



**CITY COUNCIL MEETING AGENDA
OCTOBER 25, 2022 AT 6:00 PM
505 EAST 2600 NORTH
NORTH OGDEN, UT 84414**

PUBLIC CAN ATTEND:

In person OR:

Click the link below to join the webinar: <https://us02web.zoom.us/j/82454219066> Webinar ID: 824 5421 9066

Or Telephone Dial: 1 346 248 7799 or 1 669 900 9128 or 1 253 215 8782

YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>

Welcome: Mayor Berube

Invocation & Pledge of Allegiance: Council Member Dalpiaz

CONSENT AGENDA

1. Call for conflict of interest disclosure
2. Discussion and/or action on final acceptance of Cherry Springs Villas Subdivision
Presenter: Dylan Hill, Public Works Inspector
3. Discussion and/or action on final acceptance of Northwood Hills Phase 1 Subdivision
Presenter: Dylan Hill, Public Works Inspector
4. Discussion and/or action to consider August 23, 2022, City Council meeting minutes
5. Discussion and/or action to consider September 13, 2022, City Council meeting minutes

ACTIVE AGENDA

6. Public Comments
7. Discussion and/or action to consider an Ordinance amending accessory building standards regarding zones R-2, R-3, R-4, and PRUD
Presenter: Kai Johnsen, Planning Technician
8. Discussion on North Ogden City property ownership
Presenter: Scott Hess, Planning Director
9. Discussion and/or action to consider an Ordinance to allow short-term rental properties
Presenter: Scott Hess, Planning Director
10. Discussion and/or action to on consider a property purchase by North Ogden City for a parcel of land located at approximately 1500 North 200 West, from Weber-Box Elder Conservation District with Storm Water Funds
Presenter: Scott Hess, Planning Director

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

The Council at its discretion may rearrange the order of any item(s) on the agenda. Final action may be taken on any item on the agenda. In compliance with the American with Disabilities Act, needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify the City Recorder at 801-782-7211 at least 48 hours prior to the meeting. In accordance with State Statute, City Ordinance, and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the North Ogden City limits on this 20th day of October, 2022 at North Ogden City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, and at <http://www.northogdencity.com>. The 2022 meeting schedule was also provided to the Standard Examiner on December 16, 2021. Susan L. Nance, CMC, City Recorder

11. Council Department Reports:
 - a. Council Member Barker – Parks and Recreation
 - b. Council Member Dalpiaz – Building and Planning
 - c. Council Member Swanson – Finance
 12. Public Comments
 13. Mayor/Council/Staff Comments
 14. Adjournment
-

Public Comments/Questions

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



NORTH OGDEN CITY STAFF REPORT

TO: NORTH OGDEN CITY COUNCIL

FROM: DYLAN HILL

PUBLIC WORKS INSPECTOR

DATE: 10/13/2022

BASED ON RECOMMENDATION FROM OUR CITY ENGINEER, ERIC CASPERSON, FINAL INSPECTIONS HAVE BEEN COMPLETED ON CHERRY SPRINGS VILLAS AND IT HAS BEEN FOUND UP TO CITY CODE AND STANDARDS.

A REQUEST TO RELEASE ALL REMAINING FUNDS HAS BEEN PROVIDED TO THE ESCROW AGENT ASSIGNED TO THIS SUBDIVISION. UPON CITY COUNCIL APPROVAL, NORTH OGDEN CITY WILL TAKE OVER ALL RESPONSIBILITY FOR THE INFRASTRUCTURE AND ROADWAY.

GENERAL NOTES

1. THIS PLAT IS SUBJECT TO THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR CHERRY SPRINGS VILLAS MAY BE AMENDED FROM TIME TO TIME ("DECLARATION"), THAT HAS BEEN OR WILL BE RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER WHICH SET FORTH THE RESTRICTIONS AND GENERAL PLAN OF IMPROVEMENT FOR THE PROPERTY DESCRIBED IN THIS PLAT. CERTAIN TERMS NOT OTHERWISE DEFINED IN THIS PLAT SHALL HAVE THE MEANINGS ASSIGNED TO SUCH TERMS IN THE DECLARATION.

2. PURSUANT TO THE DECLARATION, CHERRY SPRINGS VILLAS HOMEOWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION, IS RESPONSIBLE FOR MAINTAINING CERTAIN PORTIONS OF THE COMMUNITY, INCLUDING: (A) ALL COMMON AREAS; (B) EXTERIOR STRUCTURAL ELEMENTS OF THE RESIDENCES; (C) LANDSCAPED AREAS, WHETHER LOCATED IN THE COMMON AREAS OR PUBLIC RIGHT OF WAY; (D) DESIGNATED PARKING AREAS WITH APPEARANCES AND (E) CONCRETE IMPROVEMENTS, FINISHES AND DRAINAGE LOCATIONS ON A LOT, AS SUCH MAINTENANCE OBLIGATIONS ARE FURTHER DESCRIBED IN THE DECLARATION. THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION.

3. THE AREAS DESIGNATED AS LOTS ON THIS PLAT ARE TO BE PRIVATE OWNERSHIP, WHICH SHALL BE SUBJECT TO THE DECLARATION. THE AREAS DESIGNATED AS COMMON AREAS SHALL BE SUBJECT TO THE DECLARATION, UNLESS DECLARANT OTHERWISE DETERMINES IN ITS SOLE AND EXCLUSIVE DISCRETION, ALL OTHER AREAS OF THE COMMUNITY BELONGING TO THE COMMON AREAS OR PUBLIC RIGHT OF WAY. (F) DESIGNATED PARKING AREAS WITH APPEARANCES AND (E) CONCRETE IMPROVEMENTS, FINISHES AND DRAINAGE LOCATIONS ON A LOT, AS SUCH MAINTENANCE OBLIGATIONS ARE FURTHER DESCRIBED IN THE DECLARATION. THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION.

4. A DECLARANT SHALL HAVE THE RIGHT TO MAKE (UNLATERAL ADJUSTMENTS TO THE EASE AND LOCATION OF THE RESIDENCES TO BE CONSTRUCTED ON THE LOT PRIOR TO SUBMITTAL TO THE NORTH OGDEN CITY PLANNING DEPARTMENT FOR PERMITTING, AND NO ADJUSTMENT TO THE LOT SHALL BE REQUIRED TO SUCH ADJUSTMENT. DECLARANT SHALL HAVE THE RIGHT TO BUILD REFERENCES TO THE LIMITS OF THE PLATTED LOTS FOR PURPOSES OF CONFORMANCE AND THE SHOWN BOUNDARY LINES OF THE LOTS APPROVED WITH RESPECTS WHEREBY CONNECTED BY A PARTY WALL SHALL BE CONSIDERED PRESUMED TO BE THE ACTUAL LOCATION OF THE PARTY WALL.

5. A DECLARANT HEREBY RESERVES FOR THE BENEFIT OF ITSELF, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO REVOKE AND ADJUST LOT BOUNDARY LINES IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION FOR THE PURPOSES OF PROPERTY CONFIGURATION AND PLANNING ENGINEERING OF THE COMMUNITY PROVIDED THAT ANY SUCH REVISION AND ADJUSTMENT DOES NOT AFFECT ANY EXISTING RESIDENCE OR IMPROVEMENT, OTHER THAN LANDSCAPING, ANY LOT LINE ADJUSTMENT IS REQUIRED TO OBTAIN LOT LINE ADJUSTMENT REVIEW AND APPROVAL FROM NORTH OGDEN CITY, FOR THE NORTH OGDEN CITY CODE AND UTAH CODE REQUIREMENTS.

6. ALL UTILITIES WITHIN THE COMMUNITY SHALL BE UNDERGROUND, SUBJECT TO THE TERMS OF THE DECLARATION, ALL PUBLIC AND PRIVATE UTILITY COMPANIES, THEIR SUCCESSORS AND ASSIGNS, SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION. THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION.

7. ALL COMMON AREAS ARE DESIGNATED AS A BLANKET PUBLIC UTILITY EASEMENT ("PUE").

8. THE STORM WATER BASIN WITHIN THE COMMON AREAS OF THIS DEVELOPMENT IS CONSIDERED PRIVATE AND THE ASSOCIATION IS RESPONSIBLE TO FURNISH POWER, CONSTRUCTION, REPLACEMENT, REPAIR, OPERATION, AND MAINTENANCE ACCORDING TO CITY AND STATE STANDARDS.

9. THE ASSOCIATION SHALL MAINTAIN ALL SEWER LATERALS AT THE DEVELOPMENT BEGINNING AT THE SEWER MAIN PIPE AND CONTINUING TO THE POINT WHERE THE SEWER LATERAL PIPE PENETRATES INTO THE RESIDENCE THROUGH THE CONCRETE FLOOR SLAB. THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION.

10. THE ASSOCIATION SHALL MAINTAIN ALL SEWER LATERALS AT THE DEVELOPMENT BEGINNING AT THE SEWER MAIN PIPE AND CONTINUING TO THE POINT WHERE THE SEWER LATERAL PIPE PENETRATES INTO THE RESIDENCE THROUGH THE CONCRETE FLOOR SLAB. THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION.

11. THE ASSOCIATION SHALL MAINTAIN ALL SEWER LATERALS AT THE DEVELOPMENT BEGINNING AT THE SEWER MAIN PIPE AND CONTINUING TO THE POINT WHERE THE SEWER LATERAL PIPE PENETRATES INTO THE RESIDENCE THROUGH THE CONCRETE FLOOR SLAB. THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION.

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16. THE ASSOCIATION SHALL MAINTAIN ALL SEWER LATERALS AT THE DEVELOPMENT BEGINNING AT THE SEWER MAIN PIPE AND CONTINUING TO THE POINT WHERE THE SEWER LATERAL PIPE PENETRATES INTO THE RESIDENCE THROUGH THE CONCRETE FLOOR SLAB. THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION.

17. THE ASSOCIATION SHALL MAINTAIN ALL SEWER LATERALS AT THE DEVELOPMENT BEGINNING AT THE SEWER MAIN PIPE AND CONTINUING TO THE POINT WHERE THE SEWER LATERAL PIPE PENETRATES INTO THE RESIDENCE THROUGH THE CONCRETE FLOOR SLAB. THE ASSOCIATION SHALL HAVE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER THE PROPERTY AND THE COMMUNITY FOR SUCH MAINTENANCE PURPOSES AS FURTHER DESCRIBED IN THE DECLARATION.

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CHERRY SPRINGS VILLAS

A PLANNED RESIDENTIAL UNIT DEVELOPMENT
NORTH OGDEN CITY, WEBER COUNTY, UTAH
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26, THE NORTHWEST
QUARTER OF SECTION 32, T7N, R7E, SLB4M, WEBER COUNTY, UTAH

LINE DATA TABLE

LINE	BEARING	LENGTH
1	N 17°14'10" E	40.00
2	N 88°55'10" W	73.20
3	N 14°40'22" E	40.00
4	N 17°14'10" E	40.00
5	N 17°14'10" E	40.00
6	N 17°14'10" E	40.00
7	N 17°14'10" E	40.00
8	N 17°14'10" E	40.00
9	N 17°14'10" E	40.00
10	N 17°14'10" E	40.00
11	N 17°14'10" E	40.00
12	N 17°14'10" E	40.00
13	N 17°14'10" E	40.00
14	N 17°14'10" E	40.00
15	N 17°14'10" E	40.00
16	N 17°14'10" E	40.00
17	N 17°14'10" E	40.00
18	N 17°14'10" E	40.00
19	N 17°14'10" E	40.00
20	N 17°14'10" E	40.00
21	N 17°14'10" E	40.00
22	N 17°14'10" E	40.00
23	N 17°14'10" E	40.00
24	N 17°14'10" E	40.00
25	N 17°14'10" E	40.00
26	N 17°14'10" E	40.00
27	N 17°14'10" E	40.00
28	N 17°14'10" E	40.00
29	N 17°14'10" E	40.00
30	N 17°14'10" E	40.00
31	N 17°14'10" E	40.00
32	N 17°14'10" E	40.00
33	N 17°14'10" E	40.00
34	N 17°14'10" E	40.00
35	N 17°14'10" E	40.00
36	N 17°14'10" E	40.00
37	N 17°14'10" E	40.00
38	N 17°14'10" E	40.00
39	N 17°14'10" E	40.00
40	N 17°14'10" E	40.00
41	N 17°14'10" E	40.00
42	N 17°14'10" E	40.00
43	N 17°14'10" E	40.00
44	N 17°14'10" E	40.00
45	N 17°14'10" E	40.00
46	N 17°14'10" E	40.00
47	N 17°14'10" E	40.00
48	N 17°14'10" E	40.00
49	N 17°14'10" E	40.00
50	N 17°14'10" E	40.00
51	N 17°14'10" E	40.00
52	N 17°14'10" E	40.00
53	N 17°14'10" E	40.00
54	N 17°14'10" E	40.00
55	N 17°14'10" E	40.00
56	N 17°14'10" E	40.00
57	N 17°14'10" E	40.00
58	N 17°14'10" E	40.00
59	N 17°14'10" E	40.00
60	N 17°14'10" E	40.00
61	N 17°14'10" E	40.00
62	N 17°14'10" E	40.00
63	N 17°14'10" E	40.00
64	N 17°14'10" E	40.00
65	N 17°14'10" E	40.00
66	N 17°14'10" E	40.00
67	N 17°14'10" E	40.00
68	N 17°14'10" E	40.00
69	N 17°14'10" E	40.00
70	N 17°14'10" E	40.00
71	N 17°14'10" E	40.00
72	N 17°14'10" E	40.00
73	N 17°14'10" E	40.00
74	N 17°14'10" E	40.00
75	N 17°14'10" E	40.00
76	N 17°14'10" E	40.00
77	N 17°14'10" E	40.00
78	N 17°14'10" E	40.00
79	N 17°14'10" E	40.00
80	N 17°14'10" E	40.00
81	N 17°14'10" E	40.00
82	N 17°14'10" E	40.00
83	N 17°14'10" E	40.00
84	N 17°14'10" E	40.00
85	N 17°14'10" E	40.00
86	N 17°14'10" E	40.00
87	N 17°14'10" E	40.00
88	N 17°14'10" E	40.00
89	N 17°14'10" E	40.00
90	N 17°14'10" E	40.00
91	N 17°14'10" E	40.00
92	N 17°14'10" E	40.00
93	N 17°14'10" E	40.00
94	N 17°14'10" E	40.00
95	N 17°14'10" E	40.00
96	N 17°14'10" E	40.00
97	N 17°14'10" E	40.00
98	N 17°14'10" E	40.00
99	N 17°14'10" E	40.00
100	N 17°14'10" E	40.00

ADDRESS TABLE

LOT#	ADDRESS	STREET	INTERSECTION	LOT#	ADDRESS	STREET	INTERSECTION
1	1714 NORTH	10 EAST STREET	A	45	2880 NORTH	10 EAST STREET	G
2	1714 NORTH	10 EAST STREET	A	46	2880 NORTH	10 EAST STREET	G
3	1714 NORTH	10 EAST STREET	A	47	2880 NORTH	10 EAST STREET	G
4	1714 NORTH	10 EAST STREET	A	48	2880 NORTH	10 EAST STREET	G
5	1714 NORTH	10 EAST STREET	A	49	2880 NORTH	10 EAST STREET	G
6	1714 NORTH	10 EAST STREET	A	50	2880 NORTH	10 EAST STREET	G
7	1714 NORTH	10 EAST STREET	A	51	2880 NORTH	10 EAST STREET	G
8	1714 NORTH	10 EAST STREET	A	52	2880 NORTH	10 EAST STREET	G
9	1714 NORTH	10 EAST STREET	A	53	2880 NORTH	10 EAST STREET	G
10	1714 NORTH	10 EAST STREET	A	54	2880 NORTH	10 EAST STREET	G
11	1714 NORTH	10 EAST STREET	A	55	2880 NORTH	10 EAST STREET	G
12	1714 NORTH	10 EAST STREET	A	56	2880 NORTH	10 EAST STREET	G
13	1714 NORTH	10 EAST STREET	A	57	2880 NORTH	10 EAST STREET	G
14	1714 NORTH	10 EAST STREET	A	58	2880 NORTH	10 EAST STREET	G
15	1714 NORTH	10 EAST STREET	A	59	2880 NORTH	10 EAST STREET	G
16	1714 NORTH	10 EAST STREET	A	60	2880 NORTH	10 EAST STREET	G
17	1714 NORTH	10 EAST STREET	A	61	2880 NORTH	10 EAST STREET	G
18	1714 NORTH	10 EAST STREET	A	62	2880 NORTH	10 EAST STREET	G
19	1714 NORTH	10 EAST STREET	A	63	2880 NORTH	10 EAST STREET	G
20	1714 NORTH	10 EAST STREET	A	64	2880 NORTH	10 EAST STREET	G
21	1714 NORTH	10 EAST STREET	A	65	2880 NORTH	10 EAST STREET	G
22	1714 NORTH	10 EAST STREET	A	66	2880 NORTH	10 EAST STREET	G
23	1714 NORTH	10 EAST STREET	A	67	2880 NORTH	10 EAST STREET	G
24	1714 NORTH	10 EAST STREET	A	68	2880 NORTH	10 EAST STREET	G
25	1714 NORTH	10 EAST STREET	A	69	2880 NORTH	10 EAST STREET	G
26	1714 NORTH	10 EAST STREET	A	70	2880 NORTH	10 EAST STREET	G
27	1714 NORTH	10 EAST STREET	A	71	2880 NORTH	10 EAST STREET	G
28	1714 NORTH	10 EAST STREET	A	72	2880 NORTH	10 EAST STREET	G
29	1714 NORTH	10 EAST STREET	A	73	2880 NORTH	10 EAST STREET	G
30	1714 NORTH	10 EAST STREET	A	74	2880 NORTH	10 EAST STREET	G
31	1714 NORTH	10 EAST STREET	A	75	2880 NORTH	10 EAST STREET	G
32	1714 NORTH	10 EAST STREET	A	76	2880 NORTH	10 EAST STREET	G
33	1714 NORTH	10 EAST STREET	A	77	2880 NORTH	10 EAST STREET	G
34	1714 NORTH	10 EAST STREET	A	78	2880 NORTH	10 EAST STREET	G
35	1714 NORTH	10 EAST STREET	A	79	2880 NORTH	10 EAST STREET	G
36	1714 NORTH	10 EAST STREET	A	80	2880 NORTH	10 EAST STREET	G
37	1714 NORTH	10 EAST STREET	A	81	2880 NORTH	10 EAST STREET	G
38	1714 NORTH	10 EAST STREET	A	82	2880 NORTH	10 EAST STREET	G
39	1714 NORTH	10 EAST STREET	A	83	2880 NORTH	10 EAST STREET	G
40	1714 NORTH	10 EAST STREET	A	84	2880 NORTH	10 EAST STREET	G
41	1714 NORTH	10 EAST STREET	A	85	2880 NORTH	10 EAST STREET	G
42	1714 NORTH	10 EAST STREET	A	86	2880 NORTH	10 EAST STREET	G
43	1714 NORTH	10 EAST STREET	A	87	2880 NORTH	10 EAST STREET	G
44	1714 NORTH	10 EAST STREET	A	88	2880 NORTH	10 EAST STREET	G
45	1714 NORTH	10 EAST STREET	A	89	2880 NORTH	10 EAST STREET	G
46	1714 NORTH	10 EAST STREET	A	90	2880 NORTH	10 EAST STREET	G
47	1714 NORTH	10 EAST STREET	A	91	2880 NORTH	10 EAST STREET	G
48	1714 NORTH	10 EAST STREET	A	92	2880 NORTH	10 EAST STREET	G
49	1714 NORTH	10 EAST STREET	A	93	2880 NORTH	10 EAST STREET	G
50	1714 NORTH	10 EAST STREET	A	94	2880 NORTH	10 EAST STREET	G
51	1714 NORTH	10 EAST STREET	A	95	2880 NORTH	10 EAST STREET	G
52	1714 NORTH	10 EAST STREET	A	96	2880 NORTH	10 EAST STREET	G
53	1714 NORTH	10 EAST STREET	A	97	2880 NORTH	10 EAST STREET	G
54	1714 NORTH	10 EAST STREET	A	98	2880 NORTH	10 EAST STREET	G
55	1714 NORTH	10 EAST STREET	A	99	2880 NORTH	10 EAST STREET	G
56	1714 NORTH	10 EAST STREET	A	100	2880 NORTH	10 EAST STREET	G

