NORTH OGDEN CITY

SETTLED 1851

CITY COUNCIL MEETING

SEPTEMBER 10, 2024 AT 6:00 PM

515 E 2600 N | NORTH OGDEN, UT 84414

AGENDA

PUBLIC CAN ATTEND:
In person OR: Click the link to join the Webinar: https://us02web.zoom.us/j/83331900024
Webinar ID: 833 3190 0024
Telephone Dial: 1 346 248 7799 or 1 669 900 9128 or 1 253 215 8782
YouTube: https://www.youtube.com/@northogdencity7620

Welcome: Mayor Berube
Invocation/Thought & Pledge of Allegiance: Council Member Pulver

PRESENTATIONS

1. Presentation on the 2024 Chery Days Celebration
   Presenter: 2024 Cherry Days Committee

CONSENT AGENDA

2. Call for Conflict of Interest Disclosure
3. Discussion and/or action to consider the August 13, 2024, City Council Meeting Minutes
4. Discussion and/or action to consider the disbandment of the Barker Park Committee
   Presenter: City Manager/Attorney Jon Call

ACTIVE AGENDA

5. Public Comments*
6. Discussion and/or action to consider the Zoning Text Amendment for 11-3: Hearing and Publication Notice Provisions
   Presenter: Planner Ryan Nunn
7. Discussion and/or action to consider Ordinance 2024-17 amending the parking setback and landscape buffer requirements – reinstating Zoning Text Amendment 2022-01
   Presenter: Community and Economic Development Director Scott Hess
8. Discussion on the Fruitland Drive and 2100 North Intersection
   Presenter: City Engineer Eric Casperson
9. Discussion on the Right Turn Lane on 400 East 2600 North
   Presenter: City Engineer Eric Casperson

CERTIFICATE OF POSTING
The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda were posted within the North Ogden City limits on this 6th day of September, 2024 at North Ogden City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website at https://www.utah.gov/pmn/, and at http://www.northogdencity.com. The 2024 meeting schedule was posted on 8/13/2023.
Rian Santoro, North Ogden City Recorder.

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. The Council reserves the right to enter into a closed meeting at any time in accordance with 52-4-204. In compliance with the Americans with Disabilities Act, those 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 a two-thirds vote to go into a closed meeting.

10. Discussion on the 2550 Detention Basin Relocation/Irrigation Storage/Community Park
    Presenter: City Manager/Attorney Jon Call
11. Council Department Reports
    a. Council Member Dalpias – Police Department
    b. Council Member Cevering – Building and Planning Departments
    c. Council Member Barker – Parks Department
12. Public Comments*
13. Mayor/Council/Staff Comments
14. Adjournment

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.

NORTH OGDEN CITY COUNCIL
MEETING MINUTES

August 13, 2024

The North Ogden City Council convened on August 13, 2024, at 5:00 p.m. at the North Ogden City Public Safety Building at 515 East 2600 North.
Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on August 8, 2024.
Notice of the annual meeting schedule was posted on the bulletin board at the municipal office and posted to the Utah State Website on December 13, 2023.

Note: The time stamps indicated in blue correspond with the recording of this meeting, which can be located on YouTube: https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos **or by requesting a copy of the audio file from the North Ogden City Recorder.**

PRESENT:

S. Neal Berube	Mayor (Zoom)
Ryan Barker	Council Member/Mayor Pro Tempore
Blake Cevering	Council Member
Jay D Dalpias	Council Member
Chris Pulver	Council Member
Christina Watson	Council Member

STAFF PRESENT:

Jon Call	City Manager/Attorney
Rian Santoro	City Recorder
Brian Eynon	Police Chief
Scott Hess	Community and Economic Development Director
Jami Jones	Finance Director
Dave Espinoza	Public Works Director/Assistant City Manager
Trent Wilkins	Sanitary Sewer Superintendent
Ryan Nunn	Planner
Bryce Nelson	Administrative Services Manager

VISITORS:

Phillip Swanson	Reed Miller
Kevin Burns	Merrill Sunderland
Brenda Ashdown	Meg Sanders
John Hansen	Julia Cole
Stefanie Casey	Collette Mabey
Rick Magness	Mike Mabey

Brian Bartholomew
Dave Jacobson
Susan Jacobson
Renee Keeny
Alan Giles
Susan Kilborn (Zoom)
Sandy Cochran (Zoom)
Christina L (Zoom)

0:0:02 Mayor Pro Tempore Ryan Barker called the meeting to order and Council Member Dalpias gave the invocation and led in the Pledge of Allegiance.

CONSENT AGENDA

1. CALL FOR CONFLICT OF INTEREST DISCLOSURE

0:01:38 No conflict of interest was disclosed.

ACTIVE AGENDA

2. PUBLIC COMMENTS

0:02:02 Phillip Swanson, a North Ogden resident, expressed cautious support for the idea of requiring a certain percentage of owner-occupied homes in the Century Farms Development Agreement, noting that it's a new and untested concept in North Ogden. Phillip raised concerns about the enforcement of such an agreement, questioning whether the City has the necessary staff and resources. He also highlighted the potential impact on development and warned of the risk of losing land use authority to the State Legislature if the City mishandles the situation.

Drawing from his experience on the City Council during the 2014-2015 Village at Prominence Pointe project, Phillip advised the current Council to proceed cautiously. He recounted how the Council at that time rushed into the project, leading to long-term consequences for both the City and its residents. Phillip recommended starting with a modest 15-20% owner occupancy requirement to test the waters before considering higher percentages in future projects. He emphasized the importance of taking a measured approach to avoid repeating past mistakes.

3. DISCUSSION AND/OR ACTION TO CONSIDER THE COST INCREASE TO THE TRANSMISSIVE ACOUSTIC INSPECTION SEWER LINE RAPID ASSESSMENT TECHNOLOGY (SL-RAT) MULTI-ANNUAL AGREEMENT

0:07:08 Sanitary Sewer Superintendent Trent Wilkins explained the multi-year contract for sewer line assessments using a technology called Transmissive Acoustic Inspection, also known as Sewer RAT (Rapid Assessment Technology). The proposed agreement includes an annual sewer assessment over the next four years, with a 2-4% price increase each year.

Trent explained that this technology uses sound waves between upstream and downstream manholes to assess the condition of sewer lines, scoring them on a scale from 1 to 10 with color indicators from red to green. Based on the assessment, the City can then clean and inspect the necessary lines, which prolongs the life of the City's sewer truck and reduces water usage. As a result, the City has avoided hiring an additional employee in the Sewer Department, thus saving costs.

City Manager/Attorney Jon Call noted that the contract requires Council approval because it spans multiple years. The current cost of the service is $57,000, which has already been budgeted for this year. Council Members discussed the benefits of the technology, noting its efficiency and effectiveness.

Council Member Cevering motioned to approve the cost increase to the Transmissive Acoustic Inspection Sewer Line Rapid Assessment Technology (SL-RAT) Multi-Annual Agreement. Council Member Dalpias seconded the motion.

Voting on the motion:

Council Member Barker	**aye**
Council Member Cevering	**aye**
Council Member Dalpias	**aye**
Council Member Pulver	**aye**
Council Member Watson	**aye**

The motion passed unanimously.

4. DISCUSSION AND/OR ACTION TO ACCEPT THE RECOMMENDATION FROM THE NORTH OGDEN PLANNING COMMISSION AND APPROVE THE REZONING OF THE PROPERTY LOCATED AT 2575 N 400 EAST FROM MULTIFAMILY RESIDENTIAL (R-4) TO COMMUNITY COMMERCIAL DOWNTOWN ZONE (CC-DT)

0:12:23 Planner Ryan Nunn presented the proposed rezone for the property currently housing the America First Credit Union (AFCU) branch building. The rezone is intended to address the northern parcel as part of a redevelopment effort.

The property is currently zoned as multifamily residential (R-4) but has been used for commercial purposes for several decades. The rezone will align the zoning with its long-standing commercial use. It was noted that when previous zoning changes occurred, this parcel was mistakenly left out. The Council agreed that rezoning to commercial is logical and consistent with the property's current and future use. Council Member Dalpias mentioned that they had reviewed the Planning Commission's discussion on the matter and supported the rezone.

Council Member Dalpias motioned to approve the rezoning of the property located at 275 North 400 East from Multifamily Residential (R-4) to Community Commercial Downtown Zone (CC-DT). Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	**aye**
Council Member Cevering	**aye**
Council Member Dalpias	**aye**
Council Member Pulver	**aye**
Council Member Watson	**aye**

The motion passed unanimously.

5. DISCUSSION AND/OR ACTION TO CONSIDER THE DEVELOPMENT AGREEMENT FOR CENTURY FARMS

0:15:58 City Manager/Attorney Jon Call provided details about the Development Agreement, including a reduction in setbacks, the inclusion of a public road, and a financial contribution from the developer. A unique aspect of the agreement is a 5-year ownership restriction on 12 of the units, requiring them to be owner-occupied. This restriction is designed to prevent the entire complex from being converted into a rental property and is intended to support home ownership. The enforcement of this restriction would primarily fall on the Homeowner's Association (HOA), with the City having oversight to ensure compliance.
Council Members expressed concerns and support for the proposal, particularly around the balance between developer concessions and the benefits to the City, such as the new park and financial contributions.

The park is planned to include features like a water play area, benches, and a walking path. The Council discussed the enforcement of the owner-occupancy restriction, with suggestions for an annual affidavit from the HOA to confirm compliance. Despite some concerns about the ownership percentage, the Council recognized the project as a positive compromise and a potential model for future developments. The staff recommended approval of the agreement, emphasizing the importance of the park and the overall benefits to the City.

Council Member Dalpias motioned to approve the Development Agreement for Century Farms. Council Member Watson seconded the motion.

Voting on the motion:

Council Member Barker	**aye**
Council Member Cevering	**nay**
Council Member Dalpias	**aye**
Council Member Pulver	**aye**
Council Member Watson	**aye**

The motion passed on a 4 to 1 vote.

0:39:00 **Council Member Dalpias motioned to saunter the meeting until 6:00 p.m. Council Member Watson seconded the motion.**

The meeting reconvened at 6:00 p.m.

