



GENERAL PLAN ADVISORY COMMITTEE MEETING AGENDA

MARCH 24, 2021 AT 6:00 PM

MEETING HELD VIRTUALLY ON ZOOM – PLEASE SEE BELOW

Please use the link to join the webinar: <https://us02web.zoom.us/j/88487628412> Webinar ID: 884 8762 8412

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Welcome: Co-Chair Protzman

Invocation & Pledge of Allegiance: John Arrington

CONSENT AGENDA

1. Consideration to approve the February 24, 2021, General Plan Advisory Committee minutes

AGENDA

2. Public Comments*
3. Committee presentations on residential zones
Presenters: Julie Anderson, Meg Sanders, & Stefanie Casey
4. Discussion regarding residential zoning standards
Presenter: Co-chair Protzman
5. Discussion regarding Multi-use zones and cluster developments
Presenter: Dan Nixon
6. Committee/staff/Mayor comments
7. Adjournment

****Please see notes regarding Public Comments rules and procedure***

Public Comments/Questions

- a. Time is made available for anyone in the audience to address the Committee.
- b. When a member of the audience addresses the Committee, they will state their name and address.
- c. Citizens will be asked to limit their remarks/questions to five (5) minutes each.
- d. The Mayor shall have discretion as to who will respond to a comment/question.
- e. In all cases the criteria for response will be that comments/questions must be pertinent to this Committee, that there are no argumentative questions and no personal attacks.
- f. Some comments/questions may have to wait for a response until the next Regular Committee Meeting.
- g. The Mayor will inform a citizen when he or she has used the allotted time.

The Committee at its discretion may rearrange the order of any item(s) on the agenda. Final action may be taken on any item on the agenda. In compliance with the American with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify the City Recorder at 801-782-7211 at least 48 hours prior to the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the North Ogden City limits on this 19th day of March, 2021 at North Ogden City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, at <http://www.northogdencity.com>, and faxed to the Standard Examiner. The 2021 meeting schedule was also provided to the Standard Examiner on December 12, 2020. Katie Gerard, City Recorder

**GENERAL PLAN STEERING COMMITTEE
MEETING MINUTES
February 24, 2021**

The North Ogden General Plan Steering Committee Meeting convened in a regular meeting on February 24, 2021 at 6:02 p.m. Due to Covid-19 the meeting was held virtually on Zoom. Notice of time, place and agenda of the meeting was furnished to each member of the General Plan Steering Committee, posted on the bulletin board at the municipal office and posted to the Utah State Website on February 18, 2021.

MEMBERS:

Phillip Swanson, City Council - Excused	John Arrington
Ryan Barker, City Council - Excused	Julie Anderson
Don Waite, Planning Commissioner	Mark Brown
Eric Thomas, PC Chairman - Excused	Meg Sanders
Christina Watson	Stephanie Casey
Dan Nixon	Tim Billings - Excused
Grant Protzman - Excused	

STAFF:

Neal Mayor Berube	Mayor
Jon Call	City Attorney/Manager
Rob Scott	Planning Director
Lynne Bexell	Administrative Assistant
Evan Nelson	Planning Dept. Head

VISITORS:

Brenda Ashdown

Stephanie Casey, Committee Co-Chair, called the meeting to order at 6:02 p.m. Committee Member Meg Sanders offered the Thought, Supplication, Praise, Thanksgiving, Reading, or Invocation and led the Pledge of Allegiance.

Committee Member Meg Sanders had been reading a book for Black History Month, which emphasized the importance of inclusion. She pointed out that conservation is about inclusion

General Plan Steering Committee Meeting February 24, 2021

because conservation benefits everyone. She also pointed out that the words from the Pledge of Allegiance, “liberty and justice for all,” mean inclusion.

AGENDA:

1. Consideration to approve the January 27, 2021, General Plan Steering Committee Meeting minutes.

Committee Member John Arrington made a motion to approve the January 27, 2021, General Plan Steering Committee Meeting minutes as written. Julie Committee Member Julie Anderson seconded the motion.

The motion passed unanimously.

2. Public Comments

There were no public comments.

