



MINUTES OF THE SOUTH OGDEN CITY PLANNING COMMISSION BRIEFING MEETING

Thursday, August 11, 2016
Council Chambers, City Hall - 5:30 P.M.

PLANNING COMMISSION MEMBERS PRESENT

Chair Raymond Rounds, Commissioners John Bradley, Todd Heslop, Jerry Jones, Susan Stewart, Steve Pruess, and Mike Layton

STAFF PRESENT

City Planner Mark Vlastic, and City Recorder Leesa Kapetanov

The briefing meeting began at 5:35 pm. Chairman Rounds opened discussion on the first item on the agenda concerning notification requirements. City Recorder Leesa Kapetanov reviewed the Commissioner's previous discussion on the matter and referred them to the code changes included in their packet that reflected what they wanted. Commissioner Jones asked some questions concerning the requirements for conditional uses as set forth in 10-15-4(B); he was concerned that building materials should complement the surrounding areas. City Planner Vlastic said that until the form based code was adopted, there had been no restrictions or requirements for materials, and the City really could not have a say in what they were. Now that it was proposed to have a form based code for all commercial zones, the City would have more of a say. Commissioner Jones suggested the City also look at a tax for the arts, as many cities around the country had done. It would allow the City to set aside money for art for public areas. Commissioner Layton asked if they should include notices to people outside the City and asked if they should consider their comments if they weren't residents. The commissioners discussed the matter, concluding that they wanted to include notices to people outside the City.

The chair then moved to discussion on the General Plan update. Planner Vlastic reviewed the previous general plan and updates and referred the commissioners to the maps in their packet, explaining what each represented. He explained the goal was to be able to present one map and one land use chapter for the public to look at, whether it was a developer or resident; currently they had to look at three different maps. Mr. Vlastic said they had tried to keep the final map as simple as possible and reviewed the different areas on it. He was looking for direction from the planning commission. They could take as much time as they wished to review it and make possible changes after which it would go through a public hearing and a recommendation made to the city council. Mr. Vlastic was of the opinion that the 1997 General Plan was still in effect and the updates were adopted as addendums to it but didn't replace it. This proposed update would replace the land use chapter in the 1997 Plan and replace all three maps with one map.

Planner Vlastic also pointed out the commissioners needed to discuss whether this update would suffice or if the whole general plan should be redone; with the City at 97% build out, the

question of whether the expense was worth it needed to be asked. Commissioner Stewart said it was true the City was almost built out, but there still needed to be a plan for redevelopment. City Recorder Kapetanov informed the planning commission that staff was trying to get a combined meeting involving the planning commission and city council set up for October. They could then discuss whether there was a need for a complete re-do of the general plan or not. There was no more discussion. Chairman Rounds closed the meeting.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Briefing Meeting held Thursday, August 11, 2016.


Leesa Kapetanov, City Recorder

September 8, 2016
Date Approved by the Planning Commission



MINUTES OF THE SOUTH OGDEN CITY PLANNING COMMISSION MEETING

Thursday, August 11, 2016

Council Chambers, City Hall –6:15 p.m.

PLANNING COMMISSION MEMBERS PRESENT

Chair Raymond Rounds, Commissioners John Bradley, Jerry Jones, Todd Heslop, Susan Stewart, Steve Pruess, and Mike Layton

STAFF PRESENT

City Planner Mark Vlastic, and City Recorder Leesa Kapetanov

OTHERS PRESENT

Wesley Stewart, Walt Bausman, Mike Adams, Jeff Von Colln

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

Chair Raymond Rounds began the meeting at 6:16 pm and called for a motion to open.

Commissioner Bradley moved to open the meeting, followed by a second from Commissioner Pruess. Commissioners Stewart, Layton, Bradley, Jones, Pruess and Heslop all voted aye.

Chair Rounds thanked the members of the planning commission for their vote of confidence in his ability to chair the commission. He stated that once he felt an item had been discussed enough, he would entertain a motion for action so that issues would move forward.

The chair then moved to the first item on the agenda, giving a brief background on the reason for the hearing and then called for a motion to enter a public hearing.

Commissioner Pruess moved to open the public hearing, followed by a second from Commissioner Bradley. The vote was unanimous to open the public hearing.

