

**NORTH OGDEN PLANNING COMMISSION
MEETING MINUTES**

October 2, 2024

The North Ogden Planning Commission convened on October 2, 2024, at 6:00 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 September 27, 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	Arrived at 6:07
Nicole Nancarrow	Commissioner	
Johnson Webb	Commissioner	Zoom
Cody Watson	Commissioner	
Nissa Green	Commissioner	
Chad Bailey	Commissioner	Excused

STAFF:

Jon Call	City Manager/Attorney
Scott Hess	Community and Economic Development Director
Ryan Nunn	Planner

VISITORS:

Cheryl Kay
Chris Pulver
Carson Jones

Chairman Thomas called the meeting to order at 6:00 p.m. Commissioner Watson shared a thought from Janelle Curry, a former member of the Planning Commission, who said, “Seek consensus, but respect dissent”. Commissioner Watson pointed out that each Commissioner takes on different roles, such as mediators or prophets, depending on the issue at hand. Despite disagreements, Commissioners should consistently respect each other's roles and decisions and support the work of the Commission as a whole. Commissioner Nancarrow then led the Pledge of Allegiance.

CONSENT AGENDA

1. ROLL CALL

0:01:35 Chairman Thomas excused Commissioner Bailey and noted that Vice Chairman Mason would be arriving a little late. All other Commission Members were in attendance.

2. CONSIDERATION AND ACTION TO APPROVE THE SEPTEMBER 4, 2024, PLANNING COMMISSION MEETING MINUTES

0:01:50 Commissioner Watson made a motion to approve the September 4, 2024, Planning Commission Meeting minutes. Commissioner Nancarrow seconded the motion.

Voting on the motion:

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

The motion carried.

3. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

0:01:59 Chairman Thomas asked if any Commissioners had ex parte communications or conflicts of interest to disclose. No disclosures were made.

LEGISLATIVE ITEMS

4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no public comments.

5. **ZTA 2024-08 PUBLIC HEARING, CONSIDERATION AND RECOMMENDATION
ON A LEGISLATIVE APPLICATION TO CONSIDER REGULATIONS
RELATED TO RESIDENTIAL SETBACKS ON RESTRICTED "R" LOTS**

0:03:07 Scott Hess, Community and Economic Development Director, referred to City Code 11-9M-6: Setbacks on lots 10% or greater slope. This Code, which grants a 20-foot front yard setback, has been beneficial in areas with steep slopes, such as White Rock, where property owners had previously needed variances to comply with setback requirements and it provides flexibility for homeowners by allowing homes to be sited in ways that accommodate challenging geography. Scott explained the potential application of this setback reduction to other restricted lots in the City. These restrictions could arise from various issues such as wetlands, easements, utility lines, or geographical challenges. Scott highlighted a specific example involving a subdivision with an overhead power line that complicates home placement on several lots. One homeowner in particular faced challenges fitting their home on the lot due to setback requirements and the power line. Staff discussed the option of allowing homeowners to slide their homes by 10 feet to avoid redesigns and alleviate these issues and it was suggested that the City consider expanding the front yard setback reduction to all restricted lots to avoid variances and streamline home development.

Chairman Thomas expressed concern about the issue of allowing adjustments for lots affected by overhead power lines, viewing it primarily as a development problem rather than a setback issue for the City to resolve. He pointed out that developers should plan subdivisions with existing power lines in mind, ensuring that homes are placed outside power easements. In his experience with a development in West Haven, the subdivision was designed to leave empty space under the power lines, avoiding the need for the City to intervene later. He argued that proper planning from the start should prevent these issues, suggesting that developers, not the City, should be responsible for ensuring that lots are suitable for home construction without requiring City adjustments.

Chairman Thomas also reflected on the White Rock subdivision, noting that if it had been built on existing ground rather than fill, the situation with power lines might have been different. He emphasized that when developers push for additional lots without considering restrictions like power lines, it can create problems for future homeowners, who may unknowingly buy unsuitable lots. He acknowledged that restricted lots, marked with an "R," present unique challenges, but that in his own experience, restrictions like water pressure issues were clearly noted, and it was up to the buyer to deal with those conditions. His primary concern was that the City may be trying to fix an issue caused by the developer's actions or a buyer's desire for a larger home than the lot can reasonably accommodate. While he recognized that occasional flexibility might not cause harm, he was reluctant to support changes that effectively shift responsibility from the developer to the City.