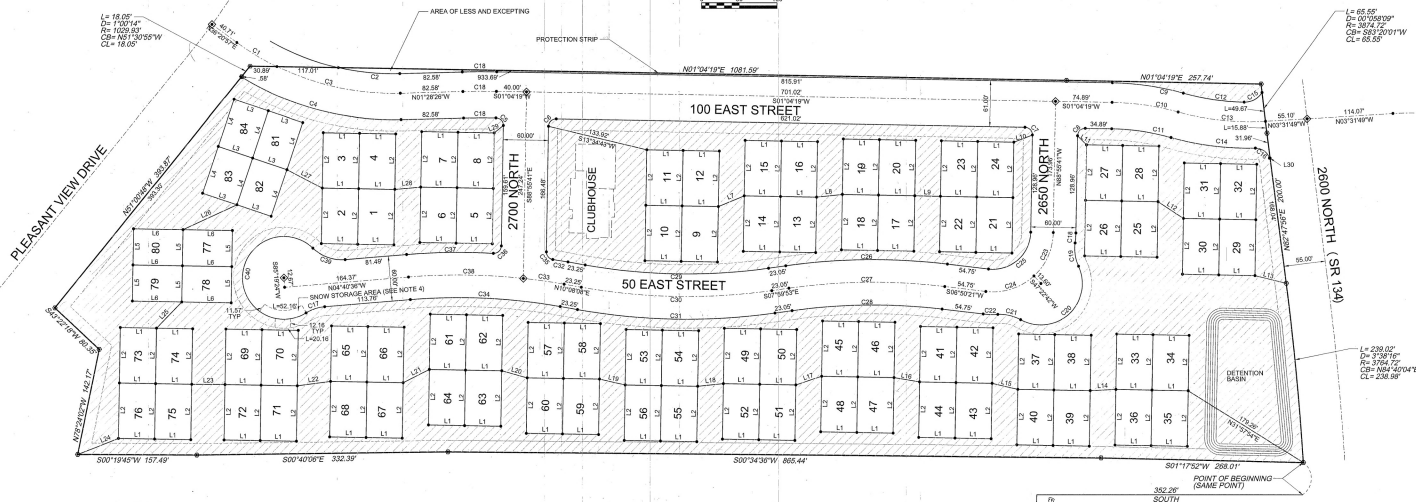
NOTE: BUILDING NUMBERS ARE NOT
PART OF THE ADDRESS

CURVE DATA TABLE

CH	NO.	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	300.00	107.1148	65.29	N 17°14'10" E	65.29	65.29
C2	300.00	107.1148	65.29	N 17°14'10" E	65.29	65.29
C3	300.00	219.359	168.78	N 17°14'10" E	168.78	168.78
C4	300.00	219.359	168.78	N 17°14'10" E	168.78	168.78
C5	100.00	100.00	100.00	N 17°14'10" E	100.00	100.00
C6	100.00	100.00	100.00	N 17°14'10" E	100.00	100.00
C7	100.00	100.00	100.00	N 17°14'10" E	100.00	100.00
C8	100.00	100.00	100.00	N 17°14'10" E	100.00	100.00
C9	100.00	100.00	100.00	N 17°14'10" E	100.00	100.00
C10	100.00	100.00	100.00	N 17°14'10" E	100.00	100.00
C11	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C12	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C13	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C14	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C15	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C16	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C17	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C18	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C19	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
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C22	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
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C26	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C27	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C28	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
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C65	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
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C68	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
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C71	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C72	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
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C83	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C84	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C85	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C86	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C87	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C88	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C89	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C90	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C91	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C92	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C93	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C94	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C95	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C96	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C97	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C98	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C99	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71
C100	200.00	14.2013	88.71	N 88°12'25" E	88.71	88.71

CHERRY SPRINGS VILLAS

A PLANNED RESIDENTIAL UNIT DEVELOPMENT
NORTH OGDEN CITY, WEBER COUNTY, UTAH
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 29 AND THE NORTHEAST
QUARTER OF SECTION 32, T1N, R1W, S18M, WEBER COUNTY, UTAH



LEGEND

- BOUNDARY LINE
- SETBACK LINE (PLAT EXTERIOR 10' - INTERIOR 12' TYP)
- STREET CENTER LINE
- LOT LINE AND RIGHT OF WAY LINE
- EXISTING RIGHT OF WAY LINE
- SECTION CORNER / SURVEY MONUMENT
- PLAT CORNER / POINT OF INTERSECTION
- TIE LINE TO CORNER
- COMMON AREA / PUBLIC UTILITY EASEMENT (P.U.E. EXCEPTS CLUBHOUSE AND POOL DECK)



STANDARD LOT SIZES

- NOTES:
1. LOT STYLE "X" IS FOR LOTS 1 THROUGH 76. LOT STYLE "Y" IS FOR LOTS 77 THROUGH 84.
 2. FEMA CLASSIFIED THIS PROJECT AREA AS "ZONE X" AREAS DETERMINED TO BE OUTLINE THE 1% ANNUAL CHANCE FLOODPLAIN.
 3. SNOW STORAGE AREA MUST REMAIN CLEAR OF STRUCTURES (I.E. NO MAILBOXES)

SOUTHWEST CORNER
SECTION 29
T1N, R1W, S18M



NOVEMBER 2018

PREPARED BY



CHERRY SPRINGS VILLAS

A PLANNED RESIDENTIAL UNIT DEVELOPMENT
NORTH OGDEN CITY, WEBER COUNTY, UTAH

SCALE 1" = 60'

STATE OF UTAH, COUNTY OF WEBER, RECORD #

DATE: 11-18-18 TIME: 10:39 BOOK: 888 PAGE: 44

149.00
FEE \$

Page 5

WEBER COUNTY RECORDER

OF 2



NORTH OGDEN CITY STAFF REPORT

TO: NORTH OGDEN CITY COUNCIL

FROM: DYLAN HILL

PUBLIC WORKS INSPECTOR

DATE: 10/13/2022

BASED ON RECOMMENDATION FROM OUR CITY ENGINEER, ERIC CASPERSON, FINAL INSPECTIONS HAVE BEEN COMPLETED ON NORTHWOOD HILLS PHASE 1 AND IT HAS BEEN FOUND UP TO CITY CODE AND STANDARDS.

A REQUEST TO RELEASE ALL REMAINING FUNDS HAS BEEN PROVIDED TO THE ESCROW AGENT ASSIGNED TO THIS SUBDIVISION. UPON CITY COUNCIL APPROVAL, NORTH OGDEN CITY WILL TAKE OVER ALL RESPONSIBILITY FOR THE INFRASTRUCTURE AND ROADWAY.

Northwood Hills - Phase 1

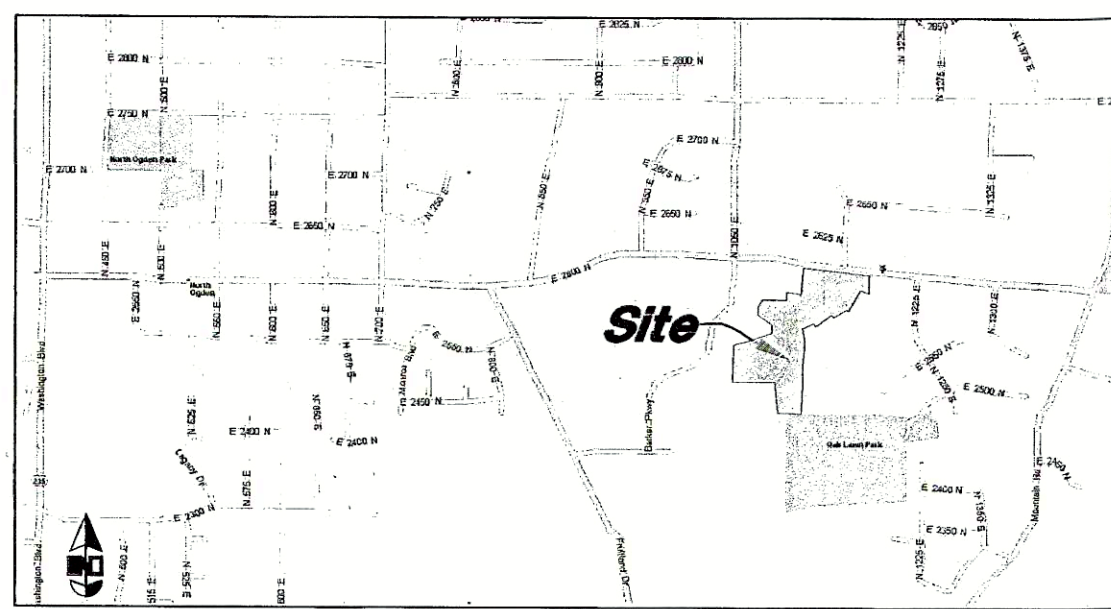
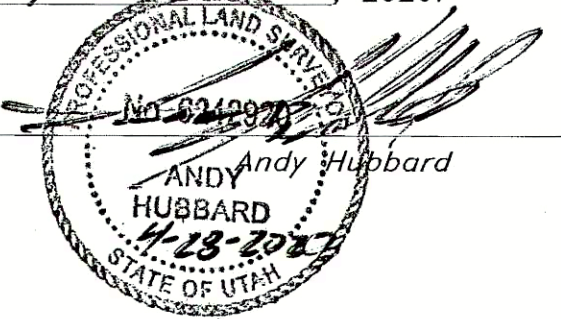
A part of the Northwest 1/4 of Section 34, T7N, R1W, SLB&M, U.S. Survey
North Ogden City, Weber County, Utah
February 2020

SURVEYOR'S CERTIFICATE

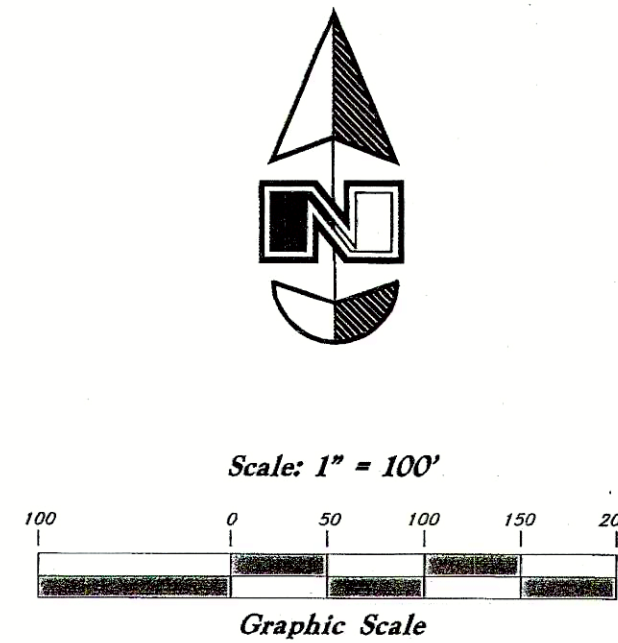
I, Andy Hubbard, do hereby certify that I am a Professional Land Surveyor in the State of Utah, and that I hold Certificate No. 6242920 in accordance with Title 58, Chapter 22, of the Professional Engineers and Professional Land Surveyors Licensing Act. I also certify that this plat of Northwood Hills - Phase 1 in North Ogden City, Weber County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on data compiled from records in the Weber County Recorder's Office, and of a survey made on the ground in accordance with Section 17-23-17. Monuments have been set as depicted on this Drawing.

Signed this 28th day of April, 2020.

6242920
License No.



VICINITY MAP
Not to Scale



PARCEL OWNERS

- 1 Robert K. & Susanne B. Stowers
- 2 Darlene F. Bates Trustee
- 3 Fred C. Brown Revocable Trust

North Quarter Corner of Section 34,
T7N, R1W, SLB&M, U.S. Survey
(Found Brass Cap Monument)

2650.37' Meas. (2650.35' WCS)

Northwest Quarter Corner of Section 34,
T7N, R1W, SLB&M, U.S. Survey
(Found Brass Cap Monument)

Point of Beginning

Deer Meadow Subdivision - Phase 1

Legend

- Set Nail & Washer
- Set Rebar & Cap w/ Fanpost
- Set Hub & Tack
- Monument to be set
- Radial Line (W.R.)
- Non-Radial Line (W.C.S.)
- Intersection
- Public Utility Easement
- Building Setback Line
- Set 5/8" x 24" Long Rebar & Cap w/ Lathe

NOTE

1. See Sheet 2 for Street, Centerline and Lot Information.

Line	Bearing	Length
L1	S 0°18'18" W	153.84
L2	N 68°56'05" W	78.30
L3	S 31°21'25" W	193.30
L4	N 64°21'59" W	6.95
L5	S 37°24'37" W	125.91
L6	N 40°34'08" W	28.55
L7	S 53°48'12" W	165.18
L8	S 66°17'13" W	101.51
L9	S 11°46'48" E	94.58
L10	S 1°17'42" W	98.62
L11	S 6°14'57" W	100.34
L12	S 1°49'30" W	121.48
L13	N 78°32'10" E	119.96
L14	N 2°49'15" E	77.08
L15	N 56°17'39" W	145.58
L16	N 1°52'30" E	65.04
L17	N 30°57'39" E	67.65
L18	N 1°14'44" E	62.52
L19	S 83°16'27" E	126.06

Curve	Delta	Radius	Length	Chord	Chord Bearing
C1	4°51'40"	170.00'	14.42'	14.42'	N 61°56'09" W
C2	6°40'13"	282.91'	32.94'	32.92'	N 33°13'27" W
C3	0°50'15"	430.00'	6.29'	6.29'	S 87°45'33" E

Lyman & Lonnie
Land Co. LLC

North Ogden City Corp

Fred C. Brown
Revocable Trust

DESCRIPTION

A part of the Northwest Quarter of Section 34, Township 7 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, North Ogden City, Weber County, Utah:
Beginning on the Southerly Right-of-Way Line of 2600 North Street, said point being 589.36 feet South 89°07'35" East along the Quarter Section Line and 82.07 feet South 0°52'25" West from the Northwest Corner of said Section 34; and running thence South 83°20'38" East 556.25 feet along said Southerly Right-of-Way Line; thence South 0°18'18" West 153.84 feet; thence North 68°56'05" West 78.30 feet; thence South 31°21'25" West 193.30 feet to a point of a non-tangent curve; thence Northwesterly along the arc of a 170.00 foot Radius curve to the right a distance of 14.42 feet (Central Angle equals 4°51'40" and Long Chord bears North 61°56'09" West 14.42 feet) to a point of tangency; thence North 64°21'59" West 6.95 feet; thence South 57°24'37" West 125.91 feet; thence North 40°34'08" West 28.55 feet; thence South 53°48'12" West 165.18 feet to a point of non-tangent curve; thence Northwesterly along the arc of a 282.91 foot Radius curve to the left a distance of 32.94 feet (Central Angle equals 6°40'13" and Long Chord bears North 33°13'27" West 32.92 feet) to a point of non-tangency; thence South 66°17'13" West 101.51 feet; thence South 11°46'48" East 94.58 feet; thence South 1°17'42" West 98.62 feet; thence South 6°14'57" West 100.34 feet; thence South 1°49'30" West 121.48 feet to a point of non-tangent curve; thence Southeasterly along the arc of a 430.00 foot Radius curve to the right a distance of 6.29 feet (Central Angle equals 0°50'15" and Long Chord bears South 87°45'33" East 6.29 feet) to a point of non-tangency; thence South 2°52'59" West 305.75 feet to the Northerly Line of the North Ogden City Property; thence North 89°29'44" West 201.42 feet along said Northerly Line to a point on the Easterly Property Line of the Lyman and Lonnie Land Co. LLC Property; thence along said Easterly and Northerly Lines the following two (2) courses: (1) North 6°24'53" West 262.16 feet and (2) South 89°57'57" West 352.70 feet to the Southeast Corner of Lot 14, Deer Meadow Subdivision - Phase 1, North Ogden City, Weber County, Utah; thence along said Easterly Subdivision Line the following seven (7) courses: (1) North 1°08'52" East 315.09 feet; (2) North 78°32'10" East 119.96 feet; (3) North 69°49'31" East 215.36 feet; (4) North 2°49'15" East 77.08 feet; (5) North 56°17'39" West 145.58 feet; (6) North 1°52'30" East 65.04 feet; and (7) North 30°57'39" East 67.65 feet; thence South 89°01'50" East 203.48 feet; thence North 1°14'44" East 62.52 feet; thence South 83°16'27" East 126.06 feet; thence North 6°20'30" East 221.42 feet to the Southerly Right-of-Way Line of said 2600 North Street and the Point of Beginning.
Contains 13.260 Acres, More or Less

OWNER'S DEDICATION

We, the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same into lots and streets as shown on this plat, and name said tract Northwood Hills - Phase 1, and hereby dedicate, grant, and convey to North Ogden City, Weber County, Utah, all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares forever, and also dedicate to North Ogden City those certain strips designated as Public Utility and Drainage Easements, and/or Common Area for public utility and drainage purposes over and across said tract of land as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines and drainage, as may be authorized by North Ogden City.
We also dedicate and grant to North Ogden City, all those parts or portions of said tract designated as Parcels, the same to be used for pedestrian thoroughfares for ingress and egress of the trail system, the same to be used as public utility and drainage easements, for public utility, sanitary sewer and drainage purposes over and across said tract of land as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines sanitary sewer and storm drainage, as may be authorized by North Ogden City.

Signed this 29 day of April, 2020.

Visionary Homes 2020, LLC

ACKNOWLEDGMENT

State of Utah, ss
County of _____

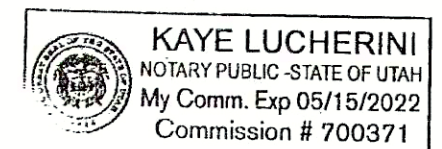
On the 29 day of April, 2020 personally appeared before me, the undersigned notary, in and for the County of Cache, in said State of Utah, Jeff Jackson, who after being duly sworn, acknowledged to me that he/she is the Managing Partner of Visionary Homes 2020, LLC, and that he/she signed the Owner's Dedication for the purposes therein mentioned and that said LLC executed the same.

Residing At: Logan

Kaye Lucherini
Notary Public Commissioned in Utah

Commission Expires: 05/15/2022

Kaye Lucherini
Print Name



NARRATIVE

This Subdivision Plat was requested by Dallas Nicoll of Visionary Homes for the purpose of subdividing this Parcel into twenty-nine (29) Residential Lots and three (3) Open Space Parcels.
A Line between Monuments in the North Quarter Corner and the North Quarter Corner of Section 34 with a measured bearing of South 89°07'35" East was used as the Basis of Bearings for this Subdivision Plat.
Property Corners were monumented as depicted on this Subdivision Plat.

NOTES:

1. A 10' wide front yard Public Utility and Drainage Easement as indicated by dashed lines, except as otherwise shown.
2. All open space parcels and trails shall be owned and maintained by North Ogden City.
3. Parcels A through C are dedicated to the City and are to be owned and maintained by North Ogden City.
4. Corner lot building setbacks are shown so that builder has the option of which street the house fronts on. Building setbacks are still controlled by zoning ordinances in effect and should be approved by North Ogden City before construction begins.



LAND USE AUTHORITY

This is to certify that this plat and the dedication of this plat along with the dedication of all easements were duly approved and accepted by the Land Use Authority of North Ogden City this 6th day of May, 2020.

by: E. T. L. 5-6-2020
Chairman Date

Attest: Anne Bupee 5-6-2020
Secretary Date

NORTH OGDEN CITY APPROVALS

This plat was approved by the City Engineer and the Planning Director.

by: Spin Gardner 5/1/2020
City Engineer Date

by: Braden Bell 5/8/2020
Planning Director Date

NORTH OGDEN CITY ATTORNEY

I certify that the requirements of all applicable statutes and ordinances prerequisite by the state of Utah and the ordinances of North Ogden City of the foregoing plat and dedications have been complied with.

