



NOTICE AND AGENDA

SOUTH OGDEN CITY PLANNING COMMISSION MEETING

THURSDAY, JUNE 9, 2022

Notice is hereby given that the South Ogden City Planning Commission will hold a meeting on, June 9, 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 and anyone interested may attend. The meeting will also be streamed live at facebook.southogdencity.com. 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 – Vice Chair John Bradley

II. ZONING ITEMS

- A. Discussion on Results of Survey Concerning Short Term Rentals and Direction to Staff
- B. Discussion on Drive-Thrus
- C. Discussion on the Existence and Use of Alleys in the Form Based Code Subdistricts

III. SPECIAL ITEMS

- A. Nomination and Election of Planning Commission Chair

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of May 12, 2022 PC Minutes

V. OTHER BUSINESS

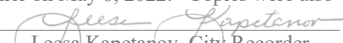
VI. STAFF REPORTS

Walmart Fueling Station

VII. PUBLIC COMMENTS

VIII. 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 May 6, 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: Proposed Code Modifications for Drive-Throughs
and Where They Should Be Allowed
AUTHOR: Mark Vlasic
DEPARTMENT: City Planner
DATE: June 9, 2022

BACKGROUND

The following are proposed changes to the South Ogden City Code regarding drive-Throughs and where they should be allowed, as directed by the Planning Commission during the May 2022 Planning Commission meeting.

10-5.1A-3-1: Introduction

A. The following subdistricts are hereby created to regulate the location of distinct mixes of building forms and uses permitted within the City Center and 40th Street Corridor Districts. Refer to section 10-5.1A-4, "Uses," of this article for uses and section 10-5.1A-5, "Building Types," of this article for building types permitted within each subdistrict.

The following subdistricts have been created, and each consists of a series of uses and building types that have been specifically calibrated for the subdistrict.

1. City Center "Core": The City Center "Core" constitutes the center of the community and heart of the new City center, and includes the majority of the shops and workplaces within the City center. The storefront building type that comprises this subdistrict defines a street wall along the primary streets of the area with storefront glass windows. Upper stories of the storefront building may be utilized for living and working.
2. City Center "General": The City Center "General" Subdistrict serves as the interstitial fabric of the City, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels, and is mainly occupied by office, retail and residential uses at a variety of scales. [This subdistrict also permits drive-through facilities to allow more flexibility for auto oriented uses as described in 10-5.1A-5-11 F\).](#)
3. Riverdale Road "General": The Riverdale Road "General" Subdistrict serves as the interstitial fabric of the City, separate from the defined center or core and the edges.

This subdistrict also encourages and promotes outdoor sales lots. Adjustments to the general requirements should be made to ensure such uses remain viable. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels, and is mainly occupied by office, retail and residential uses at a variety of scales. This subdistrict also permits drive-through ~~facilities~~ ~~structures~~ and the limited bay building type to allow more flexibility for auto oriented uses.

4. 40th Street "General": The 40th Street "General" Subdistrict combines the storefront building and stoop building to create a corridor that supports a future transit line along 40th Street. Development along this corridor will be at a smaller scale and finer grain, in relation to the City center.
5. Edge Subdistricts: The Edge Subdistricts are made up of smaller scale residential buildings, which provide a buffer between existing single-family residential neighborhoods and the "Core" and "General" Subdistricts. (Ord. 17-12, 5-4-2017, eff. 5-4-2017)

10-5.1A-4-4: Definition Of Uses

TABLE 4.1(1)

USES BY SUBDISTRICT

Key:	
P	Permitted
P ²	Permitted with development standards
C	Requires a conditional use permit
Blank	Not permitted

Uses	Subdistricts				
	City Center "Core"	City Center "General"	Riverdale Road "General"	40th Street "General"	Edge
Residential and lodging:					
Residential	P	P	P	P	P

Hotel and inn	P	P	P	P	P ²
Group living arrangements	C	C	C	C	
Civic:					
Assembly	C	C	C	C	P ²
Transit station	P	P	P	P	P ²
Hospital and clinic	P	P	P	P	
Library/museum/Post Office (no distribution)	P	P	P	P	C
Police and fire	C	C	C	C	C
School	P	P	P	P	P
Retail:					
Neighborhood retail	P	P	P	P	
General retail	P	C	P		
Outdoor sales lot			C		
Medical cannabis pharmacy	P ²		P ²		
Service:					
Neighborhood service	P	P	P	P	
General service	P	C	C		
Vehicle service		C	P ²		
Office and industrial:					
Office	P	P	P	P	P ²
Craftsman industrial	P ²	P ²	P		
Non-retail industrial			P ²		
Infrastructure:					

Parking lot	P ²	P ²	P ²	P ²	
Parking structure	P ²	P ²	P ²	P ²	
Utility and infrastructure	C	C	C	C	
Open space	P ²	P ²	P ²	P ²	P ²
Accessory uses:					
Drive- ~~thru~~ through		P ²	P ²		
Home occupation	P	P	P	P	P
Parking lot	P	P	P	P	
Parking structure	P ²	P ²	P ²	P ²	
Outdoor storage of goods		P ²	P ²		
Temporary outdoor sales lot	P	P	P	P	
Beer and liquor:					
Class A license ¹	P		P		
Class B license ²	P	P	P	P	
Class C license ³	P	P	P	C	

Notes:

¹Class A: Beer and/or liquor served and consumed on or off premises (bar, tavern, microbrewery).

²Class B: Beer and/or liquor sold on premises, but on premises consumption is prohibited (convenience and grocery stores, State liquor stores).

³Class C: Beer and/or liquor may be served with a meal in a restaurant.