6. TRUTH IN TAXATION PUBLIC HEARING ON PROPOSED PROPERTY TAX RATE

a. Presentation by City Council

0:40:20 City Manager/Attorney Jon Call explained the primary focus of the meeting, which was to gather resident feedback on the proposed property tax adjustments. He emphasized the importance of deciding on the property tax rate increase by August 27th to meet the State's September 1st deadline.
The proposed tax changes aim to reduce the City's reliance on sales tax for public safety expenses, which are currently funded 60% by property tax and 40% by sales tax.

Several key items require funding this year, including a sidewalk repair program, a new dump truck, a lift truck, increases in employee salaries and benefits due to market conditions, new finance positions, and rising motor pool costs. The additional funding required for these needs is approximately $583,300. To cover these expenses, the City anticipates increased sales tax collections, revenue from the proposed property tax rate increase, new growth from homes and businesses, and funds from commercial property tax that were previously allocated to a redevelopment area, totaling around $580,000 in new revenue. The proposed property tax increase of 9.59% would result in an average annual increase of $32.50 for a typical North Ogden home valued at $525,000. Due to variations in property valuations, some residents may see higher or lower tax bills. Jon also informed residents that they could challenge their property valuations by September 15th and that those eligible for tax relief, such as veterans with disabilities, could apply through the County.
The discussion also touched on the sidewalk replacement program. The cost of replacing sidewalks has significantly increased due to rising concrete prices, which has drastically reduced the number of panels the City can replace each year.
Mayor Berube added that the decision to increase funding for sidewalk repairs is not only based on cost but also to prevent potential lawsuits related to unsafe sidewalks, ensuring the City meets its obligation to maintain safety and protect against litigation.
Mayor Berube emphasized the importance of addressing sidewalk safety to avoid lawsuits, aligning with the City's broader goal of protecting residents and maintaining infrastructure.

Council Member Cevering motioned to open the Public Hearing. Council Member Pulver seconded. All those in attendance voted aye.

b. Public Hearing to receive comments on the proposed tax rate

0:54:20 Meg Sanders, a North Ogden resident, expressed concerns about the City's approach to funding infrastructure improvements, specifically sidewalks. She questioned what sources of revenue the City has to address such needs. Meg noted that other places, like Ogden's Business Depot Ogden (BDO), use revenue-generating projects to fund infrastructure. In contrast, North Ogden frequently rezones commercial areas for residential use, which she believes diminishes the City's ability to generate revenue necessary for infrastructure repairs. She emphasized the importance of holding developers accountable to include the promised commercial elements in mixed-use projects, citing examples like Village at Commons, where the anticipated commercial development has not materialized.

Meg argued that these commercial projects are crucial for generating the sales tax revenue needed to maintain and repair the City's sidewalks and roads.

0:55:22 Reed Miller, a North Ogden resident, voiced concerns about the impact of the proposed 9% tax increase on residents, particularly those with fixed incomes. He emphasized that while improvements and City developments are appreciated, repeated tax increases place a significant burden on individuals. Reed expressed a sentiment that the City's decisions might prioritize the City's needs over the well-being of individual residents. He urged the Council to consider the personal financial strain these increases impose on the community when making their assessments.

0:57:02 Dave Jacobson, a North Ogden resident, shared his concerns about the significant increase in his property taxes since he and his wife moved to the City in 2019 after his retirement. He noted that their total property tax was $2,407.79 in 2019, and with the proposed increases for 2024, it would rise to $3,863.05, reflecting an overall increase of approximately 60.23% over five to six years. He highlighted that the North Ogden portion of their tax increased from $208.29 in 2019 to a projected $449.28 in 2024, a 115.69% increase. Jacobson emphasized this substantial rise in the City's portion of the tax for the Council's consideration.

0:58:40 Julia Cole, a North Ogden resident, expressed concerns about the significant increase in property taxes, particularly affecting her household, where she cares for her elderly parents, aged 94 and 92. She mentioned that her husband's annual raise averages around 3%, and she urged the City to adopt a similar approach by committing to not raising taxes beyond a certain amount each year and then managing within that budget. Cole emphasized that this is how many residents manage their finances and urged the City to consider a more restrained approach to tax increases.

0:59:47 Susan Kilborn, a North Ogden resident, expressed a contrary opinion during the public comment period. She commended the City for its efforts to keep City taxes low and voiced her frustration with State Taxes, which she acknowledged are beyond the City's control. Susan questioned why some residents are upset over a $33 annual increase in property taxes, noting that many people willingly spend money at local restaurants, fast food places, and coffee shops. She contrasted these spending habits with complaints about taxes and stated she was prepared to defend her stance, even if it drew criticism on social media.

1:01:04 Phillip Swanson, a North Ogden resident, began his comments by thanking the Council for the many hours spent reviewing the budget.

He acknowledged that the City had denied some department requests and delayed certain expenditures, which helped reduce the overall budget. Phillip stated that while he doesn't like taxes, he appreciates the services they fund, such as road maintenance, street sweeping, police protection, and storm sewer management. He highlighted the importance of these services in maintaining the City's infrastructure and safety, particularly mentioning the challenges with road funding and the City's efforts to allocate more budget towards road improvements. Phillip noted that after carefully reviewing the budget himself, he couldn't find any areas he'd be willing to cut to lower taxes. He expressed his gratitude for the Council's hard work, recognizing the difficulty in both imposing and accepting tax increases.

1:03:15 Brian Bartholemew, a North Ogden resident, expressed concerns about the proposed tax increase. He noted that after living in his home for 11 years, he saw a street sweeper pass by for the first time last week, suggesting that some services might be handled individually by residents rather than being funded by the City. Reflecting on past discussions with the Council, Brian admitted he hadn't reviewed this year's budget but hoped the Council had. He recalled reviewing the budget a few years ago and identifying areas that could be cut, drawing from his experience as a small business owner where cuts are often necessary. Brian pointed out a discrepancy between the 9.46% tax increase noted on his tax notice and the 9.59% figure presented by the City, arguing that even a 9.5% increase is too high. He urged the Council to aim for a more modest 2-3% increase, emphasizing the value of small government, which he believes should mean lower taxes and more self-reliance among residents. He acknowledged the difficulty of the Council's position but reiterated his stance on keeping the tax increase lower.

1:05:40 Renee Keeny, a North Ogden resident, voiced her belief that taxes are a form of theft. She agreed with the previous speaker that residents could handle certain tasks, such as leaf removal, on their own without relying on City services like street sweeping. Renee expressed frustration over a pothole in front of her house that she was told would be fixed but has not yet been addressed. As the pothole worsens and winter approaches, she questioned the necessity of government involvement in many of these issues.

Council Member Cevering motioned to close the Public Hearing. Council Member Pulver seconded the motion. All those in attendance voted aye.

7. MAYOR/COUNCIL/STAFF COMMENTS

1:07:48 City Manager/Attorney Jon Call pointed out that the official notice published in the paper indicated a 9.59% tax increase.
Jon acknowledged that individual percentages for each home might vary due to assessments, meaning not every property will see a 9.59% increase. He noted that they would verify his tax notice to confirm the percentage but wanted to ensure the Council was aware of the official figure.

1:08:28 Council Member Pulver highlighted that in the past two years, the Citizen Budget Subcommittee has dedicated at least 200 hours to reviewing the City budget. He recommended that anyone interested in understanding the complexities of the City budget consider participating in this process. Pulver noted that despite his initial hopes to significantly reduce taxes, the budgeting process proved to be more intricate than anticipated, emphasizing the value of hands-on experience for those looking to engage with the budget. Council Member Pulver acknowledged that City government is not a simple task and noted that the City Council takes advice from the Citizen Budget Subcommittee.

1:09:40 Council Member Dalpias acknowledged the lengthy and thorough process involved in preparing the City budget, noting that many of the items have been discussed extensively over the past 7 to 8 months. He encouraged residents to get involved early and provide guidance to help the Council address their needs and suggestions. Council Member Dalpias shared that he recently switched careers and has been struggling with the tax increase, given his lack of a pay raise for the past three years and the impact of inflation on his personal budget. He expressed empathy for residents facing similar challenges and invited anyone with questions to reach out to him or speak with him after the meeting.

1:11:37 Council Member Cevering emphasized the extensive deliberation the City Council and staff have invested in the budget since January. He acknowledged Reed Miller's contributions to the community and stressed that decisions are made with the well-being of residents in mind. Cevering pointed out the challenges of balancing service levels with budget constraints, noting that cuts could impact essential services like snow removal and water supply. He expressed frustration at claims that the budget process has not been thoroughly considered, asserting that significant effort has been put into ensuring the City can continue to provide necessary services while understanding the financial impact on residents, including Council Members themselves.

DRAFT

1:13:33 Mayor Berube thanked the Council for their efforts in finalizing the budget and acknowledged the complexity of balancing various needs and priorities. He emphasized the importance of addressing issues proactively rather than deferring them, noting that postponing maintenance can lead to higher costs in the future.
Mayor Berube expressed pride in the Council's courage to tackle current challenges and appreciated the work of Jami, the Finance Director, for her extensive efforts in managing the budget and related issues.

8. ADJOURNMENT

Council Member Watson motioned to adjourn the meeting.

The meeting adjourned at 6:35 p.m.

DRAFT

_____
S. Neal Berube, Mayor

_____
Rian Santoro
City Recorder

_____
Date Approved

NORTH OGDEN CITY
SETTLED 1851

Staff Report to the North Ogden City Council

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:	August 27, 2024, City Council September 10, 2024, Planning Commission
Applicant:	North Ogden City Staff
File Number:	ZTA 2023-04

PUBLIC NOTICE:

Mailed Notice:	N/A
City Website:	August 23, 2023

STAFF INFORMATION

Ryan Nunn
rnunn@nogden.org
801-737-2202

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 Though 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

The Planning Commission unanimously recommended that the ordinance be approved. Staff recommends that the City Council conduct a review of the proposed ordinance amendment and discuss the adoption of the ordinance amendment.

EXHIBITS

A. PC 9-6-2023 Minutes
B. Ordinance Draft

NORTH OGDEN CITY
SETTLED 1851

NORTH OGDEN PLANNING COMMISSION
MEETING MINUTES
September 6, 2023

The North Ogden Planning Commission convened in a regular meeting on September 6, 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 August 31, 2023. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2022.