Signed this 6th day of May, 2020.

By: A. M. 5-6-20
City Attorney Date

WEBER COUNTY RECORDER

ENTRY NO. 20647711 FEE PAID
\$160.00 FILED FOR RECORD AND
RECORDED 29-JUN-20 AT 2:34 PM
IN BOOK 68 OF OFFICIAL
RECORDS, PAGE 03404 RECORDED
FOR VISIONARY HOMES

LEANN H. KULTS
WEBER COUNTY RECORDER

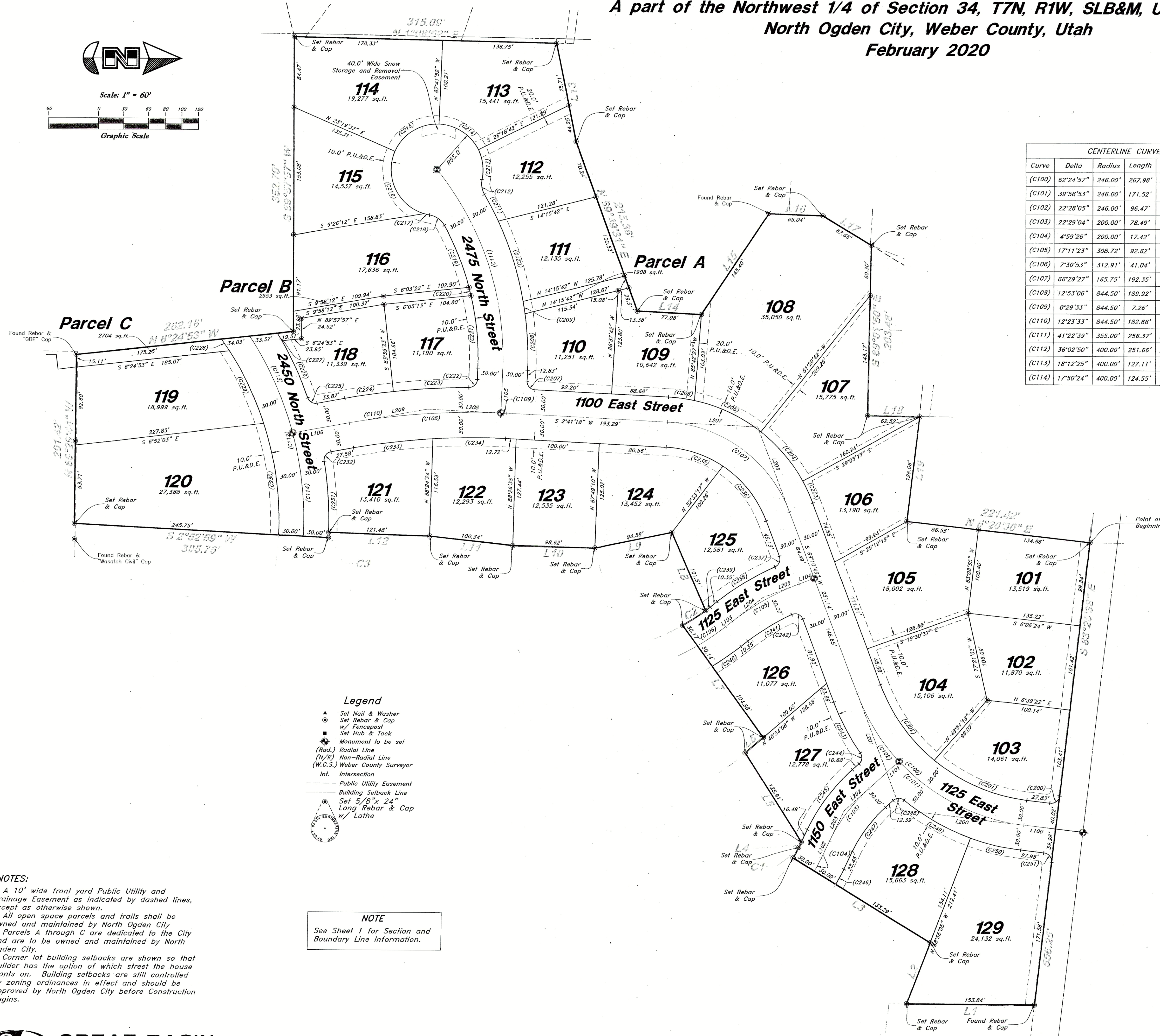
BY: 8712 DEPUTY

ENGINEER:
Great Basin Engineering Inc
c/o Andy Hubbard, PLS
5746 South 1475 East Suite 200
Ogden, Utah 84405
(801) 394-4515

DEVELOPER:
Visionary Homes
c/o Dallas Nicoll
(435) 999-9032
dnicoll@visionaryhomes.com

Northwood Hills - Phase 1

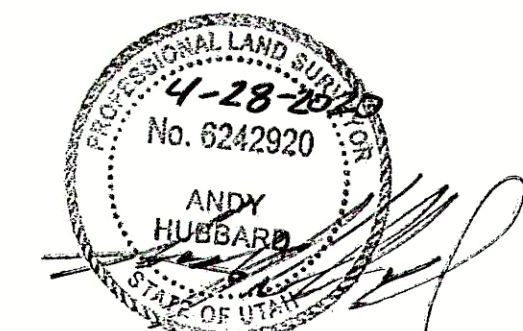
A part of the Northwest 1/4 of Section 34, T7N, R1W, SLB&M, U.S. Survey
North Ogden City, Weber County, Utah
February 2020



Curve	Delta	Radius	Length	Chord	Chord Bearing
(C100)	62°24'57"	246.00'	267.98'	254.93'	S 37°58'16" W
(C101)	39°56'53"	246.00'	171.52'	168.06'	N 26°44'14" E
(C102)	22°28'05"	246.00'	96.47'	95.85'	N 57°56'42" E
(C103)	22°29'04"	200.00'	78.49'	77.98'	S 53°07'27" E
(C104)	4°59'26"	200.00'	17.42'	17.41'	S 61°52'16" E
(C105)	17°11'23"	308.72'	92.62'	92.27'	N 29°24'57" W
(C106)	7°30'53"	312.91'	41.04'	41.01'	N 34°15'12" W
(C107)	66°29'27"	165.75'	192.35'	181.74'	S 35°56'01" W
(C108)	12°53'06"	844.50'	189.92'	189.52'	S 3°45'15" E
(C109)	0°29'33"	844.50'	7.26'	7.26'	N 2°26'31" E
(C110)	12°23'33"	844.50'	182.66'	182.30'	N 4°00'02" W
(C111)	41°22'39"	355.00'	256.37'	250.84'	N 71°30'26" E
(C112)	36°02'50"	400.00'	251.66'	247.53'	S 74°37'09" W
(C113)	18°12'25"	400.00'	127.11'	126.57'	N 65°41'57" E
(C114)	17°50'24"	400.00'	124.55'	124.04'	N 83°43'22" E

Line	Bearing	Length
L100	S 6°45'47" W	38.41
L101	S 41°52'54" E	48.73
L102	S 64°21'59" E	23.45
L103	N 38°00'39" W	10.35
L104	N 20°49'15" W	18.93
L105	S 87°48'15" E	52.52
L106	S 10°11'48" E	69.08
L200	N 6°45'47" E	149.03
L201	N 69°10'45" E	149.03
L202	N 41°52'54" W	39.75
L203	N 64°21'59" W	39.75
L204	N 38°00'39" W	46.66
L205	N 20°49'15" W	46.66
L206	N 69°10'45" E	108.65
L207	N 2°41'18" E	108.65
L208	N 2°41'18" E	95.36
L209	N 10°11'48" W	95.36

Curve	Delta	Radius	Length	Chord	Chord Bearing
(C200)	92°58'24"	10.00	16.23	14.50'	S 36°51'25" E
(C201)	32°33'44"	216.00	122.76	121.11'	S 23°02'39" W
(C202)	29°51'13"	216.00	112.55	111.28'	S 54°15'08" W
(C203)	8°26'41"	195.75	28.85	28.82'	S 64°57'24" W
(C204)	22°54'22"	195.75	78.26	77.74'	S 49°16'53" W
(C205)	25°55'41"	195.75	88.58	87.83'	S 24°51'51" W
(C206)	9°12'43"	195.75	31.47	31.44'	S 71°17'39" W
(C207)	89°30'28"	10.00	15.62	14.08'	S 47°26'32" W
(C208)	10°05'37"	385.00	67.82	67.74'	S 87°08'56" W
(C209)	2°14'31"	385.00	15.06	15.06'	S 80°58'52" W
(C210)	14°57'00"	385.00	100.46	100.17'	S 72°23'07" W
(C211)	5°21'31"	385.00	36.01	35.99'	S 62°13'52" W
(C212)	42°21'30"	25.00	18.48	18.06'	S 80°43'50" W
(C213)	38°13'22"	55.00	36.69	36.02'	S 82°47'58" W
(C214)	61°22'02"	55.00	58.91	56.13'	S 33°00'17" W
(C215)	68°58'25"	55.00	66.21	62.29'	S 32°09'57" E
(C216)	97°16'49"	55.00	93.38	82.56'	N 64°42'26" E
(C217)	6°55'32"	55.00	6.65	6.64'	N 12°35'15" E
(C218)	51°53'20"	25.00	22.64	21.88'	N 35°05'14" E
(C219)	13°58'11"	325.00	79.24	79.04'	N 68°00'59" E
(C220)	1°46'50"	325.00	10.10	10.10'	N 75°53'30" E
(C221)	15°24'50"	325.00	87.43	87.17'	N 84°29'20" E
(C222)	87°24'29"	10.00	15.26	13.82'	S 44°06'01" E
(C223)	5°56'51"	874.50	90.77	90.73'	S 3°22'11" E
(C224)	3°51'12"	874.50	58.81	58.80'	S 8°16'13" E
(C225)	80°45'05"	10.00	14.09	12.96'	S 29°38'01" W
(C226)	9°55'53"	430.00	74.53	74.44'	S 65°02'27" W
(C227)	1°27'41"	430.00	10.97	10.97'	S 59°20'40" W
(C228)	2°37'57"	370.00	17.00	17.00'	S 55°31'11" W
(C229)	14°49'52"	370.00	95.78	95.51'	S 64°15'06" W
(C230)	20°57'21"	370.00	135.33	134.57'	S 82°08'43" W
(C231)	11°33'05"	453.60	91.45	91.30'	S 86°33'56" W
(C232)	89°19'53"	10.00	15.59	14.06'	N 54°51'45" W
(C233)	6°44'58"	814.50	95.87	95.82'	N 6°49'29" W
(C234)	6°08'28"	814.50	87.30	87.26'	N 0°22'56" W
(C235)	30°41'32"	135.75	72.72	71.85'	N 18°02'04" E
(C236)	35°47'55"	135.75	84.82	83.44'	N 51°16'47" E
(C237)	86°32'08"	10.00	15.10	13.71'	S 67°33'10" E
(C238)	12°57'46"	358.55	81.12	80.95'	S 31°08'53" E
(C239)	1°27'05"	282.91	7.17	7.17'	S 37°12'06" E
(C240)	7°00'52"	342.91	41.98	41.95'	N 34°30'12" W
(C241)	11°30'58"	307.07	61.72	61.62'	N 31°39'52" W
(C242)	94°29'51"	10.00	16.49	14.69'	N 21°55'49" E
(C243)	13°22'01"	293.97	68.58	68.43'	N 62°03'30" E
(C244)	83°10'52"	10.00	14.52	13.28'	S 83°28'19" E
(C245)	22°29'04"	230.00	90.26	89.68'	S 53°07'27" E
(C246)	5°05'10"	230.00	20.42	20.41'	S 61°49'24" E
(C247)	22°29'04"	170.00	66.71	66.29'	S 53°07'27" E
(C248)	80°44'10"	10.00	14.09	12.95'	S 1°30'49" E
(C249)	19°11'46"	276.00	92.47	92.04'	S 29°15'22" W
(C250)	12°53'42"	276.00	62.12	61.99'	S 13°12'38" W
(C251)	92°45'34"	10.00	16.19	14.48'	S 50°16'35" W



WEBER COUNTY RECORDER

ENTRY NO. 3064771 FEE PAID

FILED FOR RECORD AND

RECORDED 27 JUN 2020 AT

IN BOOK 96 OF OFFICIAL

RECORDS, PAGE 05404, RECORDED

FOR

WEBER COUNTY RECORDER

BY: DEPUTY

NORTH OGDEN CITY COUNCIL MEETING MINUTES

August 23, 2022

The North Ogden City Council convened in a Council meeting on August 23, 2022, at 6:01 pm p.m. at the North Ogden City Office at 505 East 2600 North. And electronically on Zoom, recording can be found on YouTube:

<https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>. Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on August 18, 2022. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2021.

PRESENT:	S. Neal Berube	Mayor	
	Ryan Barker	Council Member	(excused)
	Blake Cevering	Council Member	
	Jay D Delpias	Council Member	
	Charlotte Ekstrom	Council Member	
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Susan Nance	City Recorder	
	Scott Hess	Planning Director	
	Brandon Bell	Associate Planner	
	Clark Crowther	Lieutenant	
	Jason Childs	Sergeant	
	Dirk Quinney		
VISITORS:	Randy Winn	KCJ	Kevin Burns
	Ashley McCann	Mike Kuhn	Edythe Kuhn
	Sandy Cochran	Denise Keyes	Jonathan Keyes
	Brenda Ashdown	Stef Casey	Susan Clements
	Bob Buswell	Clint Willis	

Mayor Berube called the meeting to order. Council Member Swanson offered the invocation and led the audience in the Pledge of Allegiance.

JOINT WORK SESSION WITH PLANNING COMMISSION

1. TRAINING REGARDING FINANCING METHODS FOR PUBLIC IMPROVEMENTS

Benj Becker, Vice President of Piper Sandler, used the aid of a PowerPoint presentation to discuss financing methods for public improvement projects. Discussion among the Council and Mr. Becker centered on the importance of transparency and public notification of different types of financing and agreements with developers to provide public improvements as part of approval of a development project.

CONSENT AGENDA

2. CALL FOR CONFLICT OF INTEREST DISCLOSURE

Mayor Berube asked if any member of the Council had a conflict of interest to declare. No declarations were made.

3. DISCUSSION AND/OR ACTION TO CONSIDER THE JUNE 14, 2022, CITY COUNCIL MEETING MINUTES

Council Member Dalpiaz motioned to approve June 14, 2022, City Council Meeting minutes. Council Member Ekstrom seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

4. DISCUSSION AND/OR ACTION TO CONSIDER THE JULY 5, 2022, CITY COUNCIL MEETING MINUTES

Council Member Swanson motioned to approve July 5, 2022, City Council Meeting minutes. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Delpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

ACTIVE AGENDA

5. PUBLIC COMMENTS

Jonathan Keyes, North Ogden resident, provided a handout of information to the Council. He stated he has a shed on his property that has been discussed by the Council in the past. His assumption was that his property line was synonymous with the asphalt on his property and that was the basis for the placement of his shed. He was informed that his shed was encroaching upon other property and that he needed to obtain a permit. He paid for the permit, but later received a citation for code violations. He paid the citation but is seeking clarity on the problem with his shed. He reviewed the information in the packet of information he provided to the Council and highlighted discrepancies with the plat and recorded information for his property. These discrepancies result in nearly a foot of unaccounted for property, which has impacted the placement and legality of the shed. He stated that he has not conducted a full survey of the property, but he does not believe he is encroaching a full four to six feet on adjacent property; the encroachment is actually closer to six or eight inches, which is much less impactful. He then stated that he is not the only person who has encroached upon another property; he asked that North Ogden approach this matter in a neighborly manner and allow him to keep his shed in the current location. He will agree to maintain the property he is encroaching upon if he is allowed to keep his shed there. Finally, if he is not allowed to keep his shed in its current location, he would also propose that all non-government erected structures also be removed from the land.

Mayor Berube asked if there is support from the Council to place this matter on a future meeting agenda. He encouraged Mr. Keyes to reach out to the Council to ask that they approve such an action.

Denise Keyes, North Ogden resident, also discussed the matter of the shed on her property. She noted that when the City visited her property in August of 2021, and maintenance of the sidewalk. The work has not been performed and no progress has been made. For the last three years, she and her husband have cut the weeds down, but stopped once they were informed that

they are encroaching on the City's property. She would like to cooperate with the City and will agree to take care of the weed removal if the City grants their request to keep the shed in its current location.

Rod Southwick, North Ogden resident, stated he has tried to reach out to Planning Director Hess to get information about the City's street tree ordinances; the City approved development projects along Washington Boulevard, which included planting of trees on along the roadway, but those trees have died and/or are not being watered, which will cause them to die. He asked if the City is able to enforce the street tree ordinances to address this matter.

6. DISCUSSION AND/OR ACTION TO CONSIDER PURCHASE OF CITY PROPERTY OR REQUEST TO OCCUPY LAND OWNED BY NORTH OGDEN CITY WITHIN A DETENTION BASIN PARCEL LOCATED AT APPROXIMATELY 234 EAST 3900 NORTH

Planning Director Hess explained property owner Clint Willis is currently occupying property owned by North Ogden City. The encroachment onto City-owned property includes vinyl fencing, landscaping and playground equipment, and a piece of construction equipment parked intermittently next to the fence. The property that has been fenced and parked on sits below an existing detention basin. In 2019, Mr. Willis reached out to City Staff to discuss the use of this property. He spoke with Rob Scott, Planning Director; Dave Espinoza, Public Works Director; and Lorin Gardner, City Engineer. Staff cannot find any written confirmation of allowing the use, and the property owner was not granted permission by the City Council at that time. The property owner was contacted in 2022 to apply for a Land Use Permit for the installed fence. The Land Use Permit Application was held pending this discussion between the property owner and the City Council. Mr. Willis has submitted a letter for the City Council's consideration asking to purchase the property in question. Mr. Willis has also submitted a letter from Valeo Management Corporation asking to be allowed to purchase the property, along with providing signatures from neighbors who support the property owner in this request. North Ogden City Ordinances regarding fence locations do not explicitly state that fencing must be located directly on a property line, but it is implied that any fencing would be installed entirely on a property owner's own property. The City Council has the authority to permit, deny, or modify encroachment, occupancy, or property sale requests.

City Manager/Attorney Call reported there has been some dispute about the content of the communication between City staff and Mr. Willis, but given the lack of formal documentation, there is nothing binding upon the City that would allow Mr. Willis to occupy the property.

Mayor Berube invited input from the applicant.

Mr. Willis discussed the history of his communication with City staff about his request; some of the communication has been documented and presented via screen shots of text messages, but other communication was verbal in nature.

Discussion then centered on the process the City would need to follow if the decision were made to declare the property as surplus and sell the property, after which the Council discussed and debated whether disposal and sale of the property is in the City's best interest at this time. The Council indicated they need additional time to contemplate this matter before making a decision.

Council Member Ekstrom motioned to postpone a decision of the request to purchase or occupy City property located at approximately 234 East 3900 North. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Delpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

7. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE TO REVISE THE TRAILER PARKING STANDARDS TO REMOVE LANGUAGE IN A PROVISION IN TITLE 11, ALREADY ADDRESSED BY TITLE 7 OF CITY CODE.

Associate Planner Bell explained The Police Department has been reviewing the code regarding parking of trailers in the street (the public right-of-way). The Police Chief requested that the Planning Department work with the Police Department to propose an adjustment to regulations in City Code in Title 11, to make sure that they are consistent. State law specifies that law enforcement has authority over parking in public rights-of-way. Given that fact, Staff came to the opinion that the best way to address one provision (11-9M-21 (d)) in Title 11 of City Code, was simply to eliminate most of this provision, and leave Title 7 to address the same issues (which it already does). He noted there is nothing in the General Plan that was determined to pertain to this issue. Planning Department Staff is proposing this text amendment to Title 11 of City Code, at the request of the Police Department. The Planning Commission recommended the adoption of this ordinance amendment on a five to zero vote. The intent of this adjustment to City Code is to enable Title 11 to be more compliant with Utah State Code, by eliminating language in Title 11 that is redundant of language addressing the same issue regarding on-street parking in Title 7 of City Code.

