



NOTICE AND AGENDA
SOUTH OGDEN CITY PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 12, 2019

Notice is hereby given that the South Ogden City Planning Commission will hold a meeting September 12, 2019, beginning at 6:15 p.m. in the Council Chambers located at 3950 Adams Avenue, South Ogden, Utah.

A briefing session will be held at 5:30 pm in the conference room and is open to the public.

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES - Chairman Raymond Rounds

II. PUBLIC HEARING

To Receive and Consider Comments on the Proposed Hilltop Gardens Subdivision

III. ZONING ACTIONS

- A.** Discussion and Recommendation on the Hilltop Gardens Subdivision Located at 3792 Grant Avenue
- B.** Discussion and Recommendation on the Regency at Crossroads Lot 9 Subdivision Amendment Located at 1452 Ridgeline Drive

IV. SPECIAL ITEMS

- A.** Discussion on Allowing Manufacturing Use in City Center Core Subdistrict and Set Date for a Public Hearing
- B.** Discussion on Cannabis Pharmacies and Where They Should Be Allowed in the City
- C.** Discussion on Hard Surface Driveways and If They Should Be Required

V. OTHER BUSINESS

VI. APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of August 8, 2019 Minutes

VII. PUBLIC COMMENTS

VIII. ADJOURN

Posted and emailed to the State of Utah Public Notice Website on September 6, 2019

The undersigned, duly appointed city recorder, does hereby certify that a copy of the above notice and agenda was posted in three public places with the South Ogden City limits on September 6, 2019. These public places being City Hall (1st and 2nd floors), the city website (www.southogdencity.com), and emailed to the Standard-Examiner. Copies were also mailed to each commissioner.


Leesa Kapetanov, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations, including auxiliary communicative aids and services during the meeting should notify Leesa Kapetanov at 801-622-2709 at least 48 hours in advance.

STAFF REPORT



SUBJECT: Hilltop Gardens Subdivision
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: September 12, 2019

RECOMMENDATION

Staff recommends the subdivision be approved.

BACKGROUND

This subdivision is being created in preparation for a townhome development on what is now vacant property located at 3792 Grant Ave. The subdivision will allow each townhome to be sold individually.

ANALYSIS

We are still awaiting the engineer's report.

SIGNIFICANT IMPACTS

The subdivision will allow much needed housing to be built on ground that was not being utilized.

ATTACHMENTS

Subdivision plat

HILLTOP GARDEN P.U.D.
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,
SOUTH OGDEN CITY, WEBER COUNTY, UTAH
FEBRUARY 2018

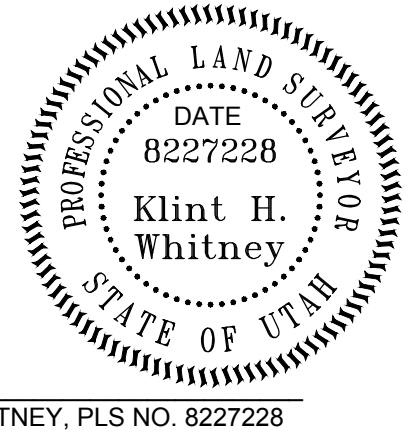
BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 38TH STREET, BEING LOCATED SOUTH 1°17'43" WEST 513.28 FEET ALONG THE MONUMENTED CENTERLINE OF WASHINGTON BOULEVARD AND NORTH 90°00'00" WEST 605.33 FEET FROM THE CENTERLINE MONUMENT AT WASHINGTON BOULEVARD AND 37TH STREET; RUNNING THENCE NORTH 88°43'53" WEST 140.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF GRANT AVENUE; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 1°16'07" EAST 84.04 FEET TO THE EXTENSION OF AN EXISTING FENCE LINE; THENCE ALONG SAID EXISTING FENCE LINE AND EXTENSION SOUTH 88°43'53" EAST 140.00 FEET; THENCE SOUTH 1°16'07" WEST 84.04 FEET TO THE POINT OF BEGINNING. CONTAINING 11,765 SF, OR 0.27 AC, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS HILLTOP GARDEN P.U.D., IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS _____ DAY OF _____, 2018.



KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

HILLTOP GARDEN P.U.D.

AND HEREBY DEDICATE, GRANT AND CONVEY TO SOUTH OGDEN CITY, WEBER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY SOUTH OGDEN CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____, 2018.

BY:

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)

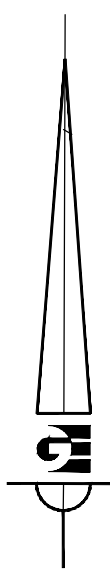
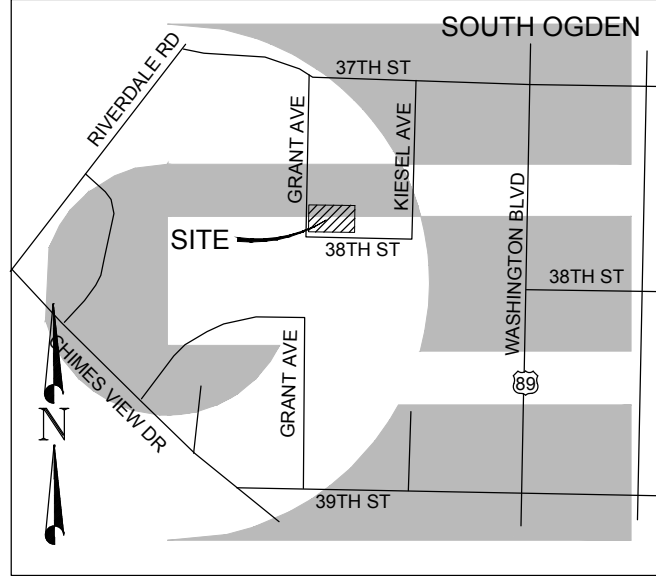
On this _____ day of _____, 2018, personally appeared before me (NAME OF DOCUMENT SIGNER), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the (TITLE OR OFFICE) of (NAME OF CORPORATION), and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said (NAME OF DOCUMENT SIGNER) acknowledged to me that said "Corporation executed the same.