Vice Chairman Mason expressed concern about codifying legislation, highlighting the risk that well-intended codes can be misused in the future. He emphasized the importance of not creating a rule that could later be exploited, preferring that variances be used to address

unique cases rather than blanket legislation. He acknowledged that he needed to better visualize the issue but was open to exploring more examples.

Scott Hess provided two examples of restricted lots. One was impacted by wetlands and a temporary turnaround, and in this case, reducing the front setback would not have worked. The second lot was affected by power lines, making it difficult to build within the required clearances. In both cases, Scott noted that some lots might not be appropriate for development as initially designed, suggesting that combining smaller lots into one larger lot might have been a better solution.

Chairman Thomas reiterated that developers sometimes push boundaries, creating lots that are difficult to build on, and then later expect the City to adjust setbacks to accommodate buyers' needs. He emphasized that homeowners should be aware of what they are purchasing, but he acknowledged that many do not fully understand the fine print.

Commissioner Nancarrow and Commissioner Watson expressed agreement that these issues should be addressed on a case-by-case basis through variances rather than implementing broad legislation. Commissioner Nancarrow pointed out that restricted designations could be applied for various reasons, including water pressure or lot size, and it was important to evaluate each situation individually.

Vice Chairman Mason made a final point about water conservation, noting that reducing front setbacks could encourage less lawn space, potentially supporting the City's water conservation efforts. However, the consensus was that while unique situations like this could be handled through variances, it was not necessary to implement a blanket rule for all restricted lots.

a. Chairman Thomas opened the Public Hearing at 6:27 p.m.

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

Voting on the motion:

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

The motion carried.

The Public Hearing was closed at 6:28 p.m.

b. Consideration and recommendation

Commissioner Nancarrow made a motion to recommend to the City Council that this Code amendment related to residential setbacks on Restricted “R” lots not be pursued. 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	absent

The motion carried.

6. GPTA 2024-01 PUBLIC HEARING, CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ADD A CHAPTER TITLED “NORTH OGDEN SOUTH TOWN COMMERCIAL AREA PLAN”. THIS PLAN FOCUSES ON THE AREA OF WASHINGTON BOULEVARD FROM 1900 NORTH TO 2050 NORTH

0:28:52 Scott Hess, Community and Economic Development Director, reported on a year-long collaboration with the Wasatch Front Regional Council, during which the City applied for a \$100,000 grant, contributing 10% in local funds. The grant allowed for a study on South Town, a redevelopment area that had already been reviewed in previous studies. The study aligns with the goals outlined in the General Plan, particularly Section 11-2-18 of the City Code, and meets all seven criteria outlined in the staff report. While the project does not introduce new ideas, it expands upon existing concepts and provides additional insights. Scott noted that the final product of the study was well-received, and it was shared with regional communities as a successful project. Although it may not lead directly to redevelopment since the City does not own property in the area, the study serves as a valuable roadmap for property owners interested in development. Staff supports integrating this study as a chapter in the General Plan, which would utilize the grant funds effectively and recommended that the Planning Commission approve the plan and forward it to the City Council for adoption. He offered to answer any questions or provide further details about the plan.

a. Chairman Thomas opened the Public Hearing at 6:31 p.m.

Vice Chairman Mason 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	absent

The motion carried.

The Public Hearing was closed at 6:32 p.m.

b. Consideration and recommendation

Commissioner Nancarrow made a motion to recommend to the City Council that they adopt the General Plan Text Amendment to add a chapter titled “North Ogden South Town Commercial Area Plan”. Commissioner Watson 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	absent

The motion carried.

7. GPTA 2024-02 PUBLIC HEARING, CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ADD A CHAPTER TITLED “ACTIVE TRANSPORTATION AND WAYFINDING SYSTEM PLAN”. THIS PLAN FOCUSES ON THE ENTIRE CITY TO ENHANCE PEDESTRIAN, BIKE, AND ACTIVE TRANSPORTATION FACILITIES

0:34:16 Scott Hess, Community and Economic Development Director, reported on another grant from the Wasatch Front Regional Council, originally part of a multi-city initiative focused on active transportation in Northwest Weber County. North Ogden was able to separate its portion from the broader project and secure additional funding for wayfinding, which improves navigation within the City. The plan covers more than just mapping out

bike lanes, trails, and sidewalks; it includes a pilot project for wayfinding signage, with involvement from multiple departments like Engineering, Public Works, and the Forestry division.