10-5.1A-4-2: Definition Of Uses

L. Accessory Uses: A category of uses that are not permitted to serve as the principal use on a zoning lot.

1. Drive-~~Thru~~Through: 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.

10-5.1A-5-11: Additional Design Requirements

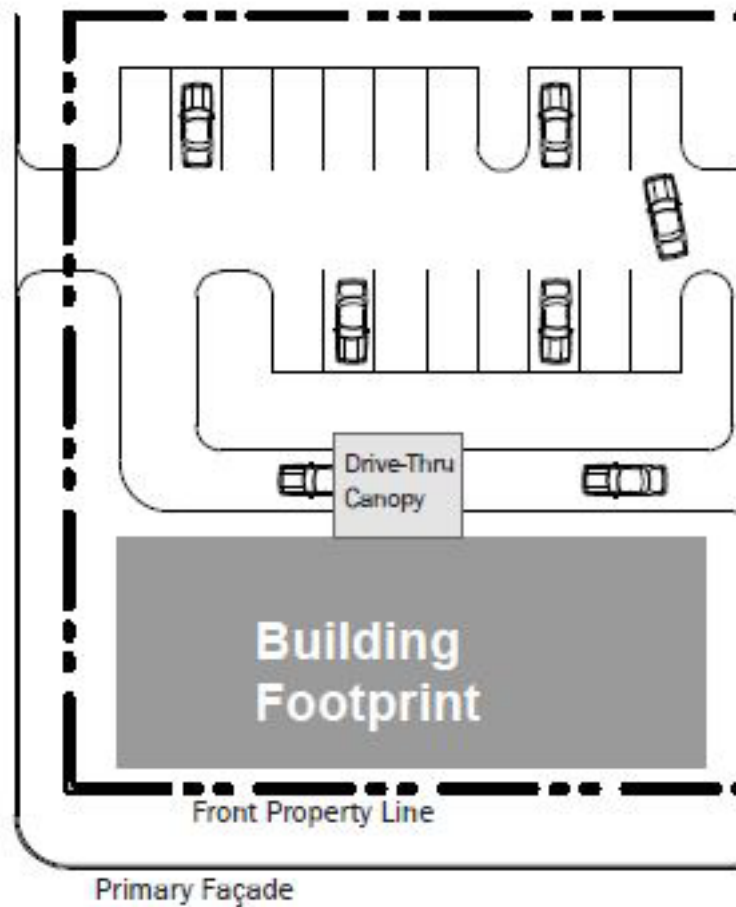
F. Drive-Through ~~Structures~~Facilities: Refer to figure 5.11(8) of this section for one illustration of the following requirements:

1. Application: Drive-through ~~structures~~facilities are only allowed in the Riverdale Road “General” Subdistrict.
 2. ~~Structure/Canopy~~Drive-Through Facilities Description: Drive-through ~~structures or canopies~~facilities include any window as described in 10-5.1A-4-2(L)(1), whether it has a canopy or is located in a separate structure from the main building. Drive-through facilities 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~~facility 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, US-89/ Washington Boulevard, and Chimes View Drive), requirement 2 above does not apply, thereby permitting drive-through facilities to be located on one side façade or to the rear of a structure in zones where permitted by use.
- ~~4.6.~~Drive-through facilities are expressly prohibited on the front façade of any building.

7. City Center Core Subdistrict drive-through facilities located on the east side of Washington Boulevard from the north city boundary south to 3700 South shall be located on the rear facade of the building or in the rear of the lot behind the building.

FIGURE 5.11(8)

RECOMMENDED DRIVE-THROUGH FACILITY LAYOUT



[Note that Drive-through facilities may be permitted on the sides of buildings in some subdistricts – see 10-5.1A-5-11 F](#)

10-5.1A-11-2: City Center "General" Subdistrict

The city center "general" subdistrict serves as the interstitial fabric of the city, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels, and is mainly occupied by office, retail and residential uses at a variety of scales. Building heights range from one to five (5) stories. [This subdistrict also permits drive-through facilities to allow more flexibility for auto-oriented uses under special circumstances.](#)

10-5.1A-11-3: Riverdale Road "General" Subdistrict

The Riverdale Road "general" subdistrict serves as the interstitial fabric of the city, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels, and is mainly occupied by office, retail and residential uses at a variety of scales. This subdistrict also permits drive-through ~~structures~~ [facilities](#) and the limited bay building type to allow more flexibility for auto-oriented uses. Building heights range from one to four (4) stories.

10-5.1B-4-1: General Requirements

TABLE 4.1(1)

USES BY SUBDISTRICT

Key:	
P	Permitted
P ²	Permitted with development standards
C	Requires a conditional use permit
Blank	Not permitted

Uses	Gateway Core	Gateway General	Neighborhood Commercial	Gateway Edge
Residential and lodging:				
Residential	P	P	P	P
Hotel and inn	P	P	P	
Group living arrangement	C	C	C	
Civic:				
Assembly	P ²	P ²	P ²	P ²
Transit station	P	P	P	P ²
Hospital and clinic	P	P	P	C
Library/museum/Post Office (no distribution)	P	P	P	C
Police and fire	C	C	C	C
School	P	P	P	P
Retail:				
Neighborhood retail	P	P	P	
General retail	P	P	P ²	
Outdoor sales lot				
Sexually oriented business			P ²	
Medical cannabis pharmacy	P ²	P ²		
Service:				
Neighborhood service	P	P	P	
General service	P ²	C	C	
Vehicle service	P ²	C		
Office and industrial:				
Office	P	P	P ²	
Craftsman industrial	P	P	P	
Infrastructure:				
Parking lot	P ²	P ²	P ²	
Parking structure	P ²	P ²	P ²	
Utility and infrastructure	C	C	C	C
Open space	P ²	P ²	P ²	P ²
Accessory uses:				
Drive-through	P ²	P ²	P ²	
Home occupation	P	P	P	C
Parking lot	P	P	P	P
Parking structure	P ²	P ²	P ²	
Outdoor storage of goods	P ²	P ²	P ²	
Temporary outdoor sales lot	P	P	P	

Beer and liquor:				
Class A license ¹	P			
Class B license ²	P	P	P	
Class C license ³	P	P	P	

Notes:

¹Class A - Beer and/or liquor served and consumed on premises (bar, tavern, microbrewery).