II. ZONING PUBLIC HEARINGS

A. To Receive and Consider Comments on Proposed Changes to Land Use Notification Requirements

City Recorder Leesa Kapetanov reviewed the current requirements for land use public hearings both for the state and for South Ogden. South Ogden did not currently have any proximity requirements. The proposed ordinance would require that the City notify property owners within 500 feet of a rezone request or conditional use if a public hearing was held. It would also require that notices be sent to properties within that proximity even if they were not within city limits.

Chair Rounds then invited anyone who wished to comment on the issue to come forward.

Wes Stewart, 3625 Jefferson – agreed with the 500 foot notification requirement and the right of people to voice their opinions. He said governments should be more Jeffersonian than Hamiltonian. Citizens should be more involved in their government and have their comments heard. He then cited UCA 10-9a-205(C)(ii)(b).

Walt Bausman, 5792 S 1075 E – suggested that for clarity purposes UCA 10-9a-205 be put in the city code, including the part about adjacent property owners and the time of mailing. He thought it should be the same for public hearings as well as public meetings.

There were no further comments. The chair called for a motion to close the public hearing.

Commissioner Jones moved to close the public hearing. The motion was seconded by Commissioner Layton. All present voted aye.

III. ZONING ACTIONS - Legislative

A. Discussion and Recommendation on Proposed Changes to Land Use Notification Requirements

Commissioner Stewart asked if the notification changes affected subdivisions. She was informed it did not. Commissioner Bradley said he felt the cities proximity requirements would take in adjacent property owners as well as those across the street as mentioned in the public comments. Commissioner Heslop said he felt the proposed requirements were good. He liked that it would get more people involved. There was no more discussion. Chair Rounds called for a motion.

Commissioner Bradley moved to recommend to the City Council the proposed changes to the land use notification requirements as they appeared in the packet. Commissioner Layton seconded the motion. The chair called the vote:

Commissioner Heslop-	Aye
Commissioner Stewart-	Aye
Commissioner Bradley-	Aye
Commissioner Jones-	Aye
Commissioner Layton-	Aye
Commissioner Pruess-	Aye

The motion stood.

IV. SPECIAL ITEMS

A. Presentation of Proposed General Plan Map and Land Use Chapter

Chair Rounds gave an overview of previous discussion on the General Plan, noting the City's current General Plan was done in 1997 and had two updates since then. The City needed to decide whether to do a completely new general plan, or consolidate what it already had.

Planner Mark Vlastic said the 1997 General Plan was the main plan, with the 2001 update focusing on quality of life additions and the 2008 update focusing on the area around city hall. He also pointed out that 20 years was a long time to go without a general plan update; however since the City was 98% built out, it called in to question whether the money to completely re-do the general plan would be well spent. On the other hand, the City also needed to consider redevelopment and if the old general plan reflected the direction the City wanted redevelopment to go. Staff was currently proposing replacing the land use chapter of the 1997 General Plan with the one provided in the packet and then consolidating all the maps into one and eliminating any discrepancies. They had kept the map very simple and not shown the location of any churches or schools. The land use chapter had been kept very simple as well; it pointed out that there was less than 5% of the land that had been developed and the only opportunities for change would be through redevelopment.

Commissioner Pruess pointed out some discrepancies on the map concerning the cemetery, and the park next to city hall. Commissioner Stewart also pointed out the area around Evelyn Road which had been eliminated from the form based code had still been included in the general plan map. Planner Vlastic said in his professional opinion it didn't matter, but it brought up a good question. Some communities wanted their general plan to match their zoning map, and some did not want them to match at all. Some wanted the general plan map to be more "bubbly", i.e. have the edges more rounded and less determined; this gave them more flexibility when applications were considered and not have to be bound to specific borders. Sometimes they even included language in the land use chapter specifying that the areas on the map were not meant to be specific boundaries but represent general concepts. It was up to the City to determine how specific or general they wanted the map to be.

Commissioner Bradley said he felt the general plan should be a guideline as opposed to a hard and fast rule. Planner Vlastic agreed. He said the general plan was meant to have some area for interpretation and modification; if it was less specific, it may not need to be updated as often.

