



NOTICE AND AGENDA

SOUTH OGDEN CITY PLANNING COMMISSION MEETING

THURSDAY, MARCH 10, 2022

Notice is hereby given that the South Ogden City Planning Commission will hold a meeting on, March 10, 2022, beginning at 6:15 p.m. in the Council Chambers located at 3950 Adams Avenue, South Ogden, Utah. The meeting is open to the public; however, the city will abide by all COVID-19 restrictions in place at the time of the meeting, including wearing of masks, social distancing and number of people allowed to gather at one time. Some members of the planning commission may be attending the meeting electronically.

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 - Chair Scott Amos

II. SUBDIVISION APPROVALS

Consideration of Uintah Village Subdivision

III. ZONING ITEMS

- A. Discussion on Second Driveways
- B. Discussion on Drive-Thrus

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

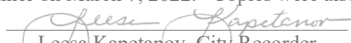
Approval of February 10, 2022 Minutes

V. OTHER BUSINESS

VI. PUBLIC COMMENTS

VII. ADJOURN

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website (southogdencity.gov) and emailed to the Standard Examiner on March 7, 2022. Copies were also delivered to each member of the Planning Commission.


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 the City Recorder at 801-622-2709 at least 48 hours in advance.

STAFF REPORT



SUBJECT: Uintah Village Subdivision
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: March 10, 2022

BACKGROUND

Some of you may remember this subdivision from a few years ago when I may, or may not have, invented the word "de-condominiumization". This is a four-plex that was condominiums but the owner wanted to de-condominiumize them so they could only be rentals.

ANALYSIS

The property has been purchased by a new owner, who wants to "re-condominiumize" the units so they can be purchased. Staff wasn't sure if this really needed to come before the commission for approval, but we decided to err on the side of making sure it is approved correctly. No one from the outside will know that anything has changed; there will be no new buildings, no new parking, etc. This action will simply divide each unit into separate properties.

RECOMMENDATION

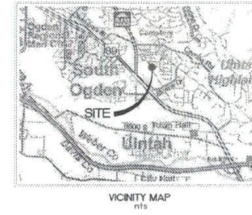
Staff recommends approval.

UINTAH VILLAGE CONDOMINIUMS

ALL OF LOT 1, UINTAH VILLAGE SUBDIVISION

A PART OF THE NORTHEAST QUARTER
OF SECTION 22, T8N, R1W, SLB&M, U.S. SURVEY
SOUTH OGDEN CITY, WEBER COUNTY, UTAH

JANUARY 2022
SHEET 1 OF 2



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 have examined the survey and the information shown hereon and have completed a survey of the property as shown and described on this plat, and have determined that the same is correct and true. I have also determined that the information shown hereon is sufficient to establish the boundaries of the property and the location of the easements and encumbrances shown hereon. I have also determined that the information shown hereon is sufficient to establish the boundaries of the property and the location of the easements and encumbrances shown hereon. I have also determined that the information shown hereon is sufficient to establish the boundaries of the property and the location of the easements and encumbrances shown hereon.

SIGNED THIS _____ DAY OF _____, 2022.



BOUNDARY DESCRIPTION

ALL OF LOT 1, UINTAH VILLAGE SUBDIVISION 2ND AMENDMENT, SOUTH OGDEN CITY, WEBER COUNTY, UTAH, BEING A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, SAID UNITAH VILLAGE SUBDIVISION BEING 223.64 FEET SOUTH 89°40'00" EAST ALONG THE NORTH LINE OF LOT 5 AND 6, SAID UNITAH VILLAGE SUBDIVISION, 146.07 FEET SOUTH 00°09'50" WEST ALONG THE WEST LINE OF SAID LOT 6 TO THE NORTH LINE OF 5825 SOUTH STREET 107.00 FEET SOUTH 58°08'05" WEST ALONG SAID NORTH LINE TO THE EASTERN LINE OF WASATCH DRIVE, AND 165.31 FEET SOUTH 31°51'55" EAST ALONG SAID EASTERN LINE, BEING THE WESTERN LINE OF SAID LOT 2, TO THE SOUTHWEST CORNER THEREOF, AND RUNNING THENCE NORTH 58°08'05" EAST 31.02 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 2, TO THE WESTERN LINE OF LOT 3, SAID UNITAH VILLAGE SUBDIVISION, THENCE SOUTH 29°53'15" EAST 117.64 FEET ALONG SAID WESTERN LINE, THENCE SOUTH 84°52'45" WEST 58.80 FEET, THENCE SOUTH 58°08'05" WEST 74.45 FEET TO SAID EASTERN LINE OF WASATCH DRIVE, THE NORTH 31°51'55" WEST 91.11 FEET ALONG SAID EASTERN LINE TO THE POINT OF BEGINNING, CONTAINING 0.287 ACRES.

