

**PLANNING COMMISSION
MEETING MINUTES**

August 5, 2026

The North Ogden Planning Commission convened on August 5, 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 July 31, 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/UCriqbePBxTucXEzRr6felhQ/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	
Lorin Gardner	Commissioner	via Zoom (joined at 7:50 pm)
Phil Swanson	Commissioner	
Cass Settlemyre	Commissioner	via Zoom
Craig Jorgensen	Commissioner	

STAFF:

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

VISITORS:

Chris Pulver	Julia Cole	Julie Skeen
Clark Skeen	Shawn Maynard	Robert Peterson
Derek Ulibarri	Dee Johnson	Karen Johnson
Leeann Lippert	Susan Rigin	Chandler Copenhour

Taycee VanLangeweld	John Hansen	James VanLangeweld
Zack Call	Jacey Crabtree	Tyler Crabtree
Xenia Alsup	Jed Alsup	Mike Jones
Bronson Dean	Kent Williams	Cheryl Francis
Pam Lawrence	Anita Parrish	Kevin Burns
Kent Bell	Chere Cave	Sam Barlow
Xiana Tyborec	Jared Tyborec	Jesse Davis
Shanna Campbell	Mary Wright	Judy Beckley
Lynn Satterthwaite	David Parkinson	Trevor Davis
Mallory Dean	Aimee Dussol	Kyle White
Miriam Chambers	Katherine	Jill
Nancy Tomon	Dennis Taylor	Mindy Albee

0:00:00 Vice Chair Green called the meeting to order and expressed appreciation for the Planning Commission members and residents for their shared commitment to North Ogden. She noted that although participants often have differing perspectives and backgrounds, they consistently engage in respectful discussion and work toward common solutions that benefit the community. She expressed pride in serving the City and gratitude for the opportunity to contribute alongside fellow Commissioners. Commissioner Jorgensen then led the Pledge of Allegiance.

CONSENT AGENDA

1. ROLL CALL

0:01:52 Vice Chair Green excused Chair Watson and noted that Commissioner Settlemyre and Commissioner Gardner would be joining online soon. All other Planning Commission Members were in attendance.

2. APPROVAL OF MEETING MINUTES – JULY 1, 2026

0:02:36 Commissioner Jorgensen motioned to approve the July 1, 2026, Planning Commission Meeting minutes. Commissioner Swanson seconded the motion.

All those in attendance voted aye.

3. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

0:02:40 No disclosures were made.

ADMINISTRATIVE ITEMS

4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

0:03:20 No public comment was made.

5. SITE PLAN REVIEW – ARMS OF LOVE IN-HOME DAYCARE CONSIDERATION AND ACTION FOR A SITE PLAN APPROVAL FOR ARMS OF LOVE IN-HOME DAYCARE, LOCATED AT APPROXIMATELY 186 WEST 1875 NORTH

0:03:49 Ryan Nunn, Planner II, presented a site plan review for an in-home daycare at 186 West 1875 North. He explained that the applicant's business license was pending Planning Commission approval and confirmed that the proposal complies with the City's land use requirements, including required play area, fencing, and designated pick-up and drop-off space. Staff recommended approval and noted that the applicant was available via Zoom to answer questions.

0:06:04 Planning Commissioners asked about the applicant's remaining approval process, including State requirements and inspections. Ryan explained that after Planning Commission approval, the applicant must complete the business license process, including required background checks for all adult household members. During questions from the applicant's translator, Staff clarified that the City would issue a notice of decision, followed by the business license, and confirmed that fire and other required inspections would be completed before the daycare could begin operating.

0:09:03 Commissioner Swanson made a motion to recommend approval of the Site Plan for Arms of Love In-home Daycare, subject to the conditions in the Staff report. Vice Chair Green seconded the motion.

Voting on the motion:

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

The motion carried.

6. **PRELIMINARY PLAT APPROVAL – MATLOCK SUBDIVISION**
CONSIDERATION AND ACTION FOR A PRELIMINARY PLAT APPROVAL OF
THE MATLOCK SUBDIVISION (72 LOTS), LOCATED AT APPROXIMATELY
600 EAST 2100 NORTH

0:10:10 Ryan Nunn, Planner II, presented a preliminary plat for a proposed 72-lot subdivision, currently named Matlock but also referred to as Lomond View. He explained that the project follows a recently approved rezone and development agreement, requiring compliance with the R-1-5 zoning standards and agreement conditions. Staff determined the proposal is consistent with the General Plan and applicable development standards, and recommended approval subject to the Technical Review Committee comments, the development agreement, the City Engineer's recommendations, and final plat approval before any lots are developed.