²Class B - Beer and/or liquor sold on premises, but on-premises consumption is prohibited (convenience and grocery stores, State liquor stores).

³Class C - Beer and/or liquor may be served with a meal in a restaurant.

Refer to subsections 10-5.1B-4-2C1 and C2 of this section 10-5.1B-4 to determine which beer and liquor uses are allowed in neighborhood retail and general retail.

10-5.1B-4-2: Definition Of Uses

- L. Accessory Uses: A category of uses that are not permitted to serve as the principal use on a zoning lot.
 - 1. Drive-~~Thru~~Through: 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 10-5.1B-5-11 of this article, for required drive-thru development standards.

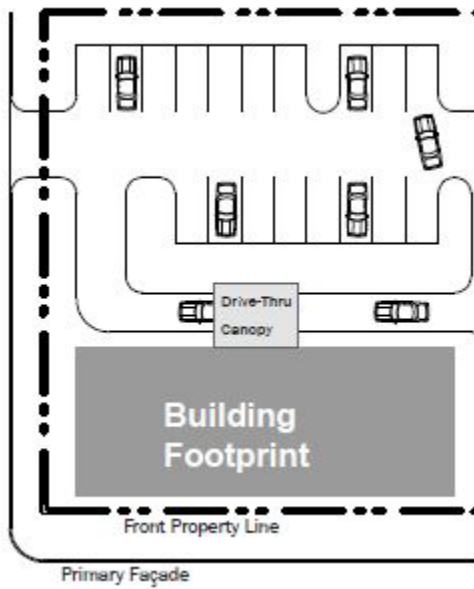
10-5.1B-5-11: Additional Design Requirements

- 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 Gateway Core, Gateway General, and Neighborhood Commercial Subdistricts.
 - 2. ~~Structure/Canopy~~Drive-Through Facilities Definition: Drive-through facilities ~~structures or canopies~~ include any window as described in 10-5.1A-4-2(L)(1), whether it has a canopy or is located in a separate structure from the main building. Drive-Through facilities shall be located on the rear facade of the building or in the rear of the lot behind the building, or side facades 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: The canopy and structure shall be constructed of the same materials utilized on the building.

4. [Drive-through facilities are expressly prohibited on the front façade of any building.](#)

FIGURE 5.11(8)

RECOMMENDED DRIVE-THROUGH FACILITY LAYOUT



[Note that Drive-through facilities may be permitted on the sides of buildings where permitted by use – see 10-5.1B-5-11 F](#)

STAFF REPORT



SUBJECT: Alley's in the Form Based Code Areas and
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: June 9, 2022

BACKGROUND

The City has recently closed two alleys; one by petition of adjoining property owners and one initiated by the City. Before any more action is taken to close alleys, staff felt the Planning Commission should look at the remaining alleys and consider their role in the Form Based Code (FBC).

At the last meeting, the Planning Commission asked staff to look into the history of alley vacations to determine whether some had already been vacated but not somehow recorded. I didn't find any instance of that happening, but rather the opposite. I found some alleys that were vacated that the City has no record of doing. I have created a map (next page) showing alleys that have been vacated and the ones still remaining. The remaining alleys are circled in blue and have a number by them. The pages after the map show aerial views of the open alleys numbered in relation to the numbers on the map. This way you can see if the adjoining land owners have kept the alleys open or if they have encroached on the City's property.

ANALYSIS

The FBC considers alleys an integral part of the code. It contemplates that since buildings are built near the street with parking behind the buildings, alleys will be used for service accesses such as loading docks for delivery of goods and equipment.

