



PLANNING COMMISSION MEETING
SEPTEMBER 06, 2023 AT 6:00 PM
505 EAST 2600 NORTH
NORTH OGDEN, UT 84414

PUBLIC CAN ATTEND IN PERSON, OR:

Click the link to join the webinar: <https://us02web.zoom.us/j/81873716550> Webinar ID: 818 7371 6550

Or Telephone Dial: 1 669 900 9128 or 1 253 215 8782 or 1 346 248 7799 or +1 646 558 8656

YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>

Welcome: Chairman Thomas

Invocation or Thought: Commissioner Webb

Pledge of Allegiance: Commissioner Green

1. Roll Call
2. Ex parte communications or conflicts of interest to disclose
3. Public comments for items not on the agenda*

ADMINISTRATIVE ITEMS

4. SPR 2023-11 Consideration and action on an administrative application, Site Plan review of Little Dreamer's Pre-School, located at approximately 571 East 3300 North
Presenter: Scott Hess, Community and Economic Development Director

LEGISLATIVE ITEMS

5. ZTA 2023-04 Public hearing, consideration, and recommendation on a legislative application to amend North Ogden City Code 11-3: Hearing and Publication Notice Provisions to align the requirements with Utah State Code
Presenter: Scott Hess, Community and Economic Development Director
 - a. Public Hearing
 - b. Consideration and recommendation
6. ZTA 2023-05 Public hearing, consideration, and recommendation on a legislative application to amend Site Triangle references in Title 11
Presenter: Scott Hess, Community and Economic Development Director
 - a. Public Hearing
 - b. Consideration and recommendation
7. ZTA 2023-06 Public hearing, consideration, and recommendation on a legislative application to amend Residential Fencing Standards to consider 8-foot-tall Deer Fencing for the protection of private property
Presenter: Scott Hess, Community and Economic Development Director
 - a. Public Hearing
 - b. Consideration and recommendation
8. ZTA 2023-07 Public hearing, consideration, and recommendation on a legislative application to amend Hillside Protection (HP) Zones Accessory Building Lot Coverage
Presenter: Scott Hess, Community and Economic Development Director
 - a. Public Hearing
 - b. Consideration and recommendation

9. Public comments*
10. Remarks - Planning Commissioners
11. Report - Community and Economic Development Director
12. Remarks - City Manager/Attorney
13. Adjournment

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 31st 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.northogdencity.com>. The 2023 meeting schedule was also provided to the Standard Examiner on December 16, 2022.

The Planning Commission 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, individuals 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 Planning Commission Members may be connected via speakerphone. Rian Santoro, City Recorder

Public Comments During Meetings

- Time is made available for anyone in the audience to address the Commission concerning matters pertaining to City business.
- Before each agenda item begins, City staff will give a report. After the staff report, the applicant will speak first and be allowed up to 10 minutes. Following the applicant, any other interested person will be allowed to speak for up to 5 minutes. The applicant has final rebuttal time of up to 5 minutes.
- Any materials that are displayed or referenced, e.g., pictures or written materials, are part of the record and must be left with the Commission.
- Speakers are required to have signed in at the door and will state their name and City residing before beginning their remarks. If you agree with a previous speaker, state your agreement to avoid repetitious remarks.
- Speakers shall address the Commission from the podium or microphone and shall address all comments to the Planning Commission.

Staff Report to the North Ogden City Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration and action on an administrative application, Site Plan Review of Little Dreamer's Pre-School located at 571 E. 3300 N.
Agenda Date: September 1, 2023
Applicant: Little Dreamer's Pre-School; Amanda Nelson
File Number: SPR 2023-11

PUBLIC NOTICE

Mailed Notice:
City Website: September 1, 2023

PROPERTY INFORMATION

Address: 571 E. 3300 N.
Project Area: 0.23 acres
Zoning: R-1-10
Existing Land Use: Residential
Proposed Land Use: Residential Preschool
Parcel ID: 17-034-0009

ADJACENT LAND USE

North: Residential	South: Residential
East: Residential	West: Residential

STAFF INFORMATION

Scott A. Hess, Community and Economic Development Director
shess@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-9 Article B: Single-Family Residential Zones
North Ogden Zoning Ordinance Title 11-9M-13 In-Home Daycares and Preschools.

TYPE OF DECISION

When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

BACKGROUND

Applicant Amanda Nelson has submitted a Business License Application to operate a pre-school out of her home located at 571 E. 3300 N., North Ogden. Daycares and preschools are required by City Code to complete the Site Plan Review process prior to operating.

ZONING ORDINANCE COMPLIANCE

North Ogden Zoning Ordinance Title 11-9 Article B: Single-Family Residential Zones (R-1-10)

Staff Comment: Pre-Schools are permitted use in this zone.

North Ogden Zoning Ordinance Title 11-9M-13 In-Home Daycares and Preschools.

Staff Comment: This code section outlines the requirements for residential daycares and preschools, including parking, licensing, background checks, and maximum and minimum square footage available for home daycares and preschools. The applicant has provided the indoor and outdoor square footage required for the maximum number of children permitted (16 children max for daycare and 14 children max for pre-school). The application meets the required square footage for indoor and outdoor space. Ms. Nelson has provided a background check for herself and for her spouse who are the only adults living in the home. The drop-off and pick-up plan is outlined in the Site Plan Text (see exhibit C). Staff believes the application as presented meets the intent of the ordinance.

SUMMARY OF PLANNING COMMISSION CONSIDERATIONS

- Does the proposed site plan meet the requirements of the applicable City Zoning Ordinances?

CONFORMANCE TO THE GENERAL PLAN

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.

STAFF RECOMMENDATION

Staff recommends Site Plan Approval of the Little Dreamers Pre-School with no additional conditions.

EXHIBITS

- A. Business License Application with Background Checks
- B. Site plan Image
- C. Site Plan Text

MAP: See Below





Land Use Development Application

Date: 08/09/2023

Applicant / Owner

Applicant Name: Amanda Nelson
 Company: Little Dreamers Preschool
 Address: 571 E 3300 N
 City, State, Zip: 571 E 3300 N
 Phone: 8013919875
 Email: [REDACTED]

Same as Applicant: ☒
 Owner Name: Amanda Nelson
 Address: 571 East 3300 North
 City, State, Zip: Ogden
 Phone: 8013919875
 Email: [REDACTED]

Contractor Information

Contractor:
 Address:
 City, State, Zip:

Phone:
 Email:

Project

Project Name: Daycare business start up
 Address: 571 East 3300 North
 City, State, Zip: Ogden
 Parcel:
 Subdivision:
 Lot #:

Acreage: .00
 Current Zoning:
 Proposed Zoning:
 # of lots:
 Existing Sq.Ft.:
 Proposed Sq.Ft.:
 Land Serial #:

Project Description: [Description]