0:12:17 Applicant Kyle White of Preston Land Development introduced himself and Chris Kay, the project engineer, and expressed appreciation for the opportunity to work with the Planning Commission, City Council, staff, and engineering team through the TRC process. He presented the Matlock Subdivision, a 72-lot development, noting that the project has progressed significantly and expressing pride in the current proposal. He stated that the development team is available to answer questions as the review process continues. Kyle explained that the Matlock Subdivision has evolved significantly from its original proposal, incorporating feedback from the Planning Commission, public, City Council, and staff. He noted that changes since City Council approval have primarily involved engineering refinements, with the open space area adjusted into a larger, more functional parcel that also improves stormwater management. Kyle clarified that the canal easement runs through non-buildable areas of two lots, not beneath homes, and that the plat restricts permanent structures within the easement. He also confirmed coordination with the canal company. Regarding streets and HOA coordination, Kyle stated that 2200 North would be the primary public street and that there have been discussions with neighboring developments about a potential shared HOA, though no commitments have been finalized. Ryan Nunn confirmed that required road dedications are included as part of the subdivision approval.

Vice Chair Green then opened it up for public comments.

0:17:44 Kent Williams, a North Ogden resident, expressed support for the proposed park and open space but raised questions about the stormwater management plan. He asked whether runoff from the subdivision's retention area would connect to the existing 24-inch culvert under the street near his property and expressed concern about potentially having stormwater from more than 70 homes directed past his property.

Kent noted that he is currently responsible for maintaining a drainage area and wanted clarification on whether the water would be piped, require additional maintenance, or combine with drainage from other nearby developments.

Scott Hess explained that the Planning Commission was accepting public comments at this stage and that the final engineering details for stormwater improvements were still being completed. He noted that stormwater management has been a consideration throughout the project review and suggested allowing the applicant to address the specific questions after public comments were received.

0:20:07 Dennis Taylor, a North Ogden resident, asked for clarification on the R-1-5 zoning setback requirements, specifically whether the seven-foot side yard setback applied to each lot or was a combined requirement. Scott Hess clarified that the setback is seven feet from each property line, resulting in a combined 14-foot separation between homes. Dennis expressed concern that the 55-foot-wide lots may feel constrained once setbacks are applied, potentially limiting home design and creating a crowded appearance. He referenced nearby subdivisions with similar lot widths as an example of his concern about density and spacing.

0:21:55 Mindy Albee, a North Ogden resident, thanked the Planning Commission, developers, and staff for listening to neighborhood feedback and noted appreciation that R-4 zoning was not included in the final proposal. She expressed that the revised plan better reflects community input and stated that while not everyone is fully satisfied, many neighbors feel their concerns were heard through the collaborative process.

0:22:41 Chris Kay and Kyle White, applicants, explained that the subdivision's stormwater system is designed with a detention basin that will collect runoff from the entire development and release it through a controlled outlet into the existing city storm drain system along 2200 North. They noted that grading along 2100 North will direct frontage drainage toward the road system, while internal drainage will flow to the detention basin. Kyle also addressed concerns about narrow lot widths, explaining that the development team has reviewed various home designs that fit within the 55-foot-wide lots. He stated that the homes are designed as traditional two-story single-family residences with two-car garages and will not have the appearance of town homes. He emphasized that the layouts can support quality housing options that fit the character of the North Ogden community.

Commissioner Swanson asked whether the plat complies with the approved R-1-5 zoning. Staff confirmed that it meets zoning requirements, with the main modification being increased building height to allow traditional two-story homes.

Scott Hess noted that the development agreement includes a few exceptions, including dual frontage lots, a trail connection along 600 East, undergrounding the canal, and allowing private streets. Staff determined the subdivision conforms with the zoning and development agreement.

0:27:37 Commissioner Swanson made a motion to recommend approval of the Preliminary Plat for Matlock Subdivision subject to the conditions in the Staff report. Commissioner Settlemyre seconded the motion.