STAMP

NOTARY PUBLIC

DEVELOPER: JOSEPH MARSH 4750 W 1500 N OGDEN, UT 84404	S1 1	COUNTY RECORDER ENTRY NO. _____ FEE PAID _____ FILED FOR AND RECORDED _____ AT _____ IN BOOK _____ OF OFFICIAL RECORDS, PAGE _____ RECORDED FOR _____ COUNTY RECORDER BY: _____
GARDNER ENGINEERING CIVIL • LAND PLANNING MUNICIPAL • LAND SURVEYING 5150 SOUTH 375 EAST OGDEN, UT OFFICE: 801.476.0202 FAX: 801.476.0066		

VICINITY MAP
NOT TO SCALE



Scale in Feet
1" = 10'

LEGEND

- CENTERLINE MONUMENT AS NOTED
- SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- UNIT LINE
- ADJACENT PARCEL
- SECTION LINE
- SIDEWALK EASEMENT
- EXISTING FENCE LINE
- EXISTING WATER LINE
- EXISTING IRRIGATION LINE
- EXISTING STORM DRAIN
- EXISTING SANITARY SEWER
- EXISTING OVERHEAD POWER
- EXISTING WATER METER
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- EXISTING SEWER MANHOLE

NOTES

- ZONE CITY CENTER GENERAL CURRENT YARD SETBACKS:
FRONT: 0-10 FEET
SIDE: 0 FEET; PER UNIT 10' BETWEEN BUILDINGS
BACK: 10 FEET
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA MAP NO. 49057C0428E WITH AN EFFECTIVE DATE OF DECEMBER 16, 2005.

BUILDING AREA=3885 SF
HARD SURFACE=6737 SF
LANDSCAPE AREA=1143 SF

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A TOWNHOME DEVELOPMENT ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY JOE MARSH. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE LINE BETWEEN THE CENTERLINE MONUMENT AT WASHINGTON BLVD AND 37TH STREET AND THE CENTERLINE MONUMENT AT WASHINGTON BLVD AND 38TH STREET WHICH BEARS SOUTH 1°17'43" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE RIGHT-OF-WAY OF GRANT AVE STREET WAS ESTABLISHED BY HONORING THE PROJECTED RIGHT-OF-WAY DEDICATION OF THE LAKE VIEW ADDITION SUBDIVISION.

SOUTH OGDEN CITY PUBLIC WORKS DIRECTOR

I HAVE EXAMINED THE FOREGOING PLAT OF HILLTOP GARDEN P.U.D. AS IT PERTAINS TO THE IMPROVEMENT STANDARDS AND ORDINANCES NOW IN FORCE AND IN MY OPINION, IT COMPLIES WITH SUCH DEVELOPMENT REQUIREMENTS.

SIGNED THIS _____ DAY OF _____, 2018.

SOUTH OGDEN CITY PUBLIC WORKS DIRECTOR

SOUTH OGDEN PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE SOUTH OGDEN CITY PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2018.

CHAIRMAN, SOUTH OGDEN PLANNING COMMISSION

SOUTH OGDEN APPROVAL AND ACCEPTANCE

THIS IS TO CERTIFY THAT THIS PLAT AND THE DEDICATION OF THIS PLAT, ALONG WITH THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PUBLIC IMPROVEMENT GUARANTEE WERE DULY APPROVED AND ACCEPTED BY THE CITY COUNCIL AND MAYOR OF SOUTH OGDEN, UTAH.

SIGNED THIS _____ DAY OF _____, 2018.

MAYOR, SOUTH OGDEN
ATTEST: CITY RECORDER

SOUTH OGDEN CITY ENGINEER

I HAVE EXAMINED THE FOREGOING PLAT OF HILLTOP GARDEN P.U.D., AND CONCUR WITH THE LEGAL DESCRIPTION AND LINES OF SURVEY AS THEY ARE PRESENTED. IN MY OPINION THIS PLAT MEETS THE APPLICABLE ORDINANCES PREREQUISITE TO APPROVAL BY THE SOUTH OGDEN CITY COUNCIL.

SIGNED THIS _____ DAY OF _____, 2018.

CITY ENGINEER

SOUTH OGDEN CITY ATTORNEY

I HAVE EXAMINED THE FOREGOING PLAT AND DESCRIPTION OF HILLTOP GARDEN P.U.D. AND IN MY OPINION, THEY CONFORM WITH THE CITY ORDINANCES APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS _____ DAY OF _____, 2018.

CITY ATTORNEY

STAFF REPORT



SUBJECT: Regency at Crossroads Lot 9 Subdivision
Amendment
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: September 12, 2019

RECOMMENDATION

Staff recommends the subdivision amendment be approved.

BACKGROUND

This is a commercial subdivision within a building that allows each business owner to own their own space. The original subdivision was approved in 2004.

ANALYSIS

The interior subdivisions are being reconfigured at the owners' request. The applicant was able to gather approval signatures of all the owners within the plat, so a public hearing does not need to be held.

SIGNIFICANT IMPACTS

There are no significant impacts

ATTACHMENTS

Engineer's report
Subdivision plat

ENGINEER CHECK LIST

Project: Regency at Crossroads Lot 9 Amended

Address:

Water

No Comments

Sewer

No Comments

Storm Sewer

No Comments

Streets

No Comments

Traffic

No Comments

Access

No Comments

Address

No Comments

Other

The signature block for the City Engineer should be revised in accordance with the attached example.

