

# **NORTH OGDEN PLANNING COMMISSION**

## **MEETING MINUTES**

February 18, 2015

The North Ogden Planning Commission convened in a regular meeting on February 18, 2015 at 6:30 p.m. in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. Notice of time, place and agenda of the meeting was furnished to each member of the Planning Commission, posted on the bulletin board at the municipal office and posted to the Utah State Website on February 17, 2015. Notice of the annual meeting schedule was published in the Standard-Examiner on December 21, 2014.

### **COMMISSIONERS:**

Eric Thomas	Chairman
Don Waite	Vice-Chairman
Scott Barker	Commissioner (excused)
Blake Knight	Commissioner
Brandon Mason	Commissioner
Steven Prisbrey	Commissioner
Dee Russell	Commissioner

### **STAFF:**

Jon Call	City Attorney
Stacie Cain	Deputy City Recorder
Robert O. Scott	City Planner

### **VISITORS:**

Lee Nanney  
Cecil Satterthwaite  
Scott Larsen

### **REGULAR MEETING**

Chairman Thomas called the meeting to order at 6:32 p.m. Commissioner Prisbrey offered the invocation and led the audience in the Pledge of Allegiance.

**CONSENT AGENDA**

1. **CONSIDERATION TO APPROVE THE JANUARY 21, 2014 PLANNING COMMISSION MEETING MINUTES.**
2. **CONSIDERATION TO APPROVE A BOUNDARY LINE ADJUSTMENT FOR 670 E 2800 N**
3. **CONSIDERATION TO APPROVE A BOUNDARY LINE ADJUSTMENT FOR 500 E 3775 N**

**Vice-Chairman Waite made a motion to approve item one on the consent agenda. Commissioner Russell seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Mason</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**The motion passed.**

The Planning Commission then discussed items two and three on the consent agenda. Vice-Chairman Waite stated that he recalled approving a boundary line adjustment for 670 E. 2800 N. approximately one year ago. City Planner Scott stated that is correct and an additional adjustment has been requested. There was a general discussion regarding the process City staff follows when considering a boundary line adjustment, with Mr. Scott noting that currently all boundary line adjustments must receive Planning Commission approval.

**Commissioner Russell made a motion to approve items two and three on the consent agenda. Commissioner Mason seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Mason</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**The motion passed.**

## **ACTIVE AGENDA**

### **1. PUBLIC COMMENTS**

There were no public comments.

### **2. DISCUSSION AND/OR ACTION TO APPROVE NORTH VIEW ESTATES, PHASE V, PRELIMINARY AND FINAL PLAT, LOCATED AT APPROXIMATELY 600 E 3800 N**

A staff memo from City Planner Scott explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria. The applicant is requesting preliminary and final approval of North View Estates Phase V, a 19 lot subdivision, located at approximately 600 East 3800 North. Phase 5 is on 8.18 acres and is located in the HP-1 zone. The HP-1 zone requires a minimum lot size of 10,000 square feet with a frontage requirement of 90 feet. The property is currently vacant. The North View Estates project submittals are subject to a development agreement dated July 10, 2000.

A Technical Review Committee meeting was conducted on July 28, 2014. The comments from the Technical Review Committee are summarized in the City Engineer staff report dated February 4, 2015 the City Engineer contains a list of requirements from the technical review and the status of how they have been accomplished. Of note is the steep nature of this subdivision and the attendant cuts and fills that will result from the roadway design. The City Engineer has worked with the applicant's engineer to come to a mutual agreement regarding these designs. Lots in this subdivision are going to require special grading designs to make these lots useable; a grading plan will be required at the time of building permit application. The following language will need to be placed on the plat:

#### HP Zone Development Notes

1. This subdivision is being approved and developed in accordance with the requirements of the North Ogden City Hillside Protection (HP) Zones. Due to the sensitive nature of this hillside property hazard studies and development reports have been completed to inform buyers and assist property owners with relevant information. These reports are available upon request at the North Ogden City offices. Also, Section 11-9 of the city ordinance addresses the requirements for development within the HP Zones.
2. An individual grading plan will be required for each lot in the development. Grading plans will need to be stamped by a Utah licensed professional engineer and approved by the City Engineer and Building Inspector prior to issuing a building permit.
3. Cut and fill limitations along with retaining wall height limitations are outlined in Section 11-9-5 of the Municipal Ordinances.

The memo then provided the following summary of the potential Planning Commission consideration: does the proposed subdivision meet the requirements of the applicable City subdivision and zoning Ordinances?

The proposed subdivision meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan. The General Plan map calls for this property to be developed as single family residential.

Staff recommends preliminary and final approval of North View Estates Phase V subdivision subject to the following conditions

- Applicant must meet the requirements of the North Ogden City Engineer
- Applicant must demonstrate that all lots meet the frontage and area requirements.
- Applicant must place development notes on the plat.

Mr. Scott reviewed his staff memo.

Vice-Chairman Waite stated he has concerns about the amount of dirt being moved around on the property, but he hopes that those concerns will be addressed by the City Engineer. Cecil Satterthwaite stated that he has obtained an updated set of plans, which includes a grading plan for the roads and the notes that will be recorded on the plat requiring all owners in the development to bring their site plan to the City before being issued a building permit. This will include plans for retaining walls on the property as well. He noted he has worked with the City Engineer on the grading plan.