Voting on the motion:

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

The motion carried.

LEGISLATIVE ITEMS

- 7. ZONING MAP AMENDMENT 2026-07 –2742 NORTH 400 EAST**
- REZONE PROPERTY FROM RESIDENTIAL CITY CENTER (RCC) TO MULTI-FAMILY RESIDENTIAL ZONE (R-4) AS AN IN-FILL PROJECT**
 - PUBLIC HEARING AND RECOMMENDATION**

0:28:46 Ryan Nunn, Planner II, explained that there was a previous request to rezone this property to R-1-5, but it did not proceed to City Council, and the applicant reapplied for an R-4 zone to allow for attached, zero-lot-line, individual homes. The R-4 zone could allow up to 18 homes, subject to requirements for parking, road access, and stormwater detention. Staff determined the proposed rezone was consistent with the surrounding area, noting that R-4 zoning exists across Washington Boulevard and nearby along 2650 North. Ryan also cited the City's Moderate Income Housing Plan and General Plan goals, which encourage consideration of higher-density housing to provide more attainable housing options. Staff recommended that the Planning Commission hold a public hearing, review the request against the General Plan guidelines, and make a recommendation to City Council.

0:32:38 John Hansen, applicant representative, stated that the proposed development would consist of individually owned, moderate-priced single-family homes rather than rental units. He explained that the layout would include twin homes with a driveway between each pair, and that the road was curved to provide separation from the neighboring property to the south. The proposal would not extend the road through to Washington Boulevard, and the two existing homes along Washington Boulevard would be removed and replaced with additional single-family homes. John expressed a desire to improve the area and indicated a willingness to enter into a development agreement restricting the homes from being used as rentals.

Vice Chair Green asked why the applicant changed the request from R-1-5 to R-4. John explained that the owner preferred the R-4 concept because it would provide more units in a more unified development rather than individual detached homes. Commissioner Settlemyre asked about stormwater management, noting that the original proposal identified the need for a detention pond due to the slope and drainage conditions on the southern portion of the property. John acknowledged the concern and stated that a retention basin would likely be located in the south-southwest corner, which is the low point of the property. He noted that the preliminary drawing was only conceptual and that the final design would comply with all City requirements, including stormwater and fire access requirements.

Vice Chair Green opened the Public Hearing at 6:38 p.m.

0:38:40 Jesse Davis, a North Ogden resident, requested that her testimony from the June 3 meeting regarding livestock operation setbacks and land-use compatibility be incorporated into the record. She expressed opposition to the proposed R-4 rezone, stating that placing higher-density residential development adjacent to an active livestock operation would be inconsistent with the City's recent zoning policies, Moderate Income Housing Plan, and General Plan goals of preserving agricultural character and neighborhood quality of life. Jesse argued that the nearby R-4 zoning areas are separated from the subject property by Washington Boulevard, which serves as a major arterial and zoning buffer, while the subject property is surrounded by lower-density and transition zoning. Jesse expressed concern that approving R-4 would introduce higher density into an established single-family area and could contribute to incremental increases in density. She emphasized that compatibility involves more than meeting minimum setbacks and should consider buffering, privacy, and orderly transitions between zoning districts. She requested that the Planning Commission maintain its previous position against higher-density zoning on the property and recommend denial of the R-4 rezone.

0:44:30 Trevor Davis, a North Ogden resident, opposed the proposed R-4 rezone. He expressed concern that the rezone would more than double the potential density on the 1.22-acre property and argued that approval of the zoning designation could allow future development beyond the conceptual layout currently presented. He raised concerns about the proposed access from 450 East, the lack of adequate buffering from adjacent livestock operations, steep slopes, drainage constraints, and the potential placement of up to 18 units near the property boundaries. Trevor also expressed concerns about the capacity and condition of existing infrastructure, including the road on 450 East, groundwater issues near 450 East and 2600 North, and stormwater systems that he stated are already inadequate during significant storm events. He noted the presence of springs on the property and recommended that a groundwater study be completed before considering the rezone. He argued that increasing density without addressing existing infrastructure deficiencies could place additional burdens on the City and surrounding residents. Trevor requested that the Planning Commission recommend denial of the R-4 rezone and allow development under the existing RCC zoning.