Final Approval: BCJ - Engineer

Date: 4 Sept 2019

REGENCY AT CROSSROADS LOT 9 AMENDED

AMENDING UNITS 1 & 3

A COMMERCIAL CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 22,

TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,

SOUTH OGDEN CITY, WEBER COUNTY, UTAH

JUNE 2019

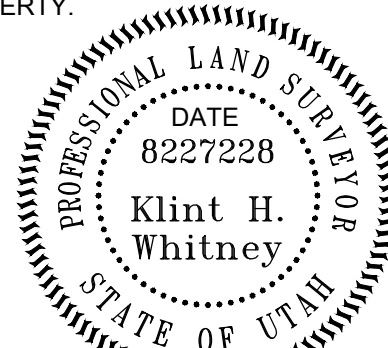
BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE NORTH LINE OF RIDGELINE DRIVE, SAID POINT BEING LOCATED NORTH 88°38'41" WEST 1014.08 FEET ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER AND NORTH 0°52'32" EAST 30.00 FEET FROM THE CENTER CORNER OF SAID SECTION; RUNNING THENCE NORTH 0°52'32" EAST 283.30 FEET TO THE BOUNDARY OF LOT 8, CROSSROADS LANDING COMMERCIAL SUBDIVISION; THENCE ALONG SAID BOUNDARY THE FOLLOWING FIVE (5) COURSES: (1) SOUTH 89°55'12" EAST 127.13 FEET; (2) SOUTH 35°01'20" WEST 24.16 FEET (3) SOUTH 24°48'42" EAST 71.10 FEET; (4) SOUTH 12°09'51" EAST 112.13 FEET; (5) SOUTH 24°59'23" EAST 88.66 FEET TO THE NORTH RIGHT-OF-WAY LINE OF RIDGELINE DRIVE AND A NON-TANGENT CURVE, THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT 57.94 FEET, HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 27°39'49", AND WHICH CHORD BEARS SOUTH 77°31'25" WEST 57.38 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 88°38'41" WEST 152.53 FEET TO THE POINT OF BEGINNING. CONTAINING 45,216 SQ.FT. OR 1.04 AC, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREINAFTER TO BE KNOWN AS REGENCY AT CROSSROADS LOT 9 AMENDED IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS _____ DAY OF _____, 2019.



KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I, THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, UNITS, COMMON AREAS AND LIMITED COMMON AREAS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

REGENCY AT CROSSROADS LOT 9 AMENDED

AND HEREBY GRANT AND DEDICATE TO SOUTH OGDEN CITY, A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY SOUTH OGDEN CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____, 2019.

SUB RANCH HOLDINGS, LLC

CM & CR LLC

BY: NAME/ TITLE

BY: NAME/TITLE

SIGNATURE

SIGNATURE

ACKNOWLEDGEMENT

STATE OF UTAH)

COUNTY OF WEBER)

On this _____ day of _____, 2019, personally appeared before me _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ of SUB RANCH HOLDINGS, LLC, and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ acknowledged to me that said "Corporation executed the same.

STAMP

NOTARY PUBLIC

ACKNOWLEDGEMENT

STATE OF UTAH)

COUNTY OF WEBER)

On this _____ day of _____, 2019, personally appeared before me _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ of CM & CR LLC, and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ acknowledged to me that said "Corporation executed the same.

STAMP

NOTARY PUBLIC

SOUTH OGDEN CITY ATTORNEY

I HAVE EXAMINED THE FOREGOING PLAT AND DESCRIPTION OF REGENCY AT CROSSROADS LOT 9 AMENDED AND IN MY OPINION, THEY CONFORM WITH THE CITY ORDINANCES APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS _____ DAY OF _____, 2019.

CITY ATTORNEY

SOUTH OGDEN CITY ENGINEER

I HAVE EXAMINED THE FOREGOING PLAT OF REGENCY AT CROSSROADS LOT 9 AMENDED, AND CONCUR WITH THE LEGAL DESCRIPTION AND LINES OF SURVEY AS THEY ARE PRESENTED. IN MY OPINION THIS PLAT MEETS THE APPLICABLE ORDINANCES PRE-REQUISITE TO APPROVAL BY THE SOUTH OGDEN CITY COUNCIL.

SIGNED THIS _____ DAY OF _____, 2019.

CITY ENGINEER

SOUTH OGDEN APPROVAL AND ACCEPTANCE

THIS IS TO CERTIFY THAT THIS PLAT AND THE DEDICATION OF THIS PLAT, ALONG WITH THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PUBLIC IMPROVEMENT GUARANTEE WERE DULY APPROVED AND ACCEPTED BY THE CITY COUNCIL AND MAYOR OF SOUTH OGDEN, UTAH.

SIGNED THIS _____ DAY OF _____, 2019.

MAYOR, SOUTH OGDEN

ATTEST: _____
CITY RECORDER

SOUTH OGDEN PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION WAS DULY APPROVED BY THE SOUTH OGDEN CITY PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2019.

CHAIRMAN, SOUTH OGDEN PLANNING COMMISSION

SOUTH OGDEN CITY PUBLIC WORKS DIRECTOR

I HAVE EXAMINED THE FOREGOING PLAT OF REGENCY AT CROSSROADS LOT 9 AMENDED AS IT PERTAINS TO THE IMPROVEMENT STANDARDS AND ORDINANCES NOW IN FORCE AND IN MY OPINION, IT COMPLIES WITH SUCH DEVELOPMENT REQUIREMENTS.

SIGNED THIS _____ DAY OF _____, 2019.

SOUTH OGDEN CITY PUBLIC WORKS DIRECTOR

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO AMEND THE BOUNDARIES OF UNITS 1 AND 3 IN THE BASEMENT LEVEL AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY REGENCY DEVELOPMENT. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING WEBER COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 88°38'41" WEST WEBER COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING. THE REGENCY AT CROSSROADS LOT 9 PLAT WAS USED TO ESTABLISH THE BOUNDARIES SHOWN HEREON.

