

**PLANNING COMMISSION
MEETING MINUTES**

July 1, 2026

The North Ogden Planning Commission convened on July 1, 2026, 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 Public Notice Website on June 25, 2026.

Notice of the annual meeting schedule was posted on the bulletin board at the municipal office and posted to the Utah State Public Notice Website on December 10, 2025.

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:

Cody Watson	Chair	Excused
Nissa Green	Vice Chair	
Chad Bailey	Commissioner	Excused
Lorin Gardner	Commissioner	
Phil Swanson	Commissioner	
Cass Settlemyre	Commissioner	
Craig Jorgensen	Commissioner	

STAFF:

Scott Hess	Community and Economic Development Director
Ryan Nunn	Planner II

VISITORS:

Chris Pulver	Hunter Murray	Jim Gramoll
Lisa Arner	Kevin Burns	Anna Thomas
Brent Call	Steven Warren	

0:00:00 Vice Chair Green called the meeting to order and Commissioner Settlemyre wished everyone a happy Fourth of July and encouraged residents to celebrate safely, reminding the public to use caution while recreating due to the increased wildfire risk across Utah. Commissioner Gardner then led the Pledge of Allegiance.

CONSENT AGENDA

1. ROLL CALL

0:01:01 Vice Chair Green excused Chair Watson and Commissioner Bailey and noted that all other Planning Commission Members were in attendance.

2. APPROVAL OF MEETING MINUTES – JUNE 3, 2026 AND JUNE 17, 2026

0:02:49 Commissioner Swanson motioned to approve the June 3, 2026, Planning Commission Meeting minutes and the June 17, 2026 Planning Commission Meeting minutes, with the revision incorporated on page 6. Commissioner Jorgensen seconded the motion.

All those in attendance voted aye.

3. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

0:02:58 No disclosures were made.

LEGISLATIVE ITEMS

4. PUBLIC COMMENTS

0:03:09 No public comment was made.

5. ZONING TEXT AMENDMENT 2026-03 –DRIVE-THROUGH AND DRIVE-IN SIGNS

- **LEGISLATIVE AMENDMENT TO CONSIDER AMENDING NORTH OGDEN CODE 11-21 TO REGULATE DRIVE-THROUGH AND DRIVE-IN SIGNS**
- **PUBLIC HEARING AND RECOMMENDATION**

0:04:50 Ryan Nunn, Planner II, presented a proposed text amendment to the City's drive-through sign regulations that was identified during the review of the Panda Express site plan. He explained that the applicant's dual drive-through configuration requires one menu board to be located closer to the public right-of-way than the current code allows. Rather than eliminating the setback requirement entirely as originally requested, staff researched comparable standards in other communities and recommended reducing the required setback from 30 feet to 20 feet, consistent with Logan City's ordinance. The applicant indicated that the revised 20-foot setback would accommodate the project, and staff recommended that the Planning Commission hold a Public Hearing and forward a recommendation on the text amendment to the City Council.

0:07:18 Commissioners asked questions regarding how the proposed drive-through sign setback compares to other sign regulations. Ryan explained that monument signs have a separate five-foot setback requirement and different size limitations, while drive-through menu boards are limited to 12 square feet. Commissioners also asked whether the proposed 20-foot setback, modeled after Logan City's ordinance, would apply only to dual-lane drive-throughs or to all drive-throughs, and staff clarified that it would apply generally while still limiting the number of menu boards permitted. Staff further noted that the amendment would not only accommodate future developments but would also bring several existing drive-through signs into compliance with the code.

0:09:48 The applicant, Steven Warren, expressed appreciation for staff's assistance throughout the process and stated support for the proposed text amendment. He indicated there was no additional information he wanted to present and expressed hope that the amendment could move forward for approval.

Vice Chair Green opened the Public Hearing at 6:10 p.m.

Commissioner Swanson motioned to close the Public Hearing. Commissioner Gardner seconded the motion. All in attendance voted aye. The Public Hearing was closed at 6:11 p.m.

0:11:30 Commissioner Swanson made a motion to recommend approval of Zoning Text Amendment 2026-03 – Drive-Through and Drive-In Signs, as discussed, and forward this recommendation to the City Council. Commissioner Jorgensen seconded the motion.