Chairman Thomas asked Mr. Satterthwaite if he has read and understands the conditions listed in the staff report and if he is comfortable with the conditions, to which Mr. Satterthwaite answered yes.

**Commissioner Knight made a motion to approve North View Estates Phase V, Preliminary and Final Plat, located at approximately 600 E. 3800 N. subject to the conditions listed in the staff report. Commissioner Prisbrey seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Mason</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**The motion passed.**

**3. DISCUSSION AND/OR ACTION TO APPROVE FRANCIS STOKES  
SUBDIVISION, PHASE I, 2<sup>ND</sup> AMENDMENT, LOCATED AT APPROXIMATELY  
3185 N 800 E**

A staff memo from City Planner Scott explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria. The applicant is requesting preliminary approval of a 2 lot subdivision at approximately 3185 North 800 East. The property has frontage on both 800 East and 750 East. The applicant's proposed subdivision is designed for two lots. Lot 1A-R (29,595 square feet) has an existing dwelling and will have its frontage on 800 East. Lot 2A-R (17,859 square feet) is vacant and will have its frontage on 750 East. It is a flag lot. All of the infrastructure improvements are in place with the exception of sidewalks.

The City technical review committee met on December 23, 2014 and provided comments. The comments must be addressed as part of final approval. The City Engineer has provided a staff report dated February 2, 2015. The letter addresses the need for working with the Building Official for providing addresses, the disposition of an existing shed, the identification of the utility easement, flag lot, escrow for sidewalk, and the restriction. The applicant will need to either install sidewalks or request a deferral. The applicant has a will serve letter from Pine View.

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

- Does the proposed subdivision meet the requirements of the applicable City subdivision and Zoning Ordinances?
- Do the requirements from the referral agencies address the future development needs of this subdivision?

The proposed subdivision meets the requirements of applicable North Ogden City Ordinances and conforms to the North Ogden City General Plan. The General Plan map calls for this property to be developed as low density residential.

Staff recommends preliminary approval of the Francis Stokes Subdivision, Second Amendment subject to the conditions from the reviewing agencies.

Mr. Scott reviewed his staff memo.

Vice-Chairman Waite referenced the lower lot in the subdivision that would be accessed from 2750 North and asked if it would have frontage. Mr. Scott answered yes. Vice-Chairman Waite stated the plat does not indicate there is frontage for the lot. Mr. Scott stated that the applicant can address that issue and he noted the lot meets the City's definition of a flag lot. He concluded his review of his staff memo.

Commissioner Mason asked if there would still be one large flag lot with an entrance from 800 East if the Planning Commission chose not to approve the application. Vice-Chairman Waite

stated it is much more complicated than that because there is a significant drop in the property – approximately 30 feet – and naturally there are two lots on the property. Scott Larsen, applicant, agreed and noted the lower lot has not experienced much use; there is currently a dilapidated barn located on that portion of the property, which will be demolished before the lot is sold. There was then a general discussion regarding whether the secondary lot meets the definition of a flat lot, with Mr. Scott stated that the main concern regarding flag lots is whether they prevent future connectivity and he does not feel that is the case with this application.

Mr. Larsen then provided the Planning Commission with a brief history of the property and noted that approving the second lot and allowing a home to be built upon it will improve the area and the City as a whole; the property has become unkempt and a new owner will beautify the area. The water and sewer to the property are fed from 750 East rather than 800 East, which is peculiar to him, but the application received approval from the Technical Review Committee.

Vice-Chairman Waite stated he believes the City Council will require an escrow account to facilitate the installation of sidewalks in the area. Mr. Larsen stated he is happy to install sidewalk as required.

**Commissioner Mason made a motion to approve Francis Stokes Subdivision Phase One Second Amendment, located at approximately 3185 N. 800 E. subject to the conditions listed in the staff report and the City Engineer’s letter. Commissioner Knight seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Mason</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**The motion passed.**

**4. PUBLIC COMMENTS**

There were no public comments.

**5. PLANNING COMMISSION/STAFF COMMENTS**

Mr. Scott noted the public hearing for the ordinance regarding home occupations will be held on February 24. He then provided a report of the recent actions taken by the City Council. He also

provided a report regarding the progress of the project to update the City's General Plan, with a brief focus on the upcoming meeting schedule for the General Plan Steering Committee.

**6. ADJOURNMENT**

**Commissioner Prisbrey made a motion to adjourn the meeting. Commissioner Knight seconded the motion.**

**Voting on the motion:**

<b>Chairman Thomas</b>	<b>yes</b>
<b>Vice-Chairman Waite</b>	<b>yes</b>
<b>Commissioner Knight</b>	<b>yes</b>
<b>Commissioner Mason</b>	<b>yes</b>
<b>Commissioner Prisbrey</b>	<b>yes</b>
<b>Commissioner Russell</b>	<b>yes</b>

**The motion passed.**

The meeting adjourned at 7:07 pm.

---

Planning Commission Chair

---

Stacie Cain,  
Deputy City Recorder

---

Date approved