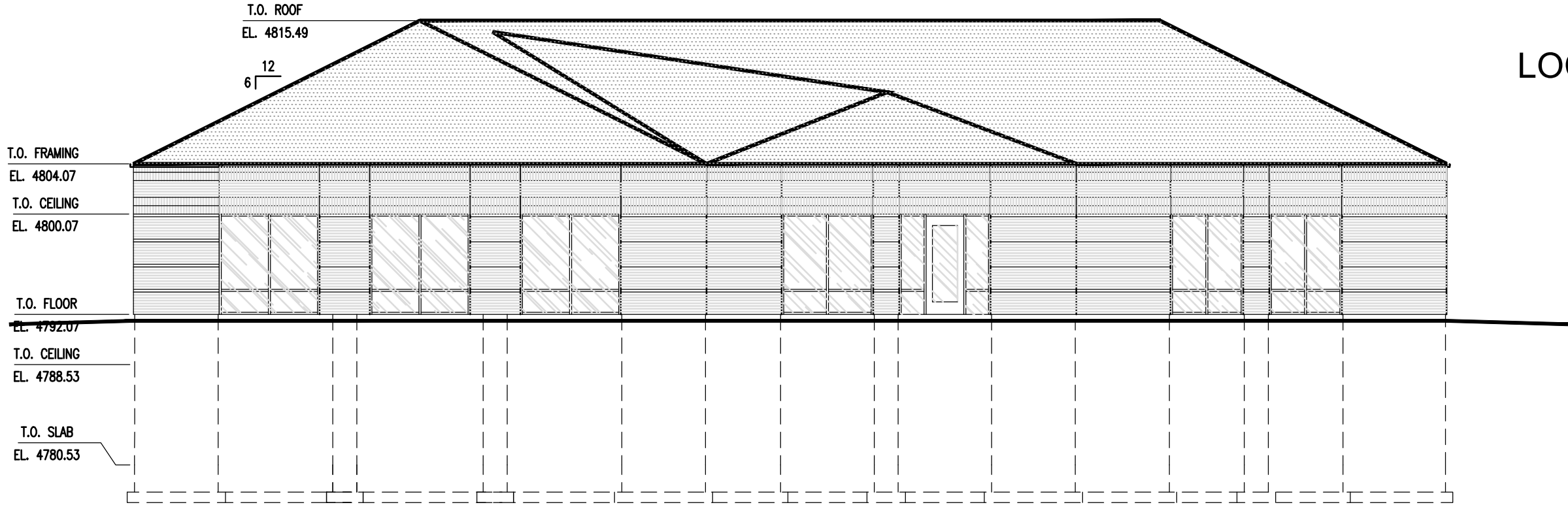
NOTES

1. THE ENTIRE LOT OUTSIDE OF THE BUILDING, INCLUDING ALL PARKING AND LANDSCAPING AREAS ARE COMMON AREAS.

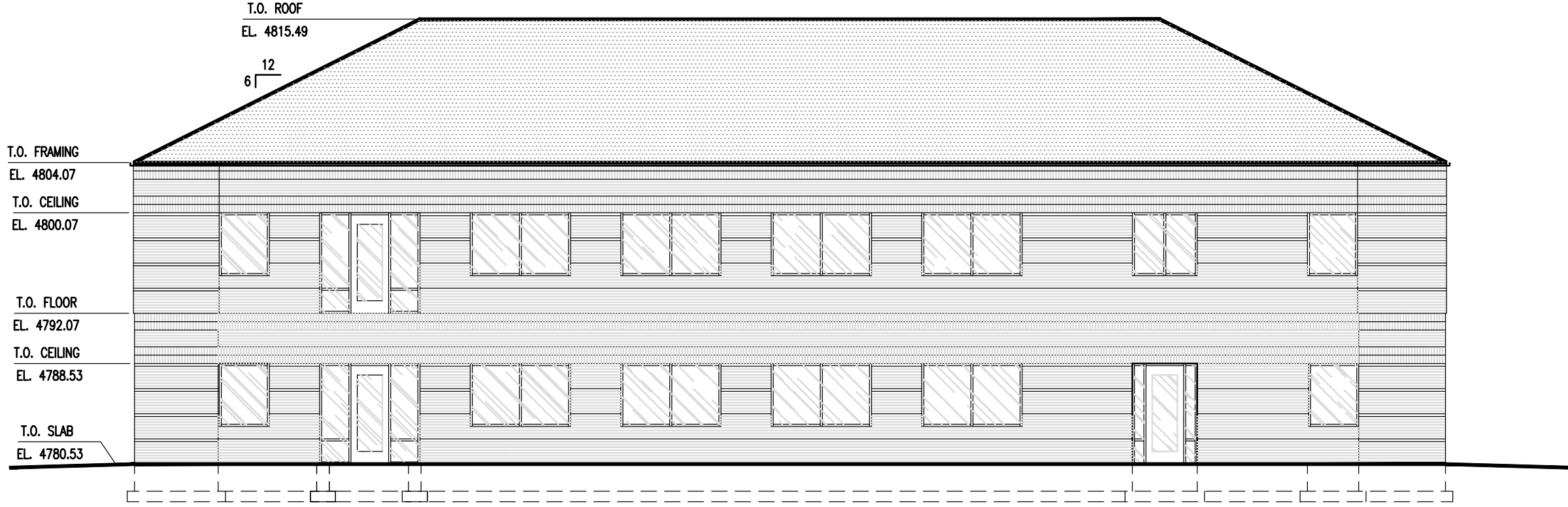
REGENCY AT CROSSROADS LOT 9 AMENDED

AMENDING UNITS 1 & 3

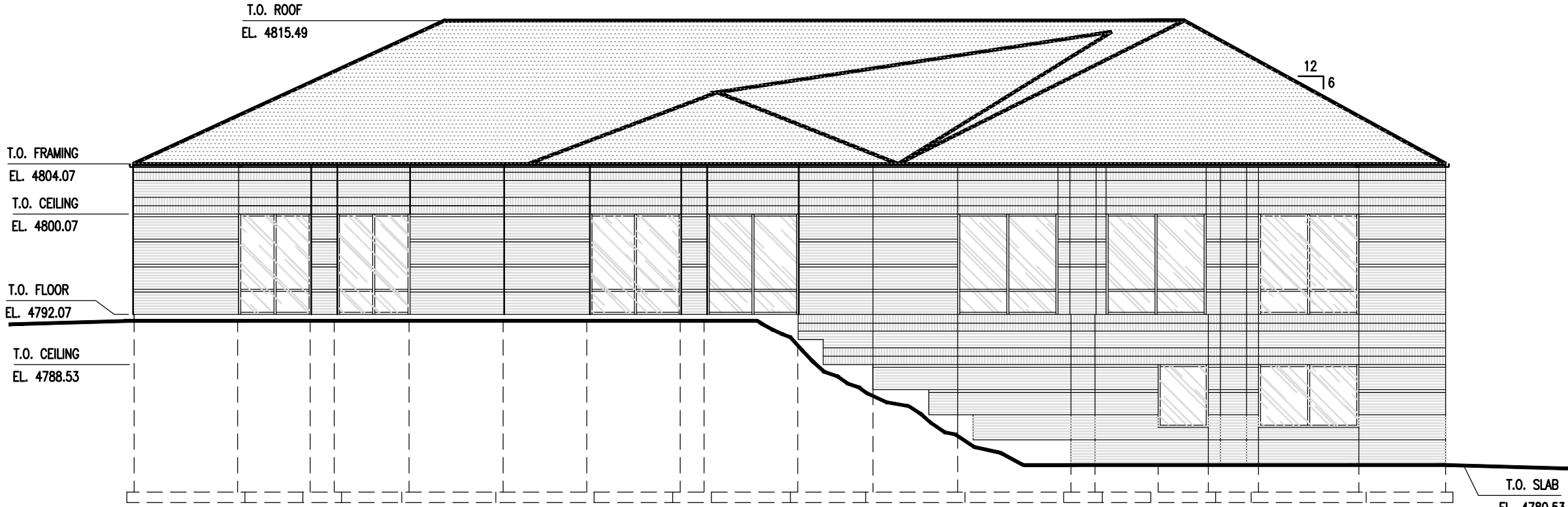
A COMMERCIAL CONDOMINIUM PROJECT
LOCATED IN THE NORTHWEST QUARTER OF SECTION 22,
TOWNSHIP 5 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
SOUTH OGDEN CITY, WEBER COUNTY, UTAH
JUNE 2019