COMMISSIONERS:

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

STAFF:

Scott Hess	Community and Economic Development Director

VISITORS:

Chris Pulver
Jon & Judy Vanderwood
Luke & Amanda Nelson

Vice Chairman Mason called the meeting to order at 6:00 p.m. Commissioner Barker offered the invocation and Commissioner Green led the Pledge of Allegiance.

1. ROLL CALL

Vice Chairman Mason conduced roll call and noted Chairman Thomas, Commissioner Webb, and Commissioner Watson were excused from the meeting; all other Commissioners were present.

2. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

Vice Chairman Mason asked if any Commissioners had ex parte communications or conflicts of interest to disclose. No disclosures were made.

3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Jon Vanderwood, North Ogden resident, stated he has lived in North Ogden for 20 years and he loves this area. He asked if the City has any regulations for pickleball courts or if any permits have been granted for pickleball courts in residential areas.

Planning Director Hess stated the City does permit sport courts and allows for taller fencing around such a court. Mr. Vanderwood stated there have been many lawsuits throughout the country lately regarding nuisances associated with pickleball courts in neighborhoods. He provided the Commission with a package of documents from the internet regarding noise created at pickleball courts and associated lawsuits. He noted he has a neighbor who has installed a cement pad for a pickleball court, and he would like to check to see if they have proper permits for that use. He noted they have not erected any tall fences for the pickleball court, but he is concerned about sound. Commissioner Nancarrow advised that the City does have a noise ordinance that prohibits noise before or after a certain time of day.

Chris Pulver, North Ogden resident, stated he has been going door to door recently associated with his campaign for City Council and he has heard questions and concerns from residents. First is related to water requirements for high density housing projects; he asked if the City must ensure there is sufficient water for a development. Mr. Hess answered yes; a developer must dedicate sufficient water rights to serve the area, including water to supply fire lines. Mr. Pulver then addressed a development just below Mountain Road and concerns about geological issues on the subject property and on nearby properties. Mr. Hess stated that if an engineer is willing to put his stamp on a study indicating that homes can be built safely in an area using certain methods, the City does not question that. The City can require certain foundation styles, but if a home fails, the engineer who approved it will have liability, not the City. Mr. Pulver then addressed the development of commercial areas and noted that many residents would like a steakhouse and breakfast establishment. He also addressed securing vacant buildings in the community; there is an abandoned blue building on the frontage of the Cooperstowne project that should be secured. Mr. Hess noted that blue house is actually located in Ogden City, but the City is working with Ogden to adjust the boundary between the two cities and once that is completed, the City can address the security of the building.

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

Community Development Director Hess explained 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. He discussed staff's analysis of the application to determine compliance with the zoning ordinance and General Plan and found that the 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. He concluded staff recommends Site Plan Approval of the Little Dreamers Pre-School with no additional conditions.

Vice Chairman Mason asked the applicant if she has created a drop-off/pick-up schedule and if that schedule has been communicated to parents. Ms. Nelson answered yes, and Luke Nelson added that during the winter he and his wife would meet children at their vehicle to help them get into the home. Vice Chairman Mason asked the Nelson's if they are willing to accept a condition of approval that drop offs will not be allowed on the opposite side of 3300 North. Mr. Nelson answered yes and indicated that requirement can be communicated to parents. Mr. Hess stated he can include that recommendation in the notice of decision for the application.

Commissioner Nancarrow made a motion to approve the site plan of Little Dreamer's Daycare with no parking or drop-offs on the north side of 3300 North. Commissioner Barker seconded the motion.

There was a brief discussion about the location of the driveway at the home and whether other parking restrictions are necessary at the site. The Commission concluded no additional restrictions were needed.

Voting on the motion:

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

The motion carried.

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

Community Development Director Hess explained 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. He cited sections of State Code that address public noticing and summarized an amendment to the North Ogden City Code to bring it in line with State Code. 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. Staff recommends that the Planning Commission conduct the public hearing, consider the proposed ordinance, and make a recommendation to the City Council.

Vice Chairman Mason asked if the City could adopt language in the Code that indicates that the City will abide by State Code rather than include its own public noticing requirements. Mr. Hess stated that is an option, but it may create some confusion for readers.

Commissioner Green asked if the City Code amendments are to implement the minimum noticing requirements according to State Law. Mr. Hess answered yes. He added he believes the most recent State Code amendments were severe and there may be some additional changes in the next Legislative Session to "pull back the reins" on this matter.

a. Vice Chairman Mason opened the Public Hearing at 6:36 p.m.

There were no additional persons appearing to be heard.

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

Voting on the motion:

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

The motion carried.

The Public Hearing was closed at 6:36 p.m.

b. Consideration and recommendation

Commissioner Green made a motion to forward a positive recommendation to the City Council to amend North Ogden City Code 11-3: Hearing and Publication Notice Provisions to align the requirements with Utah State Code as presented. Commissioner Nancarrow seconded the motion.

Voting on the motion:

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

The motion carried.

6. ZTA 2023-05 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE APPLICATION TO AMEND SITE TRIANGLE REFERENCES IN TITLE 11.

Community Development Director Hess explained 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. Mr. Hess summarized the proposed text amendment to address the inconsistency and concluded staff recommends that the Planning Commission conduct the public hearing, consider the proposed ordinance, and make a recommendation to the City Council.

a. Vice Chairman Mason opened the Public Hearing at 6:40 p.m.

Chris Pulver, North Ogden resident, asked if the two-foot rule is applicable for properties on a slope. Mr. Hess stated that the height of the item in the site triangle would be measured perpendicular to the point of measurement rather than downhill from the item. Mr. Pulver referenced a dangerous site triangle on 575 E. 3100 North; the fence obstructs the view of motorists, and they are forced to inch out into the roadway to view oncoming traffic.

There were no additional persons appearing to be heard.

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

Voting on the motion:

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

The motion carried.

The Public Hearing was closed at 6:42 p.m.

b. Consideration and recommendation

Commissioner Barker made a motion to forward a positive recommendation to the City Council for amendment of Site Triangle references in Title 11 as presented. Commissioner Green seconded the motion.

Voting on the motion:

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

The motion carried.

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

Community Development Director Hess explained the 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, linked here. This ordinance provides clear standards that are easy to understand and provide a solid base for the Planning Commission to consider a conversation around. He summarized the North Logan ordinance and noted that a draft ordinance has been crafted after it, which staff believes that the Planning Commission can find 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. Staff recommends that the Planning Commission conduct the public hearing, consider the proposed ordinance, and make a recommendation to the City Council.

Vice Chairman Mason wondered if this issue should be tabled for a future meeting when all Commissioners are able to attend. He recommended holding the public hearing, but tabling any action until a future date.

a. Vice Chairman Mason opened the Public Hearing at 6:49 p.m.

Chris Pulver, North Ogden resident, stated that deer will get into any area if they want to, and he does not think an ordinance is necessary. The City is approaching a point of having too many ordinances and this type of ordinance would be difficult to enforce. He is concerned about fences that may look unsightly.

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

Voting on the motion:

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

The motion carried.

The Public Hearing was closed at 6:50 p.m.

b. Consideration and recommendation

Commissioner Green stated that the City's ordinances are fairly prohibitive and restrictive, and she could envision a scenario where someone may just truly be trying to protect their garden and allowing a taller fence for that purpose is not too concerning to her. Vice Chairman Mason agreed; he noted that interior structures can be taller than six feet so long as they adhere to setback requirements, and he wondered if similar regulations could be imposed on an eight-foot interior fence. He does not feel such a fence would harm anyone.

Commissioner Nancarrow stated the City has spent a great deal of time considering fencing ordinances; she read language from the General Plan and noted that many people live in North Ogden because of its beauty and its mountain views. Development has been allowed further up the mountain and now people will install taller fences that will block the view of the mountains for some. Commissioner Barker stated that if a fence is around a garden behind a home, it will not be any taller than the home and will not block views of the mountains any more than a home. He stated the City has never discussed fencing around gardens or dealt with this issue. Vice Chairman Mason stated the City does allow interior fencing around sport courts. This led to philosophical discussion and debate of the matter and the Commission concluded

Mr. Pulver stated there has not been a public outcry about this issue; many people are just doing what they want to on their property and if the City is going to consider code amendments regarding this type of issue.

Commissioner Green stated that if the City is going to consider this issue, she wants some attention to be paid to the types of fencing materials that should be permitted inside of a lot; it is important to preserve the beauty of the community and not allow some fencing materials that may be unsightly. Vice Chairman Mason agreed.

Commissioner Nancarrow made a motion to forward a recommendation to the City Council that no change be made to the City's current fencing code. Commissioner Barker seconded the motion.

Voting on the motion:

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

The motion carried.

8. ZTA 2023-07 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE APPLICATION TO AMEND HILLSIDE PROTECTION (HP) ZONES ACCESSORY BUILDING LOT COVERAGE

Community Development Director Hess explained 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. He summarized staff's analysis of the issue, and reviewed draft code language for the Commission to consider. 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. Staff recommends that the Planning Commission conduct the public hearing, consider the proposed ordinance, and make a recommendation to the City Council.

The Commission discussed past accessory building applications and public response/concerns regarding large accessory buildings that consumed a large percentage of a rear yard of a home.

a. Vice Chairman Mason opened the Public Hearing at 7:09 p.m.

Chris Pulver, North Ogden resident, asked how someone makes a structure part of their home rather than an accessory building. Mr. Hess stated the structures must touch one another; this can be accomplished by a shared roof, breezeway, underground walkway, or foundation.

There were no additional persons appearing to be heard.

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

Voting on the motion:

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

The motion carried.

The Public Hearing was closed at 7:11 p.m.

b. Consideration and recommendation

Vice Chairman Mason stated that the HP zone is essentially an extension of the R-1-10 zone and he feels consistency is important and he supports an amendment that provides that consistency.

Commissioner Nancarrow made a motion to forward a positive recommendation to the City Council to amend the Hillside Protection (HP) Zone accessory building lot coverage as presented. Commissioner Green seconded the motion.

Voting on the motion:

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

The motion carried.

9. PUBLIC COMMENTS

There were no public comments.