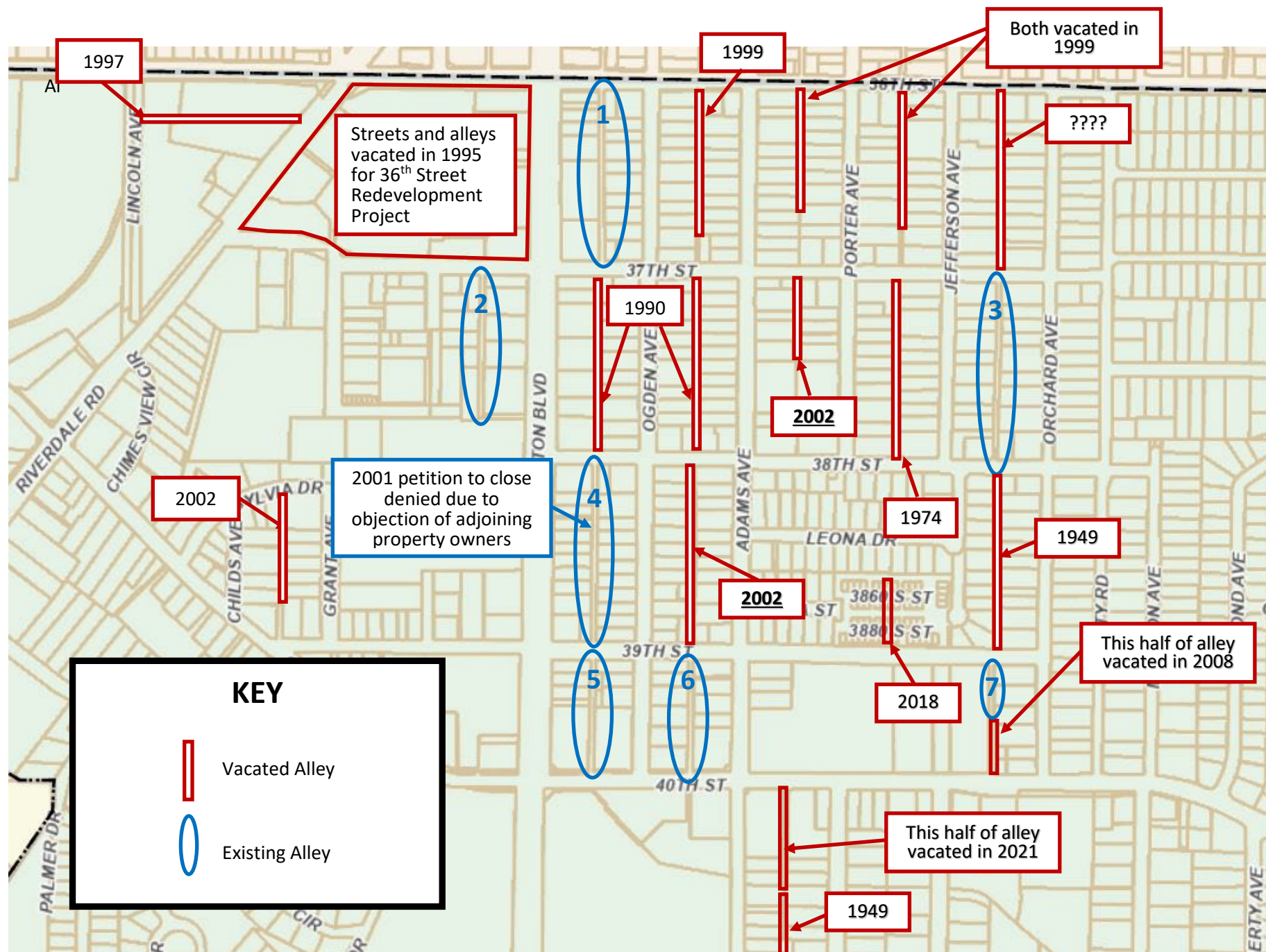
You can look at the existing alleys from two different viewpoints: 1) As something that should be preserved for future development, and 2) as something the City should vacate so we are not responsible for their maintenance, thus saving the City money.

If the alleys are preserved, they may be used as bargaining chips for future development. Or they may just remain a thorn in Jon Andersen's side as his crews must keep them reasonably free from junk and weeds.

If the alleys are vacated, it would save the City money by not having to invest the time and money to maintain them. If a developer wants to use an alley as part of his development, he would simply include it in the plan; however, it would be his property and he would be responsible for all upkeep.

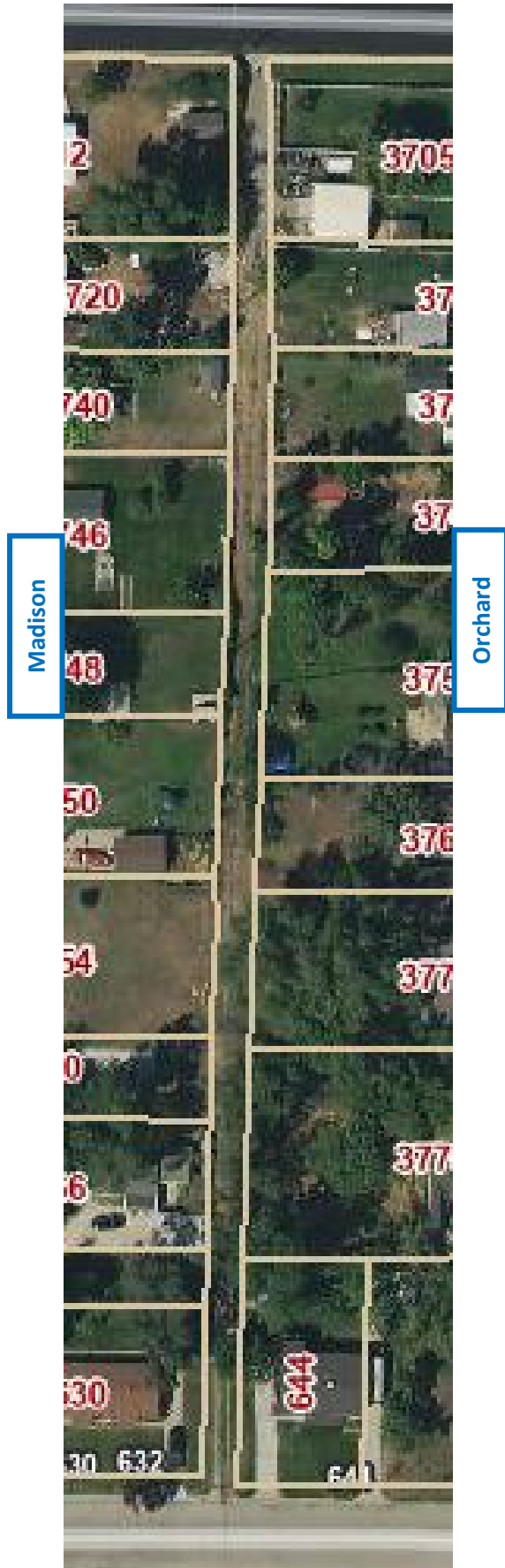
RECOMMENDATION

Staff has no recommendation. We are looking for direction on how to handle future petitions to vacate an alley, if any. Or looking for direction as to whether we should actively pursue the vacation of existing alleys in the City.

