

**NORTH OGDEN PLANNING COMMISSION
MEETING MINUTES
June 16, 2021**

The North Ogden Planning Commission convened in a regular meeting on June 16, 2021, at 6:32 p.m. in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. Notice of time, place and agenda of the meeting was furnished to each member of the Planning Commission, posted on the bulletin board at the municipal office and posted to the Utah State Website on June 11, 2021. Notice of the annual meeting schedule was published in the Standard-Examiner on December 12, 2020.

COMMISSIONERS:

Eric Thomas	Chairman	joined via Zoom at 6:36 p.m.
Brandon Mason	Vice-Chairman	
Lisa Arner	Commissioner	
Scott Barker	Commissioner	
Alan Lunt	Commissioner	
Nicole Nancarrow	Commissioner	joined via Zoom
Johnson Webb	Commissioner	

STAFF:

Scott Hess	Planning Director
Brandon Bell	Associate Planner
Kai Johnsen	Planning Tech
Jon Call	City Manager/Attorney
Neal Berube	Mayor

VISITORS:

John Janson	Rob Scott
Jay Delpias	Stefanie Casey
Merrill Sunderland	

Vice Chairman Mason called the meeting to order at 6:32 p.m. Commissioner Webb offered the invocation and Commissioner Arner led the Pledge of Allegiance.

1. **ROLL CALL**

Vice Chairman Mason conducted the roll; he noted Chairman Thomas will join the meeting later this evening and Commissioner Nancarrow is participating via Zoom.

2. **MINUTES CONSIDERATION**

a. Consideration and action to approve the May 5, 2021 Planning Commission Meeting minutes

Commissioner Lunt made a motion to approve the May 5, 2021, minutes as presented. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas	not present
Vice Chairman Mason	aye
Commissioner Arner	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye

The motion carried.

3. **OPENING MEETING STATEMENT**

Vice Chairman Mason read the opening statement.

4. **EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE**

Vice Chairman Mason asked if any member of the Commission needs to declare ex parte communications or conflicts of interest. No declarations were made.

5. **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

There were no public comments.

Chairman Thomas joined the meeting at 6:36 p.m.

LEGISLATIVE ITEMS:

6. ZTA 2019-06 DISCUSSION AND REVIEW OF SECTIONS 1 AND 2 OF THE REORGANIZED LAND DEVELOPMENT CODE **PRESENTER: SCOTT HESS, PLANNING DIRECTOR**

A staff memo from Planning Director Hess explained when the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City has wide discretion in taking legislative action. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically, the criteria for making a decision, related to a legislative matter, requires compatibility with the general plan and existing codes.

North Ogden City is updating its zoning and subdivision regulations. The consulting firm of Logan Simpson has been hired as the consultant for the project. The consultant team will be joining us for the meeting.

The purpose of this discussion is to review two of four Code Sections that reorganize Title 11 and Title 12 of North Ogden Municipal Code.

Staff and the Consultant Team have done a complete review of the existing zoning and subdivision regulations and identified conflicting provisions and potential revisions. Much of what has been done incorporates existing processes into the code, e.g., assuring that the subdivision process is consistent with the subdivision ordinance.

Additionally, the code had related provisions that were scattered throughout the Code, and these have been collected and reformatted. To assist the Planning Commission with their review of Sections 1 and 2 of the Code, the Consultant Team has developed an Overview document of the core reorganization of Code in those sections. (Exhibit A). Also, Staff has provided the Planning Commission with the final draft Codes for Section 1 and Section 2 (Exhibits B and C).

The process moving forward will be for the Planning Commission to review Sections 3 and 4 at their next regularly scheduled meeting. Once all four sections have been reviewed by the PC and any comments have been addressed then Staff will post a Public Hearing to receive comments from the Public. To increase awareness of the Code reorganization Staff is currently developing a webpage for the North Ogden City Website. The intent is for this page to be available prior to the Planning Commission meeting on June 16, 2021. This website will help increase awareness and transparency during this process.

The memo discussed the applications compliance with the City's General Plan, which was adopted September 22, 2015. A key component, but not the only action, for implementing the General Plan is to establish codes that reflect the desired future for North Ogden.

The Land Development Code's foundation is the Vision, Goals, Policies, and Strategies found in the General Plan. The Land Development Code purpose statement will encapsulate the components of this implementation, i.e., safety, vision, and community character.

The following excerpt is from the General Plan Vision statement. The Vision includes statements regarding: ensuring North Ogden remains a beautiful place, the need for quality development, visual quality, transportation, the environment, improving the tax base, having a transparent government, a balanced economy, and a high quality of life.

The Vision for North Ogden:

- North Ogden City will continue to be a community of beautiful homes and friendly people that capitalizes on the impressive setting beneath the slopes of Ben Lomond peak. North Ogden will strive to:
- Assure that North Ogden remains a beautiful place to live, work, and recreate.
- Create a unique downtown that complements the desires of the community with an improved appearance and public spaces.
- Promote housing variety with a broad spectrum of high-quality housing options along Washington Boulevard, 2700 North, and especially within and adjacent to the Downtown and Southtown.
- Assure improved visual quality for all types of development.
- Improve current and future streets in terms of appearance, connectivity, and by providing additional city-wide choices for travel in addition to Washington Boulevard and 2700 North.
- Continue to provide a variety of parks, trails with connections to the mountains and within the community, and open spaces for the community to enjoy.
- Recognize that the proximity to the mountains also results in many environmental issues that need to be proactively addressed through community policies, incentives, and ordinances.
- Engage and connect with the community through active governmental transparency, public WIFI systems, and places for people to gather.
- Strive to create a more balanced community that results in a better, more sustainable tax base; which anticipates and reflects the diversity of housing and services necessitated by changing population life cycles, norms and preferences.
- Preserve the essential characteristics of a family friendly community that assures an enduring legacy, small town feel, and high quality of life in North Ogden.