Mayor Berube invited input from Police Chief Quinney. Chief Quinney echoed the information provided by Mr. Bell and indicated the ordinance amendment will be helpful to his Department in enforcing on-street parking standards.

Council Member Cevering motioned to approve Ordinance 2022-22 to revise the trailer parking standards to remove language in a provision in Title 11, already addressed by Title 7 of City Code. Council Member Ekstrom seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Delpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

8. DISCUSSION AND/OR ACTION TO CONSIDER A RESOLUTION TO APPROPRIATE UNCLAIMED PROPERTY FOR PUBLIC INTEREST USE

City Manager/Attorney Call reported the Council took action last month to dispose of unclaimed property within the Police Department's possession. The action that was not taken at that time was to appropriate some items of unclaimed property for public use by various Departments of the City. He referenced a list of items included in the Council packet that will be dedicated to public use.

Council Member Swanson motioned to approve Resolution 10-2022 to appropriate unclaimed property for public interest use. Council Member Delpias seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Delpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

9. COUNCIL DEPARTMENT REPORTS:

a. COUNCIL MEMBER BARKER – PARKS AND RECREATION

Council Member Barker was absent, and Mayor Berube asked City Manager/Attorney Call if he had anything to report on behalf of the Parks and Recreation Department. Mr. Call reminded the Council and the public of the Music Monday's event scheduled next week; it will be the last such event this year. The City sponsored trunk or treat and fright

night will be held in October and more information regarding that event will be forthcoming. Finally, the City is currently interviewing applicants for a Parks Supervisor position in the Department.

b. COUNCIL MEMBER DALPIAS – BUILDING AND PLANNING

Council Member Dalpías reported on a decrease in building permit revenue when compared to the same time frame last year; this is a result of the change in the home building market, which has slowed in recent months.

c. COUNCIL MEMBER SWANSON – FINANCE (Report for May and June)

Council Member Swanson provided the City's financial report for May and June, focusing on sales tax revenues, which continue to exceed projections. General Fund revenues as of June are at 98 percent of what was expected; the City will still receive Class B&C Road funds before the fiscal year budget is completely closed out. General Fund expenditures were six percent below the total budget, which means all Department Heads were conservative in the management of their respective budgets.

10. PUBLIC COMMENTS

There were no public comments.

11. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Swanson reported on his ongoing communication with a group of residents about creating a budget review citizens committee, or a sub-committee of the City's existing audit committee.

Council Member Cevering stated that he was not present in a past meeting when the issue raised by Jonathan Keys was discussed and he asked that his requested agenda item be included on a future meeting agenda.

Council Member Ekstrom stated the information provided by Benj Becker earlier in the meeting was very eye-opening for her and she was grateful to hear the information he provided.

Mayor Berube reported that the City's land sale transaction on 2600 North recently closed and he looks forward to development of that property that will benefit the community.

12. **ADJOURNMENT**

Council Member Ekstrom motioned to adjourn the meeting. Council Member Swanson seconded the motion.

Voting on the motion:

Council Member Cevering	aye
Council Member Delpias	aye
Council Member Ekstrom	aye
Council Member Swanson	aye

The motion passed unanimously.

The meeting adjourned at 8:04 p.m.

S. Neal Berube, Mayor

Susan L. Nance, CMC
City Recorder

Date Approved

NORTH OGDEN CITY COUNCIL MEETING MINUTES

September 13, 2022

The North Ogden City Council convened in a Council meeting at 5:59 p.m. on September 13, 2022, at the North Ogden City Office at 505 East 2600 North. The meeting was also on Zoom. Recording can be found on YouTube:

<https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>. Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on September 8, 2022. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2021.

PRESENT:	S. Neal Berube	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	
	Jay D Dalpiaz	Council Member	
	Charlotte Ekstrom	Council Member	(excused)
	Phillip Swanson	Council Member	

STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Susan Nance	City Recorder	
	Scott Hess	Planning Director	
	Brandon Bell	Associate Planner	
	Kai Johnsen	Planning Technician	(via Zoom)
	Dylan Hill	Public Works Inspector	

VISITORS:	Terri McCulloch	Susan Kilborn	Sarah Lansing
	Jeanette Sweet	James	Joyce Van Tassell
	Wayne Van Tassell	Sandy Cochran	Chris Pulver
	Kevin Burns	Brent Broome	Ryan Hadley
	Laura Mallonee	Linda Schwab	Brianne Orgill
	Val Poll	Wendy Adams	Brenda Ashdown
	Reed Miller	Stef Casey	Denise Keyes
	Jonathan Keyes	Dallin Duce	Susan Clements
	Randy Winn	Merrill Sunderland	Bob Buswell
	Dave Shupe		

Mayor Berube called the meeting to order. Council Member Cevering offered the invocation and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. CALL FOR CONFLICT OF INTEREST DISCLOSURE

Mayor Berube asked if any member of the Council had a conflict of interest to declare. No declarations were made.

2. DISCUSSION AND/OR ACTION ON FINAL ACCEPTANCE OF WARD FARMS PHASE 3 SUBDIVISION

Public Works Inspector Hill reported that final inspections have been completed for Ward Farms Subdivision, Phase 3, and the development has been found to be compliant with City Code and Engineering Standards. He recommended the Council approve the release of all remaining funds held in escrow and grant final acceptance of the project.

Council Member Barker motioned to approve final acceptance of Ward Farms Phase 3 Subdivision. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Swanson	aye

The motion passed unanimously.

3. DISCUSSION AND/OR ACTION ON FINAL ACCEPTANCE OF NORTHWOOD HILLS SUBDIVISION

Public Works Inspector Hill reported that final inspections have been completed for Northwood Hills Subdivision, Phase 2, and the development has been found to be compliant with City Code and Engineering Standards. He recommended the Council approve the release of all remaining funds held in escrow and grant final acceptance of the project.

Mayor Berube asked if the developer has made progress on fixing outstanding issues in Phase 1 of this project. Mr. Hill answered yes; they are pursuing curb and gutter improvements to address draining issues in that area of the subdivision.

Council Member Swanson motioned to approve final acceptance of Northwood Hills Phase 2 Subdivision. Council Member Dalpias seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpias	aye
Council Member Swanson	aye

The motion passed unanimously.

ACTIVE AGENDA

4. PUBLIC COMMENTS

Susan Clements, North Ogden resident, reported that the Build Barker Park Committee met today to review their plans for the upcoming clean-up event this Saturday from 7:30 to 11:00 a.m. Until last week she had never visited ‘the hollow’ area of the Park and she found it be very beautiful and magical; the Committee wants to improve and beautify the area to make it a place that residents can enjoy more easily.

Brent Berlin, Pleasant View resident, stated he is the Director of the North Ogden Community Band; the purpose of the band is to support the City and provide musicians with a place to play and improve their talents. He believes that this is being accomplished and he is grateful for the City’s support. Currently, the band is rehearsing at the senior center, which is a great space for the number of members. However, there have been some scheduling conflicts as of late; the senior center chose to host a dinner recently during the time that the band typically practices. He received no notice about the conflict from the center and this lack of communication and disregarding of the band’s schedule is unacceptable. Practice time is vital to the success of the band. Additionally, the band needs to store some equipment at the center, but that has been denied as well. These issues are concerning, and he asked that the Mayor and Council intervene to resolve the matter as soon as possible.

Mayor Berube stated that the senior center is owned by the City and the City is essentially in charge of scheduling. Council Member Dalpias is the Council’s liaison to the center, and he is aware of these issues and is working to resolve them.

Randy Winn, North Ogden resident, cited recent cyber-attacks on a Utah city and he asked if North Ogden is insured against those types of attacks. Mayor Berube answered yes; he has discussed that matter with City Administration recently and the City is aware of the potential for cyber-attacks.

Sarah Lansing, North Ogden resident, stated she is the Chairman of the North Ogden Parks and Trails Committee, and she reported on recent service projects to clean up trails and parks throughout the community. Work is funded through private donations and in-kind labor. Community input is welcome regarding future park improvement projects, and she reported that Committee meetings are open to the public to give residents and non-residents the opportunity to provide input and suggestions.

Mayor Berube thanked Ms. Lansing for her efforts and recommended that she visit with Council Member Barker and City Manager/Attorney call regarding available funding for future parks improvements projects.

Susan Kilborn, North Ogden residents, brought up the social media pages dedicated to the happenings of the City and noted that citizens are not able to post on the official North Ogden Facebook page; this is a travesty and injustice and she has expressed her concerns to the administrators of the page, with no response. She suggested that the page be made open to the public so that they can share information representative of the community.

Ron Silver, North Ogden resident, also referenced cyber attacks in Eagle Mountain City and stated he is hopeful that the City of North Ogden is protected against similar attacks. He noted that he has heard that if a city is aware of the attacks within 24 to 48 hours and can report to authorities, it is usually possible to recover the funds. He asked that the City pay close attention to these types of potentially harmful activities.

5. **DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE TO REZONE PROPERTY LOCATED AT APPROXIMATELY 2671 NORTH 400 EAST FROM CIVIC (C) TO COMMUNITY COMMERCIAL DOWNTOWN (CC-DT)**

Associate Planner Bell reported the applicant is requesting a zone change for the property located at approximately 2671 North Washington Boulevard, from Civic (C) to Community Commercial Downtown (CC-DT). The applicant has also had a subdivision approved (with some remaining conditions of approval) to add the same property to some existing parcels they own. The purpose of this property rezone is to ensure that the property on the resulting parcel from the related subdivision for the property is all in the same zone, and the boundaries of the rezone should conform to the exact boundaries of the newly adjusted parcel once the subdivision has been recorded. Mr. Bell discussed the application's compliance with the General Plan and zoning guidelines, concluding the proposed rezone conforms with the General Plan, which calls for the property to be developed as part of the 'Downtown Mixed Use' area and land use category. The Planning Commission voted four to zero to recommend approval of the application; staff recommends that the City Council consider the General Plan rezoning guidelines and make a decision regarding this rezone.

The Council briefly reviewed an aerial image to be oriented to the location of the subject property and the portion of the property that is subject to the zoning application.

Mayor Berube asked Mr. Bell to discuss the recommended condition of approval for the zone change. Mr. Bell stated that the condition is included in the actual ordinance, under Section 2, which states “the ordinance shall take effect upon recordation of the Mountain Medical Center Subdivision”.

Council Member Delpias motioned to approve Ordinance 2022-23 to rezone property located at approximately 2671 North 400 East from Civic (C) to Community Commercial Downtown (CC-DT), based upon the condition listed under Section 2 of the ordinance. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Delpias	aye
Council Member Swanson	aye

The motion passed unanimously.

6. DISCUSSION AND/OR ACTION TO CONSIDER AN ORDINANCE AMENDING ACCESSORY BUILDING STANDARDS REGARDING ZONES R-2, R-3, R-4, AND PRUD

Planning Technician Johnsen explained a resident recently came to The City with a preliminary site plan for an accessory building for a metal sided building in an R-2 Zone. Staff concluded that based on the current ordinance related to accessory building design standards in the R-2 Zone the building could be approved. However, staff recognized that the standards for accessory buildings in the R-2, R-3, and R-4 Zones are less restrictive and not consistent with the standards for accessory buildings in other residential zones, specifically standards in the R-1-8 and R-1-10 zones. After further research through the City Code there were additional sections of code that contained site development standards for the multifamily and PRUD Zones. The Multifamily Site development standards were combined with the site development standards within the individual zones. The PRUD site development standards were retained as an individual Article in the code, with references added to the respective PRUD Zones. He reported on staff’s analysis of the matter; the current North Ogden City Code related to accessory building design standards in the R-2, Zone permit a building of 15 feet in height to be constructed three-feet from a property line. Large accessory buildings, over 600 square feet must be 15 feet from the property line, the maximum height of the building with a 15-foot setback is unclear in the code. The code contains an exception, a large accessory building may be 25 feet tall with a 20-foot setback from property lines and 60 feet of separation from a home on an adjoining lot. Additionally, there is no reference to 11-9M-9, standards for accessory buildings in residential and civic zones. In contrast, the accessory building standards in the R-1-8, R-1-10, and related zones require a 3-foot setback for buildings 10 feet in height or less. An increase in height over 10 feet is permitted with an increase in the setback to 5 feet. The building height may increase at a 1:1 ratio for every

foot of distance from the property line, so a 15-foot-tall building would require a setback of 10 feet. Additionally, accessory buildings over 200 square feet must be integrated into the design of the main residential building in the R-1-8 and R-1-10 zones. The proposed code changes make the standards for accessory buildings in multi-family residential zones consistent with the standards for accessory buildings in single family zones. Moreover, the standards are designed to mitigate the impacts of accessory buildings on adjoining properties by increasing the setback distances relative to the height of the accessory building.

High level discussion among the Mayor, Council, and staff centered on the purpose of the ordinance, which is standardizing of accessory building structures across zones of the City. City Manager/Attorney Call noted that there is an issue with standardization for the PRUD zone because many PRUD projects have their own development standards. Council Member Swanson stated that it is difficult for him to make a decision on this ordinance without examples of the potential impact of the adjustments. He asked for information from the Planning Commission regarding their opinion regarding whether both setback measurement formulas are needed in the ordinance.

Council Member Swanson motioned to postpone amending accessory building standards regarding zones R-2, R-3, R-4, and PRUD. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Delpias	aye
Council Member Swanson	aye

The motion passed unanimously.

7. DISCUSSION AND/OR ACTION TO CONSIDER AN ENCROACHMENT REQUEST FROM PROPERTY LOCATED AT APPROXIMATELY 3678 NORTH 600 EAST - KEYES

City Planner Hess explained that the property owners, Jonathan and Denise Keyes, constructed a shed on the south side of their property that is located within a North Ogden City-owned detention basin access. According to an onsite visit the shed is located approximately four feet onto North Ogden property. The encroachment consists of a concrete pad, Lifetime prefabricated shed, timber retaining walls, and gravel. The City was made aware of the shed through a Code Enforcement complaint. The Building Department as well as Code Enforcement have contacted the property owner. The property owner requested that the Council consider whether the shed could remain in place and provided a letter making that request. North Ogden City Ordinance for accessory buildings require that all detached accessory buildings be located within the side or

rear yard of single-family zones and must adhere to the setbacks in the zone (HP-1 in this case). Sheds less than ten feet tall require a minimum setback of three feet. In addition to meeting the setbacks, all accessory buildings shall have a buffer of either a fence or landscaping or a combination of the two. Any additional fencing or landscaping around this existing shed would need to be allowed in the City-owned property for the shed to remain. If the shed is allowed to remain in place, staff would request that the property owner assure that it is in the side yard based on the minimum required front setback of thirty feet. Mr. Hess concluded the City Council has the authority to permit, deny, or modify encroachment requests. Recently the City has approved and denied similar requests, though there has not been an approval that included a structure on City-owned property.

Mayor Berube facilitated discussion among the Council regarding their philosophy on encroachments; Council Members Delpias and Swanson indicated they are not supportive of allowing the encroachment requested by the Keyes'. Council Member Cevering agreed and noted that he would be willing to entertain selling the subject property to allow for it to be divided between the two adjacent homeowners. Council Member Barker stated he would support that solution as well. He then asked that the Mayor allow input from Mr. Keyes.

Mayor Berube invited input from Mr. Keyes.

Mr. Keyes stated he has already summarized his request in a past Council meeting; he is willing to entertain purchasing the land if that is what the Council is most comfortable with.

Mayor Berube stated that the current request will be considered 'dead' for lack of a motion on the matter and indicated that the City can explore the option of declaring the property as surplus for the purpose of selling to adjacent property owners.

8. DISCUSSION AND/OR ACTION TO CONSIDER APPROVAL OF THE NORTH OGDEN CITY'S MODERATE INCOME HOUSING PLAN

Planning Director Hess explained the North Ogden General Plan was adopted on September 22, 2015. The updated Moderate Income Housing Update was adopted into the General Plan in 2019 in accordance with Senate Bill 34 requirements. The General Plan discusses housing, housing variety, and a desire for North Ogden to maintain a high quality of life. In the 2022 Legislative Session, House Bill 462 made updates to the Moderate-Income Housing Plan requirements. The "menu" of options was updated, and an "Implementation" component was added. The City must select a minimum of three menu options, but if five are selected, the City will be placed in priority position for State transportation funding. On August 17, 2022, the North Ogden City Planning Commission held a public hearing and reviewed the draft 2022 Moderate Income Housing Plan. The Planning Commission members in attendance unanimously recommended approval of the proposed Moderate Income Housing Plan to the City Council. The Commission supported inclusion of the following five moderate income housing goals:

- Rezone for densities necessary to assure the production of Moderate-Income Housing.
- Create or allow for, and reduce, regulations related to internal or detached accessory dwelling units in residential zones.
- Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.
- Implement zoning incentives for moderate income units in new developments.
- Reduce, waive, or eliminate impact fees related to moderate income housing.

Mr. Hess then summarized the implementation measures included in the Planning Commission's recommendation for each of the identified strategies and engaged in high level discussion with the Council regarding the manner in which the effectiveness of the strategies will be measured.

a. Public Comment

Mayor Berube invited public comments at 7:27 p.m.

Doug Anderson, North Ogden resident, stated that housing affordability and availability is very concerning to him and many other residents. He attended a recent luncheon during which this issue was discussed in depth by many community leaders, and all agree that there is not a simple solution to the housing issues in Utah. However, he becomes concerned when he sees huge blocks of apartments being constructed; he drives through Clearfield City regularly due to his employment and each week there seems as if a new apartment complex is under construction. The same is true for areas throughout Ogden City. He is concerned there may not be adequate consideration of the impact these projects will have on the existing infrastructure and natural resources; he envisions the areas as 'future slums' as the density is too high and there is not adequate open space for residents to enjoy time outdoors. He stated that other communities have been very thoughtful in terms of the manner in which they have arranged different housing types rather than simply building an overwhelming number of apartments in order to check a box in compliance with State legislation.

There were no additional persons appearing to be heard.

Council Member Swanson motioned to approve the North Ogden City's Moderate Income Housing Plan. Council Member Cevering seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Dalpiaz	aye
Council Member Swanson	aye

The motion passed unanimously.

9. DISCUSSION ON NORTH OGDEN CITY PROPERTIES

Planning Director Hess reported staff has reviewed Weber County GIS Mapping Data to understand the number and size of parcels owned by the City. There are 265 parcels totaling approximately 395 acres based on a search of “North Ogden City” as the Owner. These parcels represent the following basic categories: Parks, Drainage Ways, Detention Basins, City Facilities, and narrow strips of Right-of-Way. The Planning Department and Public Works Department are going through a process of identifying each of these parcels along with their use. This is a large task that will take some time to understand the needs of the various property types, sizes, and locations that the City has ownership or control of. The completed analysis was not ready at the time of this staff report, and a follow-up report will be made available to the Council. In the meantime, staff has provided a simple map below along with an Excel spreadsheet of parcels for the Council’s consideration. He reviewed the map to orient the Council to the location of several of the different parks and noted that staff is not looking for a recommendation or decision at this stage. Rather, the intent is to discuss property ownership, and determine if there are properties that can be identified as surplus. This will guide future discussions with property owners who may want to buy or occupy properties owned by North Ogden City.

Mayor Berube thanked Mr. Hess for the information provided and indicated he and the Council look forward to continued discussion of this matter.

10. COUNCIL DEPARTMENT REPORTS:

a. COUNCIL MEMBER CEVERING - POLICE

Council Member Cevering provided a report on the Public Safety Facility project, which should take 12 to 15 months to complete. The Police Department is accepting applications for Full-Time Community Service Officer (CSO). He added that school is back in session, and he asked motorists to be aware of the renewed presence of school aged children walking or riding bikes to and from school. He concluded by noting that those interested in participating in a neighborhood watch program can receive training from the Police Department.

b. COUNCIL MEMBER EKSTROM – PUBLIC WORKS

In Council Member Ekstrom’s absence, City Manager/Attorney Call provided the Council with a report on the status of several infrastructure projects throughout the community. He also reported that fall cleanup is underway, and residents have access to the City’s green waste facility for free if they are able to provide proof of residency. Finally, the leaf truck will be driving through the City to pick up leaves placed behind the curb during the months of October and November on the day after garbage pick-up days throughout the community.