0:50:01 Taycee VanLangweld, a North Ogden resident, stated that the property can be developed under its existing RCC zoning and that an R-4 rezone is unnecessary. She acknowledged the City's housing goals but noted that North Ogden has already approved several higher-density developments to address those needs. She referenced the Planning Commission's recent denial of an R-1-5 rezone for the same property, citing concerns about density, neighborhood compatibility, traffic, access, and neighborhood character. Taycee questioned what public benefit the R-4 rezone would provide and expressed concern that it would primarily create private financial benefit while increasing long-term impacts and conflicts for surrounding residents. She requested that the Commission deny the R-4 rezone.

0:54:17 Kent Bell, a North Ogden resident, opposed the proposed R-4 rezone and requested that the property remain RCC. He stated that the surrounding area is a quiet single-family neighborhood and expressed concerns that higher-density attached housing would negatively affect privacy, views, lighting, traffic, and neighborhood character. He also raised concerns about the property's slope and potential flooding toward his home, as well as the feasibility of constructing up to 18 homes on the relatively small site, including access for construction equipment and materials. Kent requested that the Planning Commission deny the rezone.

0:57:13 Dennis Taylor, a North Ogden resident, stated that while he supports private property rights, he also believes the City's General Plan should guide development and zoning decisions. He expressed concern that approving the rezone could create a precedent for additional higher-density rezonings in adjacent areas, gradually undermining the intended zoning pattern.

Dennis emphasized that the RCC zoning serves a specific planning purpose and encouraged the Planning Commission to adhere to the General Plan and leave the property's zoning unchanged.

0:59:29 Bronson Dean, a North Ogden resident and structural engineer, opposed the proposed rezone. He expressed concern that the conceptual plan could change substantially after approval and referenced his experience with developers modifying plans during the permitting process. He also questioned the lack of a clearly identified stormwater retention area, particularly since drainage concerns had been raised previously. Bronson raised concerns about the adequacy of the proposed parking and garage sizes, stating that larger vehicles may not fit and could result in additional on-street or overflow parking. He also questioned whether the proposed unit sizes and site layout could realistically accommodate the development while meeting stormwater requirements. He expressed concern that the repeated rezone requests represented incremental increases in density and urged the Planning Commission to deny the proposal.

1:04:37 David Parkinson, a North Ogden resident, stated his formal opposition to the proposed rezone, expressing concern about zoning creep and the impact of additional development on 450 East. He noted that the road already experiences traffic and pedestrian activity, lacks sidewalks, and is frequently used by children traveling to nearby recreational facilities. He expressed concern that additional development and traffic would create safety issues. David stated that he believed the property would be better suited for a single-family home consistent with the surrounding neighborhood and requested that the Planning Commission deny the rezone.

1:06:52 James VanLangweld, a North Ogden resident, opposed the proposed R-4 rezone. He expressed concerns that the proposed attached units would have limited private outdoor space, shared walls, and maintenance responsibilities while not providing the benefits of traditional single-family homeownership. He also questioned whether the units would provide suitable long-term housing, noting that many prospective buyers may view townhomes or duplexes as temporary steps toward homeownership. James stated that he values the North Ogden community and believes the proposed development could make it less desirable for residents seeking to establish long-term roots.

1:09:18 Mallory Dean, a North Ogden resident, opposed the proposed high-density development, stating that it would add pressure to already strained infrastructure without providing new roads, sidewalks, parks, or other amenities. She expressed concerns about increased traffic, parking, pedestrian safety, property maintenance, and potential impacts on property values and neighborhood standards. She argued that developers should invest in infrastructure and amenities when building new communities rather than receiving advantages by developing within established neighborhoods.

She emphasized that residents chose the area for its low-density character and should not be expected to subsidize the additional costs associated with the development.

1:14:20 Zack Call, a North Ogden resident, opposed the proposed development and raised concerns about the significant parking and traffic impacts during construction. He noted that construction workers and equipment would occupy street parking, creating congestion and making it difficult for existing residents to park near their homes. He urged the Planning Commission to vote against the proposal.

1:15:46 Mindy Albee, a North Ogden resident, urged the Planning Commission to deny the proposed rezone, stating that the current zoning is appropriate and that R-4 zoning is incompatible with the established neighborhood. She argued that the City has other options under the State's moderate-income housing requirements and should pursue those before disrupting existing neighborhoods. She also noted that approximately 1,700 townhomes are already permitted in North Ogden and argued that the City has sufficient townhome development. She encouraged the property owner to develop the parcel under the existing RCC zoning and asked the Commission to maintain its earlier position that higher-density zoning was inappropriate for the property.