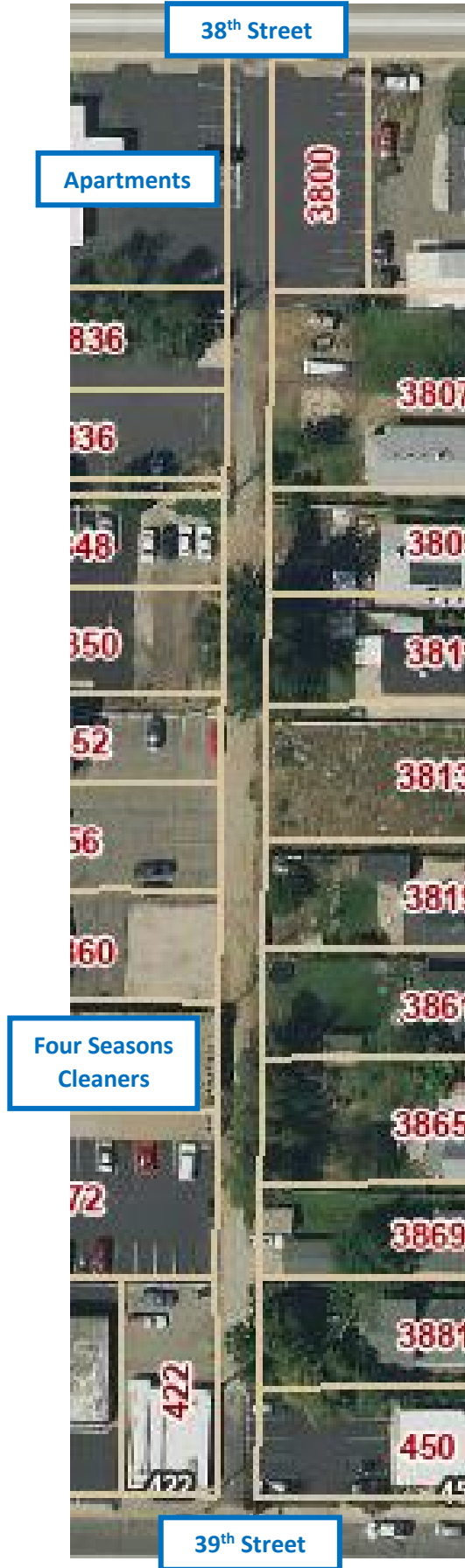


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Process for Nomination and Election of New Planning Commission Chair

Nominations From The Floor

Sometimes called *open nominations*, this method is probably the most familiar. It's used in the vast majority of situations in which members elect their officers at a meeting. Your group's rules and customs determine when floor nominations are accepted. Sometimes nominations aren't taken until the election is pending, and sometimes they're taken at other times, such as at a meeting before the election meeting.

The process of making floor nominations is subject to the following rules:

- Recognition by the chair is not required to make a nomination. However, calling nominations from your seat is often impractical, so you may want to adopt a more formal nomination process.
- Nominations don't have to be seconded, but it's not out of order for members to second a nomination to signal their endorsement.
- A person can nominate himself or herself.
- A member shouldn't offer more than one nomination to a position if there are several seats for the same office — such as for nominees to a board or a committee — until all other members have had the opportunity to make nominations.
- If the bylaws don't prohibit it, a person can be nominated for more than one office and can even serve in more than one office if elected.
- Nominees do not have to leave the room during the nominations, when the vote is taken, or when the vote is counted.
- The presiding officer can continue presiding, even if he or she is one of the nominees for the office.
- A member can rise and decline the nomination during the nominating process.
- After each nomination, the president repeats the name to the assembly.
- Nominations are taken for successive offices in the order they're listed in the bylaws.

Motions to close nominations are usually unnecessary because the nomination process simply continues until no one wishes to make further nominations. When the nominations stop, the chair just declares nominations closed after making sure that no more nominations are forthcoming. Customarily (although it's not required), the chair accomplishes this by calling three times for more nominations.

According to Robert's Rules, a motion to close nominations is out of order *as long as any member wishes to make a nomination*.

A motion to close nominations is usually not necessary unless it is apparent that members are nominating people just to honor them, and that the nominees have no intention of serving.

Usually the president closes nominations when no further nominations come forward from the assembly.

CONDUCTING ELECTIONS

The election process may be the easiest part of deciding who handles a particular job in the organization. Robert's Rules on elections are very straightforward after what is often a politically charged prequel of nominating and campaigning.

An election is really nothing more than the handling of an assumed motion, with the question being on whom to elect to fill a position. Like any incidental main motion, an election can be decided by voice vote or by ballot.

Electing By Ballot

Ballot voting is by far the surest way to allow for the free expression of the will of the membership.

When holding ballot elections, you have two procedural options:

- **Nominations for all offices conclude before any balloting begins.** This saves time and allows for polling at a time and place other than a meeting. However, it disadvantages candidates who lose an election for a position decided earlier and then can't serve a different position. When using this procedure, make it clear that a person can be nominated for and elected to more than one office. If a person is elected to two different positions, she can either choose which office to accept or serve in more than one position, if that's allowed.
- **Nominations for each office are followed by the election for that office.** The main advantage here is that it allows members to consider the election results of one office before proceeding to the election of another office. You take nominations from the floor for one office, and when no further nominations are forthcoming, you proceed to the balloting for that office. This method requires more time for the election process, making it probably best limited to smaller groups.

No matter which procedure you use, the order in which you take up each election is the order in which the offices are listed in your bylaws.