Application Type

Subdivision: ☐
 Preliminary Approval: ☐
 Final Approval: ☐
 Special Exception: ☐
Minor Subdivision: ☐
 Subdivision without Review: ☐
 Amendment or Vacation: ☐
Boundary Line Adjustment: ☐
Site Plan Review: ☒
 With Technical Review: ☐
 No Technical Review: ☐
Zoning Amendment: ☐
 Text: ☐
 Map: ☐
 Annexation City: ☐
Hearing Officer: ☐

Variance: ☐
Conditional Use Permit: ☐
 City Fee (With Review): ☐
 City Fee (No Review): ☐
Planned Residential Unit: ☐
Subdivision Extension: ☐
 Fence: ☐
 Fence Interior Lot: ☐
 Fence Corner Lot: ☐
 Patio: ☐
 RV PADS/Expand Driveway: ☐
 New Structure: ☐
 Shed: ☐
 Other Structure under 200 sq. ft.: ☐
 Deck: ☐
 Other: ☐

Vacation Request

Easement: ☐
 Road: ☐

Subdivision: ☐
 Subdivision Lot: ☐

Conditional Use Permit

Please explain the measures that will take place so that heavy traffic generated by the proposed use will not adversely affect the general traffic patterns of the area.

What measures are going to take place to assure that the building location will not create a pedestrian traffic hazard by causing approaches to sidewalks?

Please explain how the building design is compatible with, or complimentary to, already established adjacent structures.

If the development is adjacent to a residential zone or use, please explain how the building location, lighting, parking, or traffic circulation will not adversely affect the adjacent residential uses.

Please explain how the signage will be complementary to the development and overall aesthetic nature of the immediate area.

Please explain which proposed toxic materials and pollutants would be used in the proposed use and how such materials and pollutants will be handled, stored, and disposed of.

Please explain what measures will take place to avoid adverse effects on the adjacent residential, commercial, and manufacturing uses.

Residential Conditional Use Permit

What traffic will be generated by this proposed use?

Please explain how the proposed development / use will not overload the carrying capacity for which local streets were designed.

What measures are you taking to assure that the internal traffic circulation will not adversely affect the adjacent residential property?

How is the proposed structure and parking facilities complimentary to the aesthetics of the general area?

Please explain how the proposed sign(s) will not adversely affect the development itself or the overall aesthetics of the immediate area?

Please explain how the proposed landscaping will be sufficient to enhance the aesthetics of the development and area.

Special Exception

Explain how literal enforcement of the Zoning Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the City Ordinance. (The hardship cannot be self-imposed or an economic hardship.)

Explain what is unique to, or the special circumstances attached to the property that does not generally apply to other properties in the city.

Explain how the granting of the special exception is essential to the enjoyment of a substantial property right possessed by other property in the same district.

Explain how the special exception will not substantially affect the general plan and will not be contrary to the public interest.

Explain how the spirit of the Zoning Ordinance is observed and substantial justice is done.

Zoning Ordinance Amendment

STATE THE PHYSICAL DESCRIPTION OF THE AREA PROPOSED TO BE REZONED:

STATE THE LEGAL DESCRIPTION OF AREA PROPOSED TO BE REZONED:

PROPOSED TEXT (attach additional sheets, if needed):

Variance

Explain how literal enforcement of the Zoning Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Ordinance. (The hardship cannot be self-imposed or an economic hardship.)

Explain what is peculiar to, or the special circumstances attached to the property that does not generally apply to other properties in the same district.

Explain how the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district.

Explain how the variance will not substantially affect the general plan and will not be contrary to the public interest.

Explain how the spirit of the Zoning Ordinance is observed and substantial justice is done.

I do hereby certify that the information contained herein is true and correct.

Amanda Nelson

Name

08/09/2023

Date

RECEIVED
8/15/23



HOME OCCUPATION BUSINESS LICENSE APPLICATION

~~NO FEE~~ \$100

*This is an application to conduct a home occupation business in North Ogden City for the period of one calendar year. The person submitting this application is not entitled to engage in business until the City has approved the application.

Application Date: 8/15/23

Business License #: _____

Business Status: (Check all that apply) ☒ New Business ☐ Name Change ☐ Ownership Change

BUSINESS INFORMATION	
Business Name: <u>Little Dreamers Daycare</u>	Business Phone: <u>(801) 391-9875</u>
Business Address: <u>571 E 3300 N</u>	City, State, Zip Code: <u>North Ogden, Ut, 84414</u>
Business Mailing Address, if other:	City, State, Zip Code:
Business Email: <u>little dreamers learning@gmail.com</u>	
State Registration (Entity) #: <u>13521316-0160</u>	State Sales Tax: _____
Applicant Name: <u>Amanda Nelson</u> <u>7/31/24</u>	Applicant Phone: <u>(801) 391-9875</u>
Applicant Address: <u>571 E 3300 N</u>	City, State, Zip Code: <u>North Ogden, Ut, 84414</u>
Applicant Driver's License#: _____	Applicant Date of Birth: _____
Applicant Professional License# (DOPL), if applicable:	
Property Owner Name: <u>Luke Nelson</u>	
Briefly describe the proposed business: <u>home daycare (in my home)</u>	
How many clients will be coming as a result of this application at any one time during a daily interval? <u>up to 16</u>	
What provisions are available for off-street parking? <u>staggered drop offs. I will be walking kids out & picking them up for quick drop offs.</u>	
What type of equipment, materials, machinery, tools, merchandise, and stock are involved in the home occupation? <u>a trampoline & maybe play ground equipment</u>	
What types of modifications to the residential structure are anticipated because of the home occupation? <u>None</u>	
If in a PRUD does your Home Owner's Association allow for home occupations? <u>No homeowners association</u>	

ALL HOME OCCUPATIONS MUST COMPLY WITH THE FOLLOWING REQUIREMENTS OF ZONING REGULATIONS 11-16-3: DEVELOPMENT STANDARDS OF ALL HOME OCCUPATIONS

Please Initial:

