



CITY COUNCIL MEETING AGENDA
AUGUST 08, 2023 AT 6:00 PM
505 EAST 2600 NORTH
NORTH OGDEN, UT 84414

PUBLIC CAN ATTEND:

In person OR:

Click the link below to join the webinar: <https://us02web.zoom.us/j/85865205242> Webinar ID: 858 6520 5242

Or Telephone Dial: 1 346 248 7799 or 1 669 900 9128 or 1 253 215 8782

YouTube: <https://www.youtube.com/channel/UCrigbePBxTucXEzRr6fclhQ/videos>

Welcome: Mayor Berube

Invocation/Thought & Pledge of Allegiance: Steve Huntsman, North Ogden City Resident

CONSENT AGENDA

1. Call for conflict of interest disclosure

ACTIVE AGENDA

2. Public Comments*
3. Discussion and/or action for appointment of new City Recorder, Rian Santoro
Presenter: Mayor Berube
 - a. Swearing in of new City Recorder
4. Discussion and/or action on a legislative application to amend the General Plan to permit manufacturing uses within the South Town Neighborhood near approximately 1651 North and 1659 North Washington Boulevard
Presenter: Scott Hess, Community and Economic Development Director
5. Discussion and/or action on a legislative amendment to update Title 11, Section 10 Article B, Manufacturing Zone M-1 to permit Storage Units as a permitted use
Presenter: Scott Hess, Community and Economic Development Director
6. Discussion to determine the best use of RDA funds to the benefit of the RDA area
Presenter: Jon Call, City Manager/Attorney
7. Update Flood Damage and Repairs from Spring 2023
Presenter: Jon Call, City Manager/Attorney
8. Follow Up Presentation by Cherry Days Committee
9. Council Department Reports:
 - a. Council Member Delpias – Building and Planning
 - b. Council Member Swanson – Finance
10. Public Comments*
11. Mayor/Council/Staff Comments
12. Adjournment

****Please see notes regarding Public Comments rules and procedure***

The Council at its discretion may rearrange the order of any item(s) on the agenda. Final action may be taken on any item on the agenda. In compliance with the American with Disabilities Act, needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify the City Recorder at 801-782-7211 at least 48 hours prior to the meeting. In accordance with State Statute, City Ordinance, and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the North Ogden City limits on this 4th day of August, 2023 at North Ogden City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, and at <http://www.northogden.city>. The 2023 meeting schedule was also provided to the Standard Examiner on December 16, 2022. Susan L. Nance, CMC, City Recorder

Public Comments/Questions

- a. Time is made available for anyone in the audience to address the Council and/or Mayor concerning matters pertaining to City business.
- b. When a member of the audience addresses the Mayor and/or Council, he or she will come to the podium and state his or her name and city residing in.
- c. Citizens will be asked to limit their remarks/questions to five (5) minutes each.
- d. The Mayor shall have discretion as to who will respond to a comment/question.
- e. In all cases the criteria for response will be that comments/questions must be pertinent to City business, that there are no argumentative questions and no personal attacks.
- f. Some comments/questions may have to wait for a response until the next regular Council Meeting.
- g. The Mayor will inform a citizen when he or she has used the allotted time.

Staff Report to the North Ogden City Council

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration and action on a legislative amendment to update Title 11, Section 10 Article B, Manufacturing Zone M-1 to permit Storage Units as a Permitted Use.

Agenda Date: February 15, 2023 Planning Commission
August 8, 2023 City Council

Applicant: Terry Cevering

File Number: ZTA 2023-10

PUBLIC NOTICE:

Mailed Notice:

Newspaper:

City Website: February 3, 2023 (public hearing notice)

STAFF INFORMATION

Scott A. Hess
(801) 737-9841
shess@nogden.org

APPLICABLE ORDINANCES

North Ogden City Code 11-10B (Manufacturing Zone M-1)
North Ogden City Code 11-2-17 (Zone Map and/or Text Amendment)

LEGISLATIVE DECISION

When the City is considering a legislative matter, the Planning Commission acts as a recommending body to the City Council. The City has wide discretion in taking legislative action. 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.

BACKGROUND

The Applicant has requested Annexation of property at approximately 1651 N. and 1659 N. Washington Blvd. Part of the Annexation process is the application of a zoning district. The applicant's request is to amend the Manufacturing M-1 Zone to permit new Storage Units. Currently the Manufacturing Zone permits upgrades to Storage Units existing prior to November 1, 2021. This request requires the applicant to amend Title 11-10B Manufacturing M-1.

ANALYSIS

The specific language of the Zoning Code requested to be amended is: Title 11-10B-2 Permitted Uses. To remove the limitation on Storage Units built before November 1, 2021, in order to permit new Storage Units. The Standards located in Title 11-10E Class A Self-Storage Upgrade Standards would need minor changes to remove "upgrade" language, and any call outs to limited dates. This change would effect all Manufacturing M-1 zoned land in North Ogden both existing and future.

North Ogden City Code 11-2-17B: Submission, outlines the process for the Planning Commission and City Council to consider Zoning Map and/or Text Amendments.

The Code states an applicant must submit the reason and justification for the proposed amendment addressing all of the following:

- a. How the proposed amendment would further the purpose and intent of this Title;

Staff Response: The Manufacturing Zone for North Ogden City provides opportunities for job development and business growth. The City has two existing Storage Unit sites that are eligible to be upgraded. The City has not permitted new Storage Units for a number of years. The City's General Plan does not contemplate additional Manufacturing areas. The area along Washington Boulevard has been largely set aside and protected for Commercial sales tax producing uses. Storage Units provide the City with property tax revenue but are not a sales tax producing use.

- b. How the proposed amendment is consistent with the General Plan;

Staff Response: This request is inconsistent with the General Plan. The General Plan Future Land Use for this area is the South Town Neighborhood, and has been considered for mixed use commercial and housing. The General Plan does not consider or recommend additional Manufacturing land uses.

- c. How the proposed amendment meets the needs and policy of the City as expressed by the legislative body in stated goals and objectives; and

Staff Response: Currently there are no stated goals by the Legislative Body that support or desire the addition of Storage Units in the City. There is a desire for the City to grow and maintain successful businesses and housing areas. It is up to the Planning Commission and City Council to determine if adding new Storage Units as a permitted use meet the needs of the City.

- d. If the proposed amendment is inconsistent with the General Plan, the applicant shall submit, concurrently with the amendment application, an application for amendment to the General Plan.

Staff Response: A General Plan Text Amendment GPTA 2023-01, has been applied for alongside this application.

CONFORMANCE WITH THE GENERAL PLAN

North Ogden City General Plan Future Land Use Map was updated and adopted in Spring 2022. The project area considered by the applicant is located within the South Town Neighborhood. This area is planned to include mixed use commercial and housing. Currently the request is inconsistent with the General Plan, and the applicant has submitted a General Plan Text and Map Amendment alongside this application.

RECOMMENDATION

Planning Commission should hold a public hearing, consider the information, and present a recommendation to the City Council.

RECOMMENDATION PLANNING COMMISSION

On February 15, 2023, the North Ogden Planning Commission held a public hearing and considered

application ZTA 2023-01 to amend the Manufacturing M-1 Zone to permit Class A Storage Units as a reinstated Permitted Use in the Zone. . Staff has included the Planning Commission minutes for the Council’s review (see Exhibit B). Planning Commission considered the application and information presented by the applicant and staff and debated the topic. Commissioner Mason made a motion to forward a positive recommendation to the City Council to permit Storage Units as a Permitted Use in the Manufacturing M-1 Zone. The motion carried unanimously.

EXHIBITS

- A. Planning Commission Minutes – February 15, 2023
- B. Draft Ordinance – Manufacturing Uses Update

Commissioner Barker made a motion to close the Public Hearing. Commissioner Nancarrow seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

The Public Hearing was closed at 7:18 p.m.

Chairman Thomas then moved to item 10 on the agenda.

10. ZTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO UPDATE TITLE 11, SECTION 10 ARTICLE B, MANUFACTURING ZONE M-1, TO PERMIT STORAGE UNITS AS A PERMITTED USE

A staff report from Planning Director Hess explained the Applicant has requested Annexation of property at approximately 1651 N. and 1659 N. Washington Blvd. Part of the Annexation process is the application of a zoning district. The applicant's request is to amend the Manufacturing M-1 zone to permit new Storage Units. Currently the Manufacturing Zone permits upgrades to Storage Units existing prior to November 1, 2021. This request requires the applicant to amend Title 11-10B Manufacturing M-1. The North Ogden City General Plan Future Land Use Map was updated and adopted in Spring 2022. The project area considered by the applicant is located within the South Town Neighborhood. This area is planned to include mixed use commercial and housing. Currently the request is inconsistent with the General Plan, and the applicant has submitted a General Plan Text and Map Amendment alongside this application. Staff recommends the Planning Commission hold a public hearing, consider the information, and present a recommendation to the City Council regarding the requested text amendment.

a. Chairman Thomas opened the Public Hearing at 7:18 p.m.

There were no persons appearing to be heard.

Commissioner Nancarrow made a motion to close the Public Hearing. Vice Chairman Mason seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

The Public Hearing was closed at 7:19 p.m.

Chairman Thomas then facilitated discussion among the Commission regarding whether they feel storage units should be a permitted use in the manufacturing zone; there was a focus on the different properties in the City that carry the manufacturing zoning and whether storage units would be an appropriate use on those properties. Chairman Thomas stated he is hesitant to designate storage units as a permitted use because he feels applications for the use should be considered on a case by case basis to determine if it should be allowed on a specific property. Commissioner Watson agreed; there are some manufacturing properties where he does not believe storage units would be an appropriate use, but based upon the conceptual plan and design for the Cevering property, he is a bit more willing to consider support for the use at this location. Vice Chairman Mason agreed, but noted he feels the manufacturing zone is the most appropriate zone for storage units to be located in.