Voting by ballot enables a member to vote for a candidate not formally nominated by writing in a name — a *write-in vote*. A write-in vote is a legal vote unless it's unintelligible or cast for an unidentifiable or ineligible person or for a fictitious character, in which case it's counted as an illegal vote.

Ballot voting is the preferred voting method in situations in which knowing how all the members voted isn't desirable. You can use a ballot vote to decide either a motion or an election:

- **If the ballot vote decides a motion,** the question is clearly stated by the chair, and you're instructed to mark your ballot *Yes* or *No* (or *For* or *Against*).
- **If the ballot vote decides an election,** you're instructed to write the name of the nominee of your choice on your ballot.

It's never in order to vote *Yes* or *No* (or *For* or *Against*) a candidate when electing persons to office.

The only way you can vote *against* a candidate is to vote *for* another person.

6/8/2018 Robert's Rules of Order, Nominations And Elections

http://westsidetoastmasters.com/resources/roberts_rules/chap12.html 6/10

Who Gets To Vote

Depending on your organization and the decisions being made, balloting may take place during a meeting, or polls may be open during polling periods including times when no meeting is in progress.

In either case, you need to appoint reliable ballot counters to hand out and collect ballots and to count the votes.

Only members entitled to vote are given ballots or are allowed to deposit ballots with a ballot counter or place them in the ballot receptacle. If polling is conducted outside of a meeting, members should verify their credentials with election officials when casting their votes at the polls, and members' names should be checked on a list showing who has voted.

The presiding officer votes along with all the other members, although she is *never* allowed to cast a tie-breaker in a ballot vote.

A member has the right to vote until the polls are closed. A late-arriving member can vote only with other members' consent by majority vote.

Counting The Ballots

When counting ballots, ballot counters need to keep a few key points in mind:

- Blank votes are treated as scrap paper and don't count at all.
- Illegal votes cast by legal voters count toward the total votes cast, but they don't count for any individual choice or candidate. Illegal votes are
 - Unintelligible ballots
 - Ballots cast for a fictional character
 - Ballots cast for an ineligible candidate
 - Two or more marked ballots folded together (together they count as only one illegal vote)
 - If a marked ballot is folded together with a blank ballot, the marked ballot counts as one legal vote, and the blank ballot is considered scrap paper.
- Each question on a multipart ballot is counted as a separate ballot. If a member leaves one part blank, the votes entered on the other questions still count.
- If a member votes for more choices than positions to be elected, the vote is considered illegal.
- If a member votes for fewer choices than positions to be elected, the vote is legal and those votes count.
- Small technical errors, such as spelling mistakes or marking an X when a checkmark is called for, don't make a vote illegal as long as the voter's intent is discernible.
- Votes cast by illegal voters must not be counted at all, not even included in the number of total votes cast. If it's determined that enough illegal votes were cast by illegal voters to affect the result, and these votes can't be identified and removed from the count, then the vote is deemed null and must be retaken.

6/8/2018 Robert's Rules of Order, Nominations And Elections

http://westsidetoastmasters.com/resources/roberts_rules/chap12.html 7/10

After The Vote

After the votes are counted, the lead ballot counter reads aloud to the membership the complete report of the vote counts but doesn't declare the result. That job belongs to the presiding officer, who reads the report again to the members, concluding with a formal declaration of the result. The entire ballot counters' report should be included in the minutes of the meeting.

In determining how long to hold the ballots before destroying them, your main consideration is the possibility of needing a recount. After the period during which a recount can be conducted has passed, you don't need to keep the ballots. A decision on how long to keep them can be made at the meeting when the vote takes place, or a short retention period for ballots can be adopted as a standing rule.

Electing By Voice Vote

If your bylaws don't require you to conduct an election by ballot, and if candidates are unopposed or there's no major contest for an office, you can save time with a simple voice vote (or *viva voce*). After nominations are closed, the vote is taken on each nominee in the order in which they were nominated.

Because this form of voting favors one candidate over another based on the order of nomination, you should avoid using it except in mass meetings or when there's no serious contest for the office and a ballot is not required. If members don't understand exactly how it works, the ones whose preferred candidate doesn't get voted on are likely to think something is amiss.

Electing By Roll Call

If your assembly's members are accountable to a constituency, your rules may require you to conduct your elections by roll-call vote. You follow the same procedures for elections by ballot, as far as arriving

at the point of the election is concerned, but instead of casting your vote by ballot, each member announces his vote when the secretary calls that person's name. The secretary repeats the vote after recording it, to ensure accuracy.

Determining Who Wins

Elections are decided by majority vote unless your bylaws provide differently. In a voice vote, the winner is easy to determine and the vote is over when someone wins the election. When it comes to ballot elections, your election isn't complete until a position is filled, and a position is never filled until a candidate receives the threshold number of votes required for election. In most cases, the threshold is a majority of the votes cast. If you have only two candidates and the vote is a tie, you repeat the balloting until one candidate receives a majority.

Balloting must continue until a candidate receives a majority. It's never proper to drop the candidates receiving the lowest vote totals from a ballot unless they withdraw voluntarily. That means run-offs are just plain out of order. The requirement for election by ballot is a majority, and a candidate has no obligation to withdraw just because he polls low numbers. Your members may wind up voting for Mr. Low as the compromise candidate.