Voting on the motion:

Chair Watson	excused
Vice Chair Green	aye
Commissioner Bailey	excused
Commissioner Gardner	aye
Commissioner Swanson	aye
Commissioner Settlemyre	aye
Commissioner Jorgensen	aye

All those in attendance voted aye.

6. **ZONING TEXT AMENDMENT 2026-04 –FENCE HEIGHTS ADJACENT TO RETAINING WALLS**
- **LEGISLATIVE AMENDMENT TO CONSIDER REGULATIONS REGARDING INCREASED FENCE HEIGHTS ADJACENT TO RETAINING WALLS LOCATED ALONG PROPERTY LINES. THESE PROVISIONS WOULD AMEND NORTH OGDEN CODE 11-9M-15: RESIDENTIAL FENCE REGULATIONS**
 - **PUBLIC HEARING AND RECOMMENDATION**

0:12:02 Scott Hess, Community and Economic Development Director, presented a proposed zoning text amendment regarding fence heights adjacent to retaining walls after a resident raised concerns with the City Council. He explained that current City code limits side and rear yard fences to six feet and front yard fences to three and a half feet, but properties with tall retaining walls can create privacy concerns. Staff reviewed several retaining wall configurations and discussed challenges in administering a new standard, particularly verifying property lines without requiring surveys. Staff recommended allowing fences up to eight feet in height when a property line terminates at the base of an engineered retaining wall at least four feet tall, providing additional privacy while referencing existing engineering standards. Scott noted there is no perfect solution and emphasized that the amendment is intended as a Citywide policy response rather than one tailored to a specific property. He then invited questions from the Commission.

0:16:28 Commissioners discussed how the proposed fence height ordinance would apply to retaining walls and sought clarification on measurement standards. Questions were raised about whether the proposed opacity requirement would prevent homeowners from screening unattractive retaining walls, and staff clarified that fences at the bottom of retaining walls should be allowed to be fully opaque. Commissioners also discussed how fence height should be measured, recommending that it be based on finished grade at the visible base of the retaining wall rather than below-grade footings.

Staff explained the practical challenges of administering the ordinance, noted that natural grade is often no longer applicable in developed subdivisions, and emphasized the importance of keeping the language straightforward for consistent enforcement. Staff concluded that fence heights are measured from finished grade under existing practice and suggested using that terminology in the ordinance for clarity.

Vice Chair Green opened the Public Hearing at 6:25 p.m.

0:25:13 Lisa Arner, a North Ogden resident, described ongoing privacy and security issues caused by a neighboring retaining wall that rises well above the existing six-foot fence, leaving the backyard exposed. The resident explained that the current fence height is insufficient to deter trespassing, secure gates, or block views, and shared examples of people, children, animals, and wildlife easily entering the property. Lisa stated that allowing an eight-foot fence in this circumstance would significantly improve privacy and security and expressed support for the proposed zoning text amendment as a practical solution.

Commissioner Settlemyre motioned to close the Public Hearing. Commissioner Swanson seconded the motion. All in attendance voted aye. The Public Hearing was closed at 6:34 p.m.

0:33:14 Commissioners discussed how the proposed fence height amendment would be measured and administered when retaining walls vary in height. Staff clarified that retaining walls averaging four feet or more would qualify and recommended measuring fence height from the finished grade at the retaining wall rather than the structural base. Commissioners suggested revising the ordinance language to reference the average retaining wall height and finished grade for greater clarity. The discussion also clarified property ownership, maintenance responsibilities, and fence placement, confirming that the proposed amendment would allow an eight-foot fence on the lower property while preserving the upper property's access to maintain the retaining wall.

0:39:40 Commissioner Settlemyre made a motion to recommend approval of Zoning Text Amendment 2026-04 –Fence Heights adjacent to retaining walls, with additional language specifying that fence height be measured from the finished grade and that the retaining wall average at least four feet in height to qualify for the exception. Commissioner Gardner seconded the motion.