10. REMARKS - PLANNING COMMISSIONERS:

The Commission and staff discussed upcoming training opportunities.

Vice Chairman Mason asked if the Commission would like to consider any type of regulations for pickleball courts in residential zones; he empathizes with the residents who are impacted by an increase in noise and light associated with the courts. The Commission discussed topics such as a curfew for sports courts, but concluded they do not feel that it is necessary to address the matter at this time.

11. REPORT – COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

Community Development Director Hess explained that it has been difficult to get applicants for the open planner position in his Department; if he does not have more success soon, he may pull the opening and wait until after the first of the year to readvertise it.

12. REMARKS – CITY MANAGER/ATTORNEY

There were no remarks from the City Manager/Attorney.

13. ADJOURNMENT

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

Voting on the motion:

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

The motion carried.

The meeting adjourned at 7:22 p.m.

Eric Thomas
Planning Commission Chair

Joyce Pierson
Deputy City Recorder

November 1, 2023
Date Approved

ORDINANCE 2024-__

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY TITLE 11, CHAPTER 3 TO UPDATE THE NOTICE AND PUBLIC HEARING REQUIREMENTS FOR MUNICIPALITIES

WHEREAS; The current City ordinance relating to hearing and publication notices is outdated; and

WHEREAS; It is in the best interest of the City to update these provisions to enhance public awareness and engagement; and

WHEREAS; North Ogden City desires to amend the Code to reflect the best practices and standards for public notices and hearings; and

WHEREAS; This amendment seeks to reflect these best practices and ensure compliance with state laws;

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City Codes 11-3 Hearing and Publication Notice Provisions be amended as follows:

SECTION 1: Text to be updated in 11-3: Hearing and Publication Notice Provisions.

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.

SECTION 2: This ordinance shall take immediate effect upon the adoption of this ordinance.

PASSED and ADOPTED this __th day of _____ 2024.

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 Pulver:	___	___
Council Member Watson:	___	___
(In event of a tie vote of the Council):		
Mayor Berube	___	___

ATTEST:

_____
Rian Santoro
City Recorder

NORTH OGDEN CITY
SETTLED 1851

Staff Report to the North Ogden City Council

SYNOPSIS / APPLICATION INFORMATION

Application Request:	Public hearing, consideration, and recommendation on a legislative amendment to consider amending the parking setback and landscape buffer requirements.
Agenda Date:	September 10, 2024
Applicant:	Planning Department
File Number:	ZTA 2024-03 (formerly ZTA 2022-01)

PUBLIC NOTICE:

Mailed Notice:	N/A
Newspaper:	N/A
City Website:	February 29, 2024 (PC Meeting) September 5, 2024 (CC Meeting)

STAFF INFORMATION

Presented by:
Scott A. Hess
shess@nogden.org
801-737-9841

APPLICABLE ORDINANCES

11-19-3 Design and Location of Parking Spaces (Section C. 5.)

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

When the City Land Use Code re-organization was completed, the section addressing reduced parking and landscape buffers for roads other than Washington Boulevard was inadvertently left out of the Code. The current ordinance reviewed by the Planning Commission aims to reinstate that ordinance.

(Background from ZTA 2022-01)

Staff has been reviewing the requirements for parking lot setback and landscape buffer requirements, both from City rights-of-way, property lines, and bordering properties for commercial and civic uses.

ANALYSIS

Some zoning standards are prepared based on an overall design aesthetic. Over time, this design aesthetic may impose an excessive burden on applicants. In other words, it is often possible to maintain a quality-built environment while reducing the impact of certain design standards, that are encouraged by a zoning code's design aesthetic.

Staff is of the opinion that our current parking setback and landscape buffer standards could use adjustment. Currently, they require a 20-foot distance from a street right-of-way generally, and 20 feet from all property lines.

Staff proposes leaving the 20-foot setback requirement in place for Washington Boulevard, and other arterials or collectors in the North Ogden City General Plan, while reducing the parking lot setback to 14 feet from back of curb along other neighborhood streets. Additionally, we believe that requiring a 10-foot landscape buffer for parking lots from all property lines is more reasonable, while the current City Code requires a 20-foot landscape buffer.

CONFORMANCE WITH THE GENERAL PLAN

Goals from the General Plan that may relate to this proposed ordinance amendment identified by Staff are as follows:

Downtown Area Goal:

- Create a unique, pedestrian friendly "Downtown" near the intersection of 2700 North and Washington Boulevard with amenities, resources, attractions, and programming that makes this area function as the "heart of the community."

- Create places, especially in the Northeast quadrant, where people can walk, shop, work, and recreate.

- Staff is of the opinion that the Planning Commission can find that the amendment is consistent with the General Plan, but that the Commission should provide any thoughts they have, and consider this ordinance in open discussion.

Southtown Area Goals:

- 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.

Coldwater Area Goals –

- Improve sidewalks where appropriate

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 the City?
- Is there additional language that is appropriate for this ordinance?
- Is the proposal consistent with the General Plan?

PLANNING COMMISSION RECOMMENDATION

The Planning Commission conducted a public hearing on March 6, 2024, considered the information, and unanimously recommended approval to the City Council to reinstate the ordinance language.

CITY COUNCIL RECOMMENDATION

Staff recommends that the City Council review the information attached, and motion to approve the ordinance amendment to reinstate the parking setback reduction language as presented.

EXHIBITS

A. Draft Proposed Amended Ordinance
B. Planning Commission Minutes, March 6, 2024 (See Item 7)

ORDINANCE 2024-17

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY TITLE 11, CHAPTER 19, SECTIONS 3, C, 5. TO AMEND THE PARKING SETBACK AND LANDSCAPE BUFFER REQUIREMENTS FOR PARKING LOTS

WHEREAS; The current City ordinance relating to parking lot setback and landscape buffers is overly restrictive; and

WHEREAS; This amendment updates in a reasonable manner the standards relating parking lot set back and landscape buffers; and

WHEREAS; Updating these standards will assist North Ogden to appropriately review and approve site plans without being required to meet excessive standards; and

WHEREAS: This Ordinance language was previously adopted by North Ogden City, and inadvertently left out of the Title 11 Code reorganization.

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City Code 11-19-3, C, 5 be amended as follows:

SECTION 1: Text to be amended.

11-19-3: DESIGN AND LOCATION OF PARKING SPACES

1. Single-Family Residences, Mobile Homes and Multiple-Family Residences of Four or Less Dwelling Units Per Building.
    1. Location/Required off street parking shall be located on the same lot or parcel as the use it is intended to serve.
    2. Surfacing.
        1. A minimum of the first twenty feet (20') from the public right-of-way of all primary driveways used to access the required parking stalls under CCNO 11-19-4 for any residential unit shall be surfaced with asphaltic concrete, pavement bricks, cement concrete, permeable pavers, or other material approved by the City Engineer which complies with air quality and SWPPP standards.
        2. Secondary driveways to Single-Family Residences may be constructed using rocks, road base, grasscrete or other natural or manmade materials provided the area is kept weed free and complies with air quality and SWPPP standards.
        3. Off-street parking stalls located in the side yard or rear yard setbacks of a structure may be constructed using rocks, road base, or other

natural or manmade materials provided the area is kept weed free and complies with air quality and SWPPP standards.

3. Multi-family units and Accessory Dwelling units are required to utilize asphaltic concrete, pavement bricks, or cement concrete, or other materials approved by the City Engineer for all parking stalls and driveways. Agricultural Uses. For properties which are zoned RE-20 or R-1-8 AG the primary and secondary access ways to agricultural uses may remain unpaved, but property owners are responsible for all road cleaning required because of debris tracked onto the roadway from vehicular access.
4. Driveways. Primary driveways shall be not less than ten feet (10') wide for one-way traffic, and not less than twenty feet (20') wide for two-way traffic.
5. 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 Typical Sight Triangle as referenced in the City's Public Works Standards.
    3. The appurtenant driveway to the slab must be tapered to use the existing driveway approach or a new approach must be installed for the new driveway access.
    4. Any slab constructed must remain open and unobstructed to the sky, or appropriate building permit be obtained to comply with all setbacks and other requirements of this code.
    5. All storm water runoff from hard surfaces must be directed so as to prevent drainage onto adjacent properties.

2. Garages. When residential garages are used to meet the minimum off street parking requirements, an unobstructed parking stall from the floor to the height of the garage door with the following interior dimensions must be met.
    1. Single Car Garage. Twelve-foot (12') width by a twenty-foot (20') depth.
    2. Double Car Garage. Twenty-two-foot (22') width with a twenty-foot (20') depth.
    3. Garages larger than a double car garage must provide at least the parking space dimensions of a double car garage for each dwelling unit the garage is serving.
3. All Uses Except as Provided Above.
    1. Location. Required off street parking shall be located within three hundred feet (300') of the building or use it is intended to serve, the distance being measured along the street line from the nearest point of the building or use to the nearest point of the parking lot. Whenever the use of a separate lot or parcel is proposed for fulfillment of minimum parking requirements, the owner shall submit as a part of his application satisfactory assurance that

the separate lot or parcel is permanently committed to parking use by enforceable legal measure.