1:17:38 Xenia Alsup, a North Ogden resident and realtor, opposed the proposed high-density development, citing concerns about its impact on the historic grandstand, views, traffic, and neighborhood character. She stated that the development would obstruct sunset views, that the site plan appeared to be overcrowded, and that existing traffic and road conditions are already problematic. Xenia also expressed concern about increased turnover and population density, particularly near the elementary school, and emphasized preserving North Ogden's close-knit, rural character and existing livestock.

1:20:37 Leeann Lippert, a North Ogden resident, spoke in opposition to the proposed development, citing his previous experience with duplexes being constructed in a single-family neighborhood. She stated that the resulting neighborhood has lost its character and asked the Commission to honor residents' previous efforts to establish the City central zone as a way to protect established neighborhoods.

1:21:48 Lynn Satterthwaite, a North Ogden resident, urged the Commission to consider a gradual zoning transition between low- and high-density areas rather than changing directly from R-1-5 to R-4. He stated that past zoning decisions have used transitional zoning to protect neighborhood character and recommended either incorporating a transition or denying the proposed change.

Commissioner Bailey motioned to close the Public Hearing. Commissioner Swanson seconded the motion. All in attendance voted aye. The Public Hearing closed at 7:23 p.m.

1:23:13 Discussion among Commissioners focused on whether the proposed R-4 zoning was necessary given what could already be developed under the existing Residential City Center (RCC) zone. Commissioner Bailey noted that the property could accommodate approximately five or six single-family homes under the current zoning and potentially up to six duplexes, or about 12 units, depending on how the ambiguous code provisions regarding attached dwelling units are interpreted. He questioned why the applicant had not provided a realistic development plan under the existing RCC zoning before requesting a rezone. Staff Hess explained that the RCC zone code contains conflicting and outdated provisions. Duplexes were removed from the zone in 2016, but references allowing attached dwelling units remain, creating uncertainty about what is currently permitted. Scott indicated that staff may need to consult the City's land-use attorney and potentially make an administrative interpretation, which could be appealed.

Commissioners generally expressed concerns that the proposed R-4 development was too dense and incompatible with the area. Commissioners Bailey, Swanson, Green, Jorgensen, and Settlemire questioned the feasibility of the 18-unit concept, the lack of adequate planning for detention and other site requirements, and the potential precedent that an R-4 approval could establish for surrounding properties. Commissioner Swanson stated that his opposition to the increased density remained unchanged, while Commissioner Jorgensen opposed moving to a smaller, higher-density zone when the existing zoning already allowed development. Commissioner Settlemire specifically cautioned that approving R-4 could encourage similar rezoning requests on neighboring properties. Commissioner Bailey emphasized that a realistic plan under the existing RCC zoning should be provided so the Commission could compare what is currently allowed with the requested rezone. He expressed concern that, after accounting for detention, fire access, and other requirements, the proposed R-4 development might ultimately result in a similar number of units to what could already be achieved under RCC.

The discussion concluded with a consensus among Commissioners that the R-4 request was not appropriate for the parcel and that the applicant had not provided sufficient information to justify the rezone.

1:44:03 Commissioner Jorgensen made a motion to deny Zoning Map Amendment 2026-07, located at 2742 N 400 E, to rezone property from RCC to R-4 zone. Commissioner Swanson seconded the motion.

Voting on the motion:

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

The motion to deny passed with a 4-0 vote.

*Commissioner Bailey stated that he was uncomfortable voting either for or against the proposal because he lacked sufficient information to determine whether maintaining the current situation would adequately protect residents. He therefore chose to abstain.

1:45:35 Scott Hess explained that, despite the Planning Commission's recommendation for denial, the applicant can either bring the application back to the Planning Commission or advance it to the City Council. The City Council, as the legislative body, can accept, reject, or modify the Planning Commission's recommendation. He noted that the Public Hearing had concluded and that future consideration would follow the City's standard agenda process, with no additional mailed notice. The earliest potential City Council consideration would be August 25, with subsequent meetings on September 8 and September 22, depending on the agenda.