The Commission reviewed the boundaries of the Southtown Neighborhood in the General Plan and the existing uses in that neighborhood, with a focus on whether a storage unit use would be complimentary to existing uses. Mr. Hess noted that one mechanism for the City to accomplish a desired use within a specific zone would be to condition approval of the zoning upon the requirement that the applicant use the property for a specific use; if that use is not implemented, the zoning of the property would revert to its previous designation. He stated something similar was done for the assisted living facility to the north and west of the Cevering property. This could be done on the Cevering property to ensure that the storage unit use is implemented, but no other manufacturing permitted uses would be allowed on the property. The Commission expressed support for that type of action, but continued to discuss and debate whether storage units are appropriate for the subject property. They acknowledged the applicant's willingness to be flexible in working with the City regarding the design and development of his property.

Vice Chairman Mason stated he is prepared to make a motion regarding item 10.

b. Consideration and recommendation

Vice Chairman Mason made a motion to forward a positive recommendation to the City Council for application ZTA 2023-01, update Title 11, Section 10, Article B, Manufacturing Zone M-1, to permit storage units as a permitted use. Commissioner Barker seconded the motion.

Chairman Thomas recommended language be added to the motion to communicate that the reasoning behind the recommendation is that control of storage units can be handled in the

manner by which the City now controls its zoning process; the only two existing manufacturing zones are built out.

Vice Chair Mason amended his motion to add language communicating the Commission's position that the control of storage unit development can be handled by the zoning process of the City, given that the City only has two manufacturing zoned properties, and they are occupied by storage unit facilities. Commissioner Barker stated that his second of the motion stands.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

Chairman Thomas then moved back to item 9.

9. GPTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE APPLICATION TO AMEND THE GENERAL PLAN TO PERMIT MANUFACTURING USES WITHIN THE SOUTHTOWN NEIGHBORHOOD NEAR APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD – CONTINUED DISCUSSION

b. Consideration and recommendation

Chairman Thomas asked Mr. Call to present the General Plan Map for the Southtown Neighborhood. He facilitated discussion among the Commission regarding whether storage units are an appropriate use for this area of the City. They also discussed the future plans of properties that are currently undeveloped, both in North Ogden and Harrisville cities; Vice Chairman Mason stated that it is hard to make a conscious decision to approve the placement of manufacturing zoning in any area of the City, especially in an area that is already well defined. Commissioner Green agreed; before interviewing for this position she carefully studied the General Plan and felt it was very well thought out with a great deal of community input. She is hesitant to deviate from the General Plan for this particular property, specifically given the location of the stop light on the corner, which typically creates opportunities for commercial use. Commissioner Nancarrow agreed; the General Plan is the City's guiding document and there is a great deal of input on the current version of the Plan. Since she has been a member of the Commission there has been a vision for the development of the Southtown Neighborhood as the entrance to the City; there are plans for a new elementary school near the subject property and as compelling as Mr. Cevering's proposal is, she is hesitant to amend the General Plan to allow manufacturing and self-storage on the property. She noted Mr. Cevering's proposal is compelling, but she would like to pursue the General Plan directives for the property as she feels

ORDINANCE 2023-__

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY, TITLE 11, CHAPTER 10, SECTION B-2 PERMITTED USES, TO ALLOW CLASS A STORAGE UNITS AS A PERMITTED USE.

WHEREAS; the City has residents and property owners who desire to monetize the investment of their property; and

WHEREAS; the City permits updates and renovations of existing Class A Storage Units within the Manufacturing M-1 Zon; and

WHEREAS; the City aims to balance the rights of all property owners and extend similar rights and permissions to new and existing uses; and

WHEREAS; the City Planning Commission has recommended that the Manufacturing M-1 Zone be amended to include Class A Storage Units as a Permitted Use.

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City Code 11-10B-2 Permitted Uses be amended, as follows:

SECTION 1: Text to be amended:

ARTICLE B: MANUFACTURING ZONE M-1

11-10B-1: PURPOSE AND INTENT

11-10B-2: PERMITTED USES

11-10B-3: CANNABIS PRODUCTION ESTABLISHMENTS

11-10B-4: SITE DEVELOPMENT STANDARDS

11-10B-5: PROTECTION OF ADJOINING RESIDENTIAL PROPERTIES; BUFFER ZONE

11-10B-6: SITE PLAN APPROVAL

11-10B-7: SPECIAL PROVISIONS

11-10B-1: PURPOSE AND INTENT

1. The intent of the manufacturing zone is to permit the establishment of a well-designed complex of manufacturing facilities for the community or region. Which will minimize traffic congestion on public streets in the vicinity, and which shall best fit the general environment and land use pattern of the area to be served. The protective standards contained in this article are intended to minimize any adverse

effect the established surrounding environment, especially residential uses in abutting residential zones.

2. It is the intent of this zone to provide for light manufacturing uses.

11-10B-2: PERMITTED USES

LAND USE DESCRIPTION	
Light Manufacturing (within an enclosed building)	P
General Manufacturing	P
Class A Storage Units (~~existing prior to November 1, 2021~~)	P
Office/Warehouse	P
Instructional Facility	P
Sexually Oriented Businesses	P

P=Permitted Use, C=Conditional Use

11-10B-3: CANNABIS PRODUCTION ESTABLISHMENTS

Cannabis Production Establishments:

1. Shall only be located in a Manufacturing Zone;
2. Shall be operated entirely within a permanent enclosed building;
3. Shall be designed to filter inside air exchanges to the outside through air filter systems that remove dust, fumes, vapors, odors, or waste from air that exits the building;
4. Exterior facade materials that are transparent or translucent, such as greenhouse materials, and intended to allow natural light into the interior of the structure shall be treated to prevent any interior view of the cannabis growing operations/product. Non-visible skylights on the roof of a building are excluded;
5. Exterior building colors shall not be allowed that draw attention to the building such as fluorescent or bright colors in the green, orange, red, yellow or blue spectrum;
6. Provide a security system with a backup power source that detects and records entry into the cannabis production establishment and provides notice of an unauthorized entry to law enforcement when the cannabis production establishment is closed;
7. Shall maintain locks or equivalent restrictive security features on any area where the cannabis production establishment stores cannabis or a cannabis product;
8. Outdoor signs on the building may include only the cannabis production establishment's name and hours of operation and a green cross;

9. Shall obtain a North Ogden business license before conducting business within the City; and
10. Shall meet all land use requirements for the zone in which it is located.
11. A medical cannabis pharmacy:
 1. Shall only be located in a Manufacturing Zone.
 2. Shall be located in a permanent building and not have drive-through service.
 3. Shall not have outdoor seating or seating areas.
 4. Shall not have outdoor vending machines of any kind.
 5. Shall have one public entry door at the front of the building facing the street.
 6. Shall not darken or cover any windows on the front of the building but shall maintain windows clear and allow visibility into the pharmacy from the street.
 7. Shall not have cannabis products visible from outside the medical cannabis pharmacy.
 8. Shall not have bars on windows, but shall maintain locks or equivalent restrictive security features on any area where the medical cannabis pharmacy stores cannabis or a cannabis product.
 9. Provide a security system with a backup power source that detects and records entry into the cannabis production establishment and provides notice of an unauthorized entry to law enforcement when the cannabis production establishment is closed.
 10. Exterior building colors shall not be allowed that draw attention to the building such as fluorescent or bright colors in the green, orange, red, yellow or blue spectrum.
 11. Shall be designed to filter inside air exchanges to the outside through air filter systems that remove dust, fumes, vapors, odors, or waste from air that exits the building.
 12. Shall meet all land use requirements for the zone in which it is located.

11-10B-4: SITE DEVELOPMENT STANDARDS

1. Area, Width, Yard And Height Regulations. None for buildings, except that no building or structure shall be built to a height in excess of thirty five feet (35') or closer than fifty feet (50') to any state highway or ten feet (10') to any other street or residential zone boundary.
2. Lot Coverage. No building or structure or group of buildings with their accessory buildings shall cover more than eighty percent (80%) of the area of the lot.
3. A masonry wainscot is required.
4. Garage doors and loading docks shall not face the street.

11-10B-5: PROTECTION OF ADJOINING RESIDENTIAL PROPERTIES; BUFFER ZONE

1. When a manufacturing development takes place that abuts a residential or mixed use zoning district, the buffer requirements set forth in CCNO 11-20-6 shall be met.

11-10B-6: SITE PLAN APPROVAL

1. For any development or use in a manufacturing zone, a site plan shall be submitted in accordance with CCNO 11-2-9.

11-10B-7: SPECIAL PROVISIONS

1. Ownership. An M-1 zone may be established upon land held in single ownership or under unified control.
2. Nonconforming Uses. An M-1 zone shall not be established upon a tract of land which would contain a nonconforming use after the passage of such amendment to this Title unless the development planned for the tract includes the elimination of the nonconforming use or its integration into planned development.
3. Hazards. The zone is intended for light manufacturing and shall not create a hazard using flammable, explosive, or other dangerous materials and shall not be associated with noise, dust, odors, noxious fumes, glare, or other hazards to safety and health which may be discernable beyond the premises.

SECTION 2: This ordinance shall take effect upon adoption.

