

## ORDINANCE 2019-16

### AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY TO ADJUST SITE PLAN REVIEW STANDARDS

- WHEREAS;** There are requirements for site plan reviews for residential, commercial, and manufacturing projects; and
- WHEREAS;** The site plan review standards are found throughout Title 11 Zoning Regulations; and
- WHEREAS;** Having an effective and efficient site plan review process is beneficial to both applicants and the City; and
- WHEREAS;** Establishing standards for development that are clear and objective is an necessary legal standard; and
- WHEREAS;** Review processes are in need of periodic updates; and
- WHEREAS;** The North Ogden City Planning Commission has reviewed these standards and conducted a public hearing on the amendment and recommends adoption of this amendment.

**NOW THEREFORE, BE IT ORDAINED** by the North Ogden City Council that the North Ogden City zoning ordinance is amended to create a new chapter 11-26 Site Plan Review and deleting 11-10-27 Site Plan Required and amending sections 11-8A-3 and 11-8B-4 referencing chapter 26.

**SECTION 1:** Text to be added:

#### **11-26: SITE PLAN REVIEW**

##### **11-26-1: PURPOSE AND INTENT**

The purpose of this chapter is to establish an administrative means by which site plan review applications are processed and approved.

##### **11-26-2: SITE PLAN APPROVAL REQUIRED**

Site plans are required for all permitted uses other than single family residences.

##### **11-26-3: LAND USE AUTHORITY**

The Planning Commission is designated as the land use authority for all site plan reviews unless designated otherwise within the Zoning Ordinance.

The Planning Department is the land use authority for two family dwelling site plan reviews.

Site plan approvals are required prior to the issuance of a building permit. Each of the ensuing features shall be in accordance with the site plan (or subsequent amendment thereof).

##### **11-26-4: APPROVAL CRITERIA**

a. To promote compatibility and stability in zoning and appropriate development of property within the city, no application for site plan review shall be approved unless it is demonstrated that the application meets the standards of Title 11.

In considering any site plan, the Planning Commission shall endeavor to assure safety and convenience of traffic movement, both within the area covered and in relation to access streets, harmonious and beneficial relation among the buildings and uses in the area covered, and satisfactory harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods, and that the requirements of this title have been met.

satisfactory harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods, and that the requirements of this title have been met.

#### **11-26-5: APPLICATION SUBMITTAL**

(a) A pre-application meeting is required prior to the application submittal.

(b) An application for a site plan review shall be submitted on forms provided by the Planning Department and shall expire 18 months after submittal, if not acted upon, provided however, the director may extend the application for six months for just cause. The application shall be accompanied with the following information:

(1) The application shall be signed by the landowner or his duly authorized representative and shall be accompanied by the necessary fee as shown within the applicable fee schedule.

(2) A site plan review may be initiated by an owner of any property or any person, firm or corporation with the written consent of the owner of the property.

(3) An application for a site plan review shall be accompanied by a development plan.

#### **11-26-6: TECHNICAL REVIEW**

1. Process: The city periodically hosts a technical review committee (TRC) meeting. In order for a site plan to be scheduled for a TRC meeting, a complete site plan review application must be received and accepted by the city. The Planning Department coordinates the TRC meeting schedule.

2. Meeting With Representatives: The applicant is provided an opportunity to meet with representatives from all applicable utilities and other interested governmental agencies to receive comments regarding the site plan application. At this meeting the applicant will receive comments from the TRC members. These comments are written and copies provided to the applicant following the meeting. The comments detail the extent to which the plans are required to be revised in order for the city to schedule land use authority consideration of their project. Extensive revisions caused by the TRC comments or by voluntary action of the applicant, may require additional TRC meetings.

#### **11-26-7: DEVELOPMENT PLAN**

(a) The development plan shall be submitted with a site plan application, and shall supply sufficient information about the development to assist the Planning Commission in making a decision on the site plan application. One copy of plans shall be submitted on 11 by 17 inch paper and one copy of plans shall be submitted on 24 by 36 inch paper, at a readable scale. All site plans (including but not limited to architectural elevations/renderings, etc.), and subsequent submittals and revisions, shall be accompanied by a full-scale set of PDF, DWF and JPEG files of the respective plans. Information supplied shall include text and illustrations as identified on the application form and as listed below:

(1) Inventory of general land use types located within the project and the surrounding area.

(2) Locations and arrangements of buildings, structures, facilities and open space.