Mayor Berube stated that the method by which residents can have their leaves collected is changing and it is important to properly communicate those changes to residents.

11. PUBLIC COMMENTS

Doug Anderson, North Ogden resident, stated in years past there has been a green waste pickup program in the spring and he asked why that was discontinued. City Manager/Attorney Call stated that the green waste facility is open for free during the spring, but the City no longer provides curb-side pickup. Mr. Anderson stated that he would like for that program to be reinstated.

David Shupe, North Ogden resident, stated he owns a business in North Ogden, and this is the third time he has had to approach the Council to try to achieve some resolution to construction related issues on his property. He stated he owns the Cold Water Animal Hospital and he is frustrated with how long it is taking to cure the disturbance to his property as a result of the Washington Boulevard widening project. He has sent a letter to the Mayor and Council explaining his frustrations, which include large chunks of asphalt left on his property, which turn into dangerous projectiles when hit by a lawnmower. He stated that the sod that was placed on his property is now dead, and he feels the landscaper that placed it did a poor job. He would have expected a prompt response to his letter and still has not received a response. Mayor Berube stated the City did respond via certified letter, which was sent by City Recorder Nance. Mr. Shupe stated that the property he purchased from North Ogden City has been used by Grant Construction Company as a concrete clean-out location; for weeks they have had a tractor parked on his property and he has tried to be patient, but his attitude has since changed. He struggles to clean up the messes made by other people, especially without compensation. He stated he would like to be a friend to the City, but that friendship is being eroded by the lack of accountability by the City. He would like North Ogden to be accountable and abide by the conditions included in the contract for the Washington Boulevard project. Within 30 days following the date of substantial completion of the project, the City should have made his property whole. The project was substantially completed by October of 2021 and the City still has not completed the work on his property. According to the contract, the City should be collecting \$1,000 per day from the contractor who has not completed the work. City Manager/Attorney Call stated that the City has not exercised that penalty clause, but he agreed their work should be done by this point in time. Mr. Shupe asked what he should do if his concerns are not resolved.

Sandy Cochran, North Ogden resident, noted she sent the Mayor and Council an email about a section of sidewalk on the west side of Washington Boulevard between 1700 North and 1800 North; it is covered in algae and the bushes and weeds are completely blocking it. She has quit complaining because she believes that it likely will not be cured until a new owner buys the property. However, last week she was walking in the area, and she encountered an elderly lady in a motorized wheelchair trying to cross through the area. She was so embarrassed and saddened that she encountered those conditions. She stated the City needs to take action, there is no excuse for the outstanding conditions. City Manager/Attorney Call stated that he will follow up with the City's Public Works Department and Code Enforcement Division regarding the matter. Mayor Berube stated it is the City's responsibility to keep the sidewalk clear; if the City is not responsible for the water, the City should contact the company responsible for the source of the water.

Brenda Ashdown, North Ogden resident, stated that she has attended the meetings during which Mr. Shupe has spoken about the conditions on his property. She does not believe she would have had the same restraint that Mr. Shupe has. She stated she did not see any sign of sympathy from the Mayor or City Council, and she asked if they have visited the property or talked to him outside of this meeting. Mayor Berube answered yes. Ms. Ashdown stated she would be very upset if she was in his situation, and she feels badly for him. She appreciates that all Council Members are looking at her while she is speaking because they did not give Mr. Shupe the same courtesy.

Randy Winn, North Ogden resident, stated he thinks one of the most valuable things the City offers to its residents is the Green Waste facility; although the City no longer collects green waste curb-side, access to the facility is a wonderful benefit.

Susan Kilborn, North Ogden resident, referenced Mr. Anderson's comments and asked if the City's leaf truck will be driving through the City to collect leaves. Mayor Berube stated that matter was discussed earlier in the meeting, and he will visit with Ms. Kilborn after the meeting. Ms. Kilborn then stated that she personally knows Mr. Shupe and he is her veterinarian; she was glad to hear Ms. Ashdown speak in support of Mr. Shupe, and she noted she also supports him.

12. COUNCIL/MAYOR/STAFF COMMENTS

Council Member Cevering stated he was contacted by a resident who owns a concrete business and is willing to donate the concrete materials needed for pickleball courts. He asked if the City has sufficient space at an existing park for that amenity. Mayor Berube stated that matter can be discussed as the City Council continues their discussion of City-owned property in future meetings. Council Member Cevering then asked for an update on the construction project on the Wangsgard/Secrist property. Mr. Hess stated that it is his understanding the project has been placed on hold due to market conditions impacting development projects. Council Member Cevering then inquired as to the next steps in the process to sell property to Mr. Keyes and his neighbor. City Manager/Attorney Call noted that the City will begin the process to consider declaring the property as surplus; a public hearing must be held, and the City will seek an appraisal of the property in order to determine the sales price.

Mr. Call then reported the flower baskets have been removed from Washington Boulevard in an effort to conserve water at the end of the secondary watering season. He referenced the recent theft of a flag used by the Brent Taylor Foundation; the box the flag had been stored in was found, but the flag was not in it. He addressed Ms. Kilborn's comments from earlier in the meeting regarding the City's Facebook page; the reason the City does not allow everyone to post is to limit the number of advertisements that would be placed there. If the page is opened for public posting, the City cannot censor or remove posts and that could be problematic. There are other independent pages that allow public posting, however. Mayor Berube stated that it is important to allow citizens to provide feedback and he suggested that Mr. Call respond to Ms. Kilborn via email.

Mayor Berube reported on frustrations with traffic conditions at 400 East and 3100 North; he asked Mr. Call to discuss the issue with Chief Quinney and encourage officers to increase enforcement efforts at the intersection. An Officer present at the meeting stated that the Police Department has been warning and ticketing motorists who are using the shoulder as a passing lane; some have fought those citations in the City's Justice Court and the Judge suggested that the Police Department decrease enforcement of that violation. Mayor Berube stated he is not happy with that response and he asked Mr. Call to reach out to the Judge to discuss the matter. Council Member Swanson suggested that the area be striped to call to motorists attention that using the area for passing is illegal.

Council Member Swanson also referenced the theft of a flag from the Brent Taylor Foundation; funds have been raised to replace the flag and the Foundation was able to purchase a flag that is better than the one that was lost. However, he and many others are still disappointed by the theft.

13. DISCUSSION AND/OR ACTION TO ENTER A CLOSED MEETING FOR REASONS RELATED TO UTAH STATE CODE §52- 4-205(1)(A) REGARDING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF INDIVIDUAL

Mayor Berube indicated that there is no need for a closed meeting this evening.

14. ADJOURNMENT

Council Member Swanson motioned to adjourn the meeting. Council Member Barker seconded the motion.

Voting on the motion:

Council Member Barker	aye
Council Member Cevering	aye
Council Member Delpias	aye
Council Member Swanson	aye

The motion passed unanimously.

The meeting adjourned at 8:16 p.m.

S. Neal Berube, Mayor

Susan L. Nance, CMC
City Recorder

Date Approved

Not Approved

Staff Report to the North Ogden City Council

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration, and action on a legislative amendment regarding accessory building standards in the R-2, R-3, R-4, and PRUD zones

Agenda Date: October 25, 2022

Applicant: North Ogden City Staff

File Number: ZTA 2022-06

PUBLIC NOTICE:

Mailed Notice: N/A

City Website: October 20, 2022

STAFF INFORMATION

Kai Johnsen
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801-737-2202

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-9D-4: SITE DEVELOPMENT STANDARDS, 11-9E-4: SITE DEVELOPMENT STANDARDS, 11-9F-4: SITE DEVELOPMENT STANDARDS, 11-9G-2: PERMITTED USES, 11-9H-2: PERMITTED USES, 11-9I-2: PERMITTED USES, and 11-9M-9: ACCESSORY BUILDINGS

LEGISLATIVE DECISION

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, require compatibility with the general plan and existing codes.

BACKGROUND

A resident recently came to The City with a preliminary site plan for an accessory building for a metal sided building in an R-2 Zone. Staff concluded that based on the current ordinance related to accessory building design standards in the R-2 Zone the building could be approved. However, staff recognized that the standards for accessory buildings in the R-2, R-3, and R-4 Zones are less restrictive and not consistent with the standards for accessory buildings in other

residential zones, specifically standards in the R-1-8 and R-1-10 zones.

After further research through the City Code there were additional sections of code that contained site development standards for the multifamily and PRUD Zones. The Multifamily Site development standards were combined with the site development standards within the individual zones. The PURD site development standards were retained as an individual Article in the code, with references added to the respective PRUD Zones.

City Council request for input:

On September 13, 2022, the North Ogden City Council discussed the proposed ordinance change and determined that further input was desired from the Planning Commission regarding an existing code provision that limits accessory buildings in the R-2, R-3, R-4, and PRUD zones to a maximum size of 599 square feet.

On September 21st, 2022, the North Ogden Planning Commission reviewed the proposed ordinance change and recommended the removal of the maximum building size from the site development standards.

ANALYSIS

The current North Ogden City Code related to accessory building design standards in the R-2, Zone permits a building of 15 feet in height to be constructed 3 feet from a property line. Large accessory buildings, over 600 square feet must be 15 feet from the property line, the maximum height of the building with a 15-foot setback is unclear in the code. The code contains an exception, a large accessory building may be 25 feet tall with a 20-foot setback from property lines and 60 feet of separation from a home on an adjoining lot. Additionally, there is no reference to 11-9M-9, standards for accessory buildings in residential and civic zones.

In contrast, the accessory building standards in the R-1-8, R-1-10, and related zones require a 3-foot setback for buildings 10 feet in height or less. An increase in height over 10 feet is permitted with an increase in the setback to 5 feet. The building height may increase at a 1:1 ratio for every foot of distance from the property line, so a 15-foot-tall building would require a setback of 10 feet. Additionally, accessory buildings over 200 square feet must be integrated into the design of the main residential building in the R-1-8 and R-1-10 zones.

The proposed code changes make the standards for accessory buildings in multi-family residential zones consistent with the standards for accessory buildings in single family zones. Moreover, the standards are designed to mitigate the impacts of accessory buildings on adjoining properties by increasing the setback distances relative to the height of the accessory building.

CONFORMANCE WITH THE GENERAL PLAN

The Vision for North Ogden in the General Plan reads: “North Ogden 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;
- 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.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

- Are the standards for accessory buildings in the R-1-8 and R-1-10 zones appropriate for single family homes in multi-family zones?
- Do the proposed standards regarding height and size address the unique characteristics of the multi-family zones that are primarily located in central North Ogden?

EXHIBITS

Exhibit A- Ordinance Draft

RECOMMENDATION

Conduct discussion regarding accessory buildings in the R-2, R-3, R-4, and PRUD Zones and provide any feedback and direction to modify the proposed ordinance change, or adopt the ordinance change

ORDINANCE 2022-

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY TITLE 11, SECTION 2, CHAPTER 9, ARTICLE D: RESIDENTIAL ZONE R-2, ARTICLE E: MULTI-FAMILY RESIDENTIAL ZONE R-3, ARTICLE F: MULTI-FAMILY RESIDENTIAL ZONE R-4, ARTICLE G: ROYLANCE FARMS PHASE II PLANNED UNIT DEVELOPMENT ZONE (PUD), ARTICLE H: QUAIL PONDS PLANNED UNIT DEVELOPMENT ZONE (PUD), ARTICLE I: COLD CREEK VILLAGE PLANNED UNIT DEVELOPMENT (PUD), AND ARTICLE M: USE REGULATIONS APPLICABLE TO RESIDENTIAL AND CIVIC ZONES STANDARDS FOR ACCESSORY BUILDINGS IN MULIT-FAMILY RESIDENTIAL ZONES, AMENDING BUILDING HEIGHT AND SETBACKS

WHEREAS; The General Plan goals support the reasonable use of property while maintaining high quality design standards; and

WHEREAS; The current City ordinances related to accessory building standards in multifamily residential zones are not consistent with accessory building standards in single family residential zones; and

WHEREAS; This amendment updates the standards for accessory buildings in muti family residential zones to be consistent with the standards for accessory buildings in single family residential zones; and

WHEREAS; The proposed standards are designed to provide a reasonable setback from adjoining properties and maintain the reasonable use of the property.

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City Code 11-9D-4, 11-9E-4 11-9F-4,11-9G-2, 11-9H-2,11-9I-2, and 11-9M-9 be amended as follows:

11-9D-4: SITE DEVELOPMENT STANDARDS

(Measurements in feet or square feet)

A. Minimum lot area	
1. Interior with single-family dwelling	8,000 square feet
2. Interior with two-family dwelling or other main building, includes twin homes	12,000 square feet total, 6000 per unit

3. Corner with single-family dwelling	9,000 square feet
4. Corner with two-family dwelling or main building with other than dwelling	12,000 square feet total, 6000 per unit
B. Minimum lot widths measured 30 feet back from the front property line	
1. For a single-family dwelling at a distance thirty feet (30') back from the front property line	80'
2. For a two-family dwelling at a distance thirty feet (30') back from the front property line	90'
C. Minimum yard setback	
1. Front	30'
2. Side	
a. Dwelling	8'
(1) Minimum length of the total of the two (2) side yards	18'
(2) For interior lots where there is an attached garage with the required number of parking spaces, each side yard may be eight feet (8')	
b. Other main buildings (each side)	20'
c. Twin home	18'
3. Side facing street on corner lot	20'
4. All utility easements must be maintained in an open state, unless written permission is secured from all utility companies to place a structure over the easements	
5. Rear	
a. Main building	20'
b. Minimum spacing between main and accessory buildings	6'

6. Building height	
a. Minimum	10'
b. Maximum	35'
~~D. Accessory building regulations (see also CCNO 11-9M-9)~~	
~~1. Minimum setback requirements~~	~~a. 3' from the property line b. Large accessory building, 15' c. 6' from the main dwelling~~
~~2. Building height~~	
~~a. Maximum~~	~~15' if set back 3' from property line~~
~~i. Exception 1~~	~~25' if set back 20' from the property line and 60' from a neighboring dwelling~~
D. Total lot coverage:	
~~3. 1. Maximum rear yard coverage for accessory building or group of accessory buildings~~	~~25%~~
~~4. 2. Maximum lot coverage for building or group of buildings with the accessory buildings~~	~~35%~~
E. Accessory building regulations (see also CCNO 11-9M-9)	
1. Accessory building height	
2. Accessory building setback	
a. Accessory building	
(1) Corner lot (street side)	20'
(2) Required setback in feet (with permitted increases in building height beyond 10')	
(A) Buildings that meet the design standards requirements in 11-9M-9: a building up to 10' tall may be 3' from the property line. Beginning at 5' from the property line, an increase in building height beyond 10' is permitted up to a maximum building height of 25' (at the tallest point of the roof of the building), with an increase, at a 1:1 ratio, in the required setback distance of the building walls from the property line	

3. Minimum separation required between primary building and between all accessory buildings	At least 6'
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11-9E-4: SITE DEVELOPMENT STANDARDS

(Measurements in feet or square feet)

A. Minimum lot area	
1. Interior with single-family dwelling	8,000 square feet
2. Corner with single-family dwelling	9,000 square feet
3. Interior and corner - multi-family dwelling	10,000 square feet
4. Interior - nonresidential building	8,500 square feet
5. Corner - nonresidential building	9,500 square feet
B. Minimum lot width measured 30 feet back from the front property line	80'
C. Minimum Yard Setback:	
1. Front	30'
2. Side	
a. Single-family dwelling	8' Exception: The total of two side yards shall not be less than 17'
b. Other main buildings (each side)	20'
c. All utility easements must be maintained in an open state	
3. Side facing street on corner lot	20'
4. Rear (main building)	20'
D. Building Height	
1. Minimum	10'
2. Maximum	35'
E. Total lot coverage:	
1. No accessory building or group of accessory buildings shall cover more of the rear yard than twenty five percent (25%).	

2. No building or group of buildings with the accessory buildings shall cover more of the total lot area than fifty percent (50%).	
3. Minimum setback requirements	3' from the property line Large accessory building, 15' 6' from the main dwelling
4. Building height	
a. Maximum	15' if set back 3' from property line Exception: 25' if set back 20' from the property line and 60' from a neighboring dwelling Exception: On parcels larger than one acre location proposed closer than 15' may be allowed by conditional use permit
F. Accessory building regulations (see also CCNO 11-9M-9)	
1. Accessory building height	
2. Accessory building setback	
a. Accessory building	
(1) Corner lot (street side)	20'
(2) Required setback in feet (with permitted increases in building height beyond 10')	
(A) Buildings that meet the design standards requirements in 11-9M-9: a building up to 10' tall may be 3' from the property line. Beginning at 5' from the property line, an increase in building height beyond 10' is permitted up to a maximum building height of 25' (at the tallest point of the roof of the building), with an increase, at a 1:1 ratio, in the required setback distance of the building walls from the property line	
3. Minimum separation required between primary building and between all accessory buildings	At least 6'
4. Maximum size	599 Sq. Ft.

11-9F-4: SITE DEVELOPMENT STANDARDS

(Measurements in feet and square feet)

A. Minimum lot area	
1. Interior with single-family dwelling	8,000 square feet
2. Corner with single-family dwelling	9,000 square feet
3. Interior and corner - two-family dwelling	8,000 square feet
4. Interior with nonresidential main building	8,500 square feet
5. Corner with nonresidential main building	9,500 square feet
6. Residential care facility, in addition to minimum, for each patient	500 square feet
B. Minimum lot width measured 30 feet back from the front property line	80'
C. Minimum Yard Setback:	
1. Front	30' If located on Washington Blvd. or 2700 North, the front yard setback is 20' with no parking allowed in the front yard.
2. Side	
a. Single-family dwelling	8' Exception: The total of two side yards shall not be less than 17' Exception: On interior lots where there is an attached garage with the required number of parking spaces, each side yard may be 8'
b. Other main buildings (each side)	20'
c. All utility easements must be maintained in an open state	
d. Twin homes	16'
e. Side facing street on corner lot	20'

3. Rear (main building)	20'
D. Building Height	
1. Minimum	10'
2. Maximum	35'
E. Accessory Buildings	
1. Minimum setback requirements	3' from the property line Large accessory building, 15' 6' from the main dwelling
2. Building height	
a. Maximum	15' if set back 3' from property line Exception: 25' if set back 20' from the property line and 60' from a neighboring dwelling Exception: On parcels larger than one acre location proposed closer than 15' may be allowed by conditional use permit
E. Accessory building regulations (see also CCNO 11-9M-9)	
1. Accessory building height	
2. Accessory building setback	
a. Accessory building	
(1) Corner lot (street side)	20'
(2) Required setback in feet (with permitted increases in building height beyond 10')	
F. Buildings that meet the design standards requirements in 11-9M-9: a building up to 10' tall may be 3' from the property line. Beginning at 5' from the property line, an increase in building height beyond 10' is permitted up to a maximum building height of 25' (at the tallest point of the roof of the building), with an increase, at a 1:1 ratio, in the required setback distance of the building walls from the property line	
3. Minimum separation required between primary building and between all accessory buildings	At least 6'
4. Maximum size	599 Sq. Ft.

11-9G-2: PERMITTED USES

A. The following uses shall be permitted:

1. Attached dwelling units. See CCNO 11-13.
2. Church, synagogue or similar permanent building used for regular religious worship.
3. Home daycare center. See CCNO 11-9M-14.
4. Home occupations. See CCNO 11-14.
5. Home preschool. See CCNO 11-9M-14.
6. Household pets.
7. Single-family dwellings.
8. Accessory buildings and uses customarily incidental to any permitted use. (See 11NOCC 11-9M-9 for accessory building standards.)