PASSED and ADOPTED this th day of 2023.

North Ogden City:

S. Neal Berube
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Barker:	_____	_____
Council Member Cevering:	_____	_____
Council Member Dalpias:	_____	_____

Council Member Swanson: _____ _____
Council Member Ekstrom: _____ _____
(In event of a tie vote of the Council):
Mayor Berube _____ _____

ATTEST:

Rian Santoro
City Recorder

**NORTH OGDEN PLANNING COMMISSION
MEETING MINUTES
February 15, 2023**

The North Ogden Planning Commission convened in a regular meeting on February 15, 2023, at 6:00 p.m. The meeting was also held on Zoom. 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 February 10, 2023. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2022.

COMMISSIONERS:

Eric Thomas	Chairman
Brandon Mason	Vice-Chairman
Scott Barker	Commissioner
Nicole Nancarrow	Commissioner
Johnson Webb	Commissioner
Cody Watson	Commissioner
Nissa Green	Commissioner

STAFF:

Jon Call	City Manager/Attorney
Scott Hess	Planning Director
Kai Johnsen	Planning Tech

VISITORS:

Terry Cevering	Jay D Dalpiaz	Chris Pulver
Rick Scadden	Jamee Sanchez	

Chairman Thomas called the meeting to order at 6:00 p.m. Commissioner Webb offered the invocation and Commissioner Nancarrow led the Pledge of Allegiance.

1. ROLL CALL

Chairman Thomas conducted roll call and indicated all Commissioners were present; he welcomed new Commissioner Nissa Green who was appointed by the City Council at their last meeting. He invited Commissioner Green to introduce herself. Commissioner Green provided brief information about her personal and professional background and stated she looks forward to participating as a member of the Planning Commission.

2. MINUTES CONSIDERATION

Consideration and action to approve the January 4, 2023 and January 18, 2023 Planning Commission Meeting minutes.

Vice Chairman Mason made a motion to approve the January 4, 2023, and January 18, 2023, Planning Commission Meeting minutes. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

3. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

Chairman Thomas stated he will recuse himself from discussion and action on item six due to a professional relationship with the applicant. He then asked if any other Commissioners had ex parte communications or conflicts of interest to disclose. No additional disclosures were made.

4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Jay D Dalpias congratulated Commissioner Green on her appointment; as a Council Member he was part of the selection committee that conducted the interview process and he wanted to communicate to the entire Commission that Commissioner Green stood out to that body. He also wished to thank former Commissioner Alan Lunt for his service; Mr. Dalpias indicated he has closely followed the proceedings of the City over the last several years and Commissioner Lunt made a valuable contribution to the Commission and the entire City.

ADMINISTRATIVE ITEMS

5. SPR 2023-04 CONSIDERATION AND ACTION ON AN ADMINISTRATIVE APPLICATION, SITE PLAN APPROVAL OF KIDZ UNDER CONSTRUCTION PRE-SCHOOL, LOCATED AT APPROXIMATELY 1949 NORTH 400 EAST, SUITE #2

Planning Technician Johnsen explained the applicant has applied for a business license application for a pre-school located at 1949 N. 400 E. Ste. #2. This site is in a commercial zoning district. All uses in commercial zones are required to complete the Site Plan Review process. He summarized staff's analysis of the application to determine compliance with the City's zoning ordinance and indicated he has found that the proposed site meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan. The General Plan map identifies this property as low density residential. The only recommended condition of approval is for the applicant to create a drop-off/pick-up schedule with staggered times for customers. Staff recommends approval of the application with the condition mentioned above.

Commissioner Barker asked if a 10-minute space between drop-off times can be considered as meeting the condition of requiring staggered scheduling. Mr. Johnsen answered yes; the applicant has indicated that the drop-off process is fairly quick, and she will have half of her customers arrive at 8:20 a.m. and the other half at 8:30 a.m.

Commissioner Nancarrow asked if the business is currently operating. Mr. Johnsen answered yes; they started operating prior to the new year. Planning Director Hess explained that the application for the business license triggered staff's recognition of the need for a site plan for the business; any change of use in a commercial zone requires a site plan and the applicant was not aware of that requirement. They were not trying to avoid any requirement of the City.

Vice Chairman Mason asked if staff knows why daycares were omitted from the commercial zone as a permitted use. Mr. Hess stated he is unsure and believes it may have been an error during the rewrite of the City's Land Use Code; staff is working on an adjustment to the Code, which will be presented to the Commission for a recommendation to the City Council. Vice Chairman Mason stated his only concern is whether the requested use meets the definition of a private instructional studio; if it does not, the Commission should not approve the application and should wait until a text amendment can be considered by the Council to include preschools as a permitted use in the commercial zone. Chairman Thomas stated he believes approval can be granted as a private instructional studio with the recommendation that the City Code be amended to include preschools as a permitted use; when the Code is corrected, the business license for this business should be reclassified to preschool rather than private instructional studio. Mr. Hess agreed; he noted one potential outcome would be that someone could appeal the Commission's decision based upon an assumption that the land use code was applied incorrectly. His interpretation would be called into question, but he feels the risk of that occurring is low.

Vice Chairman Mason made a motion to approve site plan of Kidz Under Construction Pre-School. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

6. SPR 2022-11 CONSIDERATION AND ACTION ON AN ADMINISTRATIVE APPLICATION, PRELIMINARY APPROVAL OF THE JORDYN PARK ESTATES SUBDIVISION (38 LOTS), LOCATED AT APPROXIMATELY 3650 NORTH AND MOUNTAIN ROAD

Chairman Thomas excused himself from the meeting due to his previous disclosure of a conflict of interest.

Planning Technician Johnsen explained the applicant is requesting preliminary approval for the Jordyn Park Estates Subdivision, which consists of 38 lots. The property on which this proposed subdivision is located is currently vacant and is located at approximately 3650 North and Mountain Road. The current zoning is HP-2. The Technical Review Committee met on July 19, 2021, regarding this proposed subdivision. The City Engineer submitted a review memo dated February 1st, 2023; this memo lists several requirements that need to be met prior to final approval. He summarized the analysis of the application performed by staff and appropriate review agencies; the HP-2 zone requires a minimum lot size of 12,500 square feet on interior and corner lots with a lot width requirement of 100 feet. The lots in this proposed subdivision have been verified to meet the required square footage and lot width requirements for building lots in the proposed zone, the HP-2 zone. This subdivision will require a secondary access road as required by the North View Fire District. A plan showing this secondary access road has not been provided by the applicant at this time. The applicant will need to come to an agreement with the adjoining landowner to provide this access from 875 E., 950 E., or 1050 E. Preliminary discussions indicate that 875 E. is the preferred location for secondary access road. Additionally, there are two trails in the proposed development. One trail is proposed to run adjacent to mountain road, the other is adjacent to Jordyn Park Circle where it passes between 4 lots connecting to Michele lane continuing to the east. He stated staff finds the proposed subdivision meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan, with the requirements noted in this report. This area is in the Hillside neighborhood and the General Plan map calls for this property to be developed as low-density residential. Staff recommends that the Planning Commission grant preliminary approval of the Jordyn Park Estates Subdivision subject to the following conditions:

- Requirements of the North Ogden City Engineer's Report must be met prior to final plat approval (except where superseded in this report).
- Requirements of the Technical Review Committee Letter (except where it may be superseded in this report).

- Provide plan for construction of secondary access road for approval by the North View Fire District. Prior to any Building Permits being issued, this access must be completed.

Commissioner Nancarrow asked where the preferred secondary road access will be placed. Mr. Johnson used an aerial map to identify the location of 875 East that will connect through North Oaks Cove Phase 17. He also identified the primary access for the subdivision.

Vice Chairman Mason invited input from the applicant.

Rick Scadden thanked staff for working with him on this project, which has been amended several times. He appreciates staff's efforts to help him navigate the City's Land Use Code to ensure his project complies. He stated Mountain Road will have utilities in it to provide for further development to the south. He believes this project will add a benefit to the City and he asked for the Commission's positive consideration of his application.

Commissioner Nancarrow asked Mr. Burns if he is concerned about the ability to remove snow in the cul-de-sacs. Mr. Burns answered no; the matter was discussed throughout the application review process and staff found that the cul-de-sacs comply with City ordinances and snow removal should not be a problem. Mr. Hess agreed; the City does make provisions for removing snow from cul-de-sacs during a heavy snow year. He stated that there have been efforts to reduce the number of cul-de-sacs in the City, but there is a significant drop-off on this property and a cul-de-sac layout was a reasonable compromise.

Vice Chairman Mason invited public input.

Chris Pulver, North Ogden resident, asked if the trails identified on the plat are wider than a normal sidewalk. Vice Chairman Mason answered yes; the trails are six feet, and a sidewalk is four feet. Mr. Pulver stated that the City has expressed in the past that the extension of Mountain Road would be the 'crown jewel' of the community and he asked if developers of properties along that road have been asked to provide additional improvements, such as benches along the trails or increased landscaping. Mr. Hess stated that the road cross section includes an 80-foot right of way, sidewalk, curb and gutter, bike lanes, and a six-foot wide asphalt trail on the north side in lieu of the sidewalk. The Planning Commission has made recommendations regarding a planting strip down the middle of the road, but the City Council has not adjusted the cross-section to include that recommendation. There are pre-existing sections of Mountain Road, but everything north and west of The Cove will have a different cross section.

Commissioner Nancarrow made a motion to approve application SUB 2022-11, Jordyn Park Estates Subdivision (38 lots), located at approximately 3650 North and Mountain Road, based on the findings and subject to the conditions listed in the staff report. Commissioner Watson seconded the motion.