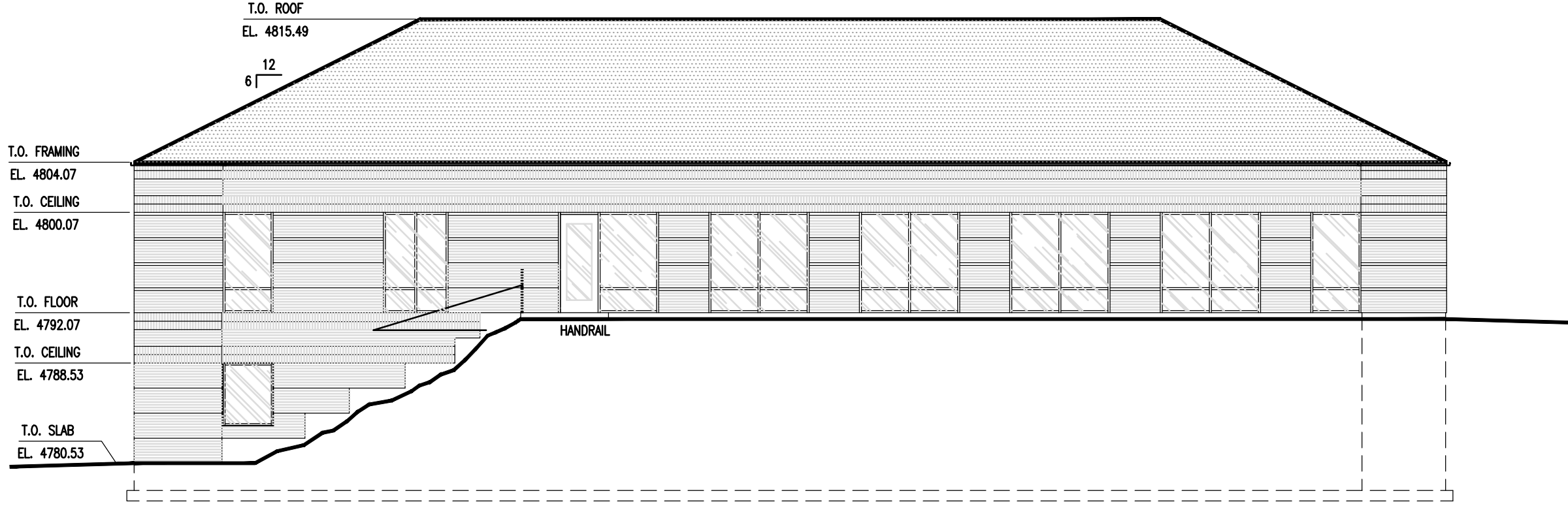
SOUTH ELEVATION



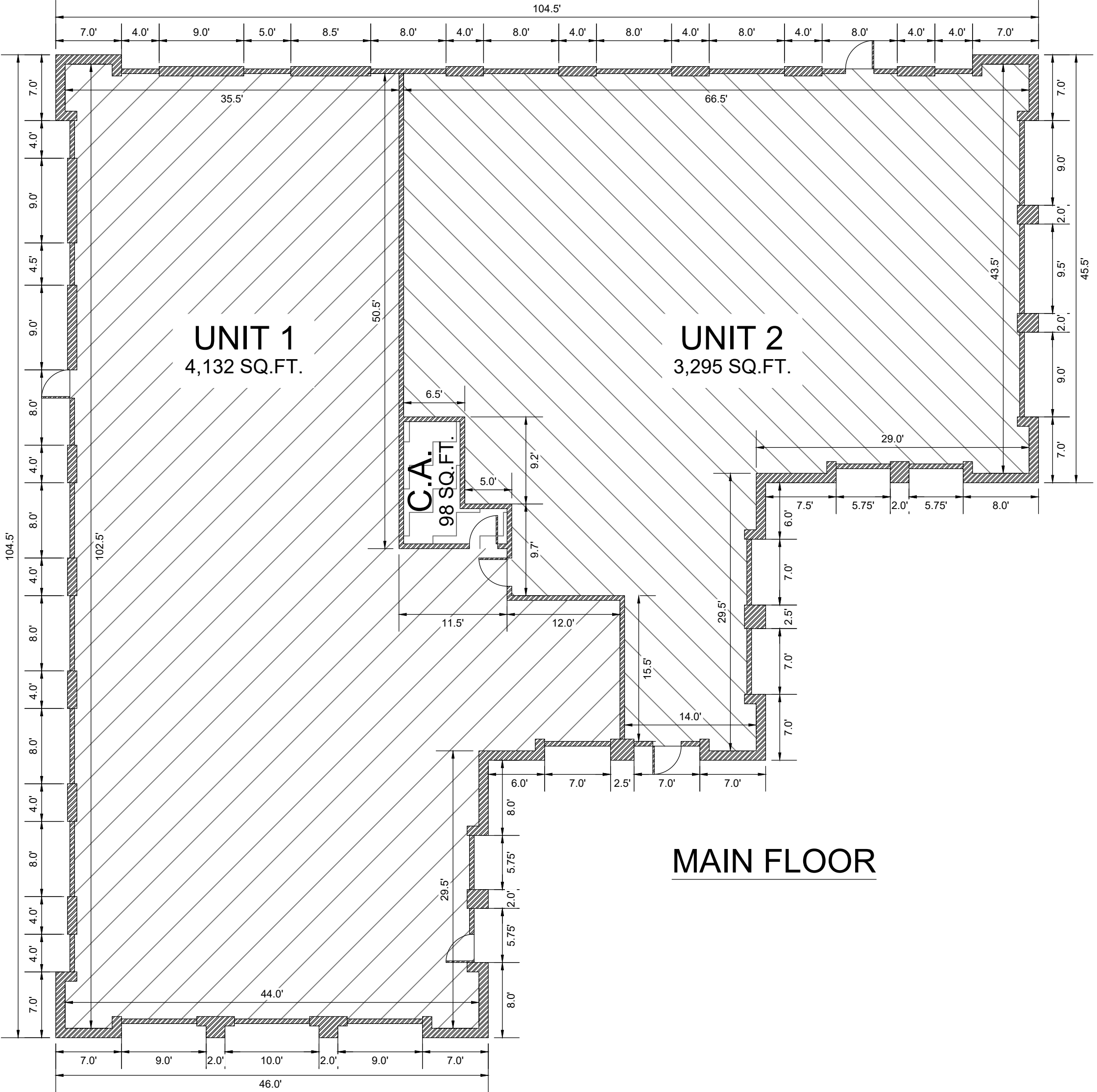
NORTH ELEVATION



EAST ELEVATION

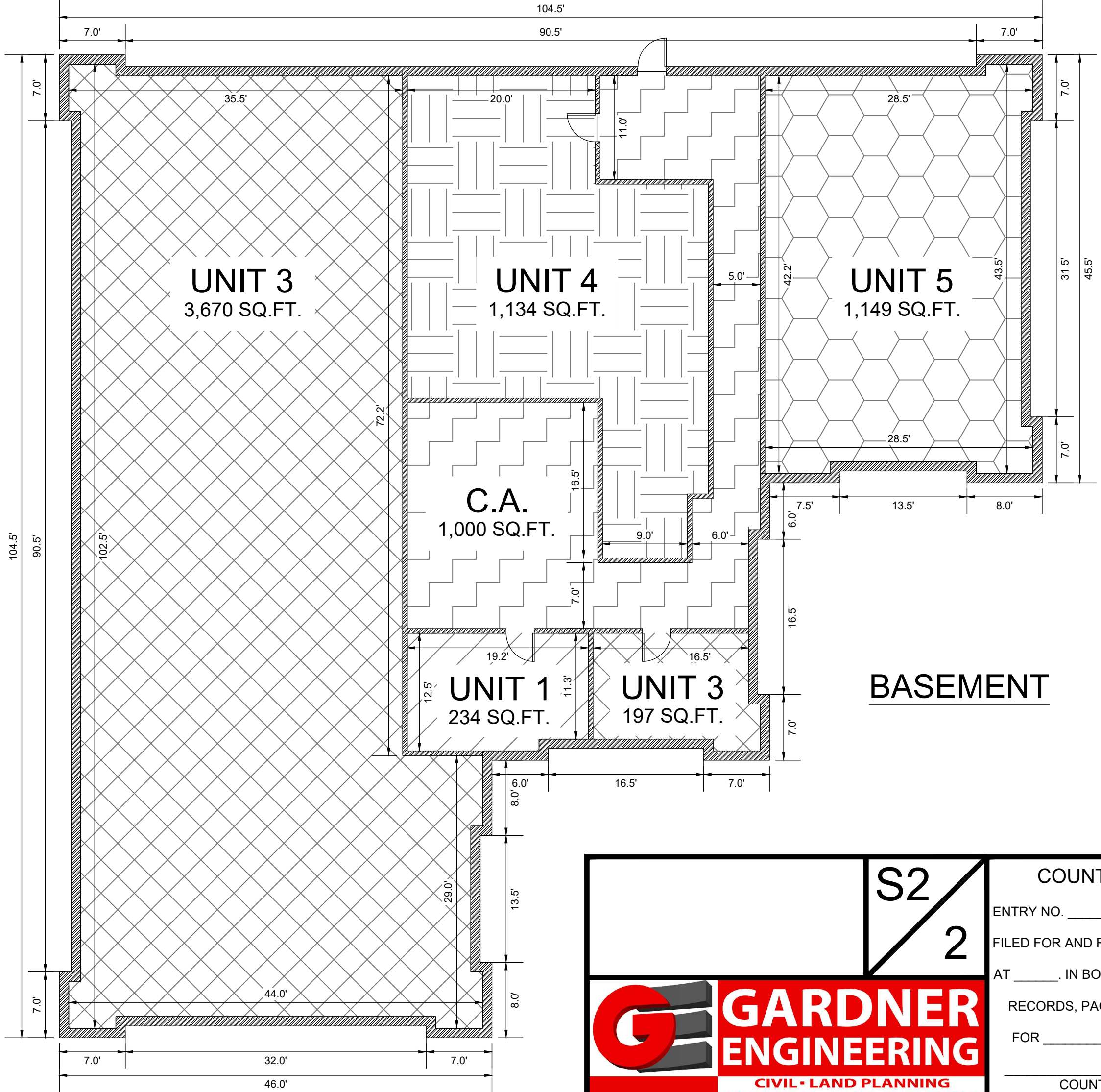


WEST ELEVATION



LEGEND

- UNIT 1
- UNIT 2
- UNIT 3
- UNIT 4
- UNIT 5
- COMMON AREA
- COMMON AREA WALLS



R:\2001 - MISC SURVEY\1902 - DR BOSTROM\SURVEY\DWG\REGENCY AMENDMENT.DWG

**GARDNER
ENGINEERING**
CIVIL • LAND PLANNING
MUNICIPAL • LAND SURVEYING
5150 SOUTH 375 EAST OGDEN, UT
OFFICE: 801.476.0202 FAX: 801.476.0066

S2
2

COUNTY RECORDER
ENTRY NO. _____ FEE PAID _____
FILED FOR AND RECORDED _____
AT _____ IN BOOK _____ OF OFFICIAL
RECORDS, PAGE _____ RECORDED
FOR _____
COUNTY RECORDER
BY: _____

STAFF REPORT



SUBJECT: Discussion on Allowing Manufacturing Use in
City Center Core Subdistrict
AUTHOR: Mark Vlasic
DEPARTMENT: Planning
DATE: September 12, 2019

An application has been submitted to amend the City Center Core Subdistrict zoning to allow small-scale processing/manufacturing. Instead of considering the application at this meeting, we felt it was better to give you information and let you have time to consider the implications before having to make your recommendation. The application will be considered at your next meeting.

ANALYSIS

The City Center Core Subdistrict is located in the City Center and 40th Street Corridor Form-based Code.

The Goals and Policies for the City Center and 40th Street Corridor district follow:

Goal 1: Make South Ogden City distinct and identifiable from surrounding municipalities.
Policy:

- (1) Develop the east and west sides of Washington Boulevard between 36th and 40th Streets into a discernible and attractive downtown for South Ogden.
- (2) Encourage a major transformation of Washington Boulevard into an urban setting that establishes the sense of downtown to motorists and passersby.

