

**GENERAL PLAN ADVISORY COMMITTEE
MEETING MINUTES
August 25, 2021**

The North Ogden General Plan Advisory Committee Meeting convened in a joint work session with the Planning Commission on August 25, 2021 at 6:05 p.m. The meeting was also held virtually on Zoom. Notice of time, place and agenda of the meeting was furnished to each member of the General Plan Advisory Committee and the Planning Commission, posted on the bulletin board at the municipal office, and posted to the Utah State Website on August 20, 2021.

COMMITTEE MEMBERS PRESENT:

Grant Protzman	
Stefanie Casey	
Julie Anderson	excused
Christina Watson	
Dan Nixon	
John Arrington	
Mark Brown	
Tim Billings	excused
Ryan Barker	

PLANNING COMMISSIONERS PRESENT:

Eric Thomas
Lisa Arner
Scott Barker
Alan Lunt
Nicole Nancarrow
Johnson Webb

STAFF:

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

VISITORS:

Trevor Graves
Shauna Flinders

Nate Karras
Steve Flinders

Jerry Shaw
Marc Hansen

Co-Chairman Protzman called the meeting to order and Committee Member Brown offered the invocation and led the Pledge of Allegiance.

Co-Chairman Protzman asked those present to introduce themselves.

CONSENT AGENDA:

1. Consideration to approve the June 23, 2021 General Plan Advisory Committee Meeting minutes

MOTION: Committee Member Brown made a motion to approve the June 23, 2021 General Plan Advisory Committee Meeting minutes as written. Committee Member Arrington seconded the motion. The motion passed unanimously.

ACTIVE AGENDA:

2. Public Comments

Jerry Shaw stated he owned a farm at 281 East Lomond View Drive. In 2000 his farm was placed in a commercial zone. Sometime after that, it was changed to a residential zone but no one ever told him. He wanted to know who did those things and why. He suggested that one size didn't fit all, and he had come to recommend talking to property owners before making zoning changes. On either side of his farm the land was zoned as commercial, yet his was not. He wanted the decision overturned because he was contemplating selling, and the capital gains taxes on residential property are in excess of 40%. He feels cheated. He urged the committee to decide quickly, though not hastily.

Nick Karras appeared and stated he owned property on 2050 North. It was zoned as agricultural. The property contains a peach orchard, but he admitted he lacked skill as a farmer and was considering doing something else with the property. He stated his property was north of the downtown area and south of some other communities. Properties around him had duplexes and townhomes on them. He had come to ask if it would be possible to extend the downtown zone one more block so he could be included in that zone. He wanted to construct higher density housing on his one acre. He stated he had just recently moved to North Ogden from Pleasant View and that he had served on the Planning Commission there so he was aware of what went into the decisions. He felt the time to act was now.

Shawna Flinders stated they had property across from the skate park. She felt it was time to move forward on what was going to happen with that property. It was currently zoned for a single family home. Five townhomes would fit on the property, and it was their plan to build them. She had heard comments from others that their plan would make it look like a wall

had been constructed there. She assured the committee it would not look like a wall, but there would be something there that was not there before. She felt it would be very nice for the area.

3. **Report from the General Plan Advisory Committee on Future Land Use Map**
Presenter: Planning Director Hess

Co-Chairman Protzman introduced this agenda item by giving a brief history of North Ogden. They wanted to have a downtown area, but needed a critical mass of residents to do that effectively. They needed to open things up to more concentrated development. They needed higher density housing with businesses mixed in. The zoning overlay allowed for this. They needed to think outside the box of single family homes with fences around them and instead think of cottages and courtyards that left some open space mixed in. This would also allow for more affordable housing. He then turned the time over to Planning Director Hess.

Planning Director Hess began his presentation by explaining that the Planning Commission had asked Staff to combine a General Plan Advisory Committee meeting with the Planning Commission to work together to review the City's 2015 General Plan, the General Plan Advisory Committee's Future Land Use Recommendation, and the Staff's Opportunity Areas Analysis to develop a future land use plan for the City.

Planning Director Hess stated that General Plans were not obligatory, and were not legislative documents. They were the City's vision of what they wanted to have vested. A General Plan becomes vested in one of two ways:

1. An entire City re-zoning process. This was painful and rarely happened.
2. Looking at areas of change and applying the most reasonable zoning above the level of the last plan.

Hess was proposing an approach based on the second point above. He felt this was the most reasonable, and fit best the legislative mandate that General Plans meet a bar of being "reasonably debatable."

Planning Director Hess went on to discuss concerns that were looked at in establishing zones, such as walkability. This could lead to the development of an entirely new zone, which would be just fine if it best met the City's vision for its future. He made mention of the concept of transference of development rights, which often caused trouble. Clustering made more sense as a solution to the problems that made transference of development rights seem desirable. Clustering offers a lot of variety, while keeping things more in line with established zoning.

As he spoke, Planning Director Hess referred to a map that was visible to those in attendance, showing the work of the General Plan Advisory Committee's proposal for future land use. As he pointed out various areas on the map, he focused on areas that had been designated as in need of conservation, as well as the established transportation routes. He acknowledged

that density predictably developed around transportation routes. He asked how the City wanted to preserve the best features of its agricultural land. He asked how they wanted to ensure that their children and grandchildren could afford and would want to live in North Ogden in 25-30 years. He suggested clustering would be a way to address all these points.