Commissioner Swanson motioned to take a 5-minute break. Commissioner Bailey seconded the motion.

8. ZONING TEXT AMENDMENT 2026-06 –COMMERCIAL SETBACKS AND BUFFERS

- LEGISLATIVE AMENDMENT TO CONSIDER REGULATIONS REGARDING COMMERCIAL BUILDING SETBACKS, WALL HEIGHTS, AND BUFFER REQUIREMENTS ADJACENT TO RESIDENTIAL ZONED PROPERTY**
- PUBLIC HEARING AND RECOMMENDATION**

1:47:20 Scott Hess, Community and Economic Development Director, clarified that Shawn Maynard is the applicant representative for a proposed zoning text amendment to Title 11's commercial development standards. The amendment would allow zero-lot-line commercial development adjacent to residential property, rather than the current requirement for an eight-foot screening fence and 10-foot landscaped buffer.

Scott explained that the applicant's property is lower than the neighboring residential properties, potentially allowing a shorter wall or building to provide adequate screening. Staff remained neutral and recommended holding the public hearing before providing guidance or making a recommendation to the City Council. Scott noted that zero-lot-line commercial development can work well for quieter uses and reflects traditional walkable commercial development, but may be inappropriate for more intensive uses such as large stores or loading areas next to homes. Scott cautioned that changing the standards Citywide could affect all commercial properties and potentially create concerns for neighborhoods near areas such as Southtown. He suggested the Commission consider the broader implications while allowing the applicant to explain the proposal and respond to public concerns.

Scott Hess identified several commercial properties throughout the City that could potentially be affected by a Citywide change to commercial setback and buffering requirements, including areas near existing residential developments. He cautioned that the term "constrained commercial properties" needs to be clearly defined because properties may face different limitations, such as parking or landscaping constraints. The Commission discussed creating a limited "carve-out" rather than broadly changing the standards for all commercial properties. Scott suggested an overlay zone that would allow qualifying commercial properties to apply for reduced setbacks under specific standards. Another option would be to identify qualifying properties or limit the amendment to certain low-impact commercial uses. He noted that while the current applicant's proposal appeared unlikely to create significant impacts, broader changes could produce unforeseen problems in the future, such as allowing intensive or disruptive commercial uses directly adjacent to residential properties. Commissioners emphasized the importance of avoiding decisions that could create unintended consequences years later.

1:56:18 Shawn Maynard, applicant representing the Cannery Center, explained that the proposed zoning text amendment would modify the required setback and screening between commercial and residential properties. Rather than placing a fence at the property line and then constructing a tall commercial building behind a 10-foot landscaped buffer, he proposed allowing a commercial building to be placed at the property line and function as the screening wall. The building would be limited to a lower height along the residential boundary, then step back and increase to the full height permitted by the zone. Shawn argued that the approach would benefit both the developer and neighboring residents. Neighbors would receive a more substantial masonry screening wall, greater separation from commercial activities, and a gradual transition in building height. The developer could use property that would otherwise be consumed by the required setback and landscaping. He also proposed moving loading, trucks, forklifts, and other operations farther from the residential boundary. The amendment would require recorded agreements with affected neighbors, allowing individual property owners to opt out.

Commissioners questioned how the proposal would work if some neighbors did not agree, with Shawn explaining that the design could accommodate an individual opt-out through a jog in the wall and retention of the existing buffer. They also discussed the types of uses that could occupy the lower portion of the building, with Shawn indicating it could function as storage or another permitted use, provided the wall remained solid and met the applicable height requirements. Commissioner Bailey clarified that a zero-lot-line commercial building adjacent to residential property would require a fire-rated wall under building and fire codes, making the proposed construction a practical requirement rather than simply an aesthetic choice. He also discussed how the amendment might apply to existing commercial properties and emphasized that properties could either follow the existing setback requirements or use the proposed zero-lot-line, stepped-building approach.

Vice Chair Green opened the Public Hearing at 8:09 p.m.

2:09:30 Andrew Millard, a North Ogden resident, expressed support for the proposal, particularly because it would provide greater privacy and separation from the commercial property. He said the additional screening would give his family more usable backyard space and provide a safer, more open area for his young daughter to play.