Voting on the motion:

Chairman Thomas	abstain
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye

Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

LEGISLATIVE ITEMS

7. ANX 2023-02 CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ANNEX PROPERTY LOCATED AT APPROXIMATELY 2117 NORTH WASHINGTON BOULEVARD, AND ZONE THE PROPERTY R-4

Planning Director Hess explained the applicant has applied to annex 1.003 acres of property at approximately 2117 N. Washington Boulevard; the property currently has metal buildings constructed in the unincorporated County. The applicant is requesting the Multi-Family Residential R-4 zone, and plans to develop the property as multi-family residential. The adjacent properties are zoned R-1-8 to the west, MP-1 and C-2 to the north, and R-4 to the east and south. The North Ogden annexation petition has been accepted by the City Recorder and was accepted and begun by the North Ogden City Council on January 24, 2023. Staff reviews the current General Plan and Zoning Map for what is adjacent to the property to make a reasonable determination of what zone should be applied. The General Plan map calls for this property to be developed as mixed/use, multi-family, commercial. Properties with frontage along Washington Blvd. include Multi-Family Residential R-4 and Commercial C-2. The Multi-Family Residential R-4 zone that is being requested by the applicant, is similar in intensity to the surrounding properties. Staff believes that the desired zoning is compatible with surrounding zoning districts, and will not represent a conflict in use or development of this property. Staff is in support of this application as it has been submitted. The Public Works Department will determine if the City is able to serve the area with culinary water, secondary water, storm water, and sewer services. The determination of utility provision will be included in the City Council's final acceptance and certification of the annexation. This recommendation from the Planning Commission on a land use zone as part of the annexation is not an approval for a Site Plan or Subdivision. The applicant will be required to complete all necessary site plans and subdivisions prior to developing the property. Staff recommends that the Planning Commission recommend approval to the City Council for annexation of this property, and apply the Multi-Family R-4 zone, with the following conditions:

- The property must be legally subdivided, improved, or escrowed for improvements prior to the issuance of any building permits.

Vice Chairman Mason referenced the draft site design, which includes two driveways rather than a road. Mr. Hess reviewed the aerial image of the property and noted that the Utah Department of Transportation (UDOT) will be heavily involved in regulating access to the property from Washington Boulevard and City staff will work closely with them on that matter. City Manager/Attorney Call noted it is important to keep in mind that the Commission is not recommending approval of a conceptual design at this point; they are only being asked to make a recommendation regarding the annexation petition and zoning of the property. Mr. Hess agreed; he noted the exact configuration included in the conceptual design will not be feasible, but something similar can be accomplished and staff feels that the R-4 zoning is appropriate.

Commissioner Watson inquired as to a more accurate estimate of the number of units that can be located on the subject property. Mr. Hess stated the R-4 zone allows up to 15 units per acre, but that would be for a perfectly square piece of property; the more likely scenario for this parcel would be 12 to 13 units per acre.

Chairman Thomas invited public input.

Rick Scadden, on behalf of the applicant, stated that it was not the intention to include the conceptual design as part of the annexation petition; rather, it was provided for informational purposes only and he understands that he will be required to work with UDOT to secure appropriate access to the property.

Vice Chairman Mason made a motion to forward a positive recommendation to the City Council for application ANX 2023-02, annexation of property located at approximately 2117 N. Washington Boulevard and to zone the property R-4 Multi Family Residential, based on the findings and subject to the conditions listed in the staff report. Commissioner Green seconded the motion.

Vice Chairman Mason stated he is very supportive of annexations that eliminate islands of unincorporated property from the City.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

8. ANX 2023-01 CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ANNEX PROPERTY LOCATED AT APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD, AND ZONE THE PROPERTY R-4 AND M-1

Planning Director Hess stated that this agenda item relates directly to items nine and 10 on the agenda; approval or denial of one or more of the applications would impact the subsequent applications. City Manager/Attorney Call noted the Commission can discuss the three applications collectively, but public hearings must be held for items nine and 10. Mr. Hess agreed and noted that the City Council will hold the public hearing for the annexation application.

Mr. Hess then noted the applicant has applied to annex 9.45 acres of property at approximately 1651 N. and 1659 N. Washington Boulevard. The property is vacant and is located south of 1700 North on the corner of Washington Boulevard. The applicant is requesting split zoning of Multi-Family Residential R-4 and Manufacturing M-1, and plans to develop the property as townhomes and self-storage units. The adjacent properties are still in the unincorporated County with an Agricultural A-1 zoning. The area surrounding this property is in North Ogden City's Annexation area with a future land use proposed as mixed-use and multi-family residential. The North Ogden annexation petition has been accepted by the City Recorder and was accepted and begun by the North Ogden City Council on January 10, 2023. Staff reviews the current General Plan and Zoning Map for what is adjacent to the property in order to make a reasonable determination of what zone should be applied. The General Plan map calls for this property to be developed as a mix of residential and commercial uses within the South Town Neighborhood. The General Plan does not consider Manufacturing M-1 currently, and the applicant has made an application to amend the General Plan as well as the Manufacturing M-1 zone to allow new storage units. The property is requested to be split zoned. The Multi-Family R-4 zone requested meets the intent of the General Plan as it is currently drafted. Staff believes that zoning district is compatible with surrounding zoning districts, and the City's future plans. The Manufacturing M-1 zone requested is a departure from the current General Plan. North Ogden City has limited Manufacturing zoning, and currently does not permit additional storage units. The Planning Commission heard from the applicant on this concept on June 15, 2022. The Staff Report at that time read as follows:

"Property owner, Terry Cevering, has proposed a mixed-use project at 1659 N. 400 E. that includes storage units on the east side fronting Washington Boulevard, and townhomes on the west side. This project was brought before the City in 2019 for discussion, but no formal applications were made at that time. North Ogden City Codes do not currently permit storage units as a new use, but the Code does permit upgrading existing storage units. Storage units were previously permitted in the Manufacturing M-1 zoning district. The property owned by the applicant is in North Ogden City's future annexation declaration, and the General Plan designation is the South Town Mixed Use are that is intended to include commercial and multi-family residential. This application would need the following Land Use Approvals to move forward: Annexation, General Plan Amendment, Zoning Text Amendment, Subdivision, and Site Plan approval. Staff has reviewed the proposed development and is of the opinion that storage units fronting on Washington Boulevard do not represent the long term highest and best use of the ground. North Ogden City will continue to grow and will need areas of viable commercial to secure future sales tax collection. At this time, there is limited desire for commercial along this portion of Washington Boulevard, but with growth and additional rooftops being developed in the area, it is likely that demand will follow. Staff is supportive of multi-family residential in this area of the City as that matches the currently approved Future Land Use Map of the General Plan."

Staff retains the position that adding Manufacturing uses in this area, and adding Storage Units to the Manufacturing zone is not in the best interest of the City at this time. Staff supports multi-family development in this area of the City. The applicant will be required to complete a subdivision prior to developing the property.

Mr. Hess concluded staff finds that the Manufacturing Zone is not consistent with the General Plan and recommends that the Planning Commission recommend a zoning designation consistent with the General Plan or recommend denial to the City Council for annexation of this property.

Vice Chairman Mason stated it was his understanding that when property is annexed, the entire property must be assigned the same zone, but that is obviously not the case; he asked if there have been any discussions about commercial zoning on the corner of 1700 North and Washington Boulevard. Mr. Hess stated there has been no such discussion beyond the discussion that took place between the applicant and the Planning Commission approximately seven months ago. If the annexation were approved, there would be a requirement for a development agreement that would accomplish the split zoning. Essentially, any approval of the annexation would be conditioned upon subdivision and a development agreement in the future. Vice Chairman Mason asked where the property would be split between the two zoning designations. City Manager/Attorney Call presented the aerial image of the property and drew a line to represent the point where the zoning of the property would split; the front of the property would be manufacturing, and the back would be R-4. The Commission discussed the manner in which the proposed layout differs from the concept that was presented by the applicant during his previous meeting with the Commission.

Chairman Thomas then moved to agenda item nine to allow for the public hearing to be held regarding the General Plan amendment relating to the subject property.

9. GPTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE APPLICATION TO AMEND THE GENERAL PLAN TO PERMIT MANUFACTURING USES WITHIN THE SOUTH TOWN NEIGHBORHOOD NEAR APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD

A staff report from Planning Director Hess explained the Applicant has requested Annexation of property at approximately 1651 N. and 1659 N. Washington Boulevard. Part of the Annexation process is the application of a zoning district. This area of the City is designated as the South Town Neighborhood in the General Plan Future Land Use Map as well as in the text of the General Plan. The applicant's request is to amend the General Plan to allow Manufacturing uses and zone a portion of the property Manufacturing M-1 to permit storage units. This area of the General Plan does not currently permit Manufacturing uses. This requires the applicant to request an amendment to the General Plan. Mr. Hess's staff report summarized North Ogden City Code 11-2-18, General Plan Amendment, which outlines the questions for the Planning Commission and City Council's consideration. His report also provided staff's response to each of the questions. The report concluded the Planning Commission should hold a public hearing, consider the information presented, and provide a recommendation to the City Council.

a. Chairman Thomas opened the Public Hearing at 7:07 p.m.