3. Discussion regarding conservation easements Presenter: Rob Scott, Planning Director

Rob Scott, Planning Director, began the presentation by stating that he had been asked to present how the general plan addresses conservation easements. He had sent out a memo which has some background on the subject. Two areas show potential for conservation easements, which are the Coldwater and Old Town neighborhoods. The General Plan Map shows these areas, and Rob Scott, Planning Director, had it viewable on the screen. He pointed out that the cross-hatched areas on the map are the areas in question. There are goals for each neighborhood, and they vary a bit. He acknowledged that the General Plan is aspirational in nature, and that the committee should focus on what it is they intend to pursue.

Rob Scott, Planning Director, told the story of property his family owns. They were able to get a conservation easement on it for agricultural use. This was a real blessing to his family, as the income they derived helped them maintain a ranching operation.

Rob Scott, Planning Director, pointed out that obtaining easements requires champions of sorts to push them through, but in the end they are very valuable. The General Plan was established in 2015, but very little has been done with it since that time. Rob Scott, Planning Director, applauded the committee, but reminded them it will take some champions to get it moving. He encouraged the committee to take a good look at the information, and decide what they want to accomplish.

Rob Scott, Planning Director, referenced an e-mail from Davis County in which an easement around the Great Salt Lake was addressed. It is a good resource for what this committee is

trying to do. He suggested establishing a subcommittee. Then he asked if anyone had questions.

Stephanie Casey, Committee Co-Chair, asked a question. She stated she had watched a slide show about Kay's Creek development in Davis County. She compared what she saw there to the easement Rob Scott, Planning Director, had referred to that his family's ranch had obtained. She mentioned that in Davis County, there had been a grant obtained, and a litany of groups had jumped on board to make it happen. She asked if that is something that will have to happen in North Ogden, or if they could just zone it and be done.

Rob Scott, Planning Director, replied that the Davis County easement did involve the Nature Conservancy, so they were a partner. If a partner is desired, the Nature Conservancy is a one that will help establish easements. It also has a lot to do with property owners.

Another attendee discussed the difference between areas of North Ogden which they hope to get conservation easements on, as opposed to the mountain property in the Kay's Creek area in Davis County, both of which are in areas that have not already been incorporated into a city. City areas already include housing. He couldn't see anyone coming in and offering money to create a conservation area when it really doesn't fit that kind of description.

Rob Scott, Planning Director, replied that there are a number of different kinds of easements. There are parameters within the law that establish what the easement is. He suggested sitting down with someone that has experience, such as Nature Conservancy, or Trust for Public Lands. They would be able to give some additional background, depending on what is trying to be accomplished. He knows there is no restriction that says an easement has to be outside of city limits. It was noted that North Ogden areas that are being looked at for conservation easements have definite square footages associated with them.

Rob Scott, Planning Director, re-emphasized the need to identify exactly what it is the committee wants to accomplish. The need for Federal money was mentioned.

Stephanie Casey, Committee Co-Chair, agreed, stating they need to move forward after establishing the zones. North Ogden has a creek that needs to be conserved, as well as areas marked out for parks. She mentioned that Grant Protzman was very concerned about the parks in different parts of the City. Creeks are general open areas for citizens. Limiting lot size is also important.

Committee Member Julie Anderson mentioned that the process is a strategy for one piece of land. Coldwater Creek has some building on it, but there are still some open spaces. You can establish strategies for building housing, while still conserving other areas in the designated space. She thought this would work well for North Ogden because there is already a lot of build-out, and there are areas, such as Coldwater, that need to be protected. Any strategy could specify the amount of land that needs to be preserved, and the amount that could still be open for homes.

Stephanie Casey, Committee Co-Chair, asserted that the committee really needs to look at this, and tackle some areas they believe need to have a conservation easement. She encouraged the committee to start looking and identify specifically what could be done, and bring those ideas to the next meeting.

Committee Member Julie Anderson liked that idea, and became excited about the potential of what could happen if some of these conservation easement documents were shared with others.

Stephanie Casey, Committee Co-Chair, brought the committee back to the current meeting's issue of incorporating the information they've gotten so far. She asked how they could apply that information to the zones they've already identified in North Ogden. She mentioned hillside protection, as it appears in the general plan. She also mentioned maintaining agreements with Harrisville and Pleasant View. She asked if anyone has a copy of the agreement with those cities so it could be referenced.

Rob Scott, Planning Director, suggested Jon Call, City Attorney/Manager, might have a better idea of that. He stated they do have some agreements with those cities regarding potential annexation boundaries, but he wasn't aware of any other types of agreements.