1. Residents Of Premises: Only persons who are bona fide residents of the premises shall be engaged in the occupation.
2. Residential Character Retained: The home occupation will not physically change the dwelling to the extent that it would alter the residential character of the dwelling or the residential atmosphere of the neighborhood in which it is located. Furthermore, it shall not disturb the peace and quiet, including radio and television reception, of the neighborhood by reason of color, design, materials, construction, lighting, sounds, noises or vibrations.
3. Maximum Area Of Use: If a home occupation is conducted within the living quarters of a dwelling unit, the home occupation shall not occupy more than the equivalent of twenty five percent (25%) of the main floor area, up to a maximum of three hundred (300) square feet. If a home occupation is conducted within the garage of a dwelling unit, the home occupation shall not occupy more than thirty-three percent (33%) of the garage area.
4. Conducted Within Living Quarters; Exception: Home occupations may be permitted in the garage as long as the provisions of chapter 16 of this title are complied with. Any home occupation approved for a garage shall have minimal environmental impact on the character of the neighborhood as described in CCNO 11-16-5 related to public nuisances, and other relevant provisions of the municipal code. Existing prohibited home occupations with garages will be given a 6 month amortization time period to continue to operate from February 28, 2015.
5. Display Or Sales Of Goods: Retail sales on the premises are not permitted except as allowed in subsection N of this section. Catalog sales, internet sales, and similar types of sales are permitted if the product is drop shipped from the order warehouse to the buyer's home.
6. Signs And Advertising: No sign or advertising shall be displayed on the premises. This requirement shall not apply to temporary advertising of produce in season nor to income producing activities engaged in by minors only.
7. Traffic: The home occupation shall not generate more than five (5) vehicular roundtrips a day.
8. Parking: The addition of off street parking facilities on the premises of the home occupation beyond that normally required for residential uses is prohibited. Parking of automobiles generated by the home occupation will be confined to existing residential parking. There shall be no storage or parking on the premises or on the adjacent streets in the vicinity of the premises of tractor trailers, semi-trucks, or other heavy equipment used in an off-premise business for which the dwelling is being used as a home occupation office, except that not more than one truck of one-ton capacity or less may be parked on premise during off work hours at night. A work trailer up to 22 feet in length may be parked at night as part of the home occupation business. All trucks and trailers used as part of the home occupation business shall be licensed and registered, and parked in accordance with CCNO 11-17-3 (Design and Location of Parking Spaces). Home occupations within garages shall maintain the required two car parking spaces in accordance with CCNO 11-17-3 (Design and Location of Parking Spaces).
9. Conformance With Laws: There shall be complete conformity with fire, building, plumbing, electrical and health codes; and to all state and city ordinances and other laws, covenants, restrictions or regulations pertaining to the premises upon which the home occupation is conducted.
10. Emissions: The home occupation shall not be associated with noise, dust, odors, noxious fumes, glare, or other hazards to safety and health which are emitted and may be discernible beyond the premises.
11. Dangerous Materials Or Harmful Animals: The home occupation shall not create a hazard by using flammable, explosive or other dangerous materials, or by keeping or raising animals which are capable of inflicting harm or discomfort or endangering the health and safety of any person or property.
12. Excessive Demand For Services: The home occupation shall not create a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.
13. Use Outside Main Building: The home occupation shall not use any accessory buildings, yard or space outside of the main dwelling not normally associated with the residential uses permitted within the zone wherein the dwelling is located.
14. Product Sales: Sales of specialty products such as kitchenware, candles, cosmetics, merchandise made by the seller, or similarly branded item intended primarily for home sales are permitted if sales are made at the buyer's home, or ordered by catalog, or internet, or at sales parties. As with all businesses, sales exceeding five hundred dollars (\$500.00) annually requires a business license. (Ord. 2011-09, 5-10-2011)
15. Any nursery or daycare use of the dwelling shall comply with state law governing such use and the number of classroom occupants is governed by the minimum egress and access requirements.
16. If preschool or daycare: total # of children _____; # of children (not including your own) _____
17. In the event the home occupation is conducted, in whole or part, outside of the main dwelling:
 - a. The home occupation shall be conducted between June 1st and Sept. 1st of each calendar year;
 - b. The home occupation shall be conducted between Mon.-Fri. between 10 am - 4 pm;
 - c. The size of any class or group shall not exceed 9 persons, including observers.
18. I do hereby comply with all State, County, and local regulations

APPLICANT'S AFFIDAVIT

I/We Amanda Nelson being duly sworn, depose and say being duly sworn, depose and say that I/we are the owner(s) or authorized agent(s) of the owner of property involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my/our ability, the argument in behalf of the applicant herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

Signed By: Amanda Nelson

Date: 8-15-23

Zoning District _____ Planning Dept _____ Bldg Dept _____ Fire Dept _____ CC Approval _____

Updated Oct 2020



State of Utah

SPENCER J. COX
Governor

DIEDRE M. HENDERSON
Lieutenant Governor

Department of Public Safety

JESS L. ANDERSON
Commissioner

Receipt No: 2023069853

Criminal History Report

This is an official Utah Criminal History Report for the following person:

Name: LUKE NELSON

Date of Birth: [REDACTED]

Other Names Used:

(LUKE CHRISTIAN NELSON)

Other Dates of Birth Used:

No other birth dates exist.

NO CRIMINAL RECORD FOUND

This report reflects the criminal history as of: 08/15/2023

The Bureau of Criminal Identification did not find a match for this individual in the Utah Criminal History database.

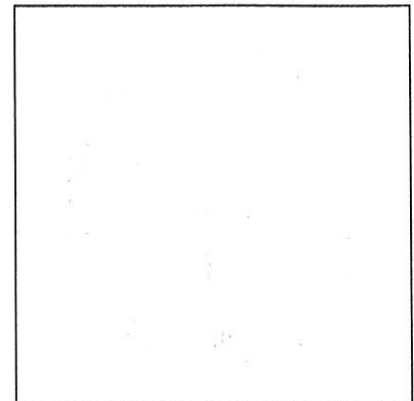
The database was searched by name only.

This is a report of search results from the Utah Criminal History file only. It does not preclude the existence of juvenile arrests, arrests in other states, or arrests not reported to the Bureau of Criminal Identification.

This report is not valid without the official seal of the State of Utah embossed in the box to the right.

I hereby certify that the information contained in this document is true and correct.


Signature of B.C.I. official





State of Utah

SPENCER J. COX
Governor

DIEDRE M. HENDERSON
Lieutenant Governor

Department of Public Safety

JESS L. ANDERSON
Commissioner

Receipt No: 2023069851

Criminal History Report

This is an official Utah Criminal History Report for the following person:

Name: AMANDA NELSON	Date of Birth: [REDACTED]
Other Names Used: (AMANDA WALKER)	
Other Dates of Birth Used: No other birth dates exist.	

NO CRIMINAL RECORD FOUND

This report reflects the criminal history as of: **08/15/2023**

The Bureau of Criminal Identification did not find a match for this individual in the Utah Criminal History database.

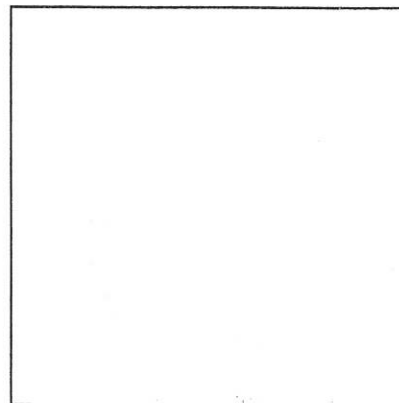
The database was searched by name only.

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This report is not valid without the official seal of the State of Utah embossed in the box to the right.

I hereby certify that the information contained in this document is true and correct.