Additional Points Concerning Elections

Here are some other things to consider during the election process:

- A quorum needs to be present throughout the election meeting. If members leave during the meeting so that a quorum is not present, those offices not yet elected must be put off until an adjourned meeting or until the next meeting.
- Ballot counters should cast their ballots at the same time that the assembly votes.
- If a member is elected and not present and has not previously said that if elected he or she will serve, someone should call the member to see if he or she will accept the office. If not, the members can vote again during that meeting for another candidate.
- If an elected candidate declines the office after he or she is elected and after the meeting has adjourned, another election needs to take place, if at all possible. If the bylaws specifically address this situation, members should follow the bylaws.
- If it is discovered after an election that the person elected does not meet the eligibility requirements, and even if the person has begun to serve, the election is void. The organization must have another election.
- A member can't make the motion to adjourn while the assembly is occupied with taking a vote, verifying a vote, or announcing a vote, except when the vote is by ballot. In a ballot vote, after the ballot counters have collected all the ballots, a member can make the motion to adjourn. If the motion is adopted, the assembly can adjourn before the vote is announced if it has another meeting scheduled. The balloting committee can still count the ballots. When the next meeting begins, the first order of business is to hear the report of the balloting committee and for the presiding officer to announce the vote that was taken at the previous meeting.
- If counting ballots takes some time, it is best for the assembly to take a recess instead of adjourn.
- In counting the votes, the balloting committee must not confuse a majority vote with the highest number of votes. The person who gets the most votes may not have a majority of the votes. In this case, the members must vote again until one candidate receives a majority vote.
- If there is a question about the way a ballot is marked, the ballot counters should take it to the presiding officer. He or she should present it to the assembly to decide what to do with the vote - whether to count it and toward what name to credit the vote.

- When presenting the nominations or taking the vote for a list of offices, the president should follow the order of offices that appears in the bylaws.
- If a person has been nominated to more than one office and is elected to two offices, he or she can choose which office he or she wants. The assembly then votes again on the other office.
- If a member is not present to choose which office he or she wants to serve, the members vote on which office they want him or her to serve. Members then vote on a candidate to fill the remaining office.
- If members adjourn before an election is complete, they should set the time for an adjourned meeting to finish the election. If they don't set a time for an adjourned meeting, they can call a special meeting (if the bylaws allow this). Or, members can also finish the election at the next regular meeting if the meeting falls within a quarterly time period.
- If members are voting for offices that have staggered terms or that last more than a year, the secretary should include in the minutes when the term expires. The minutes may say, for example, "Eric Olson was elected to the board for two years. His term expires July, 2014."
- If electronic machines are used for voting, they should be programmed so that each segment of the ballot is treated as if it were a separate ballot. Ballot counters present during the voting should be carefully instructed in their duties and should be able to explain to other members how to use the machine. If members haven't used the machine before, it may be wise to show them how to use it the day before the election.



MINUTES OF THE SOUTH OGDEN CITY PLANNING COMMISSION MEETING

THURSDAY, MAY 12, 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 Robert Bruderer

COMMISSIONERS EXCUSED

Angela Snowden

STAFF PRESENT

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

CITIZENS PRESENT

Derek Petersen, Vanessa Watts, Kertsi Cobb, Neil Grose, Brean Jacobs, Alan L. West, Jeremy Krause, Dean Halling, Marilyn Halling, Joseph Nielson, Stephen McKay, Kathleen Thorsted, Daniel Goodwin

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

https://files4.1.revize.com/southogden/document_center/Sound%20Files/2022/PC220512_1711.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://files4.1.revize.com/southogden/document_center/Sound%20Files/2022/PC220512_1634.mp3

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

- Chair Scott Amos called the meeting to order at 6:15 pm and called for a motion to convene
00:00:00

Commissioner Bradley moved to convene as the South Ogden City Planning Commission for May 12. The motion was seconded by Commissioner Howe. Commissioners Layton, Pruess, Bradley, Howe, and Bruderer all voted aye.

II. PUBLIC HEARING

To Receive and Consider Comments a Proposed Development Agreement with Ogden Clinic for Property Located at 1378 and 1394 E 6000 S

- Chair Amos announced the purpose of the public hearing and asked those online who wanted to comment to do so now. He then called for a motion to open the public hearing.

00:00:27

Commissioner Howe moved to open the public hearing to receive and consider comments a proposed development agreement with Ogden Clinic for property located at 1378 and 1394 E 6000 S. Commissioner Pruess seconded the motion. The voice vote was unanimous in favor of the motion.

- Staff overview 00:02:20
- Public Comment
 - Kertsi Cobb 00:06:13 Spoke against the development agreement.
 - Derek Petersen 00:07:47 Spoke against the development agreement
 - Neil Grose 00:12:38 Spoke against the development agreement.
 - Stephen McKay 00:15:17 Spoke against the development agreement.
 - Joseph Nielson 00:16:08 Spoke against the development agreement.
- There were no other public comments nor any online comments. The chair called for a motion to close the public hearing.

00:17:00

Commissioner Bradley moved to close the public hearing and reconvene as the planning commission, followed by a second from Commissioner Pruess. All present voted aye.

III. SPECIAL ITEMS

A. Consideration of Site Plan Approval for Terrazza Development

- Staff Overview 00:18:26
- Questions by Commissioners for Developer Jared Payne 00:19:38
- Chair Amos called for a motion to approve the project development plan for the Terrazza Development

00:24:17

Commissioner Howe moved to forward the plan to the City Council with a recommendation of approval. Commissioner Bradley seconded the motion. Chair Amos made a roll call vote:

Commissioner Bradley- Yes
Commissioner Bruderer- Yes
Commissioner Howe- Yes
Commissioner Layton- Yes
Commissioner Pruess- No

Commissioner Pruess stated he had a concern with the fact that the developer could hire their own inspectors.

The motion stood.