Jon Call, City Attorney/Manager joined the meeting late, and Stephanie Casey, Committee Co-Chair, briefed him as to what had been discussed before his arrival. Specifically, she read out loud (from the plan) a section indicating an agreement with Harrisville and Pleasant View which they had to honor. She asked him if there is a document that could be referenced outlining that agreement.

Jon Call, City Attorney/Manager stated he would have to do some research, and asked what page Stephanie Casey, Committee Co-Chair, was reading from. She indicated it was page 87.

As the discussion wound down, Mayor Berube indicated there is a generalized standard in zoning ordinance that talks about sensitive lands. The planning commission is working to create a sensitive lands district. With private properties there will have to be specific studies to see how much of it qualifies to actually be developed. North Ogden must be careful and have a reasonable standard for how much of the land is available for development, while still respecting property rights. It's a big topic and it's a lot of hard work to find a reasonable kind of regulation.

Jon Call, City Attorney/Manager, agreed, stating they must be careful in making the right decision.

Mayor Berube continued by referencing a situation in Medford, Oregon. There, development was allowed along a stream bed instead of making the stream available to all of the public. He stated he supports public access. This requires the support of the developer. For example, a modified roadway could be constructed on both sides of the stream, and then it's very easy for the existing neighborhood, and for others who walk along the stream and on the trails.

Stephanie Casey, Committee Co-Chair, agreed with the mayor's remarks, and expressed concern about what is taking place at Coldwater. Right now the developer is in the process of trying to get permits to dig up and move the Creek into existing backyards so he can build more, and he is 10-20 feet off the creek with some of the cottages. She stated that must be prevented in the future—though this has already been done in Coldwater, and it's sad.

Committee Member Julie Anderson asked if waterways are marked on plat maps. Jon Call, City Attorney/Manager answered that they are. She was glad to hear that, because paying careful attention to where all the water will be important to this committee. There are watersheds that need to be protected.

Stephanie Casey, Committee Co-Chair, referenced the creek that runs through Barker Park. It's beautiful, but badly damaged. The committee will need to identify areas like that and make sure they're taken care of so they'll always be there for families to enjoy.

As there were no more questions, the committee moved to the next item on the agenda.

4. **Discussion regarding finalizing the definition of the Conservation Zone**
Presenter: Stephanie Casey, Committee Co-Chair

Stephanie Casey, Committee Co-Chair, began the discussion by stating the committee's attention to this issue previously, and that it is time to start making specific decisions as to what development and conservation really mean. Lynne Bexell, Administrative Assistant, posted a map on screen. The discussion focused on the foothills, but all areas in green were included in the intent of the discussion. She asked for comment from the committee.

Committee Member Meg Sanders offered that she has noticed in Layton that housing goes right up to the forest land on the hillside. The only thing conserved is the forest, by forestry standards. Kay's Creek runs through the City. She wondered how much control North Ogden would have in zoning private land. She asked if they could only zone what land North Ogden owned. Developer Randy Marriott is looking for a number of units. Further, should North Ogden annex the land on the hillside and make it a conservation zone, or leave it open to Weber County.

Stephanie Casey, Committee Co-Chair, stated that it is best for North Ogden to zone it, and then if it is annexed by Weber County, the annexation would come as a requirement of the annexation North Ogden placed on the property. She stated that the committee really needs to come up with what conservation means to them.

Jon Call, City Attorney/Manager stated that currently, if a restriction were placed on the property, it would probably be for one unit per one acre. It's still zoned A-5, which is for 5 acre parcels. He stated that there are water table studies, and as developers come in, they are required to do more studies. The area would need to incorporate ground water recharge activity, which means they would have to direct storm water back into the ground according to state standards so resources are not depleted.

Committee Member Dan Nixon asked if a developer wanted to develop on land that was in the county, with no services. He also asked if they would be able to develop, or would they have to annex into one of the cities.

Jon Call, City Attorney/Manager responded that the answer to that question varies. It depends on the service districts. Current policies would allow them to connect with an out-of-city rate. There is an ordinance being considered, but which is not yet in place, that would require annexation. That would help with negotiations, and the courts would probably allow it for water, but not for sewer and storm water. Storm water always goes downhill. There's not another way to get it out of the city. North Ogden wouldn't want Harrisville, or any other city, to say that storm water couldn't pass through their city.