2. Off Street Parking. Off street parking spaces shall be situated in a manner which will not result in automobiles backing onto a public street.
3. Surfacing. All off street parking areas, access ways and driveways shall be improved with concrete, pavement bricks or asphaltic concrete. The surfacing of the parking area shall be designed and graded so that there will be total retention or drainage into a drainage system approved by the City Engineer. Catch basins and drains shall be provided to collect surface drainage of all paved areas at a minimum rate of one inch (1") an hour rainfall. Surface drainage is not allowable across pedestrian walkways or sidewalks.
4. Curbing. A six inch (6") wide by six inch (6") high curb or bumper guard shall be installed along all edges of the parking and maneuvering area, excluding necessary points of ingress and egress, and shall be so located that no part of a vehicle shall extend over or beyond any property line or sidewalk. The building inspector may determine the location of additional bumper guards or curbs to protect adjacent property owners or persons using a sidewalk.
5. Design. All areas of the parking lot, with the exception of necessary points of ingress and egress, shall be no closer than twenty feet (20') from the front property line~~.~~, along property lines that are adjacent to Washington Boulevard, or other streets noted as collectors or arterials in the North Ogden City general plan. In other areas, the location of parking lots shall be 14' behind top back of curb of the street, or 16.5' from edge of the asphalt (if no curb is installed currently, nor is required to be installed as part of site plan approval or subdivision of the property), 4' behind the sidewalk (if present), and all of the parking lot must be on private property, including all of the parking lot curb. ~~That unoccupied area~~ The area between the back of the street curb and the parking lot shall be landscaped and maintained with trees, shrubs, ground cover, undisturbed natural growth, pedestrian walkways~~, and~~ or plazas.
6. Access. Access to off street parking areas from a public street shall be from a two-way driveway with a minimum width of twenty feet (20') ~~and a maximum width of twenty-five feet (25')~~, or two (2) one-way driveways each with a minimum width of twelve feet (12')~~ and a maximum width of fifteen feet (15')~~. No access driveway shall be located closer than twenty feet (20') from a street intersection or other access driveway, nor any closer than ten feet (10') from any property line.
7. Maximum Yard Area to be Used for Parking and Vehicle Access Lanes. For all uses permitted in the RE-20 and single-family residential zoning districts, none of the front yard area and side yard required by the respective zones shall be used to meet the minimum off street parking requirements, but overflow parking is permitted in the front and side yard areas if the standards of subsection A.4 of this section are met.
8. Accessible Parking Spaces. Accessible parking spaces shall include a five foot (5') wide access aisle adjacent to each parking space. The parking

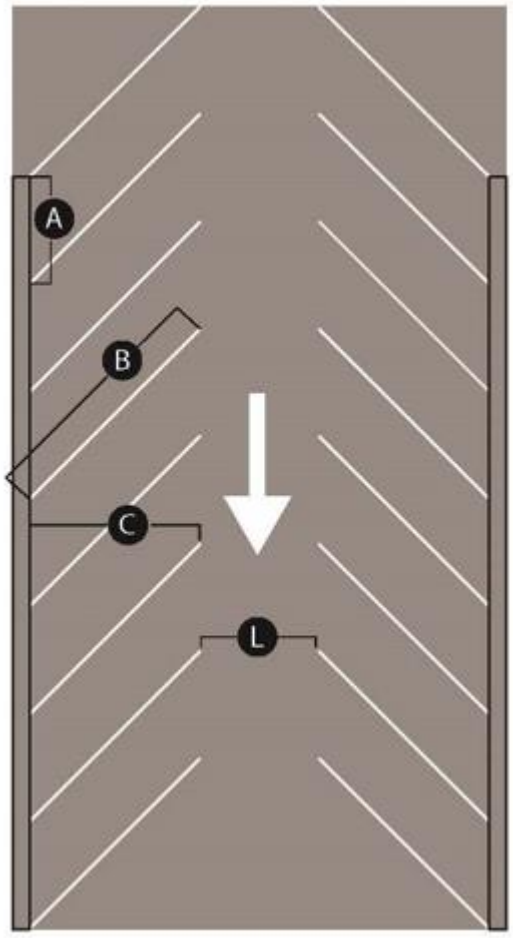
space and access aisle shall not have a slope greater than two percent (2%) in any direction. The access aisle shall be connected to an accessible route to the appropriate accessible entrance of a building or facility. The parking access aisle shall either blend with the accessible route or have a curb ramp complying with Americans with disabilities act (ADA) regulations. Such a curb ramp opening must be located within the access aisle boundaries, not within the parking space boundaries. The required dimensions of the access aisle cannot be restricted by planters, curbs, or wheel stops. Signs designating parking spaces for disabled persons shall be located in front of each parking space and shall be mounted four feet (4') above the ground, in addition to blue wheelchair logo being painted on the parking space itself.

9. Screening. Whenever a parking lot or a driveway to a parking lot is established adjacent to a residential zoning district, a solid masonry or solid material fence eight feet (8') in height shall be required in addition to landscape and buffer The buffer yard requirement of ten (10') feet shall be landscaped with a weed control mat and rock mulch coupled with medium to large deciduous trees planted at 30' or longer intervals, depending on the tree type, and include a drip irrigation system. (Subject also to the fence height regulations established in CCNO 11-9L-7 and 11-10B-5). Planning Commission has the authority to reduce this requirement based on site conditions such as grade differences, and adjacent uses.
10. Lighting. Parking lot lights used during hours of darkness shall not exceed five (5) foot-candles. Lighting shall be indirect, downward directed, hooded, and arranged so that the source of light is not directly visible from any street or adjoining property. Light standards shall be a maximum of twenty feet (20') in height above grade.
11. Dimensions. Arrangements of parking spaces within the parking lot and driveway widths shall conform with the following requirements. Parking layout dimension (in feet) for nine feet by nineteen foot (9' x 19') stalls at various angles.

Dimension (in feet)	On Diagram	Angle			
		45º	60º	75º	90º
Stall width	A	12.7	10.4	9.3	9.0
Stall length	B	28.5	24.3	21.5	19.0
Stall depth	C	20.0	21.0	20.5	19.0
Bumper overhang, (typical)	D	2.0	2.3	2.5	2.5

Cross aisle, one-way	E	14.0	14.0	14.0	14.0
Cross aisle, two-way	F	24.0	24.0	24.0	24.0

12.



13. Accessible Parking Spaces. One accessible parking shall be required for any development having twenty-five (25) or more parking spaces. Thereafter, not less than two percent (2%) of the parking spaces within a development shall be built and maintained as accessible parking spaces.
14. Turnaround Bay. There shall be a turnaround bay, at least nine and one-half feet (9 1/2') deep and thirteen feet (13') wide, with eighteen-foot (18') radii located at the end of each dead end row of parking stalls.

4. Undeveloped Lots and Parcels. No parking shall occur on undeveloped lots or parcels.

SECTION 2: This ordinance shall take effect upon adoption.

PASSED and ADOPTED this th day of 2024.

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 Pulver:	___	___
Council Member Watson:	___	___
(In event of a tie vote of the Council):		
Mayor Berube	___	___

ATTEST:

_____
Rian Santoro
City Recorder

NORTH OGDEN CITY
SETTLED 1851

NORTH OGDEN PLANNING COMMISSION MEETING MINUTES

March 6, 2024

The North Ogden Planning Commission convened on March 6, 2024, at 6:00 p.m. at the North Ogden City Office at 505 East 2600 North.
Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on February 29, 2024.
Notice of the annual meeting schedule was posted on the bulletin board at the municipal office and posted to the Utah State Website on December 13, 2023.

Note: The time stamps indicated in blue correspond with the recording of this meeting, which can be located on YouTube: https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos **or by requesting a copy of the audio file from the North Ogden City Recorder.**

COMMISSIONERS:

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

STAFF:

Jon Call	City Manager/Attorney
Ryan Nunn	Planner
Eric Casperson	City Engineer

VISITORS:

Chris Pulver
Gregory Nelson
Allan Russel

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

CONSENT AGENDA

1. ROLL CALL

0:01:50 All Commission Members were in attendance.

2. CONSIDERATION AND ACTION TO APPROVE THE FEBRUARY 21, 2024 PLANNING COMMISSION MEETING MINUTES

0:02:00 **Commissioner Nancarrow made a motion to approve the February 21, 2024 Planning Commission Meeting minutes. Commissioner Webb seconded the motion.**

Voting on the motion:

Chairman Thomas	**aye**
Vice Chairman Mason	**aye**
Commissioner Nancarrow	**aye**
Commissioner Webb	**aye**
Commissioner Watson	**aye**
Commissioner Green	**aye**
Commissioner Bailey	**aye**

The motion carried.

3. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

0:02:30 Chairman Thomas asked if any Commissioners had ex parte communications or conflicts of interest to disclose. No disclosures were made.

ADMINISTRATIVE ITEMS

4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

0:02:45 There were no public comments.

5. SUB 2023-04 CONSIDERATION AND ACTION REGARDING AN ADMINISTRATIVE APPLICATION, PRELIMINARY PLAT APPROVAL FOR WHITE ROCK SUBDIVISION, PHASE 3 (7 LOTS), LOCATED AT APPROXIMATELY 1401 EAST 3095 NORTH

0:03:15 Planner Ryan Nunn presented the preliminary plat submission, highlighting that it was for seven lots in the Hillside Protection (HP-2) Zone with a required lot size of 1500 square feet. He addressed Staff comments and conditions from a previous Technical Review Committee meeting in September of the previous year, explaining that challenges in meeting code requirements from the previous phase had been resolved with the current applicant. Staff has verified the proposed lots meet the minimum square footage requirements for the zone and conforms to the North Ogden City General Pan. Mr. Nunn noted that the developer will be required to extend the non-paved trail and guardrail along North Ogden Divide Road as required in previous phases.

Vice Chairman Mason expressed concerns about the visual impact of the Subdivision as an entry point to the City. Discussion on this matter ensued among the Commission.

0:13:05 **Commissioner Nancarrow made a motion to approve the preliminary plat for the White Rock Subdivision Phase 3 subject to conditions in the Engineer's Technical Review and conditions in the Staff Report. Vice Chairman Mason seconded the motion.**

Voting on the motion:

Chairman Thomas	**aye**
Vice Chairman Mason	**aye**
Commissioner Nancarrow	**aye**
Commissioner Webb	**aye**
Commissioner Watson	**aye**
Commissioner Green	**aye**
Commissioner Bailey	**aye**

The motion carried.

6. SPR 2024-04 CONSIDERATION AND ACTION REGARDING AN ADMINISTRATIVE APPLICATION, SITE PLAN APPROVAL OF THE NORTH OGDEN CITY POLICE STATION AND SENIOR CENTER PARKING LOTS, LOCATED AT APPROXIMATELY 505 EAST 2600 NORTH

0:13:50 Eric Casperson, City Engineer, reviewed his Staff report, explaining that North Ogden City has completed construction of the new Public Safety Building and as part of that construction project, the original City Hall parking lot was consumed by that building, eliminating approximately 40 parking stalls. The Site Plan approval of the Public Safety Building in April 2022 recommended that the Planning Commission review any additional parking developed for the Civic Campus. With the upcoming demolition of the existing Police Station, the City has designed additional parking for both the City Hall campus as well as the Senior Center. These parking improvements will increase access to the site, and will bring parking closer to City Hall and the Public Safety Building. The Planning Commission's original recommendation was to not replace the existing Police Station with parking, but due to site

constraints, and the need for the public to have closer and more accessible parking, Staff strongly recommends the parking layout presented.