Terry Cevering, property owner, stated he first approached the City in 2019 about developing his property and expanding the storage unit use. The City asked him to reconsider the concept for his property given that it is located at the gateway to the City. He stated he adjusted his plans to include a commercial building on the corner of 1700 North and Washington Boulevard and noted

that he thinks the building will be very nice and a great first impression for those entering the City. He presented his concept plan and identified the road that goes through the middle of his property, with the connection from Washington Boulevard; most of the townhomes will be located on the west side of that road, with just a few on the east side. The back side of the storage unit buildings will contain a nice brick wall that will serve as a barrier between the commercial and residential uses. This will also provide security for tenants living in the project area.

Commissioner Barker asked if landscaping will also be installed in the project area and if it will be easy to maintain the landscaping between the different uses. Mr. Cevering answered yes; he indicated he will consider xeriscape that is aesthetically pleasing and easier to maintain.

Commissioner Green asked if any consideration has been given to configure the main building in a way that it could house a commercial or retail use in the bottom floor, with the climate controlled storage space on the upper floor. Mr. Cevering answered yes, but noted that he is concerned about the demand for commercial and retail space and he does not want to build something that will not be occupied. However, if that is a 'deal breaker' for the City, he will adjust the plan to make the bottom floor a retail space.

Commissioner Nancarrow stated that she appreciates all of the thought that Mr. Cevering has put into this project since he last met with the Planning Commission, but her basic question is whether Mr. Cevering would still want to proceed with the annexation if the Commission is only willing to support the R-4 land use and not the manufacturing use, which would require a General Plan amendment. Vice Chairman Mason stated that he had that same question, but wondered if it would be appropriate to wait for Mr. Cevering to answer that question for the Council given that the Planning Commission is only a recommending body. Mr. Cevering stated that the use of his property is his livelihood, and he is requesting the annexation and land uses for that reason. If it becomes necessary to do so, he will consider commercial uses along the frontage, but he is very hesitant to do so. He understands there is a demand for storage unit uses and he feels this is a great location for the use given its proximity to nearby multi-family developments.

Commissioner Watson stated it seems to him that Mr. Cevering, as a business owner, is trying to find a development that will work not only for him, but also for the City. He has identified a need and is willing to spend a bit of extra money to increase the aesthetic of the project given its location on the City's southern border. He appreciates Mr. Cevering's transparency and asked if there is any further clarification that he can offer that would enlighten the Commission as to the reasoning behind the zoning that has been requested. Mr. Cevering stated that he has thought about other uses, such as a convenience store that was recommended by the City, but as time has gone on, his land has been impacted by surrounding development. He has looked at many different concepts for storage units that are more aesthetically pleasing and he believes his current proposal will truly benefit the City. He noted that he would truly be willing to pursue traditional residential or commercial uses on the property, but such businesses have not been supported by the population of the City and they ultimately close or relocate to another city.

High level discussion among the Commission centered on their perspective of the highest and best use of the land, the uses that will generate the greatest amount of sales tax for the City, and the market for traditional retail and commercial uses.

Commissioner Barker made a motion to close the Public Hearing. Commissioner Nancarrow seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

The Public Hearing was closed at 7:18 p.m.

Chairman Thomas then moved to item 10 on the agenda.

10. ZTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO UPDATE TITLE 11, SECTION 10 ARTICLE B, MANUFACTURING ZONE M-1, TO PERMIT STORAGE UNITS AS A PERMITTED USE

A staff report from Planning Director Hess explained the Applicant has requested Annexation of property at approximately 1651 N. and 1659 N. Washington Blvd. Part of the Annexation process is the application of a zoning district. The applicant's request is to amend the Manufacturing M-1 zone to permit new Storage Units. Currently the Manufacturing Zone permits upgrades to Storage Units existing prior to November 1, 2021. This request requires the applicant to amend Title 11-10B Manufacturing M-1. The North Ogden City General Plan Future Land Use Map was updated and adopted in Spring 2022. The project area considered by the applicant is located within the South Town Neighborhood. This area is planned to include mixed use commercial and housing. Currently the request is inconsistent with the General Plan, and the applicant has submitted a General Plan Text and Map Amendment alongside this application. Staff recommends the Planning Commission hold a public hearing, consider the information, and present a recommendation to the City Council regarding the requested text amendment.

a. Chairman Thomas opened the Public Hearing at 7:18 p.m.

There were no persons appearing to be heard.

Commissioner Nancarrow made a motion to close the Public Hearing. Vice Chairman Mason seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

The Public Hearing was closed at 7:19 p.m.

Chairman Thomas then facilitated discussion among the Commission regarding whether they feel storage units should be a permitted use in the manufacturing zone; there was a focus on the different properties in the City that carry the manufacturing zoning and whether storage units would be an appropriate use on those properties. Chairman Thomas stated he is hesitant to designate storage units as a permitted use because he feels applications for the use should be considered on a case by case basis to determine if it should be allowed on a specific property. Commissioner Watson agreed; there are some manufacturing properties where he does not believe storage units would be an appropriate use, but based upon the conceptual plan and design for the Cevering property, he is a bit more willing to consider support for the use at this location. Vice Chairman Mason agreed, but noted he feels the manufacturing zone is the most appropriate zone for storage units to be located in.

The Commission reviewed the boundaries of the Southtown Neighborhood in the General Plan and the existing uses in that neighborhood, with a focus on whether a storage unit use would be complimentary to existing uses. Mr. Hess noted that one mechanism for the City to accomplish a desired use within a specific zone would be to condition approval of the zoning upon the requirement that the applicant use the property for a specific use; if that use is not implemented, the zoning of the property would revert to its previous designation. He stated something similar was done for the assisted living facility to the north and west of the Cevering property. This could be done on the Cevering property to ensure that the storage unit use is implemented, but no other manufacturing permitted uses would be allowed on the property. The Commission expressed support for that type of action, but continued to discuss and debate whether storage units are appropriate for the subject property. They acknowledged the applicant's willingness to be flexible in working with the City regarding the design and development of his property.

Vice Chairman Mason stated he is prepared to make a motion regarding item 10.

b. Consideration and recommendation

Vice Chairman Mason made a motion to forward a positive recommendation to the City Council for application ZTA 2023-01, update Title 11, Section 10, Article B, Manufacturing Zone M-1, to permit storage units as a permitted use. Commissioner Barker seconded the motion.

Chairman Thomas recommended language be added to the motion to communicate that the reasoning behind the recommendation is that control of storage units can be handled in the

manner by which the City now controls its zoning process; the only two existing manufacturing zones are built out.

Vice Chair Mason amended his motion to add language communicating the Commission's position that the control of storage unit development can be handled by the zoning process of the City, given that the City only has two manufacturing zoned properties, and they are occupied by storage unit facilities. Commissioner Barker stated that his second of the motion stands.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

Chairman Thomas then moved back to item 9.

9. GPTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE APPLICATION TO AMEND THE GENERAL PLAN TO PERMIT MANUFACTURING USES WITHIN THE SOUTHTOWN NEIGHBORHOOD NEAR APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD – CONTINUED DISCUSSION

b. Consideration and recommendation

Chairman Thomas asked Mr. Call to present the General Plan Map for the Southtown Neighborhood. He facilitated discussion among the Commission regarding whether storage units are an appropriate use for this area of the City. They also discussed the future plans of properties that are currently undeveloped, both in North Ogden and Harrisville cities; Vice Chairman Mason stated that it is hard to make a conscious decision to approve the placement of manufacturing zoning in any area of the City, especially in an area that is already well defined. Commissioner Green agreed; before interviewing for this position she carefully studied the General Plan and felt it was very well thought out with a great deal of community input. She is hesitant to deviate from the General Plan for this particular property, specifically given the location of the stop light on the corner, which typically creates opportunities for commercial use. Commissioner Nancarrow agreed; the General Plan is the City's guiding document and there is a great deal of input on the current version of the Plan. Since she has been a member of the Commission there has been a vision for the development of the Southtown Neighborhood as the entrance to the City; there are plans for a new elementary school near the subject property and as compelling as Mr. Cevering's proposal is, she is hesitant to amend the General Plan to allow manufacturing and self-storage on the property. She noted Mr. Cevering's proposal is compelling, but she would like to pursue the General Plan directives for the property as she feels

that is in the best interest of the City in the long term. Chairman Thomas agreed; the Planning Director has also concurred that this specific proposal is not the highest and best use of land along Washington Boulevard at the City's entrance. He recognized the need for self-storage, but suggested that properties that are further setback from Washington Boulevard in a manner that will not impact commercial opportunities along the roadway would be more appropriate. This led to high-level, visioning discussion among the Council regarding the viability for commercial uses in this area of the City as the population increases and the area becomes more built-out.

Commissioner Nancarrow made a motion to forward a recommendation of denial for application GPTA 2023-01, legislative application to amend the General Plan to permit Manufacturing uses within the Southtown Neighborhood near approximately 1651 North and 1659 North Washington Boulevard. Commissioner Green seconded the motion.

The Commission debated the motion; Commissioner Watson stated that the property is fairly narrow, with just 240 feet of frontage along Washington Boulevard. He asked what kind of commercial uses the Commission feels would be viable for that amount of space on Washington Boulevard. He then asked the Commission to consider what types of commercial uses they would be comfortable with; for example, would they be comfortable with a Dollar General store being located on the property. He initially did not love the idea of building storage units on the property, but having seen Mr. Cevering's proposal and his design of the building that would be located on the corner, he feels it would be a good use. Additionally, the City has a willing applicant, and he is looking to work with the City to achieve a solution for developing his property. Vice Chairman Mason stated that the matter before the Commission is whether they are comfortable allowing pockets of manufacturing anywhere in the Southtown Neighborhood. Chairman Thomas stated that he is of the opinion that manufacturing uses are not appropriate for the area; it may be possible to 'shoe-horn' the storage units into the area, but he does not believe they should be allowed on the corner given that there is a traffic light on the corner. If a motorist is stopped at the traffic light and they can see there is a retailer or other commercial use, they may choose to patronize it, even though the frontage is narrow. Commissioner Barker stated that it has been difficult to attract commercial businesses to the City and those that have come to the City have not stayed long due to lack of support.