Signature of B.C.I. official





North Ogden City
165 E Lomond View Dr
North Ogden, UT 84414
(801) 782-8111

XBP Confirmation Number: 151723055

Transaction detail for payment to North Ogden City.		Date: 08/15/2023 - 4:03:01 PM MT	
Transaction Number: 202940377 Visa — XXXX-XXXX-XXXX Status: Successful			
Account #	Item	Quantity	Item Amount
	New Business License	1	\$100.00
Notes: Little Dreamers Daycare			

TOTAL: \$100.00

Transaction detail for payment to North Ogden City.			Date: 08/15/2023 - 4:03:02 PM MT
Transaction Number: 202940380 Visa — XXXX-XXXX-XXXX Status: Successful			
Account #	Item	Quantity	Item Amount
	Service Fee	1	\$1.50
Notes: Little Dreamers Daycare			

TOTAL: \$1.50

Billing Information

Amanda Nelson
, 84414

Transaction taken by: Admin Colleen



Hybrid



5m

20 ft

5

4

33.89 ft

90.48 ft

0.02 mi

41.320873

-111.962554

28.43 ft

17.2°

1

6

25.61 ft

30.81 ft

2

3

58.6 ft

Total Marker: 6

Perimeter

0.07 mi

(362.56 ft)

Area

4,852.7 ft²

Google



Export



Storage



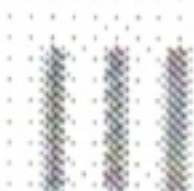
Save



Walmart+

See what the buzz is about

SIGN UP >



Little Dreamers Preschool Site Plan

We will be using 50% of the yard for the daycare

We will be using 50% of our home for the daycare

On the picture (shown) it shows measurements and where our daycare will be.

The 1st level we will use 600 square feet (for the daycare) 2nd level is 300 square feet, 3rd level is 300 square feet.

Play structures are a trampoline and a sandbox

Drop off and pickup times will be staggered. Children will be taken out to the cars to reduce traffic (and picked up) by me. With parents still in their cars.

Staff Report to the North Ogden Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration and recommendation on a legislative amendment to amend North Ogden City Code 11-3: Hearing and Publication Notice Provisions to align the requirements with Utah State Code.

Agenda Date: September 6, 2023

Applicant: North Ogden City Staff

File Number: ZTA 2023-04

PUBLIC NOTICE:

Mailed Notice: N/A

City Website: August 23, 2023

STAFF INFORMATION

Scott Hess
shess@nogden.org
801-737-9841

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-3: Hearing and Publication Notice Provisions

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 Utah State Legislature updated the Notice and Public Hearing Requirements for Municipalities. In response to these changes, the City is reviewing the Title 11-3 Hearing and Publication Notice Provisions to assure they follow Utah State Code.

The relevant sections of Utah State Code are below:

Utah State Code Title 10, Chapter 9a, Part 2 Notice.

https://le.utah.gov/xcode/Title10/Chapter9A/10-9a-P2.html?v=C10-9a-P2_1800010118000101

63G-30-102. Public notice classifications and requirements.

https://le.utah.gov/xcode/Title63G/Chapter30/63G-30-S102.html?v=C63G-30-S102_2023050320230503

ANALYSIS and DRAFT CODE LANGUAGE

Draft Code Language is below: (Red Text is New, ~~Strike Through Text~~ is recommended to be eliminated)

North Ogden Zoning Ordinance Title 11-3: Hearing and Publication Notice Provisions:
<https://northogden.municipalcodeonline.com/book?type=plan#name=11-3: HEARING AND PUBLICATION NOTICE PROVISIONS>

11-3: HEARING AND PUBLICATION NOTICE PROVISIONS

11-3-1: NOTICING IN GENERAL

11-3-2: PUBLIC HEARING AND PUBLIC MEETING NOTICES FOR GENERAL PLAN

11-3-3: GENERAL PUBLIC HEARINGS

11-3-1: NOTICING IN GENERAL

- A. A public meeting is a meeting that is open to the public, with public comment at the discretion of the land use authority (the reviewing body).
- B. A public hearing is a meeting that is open to the public and public comment is encouraged. The type of meeting is determined by the type of application and the reviewing body/land use authority it is before.
- C. General Public Meeting Notice.
 - 1. Utah State Code requires that all public bodies must:
 - a. Post their agendas 24 hours before the meeting giving the date, time and place of meeting. Public notice requirements may be satisfied by posting written notice at the building where the meeting is to be held; on the Utah Public Meeting Notice website (<http://www.utah.gov/pmn/index.html>), and on North Ogden's website.
 - b. Notify the applicant of the date, time, and place of the public meeting to consider the application; provide to each applicant a copy of any staff report and/or analysis or agency input regarding the pending application at least three business days before the public meeting; and notify the applicant of any final action on the application.

11-3-2: PUBLIC HEARING AND PUBLIC MEETING NOTICES FOR GENERAL PLAN

- A. Notice of Intent to Prepare a General Plan or to Amend a General Plan. In addition to the public meeting notice requirement above, notice of intent to prepare or adopt a General Plan or to make a General Plan amendment needs to be given to each affected entity **10 days before the scheduled hearing. Notice must be sent to the following: each affected entity, the Utah Geospatial Resource Center, Weber County, the City website, local districts, special service districts under Utah Code Title 17D, Chapter 1, Special Service District Act, school district, interlocal cooperation entity established under Utah Code Title 11, Chapter 13, Interlocal Cooperation Act, specified public utilities, property owner (for specific amendments), property owners association (for specific amendments), or the Utah Department of Transportation, Automated Geographic Reference Center; Weber Area Council of Governments (WACOG), and the Utah Public Meeting Notice website (<http://www.utah.gov/pmn/index.html>).**
- B. General Plan Public Hearings with the Planning Commission or City Council. A public hearing before the Planning Commission or City Council for General Plan adoption or amendments to the General Plan requires the same intent notice requirements listed above.
- C. Public Meeting Notices for General Plan Discussions. For a General Plan related public meeting, for example, a workshop, the same general public meeting notice (Utah Public Notice website and the City website) is required.
- D. **Each notice under Subsection (1) shall:**
 - 1. **indicate that the municipality intends to prepare a general plan or a comprehensive general plan amendment, as the case may be;**
 - 2. **describe or provide a map of the geographic area that will be affected by the general plan or amendment;**
 - 3. **be sent by mail, e-mail, or other effective means;**
 - 4. **invite the affected entities to provide information for the municipality to consider in the process of preparing, adopting, and implementing a general plan or amendment concerning:**
 - a. **impacts that the use of land proposed in the proposed general plan or amendment may have; and**
 - b. **uses of land within the municipality that the affected entity is considering that may conflict with the proposed general plan or amendment; and**
 - 5. **include the address of an Internet website, if the municipality has one, and the name and telephone number of an individual where more information can be obtained concerning the municipality's proposed general plan or amendment.**
- E. **A municipality shall send the newly adopted general plan and comprehensive general plan amendments to the relevant association of governments within 45 days of the date of adoption.**

11-3-3: GENERAL PUBLIC HEARINGS

- 1. Most public hearings the Planning Department sets are with the Planning Commission and City Council. The City Council is the legislative body, and is the only land use authority that can impose land use ordinances and regulations, after a recommendation from the

Planning Commission, see 11-1-5. Public hearings have the same requirements as General Public Meeting Notices, except the listing will be for a public hearing and needs to be posted (Utah Public Notice website and the City website) 10 days ahead of the public hearing, notice sent to affected entities, **and provided for the area directly affected by the land use ordinance change, as a class B notice under Utah State Code Section 63G-30-102, for at least 10 calendar days before the day of the public hearing.** When the Planning Department sets a date for a public hearing, 17 days is allotted for this process; 14 days is the ‘ten business days with the weekend’, and then three business days are added for the time it takes the paper or Utah Public meeting notice website to publish the hearing. There are some exceptions as discussed below that will require setting a date for a public hearing, because of time requirements in State Code.