NOTES

- EACH CONDOMINIUM UNIT CONTAINED WITHIN THE PROJECT IS AS SHOWN AND IS DESIGNATED BY A NUMBER.
COMMON AREAS (CA) AND FACILITIES = CA
LIMITED COMMON AREAS =
PRIVATE OWNERSHIP =
- ALL PATIOS, DECKS OR BALCONIES, STORAGE UNITS, COVERED AND UNCOVERED PARKING, (SOME OF WHICH ARE SHOWN WITH NUMBERS) ARE CONSIDERED LIMITED COMMON AREAS. THEY ARE SET ASIDE AND RESERVED FOR THE USE OF THE RESPECTIVE CONDOMINIUM UNIT TO WHICH THEY ARE ASSIGNED, ATTACHED AND/OR APPURTENANT, THEY ARE DESIGNATED WITH CROSS-HATCHED LINES.
- ALL OTHER AREAS CONTAINED WITHIN THE PROJECT BUT NOT SHOWN WITH DIAGONAL STRIPES OR CROSS-HATCHED LINES ARE CONSIDERED TO BE COMMON AREA AND ARE LABELED WITH THE DESIGNATION "CA" AT VARIOUS LOCATIONS ON THE RECORD OF SURVEY MAP. THESE AREAS INCLUDE DRIVEWAYS, DUMPSTERS, PLANTERS, WALKS, ETC.
- ALL COMMON AREA IS CONSIDERED TO BE AN EASEMENT FOR PUBLIC UTILITY AND DRAINAGE PURPOSES.
- DIMENSIONS ON SHEET 1 OF 2 ARE TO EXTERIOR FOUNDATION ONLY AND ARE PERPENDICULAR TO THE OUTSIDE BOUNDARY.
- BENCHMARK: THE NORTHWEST BUILDING CORNER ON THE EXTERIOR AT THE TOP OF FOUNDATION. ELEVATION = 4814.79.

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DESCRIBED HEREIN AS UNITAH VILLAGE CONDOMINIUMS, A UTAH CONDOMINIUM PROJECT LOCATED ON SAID TRACT OF LAND, DO HEREBY MAKE THIS CERTIFICATE THAT SAID OWNERS HAVE CAUSED A SURVEY TO BE MADE, AND THIS CONDOMINIUM PLAT, ON RECORD OF SURVEY MAP TO BE PREPARED, THAT SAID OWNERS DO HEREBY CONSENT TO THE RECORDATION OF THIS RECORD OF SURVEY MAP AND SUBMITS THE DESCRIBED PROPERTY TO THE TERMS OF THE UTAH CONDOMINIUM OWNERSHIP ACT.

OWNERS DEDICATION

THE UNDERSIGNED OWNER OF THE HEREON-DESCRIBED TRACT OF LAND HEREBY SETS APART AND SUBORDINATES THE SAME INTO CONDOMINIUM UNITS, COMMON AREAS AND LIMITED COMMON AREAS, AS SHOWN ON THIS PLAT, AND NAMES SAID TRACT UNITAH VILLAGE CONDOMINIUMS, AND DOES HEREBY

DEDICATE, GRANT AND CONVEY TO SOUTH OGDEN CITY THOSE CERTAIN STRIPS DESIGNATED HEREON AS PUBLIC UTILITY EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE, AS MAY BE AUTHORIZED BY SOUTH OGDEN CITY, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

DEDICATE, GRANT AND CONVEY AN EASEMENT OVER THE COMMON AREAS TO SOUTH OGDEN CITY GUARANTEEING THAT THE COMMON AREAS REMAIN FOREVER OPEN AND UNDEVELOPED EXCEPT FOR APPROVED RECREATIONAL, PARKING AND OPEN SPACE PURPOSES.