Commissioner Bailey motioned to close the Public Hearing. Commissioner Swanson seconded the motion. All in attendance voted aye. The Public Hearing was closed at 8:10 p.m.

2:10:30 Planning Commission members generally supported further consideration of the applicant's proposed zero-lot-line commercial development concept but identified several issues requiring refinement. Commissioners discussed stepped building heights, elevation differences, potential noise and commercial activity impacts, occupied rooftops, and the need for fire-rated walls and adequate building access. Staff and Commissioners also discussed limiting the amendment to appropriate properties rather than creating a broad Citywide allowance. Additional concerns included building design and wall variations, landscaping, maintenance of narrow spaces, building-code limitations, and the legal implications of requiring neighboring property owners' consent.

The Commission favored having staff work with the applicant and City Attorney to refine the proposed ordinance language and address these concerns before bringing it back for consideration.

2:31:31 **Commissioner Swanson made a motion to postpone Zoning Text Amendment 2026-06, Commercial Setbacks and Buffers, to the next meeting to allow staff to work with the applicant and City Attorney to develop proposed ordinance language. Commissioner Jorgensen seconded the motion.**

Voting on the motion:

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

The motion passed with 6-0 vote.

9. ZONING TEXT AMENDMENT 2026-07 – ACCESSORY DWELLING UNITS
• LEGISLATIVE AMENDMENT TO CONSIDER REGULATIONS REGARDING
DETACHED ACCESSORY DWELLING UNITS FOR LOT SIZE AND WHEN AN
OWNER MAY OCCUPY AN ADU WHILE UNDER CONSTRUCTION WITH A
PRIMARY DWELLING
• PUBLIC HEARING AND RECOMMENDATION

2:32:59 Scott Hess, Community and Economic Development Director, explained that the proposed code changes address two issues: first, North Ogden must update its ADU regulations to comply with State law by October, which now allows detached ADUs on single-family lots over 11,000 square feet; and second, the City is considering whether an ADU could receive occupancy before the primary dwelling when both are being constructed simultaneously. Staff identified several practical concerns with allowing early occupancy, including fire and public safety access, utility connections, water meters and accounts, addressing, and situations where the primary home might remain unfinished for an extended period. Scott noted that some cities allow this arrangement, but it creates complicated administrative and building-code issues.

The Commission discussed temporary certificates of occupancy as a possible solution, but Scott expressed strong reservations because temporary occupancy can create enforcement problems if residents move in and construction is not completed as required. Staff requested Planning Commission feedback before drafting formal ordinance language for future consideration.

Vice Chair Green opened the Public Hearing at 8:42 p.m.

2:42:30 Lynn Satterthwaite, applicant and North Ogden resident, supported allowing an ADU to be occupied before the primary dwelling is completed, noting that it could provide a practical housing option for homeowners who sell their existing home while constructing a new one. He emphasized that the State is encouraging additional housing flexibility and has reduced the lot-size threshold for detached ADUs from 20,000 to 11,000 square feet. Lynn also referenced a 2022 Planning Commission discussion in which staff proposed allowing existing homes on large lots to be designated as ADUs so a new primary home could be constructed on the same property. He questioned whether the existing ADU code already allows this approach and asked Scott Hess to clarify the intent of that provision.

2:46:25 Scott explained that the City's existing provision allowing an existing primary home to become an ADU was created to preserve older homes on large lots while allowing construction of a new, larger primary residence. He said the same concept could potentially address the current proposal, with the main complications arising when the ADU and primary home are constructed simultaneously because of utility, addressing, fire-safety, and occupancy requirements. Jon Call agreed that staff generally supports the concept but wants to work through the technical requirements to avoid unintended consequences. Commissioners discussed whether the City should care if the primary home is never completed and whether HOAs could impose additional restrictions. Staff indicated that the City primarily needs to ensure the structures comply with building and zoning requirements.

Applicant Lynn Satterthwaite argued that the safety concerns could be addressed through specific requirements and completion deadlines, noting that similar safety issues already exist when an existing home is converted to an ADU. He supported establishing clear rules rather than relying on case-by-case exceptions. Commissioner Bailey raised concerns about setbacks, and Scott clarified that the City would retain control over ADU setbacks. Under the current code, a detached ADU must meet the underlying zoning setbacks, including applicable front, rear, and side setbacks, as well as required separation from the primary dwelling.