2. Under State Code, there are no requirements for notice to adjacent property owners except for amendments to or vacating a subdivision: “For an amendment to a subdivision, each city shall provide notice of the date, time, and place of at least one public meeting, at least 10 calendar days before the public meeting.” However, North Ogden City policy is that Subdivisions, Rezoning (map changes and text), and Conditional Use applications provide for courtesy notices to be mailed to the address of owner(s) of record within the area suggested for rezoning or a map change and to each property owner within 300 feet of the subject property.
3. Courtesy notice is not given for administrative applications that are approved by the Planning Director.
4. Special Provisions for Amending Subdivisions. The courtesy notice requirement shall not be required for vacating a subdivision if all property owners have signed a petition to vacate.
5. Public hearings for vacating subdivisions, easements, roads, road rights of way, ordinances, or map amendments, have state code standards that require public hearing notice be given at least 10 business days in advance.
6. If the legal notice is not challenged within 30 days after the meeting or action for which notice is given, the notice is considered adequate and proper.

CONFORMANCE WITH THE GENERAL PLAN

Staff believes that the Planning Commission can find the proposed Code language to be in conformance with the General Plan, but also that the existing ordinance meets the intent of the General Plan. The Planning Commission should determine if the City’s Notice Provisions meet the State Code requirements.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

There are some guiding principles that should be considered before there is a change in code standards.

- Is the request a positive change for not only a specific property but does it make sense for the entire city?
- Is there additional language that is appropriate for this ordinance?
- Is the proposal consistent with the General Plan?

RECOMMENDATION

Staff recommends that the Planning Commission conduct the public hearing, consider the proposed ordinance, and make a recommendation to the City Council.

Staff Report to the North Ogden Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration and recommendation on a legislative amendment to amend Site Triangle references in Title 11.

Agenda Date: September 6, 2023

Applicant: North Ogden City Staff

File Number: ZTA 2023-05

PUBLIC NOTICE:

Mailed Notice: N/A

City Website: August 23, 2023

STAFF INFORMATION

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APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-9M-15: Residential Fence Regulations

North Ogden Zoning Ordinance Title 11-19-3: Design and Location of Parking Spaces

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

North Ogden updated and reorganized the entire Title 11 Zoning Code in 2022. It was discovered through use of the Code that there is an inconsistent reference to the size and location of Site Triangles. North Ogden Public Works Standards establishes a clear Site Triangle Clearance area, and the Planning Staff would like to align Title 11 with the Public Works Standards. This zoning text amendment has been sponsored by the Planning Department in order to correct this inconsistent reference.

ANALYSIS

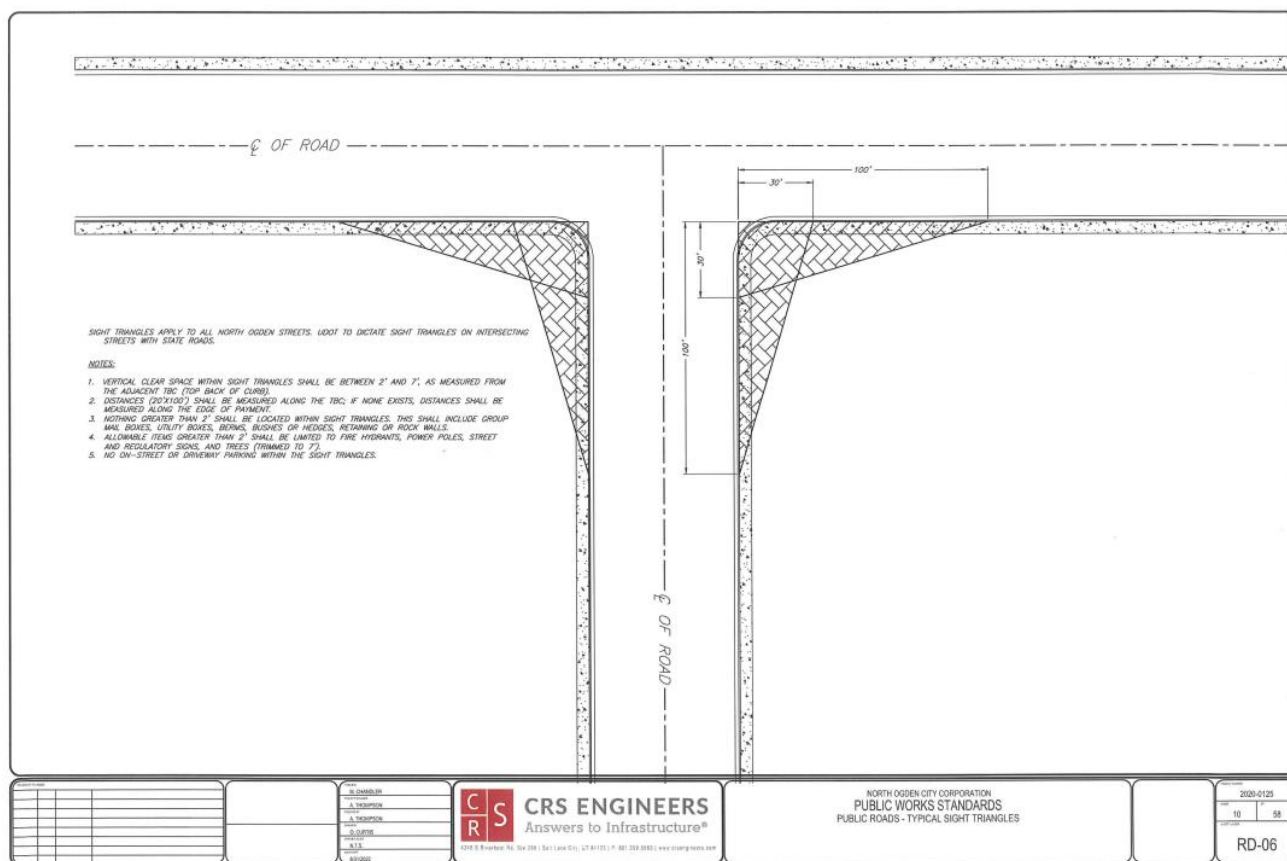
The North Ogden City Public Works Standards establish roadway and right-of-way standards found here:

https://www.northogdencity.com/sites/default/files/fileattachments/utilities/_public_works/page/149/approved_public_works_standards_2022.pdf

These Standards are adopted by Ordinance, and are referenced in several places throughout City Code, including Title 11. Staff has done a search in Title 11 for places that reference the incorrect Sight Triangle, and we believe we have found the incorrect references.