Voting on the motion:

Chair Watson	excused
Vice Chair Green	aye
Commissioner Bailey	excused

Commissioner Gardner	aye
Commissioner Swanson	aye
Commissioner Settlemyre	aye
Commissioner Jorgensen	aye

All those in attendance voted aye.

7. **ZONING MAP AMENDMENT 2026-05 –1150 EAST 3700 NORTH**
• **REZONE PROPERTY FROM SPLIT ZONING OF SINGLE-FAMILY RESIDENTIAL (R-1-10) & SINGLE-FAMILY RESIDENTIAL (R-1-12.5) & HILLSIDE PROTECTION (HP-3) TO SOLELY HILLSIDE PROTECTION (HP-2)**
• **PUBLIC HEARING AND RECOMMENDATION**

0:40:45 Ryan Nunn, Planner II, presented a proposed rezone that had previously been discussed by the Planning Commission. He explained that the property is currently split between the HP-3, R-1-10, and R-1-12.5 zones, and the applicant is requesting to rezone the entire property to the HP-2 Hillside Protection zone. Staff reviewed geotechnical information provided by the applicant and determined that the site's geological conditions are comparable to adjacent HP-2 properties. Staff recommended approval, noting that the HP-2 designation would continue to require geotechnical and geological hazard studies during future development, ensuring ongoing review by the City Engineer and Planning staff. Ryan requested that the Planning Commission conduct the Public Hearing, consider public input, and forward a recommendation to the City Council.

0:44:01 Commissioners discussed how drainage channels and lot configuration would be addressed if the property were rezoned. Commissioner Gardner questioned the number of drainage channels on the site and noted that the Hillside Protection standards call for setbacks from drainage channels and transitions between differing lot sizes. Ryan explained that the submitted layout was a conceptual plan developed in response to previous Planning Commission feedback and that detailed compliance with drainage setbacks, lot sizes, frontage requirements, and other development standards would be reviewed during the subdivision application process. Staff confirmed that those issues would be addressed before the subdivision receives Planning Commission approval.

0:46:49 Hunter Murray, the applicant's representative, explained that the proposed HP-2 rezone was developed through extensive collaboration with City staff and the project geotechnical engineers to confirm the property's suitability for the zoning designation.

He noted that the initial concept plan was intended only as a yield study to evaluate the site's maximum development potential, but after refining the design to better comply with HP-2 standards for lot frontage, depth, and other requirements, the proposed development was reduced from approximately 72 lots to about 62 lots, resulting in a more realistic and code-compliant layout.

0:49:47 Commission members discussed how the proposed development would address recommendations from previous geological studies and existing site conditions. Commissioner Gardner encouraged the applicant to incorporate the recommendations from the 1997 geological study into the subdivision design. Hunter confirmed that the project team and geotechnical consultants were working closely with City staff to ensure the site meets all applicable standards and that the property is suitable for the proposed HP-2 zoning. Commissioner Swanson raised concerns about an intermittent stream crossing the property, asking whether it would be piped and how seasonal runoff would be accommodated. Hunter responded that the current plan is to pipe the drainage channel with sufficient capacity to handle seasonal flows. Commissioner Swanson also asked about an existing Pineview water collection pipeline on the property to which Hunter stated that discussions with Pineview engineers are underway and that any necessary relocation or modifications to the pipeline would be addressed during project design. Vice Chair Green noted that while the application was only at the rezone stage, the Commission's comments would help guide future planning and design. Hunter noted that they welcomed the feedback, emphasizing the value of addressing potential issues early in the development process. Commissioner Settlemire also confirmed with the applicant that the proposed internal roads would be dedicated as public streets.

Vice Chair Green opened the Public Hearing at 6:54 p.m.

0:54:46 Jim Gramoll, a Bountiful resident and owner of North Ogden property, stated that he supports the proposed rezone but expressed concern that the conceptual subdivision layout could eliminate future access to his adjacent eight-acre property. He requested that, as the project moves forward, the City ensure adequate access is preserved for neighboring properties during the subdivision design process.

0:57:20 Chris Pulver, a North Ogden resident and City Council member, asked whether the geotechnical report and related engineering analyses would be finalized before the rezone is approved. He also emphasized the importance of addressing fire protection and secondary water availability as the project moves forward.