(3) Architectural rendering of proposed buildings including the height, bulk and character, structures, facilities and open space within the project. Building materials and colors are also required.

(4) Access and traffic circulation patterns, the provision for ingress and egress, and provision for off street parking.

(5) A written description explaining how the project is compatible with surrounding land uses.



(6) The existing site characteristics (e.g., terrain, vegetation, watercourses, and wetlands, etc.).

(7) Written explanation and visual illustration showing project density and mass/scale in comparison to the existing developed area adjacent to the proposed site plan.

(8) If signs are proposed, the site plan shall include a comprehensive sign plan in accordance to CCNO 11-22-5.

(9) A site plan shall include landscaping, fences and walls designed to further the purpose of the regulations for commercial, manufacturing and multiple housing zones, and such features shall be provided and maintained as a condition of the establishment and the maintenance of any use to which they are appurtenant.

(b) The applicant/owner and any assigns or successors in interest, is required to develop only in accordance with the proposals outlined in the plan. Any materially different concept, use, building arrangement, etc., will not be approved nor will building permits be issued by the city until such plan is amended by the Planning Commission.

Minor changes to an approved site plan may be approved by the Planning Director or designees that are consistent with the intent of the original approval, so long as such changes do not constitute more than 5% of the original project area. Any changes shall be approved only if the modifications include improved or equivalent quality of materials or design. Any proposed changes that exceed 5% of the project area or that are deemed materially significant by the Planning Director shall require an amendment to the site plan and approval by the Planning Commission.

#### **11-26-8: DEVELOPMENT STANDARDS**

In addition to the standards contained in this chapter other development standards are found in CNO 11, including the individual zones, CNO 11-10-37 and 38, and the North Ogden City Public Works Standards.

#### **11-26-9: NOTICE OF DECISION / DEVELOPMENT AGREEMENT**

The site plan approval once granted shall be followed with a written notice of decision that shall identify the final requirements of all site plan review approvals. If deemed necessary a development agreement can be entered into.

**SECTION 2:** Text to be deleted:

#### **11-10-27: SITE PLAN APPROVAL REQUIRED**

- ~~1. A site plan shall be submitted to the planning commission which shows the location of main and accessory buildings on the site and in relation to one another, the traffic circulation features within the site, the height, bulk and character of building, the provision for off street parking space, the provision of driveways for ingress and egress, the provision for other open space on the site and the display of signs. Each of the foregoing features shall be in accordance with the site plan (or subsequent amendment thereof) of the proposed development approved by the planning commission prior to the issuance of a building permit.~~
- ~~2. A site plan shall include landscaping, fences and walls designed to further the purpose of the regulations for commercial, manufacturing and multiple housing zones, and such features shall be provided and maintained as a condition of the establishment and the maintenance of any use to which they are appurtenant. The site plan shall include a comprehensive sign plan in accordance to CCNO 11-22-5.~~
- ~~3. In considering any site plan, the planning commission shall endeavor to assure safety and convenience of traffic movement, both within the area covered and in relation to access streets, harmonious and beneficial relation among the buildings and uses in the~~

~~area covered, and satisfactory harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods, and that the requirements of this title have been met.~~

- ~~4. In approving site plans, the planning commission may act on a site plan submitted to it or may act on its own initiative in proposing and approving a site plan, including any conditions or requirements designated or specified therein or in connection therewith.~~

**SECTION 3:** Text to be amended.

**11-8A-3: SITE PLAN APPROVAL**

For any development or use in a commercial zone, a site plan shall be submitted in accordance with CCNO ~~11-10-27~~ 11-26.

**11-8B-4: SITE PLAN APPROVAL**

For any development or use in a commercial zone, a site plan shall be submitted in accordance with CCNO ~~11-10-27~~. 11-26.

**SECTION 4:** This ordinance shall take effect upon adoption.

**PASSED and ADOPTED this 23rd day of July 2019.**

**North Ogden City:**

  
M. Brent Chugg  
North Ogden City Mayor

**CITY COUNCIL VOTE AS RECORDED:**

	<b>Aye</b>	<b>Nay</b>
Council Member Barker:	<u>X</u>	___
Council Member Cevering:	<u>X</u>	___
Council Member Stoker:	<u>X</u>	___
Council Member Swanson:	<u>X</u>	___
Council Member Turner:	<u>X</u>	___

**(In event of a tie vote of the Council):**

**Mayor Chugg**

**ATTEST:** S. Annette Spendlove



**S. Annette Spendlove, MMC  
City Recorder**