Vice Chairman Mason then asked what it is about a manufacturing use that is bad or different than the carwash use that was allowed on Washington Boulevard just north of the subject property. Commissioner Watson stated that he would not have supported the carwash on Washington Boulevard; he would have preferred that it were oriented differently so that it did not consume so much frontage on the road. Vice Chairman Mason agreed and noted he also did not feel that the carwash should have been permitted in its location. Chairman Thomas stated that those types of uses are reliant on a demand in the community; the carwash is always busy so there was clearly a demand or need for it. The same is more difficult to gauge for different types of commercial uses, such as big or mid box stores. As the population increases responsive the multiple multi-family developments that have been recently approved, so will the demand for commercial uses. At build-out, approximately 15 percent of the City's population will be located in close proximity to the subject property, and it is appropriate to envision how the corner property should look and be used when that occurs.

Chairman Thomas called for a vote on the motion to forward a recommendation of denial to amend the General Plan.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	nay
Commissioner Barker	nay
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried 5-2.

Chairman Thomas reiterated that the Commission is only a recommending body and Mr. Cevering will have the ability to plead his case with the City Council as they are the final decision-making body for this matter.

8. ANX 2023-01 CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ANNEX PROPERTY LOCATED AT APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD, AND ZONE THE PROPERTY R-4 AND M-1 – CONTINUED DISCUSSION

Chairman Thomas then summarized the actions taken on agenda items nine and 10 and the implications of those motions for this annexation application; he called for a motion. He wondered if the Commission would like to see a more detailed map to identify the potential location of the zoning split on the property if the Commission were willing to recommend allowance of R-4 and manufacturing zones. The Commission debated the options before them, including whether it is possible to recommend that the entire property be zoned R-4. Commissioner Webb stated that he would not be comfortable with manufacturing or commercial uses being located on the back of the property given its proximity to the property where a future elementary school will be built. The Commission agreed and discussed favorability for R-4 and commercial zoning on the property, but this led to debate about whether a self-storage use could be defined as a commercial use.

Commissioner Watson made a motion to forward a positive recommendation to the City Council for application ANX 2023-01, legislative application to annex property at approximately 2117 North Washington Boulevard and zone the property R-4 and Commercial C-1. Commissioner Nancarrow seconded the motion.

Commissioner Webb stated that he would recommend further consideration of the definition of commercial. Vice Chairman Mason stated that has already been defined and is not up for debate.

Voting on the motion:

Chairman Thomas	aye
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Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

11. PUBLIC COMMENTS

Terry Cevering, North Ogden resident, stated that he understands the position the Commission has taken on his applications and the concerns they have expressed, but it is his opinion that the storage unit use should be classified as commercial rather than manufacturing and he does feel that it is appropriate for his property. The word ‘manufacturing’ carries a negative connotation and that influences the position of anyone who hears his proposal before they even see the concept plan. He discussed access to his property and indicated he feels the storage unit concept is suitable for the area; he feels that the main reason that the recommendation of denial was supported by a majority of the Commission is the fact that it was labeled as manufacturing rather than commercial.

Chairman Thomas stated it is not an accurate assessment that the Commission was supportive of storage units on the corner of 1700 North and Washington Boulevard, but only voted to forward a recommendation of denial because the use was labeled ‘manufacturing’. He stated that the Commission felt strongly that the property at the intersection should be reserved for future commercial uses that are more suitable than storage units. This led to discussion between the Commission and Mr. Cevering regarding development standards for commercial properties, including setbacks, parking requirements, and access with Mr. Cevering noting he is struggling to determine the type of commercial use that would be successful on the property.

Chris Pulver, North Ogden resident, stated he agreed with many of the points that were made during the Commission’s discussion of the Cevering property; he suggested that a gas station would be a good use for the property because the other gas stations located further to the north are very busy and can be difficult to get in and out of.

12. REMARKS - PLANNING COMMISSIONERS:

Vice Chairman Mason thanked his fellow Commissioners for their willingness to debate the applications before them tonight in a respectful manner and for caring so much about the future of the City and what is best for all residents.

13. REPORT - PLANNING DIRECTOR:

Planning Director Hess welcomed Commissioner Green to the Commission and stated he believes she will do a great job. He then reported on efforts to launch a market study for the

Southtown Neighborhood; the study will contemplate the number of rooftops and viable strip commercial uses for the area. The results of the study will be presented to the Commission when they are available. He concluded by reporting on efforts to fill the vacant positions in his Department, including the City Engineer and Associate Planner; discussions regarding these positions will take place in the upcoming budget development process.

14. REMARKS – CITY MANAGER/ATTORNEY

City Manager/Attorney Call reported on a piece of legislation currently moving through the 2023 Legislative Session that would change the manner in which Planning Commission meetings are conducted; for any item for a public hearing is held, the City must give 30 days notice of a hearing. The Commission typically allows public input for any agenda item and someone could make the argument that doing such constitutes a public hearing. This means that the City could be required to provide notice of all agendas 30 days in advance. He stated he will continue to monitor the legislation to determine how it will impact the City. He then noted that as the Public Safety building project moves forward and the old facility is demolished, he will be making a recommendation to increase the parking area on the campus. He asked that the Commission keep that matter in mind in preparation for future discussion. This led to brief discussion about current traffic configuration in connection with the Public Safety project.

15. ADJOURNMENT

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

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

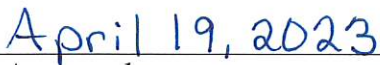
The meeting adjourned at 8:38 p.m.



Eric Thomas
Planning Commission Chair



Joyce Nelson
Deputy City Recorder



Date Approved

NOTICE OF PUBLIC HEARING NORTH OGDEN CITY

Notice is hereby given that the North Ogden Planning Commission will hold a public hearing on **Wednesday, February 15, 2023, at their regularly scheduled meeting beginning at 6:00 pm.** The hearing will be held to receive comments on Zoning Text Amendment 2023-01 Manufacturing Amendments to consider permitting Storage Units as a permitted use. Copies of materials and staff report are available for public inspection at www.northogdencity.com or at the North Ogden City Offices. This meeting will be held at the North Ogden City Council Chambers at 505 East 2600 North, North Ogden, Utah.

All interested persons shall be given an opportunity to be heard. In compliance with the ADA, individuals needing special accommodation (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-737-9830 at least 48 hours prior to the meeting.

Susan L. Nance, CMC
City Recorder

Published: **February 3, 2023**

Staff Report to the North Ogden City Council

SYNOPSIS/APPLICATION INFORMATION

Application Request: Consideration and action on a legislative application to amend the General Plan to permit Manufacturing uses within the South Town Neighborhood near approximately 1651 North and 1659 North Washington Blvd.

Agenda Date: February 15, 2023 Planning Commission
August 8, 2023 City Council

Applicant: Terry Cevering

File Number: GPTA 2023-01

PUBLIC NOTICE:

Mailed Notice: None

Newspaper: None

City Website: February 10, 2023

PROPERTY INFORMATION

Address: approx. 1651 N. and 1659 N. Washington Blvd.

Project Area: 9.45 Acres

Current Zoning: Weber County (A-1)

Proposed Land Use: Manufacturing (to include M-1 Zone)

Parcel ID: 11-014-0068 and 11-014-0022

ADJACENT LAND USE

North: The Lodge, Village at Prominence Point South: Unincorporated Agricultural A-1

East: Washington Blvd. West: Unincorporated and Residential

STAFF INFORMATION

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APPLICABLE ORDINANCES

North Ogden Zoning Ordinance 11-2-18 (General Plan Amendment)

LEGISLATIVE DECISION

When the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City has wide discretion in taking legislative action. 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.

BACKGROUND

The Applicant has requested Annexation of property at approximately 1651 N. and 1659 N. Washington

Blvd. Part of the Annexation process is the application of a zoning district. This area of the City is designated as the South Town Neighborhood in the General Plan Future Land Use Map as well as in the text of the General Plan. The applicant's request is to amend the General Plan to allow Manufacturing uses and zone a portion of the property Manufacturing M-1 to permit storage units. This area of the General Plan does not currently permit Manufacturing uses. This requires the applicant to request an amendment to the General Plan. North Ogden City Code 11-2-18 General Plan Amendment outlines the questions for the Planning Commission and City Council's consideration.

ANALYSIS

11-2-18: GENERAL PLAN AMENDMENT

1. General Review Criteria. In consideration of a proposed General Plan Amendment, whether proposed by the City or a landowner/authorized agent, the City shall determine if:
 1. The proposed change reflects a new idea that is an improvement over the concepts detailed in the General Plan.

Staff Response: The idea to add Manufacturing uses to the South Town Neighborhood reflects a new idea. It is staff's professional opinion that manufacturing uses on the corner of 1700 N. and Washington Blvd. do not represent the highest and best use for the land. This area of the City is planned to be a mix of commercial and multi-family housing uses. Retaining the property for the production of future sales tax as well as the potential for attached housing meets the current General Plan, and represents the highest and best use of the property.

2. The proposed change reflects a positive trend that the General Plan did not consider.

Staff Response: The General Plan Future Land Use Map was updated in 2022, and at the time, additional Manufacturing uses or Storage Units were not considered.