Goal 2: Create a distinct City Center or "heart of the community".

Policy:

- (1) Develop a community center in the existing downtown area where residents of South Ogden can gather for community events.

Goal 3: Facilitate the careful integration of new development and redevelopment in existing neighborhoods.

Policy:

- (1) Encourage existing residents to remain downtown and new residents to locate in residential areas between 36th and 40th Streets.
- (2) Maintain stable areas by continuing the existing scale and feel of the surrounding residential blocks.

- (3) Facilitate new development and encourage new investment through allowing uses in the core to redevelop in creative, mixed residential ways.
- (4) Facilitate good, non-conflicting transition between commercial and residential uses.

Goal 4: Create places for the community to gather and events to draw residents to these places.

Policy:

- (1) Clearly designate and signify routes which connect residents to other neighborhoods and important places within the City and adjacent to it.
- (2) Improve neighborhood destinations throughout the community.

The form based code is a tool that will allow and promote these goals and policies to develop a City Center consistent with the General Plan. The uses have been carefully calibrated to promote high quality, small scale development while minimizing impacts to adjacent neighborhoods. The City Center Core Subdistrict is the most intensive subdistrict, allowing the widest range of uses and the tallest buildings. City Center Core Subdistricts are intended to become nodes that primarily consist of retail uses on the ground floor.

Discussion and Questions to Consider

The following are some questions that should be considered by the Planning Commission:

- Are small-scale processing/manufacturing uses aligned with the goals established for the City Center and 40th Street Corridor Form-based Code and the City Center Core Subdistrict?
- Should the ordinance be modified to permit such uses?
-
- Are there other modifications that might be considered if the request to change the ordinance? If so, what are they?
- The application was made specifically to facilitate medical cannabis processing and off-site distribution. Does this change your interpretation and direction, and if so, why?

RECOMMENDATION

Staff will provide recommendations at the next meeting when the application is considered.

STAFF REPORT



SUBJECT: Discussion on Cannabis Pharmacies and Where
They Should Be Allowed in the City
AUTHOR: Mark Vlastic
DEPARTMENT: Planning
DATE: September 12, 2019

RECOMMENDATION

On February 2018, the Utah House of Representatives passed HB 195, a bill to legalize the "right to try" and grow medical marijuana plants for terminally ill patients. On March 7, the bill was passed "easily" by the state senate, and on March 21, the governor signed it into law. On November 6, 2018, The Utah Medical Cannabis Act was passed as ballot Proposition 2. On December 3, 2018, the Utah Legislature passed HB3001, amending the Utah Medical Cannabis Act as passed through Proposition 2. The Governor signed HB3001 into law later the same day, causing it to go into immediate effect. Accordingly, provisions must be set by the state for dispensaries to open by January 2021.

The Utah Department of Agriculture and Food is in the process of crafting rules for the state's emerging medical marijuana program. Eighty-one businesses have applied for one of 10 cannabis growing licenses, and the state is currently evaluating the submissions. Utah officials are concurrently reworking how to distribute medical marijuana amid concerns that current plans to use county health departments as pickup points might violate federal law and essentially make local government employees drug dealers. As a result a special session of the Legislature is being considered to enact changes.

Utah's law only allows for seven private "cannabis pharmacies," with a state "central fill pharmacy" handling the remainder of the distribution by delivering marijuana orders to local health departments for pickup by patients. Only that state-run pharmacy is affected by prosecutors' concerns. Written into the medical cannabis law is a failsafe that would allow for additional privately owned dispensaries to open if the "central fill" location — the state-run facility and subject of prosecutors' concerns — never opened or if it closed. A new bill would do away with the state-run central pharmacy and local county health department pickups. It would increase the number of privately owned medical cannabis pharmacies to 12 and allow home delivery.

Utah Code 26-61a-507 (Effective 5/14/201)
Local Control

(1)

(a)

(i) Except as provided in Subsection (1)(a)(ii), to be eligible to obtain or maintain a license under Section 26-61a-301, a person shall demonstrate that the intended medical cannabis pharmacy location is located at least:

(A) 600 feet from a community location's property boundary following the shortest route of ordinary pedestrian travel;

(B) 200 feet from the patron entrance to the community location's property boundary; and

(C) 600 feet from an area zoned primarily residential.

(ii) A municipal or county land use authority may recommend in writing that the department waive the community location proximity requirement described in Subsection (1)(a)(i).

(b)

(i) A municipality or county may not deny or revoke a land use permit to operate a medical cannabis pharmacy on the sole basis that the applicant or medical cannabis pharmacy violates federal law regarding the legal status of cannabis.

(ii) A municipality or county may not deny or revoke a business license to operate a medical cannabis pharmacy on the sole basis that the applicant or medical cannabis pharmacy violates federal law regarding the legal status of cannabis.

(2) A municipality or county may enact an ordinance that:

(a) is not in conflict with this chapter; and

(b) governs the time, place, or manner of medical cannabis pharmacy operations in the municipality or county.

Discussion/Questions to be Considered

- How do we interpret this information?
- How is a medical cannabis pharmacy defined?
- Assuming that privately owned cannabis pharmacies are permitted under state law, should South Ogden be proactive and designate a zone or zones where such uses should be permitted? If so, which zones are appropriate?
- Are cannabis pharmacies/dispensaries comparable to traditional pharmacies? If so, should they be permitted in the same zones where pharmacies are currently permitted?
- Or are cannabis pharmacies more akin to small-scale manufacturing/processing uses (small-scale manufacturing/processing uses are not currently permitted in any of the city's commercial zones)?
- The applicant who made the proposed zoning change to permit small-scale manufacturing/ processing in the City Center Core subdistrict indicates it is for processing and delivery of medical cannabis. Is this use the same as a cannabis pharmacy?
- If allowed, should cannabis pharmacies be a permitted or conditional use? Why?

STAFF REPORT



SUBJECT: Discussion on Hard Surface Driveways and
Whether They Should Be Required
AUTHOR: Mark Vlastic
DEPARTMENT: Planning
DATE: September 12, 2019

BACKGROUND

Staff was requested to investigate whether or not hard surfaces should be required for driveways. It has been noticed that some driveways are constructed from materials such as gravel, and it was understood by some members of the planning commission that only hard surfacing materials are permitted.