For reference, the currently adopted Sight Triangle Standard is below:

Public Works Standards: Public Roads – Typical Sight Triangles, Sheet RD-06:

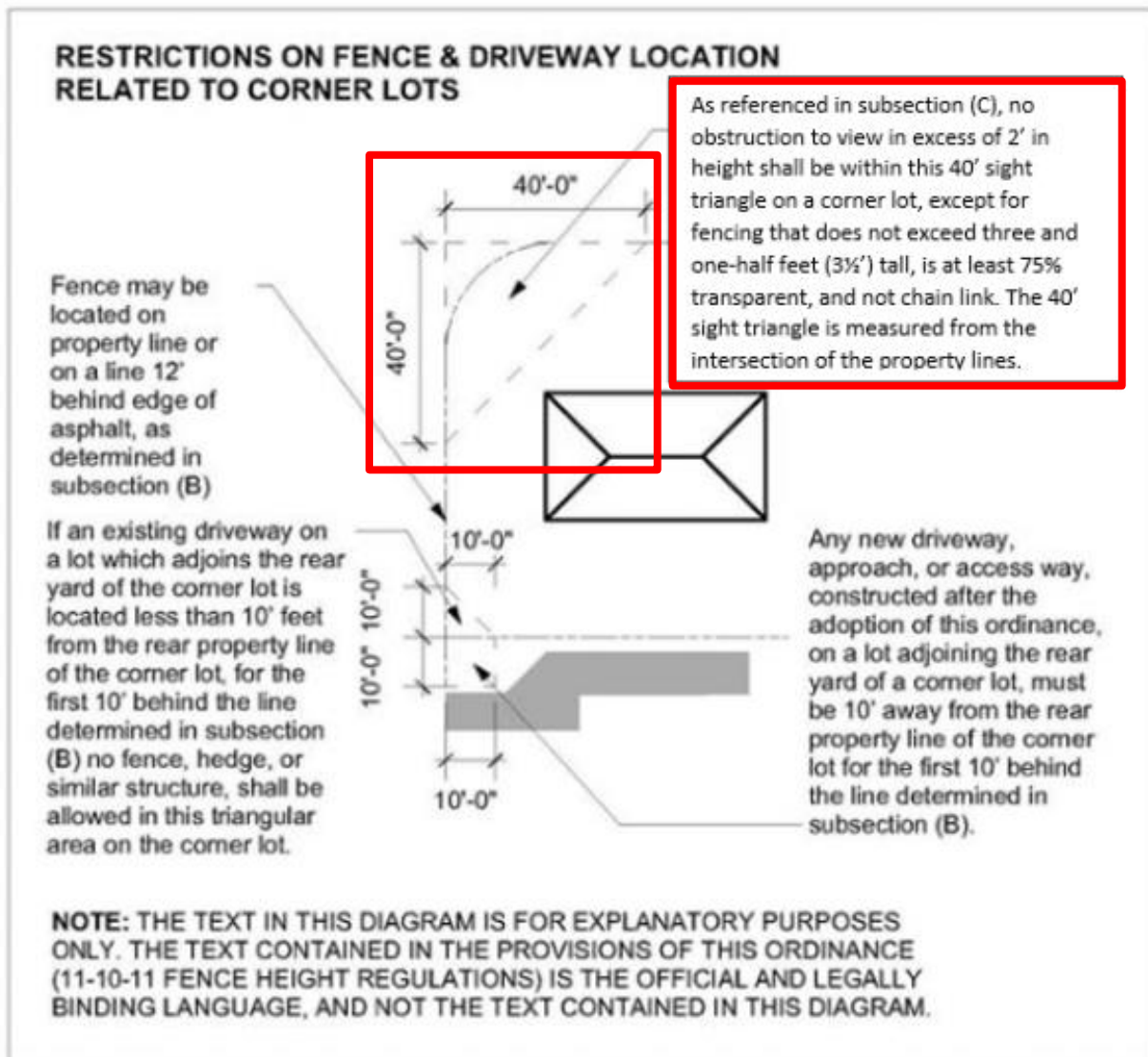


DRAFT CODE LANGUAGE

Draft Code Language is below: (Red Text is New, ~~Strike Through Text~~ is recommended to be eliminated)

North Ogden Zoning Ordinance Title 11-9M-15: Residential Fence Regulations

Staff Recommends updating the drawn diagram with the correct 30x100 Sight Triangle, and changing the text to reference the Public Works Standards.



- A. Purpose and Intent. The purpose of this section is to provide standards for location and size of fencing for all residential applications.
- B. Front, Side and Rear Yards. Except as otherwise stated in subsections, D, E, and F of this section, no fence, hedge or other similar structure shall be erected in any required front

yard of a lot to a height in excess of three feet (3'); nor shall any fence or other similar structure be erected in any side or rear yard to a height in excess of six feet (6'), or as stated in other provisions in this Title. Fence posts or similar structure may exceed the maximum fence height. Hedges shall not exceed seven feet (7') in height in the side and rear yard. Hedge provisions in this Code Section apply only to hedges used in place of a fence or acting as a fence as defined in (CCNO 11-7 Definitions).

- C. Corner Lots. No fence, hedge or other similar structure shall be erected to a height in excess of six feet (6') in the rear or side yard of a corner lot. Hedge provisions in this Code Section apply only to hedges used in place of a fence or acting as a fence as defined in (CCNO 11-7 Definitions). All such fencing, shall maintain appropriate sight lines on the corner of the intersecting streets, as per D 1.
- D. Fences located in a side yard or portion of a rear yard of a corner lot which adjoins a street or public right-of-way, may be solid in appearance, or may preserve a degree of visibility between slats or similar elements, and may be located either on the property line or on a line located twelve feet (12') behind the edge of the asphalt in the street; whichever of these locations is farther away from the edge of the asphalt. The fence may also be located at a distance farther behind the edge of the asphalt than the distance determined from among the two listed above to be the farthest from the edge of the asphalt. (While not required, a three-foot (3') distance behind the sidewalk is recommended, if a sidewalk is present, in order to provide an increase in space for snow storage, safety, practical usability of the entire width of the sidewalk by pedestrians, and aesthetic value.) Along the rear boundary of the corner lot, the fence may be located on the rear property line. A fence located in a side yard or portion of a rear yard of a corner lot which adjoins a street a public right-of-way, shall have the following additional limitations and requirements.
1. Any fence erected in a side yard of a corner lot, that encroaches into the ~~forty-foot (40') triangular area~~ **Typical Sight Triangle as referenced in the City's Public Works Standards** a required for visibility on a corner lot, as specified in subsection (C) of this section, shall not exceed three and one-half feet (3 1/2') tall, shall be at least 75% transparent, and shall not be chain link.
 2. On any corner lot where a driveway on an adjoining lot is located less than ten feet (10') from the rear property line of the corner lot, any fence constructed in a side yard or portion of a rear yard of that corner lot, which adjoins a street or public right of way, after the date of adoption of this ordinance, shall preserve a clear view through a triangular area on a portion of the rear yard of the corner lot (in addition to and separate from the ~~40'~~ triangular area specified in subsection C of this section), wherein no fence, hedge, similar structure, or other obstruction to view shall be allowed. This triangular area shall be determined by measuring a line ten feet (10') in length, starting at the point where the rear property line of the corner lot intersects the public right-of-way or the line twelve feet (12') behind the edge of the asphalt (whichever has been determined to be farther behind the edge of asphalt), along the rear property line of the corner lot, and then measuring another line ten feet (10') in length, also starting at the same point as the first line mentioned immediately above, along the public right-of-way, or the line twelve