THE OWNER HAS DESIGNATED CERTAIN AREAS OF LAND AS COMMON AREAS, INTENDED FOR THE COMMON USE OF THE UNIT OWNERS AS MORE FULLY PROVIDED IN THE CONDOMINIUM DECLARATION APPLICABLE TO SUCH CONDOMINIUM PROJECT, AND NOT FOR THE USE BY THE GENERAL PUBLIC.

THE OWNER HAS DESIGNATED CERTAIN AREAS OF LAND AS LIMITED COMMON AREAS, INTENDED FOR THE COMMON USE OF THE UNIT OWNERS AS MORE FULLY PROVIDED IN THE CONDOMINIUM DECLARATION APPLICABLE TO SUCH CONDOMINIUM PROJECT, AND NOT FOR THE USE BY THE GENERAL PUBLIC.

SIGNED THIS _____ DAY OF _____, 2022.

JEFFREY S. HOLDEN

SIGNATURE

NARRATIVE:

THIS SURVEY WAS REQUESTED BY MR. STEWART CHRISTENSEN AND MR. JEFFREY HOLDEN, MEMBERS OF CANYON CREEK HOMES LLC, FOR THE PURPOSE OF CONVERTING AN EXISTING FOUR FLEX BUILDING INTO FOUR CONDOMINIUM UNITS.

SOUTH OGDEN CITY ENGINEER

I HAVE EXAMINED THE FOREGOING PLAT OF UNITAH VILLAGE CONDOMINIUMS, AND CONCUR WITH THE LEGAL DESCRIPTION AND LINES OF SURVEY AS THEY ARE PRESENTED IN MY OPINION THIS PLAT MEETS THE APPLICABLE ORDINANCES PREVIOUSLY TO APPROVAL BY THE SOUTH OGDEN CITY COUNCIL.

SIGNED THIS _____ DAY OF _____, 2022.

CITY ENGINEER

SOUTH OGDEN CITY ATTORNEY

I HAVE EXAMINED THE FOREGOING PLAT AND DESCRIPTION OF UNITAH VILLAGE CONDOMINIUMS AND IN MY OPINION, THEY CONFORM WITH THE CITY ORDINANCES APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS _____ DAY OF _____, 2022.

CITY ATTORNEY

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 _____, 2022.

CHAIRMAN, SOUTH OGDEN PLANNING COMMISSION

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)

On this _____ day of _____, 2022, before me

_____ A Notary Public, personally appeared _____, known to me to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

STAMP

NOTARY PUBLIC



908 CHAMBERS STREET
SOUTH OGDEN, UT 84409
(801) 476-0202

WEBER COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND
RECORDED _____ AT
IN BOOK _____ OF OFFICIAL
RECORDS, PAGE _____, RECORDED
FOR _____

COUNTY RECORDER

BY: _____
DEPUTY

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STAFF REPORT



SUBJECT: Second Driveway and Circular Driveway Guideline
Discussion – Conversion of Current Policy into
Official Code

AUTHOR: Mark Vlasic

DEPARTMENT: City Planner

DATE: March 10, 2022

BACKGROUND

The Planning Commission has been reviewing requests for circular drives and second driveway approaches to residential lots since 1998, using guidelines to help the Planning Commission, staff and property owners understand the circumstances where more than one drive approach to a residential lot is acceptable.

The current driveway approach is typically a doublewide drive from the street to the two required parking spaces for a dwelling. In the older parts of the City, it is usual that a singlewide drive serves a dwelling. There are some dwellings that are old enough that no drive or on-site parking is provided.

In the 1950's, there was an average of one car per dwelling. Today, there are often three or more cars per dwelling. The challenge is to keep the older housing stock appealing enough that it retains value and serves to satisfy the demand for housing.

The city has permitted up to two spaces in the front yard. In situations where the rear yard is not accessible, although only a limited number of applications have been approved under this guideline. Furthermore, the storage of inoperable vehicles, recreation vehicles such as boats and campers, or general storage are not a reason for approving additional driveways.

Corner Lots

Many residential uses located on corner lots are able to add an additional drive approach for parking in the rear yard or a circular drive connecting with both streets. Even where the existing drive is double-wide, an additional approach has been granted to access a basement level or provide for disabled occupants to more easily use the dwelling. Required open space in the rear yards, difficult topography or a restricted sight distance for oncoming traffic may prevent approval of a second drive approach.