11-9H-2: PERMITTED USES

A. The following uses shall be permitted:

1. Attached dwelling units. See CCNO 11-13.
 2. Church, synagogue or similar permanent building used for regular religious worship.
 3. Home occupations. See CCNO 11-14.
 4. Household pets.
- North Ogden Land Use Code Update | Planning Commission Review Draft | May 26, 2021 22
5. Planned Unit Development. See CCNO 11-13.
 6. Public buildings, public or private parks, recreation grounds, and associated buildings. See CCNO 11-9M-18.
 7. Single-family dwellings.
 8. Temporary buildings, structures and uses incidental to construction work. Such building shall be removed upon completion or abandonment of the construction work.
 9. Accessory buildings and uses customarily incidental to any permitted use. (See 11NOCC 11-9M-9 for accessory building standards.)

11-9I-2: PERMITTED USES

A. The following uses shall be permitted:

1. Home occupations. See CCNO 11-14.
2. Household pets.
3. Multi-family dwellings.
4. Single-family dwellings.
5. Temporary buildings incidental to construction work.
6. Accessory buildings and uses customarily incidental to any permitted use. (See 11NOCC 11-9M-9 for accessory building standards.)

11-9M-9: ACCESSORY BUILDINGS

Standards for Accessory Buildings in ~~CCNO 11-7F (Residential Zone R-2), CCNO 11-7G (MultiFamily Residential Zone R-3), CCNO 11-7H (Multi Family Residential Zone R-4)~~ and the following PRUD Zones CCNO 11-7C (Legacy Planned Residential Unit Zone), CCNO 11-7D (Roylance Farms Planned Residential Unit Zone), CCNO 11-7E (Quail Ponds Planned Residential Unit Zone), and CCNO 11-7I (Cold Creek Village Planning Residential Unit Development Zone):

PRUD Accessory Building Site Development Standards				
	R-2	R-3	R-4	PRUD
A. Interior side yard setback (in feet)	3	3	3	3
B. Corner lot side yard setback (in feet)	20	20	20	20
C. Maximum height (in feet)	15	15	15	15
D. Maximum size	599 sq. ft.	599 sq. ft.	599 sq. ft.	599 sq. ft.
E. Minimum distance between buildings	6	6	6	6
F. Maximum rear yard coverage by all accessory buildings	25%	25%	25%	25%
a. Maximum	15' if set back 3' from property line Exception: 25' if set back 20' from the property line and 60' from a neighboring dwelling Exception: On parcels larger than one acre location proposed closer than 15' may be allowed by conditional use permit			
A. Accessory building regulations (see also CCNO 11-9M-9)				
1. Accessory building height				
2. Accessory building setback				
a. Accessory building				
(1) Corner lot (street side)			20'	

(2) Required setback in feet (with permitted increases in building height beyond 10')	
b. Buildings that meet the design standards requirements in 11-9M-9: a building up to 10' tall may be 3' from the property line. Beginning at 5' from the property line, an increase in building height beyond 10' is permitted up to a maximum building height of 25' (at the tallest point of the roof of the building), with an increase, at a 1:1 ratio, in the required setback distance of the building walls from the property line	
3. Minimum separation required between primary building and between all accessory buildings	At least 6'
4. Maximum rear yard coverage by all accessory buildings	25%
5. Maximum size	599 Sq. Ft.

SECTION 2: This ordinance shall take effect upon adoption.

PASSED and ADOPTED this th day of 2022.

North Ogden City:

S. Neal Berube
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Barker:	_____	_____
Council Member Cevering:	_____	_____
Council Member Dalpiaz:	_____	_____
Council Member Swanson:	_____	_____
Council Member Ekstrom:	_____	_____
(In event of a tie vote of the Council):		
Mayor Berube	_____	_____

ATTEST:

Susan L. Nance, CMC
City Recorder

Staff Report to the North Ogden City Council

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration of North Ogden City property to analyze property that is necessary to retain versus surplus property

Agenda Date: September 13, 2022, October 25, 2022

Applicant: Planning Department

File Number: N/A

PUBLIC NOTICE:

Mailed Notice: N/A

Newspaper: N/A

City Website: September 8, 2022, October 20, 2022

PROPERTY INFORMATION

Address: Many

Parcel ID: Many

STAFF INFORMATION

Scott Hess
shess@nogden.org
801-737-9841

BACKGROUND

Property Owners in North Ogden City have approached the City Council asking to purchase or occupy land owned by the City. Most recently, property owner Clint Willis asked the Council to sell a portion of property adjacent to a detention basin. This request led the Council to ask staff to analyze property owned by the City and determine what parcels are vital to meet the needs of the city and public, and which parcels may be listed as surplus property and sold.

ANALYSIS

Staff has reviewed Weber County GIS Mapping Data to understand the number and size of parcels owned by the City. There are 265 parcels totaling approximately 395 acres based on a search of “North Ogden City” as the Owner (See Area Map below for parcels outlined in red). These parcels represent the following basic categories: City Facilities, Street Right-of-Way, Water Right-of-Way, Stormwater Right-of-Way, Sewer Right-of-Way, and Future Use To Be Determined (see Exhibit A).

Casey Hunsaker with the Public Works Department reviewed the Weber County Parcel Data and

applied a current or proposed use to each parcel. The majority of parcels are critical infrastructure for the City representing Streets, Water, Storm Water, and Sewer infrastructure. Staff's opinion is that these parcels, including their access ways, should be retained in City-ownership and not sold.

Staff would be supportive of developing a policy to allow leasing of property to owners who may want to occupy City-owned areas. The leases would provide flexibility for property owners, may reduce the maintenance burden for City staff, but would maintain long term ownership interest and the ability to fully utilize property in the future.

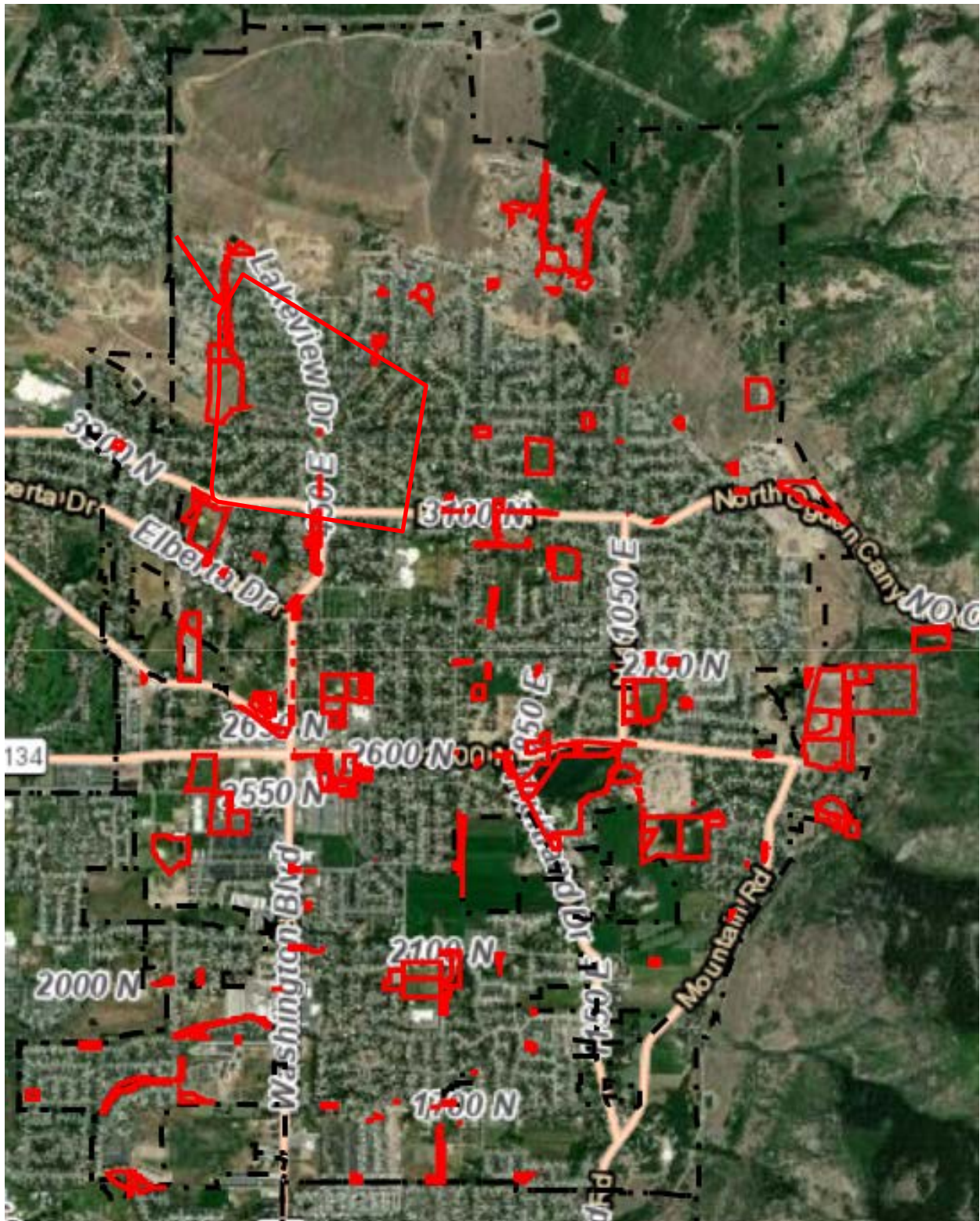
The parcels labeled "Future Use To Be Determined" include larger parcels that the City has acquired over time. These properties may have market value worth exploring for sale or development. One example is the parcel south of the City's Green Waste Pit. The City owns 6.93 acres fronting the canal with access of Mountain Road. This parcel does not have the same deed restriction for permanent open space that the trailhead and Green Waste Pit have, and could be sold for development in the future. Two other well known parcels are the home site at the corner of Elberta and Washington Blvd. that was purchased as part of the road widening project, and the pond between 2600 N and 2550 N. that is slated to be relocated to open up land for economic development.

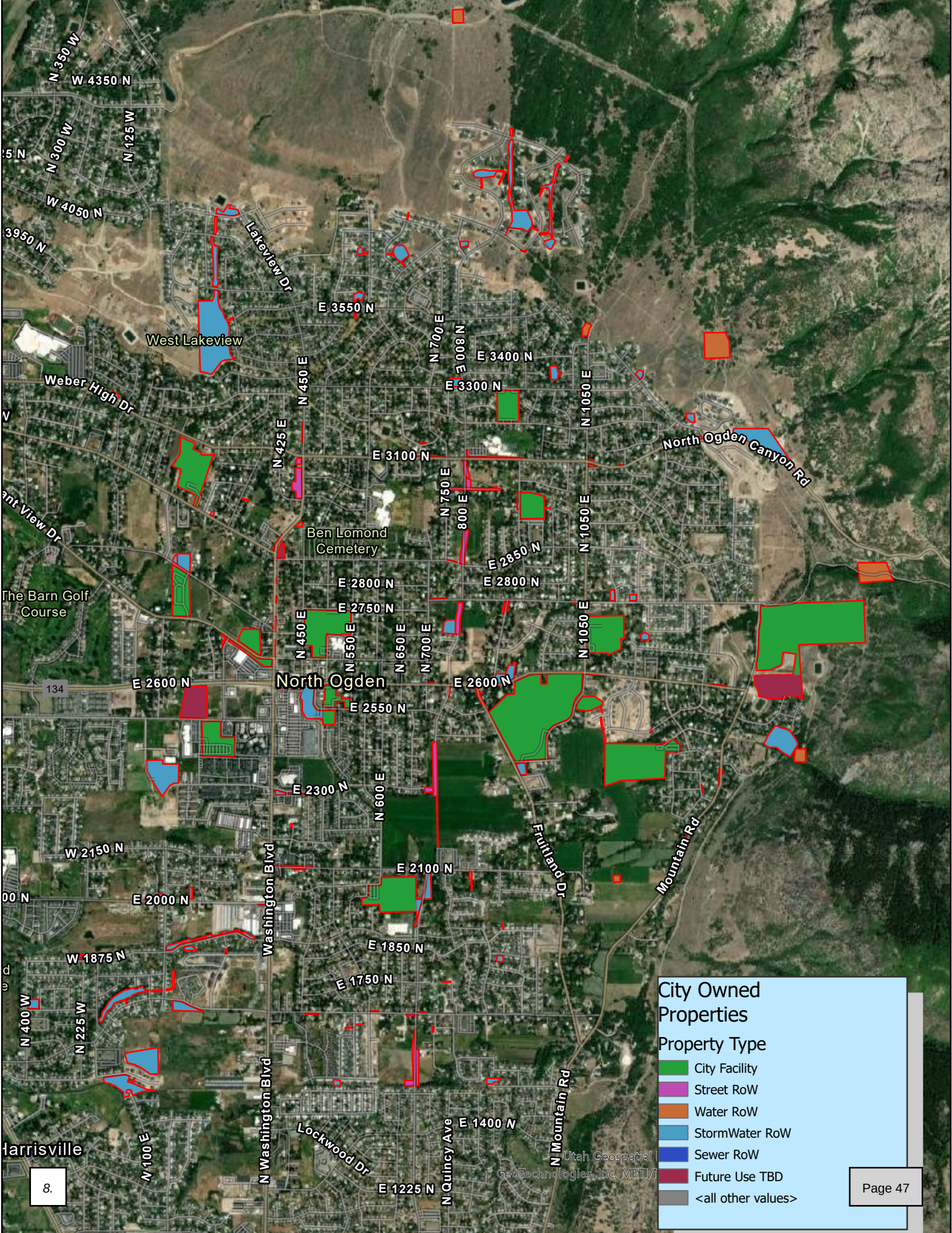
Staff is recommending that the City Council consider the attached information and develop a policy for city-owned property as it relates to the sale or lease of ground. Staff's recommendation is to retain ownership of parcels related to critical infrastructure, and surplus only those properties deemed non-essential based on their current or proposed future use.

EXHIBITS

- A. North Ogden Parcel Ownership GIS Map
- B. North Ogden City Parcel Ownership Attributes (to be sent to Council prior to meeting)

AREA MAP





City Owned Properties

Property Type

City Facility

Street RoW

Water RoW

StormWater RoW

Sewer RoW

Future Use TBD

<all other values>

Staff Report to the North Ogden City Council

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration, and action on a legislative amendment to develop short term rental regulations.
Agenda Date: September 21, 2022 (Planning Commission)
October 25, 2022 (City Council)
Applicant: North Ogden City
File Number: ZTA 2022-07

PUBLIC NOTICE:

Mailed Notice: N/A
Newspaper: N/A
City Website: July 21, 2022 (PC public hearing notice), September 16, 2022 (PC staff report) October 20, 2022 (CC staff report)

STAFF INFORMATION

Scott A. Hess
(801) 737-9841
shess@nogden.org

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-9M-10 K(5) Accessory Dwelling Units (business license required for rental of ADU)

LEGISLATIVE DECISION

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, require compatibility with the general plan and existing codes.

BACKGROUND

North Ogden City has previously considered Short Term Rental Regulations in 2018 and 2019. In 2019, the Code was updated to allow short term rental of accessory dwelling units. Currently, any residential structure in the City can be operated as a short term rental so long as the operator obtains a Rental Business License. This includes the rental of any portion of an owner occupied home or accessory dwelling unit, as well as the rental of an entire residential structure.

Staff has recently received calls from property owners asking questions about short term rentals and their legality. The Council has since asked Staff to consider regulations for short term rentals.

Analysis

Short term rentals have the potential to impact local housing affordability and availability, especially in destination communities or gateway communities (communities with immediate

access to public lands). North Ogden City is largely a community of homeowners, with relatively limited long term and short term rental populations compared to some surrounding communities, or other cities in the State. Short term rentals in our area represent a minor percentage of the overall housing market and are not a growing segment of business licenses in the City. Likewise, the number of accessory dwelling units has increased slowly. North Ogden City currently has ten (10) active short term rental business licenses, and nine (9) active long term rental licenses within accessory dwelling units. Staff understands that the number of business licenses does not necessarily reflect the number of actual rentals there are in the community. A review of airbnb.com showed twenty-four (24) available short term rental homes available in August. The city could/should do an information campaign to begin bringing those rentals without a license into compliance. This is a small percentage of the roughly 6,000 residential units we have in the city.

Staff met with representatives from the Code Enforcement, Building, and Fire Departments to discuss the impact that short term rentals have had on the community. From these discussions it appears that there are perceived negative issues from short term rentals that rarely become actual issues. The main complaint received is parking related, with a few noise complaints that are typically addressed with the renter at the time of the complaint.

Staff has researched other Utah community's regulations for the consideration of the Planning Commission (see Exhibits A, B, and C).

The discussions with the Building and Fire Department were useful in determining potential steps the city can take to assure that these rentals are safe and secure. The suggestion from Ryan Barker, Fire Marshall, was to develop clear guidelines for inspection of short term rentals to assure that they meet fire/life safety requirements. These requirements are recommended to be similar to the inspection requirements for accessory dwelling units.

Planning Commission met on August 3, 2022 and discussed standards for Short Term Rentals. Based on that discussion, staff is proposing the additional regulations below in red for the Planning Commission's consideration.

Draft Short Term Rental Regulations:

1. Short term rentals are recommended to continue to be permitted within residential units as a stand alone use, or when renting any portion of an existing home or accessory dwelling unit.
 - a. Staff is recommending that short term rentals be limited to only single-family homes.
2. Short term rentals require the property owner to provide a phone number and contact information for an owner or property manager who can be reached by phone 24/7, as well as contact information for an owner, property manager, or representative who can be physically at the house within one hour. If the owner or property manager is not responsive within three contact attempts, then fines will be assessed at XX daily. (*Staff needs to research what the Civil penalty is in this case).
3. Short term rentals must obtain a Rental Business License.

4. Short term rentals are recommended to be required to be inspected by the Fire Department prior to initial approval of the Business License, and annually at renewal thereafter.
5. Building/Fire Department Inspection is recommended to include:
 - a. Compliance with Building, Fire, and Health Codes
 - b. Smoke Detectors installed in each bedroom
 - c. Ground fault circuit interrupter (GFCI) outlets recommended to be required in locations set by Building Code
 - d. Ingress and egress doors and windows recommended to be required to meet Building Code at the time of application
 - e. Hand or Guard Rails recommended to be required in locations set by Building Code
 - f. Parking recommended to be required at one stall per bedroom rented
 - g. Maximum occupancy recommended to be no more than 12 persons in the entire short term rental property

CONFORMANCE WITH THE GENERAL PLAN

Housing Goals

Goal #1 – Increase Housing Quality and Variety

- Encourage adequate housing types which accommodate lifecycle transitions and changing population norms.
- Establish and adhere to high quality building and design standards for all housing types so that development enhances the community character.
- The General Plan housing goals and strategies are supportive of providing appropriate design standards and increasing housing types, e.g., adding accessory dwelling units.

Strategies

- 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.
- Create design standards to improve the overall quality of North Ogden's housing.
- Work with homeowners, landlords, and renters to maintain and improve existing properties.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

- Should residential units be allowed to continue being rented on a short term basis?
- Is the amendment consistent with the General Plan?

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on August 3, 2022. At that meeting the PC heard from members of the public, staff, and the police department. Based on that discussion, the PC provided feedback to Staff and asked for amended standards regulating short term rentals be brought back. In a follow-up meeting on September 21, 2022 the Planning Commission heard the

amended standards (which have been written into the Draft Ordinance, Exhibit A), and unanimously recommended approval to the City Council.

EXHIBITS

- A. Draft Short Term Rental Ordinance
- B. PC Minutes Draft August 3, 2022
- C. Hurricane City Short Term Rental Guide
- D. Murray City Short Term Rental Draft Ordinance
- E. Springville City Short Term Rental Ordinance

ORDINANCE 2022-__

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY, TITLE 11, CHAPTER 9, ARTICLE M: USE REGULATIONS APPLICABLE TO RESIDENTIAL AND CIVIC ZONES, TO ADD SHORT TERM RENTAL REGULATIONS

WHEREAS; the City has residents and property owners who desire to monetize the investment of their property as a short term rental; and

WHEREAS; the City permits rentals of residential properties with a business licence; and

WHEREAS; the City aims to balance the rights of all property owners and limit conflicts between incompatible uses; and

WHEREAS; the City Planning Commission has recommended regulations for Short Term Rentals defined as rentals lasting fewer than thirty (30) days.