Jon Call, City Manager/Attorney, provided details on the proposed parking lot, including changes to the existing parking lot's configuration, additional parking spaces, and considerations for curb pan usage. The landscaping plan was discussed, with a concern raised about accessible pathways through vegetated areas. Plans for ADA access and parking were also outlined.

Vice Chairman Mason discussed the potential impact of ride-sharing services on parking requirements. Chairman Thomas emphasized the importance of planning for the future, including potential changes in transportation trends.

Further discussion included considerations for wider sidewalks, motorized scooters, and e-bikes. Vice Chairman Mason recommended exploring options for load/unload zones creatively. Chairman Thomas raised the possibility of using the proposed parking lot for various events, including food trucks.

A detailed discussion ensued about the design and functionality of the parking lot, with Chairman Thomas suggesting a pedestrian walkway connecting the new parking lot to the Civic Center. Concerns were raised about the lack of sidewalk on the east side of the parking lot, and suggestions were made for additional pathways and seating areas.

Johnson Webb presented plans for adding a ramp to improve accessibility to the library bus stop and discussed plans for additional parking near the Senior Center, meeting the agreed-upon terms with the library. Various aspects of the proposed parking lot, primarily focusing on the easement and potential issues related to visibility and hidden spaces were discussed along with considerations such as fencing options, access points, and the potential impact on neighboring properties.

The conversation then shifted to the south side setback requirement, where the proposed design fell short of the 10-foot setback. The Commission explored options to address this, including adjusting the detention basin location and discussing the possibility of a narrow linear detention pond. There were concerns about pushing the parking lot too close to neighboring properties.

Discussion touched on the increased use of parking lots in the City, emphasizing the importance of considering capacity and the potential for future use. Staff agreed that the fence on the south side, a solid vinyl structure on top of a concrete wall, adequately addressed concerns about car headlights and provided sufficient separation.

Conditions of approval were mentioned, with a focus on revisiting the landscape plan for the north parking lot and adjusting the location of the safe exchange zone based on future considerations.

1:01:51 **Commissioner Watson made a motion to approve the Site Plan of the North Ogden City Police Station and Senior Center Parking lots, with the condition of bringing back the landscaping plan for review. Commissioner Webb seconded the motion.**

Voting on the motion:

Chairman Thomas	**aye**
Vice Chairman Mason	**aye**
Commissioner Nancarrow	**aye**
Commissioner Webb	**aye**
Commissioner Watson	**aye**
Commissioner Green	**aye**
Commissioner Bailey	**aye**

The motion carried.

LEGISLATIVE ITEMS

7. ZTA 2024-03 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO CONSIDER AMENDING THE PARKING SETBACK AND LANDSCAPE BUFFER REQUIREMENTS

1:03:00 Planner Ryan Nunn began by addressing a Legislative item regarding setbacks on non-arterial streets within the City. He explained that the proposal aimed to reduce setbacks from the current 20 feet to 14 feet on certain side streets, such as those not on major arterials like Washington Boulevard. Planner Nunn clarified that the idea had been previously addressed and approved a few years ago but was inadvertently left out during a Code reorganization. He emphasized that the reduction in setbacks would not compromise the quality of the environment, including parking and landscape standards. Staff recommended approval due to its prior approval and minimal impact. Chairman Thomas affirmed the need to reinstate the previous Ordinance, clarifying that the proposal aimed to revert to the previous setback standards.

a. Chairman Thomas opened the Public Hearing at 7:06 p.m.

There were no persons appearing to be heard.

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

Voting on the motion:

Chairman Thomas	**aye**
Vice Chairman Mason	**aye**
Commissioner Nancarrow	**aye**
Commissioner Webb	**aye**

Commissioner Watson	**aye**
Commissioner Green	**aye**
Commissioner Bailey	**aye**

The motion carried.

The Public Hearing was closed at 7:07 p.m.

1:07:00 Chairman Thomas then facilitated discussion among the Commission regarding the Zoning Text Amendment.

b. Consideration and recommendation

Vice Chairman Mason made a motion to recommend amending the parking setback and landscape buffer requirements as discussed and forward this recommendation to the City Council. Commissioner Nancarrow seconded the motion.

Voting on the motion:

Chairman Thomas	**aye**
Vice Chairman Mason	**aye**
Commissioner Nancarrow	**aye**
Commissioner Webb	**aye**
Commissioner Watson	**aye**
Commissioner Green	**aye**
Commissioner Bailey	**aye**

The motion carried.

8. PUBLIC COMMENTS

There were no public comments.

9. REMARKS - PLANNING COMMISSIONERS:

1:08:10 Commissioner Webb expressed appreciation for the thorough discussion on parking lot matters, considering it an important and visually significant aspect of the City. He emphasized the value of revisiting the landscape plan, noting that Staff had dedicated significant thought to reconfiguring the campus and commended their efforts on the great work done in the process.

1:08:30 Vice Chairman Mason voiced agreement with Commissioner Webb's statements and highlighted the importance of actively engaging in planning rather than merely approving

matters as they arise. Without substantial input, he said, true planning efforts could be compromised.

1:10:00 Chairman Thomas commented that he would be unable to attend the next meeting on March 20, 2024. Vice Chairman Mason voiced concern that he would be unable to attend as well. Discussion ensued on whether or not there would be a quorum present for the next meeting.

10. REPORT – COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

Mr. Hess was excused.

11. REMARKS – CITY MANAGER/ATTORNEY

01:11:12 Mr. Call made two announcements regarding the new building. Firstly, he offered a tour of the new building for anyone interested. Secondly, he mentioned that meetings would soon be held in the new Court Council Chamber and provided details about the improved facilities such as individual screens for each member and outlets under the tables. He assured the Commission that the new space would be more comfortable and spacious for both Commissioners and the public. Regarding the chairs, he mentioned that they were comfortable leather chairs, though not the most expensive ones to keep costs reasonable.

12. ADJOURNMENT

Commissioner Watson motioned to adjourn the meeting.

The meeting adjourned at 7:16 p.m.

Eric Thomas
Planning Commission Chair

Joyce Pierson
Deputy City Recorder

April 3, 2024
Date Approved

NORTH OGDEN CITY
SETTLED 1851

Staff Report to the North Ogden City Council

SYNOPSIS

Description: The intersection at 2100 North Fruitland Drive has been a hazardous intersection for a while. Eastbound traffic must navigate this intersection cautiously. The sight distance for these vehicles is very short which does not leave a lot of time to cross the intersection. Southbound and northbound vehicles are restricted to a small turning radius to make the turn. Fortunately, this intersection has not seen many accidents in the last 5 years. A big challenge for this intersection is the location of a culinary water booster station which is situated in the northwest corner. This is also a hazard as our crews must maintain this station while being out in the roadway.

Date: September 5, 2024

STAFF INFORMATION

Eric Casperson
ecasperson@nogden.org
801-737-3308

QUESTION FOR COUNCIL

What option does the council want to pursue on the intersection design?

STAFF RECOMMENDATION

Staff recommends we explore different options for this intersection such as a roundabout or aligning Fruitland Drive to allow vehicles to safely navigate this intersection from all directions.

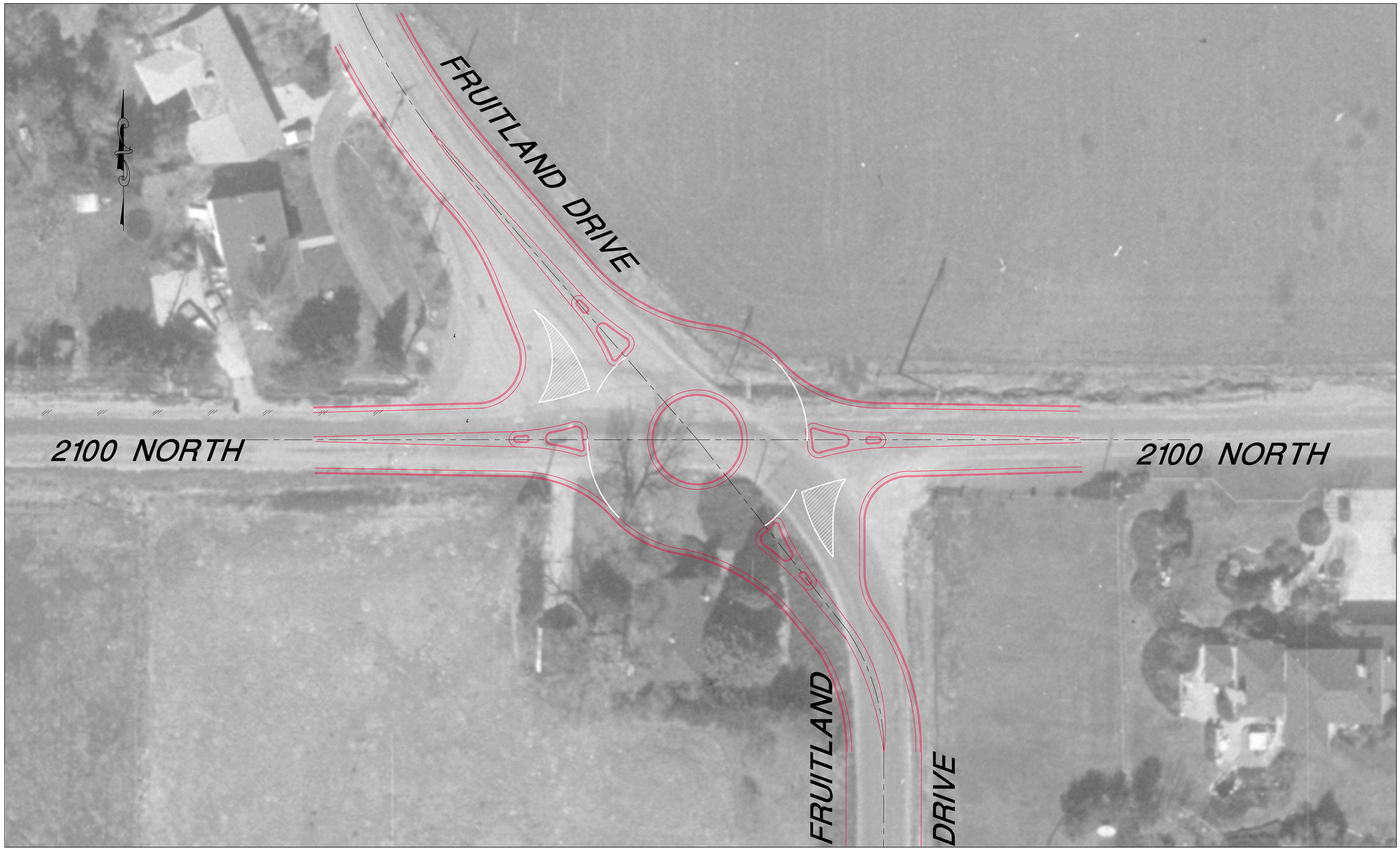
DISCUSSION

There are a few options for this intersection to make it better and easier to navigate. A roundabout was suggested for this intersection to help with traffic flow and safety. To make this work the home on southwest corner and/or the land on the northeast corner would need to be purchased. Re-aligning Fruitland Drive would also require purchasing the home or the land, depending on which option is chosen. As growth happens this intersection will continue to see increased traffic.