3. The proposed change furthers many of the goals of the Plan but not necessarily the future land use plan.

Staff Response: The South Town Neighborhood has three goals:

1. *Improve the old North Ogden shopping plaza*
 2. *Increase safety along Washington Boulevard*
 3. *Utilize the streams from the mountains to a greater extent*

The request to change the future land uses in this area to Manufacturing do not forward the goals of this section of the General Plan.

4. The proposed change has little or no impact on the overall General Plan.

Staff Response: Minor changes to specific areas of the City impart little impact on the General Plan. However, changes inconsistent with the overall future goals of the City can erode the ability to reach the desired future the City has laid out. The City must review each and every General Plan amendment against the overall goals of the City. Staff's opinion is that manufacturing uses in this particular area are not consistent with the City's goals and future land use desires.

5. If any of the above criteria are met by the proposal, the Planning Commission and City Council may approve the change. Since this is a legislative decision, the Planning Commission and City Council have discretion as to its' final resolution. Such proposals may involve development agreements to assure the concept promoted is developed as presented.

Staff Response: It is up to the Planning Commission and City Council to determine the appropriateness of the request.

6. Add criteria for major changes vs minor changes.

Staff Response: This change would be considered a major change due to the fact that the Manufacturing land use is not contemplated by the current General Plan Future Land Use Map or the General Plan text.

7. City will look at the General Plan on a periodic basis which does not preclude a private citizen from requesting a plan amendment per application through the Planning Department.

Staff Response: Staff is currently working on revisions to the General Plan text. The last update to the General Plan was 2015.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

- Is the request consistent with the Title 11 review criteria for amendments to the General Plan?

RECOMMENDATION

Planning Commission should hold a public hearing, consider the information, and present a recommendation to the City Council.

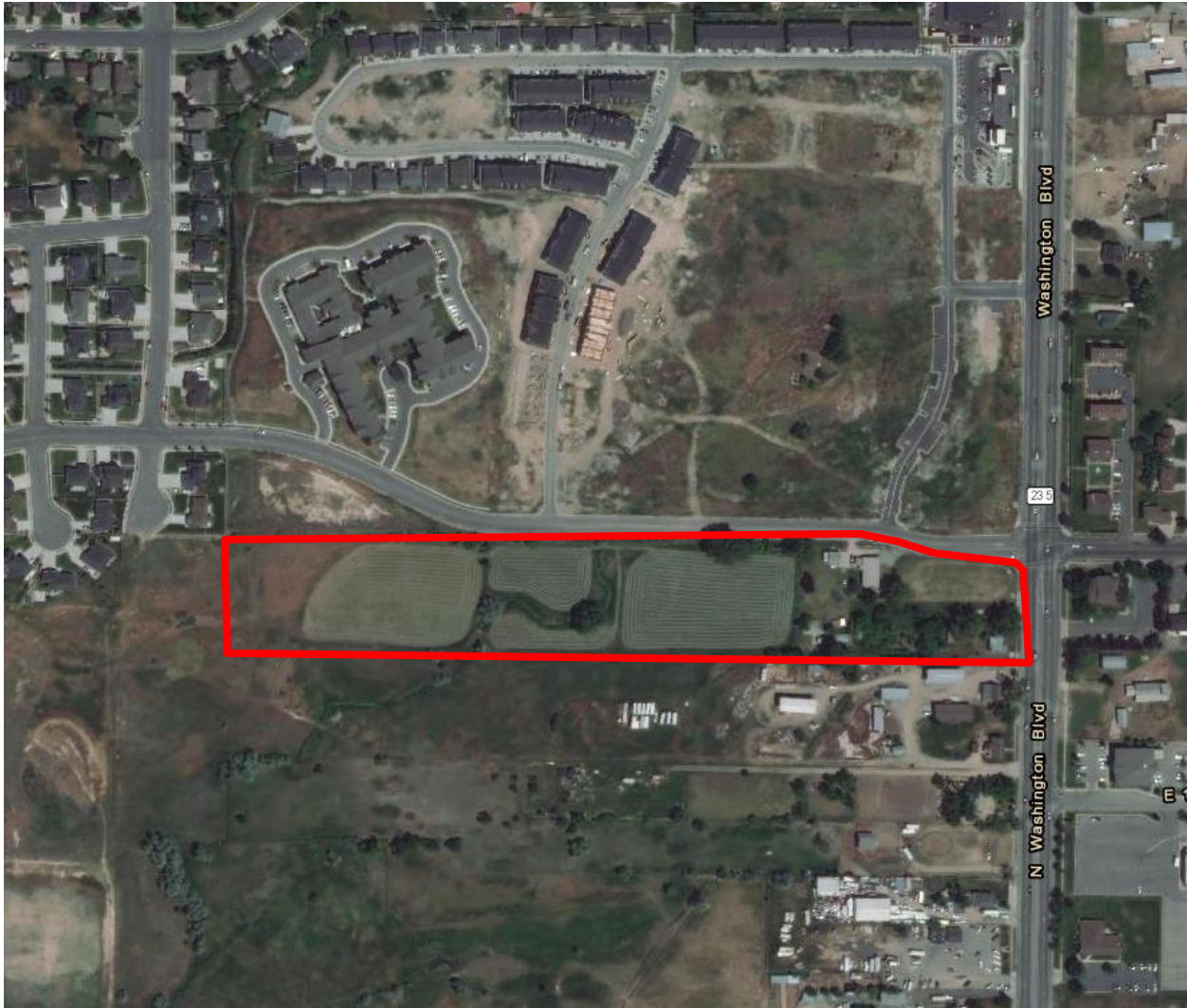
RECOMMENDATION PLANNING COMMISSION

On February 15, 2023, the North Ogden Planning Commission held a public hearing and considered application GPTA 2023-01 to amend the General Plan to include language to permit Storage Units as a use in the South Town Neighborhood. Staff has included the Planning Commission minutes for the Council's review (see Exhibit B). Planning Commission considered the application and information presented by the applicant and staff and debated the topic. Members of the Planning Commission could see the benefit of both the proposed project as well as the variety of future opportunities that this area of the City represents. The Commission debated the topic, and Commissioner Nancarro motioned to Deny the application to amend the General Plan to permit self-storage uses in the South Town Neighborhood. The motion carried on a 5-2 vote.

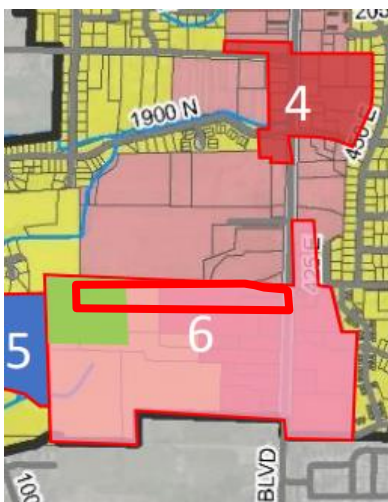
EXHIBITS

- A. General Plan snip – South Town Neighborhood
- B. Planning Commission Minutes – February 15, 2023

AREA MAP



GENERAL PLAN FUTURE LAND USE MAP



The Southtown Neighborhood

Description – located in the south end of North Ogden, this neighborhood includes the Kirt's Drive Inn and other commercial parcels along Washington Boulevard. This area is designated to include a second intensified node of downtown like development in the 1900 North area. The General Plan update process suggested for this area, the name of Southtown. Views are generally up toward the mountains. It also has several moderate sized unincorporated Weber County areas that should be targeted for future annexation, especially near 1500 North where the City boundary should be more uniform.

Neighborhood character – much of the land on the western side of Washington Boulevard is bounded by the Ben Lomond Golf Course in Harrisville. This area generally has newer homes and pleasant streetscapes. Lot sizes range from about 8,000 square feet and up. The area is expected to be developed with mostly single family homes at low densities but will contain some areas of higher density and mixed use near Washington Boulevard and the Southtown mixed use node. The area should take advantage of the stream that traverses the neighborhood and is anticipated to have a trail along it. Storm water processes should emphasize cutting edge sustainable techniques that return the water to the site and recharge the underground aquifer.

Existing and future concerns:

From the input received in the open houses the following issue categories were raised by residents:

- Commercial use along Washington Boulevard - residents are concerned with the appearance and function of the older North Ogden shopping center around Kirt's. Many feel it should be demolished and repurposed. Concerns were raised about older homes on Washington Boulevard that are in disrepair.
- Transportation - safety concerns were raised about Washington Boulevard and intersecting streets.
- Sidewalks - need attention including more ramps.
- Recreation - the potential for fishing was raised using Coldwater Creek.

Goals

Goal #1 – Improve the old North Ogden shopping plaza area

Strategies

- Adopt a redevelopment plan for the Southtown shopping area.
- Promote mixed uses through new or revised zoning techniques.
- Adopt as the Southtown Plan that includes substantial mixed use housing.

Goal #2 – Increase safety along Washington Boulevard

Strategies

- Evaluate existing crossings for pedestrian use and safety through a traffic study.
- Provide more handicap ramps, bulb outs, medians, and pedestrian activated signals.

Goal #3 – Utilize the streams from the mountains to a greater extent

Strategy

- Study the feasibility of adding a fishing pond on Coldwater Creek and daylighting the stream that runs through the North Ogden Plaza.

manner by which the City now controls its zoning process; the only two existing manufacturing zones are built out.

Vice Chair Mason amended his motion to add language communicating the Commission's position that the control of storage unit development can be handled by the zoning process of the City, given that the City only has two manufacturing zoned properties, and they are occupied by storage unit facilities. Commissioner Barker stated that his second of the motion stands.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried.