- feet (12') behind the edge of the asphalt (whichever has been determined to be farther behind the edge of asphalt), towards the front of the corner lot, and then connecting the farthest points of the two ten foot (10') lines with a straight line.
3. Any lot which is adjacent to the rear yard of a corner lot and which does not have a driveway, approach, or access way within ten feet (10') of the rear property line of the corner lot, shall not (upon the construction of a home, a new or expanded garage, or at any other time) after the date of adoption of this ordinance, be allowed to have a new driveway, approach, or access way constructed on it which is less than ten feet (10') from the rear property line of a corner lot which adjoins the two lots, for the first ten feet (10') behind the line mentioned above whereon a fence on a corner lot, in a side yard or portion of a rear yard which adjoins a street or public right-of-way, may be located, as described earlier in this subsection. Further, a clear view shall be maintained through this same ten-foot (10') by ten foot (10') area, as well as the area directly between this ten foot (10') by ten foot (10') area and the edge of the asphalt, wherein no fence, hedge, similar structure, or other obstruction to view shall be allowed.
 - E. Obstruction to View. In all zones, no obstruction to view in excess of two feet (2') in height as measured from the top of the curb or edge of the hard street surface, shall be placed on any corner lot within the **Typical Sight Triangle as referenced in the City's Public Works Standards** ~~a triangular area formed by the street property lines and a line connecting them at points forty feet (40') from the intersection of the street lines~~, or at any other location which would obstruct the vision of street and regulatory signs or oncoming vehicles by automobile drivers, except a reasonable number of trees pruned high enough to permit an unobstructed view of street and regulatory signs or oncoming vehicles by automobile drivers, or fencing that does not exceed three and one-half feet (3 1/2') tall, is at least 75% transparent, and not chain link.

North Ogden Zoning Ordinance Title 11-19-3: Design and Location of Parking Spaces

Parking shall meet the following standards.

1. The dwelling unit has the minimum number of required off street parking spaces as stipulated by CCNO 11-17-3.
2. The parking area is at least eight feet (8') wide, and in the case of corner lots, a maximum of twelve feet (12') wide in the side yard area and is of sufficient length to accommodate the vehicle with no portion of the vehicle extending more than ten feet (10') forward of the front face of the dwelling. In the case of a corner lot, no vehicle shall be parked in the ~~forty foot (40') sight triangle~~ **Typical Sight Triangle as referenced in the City's Public Works Standards**.

CONFORMANCE WITH THE GENERAL PLAN

The Vision for North Ogden in the General Plan reads: "North Ogden will continue to be a community of beautiful homes and friendly people that capitalizes on the impressive setting beneath the slopes of Ben Lomond peak. North Ogden will strive to:

- Assure that North Ogden remains a beautiful place to live, work, and recreate;
- Preserve the essential characteristics of a family friendly community that assures an enduring legacy, small town feel, and high quality of life in North Ogden.

Staff believes that the Planning Commission can find the proposed Code language to be in conformance with the General Plan, but also that the existing ordinance meets the intent of the General Plan. The Planning Commission should determine if aligning Title 11 and the Public Works Standards is in the City's best interest.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

There are some guiding principles that should be considered before there is a change in code standards.

- Is the request a positive change for not only a specific property but does it make sense for the entire city?
- Is there additional language that is appropriate for this ordinance?
- Is the proposal consistent with the General Plan?

RECOMMENDATION

Staff recommends that the Planning Commission conduct the public hearing, consider the proposed ordinance, and make a recommendation to the City Council.

Staff Report to the North Ogden Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration and recommendation on a legislative amendment to amend Residential Fencing Standards to consider 8 foot tall Deer Fencing for the protection of private property.

Agenda Date: September 6, 2023

Applicant: North Ogden City Staff

File Number: ZTA 2023-06

PUBLIC NOTICE:

Mailed Notice: N/A

City Website: August 23, 2023

STAFF INFORMATION

Scott Hess
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APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-9M-15: Residential Fence Regulations

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

North Ogden City Council asked the Planning Department to consider standards for Deer Fencing that would allow residents to protect their property and gardens. Staff has searched Utah State Codes and has found a resource put together by North Logan City.
[https://northlogan.municipalcodeonline.com/book?type=ordinances#name=16-600 Deer Control Regulations](https://northlogan.municipalcodeonline.com/book?type=ordinances#name=16-600%20Deer%20Control%20Regulations)

This ordinance provides clear standards that are easy to understand and provide a solid base for the Planning Commission to consider a conversation around.

ANALYSIS

North Ogden City allows fencing taller than 6 feet in specific instances (along a commercial and residential boundary, and Sport Courts). The City has an extensive area of wildland interface between residential homes and deer grazing environments. In order for residents to protect their property and landscaping, the city may elect residents to install fencing taller than 6 feet to discourage deer from entering their property.

North Logan City Code provides a good example of Deer Fencing regulations.

16-602 Definitions

1. Deer - Mule Deer. Applies also to White-Tailed deer if present.
2. Deer Fence. A fence constructed with certain features including its material and height, and placed in such location and height to discourage deer from crossing it to gain access to a piece of property intended to be protected. A deer fence need not be made out of deer fencing material, in whole or in part, to be considered a deer fence.
3. Deer Fencing Material. Fencing material either specifically designed for controlling and barricading deer and other predators or more standard fencing material equally capable of doing so. Such material may be installed as either a stand-alone deer fence or the deer fencing material may be added to other fences and/or fencing material. The following types of materials are approved as deer fencing material:
 1. Plastic/Polyresin Deer Fencing in earth or neutral colors (green, black, or brown)
 2. Galvanized or Stainless Steel Wire Fencing made of 14 gauge wire or larger.
 3. PVC-Coated Steel Fencing in earth or neutral colors (green, black, or brown) made of 16 gauge wire or larger.
 4. Vinyl Fencing