I will be in attendance as well as the Public Works Director available to answer questions and help the council strategize on what would be the best way to accomplish our goals with the intersection design.




2100 N.
FRUITLAND DR.
STOP



PROJECT ENGINEER

DATE

REV.	DATE	APPR.	

SCALE: 1"=40'

DESIGNED

DRAWN

CHECKED

JA JONES & ASSOCIATES

CONSULTING ENGINEERS

4768 South Harrison Boulevard
Ogden, Utah 84403 (801) 476-9767

NORTH OGDEN CITY CORPORATION

ROUNDABOUT PRESENTATION

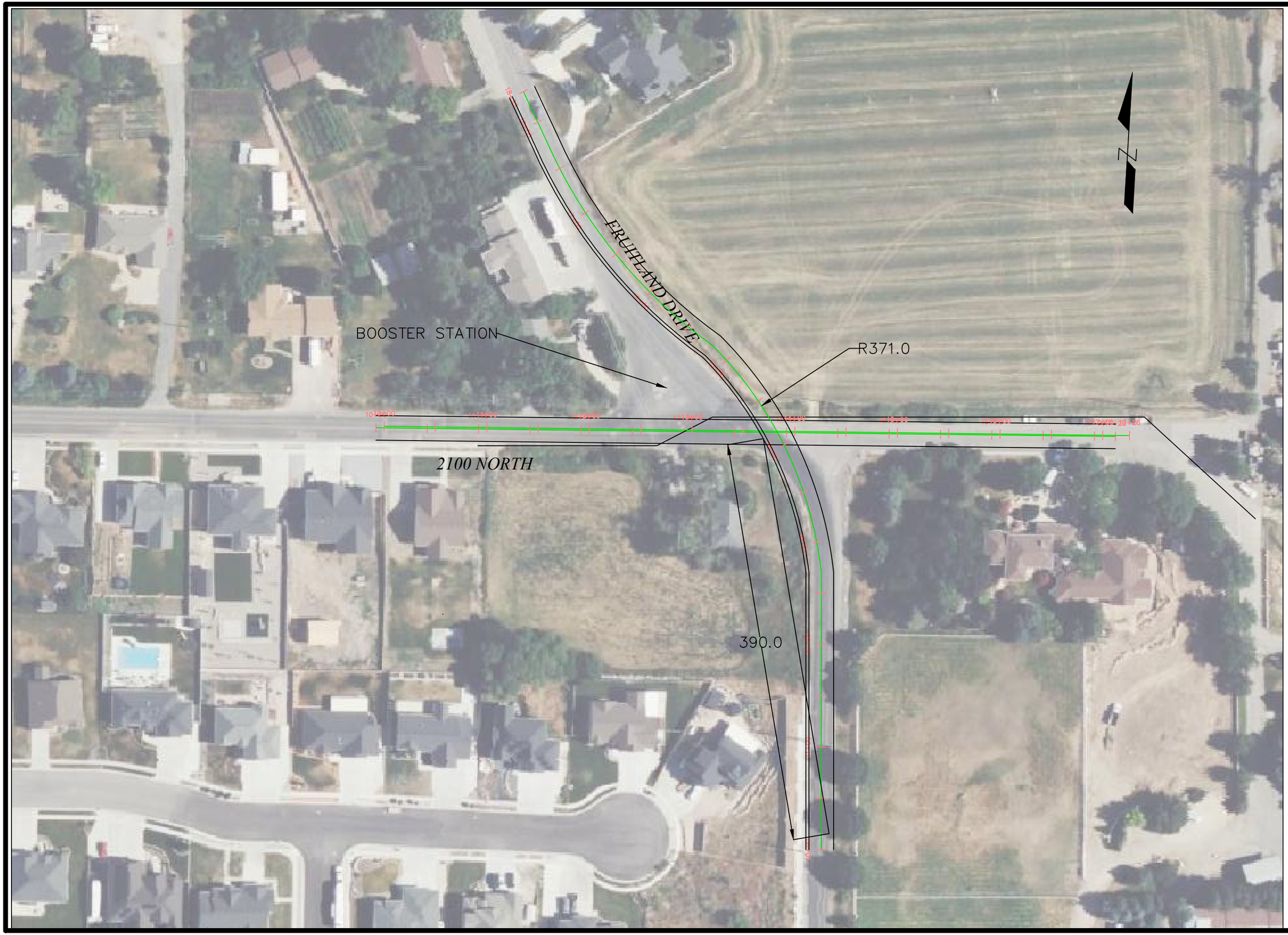
2100 NORTH & FRUITLAND DRIVE

SHEET: 1 OF 1 SHEETS

0



SCALE: 24"x36" H:1"=40' V:1"=10' 11"x17" H:1"=20' V:1"=10'	SLS DESIGNED			NORTH OGDEN CITY CORPARTION	JONES & ASSOCIATES CONSULTING ENGINEERS
	SLS DRAWN			FRUITLAND DRIVE ROAD IMPROVMENT	1716 East 5600 South South Ogden, Utah 84
	MEH CHECKED			2100 NORTH ROUNDABOUT	ph – (801) 476–9767 fx – (801)476–9
	REV.	DATE	APPR.		



PREPARED BY:

NORTH OGDEN CITY
SETTLED 1851

NORTH OGDEN CITY CORPORATION
PUBLIC WORKS ENGINEERING DIVISION
165 EAST LOMOND VIEW DRIVE
NORTH OGDEN CITY, UTAH 84414
TELEPHONE: 801-782-8111
FAX: 801-782-6453
E-MAIL: WWW.NORTHOGDENCITY.COM

PROFESSIONAL SEAL:

PROJECT IDENTIFICATION:

FRUITLAND DRIVE 2100 NORTH INTERSECTION

PROJECT OWNER:

NORTH OGDEN CITY CORPORATION
505 EAST 2600 NORTH
NORTH OGDEN CITY, UTAH 84414
WWW.NORTHOGDENCITY.COM

REV	DATE	DESCRIPTION

ENG. JOB #:
P.U. JOB #: N/A
IFAS NO.:
PREPARER #: NOC CORP
DRAWING FILE NAME:
DRAWN BY: E. CASPERSON
CHECKED BY:

SHEET TITLE:

FRUITLAND DRIVE 2100 NORTH OPTION 1

SHEET IDENTIFIER:

EXHBT1

BINDING ORDER



PREPARED BY:

NORTH OGDEN CITY
SETTLED 1851

NORTH OGDEN CITY CORPORATION
PUBLIC WORKS
ENGINEERING DIVISION
165 EAST LOMOND VIEW DRIVE
NORTH OGDEN CITY, UTAH 84414
TELEPHONE: 801-782-8111
FAX: 801-782-6453
E-MAIL: WWW.NORTHOGDENCITY.COM

PROFESSIONAL SEAL:

PROJECT IDENTIFICATION:

FRUITLAND DRIVE 2100 NORTH INTERSECTION

PROJECT OWNER:

NORTH OGDEN CITY CORPORATION
505 EAST 2600 NORTH
NORTH OGDEN CITY, UTAH 84414
WWW.NORTHOGDENCITY.COM

REV	DATE	DESCRIPTION

ENG. JOB #:
P.U. JOB #: N/A
FAS NO.:
PREPARER #: NOC CORP
DRAWING FILE NAME:
DRAWN BY: E. CASPERSON
CHECKED BY:

SHEET TITLE:

FRUITLAND DRIVE 2100 NORTH OPTION 2

SHEET IDENTIFIER:

EXHBT2

BINDING ORDER

NORTH OGDEN CITY
SETTLED 1851

Staff Report to the North Ogden City Council

SYNOPSIS

Description: The design and construction of a right turn lane for southbound to westbound traffic on the corner of 400 East 2600 North.

Date: September 5, 2024

STAFF INFORMATION

Eric Casperson
ecasperson@nogden.org
801-737-3308

QUESTION FOR COUNCIL

Does the council want to pursue the design and construction of a right turn lane on 400 East 2600 North?