This plan meets the seven criteria under Section 11-2-18 of the General Plan amendment and enhances the existing trails and complete streets sections by incorporating a full active transportation plan. It encompasses all forms of pedestrian and wheeled transportation, including skateboards, strollers, and ADA-compliant options. Scott, drawing on his experience as a former active transportation planner at the Wasatch Front Regional Council, emphasized that the plan is designed to be concise and practical and includes prioritized projects and funding estimates that have been reviewed by the City Engineer. The findings have been shared with the regional Active Transportation Committee, and Staff recommends that the Planning Commission forward a positive recommendation to the City Council for adoption of the plan into the General Plan.

a. Chairman Thomas opened the Public Hearing at 6:37 p.m.

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

Voting on the motion:

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

The motion carried.

The Public Hearing was closed at 6:38 p.m.

b. Consideration and recommendation

Commissioner Green made a motion to recommend to the City Council that they adopt the General Plan Text Amendment to add a chapter titled “Active Transportation and Wayfinding System Plan”. 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	absent

The motion carried.

8. PUBLIC COMMENTS

0:39:47 Carson Jones, a developer in North Ogden, addressed the Planning Commission to express his concerns regarding front yard setbacks, particularly in small lot developments. He apologized for being late to the meeting and missing agenda item 5. He referenced his own experience in the Hall Orchard subdivision, where 8,000 square foot lots are affected by a major transmission power pole, limiting what can be built due to the current 30-foot setback requirement. Carson emphasized the difficulty in building on restricted lots and urged the Commission to reconsider the setback ordinance for such lots. He suggested that common sense be applied to reduce the setbacks, possibly to 20 feet, especially in cases where the current ordinance makes construction challenging. Carson also mentioned that zoning already approved by the City becomes difficult to work with under these restrictions, and he was disappointed by tonight's denial related to these issues. He hopes the Commission and City Council will revisit the matter to find a more flexible solution for small or restricted lots.

In response to Carson Jones, Vice Chairman Mason explained that while he wasn't opposed to development, he was cautious about granting blanket approvals for special treatment of lots without careful consideration. Chairman Thomas added that many lots, including those labeled as "R lots," have specific challenges such as water pressure zones, and granting automatic variances without a case-by-case review could create issues. He used an example from his own subdivision to illustrate why blanket decisions wouldn't be appropriate.

Commissioner Nancarrow also noted that in the case discussed, granting a broad variance for all "R lots" would be problematic, and that individual cases should continue to be reviewed separately, rather than handled by staff without further oversight. Vice Chairman Mason agreed, emphasizing the importance of bringing these variances to the appropriate boards for review.

Carson Jones raised concerns about how small lots, such as those in the Quail Ponds subdivision, often face restrictions due to non-impervious surface requirements or utility lines, making it difficult to build without variances. He suggested finding a more straightforward process for addressing these challenges, particularly with the rising cost of lots and the need for more affordable housing. Chairman Thomas acknowledged these concerns but reiterated that blanket policies are not feasible and that the current process allows for necessary case-by-case reviews.

9. **REMARKS - PLANNING COMMISSIONERS:**

No further remarks were made by Commissioners.

10. **REPORT – COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR**

1:52:46 Scott Hess provided an update on upcoming conferences, mentioning that the Utah EPA conference is next week in Provo, with registration still open for Planning Commission members. He and Planner Ryan Nunn will be attending the full two-day event. The Utah Boundaries Institute Conference is later in October, which focuses more on legislative issues and the development community. Planning Commission Members are welcome to attend either conference, and one-day passes are available for the Utah Boundaries Institute.

Scott also updated the group on ongoing development projects, noting that many of the remaining areas for development in the City are challenging due to high water tables and other issues. The southwest area, in particular, is facing water management concerns, and there are several large projects under review. Current proposals for annexation include over 1000 units of multi-family and moderate-income housing from projects like Village of Prominence Point, Lindy Village, and Cooperstowne Apartments, which will eventually come before the Planning Commission for approval.

11. **REMARKS – CITY MANAGER/ATTORNEY**

0:56:47 Jon Call, City Manager/Attorney, reminded everyone about the City employees' pickleball tournament the following day, with games starting at 12:30 p.m. and food available at 11:30 a.m. He mentioned that the participants, including people in the room, were pitted against each other in the tournament. Jon shared that the games have been fun, though competitive, with close matches. He also noted that the new pickleball court and playground at Lomond View Park turned out great.

12. **ADJOURNMENT**

Commissioner Watson motioned to adjourn the meeting.

The meeting adjourned at 7:00 p.m.


Eric Thomas

Planning Commission Chair


Joyce Pierson

Deputy City Recorder

12-18-2024
Date Approved