Interior Lots

Since driveways create an intersection for traffic going in different directions, minimizing traffic conflicts and promoting safety are key considerations when considering second driveways. Furthermore, the fact that drive approaches remove on-street parking is a consideration of the current policy. Where a doublewide drive can be provided adjacent to existing parking spaces, a second drive should not be approved.

For the older dwellings, sometimes additions have blocked access to the rear yards or the relationship to adjoining dwellings may make widening or adding a driveway undesirable. Also, a dwelling may not have a side yard big enough to park on. In these circumstances, a second driveway may contribute to a parking solution

The current policy is intended to assist the Planning Commission solve parking problems that exist to help satisfy the need for parking as well as accommodate public snow removal during heavy snow storm periods. If a request is granted and future problems arise between neighbors due to misuse or incompatibility because of noise or odors, the policy encourages the Planning Commission to rescind approval and the owner shall remove the second driveway within a specified time period.

Converting the Current Policy into Official City Code

In order to clarify the specific condition upon which a second driveway or circular driveway may be permitted, staff has been directed to review how other communities have addressed this issue and provide concluding and proposed code revisions. Most communities do not permit second driveways, and have clear restriction on the parking of recreational vehicles, work vehicles and large numbers of personal vehicles.

In contrast, the Ogden Municipal Code addresses conditions under which second driveways and circular driveways may be permitted that address similar needs and conditions as those in South Ogden.

Ogden Code Example

Ogden addresses second driveways and circular driveways as part of Chapter 12 – Parking and Loading Space, Traffic and Access Regulations of the Ogden City Municipal Code.

15-12-11 VEHICULAR ACCESS LOCATION AND SIZE

B. Number Of Accessways:

1. Single-family or duplex lots shall be allowed one accessway onto the public street for each lot.

- a. One additional access may be permitted for single-family homes if it is used to service a circular driveway or an accessory vehicle parking slab.
 - b. For corner lots with more than two hundred fifty feet (250') of combined street frontage a third access for circular drives is allowed.
 - c. A circular driveway allowed under this section must meet the following requirements:
 - (1) Circular driveways shall not be used to satisfy the required parking;
 - (2) The arched portion of the driveway closest to the street shall be set at least twenty feet (20') from the front property line at the mid-point of its arch;
 - (3) Each driveway connection to the street shall be no more than fourteen feet (14') in width;
 - (4) The area between the driveway and the property line shall be landscaped at a minimum with shrubs, trees, and approved ground covers; and
 - (5) The total pavement area between the front of the house and the right-of-way may not exceed fifty percent (50%) of the front yard.
- back point of
- landscaped
- public
- 2. All other uses shall have not more than one accessway to a public street per one hundred feet (100') of street frontage (i.e., less than 100 feet frontage - 1 approach, 100 feet - 199 feet frontage - 2 approaches, etc.).
 - 3. No more than two (2) driveways will be permitted per parcel fronting on any collector or arterial street as defined on the adopted street plan for the City.
 - a. In parcels accommodating twenty (20) or more parking spaces, driveways must be separated by at least two hundred fifty feet (250').
 - b. In parcels with less than twenty (20) parking spaces, driveways must be separated by at least one hundred feet (100').
 - 4. A minimum twenty foot (20') wide separation is required between access drives for all developments except single-family homes. Driveways for all uses except single-family homes shall not be closer than eight feet (8') to an adjacent interior property line and shall be set back a minimum of eighty feet (80') from the intersection of two (2) arterial streets and fifty feet (50') from any other street classification intersection.
 - 5. Lots are encouraged to have a shared access guaranteed by a recorded reciprocal access easement. If shared access occurs, the driveway width maximum may be increased by ten feet (10') in commercial and manufacturing zones, and the ten foot (10') setback from the interior property line is waived on the side the shared access exists in all zones.

15-12-13 RESTRICTIONS

- A. Residential Weight Restrictions: Off street parking spaces for residential uses shall be used only by vehicles up to, but not exceeding, one ton manufacturer's capacity rating.
- B. Storage Of Vehicles In Required Spaces: Required off street parking spaces and access to the required spaces shall not be used for the parking or storage of automobile trailers, boats, detached campers or any other object that will render the parking space unusable according to the intent and purpose of this chapter.

- C. Sale Or Repair Uses: No off street parking space shall be used for the commercial sale, repair, dismantling or servicing of any vehicle, equipment, material, or supplies.
- D. Residential Privately Owned Land: Privately owned land within any residential zone shall not be used as access for commercial or manufacturing zoned uses.