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City Code 11-9M-22 Short Term Rental Regulations be created, as follows:

SECTION 1: Text to be added:

11-7: DEFINITIONS

SHORT TERM RENTAL: A residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

11-9M-21: SHORT TERM RENTAL REGULATIONS

- A. Purpose and Intent. The purpose of this section is to provide regulations for short term rentals.
- B. Location.
 - 1. Short term rentals are only permitted within single-family residential structures. Short term rentals are not permitted within attached units including duplexes (which are not owner occupied), townhomes, apartments, and condominiums.
 - 2. Short term rentals are permitted within owner-occupied accessory dwelling units, both attached and detached.
- C. Parking. Short term rentals shall provide one parking space per bedroom being rented.
- D. Property Contact.

1. Short term rental owners shall provide a phone number and contact information for an owner or property manager who can be reached by phone 24 hours a day 7 days per week
 2. Short term rental owners shall provide a phone number and contact information for an owner, property manager, or representative who can be physically at the house within one hour of a call. If the owner or property manager is not responsive within three contact attempts, then fines will be assessed per North Ogden Civil Code.
- E. License: Short term rentals shall obtain a Rental Business License.
- F. Inspection.
1. Short term rentals shall be inspected by the Fire Department prior to initial approval of the Business License and shall be inspected annually at the time of business license renewal thereafter.
 2. Inspection shall include:
 - a. Compliance with Building, Fire, and Health Codes.
 - b. Smoke Detectors shall be installed in each bedroom.
 - c. Ground fault circuit interrupter (GFCI) outlets required in locations set by Building Code.
 - d. Ingress and egress doors and windows shall meet Building Code at the time of application.
 - e. Hand or Guard Rails shall be required in locations set by Building Code.
- G. Occupancy: Maximum occupancy for a short-term rental shall be no more than 12 persons.

SECTION 2: This ordinance shall take effect upon adoption.

PASSED and ADOPTED this th day of 2022.

North Ogden City:

S. Neal Berube
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Barker:	_____	_____
Council Member Cevering:	_____	_____
Council Member Dalpias:	_____	_____
Council Member Swanson:	_____	_____
Council Member Ekstrom:	_____	_____
(In event of a tie vote of the Council):		
Mayor Berube	_____	_____

ATTEST:

Susan L. Nance, CMC
City Recorder

**NORTH OGDEN PLANNING COMMISSION
MEETING MINUTES
August 3, 2022**

The North Ogden Planning Commission convened in a regular meeting on August 3, 2022, at 6:00 p.m. The meeting was also held on Zoom. 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 July 29, 2022. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2021.

COMMISSIONERS:

Eric Thomas	Chairman	excused
Brandon Mason	Vice-Chairman	
Scott Barker	Commissioner	
Alan Lunt	Commissioner	
Nicole Nancarrow	Commissioner	
Johnson Webb	Commissioner	
Cody Watson	Commissioner	excused

STAFF:

Jon Call	City Manager/Attorney
Scott Hess	Planning Director
Brandon Bell	Associate Planner
Kai Johnsen	Planning Tech
Jon Ungard	Police Officer

VISITORS:

Sandy Cochran	Val Poll	Stefanie Casey
Brenda Ashdown		

Vice Chairman Mason called the meeting to order at 6:00 p.m. Commissioner Barker offered the invocation and Vice Chairman Mason led the Pledge of Allegiance.

1. ROLL CALL

Vice Chairman Mason conducted roll call and indicated Chairman Thomas will arrive shortly and that Commissioner Watson was excused.

2. OPENING MEETING STATEMENT

Vice Chairman Mason read the opening meeting statement.

3. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

Vice Chairman Mason asked if any member of the Commission had any ex parte communications or conflicts of interest to disclose. No disclosures were made.

4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no public comments.

ADMINISTRATIVE ITEMS

5. SUB 2022-09 CONSIDERATION AND ACTION ON AN ADMINISTRATIVE APPLICATION FOR PRELIMINARY APPROVAL OF THE MOUNTAIN MEDICAL CENTER SUBDIVISION, LOCATED AT APPROXIMATELY 2650 NORTH WASHINGTON BOULEVARD

Associate Planner Bell explained the applicant is requesting preliminary approval for the Mountain Medical Center Subdivision. There will be a forthcoming rezone application which will be considered by the Planning Commission. This subdivision needs to be subject to the rezone of the additional property, which will be forthcoming. The City Engineer submitted a review memo dated July 21, 2022. He summarized the staff and review agency comments relating to the application, noting the proposed subdivision meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan, with the requirements noted in the staff report. This area is in the Downtown Mixed-Use land use category on the newly updated future land use map. Staff recommends that the Planning Commission grant preliminary approval of the Mountain Medical Center Subdivision, subject to the following conditions:

- The applicant should verify that distance of the closest point of the building (including the bay window) to the proposed relocated property line, after the property dedication, will be 20' or greater from the property line. If it doesn't meet the setback requirement, the proposed property line may be adjusted so the sidewalk is in an easement, including up to 1' of property behind the sidewalk.

- The entirety of the City-owned parcel to the west that property is being taken from needs to be shown on the plat, so that it's clear what is left in that parcel.
- The current eastern property line for the City-owned parcel to the west, from which property is being added to this property, needs to be shown on the plat, and clearly identified on the plat as a former property line, and colored in a faint grey line.
- The application needs to show the existing property line between the two existing parcels owned by Shupe holdings, with a faint grey line, to show the properties were combined into one parcel.
- Identify former parcel numbers of all parcels on the plat.
- This subdivision be subject to the rezone, which still needs to be completed, so that the entirety of the newly created parcel will be within the same zone.
- Requirements of the North Ogden City Engineer's Report be met prior to final plat approval (except where superseded in this report).

Discussion among the Commission and staff centered briefly upon the recommended conditions of approval relating to sidewalks; Mr. Bell stated sidewalks are not typically identified on a site plan but will be included on the final subdivision plat.

Vice Chairman Mason invited input from the applicant.

Val Poll thanked City staff for their assistance in navigating the subdivision process and he asked for favorable action from the Planning Commission.

Vice Chairman Mason invited public input. There were no persons appearing to be heard.

Commissioner Lunt made a motion to grant preliminary approval of the Mountain Medical Center Subdivision, located at approximately 2650 North Washington Boulevard, application SUB 2022-09, based on the findings and subject to the conditions listed in the staff report, with one exception that if the County does not require the property to the west to be fully shown on the plat, such will not be required of the applicant. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas	absent
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent

The motion carried.

LEGISLATIVE ITEMS

6. ZTA 2022-06 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT REGARDING ACCESSORY BUILDING STANDARDS IN MULTI-FAMILY ZONES: R-2, R-3, AND R-4

Planning Technician Johnson explained a resident recently came to the City with a preliminary site plan for an accessory building for a metal sided building in an R-2 Zone. Staff concluded that based on the current ordinance related to accessory building design standards in the R-2 Zone the building could be approved. However, staff recognized that the standards for accessory buildings in the R-2, R-3, and R-4 Zones are less restrictive and not consistent with the standards for accessory buildings in other residential zones, specifically standards in the R-1-8 and R-1-10 zones. He discussed staff's analysis of the matter, noting staff found that the regulations for accessory buildings in the R-2 zone are different from those in the R-1-8 and R-1-10 zones, but this was not intentional; staff believes it would be appropriate to assign the same standards to single family homes in multi-family zones. Staff recommends the Commission conduct a public hearing and discussion regarding accessory buildings in the R-2, R-3, and R-4 Zones and provide feedback and direction to prepare an ordinance for consideration by The City Council.

a. Vice Chairman Mason opened the Public Hearing at 6:26 p.m.

Stefanie Casey stated that she understands the need for some regulations to ensure that a property owner doesn't build an accessory building that would impact neighboring property owners. She asked if the proposal would restrict single-family homeowners from building an accessory building on their property. Planning Director Hess explained there is a swath of R-2 zoned single-family homes, which was a solution to addressing problems with accessory buildings. The area is much more similar to the R-1-8 zone. Ms. Casey stated she was only concerned about the Commission employing regulations that would restrict people from building an accessory building on their property.

Commissioner Nancarrow made a motion to close the Public Hearing. Commissioner Lunt seconded the motion.

Voting on the motion:

Chairman Thomas	absent
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent

The motion carried.

The Public Hearing was closed at 6:31 p.m.

b. Consideration and recommendation

Planning Director Hess and Mr. Johnson facilitated discussion among the Commission regarding the implications of the proposed regulations; the Commission concluded they feel that consistency across zones is important for accessory building standards.

Commissioner Nancarrow made a motion to forward a positive recommendation to the City Council for application ZTA 2022-06, legislative amendment regarding accessory building standards in multi-family zones: R-2, R-3, and R-4. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas	absent
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent

The motion carried.

7. ZTA 2022-07 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO DEVELOP SHORT TERM RENTAL REGULATIONS

Planning Technician Johnson explained North Ogden City has previously considered Short Term Rental Regulations in 2018 and 2019. In 2019, the Code was updated to allow short term rental of accessory dwelling units. Currently, any residential structure in the City can be operated as a short-term rental so long as the operator obtains a Rental Business License. This includes the rental of any portion of an owner occupied home or accessory dwelling unit, as well as the rental of an entire residential structure. Staff has recently received calls from property owners asking questions about short term rentals and their legality. The Council has since asked Staff to consider regulations for short term rentals. He discussed staff's analysis of the matter, which included an evaluation of short-term rental regulations employed in other cities. He presented a draft of potential short term rental regulations as follows:

1. Short term rentals are recommended to continue to be permitted within residential units as a stand-alone use, or when renting any portion of an existing home or accessory dwelling unit.
2. Short term rentals must obtain a Rental Business License.
3. Short term rentals are recommended to be required to be inspected by the Fire Department prior to initial approval of the Business License, and annually at renewal thereafter.
4. Building/Fire Department Inspection is recommended to include:
 - a. Compliance with Building, Fire, and Health Codes
 - b. Smoke Detectors installed in each bedroom

- c. Ground fault circuit interrupter (GFCI) outlets recommended to be required in locations set by Building Code
- d. Ingress and egress doors and windows recommended to be required to meet Building Code at the time of application
- e. Hand or Guard Rails recommended to be required in locations set by Building Code
- f. Parking recommended to be required at one stall per bedroom rented
- g. Maximum occupancy recommended to be no more than 12 persons in the entire short term rental property.

Staff recommends the Planning Commission consider whether short term rentals are impacting North Ogden City's housing negatively, how short-term rentals should be regulated, and how those regulations should be administered.

Planning Director Hess and Mr. Johnson facilitated discussion among the Commission regarding the implications of the proposed regulations; there was a focus on the perception that short-term rentals can have a negative impact on single-family neighborhoods, such as impacting the property value or allowing transient tenants to move in and out of a neighborhood, with the Commission concluding they do not feel that the use impacts property values or even housing affordability and that it would be difficult to mitigate impacts of or enforce regulations regarding transient tenancy.

a. Vice Chairman Mason opened the Public Hearing at 6:50 p.m.

Sandy Cochran, North Ogden resident, voiced her opposition to allowing short term rentals in multi-family dwellings. She lives in the Village at Prominence Point project and there are two short term rental units within a 30-second walking distance of her home, and she foresees it becoming a problem. The thought of a different stranger staying in a townhome unit located very close to single family homes with young children is very unsettling. It is not fair to those who have saved money to purchase their home to be forced to live next to a unit that makes them uncomfortable. Residents are not notified when a property is used as a short-term rental, and she had to conduct her own research to find out that the units were being used in that manner. She discussed other illegal activities occurring in her neighborhood, such as break-ins during the day, and it is impossible to know if this is being done by someone renting one of the short-term rentals or others that are driving through the area. She stated that the Village at Prominence Point project will eventually include amenities for the residents, and she wondered if the permanent residents will be forced to share those amenities with strangers.

Mr. Hess asked Ms. Cochran if the covenants, conditions, and restrictions (CCRs) for the Village at Prominence Point homeowners association (HOA) limit the number of units that can she used as short-term rentals. Ms. Cochran answered no but indicated residents have been misled regarding that matter; when she first purchased her home, she was told there would be a limit, but that is not the case.

Vice Chairman Mason stated that he is also opposed to short term rentals in multi-family zones, but he asked Ms. Cochran if she is also opposed to the use in a single-family neighborhood. Ms. Cochran stated she has not given a lot of thought to that matter, but she does not believe the impact on a single-family neighborhood would be the same as in a multi-family project.

Commissioner Nancarrow stated she thought that the draft ordinance did include restrictions on the use in multi-family zones, but she cannot locate that language at this time.

Commissioner Lunt made a motion to close the Public Hearing. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas	absent
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent

The motion carried.

The Public Hearing was closed at 6:56 p.m.

b. Consideration and recommendation

Commissioner Webb stated that he can see how allowing short term rentals in a multi-family housing project would impact housing affordability because the owners of units could perceive that they could get more money if their unit could be rented for short-term use and that could drive up the prices for people looking for an owner-occupied unit. Vice Chairman Mason agreed; if there is a demand for short term rental units in the City, an investor could purchase a number of units in one project area and use them as short-term units. Commissioner Webb suggested the ordinance include language that regulates or restricts short term rentals in multi-family housing projects.

Discussion then shifted on the ability of the City to enforce certain regulations, with the Planning Commission stressing the importance of a renter or a neighboring property owner to contact someone directly if there is an issue at the property.

Vice Chairman Mason stated he has a neighbor who is wealthy and owns 39 homes; this means there are 39 homes that are unavailable for purchase by a potential buyer. He is opposed to someone monetizing their property at the expense of the 25-year-old first time home buyer who is trying to purchase a property. Mr. Hess stated he understands that viewpoint, but there are also many property owners who own just one additional property that they rent for long- or short-term rental and many landlords are very responsible and maintain their property appropriately. Commissioner Webb added that the issues raised by Vice Chairman Mason are market driven and not something that the City should be trying to regulate; the issue at hand is whether short term rentals must be owner-occupied or if an owner or property manager must be located within a certain distance of the property for quick response. He suggested someone must be able to respond to the property within an hour if the Police are called to respond to a nuisance at the property.

Vice Chairman Mason invited input from a Police Officer in attendance;

John Ungard, North Ogden Police Officer, discussed the difficulty of the Police Department to reach a management company during weekend or overnight hours. The same may be true for the property owner of a short-term rental property. He stated the City needs to consider the repercussions of the regulations and the ability to enforce them before adopting an ordinance.

Vice Chairman Mason asked if there is an increase in illegal activity for short term rentals versus other types of dwellings. Officer Ungard answered no.

Commissioner Nancarrow stated that she feels the language drafted by Mr. Hess is adequately specific in terms of ensuring proper posting of contact information for the owner of property manager of a short-term rental.

The Commission discussed the increase in the number of short-term rental units in the community and indicated that could increase further based upon completion of resort types of projects in the Ogden Valley; it is important to consider regulations for short term rentals in single family neighborhoods and to prohibit short term rentals in certain multi family zones. Vice Chairman Mason stated that he will be opposed to allowing short term rentals unless the property is owner occupied.

The Commission debated the points raised regarding Vice Chairman Mason and Mr. Hess and concluded that they are not ready to make a recommendation to the City Council at this time and they asked Planning staff to adjust the proposed ordinance text responsive to feedback provided tonight; this includes prohibiting short term rentals in multi-family zones, requiring a property owner to have someone available to respond to problems at the property within an hour, and consideration of owner-occupancy requirements for certain short term rentals.

Commissioner Webb made a motion to table action on application ZTA 2022-07, legislative amendment to develop short term rental regulations. Commissioner Lunt seconded the motion.

Voting on the motion:

Chairman Thomas	absent
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent

The motion carried.

8. ZTA 2022-08 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO REVISE THE TRAILER PARKING STANDARDS TO REMOVE LANGUAGE IN A PROVISION IN TITLE 11, ALREADY ADDRESSED BY TITLE 7 OF CITY CODE

Associate Planner Bell explained the Police Department has been reviewing the code regarding parking of trailers in the street (the public right-of-way). The Police Chief requested that the Planning Department work with the Police Department to propose an adjustment to regulations in City Code in Title 11, to make sure that they are consistent. State law specifies that law enforcement has authority over parking in public rights-of-way. Given that fact, as the two departments worked together, Staff came to the opinion that the best way to address one provision (11-9M-21 (d)) in Title 11 of City Code, was simply to eliminate most of this provision, and leave Title 7 to address the same issues (which it already does). He discussed staff's analysis of the proposed amendment, concluding there is nothing in the General Plan that was determined to pertain to this issue. Planning Department Staff is proposing this text amendment to Title 11 of City Code, at the request of the Police Department. The Planning Department Staff recommends approval of this proposed text amendment, as a means of adjusting City Code to be more compliant with Utah State Code and eliminating conflicting provisions in Title 11 and Title 7 of City Code.

a. Chairman Thomas opened the Public Hearing at 7:47 p.m.

There were no persons appearing to be heard.

Commissioner Nancarrow made a motion to close the Public Hearing. Commissioner Webb seconded the motion.

Voting on the motion:

Chairman Thomas	absent
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent

The motion carried.

The Public Hearing was closed at 7:48 p.m.

b. Consideration and recommendation

Commissioner Nancarrow made a motion to forward a positive recommendation to the City Council regarding application ZTA 2022-08, legislative amendment to revise the trailer parking standards to remove language in a provision in Title 11, already addressed by Title 7 of the City Code. Commissioner Webb seconded the motion.

Voting on the motion:

Chairman Thomas	absent
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent

9. PUBLIC COMMENTS

There were no public comments.

10. REMARKS - PLANNING COMMISSIONERS:

Commissioner Barker stated he has received many complaints from residents about misuse of the dog park in the City or treating other parks as a dog park. He asked for advice on seeking help from the Police Department to enforce leash laws and other rules for the dog park. Officer Ungard suggested any person noticing improper behavior of activities take a photo of the violation and contact the Police Department. He recommended that no individual approach another person's dog that is off leash.

Commissioner Webb thanked the City staff and Ms. Cochran for their input tonight.

11. REPORT - PLANNING DIRECTOR:

Planning Director Hess reminded the Commission of an upcoming joint meeting with the City Council, during which training will be provided to both bodies. He then provided an update on efforts to codify updated titles of the City Code. He also discussed efforts underway to update the City's General Plan relating to housing affordability requirements from the State Legislature.

12. REMARKS – CITY MANAGER/ATTORNEY

City Manager/Attorney reported on a change to the date of the City's summer party; Commissioners should have an email notification of the event.

13. ADJOURNMENT

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

Chairman Thomas	absent
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent

The motion carried.

The meeting adjourned at 8:04 p.m.

Eric Thomas
Planning Commission Chair

Joyce Pierson
Deputy City Recorder

Date Approved



Short-Term Rental Rules and Regulations

3 TYPES OF SHORT-TERM RENTALS

01.

Residential Hosting

- Renting out a guestroom or casita while you live in the main home. A residential hosting license is required.

02.

Vacation Rental in a single family zone

- Renting out an entire home that you do not live in. A limited number of vacation rental licenses are available call the city office to reserve a space on the waiting list. No vacation rentals are allowed in multifamily zones

03.

Vacation Rental in a resort

- Renting out an entire home in a designated resort community. A vacation rental license is required.

BUSINESS LICENSE REQUIREMENTS

01.

Fill out the applicable license form available at cityofhurricane.com

02.