Commissioner Swanson motioned to close the Public Hearing. Commissioner Settlemyre seconded the motion. All in attendance voted aye. The Public Hearing was closed at 7:00 p.m.

1:00:00 Hunter Murray, applicant's representative, clarified that the final geotechnical report remains unchanged from the draft. He also stated they have been working closely with Pineview on secondary water service and are confident there are multiple viable solutions. Regarding neighboring access, Hunter acknowledged that the conceptual layout is preliminary and affirmed their intent to provide adequate access as the subdivision design progresses.

The Planning Commission discussed the legislative nature of the proposed rezone and noted that final engineering studies are not required prior to a rezoning decision, though the City Council may impose conditions through a development agreement. Commissioners identified access, wildfire mitigation, trail connectivity, drainage, open space, and buffering as potential conditions for further consideration. The Commission also discussed the balance between protecting hillside areas and respecting private property rights. After the applicant confirmed that the final geotechnical investigation supported the proposed density, Commissioners remained divided between retaining the existing HP-3 zoning and recommending approval of the HP-2 rezone with additional development agreement provisions.

1:23:36 **Commissioner Swanson made a motion to recommend approval of Zoning Map Amendment 2026-05 at 1150 East 3700 North, with the recommendation that any approval be conditioned upon a development agreement addressing access to adjacent eastern properties, wildfire mitigation and buffering, trail preservation, drainage and setbacks, open space and clustering opportunities, and compatible lot sizes along the eastern boundary adjacent to the HP-3 zone, and forward this recommendation to the City Council. Commissioner Gardner seconded the motion.**

Voting on the motion:

Chair Watson	excused
Vice Chair Green	aye
Commissioner Bailey	excused
Commissioner Gardner	aye
Commissioner Swanson	aye
Commissioner Settlemyre	aye
Commissioner Jorgensen	nay

The motion passed with a 4-1 vote.

8. **PUBLIC COMMENTS**

1:28:58 No public comment was made.

9. **REMARKS - PLANNING COMMISSIONERS**

1:29:00 Commissioner Gardner noted that he would not be able to attend the first Planning Commission meeting in August.

Commissioner Swanson reminded those in attendance that the Planning Commission's action was only a recommendation and that the City Council would make the final decision. He encouraged residents to share their comments with the Mayor and City Council and to attend the City Council meeting when the item is scheduled for consideration.

Vice Chair Green shared information about a community-developed Google browser extension that simplifies Pineview Water's WaterScope tool, noting that it makes water usage information easier for residents to understand. The information is on the North Ogden Citizen Facebook group page.

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

1:31:56 Scott Hess thanked everyone for attending the meeting and encouraged residents to participate in the remaining Cherry Days festivities, including the Saturday events and fireworks, noting that City staff would be assisting throughout the celebration.

Planner Ryan Nunn encouraged Commissioners to review the 1997 Hillside study, noting that its purpose is not to prevent development but to guide safe and responsible hillside development through appropriate management practices.

Ryan announced that a tour of the Altura development area is being planned for August, potentially as a joint Planning Commission and City Council tour. The tour would occur before a City Council meeting and be noticed as a public meeting, with designated stops and City vehicles available for transportation. Scott explained that the area is currently governed by a decades-old development agreement for North View, originally planned primarily for single-family development. The developer is proposing a revised master development agreement for Altura that would include different housing types, updated road and trail networks, and additional open space concepts. He noted that visiting the site would help Commissioners better understand the terrain and proposed changes, as the revised agreement will first come before the Planning Commission for recommendation before moving to the City Council.

11. REMARKS – CITY MANAGER/ATTORNEY

No comment was made.

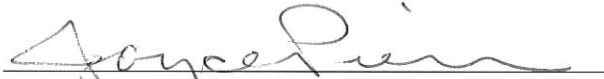
12. ADJOURNMENT

Commissioner Settlemyre motioned to adjourn the meeting.

The meeting adjourned at 7:40 p.m.



Nissa Green
Planning Commission Vice Chair



Joyce Pierson
Deputy City Recorder

August 5, 2026

Date Approved