15-12-14 RECREATIONAL VEHICLE AND ACCESSORY PARKING

The owner of a lot with a single family dwelling may install a parking area for an accessory vehicle or a recreational vehicle, including a boat, trailer, or detached camper, in compliance with this section.

A. Applicability To Non-Conforming Dwellings:

This section does not apply to the installation of additional parking for a single-family detached dwelling nonconforming use regarding the number of properly located off-street parking spaces.

B. General Requirements:

1. A recreational vehicle or accessory vehicle is permitted within the accessory parking area if the dwelling unit has at least one parking space in a private garage or in any area properly located for a future garage.
2. No parked recreational vehicle shall be used for storage of goods, materials, or equipment other than those which are customarily associated with the recreational vehicle.
3. Recreational vehicles may not be occupied as a dwelling while parked on the property.
4. Location And Design: Recreational or accessory vehicle parking shall be located in one side yard setback or rear yard subject to the following conditions:
 - a. The parking area and driveway must be at least eight feet (8') wide and of sufficient length, which may not be less than eighteen feet (18'), to accommodate the accessory or recreational vehicle with no portion of the vehicle extending forward of the front face of the dwelling;
 - b. The space above any parking area constructed within a side yard setback must remain open and unobstructed to the sky;
 - c. All stormwater runoff from a hard surface must be directed to prevent drainage onto adjacent properties or across the sidewalk;
4. No parking area is permitted within the twenty foot required side yard facing a street on a corner lot;
5. Access to the accessory parking area shall be provided by either
 - a. Widening the approach from the street to match the width of the new driveway provided the other provisions of this Code can be met; or
 - b. A driveway taper from the sidewalk at no less than a forty five degree (45°) angle with the remnant area in the front yard setback landscaped with a minimum of shrubs and an approved ground cover, provided that this option is not allowed if the remnant landscaped area is less than forty five (45) square feet or if curb, gutter and sidewalk are not present.

ANALYSIS

The Ogden ordinance addresses similar issues and clarifies the conditions upon which second driveways and circular driveways are permitted. The code also addresses the types of vehicles and uses that can be parked or stored in those areas. The code DOES NOT permit any parking in the front yard, and clearly indicates the conditions upon which second driveways and circular driveways may be permitted. Furthermore, the code eliminates the interpretive nature of our current guidelines, and indicates the specific conditions upon which applications are permitted; this avoids potential challenges that decisions are capricious when based on guidelines or approved as a conditional use rather than a permitted use basis.

Discussion

Staff requests that the Planning Commission provide additional clarification and direction before proceeding with the preparation of specific codes for consideration. Key questions to be addressed include:

1. Does the Ogden Code address the same issues faced in South Ogden?
2. Is the Ogden code a good model for the South Ogden ordinance?
3. The Ogden ordinance does not permit parking in the front yard under any circumstance – should a similar approach be applied in South Ogden? If not, what are the conditions when parking would be considered in the front yard? Is it possible to identify the specific conditions, or is a case-by-case approach required?

NOTE: a case-by-case approach would suggest that applications should be a conditional use application rather than a permitted use as applies in the Ogden code.

4. Should the code address the types of vehicles and materials that are permitted in the second driveway (operable and recreation vehicles only and no trailers, etc. for example).
5. Should the code continue to allow the Planning Commission to withdraw approval if complaints are received?
6. Do the circular drive requirements in the Ogden code address the same conditions in South Ogden? If not, what are the differences?
7. Other conditions to be addressed?

Once additional direction is received, staff will modify 10-14-18: Driveway Approach of the South Ogden City Code to address second driveways and circular driveways. That is currently limited to the following statement:

“One vehicle access location is permitted to a residential lot. Circular driveways and second accesses are allowed with the approval of the Planning Commission. ”

The next step would then be to present the draft code at a future meeting, and eventually hold a public hearing before making a recommendation to the City Council.