Chairman Thomas then moved back to item 9.

9. GPTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE APPLICATION TO AMEND THE GENERAL PLAN TO PERMIT MANUFACTURING USES WITHIN THE SOUTHTOWN NEIGHBORHOOD NEAR APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD – CONTINUED DISCUSSION

b. Consideration and recommendation

Chairman Thomas asked Mr. Call to present the General Plan Map for the Southtown Neighborhood. He facilitated discussion among the Commission regarding whether storage units are an appropriate use for this area of the City. They also discussed the future plans of properties that are currently undeveloped, both in North Ogden and Harrisville cities; Vice Chairman Mason stated that it is hard to make a conscious decision to approve the placement of manufacturing zoning in any area of the City, especially in an area that is already well defined. Commissioner Green agreed; before interviewing for this position she carefully studied the General Plan and felt it was very well thought out with a great deal of community input. She is hesitant to deviate from the General Plan for this particular property, specifically given the location of the stop light on the corner, which typically creates opportunities for commercial use. Commissioner Nancarrow agreed; the General Plan is the City's guiding document and there is a great deal of input on the current version of the Plan. Since she has been a member of the Commission there has been a vision for the development of the Southtown Neighborhood as the entrance to the City; there are plans for a new elementary school near the subject property and as compelling as Mr. Cevering's proposal is, she is hesitant to amend the General Plan to allow manufacturing and self-storage on the property. She noted Mr. Cevering's proposal is compelling, but she would like to pursue the General Plan directives for the property as she feels

that is in the best interest of the City in the long term. Chairman Thomas agreed; the Planning Director has also concurred that this specific proposal is not the highest and best use of land along Washington Boulevard at the City's entrance. He recognized the need for self-storage, but suggested that properties that are further setback from Washington Boulevard in a manner that will not impact commercial opportunities along the roadway would be more appropriate. This led to high-level, visioning discussion among the Council regarding the viability for commercial uses in this area of the City as the population increases and the area becomes more built-out.

Commissioner Nancarrow made a motion to forward a recommendation of denial for application GPTA 2023-01, legislative application to amend the General Plan to permit Manufacturing uses within the Southtown Neighborhood near approximately 1651 North and 1659 North Washington Boulevard. Commissioner Green seconded the motion.

The Commission debated the motion; Commissioner Watson stated that the property is fairly narrow, with just 240 feet of frontage along Washington Boulevard. He asked what kind of commercial uses the Commission feels would be viable for that amount of space on Washington Boulevard. He then asked the Commission to consider what types of commercial uses they would be comfortable with; for example, would they be comfortable with a Dollar General store being located on the property. He initially did not love the idea of building storage units on the property, but having seen Mr. Cevering's proposal and his design of the building that would be located on the corner, he feels it would be a good use. Additionally, the City has a willing applicant, and he is looking to work with the City to achieve a solution for developing his property. Vice Chairman Mason stated that the matter before the Commission is whether they are comfortable allowing pockets of manufacturing anywhere in the Southtown Neighborhood. Chairman Thomas stated that he is of the opinion that manufacturing uses are not appropriate for the area; it may be possible to 'shoe-horn' the storage units into the area, but he does not believe they should be allowed on the corner given that there is a traffic light on the corner. If a motorist is stopped at the traffic light and they can see there is a retailer or other commercial use, they may choose to patronize it, even though the frontage is narrow. Commissioner Barker stated that it has been difficult to attract commercial businesses to the City and those that have come to the City have not stayed long due to lack of support.

Vice Chairman Mason then asked what it is about a manufacturing use that is bad or different than the carwash use that was allowed on Washington Boulevard just north of the subject property. Commissioner Watson stated that he would not have supported the carwash on Washington Boulevard; he would have preferred that it were oriented differently so that it did not consume so much frontage on the road. Vice Chairman Mason agreed and noted he also did not feel that the carwash should have been permitted in its location. Chairman Thomas stated that those types of uses are reliant on a demand in the community; the carwash is always busy so there was clearly a demand or need for it. The same is more difficult to gauge for different types of commercial uses, such as big or mid box stores. As the population increases responsive the multiple multi-family developments that have been recently approved, so will the demand for commercial uses. At build-out, approximately 15 percent of the City's population will be located in close proximity to the subject property, and it is appropriate to envision how the corner property should look and be used when that occurs.

Chairman Thomas called for a vote on the motion to forward a recommendation of denial to amend the General Plan.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	nay
Commissioner Barker	nay
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	aye
Commissioner Green	aye

The motion carried 5-2.

Chairman Thomas reiterated that the Commission is only a recommending body and Mr. Cevering will have the ability to plead his case with the City Council as they are the final decision-making body for this matter.

8. ANX 2023-01 CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ANNEX PROPERTY LOCATED AT APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD, AND ZONE THE PROPERTY R-4 AND M-1 – CONTINUED DISCUSSION

Chairman Thomas then summarized the actions taken on agenda items nine and 10 and the implications of those motions for this annexation application; he called for a motion. He wondered if the Commission would like to see a more detailed map to identify the potential location of the zoning split on the property if the Commission were willing to recommend allowance of R-4 and manufacturing zones. The Commission debated the options before them, including whether it is possible to recommend that the entire property be zoned R-4. Commissioner Webb stated that he would not be comfortable with manufacturing or commercial uses being located on the back of the property given its proximity to the property where a future elementary school will be built. The Commission agreed and discussed favorability for R-4 and commercial zoning on the property, but this led to debate about whether a self-storage use could be defined as a commercial use.

Commissioner Watson made a motion to forward a positive recommendation to the City Council for application ANX 2023-01, legislative application to annex property at approximately 2117 North Washington Boulevard and zone the property R-4 and Commercial C-1. Commissioner Nancarrow seconded the motion.

Commissioner Webb stated that he would recommend further consideration of the definition of commercial. Vice Chairman Mason stated that has already been defined and is not up for debate.

Voting on the motion:

Chairman Thomas	aye
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NOTICE OF PUBLIC HEARING NORTH OGDEN CITY

Notice is hereby given that the North Ogden Planning Commission will hold a public hearing on **Wednesday, February 15, 2023, at their regularly scheduled meeting beginning at 6:00 pm.** The hearing will be held to receive comments on General Plan Text and Map Amendment to consider adding limited Manufacturing M-1 uses in the South Town Center. The specific use considered is for Storage Units. Copies of materials and staff report are available for public inspection at www.northogdencity.com or at the North Ogden City Offices. This meeting will be held at the North Ogden City Council Chambers at 505 East 2600 North, North Ogden, Utah.

All interested persons shall be given an opportunity to be heard. In compliance with the ADA, individuals needing special accommodation (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-737-9830 at least 48 hours prior to the meeting.

Susan L. Nance, CMC
City Recorder

Published: **February 3, 2023**

Staff Report to North Ogden City Council

RE: A discussion to determine the best use of RDA funds to the benefit of the RDA area

AGENDA DATE: August 8, 2023

STAFF: Jon Call, City Manager

SYNOPSIS

The Council is being asked to determine the best way to utilize the existing RDA funds so we can program the money to benefit the RDA area and complete the requirements for the RDA program. Several items have been discussed so we would like to discuss how we can narrow those items to the most important to the Council and then discuss a time to set up an RDA retreat so we can go into depth on the issues.

TYPE OF DECISION

This is a legislative decision with broad discretion for the Council to determine what is in the best interest of the city.

BACKGROUND

The applicant is constructing a home and accessory building based on an approved Building Permit. During construction, the project was stopped by North Ogden City because the accessory building had been constructed approximately one foot taller than the approved plans. The applicant and the City discussed options for how to move forward, and the applicant has applied for a Variance to the height determination made by the City.

STAFF RECOMMENDATION

Staff recommends the council prioritize their list of projects and shorten the possibility so we can focus on the most important items in our focused discussion.

Staff Report to North Ogden City Council

RE: A follow-up with information on the damage caused by flooding events in the spring of 2023.

AGENDA DATE: August 8, 2023

STAFF: Jon Call, City Manager

SYNOPSIS

City Staff is putting together an estimate of the costs for various repairs cause by flooding including the cost to remove and replace several culverts on 1700 N. which clogged and didn't allow the water to flow properly. The purpose of this discussion is to keep the Council up to date on current information and situations for 1700 N. and other road repair projects.

TYPE OF DECISION

This is a legislative decision with broad discretion for the Council to determine what is in the best interest of the city.

BACKGROUND

During the spring of 2023 North Ogden City experienced a significant amount of snow melt, rainfall and other water creating several water flows that damaged various parts of the city. This discussion will focus on a few of the areas in the city that experienced damage and where we are at in repairing or resolving those issues.

- 1700 North experienced the most significant amount of damage in respect to costs. But through the actions of residents and staff we did not see any significant private property damage. There is a significant expense to repairing the roadway and estimates exceed \$500,000. There is also some upgrade work to be completed to help eliminate the choke points caused by culverts which are too small to allow for the flows we experienced this spring to travel to the city storm system.
- North Ogden Canyon experienced a significant amount of flow which washed out the access road we utilize to get to the canyon spring boxes and wells. The repair of those washed out portions of the road will be undertaken in the near future and should not cost a significant amount
- The intersection at 4050 N. and 100 E. was undermined by subsurface water flows and has been redesigned to reduce the chance of a future failure. The cost to perform the work will be \$165,000.

STAFF RECOMMENDATION

Staff recommends the projects move forward as planned so that the roads and other areas can return into normal service.