Chair Rounds outlined several ways to proceed with the general plan. The consensus of the planning commission was to try to get a joint meeting with the city council as well as the consultants hired to do a form based code for the rest of the City. They hoped the meeting would take place in October. Commissioner Pruess suggested they could take a field trip to parts of the City as they applied to the proposed form based code.

Chair Rounds said it did not seem they were ready to hold a public hearing on the general plan as of yet. The Commission would wait for a meeting with the Council as well as take time to review the existing general plans and offer comments. It was determined that they would have any comments to Mr. Vlastic within two weeks. They also determined Mr.

Vlasic should make the areas on the map more general, i.e. “bubble” them. There was no more discussion on the general plan.

V. OTHER BUSINESS

Chair Rounds said he had some other business to bring up with the Commission. He reminded the Commissioners of their vote to forward the request that a raise for the planning commissioners be considered. It had gone before the City Council who had tabled it. Mr. Rounds requested that Ms. Kapetanov include information on how much City Council members made and the minutes of the meeting where the planning commission raise was discussed.

City Planner Vlasic said that the issue of planning commission compensation had been a common topic among other cities. He would also try to get some information to include in the packet.

VI. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A. Approval of May 12, 2016 Briefing Meeting Minutes

The chair asked if there were any comments on either the briefing or meeting minutes. Commissioner Layton pointed out that the sentence on line 213 of the meeting minutes could be misconstrued to mean Chair Heslop purposefully did not excuse Commissioner Pruess. He suggested the wording be changed.

Chair Rounds then called for a motion concerning the June 9 briefing Meeting minutes.

Commissioner Layton moved to approve the briefing and meeting minutes of June 9, 2016. The motion was seconded by Commissioner Heslop. The voice vote was unanimous in favor of the motion.

B. Approval of June 9, 2016 Meeting Minutes

The chair then called for a motion concerning the June 9 meeting minutes.

Commissioner Bradley moved to approve the June 9, 2016 meeting minutes with the corrections as stated by Commissioner Layton. Commissioner Heslop seconded the motion. All present voted aye.

VII. PUBLIC COMMENTS

The Chair invited anyone who wished to come forward to comment.

Wes Stewart, 3625 Jefferson – expressed his concerns with the City grouping the poor and minorities together into a large redevelopment area. It created a risk of having a lawsuit against the City because of violating the Fair Housing Act. He asked if the City had considered the poor and less fortunate. There were people who were refugees, or who had mental or physical disabilities. They had the right to live in a quiet residential neighborhood without having to worry about commercial development happening. It should be their decision to sell their property to a developer and not the government’s decision. He would like to see a map showing where different

minorities and people with disabilities lived to see if it correlated with the zoning maps. Mr. Stewart said developers would just buy up land and rent it out until they got enough of it, which would not be good for the residents in the area. Did the City exist for the benefit of the residents, or did the residents exist to provide tax benefits to the City? The City should spend money on roads not on map coloring and rezoning.

City Planner Vlasic commented that the City was required to provide a moderate income housing report to the state every two years and the next one was due in a few weeks. He said the report showed that the City met all state requirements for providing a certain level of moderate income housing. If the report showed otherwise, the City would have to take action to create more moderate income housing.

Walt Bausman, 5792 S 1075 E – felt a general plan update was needed, but felt a citizen’s committee should be involved. He also said the meeting wasn’t noticed on the website.

Wes Stewart, 3625 Jefferson – said he had seen the notice on the website. He had also read that Hollywood counted garages as residences so they would meet moderate income housing requirements.

Mike Adams, 3751 Ogden Avenue – said it appeared decisions were made behind closed doors and nothing was public. He had not learned about the form based code until it was pretty much a done deal. He agreed with the 500 foot notification and commended the City for holding this meeting in public.

Wes Stewart, 3625 Jefferson – was made aware of someone who moved into the rezoned area after the notifications were sent. He wondered if there was a way for the City to keep track of who moved in and out and make sure they received notifications.

There were no more public comments.

VIII. ADJOURN

Chair Rounds called for a motion to adjourn.

Commissioner Bradley moved to adjourn, followed by a second from Commissioner Pruess. All present voted aye.

The meeting ended at 7:27 pm.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Meeting held Thursday, August 11, 2016.


Leesa Kapetanov, City Recorder

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