A key Strategy is found in the Housing Goals, “Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community’s housing goals.

The memo offered the following summary of Land Use Authority considerations:

- What direction does the Planning Commission wish to give regarding the Land Development Code?
- What direction will ensure that the reorganization is in line with the goals of the General Plan?

Staff recommends the Commission review Section 1 and Section 2 of the Code Reorganization and provide staff and the Consultant Team with direction on any requested code amendments prior to holding a Public Hearing for recommendation to the City Council.

Mr. Hess reviewed his staff memo and invited John Janson, Principal of Planning Solutions, to provide an overview of the recommended adjustments to Sections 1 and 2 of the Land Use Code, which were mainly attempts at reorganizing the message of these Sections. He read from the following document:

Section 1:

General Provisions

- Created more distinction between the Planning Director, Building Official, Administrative Hearing Officer, and Code Enforcement (11-1-4).
- Created table to address what body is responsible for the variety of Land Use applications – updated as per State Law including Boundary Line adjustments. Incorporated noticing into the table that reflects the greater flexibility in State Law (11- 1-5).
- New section to address how the City can establish a Temporary Zoning Regulation (moratorium) (11-1-12 (c)).
- Moved all application procedures into one section – section 11-2 (including subdivision, MPC, and Hillside procedures)
- Updated termination of applications that have become inactive (11-1-5 E).
- Updated Conditional Use and Site Plan sections (11-2-8 & 9).
- Clarified review process for subdivisions and minor subdivisions (11-2-11)
- Reworked reasoning/review criteria for zone changes (11-2-17).
- Updated and defined the difference between a public hearing and public meeting (11-3).
- State Law update to Nonconforming uses and Appeal Authorities(11-5&6).
- Definitions placed all together (11-7) – clarifying graphics added (sign types examples)

Section 2:

Zoning Districts, Regulations applicable to more than one zone, Hillside Protection Zones.

- Moved most listed conditional uses to the permitted use list and dropped some that were outdated.
- Added Civic zone.
- Removed many discretionary statements and replaced with objective criteria.
- More references to the Public Works Standards.
- Created new graphics in Design Standards for Commercial and Manufacturing Development.
- Updated buffering requirements from residential areas increased.
- Modified standards to promote better development in higher density zones.
- Updated purpose sections to create more distinction between zones.
- Developed incentive for rear loaded garages.
- Consolidated Commercial zones and replaced with a neighborhood oriented commercial zone and a community-wide oriented commercial zone. Dropped CP zones.
- More limited uses in the Manufacturing zone (MP changes to M) but now includes standards for SOBs and Cannabis grow/pharmacies, as required by State Law.
- Dropped Entertainment Overlay Zone.
- Added Dark Sky provisions (11-11-6).
- Hillside Zone retained but pending new updates/revisions.

Throughout Mr. Janson's presentation, he engaged in high level discussion with the Commission regarding topics such as whether to maintain the Administrative Hearing Officer position rather

than a Hearing Board that includes representation from an elected official; and regulations for conditional use permits.

Mr. Hess stated he will work with Mr. Janson to make changes to the document responsive to the Commission's feedback. He noted that Sections 3 and 4 will be reviewed in the July 7 meeting and he suggested that the Commission review the land use authority chart for different land use applications in advance of that meeting. Eventually, a public hearing will be scheduled regarding the Land Use Code.

Vice Chairman Mason invited public input. No input was provided.

7. REMARKS - PLANNING COMMISSIONERS:

Commissioner Barker stated he has noticed vehicles and motorcycles travelling through the City that have been modified in a manner that makes the vehicle very loud and disruptive. He asked who he should complain to about that issue. Mr. Call stated that is a criminal matter and he advised Commissioner Barker to use the non-emergency Police Department phone number to file the complaint.

Commissioner Arner asked if there is a way for the City to install signs communicating support for Police Officers. The Commission engaged in philosophical discussion regarding the recommendation and concluded they are supportive of Police Officers and all City employees. Vice Chairman Mason suggested that the matter be referred to the City's Economic Development Committee as they have undertaken efforts to beautify the City, specifically the Washington Boulevard corridor.

8. REPORT - PLANNING DIRECTOR:

Planning Director Hess briefly reviewed the calendar of remaining meetings for the summer as well as a few pending agenda items.

9. REMARKS – CITY MANAGER/ATTORNEY

City Manager/Attorney Call reported the City employees summer party will be held August 24 at the North Shore Aquatic Center and the Planning Commission is invited to attend.

10. ADJOURNMENT

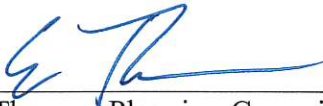
Commissioner Barker made a motion to adjourn the meeting. Commissioner Lunt seconded the motion.

Voting on the motion:

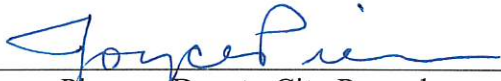
Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Arner	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye

The motion carried.

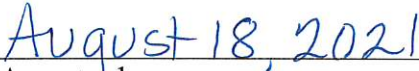
The meeting adjourned at 7:26 pm



Eric Thomas, Planning Commission Chair



Joyce Pierson, Deputy City Recorder



Date Approved