STAFF REPORT



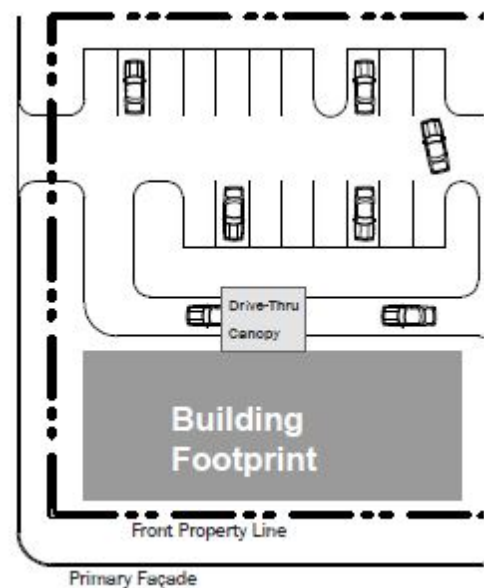
SUBJECT: Discussion on Commercial Drive-Through Operations and Where They Should Be Allowed
AUTHOR: Mark Vlastic
DEPARTMENT: City Planner
DATE: March 10, 2022

BACKGROUND

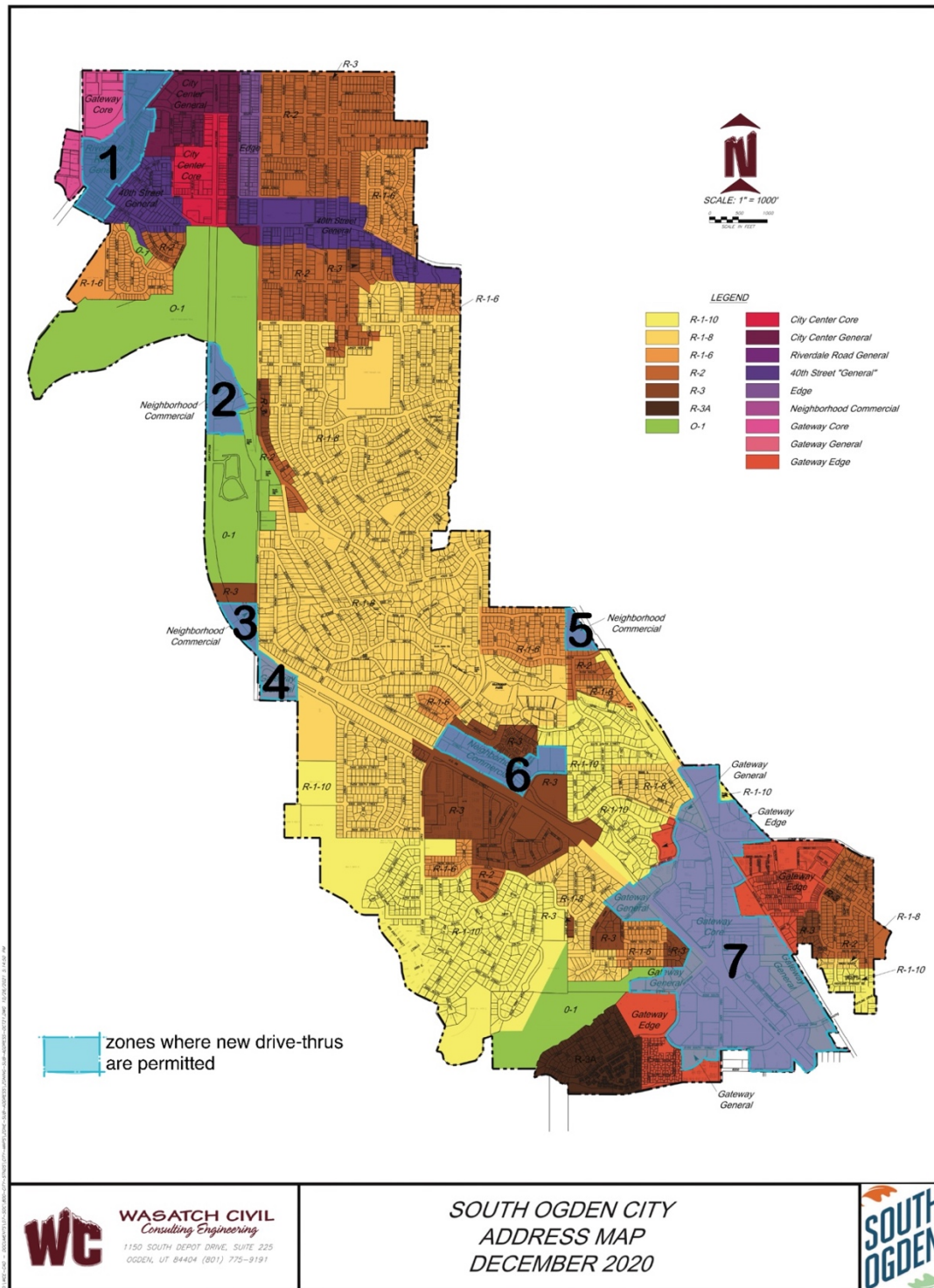
This is a follow-up to the discussion held during the February 2022 Planning Commission meeting. As a summary, city staff has received input from some business operators indicating they would like to add drive-through options for existing fast food uses. The change is due in part to the increased popularity of drive through food pick-up during the COVID-19 era.