B. Consideration of Request for Second Driveway Located at 1190 E 5700 S

- Comments by Dean Halling, applicant
00:26:13
- Staff overview/questions for Mr. Halling
00:30:36
- Motion
00:41:21

Commissioner Bradley moved to approve the second driveway located at 1190 E 5700 S, followed by a second from Commissioner Howe. The chair called the vote:

Commissioner Bradley- Yes
Commissioner Bruderer- Yes
Commissioner Howe- Yes
Commissioner Layton- Yes
Commissioner Pruess- Yes

The second driveway was approved.

IV. SUBDIVISION APPROVAL

Consideration of Grant Avenue Townhome Subdivision Approval

- Staff overview
00:42:04
- Questions for Developer Jeremy Krause
00:43:04
- Motion
00:44:36

Commissioner Howe moved to approve the townhome subdivision with the condition that the CC&Rs be reviewed and approved by the City Attorney. The motion was seconded by Commissioner Bruderer. Chair Amos made a roll call vote:

Commissioner Bradley- Yes

Commissioner Bruderer- Yes
Commissioner Howe- Yes
Commissioner Layton- Yes
Commissioner Pruess- Yes

The Grant Avenue Subdivision was approved.

V. ZONING ITEMS

A. Discussion/Recommendation on Proposed Development Agreement with Ogden Clinic for Building Located at 1394 E 6000 S

- Discussion 00:45:11
- Questions for Engineer Daniel Goodwin, representing Ogden Clinic 01:06:34
- Motion 01:13:44

Commissioner Bruderer moved to (recommend) approval of the Ogden Clinic Development Agreement with the caveat that they provide four dedicated parking stalls and eleven shared parking stalls on approval of the CC&Rs for access to park (trail). Commissioner Pruess seconded the motion. Chair Amos asked if there was further discussion on the motion. Planner Vlassic pointed out that no mention of the hours of access for the parking stalls was mentioned in the motion. Commissioner Bruderer amended his motion to include that the parking stalls have access during the times the park is open. Commissioner Pruess seconded the amendment. The Chair called the vote:

Commissioner Bradley- Yes
Commissioner Bruderer- Yes
Commissioner Howe- Yes
Commissioner Layton- Yes
Commissioner Pruess- Yes

The motion stood.

B. Discussion on Drive-Thrus

- Staff overview 01:17:23
- Discussion 01:20:50

C. Discussion on the Existence and Use of Alleys in the Form Based Code Subdistricts

- Direction to staff 01:43:26

175 **VI. APPROVAL OF MINUTES OF PREVIOUS MEETING**

176 Approval of April 14, 2022 Minutes

- 177 • Chair Amos called for a motion for the minutes

178 01:44:06

179
180 **Commissioner Bradley moved to approve the minutes from the April 14, 2022 meeting. The**
181 **motion was seconded by Commissioner Layton. All present voted aye.**
182

183
184 **VII. OTHER BUSINESS**

- 185 • Commissioner Pruess explained some other reasons he voted against the Terraza site
186 Plan

01:44:25

187
188
189 **VIII. STAFF REPORTS**

190 Walmart Fueling Station

- 191 • Staff said they would report on the fueling station at the next meeting

192 01:47:29

193
194
195 **IX. PUBLIC COMMENTS**

- 196 • Chair Amos asked if there were any public comments. There were no comments either
197 from those present or those online

198 01:48:19

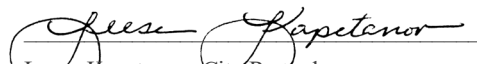
199
200
201 **X. ADJOURN**

- 202 • At 8:24 pm, Chair Amos called for a motion to adjourn

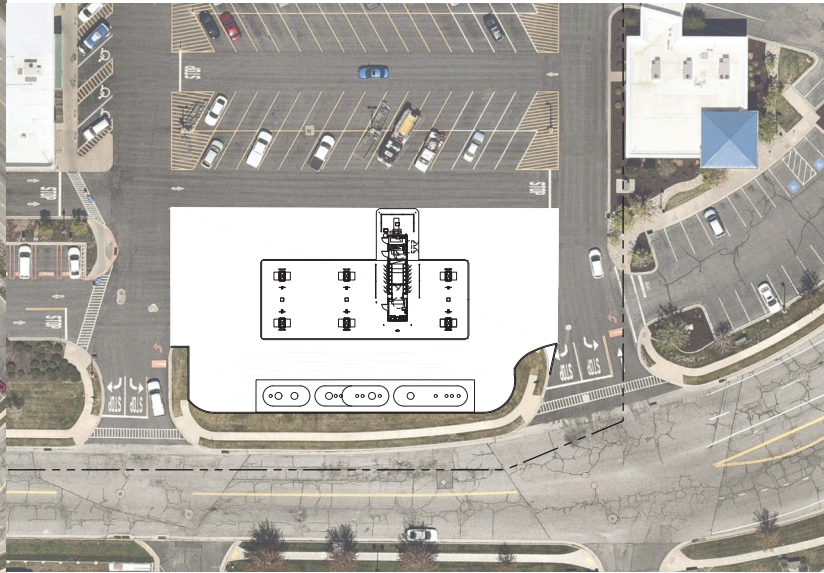
203 01:48:40

204
205 **Commissioner Bradley moved to adjourn. Commissioner Pruess seconded the motion.**
206 **The voice vote was unanimous in favor of the motion.**
207

208
209
210
211 I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Meeting
212 held Thursday, May 12, 2022.

213
214 
215 Leesa Kapetanov, City Recorder

Date Approved by the Planning Commission



LEGEND

PRELIMINARY SITE
PLAN C - 440 6 STACK

DATE	11/15/2021
SCALE	AS SHOWN
DESIGNED BY	CL
DRAWN BY	CL
CHECKED BY	RWA

LICENSED PROFESSIONAL

Kimley»Horn
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