Planning Director Hess referenced the land of Jerry Shaw, who had made a public comment stating that at some point the zone on his agricultural land had been changed to residential. Hess suggested the change probably happened in 2015 when the most recent General Plan was approved. He acknowledged that such changes should be a public process, though it was very hard to make them so. It was stated that contact with citizens was often perfunctorily made with some kind of direction to look on Facebook to learn more. That was not effective. Yet contacting people in person, by phone, or by a specific mailing—though very effective—was prohibitive. There needed to be some kind of middle ground for community-based outreach. There needed to be a way so that people get to make more decisions about their own property than what City officials make, while at the same time providing timely guidance for the different developers that want to come in.

Planning Director Hess indicated that the next step in the process was to ask what applicable zones would be acceptable in the various areas that were not fully developed at the present time. Then they should move those recommendations to the Planning Commission so they could put it into place so developers would have something to work with. He stated he wanted the next section of the meeting to be in open house style to look at the maps, mark impressions on a whiteboard, and have a working conversation.

Before the open house began, there were some important comments from others in the room. It was noted that the balance between private property rights and shared resources such as public safety and traffic was a tough balance to maintain. A property owner may want to do exactly as he pleased because he felt it was his right to do so, but as he started off to do that he ran into problems with traffic, for example. The main point was that North Ogden would grow whether they wanted it to or not and there would be increased conflicts. So they should come together and make that growth be better than it would be otherwise.

The Committee questioned if this was a push to change everything right now. The answer was no, and in the course of that conversation the immediate purpose of this meeting came into sharp focus.

- Go through each of the areas that were identified on the map as having potentially developable space.
- Decide which three or so zones the group would be comfortable in approving for each specific area to cover the next 25-35 years. This was the core of the overlay concept.
- Anyone wanting to change their property from one zone to another zone could look at their property on the map and see what other zones were allowable for that specific area.
- If they asked for a change to another allowable zone, they could have it.

The open house period then began as people mingled as they sought to make the decisions Planning Director Hess had suggested. Some of the topics that came up during the period included:

- Explanation of the color coding of the map on display
- Conservation easements
- Agricultural methods
- The need for park space
- Small one or two-home developments
- How single-family homes, though much needed, do not generate as much tax revenue as commercial property
- The hope that residents would spend their money in North Ogden rather than elsewhere
- Timeline for decision-making
- Trails

4. **Moderate Income Housing Update and Recommendation**
Presenter: Planning Director Hess

Planning Director Hess opened this item by stating that the State required Cities to provide an update on moderate income housing every other year, and in the off-years to submit a report. Hess had established what that would look like for the present year, and offered it to the group for approval. He had several points of additions and eliminations covering such topics as density, preservation, clustering, subdivisions, subsidizations, mortgage assistance, and land trusts.

Planning Director Hess provided an explanation of land trusts. This was a situation where a non-profit group owned the land and the house was sold separately. The owner of the land would impose appreciation limits on the house in this method. When it was time to sell, ownership would revert back to the non-profit. This might be a way to drive affordability, though it placed a huge administrative burden on a City. The State could potentially take this over and act as a bank, which would make it easier for the cities.

Co-Chairman Protzman asked if there were objections to having Planning Director Hess write this up as he had explained it and move it up the ladder. All seemed to show support, so Protzman concluded with, "There is a straw poll strongly behind you."

5. **Discussion on next steps and Committee assignments**
Presenter: Co-Chairman Protzman

Co-Chairman Protzman indicated he wanted to talk to Co-Chairman Casey about this in order to decide how best to make assignments. He wanted to flesh out the concepts first and then they would make assignments and ask folks to come back with definitive ideas. Casey stated that she felt overlay zones were really going to be the ticket, but she wanted to understand better how they would work. After all this work was done, they would push it up

to the Planning Commission, and from there it would go as a recommendation to the City Council.

Planning Director Hess suggested all this could be done in the next month, before another meeting occurred, and shared electronically between one another. He invited anyone with additional comments to e-mail them to him. Timing was important, as there were landowners that had pending applications awaiting these decisions.

The question was raised if there would be a public hearing before all of this was finalized. Planning Director Hess outlined the various points at which a public could take place but City Attorney/Manager Call suggested the best time would be at the very end of the process, once a tentative final map was drawn up. In that way, members of the public could see where mistakes had been made, if there were any. They could then make corrections before a final vote of approval. They discussed ways for announcing such a public hearing, which might be a few months out. The suggestion was made that posting the map in advance of the meeting so people could view it first would aid residents in deciding whether to come to a meeting or not. City Attorney/Manager Call agreed, and stated that likely notice of the Public Hearing would go out by letter to every household.

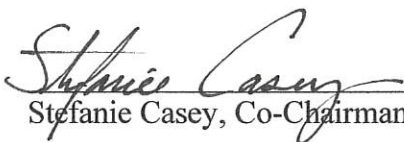
6. **Committee/Commissioners/Staff/Mayor comments**

There were none.

7. **Adjournment**

MOTION: Committee Member Dan Nixon made a motion to adjourn the meeting. Planning Commissioner Eric Thomas seconded the motion. The motion passed unanimously.

The meeting adjourned at 7:49 pm


Stefanie Casey, Co-Chairman


Joyce Rierson, Deputy City Recorder


Date Approved