To summarize, the design of drive-through operations was changed when form-based codes were developed for the commercial areas of the city. Previously allowed in most commercial areas of the city with few restrictions, such uses are currently limited to the Riverdale Road General in the north/downtown portion of the city and the Gateway Core, Gateway General and Neighborhood Commercial subdistricts in the south (see map).

As illustrated in the diagram to the right, drive -through operations can only be developed if they meet new design guidelines, which limit the drive-through structures or canopies to the rear facade of the building or in the rear of the lot behind the building,, in order to prevent the drive-through use from being visible from any primary street. The guidelines also requires stacking lanes to be located perpendicular to the primary façade or behind the building. The guidelines also indicate that the drive-through portion of the structure is to be constructed of the same materials as the main building.



The existing codes allow existing drive-thru businesses to maintain their drive-thru operations, while requiring new drive-through and additions to meet the new design requirements.



After discussing the current zoning requirements and whether they meet the vision and long-term needs of the city, the Planning Commission directed staff to compare the South Ogden form-based codes with those used by other cities with similar redevelopment goals. Staff was also asked to direct a critical eye on the difference between “mixed-use/pedestrian friendly and “pod” type commercial scenarios, and to

suggest areas of the city where a more liberal approach to drive-through operations might be more appropriate.

ANALYSIS

Staff has reviewed comparable codes in from several other cities, highlighting those from Salt Lake City and South Salt Lake as the closest comparables. Like South Ogden, both of these communities have undergone recent “visioning” efforts and code changes that support the redevelopment of large portions of each into pedestrian-friendly, walkable and mixed-use districts. They also maintain significant commercial areas where vehicular-oriented, big-box and “pod-type” commercial development will be retained.

In both cases, the drive-through requirements for the pedestrian-oriented districts where drive-through operations are permitted are nearly identical to those in place in South Ogden, requiring the drive-through facilities to be located in the rear of buildings so they are not visible from the fronting street. In contrast, the areas where vehicular-access uses are dominant have codes in place that are similar to those which existed previously in South Ogden, allowing drive-through uses to be located on the sides of buildings as well as the rear, thereby accommodating a wider range of potential designs and needs of such uses.

Staff was unable to contact representatives of each community to determine the success of their codes and whether they were considering any changes.

Analysis

Staff reminds the Planning Commission that the current code was developed with a clear intent of making South Ogden’s commercial areas more pedestrian-friendly and thereby supporting mixed-use development. As part of those changes, Riverdale Road General, Gateway Core, Gateway General and Neighborhood Commercial subdistricts were identified as the only areas of the city where drive-through uses would be permitted in the future, and those uses would apply the new design guidelines in order to help maintain even those areas of the city as being more pedestrian-friendly and walkable than has been the case in the past.

It may be the case that a more liberal interpretation of the vision may be appropriate, and that similar to the Salt Lake City and South Salt Lake situation, certain areas of the city may be more vehicular-dominant and thereby better support drive-through activities than other areas of the city that will be better suited as pedestrian-friendly districts.. If true the code could be adjusted to better accommodate both situations.

In both cases, the uses and associated design requirements are permitted, avoiding the potential claims of inconsistent application and potential challenges associated with a conditional use approach.

Suggestion

Staff suggests that the Planning Commission could consider a new approach, as follows, which assumes a more liberal interpretation of the established vision and a distinction between walkable and vehicular-dominant areas of the city is applicable.