ANALYSIS

Staff was able to find this section of the code, which although ambiguous, has been used to interpret that driveways can only be paved with an asphalt or concrete surface:

10-17-5: PARKING LOT DESIGN AND MAINTENANCE:

B. Parking Lot Standards: Every parcel of land used as a parking area, including driveways, shall be paved with an asphalt or concrete surface...

Gravel is a common material in rural areas, but generally not permitted in urban areas. The reasons for not permitting gravel and other unconsolidated materials is a function of aesthetics, impacts to property values and safety. For example, Salt Lake City specifically does not permit gravel and crushed stone as there is concern such materials may gravitate onto the adjacent roadway and eventually clog storm water drains or damage cars and other properties as part of snow removal activities. In other communities permanent paving is required to prevent the front yard being illegally used for parking of cars, vehicles, trailers and recreational vehicles.

In order to be effective, having clear definitions of what constitutes “paved” is important, as is clarification of the types of hard surfaces that are permitted. It was noted that enforcement can be challenging.

Most definitions define a paved driveway as being constructed from concrete, asphalt, brick and similar materials that are permanent and which include a base layer sufficient for holding the weight of a vehicle. In areas with high precipitation and stormwater flows, the use of permeable pavers, porous asphalt, porous concrete, grass-crete or gravel-crete is encouraged. Gravel and wood chips are typically prohibited

According to the Topeka Kansas Municipal Code, driveways must be paved with brick, asphalt or concrete that is at least four inches thick, not including the base layer (which is typically at least 4” depending on the anticipated load. City officials say that determination of the paved depth is difficult to evaluate, particularly from the street, as the dimensional and material requirements are not easily discernable.

Discussion/ Questions to be Considered

- Should permanent paving for driveways be required? If so, in which zones or types of development should be included?
- How should we define paved driveways? What materials should be permitted?
- How detailed should the requirements be?
- Does this need a separate ordinance, or can it be addressed through existing legislation? (for example, as part of the Public Works standards)?
- Should staff seek input from the City Engineer and City Attorney for additional guidance?



MINUTES OF THE SOUTH OGDEN CITY PLANNING COMMISSION MEETING

THURSDAY, AUGUST 8, 2019

COUNCIL CHAMBERS, CITY HALL –6:15 pm

PLANNING COMMISSION MEMBERS PRESENT

Chair Raymond Rounds, Commissioners Scott Amos, Jeremy Howe, Mike Layton, Jerry Jones, and Steve Pruess

PLANNING COMMISSIONERS EXCUSED

John Bradley

STAFF PRESENT

Assistant City Manager Doug Gailey, Planner Mark Vlastic, and Recorder Leesa Kapetanov

OTHERS PRESENT

Sean Rivera, Kayli Rivera, Mark Nowell

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found at:

http://www.southogdencity.com/document_center/Sound%20Files/PC190808_1811.mp3 or requested from the office of the South Ogden City Recorder.

A briefing session was held before the planning commission meeting in the conference room adjacent to the council chambers and was open to the public. The recording for the briefing meeting can be found by clicking this link:
http://www.southogdencity.com/document_center/Sound%20Files/PC190808_1740.mp3

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

Chair Raymond Rounds began the meeting at 6:15 pm by calling for a motion to open.

00:00:00

Commissioner Howe moved to open the planning commission meeting, followed by a second from Commissioner Amos. Commissioners Pruess, Layton, Amos, Jones, and Howe all voted aye.

II. SPECIAL ITEMS

A. Consideration of Request for Second Driveway Located at 5035 Burch Creek Drive

- Staff overview 00:01:02
- Questions/Discussion with applicant 00:04:33
- Motion 00:30:24

Commissioner Jones moved to allow the second driveway on condition that the applicant get a curb cut permit from the public works department and that an engineering drawing of the percent of slope on the site would be submitted. Commissioner Amos seconded the motion. The chair called the vote:

Commissioner Amos -	Yes
Commissioner Howe -	Abstain
Commissioner Jones-	Yes
Commissioner Layton-	Yes
Commissioner Pruess -	No

The motion failed.

Commissioner Jones amended his motion. He moved that the request for a second driveway located at 5035 Burch Creek Dr. be approved on condition that the applicant obtain a permit for the approach from the public works department, supply an engineered drawing showing the percent of slope in plan, and that landscaping be installed in appropriate areas to hide any vehicles parked on the property, and that the surface on which the vehicle is parked not be landscaped. Commissioner Pruess seconded the motion. The vote was called:

Commissioner Amos-	Yes
Commissioner Howe-	Abstain
Commissioner Jones-	Yes
Commissioner Layton-	Yes
Commissioner Pruess-	Yes

The motion stood.

B. Discussion on Accessory Dwelling Units (ADUs)

- Staff overview 00:34:33
- Discussion 00:51:05
- The consensus of the commission was they would not work on an ADU ordinance at this time 01:12:59

90 **III. OTHER BUSINESS**

- 91 • Chair Rounds donated a 1970 South Ogden zoning code book he had found in his library
92 to the city 01:12:05
- 93 • Commissioner Howe asked how ordinance enforcement was handled and a discussion
94 was had on ordinance enforcement
95 01:14:20
- 96 • Staff update on General Plan
97 01:23:25

98
99
100 **IV. APPROVAL OF MINUTES OF PREVIOUS MEETING**

- 101 **A. Approval of June 13, 2019 Meeting Minutes**
102 • Motion 01:24:00

103
104 **Commissioner Howe moved to approve the June 13, 2019 Meeting Minutes. The**
105 **motion was seconded by Commissioner Jones. The voice vote was unanimous in**
106 **favor of the motion.**

- 107
108 **B. Approval of July 11, 2019 Meeting Minutes**
109 • Motion 01:24:18

110
111 **Commissioner Jones moved to approve the July 11, 2019 Meeting Minutes.**
112 **Commissioner Howe seconded the motion. All present voted aye.**

113
114
115 **V. PUBLIC COMMENTS**

116 There were no public comments.
117

118
119 **VI. ADJOURN**

120 Chair Raymond Rounds called for a motion to adjourn.
121 01:24:35

122
123 **Commissioner Howe moved to adjourn, followed by a second from Commissioner Jones.**
124 **The vote to adjourn was unanimous.**

125
126
127
128 I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Meeting
129 held Thursday, August 8, 2019.

130
131 
132 Leesa Kapetanov, City Recorder

Date Approved by the Planning Commission