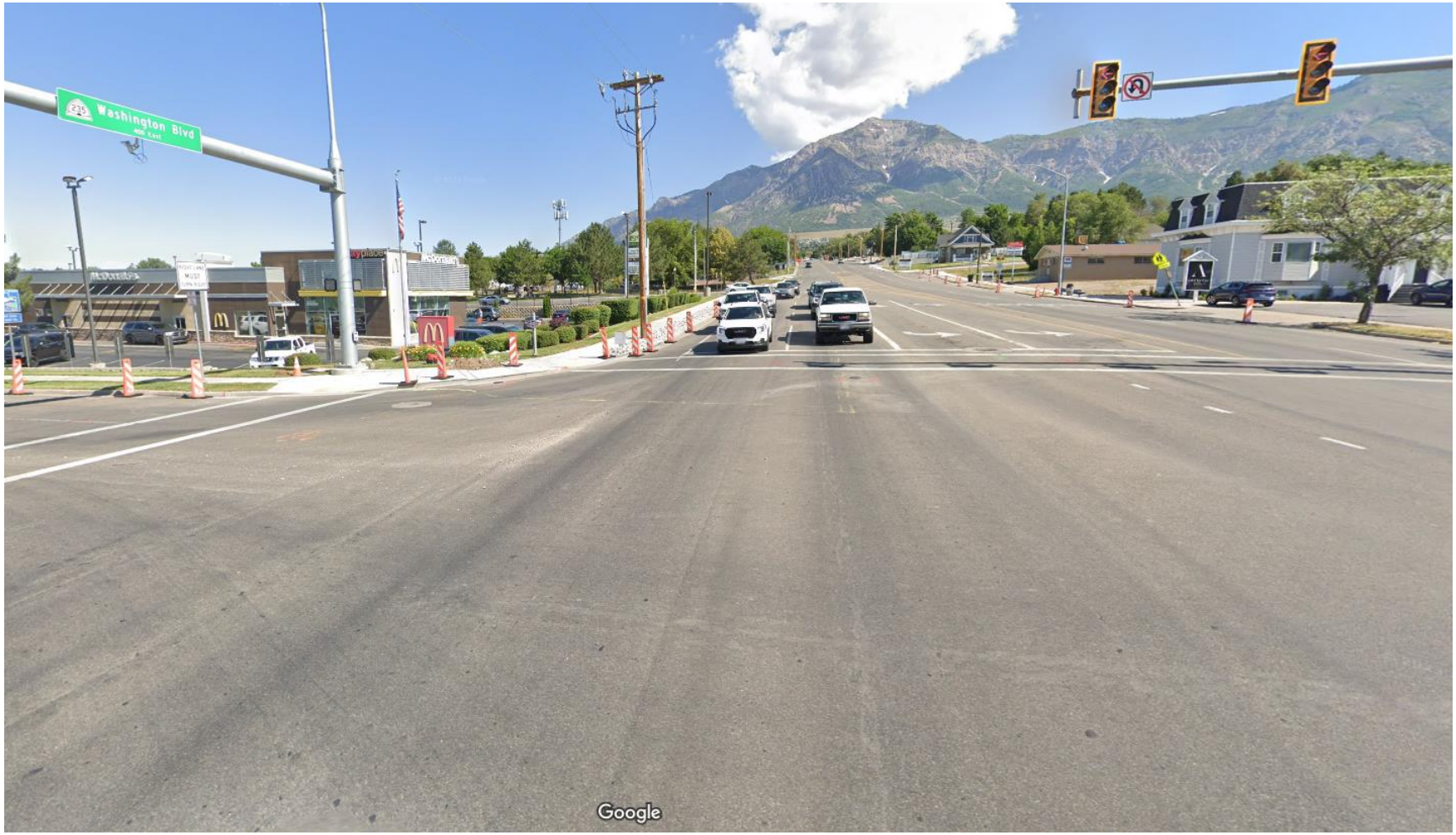
STAFF RECOMMENDATION

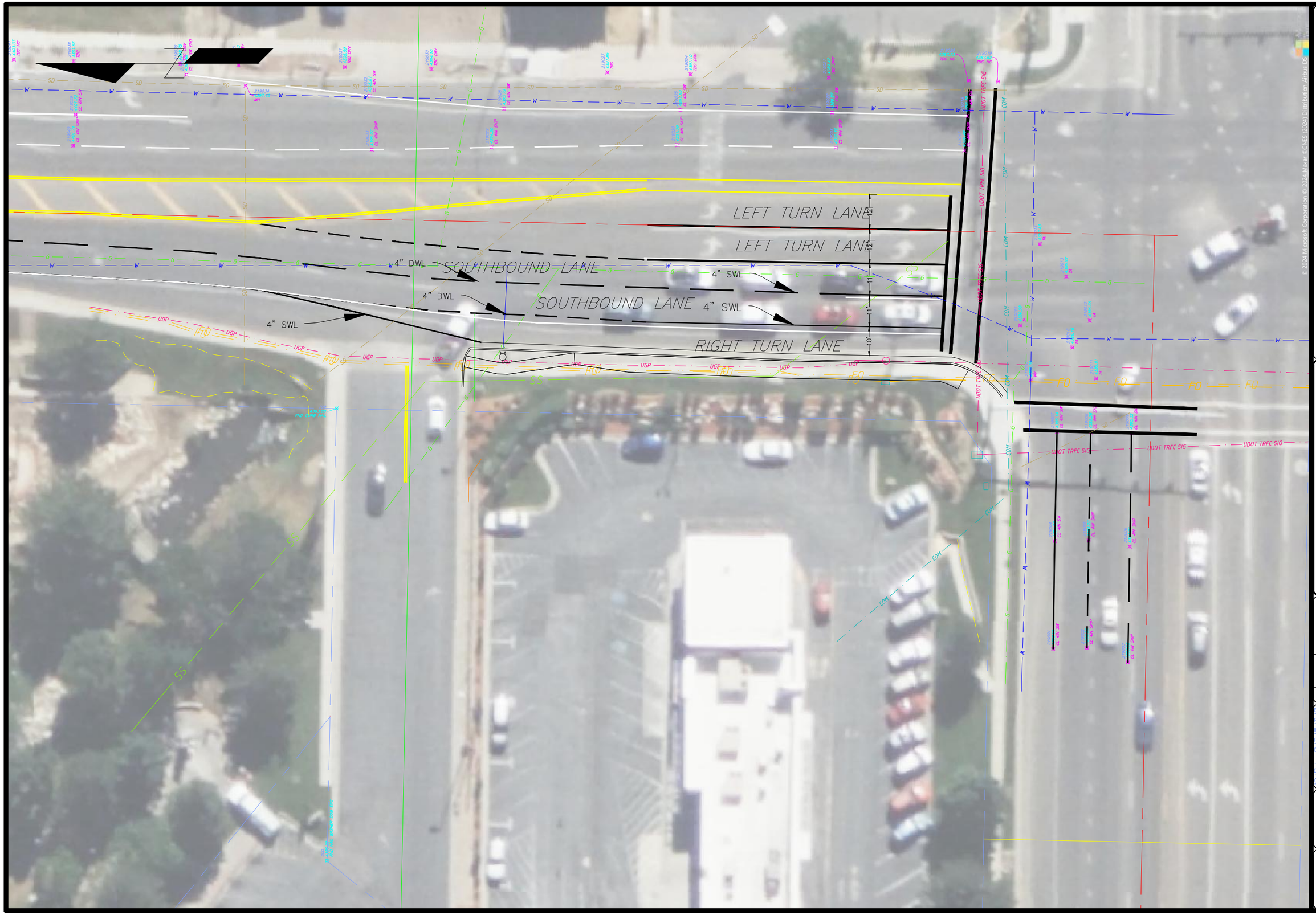
Staff recommends we explore the option of installing a right turn lane at the intersection of 400 East 2600 North for southbound to westbound traffic.

DISCUSSION

The intersection of the 400 East 2600 North is the busiest intersection in North Ogden City. With the confluence of 2 major roadways, access to I-15, and the various businesses near this intersection, this intersection plays a major role in how the public move around North Ogden City. During the design and construction of Phase 1 of the 400 East Widening Project in 2021-22, a right turn lane was considered. Due to the number of vehicles making a right turn at the peak hours of each day, which is approximately 150 vehicles per day per UDOT traffic counters, it was decided to not construct the right turn lane. Many residents of North Ogden have asked for a right turn lane to be installed. Traffic does back up due to the amount of traffic, especially during the hours school is dismissed, and during the morning and night rush hours. UDOT is in support of this project by allowing us to narrow each southbound lane from 12’ wide to 11’ wide.

I will be in attendance as well as the Public Works Director available to answer questions and help the council strategize on what would be the best way to accomplish our goals with the intersection design.


Washington Blvd
Google



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PREPARED BY:

NORTH OGDEN CITY
SETTLED 1851

NORTH OGDEN CITY CORPORATION
PUBLIC WORKS
ENGINEERING DIVISION

165 EAST LOMOND VIEW DRIVE
NORTH OGDEN CITY, UTAH 84414
TELEPHONE: 801-782-8111
FAX: 801-782-6453
E-MAIL: WWW.NORTHOGDENCITY.COM

PROFESSIONAL SEAL:

PROJECT IDENTIFICATION:

400 EAST 2600 NORTH RIGHT TURN LANE PROJECT

PROJECT OWNER:

NORTH OGDEN CITY CORPORATION

505 EAST 2600 NORTH
NORTH OGDEN CITY, UTAH 84414
WWW.NORTHOGDENCITY.COM

REV	DATE	DESCRIPTION

ENG. JOB #:
P.U. JOB #: N/A
IFAS NO.:
PREPARER #: NOC CORP
DRAWING FILE NAME:
DRAWN BY: E. CASPERSON
CHECKED BY:

SHEET TITLE:

RIGHT TURN LANE CONSTRUCTION

SHEET IDENTIFIER:

EXHBT3

BINDING ORDER

NORTH OGDEN CITY
SETTLED 1851

Staff Report to the North Ogden City Council

SYNOPSIS

Description: The city has been working on the relocation of the 2550 detention basin for nine years. We are in the process of getting money approved by the NCRS for the expansion and relocation of the basin along with a recreational and irrigation component. The city also has a group ready to purchase and develop the existing site so we need to look at options related to a temporary relocation of the basin until the federal dollars are approved.

Date: September 5, 2024

STAFF INFORMATION

Jon Call
jcall@nogden.org
801-737-9846

QUESTION FOR COUNCIL

What option does the council want to persue.

STAFF RECOMMENDATION

Staff recommends we look into temporarily relocating the detention basin until the federal dollars are approved.

DISCUSSION

There are lots of options for the pond, but the main option is to provide some increased capacities in other detention facilities and work with the county on some additional capacity in their horse shoe bend pond so the 18 or so acre feet currently held in the existing pond can be detained in other areas of the city and county. The city could then sell the property work on development options with the proposed buyer of the property to get commercial development under way.

We will have the City engineer and public works director available to answer questions and help the council strategize on what would be the best way to accomplish our goals with the basin relocation.