1. The 40th Street General Subdistrict could be added to the list of form-based code subdistricts where drive-through uses are permitted, thereby addressing the increased demand for such uses. The current drive-through guidelines would continue to apply to these areas.
2. For lots and uses that front major streets and gateway streets (Riverdale Road, Washington Boulevard, US-89, Harrison, 40th Street and Chimes View), less restrictive design requirements for drive-through uses would be permitted, as highlighted in the following modified code:

South Ogden Form-based Code diagram and description

1. Drive-Thru: A use that allows customers to receive services or goods through a window while remaining stationary in their motor vehicles. A drive-thru does not include pumps at a gas station, or any other type of pick-up service (e.g., groceries or lumber) where the driver is required to leave the vehicle or where the services and goods are delivered by other means than through a window. Refer to section 10-5.1A-5-11 of this article, for required drive-thru development standards.

F. Drive-Through Structures: Refer to figure 5.11(8) of this section for one illustration of the following requirements:

1. Application: Drive-through structures are only allowed in the (Riverdale Road General, Gateway Core, Gateway General, Neighborhood Commercial and 40th Street General) subdistricts.
2. Structure/Canopy: Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from any primary street.
3. Stacking Lanes: Stacking lanes shall be located perpendicular to the primary facade or behind the building.
4. Canopy and Structure Material: The canopy and structure shall be constructed of the same materials utilized on the building.
5. For uses and lots that directly front any major street or gateway street (Riverdale Road, Washington Boulevard, US-89, Harrison, 40th Street and Chimes View), requirement 2 above does not apply, thereby permitting drive-through structures and canopies to be located on a

single side façade or to the rear of a structure. Such facilities are expressly prohibited on the front façade of such buildings..

Recommendation

The Planning Commission should consider the suggested changes and other information in order to determine a preferred approach. If it is determined that changes should be made, staff will make revisions and a public hearing scheduled prior to forwarding a recommendation to the City Council.

RECOMMENDATION



MINUTES OF THE SOUTH OGDEN CITY PLANNING COMMISSION MEETING

THURSDAY, FEBRUARY 10, 2022
COUNCIL CHAMBERS, CITY HALL –6:15 pm

PLANNING COMMISSION MEMBERS PRESENT

Chair Scott Amos, Commissioners John Bradley, Steve Pruess, Mike Layton, Jeremy Howe, and Angela Snowden

PLANNING COMMISSION MEMBERS EXCUSED

Robert Bruderer

STAFF PRESENT

Assistant City Manager Doug Gailey, Planner Mark Vlasic, and Recorder Leesa Kapetanov Note: Planner Mark Vlasic joined the meeting via Teams

CITIZENS PRESENT

No members of the public attended this meeting in person

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

https://www.southogdencity.com/document_center/Sound%20Files/2022/PC220210_1813.mp3
or requested from the office of the South Ogden City Recorder.

A briefing session was held before the planning commission meeting and was open to the public as well as available through Facebook Live. The audio recording for the briefing meeting can be found by clicking this link:

https://www.southogdencity.com/document_center/Sound%20Files/2022/PC220210_1736.mp3

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

- Chair Scott Amos called the meeting to order at 6:00 pm and called for a motion to convene
00:00:00

Commissioner Pruess moved to Planning Commission meeting for February 10. The motion was seconded by Commissioner Layton. Commissioners Layton, Howe, Pruess, Bradley, and Snowden all voted aye.

II. ZONING ITEMS

Discussion on Drive-Thrus and Where They Should Be Allowed

- Staff overview 00:01:09
- Discussion 00:03:08
- Direction 00:23:15

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of January 13 and 27, 2022 Planning Commission Meeting Minutes

- Motion 00:26:48

Commissioner Howe moved to approve the minutes from the January 13 and 27 meetings, followed by a second from Commissioner Layton. All present voted aye.

IV. OTHER BUSINESS

- The commission asked for an update on water-wise landscaping bills being looked at during the current legislative session 00:27:33

V. PUBLIC COMMENTS

- Chair Amos announced it was time for public comment. Since no one besides the Commission and staff were present in person, he informed those online they should immediately inform them if they wanted to make comment. No one responded.

VI. ADJOURN

- At 6:49 pm, Chair Amos called for a motion to adjourn the Planning Commission meeting 00:33:11

Commissioner Bradley moved to adjourn. Commissioner Layton seconded the motion. The voice vote was unanimous in favor of the motion.

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I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Meeting held Thursday, February 10, 2022.


Leesa Kapetanov, City Recorder

Date Approved by the Planning Commission