Commissioner Swanson motioned to close the Public Hearing. Commissioner Jorgensen seconded the motion. All in attendance voted aye. The Public Hearing was closed at 8:56 p.m.

2:56:00 The Commission agreed that the detached ADU lot-size threshold should remain at 11,000 square feet, rather than allowing ADUs on smaller lots. Staff confirmed that ADUs are permitted in hillside protection zones and that the code should be administered accordingly. The main disagreement centered on whether an ADU should be allowed occupancy before the primary residence is completed.

Commissioner Swanson expressed significant concern that homeowners could occupy the ADU and then delay or abandon construction of the primary home, leaving the City in a difficult position because revoking occupancy and forcing someone out would be politically and practically unlikely. He felt the proposal could create more administrative burden for the City than benefit and was not yet comfortable supporting it. Vice Chair Green shared similar concerns and felt that maintaining the existing requirement would be simpler to administer. Commissioner Bailey, however, favored allowing early ADU occupancy, viewing it as an expansion of private-property rights and a potentially valuable option for homeowners who need to sell their existing home while building a new one. He felt the remaining technical and administrative concerns could be resolved before final approval.

3:04:17 Commissioner Swanson made a motion to give the City Council a negative recommendation on allowing an ADU to be occupied before the primary residence is completed, while forwarding the concerns and potential private-property benefits for Council consideration. He also recommended limiting the ADU lot-size change to the State-required 11,000-square-foot threshold and correcting the code to reflect that HP-1, HP-2, and HP-3 zones permit attached ADUs but 11-9M-9 doesn't list them. Commissioner Jorgensen seconded the motion.

Voting on the motion:

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

The motion passed with a 4-2 vote.

10. PUBLIC COMMENTS

3:07:02 Lynn Satterthwaite, applicant for previous agenda item and North Ogden resident, stated that both the primary dwelling and ADU would be approved simultaneously, with the homeowner paying impact fees for both. He argued that the homeowner would therefore have strong financial motivation to complete both units if choosing this approach.

11. REMARKS - PLANNING COMMISSIONERS

3:07:55 Commissioner Swanson expressed gratitude for the opportunity to serve with the Planning Commission, noting that the breadth of experience and knowledge among the members has been one of the most valuable aspects of his 12–13 years of service. He appreciated the opportunity to learn from each of his fellow Commissioners.

12. REPORT – COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

3:08:27 Scott Hess announced the Utah Fall Planning Conference, scheduled for September 9–10 at the Davis Conference Center in Layton. He noted that the City’s travel and training budget can cover registration for Planning Commission members, with limited per diem but no hotel expenses. Members may attend the full conference or select individual days or sessions. Scott encouraged attendance as an opportunity to learn about planning issues in Utah and the western U.S. and network with other citizen planners. Vice Chair Green added that she had previously attended and found the conference informative, particularly when selecting sessions relevant to local planning work.

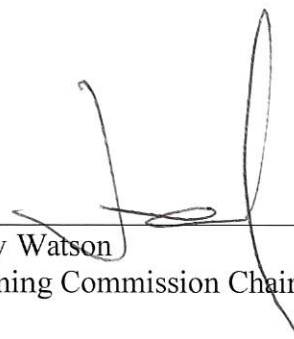
13. REMARKS – CITY MANAGER/ATTORNEY

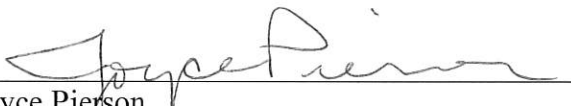
3:11:18 Jon Call announced that the local amphitheater would be presenting *Matilda* and encouraged community members to attend. He also noted that the Planning Commission is experiencing a period of numerous rezone requests, culminating in an upcoming discussion regarding approximately 500–700 acres of hillside property. He anticipated that the hillside rezone and master-planning discussion would be extensive and challenging, and thanked the Commission members for their continued work.

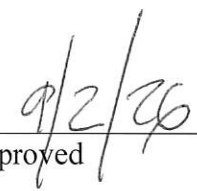
14. ADJOURNMENT

Commissioner Swanson motioned to adjourn the meeting.

The meeting adjourned at 9:13 p.m.



Cody Watson
Planning Commission Chair

Joyce Pierson
Deputy City Recorder

Date Approved