Submit the following

- Application fee
- Parking plan
- Fire inspection

Enforcement

Any violation of city ordinances with regards to short-term rentals carries a \$750 a day fine. Call 435-625-3737 to report a non-compliant rental

**CHAPTER 17.XX:
RESIDENTIAL SHORT-TERM RENTAL (STR):**

SECTION:

- 17.XX.010: PURPOSE
- 17.XX.020: APPLICABILITY
- 17.XX.030: DEFINITIONS
- 17.XX.040: STANDARDS AND REQUIREMENTS
- 17.XX.050: VIOLATIONS
- 17.XX.060: ENFORCEMENT
- 17.XX.070: FINES

17.67.010: PURPOSE:

This chapter is established to provide regulations for residential short-term rentals (STRs) related to single family and multi-family neighborhoods. These standards seek to allow for STRs while also protecting the safety and general welfare of residents and preserving the residential character of neighborhoods. Allowing STRs, is intended to provide economic relief to existing property owners who might otherwise be forced to leave a neighborhood, thus promoting, and preserving stable and affordable housing in the city. This chapter also intends to stabilize neighborhoods by promoting home ownership and preserving long term rental housing in the market.

17.XX.020: DEFINITIONS:

The following words and phrases when used in this chapter shall be construed as defined in this section:

- A) **DEDICATED VACATION RENTAL:** Renting an entire dwelling where there are no owner occupants.
- B) **HOSTED SHARING:** Renting a portion of the dwelling while the owner occupants of a residence remain on-site with guests.
- C) **INCIDENT:** A violation or series of violations that have occurred in a time period of 24 hours.
- D) **RENTER:** a single person or group of people who provide compensation, in any form, in exchange for occupancy of a dwelling unit, or portion thereof, under one lease or rental agreement.
- E) **STR LAND USE PERMIT:** An administrative permit issued to the property owner seeking to use property as an STR after Community and Economic Development staff have determined that the owner's property qualifies under the requirements of this chapter.
- F) **SHORT-TERM RENTAL (STR):** Any dwelling or portion thereof that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 30 consecutive days.
- G) **UNHOSTED SHARING:** Renting an entire dwelling unit where the owner occupants of a residence vacate the unit while it is rented to short-term guests.

17.XX.030: APPLICABILITY:

- A) An STR is allowed in all primarily residential districts after obtaining both an STR land use permit and a business license.
- B) The following are exempt and shall not be subject to the provisions of this chapter:
 - 1) A residential lease of thirty (30) or more consecutive days.

CHAPTER 17.XX:
RESIDENTIAL SHORT-TERM RENTAL (STR):

- 2) RV parks, campgrounds, hotels, and motels, as described and regulated in Title 17.

17.XX.040: STANDARDS AND REQUIREMENTS:

An STR may be allowed within any existing legal conforming residential dwelling by obtaining an STR land use permit from the Community and Economic Development Department, wherein the applicant demonstrates compliance with requirements found in Title 17 and all of the following standards and requirements:

- A) Application: A completed application form and payment of all fees. -Application form provided by the City.
- B) Property Information:
- 1) A detailed written description of the proposed use.
 - 2) A basic site plan of the property including locations of accessory structures, setbacks, parking, and entrances to the dwelling and STR.
 - 3) A floorplan drawing of the dwelling that identifies the portions of the dwelling to be used for the STR.
 - 4) Only one designated STR or STR area is allowed per dwelling.
- C) Parking Plan: A detailed drawing of an off-street parking plan must be provided to ensure that all occupants of the primary dwelling and STR can be accommodated on-site at all times.
- 1) Parking may not include any on-street parking, and shall be limited to the existing garage, driveway, and dedicated parking spots of the residential unit.
 - 2) Shared guest parking as part of a multi-family dwelling shall only be permitted upon express written approval of the HOA or property management, as applicable.
 - 3) Any proposed parking improvements shall also be included in the off-street parking plan and must be completed prior to issuance of a business license.
 - 4) All elements of the parking plan must comply with all other requirements of this chapter.
 - 5) The applicant shall provide the maximum renter occupancy proposed and demonstrate that sufficient parking has been provided off street at a rate of one-half ($\frac{1}{2}$) space per bedroom or sleeping area and in no case shall the parking be less than one (1) space.
- D) Owner Occupancy: The owner shall live in the dwelling in which an STR is desired and must reside as their primary residence.
- 1) The owner shall prove ownership of the property as evidenced by a copy of a transfer deed listing the applicant as the fee title owner.
 - a) Fee title owner may be an individual or trustor of a family trust that possesses fifty percent (50%) or more ownership of the proposed STR.
 - b) Fee title owner may not be a corporation, partnership, limited liability company, or similar entity.
 - 2) To establish that the property is the owner's primary residence, the owner shall:
 - a) Present a government issued identification document listing the address of the property as the address of the owner; and
 - b) A signed affidavit sworn before a notary public shall be provided by the owner stating that the proposed property is the primary residence of the owner, wherein they reside at least one hundred eighty-three (183) days per calendar year.
- E) Occupancy During Rental Period: The owner shall comply with the following occupancy restrictions:

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RESIDENTIAL SHORT-TERM RENTAL (STR):

- 1) The property shall not be rented to more than one party at any given time, and the owner shall not divide and rent out portions of the dwelling to multiple parties at the same time.
 - 2) Hosted sharing is allowed 365 days a year.
 - 3) Unhosted sharing shall not be conducted for more than one hundred eighty-two (182) nights per year.
 - a) The property shall only be rented for a minimum duration of one night and a maximum of thirty (30) nights.
 - 4) Dedicated Vacation Rentals are not allowed.
- F) No Conflict with Private Restrictions: The property owner shall sign an affidavit sworn before a notary public that certifies to the City that the subject property has no existing private covenants, conditions, or restrictions prohibiting STRs.
- G) Urgent Response: The owner, or a designated representative, shall be available to immediately respond twenty-four (24) hours a day, three hundred sixty-five (365) days a year by telephone.
- 1) When necessary, the owner, or a designated representative be able to physically respond within one hour of an inquiry or request by the City.
 - 2) If the owner or designated representative is unreachable after three (3) attempted contacts by Murray City within one hour, a citation may be issued.
 - 3) If the owner or designated representative is not able to respond within an hour a citation may be issued.
- H) Nameplate Sign: One nameplate sign shall be permanently attached to the building in a conspicuous location near the front entrance of the STR. The nameplate sign shall:
- 1) Provide the name and telephone number of the owner or designated representative that can be contacted twenty-four (24) hours a day;
 - 2) Contain the occupant load of the building as allowed by the International Building Code;
 - 3) Be made of durable, weather resistant material;
 - 4) Not exceed three inches by five inches in dimension; and
 - 5) Contain no advertising.
- I) Noticing and Posting Requirements: A guest informational packet must be maintained in a clearly visible location within the STR area, and must include all of the following:
- 1) STR permit and business license.
 - 2) 24/7 contact information for owner or a designated representative.
 - 3) Parking requirements, including site map of approved designated parking areas.
 - 4) Maximum occupancy.
 - 5) Sign indicating no excessive or undue noise between 10 p.m. and 7:00 a.m.
 - 6) Garbage pick-up dates, and a written description of where garbage receptacles must be placed for pick-up and retrieval All garbage must be retrieved and disposed of on a regular basis and in a timely and appropriate manner.
 - 7) Numbers for 911 and Non-emergency dispatch.
 - 8) Other contact information or information related to other regulations or conditions of an approval through the land use permit process, as required by the Community and Economic Development Department.
- J) Property Maintenance Requirements: All STRs shall adhere to all City ordinances relating to the maintenance and management of property.

CHAPTER 17.XX:
RESIDENTIAL SHORT-TERM RENTAL (STR):

- K) Noise and Nuisance Control: The owner shall ensure that the guests adhere to the noise control in section 8.16 of the Murray City Code, as amended. Should a renter violate the noise control chapter more than once in any given 48-hour period they shall be immediately evicted from the property by the owner.

17.XX.050: VIOLATIONS AND PENALTIES:

- A. Failure to comply with this chapter shall constitute a violation for which the City may issue a citation and impose penalties. -Each day that a violation occurs or continues is a separate violation.
- B. Operation of a property in the city for short-term rental purposes without an STR Land Use Permit or a business license shall be a violation of this code for which the City may issue a citation and impose penalties, with each day of unpermitted or unlicensed operation constituting a separate offense.
- C. It shall be a violation for any person to operate and STR in violation of any federal, state or local law, rule or regulation.
- D. For noncompliance with this chapter, the issuing officer shall issue a written citation to the owner or operator, specifying the violation. -Except as otherwise provided in this chapter, the penalty for violation of this chapter shall be as follows:
1. The first violation within any 12-month period is an infraction, the penalty of which shall be no less than \$500;
 2. The second violation within any 12-month period is an infraction, the penalty of which shall be no less than \$750; and
 3. The third violation within any 12 month period is an infraction, the penalty of which shall be no less than \$750 and revocation of the STR Land Use Permit and the business license for the short-term rental for the subject property; provided, however, that the operator may not re-apply for any available STR Land Use Permit or short-term rental business license for such property for two years from the date of such revocation.
 4. Any violation following the third violation within 12 months is a class B misdemeanor, the penalty of which shall include a fine of no less than \$1,000, and the owner shall be ineligible for an STR Land Use Permit or business license related to an STR for any property within the City.

11-6-133 Residential Short-Term Rental (STR).

(1) Purpose. This Section is established to:

- (a) Provide regulations for residential short-term rentals in residential zones;
- (b) Preserve the residential character of Springville neighborhoods;
- (c) Provide existing homeowners economic relief;
- (d) Help promote affordable housing; and
- (e) Protect the safety and general welfare of Springville residents.

(2) Definitions. The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (a) "Host" means an owner who rents their primary residence as a short-term rental.
- (b) "Owner" means a person or persons who permanently occupies a primary residence they own in fee title. A permanent resident shall not be a corporation, partnership, limited liability company, or similar corporate entity.
- (c) "Primary residence" means the owner's usual place of return for housing as documented by at least two (2) of the following: motor vehicle registration; driver's license; voter registration; or tax documents showing the residential unit as the owner's residence for the purposes of a home owner's tax exemption. A person may have only one (1) primary residence.
- (d) "Short-term rental" or "STR" means a portion of a primary residence that is used for a temporary stay for a period of less than thirty (30) consecutive days by a renter. An STR shall not be a place that hosts events, parties or activities.
- (e) "STR stay" means the entire period of time, including both days and nights, a renter stays within an STR.

(3) Host Present. A host shall be present and occupy their primary residence during the entirety of an STR stay, unless one (1) of the following exceptions applies:

- (a) Ninety (90) Nights. A host may rent out their primary residence as an STR for up to ninety (90) nights in a calendar year without occupying the primary residence during the STR stay. The host shall provide the contact information to an STR renter of a representative who will be available to immediately respond twenty-four (24) hours per day for any day the host is not occupying the primary residence during an STR stay.
- (b) Temporary Absence. A host may leave their permanent residence for a temporary, bona fide absence not to exceed three (3) years, such as a temporary job assignment, sabbatical, or voluntary service. In order to continue to rent the STR during the host's temporary absence, the host must designate with the City a host representative who shall fulfill all of the host's requirements for STR stays within the host's primary residence during the host's temporary absence.

(4) Noise Requirements.

- (a) The noise levels during an STR stay shall not:
 - (i) Exceed sixty (60) decibels at any property boundary of the host's primary residence from the hours of 10:00 p.m. to 7:00 a.m., or

(ii) Exceed eighty (80) decibels at any property boundary of the host's primary residence for longer than one (1) hour during the hours of 7:00 a.m. to 10:00 p.m.

(b) A host shall be responsible to make sure the noise requirements in this subsection and all other noise-related regulations of this Code are followed during an STR stay.

(5) Permit/Licensing.

(a) As a requirement of operating an STR, a host shall meet the requirements for, obtain and maintain a valid STR permit from the Community Development Department. In order to obtain a permit, a host shall complete an application form as provided by the Community Development Department.

(b) As part of the application, a host will be required to provide, among other items, a parking plan showing:

(i) One (1) additional designated off-street parking space for an STR that is under two thousand (2,000) square feet in size; or

(ii) Two (2) additional designated off-street parking spaces for an STR that is over two thousand (2,000) square feet in size.

(c) In addition to an STR permit from the Community Development Department, a host shall also obtain and maintain a current business license and follow all required STR-specific current and future business license requirements.

(6) Violations.

(a) It shall be a violation for any host to operate an STR:

(i) Without first obtaining an STR permit or maintaining a valid business license for the STR; or

(ii) That does not comply with the requirements of this Section or this Code.

(b) Each day that a violation occurs or continues is a separate violation.

(c) For any violation of this Section, the Code Enforcement Officer may issue a written citation or notice of violation to the owner, specifying the violation and the penalty to be imposed.

(i) For the first violation within any twelve (12) month period, the host shall be given a written warning.

(ii) For a second violation within any twelve (12) month period, the penalty shall be a \$500.00 fine.

(iii) For a third violation within any twelve (12) month period, the penalty shall be a \$750.00 fine.

(iv) For a fourth violation within any twelve (12) month period, the penalty shall be a \$750.00 fine and the host's STR permit and business license shall be revoked for a period of one (1) year.

(Ord. No. 18-2020 § 2, 09/15/2020)

Staff Report to the North Ogden City Council

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration of property purchase by North Ogden City for a parcel owned by Weber Box Elder Conservation District with storm water funds.

Agenda Date: October 25, 2022

Applicant: North Ogden Planning Department

File Number: N/A

PUBLIC NOTICE:

Mailed Notice: N/A

Newspaper: N/A

City Website: October 20, 2022

PROPERTY INFORMATION

Address: Approximately 1500 N. 200 W (south of Country Boy Dr)

Parcel ID: 11-373-0008

STAFF INFORMATION

Scott Hess
shess@nogden.org
801-737-9841

BACKGROUND

Weber Box Elder Conservation District (hereafter referred to as The District) owns a parcel of property on the boundary between Harrisville City and North Ogden City at the intersection of 1500 N. and 200 W. This parcel is adjacent to a North Ogden City detention basin, and was originally slated to be additional storm water collection. The District has deemed this property surplus. The District has offered the parcel to North Ogden for the use of increasing the size of the adjacent storm detention basin. Some of the property could potentially be used for a future transportation connection of 1500 N. between Harrisville City and North Ogden City.

The cost of the parcel has been determined by the seller as \$111,323.90. The purchase price was determined by taking the original purchase price from 2008 (\$79,900) and applying inflation to the property up to the month of August 2022 (see Exhibit A).

North Ogden City Storm Water Fund has budget funds available to cover the purchase of the parcel and construction of the storm water basin improvements. The parcel will provide a public

benefit in improved storm water collection and conveyance in this area of the City.

RECOMMENDATION

Staff recommends the City Council purchase parcel 11-373-0008 with storm water funds for the development of a storm water basin for the proposed property purchase price of \$111,323.90.

EXHIBITS

A. Price Analysis - Parcel 11-373-0008

AREA MAP



FRED Graph Observations
 Federal Reserve Economic Data
 Link: <https://fred.stlouisfed.org>
 Help: <https://fredhelp.stlouisfed.org>
 Economic Research Division
 Federal Reserve Bank of St. Louis

CPIAUCSL Consumer Price Index for All Urban Consumers: All Items in U.S. City A'

Frequency: Monthly

observation_date CPIAUCSL

2008-01-01	212.174	Jan. 2008 Dollar vs today's Dollar Purchased in 2007 using inflation rates from beginning of 2008
2008-02-01	212.687	
2008-03-01	213.448	
2008-04-01	213.942	
2008-05-01	215.208	
2008-06-01	217.463	
2008-07-01	219.016	
2008-08-01	218.690	
2008-09-01	218.877	
2008-10-01	216.995	
2008-11-01	213.153	
2008-12-01	211.398	
2009-01-01	211.933	
2009-02-01	212.705	
2009-03-01	212.495	
2009-04-01	212.709	
2009-05-01	213.022	
2009-06-01	214.790	
2009-07-01	214.726	
2009-08-01	215.445	
2009-09-01	215.861	
2009-10-01	216.509	
2009-11-01	217.234	
2009-12-01	217.347	
2010-01-01	217.488	
2010-02-01	217.281	
2010-03-01	217.353	
2010-04-01	217.403	
2010-05-01	217.290	
2010-06-01	217.199	
2010-07-01	217.605	
2010-08-01	217.923	
2010-09-01	218.275	
2010-10-01	219.035	
2010-11-01	219.590	
2010-12-01	220.472	
2011-01-01	221.187	
2011-02-01	221.898	
2011-03-01	223.046	
2011-04-01	224.093	
2011-05-01	224.806	

2011-06-01	224.806
2011-07-01	225.395
2011-08-01	226.106
2011-09-01	226.597
2011-10-01	226.750
2011-11-01	227.169
2011-12-01	227.223
2012-01-01	227.842
2012-02-01	228.329
2012-03-01	228.807
2012-04-01	229.187
2012-05-01	228.713
2012-06-01	228.524
2012-07-01	228.590
2012-08-01	229.918
2012-09-01	231.015
2012-10-01	231.638
2012-11-01	231.249
2012-12-01	231.221
2013-01-01	231.679
2013-02-01	232.937
2013-03-01	232.282
2013-04-01	231.797
2013-05-01	231.893
2013-06-01	232.445
2013-07-01	232.900
2013-08-01	233.456
2013-09-01	233.544
2013-10-01	233.669
2013-11-01	234.100
2013-12-01	234.719
2014-01-01	235.288
2014-02-01	235.547
2014-03-01	236.028
2014-04-01	236.468
2014-05-01	236.918
2014-06-01	237.231
2014-07-01	237.498
2014-08-01	237.460
2014-09-01	237.477
2014-10-01	237.430
2014-11-01	236.983
2014-12-01	236.252
2015-01-01	234.747
2015-02-01	235.342
2015-03-01	235.976
2015-04-01	236.222
2015-05-01	237.001
2015-06-01	237.657
2015-07-01	238.034
2015-08-01	238.033
2015-09-01	237.498

2015-10-01	237.733
2015-11-01	238.017
2015-12-01	237.761
2016-01-01	237.652
2016-02-01	237.336
2016-03-01	238.080
2016-04-01	238.992
2016-05-01	239.557
2016-06-01	240.222
2016-07-01	240.101
2016-08-01	240.545
2016-09-01	241.176
2016-10-01	241.741
2016-11-01	242.026
2016-12-01	242.637
2017-01-01	243.618
2017-02-01	244.006
2017-03-01	243.892
2017-04-01	244.193
2017-05-01	244.004
2017-06-01	244.163
2017-07-01	244.243
2017-08-01	245.183
2017-09-01	246.435
2017-10-01	246.626
2017-11-01	247.284
2017-12-01	247.805
2018-01-01	248.743
2018-02-01	249.439
2018-03-01	249.581
2018-04-01	250.146
2018-05-01	250.779
2018-06-01	251.118
2018-07-01	251.323
2018-08-01	251.749
2018-09-01	252.239
2018-10-01	252.862
2018-11-01	252.657
2018-12-01	252.551
2019-01-01	252.470
2019-02-01	253.135
2019-03-01	254.273
2019-04-01	255.163
2019-05-01	255.325
2019-06-01	255.361
2019-07-01	255.900
2019-08-01	256.179
2019-09-01	256.596
2019-10-01	257.305
2019-11-01	257.788
2019-12-01	258.263
2020-01-01	258.682

2020-02-01	259.007
2020-03-01	258.165
2020-04-01	256.094
2020-05-01	255.944
2020-06-01	257.217
2020-07-01	258.543
2020-08-01	259.580
2020-09-01	260.190
2020-10-01	260.352
2020-11-01	260.721
2020-12-01	261.564
2021-01-01	262.200
2021-02-01	263.346
2021-03-01	265.028
2021-04-01	266.727
2021-05-01	268.599
2021-06-01	270.955
2021-07-01	272.184
2021-08-01	273.092
2021-09-01	274.214
2021-10-01	276.590
2021-11-01	278.524
2021-12-01	280.126
2022-01-01	281.933
2022-02-01	284.182
2022-03-01	287.708
2022-04-01	288.663
2022-05-01	291.474
2022-06-01	295.328
2022-07-01	295.271
2022-08-01	295.620

verage, Index 1982-1984=100, Monthly, Seasonally Adjusted

	139%	0.393290413
Purchase price		\$79,900
Price + inflation		\$111,323.90