Stephanie Casey, Committee Co-Chair, kept trying to bring the committee back to specifically define what conservation means. She asked if the committee would want housing density to be higher than one unit per one acre.

Committee Member Meg Sanders asserted that she wants it to be as spacious as possible. Conservation means to conserve.

Committee Member Julie Anderson read a definition of what a conservation easement is. If there is private land that needs to be conserved, it would need to be purchased by the City or a conservation group in order to save the day. On the other hand, a conservation development allows the City to determine which lands are sensitive. So perhaps, the answer is to allow a couple more houses in a particular area to preserve that element of conservation, leaving a lot of open space. That could be worked into zoning strategies, and it becomes a conservation development rather than a conservation easement.

Stephanie Casey, Committee Co-Chair, mentioned clustering, which is to say that in any given piece of land, clustering homes to a greater density would be allowed, while the overall ratio of homes to acres would still be fairly low. This would allow a developer to cluster a housing development in a conservation area while still leaving large sections of open land. The option to designate clustering within a conservation zone doesn't exist within North Ogden, but could potentially be approved. Getting the zones identified, and setting a standard where homes can be clustered and where they cannot, is important. She suggested the committee decide what to tackle and get that in front of the City Council right away.

Committee Member Meg Sanders expressed that she would like to understand clustering better.

Jon Call, City Attorney/Manager inserted that clustering is important. A developer should be trying to create some kind of development where everyone has access, but because of the cluster, his rights are preserved. Good land planning and good city leaders are where all this can happen.

Committee Member Dan Nixon explained what a cluster ordinance would look like. To make things simple, he chose to explain it in terms of 100 acre parcels, with the overall

ordinance saying they could have 10,000 square foot lots. A cluster ordinance, on the other hand, would allow 10 units per acre on the same lot, with open space everywhere else. This is a good way to handle sensitive lands so the community has access to the land that's developed.

Stephanie Casey, Committee Co-Chair, said this makes a lot of sense for the hillside area and stated that if they narrow it down by giving it the same density (through a cluster ordinance) as Weber County has in place (one unit to one acre), that will offer protection down the road. There was discussion about whether or not to make it higher, and the consensus was that they should not make it higher.

Committee Member Dan Nixon pointed out that Pleasant View City is adjacent to the land, so a developer will look to annex into either city. They will decide based on his opportunities to develop.

Stephanie Casey, Committee Co-Chair, again pushed for a definition in order to put it before the City Council. Committee Member Meg Sanders stated she always wants low density. Clustering is a really interesting idea, which allows giving a little to get a little.

Evan Nelson, Planning Department Head, asked if that meant an area would be designated as requiring a clustering approach, or if it would just be an option. Stephanie Casey, Committee Co-Chair, answered that it would be required if it is there at all.

Mayor Berube inserted that the developer has proposed a clustering type of arrangement. The City might be able to accomplish the same thing with a development agreement, rather than a clustering ordinance.

Committee Member Christina Watson wondered if there was a way to write in an option that a developer could make a swap for higher density housing in the middle of the city. Stephanie Casey, Committee Co-Chair, stated that clustering would open up more land that could be conserved. She also asked if the committee was writing an ordinance for one area of the city only, for a specific developer, or for the whole city. Stephanie Casey, Committee Co-Chair, answered that it would apply to all of the green area on the map.

Mayor Berube inserted that if it's by ordinance, it wouldn't be done for only for one piece of property. He underscored that the same things could be accomplished with an agreement.

Jon Call, City Attorney/Manager suggested it might be good to think about the properties in different categories. Some of these properties already have development agreements in place. Others have proposals on the table, and others have nothing happening. Perhaps the committee should focus on what the right vehicle is that covers all the bases, but which leaves things flexible enough. If the committee likes clustering, they could draw a box on where they want it and indicate something like 20% developed, and 80% left undeveloped. That could also mean large homes on large lots, leaving big spaces in between homes.

Stephanie Casey, Committee Co-Chair, wanted to focus on the next step, stating they needed to get things moving forward. Jon Call, City Attorney/Manager emphasized further definition before sending anything to the City Council.

Committee Member John Arrington stated that this process needs to move faster. The City Council won't allow any developments until this particular recommendation is in. Tonight's discussion has largely been about the hillside area, and there is a whole city that needs attention.

