCEPTION FOR CORNER LOT SETBACK STANDARDS

Commissioner Barker asked if this text amendment would apply to other developments in the City. Mr. Scott answered no and indicated it will only apply to this development.

Commissioner Mason indicated he is comfortable with the proposed amendment. He wondered if the location of the driveways on lots seven and nine would have any impact on what Mr. Hansen is trying to accomplish, but that may not be relevant at this point. Commissioner Nancarrow agreed and indicated that this is such a unique situation and she does not feel the action will set a precedent for the rest of the community.

Commissioner Mason moved to forward a favorable recommendation to the City Council for Legislative Application ZTA 2017-05, application to amend the site development standards in the Legacy Planned Residential Unit Development zone to create an exception for corner lot setback standards, based upon the discussion and findings that the text amendment will not impact safety of the neighborhood and there are no aesthetic downsides. Commissioner Nancarrow seconded the motion.

Voting on the motion:

Commissioner Barker	yes
Commissioner Prisbrey	abstained
Vice-Chairman Thomas	yes
Commissioner Nancarrow	yes
Commissioner Cevering	yes
Commission Mason	yes

The motion carried.

Mr. Hansen stated he feels this is an example that a developer and the City can work together for the common good.

C. FIELD TRIP TO DISCUSS LARGE ACCESSORY BUILDING STANDARDS

City Planner Scott reported that the Planning Commission will participate in a field trip to view and discuss large accessory buildings throughout the City in preparation for consideration of potential adjustments to design and architectural standards for large accessory buildings. He suggested the Commission conclude their meeting prior to participating in the field trip so that it is not necessary to come back into the building to adjourn.

8. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no public comments.

9. REMARKS FROM PLANNING COMMISSIONERS

Commissioner Mason commented on the popularity of the Pickleball courts in Pleasant View City.

10. REPORT OF THE CITY PLANNER

Mr. Scott reported Planning Assistant Wald has been working to develop a Planning Commissioner's handbook to provide them with a quick reference to information about their duties and responsibilities. He distributed a copy of the guide to each member. He then reported the City Council has asked that the Planning Commission participate in a joint work session on June 20, 2017 at 6:00 p.m. The group will receive an update on legislative changes relative to land use and there will be a discussion regarding State regulations of short-term or vacation rental properties.

11. REMARKS FROM CITY ATTORNEY

City Attorney Call was not present.

12. ADJOURNMENT


Commissioner Mason moved to adjourn the meeting. Commissioner Prisbrey seconded the motion. All voted in favor.

Voting on the motion:

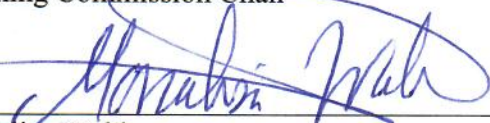
Commissioner Barker	yes
Commissioner Prisbrey	yes
Vice-Chairman Thomas	yes
Commissioner Nancarrow	yes
Commissioner Covering	yes
Commission Mason	yes

The motion carried and the meeting adjourned at 7:11 p.m. to allow the Commission to participate in the afore mentioned field trip.

The field trip concluded at 8:04 p.m.



Planning Commission Chair



Monalisa Wald
Planning Assistant

6/21/17

Date approved