16-604 Deer Control Fencing Regulations

1. Deer Fences Allowed. Fences may be installed higher than six feet only if their purpose is designated as a deer fence and provided such fences comply with the requirements of this chapter. Any deer fence that is six feet (6') or more in height, shall require a building permit and its installation verified to be correct by a city official authorized to do so. The following types and combinations of fencing are permitted as deer fences:
 1. Any fence or fencing material if the height of the fence is six feet (6') or less.
 2. Any fence over six feet in height provided that any portion of the fence above the six foot height is either:
 1. constructed with Deer Fencing Material as defined in paragraph 16-602(3), or
 2. constructed of material similar to the bottom part of the fence provided that such fencing material can be shown to be at least as strong as the any

of the fencing material listed in paragraph 16-602(3) and constructed to not cause a safety hazard for a deer; and

3. in either case constructed such that at least 50% of the face of the fence above six feet (6') is open. In other words, "privacy fences" or the privacy portions of fences are only allowed to a height of six feet (6').
 3. Deer fences up to eight feet (8') in total height may only be located to the rear of the front set back line for the lot. The front set back line for the lot shall be that line that is established by the land use zone for the subject property.
 4. Deer fences up to ten feet (10') in total height may be located on residential lots by conditional use permit.
2. Deer Fence Construction. Deer fencing material must be securely supported by posts or attached to existing fencing and shall be installed in accordance with the manufacturer specifications.
The measurement of the height of the deer fence shall be measured from the ground and include the height of any fence to which it may be attached. Deer fencing material may not be attached to trees.
 3. Deer Fence Maintenance. Deer fencing and its installation shall be maintained in good condition and subject to periodic inspection by a designated city officer to ensure that it has not deteriorated, come loose or has otherwise become a visual nuisance or hazard to people or animals.

CONFORMANCE WITH THE GENERAL PLAN

The Vision for North Ogden in the General Plan reads: "North Ogden will continue to be a community of beautiful homes and friendly people that capitalizes on the impressive setting beneath the slopes of Ben Lomond peak. North Ogden will strive to:

- Assure that North Ogden remains a beautiful place to live, work, and recreate;
- Preserve the essential characteristics of a family friendly community that assures an enduring legacy, small town feel, and high quality of life in North Ogden.

Staff believes that the Planning Commission can find the proposed Code language to be in conformance with the General Plan, but also that the existing ordinance meets the intent of the General Plan. The Planning Commission should determine if Deer Fencing is in the City's best interest.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

There are some guiding principles that should be considered before there is a change in code standards.

- Is the request a positive change for not only a specific property but does it make sense for the entire city?
- Is there additional language that is appropriate for this ordinance?
- Is the proposal consistent with the General Plan?

RECOMMENDATION

Staff recommends that the Planning Commission conduct the public hearing, consider the proposed ordinance, and make a recommendation to the City Council.

Staff Report to the North Ogden Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration and recommendation on a legislative amendment to amend Hillside Protection HP Zones Accessory Building Lot Coverage.

Agenda Date: September 6, 2023

Applicant: North Ogden City Staff

File Number: ZTA 2023-07

PUBLIC NOTICE:

Mailed Notice: N/A

City Website: August 23, 2023

STAFF INFORMATION

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APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-12: Hillside Protection Zones HP-1, HP-2, HP-3
North Ogden Zoning Ordinance Title 11-12-6: Site Development Standards

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

North Ogden updated the Accessory Building Standards city-wide in 2021. It was recently discovered that there was an error in the Code and an omission of the backyard coverage of accessory buildings within the Hillside Protection Zones. This zoning text amendment has been sponsored by the Planning Department in order to correct this omission and bring all residential zones into alignment.

ANALYSIS

The North Ogden City Code for accessory buildings was updated in 2020 and 2021 to eliminate overall size requirements, and bring each residential zone into alignment with accessory building standards. The setback, height, and lot coverage are used to define how large an accessory building can be and where on the lot it may be located. The following residential zones is consistent with the requirement that there be no more than 25% of the rear yard covered with an accessory building: RE-20, R-1-8, R-1-8(A), R-1-8(AG), R-1-10, R-1-12.5, R-2, R-3.

The Hillside Protection Zones were not given the same provision, and the Planning Department believes it would be a positive change to add that provision to the zones.

DRAFT CODE LANGUAGE

Draft Code Language is below: (Red Text is New, Strike Through Text is recommended to be eliminated)

11-12-6: SITE DEVELOPMENT STANDARDS

(Measurements in feet or square feet)

Zoning District			HP-1	HP-2	HP-3
A. Minimum lot area (square feet or acres)			10,000	12,500	2 acres
B. Minimum lot width in feet (measured 30 feet from front lot line)			90'	100'	200'
C. Minimum yard setback (in feet)					
	1. Front		30'	30'	50'
	2. Side		10'	10'	25'
		a. Minimum street side yard	20'	20'	50'
	3. Rear		20'	20'	150'
D. Total lot coverage			35%	35%	35%
D. Building Height (in feet)					
	1. Minimum building height		10'	10'	10'
	2. Maximum building height		35'	35'	35'

E. Accessory building regulations (in feet) (see also CCNO 11-9M-8)				
1.	Accessory building/large accessory building			
	a. Required setback in feet (with permitted increases in building height beyond 10')			
(1) Buildings that meet the design standards requirements in CCNO 11-9M-8: a building up to 10' tall may be 3' from the property line. Beginning at 5' from the property line, an increase in building height beyond 10' is permitted up to a maximum building height of 25' (at the tallest point of the roof of the building), with an increase, at a 1:1 ratio, in the required setback distance of the building walls from the property line				
F. Maximum rear yard coverage by accessory building		25%	25%	25%
F.G. There shall be provided a minimum of 6 feet of spacing between main and accessory buildings.				
1.	Maximum Number of Large Accessory Buildings Per Lot	1	1	1
2.	Building Design and Materials - See CCNO 11-9M-8			

CONFORMANCE WITH THE GENERAL PLAN

The Vision for North Ogden in the General Plan reads: "North Ogden will continue to be a community of beautiful homes and friendly people that capitalizes on the impressive setting beneath the slopes of Ben Lomond peak. North Ogden will strive to:

- Assure that North Ogden remains a beautiful place to live, work, and recreate;
- Preserve the essential characteristics of a family friendly community that assures an enduring legacy, small town feel, and high quality of life in North Ogden.

Staff believes that the Planning Commission can find the proposed Code language to be in conformance with the General Plan, but also that the existing ordinance meets the intent of the General Plan. The Planning Commission should determine if adding total lot coverage for accessory buildings in the Hillside Protection Zones is in the City's best interest.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

There are some guiding principles that should be considered before there is a change in code standards.

- Is the request a positive change for not only a specific property but does it make sense for the entire city?
- Is there additional language that is appropriate for this ordinance?
- Is the proposal consistent with the General Plan?

RECOMMENDATION

Staff recommends that the Planning Commission conduct the public hearing, consider the proposed ordinance, and make a recommendation to the City Council.