Stephanie Casey, Committee Co-Chair, suggested they get the zones down and defined. She pointed out that even though the area is in Weber County, it is part of the committee's defined area. It might be part of North Ogden someday. The committee likes clustering. She asked Jon Call, City Attorney/Manager if they should send just the idea of clustering to the City Council.

Jon Call, City Attorney/Manager, felt that sending the idea of clustering to the City Council was a good next step. Ryan Barker, a City Council member who also serves on this committee was not in attendance, but consensus was that he should be the one who takes it to the City Council. Stephanie Casey, Committee Co-Chair, stated she would meet with Barker to inform him. If the Council approves clustering, the process of how to overlay that into the different conservation areas will be the next task.

5. **Discussion on the definitions of low and high density zones**
Presenter: Stephanie Casey, Committee Co-Chair

Stephanie Casey, Committee Co-Chair, began by stating this item wouldn't be near as complicated, though it did prove to have some complicating factors. The root problem seems to be that there is not a precise definition of exactly what low density means, and exactly what high density means, and how that is applied to the working maps the committee has already developed.

Stephanie Casey, Committee Co-Chair, began by looking at page 18 of the General Plan to find out what the definitions are right now.

Jon Call, City Attorney/Manager inserted that most residents live in low density areas. If there happens to be some undeveloped land next door, they would like to know what the future holds for that property. If this committee can nail that down, it is helpful when development advances in the future. Most of the city is still zoned as RE20.

Stephanie Casey, Committee Co-Chair, asked if they want to retain all the zones as previously identified. She wanted to make sure the committee accomplishes what is needed. Jon Call, City Attorney/Manager suggested it would be most helpful to look at areas that are not HP 1, 2, or 3 and other areas that are undeveloped and make firm decisions about density for future development. When those areas start coming in for annexation, they are currently poorly defined.

Stephanie Casey, Committee Co-Chair, expressed that they were unprepared to be making those kinds of decisions on this night. Committee Member Christina Watson pointed out that these kinds of decisions may take hours and hours, and might require another meeting.

Committee Member Julie Anderson summarized that the committee needs to define exactly what they mean by high, medium, and low density, and which zones they want to see those in. Finally, it was decided to divide up the zones currently indicated to be high or low density between committee members, who will do some on the ground research before next meeting.

Assignments:

Committee Member Meg Sanders: R-1-8A, R-1-8AG, R-1-12.5

Committee Member Julie Anderson: R-1-10

Stephanie Casey, Committee Co-Chair: R-2, R-3

Committee Member Dan Nixon: R-4

Committee Member Christina Watson: R-1-5

Stephanie Casey, Committee Co-Chair, stated she would send links to the zones. Rob Scott, Planning Director, stated he would send an e-mail to all about development standards by zones. Committee Member Dan Nixon stated he would provide input on commercial and high density zoning.

Stephanie Casey, Committee Co-Chair, concluded this item of the agenda by stating that next meeting they will tackle high and low density by zones and have something ready for the City Council.

6. Committee/staff/Mayor comments

Committee Member Julie Anderson called the committee's attention to a bill which passed the House which states that if a City doesn't provide an inspection within a few days, a developer can ask someone else to do the inspection. She pointed out this is very important to cities. If they are not timely in providing inspections, their intentions for a property might not happen.

Mayor Berube pointed out that bill will likely pass the Senate, as well, as there are many builders and developers elected to that body. Committee Member Christina Watson pointed out that this bill is being built up as something that will help with the housing crisis, and could help more people get into homes.

Committee Member Julie Anderson asked if a traffic light is being proposed for an area near Smith's Food King, where the road is being lined up with Smith's entrance. People are going to want to cross four lanes of busy traffic. It was noted that a light was being considered.

Jon Call, City Attorney/Manager announced that the Council is changing the name of this committee to the "General Plan Advisory Committee," which removes the word "steering." Steering has become somewhat of a dark term, as it also applies to a practice by real estate

agents of steering minorities to certain areas to buy homes. Because this committee deals with land use, the council has asked for a change which offers clarity to the committee's purpose.

Mayor Berube thanked the committee for helping to move all of this along.

7. **Adjournment**

Committee Member Julie Anderson made a motion to adjourn the meeting. Committee Member Dan Nixon seconded the motion.

The motion passed unanimously.

The meeting adjourned at 8:12 pm

Stefanie Casey, Co-chairman

Lynne Bexell, Administrative Assistant

Date Approved